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, Director, Department of Planning & Zoning; Lauren DeVore, Planner III; Jenny Norwood, Planner I, Christin Headley, Planner I, Nicholas Torrance, Planner I and Chase Philips, Planner I

CC: Vince Robertson, Assistant County Attorney

Date: June 18<sup>th</sup>, 2020

RE: Other Business for June 25<sup>th</sup>, 2020 Planning Commission Meeting

This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the June 25<sup>th</sup>, 2020 Planning Commission meeting.

#### Lands of Merrill J. & Betty L. Parker (Phase 2) (2019-18)

HW

Final Subdivision Plan

This is a Final Subdivision Plan for a standard subdivision of 8 single family lots and site improvements. This site is 49.80 acres located on the northeast side of Lakeview Rd. The Planning and Zoning Commission approved the Preliminary Subdivision Plan with conditions at its meeting of Thursday, October 17, 2019. The Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Code and all conditions of approval. Phase 1 was approved by the Planning and Zoning Commission at its meeting of Thursday, March 12, 2020 which consisted of 4 lots and the residual land. Phase 2, the final phase, consists of 4 lots totaling 27.797 +/- acres. Tax Parcel: 133-15.00-19.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff is in receipt of all agency approvals for the Phase 2 portion of the subdivision.

#### <u>Johnsonville Subdivision (2006-39)</u>

KS

Revised Final Subdivision Plan

This is a Revised Final Subdivision Plan for the Johnsonville Subdivision (2006-39) (F.K.A. the Henry James Johnson Subdivision) for the addition of a masonry monument sign, a 750 square foot easement on Lot 22, relocation of the existing bus shelter, and the reduction of the Forest Conservation Easement from 100-ft to 50-ft to the rear of Lots 2-16. The Planning and Zoning Commission approved the Final Subdivision Plan at its meeting of Thursday, March 10, 2011. The applicant has also received approval from the Sussex Conservation District for the reduction of the forest conservation easement for the development. The subdivision is located on the east and west sides of Lawson Road (S.C.R. 296). The Revised Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Code and all conditions of approval. Tax Parcel: 234-21.00-141.00. Zoning: AR-1 (Agricultural Residential Zoning District. Staff are in receipt of all agency approvals.

#### S-20-19 Howard T. Ennis School

KH

Final Site Plan

This is a Final Site Plan for a proposed 1-story 94,500 square foot special needs school with 353 parking spaces and other site improvements for the Indian River School District on a 32.43-acre parcel located on Patriots Way (S.C.R. 318). Conditional Use 2211 was approved by the Planning and Zoning Commission at their meeting of Thursday, February 27, 2020 and approved by the



Sussex County Council on March 17, 2020. The Final Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 133-7.00-8.01. Zoning: AR-1 (Agricultural Residential Zoning District). Staff is in receipt of all agency approvals.

### Arbor-Lyn (C/U 2046)

BM

Preliminary Amenities Plan

This is a Preliminary Amenities Plan for the construction of a clubhouse, in-ground pool, 19 parking spaces and other ancillary improvements. The Planning and Zoning Commission approved the Final Site Plan at their meeting of October 17, 2019. The property is located on the north side of Warrington Road (S.C.R. 275). The Preliminary Amenities Plan complies with the Sussex County Zoning and Subdivision Code and all conditions of approval. Tax Parcels: 334-12.00-127.02, 127.04 & 127.05. Zoning: MR (Medium Density Residential Zoning District). Staff are in receipt of all agency approvals.

#### S-20-18 Destiny Apartments

ВМ

Preliminary Site Plan

This is a resubmittal of a previously submitted Preliminary Site Plan for a proposed 15-unit, 3-story apartment complex with a 924 square foot building containing storage lockers and associated parking, located on the north side of Delaware Route 1 and Parsonage Road in Rehoboth Beach, Delaware. The Planning and Zoning Commission had previously denied this plan at its meeting of Thursday, June 11, 2020 due to 11 parking spaces being proposed within the front yard setback. Since that application was considered by the Commission, staff have identified that, at their meeting of Thursday, March 9, 2017 and through a previously submitted site plan for the Days Inn Hotel (S-17-16), the Planning and Zoning Commission approved the provision of parking within the front yard setback on this same parcel. The applicant has submitted a letter providing further justification for parking within the front yard setback which describes the existing site constraints and relevant DelDOT approvals received. The project also lies within the Combined Highway Corridor Overlay Zone (CHCOZ). The Preliminary Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 334-13.00-5.00. Zoning: C-1 (General Commercial Zoning District) and GR (General Residential Zoning District). Staff are awaiting agency approvals.

#### Lands of Ann J. Banks

ВМ

Minor Subdivision off a 50-ft easement

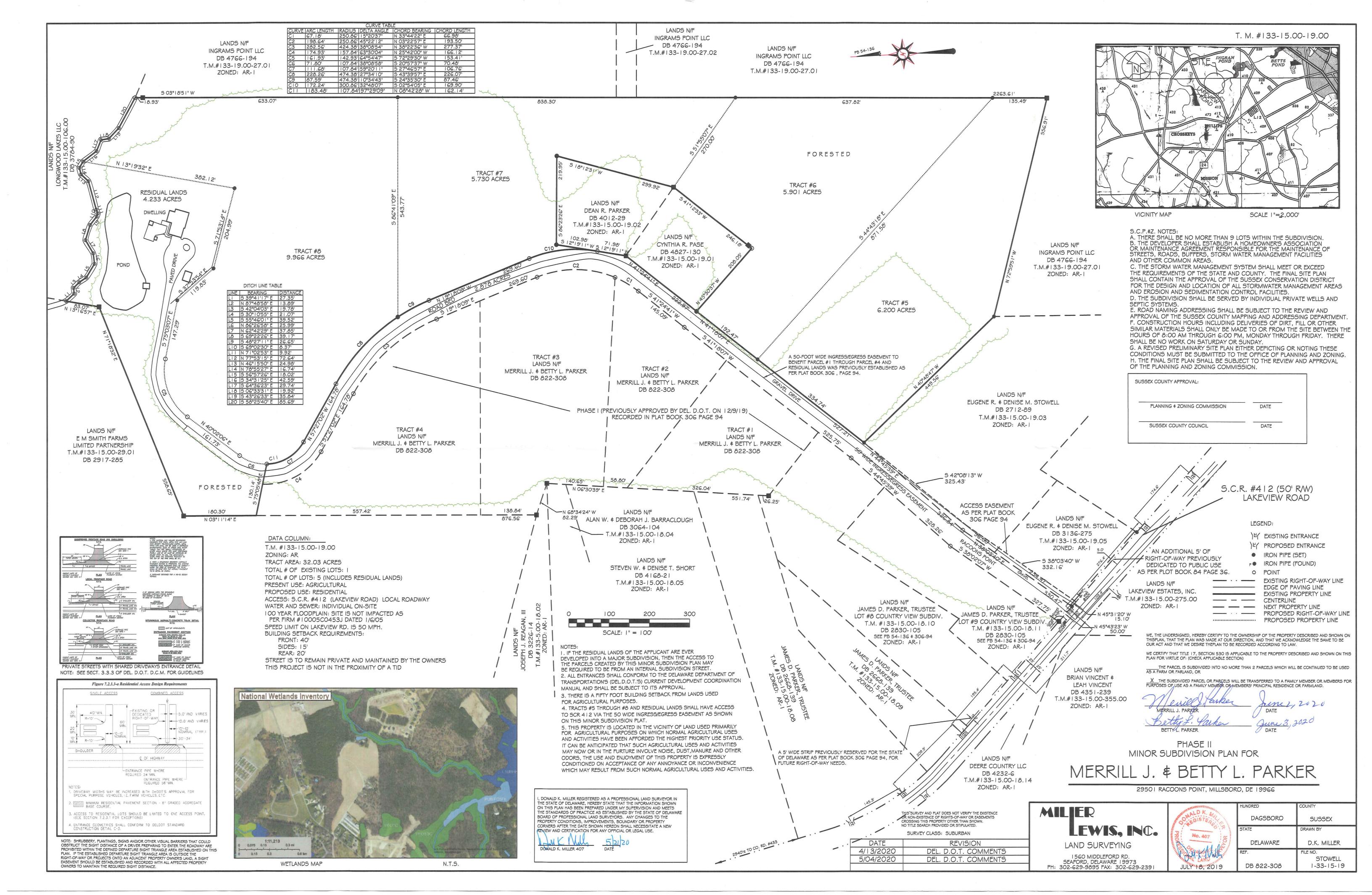
This is a Preliminary Subdivision Plan for a minor subdivision of a 2.12-acre parcel into 2 lots, each consisting of .60 acres for a total of 1.20 acres off of a 50-ft easement over an existing 18-ft wide entrance and paved drive. The property is located off Banks Road in Ocean View, Delaware. Tax Parcel: 134-12.00-275.00. Zoning: MR (Medium Density Residential Zoning District). Staff are in receipt of all agency approvals.

#### Lands of Jay A. Challman

BM

Minor Subdivision off a 50-ft easement

This is a Preliminary Subdivision Plan for a minor subdivision of a 64.08-acre parcel into 4 lots, for a total of 29.88 acres off of a 50-ft easement over an existing drive, 1 lot consisting of 3.84 acres with an entrance off of Asketum Branch Rd. (S.C.R. 442), and residual lands of 8.37 acres. The property is located off Asketum Branch Rd. (S.C.R. 442) and Hardscrabble Rd. (Rt. 20) in Georgetown, Delaware. Tax Parcel: 133-13.00-2.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are awaiting agency approvals.





#### STATE OF DELAWARE

#### DEPARTMENT OF TRANSPORTATION

P.O. Box 778
Dover, Delaware 19903

JENNIFER COHAN SECRETARY

May 19, 2020

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

SUBJECT:

Minor Subdivision - Letter of No Objection to Recordation

MERRILL J. & BETTY L. PARKER

Tax Parcel # 133-15.00-19.00 SCR412-LAKEVIEW ROAD Dagsboro Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated July 18, 2019 (last revised May 4, 2020), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of <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 reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction



MERRILL J. & BETTY L. PARKER Mr. Jamie Whitehouse Page 2 May 19, 2020

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,

Stephen Wright

Kent County Review Coordinator

for 6. lypu

**Development Coordination** 

cc: Donald Miller, Miller Lewis

Rusty Warrington, Sussex County Planning & Zoning

Jessica L. Watson, Sussex Conservation District

James Argo, South District Project Reviewer

William Kirsch, South District Entrance Permit Supervisor

Shannon Anderson, South District Public Work Admin Specialist

Todd Sammons, Assistant Director

John Andrescavage, Sussex County Reviewer



Axiom Engineering, L.L.C. 18 Chestnut Street Georgetown, DE 19947 (302) 855-0810

Fax: 855-0812 <u>axiom@axeng.com</u> <u>www.axeng.com</u>

#### CONFIDENTIAL LETTER OF TRANSMITTAL

	TO:	Jamie Whitehouse, Acting Director	FROM:	Ken Christenbury	
		Sussex County Planning and Zoning	DATE:		
		2 The Circle	CC:		
	•	Georgetown, DE 19947			
		0040-0601 Johnsonville			
		Subdivision 2006-9			
П	For Review			Shipped Via:	
H	For Your Use		X		
				Hand Delivery	
Ľ	For Approval			Overnight	
	As Requested	d		US Postal Service	
	Please Return When Finished				
Quantity	Date	Description			
.pdf		11/30/2016 Ammended Subdivision Plan C-1, C-2, C-3, C-10 & C-11			
.pdf		6 PB 230 - PG 75 Subdivision 2006-9 Johnsonville			
.pdf		Lots 3 & 4 Septic Site Plan			
.pdf	3/10/2020	Cover Letter			
NOTES / COMMENTS:					
NOTES / COMMENTS.					
Please advise if hard copies or any additional data are required to schedule this for the Planning & Zoning					
Commission review.					
<del>-</del>					
	Thanks,				
Ken					
Signature:					



18 Chestnut Street Georgetown, DE 19947 www.axeng.com Phone: 302 855-0810
Fax: 302 855-0812
E-mail: axiom@axeng.com

March 10, 2020

Sussex County Planning and Zoning 2 The Circle, PO Box 417 Georgetown, DE 19947

Attn: Jamie Whitehouse, AICP - Acting Director

RE: Subdivision 2006-9 Johnsonville

Dear Mr. Whitehouse:

On May 16, 2016, Subdivision 2006-9 was recorded in Plat Book 230- PG 75 (copy attached). The record plan indicates a Forest Conservation Easement on multiple lots to attempt to buffer the open space from the residential lots. Ashburn Homes acquired Johnsonville from the original developer with this restriction and has been attempting to work within the confines identified on the Record Plan, however, the forest conservation easements as approved leaves little to no room for patios, decks, sheds or swimming pools often desired by those purchasing a large rural lot (see attached Lot 3 & 4 septic site plan). Subdivision 2006-9 is a standard subdivision with a minimum lot size of ¾ acre, therefore the ordinance does <u>not</u> require a superior design. The builder is requesting a reduction in the forest conservation easements indicated on the approved plan. This forest conservation easement reduction affects lots 2 - 16 (Plan sheets C-2, C-10 & C-11). In no case is the 20' perimeter buffer affected by this amendment request.

In addition to the revision to the forest conservation easement, the builder proposes construction of a masonry monument sign at the entrance to the subdivision, and is requesting approval of a 750 sq. ft. easement on Lot 22 to allow installation and perpetual maintenance for the sign (Plan sheet C-10).

51% ownership is required to amend a recorded subdivision plan. At this time, the applicant owns all of the lots in the project, but does have one under contract. Please notify me if any additional data is required to schedule this amendment for Planning & Zoning Commission review.

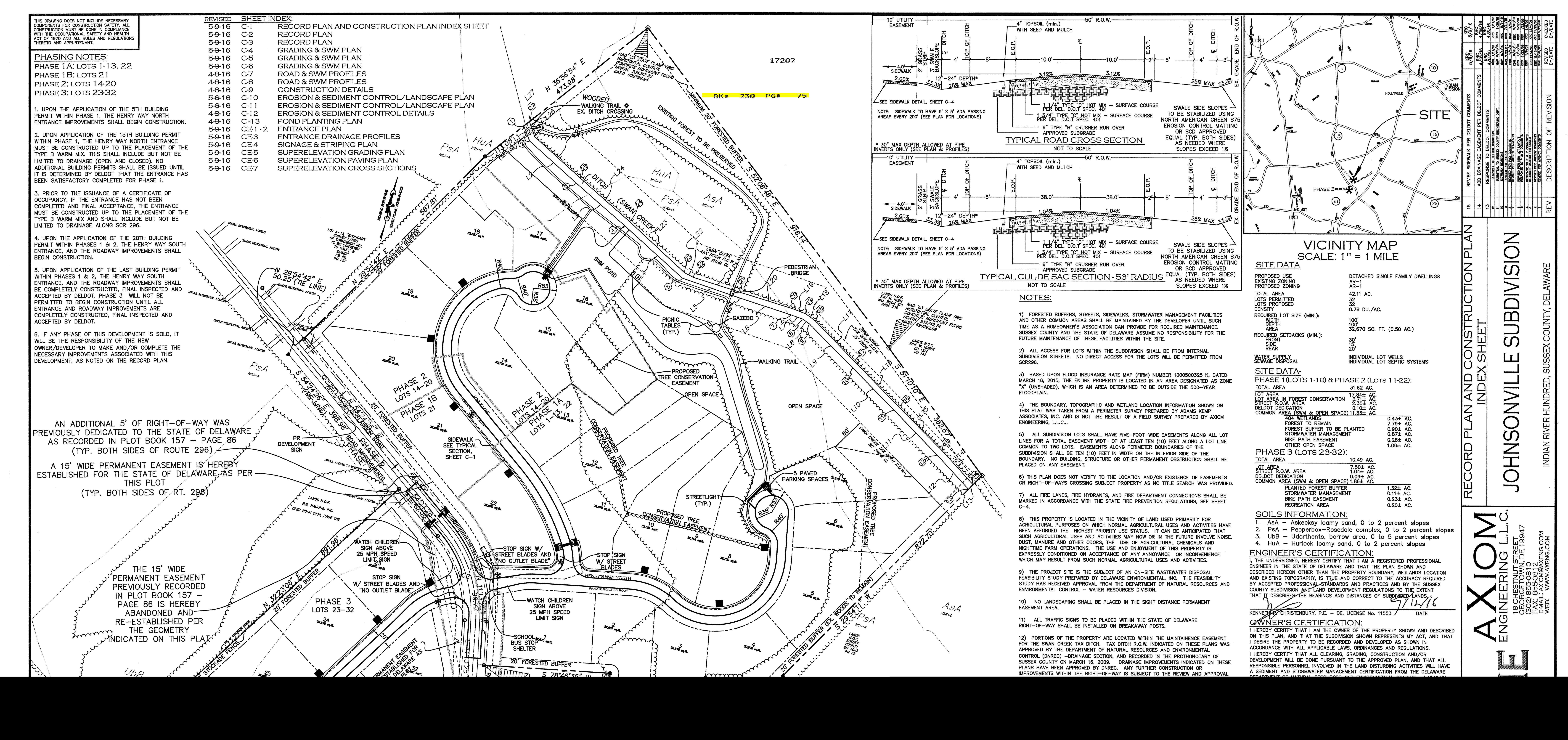
Sincerely,

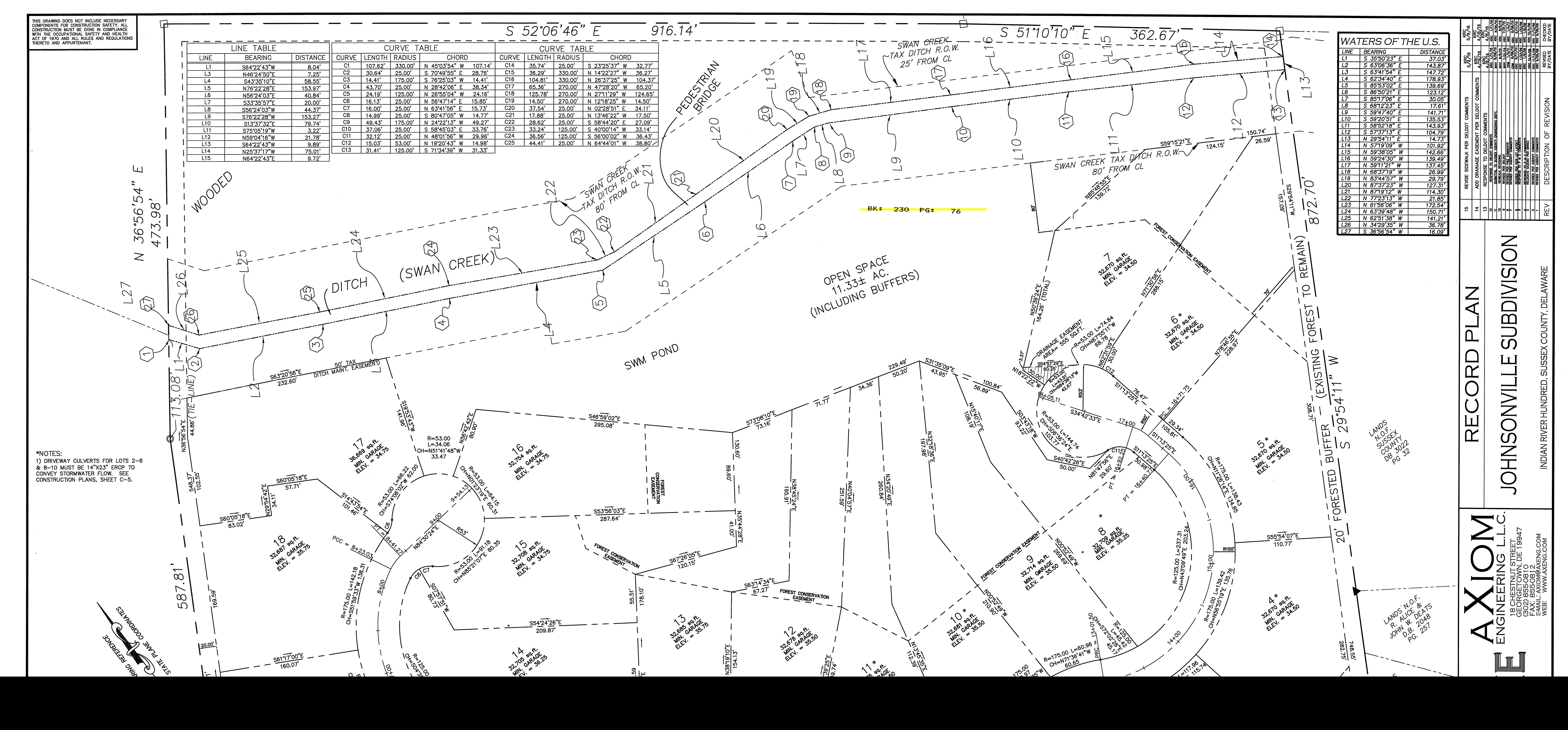
Kenneth R. Christenbury, P.E. President, Axiom Engineering, LLC

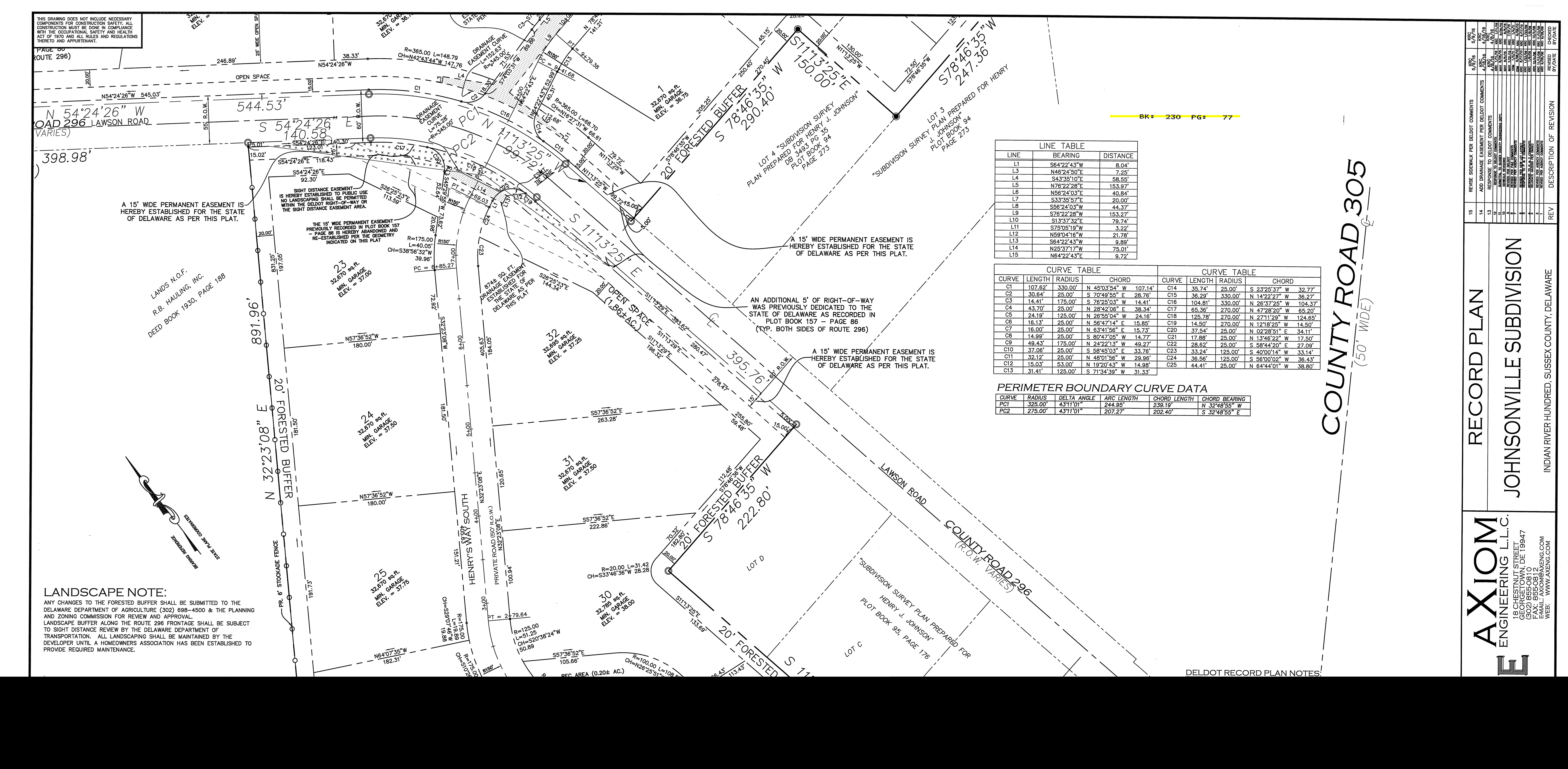
CC: Jordan Ashburn, Ashburn at Johnsonville, LLC

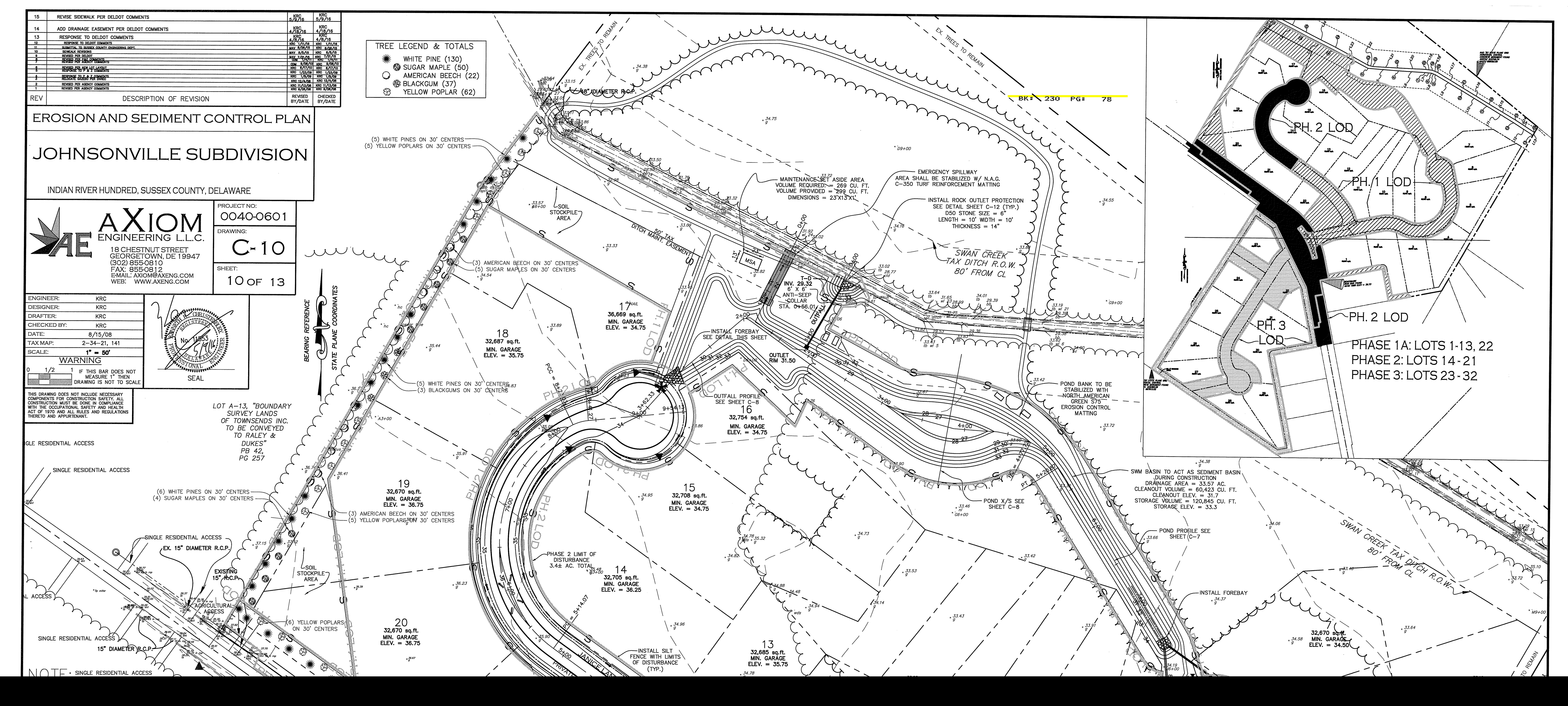


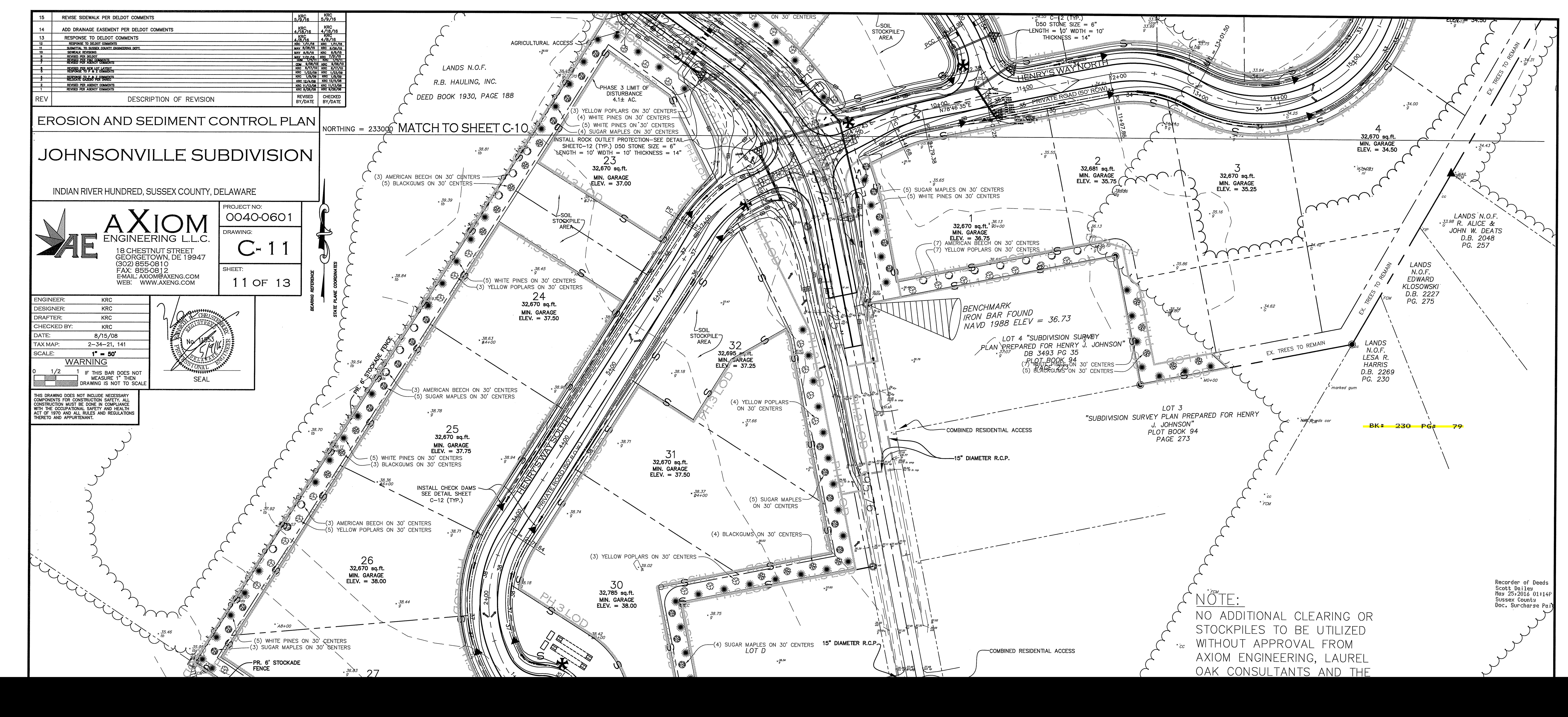
PROJECT #:19-426 COTTEN ENGINEERING DATE: 10/29/2019 10087 CONCORD RD SEAFORD, DE 19973 PHONE/FAX (302) 628-9164 TAX MAP#:234-21.00-397.00 NOTE: CONTACT SYSTEM DESIGNER IF SITE CONDITIONS CHANGE. GRAPHIC SCALE ( IN FEET ) 1 inch = 50 ft.HENRYS WAY 20 L=117.96' R=175.00 FRUT ON BEORO PROP PROP DRIVE PROP WELL WELL 3\$.0° PROPOSED 3 BEDROOM LIVINGSTON 20.8 100' FOREST CONSERVATION EASEMENT 20.8 100' FOREST CONSERVATION EASEMENT - = 123.77' N S 78'46'35" DESIGN BASED UPON LOT DIMENSIONS PROVIDED BY CLIENT AND FROM APROVED SITE EVALUATION BY BRUCE BAGLEY. COTTEN ENGINEERING DID NOT PERFORM A SURVEY OF THIS PROPERTY. OWNER'S/AUTHORIZED AGENT SIGNATURE: \_ DATE: \_

