

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



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

# Sussex County Planning & Zoning Commission

## AGENDA

June 27, 2019

6:00 P.M.

### Call to Order

### Approval of Agenda

Approval of Minutes – May 23, 2019

### Old Business

#### C/U 2178 Steven and Carrie Coleman

HW

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for a welding and fabrication business to be located on a certain parcel of land lying and being in Broad Creek Hundred, Sussex County, containing 1.605 acres, more or less. The property is lying on the south side of Laurel Rd. (Rt. 24), approximately 0.46 mile west of Justice Farm Rd. 911 Address: 14716 Laurel Rd., Laurel. Tax Parcel: 232-19.00-30.00.

#### C/Z 1877 Schiff Land Development Company, LLC

BM

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a CR-1 (Commercial Residential District) and a MR (Medium Density Residential District) to a MR-RPC (Medium Density Residential District - Residential Planned Community) for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 49.94 acres, more or less. The property is lying on the southeast side of John J. Williams Hwy. (Rt. 24), approximately 0.45 mile southwest of Oak Orchard Rd. 911 Address: N/A. Tax Parcels: 234-29.00-66.00, 66.01, & 66.02.

#### C/Z 1878 Captain's Way Development, LLC

KS

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a GR-RPC (General Residential District – Residential Planned Community) to a GR-RPC (General Residential District – Residential Planned Community) to allow for garage studio apartments for Change of Zone No. 1721 (Ordinance No. 2295) for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 154.72 acres, more or less. The property is lying on the northeast side of Milton Ellendale Hwy. (Rt. 16), approximately 0.34 mile east of Hollytree Rd. 911 Address: N/A. Tax Parcels: 235-13.00-2.00, 2.06, 2.07, 2.08 and 235-13.00-32.00 through 332.00.

#### C/Z 1880 Craig Kormanik

BM

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



**1 (Agricultural Residential District) to a C-2 (Medium Commercial District) for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 1.0 acres, more or less.** The property is lying on the southwest side of Indian Mission Rd. (Rt. 5), approximately 785 ft. northwest of John J. Williams Hwy. (Rt. 24). 911 Address: 31792 Indian Mission Rd., Millsboro. Tax Parcel: 234-23.00-261.00.

**Public Hearings**

**C/U 2177 Ingrid Hopkins**

KS

**An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for an events venue to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 5.0 acres, more or less.** The property is lying on the north side of Fisher Rd., approximately 0.45 mile and 0.76 mile west of Beaver Dam Rd. 911 Address: 30249 Fisher Rd., Lewes. Tax Parcels: 334-10.00-53.00 (portion of) and 334-10.00-55.00 (portion of).

**C/Z 1883 OA-BP Marina Bay-Lakeside, LLC**

BM

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a MR-RPC Medium Density Residential District - Residential Planned Community to a MR-RPC Medium Density Residential District - Residential Planned Community to amend conditions of approval of Change of Zone no. 1475 (Ordinance no. 1573) for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 787.787 acres, more or less.** The property is lying on the south end of Bay Farm Rd. and the south side of Trinity Rd. 911 Address: N/A. Tax Parcels: 234-30.00-1.00 through 430.00.

**C/Z 1882 Nassau DE Acquisition Co., LLC**

KS

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District and C-2 Medium Commercial District to a HR-1 High-Density Residential District – Residential Planned Community for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 15.2 acres, more or less.** The property is lying on the east side of Coastal Hwy. (Rt. 1), approximately 150 ft. north of Old Mill Rd, and on the north side of Old Mill Rd., approximately 708 ft. east of Coastal Hwy. (Rt. 1). 911 Address: N/A. Tax Parcels: 334-1.00-15.00 and 334-1.00-15.03.

**Other Business**

**2019-7 Guy Subdivision #8**

BM

Final Subdivision Plan

**2018-7 Wellesley**

BM

Final Subdivision Plan

**2005-49 The Woodlands Subdivision**

BM

Final Amenities Site Plan

**Atlantic Concrete – Lewes Plant**

KS

Revised Site Plan

**S-19-24 Vanderwende Acres, LLC**

KH

Preliminary Site Plan

**2019-4 Sloan Family Subdivision**

BM

Request to Revise Conditions of Approval

\*\*\*\*\*

Planning and Zoning Commission meetings can be monitored on the internet at

[www.sussexcountyde.gov](http://www.sussexcountyde.gov).

\*\*\*\*\*

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on June 20, 2019, at 3:30 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

####

**PLANNING & ZONING COMMISSION**

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



**Sussex County**

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

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date June 27, 2019

Application: CU 2177 Ingrid Hopkins

Applicant: Ingrid Hopkins  
30249 Fisher Road  
Lewes, DE 19958

Owner: Walter C. Hopkins  
30249 Fisher Road  
Lewes, DE 19958

Site Location: 30249 Fisher Road. North side of Fisher Road approximately 0.45 mile and 0.76 mile west of Beaver Dam Road.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Events Venue

Comprehensive Land Use Plan Reference: Low Density Area

Councilmatic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Private, On-Site

