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





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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: 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: May 17th, 2022

RE: Other Business for the June 9th, 2022, Planning Commission Meeting

This memo provides background for the Planning Commission to consider as a part of the Other Business to be reviewed during the June 9th, 2022, Meeting of the Planning & Zoning Commission.

Still Waters, Phase 11 of The Peninsula on Indian River Bay

KS

Final Site Plan

This is a Final Site Plan for the construction of 79 single family condo units as Phase 11 of the Residential Planned Community (RPC) of The Peninsula on Indian River Bay. The plan features a centrally located stormwater management facility, sidewalks that connect to the existing shared path, an emergency access easement to a connecting street, and other site improvements. Ordinance No. 2690 amended the original conditions of approval for the RPC to allow for the increase in single family condo units that are presented in the plan. The Final Site Plan complies with the Zoning Code, Conditions of Approval, and the Master Plan for the community. Tax Parcel: 234-30.00-317.00 & 317.02 and 234-30.00-318.00 through 365.00. Zoning: MR- RPC (Medium Density, Residential Planned Community). Staff are in receipt of all agency approvals.

Mountaire NPW System

KΗ

Preliminary Site Plan

This is a Preliminary Site Plan for the construction of Mountaire NPW System, a water treatment plant within the existing Mountaire facility. The proposed improvements are for the purpose of supporting of the overall operations of industrial poultry processing at Mountaire facility. The industrial uses in the Plan include a plant structure, four (4) 500,000-gallon water storage tanks, a "Maganese Greensans Backwash Recovery Tank", a "Maganese Greensans Filter," and other ancillary structures including a pump station and generator. The improvements would occupy approximately (3.5) acres within the interior of the existing plant complex. The parcel is located on the south side of John J. Williams Highway (Route 24) approximately (0.28) miles east of the intersection of John J. Williams Highway (Route 24) and Hollyville Road (S.C.R. 305). The Preliminary Site Plan complies with the Sussex County Zoning Code. Zoning District: HI-1(Heavy Industrial Zoning District.) Tax Parcel: 234-32.00-117.00. Staff are awaiting agency approvals. If the Commission desire to act favorably on this plan, final approvals are requested to be made by staff upon the receipt of all agency approvals.



Richard Tilghman Preliminary Site Plan

Preliminary Site Plan

This is a Preliminary Site Plan for CU 2254 (Ordinance No. 2794) for a proposed 780 square foot pole building to be used as an auto glass tinting shop. The property is located on the north side of West Line Road (S.C.R. 512). The plan complies with the Sussex County Zoning Code and all conditions of approval that have been established by the Commission. Tax Parcel: 532-19.00-52.00. Zoning District: GR (General Residential) Zoning District. Staff are in receipt of all agency approvals and request final approvals to be made by staff upon the receipt of all agency approvals.

(S-22-11) Wyoming Millworks – Milton Facility Expansion

Preliminary Site Plan

This is a Preliminary Site Plan for the site formerly known as Baker Industrial Park for the development of a 5,000 square foot off building, 5,000 square foot retail building, three (3) 9,600 square foot lumber warehouses, associated parking and other site improvements totaling 38,800 square feet of gross leasable floor area. The property is located on the west side of Gravel Hill Road (S.C.R. 248/Route 30). The Preliminary Site Plan complies with the Sussex County Zoning Code. Zoning District: HI-1 (Heavy Industrial Zoning District.) Tax Parcel: 235-19.00-23.01. If the Commission desire to act favorably on this plan, final approvals are requested to be made by staff upon the receipt of all agency approvals.

(2019-29) Scenic Manor (F.K.A. Estates at Mulberry Knoll)

Request to Amend Conditions of Approval

Following discussions with the Applicant, it has been identified that the Conditions of Approval generate a potential conflicting requirement with the Henlopen Transportation Improvement District (TID) Infrastructure Recoupment Agreement entered into with the County and DelDOT. A request has been received to modify Condition "R" to delete the current language and substitute the following, "the Applicant shall comply with all of the terms and conditions of the Henlopen Transportation Improvement District Infrastructure Recoupment Agreement date March 7, 2022, incorporated herein by reference." The Preliminary Subdivision Plan for the subdivision was approved by the Planning and Zoning Commission at their meeting of Thursday, April 22, 2021. This AR-1 cluster subdivision proposes three-hundred and nineteen (319) single-family lots on 166.83 acres+/-and is located on the east and west side of Mulberry Knoll Road (S.C.R. 284). Tax Parcel: 334-18.00-43.00.

(2021-04) Autumndale (F.K.A. Autumdale & Fairmont)

Request to Amend Conditions of Approval

The Planning and Zoning Department has received a request to amend Conditions of Approval of the Preliminary Subdivision Plan for Autumndale (F.K.A. Fairmont) (2021-04) as approved by the Planning & Zoning Commission at their meeting of Thursday, January 27, 2022. The Commission last reviewed this request at their meeting of Thursday, May 12, 2022, and took no action. This AR-1 cluster subdivision proposes one-hundred and four (104) single-family lots on 73.905 acres +/- and is located on the south side of Hollyville Road (S.C.R. 48), approximately 0.43 mile southwest of the intersection of Harbeson Road (Rt. 5) and Hollyville Road. Tax Parcel: 234-10.00-14.00. Zoning: AR-1 (Agricultural Residential District).

HW

KS

HW

KΗ

(2021-05) Turnberry (F.K.A. Unity Branch)

Request to Amend Conditions of Approval

The Planning and Zoning Department has received a request to amend Conditions of Approval of the Preliminary Subdivision Plan for Turnberry (F.K.A. Unity Branch) (2021-05) as approved by the Planning & Zoning Commission at their meeting of Thursday, January 27, 2022. The Commission last reviewed this request at their meeting of Thursday, May 12, 2022, and took no action. This AR-1 cluster subdivision proposes one-hundred and ninety-six (196) single-family lots on 135.524 acres +/- and is located on the east and southeast side of Hollyville Road, approximately 0.8 miles south of Hurdle Ditch Road (S.C.R. 290). Tax Parcels: 234-16.00-1.01, 1.02, 3.00, 4.00 and 5.00. Zoning: AR-1 (Agricultural Residential District).

(2021-11) Lightship Cove (F.K.A. Fisher Road)

HW

HW

Request to Amend Conditions of Approval

The Planning and Zoning Department has received a request to amend Conditions of Approval for the Preliminary Subdivision Plan for Lightship Cove (F.K.A. Fisher Road) (2021-11) as approved by the Planning and Zoning commission at their meeting of Thursday, December 9, 2021. The Commission last reviewed this request at their meeting of Thursday, May 12, 2022, and took no action. This AR-1 cluster subdivision proposes ninety-seven (97) single-family lots on 48.93 acres +/- and is located on the south side of Fisher Road (S.C.R. 262). Tax Parcel: 334-10.00-69.00. Zoning: AR-1 (Agricultural Residential District).

(2021-12) Miralon (F.K.A. Cool Spring)

KΗ

Request to Amend Conditions of Approval

The Planning and Zoning Department has received a request to amend Conditions of Approval of the Preliminary Subdivision Plan for Miralon (F.K.A. Cool Spring) (2021-12) as approved by the Planning & Zoning Commission at their meeting of Thursday, January 27, 2022. The Commission last reviewed this request at their meeting of Thursday, May 12, 2022, and took no action. This AR-1 cluster subdivision proposes one-hundred and forty-four (144) single-family lots on 72.02 acres +/- and is located on the northeast side of Cool Spring Road (S.C.R 290). Tax Parcels: 234-5.00-37.00. Zoning: AR-1 (Agricultural Residential District).

Headwater Cove Amenities Plan

Preliminary Amenities Plan

This is an Amenities Plan for the construction of a 4,425 square foot clubhouse, multiuse courts, mailboxes, a fenced pool, parking, and other site improvements for the Headwater Cove residential subdivision. Headwater Cove (2017-19) received Final Subdivision Plan approval from the Planning and Zoning Commission at their meeting of April 11th, 2019. The subdivision created 163 single family lots. Staff note that a portion of the multi-use courts is permitted to exist within the 50-foot buffer. Additionally, the interconnectivity easement was slightly relocated to the north; however, it is consistent with the original condition that was set as it is still "within the vicinity of the pool and parking lot area. The Preliminary Amenities Plan complies with the Sussex County Zoning Code and all conditions of approval for the subdivision. Tax Parcel: 234-11.00-66.00. Zoning: AR-1. Staff are in receipt of all agency approvals; therefore, the plan is eligible for preliminary and final approvals.

Lands of RDL Properties, LLC

ВМ

Minor Subdivision off a 20-foot easement

This is a Minor Subdivision Plan for the creation of two (2) additional lots and residual lands off of a 20' wide ingress/egress access easement. Proposed Lot 1 consists of approximately 0.58 +/- acres;

Proposed Lot 2 consists of approximately 0.39 +/- acres; the residual lands will consist of approximately 0.90 +/- acres. The property is located on the east side of Charley's Run, a private road south of Fred Hudson Road (S.C.R. 360). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 134-13.00-87.00. Zoning: MR (Medium Residential District). If the Commission desire to act favorably on this plan, final approvals are requested to be made by staff upon the receipt of all agency approvals.

Lands of Timothy & Jessica Tice

BM

Minor Subdivision off a 20-foot easement

This is a Minor Subdivision Plan for the creation of one (1) additional lot and residual lands off of a 20' wide ingress/egress access easement. Proposed Lot 1 consists of approximately 0.0.76 +/- acres and the residual lands will consist of approximately 1.16 +/- acres. The property is located on the east side of Charley's Run, a private road south of Fred Hudson Road (S.C.R. 360). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 134-13.00-86.00. Zoning: MR (Medium Residential District). If the Commission desire to act favorably on this plan, final approvals are requested to be made by staff upon the receipt of all agency approvals.

Lands of Four C's

Minor Subdivision off a 30-ft easement

This is a Minor Subdivision Plan for the creation of two (2) lots plus residual lands off of a 30-foot access easement. Proposed 1 will be 0.4594 acres +/-. Lot 2 will be 0.7178 acres +/-. The residual parcel will be 0.5953 acres +/-. The property is located on the north side of New Road (S.C.R. 266). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 335-8.00-146.00. Zoning: AR-1 (Agricultural Residential). Staff are awaiting agency approvals. If the Commission desires to act favorably, final approvals are requested to be made my staff.

Lands of Sunshine Drive, LLC

BM

Minor Subdivision off a 50-foot easement

This is a Minor Subdivision Plan to propose the creation of one additional lot and residual lands off of a 50' wide ingress/egress access easement. Proposed Lot 1 consists of approximately 0.97 +/-acres; Proposed Lot 2 consists of approximately 1.00 +/- acres; the residual land will consist of approximately 1.96 +/- acres. The property is located on the west side of Marsh Road (S.C.R. 521). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 231-7.00-38.01. Zoning: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals.

Lands of Dennis Paquette

KS

Minor Subdivision off a 50-ft easement

This is a Minor Subdivision Plan for the subdivision of a 23.856 acre +/- parcel of land into one (1) lot and residual lands off a proposed 50-foot ingress/egress easement. Proposed Lot 1 consists of 6.871 acres +/- and the residual lands consist of 16.985 acres +/-. The property is located on the northwest side of Ponder Road (S.C.R. 232). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 230-20.00-14.03. Zoning: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals and request Final by Staff.

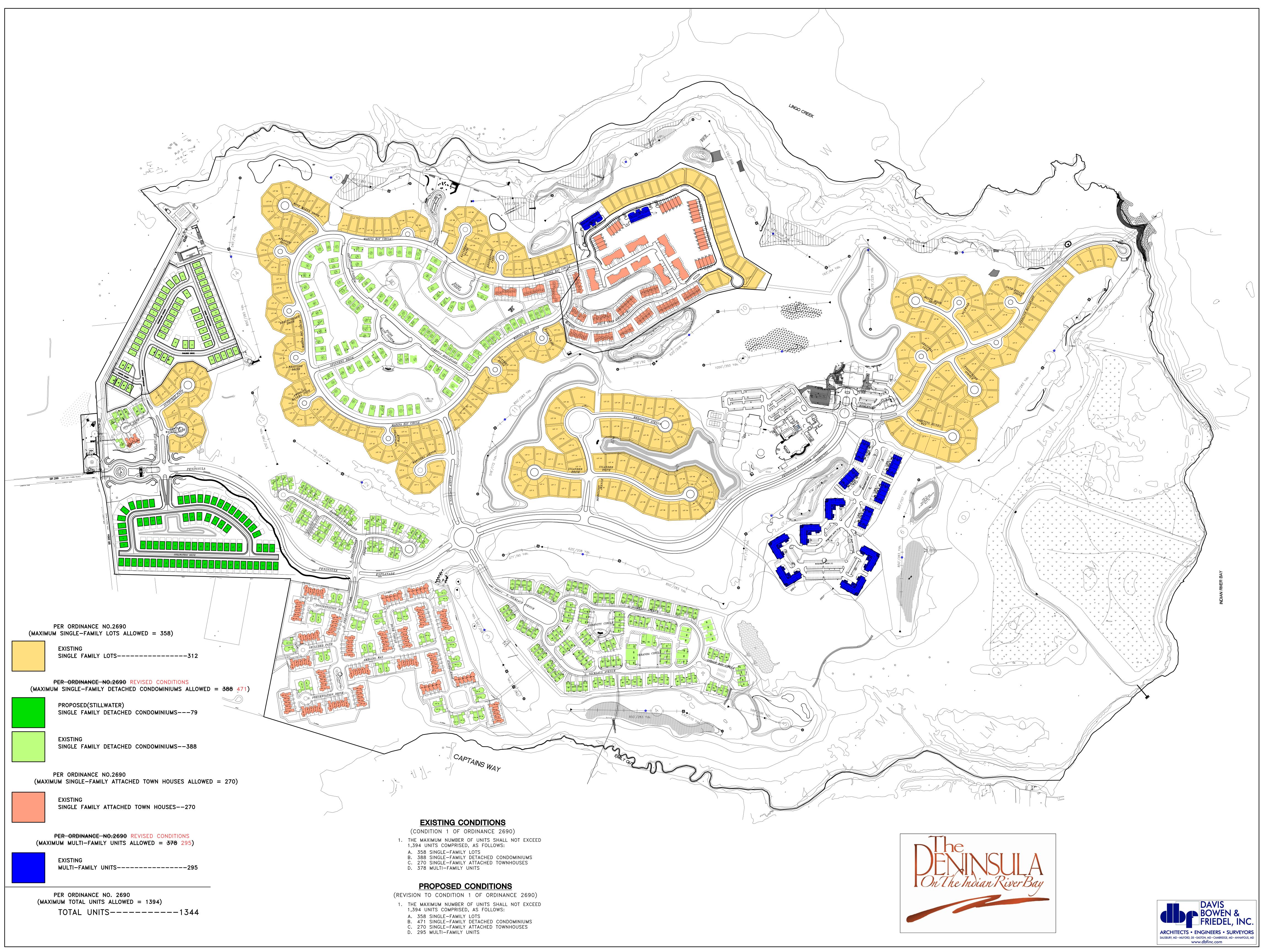
Lands of Yoder Properties, LLC

BM

Minor Subdivision off a 50-foot easement

Other Business Memo for June 9th, 2022 Page 5

This is a Minor Subdivision Concept Plan to propose the subdivision of an 8.5 acres +/- parcel into three (3) lots and residual lands. The lots will be located off of a proposed 50' wide ingress/egress access easement over an existing paved road. Proposed Lot 1 and Proposed Lot 2 each consist of approximately 1.3 acres +/-; Proposed Lot 3 consists of approximately 3.2 acres +/-; the residual land consists of approximately 2.7 acres +/-. The property is located on the west side of Saint Johnstown Road (S.C.R. 600). 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: 430-5.00-23.00.



LOCATION MAP SCALE: 1" = 1/2 MILE FLOODPLAIN MAP DnA SOILS MAP SCALE: 1" = 800DnA - DOWNER LOAMY SAND, 0 TO 2% SLOPES, HSG A FMA - FORT MOTT LOAMY SAND, 0 TO 2% SLOPES, HSG A FMB - FORT MOTT LOAMY SAND, 2 TO 5% SLOPES, HSG A IeA - INGLESIDE LOAMY SAND, 0 TO 5% SLOPES, HSG A

PHASE 11 - STILL WATERS

THE PENINSULA ON INDIAN RIVER BAY INDIAN RIVER HUNDRED SUSSEX COUNTY, DELAWARE RECORD PLAN SUBDIVISION 2021-2

AUGUST, 2021

DBF # 1319A052

| TAX MAP ID: | 2-34-30.00-317.00, 317.01 & 317.02 | RECORD PLANS |
|---|--|--|
| DEED DEE | 2-34-30.00-318.00 THRU 365.00 | RECORD PLAN - TITLE SHEET V-100 |
| DEED REF: | D 4942/337 | RECORD PLAN V-101 |
| <u>DATUM</u> VERTICAL: HORIZONTAL: | NAVD 88 NAD 83(DE STATE PLANE) | RECORD PLAN - TYPICAL SECTIONS V-102 |
| LAT/LON: #1 IRON ROD WITH CAP SET BENCHMARK: NORTH WEST SID LAT: 224,770.65 LON: 723 | DE 3,644.57 | |
| #2 IRON ROD WITH CAP SET BENCHMARK: NORTH WEST SID LAT: 225,137.96 LON: 723 | | |
| EXISTING ZONING: | MR-RPC(MEDIUM DENSITY RESIDENTIAL/ RESIDENTIAL PLANNED COMMUNITY) | |
| PROPOSED USE: | RESIDENTIAL DEVELOPMENT | |
| TOTAL PROPOSED SITE AREA: | 20.531 ACRES | BAY FARM ROAD |
| PROPOSED UNITS: DENSITY: | 79 SINGLE FAMILY (CONDO OWNERSHIP) | BENCHMARK #1 |
| DENSITY: MAXIMUM: PROPOSED: | 4.0 UNITS PER ACRE 3.9 UNITS PER ACRE | IRON ROD W/ CAP SET + + + + + + + + + + + + + + + + + + + |
| PROPOSED CONSTRUCTION: | WOOD/CONCRETE BLOCK | |
| AREAS: PARCEL A: PARCEL B: PARCEL C: PARCEL D: PARCEL E: PARCEL F: PARCEL G: PARCEL H: PARCEL I: | 1.991 AC 1.995 AC 3.359 AC 0.805 AC 2.009 AC 2.231 AC 2.479 AC 0.603 AC 1.146 AC | PE P |
| PARCEL J: | 1.115 AC | |
| EASEMENT AREA: | 2.798 AC | |
| TOTAL SITE AREA | 20.531 AC | |
| IMPERVIOUS AREAS: PAVEMENT(STREETS): SIDEWAYS: DRIVEWAYS: BUILDINGS: TOTAL IMPERVIOUS AREAS: | 1.630 AC 0.307 AC 0.751 AC 6.229 AC 8.917 (43.4%) | PE — |
| SETBACK REQUIREMENTS SINGLE FAMILY | | |
| FRONT YARD: SIDE YARD: REAR YARD: | 10 FT. (20' AGG. FRONT AND REAR) 10 FT. 10 FT. | BM BENCHMARK #2 |
| BUILDING HEIGHT: | 42 FT. MAX. 3-1/2 STORIES | IRON ROD W/ CAP SET ELEV. = 17.51' |
| <u>PARKING</u> REQUIRED: PROVIDED: | 2 SPACES PER FAMILY UNIT (79 TOTAL) 158 SPACES 158 SPACES | |
| JTILITIES: SANITARY SEWER: | SUSSEX COUNTY SEWER (LONG NECK SANITARY SEWER DISTRICT) | 0' 150' 300' |
| WATER SUPPLY: | TIDEWATER UTILITIES INC. | LEGEND |
| FLOOD HAZARD MAP: | THE PROPERTY IS NOT IMPACTED BY THE 100 FLOODPLAIN AS DETERMINED BY FEMA MAP 10005C0481K (DATED MARCH 16, 2015). | YEAR PROPERTY BOUNDARY LINE PROPERTY LABEL PROPERTY LABEL |
| | · | — — — — PROPOSED PARCEL LINE |
| DWNER/DEVELOPER: DA-BP MARINA BAY-LAKESIDE, | LLC. | IRON ROD WITH CAP SET |
| GREG TOBIAS 20184 PHILLIPS STREET | | CONCRETE MONUMENT SET |
| REHOBOTH BEACH, DE 19971 GREG © OACOMPANIES.COM | | PROPERTY CORNER LOCATE CURB 18' |
| ENGINEER: | | |
| ENGINEER: DAVIS, BOWEN & FRIEDEL, INC. CLIFTON D. MUMFORD, P.E. | | |

TYPICAL SINGLE FAMILY DETAIL

DAVIS, BOWEN & FRIEDEL, INC. by CLIFTON D. MUMFORD, P.E.

I, CLIFTON D. MUMFORD, 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.

CHAIRMAN OR SECRETARY OF THE COMMISSION

PRESIDENT OF THE SUSSEX COUNTY COUNCIL

OWNER'S STATEMENT

the record including implementation of a stormwater facility management program.

issuance of all other permits and the filing of an approved master plan or final site plan.

I, GREG TOBIAS, MANAGING MEMBER OF OCEAN ATLANTIC-BP INVESTORS AND MANAGER OF OA-BP MARINA BAY-LAKSIDE, LLC., HEREBY CERTIFY THAT OA-BP MARINA BAY-LAKESIDE. LLC. IS THE OWNER OF THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAT; THAT THIS SUBDIVISION PLAT THEREOF WAS MADE AT THEIR DIRECTION; THAT ALL STREETS SHOWN HEREON ARE TO BE PRIVATE RIGHT-OF-WAYS AND ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION; THAT ALL PROPOSED STREET CONTROL MONUMENTS WILL BE SET AT THE LOCATIONS SHOWN, AND THAT THEY ACKNOWLEDGE THE SAME TO BE

V-100

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

DAVIS, BOWEN & FRIEDEL, INC.

ARCHITECTS, ENGINEERS & SURVEYORS

SALISBURY, MARYLAND (410) 543-9091

1 PARK AVENUE

MILFORD, DE 19963

PHONE:(302) 424-1441 FAX:(302) 424-0430

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

SUSSEX CONSERVATION DISTRICT ENGINEER'S STATEMENT

GENERAL NOTES:

0.2% ANNUAL CHANCE FLOOD PLAIN.

GENERAL OR PUBLIC ACCESS RIGHTS.

12. NO BOUNDARY TREATMENT/FENCING IS PROPOSED

358 Single—Family Lots

295 Multi—Family Units

required by DeiDOT.

471 Single-Family Detached Condominiums 270 Single-Family Attached Town Houses

Residential building permits shall not exceed 300 per year.

facility shall be no less than 50' from adjacent properties.

areas, except where authorized by Federal or State permits.

4. Site plan review shall be required for each phase of development.

RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.

7. TOPOGRAPHIC SURVEY DATA PROVIDED BY DAVIS, BOWEN, & FRIEDEL, INC.

SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.

1. STREETS, STORMWATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNER'S ASSOCIATION CAN PROVIDE FOR REQUIRED MAINTENANCE, SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE FACILITIES WITHIN THE

2. SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY SHOWN ON THIS PLAN ARE PRIVATE AND ARE TO BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS OR BOTH. THE STATE ASSUMES NO MAINTENANCE

3. THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS

5. BASED UPON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0481K, DATED MARCH 16, 2015; THE ENTIRE

4. ACCESS TO ALL LOTS SHALL BE PROVIDED FROM THE PRIVATE SUBDIVISION STREETS PROPOSED WITH THIS PLAN. NO DIRECT ACCESS TO PUBLIC STREETS IS PROPOSED EXCEPT THE ENTRANCES SPECIFICALLY SHOWN ON THIS PLAN.

6. THE BOUNDARY INFORMATION SHOWN IN THESE PLANS ARE BASED ON FIELD SURVEYS PERFORMED BY McCRONE, INC.

8. THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING

10. IN ADDITION TO EASEMENTS SHOWN ON THIS PLAN, A TEN (10) FOOT WIDE BLANKET EASEMENT ALONG THE FRONT ACCESS EASEMENT IS HEREBY DEDICATED TO BE AVAILABLE FOR ANY UTILITY AND DRAINAGE USE, UNLESS NOTED

CREATE ANY GENERAL PUBLIC UTILITY EASEMENT OR ANY GENERAL OR PUBLIC ACCESS RIGHTS.

9. UTILITY EASEMENTS DEPICTED HEREON REPRESENT, TO THE GREATEST EXTENT PERMITTED BY LAW. PRIVATE EASEMENTS FOR THE EXCLUSIVE USE AND BENEFIT OF THOSE UTILITY COMPANIES AND/OR OTHER PROVIDERS OF SERVICES TO THE DEVELOPMENT AS MAY BE DESIGNED BY OWNER, OR ITS SUCCESSORS AND ASSIGNS, FROM TIME TO TIME BY AN

INSTRUMENT IN WRITING, AND IN NO WAY GRANT, CONVEY OR CREATE ANY GENERAL PUBLIC UTILITY EASEMENT OR ANY

11. UNLESS OTHERWISE DESIGNATED BY OWNER, OR ITS SUCCESSORS AND ASSIGNS, FROM TIME TO TIME BY AN INSTRUMENT IN WRITING, STORM DRAIN EASEMENTS DEPICTED HEREON REPRESENTS PRIVATE EASEMENTS TO ACCESS THE STORM DRAINS FOR THE SOLE PURPOSE OF MAINTAINING AND REPAIRING SUCH STORM DRAINS, AND IN NO WAY GRANT, CONVEY OR

13. ANY ADDITIONAL ACCESSORY STRUCTURES ASSOCIATED WITH THE MULTIFAMILY DWELLINGS SHALL BE SUBJECT TO SITE

ADDITION, THE ASSOCIATION SHALL MAINTAIN THE CEMETERIES LOCATED WITHIN THE PROJECT. ACCESS TO THE CEMETERIES SHALL NOT BE DENIED TO FAMILY MEMBERS OF THE PERSONS INTERRED IN THE CEMETERIES.

15. THE COMMON AREA WILL NOT INCLUDE, AMONG OTHER THINGS, THE GOLF COURSE PARCEL, CLUBHOUSE OR OTHER

17. A 5' EASEMENT FROM THE CENTER OF ALL WATER MAINS IS HEREBY GRANTED TO TIDEWATER UTILITIES, INC. THE

CONDITIONS OF APPROVAL (ORDINANCE NO. 1573)

(Ordinance 2684, approved by County Council on October 8, 2019 amended Condition #1) (Ordinance 2690, approved by County Council on December 7, 2021 amended Condition #1) The maximum number of units shall not exceed 1,394 units comprised, as follo

. Commercial building area shall not exceed 10,250 square feet within this project.

showing the proposed tree and shrub landscaping design for the project.

completed within two (2) years of the issuance of the first building permit.

11. The RPC shall be served by an existing or an extended Sussex County sanitary sewer district.

EASEMENT INCLUDES ALL WATER MAINS, FIRE HYDRANTS, AND APPURTENANCES AND SHALL BE 5' ON EITHER SIDE OF

5. An underground gas storage facility for service to this project only shall be permitted subject to approval by the Office of the State Fire Marshal, and other agencies with jurisdiction, and subject to site plan approval by the Commission. The

6. The interior street design shall be in accordance with or exceed Sussex County street design requirements. Street design shall include curbs, sidewalks, and street lighting. Applicant shall submit as part of the site plan review a landscape plan

7. All entrances, intel'Sections, roadway improvements, and multi-modal facilities required by DeiDOT shall be completed by the applicant as required by DeiDOT in its letter of April 23, 2002, or in accordance with any further modification

8. The Applicant, its successors, or assigns, shall operate and maintain a community shuttle bus service to shopping areas and connecting to bus stops operated by DART. The service and location shall be subject to review and comment by DART and DeiDOT and subject to site plan review by the Commission. The service and any related improvements shall be

9. Within one (1) year of the approval of the master plan, the applicant shall coordinate with the State, County, and other local emergency planning offices in the development and implementation of an emergency evacuation procedure for the

12. The RPC shall be served by a central water system providing adequate drinking water and fire protection as required by 13. Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements. If it is determined that additional areas are required for stormwater management, parking, or other use, the additional area shall be taken from lot areas, not designated Federal or State wetlands or open space areas. 14. State wetlands shall not be included in individual lots. Federal and State wetlands shall be maintained as non—disturbance

10. Recreational facilities, e.g., tennis courts, swimming pool, community buildings, pathways, trails, and beaches shall be constructed and open to use by the residents within two (2) years of the issuance of the first building permit.

15. No piers, docks, boat ramps, or other water related recreational facilities shall be permitted adjacent to Emily's Gut. 16. No individual boat docks or boat launching facilities for motorized boats shall be permitted except a community water

20. No site preparation, site disturbance, site excavation or other site construction shall be commenced until all permits required by all other laws, ordinances, rules and regulations shall have been issued and the approved final site plan is recorded, except such site work for which a (continued) permit has been issued by the Sussex Conservation District. The site work authorized by the Sussex Conservation District permit may be commenced upon submission of copies of the application for permits from the Sussex County Engineering Department and DeiDOT to the Director of Planning and

18. The Applicant shall cause to be formed a homeowners' association to be responsible for the maintenance of the streets,

roads, buffers, stormwater management facilities, and other common areas. In addition, the association shall maintain the cemeteries located within the project. Access to the cemeteries shall not be denied to family members of persons 19. The Applicant, its successors, and assigns shall operate the stormwater management facilities and the golf course in a manner consistent with the Best Management Practices (BMPs) set forth in the applicants exhibits submitted as part of

Zoning and submission of a bond in an amount equal to 125% of the cost of the site work authorized by the Sussex Conservation District permit and in a form acceptable to the County Attorney. The bond shall be released upon the

21. Road naming and addressing shall be subject to the approval of the Sussex County Mapping and Addressing Department.

17. No on—site or individual storage of motorized boats, personal watercraft, trailers, or campers shall be permitted.

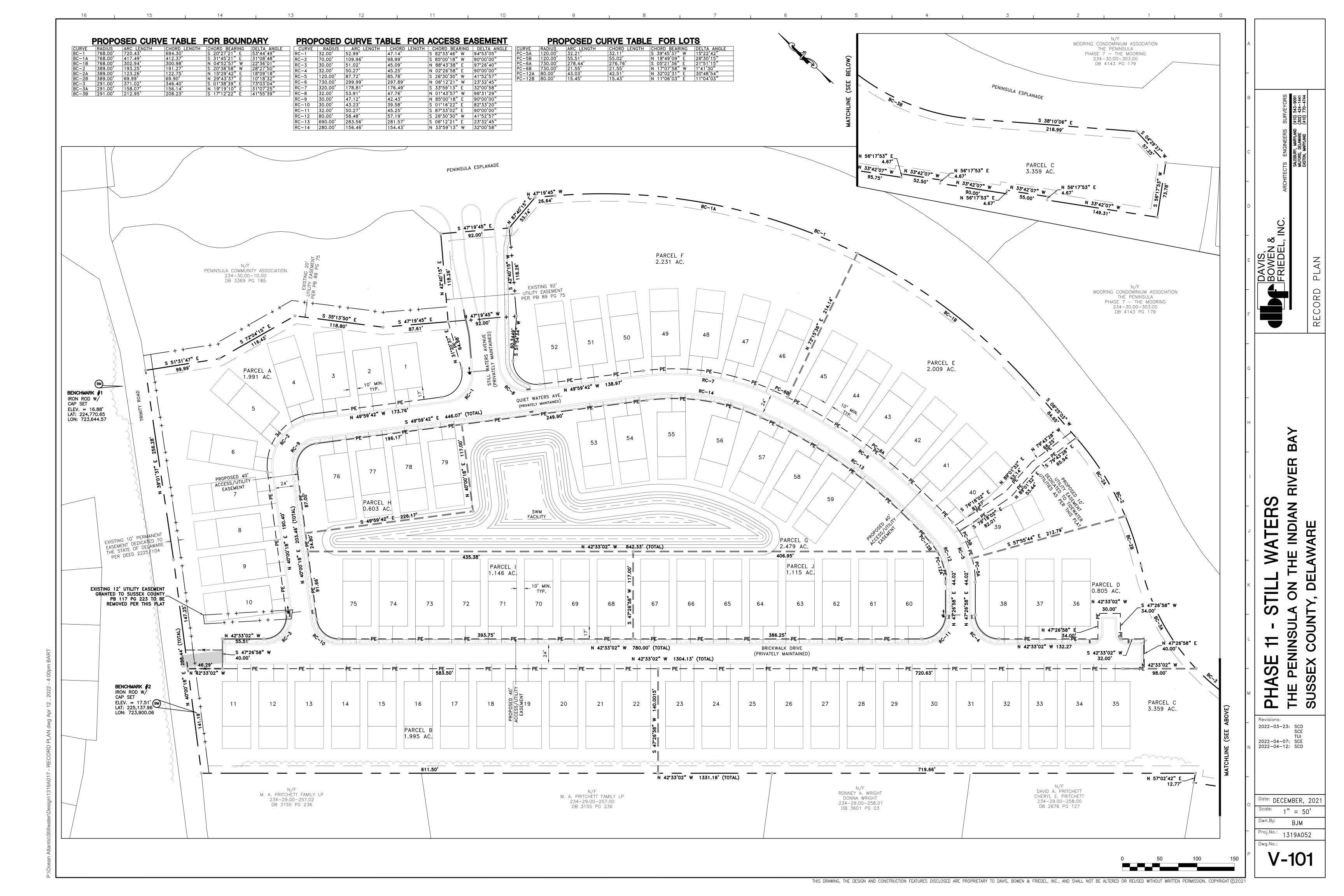
THE PIPE TO ALLOW TIDEWATER UTILITIES, INC. TO PERFORM MAINTENANCE ON THEIR WATER DISTRIBUTION SYSTEM.

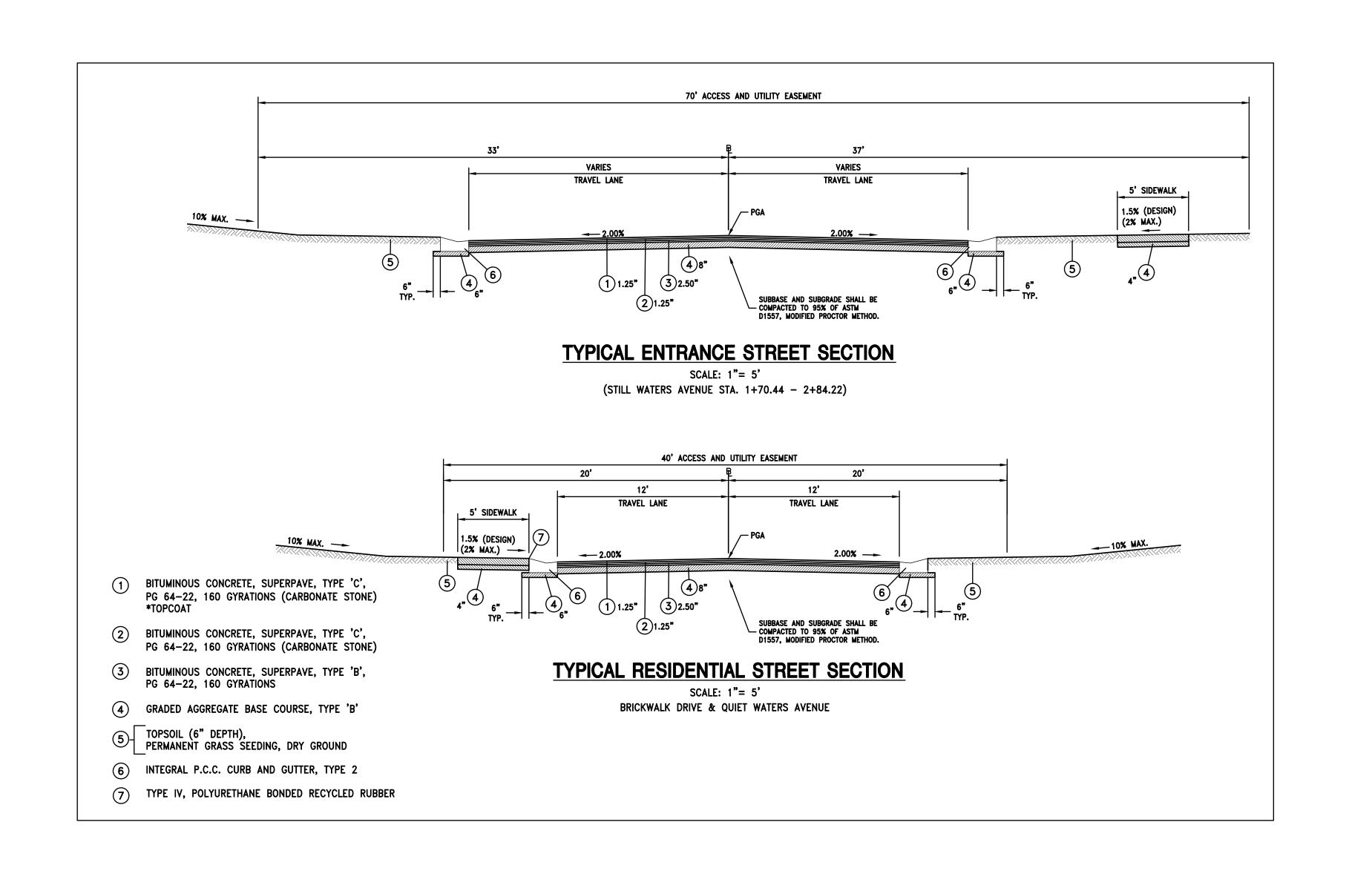
16. THE HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE STROMWATER DRAINAGE AND MANAGEMENT FACILITIES RELATED TO THE RESIDENTIAL PROPERTIES, HOMEOWNERS' ASSOCIATION PROPERTIES AND ROAD RIGHT-OF-WAY WITHIN THE PROJECT. THE HOMEOWNERS' ASSOCIATION SHALL ALSO BE RESPONSIBLE FOR THE MAINTENANCE OF THE STORMWATER DRAINAGE AND MANAGEMENT FACILITIES THAT CONVEY STORMWATER FROM THESE THREE AREAS THROUGH THE GOLF COURSE PROPERTIES. HOWEVER, MAINTENANCE OF THE PORTION OF THE STORMWATER DRAINAGE AND MANAGEMENT FACILITIES RELATED TO THE GOLF COURSE SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE GOLF COURSE PROPERTIES. ALL STORMWATER MANAGEMENT FACILITIES SHALL BE MAINTAINED IN A SATISFACTORY CONDITION AS REQUIRED BY SUSSEX COUNTY, DELAWARE AND IN ACCORDANCE WITH THE DEVELOPER'S RESTRICTIVE COVENANTS ON GOLF COURSE PROPERTIES ENTERED INTO BY AND BETWEEN THE DEVELOPER AND THE HOMEOWNERS' ASSOCIATION (THE "GOLF COURSE COVENANTS"). SHOULD THE OWNER OR OWNERS OF THE GOLF COURSE PROPERTIES DEFAULT IN THE MAINTENANCE OF THE STORMWATER DRAINAGE AND MANAGEMENT FACILITIES. THE HOMEOWNERS' ASSOCIATION SHALL HAVE THE RIGHT TO MAINTAIN THE FACILITIES SUBJECT TO THE TERMS AND CONDITIONS OF THE

14. THE OWNER SHALL CAUSE TO BE FORMED A HOMEOWNERS' ASSOCIATION TO BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF THE STREETS, ROADS, BUFFERS, STORMWATER MANAGEMENT FACILITIES, AND OTHER COMMON AREAS. IN

PROPERTY IS LOCATED IN AN AREA DESIGNATED AS ZONE "X" (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE

THEIR ACT AND DESIRE THIS PLAT BE RECORDED ACCORDING TO LAW.





DAVIS, BOWEN & FRIEDEL, INC.

PHASE 11 - STILL WATERS

THE PENINSULA ON THE INDIAN RIVER BAY

SUSSEX COUNTY, DELAWARE

Date: DECEMBER, 2021
Scale: 1" = 5'

2022-04-07: SCE 2022-04-12: SCD

Dwn.By: TCB
Proj.No.: 1319A052

V-102

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P:\Ocean Atlantic\Stillwater\Design\1319A017 - RECORD PLAN TYPICAL SECTIONS.dwg Apr 1



MASTER STORMWATER MANAGEMENT PLAN: WATER TREATMENT PLANT SUBMITTAL (WTP)

ME, AND THAT I AM A DULY LICENSED THE STATE OF DELAWARE, LICENSE NO. 13538 EXPIRATION DATE 06/30/2022.

SITE DATA

 OWNER REPRESENTATIVE/DEVELOPER: MOUNTAIRE FARMS OF DELAWARE, INC. 29005 JOHN J. WILLIAMS HIGHWAY MILLSBORO, DE 19966 (302) 934-3092

SHEVNER@MOUNTAIRE.COM SITE WORK

ENGINEER: 119 NAYLOR MILL ROAD, SUITE 3 SALISBURY, MD 21801 CONTACT: ROBERT KANE, P.E. (410) 548-1492

FAX (410) 548-2055

2. TAX MAP 234-32.00-117.00 TOTAL AREA = 639.00 AC.± PROJECT AREA (NET DEVELOPMENT AREA) = 35.68 AC.±

CURRENT ZONING: HI-1 HEAVY INDUSTRIAL

- PROPERTY IS LOCATED IN FLOOD ZONE X (SHADED) AREAS OF 0.5% ANNUAL CHANCE FLOOD PER FEMA FIRM MAP NUMBER 10005C0457K EFFECTIVE
- RECORD SURVEY FOR THE LANDS OF MOUNTAIRE FARMS OF DELAWARE, INC.", DATED NOVEMBER 21, 2018 AND PREPARED BY McCRONE AND RECORDED IN THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE. HORIZONTAL DATUM IS DELAWARE STATE PLANE COORDINATE SYSTEM NAD 83/2007 AND VERTICAL DATUM IS NAVD 88.

PsA - PEPPERBOX-ROSEDALE COMPLEX

- WATER FOR THE PROJECT SITE IS TO BE SUPPLIED BY ONSITE POTABLE
- ALL FIRE LANES. FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.

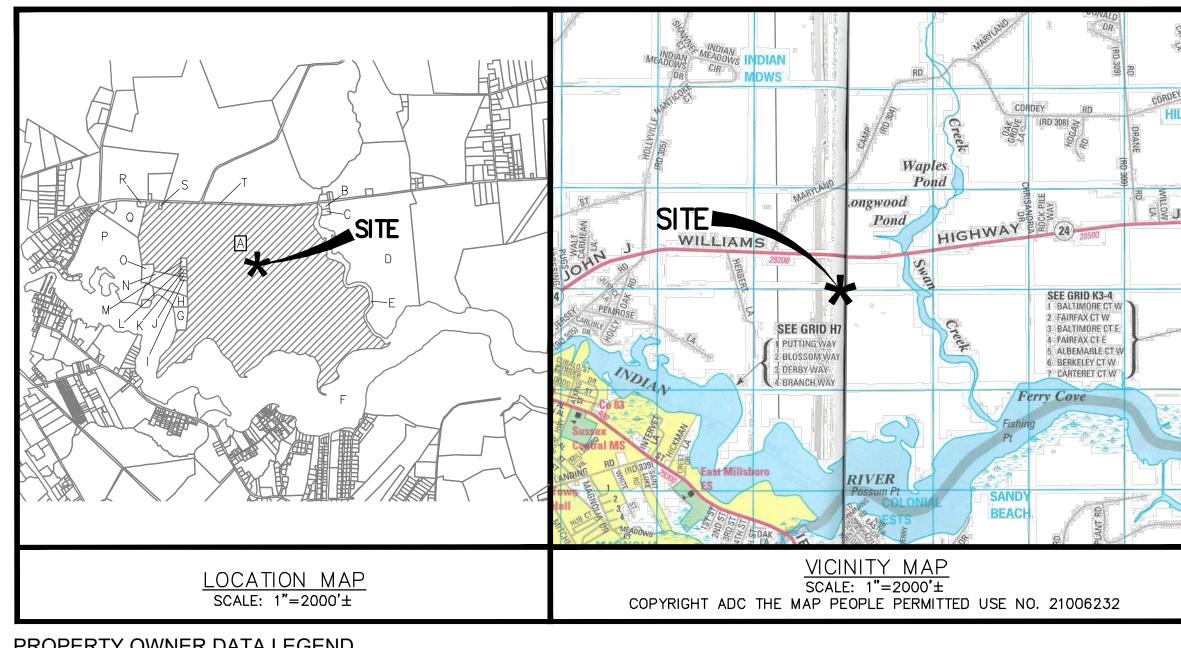
SETBACK REQUIREMENTS FRONT YARD = 50' SIDE YARD = 20'

REAR YARD = 20' OR 40' ADJACENT TO RESIDENTIAL PROPERTY

- 10. GROUND WATER RECHARGE AREA IS MODERATELY WELL DRAINED.
- 11. BUILDING/TANK HEIGHT: WATER TREATMENT PLANT: 250,000 GAL WATER TANK (2): 500,000 GAL WATER TANK (2): CHEMICAL STORAGE TANKS (5): UF BACKWASH RECOVERY SYSTEM: MANGANESE GREENSAND BACKWASH RECOVERY TANK:

12. PARKING: LOADING SPACES: (2) 12' X 40'

- 13. NO WETLANDS ARE PRESENT WITHIN THE LOD OF THE PROJECT.
- 14. THE PROJECT LOD IS NOT LOCATED WITHIN A WELLHEAD PROTECTION AREA.
- 15. IMPERVIOUS COVERAGE WITHIN LOD: ±2.31 AC/ 55%



PROPERTY OWNER DATA LEGEND

- A. MOUNTAIRE FARMS OF DELAWARE INC; TAX MAP 234-32.00-117.00; BOOK 2794 PAGE 135
- B. CLARK MAYOLA *FOR LIFE*; TAX MAP: 234-33.00-6.00; BOOK 3996 PAGE 145 C. CLARK MAYLOR *FOR LIFE*; TAX MAP: 234-33.00-7.02; BOOK 3996 PAGE 145
- D. FERRY COVE LLC; TAX MAP: 234-33.00-8.00; BOOK 2889 PAGE 287
- E. SWAN CREEK F. INDIAN RIVER
- G. MOUNTAIRE FARMS OF DELAWARE INC; TAX MAP: 234-32.00-116.00; BOOK 2794 PAGE 135 H. MURRAY RANDY K; TAX MAP: 234-32.00-115.00; BOOK 4711 PAGE 246
- I. TAYLOR PATSY & LINCOLN TAYLOR; TAX MAP: 234-32.00-114.00; BOOK 2062 PAGE 119
- J. BURTON FAY E; TAX MAP: 234-32.00-113.02; BOOK 2062 PAGE 214 K. WISE PRESTON LEROY; TAX MAP: 234-32.00-113.03; BOOK 831 PAGE 12
- L. WISE MARTHA V JUNIOR LEE; TAX MAP: 234-32.00-113.00; BOOK 2638 PAGE 90 M. REID DONNA M & JAMES A; TAX MAP: 234-32.00-113.04; BOOK 3569 PAGE 265
- N. MURRAY RANDY K; TAX MAP: 234-32.00-113.01; BOOK 4711 PAGE 240
- O. MURRAY RANDY K; TAX MAP: 234-32.00-111.00; BOOK 4711 PAGE 243 P. J. Y. PARKER FAMILY LIMITED; TAX MAP: 234-32.00-110.00; BOOK 4488 PAGE 90
- Q. JOHNSON STANLEY L; TAX MAP: 234-32.00-109.00; BOOK 4860 PAGE 253
- R. JOHNSON ROBERT A; TAX MAP: 234-32.00-108.00; BOOK 4882 PAGE 347 S. MOUNTAIRE FARMS OF DELAWARE INC; TAX MAP: 234-32.00-107.00; BOOK 2794 PAGE 135 T. JOHN J WILLIAMS HIGHWAY

C8 SITE & GRADING PLAN C8.1 SITE PLAN DETAILS EROSION & SEDIMENT C9.1 EROSION & SEDIMENT C9.2 EROSION & SEDIMENT C10 POST CONSTRUCTION M C10.1 POST CONSTRUCTION F C10.2 STORMWATER DETAILS C11 FIRE MARSHAL PLAN

DRAWING INDEX

COVER SHEET

| | OVERALL EXISTING CONDITIONS | | 1.00.01 | I D. 100.01 |
|----|--|------------------------|--------------|-----------------|
| | OVERALL PROPOSED CONDITIONS | LOW POINT LABEL | x LP: 100.01 | × LP: 100.01 |
| | PRECONSTRUCTION DRAINAGE AREA MAP | SPOT ELEV. LABEL | × 100.01 | x 100.01 |
| | POST CONSTRUCTION DRAINAGE AREA MAP EXISTING CONDITIONS (WTP) | FLOW ARROW | | ~ ~ |
| | SITE & GRADING PLAN (WTP) | MAJOR CONTOUR - | 25 | <u>25</u> |
| | SITE PLAN DETAILS | MINOR CONTOUR | 24 | 24 |
| | EROSION & SEDIMENT CONTROL PLAN EROSION & SEDIMENT CONTROL DETAILS | EDGE OF GRAVEL | | |
| 2 | EROSION & SEDIMENT CONTROL DETAILS | EDGE OF DIRT ROAD | | |
| .1 | POST CONSTRUCTION MANAGEMENT PLAN POST CONSTRUCTION PROFILES | GRAVEL HATCH | | |
| 2 | STORMWATER DETAILS FIRE MARSHAL PLAN | BUILDING OUTLINE - | | |
| | THE WATER PLAN | STORM PIPE | SD | ST |
| | | CATCH BASIN | | |
| | | STORM MANHOLE | | 0 |
| | | GRAVEL PAVE | | 05050505 |
| | | POND OUTLINE | | |
| | | ROAD CENTERLINE | | |
| | | IRRIGATION TRACK | | 100 |
| | | LIMITS OF DISTURBANCE | | LOD |
| | LIMITS OF D | ISTURBANCE/SILT FENCE | | ——— LOD-SF ———— |
| | | SILT FENCE | | SF——SF |
| | STORM [| DRAIN INLET PROTECTION | | IP-2 |
| | | | | |
| | | | | |

LEGEND

| OWNER / DEVELOPER CERTIFICATE | | | | | | |
|--|--|--|--|--|--|--|
| I HEREBY CERTIFY THAT THE CONSTRUCTION PLANS ARE BEING SUBMITTED WITH MY FULL KNOWLEDGE AND CONSENT AND IS IN ACCORDANCE WITH MY DESIRES AS OWNER / DEVELOPER. | | | | | | |
| TITLE | | | | | | |
| DATE | | | | | | |
| OWNER'S NAME: MOUNTAIRE FARMS OF DELAWARE, INC. | | | | | | |
| ADDRESS: 29005 JOHN J. WILLIAMS HIGHWAY, MILLSBORO, DE 19966 TELEPHONE: (302) 934-3092 | | | | | | |
| | | | | | | |

| SITE DESIGNER CERTIFICATION | |
|--|------|
| I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LO ORDINANCES. | |
| ROBERT KANE, P.E. McCRONE 119 NAYLOR MILL ROAD, SUITE 6 SALISBURY, MD. 21801 PHONE # 410-548-1492 FAX # 410-548-2055 | DATE |

SHEET NO.:

EXCAVATION AND EMBANKMENT:

