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Sussex County
DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

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

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

REVISED AGENDA

March 24, 2022

5:00 P.M.

Call to Order

Approval of Agenda

Approval of Minutes – February 17, 2022

Other Business

(2019-04) Sloan Family Subdivision BM
Final Subdivision Plan

(S-18-85) Sage Life Rehoboth KS
Revised Final Site Plan

(S-18-11) Two Farms Retail #956 KS
Revised Preliminary Site Plan

(S-21-40) Nguyen Multi-Family Dwelling KS
Preliminary Site Plan

Lands of Jane P. Locke KH
Minor Subdivision off of a 50-ft Easement

Lands of Sylvester Hicks, Ricky Hicks, & Alberta Harmon KS
Minor Subdivision off of a 50-ft Easement

Lands of Jocelyn Huff KS
Minor Subdivision off of a 50-ft Easement

Lands of Sharp Farm Limited Partnership KS
Minor Subdivision off of a 50-ft Easement

EQUAL HOUSING OPPORTUNITY

Old Business

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 2287 Danielle Roach BM

An Ordinance to grant a Conditional Use of land in a GR General Residential District for a craft business with outdoor storage to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 0.34 acres, more or less. The property is lying on the northwest side of Pine Road. 911 Address: 22928 Pine Road. Tax Parcel: 234-12.18-41.00.

C/Z 1951 Shiloh Investments, LLC KS

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 Broadkill Hundred, Sussex County, containing 4.17 acres, more or less. The property is lying on the south side of Lewes Georgetown Highway (Rt. 9) approximately 0.15-miles east of the intersection of Hudson Road (S.C.R. 258.) and Fisher Road (S.C.R. 262). 911 Address: N/A. Tax Parcel: 235-30.00-50.01

C/Z 1952 Samantha Broadhurst KH

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 Georgetown Hundred, Sussex County, containing 22.60 acres, more or less. The property is lying on the west side of Dupont Blvd. (Rt. 113) approximately 0.33 mile north of Wilson Hill Rd. (S.C.R. 244). 911 Address: N/A. Tax Parcel: 135-9.00-26.00

2022-01 Henlopen Properties, LLC KS

A Coastal Area subdivision to divide 43.777 acres +/- into two hundred and sixty-seven (267) lots on a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County. The property is located on the southeast side of Kings Highway (Rt. 9) and on the north side of Gills Neck Road (S.C.R. 267). Tax Parcel: 335-8.00-37.00 (portion of). Zoning: MR (Medium Residential District).

C/Z 1967 Henlopen Properties, LLC KS

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a MR Medium Residential District for a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 43.777 acres, more or less. The property is lying on the southeast side of Kings Highway (Rt. 9) and on the north side of Gills Neck Road (S.C.R. 267). 911 Address: N/A. Tax Parcel: 335-8.00-37.00 (portion of).

C/Z 1968 Henlopen Properties, LLC KS

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 Lewes & Rehoboth Hundred, Sussex County, containing 3.041 acres, more or less. The property is lying on the southeast side of Kings Highway (Rt. 9) approximately 0.11-mile northeast of the intersection of Kings Highway (Rt. 9) and Gills Neck Road (S.C.R. 267). 911 Address: N/A. Tax Parcel: 335-8.00-37.00 (portion of).

C/U 2334 Henlopen Properties, LLC KS

An Ordinance to grant a Conditional Use of land in a MR Medium Residential District for multi-family (267 units) to be located on a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 43.777 acres, more or less. The property is lying on the southeast side of Kings Highway (Rt. 9) and on the north side of Gills Neck Road (S.C.R. 267). 911 Address: N/A. Tax Parcel: 335-8.00-37.00 (portion of).

Public Hearings

2021-22 The Woods at Burton's Pond Extended KS

A major subdivision to divide 15.009 acres +/- into nineteen (19) single family lots to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County. The property is lying on the south side of Conley's Chapel Road (S.C.R. 280B), approximately 0.4 mile east of Beaver Dam Road (S.C.R. 285) and is accessed from Artesian Avenue within The Woods at Burton's Pond Subdivision. Tax Parcel: 234-11.00-72.04. Zoning: AR-1 (Agricultural Residential District).

~~**2021-23 Stillwater Harbor**~~ BM

~~A Coastal Area cluster subdivision to divide 53.95 acres +/- into one hundred and twenty-three (123) single family lots to be located on certain parcels of land lying and being in Indian River Hundred, Sussex County. The properties are lying on the north side of River Road (S.C.R. 312), approximately 0.3 miles northwest of Chief Road (S.C.R. 311). Tax Parcels: 234-34.00-79.00, 234-34.11-9.00, 234-34.11-9.01. Zoning: MR (Medium-Density Residential District), GR (General Residential District).~~

2021-26 Harper's Glen KS

A cluster subdivision to divide 29.39 acres +/- into thirty-three (33) single family lots to be located on certain parcels of land lying and being in Broadkill Hundred, Sussex County. The property is lying on the north side of Milton Ellendale Highway (Rt. 16), approximately 0.17 mile east of the intersection of Gravel Hill Road (Rt. 30) and Isaacs Road (Rt. 30). Tax Parcel: 235-14.00-61.00 & 61.06. Zoning: AR-1 (Agricultural Residential District).

C/U 2290 Toback Development, LLC KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for contractor flex space to be located on a certain parcel of land lying and being in Broad Kill Hundred, Sussex County, containing 7.12 acres, more or less. The property is lying on the west side of the intersection of Lewes Georgetown Highway (Route 9) and Prettyman Road (S.C.R. 254). 911 Address: N/A. Tax Parcel: 235-30.00-6.21 (portion of).

C/Z 1954 American Storage of Delaware, LLC BM

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an

AR-1 Agricultural Residential District to a C-3 Heavy Commercial District for a portion of a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 8.27 acres, more or less. The property is lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 miles south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). 911 Address: N/A. Tax Parcel: 234-29.00-49.02 (portion of)

C/Z 1955 American Storage of Delaware, LLC BM

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a MR Medium Density Residential District for a portion of certain parcels of land lying and being in Indian River Hundred, Sussex County, containing 17.63 acres, more or less. The property is lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). 911 Address: N/A. Tax Parcels: 234-29.00-49.02 (portion of), 49.03 & 50.00.

C/U 2315 American Storage of Delaware, LLC BM

An Ordinance to grant a Conditional Use of land in an MR Medium Density Residential District for multifamily units (140 units) to be located on certain parcels of land lying and being in Indian River Hundred, Sussex County, containing 17.63 acres, more or less. The property is lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). 911 Address: N/A. Tax Parcels: 234-29.00-49.02 (portion of), 49.03 & 50.00.

Additional Business

- Executive Session – Pending/Potential Litigation

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on March 17, 2022 at 3:30 p.m., and at least seven (7) days in advance of the meeting.

The agenda was revised on March 21, 2022 at 6:00 p.m to remove Subdivision Reference 2021-23 Stillwater Harbor from the list of Public Hearings. The Applicant has requested that the Public Hearing for this application be postponed. Once a new hearing date is identified, the application will be re-noticed for a future Planning & Zoning Commission meeting date.

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, March 23, 2022.

# # # #

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Sussex County
DELAWARE
sussexcountyde.gov

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: March 17th, 2022
RE: Other Business for the March 24th, 2022 Planning Commission Meeting

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This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the March 24th, 2022 Meeting of the Planning & Zoning Commission.

(2019-04) Sloan Family Subdivision BM

Final Subdivision Plan

This is a Final Subdivision Plan to to subdivide 7.749 +/- acres into eleven (11) single-family lots, private roads and open space. The Preliminary Subdivision Plan for was approved by the Planning and Zoning Commission at their meeting of Thursday, May 9, 2019. The property is located on the northeast side of Pinewater Drive, a private road within the Pinewater Subdivision. The Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes and all Conditions of Approval. Zoning: AR-1 (Agricultural Residential District). Tax Parcels: 234-17.12-5.00, 5.01, & 5.02. Staff are in receipt of all agency approvals.

(S-18-85) Sage Life Rehoboth KS

Revised Final Site Plan

This is a Revised Final Site Plan for the construction of a proposed 3-story 160,100 +/- square foot 144 unit assisted living facility, parking and other site improvements. A Special Use Exception (Case No. 12066) was granted by the Board of Adjustment for a "convalescent home, nursing home, and/or homes for the aged" on December 11, 2017. Final Site Plan approval was previously granted by the Planning and Zoning Commission at their meeting of Thursday October 1, 2019. The site was considered to be under "Substantial Construction" on February 2, 2021 through a site visit. The property is located on the southwest side of Plantations Road (Rt. 1D). The Revised Final Site Plan complies with the Sussex County Zoning Code and all Conditions of Approval. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 334-12.00-52.01. Staff are in receipt of all agency approvals.

S-18-11 Two Farms Retail #956

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for the reconfiguration of a previously approved set of two (2) retail buildings into one (1) 12,050 square foot retail building. This revised plan proposes a net reduction of 2,900 square feet of gross area. Parking exceeds the 60 spaces that will now be required for the revised plan. This site received preliminary site plan approval from the Commission on April 12th, 2018, and as granted by Commission, the site plan received final approval from staff on June 25th, 2020. The previous approval included an accepted waiver from interconnectivity, and staff note the applicant continues to wish to be waived from the interconnectivity requirement. This Revised

Preliminary Site Plan complies with the Sussex County Zoning Code. Zoning: B-1 (Neighborhood Business District). Tax Parcel: 135-11.00-78.00. Staff are awaiting agency approvals.

(S-21-40) Nguyen Multi-Family Dwelling KS

Preliminary Site Plan

This is a Preliminary Site Plan for the construction of a multi-family dwelling structure containing five (5) units. The Sussex County Council approved a Conditional Use (CU 2164) at their meeting on April 16, 2019 through Ordinance No. 2647. Subsequently, the applicant submitted a request for an extension of the Conditional Use approval. At their meeting of February 22, 2022 the Sussex County Council approved a six (6) month extension of the Conditional Use which will expire on October 16, 2022. Included in the Plan are the provision of sixteen (16) parking spaces, sidewalks along the frontage on Old Landing Road, and a twenty (20) foot wide landscaped buffer. The applicant's Preliminary Site Plan complies with the Sussex County Zoning Code and all Conditions of Approval. Zoning: MR (Medium Density Residential). Tax Parcel: 334-19.00-1.06. Staff are in receipt of all agency approvals; therefore, the plan can be considered for preliminary and final approvals.

Lands of Jane P. Locke KH

Minor Subdivision off a 50-foot easement

This is a Minor Subdivision Plan for the subdivision of a 106.76 acre +/- parcel of land into (1) lot and residual lands off of a proposed 50-foot ingress/egress easement. Proposed Lot 1 consists of 0.99 acres +/- and the residual lands consist of 105.77 acres +/- . The property is located on the east side of Bloxom School Road (S.C.R. 553A). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 531-6.00-44.00. Staff are awaiting agency approvals.

Lands of Sylvester Hicks, Ricky Hicks, & Alberta Harmon KS

Minor Subdivision off a 50-foot easement

This is a Minor Subdivision Plan for the subdivision of a 2.37 acre +/- parcel of land into (1) lot and residual lands off of a proposed 50-foot ingress/egress easement. Proposed Lot 1 consists of 0.82 acres +/- and the residual lands consist of 1.55 acres +/- . The property is located on the northeast side of Crooked Road (S.C.R. 636). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Zoning: GR (General Residential District). Tax Parcel: 230-14.00-133.00. Staff are in receipt of all agency approvals.

Lands of Jocelyn Huff KS

Minor Subdivision off a 50-foot easement

This is a Preliminary Minor Subdivision Plan for the subdivision of a 41.075 acre +/- parcel of land into three (3) lots and residual lands off of a proposed 50-foot ingress/egress access easement over an existing driveway. Proposed lot one (1) consists of 1.565 acres +/-; proposed lot two (2) consists of 1.3421 acres =/-; proposed lot three (3) consists of 1.49098 acres +/-; the residual land consists of 36.758 acres +/-. The property is located on the north side of Huff Road (S.C.R. 252). The Preliminary Site Plan complies with the Sussex County Zoning and Subdivision Codes. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 235-24.00-38.05. Staff are awaiting agency approvals.

Lands of Sharp Farm Limited Partnership KS

Minor Subdivision off a 50-foot easement

This is a concept plan for a proposed subdivision of a 314.217 acres +/- into two (2) lots and residual lands off of a proposed 50' wide ingress/egress access easement over an existing paved road. Proposed

Lot A consists of approximately 1.00 acres +/-; proposed Lot B consists of approximately 2.8 acres =/-; the residual lands consists of approximately 310.417 acres +/-. This property is located on the east side of Sharps Road (S.C.R. 200). This is a concept plan only and a formal subdivision plan will be submitted upon approval of the concept plan. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 330-8.00-29.00.

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

NICOLE MAJESKI
SECRETARY

December 09, 2021

Mr. Stephen Marsh
George, Miles & Buhr, LLC
206 West Main Street
Salisbury, Maryland 21801

SUBJECT: **Subdivision Plan Approval Letter**
Sloan Family Subdivision – Hawthorn Drive
Tax Parcel # 234-17.12-5.00, 5.01, 5.02
Pinewater Road (SCR00049)
Indian River Hundred, Sussex County

Dear Mr. Marsh:

The Department of Transportation has reviewed the Final Construction Plans dated September, 2021 (Signed and Sealed November 3, 2021) for the referenced subdivision and determined that they are in general conformance with the Department's current regulations, specifications and standard details. By signing and sealing the plan set, the developer's engineer is responsible for accuracy of content. Any errors, omissions or required field changes will be the responsibility of the developer. This plan approval shall be valid for a period of **three (3) years**. If Notice To Proceed has not been issued by the South District Public Works office, then the plans must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of construction. The following items will be required prior to the pre-construction meeting.

1. A copy of the recorded Site Plan which is consistent with the DelDOT "No Objection to Recordation" stamped plan and all appropriate signatures, seals, plot book and page number.
2. Three (3) copies of approved construction plans.
3. Executed agreements (i.e. construction, signal, letter).
4. An itemized construction cost estimate (only for entrance improvements).
5. Security in the approved amount for street construction, a 150% security for the entrance improvements based upon an approved itemized construction cost estimate and W-9 form (if providing escrow).

6. A letter of source of materials, work schedule, list of subcontractors, emergency telephone numbers and names of contact persons.

Please contact the South District Public Works office (302) 853-1340 concerning any questions you may have relative to the aforementioned required items.

Sincerely,

Richard S. McCabe

R. Stephen McCabe
Sussex County Review Coordinator
Development Coordination

cc: Sam Sloan, Owner
Jamie Whitehouse, Sussex County Planning and Zoning
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
Richard Larkin, South District Subdivision Manager
Jerry Nagyiski, Safety Officer Supervisor
Jennifer Pinkerton, Chief Materials & Research Engineer
Linda Osiecki, Pedestrian Coordinator
John Fiori, Bicycle Coordinator
Mark Galipo, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Amber Godwin, Entrance Permit Supervisor
Jared Kauffman, DTC Planner
James Kelley, JMT
Wendy L. Polasko, P.E., Subdivision Engineer
Brian Yates, Sussex County Reviewer

SLOAN FAMILY SUBDIVISION

SUSSEX COUNTY, DELAWARE
FINAL SUBDIVISION PLAN
TAX MAP 234-17.12-5.00, 5.01 & 5.02

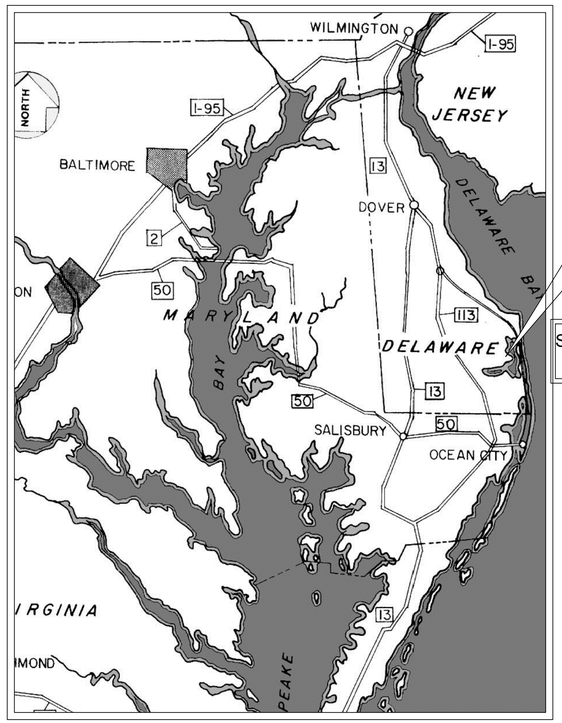
GMB FILE NO. 180222

CONDITIONS OF PRELIMINARY APPROVAL
PLANNING COMMISSION (MAY 9, 2019)

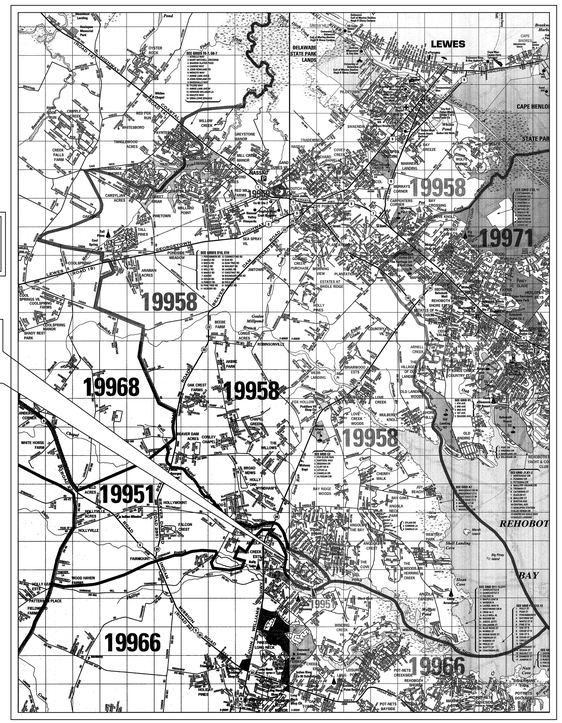
A. THERE SHALL BE NO MORE THAN 11 LOTS WITHIN THE SUBDIVISION.
B. THE DEVELOPER SHALL ESTABLISH A UNIFIED HOMEOWNER'S ASSOCIATION WITH THE EXISTING PINEWATER FARM SUBDIVISION RESPONSIBLE FOR THE MAINTENANCE OF THE STREETS, ROADS, BUFFERS, STORMWATER MANAGEMENT FACILITIES, AND OTHER COMMON AREAS.
C. THE STORMWATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
D. A FORESTED OR LANDSCAPED BUFFER OF AT LEAST 20 FEET IN DEPTH SHALL BE INSTALLED ALONG THE ENTIRE PERIMETER OF THE PROJECT EXCEPT THAT NO FORESTED OR LANDSCAPED BUFFER SHALL BE REQUIRED ALONG THE PERIMETER OF THE PROJECT WHERE THE SEWER EASEMENT IS LOCATED. THE FINAL SITE PLAN SHALL CONTAIN A LANDSCAPE PLAN FOR THESE AREAS.
E. THE SUBDIVISION SHALL BE SERVED BY SUSSEX COUNTY FOR SEWER SERVICE.
F. THE SUBDIVISION SHALL BE SERVED BY INDIVIDUAL PRIVATE WELLS.
G. STREET DESIGN SHALL MEET OR EXCEED DELDOT STANDARDS. THIS SHALL INCLUDE INTERCONNECTIVITY WITH THE EXISTING PINEWATER FARM DEVELOPMENT.
H. ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
I. DELIVERIES OF DIRT, FILL, OR OTHER SIMILAR MATERIALS SHALL ONLY BE MADE TO OR FROM THE SITE BETWEEN THE HOURS OF 8:00 AM. THROUGH 5:00 PM., MONDAY THROUGH FRIDAY. NO SATURDAY WORK.
J. A REVISED PRELIMINARY SITE PLAN EITHER DEPICTING OR NOTING THESE CONDITIONS MUST BE SUBMITTED TO THE OFFICE OF PLANNING AND ZONING.
K. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

LIST OF DRAWINGS

FSP-1.0	COVER SHEET
FSP-2.0	EXISTING CONDITIONS
FSP-3.0	PROPOSED SITE PLAN
FSP3.1	LANDSCAPING PLAN
FSP-4.0	PROPOSED SITE PLAN RENDERING
RP-1.0	RECORD PLAT



VICINITY MAP
SCALE: 1" = 20 MILES



LOCATION MAP
SCALE: 1" = 1 MILE

SITE DATA:

APPLICANT (OWNER):	SLOAN FAMILY 1099 BROADVIEW DRIVE ANNAPOLIS, MD 22409 PHONE: 717-880-9681 CONTACT: MR. SAM SLOAN, JR
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH
TAX MAP:	234-17.12-5.00, 5.01, 5.02
DEED REFERENCE:	DEED BOOK 680 PAGE 276 & PLOT BOOK 201 PAGE 2
TAX MAP:	234-17.12-12.00 (DELDOT EASEMENT ONLY, ±4,536 SF)
DEED REFERENCE:	DEED BOOK 4563 PAGE 303
EXISTING ZONING:	AR-1 ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE & CONSERVATION ZONE
SITE AREA: LOTS ALLOWED: LOTS PROPOSED:	±7.749 ACRES 15 SINGLE FAMILY LOTS (2 LOTS/ACRE) 11 SINGLE FAMILY LOTS (1.42 LOTS/ACRE)
EXISTING LOT AREA:	234-17.12-5.00 = 6.24 ACRES 234-17.12-5.01 = 0.75 ACRES 234-17.12-5.02 = 0.75 ACRES
PROPOSED AREAS:	PRIVATE LOTS = ±5.62 ACRES RIGHT OF WAY = ±0.79 ACRES OPEN SPACE = ±1.34 ACRES EASEMENTS = ±0.55 ACRES
EXISTING WOODED AREAS: WOODED AREAS TO BE REMOVED: WOODED AREAS TO REMAIN:	±3.15 ACRES ±2.20 ACRES (70%) ±0.95 ACRES (30%)
BUILDING SETBACKS:	
FRONT:	40' (15' AT CORNERS)
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
UTILITIES:	
CENTRAL WATER:	NOT AVAILABLE (PRIVATE WELLS)
PUBLIC SEWER:	SUSSEX COUNTY
SOURCE WATER PROTECTION:	THIS SITE IS NOT LOCATED WITHIN A WELLHEAD PROTECTION AREA THIS SITE IS LOCATED WITHIN AN AREA OF EXCELLENT/GOOD GROUNDWATER RECHARGE POTENTIAL

NOTES:

1. ALL INTERIOR SIDE LOT LINES ARE RESERVED FOR THE CENTERLINE OF A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT. A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT IS RESERVED ON EACH LOT ALONG THE FRONT AND REAR PROPERTY LINES. THIS PLAT AND SURVEY DOES NOT VERIFY THE EXISTENCE OR NON- EXISTENCE OF RIGHT-OF-WAYS OR EASEMENTS PERTAINING TO THIS PROPERTY.
2. MAINTENANCE OF THE STREETS WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF DELDOT. THE STATE ASSUMES RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF STREETS WITHIN DEDICATED DELDOT RIGHT-OF-WAYS ONLY.
3. MAINTENANCE OF STORM DRAIN AND STORMWATER MANAGEMENTS FACILITIES WILL BE THE RESPONSIBILITY OF THE DEVELOPERS, THE PROPERTY OWNERS WITHIN THE SUBDIVISION, OR BOTH. THE STATE ASSUMES RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF STORM DRAIN WITHIN DEDICATED DELDOT RIGHT OF WAYS ONLY.
4. WATER SERVICE WILL BE PROVIDED BY PRIVATE WELLS ON INDIVIDUAL LOTS.
5. WASTEWATER TREATMENT AND DISPOSAL WILL BE PROVIDED BY CONNECTION TO AN EXISTING PUBLIC SYSTEM OWNED, OPERATED AND MAINTAINED BY SUSSEX COUNTY PUBLIC WORKS. THE COLLECTION AND TRANSMISSION SYSTEM WILL CONSIST OF VARIOUS DIAMETER GRAVITY SEWERS. THE COLLECTION AND TRANSMISSION SYSTEM WILL BE SUBJECT TO REVIEW AND APPROVAL BY SUSSEX COUNTY PUBLIC WORKS AND DNREC.
6. NO REGULATED WETLANDS EXIST ON THE PROPERTY.
7. STORMWATER MANAGEMENT PRACTICES WILL BE DESIGNED TO MEET STORMWATER QUALITY AND QUANTITY MANAGEMENT REQUIREMENTS. ALL STORMWATER MANAGEMENT DESIGN WILL BE IN ACCORDANCE WITH DELAWARE STORMWATER DESIGN MANUAL STANDARDS.
8. EASEMENTS HAVE BEEN PROVIDED WHERE NECESSARY TO MEET PUBLIC UTILITY REQUIREMENTS. NECESSARY EASEMENTS ALONG PERIMETER BOUNDARIES OF THE DEVELOPMENT SHALL BE NO LESS THAN TEN (10) FEET IN WIDTH ON THE INTERIOR SIDE OF THE BOUNDARY.
9. BOUNDARY SURVEY SHOWN HEREIN PROVIDED BY ADAMS-KEMP ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS AND PLANNERS DATED MAY 24, 2018.
10. PROJECT WILL BE CONSTRUCTED IN ONE PHASE.
11. ALL WOODED BUFFERS AND OPEN SPACES WILL BE MAINTAINED IN PERPETUITY BY THE PINEWATER CIVIC ASSOCIATION.
12. BOARD OF ADJUSTMENTS CASE NUMBER 12218 APPROVED DECEMBER 17, 2018 FOR A VARIANCE FOR ALL LOTS FROM THE REQUIRED WIDTH AND AREA.
13. PROPOSED LOTS TO BE EXTENSION OF THE PINEWATER FARM SUBDIVISION.
14. THIS PROJECT IS NOT LOCATED WITHIN A TRANSPORTATION IMPROVEMENT DISTRICT.

OWNER'S CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION.

SAM SLOAN, JR - POWER OF ATTORNEY DATE
SLOAN FAMILY LIMITED PARTNERSHIP
1099 BROADVIEW DR
ANNAPOLIS, MD 22409

ENGINEER'S CERTIFICATION:

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

STEPHEN L. MARSH, P.E. DATE
GEORGE, MILES, & BUHR, LLC.
206 W. MAIN STREET
SALISBURY, MD 21801

APPROVED _____ BY _____
SUSSEX COUNTY COUNCIL
PRESIDENT

APPROVED _____ BY _____
SUSSEX COUNTY
SOIL CONSERVATION DISTRICT

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
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MARCH 2022

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PRINTS ISSUED FOR:
APPROVAL

NO.	REVISIONS	DATE

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SLOAN FAMILY SUBDIVISION
SUSSEX COUNTY, DELAWARE

EXISTING CONDITIONS

LANDS N.O.F.
PATRICIA M. ROSKEY, TRUSTEE
TM 234-17.00-210.00
DEED BOOK 4185, PAGE 141
ZONING AR-1

SEE AGREEMENT LINE RECORDED IN PLOT BOOK 23 PAGE 127

LANDS N.O.F.
JOSEPH P. REED, TRUSTEE &
MICHELLE L. REED, TRUSTEE
TM 234-17.00-31.03
DEED BOOK 3674, PAGE 198
ZONING AR-1

BM 1
STATE PLANE
N 241228.03
E 723025.52
ELEV 13.46

S59° 01' 34"E
653.47' (TOTAL)
209.61'

20' UTILITY EASEMENT #2

LANDS N.O.F.
PATRICIA M. ROSKEY, TRUSTEE
TM 234-17.00-211.00
DEED BOOK 4185, PAGE 141
ZONING AR-1

LANDS N.O.F.
MILDRED M. RICCIUTI
TM 234-17.00-212.00
DEED BOOK 1488, PAGE 117
ZONING AR-1

145.64'

595.40'

599.47' (TOTAL)

101.52'

MARINER'S WAY

LANDS N.O.F.
SUSSEX COUNTY
TM 234-17.00-213.00
DEED BOOK 4688, PAGE 194
ZONING AR-1

LANDS N.O.F.
JOHN MORRIS, SLOAN, ET AL.
234-17.12-5.00
DEED BOOK 680, PAGE 276
6.2484 AC.

LANDS N.O.F.
ERIC R. BOVING &
SUSAN W. BOVING
TM 234-17.12-4.00
DEED BOOK 869, PAGE 313
ZONING AR-1

HERRING CREEK ESTATES
PLOT BOOK 33, PAGE 239

125.00'

20' UTILITY EASEMENT #3

SEE AGREEMENT LINE RECORDED IN PLOT BOOK 23 PAGE 127

LANDS N.O.F.
JAMES J. WRIGHT
TM 234-17.00-214.00
DEED BOOK 4343, PAGE 341
ZONING AR-1

20' UTILITY EASEMENT #1

SEE AGREEMENT LINE RECORDED IN PLOT BOOK 23 PAGE 127

125.00'

255.23'

S63° 54' 02"E
128.00'

255.23'

150.45'

LANDS N.O.F.
KATHLEEN M. GREEN
TM 234-17.12-6.00
DEED BOOK 3663, PAGE 125
ZONING AR-1

LANDS N.O.F.
EDWARD F. WEBB &
PHYLLIS WEBB
TM 234-17.00-215.00
DEED BOOK 1615, PAGE 185
ZONING AR-1

R=50.00'
ARC=140.09'
CH.BRG.=N 73°38'48" W
CH. DIST.=98.56'

N18° 33' 24"E
48.21'

127.95'

255.95'

48.41'

VIRDEN LANE

PINEWATER FARM
PLOT BOOK 8, PAGE 454

LOT E12
LANDS N.O.F.
JOHN M. SLOAN, SAMUEL M. SLOAN,
HENRY H. SLOAN & SARA S. CAMPBELL
PLOT BOOK 201, PAGE 2
234-17.12-5.02
0.7500 AC.

R=25.00'
ARC=30.76'
CH.BRG.=N 28°38'27" W
CH. DIST.=28.86'

N63° 54' 02"W
130.81'

N26° 05' 58"E

E12

LOT E11
LANDS N.O.F.
JOHN M. SLOAN, SAMUEL M. SLOAN,
HENRY H. SLOAN & SARA S. CAMPBELL
PLOT BOOK 201, PAGE 2
234-17.12-5.01
0.7508 AC.

E8

LANDS N.O.F.
WILLIAM D. &
LAURA J. HICKMAN
TM 234-17.12-12.00
DEED BOOK 4563, PAGE 303
ZONING AR-1

N26° 05' 58"E
128.00'

E11

209.10'

S26° 05' 58"W

LANDS N.O.F.
KATHLEEN M. GREEN
TM 234-17.12-11.00
DEED BOOK 3663, PAGE 123
ZONING AR-1

LANDS N.O.F.
PAUL M. &
JILL A. ZAREBICKI
TM 234-17.12-14.00
DEED BOOK 4180, PAGE 235
ZONING AR-1

PINEWATER DRIVE
(50' RIGHT OF WAY)

66.00'

324.81'

R=845.20'
ARC=62.00'
CH.BRG.=N 61°47'45" W
CH. DIST.=61.99'

406.7' TO MULTIFLORA DRIVE

LANDS N.O.F.
SAMUEL M. &
LINDA JANE SLOAN
TM 234-17.12-12.00
DEED BOOK 4563, PAGE 303
ZONING AR-1

LANDS N.O.F.
LUCILLE KOON
TM 234-17.12-16.00
DEED BOOK 4655, PAGE 283
ZONING AR-1

15" RCP
INV. = 7.47

15" RCP
INV. = 7.16

18" RCP
INV. = 6.67

MULTIFLORA DRIVE

0 25 50 100 150
SCALE: 1" = 50'

SCALE	: 1" = 50'
DESIGN BY	: OTHERS
DRAWN BY	: RLM
CHECKED BY	:
GMB FILE	: 180222
DATE	: MAR 2022

SHEET NO.
FSP2.0

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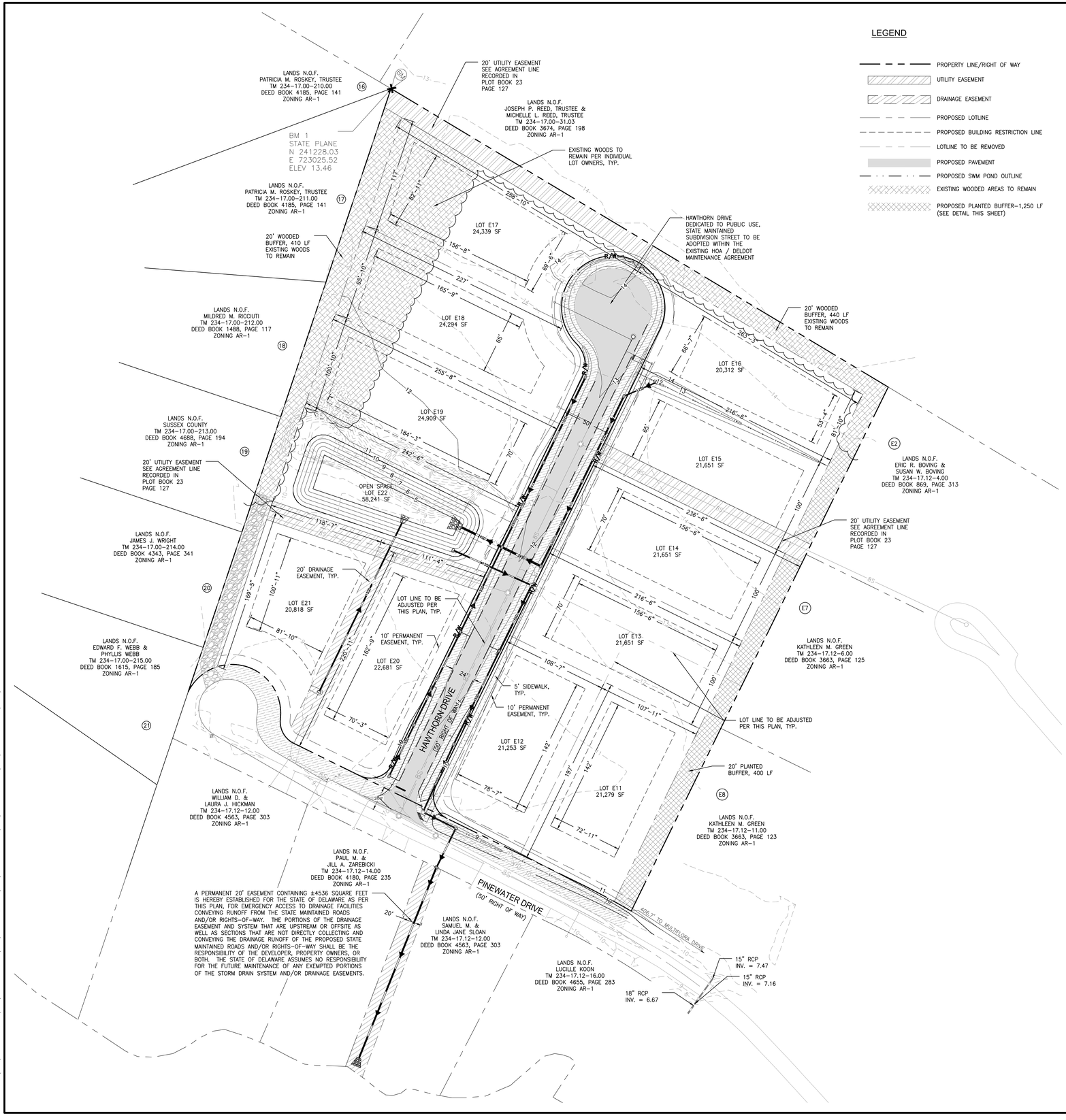
G:\Projects\2018\180222 Sloan Family Subdivision\Drawings\Working Sets\Final Site Plan\FSP2.0 EXISTING CONDITIONS.dwg, 3/3/2022 2:04 PM, Lorton Myrick

PLOT CODE
PEN1-WHITE 039 INCHES (1.00mm)
PEN2-MAGENTA 031 INCHES (0.80mm)
PEN3-BLUE 020 INCHES (0.50mm)
PEN4-CYAN 014 INCHES (0.35mm)
PEN5-GREEN 010 INCHES (0.25mm)
PEN6-YELLOW 007 INCHES (0.18mm)
PEN7-RED 005 INCHES (0.13mm)



SITE DATA:

APPLICANT (OWNER):	SLOAN FAMILY 1099 BROADVIEW DRIVE ANNAPOLIS, MD 22409 PHONE: 717–880–9681 CONTACT: MR. SAM SLOAN, JR
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH
TAX MAP:	234–17.12–5.00, 5.01, 5.02
DEED REFERENCE:	DEED BOOK 680 PAGE 276 & PLOT BOOK 201 PAGE 2
TAX MAP:	234–17.12–12.00 (DELDOT EASEMENT ONLY, ±4,536 SF)
DEED REFERENCE:	DEED BOOK 4563 PAGE 303
EXISTING ZONING:	AR–1 ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE & CONSERVATION ZONE
SITE AREA: LOTS ALLOWED: LOTS PROPOSED:	±7.749 ACRES 15 SINGLE FAMILY LOTS (2 LOTS/ACRE) 11 SINGLE FAMILY LOTS (1.42 LOTS/ACRE)
EXISTING LOT AREA:	234–17.12–5.00 = 6.24 ACRES 234–17.12–5.01 = 0.75 ACRES 234–17.12–5.02 = 0.75 ACRES
PROPOSED AREAS:	PRIVATE LOTS = ±5.62 ACRES RIGHT OF WAY = ±0.79 ACRES OPEN SPACE = ±1.34 ACRES EASEMENTS = ±0.55 ACRES
BUILDING SETBACKS:	
FRONT:	40' (15' AT CORNERS)
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
UTILITIES:	
CENTRAL WATER:	NOT AVAILABLE (PRIVATE WELLS)
PUBLIC SEWER:	SUSSEX COUNTY

PRINTS ISSUED FOR: APPROVAL

NO.	REVISIONS	DATE

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY - BALTIMORE - SEAFORD
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SALISBURY, MARYLAND 21801
410–742–3115, FAX 410–548–5790
www.gmbnet.com

SLOAN FAMILY SUBDIVISION
SUSSEX COUNTY, DELAWARE

PROPOSED SITE PLAN

SCALE	: 1" = 50'
DESIGN BY	: OTHERS
DRAWN BY	: RLM
CHECKED BY	:
GMB FILE	: 180222
DATE	: MAR 2022

SHEET NO. FSP3.0

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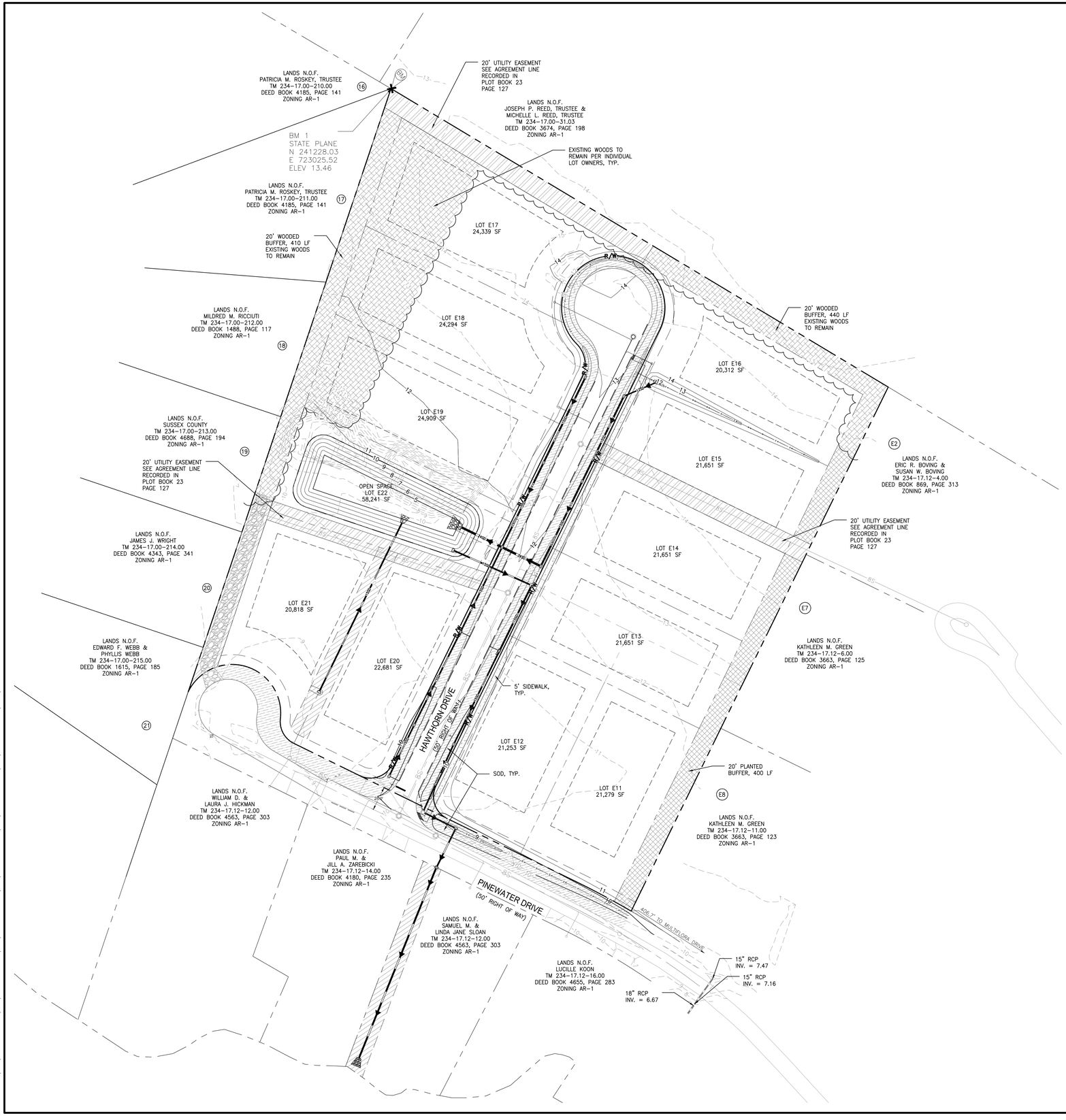
G:\Projects\2018\180222 Sloan Family Subdivision\Drawings\Working Sets\Final Site Plan\FSP3.0 PROPOSED SITE PLAN.dwg, 3/3/2022 2:04 PM, Landon Myrick

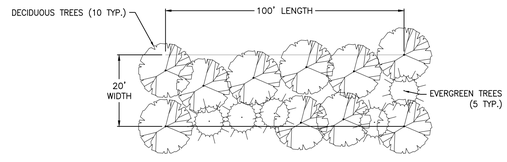
PLOT CODE
PEN1–WHITE 255 INCHES (100mm)
PEN2–YELLOW 201 INCHES (100mm)
PEN3–GREEN 153 INCHES (100mm)
PEN4–CYAN 201 INCHES (100mm)
PEN5–BLUE 153 INCHES (100mm)
PEN6–MAGENTA 201 INCHES (100mm)
PEN7–RED 255 INCHES (100mm)



20' LANDSCAPE BUFFER PLANTING LIST

ID	MIX	BOTANICAL NAME	COMMON NAME	SIZE		NOTES
DECIDUOUS TREES (QUANTITY = 128)						
AR	20%	ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY RED MAPLE	1.5" CAL.	B&B	NATIVE
BN	15%	BETULA NIGRA	RIVER BIRCH	5' HGT.	B&B	MULTI-STEMMED NATIVE
FP	10%	PLATANOIDES X ACERIFOLIA	LONDON PLANE TREE	1.5" CAL.	B&B	HYBRID OF NATIVE
NS	20%	NYSSA SYLVATICA	BLACK GUM	1.5" CAL.	B&B	NATIVE
QP	35%	QUERCUS PALUSTRIS	PIN OAK	1.5" CAL.	B&B	NATIVE
EVERGREEN TREES (QUANTITY = 64)						
CT	25%	CHAMAECYPARIS THYOIDES	ATLANTIC WHITE CEDAR	5' HGT.	B&B	NATIVE
IO	25%	ILEX OPACA	AMERICAN HOLLY	5' HGT.	B&B	NATIVE
JV	25%	JUNIPEROUS VIRGINIANA	EASTERN RED CEDAR	5' HGT.	B&B	NATIVE
PS	25%	PINUS STROBUS	EASTERN WHITE PINE	5' HGT.	B&B	NATIVE

* - % MIX DENOTES PERCENTAGE OF TREE SPECIES FOR OVERALL BUFFER PLANTINGS.



TYPICAL 100' FORESTED BUFFER SECTION

25,719 SF (0.59 ACRES) TURF TYPE TALL FESCUE

0 25 50 100 150
SCALE: 1" = 50'

LANDSCAPE ARCHITECT'S CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF DELAWARE.

LANDSCAPE ARCHITECT DATE

PRINTS ISSUED FOR:
APPROVAL

NO.	REVISIONS	DATE

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY - BALTIMORE - SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

SLOAN FAMILY SUBDIVISION
SUSSEX COUNTY, DELAWARE

LANSCAPING PLAN

SCALE	: 1" = 50'
DESIGN BY	: OTHERS
DRAWN BY	: RLM
CHECKED BY	:
GMB FILE	: 180222
DATE	: MAR 2022

SHEET NO.
FSP3.1

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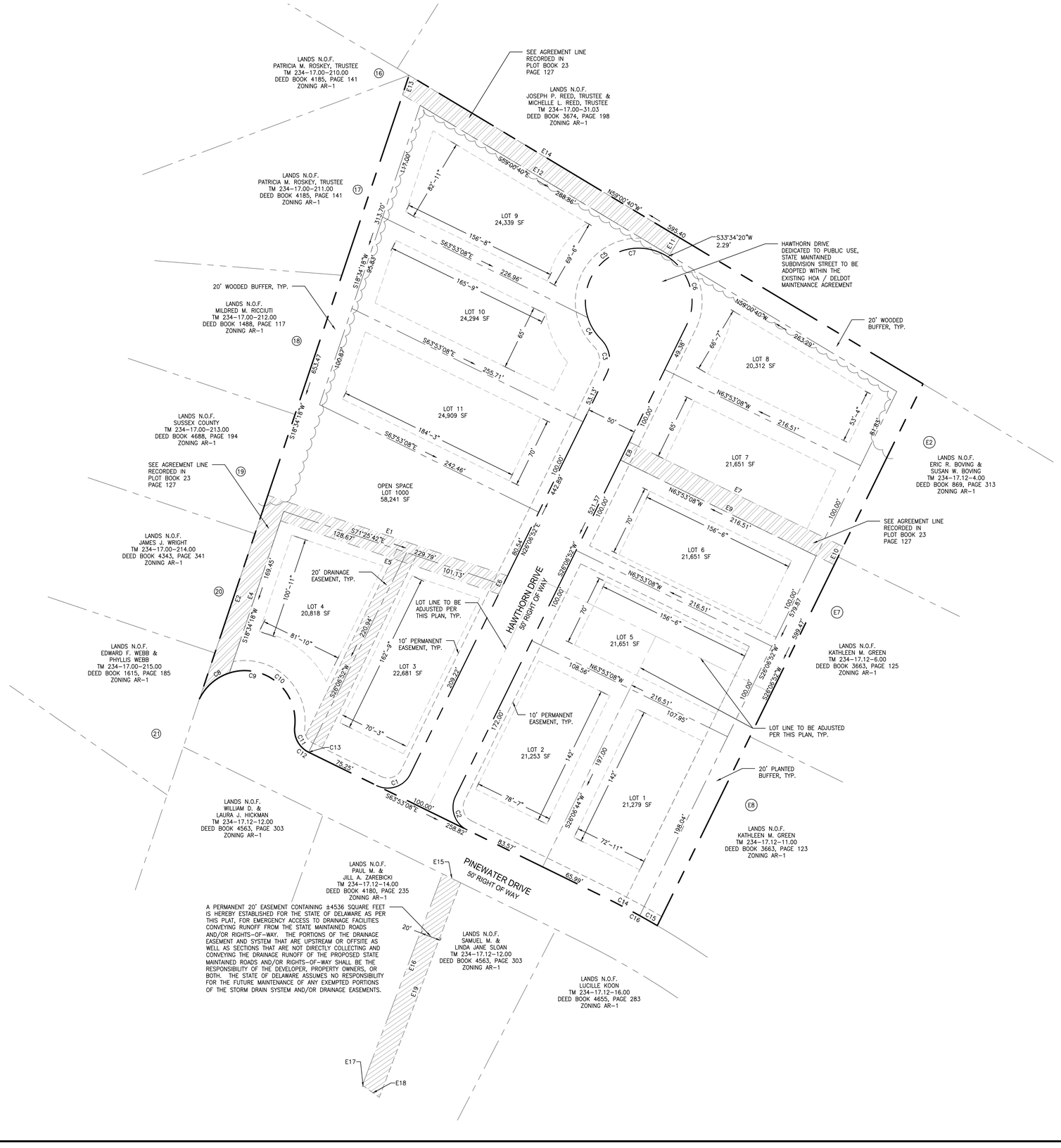
G:\Projects\2018\180222 Sloan Family Subdivision\Drawings\Working Sets\Final Site Plan\FSP3.1 LANSCAPING PLAN .dwg, 3/3/2022 2:04 PM, Landon Myrick
PLOT CODE
PEN1-RED 256 INCHES (1.0mm)
PEN2-YELLOW 203 INCHES (1.0mm)
PEN3-GREEN 010 INCHES (.25mm)
PEN4-CYAN 014 INCHES (.35mm)
PEN5-BLUE 020 INCHES (.50mm)
PEN6-MAGENTA 027 INCHES (.70mm)
PEN7-WHITE 039 INCHES (1.00mm)



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PROPOSED AREAS:	PRIVATE LOTS = ±5.62 ACRES RIGHT OF WAY = ±0.79 ACRES OPEN SPACE = ±1.34 ACRES EASEMENTS = ±0.55 ACRES
BUILDING SETBACKS:	
FRONT:	40'
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
UTILITIES:	
CENTRAL WATER:	NOT AVAILABLE (PRIVATE WELLS)
PUBLIC SEWER:	SUSSEX COUNTY

LINE TABLE

LINE	LENGTH	DIRECTION
E1	251.12'	N71°25'42"W
E2	213.21'	S18°34'18"W
E4	159.45'	N18°34'18"E
E5	228.47'	S71°25'42"E
E6	20.17'	N26°06'52"E
E7	236.51'	N63°53'08"W
E8	20.00'	S26°06'52"W
E9	236.51'	S63°53'08"E
E10	20.00'	N26°06'52"E
E11	19.95'	S31°11'24"W
E12	309.35'	N59°01'10"W
E13	20.48'	N18°34'18"E
E14	313.82'	S59°00'40"E
E15	20.09'	N63°53'08"W
E16	225.60'	S20°45'24"W
E17	1.91'	S87°07'05"E
E18	11.26'	S54°20'02"E
E19	227.98'	N20°45'24"E

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD
C1	39.27	25.00	90.00	N71°06'52"E	35.36'
C2	39.27	25.00	90.00	S18°53'08"E	35.36'
C3	37.18	30.00	71.02	N9°23'37"W	34.85'
C4	25.27	53.00	27.32	N31°14'28"W	25.03'
C5	130.57	53.00	141.15	N52°59'45"E	99.97'
C6	76.35	53.00	82.54	S15°09'24"E	69.92'
C7	130.57	53.00	141.15	N52°59'45"E	99.97'
C8	40.33	50.00	46.21	N49°12'31"E	39.25'
C9	99.77	50.00	114.31	S50°31'41"E	84.02'
C10	99.77	50.00	114.31	S50°31'41"E	84.02'
C11	30.76	25.00	70.50	S28°37'18"E	28.86'
C12	30.76	25.00	70.50	S28°37'18"E	28.86'
C13	0.00	24.99	0.01	S63°52'32"E	0.00'
C14	41.97	845.20	2.84	S62°27'36"E	41.96'
C15	20.04	845.20	1.36	S60°21'30"E	20.04'
C16	41.97	845.20	2.84	S62°27'36"E	41.96'

PRINTS ISSUED FOR:
APPROVAL

NO.	REVISIONS	DATE

GMB
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410-742-3115, FAX 410-548-5790
www.gmbnet.com

SLOAN FAMILY SUBDIVISION
SUSSEX COUNTY, DELAWARE

RECORD PLAT

SCALE	: 1" = 50'
DESIGN BY	: OTHERS
DRAWN BY	: RLM
CHECKED BY	:
GMB FILE	: 180222
DATE	: MAR 2022

SHEET NO.
RP1.0

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G:\Projects\2018\180222 Sloan Family Subdivision\Drawings\Working Set\Final Site Plan\RP1.0 RECORD PLAT.dwg, 7/7/2022 2:04 PM, Lawton Myrick

PEN1-RED 100 INCHES (1.0mm)
PEN2-YELLOW 207 INCHES (1.0mm)
PEN3-GREEN 207 INCHES (1.0mm)
PEN4-CYAN 214 INCHES (1.0mm)
PEN5-BLUE 220 INCHES (1.0mm)
PEN6-MAGENTA 221 INCHES (1.0mm)
PEN7-WHITE 109 INCHES (1.0mm)
PLOT CODE

SITE DATA:

APPLICANT (OWNER):	SLOAN FAMILY 1099 BROADVIEW DRIVE ANNAPOLIS, MD 22409 PHONE: 717-880-9681 CONTACT: MR. SAM SLOAN, JR
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH
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BUILDING SETBACKS:	
FRONT:	40'
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
UTILITIES:	
CENTRAL WATER:	NOT AVAILABLE (PRIVATE WELLS)
PUBLIC SEWER:	SUSSEX COUNTY

PRINTS ISSUED FOR:
APPROVAL

NO.	REVISIONS	DATE

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410-742-3115, FAX 410-548-5790
www.gmbnet.com

SLOAN FAMILY PROPERTY
HARBESON, DELAWARE

PROPOSED SITE PLAN RENDERING

SCALE	1" = 50'
DESIGN BY	OTHERS
DRAWN BY	RLM
CHECKED BY	
GMB FILE	180222
DATE	MAR 2022

SHEET NO.
FSP-4.0

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PLOT CODE
PEN-RED 59 INCHES (1.5mm)
PEN-YELLOW 30 INCHES (.75mm)
PEN-GREEN 20 INCHES (.50mm)
PEN-TAN 24 INCHES (.60mm)
PEN-BLUE 20 INCHES (.50mm)
PEN-MAGENTA 07 INCHES (.18mm)
PEN-WHITE 39 INCHES (1.00mm)

Sussex conservation district

PREPARE. PROTECT. PRESERVE.

December 17, 2021

Mr. Samuel Sloan
c/o George, Miles, & Buhr, LLC
206 West Main Street
Salisbury, MD 21801

RE: Sloan Family Property

Dear Mr. Sloan:

A Sediment and Stormwater Management Plan has been reviewed for compliance with the Sediment and Stormwater Regulations and is approved with conditions (see attached). Enclosed herein please find a copy of the approved application form and approved plan sets. Please retain a copy for your use and provide the contractor with a copy to be retained onsite at all times. Failure to keep an approved plan onsite is a violation of the approved plan.

Approval of a Sediment and Stormwater Plan does not grant or imply a right to discharge stormwater runoff. The owner/developer is responsible for acquiring any and all agreements, easements, etc., necessary to comply with State drainage and other applicable laws.

This plan approval pertains to compliance with the *Delaware Sediment and Stormwater Regulations*. Please understand that the approval of this plan does not relieve you from complying with any and all federal, state, county, or municipal laws and regulations.

As of January 1, 2014, the Sussex Conservation District began collecting financial guarantees to ensure the construction of stormwater management practices is accomplished in accordance with the approved sediment and stormwater plan. Please refer to the SCD Policy on Bonds located on our website at *Sussexconservation.org*. If you have any questions concerning the aforementioned, please do not hesitate to call 302 856-7219.

Sincerely,

Jessica Watson

Jessica Watson
Program Manager

JW/jmg

cc:

ENGINEERING DEPARTMENT

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

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

Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

February 24, 2022

Mr. Steve Marsh, P.E.
George, Miles & Buhr, L.L.C.
206 W. Main Street
Salisbury, MD 21801

REF: **SLOAN FAMILY PROPERTY**
HERRING CREEK PLANNING AREA
SUBDIVISION NO. 2019-4
SUSSEX COUNTY TAX MAP NUMBER
234-17.12-PARCEL 5.00,5.01 & 5.02
CLASS-1
AGREEMENT NO. 1123

Dear Mr. Marsh:

The above referenced project was approved on February 22, 2022, and two (2) sets of the approved plan is enclosed. This approval is valid for three (3) years, unless prior to expiration of that three (3) year period, a time extension is requested and approved by the Department. Plans will be required to meet updated standards and specifications at time of Notice to Proceed.

Also, it is your responsibility to secure approvals and/or permits that may be required by other regulatory agencies.

Please contact Mr. Keith Bryan in Utility Engineering to initiate pre-construction procedures.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

SUSSEX COUNTY ENGINEERING DEPARTMENT

Jordan Dickerson
Engineering Technician IV

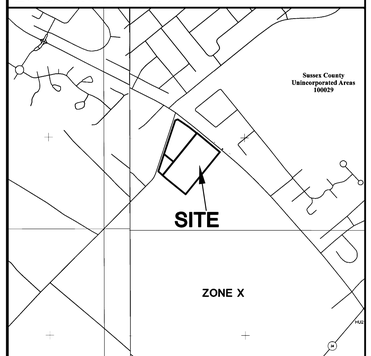
cc: Mr. Keith Bryan, w/ 2 Enclosures

EQUAL HOUSING OPPORTUNITY

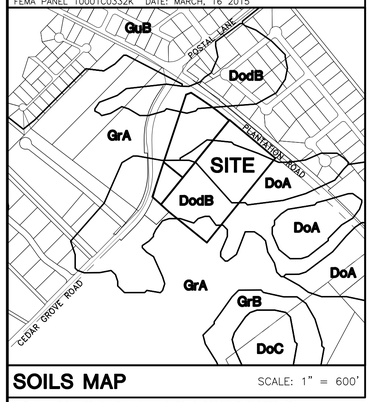
SAGE LIFE REHOBOTH

PRELIMINARY PLAN
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE
MARCH 2022
DBF PROJECT # 2261M001

LOCATION MAP SCALE: 1" = 1/2 MILE



FLOODPLAIN MAP SCALE: 1" = 1200'
FEMA PANEL 10001C0332K DATE: MARCH, 16 2015



SOILS MAP SCALE: 1" = 600'

DoA: DOWNER SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)
DodB: DOWNER SANDY LOAM, 2 TO 5 PERCENT SLOPES (B)
GrA: GREENWICH LOAM, 2 TO 5 PERCENT SLOPES (B)

DATA COLUMN

TAX MAP NUMBER: 334-12.00-52.01

PLUS NUMBER: 2017-09-09

PROJECT LOCATION: PLANTATION ROAD, ~0.12 MILES SOUTH OF CEDAR GROVE ROAD
PROJECT IS LOCATED WITHIN THE PROPOSED HENLOPEN TRANSPORTATION IMPROVEMENT DISTRICT (TID)

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

PROJECT LATITUDE: 38°43'54.0656"
PROJECT LONGITUDE: 75°09'06.3139"

LIMIT OF DISTURBANCE AREA: 11.86 ACRES

LAND USE:
LOCAL LAND USE AGENCY: SUSSEX COUNTY
EXISTING USE: FARMLAND
PROPOSED USE: ASSISTED LIVING/MEMORY CARE
*SUSSEX COUNTY BOARD OF ADJUSTMENT GRANTED A SPECIAL USE EXCEPTION, CASE NO. 12066, "FOR A CONVALESCENT HOME, NURSING HOME AND/OR HOMES FOR THE AGED" ON FEBRUARY 6, 2018.

ZONING:
EXISTING ZONING:
AGRICULTURAL RESIDENTIAL DISTRICT (AR-1)
PROPOSED ZONING:
AGRICULTURAL RESIDENTIAL DISTRICT (AR-1)

AR-1 MINIMUM REQUIREMENTS:

FRONT YARD SETBACK:	40 FEET
SIDE YARD SETBACK:	15 FEET
REAR YARD SETBACK:	20 FEET
MAXIMUM BUILDING HEIGHT:	42 FEET
MINIMUM LOT AREA:	20,000 SF
MINIMUM LOT WIDTH:	100 FEET
MINIMUM LOT DEPTH:	100 FEET

TOTAL NUMBER OF LOTS: 1

ACREAGE:
TOTAL PARCEL AREA: 10.501 ACRES

NET DEVELOPMENT AREA: 10.501 ACRES OR 100%

INVESTMENT LEVEL: 2
TID: HENLOPEN

PARKING:
REQUIRED PARKING:
1 SPACE FOR EACH 4 BEDS PLUS
1 PER 2 EMPLOYEES ON THE LARGEST SHIFT
189 BEDS =
189 / 4 = 47.25 SPACES
PLUS 30 EMPLOYEES / 2 = 15 SPACES
TOTAL SPACES REQUIRED 63
PROPOSED PARKING PROVIDED: 122 SPACES INCLUDING 12 HANDICAP SPACES

OFF-STREET LOADING:
CONVALESCENT/ASSISTED LIVING: 100,000 SF TO 200,000 SF = 3 LOADING SPACES
PROPOSED: 160,100 SF = 3 SPACES PROVIDED

BENCHMARK:
BENCHMARK #1
CONCRETE MONUMENT
ELEV. = 28.22'

BENCHMARK #2
CONCRETE MONUMENT
ELEV. = 26.79'

BENCHMARK #30
BONNET BOLT OVER MAIN STEAMER OF HYDRANT
ELEV. = 30.09'

UTILITIES:
CENTRAL SEWER: SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT– WEST REHOBOTH AREA

WATER PROVIDER: TIDEWATER UTILITIES

FLOODPLAIN: THE PROPERTY IS NOT IMPACTED BY THE 100-YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10001C0332K.

WETLANDS: THERE ARE NO WETLANDS LOCATED ON THE SITE.

SUSSEX CONSERVATION DISTRICT NUMBER: TBD

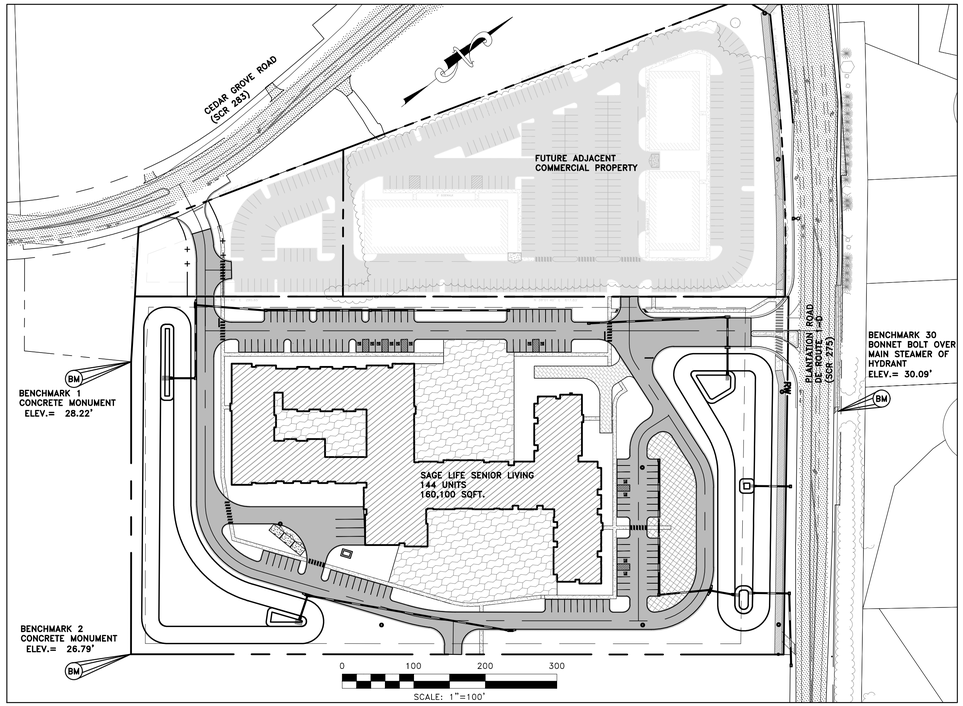
PROPOSED STORMWATER DISCHARGE LOCATIONS: STORMWATER RUNOFF WILL DISCHARGE INTO TWO ONSITE INFILTRATION PONDS.

SEE SPRING ARBOR REHOBOTH RECORD PLAN SHEETS V-01 & V-02 FOR ACCESS/DELDOT/UTILITY EASEMENT INFORMATION.

OWNER:
SAGELIFE SENIOR LIVING
POC: KELLY COOK ANDRESS
kca@sagelife.com
(484) 472-8151 EXT. 223

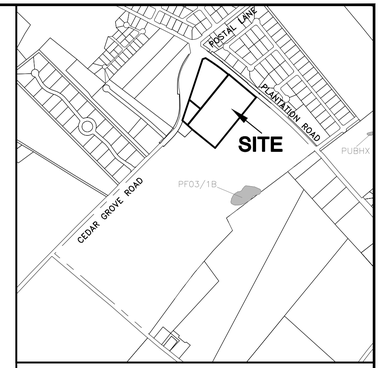
MICHAEL ANDRESS
mcandress@sagelife.com
(484) 472-8151 EXT. 230
1489 BALTIMORE PIKE, #240
SPRINGFIELD, PA 19064

PREPARED BY:
DAVIS, BOWEN, AND FRIEDEL, INC.
RING W. LARDNER, P.E.
1 PARK AVENUE
MILFORD, DE 19963
302-424-1441



LEGEND

EXISTING		PROPOSED	
BOUNDARY LINE		SANITARY SEWER MANHOLE, PIPE, FLOW ARROW, PIPE SIZE	8SS
ADJACENT PROPERTY OWNER		SANITARY SEWER LATERAL	
EASEMENT		WATER MAIN, TEE W/ VALVES, PIPE SIZE	8W
SETBACK		WATER LATERAL	
ROAD CENTERLINE / BASELINE & STATIONING	1+00	CATCH BASIN, DRAINAGE PIPE, FLARED END SECTION, FLOW DIRECTION	
CONTOUR ELEVATION AND LABEL	33	TREES	
CATCH BASIN, STORM PIPE, STORM MANHOLE		SIDEWALK	
SANITARY SEWER MANHOLE, PIPE, FLOW ARROW, PIPE SIZE	EX-12SS	SHARED USE PATH	
SANITARY SEWER CLEANOUT		BUILDING	
WATER MAIN, W/ VALVES	8W		
FIRE HYDRANT ASSEMBLY			
UTILITY POLE			
SIGN			
FENCE			
SWALE			



NWI WETLANDS MAP SCALE: 1" = 1000'

SHEET INDEX	
PRELIMINARY PLAN – TITLE SHEET	PL-01
PRELIMINARY PLAN	PL-02
DETAIL SHEET	PL-03
LANDSCAPE PLAN	PL-04

GENERAL NOTES

1. DRAINAGE, STORMWATER MANAGEMENT, AND EROSION AND SEDIMENT CONTROLS SHALL BE IN ACCORDANCE WITH THE DELAWARE SEDIMENT & STORMWATER REGULATIONS OF 2014, OR AS LATER AMENDED. MAINTENANCE OF DRAINAGE, STORMWATER MANAGEMENT, AND SEDIMENT & EROSION CONTROL PRACTICES WILL BE THE RESPONSIBILITY OF THE SITE CONTRACTOR DURING THE CONSTRUCTION PHASE OF THE PROJECT, INCLUDING CONSTRUCTION OF THE UTILITIES. WHEN THE PERMANENT DRAINAGE AND STORMWATER MANAGEMENT PRACTICES HAVE BEEN COMPLETED TO THE SATISFACTION OF THE APPLICABLE AGENCIES, MAINTENANCE WILL ULTIMATELY BECOME THE RESPONSIBILITY OF THE PROPERTY OWNERS/ HOMEOWNERS ASSOCIATION.
2. EROSION AND SEDIMENT CONTROL SHALL BE IN ACCORDANCE WITH THE DELAWARE EROSION & SEDIMENT CONTROL HANDBOOK (LATEST EDITION). THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURE AS DEEMED NECESSARY.
3. THERE SHALL BE NO DEBRIS DISPOSAL ON THIS SITE.
4. THE BOUNDARY AND BASE TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY BY DAVIS, BOWEN & FRIEDEL.
5. THIS PARCEL IS NOT LOCATED IN A WELLHEAD PROTECTION AREA.
6. THIS PARCEL IS LOCATED IN AN AREA OF "GOOD" GROUNDWATER RECHARGE POTENTIAL.

CONDITIONS FOR SPECIAL USE EXCEPTION (BOARD OF ADJUSTMENT CASE NUMBER 12066)

1. THE ASSISTED LIVING FACILITY SHALL CONTAIN NO MORE THAN 144 RESIDENTIAL UNITS WITHIN A STRUCTURE(S) COMPRISING A MAXIMUM OF 160,100 SQUARE FEET.
2. THE PRIMARY STRUCTURE FOR THE FACILITY SHALL BE SETBACK A MINIMUM OF SIXTY FEET (60') FROM THE PROPERTY LINE ADJACENT TO PLANTATION ROAD.
3. ALL ENTRANCES, INTERSECTIONS, INTER-CONNECTION, ROADWAY AND MULTI-MODAL IMPROVEMENTS REQUIRED BY DELDOT SHALL BE COMPLETED BY THE APPLICANT IN ACCORDANCE WITH DELDOT'S REQUIREMENTS.
4. THE FACILITY SHALL BE SERVED AS PART OF THE SUSSEX COUNTY SANITARY SEWER DISTRICT IN ACCORDANCE WITH SUSSEX COUNTY ENGINEERING DEPARTMENT SPECIFICATIONS AND REGULATIONS.
5. THE FACILITY SHALL BE SERVED BY A PUBLIC CENTRAL WATER SYSTEM PROVIDING ADEQUATE DRINKING WATER AND FIRE PROTECTION AS REQUIRED BY APPLICABLE REGULATIONS.
6. STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH APPLICABLE STATE AND COUNTY REQUIREMENTS. THESE FACILITIES SHALL BE OPERATED IN A MANNER THAT IS CONSISTENT WITH BEST MANAGEMENT PRACTICES. THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT.
7. THE APPLICANT SHALL SUBMIT AS PART OF THE SITE PLAN REVIEW A LANDSCAPE PLAN SHOWING THE PROPOSED TREE AND SHRUB LANDSCAPE DESIGN.
8. PRELIMINARY AND FINAL SITE PLANS SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

OWNERS STATEMENT

WE, SAGELIFE SENIOR LIVING, HEREBY STATE THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.

_____
DATE

ENGINEER'S STATEMENT

I, RING W. LARDNER, 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.

_____
DAVIS, BOWEN & FRIEDEL, INC.
by RING W. LARDNER, P.E.

REVISIONS:

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

PL-01

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ZONING: AR-1

NOW OR FORMERLY
EDWARD G SAYERS TRUSTEE
JANE F SAYERS TRUST
334-12.00-2.00
ZONING: MR

CEDAR GROVE ROAD
(LOCAL ROAD)
40 MPH POSTED SPEED LIMIT
(RIGHT-OF-WAY VARIES)

NOW OR FORMERLY
HKLS, LLC
334-12.00-50.00
D-4853-170
ZONING: AR-1

NOW OR FORMERLY
HKLS, LLC
334-12.00-51.00
D-4501-59
ZONING: B-1

PLANTATION ROAD
DELAWARE ROUTE NO. 1D
(MAJOR COLLECTOR)
45 MPH POSTED SPEED LIMIT
(RIGHT-OF-WAY VARIES)

NOW OR FORMERLY
RICHARD C JR &
KATHRYN A KULP
334-12.00-722.00
D-3298-199
ZONING: AR-1

NOW OR FORMERLY
AYDELOTTE ESTATES
PROPERTY OWNERS
334-12.00-750.00
D-3004-110
ZONING: AR-1

NOW OR FORMERLY
MARK &
JOSEPHINE C MULLIN
334-12.00-723.00
D-2922-12
ZONING: AR-1

NOW OR FORMERLY
DONALD E &
NATALLIA V ROBINSON
334-12.00-158
D-2897-59
ZONING: AR-1

NOW OR FORMERLY
AYDELOTTE ESTATES
PROPERTY OWNERS
334-12.00-750.00
D-3004-110
ZONING: AR-1

BENCHMARK 1
CONCRETE MONUMENT
ELEV. = 28.22'

BENCHMARK 30
BONNET BOLT OVER
MAIN STEAMER OF
HYDRANT
ELEV. = 30.09'

BENCHMARK 2
CONCRETE MONUMENT
ELEV. = 26.79'

NOW OR FORMERLY
J G TOWNSEND JR CO
334-12.00-52.00
ZONING: AR-1
113.885± ACRES

NOW OR FORMERLY
MARGIT RILEY
334-12.00-725
D-3492-132
ZONING: AR-1

AYDELOTTE ESTATES
SUBDIVISION

NOW OR FORMERLY
DONNA HARTNETT
334-12.00-726.00
D-2733-162
ZONING: AR-1

NOW OR FORMERLY
JOAN P BEHRLE
334-12.00-736
D-2779-54
ZONING: AR-1

SAGE LIFE SENIOR LIVING
144 UNITS
3 STORIES
160,100 SQFT.

NOW OR FORMERLY
J.G.TOWNSEND JR. & CO.
334-12.00-52.01
PLAT BOOK 270, PAGE 39
ZONING: AR-1
10.501 ACRES

FRONT AREA
COURTYARD AREA
RECREATION AREA
DOG PARK

15' SANITARY SEWER EASEMENT
50' ACCESS EASEMENT
15' BUILDING SETBACK
20' BUILDING SETBACK
60' BUILDING SETBACK
20' UTILITY EASEMENT

32 SF ILLUMINATED GROUND MONUMENT SIGN
STORMWATER MANAGEMENT POND
STORMWATER MANAGEMENT POND
STORM DRAIN PIPE (TYP)
6" SEWER LATERAL
FDC
10" WATER MAIN
8" SANITARY SEWER MAIN

N 39°01'40" E 913.48'
S 39°01'40" W 911.85'
N 47°10'56" W 91.45'
N 50°58'20" W 408.65'
S 50°10'58" E 500.05'
516'
307'

5' SIDEWALK

0 40 80 120
SCALE: 1"=40'

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P:\Sage Life\4106A001 - Spring Arbor\Design\Preliminary\4106A001 - PRELIMINARY PLAN.dwg Mar 01, 2022 - 10:14am wety

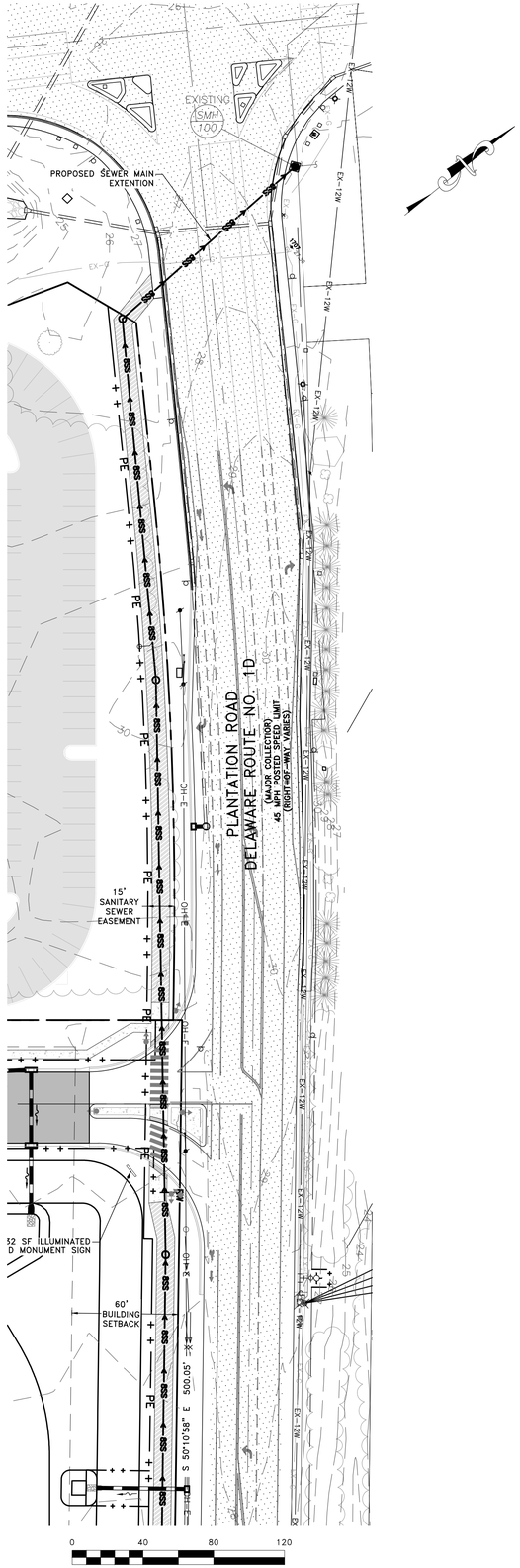
DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
ROCKVILLE, MARYLAND (301) 926-4444
EASTON, MARYLAND (410) 770-4744

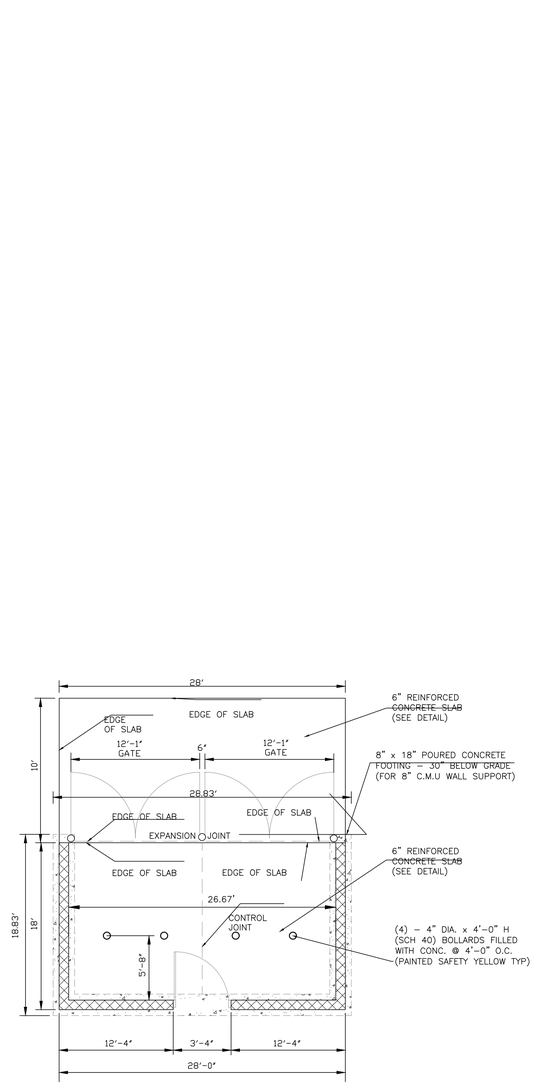
PRELIMINARY PLAN

SAGE LIFE REHOBOTH
PLANTATION ROAD (SCR 275 / DE ROUTE 1-D)
LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DE

Revisions:

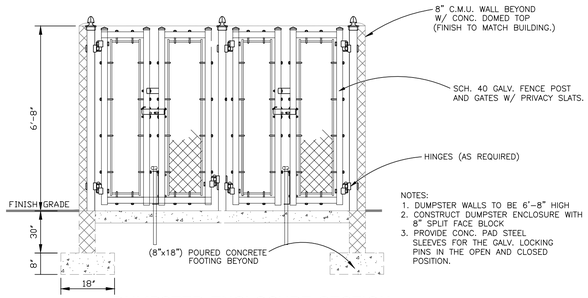
Date: MARCH 2022
Scale: 1"=40'
Dwn.By: YGW
Proj.No.: 2261M001
Dwg.No.: PL-02





DOUBLE DUMPSTER PLAN ENCLOSURE

NOT TO SCALE



DUMPSTER ENCLOSURE SECTION

NOT TO SCALE

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

DETAIL SHEET

SAGE LIFE REHOBOTH

PLANTATION ROAD (SCR 275 / DE ROUTE 1-D)

LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DE

Revisions:

Date:	MARCH 2022
Scale:	AS NOTED
Dwn.By:	YGW
Proj.No.:	2261M001
Dwg.No.:	PL-03

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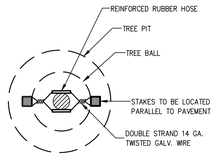
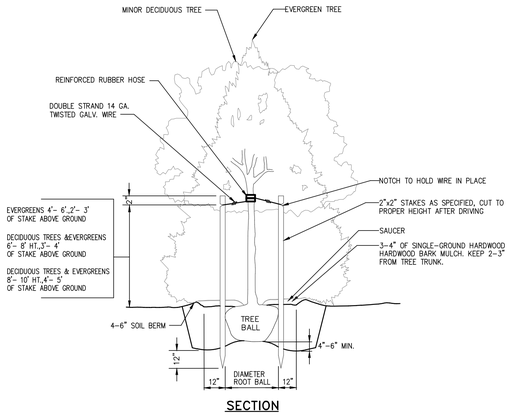


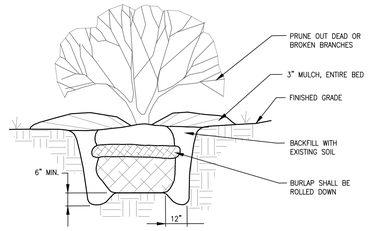
PLAN



SECTION

STAKING DETAIL

NO SCALE



SHRUB PLANTING DETAIL

NO SCALE

LANDSCAPE PLANT SCHEDULE

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
		DECIDUOUS TREE			
	AR	Acer rubrum 'Red Sunset'	"RED SUNSET" RED MAPLE	1 3/4 – 2" Cal., B&B	4
	AS	Acer saccharum 'Green Mountain'	SUGAR MAPLE	1 3/4 – 2" Cal., B&B	5
	CC	Cercis canadensis	EASTERN REDBUD	1 3/4 – 2" Cal., B&B	5
	CK	Cornus kousa	KOUSA DOGWOOD	5–6' Ht., B&B	3
	FG	Fagus grandifolia	AMERICAN BEECH	2 – 2 1/2" Cal., B&B	9
	QM	Quercus phellos	WILLOW OAK	1 3/4 – 2" Cal., B&B	6
		EVERGREEN TREE			
	PG	Picea glauca	WHITE SPRUCE	5'/6' Ht., B&B	6
	PS	Pinus strobus	EASTERN WHITE PINE	5'/6' Ht., B&B	9

GENERAL LANDSCAPE NOTES

1 QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF ROOT BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK".

2 CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND FINAL ACCEPTANCE OF PHASE I SITE WORK HAS BEEN GIVEN. AT THE END OF ONE YEAR ALL PLANT MATERIAL WHICH IS DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AS ORIGINALLY SPECIFIED.

3 CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.

4 NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER.

5 ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN.)

6 EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.

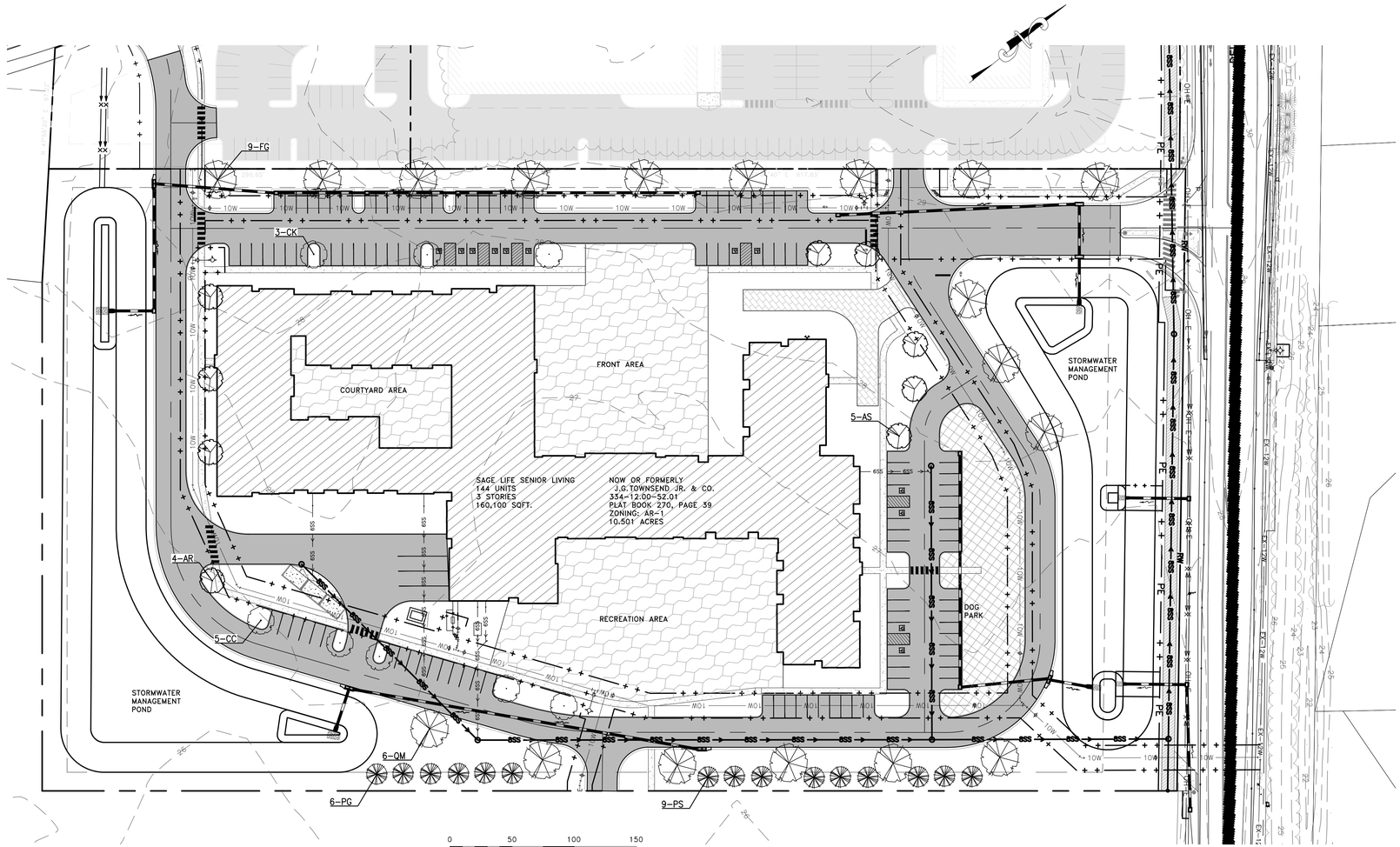
7 ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 7'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE STAKING DETAIL SHOWN.

8 THE FULL EXTENT OF ALL PLANTING BEDS SHALL RECEIVE 4" OF TOPSOIL AND 3" OF SHREDDED HARDWOOD MULCH PER SPECIFICATIONS.

9 THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THIS DRAWING AND AS SPECIFIED.

10 ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANT'S ORIGINAL GRADE BEFORE DIGGING.

11 THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON.



DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
NEWARK, DELAWARE (302) 737-1744
EASTON, MARYLAND (410) 770-4744

SAGE LIFE REHOBOTH

PLANTATION ROAD (SCR 275 / DE ROUTE 1-D)

LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DE

LANDSCAPE PLAN

Revisions:

Date:	MARCH 2022
Scale:	AS NOTED
Dwn.By:	TMM
Proj.No.:	2261M001
Dwg.No.:	PL-04

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P:\Sage Life\4106A001 - Spring Arbor\Design\Preliminary\4106A001- PRELIMINARY PLAN.dwg Mar 04 , 2022 - 4:40pm wsty

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Sussex County
DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

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Sussex County
DELAWARE
sussexcountyde.gov

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: March 17th, 2022
RE: Other Business for the March 24th, 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 March 24th, 2022 Meeting of the Planning & Zoning Commission.

(2019-04) Sloan Family Subdivision BM

Final Subdivision Plan

This is a Final Subdivision Plan to to subdivide 7.749 +/- acres into eleven (11) single-family lots, private roads and open space. The Preliminary Subdivision Plan for was approved by the Planning and Zoning Commission at their meeting of Thursday, May 9, 2019. The property is located on the northeast side of Pinewater Drive, a private road within the Pinewater Subdivision. The Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes and all Conditions of Approval. Zoning: AR-1 (Agricultural Residential District). Tax Parcels: 234-17.12-5.00, 5.01, & 5.02. Staff are in receipt of all agency approvals.

(S-18-85) Sage Life Rehoboth KS

Revised Final Site Plan

This is a Revised Final Site Plan for the construction of a proposed 3-story 160,100 +/- square foot 144 unit assisted living facility, parking and other site improvements. A Special Use Exception (Case No. 12066) was granted by the Board of Adjustment for a "convalescent home, nursing home, and/or homes for the aged" on December 11, 2017. Final Site Plan approval was previously granted by the Planning and Zoning Commission at their meeting of Thursday October 1, 2019. The site was considered to be under "Substantial Construction" on February 2, 2021 through a site visit. The property is located on the southwest side of Plantations Road (Rt. 1D). The Revised Final Site Plan complies with the Sussex County Zoning Code and all Conditions of Approval. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 334-12.00-52.01. Staff are in receipt of all agency approvals.

S-18-11 Two Farms Retail #956

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for the reconfiguration of a previously approved set of two (2) retail buildings into one (1) 12,050 square foot retail building. This revised plan proposes a net reduction of 2,900 square feet of gross area. Parking exceeds the 60 spaces that will now be required for the revised plan. This site received preliminary site plan approval from the Commission on April 12th, 2018, and as granted by Commission, the site plan received final approval from staff on June 25th, 2020. The previous approval included an accepted waiver from interconnectivity, and staff note the applicant continues to wish to be waived from the interconnectivity requirement. This Revised

Preliminary Site Plan complies with the Sussex County Zoning Code. Zoning: B-1 (Neighborhood Business District). Tax Parcel: 135-11.00-78.00. Staff are awaiting agency approvals.

(S-21-40) Nguyen Multi-Family Dwelling KS

Preliminary Site Plan

This is a Preliminary Site Plan for the construction of a multi-family dwelling structure containing five (5) units. The Sussex County Council approved a Conditional Use (CU 2164) at their meeting on April 16, 2019 through Ordinance No. 2647. Subsequently, the applicant submitted a request for an extension of the Conditional Use approval. At their meeting of February 22, 2022 the Sussex County Council approved a six (6) month extension of the Conditional Use which will expire on October 16, 2022. Included in the Plan are the provision of sixteen (16) parking spaces, sidewalks along the frontage on Old Landing Road, and a twenty (20) foot wide landscaped buffer. The applicant's Preliminary Site Plan complies with the Sussex County Zoning Code and all Conditions of Approval. Zoning: MR (Medium Density Residential). Tax Parcel: 334-19.00-1.06. Staff are in receipt of all agency approvals; therefore, the plan can be considered for preliminary and final approvals.

Lands of Jane P. Locke KH

Minor Subdivision off a 50-foot easement

This is a Minor Subdivision Plan for the subdivision of a 106.76 acre +/- parcel of land into (1) lot and residual lands off of a proposed 50-foot ingress/egress easement. Proposed Lot 1 consists of 0.99 acres +/- and the residual lands consist of 105.77 acres +/- . The property is located on the east side of Bloxom School Road (S.C.R. 553A). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 531-6.00-44.00. Staff are awaiting agency approvals.

Lands of Sylvester Hicks, Ricky Hicks, & Alberta Harmon KS

Minor Subdivision off a 50-foot easement

This is a Minor Subdivision Plan for the subdivision of a 2.37 acre +/- parcel of land into (1) lot and residual lands off of a proposed 50-foot ingress/egress easement. Proposed Lot 1 consists of 0.82 acres +/- and the residual lands consist of 1.55 acres +/- . The property is located on the northeast side of Crooked Road (S.C.R. 636). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Zoning: GR (General Residential District). Tax Parcel: 230-14.00-133.00. Staff are in receipt of all agency approvals.

Lands of Jocelyn Huff KS

Minor Subdivision off a 50-foot easement

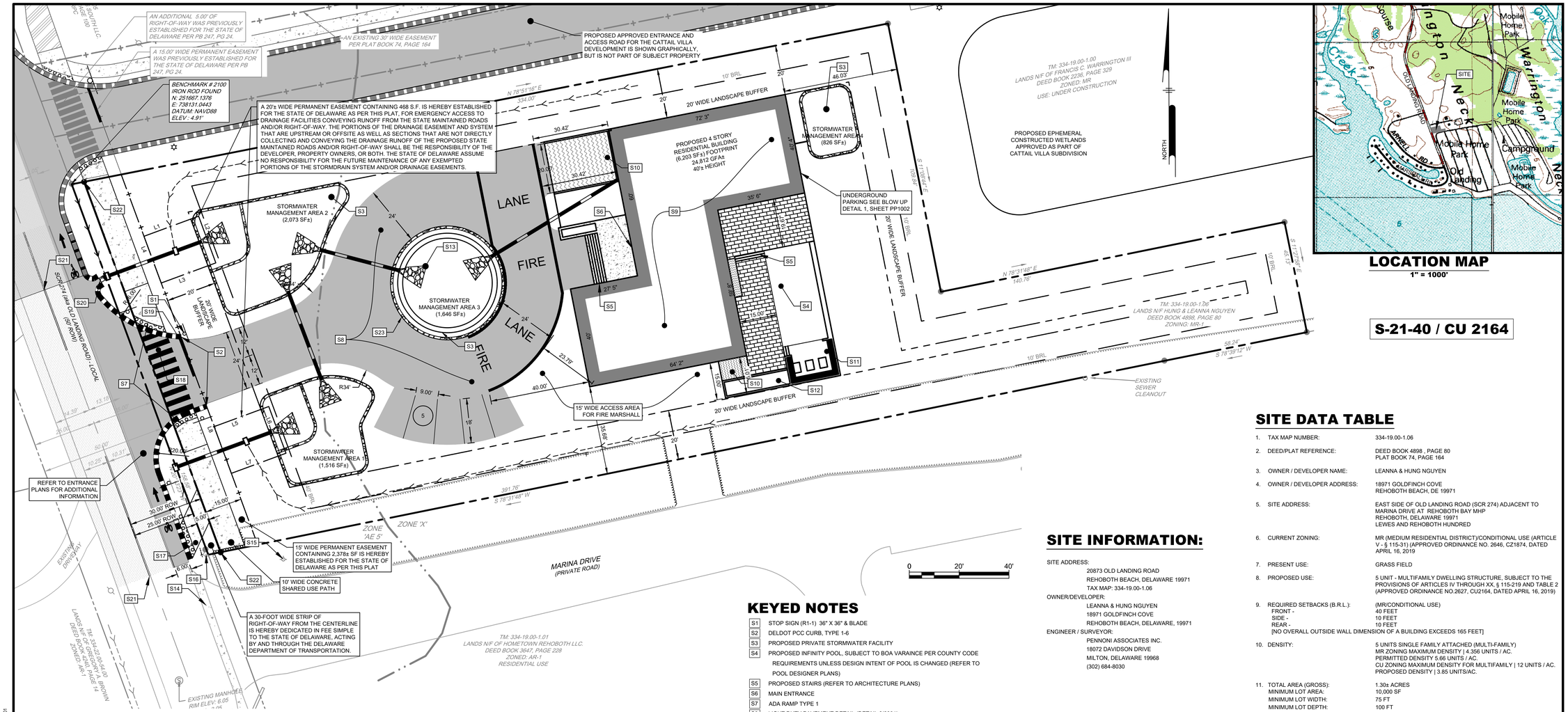
This is a Preliminary Minor Subdivision Plan for the subdivision of a 41.075 acre +/- parcel of land into three (3) lots and residual lands off of a proposed 50-foot ingress/egress access easement over an existing driveway. Proposed lot one (1) consists of 1.565 acres +/-; proposed lot two (2) consists of 1.3421 acres =/-; proposed lot three (3) consists of 1.49098 acres +/-; the residual land consists of 36.758 acres +/-. The property is located on the north side of Huff Road (S.C.R. 252). The Preliminary Site Plan complies with the Sussex County Zoning and Subdivision Codes. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 235-24.00-38.05. Staff are awaiting agency approvals.

Lands of Sharp Farm Limited Partnership KS

Minor Subdivision off a 50-foot easement

This is a concept plan for a proposed subdivision of a 314.217 acres +/- into two (2) lots and residual lands off of a proposed 50' wide ingress/egress access easement over an existing paved road. Proposed

Lot A consists of approximately 1.00 acres +/-; proposed Lot B consists of approximately 2.8 acres =/-; the residual lands consists of approximately 310.417 acres +/-. This property is located on the east side of Sharps Road (S.C.R. 200). This is a concept plan only and a formal subdivision plan will be submitted upon approval of the concept plan. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 330-8.00-29.00.



LOCATION MAP
1" = 1000'

S-21-40 / CU 2164

SITE DATA TABLE

1.	TAX MAP NUMBER:	334-19.00-1.06
2.	DEED/PLAT REFERENCE:	DEED BOOK 4898 , PAGE 80 PLAT BOOK 74, PAGE 164
3.	OWNER / DEVELOPER NAME:	LEANNA & HUNG NGUYEN
4.	OWNER / DEVELOPER ADDRESS:	18971 GOLDFINCH COVE REHOBOTH BEACH, DE 19971
5.	SITE ADDRESS:	EAST SIDE OF OLD LANDING ROAD (SCR 274) ADJACENT TO MARINA DRIVE AT REHOBOTH BAY MHP REHOBOTH, DELAWARE 19971 LEWES AND REHOBOTH HUNDRED
6.	CURRENT ZONING:	MR (MEDIUM RESIDENTIAL DISTRICT)/CONDITIONAL USE (ARTICLE V - § 115-31) (APPROVED ORDINANCE NO. 2646, CZ1874, DATED APRIL 16, 2019
7.	PRESENT USE:	GRASS FIELD
8.	PROPOSED USE:	5 UNIT - MULTIFAMILY DWELLING STRUCTURE, SUBJECT TO THE PROVISIONS OF ARTICLES IV THROUGH XX, § 115-219 AND TABLE 2 (APPROVED ORDINANCE NO.2627, CU2164, DATED APRIL 16, 2019)
9.	REQUIRED SETBACKS (B.R.L.):	(MR/CONDITIONAL USE) FRONT - 40 FEET SIDE - 10 FEET REAR - 10 FEET [NO OVERALL OUTSIDE WALL DIMENSION OF A BUILDING EXCEEDS 165 FEET]
10.	DENSITY:	5 UNITS SINGLE FAMILY ATTACHED (MULTI-FAMILY) MR ZONING MAXIMUM DENSITY | 4.356 UNITS / AC. PERMITTED DENSITY 5.66 UNITS / AC. CU ZONING MAXIMUM DENSITY FOR MULTIFAMILY | 12 UNITS / AC. PROPOSED DENSITY | 3.85 UNITS/AC.
11.	TOTAL AREA (GROSS): MINIMUM LOT AREA: MINIMUM LOT WIDTH: MINIMUM LOT DEPTH:	1.30± ACRES 10,000 SF 75 FT 100 FT
12.	NET DEVELOPMENT AREA:	1.30± AC.
13.	BUILDING HEIGHT:	42' MAX ALLOWED [PROPOSED 40'±]
14.	PARKING (ARTICLE XXII: OFF-STREET PARKING, CODE SECTION 115-162.B):	
	REQUIRED SPACES:	13 SPACES (5 UNITS WITH 4 BEDROOMS EACH; 2 SPACES PER UNIT PLUS 0.5 SPACE FOR EACH BEDROOM OVER 3 BEDROOMS)
	PROVIDED SPACES:	16 SPACES
15.	WATER SUPPLY: SECTION89: SOURCE WATER PROPERTY	PUBLIC WATER - TIDEWATER UTILITY, INC. A) SUBJECT PROPERTY IS WITHIN AN AREA OF "POOR GROUND WATER RECHARGE B) SUBJECT PROPERTY IS NOT LOCATED IN A WELLHEAD PROTECTION AREA.
17.	SEWER SUPPLY:	PUBLIC SEWER - SUSSEX COUNTY [WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT]
18.	STATE INVESTMENT AREA:	LEVEL 3
19.	LONGITUDE AND LATITUDE: STATE PLANE COORDINATES:	SITE BENCHMARK: IRON ROD AT NORTHWEST PROPERTY CORNER LONGITUDE: W 75° 04' 28.65" LATITUDE: N 38° 24' 45.54"
20.	2019 FUTURE LAND USE:	COASTAL AREA
21.	WETLAND AREA:	NO WETLANDS FOUND ONSITE
22.	PROPOSED DISCHARGE LOCATION:	ON SITE PRIVATE INFILTRATION FACILITY
23.	SITE CALCULATIONS BUILDING AREA GRASS AREA PAVEMENT/STONE AREA STORMWATER TOTAL	 EX. = 0.00 AC. PR. = 0.14 AC. EX. = 1.20 AC. PR. = 0.67 AC. EX. = 0.10 AC. PR. = 0.38 AC. EX. = 0.00 AC. PR. = 0.11 AC. EX. = 1.30 AC. PR. = 1.30 AC.
24.	FORESTED AREA: TOTAL AREA:	 0 SF
25.	LIMIT OF DISTURBANCE:	0.99 ± AC.
26.	DATUM:	HORIZONTAL = NAD83 VERTICAL = NAVD88
27.	FIRE DISTRICT:	REHOBOTH BEACH FIRE CO. (STATION 86)
28.	FLOOD ZONE:	ZONE 10005C0334K (SEE GENERAL NOTE 3)
29.	WATERSHED:	REHOBOTH BAY
30.	LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APPROVAL	SUSSEX COUNTY

SITE INFORMATION:

SITE ADDRESS:
20873 OLD LANDING ROAD
REHOBOTH BEACH, DELAWARE 19971
TAX MAP: 334-19.00-1.06

OWNER/DEVELOPER:
LEANNA & HUNG NGUYEN
18971 GOLDFINCH COVE
REHOBOTH BEACH, DELAWARE, 19971

ENGINEER / SURVEYOR:
PENNONI ASSOCIATES INC.
18072 DAVIDSON DRIVE
MILTON, DELAWARE 19968
(302) 684-8030

KEYED NOTES

S1	STOP SIGN (R1-1) 36" X 36" & BLADE
S2	DELDOT PCC CURB, TYPE 1-6
S3	PROPOSED PRIVATE STORMWATER FACILITY
S4	PROPOSED INFINITY POOL, SUBJECT TO BOA VARAINCE PER COUNTY CODE REQUIREMENTS UNLESS DESIGN INTENT OF POOL IS CHANGED (REFER TO POOL DESIGNER PLANS)
S5	PROPOSED STAIRS (REFER TO ARCHITECTURE PLANS)
S6	MAIN ENTRANCE
S7	ADA RAMP TYPE 1
S8	LIGHT DUTY PAVEMENT DETAIL (DETAIL 8/6001)
S9	FLAT ROOF PITCH TO BACK AND WILL DRAIN INTO ONSITE STORMWATER FACILITY
S10	ACCESS RAMP INTO GARAGE (TYP.)
S11	LOUNGE/FIRE PIT AREA
S12	LANDSCAPE BED
S13	PROPOSED FOUNTAIN TO BE PART OF STORMWATER FACILITY
S14	2' WIDE CONCRETE SIDEWALK
S15	EXISTING FIRE HYDRANT
S16	EXISTING UTILITY POLE (TYP.)
S17	CONCRETE CONNECTION
S18	PROPOSED CROSSWALK
S19	16" WIDE THERMOPLASTIC STOP BAR
S20	CURB OPENING PER DELDOT STANDARD CONSTRUCTION DETAIL C-4
S21	LIMIT OF ENTRANCE CONSTRUCTION
S22	PROPOSED RIGHT OF WAY MONUMENTATION TO BE SET PER DELDOT STANDARD CONSTRUCTION DETAIL M-2 (TYP.)
S23	PROPOSED EDGE OF STORMWATER FACILITY WILL HAVE 18" HIGH PROTECTIVE WALL WITH BUILT IN SCUPPERS FOR DRAINAGE

SOILS		
TYPE	DESCRIPTION	HYDROLOGIC SOIL
GrA	GREENWICH LOAM, 0 TO 2 PERCENT SLOPES	B
IeA	INGLESIDE LOAMY SAND, 0 TO 2 PERCENT SLOPES	A

LIMIT OF DISTURBANCE: 0.99± ACRES

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		BUILDING
		FULL DEPTH PAVEMENT
		CONCRETE SIDEWALK
		CURB
		EDGE OF PAVEMENT
		EDGE OF GRAVEL
		EASEMENT
		FENCE
		POWER, UTILITY POLE
		POWER, LIGHT
		PROPERTY, LINE
		LEGAL RIGHT-OF-WAY
		R.O.W. MONUMENTATION
		PROPERTY, ADJOINING LINED
		SITE, MAIL BOX
		SITE, TRAFFIC SIGN
		SOIL BOUNDARY
WaC		SOIL LABEL
		STORM SEWER, INLET
		STORM SEWER,HEADWALL
		STORM SEWER, MANHOLE
		STORM SEWER, UNDERGROUND
		SWALE
		VEGETATION, TREE LINE
101	101	MINOR CONTOUR
100	100	MAJOR CONTOUR
100.5	35.00	SPOT ELEVATION

EASEMENT LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 69°46'37" E	23.38'
L2	S 20°11'27" E	20.00'
L3	S 69°46'37" W	23.37'
L4	N 20°13'23" W	20.00'
L5	S 69°46'37" W	23.38'
L6	N 20°13'13" W	20.00'
L7	N 69°46'47" E	23.38'
L8	S 20°13'14" E	20.00'

APPROVAL INFORMATION (FOR OFFICE USE ONLY)

APPROVAL #: 2021-9637	FEE PAID: $125.00
APPROVED BY: SCD STORMWATER PROGRAM	APPROVAL DATE: DECEMBER 15, 2021
TITLE: SCD STORMWATER PROGRAM	EXPIRATION DATE: DECEMBER 15, 2026

SUSSEX CONSERVATION DISTRICT

NAME DATE

ENGINEER CERTIFICATION:
IT IS HEREBY CERTIFIED 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.

SIGNATURE DATE

ALAN DECKTOR, PE (DE PE# 17771)
PENNONI ASSOCIATES, INC
18072 DAVIDSON DRIVE MILTON, DE 19968
(302) 684-8030
ADECKTOR@PENNONI.COM

OWNER'S AND DEVELOPER'S CERTIFICATION:
IT IS HEREBY CERTIFIED THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN RECORDED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

LEANNA NGUYEN DATE

HUNG NGUYEN DATE
18971 GOLDFINCH COVE
REHOBOTH BEACH DE, 19971
(858) 775-5559
DUYHUNG8276@YAHOO.COM

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

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

NGUYEN MULTI-FAMILY DWELLING

S-21-40 / CU 2164
TAX MAP NUMBER: 334-19.00-1.06
OLD LANDING ROAD (SCR 274)
REHOBOTH DE, 19971

RECORD PLAN

LEANNA & HUNG NGUYEN
18971 GOLDFINCH COVE
REHOBOTH BEACH DE, 19971

NO.	DATE	REVISIONS	BY
2	2022-03-08	REVISED PER P&Z COMMENTS	LC
1	2022-02-25	REVISED PER DELDOT COMMENTS	LFS

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	LBNGU21001
DATE	2022-01-11
DRAWING SCALE	1"=20'
DRAWN BY	RPP
APPROVED BY	AMD

RP-1001

SHEET 1 OF 2

PROJECT STATUS: LBNGU21001
PLOTSTYLE: Pennoni NCS.stb
PLOTTED: 3/17/2022 8:34 AM BY: Logan Strickland
U:\Accounts\LBNGU\LBNGU21001 - Nguyen Family Home\ZESIGN_SHEETS\RP1001.dwg

GENERAL NOTES:

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
2. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
3. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
4. ALL MATERIALS SHALL BE NEW AND SHALL BE ASBESTOS AND VERMICULITE FREE. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE INTENDED WORK.
5. DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
6. PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD ANY DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED, ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
7. THE CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF CONTRACT DRAWINGS ON WHICH HE SHALL NOTE, IN RED, THE ALIGNMENTS AND INVERTS OF ALL UNDERGROUND UTILITIES INSTALLED OR ENCOUNTERED DURING THE PROSECUTION OF THE WORK. ALL DISCREPANCIES BETWEEN THE PLAN LOCATIONS AND ELEVATIONS OF BOTH THE EXISTING AND PROPOSED UTILITIES SHALL BE SHOWN ON THE AS-BUILT DRAWINGS TO BE MAINTAINED BY THE CONTRACTOR IN THE FIELD.
8. THE CONTRACTOR SHALL OPEN ONLY THAT SECTION OF TRENCH OR ACCESS PITS WHICH CAN BE BACKFILLED AND STABILIZED AT THE END OF EACH WORKING DAY. STEEL PLATES SHALL BE USED ON ANY TRENCH OR ACCESS PITS WHICH MUST REMAIN OPEN OVERNIGHT. THIS REQUIREMENT DOES NOT APPLY TO AREAS COMPLETELY CLOSED AND SECURE FROM VEHICULAR OR PEDESTRIAN TRAFFIC.
9. DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER, CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
10. BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0334K, EFFECTIVE DATE MARCH 16, 2015, THE PROPERTY IS LOCATED IN FLOOD ZONE "X" (UNSHADED), WHICH IS AN AREA THAT HAS BEEN DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN. THE WEST SIDE OF THE PROPERTY IS IN FLOOD ZONE 'AE', SHADED WITH BASE FLOOD ELEVATION AT 5'.
11. SUBJECT PROPERTY IS CURRENTLY 'MR' (MEDIUM RESIDENTIAL),
12. THE SUBJECT SITE WILL BE CONSTRUCTED AS A SINGLE PHASE.
13. TOTAL AREA FOR SUBJECT SITE IS 56,438 SF± (1.30 ACRES±)
14. THE BOUNDARY INFORMATION SHOWN ON THIS PLAT WAS COMPILED FROM DOCUMENTS OF PUBLIC RECORD AND A BOUNDARY SURVEY BY PENNONIN, DATED AUGUST 7, 2018. ALL PROVIDED EASEMENTS ARE SHOWN ON THIS PLAN, HOWEVER, THIS PLAT AND SURVEY DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT-OF-WAYS OR EASEMENTS.
15. SURVEY DATUM: HORIZONTAL - NAD83, VERTICAL - NAVD88
16. DEED REFERENCE : DEED BOOK 4898, PAGE 80.
    PLAT REFERENCE : PLAT BOOK 74, PAGE 164
17. BUILDING LIGHTING TO BE PROVIDED WITH BUILDING PLANS.
18. ALL SECURITY LIGHTING (IF NECESSARY) SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
19. THERE ARE NO WETLANDS ON THIS PROPERTY PER THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
20. STORM WATER WILL BE HANDLED BY THE PROPOSED STORM WATER MANAGEMENT POND ON SITE. THE MAINTENANCE OF THE STORM WATER MANAGEMENT FACILITY WITHIN THIS SITE SHALL BE THE RESPONSIBILITY OF THE OWNER.
21. ALL FIRE LANES, EXITS, STANDPIPE AND SPRINKLER CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS. ALL BUILDINGS WILL BE WOOD CONSTRUCTION AND HAVE SPRINKLERS.
22. LOCK BOX REQUIRED - CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION. LOCK BOXES WILL BE LOCATED ON THE RIGHT HAND SIDE OF THE DOOR.
23. MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
24. ALL DISTURBED AREAS WITHIN THE LIMIT OF DISTURBANCE, BUT NOT IN PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM), SEEDED AND MULCHED. IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINAL INSPECTION, ALL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
25. A 72 HOUR (MINIMUM) NOTICE SHALL BE GIVEN TO THE DISTRICT PERMIT SUPERVISOR PRIOR TO STARTING ROADWAY CONSTRUCTION.
26. ALL SIGNING FOR MAINTENANCE OF TRAFFIC IS THE CONTRACTORS RESPONSIBILITY, AND SHALL FOLLOW THE GUIDELINES SHOWN IN LATEST EDITION OF DELAWARE MUTCD .
27. DESIGN, FABRICATION AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD.
28. DESIGN AND INSTALLATION OF ALL PAVEMENT MARKINGS AND STRIPING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD. FOR FINAL PERMANENT PAVEMENT MARKINGS:
    a) EPOXY RESIN PAINT SHALL BE REQUIRED FOR LONG LINE STRIPING.
    b) THERMO PLASTIC (EXTRUDED OR PREFORMED MATERIAL) WILL BE REQUIRED ON ASPHALT SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
    c) PERMANENT PAVEMENT MARKING TAPE (PER DELDOT APPROVED MATERIALS LIST) WILL BE REQUIRED ON CONCRETE SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
29. BREAKAWAY POSTS SHALL BE USED WHEN INSTALLING ALL SIGNS. REFERENCE DELDOT STANDARD CONSTRUCTION DETAIL T-15.
30. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING, TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION:
    -- THE OWNER
    -- SUSSEX CONSERVATION DISTRICT
    -- DELDOT
31. THE CONTRACTOR SHALL MAINTAIN PUBLIC ROADS AND STREETS IN A BROOM SWEPT CONDITION AT ALL TIMES.
32. THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL, REGULATORY, WARNING AND INFORMATION SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
33. A SEPARATE SIGN PERMIT WILL BE REQUIRED FOR THE PROPOSED SIGN. ANY PROPOSED SIGN DETAILS WILL BE SUBMITTED SEPARATELY.

DELDOT RECORD NOTES (REVISED 03-21-2021):

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
4. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
5. PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 §131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
6. THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
7. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
8. TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
9. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
10. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.

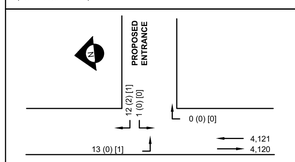
CONDITIONS OF APPROVAL, 2019-4-24 (CU-2164):

PRELIMINARY APPROVAL WAS GRANTED BY SUSSEX COUNTY PLANNING COMMISSION AT THEIR MEETING ON APRIL 16, 2019 SUBJECT TO THE FOLLOWING CONDITIONS:

A. THE MAXIMUM NUMBER OF RESIDENTIAL UNITS SHALL BE 5.
B. ALL ENTRANCES, INTERSECTION, ROADWAY AND MULTI-MODAL IMPROVEMENTS SHALL BE COMPLETED BY THE DEVELOPER IN ACCORDANCE WITH ALL DELDOT REQUIREMENTS.
C. THE PROJECT SHALL BE SERVED BY SUSSEX COUNTY SEWER. THE DEVELOPER SHALL COMPLY WITH ALL SUSSEX COUNTY ENGINEERING DEPARTMENT REQUIREMENTS INCLUDING ANY OFFSITE UPGRADES NECESSARY TO PROVIDE SERVICE TO THE PROJECT.
D. THE PROJECT SHALL BE SERVED BY CENTRAL WATER TO PROVIDE DRINKING WATER AND FIRE PROTECTION.
E. THE APPLICANTS HAVE PROPOSED A 20-FOOT WIDE VEGETATED BUFFER IN ACCORDANCE WITH SECTION 115-218 OF THE ZONING CODE. THERE SHALL BE A VEGETATED OR FORESTED BUFFER OF AT LEAST 20-FEET IN WIDTH AROUND THE ENTIRE PERIMETER OF THE PROJECT, WITH THE EXCEPTION OF THE ENTRANCES AREA TO THE PROJECT.
F. THE APPLICANT SHALL SUBMIT AS PART OF THE FINAL SITE PLAN A LANDSCAPE PLAN SHOWING THE PROPOSED TREE AND SHRUB LANDSCAPE DESIGN, INCLUDING THE BUFFER AREAS.
G. CONSTRUCTION AND SITE WORK ON THE PROPERTY, INCLUDING DELIVERIES OF MATERIALS TO OR FROM THE PROPERTY, SHALL ONLY OCCUR BETWEEN 7:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY, AND BETWEEN 8:00 AM AND 2:00 PM ON SATURDAYS. THERE SHALL BE NO CONSTRUCTION ACTIVITIES AT THE SITE ON SUNDAYS.
H. STREET NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE COUNTY MAPPING AND ADDRESSING DEPARTMENTS.
I. THE APPLICANTS HAVE PROPOSED A UNIQUE DESIGN OF THE PROPOSED BUILDING THAT INCLUDES SUBSTANTIAL CHANGES TO THE CURRENT GRADE OF THE PROPERTY. THESE GRADE CHANGES WILL HAVE A SIGNIFICANT IMPACT ON RUNOFF AND STORMWATER MANAGEMENT ON THE PROPERTY. THE STORMWATER MANAGEMENT SYSTEM SHALL BE CAREFULLY DESIGNED IN COOPERATION WITH THE SUSSEX CONSERVATION DISTRICT TO MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY AND SHALL NOT PERMIT RUNOFF FROM THIS PROPERTY ONTO NEIGHBORING PROPERTIES.
J. THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND EROSION AND SEDIMENT CONTROL FACILITIES.
K. THIS PROJECT SHALL NOT BECOME A DORMITORY, BOARDING HOUSE OR SIMILAR TYPE OF USE AND MUST COMPLY AT ALL TIMES WITH THE OCCUPANCY REQUIREMENTS FOR MULTI-FAMILY DWELLINGS SET FORTH IN THE ZONING CODE.
L. ALL STREETLIGHTS SHALL BE DOWNWARD SCREENED SO THAT THEY DO NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
M. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

TRAFFIC GENERATION - OLD LANDING ROAD (SCR 274)

(FULL MOVEMENT)



TRAFFIC GENERATION DIAGRAM

ADT PEAK HOUR (ENTERING), ADT PEAK HOUR [EXITING]

[1] DIRECTIONAL DISTRIBUTION PROVIDED BY DELDOT
[2] DIRECTIONAL DISTRIBUTION PROVIDED BY ITE MANUAL

DESIGN VEHICLE - SU-30

ROAD TRAFFIC DATA:

FUNCTIONAL CLASSIFICATION - (SCR 274 - OLD LANDING RD.) - LOCAL
POSTED SPEED LIMIT - 45 MPH
AADT = 8,241 TRIPS (FROM 2019 DELDOT TRAFFIC SUMMARY)
10 YEAR PROJECTED AADT= 1.16 x 8,241 = 9,560 TRIPS
10 YEAR PROJECTED AADT + SITE ADT = 9,586 TRIPS
TRAFFIC PATTERN GROUP = 4 (FROM 2019 DELDOT TRAFFIC SUMMARY)
PEAK HOUR - 12.09% x 9,586 TRIPS = 1,159 TRIPS
TRUCK VOLUME - 8.47% x 9,586 TRIPS = 812 TRIPS
DISTRIBUTION % (61.35 / 38.65)

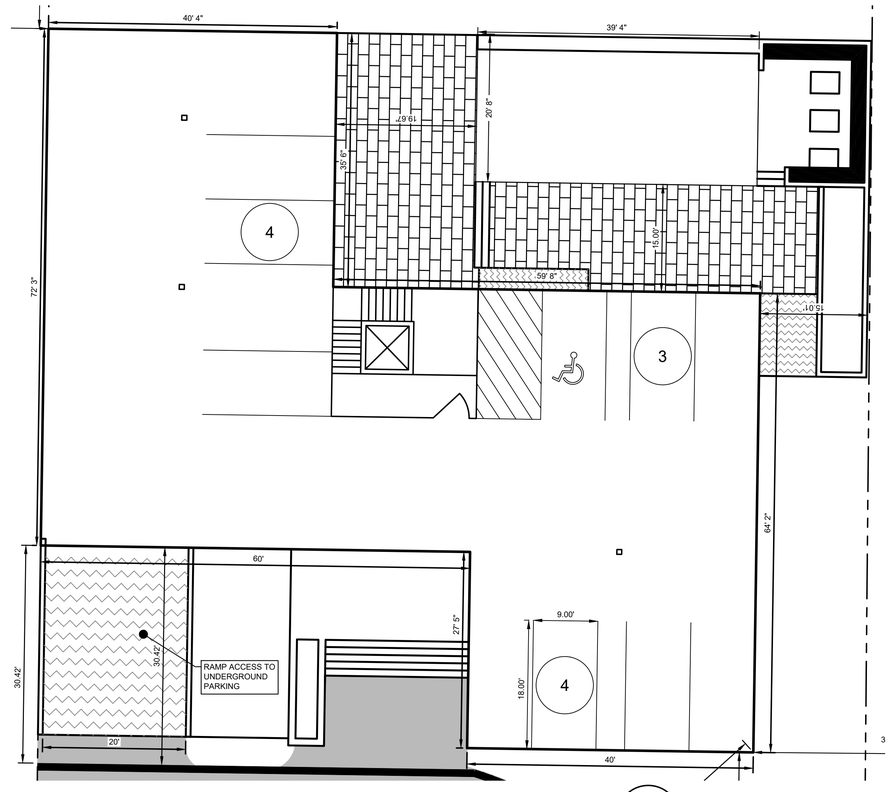
SITE TRAFFIC DATA:

SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION
EXISTING LAND USE - VACANT LANDS

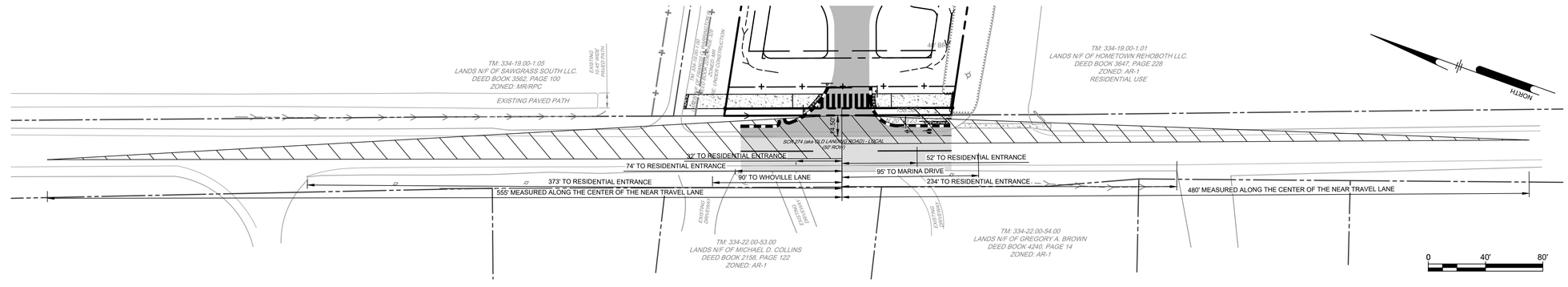
PROPOSED LAND USE:
5 UNIT - MULTIFAMILY HOUSING (MID RISE) (ITE 221)
T=5.45(X)-1.75 = 26 TRIPS (13 IN / 13 OUT)

PEAK HOUR OF ADJACENT STREET TRAFFIC:
AM PEAK: Ln(T)=0.96Ln(X)-0.98 = 2 TRIPS (WEEKDAY) [26% / 74%] (0 / 2)
PM PEAK: Ln(T)=0.96Ln(X)-0.63 = 2 TRIPS (WEEKDAY) [61% / 39%] (1 / 1)

DIRECTIONAL DISTRIBUTION / ENTRANCE UTILIZATION:
95% TO AND FROM NORTH = 25 TRIPS, AM:(0) [2], PM:(1) [1]
5% TO AND FROM SOUTH = 1 TRIPS, AM:(0) [0], PM:(0) [0]
TOTAL NEW ADT= 26 TRIPS
SITE TRUCK TRAFFIC = 1 TRIPS (5%)



BLOW UP- BUILDING UNDERGROUND PARKING (1 / RP-1002)
SCALE: 1" = 10'



SIGHT DISTANCE TRIANGLE PLAN
SCALE: 1" = 40'

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

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

NGUYEN MULTI-FAMILY DWELLING
S-21-40 / CU 2164
TAX MAP NUMBER: 334-19.00-1.06
OLD LANDING ROAD (SCR 274)
REHOBOTH DE, 199971

SITE PLAN DATA NAD NOTES

LEANNA & HUNG NGUYEN
2 CRANE AVE.
LEWES, DE, 19958

NO.	DATE	REVISIONS	BY
2	2022-03-08	REVISED PER PAZ COMMENTS	LFS
1	2022-02-25	REVISED PER DELDOT COMMENTS	LFS

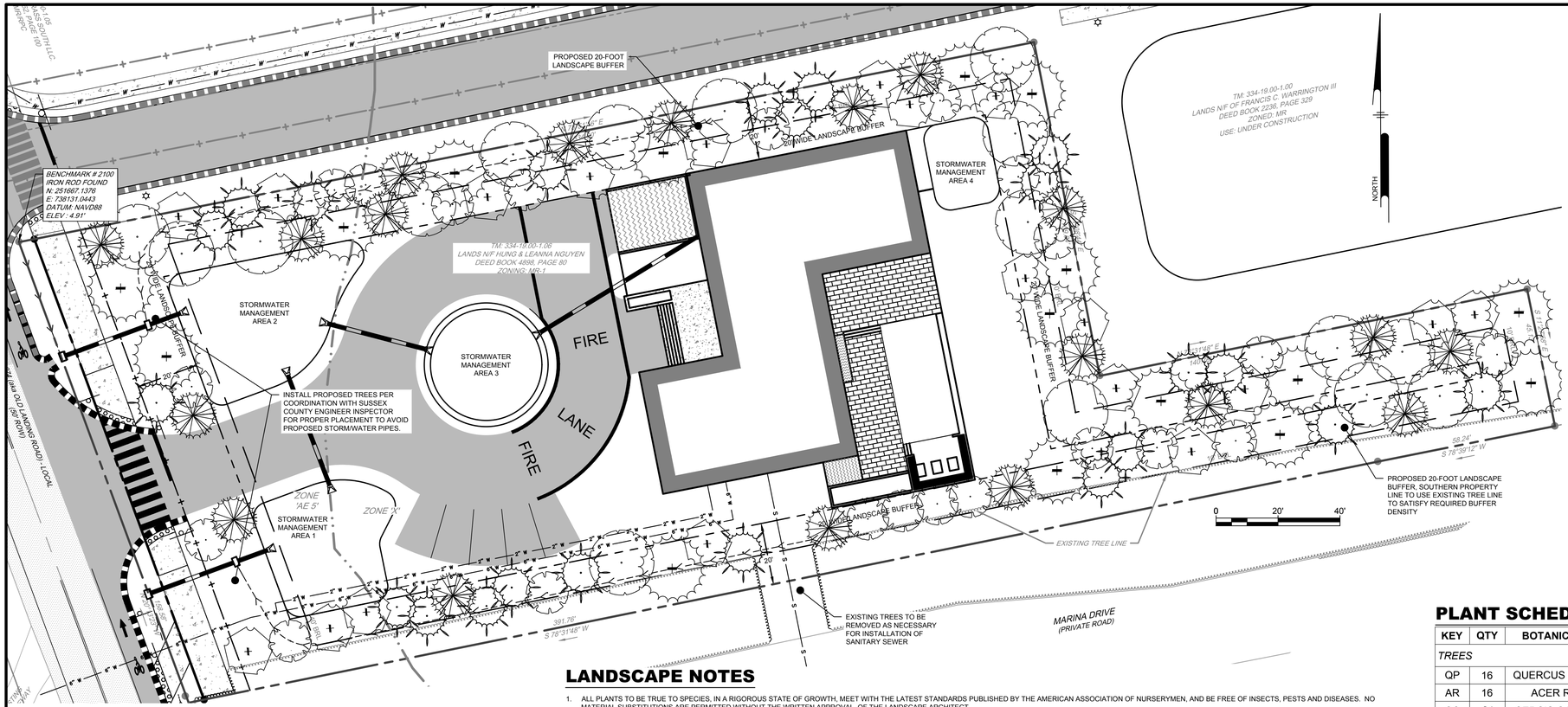
ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	LBNGU21001
DATE	2022-01-11
DRAWING SCALE	AS SHOWN
DRAWN BY	LFS
APPROVED BY	AMD

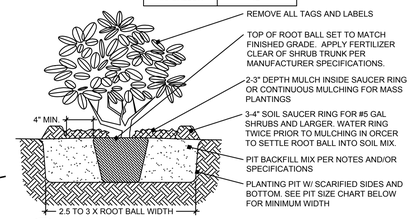
RP-1002

SHEET 2 OF 2

U:\Accounts\LBNGU\LBNGU21001 - Nguyen Family Home\DESIGN_SHEETS\RP-1002.dwg PLOTTED: 3/7/2022 9:35 AM BY: Logan Strickland PLOTSTYLE: Pennoni NCS.stb PROJECT STATUS: LBNGU21001



SHRUB SIZE	MIN. PIT WIDTH
#1 GALLON	18"
#3 GALLON	30"
#5 GALLON	42"



C SHRUB PLANTING
N.T.S.

LEGEND

PROPOSED	DESCRIPTION
	LARGE DECIDUOUS SHADE TREE (QP)
	LARGE DECIDUOUS SHADE TREE (AR)
	MEDIUM DECIDUOUS TREE (CF)
	MEDIUM DECIDUOUS TREE (CC)
	MEDIUM/LARGE CONIFEROUS TREE (PA)
	MEDIUM/LARGE CONIFEROUS TREE (PS)

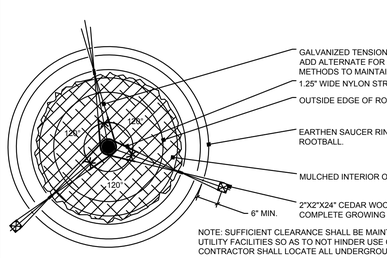
PLANT SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONT.	SPACING
TREES						
QP	16	QUERCUS PALUSTRIS	PIN OAK	1.5"	B&B	AS SHOWN
AR	16	ACER RUBRUM	RED MAPLE	1.5"	B&B	AS SHOWN
CC	21	CERCIS CANADENSIS	EASTERN REDBUD	1.5"	B&B	AS SHOWN
CF	19	CORNUS FLORIDA	FLOWERING DOGWOOD	1.5"	B&B	AS SHOWN
PA	22	PICEA ABIES	NORWAY SPRUCE	>5'	B&B	AS SHOWN
PS	19	PINUS STROBUS	WHITE PINE	>5'	B&B	AS SHOWN

*NOTE - USE PLANT SYMBOLS RESPECTIVELY TO IDENTIFY LOCATION OF PLANTS ON PLAN
- EXISTING VEGETATION TO BE UTILIZED AS MUCH AS POSSIBLE

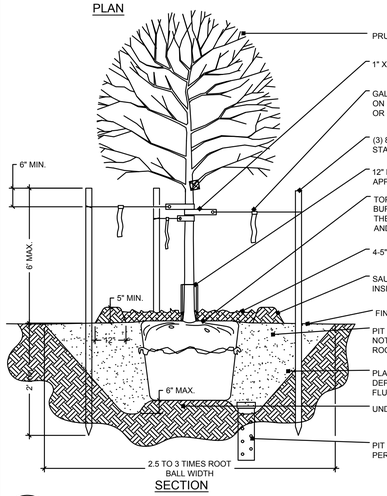
LANDSCAPE NOTES

1. ALL PLANTS TO BE TRUE TO SPECIES, IN A RIGOROUS STATE OF GROWTH, MEET WITH THE LATEST STANDARDS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, AND BE FREE OF INSECTS, PESTS AND DISEASES. NO MATERIAL SUBSTITUTIONS ARE PERMITTED WITHOUT THE WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT
2. CONTRACTOR SHALL OBTAIN A DIGITAL FILE FROM LANDSCAPE ARCHITECT AS NEEDED TO PROPERLY STAKE OUT PROPOSED TREE LOCATIONS
3. REFER TO PROJECT SPECIFICATIONS FOR ALL REQUIREMENTS AND SUBMITTALS NOT COVERED IN THESE NOTES, DETAILS, AND DRAWINGS.
4. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES BETWEEN THE PLANS, NOTES, AND SPECIFICATIONS.
5. MULCH:
   - 5.1. NATIVE SHREDDED HARDWOOD MIXED WITH NATIVE LEAF LITTER. SUBMIT SAMPLE TO LANDSCAPE ARCHITECT FOR APPROVAL.
   - 5.2. APPLY 1-2" DEPTH OF FINELY SHREDDED MULCH OVER GROUNDCOVER AND PERENNIAL BEDS.
   - 5.3. APPLY 2-3" DEPTH MULCH OVER SHRUB BEDS AND INSIDE SHRUB SAUCER RINGS.
   - 5.4. APPLY 4-5" DEPTH MULCH INSIDE TREE SAUCER RINGS.
6. FINE GRADING:
   FINE GRADE ALL GROUNDCOVER AND SHRUB BEDS PRIOR TO PLANTING. HAND GRADE ALL PROPOSED LAWN AREAS PRIOR TO HYDRO SEEDING OR LAYING SOD. REMOVE ALL ROCKS, CLUMPS, AND FOREIGN DEBRIS GREATER THAN ½" DIAMETER.
7. TOPSOIL:
   CONTRACTOR SHALL OBTAIN SOILS TESTS FROM THE DELAWARE DEPARTMENT OF AGRICULTURE EXTENSION OFFICE (OR EQUAL) AND FURNISH A COPY OF SAID REPORT TO LANDSCAPE ARCHITECT. PER COUNTY REQUIREMENTS. 6" MINIMUM TOPSOIL SHALL BE PROVIDED THROUGHOUT THE SITE. PROVIDE 12" DEPTH TOP SOIL FOR ALL GROUNDCOVER PERENNIAL AND SEASONAL PLANTING BEDS. PROVIDE 18" DEPTH TOP SOIL FOR ALL TREE AND SHRUB BEDS.
8. PLANT PITS AND BACKFILL:
   - 8.1. ALL TREE PITS TO BE A MINIMUM OF 2.5 TIMES THE WIDTH OF THE ROOT BALL AND SHRUB PITS TO BE A MINIMUM OF 2 TIMES THE WIDTH OF THE CONTAINER OR ROOT BALL
   - 8.2. CONTRACTOR SHALL PERFORM A 24 HOUR PERK TEST ON TREE PITS. WATER SHOULD DRAIN FREELY FROM THE HOLE WITHIN A 24 HOUR PERIOD.
   - 8.3. SET TREE AND PIT DEPTH SUCH THAT THE TRUNK COLLAR OR WET LINE MATCHES THAT OF THE PROPOSED FINISH GRADE. IN POOR DRAINING SOILS CONDITIONS, SET TOPS OF ROOT BALLS APPROXIMATELY 2" ABOVE PROPOSED FINISH GRADE.
   - 8.4. FOR BALLED AND BURLAPPED TREES, REMOVE THE TOP ⅓ OF THE ROOT BALL CAGE PRIOR TO BACKFILL. REMOVE ALL TWINE AND TIES FROM THE TRUNK OF THE TREE.
   - 8.5. STANDARD PIT BACKFILL SHALL CONSIST OF ½ NATIVE SOIL, ¼ COMPOST, AND ¼ SPHAGNUM PEAT MOSS MIXED LIBERALLY TOGETHER. FOR POORLY DRAINING NATIVE SOIL CONDITIONS, PIT BACKFILL SHALL CONSIST OF ½ NATIVE SOIL, ¼ COMPOST, AND ¼ SAND MIXED LIBERALLY. ADJUST STANDARD FILL MATERIAL MIX WHERE STRUCTURAL SOILS ARE REQUIRED.
   - 8.6. AROUND EACH TREE SHAPE A 5-6" TALL SOIL SAUCER RING WITH THE INSIDE RING DIAMETER 12" WIDER THAN THE ROOT BALL. AROUND EACH SHRUB, SHAPE A 3-4" TALL SOIL SAUCER RING WITH AN INSIDE DIAMETER OF 8" WIDER THAN THE ROOT BALL.
   - 8.7. SETTLE TREE AND SHRUB PIT BACKFILL BY WATERING THE INTERIOR OF SAUCER RING TWICE BEFORE MULCHING.
9. TREE STAKING AND GUYING:
   ALL TREES GREATER THAN 1.75" IN CALIPER OR 6' IN HEIGHT SHALL BE STAKED OR GUYED AS SHOWN IN DETAILS. LASSO TIES SHALL BE OF 1-1/4" WIDE NYLON STRAPS OR OF FLEXIBLE PLASTIC THAT WILL NOT CHAFE, SCAR OR DAMAGE TREE LIMBS. STAKE AND GUY CHORDS SHALL BE FLAGGED OR COVERED WITH APPROPRIATE MATERIALS SO THAT THEY ARE READILY VISIBLE. PROVIDE THREE (3) STAKES OR GUYS MINIMUM PER TREE, SPACED EQUALLY ABOUT THE TRUNK BASE. TWO (2) STAKES MINIMUM MAY BE USED IN NARROW, WIND-SHELTERED AREAS WHERE STANDARD STAKING OR GUYING WILL CANNOT FIT. CONTRACTOR SHALL REMOVE ALL STAKING AND GUYING MATERIALS AFTER ONE COMPLETE GROWING SEASON. ALTERNATIVE STAKING METHODS PROPOSED MUST BE SUBMITTED TO LANDSCAPE ARCHITECT FOR APPROVAL.
10. FERTILIZERS:
    FERTILIZERS FOR LAWNS, BEDS, AND TREE & SHRUB PITS SHALL BE DETERMINED THOUGH THIRD PARTY SOILS TESTING FURNISHED BY THE CONTRACTOR. CONTRACTOR SHALL SUBMIT SOILS TEST RESULTS AND PROPOSED FERTILIZER PRODUCT(S) SPECIFICATIONS TO LANDSCAPE ARCHITECT FOR APPROVAL.
11. LANDSCAPE DRAINAGE:
    THE LANDSCAPE PLAN HAS BEEN PREPARED WITH EXISTING AND PROPOSED GRADIENT DATA PER THE CIVIL ENGINEER. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES IN EXISTING CONDITIONS OR PROPOSED GRADING THAT WOULD COMPROMISE THE PROPER INSTALLATION AND POSITIVE DRAINAGE OF PROPOSED LANDSCAPE PLANTINGS AND/OR SITE ELEMENTS.
12. SEEDED AREAS:
    THE LIMIT OF SEEDING SHALL EXTEND TO ALL NON SODDED AREAS DISTURBED BY CONSTRUCTION. CONTRACTOR SHALL SUBMIT APPROPRIATE NATIVE GRASS SEED MIX(ES) SPECIFICATIONS TO LANDSCAPE ARCHITECT FOR APPROVAL. AREA SEEDING SHALL BE AT A RATE OF APPROXIMATELY 1 LBS PER 2000 SF OR PER SEED MIX RECOMMENDATIONS TO ACHIEVE THE DESIRABLE PLS APPLICATION RATE. ALL SEED AREA SHALL APPLIED WITH HYDROMULCH OR WITH OTHER TACKIFYING METHODS TO ENSURE SOIL STABILITY THROUGH TO GERMINATION AND ESTABLISHMENT OF THE SEEDED AREA.
13. MAINTENANCE PERIOD AND GUARANTEE:
    CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS THROUGH ONE COMPLETE GROWING SEASON AFTER INITIAL PLANTING. NURSERY PLANT SELECTION MAY BE COORDINATED WITH LANDSCAPE ARCHITECT, BUT SHALL NOT EXEMPT CONTRACTOR FROM MAINTENANCE PERIOD RESPONSIBILITIES AND GUARANTEES. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT 2 WEEKS IN ADVANCE TO SCHEDULE AN APPOINTMENT FOR FIELD SELECTION OF PLANT MATERIALS.
14. QUALIFICATIONS, INSPECTIONS, AND APPROVALS:
    A STATEMENT OF QUALIFICATION SHALL BE SUBMITTED TO LANDSCAPE ARCHITECT AND OWNER AT BID SUBMISSION. BONDING: AT OWNER'S DISCRETION, BONDING MAY BE REQUIRED BY THE CONTRACTOR, OR PROOF OF BONDABLE STATUS. REFER TO SPECIFICATIONS FOR LANDSCAPE INSPECTIONS SCHEDULE AND MATERIALS TESTING NOT COVERED IN THESE NOTES. RESULTS FROM ALL REQUIRED MATERIALS TESTING TO BE SUBMITTED TO THE LANDSCAPE ARCHITECT FOR APPROVAL. A NOTICE OF FINAL ACCEPTANCE SHALL BE ISSUED TO CONTRACTOR BY THE LANDSCAPE ARCHITECT UPON LANDSCAPE ARCHITECT AND OWNER APPROVAL OF ALL REQUIRED TESTING, MOCK-UPS AND SAMPLES, AND THE SATISFACTORY COMPLETION OF ALL LANDSCAPE CONSTRUCTION PUNCH-LIST ITEMS AND SUBMISSION OF WRITTEN GUARANTEES. A NOTICE OF CONDITIONAL ACCEPTANCE MAY BE ISSUED IN LIEU OF A FINAL ACCEPTANCE NOTICE BY LANDSCAPE ARCHITECT AT THE OWNER'S DISCRETION AND UNDER THE OWNER'S TERMS.
15. PER SUSSEX COUNTY ZONING ORDINANCE NO. 1984 SECTION 99-5 - FORESTED AND/OR LANDSCAPE BUFFER STRIP
    - A. A MINIMUM TOTAL OF 15 TREES PER EVERY 100' OF STRIP
      70% DECIDUOUS SPECIES
      30% EVERGREEN SPECIES
16. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK".
17. CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND FINAL ACCEPTANCE OF PHASE I SITE WORK HAS BEEN GIVEN. AT THE END OF ONE YEAR ALL PLANT MATERIAL WHICH IS DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AS ORIGINALLY SPECIFIED.
18. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
19. NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER.
20. ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN.)
21. EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
22. ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 12'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE STAKING DETAIL SHOWN.
23. THE FULL EXTENT OF ALL PLANTING BEDS SHALL RECEIVE 4" OF TOPSOIL AND 3" OF BARK MULCH PER SPECIFICATIONS.
24. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THIS DRAWING AND AS SPECIFIED.
25. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANT'S ORIGINAL GRADE BEFORE DIGGING.
26. THE CONTRACTOR IS EXPECTED TO MAINTAIN PLANTINGS, INCLUDING WATERING ALL PLANTS ANY TIME FROM APRIL TO DECEMBER WHEN NATURAL RAINFALL IS LESS THAN ONE INCH PER WEEK.
27. THE DEVELOPER OR HOMEOWNERS ASSOCIATION SHALL BEAR THE RESPONSIBILITY OF REPLACING ANY LANDSCAPING WITHIN SUSSEX COUNTY SEWER EASEMENTS THAT IS DESTROYED OR DAMAGED DUE TO SEWER SYSTEM MAINTENANCE, REPLACEMENT, OR EXTENSION.
28. THE ACTUAL STREET TREE LOCATION SHALL BE COORDINATED DURING LOT CONSTRUCTION. STREET TREES SHALL BE LOCATED WITHIN A 20 FEET OF THE LOCATION SHOWN ON THE PLANS. A 10-FOOT HORIZONTAL CLEARANCE SHALL BE MAINTAINED FROM ALL WATER AND SEWER LATERALS.
29. ALL DECIDUOUS TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AND A MINIMUM HEIGHT OF SIX FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THE TREES WILL BE CAPABLE OF OBTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.
30. ALL EVERGREEN TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF FIVE FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THEY ARE REASONABLY CAPABLE OF ATTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.
31. THE BUFFER AREA SHALL HAVE A FINAL GRADE THAT CONTAINS A MINIMUM OF FOUR INCHES OF TOPSOIL AND A SUITABLE GRASS MIX PLANTED AS SACRIFICIAL COVER BETWEEN THE BUFFER TREES FOR SOIL STABILIZATION UNTIL THE NEWLY PLANTED TREES BECOME LARGER. THE PLAN MAY SUBSTITUTE WOOD CHIPS FOR PLANTED GRASS BETWEEN THE BUFFER TREES IN RESPECT TO BOTH NEWLY PLANTED AND EXISTING TREES, AS DETERMINED BY THE LANDSCAPE ARCHITECT.
32. THE FORESTED AND/OR LANDSCAPE BUFFER SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE, AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE COMMISSION.
33. THE LAND DEVELOPER SHALL BE HELD RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES, INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF TWO YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO A HOMEOWNERS' ASSOCIATION, PROVIDED, HOWEVER, THAT THE DEVELOPER SHALL REPLACE ANY TREES THAT DIE DURING THE MINIMUM TWO-YEAR DEVELOPER MAINTENANCE PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO A HOMEOWNERS' ASSOCIATION.
34. THE PERPETUAL MAINTENANCE OF THE BUFFER PLANTINGS BY A HOMEOWNERS' ASSOCIATION SHALL BE ASSURED THROUGH THE RESTRICTIVE COVENANTS AND/OR HOMEOWNERS' ASSOCIATION DOCUMENTS WHICH ARE OBLIGATORY UPON THE PURCHASERS THROUGH ASSESSMENTS BY THE HOMEOWNERS' ASSOCIATION.



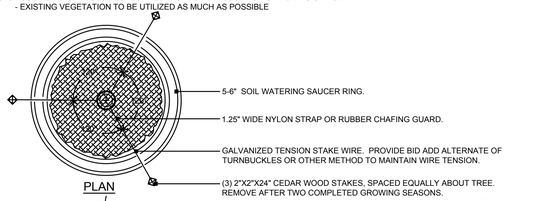
NOTE: SUFFICIENT CLEARANCE SHALL BE MAINTAINED BETWEEN TREES AND UTILITY FACILITIES SO AS TO NOT HINDER USE OR ACCESS TO SAID FACILITIES. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITES PRIOR TO DIGGING.

PLAN

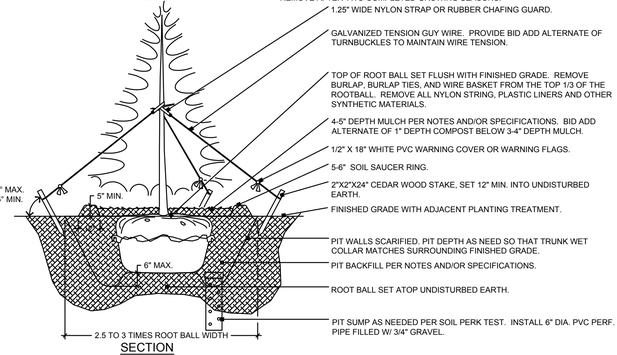


SECTION

A CANOPY TREE PLANTING AND GUYING
N.T.S.



PLAN



SECTION

B EVERGREEN TREE PLANTING AND STAKING
N.T.S.

LANDSCAPE CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE REGULATIONS AND LAWS OF THE STATE OF DELAWARE.

ERIC W. WAHL, (DE# S1-0000409) DATE
PENNONI ASSOCIATES INC.
18072 DAVIDSON DRIVE MILTON, DE 19968

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

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

NGUYEN MULTI-FAMILY DWELLING
S-21-40 / CU 2164
TAX MAP NUMBER: 334-19.00-1.06
OLD LANDING ROAD (SCR 274)
REHOBOTH DE, 199971

LANDSCAPE PLAN

LEANNA & HUNG NGUYEN
18971 GOLDFINCH COVE
REHOBOTH BEACH DE, 19971

NO.	DATE	REVISIONS	BY

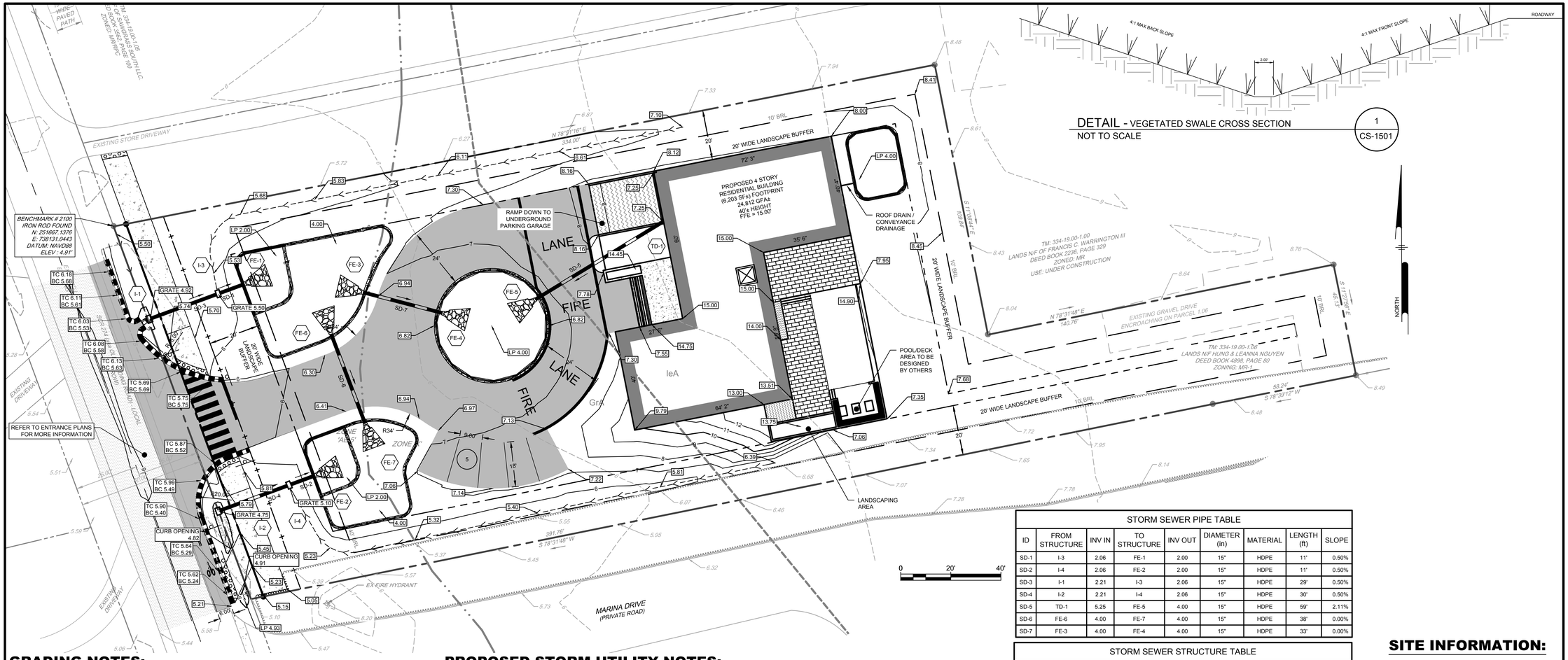
ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	LBNGU21001
DATE	2019-08-30
DRAWING SCALE	1"=20'
DRAWN BY	LFS
APPROVED BY	AMD

CS-2001

SHEET 6 OF 15

U:\Accounts\LBNGU\LBNGU21001 - Nguyen Family Home\2DESIGN_SHEETS\CS-2001.dwg PLOTTED: 3/16/2022 10:38 AM BY: Logan Strickland PLOTSTYLE: Pennoni PCS.stb PROJECT STATUS: LBNGU21001



DETAIL - VEGETATED SWALE CROSS SECTION
NOT TO SCALE — 1 / CS-1501

STORM SEWER PIPE TABLE								
ID	FROM STRUCTURE	INV IN	TO STRUCTURE	INV OUT	DIAMETER (in)	MATERIAL	LENGTH (ft)	SLOPE
SD-1	I-3	2.06	FE-1	2.00	15"	HDPE	11'	0.50%
SD-2	I-4	2.06	FE-2	2.00	15"	HDPE	11'	0.50%
SD-3	I-1	2.21	I-3	2.06	15"	HDPE	29'	0.50%
SD-4	I-2	2.21	I-4	2.06	15"	HDPE	30'	0.50%
SD-5	TD-1	5.25	FE-5	4.00	15"	HDPE	59'	2.11%
SD-6	FE-6	4.00	FE-7	4.00	15"	HDPE	38'	0.00%
SD-7	FE-3	4.00	FE-4	4.00	15"	HDPE	33'	0.00%

STORM SEWER STRUCTURE TABLE							
ID	RIM/GRATE ELEVATION	INV IN (FROM)	INV OUT (TO)	TYPE	TOP UNIT	GRATE
FE-1		2.00 (15" HDPE @ 0.50%) I-3		15 IN FES		
FE-2		2.00 (15" HDPE @ 0.50%) I-4		15 IN FES		
FE-3			4.00 (15" HDPE) FE-4	15 IN FES		SAFETY
FE-4		4.00 (15" HDPE @ 0.00%) FE-3		15 IN FES		
FE-5		4.00 (15" HDPE @ 2.11%) TD-1		15 IN FES		
FE-6			4.00 (15" HDPE) FE-7	15 IN FES		SAFETY
FE-7		4.00 (15" HDPE @ 0.00%) FE-6		15 IN FES		
I-1	4.92		2.21 (15" HDPE) I-3	34" X 24"	TYPE "A"	TYPE 3
I-2	4.75		2.21 (15" HDPE) I-4	34" X 24"	TYPE "A"	TYPE 3
I-3	5.50	2.06 (15" HDPE @ 0.50%) I-1	2.06 (15" HDPE) FE-1	34" X 18"	TYPE "A"	TYPE 3
I-4	5.10	2.06 (15" HDPE @ 0.50%) I-2	2.06 (15" HDPE) FE-2	34" X 18"	TYPE "A"	TYPE 3
TD-1	6.68		5.25 (15" HDPE) FE-5	TRENCH DRAIN	TYPE "A"	TYPE 3

SITE INFORMATION:

SITE ADDRESS:
20873 OLD LANDING ROAD
REHOBOTH BEACH, DELAWARE 19971
TAX MAP: 334-19.00-1.06
OWNER/DEVELOPER:
LEANNA & HUNG NGUYEN
18971 GOLDFINCH COVE
REHOBOTH BEACH, DELAWARE, 19971
ENGINEER / SURVEYOR:
PENNONI ASSOCIATES INC.
18072 DAVIDSON DRIVE
MILTON, DELAWARE 19968
(302) 684-8030

GRADING NOTES:

1. REFER TO GEOTECHNICAL REPORT, PREPARED BY GEO-TECHNICAL ASSOCIATES INC. DATED DECEMBER 15, 2021.
2. BEDDING REQUIREMENTS SPECIFIED HEREIN ARE TO BE CONSIDERED AS MINIMUMS FOR RELATIVELY DRY, STABLE EARTH CONDITIONS. ADDITIONAL BEDDING SHALL BE REQUIRED FOR ROCK TRENCHES AND WET AREAS. CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO PROVIDE SUCH ADDITIONAL BEDDING AS MAY BE REQUIRED TO PROPERLY CONSTRUCT THE WORK.
3. COMPACTION OF THE BACKFILL OF ALL TRENCHES SHALL BE COMPACTED TO THE DENSITY OF 95% OF THEORETICAL MAXIMUM DRY DENSITY (ASTM D698). BACKFILL MATERIAL SHALL BE FREE FROM ROOTS, STUMPS, OR OTHER FOREIGN DEBRIS AND SHALL BE PLACED IN LIFTS NOT TO EXCEED 8 INCHES IN COMPACTED FILL THICKNESS. CORRECTION OF ANY TRENCH SETTLEMENT WITHIN A YEAR FROM THE DATE OF APPROVAL WILL BE THE RESPONSIBILITY OF THE CONTRACTOR. MATERIAL THAT CANNOT BE COMPACTED AS REQUIRED SHALL BE BROUGHT TO THE ATTENTION OF THE GEOTECHNICAL ENGINEER, OVER EXCAVATED, AND THEN REPLACED WITH SUITABLE FILL REFER TO THE EARTHWORK SPECIFICATIONS FOR ALLOWABLE SOIL.
4. THE CONTRACTOR WILL INSURE THAT POSITIVE AND ADEQUATE DRAINAGE IS MAINTAINED AT ALL TIMES WITHIN THE PROJECT LIMITS. THIS MAY INCLUDE, BUT NOT BE LIMITED TO, REPLACEMENT OR RECONSTRUCTION OF EXISTING DRAINAGE STRUCTURES THAT HAVE BEEN DAMAGED OR REMOVED OR REGRADING AS REQUIRED BY THE ENGINEER, EXCEPT FOR THOSE DRAINAGE ITEMS SHOWN AT SPECIFIC LOCATIONS AND HAVING SPECIFIC PAY ITEMS IN THE DETAILED ESTIMATE, NO SEPARATE PAYMENT WILL BE MADE FOR ANY COSTS INCURRED TO COMPLY WITH THIS REQUIREMENT.
5. THE CONTRACTOR SHALL PROVIDE ANY AND ALL EXCAVATION AND MATERIAL SAMPLES NECESSARY TO CONDUCT REQUIRED SOIL TESTS. ALL ARRANGEMENTS AND SCHEDULING FOR THE TESTING SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
6. SOILS TESTING AND ON-SITE INSPECTION SHALL BE PERFORMED BY AN INDEPENDENT GEOTECHNICAL ENGINEER OR SOIL SCIENTIST. THE SOILS ENGINEER SHALL PROVIDE COPIES OF TEST REPORTS TO THE CONTRACTOR, THE OWNER AND THE OWNER'S REPRESENTATIVE AND SHALL PROMPTLY NOTIFY THE OWNER, HIS REPRESENTATIVE AND THE CONTRACTOR, SHOULD WORK PERFORMED BY THE CONTRACTOR FAIL TO MEET THESE SPECIFICATIONS.
7. CONTRACTOR SHALL FURNISH AND MAINTAIN ALL NECESSARY BARRICADES AROUND THE WORK AREA AND SHALL PROVIDE PROTECTION AGAINST WATER DAMAGE AND SOIL EROSION.
8. MAXIMUM SIDEWALK CROSS SLOPE IS 2% AND MINIMUM SIDEWALK CROSS SLOPE IS 1% WITHIN THE PUBLIC RIGHT OF WAY.
9. VERTICAL ELEVATIONS ARE BASED ON NAVD 88.
10. ALL SLOPES MAXIMUM 3:1 UNLESS OTHERWISE NOTED.
11. CONTRACTOR IS RESPONSIBLE FOR REMOVING AND DISPOSING EXCESS DIRT FROM THE SITE. THIS CAN BE COORDINATED WITH THE OWNER TO DETERMINE IF LONG TERM STORAGE ON SITE IS APPLICABLE.
12. DRAINAGE INLETS SHALL BE MANUFACTURED IN ACCORDANCE WITH THE LATEST STANDARDS OF DELDOT STANDARD CONSTRUCTION DETAILS UNLESS NOTED OTHERWISE ON THE PLANS.
13. CONTRACTOR IS RESPONSIBLE FOR PROVIDING POSITIVE DRAINAGE TOWARDS OUTLET AT ALL TIMES DURING CONSTRUCTION. PONDING OF WATER, EXCLUDING STORMWATER MANAGEMENT PONDS, AND LACK OF POSITIVE DRAINAGE WITHIN THE PROPERTY DURING GRADING , FILLED OR EXCAVATED, NO MATTER OF THE DESIGN OR THE STAKEOUT, IS FORBIDDEN WITHOUT THE PERMISSION OF THE DESIGN ENGINEER OR THEIR AUTHORIZED REPRESENTATIVE. CONTRACTOR IS RESPONSIBLE TO DISCUSS ALL GRADING AND DRAINAGE CONCERNS WITH THE DESIGN ENGINEER, PRIOR AND DURING APPLICATION TO ENSURE THAT POSITIVE DRAINAGE TOWARDS OUTLETS ARE ADDRESSED APPROPRIATELY AND SAFETY. DESIGN ENGINEER WILL BE HELD HARMLESS FROM CONCERNS ARISING FROM THE LACK OF POSITIVE DRAINAGE IF NOT NOTIFIED PRIOR TO ITS APPLICATION.
14. THIS PROJECT IS SUBJECT TO INSPECTION AND APPROVAL BY REPRESENTATIVES OF THE SUSSEX COUNTY CONSERVATION DISTRICT.
15. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
16. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
17. ALL FLARED END SECTIONS THAT CONNECT TO AN ENCLOSED INLET SHALL HAVE A SAFETY GRATE.
18. THE ENDS OF ALL CURBS SHALL BE TRANSITIONED TO BE FLUSH WITH THE PAVEMENT AT A RATIO OF TWELVE TO ONE (12:1).
19. ALL HDPE PIPE SHALL MEET OR EXCEED THAT AASHTO M330 PIPE SPECIFICATIONS.

PROPOSED STORM UTILITY NOTES:

1. ALL WORK SHALL COMPLY WITH APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY THE OWNER.
2. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
3. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
4. THIS PROJECT IS SUBJECT TO INSPECTION AND APPROVAL BY REPRESENTATIVES OF THE SUSSEX COUNTY CONSERVATION DISTRICT AND SUSSEX COUNTY ENGINEERING DEPARTMENT.
5. UTILITIES ENTER THE PREMISES FROM PUBLIC STREETS OR RIGHTS OF WAY.
6. THE SUBJECT SITE HAS PUBLIC WATER AND SEWER SERVICES.
7. ALL BUILDING ROOF DRAINS WILL SURFACE DISCHARGE AND CONVEY RUNOFF TO THE INLETS, ULTIMATELY DISCHARGE STORMWATER FACILITIES.
8. HDPE PIPE SHALL COMPLY WITH AASHTO M252, M294, MP7 AND ASTM 3350. PIPE SHALL BE INSTALLED PER ASTM D232, ADD AS RECOMMENDED BY THE MANUFACTURER. ALL HDPE SHALL HAVE SOIL TIGHT CONNECTIONS. ALL HDPE PIPES SHALL MEET OR EXCEED THE AASHTO M-330 PIPE SPECIFICATION.
9. ALL PROPOSED STORM PIPES WILL HAVE A FLARED END ONLY AT THE DOWNSTREAM END AS NOTED WHILE THE UPSTREAM WILL BE A PIPE END.
10. PER CONDITION OF APPROVAL I, THE APPLICANTS HAVE PROPOSED A UNIQUE DESIGN OF THE PROPOSED BUILDING THAT INCLUDES SUBSTANTIAL CHANGES TO THE CURRENT GRADE OF THE PROPERTY. THESE GRADE CHANGES WILL HAVE A SIGNIFICANT IMPACT ON RUNOFF AND STORMWATER MANAGEMENT ON THE PROPERTY. THE STORMWATER MANAGEMENT SYSTEM SHALL BE CAREFULLY DESIGNED IN COOPERATION WITH THE SUSSEX CONSERVATION DISTRICT TO MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY AND SHALL NOT PERMIT RUNOFF FROM THIS PROPERTY ONTO NEIGHBORING PROPERTIES.

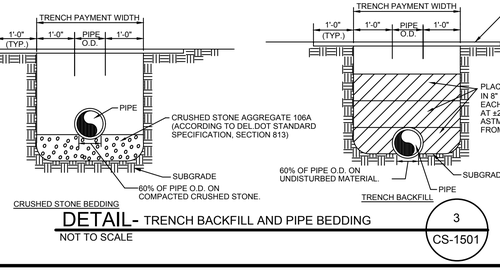
SOILS		
TYPE	DESCRIPTION	HYDROLOGIC SOIL
GrA	GREENWICH LOAM, 0 TO 2 PERCENT SLOPES	B
IeA	INGLESIDE LOAMY SAND, 0 TO 2 PERCENT SLOPES	A

LIMIT OF DISTURBANCE: 0.99± ACRES

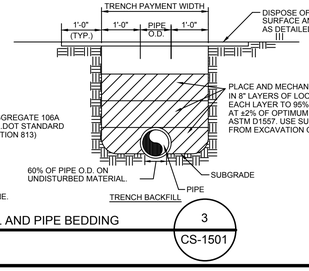
LEGEND

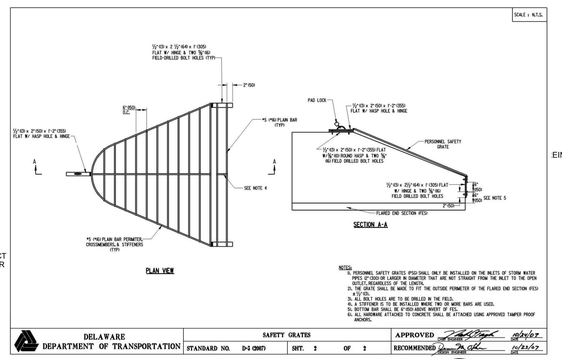
EXISTING
- STORMPIPE, INLET, MANHOLE & FLARED END
- STORM IDENTIFICATION LABELS
- CONTOUR
- SPOT GRADE

PROPOSED
- STORMPIPE, INLET, MANHOLE & FLARED END
- STORM IDENTIFICATION LABELS (DI 1, FE 1, MH 1)
- CONTOUR
- SPOT GRADE

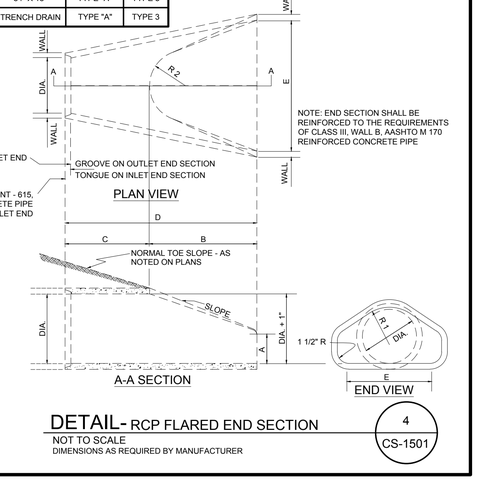


DETAIL- TRENCH BACKFILL AND PIPE BEDDING
NOT TO SCALE — 3 / CS-1501





DETAIL- SAFETY GRATES
NOT TO SCALE — 1 / CS-1501



NOTE: END SECTION SHALL BE REINFORCED TO THE REQUIREMENTS OF CLASS III, WALL B, AASHTO M 170 REINFORCED CONCRETE PIPE

DETAIL- RCP FLARED END SECTION
NOT TO SCALE
DIMENSIONS AS REQUIRED BY MANUFACTURER
4 / CS-1501

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

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

NGUYEN MULTI-FAMILY DWELLING

S-21-40 / CU 2164
TAX MAP NUMBER: 334-19.00-1.06
OLD LANDING ROAD (SCR 274)
REHOBOTH DE, 199971

GRADING AND DRAINAGE PLAN

LEANNA & HUNG NGUYEN
18971 GOLDFINCH COVE
REHOBOTH BEACH DE, 19971

NO.	DATE	REVISIONS	BY
1	2022-03-08	REVISED PER P&Z COMMENTS	LFS

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	LBNGU21001
DATE	2019-08-30
DRAWING SCALE	1"=20'
DRAWN BY	LFS
APPROVED BY	AMD

CS-1501

SHEET 3 OF 15

U:\Accounts\LBNGU\LBNGU21001 - Nguyen Family Home\DESIGN_SHEETS\CS-1501.dwg PLOTSTYLE: Pennoni MCS.ctb PROJECT STATUS: LBNGU21001
PLOTTED: 3/8/2022 11:47 AM, BY: Logan Strickland

Alan M. Decktor

From: Sussex Conservation District <jessica.watson@sussexconservation.org>
Sent: Wednesday, December 15, 2021 2:46 PM
To: Alan M. Decktor
Subject: A shipment from order #9637 is on the way

Site Information

Site Location (911 Address or road name with distance to nearest intersection): East side of Old Landing Road adjacent to marina Drive at Rehoboth Bay MHP

Tax Parcel ID: 334-19.00-1.06

Proposed Impervious Area (square feet): 0.475

Parcel Total Acres (nearest 0.1ac): 1.30

Wooded area to be cleared: 0

Disturbed Acres (nearest 0.1ac): 0.99

Applicant Information

Owner: Brian & Leanna Nguyen

Mailing Address: 18971 Goldfinch Cove Rehoboth Beach DE 19971

Owner Phone: 858-775-5559

Builder: NA

Mailing Address: NA

Builder Phone: NA

Applicant Certification

I, the undersigned, certify that the information supplied on this Application for Standard Plan Approval is accurate, the proposed land disturbing activity meets the criteria established, and all conditions of this Standard Plan Approval will be met by the applicant, builder, contractor, and owner during the construction and post construction.

Applicant Signature:

Date: December 15, 2021

Applicant Name: Leanna Nguyen

Approval Information (for office use only)

Approval #: 2021-9637	Fee Paid: $125.00
Approved By: SCD Stormwater Program	Approval Date: December 15, 2021
Title: SCD Stormwater Program	Expiration Date: December 15, 2026

Sussex Conservation District

ORDER #9637

The last item in your order is on the way

The last item in your order is on the way to you. Track your shipment to see the delivery status.

View your order

or Visit our store

Items in this shipment

APPLICATION FOR STANDARD PLAN APPROVAL RESIDENTIAL CONSTRUCTION × 1

site_location: East side of Old Landing Road adjacent to marina Drive at Rehoboth Bay MHP

tax_parcel_id: 334-19.00-1.06

proposed_impervious_area: 0.475

parcel_total_acres: 1.30

wooded_area: 0

disturbed_acres: 0.99

customizery_7: NA

infinite_options_8: NA

owner: Brian & Leanna Nguyen

owner_mailing_address: 18971 Goldfinch Cove Rehoboth Beach DE 19971

owner_phone: 858-775-5559

builder: NA

builder_mailing_address_1: NA

builder_phone: NA

agreed: I certify that the information supplied on this Application for Standard Plan Approval is accurate, the proposed land disturbing activity meets the

criteria established, and all conditions of this Standard Plan Approval will be met by the applicant, builder, contractor, and owner during construction and post construction.

Status: Approved

If you have any questions, reply to this email or contact us at jessica.watson@sussexconservation.org

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2022-04-209853-MJS-01
Status: Approved as Submitted

Tax Parcel Number: 334-19.00-1.06
Date: 03/10/2022

Project

Nguyen Apartment Building

Nguyen Property

Old Landing Road
Rehoboth Beach DE 19971

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 86 - Rehoboth Beach Vol Fire Co

Occupant Load Inside:
Occupancy Code: 9603

Applicant

Alan Decktor
18072 Davidson Drive
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 Colpo
Fire Protection Specialist

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2022-04-209853-MJS-01
Status: Approved as Submitted
Tax Parcel Number: 334-19.00-1.06
Date: 03/10/2022

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.
1040 A	This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 1,000 gpm @ 20 psi residual for 1 hour duration. Hydrant Spacing: 800' on center.
2500 A	A final inspection is required for this project prior to occupancy (DSFPR Part I, Section 4-7). Contact this Agency to schedule this inspection. Please have the plan review number available. A MINIMUM OF FIVE (5) WORKING DAYS NOTICE IS REQUIRED.
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.
2710 A	The following items will be field verified by this Agency at the time of final inspection:
1150 A	A lock box containing keys for fire department access shall be provided for any occupancy which contains a fire alarm signaling system that is monitored off site ?or- for any occupancy that contains an automatic sprinkler system.(DSFPR Regulation 705, Chapter 5, Section 2.4).
1090 A	Fire Lane Access and Perimeter Access shall be in accordance with Table 5-2.

(DSFPR Regulation 705, Chapter 5, Section 4.2)Percent of Perimeter Access requirements shall include the required Percent of Fire Lane Access requirements of Table 5-2. (DSFPR Regulation 705, Chapter 5, Section 4.5.2).

1198 A All standpipe and sprinkler connections shall be marked and identified in accordance with DSFPR Regulation 705, Chapter 6, Section 3.0). NOTE: No objects, stands, displays, or other impediments (such as parking) shall be located within the demarcationarea. This will be field verified at the final inspection. Noncompliance may cause a delay in approval for Certificate of Occupancy.

1199 A The fire department connection shall be located per the site plan as approved by this Agency. This will be field verified at the final inspection. Noncompliance may cause a delay in approval for Certificate of Occupancy.

1299 A The required Fire Lane Access and Perimeter Access and all fire lane markings shall be in accordance with the site plan as approved by this Agency. This will be field verified at the final inspection. Noncompliance may cause a delay in approval forCertificate of Occupancy.

1501 A If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

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

NICOLE MAJESKI
SECRETARY

March 09, 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 Objection to Recordation
Nguyen Multi-Family Dwelling
Tax Parcel # 334-19.00-1.06
Old Landing Road (SCR 274)
Lewes & Rehoboth Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Site Plan, dated January 11, 2022 (last revised March 8, 2022), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawings. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Site Plan is not recorded prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. Entrance plans shall be developed in accordance with DelDOT's Development Coordination Manual and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There

may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

If I can be of any further assistance, please call me at (302) 760-2266.