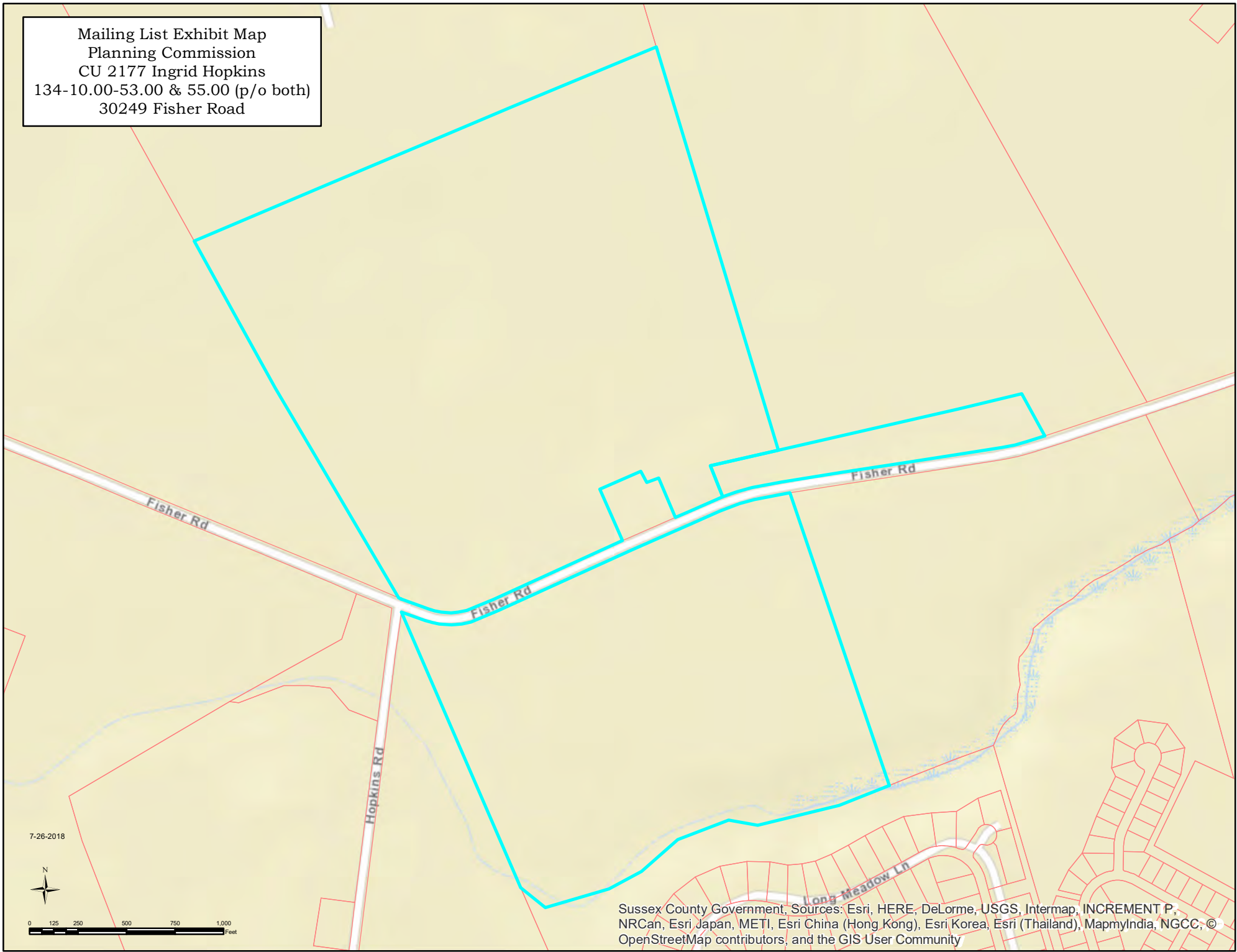
Water: Private, On-Site

Site Area: 5.00 ac. +/-

Tax Map ID.: 334-10.00-53.00 & 55.00 (portions of both)

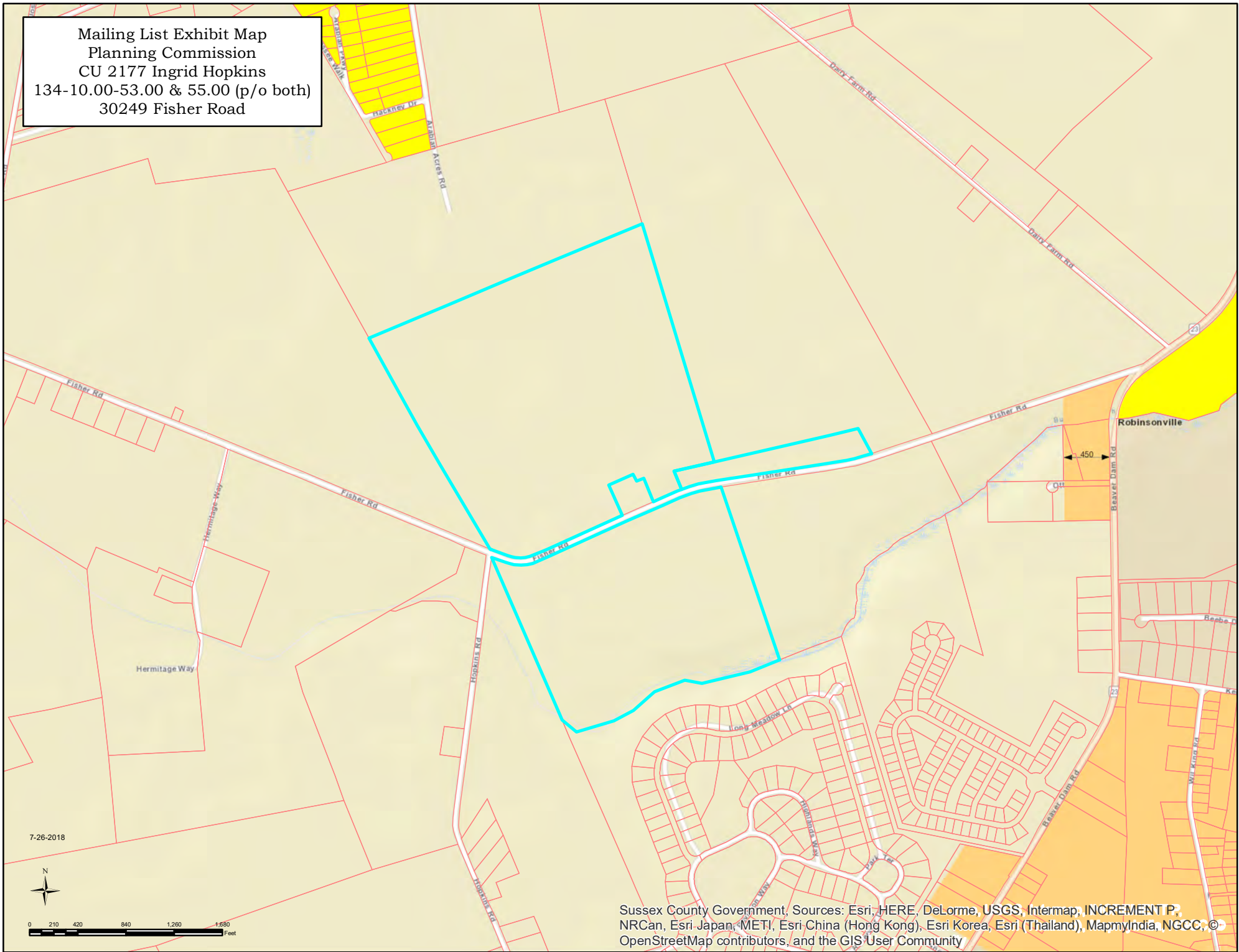


Mailing List Exhibit Map  
Planning Commission  
CU 2177 Ingrid Hopkins  
134-10.00-53.00 & 55.00 (p/o both)  
30249 Fisher Road