- 1. EXCAVATION AND EMBANKMENT SHALL CONSIST OF THE REMOVAL AND FINAL DISPOSAL, AS FURTHER SPECIFIED, OF ALL MATERIALS EXCEPT THOSE SPECIFIED UNDER CLEARING AND GRUBBING AND TRENCH EXCAVATION TAKEN FROM WITHIN THE LIMITS OF THE WORK CONTRACTED FOR AND NECESSARY FOR THE PREPARATION AND CONSTRUCTION OF VARIOUS ELEMENTS OF THE WORK, ON THE LINES AND GRADES SHOWN ON THE PLANS, PROFILES, AND CROSS-SECTIONS OR AS DIRECTED. IT SHALL INCLUDE THE GRADING AND COMPACTING OF THE EMBANKMENT, AND THE CLEANING AND SLOPING OF THE EMBANKMENT, AND CUT SLOPES TO THE REQUIRED LINES AND GRADES. EXCAVATION ALSO INCLUDES THE SALVAGING AND STOCKPILING OF TOPSOIL FOR REUSE, THE BACK FILLING OF AREAS WHEN UNSUITABLE MATERIAL HAS BEEN REMOVED, THE FINAL DRESSING OF THE SLOPES, DITCHES AND SHOULDERS, AND THE REMOVAL AND DISPOSAL OF ALL MATERIAL NOT OTHERWISE PROVIDED FOR SO THAT THE PROJECT WILL BE COMPLETED IN A NEAT AND WORKMANLIKE MANNER.
- 2. EXCAVATION SHALL BE MADE IN ACCORDANCE WITH THESE SPECIFICATIONS, CITY OF MILFORD & SCD STANDARDS AND SPECIFICATIONS AND IN REASONABLY CLOSE CONFORMITY WITH THE LINES, GRADES, AND TYPICAL CROSS-SECTIONS SHOWN ON THE PLANS OR ESTABLISHED BY THE ENGINEER, AND NO ALLOWANCE WILL BE MADE FOR MATERIAL EXCAVATED BEYOND OR BELOW SUCH LINES AND GRADES UNLESS IT HAS BEEN SO ORDERED. ALL SUITABLE MATERIAL REMOVED AS EXCAVATION SHALL BE USED IN THE FORMATION OF EMBANKMENTS, SLOPES, ETC., BEFORE SECURING OR HAULING ANY BORROW UNLESS SPECIFICALLY APPROVED BY THE SOIL ENGINEER. NO UNSUITABLE MATERIAL OF ANY DESCRIPTION WILL BE ALLOWED IN THE FORMATION OF EMBANKMENTS. ALL SLOPES OF CUTS AND EMBANKMENTS, DITCHES, WATERWAYS, SHALL BE CLEANED AND CLEARED OF OBSTRUCTION AND SHALL BE LEFT IN A NEAT AND TRIMMED CONDITION.
- PRIOR TO THE GENERAL GRADING OPERATION, THE CONTRACTOR SHALL REMOVE TOPSOIL FROM AREAS AS REQUIRED FOR EACH PROJECT, AND STOCKPILE IT AS DESIGNATED ON THE PLANS FOR REUSE OF THE TOPSOIL IS SUITED FOR REUSE. SILT FENCE SHALL BE PLACED AROUND THE AREAS OF THE STOCKPILE.
- COMPACTION SHALL BE ATTAINED BY APPROVED ROLLERS OR COMPACTORS. THE USE OF OTHER SUITABLE COMPACTION EQUIPMENT MAY BE APPROVED FOR WORK UNDER THIS SECTION PROVIDED SUCH EQUIPMENT IS CONSTRUCTED AND OPERATED SO THAT THE REQUIREMENTS OF THESE SPECIFICATIONS ARE FULLY MET.
- COMPACTION OR ROLLING SHALL START AT THE EDGES AND PROGRESS TOWARD THE CENTER OF THE EMBANKMENT, AND SHALL CONTINUE UNTIL EACH LAYER IS THOROUGHLY AND UNIFORMLY COMPACTED TO THE FULL WIDTH OF THE EMBANKMENT AND TO 95% OR MORE OF THE LABORATORY MAXIMUM DENSITY ON THE SAME SOILS, AS DETERMINED BY THE STANDARD PROCTOR TEST AASHTO T99. ANY AREAS, ESPECIALLY IN SHARP DEPRESSIONS, TRENCH BACK FILLS, AND AROUND CULVERTS, INACCESSIBLE TO THESE METHODS OF COMPACTION SHALL BE BUILT IN CONTINUOUS HORIZONTAL LAYERS NOT MORE THAN 8" IN THICKNESS, LOOSE MEASUREMENT, AND SHALL BE THOROUGHLY TAMPED AND COMPACTED BY HAND OPERATED EQUIPMENT TO THE SPECIFIED DENSITY.
- 6. THE DETERMINATION OF COMPLIANCE WITH FIELD COMPACTION REQUIREMENTS AS SPECIFIED HEREIN SHALL BE IN ACCORDANCE WITH THE FOLLOWING AASHTO TEST METHODS:
- A. AASHTO T 191, MODIFIED OR OTHER APPROVED METHOD:
- FIELD DENSITY TESTS WILL BE EXPRESSED AS A PERCENTAGE OF THE MAXIMUM DENSITY MADE ON THE SAME SOILS.
- B. AASHTO T 99, METHOD C: DETERMINATION OF MAXIMUM DENSITY AND OPTIMUM MOISTURE CONTENT.
- C. AASHTO T 224, MODIFIED: COARSE PARTICLE CORRECTION METHOD.
- THE MOISTURE CONTENT OF THE SOIL AT THE TIME OF COMPACTION SHALL BE WITHIN 2 PERCENTAGE POINTS OF THE OPTIMUM MOISTURE CONTENT AS DETERMINED BY AASHTO T 99, METHOD C. IF THE MOISTURE CONTENT IS NOT WITHIN 2 PERCENTAGE POINTS OF OPTIMUM THE SOIL SHALL EITHER BE MOISTENED OR DRIED AND THOROUGHLY MIXED BEFORE COMPACTION.
- THE SUBGRADE SHALL BE PROPERLY SHAPED AND UNIFORMLY AND THOROUGHLY COMPACTED IN CONFORMITY WITH THE LINES AND GRADES AS SHOWN ON THE PLANS AND/OR AS ESTABLISHED IN THE FIELD BEFORE ANY SUBBASE, BASE OR SURFACING MATERIAL IS PLACED. THE SUBGRADE SHALL BE FREE FROM BOULDERS, LARGER ROCKS, MUCK, VEGETATION, OR OTHER MATERIALS THAT WOULD PROVE DETRIMENTAL TO THE ROAD. DEPRESSIONS THAT DEVELOP DURING THE ROLLING SHALL BE FILLED WITH SUITABLE MATERIAL AND THE SUBGRADE SHALL BE ROLLED UNTIL NO DEPRESSIONS DEVELOP. WHERE EXCAVATION TO THE FINISHED GRADED SECTION RESULTS IN A SUBGRADE OR SLOPES ON UNSUITABLE SOIL, THE GEOTECHNICAL ENGINEER MAY REQUIRE THE CONTRACTOR TO REMOVE THE UNSUITABLE MATERIALS AND BACK FILL TO THE FINISHED GRADED SECTION WITH APPROVED MATERIAL.
- WHEN DIRECTED, TEST ROLLING SHALL BE PERFORMED UPON THE PREPARED SUBGRADE PRIOR TO THE PLACEMENT OF ANY BASE OR SUBBASE MATERIAL. TEST ROLLING SHALL BE PERFORMED WITH SELF-PROPELLED EQUIPMENT, WHICH SHALL BE OF THE SIZE, TYPE AND WEIGHT THAT WILL REVEAL ANY SOFT, YIELDING, OR SPONGY AREAS. THE EQUIPMENT SHALL BE RUN LONGITUDINALLY SO THAT THERE SHALL NOT BE OVER 18" OF UNROLLED AREA BETWEEN THE TIRE STRIPS. IF, IN THE OPINION OF THE GEOTECHNICAL ENGINEER, THERE ARE AREAS TO BE REMOVED OR UNDERCUT, THEY MAY BE ORDERED EXCAVATED AND REPLACED. HOWEVER, AS DETERMINED BY THE GEOTECHNICAL ENGINEER, AREAS THAT BECOME SOFT OR SPONGY DUE TO THE CONTRACTOR'S METHODS OF OPERATION SHALL BE REMOVED AND/OR REPAIRED AT THE CONTRACTOR'S EXPENSE.
- 10. THE SUBGRADE MUST BE MAINTAINED IN SUCH CONDITION THAT IT WILL DRAIN. ALL FACILITIES NECESSARY FOR COMPLETE DRAINAGE OF THE CONSTRUCTION AREAS SHALL BE PROVIDED AND MAINTAINED BY THE CONTRACTOR. IN NO CASE SHALL VEHICLES BE ALLOWED TO TRAVEL IN A SINGLE TRACK AND FORM RUTS IN THE SUBGRADE, AND IF ANY SHARP IRREGULARITIES ARE FORMED, THE SUBGRADE SHALL BE SCARIFIED AND RECOMPACTED.
- 11. APPROVAL OF SUBGRADES NO SUBBASE OR BASE MATERIALS SHALL BE PLACED UNTIL THE SUBGRADE HAS BEEN APPROVED, BY A LICENSED SOILS ENGINEER AND THE CITY OF MILFORD INSPECTOR.
- 12. ALL SURPLUS MATERIALS EXCAVATED AND SUITABLE WASTE OF EVERY DESCRIPTION SHALL BE USED IN OR TO WIDEN EMBANKMENTS, FLATTEN SLIDE SLOPES, OR BE DEPOSITED IN SUCH PLACES AS MAY BE DIRECTED; OR THIS MATERIAL AND ALL OTHER MATERIALS NOT PERMITTED IN THE EMBANKMENTS, ETC., SHALL BE HAULED FROM WITHIN THE LIMITS OF THE SITE AND DISPOSED OF AS PER STATE, FEDERAL AND LOCAL CRITERIA.

SITE BENCHMARKS

BENCHMARK - BM-9 CAPPED PIPE PHASE 1 NORTHING - 216113.0130 EASTING - 701646.9800 ELEV - 27.8950

BENCHMARK - BM-8 SPIKE PHASE 1 NORTHING - 216682.3400 EASTING - 701309.7560 ELEV - 27.9210

BENCHMARK - BM-7 X-MARK PHASE 1 NORTHING - 216880.1250 EASTING - 701104.5810 ELEV - 19.43

BENCHMARK - BM-6 NAIL PHASE 1 NORTHING - 217500.4520 EASTING - 700898.0600 ELEV - 21.3890 BENCHMARK - BM-5 MAG NAIL PHASE 1 NORTHING - 217936.2080 EASTING - 700114.3130 ELEV - 22.2330

BENCHMARK - BM-4 MAG NAIL PHASE 1 & 2 NORTHING - 218340.3750 EASTING - 700287.5390 ELEV - 20.0820

BENCHMARK - BM-3 MAG NAIL PHASE 3 NORTHING - 218896.4250 EASTING - 699426.6640 ELEV - 21.1260

BENCHMARK - BM-2 CAPPED PIPE PHASE 3 NORTHING - 218965.5260 EASTING - 698519.1790 ELEV - 22.0880

BENCHMARK - BM-1 CAPPED PIPE PHASE 3 NORTHING - 219005.9510 EASTING - 697278.2410 ELEV - 22.7620

CONSTRUCTION NOTES:

- 1. THESE DRAWINGS SHOW INFORMATION OBTAINED FROM THE AVAILABLE RECORDS REGARDING PIPES, CONDUITS, TELEPHONE LINES, AND OTHER STRUCTURES AND CONDITIONS WHICH EXIST ALONG THE LINES OF WORK AT AND BELOW THE SURFACE OF THE GROUND. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITIES FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION BEING SHOWN ONLY FOR THE CONVENIENCE OF THE CONTRACTOR WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF THE INFORMATION ON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, TELEPHONE LINES AND OTHER STRUCTURES.
- 2. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THE DRAWINGS, SPECIFICATIONS, THE LOCAL BUILDING CODES AND REGULATIONS.
- WATER LINES WILL BE INSTALLED AT A DEPTH THAT WILL PROVIDE 36" MIN. COVER OVER THE PIPES BELOW PROPOSED GRADE UNLESS SHOWN OTHERWISE ON THESE PLANS OR DIRECTED OTHERWISE BY THE ENGINEER IN THE FIELD.
- 4. ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROMOTE POSITIVE DRAINAGE AND STABILIZED WITH SOD OR TOPSOIL, SEED AND MULCH. IF SETTLEMENT OCCURS, TOPSOIL, SEEDING AND MULCH SHALL BE REPEATED UNTIL SETTLEMENT SUBSIDES. (SEE EROSION AND SEDIMENT CONTROL DETAILS AND SPECIFICATIONS.)
- 5. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL COORDINATE ALL CONSTRUCTION PHASES WITH THEM:

 McCRONE
 1-410-548-1492

 MISS UTILITIES
 1-800-282-8555

 SUSSEX COUNTY CONSERVATION DISTRICT
 1-302-856-2105

- 6. SHOULD ANY DAMAGE OCCUR TO EXISTING UTILITIES, IT SHALL BE REPAIRED SOLELY AT THE CONTRACTOR'S EXPENSE.
- 7. ALL DRAINAGE STRUCTURES AND TRENCHES SHALL REMAIN FUNCTIONAL DURING CONSTRUCTION.
- 8. THE OWNER IS RESPONSIBLE FOR THE ACQUISITION OF ALL EASEMENTS, BOTH TEMPORARY AND PERMANENT.
- 9. ALL WATER VALVES, BOXES AND HYDRANTS SHALL BE SET AND ADJUSTED TO FINISHED GRADE.
- 10. TRENCHES SHALL NOT REMAIN OPEN OVERNIGHT WITHOUT CITY APPROVAL. IF IT IS NECESSARY FOR TRENCHES TO REMAIN OPEN, STEEL PLATES CAPABLE OF BEARING TRAFFIC SHALL BE USED TO COMPLETELY COVER THE TRENCH OPENINGS.
- 11. WHEN IT IS IMPOSSIBLE TO OBTAIN THE MINIMAL 10 FOOT HORIZONTAL AND/OR 18 INCH VERTICAL SEPARATION BETWEEN WATER MAINS AND SANITARY SEWER, THE OFFICE OF DRINKING WATER MUST SPECIFICALLY APPROVE ANY VARIANCE SUPPORTED BY DATA FROM THE DESIGN ENGINEER.
- 12. WHEREVER SEWER OR WATER MAINS OR SERVICES RUN PARALLEL TO EACH OTHER, A MINIMUM HORIZONTAL SEPARATION OF 10' SHALL BE PROVIDED.
- 13. THE CONTRACTOR ASSUMES ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS.
- 14. ANY PROPERTY LINE MONUMENTATION DISTURBED DURING CONSTRUCTION SHALL BE REPLACED SOLELY AT THE CONTRACTOR'S EXPENSE.
- 15. THE CONTRACTOR SHALL VERIFY EXISTING INVERTS PRIOR TO CONSTRUCTION OF UNDERGROUND UTILITIES. TEST PITTING OF EXISTING LINES PRIOR TO CONSTRUCTION, IF NECESSARY, SHALL BE COORDINATED WITH THE OWNER.
- 16. ALL EXISTING UTILITIES SHALL REMAIN UNLESS OTHERWISE NOTED.
- 17. THE CONTRACTOR SHALL VERIFY HORIZONTAL AND VERTICAL SURVEY CONTROL PRIOR TO STAKING OUT FOR CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO PROCEEDING WITH WORK.
- 18. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES.
- 19. UTILITY GROUND SURFACE PROFILES, MANHOLE, CLEANOUT TOP ELEVATIONS, ETC., AND CROSSING PIPE ELEVATIONS ARE APPROXIMATE. REFER TO GRADING PLANS FOR GROUND SURFACE ELEVATIONS. INSTALL RIMS, LIDS, ETC. FLUSH WITH FINAL GRADE.
- 20. THE CONTRACTOR SHALL PROVIDE CONSTRUCTION STAKEOUT SERVICES BY A QUALIFIED, INDEPENDENT, LICENSED DELAWARE PROFESSIONAL LAND SURVEYOR. THE ENGINEER OF RECORD IS RESPONSIBLE FOR THE SUSSEX CONSERVATION DISTRICT AND STORM WATER MANAGEMENT RECORD DRAWINGS.
- 21. SHOULD ANY WORDS OR NUMBERS THAT ARE NECESSARY FOR A CLEAR UNDERSTANDING OF THE WORK BE ILLEGIBLE OR OMITTED, OR SHOULD AN ERROR OR DISCREPANCY OCCUR IN ANY OF THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL NOT PROCEED WITH THAT PORTION OF THE WORK UNTIL CLARIFICATION IS RECEIVED. IN THE EVENT THE CONTRACTOR PROCEEDS WITHOUT SO NOTIFYING THE ENGINEER, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF CORRECTING SAME, INCLUDING ANY RESULTING DAMAGE.
- 22. THE CONTRACTOR ACKNOWLEDGES AND WARRANTS THAT THEY HAVE CLOSELY EXAMINED ALL THE CONTRACT DOCUMENTS, THAT THEY ARE SUITABLE AND SUFFICIENT TO ENABLE THE CONTRACTOR TO COMPLETE THE WORK IN A TIMELY MANNER FOR THE CONTRACT SUM, AND THAT THEY INCLUDE ALL WORK, WHETHER OR NOT SHOWN OR DESCRIBED WHICH REASONABLY MAY BE INFERRED TO BE REQUIRED OR USEFUL OF THE COMPLETION OF THE WORK IN FULL COMPLIANCE WITH ALL APPLICABLE CODES, LAWS, ORDINANCES AND RESOLUTIONS.

SEDIMENT AND STORMWATER CONSTRUCTION NOTES:

- 1. THE DNREC SEDIMENT AND STORMWATER MANAGEMENT PROGRAM MUST BE NOTIFIED IN WRITING FIVE (5) DAYS PRIOR TO COMMENCING WITH CONSTRUCTION. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED SEDIMENT AND STORMWATER MANAGEMENT PLAN.
- 2. REVIEW AND OR APPROVAL OF THE SEDIMENT AND STORMWATER MANAGEMENT PLAN SHALL NOT RELIEVE THE CONTRACTOR FROM HIS OR HER RESPONSIBILITIES FOR COMPLIANCE WITH THE REQUIREMENTS OF THE SEDIMENT AND STORMWATER REGULATIONS, NOR SHALL IT RELIEVE THE CONTRACTOR FROM ERRORS OR OMISSIONS IN THE APPROVED PLAN.
- IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL
 MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY DNREC.
- 4. FOLLOWING SOIL DISTURBANCE OR REDISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED FOR ALL PERIMETER SEDIMENT CONTROLS, SOIL STOCKPILES, AND ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE WITHIN 14 CALENDAR DAYS UNLESS MORE RESTRICTIVE FEDERAL REQUIREMENTS APPLY.
- 5. ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL COMPLY WITH THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
- 6. AT ANY TIME A DEWATERING OPERATION IS USED, IT SHALL BE PREVIOUSLY APPROVED BY THE AGENCY CONSTRUCTION SITE REVIEWER FOR A NON-EROSIVE POINT OF DISCHARGE, AND A DEWATERING PERMIT SHALL BE APPROVED BY THE DNREC WELL PERMITTING BRANCH.
 - APPROVED PLANS REMAIN VALID FOR 5 YEARS FROM THE DATE OF APPROVAL.
- 8. POST CONSTRUCTION VERIFICATION DRAWINGS ARE TO BE SUBMITTED TO THE DISTRICT WITHIN 60-DAYS OF STORMWATER MANAGEMENT FACILITY COMPLETION.
- 9. 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.
- 10. THE NOTICE OF INTENT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER A NPDES GENERAL PERMIT FOR THIS PROJECT HAS BEEN SUBMITTED FOR APPROVAL. AT ANY TIME THE OWNERSHIP FOR THIS PROJECT CHANGES, A TRANSFER OF AUTHORIZATION OR A CO-PERMITTEE APPLICATION MUST BE SUBMITTED TO DNREC. THE PERMITTEE OF RECORD SHALL NOT BE RELIEVED OF THEIR RESPONSIBILITIES UNTIL A NOTICE OF TERMINATION HAS BEEN PROCESSED BY DNREC.
- 11. THE OWNER SHALL BE FAMILIAR WITH AND COMPLY WITH ALL ASPECTS OF THE NPDES CONSTRUCTION GENERAL PERMIT NOI# _____, INCLUDING, BUT NOT LIMITED TO, PERFORMING WEEKLY SITE INSPECTIONS DURING CONSTRUCTION AND AFTER RAIN EVENTS, AND MAINTAINING WRITTEN LOGS OF THESE INSPECTIONS.
- 12. BEFORE ANY EARTHWORK OR EXCAVATION TAKES PLACE, THE CONTRACTOR SHALL CALL MISS UTILITY AT 811 OR 1.800.282.8555 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION, TO HAVE ALL EXISTING UTILITIES MARKED ONSITE.
- 13. THE CONTRACTOR SHALL AT ALL TIMES PROTECT AGAINST SEDIMENT OF DEBRIS LADEN RUNOFF OR WIND FROM LEAVING THE SIDE. PERIMETER CONTROLS SHALL BE CHECKED DAILY AND ADJUSTED AND/OR REPAIRED TO FULLY CONTAIN AND CONTROL SEDIMENT FROM LEAVING THE SITE. ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN IT HAS REACHED HALF OF THE EFFECTIVE CAPACITY OF THE CONTROL. IN ADDITION, THE CONTRACTOR MAY NEED TO ADJUST OR ALTER MEASURES IN TIMES OF ADVERSE WEATHER CONDITIONS, OR AS DIRECTED BY THE AGENCY SITE REVIEWER.
- 14. BEST AVAILABLE TECHNOLOGY (BAT) SHALL BE EMPLOYED TO MANAGE TURBID DISCHARGES IN ACCORDANCE WITH REQUIREMENTS OF 7. DEL C. CH 60, *REGULATIONS GOVERNING THE CONTROL OF WATER POLLUTION*, SECTION 9.1.02, KNOWN AS SPECIAL CONDITIONS FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES AND DEPARTMENT POLICIES, PROCEDURES, AND GUIDANCE.
- 15. DOCUMENTATION OF SOIL TESTING AND MATERIALS USED FOR TEMPORARY OR PERMANENT STABILIZATION INCLUDING BUT NOT LIMITED TO SOIL TEST RESULTS, SEED TAGS, SOIL AMENDMENT TAGS, ETC, SHALL BE PROVIDED TO THE DEPARTMENT OR DELEGATED AGENCY TO VERIFY THAT THE PERMANENT OR TEMPORARY STABILIZATION HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLAN AND THE STANDARDS AND SPECIFICATIONS OF THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION. THE DEPARTMENT OF THE DELEGATED AGENCY SHALL HAVE THE DISCRETION TO REQUIRE ADDITIONAL SOIL TESTING AND REAPPLICATION OF PERMANENT OR TEMPORARY STABILIZATION IN ACCORDANCE WITH THE SPECIFICATION PROVIDED WITHIN THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.

I <u>ROBERT S. KANE</u> HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF DELAWARE, LICENSE NO. 13538, EXPIRATION DATE 06/30/2022.

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DESIGNED BY:

EC.

APPROVED BY:

BC.

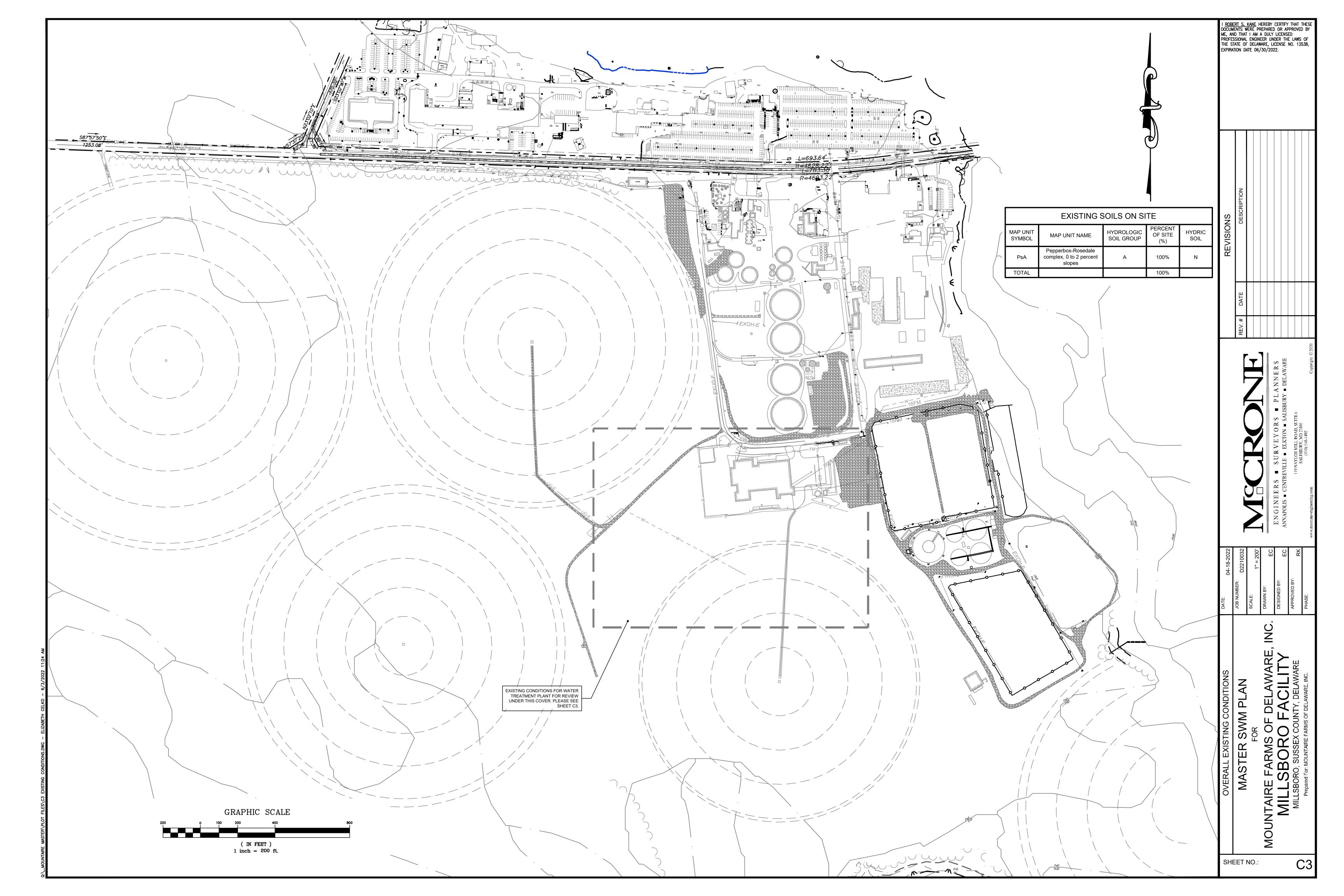
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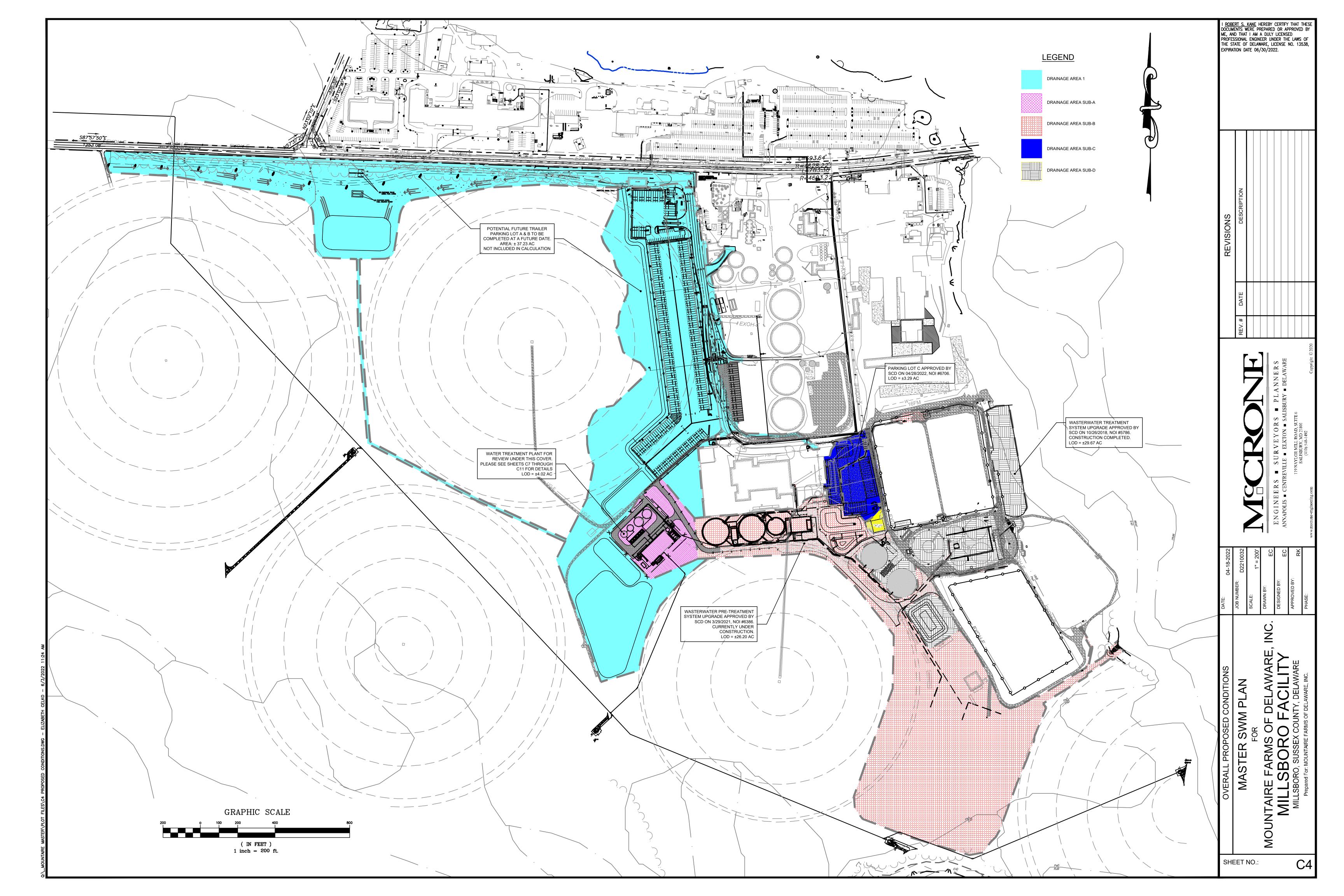
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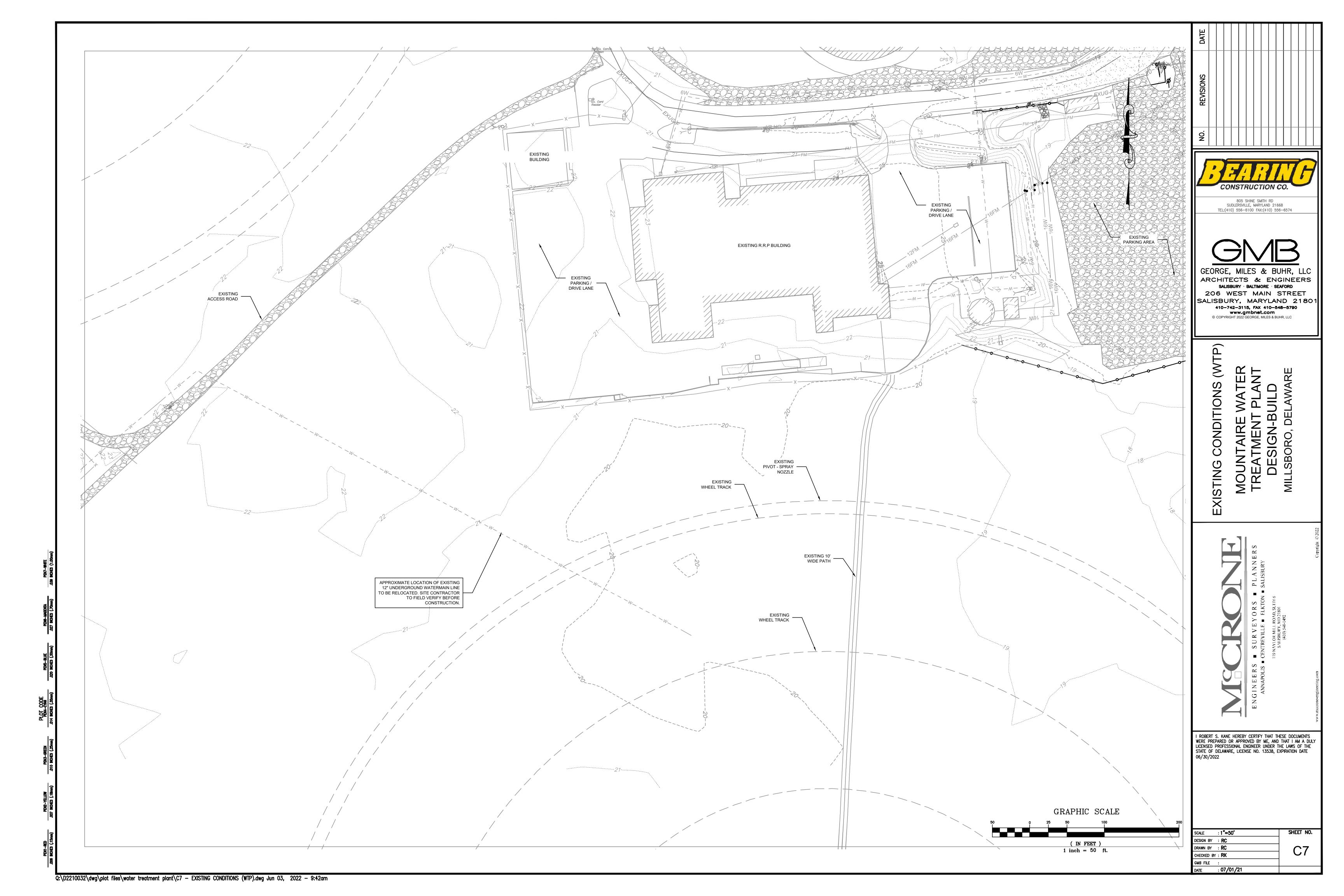
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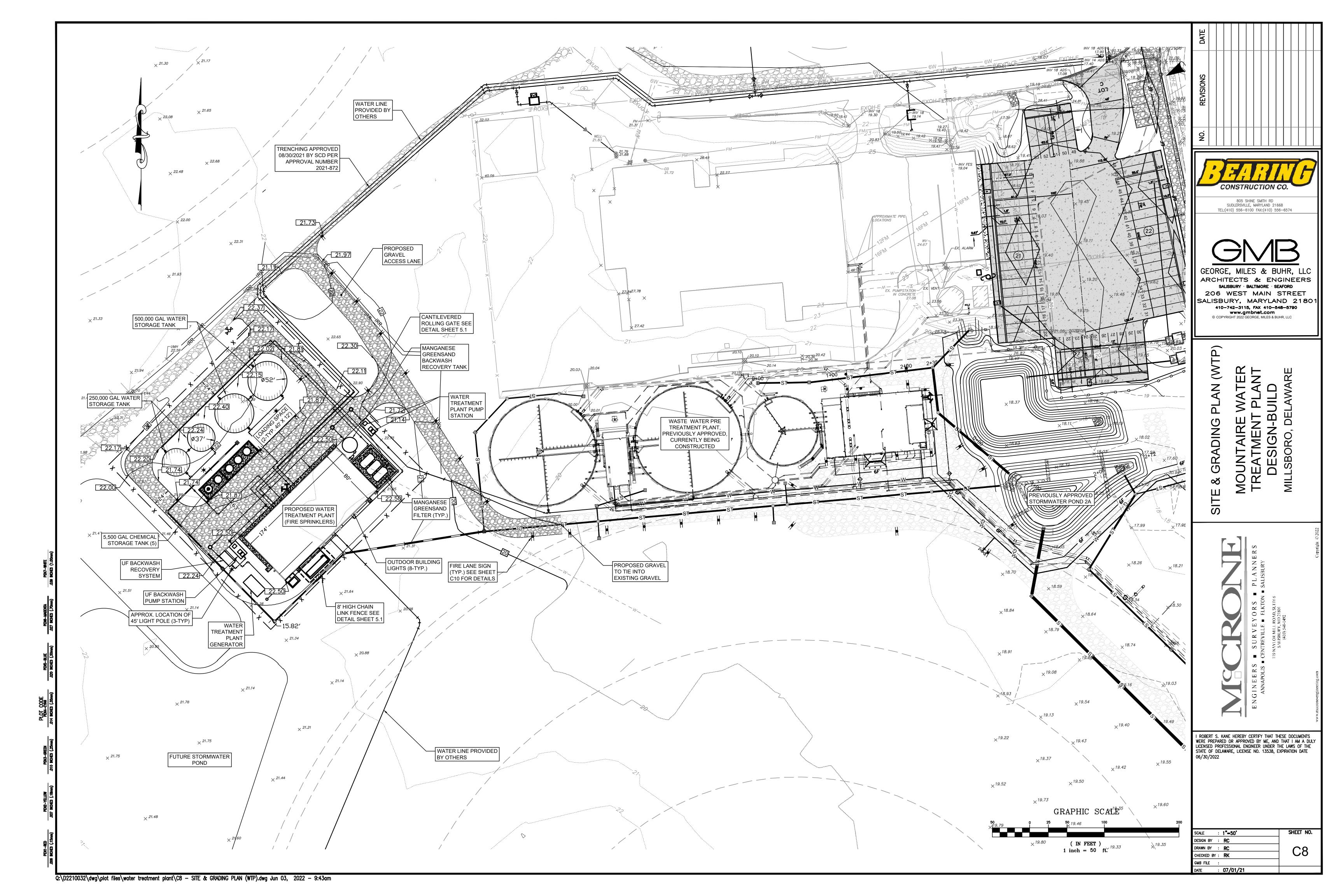
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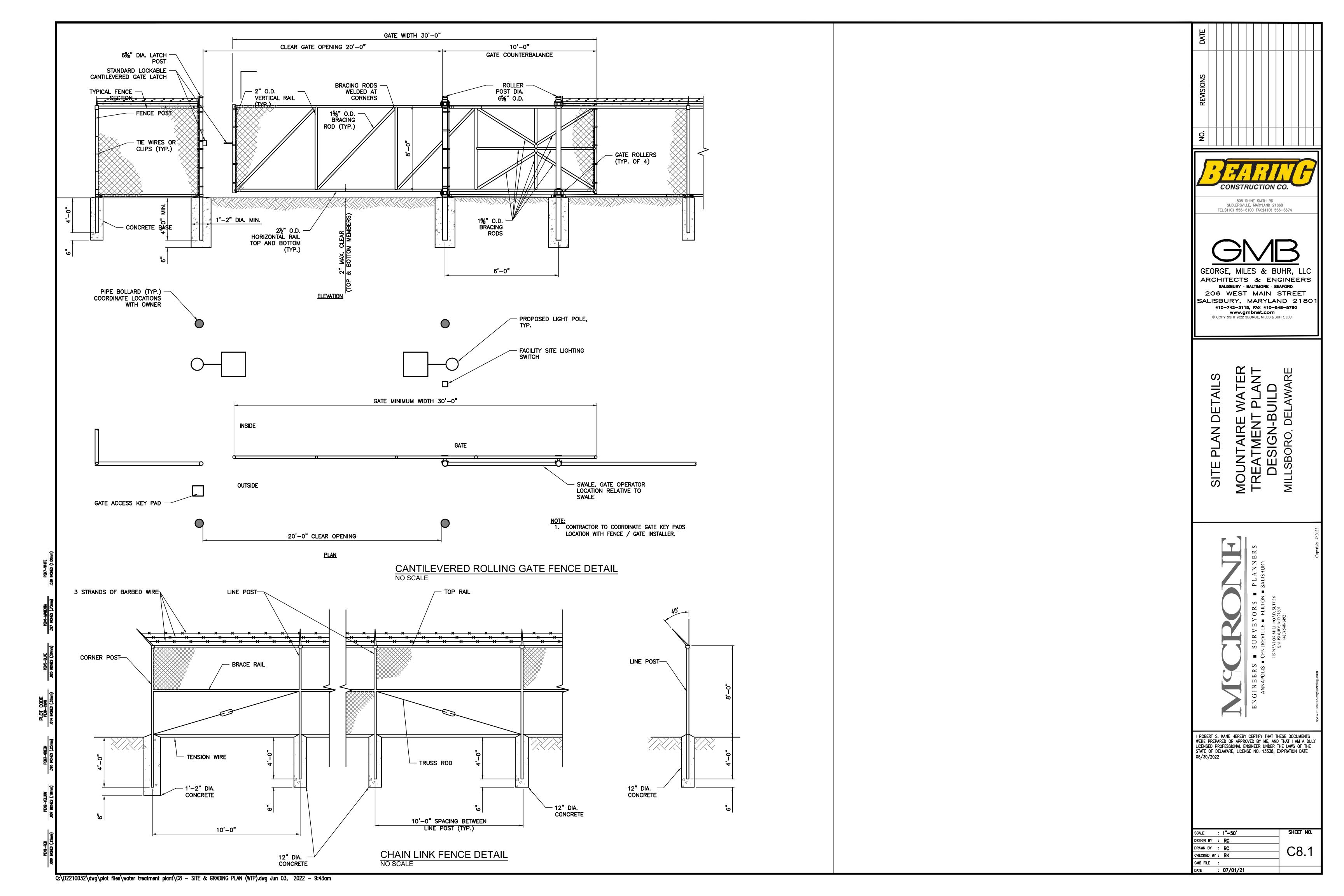
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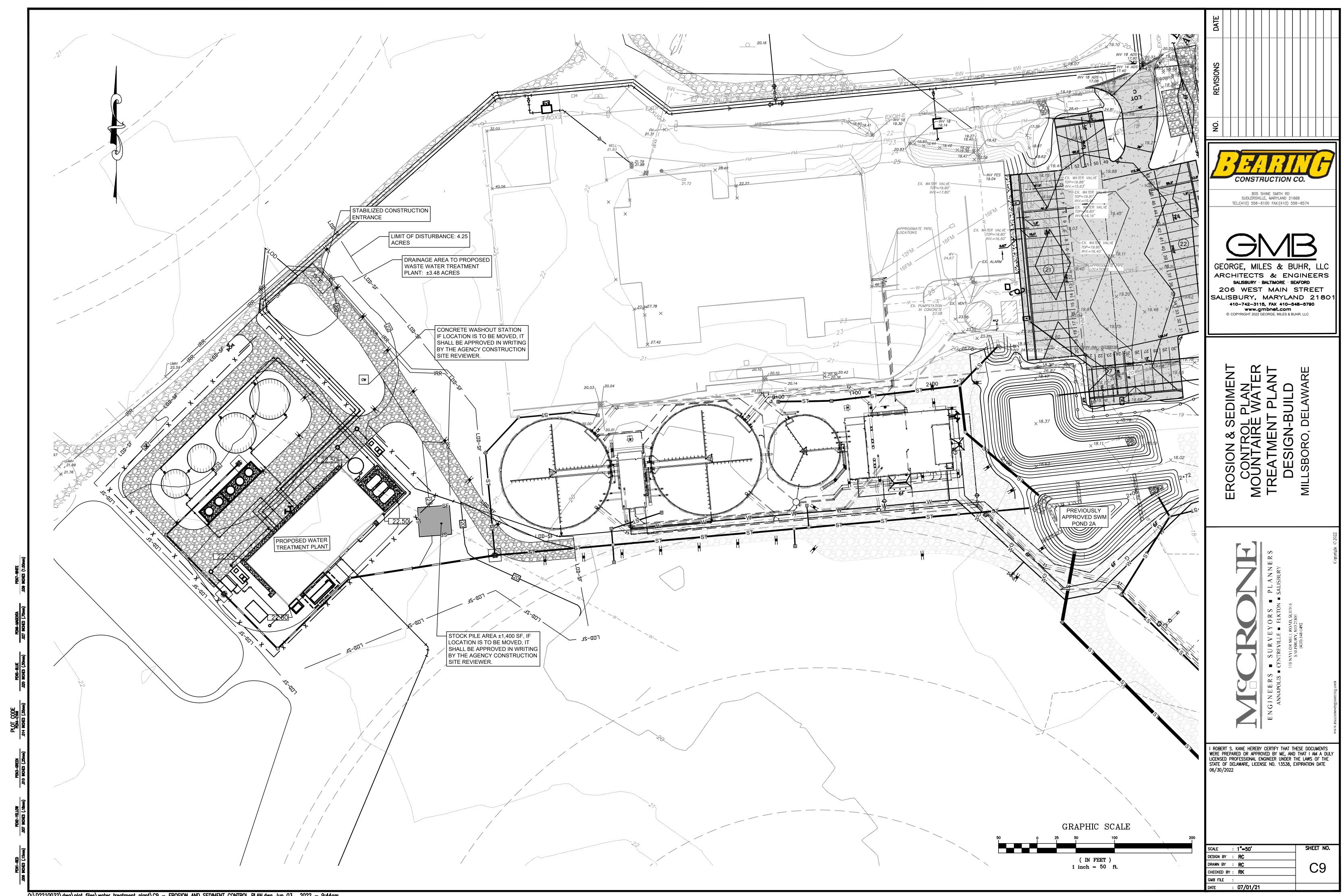




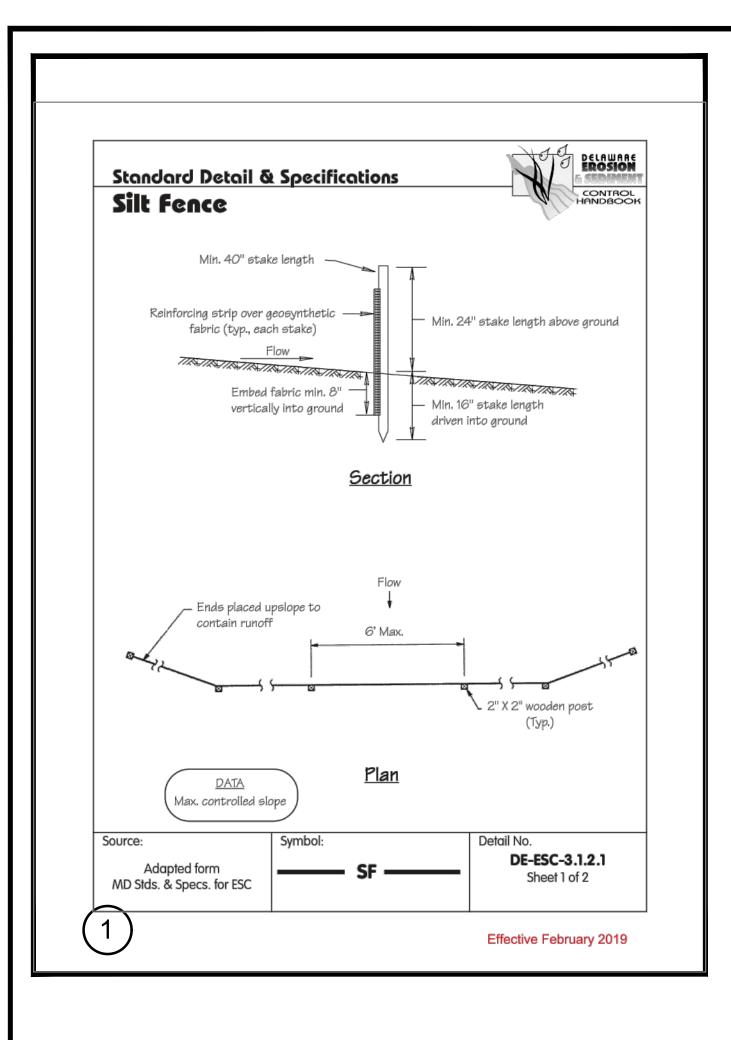


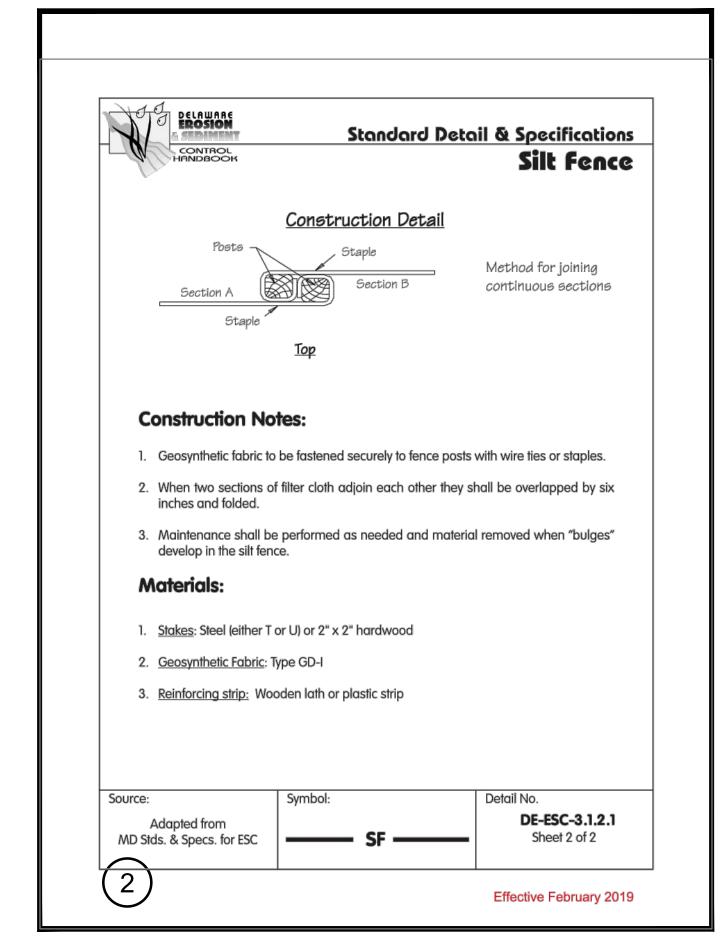


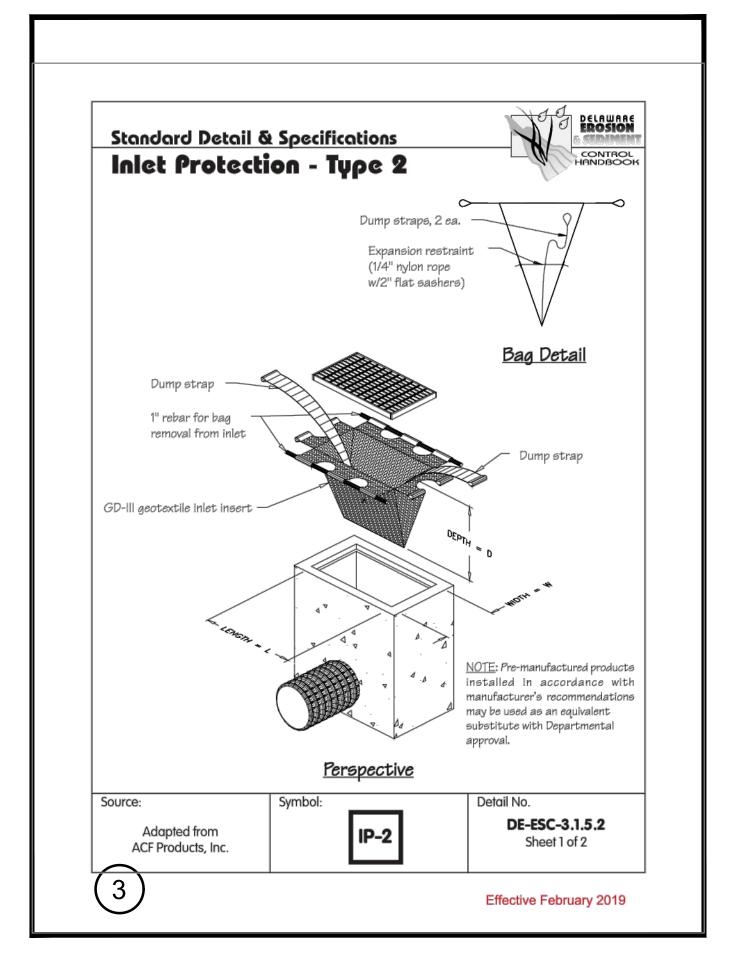


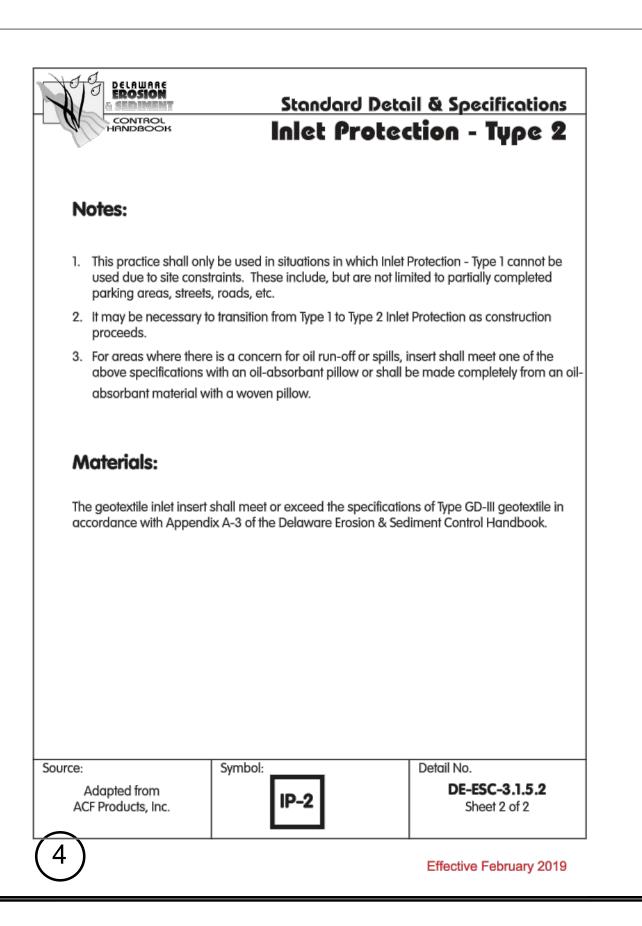


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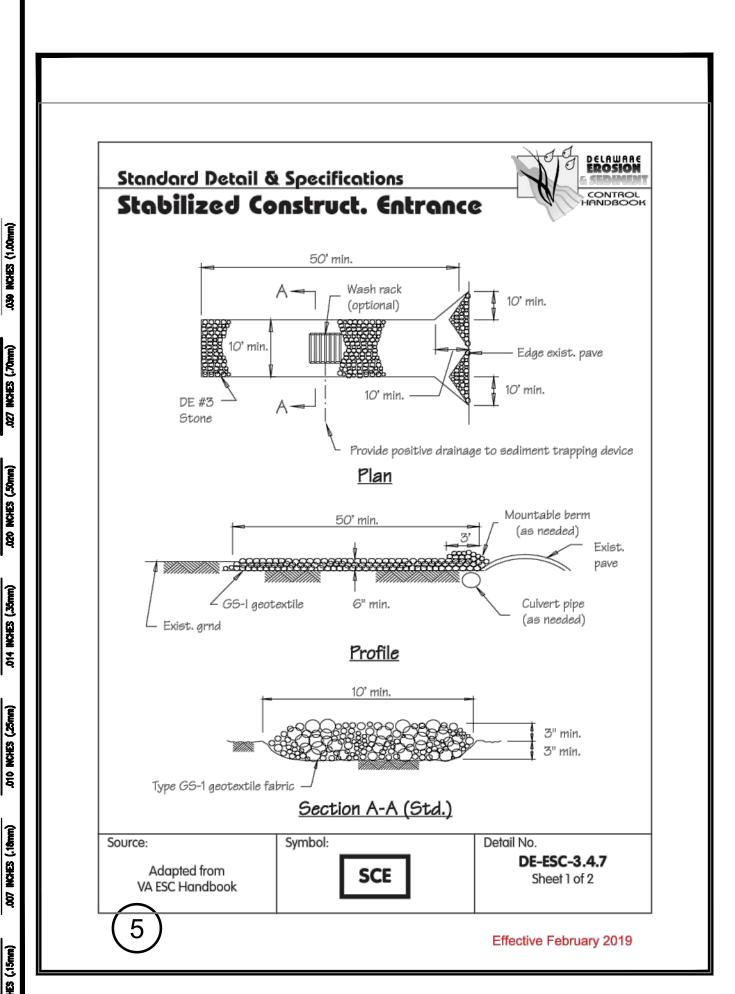