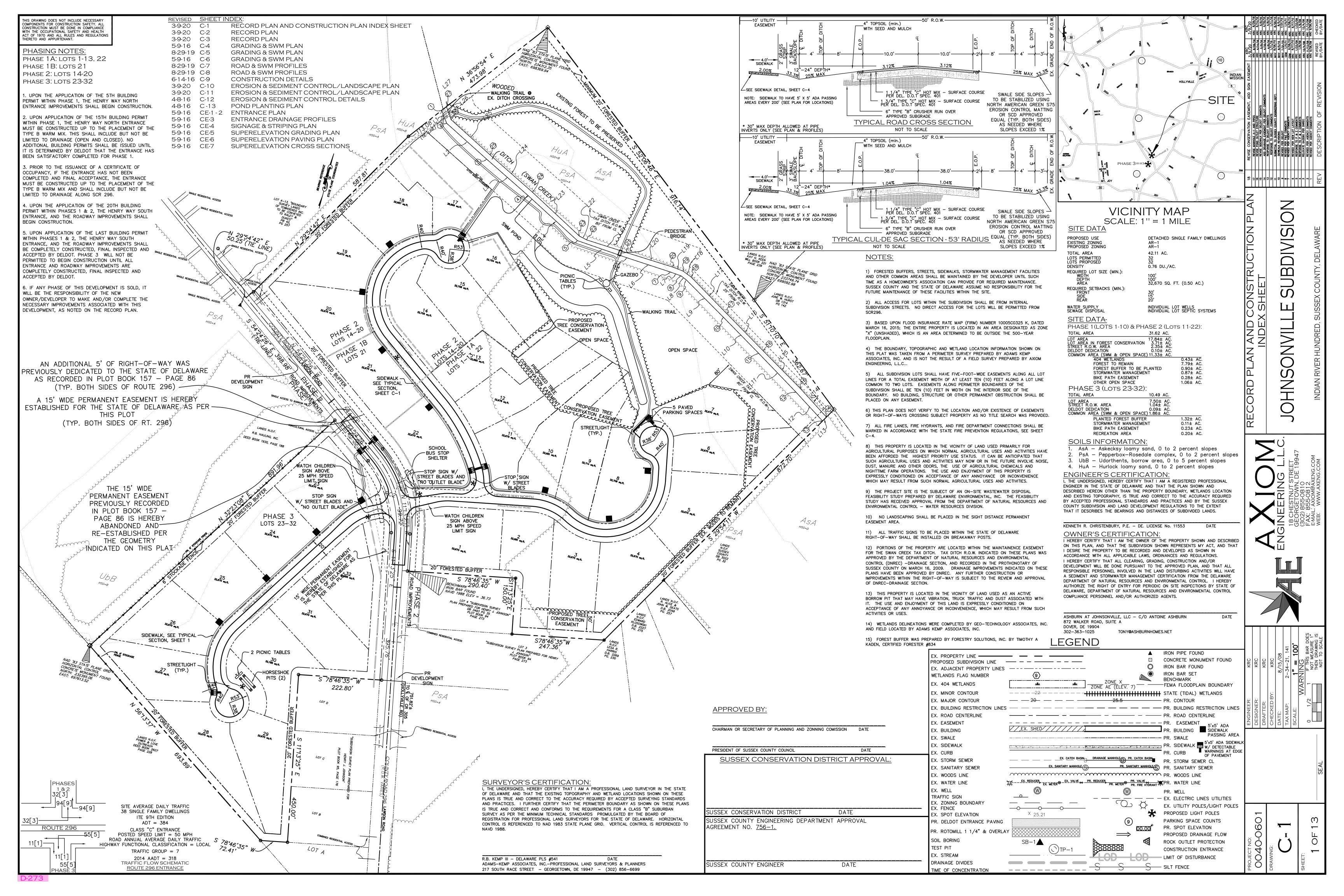


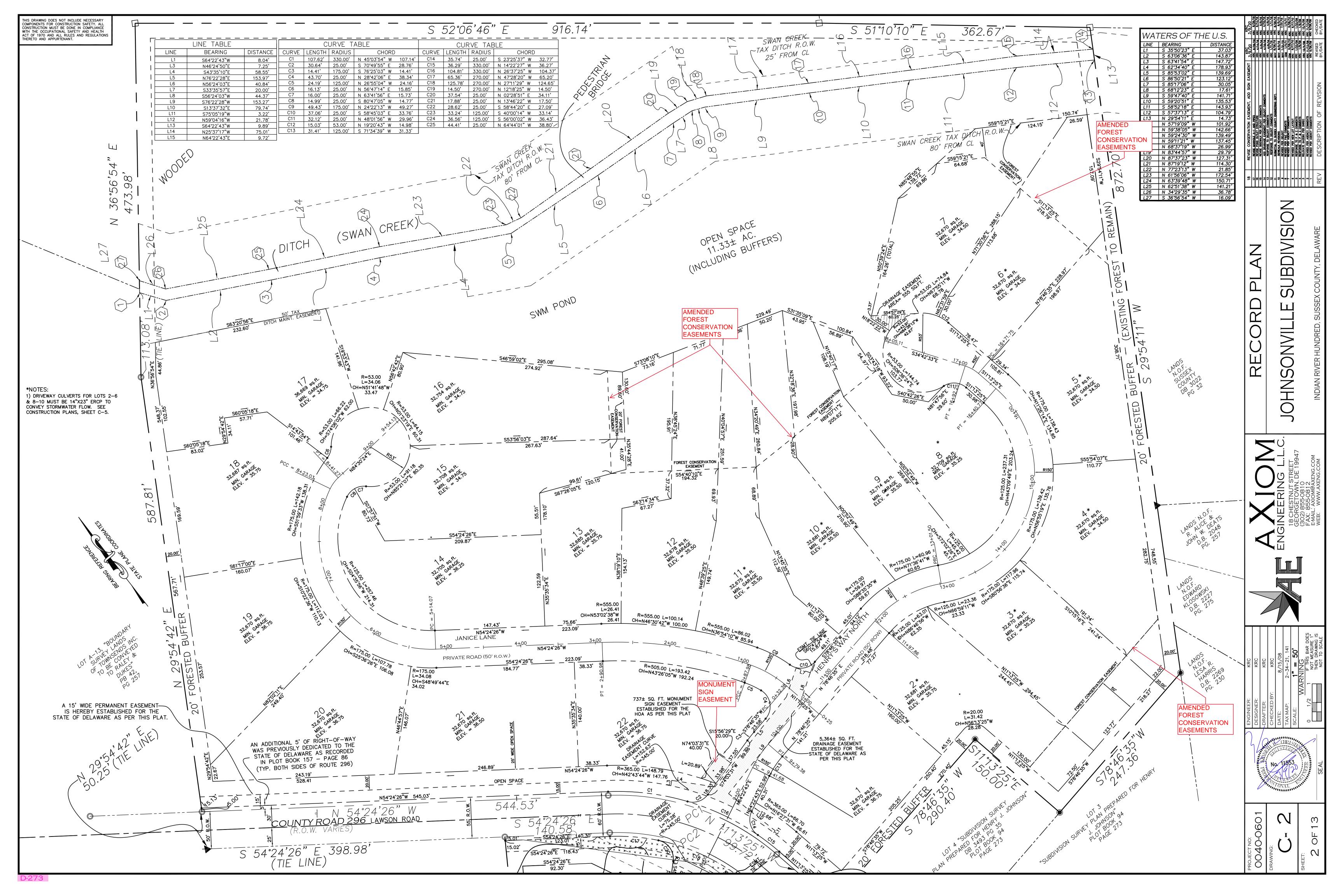


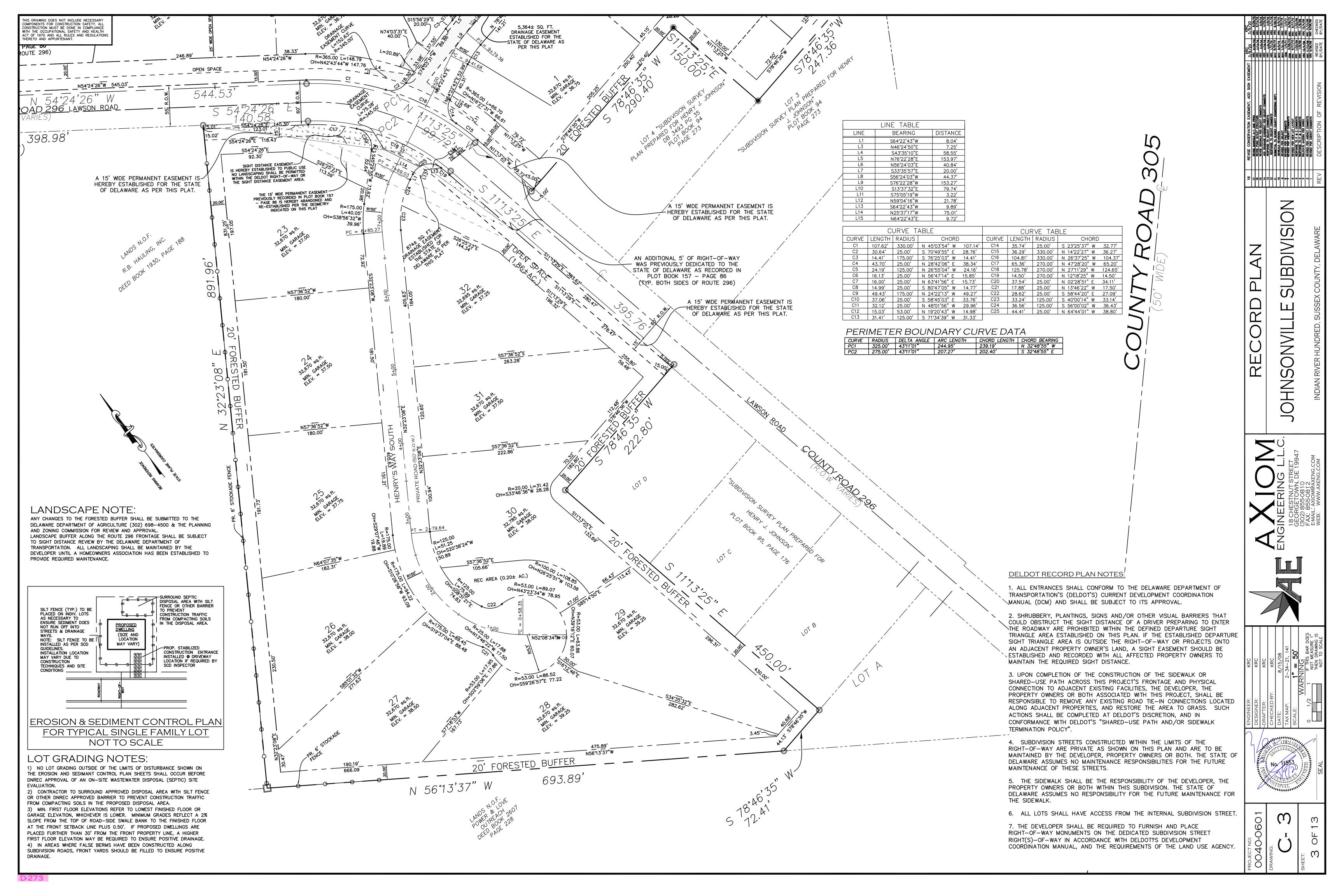


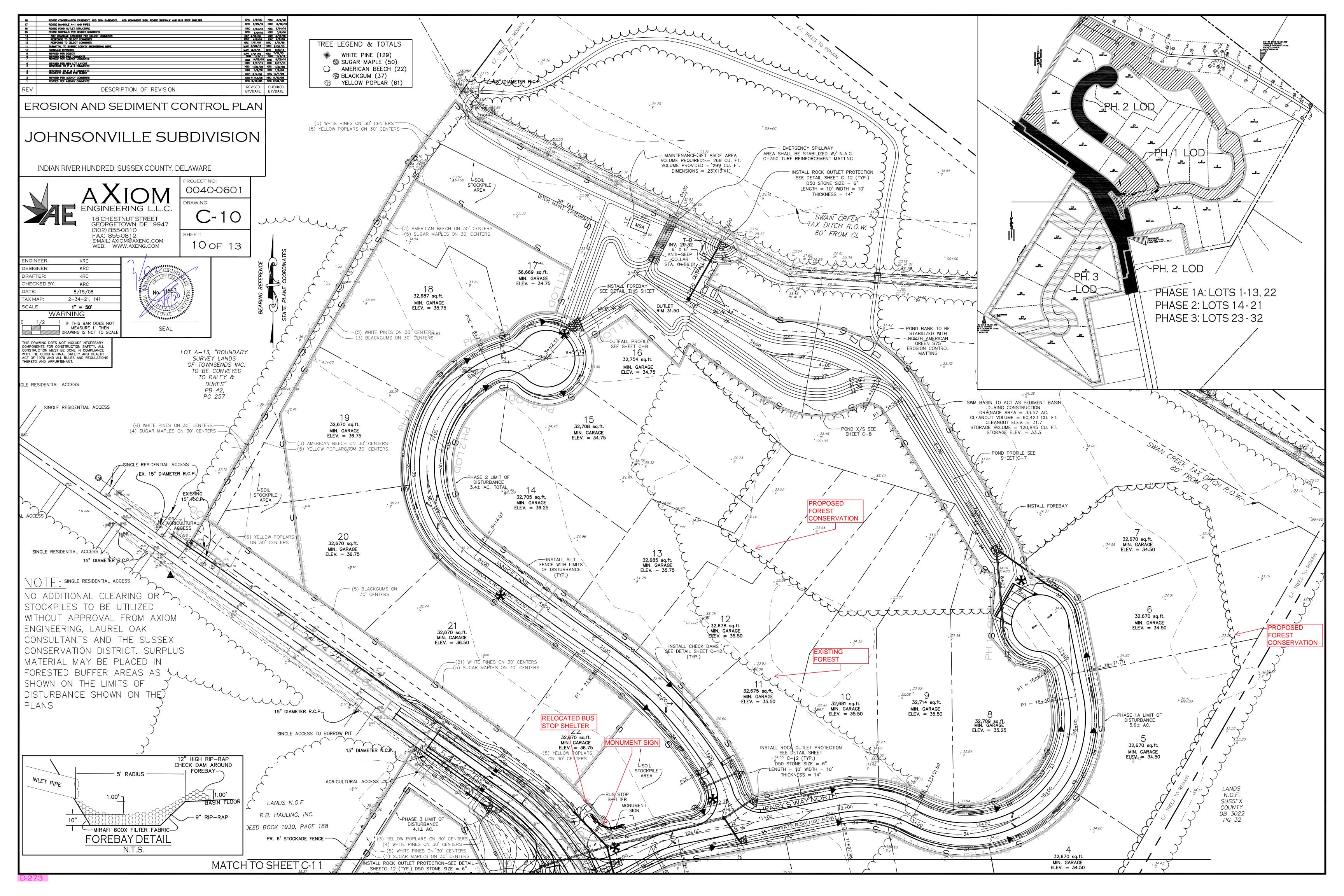


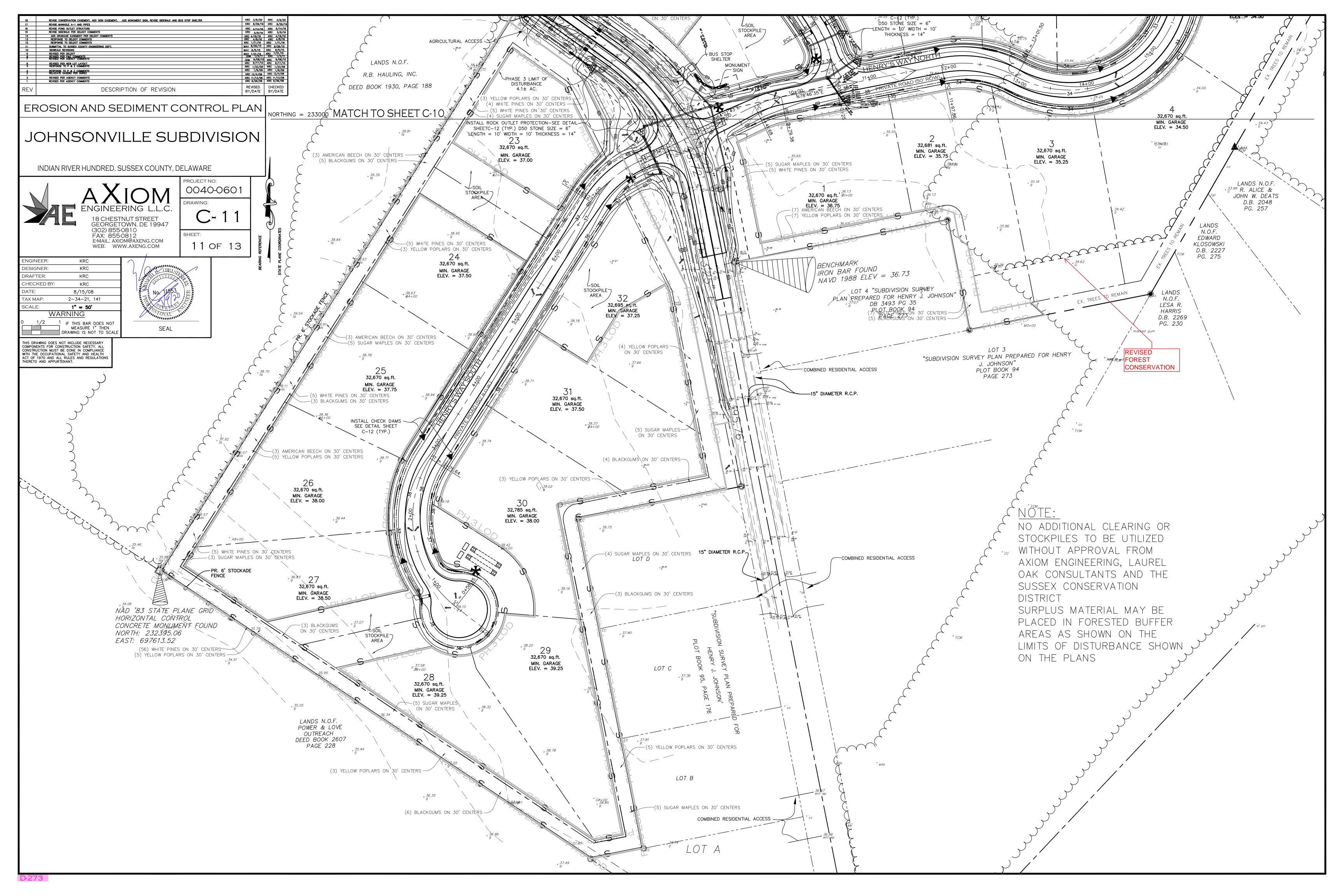


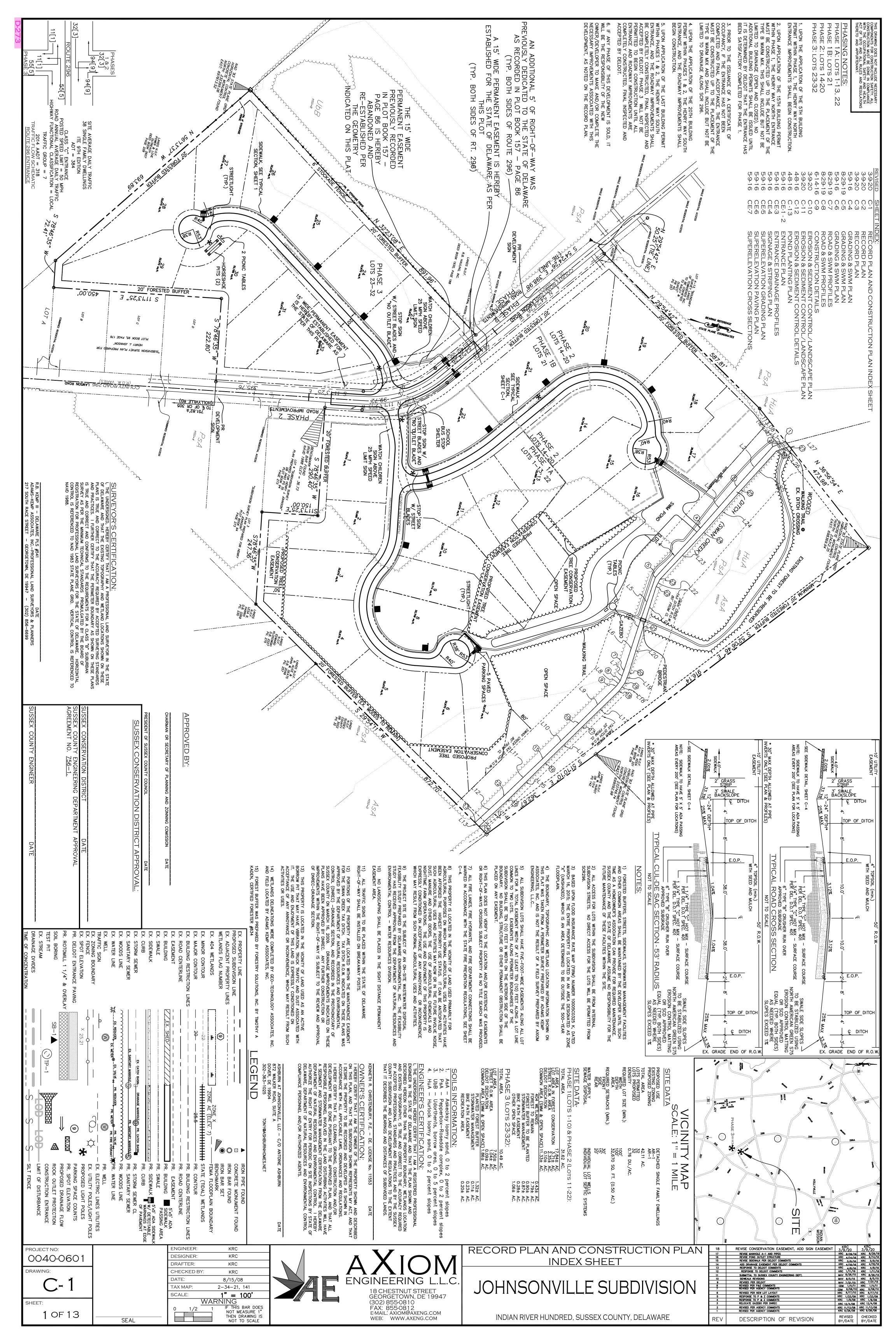


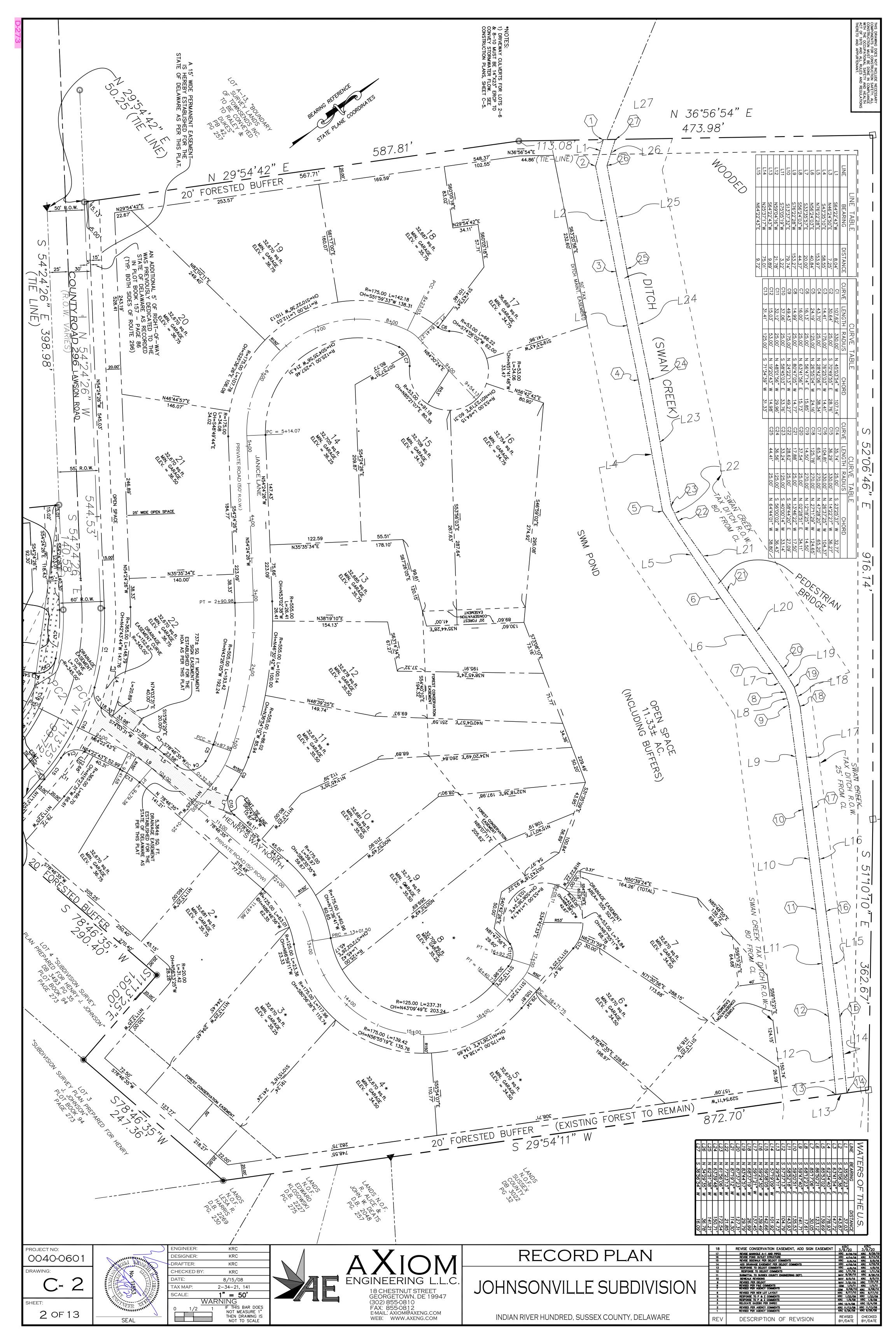


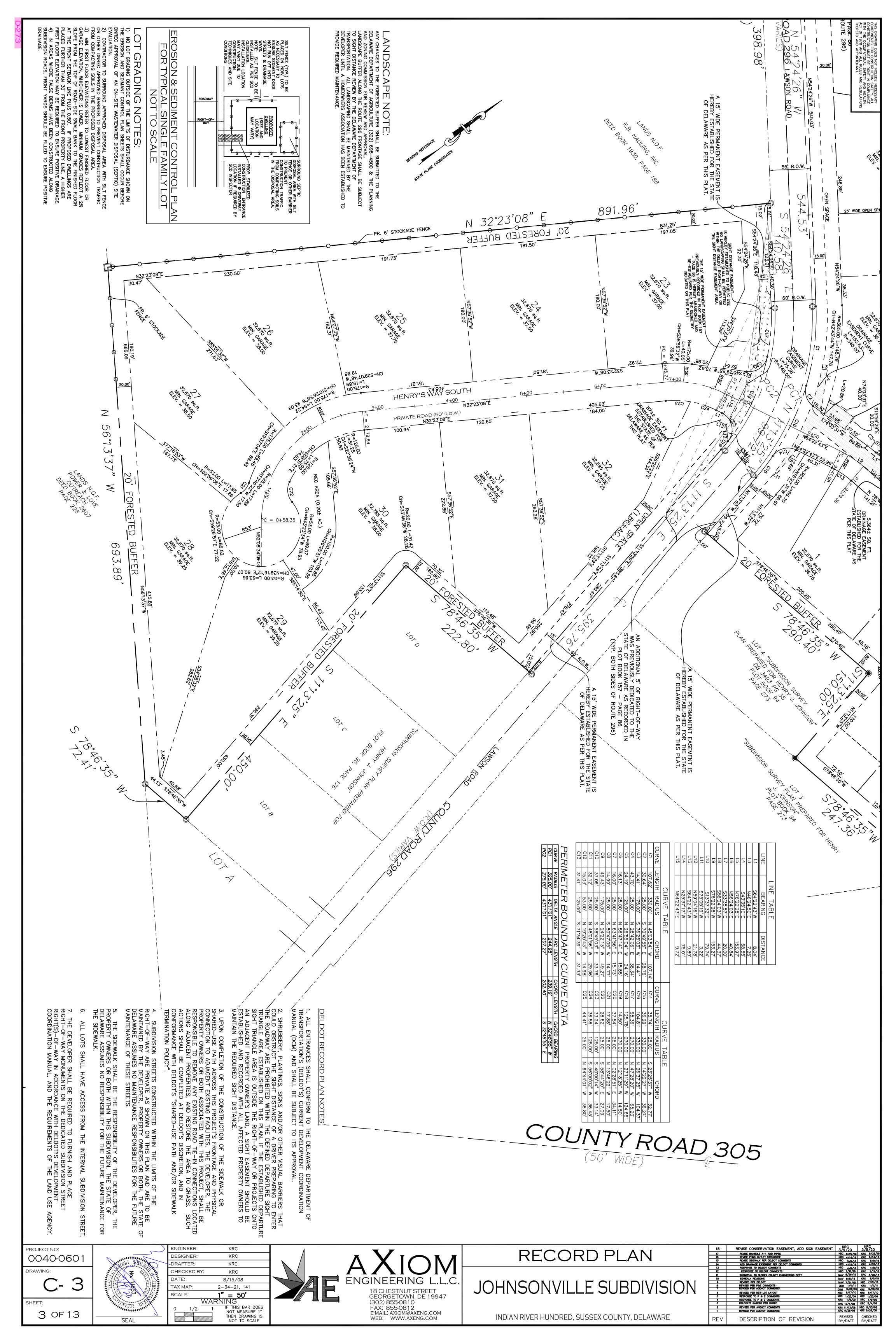


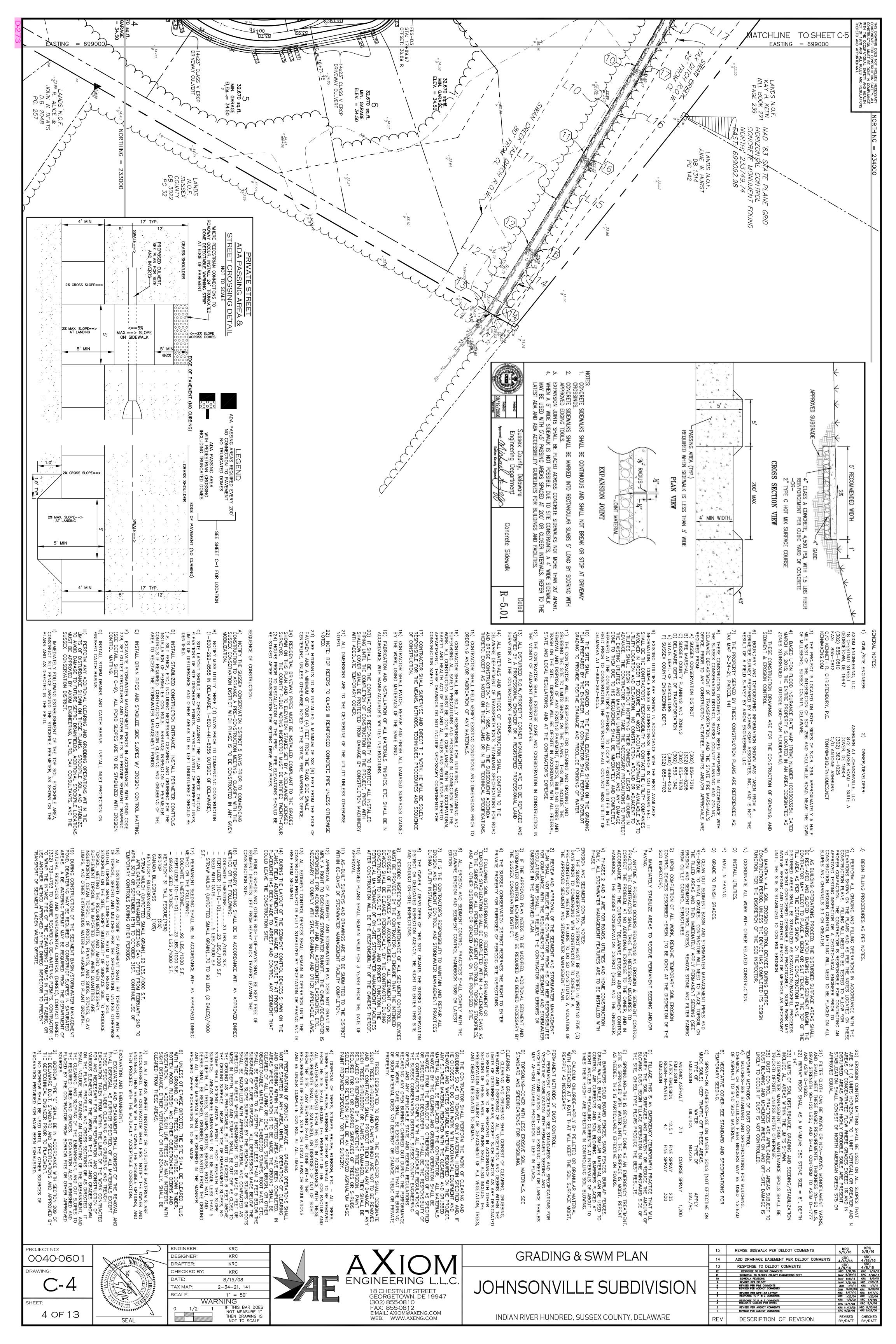