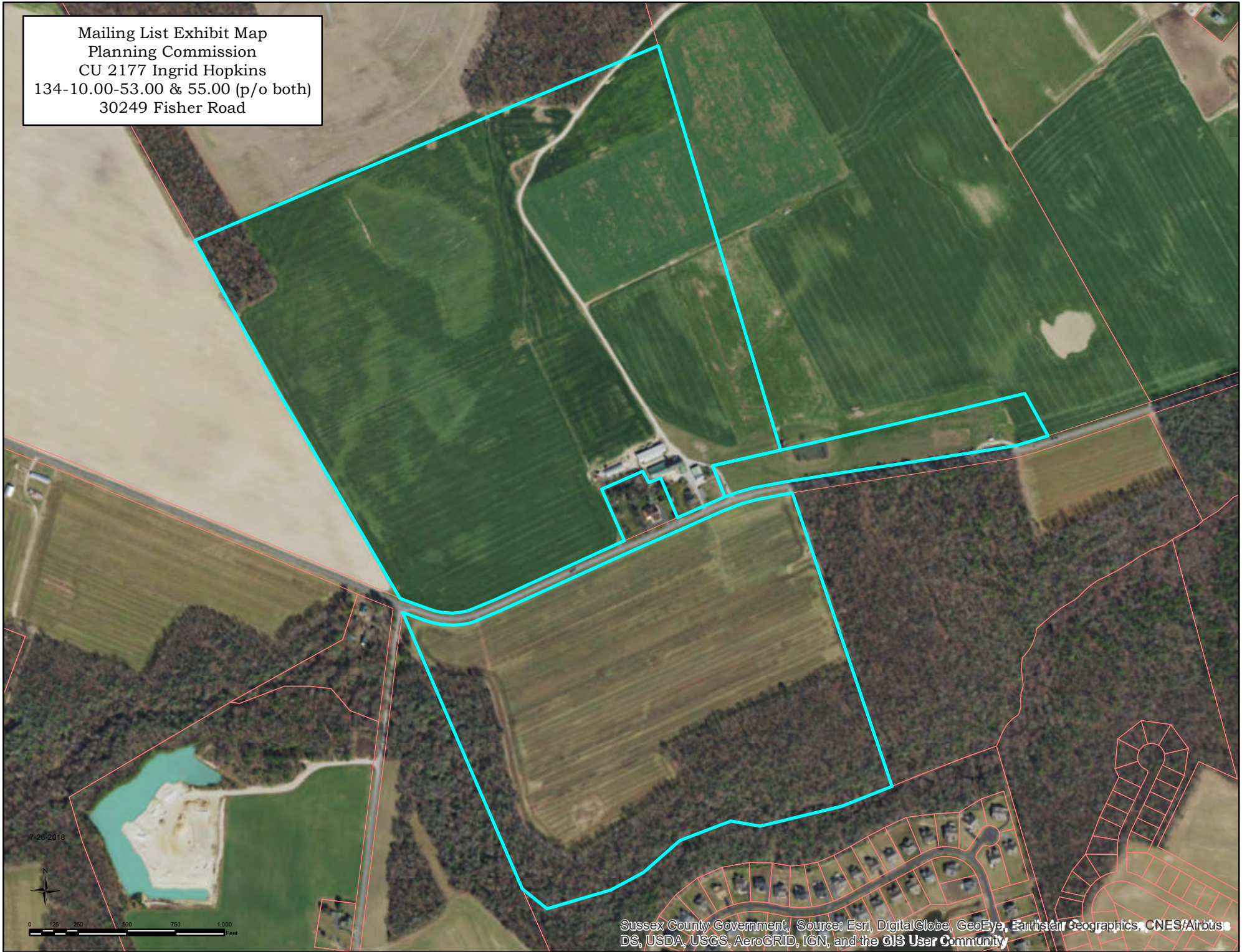
Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Mailing List Exhibit Map  
Planning Commission  
CU 2177 Ingrid Hopkins  
134-10.00-53.00 & 55.00 (p/o both)  
30249 Fisher Road

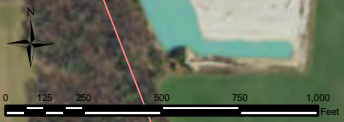


Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Mailing List Exhibit Map  
Planning Commission  
CU 2177 Ingrid Hopkins  
134-10.00-53.00 & 55.00 (p/o both)  
30249 Fisher Road



7-26-2018



## PLANNING & ZONING

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



# Sussex County

DELAWARE  
sussexcountype.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Samantha Bulkilvish, Planner I  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: June 18, 2019  
RE: Staff Analysis for CU 2177 Ingrid Hopkins

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2177 Ingrid Hopkins to be reviewed during the June 27, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for portions of parcels 334-10.00-53.00 and 334-10.00-55.00 to allow for an event venue to be located at 30249 Fisher Rd. The size of the properties is 5.00 ac. +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the properties have the land use designation Low Density Area.

The surrounding land use to the north, south, east and west is Low Density Area. The Low-Density Area land use designation recognizes that agriculture and single family homes are the primary uses. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agri-business uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be for providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas. Institutional and commercial uses may be appropriate depending on surrounding uses.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north, south, east and west are zoned AR-1 (Agricultural Residential District). There are a number of Conditional Uses in the area (CU 2078 professional offices 334-4.00-84.00, CU2161 professional offices 334-4.00-80.00 and CU 2096 shed and gazebo sales 334-4.00-55.00).

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use for an events venue would be considered consistent with the land use, area zoning and uses.







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

JENNIFER COHAN  
SECRETARY

September 5, 2017

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Ingrid Hopkins** conditional use application, which we received on August 7, 2017. This application is for an approximately 122.00-acre portion of a 189.56-acre parcel (Tax Parcel: 334-10.00-53.00). The subject parcel is located on the north and south sides of Fisher Road (Sussex Road 262), east of the intersection of Fisher Road and Hopkins Road (Sussex Road 286). The subject land is currently zoned as AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to build a 4,300 square-foot wedding barn on the 122.00-acre portion of the parcel located on the north side of Fisher Road.