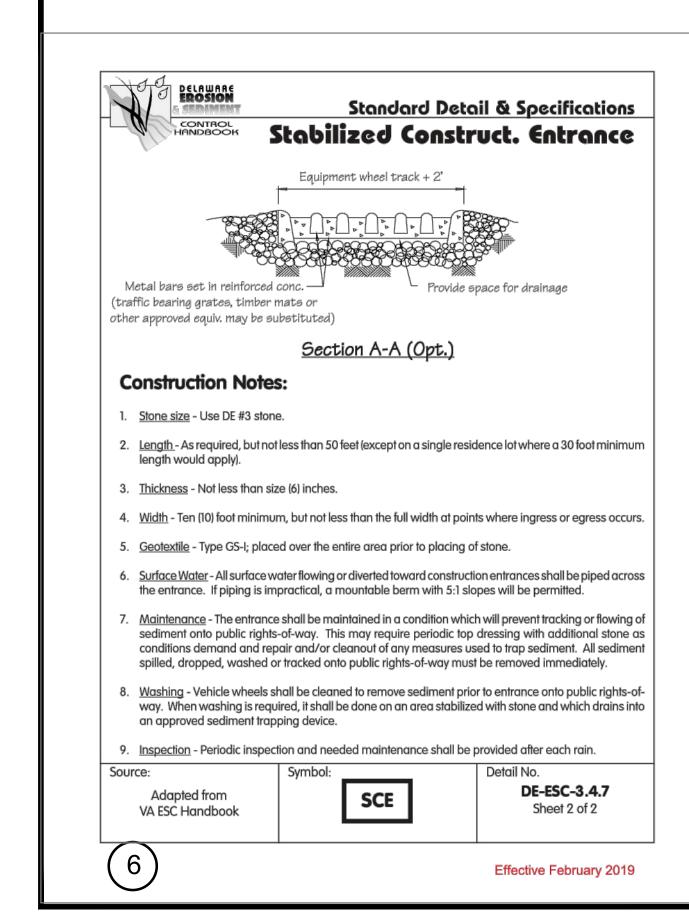


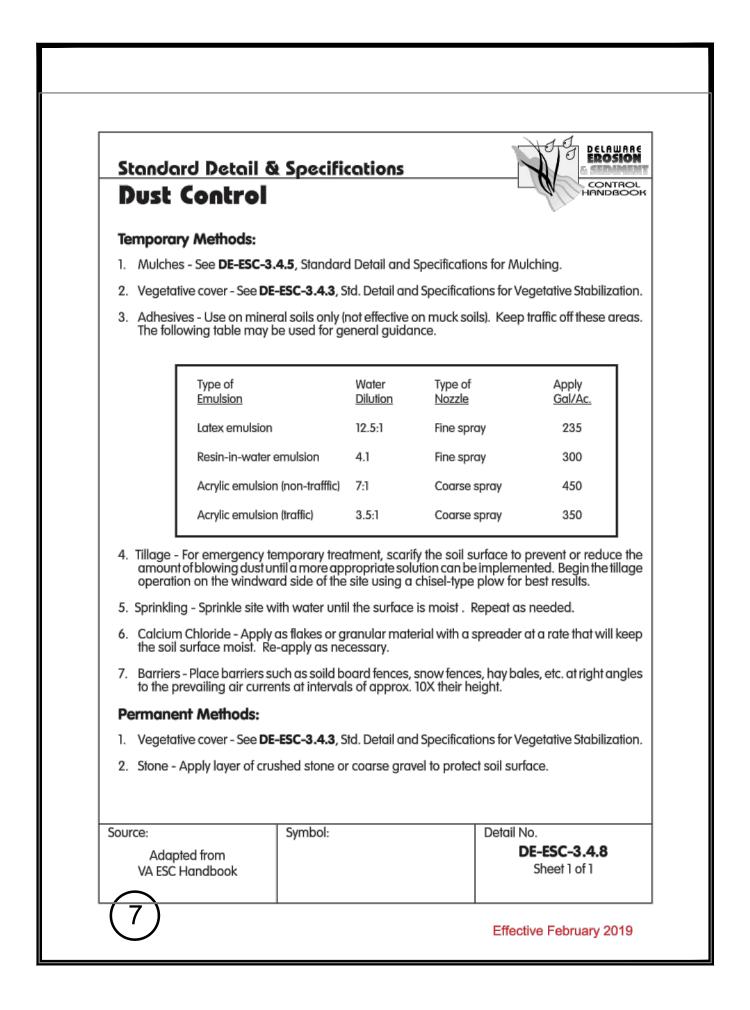


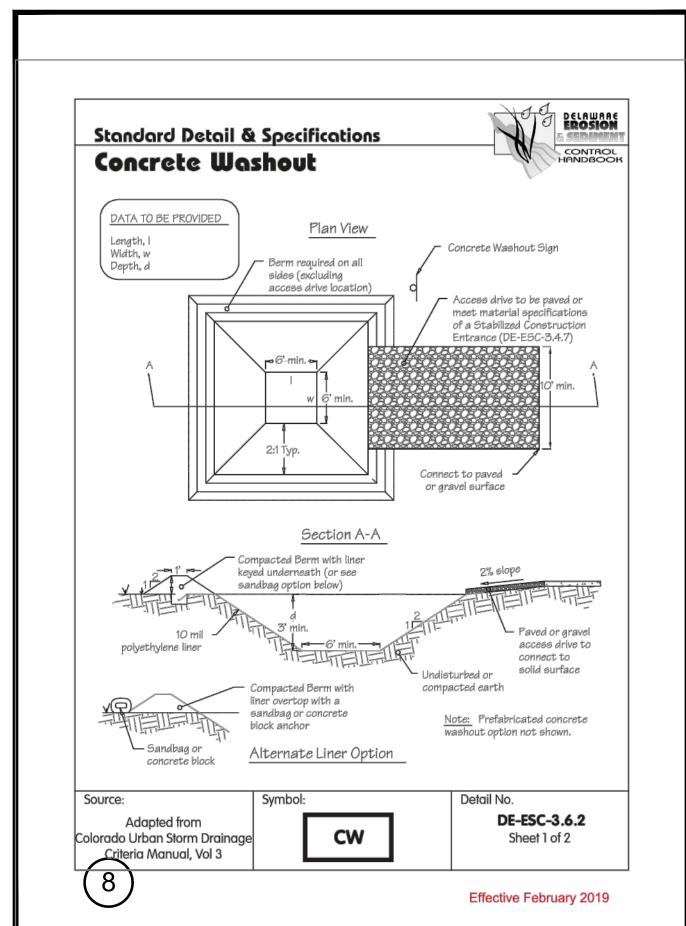


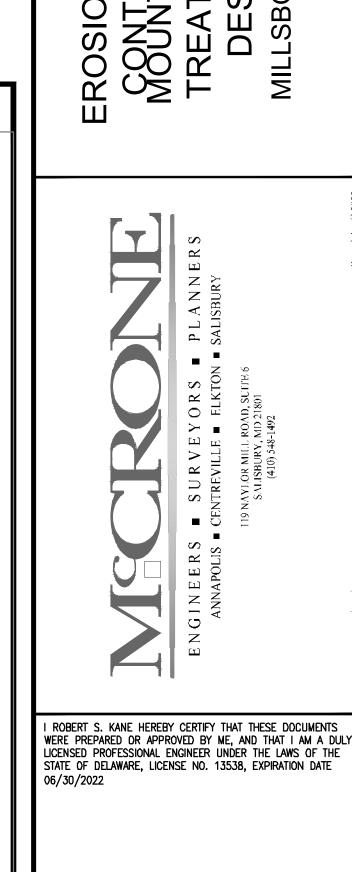












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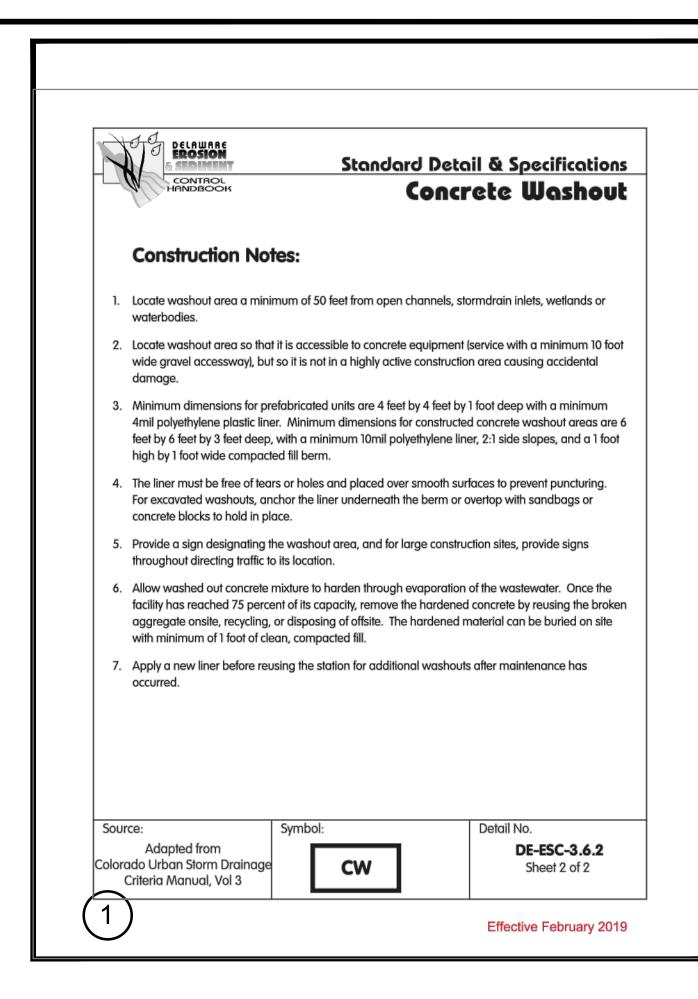
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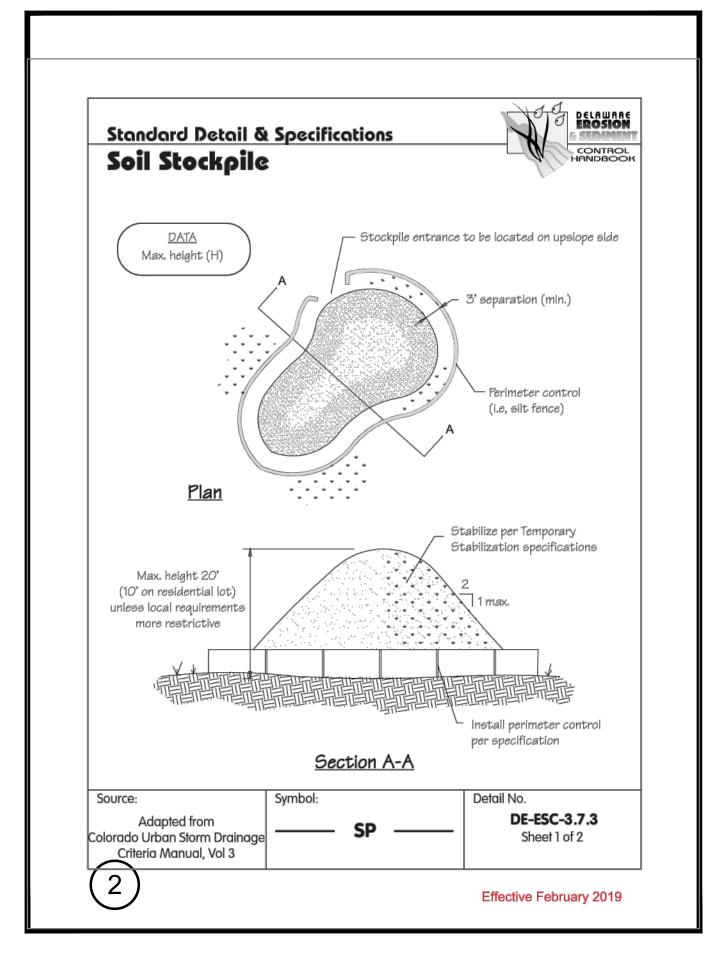
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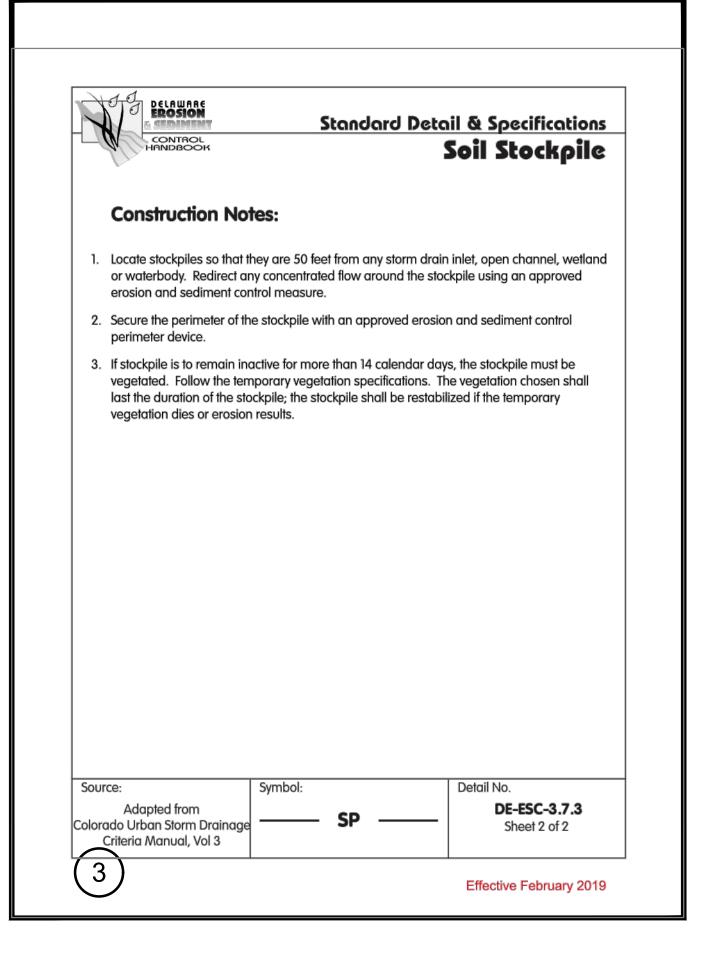
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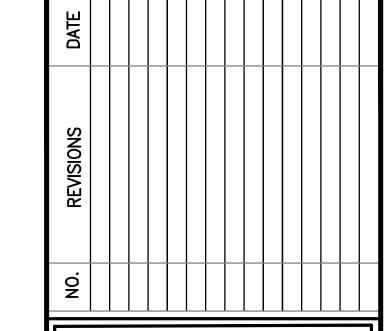
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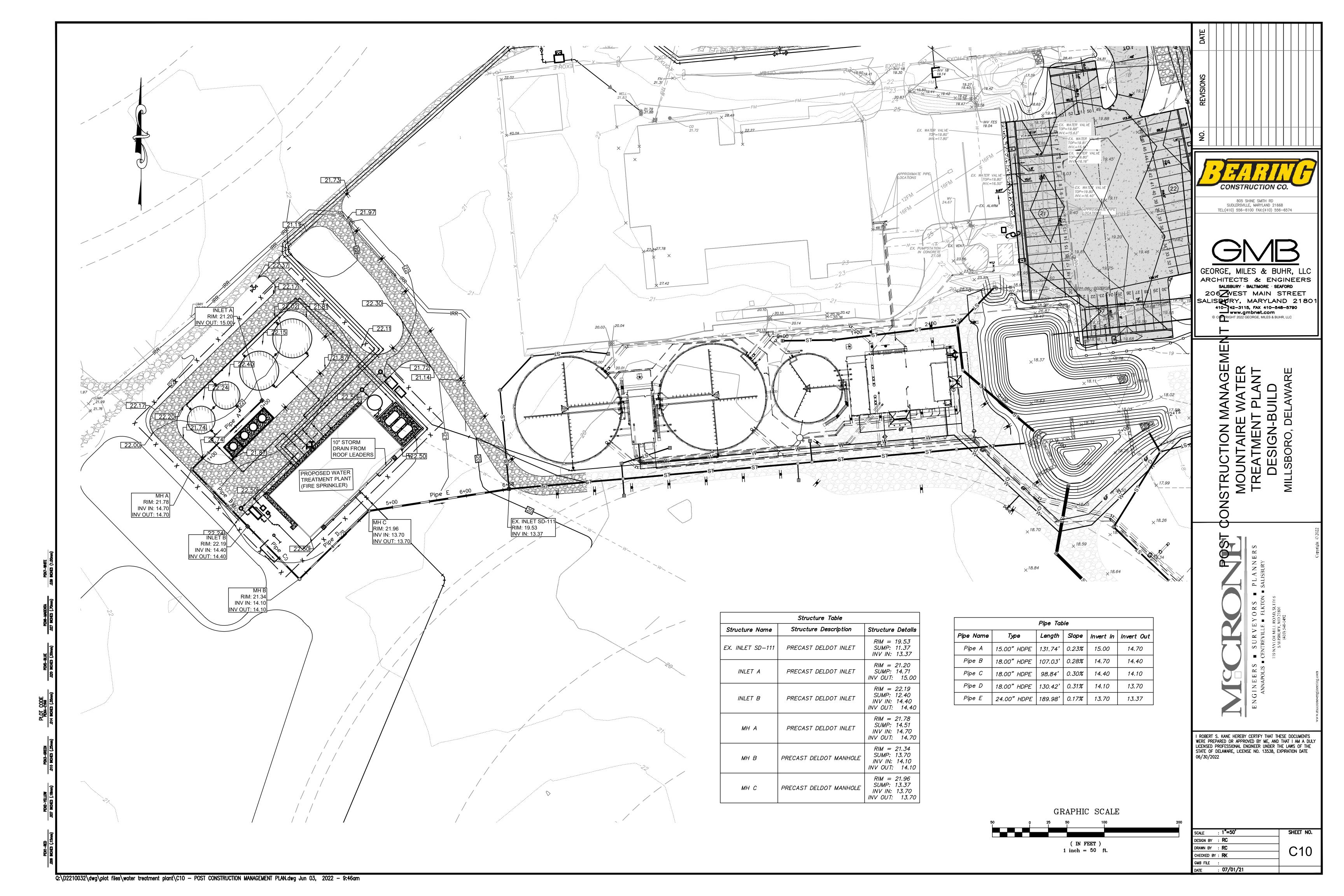
SALISBURY, MARYLAND 21801 410-742-3115, FAX 410-548-5790 www.gmbnet.com © COPYRIGHT 2022 GEORGE, MILES & BUHR, LLC

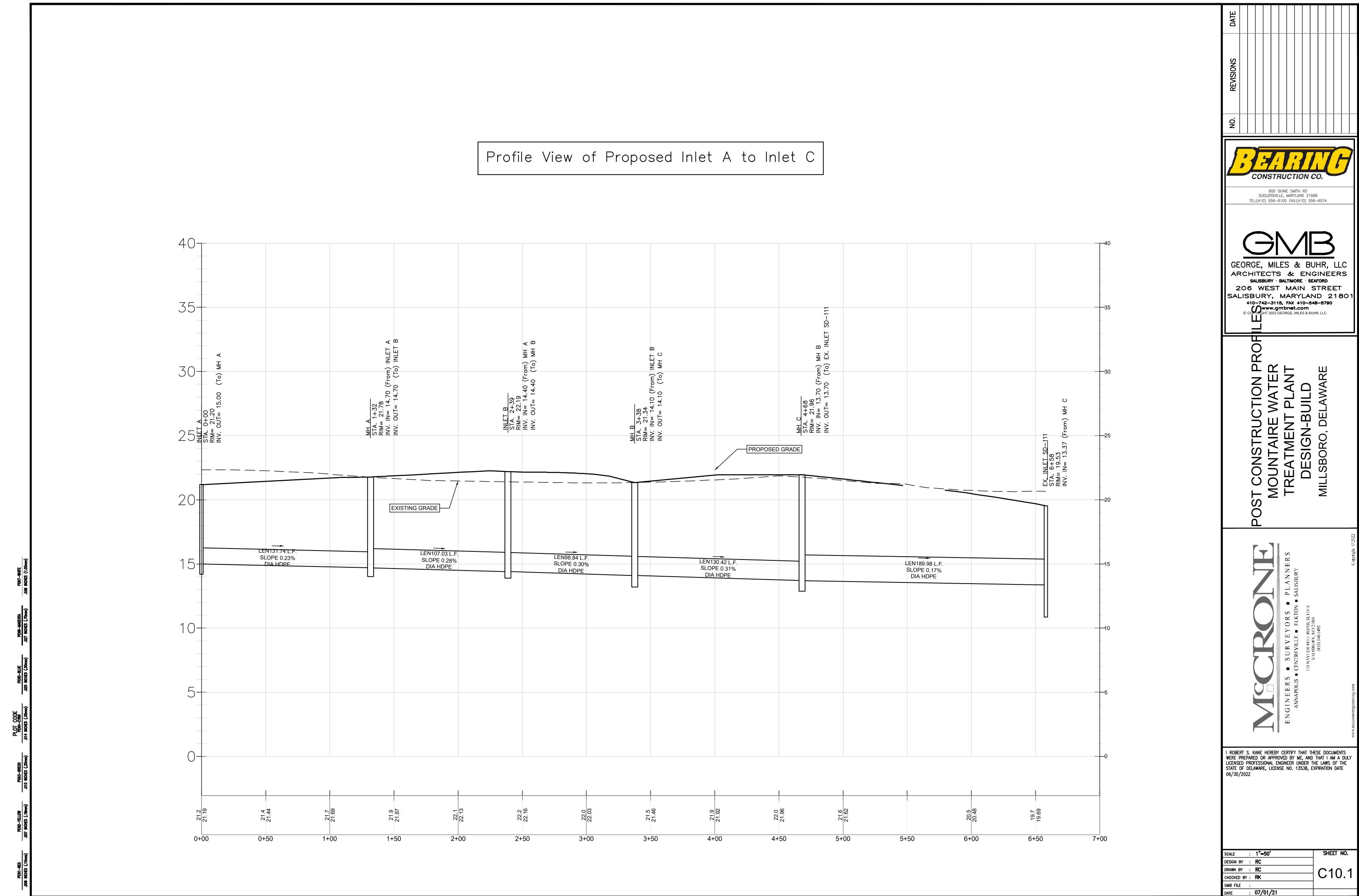
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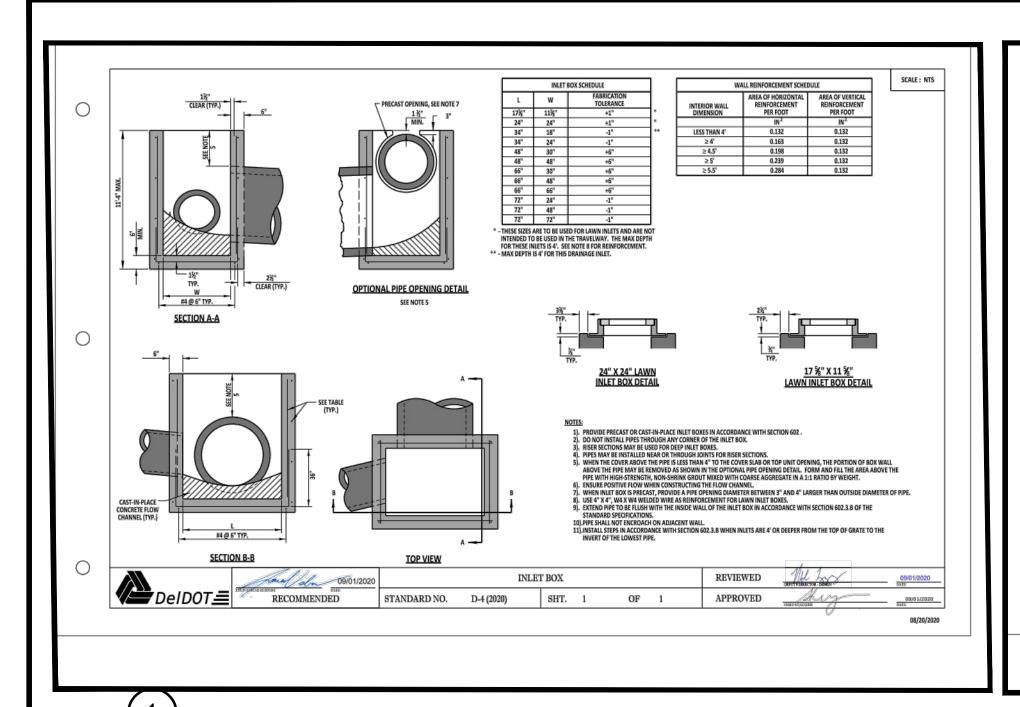
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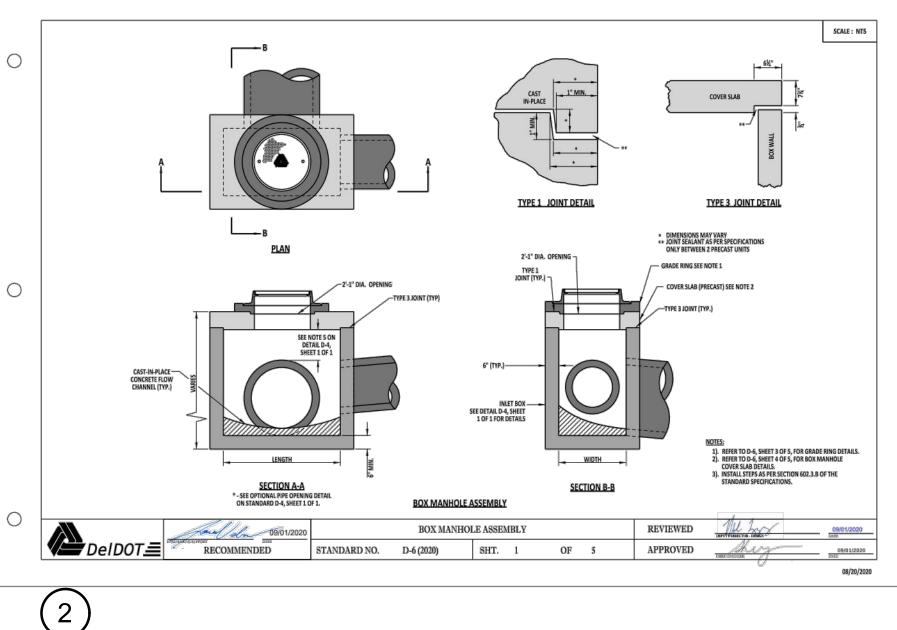
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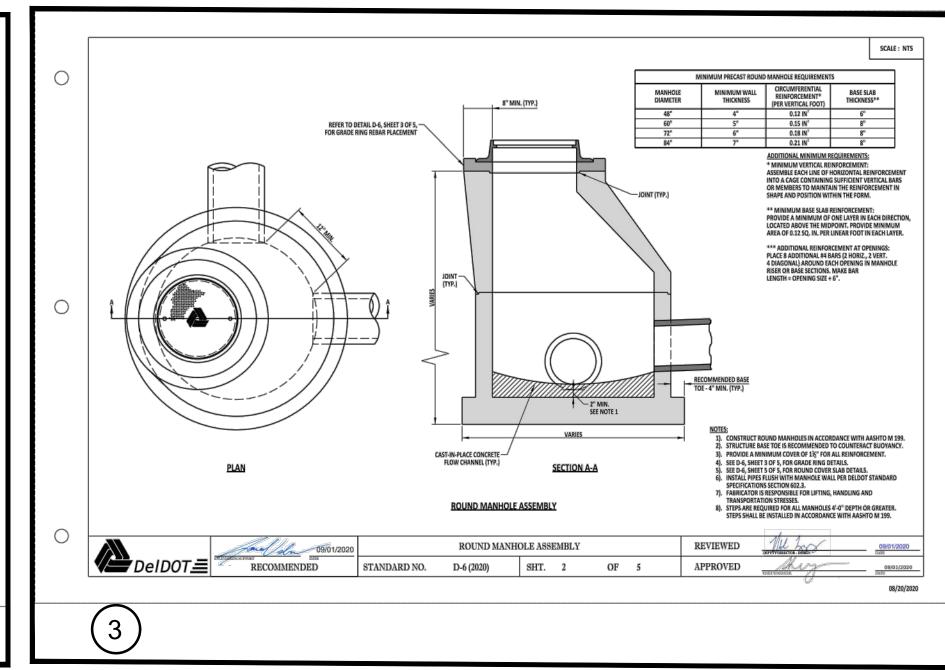


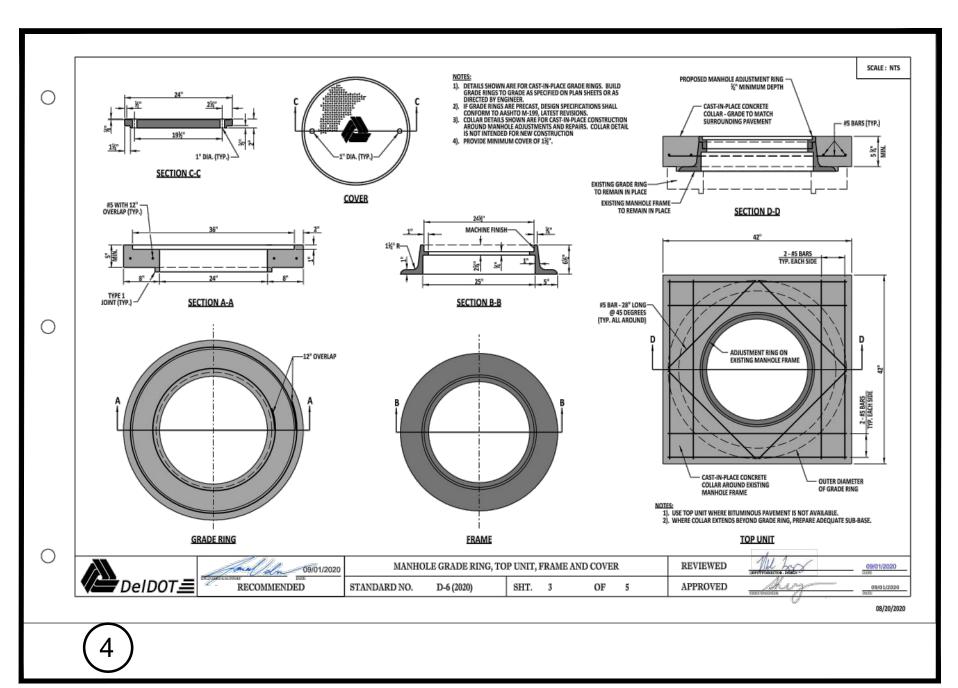


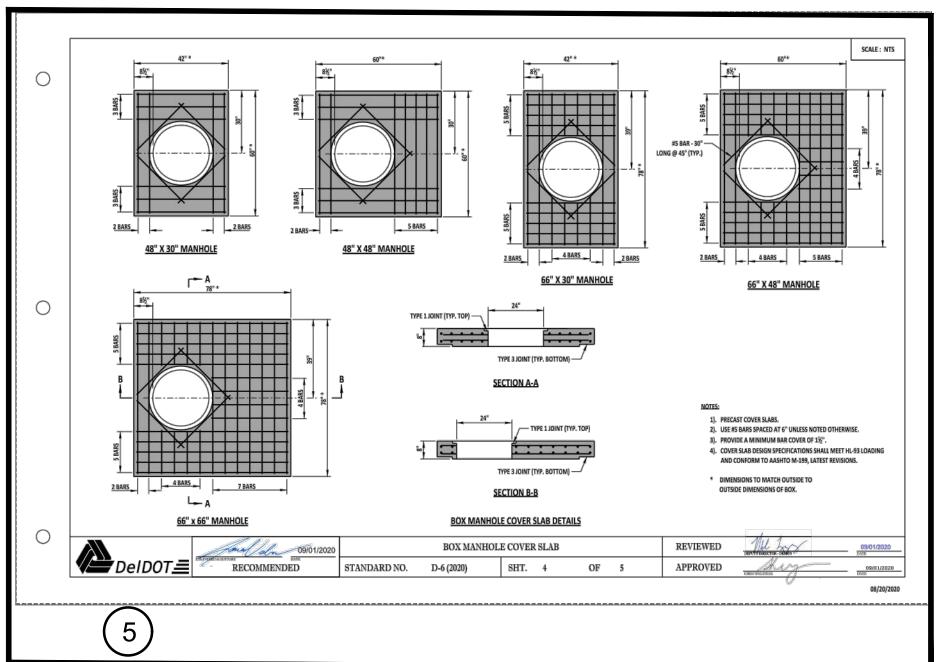
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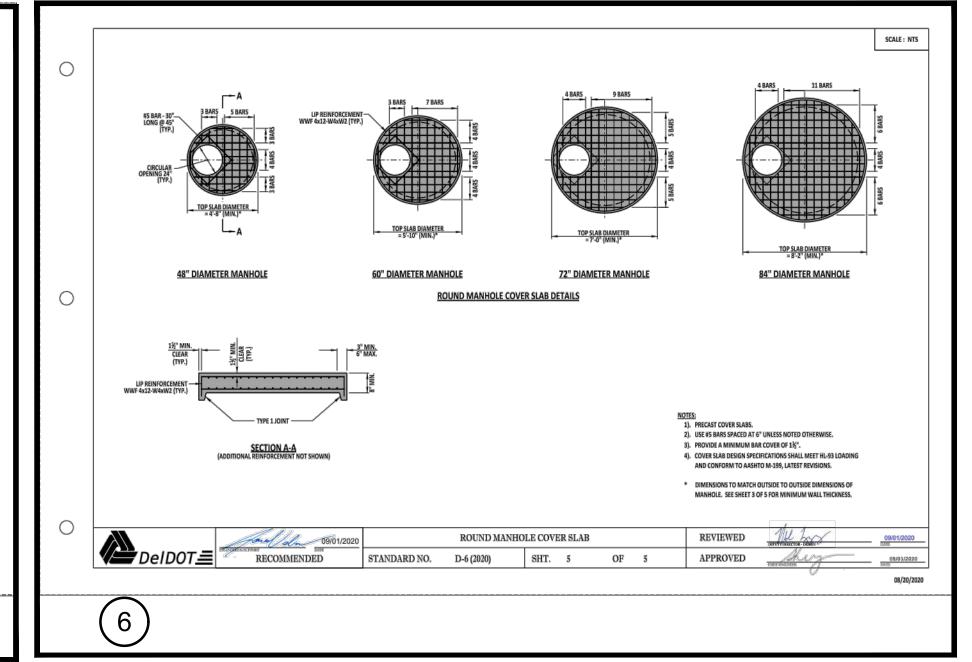


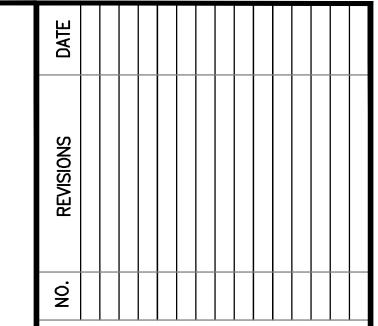














GEORGE, MILES & BUHR, LLC

ARCHITECTS & ENGINEERS

SALISBURY · BALTIMORE · SEAFORD

206 WEST MAIN STREET

SALISBURY, MARYLAND 2180

410-742-3115, FAX 410-548-5790

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MOUNTAIRE WATER
TREATMENT PLANT
DESIGN-BUILD
MILLSBORO, DELAWARE

GINEERS SURVEYORS PLANNERS
ANNAPOLIS CENTREVILLE ELKTON SALISBURY

119 NAVLOR MILL ROAD, SUTTE 6
SALISBURY, MD 21801

(410) 548-1492

I ROBERT S. KANE HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF DELAWARE, LICENSE NO. 13538, EXPIRATION DATE 06/30/2022

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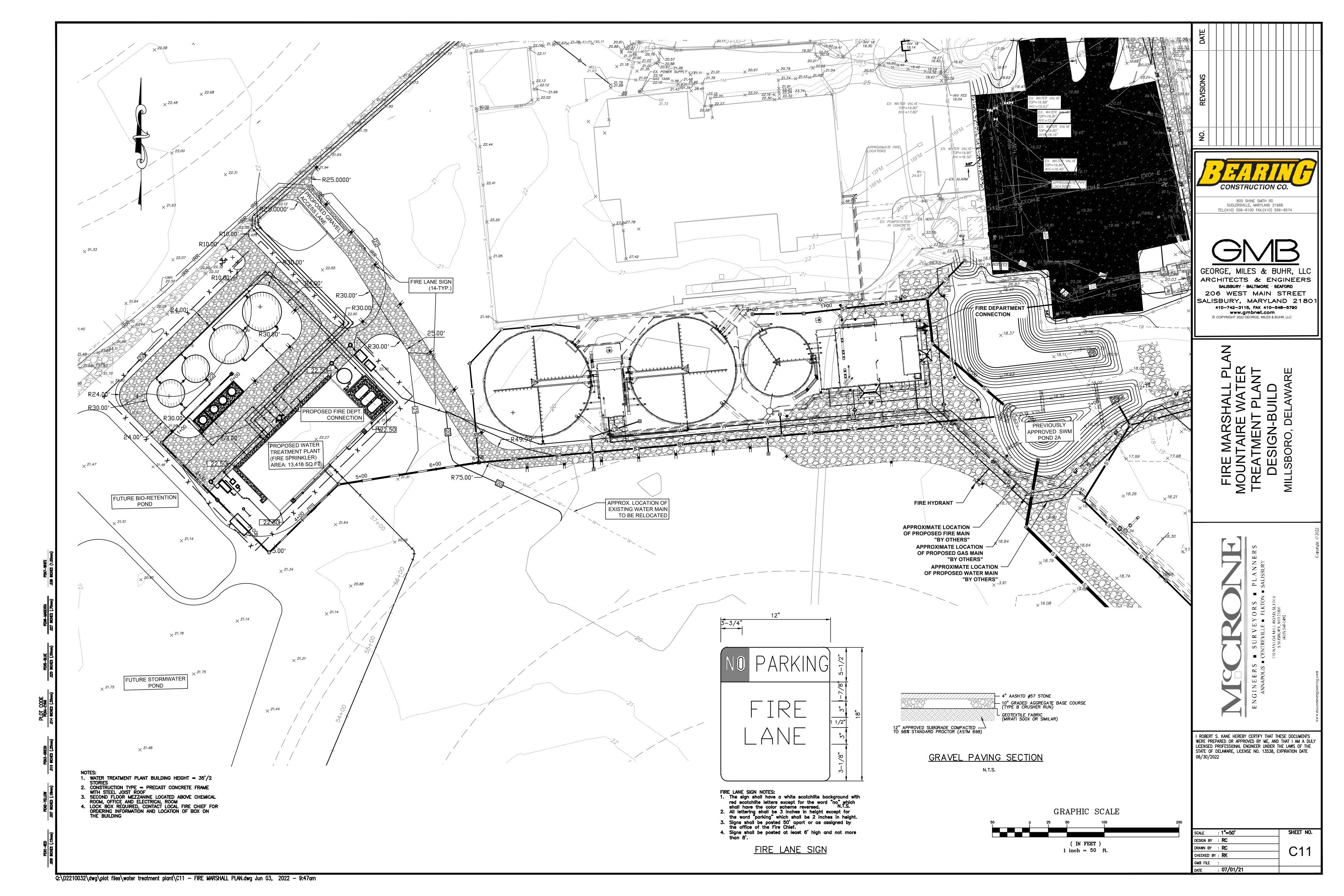
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STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION

DIVISION OF MAINTENANCE AND OPERATIONS SOUTH DISTRICT

23697 Dupont Blvd

Georgetown, DE 19947

COMMERCIAL ENTRANCE PERMIT

| District | Sussex | Phone No. | 443-880-3695 | |
|------------------------------------|---|---|---|-------|
| Issued To | Richard Tilghman | Permit No. | SC-0017-22CM | |
| Business | Name Be Cool Window Tint | | | |
| APPROV | VED FOR AN ESTIMATED VALUE OF TRAFFIC | C OF 8 | AVERAGE DAILY TR | AFFIC |
| LOCATI | ON: 8227 W Line rd Delmar, DE, 19940 | 145.40 | | |
| TAX PA | RCEL NO.: 532-19.00-51.00 | | | |
| On 05 | 5/11/2022 an inspection of t | ne above entrance | was made and was found to be in | 1-11 |
| | nnce with the Division of Maintenance Oper | | | by |
| traffic, t design of The pro | this property be sold, or the size or type of the the entrance will require a review by the Distribution of the perty owner is responsible for the repair of an | ict Permit Office. (S issued accordingly | South District (302)853-1340). At such to y. | me a |
| the date | of this commercial entrance permit. | | | |
| By copy construc | of this letter the 150% security offered to the ction of the entrance is hereby released. | e Division of Maint | tenance & Operations to guarantee the | |
| Type of s | security Furnished: | Security ID: | | |
| Date App | proved: 05/11/2022 | Approved By: | James A. Smith | |
| | | | District Permit Supervisor | |

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STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

BOO BAY ROAD RO. BOX 778 DOVER, DELAWARE 19903

NICOLE MAJESKI SECRETARY

November 19, 2021

Richard Tilghman Be Cool Window Tinting 827 W Line Rd Delmar, Delaware 19940

SUBJECT: Authorization to Apply for a Permit for Entrance Construction

Be Cool Window Tinting Tax Parcel # 532-19.00-52.00 SCR00512-WALLER RD

Little Creek (Sussex) Hundred, Sussex

Dear Richard Tilghman:

The Delaware Department of Transportation (DelDOT) has reviewed your request, dated October 25, 2021, to obtain a Letter of No Contention (LONC) to use an existing commercial building and site entrance for the above referenced project. In coordination with the South District Public Works Office we have determined that your project will require some modifications or enhancements to meet current regulatory requirements. We have therefore determined that this project is eligible to obtain a Permit for Entrance Construction (PEC) to make these modifications. The PEC will include a list of items that must be addressed, as well as requirements for bonding to perform work, where needed, within the State of Delaware right-of-way (ROW). This approval shall be valid for a period of one (1) year.

Please note: Your Permit for Entrance Construction must be obtained from the South District Public Works Office, before you can start any construction.

The following conditions are provided with this response letter:

- 1) Site shall have access from the existing entrance located on West Line Road (SCR 512).
- 2) Only the modifications/construction or traffic pattern changes that are itemized and authorized under the PEC will be permitted. Please coordinate with the DelDOT Public Works Office regarding the scope, location and limits of the following items, as well any other items listed in the PEC:
 - a) Improve existing residential entrance with the following parameters:



Be Cool Window Tinting Richard Tilghman Page 2 November 19, 2021

- i. Locate center of entrance as far away as possible from property's western property line to provide the maximum spacing from the existing residential driveway of Tax Map Parcel: 532-19.00-51.00.
- ii. Entrance radii per DelDOT Standard Construction Detail No. C-3.
- iii. 24' entrance pavement throat width.
- iv. Entrance length per DelDOT Standard Construction Detail No. C-3.
- v. Utilize DelDOT Development Coordination Manual Section 5.6 for pavement section selection and follow the asphalt pavement tie-in detail.
- b) Owner should contact Area 1 to have ditch cleaned out to achieve positive drainage and to have existing HDPE pipe unburied.
- c) Replace and/or extend existing culvert if necessary, with pipe material as specified in DelDOT Design Guidance Memorandum Number 1-20 with the minimum size of 15", due to entrance widening.
- d) DelDOT reserves the right to review, modify or revoke this authorization letter and PEC and require additional entrance upgrades in the future if proposed activities create traffic conflicts, safety concerns or operational issues.
- e) The property owner is responsible to:
 - a. Submit information to DelDOT, regarding any future operational or site changes, (including but not limited to: rezoning, site layout changes, changes in use, entrance modifications, expanded/additional uses, new uses, etc.). Changes of this nature may alter the flow and/or volume of traffic and could require a new PEC, LONC or formal review for Approvals and/or Permits.
 - b. Establish and maintain clear sight lines at the entrance. There shall be no placement of structures, signs, objects, items for sale or parking of vehicles within State ROW or entrance limits. Shrubbery, Plantings, trees and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited.
 - f) The property owner and applicant are responsible to coordinate with DelDOT Outdoor Advertising & Roadside Control at (302) 853-1327, for information on obtaining specific permits for sign installation on private property. Permits for Utilities construction within State right-of-way require separate permit applications please contact DelDOT's South District at (302) 853-1345.

The Department would like to thank you for your submittal.

Please contact the South District Public Works Office at (302) 853-1340, for their assistance in obtaining the PEC. No construction or modification listed under Item 2 is allowed in advance of the DelDOT Public Works Office issuance of the Permit for Entrance Construction.

Sincerely,

R. Stephen McCabe Sussex County Review Coordinator, Development Coordination

Michaed S. H.Ca

Be Cool Window Tinting Richard Tilghman Page 3 November 19, 2021

cc: Richard Tilghman, Be Cool Window Tinting
Jamie Whitehouse, Sussex County Planning & Zoning Commission
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
Scott Rust, South District Public Works manager
William Kirsch, South District Entrance Permit Supervisor
James Argo, South District Project Reviewer
Wendy L. Polasko, P.E., Subdivision Engineer
John Andrescavage, Sussex County Reviewer

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OFFICE OF THE STATE FIRE MARSHAL Technical Services

22705 Park Avenue Georgetown, DE 19947



SFMO PERMIT

Plan Review Number: 2021-04-208166-BLD-01

Status: Approved as Submitted

Tax Parcel Number: 532-19.00-52.00

Date: 09/14/2021

Project

Be Cool Window Tinting Be Cool Window Tinting Richard Tilghman Property

8227 West Line Road Delmar DE 19940

Scope of Project

Number of Stories: 1 Square Footage: 780

Construction Class: V (000) Wood Frame Fire District: 74 - Delmar Volunteer Fire Dept Inc Occupant Load Inside: 2 Occupancy Code: 9790

Applicant

Richard Tilghman 8227 West Line Road Delmar, DE 19940

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

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

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

A final inspection is required.

This Plan Review Project was prepared by:

Desiree McCall

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2021-04-208166-BLD-01

Tax Parcel Number: 532-19.00-52.00

Status: Approved as Submitted

Date: 09/14/2021

PROJECT COMMENTS

- 2000 A This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) dated August 11, 2006. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.govThese plans were not reviewed for compliance with the Americans with Disabilities Act. These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes. Project work must be started within one year from the issuance of the permit, otherwise, the permit will be terminated. 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. 2710 A The following items will be field verified by this Agency at the time of final inspection: 2338 A Door assemblies in fire barriers shall be of an approved type with the appropriate fire protection rating for the location in which they are installed and shall comply with NFPA 80. Fire doors shall be self closing or automatic closing in accordance with 7.2.1.8 and, where used within the means of egress, shall comply with the provisions of 7.2.1. 2000 NFPA 101, Section 8.2.3.2.1. 2030 A Doors shall be non keyed from the inside (NFPA 101, Section 7.2.1.5.2, ed 2006). This can be a lever, knob, thumb latch, or panic bar. NFPA 101, Section 7.2.1.5.4 (2000 ed.). 2104 A Interior finish on walls and ceilings shall be Class A, B, or C in storage areas. and shall be Class A or B in exit enclosures as required by another section of the code. NFPA 101, Section 42.3.3.3 (2006 ed), (NFPA 101, Section 42.3.3.2 2000 ed.).If finishes other than drywall and paint are proposed, provide this Agency with manufacturer's specifications.
- 2118 A Interior finish on walls and ceilings in exits and corridors shall be Class A or B

Flamespread Rating, and in office areas Class A, B, or C. If finishes other than drywall and paint are proposed, provide this Agency with manufacturer's specifications.2006 NFPA 101, Section 38.3.3.2.

- 2070 A Provide emergency lighting designed and installed to illuminate the paths of travel to the exits, the exits themselves, and the exit discharge. The emergency lighting shall be arranged to provide the required illumination automatically in the event of anyinterruption of normal lighting, Such as any failure of public utility or other outside electrical power supply; opening of a circuit breaker or fuse; Or any manual act(s), including accidental opening of a switch controlling normal lighting facilities.(2006 NFPA 101, Section 7 9.2.3).
- 2080 A Provide illuminated exit/directional signs. (2006 NFPA 101, Section 7.10).
- 2210 A Provide portable fire extinguishers (DSFPR Part V, Section 1 9.1). A multipurpose (A:B:C) with at least a 2A:10B:C rating shall be provided (NFPA 10). All portable fire extinguishers shall be serviced on an annual basis (every 12 months) by an individuallicensed under the provisions of the DSFPR, Part III, Chapter 2. The list of current, licensed fire extinguisher companies is found on our web site www.statefiremarshal.delaware.gov.
- 2220 A All electrical work shall comply with the provisions of the National Electrical Code (NFPA 70). It will be required to pass an electrical inspection by an approved electrical inspection agency: American Inspection Agency (877-242-1300); or BuildingInspection Underwriters (302-266-9057); or First State Inspection Agency (800-468-7338); or Middle Department Inspection Agency (800-222-6342); or National Code Inspection Agency (302-349-9020); or United Inspection Agency (215-542-9977).
- 2600 A At the time of final inspection, the individual or firm responsible for the original submission of plans shall provide an Architectural/Engineering grade plan of the building footprint, on an 8 1/2"x11" sheet that will detail the following: (a) Name, address, location of building;
- 2606 A (g) Name and phone number of personnel responsible (owner and/or manager) for responding during emergencies.
- 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.