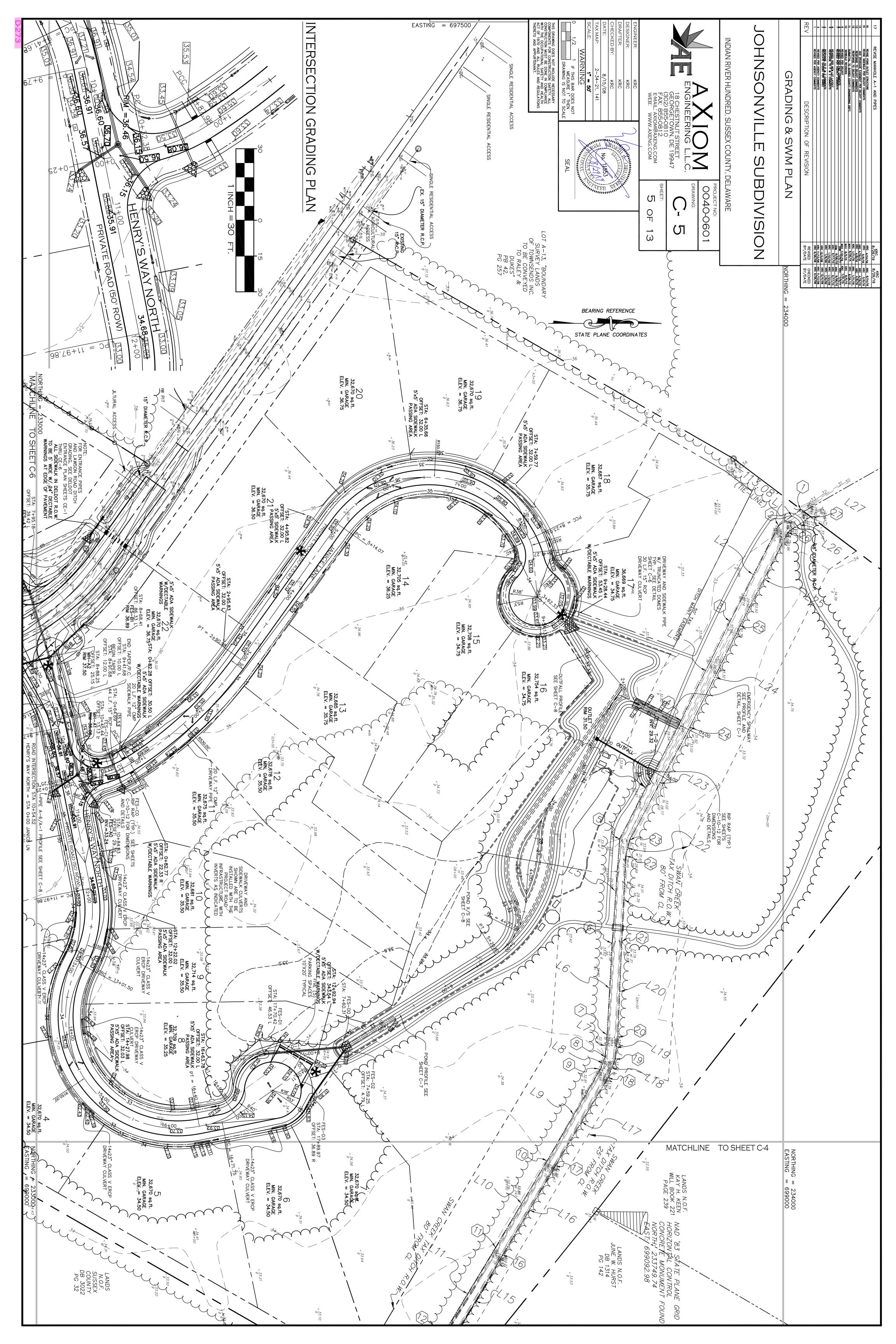


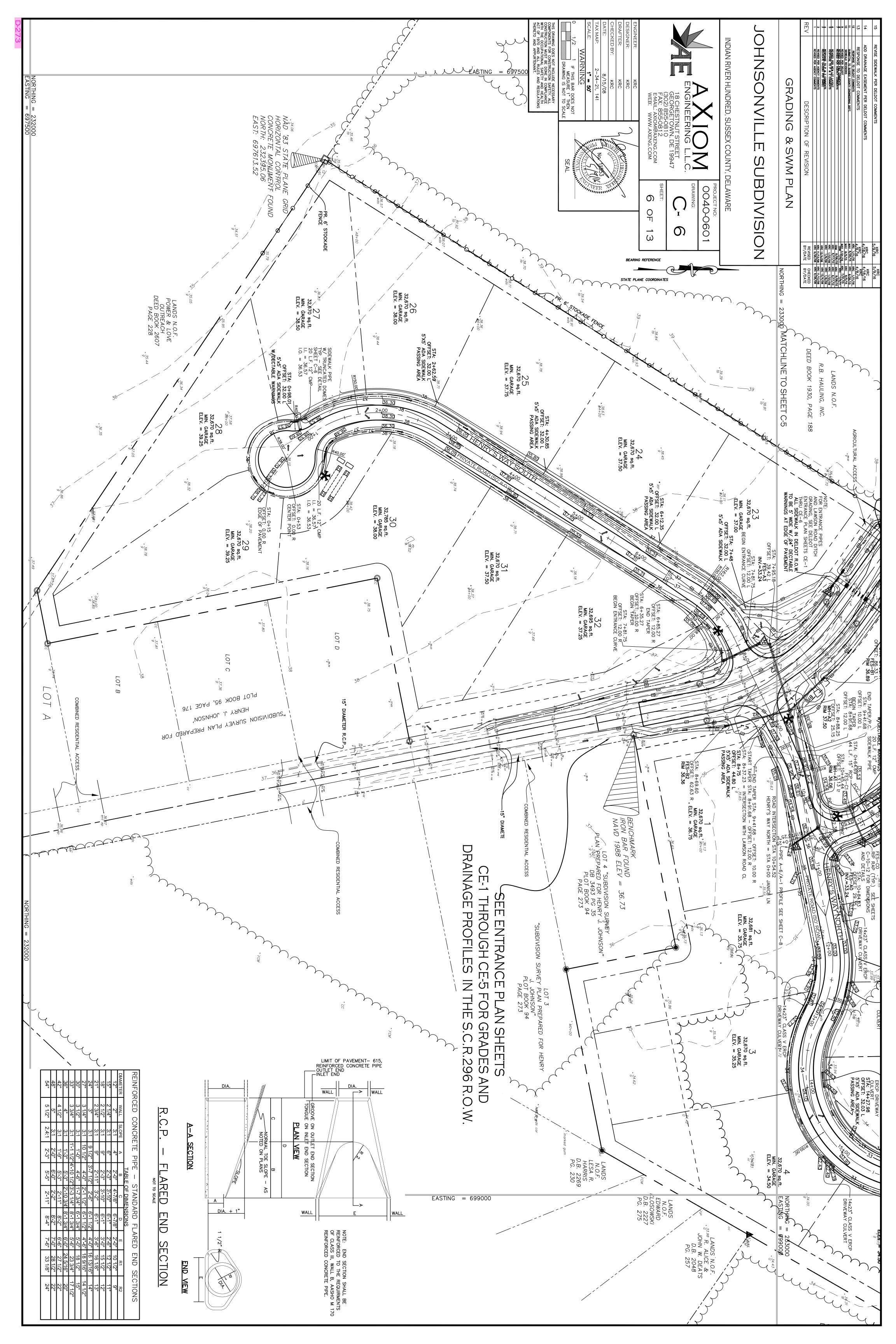


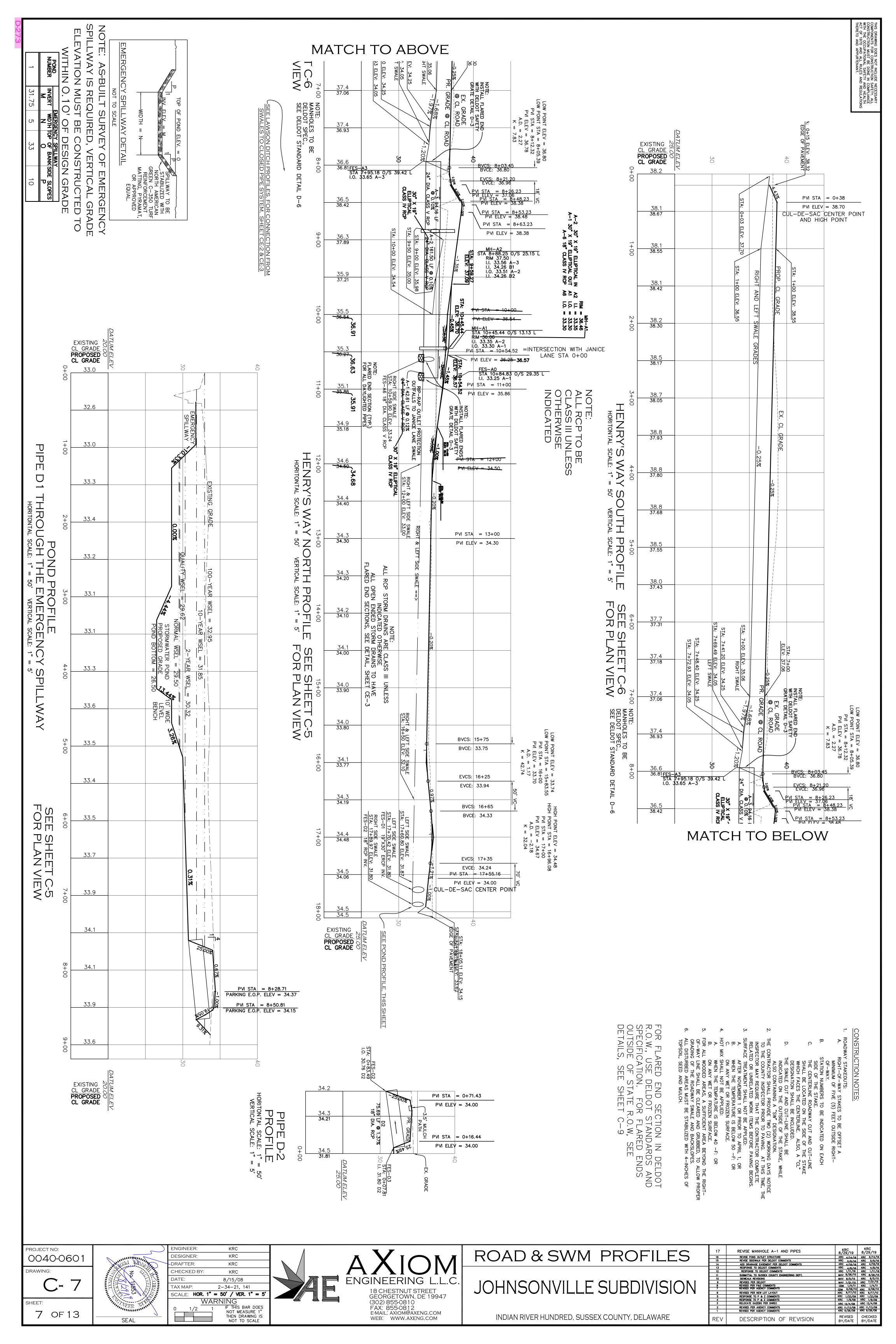


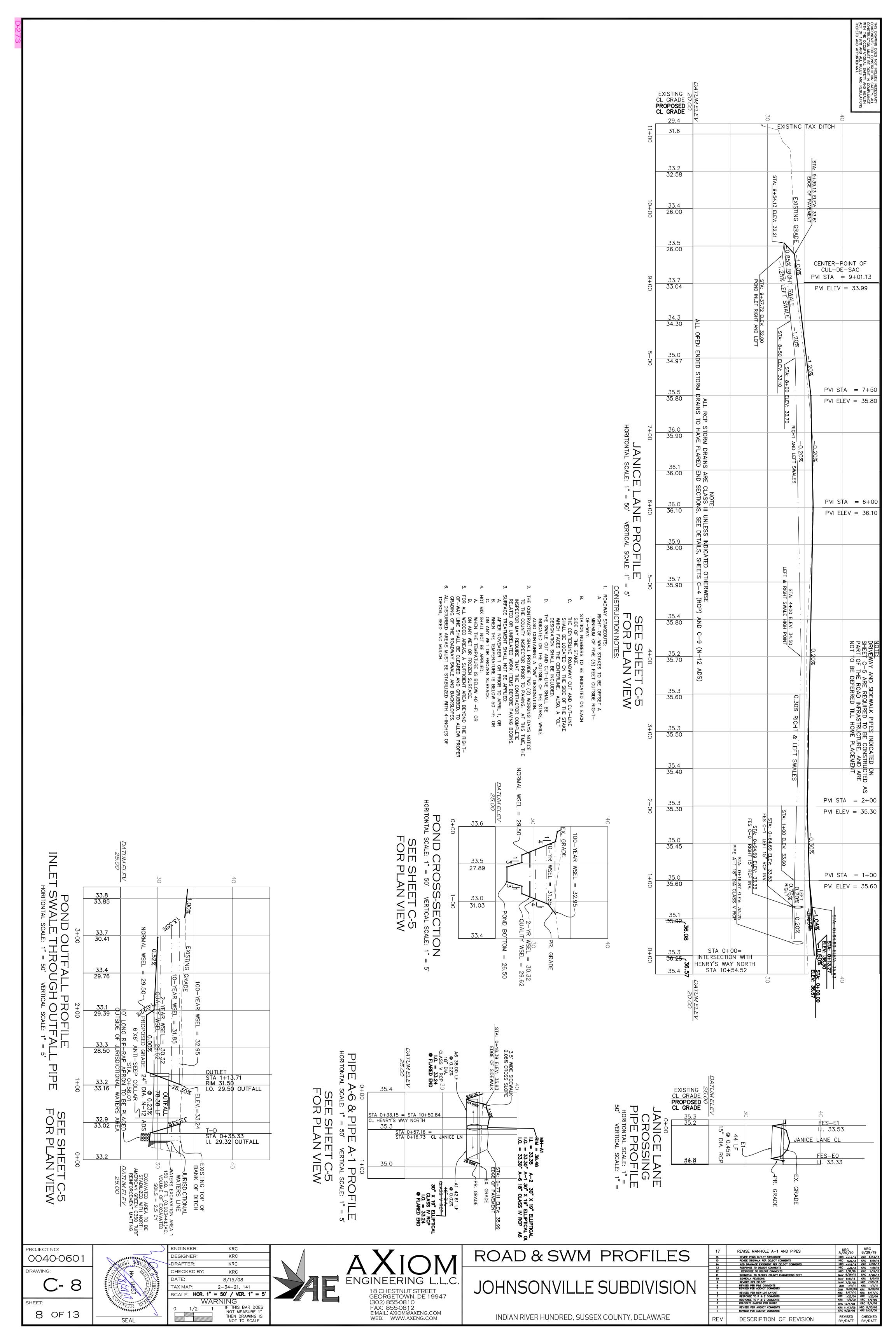


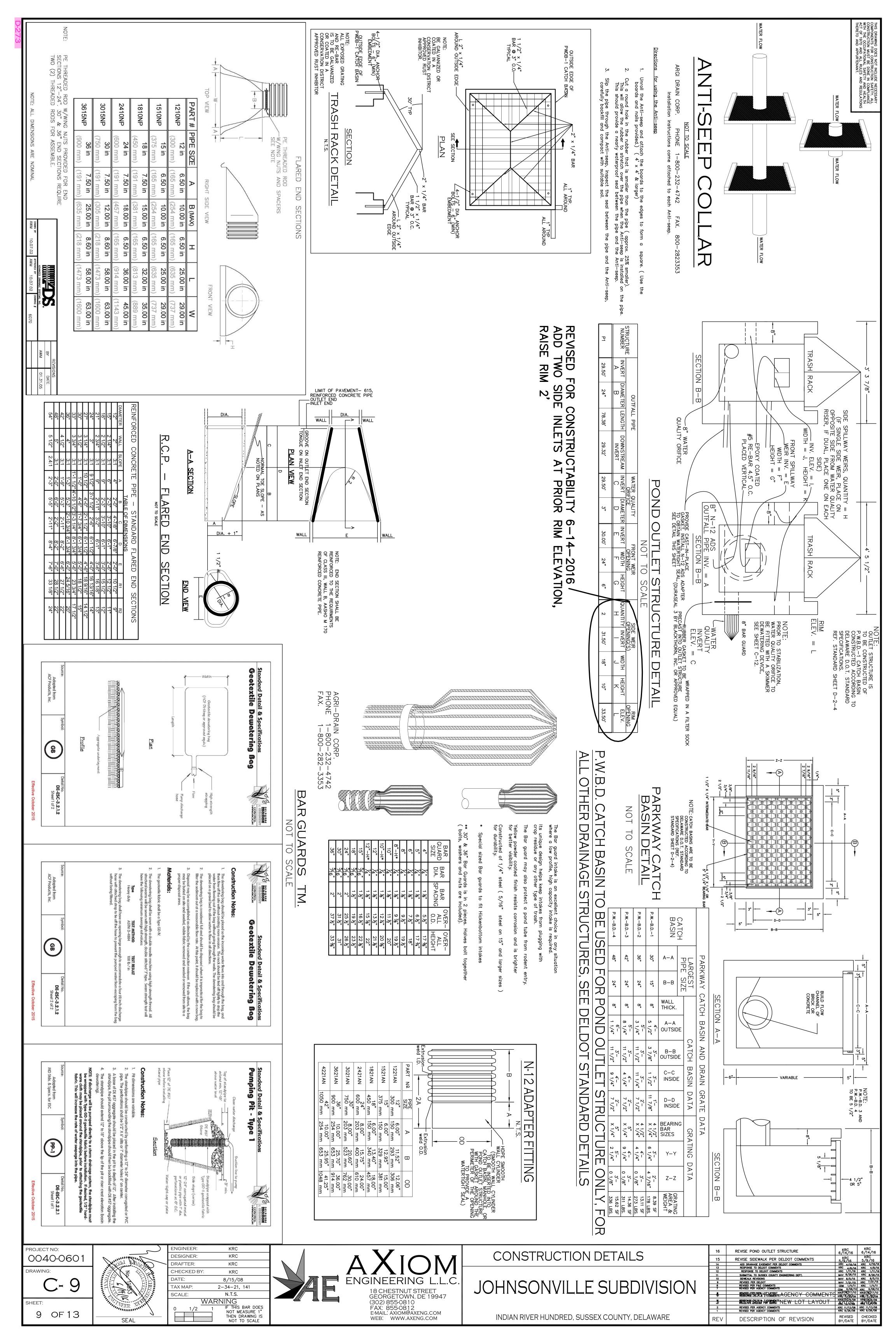


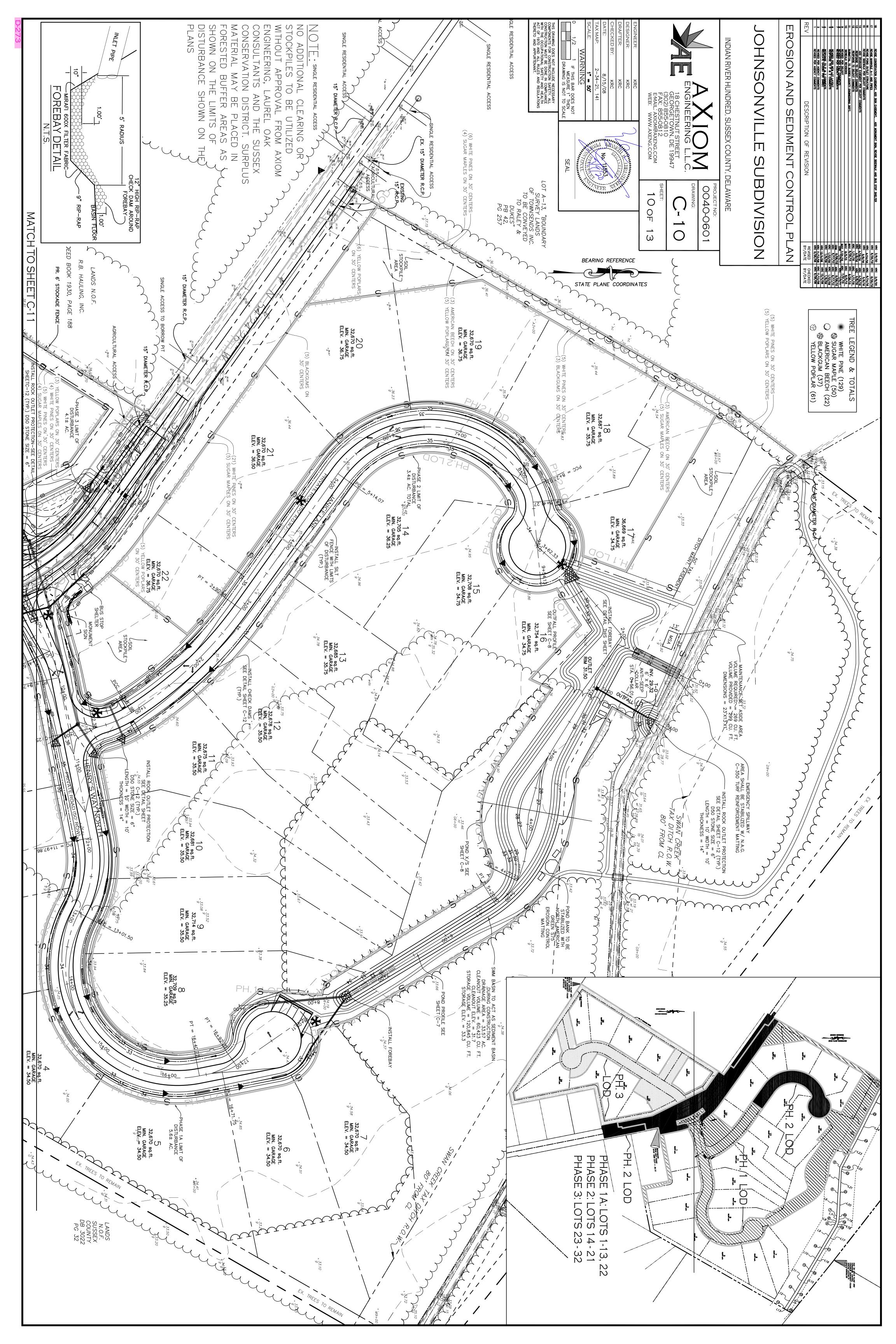


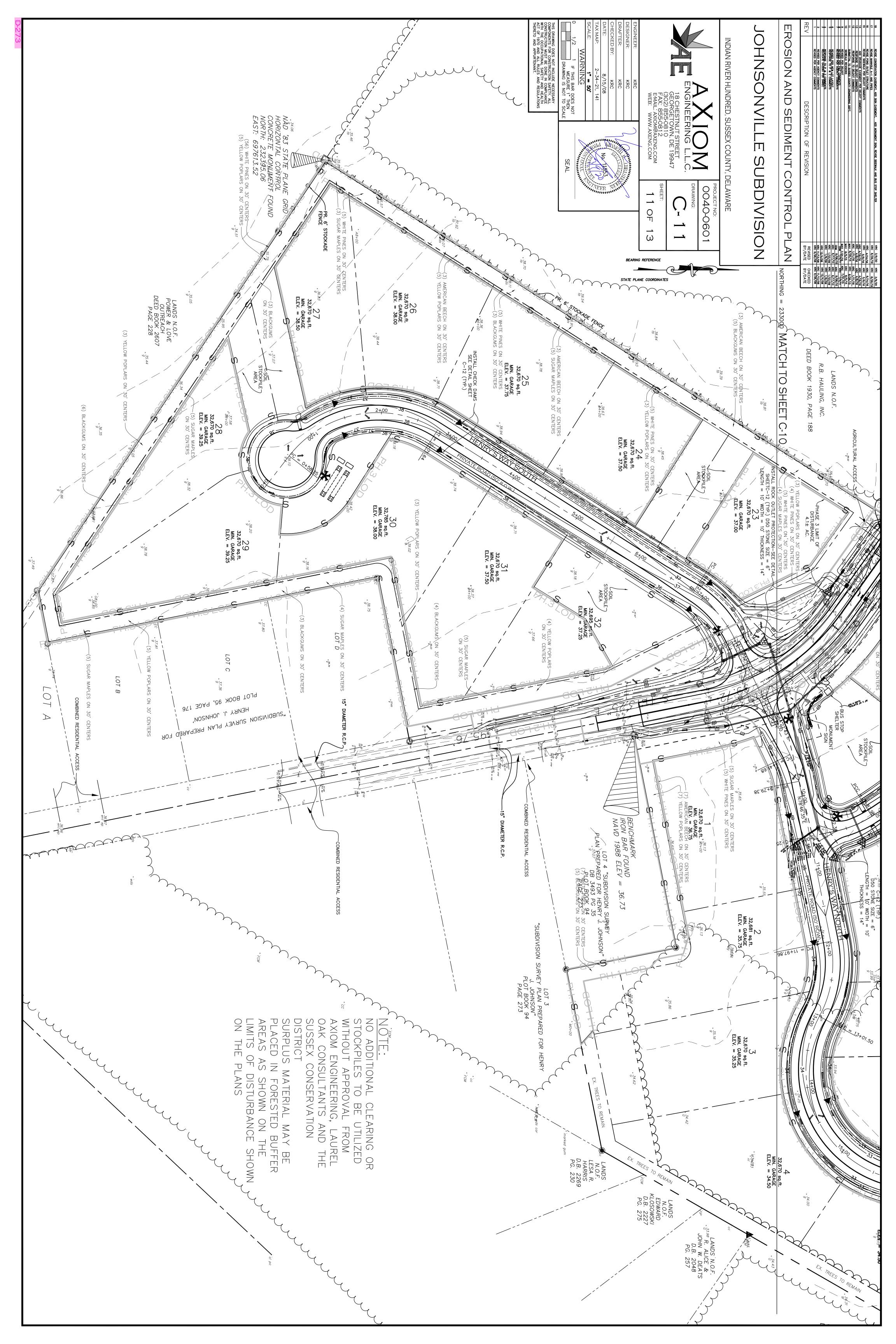


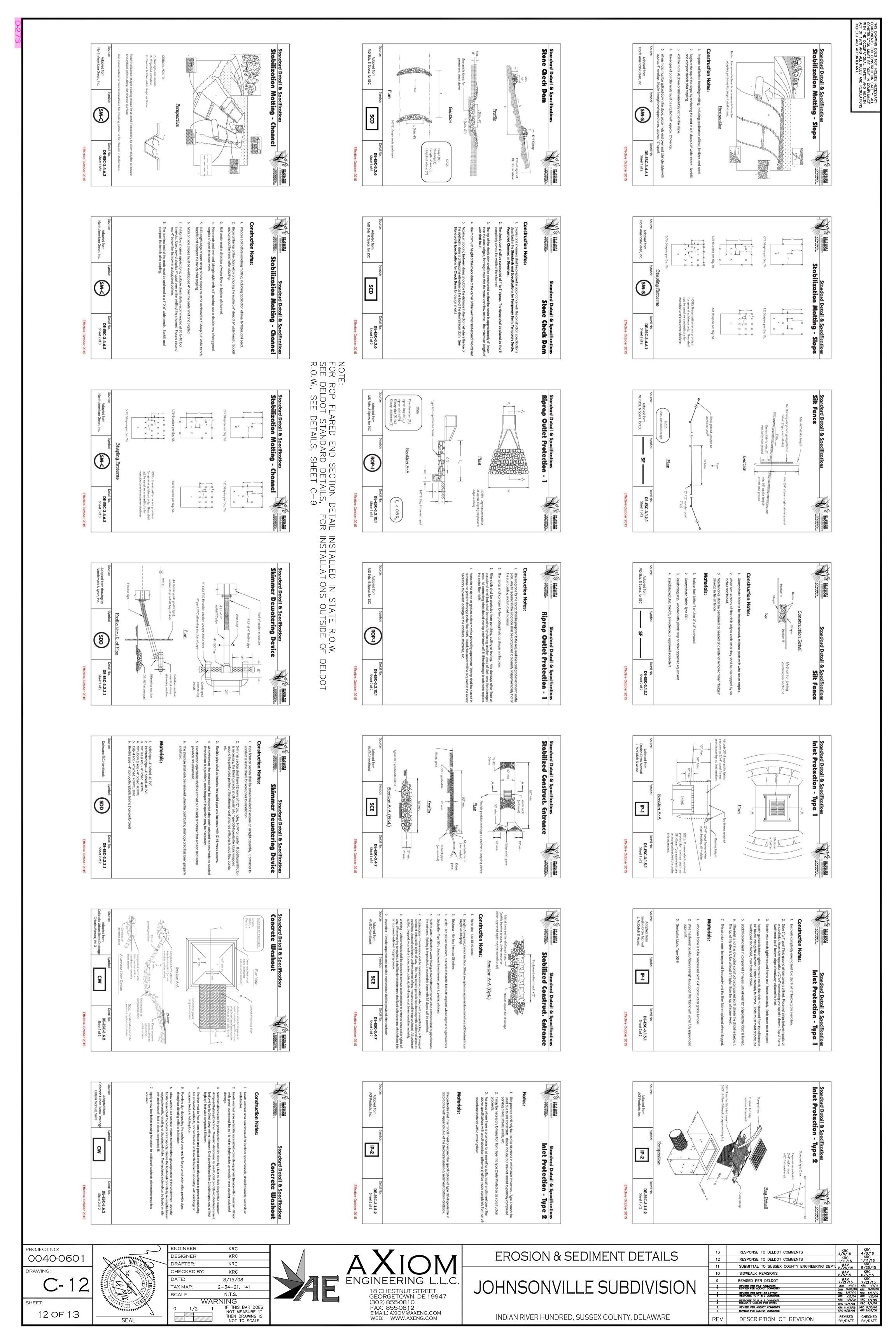