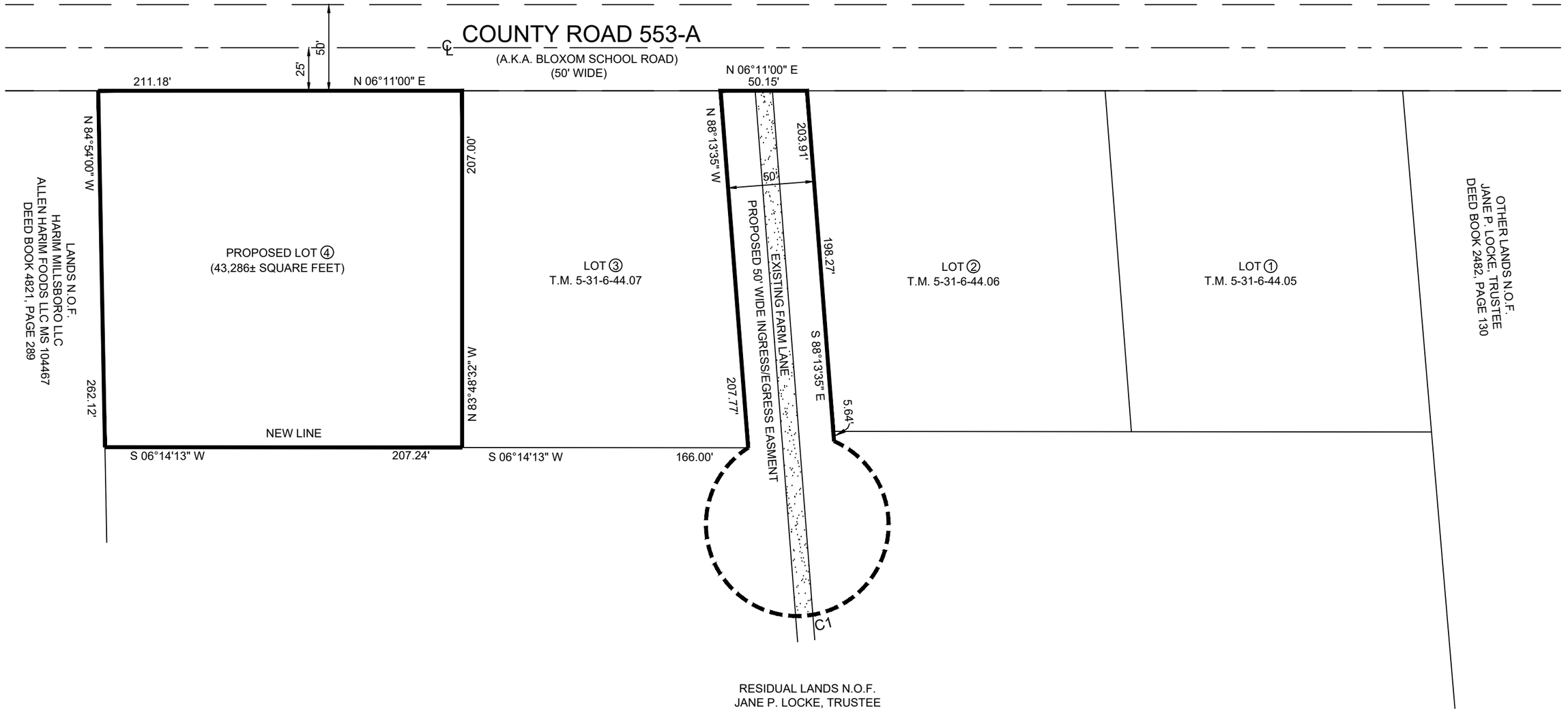
Very truly yours,

R. Stephen McCabe
Sussex County Review Coordinator
Development Coordination

cc: Leanna Nguyen, Lands of Leanna & Hung Nguyen
Alan Decktor, Pennoni Associates, Inc.
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
Scott Rust, South District Public Work Manager
James Argo, South District Project Reviewer
Richard Larkin, South District Subdivision Manager
Jennifer Pinkerton, Chief Materials & Research Engineer
Linda Osiecki, Pedestrian Coordinator
John Fiori, Bicycle Coordinator
Mark Galipo, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Jared Kauffman, DTC Planner
James Kelley, JMT
Wendy L. Polasko, P.E., Subdivision Engineer
Brian Yates, Sussex County Reviewer

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	53.00'	303°42'39"	280.94'	50.00'	S 01°46'25" W

TAX MAP NO. 5-31-6.00-44.00 (PORTION)



NOTES:

1) SOURCE OF TITLE: DEED BOOK 2482, PAGE 130

Karins and Associates
ENGINEERS ● PLANNERS ● SURVEYORS
NEWARK, DE ● GEORGETOWN, DE
www.karinsengineering.com

17 POLLY DRUMMOND CENTER * SUITE 201
NEWARK, DELAWARE 19711
PHONE: (302) 369-2900

128 WEST MARKET STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699

DATE: 03-10- 2022	SCALE: 1" = 60'	DRAWN: MBK

SKETCH PLAN
PREPARED FOR
JANE P. LOCKE, TRUSTEE
TAX MAP NO. 5-31-6.00-44.00
AREA: 106.76± ACRES (TOTAL)
SITUATE IN: SEAFORD HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE

PLAN NO. G1821-B

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

November 24, 2020

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 Sylvester Hicks
Tax Parcel # 230-14.00-133.00
SCR00636-CROOKED ROAD
Cedar Creek Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated September 14, 2020 (last revised November 16, 2020), 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.

DelDOT

There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

The owner shall be responsible to submit a copy of the **recorded Minor Subdivision Plan** showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,

Susanne K. Laws
Sussex County Review Coordinator
Development Coordination

cc: Michael Cotten, Cotten Engineering, LLC
Rusty Warrington, 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, Subdivision Engineer
Derek Sapp, Subdivision Manager, Project Coordination

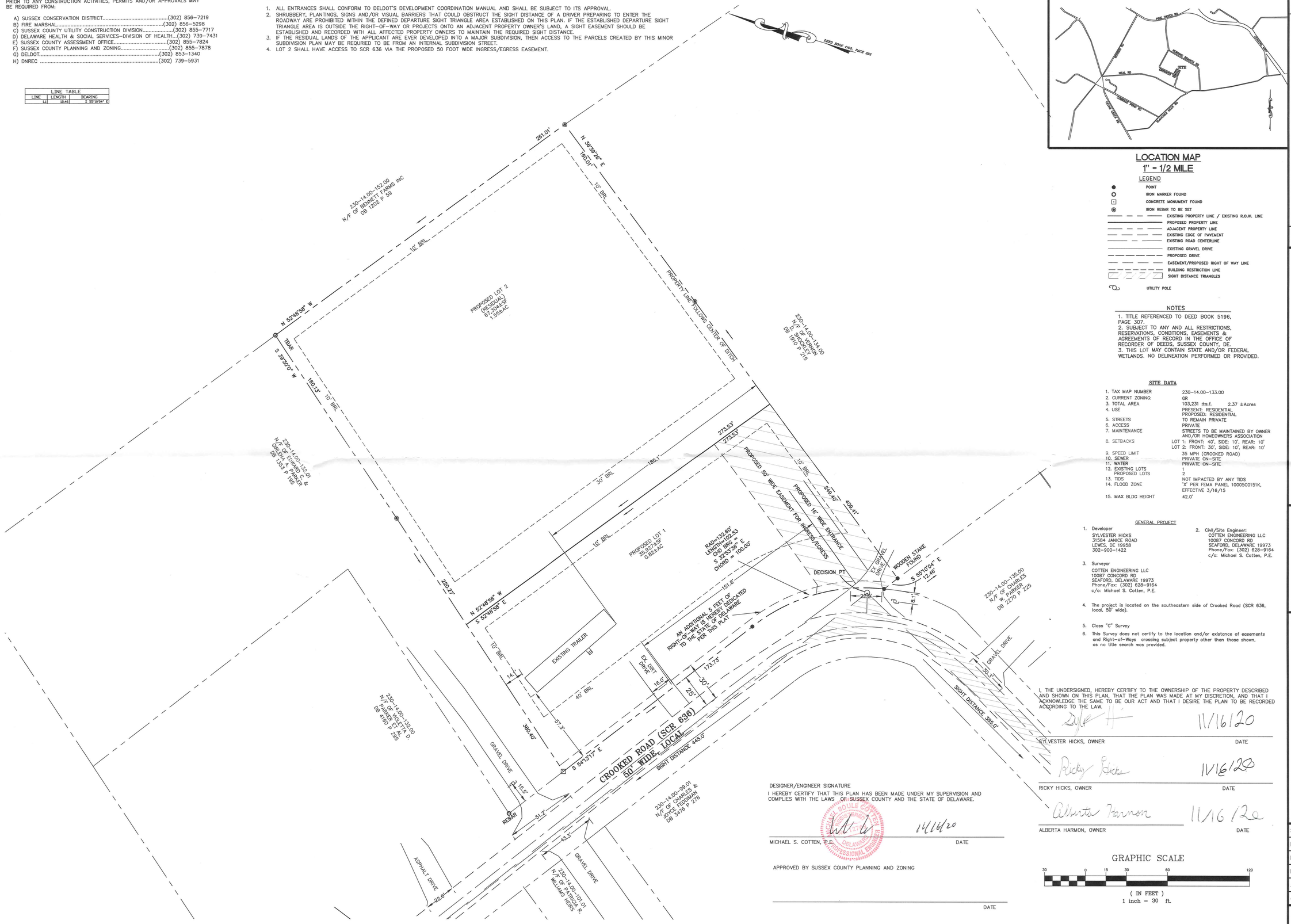
PRIOR TO ANY CONSTRUCTION ACTIVITIES, PERMITS AND/OR APPROVALS MAY BE REQUIRED FROM:

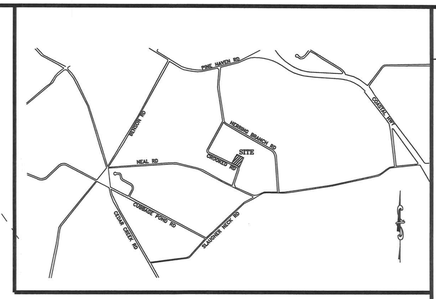
A) SUSSEX CONSERVATION DISTRICT.....(302) 856-7219
B) FIRE MARSHAL.....(302) 856-5298
C) SUSSEX COUNTY UTILITY CONSTRUCTION DIVISION.....(302) 855-7717
D) DELAWARE HEALTH & SOCIAL SERVICES-DIVISION OF HEALTH...(302) 739-7431
E) SUSSEX COUNTY ASSESSMENT OFFICE.....(302) 855-7824
F) SUSSEX COUNTY PLANNING AND ZONING.....(302) 855-7878
G) DELDOT.....(302) 853-1340
H) DNREC .....(302) 739-5931

LINE TABLE		
LINE	LENGTH	BEARING
L1	18.46	S 35°19'54" E

MINOR SUBDIVISION PLAN NOTES

1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
2. SHRUBBERY, PLANTINGS, SIGNS AND/OR 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.
3. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
4. LOT 2 SHALL HAVE ACCESS TO SCR 636 VIA THE PROPOSED 50 FOOT WIDE INGRESS/EGRESS EASEMENT.





LOCATION MAP
1" = 1/2 MILE

LEGEND

- POINT
- IRON MARKER FOUND
- CONCRETE MONUMENT FOUND
- IRON REBAR TO BE SET
- EXISTING PROPERTY LINE / EXISTING R.O.W. LINE
- PROPOSED PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING EDGE OF PAVEMENT
- EXISTING ROAD CENTERLINE
- EXISTING GRAVEL DRIVE
- PROPOSED DRIVE
- EASEMENT/PROPOSED RIGHT OF WAY LINE
- BUILDING RESTRICTION LINE
- SIGHT DISTANCE TRIANGLES
- UTILITY POLE

NOTES

1. TITLE REFERENCED TO DEED BOOK 5196, PAGE 307.
2. SUBJECT TO ANY AND ALL RESTRICTIONS, RESERVATIONS, CONDITIONS, EASEMENTS & AGREEMENTS OF RECORD IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DE.
3. THIS LOT MAY CONTAIN STATE AND/OR FEDERAL WETLANDS. NO DELINEATION PERFORMED OR PROVIDED.

SITE DATA

1. TAX MAP NUMBER	230-14.00-133.00
2. CURRENT ZONING:	GR
3. TOTAL AREA	103,231 ±s.f. 2.37 ±Acres
4. USE	PRESENT: RESIDENTIAL PROPOSED: RESIDENTIAL
5. STREETS	TO REMAIN PRIVATE
6. ACCESS	PRIVATE
7. MAINTENANCE	STREETS TO BE MAINTAINED BY OWNER AND/OR HOMEOWNERS ASSOCIATION
8. SETBACKS	LOT 1: FRONT: 40', SIDE: 10', REAR: 10' LOT 2: FRONT: 30', SIDE: 10', REAR: 10'
9. SPEED LIMIT	35 MPH (CROOKED ROAD)
10. SEWER	PRIVATE ON-SITE
11. WATER	PRIVATE ON-SITE
12. EXISTING LOTS PROPOSED LOTS	1 2
13. TIDS	NOT IMPACTED BY ANY TIDS
14. FLOOD ZONE	"X" PER FEMA PANEL 10005C0151K, EFFECTIVE 3/16/15
15. MAX BLDG HEIGHT	42.0'

GENERAL PROJECT

1. Developer
SYLVESTER HICKS
31584 JANICE ROAD
LEWES, DE 19958
302-900-1422

2. Civil/Site Engineer:
COTTEN ENGINEERING LLC
10087 CONCORD RD
SEAFORD, DELAWARE 19973
Phone/Fax: (302) 628-9164
c/o: Michael S. Cotten, P.E.

3. Surveyor
COTTEN ENGINEERING LLC
10087 CONCORD RD
SEAFORD, DELAWARE 19973
Phone/Fax: (302) 628-9164
c/o: Michael S. Cotten, P.E.

4. The project is located on the southeastern side of Crooked Road (SCR 636, local, 50' wide).

5. Class "C" Survey

6. This Survey does not certify to the location and/or existance of easements and Right-of-Ways crossing subject property other than those shown, as no title search was provided.

I, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DISCRETION, AND THAT I ACKNOWLEDGE THE SAME TO BE OUR ACT AND THAT I DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.

Sylvester Hicks 11/16/20
SYLVESTER HICKS, OWNER DATE

Ricky Hicks 11/16/20
RICKY HICKS, OWNER DATE

Alberta Harmon 11/16/20
ALBERTA HARMON, OWNER DATE

DESIGNER/ENGINEER SIGNATURE
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN MADE UNDER MY SUPERVISION AND COMPLIES WITH THE LAWS OF SUSSEX COUNTY AND THE STATE OF DELAWARE.

11/16/20
MICHAEL S. COTTEN, P.E. DATE

APPROVED BY SUSSEX COUNTY PLANNING AND ZONING

DATE

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

#		
1.	INITIAL SUBMISSION	09/14/20
2.	RESPONSE TO COMMENTS + FINAL SIGNATURES	11/16/20
3.		
4.		
5.		
6.		

MINOR SUBDIVISION OF LANDS OF SYLVESTER + RICKY HICKS + ALBERTA HARMON

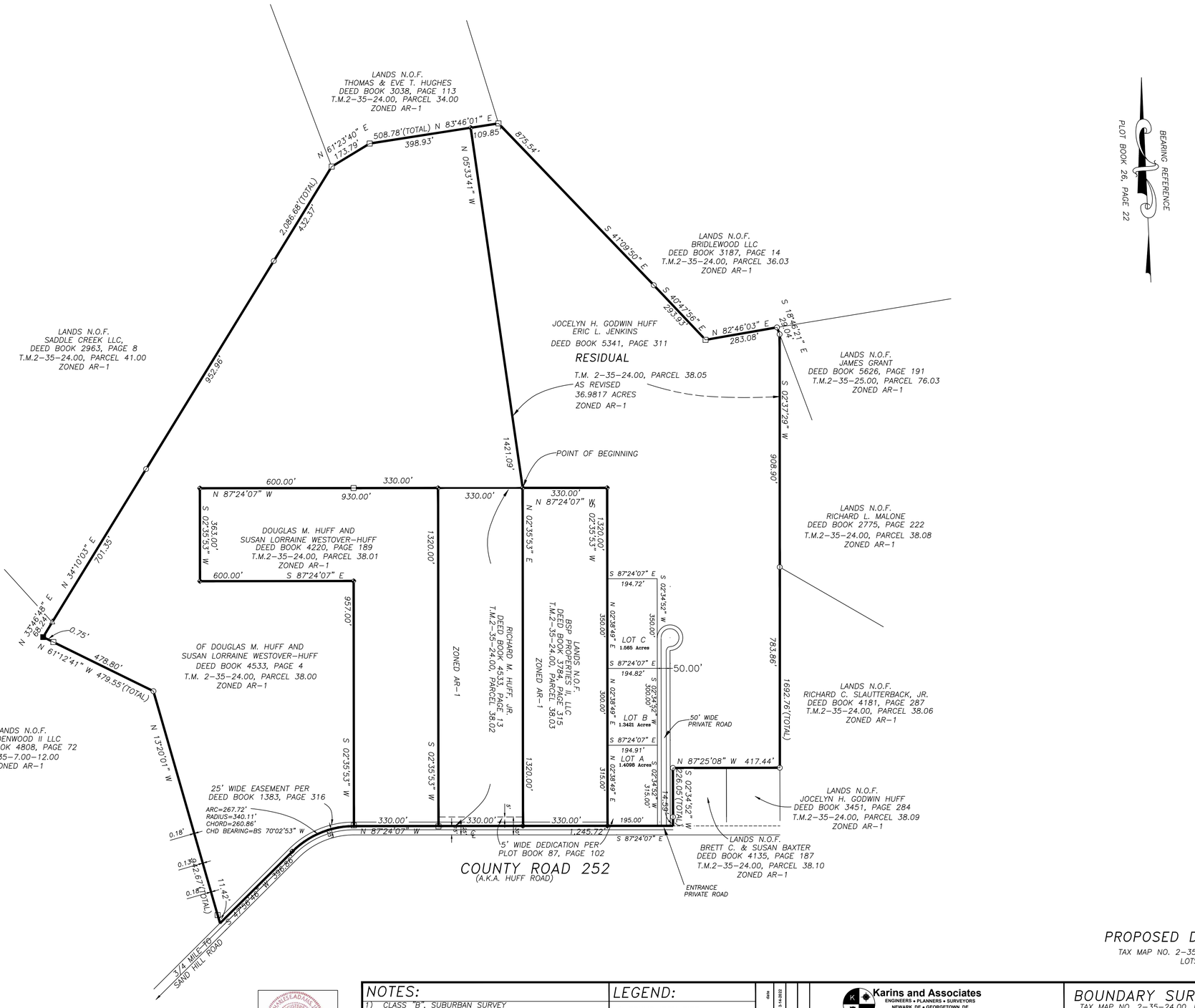
COTTEN ENGINEERING LLC
CIVIL ENGINEERING, SURVEYING, ENVIRONMENTAL PLANNING
CONSULTANTS
10087 CONCORD RD
SEAFORD DE. 19973
PH: (302) 628-9164
FAX: (302) 628-9164

MICHAEL S. COTTEN, P.E.
LICENSE# 12769

MINOR SUBDIVISION PLAN
OF LANDS N/F OF
SYLVESTER HICKS, RICKY HICKS,
& ALBERT HARMON
NORTH SIDE OF CROOKED ROAD
LINCOLN, DE 19960
CEDAR CREEK HUNDRED
SUSSEX COUNTY, DELAWARE
TM# 230-14.00-133.00

SCALE: As Shown
DESIGNED: CE
PLANNED: CE
DRAWN: JCD
APPROVED: MC
JOB: 19-483

SHEET NO. 1 OF 1



PROPOSED DIVISION SURVEY

TAX MAP NO. 2-35-24.00, PARCEL 38.05
LOTS A,B C AND RESIDUAL

NOTES:

1) CLASS "B", SUBURBAN SURVEY
2) REFERENCE
   DEED BOOK 4220, PAGE 189-194
   DEED BOOK 2411, PAGE 141
   DEED BOOK 3784, PAGE 315
   PLAT BOOK 26, PAGE 22
   PLAT BOOK 87, PAGE 102
   PLAT -DEED BOOK 2277 PAGE 334
3) A TITLE SEARCH WAS NEITHER REQUESTED, PROVIDED OR UTILIZED FOR THIS SURVEY

LEGEND:

- ○ FOUND IRON PIPE
- △ FOUND IRON BAR
- □ FOUND CONCRETE MONUMENT
- ■ FOUND CEDAR POST
- ♣ SET IRON BAR

revisions	checked	date
ADDRESS & MAP COMMENTS	CEA	3-14-2022

Karins and Associates
ENGINEERS • PLANNERS • SURVEYORS
NEWARK, DE • GEORGETOWN, DE
www.karinsengineering.com
128 WEST MARKET STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 858-4331 FAX: (302) 629-2175

SURVEY BY:	CJA		
DESIGNED BY:	CEA		
DRAWN BY:	MBK		SHEET 1 OF 1
CHECKED BY:	CEA	SCALE: 1" = 200'	DRAWING NO. G 1781

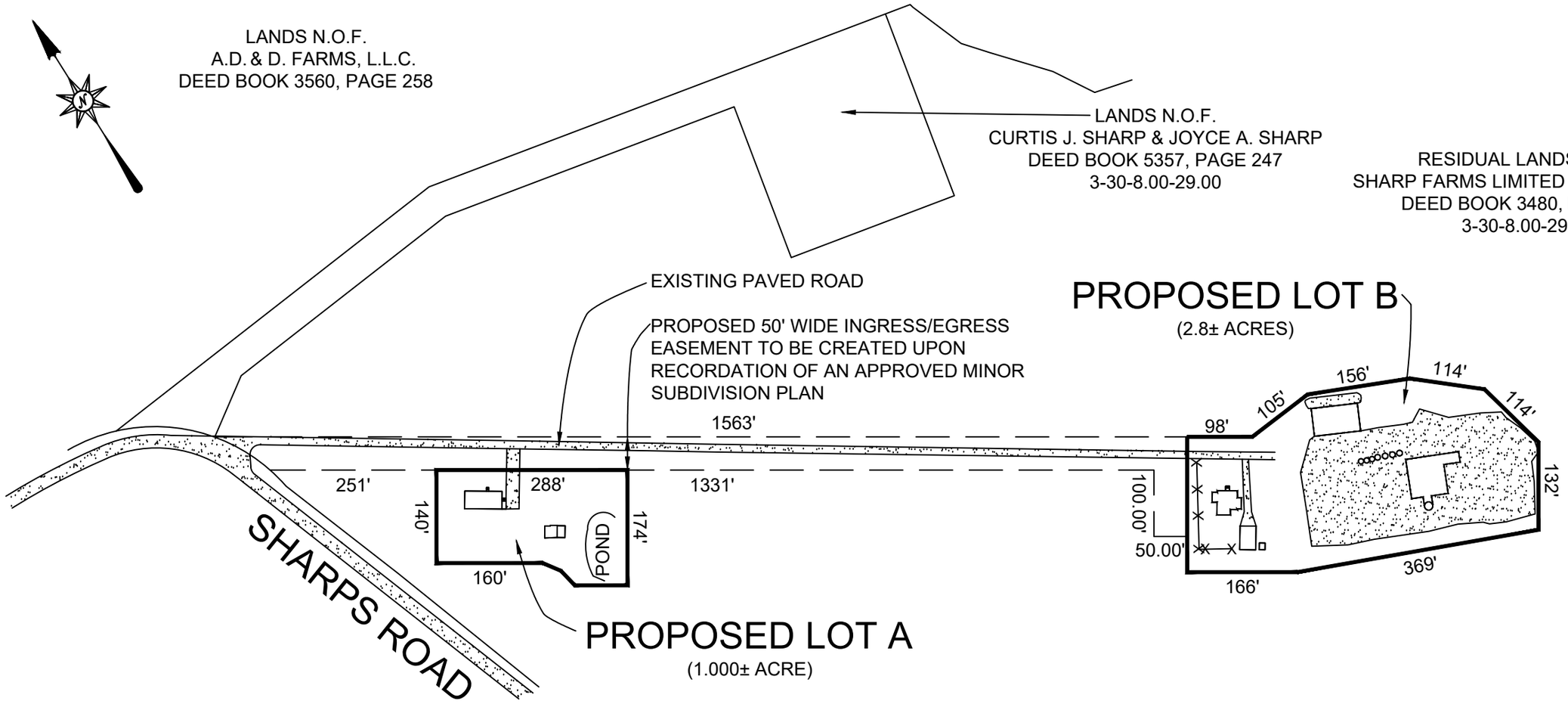
BOUNDARY SURVEY PLAN

TAX MAP NO. 2-35-24.00, PARCEL 38.05
COUNTY ROAD 252
(A.K.A. HUFF ROAD)

SITUATED IN
BROADKILL HUNDRED, SUSSEX COUNTY,
STATE OF DELAWARE
SCALE: 1" = 200'
DATE: FEB 21, 2022/ 3/14/22

PLAN NO. G1781-D

TAX MAP 3-30-8.00-29.00



Karins and Associates
ENGINEERS ● PLANNERS ● SURVEYORS
NEWARK, DE ● GEORGETOWN, DE
www.karinsengineering.com

17 POLLY DRUMMOND CENTER * SUITE 201
NEWARK, DELAWARE 19711
PHONE: (302) 369-2900

128 WEST MARKET STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699

DATE: 01-25-2022	SCALE: 1" = 300'	DRAWN: MBK

SUBDIVISION CONCEPT SKETCH
PREPARED FOR
SHARP FARMS LIMITED PARTNERSHIP
SITUATE IN: CEDAR CREEK HUNDRED
SUSSEX COUNTY, STATE OF DELAWARE

DRAWING: JOB# G 1611-A

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 17th, 2022

Application:	2021-22 The Woods at Burton Pond (Phase II)
Applicant:	Spring Cap II, LLC 105 Foulk Road Wilmington, DE 19803
Owner:	Spring Cap II, LLC 105 Foulk Road Wilmington, DE 19803
Site Location:	South side of Conleys Chapel Road, approximately 0.4 of a mile east of Beaver Dam Road
Current Zoning:	Agricultural Residential (AR-1) Zoning District
Proposed:	19 Single Family Lots as a cluster subdivision.
Comprehensive Land Use Plan Reference:	Low Density Area
Councilmanic District:	Mr. Schaeffer
School District:	Cape Henlopen School District
Fire District:	Lewes Volunteer Fire Department
Sewer:	Artesian Wastewater Management
Water:	Tidewater Utilities
Site Area:	15.01 acres +/-
Tax Map ID.:	234-11.00-72.04

EQUAL HOUSING OPPORTUNITY

Sussex County

PIN:	234-11.00-72.00
Owner Name	SPRINGCAP II LLC
Book	3127
Mailing Address	105 FOULK RD
City	WILMINGTON
State	DE
Description	THE WOODS AT BURTON
Description 2	POND OPEN SPACE/SWM
Description 3	PARCEL B
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

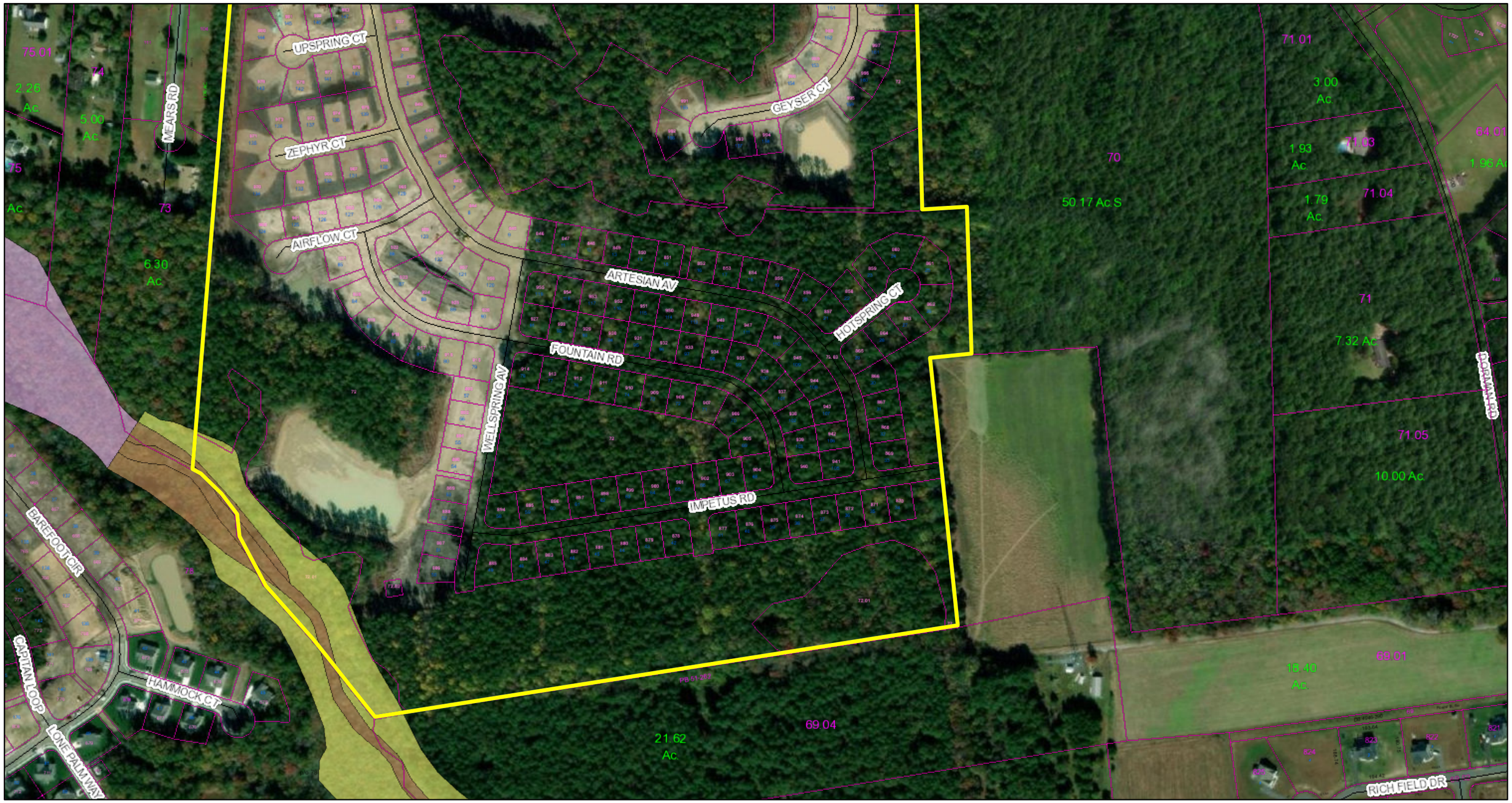
February 22, 2022

1:2,257

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

Sussex County



February 22, 2022

1:4,514

- Override 1
- Override 1
- Tax Parcels
- Streets

Flood Zones 2018

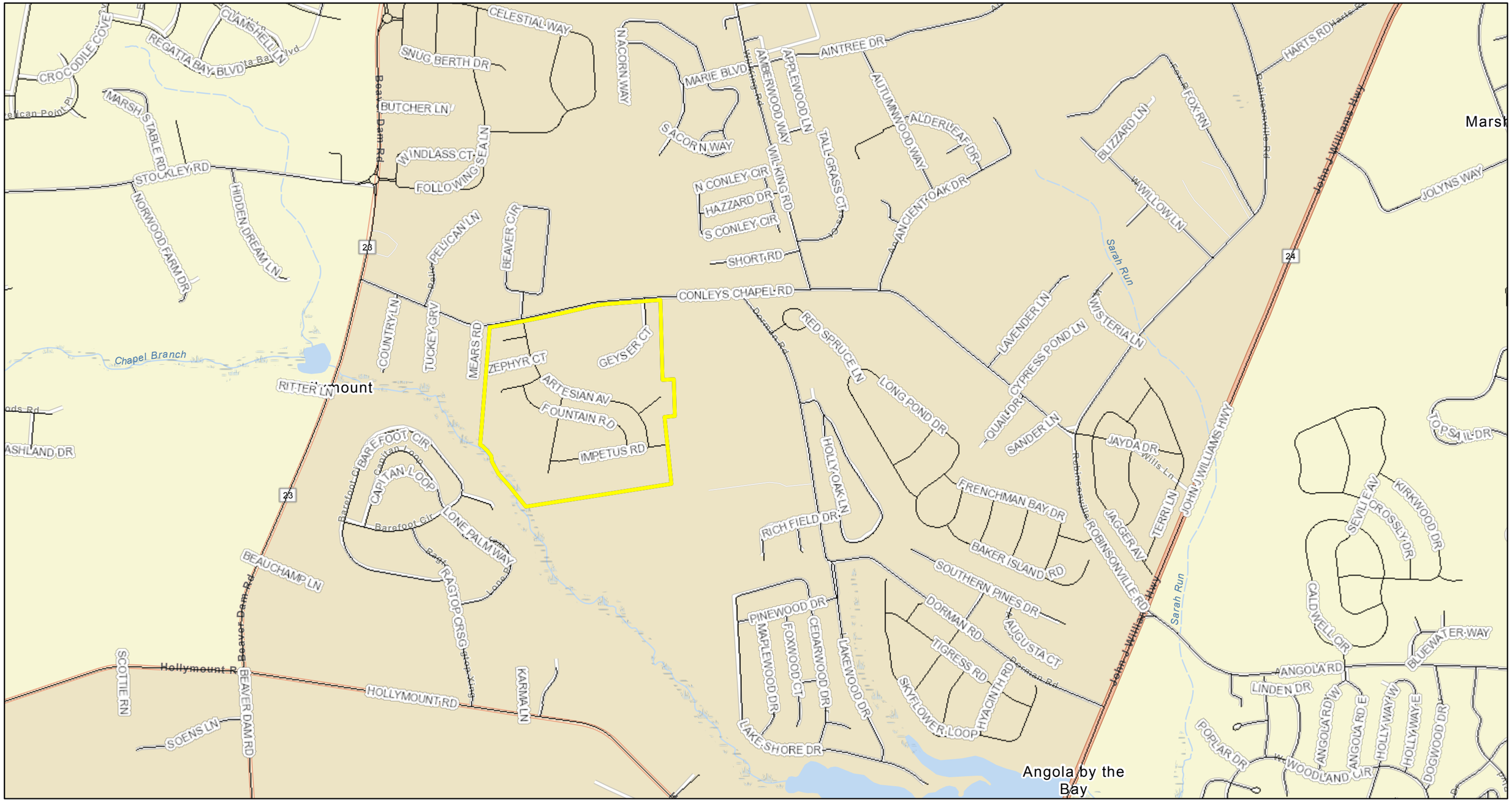
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- OPEN WATER
- VE

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

FEMA, Sussex County Government, Maxar

Sussex County



February 22, 2022

Override 1

Override 1

Streets

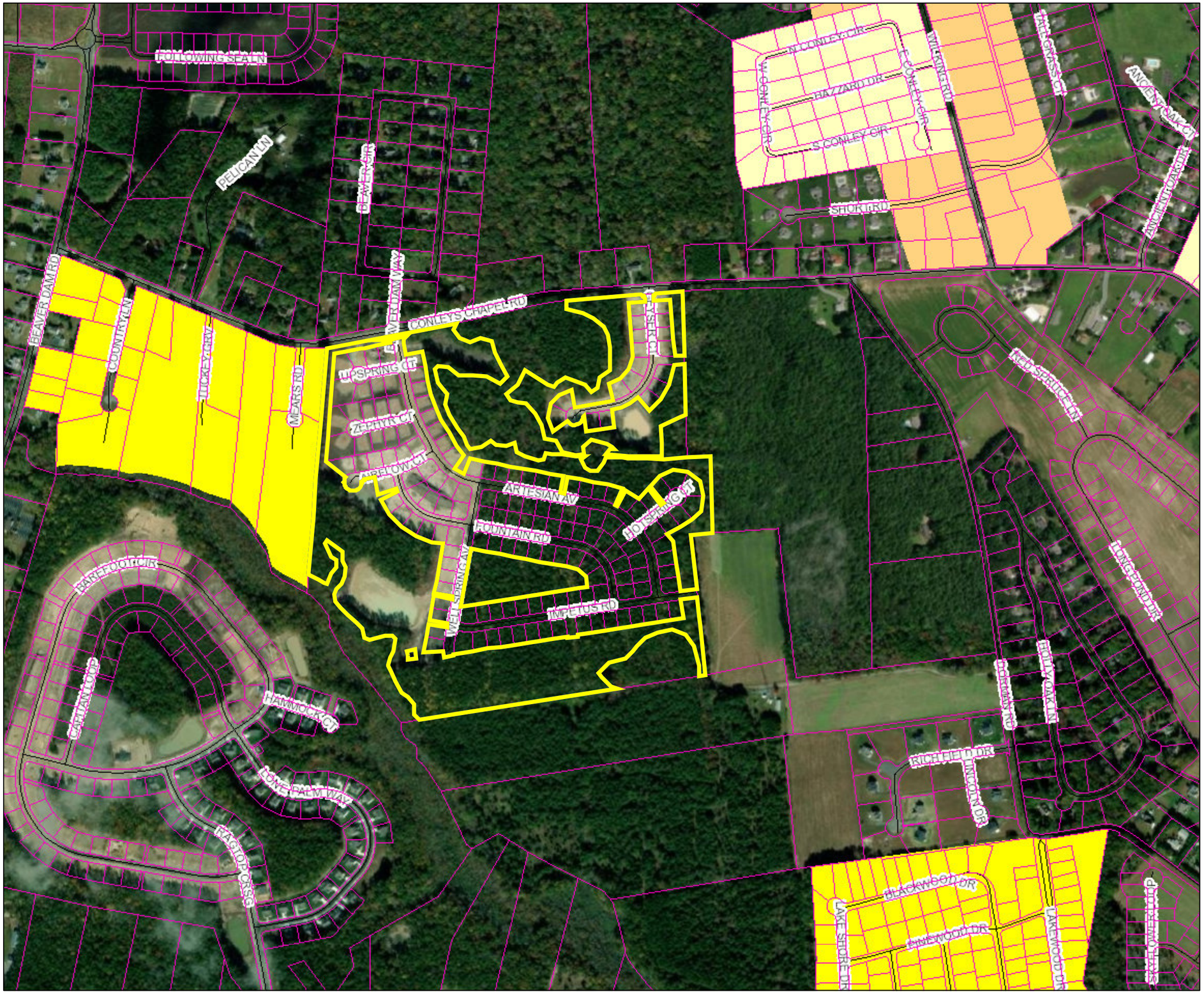
1:18,056

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

Sussex County Government, Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Sussex County



PIN:	234-11.00-72.00
Owner Name	SPRINGCAP II LLC
Book	3127
Mailing Address	105 FOULK RD
City	WILMINGTON
State	DE
Description	THE WOODS AT BURTON
Description 2	POND OPEN SPACE/SWM
Description 3	PARCEL B
Land Code	

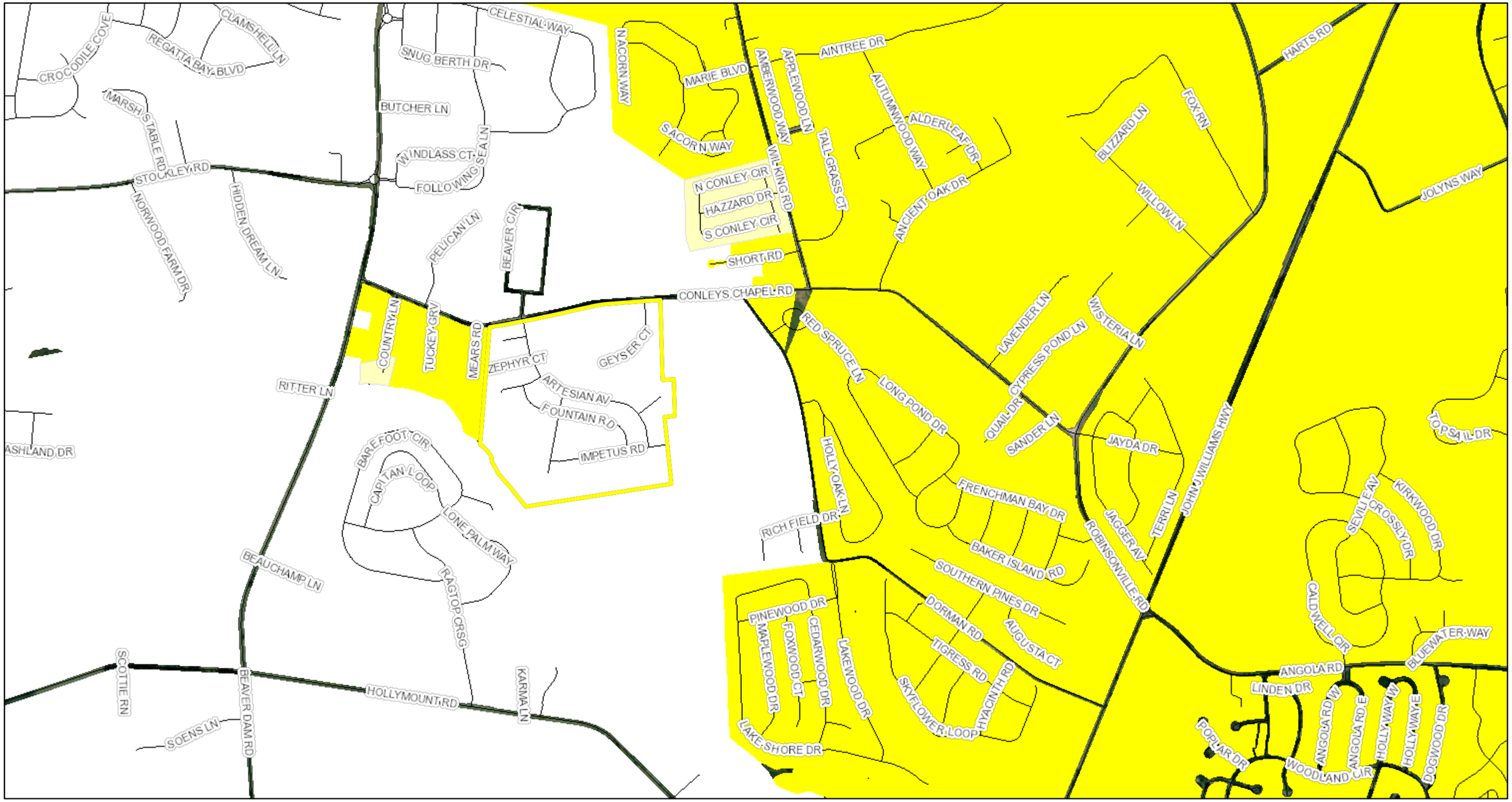
polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets

1:9,028

0 0.1 0.2 0.4 mi
0 0.175 0.35 0.7 km

February 22, 2022

Sussex County



February 22, 2022

1:18,056

Override 1

Override 1

Streets

2019 Future Land Use

Low Density

Coastal Area

Commercial

Developing Area

Existing Development Area

Industrial

Municipalities

Town Center

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

Sussex County Government, Maxar

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: Chase Phillips, Planner II
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: March 17th, 2022
RE: Woods at Burton Pond Extended (2021-22) and Groundwater Management

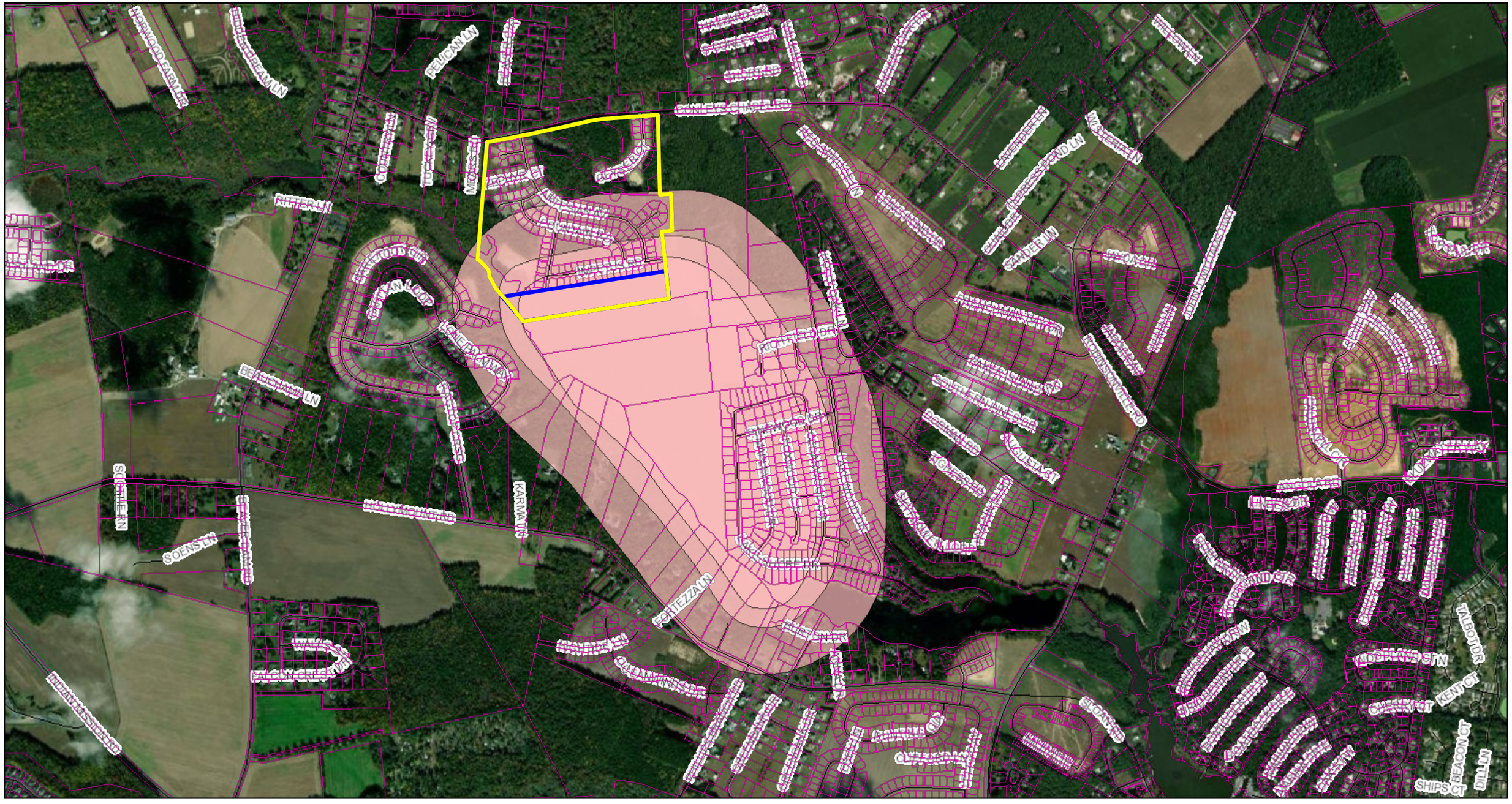
To the Members of the Planning Commission,

Upon review of the Preliminary Subdivision Plan for the Woods at Burton Pond Extended (2021-21), it was identified that the site is located within the inner-most tier of a Groundwater Management Zone (GMZs). As provided in the Technical Advisory Committee (TAC) comments from the Sussex County Engineering Department, staff note that final approval for this subdivision plan is contingent upon the review by the County Engineer. Thank you.

Sincerely,

Chase Phillips
Planner II

Sussex County


HORWOOD FARM LN
PELICAN LN
RUTTER LN
MEADOW LN
CLOVER LN
CLOVER BLVD
CANNERY VILLAGE WAY
CANNERY VILLAGE WAY
CANNERY VILLAGE WAY

File #: 2021-22
Pre-App Date: 20210927

Sussex County Major Subdivision Application

Sussex County, Delaware

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

Type of Application: (please check applicable)
Standard: ___
Cluster: ✓
Coastal Area: ___

Location of Subdivision:

southern extension of existing Woods at Burton Pond subdivision, Conley's Chapel Road

Proposed Name of Subdivision:

The Woods at Burton Pond Extended

Tax Map #: 234-11.00-72.00 72.04 **Total Acreage:** 15.009 +/-

Zoning: AR-1 **Density:** 1.26 **Minimum Lot Size:** 7,500 **Number of Lots:** 19

Open Space Acres: 5.742 +/-

Water Provider: Tidewater Utilities **Sewer Provider:** Artesian Wastewater Management

Applicant Information

Applicant Name: Spring Cap II, LLC
Applicant Address: 105 Foulk Road
City: Wilmington State: DE ZipCode: 19803
Phone #: (302) 429-8700 E-mail:

Owner Information

Owner Name: Spring Cap II, LLC
Owner Address: 105 Foulk Road
City: Wilmington State: DE Zip Code: 19803
Phone #: (302) 429-8700 E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Davis, Bowen & Friedel, Inc. - Ring W. Lardner, P.E.
Agent/Attorney/Engineer Address: 1 Park Ave
City: Milford State: DE Zip Code: 19963
Phone #: (302) 424-1441 E-mail: rwl@dbfinc.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)**

- Plan shall show the existing conditions, setbacks, roads, floodplain, wetlands, topography, proposed lots, landscape plan, etc. **Per Subdivision Code 99-22, 99-23 & 99-24**
- Provide compliance with Section 99-9.
- Deed or Legal description, copy of proposed deed restrictions, soil feasibility study

✓ **Provide Fee $500.00**

___ **Optional - Additional information for the Commission to consider** (ex. photos, exhibit books, etc.) If provided submit seven (7) copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

___ **PLUS Response Letter** (if required) ☐ **Environmental Assessment & Public Facility Evaluation Report** (if within Coastal Area)

___ **51% of property owners consent if applicable**

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 6/22/2021

Signature of Owner

_____ Date: 06/04/21

For office use only:

Date Submitted: 06/29/2021 Fee: $500.00 Check #: _____

Staff accepting application: Chris-P Application & Case #: 2021-22 2021 0622

Location of property: Conleys Chapel Rd. woods at Burton Pond

Date of PC Hearing: _____ Recommendation of PC Commission: _____

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: Conleys Chapel Road; Residual land from Woods at Burton's Pond

Parcel #: 2-34-11.00-72.00 72.04

Site Address: _____

Parcel #: _____

Applicant Name: Horsey Family, LLC

Owner Name: Horsey Family, LLC

Type of Application:

Conditional Use: ☐
Change of Zone: ☐
Subdivision: ☒
Board of Adjustment: ☐

Date Submitted: 6/23/21

For office use only:

Date of Public Hearing: _____
File #: _____
Date list created: _____ List created by: _____
Date letters mailed: _____ Letters sent by: _____

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/24/2022**

APPLICATION: **2021-22 The Woods at Burton Pond (Phase II)**

APPLICANT: **Spring Cap II, LLC**

FILE NO: **NCPA-5.03**

TAX MAP & PARCEL(S): **234-11.00-72.00**

LOCATION: **Lying on the south side of Impetus Road within the existing Woods at Burton Pond (2007-29) subdivision.**

NO. OF UNITS: **19 single-family lots**

GROSS ACREAGE: **15.01**

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

SEWER:

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

Yes ☐ No ☒

a. If yes, see question (2).
b. If no, see question (7).

(2). Which County Tier Area is project in? **Tier 3**

(3). Is wastewater capacity available for the project? **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? **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? **No**

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

(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

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 Technical Advisory Committee
From: Ms. Lauren DeVore, Planner III
Date: June 25, 2021
RE: Applications Received for a Major Subdivision

PLEASE NOTE: As a new shared email system has been put in place. If emailing your response, please send it to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

The Sussex County Planning and Zoning Office has received two (2) applications for a Major Subdivision that requires review by the Sussex County Technical Advisory Committee. Please review the application and provide any written comments back to the Planning and Zoning Office within **45 days** of the date of this memorandum (**on or before August 27, 2021**).

Cobb Property (2021-15) – This a Cluster Subdivision application for the creation of sixty-eight (68) single family lots. The property is located on the north east side of Zion Church Rd. (Rt. 20) approximately 0.5 mile north west of Lighthouse Rd. (Rt. 54). Tax Parcel: 533-12.00-21.00. Zoning: AR-1 (Agricultural Residential Zoning District). Property Owner: Peggy Jean Timmons Cobb. Applicant: Beazer Homes, LLC.

The Woods at Burton Pone Extended (2021-22) – This a Cluster Subdivision application for the creation of nineteen (19) single family lots. This application is an extension to the existing Woods at Burtons Pond (2007-29) Subdivision which currently consists of one-hundred sixty-seven (167) single-family lots. The property is located on the south side of Conley's Chapel Rd. (S.C.R. 280B) off Impetus Rd. within the existing Woods at Burton Pond Subdivision. Tax Parcel: 234-11.00-72.00. Zoning: AR-1 (Agricultural Residential Zoning District). Property Owner: Spring Cap II, LLC. Applicant: Spring Cap II, LLC.

Please feel free to contact the office with any questions at (302) 855-7878 during normal business hours 8:30am-4:30pm Monday through Friday.

Nick Torrance

From: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Sent: Monday, August 30, 2021 9:45 AM
To: Planning and Zoning
Subject: FWS review of Cobb Property and Woods at Burton Pond

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

Hi-

This email is regarding the Cobb Property cluster subdivision and the Woods at Burton Pond Extended. There are no federally listed species at these locations, so no further Section 7 consultation is needed. You can fill out the Online Certification Letter if further documentation is needed: https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/online-certification-letter.html

Our office is currently teleworking for the foreseeable future, so there may be delays in mail pick up. For future projects, the fastest way to get a response is to submit through IPaC: https://ecos.fws.gov/ipac/. Please let me know if you have any questions!

Thank you,
Kathleen

Kathleen Cullen
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office
177 Admiral Cochrane Dr., Annapolis MD, 21401
410-573-4579 - kathleen_cullen@fws.gov

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 # 234-11.00-72.00, The Woods at Burton Pond Extended

The Delaware Department of Natural Resources and Environmental Control (DNREC), Drainage Program has reviewed the above noted property for impacts to Tax Ditches.

My office has **no objection** to the works of improvement to this parcel and offer the following comments:

- The proposed project site is not located near or within a Tax Ditch watershed.
- There are multiple reported drainage concerns near the proposed project site, including a few that were reported within the last three years. These drainage concerns primarily involved roadside ditches needing to be cleaned out or standing water on properties resulting from the nearby developments.
- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- 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

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health

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

June 30, 2021

Ms. Lauren DeVore
Sussex County Planning & Zoning Commission
PO Box 417
Georgetown, DE 19947

Re: Sussex County Technical Advisory Committee

Dear Ms. DeVore:

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

1. ***Application:*** ***2021-22 The Woods at Burton Pond Extended***

This application indicates central water will be supplied by Tidewater Utilities, 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.

2. ***Application:*** ***2021-15 Cobb Property***

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,

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

Chase Phillips

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Friday, June 25, 2021 10:58 AM
To: Christin Scott; Beth Krumrine; Brad Hawkes; Chris Calio; Dave Detrick; dholden@chpk.com; C. Daniel Parsons; Duane.Fox@delaware.gov; James Sullivan; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; John J. Ashman; John.Hayes@delaware.gov; John.kennel@delaware.gov; John.Martin@delaware.gov; Jordan T. Dickerson; Kate.Flemming@Delaware.gov; kgabbard@chpk.com; McCabe, Richard (DelDOT); meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs; Terri Dukes; tgiroux@chpk.com; Vince Robertson
Subject: RE: TAC Review 2021-15 Cobb Property & 2021-22 Woods at Burton Pond Extended

Categories: TAC Comments

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 Christin,

Both of these developments are located within DEC's service territory and we have facilities in the area to serve both of them.

If you have any additional questions, please let me know.

Thanks!

Troy W. Dickerson, P.E.
Assistant V.P. of Engineering
Voice: (302) 349-3125
Cell: (302) 535-9048
Fax: (302) 349-5891
tdickerson@delaware.coop

DELAWARE ELECTRIC CO-OP
"We Keep the Lights On"

From: Christin Scott
Sent: Friday, June 25, 2021 10:08 AM
To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; Dave Detrick <ddetrick@chpk.com>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; John J. Ashman <jashman@sussexcountyde.gov>; John.Hayes@delaware.gov; John.kennel@delaware.gov; John.Martin@delaware.gov; Jordan T. Dickerson <jordan.dickerson@sussexcountyde.gov>; Kate.Flemming@Delaware.gov; kgabbard@chpk.com; McCabe, Richard (DelDOT) <Richard.McCabe@delaware.gov>; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; Dickerson, Troy

ENGINEERING DEPARTMENT

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

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

Sussex County

DELAWARE
sussexcountyde.gov

Date: August 11, 2021

REF: **T. A. C. COMMENTS**
THE WOODS AT BURTON POND EXTENDED
SUSSEX COUNTY ENGINEERING DEPARTMENT
SUSSEX COUNTY TAX MAP NUMBER
234-11.00-72.00
AGREEMENT NO.849-6

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 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-

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.

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

June 23, 2021

Sussex County Planning & Zoning
Sussex County Administration Building
2 The Circle, Room 147
Georgetown, DE 19947

Attn: Lauren Devore, Planner III

RE: Woods at Burtons Pond Extended
Major Subdivision Application
Tax Map # 2-34-11.00-72.00
DBF# 0807S001.C01

Dear Ms. Devore:

On behalf of our client, Springcap II, LLC, we are pleased to submit a Major Subdivision application to expand the Woods at Burtons Pond by an additional 19 units. Additional supporting information will be provided prior to the scheduled public hearing. The current zoning for this parcel is AR (Agricultural Residential). Enclosed with this submission are:

- *Planning and Zoning Commission Subdivision Application*
- *Application Fee in the amount of $500, Check #7921*
- *Mailing List Application Form*
- *10 Copies of Preliminary Site Plan*
- *Landscape Buffer Waiver Request*

If you have any questions or need additional information, please contact me at (302) 424-1441 or via email at rwl@dbfinc.com.

Sincerely,
Davis, Bowen & Friedel, Inc.

Ring W. Lardner, P.E.
Principal

P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2021-06-22 Preliminary Plan Initial Submission\WBP Extended P&Z-LDevore-Cover.docx

cc: Justin Hensley, Springcap II, LLC

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

June 23, 2021

Sussex County Planning & Zoning
Sussex County Administration Building
2 The Circle, Room 147
Georgetown, DE 19947

Attn: Lauren Devore, Planner III

RE: Woods at Burtons Pond Extended
Major Subdivision Application
Tax Map # 2-34-11.00-72.00
DBF# 0807S001.C01

Dear Ms. Devore:

On behalf of our client, Springcap II, LLC, we are respectfully requesting a waiver for a landscape buffer between the common boundary line of the recorded Woods at Burtons Pond and the residual lands. The proposed subdivision is an extension of the existing Subdivision and the waiver would allow the expansion to seamlessly extend the subdivison.

If you have any questions or need additional information, please contact me at (302) 424-1441 or via email at rwl@dbfinc.com.

Sincerely,
Davis, Bowen & Friedel, Inc.

Ring W. Lardner, P.E.
Principal

P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2021-06-22 Preliminary Plan Initial Submission\WBP Extended Buffer Waiver P&Z-LDevore-Cover.docx

cc: Justin Hensley, Springcap II, LLC

THE WOODS AT BURTON POND EXTENDED

INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

DBF # 0807S001

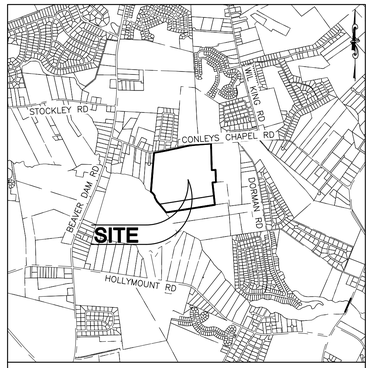
SUSSEX COUNTY AGREEMENT #____

SUBDIVISION #2021-22

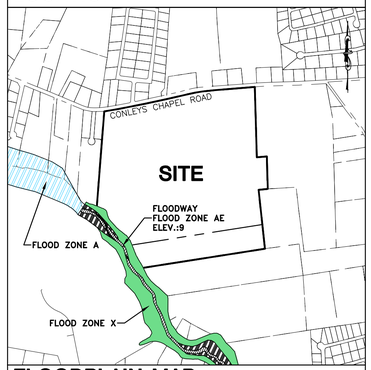
MAY, 2021

PRELIMINARY TITLE SHEET

INDEX OF SHEETS	
PRELIMINARY TITLE SHEET	PRE-01
PRELIMINARY RECORD PLAN	PRE-02
PRELIMINARY UTILITY PLAN	PRE-03

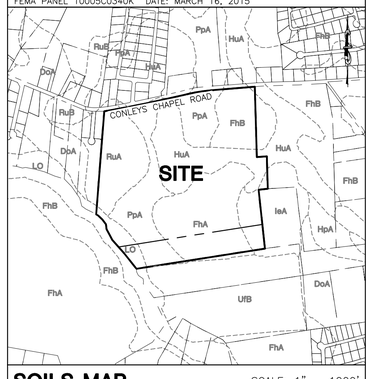


LOCATION MAP SCALE: 1" = 1/2-MILE



FLOODPLAIN MAP SCALE: 1" = 1000'

FEMA PANEL 10005C0340K DATE: MARCH 16, 2015



SOILS MAP SCALE: 1" = 1000'

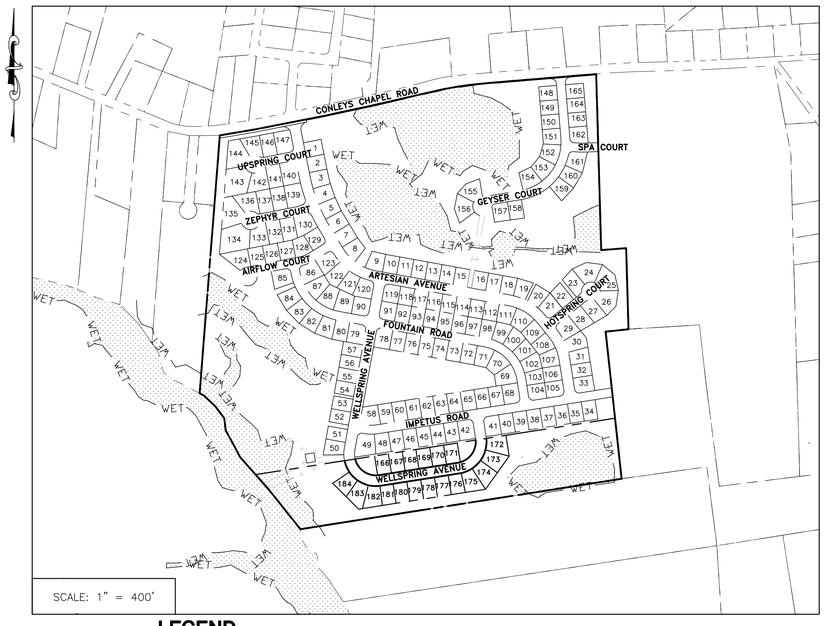
DnA: DOWNER LOAMY SAND, 0 TO 2 PERCENT SLOPES (B)
DnB: DOWNER LOAMY SAND, 2 TO 5 PERCENT SLOPES (B)
DoA: DOWNER SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)
FhA: FORT MOTT-HENLOPEN COMPLEX, 0 TO 2 PERCENT SLOPES (A)
FhB: FORT MOTT-HENLOPEN COMPLEX, 2 TO 5 PERCENT SLOPES (A)
FmA: FORT MOTT LOAMY SAND, 0 TO 2 PERCENT SLOPES (A)
HmA: HAMMONTON LOAMY SAND, 0 TO 2 PERCENT SLOPES (B)
HnA: HAMMONTON SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)
HuA: HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES (B/D)
LO: LONGMARSH AND INDIANTOWN SOILS, FREQUENTLY FLOODED (D)
PpA: PEPPERBOX LOAMY SAND, 0 TO 2 PERCENT SLOPES (C)
RuA: RUNCLINT LOAMY SAND, 0 TO 2 PERCENT SLOPES (A)
UfB: UDORTHENTS, REFUSE SUBSTRATUM, 0 TO 35 PERCENT SLOPES (C)

DATA COLUMN (SUBDIVISION 2021-22)

TAX MAP ID:	2-34-11.00-72.04
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83 (DE STATE GRID)
ZONING	
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	19
AVERAGE LOT SIZE:	100' X 93'
AVERAGE LOT AREA:	9,300 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA:	15.009 AC
(INCLUDES WETLANDS: 3.978 AC)	
WETLANDS (WB):	1.035 AC
WETLANDS (WD):	2.943 AC
PROPOSED SITE AREA:	15.009 AC
PROPOSED (TOTAL SITE)	
LOT AREA:	4.057 AC
OPEN SPACE (TOTAL):	5.742 AC (38%)
OPEN SPACE (A):	0.208 AC
OPEN SPACE (B):	0.194 AC
OPEN SPACE (C):	5.340 AC
WETLANDS	3.978 AC (26%)
RIGHT-OF-WAY:	1.232 AC
TOTAL SITE AREA:	15.009 AC
PAVEMENT:	0.659 AC
SIDEWALK:	0.210 AC
TOTAL:	0.869 AC
DENSITY (19 DU ÷ 15.009 AC)	1.27 DU/AC
SEWER PROVIDER:	ARTESIAN WASTEWATER MANAGEMENT, INC.
WATER PROVIDER:	TIDEWATER UTILITIES
GAS PROVIDER:	POORE'S PROPANE
ELECTRIC:	DELAWARE ELECTRIC COOPERATIVE
ENGINEER:	DAVIS, BOWEN & FRIEDEL, INC. 1 PARK AVENUE MILFORD, DE 19963 PHONE: 302-424-1441 FAX: 302-424-0430

COMBINED DATA COLUMN

SUBDIVISION NO:	2007-29 AND 2021-22
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83 (DE STATE GRID)
ZONING	
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	184
AVERAGE LOT SIZE:	105' X 90'
AVERAGE LOT AREA:	9,450 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA:	113.931 AC
(INCLUDES WETLANDS: 21.92 AC)	
DEDICATED TO PUBLIC R/W:	-0.358 AC
PROPOSED TOTAL SITE AREA:	113.573 AC
PROPOSED (TOTAL SITE)	
LOT AREA:	39.650 AC
PUMP STATION LOT:	0.057 AC
OPEN SPACE (TOTAL):	38.614 AC (34%)
WETLANDS (TOTAL):	21.919 AC (19%)
RIGHT-OF-WAY:	13.333 AC
TOTAL SITE AREA:	113.573 AC
PAVEMENT:	6.909 AC
SIDEWALK:	2.390 AC
TOTAL:	9.299 AC
DENSITY (184 DU ÷ 113.573 AC)	1.62 DU/AC



SCALE: 1" = 400'

0' 400' 800' 1200'

LEGEND

- EX. RIGHT OF WAY
- RIGHT OF WAY
- PROPERTY LINE
- BUILDING SETBACK LINE
- PROPERTY EASEMENT
- PROPOSED FENCE
- EXISTING CONTOUR (19)
- EX. SPOT ELEVATION EP:44.70
- EX. WOODS LINE
- LIMITS OF JURISDICTIONAL WETLANDS
- WETLANDS BUFFER
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- IRON ROD & CAP TO BE SET
- DELDOT MONUMENT TO BE SET
- EX. EDGE OF PAVEMENT
- CURB

OWNER'S CERTIFICATION

"I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E., BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT, AS REFERENCED ON THIS COVERSHEET."

SPRING CAP II, LLC. DATE
105 FOULK ROAD
WILMINGTON, DE 19803
PHONE 302-429-8700

GENERAL NOTES

1. DRAINAGE, STORMWATER MANAGEMENT, AND EROSION AND SEDIMENT CONTROLS SHALL BE IN ACCORDANCE WITH THE DELAWARE SEDIMENT & STORMWATER REGULATIONS OF 1991, OR AS LATER AMENDED. MAINTENANCE OF DRAINAGE, STORMWATER MANAGEMENT, AND SEDIMENT & EROSION CONTROL PRACTICES WILL BE THE RESPONSIBILITY OF THE SITE CONTRACTOR DURING THE CONSTRUCTION PHASE OF THE PROJECT, INCLUDING CONSTRUCTION OF THE UTILITIES. WHEN THE PERMANENT DRAINAGE AND STORMWATER MANAGEMENT PRACTICES HAVE BEEN COMPLETED TO THE SATISFACTION OF THE APPLICABLE AGENCIES, MAINTENANCE WILL ULTIMATELY BECOME THE RESPONSIBILITY OF THE PROPERTY OWNERS/ HOMEOWNERS ASSOCIATION.
2. SEDIMENT AND EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE DELAWARE EROSION & SEDIMENT CONTROL HANDBOOK (LATEST EDITION). THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURE AS DEEMED NECESSARY.
3. ENTRANCE/EXIT FACILITIES ARE SUBJECT TO THE FINAL APPROVAL OF THE DELAWARE DEPARTMENT OF TRANSPORTATION.
4. THERE SHALL BE NO DEBRIS DISPOSAL ON THIS SITE.
5. THE BOUNDARY AND BASE TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY BY KARINS AND ASSOCIATES, DURING SEPTEMBER, 2006. DAVIS, BOWEN & FRIEDEL REVIEWED THE BOUNDARY AND TOPOGRAPHIC SURVEYS. ADDITIONAL TOPOGRAPHIC SURVEY WAS COMPLETED IN SEPTEMBER, 2014.
6. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS, AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
7. AGRICULTURAL USE PROTECTION NOTICE, AS REQUIRED BY SECTION 99-6(G) OF THE SUSSEX COUNTY CODE SHALL BE INCORPORATED IN THE DEED RESTRICTIONS AND ANY LEASES OR SALE AGREEMENTS FOR ALL LOTS.
8. ALL LOTS ARE SUBJECT TO DEED RESTRICTIONS TO BE RECORDED FOR THIS SUBDIVISION,
9. ALL NEWLY CREATED STREETS ARE TO BE PUBLIC RIGHTS-OF-WAY AND WILL ULTIMATELY BE MAINTAINED BY THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION. IN ADDITION TO THE STREETS, THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION SHALL ALSO BE RESPONSIBLE FOR THE MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES AND OPEN AREAS. SEE MAINTENANCE DECLARATION.
10. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
11. A UTILITY EASEMENT, 10 FEET WIDE, SHALL BE ESTABLISHED ALONG EACH FRONT AND SIDE LOT LINE PROPOSED BY THIS PLAN. THESE EASEMENTS SHALL BE AVAILABLE FOR ANY UTILITY USE AND ARE ESTABLISHED 10 FEET WIDE ALONG STREET FRONTAGE, AND 5 FEET ON EACH SIDE OF ALL SIDE LOT LINES.
12. THE INTERNAL RIGHT-OF-WAY IS ALSO A BLANKET UTILITY EASEMENT FOR WATER, SEWER, GAS/PROPANE, ELECTRIC, PHONE AND CABLE.
13. WATER SUPPLY – TIDEWATER UTILITIES COMPANY WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE STATE DIVISION OF PUBLIC HEALTH.
14. SANITARY SEWER – (CENTRAL SEWER SYSTEM) ARTESIAN WASTEWATER WILL PROVIDE SEWER SERVICE FOR THE PROPERTY. SEWER SERVICE IS SUBJECT TO THE APPROVAL OF SUSSEX COUNTY ENGINEERING AND THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES.
15. FLOODPLAIN – THE PROPERTY IS IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0340K, DATED MARCH 16, 2015, SUSSEX COUNTY, DELAWARE.
16. A NOTICE TO PROCEED WITH CONSTRUCTION WILL NOT BE ISSUED FOR THIS PROJECT UNTIL: 1-THE REGIONAL WASTEWATER FACILITY APPROVED BY DNREC TO SERVICE THIS PROJECT IS SUBSTANTIALLY UNDER CONSTRUCTION; AND 2-THE DESIGN OF THE CORRESPONDING TRANSMISSION SYSTEM TO CONNECT THIS PROJECT TO SAID WASTEWATER FACILITY HAS BEEN APPROVED BY DNREC AND THE COUNTY ENGINEER.
17. ANY TREES REMOVED FROM THE CONSERVED OPEN SPACE AREAS SHALL BE REPLACED IN KIND.
18. THE PROPERTY IDENTIFIED HEREIN IS LOCATED WITHIN THE "SUSSEX COUNTY LANDFILL #3 – ANGOLA" GROUNDWATER MANAGEMENT ZONE (GMZ), AND HAS CERTAIN REGULATIONS PLACED UPON IT CONCERNING ANY PROPOSED LAND AND/OR GROUNDWATER USE. CONTACT THE SUSSEX COUNTY ENGINEERING DEPARTMENT FOR ADDITIONAL INFORMATION.
19. ANY ACTIVITY INCLUDING BASEMENT CONSTRUCTION, GROUNDWATER EXTRACTION AND ALL FORMS OF SUBSURFACE DEPRESSURIZATION WHICH COULD AFFECT THE EXISTING HYDROGEOLOGICAL GROUNDWATER FLOW OR LOWER THE WATER TABLE ON ADJOINING PROPERTIES SHALL BE PROHIBITED.
20. A 50-FOOT VOLUNTARY BUFFER SHALL BE ESTABLISHED WITHIN "PARCEL B", ALONG THE SOUTHERN PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 – ANGOLA. THE 50-FOOT VOLUNTARY BUFFER SHALL CONTAIN A NATURAL BARRIER AND BE CONSTRUCTED UNDER THE SUPERVISION OF A CERTIFIED ARBORIST TO PREVENT ACCESS TO THE LANDFILL. THE NATURAL BARRIER SHALL BE IMPLEMENTED PRIOR TO THE ISSUANCE OF THE 1ST CERTIFICATE OF OCCUPANCY WITHIN THIS SUBDIVISION.
21. THE FOLLOWING ENVIRONMENTAL REQUIREMENTS ARE TO BE MET BY THE DEVELOPER PRIOR TO SUBDIVIDING THE REMAINING RESIDUAL LANDS OF WOODS AT BURTON POND, PARCEL B.
    a. INSTALL TWO (2) WATER MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 – ANGOLA, THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
    b. INSTALL TWO (2) GAS MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 – ANGOLA, AS DIRECTED BY SUSSEX COUNTY ENGINEERING THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
    c. DEVELOP A VAPOR MIGRATION EVALUATION BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.
    d. CONFIRM GROUNDWATER EVALUATION CONTOURS BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.
22. PROPOSED EXTENSION IS LOCATED WITHIN HENLOPEN TRANSPORTATION IMPROVEMENT DISTRICT AND SUBJECT TO IMPACT FEES.
23. THE FORESTED BUFFER SHALL BE COMPRISED OF EXISTING MATURE TREES AND VEGETATION THAT MUST BE RETAINED BY THE DEVELOPER AND THE HOMEOWNERS' ASSOCIATION.

SUBDIVISION #2007-29 CONDITIONS:

A) THERE SHALL BE NO MORE THAN 167 LOTS WITHIN THE SUBDIVISION.
B) THE APPLICANT SHALL FORM A HOMEOWNER'S ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF STREETS, ROADS, ANY BUFFER, STORM WATER MANAGEMENT FACILITIES, EROSION AND SEDIMENTATION CONTROL FACILITIES AND OTHER COMMON AREAS.
C) THE STORM WATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. IT SHALL BE CONSTRUCTED AND MAINTAINED USING BEST MANAGEMENT PRACTICES.
D) ALL ENTRANCES SHALL COMPLY WITH ALL OF DELDOT'S REQUIREMENTS, AND AN AREA FOR A SCHOOL BUS STOP SHALL BE ESTABLISHED. THE LOCATION OF THE SCHOOL BUS STOP SHALL BE COORDINATED WITH THE LOCAL SCHOOL DISTRICT.
E) ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
F) THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORM WATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
G) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT FORESTED BUFFER AROUND THE ENTIRE PERIMETER OF THE PROJECT. THE FINAL SITE PLAN SHALL CONTAIN A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER AREAS. ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER AREAS TO PREVENT DISTURBANCE.
H) THE DEVELOPER SHALL MAINTAIN AS MANY EXISTING TREES AS POSSIBLE. THE UNDISTURBED FORESTED AREAS SHALL BE CLEARLY SHOWN ON THE FINAL SITE PLAN.
I) NO WETLANDS SHALL BE INCLUDED WITH ANY LOTS.
J) A SYSTEM OF STREET LIGHTING SHALL BE ESTABLISHED.
K) AS STATED BY THE APPLICANT, SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL STREETS IN THE SUBDIVISION.
L) THE SUBDIVISION SHALL BE SERVED BY A CENTRAL SEWER SYSTEM AS DEFINED BY SUSSEX COUNTY ORDINANCE, DESIGNED IN ACCORDANCE WITH SUSSEX COUNTY ENGINEERING DEPARTMENT AND DNREC SPECIFICATIONS.
M) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT BUFFER FROM ALL WETLANDS. A LANDSCAPE PLAN FOR ALL BUFFERS SHALL BE INCLUDED IN THE FINAL SITE PLAN, AND ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER TO PREVENT DISTURBANCE.
N) AMENITIES SHALL INCLUDE A POOL HOUSE, POOL, BASKETBALL COURT AND A 150-FOOT BY 300-FOOT MULTI-PURPOSE SPORT FIELD. ALL AMENITIES SHALL BE STARTED AT OR BEFORE THE ISSUANCE OF THE 60TH BUILDING PERMIT AND SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE 120TH BUILDING PERMIT.
O) AS STATED BY THE APPLICANT, THE WETLANDS BUFFERS SHALL BE PERMANENTLY MARKED WITH SIGNAGE.
P) THIS PRELIMINARY APPROVAL IS CONTINGENT UPON THE APPLICANT SUBMITTING A REVISED PRELIMINARY SITEPLAN EITHER DEPICTING OR NOTING THE CONDITIONS OF THIS APPROVAL ON IT. STAFF SHALL APPROVE THE REVISED PLAN UPON CONFIRMATION THAT THE CONDITIONS OF APPROVAL HAVE BEEN DEPICTED OR NOTED ON IT.
Q) THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

OPEN SPACE MANAGEMENT PLAN:

1. ALL WETLAND BUFFERS ARE TO REMAIN IN THEIR NATURAL STATE. MAINTENANCE WILL CONSIST OF TRASH AND INVASIVE SPECIES REMOVAL.
2. ALL COMMON AREAS COVERED WITH GRASS SHALL BE PERIODICALLY MAINTAINED ON A BASIS DETERMINED BY THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION.
3. ALL OPEN SPACE AMENITIES SHALL BE INSPECTED ANNUALLY TO ENSURE THEY ARE SAFE FOR PLAY AND REPAIRED AS REQUIRED.
4. ALL SWM AREAS ARE TO BE INSPECTED ANNUALLY AND AFTER A RAIN EVENT GREATER THAN 2" IN A 24 HOUR PERIOD.
5. ALL SWM AREAS WILL BE MAINTAINED IN ACCORDANCE WITH DESIGN AND SPECIFICATIONS FOR THE SPECIFIC SWM AREA. THIS INFORMATION WILL BE PROVIDED TO THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION PRIOR TO TURNOVER.

SUSSEX COUNTY PLANNING & ZONING APPROVAL

SUSSEX COUNTY PLANNING & ZONING STAFF DATE

SUSSEX COUNTY COUNCIL PRESIDENT DATE

SUSSEX CONSERVATION DISTRICT APPROVAL BOX

WETLANDS STATEMENT

THIS SITE HAS BEEN INVESTIGATED FOR THE PRESENCE OF WETLANDS AND OTHER WATERS OF THE UNITED STATES BY JAMES C. MCCULLEY IV, PWS OF WATERSHED ECO LLC. THE SITE WAS INVESTIGATED IN ACCORDANCE WITH THE U.S. ARMY CORPS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1) AND APPLICABLE REGIONAL SUPPLEMENTS. THE U.S. ARMY CORPS OF ENGINEERS ISSUED A JURISDICTIONAL DETERMINATION (CENAP-OP-R-2014-285-23) ON JUNE 6, 2014. THIS JURISDICTIONAL DETERMINATION IS FOR A PERIOD OF FIVE YEARS. THIS PLAN ACCURATELY REPRESENTS THE RESULTS OF THE WETLAND STUDY AND JURISDICTIONAL DETERMINATIONS DESCRIBED ABOVE.

WATERSHED ECO, LLC DATE
JAMES C. MCCULLEY, IV, PWS
PWS #000471

ENGINEER'S STATEMENT

I, RING W. LARDNER, 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.

DAVIS, BOWEN & FRIEDEL, INC. DATE
by RING W. LARDNER, P.E.

Revisions:
2022-02-28
SUSSEX P&Z COMMENTS

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

PRE-01

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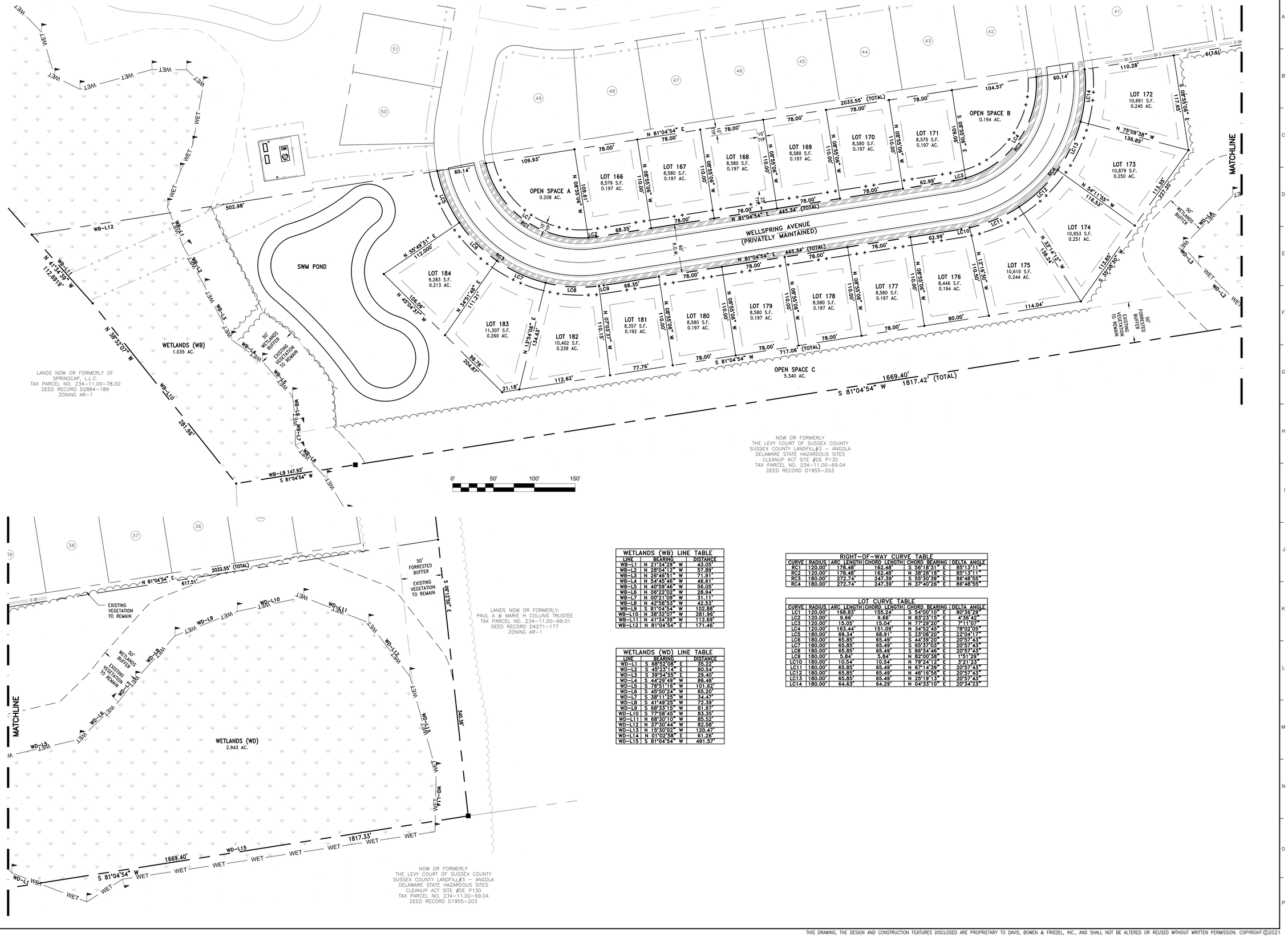

WETLANDS (WB) LINE TABLE		
LINE	BEARING	DISTANCE
WB-L1	N 21°34'29" W	43.05'
WB-L2	N 28°04'12" W	57.89'
WB-L3	N 26°46'51" W	71.91'
WB-L4	N 54°45'46" W	46.61'
WB-L5	N 40°59'16" W	56.05'
WB-L6	N 06°22'02" W	28.94'
WB-L7	N 00°21'09" W	31.11'
WB-L8	N 42°58'53" W	42.53'
WB-L9	S 81°04'54" W	102.88'
WB-L10	N 38°32'07" W	281.96'
WB-L11	N 41°34'29" W	112.69'
WB-L12	N 81°04'54" E	171.46'

WETLANDS (WD) LINE TABLE		
LINE	BEARING	DISTANCE
WD-L1	S 68°52'08" E	35.22'
WD-L2	S 45°23'14" E	80.54'
WD-L3	S 39°54'25" E	29.40'
WD-L4	S 44°29'49" W	86.48'
WD-L5	S 76°51'16" W	101.62'
WD-L6	S 45°50'24" W	65.20'
WD-L7	S 38°11'25" W	34.47'
WD-L8	S 41°49'25" W	72.39'
WD-L9	S 68°33'15" W	81.97'
WD-L10	S 77°58'45" W	83.35'
WD-L11	N 68°30'10" W	85.52'
WD-L12	N 37°30'44" W	82.58'
WD-L13	N 15°30'02" W	120.47'
WD-L14	N 01°02'58" E	61.26'
WD-L15	S 81°04'54" W	491.57'

RIGHT-OF-WAY CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC1	120.00'	178.48'	162.48'	S 56°18'31" E	85°13'11"
RC2	120.00'	178.48'	162.48'	N 38°28'18" E	85°13'11"
RC3	180.00'	272.74'	247.39'	S 55°30'39" E	86°48'55"
RC4	180.00'	272.74'	247.39'	N 37°40'26" E	86°48'55"

LOT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
LC1	120.00'	168.83'	155.24'	S 54°00'10" E	80°38'29"
LC2	120.00'	9.66'	9.66'	N 83°23'15" E	4°36'42"
LC3	120.00'	15.05'	15.04'	N 77°29'20" E	7°11'07"
LC4	120.00'	163.44'	151.09'	N 34°52'45" E	78°02'05"
LC5	180.00'	69.34'	68.91'	S 23°08'20" E	22°04'17"
LC6	180.00'	65.85'	65.49'	S 44°39'20" E	20°57'43"
LC7	180.00'	65.85'	65.49'	S 65°37'03" E	20°57'43"
LC8	180.00'	65.85'	65.49'	S 86°34'46" E	20°57'43"
LC9	180.00'	5.84'	5.84'	N 82°00'38" E	1°51'29"
LC10	180.00'	10.54'	10.54'	N 79°24'12" E	3°21'23"
LC11	180.00'	65.85'	65.49'	N 67°14'39" E	20°57'43"
LC12	180.00'	65.85'	65.49'	N 46°16'56" E	20°57'43"
LC13	180.00'	65.85'	65.49'	N 25°19'13" E	20°57'43"
LC14	180.00'	64.63'	64.29'	N 04°33'10" E	20°34'23"

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
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OCEAN CITY, MARYLAND (410) 289-7441
EASTON, MARYLAND (410) 770-4744

PRELIMINARY RECORD PLAN

THE WOODS AT BURTON POND EXTENDED 2021-22
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:
2022-02-28
SUSSEX P&Z COMMENTS

Date: MAY 2021
Scale: 1" = 50'
Dwn.By: DEG
Proj.No.: 0807S001
Dwg.No.:

PRE-02

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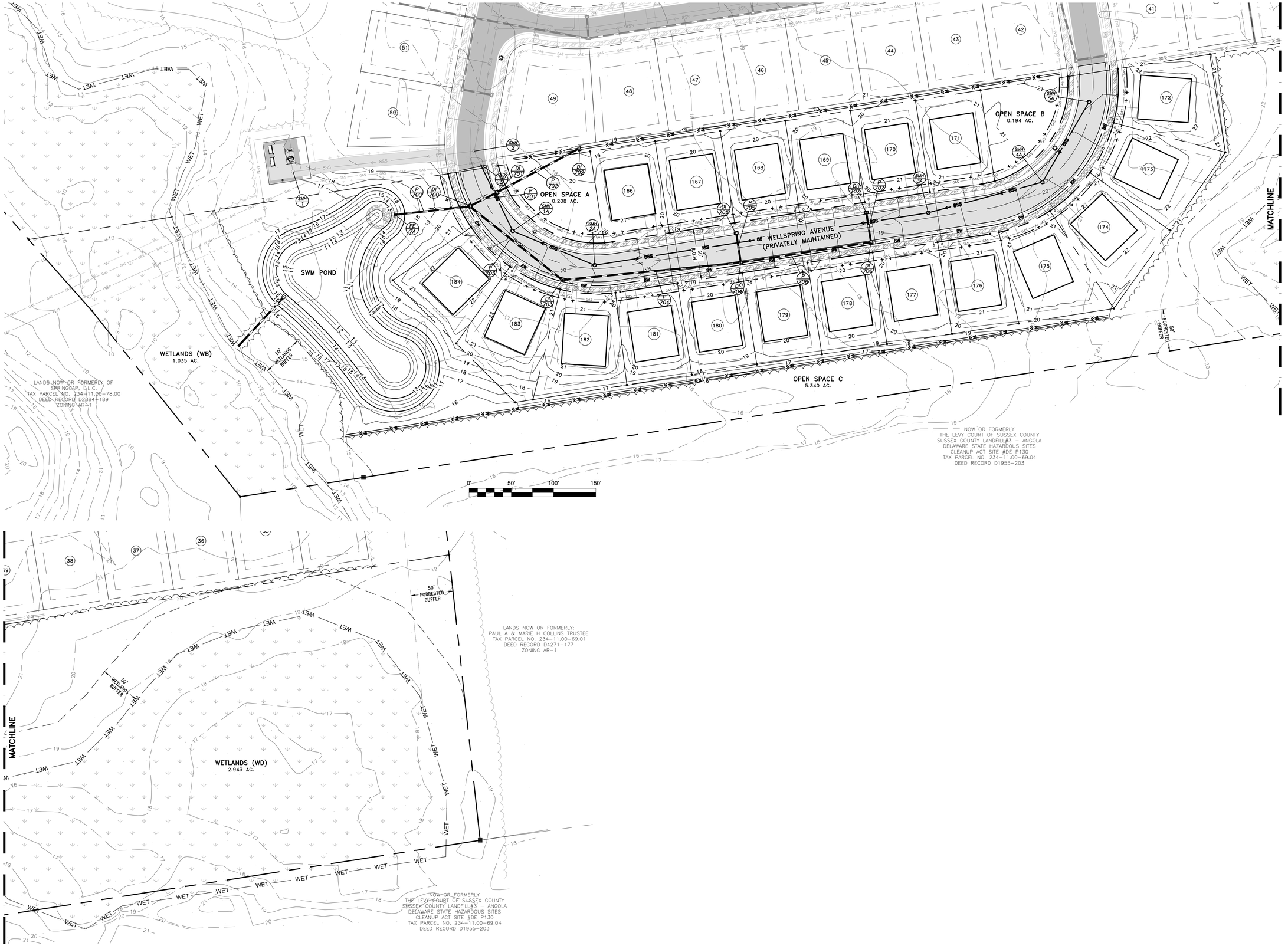

DAVIS, BOWEN & FRIEDEL, INC.
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OCEAN CITY, MARYLAND (410) 524-7441
EASTON, MARYLAND (410) 770-4744

PRELIMINARY UTILITY PLAN

THE WOODS AT BURTON POND EXTENDED 2021-22
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:
2022-02-28
SUSSEX P&Z COMMENTS

Date:	MAY 2021
Scale:	1" = 50'
Dwn.By:	DEG
Proj.No.:	0807S001
Dwg.No.:	PRE-03

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DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

WOODS AT BURTON POND EXTENDED

SUSSEX COUNTY, DELAWARE

Owner:	Springcap II, LLC
Developer:	Springcap II, LLC
Engineer:	Davis, Bowen & Friedel, Inc
Legal Services:	Baird Mandalas Brockstedt, LLC

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Presentation Outline

A. Land Use & Zoning

1. The project is an expansion of an existing subdivision, Woods at Burton Pond.

2. The Woods at Burton Pond is located on the south side of Conley's Chapel Road, approximately 3000' west of Beaver Dam Road in an AR-1, Agricultural Residential District, in Lewes & Rehoboth Hundred. The subject application is the subdivision of the residual lands from the original recording of The Woods at Burton Pond.

3. The Owner of the parcels is Springcap II, LLC.

4. The property is currently zoned AR (Agricultural Residential) in Sussex County.

5. The property is in Investment Level Areas 4 of the 2020 State Strategies Map. No development is proposed in the Level 4 area.

6. The subdivision is an extension of The Woods at Burton Pond and will be governed by the existing comprehensive set of restrictive covenants, as amended.

B. Land Utilization

1. The total acreage of the expansion is 15.01 acres of land with 3.98 acres of wetlands.

2. The proposed expansion will add 19 lots with a density of 1.27 units per acre. When combined with the existing subdivision, the total number of units will be 186 with a density of 1.63 units per acre.

3. The proposed expansion provides 9.72 acres, more or less, of open space (64% of the expansion parcel acreage). This percentage is subject to final engineering approval.

C. Environmental

1. The property does contain wetlands as previously delineated and the expansion provides fifty-foot (50') buffers from the wetlands.

2. There are no known archaeological sites within the project boundaries. There are no national historic listed properties within the project boundaries. The findings can be found in Exhibit G.

3. A Habitat Evaluation Report was prepared in January 2009 and a copy can be found in Exhibit H. At the time, there were no Ancient Sand Ridge Forests or rare, threatened, or endangered plans species observed on the property. Since the time of the report, the original subdivision has commenced construction and there are no new observations.

4. The proposed community is not located within an Excellent Groundwater Recharge Area.

5. The existing property is located within the Inland Bays/Indian River Bay Watershed. The Watershed has an established Total Maximum Daily Load (TMDL) and Pollution Control Strategy (PCS). The project through meeting the Stormwater Regulations adopted in 2021 will reduce nitrogen, phosphorus, and bacteria from the proposed development.

6. The proposed expansion is located adjacent to Sussex County Angola Landfill #3. As conditioned on the original application, the development of this parcel in accordance with Sussex County Engineering requirements could be permitted based on additional sampling and monitoring. The compliance can be found in Exhibit I.

D. Traffic

1. The proposed expansion will use the existing Artesian Avenue entrance off of Conley's Chapel Road.

2. The Developer of the original subdivision has constructed both entrances as well as the frontage improvements that included auxiliary lanes and adding shoulders. A shared-use path was installed along the property frontage.

E. Civil Engineering

1. The internal roads will be privately maintained and will meet or exceed the requirements of the Code of Sussex County.

2. The grading of the site will meet or exceed the requirements of the Code of Sussex County.

3. Drinking and fire protection water will be provided by Tidewater Utilities, Inc.

4. The stormwater management system will meet all State, County, and Conservation District requirements through a combination of Best Management Practices (BMP) and Best Available Technologies (BAT).

5. Fire protection will be provided by the Lewes Volunteer Fire Department.

6. Electricity will be provided by Delaware Electric Cooperative.

7. The parcels are located in the Cape Henlopen School District.

B

Woods at Burton Pond Extended
Data Sheet

Owner/Developer:	Spring Cap II, LLC
Engineer:	Davis, Bowen & Friedel, Inc.
Legal Services:	Baird Mandalas Brockstedt, LLC

Project Description

Physical Location:	Property is located on the south side of Conley's Chapel Road (SCR 280B) and 3,500 feet west off Beaver Dam Road (SCR 288A)
Tax Parcel #:	234-11.00-72.04
Acreage:	15.01 +\- Acres
Current Zoning:	AR (Agricultural Residential)
Proposed Zoning:	AR (Agricultural Residential)
Existing Use:	Residual Parcel of Original Subdivison
Proposed Use:	Additional 19 Residential Lots

Land Use	**Acreage (Acres)**
Parcel Area	15.01
Lot Area:	4.06 (27%)
Total Open Space:	9.72 (64%)
Open Area A	0.21
Open Area B	0.19
Open Area C	5.34
Wetlands	3.98
Right-of-Way	1.23 (9%)

Bulk and Area Regulations:

Minimum Lot Area:	7,500 SF	8,357 SF
Minimum Lot Width:	60 FT	70 FT
Front Yard Setback:	25 FT	25 FT
Side Yard Setback:	10 FT	10 FT
Rear Yard Setback:	10 FT	10 FT
Maximum Building Height:	42 FT	42 FT
Open Space:	30%	64%

Woods at Burton Pond Combined
Data Sheet

Owner/Developer:	Spring Cap II, LLC
Engineer:	Davis, Bowen & Friedel, Inc.
Legal Services:	Baird Mandalas Brockstedt, LLC

Project Description

Physical Location:	Property is located on the south side of Conley's Chapel Road (SCR 280B) and 3,500 feet west off Beaver Dam Road (SCR 288A)
Subdivison No:	2007-29 and 2021-22
Acreage:	113.931 +\- Acres
Current Zoning:	AR (Agricultural Residential)
Proposed Zoning:	AR (Agricultural Residential)
Total Number of Lots:	184
Combined Density:	1.62 DU / AC

Land Use	**Acreage (Acres)**
Parcel Area	113.931
Lot Area:	39.650
Open Space (Excluding Wetlands):	38.614 (34%)
Wetlands:	21.919 (19%)
Right-of-Way:	13.333
Pump Station:	0.057
DelDOT ROW Dedication:	0.358

Bulk and Area Regulations:

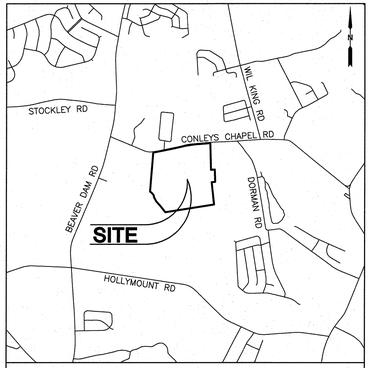
Minimum Lot Area:	7,500 SF	8,357 SF
Minimum Lot Width:	60 FT	70 FT
Front Yard Setback:	25 FT	25 FT
Side Yard Setback:	10 FT	10 FT
Rear Yard Setback:	10 FT	10 FT
Maximum Building Height:	42 FT	42 FT
Open Space:	30%	53%

C

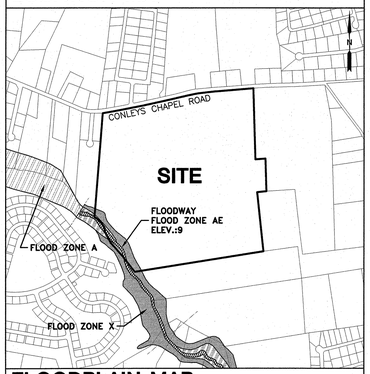
THE WOODS AT BURTON POND

INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE

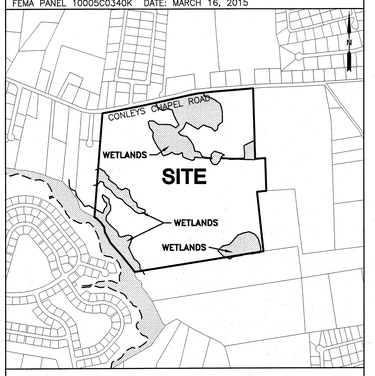
DBF # 0807D001
RECORD PLAN
REVISED: MAY, 2016



LOCATION MAP SCALE: 1" = 1/2-MILE



FLOODPLAIN MAP SCALE: 1" = 1000'
FEMA PANEL 10005C0340K DATE: MARCH 16, 2015



WETLANDS MAP SCALE: 1" = 1000'

LEGEND

- PROPERTY BOUNDARY LINE
- PROPOSED PROPERTY LINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED BUILDING SETBACK LINE
- PROPOSED EASEMENT LINE
- (##) PROPERTY LABEL
- PROPOSED WOODSLINE
- EXISTING PROPERTY LINE
- EXISTING RIGHT-TO-WAY LINE
- FORESTED BUFFER LINE
- WETLANDS BUFFER LINE
- WETLANDS LINE
- WETLANDS AREA
- FLOOD ZONE A
- FLOOD ZONE AE
- FLOOD ZONE X
- IRON ROD WITH CAP SET
- CONCRETE MONUMENT SET
- PROPERTY CORNER LOCATE

DATA COLUMN

TAX MAP ID:	2-34-11.00-72.00
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83 (DE STATE GRID)
ZONING	
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	165
AVERAGE LOT SIZE:	105' X 90'
AVERAGE LOT AREA:	9,450 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA: (INCLUDES WETLANDS: 21.92 AC)	113.931 AC
PARCEL B TOTAL: INCLUDES WETLANDS	-15.009 AC
WETLANDS (WB):	1.035 AC
WETLANDS (WD):	2.943 AC
INCLUDES UPLANDS (OF):	11.031 AC
AREA DEDICATED TO PUBLIC R/W:	-0.358 AC
PROPOSED TOTAL SITE AREA:	98.564 AC
PROPOSED (TOTAL SITE)	
LOT AREA:	35.593 AC
PUMP STATION LOT:	0.057 AC
OPEN SPACE (TOTAL):	32.872 AC
OPEN SPACE (OA):	11.187 AC
OPEN SPACE (OB):	3.531 AC
OPEN SPACE (OC):	8.984 AC
OPEN SPACE (OD):	7.945 AC
OPEN SPACE (OE):	0.654 AC
OPEN SPACE (OG):	0.157 AC
OPEN SPACE (OH):	0.414 AC
WETLANDS (TOTAL):	17.941 AC
WETLANDS WA:	2.602 AC
WETLANDS WC:	2.218 AC
WETLANDS WE:	13.121 AC
RIGHT-OF-WAY:	12.101 AC
TOTAL SITE AREA:	98.564 AC
PAVEMENT:	6.25 AC
SIDEWALK:	2.18 AC
TOTAL:	8.43 AC
SEWER PROVIDER:	ARTESIAN WASTEWATER MANAGEMENT, INC.
WATER PROVIDER:	TIDEWATER UTILITIES
GAS PROVIDER:	POORE'S PROPANE
ELECTRIC:	DELAWARE ELECTRIC COOPERATIVE

SUBDIVISION #2007-29 CONDITIONS:

A) THERE SHALL BE NO MORE THAN 167 LOTS WITHIN THE SUBDIVISION.

B) THE APPLICANT SHALL FORM A HOMEOWNER'S ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF STREETS, ROADS, ANY BUFFER, STORM WATER MANAGEMENT FACILITIES, EROSION AND SEDIMENTATION CONTROL FACILITIES AND OTHER COMMON AREAS.

C) THE STORM WATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. IT SHALL BE CONSTRUCTED AND MAINTAINED USING BEST MANAGEMENT PRACTICES.

D) ALL ENTRANCES SHALL COMPLY WITH ALL OF DELDOT'S REQUIREMENTS, AND AN AREA FOR A SCHOOL BUS STOP SHALL BE ESTABLISHED. THE LOCATION OF THE SCHOOL BUS STOP SHALL BE COORDINATED WITH THE LOCAL SCHOOL DISTRICT.

E) ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.

F) THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORM WATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.

G) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT FORESTED BUFFER AROUND THE ENTIRE PERIMETER OF THE PROJECT. THE FINAL SITE PLAN SHALL CONTAIN A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER AREAS. ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER AREAS TO PREVENT DISTURBANCE.

H) THE DEVELOPER SHALL MAINTAIN AS MANY EXISTING TREES AS POSSIBLE. THE UNDISTURBED FORESTED AREAS SHALL BE CLEARLY SHOWN ON THE FINAL SITE PLAN.

I) NO WETLANDS SHALL BE INCLUDED WITH ANY LOTS.

J) A SYSTEM OF STREET LIGHTING SHALL BE ESTABLISHED.

K) AS STATED BY THE APPLICANT, SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL STREETS IN THE SUBDIVISION.

L) THE SUBDIVISION SHALL BE SERVED BY A CENTRAL SEWER SYSTEM AS DEFINED BY SUSSEX COUNTY ORDINANCE, DESIGNED IN ACCORDANCE WITH SUSSEX COUNTY ENGINEERING DEPARTMENT AND DNREC SPECIFICATIONS.

M) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT BUFFER FROM ALL WETLANDS. A LANDSCAPE PLAN FOR ALL BUFFERS SHALL BE INCLUDED IN THE FINAL SITE PLAN, AND ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER TO PREVENT DISTURBANCE.

N) AMENITIES SHALL INCLUDE A POOL HOUSE, POOL, BASKETBALL COURT AND A 150-FOOT BY 300-FOOT MULTI-PURPOSE SPORT FIELD. ALL AMENITIES SHALL BE STARTED AT OR BEFORE THE ISSUANCE OF THE 60TH BUILDING PERMIT AND SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE 120TH BUILDING PERMIT.

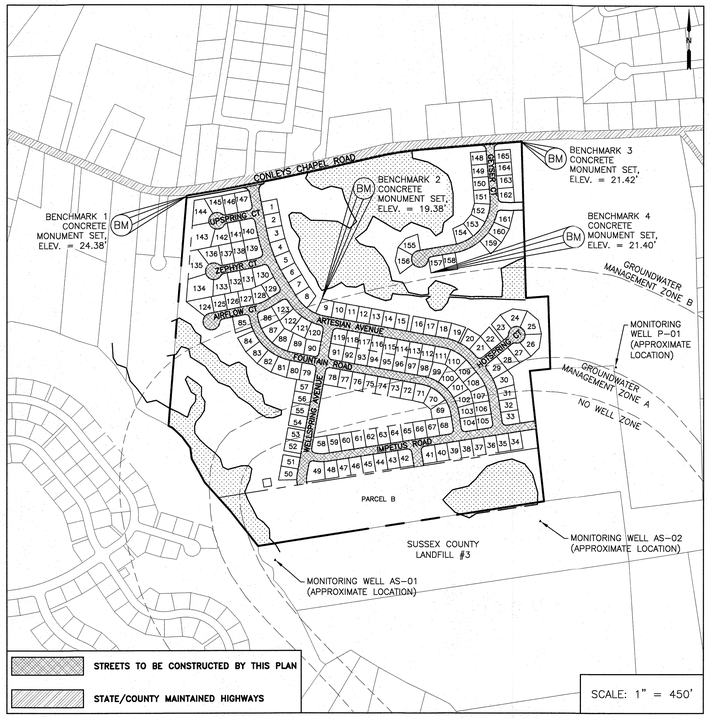
O) AS STATED BY THE APPLICANT, THE WETLANDS BUFFERS SHALL BE PERMANENTLY MARKED WITH SIGNAGE.

P) THIS PRELIMINARY APPROVAL IS CONTINGENT UPON THE APPLICANT SUBMITTING A REVISED PRELIMINARY SITEPLAN EITHER DEPICTING OR NOTING THE CONDITIONS OF THIS APPROVAL ON IT. STAFF SHALL APPROVE THE REVISED PLAN UPON CONFIRMATION THAT THE CONDITIONS OF APPROVAL HAVE BEEN DEPICTED OR NOTED ON IT.

Q) THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

OPEN SPACE MANAGEMENT PLAN:

1. ALL WETLAND BUFFERS ARE TO REMAIN IN THEIR NATURAL STATE. MAINTENANCE WILL CONSIST OF TRASH AND INVASIVE SPECIES REMOVAL.
2. ALL COMMON AREAS COVERED WITH GRASS SHALL BE PERIODICALLY MAINTAINED ON A BASIS DETERMINED BY THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION.
3. ALL OPEN SPACE AMENITIES SHALL BE INSPECTED ANNUALLY TO ENSURE THEY ARE SAFE FOR PLAY AND REPAIRED AS REQUIRED.
4. ALL SWM AREAS ARE TO BE INSPECTED ANNUALLY AND AFTER A RAIN EVENT GREATER THAN 2" IN A 24 HOUR PERIOD.
5. ALL SWM AREAS WILL BE MAINTAINED IN ACCORDANCE WITH DESIGN AND SPECIFICATIONS FOR THE SPECIFIC SWM AREA. THIS INFORMATION WILL BE PROVIDED TO THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION PRIOR TO TURNOVER.



STREETS TO BE CONSTRUCTED BY THIS PLAN

STATE/COUNTY MAINTAINED HIGHWAYS

SCALE: 1" = 450'

BENCHMARK INFORMATION

BM#	DESCRIPTION	LOCATION	ELEVATION
1	CONCRETE MONUMENT SET	N:250264.2057 E:714836.4551	24.38' (NAVD 88)
2	CONCRETE MONUMENT SET	N:249622.3878 E:715688.0181	19.38' (NAVD 88)
3	CONCRETE MONUMENT SET	N:250607.1032 E:716940.3808	21.42' (NAVD 88)
4	CONCRETE MONUMENT SET	N:249784.3592 E:716372.2407	21.40' (NAVD 88)

PRIVATE SUBDIVISION STREETS

PROPOSED ROAD	FROM STA.	TO STA.	LENGTH
(60FT R.O.W.)			
ARTESIAN AVENUE	0+00.00	25+14.25	0.48 MI
WELLSPRING AVENUE	0+00.00	10+35.00	0.20 MI
	19+41.86	20+76.86	0.03 MI
(50FT R.O.W.)			
UPSPRING COURT	0+00.00	3+01.56	0.06 MI
ZEPHYR COURT	0+00.00	3+98.96	0.08 MI
AIRFLOW COURT	0+00.00	5+61.60	0.11 MI
FOUNTAIN ROAD	0+00.00	17+12.70	0.32 MI
IMPETUS ROAD	0+00.00	13+86.77	0.26 MI
HOTSPRING COURT	0+00.00	3+51.25	0.07 MI
GEYSER COURT	0+00.00	10+81.89	0.21 MI

SHEET INDEX

RECORD PLAN - TITLE SHEET	R-01
RECORD PLAN - OVERVIEW	R-02
RECORD PLAN - SITE PLAN	R-03 TO R-08
RECORD PLAN - EASEMENT DETAILS	R-09 & R-10

GENERAL NOTES

1. DRAINAGE, STORMWATER MANAGEMENT, AND EROSION AND SEDIMENT CONTROLS SHALL BE IN ACCORDANCE WITH THE DELAWARE SEDIMENT & STORMWATER REGULATIONS OF 1991, OR AS LATER AMENDED. MAINTENANCE OF DRAINAGE, STORMWATER MANAGEMENT, AND SEDIMENT & EROSION CONTROL PRACTICES WILL BE THE RESPONSIBILITY OF THE SITE CONTRACTOR DURING THE CONSTRUCTION PHASE OF THE PROJECT, INCLUDING CONSTRUCTION OF THE UTILITIES. WHEN THE PERMANENT DRAINAGE AND STORMWATER MANAGEMENT PRACTICES HAVE BEEN COMPLETED TO THE SATISFACTION OF THE APPLICABLE AGENCIES, MAINTENANCE WILL ULTIMATELY BECOME THE RESPONSIBILITY OF THE PROPERTY OWNERS/ HOMEOWNERS ASSOCIATION.
2. SEDIMENT AND EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE DELAWARE EROSION & SEDIMENT CONTROL HANDBOOK (LATEST EDITION). THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURE AS DEEMED NECESSARY.
3. ENTRANCE/EXIT FACILITIES ARE SUBJECT TO THE FINAL APPROVAL OF THE DELAWARE DEPARTMENT OF TRANSPORTATION.
4. THERE SHALL BE NO DEBRIS DISPOSAL ON THIS SITE.
5. THE BOUNDARY AND BASE TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY BY KARINS AND ASSOCIATES, DURING SEPTEMBER, 2006. DAVIS, BOWEN & FRIEDEL REVIEWED THE BOUNDARY AND TOPOGRAPHIC SURVEYS. ADDITIONAL TOPOGRAPHIC SURVEY WAS COMPLETED IN SEPTEMBER, 2014.
6. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS, AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
7. AGRICULTURAL USE PROTECTION NOTICE, AS REQUIRED BY SECTION 99-6(G) OF THE SUSSEX COUNTY CODE SHALL BE INCORPORATED IN THE DEED RESTRICTIONS AND ANY LEASES OR SALE AGREEMENTS FOR ALL LOTS.
8. ALL LOTS ARE SUBJECT TO DEED RESTRICTIONS TO BE RECORDED FOR THIS SUBDIVISION,
9. ALL NEWLY CREATED STREETS ARE TO BE PUBLIC RIGHTS-OF-WAY AND WILL ULTIMATELY BE MAINTAINED BY THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION. IN ADDITION TO THE STREETS, THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION SHALL ALSO BE RESPONSIBLE FOR THE MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES AND OPEN AREAS. SEE MAINTENANCE DECLARATION.
10. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
11. A UTILITY EASEMENT, 10 FEET WIDE, SHALL BE ESTABLISHED ALONG EACH FRONT AND SIDE LOT LINE PROPOSED BY THIS PLAN. THESE EASEMENTS SHALL BE AVAILABLE FOR ANY UTILITY USE AND ARE ESTABLISHED 10 FEET WIDE ALONG STREET FRONTAGE, AND 5 FEET ON EACH SIDE OF ALL SIDE LOT LINES.
12. THE INTERNAL RIGHT-OF-WAY IS ALSO A BLANKET UTILITY EASEMENT FOR WATER, SEWER, GAS/PROPANE, ELECTRIC, PHONE AND CABLE.
13. WATER SUPPLY - TIDEWATER UTILITIES COMPANY WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE STATE DIVISION OF PUBLIC HEALTH.
14. SANITARY SEWER - (CENTRAL SEWER SYSTEM) ARTESIAN WASTEWATER WILL PROVIDE SEWER SERVICE FOR THE PROPERTY. SEWER SERVICE IS SUBJECT TO THE APPROVAL OF SUSSEX COUNTY ENGINEERING AND THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES.
15. FLOODPLAIN - THE PROPERTY IS IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0340K, DATED MARCH 16, 2015, SUSSEX COUNTY, DELAWARE.
16. A NOTICE TO PROCEED WITH CONSTRUCTION WILL NOT BE ISSUED FOR THIS PROJECT UNTIL: 1-THE REGIONAL WASTEWATER FACILITY APPROVED BY DNREC TO SERVICE THIS PROJECT IS SUBSTANTIALLY UNDER CONSTRUCTION; AND 2-THE DESIGN OF THE CORRESPONDING TRANSMISSION SYSTEM TO CONNECT THIS PROJECT TO SAID WASTEWATER FACILITY HAS BEEN APPROVED BY DNREC AND THE COUNTY ENGINEER.
17. ANY TREES REMOVED FROM THE CONSERVED OPEN SPACE AREAS SHALL BE REPLACED IN KIND.
18. THE CUL-DE-SACS WILL BE A MINIMUM 38 FT PAVED RADIUS AND THERE SHALL BE NO PARKING ON THE CUL-DE-SAC.
19. THE PROPERTY IDENTIFIED HEREIN IS LOCATED WITHIN THE "SUSSEX COUNTY LANDFILL #3 - ANGOLA" GROUNDWATER MANAGEMENT ZONE (GMZ), AND HAS CERTAIN REGULATIONS PLACED UPON IT CONCERNING ANY PROPOSED LAND AND/OR GROUNDWATER USE. CONTACT THE SUSSEX COUNTY ENGINEERING DEPARTMENT FOR ADDITIONAL INFORMATION.
20. ANY ACTIVITY INCLUDING BASEMENT CONSTRUCTION, GROUNDWATER EXTRACTION AND ALL FORMS OF SUBSURFACE DEPRESSURIZATION WHICH COULD AFFECT THE EXISTING HYDROGEOLOGICAL GROUNDWATER FLOW OR LOWER THE WATER TABLE ON ADJOINING PROPERTIES SHALL BE PROHIBITED.
21. A 50-FOOT VOLUNTARY BUFFER SHALL BE ESTABLISHED WITHIN "PARCEL B", ALONG THE SOUTHERN PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA. THE 50-FOOT VOLUNTARY BUFFER SHALL CONTAIN A NATURAL BARRIER AND BE CONSTRUCTED UNDER THE SUPERVISION OF A CERTIFIED ARBORIST TO PREVENT ACCESS TO THE LANDFILL. THE NATURAL BARRIER SHALL BE IMPLEMENTED PRIOR TO THE ISSUANCE OF THE 1ST CERTIFICATE OF OCCUPANCY WITHIN THIS SUBDIVISION.
22. THE FOLLOWING ENVIRONMENTAL REQUIREMENTS ARE TO BE MET BY THE DEVELOPER PRIOR TO SUBDIVIDING THE REMAINING RESIDUAL LANDS OF WOODS AT BURTON POND, PARCEL B.
    a. INSTALL TWO (2) WATER MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA, THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
    b. INSTALL TWO (2) GAS MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA, AS DIRECTED BY SUSSEX COUNTY ENGINEERING THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
    c. DEVELOP A VAPOR MIGRATION EVALUATION BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.
    d. CONFIRM GROUNDWATER EVALUATION CONTOURS BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.

DELDOT GENERAL NOTES

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO ITS APPROVAL.
2. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO 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.
3. 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".
4. THE FINAL OVERLAY OF WARM MIX ASPHALT (WMA) - TYPE C FOR ALL STREETS WITHIN THE DEVELOPMENT WILL NOT BE PERMITTED UNTIL 75% OR 125 HOMES ARE COMPLETELY CONSTRUCTED. IF FINAL OVERLAY IS CONDUCTED WITHOUT SUSSEX COUNTY'S KNOWLEDGE AND/OR APPROVAL, THEN SUSSEX COUNTY HAS THE RIGHT TO HAVE THE OWNER/DEVELOPER MILL AND OVERLAY, WITH ALL COSTS BEING PAID FOR BY THE DEVELOPER.
5. 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, PROPERTY OWNERS OR BOTH. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
6. THE SIDEWALK 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 FOR THE SIDEWALK.
7. ALL LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET. EACH LOT WILL BE PERMITTED TO HAVE ONLY ONE ACCESS POINT TO SERVE THE ENTIRE PARCEL. HORSESHOE DRIVEWAYS WILL NOT BE PERMITTED. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
8. AT SUCH TIME THE SHARED-USE PATH IS INSTALLED ALONG THE PROPERTY FRONTAGE OF SCR 280B, THE SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SHARED-USE PATH.

WETLANDS STATEMENT

THIS SITE HAS BEEN INVESTIGATED FOR THE PRESENCE OF WETLANDS AND OTHER WATERS OF THE UNITED STATES BY JAMES C. MCCULLEY IV, PWS OF WATERSHED ECO LLC. THE SITE WAS INVESTIGATED IN ACCORDANCE WITH THE U.S. ARMY CORPS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1) AND APPLICABLE REGIONAL SUPPLEMENTS. THE U.S. ARMY CORPS OF ENGINEERS ISSUED A JURISDICTIONAL DETERMINATION (CENAP-OPR-R-2007-199-23) ON AUGUST 17, 2007. THIS JURISDICTIONAL DETERMINATION WAS UPDATED ON MAY 13, 2014 FOR A PERIOD OF FIVE YEARS. THIS PLAN ACCURATELY REPRESENTS THE RESULTS OF THE WETLAND STUDY AND JURISDICTIONAL DETERMINATIONS DESCRIBED ABOVE.

WATERSHED ECO LLC
JAMES C. MCCULLEY, IV
PWS #0004471

6/21/16
DATE

OWNER'S CERTIFICATION

"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. I CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E., BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT, AS REFERENCED ON THIS COVERSHEET."

SPRINGCAP II, LLC.
105 FOUCK ROAD
WILMINGTON, DE 19803
PHONE 302-429-8700

6/23/2016
DATE

ENGINEER'S STATEMENT

I, RING W. LARDNER, 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.

DAVIS, BOWEN & FRIEDEL, INC.
by RING W. LARDNER, P.E.

No. 13647 — DELAWARE — PROFESSIONAL ENGINEER

6-23-2016
DATE

APPROVED
Final Subdivision Plan
per PC Mtg 6/9/16 & SCC Mtg
SUSSEX COUNTY 11/18/16
PLANNING & ZONING COMMISSION
10/98

REVISED:
2015-5-13 SCD
2015-6-11 SCE, ARTESIAN SEWER, TIDEWATER, FIRE MARSHAL & DELDOT
2015-7-27 DNREC, TIDEWATER, ARTESIAN SEWER, SCE & SCD
2015-8-06 SCD
2015-8-20 TIDEWATER
2015-9-04 DBF
2015-10-05 MORRIS JAMES
2015-12-06 P&Z
2016-5-23 CLIENT
2016-6-09 TIDEWATER & ARTESIAN

20070-29

SUSSEX CONSERVATION DISTRICT

APPROVED
SEDIMENT CONTROL & STORMWATER MANAGEMENT
Reviewed by:_____ Date:_____
Approved by: Date: 6/24/16

PRESIDENT OF SUSSEX COUNTY COUNCIL

NAME 6/28/16 DATE

CHAIRMAN/SECRETARY OF PLANNING AND ZONING COMMISSION

NAME 6/28/16 DATE

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

R-01

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PROPOSED CURVE TABLE FOR LOTS

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
PC-2A	870.00'	77.53'	77.50'	N 13°37'18" W	5°06'21"
PC-2B	870.00'	92.66'	92.62'	N 19°13'53" W	6°06'09"
PC-2C	870.00'	92.66'	92.62'	N 25°19'42" W	6°06'09"
PC-2D	870.00'	43.20'	43.19'	N 29°48'07" W	2°50'42"
PC-3A	270.00'	101.26'	100.67'	N 41°58'06" W	21°29'16"
PC-3B	270.00'	64.33'	64.18'	S 59°32'16" E	13°39'03"
PC-3C	270.00'	63.18'	63.03'	N 73°04'00" W	13°24'25"
PC-4A	330.00'	17.60'	17.60'	N 78°14'31" W	3°03'22"
PC-4B	330.00'	69.19'	69.06'	N 70°42'27" W	12°00'46"
PC-4C	330.00'	15.00'	15.00'	N 63°23'56" W	2°36'16"
PC-4D	330.00'	69.19'	69.06'	N 56°05'25" W	12°00'46"
PC-4E	330.00'	64.00'	63.90'	N 44°31'41" W	11°06'42"
PC-7A	52.00'	41.68'	40.57'	S 24°28'57" W	45°55'26"
PC-7B	52.00'	59.82'	56.58'	S 80°24'05" W	65°54'49"
PC-7C	52.00'	58.75'	55.68'	N 34°16'24" W	64°44'12"
PC-7D	52.00'	64.04'	60.07'	N 33°22'40" E	70°33'55"
PC-7E	52.00'	28.93'	28.56'	N 84°35'52" E	31°52'30"
PC-10A	330.00'	68.27'	68.15'	N 33°02'44" W	11°51'11"
PC-10B	330.00'	70.15'	70.02'	S 21°01'44" E	12°10'47"
PC-10C	330.00'	34.68'	34.66'	N 11°55'44" W	6°01'15"
PC-16A	225.00'	19.36'	19.36'	N 83°32'49" E	4°55'51"
PC-16B	225.00'	55.83'	55.69'	S 86°52'44" E	14°13'03"
PC-18A	120.00'	40.10'	39.92'	S 00°39'21" W	19°08'54"
PC-18B	120.00'	10.01'	10.01'	S 11°18'31" E	4°46'49"
PC-19A	180.00'	34.29'	34.24'	N 06°38'46" W	10°54'51"
PC-19B	180.00'	35.87'	35.81'	N 04°31'14" E	11°25'09"
PC-21A	325.00'	10.94'	10.94'	S 78°48'21" E	1°55'43"
PC-21B	325.00'	76.53'	76.35'	S 71°05'45" E	13°29'28"
PC-21C	325.00'	76.25'	76.08'	S 57°37'45" E	13°26'33"
PC-21D	325.00'	76.25'	76.08'	S 44°11'12" E	13°26'33"
PC-21E	325.00'	76.25'	76.08'	S 30°44'39" E	13°26'33"
PC-21F	325.00'	25.00'	24.99'	S 21°49'09" E	4°24'27"
PC-21G	325.00'	48.48'	48.44'	S 15°20'32" E	8°32'48"
PC-24A	52.00'	192.14'	100.04'	S 67°50'14" E	211°42'14"
PC-24B	52.00'	37.13'	36.35'	S 58°28'23" W	40°54'59"
PC-27A	930.00'	29.90'	29.90'	S 30°18'13" E	1°50'31"
PC-27B	930.00'	72.60'	72.59'	S 27°08'46" E	4°28'23"
PC-31A	52.00'	57.10'	54.27'	N 60°52'48" E	62°54'44"
PC-31B	52.00'	63.77'	59.85'	S 52°31'46" E	70°16'06"
PC-31C	52.00'	63.77'	59.85'	S 17°44'20" W	70°16'06"
PC-31D	52.00'	68.58'	63.72'	N 89°20'39" W	75°33'56"
PC-35A	930.00'	95.93'	95.88'	S 15°57'09" E	5°54'35"
PC-35B	930.00'	31.31'	31.31'	S 12°01'59" E	1°55'44"
PC-38A	52.00'	67.74'	63.05'	N 66°44'46" E	74°38'39"
PC-38B	52.00'	58.87'	55.77'	S 43°30'01" E	64°51'47"
PC-38C	52.00'	64.29'	60.28'	S 24°21'05" W	70°50'25"
PC-38D	52.00'	62.32'	58.66'	N 85°53'42" W	68°40'01"
PC-41A	40.00'	17.56'	17.42'	S 23°38'39" E	25°09'02"
PC-41B	40.00'	45.27'	42.90'	S 68°38'39" E	64°50'58"
PC-43A	330.00'	57.16'	57.09'	S 36°11'13" E	9°55'29"
PC-43B	330.00'	71.76'	71.62'	S 47°22'43" E	12°27'31"
PC-43C	330.00'	71.76'	71.62'	S 59°50'14" E	12°27'31"
PC-43D	330.00'	58.62'	58.54'	S 71°09'18" E	10°10'37"
PC-46A	275.00'	36.94'	36.91'	N 75°55'19" W	7°41'47"
PC-46B	275.00'	110.80'	110.05'	N 60°31'53" W	23°05'03"
PC-46C	275.00'	110.80'	110.05'	N 37°26'50" W	23°05'03"
PC-46D	275.00'	71.21'	71.01'	N 18°29'13" W	14°50'11"
PC-50A	270.00'	48.11'	48.05'	S 74°39'56" E	10°12'33"
PC-50B	270.00'	118.03'	117.09'	S 57°02'15" E	25°02'48"
PC-50C	270.00'	26.12'	26.11'	S 41°44'35" E	5°32'32"
PC-51A	270.00'	70.14'	69.94'	S 31°31'48" E	14°53'04"
PC-51B	270.00'	71.48'	71.28'	S 16°30'11" E	15°10'10"
PC-54A	275.00'	32.93'	32.91'	N 12°20'55" W	6°51'57"
PC-54B	275.00'	68.57'	68.75'	N 22°56'26" W	14°19'26"
PC-54C	275.00'	68.75'	68.57'	N 37°15'52" W	14°19'26"
PC-54D	275.00'	68.75'	68.57'	N 51°35'19" W	14°19'26"
PC-54E	275.00'	68.75'	68.57'	N 65°54'45" W	14°19'26"
PC-54F	275.00'	32.14'	32.12'	N 76°25'20" W	6°41'44"
PC-57A	225.00'	60.64'	60.46'	S 72°02'56" E	15°26'32"
PC-57B	225.00'	120.07'	118.65'	S 49°02'25" E	30°34'31"
PC-57C	225.00'	97.52'	96.76'	S 21°20'08" E	24°50'03"
PC-67A	325.00'	60.22'	60.13'	N 18°07'59" E	10°36'58"
PC-67B	325.00'	74.29'	74.12'	N 29°59'21" E	13°05'46"
PC-67C	325.00'	74.29'	74.12'	N 43°05'07" E	13°05'46"
PC-67D	325.00'	175.23'	173.12'	N 65°04'47" E	30°53'33"
PC-68A	25.00'	21.79'	21.11'	N 55°33'07" E	49°56'53"
PC-68B	25.00'	9.89'	9.83'	N 19°14'31" E	22°40'20"
PC-69A	52.00'	122.88'	96.22'	N 75°36'17" W	135°23'53"
PC-69B	52.00'	58.42'	55.40'	S 04°30'38" E	64°22'16"
PC-69C	52.00'	47.97'	46.28'	S 54°06'02" W	52°51'04"
PC-70A	275.00'	17.68'	17.67'	N 78°41'05" E	3°40'58"
PC-70B	275.00'	117.86'	116.96'	S 64°33'56" W	24°33'19"
PC-70C	275.00'	117.86'	116.96'	S 40°00'37" W	24°33'19"
PC-70D	275.00'	117.86'	116.96'	S 15°27'18" W	24°33'19"
PC-70E	275.00'	37.85'	37.82'	S 00°45'56" E	7°53'07"

PROPOSED CURVE TABLE FOR RIGHT-OF-WAY

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC-1	40.00'	62.83'	56.57'	S 33°55'53" W	90°00'00"
RC-2	870.00'	306.05'	304.48'	S 21°08'48" E	20°09'21"
RC-3	270.00'	228.77'	221.98'	S 55°29'50" E	48°32'44"
RC-4	330.00'	234.98'	230.05'	S 59°22'16" E	40°47'53"
RC-5	25.00'	39.27'	35.36'	S 83°58'19" E	90°00'00"
RC-6	25.00'	21.60'	20.94'	N 26°16'27" E	49°30'26"
RC-7	52.00'	253.23'	67.53'	S 38°58'19" E	279°00'53"
RC-8	25.00'	21.60'	20.94'	S 75°46'54" W	49°30'26"
RC-9	25.00'	39.27'	35.36'	S 08°01'41" W	90°00'00"
RC-10	330.00'	173.10'	171.12'	S 23°56'43" E	30°03'13"
RC-11	25.00'	39.27'	35.36'	S 53°55'06" E	90°00'00"
RC-12	25.00'	39.27'	35.36'	S 36°04'54" W	90°00'00"
RC-13	180.00'	10.01'	10.00'	S 07°19'34" E	3°11'05"
RC-14	120.00'	10.01'	10.01'	N 08°31'42" W	4°46'49"
RC-15	25.00'	39.27'	35.36'	N 53°55'06" W	90°00'00"
RC-16	225.00'	75.20'	74.85'	N 89°20'39" W	19°08'54"
RC-17	25.00'	39.27'	35.36'	S 55°13'48" W	90°00'00"
RC-18	120.00'	50.12'	49.75'	S 01°44'04" E	23°55'43"
RC-19	180.00'	70.16'	69.72'	N 00°56'12" W	22°20'00"
RC-20	25.00'	39.27'	35.36'	N 34°46'12" W	90°00'00"
RC-21	325.00'	389.70'	366.77'	N 45°25'10" W	68°42'05"
RC-22	25.00'	39.27'	35.36'	N 56°04'07" W	90°00'00"
RC-23	25.00'	31.69'	29.61'	S 42°37'16" W	72°37'13"
RC-24	52.00'	229.27'	83.81'	N 47°22'44" W	252°37'13"
RC-25	125.00'	43.97'	43.75'	N 68°51'12" E	20°09'21"
RC-26	25.00'	39.27'	35.36'	N 13°46'32" E	90°00'00"
RC-27	930.00'	102.50'	102.45'	N 28°04'01" W	6°18'54"
RC-28	25.00'	37.96'	34.42'	N 68°24'32" W	86°59'56"
RC-29	175.00'	33.11'	33.06'	S 73°30'41" W	10°50'23"
RC-30	25.00'	21.60'	20.94'	S 54°10'39" W	49°30'26"
RC-31	52.00'	253.23'	67.53'	N 11°04'07" W	279°00'53"
RC-32	25.00'	21.60'	20.94'	S 76°18'54" E	49°30'26"
RC-33	125.00'	23.65'	23.61'	N 73°30'41" E	10°50'23"
RC-34	25.00'	37.96'	34.42'	N 24°35'32" E	86°59'56"
RC-35	930.00'	127.23'	127.13'	N 14°59'17" W	7°50'19"
RC-36	25.00'	39.27'	35.36'	N 56°04'07" W	90°00'00"
RC-37	25.00'	21.60'	20.94'	S 54°10'39" W	49°30'26"
RC-38	52.00'	253.23'	67.53'	N 11°04'07" W	279°00'53"
RC-39	25.00'	21.60'	20.94'	S 76°18'54" E	49°30'26"
RC-40	25.00'	39.27'	35.36'	N 33°55'53" E	90°00'00"
RC-41	40.00'	62.83'	56.57'	N 56°04'07" W	90°00'00"
RC-42	25.00'	39.27'	35.36'	S 76°13'28" E	90°00'00"
RC-43	330.00'	259.29'	252.67'	S 53°44'03" E	45°01'09"
RC-44	25.00'	37.73'	34.25'	S 33°00'25" E	86°28'25"
RC-45	25.00'	39.27'	35.36'	N 55°13'48" E	90°00'00"
RC-46	275.00'	328.74'	310.34'	N 45°25'10" W	68°30'05"
RC-47	25.00'	38.45'	34.77'	N 32°59'19" E	88°06'54"
RC-48	175.00'	55.80'	55.57'	N 67°54'39" E	18°16'14"
RC-49	25.00'	39.27'	35.36'	N 55°13'48" E	90°00'00"
RC-50	270.00'	192.26'	188.22'	S 59°22'16" E	40°47'53"
RC-51	270.00'	141.62'	140.01'	S 23°56'43" E	30°03'13"
RC-52	25.00'	39.27'	35.36'	S 36°04'54" W	90°00'00"
RC-53	25.00'	39.27'	35.36'	N 53°55'06" W	90°00'00"
RC-54	275.00'	340.06'	318.81'	N 44°20'39" W	70°51'06"
RC-55	25.00'	39.27'	35.36'	N 34°46'12" W	90°00'00"
RC-56	25.00'	39.27'	35.36'	N 55°13'48" E	90°00'00"
RC-57	225.00'	278.23'	260.84'	S 44°20'39" E	70°51'06"
RC-58	25.00'	39.27'	35.36'	S 36°04'54" W	90°00'00"
RC-59	175.00'	58.49'	58.21'	N 89°20'39" W	19°08'54"
RC-60	25.00'	39.27'	35.36'	N 34°46'12" W	90°00'00"
RC-61	30.00'	47.12'	42.43'	S 40°17'30" W	90°00'00"
RC-62	325.00'	6.28'	6.28'	S 04°09'17" E	1°06'24"
RC-63	25.00'	35.69'	32.73'	S 44°29'41" E	81°47'12"
RC-64	375.00'	40.88'	40.86'	S 88°30'41" E	6°14'48"
RC-65	425.00'	46.34'	46.31'	N 88°30'41" W	6°14'48"
RC-66	25.00'	35.69'	32.73'	S 53°43'06" W	81°47'12"
RC-67	325.00'	384.02'	362.07'	S 46°40'32" W	67°42'04"
RC-68	25.00'	31.69'	29.61'	S 44°12'57" W	72°37'13"
RC-69	52.00'	229.27'	83.81'	N 45°47'03" W	252°37'13"
RC-70	275.00'	409.10'	372.40'	N 37°54'32" E	85°14'03"
RC-71	30.00'	47.12'	42.43'	N 49°42'30" W	90°00'00"

PROPOSED LINE TABLE FOR LOTS

LINE	BEARING	DISTANCE
PL-1	N 31°13'28" W	8.12'
PL-2	S 38°58'19" E	1.03'
PL-3	N 51°01'41" E	20.00'
PL-4	S 38°58'19" E	1.63'
PL-5	N 79°46'12" W	11.27'
PL-6	N 11°04'07" W	11.52'
PL-7	S 68°05'30" W	12.08'
PL-8	N 68°05'30" E	12.08'
PL-9	S 31°13'28" E	1.05'
PL-10	N 11°04'07" W	11.63'
PL-11	N 79°46'12" W	11.27'
PL-12	S 77°52'41" E	3.95'
PL-13	S 04°42'30" E	10.00'
PL-14	S 85°23'17" E	14.75'
PL-15	N 85°23'17" W	14.75'
PL-16	N 80°31'34" E	11.41'
PL-17	N 04°42'30" W	10.00'

LINE TABLE FOR BOUNDARY

LINE	BEARING	DISTANCE
BL-1	N 11°04'07" W	10.00'
BL-2	N 85°17'30" E	110.00'
BL-3	S 01°38'05" E	5.01'
BL-4	N 04°29'14" E	15.47'

CURVE TABLE FOR BOUNDARY

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
BC-1	207.97'	284.42'	284.20'	N 80°50'43" E	7°50'05"
BC-2	207.47'	231.71'	231.59'	N 80°07'37" E	6°23'53"
BC-3	207.47'	52.03'	52.03'	N 84°02'40" E	1°26'12"

WETLANDS LINE TABLE

LINE	BEARING	DISTANCE
WL-87	N 10°17'39" E	59.69'
WL-88	N 51°51'17" E	74.64'
WL-89	N 00°18'01" W	134.03'
WL-90	N 09°48'27" W	75.13'
WL-91	N 23°38'08" W	50.70'
WL-92	N 53°21'24" W	77.83'
WL-93	N 61°50'32" W	72.53'
WL-94	N 75°35'17" W	97.17'
WL-95	N 76°52'40" W	44.68'
WL-96	N 66°36'41" E	18.04'
WL-97	S 60°52'53" E	81.25'
WL-98	S 31°07'46" E	55.41'
WL-99	S 55°48'45" E	43.07'
WL-100	S 04°46'29" W	41.77'
WL-101	S 51°28'27" E	60.28'
WL-102	S 55°28'58" E	67.14'
WL-103	S 29°26'35" E	47.21'
WL-104	S 60°57'30" E	63.55'
WL-105	N 64°24'06" E	46.96'
WL-106	N 77°46'29" E	18.79'
WL-107	S 56°55'46" E	54.08'
WL-108	S 04°38'45" E	41.31'
WL-109	S 17°54'37" E	61.85'
WL-110	S 38°55'51" E	62.30'
WL-111	S 58°55'31" E	47.90'
WL-112	S 12°31'30" E	60.91'
WL-113	S 68°53'32" E	70.84'
WL-114	S 68°51'36" E	42.55'
WL-115	S 03°22'48" W	27.95'
WL-116	S 69°01'10" W	53.41'
WL-117	N 88°46'31" W	41.80'
WL-118	N 58°18'17" W	59.42'
WL-119	N 45°56'23" W	78.21'
WL-120	N 57°00'32" W	83.98'
WL-121	N 40°27'42" W	83.20'
WL-122	N 68°11'15" W	77.49'
WL-123	N 42°11'56" W	79.03'
WL-124	N 35°27'34" W	49.49'
WL-125	N 57°25'05" W	48.54'
WL-126	N 57°26'29" W	61.01'
WL-127	N 12°09'07" W	52.67'
WL-128	N 72°21'46" W	49.29'
WL-129	S 34°13'09" W	60.09'
WL-130	S 80°07'12" W	12.33'
WL-131	S 63°51'59" E	67.74'
WL-132	S 59°59'48" E	38.30'
WL-133	S 65°13'26" E	19.04'
WL-134	N 18°23'21" E	63.49'
WL-135	N 37°27'15" E	50.51'
WL-136	N 01°53'16" E	39.77'
WL-137	N 57°31'05" W	33.01'
WL-138	N 25°10'50" W	87.67'
WL-139	N 32°50'11" E	24.17'
WL-140	S 54°44'16" E	79.84'
WL-141	S 46°43'30" E	30.72'
WL-142	S 00°13'26" W	55.50'
WL-143	S 32°23'28" E	41.27'
WL-144	S 04°29'46" W	57.74'
WL-145	S 30°54'50" W	46.39'
WL-146	S 42°01'50" W	42.85'
WL-147	S 14°57'47" W	31.28'
WL-148	S 02°31'21" E	40.74'
WL-149	S 37°29'19" E	52.97'
WL-150	S 46°22'23" E	56.35'
WL-151	S 50°18'51" E	67.50'

WETLANDS LINE TABLE

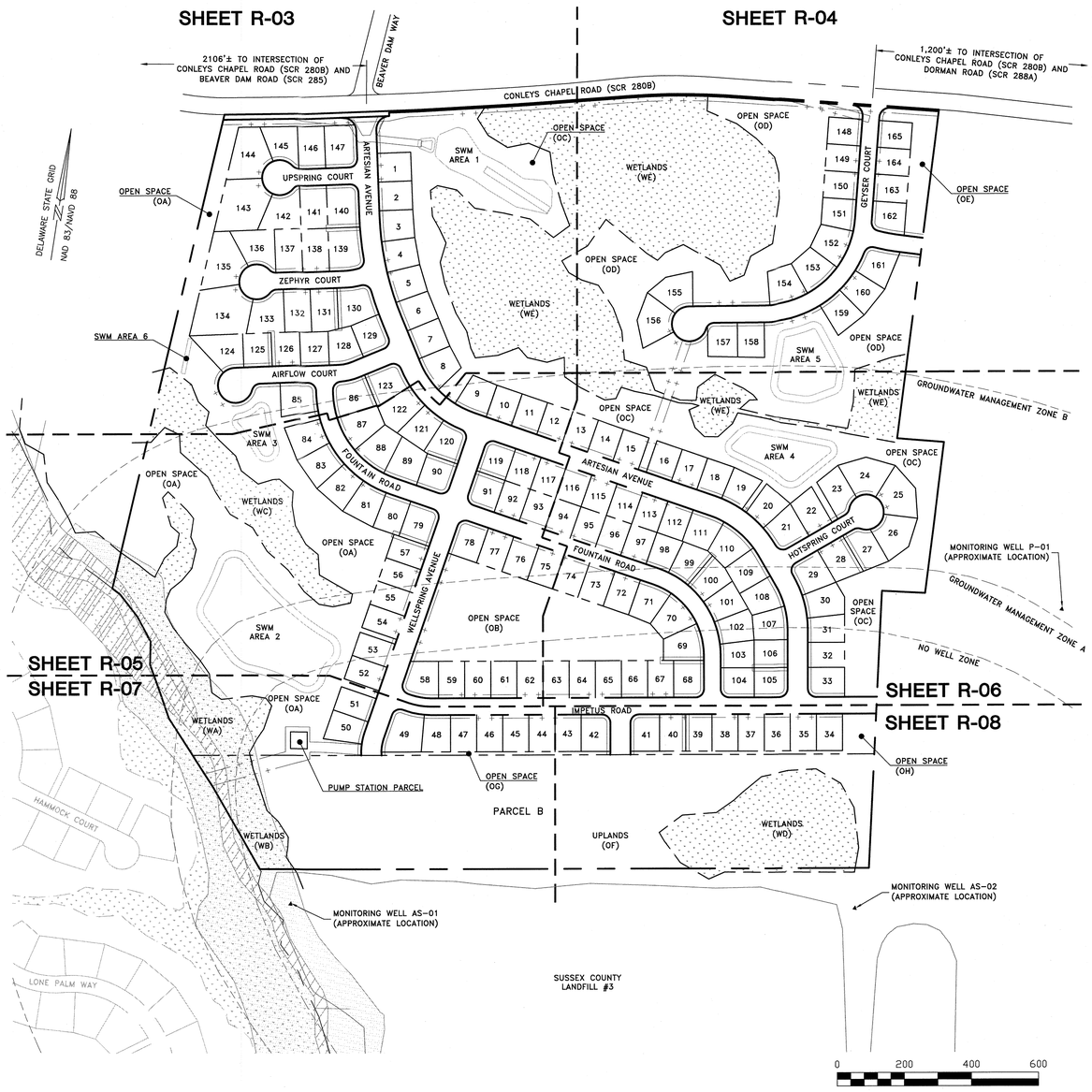
LINE	BEARING	DISTANCE
WL-1	S 24°09'12" W	39.17'
WL-2	S 41°23'01" E	59.27'
WL-3	S 67°19'52" E	68.25'
WL-4	N 69°48'10" E	64.19'
WL-5	S 76°37'08" E	68.72'
WL-6	S 16°43'42" E	67.23'
WL-7	S 24°55'07" E	87.10'
WL-8	S 29°43'51" E	73.03'
WL-9	S 45°20'53" W	60.02'
WL-10	N 60°27'41" W	88.63'
WL-11	N 86°23'29" W	82.15'
WL-12	N 89°26'42" W	86.57'
WL-13	N 53°42'24" W	76.62'
WL-14	N 86°27'14" W	58.49'
WL-15	S 47°26'46" W	25.22'
WL-16	S 13°29'51" E	77.50'
WL-17	S 38°04'37" E	42.47'
WL-18	S 34°03'59" E	45.77'
WL-19	S 07°49'56" W	59.85'
WL-20	S 21°08'17" E	64.91'
WL-21	S 29°33'48" E	94.66'
WL-22	S 39°46'20" E	61.33'
WL-23	S 22°42'17" E	52.82'
WL-24	S 33°50'53" E	31.14'
WL-25	N 74°47'16" E	68.03'
WL-26	N 61°04'53" E	66.08'
WL-27	S 50°34'26" E	39.74'
WL-28	S 85°51'07" E	59.95'
WL-29	N 65°38'12" E	53.43'
WL-30	S 10°05'10" E	57.65'
WL-31	S 64°44'06" E	56.14'
WL-32	S 71°52'03" E	82.14'
WL-33	N 74°30'59" E	33.08'
WL-34	N 16°21'23" E	37.40'
WL-35	S 81°29'50" E	41.60'
WL-36	S 87°26'51" E	56.45'
WL-37	S 85°45'31" E	5.70'
WL-38	S 81°42'55" E	74.85'
WL-39	N 84°28'59" E	38.67'
WL-40	S 82°44'00" E	21.83'
WL-41	S 58°04'21" W	32.28'
WL-42	S 28°01'02" E	55.63'
WL-43	S 54°45'54" E	38.53'

WETLANDS LINE TABLE

LINE	BEARING	DISTANCE
WL-44	N 81°53'19" E	40.45'
WL-45	N 39°24'22" E	58.13'
WL-46	N 17°35'55" E	36.25'
WL-47	S 87°42'16" E	65.36'
WL-48	S 87°03'16" E	36.27'
WL-49	S 77°43'54" E	30.83'
WL-50	N 88°56'04" E	118.22'
WL-51	S 87°05'42" E	94.06'
WL-52	S 88°31'36" E	132.51'
WL-53	S 68°55'50" W	39.29'
WL-54	S 63°15'51" W	115.81'
WL-55	S 06°04'07" E	97.49'
WL-56	S 03°30'23" W	80.14'
WL-57	N 89°32'31" W	148.51'
WL-58	S 89°00'27" W	45.81'
WL-59	N 85°46'33" W	133.19'
WL-60	N 39°07'39" E	39.25'
WL-61	N 79°52'14" E	22.92'
WL-62	N 48°42'36" W	19.52'
WL-63	N 64°44'46" W	34.59'
WL-64	N 72°54'35" W	95.15'
WL-65	S 44°30'41" W	63.93'
WL-66	S 02°25'35" E	39.68'
WL-67	S 82°33'04" W	47.19'
WL-68	N 77°59'44" W	81.24'
WL-69	N 29°06'47" W	73.23'
WL-70	N 80°25'45" W	68.98'
WL-71	N 13°51'54" W	85.83'
WL-72	N 29°35'31" W	73.53'
WL-73	N 42°06'49" W	80.92'
WL-74	N 81°12'05" W	52.22'
WL-75	N 69°15'32" W	43.76'
WL-76	N 39°49'10" W	40.75'
WL-77	N 51°08'39" E	88.45'
WL-78	N 26°03'57" E	95.67'
WL-79	S 59°23'35" E	78.77'
WL-80	S 58°58'17" E	79.18'
WL-81	S 65°55'44" E	38.37'
WL-82	N 36°03'43" E	32.25'
WL-83	N 57°36'12" E	59.60'
WL-84	S 69°50'04" E	124.92'
WL-85	S 40°34'32" E	55.74'
WL-86	N 58°31'47" E	45.96'

WETLANDS LINE TABLE

LINE	BEARING	DISTANCE
WL-152	S 43°47'02" E	49.30'
WL-153	S 16°29'34" E	57.11'
WL-154	S 64°05'41" E	34.29'
WL-155	N 74°45'07" E	91.43'
WL-156	S 89°42'14" E	42.54'
WL-157	S 46°47'38" E	27.83'
WL-158	S 10°04'38" W	73.97'
WL-159	S 24°59'16" W	36.23'
WL-160	S 19°41'38" W	45.94'
WL-161	S 21°34'29" E	7.89'
WL-162	S 21°34'29" E	43.05'
WL-163	S 28°04'12" E	57.89'
WL-164	S 26°46'51" E	71.91'
WL-165	S 54°45'46" E	46.61'
WL-166	S 40°59'46" E	56.05'
WL-167	S 06°22'02" E	28.94'
WL-168	S 00°21'09" E	31.11'
WL-169	S 42°58'53" E	42.53'
WL-170	N 68°52'08" W	35.22'
WL-171	N 45°23'14" W	80.54'
WL-172	N 39°54'55" W	29.40'
WL-173	N 44°29'49" E	86.48'
WL-174	N 76°51'16" E	101.62'
WL-175	N 45°50'24" E	65.20'
WL-176	N 38°11'25" E	34.47'
WL-177	N 41°49'25" E	72.39'
WL-178	N 68°33'15" E	81.97'
WL-179	N 77°58'45" E	83.35'
WL-180	S 68°30'10" E	85.52'
WL-181	S 37°30'44" E	82.58'
WL-182	S 15°30'02" E	120.47'
WL-183	S 01°02'58" W	61.26'



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MILFORD, DELAWARE (302) 424-1441

THE WOODS AT BURTON POND
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

RECORD PLAN - OVERVIEW

REVISED:
2015-5-13 SCD
2015-6-11 SCE, ARTESIAN SEWER, TIDEWATER, FIRE MARSHAL & DELDOT
2015-7-27 DNREC, TIDEWATER, ARTESIAN SEWER, SCE & SCD
2015-8-06 SCD
2015-8-20 TIDEWATER
2015-9-04 DBF
2015-10-05 MORRIS JAMES
2015-12-06 PAZ
2016-5-23 CLIENT
2016-6-09 TIDEWATER & ARTESIAN

Date: MAY, 2016
Scale: 1" = 200'
Dwn.By: KJK
Proj.No.: 0807D001
Dwg.No.: R-02

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MONUMENT LEGEND

- ● IRON ROD WITH CAP SET (473 PROPOSED)
- ▣ CONCRETE MONUMENT SET (7 PROPOSED)
- ○ PROPERTY CORNER LOCATE

DELAWARE STATE GRID
NAD 83/NAVD 88

2,715± TO INTERSECTION OF CONLEYS CHAPEL ROAD (SCR 280B) AND BEAVER DAM ROAD (SCR 285)

BEAVER DAM WAY

AN ADDITIONAL 15' OF RIGHT-OF-WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE, AS PER THIS PLAT.

A 15' WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED TO THE STATE OF DELAWARE, AS PER THIS PLAT.

AN 8,356.97 S.F. EMERGENCY ACCESS PERMANENT EASEMENT IS HEREBY ESTABLISHED TO THE STATE OF DELAWARE, BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION AS PER THIS PLAT. THE STORM DRAIN SYSTEM WITHIN THIS DRAINAGE EASEMENT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE STORM DRAIN SYSTEM.

A 15' WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED TO THE STATE OF DELAWARE, AS PER THIS PLAT.

AN ADDITIONAL 5' OF RIGHT-OF-WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE, AS PER THIS PLAT.

FOUND CONCRETE MONUMENT (BROKEN TOP)

NOW OR FORMERLY LISA W. MOORE 234-11.00-9.00 D/2796/67

NOW OR FORMERLY LISA W. MOORE 234-11.00-10.00 D/2796/67

NOW OR FORMERLY HAZEL J. JOSEPH 234-11.00-11.00

NOW OR FORMERLY TABITHA L. SIMMS 234-11.00-30.00 D/3429/49

NOW OR FORMERLY IRA A. IV & KELLI C. GARBUTT 234-11.00-31.00

NOW OR FORMERLY LEE & MARY ROBINSON 234-11.00-40.01

CONLEYS CHAPEL ROAD - SCR 280B (LOCAL ROAD)
(50' WIDE PUBLIC RIGHT-OF-WAY)

SET CAPPED REBAR

10'± EXISTING TRAVEL LANE

11'± EXISTING TRAVEL LANE

BENCHMARK 1
CONCRETE MONUMENT SET
ELEV. = 24.38'
P.O.B.-N:250264.2057
E:714836.4551

BM

BL-4

BL-1

N 80°19'42" E 202.12'

N 80°19'42" E 206.08'

N 78°55'53" E 378.65' (TOTAL)

N 78°55'53" E 288.93'

N 78°55'53" E 89.95'

N 78°55'53" E 140.00'

N 77°50'30" E 293.28'

N 77°50'30" E 97.89'

N 77°09'47" E 82.45'

N 77°09'47" E 82.49'

N 76°55'40" E

BUS STOP LOCATION

EASEMENT EXHIBIT AA (SEE SHEET R-09)

EASEMENT EXHIBIT BB (SEE SHEET R-09)

(PART OF) OPEN SPACE OC 8.984 AC.

20' DRAINAGE EASEMENT

195.47' EXISTING R.O.W.

MATCHLINE

MATCHLINE

NOW OR FORMERLY ROBERT F. & MARIE L. SMITH 234-11.00-104.00 D/1839/243

NOW OR FORMERLY ROBERT F. & MARIE L. SMITH 234-11.00-73.00

(PART OF) OPEN SPACE OA 11.187 AC.

CONSERVED OPEN SPACE (UNDISTURBED FORESTED AREA)

FOUND CONCRETE MONUMENT

50' FORESTED BUFFER

384.47'

N 04°29'14" E 1446.04' (TOTAL)

376.72'

139.31'

158.77'

158.82'

N 04°29'14" E 636.22' (TOTAL)

178.32'

N 04°29'14" E 199.79'

S 80°19'42" W 160.60' (TOTAL)

97.32'

63.28'

14.21'

S 78°55'53" W 185.42' (TOTAL)

91.21'

80.00'

S 78°55'53" W 150.00' (TOTAL)

70.00'

80.00'

S 78°55'53" W 107.05'

S 78°55'53" W 435.73' (TOTAL)

80.00'

80.00'

S 78°55'53" W 141.60' (TOTAL)

59.95'

81.65'

S 78°55'53" W 208.25' (TOTAL)

80.00'

80.00'

S 78°55'53" W 414.07' (TOTAL)

115.23'

85.00'

80.00'

85.00'

N 78°55'53" E 308.50' (TOTAL)

85.00'

85.00'

N 78°55'53" E 150.00' (TOTAL)

70.00'

80.00'

N 78°55'53" E 100.00'

N 78°55'53" E 264.70' (TOTAL)

85.00'

85.00'

N 78°55'53" E 100.00'

N 73°49'32" E 100.00'

N 67°43'25" E 100.00'

N 61°37'14" E 100.00'

N 58°46'32" E 100.00'

N 58°46'32" E 100.00'

N 58°46'32" E 100.89' (TOTAL)

82.67'

18.22'

N 37°17'16" E 95.00'

S 76°21'54" E 78.00'

60.00'

N 23°38'13" E 100.00'

S 36°53'20" E 72.25'

90.00'

S 31°15'28" E 146.16' (TOTAL)

90.00'

S 30°54'56" E 178.26' (TOTAL)

86.26'

S 19°15'53" E 81.97'

S 11°04'07" E 170.00' (TOTAL)

85.00'

85.00'

S 11°10'16" E 83.28'

14.70'

PC-24A

S 11°04'07" E 128.00'

S 11°04'07" E 121.60'

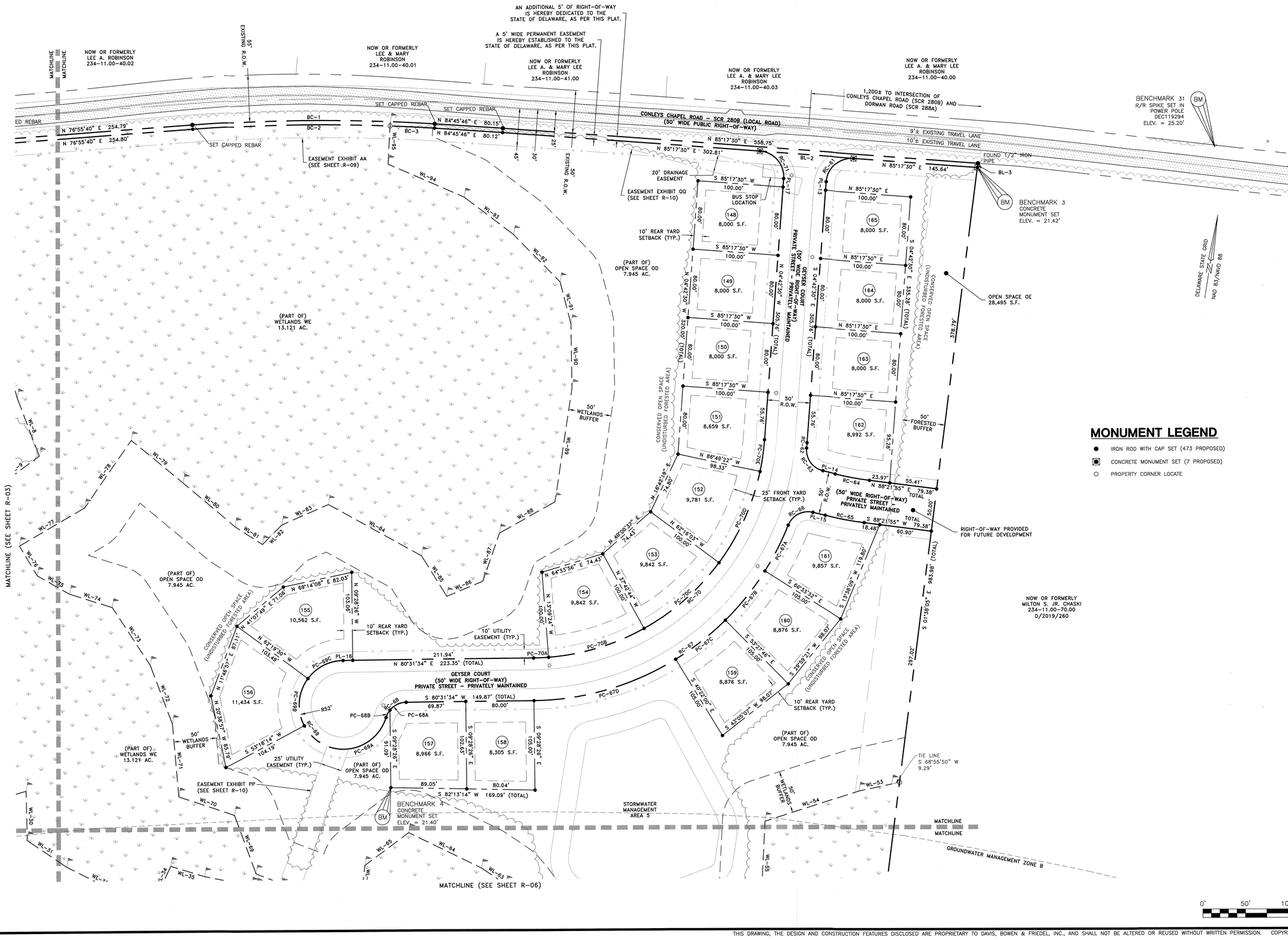
S 11°04'07" E 100.00'

S 11°04'07" E 85.00'

S 11°04'07" E 128.00'

S 11°04'07" E 128.00'

S 11°04'07" E 128



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MILFORD, DELAWARE (302) 424-1441

RECORD PLAN - SITE PLAN

THE WOODS AT BURTON POND
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:
2015-5-13 SCD
2015-6-11 SCE, ARTESIAN SEWER, TIDEWATER, FIRE MARSHAL & DELDOT
2015-7-27 DNREC, TIDEWATER, ARTESIAN SEWER, SCE & SCD
2015-8-06 SCD
2015-8-20 TIDEWATER
2015-9-04 DBF
2015-10-05 MORRIS JAMES
2015-12-06 P&Z
2016-5-23 CLIENT
2016-6-09 TIDEWATER & ARTESIAN

Date:	MAY, 2016
Scale:	1" = 50'
Dwn.By:	KJK
Proj.No.:	0807D001
Dwg.No.:	R-04

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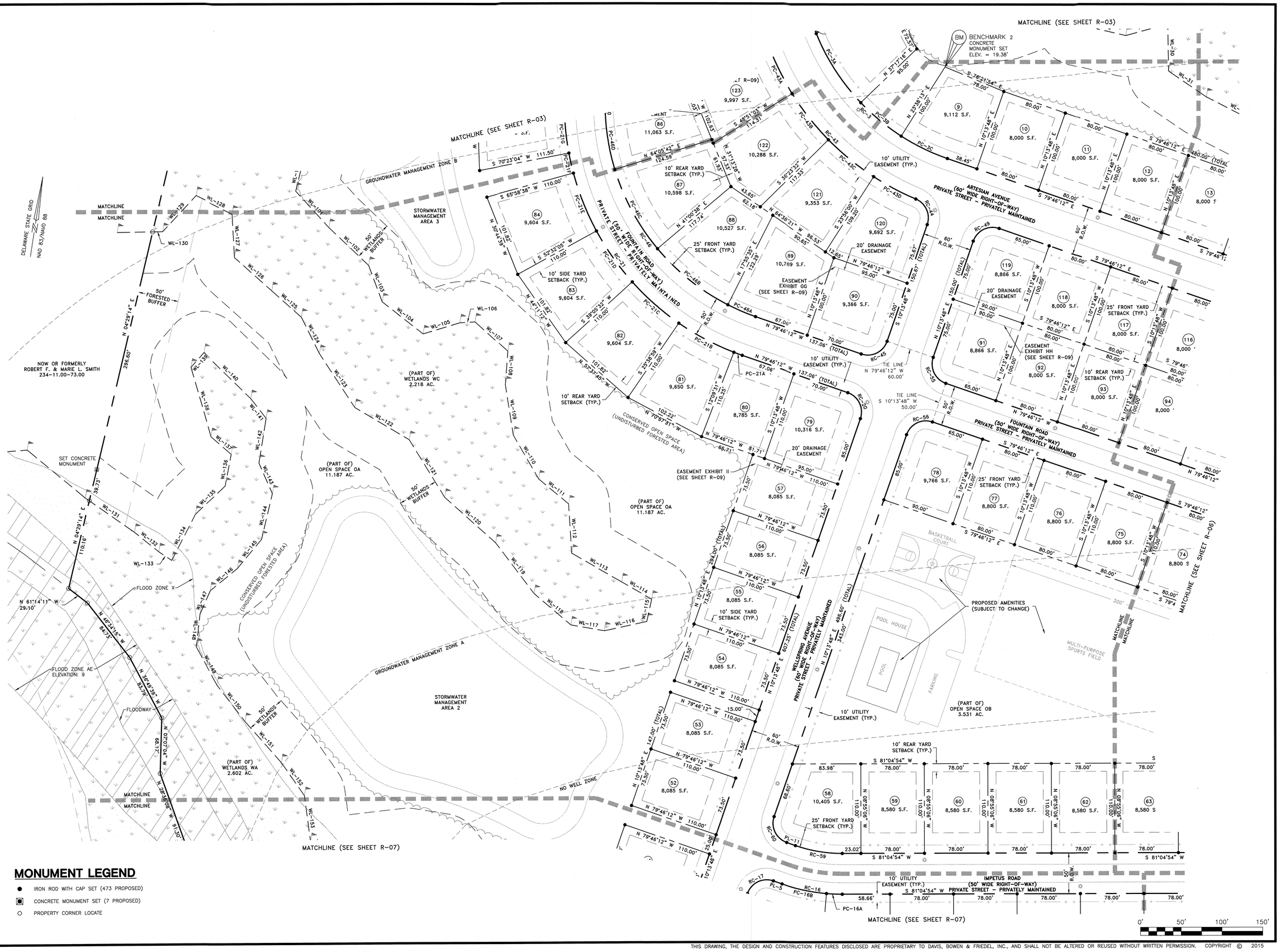

MONUMENT LEGEND

- ● IRON ROD WITH CAP SET (473 PROPOSED)
- ▣ CONCRETE MONUMENT SET (7 PROPOSED)
- ○ PROPERTY CORNER LOCATE

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RECORD PLAN - SITE PLAN

THE WOODS AT BURTON POND
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MATCHLINE (SEE SHEET R-04)

BENCHMARK 4
CONCRETE MONUMENT SET
ELEV. = 21.40'

STORMWATER MANAGEMENT AREA 5

MATCHLINE

GROUNDWATER MANAGEMENT ZONE B

(PART OF) WETLANDS WE 13.121 AC.

25' UTILITY EASEMENT (TYP.)

(PART OF) OPEN SPACE OC 8.984 AC.

CONSERVED OPEN SPACE (UNDISTURBED FORESTED AREA)

50' WETLANDS BUFFER

EASEMENT EXHIBIT FF (SEE SHEET R-10)

STORMWATER MANAGEMENT AREA 4

DELAWARE STATE GRID NAD 83/NAD 88

FOUND 1/2" IRON PIPE (PROJECTING 0.5')

FOUND "T" POST WITH PUNCH HOLE

TIE LINE

(PART OF) OPEN SPACE OC 8.984 AC.

50' FORESTED BUFFER

10' REAR YARD SETBACK (TYP.)

25' FRONT YARD SETBACK (TYP.)

60' R.O.W.

ARTESIAN AVENUE
(60' WIDE RIGHT-OF-WAY)
PRIVATE STREET - PRIVATELY MAINTAINED

10' UTILITY EASEMENT (TYP.)

HOTSPRING COURT
(50' WIDE RIGHT-OF-WAY)
PRIVATE STREET - PRIVATELY MAINTAINED

20' DRAINAGE EASEMENT

FOUNTAIN ROAD
(50' WIDE RIGHT-OF-WAY)
PRIVATE STREET - PRIVATELY MAINTAINED

EASEMENT EXHIBIT KK (SEE SHEET R-10)

EASEMENT EXHIBIT JJ (SEE SHEET R-09)

EASEMENT EXHIBIT LL (SEE SHEET R-10)

EASEMENT EXHIBIT MM (SEE SHEET R-10)

(PART OF) OPEN SPACE OB 3.531 AC.

PURPOSE FIELD

IMPETUS ROAD
(50' WIDE RIGHT-OF-WAY)
PRIVATE STREET - PRIVATELY MAINTAINED

50' R.O.W.

MATCHLINE (SEE SHEET R-08)

MATCHLINE (SEE SHEET R-05)

GROUNDWATER MANAGEMENT ZONE A

NO WELL ZONE

FOUND CONCRETE MONUMENT

FOUND IRON FENCE POST

MONITORING WELL P-01 (APPROXIMATE LOCATION)

NOW OR FORMERLY
MILTON S. JR. CHASKI
234-11.00-70.00
D/2019/260

NOW OR FORMERLY
PAUL A. & MARIE H. COLLINS
234-11.00-69.01
D/4271/177

RIGHT-OF-WAY PROVIDED FOR FUTURE DEVELOPMENT

MONUMENT LEGEND

- ● IRON ROD WITH CAP SET (473 PROPOSED)
- ▣ CONCRETE MONUMENT SET (7 PROPOSED)
- ○ PROPERTY CORNER LOCATE

0' 50' 100' 150'

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RECORD PLAN - SITE PLAN

THE WOODS AT BURTON POND
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:
2015-5-13 SCD
2015-6-11 SCE, ARTESIAN SEWER, TIDEWATER, FIRE MARSHAL & DELDOT
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2015-8-20 TIDEWATER
2015-9-04 DBF
2015-10-05 MORRIS JAMES
2015-12-06 P&Z
2016-5-23 CLIENT
2016-6-09 TIDEWATER & ARTESIAN

Date: MAY, 2016
Scale: 1" = 50'
Dwn.By: KJK
Proj.No.: 0807D001
Dwg.No.: R-06

MONUMENT LEGEND

- ● IRON ROD WITH CAP SET (473 PROPOSED)
- ▣ CONCRETE MONUMENT SET (7 PROPOSED)
- ○ PROPERTY CORNER LOCATE

MATCHLINE (SEE SHEET R-05)

(PART OF) WETLANDS WA 2.602 AC.

MATCHLINE
MATCHLINE

N 22°56'08" W 91.50'

FLOOD ZONE A

N 27°44'02" W 78.47'

DELAWARE STATE GRID
NAD 83/HARN 88

FLOOD ZONE X

(PART OF) WETLANDS WA 2.602 AC.

FLOODWAY

131.17'

N 47°24'39" W 223.86' (TOTAL)

112.89'

171.45'

WL-152 WL-153 WL-154 WL-155 WL-156 WL-157 WL-158 WL-159 WL-160 WL-161 WL-162 WL-163 WL-164 WL-165 WL-166 WL-167 WL-168 WL-169

NO WELL ZONE

(PART OF) OPEN SPACE OA 11.187 AC.

(54) 8,085 S.F.
N 10°13'48" E 73.50'
N 79°46'12" W 110.00'
S 10°13'48" W 73.50'

(51) 8,085 S.F.
N 79°46'12" W 110.00'
S 10°13'48" W 73.50'

(50) 8,855 S.F.
N 79°46'12" W 110.00'
S 10°13'48" W 91.22'

N 10°13'48" E 164.72' (TOTAL) 73.50'
25.00'
N 10°13'48" E

N 81°04'54" E 50.00'
N 08°55'06" W 50.00'
S 08°55'06" E 50.00'
S 81°04'54" W 50.00'

TIE LINE
S 49°07'42" W
56.29'

S 88°48'40" W 115.86'
32.64'

331.52'

PC-19B PC-19 PC-19A

PARCEL C DEDICATED TO ARTESIAN WASTEWATER MANAGEMENT INC. (2,500 S.F.)

30' UTILITY EASEMENT

60.14'
S 81°04'54" W

PC-18B

WELLSPRING AVENUE (60' WIDE RIGHT-OF-WAY) PRIVATE STREET - PRIVATELY MAINTAINED

PC-18 PC-18A

N 10°13'48" E 75.55'

RC-17 PL-5 RC-16 PC-16B PC-16A

58.66'

10' SIDE YARD SETBACK (TYP.)

(49) 13,063 S.F.
(48) 9,115 S.F.
(47) 8,580 S.F.
(46) 8,580 S.F.
(45) 8,580 S.F.
(44) 8,580 S.F.
(43) 8,580 S.

S 02°39'15" E 111.24'

S 08°55'06" E 110.00'

118.78'
87.56'
78.00' S 81°04'54" W
683.34' (TOTAL)
682.51'
2,033.55' (TOTAL)

10' REAR YARD SETBACK (TYP.)

OPEN SPACE OG 6,831 S.F.

MATCHLINE (SEE SHEET R-05)

RC-60 PL-11 RC-59
23.02'
78.00' S 81°04'54" W

10' UTILITY EASEMENT (TYP.)

IMPETUS ROAD (50' WIDE RIGHT-OF-WAY) PRIVATE STREET - PRIVATELY MAINTAINED

50' R.O.W.

RESIDUAL LANDS OF WOODS AT BURTON POND "PARCEL B" 15.009 AC

MATCHLINE (SEE SHEET R-08)

(PART OF) UPLANDS "OF" 11.031 AC.

40' UTILITY EASEMENT (EXHIBIT OO, SEE SHEET R-10)

50' WETLANDS BUFFER

(PART OF) WETLANDS WB 1.035 AC.