Page 4 of 4



October 20, 2021

Mr. Richard and Kelsey Tilghman

Via email: richieltilghman@yahoo.com

RE: Auto Glass Tinting Shop – Conditional Use

Exemption from the Delaware Sediment and Stormwater Regulations

TM# 532-19.00-52.00

Dear Mr. Tilghman,

The Sussex Conservation District has reviewed the plan for the above referenced site. The District concurs with the information provided and agrees that the total disturbance is less than 5,000 square feet and is therefore exempt from obtaining a sediment and stormwater plan.

Please contact the District if site conditions change or if the area of disturbance exceeds 5,000 square feet to discuss permitting requirements. If you have any questions or concerns, please contact the District at 302-856-2105.

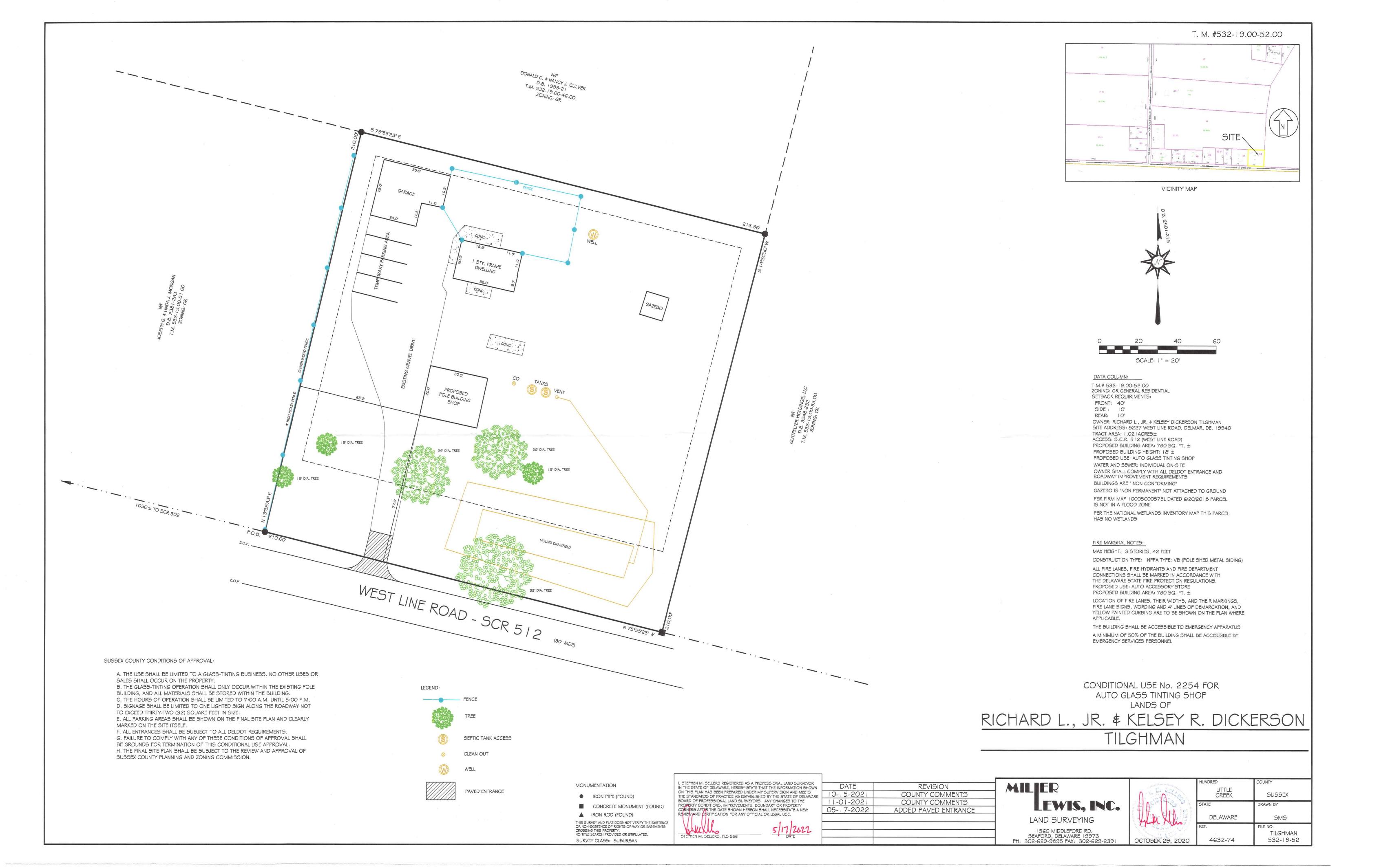
Sincerely,

Jessica I. Watson

Jessica L. Watson Program Manager

23818 SHORTLY ROAD, GEORGETOWN, DE office: 302-856-2105 fax: 302-856-0951 <u>WWW.SUSSEXCONSERVATION.ORG</u>

PREPARE. PROTECT. PRESERVE.





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: 2022-04-209681-MJS-01

Status: Approved as Submitted

Tax Parcel Number: 235-19.00-23.00

Date: 03/02/2022

Project

Wyoming Millwork Facility Expansion

Wyoming Millwork Property - 23000 Tracks End Lane

23001 Tracks End Lane Milton DE 19968

Scope of Project

Number of Stories: Square Footage: Construction Class:

Fire District: 85 - Milton Fire Dept

Occupant Load Inside: Occupancy Code: 9790

Applicant

David Heatwole PO Box 2 Harrington, DE 19952

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

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

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

A final inspection is required.

This Plan Review Project was prepared by:

Dennett Pridgeon

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2022-04-209681-MJS-01

Tax Parcel Number: 235-19.00-23.00

Status: Approved as Submitted

Date: 03/02/2022

PROJECT COMMENTS

- 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.
- 1014 A Per Fire Flow Table 1, the following occupancies: Storage, Industrial, and Mercantile Shall not exceed 5,000 aggregate gross square footage; and Shall have a minimum setback of 15' from all property lines and 15' setback from exposure hazards on the samesame property; OR Shall not exceed 10,000 aggregate square footage; and Shall have a minimum setback of 25' from all property lines and 15' setback from exposure hazards on the same property.
- 1408 A All premises where emergency personnel may be called upon to provide emergency services, which are not readily accessible from streets, shall be provided with suitable gates, access roads, and fire lanes so that all buildings on thepremises are accessible to emergency apparatus. (DSFPR Regulation 705, Chapter 5, Section 2).
- 1405 A Where emergency services have to utilize access roadways to reach designated fire lanes, such access roadways shall be constructed to meet the minimum engineering specifications and/or requirements pursuant to the Delaware Department ofTransportation or local jurisdictions for paved roadways. All access roadways shall be paved and be a minimum of 20 feet clear width for two-way traffic and 14 feet clear width for one-way traffic. The paved width of access roadway shall bemeasured from the edge of parking spaces, or face of curb for vertical curb and back of curb for mountable curb, or edge of pavement if there is no curbing. (DSFPR Regulation 705, Chapter 5, Section 5).
- 1091 A Emergency Services Access to buildings shall comply with DSFPR Regulation 705, Chapter 5, Section 3.0.
- 1092 A Perimeter Access is that portion of the building that is accessible by emergency

THE

services personnel and is within 100 feet of a street and capable of supporting fire ground operations. (DSFPR Regulation 705, Chapter 5, Section 1.4.1). Perimeter Access minimum width shall be 15 feet measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, providedthey do not interfere with the emergency services fire ground operations. (DSFPR Regulation 705, Chapter 5, Sections 3.5 and 4.5). If a physical barrier (fence, pond, steep slope, etc) prevents access, that portion of the building perimeter shallnot be included in the calculation of Percent of Perimeter Access. (DSFPR Regulation 705, Chapter 5, Sections 3.5.1 and 4.5.1).

- 1415 A Fire Department access shall be provided to all otherwise inaccessible gated communities, subdivisions, developments, gated commercial properties or property by any other name through the use of a system or device as required by theDelaware State Fire Prevention Regulations and approved by the Office of the State Fire Marshal after consultation with the local Fire Chief. (DSFPR Regulation 705, Chapter 2, Section 2.6.2).Please provide specifications for the device. Include how the system works, where the device will be located, and a letter from the Fire Chief accepting the layout.
- 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.
- 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.

DEP



DEPARTMENT OF TRANSPORTATION

800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI SECRETARY

May 26, 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

Wyoming Millworks Milton Facility Expansion

Tax Parcel # 235-19.00-23.01 Rt.30 Gravel Hill Road (SCR248) BroadKill Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Site Plan, dated April 11, 2022 (signed by the Engineer and Owner on May 20, 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 <u>five (5) years</u>. 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 <u>Development Coordination Manual</u> and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is <u>not</u> 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.



Wyoming Millworks Milton Facility Expansion Mr. Jamie Whitehouse Page 2 May 26, 2022

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.

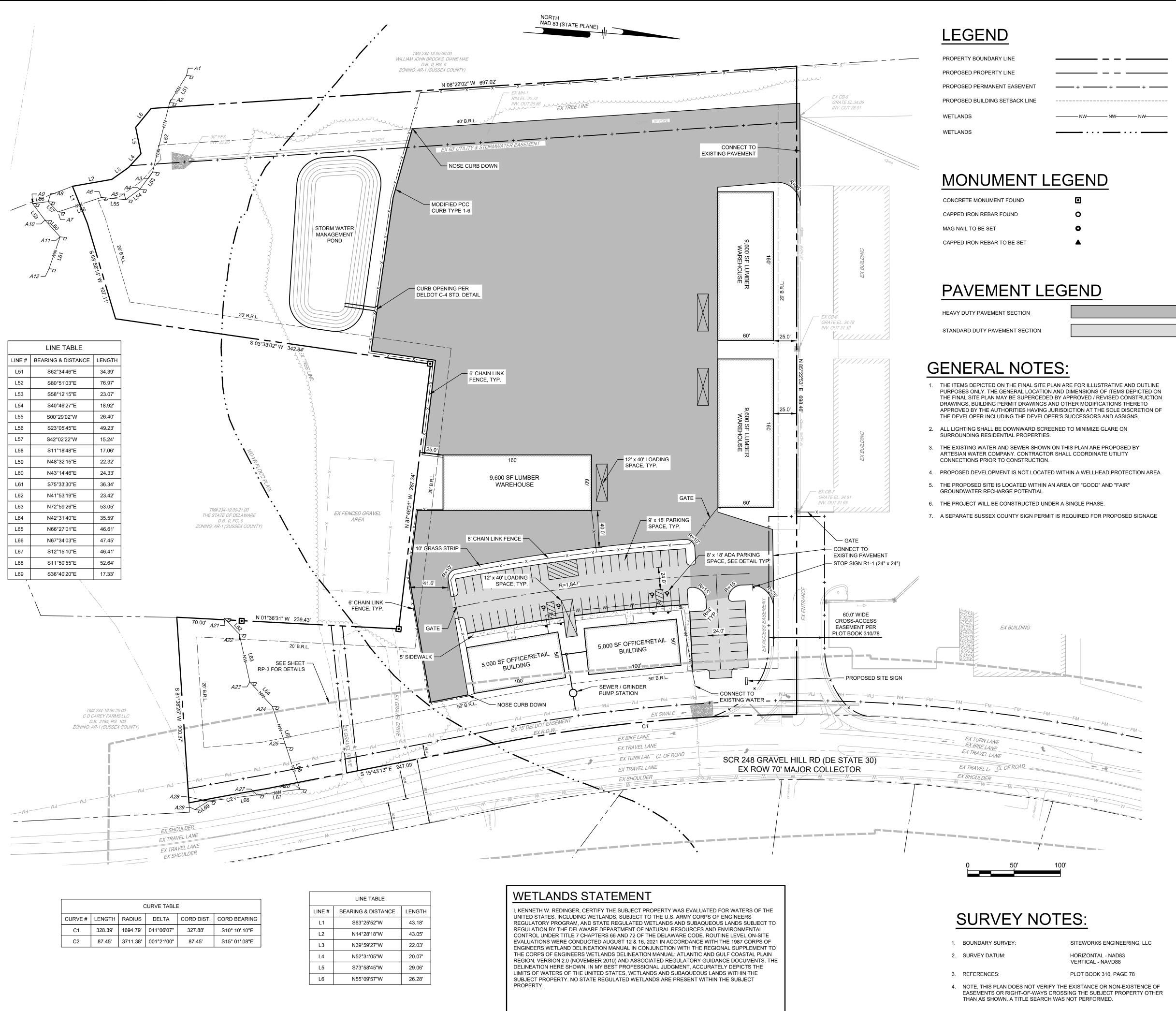
If I can be of any further assistance, please call me at (302) 760-2266.

Very truly yours,

Wendy L. Polasko, P.E. Subdivision Engineer Development Coordination

Wendy L. Polasko

David Failing, Mill Investments II, LLC cc: Dave Heatwole, SiteWorks Engineering, LLC. Jessica L. Watson, Sussex Conservation District Matt Schlitter, South District Public Works Engineer James Argo, South District Project Reviewer James Smith, South District Entrance Permit Supervisor 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 R. Stephen McCabe, Sussex County Review Coordinator Derek Sapp, Subdivision Manager, Development Coordination



KENNETH W. REDINGER, PROFESSIONAL WETLAND SCIENTIST #2126

PHONE: (757) 894-7032 / EMAIL: KWREDINGER@GMAIL.COM

BOX 479 / HORNTOWN, VIRGINIA 23395

SITE DATA:

1. TAX MAP NUMBER 235-19.00-23.01 MILL INVESTMENTS II LLC OWNER 3. GROSS AREA / NET DEVELOPMENT AREA 9.553 ACRES

EXISTING & PROPOSED LOTS: 1 EXISTING - 1 PROPOSED MILL INVESTMENTS II LLC DEVELOPER NAME: 6. PROPERTY ADDRESS: 23000 TRACKS END LANE MILTON, DE 19968

7. GOVERNMENTAL ENTITY RESPONSIBLE FOR LAND USE APPROVAL: SUSSEX COUNTY

HUNDRED/COUNTY: BROADKILL HUNDRED / SUSSEX COUNTY HI-1 (HEAVY INDUSTRIAL) ZONING:

10. PRESENT USE: TILLED CROPS

11. PROPOSED USE: LUMBER YARD / WAREHOUSE / RETAIL

THE PROPERTY HAS A FUTURE LAND USE DESIGNATION OF "INDUSTRIAL AREA" PER SUSSEX COUNTY'S 2019 COMPREHENSIVE PLAN UPDATE.

12. GROSS LEASABLE FLOOR AREA: 38,800 SF

13. REQUIRED HI-1 SETBACKS (B.R.L.): FRONT: 50-FFFT

SIDE: 20-FEET REAR: 20-FEET (40 WHEN ADJACENT TO AR-1)

14. MAXIMUM HEIGHT REQUIREMENT: 125-FFFT PROPOSED HEIGHT: <125-FEET

OFFICE SPACE (1 SPACE / 200 SF OF FLOOR AREA)
OFFICE SPACE FLOOR AREA = 5,000 SF 15. REQUIRED PARKING REQUIRED PARKING = 25 SPACES

> RETAIL SPACE (1 / 200 SF OF FLOOR AREA PLUS SPACE FOR EACH 2 EMPLOYEES, LARGEST SHIFT) RETAIL FLOOR AREA = 5,000 SF RETAIL EMPLOYEES (LARGEST SHIFT) = 6 REQUIRED PARKING = 28 SPACES

LUMBERYARD / WAREHOUSE (1 FOR EVERY 2 EMPLOYEES ON THE MAJOR SHIFT) EMPLOYEES ON MAJOR SHIFT (14) REQUIRED PARKING = 7 SPACES

PARKING SPACES REQUIRED = 60 SPACES PARKING SPACES PROVIDED = 63 SPACES ADA ACCESSIBLE SPACES REQUIRED = 3 SPACES ADA ACCESSIBLE SPACES PROVIDED = 4 SPACES

16. LOADING SPACE REQUIRED: 4 SPACES LOADING SPACED PROVIDED: 4 SPACES

ARTESIAN WATER COMPANY

17. WATER SUPPLIER: 18. SANITARY SEWER PROVIDER: ARTESIAN WATER COMPANY

19. PROJECT DATUM HORIZONTAL NAD 83

VERTICAL: NAVD88 20. FEMA FLOOD MAP: PER FEMA FLOOD MAP 100005C0165J, 10005C0164J EFFECTIVE 1/6/2005, A PORTION OF THE SITE IS WITHIN FLOOD ZONE "A" AND SUBJECT TO INUNDATION BY THE 1%

21. POSTED SPEED LIMIT FOR GRAVEL HILL RD (SCR 248): 50 MPH

22. 2020 STATE INVESTMENT AREA: LEVEL 3

23. LATITUDE AND LONGITUDE STATE PLAN COORDINATES:

LATITUDE: N 38° 46' 30" LONGITUDE: W 75° 20' 34"

ANNUAL CHANCE FLOOD.

24. NON-TIDAL WETLAND AREA: 0.465 ACRES 0.000 ACRES TIDAL WETLAND AREA:

25. PROPOSED DISCHARGE LOCATION: BRITTINGHAM BRANCH

NOT WITHIN AN IDENTIFIED TID

27. LIMIT OF DISTURBANCE: 6.9 ACRES 28. WATERSHED: BROADKILL RIVER

29. IMPERVIOUS AREA (PERCENT OF SITE): 5.328 ACRES (55.8%)

DELDOT RECORD PLAN NOTES

REVISED MARCH 21, 2019

- 1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS
- 2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- 3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- 4. PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION, OR BOTH. (TITLE 17 §131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- 5. 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.
- 6. ALL LOTS SHALL HAVE ACCESS FROM INTERNAL STREETS.

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- 7. 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
- 8. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- 9. 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.

ISSUE / REVISION BLOCK 2/9/22 - SUSSEX COUNTY

2/9/22 - FIRE MARSHAL

5/20/22 - SUSSEX

4/11/22 - DELDOT

4/12/22 - SUSSEX CONSERVATION DISTRICT

CONSERVATION DISTRICT 5/31/22 - SUSSEX COUNTY

SCALE PROJECT # DRAWN B 1" = 50' 2160-WMIL DMH DRAWING NUMBER

Planning & Zoning Commission Minutes April 22, 2021 Page | 8

Motion by Ms. Stevenson, seconded by Mr. Hopkins and carried unanimously to recommend approval of C/U 2246 for Bee Wise, LLC for the reasons and conditions stated in the motion. Motion carried 5-0.

2019-29 Scenic Manor (F.K.A. Estates at Mulberry Knoll)

A cluster subdivision to divide 166.8 acres +/- into 319 single-family lots to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County. The property is lying on the east and west sides of Mulberry Knoll Rd. (S.C.R. 284), approximately 0.67 mile south of John J. Williams Hwy. (Route 24). Tax Parcel: 334-18.00-43.00. Zoning District: AR-1 (Agricultural Residential District).

The Commission discussed this application which has been deferred since April 8, 2021.

Mr. Mears moved that the Commission grant preliminary approval for Subdivision 2019-29 for Scenic Manor, formerly known as the Estate at Mulberry Knoll based upon the record made during the public hearing and for the following reasons:

- 1. The site is in the Coastal Area according to the Sussex County Comprehensive Plan. According to the Plan, the Coastal Area is a Growth Area where single-family homes in clustered subdivisions are appropriate.
- 2. The Applicant is seeking approval of a subdivision within the AR-1 Zoning District and Coastal Area according to the Sussex County Comprehensive Plan.
- 3. The subdivision will have no more than 319 lots on 166.8 acres. This density does not exceed the maximum density that is permitted in the AR-1 zone.
- 4. All lots will be at least 7,500 square feet in size.
- 5. Based upon the record and with the conditions of approval this subdivision will not have an adverse impact on the neighboring properties or area roadways.
- 6. The proposed subdivision meets the purpose and standards of the Subdivision Code and the applicant has addressed the requirements of Section 99-9C of the Code.
- 7. The homes and amenities are clustered on the most environmentally suitable portions of the site and avoid wetlands and waterways. The subdivision will also include approximately 80 acres of open space which represents approximately 48% of the site.
- 8. The proposed development complies with the Coastal Area Requirements in the Sussex County Zoning Code. The Applicant has performed a wetland delincation and has submitted an Environmental Assessment and Public Facilities Evaluation Report and the subdivision was designed in accordance with the results of both reports.
- 9. The Applicant retained Edward Otter, Inc. to perform an archeological investigation of the property that included field work, archival research and laboratory analysis. This research did not reveal anything that could affect the development of this site. One of the conditions of this approval will be that a copy of the Final Archeological Report prepared by Edward Otter, Inc. shall be sent to the State Historical Preservation Office.
- 10. The project will be served by a central water system.
- 11. Sussex County will provide central sewer to the project.
- 12. The development complies with the Sussex County Comprehensive Plan as a low density, single-family dwelling subdivision.
- 13. This development will be part of the Henlopen Transportation Improvement District. Based on the financial contributions of that participation and the road improvements currently underway along Route 24 and including the intersection with Mulberry Knoll Road, the existing Levels of



Planning & Zoning Commission Minutes April 22, 2021 Page | 9

Service on area roadways will not be degraded as a result of this subdivision. In many cases, these factors will contribute to improved Levels of Service according to the TIS Review Letter provided by DelDOT.

- 14. This preliminary approval is subject to the following:
 - a. There shall be no more than 319 lots within the subdivision.
 - b. The subdivision shall be served by a central water system for potable water and fire protection.
 - c. The site shall be served by central sewer as part of the Sussex County sewer system.
 - d. The developer shall establish a homeowners association responsible for the maintenance of streets, buffers, stormwater management facilities and other common areas.
 - e. The stormwater management system shall meet or exceed the requirements of the State and County. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities. The system shall be maintained and operated using Best Management Practices.
 - f. There shall be a vegetated or forested buffer that is at least 20 feet wide installed along the perimeter of this subdivision. This buffer shall utilize existing forest or similar vegetation as much as possible with limited disturbance.
 - g. The development shall comply with all DelDOT entrance and roadway improvement requirements, including the requirements of the Henlopen Transportation Improvement District.
 - h. Street design shall meet or exceed Sussex County standards.
 - i. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
 - j. Construction, site work and deliveries shall only occur on the site between the hours of 8:00 a.m. through 5:00 p.m., Monday through Friday, and 8:00 a.m. through 2:00 p.m. on Saturdays. No Sunday hours are permitted.
 - k. The Applicant shall coordinate with the local school district regarding the location of a school bus stop. The location and details of this area shall be shown on the Final Site Plan.
 - 1. The development shall be served by its own on-site amenities including a clubhouse that is at least 3,000 square feet in size, an outdoor pool and two children's playgrounds that are on each side of Mulberry Knoll Road. As requested by the Applicant, and subject to any required State and Federal approvals, a kayak launching area shall be permitted. No motorized vessels shall use any dock associated with this development.
 - m. All amenities shall be completed and open for use prior to the issuance of the 140th residential building permit.
 - n. As stated by the Applicant, there shall be a buffer that is at least 50 feet wide from all tidal waters and tidal wetlands. In addition, there shall not be any disturbance of trees or other vegetation within these buffer areas and the required silt fencing shall be upland of these buffer areas to avoid disturbance.
 - o. There shall be sidewalks on both sides of all streets and the sidewalk system shall connect with DelDOT's multi-modal path.
 - p. As stated by the Applicant, a system of fully-shielded and downward screened streetlighting shall be provided.
 - q. The Developer shall coordinate with DelDOT for a safe crossing of Mulberry Knoll Road between the two sections of this subdivision. The Developer shall indicate the means of safe crossing on the Final Site Plan, and no homes shall be constructed on the west side of Mulberry Knoll Road until those safety measures are installed.
 - No residential building permits shall be issued until the Route 24 and Mulberry Knoll Road intersection is signalized as part of DelDOT Contract No. T201212201 and as referenced in



Planning & Zoning Commission Minutes April 22, 2021 Page | 10

JMT's February 10, 2021 Traffic Impact Study Review Letter.

- s. The Final Site Plan shall include a Landscape Plan confirming all landscaping to be provided, the preservation of all buffer areas, and the forested areas that will be preserved.
- t. A copy of the Final Archeological Report prepared by Edward Otter, Inc. shall be sent to the State Historical Preservation Office prior to the submission of a Final Site Plan.
- u. A revised Preliminary Site Plan either depicting or noting these conditions must be submitted to the Office of Planning and Zoning.
- v. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Mears, seconded by Ms. Wingate and carried to approve Subdivision 2019-29 for Scenic Manor, formerly known as the Estate at Mulberry Knoll for the reasons and conditions stated in the motion. Motion carried 4-1 with Ms. Stevenson dissenting.

PUBLIC HEARINGS

Mr. Robertson described the procedures for public hearings before the Planning and Zoning Commission.

2020-15 - The Estuary at Oyster Rock

A standard subdivision to divide 28.80 acres +/- into 21 single-family lots to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County. The property is lying on the north side of Sandbar Court, which is within the existing Oyster Rock subdivision, and accessed from the northwest side of Oyster Rocks Road approximately 0.61-mile northcast of Coastal Highway (Rt. 1). Tax Parcel: 235-16.00-45.01. Zoning District: AR-1 (Agricultural Residential District).

Mr. Whitehouse advised the Commission that submitted into the record is a copy of the Applicant's Preliminary Subdivision Plan, a copy of the Applicant's Chapter 99.9.C response, a copy of the Applicant's exhibit book, a copy of the soil feasibility study, a copy of the DelDOT comments received from TAC including the USDA soils comments, a copy of comments from the Sussex County Engineering Department Utility Planning Division, and no correspondence in support of or in opposition to the Application and zero mail returns.

The Commission found that Mr. John Sergovic, Esq. was present on behalf of the Applicants, John and Judy Vincent; that also present are Mr. John Vincent and Mr. Robert Nash, Merestone Consultants; that Roger Rose, Chief Engineer was unable to attend the hearing due to illness; that this property is a landlocked parcel; that the Applicant has come to an agreement with Association at Oyster Rock to get access and to become part of the Oyster Rock Subdivision; that the Wetlands will not be disturbed and that there will be setbacks from the Federal Wetlands.

Mr. Robertson stated that there is extensive information in the record for this Application in the reports submitted by Mr. Rose.

The Commission found that there was no one present in the room or by teleconference who wished to speak in support of and one person who spoke in opposition to the Application.

The Commission found that Mr. James Muir spoke in opposition to the Application. Mr. Muir stated that he has some concerns about water pressure when 21 homes are tied into Tidewater; that this property

Tax Parcel No.: 334-18.00-43.00

Subdivision No.:

Prepared by/Return To:

Delaware Department of Transportation

Division of Planning

For overnight 800 Bay Road,

Dover, DE 19901

Or

Regular Mail P.O. Box 778

Dover, DE 19901

Henlopen Transportation Improvement District Infrastructure Recoupment Agreement

WITNESSETH:

WHEREAS, DelDOT and the County in overseeing the coordination of land use and transportation require construction of various transportation improvements relating to the various anticipated land development projects in accordance with Title 17, Chapter 5, § 507 of the Delaware Code; and

WHEREAS, DelDOT and the County have established the Henlopen Transportation Improvement District (the "Henlopen TID"), as outlined in the "Agreement Regarding Henlopen Transportation Improvement District," executed by both parties on October 30, 2020; and

WHEREAS, the County shall set up a fund (hereinafter referred to as the "Henlopen TID Fund") to help fund the planned transportation improvements in lieu of developments preparing a traffic impact study and either phasing their development projects and/or constructing offsite transportation improvements; and

WHEREAS, the Developer is willing to contribute to the Henlopen TID Fund in recognition of the benefits the new transportation improvements will bring its property, and in order to immediately proceed with the construction and development of its property; and

WHEREAS, said property is located on Mulberry Knoll Road, Sussex County, Delaware, being Sussex County Tax Parcel 334-18.00-43.00 consisting of 166.83 acres, more or less, as shown on Exhibit "A" (hereinafter referred to as the "Property").

NOW, THEREFORE, for valuable consideration, the receipt and adequacy of which is hereby acknowledged, and intending to be legally bound, the parties agree as follows:

I. Traffic Impact Study

The **Developer** shall not be required to perform a traffic impact study and, in lieu thereof, shall contribute to the Henlopen TID Fund as set forth in this Agreement.

II. Right-of-Way (R/W) Dedication

Dedication of rights-of-way in lieu of some or all of the required fee shall be by agreement between the **Developer** and **DelDOT**, with payment of the fee being required if any party is not amenable to the proposed dedication. The value of the rights-of-way to be dedicated shall be determined in accordance with **DelDOT** policies and regulations. The creditable area shall be determined based on highway plans acceptable to **DelDOT** and shall exclude the standard dedications provided in **DelDOT**'s <u>Development Coordination Manual</u>, rights-of-way for any proposed subdivision streets, and any lands needed to accommodate the site entrance. The form of credit agreement to be utilized in the event of a right-of-way dedication in lieu of some or all of the fee is attached to this Agreement as Exhibit "C".

III. Transportation Improvement Funding

A. Henlopen Transportation Improvement District Fund — The County shall create and administer a separate account, the Henlopen TID Fund, to make timely payments to DelDOT, for all engineering professionals and contractors performing work on the Henlopen TID transportation improvements. Subject to the provisions of this Agreement, contributions (defined below) to the Henlopen TID Fund will be made by the Developer and by other property owners who execute recoupment agreements in substantially the same form as this Agreement, and by DelDOT, as required.

B. Contributions To The Fund

- 1. <u>Contribution Rates</u> -The established rates for the Henlopen TID are listed on Exhibit "B". Subject to the limitations set forth below, the **Developer** shall contribute to the Henlopen TID Fund (hereinafter, the "contribution" or "contributions"), in amounts consistent with the established rates, for the **Property** described on the attached Exhibit "A," which amounts shall be adjusted annually as set forth in paragraph D below. Once contributions for a specific development are paid in full, the **Developer** shall have no further obligations under this Agreement for that development.
- 2. Contribution Timing Contributions shall be made at the time of Developer application to the County for a building permit for the Property. The parties acknowledge and agree that no building permits for a building or project located on the Property shall be issued until such time as the contributions to the Henlopen TID Fund associated with the particular building or project phase have been made. Where a project involves residential houses, no building permit for a particular unit shall be issued until the contribution for that unit has been made. For a non-residential building, where contributions are to be made on a square foot basis, no building permit for a particular building shall be issued until the contribution for such building has been made.
- 3. Property Rezoning If the Property is rezoned from its current zoning designation, or development plans change, future contributions shall be paid in accordance with the use then being made of the Property. For example, if a portion of the Property is developed residentially, but then the balance of the Property is developed for non-residential purposes, the contributions for the residential portion shall be paid at the residential rates, and the non-residential portions based on the appropriate non-residential rates.
- 4. <u>Contribution Notification</u> In the event <u>Developer</u> has elected to execute this Recoupment Agreement, any final site plan for development of lands of said <u>Developer</u> subject to contribution hereunder shall contain a statement or note that the issuing of a building permit

is contingent upon paying the then applicable portion of the contribution into the Henlopen TID Fund as provided in the Recoupment Agreement for the **Property**.

- C. Developer Design/Build Credit Design and/or construction of physical improvements in lieu of some or all of the required fee shall be by agreement between the Developer, DelDOT, and the County, with payment of the fee being required if any party is not amenable to the proposed construction. If a Developer seeks to design and/or construct physical improvements in lieu of paying into the Henlopen TID Fund, the Developer shall be required to obtain a minimum of three bids for the work. The bids shall be subject to review and approval by the DelDOT. Credit toward the fee shall be based on the Developer's payments to the selected contractor. Design and/or construction of improvements required by DelDOT and the County as part of the development's entrance construction or on-site infrastructure, e.g. subdivision streets, and curb ramps, turn lanes, acceleration lanes at development entrance, shall not be creditable toward the fee. At their discretion, DelDOT and the County may require improvements beyond the site entrance to correct an unsafe condition that they find would be created or worsened by the proposed development. Such improvements may include, but are not limited to, the addition or widening of shoulders, and/or the construction of a shared-use path or sidewalk along the development's frontage. In that case, the cost of that work shall be determined by DelDOT, using the Shared-Use Path and Sidewalk Fee Calculation Form for those items and current comparable contract bid prices as a guide for other items, and shall be creditable toward the fee. The form of credit agreement to be utilized in the event of a design and/or construction in lieu of some or all of the fee is attached to this Agreement as Exhibit "D".
- D. Escalation While transportation improvement projects await construction funding, the costs of constructing the project will escalate at the rate of inflation for highway construction projects. The amounts to be paid by the Developer, therefore, shall be subject to an increase of up to four percent (4%) per year, not compounded, beginning on January 31, 2021 and increasing by the established amount on January 31 of each year thereafter. The actual amount of the increase shall be set by DelDOT in January of each year based upon the change in the Consumer Price Index (CPI) for Delaware Region during the previous year. The established rate of increase shall not exceed four percent (4%) in any one year and escalation shall only apply to contributions unpaid on January 31 of each year.

IV. Property Owner Benefits

- A. No Individual Off-Site Improvements Developer shall have no obligation for design or construction of any off-site road improvements and Developer's obligation for the contributions prescribed in this Agreement shall be in lieu of any and all individual off-site road projects which might otherwise be required by DcIDOT or the County as a condition for approval of the development of the Property.
- **B.** No Individual Traffic Impact Study No Individual Traffic Impact Study will be required as a separate cost for individual developments participating in this Agreement, as a condition of approval by **DelDOT** or the **County**.
- C. <u>Cost Savings</u> Costs for off-site improvements are expected to be reduced due to the proposed comprehensive approach, the cost sharing and the large size of the projects.
- D. <u>Timing</u> Completion of those off-site road improvements to be undertaken by **DelDOT** as part of the Henlopen TID shall not be a condition of **DelDOT** or **County** approval or issuance of permits in connection with **Developer's** development of the Property. All other **County** or **DelDOT** development plan, entrance approval, and permitting requirements still apply.

V. Administration of the Agreement

- A. Existing Record Plan Requirements Should existing Record Plan transportation improvement requirements conflict with this agreement, DelDOT, the County, and the Developer shall work together to expedite the modification(s) to the Record Plan notes. The revision will be a ministerial review, incorporating the Henlopen TID participation into the Record Plan notes. The DelDOT and the County review fees for this reconciliation will be considered satisfied from the initial Record Plan Review fees. For any other changes requiring a resubdivision plan and review, the associated fees will be the responsibility of the legal owner.
- **B.** <u>Amendments</u> This Agreement shall not be modified, changed, or supplemented, nor may any of the obligations and rights be waived, except by a written instrument signed by all parties.
- C. <u>Notices</u> Whenever a notice is to be given or a document is to be delivered to one of the parties hereunder, it shall be in writing and addressed and delivered to:

Developer:

MKR Land Investment LLC

ATT: Shawn Pyle 260 Hopewell Road Churchville, MD 21028

DelDOT:

Director, Division of Planning

Delaware Department of Transportation

P.O. Box 778 Dover, DE 19903

County:

Sussex County Administrator

Sussex County 2 The Circle P.O. Box 417

Georgetown, DE 19947

- **D.** Succession of Agreement This Agreement shall bind and benefit the parties hereto, their successors and assigns: and shall be a covenant running with the **Property** described in this Agreement.
- E. <u>Recordation of Agreement</u> The <u>Developer</u> shall record a notice of this Agreement, so as to put potential future purchasers of the <u>Property</u> on notice of the obligations created by this Agreement.
- F. <u>Termination of Agreement</u> Developer's obligations under this Agreement shall terminate once all fees identified in this Agreement have been paid in full. Notwithstanding anything herein to the contrary, payment of a contribution for a specific lot or structure shall relieve that lot or structure from any other obligation under this Agreement. However, that lot or structure shall remain a beneficiary of this Agreement.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first written above.

Developer:

MKR Land Investment LLC,
a Delaware corporation

By: Shawn Pyle, Managing Memember

By: (SEAL)

Managing Member

STATE OF MARYLAND: SS.

COUNTY OF HARFORD:

BE IT REMEMBERED, that on this day of March, 2022, before me, a notary public, the undersigned personally appeared, SHADD DYLE, who acknowledged himself to be a Managing Member of MKR Land Investment LLC, a Delaware corporation, Developer, and that he is authorized to execute the foregoing Henlopen Transportation Improvement District Infrastructure Recoupment Agreement

for the purposes therein contained.



Notary Public
My Commission Expires: MARCH 43, 2012
Notary Registration Number:

Sussex County, Delaware:

By: M. (SEAL)

President of Council

STATE OF DELAWARE

: SS.

COUNTY OF SUSSEX:

BE IT REMEMBERED, that on this day of Much, 2022, before me, a notary public, the undersigned personally appeared, Michael Willer, who acknowledged himself to be the President of Council for the Government of Sussex County, and that he as such President of Council is authorized to execute the foregoing Henlopen Transportation Improvement District Infrastructure Recoupment Agreement for the purposes therein contained.

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

Delaware Department of Transportation:

By:

(SEAL)

Name: (SEAL)

Name: (SEAL)

Title: Secretary

STATE OF DELAWARE

SS.

COUNTY OF KENT

SEAL (SEAL)

AUGUST

BE IT REMEMBERED, that on this A day of March, 2022, before me, a notary public, the undersigned personally appeared, March Ma

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

Notary Public

My Commission Expires:

Approved as to form:

___.

Tille: Diputy Atorney General

George T. hass 20

Exhibit A

Map of individual property subject to agreement

Sussex County

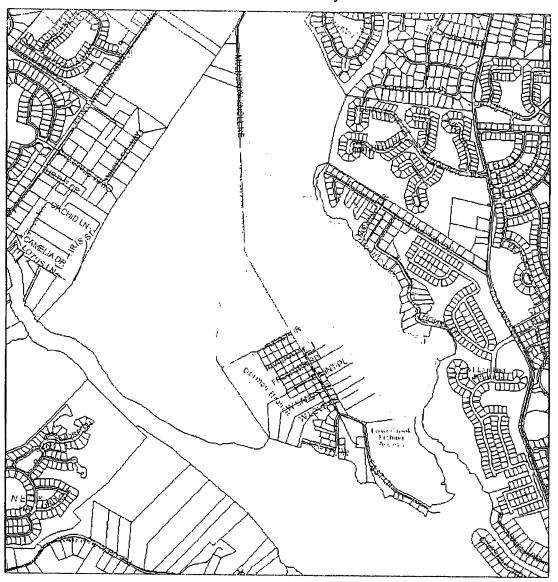


Exhibit B

Henlopen Transportation Improvement District

Initial Contribution Rates

| Residential Rates | | | | |
|--|---------------------------|--|--|--|
| Single family detached residential | \$4,900 per unit by phase | | | |
| | \$5,145 per unit by lot | | | |
| Multi-family residential, low-rise, 1-2 floors | \$3,822 per unit by phase | | | |
| | \$4,013 per unit by lot | | | |
| Multi-family residential, mid-rise, 3 or more floors | \$2,842 per unit by phase | | | |
| | \$2,984 per unit by lot | | | |
| Non-Residential Rat | es | | | |
| Under 21 trips per 1,000 SF GFA | \$2.88 per sq ft | | | |
| At least 21 but less than 34 trips per 1,000 SF GFA | \$3.38 per sq ft | | | |
| At least 34 but less than 75 trips per 1,000 SF GFA | \$3.88 per sq ft | | | |
| At least 75 but less than 200 trips per 1,000 SF GFA | \$4.38 per sq ft | | | |
| 200 or more trips per 1,000 SF GFA | \$4.88 per sq ft | | | |
| Notac: Low rice Multi family rate in 700/ of single family dated | | | | |

Notes: Low-rise Multi-family rate is 78% of single-family detached rate. Mid-rise Multi-family rate is 58% of single-family detached rate. Townhomes are considered low-rise multi-family. All non-residential rates are based on the number of trips per 1,000 square foot of gross floor area. This is based on ITE Trip Generation Manual, 10th Edition.

Current Contribution Rates

| Residential Rates | | | | |
|--|---------------------------------------|--|--|--|
| Single family detached residential | \$5,166 per unit by phase | | | |
| | \$5,424 per unit by lot | | | |
| Multi-family residential, low-rise, 1-2 floors | \$4,030 per unit by phase | | | |
| | \$4,231 per unit by lot | | | |
| Multi-family residential, mid-rise, 3 or more floors | \$2,996 per unit by phase | | | |
| | \$3,145 per unit by lot | | | |
| Non-Residential Rate | es | | | |
| Under 21 trips per 1,000 SF GFA | \$3.03 per sq ft | | | |
| At least 21 but less than 34 trips per 1,000 SF GFA | \$3.55 per sq ft | | | |
| At least 34 but less than 75 trips per 1,000 SF GFA | \$4.08 per sq ft | | | |
| At least 75 but less than 200 trips per 1,000 SF GFA | \$4.61 per sq ft | | | |
| 200 or more trips per 1,000 SF GFA | \$5.13 per sq ft | | | |
| Notes: Low-rise Multi-family rate is 78% of single-family detact | ched rate. Mid-rise Multi-family rate | | | |

Notes: Low-rise Multi-family rate is 78% of single-family detached rate. Mid-rise Multi-family rate is 58% of single-family detached rate. Townhomes are considered low-rise multi-family. All non-residential rates are based on the number of trips per 1,000 square foot of gross floor area. This is based on ITE Trip Generation Manual, 10th Edition.

Exhibit C

Henlopen TID Recoupment Credit Agreement- ROW Dedication

| Agreement No. | _ |
|--|---|
| Development Project | |
| Development Name | |
| Developer | |
| Total Required Financial Contribution for Develop | (per Recoupment Agreement) |
| Henlopen TID Project | |
| Name of Project | |
| Section of Project | |
| Total Estimated Cost of Right-of-way Dedication (Attach cost estimate) | |
| Recoupment Calculation | |
| Estimated Cost of Dedication Required for Development | \$ |
| Estimated Cost of Dedication Eligible for Recoupment | \$ |
| TOTAL | \$ |
| | (Attach breakout plan) |
| *Note - Total must equal Total Estimated Cost of Right-of-way | y Dedication |
| Agreement | |
| For dedicating additional right-of-way for the above named H development is credited the following amount toward the Hei | enlopen TID Project, the above named nlopen TID Fund required contribution. |
| Developer | Date |
| Sussex County | Date |
| Delaware Department of Transportation | Date |

Exhibit D

Henlopen TID Recoupment Credit Agreement - Construction

| Agreement No. | _ |
|--|--|
| Development Project | |
| Development Name | |
| Developer | |
| Total Required Financial Contribution for Develop | oment(per Recoupment Agreement) |
| Henlopen TID Project | |
| Name of Project | |
| Section of Project (Attach plan) Items Constructed | |
| Total Estimated Cost of Section to be Constructed (Attach cost estimate) | d |
| Recoupment Calculation | |
| Estimated Cost of Items Required for Development | \$ |
| Estimated Cost of Items Required for Other Developments | \$ |
| Estimated Cost of Items Eligible for Recoupment | \$ |
| | |
| TOTAL | 16 |
| | (Attach breakout plan) |
| *Note - Total must equal Total Estimated Cost of Construction Agreement For performing construction work on the above named Henlo development is credited the following amount toward the Hers | pen TID Project, the above named |
| Developer | Date |
| Sussex County | Date |
| Delaware Department of Transportation | Date |

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

April 23, 2021

Mr. Phillip L. Tolliver, P.E. Morris & Ritchie Associates, Inc. 18 Boulden Circle, Suite 36 New Castle, DE 19720 By email to: ptolliver@mragta.com

Re: Notice of Decision letter for the Preliminary Subdivision Plan for Scenic Manor (2019-29) (F.K.A. Estates at Mulberry Knoll) for the construction of a three hundred and nineteen (319) lot cluster subdivision located on and with access from the east and west sides of Mulberry Knoll Road (S.C.R. 284)

Tax Parcel: 334-18.00-43.00

Dear Mr. Tolliver,

At their meeting of Thursday, April 22, 2021 the Planning & Zoning Commission approved the Preliminary Subdivision Plan for Scenic Manor (2019-29) (F.K.A. Estates at Mulberry Knoll) for the creation of a cluster subdivision to consist of a total of 319 lots located on and with access from the east and west sides of Mulberry Knoll Road (S.C.R. 284). The project is also located within the newly established Henlopen Transportation Improvement District (TID) and will be subject to all related impact fees to be paid for local road improvements in lieu of a Traffic Impact Study (TIS). This major subdivision application was submitted prior to the approval of the Henlopen TID. However, the applicant has decided to opt in to the TID which includes satisfying all related requirements. The property is located in the Agricultural Residential (AR-1) Zoning District and lies within the Coastal Area Future Land Use designation per Sussex County's 2019 Comprehensive Plan.

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

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

- A. There shall be no more than 319 lots within the subdivision.
- B. The subdivision shall be served by a central water system for potable water and fire protection.
- C. The site shall be served by central sewer as part of the Sussex County sewer system.



- D. The developer shall establish a homeowner's association responsible for the maintenance of streets, buffers, stormwater management facilities and other common areas
- E. The stormwater management system shall meet or exceed the requirements of the State and County. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities. The system shall be maintained and operated using Best Management Practices.
- F. There shall be a vegetated or forested buffer that is at least 20 feet wide installed along the perimeter of this subdivision. This buffer shall utilize forest or similar vegetation as much as possible with limited disturbance.
- G. The development shall comply with all DelDOT entrance and roadway improvement requirements, including the requirements of the Henlopen Transportation Improvement District.
- H. Street design shall meet or exceed Sussex County standards.
- I. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- J. Construction, site work and deliveries shall only occur on the site between the hours of 8:00AM through 5:00PM, Monday through Friday, and 8:00AM and 2:00PM on Saturdays. No Sunday hours are permitted.
- K. The Applicant shall coordinate with the local school district regarding the location of a school bus stop. The location and details of this area shall be shown on the Final Site Plan.
- L. The development shall be served by its own on-site amenities including a clubhouse that is at least 3,000 square feet in size, an outdoor pool and two children's playgrounds that are on each side of Mulberry Knoll Road. As requested by the Applicant, and subject to any required State and Federal approvals, a kayak launching area shall be permitted. No motorized vessels shall use any dock associated with this development.
- M. All amenities shall be completed and open for use prior to the issuance of the 140th residential building permit.
- N. As stated by the Applicant, there shall be a buffer that is at least 50 feet wide from all tidal waters and tidal wetlands. In addition, there shall not be any disturbance of trees or other vegetation within these buffer areas and the required silt fencing shall be upland of these buffer areas to avoid disturbance.
- O. There shall be sidewalks on both sides of all streets and the sidewalk system shall connect with DelDOT's multimodal path.
- P. As stated by the Applicant, a system of fully-shielded and downward screened streetlighting shall be provided.
- Q. The Developer shall coordinate with DelDOT for a safe crossing of Mulberry Knoll Road between the two sections of this subdivision. The Developer shall indicate the means of safe crossing on the Final Site Plan, and no homes shall be constructed on the west side of Mulberry Knoll Road until those safety measures are installed.
- R. No residential building permits shall be issued until the Route 24 and Mulberry Knoll Road intersection is signalized as part of DelDOT Contract No. T201212201 and as referenced in JMT's February 10, 2021 Traffic Impact Study Review Letter.
- S. The Final Site Plan shall include a Landscape Plan confirming all landscaping to be provided, the preservation of all buffer areas, and the forested areas that will be preserved.

- T. A copy of the Final Archeological Report prepared by Edward Otter, Inc. shall be sent to the State Historical Preservation Office prior to the submission of a Final Site Plan.
- U. A revised Preliminary Site Plan either depicting or noting these conditions must be submitted to the Office of Planning and Zoning.
- V. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

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

Once all agency approvals have been obtained, please submit a minimum of **one (1) full-size (24 "x 36")** and **one (1) electronic PDF copy** of a Final Subdivision Plan to the Planning and Zoning Office for consideration on the next available agenda for Planning Commission. It is recommended that **two (2) copies** of a check print are first submitted to staff for review.

Please note that a \$10.00 per lot fee will be required to be paid prior to the approval of any Final Subdivision Plan. For 319 lots, the fee is \$3,190.00.

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

Sincerely,

Ms. Lauren DeVore

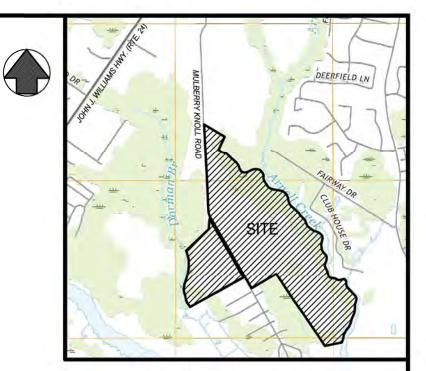
ann De Von

Planner III

CC: Andy Wright, Chief Code Official – Building Code

John Ashman, Director of Utility Planning & Design – Engineering – Utility Planning Susan Isaacs, Engineering Project Coordinator – Engineering – Public Works

SUSSEX COUNTY, DELAWARE



LOCATION MAP SCALE: I" = 2000'

LEGEND

PROPOSED R/W LINE PROPOSED LOT LINE PROPOSED BUILDING SETBACK LINE EXISTING CONTOURS PROPOSED CONTOURS

PROPOSED LOT NUMBER EXISTING WOODLANDS LINE WOODLAND PRESERVATION LINE

PROJECT TEAM

MKR LAND INVESTMENT, LLC MR. JOHN RICHARDSON 260 HOPEWELL ROAD CHURCHVILLE, MD 21028

LAND PLANNERS, MORRIS & RITCHIE ASSOCIATES, INC. CIVIL ENGINEER: 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DE 19720 ATTN: MR. PHILLIP L. TOLLIVER, P.E

> MORRIS & RITCHIE ASSOCIATES, INC. 8 WEST MARKET STREET GEORGETOWN, DE 19947 ATTN: MR. GARY POWERS

ENVIRONMENTAL GEO-TECHNOLOGY ASSOCIATES, INC. 3445 BOX HILL CORPORATE CENTER DRIVE, SUITE A ABINGDON, MD 21009

ATTN: MR. ANDY STANSFIELD GEOTECHNICAL

GEO-TECHNOLOGY ASSOCIATES, INC. 21133 STERLING AVENUE, SUITE 7 GEORGETOWN, DE 19947

CONSULTANT: THE TRAFFIC GROUP 9900 FRANKLIN SQUARE DR. - SUITE H BALTIMORE, MD 21236 ATTN: MR. JOE CALOGGERO, P.E.

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

INDEX OF DRAWINGS

PRELIMINARY TITLE SHEET PRELIMINARY GENERAL NOTES & DETAILS

OVERALL PRELIMINARY PLAN PRELIMINARY PLAN

PRELIMINARY PLAN PRELIMINARY PLAN

PRELIMINARY PLAN PRELIMINARY PLAN PRELIMINARY PLAN PRELIMINARY PLAN

PRELIMINARY PLAN PRELIMINARY PLAN PRELIMINARY PLAN PRELIMINARY PLAN

PRELIMINARY PLAN

OWNER / DEVELOPER CERTIFICATION

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

MR. JOHN RICHARDSON DATE MKR LAND INVESTMENT, LLC

WETLANDS STATEMENT

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

ANDY STANSFIELD

GEO-TECHNOLOGY ASSOCIATES, INC.

ENGINEER'S CERTIFICATION

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

PHILLIP L. TOLLIVER, P.E.