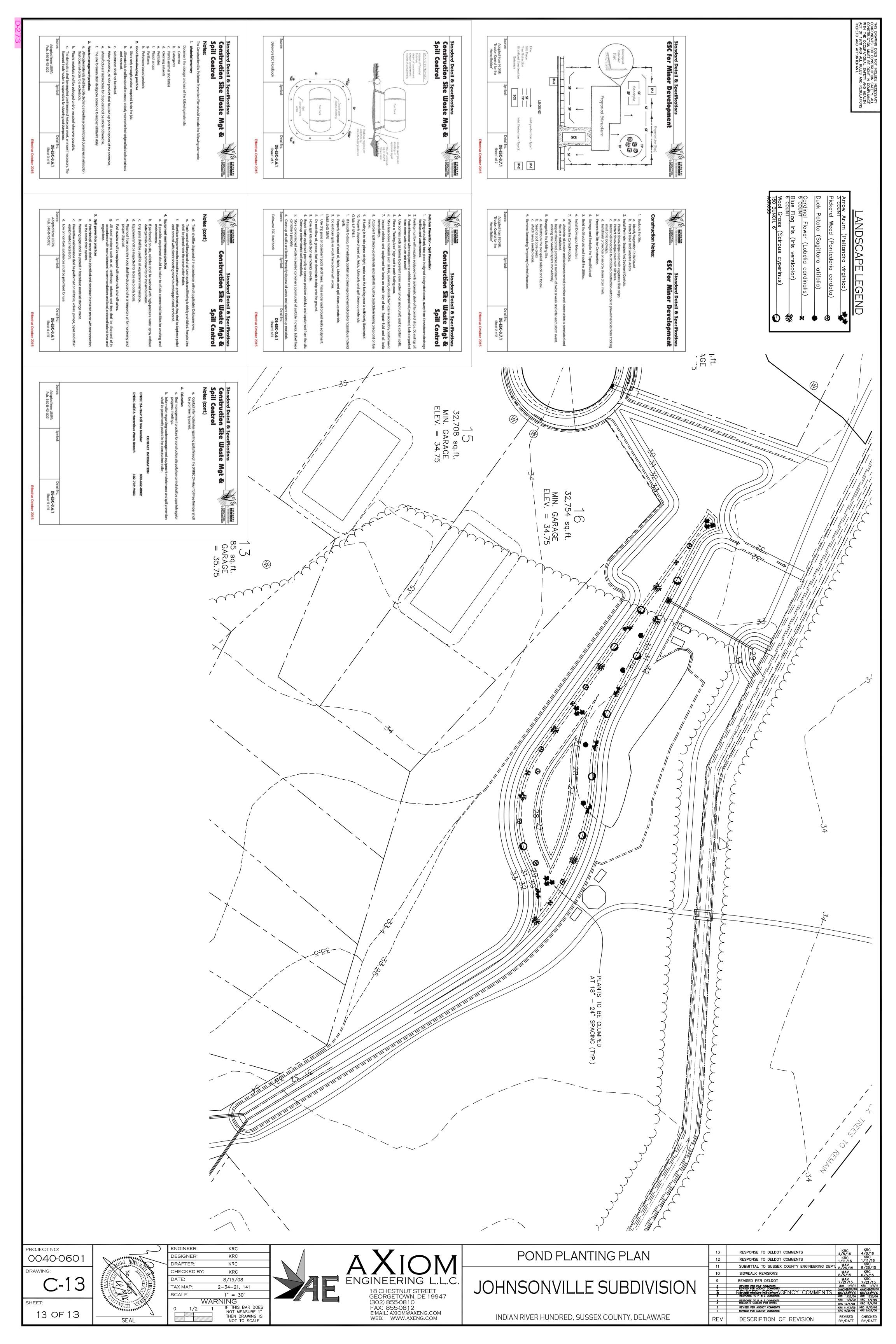


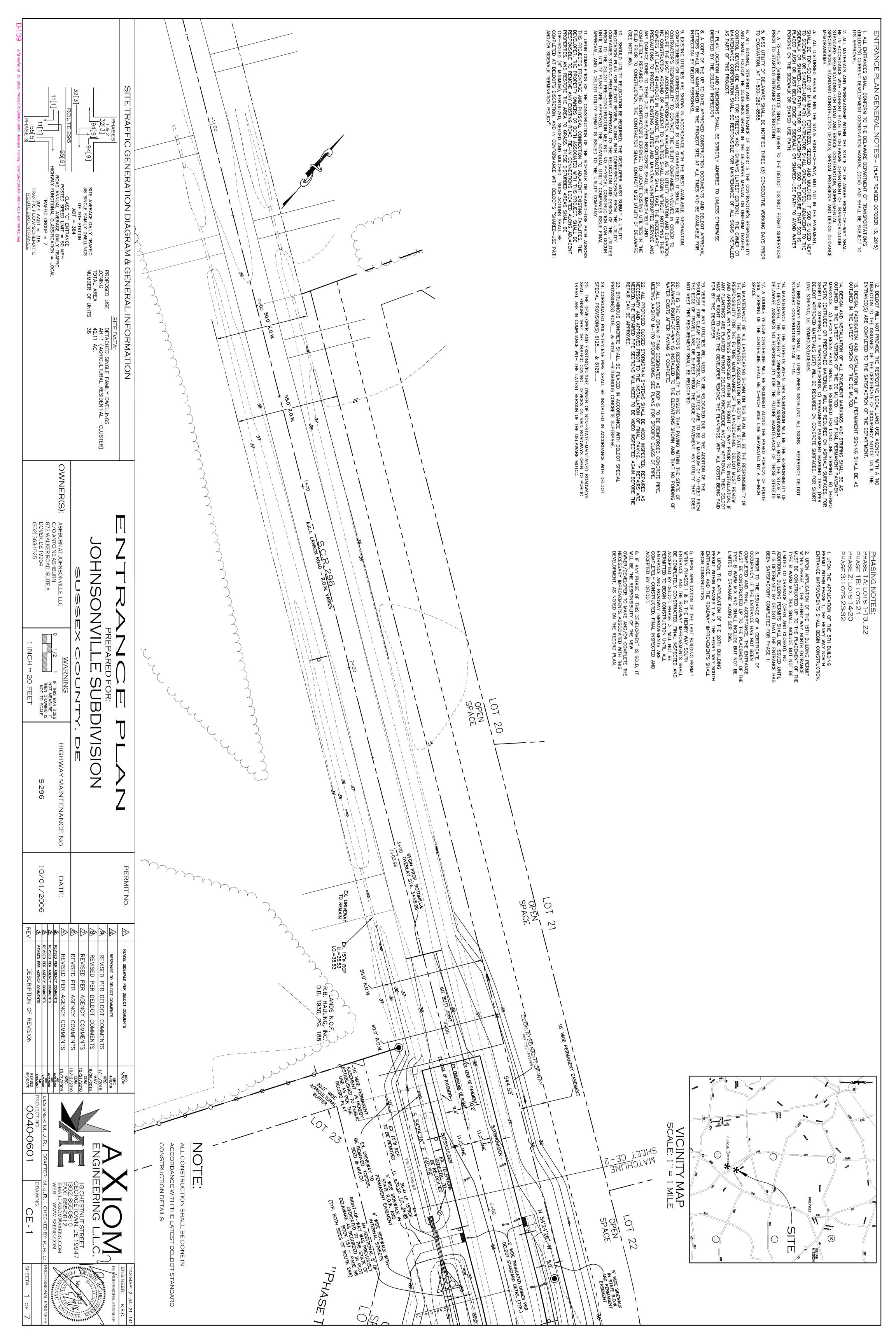


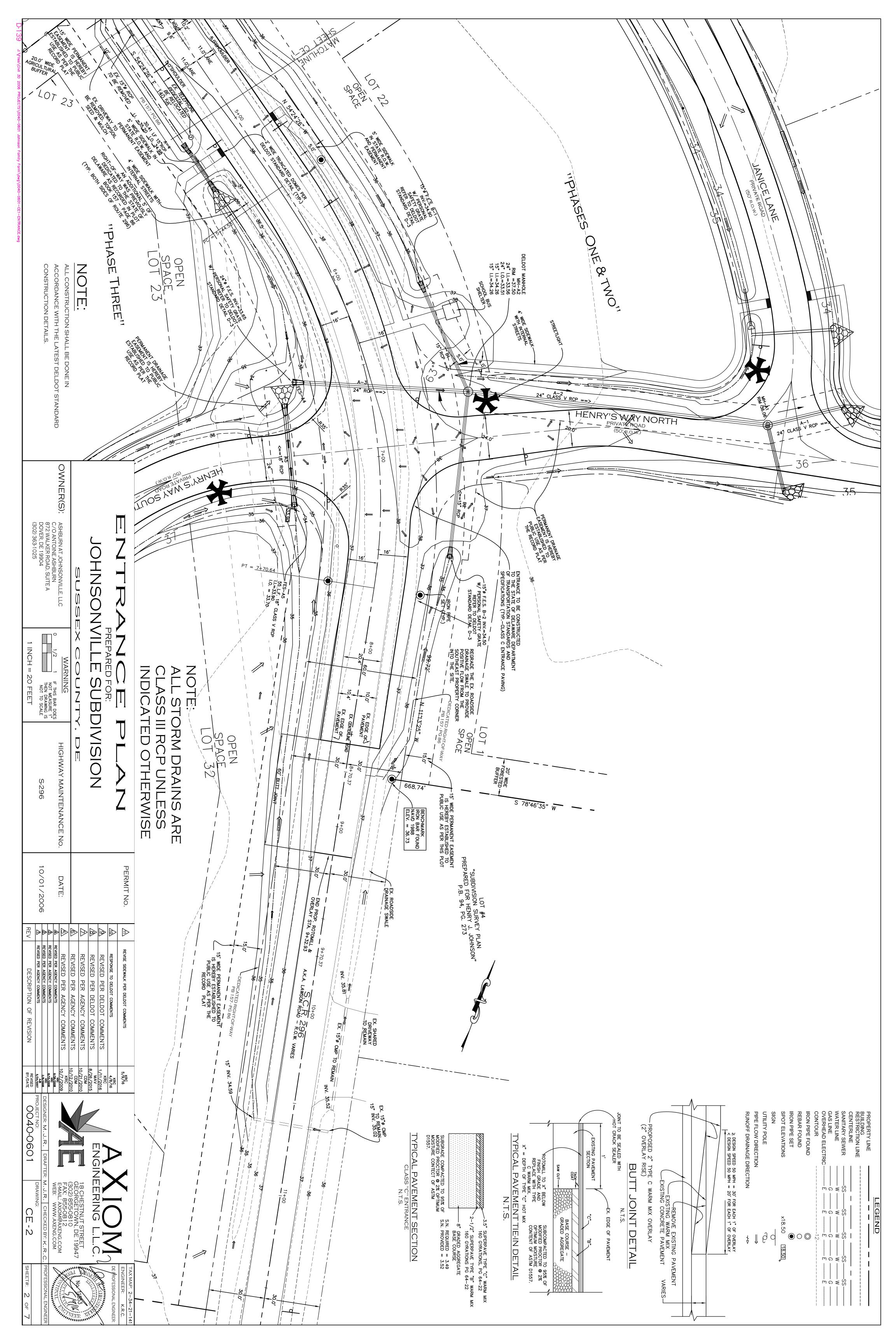


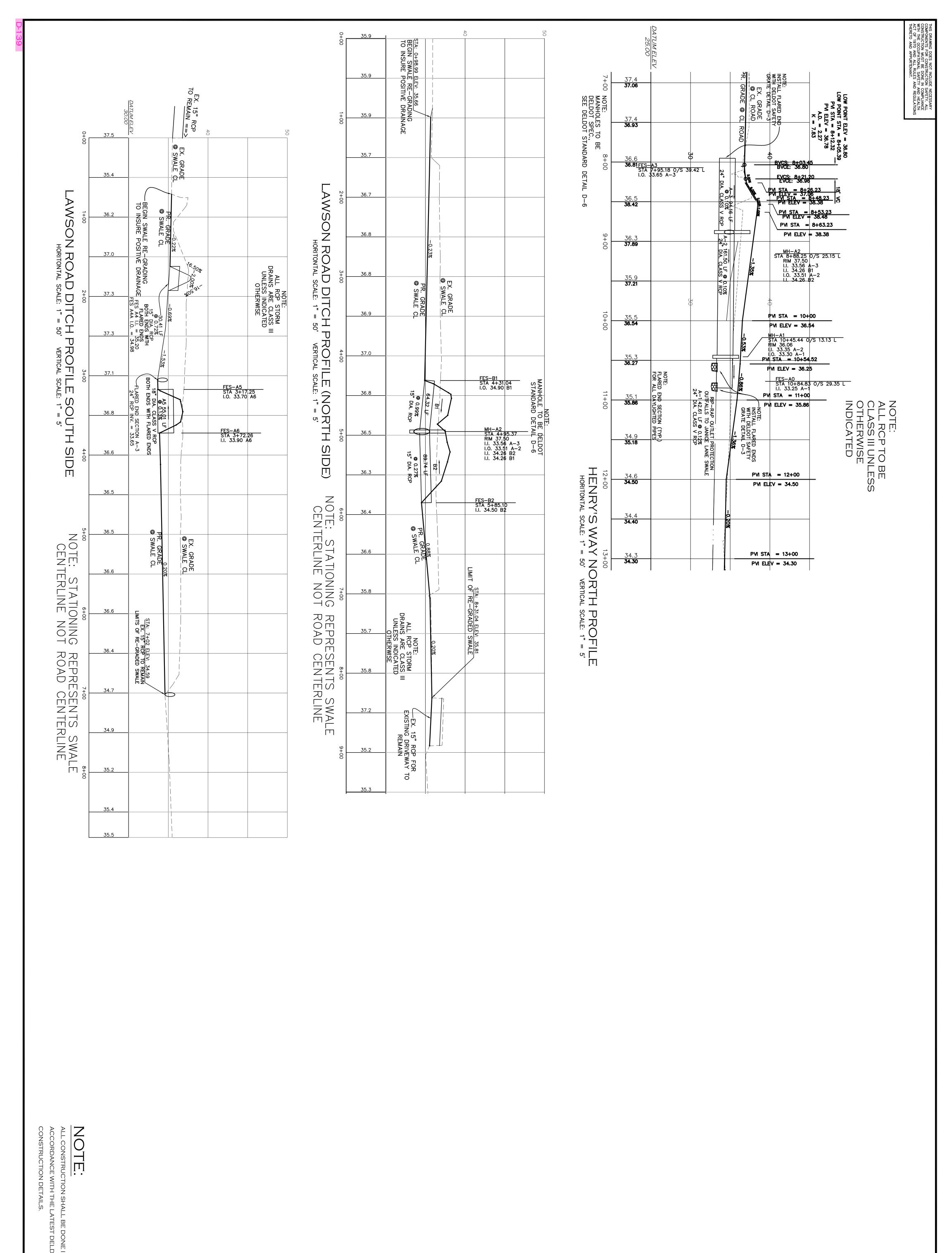












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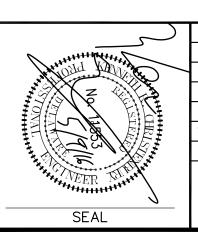
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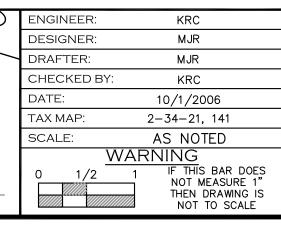
DRAWING:

CE-3

SHEET:

3 of 7







ENTRANCE DRAINAGE PROFILES

JOHNSONVILLE SUBDIVISION

REVISE SIDEWALK PER DELDOT COMMENTS

RESPONSE TO DELDOT COMMENTS

REVISED PER DELDOT COMMENTS

REVISED PER AGENCY COMMENTS

DESCRIPTION OF REVISION

REV

KRC 5/9/16

KRC 4/8/16 KRC 5/9/16 KRC 4/8/16

KRC KRC 1/11/2016 1/11/2016 MAV KRC 8/26/2015 8/26/2015 CDM KRC

10/21/2010 10/21/2010

COM 10/12/2010 KRC 10/12/2009

KRC 10/7/2009 KRC 10/7/2009

KRC 9/26/2008 KRC 9/26/2008

KRC 8/15/2008 KRC 8/15/2008 KRC 2/8/2008 KRC 2/8/2008

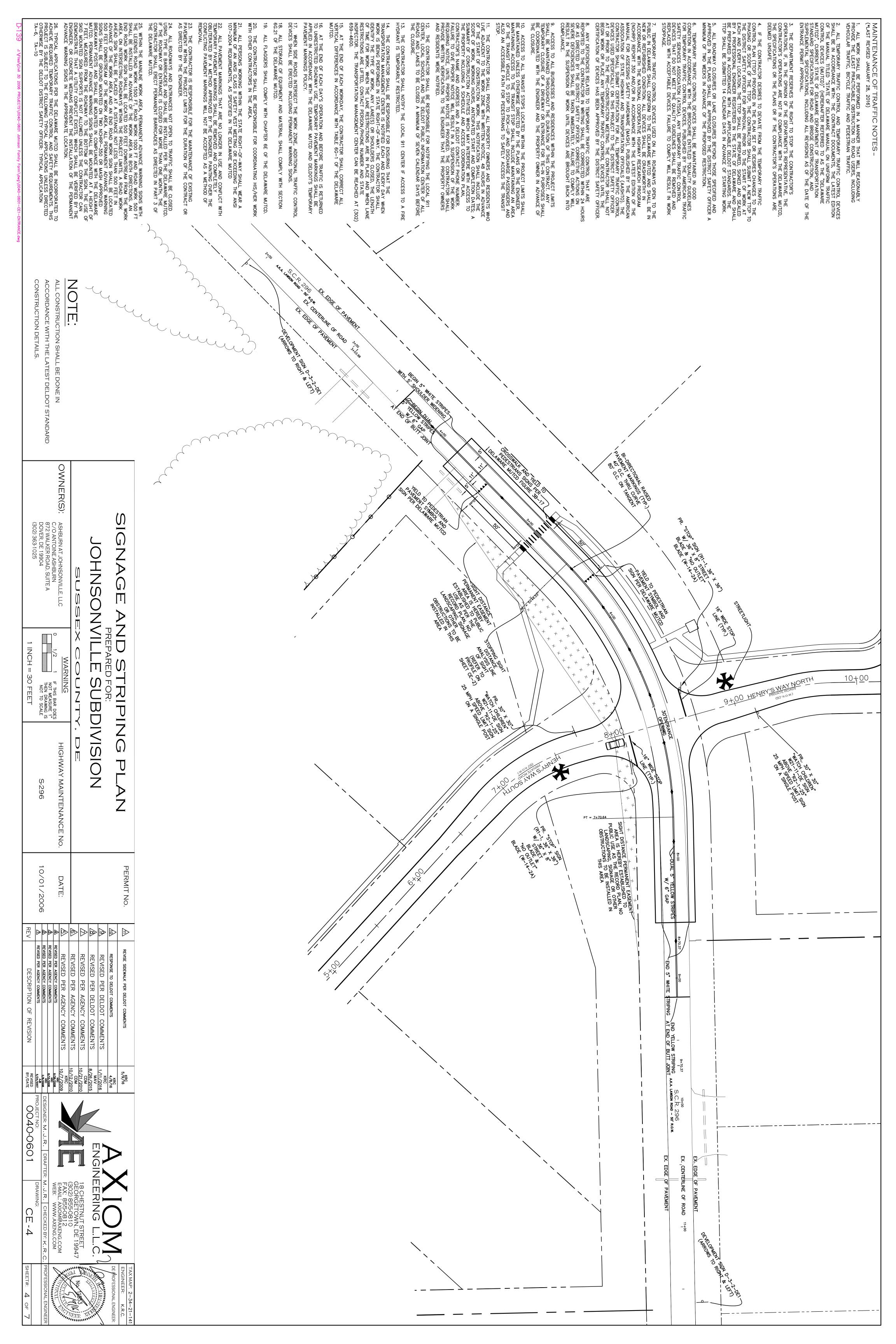
AJB 5/24/2007 KRC 5/24/2007

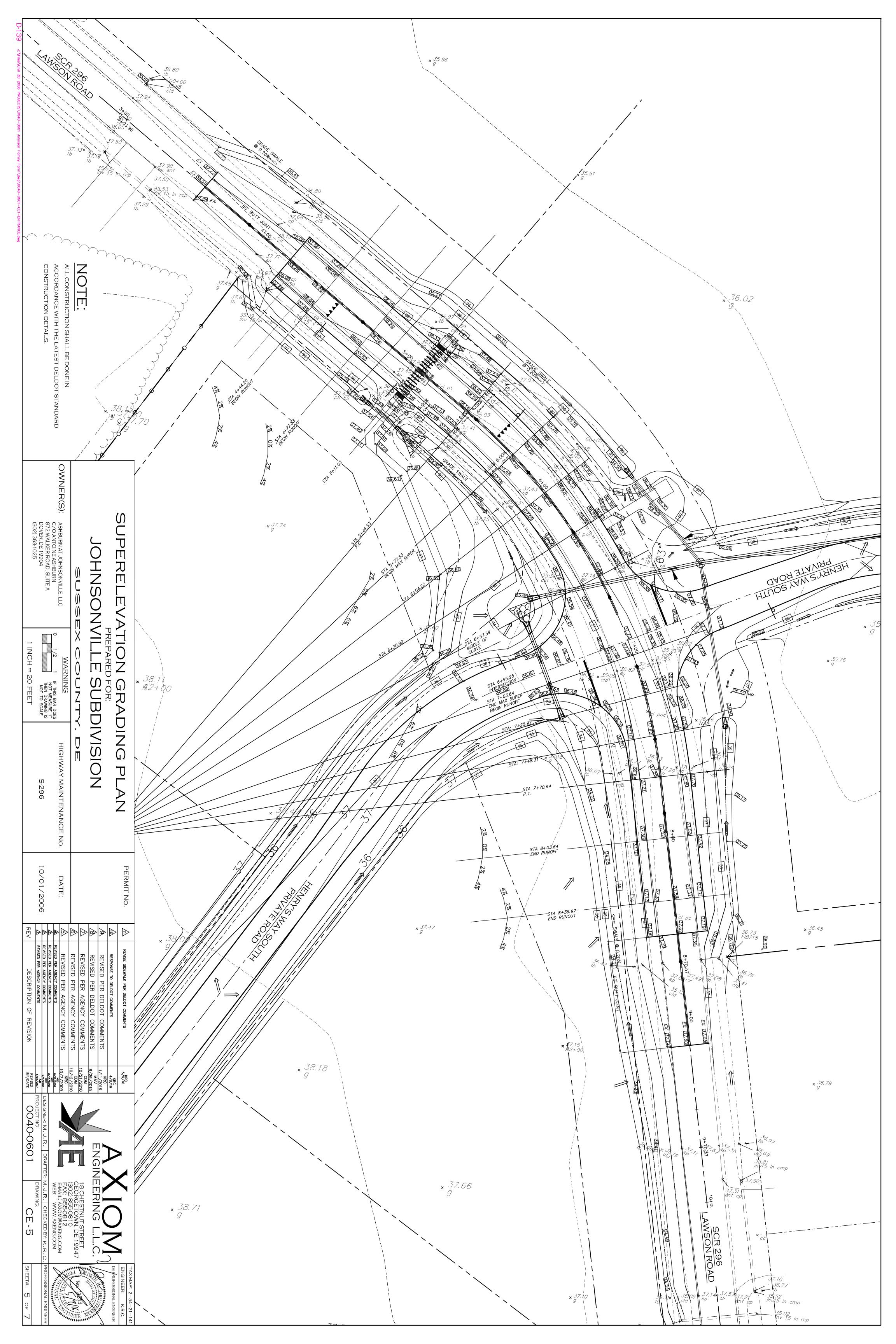
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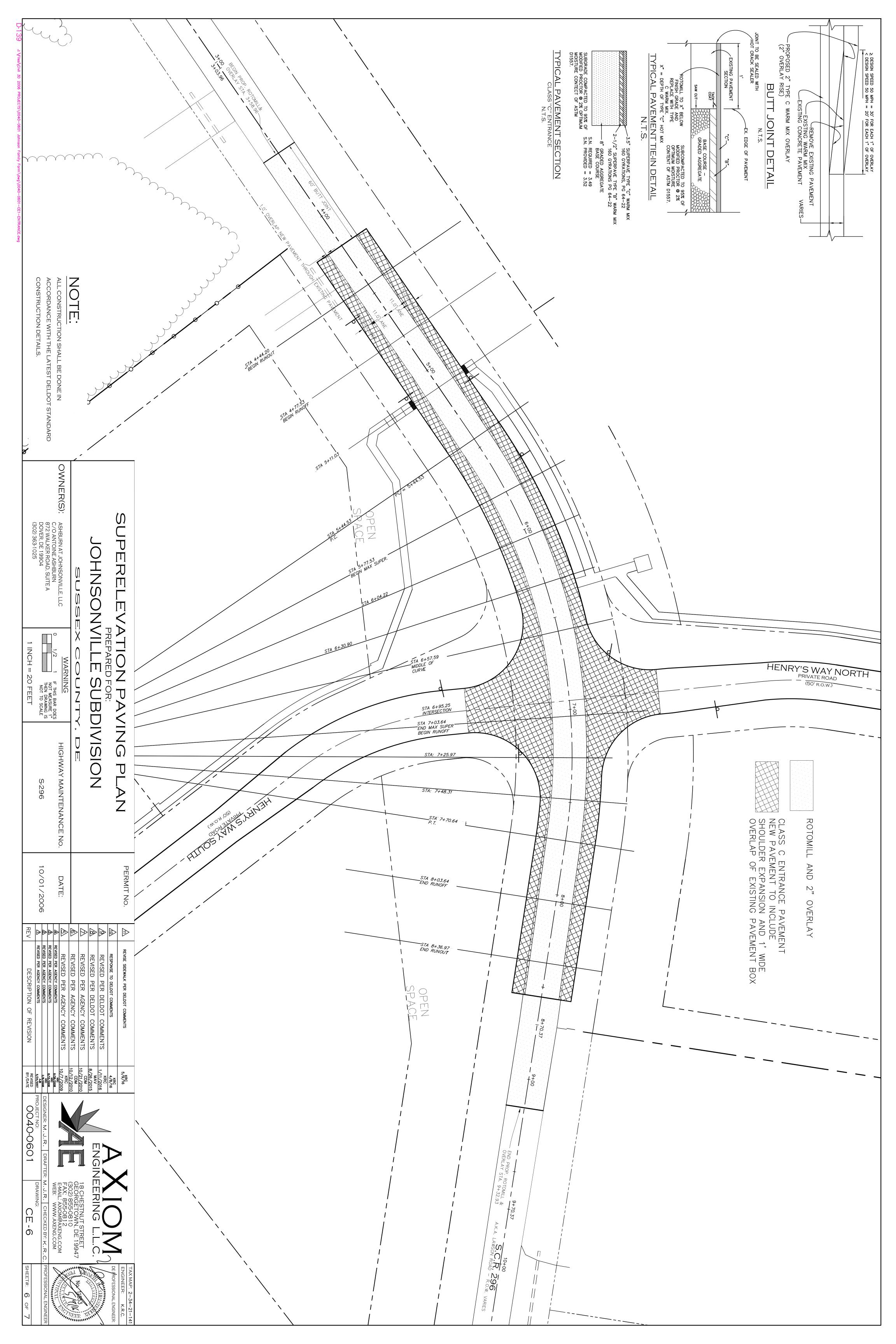
REVISED

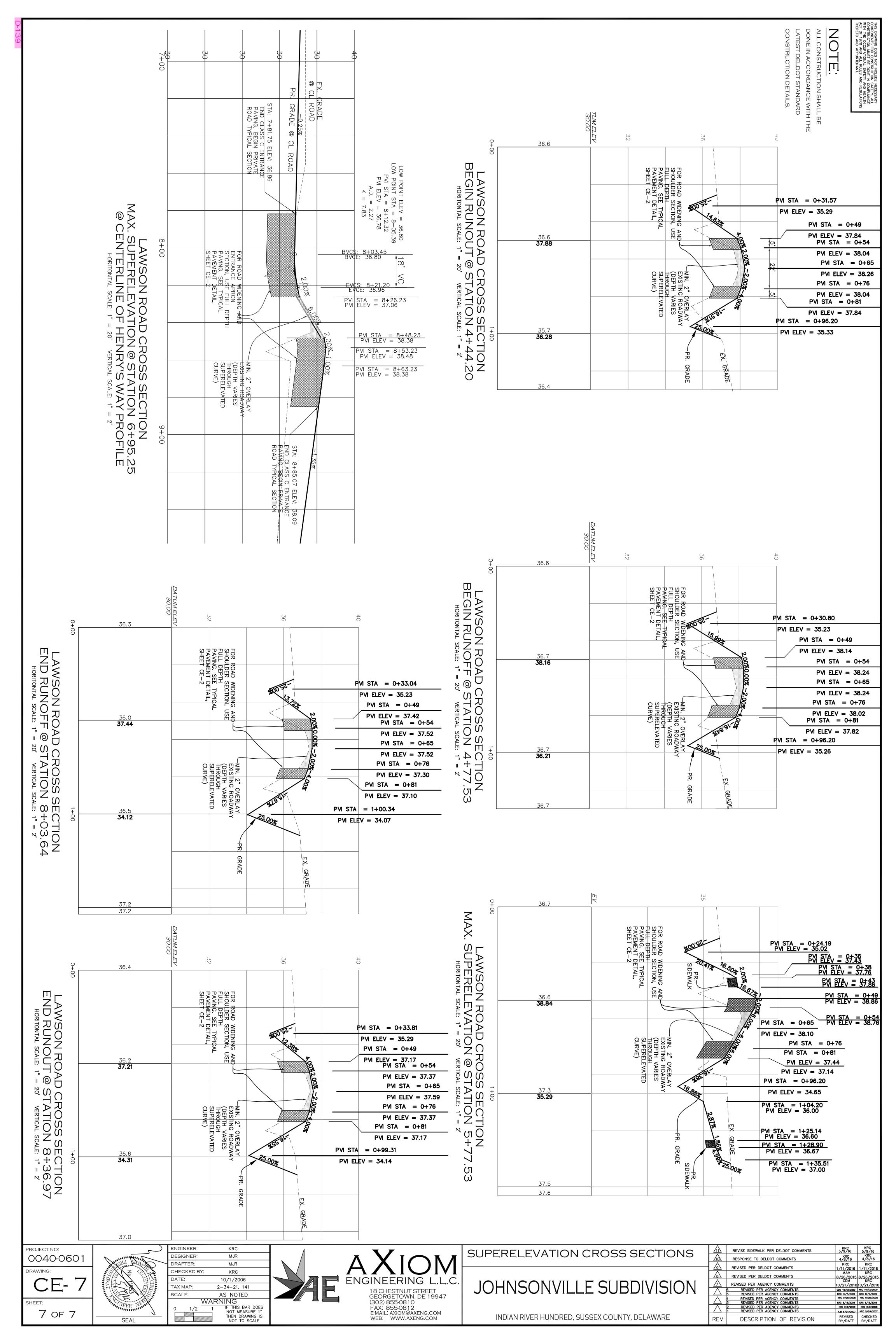
BY/DATE

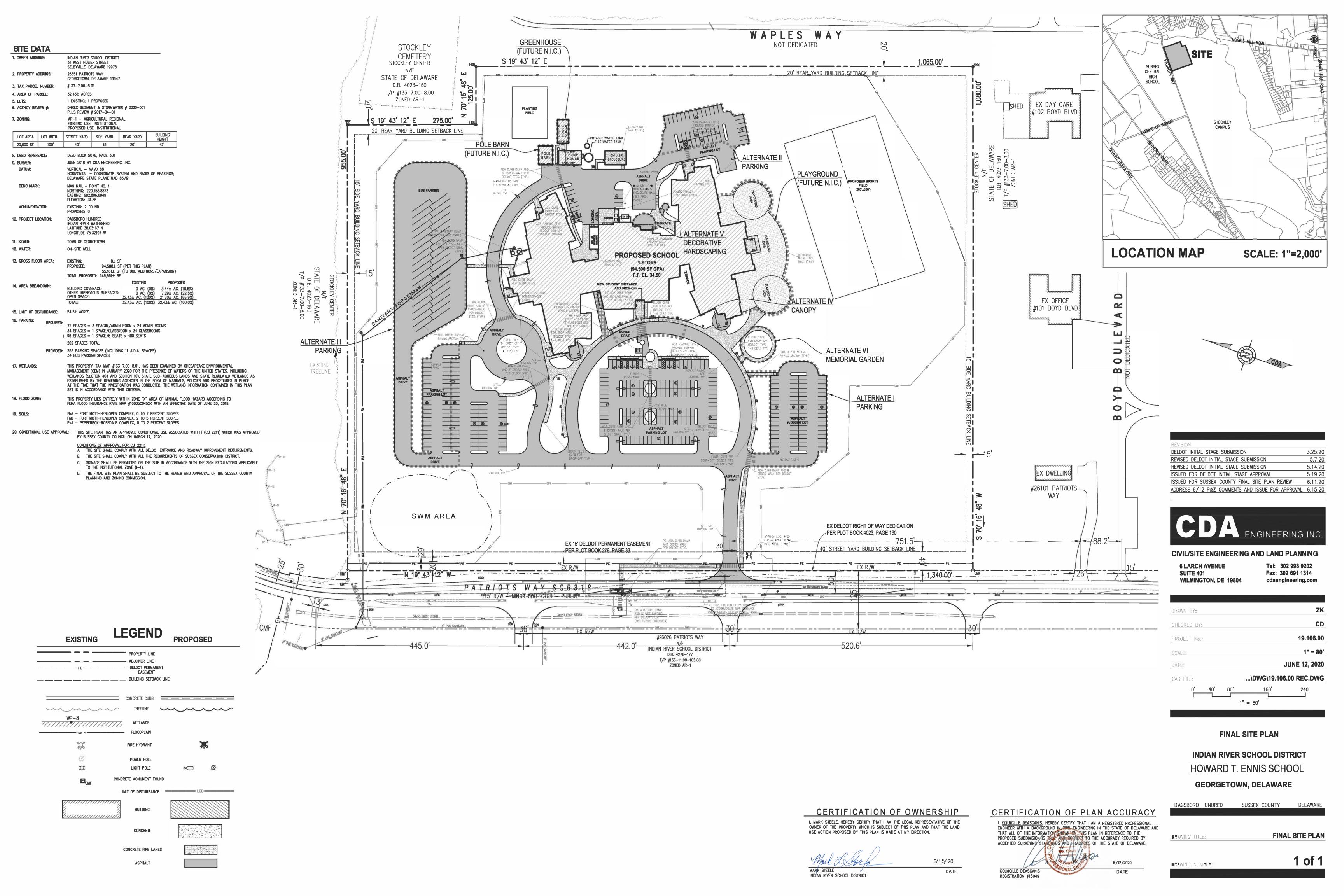
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE













#### STATE OF DELAWARE

#### **DEPARTMENT OF TRANSPORTATION**

800 BAY ROAD
P.O. BOX 778

DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

May 20, 2020

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

HOWARD T. ENNIS SCHOOL

Tax Parcel # 133-7.00-8.01 Patriots Way (SCR 318)

Dagsboro Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Site Plan, dated March 24, 2020 (last revised May 19, 2020), 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. There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel



HOWARD T ENNIS SCHOOL Mr. Jamie Whitehouse Page 2 May 20, 2020

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,

Susanne K. Laws Sussex County Review Coordinator Development Coordination

cc: Joseph Booth, Indian River School District Colm DeAscanis, CDA Engineering, Inc. William Kirsch, South District Entrance Permit Supervisor Rusty Warrington, Sussex County Planning & Zoning Jessica L. Watson, Sussex Conservation District Gemez W. Norwood, South District Public Work Manager James Argo, South District Project Reviewer Jennifer Pinkerton, Chief Materials & Research Engineer Chris Sylvester, Traffic Studies Manager 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 Kaufman, DTC Planner James Kelley, JMT Todd Sammons, Assistant Director Brian Yates, Sussex County Reviewer



# STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL DIVISION OF WATER 89 KINGS HIGHWAY DOVER, DELAWARE 19901

Surface Water Discharges Section Construction Permits Branch

Telephone: (302) 739-9946 Facsimile: (302) 739-8369

April 18, 2020

Mr. Joseph Booth Indian River School District 20346 Ennis Street Georgetown, DE 19947

Ref:

Howard T. Ennis School

State Wastewater Construction Permit No. WPCC 3024/20

Dear Mr. Booth:

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

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

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

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

Sincerely,

Keith Kooker, P.E. Environmental Finance

Kuch Kh -

### Email Enclosure:

- 1. Scott Hoffman Duffield Associates (SHoffman@duffnet.com)
- Gene Dvornick Town of Georgetown (GDvornick@georgetowndel.com)
- 3. Lauren DeVore Sussex County Planning (Lauren.Devore@sussexcountyde.gov)

Delaware's good nature depends on you!

Project: Howard T. Ennis School State Permit Number: WPCC 3024/20 Effective Date: April 16, 2020 Expiration Date: April 15, 2023 Page 1 of 7 Pages

### AUTHORIZATION TO CONSTRUCT UNDER THE

#### LAWS OF THE STATE OF DELAWARE

### PART I

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

Town of Georgetown 39 The Circle Georgetown, DE 19947

and

Indian River School District 20346 Ennis Street Georgetown, DE 19947

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

Approximately one thousand and eighty linear feet (1,080 LF) of four (4) inch diameter force main, a duplex submersible sanitary sewer pump station, a valve vault, force main cleanouts and related appurtenances to serve a proposed school located at 26026 Patriots Way south of Georgetown in Sussex County, Delaware. The proposed force main will run along the north side of the school and connect to an existing Sussex County sanitary sewer gravity manhole in Patriots Way.

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

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

Seven (7) drawings\*\* prepared by Duffield Associates, titled "Sewage Pumping Station and Force Main for Howard T. Ennis School", issued for bid on 4-27-20, signed and sealed by Scott Hoffman on 4-15-20 and the current Town of Georgetown Construction Standards and Specifications for Water, Storm Drains, Sewer and Streets...

"The drawings include:

Sheet 1 – Base Map Sheets 2 and 3 – Force Main Plan and Profile Sheet 4 – Sewage Pumping Station Site Plan

Greg Pope, Engineer VI

Greg Pope

By Agreement with Surface Water Discharges Section

Division of Water

State of Delaware Department of Natural Resources

and Environmental Control

04/16/2020

**Date Signed** 

Sheet 5 - Plans and Section

Sheet 6 - Electrical Plan and Details

Sheet 7 - Details

3. The liquid waste will be discharged through an existing wastewater collection and transmission system to the Georgetown Wastewater Reclamation Facility, which discharges treated wastewater via spray irrigation, in accordance with DNREC Groundwater Discharges Section Permit No. LTS-5014-91-09

### A. <u>Effluent Limitations on Pollutants Attributable to Industrial Users</u>

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

#### Flow and Usage Limitations

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

The estimated average daily discharge from the subject project is 3,800 GPD, which is based on 380 students at 10 GPD/student.

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

### C. <u>Monitoring and Reporting</u> (When Required)

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

### Reporting

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

### 3. Definitions

- a. "Daily average flow" means the total flow during a calendar month divided by the number of days in the month that the facility was operating.
- b. "Daily maximum flow" means the highest total flow during any calendar day.
- c. "Daily Peak Flow" means the flow which can be safely transported within the sewage system without causing an overflow or a backup into the building(s) or residence(s).
- "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
- e. "Measured flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering

practice, or for which a relationship to absolute volume has been obtained.

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

#### Recording of Results

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

- a. The date, exact place and time of sampling or measurement;
- b. The person(s) who performed the sampling and/or measurement;
- The date(s) and time(s) analysis was performed;
- d. The individual(s) who performed each analysis;
- e. The analytical technique(s) or method(s) used;
- f. The results of each analysis; and
- g. Appropriate quality assurance information.

### 5. Records Retention

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

#### 6. <u>Test Procedures</u>

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

END OF PART I

### PART II

### A. Management Requirements

### 1. Duty to Comply

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

### 2. Notification

#### Changes in Authorized Activities

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

### b. Noncompliance

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

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

### 3. Facilities Operation

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

### Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and extent of the noncomplying discharge.

### Bypassing

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

#### 6. Removed Substances

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

### B. Responsibilities

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

#### Right of Entry

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

- a. To enter upon the permittee's premises for inspection of any records, flow measurements, construction or other activity authorized by this permit or any condition required under the terms of this permit; and
- b. At reasonable times, to have access to and to copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and
- To sample any discharge.

### Transferability

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

### Availability of Reports

All reports submitted with the application and those reports required under the terms of this permit shall be available for public inspection at the offices of the Department of Natural Resources and Environmental Control. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in 7 Del. C.

§6013. Any person who causes or contributes to the discharge of a pollutant into State waters either in excess of any conditions specified in this permit or in absence of a specific permit condition shall report such an incident to the Department, as required under 7 <u>Del. C.</u> §6028.

#### 5. Permit Modification

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

- a. Violation of any term or condition of this permit;
- b. Obtaining this permit by misrepresentation or failure to fully disclose all relevant facts;
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized activity; or
- d. Information that the permitted activity poses a threat to human health or welfare, or to the environment.

### 6. Oil and Hazardous Substance Liability

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

### 7. State Laws

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

#### Property Rights

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

### Severability

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

**END OF PART II** 

### **PART III**

### A. Special Conditions

- This permit authorizes only the construction of the wastewater facilities and related work referenced herein.
- 2. If well pointing is required during construction, the wells must be installed by a licensed well driller, and a permit to construct such wells must first be obtained from the Well Permits Branch of the Water Supply Section.
- 3. All construction shall be in agreement with plans and specifications submitted under this project and approved by the Department of Natural Resources and Environmental Control.
- 4. All construction shall be in accordance with Ten States Standards and other applicable local utility construction specifications and standards.
- 5. Connections or additions to the proposed system, other than those proposed on the plans, will not be allowed without prior approval from the Department.

**END OF PART III** 



### DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF WATERSHED STEWARDSHIP
ENTERPRISE BUSINESS PARK
285 BEISER BOULEVARD, SUITE 102
DOVER, DELAWARE 19904

PHONE: (302) 739-9921

FAX: (302) 739-6724

CONSERVATION PROGRAMS
SECTION

#### SEDIMENT AND STORMWATER PLAN APPROVAL

Tracking No.: 2020-001

Issued To: Joseph Booth

Indian River School District 31 West Hosier Street Selbyville, DE 19975

June 12, 2020

Dear Mr. Booth,

The Sediment and Stormwater Management Plan for the Howard T. Ennis School, as submitted by your authorized agent, Jennifer Murphy, of CDA Engineering Inc., has been reviewed and evaluated regarding the Sediment and Stormwater Management requirements of this Division and is approved with conditions (see attached).

This plan approval pertains to compliance with the *Delaware Sediment and Stormwater Regulations*, effective February 11, 2019. Please understand that the approval of this plan does not relieve you from complying with any and all federal, state, county, or municipal laws and regulations.

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.

<u>NOTE</u>: Effective February 11, 2019, all State and Federal projects will require inspection services by a third party Certified Construction Reviewer.

We provide technical assistance, environmental education, and training to those we regulate. If we may be of any assistance to you, regarding the sediment and stormwater specifications of this project, please contact us at the address and number listed above.

Sincerely,

Steven W Hutchins Steve Hutchins, P.E.

Engineer III

cc: Bonnie Arvay, Program Manager II Jennifer Murphy, CDA Engineering

#### **CONDITIONS OF APPROVAL**

### **NOTIFICATION**

- 1. This approved plan will remain valid for **5 years** from the date of the original approval unless specifically extended or renewed by DNREC Sediment and Stormwater Program.
- 2. Submittal of the Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activities together with this approval of the detailed Sediment and Stormwater Plan provide this project with Federal permit coverage to be authorized to discharge storm water associated with construction activities. It is the owner's responsibility to ensure that permit coverage remains valid throughout construction by submitting the NOI fee annually as requested.
- 3. Notify the DNREC Sediment and Stormwater Management Section of your intent to begin construction in writing five (5) days prior to commencing. Failure to do so constitutes a violation of the approved plan.

### **CHANGES**

- 4. This project is to be undertaken in accordance with the plans submitted and as approved. If changes are necessary at any time during the completion of the project, submit revised plans, prior to further construction, to the DNREC Sediment and Stormwater Program for review and approval of the revision.
- 5. Should ownership change during the construction period, a revised plan must be submitted for approval showing the new owner's signature on the owner's certification. In addition, the original owner must file a Notice of Termination (NOT) and the new owner must file a new Notice of Intent (NOI) to continue Federal permit coverage under the NPDES Construction General Permit (CGP).

#### **CONSTRUCTION AND CLOSEOUT**

- 6. Effective February 11, 2019, all State and Federal projects require construction review services by an approved 3<sup>rd</sup> party Certified Construction Reviewer throughout construction. CCR reports shall be submitted weekly to <a href="mailto:DNREC">DNREC</a> CCR <a href="mailto:Stormwater@delaware.gov">Stormwater@delaware.gov</a>.
- 7. A pre-construction meeting must take place before any land disturbing activity begins. The meeting may take place on site and be attended by the owner, contractor, design consultant, Certified Construction Reviewer and DNREC Sediment and Stormwater Program Construction Reviewer. The owner or the owner's designee shall contact the DNREC Construction Reviewer to schedule the pre-construction meeting.
- 8. Keep available on-site, during all phases of construction, a copy of the approved Sediment and Stormwater Management Plan.
- 9. Any sediment transported off-site to roads or road rights-of-way including ditches shall be removed. Any damage to ditches shall be repaired and stabilized to original condition.
- 10. Grading shall not impair surface drainage, create an erosion hazard, or create a source of sediment to any adjacent watercourse or property owner.
- 11. Failure to implement the permanent stormwater management practices as mentioned herein constitutes a violation of the conditions of this plan approval; it may result in the suspension or revocation of building permits or grading permits issued by the local jurisdiction; and it may result in legal action by the DNREC to bring the site into compliance with the approved Sediment and Stormwater Management Plan and the *Delaware Sediment and Stormwater Regulations*.
- 12. The permanent stormwater management facility or facilities must be constructed and accepted by DNREC Sediment and Stormwater Program prior to final closeout of the project site. Post construction verification documentation of the stormwater management facility or facilities must be completed as soon as construction of the facility or facilities is complete so that any necessary modifications may be made during the construction period.



I. Applicant Information

### FORM 1

DATE RECEIVED: 3/16/2020

ID#: 6182

## Notice of Intent (NOI) for Storm Water Discharges Associated With CONSTRUCTION ACTIVITY Under a NPDES General Permit

Owner/Operator: Indian River School District				
Owner Last Name: Booth				
Owner First Name: Joseph	MI:	Prefix:	Suffix:	
Mailing Address 1: 31 West Hosier Street				
Mailing Address 2:				
City: Selbyville	State: DE	Zip: 199	975	
Telephone: (302) 436-1000	Mobile:			
${\sf Email\ Address:}\ \underline{{\sf joseph.booth@irsd.k12.de.us}}$				
II. Project Information				
Project Name: Howard T. Ennis School				
Project Location/Address: 26351 Patriots Way	/			
City: Georgetown	State: DE	Zip: 199	)47	
County: Sussex	Municipality: N/	A		
Tax Parcel ID Number: 1-33-07.00-0008.01				
Project Type: State				
Center of Site				
Latitude: 38.631779 Longitude: -75.322183				
Name of Receiving Waters/Watershed: Cov	w Bridge Branch-Indian	River		
Has the Sediment & Stormwater / Storm Water  Yes  No	er Pollution Prevention	Plan (SWPPF	P) been prepared?	



### Notice of Intent (NOI) for Storm Water Discharges Associated With CONSTRUCTION ACTIVITY Under a NPDES General Permit

### II. Project Information (continued)

Plan Approval Agency: DE DNREC - Watershed Stewardship				
otal Land Area of Site (tenths of acres): 32.40				
Estimated Area to be Disturbed (tenths of acres): 24.50				
Estimated Construction Start Date: 10/1/2020				
Estimated Construction Completion Date: 10/1/2025				



### OFFICE OF THE STATE FIRE MARSHAL Technical Services

22705 Park Avenue Georgetown, DE 19947



### **SFMO PERMIT**

Plan Review Number: 2020-04-2 Status: Approved as Submitted	03387-MJS-01	<b>Number:</b> 133-7.00-8.01 2020
Project		
Special Needs School Howard T. Ennis	26351 Patriots Way Georgetown DE 19947	T-GGT P-TO-GGT WAY 20000000000 10000000000000000000000000
Scope of Project		
Number of Stories: Square Footage: Construction Class: Fire District: 83 - Millsboro Fire Co I	Occupant Load Inside Occupancy Code:	· · ·
Applicant		
Colmcille DeAscanis 6 Larch Avenue Suite 401 Wilmington, DE 19804		
This office has reviewed the plans and specifications or effect as of the date of this review.	f the above described project for compliance with the Dela	aware State Fire Prevention Regulations, in

The owner understands that this construction start approval is limited to preliminary site construction and foundation work only. No other construction of any kind shall be permitted until the required building plan review is completed.