Per the 2016 Delaware Vehicle Volume Summary, the average daily traffic volume on an average day along the segment of Fisher Road where the subject land is located, which is from Cool Spring Road (Sussex Road 290) to Beaver Dam Road (Sussex Road 285), is 1,493 vehicles per day.

The traffic impact of wedding venues necessarily varies with the frequency and size of the wedding events. Generally, DelDOT bases its decision to require a Traffic Impact Study (TIS) on traffic volumes that recur on a daily or weekly basis. Special events, if large enough, may require coordination with our Transportation Management Center but cannot be properly addressed by the TIS process.

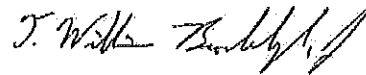
Regarding DelDOT's warrants for requiring a TIS, wedding events that would generate more than 50 vehicle trips in any hour and more than 500 vehicle trips per day would meet these warrants. Wedding events generating more than 200 vehicle trips in any hour and / or more than 2,000 vehicle trips per day would be considered to have a Major impact to local area roadways. Because we expect the typical wedding event to generate no more than 50 vehicle trips in any hour and no more than 500 vehicle trips per day, we recommend that this conditional use application be considered without a TIS.



Ms. Janelle M. Cornwell  
Page 2 of 2  
September 5, 2017

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance and Operations  
Steven Sisson, Sussex County Subdivision Coordinator, Development Coordination  
Tom Felice, Corridor Capacity Preservation Program Manager, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Scott Johnson, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

3/14/19

Delaware Board of Adjustment

Application: Conditional Use

The Covered Bridge Inn  
30249 Fisher Rd.  
Lewes, DE 19958

The original farmhouse and dairy barn on Hopkins Dairy farm had suffered the effects of neglect and dis-use over the last several decades. With the help of my father, Walter C. Hopkins, I have found a way to breathe new life into our historic buildings, providing a much needed Wedding Venue to Sussex County. The result is a profitable business to hand down to the future generations of the Hopkins family. With the strict guidance of the DE Ag Land Preservation board, we found a way to create this business while following all DE laws and use existing farming entrances and buildings, now with fire marshal approvals for occupancy and public assembly.

Restore – Reuse – Repurpose – Recycle.

Thank you for your consideration

Ingrid Hopkins  
Innkeeper  
Covered Bridge Inn  
[www.thecoveredbridgeinn.com](http://www.thecoveredbridgeinn.com)



DELAWARE AGRICULTURAL LANDS  
*Preservation Foundation*

2320 South duPont Highway  
Dover, Delaware 19901

Tel: 302-698-4530  
Toll Free: 800-282-8685 (DE only)  
Fax: 302-677-7093

September 22, 2016

Ms. Ingrid Hopkins Glassmeyer  
Covered Bridge Inn, LLC.  
30249 Fisher Road  
Lewes, DE 19958

Dear Ms. Glassmeyer:

This letter is confirmation that the enclosed Agri-Tourism Event application submitted by the Covered Bridge Inn, LLC was approved by the Delaware Agricultural Lands Preservation Foundation Board at the September 21, 2016 meeting. If you plan any significant changes or additions to your business, please contact our office before implementing these modifications so that we can review them and present to the Board for approval, if necessary.

We thank you for your cooperation and patience during this process and we wish you success in your business. If you have any questions please contact Foundation staff at (302) 698-4530.

Sincerely,

A handwritten signature in blue ink, appearing to read "RV", with a long horizontal flourish extending to the right.

Rebecca Vaughn  
Admin Specialist II – Planning & Preservation  
Delaware Department of Agriculture  
[rebecca.vaughn@state.de.us](mailto:rebecca.vaughn@state.de.us)

Enclosure  
/RV

CC: Project ID# S-95-07-042  
Walter C. Hopkins, Green Acres Farm, Inc.

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

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **6/10/2019**

APPLICATION: **CU 2177 Ingrid Hopkins**

APPLICANT: **Ingrid Hopkins**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **334-10.00-53.00 & 55.00 (portion of both)**

LOCATION: **30249 Fisher Road. North side of Fisher Road, approximately  
0.45 mile and 0.76 mile west of Beaver Dam Road.**

NO. OF UNITS: **Event Venue**

GROSS  
ACREAGE: **5.00**

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 3**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Click or tap to enter a fee** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Conditional Use is not in an area where the Sussex County Engineering Department has a plan/schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



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John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
No Permit Tech Assigned



RECEIVED  
JUN 10 2019  
SUSSEX COUNTY  
PLANNING & ZONING

## MEMORANDUM

TO: Janelle M. Cornwell  
FROM: Debbie Absher, Director of Ag Programs  
SUBJECT: LUPA  
DATE: June 11, 2019

Attached you will find the comments for the following proposed zoning changes:

- CU 2177 – Ingrid Hopkins
- CZ 1882 – Nassau DE Acquisitions Co., LLC
- CZ 1883 – OA-BP Marina Bay-Lakeside

If you have any questions, I can be reached at 856-3990, ext. 3.