PLAN APPROVALS

APPROVED BY:

CHAIRMAN OR SECRETARY DATE SUSSEX COUNTY PLANNING ZONING COMMISSION

PRESIDENT SUSSEX COUNTY PLANNING



MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399



TITLE SHEET PRELIMINARY PLAT

SUSSEX COUNTY, DELAWARE

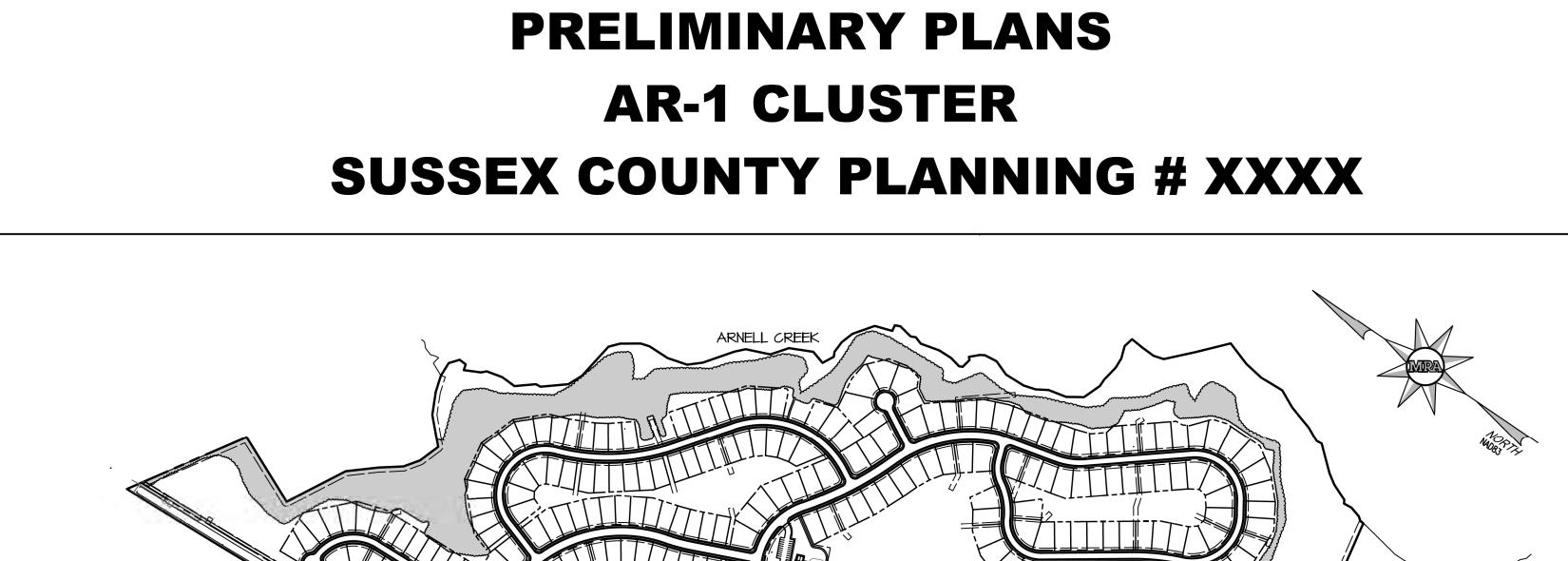
SHEET: 1 OF 15

WWW.MRAGTA.COM

SCENIC MANOR

LEWES & REHOBOTH HUNDRED

| ATE | REVISIONS | JOB NO.: 20572 |
|--------|--|-----------------|
| /18/20 | UPDATED WETLANDS AND LOT CONFIGURATION | SCALE: AS NOTED |
| /25/21 | REV. LOT CONFIGURATION TO ELIMINATE BUFFER OVERLAP | DATE: 12/02/19 |
| | | DRAWN BY: CJF |
| | | DESIGN BY: CJF |
| | | REVIEW BY: PLT |



SITE OVERVIEW

SCALE: I" = 400'

DnA, DnB - DOWNER LOAMY SAND FMA - FORT MOTT LOAMY SAND

AR-I - AGRICULTURAL RESIDENTIAL COASTAL AREA AR-2- AGRICULTURAL RESIDENTIAL (FORMERLY ESDDOZ) **ZONING MAP** MR - MEDIUM RESIDENTIAL SCALE: I" = 800'

THE PROJECT WILL BE APPROVED AS A SINGLE

PHASE PROJECT WITH SIX (6) OPERATIONAL BREAKS FOR PURPOSES OF BONDING, BENEFICIAL OCCUPANCY INSPECTION, RELEASE OF USE AND

SCALE: I" = 800'

SCALE: I" = 800'

PHASING MAP SOILS MAP LO - LONGMARSH AND INDIANTOWN SOILS

CONSTRUCTION NOTES

L. VERIZON

- CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT (I-800-282-8555) AT LEAST (3) WORKING DAYS PRIOR TO EXCAVATION, TO HAVE EXISTING UNDERGROUND UTILITIES LOCATED AND
- 2. ALL MATERIALS & WORKMANSHIP SHALL MEET THE STATE OF DELAWARE STANDARDS & SPECIFICATIONS
- 3. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS, AND PROJECT SPECIFICATIONS.
- 4. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL APPRISE AND COORDINATE DURING ALL PHASES OF
 - A. SCHIFF LAND DEVELOPMENT CO., LLC 302-398-8014 SUSSEX COUNTY ENGINEERING DEPARTMENT 302-855-7718 302-945-8880 TIDEWATER UTILITIES SUSSEX CONSERVATION DISTRICT 302-856-2105 302-856-5488 COMCAST 804-562-3409 DELAWARE ELECTRIC COOPERATIVE 302-349-5891 DELMARVA POWER 678-831-2444 MEDIACOM 804-562-3409
- 5. CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ALL PROPOSED UTILITIES ARE TO BE CONSTRUCTED WITHIN THE ROADWAY OR EASEMENT RIGHT-OF-WAY, DISTURBED AREAS BEYOND THE EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL
- 6. INFORMATION SHOWN HEREON IS BASED UPON GIS DATA OBTAINED THROUGH THE STATE OF DELAWARE GIS WEBSITE (FIRSTMAP-DELAWARE, OPENDATA, ARCGIS, COM) AND DOES NOT REPRESENT FIELD RUN TOPOGRAPHIC OR BOUNDARY SURVEY. SITE LAYOUT IS SUBJECT TO REVISION PENDING FIELD SURVEY.

302-422-1464

- 7. EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLANS ARE BASED UPON THE BEST AVAILABLE INFORMATION AND ARE SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. NO GUARANTEE IS MADE OR IMPLIED REGARDING THE ACCURACY OR COMPLETENESS THEREOF. CONTRACTOR IS RESPONSIBLE FOR THE VERIFICATION OF DEPTH, SIZE AND MATERIAL OF ALL UNDERGROUND UTILITIES TO HIS OWN SATISFACTION BEFORE BEGINNING ANY EXCAVATION OR UTILITY INSTALLATION. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION, IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF THE INFORMATION ON THE PLANS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL SHOWN OR NOT SHOWN EXISTING UTILITIES AND APPURTENANCES, SHOULD ANY EXISTING UTILITIES BE DAMAGED BY THE CONTRACTOR, THE CONTRACTOR SHALL REPAIR THE DAMAGE CAUSED TO THE UTILITY OWNER'S SATISFACTION, AT THE CONTRACTOR'S EXPENSE
- 8. DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE PERFORMED IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS
- 9. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF TRAFFIC IN ALL WORK
- IO. ROUGH GRADING SHALL BE COMPLETE PRIOR TO THE CONSTRUCTION OF WATER & SEWER
- II. USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL IN ACCORDANCE WITH SECTION 209 OF THE DELAWARE DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS AND REFERENCED BY SUSSEX COUNTY ORDINANCE 38 SECTION 5-05 EXCAVATION AND BACKFILL FOR PIPE TRENCHES SUBSECTION B
- 12. CONTRACTOR SHALL ADJUST TO FINISH GRADE AS NECESSARY ANY VALVE BOXES, MANHOLES, CATCH BASINS ETC., PRIOR TO PLACING PAYING.
- 13. CONTRACTOR SHALL PROVIDE STAKEOUT NECESSARY FOR THE INSTALLATION OF UTILITIES, STORMDRAINS, PAVING AND ALL OTHER SITE WORK INCLUDED IN THESE PLANS. ALL STAKEOUT WORK IS TO BE PERFORMED UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF DELAWARE.
- 14. CONTRACTOR TO MAINTAIN MINIMUM OF 3.0 FEET OF COVER OVER ALL NEW WATER LINES AS MEASURED FROM TOP OF PIPE TO FINISHED GRADE, UNLESS OTHERWISE NOTED.
- 15. SEWER LINES SHALL HAVE MINIMUM VERTICAL CLEARANCE OF 18 INCHES FROM WATER MAINS AT CROSSINGS MAINTAIN A IO FOOT MINIMUM PLAN SEPARATION BETWEEN SEWER AND WATER MAINS. SEWER LINES SHALL HAVE A MINIMUM VERTICAL CLEARANCE OF I: INCHES FROM OTHER UTILITIES. IF THESE CLEARANCES CANNOT BE MAINTAINED, THEN PROVISIONS FOR PROPERLY ENCASING THE PIPE IN CONCRETE MUST BE PROVIDED.
- 16. LATERALS SHALL BE 6 INCHES IN DIAMETER, WITH VERTICAL CLEANOUTS OF 6 INCHES IN DIAMETER, AND TO HAVE A MINIMUM OF 3' OF COVER FROM SUSSEX COUNTY CLEANOUT TO MAIN LINE. CLEANOUTS SHALL BE LOCATED AT EDGE OF RIGHT-OF-WAY.
- 17. ALL GRAVITY SEWER PIPES SHALL BE PVC SDR 35. FOR PIPE SLOPES SEE FINAL CONSTRUCTION DRAWINGS FOR SANITARY SEWER PROFILES.
- 18. MATERIAL OF CONSTRUCTION FOR SEWER FORCE MAINS SHALL BE AS NOTED ON THE FINAL CONSTRUCTION DRAWINGS. FORCE MAIN SHALL BE INSTALLED AS PROFILED TO PREVENT FORMATION OF UNANTICIPATED HIGH POINTS IN THE INSTALLATION.
- 19. ALL SEWER LINES MUST BE SUCCESSFULLY TESTED ACCORDING TO SUSSEX COUNTY ORDINANCE 38, SECTION 5.09, E, I-4, ON PAGE 515 THROUGH 518, ACCEPTANCE TESTING, PRIOR TO FINAL ACCEPTANCE.
- 20. ALL SANITARY SEWER SYSTEM CONSTRUCTION PERFORMED SHALL BE IN ACCORDANCE WITH SUSSEX COUNTY ORDINANCE 38, THESE PLANS AND ALL APPLICABLE CONSTRUCTION
- 21. ALL DROP MANHOLES TO BE 5'-O" IN DIAMETER.

PROFILES FOR SPECIFIC PIPE CLASS.

- 22. FITTINGS SHOWN ON THE PLANS ILLUSTRATE ANTICIPATED ANGLE OF DEFLECTION. THIS INFORMATION IS SHOWN FOR GENERAL INFORMATION AND IS NOT GUARANTEED. ACTUAL ANGLE MAY VARY DUE TO FIELD CONDITIONS. USE OF ADDITIONAL FITTINGS SHALL BE AUTHORIZED BY THE ENGINEER.
- 23, THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS UNLESS WRITTEN APPROVAL HAS BEEN PROVIDED BY THE ENGINEER.
- 24. ALL DISTURBED AREAS IN THE STATED RIGHT OF WAY, BUT NOT IN THE PAVEMENT SECTION MUST BE TOPSOILED (6" MINIMUM), FERTILIZED, MULCHED, AND SEEDED.
- 25. ALL PAVEMENT MARKINGS AND SIGNAGE SHALL BE PLACED IN ACCORDANCE WITH THE M.U.T.C.D. MANUAL, MOST CURRENT EDITION.
- 26. ALL PROPOSED STORM DRAIN DESIGNATED AS "RCCP" IS TO BE REINFORCED CONCRETE CIRCULAR PIPE, MEETING AASHTO M-170 SPECIFICATIONS. SEE FINAL CONSTRUCTION PLAN &
- 27. ALL LENGTHS OF SANITARY SEMER PIPE ARE MEASURED HORIZONTALLY FROM CENTER LINES OF INLETS, MANHOLES OR FITTINGS. ALL LENGTHS OF STORM DRAIN PIPE ARE MEASURED HORIZONTALLY FROM EDGE OF STRUCTURE TO EDGE OF STRUCTURE. ACTUAL TRUE LENGTHS OF PIPES ARE TO BE DETERMINED IN THE FIELD.
- 28. WHERE SPECIFIED, HDPE STORM DRAIN PIPE SHALL BE ADS N-12 (SMOOTH INTERIOR) PIPE WITH ADS PRO-LINK WT (BELL/BELL COUPLER) FOR WATER TIGHT CONNECTIONS. REFER TO PLAN AND PROFILES FOR MATERIALS USED.
- 29. ALL EMBEDMENT MATERIALS USED FOR BEDDING, HAUNCHING, AND INITIAL BACKFILL FOR HDPE PIPE SHALL CONFIRM TO AASHTO SECTION 30 AND ASTM D-2321 AS PER MANUFACTURER INSTALLATION REQUIREMENTS, CONTRACTOR SHALL ENSURE THAT PROPER LINE AND GRADE IS ESTABLISHED WITHIN TRENCH BEDDING PRIOR TO PLACEMENT OF PIPE AND THAT PROPER MATERIALS ARE USED AND COMPACTION IS ACHIEVED DURING HAUNCHING AND INITIAL BACKFILL. A GEOTECHNICAL ENGINEER SHALL BE RETAINED TO VERIFY SUITABILITY OF MATERIALS USED AND PROPER COMPACTION, ANY DEVIATION IN LINE AND GRADE OR OBVIOUS JOINT SEPARATION SHALL BE CORRECTED PRIOR TO ESTABLISHMENT OF FINAL SUBGRADE AND PAVEMENT SURFACE. THE CONTRACTOR SHALL TAKE EVERY CARE TO ENSURE CORRECT PIPE INSTALLATION.
- 30. UNLESS OTHERWISE SPECIFIED ALL ROADWAY INLETS SHALL HAVE A TYPE I INLET GRATE AND TYPE 5 TOP UNIT PER DELDOT STANDARDS, CURRENT REVISION.
- 31. IT IS THE CONTRACTORS RESPONSIBILITY TO INSURE THAT PAYING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER EXISTS AFTER PAVING IS

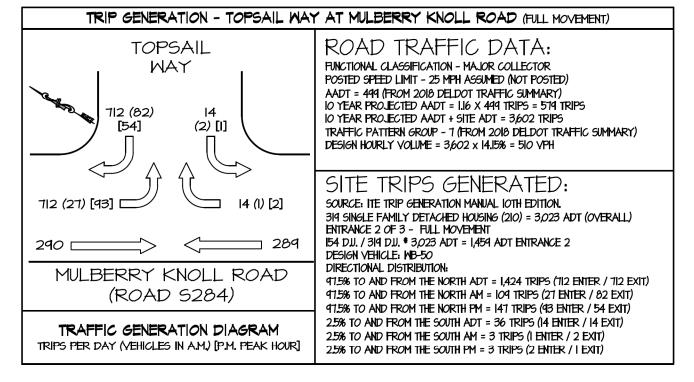
SUSSEX COUNTY CONSTRUCTION NOTES:

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

DELDOT RECORD PLAN NOTES:

- 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
- 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
- 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 IT \$131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE
- THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
- 7. ALL LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS, RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL

TRIP GENERATION - SWAN CREEK DRIVE AT MULBERRY KNOLL ROAD (FULL MOVEMENT) MULBERRY KNOLL ROAD ROAD TRAFFIC DATA: (ROAD S284) FUNCTIONAL CLASSIFICATION - MAJOR COLLECTOR POSTED SPEED LIMIT - 25 MPH AADT = 444 (FROM 2018 DELDOT TRAFFIC SUMMARY) O YEAR PROJECTED AADT = 1.16 X 499 TRIPS = 579 TRIPS IO YEAR PROJECTED AADT + SITE ADT = 3602 TRIPS TRAFFIC PATTERN GROUP - 7 (FROM 2018 DELDOT TRAFFIC SUMMARY) 281 (11) [36] 7 (O) [I] DESIGN HOURLY VOLUME = 3,602 x 14.15% = 510 VPH BITE TRIPS GENERATED: SOURCE: ITE TRIP GENERATION MANUAL IOTH EDITION. 282 (32) 319 SINGLE FAMILY DETACHED HOUSING (210) = 3,023 ADT (OVERALL) (O) [I] [32] ENTRANCE | OF 3 - FULL MOVEMENT 6| D.J. / 3|9 D.J. * 3,023 ADT = 577 ADT ENTRANCE | DESIGN VEHICLE: WB-50 SMAN DIRECTIONAL DISTRIBUTION: CREEK 97.5% TO AND FROM THE NORTH ADT = 563 TRIPS (281 ENTER / 282 EXIT) DRIVE 47.5% TO AND FROM THE NORTH AM = 43 TRIPS (II ENTER / 32 EXIT) 47.5% TO AND FROM THE NORTH PM = 68 TRIPS (36 ENTER / 32 EXIT) 2.5% TO AND FROM THE SOUTH ADT = 14 TRIPS (7 ENTER / 7 E EXIT) TRAFFIC GENERATION DIAGRAM 2.5% TO AND FROM THE SOUTH AM = 0 TRIPS (0 ENTER / 0 EXIT) TRIPS PER DAY (VEHICLES IN A.M.) [P.M. PEAK HOUR] 2.5% to and from the south PM = 2 trips (I enter / I exit)



GENERAL NOTES:

- I. SUBDIVISION STREETS ARE TO REMAIN PRIVATE AND ARE TO BE CONSTRUCTED IN ACCORDANCE WITH SUSSEX COUNTY REGULATIONS.
- 2. MAINTENANCE OF THE STREET WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER AND OR HOME OWNER'S ASSOCIATION. THE STATE AND SUSSEX
- COUNTY ASSUMES NO RESPONSIBILITY FOR FUTURE MAINTENANCE OF THE STREETS. 3. ACCESS TO ALL LOTS IS TO BE FROM SUBDIVISION STREETS OR DRIVE ACCESS LOOPS.
- 4. MAINTENANCE OF THE STORM WATER MANAGEMENT AREAS WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER AND OR HOMEOWNER'S ASSOCIATION.

COMPANY STANDARDS FOR

DEPTHS AND LOCATION) -

5. THE PROPOSED ENTRANCES/EXITS ARE CONCEPTUAL ONLY AND ARE SUBJECT TO REVIEW AND APPROVAL BY THE DELAWARE DEPARTMENT OF TRANSPORTATION BEFORE A CONSTRUCTION PERMIT IS ISSUED.

PHASE I -

PROJECT PHASING

6 YEARS

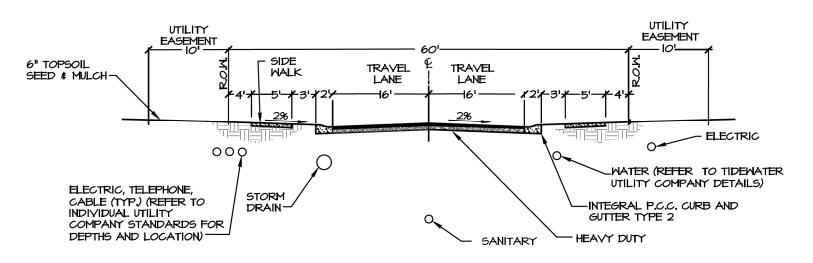
TOTAL PROJECT BUILDOUT - 6 YEARS ESTIMATED PROJECT COMPLETION DATE - DECEMBER 2026

THE PROJECT IS BE APPROVED AS A SINGLE PHASE PROJECT, WITH SIX (6) OPERATIONAL BREAKS FOR PURPOSES OF BONDING, BENEFICIAL OCCUPANCY INSPECTION, RELEASE OF USE AND OCCUPANCY PERMITS.

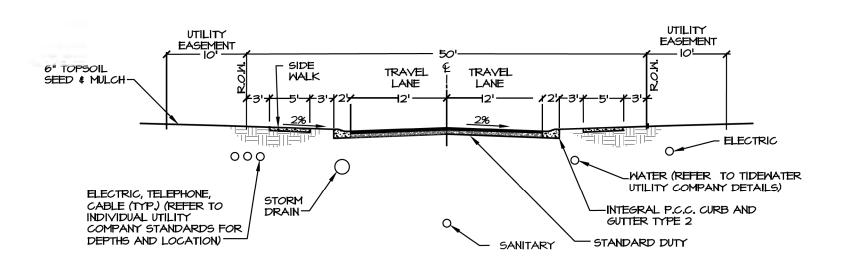
EASEMENT EASEMENT 6" TOPSOIL SEED & MULCH-LANE O ELECTRIC -PCC CURB &-_WATER (REFER TO TIDEWATER **GUTTER, TYPE 2** UTILITY COMPANY DETAILS) ELECTRIC, TELEPHONE, STORM CABLE (TYP.) (REFER TO INDIVIDUAL UTILITY -INTEGRAL P.C.C. CURB AND DRAIN GUTTER TYPE 2 (TYP.)

TYPICAL ENTRANCE BOULEVARD - 70' R.O.W.

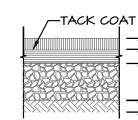
-SANITARY



TYPICAL ROAD SECTION - 60' R.O.W.



TYPICAL ROAD SECTION - 50' R.O.W.

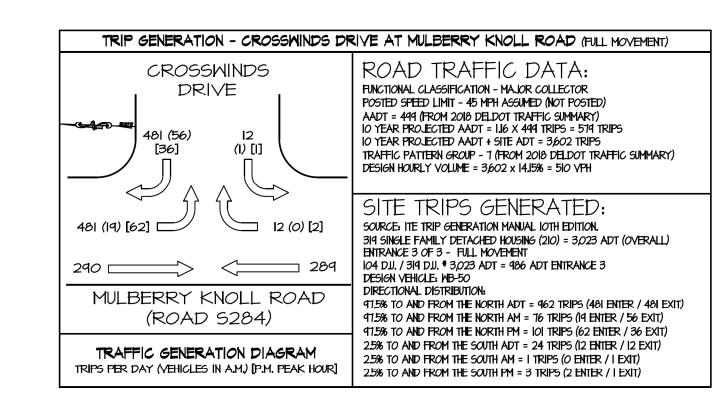


- 1. 2" BITUMINOUS CONCRETE SURFACE COURSE (TYPE C) 3" BITUMINOUS CONCRETE BASE COURSE (TYPE B) 8" GRADED AGGREGATE BASE
- APPROVED SUBGRADE, COMPACTED TO 45% MAXIMUM DRY DENSITY (MODIFIED PROCTOR) IN ACCORDANCE WITH DELAWARE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS-SECTION 401

HEAVY DUTY

- -TACK COAT
 - 1 3/4" BITUMINOUS CONCRETE SURFACE COURSE (TYPE C) 2" BITUMINOUS CONCRETE BASE COURSE (TYPE B) 8" GRADED AGGREGATE BASE
 - APPROVED SUBGRADE, COMPACTED TO 95% MAXIMUM DRY DENSITY (MODIFIED PROCTOR) IN ACCORDANCE WITH DELAWARE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS-SECTION 401 STANDARD DUTY

PAVING SECTIONS



SITE DATA

I. PROJECT NAME: SCENIC MANOR 2. TAX PARCEL: 334-18.00-43.00

3. SITE ADDRESS: 20535 MULBERRY KNOLL ROAD

LEWES, DE 19958 4. OWNER INFORMATION: THOMAS BEST AND SONS, INC.

32258 JANICE ROAD LEWES, DE 19958

CHURCHVILLE, MD 21028

MKR LAND INVESTMENT. LLC 5. DEVELOPER: ATTN: MR. JOHN RICHARDSON 260 HOPEWELL ROAD

6. ZONING: EXISTING AR-I *

PROP TONING: **∀b-| *** *NOTE: SITE IS LOCATED ENTIRELY WITH COASTAL AREA GROWTH ZONE

7. DEVELOPMENT OPTION: AR-I - CLUSTER DESIGN

8. SITE ACREAGE: 166.83 AC. :

9. LAND USE:

AGRICULTURAL EXISTING RESIDENTIAL - SINGLE FAMILY DETACHED PROPOSE:

30%

MIN. LOT AREA 7,500 SF

IO. BULK AREA STANDARDS (AR-I CLUSTER DEVELOPMENT OPTION)

MIN. FRONT YARD MIN. SIDE YARD MIN. REAR YARD MIN. LOT WIDTH 60' MIN. LOT AREA 7,500 SF MAX. BLDG. HT.:

MIN. OPEN SPACE: MAX. DENSITY: 2.178 D.U./AC.

II. DEVELOPMENT DENSITY COMPUTATIONS: GROSS SITE AREA:

BASE SITE AREA: 166.83 AC. ± WETLANDS 20.19 AC. ± GROSS SITE AREA: 146.64 AC. ±

ALLOWABLE DWELLING UNITS: GROSS SITE AREA * ALLOWABLE DENSITY = ALLOWABLE D.U. 146.64 AC. X 2.178 D.U. / AC. = 319.4 D.U.

PROPOSED DENSITY: 319 D.U. / 146.64 AC. ± = 2.175 D.U./AC.

12. SITE AREA BREAKDOWN: RESIDENTIAL LOTS = 65.04 AC. ± DELDOT R.O.W. = 4.71 AC. ± PRIVATE R.O.W. : 16.59 AC. ± PUMP STATION * = 0.22 AC. ± OPEN SPACE = 80.27 AC. ± TOTAL SITE ACREAGE = 166.83 AC. ±

13. OPEN SPACE AREAS:

REQUIRED [SECTION 115-25B.(2)]:

50.05 AC.± 30% X 166.83 AC ± = PROPOSED: 80.27 AC. ±

PUBLIC (TIDEWATER UTILITY COMPANY) 12. WATER SERVICE:

13. SANITARY SEWER: PUBLIC (SUSSEX COUNTY) 319 SINGLE FAMILY LOTS

80.27 AC. ± / 166.83 AC. ± =

14. PROPOSED LOTS: 15. PARKING ANALYSIS*:

> PARKING REQUIRED: 319 SFD X 2 SP/DU = 638 SP PARKING PROVIDED: 319 SFD X 2 SP/DU = 638 SP

*NOTE: PARKING ANALYSIS PROVIDED FOR RESIDENTIAL LOT AREAS ONLY; ANALYSIS FOR ACTIVE RECREATION / CLUBHOUSE AREA TO BE INCLUDED AS PART OF SITE PLAN PACKAGE TO BE PROVIDED UNDER SEPARATE COVER.

16. A PRELIMINARY WETLAND EVALUATION WAS PERFORMED BY GEO-TECHNOLOGY ASSOCIATES, INC. (GTA) IN JULY 2019. BASED ON THIS REVIEW, IT IS GTA'S PROFESSIONAL OPINION THAT THERE ARE JURISDICTIONAL "WATERS OF THE U.S.", INCLUDING WETLANDS PRESENT WITHIN THE SUBJECT SITE AS SHOWN BY THIS PLAN.

17. A PORTION OF THIS SITE LIES WITHIN FLOOD ZONE AE (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD) AND FLOOD ZONE X (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN I FOOT, OR WITH DRAINAGE AREAS LESS THAN I SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM THE 1% ANNUAL CHANCE FLOOD) PER FEMA FLOOD INSURANCE

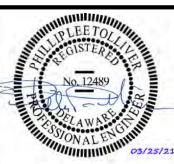
RATE MAP MAP 10005C0334K EFFECTIVE MARCH 16, 2015. 18. NO CHURCHES, SCHOOLS, OR COMMERCIAL USE AREAS PROPOSED ON THIS SITE.



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399

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DATE

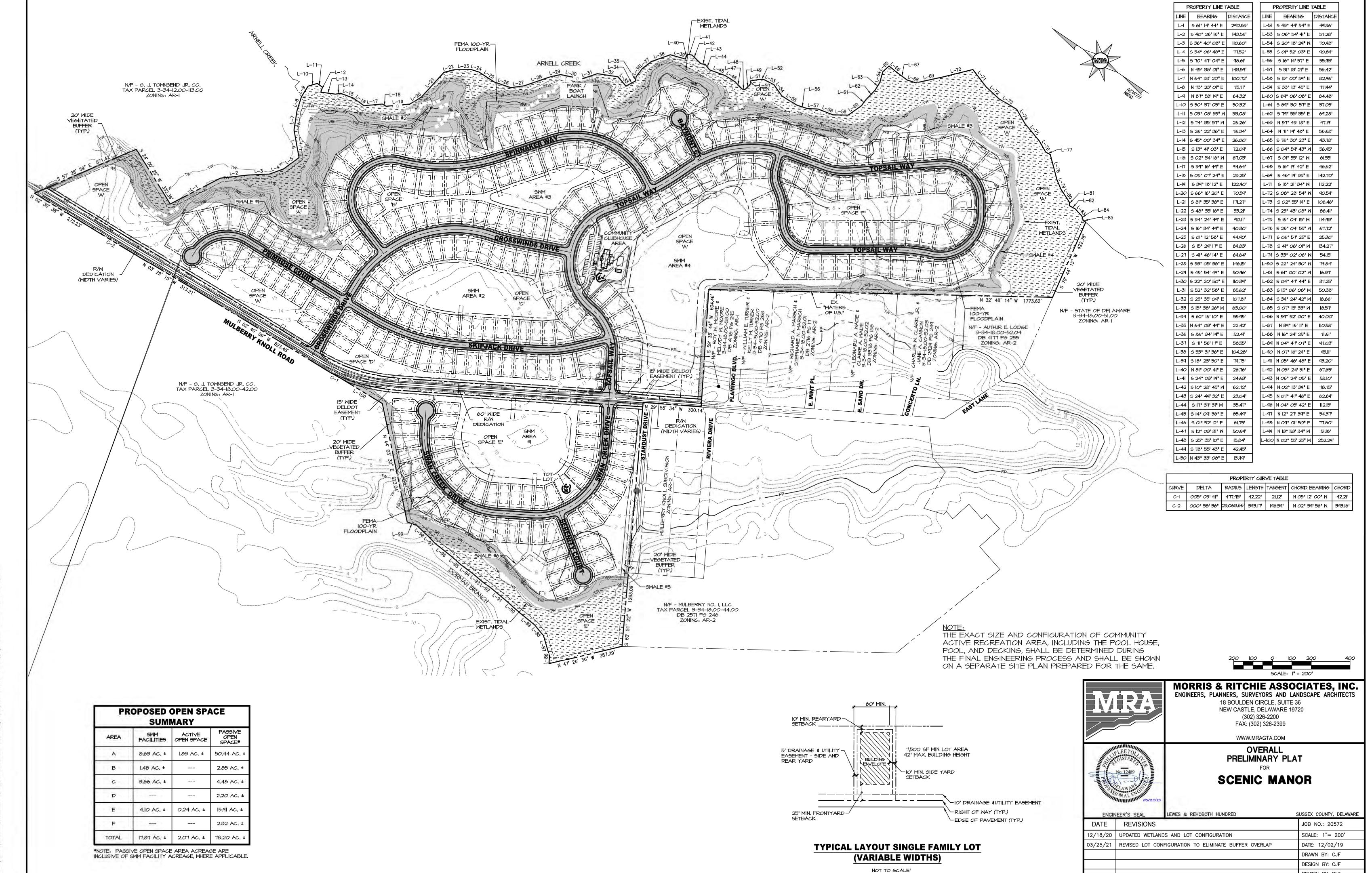
GENERAL NOTES & DETAILS PRELIMINARY PLAT

SCENIC MANOR

LEWES & REHOBOTH HUNDRED

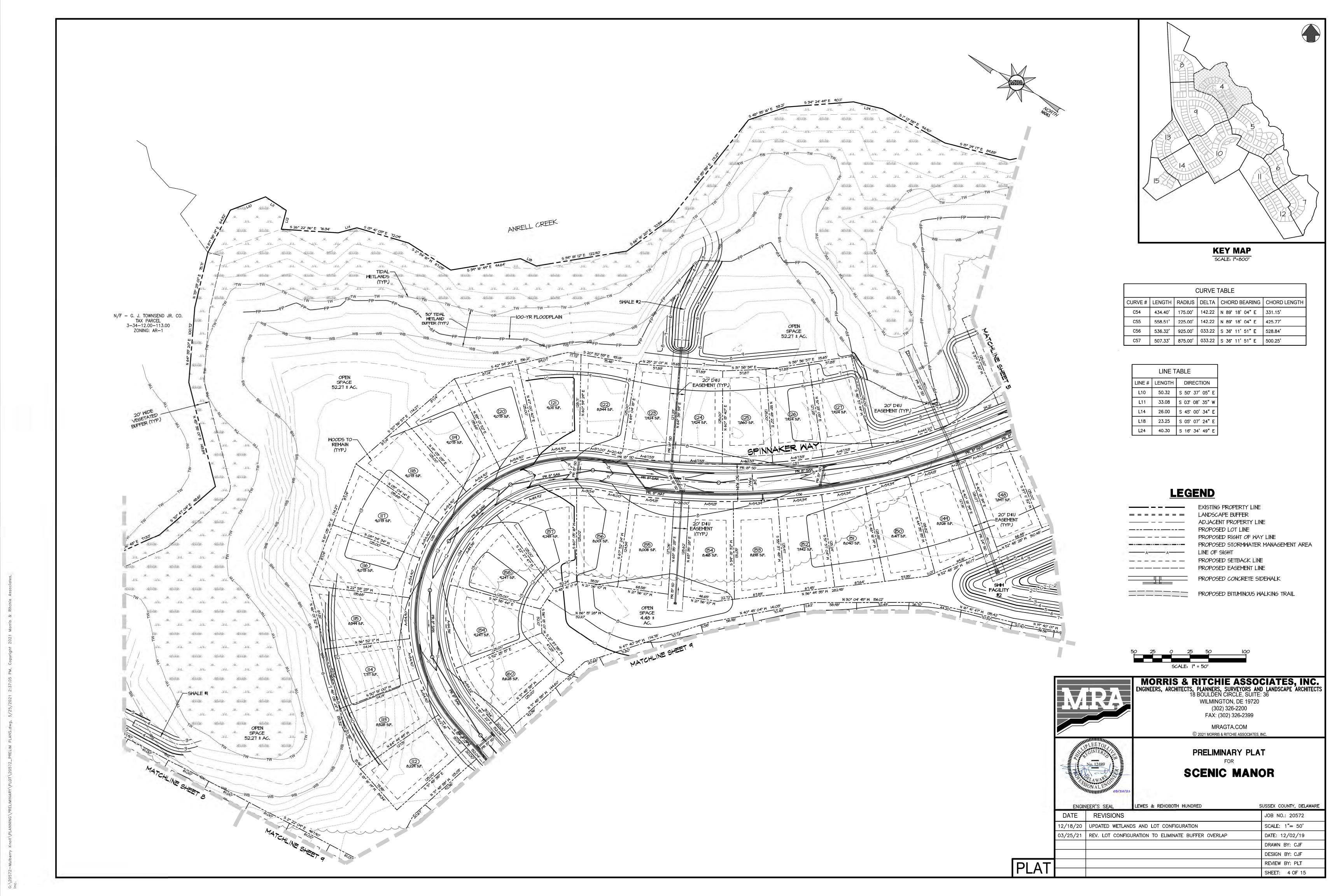
SUSSEX COUNTY, DELAWARE REVISIONS JOB NO.: 20572 UPDATED WETLANDS AND LOT CONFIGURATION SCALE: AS NOTED DATE: 12/02/19 DRAWN BY: CJF DESIGN BY: CJF

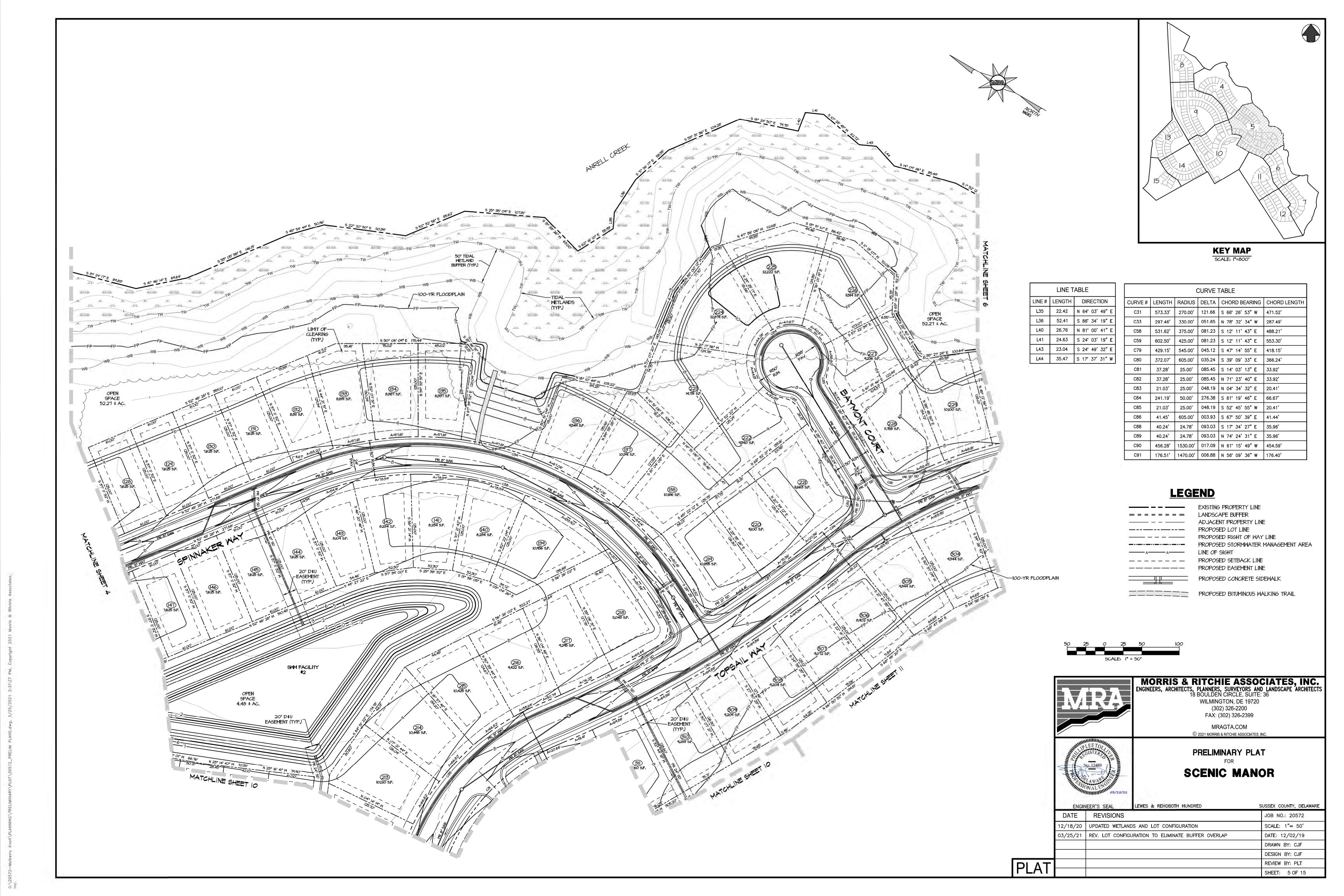
12/18/20 | 03/25/21 | REV. LOT CONFIGURATION TO ELIMINATE BUFFER OVERLAP REVIEW BY: SHEET: 2 OF 15

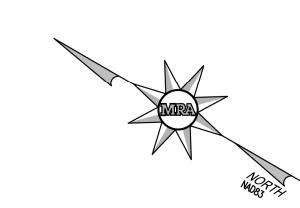


REVIEW BY: PLT
SHEET: 3 OF 15

G:\20572-Mulberry Knoll\PLANNING\PRELIMINARY\PLOT\20572_PRELIM OVERALL.dwg, 3/25/2021 2:36:13 PM. Copyright 2021 Morris & Ritchie As









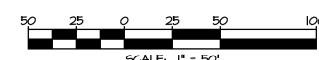
KEY MAP

| CURVE TABLE | | | | | |
|-------------|----------------|---------|--------|-----------------|--------------|
| CURVE# | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH |
| C60 | 41.68' | 25.00' | 095.52 | N 23° 04' 07" E | 37.02' |
| C61 | 41.65' | 25.00' | 095.45 | N 61° 26' 47" W | 37.00' |
| C62 | 121.96' | 175.00' | 039.93 | N 50° 51' 42" E | 119.51' |
| C63 | 87.12 ' | 125.00' | 039.93 | N 50° 51' 42" E | 85.36' |
| C74 | 119.04 | 270.00' | 025.26 | S 26° 09' 33" E | 118.07' |
| C75 | 140.88 | 325.00' | 024.84 | S 26° 08' 16" E | 139.78' |
| C76 | 32.09' | 600.00' | 003.06 | S 15° 15' 08" E | 32.09' |
| C77 | 372.07 | 605.00' | 035.24 | S 39° 09' 33" E | 366.24' |
| C78 | 429.15 | 545.00' | 045.12 | S 47° 14' 55" E | 418.15' |

| LINE TABLE | | | | | |
|------------|--------|------------------------|--|--|--|
| LINE# | LENGTH | LENGTH DIRECTION | | | |
| L47 | 50.69 | S 12° 03′ 31″ W | | | |
| L48 | 15.84 | S 25° 35′ 10″ E | | | |
| L50 | 13.99 | N 43° 33′ 08″ E | | | |
| L52 | 21.92 | S 30° 50′ 24″ E | | | |
| L61 | 37.05 | S 89° 30′ 57″ E | | | |

LEGEND

| | EXISTING PROPERTY LINE |
|--|-------------------------------------|
| | LANDSCAPE BUFFER |
| | ADJACENT PROPERTY LINE |
| | PROPOSED LOT LINE |
| | PROPOSED RIGHT OF WAY LINE |
| | PROPOSED STORMWATER MANAGEMENT AREA |
| —————————————————————————————————————— | LINE OF SIGHT |
| | PROPOSED SETBACK LINE |
| | PROPOSED EASEMENT LINE |
| | PROPOSED CONCRETE SIDEWALK |
| | PROPOSED BITUMINOUS WALKING TRAIL |





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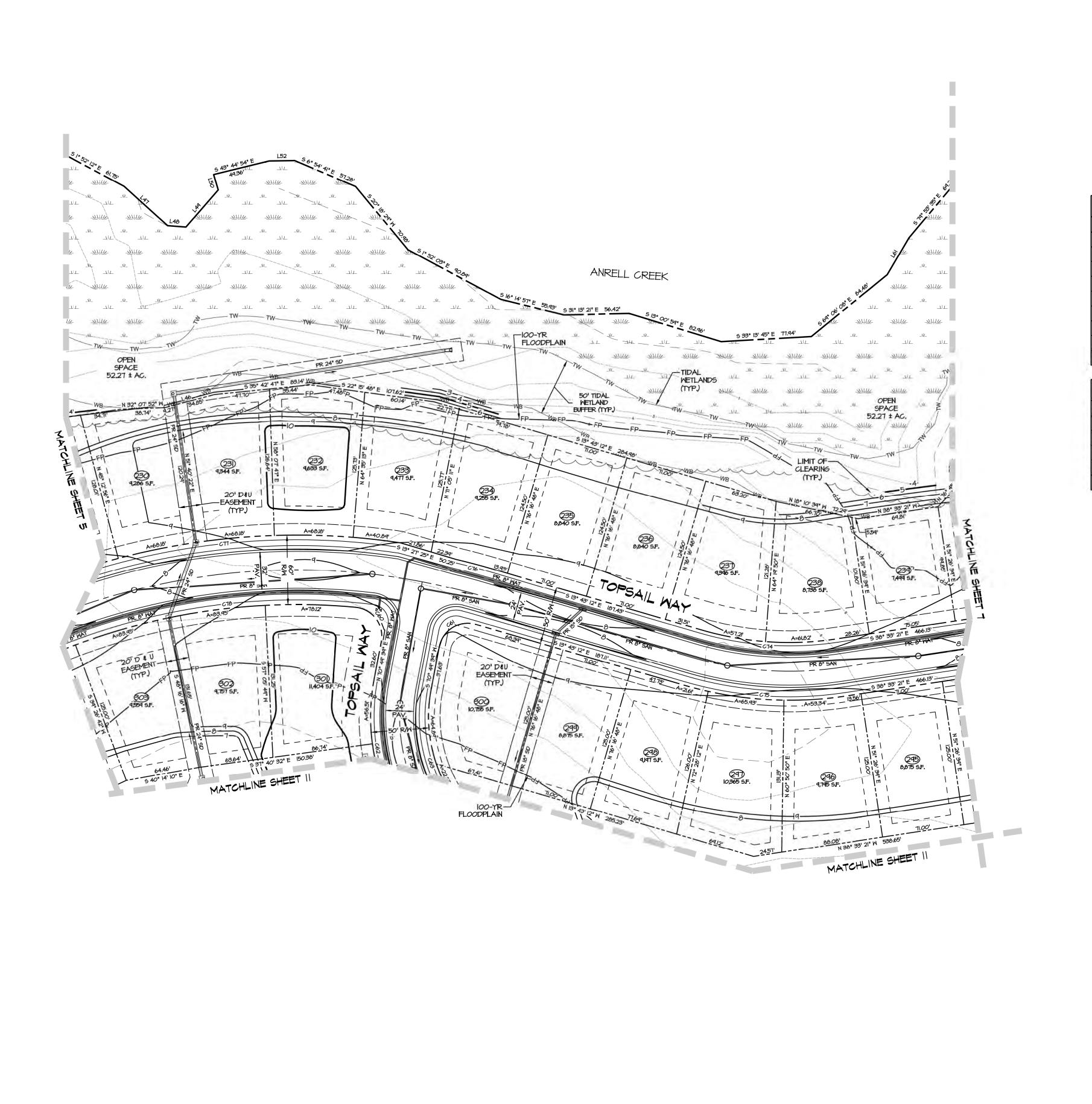
SHEET: 6 OF 15



PRELIMINARY PLAT

SCENIC MANOR

| ENGINE | | NEER'S SEAL | LEWES & REHOBOTH HUNDRED | SUSSEX COUNTY, DELAWARE |
|--------|----------|------------------|--------------------------|-------------------------|
| - 11 | DATE | REVISIONS | JOB NO.: 20572 | |
| | 12/18/20 | UPDATED WETLAND | SCALE: 1"= 50' | |
| | 03/25/21 | REV. LOT CONFIGL | DATE: 12/02/19 | |
| | | | DRAWN BY: CJF | |
| | | | | DESIGN BY: CJF |
| • | | | REVIEW BY: PLT | |





KEY MAP

SCALE: |"=800"

| CURVE TABLE | | | | | |
|--|---------|---------|--------|-----------------|---------|
| CURVE # LENGTH RADIUS DELTA CHORD BEARING CHORD LENGTH | | | | | |
| C72 | 376.02' | 225.00' | 095.75 | S 09° 19' 13" W | 333.76' |
| C73 | 292.46' | 175.00' | 095.75 | S 09° 19' 13" W | 259.59' |

| LINE TABLE | | | | | | |
|------------|--------|-----------------|--|--|--|--|
| INE# | LENGTH | DIRECTION | | | | |
| L63 | 47.19 | N 87° 43′ 18″ E | | | | |
| L65 | 43.78 | S 76° 30′ 23″ E | | | | |
| L77 | 25.30 | S 06° 57' 25" E | | | | |
| L81 | 16.37 | S 61° 00' 02" W | | | | |
| L82 | 37.25 | S 04° 47' 44" E | | | | |
| L83 | 50.38 | S 15° 06' 08" W | | | | |
| L84 | 18.66 | S 39° 24′ 42″ W | | | | |
| L85 | 18.57 | S 07° 15′ 33″ W | | | | |

LEGEND

EXISTING PROPERTY LINE LANDSCAPE BUFFER ADJACENT PROPERTY LINE PROPOSED RIGHT OF WAY LINE PROPOSED STORMWATER MANAGEMENT AREA

LINE OF SIGHT PROPOSED SETBACK LINE

PROPOSED CONCRETE SIDEWALK PROPOSED BITUMINOUS WALKING TRAIL

SCALE: I" = 50'



MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE: 36

WILMINGTON, DE 19720 (302) 326-2200 FAX: (302) 326-2399

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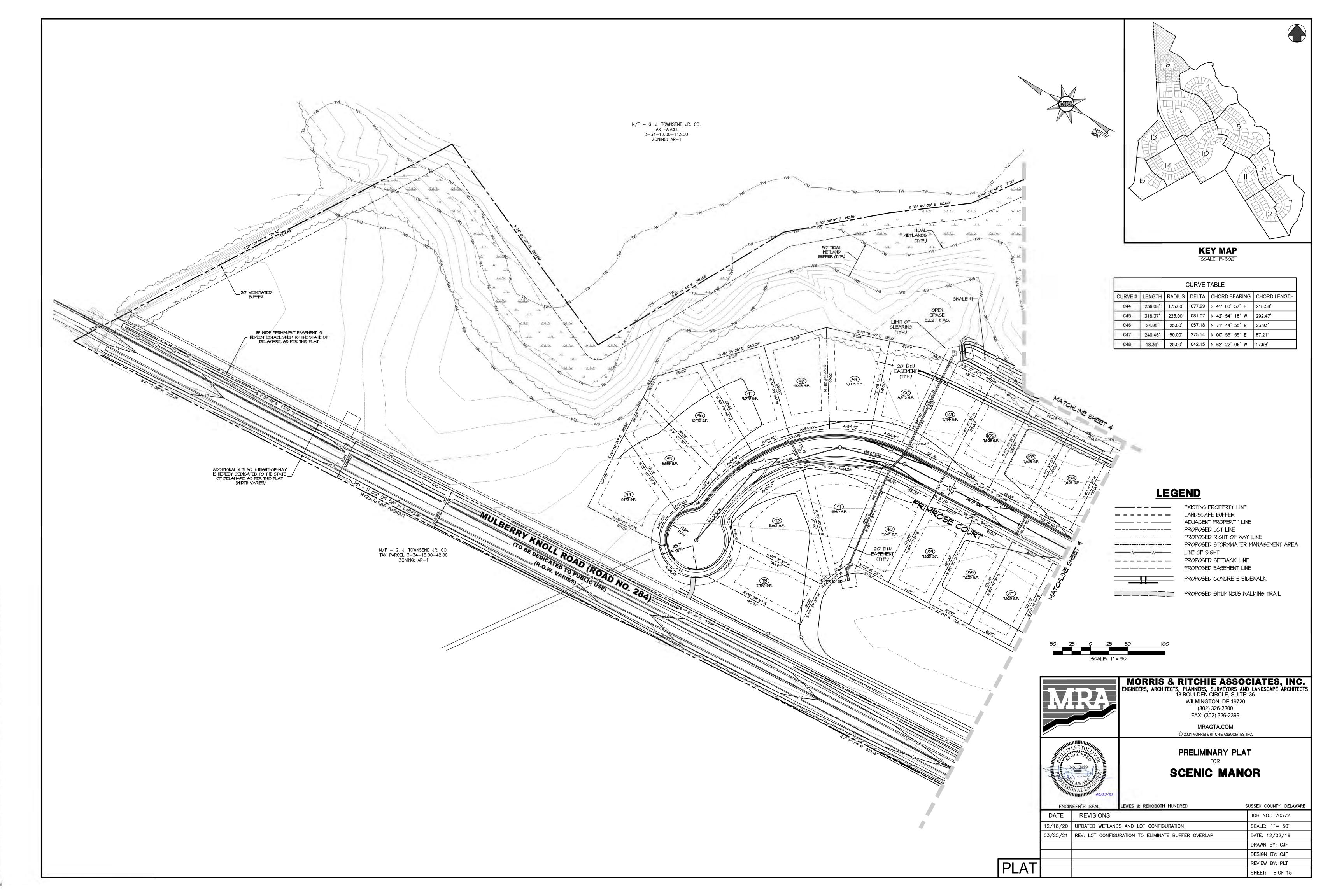