N 38°52'07" W 287.36'

"SPRING BREEZE" PLOT BOOK: 208, PAGE: 13

FLOODWAY

102.88'
S 81°04'54" W

45.05'

FOUND CONCRETE MONUMENT (BROKEN TOP)

50' VOLUNTARY BUFFER

1136.97'

MATCHLINE

MATCHLINE

FLOOD ZONE X

MONITORING WELL AS-01 (APPROXIMATE LOCATION)

NOW OR FORMERLY SUSSEX COUNTY (LANDFILL #3) 234-11.00-69.04 D/1955/203

NO WELL ZONE

GROUNDWATER MANAGEMENT ZONE A

FLOOD ZONE X

FLOOD ZONE AE ELEVATION: 9

0' 50' 100' 150'

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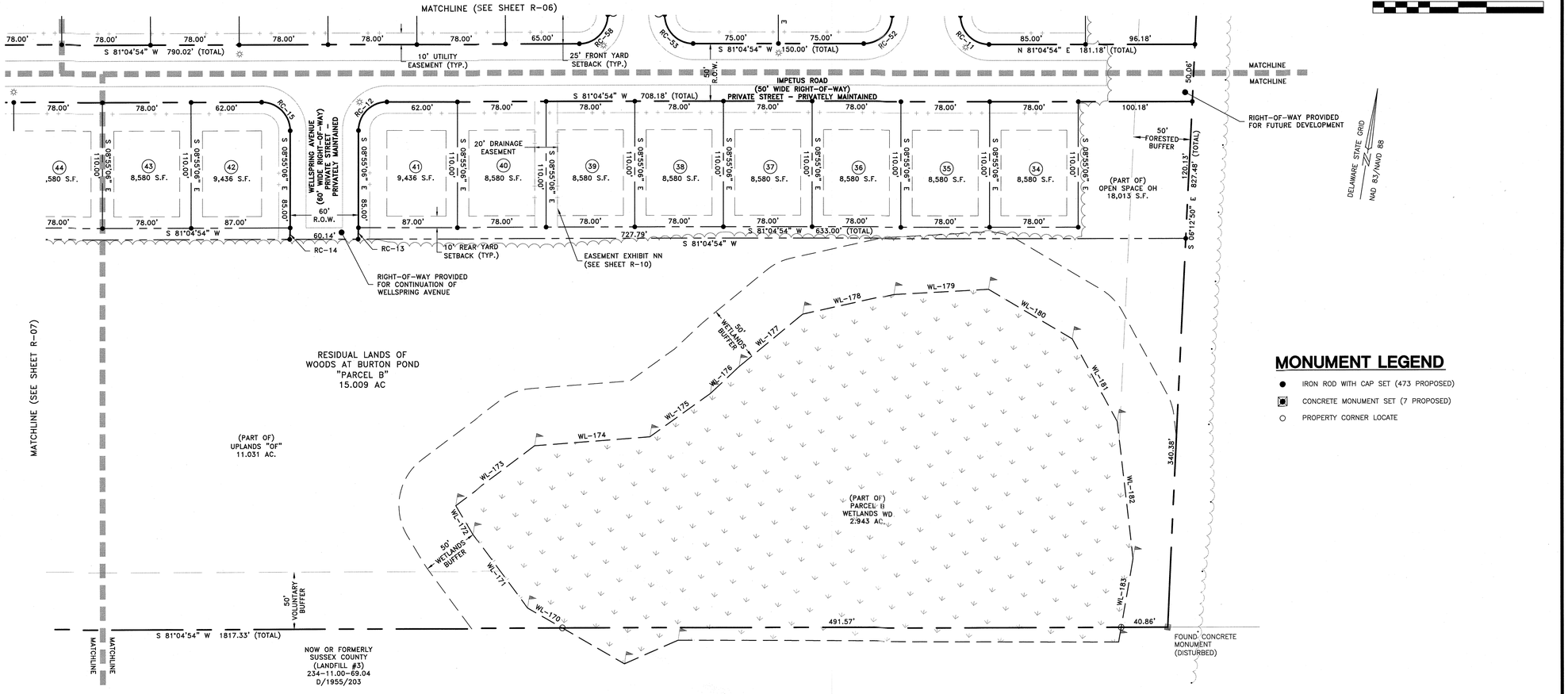
EASTON, MARYLAND (410) 770-4744
MILFORD, DELAWARE (302) 424-1441

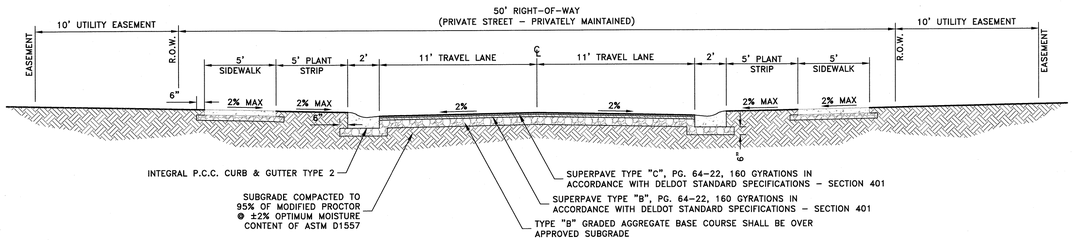
RECORD PLAN - SITE PLAN

THE WOODS AT BURTON POND
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:
2015-5-13 SCD
2015-6-11 SCE, ARTESIAN SEWER, TIDEWATER, FIRE MARSHAL & DELDOT
2015-7-27 DNREC, TIDEWATER, ARTESIAN SEWER, SCE & SCD
2015-8-06 SCD
2015-8-20 TIDEWATER
2015-9-04 DBF
2015-10-05 MORRIS JAMES
2015-12-06 P&Z
2016-5-23 CLIENT
2016-6-09 TIDEWATER & ARTESIAN

Date:	MAY, 2016
Scale:	1" = 50'
Dwn.By:	KJK
Proj.No.:	0807D001
Dwg.No.:	R-07

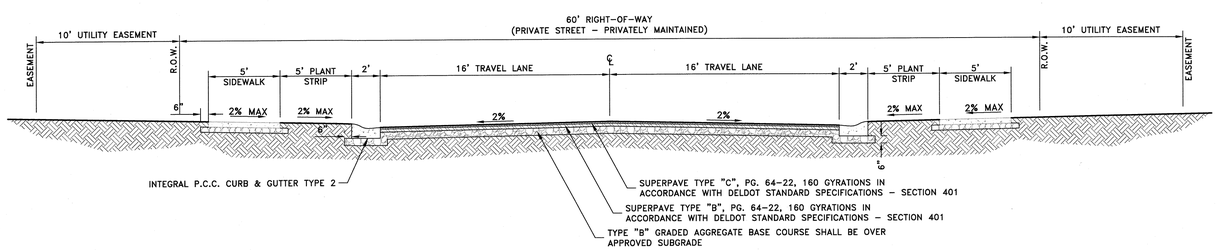




TYPE I RESIDENTIAL STREET SECTION

22' TYPICAL PAVEMENT SECTION

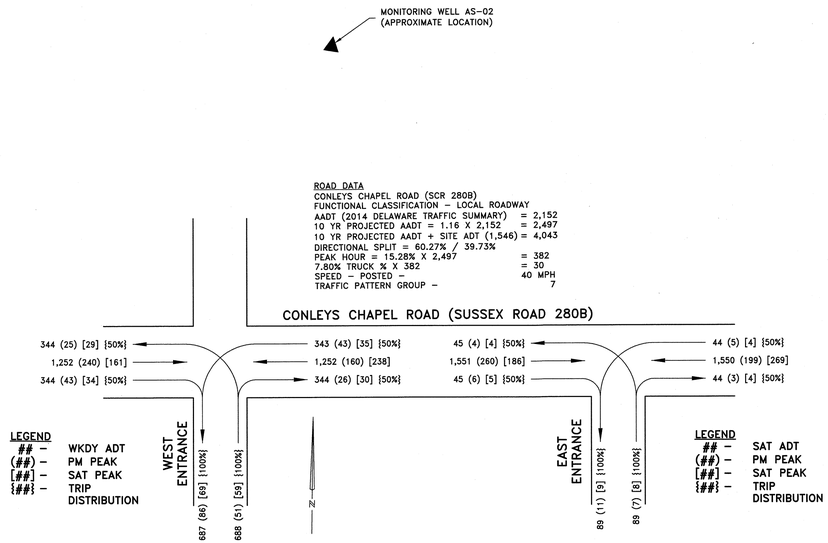
UPSPRING COURT	(STA. 0+00.00 - STA. 3+01.56)
ZEPHYR COURT	(STA. 0+00.00 - STA. 3+98.96)
AIRFLOW COURT	(STA. 0+00.00 - STA. 5+61.60)
FOUNTAIN ROAD	(STA. 0+00.00 - STA. 17+12.70)
IMPETUS ROAD	(STA. 0+00.00 - STA. 14+01.70)
HOTSPRING COURT	(STA. 0+00.00 - STA. 3+51.25)
GEYSER COURT	(STA. 0+00.00 - STA. 10+81.89)



TYPE II RESIDENTIAL STREET SECTION

32' TYPICAL PAVEMENT SECTION

ARTESIAN AVENUE	(STA. 0+00.00 - STA. 25+14.25)
WELLSPRING AVENUE	(STA. 0+00.00 - STA. 10+24.37)



SITE TRIPS GENERATED

TYPE OF DEV.	ITE CODE	UNTIS	PM	SAT	WKDY ADT
SINGLE FAMILY-DETACHED	210	134	137	128	1,375

NOTES:
TRIP GENERATION BASED ON ITE TRIP GENERATION 9TH EDITION.

SITE TRIPS GENERATED

TYPE OF DEV.	ITE CODE	UNTIS	PM	SAT	SAT ADT
SINGLE FAMILY-DETACHED	210	18	18	17	178

NOTES:
TRIP GENERATION BASED ON ITE TRIP GENERATION 9TH EDITION.

TRAFFIC DIAGRAM

NOT TO SCALE

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RECORD PLAN - SITE PLAN

THE WOODS AT BURTON POND
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:
2015-5-13 SCD
2015-6-11 SCE, ARTESIAN SEWER, TIDEWATER, FIRE MARSHAL & DELDOT
2015-7-27 DNREC, TIDEWATER, ARTESIAN SEWER, SCE & SCD
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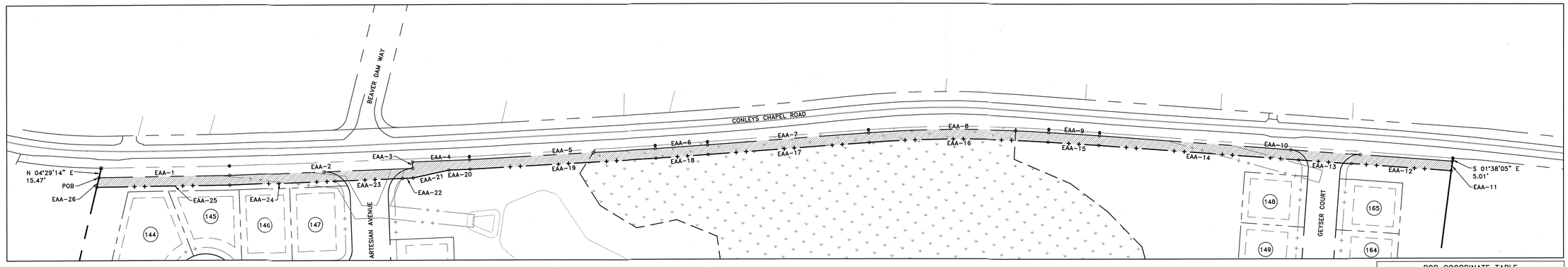
2015-8-20 TIDEWATER
2015-9-04 DBF
2015-10-05 MORRIS JAMES
2015-12-06 P&Z
2016-5-23 CLIENT
2016-6-09 TIDEWATER & ARTESIAN

Date: MAY, 2016
Scale: 1" = 50'
Dwn.By: KJK
Proj.No.: 0807D001
Dwg.No.: R-08



EASEMENT EXHIBIT AA

(PERMANENT EASEMENT ESTABLISHED TO THE STATE OF DELAWARE AND TIDEWATER UTILITIES)

SCALE: 1" = 80'

DELAWARE STATE GRID
NAD 83/NAVD 88

PERMANENT ACCESS & UTILITY EASEMENT (AA) – 32,365 S.F.

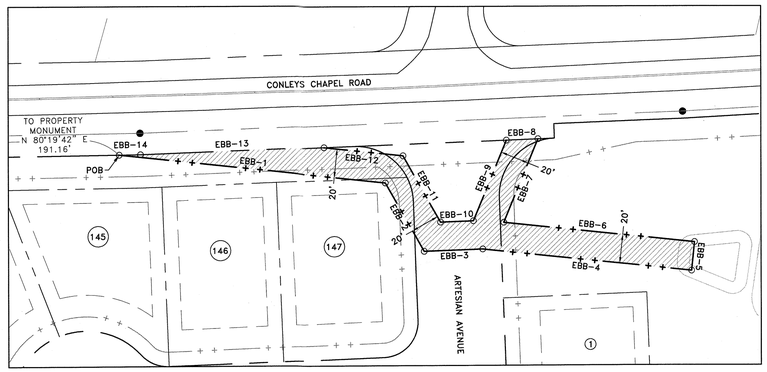
LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EAA–1	N 80°19'42" E	206.08'					
EAA–2	N 78°55'53" E	288.93'					
EAA–3	N 11°04'07" W	10.00'					
EAA–4	N 78°55'53" E	89.95'					
EAA–5	N 77°50'30" E	293.36'					
EAA–6	N 77°09'47" E	82.49'					
EAA–7	N 76°55'40" E	254.80'					
EAA–8			2074.97'	283.74'	283.52'	N 80°50'43" E	7°50'05"
EAA–9	N 84°45'46" E	80.12'					

LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EAA–10	N 85°17'30" E	558.45'					
EAA–11	S 01°38'05" E	15.03'					
EAA–12	S 85°17'30" W	158.07'					
EAA–13	S 85°17'30" W	83.54'					
EAA–14	S 85°17'30" W	315.97'					
EAA–15	S 84°45'46" W	80.05'					
EAA–16			2059.97'	281.69'	281.47'	S 80°50'43" W	7°50'05"
EAA–17	S 76°55'40" W	254.83'					
EAA–18	S 77°09'47" W	82.61'					

LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EAA–19	S 77°50'30" W	293.59'					
EAA–20	S 78°55'53" W	53.38'					
EAA–21	S 68°55'53" W	57.59'					
EAA–22	S 78°55'53" W	16.98'					
EAA–23	S 78°55'53" W	106.83'					
EAA–24	S 78°55'53" W	165.70'					
EAA–25	S 80°19'42" W	210.05'					
EAA–26	N 04°29'14" E	15.47'					

POB COORDINATE TABLE

EASEMENT	NORTHING	EASTING
AA	250253.9240	714835.6483
BB	250286.0393	715024.0910
CC	249995.2450	715289.6250
DD	249817.7544	715257.3891
EE	249551.4667	715083.7622
FF	249578.7047	715376.9577
GG	249344.5584	715681.1478
HH	249353.5845	715743.7460
II	249088.6917	715634.9720
JJ	249324.5458	716859.8974



EASEMENT EXHIBIT BB

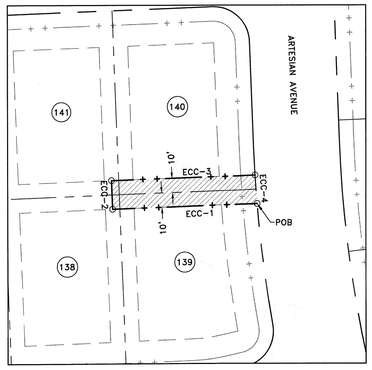
(PERMANENT EASEMENT ESTABLISHED TO THE STATE OF DELAWARE)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (BB) – 8,357 S.F.

LABEL	BEARING	DISTANCE
EBB–1	N 87°07'02" E	186.65'
EBB–2	S 38°22'20" E	55.07'
EBB–3	N 78°55'53" E	40.87'
EBB–4	N 87°08'01" E	146.30'
EBB–5	N 02°51'59" W	20.00'
EBB–6	S 87°08'01" W	133.67'
EBB–7	N 13°27'41" E	62.82'

LINE	BEARING	DISTANCE
EB–8	S 78°55'53" W	21.98'
EB–9	S 13°27'41" W	60.62'
EB–10	S 78°55'53" W	22.98'
EB–11	N 38°22'20" W	53.19'
EB–12	S 87°07'02" W	55.36'
EB–13	S 78°55'53" W	128.07'
EB–14	S 80°19'42" W	14.92'



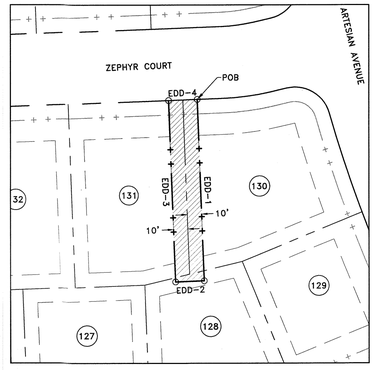
EASEMENT EXHIBIT CC

(PERMANENT DRAINAGE EASEMENT)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (CC) – 2,011 S.F.

LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
ECC–1	S 78°55'53" W	100.92'					
ECC–2	N 11°04'07" W	20.00'					
ECC–3	N 78°55'53" E	100.24'					
ECC–4			930.00'	20.01'	20.01'	S 12°59'51" E	1°13'58"



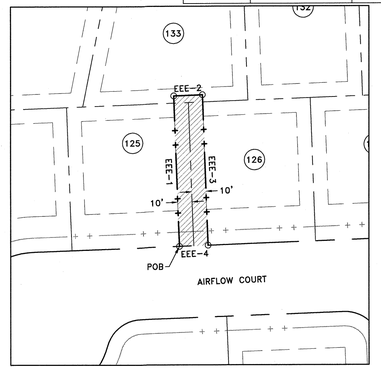
EASEMENT EXHIBIT DD

(PERMANENT DRAINAGE EASEMENT)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (DD) – 2,532 S.F.

LABEL	BEARING	DISTANCE
EDD–1	S 11°04'07" E	126.60'
EDD–2	S 78°55'53" W	20.00'
EDD–3	N 11°04'07" W	126.60'
EDD–4	N 78°55'53" E	20.00'



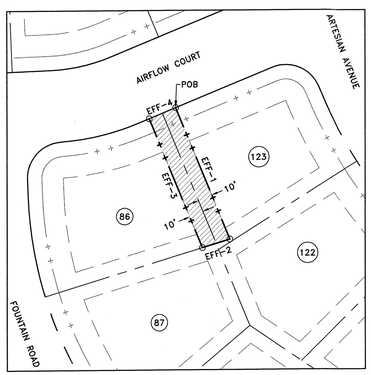
EASEMENT EXHIBIT EE

(PERMANENT DRAINAGE EASEMENT)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (EE) – 2,100 S.F.

LABEL	BEARING	DISTANCE
EEE–1	N 11°04'07" W	105.00'
EEE–2	N 78°55'53" E	20.00'
EEE–3	S 11°04'07" E	105.00'
EEE–4	S 78°55'53" W	20.00'



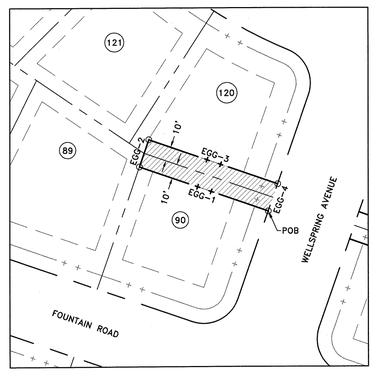
EASEMENT EXHIBIT FF

(PERMANENT DRAINAGE EASEMENT)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (FF) – 1,961 S.F.

LABEL	BEARING	DISTANCE
EFF–1	S 31°13'28" E	98.96'
EFF–2	S 64°05'42" W	20.09'
EFF–3	N 31°13'28" W	97.10'
EFF–4	N 58°46'32" E	20.00'



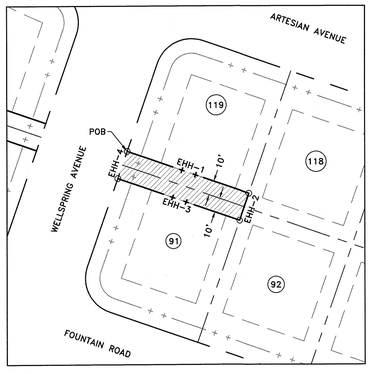
EASEMENT EXHIBIT GG

(PERMANENT DRAINAGE EASEMENT)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (GG) – 1,900 S.F.

LABEL	BEARING	DISTANCE
EGG–1	N 79°46'12" E	95.00'
EGG–2	N 10°13'48" E	20.00'
EGG–3	S 79°46'12" E	95.00'
EGG–4	S 10°13'48" W	20.00'



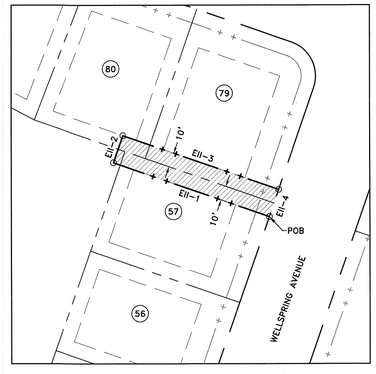
EASEMENT EXHIBIT HH

(PERMANENT DRAINAGE EASEMENT)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (HH) – 1,800 S.F.

LABEL	BEARING	DISTANCE
EHH–1	N 79°46'12" E	90.00'
EHH–2	S 10°13'48" W	20.00'
EHH–3	N 79°46'12" W	90.00'
EHH–4	N 10°13'48" E	20.00'



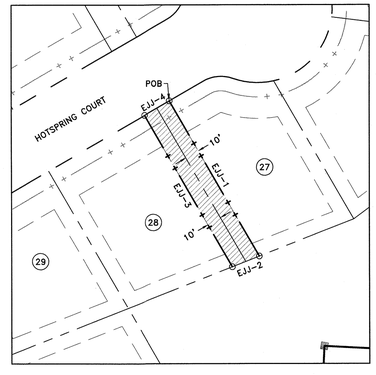
EASEMENT EXHIBIT II

(PERMANENT DRAINAGE EASEMENT)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (II) – 2,300 S.F.

LABEL	BEARING	DISTANCE
EII–1	N 79°46'12" W	115.00'
EII–2	N 10°13'48" E	20.00'
EII–3	S 79°46'12" E	115.00'
EII–4	S 10°13'48" W	20.00'



EASEMENT EXHIBIT JJ

(PERMANENT DRAINAGE EASEMENT)

SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (JJ) – 2,472 S.F.

LABEL	BEARING	DISTANCE
EJJ–1	S 38°58'19" E	125.12'
EJJ–2	S 59°34'04" W	20.22'
EJJ–3	N 38°58'19" W	122.12'
EJJ–4	N 51°01'41" E	20.00'

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RECORD PLAN - EASEMENT DETAILS

THE WOODS AT BURTON POND

CONLEYS CHAPEL ROAD

INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:
2015–5–13 SCD
2015–6–11 SCE, ARTESIAN SEWER, TIDEWATER, FIRE MARSHAL & DELDOT
2015–7–27 UNREC, TIDEWATER, ARTESIAN SEWER, SCE & SCD
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2016–5–03 CLIENT
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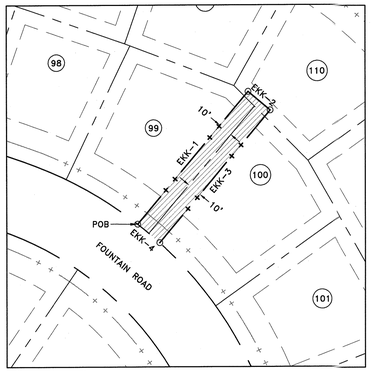
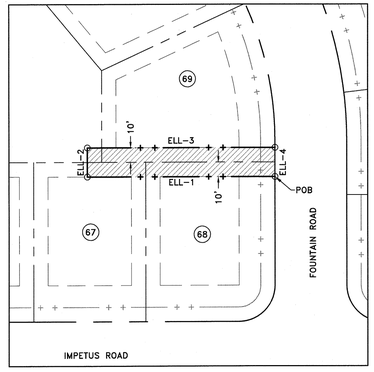
Date: MAY, 2016
Scale: AS SHOWN
Dwn.By: KJK
Proj.No.: 0807D001
Dwg.No.: R-09



EASEMENT EXHIBIT KK

(PERMANENT DRAINAGE EASEMENT)
SCALE: 1" = 50'

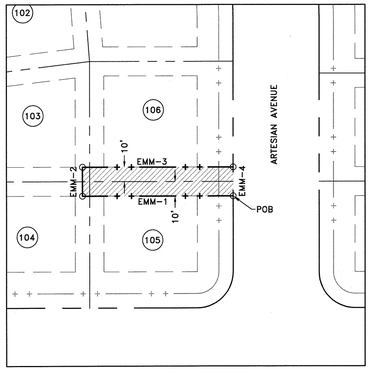
PERMANENT DRAINAGE EASEMENT (KK) – 2,389 S.F.							
LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EKK-1	N 31°14'58" E	119.57'					
EKK-2	S 58°45'02" E	20.00'					
EKK-3	S 31°14'58" W	119.57'					
EKK-4			275.00'	20.00'	20.00'	N 58°45'02" W	4°10'04"



EASEMENT EXHIBIT LL

(PERMANENT DRAINAGE EASEMENT)
SCALE: 1" = 50'

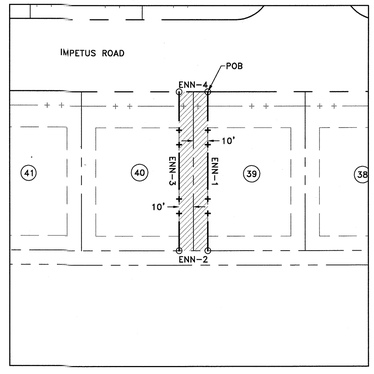
PERMANENT DRAINAGE EASEMENT (LL) – 2,613 S.F.		
LABEL	BEARING	DISTANCE
ELL-1	S 81°04'54" W	130.63'
ELL-2	N 08°55'06" W	20.00'
ELL-3	N 81°04'54" E	130.63'
ELL-4	S 08°55'06" E	20.00'



EASEMENT EXHIBIT MM

(PERMANENT DRAINAGE EASEMENT)
SCALE: 1" = 50'

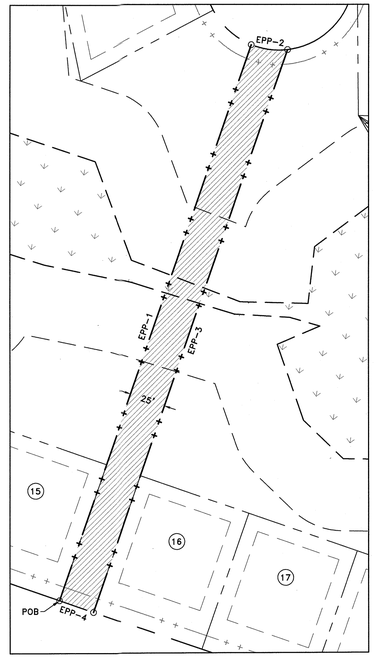
PERMANENT DRAINAGE EASEMENT (MM) – 2,300 S.F.		
LABEL	BEARING	DISTANCE
EMM-1	S 81°04'54" W	105.00'
EMM-2	N 08°55'06" W	20.00'
EMM-3	N 81°04'54" E	105.00'
EMM-4	S 08°55'06" E	20.00'



EASEMENT EXHIBIT NN

(PERMANENT DRAINAGE EASEMENT)
SCALE: 1" = 50'

PERMANENT DRAINAGE EASEMENT (NN) – 2,200 S.F.		
LABEL	BEARING	DISTANCE
ENN-1	S 08°55'06" E	110.00'
ENN-2	S 81°04'54" W	20.00'
ENN-3	N 08°55'06" W	110.00'
ENN-4	N 81°04'54" E	20.00'

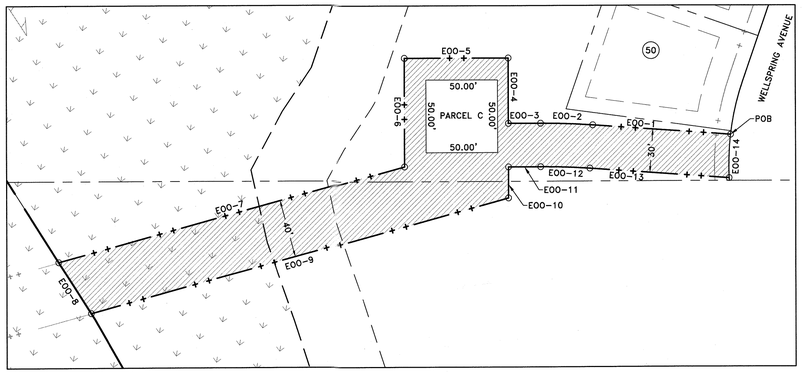


EASEMENT EXHIBIT PP

(PERMANENT UTILITY EASEMENT)
SCALE: 1" = 50'

PERMANENT UTILITY EASEMENT (PP) – 10,225 S.F.							
LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EPP-1	N 10°13'48" E	407.55'					
EPP-2			52.00'	25.77'	25.51'	N 88°47'59" E	28°23'35"
EPP-3	S 10°13'48" W	412.60'					
EPP-4	N 79°46'12" W	25.00'					

Recorder of Deeds
Scott Dailey
Jun 29,2016 02:33P
Sussex County
Doc. Surcharge Paid



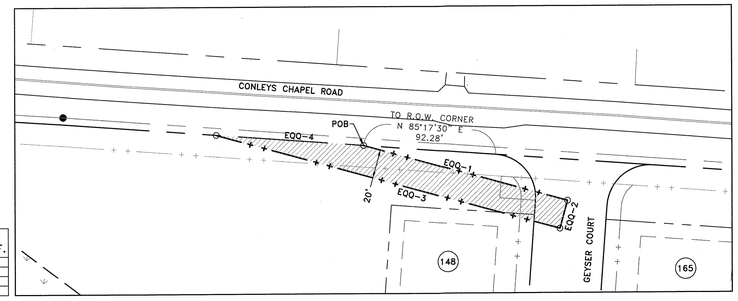
EASEMENT EXHIBIT OO

(PERMANENT UTILITY EASEMENT)
SCALE: 1" = 50'

DELAWARE STATE GRID
NAD 83/NAVD 88

PERMANENT UTILITY EASEMENT (OO) – 19,362 S.F.							
LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EOO-1	S 85°10'45" W	96.23'					
EOO-2			509.00'	36.40'	36.39'	S 83°07'49" W	4°05'51"
EOO-3	S 81°04'54" W	22.40'					
EOO-4	N 08°55'06" W	45.00'					
EOO-5	S 81°04'54" W	72.50'					
EOO-6	S 08°55'06" E	74.75'					
EOO-7	S 65°50'35" W	250.01'					
EOO-8	S 41°34'39" E	41.92'					
EOO-9	N 65°50'35" E	301.70'					
EOO-10	N 08°55'06" W	21.46'					
EOO-11	N 81°04'54" E	22.40'					
EOO-12			479.00'	34.26'	34.25'	N 83°07'49" E	4°05'51"
EOO-13	N 85°10'45" E	97.23'					
EOO-12			180.00'	30.05'	30.02'	N 06°44'16" W	9°33'57"

POB COORDINATE TABLE		
EASEMENT	NORTHING	EASTING
KK	249106.5137	716409.6329
LL	248876.2544	716501.8196
MM	248892.7834	716752.2853
NN	248721.1904	716481.2476
OO	248490.2859	715493.6007
PP	249420.3423	716218.4292
QQ	250578.5451	716593.6298



PERMANENT DRAINAGE EASEMENT (QQ) – 3,957 S.F.		
EQQ-1	S 83°30'57" E	147.34'
EQQ-2	S 06°29'03" W	20.00'
EQQ-3	N 83°30'57" W	248.41'
EQQ-4	N 85°17'30" E	103.04'

EASEMENT EXHIBIT QQ

(PERMANENT EASEMENT ESTABLISHED TO THE STATE OF DELAWARE)
SCALE: 1" = 50'

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
EASTON, MARYLAND (410) 770-4744
MILFORD, DELAWARE (302) 424-1441

RECORD PLAN - EASEMENT DETAILS

THE WOODS AT BURTON POND
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:
2015-5-13 SCD
2015-6-11 SCE, ARTESIAN SEWER, TIDEWATER, FIRE MARSHAL & DELDOT
2015-7-27 DNREC, TIDEWATER, ARTESIAN SEWER, SCE & SCD
2015-8-06 SCD
2015-8-20 TIDEWATER
2015-9-04 DBF
2015-10-05 MORRIS JAMES
2015-12-06 P&Z
2016-5-23 CLIENT
2016-6-09 TIDEWATER & ARTESIAN

Date: MAY, 2016
Scale: AS SHOWN
Dwn.By: KJK
Proj.No.: 0807D001
Dwg.No.: R-10

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THE WOODS AT BURTON POND EXTENDED

INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

DBF # 0807S001

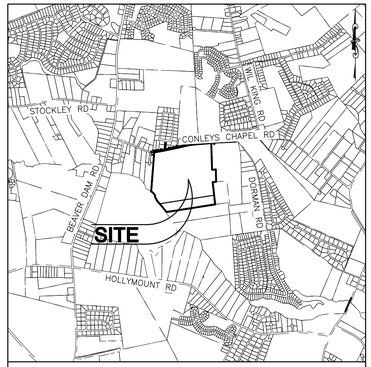
SUSSEX COUNTY AGREEMENT #849

SUBDIVISION #2007-29

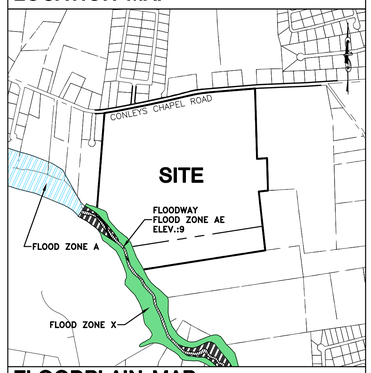
MAY, 2021

PRELIMINARY TITLE SHEET

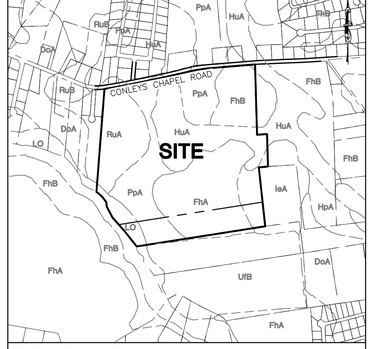
INDEX OF SHEETS	
PRELIMINARY TITLE SHEET	PL-01
PRELIMINARY RECORD PLAN	PL-02
PRELIMINARY UTILITY PLAN	PL-03



LOCATION MAP SCALE: 1" = 1/2-MILE



FLOODPLAIN MAP SCALE: 1" = 1000'
FEMA PANEL 10005C0340K DATE: MARCH 16, 2015



SOILS MAP SCALE: 1" = 1000'

DnA: DOWNER LOAMY SAND, 0 TO 2 PERCENT SLOPES (B)
DnB: DOWNER LOAMY SAND, 2 TO 5 PERCENT SLOPES (B)
DoA: DOWNER SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)
FhA: FORT MOTT-HENLOPEN COMPLEX, 0 TO 2 PERCENT SLOPES (A)
FhB: FORT MOTT-HENLOPEN COMPLEX, 2 TO 5 PERCENT SLOPES (A)
FmA: FORT MOTT LOAMY SAND, 0 TO 2 PERCENT SLOPES (A)
HmA: HAMMONTON LOAMY SAND, 0 TO 2 PERCENT SLOPES (B)
HnA: HAMMONTON SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)
HuA: HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES (B/D)
LO: LONGMARSH AND INDIANTOWN SOILS, FREQUENTLY FLOODED (D)
PpA: PEPPERBOX LOAMY SAND, 0 TO 2 PERCENT SLOPES (C)
RuA: RUNCLINT LOAMY SAND, 0 TO 2 PERCENT SLOPES (A)
UfB: UDORTHENTS, REFUSE SUBSTRATUM, 0 TO 35 PERCENT SLOPES (C)

DATA COLUMN

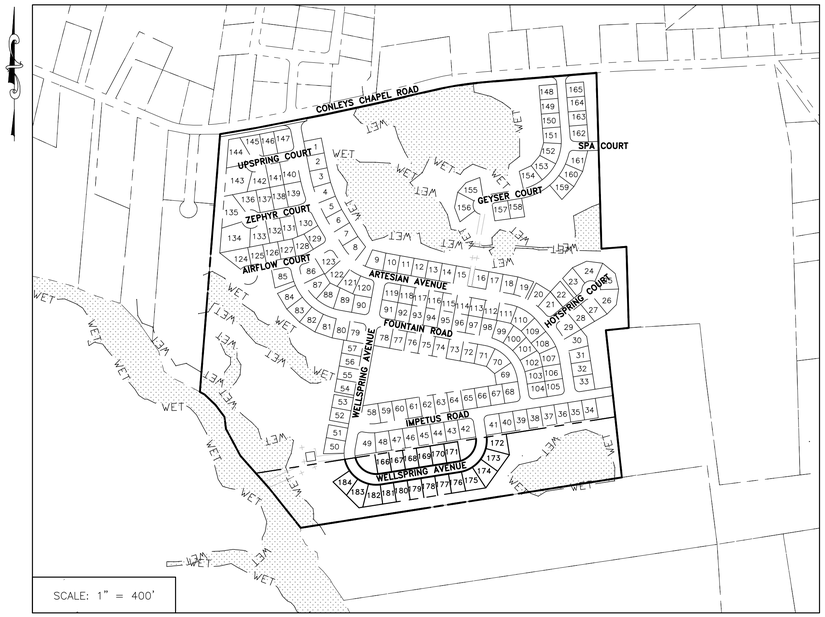
TAX MAP ID:	2-34-11.00-72.00
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83 (DE STATE GRID)
ZONING	
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	19
AVERAGE LOT SIZE:	100' X 93'
AVERAGE LOT AREA:	9,300 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA:	15.009 AC
(INCLUDES WETLANDS: 3.978 AC)	
WETLANDS (WB):	1.035 AC
WETLANDS (WD):	2.943 AC
PROPOSED SITE AREA:	15.009 AC
PROPOSED (TOTAL SITE)	
LOT AREA:	4.057 AC
OPEN SPACE (TOTAL):	5.742 AC
OPEN SPACE (A):	0.208 AC
OPEN SPACE (B):	0.194 AC
OPEN SPACE (C):	5.340 AC
WETLANDS	3.978 AC
RIGHT-OF-WAY:	1.232 AC
TOTAL SITE AREA:	15.009 AC
PAVEMENT:	0.659 AC
SIDEWALK:	0.210 AC
TOTAL:	0.869 AC
SEWER PROVIDER:	ARTESIAN WASTEWATER MANAGEMENT, INC.
WATER PROVIDER:	TIDEWATER UTILITIES
GAS PROVIDER:	POORE'S PROPANE
ELECTRIC:	DELAWARE ELECTRIC COOPERATIVE
ENGINEER:	DAVIS, BOWEN & FRIEDEL, INC. 1 PARK AVENUE MILFORD, DE 19963 PHONE: 302-424-1441 FAX: 302-424-0430

DATA COLUMN

TAX MAP ID:	2-34-11.00-72.00
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83 (DE STATE GRID)
ZONING	
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	184
AVERAGE LOT SIZE:	105' X 90'
AVERAGE LOT AREA:	9,450 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA:	113.931 AC
(INCLUDES WETLANDS: 21.92 AC)	
PROPOSED (TOTAL SITE)	
LOT AREA:	35.593 AC
PUMP STATION LOT:	0.057 AC
OPEN SPACE (TOTAL):	32.872 AC
WETLANDS (TOTAL):	17.941 AC
RIGHT-OF-WAY:	12.101 AC
TOTAL SITE AREA:	98.564 AC
PAVEMENT:	6.25 AC
SIDEWALK:	2.18 AC
TOTAL:	8.43 AC
SEWER PROVIDER:	ARTESIAN WASTEWATER MANAGEMENT, INC.
WATER PROVIDER:	TIDEWATER UTILITIES
GAS PROVIDER:	POORE'S PROPANE
ELECTRIC:	DELAWARE ELECTRIC COOPERATIVE

OPEN SPACE MANAGEMENT PLAN:

1. ALL WETLAND BUFFERS ARE TO REMAIN IN THEIR NATURAL STATE. MAINTENANCE WILL CONSIST OF TRASH AND INVASIVE SPECIES REMOVAL.
2. ALL COMMON AREAS COVERED WITH GRASS SHALL BE PERIODICALLY MAINTAINED ON A BASIS DETERMINED BY THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION.
3. ALL OPEN SPACE AMENITIES SHALL BE INSPECTED ANNUALLY TO ENSURE THEY ARE SAFE FOR PLAY AND REPAIRED AS REQUIRED.
4. ALL SWM AREAS ARE TO BE INSPECTED ANNUALLY AND AFTER A RAIN EVENT GREATER THAN 2" IN A 24 HOUR PERIOD.
5. ALL SWM AREAS WILL BE MAINTAINED IN ACCORDANCE WITH DESIGN AND SPECIFICATIONS FOR THE SPECIFIC SWM AREA. THIS INFORMATION WILL BE PROVIDED TO THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION PRIOR TO TURNOVER.



LEGEND

- EX. RIGHT OF WAY
- RIGHT OF WAY
- PROPERTY LINE
- BUILDING SETBACK LINE
- PROPOSED FENCE
- EXISTING CONTOUR (19)
- EX. SPOT ELEVATION (EP:44.70)
- EX. WOODS LINE
- LIMITS OF JURISDICTIONAL WETLANDS
- WETLANDS BUFFER
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- IRON ROD & CAP TO BE SET
- DELDOT MONUMENT TO BE SET
- EX. EDGE OF PAVEMENT
- CURB

OWNER'S CERTIFICATION

"I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E., BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT, AS REFERENCED ON THIS COVERSHEET."

SPRING CAP II, LLC. DATE
105 FOULK ROAD
WILMINGTON, DE 19803
PHONE 302-429-8700

WETLANDS STATEMENT

THIS SITE HAS BEEN INVESTIGATED FOR THE PRESENCE OF WETLANDS AND OTHER WATERS OF THE UNITED STATES BY JAMES C. MCCULLEY IV, PWS OF WATERSHED ECO LLC. THE SITE WAS INVESTIGATED IN ACCORDANCE WITH THE U.S. ARMY CORPS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1) AND APPLICABLE REGIONAL SUPPLEMENTS. THE U.S. ARMY CORPS OF ENGINEERS ISSUED A JURISDICTIONAL DETERMINATION (CENAP-OP-R-2014-285-23) ON JUNE 6, 2014. THIS JURISDICTIONAL DETERMINATION IS FOR A PERIOD OF FIVE YEARS. THIS PLAN ACCURATELY REPRESENTS THE RESULTS OF THE WETLAND STUDY AND JURISDICTIONAL DETERMINATIONS DESCRIBED ABOVE.

WATERSHED ECO, LLC DATE
JAMES C. MCCULLEY, IV, PWS
PWS #000471

GENERAL NOTES

1. DRAINAGE, STORMWATER MANAGEMENT, AND EROSION AND SEDIMENT CONTROLS SHALL BE IN ACCORDANCE WITH THE DELAWARE SEDIMENT & STORMWATER REGULATIONS OF 1991, OR AS LATER AMENDED. MAINTENANCE OF DRAINAGE, STORMWATER MANAGEMENT, AND SEDIMENT & EROSION CONTROL PRACTICES WILL BE THE RESPONSIBILITY OF THE SITE CONTRACTOR DURING THE CONSTRUCTION PHASE OF THE PROJECT, INCLUDING CONSTRUCTION OF THE UTILITIES. WHEN THE PERMANENT DRAINAGE AND STORMWATER MANAGEMENT PRACTICES HAVE BEEN COMPLETED TO THE SATISFACTION OF THE APPLICABLE AGENCIES, MAINTENANCE WILL ULTIMATELY BECOME THE RESPONSIBILITY OF THE PROPERTY OWNERS/ HOMEOWNERS ASSOCIATION.
2. SEDIMENT AND EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE DELAWARE EROSION & SEDIMENT CONTROL HANDBOOK (LATEST EDITION). THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURE AS DEEMED NECESSARY.
3. ENTRANCE/EXIT FACILITIES ARE SUBJECT TO THE FINAL APPROVAL OF THE DELAWARE DEPARTMENT OF TRANSPORTATION.
4. THERE SHALL BE NO DEBRIS DISPOSAL ON THIS SITE.
5. THE BOUNDARY AND BASE TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY BY KARINS AND ASSOCIATES, DURING SEPTEMBER, 2006. DAVIS, BOWEN & FRIEDEL REVIEWED THE BOUNDARY AND TOPOGRAPHIC SURVEYS. ADDITIONAL TOPOGRAPHIC SURVEY WAS COMPLETED IN SEPTEMBER, 2014.
6. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS, AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
7. AGRICULTURAL USE PROTECTION NOTICE, AS REQUIRED BY SECTION 99-6(G) OF THE SUSSEX COUNTY CODE SHALL BE INCORPORATED IN THE DEED RESTRICTIONS AND ANY LEASES OR SALE AGREEMENTS FOR ALL LOTS.
8. ALL LOTS ARE SUBJECT TO DEED RESTRICTIONS TO BE RECORDED FOR THIS SUBDIVISION,
9. ALL NEWLY CREATED STREETS ARE TO BE PUBLIC RIGHTS-OF-WAY AND WILL ULTIMATELY BE MAINTAINED BY THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION. IN ADDITION TO THE STREETS, THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION SHALL ALSO BE RESPONSIBLE FOR THE MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES AND OPEN AREAS. SEE MAINTENANCE DECLARATION.
10. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
11. A UTILITY EASEMENT, 10 FEET WIDE, SHALL BE ESTABLISHED ALONG EACH FRONT AND SIDE LOT LINE PROPOSED BY THIS PLAN. THESE EASEMENTS SHALL BE AVAILABLE FOR ANY UTILITY USE AND ARE ESTABLISHED 10 FEET WIDE ALONG STREET FRONTAGE, AND 5 FEET ON EACH SIDE OF ALL SIDE LOT LINES.
12. THE INTERNAL RIGHT-OF-WAY IS ALSO A BLANKET UTILITY EASEMENT FOR WATER, SEWER, GAS/PROPANE, ELECTRIC, PHONE AND CABLE.
13. WATER SUPPLY - TIDEWATER UTILITIES COMPANY WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE STATE DIVISION OF PUBLIC HEALTH.
14. SANITARY SEWER - (CENTRAL SEWER SYSTEM) ARTESIAN WASTEWATER WILL PROVIDE SEWER SERVICE FOR THE PROPERTY. SEWER SERVICE IS SUBJECT TO THE APPROVAL OF SUSSEX COUNTY ENGINEERING AND THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES.
15. FLOODPLAIN - THE PROPERTY IS IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0340K, DATED MARCH 16, 2015, SUSSEX COUNTY, DELAWARE.
16. A NOTICE TO PROCEED WITH CONSTRUCTION WILL NOT BE ISSUED FOR THIS PROJECT UNTIL: 1-THE REGIONAL WASTEWATER FACILITY APPROVED BY DNREC TO SERVICE THIS PROJECT IS SUBSTANTIALLY UNDER CONSTRUCTION; AND 2-THE DESIGN OF THE CORRESPONDING TRANSMISSION SYSTEM TO CONNECT THIS PROJECT TO SAID WASTEWATER FACILITY HAS BEEN APPROVED BY DNREC AND THE COUNTY ENGINEER.
17. ANY TREES REMOVED FROM THE CONSERVED OPEN SPACE AREAS SHALL BE REPLACED IN KIND.
18. THE PROPERTY IDENTIFIED HEREIN IS LOCATED WITHIN THE "SUSSEX COUNTY LANDFILL #3 - ANGOLA" GROUNDWATER MANAGEMENT ZONE (GMZ), AND HAS CERTAIN REGULATIONS PLACED UPON IT CONCERNING ANY PROPOSED LAND AND/OR GROUNDWATER USE. CONTACT THE SUSSEX COUNTY ENGINEERING DEPARTMENT FOR ADDITIONAL INFORMATION.
19. ANY ACTIVITY INCLUDING BASEMENT CONSTRUCTION, GROUNDWATER EXTRACTION AND ALL FORMS OF SUBSURFACE DEPRESSURIZATION WHICH COULD AFFECT THE EXISTING HYDROGEOLOGICAL GROUNDWATER FLOW OR LOWER THE WATER TABLE ON ADJOINING PROPERTIES SHALL BE PROHIBITED.
20. A 50-FOOT VOLUNTARY BUFFER SHALL BE ESTABLISHED WITHIN "PARCEL B", ALONG THE SOUTHERN PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA. THE 50-FOOT VOLUNTARY BUFFER SHALL CONTAIN A NATURAL BARRIER AND BE CONSTRUCTED UNDER THE SUPERVISION OF A CERTIFIED ARBORIST TO PREVENT ACCESS TO THE LANDFILL. THE NATURAL BARRIER SHALL BE IMPLEMENTED PRIOR TO THE ISSUANCE OF THE 1ST CERTIFICATE OF OCCUPANCY WITHIN THIS SUBDIVISION.
21. THE FOLLOWING ENVIRONMENTAL REQUIREMENTS ARE TO BE MET BY THE DEVELOPER PRIOR TO SUBDIVIDING THE REMAINING RESIDUAL LANDS OF WOODS AT BURTON POND, PARCEL B.
    a. INSTALL TWO (2) WATER MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA, THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
    b. INSTALL TWO (2) GAS MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA, AS DIRECTED BY SUSSEX COUNTY ENGINEERING THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
    c. DEVELOP A VAPOR MIGRATION EVALUATION BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.
    d. CONFIRM GROUNDWATER EVALUATION CONTOURS BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.

SUBDIVISION #2007-29 CONDITIONS:

A) THERE SHALL BE NO MORE THAN 167 LOTS WITHIN THE SUBDIVISION.

B) THE APPLICANT SHALL FORM A HOMEOWNER'S ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF STREETS, ROADS, ANY BUFFER, STORM WATER MANAGEMENT FACILITIES, EROSION AND SEDIMENTATION CONTROL FACILITIES AND OTHER COMMON AREAS.

C) THE STORM WATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. IT SHALL BE CONSTRUCTED AND MAINTAINED USING BEST MANAGEMENT PRACTICES.

D) ALL ENTRANCES SHALL COMPLY WITH ALL OF DELDOT'S REQUIREMENTS, AND AN AREA FOR A SCHOOL BUS STOP SHALL BE ESTABLISHED. THE LOCATION OF THE SCHOOL BUS STOP SHALL BE COORDINATED WITH THE LOCAL SCHOOL DISTRICT.

E) ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.

F) THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORM WATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.

G) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT FORESTED BUFFER AROUND THE ENTIRE PERIMETER OF THE PROJECT. THE FINAL SITE PLAN SHALL CONTAIN A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER AREAS. ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER AREAS TO PREVENT DISTURBANCE.

H) THE DEVELOPER SHALL MAINTAIN AS MANY EXISTING TREES AS POSSIBLE. THE UNDISTURBED FORESTED AREAS SHALL BE CLEARLY SHOWN ON THE FINAL SITE PLAN.

I) NO WETLANDS SHALL BE INCLUDED WITH ANY LOTS.

J) A SYSTEM OF STREET LIGHTING SHALL BE ESTABLISHED.

K) AS STATED BY THE APPLICANT, SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL STREETS IN THE SUBDIVISION.

L) THE SUBDIVISION SHALL BE SERVED BY A CENTRAL SEWER SYSTEM AS DEFINED BY SUSSEX COUNTY ORDINANCE, DESIGNED IN ACCORDANCE WITH SUSSEX COUNTY ENGINEERING DEPARTMENT AND DNREC SPECIFICATIONS.

M) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT BUFFER FROM ALL WETLANDS. A LANDSCAPE PLAN FOR ALL BUFFERS SHALL BE INCLUDED IN THE FINAL SITE PLAN, AND ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER TO PREVENT DISTURBANCE.

N) AMENITIES SHALL INCLUDE A POOL HOUSE, POOL, BASKETBALL COURT AND A 150-FOOT BY 300-FOOT MULTI-PURPOSE SPORT FIELD. ALL AMENITIES SHALL BE STARTED AT OR BEFORE THE ISSUANCE OF THE 60TH BUILDING PERMIT AND SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE 120TH BUILDING PERMIT.

O) AS STATED BY THE APPLICANT, THE WETLANDS BUFFERS SHALL BE PERMANENTLY MARKED WITH SIGNAGE.

P) THIS PRELIMINARY APPROVAL IS CONTINGENT UPON THE APPLICANT SUBMITTING A REVISED PRELIMINARY SITEPLAN EITHER DEPICTING OR NOTING THE CONDITIONS OF THIS APPROVAL ON IT. STAFF SHALL APPROVE THE REVISED PLAN UPON CONFIRMATION THAT THE CONDITIONS OF APPROVAL HAVE BEEN DEPICTED OR NOTED ON IT.

Q) THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

ENGINEER'S STATEMENT

I, RING W. LARDNER, 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.

DAVIS, BOWEN & FRIEDEL, INC. DATE
by RING W. LARDNER, P.E.

Revisions:

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

PRE-01

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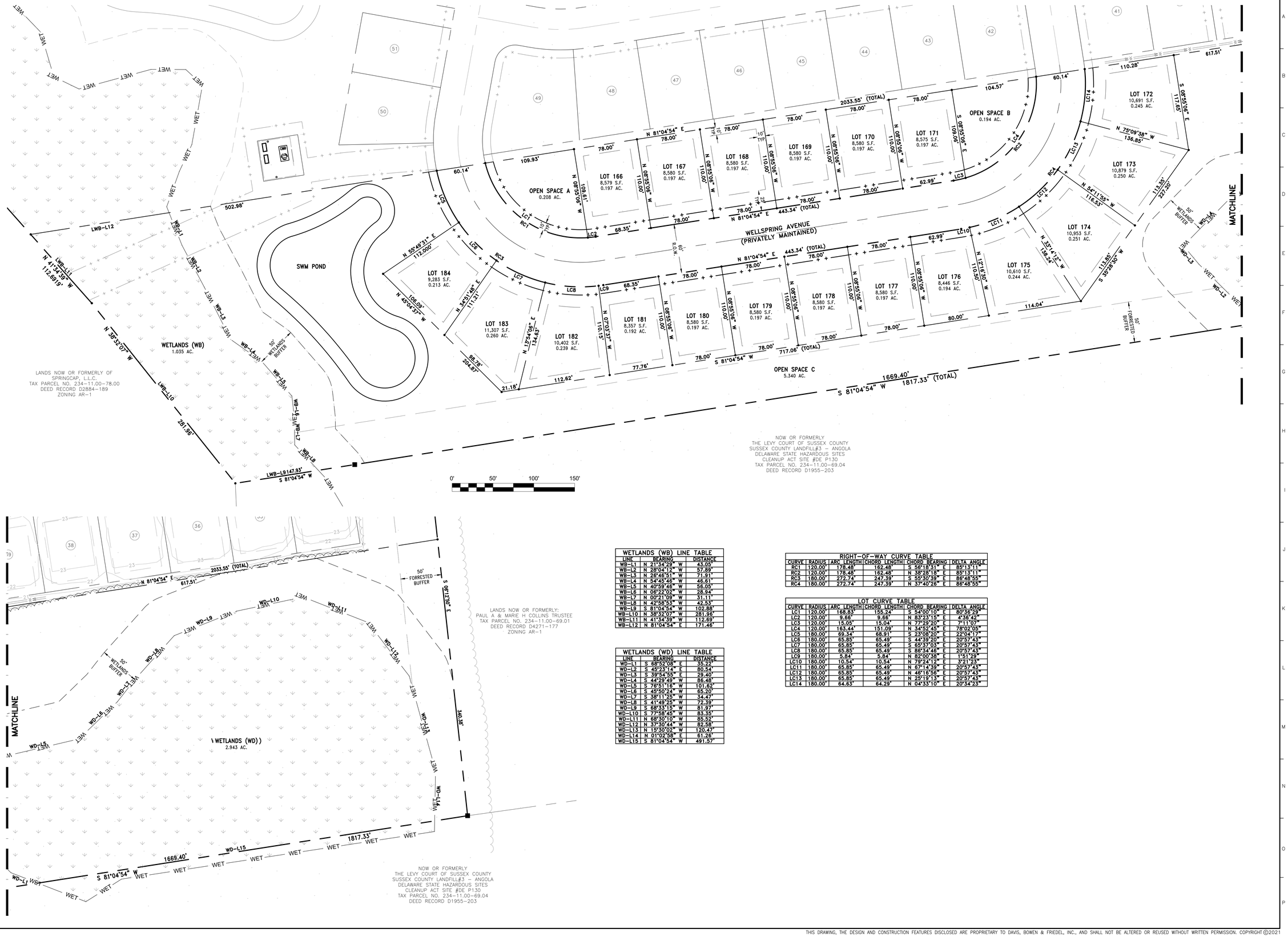

WETLANDS (WB) LINE TABLE		
LINE	BEARING	DISTANCE
WB-L1	N 21°34'29" W	43.05'
WB-L2	N 28°04'12" W	57.59'
WB-L3	N 26°46'51" W	71.91'
WB-L4	N 54°45'46" W	46.61'
WB-L5	N 40°59'16" W	56.00'
WB-L6	N 06°22'02" W	28.94'
WB-L7	N 00°21'09" W	31.11'
WB-L8	N 42°58'53" W	42.53'
WB-L9	S 81°04'54" W	102.88'
WB-L10	N 38°32'07" W	281.96'
WB-L11	N 41°34'29" W	112.69'
WB-L12	N 81°04'54" E	171.46'

WETLANDS (WD) LINE TABLE		
LINE	BEARING	DISTANCE
WD-L1	S 68°52'08" E	35.22'
WD-L2	S 45°23'14" E	80.54'
WD-L3	S 39°54'55" E	29.40'
WD-L4	S 44°29'49" W	86.48'
WD-L5	S 76°51'16" W	101.62'
WD-L6	S 45°50'24" W	65.20'
WD-L7	S 38°11'25" W	34.47'
WD-L8	S 41°49'25" W	72.39'
WD-L9	S 68°33'15" W	81.97'
WD-L10	S 77°58'45" W	83.35'
WD-L11	N 68°30'10" W	85.52'
WD-L12	N 37°30'44" W	82.58'
WD-L13	N 15°30'02" W	120.47'
WD-L14	N 01°02'58" E	61.26'
WD-L15	S 81°04'54" W	491.57'

RIGHT-OF-WAY CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC1	120.00'	178.48'	162.48'	S 56°18'31" E	85°13'11"
RC2	120.00'	178.48'	162.48'	N 38°28'18" E	85°13'11"
RC3	180.00'	272.74'	247.39'	S 55°30'39" E	86°48'55"
RC4	180.00'	272.74'	247.39'	N 37°40'26" E	86°48'55"

LOT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
LC1	120.00'	168.83'	155.24'	S 54°00'10" E	80°36'29"
LC2	120.00'	9.66'	9.66'	N 83°23'15" E	4°36'42"
LC3	120.00'	15.05'	15.04'	N 77°29'20" E	7°11'07"
LC4	120.00'	163.44'	151.09'	N 34°52'45" E	78°02'05"
LC5	180.00'	69.34'	68.91'	S 23°08'20" E	22°04'17"
LC6	180.00'	65.85'	65.49'	S 44°39'20" E	20°57'43"
LC7	180.00'	65.85'	65.49'	S 65°37'03" E	20°57'43"
LC8	180.00'	65.85'	65.49'	S 86°34'46" E	20°57'43"
LC9	180.00'	5.84'	5.84'	N 82°00'38" E	1°51'29"
LC10	180.00'	10.54'	10.54'	N 79°24'12" E	3°21'23"
LC11	180.00'	65.85'	65.49'	N 67°14'39" E	20°57'43"
LC12	180.00'	65.85'	65.49'	N 46°16'56" E	20°57'43"
LC13	180.00'	65.85'	65.49'	N 25°19'13" E	20°57'43"
LC14	180.00'	64.63'	64.29'	N 04°33'10" E	20°34'23"

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
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OCEAN CITY, MARYLAND (302) 537-1441
EASTON, MARYLAND (410) 770-4744

PRELIMINARY RECORD PLAN

THE WOODS AT BURTON POND EXTENDED

CONLEYS CHAPEL ROAD

INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:

Date: MAY 2021
Scale: 1" = 50'
Dwn.By: DEG
Proj.No.: 0807S001
Dwg.No.:

PRE-02

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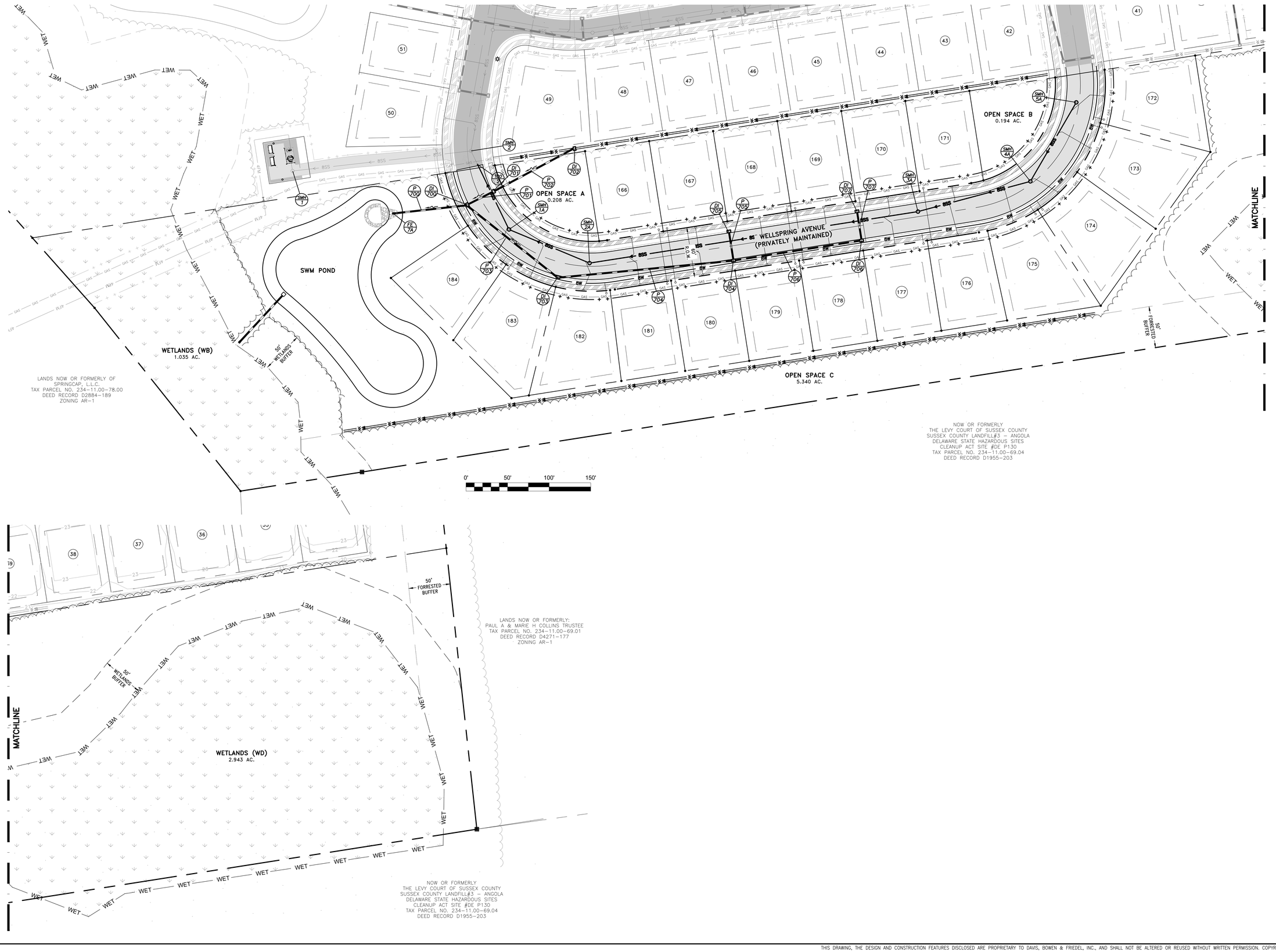
P:\Louis Capano-Client (0807\0807S001 WBP Extended\Preliminary\0807S001-PRELIMINARY RECORD PLAN.dwg May 26, 2021 - 2:40pm GREG



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ARCHITECTS ENGINEERS SURVEYORS
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OCEAN CITY, MARYLAND (410) 524-1441
EASTON, MARYLAND (410) 770-4744

PRELIMINARY UTILITY PLAN

THE WOODS AT BURTON POND EXTENDED
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:

Date:	MAY 2021
Scale:	1" = 50'
Dwn.By:	DEG
Proj.No.:	0807S001
Dwg.No.:	PRE-03

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E

THE WOODS AT BURTON POND EXTENDED

INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

DBF # 0807S001

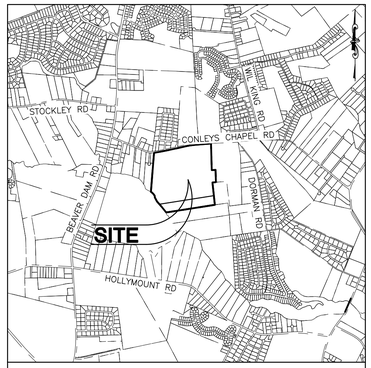
SUSSEX COUNTY AGREEMENT #____

SUBDIVISION #2021-22

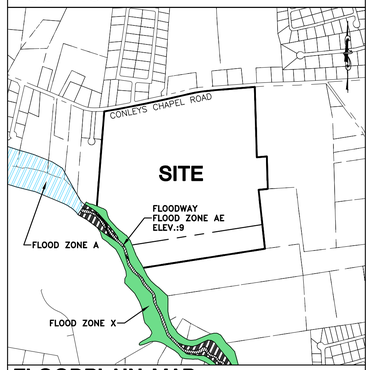
MAY, 2021

PRELIMINARY TITLE SHEET

INDEX OF SHEETS	
PRELIMINARY TITLE SHEET	PRE-01
PRELIMINARY RECORD PLAN	PRE-02
PRELIMINARY UTILITY PLAN	PRE-03

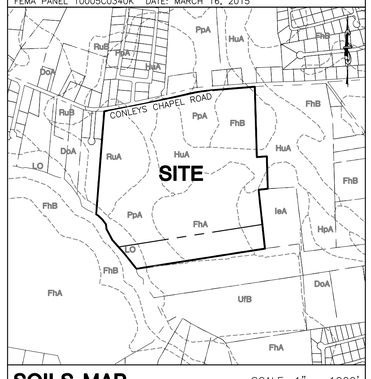


LOCATION MAP SCALE: 1" = 1/2-MILE



FLOODPLAIN MAP SCALE: 1" = 1000'

FEMA PANEL 10005C0340K DATE: MARCH 16, 2015



SOILS MAP SCALE: 1" = 1000'

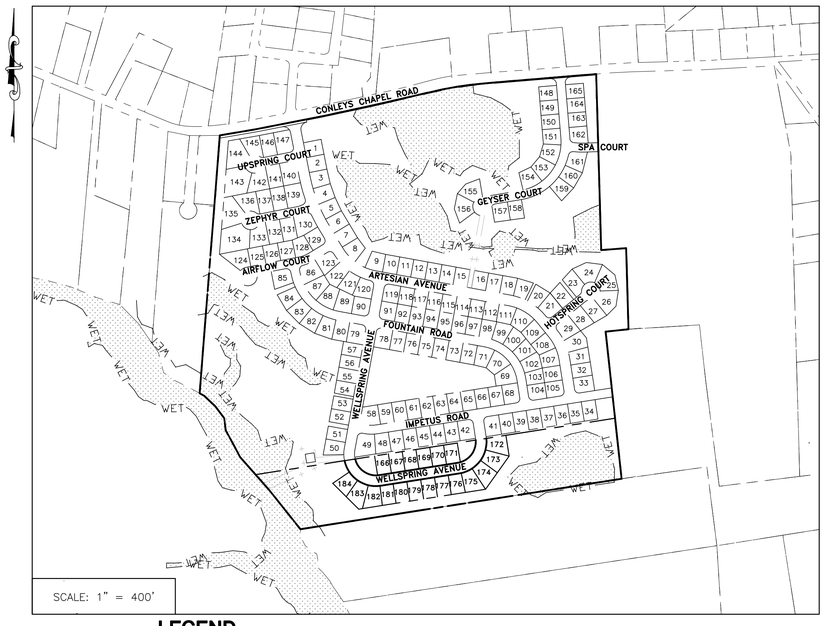
DnA: DOWNER LOAMY SAND, 0 TO 2 PERCENT SLOPES (B)
DnB: DOWNER LOAMY SAND, 2 TO 5 PERCENT SLOPES (B)
DoA: DOWNER SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)
FhA: FORT MOTT-HENLOPEN COMPLEX, 0 TO 2 PERCENT SLOPES (A)
FhB: FORT MOTT-HENLOPEN COMPLEX, 2 TO 5 PERCENT SLOPES (A)
FmA: FORT MOTT LOAMY SAND, 0 TO 2 PERCENT SLOPES (A)
HmA: HAMMONTON LOAMY SAND, 0 TO 2 PERCENT SLOPES (B)
HnA: HAMMONTON SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)
HuA: HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES (B/D)
LO: LONGMARSH AND INDIANTOWN SOILS, FREQUENTLY FLOODED (D)
PpA: PEPPERBOX LOAMY SAND, 0 TO 2 PERCENT SLOPES (C)
RuA: RUNCLINT LOAMY SAND, 0 TO 2 PERCENT SLOPES (A)
UfB: UDORTHENTS, REFUSE SUBSTRATUM, 0 TO 35 PERCENT SLOPES (C)

DATA COLUMN (SUBDIVISION 2021-22)

TAX MAP ID:	2-34-11.00-72.04
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83 (DE STATE GRID)
ZONING	
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	19
AVERAGE LOT SIZE:	100' X 93'
AVERAGE LOT AREA:	9,300 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA:	15.009 AC
(INCLUDES WETLANDS: 3.978 AC)	
WETLANDS (WB):	1.035 AC
WETLANDS (WD):	2.943 AC
PROPOSED SITE AREA:	15.009 AC
PROPOSED (TOTAL SITE)	
LOT AREA:	4.057 AC
OPEN SPACE (TOTAL):	5.742 AC (38%)
OPEN SPACE (A):	0.208 AC
OPEN SPACE (B):	0.194 AC
OPEN SPACE (C):	5.340 AC
WETLANDS	3.978 AC (26%)
RIGHT-OF-WAY:	1.232 AC
TOTAL SITE AREA:	15.009 AC
PAVEMENT:	0.659 AC
SIDEWALK:	0.210 AC
TOTAL:	0.869 AC
DENSITY (19 DU ÷ 15.009 AC)	1.27 DU/AC
SEWER PROVIDER:	ARTESIAN WASTEWATER MANAGEMENT, INC.
WATER PROVIDER:	TIDEWATER UTILITIES
GAS PROVIDER:	POORE'S PROPANE
ELECTRIC:	DELAWARE ELECTRIC COOPERATIVE
ENGINEER:	DAVIS, BOWEN & FRIEDEL, INC. 1 PARK AVENUE MILFORD, DE 19963 PHONE: 302-424-1441 FAX: 302-424-0430

COMBINED DATA COLUMN

SUBDIVISION NO:	2007-29 AND 2021-22
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83 (DE STATE GRID)
ZONING	
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	184
AVERAGE LOT SIZE:	105' X 90'
AVERAGE LOT AREA:	9,450 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA:	113.931 AC
(INCLUDES WETLANDS: 21.92 AC)	
DEDICATED TO PUBLIC R/W:	-0.358 AC
PROPOSED TOTAL SITE AREA:	113.573 AC
PROPOSED (TOTAL SITE)	
LOT AREA:	39.650 AC
PUMP STATION LOT:	0.057 AC
OPEN SPACE (TOTAL):	38.614 AC (34%)
WETLANDS (TOTAL):	21.919 AC (19%)
RIGHT-OF-WAY:	13.333 AC
TOTAL SITE AREA:	113.573 AC
PAVEMENT:	6.909 AC
SIDEWALK:	2.390 AC
TOTAL:	9.299 AC
DENSITY (184 DU ÷ 113.573 AC)	1.62 DU/AC



SCALE: 1" = 400'

0' 400' 800' 1200'

LEGEND

- EX. RIGHT OF WAY
- RIGHT OF WAY
- PROPERTY LINE
- BUILDING SETBACK LINE
- PROPERTY EASEMENT
- PROPOSED FENCE
- EXISTING CONTOUR (19)
- EX. SPOT ELEVATION EP:44.70
- EX. WOODS LINE
- LIMITS OF JURISDICTIONAL WETLANDS
- WETLANDS BUFFER
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- IRON ROD & CAP TO BE SET
- DELDOT MONUMENT TO BE SET
- EX. EDGE OF PAVEMENT
- CURB

OWNER'S CERTIFICATION

"I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E., BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT, AS REFERENCED ON THIS COVERSHEET."

SPRING CAP II, LLC. DATE
105 FOULK ROAD
WILMINGTON, DE 19803
PHONE 302-429-8700

GENERAL NOTES

1. DRAINAGE, STORMWATER MANAGEMENT, AND EROSION AND SEDIMENT CONTROLS SHALL BE IN ACCORDANCE WITH THE DELAWARE SEDIMENT & STORMWATER REGULATIONS OF 1991, OR AS LATER AMENDED. MAINTENANCE OF DRAINAGE, STORMWATER MANAGEMENT, AND SEDIMENT & EROSION CONTROL PRACTICES WILL BE THE RESPONSIBILITY OF THE SITE CONTRACTOR DURING THE CONSTRUCTION PHASE OF THE PROJECT, INCLUDING CONSTRUCTION OF THE UTILITIES. WHEN THE PERMANENT DRAINAGE AND STORMWATER MANAGEMENT PRACTICES HAVE BEEN COMPLETED TO THE SATISFACTION OF THE APPLICABLE AGENCIES, MAINTENANCE WILL ULTIMATELY BECOME THE RESPONSIBILITY OF THE PROPERTY OWNERS/ HOMEOWNERS ASSOCIATION.
2. SEDIMENT AND EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE DELAWARE EROSION & SEDIMENT CONTROL HANDBOOK (LATEST EDITION). THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURE AS DEEMED NECESSARY.
3. ENTRANCE/EXIT FACILITIES ARE SUBJECT TO THE FINAL APPROVAL OF THE DELAWARE DEPARTMENT OF TRANSPORTATION.
4. THERE SHALL BE NO DEBRIS DISPOSAL ON THIS SITE.
5. THE BOUNDARY AND BASE TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY BY KARINS AND ASSOCIATES, DURING SEPTEMBER, 2006. DAVIS, BOWEN & FRIEDEL REVIEWED THE BOUNDARY AND TOPOGRAPHIC SURVEYS. ADDITIONAL TOPOGRAPHIC SURVEY WAS COMPLETED IN SEPTEMBER, 2014.
6. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS, AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
7. AGRICULTURAL USE PROTECTION NOTICE, AS REQUIRED BY SECTION 99-6(G) OF THE SUSSEX COUNTY CODE SHALL BE INCORPORATED IN THE DEED RESTRICTIONS AND ANY LEASES OR SALE AGREEMENTS FOR ALL LOTS.
8. ALL LOTS ARE SUBJECT TO DEED RESTRICTIONS TO BE RECORDED FOR THIS SUBDIVISION,
9. ALL NEWLY CREATED STREETS ARE TO BE PUBLIC RIGHTS-OF-WAY AND WILL ULTIMATELY BE MAINTAINED BY THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION. IN ADDITION TO THE STREETS, THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION SHALL ALSO BE RESPONSIBLE FOR THE MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES AND OPEN AREAS. SEE MAINTENANCE DECLARATION.
10. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
11. A UTILITY EASEMENT, 10 FEET WIDE, SHALL BE ESTABLISHED ALONG EACH FRONT AND SIDE LOT LINE PROPOSED BY THIS PLAN. THESE EASEMENTS SHALL BE AVAILABLE FOR ANY UTILITY USE AND ARE ESTABLISHED 10 FEET WIDE ALONG STREET FRONTAGE, AND 5 FEET ON EACH SIDE OF ALL SIDE LOT LINES.
12. THE INTERNAL RIGHT-OF-WAY IS ALSO A BLANKET UTILITY EASEMENT FOR WATER, SEWER, GAS/PROPANE, ELECTRIC, PHONE AND CABLE.
13. WATER SUPPLY – TIDEWATER UTILITIES COMPANY WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE STATE DIVISION OF PUBLIC HEALTH.
14. SANITARY SEWER – (CENTRAL SEWER SYSTEM) ARTESIAN WASTEWATER WILL PROVIDE SEWER SERVICE FOR THE PROPERTY. SEWER SERVICE IS SUBJECT TO THE APPROVAL OF SUSSEX COUNTY ENGINEERING AND THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES.
15. FLOODPLAIN – THE PROPERTY IS IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0340K, DATED MARCH 16, 2015, SUSSEX COUNTY, DELAWARE.
16. A NOTICE TO PROCEED WITH CONSTRUCTION WILL NOT BE ISSUED FOR THIS PROJECT UNTIL: 1-THE REGIONAL WASTEWATER FACILITY APPROVED BY DNREC TO SERVICE THIS PROJECT IS SUBSTANTIALLY UNDER CONSTRUCTION; AND 2-THE DESIGN OF THE CORRESPONDING TRANSMISSION SYSTEM TO CONNECT THIS PROJECT TO SAID WASTEWATER FACILITY HAS BEEN APPROVED BY DNREC AND THE COUNTY ENGINEER.
17. ANY TREES REMOVED FROM THE CONSERVED OPEN SPACE AREAS SHALL BE REPLACED IN KIND.
18. THE PROPERTY IDENTIFIED HEREIN IS LOCATED WITHIN THE "SUSSEX COUNTY LANDFILL #3 – ANGOLA" GROUNDWATER MANAGEMENT ZONE (GMZ), AND HAS CERTAIN REGULATIONS PLACED UPON IT CONCERNING ANY PROPOSED LAND AND/OR GROUNDWATER USE. CONTACT THE SUSSEX COUNTY ENGINEERING DEPARTMENT FOR ADDITIONAL INFORMATION.
19. ANY ACTIVITY INCLUDING BASEMENT CONSTRUCTION, GROUNDWATER EXTRACTION AND ALL FORMS OF SUBSURFACE DEPRESSURIZATION WHICH COULD AFFECT THE EXISTING HYDROGEOLOGICAL GROUNDWATER FLOW OR LOWER THE WATER TABLE ON ADJOINING PROPERTIES SHALL BE PROHIBITED.
20. A 50-FOOT VOLUNTARY BUFFER SHALL BE ESTABLISHED WITHIN "PARCEL B", ALONG THE SOUTHERN PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 – ANGOLA. THE 50-FOOT VOLUNTARY BUFFER SHALL CONTAIN A NATURAL BARRIER AND BE CONSTRUCTED UNDER THE SUPERVISION OF A CERTIFIED ARBORIST TO PREVENT ACCESS TO THE LANDFILL. THE NATURAL BARRIER SHALL BE IMPLEMENTED PRIOR TO THE ISSUANCE OF THE 1ST CERTIFICATE OF OCCUPANCY WITHIN THIS SUBDIVISION.
21. THE FOLLOWING ENVIRONMENTAL REQUIREMENTS ARE TO BE MET BY THE DEVELOPER PRIOR TO SUBDIVIDING THE REMAINING RESIDUAL LANDS OF WOODS AT BURTON POND, PARCEL B.
    a. INSTALL TWO (2) WATER MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 – ANGOLA, THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
    b. INSTALL TWO (2) GAS MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 – ANGOLA, AS DIRECTED BY SUSSEX COUNTY ENGINEERING THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
    c. DEVELOP A VAPOR MIGRATION EVALUATION BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.
    d. CONFIRM GROUNDWATER EVALUATION CONTOURS BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.
22. PROPOSED EXTENSION IS LOCATED WITHIN HENLOPEN TRANSPORTATION IMPROVEMENT DISTRICT AND SUBJECT TO IMPACT FEES.
23. THE FORESTED BUFFER SHALL BE COMPRISED OF EXISTING MATURE TREES AND VEGETATION THAT MUST BE RETAINED BY THE DEVELOPER AND THE HOMEOWNERS' ASSOCIATION.

SUBDIVISION #2007-29 CONDITIONS:

A) THERE SHALL BE NO MORE THAN 167 LOTS WITHIN THE SUBDIVISION.
B) THE APPLICANT SHALL FORM A HOMEOWNER'S ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF STREETS, ROADS, ANY BUFFER, STORM WATER MANAGEMENT FACILITIES, EROSION AND SEDIMENTATION CONTROL FACILITIES AND OTHER COMMON AREAS.
C) THE STORM WATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. IT SHALL BE CONSTRUCTED AND MAINTAINED USING BEST MANAGEMENT PRACTICES.
D) ALL ENTRANCES SHALL COMPLY WITH ALL OF DELDOT'S REQUIREMENTS, AND AN AREA FOR A SCHOOL BUS STOP SHALL BE ESTABLISHED. THE LOCATION OF THE SCHOOL BUS STOP SHALL BE COORDINATED WITH THE LOCAL SCHOOL DISTRICT.
E) ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
F) THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORM WATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
G) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT FORESTED BUFFER AROUND THE ENTIRE PERIMETER OF THE PROJECT. THE FINAL SITE PLAN SHALL CONTAIN A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER AREAS. ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER AREAS TO PREVENT DISTURBANCE.
H) THE DEVELOPER SHALL MAINTAIN AS MANY EXISTING TREES AS POSSIBLE. THE UNDISTURBED FORESTED AREAS SHALL BE CLEARLY SHOWN ON THE FINAL SITE PLAN.
I) NO WETLANDS SHALL BE INCLUDED WITH ANY LOTS.
J) A SYSTEM OF STREET LIGHTING SHALL BE ESTABLISHED.
K) AS STATED BY THE APPLICANT, SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL STREETS IN THE SUBDIVISION.
L) THE SUBDIVISION SHALL BE SERVED BY A CENTRAL SEWER SYSTEM AS DEFINED BY SUSSEX COUNTY ORDINANCE, DESIGNED IN ACCORDANCE WITH SUSSEX COUNTY ENGINEERING DEPARTMENT AND DNREC SPECIFICATIONS.
M) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT BUFFER FROM ALL WETLANDS. A LANDSCAPE PLAN FOR ALL BUFFERS SHALL BE INCLUDED IN THE FINAL SITE PLAN, AND ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER TO PREVENT DISTURBANCE.
N) AMENITIES SHALL INCLUDE A POOL HOUSE, POOL, BASKETBALL COURT AND A 150-FOOT BY 300-FOOT MULTI-PURPOSE SPORT FIELD. ALL AMENITIES SHALL BE STARTED AT OR BEFORE THE ISSUANCE OF THE 60TH BUILDING PERMIT AND SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE 120TH BUILDING PERMIT.
O) AS STATED BY THE APPLICANT, THE WETLANDS BUFFERS SHALL BE PERMANENTLY MARKED WITH SIGNAGE.
P) THIS PRELIMINARY APPROVAL IS CONTINGENT UPON THE APPLICANT SUBMITTING A REVISED PRELIMINARY SITEPLAN EITHER DEPICTING OR NOTING THE CONDITIONS OF THIS APPROVAL ON IT. STAFF SHALL APPROVE THE REVISED PLAN UPON CONFIRMATION THAT THE CONDITIONS OF APPROVAL HAVE BEEN DEPICTED OR NOTED ON IT.
Q) THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

OPEN SPACE MANAGEMENT PLAN:

1. ALL WETLAND BUFFERS ARE TO REMAIN IN THEIR NATURAL STATE. MAINTENANCE WILL CONSIST OF TRASH AND INVASIVE SPECIES REMOVAL.
2. ALL COMMON AREAS COVERED WITH GRASS SHALL BE PERIODICALLY MAINTAINED ON A BASIS DETERMINED BY THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION.
3. ALL OPEN SPACE AMENITIES SHALL BE INSPECTED ANNUALLY TO ENSURE THEY ARE SAFE FOR PLAY AND REPAIRED AS REQUIRED.
4. ALL SWM AREAS ARE TO BE INSPECTED ANNUALLY AND AFTER A RAIN EVENT GREATER THAN 2" IN A 24 HOUR PERIOD.
5. ALL SWM AREAS WILL BE MAINTAINED IN ACCORDANCE WITH DESIGN AND SPECIFICATIONS FOR THE SPECIFIC SWM AREA. THIS INFORMATION WILL BE PROVIDED TO THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION PRIOR TO TURNOVER.

SUSSEX COUNTY PLANNING & ZONING APPROVAL

SUSSEX COUNTY PLANNING & ZONING STAFF DATE

SUSSEX COUNTY COUNCIL PRESIDENT DATE

SUSSEX CONSERVATION DISTRICT APPROVAL BOX

WETLANDS STATEMENT

THIS SITE HAS BEEN INVESTIGATED FOR THE PRESENCE OF WETLANDS AND OTHER WATERS OF THE UNITED STATES BY JAMES C. MCCULLEY IV, PWS OF WATERSHED ECO LLC. THE SITE WAS INVESTIGATED IN ACCORDANCE WITH THE U.S. ARMY CORPS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1) AND APPLICABLE REGIONAL SUPPLEMENTS. THE U.S. ARMY CORPS OF ENGINEERS ISSUED A JURISDICTIONAL DETERMINATION (CENAP-OP-R-2014-285-23) ON JUNE 6, 2014. THIS JURISDICTIONAL DETERMINATION IS FOR A PERIOD OF FIVE YEARS. THIS PLAN ACCURATELY REPRESENTS THE RESULTS OF THE WETLAND STUDY AND JURISDICTIONAL DETERMINATIONS DESCRIBED ABOVE.

WATERSHED ECO, LLC DATE
JAMES C. MCCULLEY, IV, PWS
PWS #000471

ENGINEER'S STATEMENT

I, RING W. LARDNER, 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.

DAVIS, BOWEN & FRIEDEL, INC. DATE
by RING W. LARDNER, P.E.

Revisions:
2022-02-28
SUSSEX P&Z COMMENTS

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ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

PRE-01

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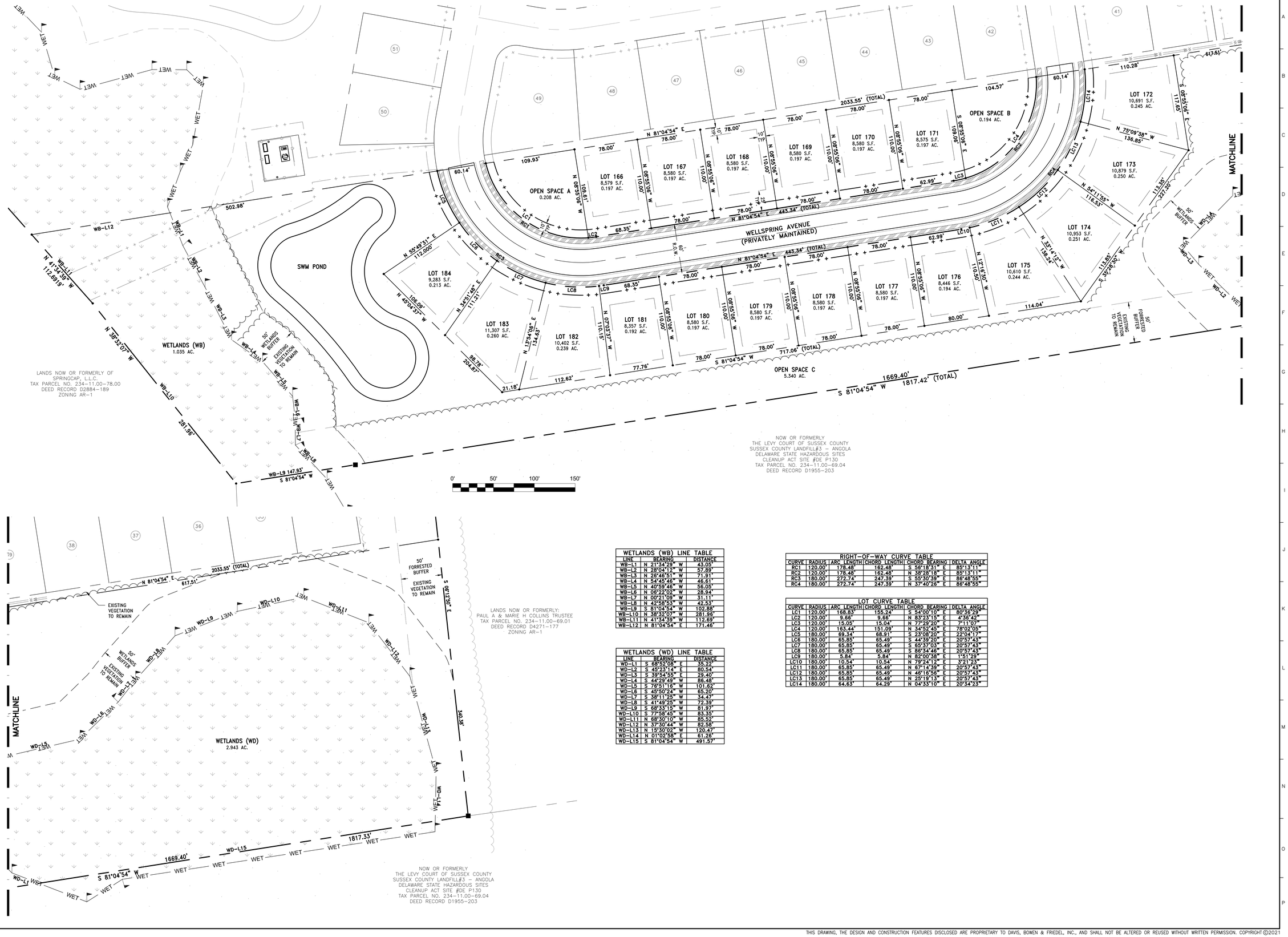

WETLANDS (WB) LINE TABLE		
LINE	BEARING	DISTANCE
WB-L1	N 21°34'29" W	43.05'
WB-L2	N 28°04'12" W	57.89'
WB-L3	N 26°46'51" W	71.91'
WB-L4	N 54°45'46" W	46.61'
WB-L5	N 40°59'16" W	56.05'
WB-L6	N 06°22'02" W	28.94'
WB-L7	N 00°21'09" W	31.11'
WB-L8	N 42°58'53" W	42.53'
WB-L9	S 81°04'54" W	102.88'
WB-L10	N 38°32'07" W	281.96'
WB-L11	N 41°34'29" W	112.69'
WB-L12	N 81°04'54" E	171.46'

WETLANDS (WD) LINE TABLE		
LINE	BEARING	DISTANCE
WD-L1	S 68°52'08" E	35.22'
WD-L2	S 45°23'14" E	80.54'
WD-L3	S 39°54'25" E	29.40'
WD-L4	S 44°29'49" W	86.48'
WD-L5	S 76°51'16" W	101.62'
WD-L6	S 45°50'24" W	65.20'
WD-L7	S 38°11'25" W	34.47'
WD-L8	S 41°49'25" W	72.39'
WD-L9	S 68°33'15" W	81.97'
WD-L10	S 77°58'45" W	83.35'
WD-L11	N 68°30'10" W	85.52'
WD-L12	N 37°30'44" W	82.58'
WD-L13	N 15°30'02" W	120.47'
WD-L14	N 01°02'58" E	61.26'
WD-L15	S 81°04'54" W	491.57'

RIGHT-OF-WAY CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC1	120.00'	178.48'	162.48'	S 56°18'31" E	85°13'11"
RC2	120.00'	178.48'	162.48'	N 38°28'18" E	85°13'11"
RC3	180.00'	272.74'	247.39'	S 55°30'39" E	86°48'55"
RC4	180.00'	272.74'	247.39'	N 37°40'26" E	86°48'55"

LOT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
LC1	120.00'	168.83'	155.24'	S 54°00'10" E	80°38'29"
LC2	120.00'	9.66'	9.66'	N 83°23'15" E	4°36'42"
LC3	120.00'	15.05'	15.04'	N 77°29'20" E	7°11'07"
LC4	120.00'	163.44'	151.09'	N 34°52'45" E	78°02'05"
LC5	180.00'	69.34'	68.91'	S 23°08'20" E	22°04'17"
LC6	180.00'	65.85'	65.49'	S 44°39'20" E	20°57'43"
LC7	180.00'	65.85'	65.49'	S 65°37'03" E	20°57'43"
LC8	180.00'	65.85'	65.49'	S 86°34'46" E	20°57'43"
LC9	180.00'	5.84'	5.84'	N 82°00'38" E	1°51'29"
LC10	180.00'	10.54'	10.54'	N 79°24'12" E	3°21'23"
LC11	180.00'	65.85'	65.49'	N 67°14'39" E	20°57'43"
LC12	180.00'	65.85'	65.49'	N 46°16'56" E	20°57'43"
LC13	180.00'	65.85'	65.49'	N 25°19'13" E	20°57'43"
LC14	180.00'	64.63'	64.29'	N 04°33'10" E	20°34'23"

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PRELIMINARY RECORD PLAN

THE WOODS AT BURTON POND EXTENDED 2021-22
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:
2022-02-28
SUSSEX P&Z COMMENTS

Date: MAY 2021
Scale: 1" = 50'
Dwn.By: DEG
Proj.No.: 0807S001
Dwg.No.:

PRE-02

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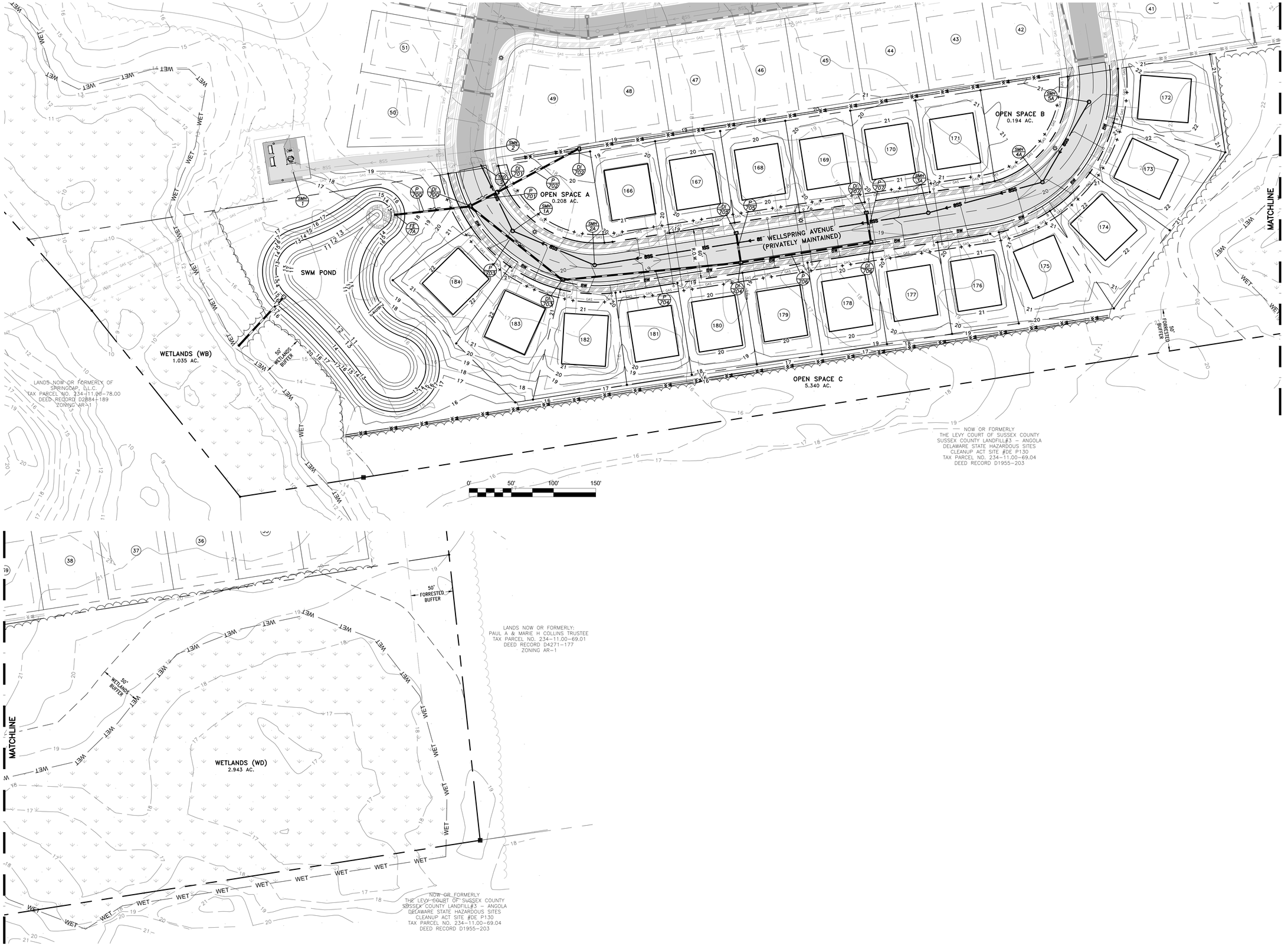

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PRELIMINARY UTILITY PLAN

THE WOODS AT BURTON POND EXTENDED 2021-22
CONLEYS CHAPEL ROAD
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:
2022-02-28
SUSSEX P&Z COMMENTS

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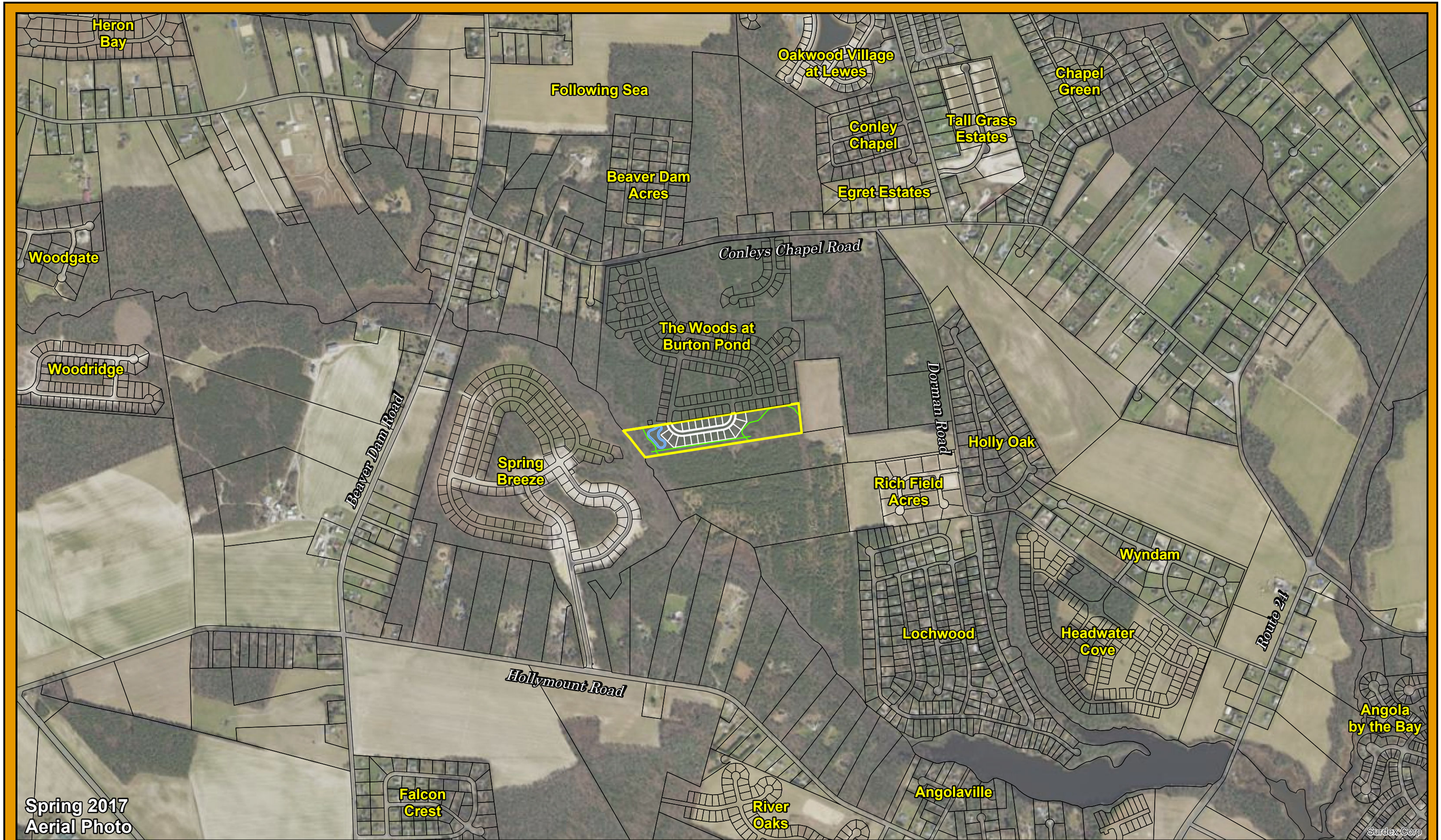

Sources:
Tax Parcels per Sussex County

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February 2022

Surrounding Communities

The Woods at Burton Pond Extended

Sussex County, Delaware

0 1,000 2,000 Feet

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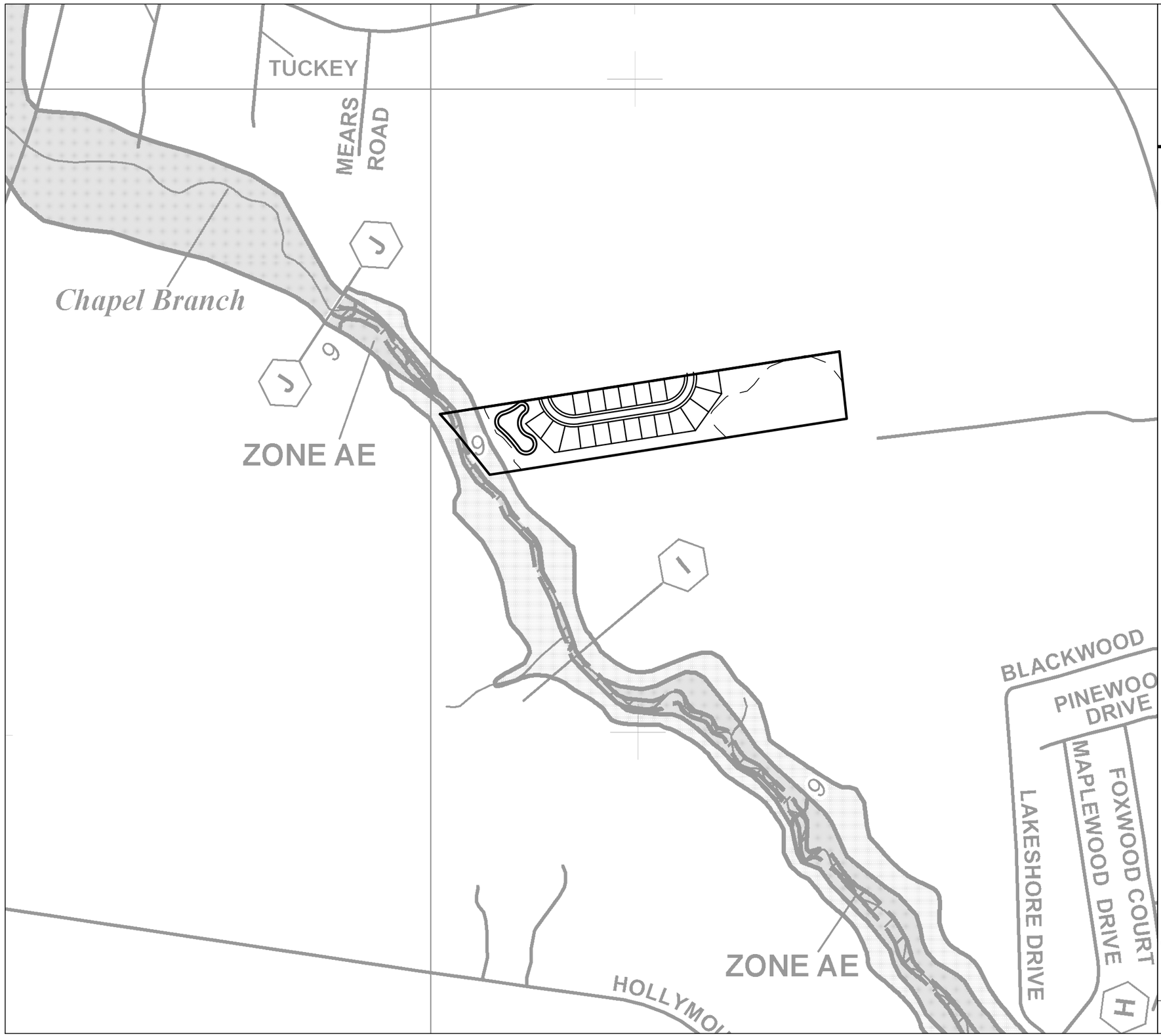


MAP SCALE 1" = 1000'

500 0 1000 2000 FEET

300 0 300 600 METERS

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0340K

FIRM

FLOOD INSURANCE RATE MAP

SUSSEX COUNTY, DELAWARE
AND INCORPORATED AREAS

PANEL 340 OF 660
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

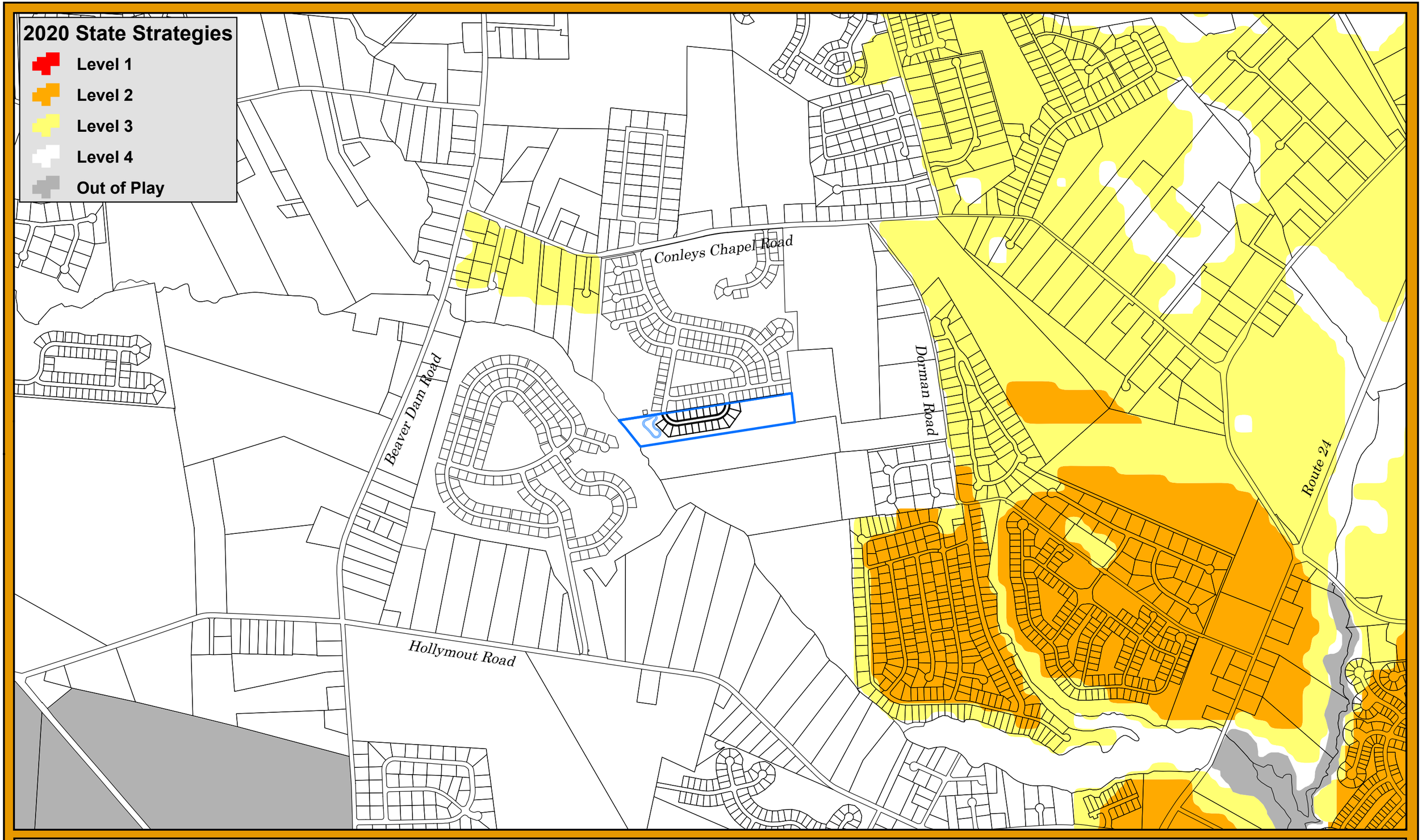
COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY	100029	0340	K

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
10005C0340K

MAP REVISED
MARCH 16, 2015

Federal Emergency Management Agency



Sources:
Tax Parcels per Sussex County

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2020 State Strategies

The Woods at Burton Pond Extended

Sussex County, Delaware

0 1,000 2,000 Feet

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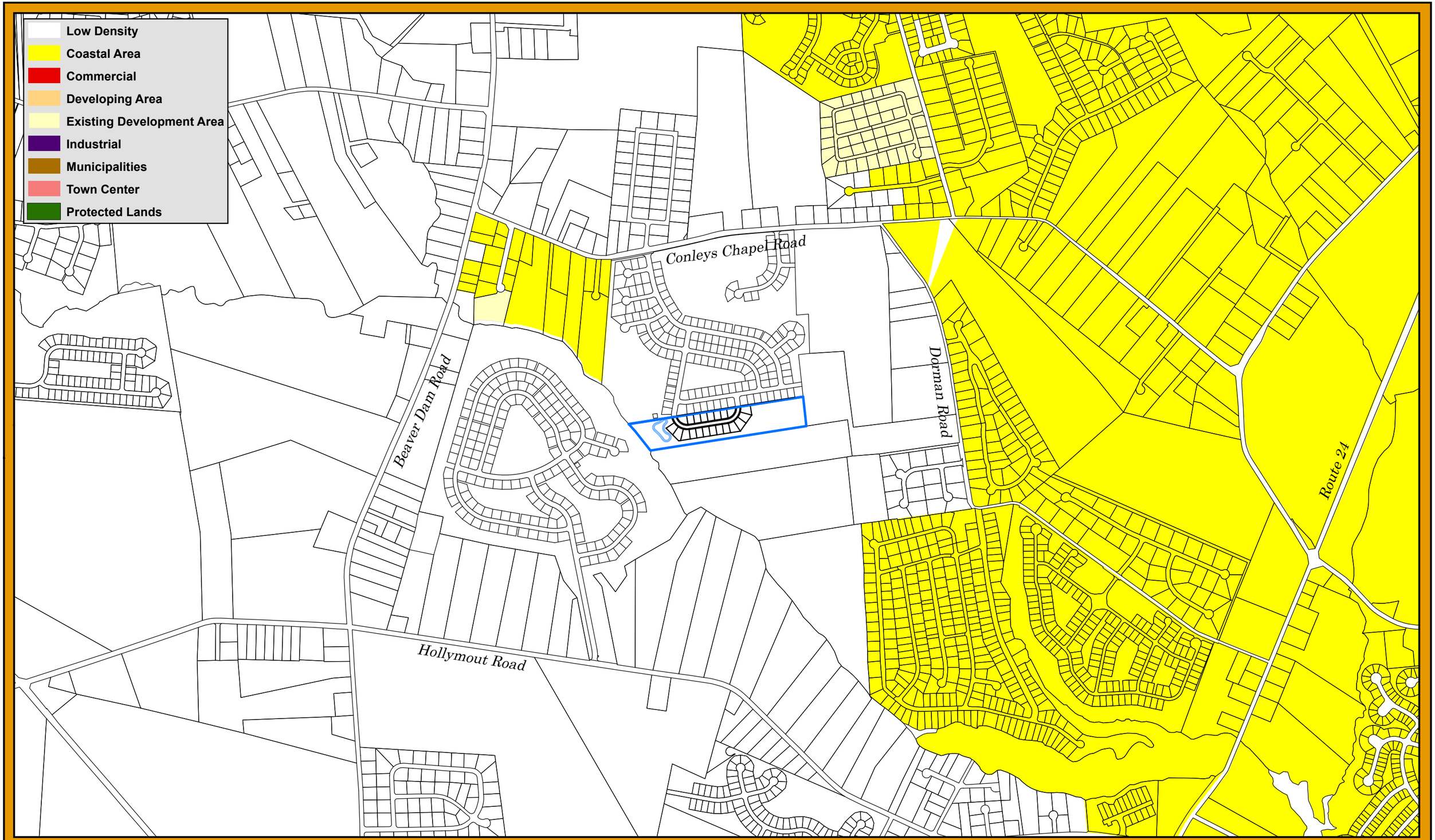

Sources:
Tax Parcels per Sussex County

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February 2022

Sussex County 2045 Future Land Use Map

The Woods at Burton Pond Extended

Sussex County, Delaware

0 1,000 2,000 Feet

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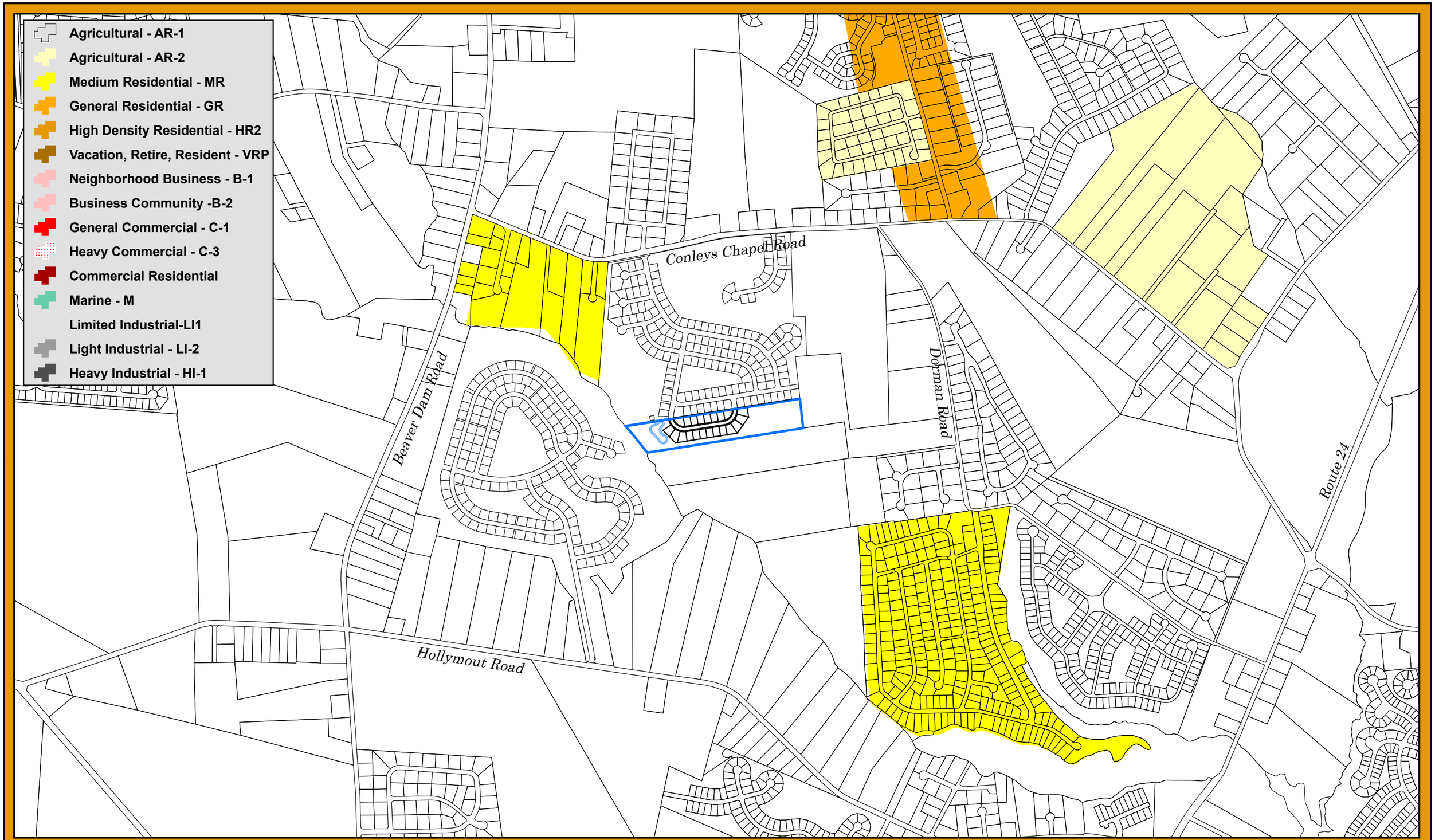

Sources:
Tax Parcels per Sussex County

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February 2022

Sussex County Zoning Map

The Woods at Burton Pond Extended

Sussex County, Delaware

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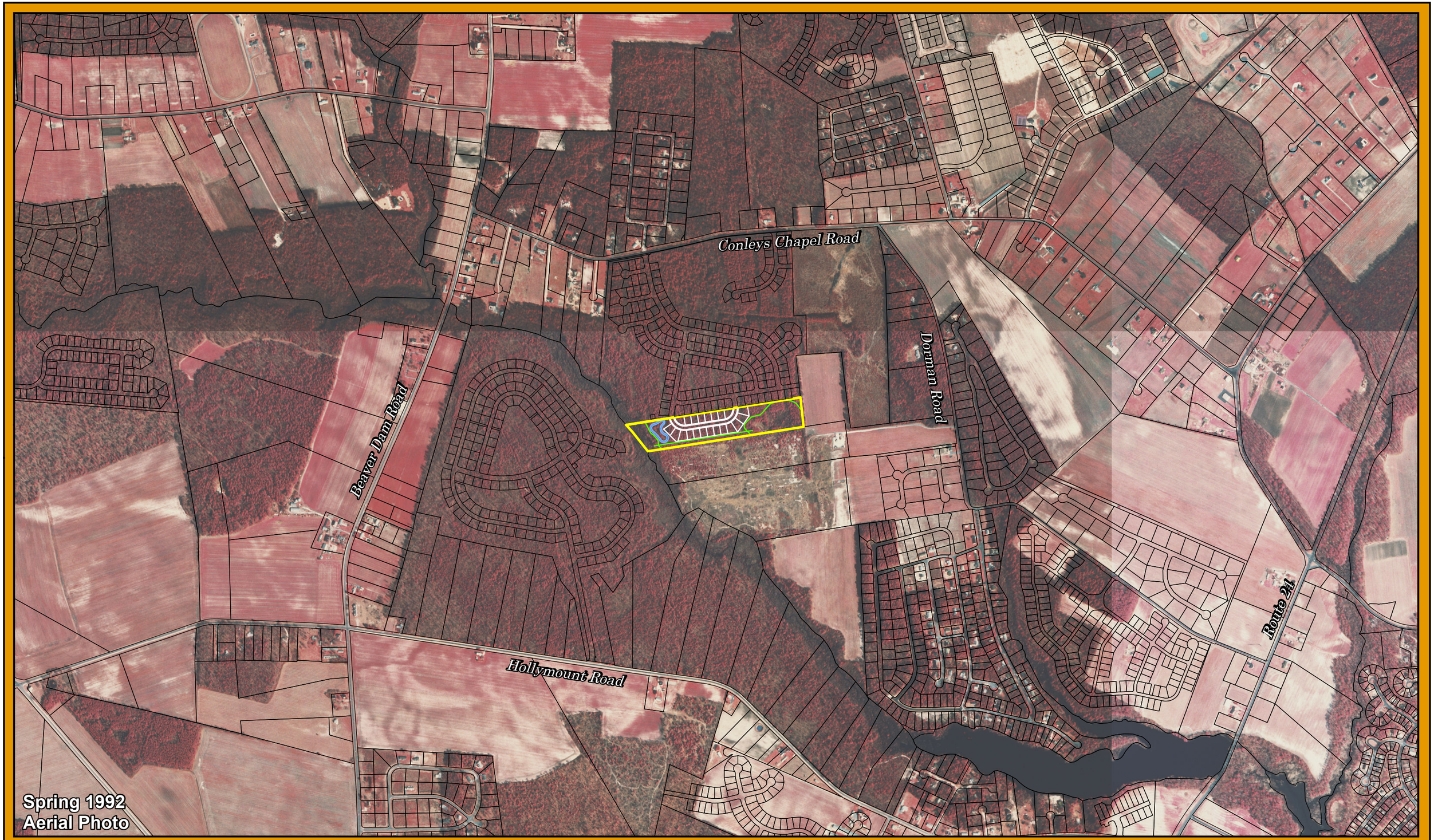

Sources:
Tax Parcels per Sussex County

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1992 Aerial Photo

The Woods at Burton Pond Extended

Sussex County, Delaware

0 1,000 2,000 Feet

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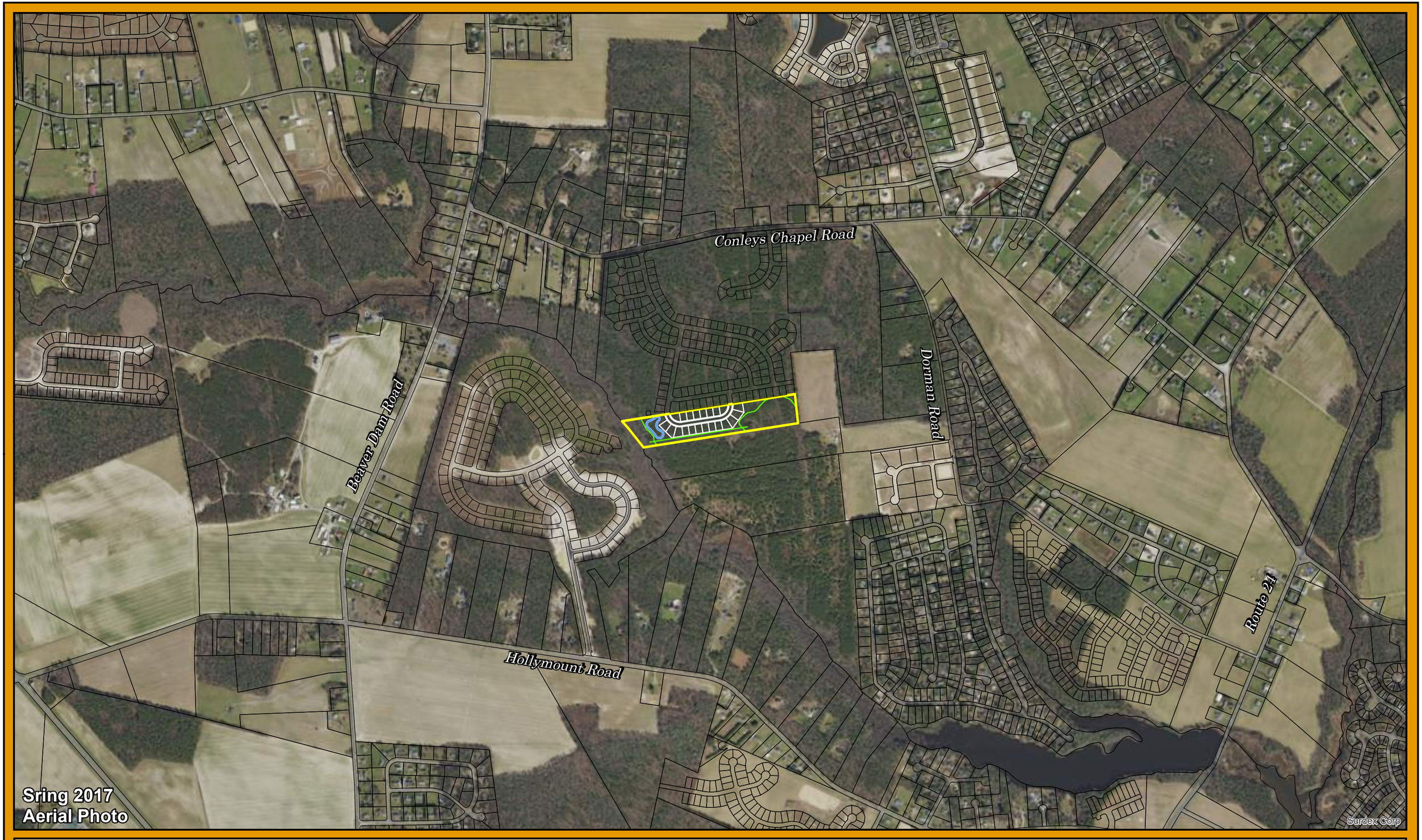

Sources:
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2017 Aerial Photo

The Woods at Burton Pond Extended

Sussex County, Delaware

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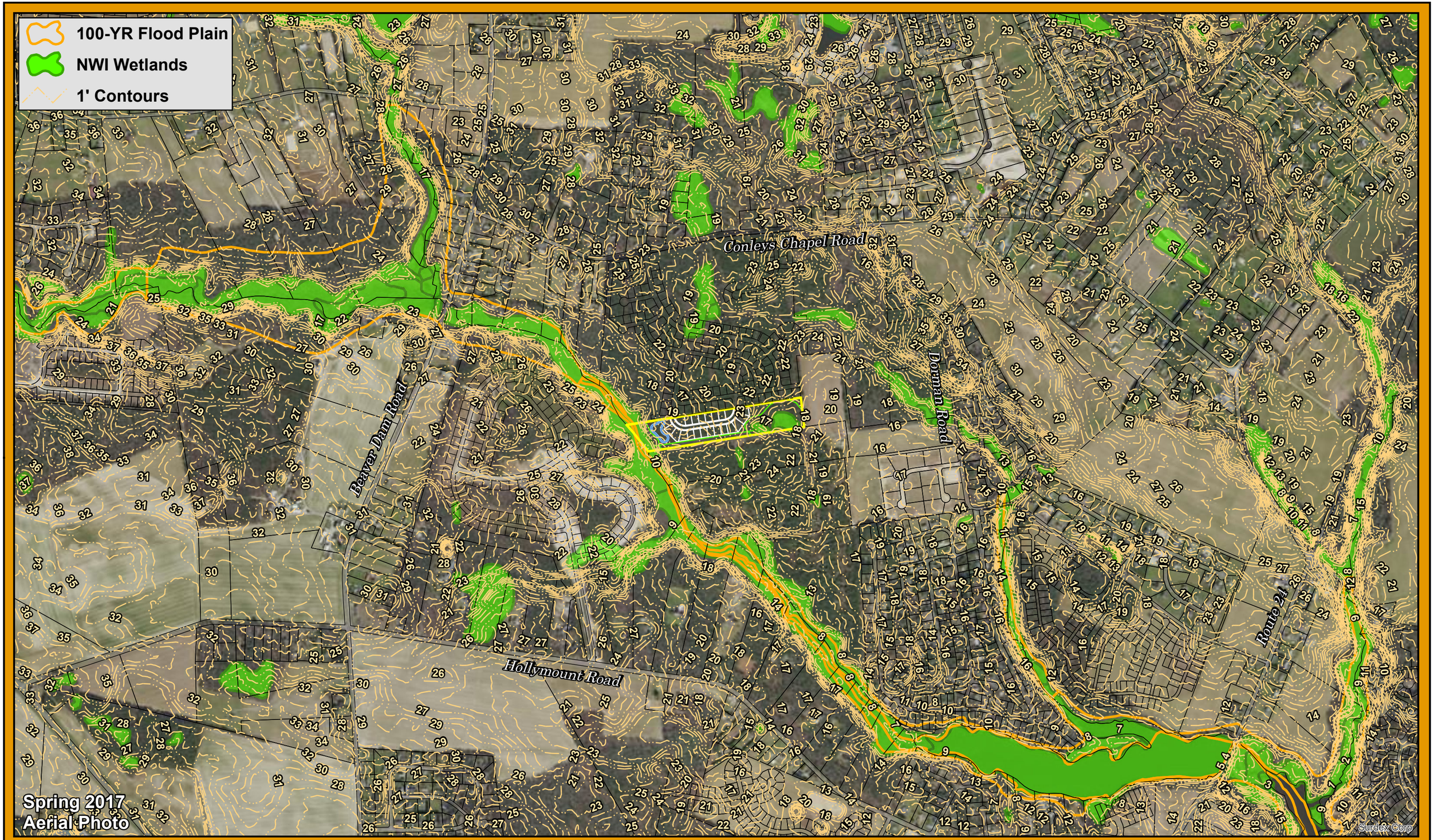

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Environmental Map

The Woods at Burton Pond Extended

Sussex County, Delaware

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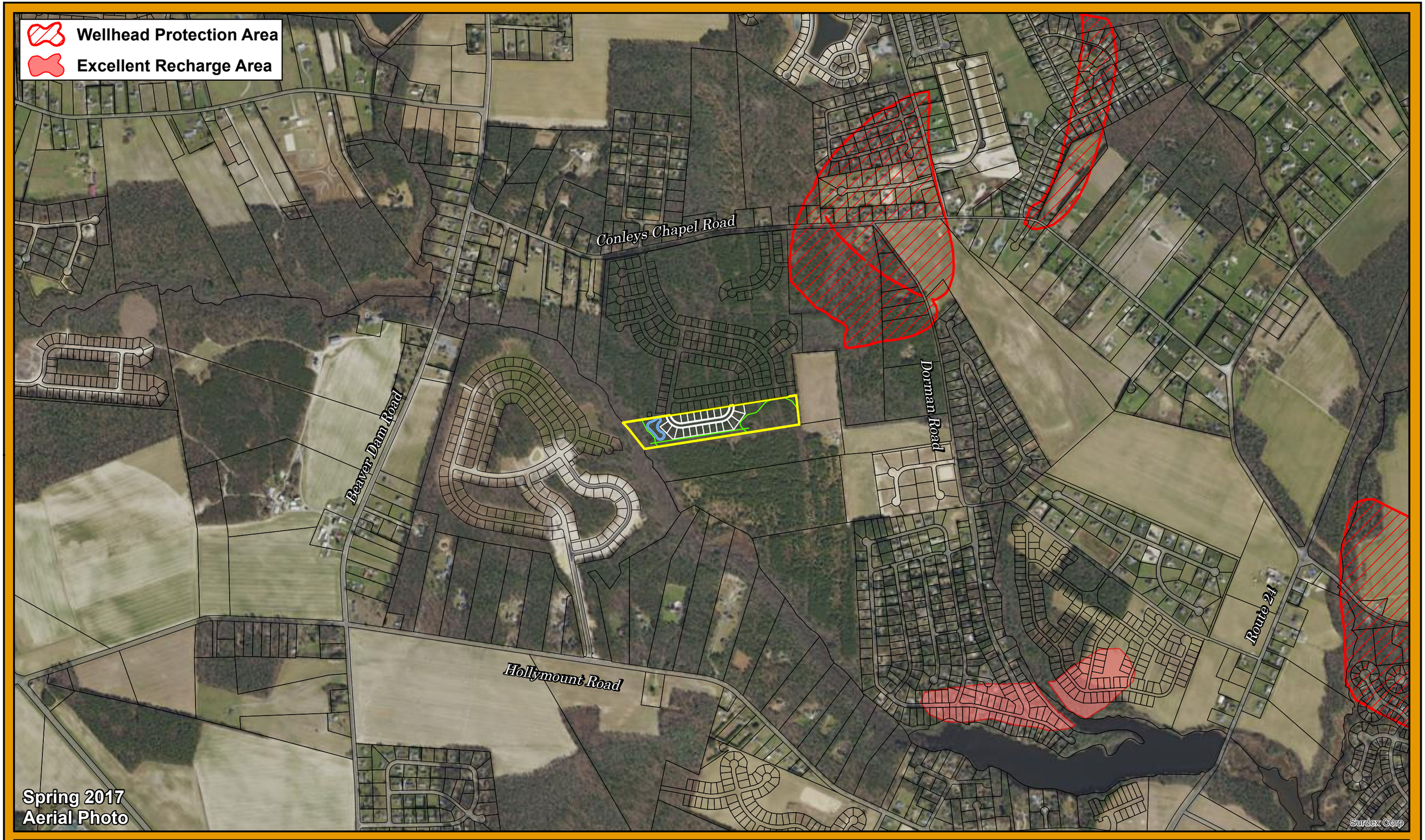

Sources:
Tax Parcels per Sussex County

February 2022

Source Water Protection Areas

The Woods at Burton Pond Extended

Sussex County, Delaware

0 1,000 2,000 Feet

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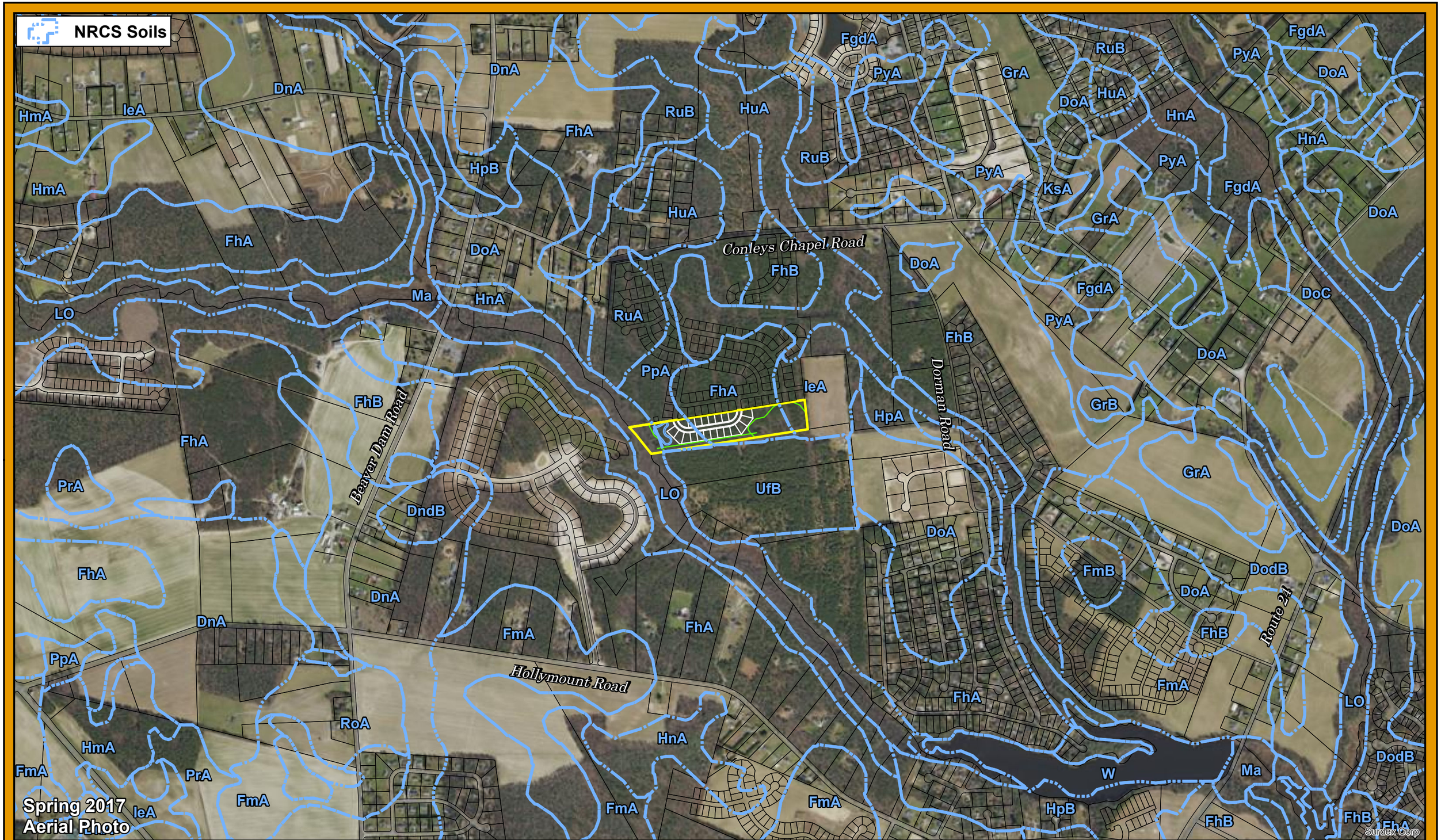

Sources:
Tax Parcels per Sussex County

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February 2022

NCRS Soil Survey

The Woods at Burton Pond Extended

Sussex County, Delaware

0 1,000 2,000 Feet

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ASSESSMENT OF
CULTURAL RESOURCE POTENTIAL
WOODS ON BURTON POND
SUSSEX COUNTY, DELAWARE

January 12, 2009

Prepared for

Davis Bowen & Friedel
23 N. Walnut St.
Milford, De. 19963

Prepared by

Edward Otter Inc.
1704 Camden Avenue
Salisbury, Maryland 21801

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INTRODUCTION

This project was conducted for Davis, Bowen & Friedel as part of a Plus review. Currently the wooded tract is proposed for cluster type residential development. The property under study is located on the south side of Conelys Chapel Road east of its intersection with Beaver Dam Road (Figure 1). Edward Otter, Ph. D. of Edward Otter, Inc. conducted this study.

PROJECT DESCRIPTION

Purpose

The goal of this project is to provide information about potential historical and archaeological issues that may arise during property development. Historic structures and archaeological sites can be impediments to property development from a financial and scheduling viewpoint.

The National Historic Preservation Act of 1966, as amended states that all federal agencies will consider the impacts of their actions on historic resources. Historic resources are those defined as listed on or eligible for listing on the National Register of Historic Places. Thus, before a federal permit can be issued or funds spent for a project, a process for identifying historic resources must be completed. Impacts to any eligible sites must be mitigated before the federal action (permit or funds) can be taken.

In land development, the most common form of federal action is the issuance of a wetland permit. When a permit application is made, the Army Corps of Engineers notifies the State Historic Preservation Office (SHPO). It is the SHPO that oversees compliance of the legislation.

Section 106 of the National Historic Preservation Act establishes a staged approach to cultural resource investigations. The initial step is a Phase I survey. The goal of such a survey is to identify all cultural resources within the area to be affected by the federal action. Phase II work looks at resources identified during the Phase I survey and determines whether or not the sites are eligible for inclusion on the National Register of Historic Places. Any negative effects to sites determined to be eligible for inclusion must be mitigated.

At the State and County level, the Plus Review asks for a variety of information. It is asked if cultural resources, including standing structures and archaeological sites, are threatened by the project. It is for the plus review that this work is being conducted.

Project Area

The project area is located in Lewes and Rehoboth Hundred in Sussex County, Delaware. Braceys Branch is on the south side of the project area and Conelys Chapel Road is to the north (Figure 1). The terrain is nearly level with some steep slopes along streams and gullies. Elevations within the project area range from just above sea level to about 20 feet above mean sea level.

Soils within the project area are predominately of the evesboro and klej soils. A small area of Fallsington soil is present. Evesboro soils are deep well drained soils. This is not great farm land in that available moisture and fertility are low. In places these are aeolian in nature. Klej soils are moderately well drained to somewhat poorly drained but can be used for agriculture. Fallsington soils are poorly drained areas in uplands.

Research Design

Studies of this nature are primarily archival with a limited amount of field reconnaissance. Records for the property are researched at the courthouse for indications of past land use. These include land records, wills, orphans court documents, and any other records identified. Specific types of land use and the presence of occupation at different times in the past can be learned from these records. Other document sources include historic maps, aerial photographs, and the Delaware State Cultural Resource files maintained by the Delaware Historic Preservation Office.

Because of archaeological work conducted over the last three decades in Delaware and surrounding states, the environmental settings of prehistoric sites have been recognized. It has been recognized that prehistoric peoples settled on particular locations because of environmental conditions. The presence of water and well drained soils appear to have been important factors in settlement locations. Armed with this information, it is possible, in general terms, to predict where prehistoric archaeological sites can be found. While not fool-proof, such predictions can be helpful in future land use planning.

CULTURE HISTORY

Humans have occupied the Delaware for at least 15,000 years. Human occupation of North America is divided into two eras, prehistoric and historic. The historic era is equivalent to the time of Euro-American occupation. The prehistoric era on Delmarva is divided into the Paleo-Indian, Archaic, Woodland I and Woodland II periods. The Woodland I period is further divided into complexes based on sets of artifacts that indicate particular adaptations within temporal and spatial limits (Custer 1989:14).

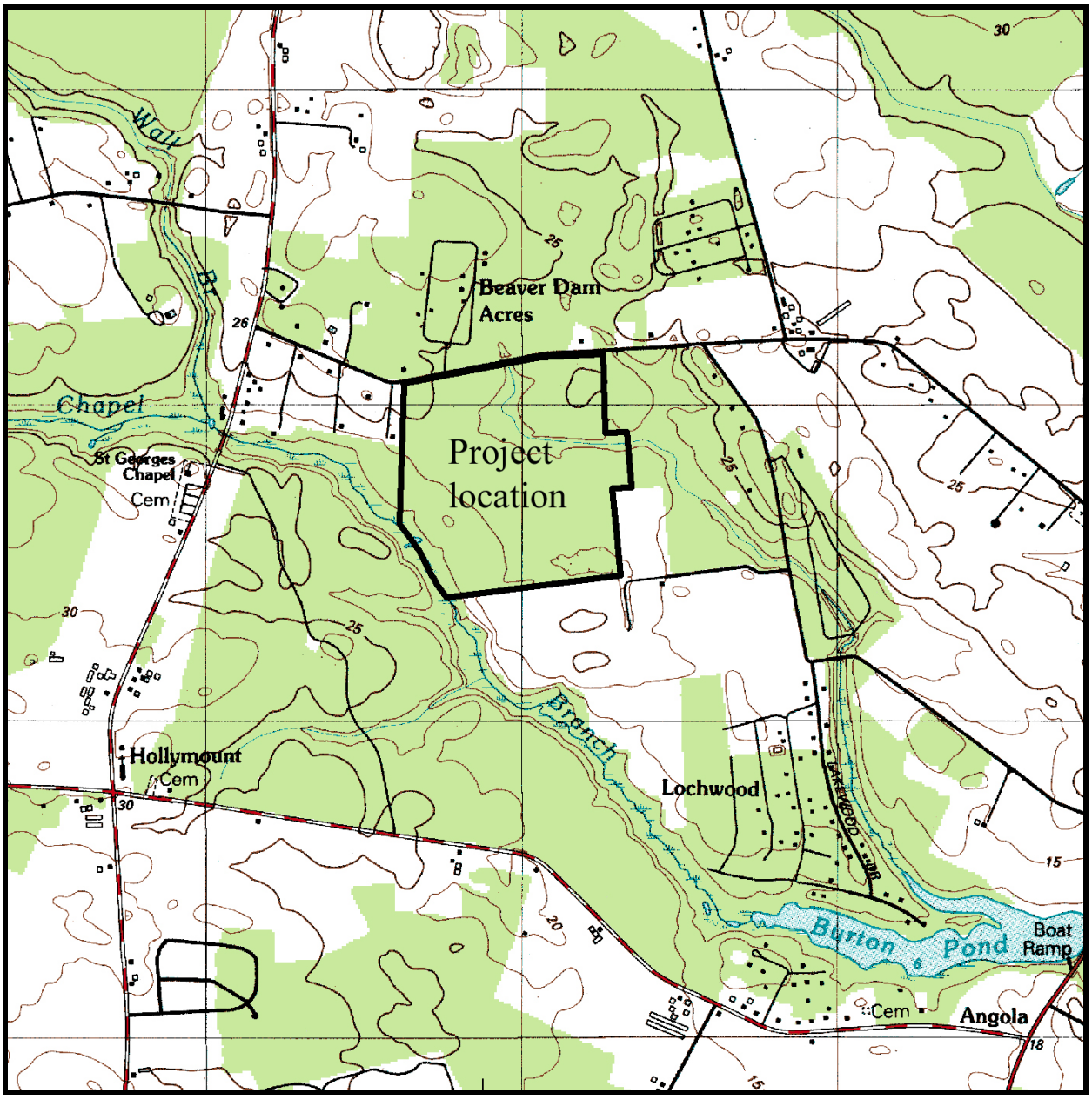

Figure 1. Project location. U.S.G.S. topographic map, Fairmont quadrangle

Prehistoric Era

Periods of the prehistoric past are known from prior archaeological study. The periods are defined on the basis of artifacts recovered in context and dated through radio-carbon analysis.

Paleo-Indian Period (13000 B.C. - 8000 B.C.)

The diagnostic tools of the Paleo-Indian period are the fluted Clovis point, and the Kirk, and Palmer point types. Paleo-Indian sites are centered around sources of cryptocrystalline rocks suitable for working into tools (Gardner 1974, 1977). There are no primary outcrops of cryptocrystalline rocks on the Delmarva Peninsula south of Newark, Delaware. However, there are areas on the western side of the Peninsula where good quality stone (for making tools) are found. Associated with these cobble sources are Paleo-Indian sites such as Paw-Paw Cove (Lowery 1989). In general, however, there are few known Paleo-Indian sites on the Delmarva Peninsula. Fluted point finds from Delmarva are primarily surface finds, including two from the Nanticoke drainage (Custer 1989a:94).

For years, the subsistence of these first people was believed to be based on the hunting of Pleistocene megafauna such as mammoth and mastodon. This assumption was based on the similarity of projectile points across the country and the association of these early tools with megafauna in sites located in the Midwest and west. Evidence from sites in the east also suggest hunting of smaller animals such as deer, birds, and fish (Dent & Kaufman 1985; Ebright 1992).

Archaic (8000 B.C. - 3000 B.C.)

During the Archaic period, the vegetation changed from the spruce woodland to a mixed coniferous/deciduous forest with a large increase in the amount of white pine noted (Carbone 1976). By around 7,000 B.C. the forest changed to the Oak-Chestnut forest characteristic of the region until the chestnut blight (Carbone 1973). Essentially modern floral and faunal patterns became established during this episode (Carbone 1973; Custer 1989). Throughout this time sea level was rising as the ice caps melted. Sea level was rise was rapid and it is likely that estuarine resources in the Chesapeake and Delaware Bays had not yet become established.

Archaic sites are identified by the presence of bifurcate based points of various names and by Morrow Mountain projectile points. Points of this period are found on the Delmarva Peninsula but little is known about local settlement patterns. Custer (1989a) notes the highest concentration of bifurcate based points is along the mid-peninsular drainage divide. The introduction of ground stone tools (Coe 1964), generally plant processing tools, indicates the increased importance of vegetable foods at this time.

Woodland I (3000 B.C. - A.D. 1000).

The Woodland I is divided into four complexes (Table 1). These are temporally and spatially definable based on sets of artifacts related to particular adaptations (Custer 1994, 1989). Woodland I sites are more numerous in southwestern Delaware than for any other period (Custer 1989b:33). Sites are found in a variety of locations indicating a refined subsistence pattern incorporating seasonal movements geared toward collecting a variety of food resources. Areas with well-drained soils along streams are good locations for sites of this period. The largest sites of this period are associated with well-drained soil along major waterways.

PERIOD	COMPLEX
3000 B.C. - 500 B.C.	Barker's Landing
500 B.C. - A.D. 1	Wolfe Neck/Delmarva Adena
A.D. 1 - A.D. 500	Carey
A.D. 500 - A.D. 1000	Late Carey

Table 1. Woodland I Complexes

Settlement during the Woodland I has been interpreted to be characterized by family oriented camps. Winter base camps were located along major waterways (Custer 1994:84) with procurement camps spread across various ecozones.

Barker's Landing Complex (3000 B.C. - 500 B.C.)

Projectile points characteristic of the Barker's Landing Complex include the Savannah River, Bare Island and fishtail types, among others. Custer (1994) has divided the Barker's Island Complex into three periods (I, II, and III). In the Barker's Island I (3000 B.C. - 2000 B.C.) small stemmed points were used. During the Barker's Island II (2000 B.C. - 1200 B.C.) small stemmed points and broadspears were used. Steatite bowls were also included in the material culture at this period. The Barker's Island III period includes fishtail points and steatite tempered pottery and Dames Quarter ceramics (Custer 1994).

Wolfe Neck/Delmarva Adena Complex (500 B.C. - A.D. 1)

Around 500 B.C. Wolf Neck ceramics replace the earlier forms. Across the eastern United States at this time, ceramics were sand and crushed quartz tempered with cord or net marked exteriors and Wolf Neck is the local variety of this pattern. Custer regards Wolfe Neck and Delmarva Adena complexes to be coexisting cultures. The most significant difference is the burial ceremonialism, including exotic non-local artifacts, associated with Delmarva Adena. Custer relates the rise of Delmarva Adena to increased social organization.

Carey Complex (A.D. 1 - A.D. 500)

Custer notes that the most dramatic marker for the emergence of the Carey Complex is the cessation of Delmarva Adena (Custer 1989a:276). Mockley ceramics (tempered with crushed shell) and Rossville projectile points are characteristic artifact types.

Late Carey Complex (A.D. 500 - A.D. 1000)

During this period there is a reduction in the number of sites in the Nanticoke area (Custer 1989b:40). Hell Island ceramics and Jacks Reef projectile points are diagnostic of the period. The presence of Hell Island pottery is believed due to an intrusion from the north (Custer 1989b:41)

Woodland II (A.D. 1000 - A.D. 1600)

The Woodland II is characterized by essentially modern climatic conditions. A minor perturbation, the Little Ice Age, occurred between A.D. 1200 and A.D. 1600. This appears to have been a period of cooler temperatures and decreased precipitation (Otter 1989). The effects of the little ice age were recorded across Europe as well as North America (Wigley, Ingram & Farmer 1981).

Two complexes are recognized in Delaware for the Late Woodland II period (Custer 1989). The Minguannan Complex is mostly restricted to the northern part of the state although occasional pieces of mingunannan ceramics may be found in Sussex County.

In the lower part of the state, from central Kent County south through Sussex County, the Slaughter Creek Complex is found. This complex is characterized by triangular projectile points and Townsend/Rappahanock ceramics. A major distinction between Townsend/Rappahanock pottery and Mockley pottery, besides surface treatment, is that Townsend/Rappahanock pots were better made. Paddling seems more thorough resulting in thinner vessel walls and fewer breaks along coil lines. Sites associated with Slaughter Creek complex are often large suggesting sedentary villages.

Maize agriculture was clearly present in the Middle Atlantic during this period. Corn has been found at the Rosenstock and Thomas Point sites in Maryland, and at the Great Neck site in Virginia Beach, Virginia. There is little justification for believing maize was not present in Delaware. Hunting and the gathering of wild plant foods was also clearly an important component of Woodland II life.

Historic Era

Exploration and Frontier Settlement (1630 - 1730) (Contact Period)

European settlement of the Delmarva Peninsula began in Virginia about 1628, at Lewes (Swanandael) about 1630 and along the upper Chesapeake Bay about 1633. The Delaware settlements were contested between the Swedes, Dutch, and English. By 1674 the English had gained complete control of the region. After William Penn was granted the Delaware counties in 1682 the economic focus became centered around Philadelphia.

During this period, Native Americans in Delaware lost their prehistoric ways through various processes of discrimination, assimilation, and displacement. Earliest contacts included trading with the Europeans for goods. Native groups became entangled in the complex European politics of the day and were played by one nation against others. A significant factor in the disappearance of the Native American lifestyles was the introduction of European diseases which the Americans were not physically equipped to fend off. Between the fighting, diseases, and discrimination, the Native Americans either left the region or hid themselves either in small groups or assimilated as best as possible into the new European styled society.

Early historic period economics in lower Delaware centered around the production of corn, cattle, and hogs. These products were marketed in Philadelphia. Perhaps because of the economic interests, settlements during this period were located along navigable streams. Most sites are located within 12 miles of the Delaware Bay or Atlantic Ocean and within 300 feet of a navigable stream (De Cunzo & Catts 1990:36). The upper reaches of Love Creek, just southeast of the project area is believed to have been an area of late 17th century English occupation.

Intensified and Durable Occupation (1730 - 1770)

The population of lower Delmarva grew steadily during this period. Life was centered around agrarian pursuits. Farm products reached foreign markets through Philadelphia. Iron forges came into existence along the Nanticoke, and presumably along other waterways, about 1760 and were largely gone by the Revolution. Road networks were developed and settlers moved further inland. Small hamlets developed at this time, mostly along river crossings (De Cunzo & Catts 1990:44). While the title chain could not be completed for the land in the project area, it is likely that it was originally patented during this period.

Transformation from Colony to State (1770 - 1830)

The Revolution altered foreign markets. Food produced on Delmarva was sold in Baltimore and Philadelphia instead of Europe or the West Indies. These economic ties continued until the Civil War. Rapid population growth after the Revolution led to the clearing and tilling of marginal lands (De Cunzo & Catts 1990:53). By the 1820s many were heading west for better

land. There was also an increase in industrialization. In 1810 more than 70% of the textile mills of Delaware were in Sussex County. Flax and wool were major crops in the county.

Industrialization and Capitalization (1830 - 1880)

The rise of Baltimore as an important overseas port siphoned Delmarva goods away from Philadelphia. Railroads reached the lower peninsula around 1850 and improved transportation. This allowed farmers to raise more perishable, and lucrative, crops such as peaches. Canning also developed after the Civil War and became an important industry. Corn and wheat remained the major crops.

Urbanization and Sub-urbanization (1880 - 1940)

The term for this period is somewhat misleading for southern Delaware. Little urbanization occurred. The most significant changes of this period in southern Delaware were improvements in transportation and a shift to truck crops and poultry as major farm products. The modern poultry industry that quickly raises and markets chickens was developed in Sussex County. The need to satisfy feeding requirements of the birds shifted crops from truck items to feed crops. The land now included in the Georgetown Airport was occupied by farms during this time.

RESULTS

An attempt was made to examine all deeds involving the land back to the inital land patents in the late 17th century or early 18th century. This is done by working backwards in the land records. In the process, wills, and other documents are identified and read for information about land use and habitation. This work helps in determining the extent and types of land use that has occurred on the property through the years. It is not uncommon to find references to houses that no longer stand.

State and Federal site files were examined to determine if previous cultural resources studies had been done on the property and if sites or structures were known to exist. This work also provides insight into the types of cultural resources known to exist in the area but outside the project boundaries. No archaeological sites or historic structures are reported as being on the property.

Land Tenure History

Since 2005, the property has been owned by Springcap LLC. In April of that year they purchased the tract from HLHJR Ventures - Red Mill LLC (3127/096). HLHJR LLC. acquired the property in 2002 from Townsends Inc. (2784/109). This is described as a 114.09 acre parcel.

Townsends Inc. purchased the tract in 1946 from Theodore and Elizabeth Jarvis (364/262). The property is identified as the Luke Lamb farm. Theodore and Elizabeth Jarvis bought this tract, along with a larger piece near Harbeson, from Sidney Jarvis in 1926 (268/499). Sidney only owned the property less than three years, having purchased it in 1923 from Carlton Pepper (240/537). The tract is again referred to as the Luke Lamb Farm.

Carlton Pepper was the grandson and one of the heirs of William Coard Burton and Ann Eliza Burton. It was through Ann Burton's will that Carlton became vested in the property (will 20/252). It was stated in the will that Ann inherited the property from her father (no name given). Fortunately, Carlton Pepper wrote a genealogy of his Burton line and that report is on file at the Delaware State Archives. Ann Burton's father was Dagworthy Derickson. A D. Derickson is shown as the property owner on the 1868 Beer's Atlas (Figure)

In Dagworthy Derickson's will of 1870 it stated that the farm tenented by Manean B. Marvel was to go to Ann Eliza and William Burton. No deed exists to document the purchase of the property by Dagworthy Derickson. However, a note in the 1860 Sussex County assessment records indicates the property was purchased by Derickson from Manean Marvel.

Manean Marvel purchased the property in 1850 from William F. Lamb (57/350). William Lamb became the sole owner of the property upon the death of his sisters in 1849. The tract is identified as 112 acres in size. William and his sisters inherited the property upon the death of their mother, Sarah Lamb. Sarah had a dower interest in the property since the death of her husband, Luke Lamb, in 1836. An orphans court plat of the property dated 1837 for the estate of Luke Lamb clearly shows the present property line configuration for the property (Figure).

Luke Lamb was the winning bidder at a sheriff's sale of the land of John Hill in 1819 (34/204). This was the same 200 acre parcel that John Hill bought from Nehemiah Field (23/113), the heir of his father John Field and his mother, Mary Hazzard. Mary Hazzard came to own the property through the will of her grandfather, Coard Hazzard, and he inherited the property from his father, David Hazzard. The specific 112 acre study tract cannot be identified on the 1754 plat of Coard Hazzard's 534 acre tract called Price (Figure), although it was clearly part of this property.

David Hazzard bought the land in 1715 from Matthew Stevens (1/302). Stevens first bought the land in 1696 from Robert Tomlinson (1/226). Tomlinson acquired the tract from Robert Bracey in 1688 (1/72) and Bracy bought it from Thomas Dennis, the original grantee (1/105).

Archaeological Potential (Historic)

Based on the land tenure history, some predictions about historic archaeological sites can be made. The property was part of a larger tract of land first patented in the third quarter of the 17th century. At this time, it is not possible to predict where 17th and early 18th century sites might be found. The 1754 plat does not provide sufficient information for predicting where the William Cord Hazzard house was. The Hazzard family cemetery was included in the part of Price that was granted to David Hazzard, the son of Coard Hazzard (Coard Hazzard will).

There can be little doubt as to house locations in 1837. Property lines marked for the division of Luke Lamb's estate have survived to the present and the Orphans Court plat for the estate of Luke Lamb clearly shows these lines, the location of the mansion house and two other buildings (Figure 2). It is possible to superimpose this on the proposed development tract (Figure 3).

The 1868 Beer's Atlas (Figure 4) shows the house location identified as the property of D (Dagworthy) Derickson. The 1918 U.S.G.S. topographic map (Figure 5) also shows the location of the mansion house. The other small house on the lane to the big house, south from Conley Chapel Road, is not shown and likely had fallen by 1868. On the 1938 aerial photograph (Figure 6), the mansion house location is not readily visible. This indicate that the building had been destroyed by that time.

Based on this data, it is certain that at least two 19th century house sites exist on the property (Figure 7). 17th and 18th century sites might be present. These would likely be located on higher elevated ground near a stream or spring but archaeology is not able to predict where these sites might be. The property appears to have been vacated during the 20th century.

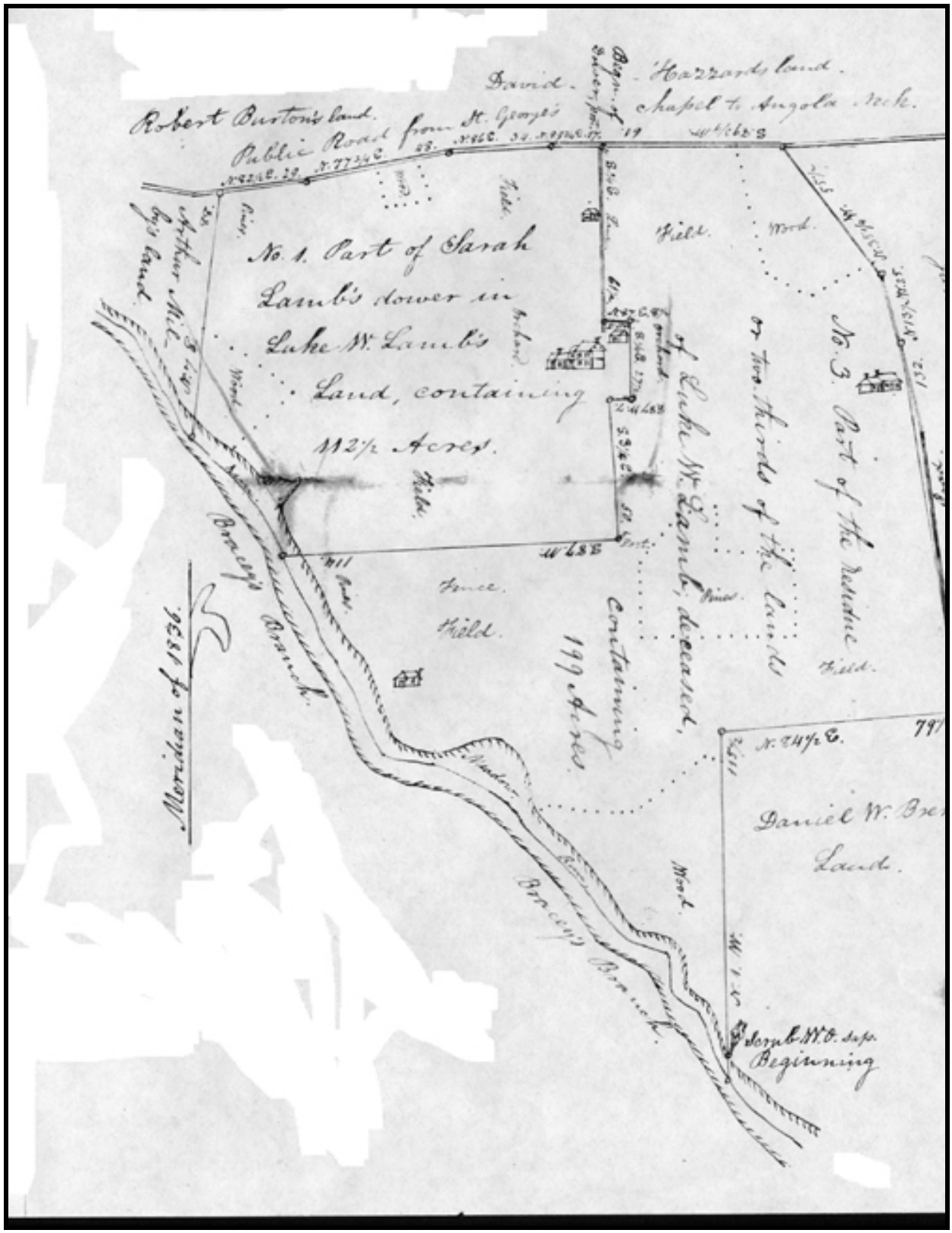

Figure 2. 1837 Orphans Court plat of the Luke Lamb estate.

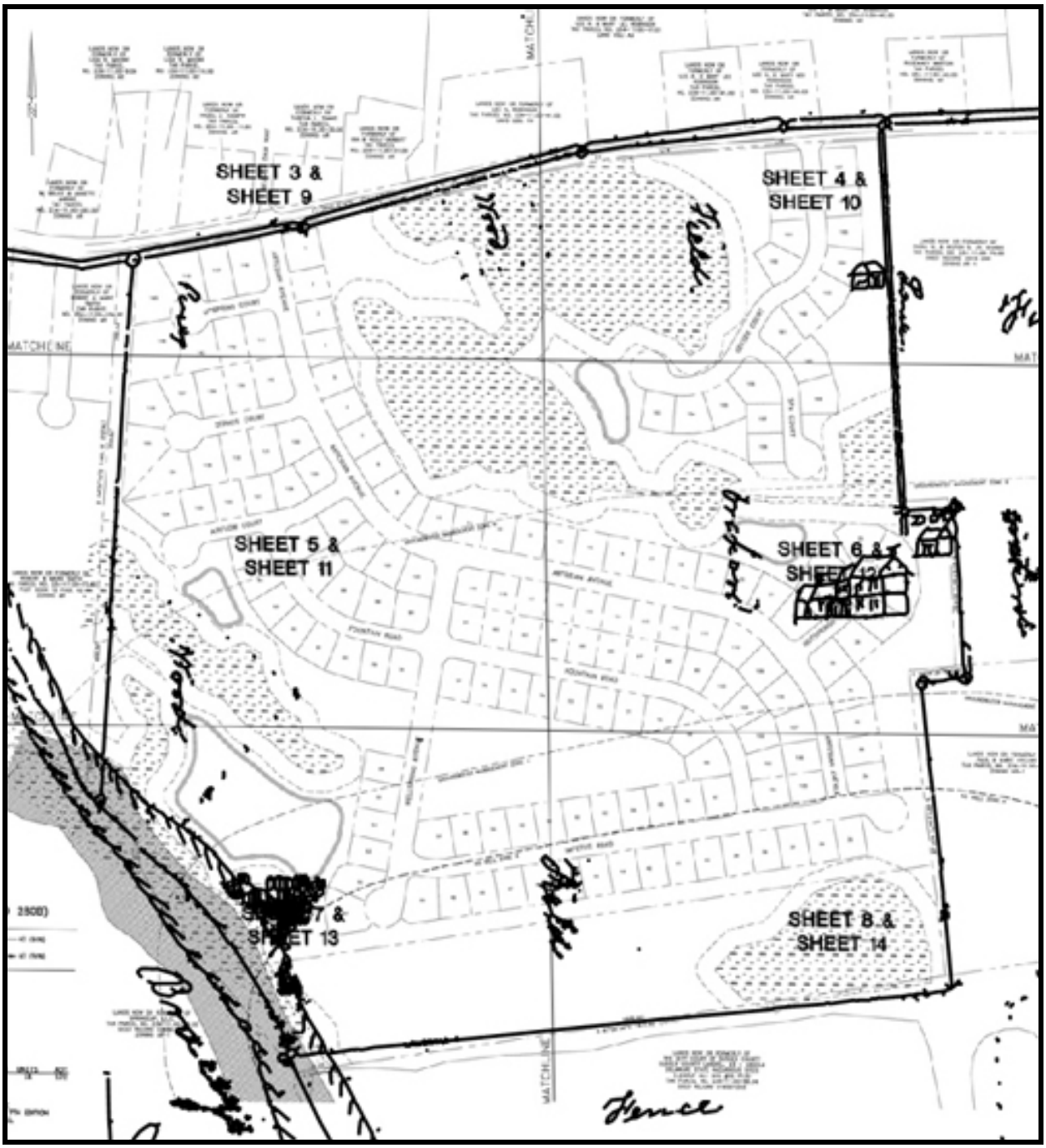

Figure 3. 1837 plat superimposed on development plan

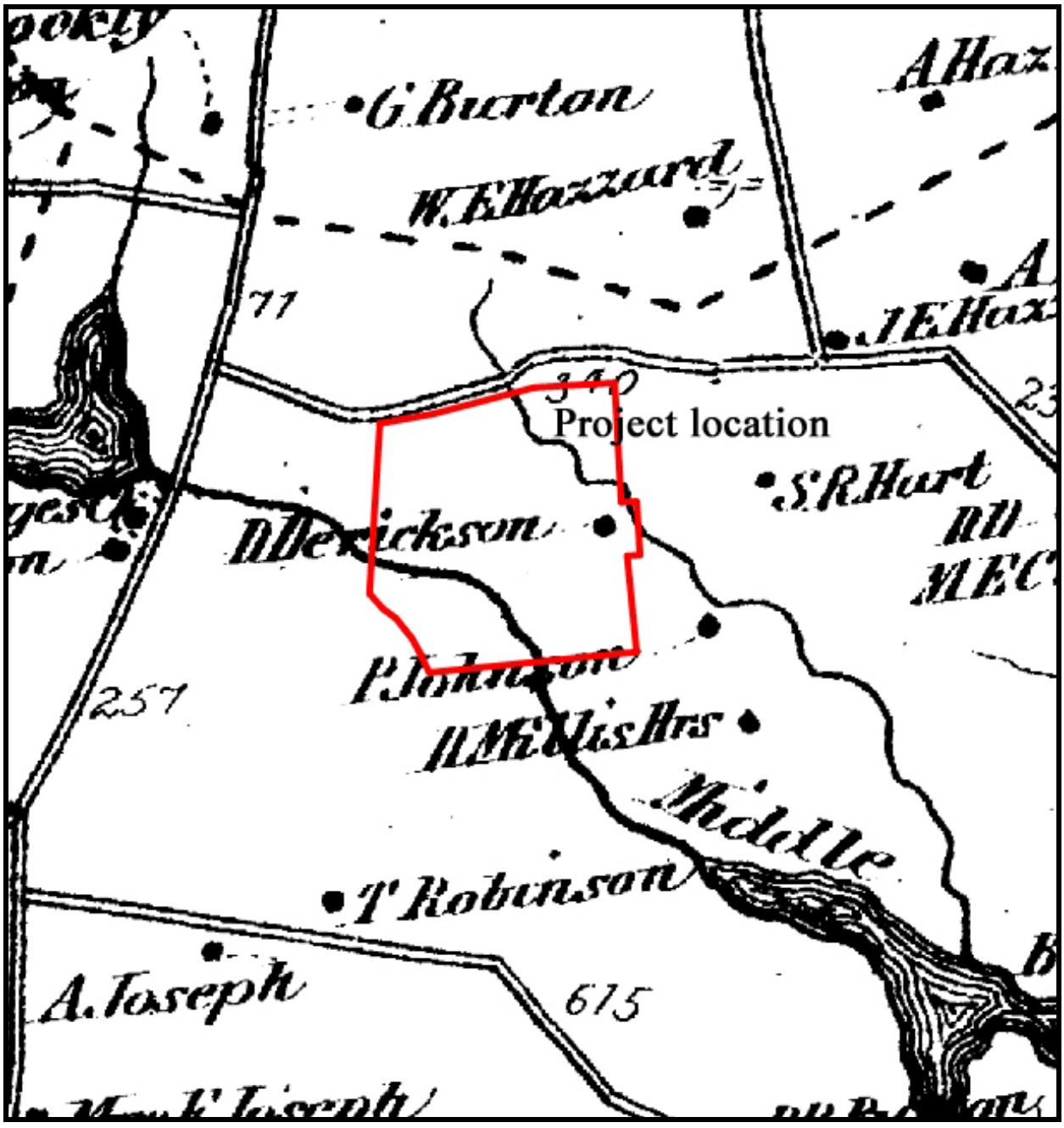

Figure 4. 1868 Beers Atlas (portion).

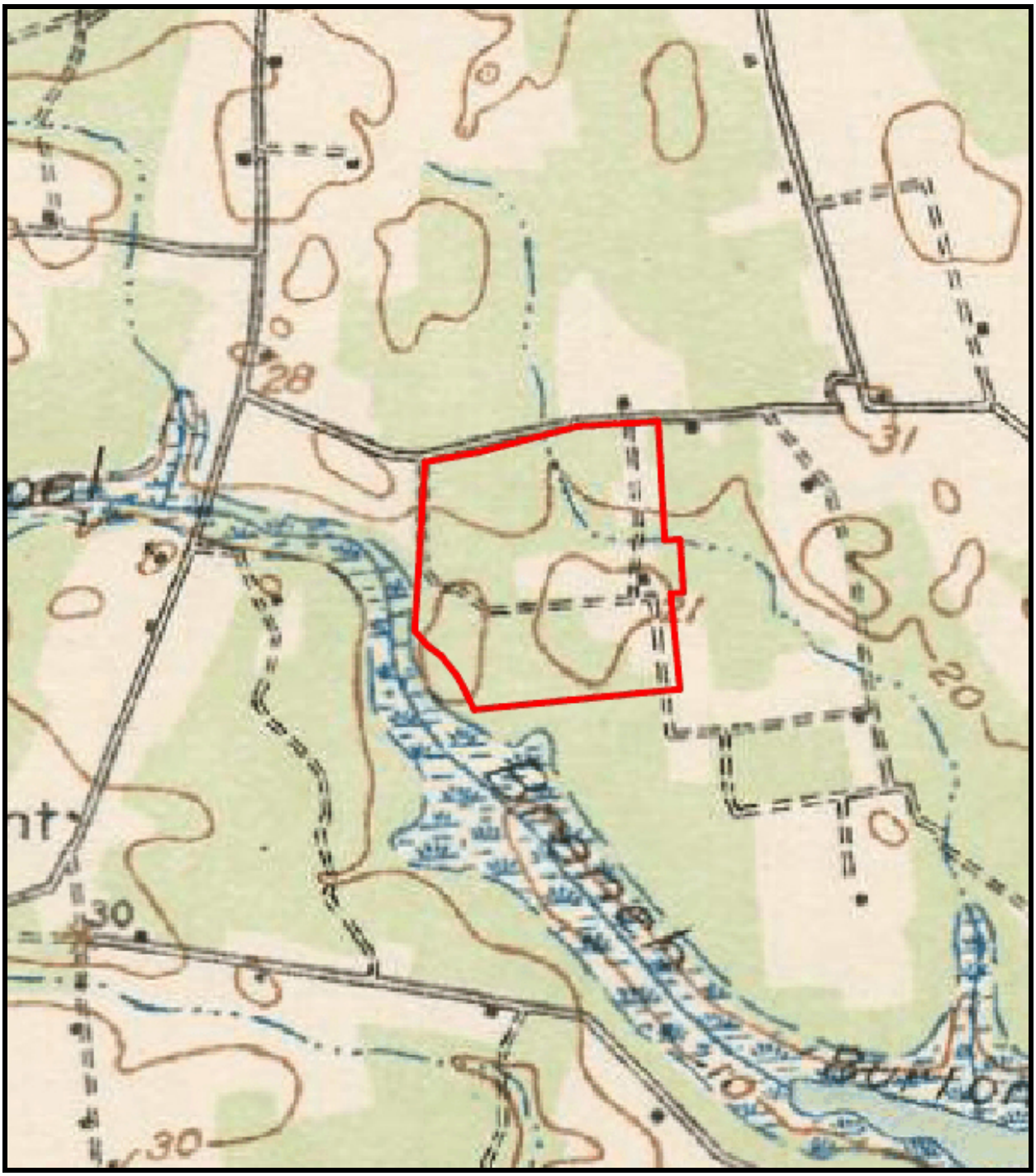

Figure 5. 1918 U.S.G.S. topographic map

Figure 6. 1938 aerial photograph

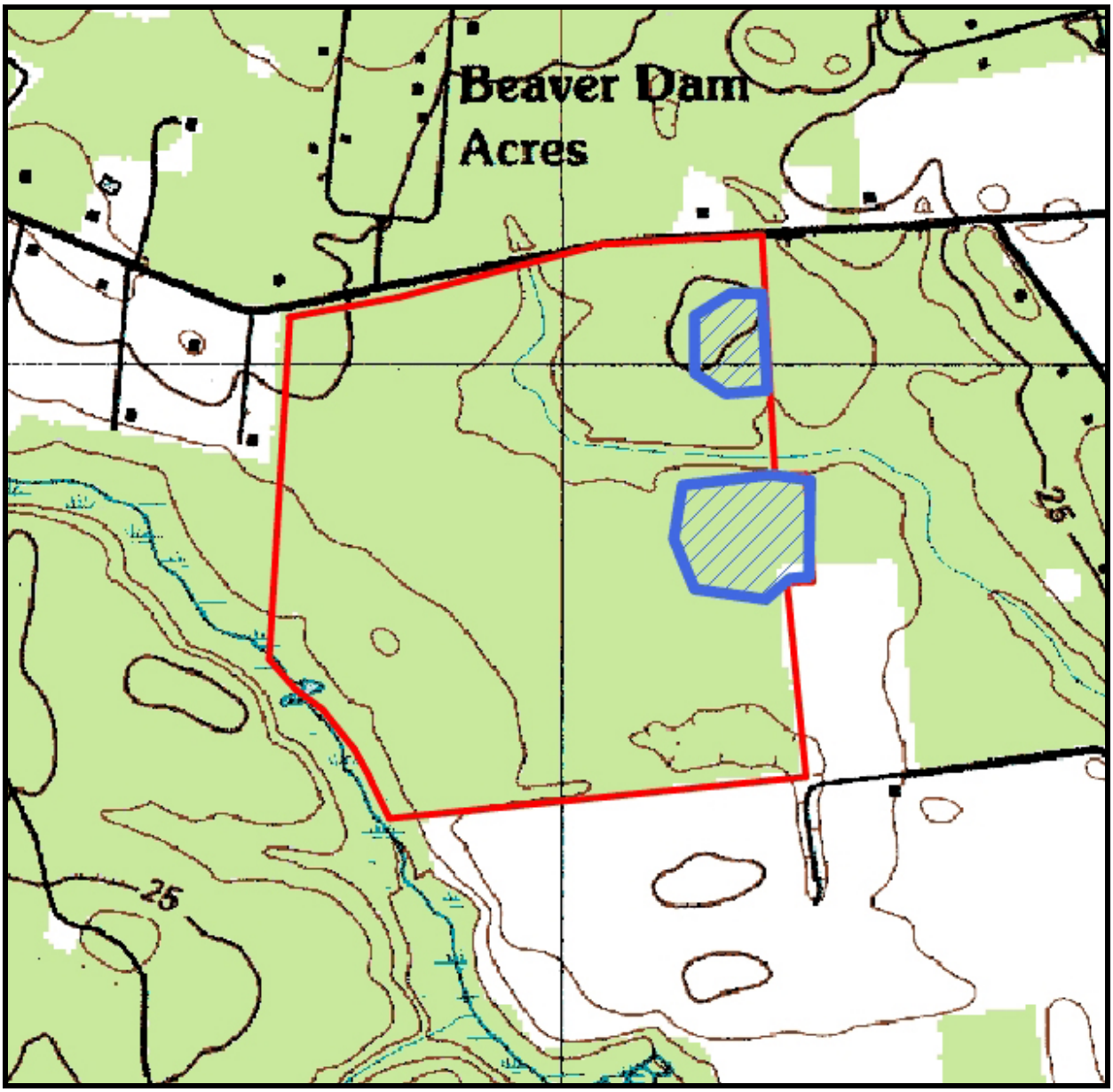

Figure 7. Locations of 19th century structures (based on maps)

Archaeological Potential (Prehistoric)

The Delaware State Archaeological site files shows no archaeological sites within the project area. The closest archaeological site is Lockwood, just southeast of the project area. The Lockwood site is a prehistoric site buried within an aeolian sediment. Cultural material was found nearly one meter deep and is likely eligible for the National Register of Historic Places if it has not been destroyed by development. The deeply buried materials likely retain sufficient integrity for the site to provide meaningful information about the prehistoric past in Sussex County.