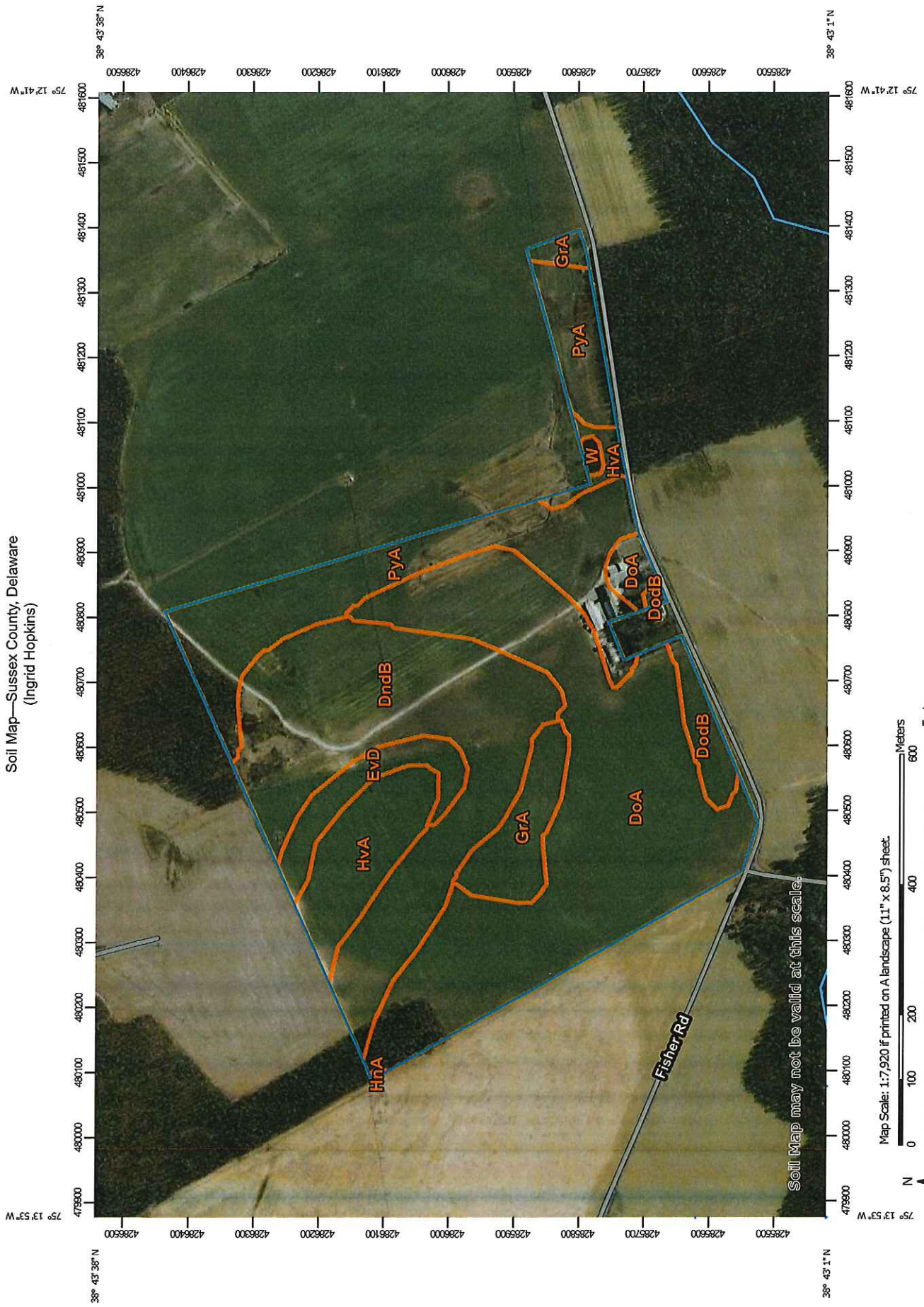
BJH  
Enclosures











































**CU 2177**  
**TM #334-10.00-53.00 & 55.00 (portions of both)**  
**Ingrid Hopkins**



Soil Map—Sussex County, Delaware  
(Ingrid Hopkins)



## MAP LEGEND

|  |   |
|--|---|
|  Area of Interest (AOI) |  Spoil Area            |
|  Soils                  |  Stony Spot            |
|  Soil Map Unit Polygons |  Very Stony Spot       |
|  Soil Map Unit Lines    |  Wet Spot              |
|  Soil Map Unit Points   |  Other                 |
|  Special Point Features |  Special Line Features |
|  Blowout                |  Streams and Canals    |
|  Borrow Pit             |  Transportation        |
|  Clay Spot              |  Rails                 |
|  Closed Depression      |  Interstate Highways   |
|  Gravel Pit             |  US Routes             |
|  Gravelly Spot          |  Major Roads           |
|  Landfill               |  Local Roads           |
|  Lava Flow              |  Background            |
|  Marsh or swamp         |  Aerial Photography    |
|  Mine or Quarry         |   |
|  Miscellaneous Water    |   |
|  Perennial Water        |   |
|  Rock Outcrop           |   |
|  Saline Spot            |   |
|  Sandy Spot            |   |
|  Severely Eroded Spot |   |
|  Sinkhole             |   |
|  Slide or Slip        |   |
|  Sodic Spot           |   |

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware  
 Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

| Map Unit Symbol                    | Map Unit Name   | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------------|----------------|
| DndB                               | Downer loamy sand, 2 to 5 percent slopes, Northern Tidewater Area | 34.5         | 26.4%          |
| DoA                                | Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area | 47.6         | 36.5%          |
| DodB                               | Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area | 3.0          | 2.3%           |
| EvD                                | Evesboro loamy sand, 5 to 15 percent slopes                       | 4.8          | 3.7%           |
| GrA                                | Greenwich loam, 0 to 2 percent slopes                             | 6.5          | 5.0%           |
| HnA                                | Hammonton sandy loam, 0 to 2 percent slopes                       | 0.0          | 0.0%           |
| HvA                                | Hurlock sandy loam, 0 to 2 percent slopes                         | 9.5          | 7.3%           |
| PyA                                | Pineyneck loam, 0 to 2 percent slopes                             | 24.0         | 18.4%          |
| W                                  | Water   | 0.4          | 0.3%           |
| <b>Totals for Area of Interest</b> |   | <b>130.3</b> | <b>100.0%</b>  |

## Selected Soil Interpretations

This report allows the customer to produce a report showing the results of the soil interpretation(s) of his or her choice. It is useful when a standard report that displays the results of the selected interpretation(s) is not available.

When customers select this report, they are presented with a list of interpretations with results for the selected map units. The customer may select up to three interpretations to be presented in table format.

For a description of the particular interpretations and their criteria, use the "Selected Survey Area Interpretation Descriptions" report.