PRELIMINARY PLAT

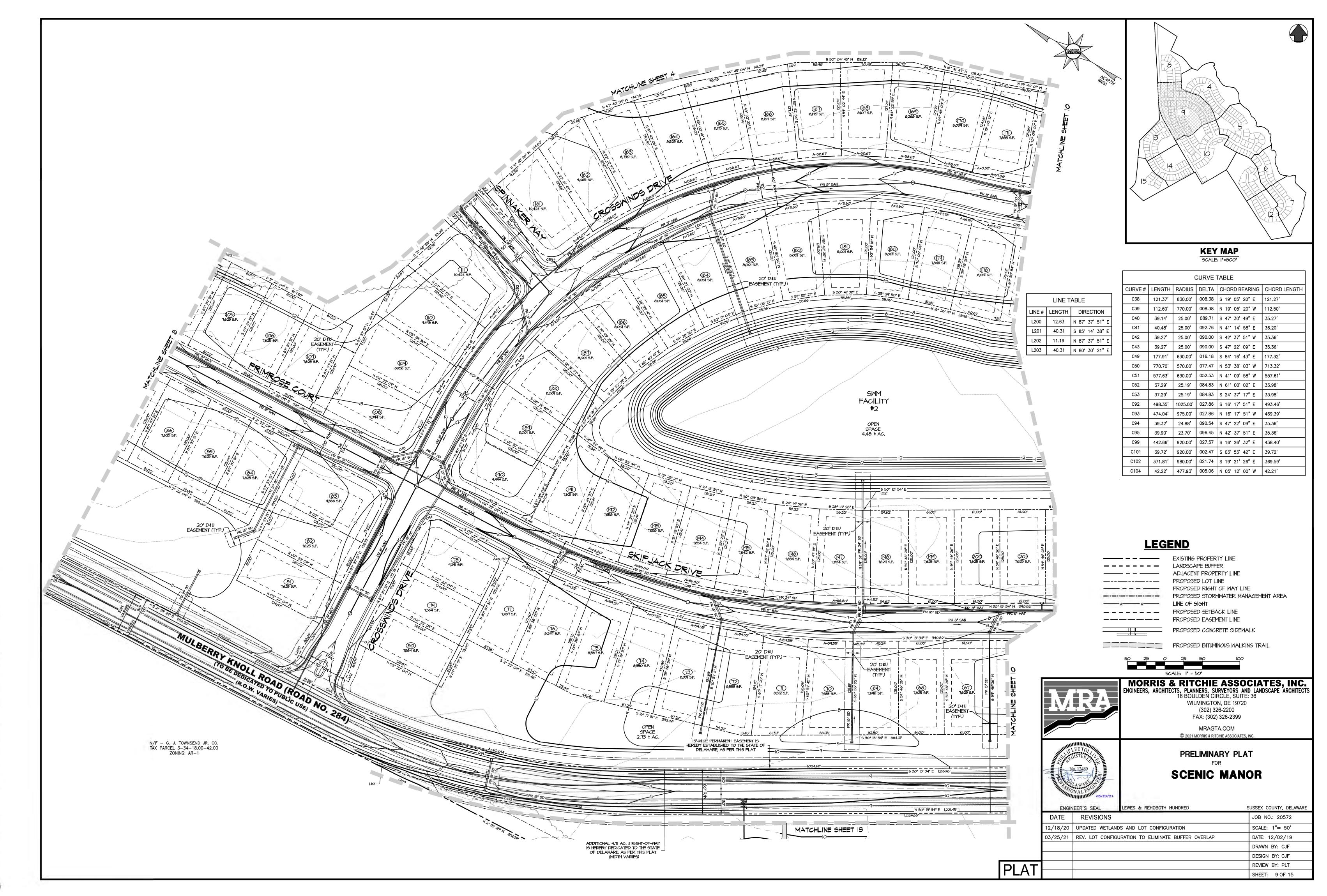
SCENIC MANOR

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY, DELAWARE ENGINEER'S SEAL

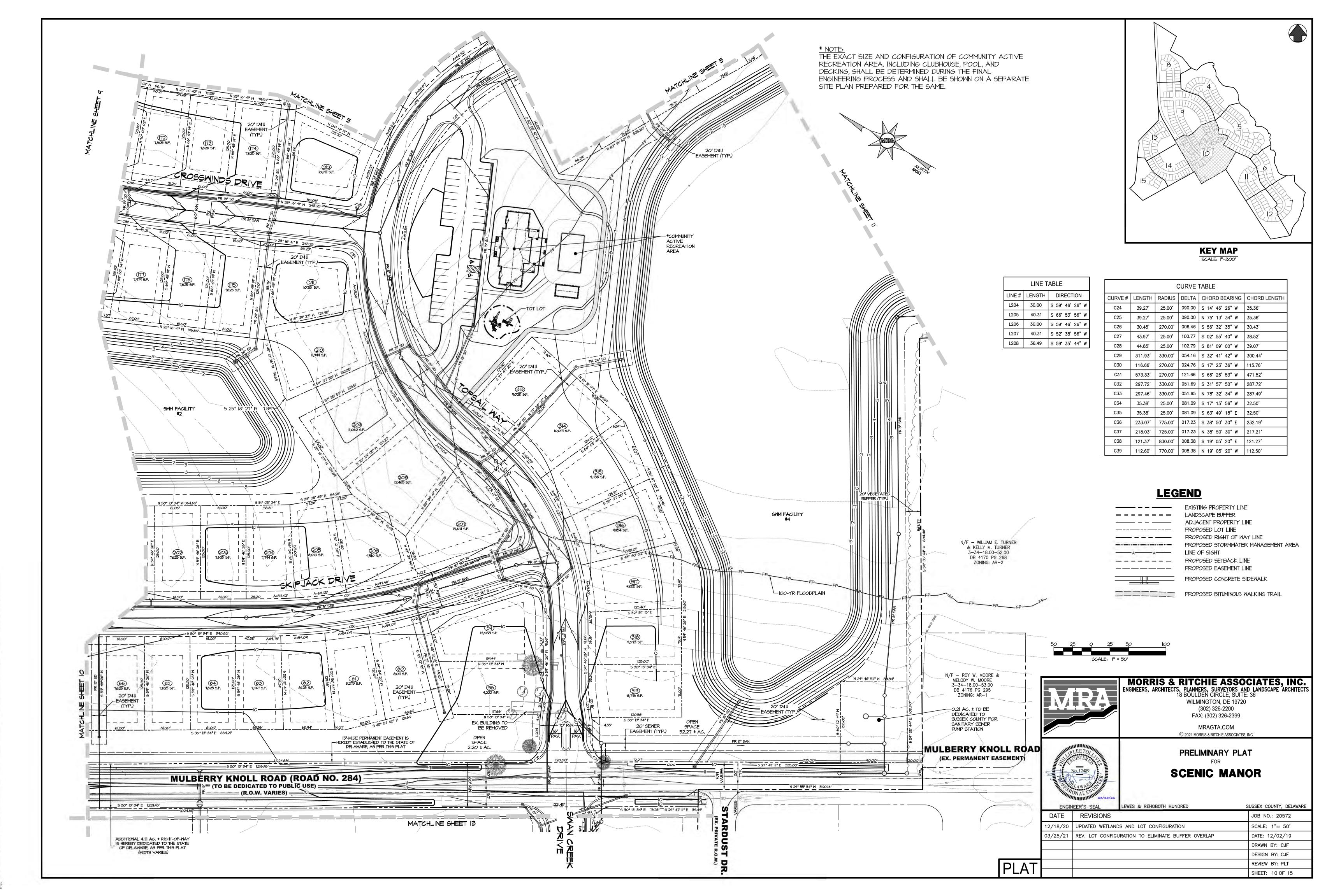
DATE REVISIONS JOB NO.: 20572 12/18/20 UPDATED WETLANDS AND LOT CONFIGURATION SCALE: 1"= 50' 03/25/21 REV. LOT CONFIGURATION TO ELIMINATE BUFFER OVERLAP DATE: 12/02/19 DRAWN BY: CJF DESIGN BY: CJF REVIEW BY: PLT SHEET: 7 OF 15



G:\20572-Mulberry Knoll\PLANNING\PRELIMINARY\PLOT\20572_PRELIM FLANS.dwg, 3/25/2021 2:38:30 PM, Copyright 2021 Morris & Ritchie Asset



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G:\20572-Mulberry Knoll\PLANNING\PRELIMINARY\PLOT\20572_PRELIM FLANS.dwg. 3/25/2021 2:39:13 PM, Copyright 2021 Morris & Ritchie Associates,



SCALE: I"=800'

| CURVE TABLE | | | | | | |
|-------------|---------|---------|--------|-----------------|--------------|--|
| URVE# | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH | |
| C62 | 121.96' | 175.00' | 039.93 | N 50° 51' 42" E | 119.51' | |
| C63 | 87.12 | 125.00' | 039.93 | N 50° 51' 42" E | 85.36' | |
| C64 | 146.60' | 275.00' | 030.54 | N 46° 10' 04" E | 144.87' | |
| C65 | 173.25' | 325.00' | 030.54 | N 46° 10' 04" E | 171.21' | |
| C66 | 293.08' | 175.00' | 095.96 | N 13° 27' 40" E | 260.01' | |

C67 209.34' 125.00' 095.96 N 13' 27' 40" E 185.72'

LEGEND

| | EXISTING PROPERTY LINE LANDSCAPE BUFFER |
|--|---|
| | ADJACENT PROPERTY LINE |
| | PROPOSED LOT LINE PROPOSED RIGHT OF WAY LINE |
| | PROPOSED STORMWATER MANAGEMENT AREA |
| A————————————————————————————————————— | LINE OF SIGHT PROPOSED SETBACK LINE |
| | PROPOSED EASEMENT LINE |
| | PROPOSED CONCRETE SIDEWALK |
| | PROPOSED BITUMINOUS WALKING TRAIL |





MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
18 BOULDEN CIRCLE, SUITE: 36
WILMINGTON, DE 19720
(302) 326-2200 FAX: (302) 326-2399

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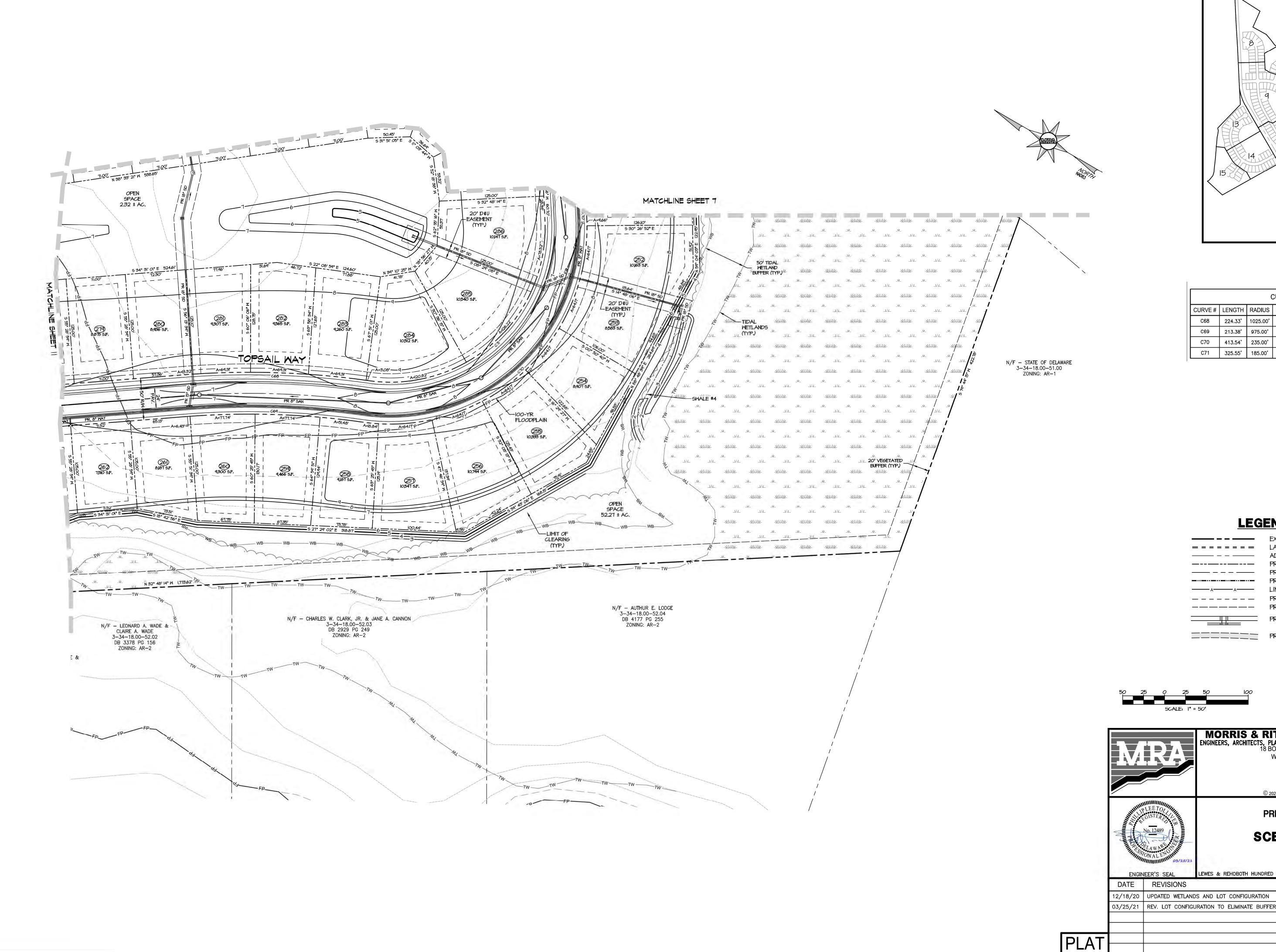


PRELIMINARY PLAT

SCENIC MANOR

| ENGINEER'S SEAL LEV | | LEWES & REHOBOTH HUNDRED | SUSSEX COUNTY, DELAWARE |
|---------------------|------------------|-------------------------------------|-------------------------|
| DATE | REVISIONS | | JOB NO.: 20572 |
| /18/20 | UPDATED WETLAND | OS AND LOT CONFIGURATION | SCALE: 1"= 50' |
| /25/21 | REV. LOT CONFIGI | JRATION TO ELIMINATE BUFFER OVERLAP | DATE: 12/02/19 |
| | | | DRAWN BY: CIE |

DESIGN BY: CJF PLAT REVIEW BY: PLT SHEET: 110F 15

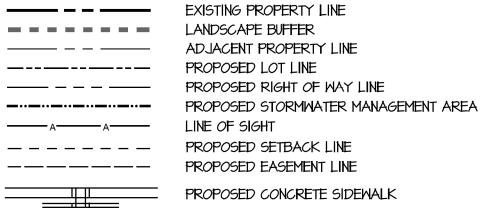




SCALE: I"=800'

| CURVE TABLE | | | | | | | | |
|-------------|---------|----------|--------|-----------------|--------------|--|--|--|
| CURVE# | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH | | | |
| C68 | 224.33' | 1025.00' | 012.54 | N 28° 14' 50" W | 223.88' | | | |
| C69 | 213.38' | 975.00' | 012.54 | N 28° 14' 50" W | 212.96' | | | |
| C70 | 413.54 | 235.00' | 100.83 | N 72° 23' 26" W | 362.21' | | | |
| C71 | 325.55 | 185.00' | 100.83 | N 72° 23' 26" W | 285.14' | | | |

LEGEND





MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE: 36

PROPOSED BITUMINOUS WALKING TRAIL

WILMINGTON, DE 19720 (302) 326-2200 FAX: (302) 326-2399

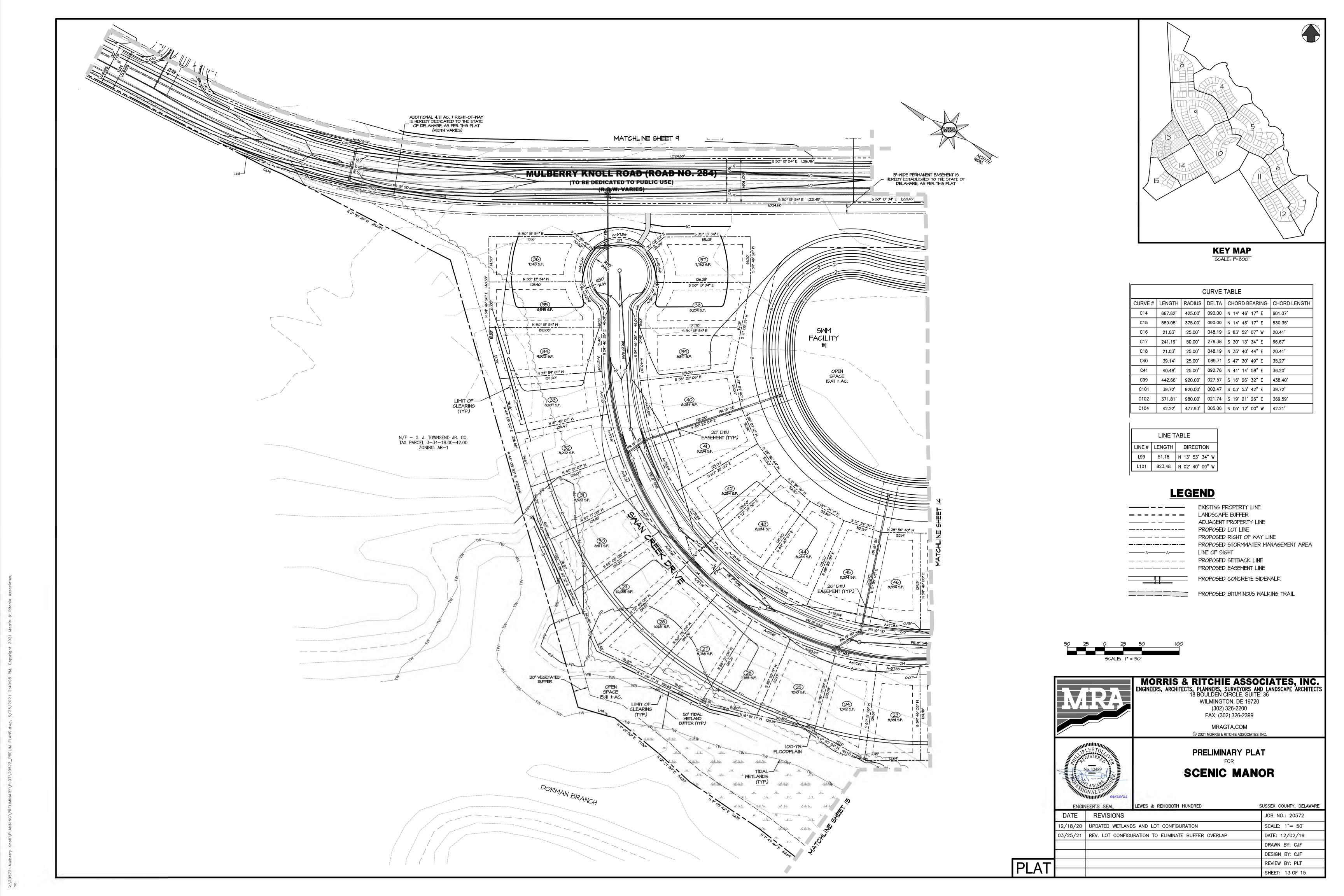
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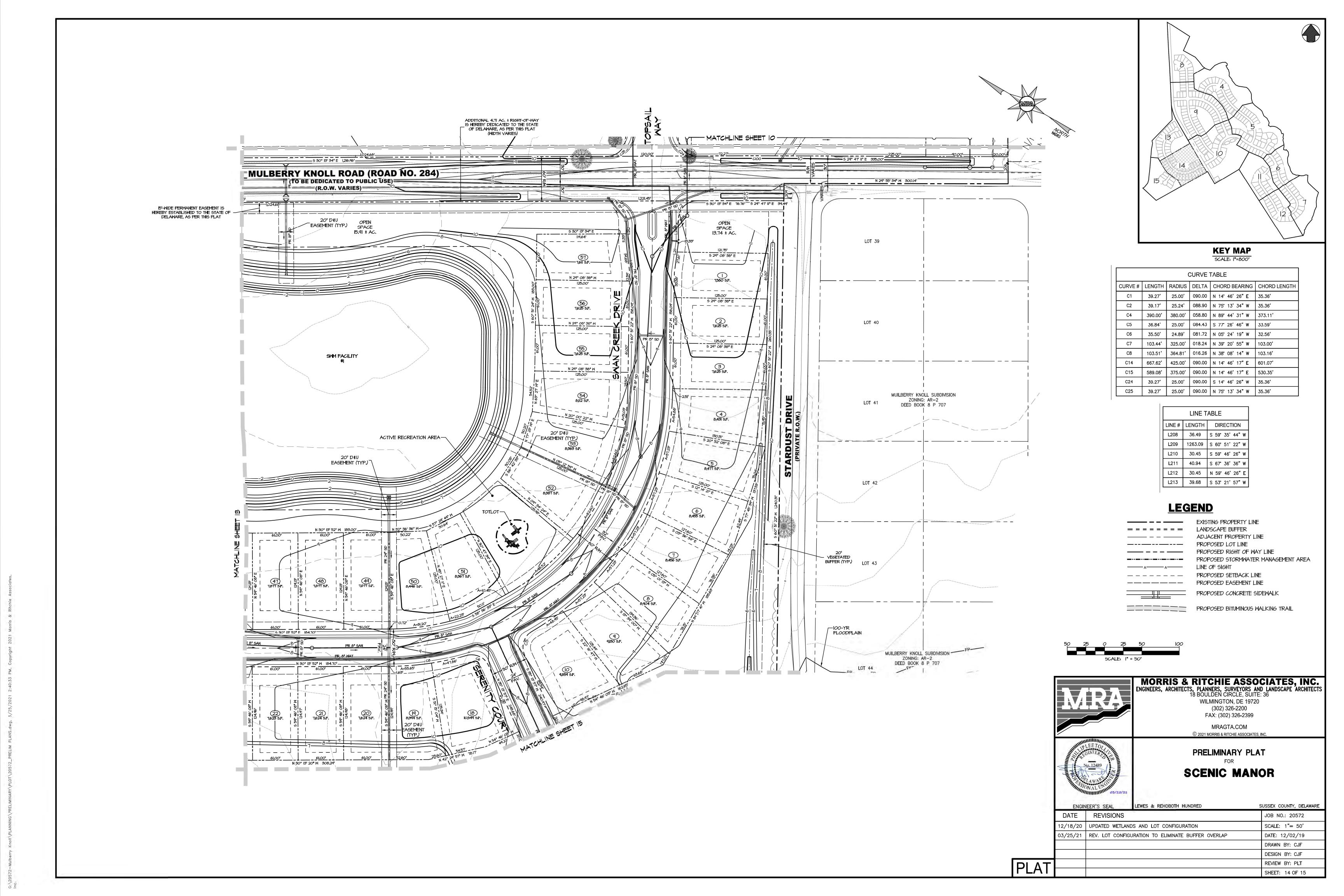
PRELIMINARY PLAT

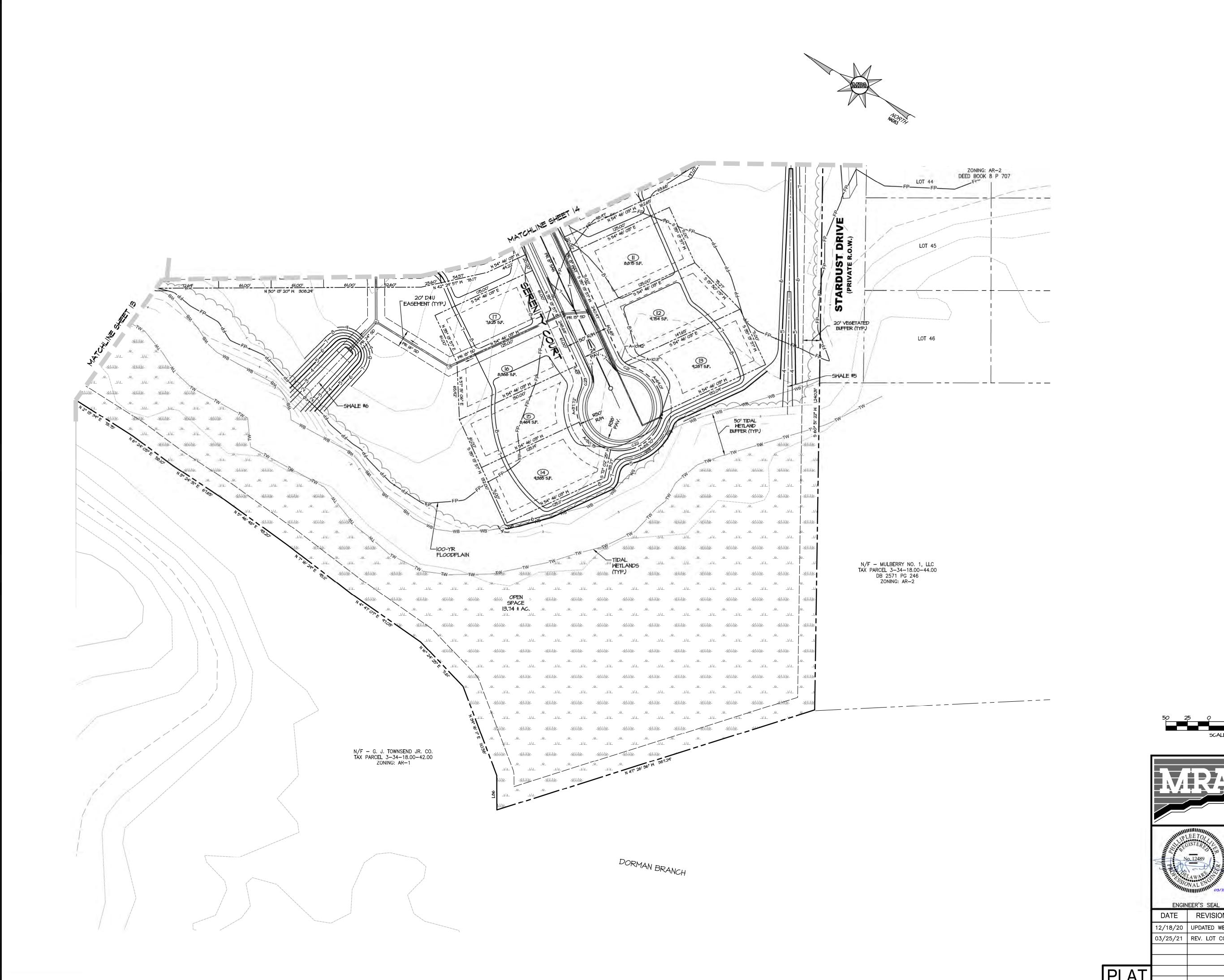
SUSSEX COUNTY, DELAWARE

SCENIC MANOR

| DATE | REVISIONS | JOB NO.: 20572 |
|--------|--|-----------------|
| /18/20 | UPDATED WETLANDS AND LOT CONFIGURATION | SCALE: 1"= 50' |
| /25/21 | REV. LOT CONFIGURATION TO ELIMINATE BUFFER OVERLAP | DATE: 12/02/19 |
| | | DRAWN BY: CJF |
| | | DESIGN BY: CJF |
| | | REVIEW BY: PLT |
| | | SHEET: 12 OF 15 |







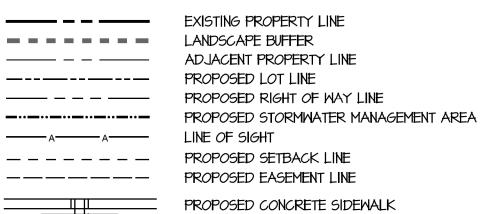


SCALE: I"=800'

| ı | | | | | | | | | | | | | | | | |
|---|--------|-------------|--------|--------|-----------------|--------------|--|--|--|--|--|--|--|--|--|--|
| | | CURVE TABLE | | | | | | | | | | | | | | |
| | CURVE# | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH | | | | | | | | | | |
| ١ | C21 | 21.03' | 25.00' | 048.19 | S 11° 08' 16" W | 20.41' | | | | | | | | | | |
| | C22 | 241.19' | 50.00' | 276.38 | N 54° 46' 03" W | 66.67' | | | | | | | | | | |
| ١ | 027 | 01.07 | 05.00' | 049 10 | N 50° 10' 70" F | 00.417 | | | | | | | | | | |

| LINE TABLE | | | | | | | | | | | | | | |
|------------|--------|-----------------|--|--|--|--|--|--|--|--|--|--|--|--|
| LINE# | LENGTH | DIRECTION | | | | | | | | | | | | |
| L86 | 40.00 | N 59° 52' 00" E | | | | | | | | | | | | |

LEGEND



PROPOSED BITUMINOUS WALKING TRAIL





MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE: 36

WILMINGTON, DE 19720 (302) 326-2200 FAX: (302) 326-2399

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SHEET: 15 OF 15



PRELIMINARY PLAT

SCENIC MANOR

| ENGIN | IEER'S SEAL | LEWES & REHOBOTH HUNDRED | SUSSEX COUNTY, DELAWARE | | | | | | |
|--------|-----------------|-------------------------------------|-------------------------|--|--|--|--|--|--|
| DATE | REVISIONS | JOB NO.: 20572 | | | | | | | |
| /18/20 | UPDATED WETLANI | SCALE: 1"= 50' | | | | | | | |
| /25/21 | REV. LOT CONFIG | URATION TO ELIMINATE BUFFER OVERLAP | DATE: 12/02/19 | | | | | | |
| | | DRAWN BY: CJF | | | | | | | |
| | | DESIGN BY: CJF | | | | | | | |
| | | | REVIEW BY: PLT | | | | | | |



June 3, 2022

VIA EMAIL ONLY

Department of Planning and Zoning Attn: Director Jamie Whitehouse 2 The Circle P.O. Box 417 Georgetown, DE 19947

> RE: Request to amend Conditions of Approval for Autumndale (2021-04); Turnberry (2021-05); Lightship Cove (2021-11); Miralon (2021-12)

Dear Commissioners:

Please accept this letter that provides additional information for the Commission's consideration of the Developer's requests to amend Conditions of Approval regarding Autumndale (2021-04); Turnberry (2021-05); Lightship Cove (2021-11); and Miralon (2021-12).

Streetlighting Conditions

At the Commission's request, our team contacted Delaware Electric Co-Op ("DEC") regarding the Condition of Approval requiring Developer to provide, "A system of fully shielded and downward screened streetlighting."

This Condition was imposed on Autumndale (as Condition I), Turnberry (as Condition H), Lightship Cove (as Condition H) and Miralon (Condition H).

DEC agreed that the language used in the Condition should be amended to read, "A streetlighting system that provides lighting in the downward direction with minimal uplighting shall be provided." Please find the attached correspondence, as *Exhibit A*, from DEC's Vice President of Engineering, Troy Dickerson, confirming the same.

Pathway Conditions

We also respectfully request that the Commission review the attached preliminary plats, as *Exhibit B*, with respect to conditions imposed on the Developer for installation of pathways around the stormwater ponds because at the May 12, 2022 Commission Meeting it was suggested that the Developer proffered pathways to be installed *around* the stormwater ponds. That is a misstatement of fact.

<u>Autumndale</u>

With respect to Autumndale, the paperless packet and preliminary plat show a path cutting through the rear of the lots, in the vicinity of the stormwater ponds, but without making a loop around the ponds. Condition K requires the Developer to install a pathway around the central pond. It remains unclear whether the Commission is requiring the Developer to install the pathway proffered on the Site Plan or if the Commission intended to require the Developer to install a pathway around that centrally located stormwater pond. The Developer respectfully requests that the Commission only require the Developer to install a pathway like the pathway shown on the Site Plan instead of requiring a pathway to be installed around the centrally located stormwater pond.

Lightship Cove

In terms of Lightship Cove, the paperless packet and preliminary plat did not show a pathway *around* the stormwater ponds. During the November 18, 2022 Public Hearing, Commissioner Stevenson expressed her preference for a pathway to be installed around the central stormwater pond, and Condition J required the Applicant to install a pathway *around* the central pond. The preliminary plat submitted for the public hearing confirms that no pathway was proposed around the central stormwater pond. The preliminary plat was amended to add the pathway around the central stormwater pond. See the original and amended plat attached as *Exhibit B*. In light of the amendment to the preliminary plat, Developer withdraws its request to amend Condition J, as the preliminary plan was updated to include the pathway.

<u>Miralon</u>

In terms of Miralon, the paperless packet and preliminary plat did not propose any pathways *around* the stormwater ponds. The Commission imposed Condition of Approval I, requiring Developer to install a pathway *around* the ponds in the front of the Subdivision. As stated in Developer's March 14, 2022 letter to the Commission, there are a total of six stormwater ponds proposed in Miralon, and three to four ponds are located towards the front of the community. Significantly, the number of proposed stormwater ponds is subject to change because the site has not gone through final engineering. Also, it remains unclear what

stormwater ponds the Commission considers to be in the *front* of the subdivision. For these reasons, and all the reasons stated in the Developer's March 14, 2022 letter, the Developer respectfully requests amendment to or deletion of Condition I because it is not clear which ponds require installation of pathways and whether those ponds will even remain on the final site plan. If the Commission decides to amend Condition I, the Developer respectfully requests that the Commission only require a pathway proposed partially in the woods and around Wet Pond 1, as further detailed in *Exhibit C*.

Turnberry

The installation of pathways around stormwater ponds is not a Condition of Approval for Turnberry.

Thank you for your consideration of the Developer's requests to amend and/or delete these Conditions of Approval imposed on Autumndale, Turnberry, Lightship Cove, and Miralon.

Sincerely,

/s/ Mackenzie M Peet

Mackenzie M. Peet, Esq.

Enclosures:

Exhibit A – DEC Correspondence Exhibit B – Preliminary Plats Exhibit C – Miralon Pathway

Cc:

Jon Horner, Esquire Tim Green Jason Palkewicz, PE Jim Eriksen, PE Troy Dickerson, PE

EXHIBIT A DEC Correspondence

Mackenzie Peet

From:

Jim Eriksen <jeriksen@solutionsipem.com>

Sent:

Friday, May 27, 2022 11:54 AM

To:

Dickerson, Troy; Tim Green Mackenzie Peet; Jason Palkewicz

Cc: Subject:

RE: Street Lighting Conditions from Sussex County

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.

Thanks Troy. We will propose that language to the County and provide copies of our correspondence for confirmation.

Jim Eriksen, PE | Principal of Engineering |

Solutions IPEM

303 N. Bedford Street

Georgetown, DE 19947

ph 302.297.9215

From: Dickerson, Troy <TDickerson@delaware.coop>

Sent: Friday, May 27, 2022 11:39 AM

To: Tim Green <tgreen@schellbrothers.com>; Jim Eriksen <jeriksen@solutionsipem.com>

Cc: Mackenzie Peet <Mackenzie@bmbde.com>; Jason Palkewicz <jpalkewicz@solutionsipem.com>

Subject: RE: Street Lighting Conditions from Sussex County

Jim,

That language would be appropriate. We did hear back from our manufacturers. Nothing that we currently buy is dark sky compliant. The biggest reason why is that the lights we buy are 5000k and to be dark sky compliant, they need to be under 3000k. Our issue is that when we started installing LED's 8 years ago, 5000k is all that was available and we've just stuck with that. We've done a lot of replacements in developments from HPS to LED because people wanted the whiter light versus the yellow light. Outside of that, LED's minimize uplighting in general, and that was verified.

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"

From: Tim Green

Sent: Friday, May 27, 2022 7:54 AM

To: Jim Eriksen < <u>jeriksen@solutionsipem.com</u>>; Dickerson, Troy < <u>TDickerson@delaware.coop</u>> **Cc:** Mackenzie Peet < <u>Mackenzie@bmbde.com</u>>; Jason Palkewicz < <u>jpalkewicz@solutionsipem.com</u>>

Subject: RE: Street Lighting Conditions from Sussex County

Seems logical to me.

From: Jim Eriksen < jeriksen@solutionsipem.com>

Sent: Thursday, May 26, 2022 3:00 PM

To: Dickerson, Troy < <u>TDickerson@delaware.coop</u>>

Cc: Mackenzie Peet <Mackenzie@bmbde.com>; Jason Palkewicz <jpalkewicz@solutionsipem.com>; Tim Green

<tgreen@schellbrothers.com>

Subject: RE: Street Lighting Conditions from Sussex County

Troy,

Has Ryan heard back from the light venders? I believe he was going to reach out to see if they have literature that would allow them to say the fixtures comply with the county's requirement.

Assuming there is nothing available from the venders that would allow us to comply, I believe the only additional information we really would need would be some alternate language we can propose to the County. I do not know that they are necessarily intended to request dark-sky compliant bulbs. Based on your response, I think that this may simply be a case where they have been using the same language without anyone realizing that modern/LED fixtures would not technically comply with the condition.

If we were to simplify the condition to read "A street lighting system that provides lighting in a downward direction with minimal uplighting shall be provided" would that work for everyone?

Thanks,

Jim Eriksen, PE | Principal of Engineering |

Solutions IPEM | 303 N. Bedford Street | Georgetown, DE 19947 | ph 302.297.9215 |

From: Dickerson, Troy <TDickerson@delaware.coop>

Sent: Thursday, May 26, 2022 2:40 PM

To: Jim Eriksen < jeriksen@solutionsipem.com>

Cc: Mackenzie Peet < <u>Mackenzie@bmbde.com</u>>; Jason Palkewicz < <u>jpalkewicz@solutionsipem.com</u>>; Tim Green

<tgreen@schellbrothers.com>

Subject: RE: Street Lighting Conditions from Sussex County

Jim,

From the email that I sent to Ann Margaret, do you need anything else from me at this time?

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: Jim Eriksen < <u>jeriksen@solutionsipem.com</u>>

Sent: Wednesday, May 18, 2022 4:29 PM

To: Dickerson, Troy <TDickerson@delaware.coop>

Cc: Mackenzie Peet <<u>Mackenzie@bmbde.com</u>>; Jason Palkewicz <<u>jpalkewicz@solutionsipem.com</u>>; Tim Green

<tgreen@schellbrothers.com>

Subject: Street Lighting Conditions from Sussex County

Hi Troy,

We recently brought a couple of subdivisions named Turnberry and Autumndale within your service areas before Sussex County Planning Commission. We received a list of conditions of approval for the preliminary subdivision plan that included some verbiage for street lighting. The condition is "Condition H" in the attached letter. It reads "A system of fully shielded and downward screened streetlighting shall also be provided." Identical verbiage is seen in the Autumndale conditions.

It is my understanding that DEC does not provide lighting that meets this condition. Would you be able to provide confirmation that this is the case? Also, would you be able to provide some verbiage that we could use to describe a similar-style light that DEC does provide?

Thanks for your help. Please let me know if you need anything else from me.

Thanks,

Jim Eriksen, PE | Principal of Engineering |

Solutions IPEM | 303 N. Bedford Street | Georgetown, DE 19947 | ph 302.297.9215 |

Mackenzie Peet

From:

Dickerson, Troy <TDickerson@delaware.coop>

Sent:

Tuesday, May 24, 2022 9:50 AM

To:

Tim Green; Greenlee, Paul; Shockley, Ryan; Book, Rob

Cc:

Jim Eriksen; Mackenzie Peet; Jason Palkewicz; Ann-Margaret Donato

Subject:

Re: Street Lighting Conditions from Sussex County

Follow Up Flag: Flag Status:

Follow up Completed

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.

Good Morning,

This is blowing up too fast with me being on vacation Friday, Executive Leadership Training yesterday and today, calls from P&Z and the County, and then the Cape Gazette article coming out yesterday.

The county's requirement says "fully shielded and downward screened. I don't know what their expectation is with that statement as I've not seen that statement before. Does this mean "Dark Sky Compliant"? Or does their statement mean something else.

Our old lights that were installed were high pressure sodium, which was a light bulb installed at the base of the fixture that shined light 360 degrees. On the inside of the fixture, at the top, there was a refractor that directed light towards the ground in the appropriate lighting pattern. With the high pressure sodium, there is a lot of light pollution with up lighting.

Fast forward to LED light fixtures. The LED's are installed on the inside top of the fixture. The LED's are positioned in a way that they only shine in a downward direction without the use of a refractor. So by design, there is minimal if any uplighting.

Ryan and I had a conversation this morning after we saw the Cape Gazette article. He is reaching out to our lighting vendors today to see what they have to say about the county's requirement. Maybe fully shielded and downward screened doesn't mean Dark Sky Compliant and they have literature stating that they meet the requirement the county has put in their comments.

Ryan can reply back to all once he hears back from our lighting vendors.

Thanks!

Troy W Dickerson, P.E. V.P. of Engineering Voice: (302) 349-3125 Cell: (302) 535-9048

tdickerson@delaware.coop

Please excuse any spelling or grammatical errors as this message was sent from a mobile device.

On May 24, 2022, at 8:22 AM, Tim Green <tgreen@schellbrothers.com> wrote:

Jim,

We previously reached out to DEC on this matter, and it was confirmed they do not provide a light that complies with this condition of approval.

Copying Ann Margaret as I believe she spoke to a DEC representative.

Thanks

Tim

From: Jim Eriksen < jeriksen@solutionsipem.com>

Sent: Tuesday, May 24, 2022 6:52 AM

To: Troy Dickerson - Delaware Electric Cooperative (TDickerson@decoop.com)

<tdickerson@decoop.com>

Cc: Mackenzie Peet <Mackenzie@bmbde.com>; Jason Palkewicz <jpalkewicz@solutionsipem.com>; Tim

Green <tgreen@schellbrothers.com>

Subject: Re: Street Lighting Conditions from Sussex County

Hi Troy,

Have you had a chance to look into this? Please let me know if you need anything from us.

Thanks,

Jim

On May 18, 2022 4:28 PM, Jim Eriksen < jeriksen@solutionsipem.com> wrote:

Hi Troy,

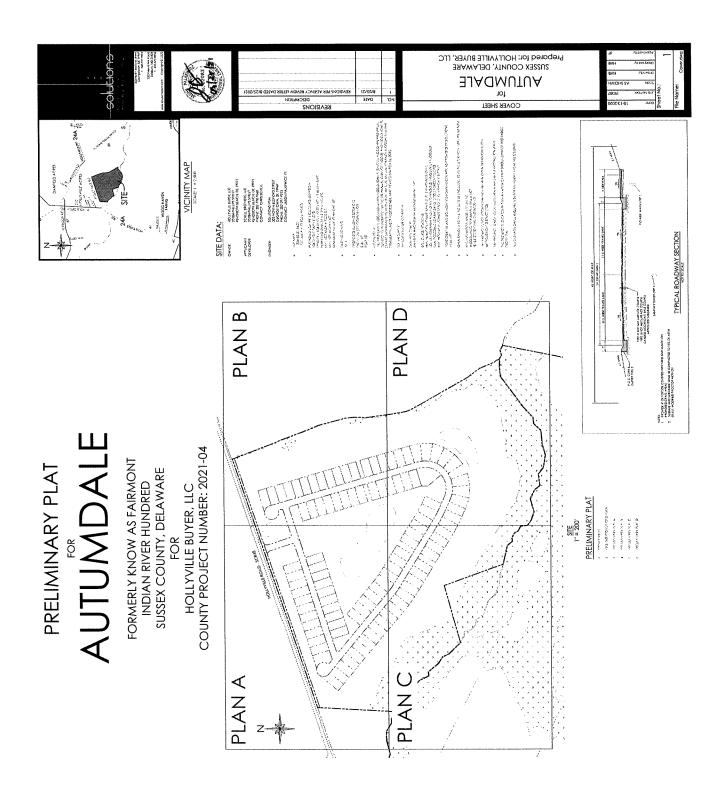
We recently brought a couple of subdivisions named Turnberry and Autumndale within your service areas before Sussex County Planning Commission. We received a list of conditions of approval for the preliminary subdivision plan that included some verbiage for street lighting. The condition is "Condition H" in the attached letter. It reads "A system of fully shielded and downward screened streetlighting shall also be provided." Identical verbiage is seen in the Autumndale conditions.

It is my understanding that DEC does not provide lighting that meets this condition. Would you be able to provide confirmation that this is the case? Also, would you be able to provide some verbiage that we could use to describe a similar-style light that DEC does provide?

Thanks for your help. Please let me know if you need anything else from me.

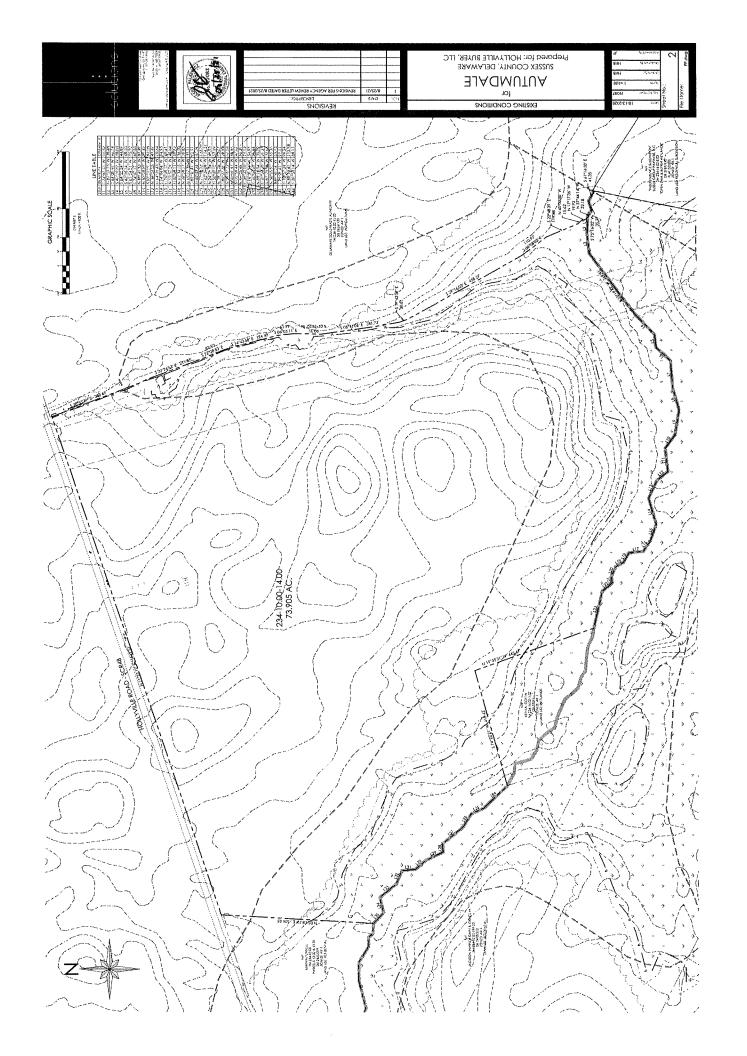
| i nanks, | |
|--------------------------------|---|
| Jim Eriksen, PE | Principal of Engineering |
| Solutions IPEM 302.297.9215 | 303 N. Bedford Street Georgetown, DE 19947 ph |

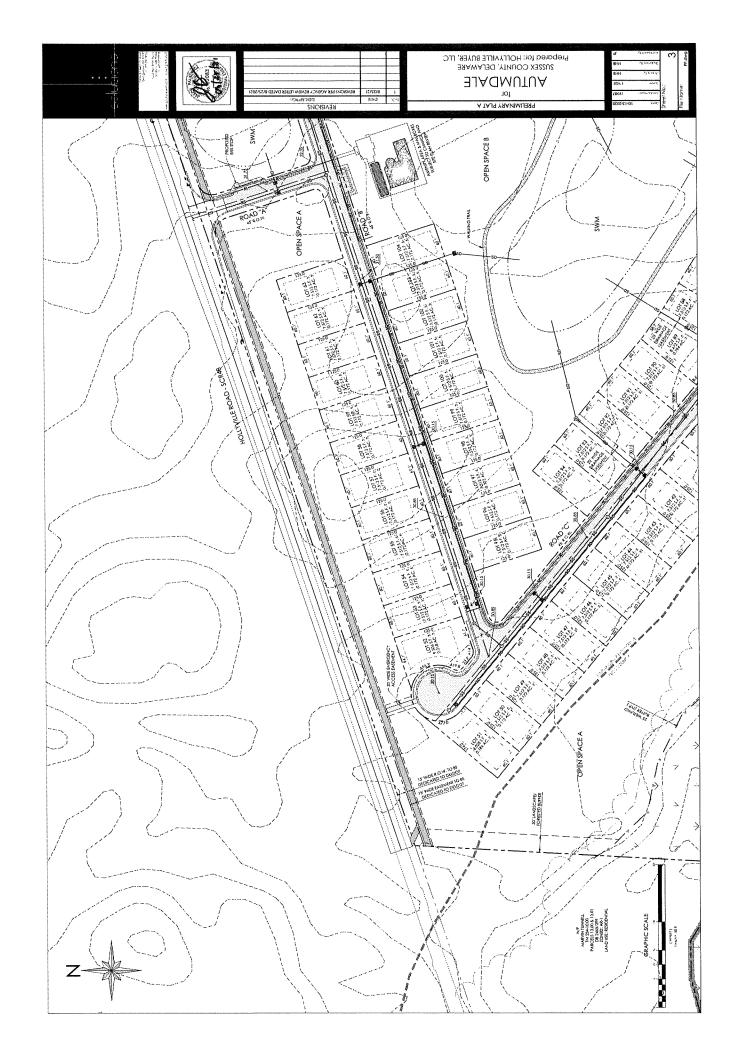
EXHIBIT B Preliminary Plats

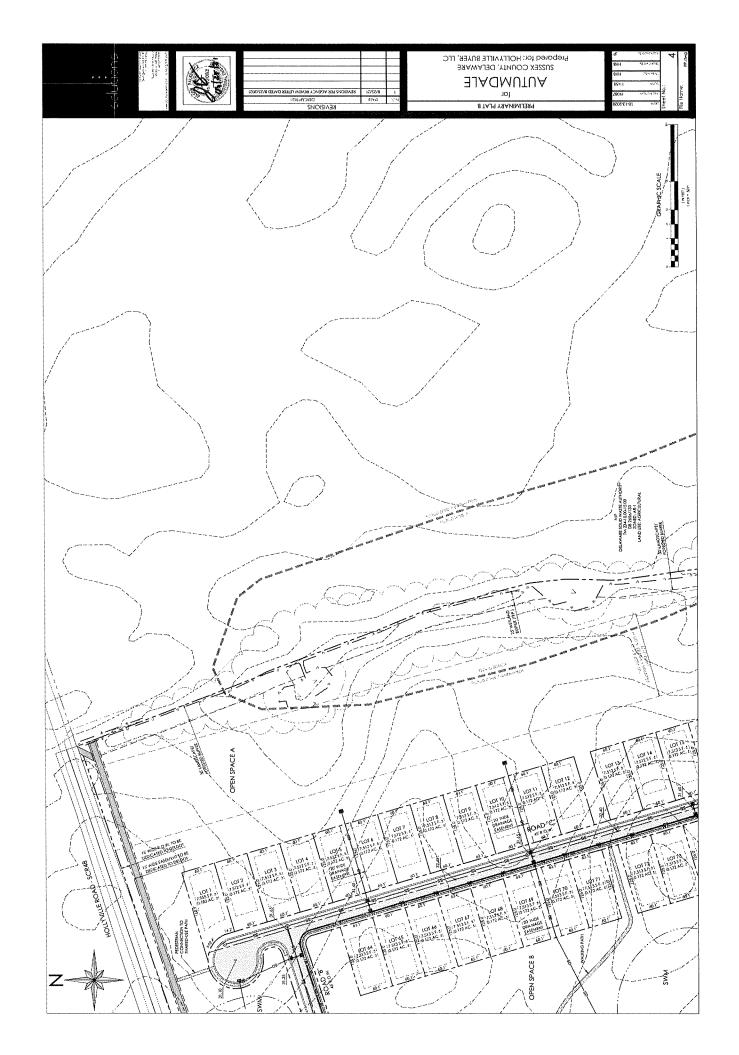


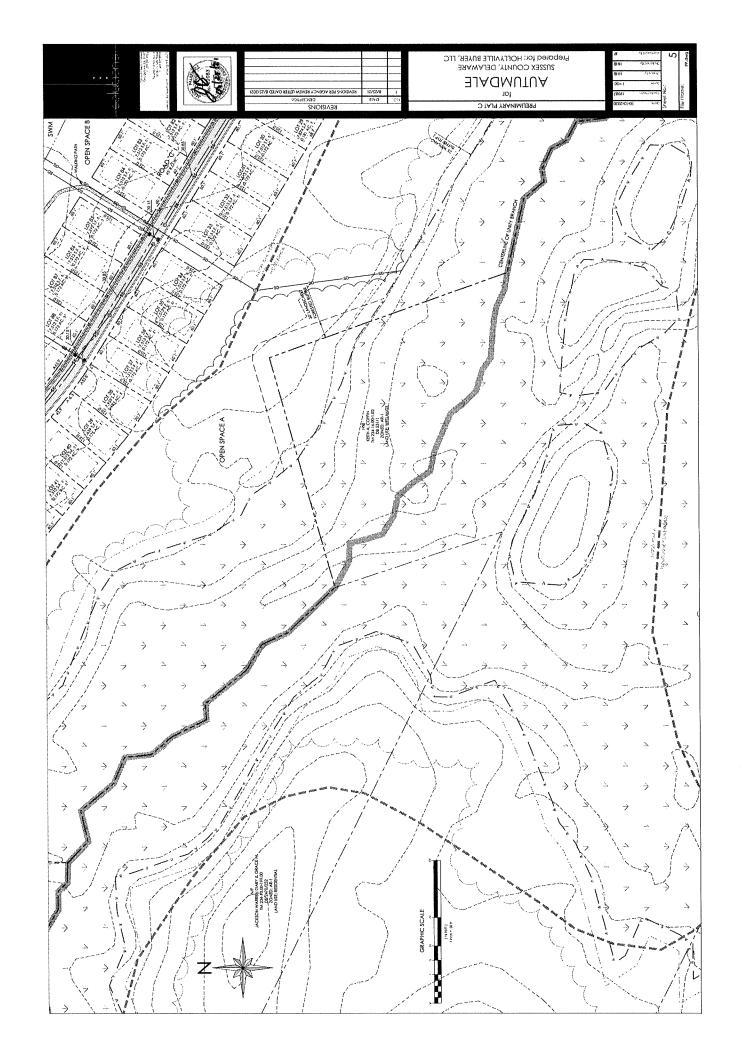
CURB
DELDOT PAYDARM HATCH
STERMALK
SQEWALK HATCH
IRAK
EDGE OF POND

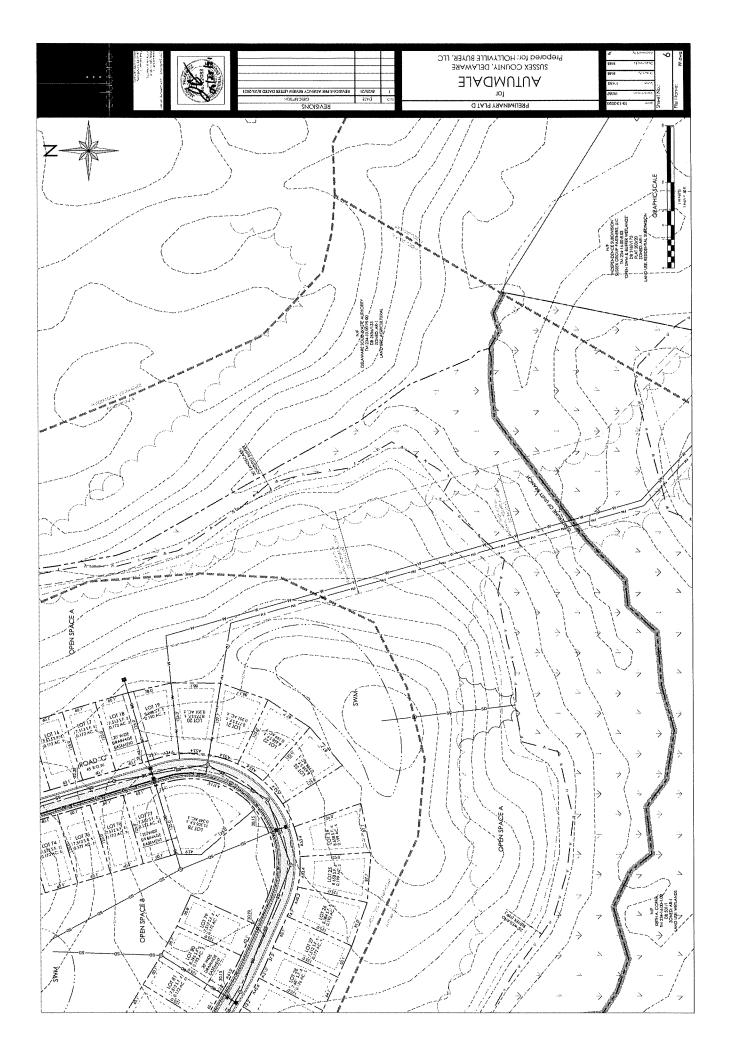
LEGEND









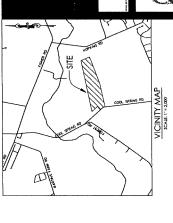




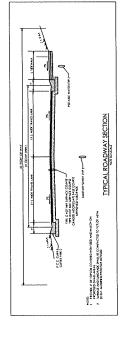
PRELIMINARY PLAT FOR ON

SITE DATA:

AKA COOL SPRING
LEWES & REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE
SUSSEX COUNTY PROJECT #2021-12



| NA SHARM NOON SHARWAN NOON SHAR | LEGEND | NG PROPOSED | | | | | 3800 | - | | | | | | SECONOLIS SECONO | | | | | 0 | α | 0 | SS | | - Anna |
|--|--------|-------------|---------------|---|------------------|-------------|------------------|----------------|----------------------|------------------|----------|---|--------------|--|-----------|------------------|---------------|----------------|-------------------|----------------|---------------------|------------------|----------------|------------------------------|
| | | EXITING | PROPERTY LINE | i | SETBACK LINE N/A | R.O.W. LINE | SPOT EEVANON N/A | ROAD CENTERUNE | EDGE OF CONCRETE N/A | EDGE OF PAVEMBNT | CURB N/A | DELDOT PAVEMENT HATCH (3.4.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1. | SIDEWALK N/A | SIDEWALK HATCH N/A | TRAS. N/A | EDGE OF POND N/A | CURB NLET N/A | YARD INLET N/A | STORM MANHOLE N/A | STORM PIPE N/A | SANTARY MANHOLE N/A | SANTARY PIPE N/A | WATER PIPE N/A | TREE UNE CONTROL OF CONTROLS |





SOL CLASSIFICATIONS:
DOAR DOAD BOORD SOLD GROUP, A
POAR DOAD BOORD GOAPLEY - HYDROLOGIC SOL GROUP, A
IRA - FORT MOTH HEN OPEN COAPLEY - HYDROLOGIC SOLL GROUP, A
IRA - INCLESDE LOAAN'S AND - HYDROLOGIC SOIL GROUP. A

SANITARY SEWER: ARTESIAN WATER COMPANY WATER SUPPLY: ARTESIAN WATER COMPANY

BOUNDARY SHOWN HEREIN ARE AS PROVIDED BY SOLUTIONS IPEA

GROSS AREA = 722 AC.± ALIOWABLE UNITS = 2 DU/AC * 722 AC.± = 144,4 PROPOSED UNITS = 119 (1.648 DU/AC.) AREAS; OPEN SPACE AREA = 36.42 AC ± (50%±) NON-TIDAL WEILANDS AREA = 0.0 AC ±

FLOOD ZONE.