The area near Bracey's Branch on the southwest side of the project area is different from the setting for the Lockwood site in that at Lockwood, the elevation is higher closer to the stream. Soils in both locations are mapped as Evesboro sandy loam. At Lockwood this was determined to be an aeolian sediment and it may be so at the Woods of Burton Pond. However, the lower elevation could result in wetter soil less suited to habitation. For this reason, the potential for prehistoric archaeological sites to exist in proximity to Bracey's Branch is considered moderate (Figure 8).

Bracey's Branch is not the only surface water on the tract. There is a small stream toward the northeast side of the property. There is higher elevated land on both sides of this stream and these are the settings for the 19th century sites. This land also is considered to have at least a moderate potential for containing prehistoric sites.

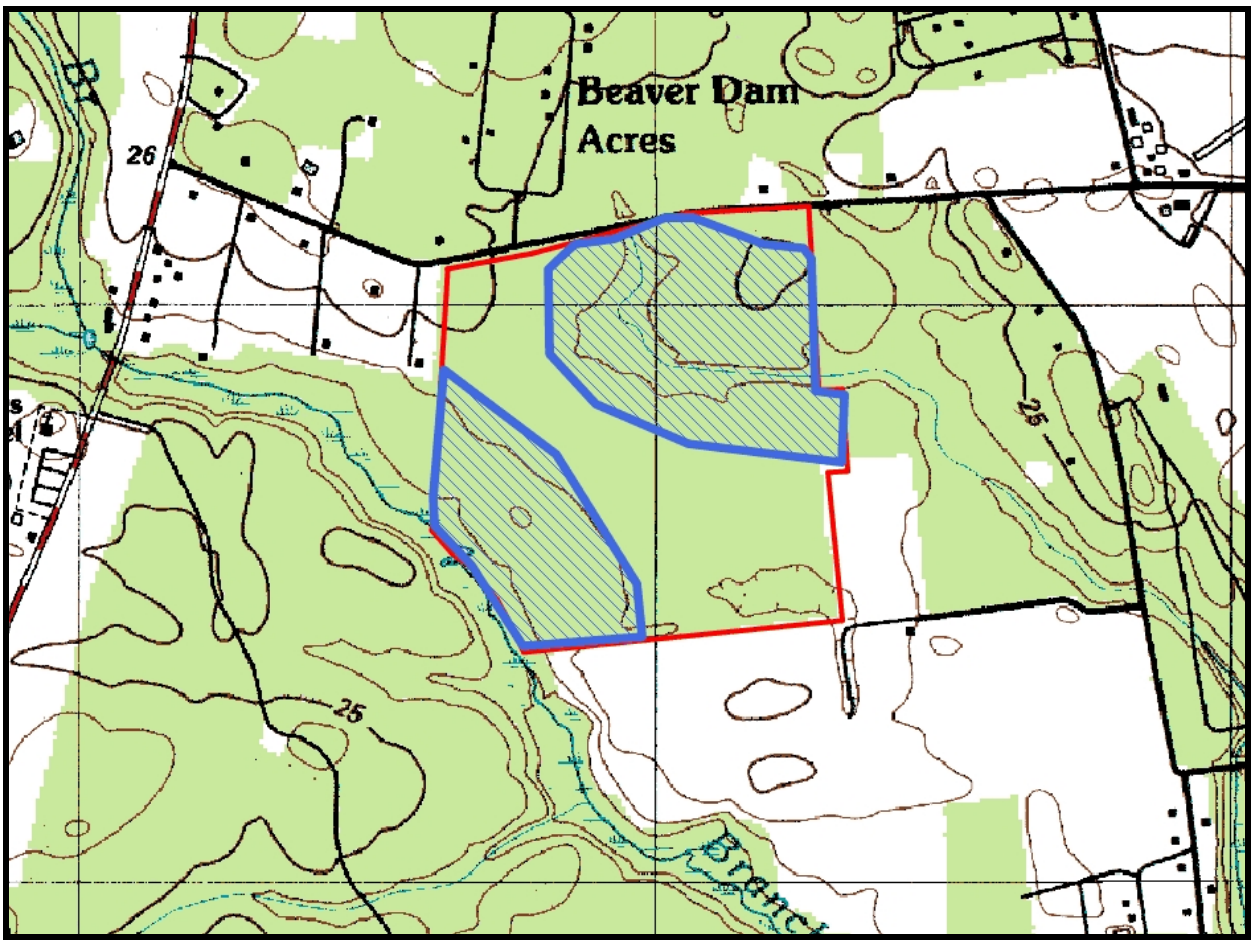

Figure 8. Areas of potential prehistoric archaeological sites (in blue)

CONCLUSION

The Woods at Burtons Pond contains two areas of archaeological potential. Near Braceys Branch there is a moderate chance for finding prehistoric archaeological sites. Along the small branch to the northeast there is also a chance for finding prehistoric sites. At least two locations have been identified as having been the locations of houses in the first half of the 19th century.

If any federal involvement is required, archaeological study will be required. Archaeological field work can verify the presence or absence of sites in the predicted areas. Field study can also determine whether the 19th century sites have any scientific value considering the property has been logged during the 20th century. These studies are conducted in stages and under the guidance of the Delaware State Historic Preservation Office.

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The Woods at Burton Pond
Habitat Evaluation Report

PREPARED AT THE REQUEST OF:
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Joseph M. McLaughlin — January 14, 2009
Environmental Specialist — Date

Judith Wertz — January 14, 2009
Environmental Scientist — Date

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PURPOSE

This document presents the results of a rare species survey and habitat evaluation, forest stand assessment, and Critical Natural Area (CNA) assessment conducted on the property known The Woods at Burton Pond (Tax Parcel 234-11.00-72.00) located in Sussex County, Delaware as shown on the various mapping figures found within, and at the end of this report. Field observations and data analysis have been summarized in this report by JCM Environmental for review by regulatory agencies.

The State of Delaware, Department of Natural Resources and Environmental Control (DNREC) reviewed the proposed project in 2006 through the PLUS process, and complete set of comments can be found in the appendices. The State identified the following concerns in their review that pertain to this report:

1. Rare species
    a. Although DNREC had never surveyed the property at the time of review, there were concerns noted regarding records of Red-headed Woodpecker (*Melanerpes erythrocephalus*) in a woodlot just south of the project area. Recommendations for projection of this species include avoidance of forest fragmentation, and leaving mature and dead trees standing.
    b. There are records of Mud Salamander (*Psuedotriton montanus*) being present adjacent to the property.
    c. There are numerous records of rare species both upstream and down of Chapel Branch. DNREC recommends at least a 100 foot wetland buffer in order to protect any potential rare species associated with Chapel Branch.
2. Ancient Sand Ridge Forest- Based on a GIS database search, DNREC noted that the property potentially contains an ancient sand ridge forest. These types of forests develop on well-drained sandy substrates of prehistoric sand ridges or dunes. If identified, DNREC recommends that these forests are preserved.
3. A site visit was requested in order for DNREC staff to survey the property for any potential rare species.
4. Forest Preservation- Cumulative impacts to forest tracts are of concern to DNREC, and because of other developments in the area and potential impacts to wildlife species, DNREC encourages the landowner to consider preservation rather than development.
    a. If preservation is not going to be considered, DNREC would like the current plan to be downsized, including the removal of multiple lots and infrastructure.
    b. If possible, using an alternative method of stormwater management that does not require tree clearing would be preferable.
    c. If tree removal is implemented, it is recommended that clearing not occur between April 1st and August 31st of any year in order to reduce impacts to wildlife that may utilize trees for breeding.

Each of the above listed items is addressed in further detail in either the body or conclusion of this report.

The field delineation was performed within the boundaries of the subject property as shown in Figure 1. The property is bordered by private residential lots and woodlands to the west, Conley's Chapel Road to the north, woodlands and agricultural fields to the east, and woodlands/scrub-shrub areas, formerly of landfill status, to the south. The subject property consisted primarily of mid-successional mixed deciduous/coniferous woodlands, with areas of forested wetlands.

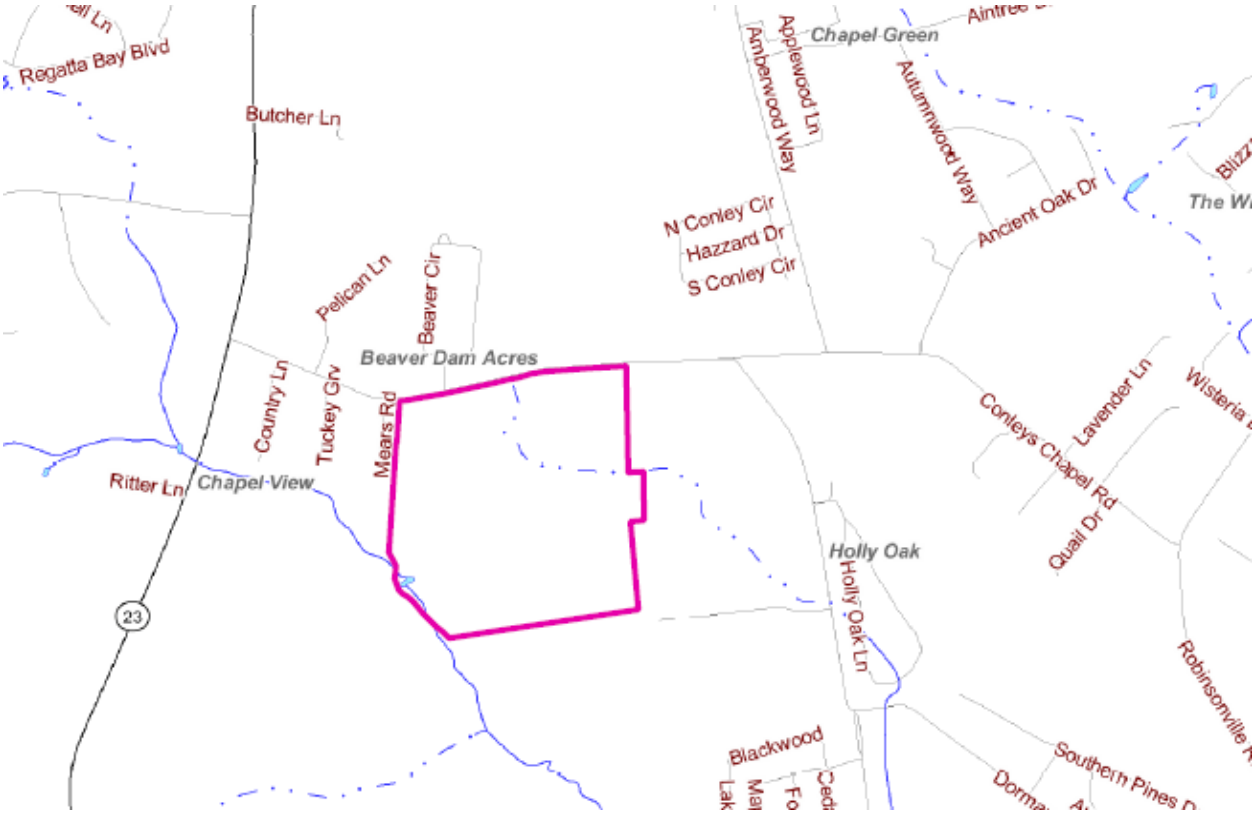


Figure 1. Site Location Map

PROPERTY ASSESSMENT

METHODS

A site plan showing existing conditions, including: property boundaries, roads, tree lines, waterways and other points of reference was used in conjunction with a 2002 color infrared (CIR), and 2007 aerial photograph to estimate locations of land cover types and to identify various habitat types. Data point locations were estimated based on the physical features mapping and CIR photography.

The site investigation consisted of visual observations of all land cover types and habitat types on the site. Data was collected in representative areas with respect to vegetative cover, tree sizes, soil types, and other natural and man-made conditions. Any species observations or unique or rare habitat types or features were noted during the site investigation.

Site visits were conducted on January 5th and January 8th of 2009. During these visits, 9 data points were established throughout the site as depicted on the attached map. Robert Coxe, a field botanist for DNREC, was present during the January 5th visit, and had full access to all portions of the property.

Forest Stand Data Collection Methods

The forest stand delineation was based on data collected from 0.1-acre plots. All live trees within each plot were measured for diameter at breast height (DBH). All trees ≥6" DBH were recorded along with their species. Additional data collected included species present within the shrub, herbaceous and vine layers, animal species observed, and soil characteristics. The soils exposed at each plot were observed using a 2.5" Dutch auger. Borings were made to a depth of 20-24 inches and soil color and texture were noted.

The forest stand delineations were based on data collected from 0.1-acre plots intended to represent specific forest or non-forest areas within the property. The diameter at breast height (DBH) was measured for all trees ≥6" DBH. Species were identified and the percentage of canopy cover the recorded trees provided to the plot was estimated. Data point locations are shown on Figure 2. found below.

Figure 2. Data Point Map

RESULTS

Habitat Type Designations

As shown in Figure 3, the property is primarily comprised of mid-successional woodlands with pockets of wetlands. There are two, connected seasonal wetlands located in the southeastern corner of the site, and a portion of Chapel Branch runs near the southwestern property boundary.

Figure 3. Habitat Designations

Forest

The onsite forest canopy was dominated by Red Maple, Loblolly Pine, Sweet Gum, and Black Oak, and canopy cover averaged 85%. The understory was comprised primarily of Red Maple, American Holly saplings, and the shrub layer was dominated by Highbush Blueberry, American Holly, and Common Greenbrier. The understory layers ranged from quite thick around Chapel Branch, to open around the forested wetlands. Average DBH of all tree species observed within sample plots ranged from 6.0 inches to 16.9 inches. Soils within these areas consisted primarily of 10YR 4/1, 10YR 5/2, and 10YR 5/4 with textures ranging from sandy loam to clay and sand. Dominant soil texture throughout the forested area was sandy clay.

Based on aerial photography, the property appears to have been timbered sometime between 1951 and 1968, and machinery roads are clearly visible in the 1992 aerial photograph. The forest's road pattern does not appear to have changed significantly since 1992, and there was no evidence of recent timbering activity observed during the January site visits.

Representative forest photographs

Dominant vegetation present within the Forest	
Common Name	**Scientific Name**
Red Maple	*Acer rubrum*
American Holly	*Ilex opaca*
Sweet Gum	*Liquidambar styraciflua*
Tulip Poplar	*Liriodendron tulipifera*
Black Gum	*Nyssa sylvatica*
Loblolly Pine	*Pinus taeda*
Aspen sp.	*Populus sp.*
Black Cherry	*Prunus serotina*
White Oak	*Quercus alba*
Southern Red Oak	*Quercus falcata*
Swamp Chestnut Oak	*Quercus michauxii*
Northern Red Oak	*Quercus rubra*
Black Oak	*Quercus velutina*
Common Greenbrier	*Smilax rotundifolia*
Poison Ivy	*Toxicodendron radicans*
Highbush Blueberry	*Vaccinium corymbosum*

Non-Forest Areas

The non-forest areas within the property consisted of seasonal wetlands in the southeastern corner of the property, and the areas adjacent to Chapel Branch. The seasonal wetlands averaged approximately 6 inches of standing water, and when vegetation was present, it consisted almost solely of Loblolly Pine, Red Maple, and Sweet Gum. The dominant vegetation associated with Chapel Branch was Alder, Inkberry, and Common Greenbrier.

Seasonal wetlands in the southeastern portion of the property

Chapel Branch and associated scrub/shrub wetlands

Critical Natural Areas

Chapel Branch and its associated wetlands have been designated as a Critical Natural Area (CNA) by DNREC (Figure 4.). This portion of the property was examined extensively by members of both JCM Environmental and DNREC, and no rare plant species were noted by the JCM field staff. A letter from DNREC is pending, but discussions with Robert Coxe indicated that the State had also been unable to locate any rare species.

The wetlands adjacent to Chapel Branch had deep, mucky pockets up to at least 16 inches, and are potential habitat for Mud Salamanders, Four-toed Salamanders, and various species of Treefrog. However, the developer has left a substantial forested buffer around these areas, and as such, any potential rare species should not be impacted by the proposed development.

A former landfill site (Sussex County Landfill #3- Angola) is just south of the property, and in accordance with Sussex County Council Resolution #R02687, JCM Environmental confirms that no impacts to the property will occur through the land use change plans. Onsite water features drain southerly through the property and offsite, so there is no danger of groundwater contamination from the former landfill. Additionally, proposed infrastructure lines are over 150 feet from the landfill site.

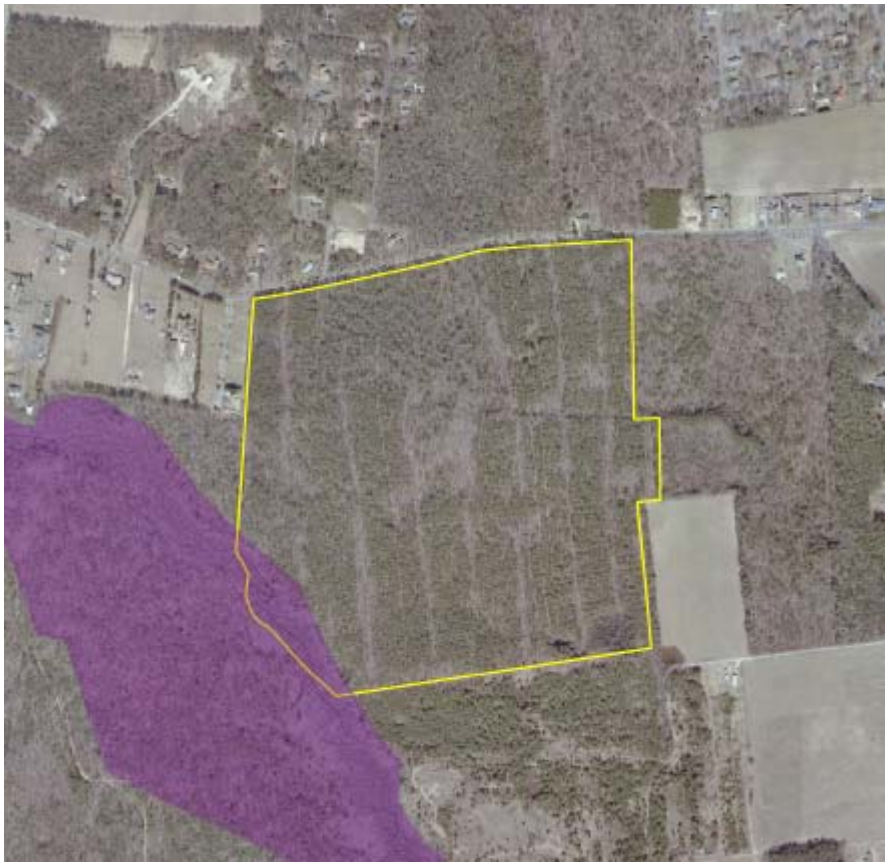


Figure 4. Critical Natural Areas per DNREC mapping

CONCLUSIONS

The onsite woodlands have, in the past, been cleared to allow for machinery to move through the site, although no recent clearing efforts were noted during the site visits. These areas were comprised of typical species found on the Coastal Plain in Delaware, dominated by Loblolly Pine and Red Maple. No Ancient Sand Ridge Forests were noted during the field effort. No rare, threatened, or endangered plant species were observed on the property.

At the time of the survey, the State of Delaware had no records of Rare, Threatened or Endangered Species on the property. However, concerns were noted regarding known occurrences of Red-headed Woodpecker and Mud Salamander on adjacent properties. Typical habitat for Red-headed Woodpecker does not occur on the site, as there are few snags. Potential Mud Salamander habitat occurs around Chapel Branch, although no specimens were located at the time of this field study. Based on the significant buffer allocated around this water system, no adverse effects from the proposed development should occur to any potential Mud Salamander habitat or existing populations.

A field botanist from DNREC, Robert Coxe, accompanied JCM during the January 5th field visit, and results from his survey are forthcoming.

The developer has made a notable effort to maintain the integrity of onsite wetlands, particularly those of concern around Chapel Branch, by implementing a greater than required buffer. Additionally, large tracts of forested wetlands will remain as open space and habitat areas for local wildlife.

APPENDICES

DATA POINT 1

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Forested wetlands

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
Acer rubrum	Red Maple	9.4	10.2	9.6	6.3	8.9	1.7684
Nyssa sylvatica	Black Gum	6.4				6.4	0.2234
Pinus taeda	Loblolly Pine	13.8	13.8			13.8	2.0774

Canopy Cover	85%
Trees with DBH of 6.0-17.99	7
Trees with DBH ≥ 18	0
Trees within plot	7
Trees/Acre	70
Average DBH/plot	9.9
Basal Area of Plot	4.0692
Basal Area/Acre	40.692

SOILS		
Depth (inches)	Matrix Color	Texture
0-16	10YR 3/1	Sandy Clay
17-24	10YR 4/1	Clay

DATA POINT 2

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Forested wetlands

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
Pinus taeda	Loblolly Pine	10.9	13.8			12.3	1.6867
Populus sp.	Aspen sp.	13.4	7.9			10.7	1.3197

Canopy Cover	85%
Trees with DBH of 6.0-17.99	4
Trees with DBH ≥ 18	0
Trees within plot	4
Trees/Acre	40
Average DBH/plot	11.5
Basal Area of Plot	3.0064
Basal Area/Acre	30.064

SOILS		
Depth (inches)	Matrix Color	Texture
0-8	10YR 4/1	Sandy Clay
9-24	10YR 5/2	Clay

DATA POINT 3

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Forest

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
Acer rubrum	Red Maple	7.1	7.6	6.4		7.0	0.8133
Liquidambar styraciflua	Sweet Gum	8.0	7.8	8.3		8.0	1.0566
Pinus taeda	Loblolly Pine	15.6				15.6	1.3273
Prunus serotina	Black Cherry	7.5	8.2	11.1		8.9	1.3455
Quercus rubra	Northern Red Oak	12.6				12.6	0.8659

Canopy Cover	90%
Trees with DBH of 6.0-17.99	11
Trees with DBH ≥ 18	0
Trees within plot	11
Trees/Acre	110
Average DBH/plot	9.1
Basal Area of Plot	5.4086
Basal Area/Acre	54.086

SOILS		
Depth (inches)	Matrix Color	Texture
0-8	10YR 3/2	Sand
9-24	10YR 4/2	Sandy Clay

DATA POINT 4

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Forest

TREES							
Scientific Name	**Common Name**	**DBH (inches)**				**Average DBH**	**BA/Species**
Acer rubrum	Red Maple	7.8				7.8	0.3318
Liriodendron tulipifera	Tulip Poplar	14.5				14.5	1.1467
Pinus taeda	Loblolly Pine	15.5	12.0	11.6		13.0	2.8296
Quercus alba	White Oak	7.6	6.1			6.9	0.5179
Quercus falcata	Southern Red Oak	8.0				8.0	0.3491
Quercus michauxii	Swamp Chestnut Oak	6.3				6.3	0.2165

Canopy Cover	95%
Trees with DBH of 6.0-17.99	9
Trees with DBH ≥ 18	0
Trees within plot	9
Trees/Acre	90
Average DBH/plot	9.9
Basal Area of Plot	5.3916
Basal Area/Acre	53.916

SOILS		
Depth (inches)	**Matrix Color**	**Texture**
0-8	10YR 4/3	Sandy Loam
9-24	10YR 5/2	Sandy Clay

DATA POINT 5

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Forested wetlands

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
Acer rubrum	Red Maple	7.8	7.8	6.4		7.3	0.8870
Liriodendron tulipifera	Tulip Poplar	11.9				11.9	0.7723
Pinus taeda	Loblolly Pine	15.1				15.1	1.2436
Quercus alba	White Oak	6.5	6.7			6.6	0.4752
Quercus velutina	Black Oak	10.4	9.6	11.3		10.4	1.7889

Canopy Cover	80%
Trees with DBH of 6.0-17.99	10
Trees with DBH ≥ 18	0
Trees within plot	10
Trees/Acre	100
Average DBH/plot	9.4
Basal Area of Plot	5.1670
Basal Area/Acre	51.670

SOILS		
Depth (inches)	Matrix Color	Texture
0-6	10YR 4/2	Sand
7-24	10YR 5/4	Sand

DATA POINT 6

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Forest

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
Acer rubrum	Red Maple	6.4				6.4	0.2234
Ilex opaca	American Holly	6.4				6.4	0.2234
Pinus taeda	Loblolly Pine	12.7	8.7			10.7	1.2925
Pinus virginiana	Virginia Pine	6.0				6.0	0.1963
Quercus alba	White Oak	6.8	8.0	14.9		9.9	1.8121
Quercus velutina	Black Oak	16.9				16.9	1.5577

Canopy Cover	80%
Trees with DBH of 6.0-17.99	9
Trees with DBH ≥ 18	0
Trees within plot	9
Trees/Acre	90
Average DBH/plot	9.6
Basal Area of Plot	5.3054
Basal Area/Acre	53.054

SOILS		
Depth (inches)	Matrix Color	Texture
0-4	10YR 5/2	Sandy Clay
5-24	10YR 5/4	Sandy Clay

DATA POINT 7

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Wetlands

Comments: Data Point 7 was located within the wetlands near Chapel Branch. This area was dominated by Inkberry (*Ilex glabra*), Highbush Blueberry (*Vaccinium corymbosum*), and Royal Fern (*Osmunda regalis*). There was no canopy cover as this was an open wetland.

DATA POINT 8

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Wetlands associated with Chapel Branch

Comments: Data Point 8 was located south of Data Point 7, and was associated with Chapel Branch. Dominant vegetation in this area was Inkberry (*I. glabra*), Alder sp. (*Alnus sp.)*, and Common Greenbrier (*Smilax rotundifolia*). There was no significant canopy cover in this area.

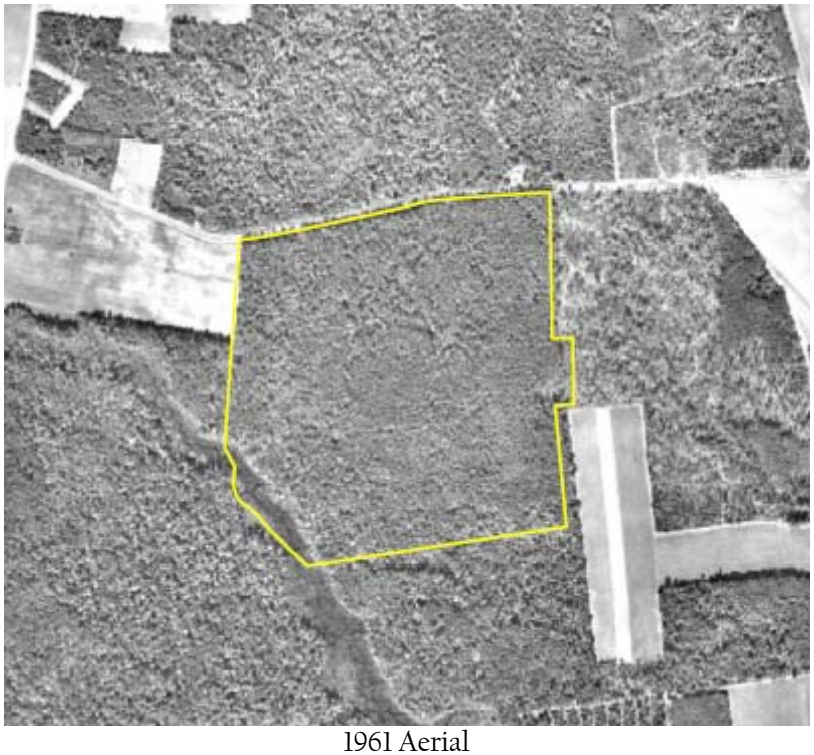
DATA POINT 9

DATE: January 8, 2009
PROJECT: The Woods at Burton Pond
PLOT SIZE: 0.1 acre
CATEGORY: Wetlands

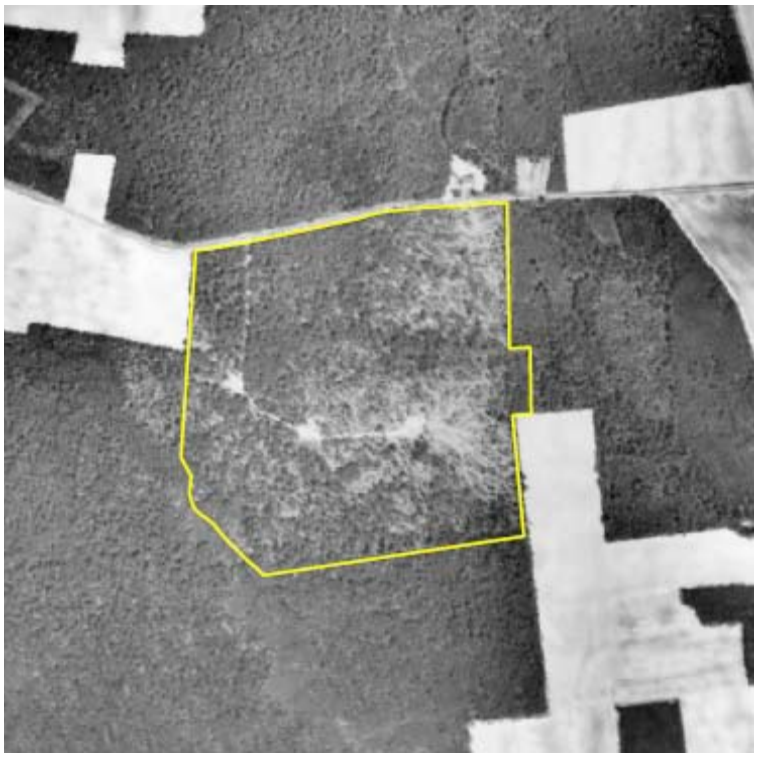
Comments: Data Point 9 was located near the seasonal wetlands in the southeastern portion of the site. Dominant vegetation around these areas included Red Maple (*A. rubrum*), Loblolly Pine (*P. taeda*), and Sweet Gum (*L. styraciflua*). The water depth in these pools averaged approximately 6 inches. These pools do not appear to retain enough water throughout the year in order to sustain salamander populations. No significant canopy cover was present over these wetlands.

1937 Aerial

1954 Aerial



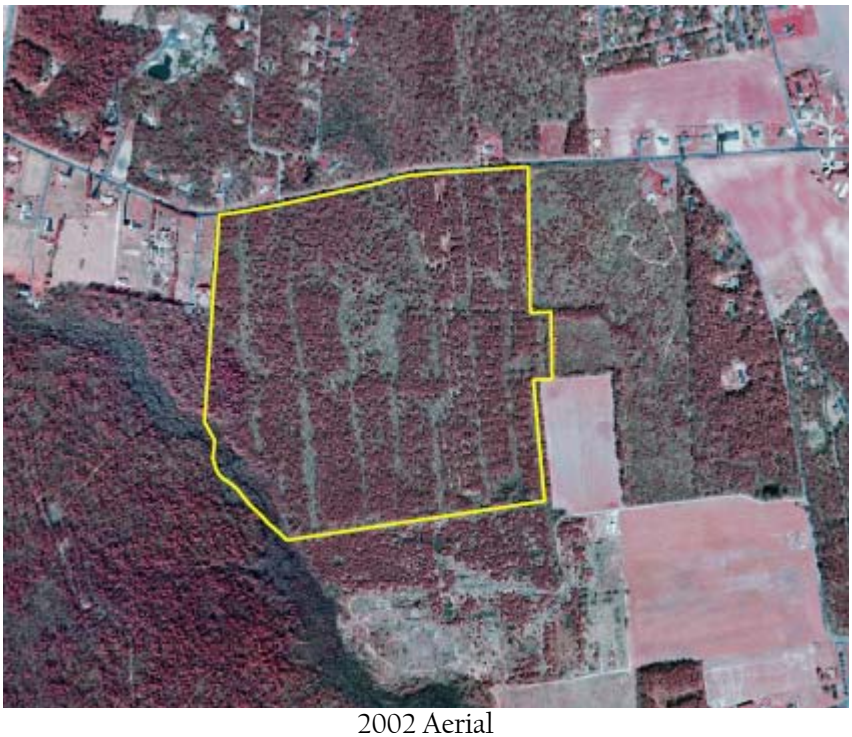
1961 Aerial



1968 Aerial

1992 Aerial

1997 Aerial



2002 Aerial

2007 Aerial

Ring Lardner

From: Bill Krapf <bkrapf@capanoinc.com>
Sent: Monday, January 24, 2022 4:40 PM
To: Ring Lardner
Subject: FW: The Woods at Burton Pond Ph.3 - Construction Dewatering

William J Krapf
William J Krapf
Chief Development Officer
LC Management
302-429-8700 (o)
302-379-2331 (m)

From: Hans Medlarz <hans.medlarz@sussexcountyde.gov>
Sent: Wednesday, January 19, 2022 12:49 PM
To: Justin Hensley <jhensley@capanoinc.com>
Cc: jrossi@envalliance.com; Bill Krapf <bkrapf@capanoinc.com>; Alan Pongratz (alan.pongratz@delaware.gov) <alan.pongratz@delaware.gov>; Keith Bryan <kbryan@sussexcountyde.gov>
Subject: The Woods at Burton Pond Ph.3 - Construction Dewatering

Greetings Justin:

Thank you for sharing Environmental Alliance, Inc.'s hydrogeologic report.

After reviewing the report I concur with the conclusions derived from the 72-hour constant rate (+/-375gpm) aquifer pump test.
A withdrawal rate in that order of magnitude does not appear to sufficiently alter hydraulic gradients in vicinity of the Angola Landfill.

Of particular interest were the groundwater contours under maximum drawdown conditions. They reveal that the gradient does not capture groundwater from the downgradient
Angola Landfill. Therefore, Sussex County does not object to construction related dewatering activities in general as long as the rate is limited to <400gpm.
I prefer this objective is achieved by limiting the length of dewatering header. I am looping in DNREC's Alan Pongratz to assure close cooperation in permit issuance.

Regards, Hans

Hans M. Medlarz, P.E.
Sussex County Engineer
2 The Circle | PO Box 589
Georgetown, DE 19947
hans.medlarz@sussexcountyde.gov
(302) 855-7728

From: Justin Hensley <jhensley@capanoinc.com>
Sent: Thursday, January 6, 2022 12:36 PM
To: Hans Medlarz <hans.medlarz@sussexcountyde.gov>
Cc: jrossi@envalliance.com
Subject: The Woods at Burton Pond

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.

Hans,

I write to you on the behalf of Springcap 2, LLC regarding the subdivision known as "The Woods at Burton Pond" as recorded with a revision on or about May 2016.

1. **Testing:**
    a. As you may be aware we conducted an extensive ground water/environmental study in coordination with DNREC. This report is attached for your consideration. The report includes the results of the aquifer pumping test that was conducted in the southwest corner of Phase I development plan, closest to the Angola Landfill, during installation of the pump house. The groundwater elevation monitoring during the pump test indicated that the influence on the shallow aquifer under the 350-400 GPM pumping rates did not sufficiently alter hydraulic gradients in the vicinity of the Angola Landfill. The test suggests that pumping of the shallow groundwater (within 20 feet of ground surface) on the Woods at Burton's Pond property does not capture groundwater from the downgradient Angola Landfill, and that a majority of the capture is from upgradient flow (to be expected), and the stream (depending on how close the pumping is to Chapel Branch).

    b. Additionally, analytical testing of the pumping effluent during the test did not report any detectable concentrations of VOCs or SVOCs above standards, nor elevated concentrations of inorganics, specifically iron and manganese.

    c. The proposed short duration dewatering in the upper portion of the shallow aquifer to install utilities in Phase 3 of the Woods at Burton Pond, which is northeast of the test area and further upgradient from the Angola Landfill, should not have a noticeable effect on groundwater gradients beneath the landfill (i.e. should not capture groundwater potentially impacted with leachate).

    d. Furthermore, a review of the recently published Five-Year Remedial Evaluation Report for Five Sussex County Landfills (Weston, December 2021) indicates that:

 Groundwater monitoring data and trend testing results indicate a generally stable to improving groundwater conditions at the Angola Landfill. No VOCs have been detected in groundwater at concentrations greater than respective URS since 2001. Iron and manganese were the only inorganic constituents detected at concentrations above respective URS during the most recent sampling event conducted in 2020.

2. **Record Plan:**

A. The record plan states several points in line 20:

ii. Basement construction – which we are not constructing
iii. Ground water extraction that could affect ground water flow- which my study clearly illustrates that our proposed dewatering is in fact upgradient to the land fill which makes the possibility of lowering the water table on adjoining properties or adversely changing the existing groundwater flow nearly impossible if not impossible.

19. THE PROPERTY IDENTIFIED HEREIN IS LOCATED WITHIN THE "SUSSEX COUNTY LANDFILL #3 – ANGOLA" GROUNDWATER MAN
PROPOSED LAND AND/OR GROUNDWATER USE. CONTACT THE SUSSEX COUNTY ENGINEERING DEPARTMENT FOR ADDITIONAL

20. ANY ACTIVITY INCLUDING BASEMENT CONSTRUCTION, GROUNDWATER EXTRACTION AND ALL FORMS OF SUBSURFACE DEPRESSI
THE WATER TABLE ON ADJOINING PROPERTIES SHALL BE PROHIBITED.

3. **<u>Summary/ Plan Forward:</u>**
    a. We acknowledge that the county owned Angola land fill may have detrimental impacts to our environment and ultimately the lands of Springcap 2, LLC. However, I truly believe that at the time of the original recordation of this plan, that past data of the land fill was contemplated while applying necessary notes to ensure that any potentially harmful contamination is not brought back to the surface from many decades ago. Furthermore, with fast forwarding time, additional testing, and other supporting reports; it is the belief that the Angola landfill is less detrimental than originally contemplated.
    b. Currently the water table is sitting at an elevation 17
        i. Many of our sewer runs (approx 2500' of sewer main and 63 services) are approximately 6-7' below the current water table. It is estimated that we could install roughing 200' of sewer main a day, roughly 12-13 business days and 63 services will take us additional 7-8 business days. In general, this task could be completed within 30 days +/-.
        ii. The storm sewer runs will also need dewatered but are much shallower.
    c. Ideas have been tossed around by the contractor to install valves within the dewatering rig to be able to reduce the amount of dewatering points to the immediate work area as work progresses. Other ideas would be to double up pipe crews and shorten construction time for dewatering purposes and engage environmental alliance to do testing while dewatering.
    d. We request that the County Engineer evaluates these reports and provides us with the necessary relief to install temporary dewatering points in our development for use of installing the sewer(s) within phase 3. We believe in strict coordination with the county engineer and dnrec that a work plan could be developed to allow for necessary development improvements and to also protect our environment and current/ future inhabitants thereof.

Please let me know your thoughts above. Also, if a meeting with any folks i.e environmental alliance, contractor(s), DBF, owner's representatives is deemed necessary- I will immediately orchestrate such meeting.

Sincerely,

Justin Hensley
Director of Land Development
LC Management

J

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

March 11, 2022

Georgetown Administrative Building
Planning and Zoning Department
2 The Circle
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, Planning Director

Re: The Woods at Burton Pond Extended
TAC Comment Response
DBF# 807D001

Dear Chairman Wheatley and Members of the Commission,

On behalf of our client, Spring Cap II, L.L.C., we are pleased to submit our formal response to the TAC comments provided to us on January 22, 2022. We have listed each agency as submitted to our office.

Delaware Health and Social Services, William J. Milliken, Jr.

We have read the comments from DHSS and will comply with the requirements to obtain an Approval to Construct and Approval to Operate.

Drainage Program of DNREC, Allison Wheatley

We have read the comments from the Drainage Program and will ensure that the project does not hinder off-site drainage upstream or cause drainage issues downstream.

Sussex County Engineering, John J. Ashman

We have read the County Engineering comments and will comply with their requirements for project review and approval.

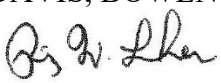
U.S. Fish and Wildlife Service – Chesapeake Bay Field Office, Kathleen Cullen

We have read the comments from U.S. Fish and Wildlife and note that there is no further Section 7 consultation required.

The proposed TAC comments do not require a revision to the preliminary plan set.

On behalf of our client, we thank you for your review and consideration of this response. If you should have any questions or concerns, please contact me at 424-1441

Sincerely
DAVIS, BOWEN & FRIEDEL INC.



Ring W. Lardner, P.E.
Principal

P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2022-03-02 2nd Draft Presentation Booklet\J - TAC Comment Response.doc

Cc: Justin Hensley, III, Spring Cap II, L.L.C.
Mackenzie Peet, Baird Mandalas Brockstedt, LLC

K

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

March 11, 2022

Georgetown Administrative Building
Planning and Zoning Department
2 The Circle
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, Planning Director

Re: The Woods at Burton Pond
Chapter 99-9 C Response
DBF# 0807D001

Dear Chairman Wheatley and Members of the Commission,

On behalf of our client, Spring Cap II, L.L.C. we are pleased to demonstrate that the proposed Woods at Burton Pond Subdivision Extension provides a careful consideration of the following items in Sussex County Chapter 99-9C:

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

    a. The subdivision provides a minimum 50-foot wooded buffer along eastern, southern, and western adjacent properties.

    b. The subdivision is an extension of the existing subdivision.

    c. There is a minimum 50-foot buffer provided, undisturbed from all 404 non-tidal wetlands.

2. **Minimal use of wetlands and floodplains.**

    a. There are 3.98 acres of 404 non-tidal Wetlands located on the extension parcel that are not located within lot lines and will not be disturbed.

    b. There is a minimum 50’ forested buffer for all 404 non-tidal Wetlands that will not be disturbed.

    c. Part of the property is located within the 100-year floodplain. There are no proposed lots located within the floodplain.

3. **Preservation of natural and historical features.**

    a. The active and passive open space areas are located in existing forested areas for all property owners to enjoy.

    b. There is a minimum undisturbed 50-foot buffer provided from the 404 non-tidal wetlands.

    c. The proposed buffer will provide a visual and noise buffer for St. Georges Chapel located to the southwest of this site. The location of the Chapel is over 2000' to the southwest of the property.

    d. Ed Otter, Inc. completed an Assessment of Cultural Resource Potential on January 12, 2009. The Assessment identified 3 homes that once existed on this site and moderate potential for pre-historic archeological sites. The homes have not existed since 1938 and the potential archeological sites are based upon characteristics from the Lockwood site located to the south of this project. Should any foundations or archeological sites be found they will be documented in accordance with local, state, and federal regulations.

    e. JCM Environmental has surveyed this site as part of a Habitat Evaluation Report. There are no rare, threatened or endangered species located on this project.

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

    a. There is a total of approximately 9.72 acres, more or less, of open space provided for this project, which is in excess of 64% of the expansion. The percentage is subject to final engineering approval.

    b. The expansion will be able to use the active amenities as constructed within the original subdivision.

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

    a. Grade changes will be minimized to the extent necessary to provide road construction to meet design requirements and to ensure proper lot drainage.

    b. The site will be "balanced," which will minimize the need for soil to be removed or hauled from or to the site.

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

    a. The proposed 50-foot buffer will provide screening from the adjacent neighboring properties.

    b. The expansion area does not have state road frontage.

7. **Provision for water supply.**

    a. Tidewater Utilities, Inc. will supply all homes with central water.

8. **Provision for sewage disposal.**

    a. Artesian Wastewater Management, Inc. will provide wastewater disposal. The wastewater will be treated at the Heron Bay Wastewater Treatment Facility owned and operated by Artesian Wastewater Management, Inc. This facility is a public utility and Artesian is recognized as a public utility by the Public Service Commission.

9. **Prevention of pollution of surface and groundwater.**

    a. The storm drainage system will capture 100% of all drainage from the site.

    b. Best Available Technologies (BATs) will be used during the design and construction of the property.

    c. Best Management Practices (BMPs) will be used during the design and construction of the property.

    d. A forested buffer along the wetlands will provide additional treatment of stormwater.

    e. The site will utilize Green Technology where feasible for the project.

    f. Environmental Alliance, Inc. completed a hydrogeologic report. The Sussex County engineer confirmed that groundwater from the landfill will not be captured during construction. There are additional limitations that were recorded in the original subdivision and will be included in the expansion.

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 groundwater is maximized.**

    a. The project will construct a forty-eight hour wet extended detention pond.

    b. The stormwater management areas will be designed to meet all local, state, and federal guidelines for sediment and nutrient removal.

    c. An Erosion and Sediment Control Plan will be developed and implemented as required by the Sussex Conservation District and DNREC. The plan will specify in detail how the project is to be constructed to limit the amount of sediment and other pollutants from leaving the site during construction.

    d. All storms will be designed per the current Sediment and Stormwater Regulations.

    e. Environmental Alliance, Inc. completed a hydrogeologic report. The Sussex County engineer confirmed that groundwater from the landfill will not be captured during construction. There are additional limitations that were recorded in the original subdivision and will be included in the expansion.

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

    a. The interior of the subdivision contains sidewalks on both sides of the street providing pedestrian connection throughout the site.

    b. The road design will conform to Sussex County standards and specifications and will be turned over to the homeowner's association for maintenance upon acceptance by the County.

    c. Street lighting will be provided for this project.

12. **Effect on area property values.**

    a. Based on historical land trends in Sussex County, the property values around the proposed subdivision will increase with the development of The Woods at Burton Pond.

13. **Preservation and conservation of farmland.**

    a. Cluster housing development is incorporated in this site which will allow for a significant amount of open space and buffer area around the property edge, especially along Chapel Branch. This provides a more open and relaxed plan and allows greater environmental protection through the use of expanded buffers and the incorporation

of open space that exceeds the County requirements. The existing site is not cleared or currently used for farmland or crops.

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

a. The increase in tax revenue to the school district will assist in the maintenance and operations of the public school system.

b. The trend towards seniors moving to Sussex County will provide tax revenue without adding large numbers of potential new students.

15. **Effect on area roadways and public transportation.**

a. The expansion will have minimal effect on the area roadway and public transportation. The original subdivision has completed all required improvements.

16. **Compatibility with other area land uses.**

a. The subdivision conforms to the designated zoning for the property and is consistent with the surrounding land use as mentioned above.

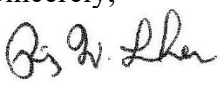
17. **Effect on area waterways.**

a. The subdivision will be designed to meet the current Sediment and Stormwater Regulations.

b. The site will comply with all TMDLs and PCS's as adopted by the State.

On behalf of our client, we thank you for your review and consideration of this response. If you should have any questions or concerns, please contact me at 424-1441

Sincerely,



Ring W. Lardner, P.E.
Principal

Cc: Justin Hensley, Spring Cap II, L.L.C.
Mackenzie Peet, Baird Mandalas Brockstedt, LLC

L

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

March 11, 2022

Georgetown Administrative Building
Planning and Zoning Department
2 The Circle
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, Planning Director

Re: The Woods at Burton Pond Extended
Cluster Ordinance Response
DBF# 807D001

Dear Chairman Wheatley and Members of the Commission,

On behalf of our client, Spring Cap II, L.L.C., we are pleased to demonstrate that the proposed Woods at Burton Pond Subdivision Extended provides a careful consideration of the following items in Sussex County Chapter 115-25:

E. Design requirements for cluster development.

(1) All development shall be in accordance with the latest amendment to the community design standards. **The proposed development is in accordance with § 99-15 through § 99-21. The proposed site is suitable for development and has preserved natural features to the maximum extent possible. The streets have been designed in accordance with street layout and street design standards. The lots have been designed to avoid an excessive depth to width ratio, provide sufficient width for corner lots, and insured that each lot has access to a street. Easements will be recorded and identified when necessary or required. Approximately 9.72 acres (64%) of open space has been provided and will be passive. The extension will use the active amenities as constructed in the original subdivision.**

(2) Housing types in the low-density area, as shown on the Sussex County Comprehensive Plan, are limited to single-family detached dwellings and manufactured homes where permitted by ordinance. **The subdivision is located in a low-density area as shown on the Sussex County Comprehensive Plan. The proposed expansion contains 19 single-family detached dwellings.**

(3) *A forested buffer area with a minimum width of 30 feet shall be provided for lots abutting an agricultural area.* **A forested buffer area with a minimum width of fifty feet (50') has been provided for the eastern, western, and southern adjacent parcels.**

(4) *Dwellings located within 50 feet of an existing residential development shall provide adequate transition in density or shall provide a thirty-foot buffer meeting the standards below and maintained by a designated entity.*

(a) *A planting strip at least 30 feet wide near the property line which shall include two canopy trees, four understory trees, and 10 shrubs per 100 linear feet of buffer; or*

(b) *A landscaped rolling berm at least four feet in height; or*

(c) *A solid fence or wall a minimum of six feet in height designed with durable materials, texture, and colors compatible with adjacent residential development.*

There are no existing residential dwellings located within fifty feet (50') of the proposed expansion. A 50' forested buffer is provided along the eastern, western, and southern property boundary.

(5) *No lots shall have direct access to any state-maintained roads.* **No lots will have direct access to Conleys Chapel Road and a note stating this is shown on the Title Sheet of the Preliminary Plan.**

(6) *All lots shall be configured to be contained completely outside of all wetlands.* **The proposed lots are configured so that they are located completely outside of all wetlands.**

(7) *Any development using the option in Subsection B(2) shall have central water and wastewater systems operated and maintained by companies authorized by the State of Delaware to perform such services. Wastewater collection and treatment systems must be designed in accordance with the requirements of Sussex County ordinances and conform to the requirements for a central sewer system as defined in § 11 5-194A of the Sussex County Zoning Ordinance.* **The Proposed Subdivision uses the option in Subsection B(2). The water system will be owned and operated by Tidewater Utilities, Inc. and the wastewater system will be owned and operated by Artesian Wastewater Management, Inc. Both companies are public utilities and are regulated by the Public Service Commission.**

F. Review procedures for cluster development.

(1) The developer shall submit an application for a cluster development in accordance with Chapter 99, Subdivision of Land, of the Sussex County Code and which shall include, at a minimum, a sketch plan showing the location and uses of all open spaces, the extent of existing wooded areas and wetlands and the location of any historical or cultural resources. The Director of Planning and Zoning may waive this requirement when the proposed development does not contain significant natural features or resources. **The developer submitted an application for a cluster development in accordance with Chapter 99, Subdivision of Land, of the Sussex County Code on June 24, 2021. A sketch plan was included with this submission.**

(2) The information submitted shall include a plan for the management of all open space. **A plan for the management of all open space is included on the Title Sheet of the Preliminary Plan. This section will be reviewed and revised/updated during the design phase.**

(3) The Sussex County Planning and Zoning Commission shall determine that the following requirements are met before approving any cluster development.

(a) The cluster development sketch plan and the preliminary plan of the cluster subdivision provide for a total environment and design which are superior, and the reasonable judgment of the Planning Commission, to that which would be allowed under the regulations for the standard option. For the purposes of this subsection a proposed cluster subdivision which provides for total environment and design which are superior to that allowed under the standard option subdivision is one which, in the reasonable judgment of the Planning Commission meets all of the following criteria:

[1] Homes shall be clustered on the environmentally suitable portions of the tract, specifically, those portions of the tract least encumbered by sensitive environmental features, including but not limited to wetlands, mature woodlands, waterways, and water bodies. This doe not inhibit the development of wooded parcels. **The proposed lots within the expansion are located on lands that are not encumbered by wetlands, waterways, or waterbodies. The parcel is wooded and the disturbed area has been minimized to the maximum extent practicable.**

[2] Reserved.

[3] Required open space shall comply with the following criteria:

[a] All required open space must meet the official definition of acceptable open space contained in § 115-4. **All proposed open space meets the criteria of *§ 115-4.***

[b] Required open space must be designed to be beneficial to the residents or users of the open space. It shall not be constituted of fragmented lands with little open space value. Accordingly, 30% of all required open space shall be located on one contiguous tract of land, except that such open space may be separated by water bodies and a maximum of one street. **Open Space Parcel C is 5.34 acres of land and 35% of the expanded parcel.**

[c] If one of the following physical conditions exists adjacent to the proposed cluster development tract, at least 30% of all required open space must be adjacent to:

[i] An existing or officially planned public park, land preserved by easement, or land preserved as open space and in municipal, County, state, or federal ownership. **Open Space Parcel C is located adjacent to the land owned by Sussex County for the closed Angola Landfill #3 and complies with this requirement.**

[ii] Existing wetlands, waterways, wildlife corridors, or other ecology-sensitive land. **Open Space Parcel C is located adjacent to existing wetlands and complies with this requirement.**

[iii] Existing farmland and/or woodlands. **The expansion parcel is wooded and there are some farmlands in the vicinity. Open Space Parcel C is adjacent to the outer boundary and complies with this requirement.**

[iv] If more than one of these physical features exist on adjacent properties, then one of these features will be identified and utilized to satisfy this requirement. **Items [i] through [iii] exist and have identified Sussex County Angola Landfill #3 to satisfy this requirement.**

[v] If the open space is proposed to be dedicated to a municipality, a County, state, or federal agency, or a homeowners' association, an agreement shall be provided, in advance, stipulating that such entity agrees in advance to accept that dedication and maintain that land for public recreation or as a nature preserve. **The proposed open space will be included in the existing HOA as part of the current covenants.**

[vi] Open space in a cluster development shall include a pedestrian trail system accessible to residents. This trail system shall connect to an adjacent trail, adjacent neighborhood, adjacent commercial area, or adjacent public open space if any such areas exist adjacent to the proposed cluster development. Construction materials for the proposed trail shall be identified, and typical construction detail for the proposed trail shall be shown. Trail construction materials shall be pervious in

nature. **The expansion will include sidewalks on both sides of the street that will connect to the existing subdivision and ultimately the shared use path along Conley's Chapel Road. There are no existing trail systems in this area.**

[4] A minimum of 25 feet of permanent setback must be maintained around the outer boundaries of all wetlands, except for tidal waters, tidal tributary streams, and tidal wetlands and from the ordinary high water line of perennial nontidal rivers and nontidal streams as provided for in § 115-193B under Ordinance No. 774 where a fifty-foot permanent setback is required. No buildings or paving shall be placed within these setbacks. **The proposed expansion area includes a fifty-foot buffer for the outer boundaries of all wetlands.**

[5] Stormwater management shall be designed to promote groundwater recharge and protect groundwater quality. Natural drainage flows shall be maintained to the greatest extent possible. Drainage from rooftops shall be directed to vegetated areas or allow green technology. Stormwater detention and retention facilities should be designed to resemble natural ponds as referenced by DNREC in the National Resource Conservation Service's (NRCS) Pond Code 378, Visual Resource Design. **Stormwater will be designed per current Sediment and Stormwater Regulations and on-site conditions will determine if groundwater recharge or other green technologies are feasible.**

[6] Removal of healthy mature trees shall be limited. **Removal of healthy trees is limited to the disturbed areas needed for roads, houses, stormwater, and drainage.**

[7] Scenic views that can be seen from within the tract should be preserved to the greatest extent possible. **The proposed lots have been centralized to preserve scenic views.**

[8] The applicant for a cluster development shall illustrate that the following sequence and process was followed in the site design of the cluster project:

[a] Identify lands that should be preserved. First, areas worthy of preservation should be mapped, including wetlands, wooded areas, waterways, other water bodies, and natural drainage areas. Then, other important features should be mapped, such as tree lines, scenic views, historic buildings, and prime farmland. The areas with the fewest important natural, scenic, and historic features should be considered the "potential development area."

[b] Identify developable areas. Next, the most appropriate locations for development should be chosen to minimize the impact to the most important features mapped in the first step.

[c] Locate roads and trails. After the developable areas are determined, a road system should be designed to serve those homes. A trail system that links homes to destinations outside of the tract should be designed.

[d] Locate lot lines. The last step is to configure lot lines and make necessary adjustments to satisfy the various reviewing agencies' comments.

This exercise was performed as part of the subdivision layout and will be reviewed as part of the public hearing process.

[9] Sidewalks shall be required at least on one side of each street, subject to Planning and Zoning Commission approval. **Sidewalks are provided on both sides of the street.**

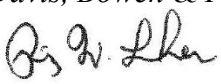
(b) The cluster development plan will preserve the natural environment and any historic or archeological resources. **The proposed extension will preserve the natural environment.**

(c) *All of the items in Ordinance Number 1152 (see § 99-9C) have been addressed and approval of the cluster option for the proposed development will not have an adverse effect on any of the items to be considered.* **The proposed expansion complies with both § 99-9C and § 115-25 E. and F. and will not have an adverse effect on any of the items to be considered.**

(4) The Sussex County Planning and Zoning Commission may add conditions to the approval of any cluster development to protect adjacent properties and the natural environment. **We believe the conditions imposed on the original subdivision are appropriate and adequate for the expansion area.**

On behalf of our client, we thank you for your review and consideration of this response. If you should have any questions or concerns, please contact me at 424-1441

Sincerely
Davis, Bowen & Friedel, Inc.



Ring W. Lardner, P.E.
Principal

P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2022-03-02 2nd Draft Presentation Booklet\L - Cluster Subdivision.doc

cc: Justin Hensley, III, Spring Cap II, L.L.C.
Mackenzie Peet, Baird Mandalas Brockstedt, LLC

M

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

June 23, 2021

Sussex County Planning & Zoning
Sussex County Administration Building
2 The Circle, Room 147
Georgetown, DE 19947

Attn: Lauren Devore, Planner III

RE: Woods at Burtons Pond Extended
Major Subdivision Application
Tax Map # 2-34-11.00-72.00
DBF# 0807S001.C01

Dear Ms. Devore:

On behalf of our client, Springcap II, LLC, we are respectfully requesting a waiver for a landscape buffer between the common boundary line of the recorded Woods at Burtons Pond and the residual lands. The proposed subdivision is an extension of the existing Subdivision and the waiver would allow the expansion to seamlessly extend the subdivison.

If you have any questions or need additional information, please contact me at (302) 424-1441 or via email at rwl@dbfinc.com.

Sincerely,
Davis, Bowen & Friedel, Inc.

Ring W. Lardner, P.E.
Principal

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cc: Justin Hensley, Springcap II, LLC

DAVIS
BOWEN &
FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

23 North Walnut Street
Milford, DE 19963
(302) 424-1441

One Plaza East, Suite 200
Salisbury, MD 21801
(410) 543-9091

106 Washington Street
Easton, MD 21601
(410) 770-4744

Andrews, Miller & Associates
A Division of Davis, Bowen & Friedel, Inc.

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P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2021-06-22 Preliminary Plan Initial Submission\WBP Extended Buffer Waiver P&Z-LDevore-Cover.docx

cc: Justin Hensley, Springcap II, LLC

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

Sussex County
DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

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

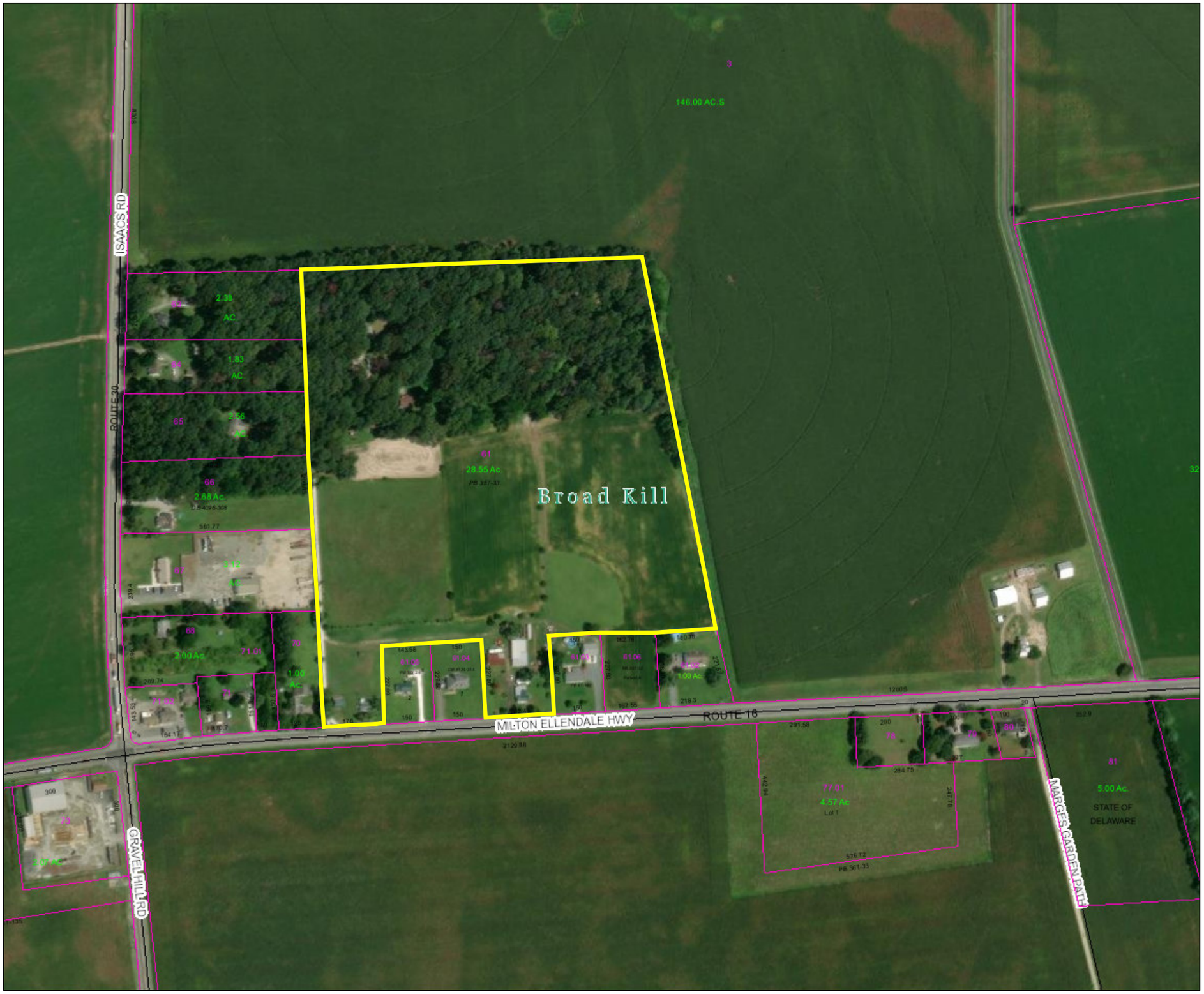
Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: March 24th, 2022

Application:	2021-26 Workman Subdivision
Applicant:	Insight land Company, LLC 16255 Sussex Highway Bridgeville, DE 19933
Owner:	John & Donna Workman 22891 Milton Ellendale Highway Milton, DE 19968
Site Location:	Lying on the north side of Milton Ellendale Highway (Rt. 16) approximately 0.3 miles east of the intersection of Isaacs Road (Rt. 30) and Gravel Hill Road(Rt. 16).
Current Zoning:	Agricultural Residential (AR-1) Zoning District
Proposed:	33 Single Family Lots
Comprehensive Land Use Plan Reference:	Developing Area
Councilmanic District:	Mr. Schaeffer
School District:	Cape Henlopen School District
Fire District:	Milton Volunteer Fire Department
Sewer:	Septic
Water:	Private Well
Site Area:	29.39 acres +/-
Tax Map ID.:	235-14.00-61.00 & 61.06

EQUAL HOUSING OPPORTUNITY

Sussex County



PIN:	235-14.00-61.00
Owner Name	WORKMAN JOHN DAVID DONNA LEE
Book	2157
Mailing Address	22891 MILTON ELLENDALE
City	MILTON
State	DE
Description	N / MILTON ELLENDALE HW
Description 2	RESIDUAL LANDS
Description 3	FX
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

Hundred Boundaries

County Boundaries

Municipal Boundaries

1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

February 23, 2022

Sussex County

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polygonLayer

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Tax Parcels

Streets

1:9,028

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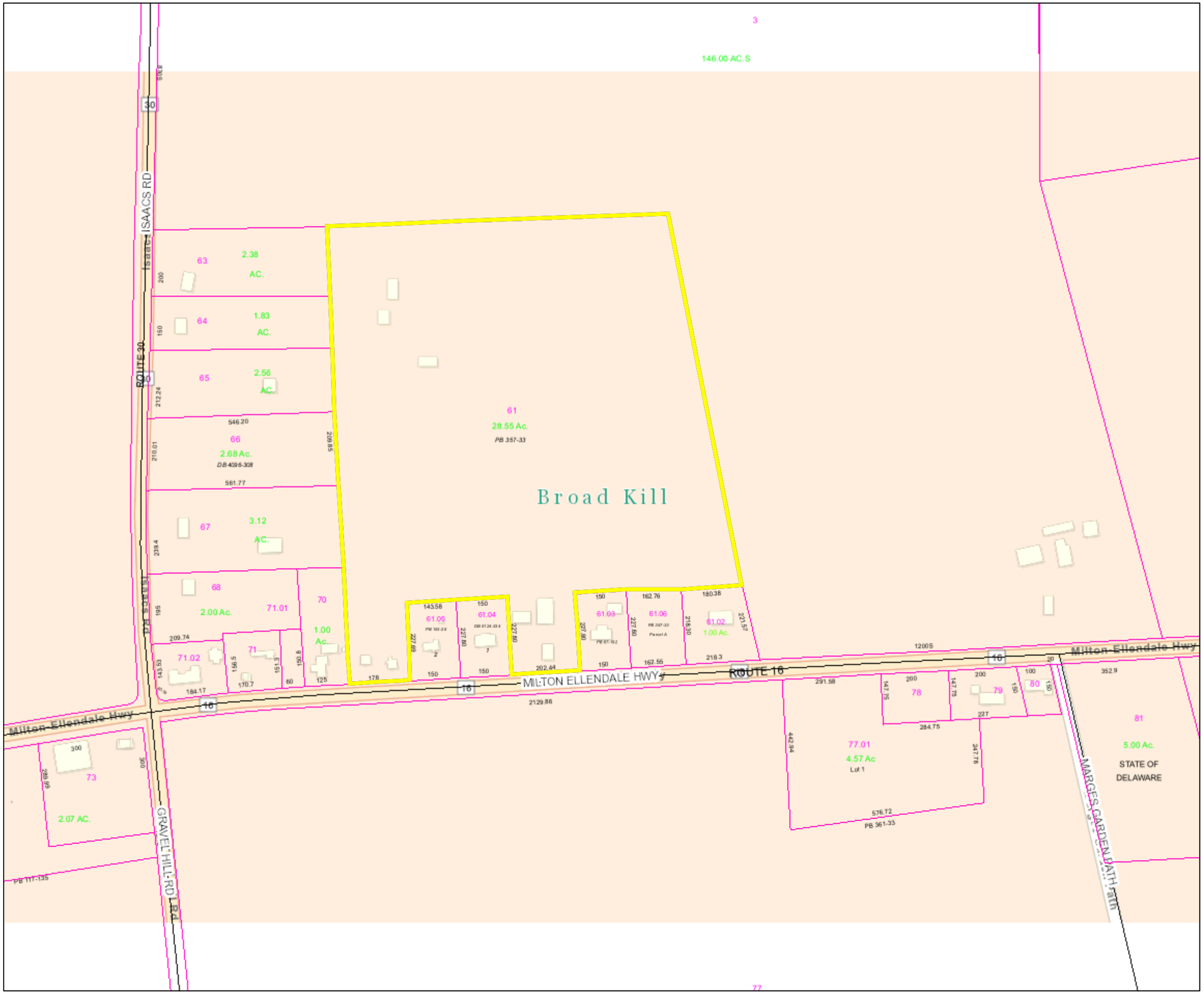
0 0.175 0.35 0.7 km

February 23, 2022

Sussex County



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February 23, 2022

File #: 2021-26
Pre-App Date:

Sussex County Major Subdivision Application

Sussex County, Delaware

Application: 202112693

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:
22947 Milton Ellendale Highway

Proposed Name of Subdivision:
Workman

Tax Map #: 235-14.00-61.00 **Total Acreage:** 28.00 ± AC

Zoning: AR-1 **Density:** 1.69 **Minimum Lot Size:** 21,780 **Number of Lots:** 33

Open Space Acres: 4.17±AC

Water Provider: Private Well **Sewer Provider:** Private Septic

Applicant Information

Applicant Name: Insight Land Company, LLC
Applicant Address: 16255 Sussex Hwy
City: Bridgeville State: DE ZipCode: 19933
Phone #: (302) 337-0400 E-mail: bmangum@insightlandcompany.com

Owner Information

Owner Name: John David and Donna Lee Workman
Owner Address: 22891 Milton Ellendale Hwy
City: Milton State: DE Zip Code: 19968
Phone #: E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Bohler
Agent/Attorney/Engineer Address: 18958 Coastal Highway, Suite D
City: Rehoboth Beach State: DE Zip Code: 19971
Phone #: (302) 644-1155 E-mail: sfortunato@bohlereng.com

202112693

Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

✔ **Completed Application**

___ **Provide ten (10) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**

- Plan shall show the existing conditions, setbacks, roads, floodplain, wetlands, topography, proposed lots, landscape plan, etc. **Per Subdivision Code 99-22, 99-23 & 99-24**
- Provide compliance with Section 99-9.
- Deed or Legal description, copy of proposed deed restrictions, soil feasibility study

___ **Provide Fee $500.00**

___ **Optional - Additional information for the Commission to consider** (ex. photos, exhibit books, etc.) If provided submit seven (7) copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

___ **PLUS Response Letter** (if required) ☐ **Environmental Assessment & Public Facility Evaluation Report** (if within Coastal Area)

___ **51% of property owners consent if applicable**

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 7-30-21

Signature of Owner

_____ Date: 7/29/21

DonnaLee Workman

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: _____

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

GROUNDWATER DISCHARGES

PHONE
(302) 739-9948

February 15, 2022

William Gangloff
Accent Environmental, LLC
PO Box 788
Millsboro, DE 19966

RE: Soil Feasibility Report for John David & Donna Lee Workman
Parcel 235-14.00-61.00

Dear Dr. Gangloff:

The Department of Natural Resources and Environmental Control (the Department) has received a submittal from Accent Environmental, LLC., requesting a non-binding statement of feasibility for John David and Donna Lee Workman as required by the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, dated January 4, 1985, last amended on January 11, 2014 (the Regulations).

The submittal consists of a report titled "Feasibility Study for On-Site Wastewater Treatment and Disposal for the Proposed Subdivision of the Lands of John David & Donna Lee Workman" prepared by Accent Environmental, LLC., dated December 6, 2021. The report includes a written summary of the study, Sussex County parcel information sheets as proof of ownership, soil profile notes, results of permeability testing and other supplemental information. In addition, the report includes one plan titled "Workman Subdivision Feasibility" done by Bohler Engineering. Information shown on the Plan includes, but is not necessarily limited to, the conceptual lot layout for the proposed subdivision, the proposed lot sizes, wetland areas, storm water management areas, test pit locations, permeability test locations, on-site topographic information at an apparent one-foot contour, locations of wells within 150 feet of the subject site and septic approval/septic denial areas.

Background Information

The property is located on the north side of Ellendale Highway (SR 16), Sussex County, Delaware. The parcel reportedly consists of 28.6+/- acres per the report provided by Accent Environmental, LLC. and will hereafter be referred to as the project site. The owner/applicant proposes to subdivide the project site into 33 residential lots with lot sizes from approximately 0.5 to 0.74 acres. All lots are planned to be

served by individual on-site wastewater treatment and disposal system (OWTDS) and public well (Proposed). The project site is within the Primehook Creek watershed and about sixty (60) percent has been reported to be used for agricultural production (mostly north and east side of the project area) and the remainder is wooded. There are no commercial wells or well head protection areas within 150 feet of the study area and no state mapped wetlands within the parcel. There is a dwelling and associated agricultural out buildings in the northwest corner of the parcel. Lands to the south and west are mostly residential. Surrounding dwellings are served by individual OWTDSs and well water.

Soils Investigations by Accent Environmental, LLC. and Discussion

Eight (8) backhoe excavated test pits and thirty-four (34) borings were performed as part of the Soil Feasibility Study. The locations of the test pits and soil borings are shown on the Plan. In addition, septic approval and septic denial map units delineated by Accent Environmental, LLC., are shown by the Plan. The septic denial map unit is reportedly not feasible for OWTDS and would be utilized most likely to be the stormwater management area. The denial map unit will not be discussed further. The septic approval map unit has estimated limiting zones from approximately 48 inches to greater than 60 inches below the ground surface suggesting feasibility for gravity OWTDS. Estimated percolation rates range from 25 to 40 minutes per inch (MPI) which are in conformance with regulatory requirements.

Single ring infiltration tests were conducted by Accent Environmental, LLC. at areas deemed appropriated to install Capping Filled Gravity (CF GR) systems and Standard Gravity (GR) systems. The infiltration rate for CF GR areas range from 25-40 mpi and for GR areas range from 35-40 mpi.

Conclusion

Based on the information provided in this report submitted by Accent Environmental, LLC it is the opinion of the Department that the proposed 33 lots as depicted on the Plan reportedly have sufficient area to accommodate an initial and replacement OWTDS, as long as, judicious and coordinated use of land is exercised and areas delineated as being feasible for OWTDS as depicted by the Plan are accurate.

Site Preparation

Removal, disturbance, or compaction of the soil during any portion of the construction and building phase other than that necessary for system installation might result in the rescission of the site evaluation approval. Soil material from road cuts and other excavated sources should not be placed on any portion of the proposed OWTDS areas. It is best to keep all areas proposed for on-site wastewater treatment and disposal free from any form of disturbance by methods such as staking, flagging, or fencing. Tree clearing, if necessary, should be performed in accordance with current "Lot Clearing Guidelines." The Department reserves the right to inspect the construction site at any time to ensure compliance with the above.

Future Requirements and Comments

Prior to obtaining individual OWTDS construction permits, complete site evaluation reports will be required for all lots in accordance with the Regulations. The Department requires one copy of the **Record Plat** following the most recent final subdivision approval by the Planning and Zoning Commission of Sussex County prior to processing and approving any site evaluations.

Non-Binding Statement of Feasibility

Based on information collected, interpreted, and submitted by Accent Environmental, LLC., it is the opinion of the Department that the proposed 33 lots as depicted on the Plan reportedly have sufficient area to accommodate an initial and replacement OWTDS, as long as, judicious and coordinated use of land is exercised and areas delineated as being feasible for OWTDS as depicted by the Plan are accurate.

The comments in this letter are technical and are not intended to suggest that DNREC supports this development proposal. This letter does not in any way suggest or imply that you may receive or may be entitled to permits or other approvals necessary to construct the development you indicate or any subdivision thereof on these lands.

Sincerely,

Jenwei Tsai
Environmental Scientist
Division of Water

Pc: William Gangloff – Accent Environmental, LLC.
File

Sussex County, Delaware
Technical Advisory Committee

Comment Sheet

****

DATE OF REVIEW: August 30, 2021

REVIEWING AGENCY: **Delaware State Fire Marshals 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: WORKMAN SUBDIVISION (2021-26)

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:

a. **Fire Protection Water Requirements**:
   - Since the dwellings of the subdivision are proposed to be served by individual on-site wells (No Central or Public Water System within 1000' of property), set back and separation requirements will apply.

b. **Fire Protection Features:**
   -

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 (entrance) to the subdivision from Milton Ellendale Hwy must be constructed so all fire department apparatus may negotiate it. If a median or boulevard is to be used it must be designed so that fire apparatus can make left and right hand turns into the subdivision.

- 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
   - National Fire Protection Association (NFPA) Construction Type
   - Maximum Height of Buildings (including number of stories)
   - 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

RECEIVED

AUG 30 2021

SUSSEX COUNTY
PLANNING & ZONING

Elliott Young

From: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Sent: Wednesday, October 13, 2021 7:46 AM
To: Planning and Zoning
Subject: FWS review of Workman Subdivision

Follow Up Flag: Follow up
Flag Status: Flagged

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 Workman 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

Elliott Young

From: Terri Dukes
Sent: Thursday, August 26, 2021 11:13 AM
To: Elliott Young; beth.krumrine@delaware.gov; Brad Hawkes; Chris Calio; ddetrick@chpk.com; dholden@chpk.com; C. Daniel Parsons; Duane.Fox@delaware.gov; James.Sullivan@delaware.gov; jvandervort@chpk.com; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; John J. Ashman; John.Hayes@delaware.gov; john.kennel@delaware.gov; john.martin@delaware.gov; Jordan T. Dickerson; Kate.Flemming@delaware.gov; kgabbard@chpk.com; Richard.McCabe@delaware.gov; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Milton.melendez@delaware.gov; mindy.anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs; tdickerson@decoop.com; tgiroux@chpk.com; Vince Robertson
Subject: RE: TAC Review for Workman Subdivision 2021-26

Elliott, No **community name** or **street names** have been **summited** or **approved** for this project.

Best Regards,
Terri

From: Elliott Young <elliott.young@sussexcountyde.gov>
Sent: Thursday, August 26, 2021 10:27 AM
To: beth.krumrine@delaware.gov; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; ddetrick@chpk.com; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; James.Sullivan@delaware.gov; jvandervort@chpk.com; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; John J. Ashman <jashman@sussexcountyde.gov>; John.Hayes@delaware.gov; john.kennel@delaware.gov; john.martin@delaware.gov; Jordan T. Dickerson <jordan.dickerson@sussexcountyde.gov>; Kate.Flemming@delaware.gov; kgabbard@chpk.com; Richard.McCabe@delaware.gov; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Milton.melendez@delaware.gov; mindy.anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review for Workman Subdivision 2021-26

All,

Sussex County Planning Office has received an application that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before October 28th, 2021.

Please feel free to contact me with any questions.

Thanks,

Elliott Young, Planner I
Sussex County Planning and Zoning Department
2 The Circle
Georgetown, DE 19947

USDA

United States Department of Agriculture

Natural Resources
Conservation Service

Georgetown
Service Center

21315 Berlin Road
Unit 3
Georgetown, DE
19947

Voice 302.856.3990
Fax 855.306.8272

October 20, 2021

Jamie Whitehouse, Director
Sussex County Planning & Zoning
Sussex County Courthouse
Georgetown, DE 19947

RE: Workman Subdivision
Broadkill Hundred
33 single family lots

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

DnA	Downer loamy sand, 0 to 2 percent slopes
IgA	Ingleside sandy loam, 0 to 2 percent slopes
IgB	Ingleside sandy loam, 2 to 5 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
DnA	G1	Not limited	Not limited	Not limited
IgA	Y2	Somewhat limited	Not limited	Very limited
IgB	Y2	Somewhat limited	Not limited	Very limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

"Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

"Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.

An Equal Opportunity Provider and Employer

"Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

G1:
These soils are on nearly level to strongly sloping (0-10% slopes), well drained, mostly permeable soils. As sites for large commercial, industrial, institutional, and residential developments, these soils have fewer limitations than any other soils in the state. Slopes are favorable, and grading can be done without difficulty. Foundation conditions are generally good. Grasses, trees, and do well. Principal soil limitations: No apparent soil limitations for conventional uses.

Y2:
The soils in this classification are nearly level or gently sloping, moderately well drained or well drained with ground water between four to six feet from the surface, and are subject to seasonal high water tables. Seasonal wetness and seepage around foundations moderately limits these soils for residential use. The principal soil limitations are: 1) lateral seepage in subsoil causes concentration of water around foundations, 2) soil is highly susceptible to frost action, 3) excavations are likely to fill with water in late winter or early spring, and 4) wet basements or foundations are probable.

The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

Sincerely,

Thelton D. Savage
District Conservationist
USDA, Natural Resources Conservation Service

TDS/bh

2021-26
TM #235-14.00-61.00
Workman Subdivision

2021-26
TM #235-14.00-61.00
Workman Subdivision

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

DRAINAGE PROGRAM

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

August 31, 2021

Elliott Young
Sussex County
Planning and Zoning Office
2 The Circle
Georgetown, DE 19947

RE: Parcel # 235-14.00-61.00 & 61.06, Workman Subdivision (2021-26)

The Delaware Department of Natural Resources and Environmental Control (DNREC), Drainage Program has reviewed the above noted property for impacts to Tax Ditches.

My office has **no objection** to the works of improvement to this parcel and offer the following comments:

- The proposed project site is not located near or within a Tax Ditch watershed.
- There are no reported drainage concerns near the proposed project site.
- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- 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,

Brittany Haywood
Brittany Haywood
Tax Ditch Program Manager I

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AUG 31 2021

SUSSEX COUNTY
PLANNING & ZONING

Elliott Young

From: Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>
Sent: Thursday, September 9, 2021 9:29 AM
To: Planning and Zoning
Subject: FW: TAC Review for Workman Subdivision 2021-26
Attachments: Workman Preliminary Site Plan 2021-26.pdf; TAC Memo Workman Subdivision (2021-26).pdf

Categories: Elliott

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: Elliott Young <elliott.young@sussexcountyde.gov>
Sent: Thursday, August 26, 2021 10:27 AM
To: Krumrine, Beth (DNREC) <Beth.Krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; ddetrick@chpk.com; 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>; jvandervort@chpk.com; Cinelli, Jennifer (DelDOT) <jennifer.cinelli@delaware.gov>; jessica.watson@sussexconservation.org; John J. Ashman <jashman@sussexcountyde.gov>; John.Hayes@delaware.gov; john.kennel@delaware.gov; john.martin@delaware.gov; Jordan T. Dickerson <jordan.dickerson@sussexcountyde.gov>; Kate.Flemming@delaware.gov; kgabbard@chpk.com; McCabe, R. Stephen (DelDOT) <Richard.McCabe@delaware.gov>; Crystall, Meghan (DNREC) <Meghan.Crystall@delaware.gov>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@delaware.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>; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review for Workman Subdivision 2021-26

All,

Sussex County Planning Office has received an application that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before October 28th, 2021.

Please feel free to contact me with any questions.

Thanks,

Elliott Young, Planner I
Sussex County Planning and Zoning Department
2 The Circle
Georgetown, DE 19947
302-855-7878

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SEP 09 2021

SUSSEX COUNTY
PLANNING & ZONING

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

October 8, 2021

Elliott Young, Planner I
Planning & Zoning Commission
P.O. Box 417
Georgetown, Delaware 19947

Subject: **Preliminary Plans for Workman Subdivision**

Dear Mr. Young,

Thank you for providing preliminary plans for Workman Subdivision submitted by BOHLER. The plans submitted to our section dated August 20, 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 Workman's preliminary subdivision plans dated August 20, 2021 at this time.

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

Sincerely,

Taryn Davidson

Taryn Davidson
Urban Forestry Program
Delaware Forest Service

Elliott Young

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Tuesday, August 31, 2021 10:24 AM
To: Elliott Young
Subject: RE: TAC Review for Workman Subdivision 2021-26

Follow Up Flag: Follow up
Flag Status: Flagged

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Good Morning,

This development is located within our service territory and we have facilities in the area to serve the proposed residential units.

Thanks!

Troy W. Dickerson, P.E.
Vice President 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"

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From: Elliott Young <elliott.young@sussexcountyde.gov>
Sent: Thursday, August 26, 2021 10:27 AM
To: beth.krumrine@delaware.gov; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; ddetrick@chpk.com; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; James.Sullivan@delaware.gov; jvandervort@chpk.com; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; John J. Ashman <jashman@sussexcountyde.gov>; John.Hayes@delaware.gov; john.kennel@delaware.gov; john.martin@delaware.gov; Jordan T. Dickerson <jordan.dickerson@sussexcountyde.gov>; Kate.Flemming@delaware.gov; kgabbard@chpk.com; Richard.McCabe@delaware.gov; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Milton.melendez@delaware.gov; mindy.anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; Dickerson, Troy <TDickerson@delaware.coop>; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review for Workman Subdivision 2021-26

All,

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/24/2022**

APPLICATION: **2021-26 Workman Subdivision**

APPLICANT: **Insight Land Company, LLC**

FILE NO: **NCPA-5.03**

TAX MAP & PARCEL(S): **235-14.00-61.00 & 61.06**

LOCATION: **Lying on the north side of Milton Ellendale Highway (Rt. 16), approximately 0.3 miles east of Isaacs Road (Rt. 30)**

NO. OF UNITS: **33 single-family lots**

GROSS ACREAGE: **29.39**

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 subdivision is with the Growth and Annexation Area of the Town of Milton. Contact the Town concerning the availability of 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

STANDARD DRAWING LEGEND

FOR ENTIRE PLAN SET
(NOT TO SCALE)

EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
	ONSITE PROPERTY LINE / R.O.W. LINE	
	NEIGHBORING PROPERTY LINE / INTERIOR PARCEL LINE	
	EASEMENT LINE	
	SETBACK LINE	
	CONCRETE CURB & GUTTER	CURB AND GUTTER; SPILL CURB / TRANSITION CURB; DEPRESSED CURB AND GUTTER
	UTILITY POLE WITH LIGHT	
	POLE LIGHT	
	TRAFFIC LIGHT	
	UTILITY POLE	
	TYPICAL LIGHT	
	ACORN LIGHT	
	TYPICAL SIGN	
	PARKING COUNTS	
120 / 125	CONTOUR LINE	120 / 125
TC 516.4 OR 516.4	SPOT ELEVATIONS	TC 516.00 BC 515.50
	SANITARY LABEL	SAN #
	STORM LABEL	STM #
SL	SANITARY SEWER LATERAL	SL
W	UNDERGROUND WATER LINE	W
E	UNDERGROUND ELECTRIC LINE	E
G	UNDERGROUND GAS LINE	G
OH	OVERHEAD WIRE	OH
T	UNDERGROUND TELEPHONE LINE	T
C	UNDERGROUND CABLE LINE	C
	STORM SEWER	
S	SANITARY SEWER MAIN	S
	HYDRANT	
S	SANITARY MANHOLE	
D	STORM MANHOLE	
WM	WATER METER	
WV	WATER VALVE	
	GAS VALVE	
	GAS METER	
	TYPICAL END SECTION	
	HEADWALL OR ENDWALL	
	YARD INLET	
	CURB INLET	
	CLEAN OUT	
E	ELECTRIC MANHOLE	
T	TELEPHONE MANHOLE	
EB	ELECTRIC BOX	
EP	ELECTRIC PEDESTAL	
	MONITORING WELL	
	TEST PIT	
	BENCHMARK	
	BORING	

PRELIMINARY SITE PLAN

FOR

HARPER'S GLEN

PROPOSED

RESIDENTIAL DEVELOPMENT

LOCATION OF SITE
22947 MILTON ELLENDALE HIGHWAY
SUSSEX COUNTY, DELAWARE
BROADKILL HUNDRED
TAX MAP 235-14.00-61.00
& 235-14.00-61.06

REFERENCES AND CONTACTS

REFERENCES

◆BOUNDARY SURVEY:
VISTA DESIGN, INC.
11604 WORCESTER HIGHWAY
SHOWELL, MD 21862
DATED: 11/16/21 (APPROVED: 12/02/2021)
SURVEY JOB #: 21-054
SUSSEX COUNTY, DE BK: 357; PG: 33

◆SOILS RECONNAISSANCE INVESITGATION:
ACCENT ENVIRONMENTAL
PO BOX 788
MILLSBORO, DE 19966
DATED: 03/18/21

GOVERNING AGENCIES

◆FIRE MARSHAL
OFFICE OF THE STATE FIRE MARSHAL
22705 PARK AVENUE
GEORGETOWN, DE 19947
PHONE: (302) 856-5298

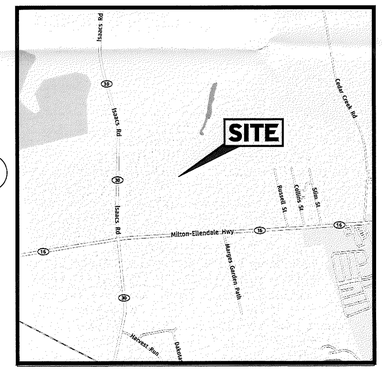
◆PLANNING, ZONING COMMITTEE
SUSSEX COUNTY PLANNING & ZONING DEPARTMENT
2 THE CIRCLE (PO BOX 417)
GEORGETOWN, DE 19947
PHONE: (302) 855-7878
FAX: (302) 854-5079

◆ROW JURISTICTION
DELAWARE DEPARTMENT OF TRANSPORTATION
SUSSEX COUNTY - GEORGETOWN, DELAWARE
23697 DUPONT BOULEVARD
GEORGETOWN, DE 19947
PHONE: (302) 853-1300
FAX: (302) 856-5728

◆STORMWATER MANAGEMENT
SUSSEX CONSERVATION DISTRICT
23818 SHORTLY RD.
GEORGETOWN, DE 19947
PHONE: (302) 856-2105
FAX: (302) 856-7219

◆ENGINEERING DEPARTMENT
SUSSEX COUNTY ADMINISTRATIVE OFFICE BUILDING
3RD FLOOR
2 THE CIRCLE, P.O. BOX 589
GEORGETOWN, DE 19947
PHONE: (302) 855-7370
FAX: (302) 855-7799

* THE ABOVE REFERENCED DOCUMENTS ARE INCORPORATED BY REFERENCE AS PART OF THESE PLANS, HOWEVER, BOHLER ENGINEERING DOES NOT CERTIFY THE ACCURACY OF THE WORK REFERENCED OR DERIVED FROM THESE DOCUMENTS, BY OTHERS.



LOCATION MAP
SCALE: N.T.S.
PLAN REFERENCE:

Copyright
2021 NEARMAP

OWNER
PARCEL 61.00
JOHN DAVID & DONNA LEE WORKMAN
22891 MILTON ELLENDALE HIGHWAY
MILTON, DE 19968

OWNER
PARCEL 61.06
INSIGHT LAND COMPANY, LLC.
16255 SUSSEX HIGHWAY
BRIDGEVILLE, DE 19933
CONTACT: BRET MANGUM
(302) 337-0400

DEVELOPER
INSIGHT LAND COMPANY, LLC.
16255 SUSSEX HIGHWAY
BRIDGEVILLE, DE 19933
CONTACT: BRET MANGUM
(302) 337-0400

PREPARED BY

BOHLER //

CONTACT: STEVEN T. FORTUNATO, P.E.

DEVELOPMENT STANDARDS

	SINGLE FAMILY (REQUIRED)	SINGLE FAMILY (PROPOSED)
TRACT AREA:		26.92± AC
MIN. LOT AREA/ DWELLING UNIT:	21,780 SF	MIN. 21,780 SF
LOT WIDTH AT FRONT SETBACK:	100'	MIN. 100'
STREET FRONTAGE:	60'	MIN. 60'
MAX BUILDING HEIGHT:	42'	<42'
MIN. BUILDING SETBACK		
FRONT YARD	30'	30'
SIDE YARD	15'	15'
REAR YARD	20'	20'

SHEET INDEX

SHEET TITLE	SHEET NUMBER
COVER SHEET	C-101
SITE PLAN	C-301

PROJECT NOTES:

1. APPLICANT:
INSIGHT LAND COMPANY, LLC.
16255 SUSSEX HIGHWAY
BRIDGEVILLE, DE 19933

2. OWNER:
PARCEL 61.00
JOHN DAVID & DONNA LEE WORKMAN
22891 MILTON ELLENDALE HIGHWAY
MILTON, DE 19968

PARCEL 61.06
INSIGHT LAND COMPANY, LLC
16255 SUSSEX HIGHWAY
BRIDGEVILLE, DE 19933

ENGINEER:
BOHLER
18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971
(302) 644-1155

3. PARCEL:
TM 235-14.00-61.00 & 235-14.00-61.06
SUSSEX COUNTY
DELAWARE

CURRENT ZONING: AR-1 - AGRICULTURAL RESIDENTIAL
PROPOSED ZONING: AR-1 - AGRICULTURAL RESIDENTIAL CLUSTER

CURRENT USE: AGRICULTURAL (PERMITTED)
PROPOSED USE: RESIDENTIAL

4. TOTAL AREA:

PARCEL 61.00:	±28.56 AC
PARCEL 61.06:	±0.83 AC
CONSOLIDATED TOTAL AREA:	±29.39 AC
OFF-SITE PARCEL A:	±0.94 AC
OFF-SITE PARCEL B:	±1.08 AC
OFF-SITE TOTAL AREA:	±2.02 AC
PROPOSED TOTAL SITE AREA:	±27.37 AC

5. DENSITY:
PERMITTED: 1,192,237 SF / 32,670 SF/LOT = 36 LOTS
PROPOSED: 33 LOTS TOTAL

6. PROPOSED RESIDENTIAL UNITS: 33 SINGLE-FAMILY (TOTAL)

7. INVESTMENT AREA: LEVEL 3

8. SITE AREA:

R.O.W.:	2.94± AC
LOTS:	18.38± AC
OPEN SPACE:	6.02± AC
BUFFER AREA:	2.50± AC (INCLUDED IN OPEN AREA)
TOTAL AREA:	27.37± AC

OPEN SPACE
REQUIRED = 10.0% (2.73 AC)
PROVIDED = 22.0% (6.02 AC)

9. TREE PRESERVATION:

WOODS TO BE REMOVED:	8.50 AC
WOODS TO REMAIN:	2.16 AC
TOTAL:	10.66 AC

10. DATUM:
HORIZONTAL: NAD 83 (DELAWARE STATE PLANE GRID)
VERTICAL: NAVD 88

11. EXISTING GROSS ACREAGE: 1,280,228 SF (29.39± AC)
PROPOSED GROSS ACREAGE: 1,192,237 SF (27.37± AC)

12. THIS PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE .02% CHANCE ANNUAL FLOODPLAIN)PER MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, SUSSEX COUNTY, DELAWARE, AND UNINCORPORATED AREAS, COMMUNITY PANEL NUMBER 10005C0165J, EFFECTIVE: JANUARY 1, 2005, REVALIDATED: JUNE 21, 2018.

13. ACCESS TO THE SITE SHALL BE FROM MILTON ELLENDALE HIGHWAY VIA ONE FULL MOVEMENT ENTRANCE.

14. ALL FIRE LANES, FIRE HYDRANTS, FIRE DEPARTMENT CONNECTIONS, SPRINKLERS, STANDPIPE CONNECTIONS, AND FIRE EXITS SHALL BE MARKED AND/OR PROTECTED IN ACCORDANCE WITH THE DELAWARE STATE FIRE REGULATION.

15. WATER SUPPLY: PRIVATE WELL LOCATIONS WILL BE PLACED ON EACH LOT.

16. SANITARY SEWER: PRIVATE SEPTIC SYSTEMS WILL BE LOCATED ON EACH LOT.

17. SUBDIVISION STREETS SHALL BE PRIVATELY OWNED AND MAINTAINED.

18. UTILITY ELEMENTS TO BE RELOCATED/REPLACED TO BE DONE SO IN ACCORDANCE WITH PROVIDER SPECIFICATIONS, BY GENERAL CONTRACTOR. GENERAL CONTRACTOR TO COORDINATE SAME PRIOR TO PROJECT BIDDING AND CONSTRUCTION.

19. THIS PROJECT LIES WITHIN THE DEVELOPING AREA.

20. THIS PROJECT DOES NOT LIE WITHIN A WELLHEAD PROTECTION AREA.

21. ACCORDING TO THE NATIONAL WETLANDS INVENTORY MAPPING, THERE ARE NO WETLANDS PRESENT ON THIS SITE.

22. DEED RESTRICTIONS SHALL APPLY PER A SEPARATE AGREEMENT PREPARED BY THE DEVELOPER.

CERTIFICATION OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THIS PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

JOHN DAVID & DONNA LEE WORKMAN — DATE
22891 MILTON ELLENDALE HIGHWAY
MILTON, DE 19968

CERTIFICATION OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THIS PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

INSIGHT LAND COMPANY, LLC — DATE
16255 SUSSEX HIGHWAY
BRIDGEVILLE, DE 19933

CERTIFICATION OF ACCURACY (ENGINEER)

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

STEVEN T. FORTUNATO, P.E. — DATE
BOHLER
18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971
P: (302)644-1155 / F: (302)703-3173

REVISED
FILE COPY

BOHLER //
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

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REVISIONS

REV	DATE	COMMENT	DRAWN BY / CHECKED BY
1	11/03/21	PER AGENCY COMMENTS	BIJ / STF
2	3/11/22	REMOVAL OF LOT 34	JSW / STF

811 Know what's below. Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

FOR CONCEPT PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	DE210012
DRAWN BY:	BIJ
CHECKED BY:	STF
DATE:	07/14/21
CAD I.D.:	SITE-2

PROJECT:

PRELIMINARY SITE PLAN

FOR

HARPER'S GLEN

PROPOSED RESIDENTIAL DEVELOPMENT

22947 MILTON ELLENDALE HIGHWAY
SUSSEX COUNTY, DELAWARE
BROADKILL HUNDRED
TAX MAP 235-14.00-61.00
& 235-14.00-61.06

BOHLER //
18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971
Phone: (302) 644-1155
Fax: (302) 703-3173
BohlerEngineering.com

SHEET TITLE:

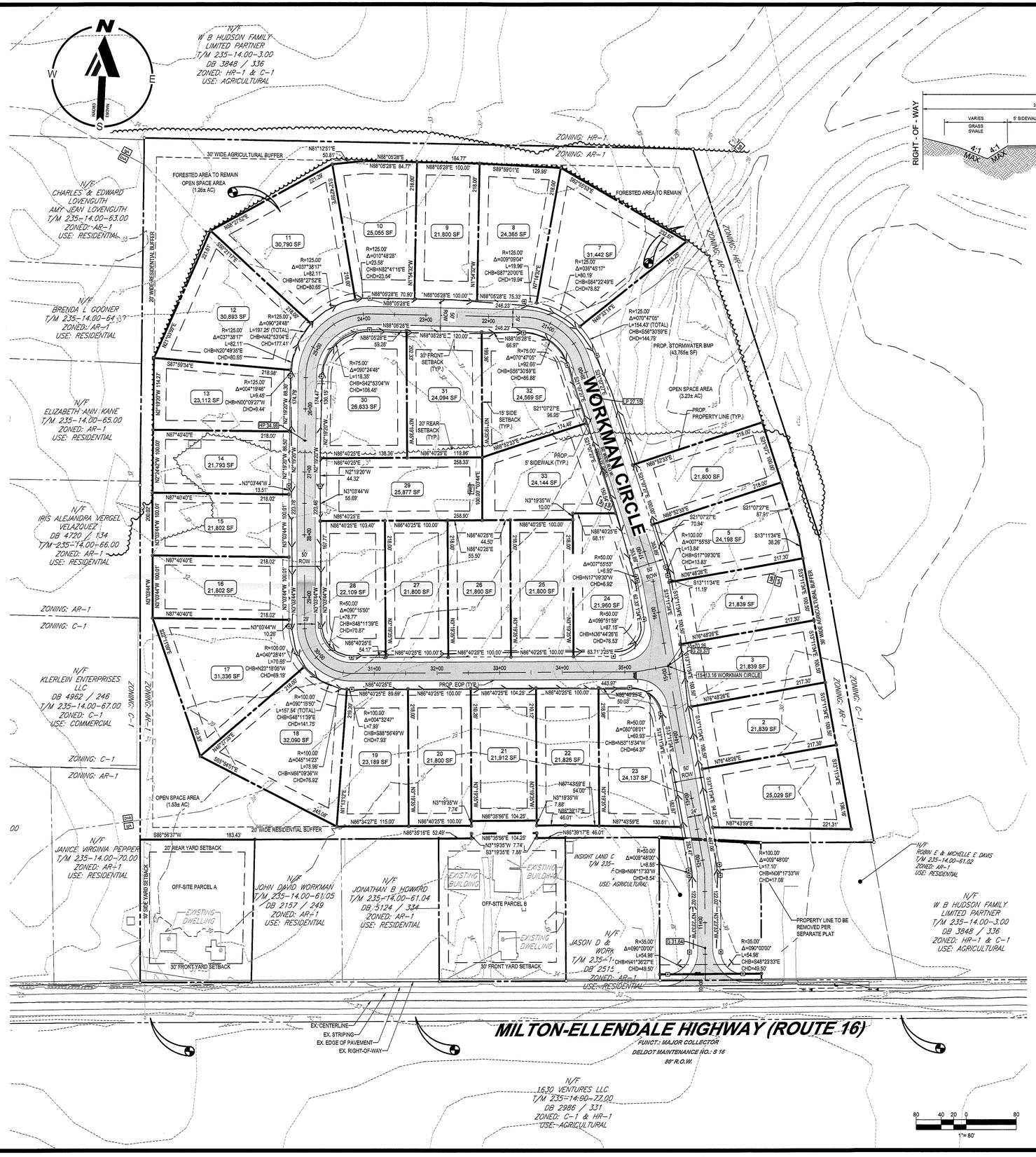
COVER SHEET

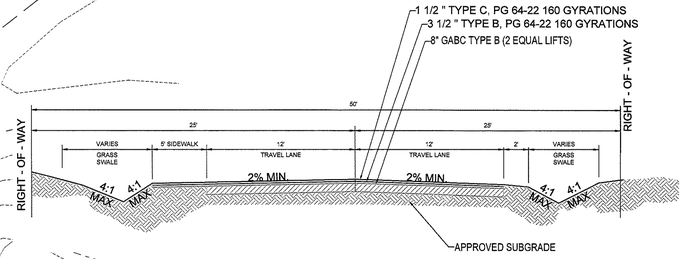
SHEET NUMBER:

C-101

REVISION 2 - 3/11/22

Mar 11, 2022
H:\DE\21\0012\CAD\DWKINS\PLAN SETS\PRELIMINARY SITE PLAN\DE210012 - CNDS 2---LAYOUT, C-101 COVER
JWK





TYPICAL INTERIOR ROAD SECTION
NOT TO SCALE

BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROJECT MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

THE INFORMATION, IDEAS AND CONCEPTS OF THIS PLAN ARE PROPRIETARY AND SHALL NOT BE COPIED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN AUTHORIZATION AND CONSENT OF BOHLER. ANY UNAUTHORIZED USE SHALL BE AT THE SOLE RISK OF THE USER AND WITHOUT LIABILITY TO BOHLER.

REVISIONS

REV	DATE	COMMENT	DRAWN BY / CHECKED BY
1	11/03/21	PER AGENCY COMMENTS	BIJ / STF
2	3/11/22	REMOVAL OF LOT 34	JSW / STF

Know what's below. Call before you dig.
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It's fast. It's free. It's the law.

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PROJECT No.:	DE210012
DRAWN BY:	BIJ
CHECKED BY:	STF
DATE:	07/14/21
CAD I.D.:	SITE-2

PROJECT:

PRELIMINARY SITE PLAN

FOR

HARPER'S GLEN

PROPOSED RESIDENTIAL DEVELOPMENT
22947 MILTON ELLENDALE HIGHWAY
SUSSEX COUNTY, DELAWARE
BROADKILL HUNDRED
TAX MAP 235-14.00-61.00
& 235-14.00-61.06

BOHLER
18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971
Phone: (302) 644-1155
Fax: (302) 703-3173
BohlerEngineering.com

SHEET TITLE:

PRELIMINARY SITE PLAN

SHEET NUMBER:

C-301

REVISION 2 - 3/11/22

Mar 11, 2022
H:\DE\2100\SITE\CAD\DWG\SITE PLAN\DE210012 - SITE 2-----LAYOUT SITE PLAN.DWG JWY

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

Sussex County
DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

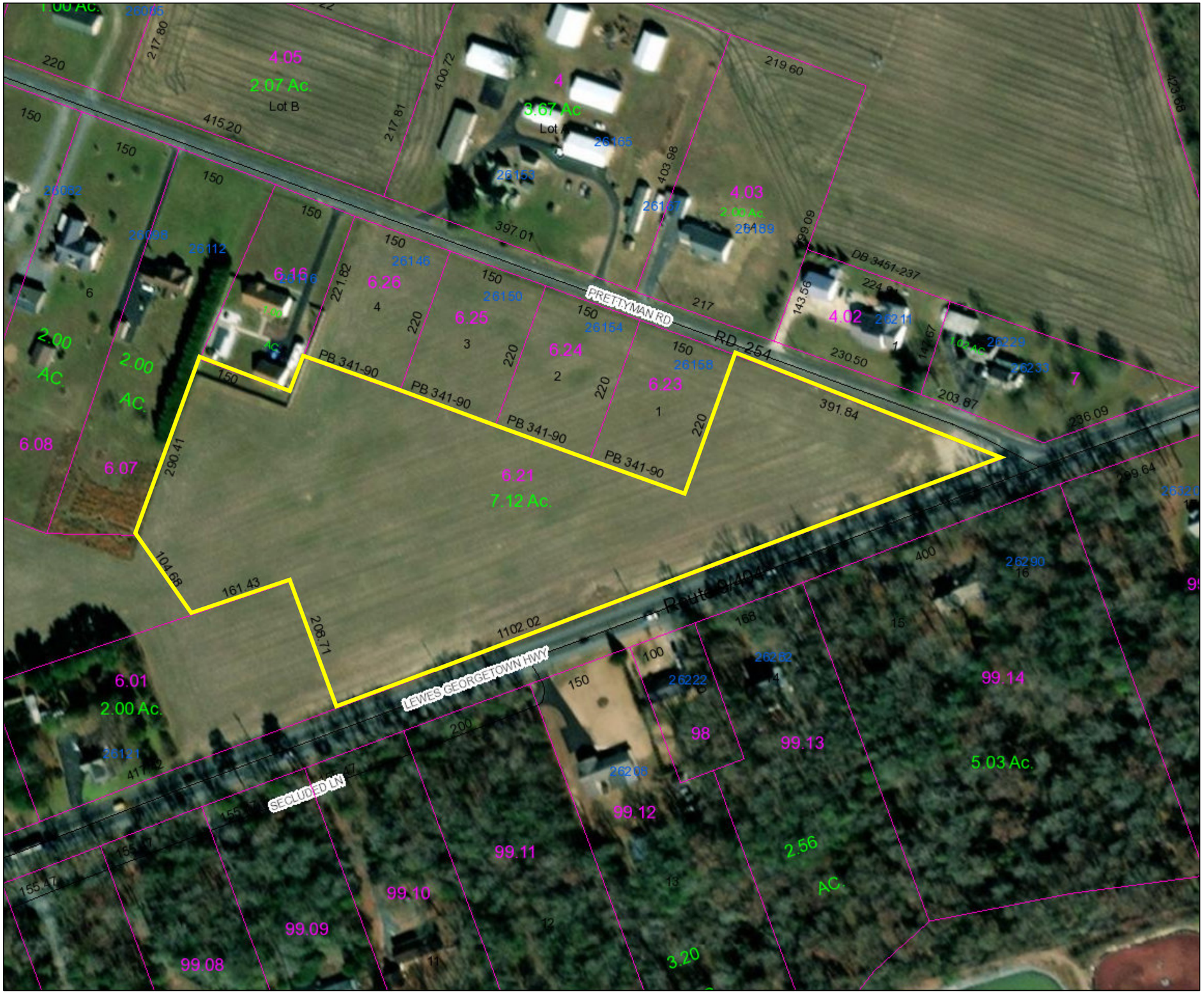
PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: March 24th, 2022

Application:	C/U 2290 Toback Development, LLC
Applicant:	Toback Development, LLC 35 Rodney Avenue Dewey Beach, DE 19971
Owner:	Toback Development, LLC 35 Rodney Avenue Dewey Beach, DE 19971
Site Location:	Lying on the west side of the intersection of Lewes Georgetown Highway (Route 9) and Prettyman Road (S.C.R. 254).
Current Zoning:	Agricultural Residential (AR-1) District
Proposed Use:	Contractor flex space
Comprehensive Land Use Plan Reference:	Low Density
Councilmanic District:	Mr. Schaeffer
School District:	Cape Henlopen School District
Fire District:	Georgetown Fire Department
Sewer:	Artesian
Water:	Artesian
Site Area:	7.12 acres +/-
Tax Map ID.:	235-30.00-6.21

Sussex County



PIN:	235-30.00-6.21
Owner Name	TOBACK DEVELOPMENT LLC
Book	5401
Mailing Address	35 RODNEY AVE UNIT 3
City	REHOBOTH BEACH
State	DE
Description	CRN/ PRETTYMAN RD / LE
Description 2	RESIDUAL LANDS
Description 3	N/A
Land Code	

polygonLayer
Override 1

polygonLayer
Override 1
Tax Parcels
911 Address
Streets
County Boundaries

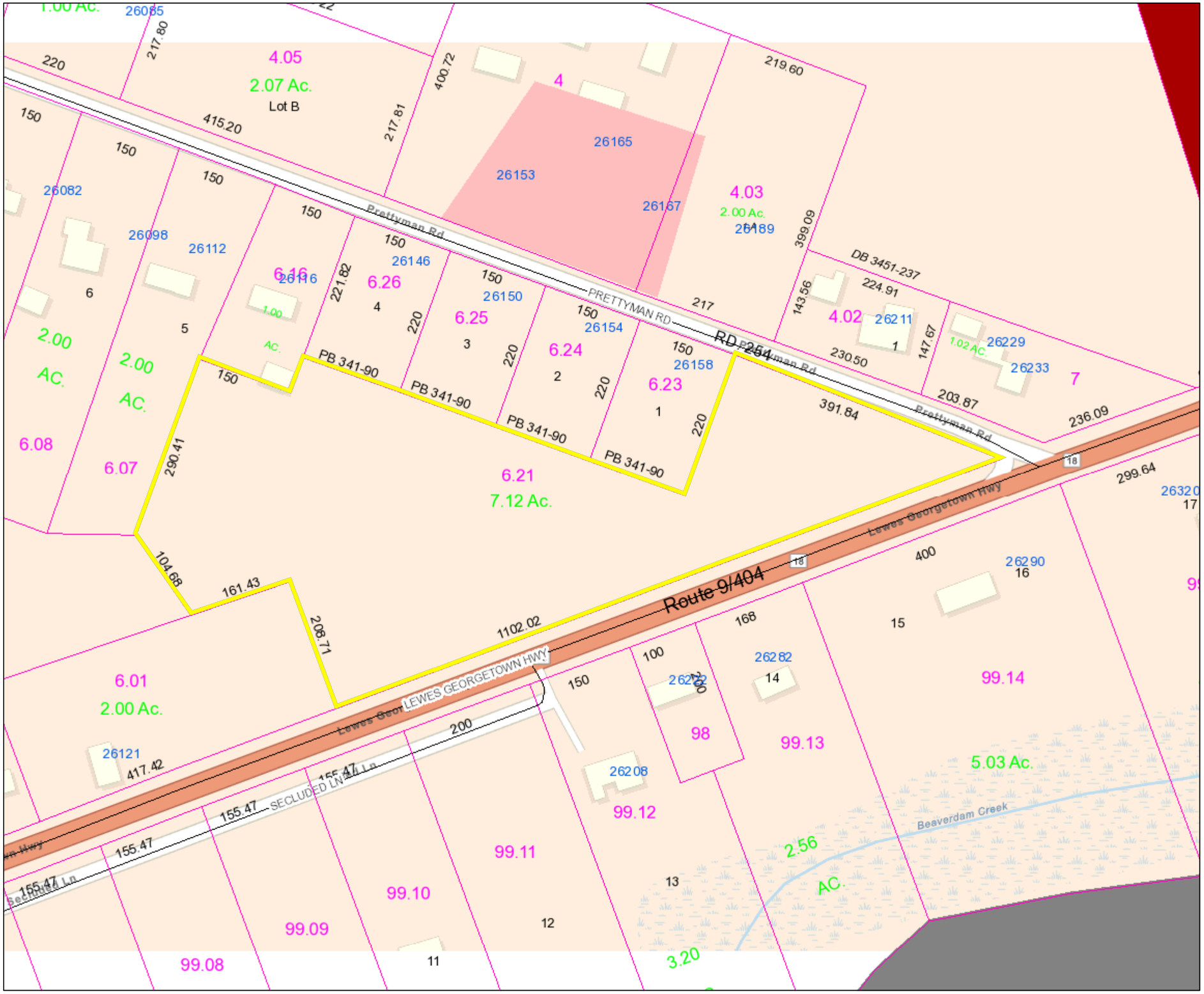
Tax Ditch Segments
Tax Ditch Channel
Pond Feature
Special Access ROW
Extent of Right-of-Way
Approx. Watershed Boundary
Municipal Boundaries
TID

1:2,257

0 0.0275 0.055 0.11 mi
0 0.0425 0.085 0.17 km

February 22, 2022

Sussex County



PIN:	235-30.00-6.21
Owner Name	TOBACK DEVELOPMENT LLC
Book	5401
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City	REHOBOTH BEACH
State	DE
Description	CRN/ PRETTYMAN RD / LE
Description 2	RESIDUAL LANDS
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

1:2,257

0 0.0275 0.055 0.11 mi

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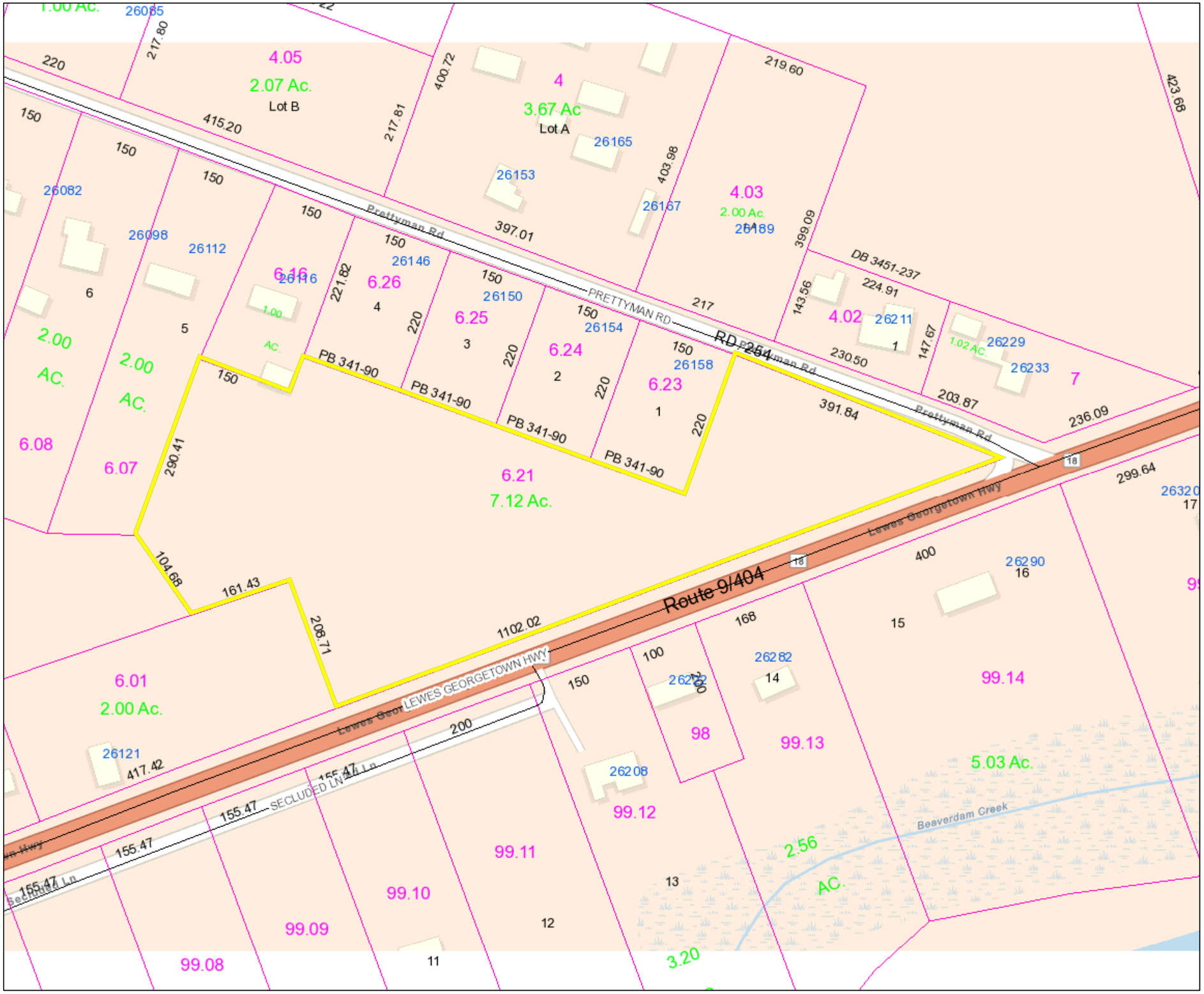
February 22, 2022

Sussex County



PIN:	235-30.00-6.21
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Book	5401
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State	DE
Description	CRN/ PRETTYMAN RD / LE
Description 2	RESIDUAL LANDS
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

County Boundaries

Tax Ditch Segments

Tax Ditch Channel

Pond Feature

Special Access ROW

Extent of Right-of-Way

Approx. Watershed Boundary

Municipal Boundaries

TID

1:2,257

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

February 22, 2022

File #: CU 2290
20210870 3

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

Intersection of DE Route 9 & SCR 254 (Prettyman Road)

Type of Conditional Use Requested:

Applicant desires a conditional use to allow the construction of a flex space building on the property.

Tax Map #: p/o 235-30.00-6.21 **Size of Parcel(s):** 7.12 +/- acres

Current Zoning: AR-1 **Proposed Zoning:** AR1-CU **Size of Building:** 2 Bldges total 46,800sq ft.

Land Use Classification: Low Density

Water Provider: Artesian **Sewer Provider:** Artesian

Applicant Information

Applicant Name: Toback Development, LLC
Applicant Address: 35 Rodney Avenue
City: Dewey Beach State: DE ZipCode: 19971
Phone #: (302) 228-6182 E-mail: matt@leweshg.com

Owner Information

Owner Name: See above.
Owner Address:
City: State: Zip Code:
Phone #: E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esq. (Morris James LLP)
Agent/Attorney/Engineer Address: 107 West Market Street, P.O. Box 690
City: Georgetown State: DE Zip Code: 19947
Phone #: (302) 856-0015 E-mail: dhutt@morrisjames.com

EQUAL HOUSING OPPORTUNITY

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

☑ **Completed Application**

☑ **Provide eight (8) copies of the Site Plan or Survey of the property**
- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

☑ **Provide Fee $500.00**

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

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

☑ **DelDOT Service Level Evaluation Request Response**

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

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 6-4-2021

Signature of Owner

_____ Date: 6-2-21

For office use only:

Date Submitted: 6/7/21 Fee: $500.00 Check #: 106872

Staff accepting application: NT Application & Case #: 202108703 CU2290

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

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: March 17th, 2022
RE: Staff Analysis for CU 2290 Toback Development, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2290 Toback Development, LLC to be reviewed during the March 24th, 2022, Planning & Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 235-30.00-6.21 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District for Contractor Flex Space. The parcel is located on the west side of Prettyman Road (S.C.R. 254) Harbeson, Delaware. The size of the property is approximately 7.12 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 "Low Density". The surrounding parcels to the south, north, west, and east are all designated on the Future Land Use Map as "Low Density".

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density areas are intended to support agricultural uses and low-density single-family housing. Specifically, the Comprehensive Plan states that single family homes have a density of up to two dwelling units to the acre. It is envisioned that the Low Density Areas allow for businesses that support nearby residents and the agricultural economy. More intense commercial uses could be limited in scale and impact. While residential growth is expected, the Comprehensive Plan intends for the rural landscape to be maintained and for farmland to be preserved in select locations.

The property is within an Agricultural Residential (AR-1) Zoning District. Additionally, each adjacent parcel is also within the AR-1 Zoning District.

Since 1970, there have been sixteen (17) Conditional Use applications within a half (.05-miles) mile radius of the application site. Fourteen (14) of those applications have been approved, one (1) has been withdrawn and two(2) applications are still undecided.

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

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

RECEIVED
FEB 25 2022
SUSSEX COUNTY
PLANNING & ZONING

TO:	**Jamie Whitehouse**
REVIEWER:	**Chris Calio**
DATE:	**2/24/2022**
APPLICATION:	**CU 2290 Toback Development, LLC**
APPLICANT:	**Toback Development, LLC**
FILE NO:	**NCPA-5.03**
TAX MAP & PARCEL(S):	**235-30.00-6.21**
LOCATION:	**Lying on the west side of the intersection of Lewes Georgetown Highway (Route 9) and Prettyman Road (SCR 254)**
NO. OF UNITS:	**Contractor flex space**
GROSS ACREAGE:	**7.12**

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

SEWER:

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

Yes ☐ No ☒

a. If yes, see question (2).
b. If no, see question (7).

(2). Which County Tier Area is project in? **Tier 3**

(3). Is wastewater capacity available for the project? **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? **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: **Click or tap here to enter text.**

(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

November 21, 2019

Ms. Betty Tustin
The Traffic Group, Inc.
104 Kenwood Court
Berlin, MD 21811

Dear Ms. Tustin:

The enclosed Traffic Impact Study (TIS) review letter for the proposed **Azalea Woods (f.k.a. Wilson Moore)** (Tax Parcels 135-11.00-32.01, 48.00, 49.00 and 56.00) 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 review 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: Mr. Thomas Natelli, Jr., Natelli Communities
Mr. Jason Palkewicz, Solutions IPEM, Inc.
Ms. Constance C. Holland, Office of State Planning Coordination
Ms. Janelle Cornwell, Sussex County Planning and Zoning
Mr. Andrew Parker, McCormick Taylor, Inc.
DelDOT Distribution

DelDOT

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Director, Transportation Solutions (DOTS)
Drew Boyce, Director, Planning
Mark Luszcz, Deputy Director, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
J. Marc Coté, Assistant Director, Development Coordination
T. William Brockenbrough, Jr., County Coordinator, Development Coordination
Peter Haag, Chief Traffic Engineer, Traffic, DOTS
Alastair Probert, South District Engineer, South District
Gemez Norwood, South District Public Works Manager, South District
Susanne Laws, Sussex Subdivision Review Coordinator, Development Coordination
David Dooley, Service Development Planner, Delaware Transit Corporation
Mark Galipo, Traffic Engineer, Traffic, DOTS
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning
Derek Sapp, Sussex County Subdivision Reviewer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

McCORMICK TAYLOR

November 21, 2019

Mr. Troy E. Brestel
Project Engineer
DelDOT Division of Planning
P.O. Box 778
Dover, DE 19903

RE: Agreement No. 1773
Traffic Impact Study Services
Task No. 1A Subtask 2A – Azalea Woods

Dear Mr. Brestel:

McCormick Taylor has completed its review of the Traffic Impact Study (TIS) for the Azalea Woods residential development prepared by The Traffic Group, Inc. dated July 17, 2019. 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 Azalea Woods residential development, proposed to be located north of US Route 9, west of Delaware Route 30 (Gravel Hill Road / Sussex Road 248) and east of Shingle Point Road (Sussex Road 249) in unincorporated Sussex County, Delaware. The proposed development would consist of 610 single-family detached homes. Two full-access driveways are proposed. One full movement access is proposed on Shingle Point Road opposite Briarwood Lane. The second full access movement is proposed along Delaware Route 30 opposite Pettyjohn Road (Sussex Road 255). Construction is expected to be complete by 2032.

The subject land is located on an approximately 316-acre assemblage of parcels. The land is currently zoned AR-1 (Agricultural Residential) in Sussex County. No rezoning is needed or sought to permit the proposed development.

DelDOT has three projects within the study area. The first is the Georgetown East Gateway Improvements project (aka Sand Hill Road Realignment Project), which will improve the existing intersection geometry of US Route 9 and Sand Hill Road/Airport Road (State Road 319). Sand Hill Road and Airport Road presently intersect US Route 9 at skewed angles at offset locations. The improvements will realign Sand Hill Road and Airport Road to intersect US Route 9 at one location at an improved angle, add turn lanes, add pedestrian and bicycle facilities, and improve drainage. Final design and right of way acquisition are underway. Utility relocations will begin in the spring of 2020. Construction is anticipated to begin in the summer of 2020.

The second project is Park Avenue Relocation – Phase 2, which involves improvements along Park Avenue (Sussex Road 321) from the Park Avenue Relocation – Phase 1 project up to the signalized intersection with US Route 9, which will be reconstructed to provide a westbound left-turn lane and a northbound right-turn lane with acceleration lane onto eastbound US Route 9, along with signal upgrades. The Phase 2 project is within the Azalea Woods study area, while the Phase

1 project is located southwest of the Azalea Woods study area. Phase 1 will relocate part of Park Avenue, a designated truck bypass through Georgetown, and upgrade another part of Park Avenue with appropriate turn lanes, shoulders, and intersection improvements. Phase 2 will consist of the improvements along the existing Park Avenue from where the Phase 1 relocation ties in west of Cedar Lane all the way up to US Route 9. Both phases of the project will combine to provide a continuous US Route 9 Truck Bypass from US Route 113 to US 9 east of the Town of Georgetown. This project is currently in the design and planning stage. Construction of Phase 1 is anticipated to begin in the fall of 2022. Construction of Phase 2 is anticipated to begin in 2023.

The third project is DelDOT's HSIP SC, US 9 and SR 5 Intersection project. This project, initiated by the 2009 Hazard Elimination Program, is located at the intersection of US Route 9 and Delaware Route 5 and involves widening the intersection to provide turn lanes on each leg to address safety and operational issues and to accommodate large vehicles. Construction was underway in early 2019 and was substantially complete by September 2019.

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:

Intersection	***Existing Traffic Control***	***Situations for which deficiencies occur***
US 9 and Sand Hill Road/Airport Road	Signalized	2018 Existing PM (Case 1) 2032 without Azalea Woods AM & PM (Case 2) * 2032 with Azalea Woods AM & PM (Case 3) * * Deficient only without East Gateway Improvements
US 9 and Park Avenue	Signalized	2018 Existing AM & PM (Case 1) 2032 without Azalea Woods AM & PM (Case 2) * 2032 with Azalea Woods AM & PM (Case 3) * * Deficient only without Park Avenue Relocation – Phase 2
US 9 and Shingle Point Road/French Road	Unsignalized	2018 Existing AM (Case 1) 2032 without Azalea Woods AM & PM (Case 2) 2032 with Azalea Woods AM & PM (Case 3)
US 9 and Stiener Road	Unsignalized	2018 Existing AM (Case 1) 2032 without Azalea Woods AM & PM (Case 2) 2032 with Azalea Woods AM & PM (Case 3)
US 9 and DE 30	Signalized	2032 without Azalea Woods AM & PM (Case 2) 2032 with Azalea Woods AM & PM (Case 3)
US 9 and Prettyman Road	Unsignalized	2018 Existing AM & PM (Case 1) 2032 without Azalea Woods AM & PM (Case 2) 2032 with Azalea Woods AM & PM (Case 3)
US 9 and DE 5	Signalized	2018 Existing AM (Case 1) 2032 without Azalea Woods AM & PM (Case 2) 2032 with Azalea Woods AM & PM (Case 3)
Park Avenue and Springfield Road	Unsignalized	2032 without Azalea Woods AM (Case 2) 2032 with Azalea Woods AM & PM (Case 3)

For three of the intersections listed in the table above, it is anticipated that future LOS deficiencies will be completely mitigated via implementation of improvements as described in the numbered recommendation items starting on page 4. The intersections and corresponding recommendation items are as follows: US Route 9 and Sand Hill Road / Airport Road (Item No. 4), US Route 9 and Park Avenue (Item No. 5), and Park Avenue and Springfield Road (also Item No. 5).

For one other intersection, US Route 9 and Shingle Point Road / French Road, it is anticipated that the recommended improvement will partially mitigate future LOS deficiencies. While it was determined that the improvement needed to achieve a complete mitigation of future LOS deficiencies at this location would not be required of this developer, the addition of a separate right-turn lane on the southbound approach of Shingle Point Road, as recommended below in Item No. 6, will reduce delays and queue lengths on that approach.

As for the other four intersections listed in the table above, we do not recommend any improvements be implemented by the developer. Additional information for each of these four intersections is provided immediately below.

US Route 9 and Stiener Road

This unsignalized intersection experiences LOS deficiencies in the 2018 existing AM peak hour and in the 2032 AM and PM peak hours, both without and with Azalea Woods.

The northbound Stiener Road and southbound business driveway approaches are expected to operate at LOS F in both 2032 peak hours, without and with Azalea Woods. During these times, both approaches have ten vehicles per hour or less, and the anticipated 95th percentile queue lengths are less than 25 feet. Thus, mitigation is not required as per the DelDOT Development Coordination Manual.

US Route 9 and Delaware Route 30

This signalized intersection exhibits LOS deficiencies in the 2032 AM and PM peak hours, both without and with Azalea Woods. Given that the intersection is already signalized and has separate left and right-turn lanes on every approach, we do not recommend any improvements be implemented by the developer at this intersection. The major improvements required to fully correct the LOS deficiencies at this intersection (i.e., widening US Route 9 to provide two through lanes in each direction) cannot be considered a reasonable developer improvement project.

US Route 9 and Prettyman Road

This unsignalized intersection experiences LOS deficiencies in all existing and future peak hours, with the southbound approach of Prettyman Road operating at LOS F. However, a new traffic signal at this location on US Route 9 would not be desirable, and because drivers who would use the southbound approach of Prettyman Road can choose alternative routes to access US Route 9, it was determined that improvements are not required to be implemented by the developer at this intersection.

US Route 9 and Delaware Route 5

This signalized intersection exhibits LOS deficiencies in the 2032 AM and PM peak hours, both without and with Azalea Woods. Given that the intersection is already signalized and was recently improved in 2019 to include a separate left-turn lane on every approach, we do not recommend any improvements be implemented by the developer at this intersection. The major improvements required to fully correct the LOS deficiencies at this intersection (i.e., widening US Route 9 to provide two through lanes in each direction) cannot be considered a reasonable developer improvement project.

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 improve Shingle Point Road from Briarwood Road to US Route 9 as needed in order to meet DelDOT's local road standards. These standards include, but are not limited to, eleven-foot travel lanes and five-foot shoulders. The developer should provide a bituminous concrete overlay to the existing travel lanes, at DelDOT's discretion. DelDOT should analyze the existing lanes' pavement section and recommend an overlay thickness to the developer's engineer if necessary. Construction of this improvement should begin prior to issuance of the 226th building permit.

2. The developer should construct the full-movement Site Access A on Shingle Point Road. This proposed site driveway should be constructed directly across from Briarwood Lane. The proposed configuration is shown in the table below.

Approach	Existing Configuration	Proposed Configuration
Eastbound Briarwood Lane	One shared left-turn/right-turn lane	One shared left/through/right-turn lane
Westbound Site Access A	Approach does not exist	One shared left/through/right-turn lane
Northbound Shingle Point Road	One shared left-turn/through lane	One left-turn lane, one through lane and one right-turn lane
Southbound Shingle Point Road	One shared through/right-turn lane	One left-turn lane and one shared 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 Briarwood Lane	N/A	N/A
Westbound Site Access A	N/A	N/A
Northbound Shingle Point Road	50 feet *	240 feet **
Southbound Shingle Point Road	210 feet **	N/A

* Initial turn-lane length based on coordination with DelDOT's Development Coordination Section.
** Initial turn-lane length based on DelDOT's *Auxiliary Lane Worksheet*.

3. The developer should construct the full-movement Site Access B on Delaware Route 30. This proposed site driveway should be constructed directly across from Pettyjohn Road. The proposed configuration is shown in the table below.

Approach	Existing Configuration	Proposed Configuration
Eastbound Site Access B	Approach does not exist	One shared left/through/right-turn lane
Westbound Prettyjohn Road	One shared left-turn/right-turn lane	One shared left/through/right-turn lane
Northbound DE 30	One shared through/right-turn lane	One left-turn lane and one shared through/right-turn lane
Southbound DE 30	One shared left-turn/through lane	One left-turn lane, one through lane and one 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 Site Access B	N/A	N/A
Westbound Prettyjohn Road	N/A	N/A
Northbound DE 30	210 feet *	N/A
Southbound DE 30	50 feet **	240 feet *

* Initial turn-lane length based on DelDOT's *Auxiliary Lane Worksheet.*
** Initial turn-lane length based on coordination with DelDOT's Development Coordination Section.

4. The developer should coordinate with DelDOT regarding an equitable share contribution toward DelDOT's Georgetown East Gateway Improvements Project, which will improve the intersection of US Route 9 and Sand Hill Road / Airport Road. The amount of the contribution should be determined through coordination with DelDOT's Development Coordination Section.

5. The developer should coordinate with DelDOT regarding an equitable share contribution toward DelDOT's Park Avenue Relocation – Phase 2 Project, which will improve the intersections of US Route 9 & Park Avenue and Park Avenue & Springfield Road. While the design of improvements under the DelDOT project has not yet been finalized, at US Route 9 & Park Avenue it should include a westbound left-turn lane and a northbound right-turn lane with acceleration lane onto eastbound US Route 9, and at Park Avenue & Springfield Road it should include a westbound right-turn lane. The amount of the contribution should be determined through coordination with DelDOT's Development Coordination Section.

6. The developer should improve the intersection of US Route 9 and Shingle Point Road / French Road. The proposed configuration is shown in the table below.

Approach	Existing Configuration	Proposed Configuration
Eastbound US Route 9	One shared left/through/right-turn lane	One shared left/through/right-turn lane
Westbound US Route 9	One shared left/through/right-turn lane	One shared left/through/right-turn lane
Northbound French Road	One shared left/through/right-turn lane	One shared left/through/right-turn lane
Southbound Shingle Point Road	One shared left/through/right-turn lane	One shared left-turn/through lane and one right-turn lane

Initial recommended minimum turn-lane lengths (excluding tapers) of the separate turn lanes are listed below.

Approach	Left-Turn Lane	Right-Turn Lane
Eastbound US Route 9	N/A	N/A
Westbound US Route 9	N/A	N/A
Northbound French Road	N/A	N/A
Southbound Shingle Point Road	N/A	200 feet *

* Initial turn-lane length based on storage length per queuing analysis

The developer should coordinate with DelDOT's Development Coordination Section to determine all final design details including the above turn-lane lengths during the site plan review. Construction of this improvement should begin prior to issuance of the 101st building permit.

7. The following bicycle and pedestrian improvements should be included:

   a. Adjacent to the proposed right-turn lanes on southbound Delaware Route 30 and northbound Shingle Point Road at the proposed site entrances, 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 frontages along Delaware Route 30 and Shingle Point Road.

   f. Within the easements along the Delaware Route 30 site frontage and the Shingle Point Road southern 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 paths should meet AASHTO and ADA standards. Each shared-use path should have a minimum of a five-foot buffer from the roadway. At the property boundaries, the shared-use paths 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. No shared-use path is required along the northern site frontage of Shingle Point Road.

   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 paths along Delaware Route 30 and Shingle Point Road.

i. Access-ways should be used to connect shared-use paths or sidewalks along a road to an interior trail or subdivision street when the spacing between streets is inadequate to accommodate convenient pedestrian and bicycle travel. Based on the Office of State Planning Coordination PLUS review (August 20, 2018), two access-ways are recommended, both on Shingle Point Road. One would be near the northern limit of the site frontage and the other near the southern limit of the site frontage. The developer should coordinate with DelDOT's Development Coordination Section during the site plan review to determine exact locations and design details for these access-ways.

j. 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.

Andrew J. Parker, PE, PTOE
Project Manager

Enclosure

General Information

Report date: July 17, 2019
Prepared by: The Traffic Group, Inc.
Prepared for: Natelli Communities
Tax parcel: 135-11.00-32.01, part of 48.00, 49.00, and 56.00
Generally consistent with DelDOT's Development Coordination Manual: Yes

Project Description and Background

Description: The proposed Azalea Woods development consists of 610 single-family detached homes.
Location: The site is located north of US Route 9, west of Delaware Route 30 (Gravel Hill Road / Sussex Road 248) and east of Shingle Point Road (Sussex Road 249) in unincorporated Sussex County. A site location map is included on page 10.
Amount of land to be developed: approximately 316 acres
Land use approval(s) needed: Subdivision approval. The land is currently zoned AR-1 (Agricultural Residential). No rezoning is needed or sought to permit the proposed development.
Proposed completion year: 2032
Proposed access locations: Two full-access driveways are proposed. One full movement access is proposed on Shingle Point Road opposite Briarwood Lane. The second full access movement is proposed along Delaware Route 30 opposite Pettyjohn Road (Sussex Road 255).
Daily Traffic Volumes (per DelDOT Traffic Summary 2018):

- 2018 Average Annual Daily Traffic on Delaware Route 30: 5,449 vehicles/day
- 2018 Average Annual Daily Traffic on Shingle Point Road: 1,220 vehicles/day

30
Seashore Hwy
9
Site Location Map
Proposed Entrance
N
Not to Scale
Graphics is approximation only. Based on conceptual site plan

2015 Delaware Strategies for State Policies and Spending

Location with respect to the Strategies for State Policies and Spending Map of Delaware: The proposed Azalea Woods residential development is located within Investment Level 4.

Investment Level 4
Investment Level 4 areas are predominantly rural or agricultural and contain much of Delaware's open space and natural areas. These areas are home to agribusiness activities, farm complexes, and small settlements/unincorporated communities that are often found at historic crossroads. Investment Level 4 areas may also have scattered single-family detached residential homes. Existing transportation facilities and services will be maintained by the state while they continue to manage the transportation system in a manner that will support the preservation of the natural environment and agricultural business. Construction of new homes is discouraged; housing policies will focus on maintenance and rehabilitation of existing homes and communities. In addition, the Department of Education does not support the construction of new educational facilities in Investment Level 4 areas. The educational needs of Investment Level 4 areas would likely need to be met through facilities located in Investment Level 1-3 areas.

In general, the state will limit its investments in public infrastructure systems; investments should address existing public health, safety, or environmental risks, preserve rural character and natural resources, and discourage further development that is unrelated to the area's needs.

Proposed Development's Compatibility with Strategies for State Policies and Spending:
The proposed Azalea Woods residential development includes 610 single-family detached homes and is located within an Investment Level 4 area. New housing developments are discouraged in such areas. The state would be responsible for providing many public services to the residents of the development, such as school construction and transportation, police and fire/EMS services, and additional maintenance of the transportation system. Given the location of the development in an Investment Level 4 area, the state generally does not intend to make these significant investments. Rather, the state intends to support agricultural activities and protect the rural and natural character of these areas. Based on the *2015 Delaware Strategies for State Polices and Spending* document, the proposed development does not appear to be compatible with an Investment Level 4 area and additional discussion is required.

Comprehensive Plan

Sussex County Comprehensive Plan:
(Source: Sussex County Comprehensive Plan, March 2019)

The Sussex County Comprehensive Plan 2045 Future Land Use Map indicates that the proposed development parcels are within the Low Density Area (categorized as a Rural Area).

All lands designated as Low-Density Areas are currently zoned AR-1. Under that zoning designation, single family detached homes are permitted at 2 homes per acre on lots containing a minimum of ½ acre if that tract connects to central sewers. Where on-site septic systems are used, single-family detached homes are permitted on minimum ¾ acre lots. AR-1 zoning regulations

also permit an average of 2 homes per acre where a cluster-style site plan is used, and a portion of the tract in preserved in permanent open space. Using these zoning regulations and additional incentives, Sussex County hopes to retain the rural environment of Low Density Areas and set aside significant open space.

In Sussex County, many farmland owners located in the Low-Density Areas have built up significant equity in their lane – in numerous cases through multiple generations. This is equity is a liquid asset that can serve as collateral to secure operating loans. It is also equity that can be realized through lane sales if and when these landowners no longer desire to continue farming. For this reason, the Sussex County Council supports State and local land use policies that will preserve the value of farmland. The Sussex County approach emphasizes the following policies and actions to help sustain agriculture, maintain the rural landscape and sustain reasonable development rights:

- The County strongly supports voluntary farmland preservation and has worked jointly with the State to facilitate the acquisition of development rights to agricultural land.

- The County uses zoning to mandate that a certain portion of a residential subdivision must be permanently preserved in common open space.

- The County provides density bonuses, under certain conditions, to developers who agree to pay into a fund that Sussex County uses to acquire open space.

- The County requires developers to plant landscaped buffers to physically separate new development from the surrounding countryside.

- The County is also considering establishing Agribusiness Areas which will enable certain limited, yet important agriculture industries to develop in support of Sussex County's large agricultural economy without unnecessary delay.

- The County supports continued agricultural operations and affords them specific protections as are listed in Sussex County Code Section 99 -6 (G)(l) and(2) and 99 -16 (D).

The following guidelines should apply to future growth in Low Density Areas:

Permitted uses – The primary uses envisioned in Low Density Areas are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas. Institutional and commercial uses may be appropriate depending on surrounding uses.

Densities – Base densities in Low Density Areas should be unchanged from the current zoning provisions. The minimum lot size should be ¾ acre for lots served by on-lot septic systems and ½ acre for lots with central sewers. The cluster option permitted in Low Density Areas should

continue to permit overall site densities of up to 2 units per acre, provided significant open space is set aside and the tract connects to public sewers.

Infrastructure – Development where lots are no smaller than ¾ acre can be accommodated in this planning area without central sewers. Other development should require central sewer service.

Proposed Development's Compatibility with Comprehensive Plan: The proposed Azalea Woods residential development is planned to be developed as 610 single-family detached homes on a 316-acre assemblage of parcels. The site is currently zoned AR-1 (Agricultural Residential), and the developer plans to develop under that zoning as a Residential Cluster Community. The purpose of this zoning district is to protect agricultural lands and activities and other valuable natural resources. Low-density housing is permitted along with churches, recreational facilities, and accessory uses as may be necessary or is normally compatible with residential surroundings. The Sussex County Comprehensive Plan 2045 Future Land Use Map indicates that the proposed development parcels are within the Low Density Area (categorized as a Rural Area). The proposed development appears to comply with the characteristics and *Permitted Uses* for Low Density Areas. However, due to the possibility of some lots being smaller than ½ acre, this development raises questions regarding consistency with Sussex County regulations; therefore additional discussion may be required.

Relevant Projects in the DelDOT Capital Transportation Program

DelDOT has three projects within the study area. The first is the Georgetown East Gateway Improvements project (aka Sand Hill Road Realignment Project), which will improve the existing intersection geometry of US Route 9 and Sand Hill Road/Airport Road (State Road 319). Sand Hill Road and Airport Road presently intersect US Route 9 at skewed angles at offset locations. The improvements will realign Sand Hill Road and Airport Road to intersect US Route 9 at one location at an improved angle, add turn lanes, add pedestrian and bicycle facilities, and improve drainage. Final design and right of way acquisition are underway. Utility relocations will begin in the spring of 2020. Construction is anticipated to begin in the summer of 2020.

The second project is Park Avenue Relocation – Phase 2, which involves improvements along Park Avenue (Sussex Road 321) from the Park Avenue Relocation – Phase 1 project up to the signalized intersection with US Route 9, which will be reconstructed to provide a westbound left-turn lane and a northbound right-turn lane with acceleration lane onto eastbound US Route 9, along with signal upgrades. The Phase 2 project is within the Azalea Woods study area, while the Phase 1 project is located southwest of the Azalea Woods study area. Phase 1 will relocate part of Park Avenue, a designated truck bypass through Georgetown, and upgrade another part of Park Avenue with appropriate turn lanes, shoulders, and intersection improvements. Phase 2 will consist of the improvements along the existing Park Avenue from where the Phase 1 relocation ties in west of Cedar Lane all the way up to US Route 9. Both phases of the project will combine to provide a continuous US Route 9 Truck Bypass from US Route 113 to US 9 east of the Town of Georgetown. This project is currently in the design and planning stage. Construction of Phase 1 is anticipated to begin in the fall of 2022. Construction of Phase 2 is anticipated to begin in 2023.

The third project is DelDOT's HSIP SC, US 9 and SR 5 Intersection project. This project, initiated by the 2009 Hazard Elimination Program, is located at the intersection of US Route 9 and Delaware Route 5 and it involves widening the intersection to provide turn lanes on each leg to address safety and operational issues and to accommodate large vehicles. Construction was underway in early 2019 and was substantially complete by September 2019.

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:

- 610 single-family detached homes (ITE Land Use Code 210)

Table 1
AZALEA WOODS PEAK HOUR TRIP GENERATION

Land Use	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
610 Single-Family Homes	109	329	438	363	213	576

Table 2
AZALEA WOODS DAILY TRIP GENERATION

Land Use	Weekday Daily		
	In	Out	Total
610 Single-Family Homes	2744	2744	5488

Overview of TIS

Intersections examined:

1) US Route 9 & Sand Hill Road / Airport Road
2) US Route 9 & Park Avenue
3) US Route 9 & Shingle Point Road / French Road
4) US Route 9 & Stiener Road (Sussex Road 320)
5) US Route 9 & Delaware Route 30
6) US Route 9 & Prettyman Road (Sussex Road 254)
7) US Route 9 & Delaware Route 5
8) Shingle Point Road & Briarwood Road (Sussex Road 253)
9) Shingle Point Road & Briarwood Lane / Site Access A
10) Park Avenue & Springfield Road (Sussex Road 47)
11) Delaware Route 30 & Huff Road (Sussex Road 252)

12) Delaware Route 30 & Shingle Point Road
13) Delaware Route 30 & Pettyjohn Road / Site Access B
14) Pettyjohn Road & Prettyman Road
15) Delaware Route 30 & Prettyman Road

Conditions examined:
1) 2018 existing (Case 1)
2) 2032 without Azalea Woods (Case 2)
3) 2032 with Azalea Woods (Case 3)

Peak hours evaluated: Weekday morning and evening peak hours

Committed developments considered:
1) Sand Hill Valley – 393 Single-family detached homes
2) Sports at the Beach – Nothing further to be built out at this time
3) Sussex County Sports Complex – 10 soccer fields
4) Cheer Life Care Village – 365 unit continuing care retirement community
5) Food Lion Shopping Center – Project not moving forward
6) Royal Farms #256 – 5,166 sf super convenience market with gas
7) Besche Property – 287 unit multifamily housing, low-rise
8) Two Farms, Inc. Retail Site – 14,950 sf retail

Intersection Descriptions

1) **US Route 9 & Sand Hill Road / Airport Road**
   Type of Control: signalized
   Eastbound Approach: (US Route 9) one left-turn lane and one shared through/right-turn lane
   Westbound Approach: (US Route 9) one left-turn lane and one shared through/right-turn lane
   Northbound Approach: (Airport Road) one shared left-turn/through/right-turn lane
   Southbound Approach: (Sand Hill Road) one shared left-turn/through/right-turn lane

2) **US Route 9 & Park Avenue**
   Type of Control: signalized
   Eastbound Approach: (US Route 9) one shared through/right-turn lane
   Westbound Approach: (US Route 9) one shared left-turn/through lane
   Northbound Approach: (Park Avenue) one shared left-turn/right-turn lane

3) **US Route 9 & Shingle Point Road / French Road**
Type of Control: two-way stop
Eastbound Approach: (US Route 9) one shared left-turn/through/right-turn lane
Westbound Approach: (US Route 9) one shared left-turn/through/right-turn lane
Northbound Approach: (French Road) one shared left-turn/through/right-turn lane, stop control
Southbound Approach: (Shingle Point Road) one shared left-turn/through/right-turn lane, stop control

4) **US Route 9 & Stiener Road**
Type of Control: one-way stop (T-intersection)
Eastbound Approach: (US Route 9) one shared through/right-turn lane
Westbound Approach: (US Route 9) one shared left-turn/through lane
Northbound Approach: (Stiener Road) one shared left-turn/right-turn lane, stop control
Southbound Approach: (private business driveway) one shared left-turn/right-turn lane, stop control

5) **US Route 9 & Delaware Route 30**
Type of Control: signalized
Eastbound Approach: (US Route 9) one left-turn lane, one through lane, one bicycle lane, and one yield control right-turn lane
Westbound Approach: (US Route 9) one left-turn lane, one through lane, one bicycle lane, and one yield control right-turn lane
Northbound Approach: (Delaware Route 30) one left-turn lane, one through lane, one bicycle lane, and one yield control right-turn lane
Southbound Approach: (Delaware Route 30) one left-turn lane, one through lane, one bicycle lane, and one yield control right-turn lane

6) **US Route 9 & Prettyman Road**
Type of Control: one-way stop
Eastbound Approach: (US Route 9) one shared left-turn/through lane
Westbound Approach: (US Route 9) one through lane and one right-turn lane
Southbound Approach: (Prettyman Road) one shared left-turn/right-turn lane, stop controlled

7) **US Route 9 & Delaware Route 5**
Type of Control: signalized (recently improved)
Eastbound Approach: (US Route 9) one left-turn lane, one shared through/right-turn lane, and one bicycle lane
Westbound Approach: (US Route 9) one left-turn lane, one shared through/right-turn lane, and one bicycle lane
Northbound Approach: (Delaware Route 5) one left-turn lane and one shared through/right-turn lane
Southbound Approach: (Delaware Route 5) one left-turn lane, one shared through/right-turn lane, and one bicycle lane

8) **Shingle Point Road & Briarwood Road**
Type of Control: one-way stop (T-intersection)
Eastbound Approach: (Briarwood Road) one shared left-turn/right-turn lane, stop controlled
Northbound Approach: (Shingle Point Road) one shared left-turn/through lane
Southbound Approach: (Shingle Point Road) one shared through/right-turn lane

9) **Shingle Point Road & Briarwood Lane / Site Access A**
Type of Control: existing one-way stop (T-intersection); proposed two-way stop (four-leg intersection)
Eastbound Approach: (Briarwood Lane) existing one shared left-turn/right-turn lane; proposed shared left-turn/through/right-turn lane, stop control
Westbound Approach: (Site Access A) proposed one shared left-turn/through/right-turn lane, stop control
Northbound Approach: (Shingle point Road) existing one shared left-turn/through lane; proposed one shared left-turn/through and one right-turn lane
Southbound Approach: (Shingle Point Road) existing one shared through/right-turn lane; proposed one left-turn and one shared through/right-turn lane

10) **Park Avenue & Springfield Road**
Type of Control: existing one-way stop (T-intersection)
Westbound Approach: (Springfield Road) one shared left-turn/right-turn lane, stop control
Northbound Approach: (Park Avenue) one shared through/right-turn lane
Southbound Approach: (Park Avenue) one shared left-turn/through lane

11) **Delaware Route 30 & Huff Road**
Type of Control: one-way stop (T-intersection)
Eastbound Approach: (Huff Road) One shared left-turn/right-turn lane, stop control
Northbound Approach: (Delaware Route 30) one shared left-turn/through lane
Southbound Approach: (Delaware Route 30) one shared through/right-turn lane

12) **Delaware Route 30 & Shingle Point Road**
Type of Control: two-way stop controlled
Eastbound Approach: (Shingle Point Road) one shared left-turn/right-turn lane, stop control
Westbound Approach: (Shingle Point Road) one shared left-turn/right-turn lane, stop control
Northbound Approach: (Delaware Route 30) one shared left-turn/through lane (southern section) and one shared through/right-turn lane (northern section)
Southbound Approach: (Delaware Route 30) one shared through/left-turn lane (northern section) and one shared through/right-turn lane (southern section)

13) **Delaware Route 30 & Pettyjohn Road / Site Access B**
Type of Control: existing one-way stop; proposed two-way stop
Eastbound Approach: (Site Access B) proposed one shared left-turn/through/right-turn lane, stop control
Westbound Approach: (Pettyjohn Road) existing one shared left-turn/right-turn lane, stop control; proposed one shared left-turn/through/right-turn lane, stop control
Northbound Approach: (Delaware Route 30) existing one shared through/right-turn lane; proposed one left-turn lane and one shared through/right-turn lane
Southbound Approach: (Delaware Route 30) existing one shared left-turn/through lane; proposed one shared left-turn/through lane and one right-turn lane

14) **Pettyjohn Road & Prettyman Road**
Type of Control: two-way stop (four-leg intersection)
Eastbound Approach: (Prettyman Road) one shared left-turn/through/right-turn lane
Westbound Approach: (Prettyman Road) one shared left-turn/through/right-turn lane
Northbound Approach: (Pettyjohn Road) one shared left-turn/through/right-turn lane, stop control
Southbound Approach: (Pettyjohn Road) one shared left-turn/through/right-turn lane, stop control

15) **Delaware Route 30 & Prettyman Road**
Type of Control: one-way stop
Westbound Approach: (Prettyman Road) one shared left-turn/right-turn lane, stop control
Northbound Approach: (Delaware Route 30) one shared through/right-turn lane
Southbound Approach: (Delaware Route 30) one shared left-turn/through lane

Safety Evaluation

Crash Data: Per current DelDOT policy, review of crash data was not conducted at this time.

Sight Distance: Sight distance issues were noted at three intersections during a September 10, 2019 field investigation of the study area. Delaware Route 30 & Huff Road is located on a horizontal curve. Sight distance is limited looking left from northbound Huff Road. Sight distance at Pettyjohn Road & Prettyman Road is limited by trees and a utility pole, looking right from southbound Pettyjohn Road. Sight distance at Delaware Route 30 & Prettyman Road is limited by trees, looking left from westbound Prettyman Road.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Based on the DART Bus Stop Map (accessed September 10, 2019), the Delaware Transit Corporation (DTC) operates Route 206 from Georgetown to Lewes, which has stops along US Route 9.

Planned transit service: TTG contacted a DTC representative, who indicated that no future service is planned at this time. The DTC representative stated the site is too far north of DART's current Route 206 to deviate for direct transit service.

Existing bicycle and pedestrian facilities: Several study area roadways are identified as "Bicycling Routes" on the *Sussex County Bicycle Map* published by DelDOT:

- US Route 9:
  - Regional Bicycle Route with bikeway
  - Over 5,000 vehicles daily
- Delaware Route 5: Regional bicycle route with bikeway
- Delaware Route 30: Regional bicycle route with bikeway
- Prettyman Road: Connector bicycle route without bikeway
- Sand Hill Road: Bicycle route with bikeway

There are no existing sidewalks or exclusive pedestrian facilities in the immediate areas of the proposed site entrances on Delaware Route 30 or Shingle Point Road. There are new sidewalks, pedestrian facilities and bike lanes at the US Route 9 & Delaware Route 5 intersection. There are also bike lanes on all four approaches at the US Route 9 & Delaware Route 30 intersection.

Planned bicycle and pedestrian facilities: The TIS states that a representative from DelDOT's Local Systems Planning Section was contacted to determine requested accommodations for bicycles and pedestrians. It is requested that sidewalks be included at the entrances of the development to encourage walking and biking to Delaware Route 9. This would also allow for the possibility of future sidewalks along Pettyjohn Road, Delaware Route 30, and Shingle Point Road. It is also requested to have a pedestrian or bicycle connection to Shingle Point Road at the northern end of the property.

Previous Comments

In a review letter dated July 3, 2019, DelDOT indicated that the revised Preliminary TIS was acceptable.

It appears that all substantive comments from DelDOT's TIS Scoping Memorandum, Traffic Count Review, Preliminary TIS Review, Revised 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) For signalized intersections, the TIS and McCormick Taylor applied heavy vehicle factors (HV) by lane group using existing data. The TIS and McCormick Taylor generally assumed future HV to be the same as existing HV at all intersections. There are some discrepancies between the TIS and McCormick Taylor's heavy vehicle factor calculations. Both the TIS and McCormick Taylor assumed 3% HV for future movements to and from the proposed site access points (as per DelDOT's Development Coordination Manual).

2) For existing conditions, the TIS and McCormick Taylor determined overall intersection peak hour factors (PHF) for each intersection. As per the DelDOT Development Coordination Manual, existing PHFs are generally applied to future conditions as well.

3) For analyses of signalized intersections, McCormick Taylor used a base saturation flow rate of 1,750 pc/hr/ln per DelDOT's Development Coordination Manual.

4) The TIS and McCormick Taylor used different Right Turn on Red and pedestrian volumes when analyzing some intersections. All volumes for McCormick Taylor's analyses were taken directly from traffic counts in Appendix A of the TIS.

5) The TIS and McCormick Taylor used different signal timings when analyzing the signalized intersections in some cases.

6) For analyses of all intersections, the TIS assumed 0% grade for all movements. McCormick Taylor utilized field data for existing grades and assumed future grades to be the same.

7) McCormick Taylor utilized new signal phasing and roadway improvements when analyzing US Route 9 & Delaware Route 5. The Traffic Group utilized both old and updated signal timings and roadway layouts for existing, background, and total scenarios.

Table 3
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Signalized Intersection [1]	**LOS per TIS**		**LOS per McCormick Taylor**	
US 9 & Sand Hill Road / Airport Road	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)	E (66.3)	E (77.6)	D (49.8)	F (79.8)
2032 without Azalea Woods (Case 2)	F (173.4)	F (252.0)	F (103.0)	F (173.1)
2032 with Azalea Woods (Case 3)	F (199.0)	F (276.2)	F (122.7)	F (193.4)
2032 with Azalea Woods (Case 3) *with East Gateway Improvements Project* [2]	D (39.7)	D (50.7)	D (41.9)	D (54.9)

[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.

[2] Proposed improvements as part of the DelDOT project include realigning Sand Hill Road and Airport Road to intersect US Route 9 at one location at an improved angle, adding turn lanes, adding pedestrian and bicycle facilities, and improving drainage. The northbound and southbound approaches would each have one shared left/through lane and one right-turn lane, the westbound US Route 9 would have one left-turn lane, one through lane and one channelized right-turn lane, and the eastbound US Route 9 approach would have two left-turn lanes, one through lane and one channelized right-turn lane.

Table 4
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Signalized Intersection [3]	**LOS per TIS**		**LOS per McCormick Taylor**	
US 9 & Park Avenue	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)	F (129.4)	F (114.5)	F (157.5)	F (137.0)
2032 without Azalea Woods (Case 2)	F (545.1)	F (673.9)	F (759.4)	F (905.5)
2032 with Azalea Woods (Case 3)	F (754.6)	F (1554)	F (1135.1)	F (3456.9)
2032 with Azalea Woods (Case 3) *with Park Avenue Relocation – Phase 2* [4]	D (44.4)	D (46.1)	D (42.4)	D (52.3)

[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.

[4] Proposed improvements as part of the DelDOT project include adding a westbound left-turn lane and a northbound right-turn lane with acceleration lane onto eastbound US Route 9.

Table 5
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [5] Two-Way Stop	**LOS per TIS**		**LOS per McCormick Taylor**	
US 9 & Shingle Point Road / French Road	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left	A (10.0)	B (11.0)	B (10.1)	B (10.9)
Westbound Left	B (10.3)	A (8.9)	A (9.3)	A (8.9)
Northbound Left/Through/Right	E (38.8)	D (28.1)	E (36.1)	D (26.4)
Southbound Left/Through/Right	C (21.8)	D (27.1)	C (23.7)	D (30.8)
2032 without Azalea Woods (Case 2)				
Eastbound Left	B (11.7)	B (14.1)	B (11.8)	B (13.9)
Westbound Left	B (11.5)	A (9.8)	B (10.2)	A (9.8)
Northbound Left/Through/Right	F (94.4)	F (94.7)	F (85.2)	F (85.2)
Southbound Left/Through/Right	E (47.2)	F (113.0)	F (59.4)	F (172.6)
2032 with Azalea Woods (Case 3)				
Eastbound Left	B (12.4)	C (18.0)	B (12.6)	C (17.8)
Westbound Left	B (11.5)	A (9.9)	B (10.3)	A (9.9)
Northbound Left/Through/Right	F (133.1)	F (***)	F (120.5)	F (***)
Southbound Left/Through/Right	F (1589)	F (***)	F (2122.1)	F (***)
2032 with Azalea Woods (Case 3) *With Improvement Option 1* [6]				
Eastbound Left	N/A	N/A	B (12.6)	C (17.8)
Westbound Left	N/A	N/A	B (10.3)	A (9.9)
Northbound Left/Through/Right	N/A	N/A	F (120.5)	F (***)
Southbound Left/Through/Right	N/A	N/A	F (501.4)	F (***)
2032 with Azalea Woods (Case 3) *With Improvement Option 2* [7]				
Eastbound Left	N/A	N/A	B (12.6)	C (17.8)
Westbound Left	N/A	N/A	N/A	N/A
Northbound Right	N/A	N/A	C (16.3)	C (16.2)
Southbound Left/Right	N/A	N/A	F (68.7)	F (73.2)

*** Delay is too great to be calculated by HCS

[5] 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.

[6] Improvement Option 1 adds a separate right-turn lane on the southbound approach of Shingle Point Road.

[7] Improvement Option 2 includes Improvement Option 1 and reconfigures US Route 9 with eastbound left-turn lane and an eastbound median acceleration lane for use by southbound left-turn drivers, thereby reducing conflicts and delays. For analysis purposes, this median lane is assumed to have storage for 2 southbound-left turn vehicles. The downstream acceleration lane would be separated from the upstream eastbound left-turn lane by a concrete channelization island. The northbound French Road approach to US Route 9 would be converted to right-in/right-out.

Table 6
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [8] One-Way Stop	**LOS per TIS**		**LOS per McCormick Taylor**	
US 9 & Stiener Road	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left	A (9.4)	A (9.9)	A (9.4)	A (9.9)
Westbound Left	A (9.1)	A (8.9)	A (9.1)	A (8.9)
Northbound Left/Through/Right	D (30.9)	D (26.1)	D (32.9)	D (27.8)
Southbound Left/Through/Right	E (44.6)	C (24.9)	E (44.7)	C (24.9)
2032 without Azalea Woods (Case 2)				
Eastbound Left	B (10.5)	B (11.5)	B (10.5)	B (11.5)
Westbound Left	A (9.8)	A (9.8)	A (9.8)	A (9.8)
Northbound Left/Through/Right	F (56.8)	F (50.5)	F (62.4)	F (56.0)
Southbound Left/Through/Right	F (91.8)	E (49.9)	F (91.9)	F (50.0)
2032 with Azalea Woods (Case 3)				
Eastbound Left	B (10.7)	B (11.9)	B (10.7)	B (11.9)
Westbound Left	B (10.1)	B (10.1)	B (10.1)	B (10.1)
Northbound Left/Through/Right	F (65.5)	F (59.9)	F (72.5) [9]	F (67.0) [9]
Southbound Left/Through/Right	F (108)	F (60.3)	F (107.8) [9]	F (60.4) [9]

[8] 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.
[9] 95th percentile queue length is anticipated to be less than 1 vehicle (25 feet).

Table 7
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Signalized Intersection [10]	**LOS per TIS**		**LOS per McCormick Taylor**	
US 9 & DE 30	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)	C (25.8)	C (28.9)	C (27.5)	C (34.3)
2032 without Azalea Woods (Case 2)	D (53.4)	F (84.9)	E (60.8)	F (90.6)
2032 with Azalea Woods (Case 3)	E (65.7)	F (103.2)	E (72.0)	F (108.3)
2032 with Azalea Woods (Case 3) *with Modified Signal Timings*	D (44.6)	E (78.9)	D (49.0)	E (72.8)

[10] 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 8
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [11] One-Way Stop	**LOS per TIS**		**LOS per McCormick Taylor**	
US 9 & Prettyman Road	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left	A (9.4)	B (10.1)	A (9.4)	B (10.1)
Southbound Left/Right	F (111.8)	F (71.4)	F (91.2)	F (61.3)
2032 without Azalea Woods (Case 2)				
Eastbound Left	B (10.5)	B (12.2)	B (10.5)	B (12.2)
Southbound Left/Right	F (603.0)	F (502.1)	F (498.9)	F (406.2)
2032 with Azalea Woods (Case 3)				
Eastbound Left	B (10.6)	B (12.9)	B (10.6)	B (12.9)
Southbound Left/Right	F (986.9)	F (884.3)	F (833.6) [12]	F (731.8) [13]
2032 with Azalea Woods (Case 3) *With Improvement Option 1* [14]				
Eastbound Left	N/A	N/A	N/A	N/A
Southbound Left/Right	N/A	N/A	E (44.4) [15]	E (35.6) [16]

[11] 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.
[12] 95th percentile queue length is anticipated to be approximately 16 vehicles (400 feet).
[13] 95th percentile queue length is anticipated to be approximately 10 vehicles (250 feet).
[14] Improvement Option 1 consists of widening US Route 9 and/or shifting lanes to create a median acceleration lane on eastbound US Route 9 for use by southbound left-turn drivers, thereby reducing conflicts and delays. For analysis purposes, this median lane is assumed to have storage for 2 southbound-left turn vehicles. The eastbound US Route 9 left-turn movement onto Prettyman Road would be restricted.
[15] 95th percentile queue length is anticipated to be approximately 4 vehicles (100 feet).
[16] 95th percentile queue length is anticipated to be approximately 2 vehicles (50 feet).

Table 9
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Signalized Intersection [17]	**LOS per TIS**		**LOS per McCormick Taylor**	
US 9 & DE 5 [18]	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)	E (60.1)	E (65.1)	E (65.7)	D (50.0)
2032 without Azalea Woods (Case 2)	F (198.9)	F (240.7)	N/A	N/A
With DelDOT Project & New Signal Timing	F (155.4)	F (155.7)	F (180.2)	F (175.1)
2032 with Azalea Woods (Case 3)	F (223.7)	F (279.4)	N/A	N/A
With DelDOT Project & New Signal Timing	F (183.9)	F (189.6)	F (211.9)	F (210.5)
With DelDOT Project & Modified Signal Timings	F (116.9)	F (120.1)	N/A	N/A
With Additional Through Lane on US Route 9 in Each Direction	N/A	N/A	D (38.7)	D (37.7)

[17] 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.

[18] As DelDOT's HSIP SC, US 9 and SR 5 Intersection project was substantially complete when McCormick Taylor conducted a review of this TIS, McCormick Taylor's analyses are based on the completed/improved intersection configuration and signal phasing for all scenarios. The TIS ran analyses of both the previously existing unimproved condition and the improved condition at this intersection for all scenarios.

Table 10
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [19] One-Way Stop (T-Intersection)	**LOS per TIS**		**LOS per McCormick Taylor**	
Shingle Point Road & Briarwood Road	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left/Right	A (9.7)	A (9.9)	A (9.8)	B (10.1)
Northbound Left	A (7.5)	A (7.5)	A (7.5)	A (7.5)
2032 without Azalea Woods (Case 2)				
Eastbound Left/Right	A (9.8)	B (10.1)	A (9.9)	B (10.2)
Northbound Left	A (7.5)	A (7.5)	A (7.5)	A (7.5)
2032 with Azalea Woods (Case 3)				
Eastbound Left/Right	B (10.4)	B (10.4)	B (10.5)	B (10.5)
Northbound Left	A (7.7)	A (7.7)	A (7.7)	A (7.7)

[19] 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 11
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [20] **Existing One-Way Stop** **Proposed Two-Way Stop**	**LOS per TIS**		**LOS per McCormick Taylor**	
Shingle Point Road & **Briarwood Lane / Site Access A**	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left/Through/Right	A (9.5)	A (9.3)	A (9.5)	A (9.3)
Northbound Left	A (7.7)	A (7.5)	A (7.7)	A (7.5)
2032 without Azalea Woods (Case 2)				
Eastbound Left/Through/Right	A (9.6)	A (9.3)	A (9.6)	A (9.3)
Northbound Left	A (7.8)	A (7.5)	A (7.8)	A (7.5)
2032 with Azalea Woods (Case 3)				
Eastbound Left/Through/Right	B (10.4)	B (10.1)	B (10.4)	B (10.1)
Westbound Left/Through/Right	B (12.9)	B (11.5)	B (12.9)	B (11.5)
Northbound Left	A (7.8)	A (7.5)	A (7.8)	A (7.5)
Southbound Left	A (7.5)	A (7.9)	A (7.5)	A (7.9)

[20] 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 12
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [21] **One-Way Stop (T-Intersection)**	**LOS per TIS**		**LOS per McCormick Taylor**	
Park Avenue & **Springfield Road**	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Westbound Left/Right	D (25.5)	C (23.7)	D (27.2)	D (25.2)
Southbound Left	A (8.0)	A (8.5)	A (8.0)	A (8.5)
2032 without Azalea Woods (Case 2)				
Westbound Left/Right	D (34.9)	D (31.3)	E (38.4)	D (34.2)
Southbound Left	A (8.1)	A (8.6)	A (8.1)	A (8.6)
2032 with Azalea Woods (Case 3)				
Westbound Left/Right	E (41.1)	E (38.0)	E (43.7)	E (42.4)
Southbound Left	A (8.1)	A (8.6)	A (8.1)	A (8.8)
2032 with Azalea Woods (Case 3) *With Improvement Option 1* [22]				
Westbound Left/Right	N/A	N/A	D (31.4)	D (31.9)
Southbound Left	N/A	N/A	A (8.1)	A (8.8)

[21] 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.
[22] Improvement Option 1 adds a separate right-turn lane to the westbound Springfield Road approach.