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

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

This Plan Review Project was prepared by:

Desiree McCall

### FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2020-04-203387-MJS-01

Tax Parcel Number: 133-7.00-8.01

Status: Approved as Submitted

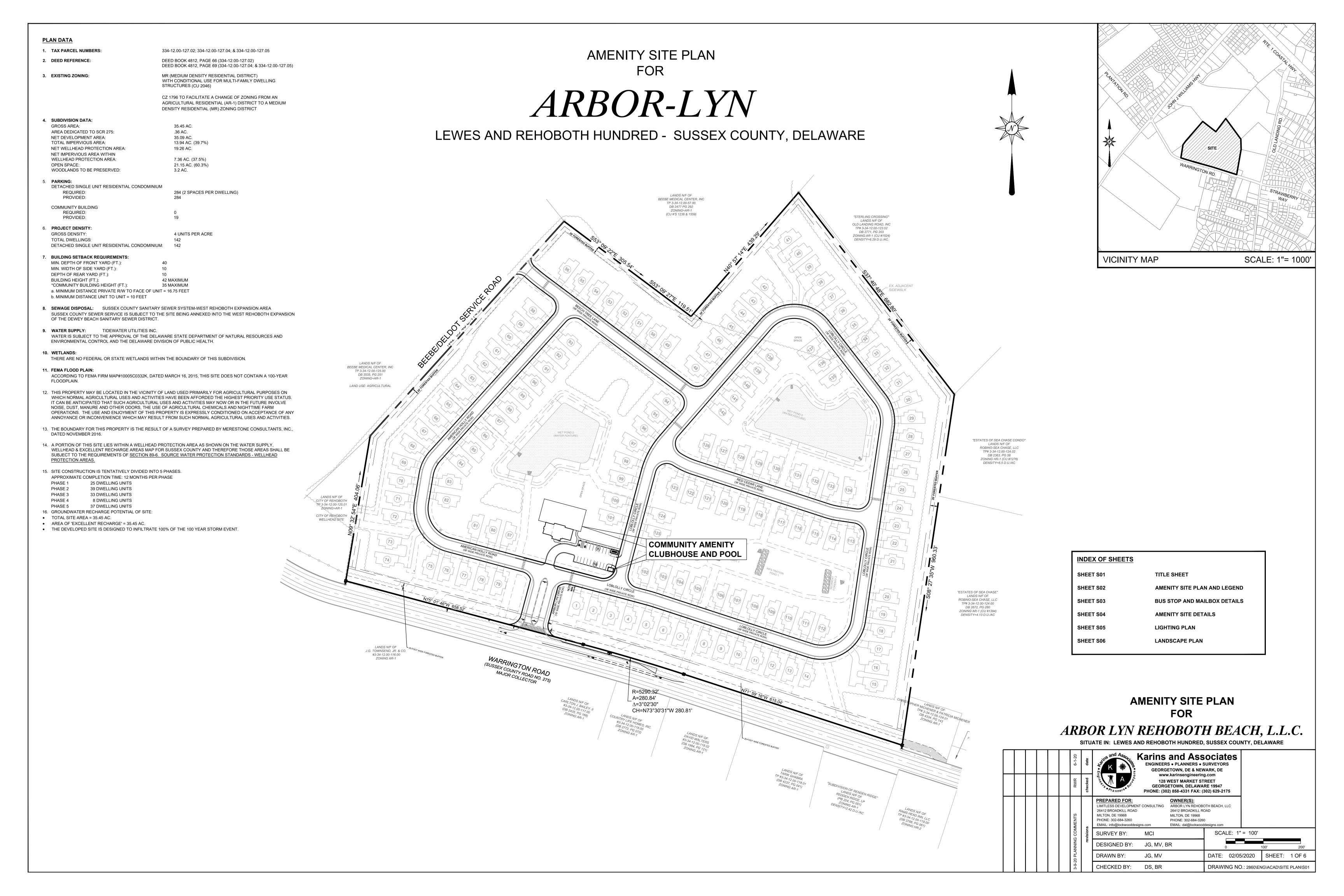
Date: 03/27/2020

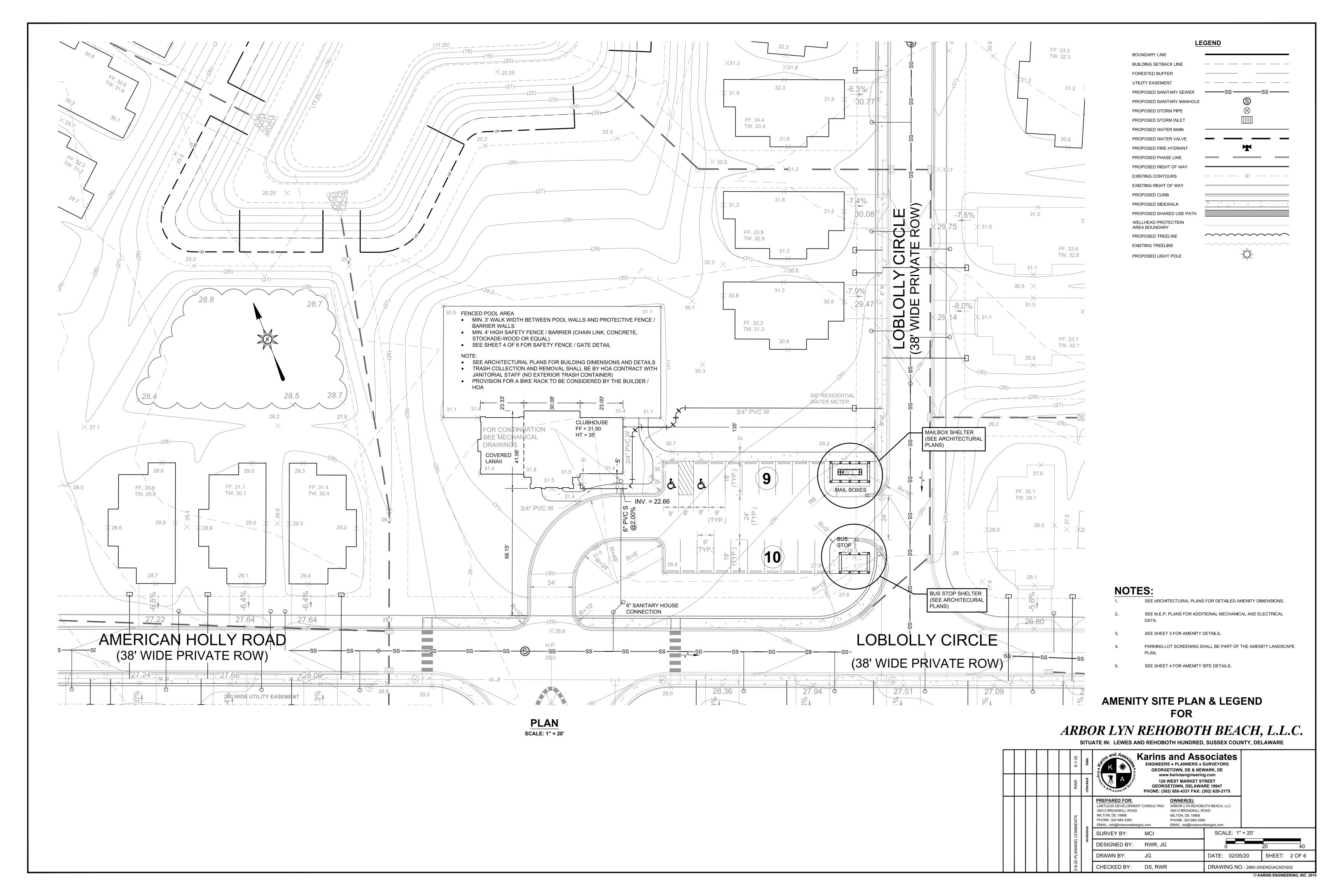
### **PROJECT COMMENTS**

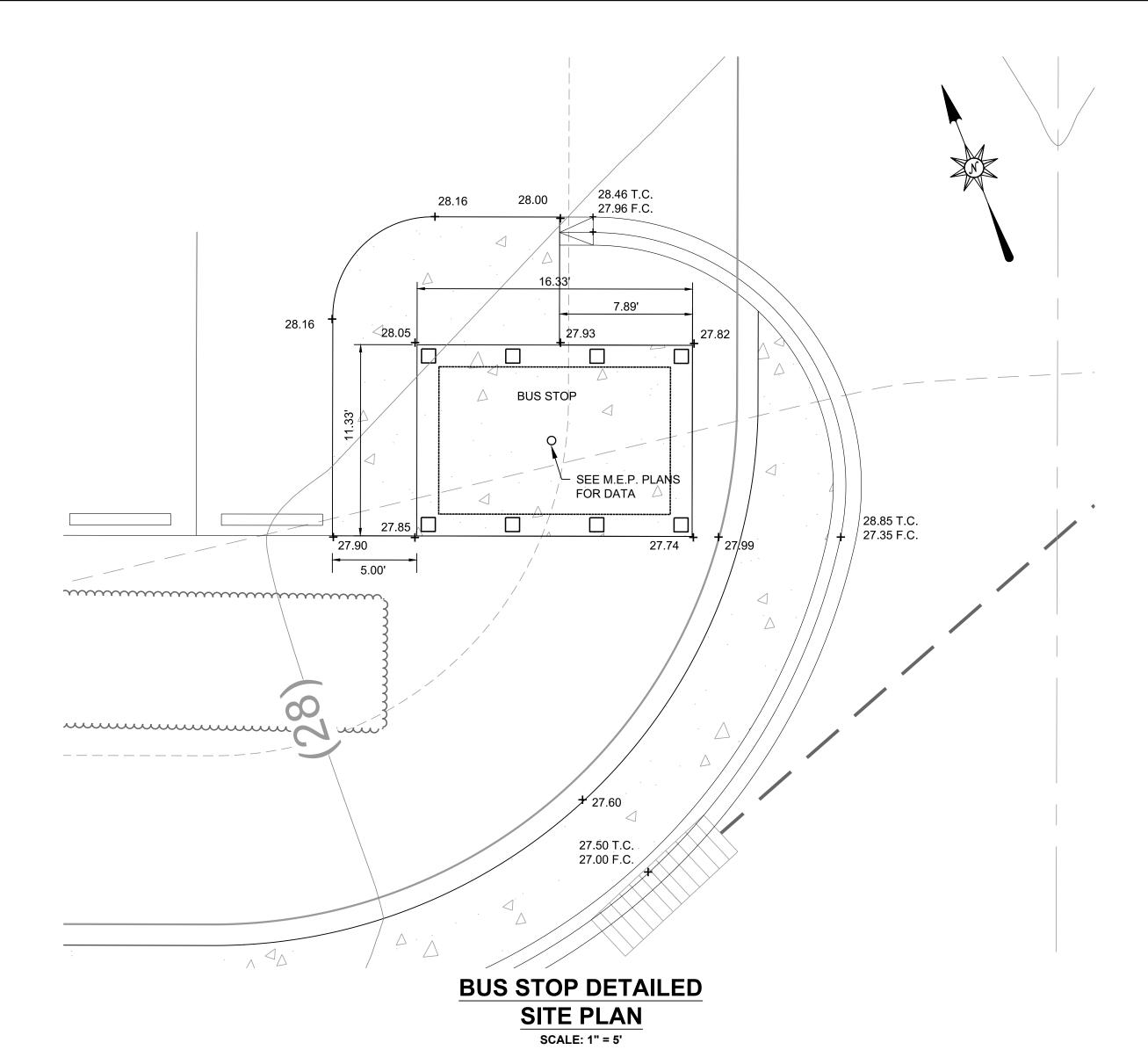
1002 A This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes. 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. 1132 A Fire hydrants shall be color coded in accordance with the DSFPR, Part III, Section 3 4. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange. 1232 A All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located. DSFPR Part III, Section 1.1.5.1. 1332 A The distance between a fire hydrant and the fire lane shall not be greater than seven feet (DSFPR Part V, Chapter 5, Section 5 10.4). 1432 A The steamer connection of all fire hydrants shall be so positioned so as to be

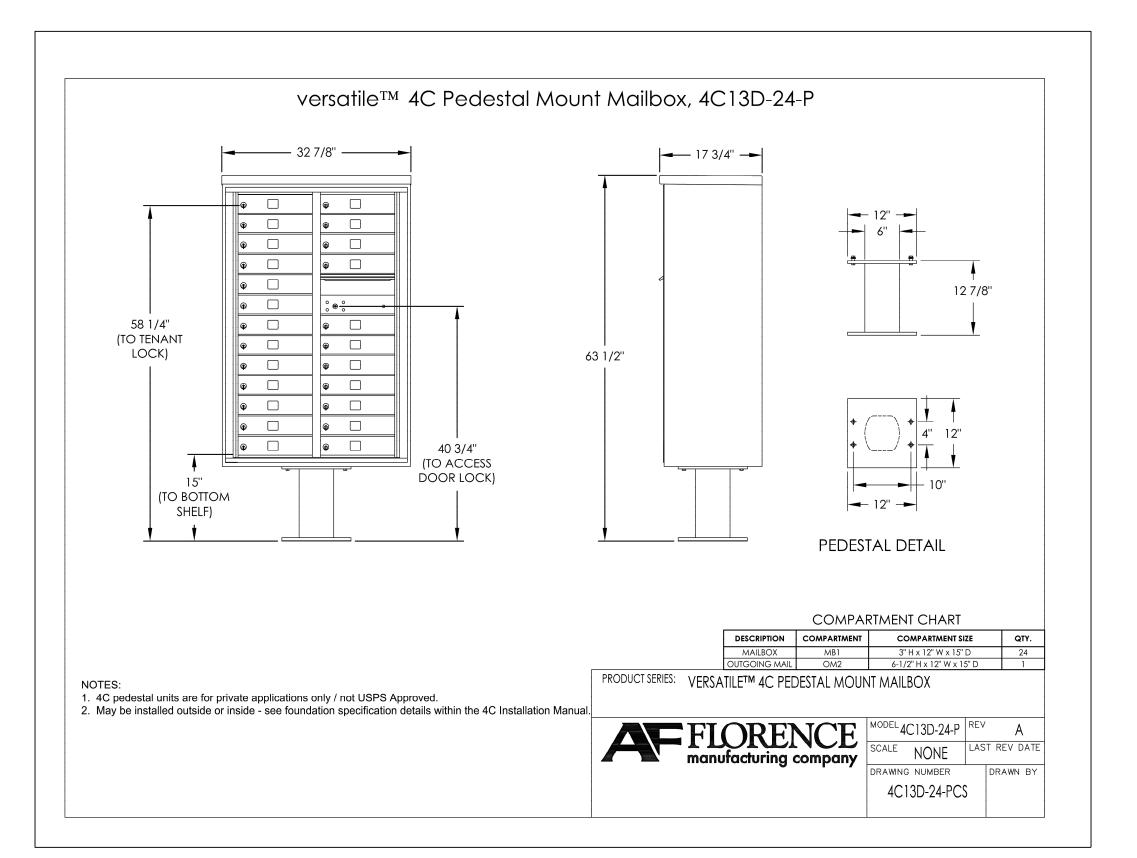
facing the street or fire lane. (DSFPR Regulation 705, Chapter 5, Section 10). The center of all hose outlet(s) on fire hydrants shall be not less than 18 inches above finalgrade (NFPA 24, Section 7.3.3).

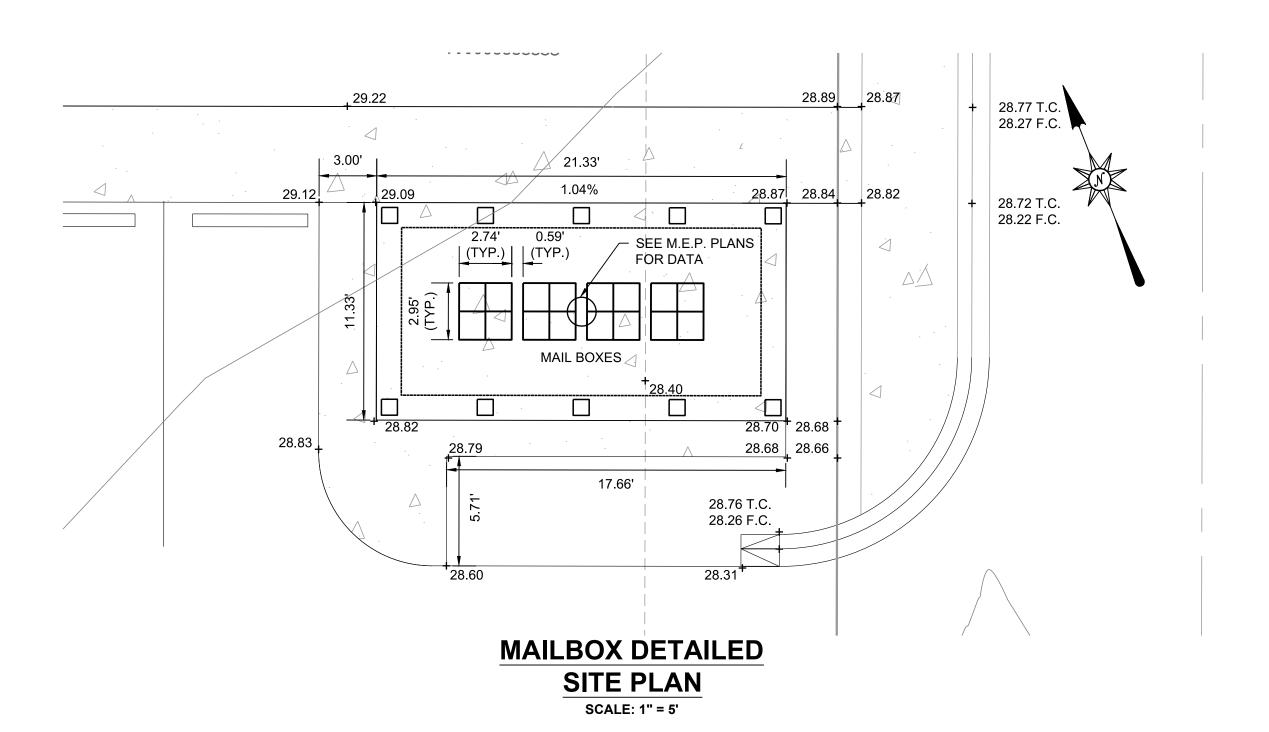
- The required Fire Lane Access and Perimeter Access and all fire lane markings shall be in accordance with the site plan as approved by this Agency. This will be field verified at the final inspection. Noncompliance may cause a delay in approval for Certificate of Occupancy.
- 1501 A If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.











- NOTES:

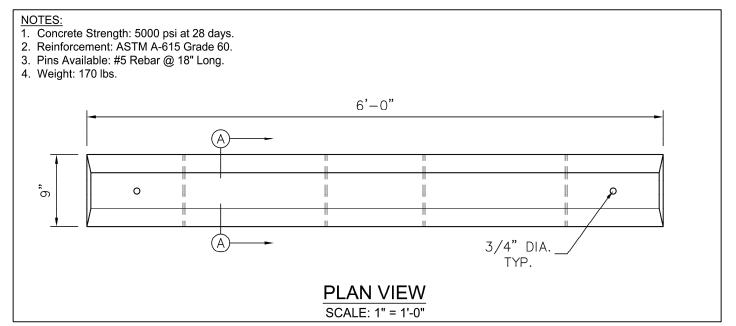
  1. A.F. FLORENCE MANUFACTURING COMPANY; VERSATILE 4C PEDESTAL MOUNT MAILBOX; 4C13D-24P
- A. 6 UNITS @ 24 BOXES PER PEDESTAL = 144 TOTAL
  B. 142 RESIDENCES
- 1 COMMUNITY BUILDING,
- D. 1 HOMEOWNERS ASSOCIATION
- 2. INSTALL PER MANUFACTURERS INSTALLATION INSTRUCTIONS
- CONSULT POST MASTER PRIOR TO PURCHASE AND INSTALLTION FOR THEIR COMMENTS AND APPROVAL
   CONSULT THE MANUFACTURER FOR SELECTION OF COLOR, LOCK OPTIONS, ETC.

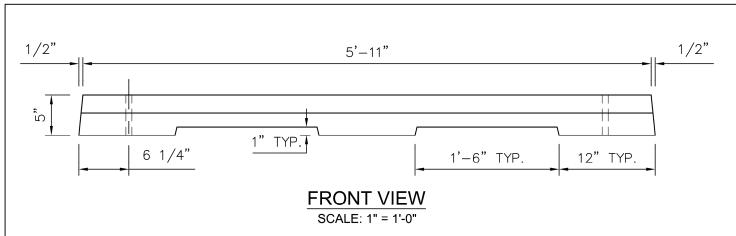
### **AMENITY DETAILS** FOR

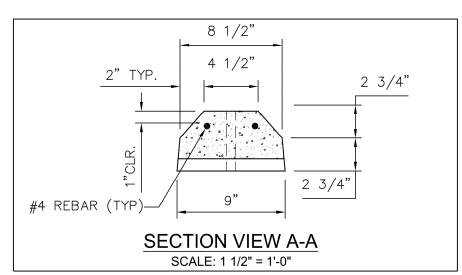
### ARBOR LYN REHOBOTH BEACH, L.L.C.

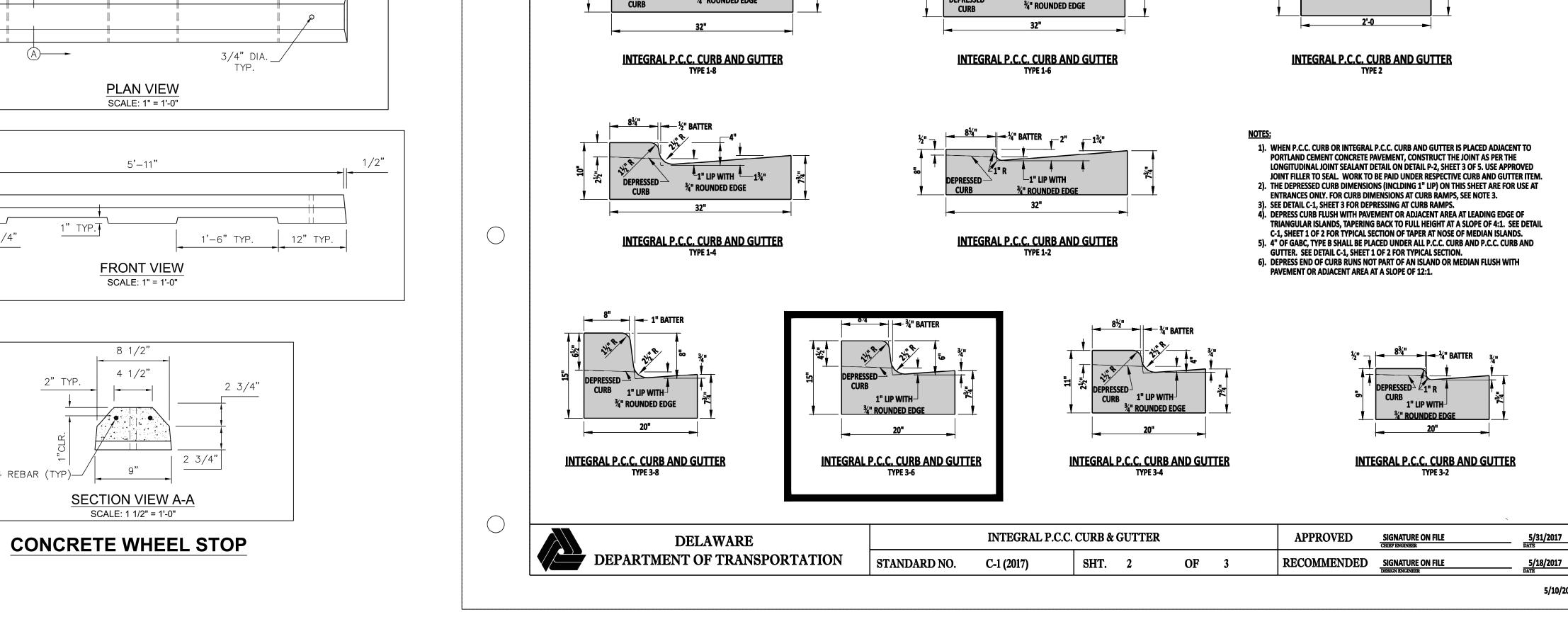
SITUATE IN: LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

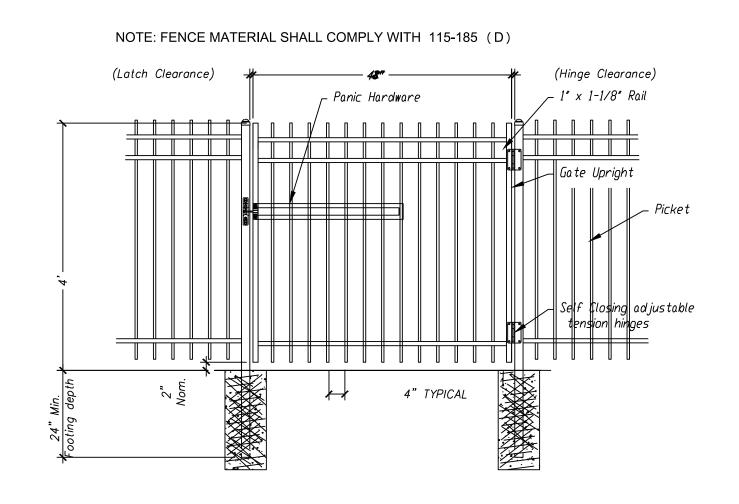
		6-1-20	date	Lot K ENGII	ns and Ass NEERS • PLANNERS • ORGETOWN, DE & NE	SURVEYORS WARK, DE		
		RWR	checked		www.karinsengineerir 128 WEST MARKET S CORGETOWN, DELAWA E: (302) 858-4331 FAX:	TREET ARE 19947		
		COMMENTS	•	PREPARED FOR: LIMITLESS DEVELOPMENT CONSUL' 26412 BROADKILL ROAD MILTON, DE 19968 PHONE: 302-684-3260 EMAIL: info@lockwooddesigns.com	OWNER(S):  ARBOR LYN REHOE 26412 BROADKILL F MILTON, DE 19968 PHONE: 302-684-320 EMAIL: dal@lockwoo	ROAD		
			revisions	SURVEY BY: MCI		SCALE: AS	SSHOW	N
		PLANNING	re	DESIGNED BY: RWR	, JG			
		0 PLAI		DRAWN BY: JG		DATE: 02/05	5/20	SHEET: 3 OF 6
		3-9-20		CHECKED BY: DS, F	RWR	DRAWING NO	<b>).</b> : 2860.05	NENG\ACAD\S03



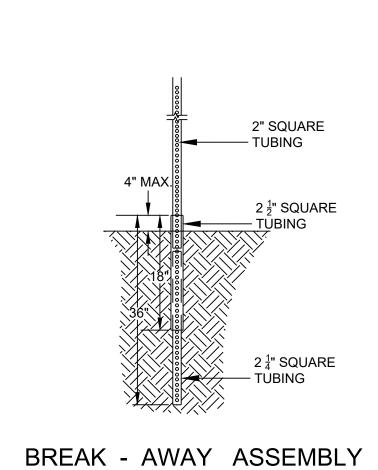








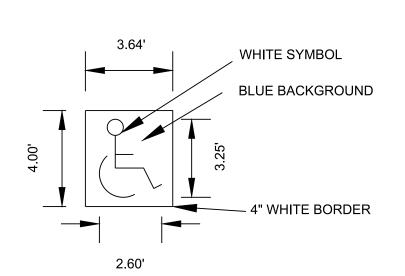




( NOT TO SCALE)

1" LIP WITH

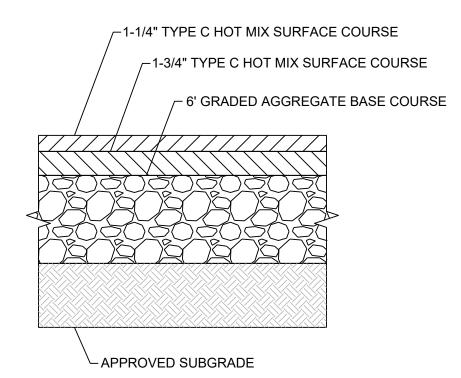
¾" ROUNDED EDGE



NOTE: ALL PAVEMENT MARKINGS AND SIGNAGE SHALL BE IN ACCORDANCE WITH CURRENT DELDOT AND ADA STANDARDS AND SPECIFICATIONS

NOT TO SCALE

TYPICAL HANDICAPPED ACCESSIBLE PARKING DETAILS



—1" LIP WITH

### TYPICAL SITE PAVEMENT SECTION (SUSSEX COUNTY ENGINEERING DEPARTMENT; R-1.03)

N.T.S.