PROPERTY S. LOCATED IN ZONE X [AREAS DETERMINED TO OUTSIDE IN CO.24 ANNUAL CHANCE FLOODPUAIN]. PER FRAM MAP NUMBER IDDOSCODOD, MAP REVISED JANJARY 6, 2005.

BOUNDARY AND TOPOGRAPHY AS SHOW BY SOLUTIONS IPEM LLC MAXIMUM BUILDING HEIGHT: 42 RONY VARD = 25 (15 ON CORNER) SIZE VARD = 10 REAR YARD = 10 SNGLE FAMILY LOTS = 1/9 LOTS MN, LOT AREA = 7,500 S.F. MN, LOT WIDTH = 60 PROPOSED USE: AR-1 CLUSTER

EXISTING ZONING: AR-1

NOTES:

SOME ADJACENT PARCELS ARE PRIMARLY USED FOR AGRICULTURAL PURPOSES, SEE FLANS FOR LOCATIONS.

THE PROPERTY DOES NOT CONTAIN TIDAL OR NON-TIDAL WETLAND

PROPERTY IS LOCATED IN A LOW DENSITY AREA ACCORDING 1 RITURE LAND USE MAP.

STE IS LOCATED IN THE FAIR CROUNDWATER RECHARGE SITE IS NOT LOCATED IN WELLHEAD PROTECTION AREA, EXISTING WOODLANDS = 72.3 AC.± WOODLANDS TO RENAME = 5.0 AC.± (4.9%) WOODLANDS TO BE REMOYED = 67.3 AC.± (73.1%) SUB.ECT TO FINAL ENGINEERING.

AL PROPOSED LOTS SHALL HAVE ACCESS TO INTERNAL SUBDIVI ROADS ONLY. THIS PROJECT IS NOT LOCATED WITHIN ANY TRANSPORTATION IMPROVEMENT DISTRICT,

PRELIMINARY PLAT

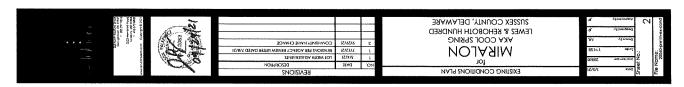
PREMINARY PLAT

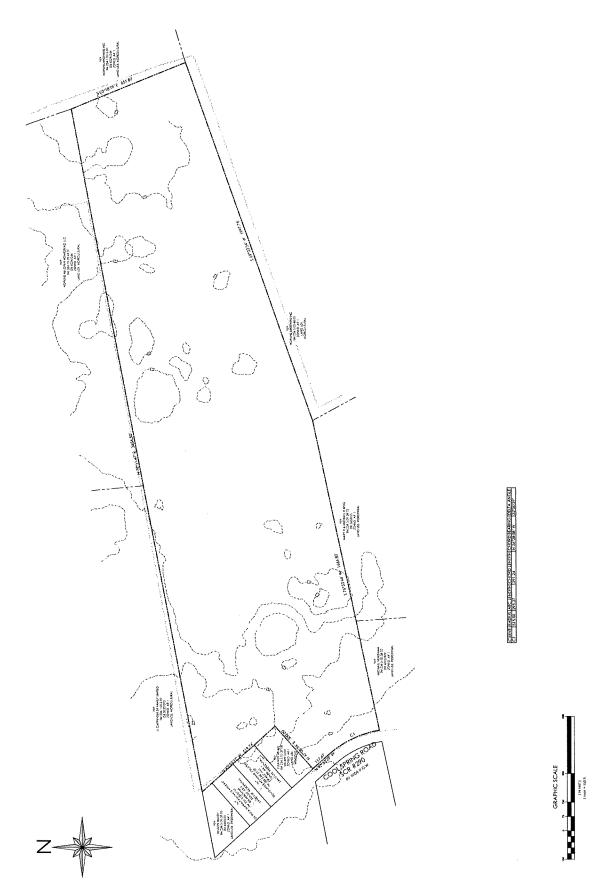
PLAT

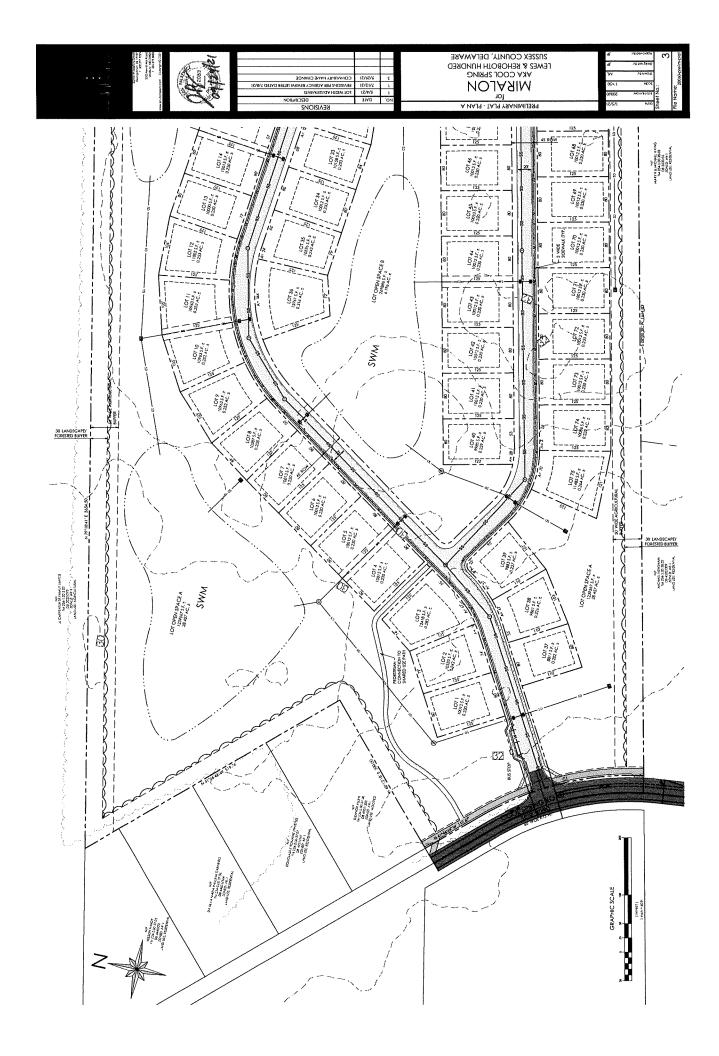
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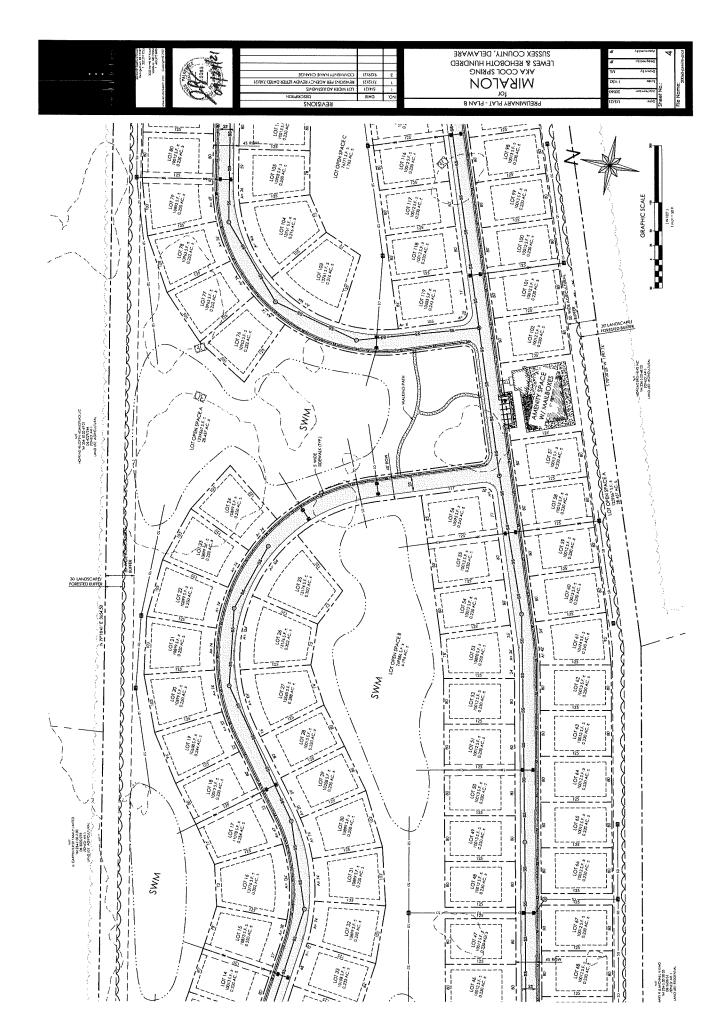
- AL CPENSPACT, INCLIDING BUFFES AND FORGS STRPE SHALL BE AM INFROMEDIASOCALION.

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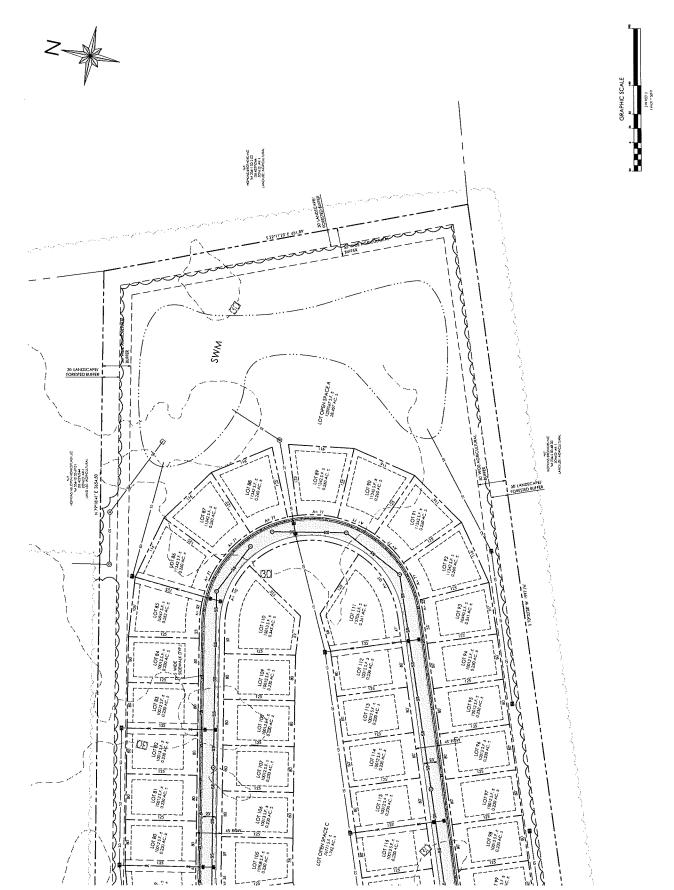


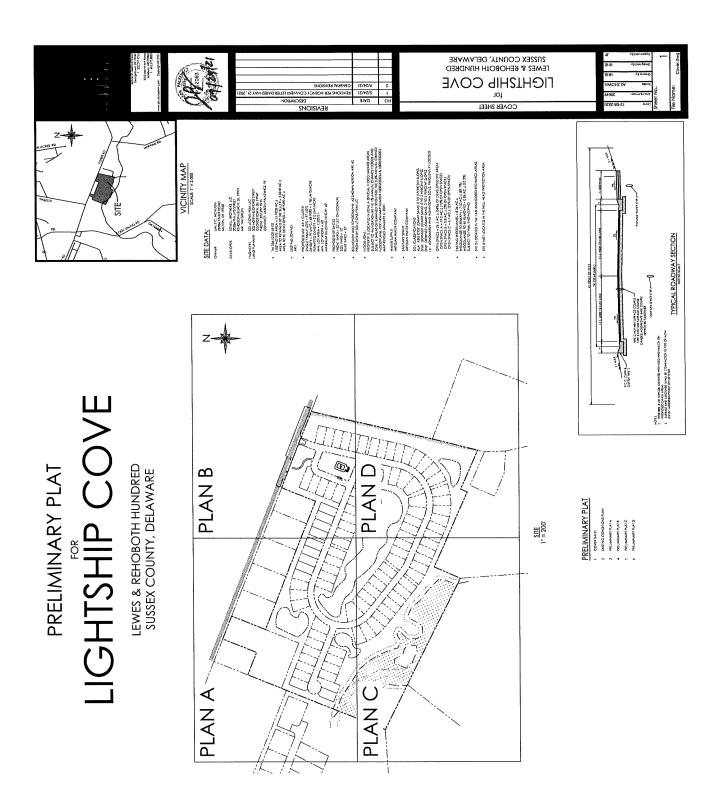












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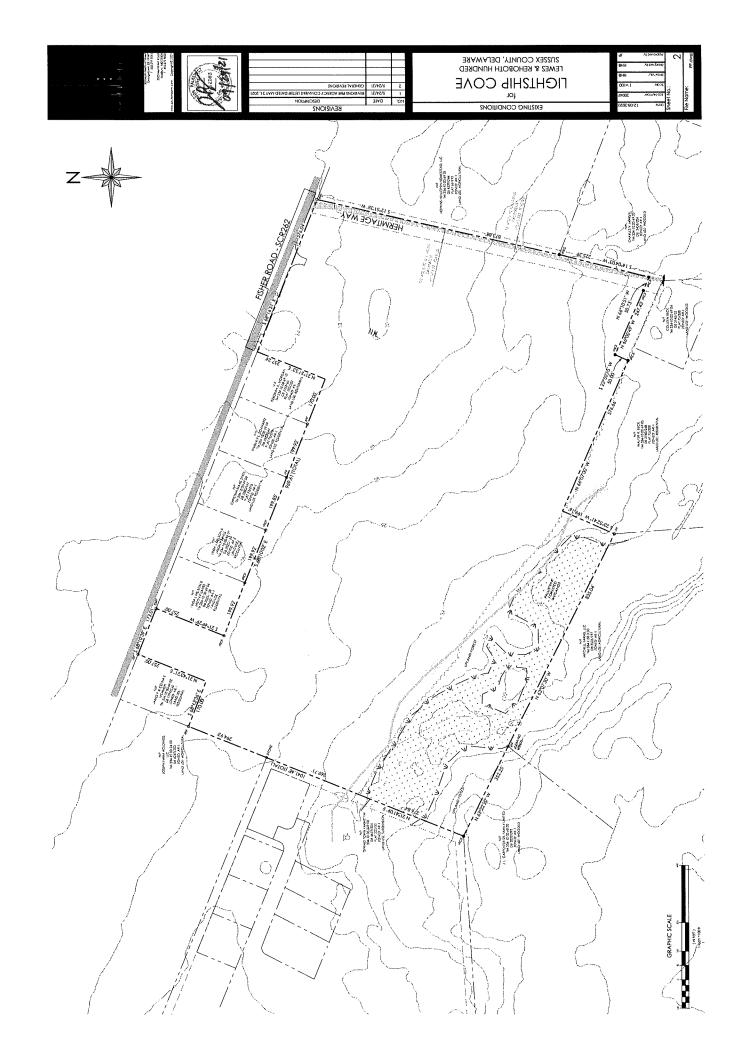
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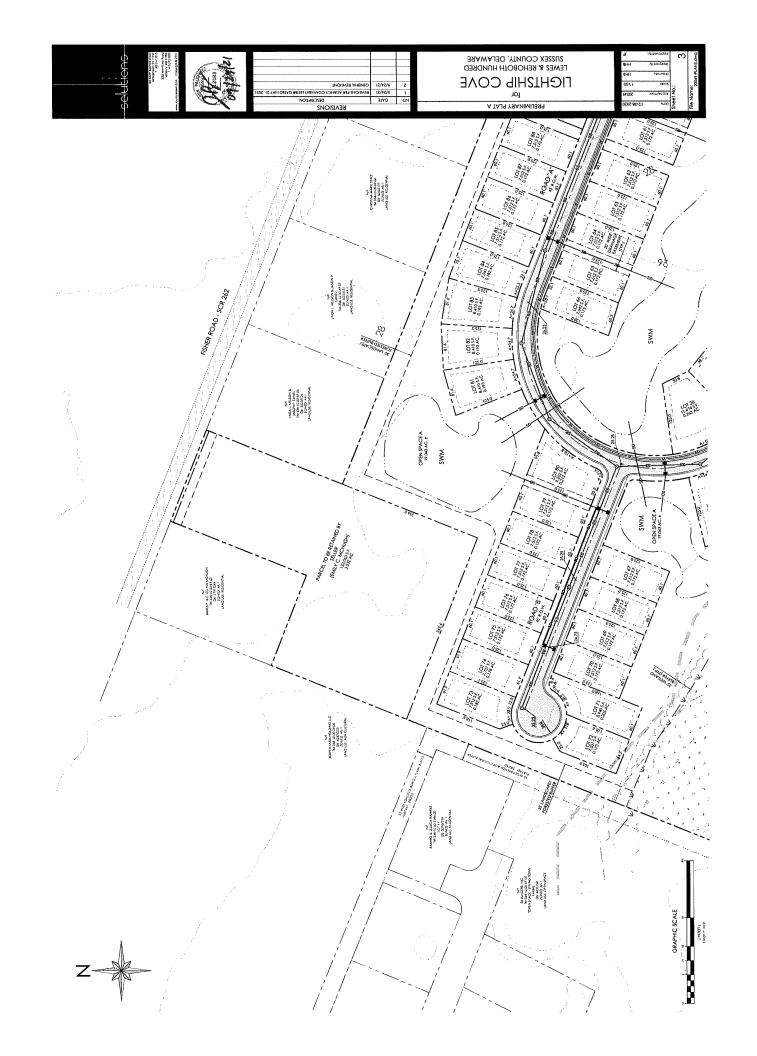
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LEGEND

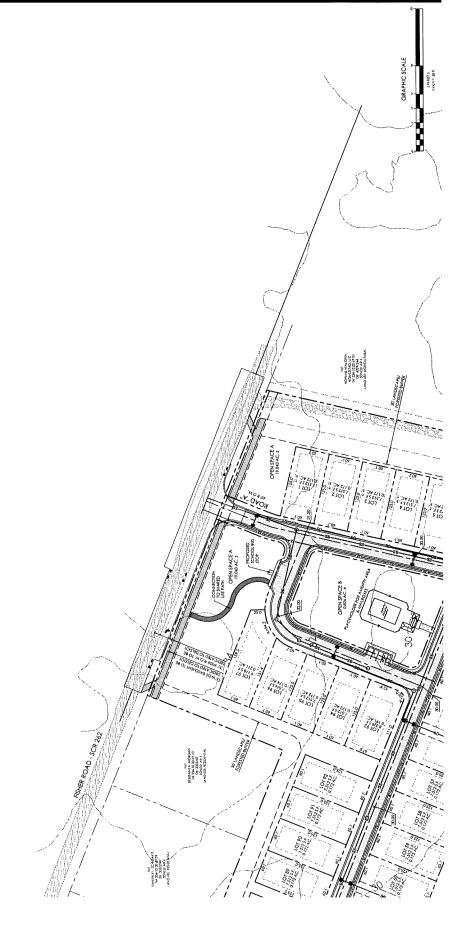
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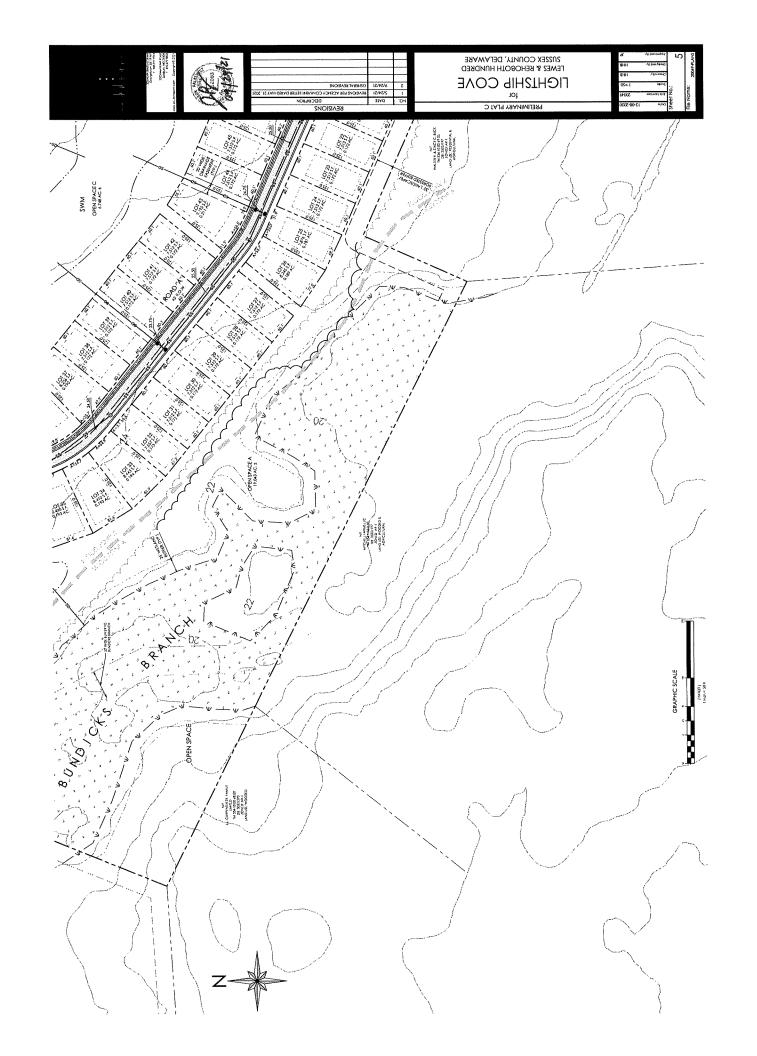


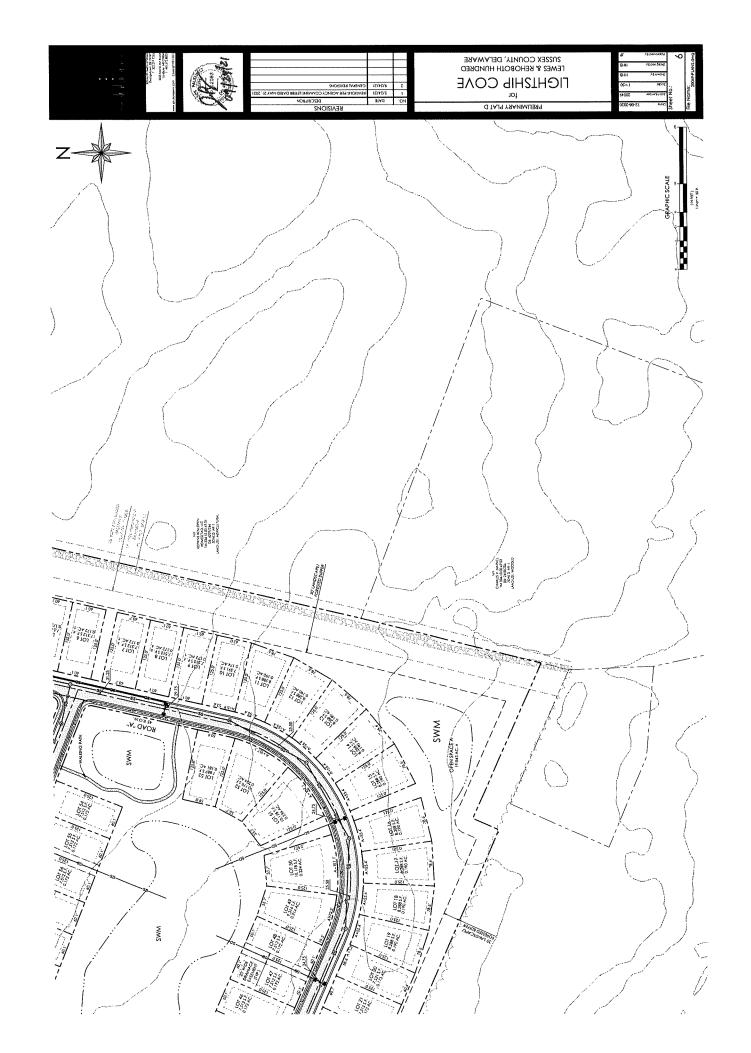


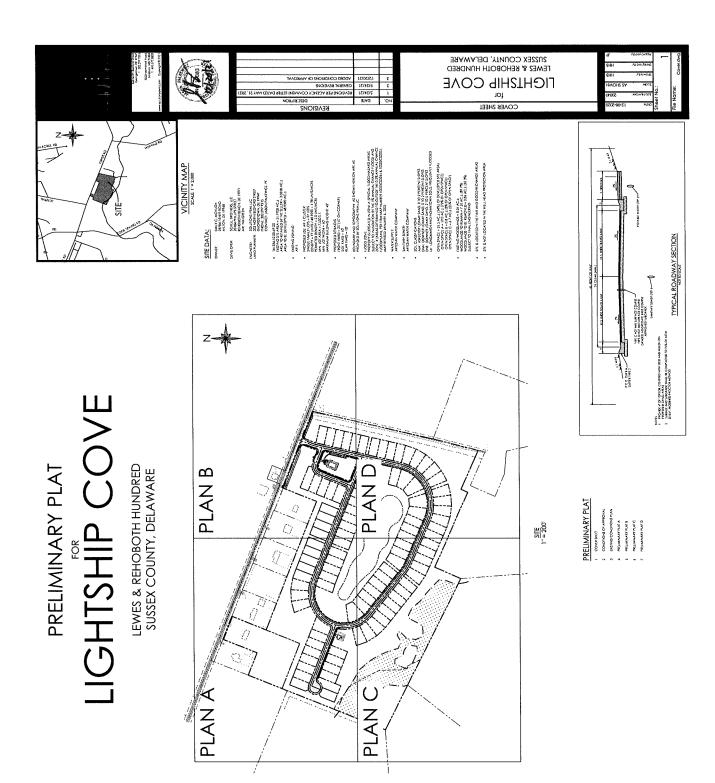
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DEFECTATION OF THE WORK OF THE

AL OPEN SPACE, INCLUDING BUFFER AND FOREST STRING, SHALL BE MAINED HOMEOWING ASSOCIATION

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December 17, 2021

Pa. Notiv. of Demonstrate for the Polizamay Subdoment. The for Lightlap (1904) (2004) Mr. Jaco Fallwaner, P.B. Solobra: IPEN, LLC 203 Neath Endford Serve Georgepowe, DE 19947

Don M. Pakeraca,

Les ministre, Through, Doverboy S.D., et al. State of the second Control Contr

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SUSSEX COUNTY, DELAWARE

LEWES & REHOBOTH HUNDRED LIGHTSHIP COVE

CONDITIONS OF APPROVAL



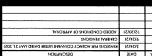














































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Please nore that a \$10,00 per lot fee will be required to be paid prior to the appmeal of any Final Subdivision Plan. Yor 37 lots, the ise is \$\$70,00.

For These radiation between the secretary and provided the secretary and pr

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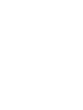












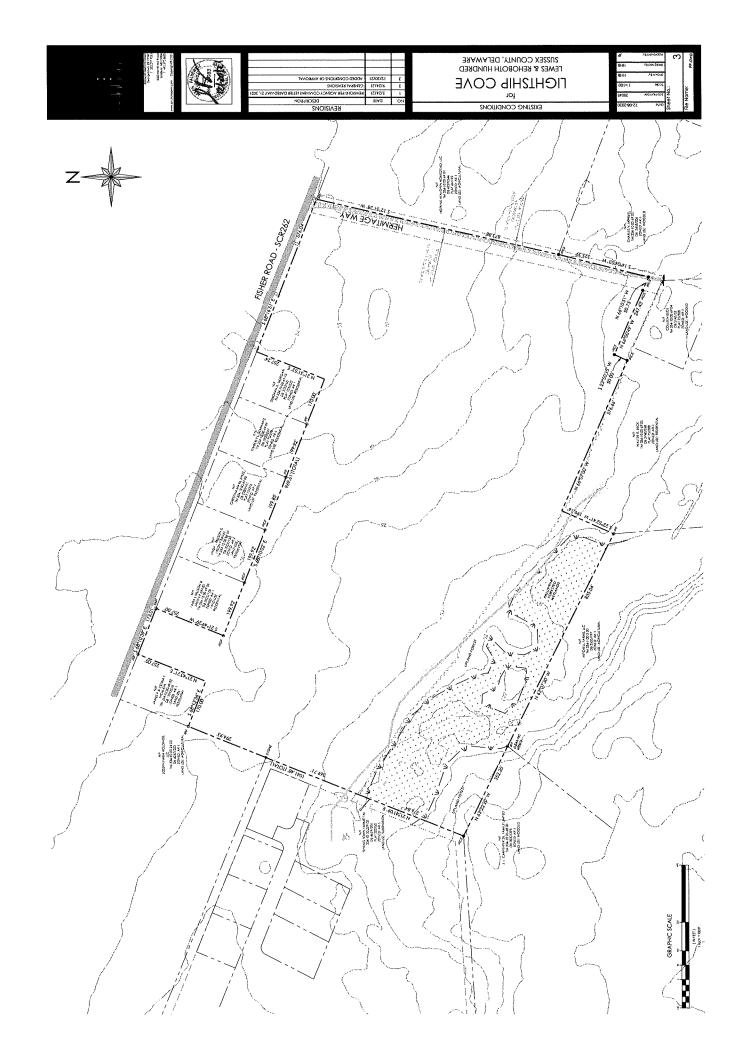


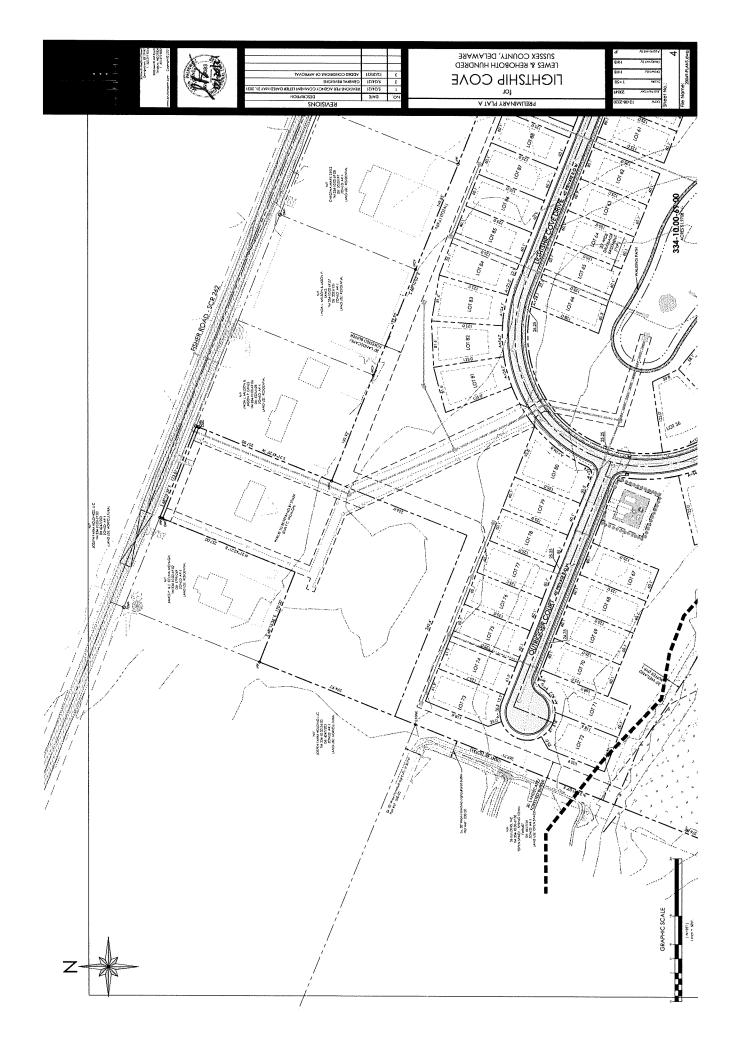










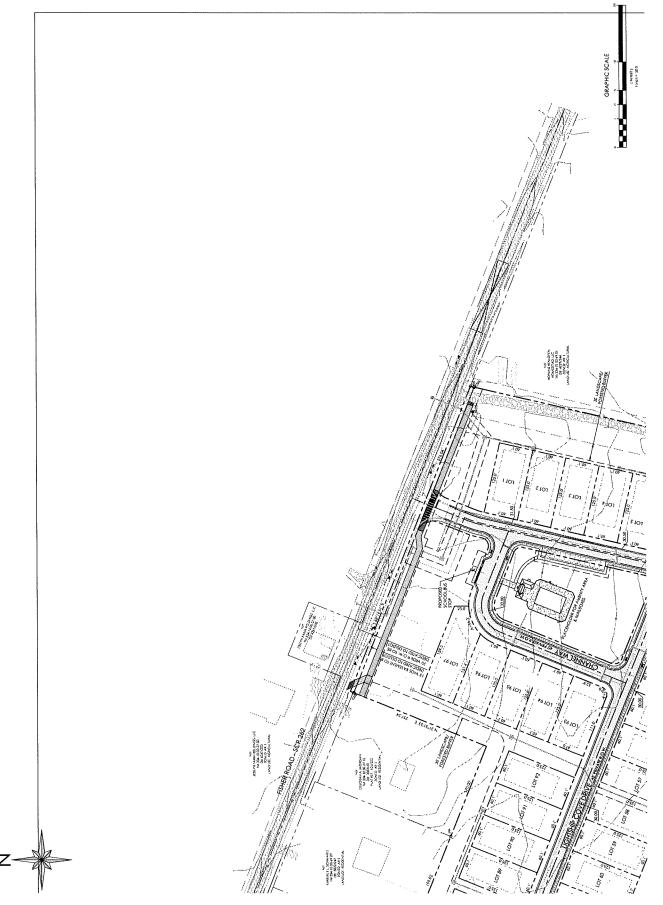


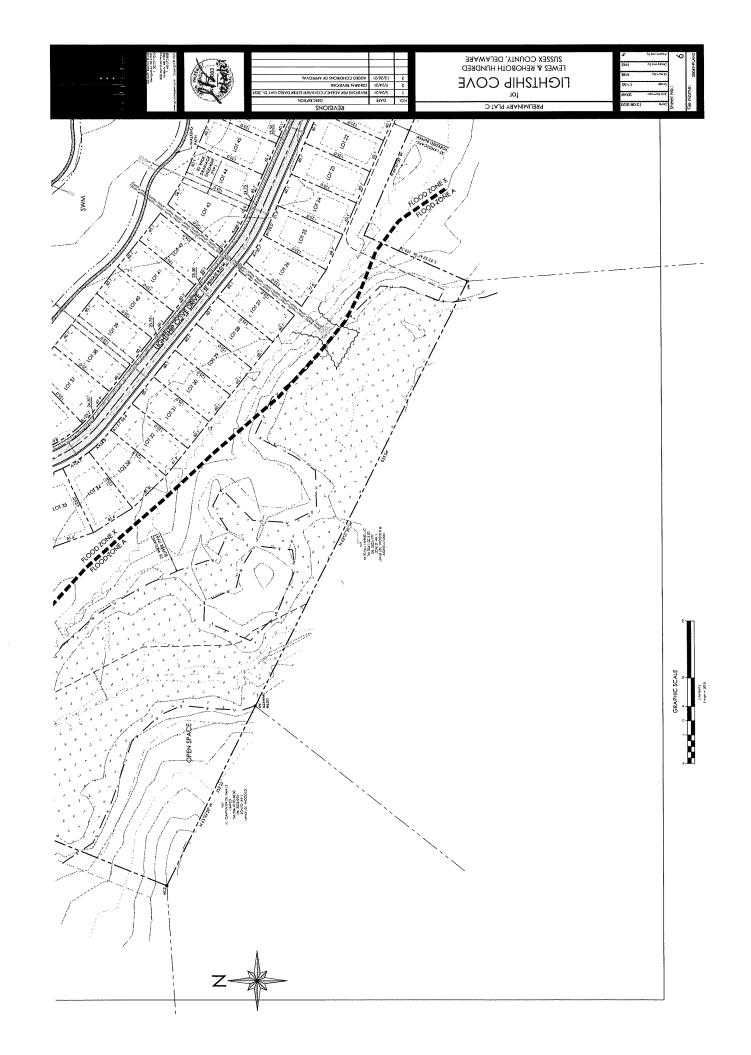
SOURCE COUNTY, DELAWARE

SUSSEX COUNTY, DELAWARE

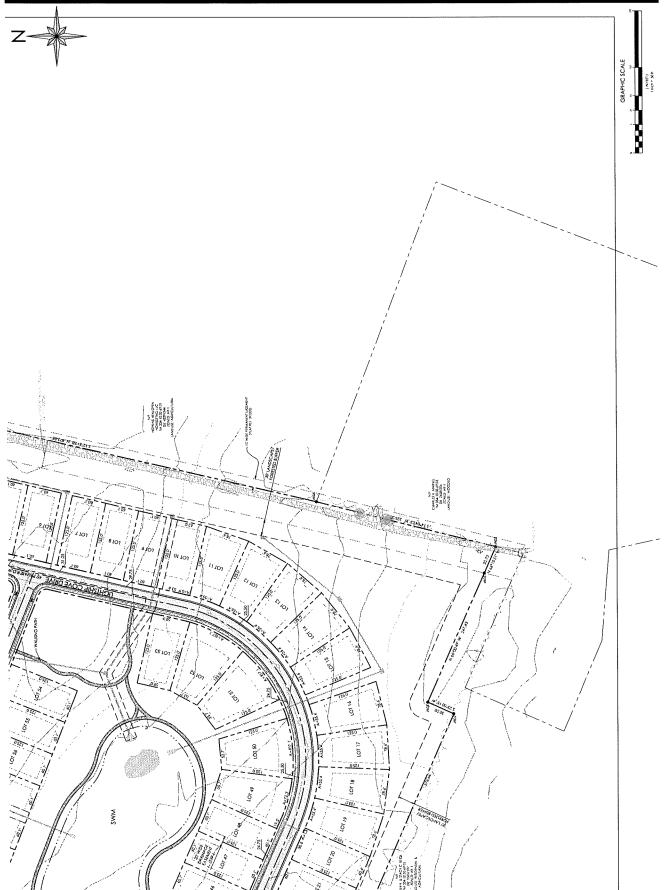
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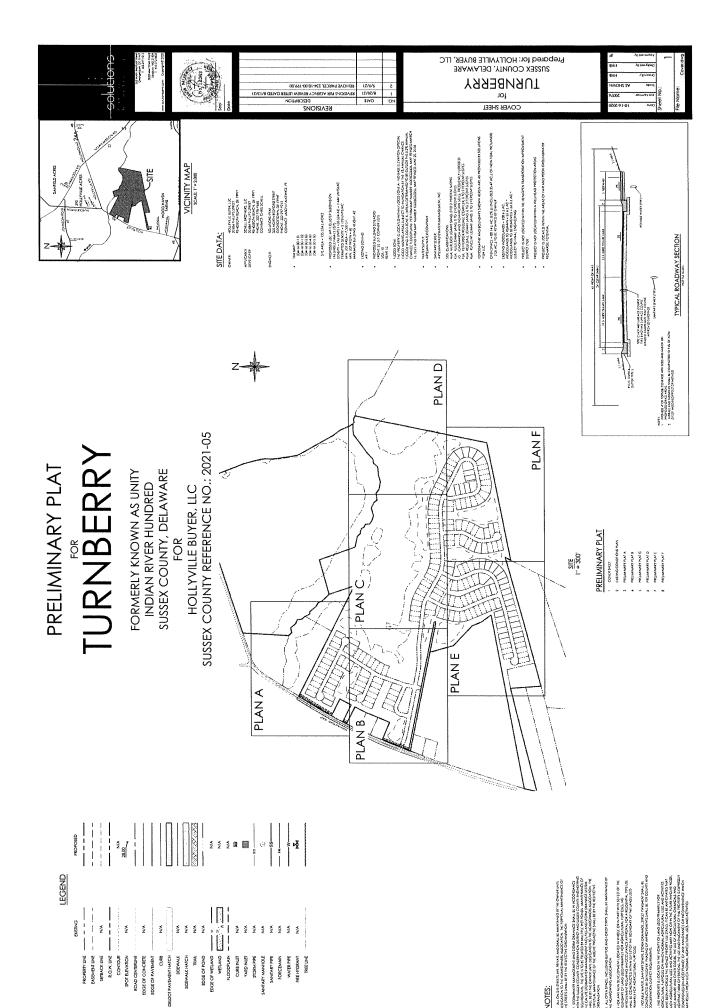
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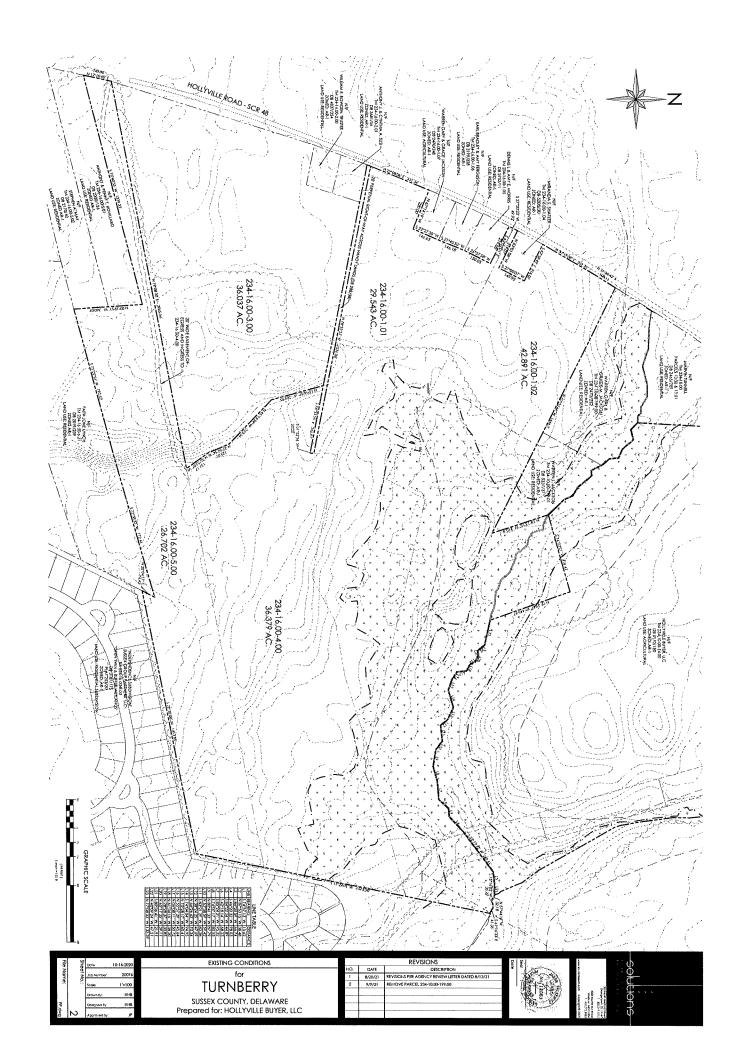