Table 13
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [23] One-Way Stop (T-Intersection)	**LOS per TIS**		**LOS per McCormick Taylor**	
DE 30 & Huff Road	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left/Right	B (11.3)	B (10.7)	B (11.3)	B (11.0)
Northbound Left	A (8.0)	A (7.9)	A (8.2)	A (8.0)
2032 without Azalea Woods (Case 2)				
Eastbound Left/Right	C (16.8)	C (17.0)	B (12.2)	C (18.6)
Northbound Left	A (8.2)	A (8.4)	A (8.5)	A (8.6)
2032 with Azalea Woods (Case 3)				
Eastbound Left/Right	C (18.8)	C (19.9)	B (12.9)	C (22.5)
Northbound Left	A (8.2)	A (8.7)	A (8.5)	A (8.8)

[23] 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 14
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [24]	**LOS per TIS**		**LOS per McCormick Taylor**	
DE 30 & Shingle Point Road North	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Westbound Left/Right	B (14.0)	B (13.7)	B (14.0)	B (13.7)
Southbound Left	A (7.6)	A (7.8)	A (7.6)	A (7.8)
2032 without Azalea Woods (Case 2)				
Westbound Left/Right	C (17.1)	C (17.3)	C (17.1)	C (17.3)
Southbound Left	A (7.7)	A (8.1)	A (7.7)	A (8.1)
2032 with Azalea Woods (Case 3)				
Westbound Left/Right	C (19.7)	C (22.3)	C (19.7)	C (22.3)
Southbound Left	A (7.9)	A (8.2)	A (7.9)	A (8.2)

[24] 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 15
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [25]	**LOS per TIS**		**LOS per McCormick Taylor**	
DE 30 & Shingle Point Road South	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left/Right	B (13.2)	C (15.7)	B (12.7)	B (14.6)
Northbound Left	A (8.3)	A (7.8)	A (8.3)	A (7.8)
2032 without Azalea Woods (Case 2)				
Eastbound Left/Right	C (15.8)	C (21.7)	C (15.8)	C (19.2)
Northbound Left	A (8.6)	A (8.0)	A (8.6)	A (8.0)
2032 with Azalea Woods (Case 3)				
Eastbound Left/Right	C (19.9)	D (29.3)	C (18.1)	C (24.5)
Northbound Left	A (8.6)	A (8.2)	A (8.6)	A (8.2)

[25] 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 16
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [26] **Existing One-Way Stop** **Proposed Two-Way Stop**	**LOS per TIS**		**LOS per McCormick Taylor**	
DE 30 & **Pettyjohn Road / Site Access B**	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left/Through/Right	-	-	-	-
Westbound Left/Through/Right	B (11.2)	B (11.4)	B (10.9)	B (12.0)
Northbound Left	-	-	-	-
Southbound Left	A (7.6)	A (7.7)	A (7.6)	A (7.8)
2032 without Azalea Woods (Case 2)				
Eastbound Left/Through/Right	-	-	-	-
Westbound Left/Through/Right	B (13.0)	B (13.6)	B (12.6)	B (14.9)
Northbound Left	-	-	-	-
Southbound Left	A (7.8)	A (8.0)	A (7.8)	A (8.1)
2032 with Azalea Woods (Case 3)				
Eastbound Left/Through/Right	C (18.4)	C (18.1)	C (16.4)	C (20.7)
Westbound Left/Through/Right	C (17.7)	C (22.8)	C (16.8)	D (28.6)
Northbound Left	A (8.1)	A (8.2)	A (8.0)	A (8.3)
Southbound Left	A (7.8)	A (8.0)	A (7.8)	A (8.1)

[26] 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 17
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

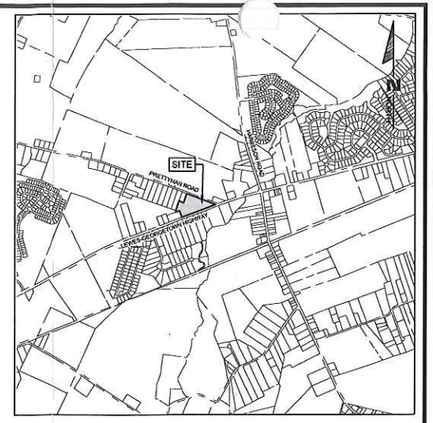
Unsignalized Intersection [27] Two-Way Stop	**LOS per TIS**		**LOS per McCormick Taylor**	
Prettyman Road & Pettyjohn Road	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Eastbound Left	A (7.7)	A (7.5)	A (7.9)	A (7.5)
Westbound Left	A (8.5)	A (7.3)	A (7.5)	A (7.3)
Northbound Left/Through/Right	B (10.7)	B (10.5)	A (10.0)	B (10.5)
Southbound Left/Through/Right	A (9.7)	A (10.0)	B (10.2)	B (10.0)
2032 without Azalea Woods (Case 2)				
Eastbound Left	A (7.4)	A (7.5)	A (7.9)	A (7.5)
Westbound Left	A (8.5)	A (7.3)	A (7.4)	A (7.3)
Northbound Left/Through/Right	B (11.0)	B (10.7)	B (11.0)	B (10.7)
Southbound Left/Through/Right	A (9.9)	B (10.2)	A (9.9)	B (10.2)
2032 with Azalea Woods (Case 3)				
Eastbound Left	A (7.4)	A (7.5)	A (7.9)	A (7.5)
Westbound Left	A (8.5)	A (7.4)	A (7.5)	A (7.4)
Northbound Left/Through/Right	A (10.0)	B (10.8)	A (10.0)	B (10.8)
Southbound Left/Through/Right	B (10.2)	B (11.1)	B (10.2)	B (11.1)

[27] 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 18
Peak Hour Levels of Service (LOS)
Based on Azalea Woods Traffic Impact Study – July 2019
Prepared by The Traffic Group, Inc.

Unsignalized Intersection [28] One-Way Stop	**LOS per TIS**		**LOS per McCormick Taylor**	
DE 30 & Prettyman Road	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2018 Existing (Case 1)				
Westbound Left/Right	A (9.5)	B (10.2)	A (9.5)	B (10.2)
Southbound Left	A (7.8)	A (7.9)	A (7.8)	A (7.8)
2032 without Azalea Woods (Case 2)				
Westbound Left/Right	A (9.9)	B (11.3)	B (10.1)	B (11.3)
Southbound Left	A (7.9)	A (8.1)	A (8.0)	A (8.1)
2032 with Azalea Woods (Case 3)				
Westbound Left/Right	B (10.2)	B (11.6)	B (10.4)	B (11.6)
Southbound Left	A (8.0)	A (8.2)	A (8.1)	A (8.2)

[28] 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.



LOCATION MAP
SCALE: 1" = 2,000'

SITE DATA:

1. TAX MAP NUMBER: 235-30.00-6.21
2. ADDRESS: LEWES-GEORGETOWN HIGHWAY, GEORGETOWN, DE 19947
3. OWNERS: MATT TOBACK
   35 RODNEY AVENUE
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: AR-1 (AGRICULTURAL RESIDENTIAL) WITH CONDITIONAL USE
5. USE: EXISTING: AGRICULTURAL
   PROPOSED: 4 LOT SUBDIVISION / 46,800 SQ FT BUSINESS PARK
6. BUILDING SETBACKS:
   AR-1 (AGRICULTURAL RESIDENTIAL):
   FRONT 40' (PRETTYMAN RD.)
   SIDE 15'
   SIDE 20'*
   REAR 40' (LEWES-GEORGETOWN HWY.)

   * *THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT.*
7. AREAS:

EXISTING/PROPOSED:	10.15 AC
DELDOT DEDICATION	0.37 AC
TOTAL	10.52 AC

8. NET DEVELOPMENT AREA: 10.52 AC
9. SEWER PROVIDER: SUSSEX COUNTY ?
10. WATER PROVIDER: ARTESIAN PER UTILITY EASEMENT
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0310K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
14. PROXIMITY TO DELDOT TID AREA: ±4.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. RECHARGE AREA: GOOD

OFF-STREET PARKING - (PER SUSSEX COUNTY CODE SECTIONS 115-162A & 45-5)

REQUIRED PARKING:
WHOLESALING - 1 PER 2 EMPLOYEES (52 EMPLOYEES) 26 SPACES REQUIRED
HANDICAP PARKING (51-75 PARKING SPACES) 3 SPACES (1 VAN) REQUIRED
65 SPACES + 6 VAN HC SPACES = 75 SPACES PROVIDED

OFF-STREET LOADING - (PER SUSSEX COUNTY CODE SECTIONS 115-167)

LOADING
COMMERCIAL BUSINESSES
LOADING SPACES REQUIRED 4 SPACES REQUIRED
LOADING SPACES PROVIDED 21 SPACES (12' x 40')

LEGEND:

- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- BUILDING SETBACK
- SCREENING FENCE
- CONTOUR
- VEGETATED BUFFER
- WATER METER / HYDRANT
- MANHOLE
- UTILITY POLE
- SIGN
- PROPOSED BUILDING
- PROPOSED BOLLARD
- AREA LIGHTS (FULL SCREEN)
- PROPOSED TREE / SHRUB

SUSSEX COUNTY PLANNING AND ZONING CONDITIONS OF APPROVAL:

SCALED. ENGINEERING
Scaled Engineering Inc.
20246 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 235-5000

CONCEPT PLAN

FLEX PARK

TM# 235-30.00-6.21

BROADKILL HUNDRED, GEORGETOWN, DELAWARE

DATE:	1-27-21
SCALE:	1" = 60'
DRAWN BY:	JRE
PROJECT NO.	TOBA001

1

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

S:\PROJECTS\TOBACK\SUSSEX\TOBACK CONCEPT MEET.dwg PLOTTED: 1/28/2021 2:21 PM, BY: Jeff PLOTSTYLE: —

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

Sussex County
DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

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

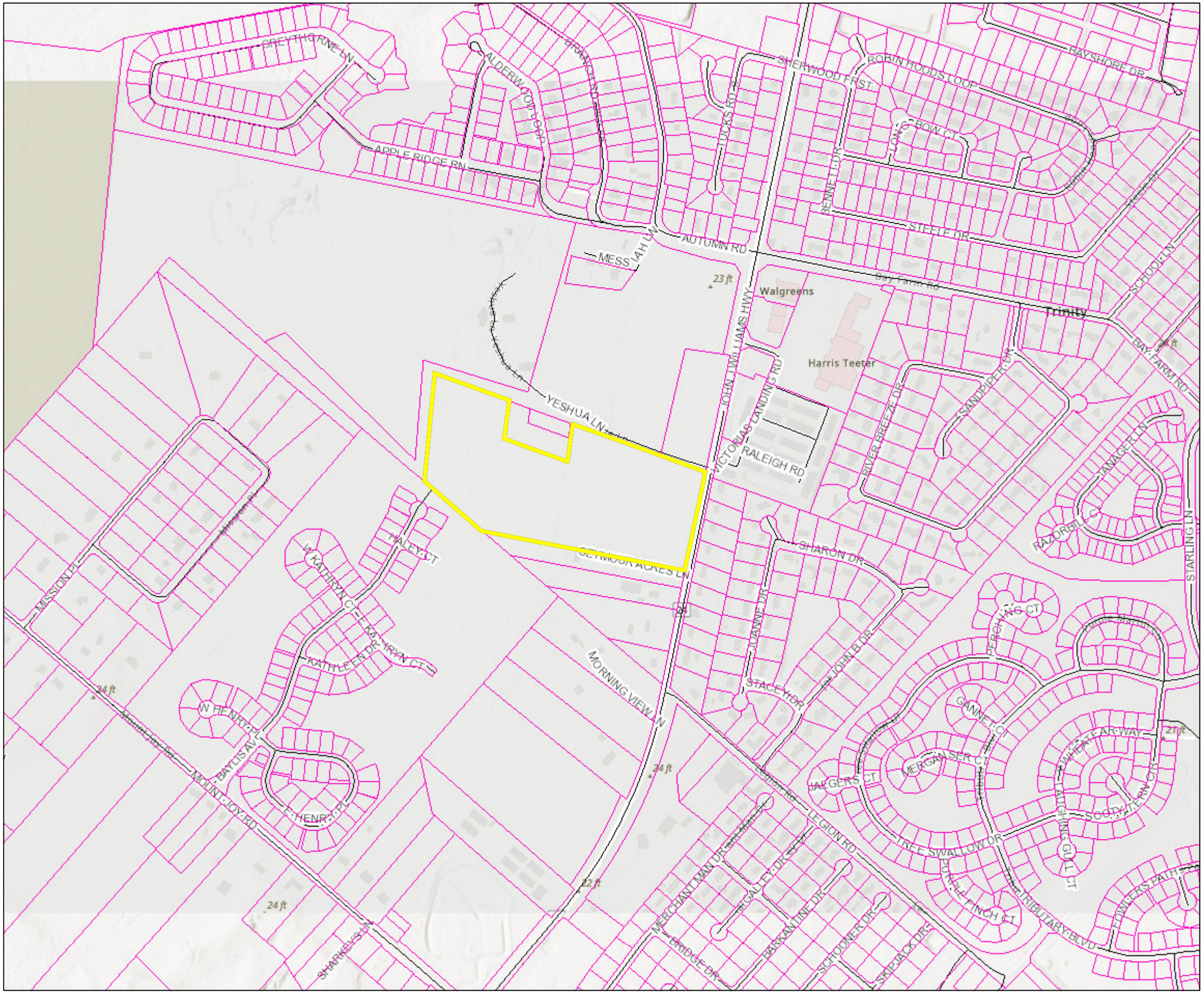
Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: March 24th, 2022

Application:	C/Z 1954 American Storage of Delaware, LLC
Applicant:	American Storage of Delaware, LLC 113 Dickinson Street Dewey Beach, DE 19971
Owner:	American Storage of Delaware, LLC 113 Dickinson Street Dewey Beach, DE 19971
Site Location:	Lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299).
Current Zoning:	Agricultural Residential (AR-1) District
Proposed Zoning:	Heavy Commercial (C-3) District
Comprehensive Land Use Plan Reference:	Coastal Area
Councilmanic District:	Mr. Hudson
School District:	Indian River School District
Fire District:	Indian River Fire Department
Sewer:	Sussex County
Water:	Tidewater
Site Area:	8.27 acres +/-
Tax Map ID.:	(portion of) 234-29.00-49.02

EQUAL HOUSING OPPORTUNITY

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 100
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets

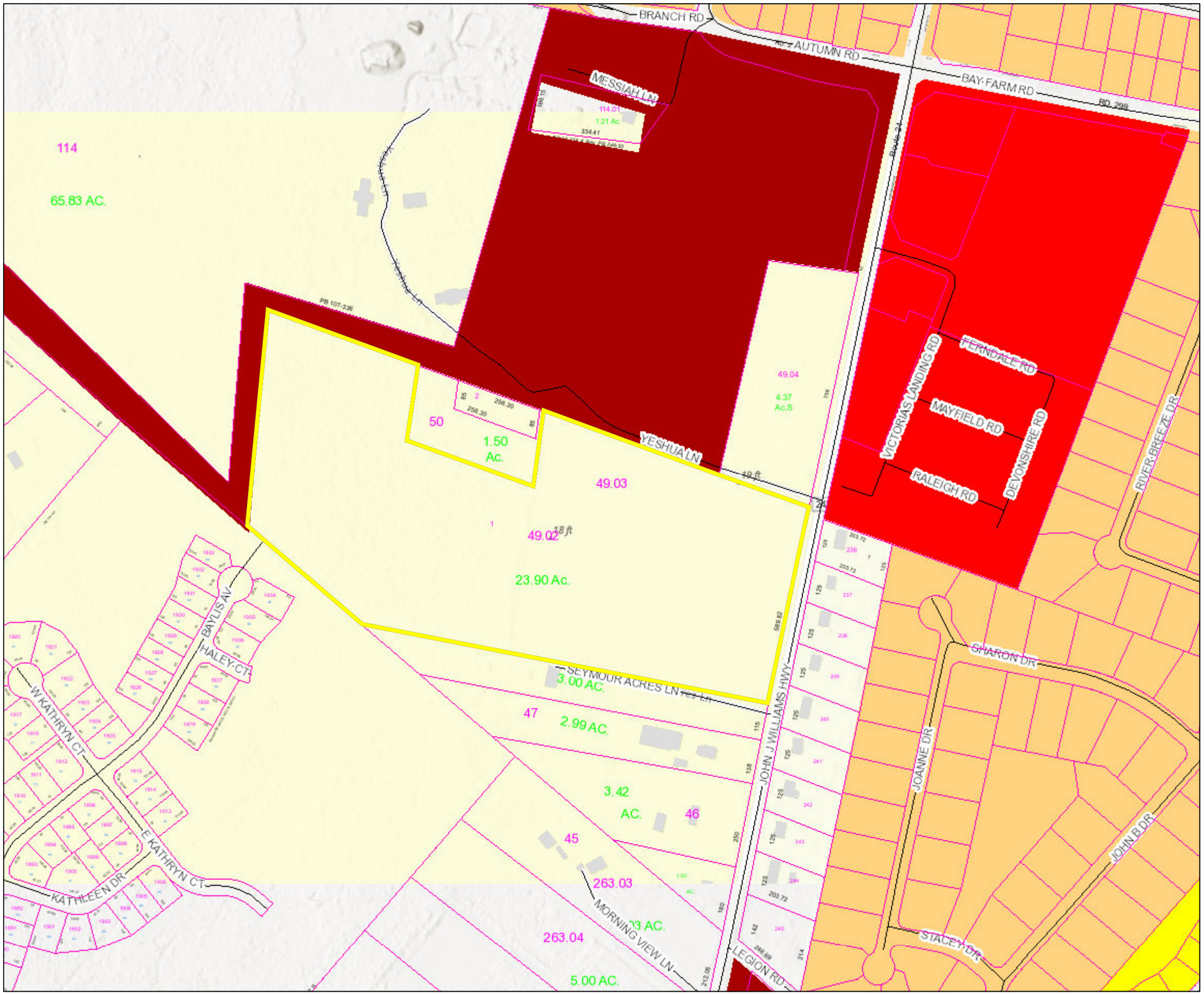
1:9,028

0 0.1 0.2 0.4 mi

0 0.175 0.35 0.7 km

February 21, 2022

Sussex County



PIN:	234-29.00-49.02
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City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

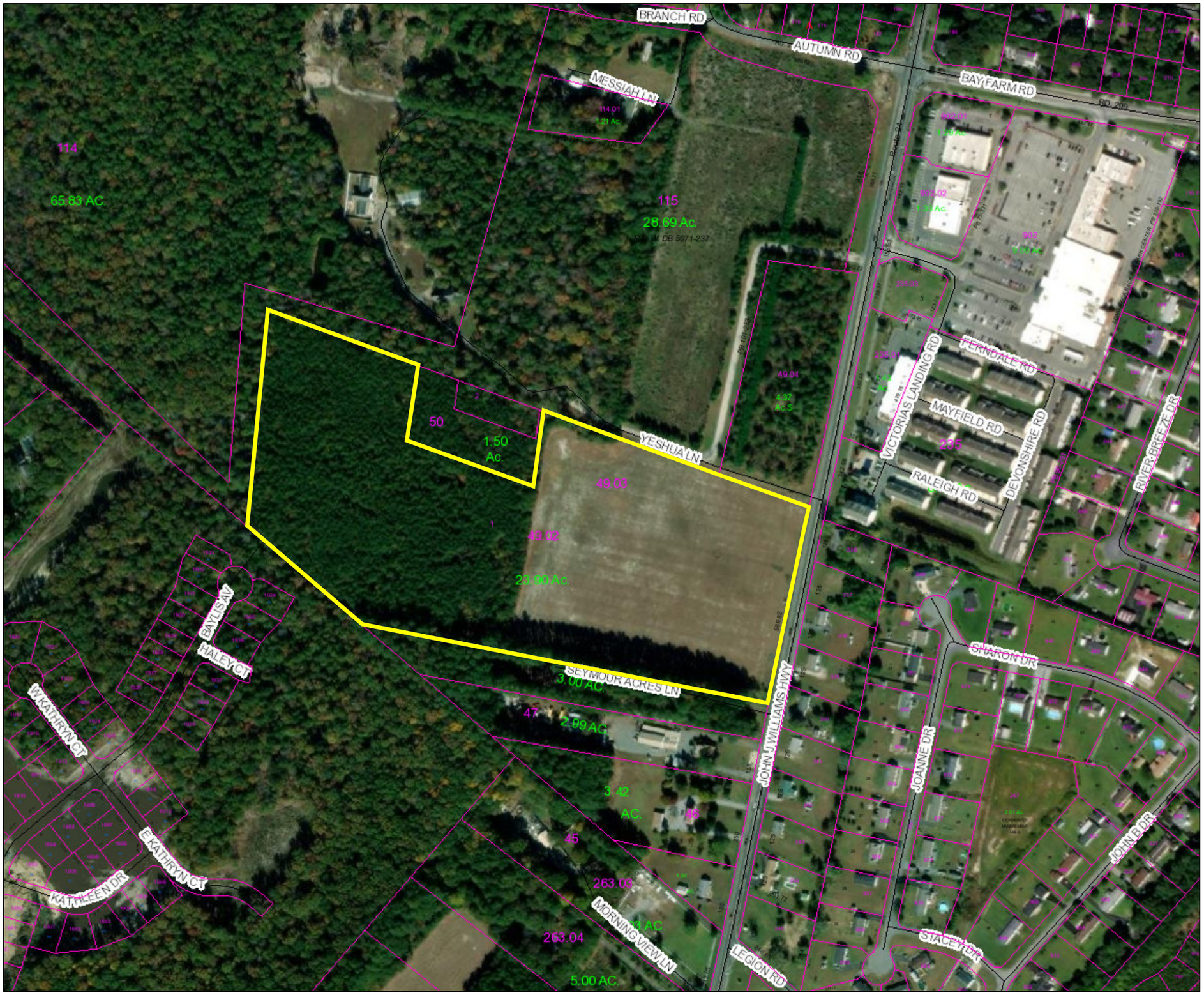
1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

February 21, 2022

Sussex County



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State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

February 21, 2022

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Michael Lowrey, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: February 21st, 2021
RE: Staff Analysis for CZ 1954 American Storage of Delaware, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1954 American Storage of Delaware, LLC to be reviewed during the March 24, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcel 234-29.00-49.02 to allow for a change of zone from an Agricultural Residential (AR-1) District to a Heavy Commercial (C-3) District. The parcel is located on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). The parcel contains 23.90 acres +/-, with the portion of the parcel to be rezoned containing 8.27 acres +/- and is located at the front of the site adjacent to John J. Williams Highway.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has a land use designation of "Coastal Area." The properties to the north, south, and east also have the land use designation of Coastal Area with one (1) parcel to the northwest having a Future Land Use designation of Low Density.

As outlined in the 2018 Sussex County Comprehensive Plan, the Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed.

Zoning Information

The property is zoned Agricultural Residential (AR-1). The adjacent parcels to the north of the subject property are zoned Agricultural Residential (AR-1) and Commercial Residential (CR-1) Zoning District and consist of an agricultural use with a homesite, a commercial use, and an unimproved parcel owned by the Delaware Department of Transportation. The properties to the

east across John J. Williams Highway are zoned Agricultural Residential (AR-1) and consist of single-family residential improvements and four properties on the eastern side of John J. Williams Highway (Route 24) containing a Future Land Use Map designation of "Commercial Area". The parcels to the south of the subject properties are zoned Agricultural Residential (AR-1) with one containing a detached single-family dwelling and the other containing the Baylis Estates Cluster Subdivision.

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories," the Heavy Commercial (C-3) District is listed as an applicable zoning district in the "Coastal Area."

Existing Changes of Zone within the Vicinity of the Subject Site

Since 2011, there have been five (5) Change of Zone applications within a 0.25-mile radius of the application site. The first application is for Change of Zone No. 1788 Upesh Vyas for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Commercial Residential (CR-1) Zoning District. The application was approved by the Sussex County Council on December 1, 2015 and the change was adopted through Ordinance No. 2427. The second application is for Change of Zone No. 1880 Craig Kormanik for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Medium Commercial (C-2) Zoning District. The application was approved by the Sussex County Council on July 16, 2019 and the change was adopted through Ordinance No. 2669. The third application is for Change of Zone 1911 Schiff Land Development Co., LC (Mr. TJ Schiff) (Patriots Glen Phase 2) for a change of zone from Medium-Density (MR) Residential District and a Commercial Residential (CR-1) District to Medium-Density (MR-RPC) Residential District - Residential Planned Community. The application was approved by the Sussex County Council on April 20, 2021 and the change was adopted through Ordinance No. 2770. The fourth application is for Change of Zone 1940 Community Bank Delaware c/o Stephen W. Spence for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Medium Commercial (C-2) Zoning District. The application was approved by the Sussex County Council on February 1, 2022 and the change was adopted through Ordinance No. 2829.The last application is for Change of Zone No. 1791 Carillon Square Apartments, LLC for a change of zone from an Agricultural Residential (AR-1) Zoning District and a General Commercial (C-1) Zoning District to a High-Density (HR-1) Residential District. The application was approved by the Sussex County Council on April 12, 2016 and adopted through Ordinance No. 2444.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from an Agricultural Residential (AR-1) District to a Heavy Commercial (C-3) District could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CZ 1954
202114006

Planning & Zoning Commission Application
Sussex County, Delaware

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

RECEIVED
SEP 22 2021
SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✓

Site Address of Conditional Use/Zoning Map Amendment

West Side of Rt. 24 (Long Neck Area)

Type of Conditional Use Requested:

This change of zone application seeks to change the zoning classification of the front eight (8) acres of Sussex County Tax Parcel No. 234-29.00-49.02 from AR-1 (Agricultural Residential District) to C-3 (Heavy Commercial District)

Tax Map #: p/o 234-29.00-49.02 **Size of Parcel(s):** 8.00 acres

Current Zoning: AR-1 **Proposed Zoning:** C-3 **Size of Building:** _____

Land Use Classification: Coastal Area (2019 FLUM)

Water Provider: Tidewater **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: American Storage of Delaware, LLC
Applicant Address: 113 Dickinson Street
City: Dewey Beach State: DE ZipCode: 19971
Phone #: (202) 905-6706 E-mail: farmerslawyer@aol.com

Owner Information

Owner Name: same as applicant
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esq. | Morris James LLP
Agent/Attorney/Engineer Address: 107 W. Market St.
City: Georgetown State: DE Zip Code: 19947
Phone #: (302) 856-0018 E-mail: dhutt@morrisjames.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

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

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

✓ **Provide Fee $500.00**

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

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

✓ **DelDOT Service Level Evaluation Request Response**

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

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 8/12/2021

Signature of Owner

_____ Date: 8/12/21

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: _____

BAIRD MANDALAS BROCKSTEDT LLC

Stephen W. Spence
sws@bmbde.com
(302)645-2262

February 15, 2022

RECEIVED
FEB 16 2022
SUSSEX COUNTY
PLANNING & ZONING

VIA EMAIL
Department of Planning & Zoning
Director Jamie Whitehouse
2 The Circle, P.O. Box 417
Georgetown, DE 19947

RE: Change of Zone Applications and Conditional Use for American Storage of Delaware, LLC
Tax Map Parcel Nos.: 234-29.00-48.02, 49.03 & 50.00
CZ 1954: Change of Zone Application for 8.0 Acres from AR-1 to C-3
CZ 1955: Change of Zone Application for 17.63 Acres from AR-1 to MR
CU 2315: Conditional Use Application for Multi-Family Use on the MR area

Director Whitehouse:

This letter confirms that Baird Mandalas Brockstedt LLC will be handling the above-referenced applications.

We also request a meeting with you or a member of Planning Staff to review the files associated with the applications. We are available for a meeting on February 28, 2022 between 11:00AM and 12:30PM. Please confirm your availability to meet with us then.

Should you have any questions, please contact us via email at sws@bmbde.com and mackenzie@bmbde.com or by phone at 302-645-2262.

Sincerely,

Stephen W. Spence, Esquire
Mackenzie M. Peet, Esquire

Cc: American Storage of Delaware, LLC

Morris James LLP

David C. Hutt
302.856.0018
dhutt@morrisjames.com

February 14, 2022

RECEIVED
FEB 14 2022
SUSSEX COUNTY
PLANNING & ZONING

BY HAND DELIVERY

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

RE: Change of Zone Applications and a Conditional Use
America Storage of Delaware, LLC
SCTP Nos. 234-29.00-49.02, 49.03 & 50.00
CZ 1954: Change of Zone Application for 8.0 acres from AR-1 to C-3
CZ 1955: Change of Zone Application for 17.63 acres from AR-1 to MR
CU 2315: Conditional Use Application for Multi-Family Use on the MR area

Dear Mr. Whitehouse:

Please be advised that Stephen W. Spence with Baird Mandalas Brockstedt, LLC will be handling the above-referenced applications going forward. If you have any questions, please let me know.

Very Truly Yours,

MORRIS JAMES LLP

David C. Hutt, Esquire

Cc: America Storage of Delaware, LLC
Stephen W. Spence, Esquire

107 West Market Street | Georgetown, DE 19947-1438 T 302.856.0015 F 302.856.7116
Mailing Address P.O. Box 690 | Georgetown, DE 19947-0690 www.morrisjames.com

File #: CZ 1954
202114006

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

West Side of Route 24 (Long Neck Area), Lewes, DE 19958

Type of Conditional Use Requested:

This change of zone seeks to change the zoning classification for 8 eight acres, more or less, of TMP No. 234-29.00-49.02 from AR-1 Agricultural Residential to C-3 Heavy Commercial.

Tax Map #: p/o 234-29.00-49.02 **Size of Parcel(s):** 8.00

Current Zoning: AR-1 **Proposed Zoning:** C-3 **Size of Building:** N/A

Land Use Classification: Coastal Area (2019 FLUM)

Water Provider: Tidewater **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: American Storage of Delaware, LLC
Applicant Address: 113 Dickinson Street
City: Dewey Beach State: DE ZipCode: 19971
Phone #: (202) 905-6706 E-mail: farmerslawyer.com

Owner Information

Owner Name: See Applicant Information
Owner Address:
City: State: Zip Code:
Phone #: E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Baird Mandalas Brockstedt LLC; Stephen W. Spence, Esquire
Agent/Attorney/Engineer Address: 1413 Savannah Road, Suite 1
City: Lewes State: DE Zip Code: 19958
Phone #: (302) 645-2262 E-mail: sws@bmbde.com; mackenzie@bmbde.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.**

✔ **DelDOT Service Level Evaluation Request Response**

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

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

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

Signature of Applicant/Agent/Attorney

Date: 2/22/22

Signature of Owner

Date: _____

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

September 10, 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 **American Storage of Delaware, LLC** proposed land use application, which we received on September 2, 2021. This application is for approximately 25.90- acre assemblage of parcels (Tax Parcels: 234-29.00-49.02, 49.03, 50.00) The subject land is located on the west side of John J. William Highway (State Route 24) about 800 ft north of the intersection with Legion Road (Sussex Road 298). The subject land is currently zoned AR-1 (Agriculture Residential); and the applicant is seeking to change the existing parcel lines to create two new parcels with a proposed zoning of C-3 (Heavy Commercial) for the first parcel to build a mini warehouse. The second parcel is proposed to be zoned as MR (Medium Density Residential) with a conditional use approval to build 140 multifamily housing units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J. William Highway from Long Neck Road (State Route 5) to Mount Joy Road (Sussex Road 297), are 18,682 and 24,022 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 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 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.

DelDOT

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

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

Sincerely,

Claudy Joinville for

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff
cc: American Storage of Delaware, LLC, Applicant
David C. Hutt, Esquire, Applicant
Lauren DeVore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/25/2022**

APPLICATION: **CZ 1954 American Storage of Delaware, LLC**

APPLICANT: **American Storage of Delaware, LLC**

FILE NO: **NCPA-5.03**

TAX MAP & PARCEL(S): **234-29.00-49.02 (p/o)**

LOCATION: **Lying on the west side of John J. Williams Highway (Rt. 24), approximately 0.25 mile south of Autumn Road (SCR 299).**

NO. OF UNITS: **upzone from AR-1 to C-3**

GROSS ACREAGE: **8.27**

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: **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
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.

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	60' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

* *THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT.*

   MR - MEDIUM RESIDENTIAL:

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS:

EXISTING:	25.90 AC
PROPOSED: PARCEL 1	8.27 AC*
PARCEL 2	17.63 AC
TOTAL	25.90 AC

   *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA:

PRE-DEVELOPMENT	=	14.28 AC
POST DEVELOPMENT	=	9.51 AC
REMAINING	=	4.77 AC

14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

REQUIRED PARKING:

STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED

APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES	= 295 SPACES PROVIDED

TOTAL PARKING PROVIDED:

	455 PARKING SPACES
+	14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

LOADING

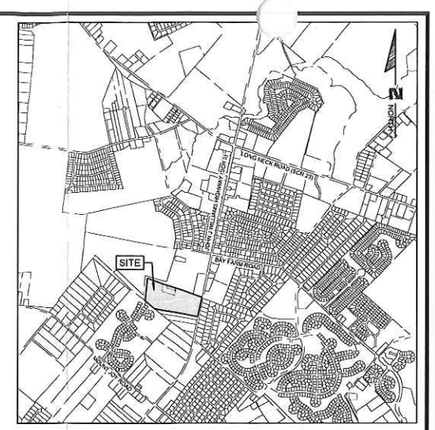
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

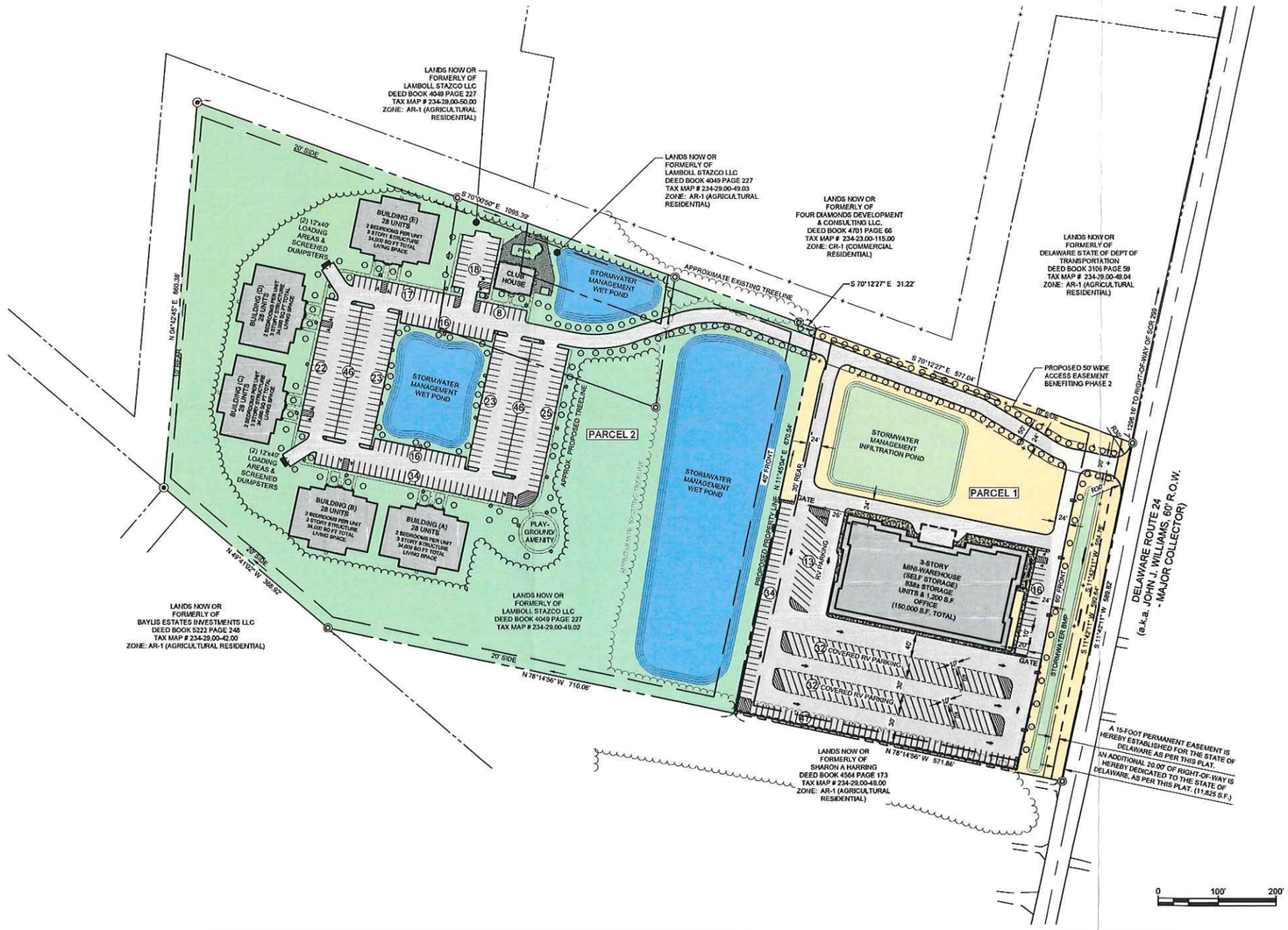
- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.63 AC) - TO BE RE-ZONED MR

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

DE ST PL



LOCATION MAP
SCALE: 1" = 2,000'



Scaled Engineering Inc.
22246 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 236-3650

CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

4-21-21 - REVISED PER CLIENT
6-18-21 - REVISED PER CLIENT
7-15-21 - REVISED PER CLIENT
7-21-21 - REVISED PER CLIENT

DATE:	8-26-21
SCALE:	1" = 100'
DRAWN BY:	JRE
PROJECT NO.	GRAU001

1

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CARLTON R. SAVAGE, JR. LICENSED No. 16451 08/26/21 DELAWARE PROFESSIONAL ENGINEER

PLOTTED: 8/26/2021 12:57 PM BY: JeffAUTOCAD
S:\PROJECTS\CAD\JOBS\19-1 American Storage\DWG\SDP\Preliminary.dwg

BAIRD MANDALAS BROCKSTEDT LLC

Mackenzie M. Peet
mackenzie@bmbde.com
(302)645-2262

March 14, 2022

VIA EMAIL
Planning & Zoning Department
Attn: Jamie Whitehouse, Director
2 The Circle
PO Box 417
Georgetown, DE 19947
Email: pandz@sussexcountyde.gov

Re: American Storage of Delaware, LLC
CZ 1954 for 8.0 acres from AR-1 to C-3
CZ 1955 for 17.63 acres from AR-1 to MR
CU2315 for Multi-Family use on MR portion of
Tax Map Parcel Nos. 234-29.00-49.02, 49.03, 50.00

Director Whitehouse,

Please find the enclosed supplemental packet for the above-refenced applications.

Should you need any additional information prior to the public hearing or have any questions, please contact mackenzie@bmbde.com.

Sincerely,

Stephen W. Spence, Esquire
Mackenzie M. Peet, Esquire

SWS/MMP

Enclosures

Cc: Carlton Savage, Jr., PE
Alex Pires
Nate Graulich

EXHIBIT A

PARID: 234-29.00-49.02 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:	
Unit:	
City:	
Zip:	
State:	
Class:	AGR-Agriculture
Use Code (LUC):	AG0-AG A-I
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	23.9000
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$3,600
100% Improvement Value	
100% Total Value	

Legal

Legal Description	W/RT 24 PARCEL 1

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/310	$600,000.00			AMERICAN STORAGE OF DELAWARE LLC
10/09/2012	4049/227	$105,000.00	$1,575.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/310
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2013	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2009	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19709	3029/338
2005	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	3029/338
2003	ADAMS KEITH CONSTANCE ADAMS		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	2818/91

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag
1	AGR	AG0	0	0	23.9000	Y

Land Summary

Line	1
100% Land Value	3,600

Agricultural Land

Line:	CAMA Line:	Ag Use	Use:	Grade:	Acreage	Rate	Value:
1	1		AG		.0001		3600

Agriculture Totals

Agricultural Acres	23.9000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$3,600		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$1,800		

PARID: 234-29.00-49.03 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:
Unit:
City:
Zip:
State:

Class:	RES-Residential
Use Code (LUC):	RV-RESIDENTIAL VACANT
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	.4995
Frontage:	85
Depth:	256.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$5,000
100% Improvement Value	
100% Total Value	

Legal

Legal Description	W/RT 24 PARCEL 2

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/310				AMERICAN STORAGE OF DELAWARE LLC
01/15/2002	4049/227	$202,577.00	$3,038.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/310
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2014	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2008	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19709	3029/338
2005	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	3029/338
2003	ADAMS KEITH CONSTANCE ADAMS		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	2818/91

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag
1	RES	RV	85	256	.4995	

Land Summary

Line	1
100% Land Value	5,000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$5,000		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$2,500		

PARID: 234-29.00-50.00 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:
Unit:
City:
Zip:
State:

Class:	RES-Residential
Use Code (LUC):	RV-RESIDENTIAL VACANT
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	1.5000
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$3,000
100% Improvement Value	
100% Total Value	

Legal

Legal Description N/OAK ORCHARDLEWES

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/125				AMERICAN STORAGE OF DELAWARE LLC
09/02/2004	4049/227	$59,682.00	$895.00	0	
02/07/2003	/	$58,000.00	$870.00	0	
11/14/1996	/	$2,200.00	$44.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/125
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/125
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/125
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2013	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2008	STAZCO LLC		5179 W WOODMILL DR # 5	WILMINGTON	DE	19709	3029/341
2005	STAZCO LLC		5179 W WOODMILL DR # 5	WILMINGTON	DE	19808	3029/341
2003	AASCD VENTURES LLC		WOOD MILL CORPORATE CT 5 5179 W WOODMILL DR	WILMINGTON	DE	19808	2801/186
1900	DAVIS JOHN J VIRGIE M					0	421/159

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag

1	RES	RV	0	0	1.5000

Land Summary

Line	1
100% Land Value	3,000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$3,000		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$1,500		

Electronically Recorded Document# 2020000048385 BK: 5328 PG: 310
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
Consideration: $600,000.00 County/Town: $9,000.00 State: $15,000.00 Total: $24,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #'s: 234-29-00-
49.02, 49.03 & 50.00
PREPARED BY & RETURN TO:
Baird Mandalas Brockstedt LLC
1413 Savannah Road
Lewes, DE 19958
File No. RE20-1689/HG/SWS

THIS DEED, made this 1 day of October, 2020,

- BETWEEN -

LAMBOLL STAZCO, LLC, a Delaware limited liability company of P.O. Box 3418, Greenville, SC 29602, party of the first part,

- AND -

AMERICAN STORAGE OF DELAWARE, LLC., a Delaware Limited Liability Company, of 113 Dickinson Street, Dewey Beach, DE 19971, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **Six Hundred Thousand and 00/100 Dollars ($600,000.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

All those certain lots, pieces or parcels of land situate in the Lewes and Rehoboth Hundred, County of Sussex, , and being more particularly described as follows:

Parcel 1 - Tax Parcel #2-34 29.00 49.02

ALL that certain farm, tract, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the westerly side of Delaware Route 24, a short distance South of County Road 299, and being more particularly bounded. and described in accordance with a recent survey by Robert L. Larimore, RLS, dated December 28, 2001, as follows to-wit;

BEGINNING at an iron pipe found in the West line of Delaware Route 24, at a corner for this parcel and for lands of Charles W. Coursey, said point being located 1,296.16 feet from an iron pipe found at the intersection of the West line of Delaware Route 24(50 feet wide) with (the South line of County Road 299; thence from said beginning point along the West line of Delaware Route 24, South 20 degrees 22 minutes 57 seconds West 589,82 feet to an iron pipe round in the West line of Delaware Route 24 at a corner for lands of Melvin R.. Thompson and Brenda F. Thompson; thence along the line of lands of Melvin R. Thompson and

Brenda F. Thompson, North 69 degrees 34 minutes 10 seconds West 1,281,94 feet to an iron pipe found at a corner for lands of Melvin R Thompson and Brenda F. Thompson in line of lands of the Indian Town Farms Subdivision; thence along the line of lands of The Indian Farms Subdivision, North 41 degrees 00 minutes 16 seconds West 368.92 feet to a spike set at a corner for lands of Charles W. Coursey; thence along the line of lands of Charles W. Coursey on the following two (2) courses and distances: One (1) North 13 degrees 23 minutes 31 seconds East 660.38 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 473.07 feet to an iron pipe found at a corner for lands of Thomas C. Staz and Harriet Staz; thence along the line of lands of Thomas C. Staz and Harriet Staz on the following three (3) courses and distances; One (1) South 16 degrees 42 .minutes 51 seconds West 225.00 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 395.77 feet to an iron pipe found, three (3) North 16 degrees
42 minutes 51 seconds East 225.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey; thence along the line of Charles W. Coursey and with the northerly line of a 16 foot wide outlet, as noted in Deed Book 468-401, on the following two (2) courses and distances: one (1)61 degrees 20 minutes 04 seconds East 22655 feet to an iron pipe found, two (2) South 61 degrees 3 I minutes 41 seconds East 608.26 feet to the place of beginning and containing 23.9 acres of land be the same more or less.

Parcel 2 —Tax Parcel #2-34 29.00 49.03

ALL that certain lot, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the West side of Delaware Route 24, but not adjacent there to, and
being more particularly bounded and described in accordance with a recent survey by Robert L. Larimore, RES, dated December 28, 2001, as follows, to-wit:

BEGINNING at an iron pipe found at a corner for this parcel and for lands of Thomas C. Staz and Harriet Staz and lands of Charles W. Coursey and Diane R. Hudson, said point-being located the following three (3) courses and distances from an iron pipe found at the intersection of the West line of Delaware Route 24 (50 feet wide) with the South line of County Road 299: One (I) as measured along the West line of Delaware Route 24 in a southerly direction 1,296.16 feet to an iron pipe found in the West line of Delaware Route 24 at a corner for Parcel I; thence two (2) along the line of Parcel 1 and lands Charles W. Coursey and with the North line of a 16 foot wide outlet, North 61 degrees 31 minutes 41 seconds West 608.26 feet to a point; thence three (3) North 61 degrees 20 minutes 04 seconds West 238.82 feet to said beginning point; thence from said beginning point along the line of lands of Thomas C. Staz and Harriet Staz on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 85.00 feet to an iron pipe found, two (2) North 61 degrees 20 minutes 04 seconds West 256.30 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds East 85.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey and Diane R. Hudson; thence along the line of lands of Charles W. Coursey and Diane R. Hudson, South 61 degrees 20 minutes 04 seconds East 256.30 feet to the place of beginning and containing 0.4893 acres of land be the same more or less.

Parcel 3 - Tax Parcel Number 2-34 29.00 50.00

ALL that certain tract, piece and parcel of land, lying and being in Indian River Hundred, Sussex County, and the State of Delaware, as shown on a certain December 26, 2001 survey prepared by Coast Survey, Inc. (Plan #801-13), as described as follows,

BEGINNING at an iron pipe set in the line of lands now or formerly of Charles W. Coursey and the north corner of a 16 foot Outlet (Deed Book 468, Page 401), being South 61 degrees 23 minutes 59 seconds East 226.55 feet to an iron pipe recovered, a corner for lands of Charles W. Coursey and other lands of Charles W. Coursey, and South 61 degrees 34 minutes 13 seconds East 608.42 feet to an iron pipe recovered in the northwesterly right of way line of Route 24; thence from the point of beginning running by and with the line of a 16 foot Outlet and with the lint of lands now or formerly of Marshall Lee

Document# 2020000048385 BK: 5328 PG: 312
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
Doc Surcharge Paid

Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 225.00 feet to an Iron pipe set; 2) North 61 degrees 23 minutes 59 seconds West 395.77 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds. East 225.00 feet to an iron pipe set in the line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of Lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 127.20 feet to an iron pipe set, marking a corner for these lands and lands now or formerly of Marshall Lee Coursey; thence turning and running by and with the line of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 85.00 feet to an Iron pipe set; and 2) South 61 degrees 23 minutes 59 seconds 25630 feet to an iron pipe set;. and.3) North 16 degrees 38 minutes 56 seconds East 85.00 feet to an iron pipe set in the.line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 12.27 feet to the point and place of beginning, said to contain1.5107 acres of land more or less, together with any and all improvements located thereon.

BEING the same property conveyed to Lamboll Stazco, LLC from Stazco, LLC, AKA Stazco, L.L.C., by Deed dated October 3, 2012, and recorded on October 9, 2012, in Book 4049, Page 227.

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.

Document# 2020000048385 BK: 5328 PG: 313
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
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IN WITNESS WHEREOF, the said Lamboll Stazco, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

LAMBOLL STAZCO, LLC
BY: SD INVESTMENT PROPERTIES, LLC, ITS SOLE MEMBER
BY: LAMBOLL STREET, LLC ITS SOLE MEMBER

BY: _____ (Seal)
TODD KUHL, AUTHORIZED DIRECTOR

STATE OF South Carolina, COUNTY OF Charleston : to-wit

BE IT REMEMBERED, that on this 7 day of October, A.D. 2020, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Todd Kuhl, Authorized Director, of Lamboll Street, LLC, sole member of SD Investment Properties, LLC, sole member of Lamboll Stazco, LLC, a Delaware Limited Liability Company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said company; that the signature of the authorized representative is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of Lamboll Stazco, LLC.

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

_____
Notary Public

My Commission Expires: Mar 14 2029

ALYSA FLOERCKY
NOTARY PUBLIC
My Comm Exp
Mar 14 2029
STATE OF SOUTH CAROLINA

36428

BK: 4049 PG: 227

Tax Parcel Nos.: 2-34-29.00-49.02,
2-34-29.00-49.03 & 2-34-29.00-50.00

PREPARED BY AND RETURN TO:
Douglas M. Hershman, Esquire
BAYARD, P.A.
P.O. Box 25130
Wilmington, DE 19899-25130

THIS DEED is made this 3rd day of October, 2012, between

STAZCO, LLC, AKA STAZCO, L.L.C., a Delaware limited liability company, party of the first part,

AND

LAMBOLL STAZCO, LLC, a Delaware limited liability company, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS ($10.00) lawful money of the United States of America, the receipt of which is hereby acknowledged, hereby grants and conveys unto the said party of the second part, its successors and/or assigns, in fee,

See legal description attached hereto as Exhibit "A", hereto and incorporated herein by reference.

SUBJECT to all easements, restrictions, reservations, agreements and covenants of record, if any, affecting the property or the title thereto, together with the benefits of the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal, the day and year aforesaid.

SEALED AND DELIVERED IN THE PRESENCE OF:

Witness

Stazco, LLC, aka Stazco, L.L.C., a Delaware limited liability company

By: _____ (SEAL)
Name: Richard C. Woodin
Title: Authorized Person

STATE OF DELAWARE)
) SS
NEW CASTLE COUNTY)

BE IT REMEMBERED, that on this 2nd day of October, 2012, personally came before me, the Subscriber, a Notarial Officer for the State and County aforesaid, Richard C. Woods, Authorized Person of Stazco, LLC, aka Stazco, L.L.C., a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of the said company.

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

Notary Public
Printed Name:
My Commission Expires:

MICHAEL A. DeNOTE
Attorney at Law - State of Delaware
Notarial Officer Pursuant to
29 Del.C. § 4323(a)(3)
My Commission Has No Expiration

GRANTEE'S ADDRESS
c/o Lamboll Street, LLC
PO Box 3418
Greenville, SC 29603

EXHIBIT "A"

Parcel 1 - Tax Parcel #2-34 29.00 49.02

ALL that certain farm, tract, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the westerly side of Delaware Route 24, a short distance South of County Road 299, and being more particularly hounded and described in accordance with a recent survey by Robert L. Larimore, RLS, dated December 28, 2001, as follows to-wit;

BEGINNING at an iron pipe found in the West line of Delaware Route 24, at a corner for this parcel and for lands of Charles W. Coursey, said point being located 1,296.16 feet from an iron pipe found at the intersection of the West line of Delaware Route 24(50 feet wide) with (he South line of County Road 299; thence from said beginning point along the West line of Delaware Route 24, South 20 degrees 22 minutes 57 seconds West 589,82 feet to an iron pipe round in the West line of Delaware Route 24 at a corner for lands of Melvin R. Thompson and Brenda F. Thompson; thence along the line of lands of Melvin R. Thompson and Brenda F. Thompson, North 69 degrees 34 minutes 10 seconds West 1,281,94 feet to an iron pipe found at a corner for lands of Melvin R Thompson and Brenda F. Thompson inline of lands of the Indian Town Farms Subdivision; thence along the line of lands of The Indian Farms Subdivision, North 41 degrees 00 minutes 16 seconds West 368.92 feel to a spike set at a corner for hinds of Charles W. Coursey; thence along the line of lands of Charles W. Coursey on the following two (2) courses and distances: One (1) North 13 degrees 23 minutes 31 seconds East 660.38 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 473.07 feet to an iron pipe found at a corner for lands of Thomas C. Stan and Harriet Staz; thence along the line of lands of Thomas C. Staz and Harriet Star on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 225.00 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 395.77 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds Fast 225.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey; thence along the line of Charles W, Coursey and with the northerly line of a 16 foot wide outlet, as noted in Deed Book 468-401, on the following two (2) courses and distances: one (1)61 degrees 20 minutes 04 seconds East 22655 feet to an iron pipe found, two (2) South 61 degrees 31 minutes 41 seconds East 608.26 feet to the place of beginning and containing 23.9 acres of land be the same more or less.

Parcel 2 - Tax Parcel #2-34 29.00 49.03

ALL that certain lot, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the West side of Delaware Route 24, but not adjacent there to, and being more particularly hounded arid described in accordance with a recent survey by Robert L. Larimore, RES, dated December 28, 2001, as follows to-wit:

BEGINNING at an iron pipe found at a corner for this parcel and for lands of Thomas C. Staz and Harriet Staz and lands of Charles W. Coursey and Diane R. Hudson, said point being located the following three (3) courses and distances from an iron pipe found at the intersection of the West line of Delaware Route 24 (50 feet wide) with the South line of County Road 299: One (I)

as measured along the Vest line of Delaware Route 24 in a southerly direction 1,296.16 feet to an iron pipe found in the West line of Delaware Route 24 at a corner for Parcel I; thence two (2) along the line of Parcel 1 and lands Charles W. Coursey and with the North line of a 16 foot wide outlet, North 61 degrees 31 minutes 41 seconds West 608.26 feet to a point; thence three (3) North 61 degrees 20 minutes 04 seconds West 238.82 feet to said beginning point; thence from said beginning point along the line of lands of Thomas C. Star and Harriet Staz on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 85.00 feet to an iron pipe found, two (2) North 61 degrees 20 minutes 04 seconds West 256.30 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds East 85.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey and Diane R. Hudson; thence along the line of lands of Charles W. Coursey and Diane R. Hudson, South 61 degrees 20 minutes 04 seconds East 256.30 feet to the place of beginning and containing 0.4893 acres of land be the same more or less.

Parcel 3 - Tax Parcel Number 2-34 29.00 50.00

ALL that certain tract, piece and parcel of land, lying and being in Indian River Hundred, Sussex County, and the State of Delaware, as shown on a certain December 26, 2001 survey prepared by Coast Survey, Inc. (Plan #801-13), as described as follows,

BEGINNING at an iron pipe set In the line of lands now or formerly of Charles W. Coursey and the north corner of a 16 foot Outlet (Deed Book 468, Page 401), being South 61 degrees 23 minutes 59 seconds East 226.55 feet to an iron pipe recovered, a corner for lands of Charles W. Coursey and other lands of Charles W. Coursey, and South 61 degrees 34 minutes 13 seconds East 608.42 feet to an iron pipe recovered in the northwesterly right of way line of Route 24; thence from the point of beginning running by and with the line of a 16 foot Outlet and with the lint of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 225.00 feet to an Iron pipe set; 2) North 6] degrees 23 minutes 59 seconds West 395.77 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds East 225.00 feet to an iron pipe set in the line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of Lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 127.20 feet to an iron pipe set, marking a corner for these lands and lands now or formerly of Marshall Lee Coursey; thence turning and running by and with the line of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: I) South 16 degrees 38 minutes 56 seconds West 85.00 feet to an Iron pipe set; and 2) South 61 degrees 23 minutes 59 seconds 25630 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds East 85.00 feet to an iron pipe set in the line of lands now or formerly of Charles . Coursey; thence turning and running by and with the tine of lands now or formerly of Charles W, Coursey, South 61 degrees 23 minutes 59 seconds East 12.27 feet to the point and place of beginning, said to contain 1.5107 acres of land more or less, together with any and all improvements located thereon.

BEING the same lands and premises which Keith and Constance Adams, husband and wife, by Deed dated August 30, 2004 and recorded September 2, 2004 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 3029, Page 338, did grant and convey unto Stazco, L.L.C., a Delaware limited liability company, in fee.

AND BEING the same lands and premises which AASCD Ventures, LLC, a Delaware limited liability company, by Deed dated August 30, 2004 and recorded September 2, 2004 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 3029, Page 341, did grant and convey unto Stazco, LLC, a Delaware limited liability company, in fee.

Consideration: 105,000.00

County		1,575.00
State		1,575.00
Town	Total	3,150.00

Received: Kara S Oct 09,2012

Recorder of Deeds
Scott Dailey
Oct 09,2012 12:45P
Sussex County
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RECEIVED

OCT 09 2012

ASSESSMENT DIVISION
OF SUSSEX COUNTY

SCALED. ENGINEERING

20246 Coastal Highway
Rehoboth Beach, DE 19971
Tel: 302 - 236 - 3600

PARTICULAR DESCRIPTION
PARCEL 1

TAX MAP PARCEL 234-29.00-49.02 (PART OF)

ALL THAT CERTAIN PIECE, parcel or tract of land lying and being situated in Indian River Hundred, Sussex County, and State of Delaware, lying on the westerly side of John J. Williams Highway – Delaware Route 24 (60 foot right-of-way), being Parcel 1 on a conceptual site plan titled, "American Storage of Delaware", prepared by Scaled Engineering Inc., dated August 26th, 2021, and being bounded on the south by lands now or formerly of Sharon A. Harring; on the west by Parcel 2 of said conceptual site plan; on the north by lands now or formerly of Four Diamonds Development & Consulting LLC and lands now or formerly of State of Delaware, Department of Transportation and being more particularly described as follows, to wit:

BEGINNING at a point near an iron pipe found on the westerly right-of-way of aforementioned John J. Williams Highway at a corner for lands herein described and aforementioned lands of State of Delaware; said point being located 1,296.16 feet from the southerly right of way of Autumn Road - Sussex County Road 299 as measured in a southwesterly direction along said right-of-way of John J. Williams Highway; thence continuing with the same **South 11 degrees 42 minutes 11 seconds West, 589.82 feet** to an iron pipe found at a corner for aforementioned lands of Harring; thence with the same **North 78 degrees 14 minutes 56 seconds West, 571.86 feet** to a point at a corner for aforementioned Parcel 2; thence with same **North 11 degrees 45 minutes 04 seconds East, 670.54 feet** to a point on the southerly line of aforementioned lands of Four Diamonds Development & Consulting LLC; thence with same and partially with said lands of State of Delaware **South 70 degrees 12 minutes 27 seconds East, 577.04 feet** to the point and place of beginning, containing 8.27 acres of land, being the same more or less.

SCALED. ENGINEERING

20246 Coastal Highway
Rehoboth Beach, DE 19971
Tel: 302 - 236 - 3600

PARTICULAR DESCRIPTION
PARCEL 2

TAX MAP PARCELS 234-29.00-49.02 (PART OF),
234-29.00-49.03 & 234-29.00-50.00

ALL THAT CERTAIN PIECE, parcel or tract of land lying and being situated in Indian River Hundred, Sussex County, and State of Delaware, lying west of John J. Williams Highway – Delaware Route 24 (60 foot right-of-way), being Parcel 2 on a conceptual site plan titled, "American Storage of Delaware", prepared by Scaled Engineering, Inc., dated August 26, 2021, and being bounded on the east by Parcel 1 of said conceptual site plan; on the south by lands now or formerly of Sharon A. Harring; on the southwest by lands now or formerly of Baylis Estates Investments LLC; on the west and north by lands now or formerly of Four Diamonds Development & Consulting LLC and being more particularly described as follows, to wit:

BEGINNING at a point, a corner for lands herein described and the aforementioned Parcel 1; said point being located the following two (2) courses and distances from the point of intersection of the southerly right of way of Autumn Road - Sussex County Road 299 and the westerly right of way of John J. Williams Highway – Delaware Route 24:

1. **1,296.16 feet** from said right of way of Autumn Road as measured in southwesterly direction along said right-of-way of John J. Williams Highway to a point near an iron pipe found.
2. **North 70 degrees 12 minutes 27 seconds West, 577.04 feet** to said beginning point; thence with said Parcel 1 **South 11 degrees 45 minutes 04 seconds West, 670.54 feet** to a point on the northerly line of aforementioned lands of Harring; thence with the same **North 78 degrees 14 minutes 56 seconds West, 710.08 feet** to an iron pipe found on the north easterly line of aforementioned lands of Baylis Estates Investments LLC; thence with same **North 49 degrees 41 minutes 02 seconds West, 368.92 feet** to a capped rebar found at a corner for aforementioned lands of Four Diamonds Development & Consulting LLC; thence with same the following three (3) courses and distances:

1. **North 04 degrees 42 minutes 45 seconds East, 660.38 feet** to a capped rebar found.
2. **South 70 degrees 00 minutes 50 seconds East, 1,095.39 feet** to a point.
3. **South 70 degrees 12 minutes 27 seconds East, 31.22 feet** to the point and place of beginning, containing 17.63 acres of land, being the same more or less.

EXHIBIT B

PLANNING & ZONING
Jamie Whitehouse, AICP ,MRTPI
Director
(302) 855-7878 T
(302) 854-5079 F

Sussex County
DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 9/2/21

Site Information:

Site Address/Location: John J. Williams Highway, Millsboro, DE

Tax Parcel Number: 234-29.00-49.02, 49.03 & 50.00
Current Zoning: AR-1
Proposed Zoning: Parcel 1: C-3; Parcel 2: MR with Conditional Use for Multifamily
Land Use Classification: Coastal Area (Future Land Use Map)

Proposed Use(s): **Parcel 1:** Mini-Warehouse (Self Storage) = 150,000 sq. ft.
Parcel 2: Multifamily Housing (Mid-Rise) = 140 Units
Multifamily Housing Clubhouse = 3,060 sq. ft.
See Attached Conceptual Site Plan

Square footage of any proposed buildings or number of units: See Proposed Use/140 residential units

Applicant Information:

Applicant's Name: American Storage of Delaware, LLC

Applicant's Address: 113 Dickinson Street
City: Dewey Beach State: DE Zip Code: 19971

Applicant's Phone Number: (302) 462-5871
Applicant's e-mail address: nate.gmconstruction@gmail.com

Please send copy to:
David C. Hutt, Esquire
Morris James LLP
107 W. Market Street
Georgetown, DE 19947
Phone: (302) 856-0018
Email: dhutt@morrisjames.com

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

NICOLE MAJESKI
SECRETARY

September 10, 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 **American Storage of Delaware, LLC** proposed land use application, which we received on September 2, 2021. This application is for approximately 25.90- acre assemblage of parcels (Tax Parcels: 234-29.00-49.02, 49.03, 50.00) The subject land is located on the west side of John J. William Highway (State Route 24) about 800 ft north of the intersection with Legion Road (Sussex Road 298). The subject land is currently zoned AR-1 (Agriculture Residential); and the applicant is seeking to change the existing parcel lines to create two new parcels with a proposed zoning of C-3 (Heavy Commercial) for the first parcel to build a mini warehouse. The second parcel is proposed to be zoned as MR (Medium Density Residential) with a conditional use approval to build 140 multifamily housing units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J. William Highway from Long Neck Road (State Route 5) to Mount Joy Road (Sussex Road 297), are 18,682 and 24,022 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 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 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.

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

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

Sincerely,

Claudy Joinville *for*

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff
cc: American Storage of Delaware, LLC, Applicant
David C. Hutt, Esquire, Applicant
Lauren DeVore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

EXHIBIT C

Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - -The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2021-02-05

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 2/3

1. Project Title/Name: American Storage of Delaware
2. Location (please be specific): Delaware Route 24 (John J. Williams Highway), Millsboro, Delaware
3. Parcel Identification #: 234-29.00-49.02, 49.03 & 50.00
4. County or Local Jurisdiction Name: where project is located: Sussex County
5. If contiguous to a municipality, are you seeking annexation: Not applicable.
6. Owner's Name: American Storage of Delaware, LLC (Alex Pires)

   Address: 113 Dickinson Street

   City: Dewey Beach State: Delaware Zip: 19971

   Phone: (302) 462-5871 (202) 905-6706 Fax: Email: nate.gmconstruction@gmail.com farmerslawyer@aol.com
7. Equitable Owner/Developer **(This Person is required to attend the PLUS meeting)**: Same as owner

   Address:

   City: State: Zip:

   Phone: Fax: Email:
8. Project Designer/Engineer: Carlton Savage, Jr. | SCALED.Engineering

   Address: 20246 Coastal Highway

   City: Rehoboth Beach State: Delaware Zip: 19971

   Phone: (302) 236-3600 Fax: Email: carlton@scaledengineering.com
9. **Please Designate a Contact Person, including phone number, for this Project:** Nate Graulich | (302) 462-5871
   Alex Pires | (202) 905-6706

Information Regarding Site:

10. Type of Review: ☐ Rezoning, if not in compliance with certified comprehensive plan ■ Site Plan Review ☐ Subdivision

11. Brief Explanation of Project being reviewed: The Project proposes to (1) rezone the front half of the property to C-3 (Heavy Commercial) for a Business Park (Flex Space) of 12.63 acres with 36,000 sq. ft. of Flex Park and 103,600 sq. ft. of mini-storage and an office for the mini-storage; and (2) rezone the rear half of the property to MR (Medium Residential) with a conditional use for multifamily (midrise) housing (13 acres) consisting of 104 units.
If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications.

12. Area of Project (Acres +/-): 25.90 +/- acres | Number of Residential Units: 104 | Commercial square footage: Business Park/Flex Space (36K Sq. Ft); Mini Storage (103,600 Sq. Ft.)

13. Present Zoning: AR-1 (Agricultural Residential)

14. Proposed Zoning: C-3 (Heavy Commercial); MR (Medium Density) with Conditional Use

15. Present Use: Agricultural/Wooded

16. Proposed Use: Business Park (Flex Park); Mini Storage and Multi-Family Housing

17. Water: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Tidewater

Will a new public well be located on the site? ☐ Yes ■ No

18. Wastewater: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Sussex County

Will a new community wastewater system be located on this site? ☐ Yes ■ No

19. If residential, describe style and market segment you plan to target (Example- Age restricted):
The residential units are targeted as market rate apartments intended for those who live and work in the Long Neck and surrounding area

20. Environmental impacts:

How many forested acres are presently on-site? 13.79 How many forested acres will be removed? 9.20

To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☐ Yes ■ No

Are the wetlands: ☐ Tidal Acres:
☐ Non-tidal Acres:

If "Yes", have the wetlands been delineated? ☐ Yes ☐ No

Has the Army Corps of Engineers signed off on the delineation? ☐ Yes ☐ No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☐ Yes ☐ No If "Yes", describe the impacts:

How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? +/- 200'

21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? ☐ Yes ■ No
per the DNREC NavMap

22. List the proposed method(s) of stormwater management for the site:
BMPs to likely include a combination of wet pond(s) and infiltration pond(s)

23. Is open space proposed? ■ Yes ☐ No If "Yes," how much? Acres: 11.45

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? active and passive recreation and stormwater management

24. Are you considering dedicating any land for community use (e.g., police, fire, school)? ☐ Yes ■ No

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: 1,170 ADT

    What percentage of those trips will be trucks, excluding vans and pick-up trucks? < 5%

26. Will the project connect to state maintained roads? ☒ Yes ☐ No De. Rt. 24 (John J. Williams Highway)

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections.

There are no existing developments on adjacent lands.

28. Are there existing sidewalks? ☐ Yes ☐ No; bike paths ☐ Yes ☒ No
    Are there proposed sidewalks? ☐ Yes ☒ No; bike paths ☐ Yes ☐

    Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☐ Yes ☒ No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ☒ No

    Has this site been evaluated for historic and/or cultural resources? ☐ Yes ☒ No

    Would you be open to a site evaluation by the State Historic Preservation Office? ☒ Yes ☐ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ☒ Yes ☐ No
    Person to contact to arrange visit: Carlton Savage, Jr. phone number: (302) 236-3600

Alex Pires | (202) 905-6706

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ☒ No

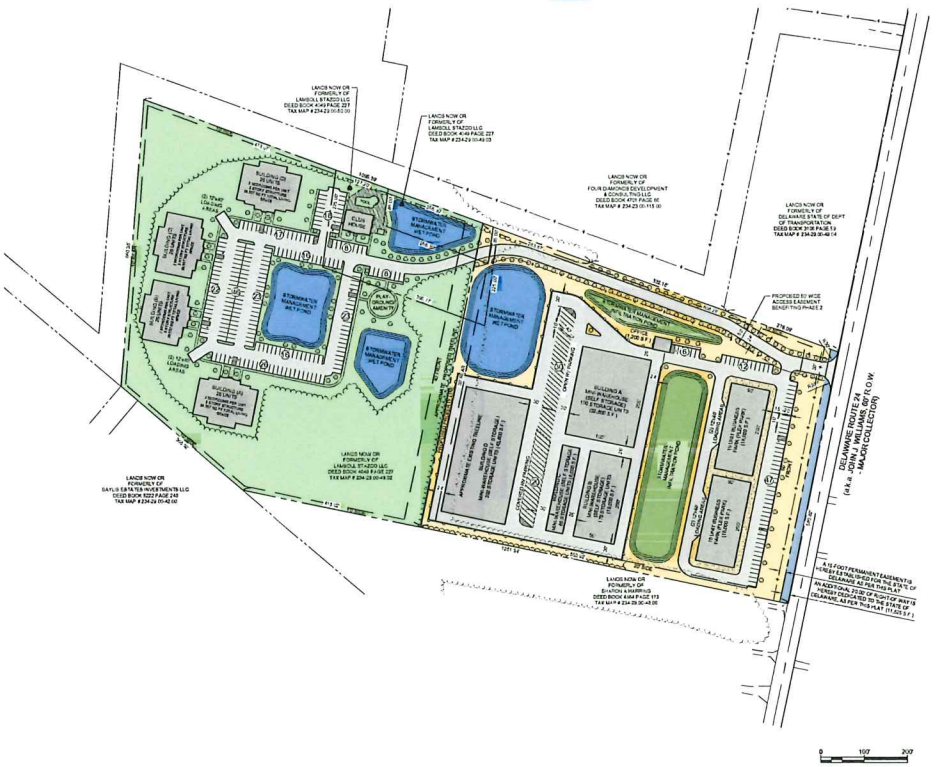
I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

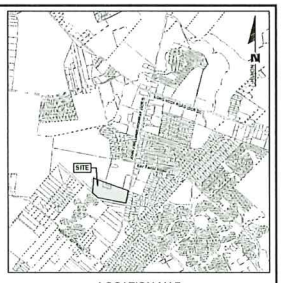
Signature of property owner — Date: 1/29/21

Signature of Person completing form (If different than property owner) — Date: 1/29/2021

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at plus@state.de.us **along with an electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.





LOCATION MAP

SCALE: 1" = 2,000' -XREF

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - BUSINESS PARK (FLEX PARK) = 36,000 SQ FT
   MINI WAREHOUSE (SELF STORAGE) = 103,000 SQ FT
   MINI WAREHOUSE OFFICE = 1,200 SQ FT
   PARCEL 2 - MULTI FAMILY HOUSING (MID-RISE)
   (104 UNITS) = 114,228 SQ FT
   MULTI FAMILY HOUSING CLUBHOUSE = 3,065 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):
   FRONT 60' (JOHN J. WILLIAMS HWY.)
   SIDE 0' (YES/HUN LN.)
   SIDE 20' (SEYMOUR ACRES LN.) *
   REAR 30' *
   * THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT
   MR - MEDIUM RESIDENTIAL:
   FRONT 40'
   SIDE 10'
   REAR 10'
7. AREAS: EXISTING: 25.90 AC
   PROPOSED: PARCEL 1 12.63 AC
   PARCEL 2 13.00 AC
   DELDOT DEDICATION 0.27 AC
   TOTAL 25.90 AC
8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-163A & 45-5)

REQUIRED PARKING:
WHOLESALING - 1 PER 2 EMPLOYEES (89 EMPLOYEES) 45 SPACES REQUIRED
HANDICAP PARKING (51-75 PARKING SPACES) 3 SPACES (1 VAN) REQUIRED
56 SPACES + 3 HC SPACES (2 VAN) = 59 SPACES PROVIDED

STORAGE FACILITY 0 SPACES REQUIRED
1272.67 RV SPACES 50 SPACES PROVIDED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF) 6 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES) 1 VAN SPACE REQUIRED
5 SPACES + 50 RV SPACES + 1 HC SPACES (VAN) = 56 SPACES PROVIDED

APARTMENTS BUILDINGS - 2 PER UNIT (104 UNITS) 208 SPACES REQUIRED
HANDICAP PARKING (201-300 PARKING SPACES) 7 SPACES (2 VAN) REQUIRED
221 SPACES + 12 VAN HC SPACES = 233 SPACES PROVIDED

TOTAL PARKING PROVIDED: 334 PARKING SPACES
+ 16 HANDICAP SPACES
= 350 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

LOADING
BUSINESS PARK (FLEX PARK)
LOADING SPACES REQUIRED 3 SPACES REQUIRED
LOADING SPACES PROVIDED 4 SPACES (12' x 40')
MINI WAREHOUSE (SELF STORAGE) OFFICE
LOADING SPACES REQUIRED 0 SPACE REQUIRED
LOADING SPACES PROVIDED 0 SPACE (12' X 40')
APARTMENT BUILDINGS
LOADING SPACES REQUIRED 3 SPACES REQUIRED
LOADING SPACES PROVIDED 4 SPACES (12' X 40')

SCALED ENGINEERING
Scaled Engineering Inc.
20441 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 226-3000

CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

DATE	6-23-20
SCALE	1" = 100'
DRAWN BY	JRE
PROJECT NO	GRA1902

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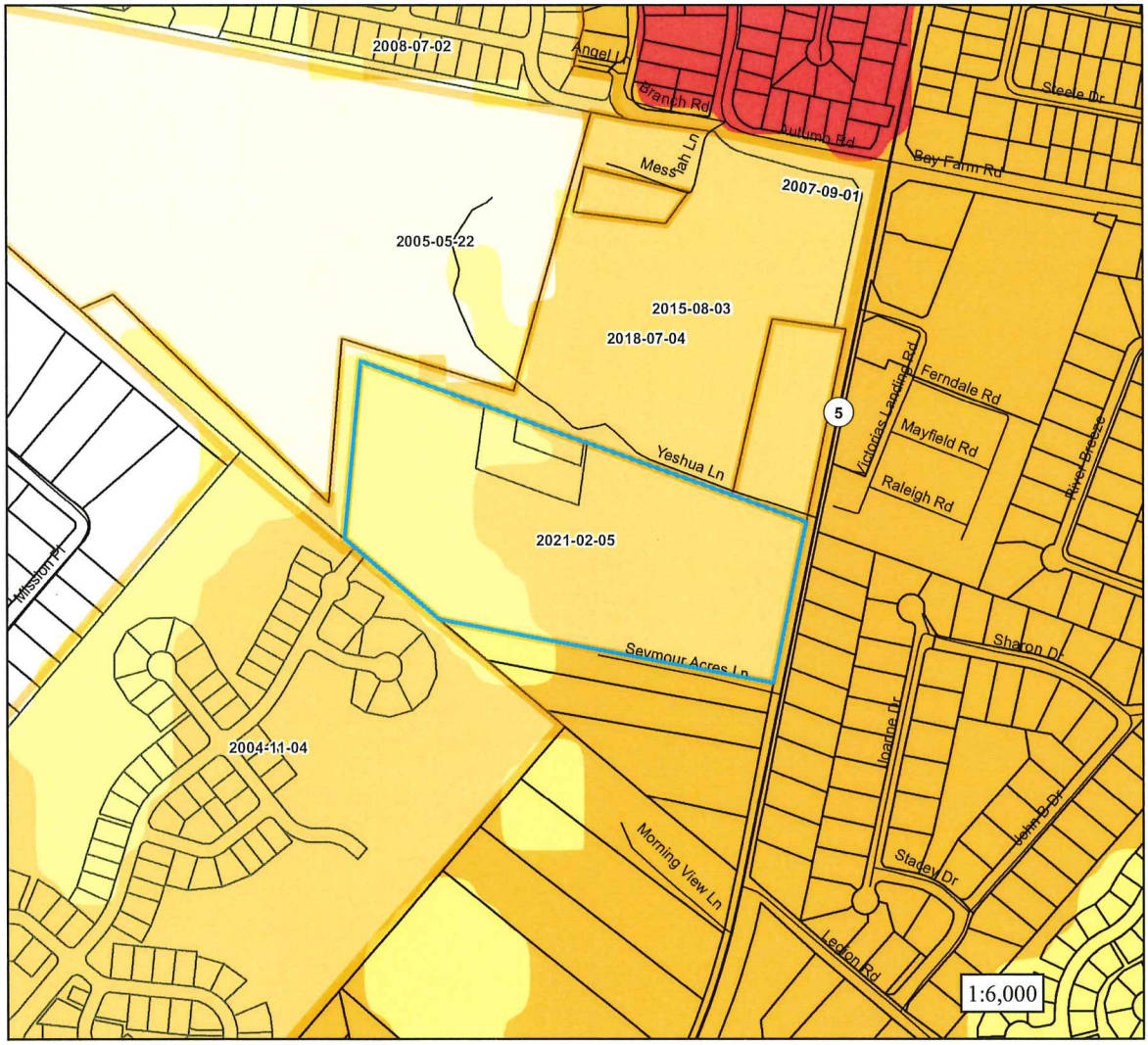
Preliminary Land Use Service (PLUS)



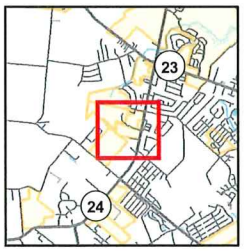
American Storage
2021-02-05

Legend

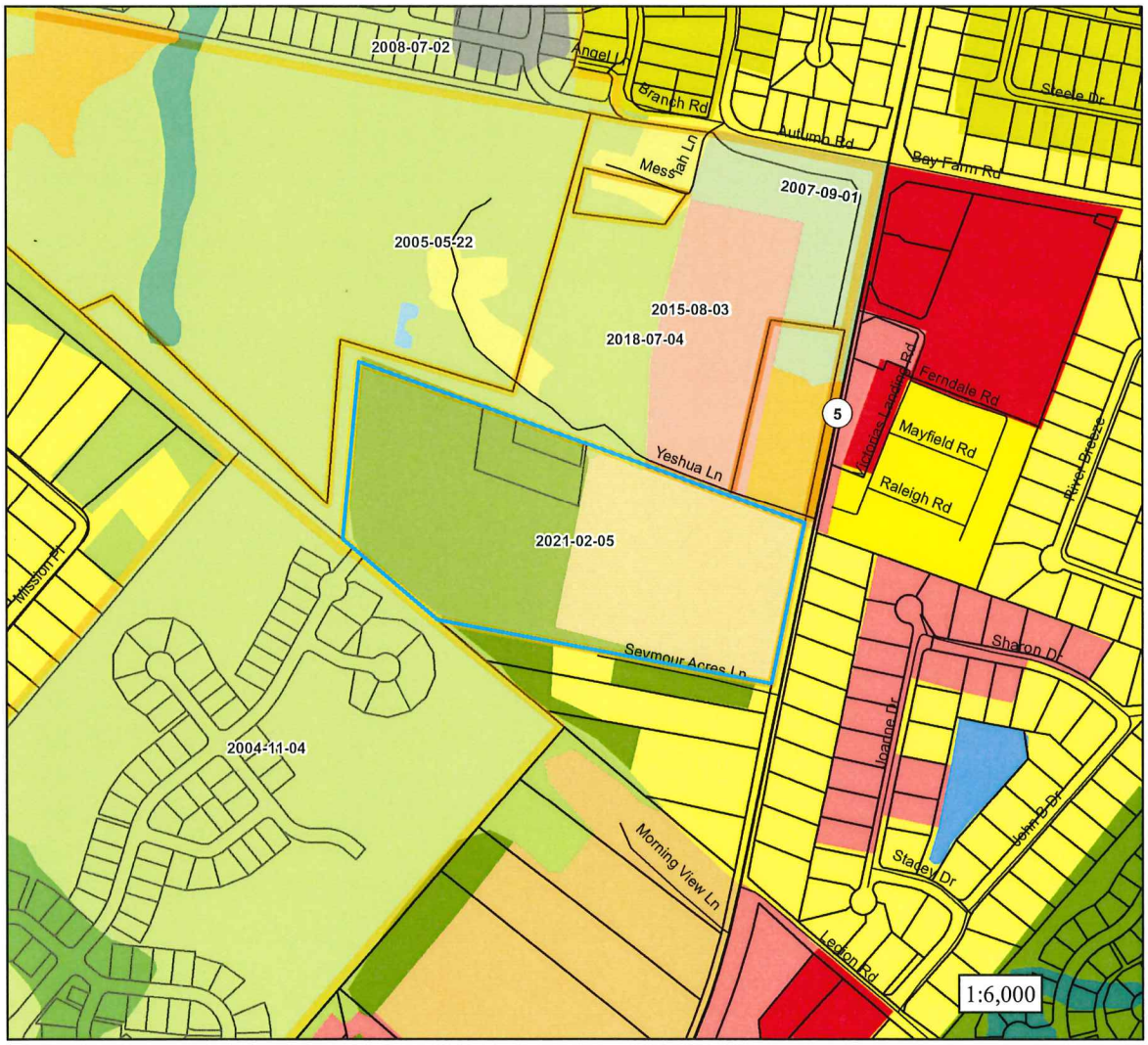
PLUS Project Areas type
- Comp Plans
- All Other PLUS Reviews

2020 State Strategies Strategy Level
- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play

Location Map



Preliminary Land Use Service (PLUS)



American Storage
2021-02-05

Legend

2012 Land Use

LULC Category

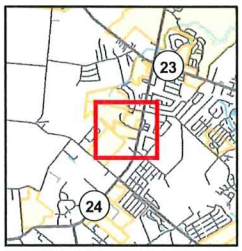
- 110
- Single Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Transportation/Communication/Utilities
- Mixed Urban/Built-up
- Institutional/Governmental
- Recreational
- Farms, Pasture, Cropland
- Confined Animal Feeding Operations/Feedlots/Holding
- Rangeland
- Orchards/Nurseries/Horticulture
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Brush Rangeland
- Clear-cut
- Man-made Reservoirs and Impoundments
- Marinas/Port Facilities/Docks
- Open Water
- Emergent Wetlands - Tidal and Non-tidal
- Forested Wetlands - Tidal and Non-tidal
- Scrub/Shrub Wetlands - Tidal and Non-tidal
- Sandy Areas and Shoreline
- Extraction and Transitional

PLUS Project Areas

type

- Comp Plans
- All Other PLUS Reviews

Location Map

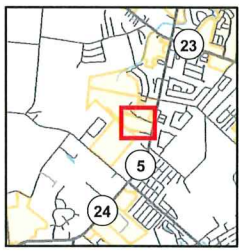


Preliminary Land Use Service (PLUS)

American Storage
2021-02-05

Legend
PLUS Project Areas
type
Comp Plans
All Other PLUS Reviews

Location Map



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

March 23, 2021

Nate Graulich
Graulich Builders
34697 Jiffy Way, Suite 2
Lewes, DE 19958

RE: PLUS review 2021-02-05; American Storage of Delaware

Dear Mr. Graulich:

Thank you for meeting with State agency planners on February 24, 2021 to discuss the proposed plans for the American Storage of Delaware project. According to the information received you are seeking review of a proposed rezoning of 25.9 acres from AR-1 to C-3 and MR and a site plan for 104 residential units and 139,600 square feet of mini storage and business park in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as the County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. 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 other priorities for the near future.

Our office has no objections to the proposed rezoning and development of this project provided it is in compliance with Sussex County Comprehensive plan and all applicable codes and ordinances.

We do ask that you work to preserve the environmental features on the site if the plan moves forward.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on John J. Williams Highway (Delaware Route 24) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- 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 1,170 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, as shown in the table below, DelDOT calculates 1,171 vehicle trip ends per day for this number and estimates the weekday morning and evening peak hour trip ends at 60 and 79, respectively. Therefore, a TIS would normally be required.

	Land Use Code	Floor Area (sf) / Dwellings	Average Daily Traffic	AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
Business Park	770	36,000	448	8	6	7	8
Mini-Warehouse	151	104,800	158	6	4	8	10
Multifamily Housing (Mid-Rise)	221	104	565	9	27	28	18
Total			1,171	23	37	43	36

- Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 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, $11,710. AWS Fees are used to fund traffic studies, not to build improvements.

- DelDOT anticipates requiring the developer to contribute to a DelDOT project presently scheduled for construction this summer, HSIP SR 24 at Mount Joy Road and SR 24 at Bay Farm Road Intersection Improvements, Contract No. T200711201. Information on the project is available at https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T200711201.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Route 24. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"

- 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. 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.**"

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Depiction of all existing entrances within 600 feet of the entrance on Route 24.

    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is mandatory. DelDOT anticipates requiring the developer to build an SUP along their frontage on Route 24.

- Section 3.5.4.3 of the Manual addresses requirements for walkways. A walkway is a path connecting the interior of a development to the frontage sidewalk or SUP. DelDOT anticipates requiring at least two walkways to connect the interior of the site to Route 24,

one along the driveway at the north edge of the property and one at the south end of the frontage, connecting to the parking lot of the business park.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Route 24.

- Section 5.2.4 of the Manual addresses requirements for Entrance Width, for commercial entrances, the minimum undivided width varies from 18 to 32 feet. The proposed 30-foot entrance will be examined during the plan review process. DelDOT may require the developer's engineer to provide turning templates.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. DelDOT anticipates requiring a right turn lane with a five-foot bicycle lane, and possibly a left turn lane into the site from Route 24. Coordination of the construction schedules of the DelDOT project and the proposed development should be discussed at the Pre-Submittal Meeting.

- 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.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Stormwater Management

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

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (https://apps.dnrec.state.de.us/eNOI/default.aspx) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- 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.

- Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Hydrologic Soils Group
While much of the site consists of Hydrologic Soils Group A soils (well drained), the northwest portion of the site lies within A/D soils (somewhat poorly drained). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921
  E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Water Quality (Pollution Control Strategies)
Pollution Control Strategies have been developed for the following watersheds in Delaware: Christina, Appoquinimink, Broadkill, Mispillion and Cedar Creek, Murderkill, Saint Jones, Inland Bays (Rehoboth Bay, Indian River Bay, and Little Assawoman Bay), Nanticoke, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- The western half of the site (forested portion) lies within the Rehoboth Bay Watershed & the eastern half of the site (unforested portion) lies within the Indian River Bay Watershed, both of which are included under Pollution Control Strategies. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

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

Nutrient Management Plan
This project proposes approximately 11 acres of open space, exceeding the threshold of 10 Acres for nutrient management.

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

- Contact: Delaware Department of Agriculture's Nutrient Management Program at (302)

- 698-4558. Website: https://agriculture.delaware.gov/nutrient-management/

Wildlife Displacement
Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- There are no known National Register listed or eligible properties on the parcel.

- Prehistoric archaeological potential is moderate. Soils are mostly well-drained except for the northwest corner of the area. Guinea Creek appears on Beers map and some historic aerials as extending closer to the parcels, which may mean that it is within favorable distance to freshwater for prehistoric site probability. A survey conducted in part of the parcel showed very little remains under a thick plow zone except for two isolated prehistoric finds; could mean that there are other archaeological resources throughout the area.

- Historic archaeological potential is low. Beers Map doesn't show anything near that parcel. A road appears to have existed through the middle-ish until 1950s, and historic aerials show the western portion to be continuously wooded.

- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).

- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: www.achp.gov

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 (DSFPR):

Fire Protection Water Requirements:

- Where a water distribution system is proposed for Storage/Warehouse sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for apartment (multi-family living units) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- 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.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.
- All mini-storage buildings greater than 2500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance–rated barrier shall require an automatic sprinkler system be installed throughout.

> *Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:*
>
> *(1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,*
>
> *(2) the owner of the facility does not have unrestricted access to the storage units, and*
>
> *(3) the items being stored are concealed from view from outside the storage unit.*

- 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

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 accessible to fire apparatus.
- Any dead end 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.
- 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.

Gas Piping and System Information:

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

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

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The subject land adjoins both a recorded but as-yet-unbuilt stub street in the Baylis Estates subdivision, which fronts on Mount Joy Road (Sussex Road 297), and the Peninsula Square mixed-use development, which fronts on Autumn Road (Sussex Road 299). In addition to providing emergency access to the proposed apartments, with appropriate interconnections and easements required of the subject development and Peninsula Square, these three developments could provide a low-stress pedestrian and bicycle connection between Mount Joy Road and Autumn Road.

- 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 Route 24.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at https://www.deldot.gov/Business/subdivisions/.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Forest Removal
The preliminary plans and/or project application proposed the elimination of approximately 9.2 out of 13.8 existing acres of forest habitat.

- 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 and reduces carbon that contributes to climate change. A forest assessment should be conducted to determine if mature forest resource exists on the property, and to determine species present.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Stormwater Management
Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

General Drainage Recommendations
There are numerous reported drainage concerns near the proposed project area. One concern from 2009 referenced flooding of a nearby property. There are numerous concerns ranging from 2010-2020 from landowners on the eastern side of John J. Williams Highway about property flooding. The storage of onsite stormwater and the release stormwater to adjacent properties is a concern if this property is developed.

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemption coverage may be required by the County Conservation District (Standard Plan), DNREC Sediment and Stormwater (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site stormwater.

- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

- Contact: DNREC Drainage Program at (302) 855-1930.
  Website: https://dnrec.alpha.delaware.gov/drainage-stormwater/

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by

maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/

Mosquitoes
The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of wetland types including freshwater forested, freshwater emergent, and estuarine.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.

- Contact: DNREC Division of Fish and Wildlife at (302) 739-9917. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/

Current or Previous Contamination
This parcel is contained within a large area that has been investigated for well contamination (DE-1388 Long Neck Mercury Study). In 2001, mercury was detected in a public water supply well; levels were reported above the Maximum Contaminant Level. While DNREC and the U.S. Geological Survey investigated the incident, the source could not be located. The well has been temporarily turned off.

- Delaware Health and Social Services reviews the monitoring reports from the water company. The USGS report that resulted from the study can be found here: https://pubs.usgs.gov/sir/2006/5011/pdf/sir-2006-5011.pdf

- Contact the Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.
  Website: https://dnrec.alpha.delaware.gov/waste-hazardous/

- Additional information may also be found online by searching Delaware's Environmental Navigator at http://www.nav.dnrec.delaware.gov/den3/

Additional Sustainable Practices
Recommendations for entire project:

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.

- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.

- 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.

- Incorporate nonmotorized connectivity in the residential area and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

Recommendations for residential section:

- Include an option to install electric vehicle charging stations in garages of homes for your customers and tenants to assist Delaware in achieving its clean transportation goals.

- For the proposed pool and clubhouse, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities. Grants may be available for qualifying renewable energy systems installed in Delaware by applicants whose electricity provider collects funds for the program and offers a grant program for renewable energy projects. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/.

Recommendations for commercial section:

- Install electric vehicle charging stations for your customers and tenants to assist Delaware in achieving its clean transportation goals. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/.

Concerns Identified Outside of the Development Footprint

Delaware Ecological Network
Lands designated as part of the Delaware Ecological Network lie to the east of this parcel. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on the proposed development site could jeopardize habitat beyond the parcel boundary.

- Removing forested areas within (and nearby) the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

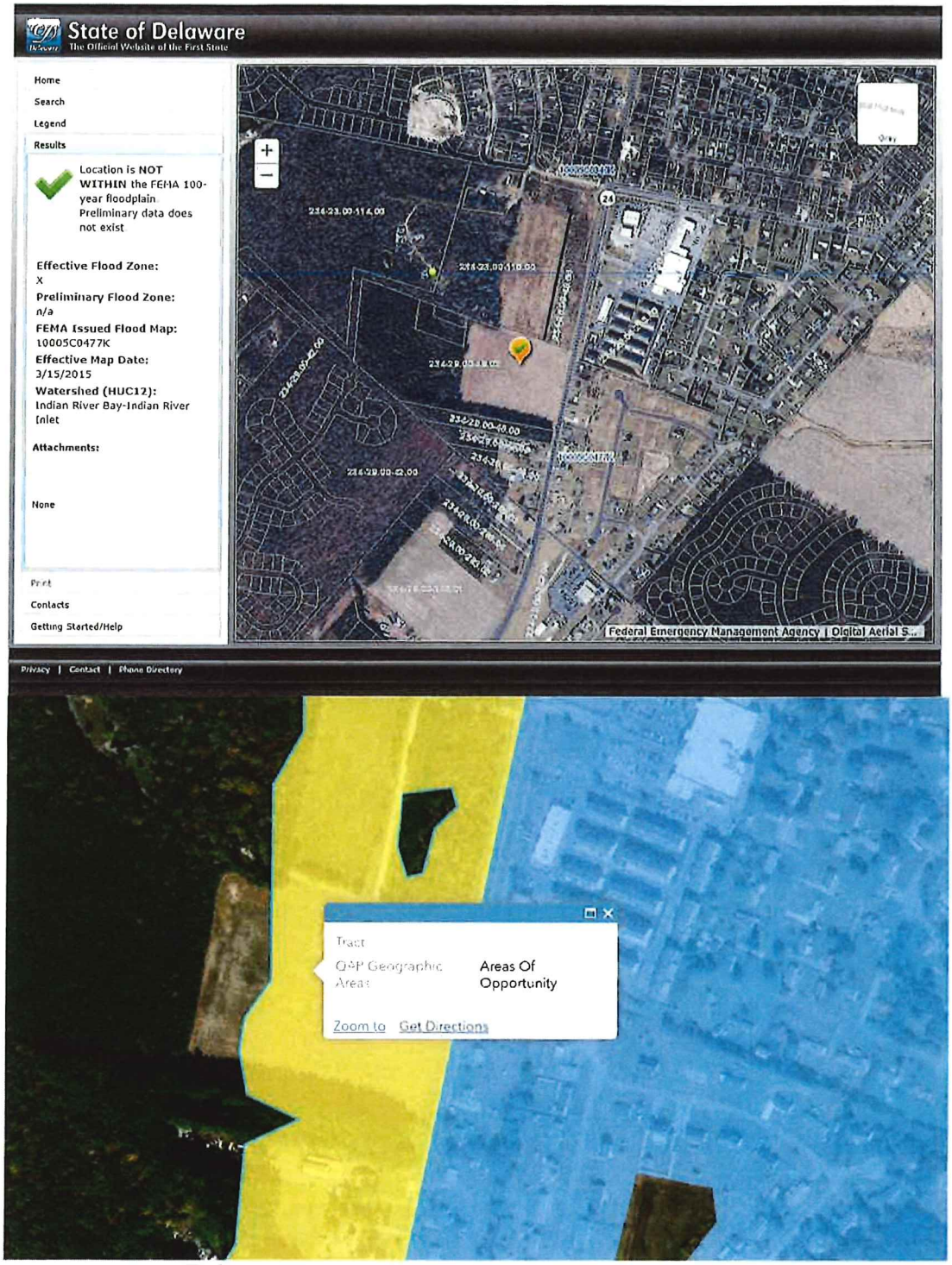
- Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- 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.

Delaware Emergency Management Agency – Contact Philip Cane 659-2325

- The location is not within any flood plain nor in a coastal inundation zone. 2018 QAP described the region this project is located in as being an "Area of Opportunity" while bordering a region identified as "Stable". The region has a homeownership rate of approximately 81.2% to 83%, a poverty ratio of 10 to 1 with approximately 21% of that census block's population at the age of 65 or older.


State of Delaware
The Official Website of the First State
Home
Search
Legend
Results
Location is NOT WITHIN the FEMA 100-year floodplain
Preliminary data does not exist
Effective Flood Zone:
X
Preliminary Flood Zone:
n/a
FEMA Issued Flood Map:
10005C0477K
Effective Map Date:
3/15/2015
Watershed (HUC12):
Indian River Bay-Indian River Inlet
Attachments:
None
Print
Contacts
Getting Started/Help
Federal Emergency Management Agency | Digital Aerial S...
Privacy | Contact | Phone Directory
Tract
QAP Geographic Areas
Areas Of Opportunity
Zoom to
Get Directions

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- As of January 11, 2021, the applicant has already participated in a pre-application meeting with Planning and Zoning staff.

- Please include a note on the plans which indicates that the proposed project is not located within the Henlopen Transportation Improvement District (TID).

- Following submission to the County, staff undertake review of the Preliminary Site Plan, where more detailed comments are provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

- For the Conditional Use, a Service Level Evaluation Request form must be completed and submitted to the Office of Planning and Zoning. Once the Office receives the completed Service Level Evaluation Response from DelDOT, the applicant may submit all documentation and materials pertaining to their Conditional Use application.

- Please note that since the proposed development lies within the Coastal Area and is above the 50 dwelling unit and 75,000 feet of commercial development threshold, copies of an Environmental Assessment (EA) and Public Facility Evaluation Report must be submitted which address the criteria located in §115-194.3(2)(a-l).

- Additionally, the proposal will have to comply with the site plan requirements of §115-220 and the multifamily requirements of §115-188 of the Sussex County Code.

- Please include the proposed density for the project for separately for both the residential component as well as the commercial site. The C-3 Zoning District and the MR Zoning District (as a Conditional Use) allow for a density of up to 12 dwelling units per acre.

- Please note on the plans that the parcels are not located within a Wellhead Protection Area in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§ 89-6). Please note on the plans that the parcels are located within an area of "good" groundwater recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

- Staff note that there is only one-way-in, one-way-out access to the property. The Planning and Zoning Commission desire more than one entrance or an easement for emergency access purposes in the event of an emergency occurring on the parcel.

- The side yard setback for the portion of the property to be zoned C-3 adjacent to the existing Yeshua Lane is shown with a 10-ft side yard setback. The Site Data Column indicates that this setback is 5-ft. The side yard setback in the C-3 Zoning District is 20-ft when adjacent to a residentially zoned parcel (Tax Map: 234-29.00-49.04 appears to be residentially zoned as AR-1) (§115-83.22(B)(2)). Please indicate if the applicant wishes to amend this setback as part of the application.

- Staff note that 11.45 acres of open space is proposed. The proposed open space of 44% is desirable. Please include the amount of open space proposed as a percentage and in acres within the Site Data Column.

- The proposed parking appears to meet Code requirements as well as ADA requirements regarding the provision of handicap spaces per total number of parking spaces (§115-162).

- Please note that these are informal staff comments and do not prejudice any decision that the Sussex County Planning and Zoning Commission may wish to make as part of the formal application.

- Please reach out to Lauren DeVore with any questions regarding these comments at lauren.devore@sussexcountyde.gov or call the Planning and Zoning Office at (302)855-7878.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 2 and Tier 3 area for sewer service and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.

- 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 & Design Review 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 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. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used.

- The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

- One-time system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and

county sources, as well as private funding sources that also promote affordable housing in Sussex County.

- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

- On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

Constance C. Holland

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning Department

Mackenzie Peet

From: Stephen W. Spence
Sent: Wednesday, March 9, 2022 11:24 AM
To: Alex Pires (farmerslawyer@aol.com); Graulich Builders; Carlton Savage
Cc: Mackenzie Peet
Subject: FW: American Storage of Delaware

Follow Up Flag: Follow up
Flag Status: Completed

See the chain below.

Stephen W. Spence, Esquire
1413 Savannah Road, Suite 1, Lewes, Delaware 19958
Tel: (302) 645-2262 | Fax: (302) 644-0306
sws@bmbde.com

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From: David C. Hutt <DHutt@morrisjames.com>
Sent: Wednesday, March 9, 2022 10:32 AM
To: Stephen W. Spence <sws@bmbde.com>
Subject: FW: American Storage of Delaware

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See below.

From: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>
Sent: Tuesday, August 31, 2021 10:52 AM
To: Hutt, David C. <DHutt@morrisjames.com>
Subject: RE: American Storage of Delaware

Hi David,

Thank you for your email. I have reviewed this with Dorothy and David. OSPC will not require a new PLUS review.

We do note that the State Comments letter referred to a bike path in the DelDOT comments. The site plan does not appear to show one. Please make sure to address this feature moving forward with the plan.

Please let me know if you have any questions or if I can provide any additional information.

Thanks much,
-Steve Bayer

Steve Bayer
Planner
Delaware Office of State Planning Coordination
Haslet Armory
122 Martin Luther King Jr. Boulevard, South
Dover, DE 19901
(302) 739-3090
(302) 739-5661 fax
http://stateplanning.delaware.gov/

From: Hutt, David C. <DHutt@morrisjames.com>
Sent: Tuesday, August 31, 2021 9:34 AM
To: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>; Morris, Dorothy (OMB) <Dorothy.Morris@delaware.gov>
Subject: American Storage of Delaware

Dorothy,

Earlier this year, the OSPC reviewed an application for American Storage of Delaware (PLUS Review 2021-02-05). For your ready reference, I have attached a copy of the PLUS Review Letter dated March 23, 2021.

The overall concept has stayed the same with a commercial-type use along Route 24 and residential behind that application. The acreage for the commercial has been reduced which, of course, increased the acreage for the residential component.

In short, what before was 139,600 square feet of mini storage and business park (flex space) and 104 residential units is now proposed to be 150,000 square feet of mini-storage and 140 residential units. Attached is a copy of the new concept.

Does your office want to see a new/revised application?

Thanks,

David

Morris James LLP
David C. Hutt | Partner
107 W. Market Street, P.O. Box 690, Georgetown, DE 19947
19339 Coastal Highway, Suite 300, Rehoboth Beach, DE 19971

Phone: 302.856.0018 | **Fax:** 302.856.7217
morrisjames.com | dhutt@morrisjames.com
Facebook | LinkedIn | Twitter

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EXHIBIT D

American Storage

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ F
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	50' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

   * WHERE SHALL BE A SIDE AND/OR LESS THAN 20' FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND WHERE SHALL BE A REAR YARD OF AT LEAST TWO (2) TIMES GREATER IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT

   MR - MEDIUM RESIDENTIAL

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS: EXISTING 25.90 AC

PROPOSED	PARCEL 1	4.00 AC
	PARCEL 2	17.63 AC
	DELDOT DEDICATION	4.27 AC
	TOTAL	25.90 AC

8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVIMAP.
13. FOREST AREA:

PRE-DEVELOPMENT	=	14.28 AC
POST DEVELOPMENT	=	9.51 AC
REMAINING	=	4.77 AC

14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

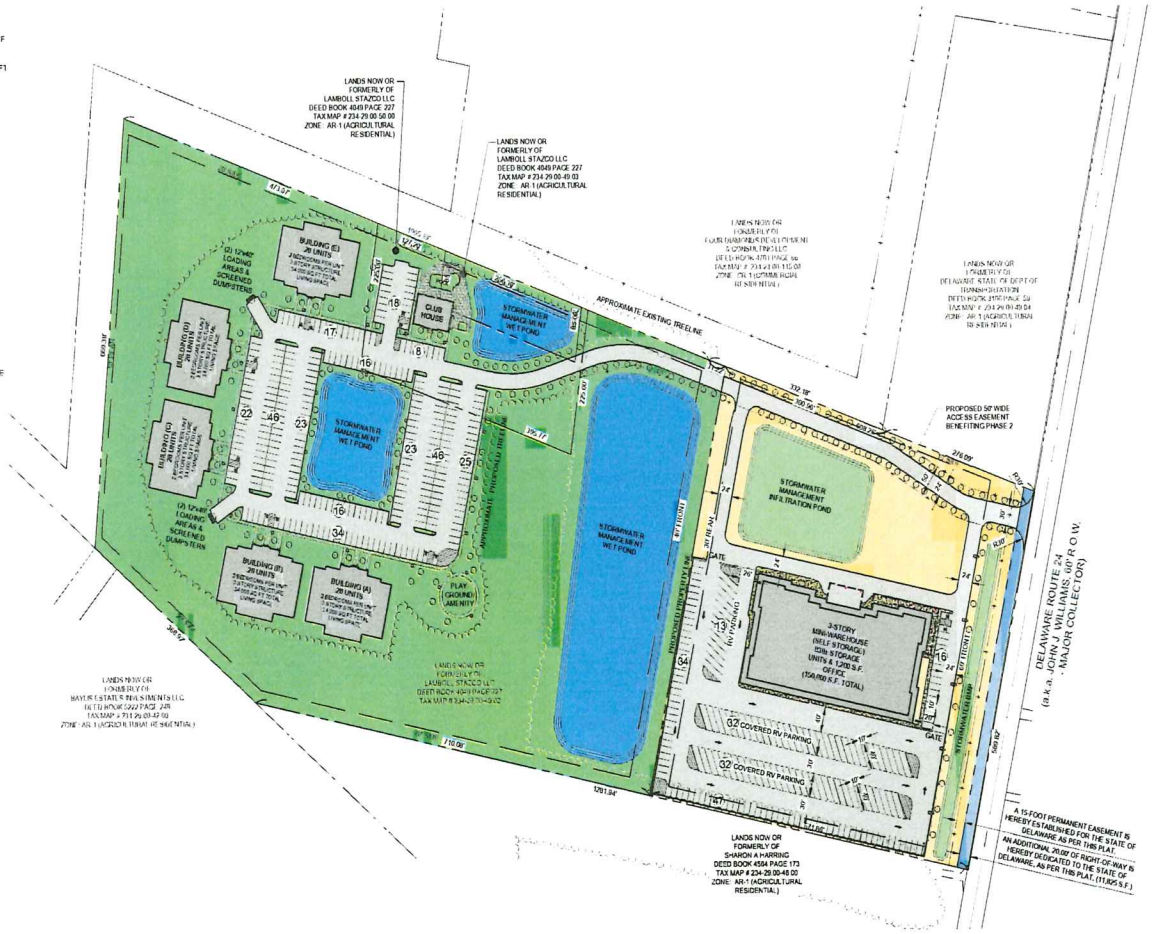
PARKING / LOADING REQUIREMENTS:

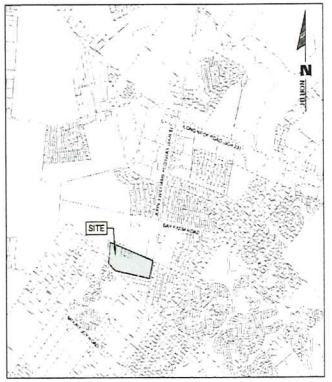
OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

REQUIRED PARKING:	
STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES	= 295 SPACES PROVIDED
TOTAL PARKING PROVIDED	455 PARKING SPACES
	+ 14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

LOADING	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')





LOCATION MAP
SCALE: 1" = 2,000' XREF

Site Plan

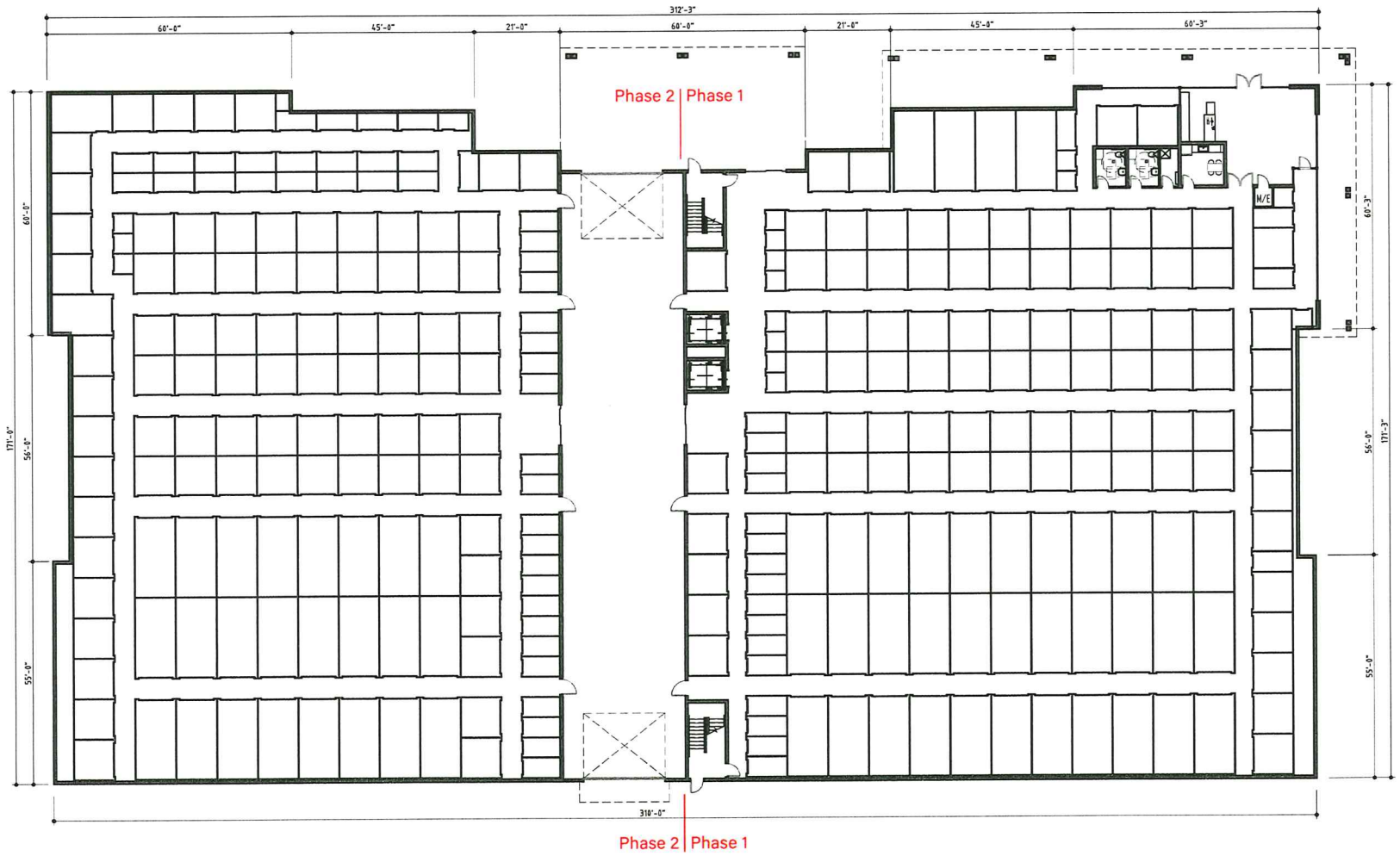
July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

D

UNIT MATRIX

Size	1st Floor	2nd Floor	3rd Floor	Total
5 x 5	15	18	18	51
5 x 7.5	1	1	1	3
5 x 10	63	84	84	231
10 x 10	169	195	195	559
10 x 15	2	6	6	14
10 x 20	61	63	63	187
TOTAL	311	367	367	1,045

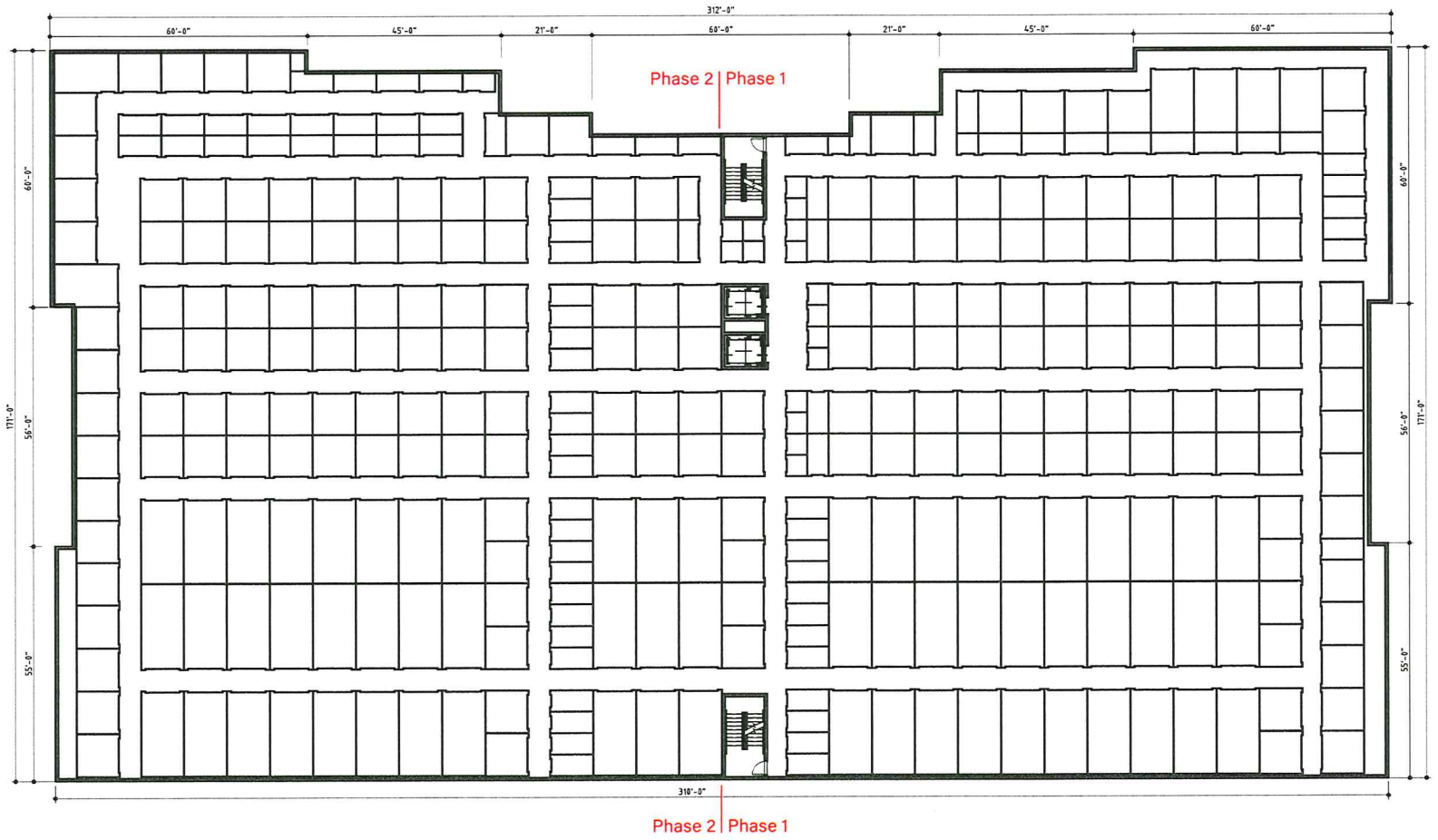


First Floor Concept

July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

D



UNIT MATRIX

Size	1st Floor	2nd Floor	3rd Floor	Total
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5 x 7.5	1	1	1	3
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10 x 15	2	6	6	14
10 x 20	61	63	63	187
TOTAL	311	367	367	1,045

Second and Third Floor Concept

July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

Exterior Rendering

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

Exterior Rendering

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

Exterior Rendering

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

EXHIBIT E

Sussex County

PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

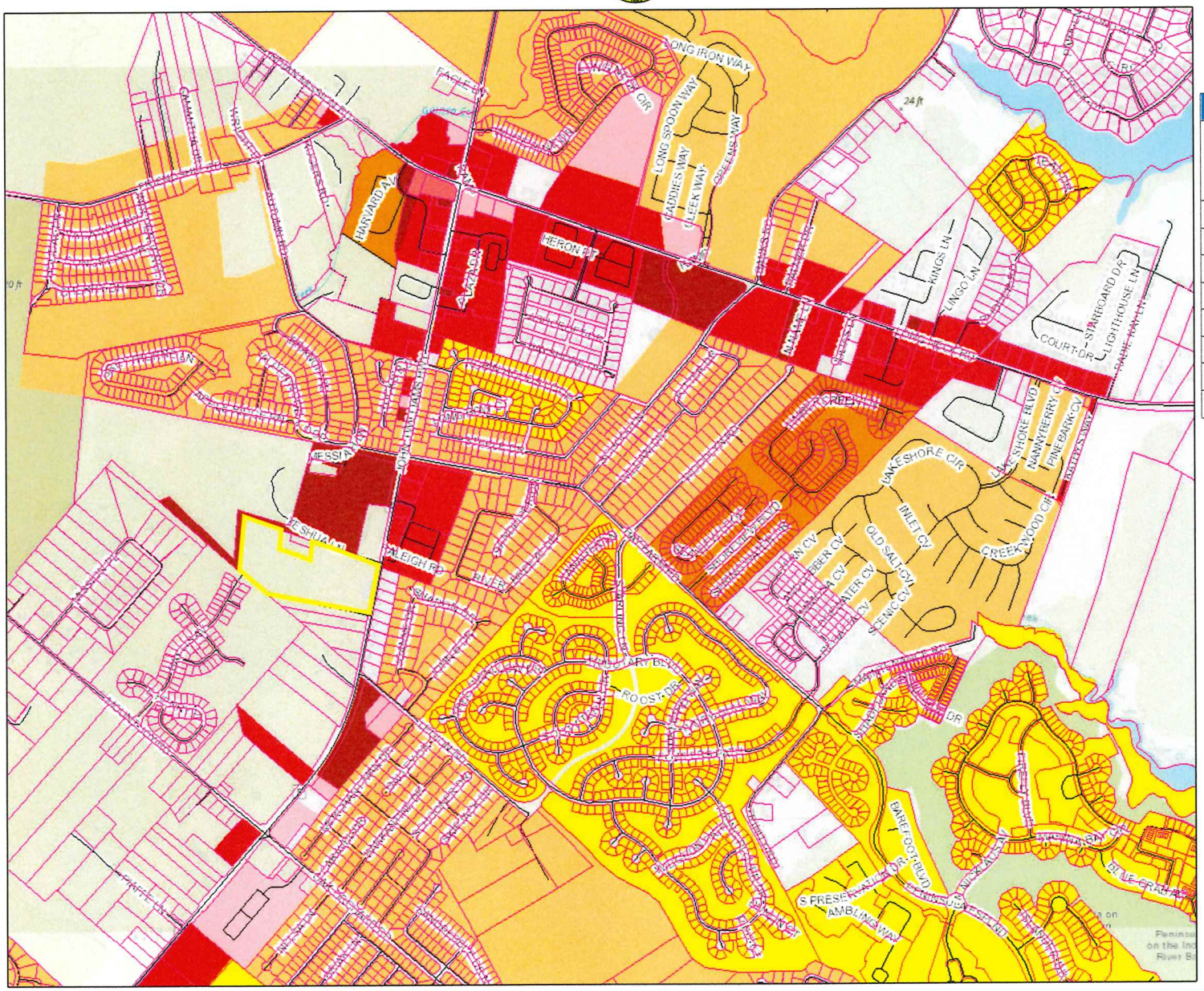
polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries

1:9,028

0 0.1 0.2 0.4 mi
0 0.175 0.35 0.7 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
Override 1

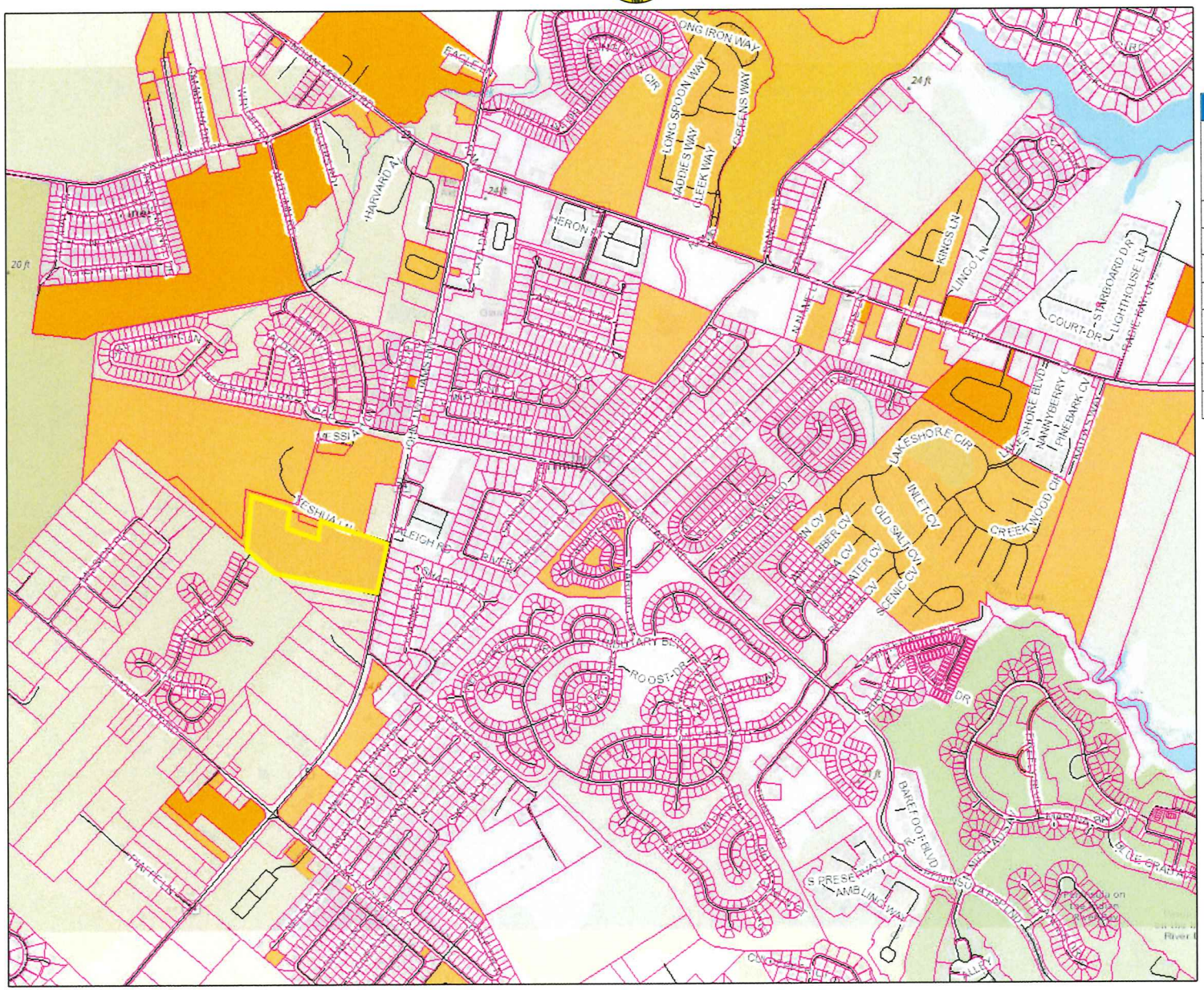
polygonLayer
Override 1
Tax Parcels
Streets

1:18,056

0 0.225 0.45 0.9 mi
0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
Override 1

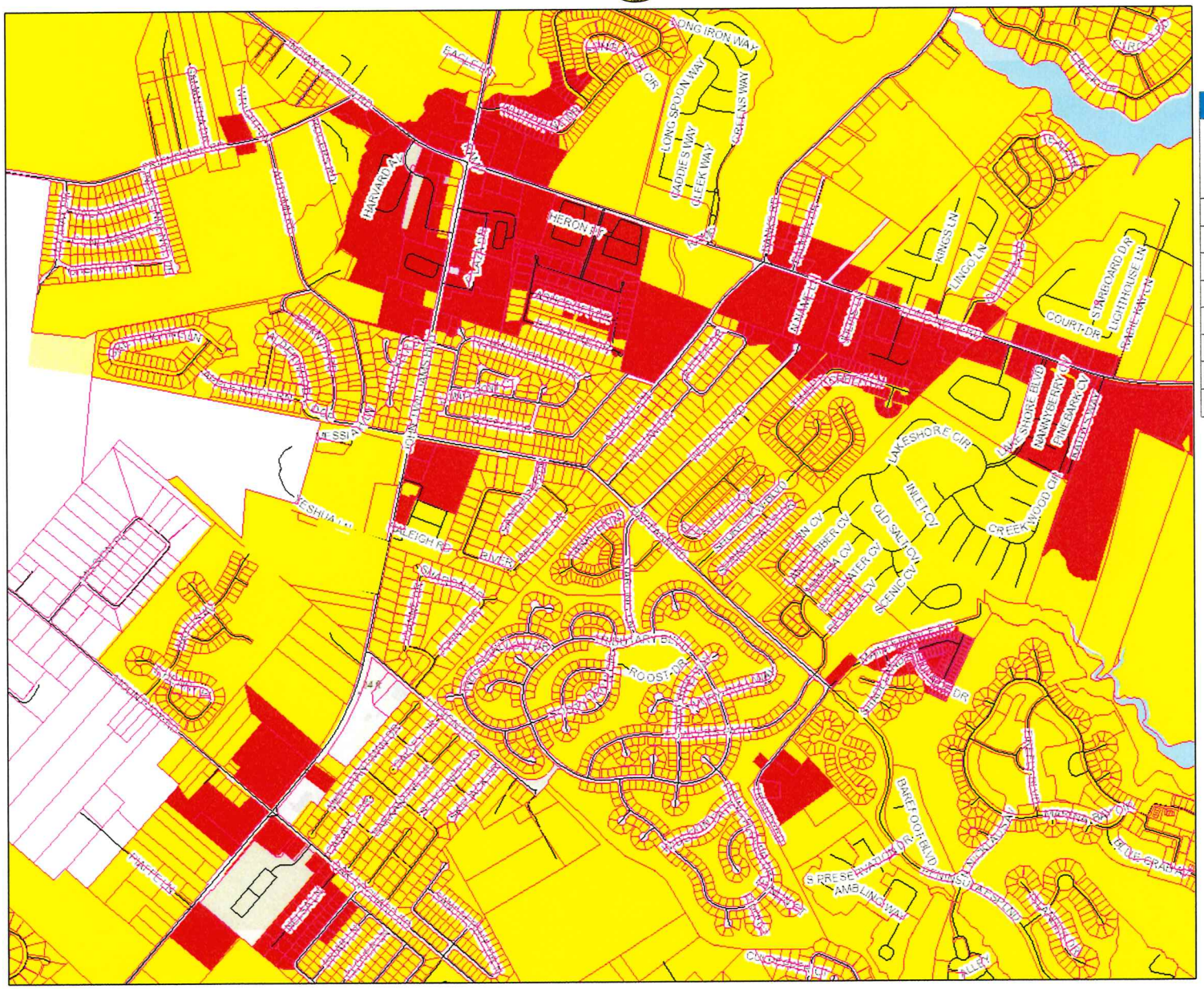
polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries
Conditional Use

1:18,056

0 0.225 0.45 0.9 mi
0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 100
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
- Override 1

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

2019 Future Land Use
- Low Density
- Coastal Area
- Commercial
- Developing Area
- Existing Development Area
- Industrial
- Municipalities
- Town Center

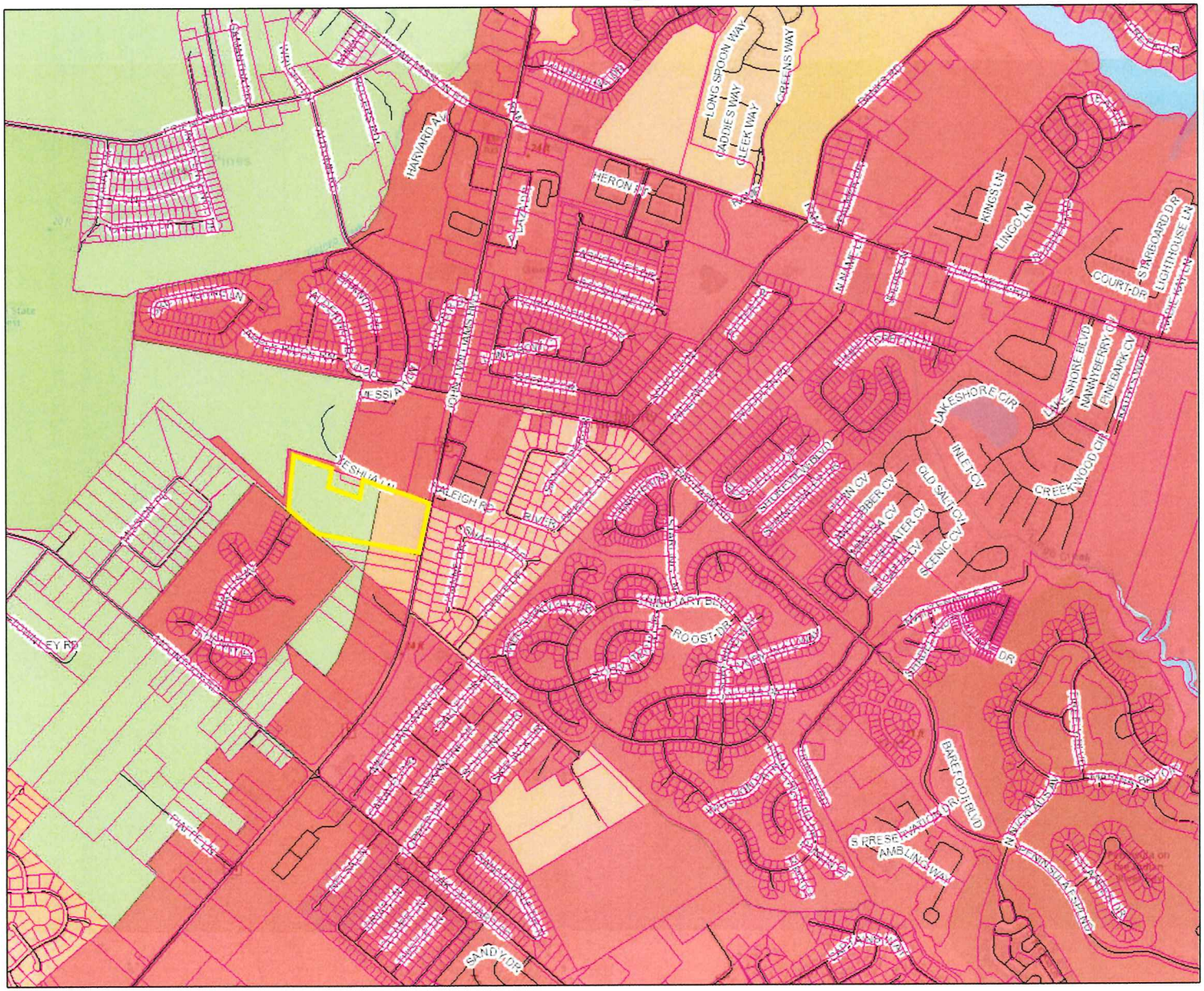
1:18,056

0 0.225 0.45 0.9 mi

0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

Sewer Tiers

Tier 1 - Sussex County Unified Sanitary Sewer District

Tier 2 - Sussex County Planning Area

Tier 3 - Coordinated CPCN Areas

Tier 4 - System Optional Areas

Tier 5 - Regulated On-site Area

1:18,056

0 0.225 0.45 0.9 mi

0 0.35 0.7 1.4 km

March 8, 2022

EXHIBIT F

20246 Coastal Highway
Rehoboth Beach, DE 19971
PH: (302) 227-7808
www.scaledengineering.com

COASTAL AREA ENVIRONMENTAL ASSESSMENT AND PUBLIC FACILITY EVALUATION REPORT

AMERICAN STORAGE OF DELAWARE
JOHN J. WILLIAMS HIGHWAY
MILLSBORO, DE 19966

PREPARED FOR:

American Storage of Delaware LLC
113 Dickinson Street
Suite 100
Dewey Beach, DE 19971

PREPARED BY:

Scaled Engineering Inc
20246 Coastal Highway
Rehoboth Beach, DE 19971

CARLTON R. SAVAGE JR. LICENSE No. 16457 DELAWARE PROFESSIONAL ENGINEER

M. Josh Stallings
Senior Environmental Scientist

Carlton R. Savage, Jr., P.E.
Senior Engineer | Principal

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- WETLAND MAPPING

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1.0 INTRODUCTION

Scaled Engineering Inc (Scaled) on behalf of American Storage of Delaware LLC (client), has prepared an Environmental Assessment and Public Facility Evaluation Report (report) for the American Storage of Delaware LLC property, located west side of John J. Williams Highway (Route 24), 0.25± miles south of Bay Farm Road, Millsboro, DE 19966. The site is listed under Sussex County tax map numbers 234-29.00-49.02, 49.03 & 50.00. The site is intended to be improved with commercial business park (flex park), mini-warehouse (self-storage) facilities, mini-warehouse office, and residential multi-family housing with clubhouse. A preliminary concept plan is provided in Appendix A.

2.0 EXISTING CONDITIONS

The subject property consists of a vacant, 25.90± acre, partially wooded parcel with approximately 12 acres of tillable land. Topographically, much of the site is nearly level, with gently sloped areas to the north and northwest with approximately 3 feet of relief. Regionally, the eastern part of the site is located within the Indian River Bay – Indian River Inlet watershed, which ultimately drains to the Indian River Bay. The western part of the site is located within the Love Creek watershed, which ultimately drains to the Rehoboth Bay.

3.0 ENVIRONMENTAL ASSESSMENT AND PUBLIC FACILITY EVALUATION

3.A PROPOSED DRAINAGE DESIGN AND THE EFFECT ON STORMWATER QUALITY AND QUANTITY LEAVING THE SITE, INCLUDING METHODS FOR REDUCING THE AMOUNT OF PHOSPHORUS AND NITROGEN IN THE STORMWATER RUNOFF AND THE CONTROL OF ANY OTHER POLLUTANTS SUCH AS PETROLEUM HYDROCARBONS OR METALS

The proposed drainage design will utilize best management practices to meet or exceed state regulatory requirements. A combination of wet basin(s), planted buffers, and infiltration practices (at a minimum) will be utilized to reduce phosphorus and nitrogen, and control runoff of other pollutants, such as petroleum hydrocarbons and metals. Quantity discharges would also be managed by appropriate measures on-site. A detailed stormwater management plan would be prepared and submitted to the Sussex Conservation District for review and approval prior to any land disturbing activities.

3.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

Potable water will be serviced by Tidewater Utilities, Inc (Tidewater, TUI). The property is located within TUI's Certificate of Public Necessity (CPCN) area. A service request has been submitted to Tidewater, and the "Willing and Able to Serve Letter" will be provided upon receipt. A water main including potable and fire suppression water is located on the opposite side of Route 24. It is unknown if service stubs are already provided to the site; however, they would be extended to provide adequate water supply to the project. Utilizing the public water utility will ensure there are no negative effects to groundwater. The current plan would generate the need for 140 residential units (140 EDU's) and a single bathroom facility for the mini-storage facility (3 EDU's estimated). Based on Sussex County design standards of 250 gallons per day per Estimated Dwelling Unit (EDU) an average demand of 35,750 gallons per day with a peak demand (assuming a peaking factor of 2.3) to be approximately 82,225 gallons per day. With the property in the Coastal Area, factors such as seasonal occupancy may reduce this demand. Extension of the existing water main would be designed in accordance with Tidewater Standards (by the site engineer) and installed by the developer to accommodate the potable demand, and to provide additional fire hydrant(s) and fire suppression to proposed facilities.

3.C PROPOSED MEANS OF WASTEWATER TREATMENT AND DISPOSAL WITH AN ANLYSIS OF THE EFFECT ON THE QUALITY OF GROUNDWATER AND SURFACE WATERS, INCLUDING ALTERNATIVE LOCATIONS FOR ON-SITE SEPTIC SYSTEMS

Sanitary Sewer (Wastewater) service will be provided by Sussex County. A "Sewer Service Concept Evaluation" (SSCE) was submitted to the Sussex County Engineering Department along with the appropriate fee. The SSCE will analyze the project's capacity needs and provide the appropriate location and method for connection to the County's system. A "Willing and Able to Serve Letter" was also requested. Conversation with the County has determined, based on a preliminary review, the project will most likely utilize an existing stub near the Route 24 / (Bay Farm Rd/Autumn Rd) intersection. An adjacent property (to the North) is under design currently, which may allow for a closer connection. Following Sussex County Sewer Design standards and utilizing the Sussex County facility(s) will ensure there are no effects to the quality of groundwater and surface waters from wastewater treatment and disposal. It is currently assumed that this area will be handled by the Inland Bay Wastewater Treatment Plant off Cannon Road.

3.D ANALYSIS OF THE INCREASE IN TRAFFIC AND THE EFFECT ON THE SURROUNDING ROADWAY SYSTEM

The increase in traffic and effect on the surrounding roadways will be analyzed, reviewed, and approved by the Department of Transportation (DelDOT) through a thorough review process. On-site entrance location, size, and any site (or off-site) improvements would be part of this process during design. Based on the PLUS report response by the DelDOT (dated March 3, 2021) (included in application) the proposed improvements would generate less than 2,000 Average Daily Traffic (ADT) and less than 200 peak hour vehicle trip ends. This allows the developer to provide an Area Wide Study (AWS) fee in lieu of a Traffic Impact Study (TIS). The fee is calculated as $10 per daily trip and is used to fund traffic studies. The actual traffic generated by proposed improvements will be adjusted based on the actual use at the time of submission, and should traffic increase, requirements may change; however, it is not anticipated the thresholds would be exceeded to require a TIS. The site is fronted along Route 24, which is deemed a "Major Collector" and provides for substantial traffic flows given its functional classification. All necessary improvements would be designed and installed by the developer to ensure safe and appropriate traffic flow into and out of the site.

3.E THE PRESENCE OF ANY ENDANGERED OR THREATENED SPECIES LISTED ON FEDERAL OR STATE REGISTERS AND PROPOSED HABITAT PROTECTION AREAS

Per the U.S. Fish & Wildlife Service (FWS), "Critical Habitat for Threatened & Endangered Species" mapping, no critical habitat for threatened and endangered species, nor proposed habitat protection areas exist on the site (see Appendix B). An "Assessment of Environmental Conditions and Natural Features" report, prepared by Edward M. Launay of Environmental Resources, Inc., revealed no endangered or threatened species on the site (see Appendix C).

3.F THE PRESERVATION AND PROTECTION FROM LOSS OF ANY TIDAL OR NONTIDAL WETLANDS ON THE SITE

Per the FWS, National Wetlands Inventory, no wetlands exist on the site (see Appendix B). An "Assessment of Environmental Conditions and Natural Features" report, prepared by Edward M. Launay of Environmental Resources, Inc., revealed no wetlands on the site (see Appendix C).

3.G PROVISIONS FOR OPEN SPACE AS DEFINED IN § 115-4. [ADDED 12-16-2008 BY ORD. NO. 2022[1]]

The proposed project will allow approximately 11 acres of land to remain open space. Approximately 4.77 acres will consist of undisturbed forested area, which will be utilized for recreation and provide wildlife habitat. Other

passive open space will contain stormwater best management practices. Active open space will contain grass areas, recreational features, and decorative landscaping.

3.H A DESCRIPTION OF PROVISIONS FOR PUBLIC AND PRIVATE INFRASTRUCTURE

Sewer service will be provided by Sussex County. Potable water will be provided by Tidewater. Sewer and water infrastructure necessary to connect to the public utilities will be constructed by the developer. Electric will be serviced by Delmarva Power. Easements will be provided, as necessary, for all infrastructure to be maintained by an agency and/or service provider. Internal access roads and parking will be constructed and privately maintained by the developer and/or homeowners association.

3.I ECONOMIC, RECREATIONAL OR OTHER BENEFITS

The proposed commercial business park and mini-warehouse facilities will provide business and employment opportunities, which will promote economic growth to the community and surrounding areas. The self-storage facility will provide a viable personal storage option, which will benefit the growing community. The multi-family housing will offer market rate apartments to individuals and families living and working in Long Neck and surrounding areas. The proposed club house and active outdoor open space will provide safe and family oriented recreational area for residents on-site.

3.J THE PRESENCE OF ANY HISTORIC OR CULTURAL RESOURCES THAT ARE LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES

Per an online review of the National Park Service, National Register of Historic Places database, there are no historic or cultural resources at the site.

3.K A DESCRIPTION OF HOW THE PROPOSED APPLICATION AND PROPOSED MITIGATION MEASURES ARE IN CONFORMANCE WITH THE CURRENT SUSSEX COUNTY COMPREHENSIVE PLAN

Currently the property is Zoned AR-1 with a Future Land Use Designation of Coastal Area. The Coastal Area is "...among the most desirable locations in Sussex County for new housing, as is reflected in new construction data and real estate prices." With the development of new homes in this Coastal Area, commercial facilities will need to be added to support the needs of the additional residents.

Commercial Storage:
Many new residents are moving from remote destinations to Sussex County (and the Coastal Area in particular) for retirement and lower cost living after achieving a specific age. Generally, new homes are smaller than those they are leaving, and located withing planned residential communities which do not provide ample storage for their needs (or the ability to add additional storage facilities such as detached garages/sheds/buildings). This use provides a cost effective means of storage in a centralized location adjacent to adequate transportation and roadways.

Per the 2018 Sussex Comprehensive Plan Update, "Commercial Areas include concentrations of retail and service uses that are mainly located along arterials, and HIGHWAYS."
This site is directly located along Route 24 (John J. Williams HIGHWAY), and adjacent to other commercial uses (retail and service). Based on these facts, the property appears suited to be included within that concentration of use already prescribed in the area.

Medium Density Residential:
The rear of the property (as proposed) is for multi-family residential. Per the 2018 Comprehensive Plan "Sussex County's base density of 2 units per acres is appropriate throughout this classification (Coastal Area); however, medium and higher density (4-12 units per acre) can be appropriate in certain areas. Medium and Higher Density

could be supported in areas: where there is central water and sewer (provided); near sufficient commercial uses (Harris Teeter shopping center across Route 24 and newly proposed commercial to north); where it is in keeping with the character of the area (Victoria's Landing multifamily across Route 24 and other nearby medium density developments to north and south of property); where it is along a main road or at/near a major intersection (along Route 24); where there is adequate Level of Service (Located within Level 2 of the 2020 Delaware Strategies for State Policies and Spending);…".

3.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 above subsections B(2)(A) through (K), strive to identify possible impacts from the proposed development. Each item above requires professional engineering/design, oversight, review, and approval by respective authoritative agency(s); therefore, will meet the requirements set forth in all Federal, State, County, and Local codes/regulations to minimize (or eliminate) possible detrimental impacts from development.

"The (2018 Comprehensive) Plan strives to set a foundation for decision-making and provide the County with a roadmap to a future that will maintain and enhance the quality of life all residents enjoy." The proposed project as described compliments the nearby area by providing responsible growth and necessities of the community while maintaining the quality of life residents are moving to the area to enjoy, as is consistent with the Comprehensive Plan.

4.0 CONCLUSION

The American Storage of Delaware LLC project will utilize best management practices that meet or exceed regulatory requirements. The project will provide opportunity for economic and societal growth within the community, while preserving the environment.

Scaled Engineering Inc. is committed to bringing the best resources to our clients to assist in development of their projects. Should you have any questions or need additional information, please do not hesitate to contact Scaled.

REFERENCES

The following documents, publications, maps, etc., were used as source materials for this report:

- Sussex County Delaware, Online Mapping: https://maps.sussexcountyde.gov/OnlineMap/Map.html
- Sussex County Delaware Property Records: https://property.sussexcountyde.gov; https://maps.sussexcountyde.gov/OnlineMap/Map.html; https://sussexcountyde.gov/recorder-deeds
- U.S. Fish & Wildlife Service (FWS), Critical Habitat for Threatened & Endangered Species: https://fws.maps.arcgis.com/home/item.html?id=9d8de5e265ad4fe09893cf75b8dbfb77#!
- FWS, National Wetlands Inventory: https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper
- National Park Service, National Register of Historic Places: https://www.nps.gov/subjects/nationalregister/index.htm
- Sussex County Comprehensive Plan – Final March 2019 – "The Sussex Plan" https://sussexcountyde.gov/sites/default/files/PDFs/2018CompPlan-Final.pdf
- Strategies for State Policies and Spending (DelDOT) http://deldot.maps.arcgis.com/apps/webappviewer/index.html?id=265b9ac2d304432b962b0ba0f1de76b6

S:\PROJECTS\GRAULICH\GRAU001 - Rt 24 - American Storage\ENVIRONMENTAL\Coastal Area Env Report.docx

APPENDIX A

PRELIMINARY CONCEPT PLAN

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):
   FRONT 60' (JOHN J. WILLIAMS HWY.)
   SIDE 5' (YESHUA LN.)
   SIDE 20' (SEYMOUR ACRES LN.) *
   REAR 30' *

   * *THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT*

   MR - MEDIUM RESIDENTIAL:
   FRONT 40'
   SIDE 20'
   REAR 10'
7. AREAS: EXISTING: 25.90 AC

   PROPOSED: PARCEL 1 8.27 AC*
   PARCEL 2 17.63 AC
   TOTAL 25.90 AC

   *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1
8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA: PRE-DEVELOPMENT = 14.28 AC
    POST DEVELOPMENT = 9.51 AC
    REMAINING = 4.77 AC
14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

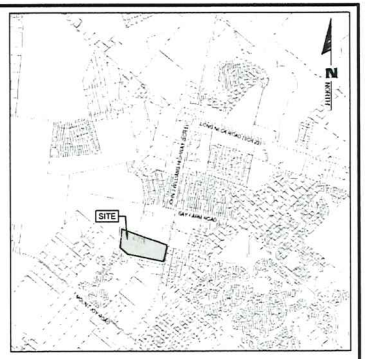
REQUIRED PARKING:	
STORAGE FACILITY*	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES	= 295 SPACES PROVIDED
TOTAL PARKING PROVIDED:	455 PARKING SPACES
	+ 14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

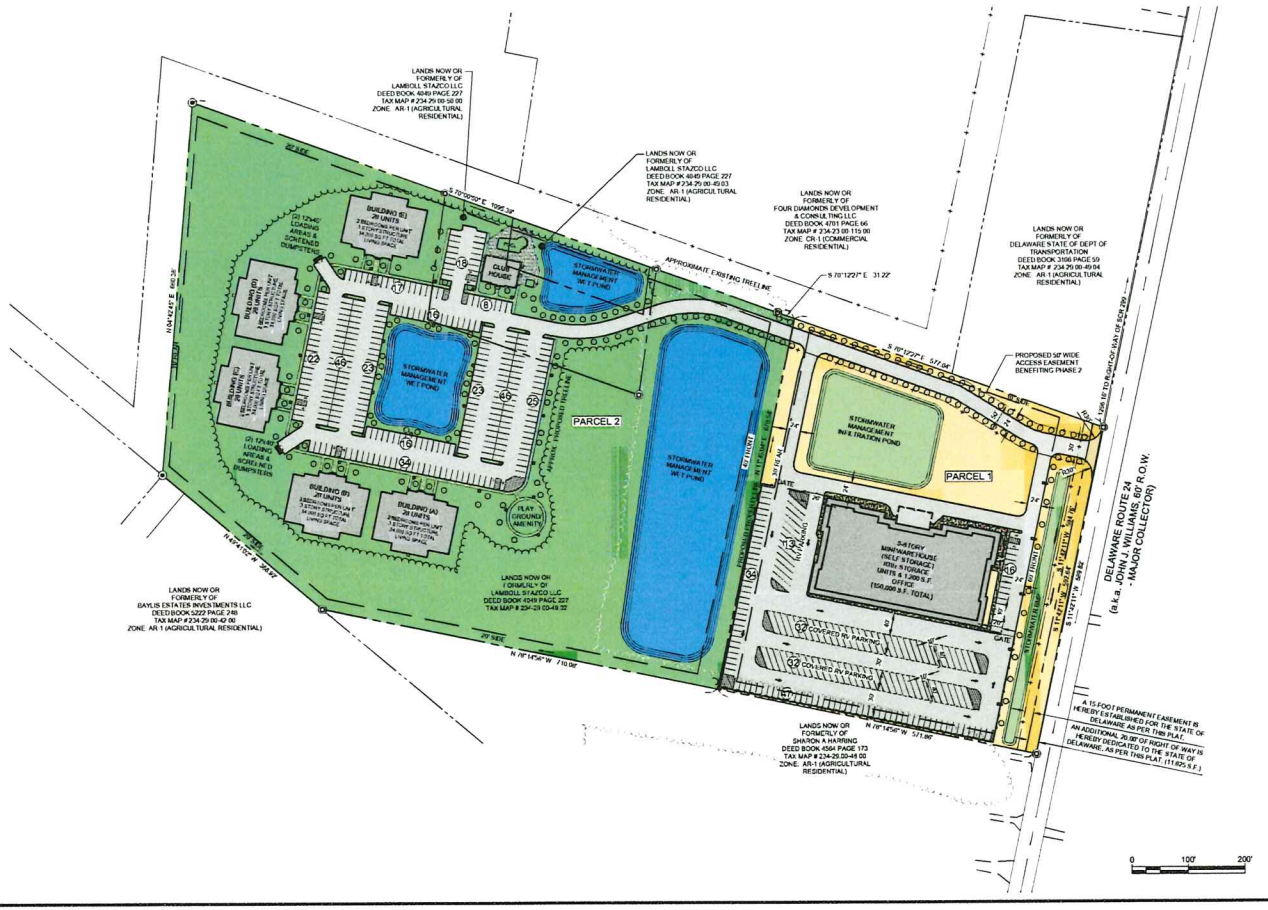
LOADING	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.63 AC) - TO BE RE-ZONED MR
- *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1



LOCATION MAP
SCALE: 1" = 2,000'



SCALED. ENGINEERING
Scaled Engineering Inc.
20245 Coastal Highway
Rehoboth Beach, DE 19971
Phone (302) 227-3008

CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

4.21.21 - REVISED PER CLIENT
6.16.21 - REVISED PER CLIENT
7.15.21 - REVISED PER CLIENT
7.21.21 - REVISED PER CLIENT

DATE	8.26.21
SCALE	1" = 100'
DRAWN BY	JRE
PROJECT NO	GRAU001

1

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APPENDIX B
FIGURES

CRITICAL HABITAT FOR THREATENED & ENDANGERED SPECIES

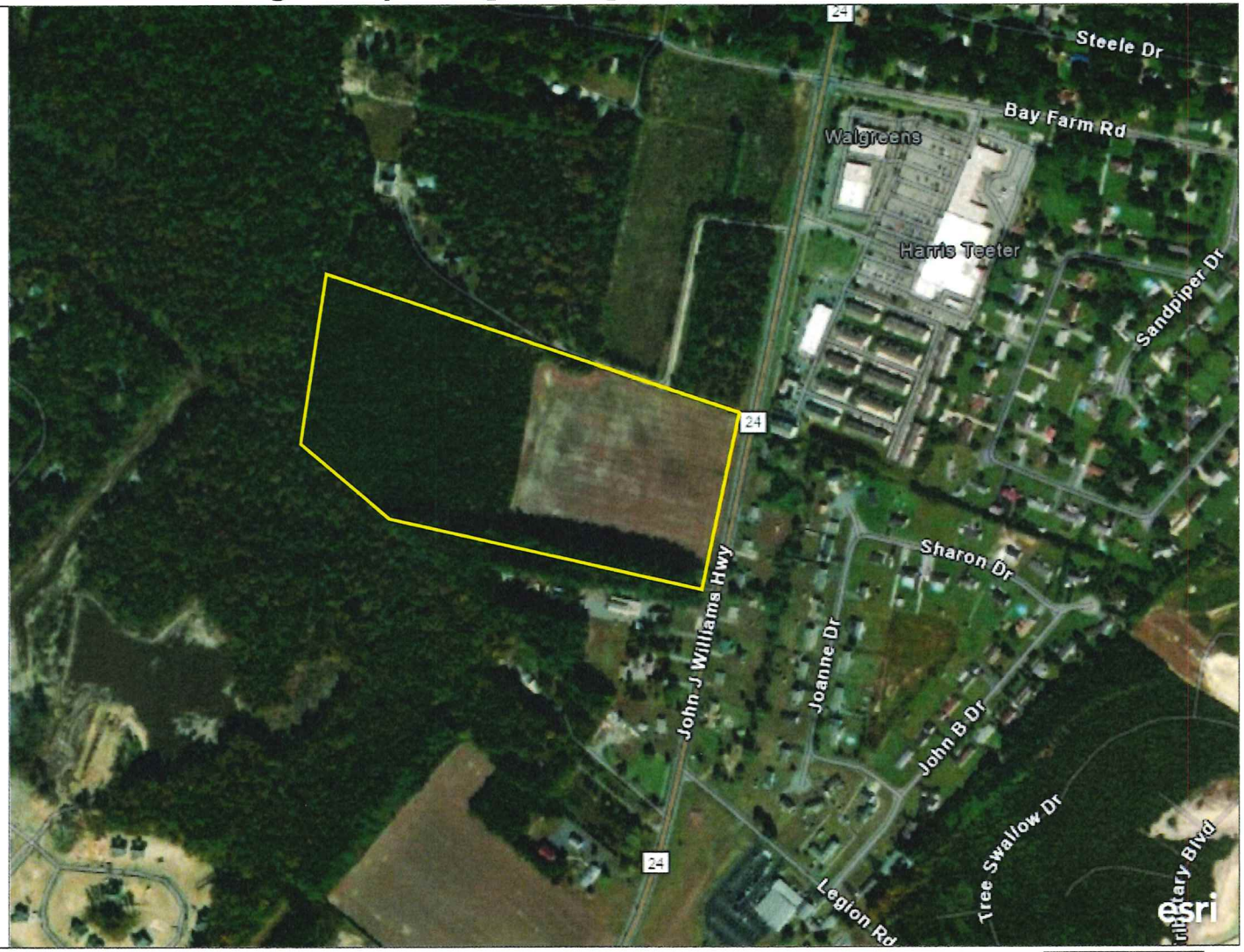
Critical Habitat for Threatened & Endangered Species [USFWS]

Final Linear Features

Final Polygon Features

Proposed Linear Features

Proposed Polygon Features



A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

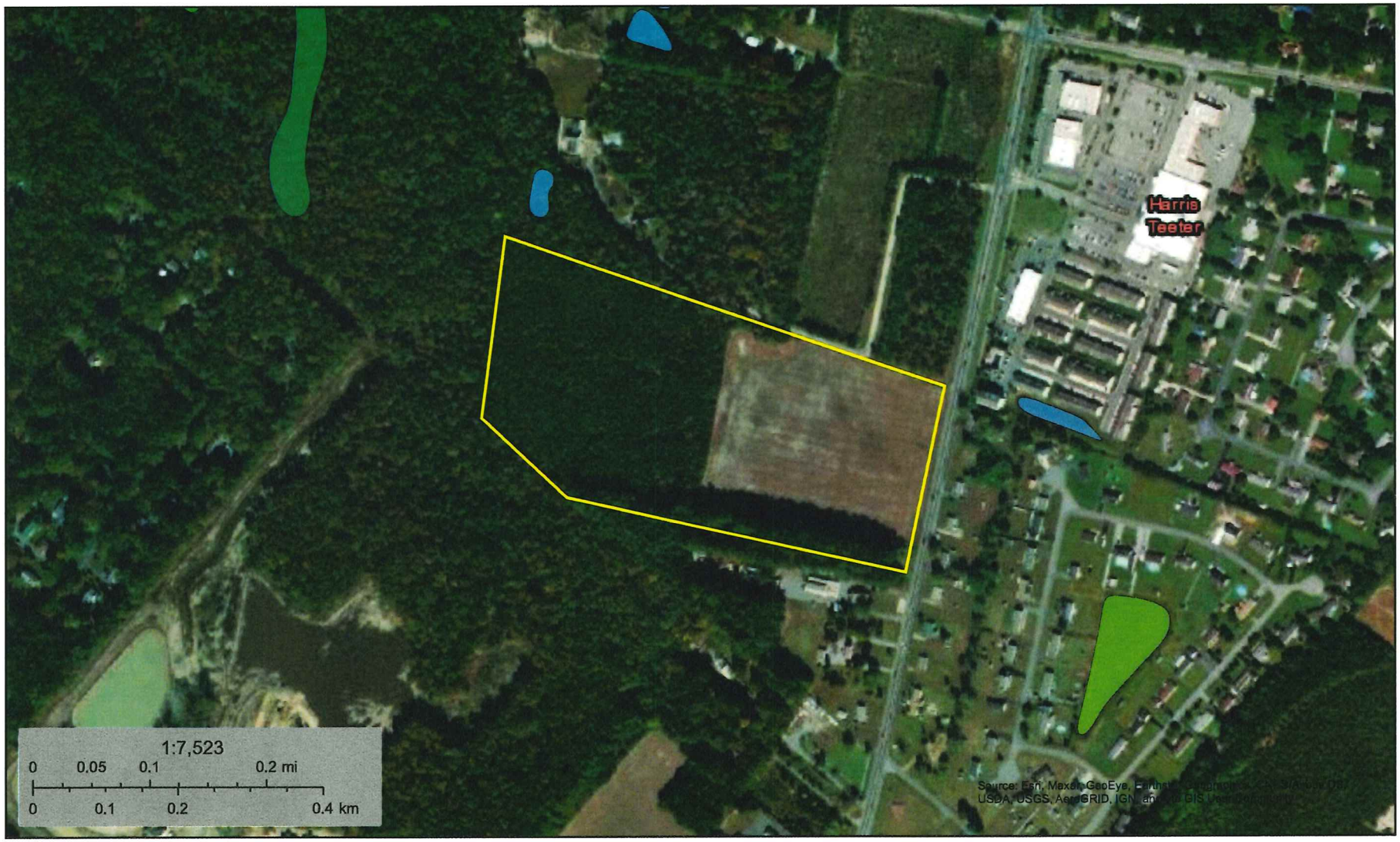
U.S. Fish and Wildlife Service | Maxar | Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VITA, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

WETLAND MAPPING

U.S. Fish and Wildlife Service

National Wetlands Inventory

WETLAND MAPPING



March 2, 2022

Wetlands

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

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

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

APPENDIX C

ASSESSMENT OF ENVIRONMENTAL CONDITIONS & NATURAL FEATURES REPORT

Assessment of Environmental Conditions & Natural Features

Tax Map Parcels 234-29.00-49.02, 49.03 & 50.00
Indian River Hundred, Sussex County, Delaware

March 3, 2022

Prepared for

American Storage of Delaware, LLC.
113 Dickinson Street, Suite 100
Dewey Beach, Delaware 19971

Prepared by

Edward M. Launay
Senior Professional Wetland Scientist No. 875
Environmental Resources, Inc.
P.O. Box 169
38173 DuPont Blvd.
Selbyville, Delaware 19975

ERI Project No. 1062#1224

Assessment of Environmental Conditions & Natural Features

Tax Map Parcels 234-29.00-49.02, 49.03 & 50.00
Indian River Hundred, Sussex County, Delaware

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6. U.S. Fish & Wildlife Service National Wetland Inventory Map
7. U.S. Fish & Wildlife Service Species List, March 3, 2022
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Introduction

Environmental Resources, Inc. (ERI) has performed a review of 29.90 acres of land located in Sussex County, Delaware on the western side of John J. Williams Highway (State Route 24) just south of Yeshua Lane. The site is located in the Indian River Hundred and it is composed of Tax Map Parcels 234-29.00-49.02, 49.03 and 50.00. The Sussex County Tax Map is included as Exhibit 1. A May 2021 Google Earth Photo is Exhibit 2. Exhibit 3 is a copy of a boundary survey reduced in size. This review was conducted on behalf of the property owner, American Storage of Delaware, LLC., who is seeking land use approval from Sussex County for a potential mixed use development involving residential housing and a commercial storage facility component. The proposed current plan is provided as Exhibit 4. A field reconnaissance of the property was performed on March 2, 2022. Prior to that reconnaissance, ERI reviewed a variety of published guidance document involving topics such as wetlands, soils and topography.

ERI found that in the case of the subject site, published guidance map information about environmental resources was relatively accurate. ERI did not encounter any wetlands, unique topographic conditions such as steep slopes, forest of exceptional resource value or any federally listed threatened or endangered species, or any critical habitats present on the property. The site is surrounded by existing residential and commercial development on three sides.

Site Location and Topography

The 29.90 acre site is somewhat rectangular in shape. It has 598.92 feet of frontage along the western side of John J. Williams Highway (State Route 24). It is roughly 660 feet deep. Two unimproved driveways lie just to the north and south of the site, Yeshua Lane and Seymore Acres Lane respectively. Both lanes access low density residential housing. The frontage of the property is occupied by an 11.5 acre agricultural field (See Photographs 1, 2 & 3). The remainder of the site, 14.4 acres is immature woodland.

The topography over the site is relatively flat. State Route 24 is somewhat higher than the adjacent agricultural fields. Elevations range throughout the site from 15 to 19 feet. However, most of the property lies between 16 and 19 feet. While being relatively flat, the property is generally concave with somewhat higher lands surrounding it off site. A low point exists just off site at the northeast corner of the property. Within the site itself, topographic information shows areas of ridges and shallow closed depression. Soil conditions are very sandy. Historic aerial photography indicates that some parts of the agricultural field portion of the site has rare occurrences of wetness at the surface in some years after major storm events.

Based on ERI's site reconnaissance there is no evidence of any surface ponding within the wooded portion of the site. Depth to seasonal high groundwaters appears to average about 42 inches below the soil surface as observed on March 2, 2022. Soil textures were found to be composed of permeable loamy sand soils. There are no ditches, streams or surface water conveyances within, abutting or in close proximity to the property boundaries.

Soil Characteristics & Groundwater

The USDA Soil Survey for Sussex County is included as Exhibit 5 of this report. The Soil Survey indicates four soil types within the site, all with 0 – 2 percent slopes. Downer loamy sand (DnA), Fort Mott loamy sand (FmA), Ingleside loamy sand (IeA) soils total 78.9 percent of the site. They are well drained soils found on uplands.

Klej loamy sand (KsA) occupies 21.1 percent of the site. This somewhat poorly drained soil is mapped in the northwest quadrant of the site as shown by Exhibit 5. The occurrence of this soil type within the northwest quadrant of the site is consistent with conditions observed during ERI's site reconnaissance. Land of slightly lower elevation lie within this area and within some shallow topographically depressed areas in the center of the site. A soil boring near the northeast corner of the of the site where klej sandy loam is mapped is described as follows:

Inches	Description
0 – 2	10 YR 3/1 very dark grey loamy sand
2 - 14	10 YR 5/3 brown loamy sand
14 - 25	10 YR 5/4 yellowish brown loamy sand
25 – 38+	10 YR 5/2 greyish brown loamy sand
Groundwater Depth 36" 3/2/2022	

The extent of Klej loamy sand soils on this site is likely larger than mapped by the USDA Soil Survey.

Fort Mott loamy sand is mapped over much of the southerly half of the site (60.5% of total site). A soil boring was excavated near the center of the site just inside of the woods line (See Photograph 4) within the Fort Mott unit is described as follows:

Inches	Description
0 – 2	10 YR 3/2 very dark greyish brown loamy sand
2 - 13	10 YR 4/3 brown loamy sand
13 – 30	10 YR 4/4 dark yellowish brown loamy sand
30 - 52+	10 YR 5/6 yellowish brown loamy sand
Boring was dry at 52 inches 3/2/2022	

Within the center of the wooded portion of the site, a third boring was excavated in an area mapped as Fort Mott soils by the Soil Survey. It was very similar to the previously described soil, however, below 40 inches soil chromas had a chroma of 2.5 Y. They were variegated in color between 2.5 Y 6/3 light yellowish brown and 2.5 Y 5/6 light olive brown loamy sand. Depth to groundwater was 42 inches on 3/2/2022. It is likely the inclusions of other well drained soils in the Hammonton and Woodstown and Klej Series occur within the Fort Mott mapping unit shown on the USDA Soil Survey.

No hydric soils or soils indicative of wetlands were identified on this property. Soils on this property are somewhat poorly drained to well drained in character with few development limitations. Soil conditions are permeable loamy sands to sand.

Forested Land – The forest on this property is monotypic in both age and structure. Based upon review of aerial photography, the wooded portion of the site was clear cut in approximately 2004. The current forest is about 17 years old. Dominant species include loblolly pine, sweet gum and red maple. The understory ranges from open in higher parts (See Photograph 4) of the site and denser in more lowlying areas (See Photograph 5). In these low lying areas or within shallow topographic depression red maple is more prevalent along with species such as high bush blueberry, American holly and green briar. The plant community generally appears more wet tolerant than soil conditions would indicate in these areas.

Exhibit 6 of this report is the U.S. Fish and Wildlife Service, National Wetlands Inventory Map (NWI Map). The NWI Map classifies this entire site as uplands.

A palustrine forest wetland associated with a drainage way is mapped 0.15 miles northwest of the site. An isolated water filled depression is mapped approximately 0.03 miles north, northwest of the site. No indication of special habitat types was observed on the property.

Federally Listed Threatened or Endangered Species – No evidence of any federally listed threatened or endangered species under the Endangered Species Act was observed on the site during ERI's reconnaissance.

ERI also consulted with the U.S. Fish and Wildlife Service on this topic. The Service has no record of any federally listed species on this site. The Service's determination letter dated March 3, 2022, is included as Exhibit 7 of this report. The Service's letter does identify a candidate species for listing, Monarch Butterfly (*Dahaus plexippus*) where suitable conditions exist.

This species of butterfly has a life cycle dependent upon milkweed species growing in open fields. The open lands of this property are active agricultural lands. Suitable habitat is not present.

Conclusion

The 25.90 acre site consists of 11.5 acres of agricultural field and 14.4 acres of a relatively immature stand of trees dominated by loblolly pine, sweet gum and red maple. The wooded portion of the site was clear cut in 2004. No specimen trees or habitats of special concern exist. No federally listed threatened or endangered species exist on the property.

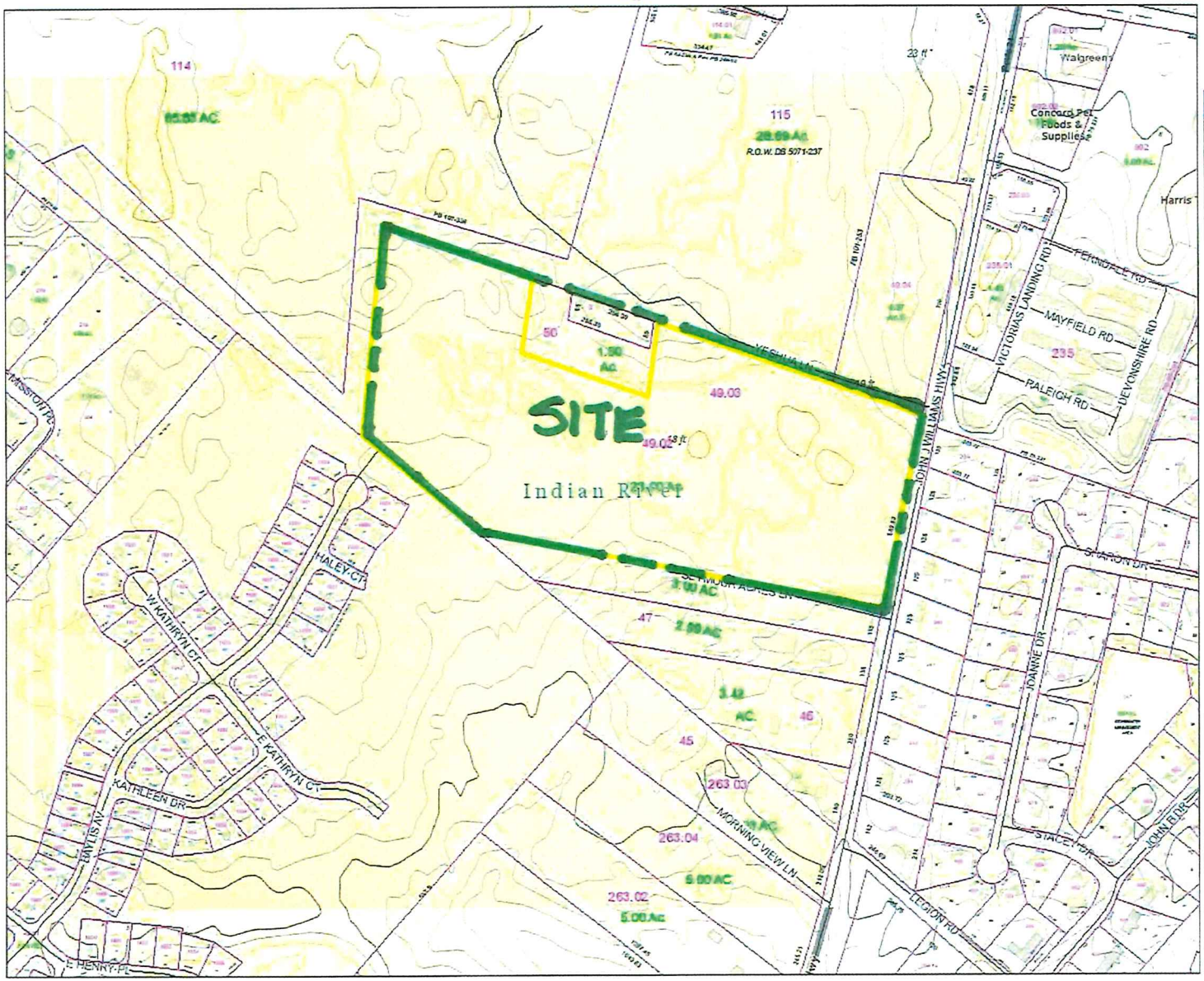
The site is relatively flat but somewhat concave with respect to surrounding topography. There are no wetlands, streams or drainage conveyances on or nearby the site.
Soils on the site are primarily loamy sands with few development limitations. The soils are mostly well drained in character. Only an estimated 20 to 35 percent of the site is occupied by soils somewhat poorly drained in character. Soil textures are permeable loamy sand to sand. Seasonal high water conditions observed on March 2, 2022 ranged from 36 inches below the surface to dry at 52 inches or greater.
The subject site is surrounded by existing commercial and residential development on three sides. To the rear or west of the site an area of relatively mature upland forests exists offsite.