 4" CLASS A CONCRETE, 4,500 PSI
 w/ 1.5 LB. FIBER REINF. PER CY
 4" GABC APPROVED SUB-GRADE TYPICAL SIDEWALK SECTION PER SCED R-5.01

### **AMENITY SITE DETAILS FOR**

### ARBOR LYN REHOBOTH BEACH, L.L.C.

SITUATE IN: LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

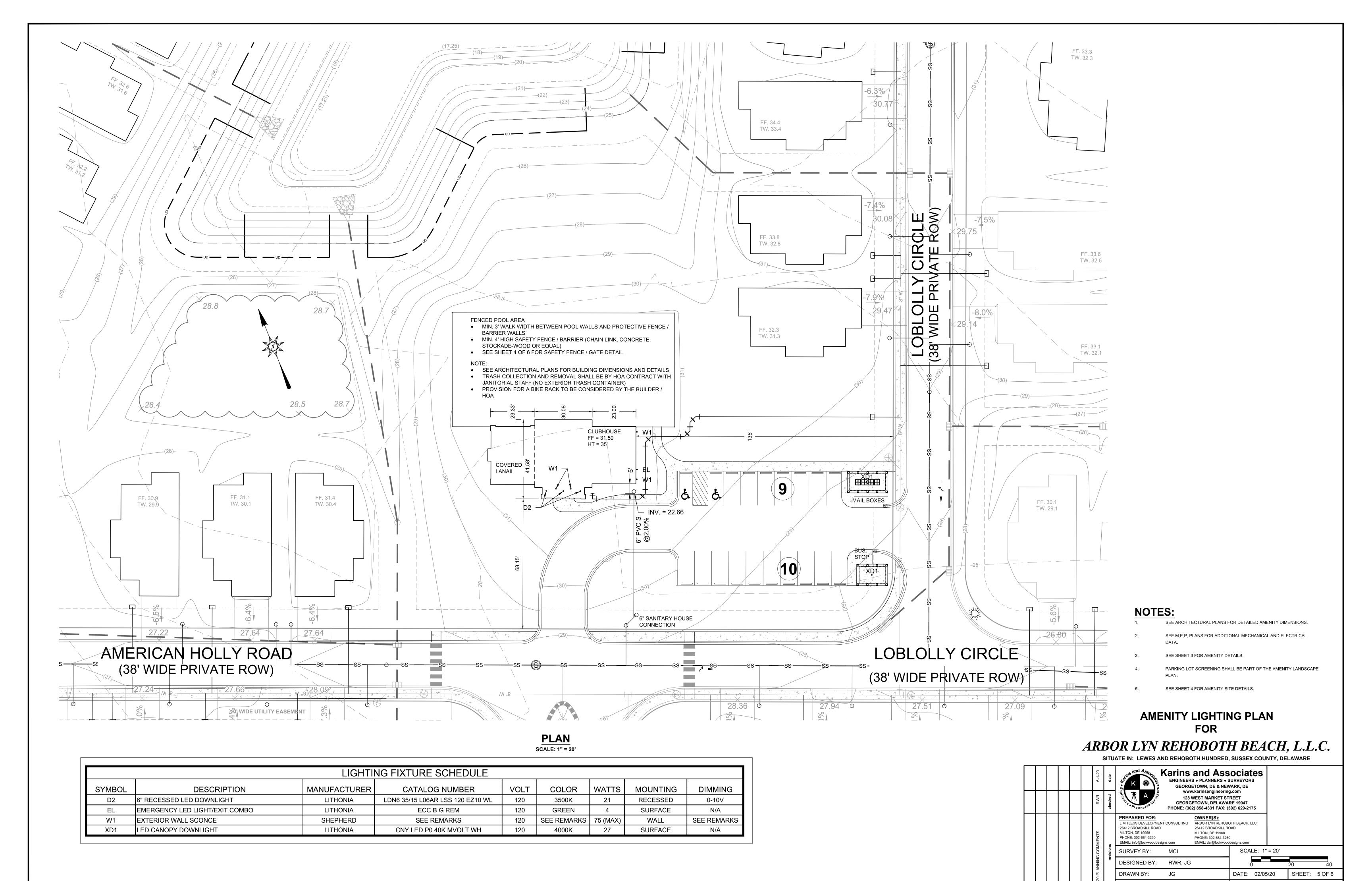
GEORGETOWN, DE & NEWARK, DE www.karinsengineering.com  128 WEST MARKET STREET  GEORGETOWN, DELAWARE 19947  PHONE: (302) 858-4331 FAX: (302) 629-2175	
PREPARED FOR: LIMITLESS DEVELOPMENT CONSULTING ARBOR LYN REHOBOTH BEACH, LLC 26412 BROADKILL ROAD MILTON, DE 19968 MILTON, DE 19968 PHONE: 302-684-3260 EMAIL: info@lockwooddesigns.com  SURVEY BY: MCI  PREPARED FOR: OWNER(S): ARBOR LYN REHOBOTH BEACH, LLC 26412 BROADKILL ROAD MILTON, DE 19968 PHONE: 302-684-3260 EMAIL: info@lockwooddesigns.com  SCALE: AS SHOWN	
DESIGNED BY: RWR, JG  DRAWN BY: MV  DATE: 02/05/20  SHEET: 4 OF	j
	<del>-</del> 6
CHECKED BY: DS, RWR DRAWING NO.: 2860.05\ENG\ACAD\S04	

© KARINS ENGINEERING, INC. 2018

SCALE: NTS

5/10/2017

3/4" ROUNDED EDGE



DRAWING NO.: 2860.05\ENG\ACAD\S05

DS, RWR

CHECKED BY:



## SOILS MAP

	,	
SYMBOL	NAME	SOIL GROU
EvB	EVESBORO LOAMY SAND, 0 TO 5 PERCENT SLOPES	Α
GrA	GREENWICH LOAM, 0 TO 2 PERCENT SLOPES	В
GuB	GREENWICH-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPES	В
	,	

### SITE DATA:

<u> </u>	
1) TAX MAP NUMBER	334-13.00-5.00
2) OWNER	DESTINY LLC 1 PATRIOTS WAY REHOBOTH BEACH, DE 19971
3) DEED BOOK REF. 4) EXISTING USE 5) PROPOSED USE 6) EXISTING AREA 7) PROPOSED AREA 8) EXISTING ZONING 9) PROPOSED ZONING	DB 3896 PG 255 APARTMENTS APARTMENTS (12 TWO-BEDROOM & 3 THREE-BEDROOM UNITS) 58,150 SQ FT (1.33 ACRES) (BASED ON SURVEY) 58,150 SQ FT (1.33 ACRES) (BASED ON SURVEY) C-1 & GR WITH CHCOZ C-1 - GENERAL COMMERCIAL & GR-1 - GENERAL RESIDENTIAL WITH CHCOZ

10) NUMBER OF LOTS:	1	1
BUILDINGS  EXISTING BUILDING AREA  PROPOSED MULTIFAMILY BU  PROPOSED STORAGE BUILD		±5,015 SQ FT (FIRST FLOOR FOOTPRINT) 21,502 SQ FT (TOTAL) 924 SQ FT

### 11) HEIGHT, AREA, AND BULK REQUIREMENTS (CODE SECTION 115-156B)

	REQUIRED	PROPOSED
MAXIMUM HEIGHT	42 FT	38.9 FT (3 STORIE
MINIMUM LOT AREA	54,450 SQ FT	58,150 SQ FT
MINIMUM LOT WIDTH (FEET)	75 FT	± 173 FT
MINIMUM LOT DEPTH (FEET)	100 FT	± 823 FT
MINIMUM YARD REQUIREMENTS		
CR-1:		
FRONT	40 FT	>40 FT
SIDE	10 FT	15 FT
REAR	10 FT	>10 FT
CORNER	15 FT	>15 FT
GR-1:		
FRONT	30 FT	>30 FT
SIDE	10 FT	15 FT
REAR	10 FT	>10 FT
CORNER	15 FT	>15 FT

### CHCOZ: 60' SETBACK FROM ROUTE 1 RIGHT-OF-WAY WITH 20' BUFFER

12) SERVICES		
WATER SUPPLIER:		TIDEWATER UTILITIES
SANITARY SEWER SUF	PPLIER:	SUSSEX COUNTY (WEST REHOBOTH DISTRIC
13) FIRE DISTRICT	REHOBOTH	H BEACH
14) VERTICAL DATUM	NAVD 88	
15) HORIZONTAL DATUM	NAV 83	

16) POSTED SPEED LIMIT: 35 MPH (PARSONAGE ROAD) 17) PROXIMITY TO IDENTIFIED TRANSPORTATION DISTRICT: UNKNOWN 18) INVESTMENT LEVEL AREA: LEVEL 2

19) SITE ADDRESS: REHOBOTH BEACH, DE 19971 20) WETLAND AREA: 0.00 ACRES

21) PROJECT WATERSHED: LEWES-REHOBOTH CANAL 22) PROPOSED DISCHARGE LOCATIONS: DELDOT AND INFILTRATION

23) FLOOD PLAIN: THE SITE IS LOCATED WITHIN ZONE X, AN AREA DEFINED AS OUTSIDE THE 100 YEAR FLOOD PLAIN, BASED ON FEMA FLOOD PANNEL 10005C0332K 24) SOILS ON-SITE CONSIST OF EVESBORO LOAMY SAND, 0 TO 5 PERCENT SLOPES (EVB),

GREENWICH LOAM, 0 TO 2 PERCENT (GrA) AND GREENWICH-URBAN LAND COMPLEX (GuB), 0 TO 5 25) WELLHEAD PROTECTION SITE AREA: 0 ACRES PROPOSED IMPERVIOUS COVERAGE = 47%

### PARKING / LOADING REQUIREMENTS:

### OFF-STREET PARKING - (PER CODE SECTIONS 115-162A & 45-5)

APARTMENTS - 2 PER UNIT (15 UNITS): 30 SPACES REQUIRED HANDICAP PARKING (26-50 PARKING SPACES) 2 SPACES REQUIRED

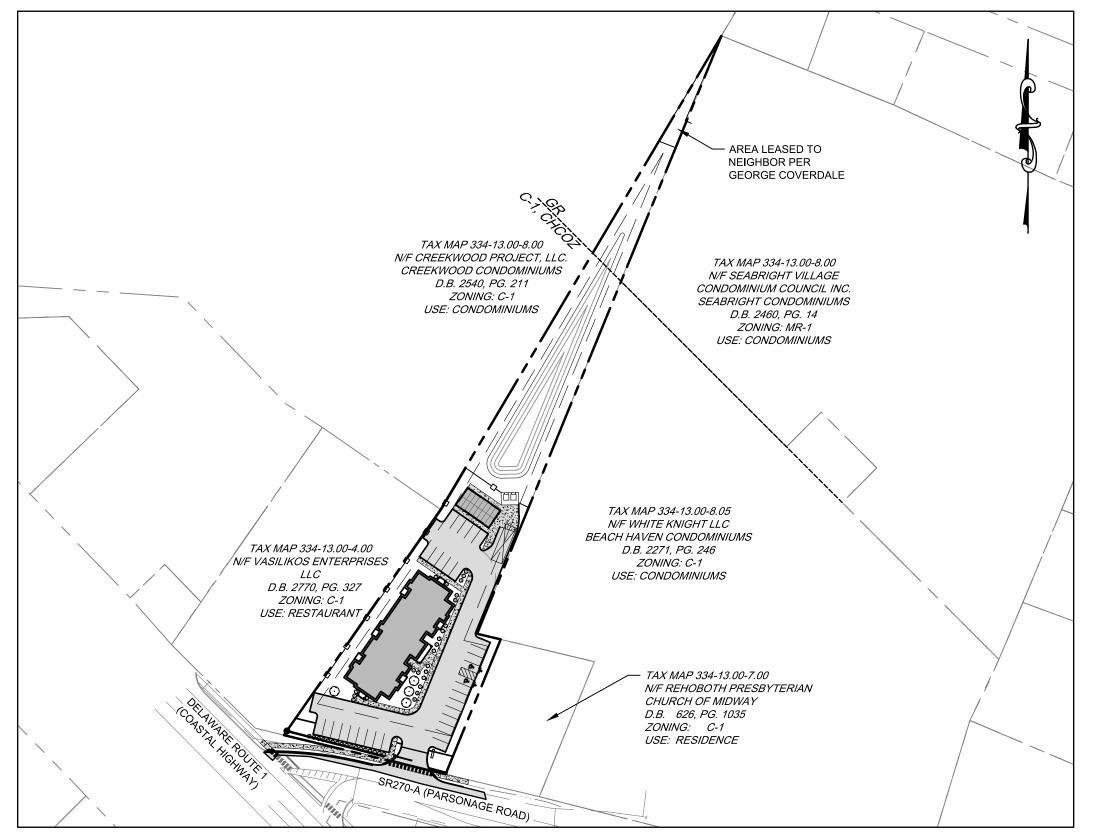
TOTAL PARKING PROVIDED 30 PARKING LOT SPACES 2 HANDICAP SPACES = 32 TOTAL PARKING SPACES PROVIDED

### OFF-STREET LOADING - (PER CODE SECTIONS 115-167)

LOADING
NUMBER OF LOADING SPACES REQUIRED 1 SPACE REQUIRED NUMBER OF LOADING SPACES PROVIDED 1 SPACE (12' x 40')

# DESTINY APARTMENTS

# SUSSEX COUNTY, DELAWARE PRELIMINARY SITE PLAN SUSSEX COUNTY PROJECT #: S-20-18



SITE OVERVIEW & ADJACENT ZONING

### DESTINY APARTMENTS - TRAFFIC GENERATION - PARSONAGE ROAD (S 270 A) (FULL MOVEMENT) ROAD TRAFFIC DATA: FUNCTIONAL CLASSIFICATION - S 270 A (PARSONAGE ROAD) - LOCAL POSTED SPEED LIMIT - 35 MPH AADT = 5,230 TRIPS (FROM 2018 DELDOT TRAFFIC SUMMARY) PROPOSED 10 YEAR PROJECTED AADT= 1.16 x 5,230 = 6,067 TRIPS ENTRANCE 10 YEAR PROJECTED AADT + SITE ADT = 6,067 + 110 = 6,177 TRIPS TRAFFIC PATTERN GROUP = 4 (FROM 2018 DELDOT TRAFFIC SUMMARY) PEAK HOUR - 15.43% x 6,177 TRIPS = 953 TRIPS DIRECTIONAL DISTRIBUTION S 270 A (PARSONAGE ROAD): 70% TO THE WEST (ROUTE 1) = 4247 30% TO THE EAST (MUNCHY BRANCH ROAD) = 1820 MUNCHY BRANCH ROAD SITE TRAFFIC DATA: [4] 27 (1) [3] SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION MULTIFAMILY (LOW-RISE) (220) - 15 UNITS = 110 TRIPS (Z) TOTAL SITE TRIPS = 110 TRIPS (55 IN / 55 OUT) ONE ENTRANCE - FULL MOVEMENT DESIGN VEHICLE - SU-30 **DIRECTIONAL DISTRIBUTION:** PARSONAGE ROAD (S 270 A) 50% FROM THE EAST = 55 \* 50% = 28 50% FROM THE WEST = 55 \* 50% = 27 35% TO THE EAST = 55 \* 35% = 19 65% TO THE WEST = 55 \* 65% = 36 TRAFFIC GENERATION DIAGRAM MORNING PEAK: 8 TRIPS (2 IN / 6 OUT) ADT (AM PEAK) [PM PEAK] EVENING PEAK: 11 TRIPS (7 IN / 4 OUT) 5% TRUCKS AND BUSES = 110 \* 5% = 5

**CALL Miss Utility of Delmarva BEFORE YOU DIG** 800-282-8555 or 811

### PROJECT TEAM

REHOBOTH BEACH, DE 19971

1 PATRIOTS WAY REHOBOTH BEACH, DE 19971

ARCHITECT BRUCE J. MONETA, A.I.A. 34673 VILLA CIRCLE, UNIT 304 LEWES, DE 19958

SITE ENGINEER SCALED ENGINEERING, INC. 20246 COASTAL HIGHWAY REHOBOTH BEACH, DE 19971

# **LOCATION MAP**

### LEGEND

LLOLIND		
	<u>EXISTING</u>	PROPOSED
PROPERTY LINE / RIGHT OF WAY		
ADJOINING PROPERTY LINE		
BUILDING RESTRICTION LINE		
EASEMENT	+++	<del>+++</del>
CENTER LINE OF ROAD	<del></del>	
EDGE OF PAVING		
CURB		
DRIVEWAY		
CONTOURS		
SWALE	—→ · · · —→ · · · —	<b>→</b> · · · <b>→</b> · · <b>→</b>
WETLANDS LINE AND FLAG		
FLOODPLAIN	——— FP——— FP———	
SOILS/DESIGNATION	MmA	
SOIL BORING	•	
WOODS		
FENCE	-xxxxxxxxxx-	-00
SIDEWALK		
BUILDING		
UTILITY POLE/GUY WIRE	∀ ←	•
OVERHEAD ELECTRIC	OHE OHE	
CABLE TV, PEDESTAL	T	
TRAFFIC SIGN	<del>-</del> 0-	-
SINGLE & TWIN HEAD SITE LIGHT	<b>\$</b>	8
WATER MAIN, FIRE HYDRANT, VALVE, SERVICE ASSEMBLY, AND METER PIT	wwww	6" W Y
SEWER MAIN, MAHNOLE, & CLEANOUT	—— S —————————————————————————————————	S S C.O.
SANITARY SEWER FORCEMAIN	FMFMFMFM	
UNDERGROUND ELECTRIC	E E	E E E
TELEPHONE LINE		
STORM WATER PIPE	— D — © — D — D —	0

### LIMIT OF DISTURBANCE: 1.40 ACRES

<b>ENGINEERS CERTIFIC</b>	CATION
IT IS HEREBY CERTIFIED THAT I AM A REGISTERI DELAWARE, THAT THE INFORMATION SHOWN HE AND TO MY BEST KNOWLEDGE AND BELIEF REP REQUIRED BY THE APPLICABLE LAWS OF THE ST	EREON HAS BEEN PREPARED UNDER MY SUPERVISI RESENTS GOOD ENGINEERING PRACTICES AS
CARLTON SAVAGE, PE (LICENSE #16457) 20246 COASTAL HIGHWAY	DATE