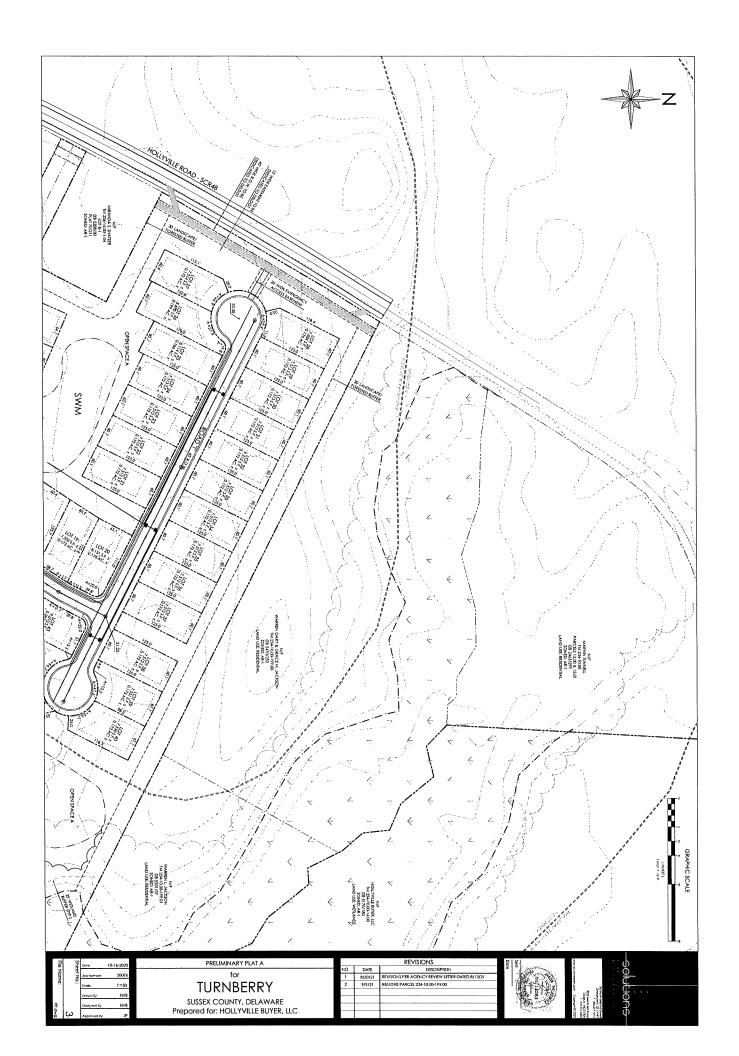


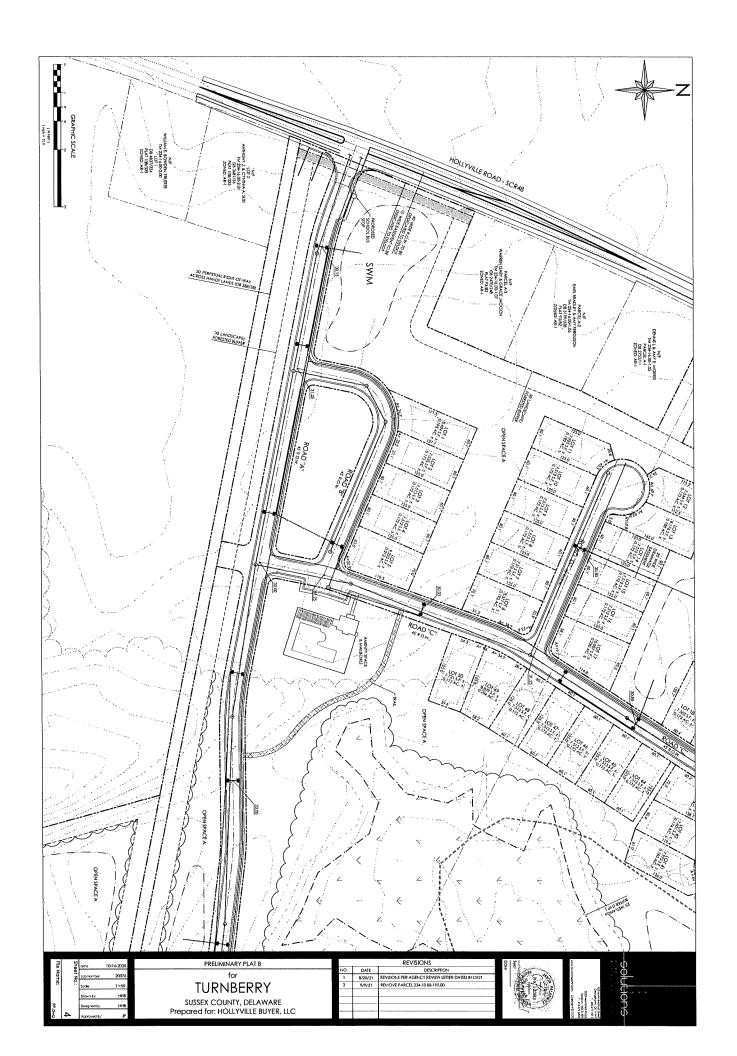


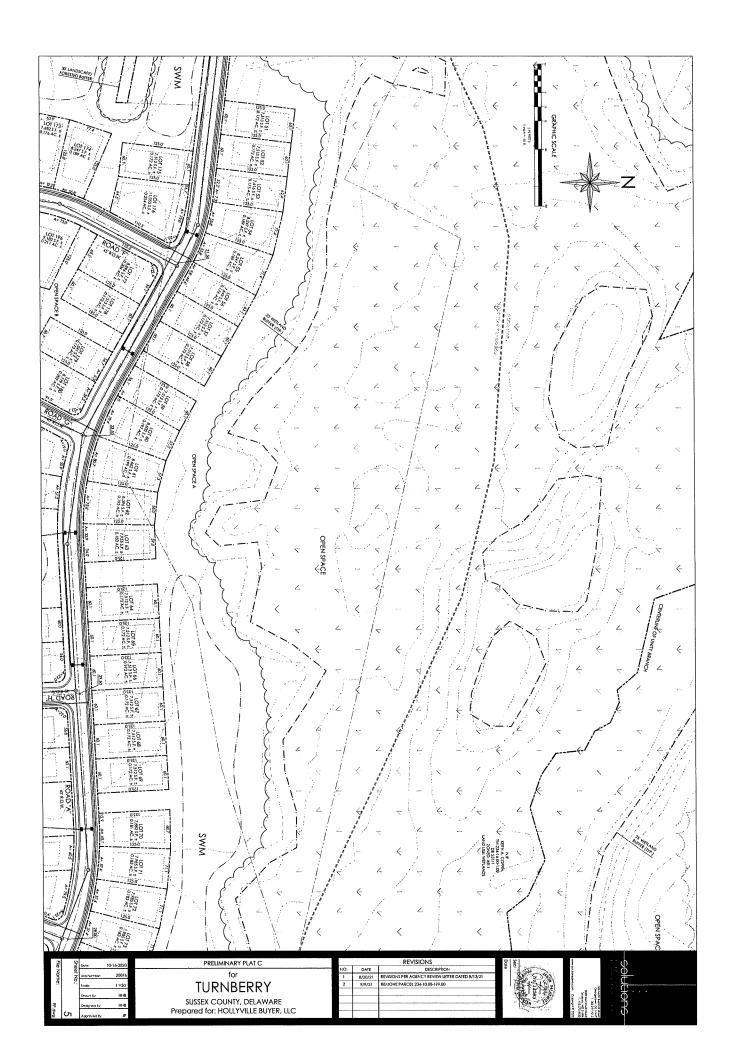


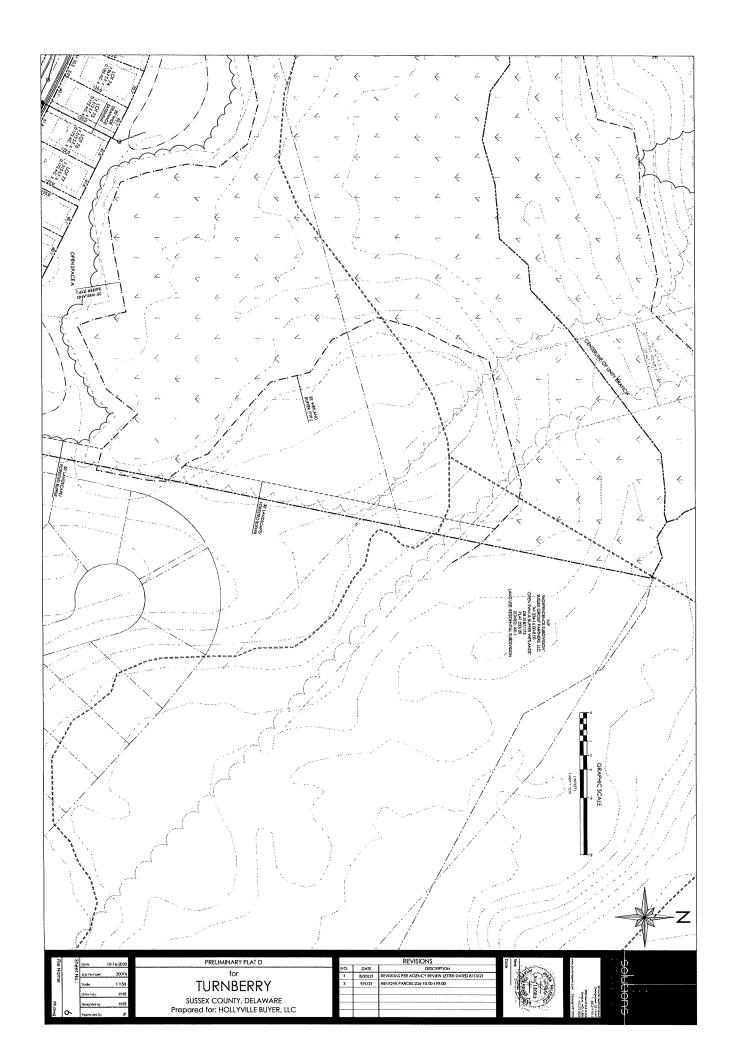
SIDEWALK HATCH
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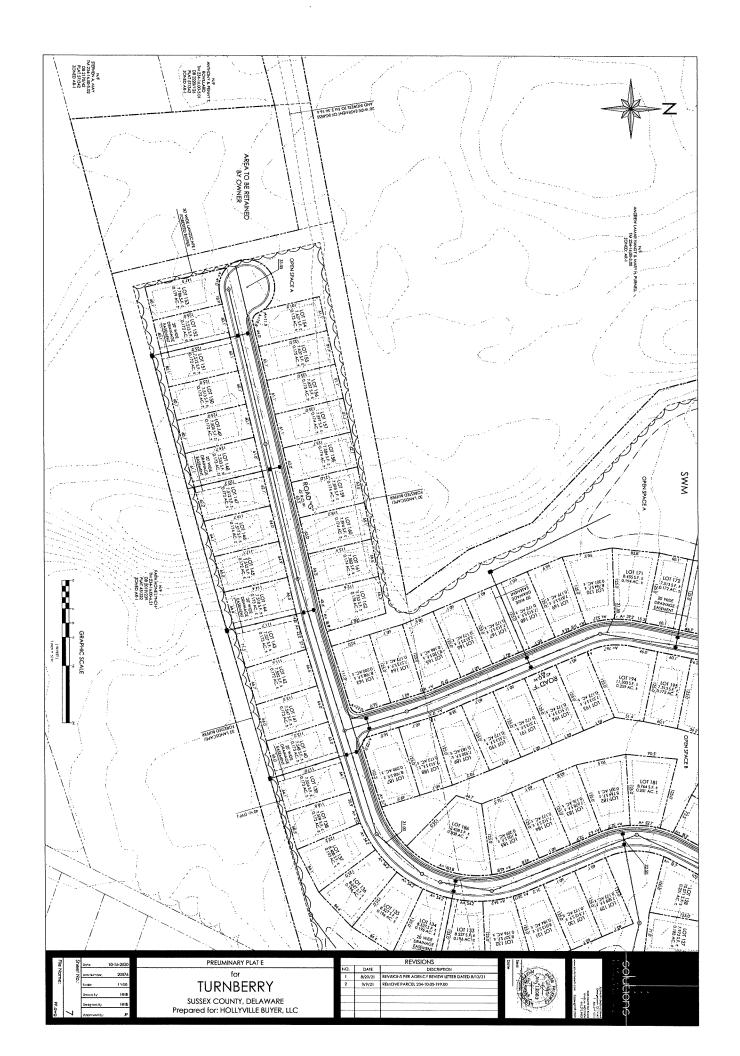












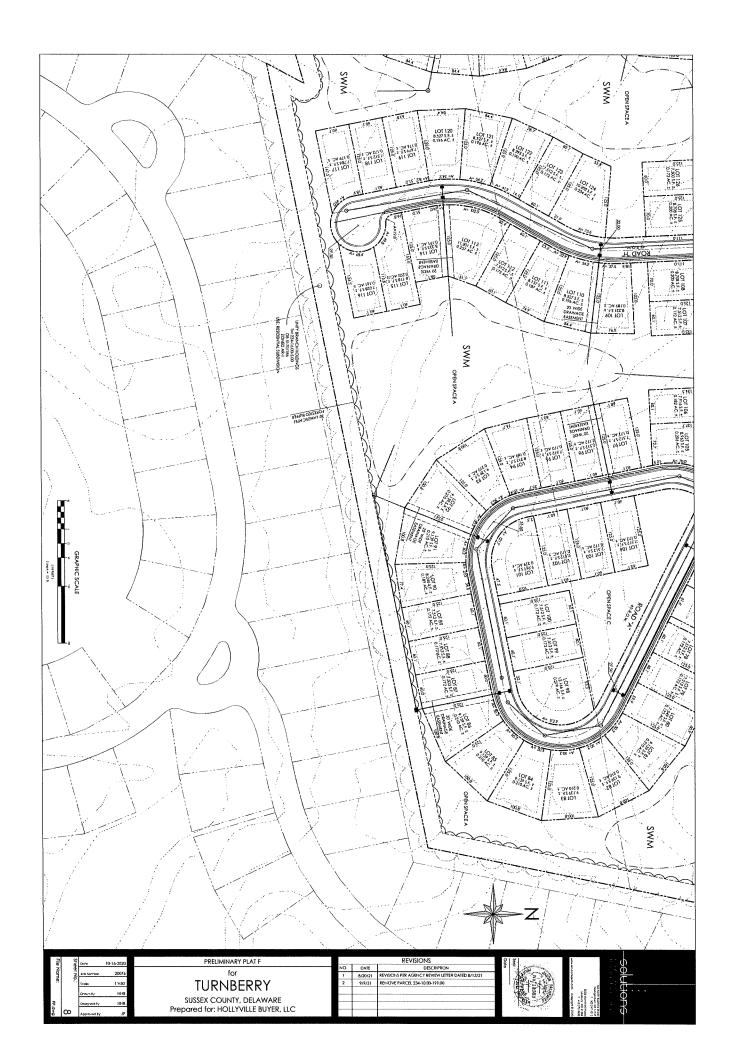
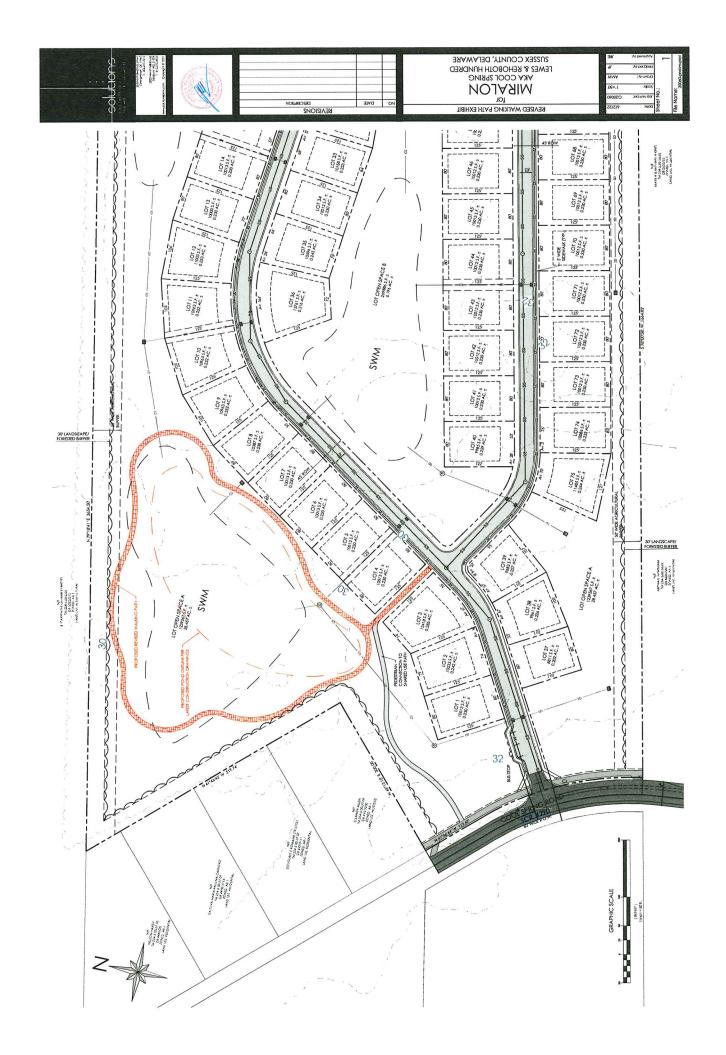


EXHIBIT C Miralon Pathway



LEGEND SPOT ELEV. LABEL MAJOR CONTOUR MINOR CONTOUR ROAD CENTERLINE **EDGE OF CONCRETE** EDGE OF PAVEMENT PAVEMENT HATCH CURB AND GUTTER SIDEWALK SIDEWALK HATCH STORM MANHOLE **CURB INLET** STORM PIPE SANITARY MANHOLE SANITARY PIPE WATER PIPE FIRE HYDRANT

SITE DATA:

HEADWATER COVE CRP3, LLC DEVELOPER/ 4750 OWINGS MILLS BLVD OWINGS MILLS, MD 21117 SUITE P-130 PHONE: 410-356-9900 CONTACT: JON HOFFMAN

SOLUTIONS IPEM, LLC LAND PLANNER: 303 NORTH BEDFORD STREET GEORGETOWN, DE 19947 PHONE: 302.297.9215

- TAX MAP 234-11.00, PARCELS 58.00, 66.00, & 66.01
- EXISTING/ PROPOSED 70NING:
- PROPOSED USE: AMENITY BUILDING, POOL AND PARKING MAXIMUM BUILDING HEIGHT: 42'

CONTACT: JIM ERIKSEN, PE

FLOOD ZONE:

THE PROPERTY IS LOCATED WITHIN FLOOD ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN); ZONE X SHADED (AREAS OF 0.2% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD); ZONE A (SPECIAL FLOOD HAZARD AREA SUBJECT TO THE FLOODING BY THE 1% ANNUAL CHANCE FLOOD - NO BASE FLOOD ELEVATIONS DETERMINED) PER FIRM MAP NUMBERS 10005C0340K & 10005C0341K, REVISED MARCH 16, 2015.

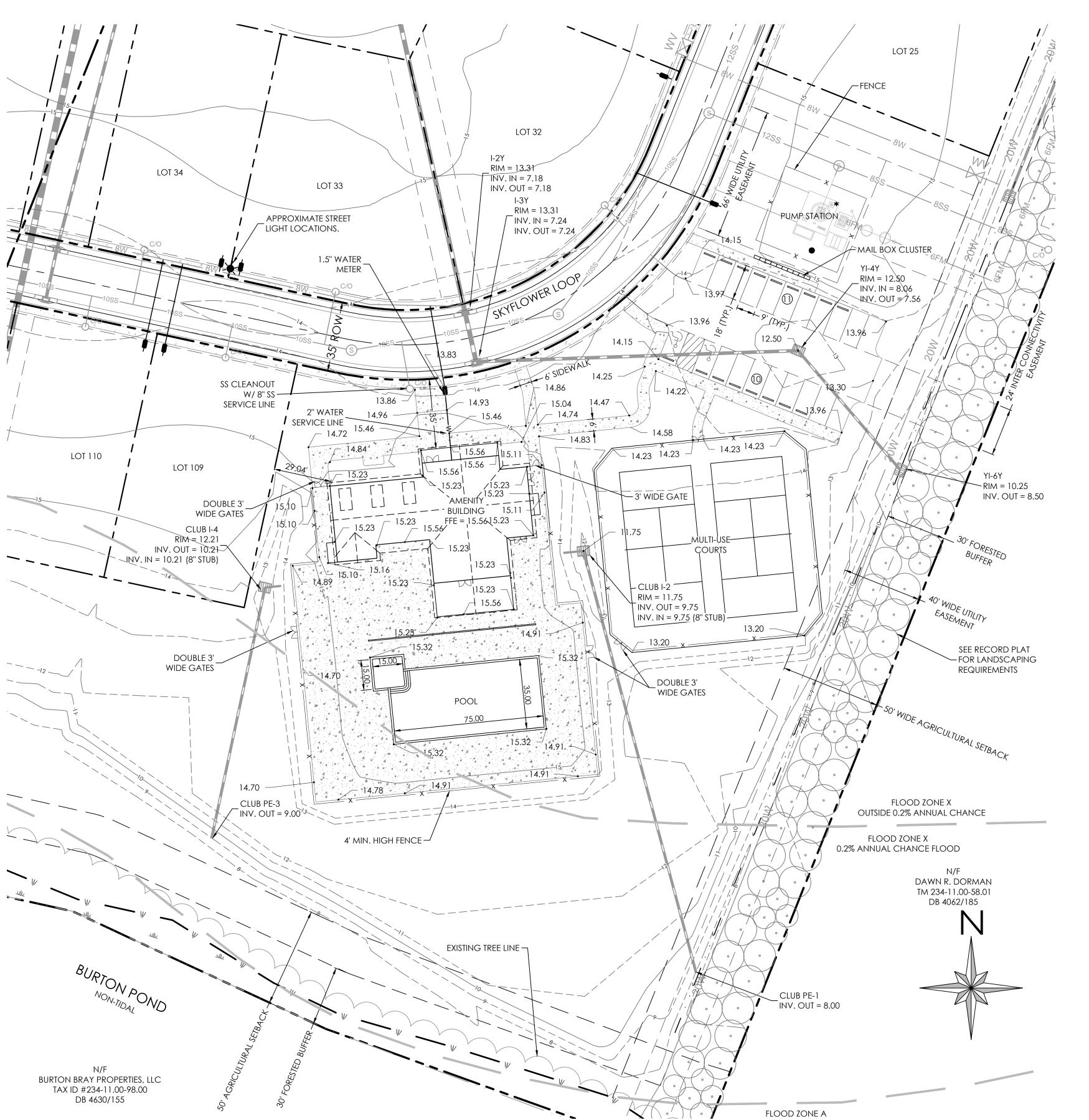
- WATER SUPPLY: TIDEWATER UTILITIES, INC.
- SANITARY SEWER:
- SUSSEX COUNTY ANGOLA SANITARY SEWER DISTRICT
- PROJECT DATUM: HORIZONTAL: DELAWARE STATE PLANE NAD 83 VERTICAL: NAVD 88
- AUTOMATIC SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.
- TYPE OF CONSTRUCTION: NFPA TYPE V (000)
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS AND AS SHOWN ON THESE
- A LOCK BOX CONTAINING KEYS FOR FIRE DEPARTMENT ACCESS TO THE BUILDINGS ARE REQUIRED. CONTACT THE LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF THE BOX ON THE BUILDING.
- PROPOSED BUILDING: 4,425± S.F. CLUBHOUSE
- PROPOSED POOL AREA: 2,794± S.F.
- PARKING REQUIRED: N/A PARKING PROVIDED: 21 TOTAL (2 HANDICAP SPACES)
- THE AMENITY AREA AND FACILITIES ARE FOR THE RESIDENCES OF HEADWATER COVE AND SUBJECT TO HOA DOCUMENTS.
- FENCING FOR MULTI-PURPOSE COURTS IS SUBJECT TO SEPARATE APPROVAL AND PERMITTING.
- WETLANDS DEPICTED ON THIS PLAN ARE CLASSIFIED AS FEDERAL 404 WETLANDS.

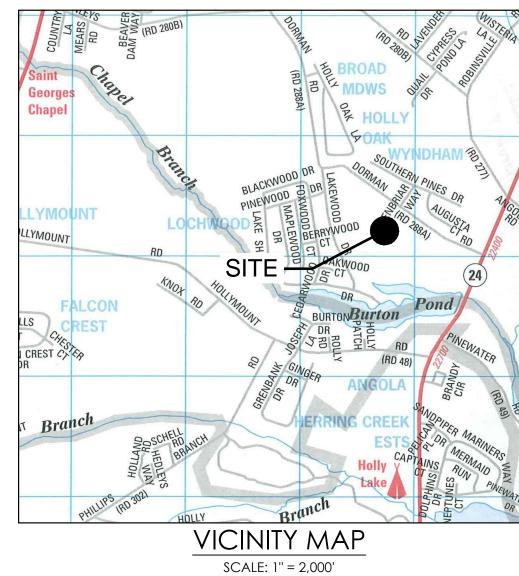
- 1. THE FENCE AROUND THE POOL SHALL BE A MINIMUM OF HEIGHT OF FOUR (4) FEET AND CONSTRUCTED OF BLACK ALUMINUM.
- 2. LIGHTING FOR THE RECREATIONAL FACILITIES AND PARKING SHALL BE COORDINATED BETWEEN DE COOP
- 3. THE SITE AMENITIES SHALL BE FOR RESIDENTS/MEMBERS OF THE HOMEOWNERS ASSOCIATION AND
- 4. FINAL/DETAILED DRAINAGE OF THE POOL DECK IS TO BE DONE BY OTHERS ON A SEPARATE PLAN.
- 5. FINAL LANDSCAPING AND AESTHETIC HARDSCAPING IMPROVEMENTS SHALL BE DONE BY OTHERS. 6. WATER METER & CLEANOUT SHALL BE INSTALLED W/ PHASE 2 IMPROVEMENTS.

AMENITY SITE PLAN

HEADWATER COVE

INDIAN RIVER HUNDRED SUSSEX COUNTY, DELAWARE





GRAPHIC SCALE

(IN FEET)

1 inch = 30 ft.

PROGRAM OF AGRICULTURAL PURPOSES.

CERTIFIED WETLAND DELINEATOR WDCP93MD0510036B)

THE DEVELOPER, HEADWATER COVE CRP3, LLC, HEREBY

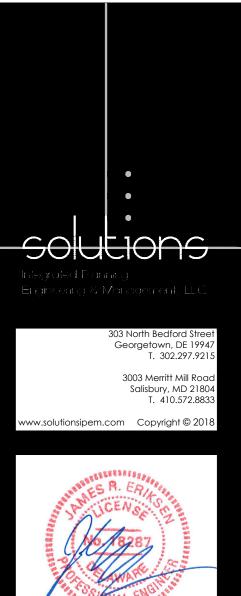
CERTIFIES THAT THESE DRAWINGS HAVE BEEN APPROVED.

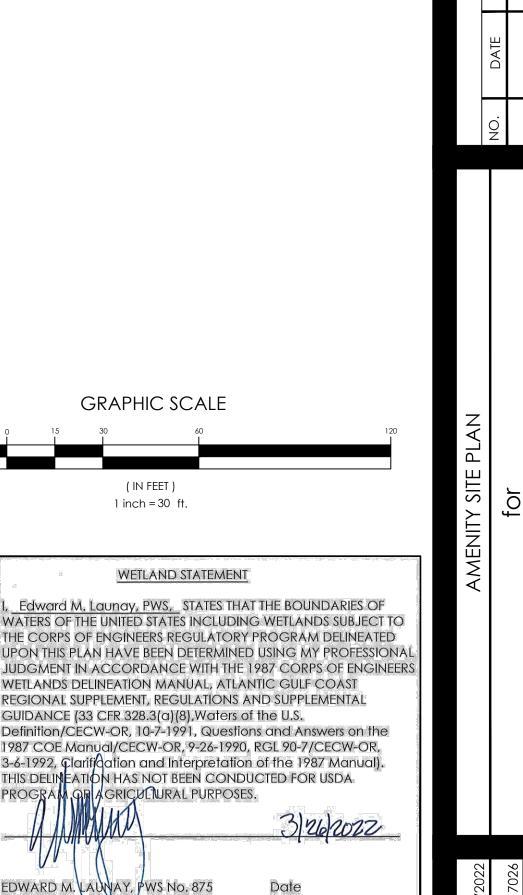
EDWARD M. LAUNAY, PWS No. 875 SOCIETY OF WETLANDS SCIENTISTS

CORPS OF ENGINEERS,

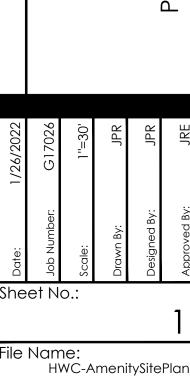
DEVELOPER'S CERTIFICATION

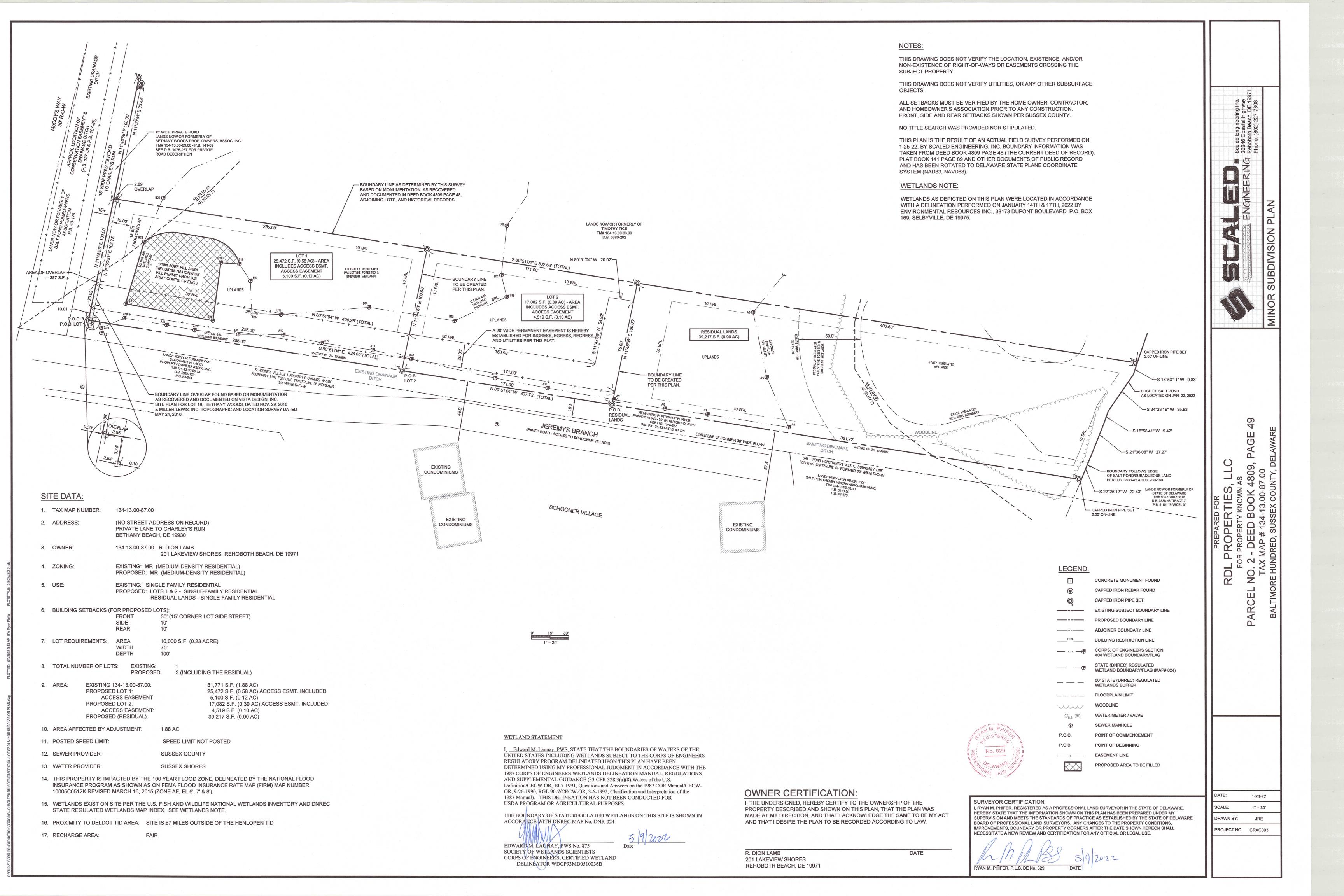
WETLAND STATEMENT

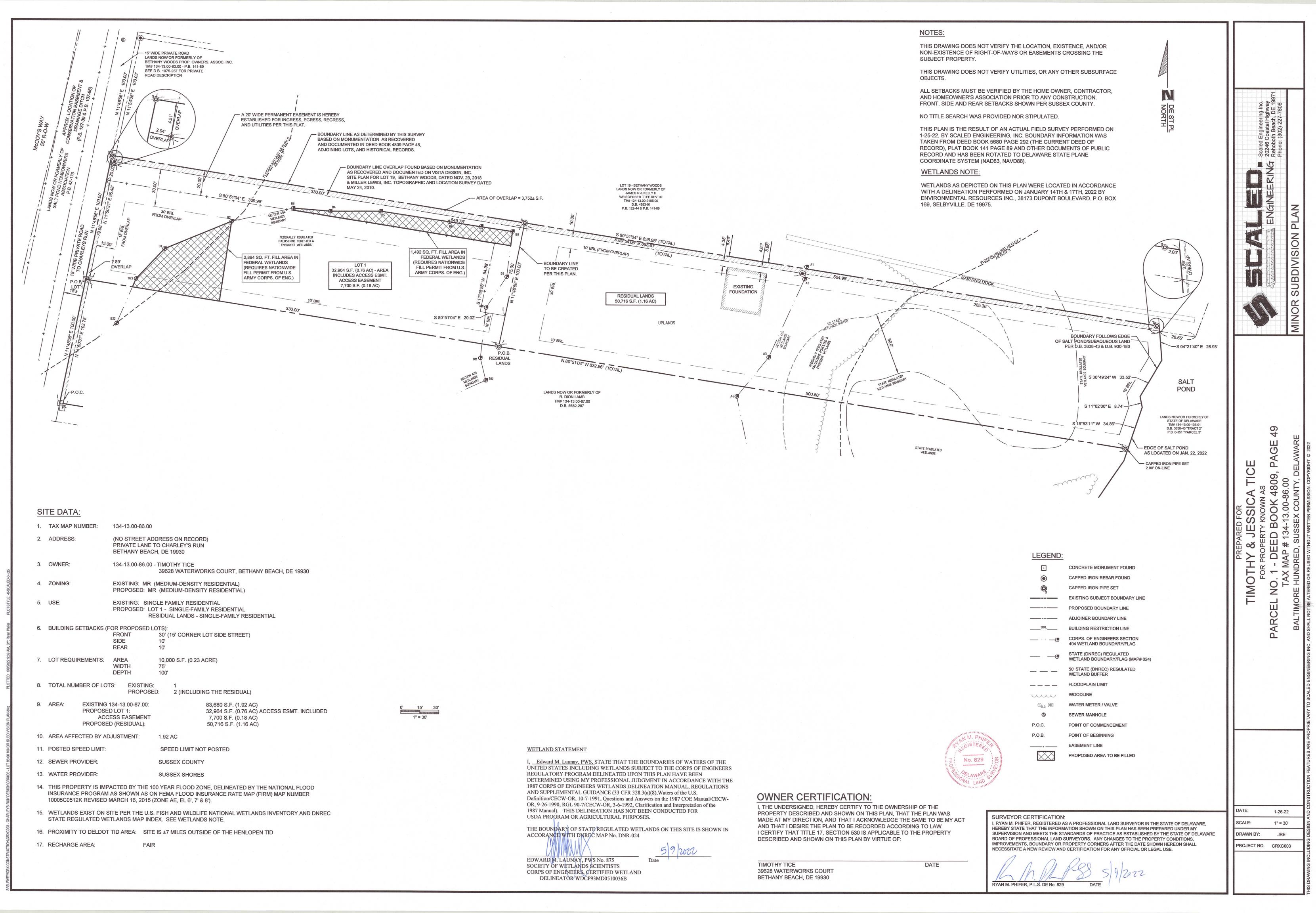


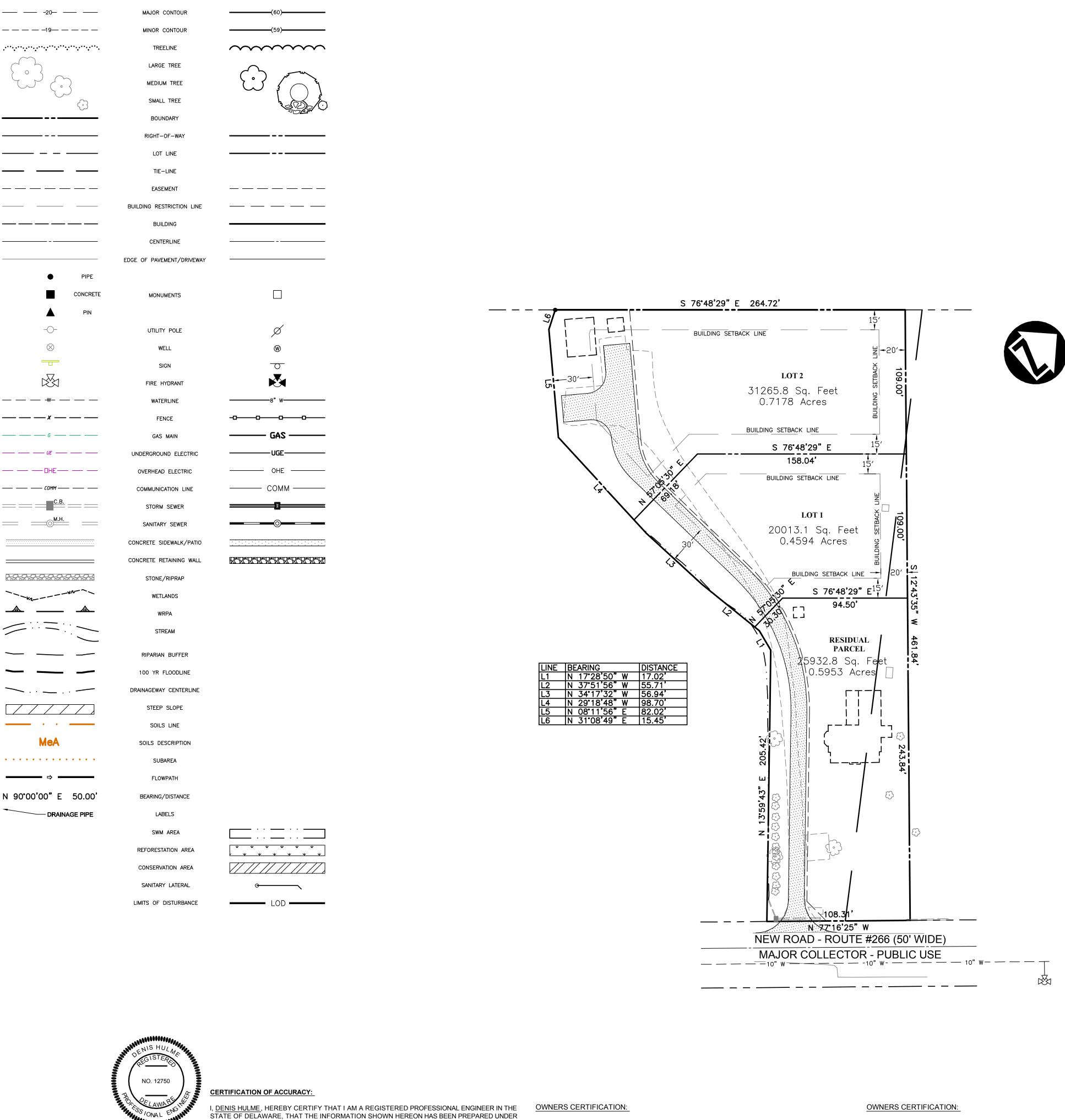


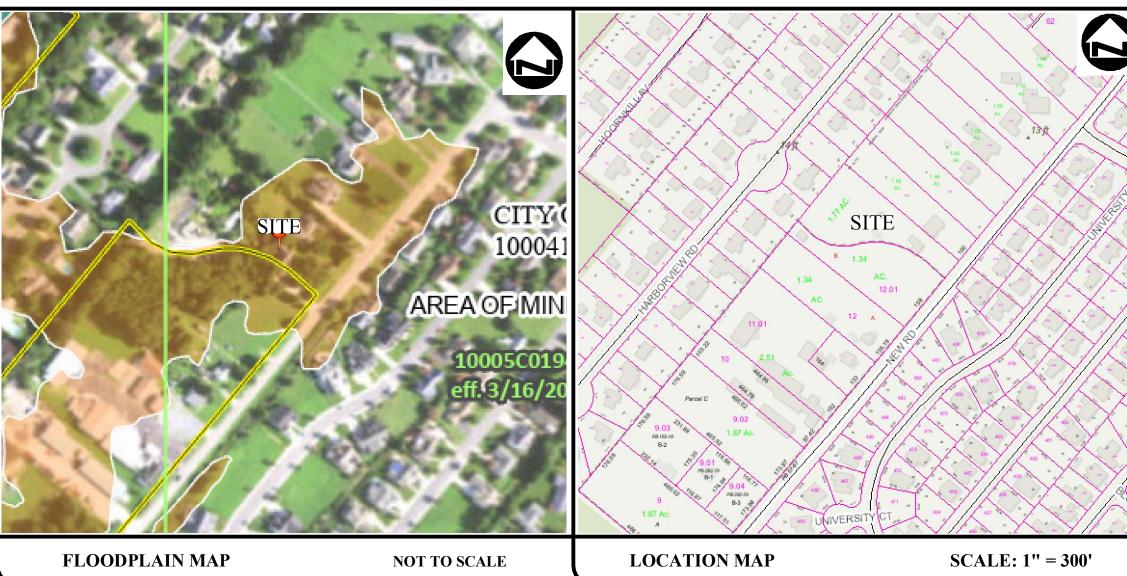
03/16/2022











FOUR C'S PROPERTY LLC (C/O CHARLES & CAROLYN MESSINA) 3681 S LITTLE CREEK RD

3. TAX PARCEL NUMBER:

BUILDING SETBACKS: 30' (FRONTAGE ALONG AN EASEMENT)

8. GROSS ACREAGE:

EXISTING USE: RESIDENTIAL

10. PROPOSED USE: SINGLE FAMILY RESIDENTIAL

11. PROPERTY ADDRESS: RESIDUAL: 132 NEW ROAD, LEWES, DE 19958

> LOT 2: TBA

RESIDUAL: 0.5953 ACRES

LOT 1: 0.4594 ACRES

14. MAXIMUM BUILDING HEIGHT: 42'

PLACED: 0

16. WATER: LEWES PUBLIC WORKS

LEWES PUBLIC WORKS

SITE IS IMPACTED BY THE 100-YEAR FLOODPLAIN PER F.E.M.A. PANEL #10005C0193K, & 194K DATED 3/16/15

UPLAND OR NON-TIDAL WETLANDS EXIST ON THIS 19. WETLANDS:

20. FRONTAGE ROAD: NEW ROAD, SCR266, 25 MPH

108.31 FEET

22. GROWTH ZONE: INVESTMENT LEVEL 1

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

28. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED

 \simeq

| THIS DRAWING, THE DESIGN AND DIGITAL FILES ARE PROPRIETARY TO WOODIN + ASSOCIATES, LLC, AND SHALL NOT BE ALTERED OR REUSED ITHOUT WRITTEN PERMISSION | | | | | | |
|--|-------|----------|---|----------|----------|--|
| הטט | JLB | ррн | | 03/24/22 | 1" = 40' | |
| | DRAFT | APPROVED | | DATE | SCALE | |
| HEET OF | | | | | | |
| 1 | | | 1 | | | |

MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING

GRAPHIC SCALE

EXISTING LEGEND

PROPOSED LEGEND

I, <u>CHARLES MESSINA</u>, CERTIFY THAT FOUR C'S PROPERTY, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN. THAT THE PLAN IS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

CHARLES MESSINA

FOUR C'S PROPERTY, LLC

I, CAROLYN MESSINA, CERTIFY THAT FOUR C'S PROPERTY, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN. THAT THE PLAN IS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

CAROLYN MESSINA FOUR C'S PROPERTY, LLC

X:\WORK\New Road\Minor_Subdivision_20220324.dwg, 4/5/2022 2:59:46 PM

PLAN DATA:

1. OWNERS: DOVER, DE 19901

2. PLANNING OFFICE FILE NO.:

335-8.00-146.00

ZONING:

FRONT: 40' (FRONTAGE ON STATE MAINTAINED ROAD)

15' (5' FOR ACCESSORY STRUCTURE) REAR: 20' (5' FOR ACCESSORY STRUCTURE)

6. EXISTING LOTS: PROPOSED LOTS:

1.7725 AC.

LOT 1:

12. AREAS:

LOT 2: 0.7178 ACRES

13. MINIMUM LOT SIZE PERMITTED: 20,000 S.F. (0.4591 AC.)

FOUND: 15. MONUMENTS:

17. SEWER: 18. FLOOD PLAIN:

THE SITE IS LOCATED WITHIN AREAS OF MINIMAL FLOOD HAZARD ZONE X AND AN AREA LABELED 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD

W/AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE (SEE FLOODPLAIN MAP)

PARCEL PER THE STATE REGULATED WETLANDS MAP

21. RESIDUAL FRONTAGE:

23. TID:

24. NO DEBRIS WILL BE BURIED ON THIS SITE.

25. ALL ENTRANCE DESIGNS SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO THEIR REVIEW AND APPROVAL AND ISSUANCE OF AN ENTRANCE PERMIT.

26. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT

27. LOT 1 AND 2 SHALL HAVE ACCESS TO SCR266 VIA THE 30-FOOT WIDE INGRESS/EGRESS

IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.



800 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

NICOLE MAJESKI SECRETARY

March 25, 2022

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

SUBJECT: Minor Subdivision - Letter of No Objection to Recordation

Sunshine Minor Sub

Tax Parcel # 231-7.00-38.01 SCR00521-MARSH ROAD Nanticoke Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated January 10, 2022 (last revised March 24, 2022), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of <u>five (5) years</u>. 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 <u>Development Coordination Manual</u> and shall be subject to its approval. **This letter does not authorize the commencement of entrance construction.**

This "No Objection to Recordation" letter is <u>not</u> 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



Sunshine Minor Sub Mr. Jamie Whitehouse Page 2 March 25, 2022

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 <u>recorded Minor Subdivision Plan</u> showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,

R. Stephen McCabe Sussex County Review Coordinator Development Coordination

Glichard S. H.

cc: Kevin Ellis, Pennoni Associates, Inc.
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
James Smith, South District Entrance Permit Supervisor
Shannon Anderson, South District Public Work Admin Specialist
Wendy L. Polasko, P.E., Subdivision Engineer
John Andrescavage, Sussex County Reviewer



OFFICE OF THE STATE FIRE MARSHAL Technical Services

22705 Park Avenue Georgetown, DE 19947



SFMO PERMIT - SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2022-04-210252-MIS-01

Tax Parcel Number: 231-7.00-38.01

Status: Approved as Submitted

Date: 04/19/2022

Project

Sunshine Subdivision

17689 Sunshine Drive Georgetown DE 19947

Sunshine Drive LLC

Scope of Project

Number of Stories: Square Footage: Construction Class:

Fire District: 77 - Georgetown Fire Co Inc

Occupant Load Inside: Occupancy Code: 9601

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:

Desiree McCall

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2022-04-210252-MIS-01

Tax Parcel Number: 231-7.00-38.01

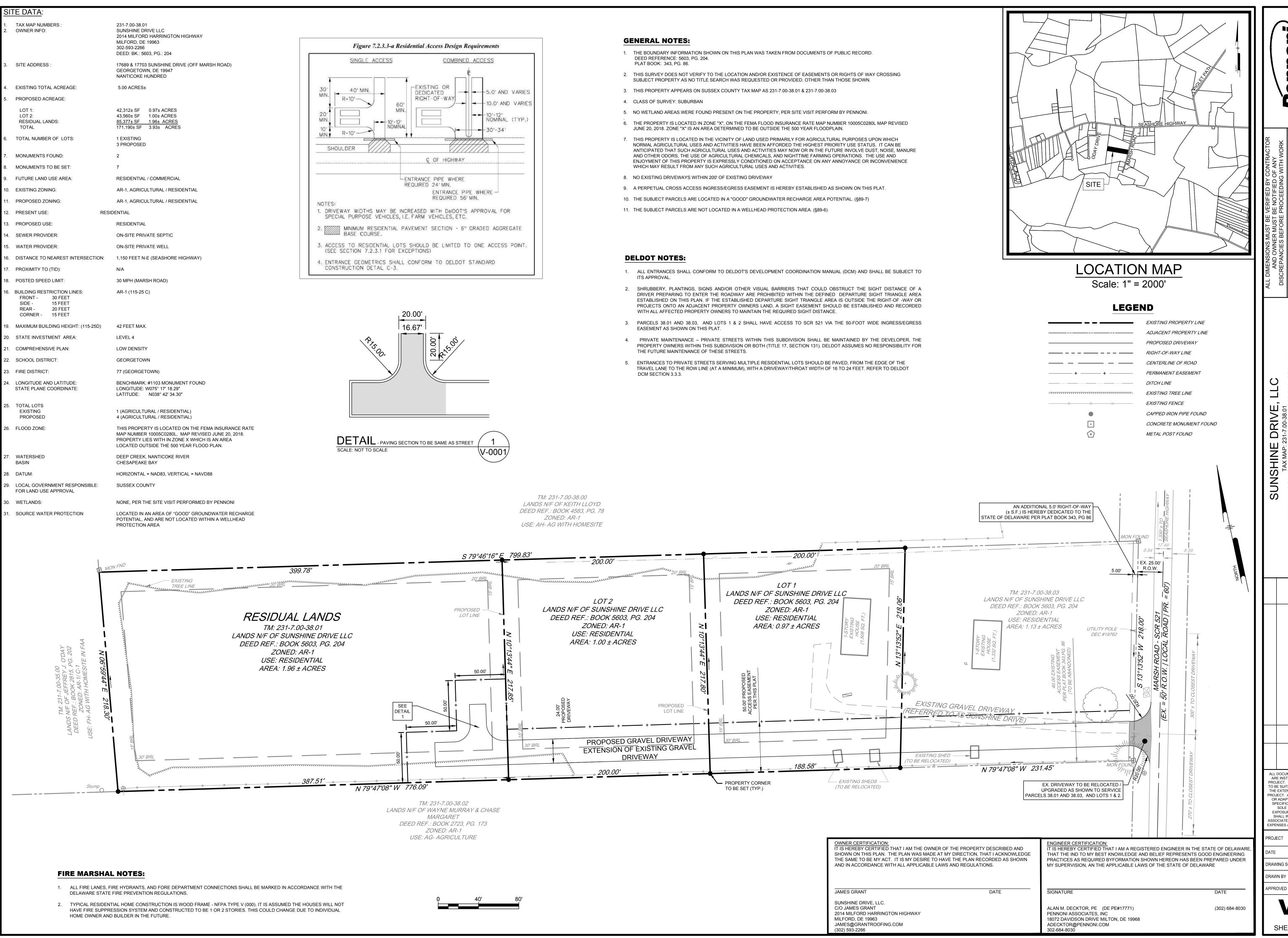
Status: Approved as Submitted

Date: 04/19/2022

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.
- 1010 A The following water for fire protection requirements apply: NONE. On-Site Wells Proposed. this site meets Water Flow Table 1. therefore the provisions of NFPA 1142 shall apply to this site (DSFPR Regulation 702, Chapter 6, Section 3). Since wells are proposed for this site, no additional requirements will be made by this Agency for water for fire protection.
- 1180 A This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
- 1190 A Separate plan submittal is required for the building(s) proposed for this project.
- 1093 A In the case of one and two-family dwellings emergency service access shall be provided in such a manner so that emergency apparatus will be able to locate within 100 feet from the street to the primary entrance. Where alleys are provided, pumpers shallbe able to access all portions of the alley without strict restrictions for entrance radii. (DSFPR Regulation 705, Chapter 5, Sections 2.2 and 2.2.1).
- 1171 A Any dead end road more than 300 feet in length shall be provided with a turn around or cul-de-sac arranged such that emergency apparatus will be able to turn around by making not more than one backing maneuver. Any turn-arounds and cul-de-sacs shall be designed in accordance with DSFPR Regulation 705, Chapter 2, Sections 2.3, 2.3.1, and 2.3.
- 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.



ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATE ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTE TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS O 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 AN EXPENSES ARISING OUT OF OR RESULTING THEREFRO

JGRNT21007 2022-01-10 RAWING SCALE

SJD



STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

BOO BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

NICOLE MAJESKI SECRETARY

April 20, 2022

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

Minor Subdivision - Letter of No Objection to Recordation SUBJECT:

> Paquette Minor Subdivision Tax Parcel # 230-20.00-14.03 Ponder Road (SCR232)

Cedar Creek Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated March 2022 (signed by the Owner and Engineer on April 14, 2022), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of five (5) years. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

Entrances(s) must be installed prior to the sale of the lot(s). All entrances shall conform to DelDOT's Development Coordination Manual and shall be subject to its approval. This letter does not authorize the commencement of entrance construction.

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments 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.



Paquette Minor Subdivision Mr. Jamie Whitehouse Page 2 April 20, 2022

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 <u>recorded Minor Subdivision Plan</u> showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,

R. Stephen McCabe Sussex County Review Coordinator Development Coordination

Richard S. M. Cals

cc: Cliff Mumford, Davis, Bowen & Friedel, Inc.
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
James Smith, South District Entrance Permit Supervisor
Shannon Anderson, South District Public Work Admin Specialist
Wendy L. Polasko, P.E., Subdivision Engineer
Derek Sapp, Subdivision Manager, Development Coordination



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: 2022-04-210254-MIS-01 Status: Approved as Submitted | Tax Parcel Number: 230-20.00-14.03 Date: 04/13/2022 | | |
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| Project | l a lata a chair ann an | X BASKALLIY YYY | |
| Paquette Minor Subdivision | Ponder Road | | |
| Paquette Property | Ellendale DE 19941 | | |
| Scope of Project | | | |
| Number of Stories: Square Footage: Construction Class: Fire District: 75 - Ellendale Volunteer Fire Co Inc. | Occupant Load Inside: Occupancy Code: 9601 | 11111111111111111111111111111111111111 | |
| | | | |

Applicant

Cliff Mumford 1 Park Avenue Milford, DE 19963

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.

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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: 2022-04-210254-MIS-01

Tax Parcel Number: 230-20.00-14.03

Status: Approved as Submitted

Date: 04/13/2022

PROJECT COMMENTS

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