Exhibit 1

Sussex County Tax Map

EXHIBIT 1

Sussex County



PIN	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
Hundred Boundaries
County Boundaries
Sussex_Co
Depression Index
Depression Intermediate
Normal Index
Normal Intermediate
<all other values>

1:4,514

0 0.05 0.1 0.2 mi
0 0.075 0.15 0.3 km

March 3, 2022

Exhibit 2

Google Earth Photo, May 2021

American Storage
EXHIBIT 2
Legend
Yeshua Ln
Yeshua Ln
Plaza Mexico
5
SITE
Seymour Acres Ln
Google Earth
Image © 2021 Maxar Technologies
N
700 ft

Exhibit 3

Boundary Survey
Scaled Engineering (reduced)

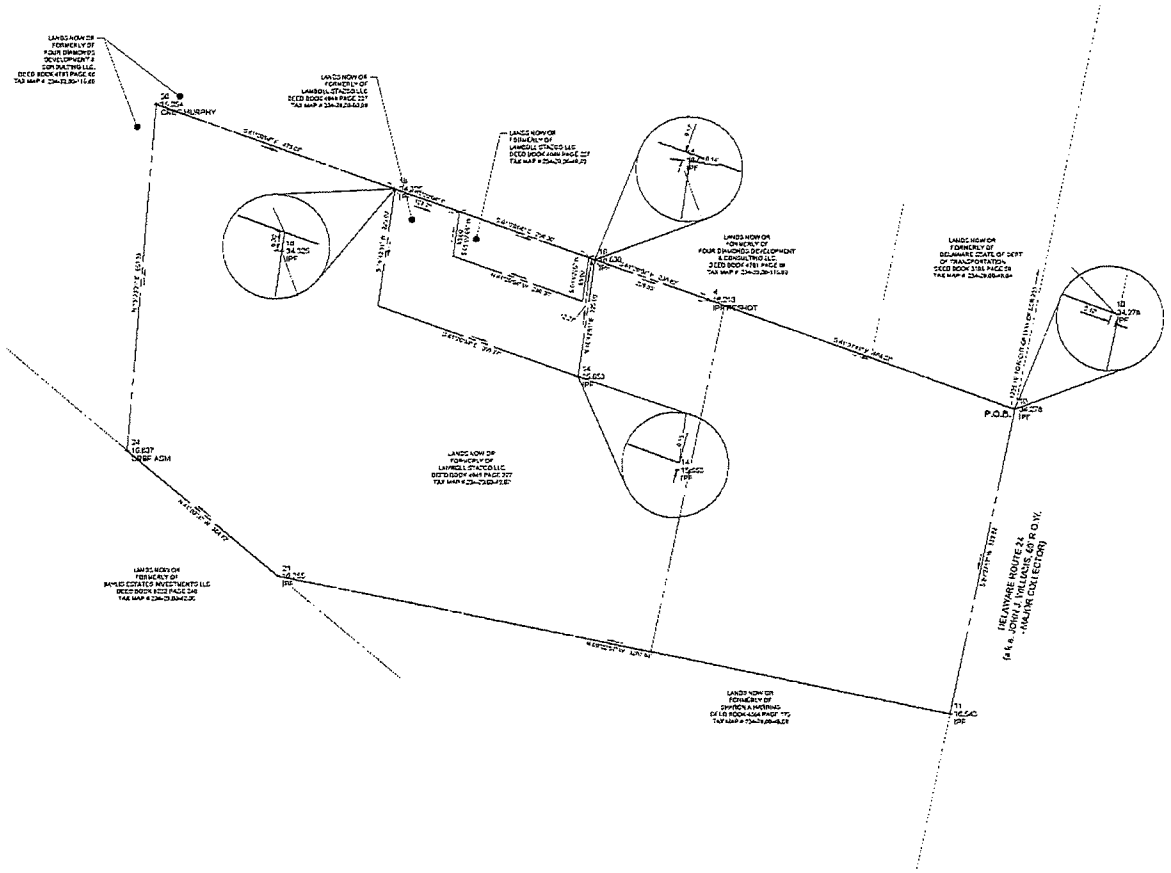

N/F
LANDS NOW OR
FORMERLY OF
LAMBOLL STAZCO LLC
DEED BOOK 4941 PAGE 227
TAX MAP # 234-29.00-49.03
LANDS NOW OR
FORMERLY OF
FOUR DIAMONDS DEVELOPMENT
& CONSULTING LLC
DEED BOOK 4781 PAGE 68
TAX MAP # 234-29.00-49.02
LANDS NOW OR
FORMERLY OF
DELAWARE STATE OF DEPT
OF TRANSPORTATION
DEED BOOK 3185 PAGE 79
TAX MAP # 234-29.00-49.04
LANDS NOW OR
FORMERLY OF
BAYLES ESTATES INVESTMENTS LLC
DEED BOOK 5222 PAGE 248
TAX MAP # 234-29.00-49.05
LANDS NOW OR
FORMERLY OF
SHARON A HERRING
DEED BOOK 4364 PAGE 177
TAX MAP # 234-29.00-49.01
DELAWARE ROUTE 24
(aka. JOHN J WILLIAMS HWY.)
(MAJOR COLLECTOR)
P.O.B.
N/F
N/F
N/F

Exhibit 4

Concept Plan
Scaled Engineering (reduced)

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKINSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 159,003 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MEARGE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,600 SQ FT
6. BUILDING SETBACKS:

   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	50' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

* THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT

   MR - MEDIUM RESIDENTIAL

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS: EXISTING: 25.60 AC

PROPOSED:	PARCEL 1	8.27 AC*
	PARCEL 2	17.33 AC
	TOTAL	25.60 AC

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

8. NET DEVELOPMENT AREA: 25.60 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0479K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA: PRE-DEVELOPMENT = 14.29 AC
    POST-DEVELOPMENT = 3.53 AC
    REMAINING = 4.77 AC
14. PROXIMITY TO DELDOT TID AREA: 03.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-164A & 194.5)

REQUIRED PARKING:	
STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'X40' COVERED RV SPACES	77 SPACES PROVIDED
10'X20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS)	280 SPACES REQUIRED
HANDICAP PARKING (100-200 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
280 SPACES + 12 VAN HC SPACES	= 292 SPACES PROVIDED

TOTAL PARKING PROVIDED:	466 PARKING SPACES
	+ 14 HANDICAP SPACES
	480 TOTAL PARKING SPACES

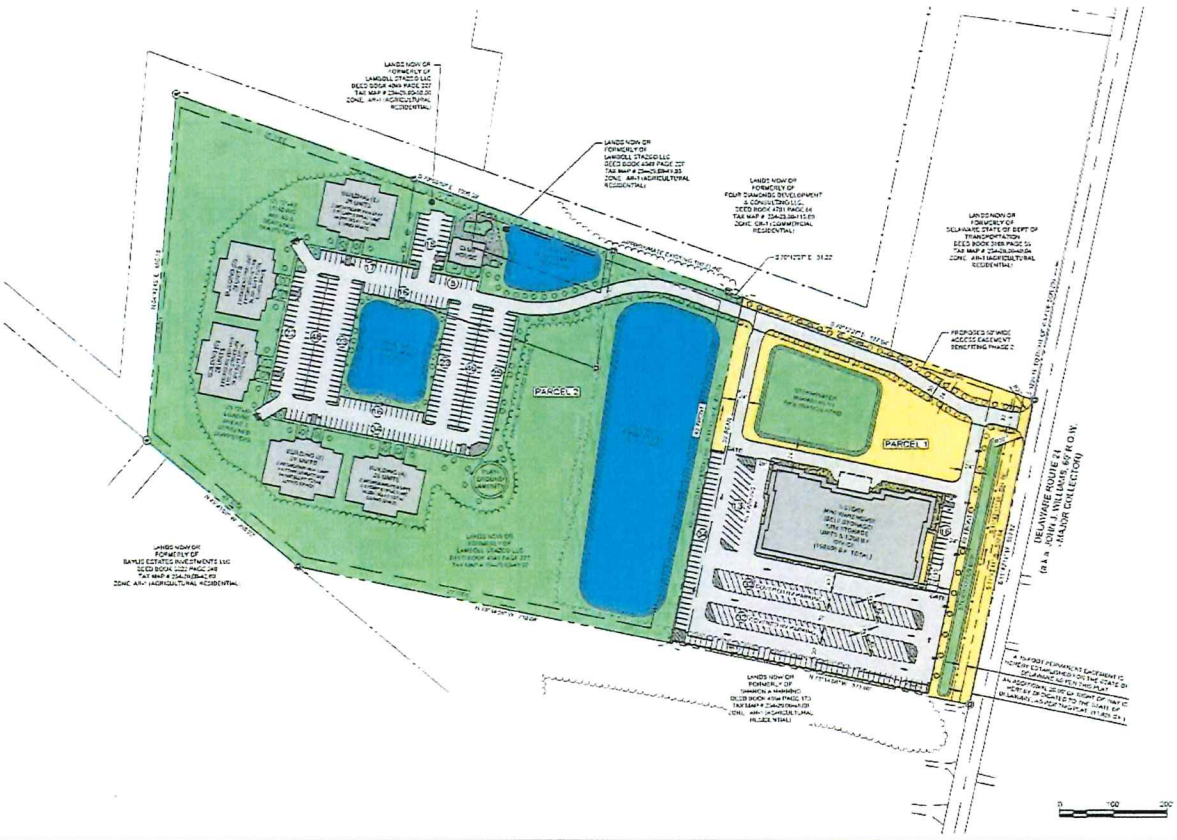
OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

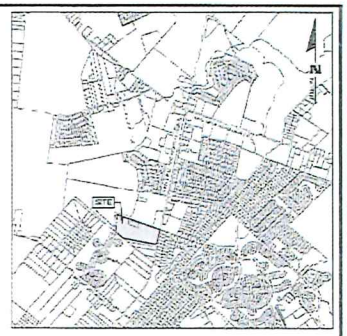
LOADING:	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS:	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.60 AC) - TO BE REZONED MR

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1





LOCATION MAP
SCALE: 1" = 2,000'

N NORTH DE ST PL

SCALED. ENGINEERING
CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE
TAX MAP # 234-29.00-49.02, 49.03 & 50.00
INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

DATE:	9/24/21
SCALE:	1" = 100'
DRAWN BY:	JAC
PROJECT NO:	0FALL001

1

EXHIBIT 4

Exhibit 5

USDA Soil Survey of Sussex County

Soil Map—Sussex County, Delaware
(USDA Soil Survey)

Map Scale: 1:3,050 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 45 90 180 270

Feet
0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

EXHIBIT 5

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 22, Aug 26, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 1, 2020—Oct 1, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DnA	Downer loamy sand, 0 to 2 percent slopes	0.5	1.8%
FmA	Fort Mott loamy sand, 0 to 2 percent slopes	15.9	60.5%
IeA	Ingleside loamy sand, 0 to 2 percent slopes	4.3	16.5%
KsA	Klej loamy sand, 0 to 2 percent slopes	5.6	21.1%
Totals for Area of Interest		**26.3**	**100.0%**

Exhibit 6

U.S. Fish & Wildlife Service
National Wetland Inventory Map

U.S. Fish and Wildlife Service

National Wetlands Inventory

American Storage of Delaware LLC

March 4, 2022

Wetlands

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

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

EXHIBIT 6

Exhibit 7

U.S. Fish & Wildlife Service
Species List
March 3, 2022

EXHIBIT 7

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127
http://www.fws.gov/chesapeakebay/
http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html

In Reply Refer To:
Project Code: 2022-0015439
Project Name: American Storage of Delaware LLC

March 03, 2022

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

To Whom It May Concern:

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

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

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

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

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

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

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of

this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

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

Official Species List

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

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

Project Summary

Project Code: 2022-0015439
Event Code: None
Project Name: American Storage of Delaware LLC
Project Type: Mixed-Use Construction
Project Description: Proposed development of a mixed use commercial storage facility and residential Hosing project on uplands.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.623283,-75.20047726008434,14z

Counties: Sussex County, Delaware

Endangered Species Act Species

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

---

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

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus*	Candidate

No critical habitat has been designated for this species.

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

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

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

Critical habitats

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

USFWS National Wildlife Refuge Lands And Fish Hatcheries

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

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

Wetlands

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

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

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

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

IPaC User Contact Information

Agency: Environmental Resources Inc.
Name: Edward Launay
Address: PO Box 169
City: Selbyville
State: DE
Zip: 19975
Email elaunay@ericonsultants.com
Phone: 3024369637

Exhibit 8

Photographs

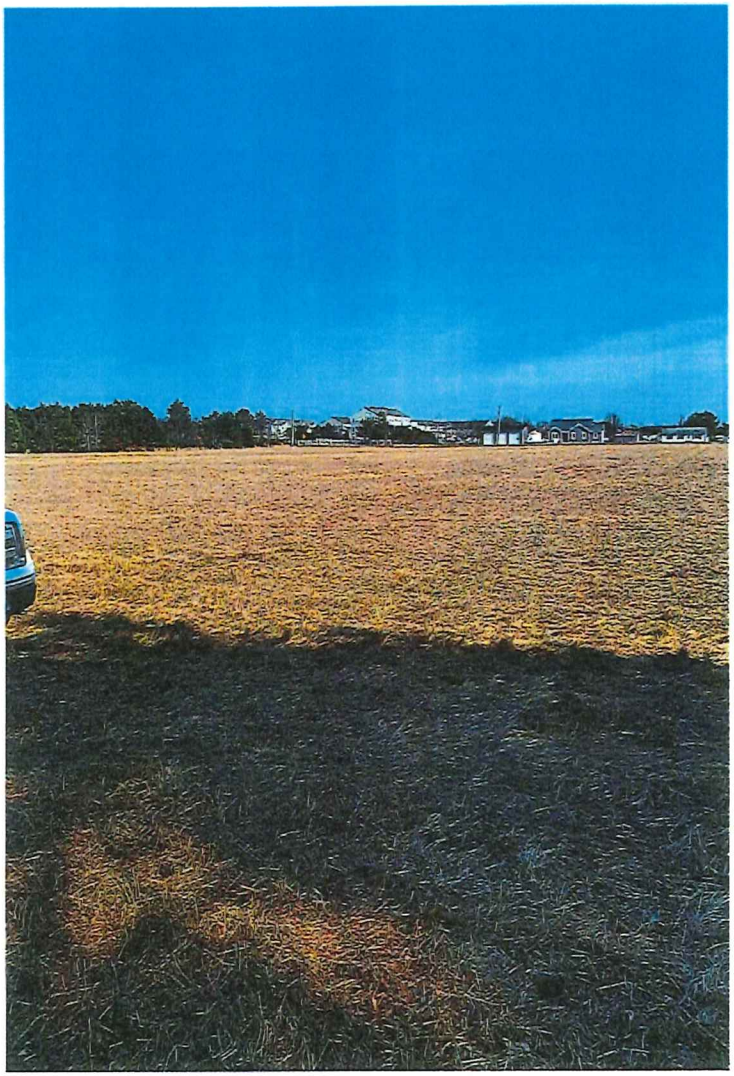


Photo 1 View east across agricultural field toward S.R. 24 3/2/2022

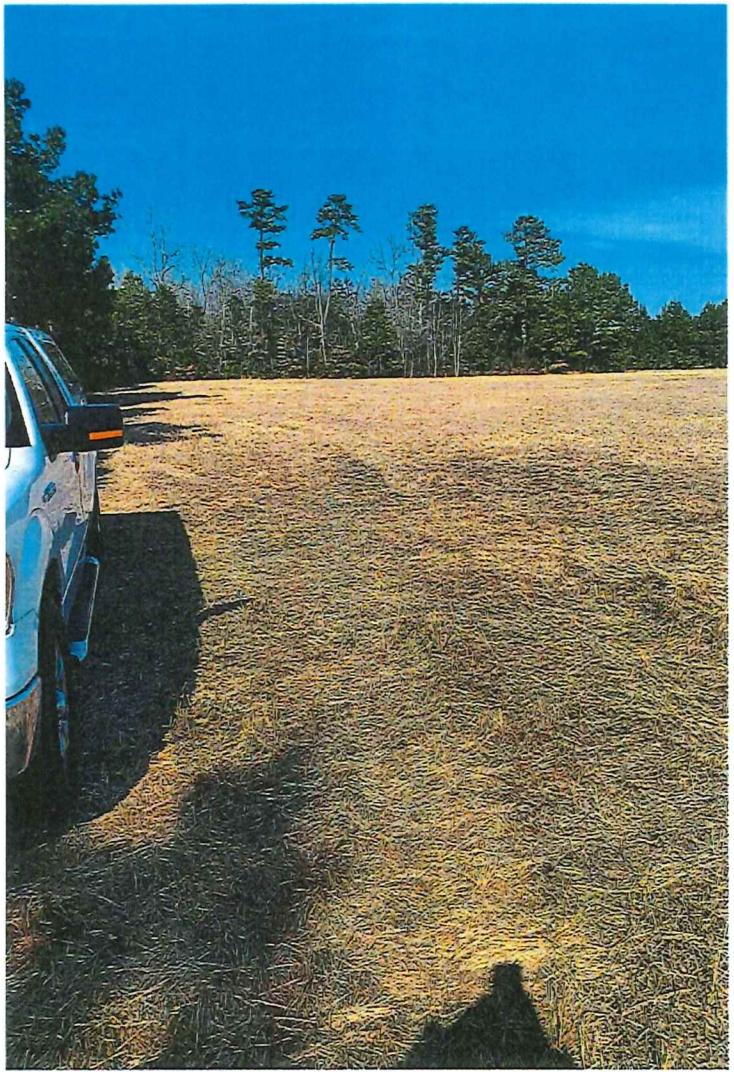


Photo 2 View north along field and woods edge

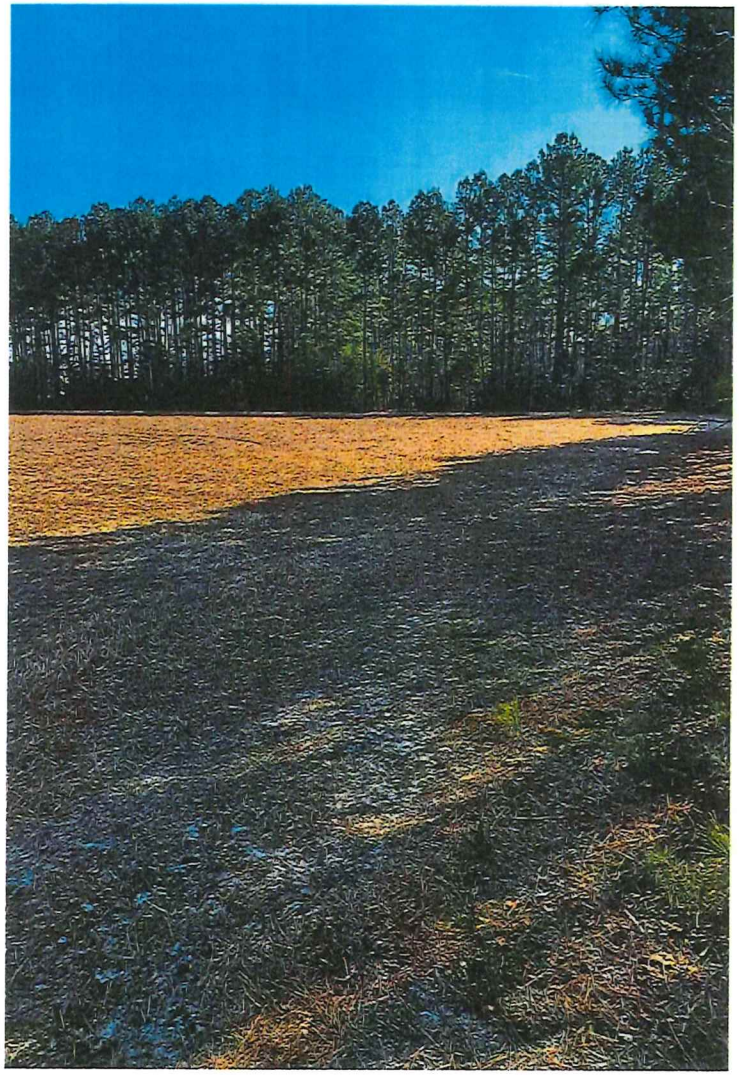


Photo 3 View south along field and woods edge

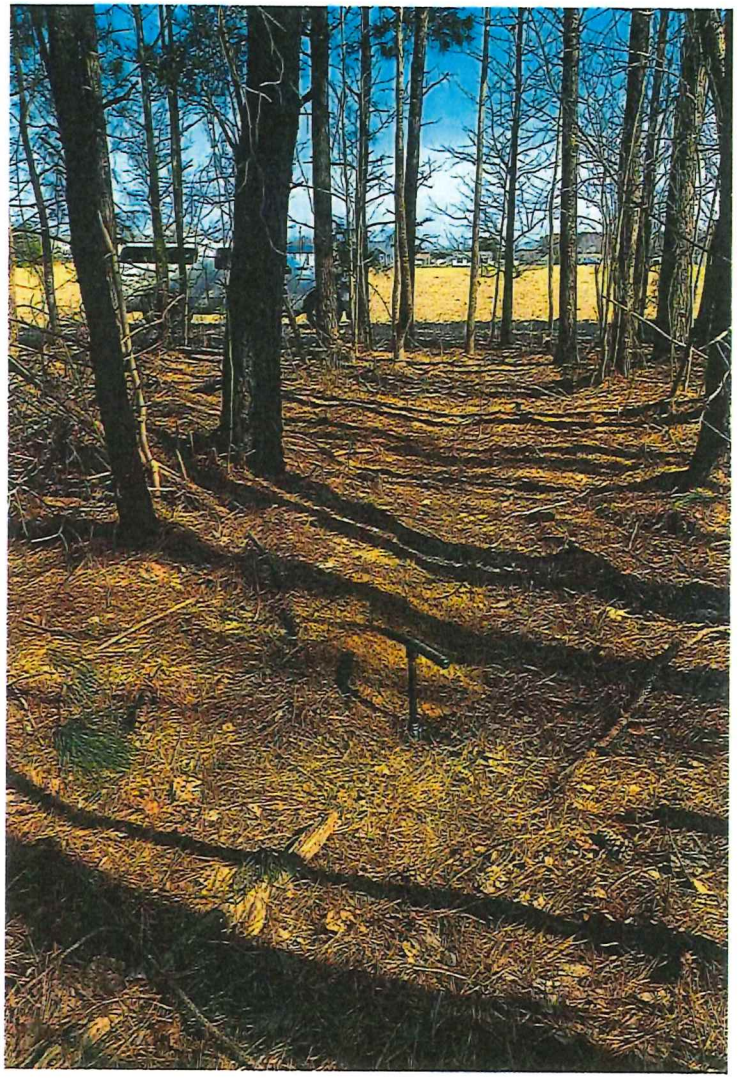


Photo 4 Open immature loblolly pine forest at boring location near woods edge (higher elevation)

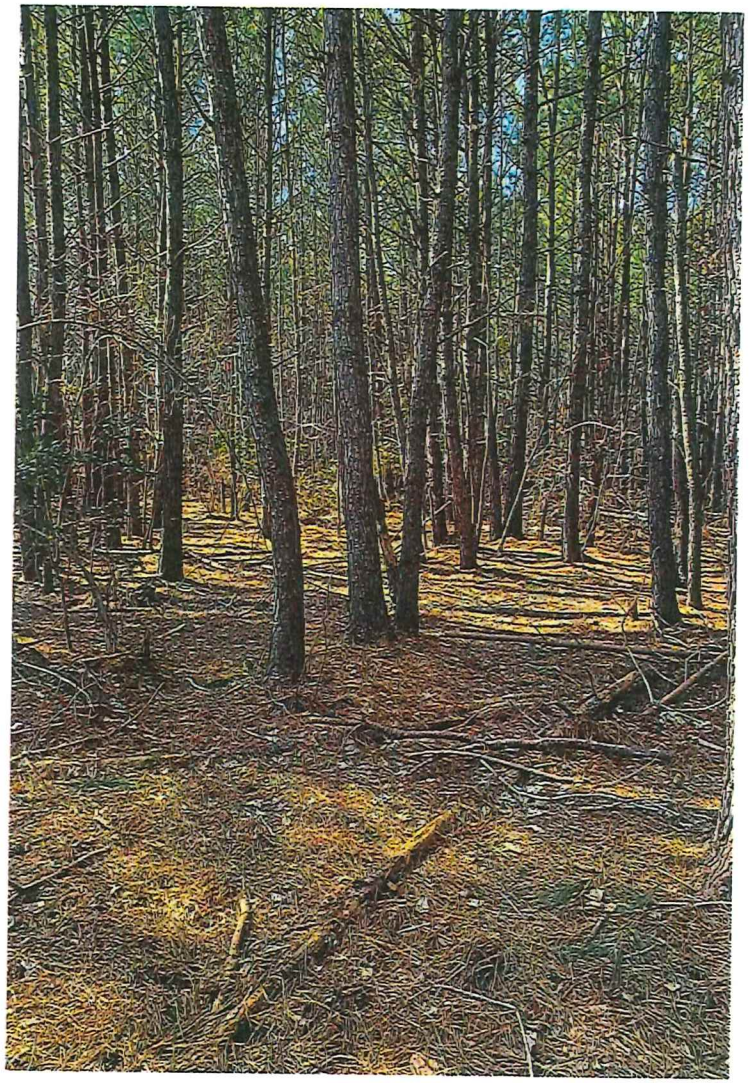


Photo 5 View of denser interior forest within topographic depression. Red maple, Sweet Gum & high bush blueberry co dominat species

EXHIBIT G

TIDEWATER
UTILITIES, INC.
A Middlesex Water Company Affiliate

March 10, 2022

Sent via email

M. Josh Stallings
Scaled Engineering Inc.
20246 Coastal Highway
Rehoboth Beach, DE 19971

RE: Willing & Able Letter- Tax Parcel No 234-29.00-49.02, 49.03, 50.00

Dear Mr. Stallings:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, including fire protection, to the following parcel identified as Tax Map Parcel No. 234-29.00-49.02, 234-29.00-49.03, and 234-29.00-50.00. Water service is contingent on the terms and conditions of a Water Service Agreement by and between Tidewater and the Project Owner.

Please feel free to contact me at 302-747-1304 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

Kelly R. Bailey

Kelly R. Bailey
Manager of Contract Administration

SCALED. ENGINEERING

20246 Coastal Highway
Rehoboth Beach, DE 19971
Tel: 302 - 236 - 3600

PARTICULAR DESCRIPTION
PARCEL 1

TAX MAP PARCEL 234-29.00-49.02 (PART OF)

ALL THAT CERTAIN PIECE, parcel or tract of land lying and being situated in Indian River Hundred, Sussex County, and State of Delaware, lying on the westerly side of John J. Williams Highway – Delaware Route 24 (60 foot right-of-way), being Parcel 1 on a conceptual site plan titled, "American Storage of Delaware", prepared by Scaled Engineering Inc., dated August 26th, 2021, and being bounded on the south by lands now or formerly of Sharon A. Harring; on the west by Parcel 2 of said conceptual site plan; on the north by lands now or formerly of Four Diamonds Development & Consulting LLC and lands now or formerly of State of Delaware, Department of Transportation and being more particularly described as follows, to wit:

BEGINNING at a point near an iron pipe found on the westerly right-of-way of aforementioned John J. Williams Highway at a corner for lands herein described and aforementioned lands of State of Delaware; said point being located 1,296.16 feet from the southerly right of way of Autumn Road - Sussex County Road 299 as measured in a southwesterly direction along said right-of-way of John J. Williams Highway; thence continuing with the same **South 11 degrees 42 minutes 11 seconds West, 589.82 feet** to an iron pipe found at a corner for aforementioned lands of Harring; thence with the same **North 78 degrees 14 minutes 56 seconds West, 571.86 feet** to a point at a corner for aforementioned Parcel 2; thence with same **North 11 degrees 45 minutes 04 seconds East, 670.54 feet** to a point on the southerly line of aforementioned lands of Four Diamonds Development & Consulting LLC; thence with same and partially with said lands of State of Delaware **South 70 degrees 12 minutes 27 seconds East, 577.04 feet** to the point and place of beginning, containing 8.27 acres of land, being the same more or less.

Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - -The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2021-02-05

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 2/3

1. Project Title/Name: American Storage of Delaware
2. Location (please be specific): Delaware Route 24 (John J. Williams Highway), Millsboro, Delaware
3. Parcel Identification #: 234-29.00-49.02, 49.03 & 50.00
4. County or Local Jurisdiction Name: where project is located: Sussex County
5. If contiguous to a municipality, are you seeking annexation: Not applicable.
6. Owner's Name: American Storage of Delaware, LLC (Alex Pires)

   Address: 113 Dickinson Street

   City: Dewey Beach State: Delaware Zip: 19971

   Phone: (302) 462-5871 (202) 905-6706 Fax: Email: nate.gmconstruction@gmail.com farmerslawyer@aol.com

7. Equitable Owner/Developer **(This Person is required to attend the PLUS meeting)**: Same as owner

   Address:

   City: State: Zip:

   Phone: Fax: Email:

8. Project Designer/Engineer: Carlton Savage, Jr. | SCALED.Engineering

   Address: 20246 Coastal Highway

   City: Rehoboth Beach State: Delaware Zip: 19971

   Phone: (302) 236-3600 Fax: Email: carlton@scaledengineering.com

9. **Please Designate a Contact Person, including phone number, for this Project:** Nate Graulich | (302) 462-5871
   Alex Pires | (202) 905-6706

Information Regarding Site:

10. Type of Review: ☐ Rezoning, if not in compliance with certified comprehensive plan ■ Site Plan Review ☐ Subdivision

11. Brief Explanation of Project being reviewed: The Project proposes to (1) rezone the front half of the property to C-3 (Heavy Commercial) for a Business Park (Flex Space) of 12.63 acres with 36,000 sq. ft. of Flex Park and 103,600 sq. ft. of mini-storage and an office for the mini-storage; and (2) rezone the rear half of the property to MR (Medium Residential) with a conditional use for multifamily (midrise) housing (13 acres) consisting of 104 units.
If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications.

12. Area of Project (Acres +/-): 25.90 +/- acres
Number of Residential Units: 104
Commercial square footage: Business Park/Flex Space (36K Sq. Ft); Mini Storage (103,600 Sq. Ft.)

13. Present Zoning: AR-1 (Agricultural Residential)

14. Proposed Zoning: C-3 (Heavy Commercial); MR (Medium Density) with Conditional Use

15. Present Use: Agricultural/Wooded

16. Proposed Use: Business Park (Flex Park); Mini Storage and Multi-Family Housing

17. Water: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Tidewater

Will a new public well be located on the site? ☐ Yes ■ No

18. Wastewater: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Sussex County

Will a new community wastewater system be located on this site? ☐ Yes ■ No

19. If residential, describe style and market segment you plan to target (Example- Age restricted):
The residential units are targeted as market rate apartments intended for those who live and work in the Long Neck and surrounding area

20. Environmental impacts:

How many forested acres are presently on-site? 13.79 How many forested acres will be removed? 9.20

To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☐ Yes ■ No

Are the wetlands: ☐ Tidal Acres:
☐ Non-tidal Acres:

If "Yes", have the wetlands been delineated? ☐ Yes ☐ No

Has the Army Corps of Engineers signed off on the delineation? ☐ Yes ☐ No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☐ Yes ☐ No If "Yes", describe the impacts:

How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? +/- 200'

21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? ☐ Yes ■ No
per the DNREC NavMap

22. List the proposed method(s) of stormwater management for the site:
BMPs to likely include a combination of wet pond(s) and infiltration pond(s)

23. Is open space proposed? ■ Yes ☐ No If "Yes," how much? Acres: 11.45

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? active and passive recreation and stormwater management

24. Are you considering dedicating any land for community use (e.g., police, fire, school)? ☐ Yes ■ No

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: 1,170 ADT

What percentage of those trips will be trucks, excluding vans and pick-up trucks? < 5%

26. Will the project connect to state maintained roads? ■ Yes ☐ No De. Rt. 24 (John J. Williams Highway)

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections.

There are no existing developments on adjacent lands.

28. Are there existing sidewalks? ☐ Yes ☐ No; bike paths ☐ Yes ■ No
Are there proposed sidewalks? ☐ Yes ■ No; bike paths ☐ Yes ☐

Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☐ Yes ■ No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ■ No

Has this site been evaluated for historic and/or cultural resources? ☐ Yes ■ No

Would you be open to a site evaluation by the State Historic Preservation Office? ■ Yes ☐ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ■ Yes ☐ No
Person to contact to arrange visit: Carlton Savage, Jr. phone number: (302) 236-3600

Alex Pires | (202) 905-6706

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ■ No

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

Signature of property owner — Date 1/29/21

Signature of Person completing form (If different than property owner) — Date 1/29/2021

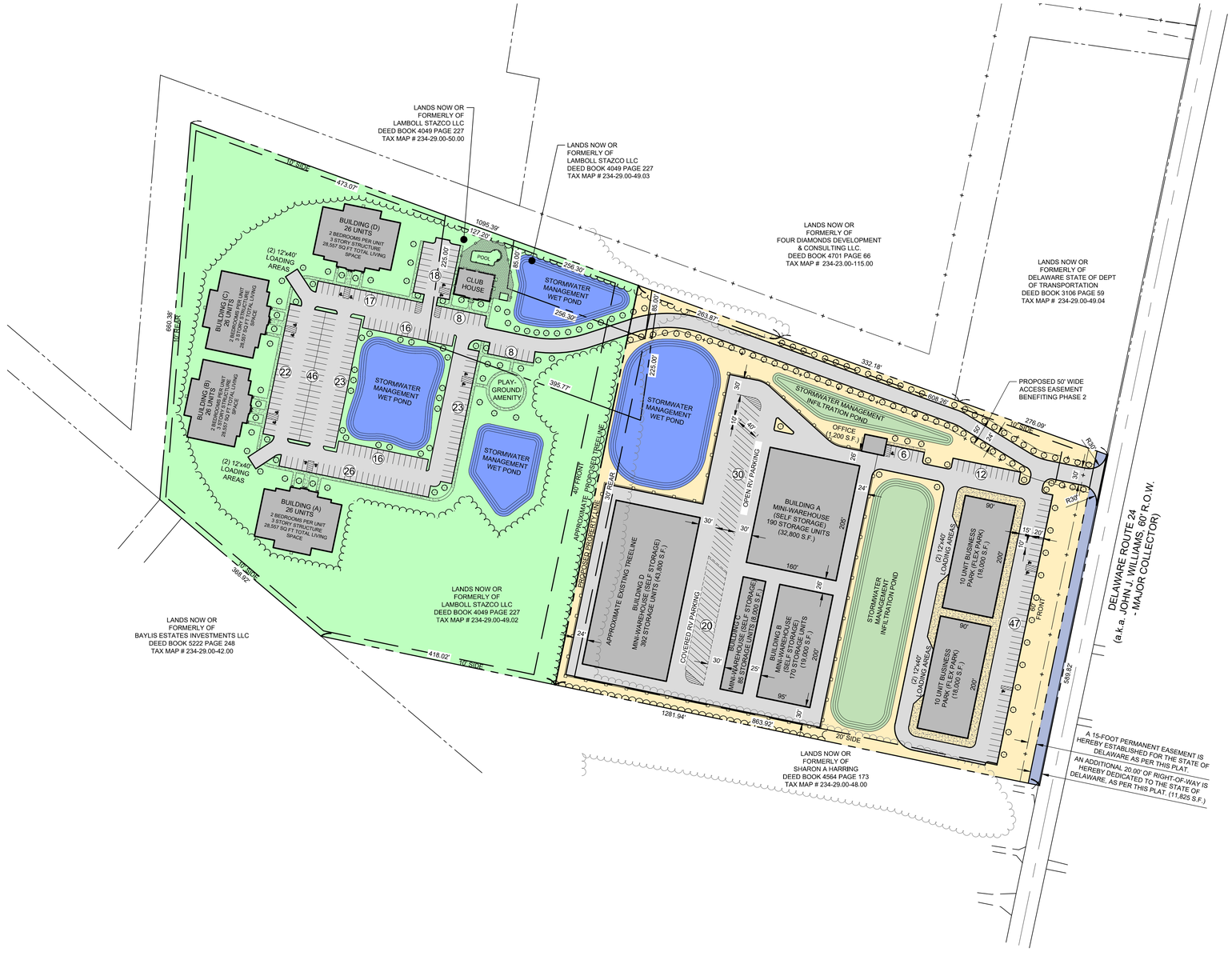
Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at plus@state.de.us **along with an electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.

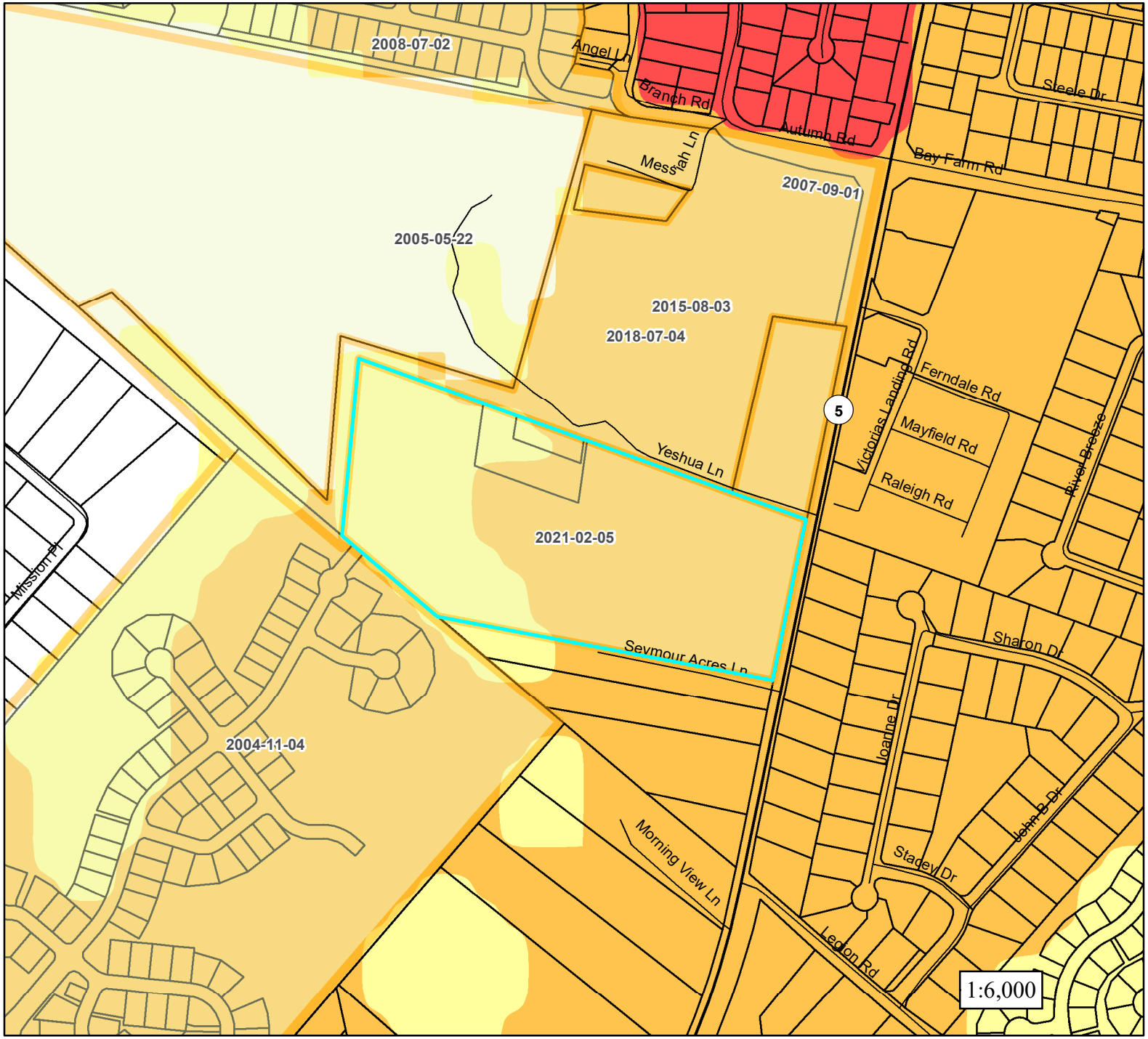
LEGEND:

- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- PROPOSED BUILDING
- PARCEL 1 - BUSINESS PARK (FLEX PARK) / MINI-WAREHOUSE (SELF STORAGE) (12.63 AC)
- PARCEL 2 - MULTI-FAMILY HOUSING (13.00 AC)
- DELDOT DEDICATION (0.27 AC)

NORTH
DE ST PL
NORTH


LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-50.00
LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-49.03
LANDS NOW OR FORMERLY OF FOUR DIAMONDS DEVELOPMENT & CONSULTING LLC. DEED BOOK 4701 PAGE 66 TAX MAP # 234-23.00-115.00
LANDS NOW OR FORMERLY OF DELAWARE STATE OF DEPT OF TRANSPORTATION DEED BOOK 3106 PAGE 59 TAX MAP # 234-29.00-49.04
LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-49.02
LANDS NOW OR FORMERLY OF BAYLIS ESTATES INVESTMENTS LLC DEED BOOK 5222 PAGE 248 TAX MAP # 234-29.00-42.00
LANDS NOW OR FORMERLY OF SHARON A HARRING DEED BOOK 4564 PAGE 173 TAX MAP # 234-29.00-48.00
DELAWARE ROUTE 24 (a.k.a. JOHN J. WILLIAMS, 60' R.O.W. - MAJOR COLLECTOR)
BUILDING (D) 26 UNITS
2 BEDROOMS PER UNIT
3 STORY STRUCTURE
28,557 SQ FT TOTAL LIVING SPACE
BUILDING (C) 26 UNITS
BUILDING (B) 26 UNITS
BUILDING (A) 26 UNITS
(2) 12'x40' LOADING AREAS
CLUB HOUSE
POOL
PLAY-GROUND/ AMENITY
STORMWATER MANAGEMENT WET POND
STORMWATER MANAGEMENT INFILTRATION POND
OFFICE (1,200 S.F.)
BUILDING A MINI-WAREHOUSE (SELF STORAGE) 190 STORAGE UNITS (32,800 S.F.)
BUILDING D MINI-WAREHOUSE (SELF STORAGE) 302 STORAGE UNITS (54,800 S.F.)
BUILDING C MINI-WAREHOUSE (SELF STORAGE) 85 STORAGE UNITS (8,000 S.F.)
BUILDING B MINI-WAREHOUSE (SELF STORAGE) 170 STORAGE UNITS (19,000 S.F.)
COVERED RV PARKING
OPEN RV PARKING
(2) 12'x40' LOADING AREAS
10 UNIT BUSINESS PARK (FLEX PARK) (18,000 S.F.)
PROPOSED 50' WIDE ACCESS EASEMENT BENEFITTING PHASE 2
APPROXIMATE EXISTING TREELINE
APPROXIMATE PROPOSED TREELINE
APPROXIMATE PROPERTY LINE
10' SIDE
30' REAR
40' FRONT
20' SIDE
60' FRONT
R30'
R25'
10' SIDE
10' SIDE
10' SIDE

Preliminary Land Use Service (PLUS)



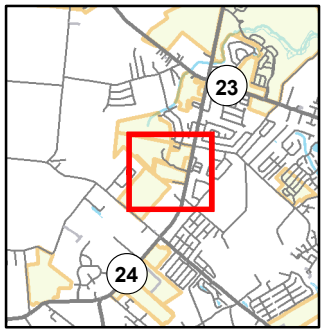
American Storage
2021-02-05

Legend

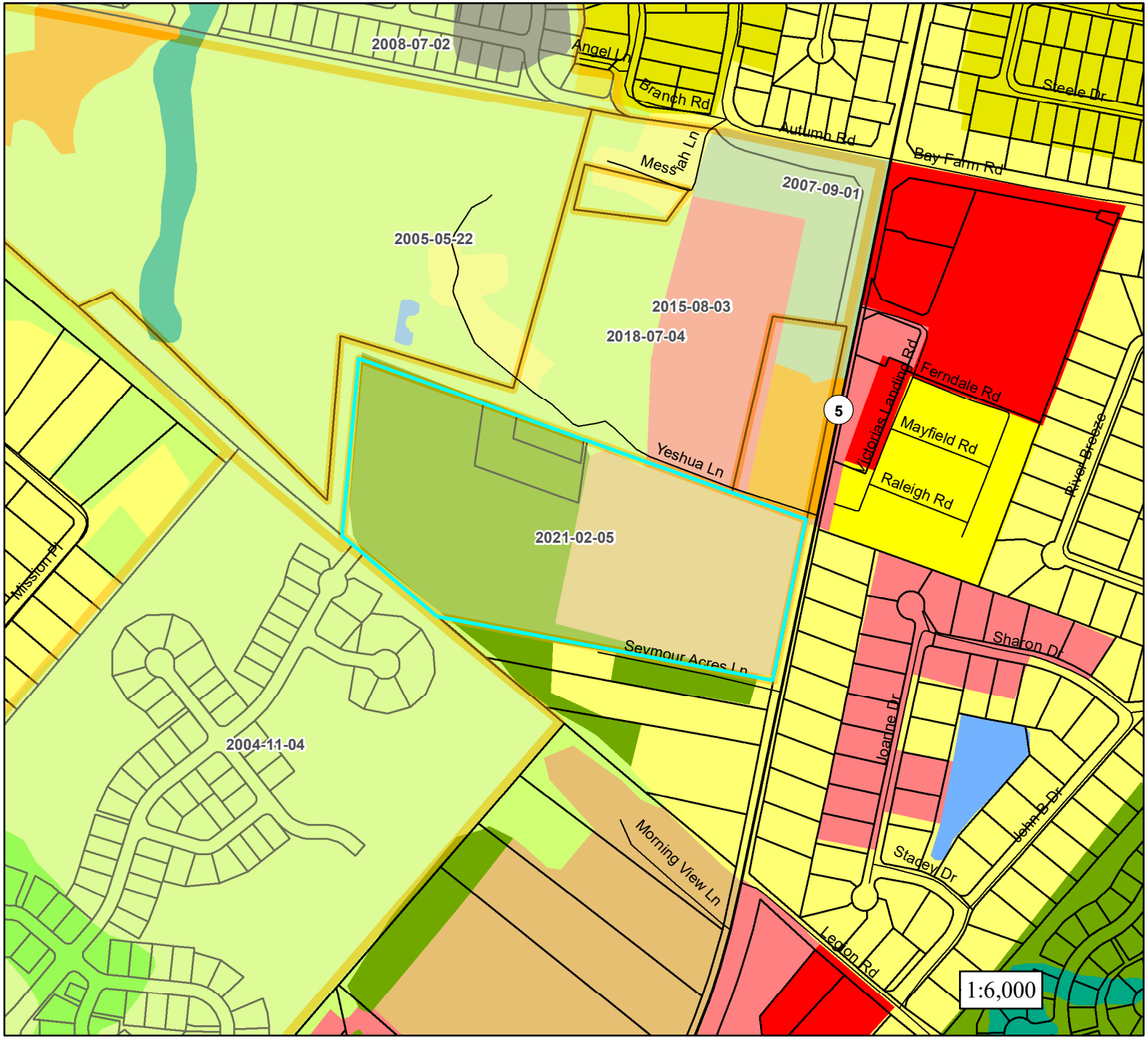
PLUS Project Areas
type
- Comp Plans
- All Other PLUS Reviews

2020 State Strategies
Strategy Level
- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play

Location Map



Preliminary Land Use Service (PLUS)



American Storage
2021-02-05

Legend

2012 Land Use

LULC Category

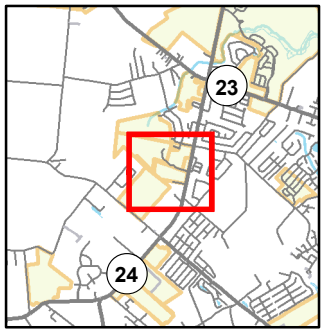
- 110
- Single Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Transportation/Communication/Utilities
- Mixed Urban/Built-up
- Institutional/Governmental
- Recreational
- Farms, Pasture, Cropland
- Confined Animal Feeding Operations/Feedlots/Holding
- Rangeland
- Orchards/Nurseries/Horticulture
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Brush Rangeland
- Clear-cut
- Man-made Reservoirs and Impoundments
- Marinas/Port Facilities/Docks
- Open Water
- Emergent Wetlands - Tidal and Non-tidal
- Forested Wetlands - Tidal and Non-tidal
- Scrub/Shrub Wetlands - Tidal and Non-tidal
- Sandy Areas and Shoreline
- Extraction and Transitional

PLUS Project Areas

type

- Comp Plans
- All Other PLUS Reviews

Location Map



Preliminary Land Use Service (PLUS)

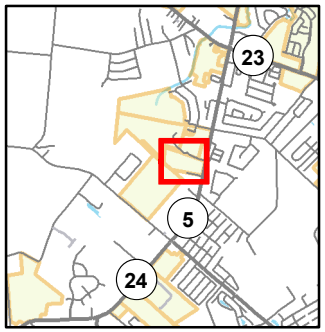
American Storage
2021-02-05

Legend

PLUS Project Areas type

- Comp Plans
- All Other PLUS Reviews

Location Map



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

March 23, 2021

Nate Graulich
Graulich Builders
34697 Jiffy Way, Suite 2
Lewes, DE 19958

RE: PLUS review 2021-02-05; American Storage of Delaware

Dear Mr. Graulich:

Thank you for meeting with State agency planners on February 24, 2021 to discuss the proposed plans for the American Storage of Delaware project. According to the information received you are seeking review of a proposed rezoning of 25.9 acres from AR-1 to C-3 and MR and a site plan for 104 residential units and 139,600 square feet of mini storage and business park in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as the County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. 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 other priorities for the near future.

Our office has no objections to the proposed rezoning and development of this project provided it is in compliance with Sussex County Comprehensive plan and all applicable codes and ordinances.

We do ask that you work to preserve the environmental features on the site if the plan moves forward.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on John J. Williams Highway (Delaware Route 24) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- 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 1,170 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, as shown in the table below, DelDOT calculates 1,171 vehicle trip ends per day for this number and estimates the weekday morning and evening peak hour trip ends at 60 and 79, respectively. Therefore, a TIS would normally be required.

	Land Use Code	Floor Area (sf) / Dwellings	Average Daily Traffic	AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
Business Park	770	36,000	448	8	6	7	8
Mini-Warehouse	151	104,800	158	6	4	8	10
Multifamily Housing (Mid-Rise)	221	104	565	9	27	28	18
Total			1,171	23	37	43	36

- Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 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, $11,710. AWS Fees are used to fund traffic studies, not to build improvements.

- DelDOT anticipates requiring the developer to contribute to a DelDOT project presently scheduled for construction this summer, HSIP SR 24 at Mount Joy Road and SR 24 at Bay Farm Road Intersection Improvements, Contract No. T200711201. Information on the project is available at https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T200711201.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Route 24. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"

- 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. 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.**"

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Depiction of all existing entrances within 600 feet of the entrance on Route 24.

    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is mandatory. DelDOT anticipates requiring the developer to build an SUP along their frontage on Route 24.

- Section 3.5.4.3 of the Manual addresses requirements for walkways. A walkway is a path connecting the interior of a development to the frontage sidewalk or SUP. DelDOT anticipates requiring at least two walkways to connect the interior of the site to Route 24,

one along the driveway at the north edge of the property and one at the south end of the frontage, connecting to the parking lot of the business park.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Route 24.

- Section 5.2.4 of the Manual addresses requirements for Entrance Width, for commercial entrances, the minimum undivided width varies from 18 to 32 feet. The proposed 30-foot entrance will be examined during the plan review process. DelDOT may require the developer's engineer to provide turning templates.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. DelDOT anticipates requiring a right turn lane with a five-foot bicycle lane, and possibly a left turn lane into the site from Route 24. Coordination of the construction schedules of the DelDOT project and the proposed development should be discussed at the Pre-Submittal Meeting.

- 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.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Stormwater Management

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

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (https://apps.dnrec.state.de.us/eNOI/default.aspx) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- 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.

- Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Hydrologic Soils Group
While much of the site consists of Hydrologic Soils Group A soils (well drained), the northwest portion of the site lies within A/D soils (somewhat poorly drained). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921
  E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Water Quality (Pollution Control Strategies)
Pollution Control Strategies have been developed for the following watersheds in Delaware: Christina, Appoquinimink, Broadkill, Mispillion and Cedar Creek, Murderkill, Saint Jones, Inland Bays (Rehoboth Bay, Indian River Bay, and Little Assawoman Bay), Nanticoke, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- The western half of the site (forested portion) lies within the Rehoboth Bay Watershed & the eastern half of the site (unforested portion) lies within the Indian River Bay Watershed, both of which are included under Pollution Control Strategies. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

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

Nutrient Management Plan
This project proposes approximately 11 acres of open space, exceeding the threshold of 10 Acres for nutrient management.

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.
- Contact: Delaware Department of Agriculture's Nutrient Management Program at (302)
- 698-4558. Website: https://agriculture.delaware.gov/nutrient-management/

Wildlife Displacement
Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- There are no known National Register listed or eligible properties on the parcel.
- Prehistoric archaeological potential is moderate. Soils are mostly well-drained except for the northwest corner of the area. Guinea Creek appears on Beers map and some historic aerials as extending closer to the parcels, which may mean that it is within favorable distance to freshwater for prehistoric site probability. A survey conducted in part of the parcel showed very little remains under a thick plow zone except for two isolated prehistoric finds; could mean that there are other archaeological resources throughout the area.
- Historic archaeological potential is low. Beers Map doesn't show anything near that parcel. A road appears to have existed through the middle-ish until 1950s, and historic aerials show the western portion to be continuously wooded.
- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: www.achp.gov

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 (DSFPR):

Fire Protection Water Requirements:

- Where a water distribution system is proposed for Storage/Warehouse sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for apartment (multi-family living units) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- 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.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.
- All mini-storage buildings greater than 2500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance–rated barrier shall require an automatic sprinkler system be installed throughout.

> *Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:*
>
> *(1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,*
>
> *(2) the owner of the facility does not have unrestricted access to the storage units, and*
>
> *(3) the items being stored are concealed from view from outside the storage unit.*

- 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

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 accessible to fire apparatus.
- Any dead end 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.
- 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.

Gas Piping and System Information:

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

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

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The subject land adjoins both a recorded but as-yet-unbuilt stub street in the Baylis Estates subdivision, which fronts on Mount Joy Road (Sussex Road 297), and the Peninsula Square mixed-use development, which fronts on Autumn Road (Sussex Road 299). In addition to providing emergency access to the proposed apartments, with appropriate interconnections and easements required of the subject development and Peninsula Square, these three developments could provide a low-stress pedestrian and bicycle connection between Mount Joy Road and Autumn Road.

- 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 Route 24.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at https://www.deldot.gov/Business/subdivisions/.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Forest Removal
The preliminary plans and/or project application proposed the elimination of approximately 9.2 out of 13.8 existing acres of forest habitat.

- 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 and reduces carbon that contributes to climate change. A forest assessment should be conducted to determine if mature forest resource exists on the property, and to determine species present.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Stormwater Management
Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

General Drainage Recommendations
There are numerous reported drainage concerns near the proposed project area. One concern from 2009 referenced flooding of a nearby property. There are numerous concerns ranging from 2010-2020 from landowners on the eastern side of John J. Williams Highway about property flooding. The storage of onsite stormwater and the release stormwater to adjacent properties is a concern if this property is developed.

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemption coverage may be required by the County Conservation District (Standard Plan), DNREC Sediment and Stormwater (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site stormwater.

- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

- Contact: DNREC Drainage Program at (302) 855-1930.
  Website: https://dnrec.alpha.delaware.gov/drainage-stormwater/

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by

maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/

Mosquitoes
The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of wetland types including freshwater forested, freshwater emergent, and estuarine.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.

- Contact: DNREC Division of Fish and Wildlife at (302) 739-9917. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/

Current or Previous Contamination
This parcel is contained within a large area that has been investigated for well contamination (DE-1388 Long Neck Mercury Study). In 2001, mercury was detected in a public water supply well; levels were reported above the Maximum Contaminant Level. While DNREC and the U.S. Geological Survey investigated the incident, the source could not be located. The well has been temporarily turned off.

- Delaware Health and Social Services reviews the monitoring reports from the water company. The USGS report that resulted from the study can be found here: https://pubs.usgs.gov/sir/2006/5011/pdf/sir-2006-5011.pdf

- Contact the Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.
  Website: https://dnrec.alpha.delaware.gov/waste-hazardous/

- Additional information may also be found online by searching Delaware's Environmental Navigator at http://www.nav.dnrec.delaware.gov/den3/

Additional Sustainable Practices
Recommendations for entire project:

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.

- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.

- 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.

- Incorporate nonmotorized connectivity in the residential area and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

Recommendations for residential section:

- Include an option to install electric vehicle charging stations in garages of homes for your customers and tenants to assist Delaware in achieving its clean transportation goals.

- For the proposed pool and clubhouse, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities. Grants may be available for qualifying renewable energy systems installed in Delaware by applicants whose electricity provider collects funds for the program and offers a grant program for renewable energy projects. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/.

Recommendations for commercial section:

- Install electric vehicle charging stations for your customers and tenants to assist Delaware in achieving its clean transportation goals. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/.

Concerns Identified Outside of the Development Footprint

Delaware Ecological Network
Lands designated as part of the Delaware Ecological Network lie to the east of this parcel. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on the proposed development site could jeopardize habitat beyond the parcel boundary.

- Removing forested areas within (and nearby) the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

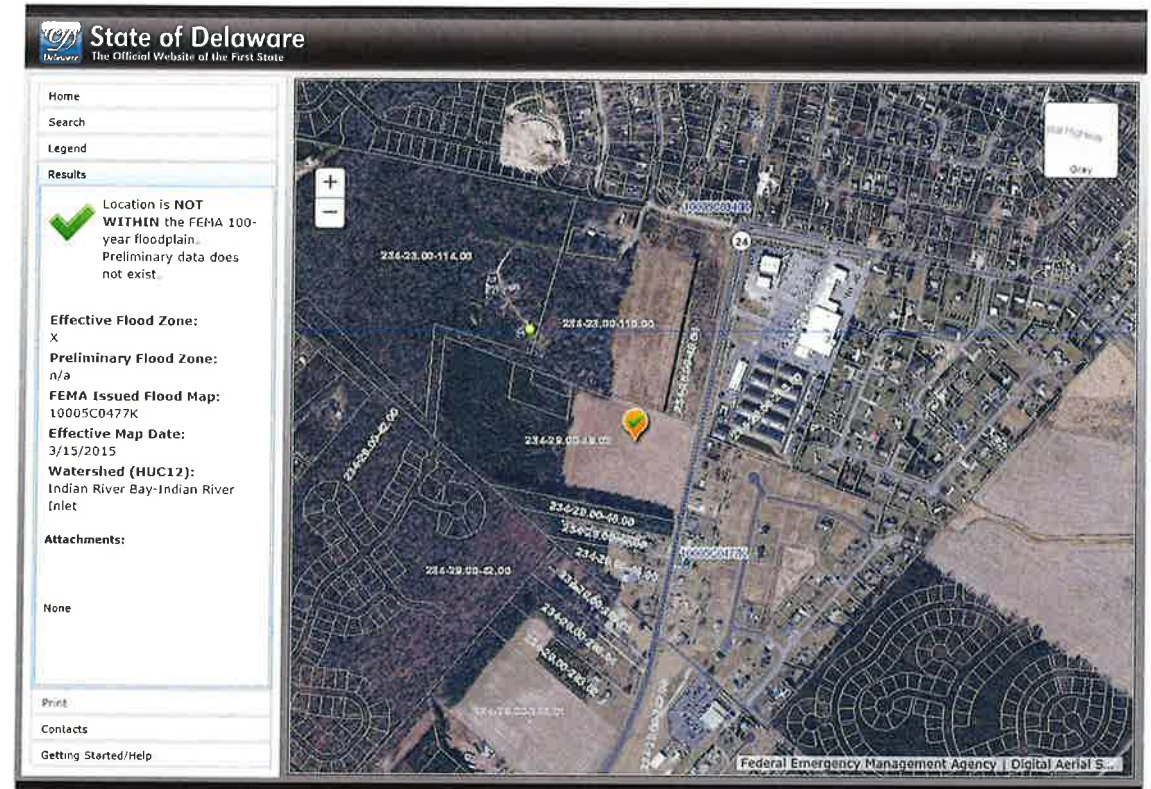
- Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- 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.

Delaware Emergency Management Agency – Contact Philip Cane 659-2325

- The location is not within any flood plain nor in a coastal inundation zone. 2018 QAP described the region this project is located in as being an "Area of Opportunity" while bordering a region identified as "Stable". The region has a homeownership rate of approximately 81.2% to 83%, a poverty ratio of 10 to 1 with approximately 21% of that census block's population at the age of 65 or older.


State of Delaware
The Official Website of the First State
Home
Search
Legend
Results
Location is NOT WITHIN the FEMA 100-year floodplain. Preliminary data does not exist.
Effective Flood Zone:
X
Preliminary Flood Zone:
n/a
FEMA Issued Flood Map:
10005C0477K
Effective Map Date:
3/15/2015
Watershed (HUC12):
Indian River Bay-Indian River Inlet
Attachments:
None
Print
Contacts
Getting Started/Help
Federal Emergency Management Agency | Digital Aerial S...
Privacy | Contact | Phone Directory

Tract
QAP Geographic Areas
Areas Of Opportunity
Zoom to
Get Directions

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- As of January 11, 2021, the applicant has already participated in a pre-application meeting with Planning and Zoning staff.

- Please include a note on the plans which indicates that the proposed project is not located within the Henlopen Transportation Improvement District (TID).

- Following submission to the County, staff undertake review of the Preliminary Site Plan, where more detailed comments are provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

- For the Conditional Use, a Service Level Evaluation Request form must be completed and submitted to the Office of Planning and Zoning. Once the Office receives the completed Service Level Evaluation Response from DelDOT, the applicant may submit all documentation and materials pertaining to their Conditional Use application.

- Please note that since the proposed development lies within the Coastal Area and is above the 50 dwelling unit and 75,000 feet of commercial development threshold, copies of an Environmental Assessment (EA) and Public Facility Evaluation Report must be submitted which address the criteria located in §115-194.3(2)(a-l).

- Additionally, the proposal will have to comply with the site plan requirements of §115-220 and the multifamily requirements of §115-188 of the Sussex County Code.

- Please include the proposed density for the project for separately for both the residential component as well as the commercial site. The C-3 Zoning District and the MR Zoning District (as a Conditional Use) allow for a density of up to 12 dwelling units per acre.

- Please note on the plans that the parcels are not located within a Wellhead Protection Area in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§ 89-6). Please note on the plans that the parcels are located within an area of "good" groundwater recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

- Staff note that there is only one-way-in, one-way-out access to the property. The Planning and Zoning Commission desire more than one entrance or an easement for emergency access purposes in the event of an emergency occurring on the parcel.

- The side yard setback for the portion of the property to be zoned C-3 adjacent to the existing Yeshua Lane is shown with a 10-ft side yard setback. The Site Data Column indicates that this setback is 5-ft. The side yard setback in the C-3 Zoning District is 20-ft when adjacent to a residentially zoned parcel (Tax Map: 234-29.00-49.04 appears to be residentially zoned as AR-1) (§115-83.22(B)(2)). Please indicate if the applicant wishes to amend this setback as part of the application.

- Staff note that 11.45 acres of open space is proposed. The proposed open space of 44% is desirable. Please include the amount of open space proposed as a percentage and in acres within the Site Data Column.

- The proposed parking appears to meet Code requirements as well as ADA requirements regarding the provision of handicap spaces per total number of parking spaces (§115-162).

- Please note that these are informal staff comments and do not prejudice any decision that the Sussex County Planning and Zoning Commission may wish to make as part of the formal application.

- Please reach out to Lauren DeVore with any questions regarding these comments at lauren.devore@sussexcountyde.gov or call the Planning and Zoning Office at (302)855-7878.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 2 and Tier 3 area for sewer service and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.

- 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 & Design Review 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 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. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used.

- The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

- One-time system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and

county sources, as well as private funding sources that also promote affordable housing in Sussex County.

- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

- On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

Constance C. Holland

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning Department

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

Sussex County
DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

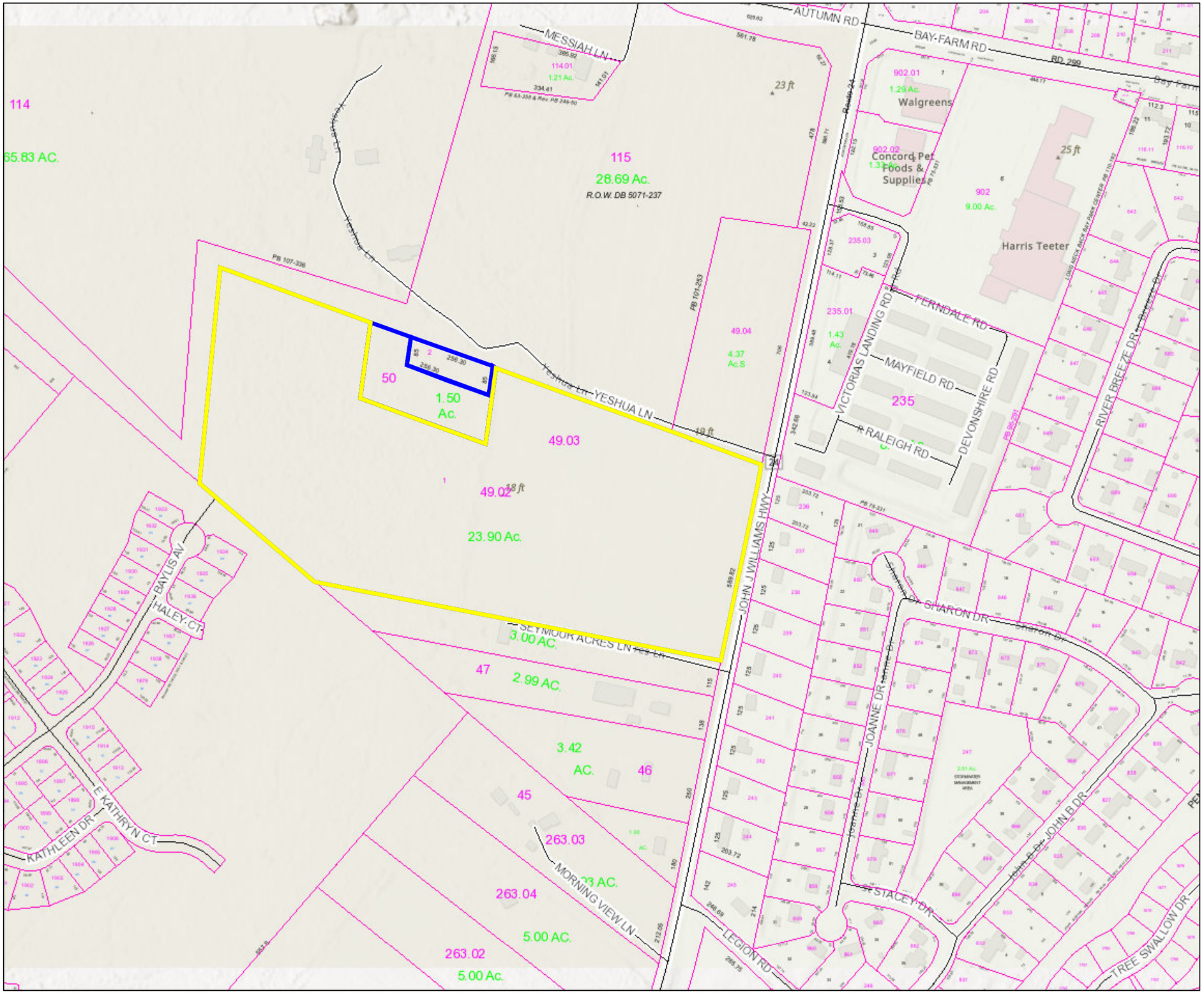
PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: March 24th, 2022

Application:	C/Z 1955 American Storage of Delaware, LLC
Applicant:	American Storage of Delaware, LLC 113 Dickinson Street Dewey Beach, DE 19971
Owner:	American Storage of Delaware, LLC 113 Dickinson Street Dewey Beach, DE 19971
Site Location:	Lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299).
Current Zoning:	Agricultural Residential (AR-1) District
Proposed Zoning:	Medium Density Residential (MR) District
Comprehensive Land Use Plan Reference:	Coastal Area
Councilmanic District:	Mr. Hudson
School District:	Indian River School District
Fire District:	Indian River Fire Department
Sewer:	Sussex County
Water:	Tidewater
Site Area:	17.63 acres +/-
Tax Map ID.:	(portion of) 234-29.00-49.02, 49.03 & 50.00

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 100
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	
Land Code	

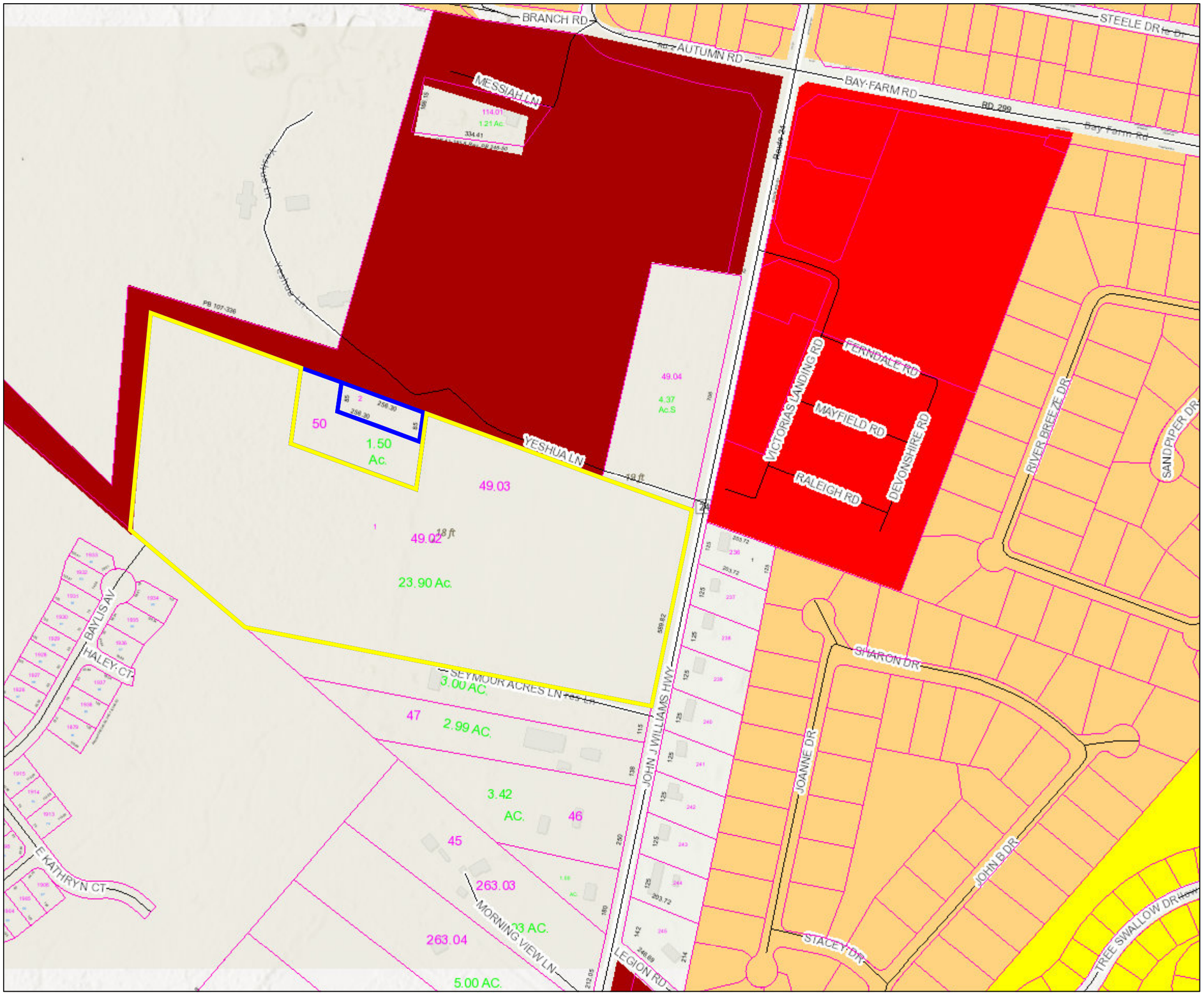
polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries

1:4,514

0 0.05 0.1 0.2 mi
0 0.075 0.15 0.3 km

February 21, 2022

Sussex County



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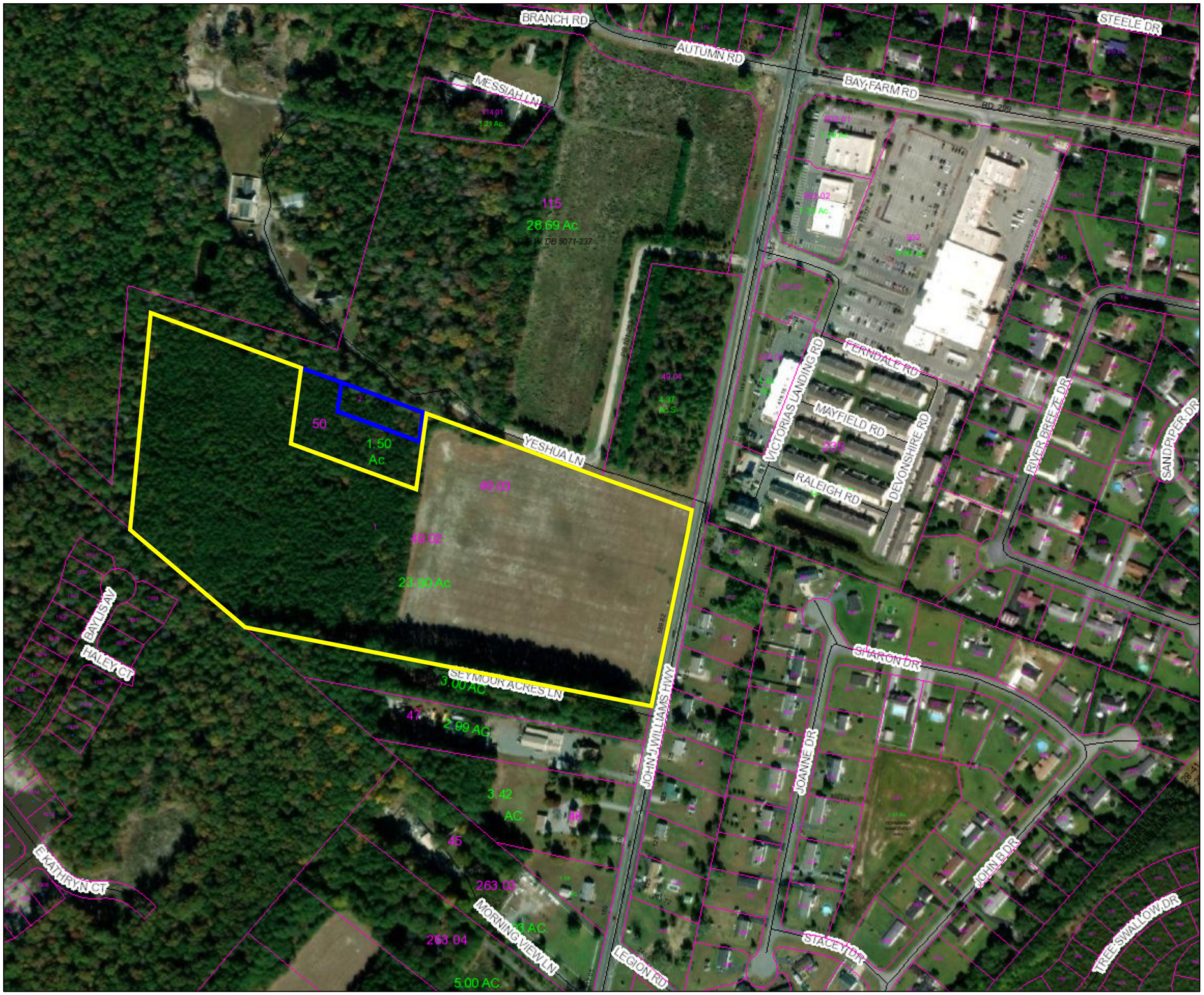
February 21, 2022

Sussex County



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State	DE
Description	W/RT 24
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polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

February 21, 2022

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Ms. Lauren DeVore, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: February 21, 2022
RE: Staff Analysis for C/Z 1955 American Storage of Delaware, LLC

This memo provides background and an analysis for the Planning Commission to consider as a part of Change of Zone No. 1955 American Storage of Delaware, LLC. This analysis has been completed for the March 24, 2022, Planning and Zoning Commission meeting, and it should be included in the record. This analysis is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zoning for a portion of Tax Parcels: 234-29.00-49.02, 49.03 and 50.00 to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Medium Density Residential (MR) Zoning District. The properties are located on the east side of John J. Williams Highway (Route 24) approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). The parcels comprise a total area of 17.63 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcels have a designation of "Coastal Area" The parcels to the north, east and west also have a Future Land Use Map designation of "Coastal Area." The adjacent parcels to the north and south of the subject properties also retain the Future Land Use Map designation of "Coastal Area." The properties on the opposite side of John J. Williams Highway (Route 24) are also designated as "Coastal Areas." The balance of the property to the northwest of the subject site contains the Future Land Use Map designation of "Low Density Area" with four properties on the eastern side of John J. Williams Highway (Route 24) containing a Future Land Use Map designation of "Commercial Area."

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

Zoning Information

The subject properties are zoned Agricultural Residential (AR-1). All surrounding properties to the south and 90 degrees due east on the opposite side of John J. Williams Highway (Route 24) are zoned Agricultural Residential (AR-1). The remaining parcels on the opposite side of John J. Williams Highway (Route 24) to the northeast are zoned General Commercial (C-1) and General Residential (GR).

Applicability to Comprehensive Plan

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories," the Medium Density Residential (MR) Zoning District is listed as an applicable zoning district in the Coastal Area (Sussex County Comprehensive Plan, 4-25).

Existing Changes of Zone within the Vicinity of the Subject Site

Since 2011, there have been five (5) Change of Zone applications within a 0.25 mile radius of the application site. The first application is Change of Zone 1788 Upesh Vyas for a change of zone from an Agricultural Residential (AR-1) District to a Commercial Residential (CR-1) District which was approved by the Sussex County Council on Tuesday, September 15, 2015. This change was adopted through Ordinance No. 2427. The second application is Change of Zone 1791 Carillon Square Apartments, LLC for a change of zone from an Agricultural Residential (AR-1) District and General Commercial (C-1) District to a High Density Residential (HR-1) District which was approved by the Sussex County Council at their meeting of Tuesday, April 12, 2016. This change was adopted through Ordinance No. 2444. The third application is Change of Zone 1880 Craig Kormanik for a change of zone from an Agricultural Residential District (AR-1) to a Medium Commercial (C-2) Zoning District which was approved by the Sussex County Council on Tuesday, July 16, 2019, and adopted through Ordinance No. 2669. The fourth application is Change of Zone 1911 Schiff Land Development Co., LC (Mr. TJ Schiff) (Patriots Glen Phase 2) for a change of zone from a Medium Density Residential (MR) District and a Commercial Residential (CR-1) District to a Medium Density Residential, Residential Planned Community (MR-RPC) which was approved by the Sussex County Council on Tuesday, April 20. 2021. This change was adopted through Ordinance No. 2770. The fifth application is Change of Zone 1940 Community Bank Delaware c/o Stephen W. Spence for a change of zone from an Agricultural Residential (AR-1) District to a Medium Commercial (C-2) District which was approved by the Sussex County Council on Tuesday, February 1, 2022. This change was adopted through Ordinance No. 2829.

Based on the analysis provided, a change from an Agricultural Residential (AR-1) Zoning District to a Medium Density Residential (MR) Zoning District could be considered as consistent with the surrounding land uses and zoning.

BAIRD MANDALAS BROCKSTEDT LLC

Stephen W. Spence
sws@bmbde.com
(302)645-2262

February 15, 2022

RECEIVED
FEB 16 2022
SUSSEX COUNTY
PLANNING & ZONING

VIA EMAIL
Department of Planning & Zoning
Director Jamie Whitehouse
2 The Circle, P.O. Box 417
Georgetown, DE 19947

RE: Change of Zone Applications and Conditional Use for American Storage of Delaware, LLC
Tax Map Parcel Nos.: 234-29.00-48.02, 49.03 & 50.00
CZ 1954: Change of Zone Application for 8.0 Acres from AR-1 to C-3
CZ 1955: Change of Zone Application for 17.63 Acres from AR-1 to MR
CU 2315: Conditional Use Application for Multi-Family Use on the MR area

Director Whitehouse:

This letter confirms that Baird Mandalas Brockstedt LLC will be handling the above-referenced applications.

We also request a meeting with you or a member of Planning Staff to review the files associated with the applications. We are available for a meeting on February 28, 2022 between 11:00AM and 12:30PM. Please confirm your availability to meet with us then.

Should you have any questions, please contact us via email at sws@bmbde.com and mackenzie@bmbde.com or by phone at 302-645-2262.

Sincerely,

Stephen W. Spence, Esquire
Mackenzie M. Peet, Esquire

Cc: American Storage of Delaware, LLC

Morris James LLP

David C. Hutt
302.856.0018
dhutt@morrisjames.com

February 14, 2022

RECEIVED
FEB 14 2022
SUSSEX COUNTY
PLANNING & ZONING

BY HAND DELIVERY

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

RE: Change of Zone Applications and a Conditional Use
America Storage of Delaware, LLC
SCTP Nos. 234-29.00-49.02, 49.03 & 50.00
CZ 1954: Change of Zone Application for 8.0 acres from AR-1 to C-3
CZ 1955: Change of Zone Application for 17.63 acres from AR-1 to MR
CU 2315: Conditional Use Application for Multi-Family Use on the MR area

Dear Mr. Whitehouse:

Please be advised that Stephen W. Spence with Baird Mandalas Brockstedt, LLC will be handling the above-referenced applications going forward. If you have any questions, please let me know.

Very Truly Yours,

MORRIS JAMES LLP

David C. Hutt, Esquire

Cc: America Storage of Delaware, LLC
Stephen W. Spence, Esquire

107 West Market Street | Georgetown, DE 19947-1438 T 302.856.0015 F 302.856.7116
Mailing Address P.O. Box 690 | Georgetown, DE 19947-0690 www.morrisjames.com

File #: CZ 1955
202114013

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

West Side of Route 24 (Long Neck Area), Lewes, DE 19958

Type of Conditional Use Requested:

This change of zone seeks to change the zoning classification for a 17.63 acres +/- (a combination of TMP Nos. p/o 234-29.00-49.02 & 49.03 & 50.00) from AR-1 Agricultural Residential to MR Medium Density Residential.

Tax Map #: p/o 234-29.00-49.02, 49.03, 50.00 **Size of Parcel(s):** 17.63

Current Zoning: AR-1 **Proposed Zoning:** MR **Size of Building:** N/A

Land Use Classification: Coastal Area (2019 FLUM)

Water Provider: Tidewater **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: American Storage of Delaware, LLC
Applicant Address: 113 Dickinson Street
City: Dewey Beach State: DE ZipCode: 19971
Phone #: (202) 905-6706 E-mail: farmerslawyer.com

Owner Information

Owner Name: See Applicant Information
Owner Address:
City: State: Zip Code:
Phone #: E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Baird Mandalas Brockstedt LLC; Stephen W. Spence, Esquire
Agent/Attorney/Engineer Address: 1413 Savannah Road, Suite 1
City: Lewes State: DE Zip Code: 19947
Phone #: (302) 645-2262 E-mail: sws@bmbde.com; mackenzie@bmbde.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.**

✔ **DelDOT Service Level Evaluation Request Response**

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

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

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

Signature of Applicant/Agent/Attorney

Date: 2/22/22

Signature of Owner

Date: _____

For office use only:

Date Submitted: 9/22/2021

Fee: $500.00 Check #: 107078

Staff accepting application: _____

Application & Case #: CZ1955

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____

File #: CZ 1955
20211403

Planning & Zoning Commission Application
Sussex County, Delaware

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

RECEIVED
SEP 22 2021
SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✓

Site Address of Conditional Use/Zoning Map Amendment
West Side of Rt. 24 (Long Neck Area)

Type of Conditional Use Requested:
This change of zone application seeks to change the zoning classification for 17.63± acres (combination of Sussex County Tax Parcel Nos. p/o 234-29.00-49.02 & 49.03 & 50.00 from AR-1 (Agricultural Residential District) to MR (Medium-Density Residential District)

Tax Map #: p/o 234-29.00-49.02 & 49.03 & 50.00 **Size of Parcel(s):** 17.63 acres

Current Zoning: AR-1 **Proposed Zoning:** MR **Size of Building:** ____

Land Use Classification: Coastal Area (2019 FLUM)

Water Provider: Tidewater **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: American Storage of Delaware, LLC
Applicant Address: 113 Dickinson Street
City: Dewey Beach State: DE ZipCode: 19971
Phone #: (202) 905-6706 E-mail: farmerslawyer@aol.com

Owner Information

Owner Name: same as applicant
Owner Address: ____
City: ____ State: ____ Zip Code: ____
Phone #: ____ E-mail: ____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esq. | Morris James LLP
Agent/Attorney/Engineer Address: 107 W. Market St.
City: Georgetown State: DE Zip Code: 19947
Phone #: (302) 856-0018 E-mail: dhutt@morrisjames.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

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

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

✓ **Provide Fee $500.00**

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

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

✓ **DelDOT Service Level Evaluation Request Response**

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

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 8/12/2021

Signature of Owner

_____ Date: 8/12/21

For office use only:

Date Submitted: 9/22/21 Fee: $500.00 Check #: 107078

Staff accepting application: KBD Application & Case #: CZ 1955

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: West Side of John J. Williams Highway (Rt. 24)

No 911/Mailing Address

Parcel #: p/o 234-29.00-49.02 all of 49.03 and 50.00

Site Address: _____

_____

Parcel #: _____

Applicant Name: American Storage of Delaware, LLC

Owner Name: American Storage of Delaware, LLC

Type of Application:

Conditional Use: ☐
Change of Zone: ☒
Subdivision: ☐
Board of Adjustment: ☐

Date Submitted: 9/21/21

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____ List created by: _____

Date letters mailed: _____ Letters sent by: _____

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

NICOLE MAJESKI
SECRETARY

September 10, 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 **American Storage of Delaware, LLC** proposed land use application, which we received on September 2, 2021. This application is for approximately 25.90- acre assemblage of parcels (Tax Parcels: 234-29.00-49.02, 49.03, 50.00) The subject land is located on the west side of John J. William Highway (State Route 24) about 800 ft north of the intersection with Legion Road (Sussex Road 298). The subject land is currently zoned AR-1 (Agriculture Residential); and the applicant is seeking to change the existing parcel lines to create two new parcels with a proposed zoning of C-3 (Heavy Commercial) for the first parcel to build a mini warehouse. The second parcel is proposed to be zoned as MR (Medium Density Residential) with a conditional use approval to build 140 multifamily housing units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J. William Highway from Long Neck Road (State Route 5) to Mount Joy Road (Sussex Road 297), are 18,682 and 24,022 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 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 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.

DelDOT

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

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

Sincerely,

Claudy Joinville *for*

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff
cc: American Storage of Delaware, LLC, Applicant
David C. Hutt, Esquire, Applicant
Lauren DeVore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/25/2022**

APPLICATION: **CZ 1955 American Storage of Delaware, LLC**

APPLICANT: **American Storage of Delaware, LLC**

FILE NO: **NCPA-5.03**

TAX MAP & PARCEL(S): **234-29.00-49.02 (p/o), 49.03 & 50.00**

LOCATION: **Lying on the west side of John J. Williams Highway (Rt. 24), approximately 0.25 mile south of Autumn Road (SCR 299).**

NO. OF UNITS: **upzone from AR-1 to MR**

GROSS ACREAGE: **17.63**

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: **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
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.

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:

   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	60' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

   * *THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT.*

   MR - MEDIUM RESIDENTIAL:

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS:

EXISTING:		25.90 AC
PROPOSED:	PARCEL 1	8.27 AC*
	PARCEL 2	17.63 AC
	TOTAL	25.90 AC

   *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA:

PRE-DEVELOPMENT	=	14.28 AC
POST DEVELOPMENT	=	9.51 AC
REMAINING	=	4.77 AC

14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

REQUIRED PARKING:	
STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES =	285 SPACES PROVIDED
TOTAL PARKING PROVIDED:	455 PARKING SPACES
	+ 14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

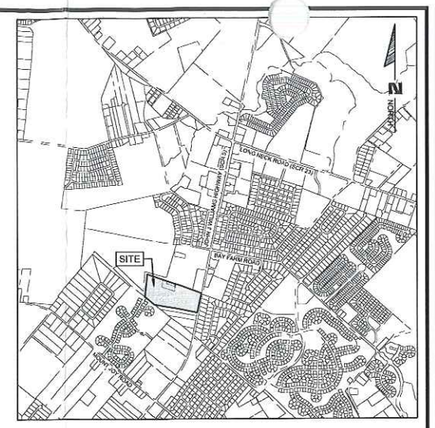
LOADING	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

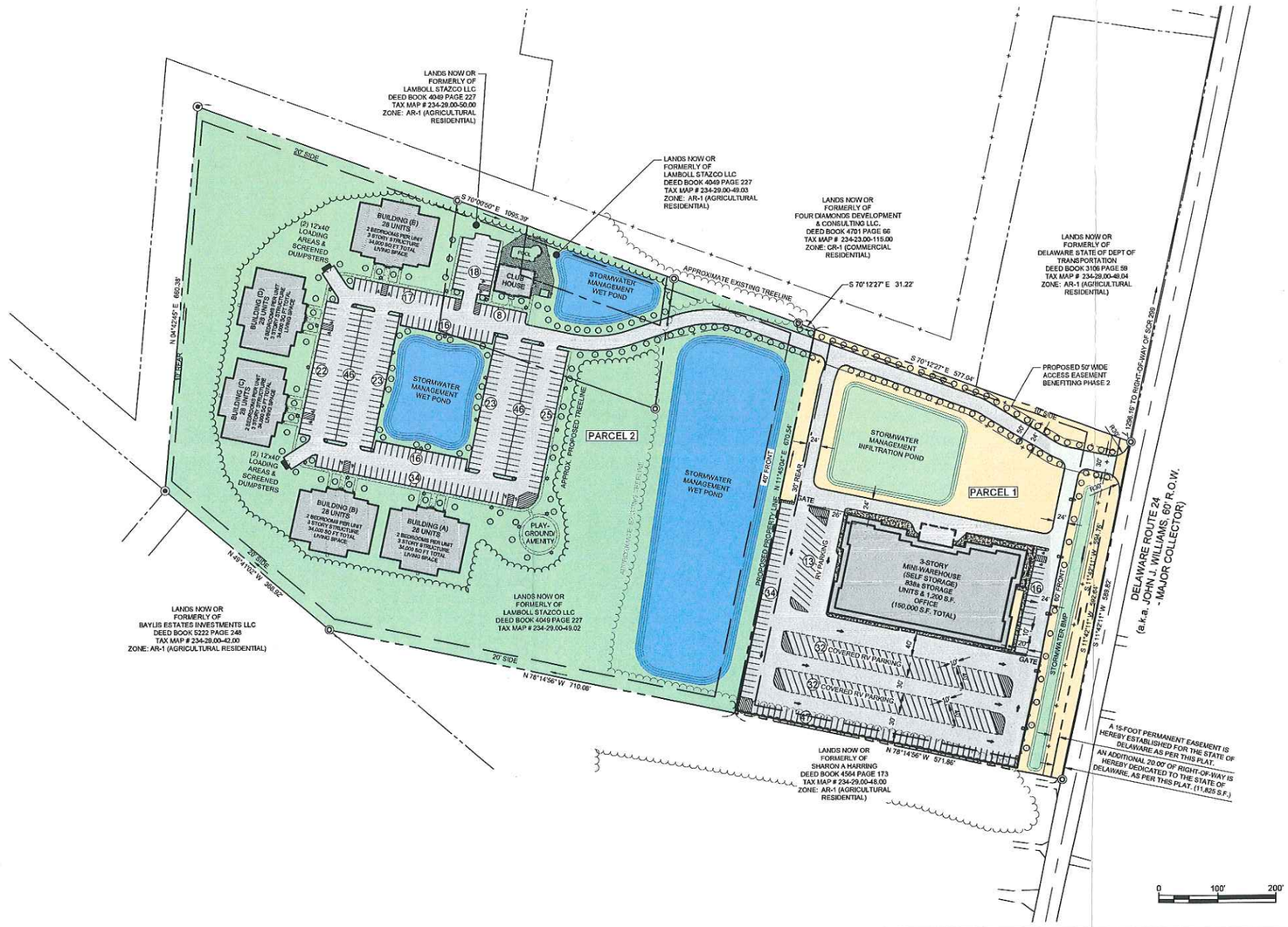
- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.63 AC) - TO BE RE-ZONED MR

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

DEST PL NORTH



LOCATION MAP
SCALE: 1" = 2,000'



AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

CONCEPTUAL SITE PLAN

CARLTON R. SAVAGE, JR. LICENSE NO. 18457 — 08/26/21 — DELAWARE PROFESSIONAL ENGINEER

SCALED. ENGINEERING
Scaled Engineering Inc.
20246 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 236-3500

4-21-21 - REVISED PER CLIENT	
6-18-21 - REVISED PER CLIENT	
7-15-21 - REVISED PER CLIENT	
7-21-21 - REVISED PER CLIENT	
DATE:	8-26-21
SCALE:	1" = 100'
DRAWN BY:	JRE
PROJECT NO.	GRAU001

1

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

S:\PROJECTS\GRAU\C\Civil\3d\American Storage\DESIGN\Planset.dwg PLOTTED: 8/26/2021 12:07 PM, BY: jeff PLOTSTYLE: —

BAIRD MANDALAS BROCKSTEDT LLC

Mackenzie M. Peet
mackenzie@bmbde.com
(302)645-2262

March 14, 2022

VIA EMAIL
Planning & Zoning Department
Attn: Jamie Whitehouse, Director
2 The Circle
PO Box 417
Georgetown, DE 19947
Email: pandz@sussexcountyde.gov

Re: American Storage of Delaware, LLC
CZ 1954 for 8.0 acres from AR-1 to C-3
CZ 1955 for 17.63 acres from AR-1 to MR
CU2315 for Multi-Family use on MR portion of
Tax Map Parcel Nos. 234-29.00-49.02, 49.03, 50.00

Director Whitehouse,

Please find the enclosed supplemental packet for the above-refenced applications.

Should you need any additional information prior to the public hearing or have any questions, please contact mackenzie@bmbde.com.

Sincerely,

Stephen W. Spence, Esquire
Mackenzie M. Peet, Esquire

SWS/MMP

Enclosures

Cc: Carlton Savage, Jr., PE
Alex Pires
Nate Graulich

EXHIBIT A

PARID: 234-29.00-49.02 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:	
Unit:	
City:	
Zip:	
State:	
Class:	AGR-Agriculture
Use Code (LUC):	AG0-AG A-I
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	23.9000
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$3,600
100% Improvement Value	
100% Total Value	

Legal

Legal Description	W/RT 24 PARCEL 1

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/310	$600,000.00			AMERICAN STORAGE OF DELAWARE LLC
10/09/2012	4049/227	$105,000.00	$1,575.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/310
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2013	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2009	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19709	3029/338
2005	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	3029/338
2003	ADAMS KEITH CONSTANCE ADAMS		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	2818/91

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag
1	AGR	AG0	0	0	23.9000	Y

Land Summary

Line	1
100% Land Value	3,600

Agricultural Land

Line:	CAMA Line:	Ag Use	Use:	Grade:	Acreage	Rate	Value:
1	1		AG		.0001		3600

Agriculture Totals

Agricultural Acres	23.9000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$3,600		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$1,800		

PARID: 234-29.00-49.03 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:
Unit:
City:
Zip:
State:

Class:	RES-Residential
Use Code (LUC):	RV-RESIDENTIAL VACANT
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	.4995
Frontage:	85
Depth:	256.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$5,000
100% Improvement Value	
100% Total Value	

Legal

Legal Description	W/RT 24 PARCEL 2

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/310				AMERICAN STORAGE OF DELAWARE LLC
01/15/2002	4049/227	$202,577.00	$3,038.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/310
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2014	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2008	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19709	3029/338
2005	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	3029/338
2003	ADAMS KEITH CONSTANCE ADAMS		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	2818/91

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag
1	RES	RV	85	256	.4995	

Land Summary

Line	1
100% Land Value	5,000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$5,000		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$2,500		

PARID: 234-29.00-50.00 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:
Unit:
City:
Zip:
State:

Class:	RES-Residential
Use Code (LUC):	RV-RESIDENTIAL VACANT
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	1.5000
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$3,000
100% Improvement Value	
100% Total Value	

Legal

Legal Description N/OAK ORCHARDLEWES

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/125				AMERICAN STORAGE OF DELAWARE LLC
09/02/2004	4049/227	$59,682.00	$895.00	0	
02/07/2003	/	$58,000.00	$870.00	0	
11/14/1996	/	$2,200.00	$44.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/125
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/125
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/125
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2013	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2008	STAZCO LLC		5179 W WOODMILL DR # 5	WILMINGTON	DE	19709	3029/341
2005	STAZCO LLC		5179 W WOODMILL DR # 5	WILMINGTON	DE	19808	3029/341
2003	AASCD VENTURES LLC		WOOD MILL CORPORATE CT 5 5179 W WOODMILL DR	WILMINGTON	DE	19808	2801/186
1900	DAVIS JOHN J VIRGIE M					0	421/159

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag

1	RES	RV	0	0	1.5000

Land Summary

Line	1
100% Land Value	3,000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$3,000		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$1,500		

Electronically Recorded Document# 2020000048385 BK: 5328 PG: 310
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
Consideration: $600,000.00 County/Town: $9,000.00 State: $15,000.00 Total: $24,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #'s: 234-29-00-
49.02, 49.03 & 50.00
PREPARED BY & RETURN TO:
Baird Mandalas Brockstedt LLC
1413 Savannah Road
Lewes, DE 19958
File No. RE20-1689/HG/SWS

THIS DEED, made this 1 day of October, 2020,

- BETWEEN -

LAMBOLL STAZCO, LLC, a Delaware limited liability company of P.O. Box 3418, Greenville, SC 29602, party of the first part,

- AND -

AMERICAN STORAGE OF DELAWARE, LLC., a Delaware Limited Liability Company, of 113 Dickinson Street, Dewey Beach, DE 19971, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **Six Hundred Thousand and 00/100 Dollars ($600,000.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

All those certain lots, pieces or parcels of land situate in the Lewes and Rehoboth Hundred, County of Sussex, , and being more particularly described as follows:

Parcel 1 - Tax Parcel #2-34 29.00 49.02

ALL that certain farm, tract, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the westerly side of Delaware Route 24, a short distance South of County Road 299, and being more particularly bounded. and described in accordance with a recent survey by Robert L. Larimore, RLS, dated December 28, 2001, as follows to-wit;

BEGINNING at an iron pipe found in the West line of Delaware Route 24, at a corner for this parcel and for lands of Charles W. Coursey, said point being located 1,296.16 feet from an iron pipe found at the intersection of the West line of Delaware Route 24(50 feet wide) with (the South line of County Road 299; thence from said beginning point along the West line of Delaware Route 24, South 20 degrees 22 minutes 57 seconds West 589,82 feet to an iron pipe round in the West line of Delaware Route 24 at a corner for lands of Melvin R.. Thompson and Brenda F. Thompson; thence along the line of lands of Melvin R. Thompson and

Brenda F. Thompson, North 69 degrees 34 minutes 10 seconds West 1,281,94 feet to an iron pipe found at a corner for lands of Melvin R Thompson and Brenda F. Thompson in line of lands of the Indian Town Farms Subdivision; thence along the line of lands of The Indian Farms Subdivision, North 41 degrees 00 minutes 16 seconds West 368.92 feet to a spike set at a corner for lands of Charles W. Coursey; thence along the line of lands of Charles W. Coursey on the following two (2) courses and distances: One (1) North 13 degrees 23 minutes 31 seconds East 660.38 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 473.07 feet to an iron pipe found at a corner for lands of Thomas C. Staz and Harriet Staz; thence along the line of lands of Thomas C. Staz and Harriet Staz on the following three (3) courses and distances; One (1) South 16 degrees 42 .minutes 51 seconds West 225.00 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 395.77 feet to an iron pipe found, three (3) North 16 degrees
42 minutes 51 seconds East 225.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey; thence along the line of Charles W. Coursey and with the northerly line of a 16 foot wide outlet, as noted in Deed Book 468-401, on the following two (2) courses and distances: one (1)61 degrees 20 minutes 04 seconds East 22655 feet to an iron pipe found, two (2) South 61 degrees 3 I minutes 41 seconds East 608.26 feet to the place of beginning and containing 23.9 acres of land be the same more or less.

Parcel 2 —Tax Parcel #2-34 29.00 49.03

ALL that certain lot, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the West side of Delaware Route 24, but not adjacent there to, and
being more particularly bounded and described in accordance with a recent survey by Robert L. Larimore, RES, dated December 28, 2001, as follows, to-wit:

BEGINNING at an iron pipe found at a corner for this parcel and for lands of Thomas C. Staz and Harriet Staz and lands of Charles W. Coursey and Diane R. Hudson, said point-being located the following three (3) courses and distances from an iron pipe found at the intersection of the West line of Delaware Route 24 (50 feet wide) with the South line of County Road 299: One (I) as measured along the West line of Delaware Route 24 in a southerly direction 1,296.16 feet to an iron pipe found in the West line of Delaware Route 24 at a corner for Parcel I; thence two (2) along the line of Parcel 1 and lands Charles W. Coursey and with the North line of a 16 foot wide outlet, North 61 degrees 31 minutes 41 seconds West 608.26 feet to a point; thence three (3) North 61 degrees 20 minutes 04 seconds West 238.82 feet to said beginning point; thence from said beginning point along the line of lands of Thomas C. Staz and Harriet Staz on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 85.00 feet to an iron pipe found, two (2) North 61 degrees 20 minutes 04 seconds West 256.30 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds East 85.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey and Diane R. Hudson; thence along the line of lands of Charles W. Coursey and Diane R. Hudson, South 61 degrees 20 minutes 04 seconds East 256.30 feet to the place of beginning and containing 0.4893 acres of land be the same more or less.

Parcel 3 - Tax Parcel Number 2-34 29.00 50.00

ALL that certain tract, piece and parcel of land, lying and being in Indian River Hundred, Sussex County, and the State of Delaware, as shown on a certain December 26, 2001 survey prepared by Coast Survey, Inc. (Plan #801-13), as described as follows,

BEGINNING at an iron pipe set in the line of lands now or formerly of Charles W. Coursey and the north corner of a 16 foot Outlet (Deed Book 468, Page 401), being South 61 degrees 23 minutes 59 seconds East 226.55 feet to an iron pipe recovered, a corner for lands of Charles W. Coursey and other lands of Charles W. Coursey, and South 61 degrees 34 minutes 13 seconds East 608.42 feet to an iron pipe recovered in the northwesterly right of way line of Route 24; thence from the point of beginning running by and with the line of a 16 foot Outlet and with the lint of lands now or formerly of Marshall Lee

Document# 2020000048385 BK: 5328 PG: 312
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
Doc Surcharge Paid

Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 225.00 feet to an Iron pipe set; 2) North 61 degrees 23 minutes 59 seconds West 395.77 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds. East 225.00 feet to an iron pipe set in the line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of Lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 127.20 feet to an iron pipe set, marking a corner for these lands and lands now or formerly of Marshall Lee Coursey; thence turning and running by and with the line of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 85.00 feet to an Iron pipe set; and 2) South 61 degrees 23 minutes 59 seconds 25630 feet to an iron pipe set;. and.3) North 16 degrees 38 minutes 56 seconds East 85.00 feet to an iron pipe set in the.line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 12.27 feet to the point and place of beginning, said to contain1.5107 acres of land more or less, together with any and all improvements located thereon.

BEING the same property conveyed to Lamboll Stazco, LLC from Stazco, LLC, AKA Stazco, L.L.C., by Deed dated October 3, 2012, and recorded on October 9, 2012, in Book 4049, Page 227.

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.

Document# 2020000048385 BK: 5328 PG: 313
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
Doc Surcharge Paid

IN WITNESS WHEREOF, the said Lamboll Stazco, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

LAMBOLL STAZCO, LLC
BY: SD INVESTMENT PROPERTIES, LLC, ITS SOLE MEMBER
BY: LAMBOLL STREET, LLC ITS SOLE MEMBER

BY: _____ (Seal)
TODD KUHL, AUTHORIZED DIRECTOR

STATE OF South Carolina, COUNTY OF Charleston : to-wit

BE IT REMEMBERED, that on this 7 day of October, A.D. 2020, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Todd Kuhl, Authorized Director, of Lamboll Street, LLC, sole member of SD Investment Properties, LLC, sole member of Lamboll Stazco, LLC, a Delaware Limited Liability Company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said company; that the signature of the authorized representative is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of Lamboll Stazco, LLC.

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

_____
Notary Public

My Commission Expires: Mar 14 2029

ALYSA FLOERCKY
NOTARY PUBLIC
My Comm Exp
Mar 14 2029
STATE OF SOUTH CAROLINA

36428

BK: 4049 PG: 227

Tax Parcel Nos.: 2-34-29.00-49.02,
2-34-29.00-49.03 & 2-34-29.00-50.00

PREPARED BY AND RETURN TO:
Douglas M. Hershman, Esquire
BAYARD, P.A.
P.O. Box 25130
Wilmington, DE 19899-25130

THIS DEED is made this 3rd day of October, 2012, between

STAZCO, LLC, AKA STAZCO, L.L.C., a Delaware limited liability company, party of the first part,

AND

LAMBOLL STAZCO, LLC, a Delaware limited liability company, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS ($10.00) lawful money of the United States of America, the receipt of which is hereby acknowledged, hereby grants and conveys unto the said party of the second part, its successors and/or assigns, in fee,

See legal description attached hereto as Exhibit "A", hereto and incorporated herein by reference.

SUBJECT to all easements, restrictions, reservations, agreements and covenants of record, if any, affecting the property or the title thereto, together with the benefits of the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal, the day and year aforesaid.

SEALED AND DELIVERED IN THE PRESENCE OF:

Witness

Stazco, LLC, aka Stazco, L.L.C., a Delaware limited liability company

By: _____ (SEAL)
Name: Richard C. Woodin
Title: Authorized Person

STATE OF DELAWARE)
) SS
NEW CASTLE COUNTY)

BE IT REMEMBERED, that on this 2nd day of October, 2012, personally came before me, the Subscriber, a Notarial Officer for the State and County aforesaid, Richard C. Woods, Authorized Person of Stazco, LLC, aka Stazco, L.L.C., a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of the said company.

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

Notary Public
Printed Name:
My Commission Expires:

MICHAEL A. DeNOTE
Attorney at Law - State of Delaware
Notarial Officer Pursuant to
29 Del.C. § 4323(a)(3)
My Commission Has No Expiration

GRANTEE'S ADDRESS
c/o Lamboll Street, LLC
PO Box 3418
Greenville, SC 29603

EXHIBIT "A"

Parcel 1 - Tax Parcel #2-34 29.00 49.02

ALL that certain farm, tract, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the westerly side of Delaware Route 24, a short distance South of County Road 299, and being more particularly hounded and described in accordance with a recent survey by Robert L. Larimore, RLS, dated December 28, 2001, as follows to-wit;

BEGINNING at an iron pipe found in the West line of Delaware Route 24, at a corner for this parcel and for lands of Charles W. Coursey, said point being located 1,296.16 feet from an iron pipe found at the intersection of the West line of Delaware Route 24(50 feet wide) with (he South line of County Road 299; thence from said beginning point along the West line of Delaware Route 24, South 20 degrees 22 minutes 57 seconds West 589,82 feet to an iron pipe round in the West line of Delaware Route 24 at a corner for lands of Melvin R. Thompson and Brenda F. Thompson; thence along the line of lands of Melvin R. Thompson and Brenda F. Thompson, North 69 degrees 34 minutes 10 seconds West 1,281,94 feet to an iron pipe found at a corner for lands of Melvin R Thompson and Brenda F. Thompson inline of lands of the Indian Town Farms Subdivision; thence along the line of lands of The Indian Farms Subdivision, North 41 degrees 00 minutes 16 seconds West 368.92 feel to a spike set at a corner for hinds of Charles W. Coursey; thence along the line of lands of Charles W. Coursey on the following two (2) courses and distances: One (1) North 13 degrees 23 minutes 31 seconds East 660.38 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 473.07 feet to an iron pipe found at a corner for lands of Thomas C. Stan and Harriet Staz; thence along the line of lands of Thomas C. Staz and Harriet Star on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 225.00 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 395.77 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds Fast 225.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey; thence along the line of Charles W, Coursey and with the northerly line of a 16 foot wide outlet, as noted in Deed Book 468-401, on the following two (2) courses and distances: one (1)61 degrees 20 minutes 04 seconds East 22655 feet to an iron pipe found, two (2) South 61 degrees 31 minutes 41 seconds East 608.26 feet to the place of beginning and containing 23.9 acres of land be the same more or less.

Parcel 2 - Tax Parcel #2-34 29.00 49.03

ALL that certain lot, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the West side of Delaware Route 24, but not adjacent there to, and being more particularly hounded arid described in accordance with a recent survey by Robert L. Larimore, RES, dated December 28, 2001, as follows to-wit:

BEGINNING at an iron pipe found at a corner for this parcel and for lands of Thomas C. Staz and Harriet Staz and lands of Charles W. Coursey and Diane R. Hudson, said point being located the following three (3) courses and distances from an iron pipe found at the intersection of the West line of Delaware Route 24 (50 feet wide) with the South line of County Road 299: One (I)

as measured along the Vest line of Delaware Route 24 in a southerly direction 1,296.16 feet to an iron pipe found in the West line of Delaware Route 24 at a corner for Parcel I; thence two (2) along the line of Parcel 1 and lands Charles W. Coursey and with the North line of a 16 foot wide outlet, North 61 degrees 31 minutes 41 seconds West 608.26 feet to a point; thence three (3) North 61 degrees 20 minutes 04 seconds West 238.82 feet to said beginning point; thence from said beginning point along the line of lands of Thomas C. Star and Harriet Staz on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 85.00 feet to an iron pipe found, two (2) North 61 degrees 20 minutes 04 seconds West 256.30 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds East 85.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey and Diane R. Hudson; thence along the line of lands of Charles W. Coursey and Diane R. Hudson, South 61 degrees 20 minutes 04 seconds East 256.30 feet to the place of beginning and containing 0.4893 acres of land be the same more or less.

Parcel 3 - Tax Parcel Number 2-34 29.00 50.00

ALL that certain tract, piece and parcel of land, lying and being in Indian River Hundred, Sussex County, and the State of Delaware, as shown on a certain December 26, 2001 survey prepared by Coast Survey, Inc. (Plan #801-13), as described as follows,

BEGINNING at an iron pipe set In the line of lands now or formerly of Charles W. Coursey and the north corner of a 16 foot Outlet (Deed Book 468, Page 401), being South 61 degrees 23 minutes 59 seconds East 226.55 feet to an iron pipe recovered, a corner for lands of Charles W. Coursey and other lands of Charles W. Coursey, and South 61 degrees 34 minutes 13 seconds East 608.42 feet to an iron pipe recovered in the northwesterly right of way line of Route 24; thence from the point of beginning running by and with the line of a 16 foot Outlet and with the lint of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 225.00 feet to an Iron pipe set; 2) North 6] degrees 23 minutes 59 seconds West 395.77 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds East 225.00 feet to an iron pipe set in the line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of Lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 127.20 feet to an iron pipe set, marking a corner for these lands and lands now or formerly of Marshall Lee Coursey; thence turning and running by and with the line of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: I) South 16 degrees 38 minutes 56 seconds West 85.00 feet to an Iron pipe set; and 2) South 61 degrees 23 minutes 59 seconds 25630 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds East 85.00 feet to an iron pipe set in the line of lands now or formerly of Charles . Coursey; thence turning and running by and with the tine of lands now or formerly of Charles W, Coursey, South 61 degrees 23 minutes 59 seconds East 12.27 feet to the point and place of beginning, said to contain 1.5107 acres of land more or less, together with any and all improvements located thereon.

BEING the same lands and premises which Keith and Constance Adams, husband and wife, by Deed dated August 30, 2004 and recorded September 2, 2004 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 3029, Page 338, did grant and convey unto Stazco, L.L.C., a Delaware limited liability company, in fee.

AND BEING the same lands and premises which AASCD Ventures, LLC, a Delaware limited liability company, by Deed dated August 30, 2004 and recorded September 2, 2004 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 3029, Page 341, did grant and convey unto Stazco, LLC, a Delaware limited liability company, in fee.

Consideration: 105,000.00

County		1,575.00
State		1,575.00
Town	Total	3,150.00

Received: Kara S Oct 09,2012

Recorder of Deeds
Scott Dailey
Oct 09,2012 12:45P
Sussex County
Doc. Surcharge Paid

RECEIVED

OCT 09 2012

ASSESSMENT DIVISION
OF SUSSEX COUNTY

SCALED. ENGINEERING

20246 Coastal Highway
Rehoboth Beach, DE 19971
Tel: 302 - 236 - 3600

PARTICULAR DESCRIPTION
PARCEL 1

TAX MAP PARCEL 234-29.00-49.02 (PART OF)

ALL THAT CERTAIN PIECE, parcel or tract of land lying and being situated in Indian River Hundred, Sussex County, and State of Delaware, lying on the westerly side of John J. Williams Highway – Delaware Route 24 (60 foot right-of-way), being Parcel 1 on a conceptual site plan titled, "American Storage of Delaware", prepared by Scaled Engineering Inc., dated August 26th, 2021, and being bounded on the south by lands now or formerly of Sharon A. Harring; on the west by Parcel 2 of said conceptual site plan; on the north by lands now or formerly of Four Diamonds Development & Consulting LLC and lands now or formerly of State of Delaware, Department of Transportation and being more particularly described as follows, to wit:

BEGINNING at a point near an iron pipe found on the westerly right-of-way of aforementioned John J. Williams Highway at a corner for lands herein described and aforementioned lands of State of Delaware; said point being located 1,296.16 feet from the southerly right of way of Autumn Road - Sussex County Road 299 as measured in a southwesterly direction along said right-of-way of John J. Williams Highway; thence continuing with the same **South 11 degrees 42 minutes 11 seconds West, 589.82 feet** to an iron pipe found at a corner for aforementioned lands of Harring; thence with the same **North 78 degrees 14 minutes 56 seconds West, 571.86 feet** to a point at a corner for aforementioned Parcel 2; thence with same **North 11 degrees 45 minutes 04 seconds East, 670.54 feet** to a point on the southerly line of aforementioned lands of Four Diamonds Development & Consulting LLC; thence with same and partially with said lands of State of Delaware **South 70 degrees 12 minutes 27 seconds East, 577.04 feet** to the point and place of beginning, containing 8.27 acres of land, being the same more or less.

SCALED. ENGINEERING

20246 Coastal Highway
Rehoboth Beach, DE 19971
Tel: 302 - 236 - 3600

PARTICULAR DESCRIPTION
PARCEL 2

TAX MAP PARCELS 234-29.00-49.02 (PART OF),
234-29.00-49.03 & 234-29.00-50.00

ALL THAT CERTAIN PIECE, parcel or tract of land lying and being situated in Indian River Hundred, Sussex County, and State of Delaware, lying west of John J. Williams Highway – Delaware Route 24 (60 foot right-of-way), being Parcel 2 on a conceptual site plan titled, "American Storage of Delaware", prepared by Scaled Engineering, Inc., dated August 26, 2021, and being bounded on the east by Parcel 1 of said conceptual site plan; on the south by lands now or formerly of Sharon A. Harring; on the southwest by lands now or formerly of Baylis Estates Investments LLC; on the west and north by lands now or formerly of Four Diamonds Development & Consulting LLC and being more particularly described as follows, to wit:

BEGINNING at a point, a corner for lands herein described and the aforementioned Parcel 1; said point being located the following two (2) courses and distances from the point of intersection of the southerly right of way of Autumn Road - Sussex County Road 299 and the westerly right of way of John J. Williams Highway – Delaware Route 24:

1. **1,296.16 feet** from said right of way of Autumn Road as measured in southwesterly direction along said right-of-way of John J. Williams Highway to a point near an iron pipe found.
2. **North 70 degrees 12 minutes 27 seconds West, 577.04 feet** to said beginning point; thence with said Parcel 1 **South 11 degrees 45 minutes 04 seconds West, 670.54 feet** to a point on the northerly line of aforementioned lands of Harring; thence with the same **North 78 degrees 14 minutes 56 seconds West, 710.08 feet** to an iron pipe found on the north easterly line of aforementioned lands of Baylis Estates Investments LLC; thence with same **North 49 degrees 41 minutes 02 seconds West, 368.92 feet** to a capped rebar found at a corner for aforementioned lands of Four Diamonds Development & Consulting LLC; thence with same the following three (3) courses and distances:

1. **North 04 degrees 42 minutes 45 seconds East, 660.38 feet** to a capped rebar found.
2. **South 70 degrees 00 minutes 50 seconds East, 1,095.39 feet** to a point.
3. **South 70 degrees 12 minutes 27 seconds East, 31.22 feet** to the point and place of beginning, containing 17.63 acres of land, being the same more or less.

EXHIBIT B

PLANNING & ZONING
Jamie Whitehouse, AICP ,MRTPI
Director
(302) 855-7878 T
(302) 854-5079 F

Sussex County
DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 9/2/21

Site Information:

Site Address/Location: John J. Williams Highway, Millsboro, DE

Tax Parcel Number: 234-29.00-49.02, 49.03 & 50.00
Current Zoning: AR-1
Proposed Zoning: Parcel 1: C-3; Parcel 2: MR with Conditional Use for Multifamily
Land Use Classification: Coastal Area (Future Land Use Map)

Proposed Use(s): **Parcel 1:** Mini-Warehouse (Self Storage) = 150,000 sq. ft.
Parcel 2: Multifamily Housing (Mid-Rise) = 140 Units
Multifamily Housing Clubhouse = 3,060 sq. ft.
See Attached Conceptual Site Plan

Square footage of any proposed buildings or number of units: See Proposed Use/140 residential units

Applicant Information:

Applicant's Name: American Storage of Delaware, LLC

Applicant's Address: 113 Dickinson Street
City: Dewey Beach State: DE Zip Code: 19971

Applicant's Phone Number: (302) 462-5871
Applicant's e-mail address: nate.gmconstruction@gmail.com

Please send copy to:
David C. Hutt, Esquire
Morris James LLP
107 W. Market Street
Georgetown, DE 19947
Phone: (302) 856-0018
Email: dhutt@morrisjames.com

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

NICOLE MAJESKI
SECRETARY

September 10, 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 **American Storage of Delaware, LLC** proposed land use application, which we received on September 2, 2021. This application is for approximately 25.90- acre assemblage of parcels (Tax Parcels: 234-29.00-49.02, 49.03, 50.00) The subject land is located on the west side of John J. William Highway (State Route 24) about 800 ft north of the intersection with Legion Road (Sussex Road 298). The subject land is currently zoned AR-1 (Agriculture Residential); and the applicant is seeking to change the existing parcel lines to create two new parcels with a proposed zoning of C-3 (Heavy Commercial) for the first parcel to build a mini warehouse. The second parcel is proposed to be zoned as MR (Medium Density Residential) with a conditional use approval to build 140 multifamily housing units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J. William Highway from Long Neck Road (State Route 5) to Mount Joy Road (Sussex Road 297), are 18,682 and 24,022 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 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 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.

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

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

Sincerely,

Claudy Joinville *for*

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff
cc: American Storage of Delaware, LLC, Applicant
David C. Hutt, Esquire, Applicant
Lauren DeVore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

EXHIBIT C

Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - -The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2021-02-05

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 2/3

1. Project Title/Name: American Storage of Delaware
2. Location (please be specific): Delaware Route 24 (John J. Williams Highway), Millsboro, Delaware
3. Parcel Identification #: 234-29.00-49.02, 49.03 & 50.00
4. County or Local Jurisdiction Name: where project is located: Sussex County
5. If contiguous to a municipality, are you seeking annexation: Not applicable.
6. Owner's Name: American Storage of Delaware, LLC (Alex Pires)

   Address: 113 Dickinson Street

   City: Dewey Beach State: Delaware Zip: 19971

   Phone: (302) 462-5871 (202) 905-6706 Fax: Email: nate.gmconstruction@gmail.com farmerslawyer@aol.com
7. Equitable Owner/Developer **(This Person is required to attend the PLUS meeting)**: Same as owner

   Address:

   City: State: Zip:

   Phone: Fax: Email:
8. Project Designer/Engineer: Carlton Savage, Jr. | SCALED.Engineering

   Address: 20246 Coastal Highway

   City: Rehoboth Beach State: Delaware Zip: 19971

   Phone: (302) 236-3600 Fax: Email: carlton@scaledengineering.com
9. **Please Designate a Contact Person, including phone number, for this Project:** Nate Graulich | (302) 462-5871
   Alex Pires | (202) 905-6706

Information Regarding Site:

10. Type of Review: ☐ Rezoning, if not in compliance with certified comprehensive plan ■ Site Plan Review ☐ Subdivision

11. Brief Explanation of Project being reviewed: The Project proposes to (1) rezone the front half of the property to C-3 (Heavy Commercial) for a Business Park (Flex Space) of 12.63 acres with 36,000 sq. ft. of Flex Park and 103,600 sq. ft. of mini-storage and an office for the mini-storage; and (2) rezone the rear half of the property to MR (Medium Residential) with a conditional use for multifamily (midrise) housing (13 acres) consisting of 104 units.
If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications.

12. Area of Project (Acres +/-): 25.90 +/- acres | Number of Residential Units: 104 | Commercial square footage: Business Park/Flex Space (36K Sq. Ft); Mini Storage (103,600 Sq. Ft.)

13. Present Zoning: AR-1 (Agricultural Residential)

14. Proposed Zoning: C-3 (Heavy Commercial); MR (Medium Density) with Conditional Use

15. Present Use: Agricultural/Wooded

16. Proposed Use: Business Park (Flex Park); Mini Storage and Multi-Family Housing

17. Water: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Tidewater

Will a new public well be located on the site? ☐ Yes ■ No

18. Wastewater: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Sussex County

Will a new community wastewater system be located on this site? ☐ Yes ■ No

19. If residential, describe style and market segment you plan to target (Example- Age restricted):
The residential units are targeted as market rate apartments intended for those who live and work in the Long Neck and surrounding area

20. Environmental impacts:

How many forested acres are presently on-site? 13.79 How many forested acres will be removed? 9.20

To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☐ Yes ■ No

Are the wetlands: ☐ Tidal Acres:
☐ Non-tidal Acres:

If "Yes", have the wetlands been delineated? ☐ Yes ☐ No

Has the Army Corps of Engineers signed off on the delineation? ☐ Yes ☐ No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☐ Yes ☐ No If "Yes", describe the impacts:

How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? +/- 200'

21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? ☐ Yes ■ No
per the DNREC NavMap

22. List the proposed method(s) of stormwater management for the site:
BMPs to likely include a combination of wet pond(s) and infiltration pond(s)

23. Is open space proposed? ■ Yes ☐ No If "Yes," how much? Acres: 11.45

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? active and passive recreation and stormwater management

24. Are you considering dedicating any land for community use (e.g., police, fire, school)? ☐ Yes ■ No

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: 1,170 ADT

    What percentage of those trips will be trucks, excluding vans and pick-up trucks? < 5%

26. Will the project connect to state maintained roads? ☒ Yes ☐ No De. Rt. 24 (John J. Williams Highway)

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections.

There are no existing developments on adjacent lands.

28. Are there existing sidewalks? ☐ Yes ☐ No; bike paths ☐ Yes ☒ No
    Are there proposed sidewalks? ☐ Yes ☒ No; bike paths ☐ Yes ☐

    Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☐ Yes ☒ No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ☒ No

    Has this site been evaluated for historic and/or cultural resources? ☐ Yes ☒ No

    Would you be open to a site evaluation by the State Historic Preservation Office? ☒ Yes ☐ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ☒ Yes ☐ No
    Person to contact to arrange visit: Carlton Savage, Jr. phone number: (302) 236-3600

Alex Pires | (202) 905-6706

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ☒ No

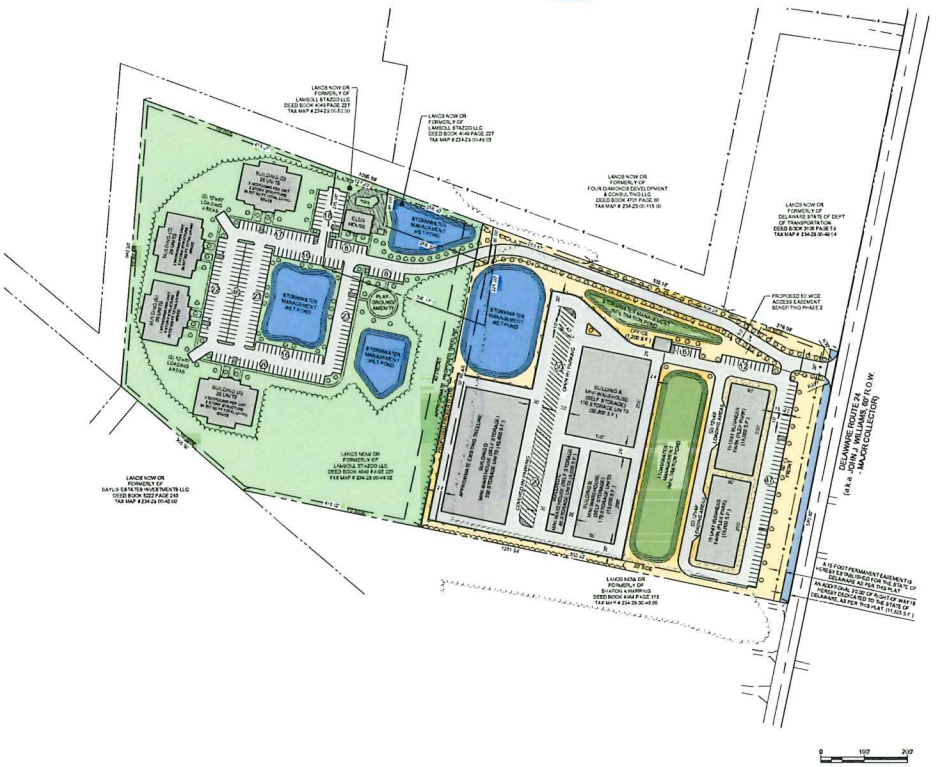
I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

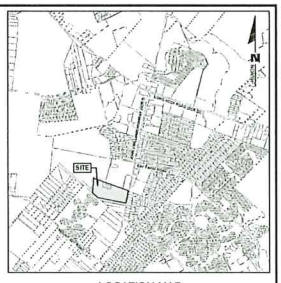
Signature of property owner — Date: 1/29/21

Signature of Person completing form (If different than property owner) — Date: 1/29/2021

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at plus@state.de.us **along with an electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.





LOCATION MAP

SCALE: 1" = 2,000' -XREF

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - BUSINESS PARK (FLEX PARK) = 36,000 SQ FT
   MINI WAREHOUSE (SELF STORAGE) = 103,000 SQ FT
   MINI WAREHOUSE OFFICE = 1,200 SQ FT
   PARCEL 2 - MULTI FAMILY HOUSING (MID-RISE)
   (104 UNITS) = 114,228 SQ FT
   MULTI FAMILY HOUSING CLUBHOUSE = 3,065 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):
   FRONT 60' (JOHN J. WILLIAMS HWY.)
   SIDE 0' (YES/HUN LN.)
   SIDE 20' (SEYMOUR ACRES LN.) *
   REAR 30' *
   * THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT
   MR - MEDIUM RESIDENTIAL:
   FRONT 40'
   SIDE 10'
   REAR 10'
7. AREAS: EXISTING: 25.90 AC
   PROPOSED: PARCEL 1 12.63 AC
   PARCEL 2 13.00 AC
   DELDOT DEDICATION 0.27 AC
   TOTAL 25.90 AC
8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-163A & 45-5)

REQUIRED PARKING:
WHOLESALING - 1 PER 2 EMPLOYEES (89 EMPLOYEES) 45 SPACES REQUIRED
HANDICAP PARKING (51-75 PARKING SPACES) 3 SPACES (1 VAN) REQUIRED
56 SPACES + 3 HC SPACES (2 VAN) = 59 SPACES PROVIDED

STORAGE FACILITY 0 SPACES REQUIRED
1272.67 RV SPACES 50 SPACES PROVIDED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF) 6 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES) 1 VAN SPACE REQUIRED
5 SPACES + 50 RV SPACES + 1 HC SPACES (VAN) = 56 SPACES PROVIDED

APARTMENTS BUILDINGS - 2 PER UNIT (104 UNITS) 208 SPACES REQUIRED
HANDICAP PARKING (201-300 PARKING SPACES) 7 SPACES (2 VAN) REQUIRED
221 SPACES + 12 VAN HC SPACES = 233 SPACES PROVIDED

TOTAL PARKING PROVIDED: 334 PARKING SPACES
+ 16 HANDICAP SPACES
= 350 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

LOADING
BUSINESS PARK (FLEX PARK)
LOADING SPACES REQUIRED 3 SPACES REQUIRED
LOADING SPACES PROVIDED 4 SPACES (12' x 40')
MINI WAREHOUSE (SELF STORAGE) OFFICE
LOADING SPACES REQUIRED 0 SPACE REQUIRED
LOADING SPACES PROVIDED 0 SPACE (12' X 40')
APARTMENT BUILDINGS
LOADING SPACES REQUIRED 3 SPACES REQUIRED
LOADING SPACES PROVIDED 4 SPACES (12' X 40')

SCALED ENGINEERING
Scaled Engineering Inc.
20441 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 226-3000

CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

DATE	6-23-20
SCALE	1" = 100'
DRAWN BY	JRE
PROJECT NO	GRA1902

1

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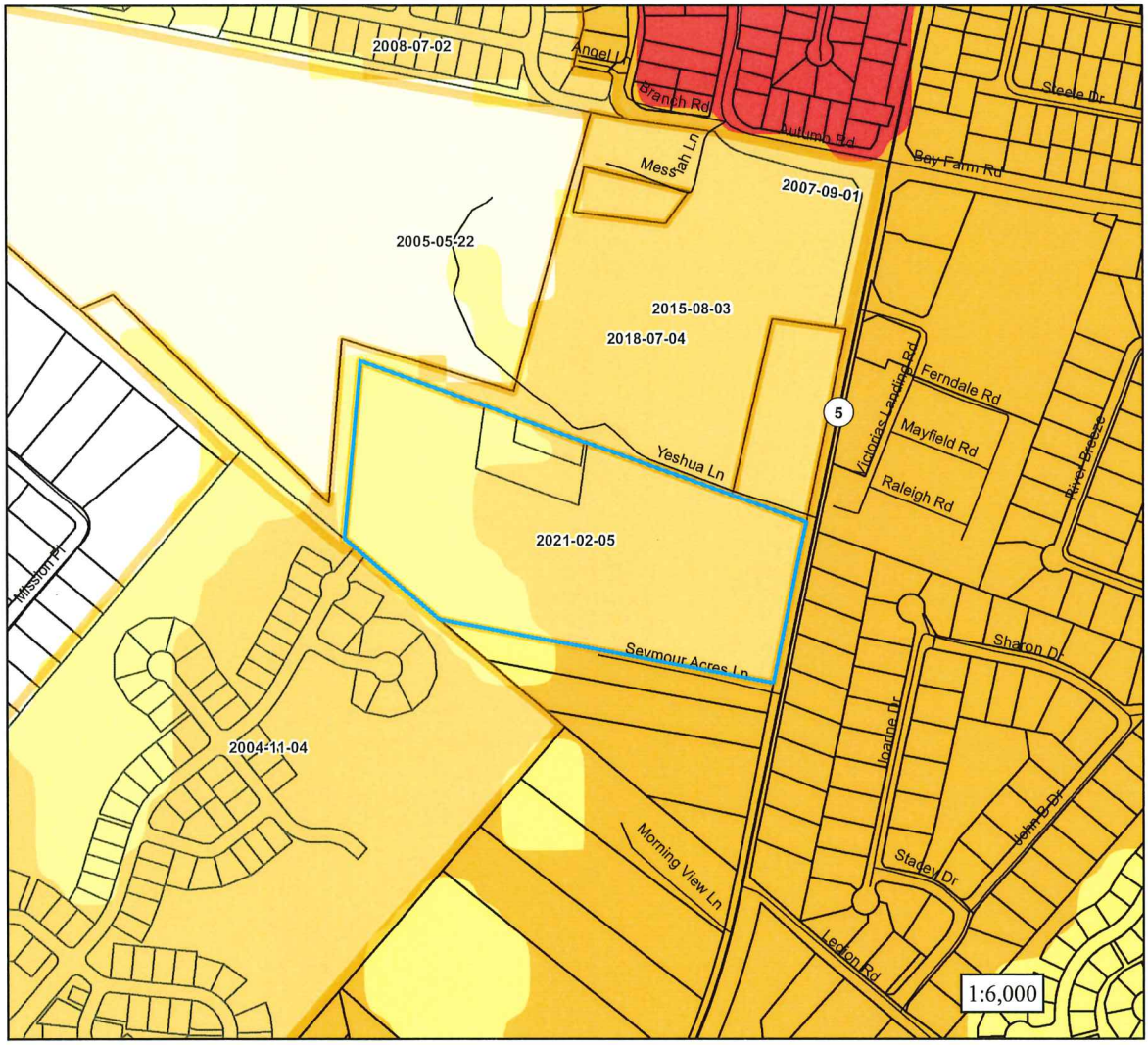
Preliminary Land Use Service (PLUS)



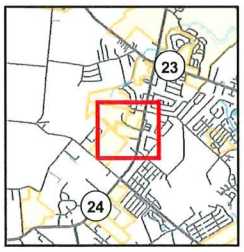
American Storage
2021-02-05

Legend

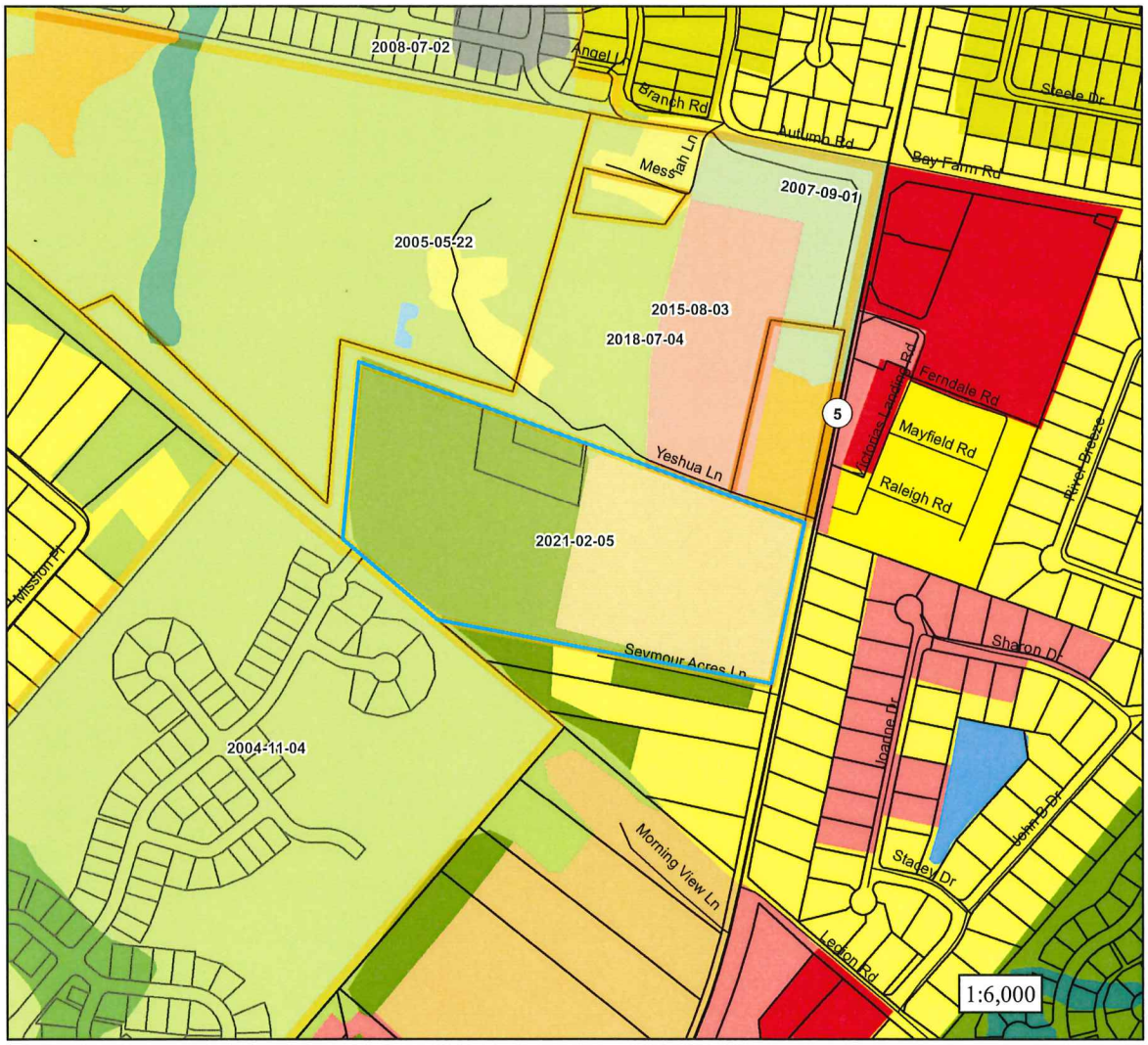
PLUS Project Areas type
- Comp Plans
- All Other PLUS Reviews

2020 State Strategies Strategy Level
- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play

Location Map



Preliminary Land Use Service (PLUS)



American Storage
2021-02-05

Legend

2012 Land Use

LULC Category

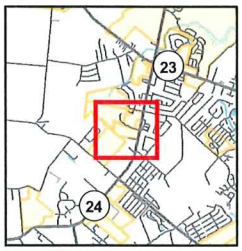
- 110
- Single Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Transportation/Communication/Utilities
- Mixed Urban/Built-up
- Institutional/Governmental
- Recreational
- Farms, Pasture, Cropland
- Confined Animal Feeding Operations/Feedlots/Holding
- Rangeland
- Orchards/Nurseries/Horticulture
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Brush Rangeland
- Clear-cut
- Man-made Reservoirs and Impoundments
- Marinas/Port Facilities/Docks
- Open Water
- Emergent Wetlands - Tidal and Non-tidal
- Forested Wetlands - Tidal and Non-tidal
- Scrub/Shrub Wetlands - Tidal and Non-tidal
- Sandy Areas and Shoreline
- Extraction and Transitional

PLUS Project Areas

type

- Comp Plans
- All Other PLUS Reviews

Location Map

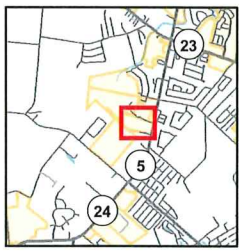


Preliminary Land Use Service (PLUS)

American Storage
2021-02-05

Legend
PLUS Project Areas
type
Comp Plans
All Other PLUS Reviews

Location Map



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

March 23, 2021

Nate Graulich
Graulich Builders
34697 Jiffy Way, Suite 2
Lewes, DE 19958

RE: PLUS review 2021-02-05; American Storage of Delaware

Dear Mr. Graulich:

Thank you for meeting with State agency planners on February 24, 2021 to discuss the proposed plans for the American Storage of Delaware project. According to the information received you are seeking review of a proposed rezoning of 25.9 acres from AR-1 to C-3 and MR and a site plan for 104 residential units and 139,600 square feet of mini storage and business park in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as the County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. 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 other priorities for the near future.

Our office has no objections to the proposed rezoning and development of this project provided it is in compliance with Sussex County Comprehensive plan and all applicable codes and ordinances.

We do ask that you work to preserve the environmental features on the site if the plan moves forward.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on John J. Williams Highway (Delaware Route 24) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- 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 1,170 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, as shown in the table below, DelDOT calculates 1,171 vehicle trip ends per day for this number and estimates the weekday morning and evening peak hour trip ends at 60 and 79, respectively. Therefore, a TIS would normally be required.

	Land Use Code	Floor Area (sf) / Dwellings	Average Daily Traffic	AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
Business Park	770	36,000	448	8	6	7	8
Mini-Warehouse	151	104,800	158	6	4	8	10
Multifamily Housing (Mid-Rise)	221	104	565	9	27	28	18
Total			1,171	23	37	43	36

- Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 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, $11,710. AWS Fees are used to fund traffic studies, not to build improvements.

- DelDOT anticipates requiring the developer to contribute to a DelDOT project presently scheduled for construction this summer, HSIP SR 24 at Mount Joy Road and SR 24 at Bay Farm Road Intersection Improvements, Contract No. T200711201. Information on the project is available at https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T200711201.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Route 24. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"

- 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. 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.**"

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Depiction of all existing entrances within 600 feet of the entrance on Route 24.

    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is mandatory. DelDOT anticipates requiring the developer to build an SUP along their frontage on Route 24.

- Section 3.5.4.3 of the Manual addresses requirements for walkways. A walkway is a path connecting the interior of a development to the frontage sidewalk or SUP. DelDOT anticipates requiring at least two walkways to connect the interior of the site to Route 24,

one along the driveway at the north edge of the property and one at the south end of the frontage, connecting to the parking lot of the business park.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Route 24.

- Section 5.2.4 of the Manual addresses requirements for Entrance Width, for commercial entrances, the minimum undivided width varies from 18 to 32 feet. The proposed 30-foot entrance will be examined during the plan review process. DelDOT may require the developer's engineer to provide turning templates.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. DelDOT anticipates requiring a right turn lane with a five-foot bicycle lane, and possibly a left turn lane into the site from Route 24. Coordination of the construction schedules of the DelDOT project and the proposed development should be discussed at the Pre-Submittal Meeting.

- 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.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Stormwater Management

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

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (https://apps.dnrec.state.de.us/eNOI/default.aspx) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- 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.

- Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Hydrologic Soils Group
While much of the site consists of Hydrologic Soils Group A soils (well drained), the northwest portion of the site lies within A/D soils (somewhat poorly drained). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921
  E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Water Quality (Pollution Control Strategies)
Pollution Control Strategies have been developed for the following watersheds in Delaware: Christina, Appoquinimink, Broadkill, Mispillion and Cedar Creek, Murderkill, Saint Jones, Inland Bays (Rehoboth Bay, Indian River Bay, and Little Assawoman Bay), Nanticoke, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- The western half of the site (forested portion) lies within the Rehoboth Bay Watershed & the eastern half of the site (unforested portion) lies within the Indian River Bay Watershed, both of which are included under Pollution Control Strategies. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

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

Nutrient Management Plan
This project proposes approximately 11 acres of open space, exceeding the threshold of 10 Acres for nutrient management.

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

- Contact: Delaware Department of Agriculture's Nutrient Management Program at (302)

- 698-4558. Website: https://agriculture.delaware.gov/nutrient-management/

Wildlife Displacement
Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- There are no known National Register listed or eligible properties on the parcel.

- Prehistoric archaeological potential is moderate. Soils are mostly well-drained except for the northwest corner of the area. Guinea Creek appears on Beers map and some historic aerials as extending closer to the parcels, which may mean that it is within favorable distance to freshwater for prehistoric site probability. A survey conducted in part of the parcel showed very little remains under a thick plow zone except for two isolated prehistoric finds; could mean that there are other archaeological resources throughout the area.

- Historic archaeological potential is low. Beers Map doesn't show anything near that parcel. A road appears to have existed through the middle-ish until 1950s, and historic aerials show the western portion to be continuously wooded.

- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).

- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: www.achp.gov

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 (DSFPR):

Fire Protection Water Requirements:

- Where a water distribution system is proposed for Storage/Warehouse sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for apartment (multi-family living units) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- 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.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.
- All mini-storage buildings greater than 2500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance–rated barrier shall require an automatic sprinkler system be installed throughout.

> *Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:*
>
> *(1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,*
>
> *(2) the owner of the facility does not have unrestricted access to the storage units, and*
>
> *(3) the items being stored are concealed from view from outside the storage unit.*

- 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

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 accessible to fire apparatus.
- Any dead end 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.
- 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.

Gas Piping and System Information:

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

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

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The subject land adjoins both a recorded but as-yet-unbuilt stub street in the Baylis Estates subdivision, which fronts on Mount Joy Road (Sussex Road 297), and the Peninsula Square mixed-use development, which fronts on Autumn Road (Sussex Road 299). In addition to providing emergency access to the proposed apartments, with appropriate interconnections and easements required of the subject development and Peninsula Square, these three developments could provide a low-stress pedestrian and bicycle connection between Mount Joy Road and Autumn Road.

- 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 Route 24.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at https://www.deldot.gov/Business/subdivisions/.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Forest Removal
The preliminary plans and/or project application proposed the elimination of approximately 9.2 out of 13.8 existing acres of forest habitat.

- 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 and reduces carbon that contributes to climate change. A forest assessment should be conducted to determine if mature forest resource exists on the property, and to determine species present.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Stormwater Management
Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

General Drainage Recommendations
There are numerous reported drainage concerns near the proposed project area. One concern from 2009 referenced flooding of a nearby property. There are numerous concerns ranging from 2010-2020 from landowners on the eastern side of John J. Williams Highway about property flooding. The storage of onsite stormwater and the release stormwater to adjacent properties is a concern if this property is developed.

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemption coverage may be required by the County Conservation District (Standard Plan), DNREC Sediment and Stormwater (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site stormwater.

- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

- Contact: DNREC Drainage Program at (302) 855-1930.
  Website: https://dnrec.alpha.delaware.gov/drainage-stormwater/

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by

maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/

Mosquitoes
The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of wetland types including freshwater forested, freshwater emergent, and estuarine.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.

- Contact: DNREC Division of Fish and Wildlife at (302) 739-9917. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/

Current or Previous Contamination
This parcel is contained within a large area that has been investigated for well contamination (DE-1388 Long Neck Mercury Study). In 2001, mercury was detected in a public water supply well; levels were reported above the Maximum Contaminant Level. While DNREC and the U.S. Geological Survey investigated the incident, the source could not be located. The well has been temporarily turned off.

- Delaware Health and Social Services reviews the monitoring reports from the water company. The USGS report that resulted from the study can be found here: https://pubs.usgs.gov/sir/2006/5011/pdf/sir-2006-5011.pdf

- Contact the Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.
  Website: https://dnrec.alpha.delaware.gov/waste-hazardous/

- Additional information may also be found online by searching Delaware's Environmental Navigator at http://www.nav.dnrec.delaware.gov/den3/

Additional Sustainable Practices
Recommendations for entire project:

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.

- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.

- 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.

- Incorporate nonmotorized connectivity in the residential area and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

Recommendations for residential section:

- Include an option to install electric vehicle charging stations in garages of homes for your customers and tenants to assist Delaware in achieving its clean transportation goals.

- For the proposed pool and clubhouse, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities. Grants may be available for qualifying renewable energy systems installed in Delaware by applicants whose electricity provider collects funds for the program and offers a grant program for renewable energy projects. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/.

Recommendations for commercial section:

- Install electric vehicle charging stations for your customers and tenants to assist Delaware in achieving its clean transportation goals. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/.

Concerns Identified Outside of the Development Footprint

Delaware Ecological Network
Lands designated as part of the Delaware Ecological Network lie to the east of this parcel. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on the proposed development site could jeopardize habitat beyond the parcel boundary.

- Removing forested areas within (and nearby) the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

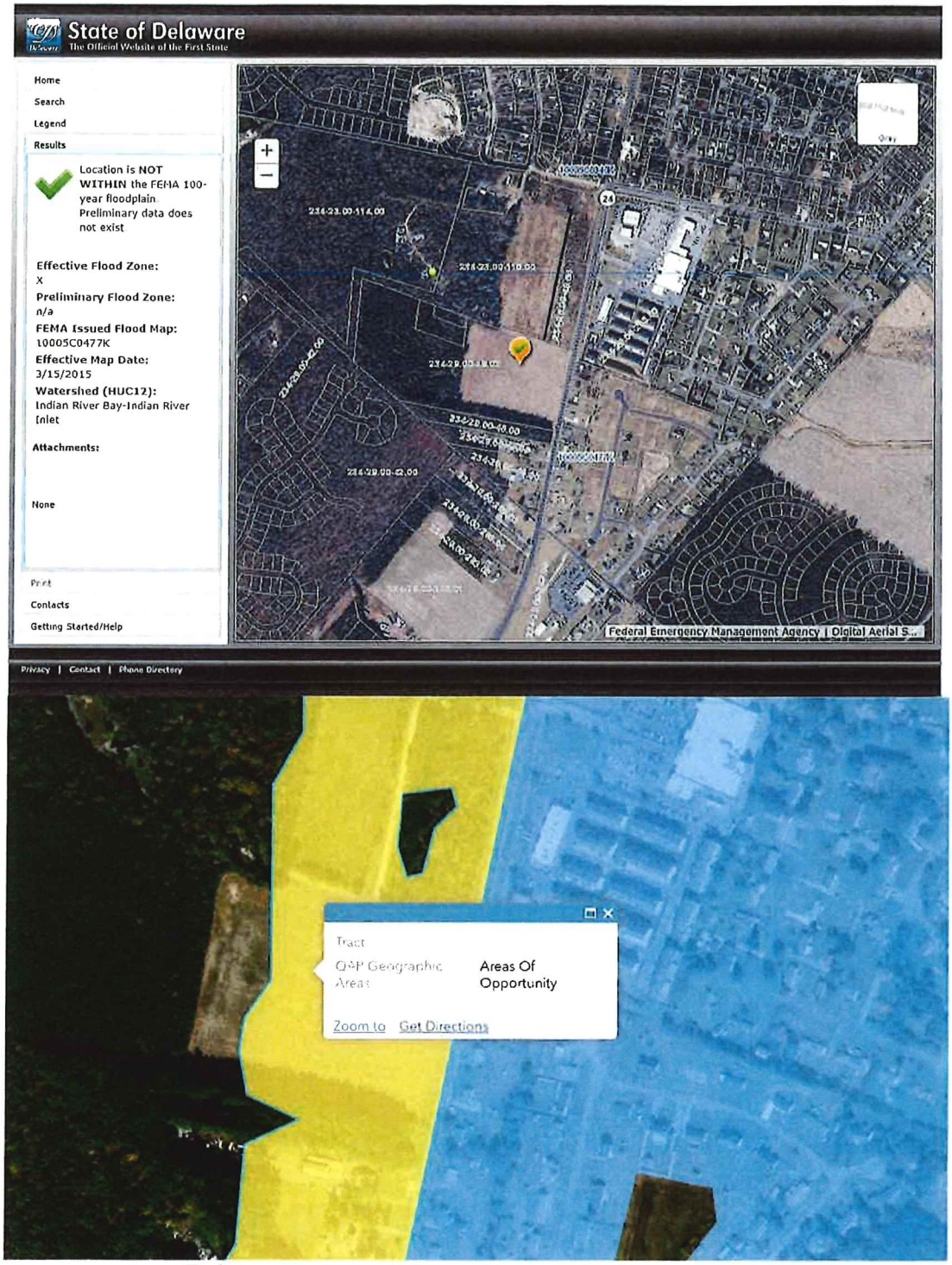
- Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- 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.

Delaware Emergency Management Agency – Contact Philip Cane 659-2325

- The location is not within any flood plain nor in a coastal inundation zone. 2018 QAP described the region this project is located in as being an "Area of Opportunity" while bordering a region identified as "Stable". The region has a homeownership rate of approximately 81.2% to 83%, a poverty ratio of 10 to 1 with approximately 21% of that census block's population at the age of 65 or older.


State of Delaware
The Official Website of the First State
Home
Search
Legend
Results
Location is NOT WITHIN the FEMA 100-year floodplain
Preliminary data does not exist
Effective Flood Zone:
X
Preliminary Flood Zone:
n/a
FEMA Issued Flood Map:
10005C0477K
Effective Map Date:
3/15/2015
Watershed (HUC12):
Indian River Bay-Indian River Inlet
Attachments:
None
Print
Contacts
Getting Started/Help
Federal Emergency Management Agency | Digital Aerial S...
Privacy | Contact | Phone Directory
Tract
QAP Geographic Areas
Areas Of Opportunity
Zoom to
Get Directions

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- As of January 11, 2021, the applicant has already participated in a pre-application meeting with Planning and Zoning staff.

- Please include a note on the plans which indicates that the proposed project is not located within the Henlopen Transportation Improvement District (TID).

- Following submission to the County, staff undertake review of the Preliminary Site Plan, where more detailed comments are provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

- For the Conditional Use, a Service Level Evaluation Request form must be completed and submitted to the Office of Planning and Zoning. Once the Office receives the completed Service Level Evaluation Response from DelDOT, the applicant may submit all documentation and materials pertaining to their Conditional Use application.

- Please note that since the proposed development lies within the Coastal Area and is above the 50 dwelling unit and 75,000 feet of commercial development threshold, copies of an Environmental Assessment (EA) and Public Facility Evaluation Report must be submitted which address the criteria located in §115-194.3(2)(a-l).

- Additionally, the proposal will have to comply with the site plan requirements of §115-220 and the multifamily requirements of §115-188 of the Sussex County Code.

- Please include the proposed density for the project for separately for both the residential component as well as the commercial site. The C-3 Zoning District and the MR Zoning District (as a Conditional Use) allow for a density of up to 12 dwelling units per acre.

- Please note on the plans that the parcels are not located within a Wellhead Protection Area in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§ 89-6). Please note on the plans that the parcels are located within an area of "good" groundwater recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

- Staff note that there is only one-way-in, one-way-out access to the property. The Planning and Zoning Commission desire more than one entrance or an easement for emergency access purposes in the event of an emergency occurring on the parcel.

- The side yard setback for the portion of the property to be zoned C-3 adjacent to the existing Yeshua Lane is shown with a 10-ft side yard setback. The Site Data Column indicates that this setback is 5-ft. The side yard setback in the C-3 Zoning District is 20-ft when adjacent to a residentially zoned parcel (Tax Map: 234-29.00-49.04 appears to be residentially zoned as AR-1) (§115-83.22(B)(2)). Please indicate if the applicant wishes to amend this setback as part of the application.

- Staff note that 11.45 acres of open space is proposed. The proposed open space of 44% is desirable. Please include the amount of open space proposed as a percentage and in acres within the Site Data Column.

- The proposed parking appears to meet Code requirements as well as ADA requirements regarding the provision of handicap spaces per total number of parking spaces (§115-162).

- Please note that these are informal staff comments and do not prejudice any decision that the Sussex County Planning and Zoning Commission may wish to make as part of the formal application.

- Please reach out to Lauren DeVore with any questions regarding these comments at lauren.devore@sussexcountyde.gov or call the Planning and Zoning Office at (302)855-7878.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 2 and Tier 3 area for sewer service and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.

- 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 & Design Review 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 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. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used.

- The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

- One-time system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and

county sources, as well as private funding sources that also promote affordable housing in Sussex County.

- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

- On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

Constance C. Holland

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning Department

Mackenzie Peet

From: Stephen W. Spence
Sent: Wednesday, March 9, 2022 11:24 AM
To: Alex Pires (farmerslawyer@aol.com); Graulich Builders; Carlton Savage
Cc: Mackenzie Peet
Subject: FW: American Storage of Delaware

Follow Up Flag: Follow up
Flag Status: Completed

See the chain below.

Stephen W. Spence, Esquire
1413 Savannah Road, Suite 1, Lewes, Delaware 19958
Tel: (302) 645-2262 | Fax: (302) 644-0306
sws@bmbde.com

BAIRD MANDALAS BROCKSTEDT LLC

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From: David C. Hutt <DHutt@morrisjames.com>
Sent: Wednesday, March 9, 2022 10:32 AM
To: Stephen W. Spence <sws@bmbde.com>
Subject: FW: American Storage of Delaware

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See below.

From: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>
Sent: Tuesday, August 31, 2021 10:52 AM
To: Hutt, David C. <DHutt@morrisjames.com>
Subject: RE: American Storage of Delaware

Hi David,

Thank you for your email. I have reviewed this with Dorothy and David. OSPC will not require a new PLUS review.

We do note that the State Comments letter referred to a bike path in the DelDOT comments. The site plan does not appear to show one. Please make sure to address this feature moving forward with the plan.

Please let me know if you have any questions or if I can provide any additional information.

Thanks much,
-Steve Bayer

Steve Bayer
Planner
Delaware Office of State Planning Coordination
Haslet Armory
122 Martin Luther King Jr. Boulevard, South
Dover, DE 19901
(302) 739-3090
(302) 739-5661 fax
http://stateplanning.delaware.gov/

From: Hutt, David C. <DHutt@morrisjames.com>
Sent: Tuesday, August 31, 2021 9:34 AM
To: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>; Morris, Dorothy (OMB) <Dorothy.Morris@delaware.gov>
Subject: American Storage of Delaware

Dorothy,

Earlier this year, the OSPC reviewed an application for American Storage of Delaware (PLUS Review 2021-02-05). For your ready reference, I have attached a copy of the PLUS Review Letter dated March 23, 2021.

The overall concept has stayed the same with a commercial-type use along Route 24 and residential behind that application. The acreage for the commercial has been reduced which, of course, increased the acreage for the residential component.

In short, what before was 139,600 square feet of mini storage and business park (flex space) and 104 residential units is now proposed to be 150,000 square feet of mini-storage and 140 residential units. Attached is a copy of the new concept.

Does your office want to see a new/revised application?

Thanks,

David

Morris James LLP
David C. Hutt | Partner
107 W. Market Street, P.O. Box 690, Georgetown, DE 19947
19339 Coastal Highway, Suite 300, Rehoboth Beach, DE 19971

Phone: 302.856.0018 | **Fax:** 302.856.7217
morrisjames.com | dhutt@morrisjames.com
Facebook | LinkedIn | Twitter

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EXHIBIT D

American Storage

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ F
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	50' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

   * WHERE SHALL BE A SIDE AND/OR LESS THAN 20' FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND WHERE SHALL BE A REAR YARD OF AT LEAST TWO (2) TIMES GREATER IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT

   MR - MEDIUM RESIDENTIAL

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS: EXISTING 25.90 AC

PROPOSED	PARCEL 1	4.00 AC
	PARCEL 2	17.63 AC
	DELDOT DEDICATION	4.27 AC
	TOTAL	25.90 AC

8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVIMAP.
13. FOREST AREA:

PRE-DEVELOPMENT	=	14.28 AC
POST DEVELOPMENT	=	9.51 AC
REMAINING	=	4.77 AC

14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

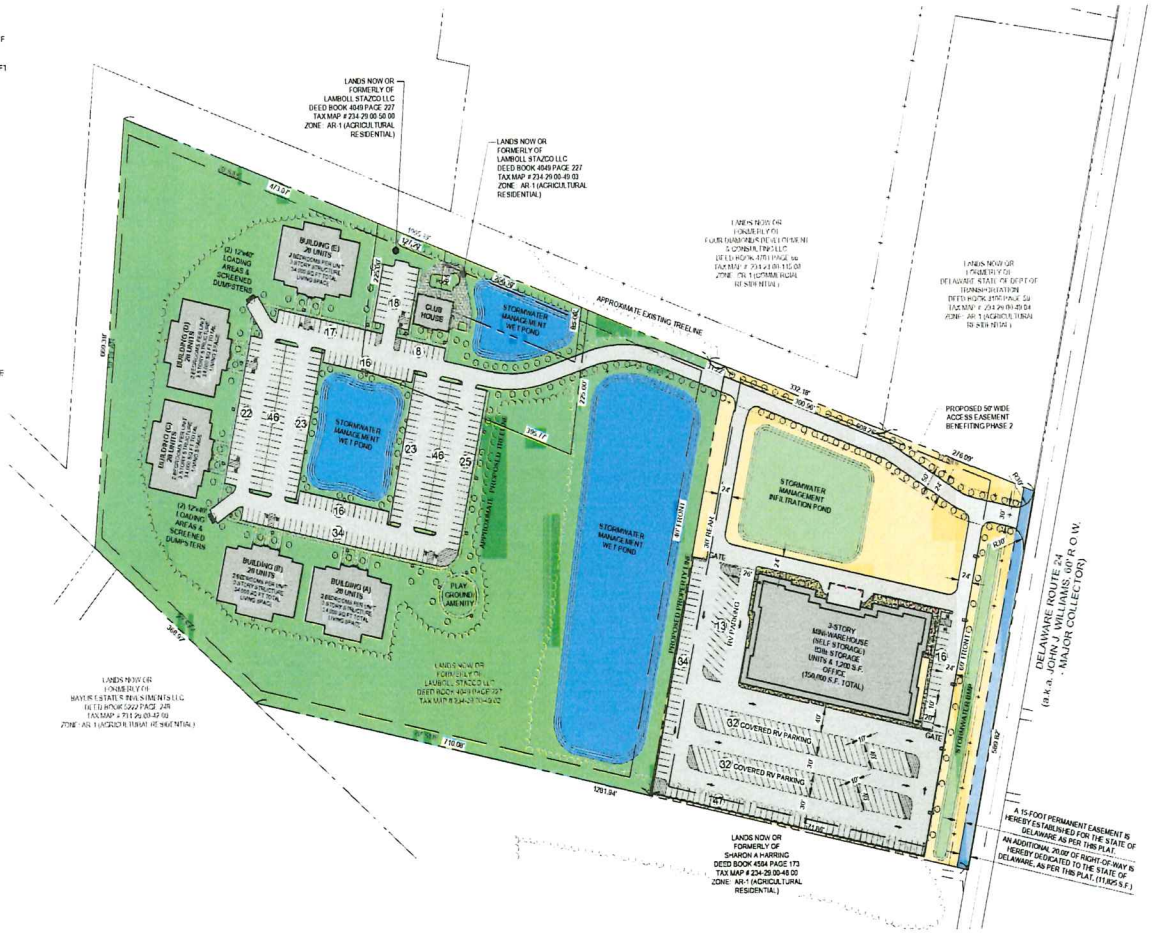
PARKING / LOADING REQUIREMENTS:

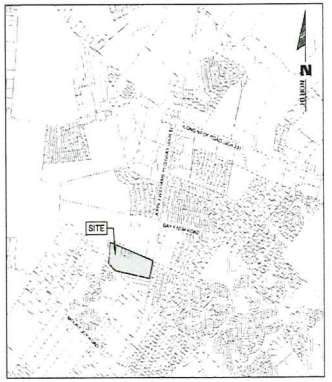
OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

REQUIRED PARKING:	
STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES	= 295 SPACES PROVIDED
TOTAL PARKING PROVIDED	455 PARKING SPACES
	+ 14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

LOADING	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')





LOCATION MAP
SCALE: 1" = 2,000' XREF

Site Plan

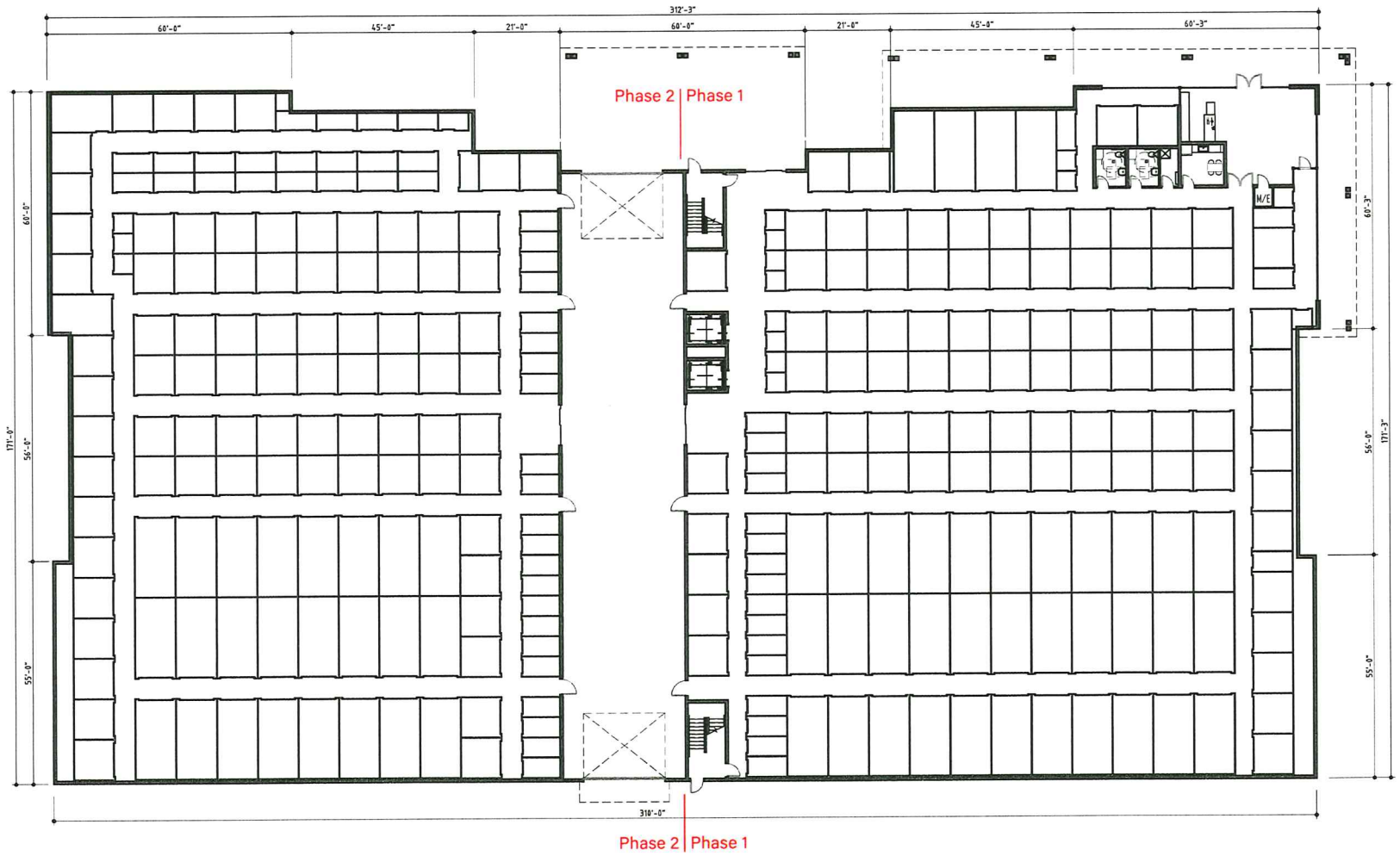
July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

D

UNIT MATRIX

Size	1st Floor	2nd Floor	3rd Floor	Total
5 x 5	15	18	18	51
5 x 7.5	1	1	1	3
5 x 10	63	84	84	231
10 x 10	169	195	195	559
10 x 15	2	6	6	14
10 x 20	61	63	63	187
TOTAL	311	367	367	1,045

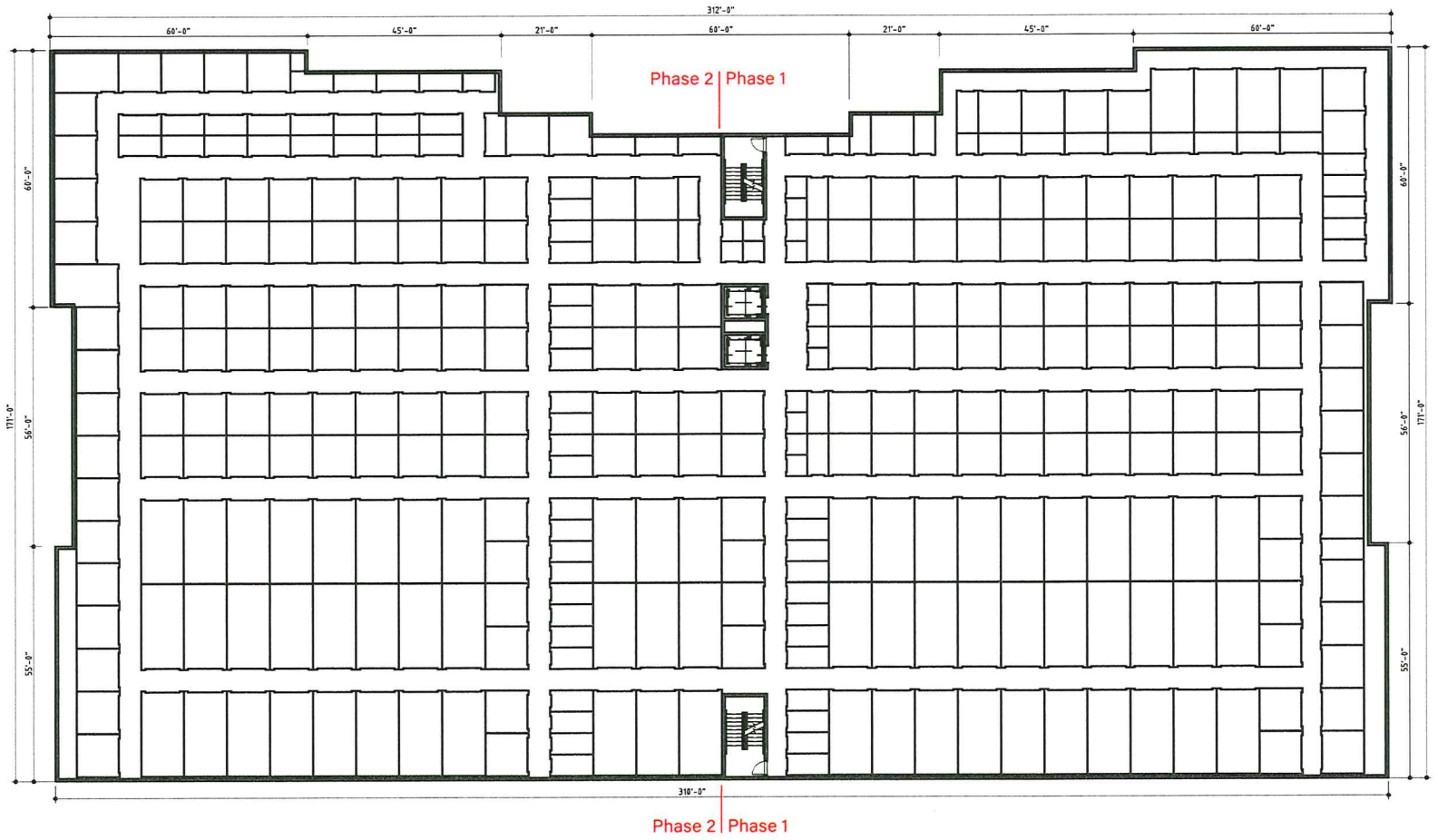


First Floor Concept

July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

D



UNIT MATRIX

Size	1st Floor	2nd Floor	3rd Floor	Total
5 x 5	15	18	18	51
5 x 7.5	1	1	1	3
5 x 10	63	84	84	231
10 x 10	169	195	195	559
10 x 15	2	6	6	14
10 x 20	61	63	63	187
TOTAL	311	367	367	1,045

Second and Third Floor Concept

July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

Exterior Rendering

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

Exterior Rendering

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

Exterior Rendering

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

EXHIBIT E

Sussex County

PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

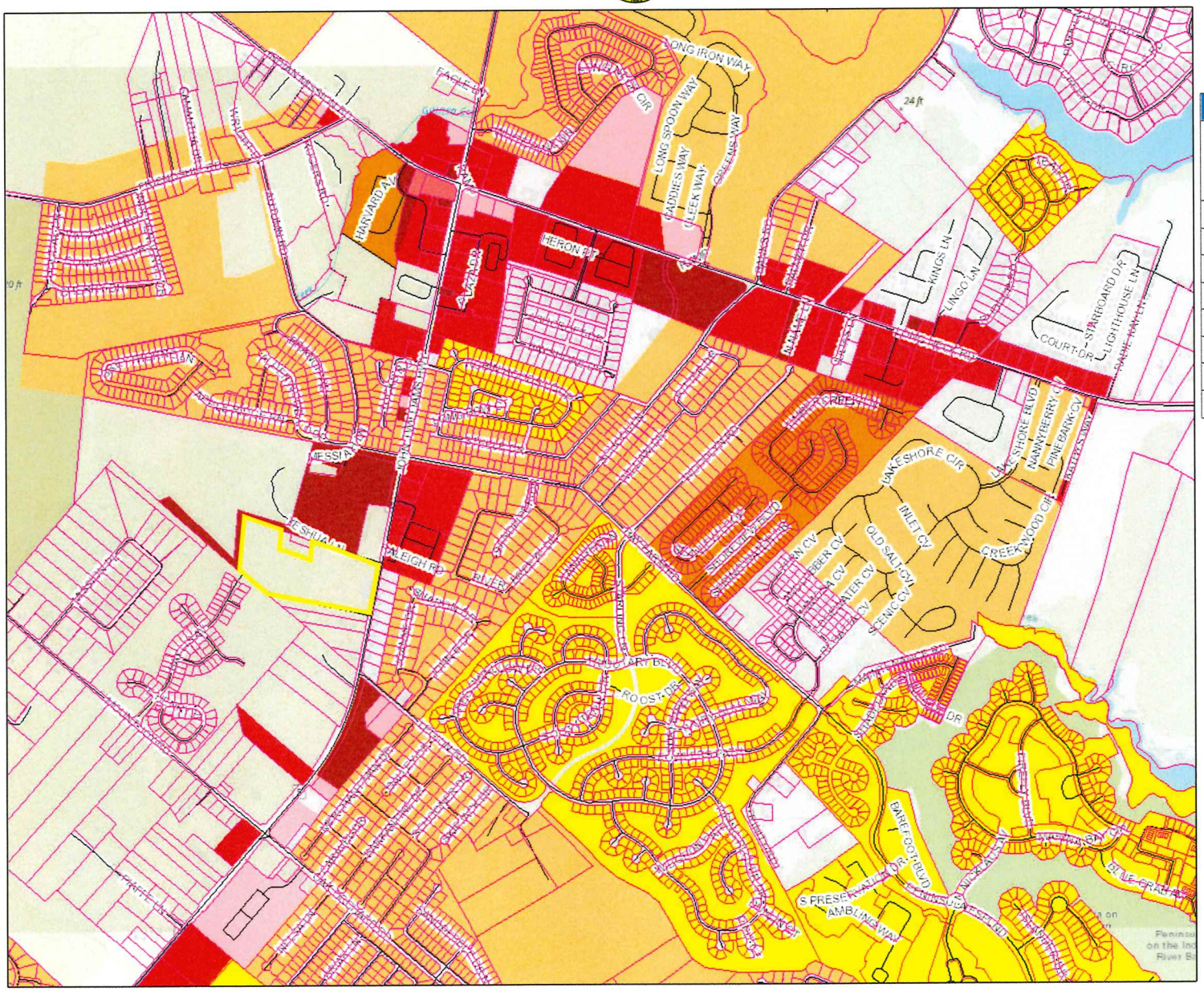
polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries

1:9,028

0 0.1 0.2 0.4 mi
0 0.175 0.35 0.7 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
Override 1

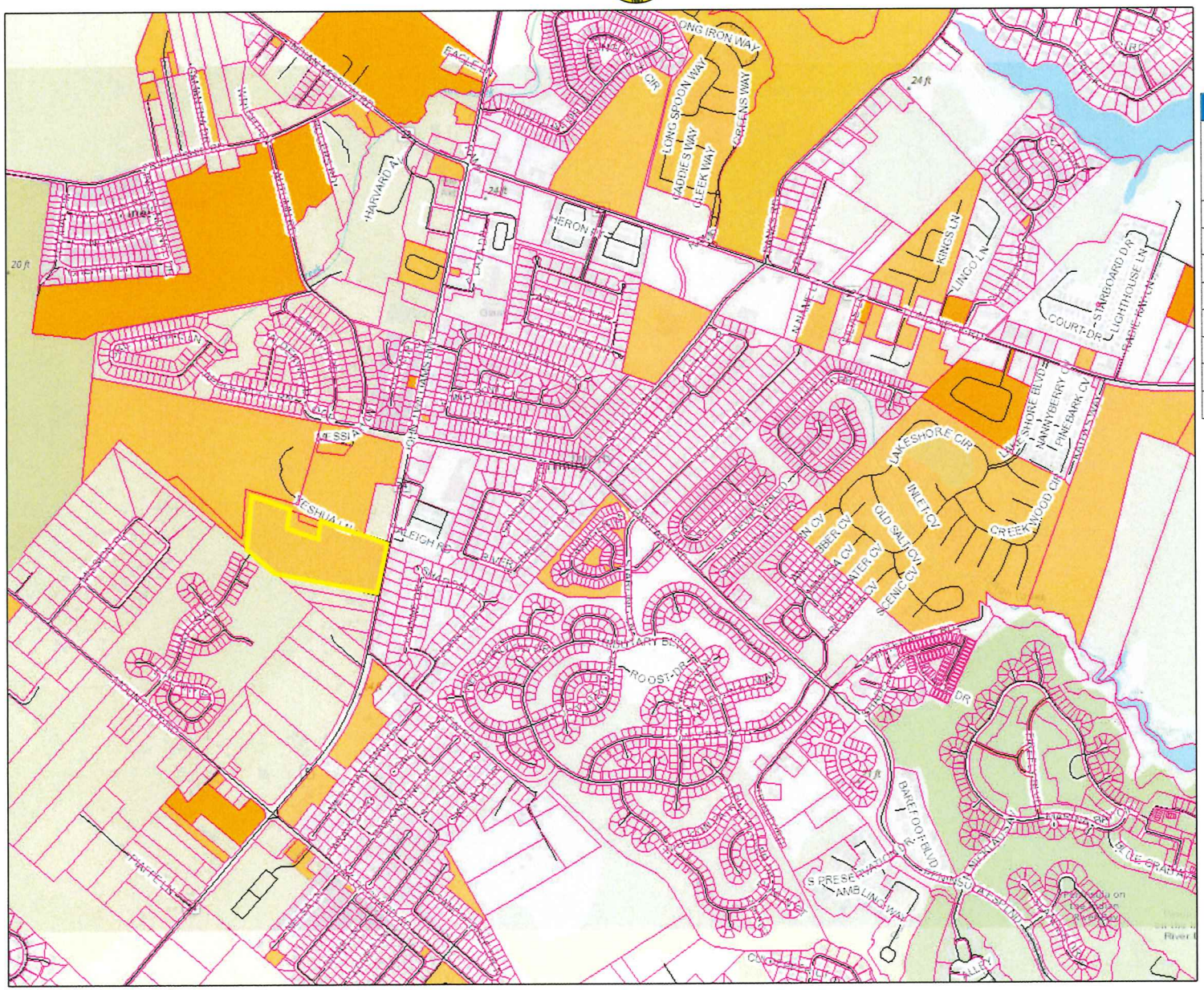
polygonLayer
Override 1
Tax Parcels
Streets

1:18,056

0 0.225 0.45 0.9 mi
0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
Override 1

polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries
Conditional Use

1:18,056

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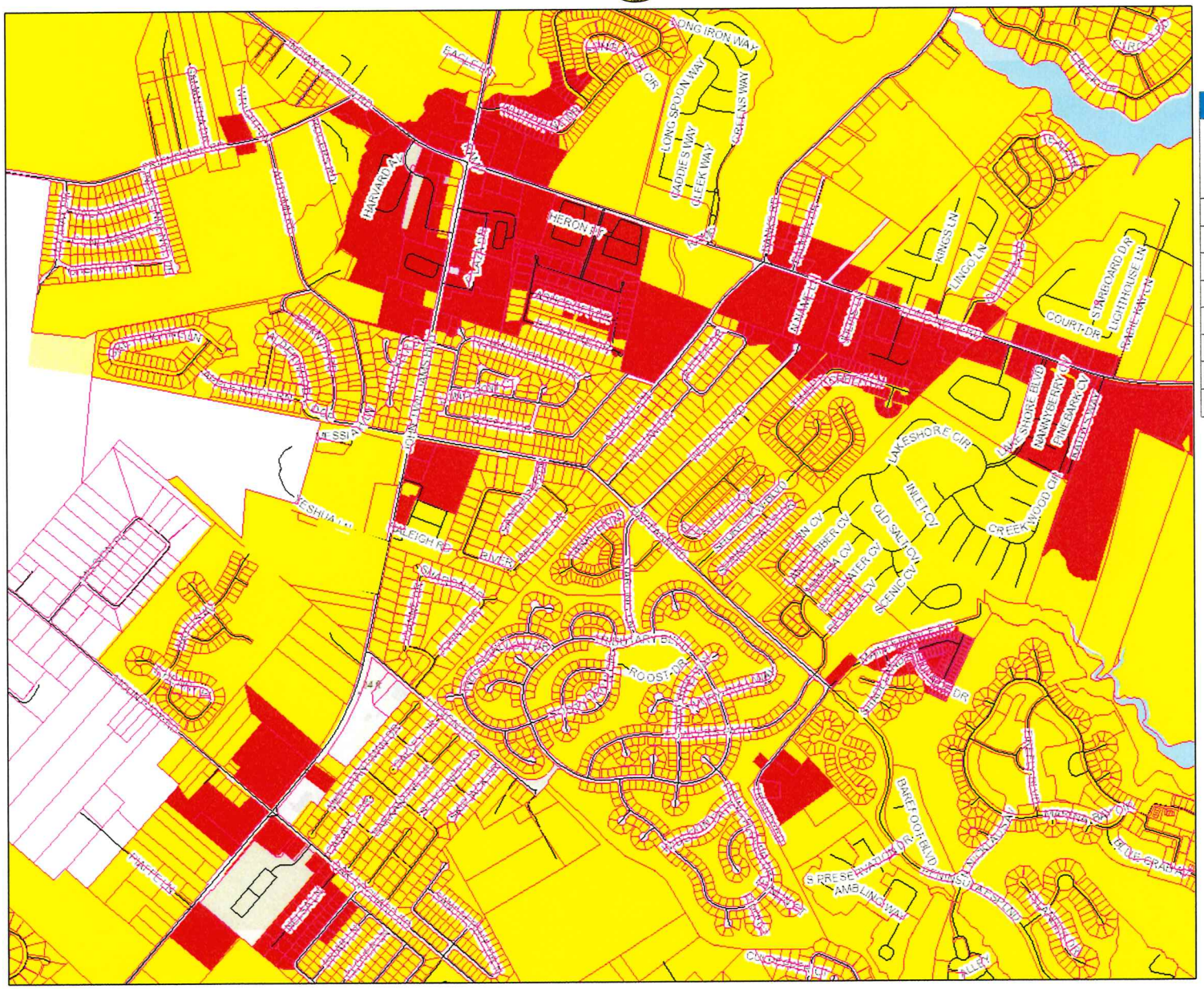
0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 100
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
- Override 1

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

2019 Future Land Use
- Low Density
- Coastal Area
- Commercial
- Developing Area
- Existing Development Area
- Industrial
- Municipalities
- Town Center

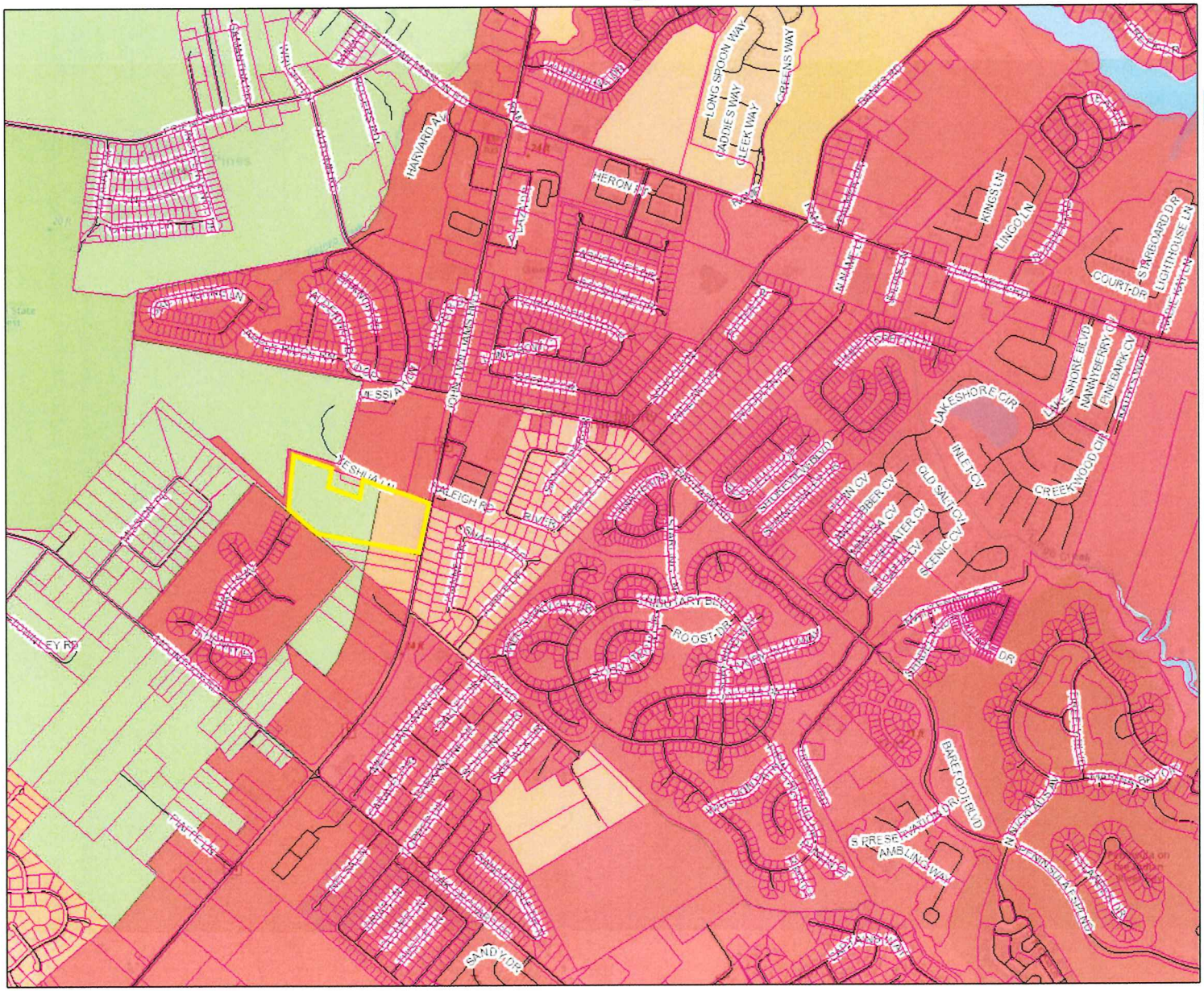
1:18,056

0 0.225 0.45 0.9 mi

0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

Sewer Tiers

Tier 1 - Sussex County Unified Sanitary Sewer District

Tier 2 - Sussex County Planning Area

Tier 3 - Coordinated CPCN Areas

Tier 4 - System Optional Areas

Tier 5 - Regulated On-site Area

1:18,056

0 0.225 0.45 0.9 mi

0 0.35 0.7 1.4 km

March 8, 2022

EXHIBIT F

20246 Coastal Highway
Rehoboth Beach, DE 19971
PH: (302) 227-7808
www.scaledengineering.com

COASTAL AREA ENVIRONMENTAL ASSESSMENT AND PUBLIC FACILITY EVALUATION REPORT

AMERICAN STORAGE OF DELAWARE
JOHN J. WILLIAMS HIGHWAY
MILLSBORO, DE 19966

PREPARED FOR:

American Storage of Delaware LLC
113 Dickinson Street
Suite 100
Dewey Beach, DE 19971

PREPARED BY:

Scaled Engineering Inc
20246 Coastal Highway
Rehoboth Beach, DE 19971

CARLTON R. SAVAGE JR. LICENSE No. 16457 DELAWARE PROFESSIONAL ENGINEER

M. Josh Stallings
Senior Environmental Scientist

Carlton R. Savage, Jr., P.E.
Senior Engineer | Principal

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APPENDICES:

APPENDIX A – PRELIMINARY CONCEPT PLAN

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- WETLAND MAPPING

APPENDIX C – ASSESSMENT OF ENVIRONMENTAL CONDITIONS & NATURAL FEATURES REPORT

1.0 INTRODUCTION

Scaled Engineering Inc (Scaled) on behalf of American Storage of Delaware LLC (client), has prepared an Environmental Assessment and Public Facility Evaluation Report (report) for the American Storage of Delaware LLC property, located west side of John J. Williams Highway (Route 24), 0.25± miles south of Bay Farm Road, Millsboro, DE 19966. The site is listed under Sussex County tax map numbers 234-29.00-49.02, 49.03 & 50.00. The site is intended to be improved with commercial business park (flex park), mini-warehouse (self-storage) facilities, mini-warehouse office, and residential multi-family housing with clubhouse. A preliminary concept plan is provided in Appendix A.