### Report—Selected Soil Interpretations

| Selected Soil Interpretations—Sussex County, Delaware                  |                  |                                    |       |                                    |       |  |       |
|--|------------------|------------------------------------|-------|------------------------------------|-------|--|-------|
| Map symbol and soil name   | Pct. of map unit | ENG - Dwellings W/O Basements      |       | ENG - Dwellings With Basements     |       | ENG - Septic Tank Absorption Fields (DE) |       |
|  |                  | Rating class and limiting features | Value | Rating class and limiting features | Value | Rating class and limiting features       | Value |
| DndB—Downer loamy sand, 2 to 5 percent slopes, Northern Tidewater Area |                  |                                    |       |                                    |       |  |       |
| Downer   | 80               | Not limited                        |       | Not limited                        |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.99  |
| DoA—Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area  |                  |                                    |       |                                    |       |  |       |
| Downer   | 80               | Not limited                        |       | Not limited                        |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.99  |
| DodB—Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area |                  |                                    |       |                                    |       |  |       |
| Downer   | 80               | Not limited                        |       | Not limited                        |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.99  |
| EvD—Evesboro loamy sand, 5 to 15 percent slopes                        |                  |                                    |       |                                    |       |  |       |
| Evesboro   | 75               | Somewhat limited                   |       | Somewhat limited                   |       | Very limited                             |       |
|  |                  | Slope                              | 0.63  | Slope                              | 0.63  | Filtering capacity                       | 1.00  |
|  |                  |                                    |       |                                    |       | Slope                                    | 0.63  |

| Selected Soil Interpretations--Sussex County, Delaware |                  |                                    |       |                                    |       |  |       |
|--|------------------|------------------------------------|-------|------------------------------------|-------|--|-------|
| Map symbol and soil name                               | Pct. of map unit | ENG - Dwellings W/O Basements      |       | ENG - Dwellings With Basements     |       | ENG - Septic Tank Absorption Fields (DE) |       |
|  |                  | Rating class and limiting features | Value | Rating class and limiting features | Value | Rating class and limiting features       | Value |
| GrA--Greenwich loam, 0 to 2 percent slopes             |                  |                                    |       |                                    |       |  |       |
| Greenwich  | 85               | Not limited                        |       | Not limited                        |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| HnA--Hammonton sandy loam, 0 to 2 percent slopes       |                  |                                    |       |                                    |       |  |       |
| Hammonton  | 80               | Somewhat limited                   |       | Very limited                       |       | Very limited                             |       |
|  |                  | Depth to saturated zone            | 0.39  | Depth to saturated zone            | 1.00  | Depth to saturated zone                  | 1.00  |
| HvA--Hurlock sandy loam, 0 to 2 percent slopes         |                  |                                    |       |                                    |       |  |       |
| Hurlock, drained                                       | 42               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Ponding                            | 1.00  | Ponding                            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Ponding                                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| Hurlock, undrained                                     | 38               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Ponding                            | 1.00  | Ponding                            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Ponding                                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| PyA--Pineyneck loam, 0 to 2 percent slopes             |                  |                                    |       |                                    |       |  |       |
| Pineyneck  | 80               | Somewhat limited                   |       | Very limited                       |       | Very limited                             |       |
|  |                  | Depth to saturated zone            | 0.39  | Depth to saturated zone            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| W--Water   |                  |                                    |       |                                    |       |  |       |
| Water  | 100              | Not rated                          |       | Not rated                          |       | Not rated                                |       |

## Data Source Information

Soil Survey Area: Sussex County, Delaware  
 Survey Area Data: Version 19, Sep 14, 2018

## Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

*Prime farmland* is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.

*Unique farmland* is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be *farmland of local importance* for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.

## Report—Prime and other Important Farmlands

| Prime and other Important Farmlands—Sussex County, Delaware |   |                                  |
|---|---|----------------------------------|
| Map Symbol  | Map Unit Name   | Farmland Classification          |
| DndB  | Downer loamy sand, 2 to 5 percent slopes, Northern Tidewater Area | All areas are prime farmland     |
| DoA   | Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area | All areas are prime farmland     |
| DodB  | Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area | All areas are prime farmland     |
| EvD   | Evesboro loamy sand, 5 to 15 percent slopes                       | Not prime farmland               |
| GrA   | Greenwich loam, 0 to 2 percent slopes                             | All areas are prime farmland     |
| HnA   | Hammonton sandy loam, 0 to 2 percent slopes                       | All areas are prime farmland     |
| HvA   | Hurlock sandy loam, 0 to 2 percent slopes                         | Farmland of statewide importance |
| PyA   | Pineyneck loam, 0 to 2 percent slopes                             | All areas are prime farmland     |
| W   | Water   | Not prime farmland               |

## Data Source Information

Soil Survey Area: Sussex County, Delaware  
Survey Area Data: Version 19, Sep 14, 2018



# SOILS

ADD ANY ADDITIONAL INFORMATION THAT MAY BE CONSIDERED PERTINENT:

## SOILS:

|     |   |
|-----|---|
| DnB | Downer loamy sand, 2 to 5 percent slopes    |
| DoA | Downer sandy loam, 0 to 2 percent slopes    |
| DoB | Downer sandy loam, 2 to 5 percent slopes    |
| EvD | Evesboro loamy sand, 5 to 15 percent slopes |
| GrA | Greenwich loam, 0 to 2 percent slopes       |
| HnA | Hammonton sandy loam, 0 to 2 percent slopes |
| HvA | Hurlock sandy loam, 0 to 2 percent slopes   |
| PyA | Pineyneck loam, 0 to 2 percent slopes       |

- A. SUITABILITY OF SOILS INTENDED USE:  
See attached table for suitability.
  
- B. EVALUATE THE SOILS INCLUDED IN THIS PROJECT WITH RESPECT TO EROSION AND SEDIMENTATION CONTROL:
  1. DURING CONSTRUCTION:  
  
Follow recommended erosion and sediment control practices.
  
  2. AFTER CONSTRUCTION:  
  
Maintain vegetation.
  
- C. FARMLAND RATING (PRIME, UNIQUE, STATEWIDE IMPORTANCE, ETC.):  
See attached table(s) for ratings.
  
- D. ADDITIONAL COMMENTS (IF APPLICABLE):