SUSSEX COUNTY

APPROVED BY: DATE

### OWNER(S) CERTIFICATION -FROSION & SEDIMENT CONTROL

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

DESTINY LLC 1 PATRIOTS WAY REHOBOTH BEACH, DE 19971

### OWNER(S) CERTIFICATION

DESTINY LLC 1 PATRIOTS WAY

REHOBOTH BEACH, DE 19971

I. THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

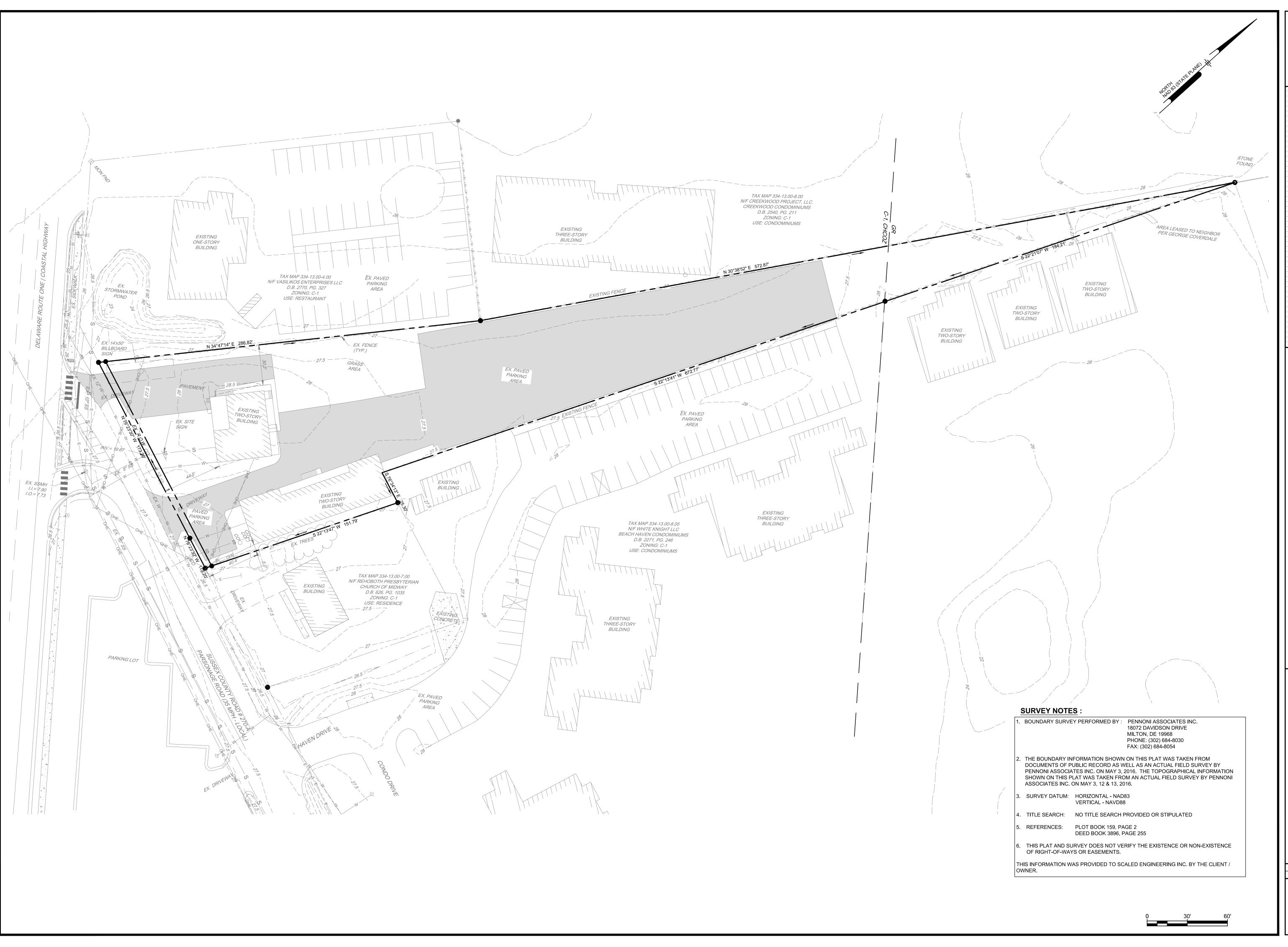
RAWING NUMBER

SCALE PROJECT # DRAWN BY

AS NOTED HKES001 GJB

ISSUE / REVISION BLOCK

5/26/2020 - SUSSEX COUNTY P & Z

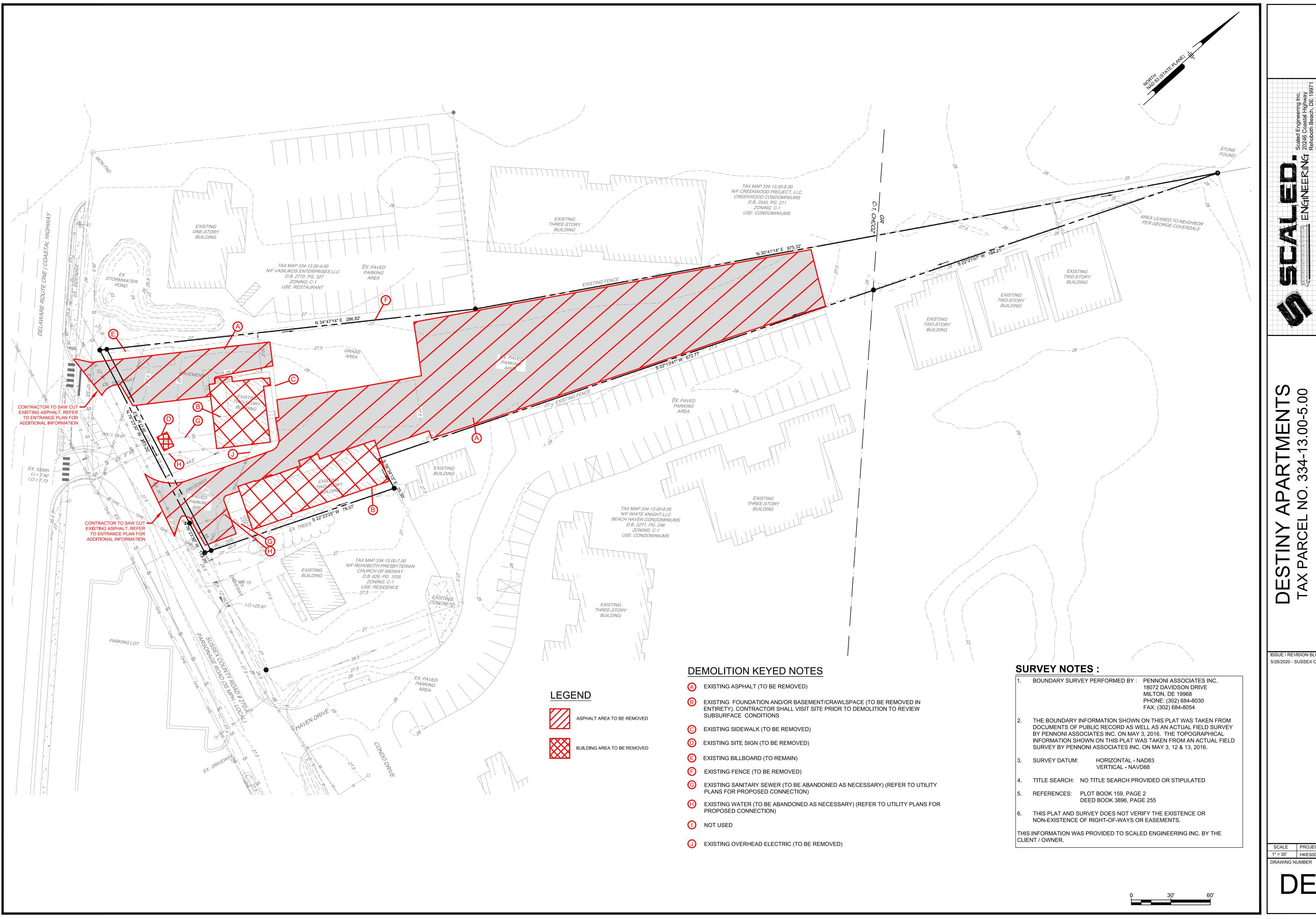


NO. 334-13.00-5.00

ISSUE / REVISION BLOCK 5/26/2020 - SUSSEX COUNTY P & Z

SCALE PROJECT# DRAWN BY
1" = 30' HKES001 GJB
DRAWING NUMBER

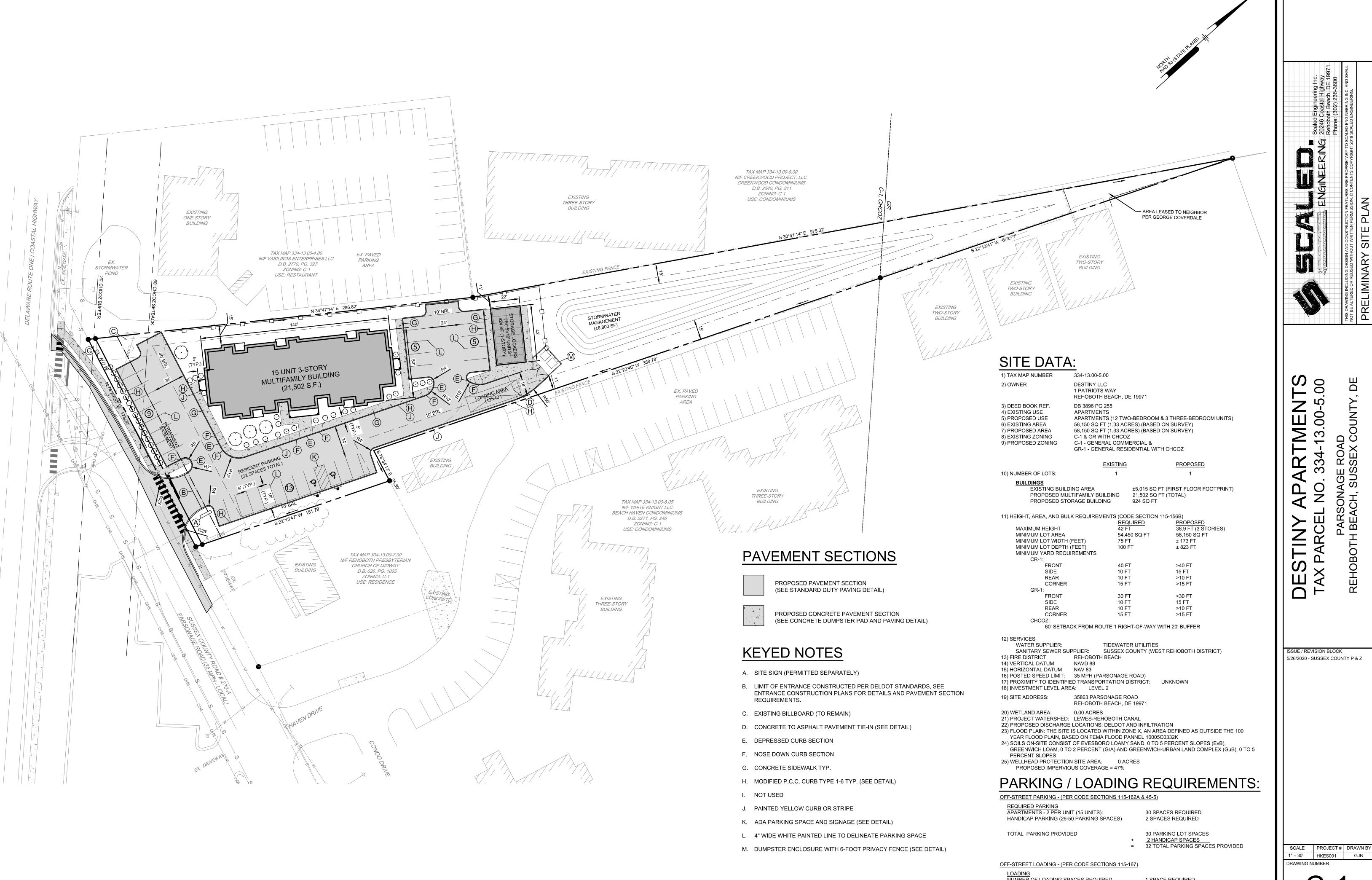
EX-1



ISSUE / REVISION BLOCK 5/26/2020 - SUSSEX COUNTY P & Z

 SCALE
 PROJECT #
 DRAWN BY

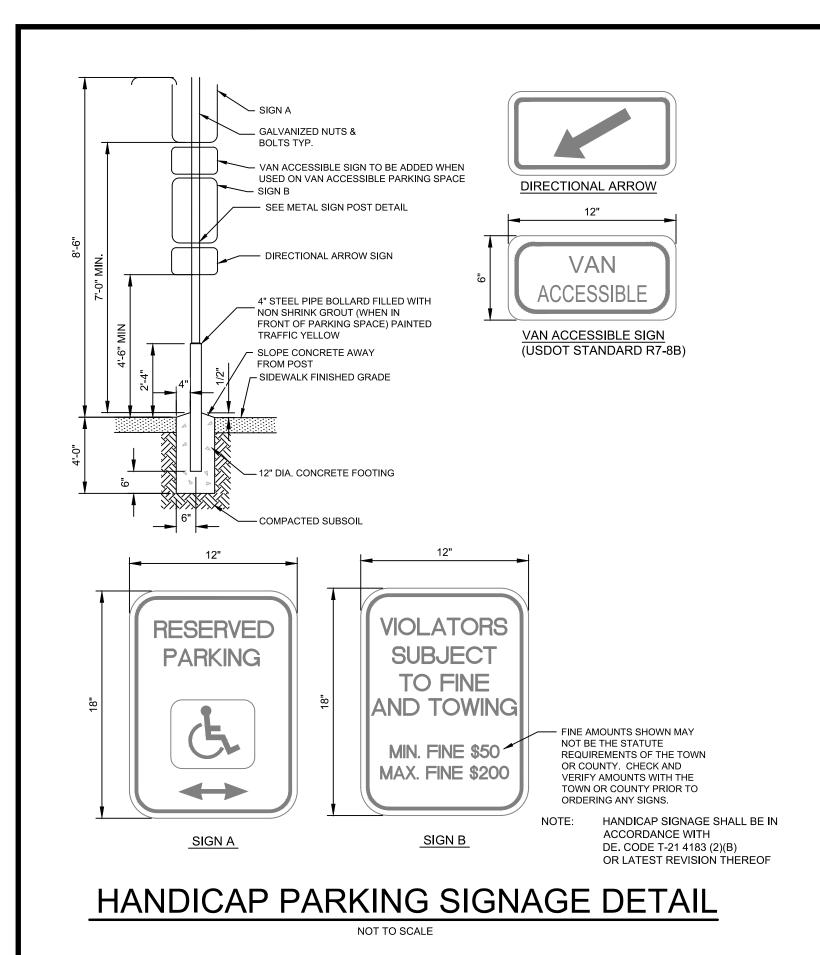
 1" = 30'
 HKES001
 GJB

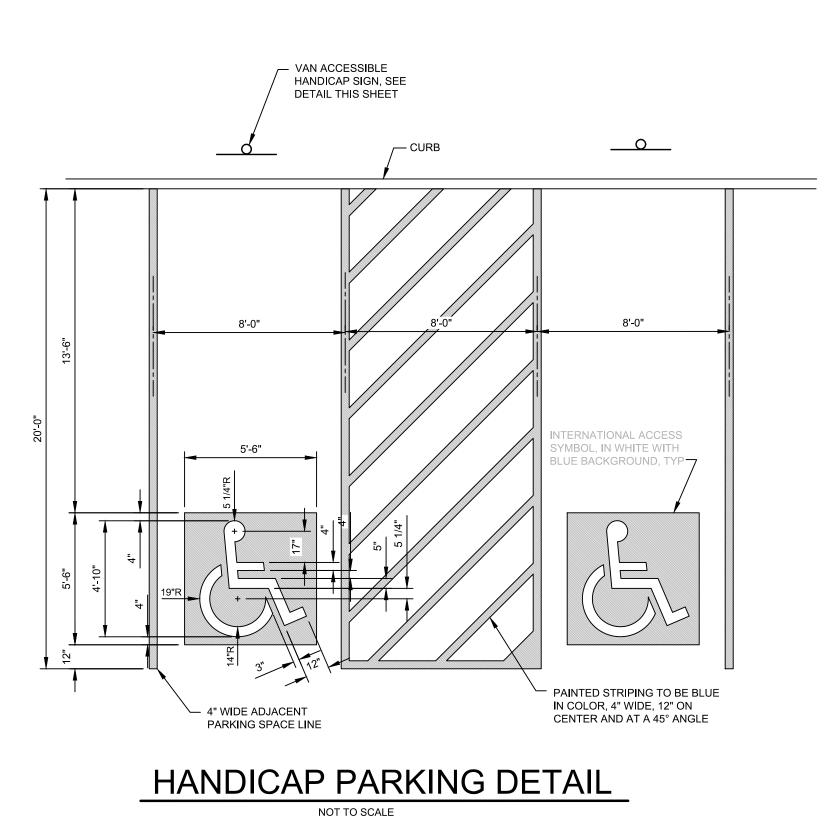


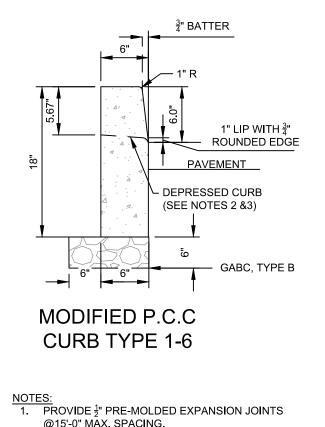
ISSUE / REVISION BLOCK 5/26/2020 - SUSSEX COUNTY P & Z

NUMBER OF LOADING SPACES REQUIRED NUMBER OF LOADING SPACES PROVIDED

1 SPACE REQUIRED 1 SPACE (12' x 40')

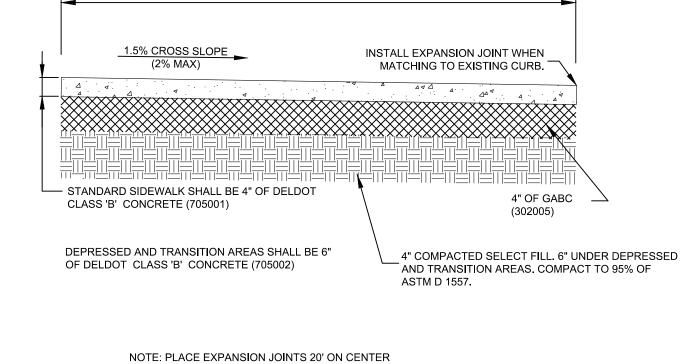






- @15'-0" MĀX. SPACING.
- TAPERED END SECTIONS TO BE USED AT ALL TERMINAL POINTS.
- 3. 3,000 PSI CONCRETE



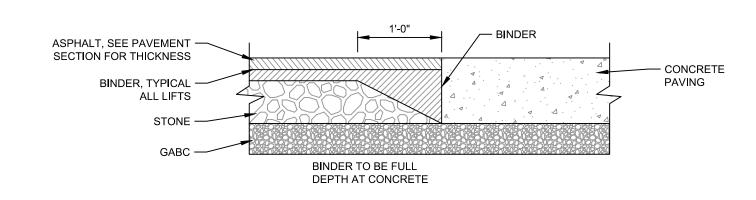


5'-0" (UNLESS SPECIFIED)

AND CONTROL JOINTS 5' ON CENTER OR MATCH EXISTING PATTERN IF CONNFLICTING TO EXISTING

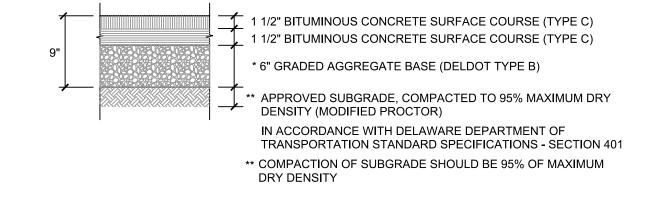
**CONCRETE SIDEWALK** 

NOT TO SCALE

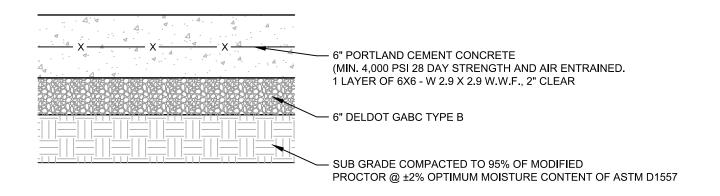


## CONCRETE TO ASPHALT PAVEMENT TIE-IN DETAIL

NOT TO SCALE



## STANDARD DUTY PAVING SECTION



NOTES:

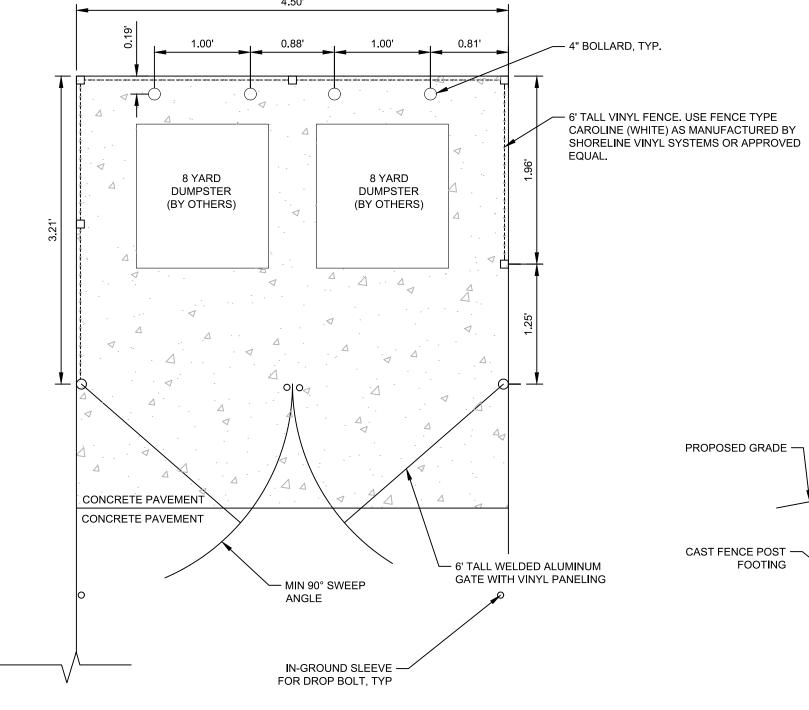
1. ALL CONCRETE USED SHALL BE PORTLAND CEMENT CONCRETE MIX NO. 7.

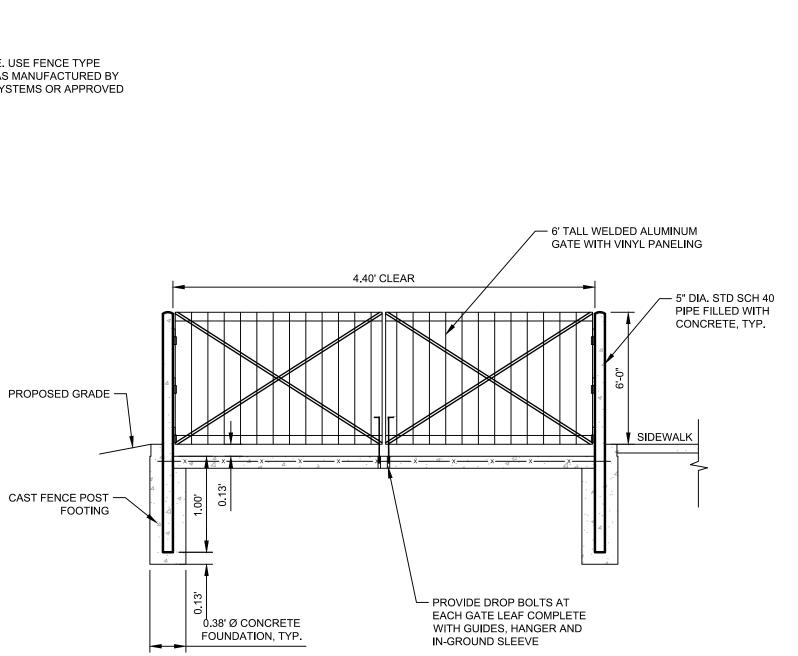
ON THE SITE PLANS OR AS DIRECTED BY THE STRUCTURAL ENGINEER.

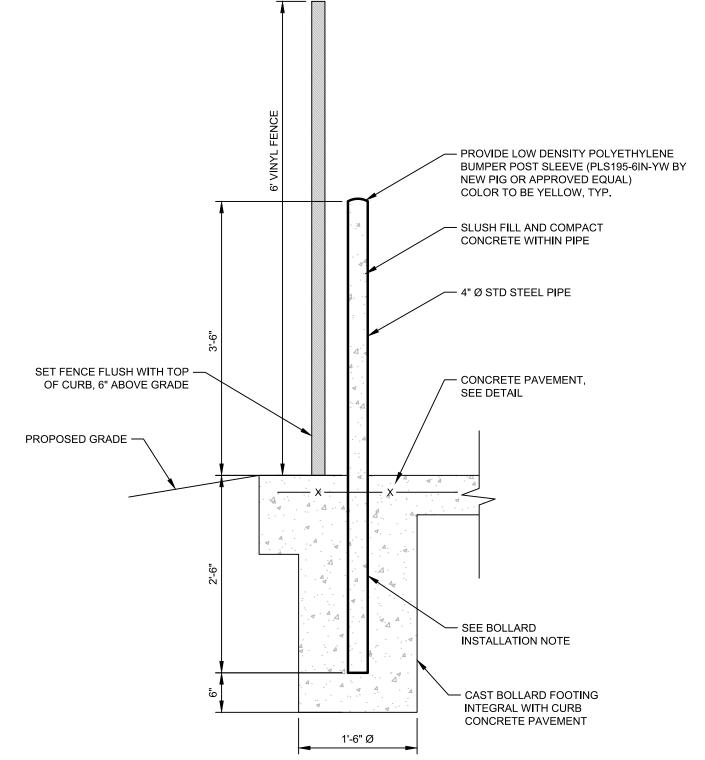
- 2. TOOLED CONTRACTION JOINTS ARE TO BE PLACED 10.0' MAX BOTH DIRECTIONS, OR AS DIRECTED ON THE SITE PLANS OR AS DIRECTED BY THE STRUCTURAL ENGINEER.
- 3. CONSTRUCTION JOINTS ARE TO BE PLACED 20.0' MAX BOTH DIRECTIONS, OR AS DIRECTED
- WHEN PLACED ADJACENT TO EXISITNG CONCRETE PAVEMENT, NEW OR EXISTING FOUNDATION WALL, CONCRETE CURB, CONCRETE CURB & GUTTER OR OTHER STRUCTURE, INSTALL APPROVED EXPANSION JOINT, ADDITIONAL EXPANSION JOINTS ARE TO BE PLACED

AS DIRECTED ON THE SITE PLANS OR AS DIRECTED BY THE STRUCTURAL ENGINEER.

CONCRETE DUMPSTER PAD & PAVING DETAIL







**DUMPSTER DETAIL - BOLLARD** 

NOT TO SCALE

DRAWING NUMBER

SCALE PROJECT # DRAWN BY AS NOTED | HKES001 | GJB

ISSUE / REVISION BLOCK

5/26/2020 - SUSSEX COUNTY P & Z

**TS** 

DE

4.50'

**DUMPSTER DETAIL - GATE** 

**DUMPSTER DETAIL - PLAN** NOT TO SCALE



May 4th, 2020

Sussex County Planning & Zoning c/o Lauren DeVore 2 The Circle Georgetown, DE 19947

Subject: Destiny Apartments

**RE: Parking in Front Setback** 

Dear Ms. DeVore,

Thank you for time reviewing the above project. Based on Sussex County Code Section § 115-166 C. Design standards:

"C. Separation from walkways and streets. Off-street parking spaces shall be separated from walkways, sidewalks, streets or alleys by a wall, fence or curbing or other approved protective device or by distance so that vehicles cannot protrude over publicly used areas. Parking within front yard setback shall be discouraged and subject to site plan review."

While we understand parking within the front yard setback is typically discouraged, existing site constraints necessitate the use of the front setback area for site circulation and parking. Due to the parcel's triangular shape, the majority of useable land for the proposed buildings and parking are along the frontage with Parsonage Road. As the parcel tapers towards the back it becomes too thin to fit parking with the proper lane widths and to provide stormwater management. The proposed use of this parcel is a 15-unit apartment building; according to County Code section §115-162A we are required to provide 2 parking spaces per unit, totaling 30 parking spaces. To the best extent practical, the required parking is being added to the right side (South-East side) and behind the proposed building, however, spaces are necessary along the frontage to provide the required parking and to reduce existing impervious surface cover. Although the parking is in the front yard, a proposed curb and sidewalk disconnects it from the roadway and provides separation between parking and street so vehicles cannot protrude over publicly used areas.

This letter shall serve as our formal request to review and allow the parking as shown on the submitted site plan. All other outside agencies including State Fire Marshal's Office, DelDOT, and Soil Conservation District will review and approve the plans per their jurisdictional requirements prior to construction and final approval by the County.

Please feel free to contact us with any questions, concerns, or for additional information at (302) 236-3600 or <a href="mailto:carlton@scaledengineering.com">carlton@scaledengineering.com</a>

Sincerely,

Carlton Savage, Jr.

Principal | Senior Engineer



June 17th, 2020

Sussex County Planning & Zoning c/o Lauren DeVore
2 The Circle
Georgetown, DE 19947

RECEIVED

**Subject: Destiny Apartments** 

JUN 1 8 2020

RE: Response to Preliminary Site Plan Submission

SUSSEX COUNTY PLANNING & ZONING

Dear Ms. DeVore,

During the June 11<sup>th</sup>, 2020 meeting the Planning and Zoning Commission voted to deny the Preliminary Site Plan for Destiny Apartments (S-20-18) solely due to parking spaces in the front yard setback. No other deficiencies were mentioned. It appeared as if the decision to not allow parking in the front yard setback was due to existing precedence for nearby properties and not fully understanding DelDOT's position and need of this area. While we are disappointed to receive the initial denial, we feel that additional information (if presented to the Commission) would assist in a better understanding of the parking design and decision to place parking in the front yard setback. Please add the below information to the file and if possible, we would like to be placed back upon an upcoming meeting for re-review of this application.

The existing site conditions have been declining for years and is at a point that it needs to be rebuilt. The proposal is to provide apartment housing in an area that is in dire need of workforce housing. While not technically "Affordable Housing" the use proposed will offer housing that is "Affordable to the Local Workforce". The parking that is being provided is necessary for the plan to work as whole and the parking in the front yard setback is the only way to effectively provide the necessary parking while keeping the site costs within the budgets to provide affordability. The shape of the property narrows substantially as you go from front to back and the most usable space for parking, buildings, and fire lanes is in the portion closest to the Parsonage Road.

#### Prior Entrance Approval (Valid):

The property was previously proposed as a 60-unit hotel (Days Inn). That site plan was reviewed and approved by all agencies with the same exact entrance and front yard parking as shown on the current preliminary site plan for Destiny Apartments. DelDOT approved the hotel site plan on November 3<sup>rd</sup>, 2017. In a recent Pre-Submittal Meeting with DelDOT for Destiny Apartments (via phone conference on March 30<sup>th</sup>, 2020) it was established that the Destiny Apartments plan could utilize the prior entrance approval from the hotel without resubmission. This decision was based on the traffic for the proposed 15-unit multi-family use being greatly reduced from that of the hotel and the entrance permit had yet reached its three-year expiration (November 3<sup>rd</sup>, 2020). This existing entrance approval and the current site plan both provide for a five (5') foot dedication of additional Right-of-Way and provides a permanent easement of 15 additional feet along the frontage for DelDOT's use. These were the required lands necessary by DelDOT during their review of the hotel and are still the required areas by utilizing this approval for the current plan. Based on the existing entrance approval,

DelDOT's stance is acceptable of the parking as shown in the front yard setback, the existing entrance approval is valid for this project, and therefore parking in the front yard setback should not be a concern in this application. A copy of the entrance approval is attached for your reference.

### Prior Site Plan Approval (Hotel):

Planning and Zoning also reviewed and approved the 60-unit hotel (Days Inn) and granted site plan approval for that project. That application had the exact same parking in the front yard setback. The site constraints and property owner remain unchanged for this application. A large part of our approach for the current application was to utilize as much of the prior approvals and understanding of the prior submittals to simplify the efforts for the current project. It seems as if parking in the front yard was necessitated and acceptable for the prior submission, the site has remained unchanged and therefor should remain a similar acceptable condition for this application.

### **Stormwater Management:**

The site plan as proposed has been carefully designed to reduce the impacts to stormwater management. By keeping the site compact and utilizing required fire lanes for parking access, additional impervious has been kept to a minimum. By reducing the impervious, we have even been able to reduce the impervious coverage on the site from that of the existing. This was good news for the project as the site does not have a real defined drainage path off-site and the stormwater pond as shown can account for the stormwater management needs. Should this area be required to be used for parking, additional impervious coverage would result and given the width of this area, less than desirable parking arrangements would be required resulting in wasted impervious. It would also require stormwater management to be relocated, most likely to the front of the property or subsurface.

### Precedence of Surrounding Properties:

This was discussed during the prior meeting; however, it is important to understand the actual precedence already established and to clarify the nearby properties that include parking in the front yard setback. After our review, it appears that most if not all properties adjacent, in fact, do have some amount of parking in the front yard. An exhibit displaying the site's precedence for parking in the front setback has been attached. This property and many others along the Route 1 corridor have parking within the front setback and it seems to be the norm prior designs of the area. However, unlike most of these other properties, this site comes to a point in the rear, making the rear of the property too narrow to allow for parking, proper lane widths, and stormwater management. Based on our review of the adjacent properties, we disagree with the meeting's discussion and interpretation that there is not precedence in the area, as the majority of nearby and all adjacent properties have at least some parking in the front yard setback.

### **Directly Adjacent Properties**

Diner (North/West) - 2 spaces in front yard setback (YES)

Church/Residence (East) - Driveway providing off-street parking in front yard setback (YES)

Fin's shopping center (South/East) – Majority of parking in setback, corner lot with parking in all setbacks (YES) Safeway Shopping Center (South/West across highway) – Large amounts of parking in front yard (YES)

### Intent of Code Section:

Sussex County Code Section § 115-166 subsection C.'s full intent is to separate off-street parking from that of existing roadways and proposed sidewalks. The sidewalk as shown is being installed by this application and is in the location acceptable to DelDOT. The design will not allow for vehicles to encroach into the sidewalk nor roadway. While it is discouraged to park in the front yard, we have met the larger intent by providing separation with the use of curbing, green space, and landscaping along the parking spaces.

### In Summary:

The site plan, as designed, is the most viable layout given all site constraints and agency requirements. The parking remains close in proximity to the building which is desirable for walkability and safety; utilizes fire lanes effectively; reduces impervious coverage and runoff; provides affordable local housing; and meets the intent and all other requirements of the Sussex County Code.

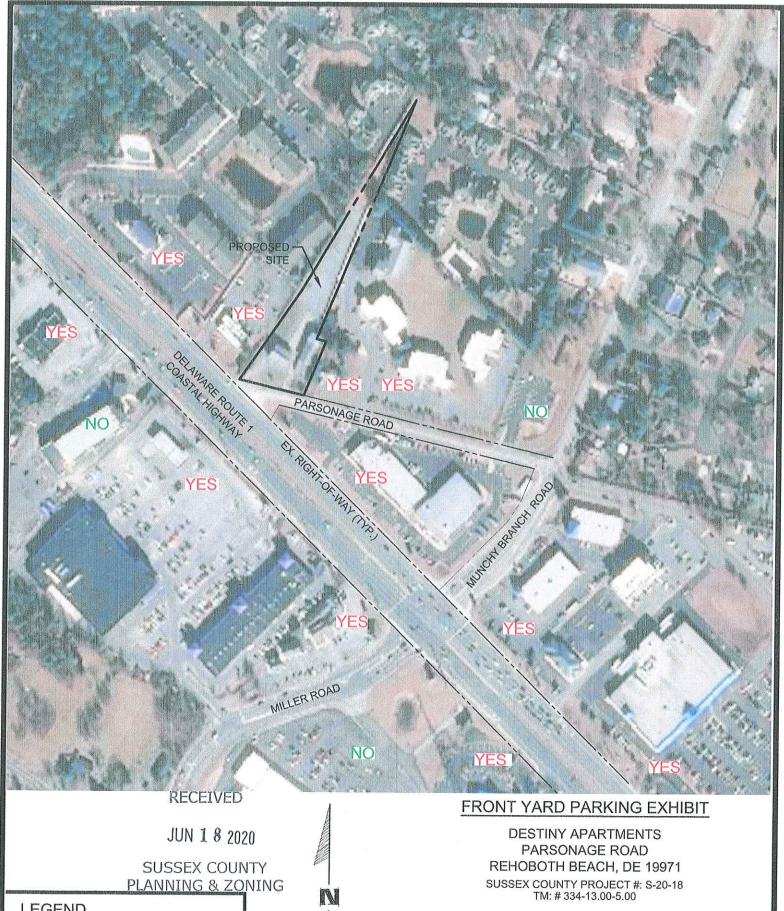
We hope this additional information will help the Planning Commission better under the topic of parking in the front yard setback and help their discussion of the resubmitted application the Destiny Apartments Preliminary Site Plan.

Please feel free to contact us with any questions, concerns, or for additional information at (302) 236-3600 or carlton@scaledengineering.com

Sincerely,

Carlton Savage, Jr.

Principal | Senior Engineer



**LEGEND** 

NO

YES HAS PARKING WITHIN THE FRONT YARD SETBACK

> DOES NOT HAVE PARKING WITHIN THE FRONT YARD SETBACK

0' 125' 250 250'

DATE: 06/17/2020 DRAWN: GJB

SCALE: 1" = 250' PROJECT: HKES001



Scaled Engineering Inc. 20246 Coastal Highway Rehopoth Beach, DE 19971 Phones (302) 286-3600 II



### STATE OF DELAWARE

### DEPARTMENT OF TRANSPORTATION

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

JUN 1 8 2020

SUSSEX COUNTY PLANNING & ZONING

JENNIFER COHAN SECRETARY

November 08, 2017

Mr. Dave Heatwole Pennoni Associates, Inc. 18072 Davidson Dr. Milton, Delaware 19968

SUBJECT: Entrance Approval Letter

Days Inn - Parsonage Road
Tax Parcel #334-13.00-5.00
SCR270A-Parsonage Road
Lewes & Rehoboth Hundred, Sussex County

Dear Mr. Heatwole:

The Department of Transportation has reviewed the Commercial Entrance Plans dated July 8, 2016 (last revised November 3, 2017) for the referenced project and determined that they are in general conformance with the Department's current regulations, specifications and standard details. By signing and sealing the plan set, the developer's engineer is responsible for accuracy of content. Any errors, omissions or required field changes will be the responsibility of the developer. This plan approval shall be valid a period of **three (3) years**. If an entrance permit has not been obtained within three years, then the plans must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. The following items will be <u>required</u> prior to the permit being issued. A pre-construction meeting may be required as determined by the South District Public Works office.

- 1. A copy of the <u>recorded Site Plan</u> which is consistent with the DelDOT "No Objection to Recordation" stamped plan and all appropriate signatures, seals, plot book and page number.
- 2. Three (3) copies of the approved entrance plans.
- 3. Completed permit application.
- 4. Executed agreements (i.e. construction, signal, letter).
- 5. An itemized construction cost estimate.
- 6. A 150% security based upon an approved itemized construction cost estimate and W-9 form (if providing escrow).
- 7. A letter of source of materials, work schedule, list of subcontractors, emergency telephone numbers and names of contact persons.



Days Inn - Parsonage Road Mr. Heatwole Page 2 November 08, 2017

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

Sincerely,

Steve Sisson

Sussex County Subdivision Engineer

**Development Coordination** 

cc: Harry Keswani, Destiny LLC

Janelle Cornwell, Sussex County Planning & Zoning Commission

Jessica L. Watson, Sussex Conservation District

Gemez Norwood, South District Public Work Manager

William Kirsch, South District Entrance Permit Supervisor

Jerry Nagyiski, Safety Officer Supervisor

Peter Haag, Traffic Studies Manager

Jennifer Pinkerton, Chief Materials & Research Engineer

Linda Osiecki, Consistency Control Engineer

John Fiori, Bicycle Coordinator

Maria Andaya, Pedestrian Coordinator

Mark Galipo, Traffic Development Coordination Engineer

Evan Lallier, Maintenance Support Manager

Dan Thompson, Safety Officer North District

Joseph Ellis, Contech Manager

David Dooley, DTC Planner

James Kelley, JMT

Todd Sammons, Subdivision Engineer

Scott Johnson, Sussex County Reviewer