2.0 EXISTING CONDITIONS

The subject property consists of a vacant, 25.90± acre, partially wooded parcel with approximately 12 acres of tillable land. Topographically, much of the site is nearly level, with gently sloped areas to the north and northwest with approximately 3 feet of relief. Regionally, the eastern part of the site is located within the Indian River Bay – Indian River Inlet watershed, which ultimately drains to the Indian River Bay. The western part of the site is located within the Love Creek watershed, which ultimately drains to the Rehoboth Bay.

3.0 ENVIRONMENTAL ASSESSMENT AND PUBLIC FACILITY EVALUATION

3.A PROPOSED DRAINAGE DESIGN AND THE EFFECT ON STORMWATER QUALITY AND QUANTITY LEAVING THE SITE, INCLUDING METHODS FOR REDUCING THE AMOUNT OF PHOSPHORUS AND NITROGEN IN THE STORMWATER RUNOFF AND THE CONTROL OF ANY OTHER POLLUTANTS SUCH AS PETROLEUM HYDROCARBONS OR METALS

The proposed drainage design will utilize best management practices to meet or exceed state regulatory requirements. A combination of wet basin(s), planted buffers, and infiltration practices (at a minimum) will be utilized to reduce phosphorus and nitrogen, and control runoff of other pollutants, such as petroleum hydrocarbons and metals. Quantity discharges would also be managed by appropriate measures on-site. A detailed stormwater management plan would be prepared and submitted to the Sussex Conservation District for review and approval prior to any land disturbing activities.

3.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

Potable water will be serviced by Tidewater Utilities, Inc (Tidewater, TUI). The property is located within TUI's Certificate of Public Necessity (CPCN) area. A service request has been submitted to Tidewater, and the "Willing and Able to Serve Letter" will be provided upon receipt. A water main including potable and fire suppression water is located on the opposite side of Route 24. It is unknown if service stubs are already provided to the site; however, they would be extended to provide adequate water supply to the project. Utilizing the public water utility will ensure there are no negative effects to groundwater. The current plan would generate the need for 140 residential units (140 EDU's) and a single bathroom facility for the mini-storage facility (3 EDU's estimated). Based on Sussex County design standards of 250 gallons per day per Estimated Dwelling Unit (EDU) an average demand of 35,750 gallons per day with a peak demand (assuming a peaking factor of 2.3) to be approximately 82,225 gallons per day. With the property in the Coastal Area, factors such as seasonal occupancy may reduce this demand. Extension of the existing water main would be designed in accordance with Tidewater Standards (by the site engineer) and installed by the developer to accommodate the potable demand, and to provide additional fire hydrant(s) and fire suppression to proposed facilities.

3.C PROPOSED MEANS OF WASTEWATER TREATMENT AND DISPOSAL WITH AN ANLYSIS OF THE EFFECT ON THE QUALITY OF GROUNDWATER AND SURFACE WATERS, INCLUDING ALTERNATIVE LOCATIONS FOR ON-SITE SEPTIC SYSTEMS

Sanitary Sewer (Wastewater) service will be provided by Sussex County. A "Sewer Service Concept Evaluation" (SSCE) was submitted to the Sussex County Engineering Department along with the appropriate fee. The SSCE will analyze the project's capacity needs and provide the appropriate location and method for connection to the County's system. A "Willing and Able to Serve Letter" was also requested. Conversation with the County has determined, based on a preliminary review, the project will most likely utilize an existing stub near the Route 24 / (Bay Farm Rd/Autumn Rd) intersection. An adjacent property (to the North) is under design currently, which may allow for a closer connection. Following Sussex County Sewer Design standards and utilizing the Sussex County facility(s) will ensure there are no effects to the quality of groundwater and surface waters from wastewater treatment and disposal. It is currently assumed that this area will be handled by the Inland Bay Wastewater Treatment Plant off Cannon Road.

3.D ANALYSIS OF THE INCREASE IN TRAFFIC AND THE EFFECT ON THE SURROUNDING ROADWAY SYSTEM

The increase in traffic and effect on the surrounding roadways will be analyzed, reviewed, and approved by the Department of Transportation (DelDOT) through a thorough review process. On-site entrance location, size, and any site (or off-site) improvements would be part of this process during design. Based on the PLUS report response by the DelDOT (dated March 3, 2021) (included in application) the proposed improvements would generate less than 2,000 Average Daily Traffic (ADT) and less than 200 peak hour vehicle trip ends. This allows the developer to provide an Area Wide Study (AWS) fee in lieu of a Traffic Impact Study (TIS). The fee is calculated as $10 per daily trip and is used to fund traffic studies. The actual traffic generated by proposed improvements will be adjusted based on the actual use at the time of submission, and should traffic increase, requirements may change; however, it is not anticipated the thresholds would be exceeded to require a TIS. The site is fronted along Route 24, which is deemed a "Major Collector" and provides for substantial traffic flows given its functional classification. All necessary improvements would be designed and installed by the developer to ensure safe and appropriate traffic flow into and out of the site.

3.E THE PRESENCE OF ANY ENDANGERED OR THREATENED SPECIES LISTED ON FEDERAL OR STATE REGISTERS AND PROPOSED HABITAT PROTECTION AREAS

Per the U.S. Fish & Wildlife Service (FWS), "Critical Habitat for Threatened & Endangered Species" mapping, no critical habitat for threatened and endangered species, nor proposed habitat protection areas exist on the site (see Appendix B). An "Assessment of Environmental Conditions and Natural Features" report, prepared by Edward M. Launay of Environmental Resources, Inc., revealed no endangered or threatened species on the site (see Appendix C).

3.F THE PRESERVATION AND PROTECTION FROM LOSS OF ANY TIDAL OR NONTIDAL WETLANDS ON THE SITE

Per the FWS, National Wetlands Inventory, no wetlands exist on the site (see Appendix B). An "Assessment of Environmental Conditions and Natural Features" report, prepared by Edward M. Launay of Environmental Resources, Inc., revealed no wetlands on the site (see Appendix C).

3.G PROVISIONS FOR OPEN SPACE AS DEFINED IN § 115-4. [ADDED 12-16-2008 BY ORD. NO. 2022[1]]

The proposed project will allow approximately 11 acres of land to remain open space. Approximately 4.77 acres will consist of undisturbed forested area, which will be utilized for recreation and provide wildlife habitat. Other

passive open space will contain stormwater best management practices. Active open space will contain grass areas, recreational features, and decorative landscaping.

3.H A DESCRIPTION OF PROVISIONS FOR PUBLIC AND PRIVATE INFRASTRUCTURE

Sewer service will be provided by Sussex County. Potable water will be provided by Tidewater. Sewer and water infrastructure necessary to connect to the public utilities will be constructed by the developer. Electric will be serviced by Delmarva Power. Easements will be provided, as necessary, for all infrastructure to be maintained by an agency and/or service provider. Internal access roads and parking will be constructed and privately maintained by the developer and/or homeowners association.

3.I ECONOMIC, RECREATIONAL OR OTHER BENEFITS

The proposed commercial business park and mini-warehouse facilities will provide business and employment opportunities, which will promote economic growth to the community and surrounding areas. The self-storage facility will provide a viable personal storage option, which will benefit the growing community. The multi-family housing will offer market rate apartments to individuals and families living and working in Long Neck and surrounding areas. The proposed club house and active outdoor open space will provide safe and family oriented recreational area for residents on-site.

3.J THE PRESENCE OF ANY HISTORIC OR CULTURAL RESOURCES THAT ARE LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES

Per an online review of the National Park Service, National Register of Historic Places database, there are no historic or cultural resources at the site.

3.K A DESCRIPTION OF HOW THE PROPOSED APPLICATION AND PROPOSED MITIGATION MEASURES ARE IN CONFORMANCE WITH THE CURRENT SUSSEX COUNTY COMPREHENSIVE PLAN

Currently the property is Zoned AR-1 with a Future Land Use Designation of Coastal Area. The Coastal Area is "...among the most desirable locations in Sussex County for new housing, as is reflected in new construction data and real estate prices." With the development of new homes in this Coastal Area, commercial facilities will need to be added to support the needs of the additional residents.

Commercial Storage:
Many new residents are moving from remote destinations to Sussex County (and the Coastal Area in particular) for retirement and lower cost living after achieving a specific age. Generally, new homes are smaller than those they are leaving, and located withing planned residential communities which do not provide ample storage for their needs (or the ability to add additional storage facilities such as detached garages/sheds/buildings). This use provides a cost effective means of storage in a centralized location adjacent to adequate transportation and roadways.

Per the 2018 Sussex Comprehensive Plan Update, "Commercial Areas include concentrations of retail and service uses that are mainly located along arterials, and HIGHWAYS."
This site is directly located along Route 24 (John J. Williams HIGHWAY), and adjacent to other commercial uses (retail and service). Based on these facts, the property appears suited to be included within that concentration of use already prescribed in the area.

Medium Density Residential:
The rear of the property (as proposed) is for multi-family residential. Per the 2018 Comprehensive Plan "Sussex County's base density of 2 units per acres is appropriate throughout this classification (Coastal Area); however, medium and higher density (4-12 units per acre) can be appropriate in certain areas. Medium and Higher Density

could be supported in areas: where there is central water and sewer (provided); near sufficient commercial uses (Harris Teeter shopping center across Route 24 and newly proposed commercial to north); where it is in keeping with the character of the area (Victoria's Landing multifamily across Route 24 and other nearby medium density developments to north and south of property); where it is along a main road or at/near a major intersection (along Route 24); where there is adequate Level of Service (Located within Level 2 of the 2020 Delaware Strategies for State Policies and Spending);…".

3.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 above subsections B(2)(A) through (K), strive to identify possible impacts from the proposed development. Each item above requires professional engineering/design, oversight, review, and approval by respective authoritative agency(s); therefore, will meet the requirements set forth in all Federal, State, County, and Local codes/regulations to minimize (or eliminate) possible detrimental impacts from development.

"The (2018 Comprehensive) Plan strives to set a foundation for decision-making and provide the County with a roadmap to a future that will maintain and enhance the quality of life all residents enjoy." The proposed project as described compliments the nearby area by providing responsible growth and necessities of the community while maintaining the quality of life residents are moving to the area to enjoy, as is consistent with the Comprehensive Plan.

4.0 CONCLUSION

The American Storage of Delaware LLC project will utilize best management practices that meet or exceed regulatory requirements. The project will provide opportunity for economic and societal growth within the community, while preserving the environment.

Scaled Engineering Inc. is committed to bringing the best resources to our clients to assist in development of their projects. Should you have any questions or need additional information, please do not hesitate to contact Scaled.

REFERENCES

The following documents, publications, maps, etc., were used as source materials for this report:

- Sussex County Delaware, Online Mapping: https://maps.sussexcountyde.gov/OnlineMap/Map.html
- Sussex County Delaware Property Records: https://property.sussexcountyde.gov; https://maps.sussexcountyde.gov/OnlineMap/Map.html; https://sussexcountyde.gov/recorder-deeds
- U.S. Fish & Wildlife Service (FWS), Critical Habitat for Threatened & Endangered Species: https://fws.maps.arcgis.com/home/item.html?id=9d8de5e265ad4fe09893cf75b8dbfb77#!
- FWS, National Wetlands Inventory: https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper
- National Park Service, National Register of Historic Places: https://www.nps.gov/subjects/nationalregister/index.htm
- Sussex County Comprehensive Plan – Final March 2019 – "The Sussex Plan" https://sussexcountyde.gov/sites/default/files/PDFs/2018CompPlan-Final.pdf
- Strategies for State Policies and Spending (DelDOT) http://deldot.maps.arcgis.com/apps/webappviewer/index.html?id=265b9ac2d304432b962b0ba0f1de76b6

S:\PROJECTS\GRAULICH\GRAU001 - Rt 24 - American Storage\ENVIRONMENTAL\Coastal Area Env Report.docx

APPENDIX A

PRELIMINARY CONCEPT PLAN

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):
   FRONT 60' (JOHN J. WILLIAMS HWY.)
   SIDE 5' (YESHUA LN.)
   SIDE 20' (SEYMOUR ACRES LN.) *
   REAR 30' *

   * *THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT*

   MR - MEDIUM RESIDENTIAL:
   FRONT 40'
   SIDE 20'
   REAR 10'
7. AREAS: EXISTING: 25.90 AC

   PROPOSED: PARCEL 1 8.27 AC*
   PARCEL 2 17.63 AC
   TOTAL 25.90 AC

   *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1
8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA: PRE-DEVELOPMENT = 14.28 AC
    POST DEVELOPMENT = 9.51 AC
    REMAINING = 4.77 AC
14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

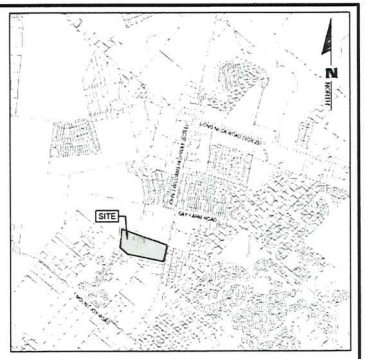
REQUIRED PARKING:	
STORAGE FACILITY*	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES	= 295 SPACES PROVIDED
TOTAL PARKING PROVIDED:	455 PARKING SPACES
	+ 14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

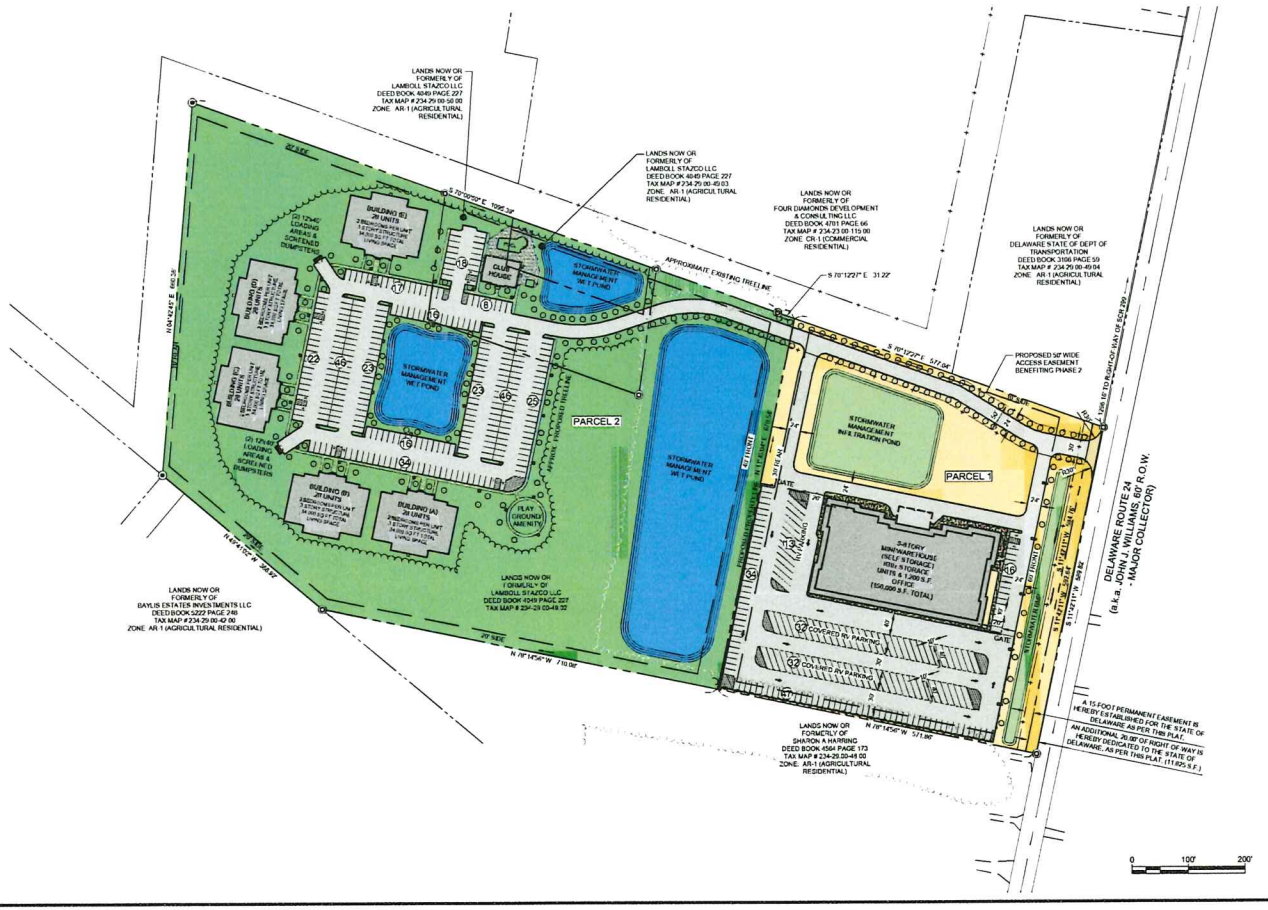
LOADING	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.63 AC) - TO BE RE-ZONED MR
- *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1



LOCATION MAP
SCALE: 1" = 2,000'



SCALED. ENGINEERING
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Rehoboth Beach, DE 19971
Phone (302) 227-3008

CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

4.21.21 - REVISED PER CLIENT
6.16.21 - REVISED PER CLIENT
7.15.21 - REVISED PER CLIENT
7.21.21 - REVISED PER CLIENT

DATE	8.26.21
SCALE	1" = 100'
DRAWN BY	JRE
PROJECT NO	GRAU001

1

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APPENDIX B
FIGURES

CRITICAL HABITAT FOR THREATENED & ENDANGERED SPECIES

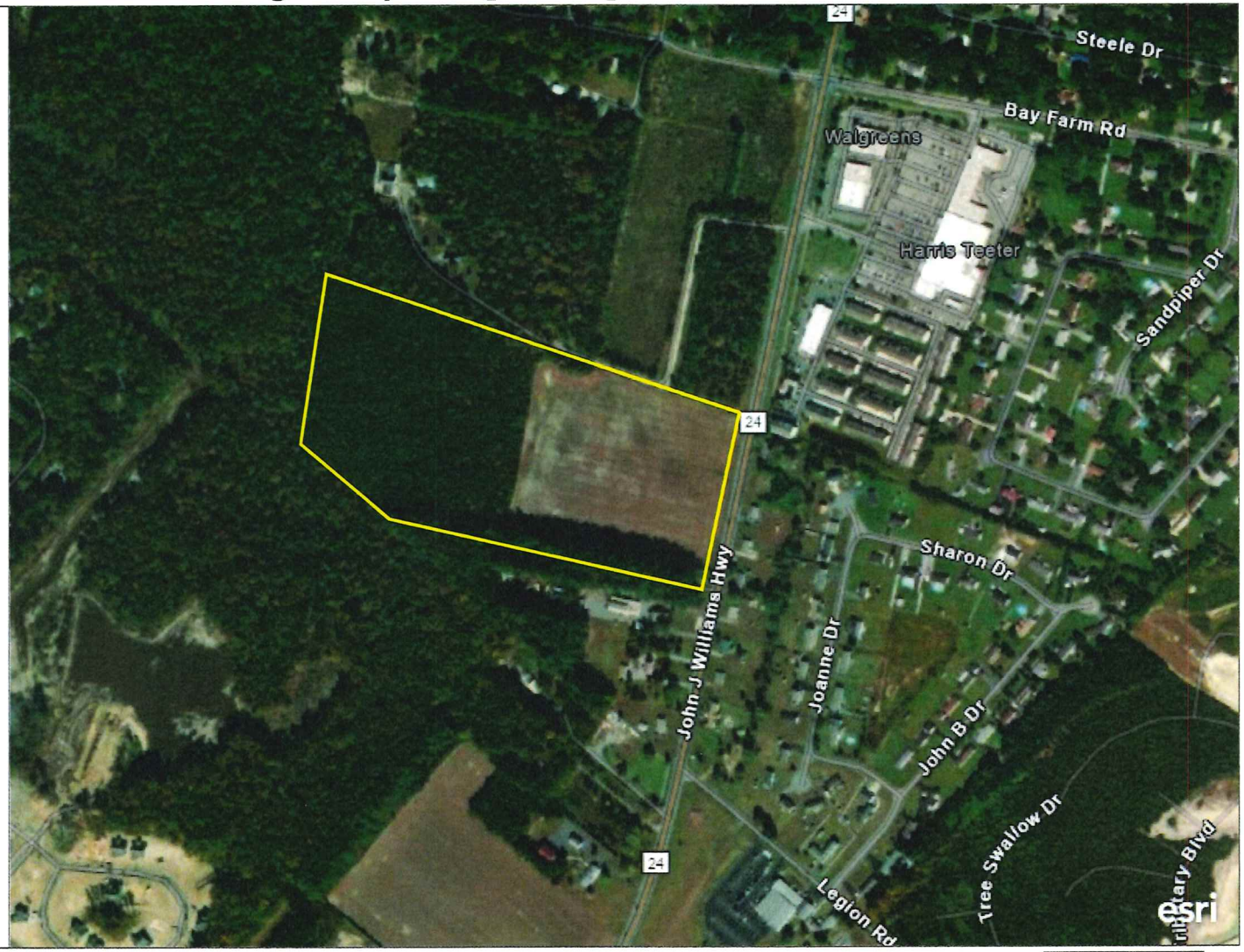
Critical Habitat for Threatened & Endangered Species [USFWS]

Final Linear Features

Final Polygon Features

Proposed Linear Features

Proposed Polygon Features



A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

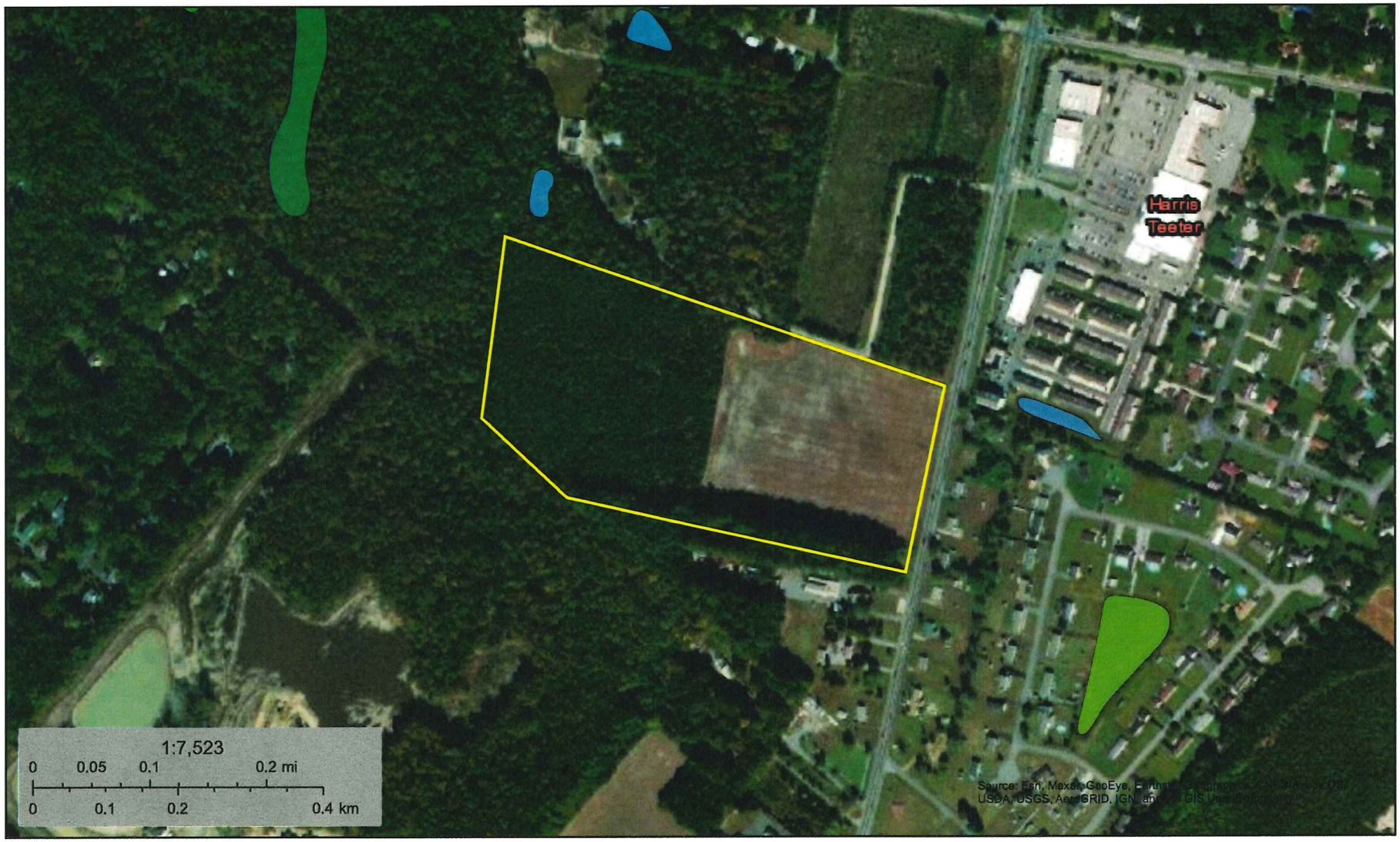
U.S. Fish and Wildlife Service | Maxar | Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VITA, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

WETLAND MAPPING

U.S. Fish and Wildlife Service

National Wetlands Inventory

WETLAND MAPPING



March 2, 2022

Wetlands

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

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

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

APPENDIX C

ASSESSMENT OF ENVIRONMENTAL CONDITIONS & NATURAL FEATURES REPORT

Assessment of Environmental Conditions & Natural Features

Tax Map Parcels 234-29.00-49.02, 49.03 & 50.00
Indian River Hundred, Sussex County, Delaware

March 3, 2022

Prepared for

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Prepared by

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ERI Project No. 1062#1224

Assessment of Environmental Conditions & Natural Features

Tax Map Parcels 234-29.00-49.02, 49.03 & 50.00
Indian River Hundred, Sussex County, Delaware

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4. Concept Plan – Scaled Engineering (reduced)
5. USDA Soil Survey of Sussex County
6. U.S. Fish & Wildlife Service National Wetland Inventory Map
7. U.S. Fish & Wildlife Service Species List, March 3, 2022
8. Photographs

Introduction

Environmental Resources, Inc. (ERI) has performed a review of 29.90 acres of land located in Sussex County, Delaware on the western side of John J. Williams Highway (State Route 24) just south of Yeshua Lane. The site is located in the Indian River Hundred and it is composed of Tax Map Parcels 234-29.00-49.02, 49.03 and 50.00. The Sussex County Tax Map is included as Exhibit 1. A May 2021 Google Earth Photo is Exhibit 2. Exhibit 3 is a copy of a boundary survey reduced in size. This review was conducted on behalf of the property owner, American Storage of Delaware, LLC., who is seeking land use approval from Sussex County for a potential mixed use development involving residential housing and a commercial storage facility component. The proposed current plan is provided as Exhibit 4. A field reconnaissance of the property was performed on March 2, 2022. Prior to that reconnaissance, ERI reviewed a variety of published guidance document involving topics such as wetlands, soils and topography.

ERI found that in the case of the subject site, published guidance map information about environmental resources was relatively accurate. ERI did not encounter any wetlands, unique topographic conditions such as steep slopes, forest of exceptional resource value or any federally listed threatened or endangered species, or any critical habitats present on the property. The site is surrounded by existing residential and commercial development on three sides.

Site Location and Topography

The 29.90 acre site is somewhat rectangular in shape. It has 598.92 feet of frontage along the western side of John J. Williams Highway (State Route 24). It is roughly 660 feet deep. Two unimproved driveways lie just to the north and south of the site, Yeshua Lane and Seymore Acres Lane respectively. Both lanes access low density residential housing. The frontage of the property is occupied by an 11.5 acre agricultural field (See Photographs 1, 2 & 3). The remainder of the site, 14.4 acres is immature woodland.

The topography over the site is relatively flat. State Route 24 is somewhat higher than the adjacent agricultural fields. Elevations range throughout the site from 15 to 19 feet. However, most of the property lies between 16 and 19 feet. While being relatively flat, the property is generally concave with somewhat higher lands surrounding it off site. A low point exists just off site at the northeast corner of the property. Within the site itself, topographic information shows areas of ridges and shallow closed depression. Soil conditions are very sandy. Historic aerial photography indicates that some parts of the agricultural field portion of the site has rare occurrences of wetness at the surface in some years after major storm events.

Based on ERI's site reconnaissance there is no evidence of any surface ponding within the wooded portion of the site. Depth to seasonal high groundwaters appears to average about 42 inches below the soil surface as observed on March 2, 2022. Soil textures were found to be composed of permeable loamy sand soils. There are no ditches, streams or surface water conveyances within, abutting or in close proximity to the property boundaries.

Soil Characteristics & Groundwater

The USDA Soil Survey for Sussex County is included as Exhibit 5 of this report. The Soil Survey indicates four soil types within the site, all with 0 – 2 percent slopes. Downer loamy sand (DnA), Fort Mott loamy sand (FmA), Ingleside loamy sand (IeA) soils total 78.9 percent of the site. They are well drained soils found on uplands.

Klej loamy sand (KsA) occupies 21.1 percent of the site. This somewhat poorly drained soil is mapped in the northwest quadrant of the site as shown by Exhibit 5. The occurrence of this soil type within the northwest quadrant of the site is consistent with conditions observed during ERI's site reconnaissance. Land of slightly lower elevation lie within this area and within some shallow topographically depressed areas in the center of the site. A soil boring near the northeast corner of the of the site where klej sandy loam is mapped is described as follows:

Inches	Description
0 – 2	10 YR 3/1 very dark grey loamy sand
2 - 14	10 YR 5/3 brown loamy sand
14 - 25	10 YR 5/4 yellowish brown loamy sand
25 – 38+	10 YR 5/2 greyish brown loamy sand
Groundwater Depth 36" 3/2/2022	

The extent of Klej loamy sand soils on this site is likely larger than mapped by the USDA Soil Survey.

Fort Mott loamy sand is mapped over much of the southerly half of the site (60.5% of total site). A soil boring was excavated near the center of the site just inside of the woods line (See Photograph 4) within the Fort Mott unit is described as follows:

Inches	Description
0 – 2	10 YR 3/2 very dark greyish brown loamy sand
2 - 13	10 YR 4/3 brown loamy sand
13 – 30	10 YR 4/4 dark yellowish brown loamy sand
30 - 52+	10 YR 5/6 yellowish brown loamy sand
Boring was dry at 52 inches 3/2/2022	

Within the center of the wooded portion of the site, a third boring was excavated in an area mapped as Fort Mott soils by the Soil Survey. It was very similar to the previously described soil, however, below 40 inches soil chromas had a chroma of 2.5 Y. They were variegated in color between 2.5 Y 6/3 light yellowish brown and 2.5 Y 5/6 light olive brown loamy sand. Depth to groundwater was 42 inches on 3/2/2022. It is likely the inclusions of other well drained soils in the Hammonton and Woodstown and Klej Series occur within the Fort Mott mapping unit shown on the USDA Soil Survey.

No hydric soils or soils indicative of wetlands were identified on this property. Soils on this property are somewhat poorly drained to well drained in character with few development limitations. Soil conditions are permeable loamy sands to sand.

Forested Land – The forest on this property is monotypic in both age and structure. Based upon review of aerial photography, the wooded portion of the site was clear cut in approximately 2004. The current forest is about 17 years old. Dominant species include loblolly pine, sweet gum and red maple. The understory ranges from open in higher parts (See Photograph 4) of the site and denser in more lowlying areas (See Photograph 5). In these low lying areas or within shallow topographic depression red maple is more prevalent along with species such as high bush blueberry, American holly and green briar. The plant community generally appears more wet tolerant than soil conditions would indicate in these areas.

Exhibit 6 of this report is the U.S. Fish and Wildlife Service, National Wetlands Inventory Map (NWI Map). The NWI Map classifies this entire site as uplands.

A palustrine forest wetland associated with a drainage way is mapped 0.15 miles northwest of the site. An isolated water filled depression is mapped approximately 0.03 miles north, northwest of the site. No indication of special habitat types was observed on the property.

Federally Listed Threatened or Endangered Species – No evidence of any federally listed threatened or endangered species under the Endangered Species Act was observed on the site during ERI's reconnaissance.

ERI also consulted with the U.S. Fish and Wildlife Service on this topic. The Service has no record of any federally listed species on this site. The Service's determination letter dated March 3, 2022, is included as Exhibit 7 of this report. The Service's letter does identify a candidate species for listing, Monarch Butterfly (*Dahaus plexippus*) where suitable conditions exist.

This species of butterfly has a life cycle dependent upon milkweed species growing in open fields. The open lands of this property are active agricultural lands. Suitable habitat is not present.

Conclusion

The 25.90 acre site consists of 11.5 acres of agricultural field and 14.4 acres of a relatively immature stand of trees dominated by loblolly pine, sweet gum and red maple. The wooded portion of the site was clear cut in 2004. No specimen trees or habitats of special concern exist. No federally listed threatened or endangered species exist on the property.

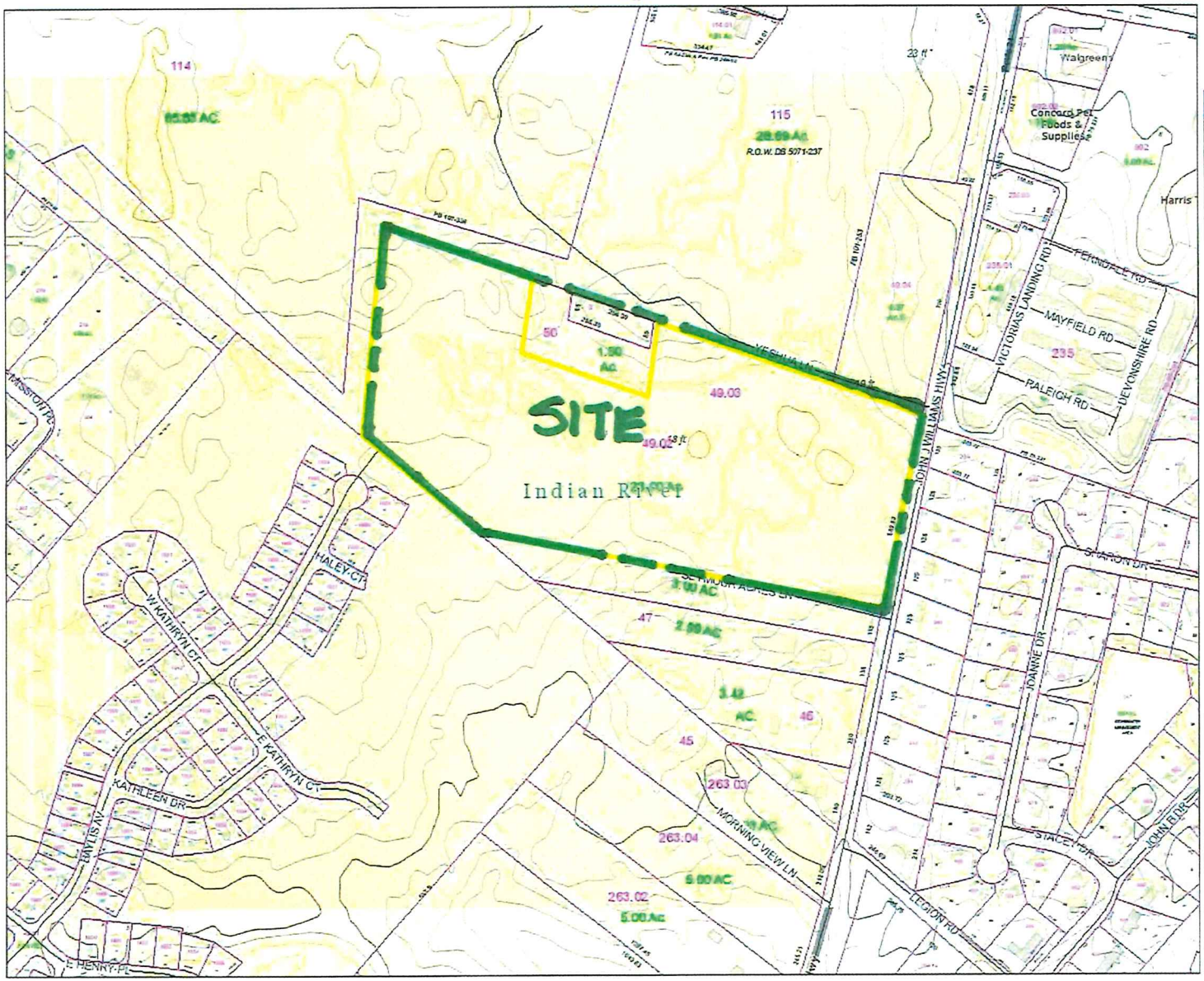
The site is relatively flat but somewhat concave with respect to surrounding topography. There are no wetlands, streams or drainage conveyances on or nearby the site.
Soils on the site are primarily loamy sands with few development limitations. The soils are mostly well drained in character. Only an estimated 20 to 35 percent of the site is occupied by soils somewhat poorly drained in character. Soil textures are permeable loamy sand to sand. Seasonal high water conditions observed on March 2, 2022 ranged from 36 inches below the surface to dry at 52 inches or greater.
The subject site is surrounded by existing commercial and residential development on three sides. To the rear or west of the site an area of relatively mature upland forests exists offsite.

Exhibit 1

Sussex County Tax Map

EXHIBIT 1

Sussex County



PIN	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
Hundred Boundaries
County Boundaries
Sussex_Co
Depression Index
Depression Intermediate
Normal Index
Normal Intermediate
<all other values>

1:4,514

0 0.05 0.1 0.2 mi
0 0.075 0.15 0.3 km

March 3, 2022

Exhibit 2

Google Earth Photo, May 2021

American Storage
EXHIBIT 2
Legend
Yeshua Ln
Yeshua Ln
Plaza Mexico
5
SITE
Seymour Acres Ln
Google Earth
Image © 2021 Maxar Technologies
N
700 ft

Exhibit 3

Boundary Survey
Scaled Engineering (reduced)

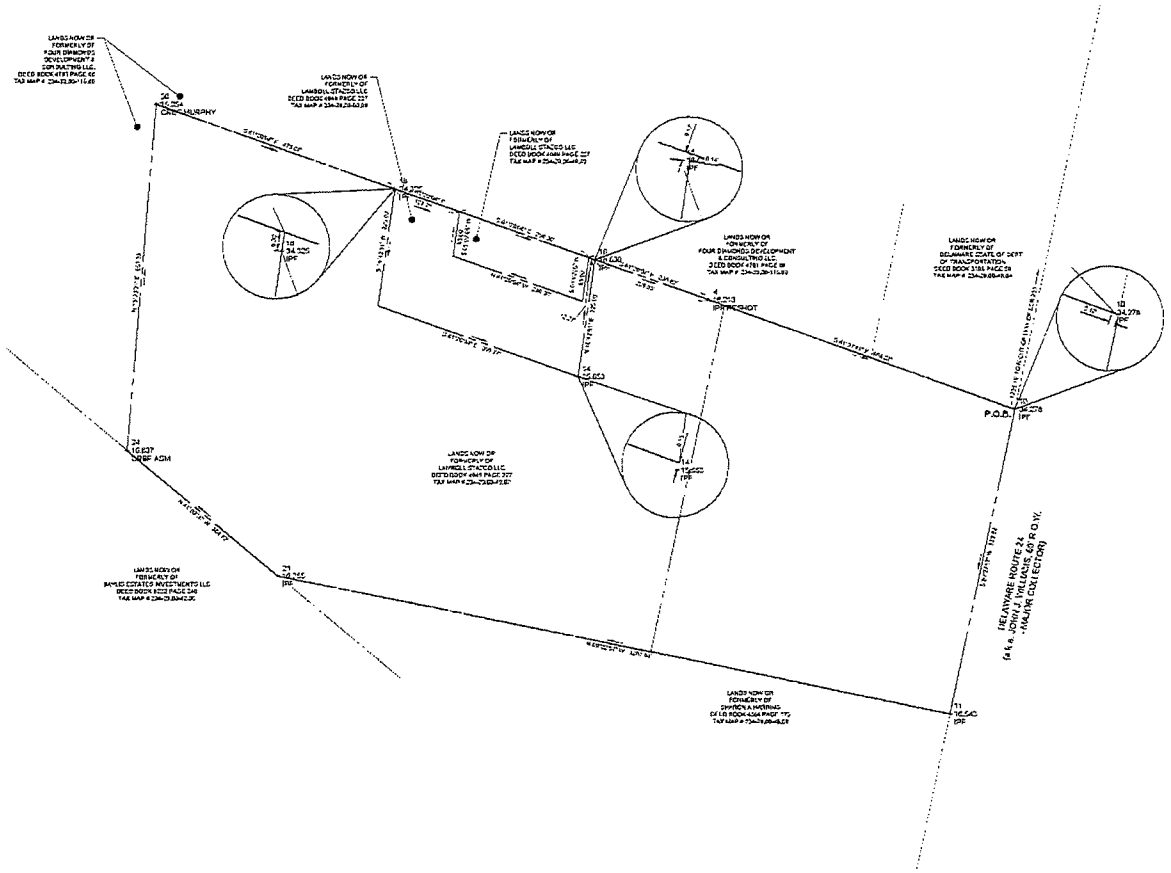

N/F
LANDS NOW OR
FORMERLY OF
LAMBOLL STAZCO LLC
DEED BOOK 4941 PAGE 227
TAX MAP # 234-29.00-49.03
LANDS NOW OR
FORMERLY OF
FOUR DIAMONDS DEVELOPMENT
& CONSULTING LLC
DEED BOOK 4781 PAGE 68
TAX MAP # 234-29.00-49.02
LANDS NOW OR
FORMERLY OF
DELAWARE STATE OF DEPT
OF TRANSPORTATION
DEED BOOK 3185 PAGE 79
TAX MAP # 234-29.00-49.04
LANDS NOW OR
FORMERLY OF
BAYLES ESTATES INVESTMENTS LLC
DEED BOOK 5222 PAGE 248
TAX MAP # 234-29.00-49.05
LANDS NOW OR
FORMERLY OF
SHARON A HERRING
DEED BOOK 4364 PAGE 177
TAX MAP # 234-29.00-49.01
DELAWARE ROUTE 24
(aka. JOHN J WILLIAMS HWY.)
(MAJOR COLLECTOR)
P.O.B.
N/F
N/F
N/F

Exhibit 4

Concept Plan
Scaled Engineering (reduced)

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKINSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 159,003 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MEARGE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,600 SQ FT
6. BUILDING SETBACKS:

   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	50' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

* THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT

   MR - MEDIUM RESIDENTIAL

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS: EXISTING: 25.60 AC

PROPOSED:	PARCEL 1	8.27 AC*
	PARCEL 2	17.33 AC
	TOTAL	25.60 AC

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

8. NET DEVELOPMENT AREA: 25.60 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0479K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA: PRE-DEVELOPMENT = 14.29 AC
    POST-DEVELOPMENT = 3.53 AC
    REMAINING = 4.77 AC
14. PROXIMITY TO DELDOT TID AREA: 03.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-164A & 194.5)

REQUIRED PARKING:	
STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'X40' COVERED RV SPACES	77 SPACES PROVIDED
10'X20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS)	280 SPACES REQUIRED
HANDICAP PARKING (100-200 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
280 SPACES + 12 VAN HC SPACES	= 292 SPACES PROVIDED

TOTAL PARKING PROVIDED:	466 PARKING SPACES
	+ 14 HANDICAP SPACES
	480 TOTAL PARKING SPACES

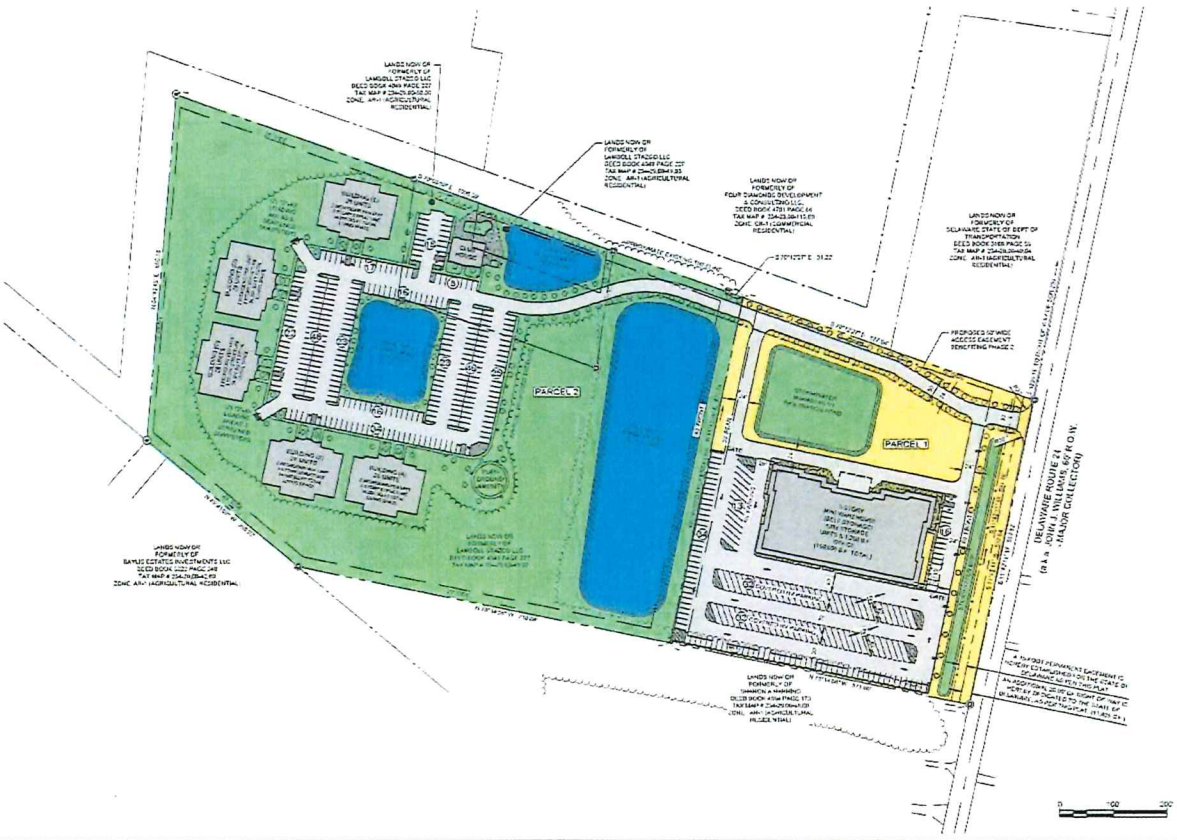
OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

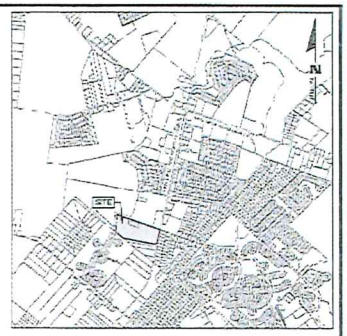
LOADING:	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS:	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.60 AC) - TO BE REZONED MR

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1





LOCATION MAP
SCALE: 1" = 2,000'

N NORTH DE ST PL

SCALED. ENGINEERING
CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE
TAX MAP # 234-29.00-49.02, 49.03 & 50.00
INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

DATE:	9/24/21
SCALE:	1" = 100'
DRAWN BY:	JAC
PROJECT NO:	0FALL001

1

EXHIBIT 4

Exhibit 5

USDA Soil Survey of Sussex County

Soil Map—Sussex County, Delaware
(USDA Soil Survey)

Map Scale: 1:3,050 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 45 90 180 270

Feet
0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

EXHIBIT 5

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 22, Aug 26, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 1, 2020—Oct 1, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DnA	Downer loamy sand, 0 to 2 percent slopes	0.5	1.8%
FmA	Fort Mott loamy sand, 0 to 2 percent slopes	15.9	60.5%
IeA	Ingleside loamy sand, 0 to 2 percent slopes	4.3	16.5%
KsA	Klej loamy sand, 0 to 2 percent slopes	5.6	21.1%
Totals for Area of Interest		**26.3**	**100.0%**

Exhibit 6

U.S. Fish & Wildlife Service
National Wetland Inventory Map

U.S. Fish and Wildlife Service

National Wetlands Inventory

American Storage of Delaware LLC

March 4, 2022

Wetlands

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

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

EXHIBIT 6

Exhibit 7

U.S. Fish & Wildlife Service
Species List
March 3, 2022

EXHIBIT 7

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127
http://www.fws.gov/chesapeakebay/
http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html

In Reply Refer To:
Project Code: 2022-0015439
Project Name: American Storage of Delaware LLC

March 03, 2022

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

To Whom It May Concern:

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

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

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

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

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

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

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of

this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

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

Official Species List

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

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

Project Summary

Project Code: 2022-0015439
Event Code: None
Project Name: American Storage of Delaware LLC
Project Type: Mixed-Use Construction
Project Description: Proposed development of a mixed use commercial storage facility and residential Hosing project on uplands.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.623283,-75.20047726008434,14z

Counties: Sussex County, Delaware

Endangered Species Act Species

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

---

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

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus*	Candidate

No critical habitat has been designated for this species.

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

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

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

Critical habitats

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

USFWS National Wildlife Refuge Lands And Fish Hatcheries

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

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

Wetlands

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

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

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

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

IPaC User Contact Information

Agency: Environmental Resources Inc.
Name: Edward Launay
Address: PO Box 169
City: Selbyville
State: DE
Zip: 19975
Email elaunay@ericonsultants.com
Phone: 3024369637

Exhibit 8

Photographs

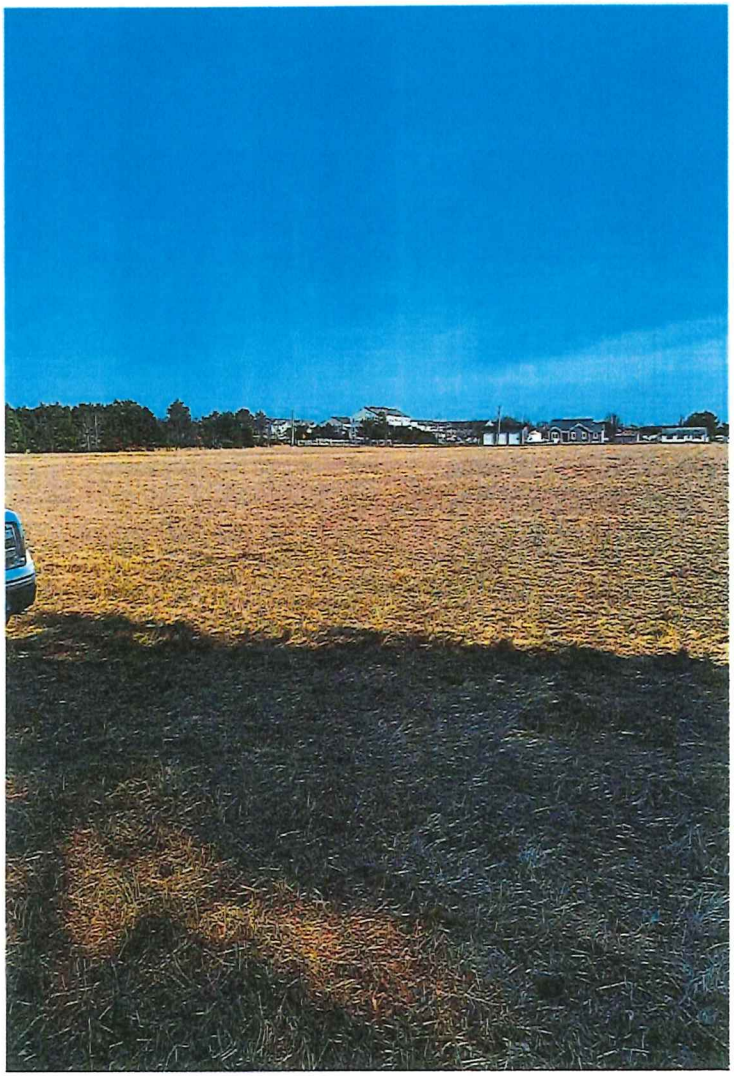


Photo 1 View east across agricultural field toward S.R. 24 3/2/2022

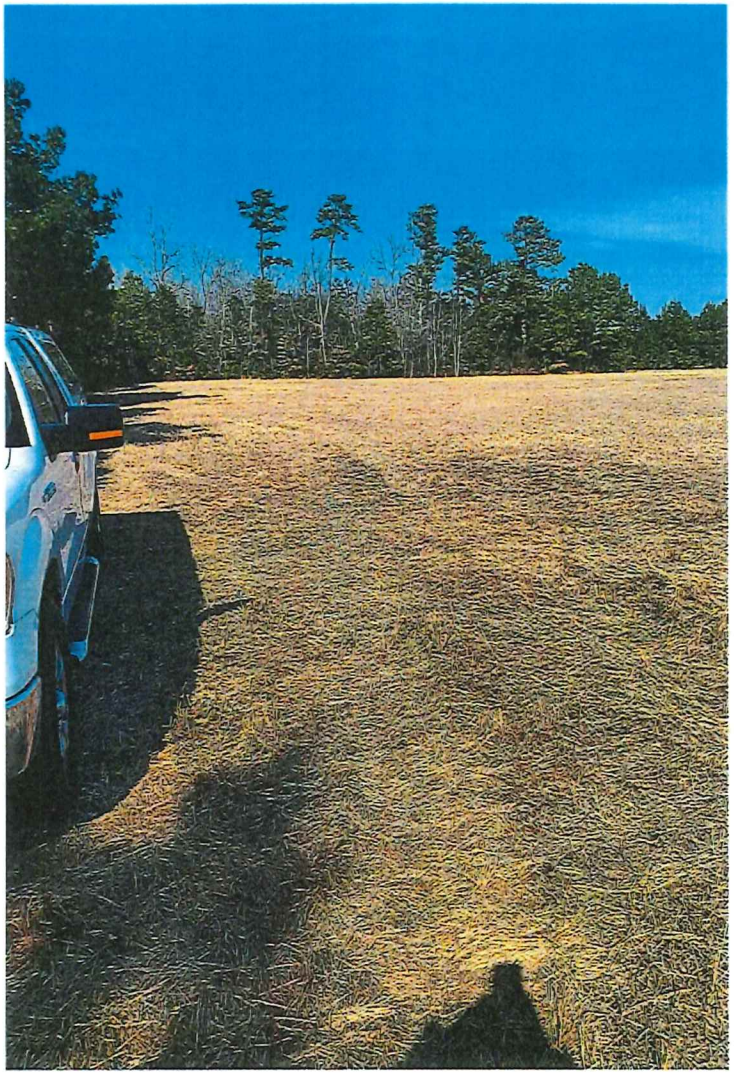


Photo 2 View north along field and woods edge

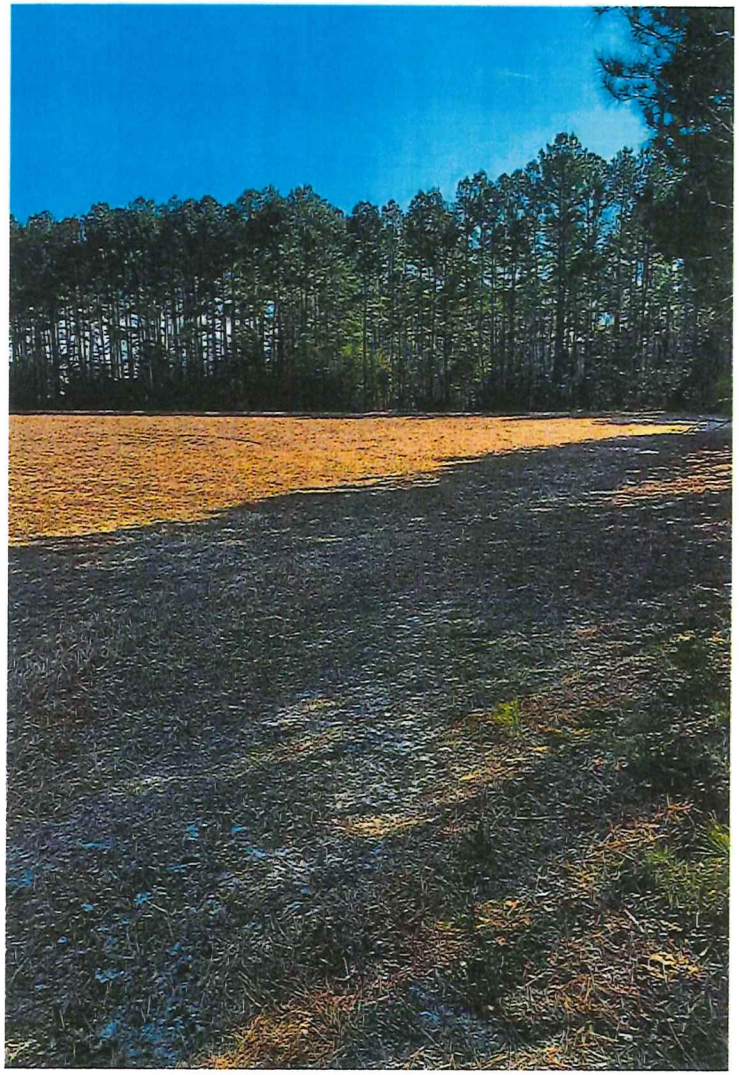


Photo 3 View south along field and woods edge

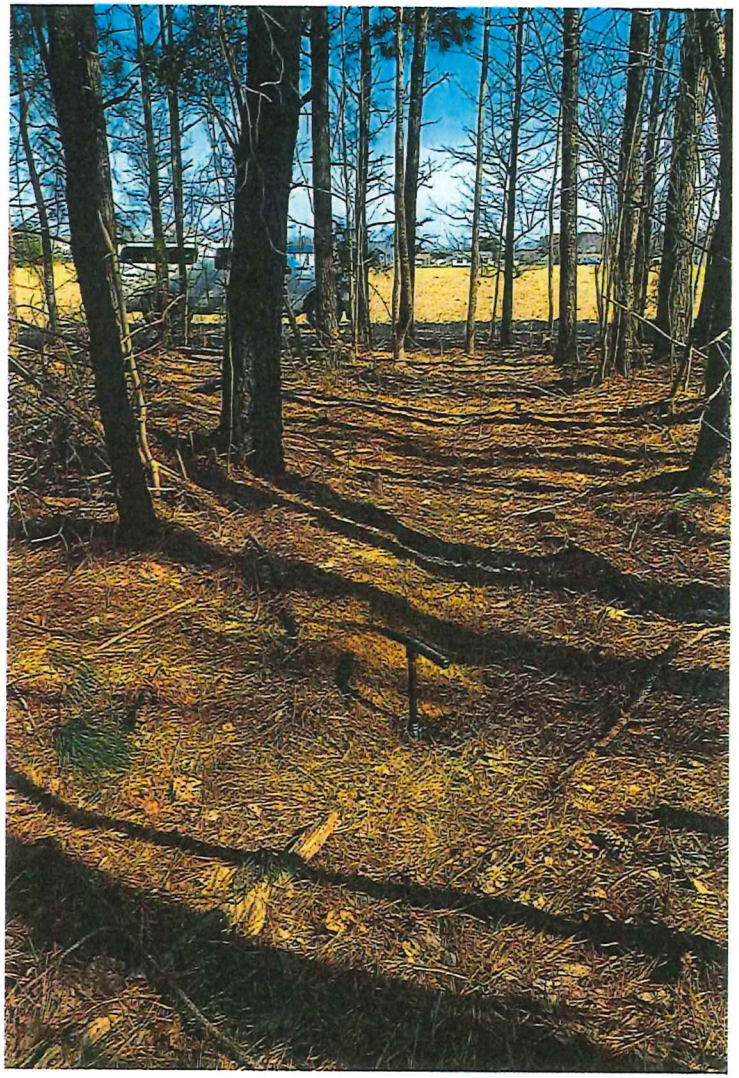


Photo 4 Open immature loblolly pine forest at boring location near woods edge (higher elevation)

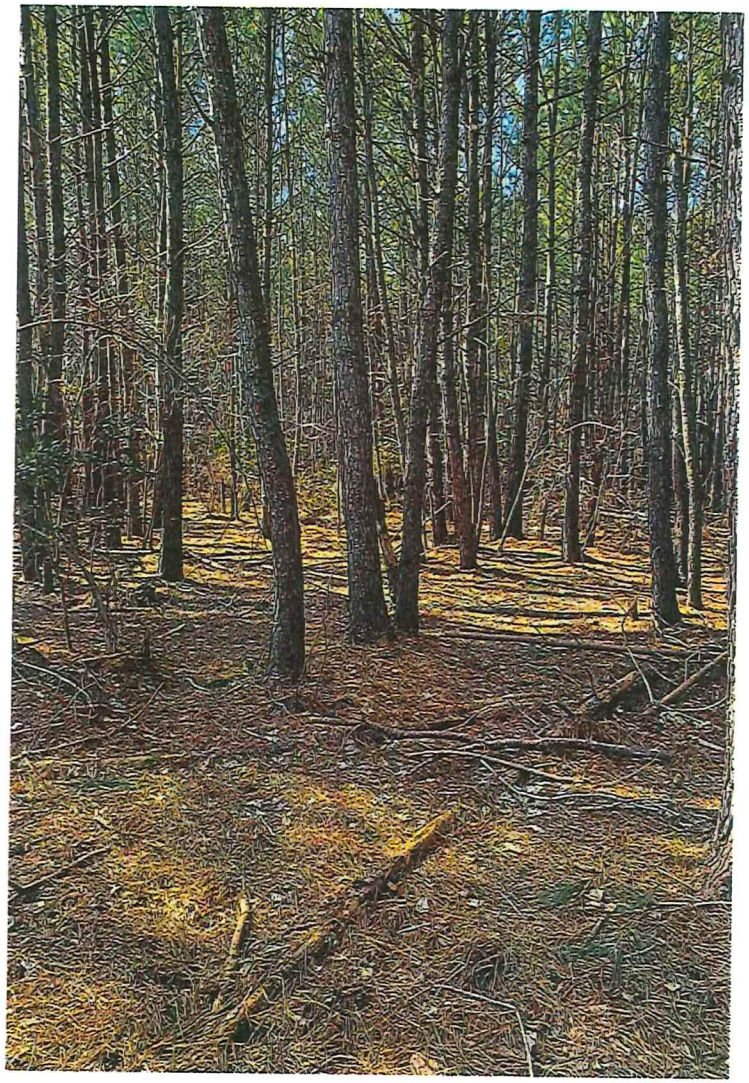


Photo 5 View of denser interior forest within topographic depression. Red maple, Sweet Gum & high bush blueberry co dominat species

EXHIBIT G

TIDEWATER
UTILITIES, INC.
A Middlesex Water Company Affiliate

March 10, 2022

Sent via email

M. Josh Stallings
Scaled Engineering Inc.
20246 Coastal Highway
Rehoboth Beach, DE 19971

RE: Willing & Able Letter- Tax Parcel No 234-29.00-49.02, 49.03, 50.00

Dear Mr. Stallings:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, including fire protection, to the following parcel identified as Tax Map Parcel No. 234-29.00-49.02, 234-29.00-49.03, and 234-29.00-50.00. Water service is contingent on the terms and conditions of a Water Service Agreement by and between Tidewater and the Project Owner.

Please feel free to contact me at 302-747-1304 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

Kelly R. Bailey

Kelly R. Bailey
Manager of Contract Administration

Hutt, David C.

From: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>
Sent: Tuesday, August 31, 2021 10:52 AM
To: Hutt, David C.
Subject: RE: American Storage of Delaware

Hi David,

Thank you for your email. I have reviewed this with Dorothy and David. OSPC will not require a new PLUS review.

We do note that the State Comments letter referred to a bike path in the DelDOT comments. The site plan does not appear to show one. Please make sure to address this feature moving forward with the plan.

Please let me know if you have any questions or if I can provide any additional information.

Thanks much,
-Steve Bayer

Steve Bayer
Planner
Delaware Office of State Planning Coordination
Haslet Armory
122 Martin Luther King Jr. Boulevard, South
Dover, DE 19901
(302) 739-3090
(302) 739-5661 fax
http://stateplanning.delaware.gov/

From: Hutt, David C. <DHutt@morrisjames.com>
Sent: Tuesday, August 31, 2021 9:34 AM
To: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>; Morris, Dorothy (OMB) <Dorothy.Morris@delaware.gov>
Subject: American Storage of Delaware

Dorothy,

Earlier this year, the OSPC reviewed an application for American Storage of Delaware (PLUS Review 2021-02-05). For your ready reference, I have attached a copy of the PLUS Review Letter dated March 23, 2021.

The overall concept has stayed the same with a commercial-type use along Route 24 and residential behind that application. The acreage for the commercial has been reduced which, of course, increased the acreage for the residential component.

In short, what before was 139,600 square feet of mini storage and business park (flex space) and 104 residential units is now proposed to be 150,000 square feet of mini-storage and 140 residential units. Attached is a copy of the new concept.

Does your office want to see a new/revised application?

Thanks,

David

Morris James LLP

David C. Hutt | Partner
107 W. Market Street, P.O. Box 690, Georgetown, DE 19947
19339 Coastal Highway, Suite 300, Rehoboth Beach, DE 19971
Phone: 302.856.0018 | **Fax:** 302.856.7217
morrisjames.com | dhutt@morrisjames.com
Facebook | LinkedIn | Twitter

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Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - -The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2021-02-05

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 2/3

1. Project Title/Name: American Storage of Delaware
2. Location (please be specific): Delaware Route 24 (John J. Williams Highway), Millsboro, Delaware
3. Parcel Identification #: 234-29.00-49.02, 49.03 & 50.00
4. County or Local Jurisdiction Name: where project is located: Sussex County
5. If contiguous to a municipality, are you seeking annexation: Not applicable.
6. Owner's Name: American Storage of Delaware, LLC (Alex Pires)

   Address: 113 Dickinson Street

   City: Dewey Beach State: Delaware Zip: 19971

   Phone: (302) 462-5871 (202) 905-6706 Fax: Email: nate.gmconstruction@gmail.com farmerslawyer@aol.com

7. Equitable Owner/Developer **(This Person is required to attend the PLUS meeting)**: Same as owner

   Address:

   City: State: Zip:

   Phone: Fax: Email:

8. Project Designer/Engineer: Carlton Savage, Jr. | SCALED.Engineering

   Address: 20246 Coastal Highway

   City: Rehoboth Beach State: Delaware Zip: 19971

   Phone: (302) 236-3600 Fax: Email: carlton@scaledengineering.com

9. **Please Designate a Contact Person, including phone number, for this Project:** Nate Graulich | (302) 462-5871
   Alex Pires | (202) 905-6706

Information Regarding Site:

10. Type of Review: ☐ Rezoning, if not in compliance with certified comprehensive plan ■ Site Plan Review ☐ Subdivision

11. Brief Explanation of Project being reviewed: The Project proposes to (1) rezone the front half of the property to C-3 (Heavy Commercial) for a Business Park (Flex Space) of 12.63 acres with 36,000 sq. ft. of Flex Park and 103,600 sq. ft. of mini-storage and an office for the mini-storage; and (2) rezone the rear half of the property to MR (Medium Residential) with a conditional use for multifamily (midrise) housing (13 acres) consisting of 104 units.
If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications.

12. Area of Project (Acres +/-): 25.90 +/- acres
Number of Residential Units: 104
Commercial square footage: Business Park/Flex Space (36K Sq. Ft); Mini Storage (103,600 Sq. Ft.)

13. Present Zoning: AR-1 (Agricultural Residential)

14. Proposed Zoning: C-3 (Heavy Commercial); MR (Medium Density) with Conditional Use

15. Present Use: Agricultural/Wooded

16. Proposed Use: Business Park (Flex Park); Mini Storage and Multi-Family Housing

17. Water: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Tidewater

Will a new public well be located on the site? ☐ Yes ■ No

18. Wastewater: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Sussex County

Will a new community wastewater system be located on this site? ☐ Yes ■ No

19. If residential, describe style and market segment you plan to target (Example- Age restricted):
The residential units are targeted as market rate apartments intended for those who live and work in the Long Neck and surrounding area

20. Environmental impacts:

How many forested acres are presently on-site? 13.79 How many forested acres will be removed? 9.20

To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☐ Yes ■ No

Are the wetlands: ☐ Tidal Acres:
☐ Non-tidal Acres:

If "Yes", have the wetlands been delineated? ☐ Yes ☐ No

Has the Army Corps of Engineers signed off on the delineation? ☐ Yes ☐ No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☐ Yes ☐ No If "Yes", describe the impacts:

How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? +/- 200'

21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? ☐ Yes ■ No
per the DNREC NavMap

22. List the proposed method(s) of stormwater management for the site:
BMPs to likely include a combination of wet pond(s) and infiltration pond(s)

23. Is open space proposed? ■ Yes ☐ No If "Yes," how much? Acres: 11.45

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? active and passive recreation and stormwater management

24. Are you considering dedicating any land for community use (e.g., police, fire, school)? ☐ Yes ■ No

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: 1,170 ADT

What percentage of those trips will be trucks, excluding vans and pick-up trucks? < 5%

26. Will the project connect to state maintained roads? ■ Yes ☐ No De. Rt. 24 (John J. Williams Highway)

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections.

There are no existing developments on adjacent lands.

28. Are there existing sidewalks? ☐ Yes ☐ No; bike paths ☐ Yes ■ No
Are there proposed sidewalks? ☐ Yes ■ No; bike paths ☐ Yes ☐

Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☐ Yes ■ No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ■ No

Has this site been evaluated for historic and/or cultural resources? ☐ Yes ■ No

Would you be open to a site evaluation by the State Historic Preservation Office? ■ Yes ☐ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ■ Yes ☐ No
Person to contact to arrange visit: Carlton Savage, Jr. phone number: (302) 236-3600

Alex Pires | (202) 905-6706

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ■ No

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

Signature of property owner — Date 1/29/21

Signature of Person completing form (If different than property owner) — Date 1/29/2021

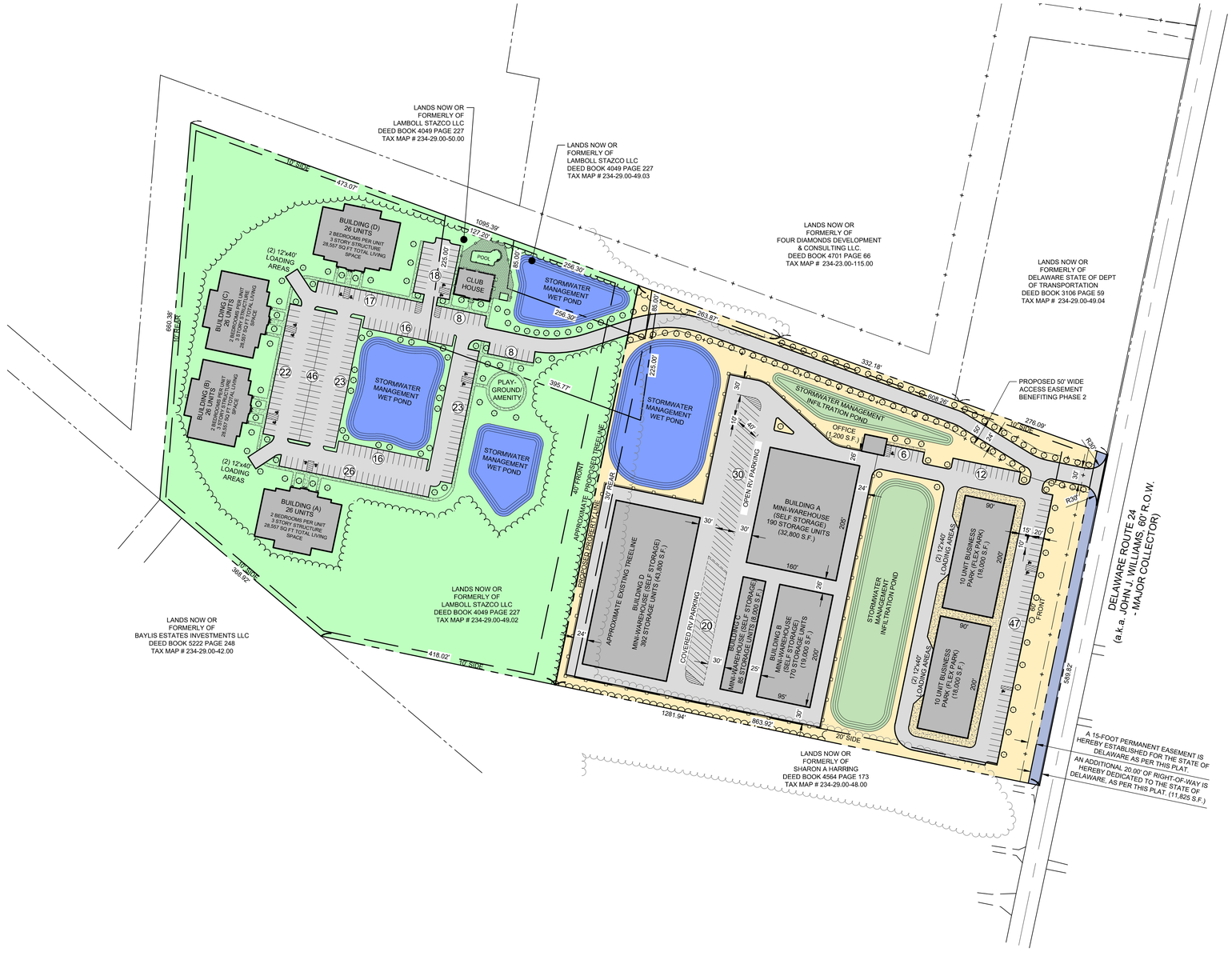
Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at plus@state.de.us **along with an electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.

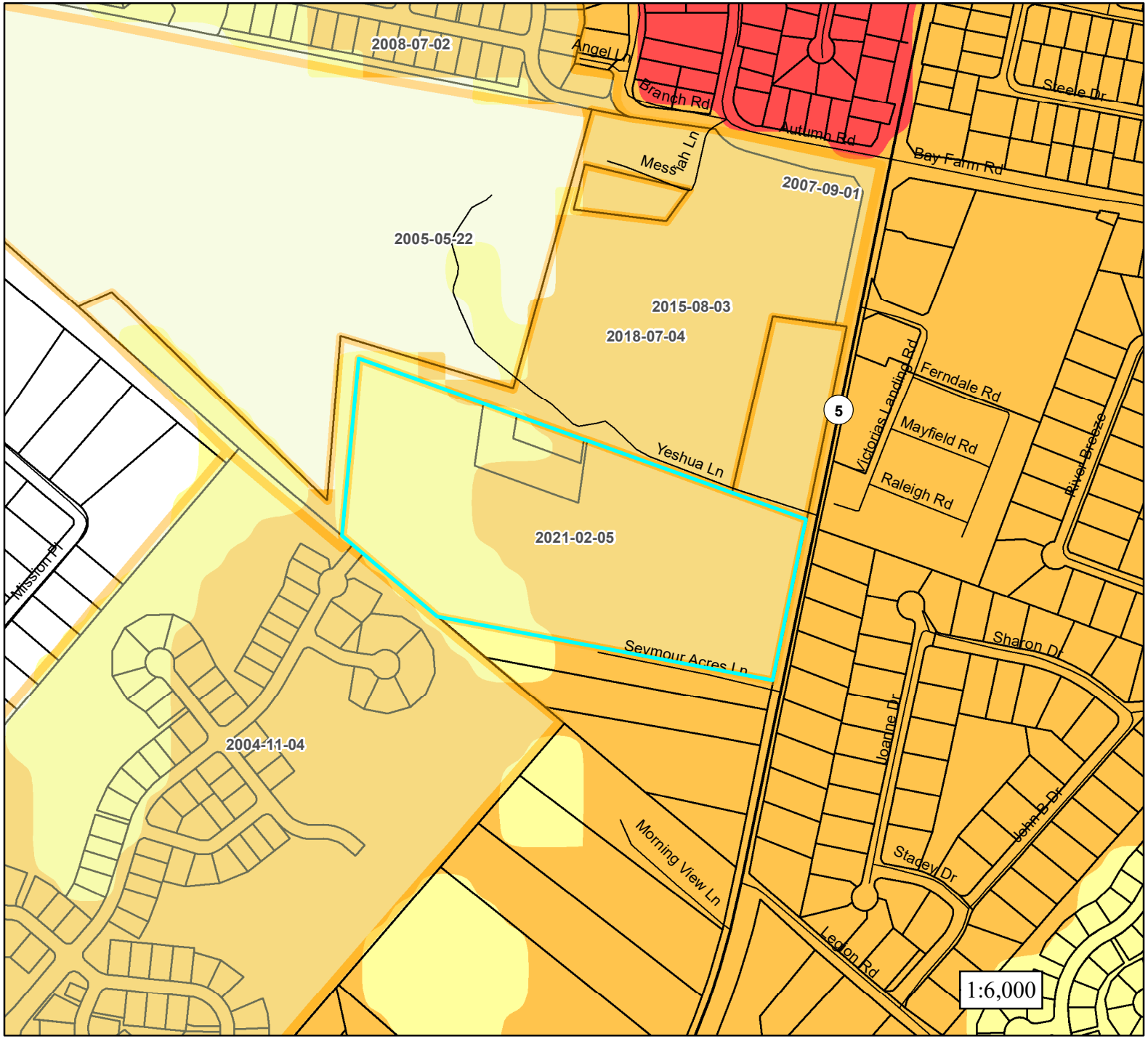
LEGEND:

- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- PROPOSED BUILDING
- PARCEL 1 - BUSINESS PARK (FLEX PARK) / MINI-WAREHOUSE (SELF STORAGE) (12.63 AC)
- PARCEL 2 - MULTI-FAMILY HOUSING (13.00 AC)
- DELDOT DEDICATION (0.27 AC)

NORTH
DE ST PL
NORTH


LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-50.00
LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-49.03
LANDS NOW OR FORMERLY OF FOUR DIAMONDS DEVELOPMENT & CONSULTING LLC. DEED BOOK 4701 PAGE 66 TAX MAP # 234-23.00-115.00
LANDS NOW OR FORMERLY OF DELAWARE STATE OF DEPT OF TRANSPORTATION DEED BOOK 3106 PAGE 59 TAX MAP # 234-29.00-49.04
LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-49.02
LANDS NOW OR FORMERLY OF BAYLIS ESTATES INVESTMENTS LLC DEED BOOK 5222 PAGE 248 TAX MAP # 234-29.00-42.00
LANDS NOW OR FORMERLY OF SHARON A HARRING DEED BOOK 4564 PAGE 173 TAX MAP # 234-29.00-48.00
DELAWARE ROUTE 24 (a.k.a. JOHN J. WILLIAMS, 60' R.O.W. - MAJOR COLLECTOR)
BUILDING (D) 26 UNITS
2 BEDROOMS PER UNIT
3 STORY STRUCTURE
28,557 SQ FT TOTAL LIVING SPACE
BUILDING (C) 26 UNITS
BUILDING (B) 26 UNITS
BUILDING (A) 26 UNITS
(2) 12'x40' LOADING AREAS
CLUB HOUSE
POOL
PLAY-GROUND/ AMENITY
STORMWATER MANAGEMENT WET POND
STORMWATER MANAGEMENT INFILTRATION POND
OFFICE (1,200 S.F.)
BUILDING A MINI-WAREHOUSE (SELF STORAGE) 190 STORAGE UNITS (32,800 S.F.)
BUILDING D MINI-WAREHOUSE (SELF STORAGE) 302 STORAGE UNITS (54,800 S.F.)
BUILDING C MINI-WAREHOUSE (SELF STORAGE) 85 STORAGE UNITS (8,000 S.F.)
BUILDING B MINI-WAREHOUSE (SELF STORAGE) 170 STORAGE UNITS (19,000 S.F.)
COVERED RV PARKING
OPEN RV PARKING
(2) 12'x40' LOADING AREAS
10 UNIT BUSINESS PARK (FLEX PARK) (18,000 S.F.)
PROPOSED 50' WIDE ACCESS EASEMENT BENEFITTING PHASE 2
APPROXIMATE EXISTING TREELINE
APPROXIMATE PROPOSED TREELINE
APPROXIMATE PROPERTY LINE
10' SIDE
30' REAR
40' FRONT
20' SIDE
60' FRONT
R30'
R25'
10' SIDE
10' SIDE
10' SIDE

Preliminary Land Use Service (PLUS)



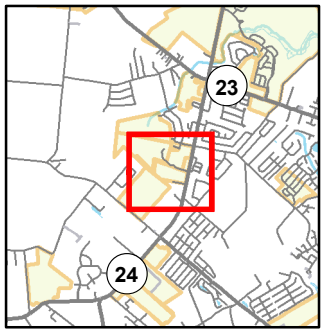
American Storage
2021-02-05

Legend

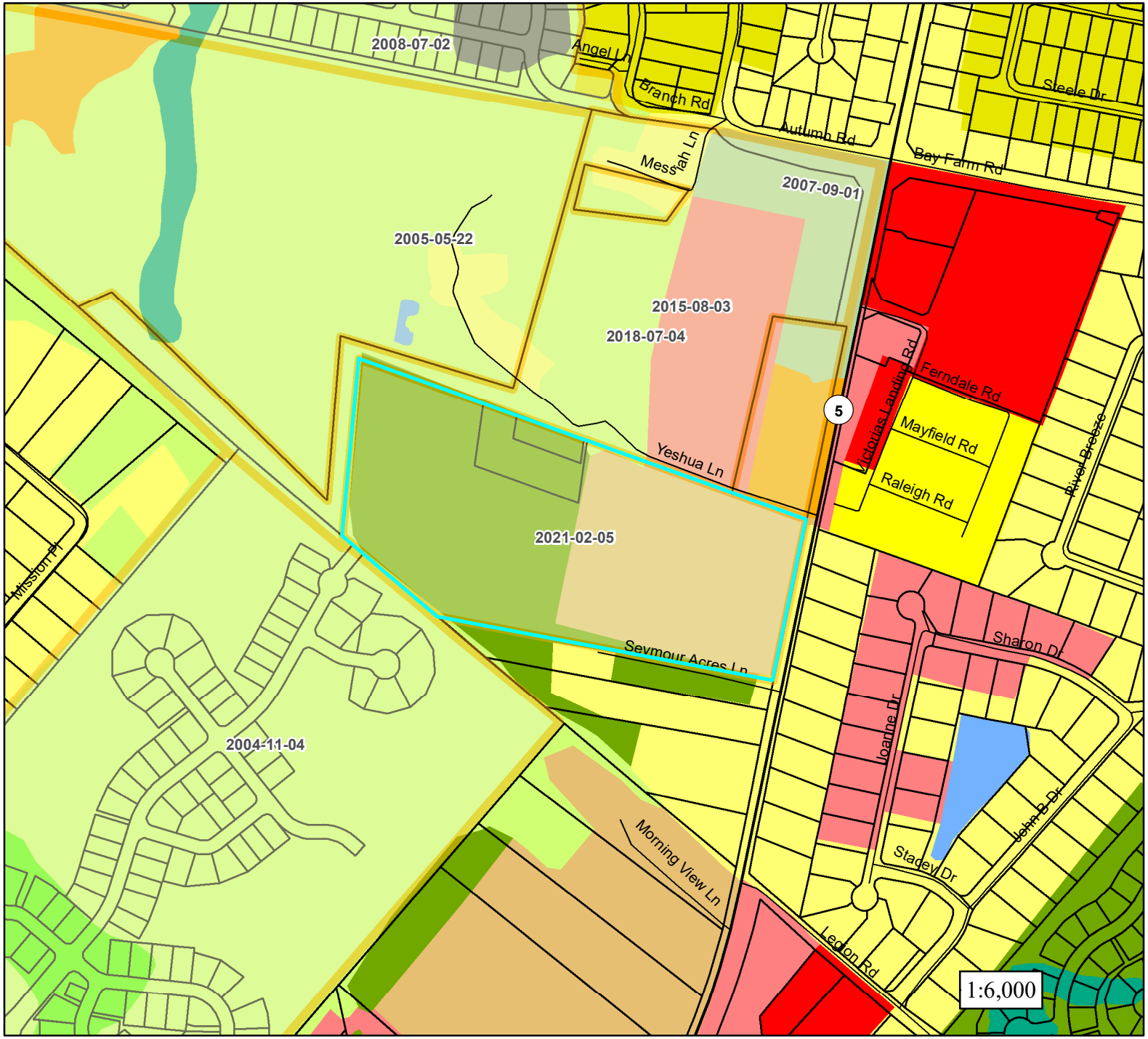
PLUS Project Areas
type
- Comp Plans
- All Other PLUS Reviews

2020 State Strategies
Strategy Level
- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play

Location Map



Preliminary Land Use Service (PLUS)



American Storage
2021-02-05

Legend

2012 Land Use

LULC Category

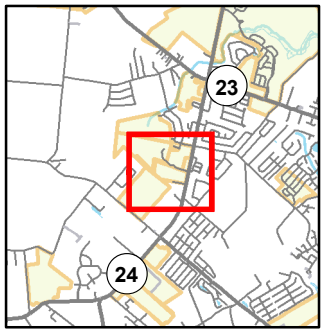
- 110
- Single Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Transportation/Communication/Utilities
- Mixed Urban/Built-up
- Institutional/Governmental
- Recreational
- Farms, Pasture, Cropland
- Confined Animal Feeding Operations/Feedlots/Holding
- Rangeland
- Orchards/Nurseries/Horticulture
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Brush Rangeland
- Clear-cut
- Man-made Reservoirs and Impoundments
- Marinas/Port Facilities/Docks
- Open Water
- Emergent Wetlands - Tidal and Non-tidal
- Forested Wetlands - Tidal and Non-tidal
- Scrub/Shrub Wetlands - Tidal and Non-tidal
- Sandy Areas and Shoreline
- Extraction and Transitional

PLUS Project Areas

type

- Comp Plans
- All Other PLUS Reviews

Location Map



Preliminary Land Use Service (PLUS)

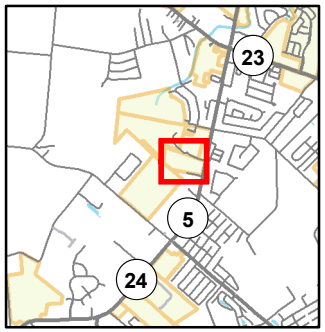
American Storage
2021-02-05

Legend

PLUS Project Areas type

- Comp Plans
- All Other PLUS Reviews

Location Map



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

March 23, 2021

Nate Graulich
Graulich Builders
34697 Jiffy Way, Suite 2
Lewes, DE 19958

RE: PLUS review 2021-02-05; American Storage of Delaware

Dear Mr. Graulich:

Thank you for meeting with State agency planners on February 24, 2021 to discuss the proposed plans for the American Storage of Delaware project. According to the information received you are seeking review of a proposed rezoning of 25.9 acres from AR-1 to C-3 and MR and a site plan for 104 residential units and 139,600 square feet of mini storage and business park in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as the County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. 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 other priorities for the near future.

Our office has no objections to the proposed rezoning and development of this project provided it is in compliance with Sussex County Comprehensive plan and all applicable codes and ordinances.

We do ask that you work to preserve the environmental features on the site if the plan moves forward.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on John J. Williams Highway (Delaware Route 24) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- 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 1,170 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, as shown in the table below, DelDOT calculates 1,171 vehicle trip ends per day for this number and estimates the weekday morning and evening peak hour trip ends at 60 and 79, respectively. Therefore, a TIS would normally be required.

	Land Use Code	Floor Area (sf) / Dwellings	Average Daily Traffic	AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
Business Park	770	36,000	448	8	6	7	8
Mini-Warehouse	151	104,800	158	6	4	8	10
Multifamily Housing (Mid-Rise)	221	104	565	9	27	28	18
Total			1,171	23	37	43	36

- Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 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, $11,710. AWS Fees are used to fund traffic studies, not to build improvements.

- DelDOT anticipates requiring the developer to contribute to a DelDOT project presently scheduled for construction this summer, HSIP SR 24 at Mount Joy Road and SR 24 at Bay Farm Road Intersection Improvements, Contract No. T200711201. Information on the project is available at https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T200711201.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Route 24. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"

- 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. 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.**"

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Depiction of all existing entrances within 600 feet of the entrance on Route 24.

    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is mandatory. DelDOT anticipates requiring the developer to build an SUP along their frontage on Route 24.

- Section 3.5.4.3 of the Manual addresses requirements for walkways. A walkway is a path connecting the interior of a development to the frontage sidewalk or SUP. DelDOT anticipates requiring at least two walkways to connect the interior of the site to Route 24,

one along the driveway at the north edge of the property and one at the south end of the frontage, connecting to the parking lot of the business park.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Route 24.

- Section 5.2.4 of the Manual addresses requirements for Entrance Width, for commercial entrances, the minimum undivided width varies from 18 to 32 feet. The proposed 30-foot entrance will be examined during the plan review process. DelDOT may require the developer's engineer to provide turning templates.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. DelDOT anticipates requiring a right turn lane with a five-foot bicycle lane, and possibly a left turn lane into the site from Route 24. Coordination of the construction schedules of the DelDOT project and the proposed development should be discussed at the Pre-Submittal Meeting.

- 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.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Stormwater Management

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

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (https://apps.dnrec.state.de.us/eNOI/default.aspx) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- 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.

- Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Hydrologic Soils Group
While much of the site consists of Hydrologic Soils Group A soils (well drained), the northwest portion of the site lies within A/D soils (somewhat poorly drained). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921
  E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Water Quality (Pollution Control Strategies)
Pollution Control Strategies have been developed for the following watersheds in Delaware: Christina, Appoquinimink, Broadkill, Mispillion and Cedar Creek, Murderkill, Saint Jones, Inland Bays (Rehoboth Bay, Indian River Bay, and Little Assawoman Bay), Nanticoke, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- The western half of the site (forested portion) lies within the Rehoboth Bay Watershed & the eastern half of the site (unforested portion) lies within the Indian River Bay Watershed, both of which are included under Pollution Control Strategies. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

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

Nutrient Management Plan
This project proposes approximately 11 acres of open space, exceeding the threshold of 10 Acres for nutrient management.

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.
- Contact: Delaware Department of Agriculture's Nutrient Management Program at (302)
- 698-4558. Website: https://agriculture.delaware.gov/nutrient-management/

Wildlife Displacement
Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- There are no known National Register listed or eligible properties on the parcel.
- Prehistoric archaeological potential is moderate. Soils are mostly well-drained except for the northwest corner of the area. Guinea Creek appears on Beers map and some historic aerials as extending closer to the parcels, which may mean that it is within favorable distance to freshwater for prehistoric site probability. A survey conducted in part of the parcel showed very little remains under a thick plow zone except for two isolated prehistoric finds; could mean that there are other archaeological resources throughout the area.
- Historic archaeological potential is low. Beers Map doesn't show anything near that parcel. A road appears to have existed through the middle-ish until 1950s, and historic aerials show the western portion to be continuously wooded.
- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: www.achp.gov

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 (DSFPR):

Fire Protection Water Requirements:

- Where a water distribution system is proposed for Storage/Warehouse sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for apartment (multi-family living units) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- 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.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.
- All mini-storage buildings greater than 2500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance–rated barrier shall require an automatic sprinkler system be installed throughout.

> *Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:*
>
> *(1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,*
>
> *(2) the owner of the facility does not have unrestricted access to the storage units, and*
>
> *(3) the items being stored are concealed from view from outside the storage unit.*

- 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

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 accessible to fire apparatus.
- Any dead end 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.
- 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.

Gas Piping and System Information:

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

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

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The subject land adjoins both a recorded but as-yet-unbuilt stub street in the Baylis Estates subdivision, which fronts on Mount Joy Road (Sussex Road 297), and the Peninsula Square mixed-use development, which fronts on Autumn Road (Sussex Road 299). In addition to providing emergency access to the proposed apartments, with appropriate interconnections and easements required of the subject development and Peninsula Square, these three developments could provide a low-stress pedestrian and bicycle connection between Mount Joy Road and Autumn Road.

- 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 Route 24.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at https://www.deldot.gov/Business/subdivisions/.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Forest Removal
The preliminary plans and/or project application proposed the elimination of approximately 9.2 out of 13.8 existing acres of forest habitat.

- 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 and reduces carbon that contributes to climate change. A forest assessment should be conducted to determine if mature forest resource exists on the property, and to determine species present.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Stormwater Management
Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

General Drainage Recommendations
There are numerous reported drainage concerns near the proposed project area. One concern from 2009 referenced flooding of a nearby property. There are numerous concerns ranging from 2010-2020 from landowners on the eastern side of John J. Williams Highway about property flooding. The storage of onsite stormwater and the release stormwater to adjacent properties is a concern if this property is developed.

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemption coverage may be required by the County Conservation District (Standard Plan), DNREC Sediment and Stormwater (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site stormwater.

- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

- Contact: DNREC Drainage Program at (302) 855-1930.
  Website: https://dnrec.alpha.delaware.gov/drainage-stormwater/

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by

maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/

Mosquitoes
The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of wetland types including freshwater forested, freshwater emergent, and estuarine.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.

- Contact: DNREC Division of Fish and Wildlife at (302) 739-9917. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/

Current or Previous Contamination
This parcel is contained within a large area that has been investigated for well contamination (DE-1388 Long Neck Mercury Study). In 2001, mercury was detected in a public water supply well; levels were reported above the Maximum Contaminant Level. While DNREC and the U.S. Geological Survey investigated the incident, the source could not be located. The well has been temporarily turned off.

- Delaware Health and Social Services reviews the monitoring reports from the water company. The USGS report that resulted from the study can be found here: https://pubs.usgs.gov/sir/2006/5011/pdf/sir-2006-5011.pdf

- Contact the Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.
  Website: https://dnrec.alpha.delaware.gov/waste-hazardous/

- Additional information may also be found online by searching Delaware's Environmental Navigator at http://www.nav.dnrec.delaware.gov/den3/

Additional Sustainable Practices
Recommendations for entire project:

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.

- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.

- 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.

- Incorporate nonmotorized connectivity in the residential area and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

Recommendations for residential section:

- Include an option to install electric vehicle charging stations in garages of homes for your customers and tenants to assist Delaware in achieving its clean transportation goals.

- For the proposed pool and clubhouse, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities. Grants may be available for qualifying renewable energy systems installed in Delaware by applicants whose electricity provider collects funds for the program and offers a grant program for renewable energy projects. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/.

Recommendations for commercial section:

- Install electric vehicle charging stations for your customers and tenants to assist Delaware in achieving its clean transportation goals. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/.

Concerns Identified Outside of the Development Footprint

Delaware Ecological Network
Lands designated as part of the Delaware Ecological Network lie to the east of this parcel. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on the proposed development site could jeopardize habitat beyond the parcel boundary.

- Removing forested areas within (and nearby) the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

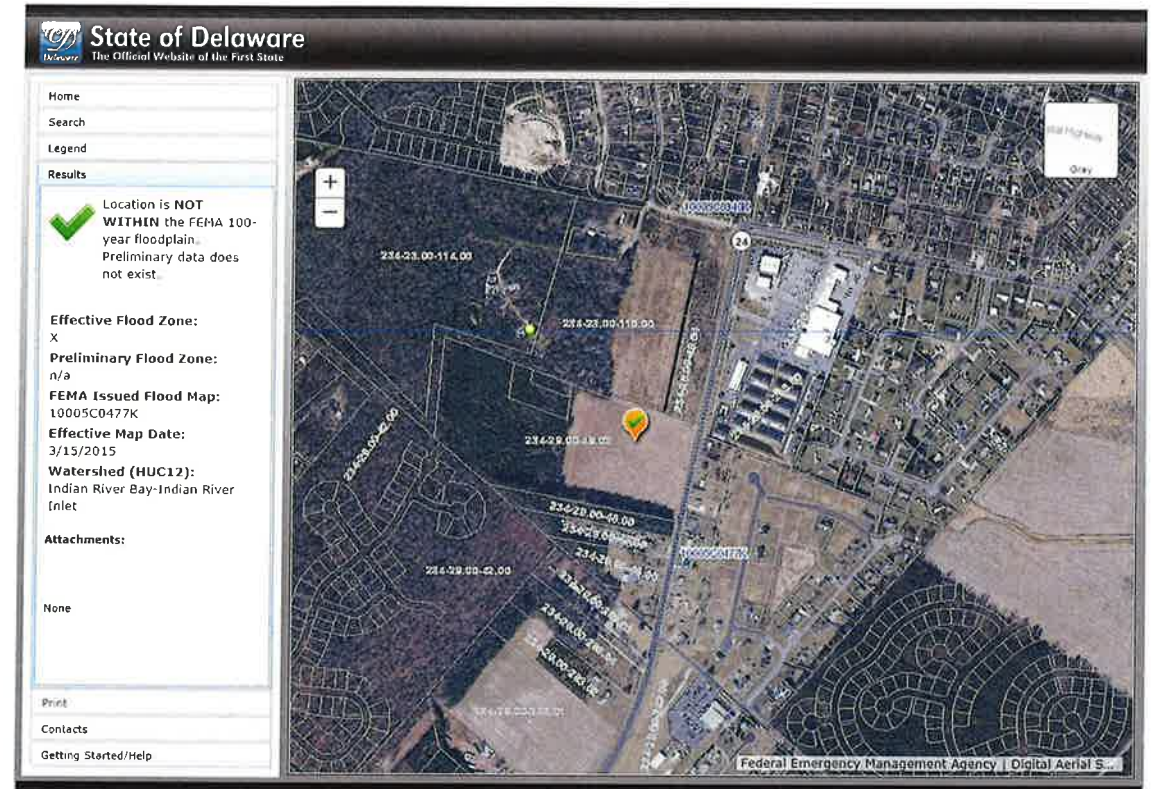
- Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- 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.

Delaware Emergency Management Agency – Contact Philip Cane 659-2325

- The location is not within any flood plain nor in a coastal inundation zone. 2018 QAP described the region this project is located in as being an "Area of Opportunity" while bordering a region identified as "Stable". The region has a homeownership rate of approximately 81.2% to 83%, a poverty ratio of 10 to 1 with approximately 21% of that census block's population at the age of 65 or older.


State of Delaware
The Official Website of the First State
Home
Search
Legend
Results
Location is NOT WITHIN the FEMA 100-year floodplain. Preliminary data does not exist.
Effective Flood Zone:
X
Preliminary Flood Zone:
n/a
FEMA Issued Flood Map:
10005C0477K
Effective Map Date:
3/15/2015
Watershed (HUC12):
Indian River Bay-Indian River Inlet
Attachments:
None
Print
Contacts
Getting Started/Help
Federal Emergency Management Agency | Digital Aerial S...
Privacy | Contact | Phone Directory

Tract
QAP Geographic Areas
Areas Of Opportunity
Zoom to
Get Directions

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- As of January 11, 2021, the applicant has already participated in a pre-application meeting with Planning and Zoning staff.

- Please include a note on the plans which indicates that the proposed project is not located within the Henlopen Transportation Improvement District (TID).

- Following submission to the County, staff undertake review of the Preliminary Site Plan, where more detailed comments are provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

- For the Conditional Use, a Service Level Evaluation Request form must be completed and submitted to the Office of Planning and Zoning. Once the Office receives the completed Service Level Evaluation Response from DelDOT, the applicant may submit all documentation and materials pertaining to their Conditional Use application.

- Please note that since the proposed development lies within the Coastal Area and is above the 50 dwelling unit and 75,000 feet of commercial development threshold, copies of an Environmental Assessment (EA) and Public Facility Evaluation Report must be submitted which address the criteria located in §115-194.3(2)(a-l).

- Additionally, the proposal will have to comply with the site plan requirements of §115-220 and the multifamily requirements of §115-188 of the Sussex County Code.

- Please include the proposed density for the project for separately for both the residential component as well as the commercial site. The C-3 Zoning District and the MR Zoning District (as a Conditional Use) allow for a density of up to 12 dwelling units per acre.

- Please note on the plans that the parcels are not located within a Wellhead Protection Area in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§ 89-6). Please note on the plans that the parcels are located within an area of "good" groundwater recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

- Staff note that there is only one-way-in, one-way-out access to the property. The Planning and Zoning Commission desire more than one entrance or an easement for emergency access purposes in the event of an emergency occurring on the parcel.

- The side yard setback for the portion of the property to be zoned C-3 adjacent to the existing Yeshua Lane is shown with a 10-ft side yard setback. The Site Data Column indicates that this setback is 5-ft. The side yard setback in the C-3 Zoning District is 20-ft when adjacent to a residentially zoned parcel (Tax Map: 234-29.00-49.04 appears to be residentially zoned as AR-1) (§115-83.22(B)(2)). Please indicate if the applicant wishes to amend this setback as part of the application.

- Staff note that 11.45 acres of open space is proposed. The proposed open space of 44% is desirable. Please include the amount of open space proposed as a percentage and in acres within the Site Data Column.

- The proposed parking appears to meet Code requirements as well as ADA requirements regarding the provision of handicap spaces per total number of parking spaces (§115-162).

- Please note that these are informal staff comments and do not prejudice any decision that the Sussex County Planning and Zoning Commission may wish to make as part of the formal application.

- Please reach out to Lauren DeVore with any questions regarding these comments at lauren.devore@sussexcountyde.gov or call the Planning and Zoning Office at (302)855-7878.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 2 and Tier 3 area for sewer service and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.

- 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 & Design Review 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 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. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used.

- The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

- One-time system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and

county sources, as well as private funding sources that also promote affordable housing in Sussex County.

- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

- On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

Constance C. Holland

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning Department

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

Sussex County
DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

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

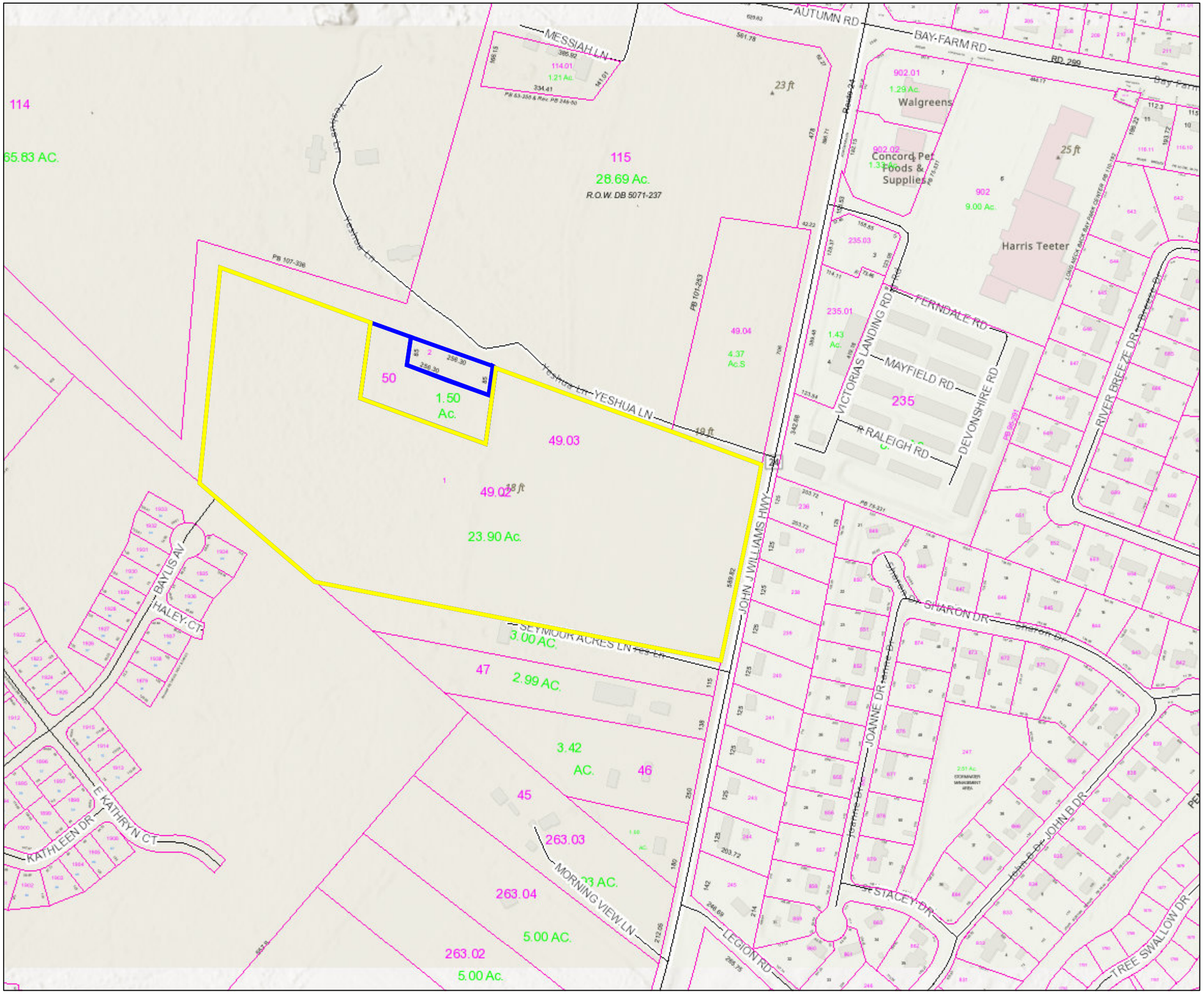
Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: March 24th, 2022

Application:	C/U 2315 American Storage of Delaware, LLC
Applicant:	American Storage of Delaware, LLC 113 Dickinson Street Dewey Beach, DE 19971
Owner:	American Storage of Delaware, LLC 113 Dickinson Street Dewey Beach, DE 19971
Site Location:	Lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299).
Current Zoning:	Agricultural Residential (AR-1) District
Proposed Use:	Multi-Family (140 units)
Comprehensive Land Use Plan Reference:	Coastal Area
Councilmanic District:	Mr. Hudson
School District:	Indian River School District
Fire District:	Indian River Fire Department
Sewer:	Sussex County
Water:	Tidewater
Site Area:	17.63 acres +/-
Tax Map ID.:	(portion of) 234-29.00-49.02, 49.03 & 50.000

EQUAL HOUSING OPPORTUNITY

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 100
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	
Land Code	

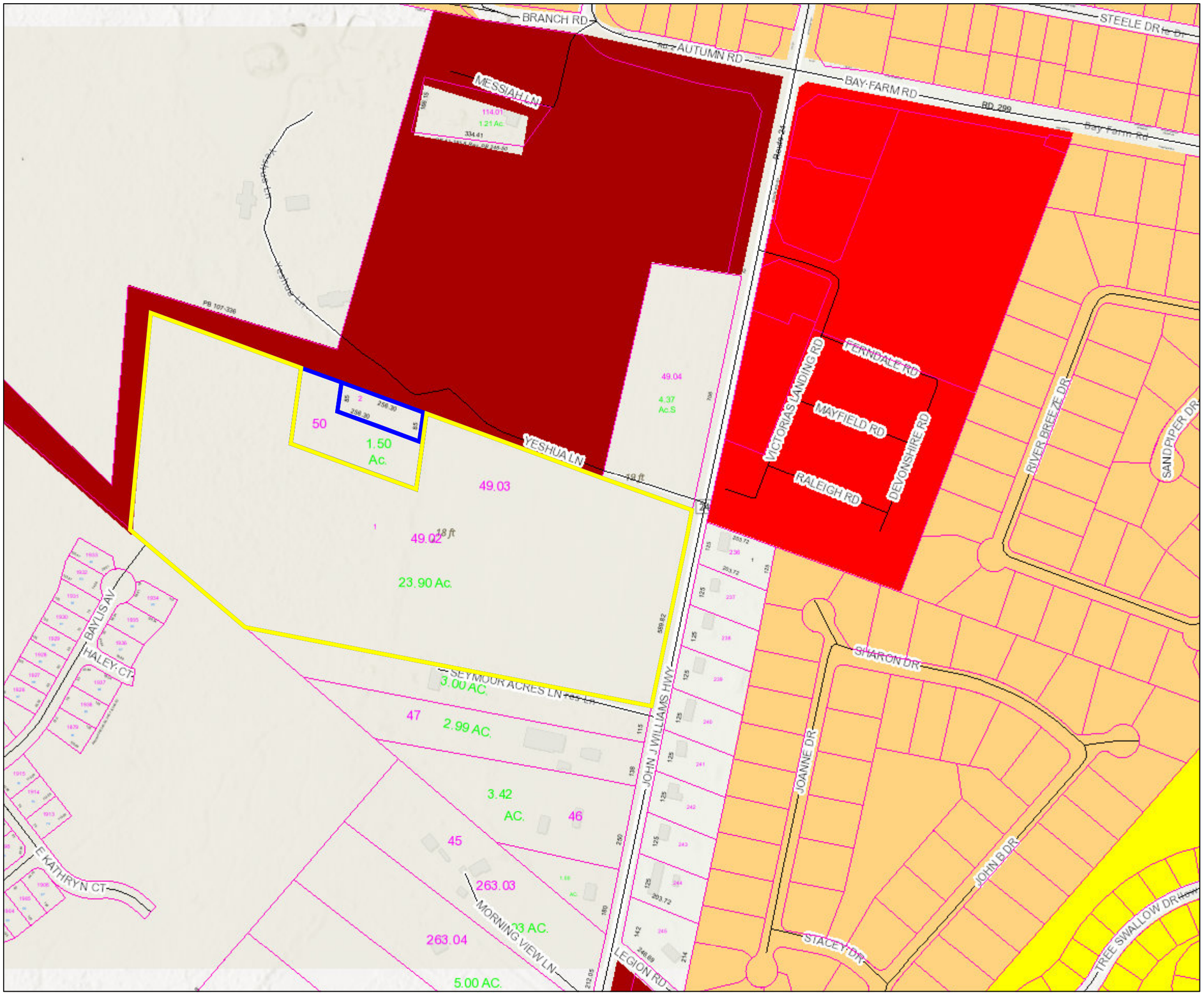
polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries

1:4,514

0 0.05 0.1 0.2 mi
0 0.075 0.15 0.3 km

February 21, 2022

Sussex County



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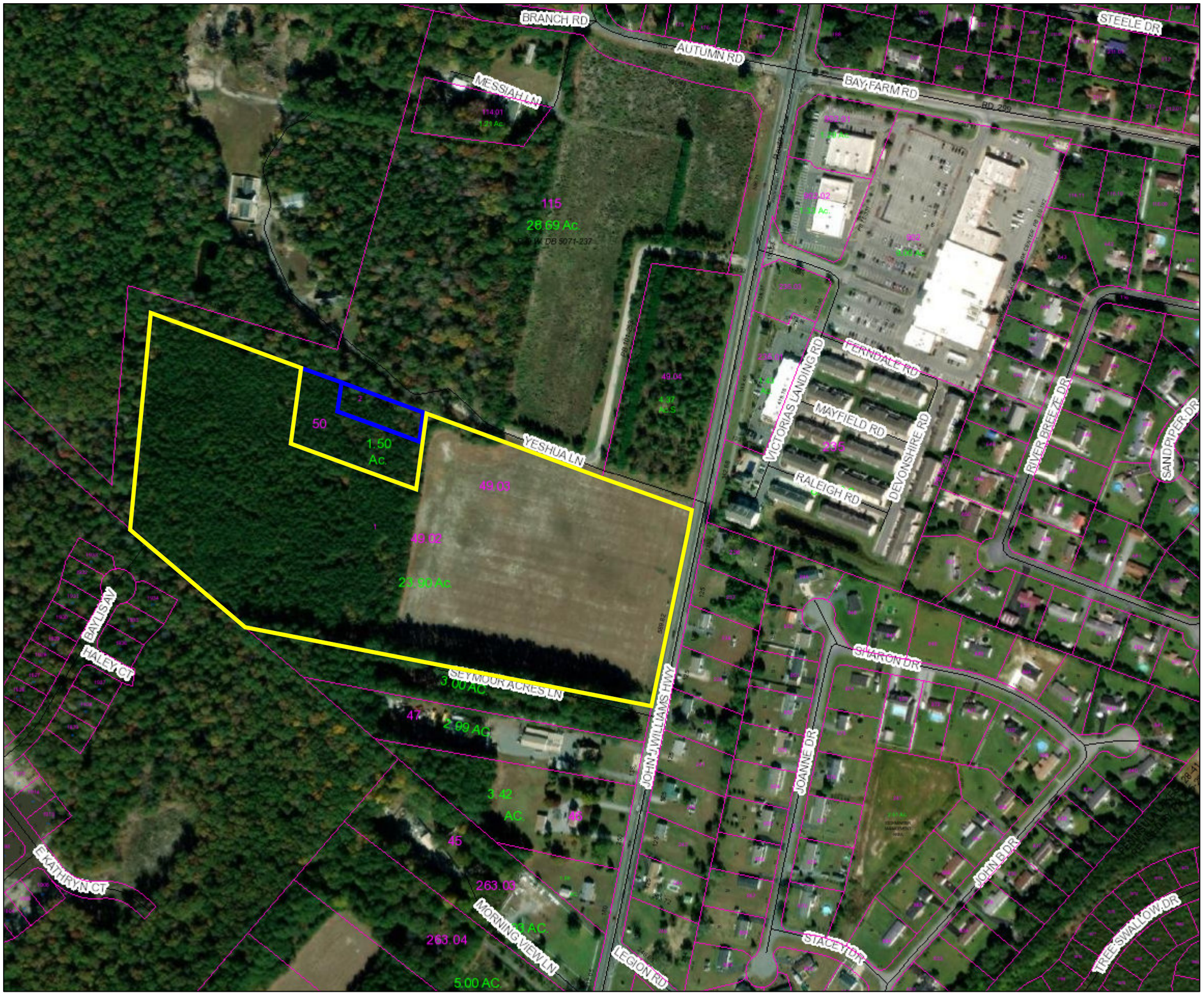
February 21, 2022

Sussex County



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Override 1

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February 21, 2022

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Ms. Lauren DeVore, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: February 21, 2022
RE: Staff Analysis for C/U 2315 American Storage of Delaware, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2315 American Storage of Delaware, LLC to be reviewed during the March 24, 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 a portion of Tax Parcels: 234-29.00-49.02, 49.03 and 50.00 to allow the construction of 140 multifamily units (apartments), a clubhouse, a playground amenity, and other ancillary improvements. The properties are located on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile south of the intersection of Autumn Road (S.C.R. 299) and Bay Farm Road (Route 299). The parcels comprise a total area of 17.63 acres +/-.

Further Site Considerations

It should be noted that an opportunity for potential interconnectivity exists for this proposal by way of Baylis Avenue within the adjacent and proposed Baylis Estates (2004-55, 2017-01 & 2021-13) Subdivision.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcels have a designation of "Coastal Area" The parcels to the north, east and west also have a Future Land Use Map designation of "Coastal Area." The adjacent parcels to the north and south of the subject properties also retain the Future Land Use Map designation of "Coastal Area." The properties on the opposite side of John J. Williams Highway (Route 24) are also designated as "Coastal Areas." The balance of the property to the northwest of the subject site contains the Future Land Use Map designation of "Low Density Area" with four properties on the eastern side of John J. Williams Highway (Route 24) containing a Future Land Use Map designation of "Commercial Area."

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office

parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas. (Sussex County Comprehensive Plan, 4-15).

Zoning Information

The subject properties are zoned Agricultural Residential (AR-1). All surrounding properties to the south and 90 degrees due east on the opposite side of John J. Williams Highway (Route 24) are zoned Agricultural Residential (AR-1). The remaining parcels on the opposite side of John J. Williams Highway (Route 24) to the northeast are zoned General Commercial (C-1) and General Residential (GR).

Existing Conditional Uses within the Vicinity of the Subject Site

Since 1970, there have been five (5) Conditional Use applications within less than a 0.25-mile radius of the application site. The first application is Conditional Use No. 990 Charles Coursey to allow for removal of soil for aquaculture in the Agricultural Residential (AR-1) of which the Application was withdrawn. The second application is Conditional Use No. 1575 for the American Legion Post 28 to allow for a carnival and circus events in the Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, January 4, 2005, and this change was adopted through Ordinance No. 1741. The third application is Conditional Use No. 1893 Toby L. Schlick to permit a lawn and tree service to be located in the Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, June 7, 2011, and this change was adopted through Ordinance No. 2209. The fourth application is Conditional Use No. 1643 Lloyd Saunders for purposes of allowing a roofing company in an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, September March 28, 2006, and adopted through Ordinance No. 1839. The fifth application is Conditional Use No. 2021 VIII P-Loan Portfolio Holding to allow for multifamily (288 units) to be located within a Commercial Residential (CR-1) Zoning District of which the Application was withdrawn.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for the construction of 140 multifamily units (apartments), a clubhouse, a playground amenity and other ancillary improvements 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.

BAIRD MANDALAS BROCKSTEDT LLC

Stephen W. Spence
sws@bmbde.com
(302)645-2262

February 15, 2022

RECEIVED
FEB 16 2022
SUSSEX COUNTY
PLANNING & ZONING

VIA EMAIL
Department of Planning & Zoning
Director Jamie Whitehouse
2 The Circle, P.O. Box 417
Georgetown, DE 19947

RE: Change of Zone Applications and Conditional Use for American Storage of Delaware, LLC
Tax Map Parcel Nos.: 234-29.00-48.02, 49.03 & 50.00
CZ 1954: Change of Zone Application for 8.0 Acres from AR-1 to C-3
CZ 1955: Change of Zone Application for 17.63 Acres from AR-1 to MR
CU 2315: Conditional Use Application for Multi-Family Use on the MR area

Director Whitehouse:

This letter confirms that Baird Mandalas Brockstedt LLC will be handling the above-referenced applications.

We also request a meeting with you or a member of Planning Staff to review the files associated with the applications. We are available for a meeting on February 28, 2022 between 11:00AM and 12:30PM. Please confirm your availability to meet with us then.

Should you have any questions, please contact us via email at sws@bmbde.com and mackenzie@bmbde.com or by phone at 302-645-2262.

Sincerely,

Stephen W. Spence, Esquire
Mackenzie M. Peet, Esquire

Cc: American Storage of Delaware, LLC

Morris James LLP

David C. Hutt
302.856.0018
dhutt@morrisjames.com

February 14, 2022

RECEIVED
FEB 14 2022
SUSSEX COUNTY
PLANNING & ZONING

BY HAND DELIVERY

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

RE: Change of Zone Applications and a Conditional Use
America Storage of Delaware, LLC
SCTP Nos. 234-29.00-49.02, 49.03 & 50.00
CZ 1954: Change of Zone Application for 8.0 acres from AR-1 to C-3
CZ 1955: Change of Zone Application for 17.63 acres from AR-1 to MR
CU 2315: Conditional Use Application for Multi-Family Use on the MR area

Dear Mr. Whitehouse:

Please be advised that Stephen W. Spence with Baird Mandalas Brockstedt, LLC will be handling the above-referenced applications going forward. If you have any questions, please let me know.

Very Truly Yours,

MORRIS JAMES LLP

David C. Hutt, Esquire

Cc: America Storage of Delaware, LLC
Stephen W. Spence, Esquire

107 West Market Street | Georgetown, DE 19947-1438 T 302.856.0015 F 302.856.7116
Mailing Address P.O. Box 690 | Georgetown, DE 19947-0690 www.morrisjames.com

File #: CU 2315
20211402O

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

West Side of Route 24 (Long Neck Area), Lewes, DE 19958

Type of Conditional Use Requested:

Multifamily residential development within an MR Medium Density Residential District to be considered with Change of Zone Applications denominated CZ 1954 and CZ 1955.

Tax Map #: p/o 234-29.00-49.02, 49.03, 50.00 **Size of Parcel(s):** 17.63

Current Zoning: AR-1 **Proposed Zoning:** MR **Size of Building:** N/A

Land Use Classification: Coastal Area (2019 FLUM)

Water Provider: Tidewater **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: American Storage of Delaware, LLC
Applicant Address: 113 Dickinson Street
City: Dewey Beach State: DE ZipCode: 19971
Phone #: (302) 645-2262 E-mail: farmerslawyer.com

Owner Information

Owner Name: See Applicant Information
Owner Address:
City: State: Zip Code:
Phone #: E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Baird Mandalas Brockstedt LLC; Stephen W. Spence, Esquire
Agent/Attorney/Engineer Address: 1413 Savannah Road, Suite 1
City: Lewes State: DE Zip Code: 19958
Phone #: (302) 645-2262 E-mail: sws@bmbde.com; mackenzie@bmbde.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.**

✔ **DelDOT Service Level Evaluation Request Response**

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

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

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

Signature of Applicant/Agent/Attorney

Stephen W Spence Date: 2/22/22

Signature of Owner

_____ Date: _____

For office use only:

Date Submitted: 9/22/2021 Fee: $500.00 Check #: 107074

Staff accepting application: _____ Application & Case #: CU 2315

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

CU 2315

File #: 20211402O

Planning & Zoning Commission Application
Sussex County, Delaware

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

RECEIVED

SEP 22 2021

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Conditional Use ✓
Zoning Map Amendment ___

Site Address of Conditional Use/Zoning Map Amendment

West Side of Rt. 24 (Long Neck Area)

Type of Conditional Use Requested:

Mutli-Family Residential within an MR Zoning District (Medium-Density Residential District).
To be considered with the Change of Zone Application Requesting the MR (Medium Density Residential District) Zoning Classification.

Tax Map #: p/o 234-29.00-49.02 & 49.03 & 50.00 **Size of Parcel(s):** 17.63 acres

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

Land Use Classification: Coastal Area (2019 FLUM)

Water Provider: Tidewater **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: American Storage of Delaware, LLC
Applicant Address: 113 Dickinson Street
City: Dewey Beach State: DE ZipCode: 19971
Phone #: (202) 905-6706 E-mail: farmerslawyer@aol.com

Owner Information

Owner Name: same as applicant
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esq. | Morris James LLP
Agent/Attorney/Engineer Address: 107 W. Market St.
City: Georgetown State: DE Zip Code: 19947
Phone #: (302) 856-0018 E-mail: dhutt@morrisjames.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

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- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
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- 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.

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✓ **DelDOT Service Level Evaluation Request Response**

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

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

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

Signature of Applicant/Agent/Attorney

_____ Date: _____

Signature of Owner

_____ Date: 8/12/21

For office use only:

Date Submitted: 9/22/21 Fee: $500.00 Check #: 107074

Staff accepting application: JBD Application & Case #: CU 2315

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: West Side of John J. Williams Highway (Rt. 24)

No 911/Mailing Address

Parcel #: p/o 234-29.00-49.02 all of 49.03 and 50.00

Site Address: _____

_____

Parcel #: _____

Applicant Name: American Storage of Delaware, LLC

Owner Name: American Storage of Delaware, LLC

Type of Application:

Conditional Use: ☒
Change of Zone: ☐
Subdivision: ☐
Board of Adjustment: ☐

Date Submitted: 9/21/21

For office use only:

Date of Public Hearing: _____
File #: _____
Date list created: _____ List created by: _____
Date letters mailed: _____ Letters sent by: _____

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

NICOLE MAJESKI
SECRETARY

September 10, 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 **American Storage of Delaware, LLC** proposed land use application, which we received on September 2, 2021. This application is for approximately 25.90- acre assemblage of parcels (Tax Parcels: 234-29.00-49.02, 49.03, 50.00) The subject land is located on the west side of John J. William Highway (State Route 24) about 800 ft north of the intersection with Legion Road (Sussex Road 298). The subject land is currently zoned AR-1 (Agriculture Residential); and the applicant is seeking to change the existing parcel lines to create two new parcels with a proposed zoning of C-3 (Heavy Commercial) for the first parcel to build a mini warehouse. The second parcel is proposed to be zoned as MR (Medium Density Residential) with a conditional use approval to build 140 multifamily housing units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J. William Highway from Long Neck Road (State Route 5) to Mount Joy Road (Sussex Road 297), are 18,682 and 24,022 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 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 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.

DelDOT

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

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

Sincerely,

Claudy Joinville *for*

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff
cc: American Storage of Delaware, LLC, Applicant
David C. Hutt, Esquire, Applicant
Lauren DeVore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/25/2022**

APPLICATION: **CU 2315 American Storage of Delaware, LLC**

APPLICANT: **American Storage of Delaware, LLC**

FILE NO: **NCPA-5.03**

TAX MAP & PARCEL(S): **234-29.00-49.02 (p/o), 49.03 & 50.00**

LOCATION: **Lying on the west side of John J. Williams Highway (Rt. 24), approximately 0.25 mile south of Autumn Road (SCR 299).**

NO. OF UNITS: **140 units (multi-family)**

GROSS ACREAGE: **17.63**

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: **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
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.

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:

   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	60' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

   * *THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT.*

   MR - MEDIUM RESIDENTIAL:

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS:

EXISTING:		25.90 AC
PROPOSED:	PARCEL 1	8.27 AC*
	PARCEL 2	17.63 AC
	TOTAL	25.90 AC

   *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA:

PRE-DEVELOPMENT	=	14.28 AC
POST DEVELOPMENT	=	9.51 AC
REMAINING	=	4.77 AC

14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

REQUIRED PARKING:	
STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES =	285 SPACES PROVIDED
TOTAL PARKING PROVIDED:	455 PARKING SPACES
	+ 14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

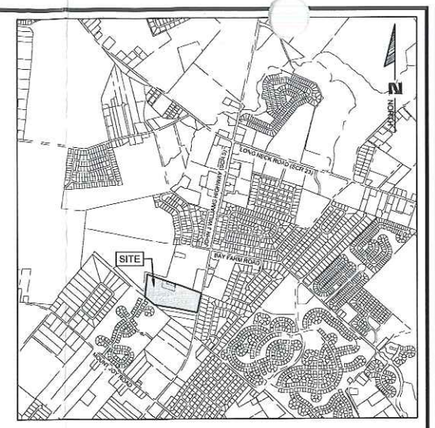
LOADING	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

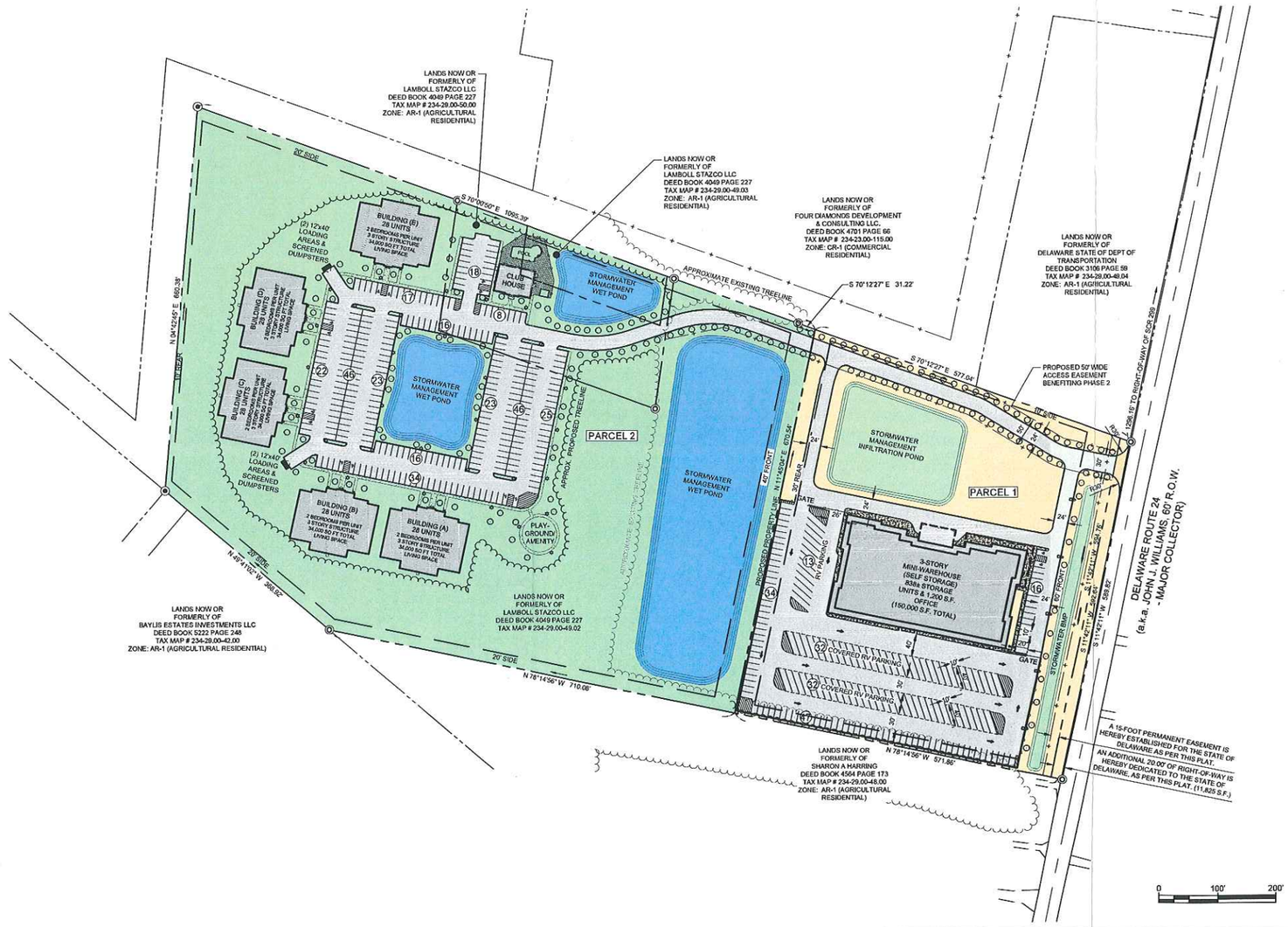
- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.63 AC) - TO BE RE-ZONED MR

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

DEST PL NORTH



LOCATION MAP
SCALE: 1" = 2,000'



AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

CONCEPTUAL SITE PLAN

CARLTON R. SAVAGE, JR. LICENSE NO. 18457 — 08/26/21 — DELAWARE PROFESSIONAL ENGINEER

SCALED. ENGINEERING
Scaled Engineering Inc.
20246 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 236-3500

4-21-21 - REVISED PER CLIENT	
6-18-21 - REVISED PER CLIENT	
7-15-21 - REVISED PER CLIENT	
7-21-21 - REVISED PER CLIENT	
DATE:	8-26-21
SCALE:	1" = 100'
DRAWN BY:	JRE
PROJECT NO.	GRAU001

1

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

S:\PROJECTS\GRAU\C\Civil\3d\American Storage\DESIGN\Planset.dwg PLOTTED: 8/26/2021 12:07 PM, BY: jeff PLOTSTYLE: —

BAIRD MANDALAS BROCKSTEDT LLC

Mackenzie M. Peet
mackenzie@bmbde.com
(302)645-2262

March 14, 2022

VIA EMAIL
Planning & Zoning Department
Attn: Jamie Whitehouse, Director
2 The Circle
PO Box 417
Georgetown, DE 19947
Email: pandz@sussexcountyde.gov

Re: American Storage of Delaware, LLC
CZ 1954 for 8.0 acres from AR-1 to C-3
CZ 1955 for 17.63 acres from AR-1 to MR
CU2315 for Multi-Family use on MR portion of
Tax Map Parcel Nos. 234-29.00-49.02, 49.03, 50.00

Director Whitehouse,

Please find the enclosed supplemental packet for the above-refenced applications.

Should you need any additional information prior to the public hearing or have any questions, please contact mackenzie@bmbde.com.

Sincerely,

Stephen W. Spence, Esquire
Mackenzie M. Peet, Esquire

SWS/MMP

Enclosures

Cc: Carlton Savage, Jr., PE
Alex Pires
Nate Graulich

EXHIBIT A

PARID: 234-29.00-49.02 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:	
Unit:	
City:	
Zip:	
State:	
Class:	AGR-Agriculture
Use Code (LUC):	AG0-AG A-I
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	23.9000
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$3,600
100% Improvement Value	
100% Total Value	

Legal

Legal Description	W/RT 24 PARCEL 1

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/310	$600,000.00			AMERICAN STORAGE OF DELAWARE LLC
10/09/2012	4049/227	$105,000.00	$1,575.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/310
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2013	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2009	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19709	3029/338
2005	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	3029/338
2003	ADAMS KEITH CONSTANCE ADAMS		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	2818/91

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag
1	AGR	AG0	0	0	23.9000	Y

Land Summary

Line	1
100% Land Value	3,600

Agricultural Land

Line:	CAMA Line:	Ag Use	Use:	Grade:	Acreage	Rate	Value:
1	1		AG		.0001		3600

Agriculture Totals

Agricultural Acres	23.9000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$3,600		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$1,800		

PARID: 234-29.00-49.03 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:
Unit:
City:
Zip:
State:

Class:	RES-Residential
Use Code (LUC):	RV-RESIDENTIAL VACANT
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	.4995
Frontage:	85
Depth:	256.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$5,000
100% Improvement Value	
100% Total Value	

Legal

Legal Description	W/RT 24 PARCEL 2

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/310				AMERICAN STORAGE OF DELAWARE LLC
01/15/2002	4049/227	$202,577.00	$3,038.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/310
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/310
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2014	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2008	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19709	3029/338
2005	STAZCO LLC		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	3029/338
2003	ADAMS KEITH CONSTANCE ADAMS		5179 W WOODMILL DR STE 5	WILMINGTON	DE	19808	2818/91

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag
1	RES	RV	85	256	.4995	

Land Summary

Line	1
100% Land Value	5,000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$5,000		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$2,500		

PARID: 234-29.00-50.00 ROLL: RP
AMERICAN STORAGE OF DELAWARE LLC

Property Information

Property Location:
Unit:
City:
Zip:
State:

Class:	RES-Residential
Use Code (LUC):	RV-RESIDENTIAL VACANT
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	1.5000
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB
100% Land Value:	$3,000
100% Improvement Value	
100% Total Value	

Legal

Legal Description N/OAK ORCHARDLEWES

Owners

Owner	Co-owner	Address	City	State	Zip
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971

Sales

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
10/13/2020	5328/125				AMERICAN STORAGE OF DELAWARE LLC
09/02/2004	4049/227	$59,682.00	$895.00	0	
02/07/2003	/	$58,000.00	$870.00	0	
11/14/1996	/	$2,200.00	$44.00	0	

Owner History

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2099	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/125
2021	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST STE 100	DEWEY BEACH	DE	19971	5328/125
2020	AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	5328/125
2019	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2018	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2017	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29602	4049/227
2013	LAMBOLL STAZCO LLC		PO BOX 3418	GREENVILLE	SC	29603	4049/227
2008	STAZCO LLC		5179 W WOODMILL DR # 5	WILMINGTON	DE	19709	3029/341
2005	STAZCO LLC		5179 W WOODMILL DR # 5	WILMINGTON	DE	19808	3029/341
2003	AASCD VENTURES LLC		WOOD MILL CORPORATE CT 5 5179 W WOODMILL DR	WILMINGTON	DE	19808	2801/186
1900	DAVIS JOHN J VIRGIE M					0	421/159

Land

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag

1	RES	RV	0	0	1.5000

Land Summary

Line	1
100% Land Value	3,000

100% Values

100% Land Value	100% Improv Value	100% Total Value
$3,000		

50% Values

50% Land Value	50% Improv Value	50% Total Value
$1,500		

Electronically Recorded Document# 2020000048385 BK: 5328 PG: 310
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
Consideration: $600,000.00 County/Town: $9,000.00 State: $15,000.00 Total: $24,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #'s: 234-29-00-
49.02, 49.03 & 50.00
PREPARED BY & RETURN TO:
Baird Mandalas Brockstedt LLC
1413 Savannah Road
Lewes, DE 19958
File No. RE20-1689/HG/SWS

THIS DEED, made this 1 day of October, 2020,

- BETWEEN -

LAMBOLL STAZCO, LLC, a Delaware limited liability company of P.O. Box 3418, Greenville, SC 29602, party of the first part,

- AND -

AMERICAN STORAGE OF DELAWARE, LLC., a Delaware Limited Liability Company, of 113 Dickinson Street, Dewey Beach, DE 19971, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **Six Hundred Thousand and 00/100 Dollars ($600,000.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

All those certain lots, pieces or parcels of land situate in the Lewes and Rehoboth Hundred, County of Sussex, , and being more particularly described as follows:

Parcel 1 - Tax Parcel #2-34 29.00 49.02

ALL that certain farm, tract, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the westerly side of Delaware Route 24, a short distance South of County Road 299, and being more particularly bounded. and described in accordance with a recent survey by Robert L. Larimore, RLS, dated December 28, 2001, as follows to-wit;

BEGINNING at an iron pipe found in the West line of Delaware Route 24, at a corner for this parcel and for lands of Charles W. Coursey, said point being located 1,296.16 feet from an iron pipe found at the intersection of the West line of Delaware Route 24(50 feet wide) with (the South line of County Road 299; thence from said beginning point along the West line of Delaware Route 24, South 20 degrees 22 minutes 57 seconds West 589,82 feet to an iron pipe round in the West line of Delaware Route 24 at a corner for lands of Melvin R.. Thompson and Brenda F. Thompson; thence along the line of lands of Melvin R. Thompson and

Brenda F. Thompson, North 69 degrees 34 minutes 10 seconds West 1,281,94 feet to an iron pipe found at a corner for lands of Melvin R Thompson and Brenda F. Thompson in line of lands of the Indian Town Farms Subdivision; thence along the line of lands of The Indian Farms Subdivision, North 41 degrees 00 minutes 16 seconds West 368.92 feet to a spike set at a corner for lands of Charles W. Coursey; thence along the line of lands of Charles W. Coursey on the following two (2) courses and distances: One (1) North 13 degrees 23 minutes 31 seconds East 660.38 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 473.07 feet to an iron pipe found at a corner for lands of Thomas C. Staz and Harriet Staz; thence along the line of lands of Thomas C. Staz and Harriet Staz on the following three (3) courses and distances; One (1) South 16 degrees 42 .minutes 51 seconds West 225.00 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 395.77 feet to an iron pipe found, three (3) North 16 degrees
42 minutes 51 seconds East 225.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey; thence along the line of Charles W. Coursey and with the northerly line of a 16 foot wide outlet, as noted in Deed Book 468-401, on the following two (2) courses and distances: one (1)61 degrees 20 minutes 04 seconds East 22655 feet to an iron pipe found, two (2) South 61 degrees 3 I minutes 41 seconds East 608.26 feet to the place of beginning and containing 23.9 acres of land be the same more or less.

Parcel 2 —Tax Parcel #2-34 29.00 49.03

ALL that certain lot, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the West side of Delaware Route 24, but not adjacent there to, and
being more particularly bounded and described in accordance with a recent survey by Robert L. Larimore, RES, dated December 28, 2001, as follows, to-wit:

BEGINNING at an iron pipe found at a corner for this parcel and for lands of Thomas C. Staz and Harriet Staz and lands of Charles W. Coursey and Diane R. Hudson, said point-being located the following three (3) courses and distances from an iron pipe found at the intersection of the West line of Delaware Route 24 (50 feet wide) with the South line of County Road 299: One (I) as measured along the West line of Delaware Route 24 in a southerly direction 1,296.16 feet to an iron pipe found in the West line of Delaware Route 24 at a corner for Parcel I; thence two (2) along the line of Parcel 1 and lands Charles W. Coursey and with the North line of a 16 foot wide outlet, North 61 degrees 31 minutes 41 seconds West 608.26 feet to a point; thence three (3) North 61 degrees 20 minutes 04 seconds West 238.82 feet to said beginning point; thence from said beginning point along the line of lands of Thomas C. Staz and Harriet Staz on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 85.00 feet to an iron pipe found, two (2) North 61 degrees 20 minutes 04 seconds West 256.30 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds East 85.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey and Diane R. Hudson; thence along the line of lands of Charles W. Coursey and Diane R. Hudson, South 61 degrees 20 minutes 04 seconds East 256.30 feet to the place of beginning and containing 0.4893 acres of land be the same more or less.

Parcel 3 - Tax Parcel Number 2-34 29.00 50.00

ALL that certain tract, piece and parcel of land, lying and being in Indian River Hundred, Sussex County, and the State of Delaware, as shown on a certain December 26, 2001 survey prepared by Coast Survey, Inc. (Plan #801-13), as described as follows,

BEGINNING at an iron pipe set in the line of lands now or formerly of Charles W. Coursey and the north corner of a 16 foot Outlet (Deed Book 468, Page 401), being South 61 degrees 23 minutes 59 seconds East 226.55 feet to an iron pipe recovered, a corner for lands of Charles W. Coursey and other lands of Charles W. Coursey, and South 61 degrees 34 minutes 13 seconds East 608.42 feet to an iron pipe recovered in the northwesterly right of way line of Route 24; thence from the point of beginning running by and with the line of a 16 foot Outlet and with the lint of lands now or formerly of Marshall Lee

Document# 2020000048385 BK: 5328 PG: 312
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
Doc Surcharge Paid

Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 225.00 feet to an Iron pipe set; 2) North 61 degrees 23 minutes 59 seconds West 395.77 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds. East 225.00 feet to an iron pipe set in the line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of Lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 127.20 feet to an iron pipe set, marking a corner for these lands and lands now or formerly of Marshall Lee Coursey; thence turning and running by and with the line of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 85.00 feet to an Iron pipe set; and 2) South 61 degrees 23 minutes 59 seconds 25630 feet to an iron pipe set;. and.3) North 16 degrees 38 minutes 56 seconds East 85.00 feet to an iron pipe set in the.line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 12.27 feet to the point and place of beginning, said to contain1.5107 acres of land more or less, together with any and all improvements located thereon.

BEING the same property conveyed to Lamboll Stazco, LLC from Stazco, LLC, AKA Stazco, L.L.C., by Deed dated October 3, 2012, and recorded on October 9, 2012, in Book 4049, Page 227.

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.

Document# 2020000048385 BK: 5328 PG: 313
Recorder of Deeds, Scott Dailey On 10/13/2020 at 10:07:58 AM Sussex County, DE
Doc Surcharge Paid

IN WITNESS WHEREOF, the said Lamboll Stazco, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

LAMBOLL STAZCO, LLC
BY: SD INVESTMENT PROPERTIES, LLC, ITS SOLE MEMBER
BY: LAMBOLL STREET, LLC ITS SOLE MEMBER

BY: _____ (Seal)
TODD KUHL, AUTHORIZED DIRECTOR

STATE OF South Carolina, COUNTY OF Charleston : to-wit

BE IT REMEMBERED, that on this 7 day of October, A.D. 2020, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Todd Kuhl, Authorized Director, of Lamboll Street, LLC, sole member of SD Investment Properties, LLC, sole member of Lamboll Stazco, LLC, a Delaware Limited Liability Company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said company; that the signature of the authorized representative is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of Lamboll Stazco, LLC.

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

_____
Notary Public

My Commission Expires: Mar 14 2029

ALYSA FLOERCKY
NOTARY PUBLIC
My Comm Exp
Mar 14 2029
STATE OF SOUTH CAROLINA

36428

BK: 4049 PG: 227

Tax Parcel Nos.: 2-34-29.00-49.02,
2-34-29.00-49.03 & 2-34-29.00-50.00

PREPARED BY AND RETURN TO:
Douglas M. Hershman, Esquire
BAYARD, P.A.
P.O. Box 25130
Wilmington, DE 19899-25130

THIS DEED is made this 3rd day of October, 2012, between

STAZCO, LLC, AKA STAZCO, L.L.C., a Delaware limited liability company, party of the first part,

AND

LAMBOLL STAZCO, LLC, a Delaware limited liability company, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS ($10.00) lawful money of the United States of America, the receipt of which is hereby acknowledged, hereby grants and conveys unto the said party of the second part, its successors and/or assigns, in fee,

See legal description attached hereto as Exhibit "A", hereto and incorporated herein by reference.

SUBJECT to all easements, restrictions, reservations, agreements and covenants of record, if any, affecting the property or the title thereto, together with the benefits of the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal, the day and year aforesaid.

SEALED AND DELIVERED IN THE PRESENCE OF:

Witness

Stazco, LLC, aka Stazco, L.L.C., a Delaware limited liability company

By: _____ (SEAL)
Name: Richard C. Woodin
Title: Authorized Person

STATE OF DELAWARE)
) SS
NEW CASTLE COUNTY)

BE IT REMEMBERED, that on this 2nd day of October, 2012, personally came before me, the Subscriber, a Notarial Officer for the State and County aforesaid, Richard C. Woods, Authorized Person of Stazco, LLC, aka Stazco, L.L.C., a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of the said company.

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

Notary Public
Printed Name:
My Commission Expires:

MICHAEL A. DeNOTE
Attorney at Law - State of Delaware
Notarial Officer Pursuant to
29 Del.C. § 4323(a)(3)
My Commission Has No Expiration

GRANTEE'S ADDRESS
c/o Lamboll Street, LLC
PO Box 3418
Greenville, SC 29603

EXHIBIT "A"

Parcel 1 - Tax Parcel #2-34 29.00 49.02

ALL that certain farm, tract, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the westerly side of Delaware Route 24, a short distance South of County Road 299, and being more particularly hounded and described in accordance with a recent survey by Robert L. Larimore, RLS, dated December 28, 2001, as follows to-wit;

BEGINNING at an iron pipe found in the West line of Delaware Route 24, at a corner for this parcel and for lands of Charles W. Coursey, said point being located 1,296.16 feet from an iron pipe found at the intersection of the West line of Delaware Route 24(50 feet wide) with (he South line of County Road 299; thence from said beginning point along the West line of Delaware Route 24, South 20 degrees 22 minutes 57 seconds West 589,82 feet to an iron pipe round in the West line of Delaware Route 24 at a corner for lands of Melvin R. Thompson and Brenda F. Thompson; thence along the line of lands of Melvin R. Thompson and Brenda F. Thompson, North 69 degrees 34 minutes 10 seconds West 1,281,94 feet to an iron pipe found at a corner for lands of Melvin R Thompson and Brenda F. Thompson inline of lands of the Indian Town Farms Subdivision; thence along the line of lands of The Indian Farms Subdivision, North 41 degrees 00 minutes 16 seconds West 368.92 feel to a spike set at a corner for hinds of Charles W. Coursey; thence along the line of lands of Charles W. Coursey on the following two (2) courses and distances: One (1) North 13 degrees 23 minutes 31 seconds East 660.38 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 473.07 feet to an iron pipe found at a corner for lands of Thomas C. Stan and Harriet Staz; thence along the line of lands of Thomas C. Staz and Harriet Star on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 225.00 feet to an iron pipe found, two (2) South 61 degrees 20 minutes 04 seconds East 395.77 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds Fast 225.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey; thence along the line of Charles W, Coursey and with the northerly line of a 16 foot wide outlet, as noted in Deed Book 468-401, on the following two (2) courses and distances: one (1)61 degrees 20 minutes 04 seconds East 22655 feet to an iron pipe found, two (2) South 61 degrees 31 minutes 41 seconds East 608.26 feet to the place of beginning and containing 23.9 acres of land be the same more or less.

Parcel 2 - Tax Parcel #2-34 29.00 49.03

ALL that certain lot, piece or parcel of land, situated in Indian River Hundred, Sussex County, State of Delaware, lying on the West side of Delaware Route 24, but not adjacent there to, and being more particularly hounded arid described in accordance with a recent survey by Robert L. Larimore, RES, dated December 28, 2001, as follows to-wit:

BEGINNING at an iron pipe found at a corner for this parcel and for lands of Thomas C. Staz and Harriet Staz and lands of Charles W. Coursey and Diane R. Hudson, said point being located the following three (3) courses and distances from an iron pipe found at the intersection of the West line of Delaware Route 24 (50 feet wide) with the South line of County Road 299: One (I)

as measured along the Vest line of Delaware Route 24 in a southerly direction 1,296.16 feet to an iron pipe found in the West line of Delaware Route 24 at a corner for Parcel I; thence two (2) along the line of Parcel 1 and lands Charles W. Coursey and with the North line of a 16 foot wide outlet, North 61 degrees 31 minutes 41 seconds West 608.26 feet to a point; thence three (3) North 61 degrees 20 minutes 04 seconds West 238.82 feet to said beginning point; thence from said beginning point along the line of lands of Thomas C. Star and Harriet Staz on the following three (3) courses and distances: One (1) South 16 degrees 42 minutes 51 seconds West 85.00 feet to an iron pipe found, two (2) North 61 degrees 20 minutes 04 seconds West 256.30 feet to an iron pipe found, three (3) North 16 degrees 42 minutes 51 seconds East 85.00 feet to an iron pipe found at a corner for lands of Charles W. Coursey and Diane R. Hudson; thence along the line of lands of Charles W. Coursey and Diane R. Hudson, South 61 degrees 20 minutes 04 seconds East 256.30 feet to the place of beginning and containing 0.4893 acres of land be the same more or less.

Parcel 3 - Tax Parcel Number 2-34 29.00 50.00

ALL that certain tract, piece and parcel of land, lying and being in Indian River Hundred, Sussex County, and the State of Delaware, as shown on a certain December 26, 2001 survey prepared by Coast Survey, Inc. (Plan #801-13), as described as follows,

BEGINNING at an iron pipe set In the line of lands now or formerly of Charles W. Coursey and the north corner of a 16 foot Outlet (Deed Book 468, Page 401), being South 61 degrees 23 minutes 59 seconds East 226.55 feet to an iron pipe recovered, a corner for lands of Charles W. Coursey and other lands of Charles W. Coursey, and South 61 degrees 34 minutes 13 seconds East 608.42 feet to an iron pipe recovered in the northwesterly right of way line of Route 24; thence from the point of beginning running by and with the line of a 16 foot Outlet and with the lint of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: 1) South 16 degrees 38 minutes 56 seconds West 225.00 feet to an Iron pipe set; 2) North 6] degrees 23 minutes 59 seconds West 395.77 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds East 225.00 feet to an iron pipe set in the line of lands now or formerly of Charles W. Coursey; thence turning and running by and with the line of Lands now or formerly of Charles W. Coursey, South 61 degrees 23 minutes 59 seconds East 127.20 feet to an iron pipe set, marking a corner for these lands and lands now or formerly of Marshall Lee Coursey; thence turning and running by and with the line of lands now or formerly of Marshall Lee Coursey the following three (3) courses and distances: I) South 16 degrees 38 minutes 56 seconds West 85.00 feet to an Iron pipe set; and 2) South 61 degrees 23 minutes 59 seconds 25630 feet to an iron pipe set; and 3) North 16 degrees 38 minutes 56 seconds East 85.00 feet to an iron pipe set in the line of lands now or formerly of Charles . Coursey; thence turning and running by and with the tine of lands now or formerly of Charles W, Coursey, South 61 degrees 23 minutes 59 seconds East 12.27 feet to the point and place of beginning, said to contain 1.5107 acres of land more or less, together with any and all improvements located thereon.

BEING the same lands and premises which Keith and Constance Adams, husband and wife, by Deed dated August 30, 2004 and recorded September 2, 2004 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 3029, Page 338, did grant and convey unto Stazco, L.L.C., a Delaware limited liability company, in fee.

AND BEING the same lands and premises which AASCD Ventures, LLC, a Delaware limited liability company, by Deed dated August 30, 2004 and recorded September 2, 2004 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 3029, Page 341, did grant and convey unto Stazco, LLC, a Delaware limited liability company, in fee.

Consideration: 105,000.00

County		1,575.00
State		1,575.00
Town	Total	3,150.00

Received: Kara S Oct 09,2012

Recorder of Deeds
Scott Dailey
Oct 09,2012 12:45P
Sussex County
Doc. Surcharge Paid

RECEIVED

OCT 09 2012

ASSESSMENT DIVISION
OF SUSSEX COUNTY

SCALED. ENGINEERING

20246 Coastal Highway
Rehoboth Beach, DE 19971
Tel: 302 - 236 - 3600

PARTICULAR DESCRIPTION
PARCEL 1

TAX MAP PARCEL 234-29.00-49.02 (PART OF)

ALL THAT CERTAIN PIECE, parcel or tract of land lying and being situated in Indian River Hundred, Sussex County, and State of Delaware, lying on the westerly side of John J. Williams Highway – Delaware Route 24 (60 foot right-of-way), being Parcel 1 on a conceptual site plan titled, "American Storage of Delaware", prepared by Scaled Engineering Inc., dated August 26th, 2021, and being bounded on the south by lands now or formerly of Sharon A. Harring; on the west by Parcel 2 of said conceptual site plan; on the north by lands now or formerly of Four Diamonds Development & Consulting LLC and lands now or formerly of State of Delaware, Department of Transportation and being more particularly described as follows, to wit:

BEGINNING at a point near an iron pipe found on the westerly right-of-way of aforementioned John J. Williams Highway at a corner for lands herein described and aforementioned lands of State of Delaware; said point being located 1,296.16 feet from the southerly right of way of Autumn Road - Sussex County Road 299 as measured in a southwesterly direction along said right-of-way of John J. Williams Highway; thence continuing with the same **South 11 degrees 42 minutes 11 seconds West, 589.82 feet** to an iron pipe found at a corner for aforementioned lands of Harring; thence with the same **North 78 degrees 14 minutes 56 seconds West, 571.86 feet** to a point at a corner for aforementioned Parcel 2; thence with same **North 11 degrees 45 minutes 04 seconds East, 670.54 feet** to a point on the southerly line of aforementioned lands of Four Diamonds Development & Consulting LLC; thence with same and partially with said lands of State of Delaware **South 70 degrees 12 minutes 27 seconds East, 577.04 feet** to the point and place of beginning, containing 8.27 acres of land, being the same more or less.

SCALED. ENGINEERING

20246 Coastal Highway
Rehoboth Beach, DE 19971
Tel: 302 - 236 - 3600

PARTICULAR DESCRIPTION
PARCEL 2

TAX MAP PARCELS 234-29.00-49.02 (PART OF),
234-29.00-49.03 & 234-29.00-50.00

ALL THAT CERTAIN PIECE, parcel or tract of land lying and being situated in Indian River Hundred, Sussex County, and State of Delaware, lying west of John J. Williams Highway – Delaware Route 24 (60 foot right-of-way), being Parcel 2 on a conceptual site plan titled, "American Storage of Delaware", prepared by Scaled Engineering, Inc., dated August 26, 2021, and being bounded on the east by Parcel 1 of said conceptual site plan; on the south by lands now or formerly of Sharon A. Harring; on the southwest by lands now or formerly of Baylis Estates Investments LLC; on the west and north by lands now or formerly of Four Diamonds Development & Consulting LLC and being more particularly described as follows, to wit:

BEGINNING at a point, a corner for lands herein described and the aforementioned Parcel 1; said point being located the following two (2) courses and distances from the point of intersection of the southerly right of way of Autumn Road - Sussex County Road 299 and the westerly right of way of John J. Williams Highway – Delaware Route 24:

1. **1,296.16 feet** from said right of way of Autumn Road as measured in southwesterly direction along said right-of-way of John J. Williams Highway to a point near an iron pipe found.
2. **North 70 degrees 12 minutes 27 seconds West, 577.04 feet** to said beginning point; thence with said Parcel 1 **South 11 degrees 45 minutes 04 seconds West, 670.54 feet** to a point on the northerly line of aforementioned lands of Harring; thence with the same **North 78 degrees 14 minutes 56 seconds West, 710.08 feet** to an iron pipe found on the north easterly line of aforementioned lands of Baylis Estates Investments LLC; thence with same **North 49 degrees 41 minutes 02 seconds West, 368.92 feet** to a capped rebar found at a corner for aforementioned lands of Four Diamonds Development & Consulting LLC; thence with same the following three (3) courses and distances:

1. **North 04 degrees 42 minutes 45 seconds East, 660.38 feet** to a capped rebar found.
2. **South 70 degrees 00 minutes 50 seconds East, 1,095.39 feet** to a point.
3. **South 70 degrees 12 minutes 27 seconds East, 31.22 feet** to the point and place of beginning, containing 17.63 acres of land, being the same more or less.

EXHIBIT B

PLANNING & ZONING
Jamie Whitehouse, AICP ,MRTPI
Director
(302) 855-7878 T
(302) 854-5079 F

Sussex County
DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 9/2/21

Site Information:

Site Address/Location: John J. Williams Highway, Millsboro, DE

Tax Parcel Number: 234-29.00-49.02, 49.03 & 50.00
Current Zoning: AR-1
Proposed Zoning: Parcel 1: C-3; Parcel 2: MR with Conditional Use for Multifamily
Land Use Classification: Coastal Area (Future Land Use Map)

Proposed Use(s): **Parcel 1:** Mini-Warehouse (Self Storage) = 150,000 sq. ft.
Parcel 2: Multifamily Housing (Mid-Rise) = 140 Units
Multifamily Housing Clubhouse = 3,060 sq. ft.
See Attached Conceptual Site Plan

Square footage of any proposed buildings or number of units: See Proposed Use/140 residential units

Applicant Information:

Applicant's Name: American Storage of Delaware, LLC

Applicant's Address: 113 Dickinson Street
City: Dewey Beach State: DE Zip Code: 19971

Applicant's Phone Number: (302) 462-5871
Applicant's e-mail address: nate.gmconstruction@gmail.com

Please send copy to:
David C. Hutt, Esquire
Morris James LLP
107 W. Market Street
Georgetown, DE 19947
Phone: (302) 856-0018
Email: dhutt@morrisjames.com

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

NICOLE MAJESKI
SECRETARY

September 10, 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 **American Storage of Delaware, LLC** proposed land use application, which we received on September 2, 2021. This application is for approximately 25.90- acre assemblage of parcels (Tax Parcels: 234-29.00-49.02, 49.03, 50.00) The subject land is located on the west side of John J. William Highway (State Route 24) about 800 ft north of the intersection with Legion Road (Sussex Road 298). The subject land is currently zoned AR-1 (Agriculture Residential); and the applicant is seeking to change the existing parcel lines to create two new parcels with a proposed zoning of C-3 (Heavy Commercial) for the first parcel to build a mini warehouse. The second parcel is proposed to be zoned as MR (Medium Density Residential) with a conditional use approval to build 140 multifamily housing units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J. William Highway from Long Neck Road (State Route 5) to Mount Joy Road (Sussex Road 297), are 18,682 and 24,022 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 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 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.

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

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

Sincerely,

Claudy Joinville *for*

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff
cc: American Storage of Delaware, LLC, Applicant
David C. Hutt, Esquire, Applicant
Lauren DeVore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

EXHIBIT C

Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - -The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2021-02-05

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 2/3

1. Project Title/Name: American Storage of Delaware
2. Location (please be specific): Delaware Route 24 (John J. Williams Highway), Millsboro, Delaware
3. Parcel Identification #: 234-29.00-49.02, 49.03 & 50.00
4. County or Local Jurisdiction Name: where project is located: Sussex County
5. If contiguous to a municipality, are you seeking annexation: Not applicable.
6. Owner's Name: American Storage of Delaware, LLC (Alex Pires)

   Address: 113 Dickinson Street

   City: Dewey Beach State: Delaware Zip: 19971

   Phone: (302) 462-5871 (202) 905-6706 Fax: Email: nate.gmconstruction@gmail.com farmerslawyer@aol.com
7. Equitable Owner/Developer **(This Person is required to attend the PLUS meeting)**: Same as owner

   Address:

   City: State: Zip:

   Phone: Fax: Email:
8. Project Designer/Engineer: Carlton Savage, Jr. | SCALED.Engineering

   Address: 20246 Coastal Highway

   City: Rehoboth Beach State: Delaware Zip: 19971

   Phone: (302) 236-3600 Fax: Email: carlton@scaledengineering.com
9. **Please Designate a Contact Person, including phone number, for this Project:** Nate Graulich | (302) 462-5871
   Alex Pires | (202) 905-6706

Information Regarding Site:

10. Type of Review: ☐ Rezoning, if not in compliance with certified comprehensive plan ■ Site Plan Review ☐ Subdivision

11. Brief Explanation of Project being reviewed: The Project proposes to (1) rezone the front half of the property to C-3 (Heavy Commercial) for a Business Park (Flex Space) of 12.63 acres with 36,000 sq. ft. of Flex Park and 103,600 sq. ft. of mini-storage and an office for the mini-storage; and (2) rezone the rear half of the property to MR (Medium Residential) with a conditional use for multifamily (midrise) housing (13 acres) consisting of 104 units.
If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications.

12. Area of Project (Acres +/-): 25.90 +/- acres | Number of Residential Units: 104 | Commercial square footage: Business Park/Flex Space (36K Sq. Ft); Mini Storage (103,600 Sq. Ft.)

13. Present Zoning: AR-1 (Agricultural Residential)

14. Proposed Zoning: C-3 (Heavy Commercial); MR (Medium Density) with Conditional Use

15. Present Use: Agricultural/Wooded

16. Proposed Use: Business Park (Flex Park); Mini Storage and Multi-Family Housing

17. Water: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Tidewater

Will a new public well be located on the site? ☐ Yes ■ No

18. Wastewater: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Sussex County

Will a new community wastewater system be located on this site? ☐ Yes ■ No

19. If residential, describe style and market segment you plan to target (Example- Age restricted):
The residential units are targeted as market rate apartments intended for those who live and work in the Long Neck and surrounding area

20. Environmental impacts:

How many forested acres are presently on-site? 13.79 How many forested acres will be removed? 9.20

To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☐ Yes ■ No

Are the wetlands: ☐ Tidal Acres:
☐ Non-tidal Acres:

If "Yes", have the wetlands been delineated? ☐ Yes ☐ No

Has the Army Corps of Engineers signed off on the delineation? ☐ Yes ☐ No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☐ Yes ☐ No If "Yes", describe the impacts:

How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? +/- 200'

21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? ☐ Yes ■ No
per the DNREC NavMap

22. List the proposed method(s) of stormwater management for the site:
BMPs to likely include a combination of wet pond(s) and infiltration pond(s)

23. Is open space proposed? ■ Yes ☐ No If "Yes," how much? Acres: 11.45

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? active and passive recreation and stormwater management

24. Are you considering dedicating any land for community use (e.g., police, fire, school)? ☐ Yes ■ No

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: 1,170 ADT

    What percentage of those trips will be trucks, excluding vans and pick-up trucks? < 5%

26. Will the project connect to state maintained roads? ☒ Yes ☐ No De. Rt. 24 (John J. Williams Highway)

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections.

There are no existing developments on adjacent lands.

28. Are there existing sidewalks? ☐ Yes ☐ No; bike paths ☐ Yes ☒ No
    Are there proposed sidewalks? ☐ Yes ☒ No; bike paths ☐ Yes ☐

    Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☐ Yes ☒ No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ☒ No

    Has this site been evaluated for historic and/or cultural resources? ☐ Yes ☒ No

    Would you be open to a site evaluation by the State Historic Preservation Office? ☒ Yes ☐ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ☒ Yes ☐ No
    Person to contact to arrange visit: Carlton Savage, Jr. phone number: (302) 236-3600

Alex Pires | (202) 905-6706

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ☒ No

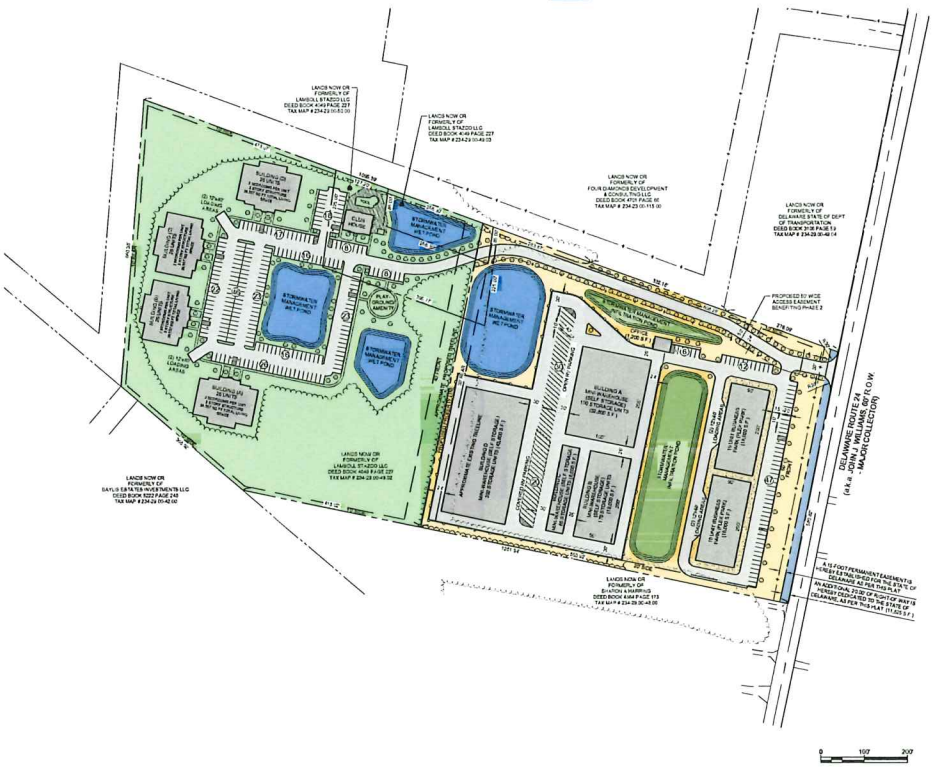
I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

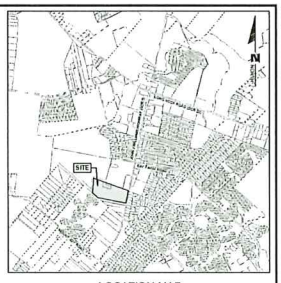
Signature of property owner — Date: 1/29/21

Signature of Person completing form (If different than property owner) — Date: 1/29/2021

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at plus@state.de.us **along with an electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.





LOCATION MAP

SCALE: 1" = 2,000' -XREF

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - BUSINESS PARK (FLEX PARK) = 36,000 SQ FT
   MINI WAREHOUSE (SELF STORAGE) = 103,000 SQ FT
   MINI WAREHOUSE OFFICE = 1,200 SQ FT
   PARCEL 2 - MULTI FAMILY HOUSING (MID-RISE)
   (104 UNITS) = 114,228 SQ FT
   MULTI FAMILY HOUSING CLUBHOUSE = 3,065 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):
   FRONT 60' (JOHN J. WILLIAMS HWY.)
   SIDE 0' (YES/HUN LN.)
   SIDE 20' (SEYMOUR ACRES LN.) *
   REAR 30' *
   * THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT
   MR - MEDIUM RESIDENTIAL:
   FRONT 40'
   SIDE 10'
   REAR 10'
7. AREAS: EXISTING: 25.90 AC
   PROPOSED: PARCEL 1 12.63 AC
   PARCEL 2 13.00 AC
   DELDOT DEDICATION 0.27 AC
   TOTAL 25.90 AC
8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-163A & 45-5)

REQUIRED PARKING:
WHOLESALING - 1 PER 2 EMPLOYEES (89 EMPLOYEES) 45 SPACES REQUIRED
HANDICAP PARKING (51-75 PARKING SPACES) 3 SPACES (1 VAN) REQUIRED
56 SPACES + 3 HC SPACES (2 VAN) = 59 SPACES PROVIDED

STORAGE FACILITY 0 SPACES REQUIRED
1272.67 RV SPACES 50 SPACES PROVIDED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF) 6 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES) 1 VAN SPACE REQUIRED
5 SPACES + 50 RV SPACES + 1 HC SPACES (VAN) = 56 SPACES PROVIDED

APARTMENTS BUILDINGS - 2 PER UNIT (104 UNITS) 208 SPACES REQUIRED
HANDICAP PARKING (201-300 PARKING SPACES) 7 SPACES (2 VAN) REQUIRED
221 SPACES + 12 VAN HC SPACES = 233 SPACES PROVIDED

TOTAL PARKING PROVIDED: 334 PARKING SPACES
+ 16 HANDICAP SPACES
= 350 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

LOADING
BUSINESS PARK (FLEX PARK)
LOADING SPACES REQUIRED 3 SPACES REQUIRED
LOADING SPACES PROVIDED 4 SPACES (12' x 40')
MINI WAREHOUSE (SELF STORAGE) OFFICE
LOADING SPACES REQUIRED 0 SPACE REQUIRED
LOADING SPACES PROVIDED 0 SPACE (12' X 40')
APARTMENT BUILDINGS
LOADING SPACES REQUIRED 3 SPACES REQUIRED
LOADING SPACES PROVIDED 4 SPACES (12' X 40')

SCALED ENGINEERING
Scaled Engineering Inc.
20441 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 226-3000

CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

DATE	6-23-20
SCALE	1" = 100'
DRAWN BY	JRE
PROJECT NO	GRA1902

1

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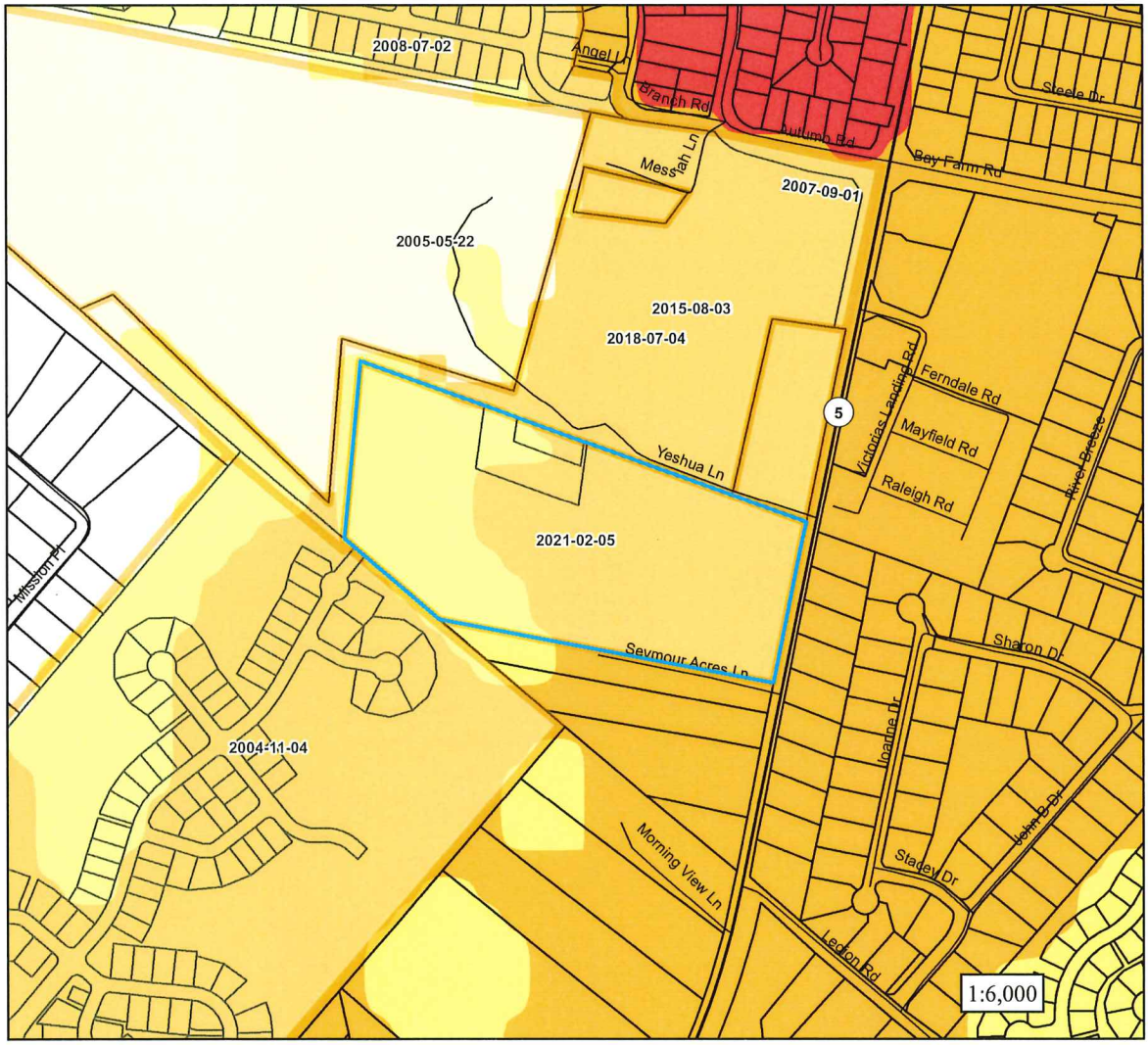
Preliminary Land Use Service (PLUS)



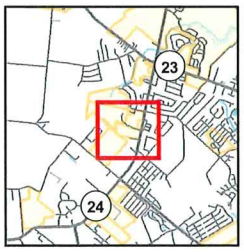
American Storage
2021-02-05

Legend

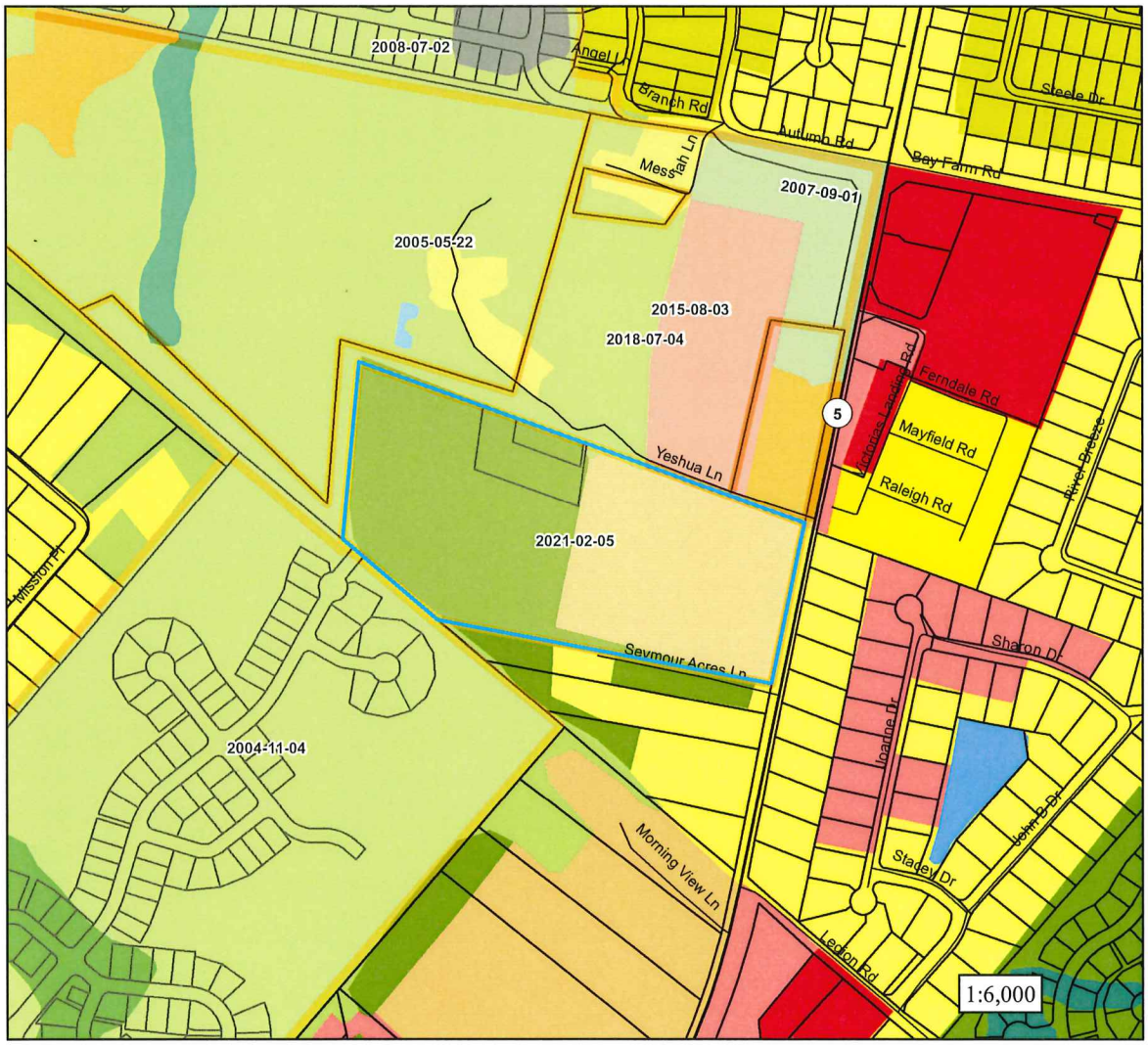
PLUS Project Areas type
- Comp Plans
- All Other PLUS Reviews

2020 State Strategies Strategy Level
- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play

Location Map



Preliminary Land Use Service (PLUS)



American Storage
2021-02-05

Legend

2012 Land Use

LULC Category

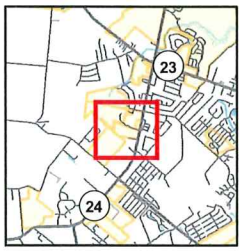
- 110
- Single Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Transportation/Communication/Utilities
- Mixed Urban/Built-up
- Institutional/Governmental
- Recreational
- Farms, Pasture, Cropland
- Confined Animal Feeding Operations/Feedlots/Holding
- Rangeland
- Orchards/Nurseries/Horticulture
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Brush Rangeland
- Clear-cut
- Man-made Reservoirs and Impoundments
- Marinas/Port Facilities/Docks
- Open Water
- Emergent Wetlands - Tidal and Non-tidal
- Forested Wetlands - Tidal and Non-tidal
- Scrub/Shrub Wetlands - Tidal and Non-tidal
- Sandy Areas and Shoreline
- Extraction and Transitional

PLUS Project Areas

type

- Comp Plans
- All Other PLUS Reviews

Location Map

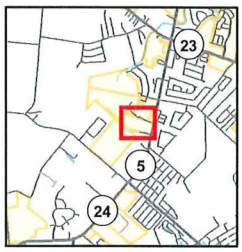


Preliminary Land Use Service (PLUS)

American Storage
2021-02-05

Legend
PLUS Project Areas
type
Comp Plans
All Other PLUS Reviews

Location Map



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

March 23, 2021

Nate Graulich
Graulich Builders
34697 Jiffy Way, Suite 2
Lewes, DE 19958

RE: PLUS review 2021-02-05; American Storage of Delaware

Dear Mr. Graulich:

Thank you for meeting with State agency planners on February 24, 2021 to discuss the proposed plans for the American Storage of Delaware project. According to the information received you are seeking review of a proposed rezoning of 25.9 acres from AR-1 to C-3 and MR and a site plan for 104 residential units and 139,600 square feet of mini storage and business park in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as the County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. 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 other priorities for the near future.

Our office has no objections to the proposed rezoning and development of this project provided it is in compliance with Sussex County Comprehensive plan and all applicable codes and ordinances.

We do ask that you work to preserve the environmental features on the site if the plan moves forward.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on John J. Williams Highway (Delaware Route 24) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- 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 1,170 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, as shown in the table below, DelDOT calculates 1,171 vehicle trip ends per day for this number and estimates the weekday morning and evening peak hour trip ends at 60 and 79, respectively. Therefore, a TIS would normally be required.

	Land Use Code	Floor Area (sf) / Dwellings	Average Daily Traffic	AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
Business Park	770	36,000	448	8	6	7	8
Mini-Warehouse	151	104,800	158	6	4	8	10
Multifamily Housing (Mid-Rise)	221	104	565	9	27	28	18
Total			1,171	23	37	43	36

- Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 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, $11,710. AWS Fees are used to fund traffic studies, not to build improvements.

- DelDOT anticipates requiring the developer to contribute to a DelDOT project presently scheduled for construction this summer, HSIP SR 24 at Mount Joy Road and SR 24 at Bay Farm Road Intersection Improvements, Contract No. T200711201. Information on the project is available at https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T200711201.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Route 24. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"

- 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. 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.**"

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Depiction of all existing entrances within 600 feet of the entrance on Route 24.

    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is mandatory. DelDOT anticipates requiring the developer to build an SUP along their frontage on Route 24.

- Section 3.5.4.3 of the Manual addresses requirements for walkways. A walkway is a path connecting the interior of a development to the frontage sidewalk or SUP. DelDOT anticipates requiring at least two walkways to connect the interior of the site to Route 24,

one along the driveway at the north edge of the property and one at the south end of the frontage, connecting to the parking lot of the business park.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Route 24.

- Section 5.2.4 of the Manual addresses requirements for Entrance Width, for commercial entrances, the minimum undivided width varies from 18 to 32 feet. The proposed 30-foot entrance will be examined during the plan review process. DelDOT may require the developer's engineer to provide turning templates.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. DelDOT anticipates requiring a right turn lane with a five-foot bicycle lane, and possibly a left turn lane into the site from Route 24. Coordination of the construction schedules of the DelDOT project and the proposed development should be discussed at the Pre-Submittal Meeting.

- 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.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Stormwater Management

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

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (https://apps.dnrec.state.de.us/eNOI/default.aspx) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- 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.

- Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Hydrologic Soils Group
While much of the site consists of Hydrologic Soils Group A soils (well drained), the northwest portion of the site lies within A/D soils (somewhat poorly drained). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921
  E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Water Quality (Pollution Control Strategies)
Pollution Control Strategies have been developed for the following watersheds in Delaware: Christina, Appoquinimink, Broadkill, Mispillion and Cedar Creek, Murderkill, Saint Jones, Inland Bays (Rehoboth Bay, Indian River Bay, and Little Assawoman Bay), Nanticoke, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- The western half of the site (forested portion) lies within the Rehoboth Bay Watershed & the eastern half of the site (unforested portion) lies within the Indian River Bay Watershed, both of which are included under Pollution Control Strategies. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

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

Nutrient Management Plan
This project proposes approximately 11 acres of open space, exceeding the threshold of 10 Acres for nutrient management.

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

- Contact: Delaware Department of Agriculture's Nutrient Management Program at (302)

- 698-4558. Website: https://agriculture.delaware.gov/nutrient-management/

Wildlife Displacement
Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- There are no known National Register listed or eligible properties on the parcel.

- Prehistoric archaeological potential is moderate. Soils are mostly well-drained except for the northwest corner of the area. Guinea Creek appears on Beers map and some historic aerials as extending closer to the parcels, which may mean that it is within favorable distance to freshwater for prehistoric site probability. A survey conducted in part of the parcel showed very little remains under a thick plow zone except for two isolated prehistoric finds; could mean that there are other archaeological resources throughout the area.

- Historic archaeological potential is low. Beers Map doesn't show anything near that parcel. A road appears to have existed through the middle-ish until 1950s, and historic aerials show the western portion to be continuously wooded.

- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).

- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: www.achp.gov

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 (DSFPR):

Fire Protection Water Requirements:

- Where a water distribution system is proposed for Storage/Warehouse sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for apartment (multi-family living units) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- 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.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.
- All mini-storage buildings greater than 2500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance–rated barrier shall require an automatic sprinkler system be installed throughout.

> *Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:*
>
> *(1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,*
>
> *(2) the owner of the facility does not have unrestricted access to the storage units, and*
>
> *(3) the items being stored are concealed from view from outside the storage unit.*

- 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

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 accessible to fire apparatus.
- Any dead end 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.
- 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.

Gas Piping and System Information:

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

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

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The subject land adjoins both a recorded but as-yet-unbuilt stub street in the Baylis Estates subdivision, which fronts on Mount Joy Road (Sussex Road 297), and the Peninsula Square mixed-use development, which fronts on Autumn Road (Sussex Road 299). In addition to providing emergency access to the proposed apartments, with appropriate interconnections and easements required of the subject development and Peninsula Square, these three developments could provide a low-stress pedestrian and bicycle connection between Mount Joy Road and Autumn Road.

- 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 Route 24.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at https://www.deldot.gov/Business/subdivisions/.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Forest Removal
The preliminary plans and/or project application proposed the elimination of approximately 9.2 out of 13.8 existing acres of forest habitat.

- 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 and reduces carbon that contributes to climate change. A forest assessment should be conducted to determine if mature forest resource exists on the property, and to determine species present.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Stormwater Management
Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

General Drainage Recommendations
There are numerous reported drainage concerns near the proposed project area. One concern from 2009 referenced flooding of a nearby property. There are numerous concerns ranging from 2010-2020 from landowners on the eastern side of John J. Williams Highway about property flooding. The storage of onsite stormwater and the release stormwater to adjacent properties is a concern if this property is developed.

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemption coverage may be required by the County Conservation District (Standard Plan), DNREC Sediment and Stormwater (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site stormwater.

- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

- Contact: DNREC Drainage Program at (302) 855-1930.
  Website: https://dnrec.alpha.delaware.gov/drainage-stormwater/

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by

maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/

Mosquitoes
The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of wetland types including freshwater forested, freshwater emergent, and estuarine.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.

- Contact: DNREC Division of Fish and Wildlife at (302) 739-9917. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/

Current or Previous Contamination
This parcel is contained within a large area that has been investigated for well contamination (DE-1388 Long Neck Mercury Study). In 2001, mercury was detected in a public water supply well; levels were reported above the Maximum Contaminant Level. While DNREC and the U.S. Geological Survey investigated the incident, the source could not be located. The well has been temporarily turned off.

- Delaware Health and Social Services reviews the monitoring reports from the water company. The USGS report that resulted from the study can be found here: https://pubs.usgs.gov/sir/2006/5011/pdf/sir-2006-5011.pdf

- Contact the Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.
  Website: https://dnrec.alpha.delaware.gov/waste-hazardous/

- Additional information may also be found online by searching Delaware's Environmental Navigator at http://www.nav.dnrec.delaware.gov/den3/

Additional Sustainable Practices
Recommendations for entire project:

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.

- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.

- 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.

- Incorporate nonmotorized connectivity in the residential area and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

Recommendations for residential section:

- Include an option to install electric vehicle charging stations in garages of homes for your customers and tenants to assist Delaware in achieving its clean transportation goals.

- For the proposed pool and clubhouse, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities. Grants may be available for qualifying renewable energy systems installed in Delaware by applicants whose electricity provider collects funds for the program and offers a grant program for renewable energy projects. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/.

Recommendations for commercial section:

- Install electric vehicle charging stations for your customers and tenants to assist Delaware in achieving its clean transportation goals. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/.

Concerns Identified Outside of the Development Footprint

Delaware Ecological Network
Lands designated as part of the Delaware Ecological Network lie to the east of this parcel. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on the proposed development site could jeopardize habitat beyond the parcel boundary.

- Removing forested areas within (and nearby) the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

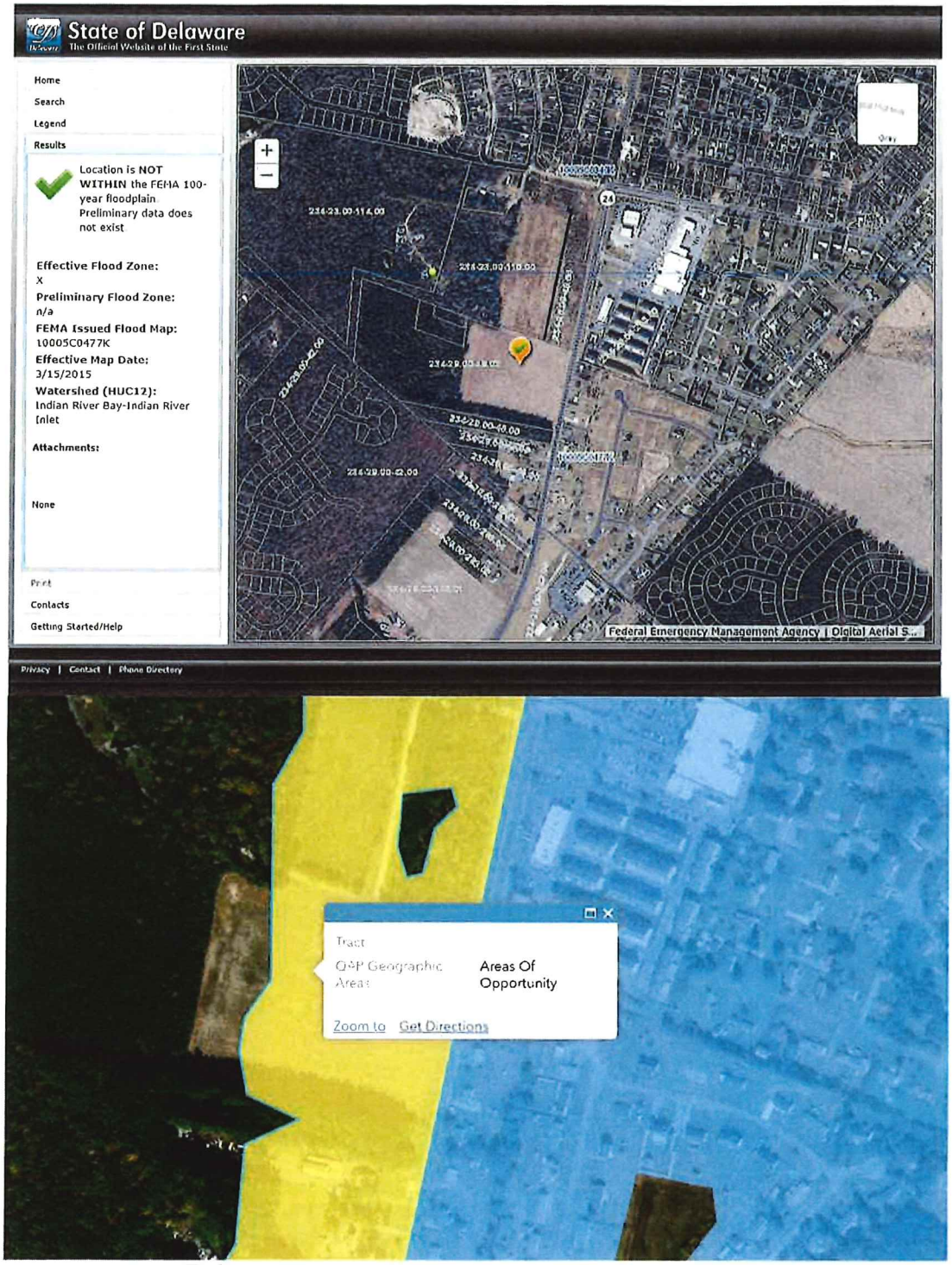
- Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- 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.

Delaware Emergency Management Agency – Contact Philip Cane 659-2325

- The location is not within any flood plain nor in a coastal inundation zone. 2018 QAP described the region this project is located in as being an "Area of Opportunity" while bordering a region identified as "Stable". The region has a homeownership rate of approximately 81.2% to 83%, a poverty ratio of 10 to 1 with approximately 21% of that census block's population at the age of 65 or older.


State of Delaware
The Official Website of the First State
Home
Search
Legend
Results
Location is NOT WITHIN the FEMA 100-year floodplain
Preliminary data does not exist
Effective Flood Zone:
X
Preliminary Flood Zone:
n/a
FEMA Issued Flood Map:
10005C0477K
Effective Map Date:
3/15/2015
Watershed (HUC12):
Indian River Bay-Indian River Inlet
Attachments:
None
Print
Contacts
Getting Started/Help
Federal Emergency Management Agency | Digital Aerial S...
Privacy | Contact | Phone Directory
Tract
QAP Geographic Areas
Areas Of Opportunity
Zoom to
Get Directions

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- As of January 11, 2021, the applicant has already participated in a pre-application meeting with Planning and Zoning staff.

- Please include a note on the plans which indicates that the proposed project is not located within the Henlopen Transportation Improvement District (TID).

- Following submission to the County, staff undertake review of the Preliminary Site Plan, where more detailed comments are provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

- For the Conditional Use, a Service Level Evaluation Request form must be completed and submitted to the Office of Planning and Zoning. Once the Office receives the completed Service Level Evaluation Response from DelDOT, the applicant may submit all documentation and materials pertaining to their Conditional Use application.

- Please note that since the proposed development lies within the Coastal Area and is above the 50 dwelling unit and 75,000 feet of commercial development threshold, copies of an Environmental Assessment (EA) and Public Facility Evaluation Report must be submitted which address the criteria located in §115-194.3(2)(a-l).

- Additionally, the proposal will have to comply with the site plan requirements of §115-220 and the multifamily requirements of §115-188 of the Sussex County Code.

- Please include the proposed density for the project for separately for both the residential component as well as the commercial site. The C-3 Zoning District and the MR Zoning District (as a Conditional Use) allow for a density of up to 12 dwelling units per acre.

- Please note on the plans that the parcels are not located within a Wellhead Protection Area in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§ 89-6). Please note on the plans that the parcels are located within an area of "good" groundwater recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

- Staff note that there is only one-way-in, one-way-out access to the property. The Planning and Zoning Commission desire more than one entrance or an easement for emergency access purposes in the event of an emergency occurring on the parcel.

- The side yard setback for the portion of the property to be zoned C-3 adjacent to the existing Yeshua Lane is shown with a 10-ft side yard setback. The Site Data Column indicates that this setback is 5-ft. The side yard setback in the C-3 Zoning District is 20-ft when adjacent to a residentially zoned parcel (Tax Map: 234-29.00-49.04 appears to be residentially zoned as AR-1) (§115-83.22(B)(2)). Please indicate if the applicant wishes to amend this setback as part of the application.

- Staff note that 11.45 acres of open space is proposed. The proposed open space of 44% is desirable. Please include the amount of open space proposed as a percentage and in acres within the Site Data Column.

- The proposed parking appears to meet Code requirements as well as ADA requirements regarding the provision of handicap spaces per total number of parking spaces (§115-162).

- Please note that these are informal staff comments and do not prejudice any decision that the Sussex County Planning and Zoning Commission may wish to make as part of the formal application.

- Please reach out to Lauren DeVore with any questions regarding these comments at lauren.devore@sussexcountyde.gov or call the Planning and Zoning Office at (302)855-7878.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 2 and Tier 3 area for sewer service and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.

- 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 & Design Review 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 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. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used.

- The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

- One-time system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and

county sources, as well as private funding sources that also promote affordable housing in Sussex County.

- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

- On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

Constance C. Holland

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning Department

Mackenzie Peet

From: Stephen W. Spence
Sent: Wednesday, March 9, 2022 11:24 AM
To: Alex Pires (farmerslawyer@aol.com); Graulich Builders; Carlton Savage
Cc: Mackenzie Peet
Subject: FW: American Storage of Delaware

Follow Up Flag: Follow up
Flag Status: Completed

See the chain below.

Stephen W. Spence, Esquire
1413 Savannah Road, Suite 1, Lewes, Delaware 19958
Tel: (302) 645-2262 | Fax: (302) 644-0306
sws@bmbde.com

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From: David C. Hutt <DHutt@morrisjames.com>
Sent: Wednesday, March 9, 2022 10:32 AM
To: Stephen W. Spence <sws@bmbde.com>
Subject: FW: American Storage of Delaware

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See below.

From: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>
Sent: Tuesday, August 31, 2021 10:52 AM
To: Hutt, David C. <DHutt@morrisjames.com>
Subject: RE: American Storage of Delaware

Hi David,

Thank you for your email. I have reviewed this with Dorothy and David. OSPC will not require a new PLUS review.

We do note that the State Comments letter referred to a bike path in the DelDOT comments. The site plan does not appear to show one. Please make sure to address this feature moving forward with the plan.

Please let me know if you have any questions or if I can provide any additional information.

Thanks much,
-Steve Bayer

Steve Bayer
Planner
Delaware Office of State Planning Coordination
Haslet Armory
122 Martin Luther King Jr. Boulevard, South
Dover, DE 19901
(302) 739-3090
(302) 739-5661 fax
http://stateplanning.delaware.gov/

From: Hutt, David C. <DHutt@morrisjames.com>
Sent: Tuesday, August 31, 2021 9:34 AM
To: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>; Morris, Dorothy (OMB) <Dorothy.Morris@delaware.gov>
Subject: American Storage of Delaware

Dorothy,

Earlier this year, the OSPC reviewed an application for American Storage of Delaware (PLUS Review 2021-02-05). For your ready reference, I have attached a copy of the PLUS Review Letter dated March 23, 2021.

The overall concept has stayed the same with a commercial-type use along Route 24 and residential behind that application. The acreage for the commercial has been reduced which, of course, increased the acreage for the residential component.

In short, what before was 139,600 square feet of mini storage and business park (flex space) and 104 residential units is now proposed to be 150,000 square feet of mini-storage and 140 residential units. Attached is a copy of the new concept.

Does your office want to see a new/revised application?

Thanks,

David

Morris James LLP
David C. Hutt | Partner
107 W. Market Street, P.O. Box 690, Georgetown, DE 19947
19339 Coastal Highway, Suite 300, Rehoboth Beach, DE 19971

Phone: 302.856.0018 | **Fax:** 302.856.7217
morrisjames.com | dhutt@morrisjames.com
Facebook | LinkedIn | Twitter

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EXHIBIT D

American Storage

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ F
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	50' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

   * WHERE SHALL BE A SIDE AND/OR LESS THAN 20' FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND WHERE SHALL BE A REAR YARD OF AT LEAST TWO (2) TIMES DEPTH IN ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT

   MR - MEDIUM RESIDENTIAL

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS: EXISTING 25.90 AC

PROPOSED	PARCEL 1	8.00 AC
	PARCEL 2	17.63 AC
	DELDOT DEDICATION	0.27 AC
	TOTAL	25.90 AC

8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVIMAP.
13. FOREST AREA:

PRE-DEVELOPMENT	=	14.28 AC
POST DEVELOPMENT	=	9.51 AC
REMAINING	=	4.77 AC

14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

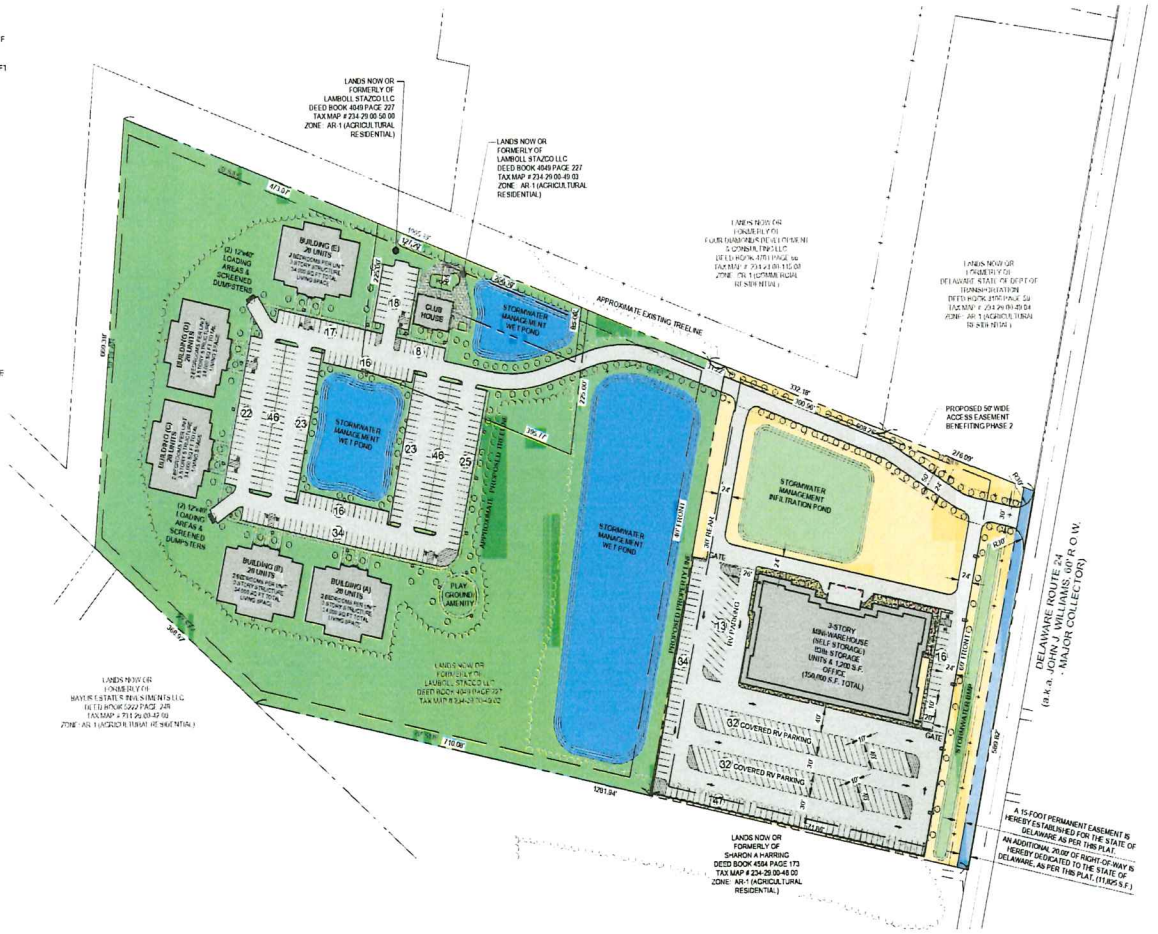
PARKING / LOADING REQUIREMENTS:

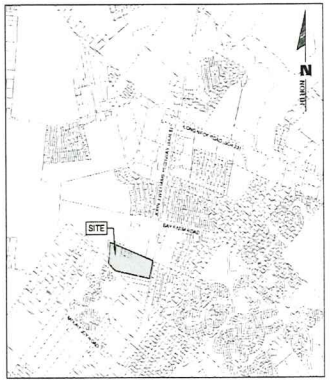
OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

REQUIRED PARKING:	
STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES	= 295 SPACES PROVIDED
TOTAL PARKING PROVIDED	455 PARKING SPACES
	+ 14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

LOADING	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')





LOCATION MAP
SCALE: 1" = 2,000' XREF

Site Plan

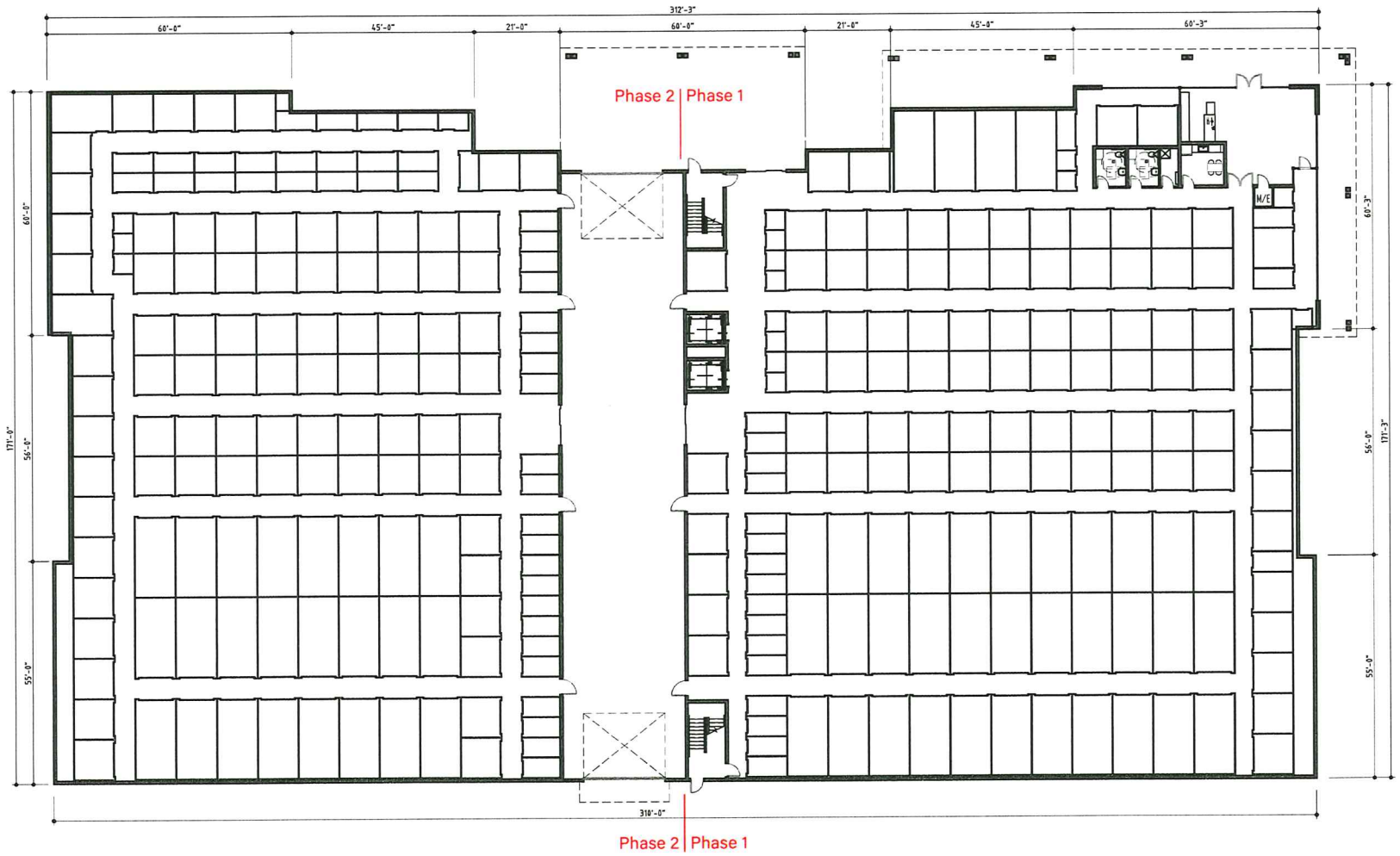
July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

D

UNIT MATRIX

Size	1st Floor	2nd Floor	3rd Floor	Total
5 x 5	15	18	18	51
5 x 7.5	1	1	1	3
5 x 10	63	84	84	231
10 x 10	169	195	195	559
10 x 15	2	6	6	14
10 x 20	61	63	63	187
TOTAL	311	367	367	1,045

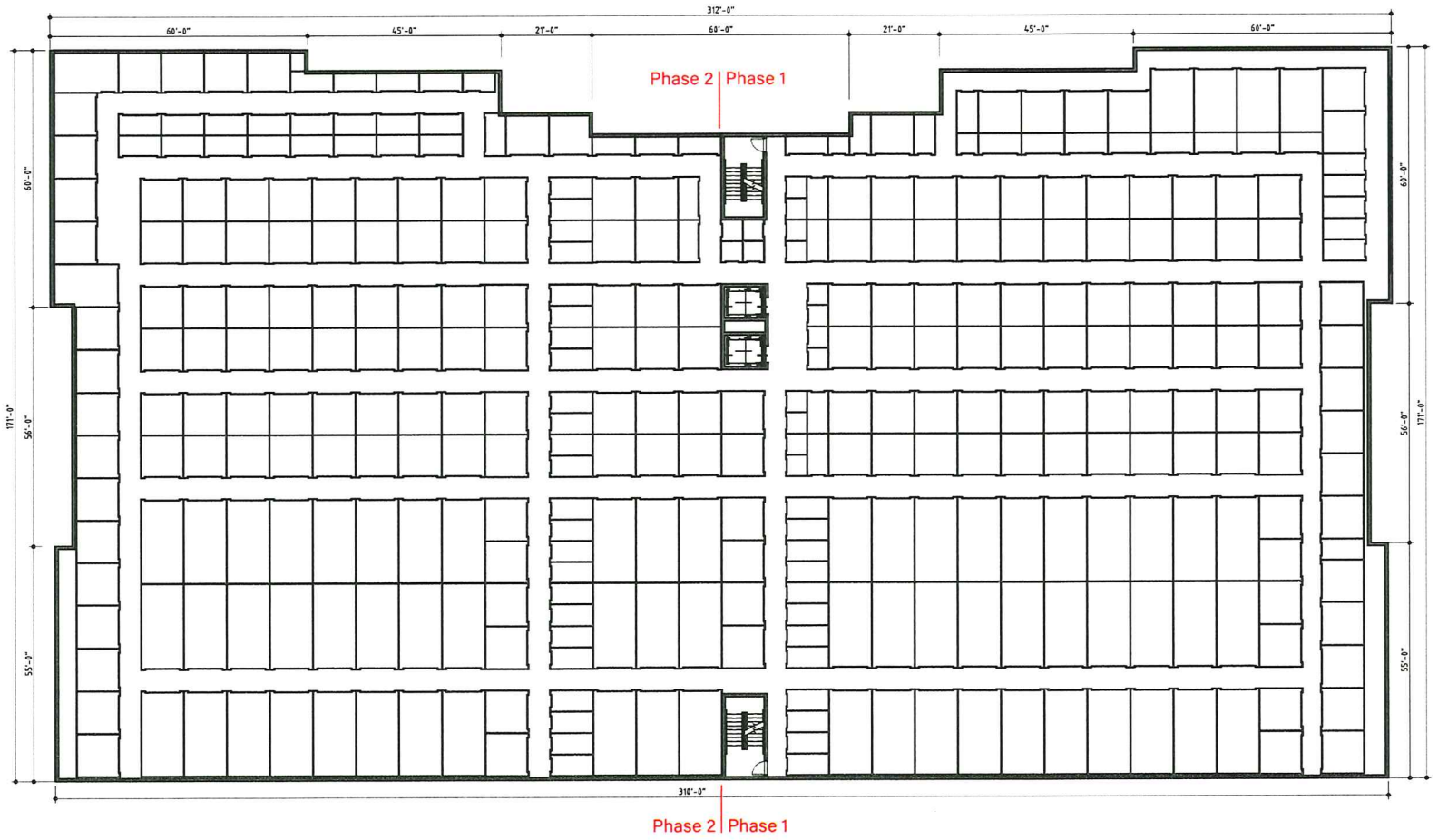


First Floor Concept

July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

D



UNIT MATRIX

Size	1st Floor	2nd Floor	3rd Floor	Total
5 x 5	15	18	18	51
5 x 7.5	1	1	1	3
5 x 10	63	84	84	231
10 x 10	169	195	195	559
10 x 15	2	6	6	14
10 x 20	61	63	63	187
TOTAL	311	367	367	1,045

Second and Third Floor Concept

July 23, 2021

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

Exterior Rendering

July 23, 2021
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Exterior Rendering

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

Exterior Rendering

July 23, 2021
3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com

EXHIBIT E

Sussex County

PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries

1:9,028

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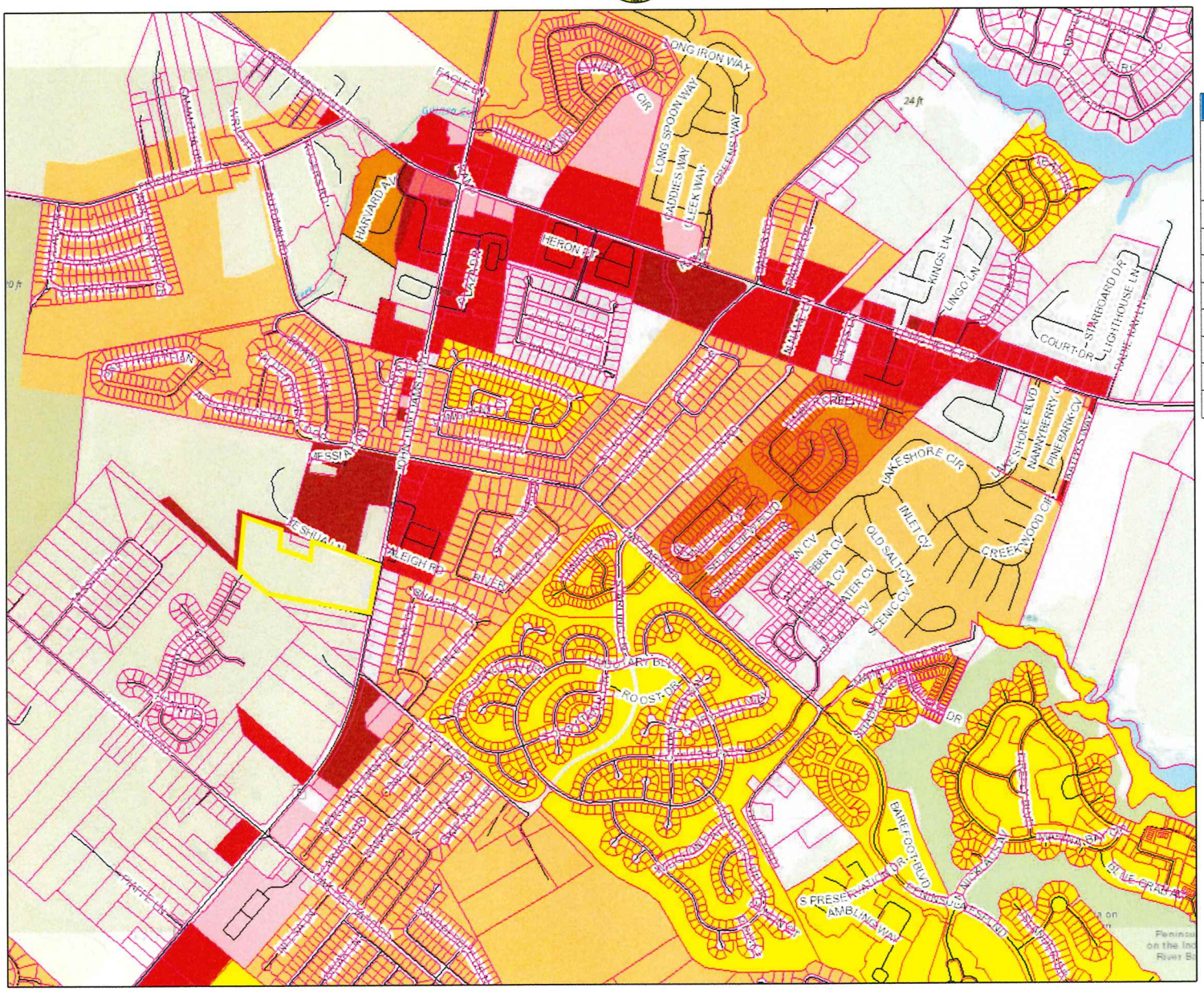
0 0.175 0.35 0.7 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
Override 1

polygonLayer
Override 1
Tax Parcels
Streets

1:18,056

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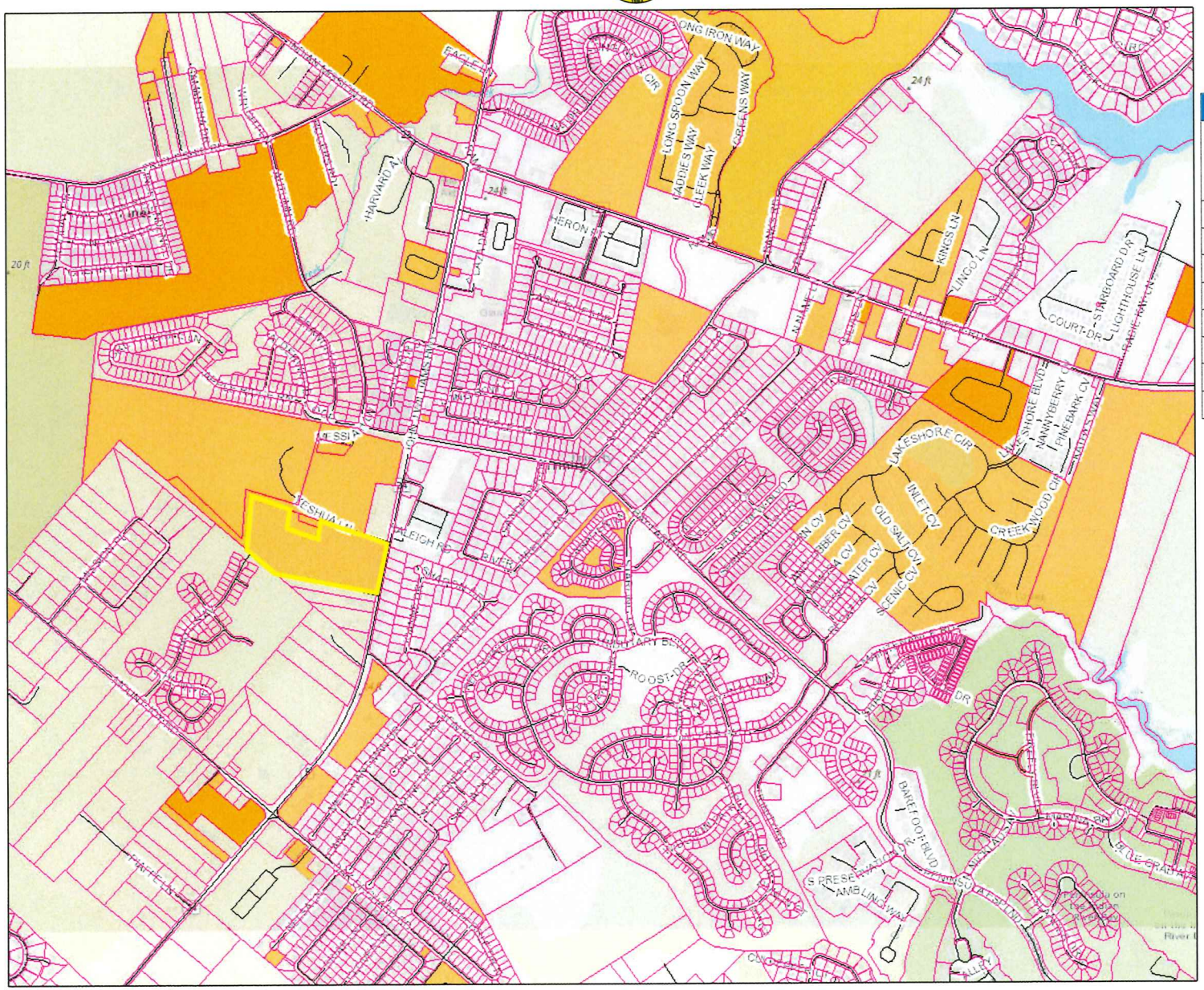
0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
Override 1

polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries
Conditional Use

1:18,056

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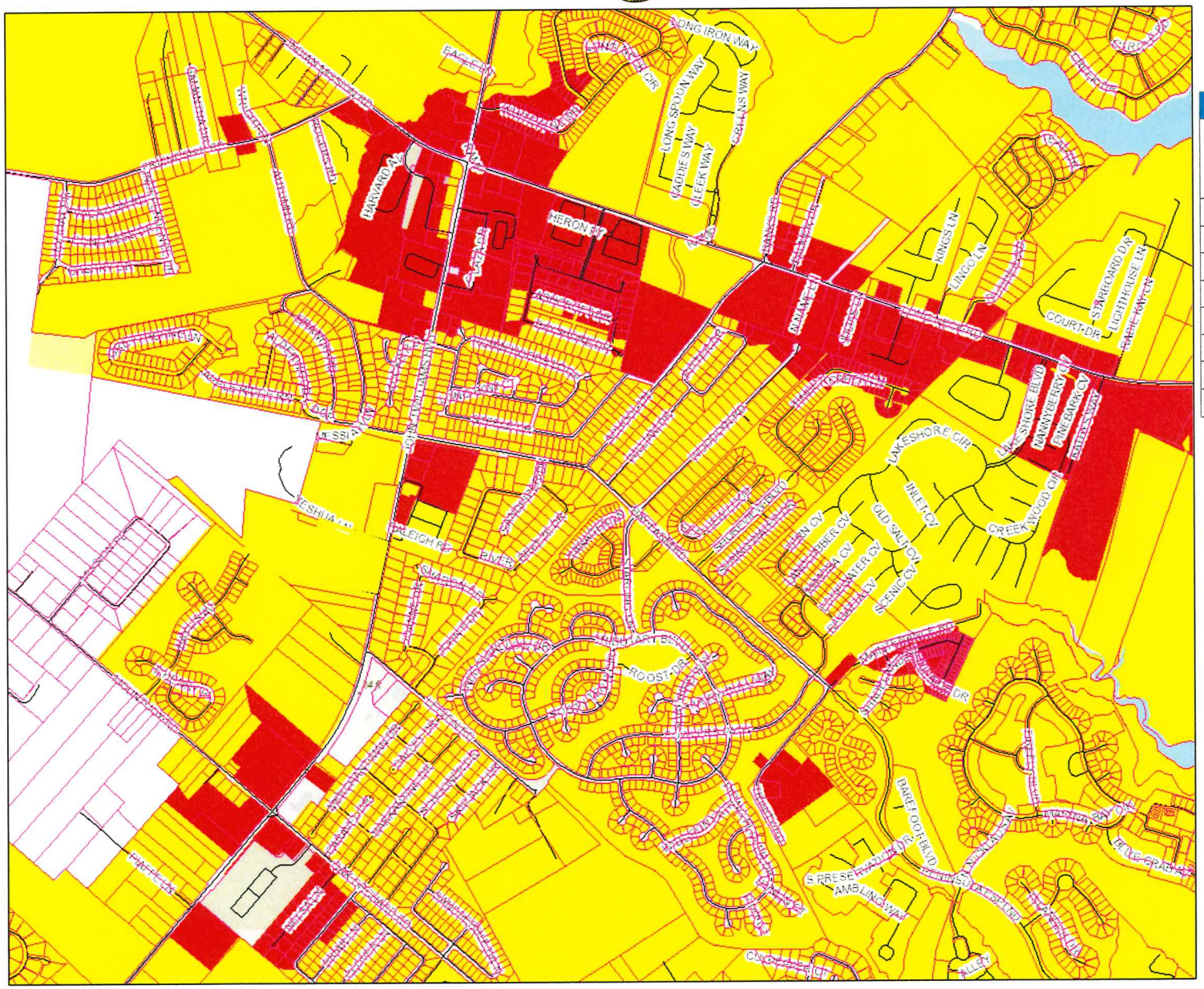
0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 100
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer
- Override 1

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

2019 Future Land Use
- Low Density
- Coastal Area
- Commercial
- Developing Area
- Existing Development Area
- Industrial
- Municipalities
- Town Center

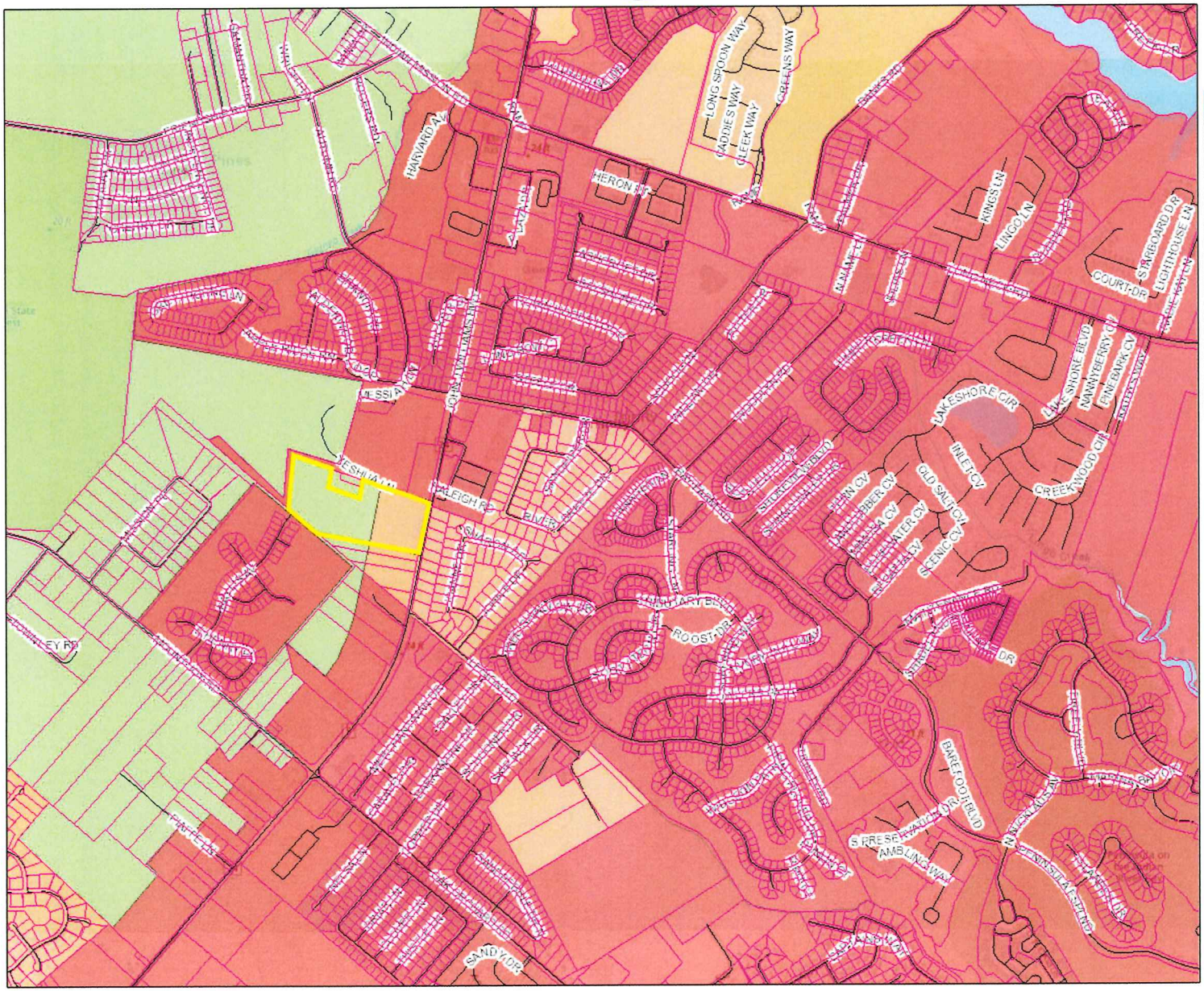
1:18,056

0 0.225 0.45 0.9 mi

0 0.35 0.7 1.4 km

March 8, 2022

Sussex County



PIN:	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE 10
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

Sewer Tiers

Tier 1 - Sussex County Unified Sanitary Sewer District

Tier 2 - Sussex County Planning Area

Tier 3 - Coordinated CPCN Areas

Tier 4 - System Optional Areas

Tier 5 - Regulated On-site Area

1:18,056

0 0.225 0.45 0.9 mi

0 0.35 0.7 1.4 km

March 8, 2022

EXHIBIT F

20246 Coastal Highway
Rehoboth Beach, DE 19971
PH: (302) 227-7808
www.scaledengineering.com

COASTAL AREA ENVIRONMENTAL ASSESSMENT AND PUBLIC FACILITY EVALUATION REPORT

AMERICAN STORAGE OF DELAWARE
JOHN J. WILLIAMS HIGHWAY
MILLSBORO, DE 19966

PREPARED FOR:

American Storage of Delaware LLC
113 Dickinson Street
Suite 100
Dewey Beach, DE 19971

PREPARED BY:

Scaled Engineering Inc
20246 Coastal Highway
Rehoboth Beach, DE 19971

CARLTON R. SAVAGE JR. LICENSE No. 16457 DELAWARE PROFESSIONAL ENGINEER

M. Josh Stallings
Senior Environmental Scientist

Carlton R. Savage, Jr., P.E.
Senior Engineer | Principal

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APPENDIX B – FIGURES
- CRITICAL HABITAT FOR THREATENED & ENDANGERED SPECIES
- WETLAND MAPPING

APPENDIX C – ASSESSMENT OF ENVIRONMENTAL CONDITIONS & NATURAL FEATURES REPORT

1.0 INTRODUCTION

Scaled Engineering Inc (Scaled) on behalf of American Storage of Delaware LLC (client), has prepared an Environmental Assessment and Public Facility Evaluation Report (report) for the American Storage of Delaware LLC property, located west side of John J. Williams Highway (Route 24), 0.25± miles south of Bay Farm Road, Millsboro, DE 19966. The site is listed under Sussex County tax map numbers 234-29.00-49.02, 49.03 & 50.00. The site is intended to be improved with commercial business park (flex park), mini-warehouse (self-storage) facilities, mini-warehouse office, and residential multi-family housing with clubhouse. A preliminary concept plan is provided in Appendix A.

2.0 EXISTING CONDITIONS

The subject property consists of a vacant, 25.90± acre, partially wooded parcel with approximately 12 acres of tillable land. Topographically, much of the site is nearly level, with gently sloped areas to the north and northwest with approximately 3 feet of relief. Regionally, the eastern part of the site is located within the Indian River Bay – Indian River Inlet watershed, which ultimately drains to the Indian River Bay. The western part of the site is located within the Love Creek watershed, which ultimately drains to the Rehoboth Bay.

3.0 ENVIRONMENTAL ASSESSMENT AND PUBLIC FACILITY EVALUATION

3.A PROPOSED DRAINAGE DESIGN AND THE EFFECT ON STORMWATER QUALITY AND QUANTITY LEAVING THE SITE, INCLUDING METHODS FOR REDUCING THE AMOUNT OF PHOSPHORUS AND NITROGEN IN THE STORMWATER RUNOFF AND THE CONTROL OF ANY OTHER POLLUTANTS SUCH AS PETROLEUM HYDROCARBONS OR METALS

The proposed drainage design will utilize best management practices to meet or exceed state regulatory requirements. A combination of wet basin(s), planted buffers, and infiltration practices (at a minimum) will be utilized to reduce phosphorus and nitrogen, and control runoff of other pollutants, such as petroleum hydrocarbons and metals. Quantity discharges would also be managed by appropriate measures on-site. A detailed stormwater management plan would be prepared and submitted to the Sussex Conservation District for review and approval prior to any land disturbing activities.

3.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

Potable water will be serviced by Tidewater Utilities, Inc (Tidewater, TUI). The property is located within TUI's Certificate of Public Necessity (CPCN) area. A service request has been submitted to Tidewater, and the "Willing and Able to Serve Letter" will be provided upon receipt. A water main including potable and fire suppression water is located on the opposite side of Route 24. It is unknown if service stubs are already provided to the site; however, they would be extended to provide adequate water supply to the project. Utilizing the public water utility will ensure there are no negative effects to groundwater. The current plan would generate the need for 140 residential units (140 EDU's) and a single bathroom facility for the mini-storage facility (3 EDU's estimated). Based on Sussex County design standards of 250 gallons per day per Estimated Dwelling Unit (EDU) an average demand of 35,750 gallons per day with a peak demand (assuming a peaking factor of 2.3) to be approximately 82,225 gallons per day. With the property in the Coastal Area, factors such as seasonal occupancy may reduce this demand. Extension of the existing water main would be designed in accordance with Tidewater Standards (by the site engineer) and installed by the developer to accommodate the potable demand, and to provide additional fire hydrant(s) and fire suppression to proposed facilities.

3.C PROPOSED MEANS OF WASTEWATER TREATMENT AND DISPOSAL WITH AN ANLYSIS OF THE EFFECT ON THE QUALITY OF GROUNDWATER AND SURFACE WATERS, INCLUDING ALTERNATIVE LOCATIONS FOR ON-SITE SEPTIC SYSTEMS

Sanitary Sewer (Wastewater) service will be provided by Sussex County. A "Sewer Service Concept Evaluation" (SSCE) was submitted to the Sussex County Engineering Department along with the appropriate fee. The SSCE will analyze the project's capacity needs and provide the appropriate location and method for connection to the County's system. A "Willing and Able to Serve Letter" was also requested. Conversation with the County has determined, based on a preliminary review, the project will most likely utilize an existing stub near the Route 24 / (Bay Farm Rd/Autumn Rd) intersection. An adjacent property (to the North) is under design currently, which may allow for a closer connection. Following Sussex County Sewer Design standards and utilizing the Sussex County facility(s) will ensure there are no effects to the quality of groundwater and surface waters from wastewater treatment and disposal. It is currently assumed that this area will be handled by the Inland Bay Wastewater Treatment Plant off Cannon Road.

3.D ANALYSIS OF THE INCREASE IN TRAFFIC AND THE EFFECT ON THE SURROUNDING ROADWAY SYSTEM

The increase in traffic and effect on the surrounding roadways will be analyzed, reviewed, and approved by the Department of Transportation (DelDOT) through a thorough review process. On-site entrance location, size, and any site (or off-site) improvements would be part of this process during design. Based on the PLUS report response by the DelDOT (dated March 3, 2021) (included in application) the proposed improvements would generate less than 2,000 Average Daily Traffic (ADT) and less than 200 peak hour vehicle trip ends. This allows the developer to provide an Area Wide Study (AWS) fee in lieu of a Traffic Impact Study (TIS). The fee is calculated as $10 per daily trip and is used to fund traffic studies. The actual traffic generated by proposed improvements will be adjusted based on the actual use at the time of submission, and should traffic increase, requirements may change; however, it is not anticipated the thresholds would be exceeded to require a TIS. The site is fronted along Route 24, which is deemed a "Major Collector" and provides for substantial traffic flows given its functional classification. All necessary improvements would be designed and installed by the developer to ensure safe and appropriate traffic flow into and out of the site.

3.E THE PRESENCE OF ANY ENDANGERED OR THREATENED SPECIES LISTED ON FEDERAL OR STATE REGISTERS AND PROPOSED HABITAT PROTECTION AREAS

Per the U.S. Fish & Wildlife Service (FWS), "Critical Habitat for Threatened & Endangered Species" mapping, no critical habitat for threatened and endangered species, nor proposed habitat protection areas exist on the site (see Appendix B). An "Assessment of Environmental Conditions and Natural Features" report, prepared by Edward M. Launay of Environmental Resources, Inc., revealed no endangered or threatened species on the site (see Appendix C).

3.F THE PRESERVATION AND PROTECTION FROM LOSS OF ANY TIDAL OR NONTIDAL WETLANDS ON THE SITE

Per the FWS, National Wetlands Inventory, no wetlands exist on the site (see Appendix B). An "Assessment of Environmental Conditions and Natural Features" report, prepared by Edward M. Launay of Environmental Resources, Inc., revealed no wetlands on the site (see Appendix C).

3.G PROVISIONS FOR OPEN SPACE AS DEFINED IN § 115-4. [ADDED 12-16-2008 BY ORD. NO. 2022[1]]

The proposed project will allow approximately 11 acres of land to remain open space. Approximately 4.77 acres will consist of undisturbed forested area, which will be utilized for recreation and provide wildlife habitat. Other

passive open space will contain stormwater best management practices. Active open space will contain grass areas, recreational features, and decorative landscaping.

3.H A DESCRIPTION OF PROVISIONS FOR PUBLIC AND PRIVATE INFRASTRUCTURE

Sewer service will be provided by Sussex County. Potable water will be provided by Tidewater. Sewer and water infrastructure necessary to connect to the public utilities will be constructed by the developer. Electric will be serviced by Delmarva Power. Easements will be provided, as necessary, for all infrastructure to be maintained by an agency and/or service provider. Internal access roads and parking will be constructed and privately maintained by the developer and/or homeowners association.

3.I ECONOMIC, RECREATIONAL OR OTHER BENEFITS

The proposed commercial business park and mini-warehouse facilities will provide business and employment opportunities, which will promote economic growth to the community and surrounding areas. The self-storage facility will provide a viable personal storage option, which will benefit the growing community. The multi-family housing will offer market rate apartments to individuals and families living and working in Long Neck and surrounding areas. The proposed club house and active outdoor open space will provide safe and family oriented recreational area for residents on-site.

3.J THE PRESENCE OF ANY HISTORIC OR CULTURAL RESOURCES THAT ARE LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES

Per an online review of the National Park Service, National Register of Historic Places database, there are no historic or cultural resources at the site.

3.K A DESCRIPTION OF HOW THE PROPOSED APPLICATION AND PROPOSED MITIGATION MEASURES ARE IN CONFORMANCE WITH THE CURRENT SUSSEX COUNTY COMPREHENSIVE PLAN

Currently the property is Zoned AR-1 with a Future Land Use Designation of Coastal Area. The Coastal Area is "...among the most desirable locations in Sussex County for new housing, as is reflected in new construction data and real estate prices." With the development of new homes in this Coastal Area, commercial facilities will need to be added to support the needs of the additional residents.

Commercial Storage:
Many new residents are moving from remote destinations to Sussex County (and the Coastal Area in particular) for retirement and lower cost living after achieving a specific age. Generally, new homes are smaller than those they are leaving, and located withing planned residential communities which do not provide ample storage for their needs (or the ability to add additional storage facilities such as detached garages/sheds/buildings). This use provides a cost effective means of storage in a centralized location adjacent to adequate transportation and roadways.

Per the 2018 Sussex Comprehensive Plan Update, "Commercial Areas include concentrations of retail and service uses that are mainly located along arterials, and HIGHWAYS."
This site is directly located along Route 24 (John J. Williams HIGHWAY), and adjacent to other commercial uses (retail and service). Based on these facts, the property appears suited to be included within that concentration of use already prescribed in the area.

Medium Density Residential:
The rear of the property (as proposed) is for multi-family residential. Per the 2018 Comprehensive Plan "Sussex County's base density of 2 units per acres is appropriate throughout this classification (Coastal Area); however, medium and higher density (4-12 units per acre) can be appropriate in certain areas. Medium and Higher Density

could be supported in areas: where there is central water and sewer (provided); near sufficient commercial uses (Harris Teeter shopping center across Route 24 and newly proposed commercial to north); where it is in keeping with the character of the area (Victoria's Landing multifamily across Route 24 and other nearby medium density developments to north and south of property); where it is along a main road or at/near a major intersection (along Route 24); where there is adequate Level of Service (Located within Level 2 of the 2020 Delaware Strategies for State Policies and Spending);…".

3.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 above subsections B(2)(A) through (K), strive to identify possible impacts from the proposed development. Each item above requires professional engineering/design, oversight, review, and approval by respective authoritative agency(s); therefore, will meet the requirements set forth in all Federal, State, County, and Local codes/regulations to minimize (or eliminate) possible detrimental impacts from development.

"The (2018 Comprehensive) Plan strives to set a foundation for decision-making and provide the County with a roadmap to a future that will maintain and enhance the quality of life all residents enjoy." The proposed project as described compliments the nearby area by providing responsible growth and necessities of the community while maintaining the quality of life residents are moving to the area to enjoy, as is consistent with the Comprehensive Plan.

4.0 CONCLUSION

The American Storage of Delaware LLC project will utilize best management practices that meet or exceed regulatory requirements. The project will provide opportunity for economic and societal growth within the community, while preserving the environment.

Scaled Engineering Inc. is committed to bringing the best resources to our clients to assist in development of their projects. Should you have any questions or need additional information, please do not hesitate to contact Scaled.

REFERENCES

The following documents, publications, maps, etc., were used as source materials for this report:

- Sussex County Delaware, Online Mapping: https://maps.sussexcountyde.gov/OnlineMap/Map.html
- Sussex County Delaware Property Records: https://property.sussexcountyde.gov; https://maps.sussexcountyde.gov/OnlineMap/Map.html; https://sussexcountyde.gov/recorder-deeds
- U.S. Fish & Wildlife Service (FWS), Critical Habitat for Threatened & Endangered Species: https://fws.maps.arcgis.com/home/item.html?id=9d8de5e265ad4fe09893cf75b8dbfb77#!
- FWS, National Wetlands Inventory: https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper
- National Park Service, National Register of Historic Places: https://www.nps.gov/subjects/nationalregister/index.htm
- Sussex County Comprehensive Plan – Final March 2019 – "The Sussex Plan" https://sussexcountyde.gov/sites/default/files/PDFs/2018CompPlan-Final.pdf
- Strategies for State Policies and Spending (DelDOT) http://deldot.maps.arcgis.com/apps/webappviewer/index.html?id=265b9ac2d304432b962b0ba0f1de76b6

S:\PROJECTS\GRAULICH\GRAU001 - Rt 24 - American Storage\ENVIRONMENTAL\Coastal Area Env Report.docx

APPENDIX A

PRELIMINARY CONCEPT PLAN

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKENSON STREET
   DEWEY BEACH DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 150,000 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MID-RISE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,060 SQ FT
6. BUILDING SETBACKS:
   C-3 (HEAVY COMMERCIAL DISTRICT):
   FRONT 60' (JOHN J. WILLIAMS HWY.)
   SIDE 5' (YESHUA LN.)
   SIDE 20' (SEYMOUR ACRES LN.) *
   REAR 30' *

   * *THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT*

   MR - MEDIUM RESIDENTIAL:
   FRONT 40'
   SIDE 20'
   REAR 10'
7. AREAS: EXISTING: 25.90 AC

   PROPOSED: PARCEL 1 8.27 AC*
   PARCEL 2 17.63 AC
   TOTAL 25.90 AC

   *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1
8. NET DEVELOPMENT AREA: 25.90 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0477K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA: PRE-DEVELOPMENT = 14.28 AC
    POST DEVELOPMENT = 9.51 AC
    REMAINING = 4.77 AC
14. PROXIMITY TO DELDOT TID AREA: ±3.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

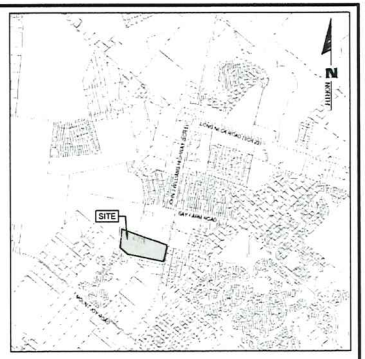
REQUIRED PARKING:	
STORAGE FACILITY*	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'x40' COVERED RV SPACES	77 SPACES PROVIDED
10'x20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS):	280 SPACES REQUIRED
HANDICAP PARKING (200-300 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
283 SPACES + 12 VAN HC SPACES	= 295 SPACES PROVIDED
TOTAL PARKING PROVIDED:	455 PARKING SPACES
	+ 14 HANDICAP SPACES
	469 TOTAL PARKING SPACES

OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

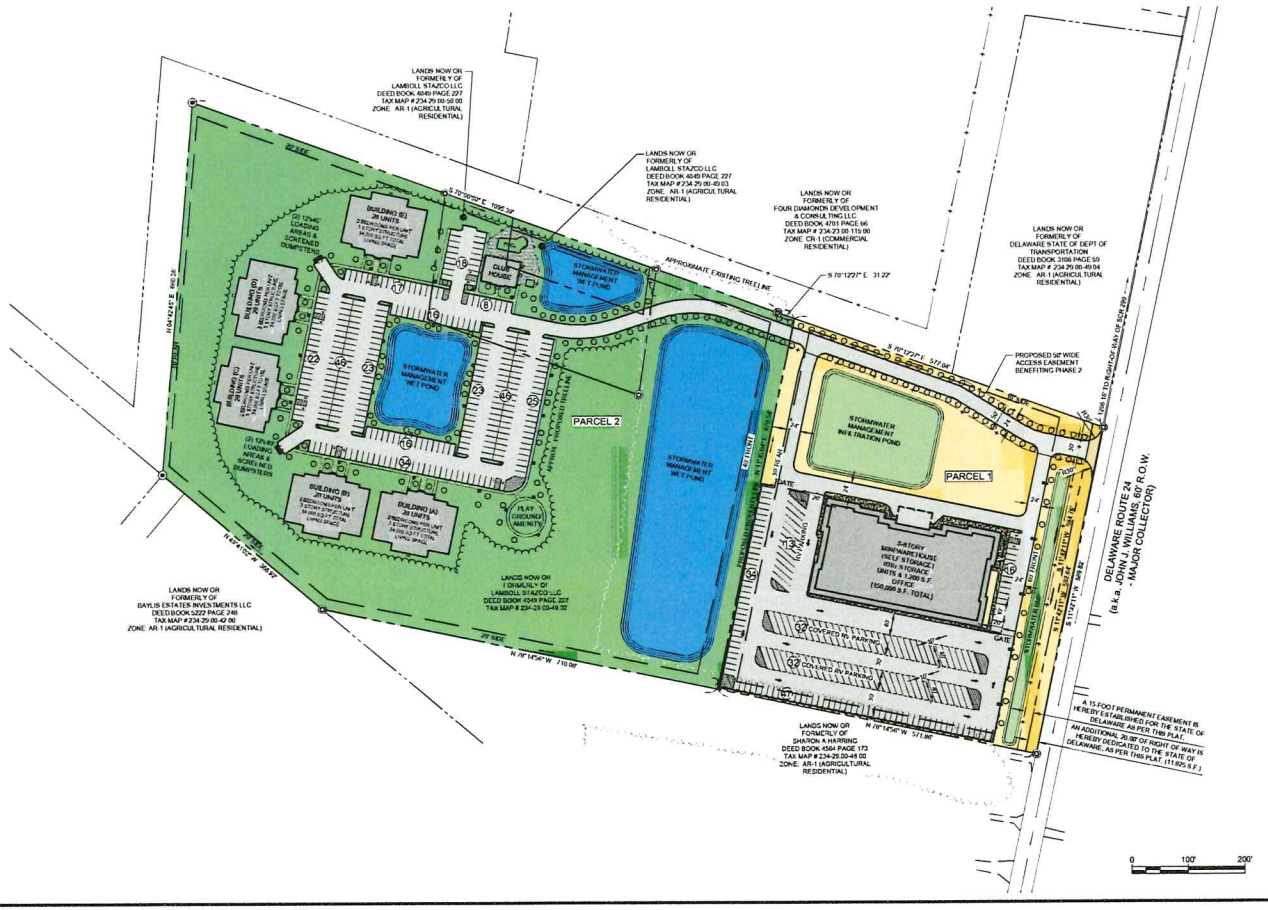
LOADING	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.63 AC) - TO BE RE-ZONED MR
- *DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1



LOCATION MAP
SCALE: 1" = 2,000'



SCALED. ENGINEERING
Scaled Engineering Inc.
20245 Coastal Highway
Rehoboth Beach, DE 19971
Phone (302) 227-3008

CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE

TAX MAP # 234-29.00-49.02, 49.03 & 50.00

INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

4.21.21 - REVISED PER CLIENT
6.16.21 - REVISED PER CLIENT
7.15.21 - REVISED PER CLIENT
7.21.21 - REVISED PER CLIENT

DATE	8.26.21
SCALE	1" = 100'
DRAWN BY	JRE
PROJECT NO	GRAU001

1

THIS DRAWING AND DESIGN AND CONSTRUCTION FEATURES ARE PROPRIETARY TO SCALED ENGINEERING INC. AND SHALL NOT BE ALTERED OR USED WITHOUT WRITTEN PERMISSION. COPYRIGHT © 2021

APPENDIX B
FIGURES

CRITICAL HABITAT FOR THREATENED & ENDANGERED SPECIES

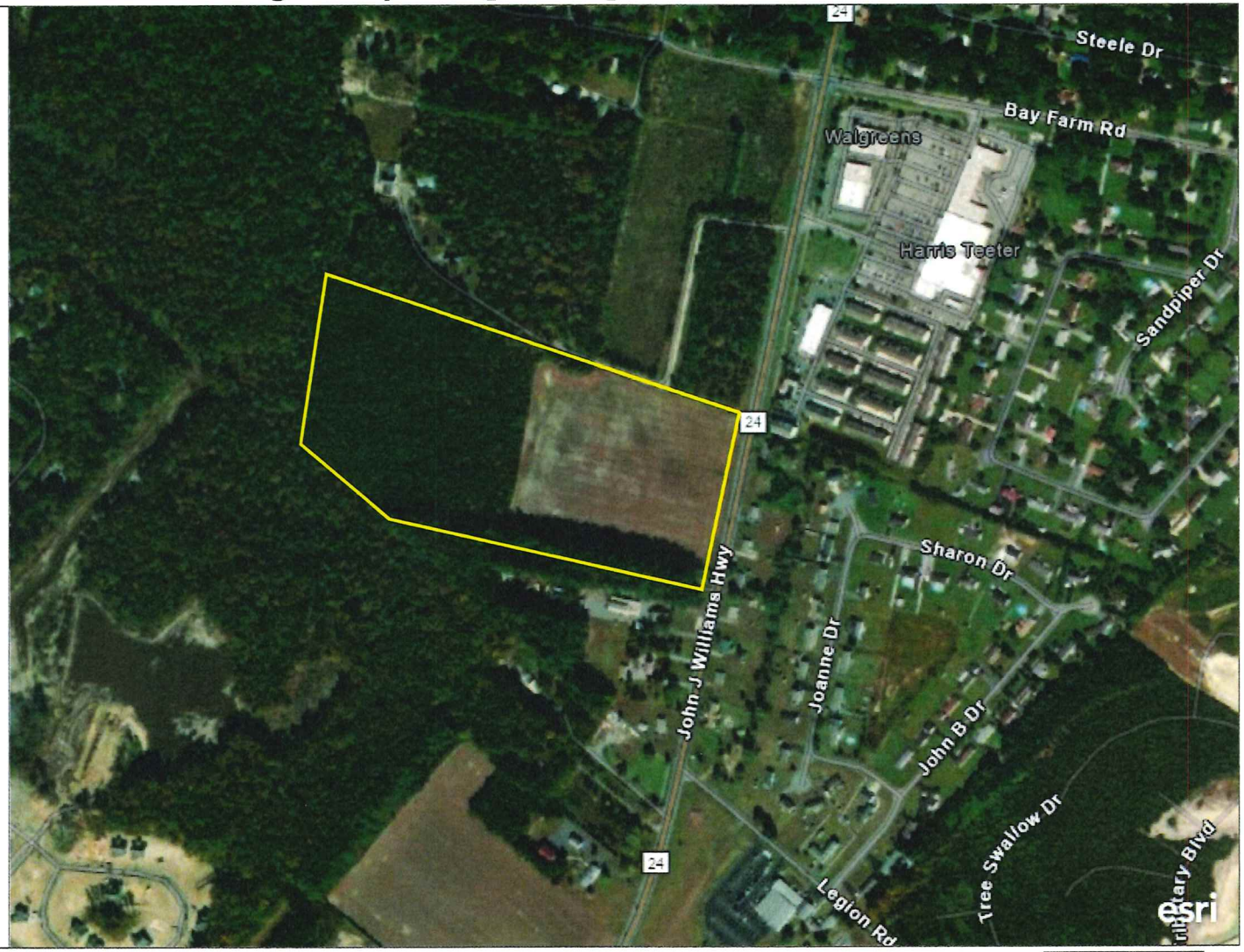
Critical Habitat for Threatened & Endangered Species [USFWS]

Final Linear Features

Final Polygon Features

Proposed Linear Features

Proposed Polygon Features



A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

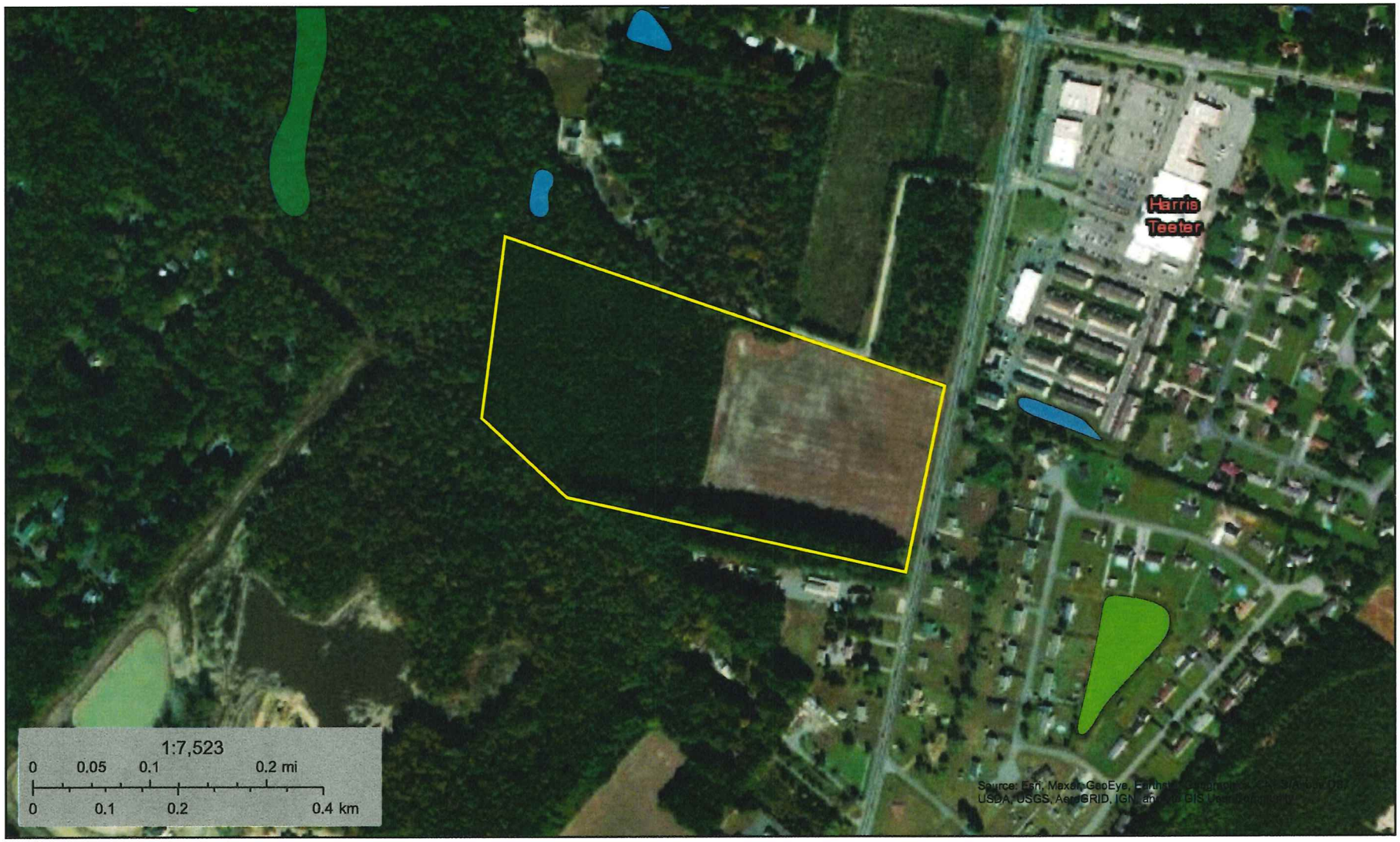
U.S. Fish and Wildlife Service | Maxar | Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VITA, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

WETLAND MAPPING

U.S. Fish and Wildlife Service

National Wetlands Inventory

WETLAND MAPPING



March 2, 2022

Wetlands

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

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

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

APPENDIX C

ASSESSMENT OF ENVIRONMENTAL CONDITIONS & NATURAL FEATURES REPORT

Assessment of Environmental Conditions & Natural Features

Tax Map Parcels 234-29.00-49.02, 49.03 & 50.00
Indian River Hundred, Sussex County, Delaware

March 3, 2022

Prepared for

American Storage of Delaware, LLC.
113 Dickinson Street, Suite 100
Dewey Beach, Delaware 19971

Prepared by

Edward M. Launay
Senior Professional Wetland Scientist No. 875
Environmental Resources, Inc.
P.O. Box 169
38173 DuPont Blvd.
Selbyville, Delaware 19975

ERI Project No. 1062#1224

Assessment of Environmental Conditions & Natural Features

Tax Map Parcels 234-29.00-49.02, 49.03 & 50.00
Indian River Hundred, Sussex County, Delaware

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Forested Lands.....3

Threatened & Endangered Species.....4

List of Exhibits

1. Sussex County Tax Map
2. Google Earth Photo, May 2021
3. Boundary Survey – Scaled Engineering (reduced)
4. Concept Plan – Scaled Engineering (reduced)
5. USDA Soil Survey of Sussex County
6. U.S. Fish & Wildlife Service National Wetland Inventory Map
7. U.S. Fish & Wildlife Service Species List, March 3, 2022
8. Photographs

Introduction

Environmental Resources, Inc. (ERI) has performed a review of 29.90 acres of land located in Sussex County, Delaware on the western side of John J. Williams Highway (State Route 24) just south of Yeshua Lane. The site is located in the Indian River Hundred and it is composed of Tax Map Parcels 234-29.00-49.02, 49.03 and 50.00. The Sussex County Tax Map is included as Exhibit 1. A May 2021 Google Earth Photo is Exhibit 2. Exhibit 3 is a copy of a boundary survey reduced in size. This review was conducted on behalf of the property owner, American Storage of Delaware, LLC., who is seeking land use approval from Sussex County for a potential mixed use development involving residential housing and a commercial storage facility component. The proposed current plan is provided as Exhibit 4. A field reconnaissance of the property was performed on March 2, 2022. Prior to that reconnaissance, ERI reviewed a variety of published guidance document involving topics such as wetlands, soils and topography.

ERI found that in the case of the subject site, published guidance map information about environmental resources was relatively accurate. ERI did not encounter any wetlands, unique topographic conditions such as steep slopes, forest of exceptional resource value or any federally listed threatened or endangered species, or any critical habitats present on the property. The site is surrounded by existing residential and commercial development on three sides.

Site Location and Topography

The 29.90 acre site is somewhat rectangular in shape. It has 598.92 feet of frontage along the western side of John J. Williams Highway (State Route 24). It is roughly 660 feet deep. Two unimproved driveways lie just to the north and south of the site, Yeshua Lane and Seymore Acres Lane respectively. Both lanes access low density residential housing. The frontage of the property is occupied by an 11.5 acre agricultural field (See Photographs 1, 2 & 3). The remainder of the site, 14.4 acres is immature woodland.

The topography over the site is relatively flat. State Route 24 is somewhat higher than the adjacent agricultural fields. Elevations range throughout the site from 15 to 19 feet. However, most of the property lies between 16 and 19 feet. While being relatively flat, the property is generally concave with somewhat higher lands surrounding it off site. A low point exists just off site at the northeast corner of the property. Within the site itself, topographic information shows areas of ridges and shallow closed depression. Soil conditions are very sandy. Historic aerial photography indicates that some parts of the agricultural field portion of the site has rare occurrences of wetness at the surface in some years after major storm events.

Based on ERI's site reconnaissance there is no evidence of any surface ponding within the wooded portion of the site. Depth to seasonal high groundwaters appears to average about 42 inches below the soil surface as observed on March 2, 2022. Soil textures were found to be composed of permeable loamy sand soils. There are no ditches, streams or surface water conveyances within, abutting or in close proximity to the property boundaries.

Soil Characteristics & Groundwater

The USDA Soil Survey for Sussex County is included as Exhibit 5 of this report. The Soil Survey indicates four soil types within the site, all with 0 – 2 percent slopes. Downer loamy sand (DnA), Fort Mott loamy sand (FmA), Ingleside loamy sand (IeA) soils total 78.9 percent of the site. They are well drained soils found on uplands.

Klej loamy sand (KsA) occupies 21.1 percent of the site. This somewhat poorly drained soil is mapped in the northwest quadrant of the site as shown by Exhibit 5. The occurrence of this soil type within the northwest quadrant of the site is consistent with conditions observed during ERI's site reconnaissance. Land of slightly lower elevation lie within this area and within some shallow topographically depressed areas in the center of the site. A soil boring near the northeast corner of the of the site where klej sandy loam is mapped is described as follows:

Inches	Description
0 – 2	10 YR 3/1 very dark grey loamy sand
2 - 14	10 YR 5/3 brown loamy sand
14 - 25	10 YR 5/4 yellowish brown loamy sand
25 – 38+	10 YR 5/2 greyish brown loamy sand
Groundwater Depth 36" 3/2/2022	

The extent of Klej loamy sand soils on this site is likely larger than mapped by the USDA Soil Survey.

Fort Mott loamy sand is mapped over much of the southerly half of the site (60.5% of total site). A soil boring was excavated near the center of the site just inside of the woods line (See Photograph 4) within the Fort Mott unit is described as follows:

Inches	Description
0 – 2	10 YR 3/2 very dark greyish brown loamy sand
2 - 13	10 YR 4/3 brown loamy sand
13 – 30	10 YR 4/4 dark yellowish brown loamy sand
30 - 52+	10 YR 5/6 yellowish brown loamy sand
Boring was dry at 52 inches 3/2/2022	

Within the center of the wooded portion of the site, a third boring was excavated in an area mapped as Fort Mott soils by the Soil Survey. It was very similar to the previously described soil, however, below 40 inches soil chromas had a chroma of 2.5 Y. They were variegated in color between 2.5 Y 6/3 light yellowish brown and 2.5 Y 5/6 light olive brown loamy sand. Depth to groundwater was 42 inches on 3/2/2022. It is likely the inclusions of other well drained soils in the Hammonton and Woodstown and Klej Series occur within the Fort Mott mapping unit shown on the USDA Soil Survey.

No hydric soils or soils indicative of wetlands were identified on this property. Soils on this property are somewhat poorly drained to well drained in character with few development limitations. Soil conditions are permeable loamy sands to sand.

Forested Land – The forest on this property is monotypic in both age and structure. Based upon review of aerial photography, the wooded portion of the site was clear cut in approximately 2004. The current forest is about 17 years old. Dominant species include loblolly pine, sweet gum and red maple. The understory ranges from open in higher parts (See Photograph 4) of the site and denser in more lowlying areas (See Photograph 5). In these low lying areas or within shallow topographic depression red maple is more prevalent along with species such as high bush blueberry, American holly and green briar. The plant community generally appears more wet tolerant than soil conditions would indicate in these areas.

Exhibit 6 of this report is the U.S. Fish and Wildlife Service, National Wetlands Inventory Map (NWI Map). The NWI Map classifies this entire site as uplands.

A palustrine forest wetland associated with a drainage way is mapped 0.15 miles northwest of the site. An isolated water filled depression is mapped approximately 0.03 miles north, northwest of the site. No indication of special habitat types was observed on the property.

Federally Listed Threatened or Endangered Species – No evidence of any federally listed threatened or endangered species under the Endangered Species Act was observed on the site during ERI's reconnaissance.

ERI also consulted with the U.S. Fish and Wildlife Service on this topic. The Service has no record of any federally listed species on this site. The Service's determination letter dated March 3, 2022, is included as Exhibit 7 of this report. The Service's letter does identify a candidate species for listing, Monarch Butterfly (*Dahaus plexippus*) where suitable conditions exist.

This species of butterfly has a life cycle dependent upon milkweed species growing in open fields. The open lands of this property are active agricultural lands. Suitable habitat is not present.

Conclusion

The 25.90 acre site consists of 11.5 acres of agricultural field and 14.4 acres of a relatively immature stand of trees dominated by loblolly pine, sweet gum and red maple. The wooded portion of the site was clear cut in 2004. No specimen trees or habitats of special concern exist. No federally listed threatened or endangered species exist on the property.

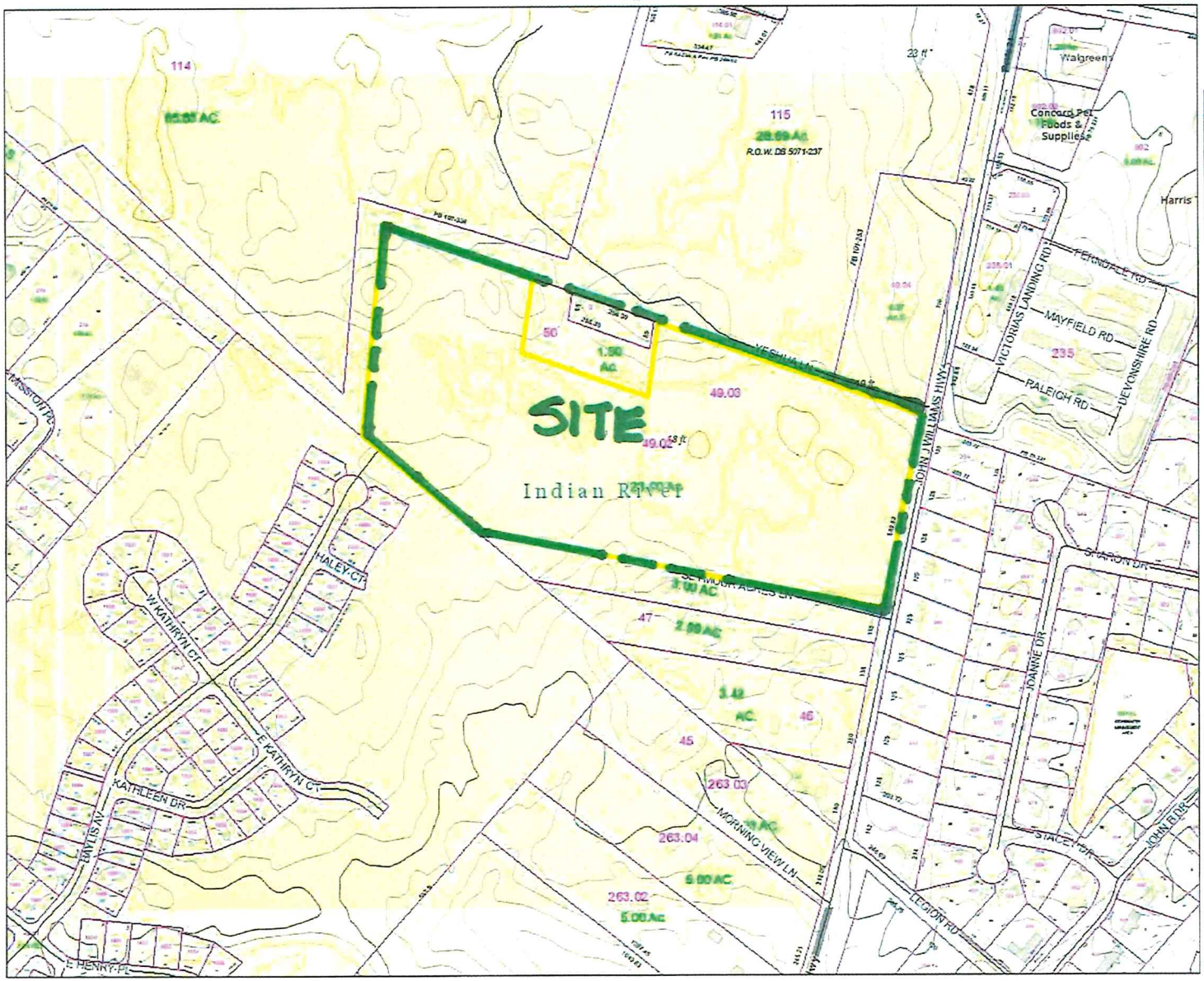
The site is relatively flat but somewhat concave with respect to surrounding topography. There are no wetlands, streams or drainage conveyances on or nearby the site.
Soils on the site are primarily loamy sands with few development limitations. The soils are mostly well drained in character. Only an estimated 20 to 35 percent of the site is occupied by soils somewhat poorly drained in character. Soil textures are permeable loamy sand to sand. Seasonal high water conditions observed on March 2, 2022 ranged from 36 inches below the surface to dry at 52 inches or greater.
The subject site is surrounded by existing commercial and residential development on three sides. To the rear or west of the site an area of relatively mature upland forests exists offsite.

Exhibit 1

Sussex County Tax Map

EXHIBIT 1

Sussex County



PIN	234-29.00-49.02
Owner Name	AMERICAN STORAGE OF DELAWARE LLC
Book	5328
Mailing Address	113 DICKINSON ST STE
City	DEWEY BEACH
State	DE
Description	W/RT 24
Description 2	PARCEL 1
Description 3	
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
Hundred Boundaries
County Boundaries
Sussex_Co
Depression Index
Depression Intermediate
Normal Index
Normal Intermediate
<all other values>

1:4,514

0 0.05 0.1 0.2 mi
0 0.075 0.15 0.3 km

March 3, 2022

Exhibit 2

Google Earth Photo, May 2021

American Storage
EXHIBIT 2
Legend
Yeshua Ln
Yeshua Ln
Plaza Mexico
5
SITE
Seymour Acres Ln
Google Earth
Image © 2021 Maxar Technologies
N
700 ft

Exhibit 3

Boundary Survey
Scaled Engineering (reduced)

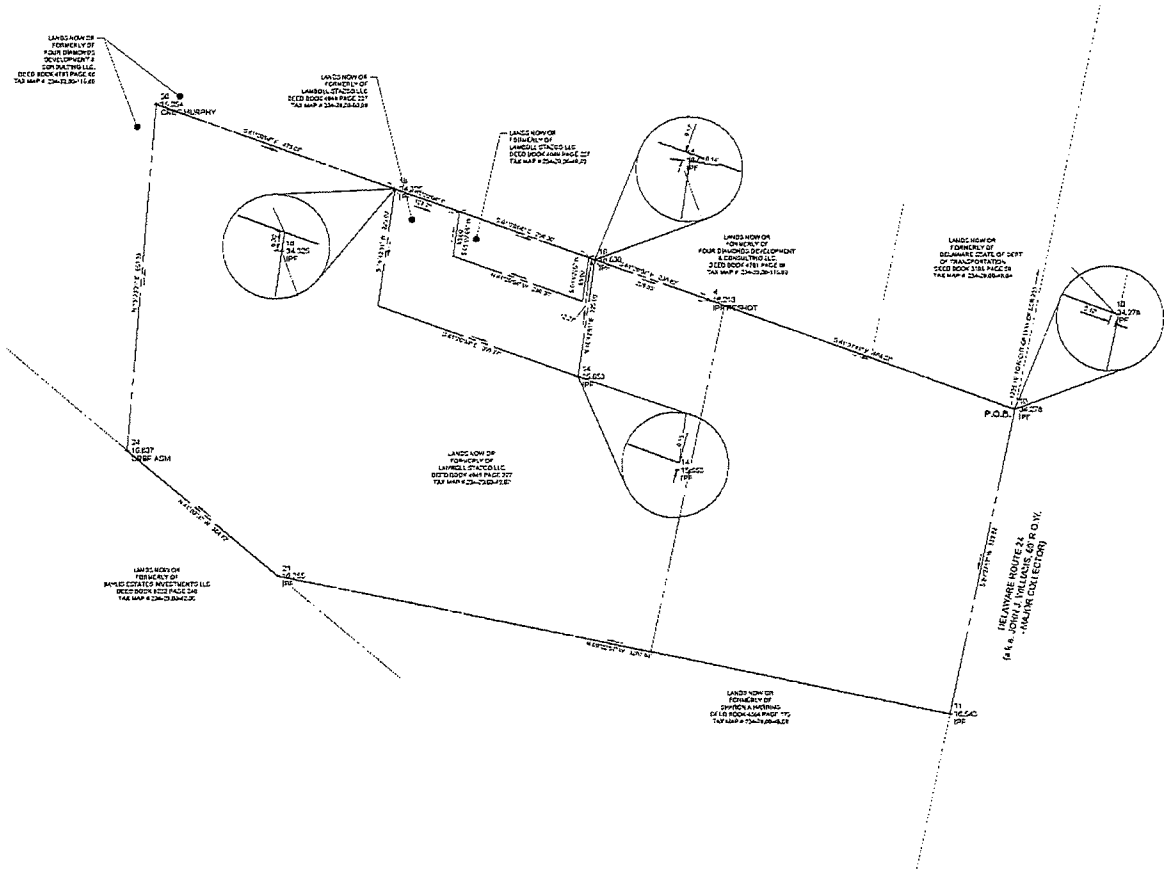

N/F
LANDS NOW OR
FORMERLY OF
LAMBOLL STAZCO LLC
DEED BOOK 4941 PAGE 227
TAX MAP # 234-29.00-49.03
LANDS NOW OR
FORMERLY OF
FOUR DIAMONDS DEVELOPMENT
& CONSULTING LLC
DEED BOOK 4781 PAGE 68
TAX MAP # 234-29.00-49.02
LANDS NOW OR
FORMERLY OF
DELAWARE STATE OF DEPT
OF TRANSPORTATION
DEED BOOK 3185 PAGE 79
TAX MAP # 234-29.00-49.04
LANDS NOW OR
FORMERLY OF
BAYLES ESTATES INVESTMENTS LLC
DEED BOOK 5222 PAGE 248
TAX MAP # 234-29.00-49.05
LANDS NOW OR
FORMERLY OF
SHARON A HERRING
DEED BOOK 4364 PAGE 177
TAX MAP # 234-29.00-49.01
DELAWARE ROUTE 24
(aka. JOHN J WILLIAMS HWY.)
(MAJOR COLLECTOR)
P.O.B.
N/F
N/F
N/F

Exhibit 4

Concept Plan
Scaled Engineering (reduced)

SITE DATA:

1. TAX MAP NUMBERS: 234-29.00-49.02, 49.03 & 50.00
2. ADDRESS: JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966
3. OWNERS: AMERICAN STORAGE OF DELAWARE
   113 DICKINSON STREET
   DEWEY BEACH, DE 19971
4. ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)
   PROPOSED: PARCEL 1 - C-3 (HEAVY COMMERCIAL DISTRICT)
   PARCEL 2 - MR (MEDIUM RESIDENTIAL)
5. USE: EXISTING: AGRICULTURAL / WOODED
   PROPOSED:
   PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) = 159,003 SQ FT
   PARCEL 2 - MULTI-FAMILY HOUSING (MEARGE)
   (140 UNITS) = 170,000 SQ FT
   MULTI-FAMILY HOUSING CLUBHOUSE = 3,600 SQ FT
6. BUILDING SETBACKS:

   C-3 (HEAVY COMMERCIAL DISTRICT):

FRONT	50' (JOHN J. WILLIAMS HWY.)
SIDE	5' (YESHUA LN.)
SIDE	20' (SEYMOUR ACRES LN.) *
REAR	30' *

* THERE SHALL BE A SIDE YARD NOT LESS THAN 20 FEET IN WIDTH ON THE SIDE OF THE LOT ADJOINING A RESIDENTIAL DISTRICT AND THERE SHALL BE A REAR YARD OF NOT LESS THAN 30 FEET IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT

   MR - MEDIUM RESIDENTIAL

FRONT	40'
SIDE	20'
REAR	10'

7. AREAS: EXISTING: 25.60 AC

PROPOSED:	PARCEL 1	8.27 AC*
	PARCEL 2	17.33 AC
	TOTAL	25.60 AC

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1

8. NET DEVELOPMENT AREA: 25.60 AC
9. SEWER PROVIDER: ON SITE SEPTIC / SUSSEX COUNTY
10. WATER PROVIDER: TIDEWATER
11. THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 10005C0479K REVISED MARCH 16, 2015 (ZONE X).
12. NO WETLANDS ARE ON SITE PER THE DNREC NAVMAP.
13. FOREST AREA: PRE-DEVELOPMENT = 14.29 AC
    POST-DEVELOPMENT = 3.53 AC
    REMAINING = 4.77 AC
14. PROXIMITY TO DELDOT TID AREA: 03.5 MILES
15. SITE IS NOT WITHIN WELLHEAD PROTECTION AREA
16. SITE WITHIN COASTAL AREA
17. RECHARGE AREA: FAIR/POOR

PARKING / LOADING REQUIREMENTS:

OFF-STREET PARKING - (PER CODE SECTIONS 115-164A & 194.5)

REQUIRED PARKING:	
STORAGE FACILITY	0 SPACES REQUIRED
HANDICAP PARKING (1-25 PARKING SPACES)	1 VAN SPACE REQUIRED
STORAGE FACILITY OFFICE - 1 PER 200 SF (1,200 SF)	6 SPACES REQUIRED
10'X20' SPACES	14 SPACES PROVIDED
VAN HC SPACES	2 VAN SPACES PROVIDED
10'X40' COVERED RV SPACES	77 SPACES PROVIDED
10'X20' STORAGE SPACES	81 SPACES PROVIDED
	174 SPACES PROVIDED
APARTMENTS BUILDINGS - 2 PER UNIT (140 UNITS)	280 SPACES REQUIRED
HANDICAP PARKING (100-200 PARKING SPACES)	7 SPACES (2 VAN) REQUIRED
280 SPACES + 12 VAN HC SPACES	= 292 SPACES PROVIDED

TOTAL PARKING PROVIDED:	466 PARKING SPACES
	+ 14 HANDICAP SPACES
	480 TOTAL PARKING SPACES

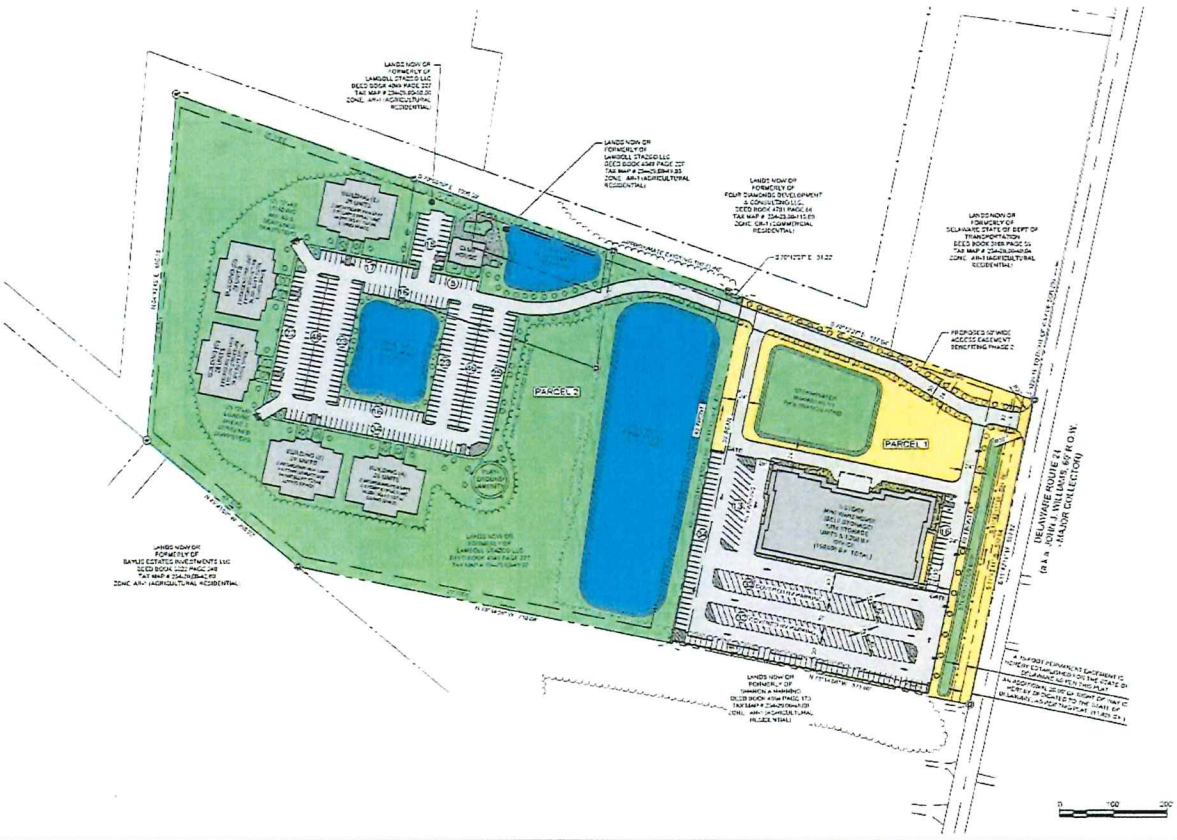
OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

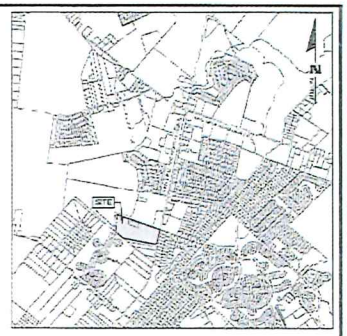
LOADING:	
MINI-WAREHOUSE (SELF STORAGE) OFFICE	
LOADING SPACES REQUIRED	0 SPACE REQUIRED
LOADING SPACES PROVIDED	0 SPACE (12' X 40')
APARTMENT BUILDINGS:	
LOADING SPACES REQUIRED	3 SPACES REQUIRED
LOADING SPACES PROVIDED	4 SPACES (12' X 40')

LEGEND:

- CAPPED REBAR FOUND
- IRON PIPE FOUND
- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- AREA LIGHTING (CUT-OFF SCREENED / LIGHT POST)
- PROPOSED BUILDING
- PARCEL 1 - MINI-WAREHOUSE (SELF STORAGE) (8.27 AC) - TO BE REZONED C-3
- PARCEL 2 - MULTI-FAMILY HOUSING (17.60 AC) - TO BE REZONED MR

*DELDOT DEDICATION (0.27 AC) INCLUDED IN PARCEL 1





LOCATION MAP
SCALE: 1" = 2,000'

N NORTH DE ST PL

SCALED. ENGINEERING
CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF DELAWARE
TAX MAP # 234-29.00-49.02, 49.03 & 50.00
INDIAN RIVER HUNDRED, MILLSBORO, DELAWARE

DATE:	9/24/21
SCALE:	1" = 100'
DRAWN BY:	JAC
PROJECT NO:	0FALL001

1

EXHIBIT 4

Exhibit 5

USDA Soil Survey of Sussex County

Soil Map—Sussex County, Delaware
(USDA Soil Survey)

Map Scale: 1:3,050 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 45 90 180 270

Feet
0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

EXHIBIT 5

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 22, Aug 26, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 1, 2020—Oct 1, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DnA	Downer loamy sand, 0 to 2 percent slopes	0.5	1.8%
FmA	Fort Mott loamy sand, 0 to 2 percent slopes	15.9	60.5%
IeA	Ingleside loamy sand, 0 to 2 percent slopes	4.3	16.5%
KsA	Klej loamy sand, 0 to 2 percent slopes	5.6	21.1%
Totals for Area of Interest		**26.3**	**100.0%**

Exhibit 6

U.S. Fish & Wildlife Service
National Wetland Inventory Map

U.S. Fish and Wildlife Service

National Wetlands Inventory

American Storage of Delaware LLC

March 4, 2022

Wetlands

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

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

EXHIBIT 6

Exhibit 7

U.S. Fish & Wildlife Service
Species List
March 3, 2022

EXHIBIT 7

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127
http://www.fws.gov/chesapeakebay/
http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html

In Reply Refer To:
Project Code: 2022-0015439
Project Name: American Storage of Delaware LLC

March 03, 2022

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

To Whom It May Concern:

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

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

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

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

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

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

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of

this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

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

Official Species List

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

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

Project Summary

Project Code: 2022-0015439
Event Code: None
Project Name: American Storage of Delaware LLC
Project Type: Mixed-Use Construction
Project Description: Proposed development of a mixed use commercial storage facility and residential Hosing project on uplands.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.623283,-75.20047726008434,14z

Counties: Sussex County, Delaware

Endangered Species Act Species

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

---

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

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus*	Candidate

No critical habitat has been designated for this species.

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

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

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

Critical habitats

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

USFWS National Wildlife Refuge Lands And Fish Hatcheries

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

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

Wetlands

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

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

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

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

IPaC User Contact Information

Agency: Environmental Resources Inc.
Name: Edward Launay
Address: PO Box 169
City: Selbyville
State: DE
Zip: 19975
Email elaunay@ericonsultants.com
Phone: 3024369637

Exhibit 8

Photographs

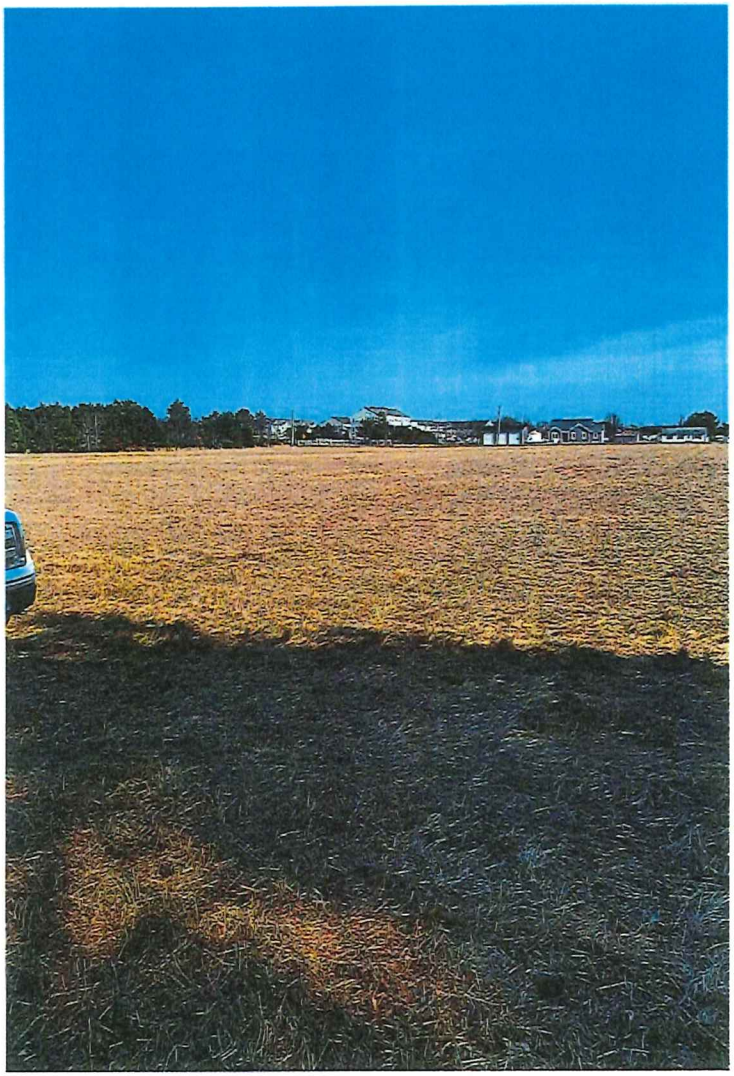


Photo 1 View east across agricultural field toward S.R. 24 3/2/2022

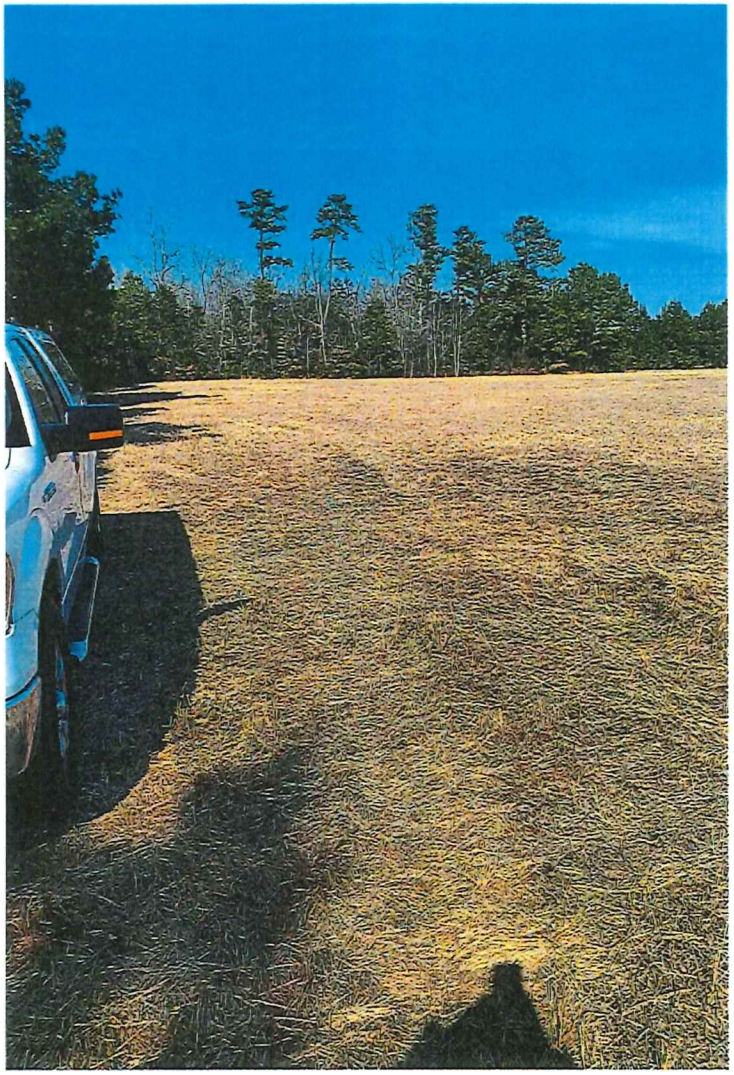


Photo 2 View north along field and woods edge

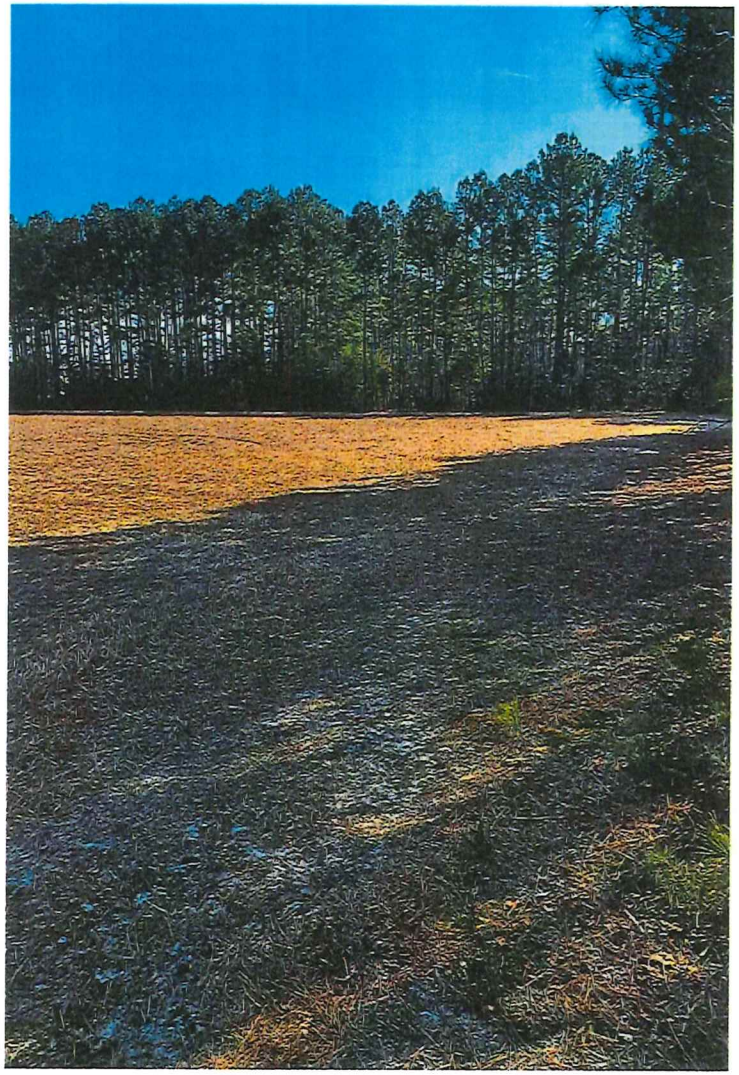


Photo 3 View south along field and woods edge

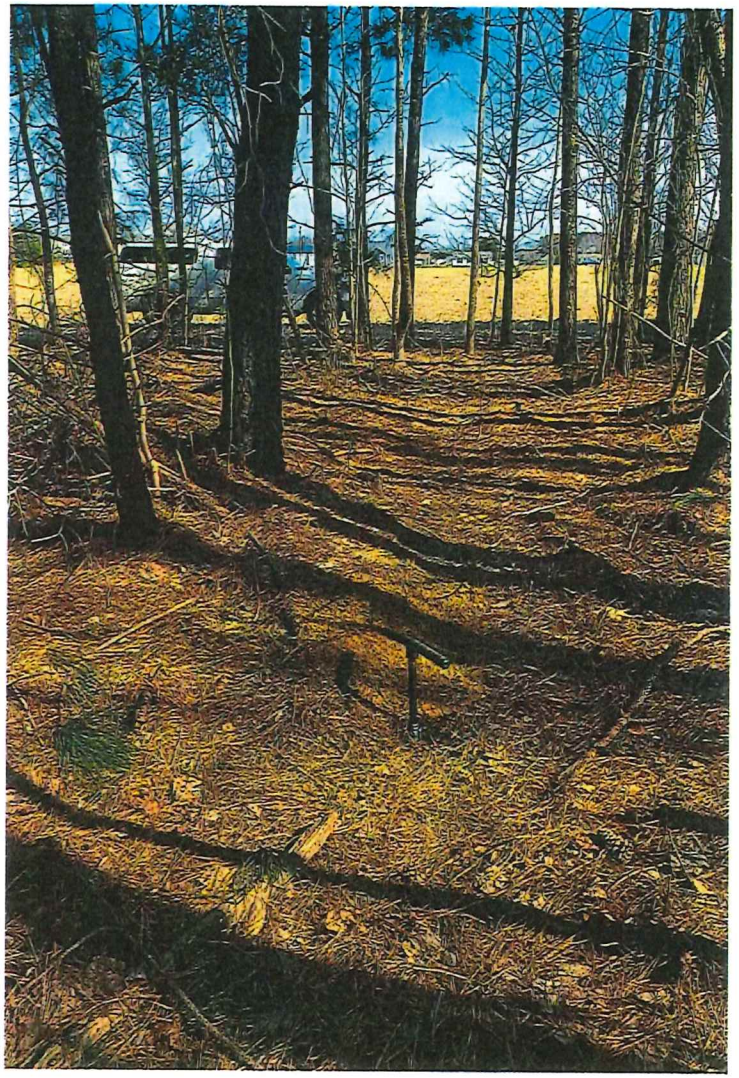


Photo 4 Open immature loblolly pine forest at boring location near woods edge (higher elevation)

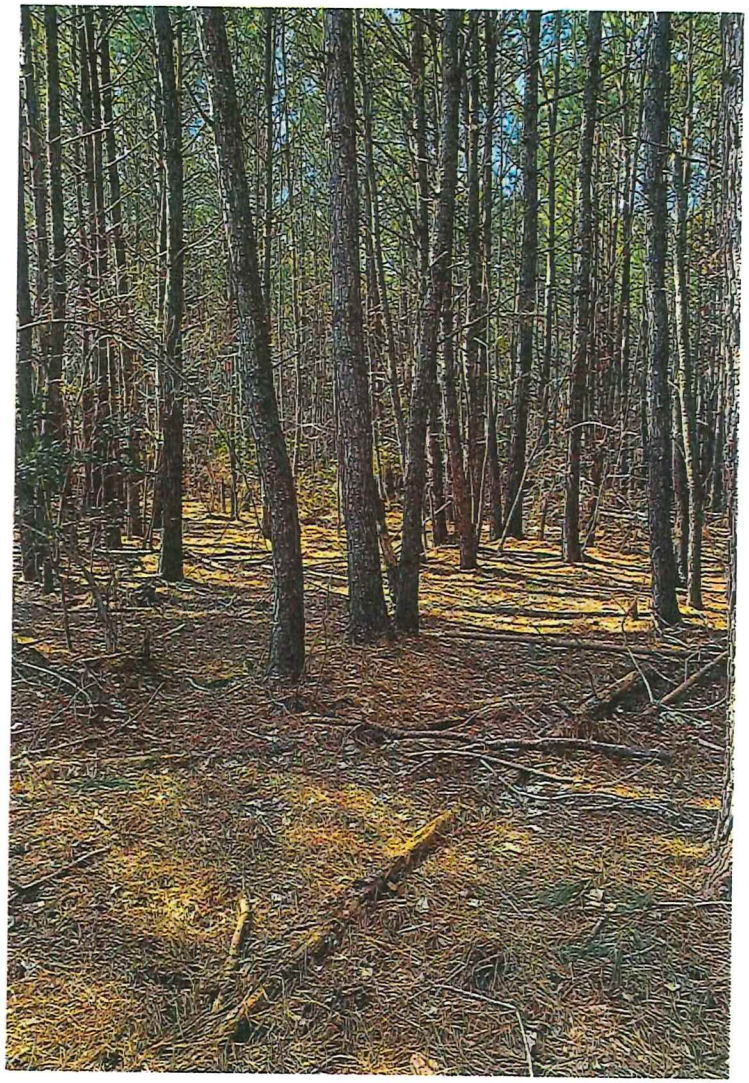


Photo 5 View of denser interior forest within topographic depression. Red maple, Sweet Gum & high bush blueberry co dominat species

EXHIBIT G

TIDEWATER
UTILITIES, INC.
A Middlesex Water Company Affiliate

March 10, 2022

Sent via email

M. Josh Stallings
Scaled Engineering Inc.
20246 Coastal Highway
Rehoboth Beach, DE 19971

RE: Willing & Able Letter- Tax Parcel No 234-29.00-49.02, 49.03, 50.00

Dear Mr. Stallings:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, including fire protection, to the following parcel identified as Tax Map Parcel No. 234-29.00-49.02, 234-29.00-49.03, and 234-29.00-50.00. Water service is contingent on the terms and conditions of a Water Service Agreement by and between Tidewater and the Project Owner.

Please feel free to contact me at 302-747-1304 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

Kelly R. Bailey

Kelly R. Bailey
Manager of Contract Administration

Hutt, David C.

From: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>
Sent: Tuesday, August 31, 2021 10:52 AM
To: Hutt, David C.
Subject: RE: American Storage of Delaware

Hi David,

Thank you for your email. I have reviewed this with Dorothy and David. OSPC will not require a new PLUS review.

We do note that the State Comments letter referred to a bike path in the DelDOT comments. The site plan does not appear to show one. Please make sure to address this feature moving forward with the plan.

Please let me know if you have any questions or if I can provide any additional information.

Thanks much,
-Steve Bayer

Steve Bayer
Planner
Delaware Office of State Planning Coordination
Haslet Armory
122 Martin Luther King Jr. Boulevard, South
Dover, DE 19901
(302) 739-3090
(302) 739-5661 fax
http://stateplanning.delaware.gov/

From: Hutt, David C. <DHutt@morrisjames.com>
Sent: Tuesday, August 31, 2021 9:34 AM
To: Bayer, Stephen G (OMB) <stephen.bayer@delaware.gov>; Morris, Dorothy (OMB) <Dorothy.Morris@delaware.gov>
Subject: American Storage of Delaware

Dorothy,

Earlier this year, the OSPC reviewed an application for American Storage of Delaware (PLUS Review 2021-02-05). For your ready reference, I have attached a copy of the PLUS Review Letter dated March 23, 2021.

The overall concept has stayed the same with a commercial-type use along Route 24 and residential behind that application. The acreage for the commercial has been reduced which, of course, increased the acreage for the residential component.

In short, what before was 139,600 square feet of mini storage and business park (flex space) and 104 residential units is now proposed to be 150,000 square feet of mini-storage and 140 residential units. Attached is a copy of the new concept.

Does your office want to see a new/revised application?

Thanks,

David

Morris James LLP

David C. Hutt | Partner
107 W. Market Street, P.O. Box 690, Georgetown, DE 19947
19339 Coastal Highway, Suite 300, Rehoboth Beach, DE 19971
Phone: 302.856.0018 | **Fax:** 302.856.7217
morrisjames.com | dhutt@morrisjames.com
Facebook | LinkedIn | Twitter

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Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - -The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2021-02-05

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 2/3

1. Project Title/Name: American Storage of Delaware
2. Location (please be specific): Delaware Route 24 (John J. Williams Highway), Millsboro, Delaware
3. Parcel Identification #: 234-29.00-49.02, 49.03 & 50.00
4. County or Local Jurisdiction Name: where project is located: Sussex County
5. If contiguous to a municipality, are you seeking annexation: Not applicable.
6. Owner's Name: American Storage of Delaware, LLC (Alex Pires)

   Address: 113 Dickinson Street

   City: Dewey Beach State: Delaware Zip: 19971

   Phone: (302) 462-5871 (202) 905-6706 Fax: Email: nate.gmconstruction@gmail.com farmerslawyer@aol.com

7. Equitable Owner/Developer **(This Person is required to attend the PLUS meeting)**: Same as owner

   Address:

   City: State: Zip:

   Phone: Fax: Email:

8. Project Designer/Engineer: Carlton Savage, Jr. | SCALED.Engineering

   Address: 20246 Coastal Highway

   City: Rehoboth Beach State: Delaware Zip: 19971

   Phone: (302) 236-3600 Fax: Email: carlton@scaledengineering.com

9. **Please Designate a Contact Person, including phone number, for this Project:** Nate Graulich | (302) 462-5871
   Alex Pires | (202) 905-6706

Information Regarding Site:

10. Type of Review: ☐ Rezoning, if not in compliance with certified comprehensive plan ■ Site Plan Review ☐ Subdivision

11. Brief Explanation of Project being reviewed: The Project proposes to (1) rezone the front half of the property to C-3 (Heavy Commercial) for a Business Park (Flex Space) of 12.63 acres with 36,000 sq. ft. of Flex Park and 103,600 sq. ft. of mini-storage and an office for the mini-storage; and (2) rezone the rear half of the property to MR (Medium Residential) with a conditional use for multifamily (midrise) housing (13 acres) consisting of 104 units.
If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications.

12. Area of Project (Acres +/-): 25.90 +/- acres
Number of Residential Units: 104
Commercial square footage: Business Park/Flex Space (36K Sq. Ft); Mini Storage (103,600 Sq. Ft.)

13. Present Zoning: AR-1 (Agricultural Residential)

14. Proposed Zoning: C-3 (Heavy Commercial); MR (Medium Density) with Conditional Use

15. Present Use: Agricultural/Wooded

16. Proposed Use: Business Park (Flex Park); Mini Storage and Multi-Family Housing

17. Water: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Tidewater

Will a new public well be located on the site? ☐ Yes ■ No

18. Wastewater: ☐ Central (Community system) ☐ Individual On-Site ■ Public (Utility)
Service Provider Name: Sussex County

Will a new community wastewater system be located on this site? ☐ Yes ■ No

19. If residential, describe style and market segment you plan to target (Example- Age restricted):
The residential units are targeted as market rate apartments intended for those who live and work in the Long Neck and surrounding area

20. Environmental impacts:

How many forested acres are presently on-site? 13.79 How many forested acres will be removed? 9.20

To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☐ Yes ■ No

Are the wetlands: ☐ Tidal Acres:
☐ Non-tidal Acres:

If "Yes", have the wetlands been delineated? ☐ Yes ☐ No

Has the Army Corps of Engineers signed off on the delineation? ☐ Yes ☐ No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☐ Yes ☐ No If "Yes", describe the impacts:

How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? +/- 200'

21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? ☐ Yes ■ No
per the DNREC NavMap

22. List the proposed method(s) of stormwater management for the site:
BMPs to likely include a combination of wet pond(s) and infiltration pond(s)

23. Is open space proposed? ■ Yes ☐ No If "Yes," how much? Acres: 11.45

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? active and passive recreation and stormwater management

24. Are you considering dedicating any land for community use (e.g., police, fire, school)? ☐ Yes ■ No

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: 1,170 ADT

What percentage of those trips will be trucks, excluding vans and pick-up trucks? < 5%

26. Will the project connect to state maintained roads? ■ Yes ☐ No De. Rt. 24 (John J. Williams Highway)

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections.

There are no existing developments on adjacent lands.

28. Are there existing sidewalks? ☐ Yes ☐ No; bike paths ☐ Yes ■ No
Are there proposed sidewalks? ☐ Yes ■ No; bike paths ☐ Yes ☐

Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☐ Yes ■ No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ■ No

Has this site been evaluated for historic and/or cultural resources? ☐ Yes ■ No

Would you be open to a site evaluation by the State Historic Preservation Office? ■ Yes ☐ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ■ Yes ☐ No
Person to contact to arrange visit: Carlton Savage, Jr. phone number: (302) 236-3600

Alex Pires | (202) 905-6706

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ■ No

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

Signature of property owner — Date 1/29/21

Signature of Person completing form (If different than property owner) — Date 1/29/2021

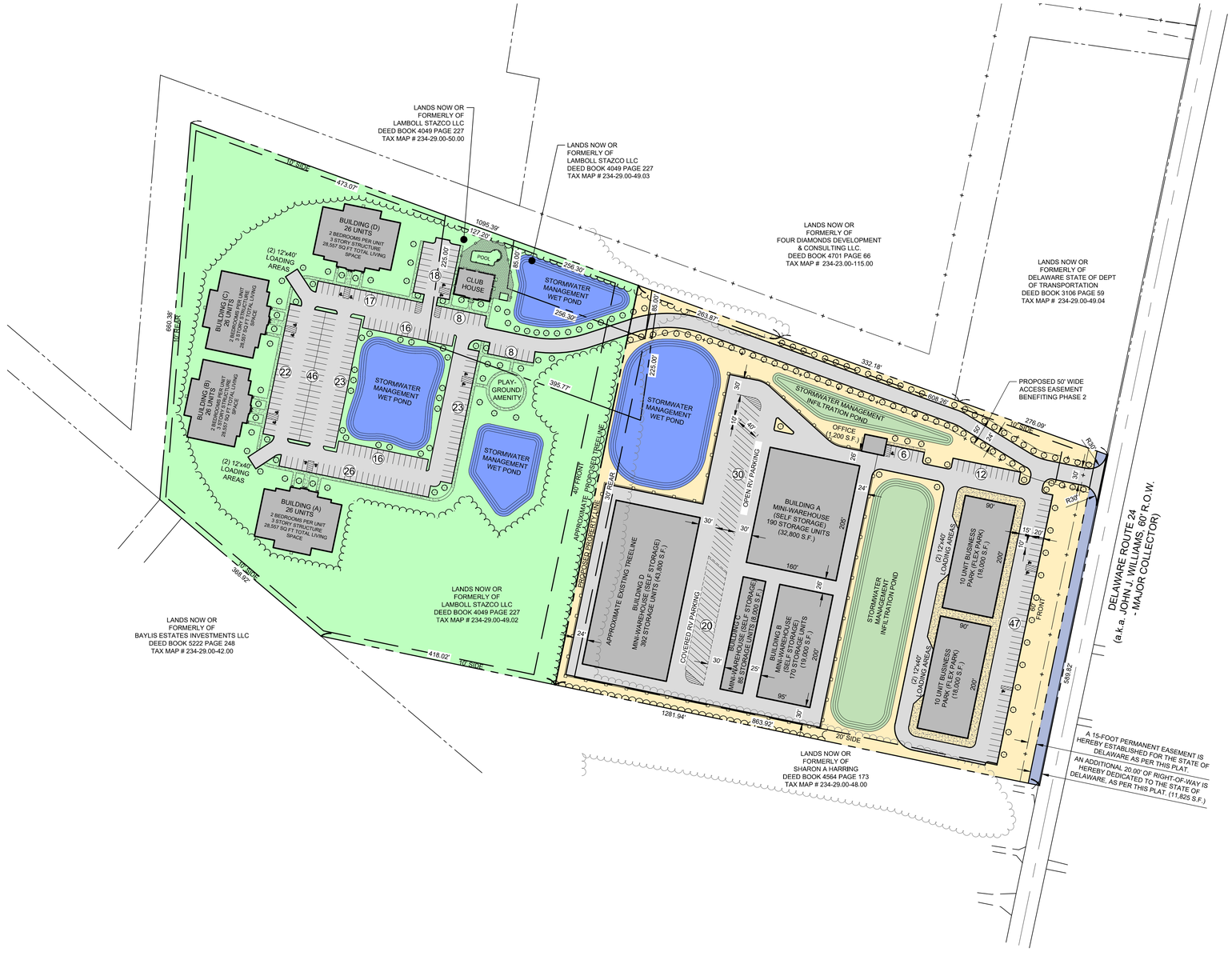
Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at plus@state.de.us **along with an electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.

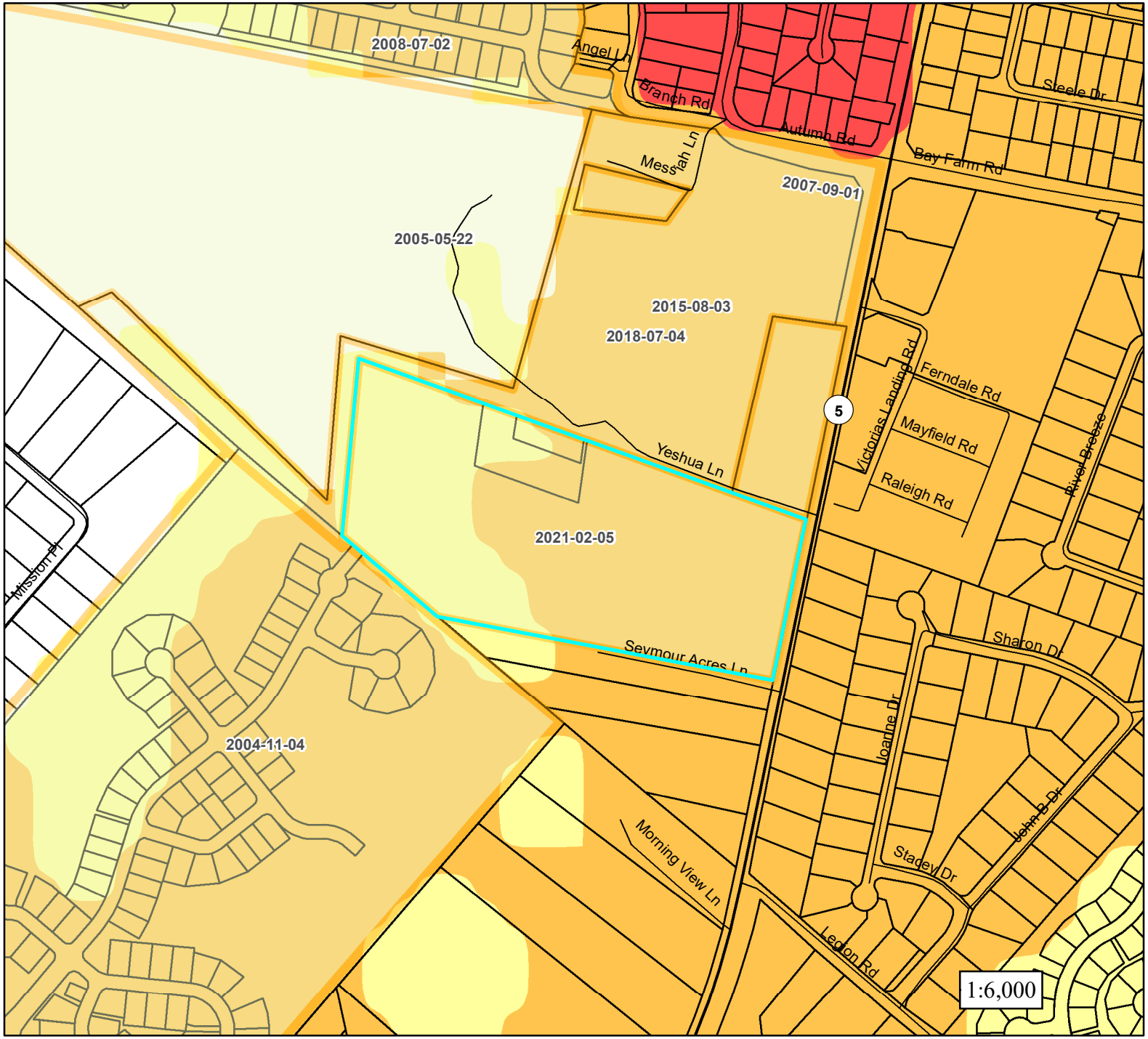
LEGEND:

- PROPERTY BOUNDARY
- ADJOINER LINE
- EASEMENT
- PROPOSED TREELINE
- BUILDING SETBACK
- PROPOSED BUILDING
- PARCEL 1 - BUSINESS PARK (FLEX PARK) / MINI-WAREHOUSE (SELF STORAGE) (12.63 AC)
- PARCEL 2 - MULTI-FAMILY HOUSING (13.00 AC)
- DELDOT DEDICATION (0.27 AC)

NORTH
DE ST PL
NORTH


LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-50.00
LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-49.03
LANDS NOW OR FORMERLY OF FOUR DIAMONDS DEVELOPMENT & CONSULTING LLC. DEED BOOK 4701 PAGE 66 TAX MAP # 234-23.00-115.00
LANDS NOW OR FORMERLY OF DELAWARE STATE OF DEPT OF TRANSPORTATION DEED BOOK 3106 PAGE 59 TAX MAP # 234-29.00-49.04
LANDS NOW OR FORMERLY OF LAMBOLL STAZCO LLC DEED BOOK 4049 PAGE 227 TAX MAP # 234-29.00-49.02
LANDS NOW OR FORMERLY OF BAYLIS ESTATES INVESTMENTS LLC DEED BOOK 5222 PAGE 248 TAX MAP # 234-29.00-42.00
LANDS NOW OR FORMERLY OF SHARON A HARRING DEED BOOK 4564 PAGE 173 TAX MAP # 234-29.00-48.00
DELAWARE ROUTE 24 (a.k.a. JOHN J. WILLIAMS, 60' R.O.W. - MAJOR COLLECTOR)
BUILDING (D) 26 UNITS
2 BEDROOMS PER UNIT
3 STORY STRUCTURE
28,557 SQ FT TOTAL LIVING SPACE
BUILDING (C) 26 UNITS
BUILDING (B) 26 UNITS
BUILDING (A) 26 UNITS
(2) 12'x40' LOADING AREAS
CLUB HOUSE
POOL
PLAY-GROUND/ AMENITY
STORMWATER MANAGEMENT WET POND
STORMWATER MANAGEMENT INFILTRATION POND
OFFICE (1,200 S.F.)
BUILDING A MINI-WAREHOUSE (SELF STORAGE) 190 STORAGE UNITS (32,800 S.F.)
BUILDING D MINI-WAREHOUSE (SELF STORAGE) 302 STORAGE UNITS (54,800 S.F.)
BUILDING C MINI-WAREHOUSE (SELF STORAGE) 85 STORAGE UNITS (8,000 S.F.)
BUILDING B MINI-WAREHOUSE (SELF STORAGE) 170 STORAGE UNITS (19,000 S.F.)
COVERED RV PARKING
OPEN RV PARKING
(2) 12'x40' LOADING AREAS
10 UNIT BUSINESS PARK (FLEX PARK) (18,000 S.F.)
PROPOSED 50' WIDE ACCESS EASEMENT BENEFITTING PHASE 2
APPROXIMATE EXISTING TREELINE
APPROXIMATE PROPOSED TREELINE
APPROXIMATE PROPERTY LINE
10' SIDE
30' REAR
40' FRONT
20' SIDE
60' FRONT
R30'
R25'
10' SIDE
10' SIDE
10' SIDE

Preliminary Land Use Service (PLUS)



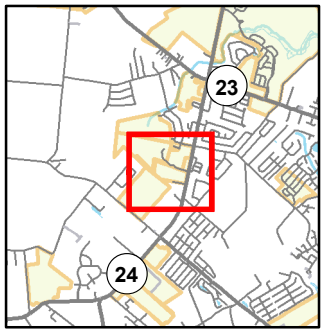
American Storage
2021-02-05

Legend

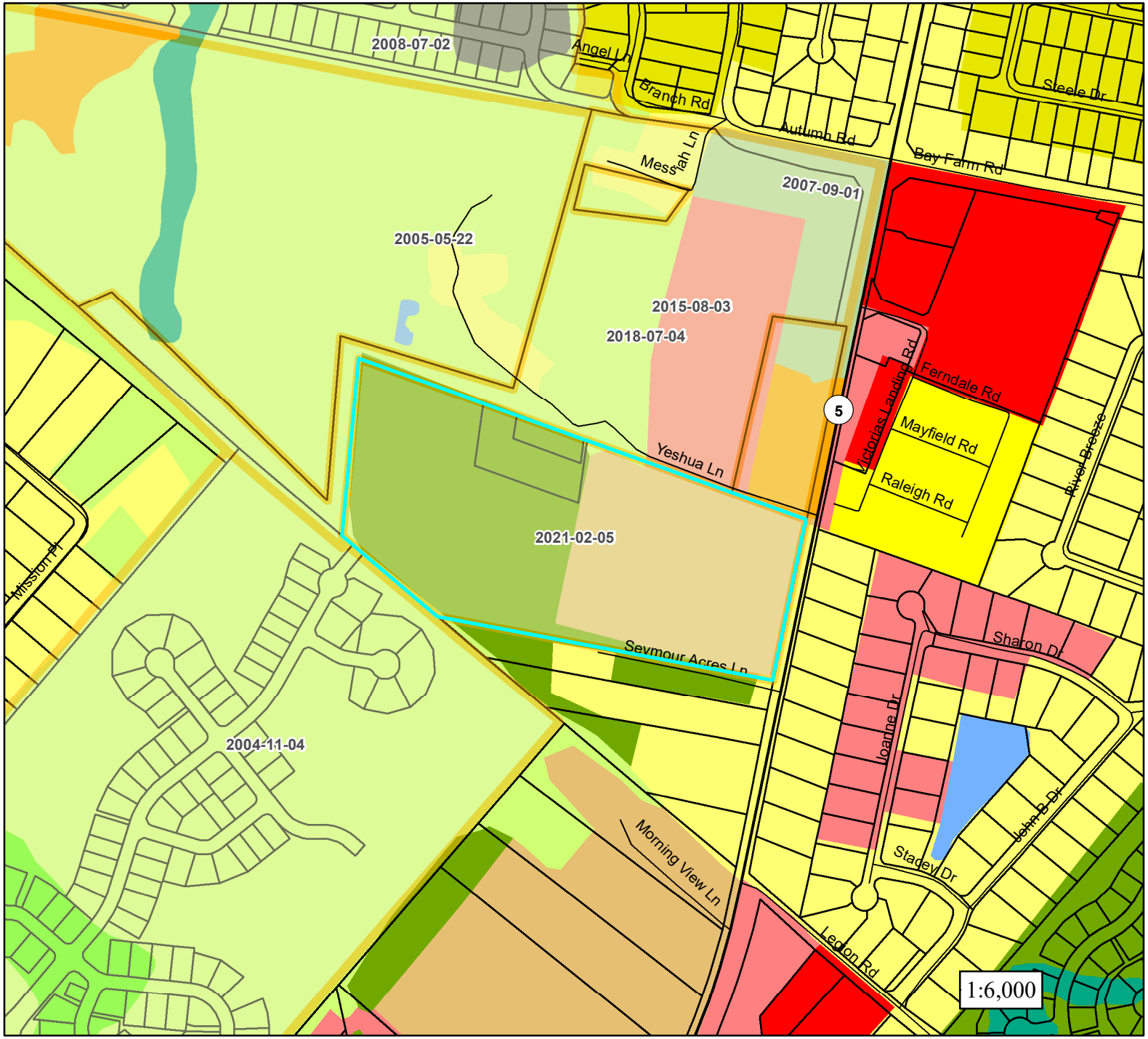
PLUS Project Areas
type
- Comp Plans
- All Other PLUS Reviews

2020 State Strategies
Strategy Level
- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play

Location Map



Preliminary Land Use Service (PLUS)



American Storage
2021-02-05

Legend

2012 Land Use

LULC Category

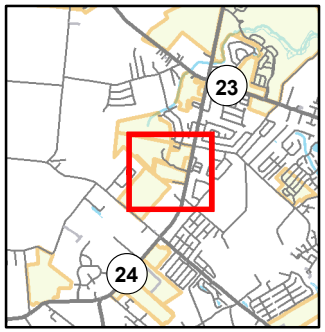
- 110
- Single Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Transportation/Communication/Utilities
- Mixed Urban/Built-up
- Institutional/Governmental
- Recreational
- Farms, Pasture, Cropland
- Confined Animal Feeding Operations/Feedlots/Holding
- Rangeland
- Orchards/Nurseries/Horticulture
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Brush Rangeland
- Clear-cut
- Man-made Reservoirs and Impoundments
- Marinas/Port Facilities/Docks
- Open Water
- Emergent Wetlands - Tidal and Non-tidal
- Forested Wetlands - Tidal and Non-tidal
- Scrub/Shrub Wetlands - Tidal and Non-tidal
- Sandy Areas and Shoreline
- Extraction and Transitional

PLUS Project Areas

type

- Comp Plans
- All Other PLUS Reviews

Location Map



Preliminary Land Use Service (PLUS)

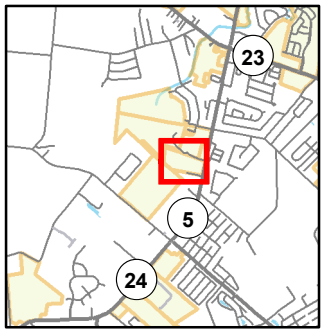
American Storage
2021-02-05

Legend

PLUS Project Areas type

- Comp Plans
- All Other PLUS Reviews

Location Map



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

March 23, 2021

Nate Graulich
Graulich Builders
34697 Jiffy Way, Suite 2
Lewes, DE 19958

RE: PLUS review 2021-02-05; American Storage of Delaware

Dear Mr. Graulich:

Thank you for meeting with State agency planners on February 24, 2021 to discuss the proposed plans for the American Storage of Delaware project. According to the information received you are seeking review of a proposed rezoning of 25.9 acres from AR-1 to C-3 and MR and a site plan for 104 residential units and 139,600 square feet of mini storage and business park in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as the County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. 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 other priorities for the near future.

Our office has no objections to the proposed rezoning and development of this project provided it is in compliance with Sussex County Comprehensive plan and all applicable codes and ordinances.

We do ask that you work to preserve the environmental features on the site if the plan moves forward.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on John J. Williams Highway (Delaware Route 24) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- 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 1,170 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, as shown in the table below, DelDOT calculates 1,171 vehicle trip ends per day for this number and estimates the weekday morning and evening peak hour trip ends at 60 and 79, respectively. Therefore, a TIS would normally be required.

	Land Use Code	Floor Area (sf) / Dwellings	Average Daily Traffic	AM Peak Hour		PM Peak Hour	
				In	Out	In	Out
Business Park	770	36,000	448	8	6	7	8
Mini-Warehouse	151	104,800	158	6	4	8	10
Multifamily Housing (Mid-Rise)	221	104	565	9	27	28	18
Total			1,171	23	37	43	36

- Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 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, $11,710. AWS Fees are used to fund traffic studies, not to build improvements.

- DelDOT anticipates requiring the developer to contribute to a DelDOT project presently scheduled for construction this summer, HSIP SR 24 at Mount Joy Road and SR 24 at Bay Farm Road Intersection Improvements, Contract No. T200711201. Information on the project is available at https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T200711201.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Route 24. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"

- 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. 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.**"

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Depiction of all existing entrances within 600 feet of the entrance on Route 24.

    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is mandatory. DelDOT anticipates requiring the developer to build an SUP along their frontage on Route 24.

- Section 3.5.4.3 of the Manual addresses requirements for walkways. A walkway is a path connecting the interior of a development to the frontage sidewalk or SUP. DelDOT anticipates requiring at least two walkways to connect the interior of the site to Route 24,

one along the driveway at the north edge of the property and one at the south end of the frontage, connecting to the parking lot of the business park.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Route 24.

- Section 5.2.4 of the Manual addresses requirements for Entrance Width, for commercial entrances, the minimum undivided width varies from 18 to 32 feet. The proposed 30-foot entrance will be examined during the plan review process. DelDOT may require the developer's engineer to provide turning templates.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. DelDOT anticipates requiring a right turn lane with a five-foot bicycle lane, and possibly a left turn lane into the site from Route 24. Coordination of the construction schedules of the DelDOT project and the proposed development should be discussed at the Pre-Submittal Meeting.

- 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.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Stormwater Management

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

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (https://apps.dnrec.state.de.us/eNOI/default.aspx) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- 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.

- Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Hydrologic Soils Group
While much of the site consists of Hydrologic Soils Group A soils (well drained), the northwest portion of the site lies within A/D soils (somewhat poorly drained). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921
  E-mail: DNREC.Stormwater@delaware.gov
  Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Water Quality (Pollution Control Strategies)
Pollution Control Strategies have been developed for the following watersheds in Delaware: Christina, Appoquinimink, Broadkill, Mispillion and Cedar Creek, Murderkill, Saint Jones, Inland Bays (Rehoboth Bay, Indian River Bay, and Little Assawoman Bay), Nanticoke, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- The western half of the site (forested portion) lies within the Rehoboth Bay Watershed & the eastern half of the site (unforested portion) lies within the Indian River Bay Watershed, both of which are included under Pollution Control Strategies. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

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

Nutrient Management Plan
This project proposes approximately 11 acres of open space, exceeding the threshold of 10 Acres for nutrient management.

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.
- Contact: Delaware Department of Agriculture's Nutrient Management Program at (302)
- 698-4558. Website: https://agriculture.delaware.gov/nutrient-management/

Wildlife Displacement
Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- There are no known National Register listed or eligible properties on the parcel.
- Prehistoric archaeological potential is moderate. Soils are mostly well-drained except for the northwest corner of the area. Guinea Creek appears on Beers map and some historic aerials as extending closer to the parcels, which may mean that it is within favorable distance to freshwater for prehistoric site probability. A survey conducted in part of the parcel showed very little remains under a thick plow zone except for two isolated prehistoric finds; could mean that there are other archaeological resources throughout the area.
- Historic archaeological potential is low. Beers Map doesn't show anything near that parcel. A road appears to have existed through the middle-ish until 1950s, and historic aerials show the western portion to be continuously wooded.
- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: www.achp.gov

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 (DSFPR):

Fire Protection Water Requirements:

- Where a water distribution system is proposed for Storage/Warehouse sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for apartment (multi-family living units) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- 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.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.
- All mini-storage buildings greater than 2500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance–rated barrier shall require an automatic sprinkler system be installed throughout.

> *Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:*
>
> *(1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,*
>
> *(2) the owner of the facility does not have unrestricted access to the storage units, and*
>
> *(3) the items being stored are concealed from view from outside the storage unit.*

- 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

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 accessible to fire apparatus.
- Any dead end 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.
- 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.

Gas Piping and System Information:

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

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

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The subject land adjoins both a recorded but as-yet-unbuilt stub street in the Baylis Estates subdivision, which fronts on Mount Joy Road (Sussex Road 297), and the Peninsula Square mixed-use development, which fronts on Autumn Road (Sussex Road 299). In addition to providing emergency access to the proposed apartments, with appropriate interconnections and easements required of the subject development and Peninsula Square, these three developments could provide a low-stress pedestrian and bicycle connection between Mount Joy Road and Autumn Road.

- 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 Route 24.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at https://www.deldot.gov/Business/subdivisions/.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Forest Removal
The preliminary plans and/or project application proposed the elimination of approximately 9.2 out of 13.8 existing acres of forest habitat.

- 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 and reduces carbon that contributes to climate change. A forest assessment should be conducted to determine if mature forest resource exists on the property, and to determine species present.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Stormwater Management
Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

General Drainage Recommendations
There are numerous reported drainage concerns near the proposed project area. One concern from 2009 referenced flooding of a nearby property. There are numerous concerns ranging from 2010-2020 from landowners on the eastern side of John J. Williams Highway about property flooding. The storage of onsite stormwater and the release stormwater to adjacent properties is a concern if this property is developed.

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemption coverage may be required by the County Conservation District (Standard Plan), DNREC Sediment and Stormwater (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site stormwater.

- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

- Contact: DNREC Drainage Program at (302) 855-1930.
  Website: https://dnrec.alpha.delaware.gov/drainage-stormwater/

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by

maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/

Mosquitoes
The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of wetland types including freshwater forested, freshwater emergent, and estuarine.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.

- Contact: DNREC Division of Fish and Wildlife at (302) 739-9917. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/

Current or Previous Contamination
This parcel is contained within a large area that has been investigated for well contamination (DE-1388 Long Neck Mercury Study). In 2001, mercury was detected in a public water supply well; levels were reported above the Maximum Contaminant Level. While DNREC and the U.S. Geological Survey investigated the incident, the source could not be located. The well has been temporarily turned off.

- Delaware Health and Social Services reviews the monitoring reports from the water company. The USGS report that resulted from the study can be found here: https://pubs.usgs.gov/sir/2006/5011/pdf/sir-2006-5011.pdf

- Contact the Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.
  Website: https://dnrec.alpha.delaware.gov/waste-hazardous/

- Additional information may also be found online by searching Delaware's Environmental Navigator at http://www.nav.dnrec.delaware.gov/den3/

Additional Sustainable Practices
Recommendations for entire project:

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.

- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.

- 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.

- Incorporate nonmotorized connectivity in the residential area and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

Recommendations for residential section:

- Include an option to install electric vehicle charging stations in garages of homes for your customers and tenants to assist Delaware in achieving its clean transportation goals.

- For the proposed pool and clubhouse, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities. Grants may be available for qualifying renewable energy systems installed in Delaware by applicants whose electricity provider collects funds for the program and offers a grant program for renewable energy projects. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/.

Recommendations for commercial section:

- Install electric vehicle charging stations for your customers and tenants to assist Delaware in achieving its clean transportation goals. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality. Additional information can be found at: https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/.

Concerns Identified Outside of the Development Footprint

Delaware Ecological Network
Lands designated as part of the Delaware Ecological Network lie to the east of this parcel. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on the proposed development site could jeopardize habitat beyond the parcel boundary.

- Removing forested areas within (and nearby) the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

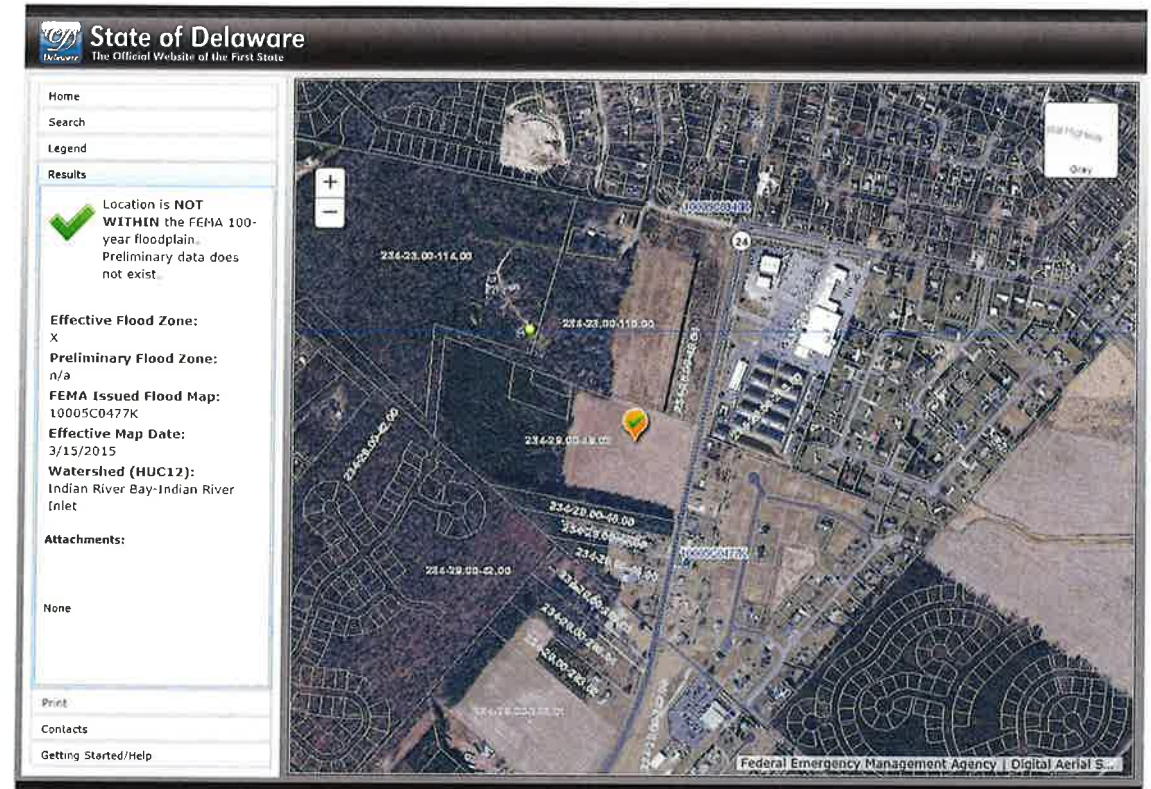
- Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- 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.

Delaware Emergency Management Agency – Contact Philip Cane 659-2325

- The location is not within any flood plain nor in a coastal inundation zone. 2018 QAP described the region this project is located in as being an "Area of Opportunity" while bordering a region identified as "Stable". The region has a homeownership rate of approximately 81.2% to 83%, a poverty ratio of 10 to 1 with approximately 21% of that census block's population at the age of 65 or older.


State of Delaware
The Official Website of the First State
Home
Search
Legend
Results
Location is NOT WITHIN the FEMA 100-year floodplain. Preliminary data does not exist.
Effective Flood Zone:
X
Preliminary Flood Zone:
n/a
FEMA Issued Flood Map:
10005C0477K
Effective Map Date:
3/15/2015
Watershed (HUC12):
Indian River Bay-Indian River Inlet
Attachments:
None
Print
Contacts
Getting Started/Help
Federal Emergency Management Agency | Digital Aerial S...
Privacy | Contact | Phone Directory

Tract
QAP Geographic Areas
Areas Of Opportunity
Zoom to
Get Directions

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- As of January 11, 2021, the applicant has already participated in a pre-application meeting with Planning and Zoning staff.

- Please include a note on the plans which indicates that the proposed project is not located within the Henlopen Transportation Improvement District (TID).

- Following submission to the County, staff undertake review of the Preliminary Site Plan, where more detailed comments are provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

- For the Conditional Use, a Service Level Evaluation Request form must be completed and submitted to the Office of Planning and Zoning. Once the Office receives the completed Service Level Evaluation Response from DelDOT, the applicant may submit all documentation and materials pertaining to their Conditional Use application.

- Please note that since the proposed development lies within the Coastal Area and is above the 50 dwelling unit and 75,000 feet of commercial development threshold, copies of an Environmental Assessment (EA) and Public Facility Evaluation Report must be submitted which address the criteria located in §115-194.3(2)(a-l).

- Additionally, the proposal will have to comply with the site plan requirements of §115-220 and the multifamily requirements of §115-188 of the Sussex County Code.

- Please include the proposed density for the project for separately for both the residential component as well as the commercial site. The C-3 Zoning District and the MR Zoning District (as a Conditional Use) allow for a density of up to 12 dwelling units per acre.

- Please note on the plans that the parcels are not located within a Wellhead Protection Area in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§ 89-6). Please note on the plans that the parcels are located within an area of "good" groundwater recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

- Staff note that there is only one-way-in, one-way-out access to the property. The Planning and Zoning Commission desire more than one entrance or an easement for emergency access purposes in the event of an emergency occurring on the parcel.

- The side yard setback for the portion of the property to be zoned C-3 adjacent to the existing Yeshua Lane is shown with a 10-ft side yard setback. The Site Data Column indicates that this setback is 5-ft. The side yard setback in the C-3 Zoning District is 20-ft when adjacent to a residentially zoned parcel (Tax Map: 234-29.00-49.04 appears to be residentially zoned as AR-1) (§115-83.22(B)(2)). Please indicate if the applicant wishes to amend this setback as part of the application.

- Staff note that 11.45 acres of open space is proposed. The proposed open space of 44% is desirable. Please include the amount of open space proposed as a percentage and in acres within the Site Data Column.

- The proposed parking appears to meet Code requirements as well as ADA requirements regarding the provision of handicap spaces per total number of parking spaces (§115-162).

- Please note that these are informal staff comments and do not prejudice any decision that the Sussex County Planning and Zoning Commission may wish to make as part of the formal application.

- Please reach out to Lauren DeVore with any questions regarding these comments at lauren.devore@sussexcountyde.gov or call the Planning and Zoning Office at (302)855-7878.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 2 and Tier 3 area for sewer service and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.

- 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 & Design Review 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 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. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used.

- The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

- One-time system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and

county sources, as well as private funding sources that also promote affordable housing in Sussex County.

- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

- On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

Constance C. Holland

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning Department