# DRAINAGE AND FLOODING

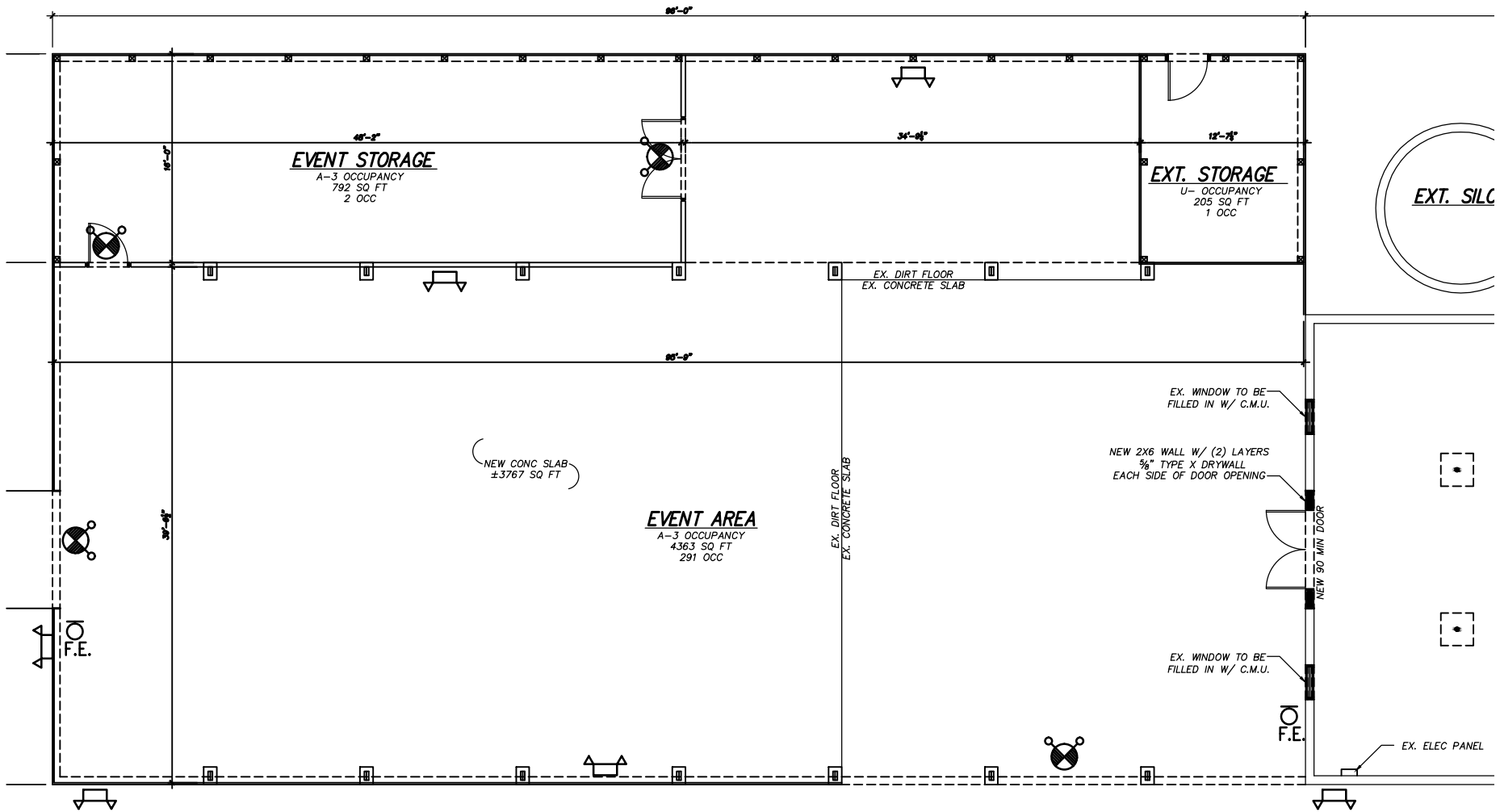
Add any additional information that may be considered pertinent:

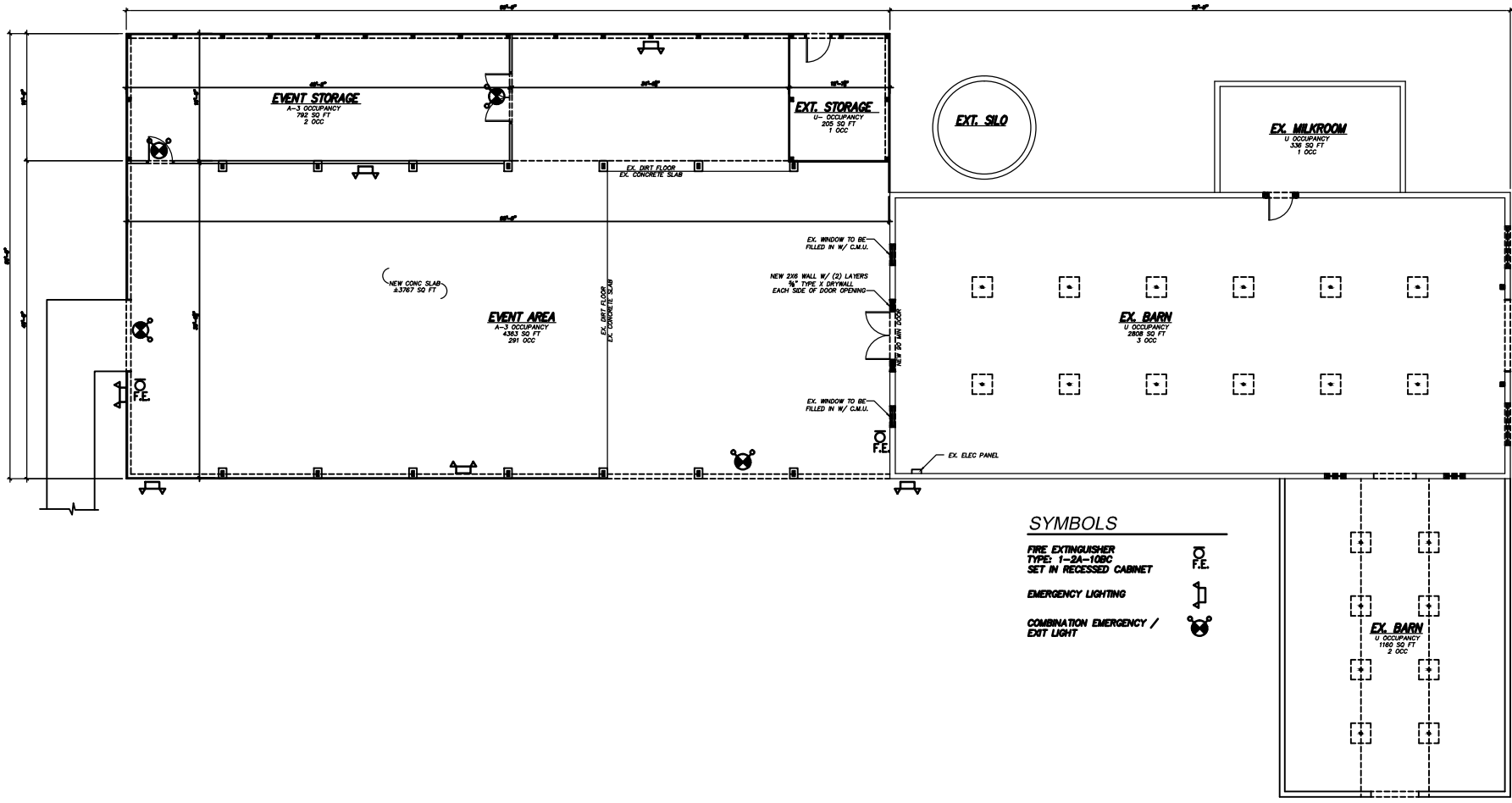
## DRAINAGE:

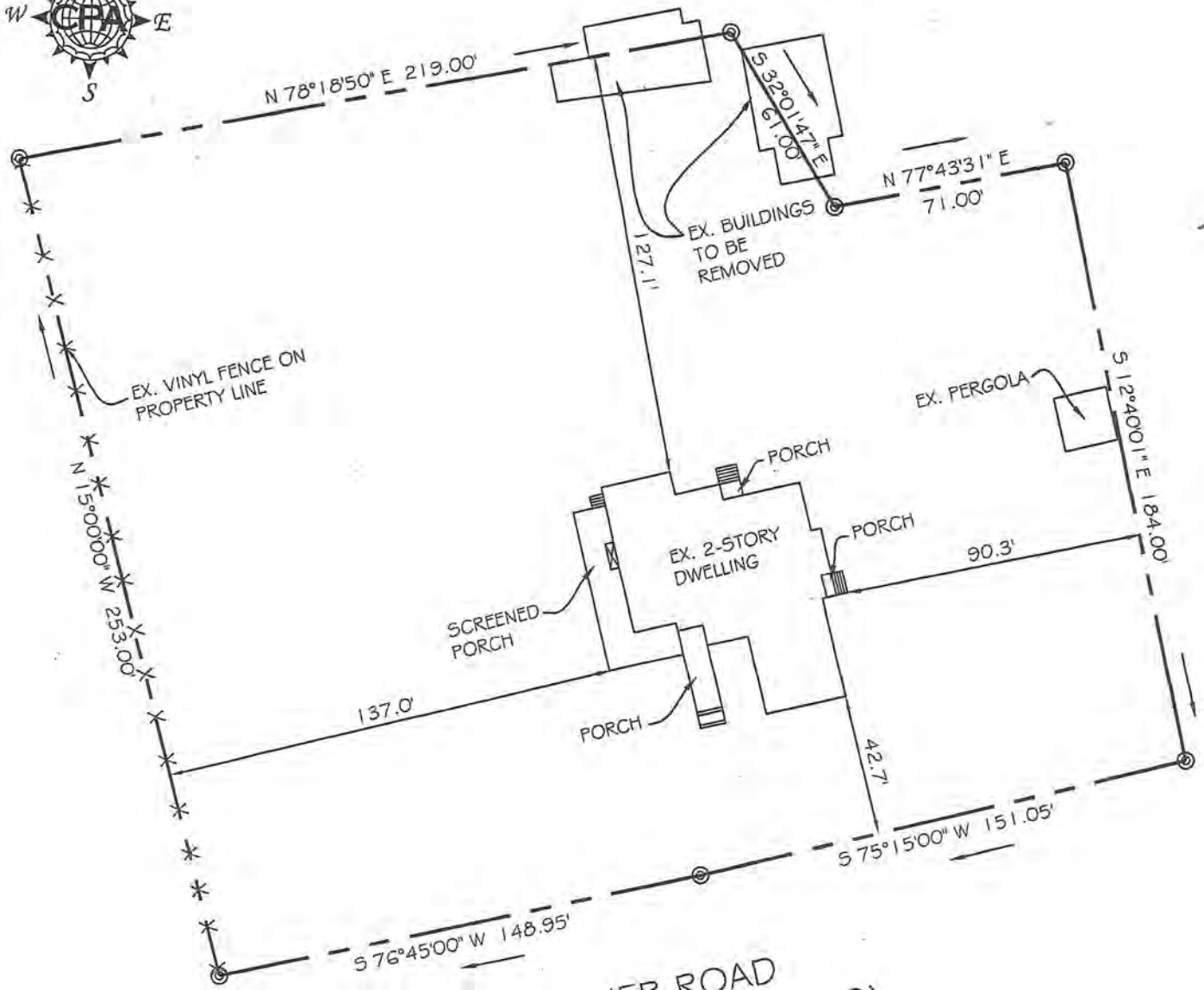
- A. Any Storm flood hazard area affected?  Yes  No
- B. Would the proposed project necessitate any off-site drainage improvements?  
*Not Likely*
- C. Would the proposed project necessitate any on-site drainage improvements?  
*Possibly*
- D. Any Tax Ditch affected?  Yes  No

Additional Comments (if applicable)


All landowners, developers, and site designers are strongly encouraged to thoroughly investigate the presence of easements or right-of-ways along tax ditches. These documents are located in the Prothonotary's Office and/or with the Recorder of Deeds. If a stormwater management facility is proposed along a stream or ditch, the Sussex Conservation District will require verification of any easements. Before you start any project design, please look into this matter by calling the Division of Soil and Water Conservation-Drainage Program at (302) 855-1930 or the Sussex Conservation District Sediment and Stormwater Program at (302) 856-7219 for more information.



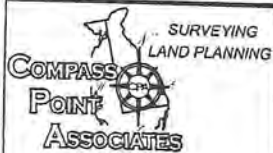




FISHER ROAD  
(COUNTY ROAD #262)  
(EX. 40' RM)

SIGNATURE AND EMBOSSED SEAL OF PETER E. LOBENS E.I.N. OR VERNON W. WALCH  
  
 1/6/12  
 NOT VALID WITHOUT SIGNATURE AND EMBOSSED SEAL OF PETER E. LOBENS E.I.N. OR VERNON W. WALCH

LEGEND  
 © DENOTES IPF/COAST CAP



P.O. Box 246  
 Harbeson, Delaware 19951  
 (302) 684-2960 fax (302) 684-2983  
 e-mail: cpalic@comcast.net

LOCATION SURVEY PLAN: 30227 FISHER ROAD  
 Lewes & Rehoboth Hundred, Sussex County, Delaware

Deed Ref: 681/543  
 scale: 1" = 50'  
 Class "X" Survey  
 Surveyed for: WALTER HOPKINS

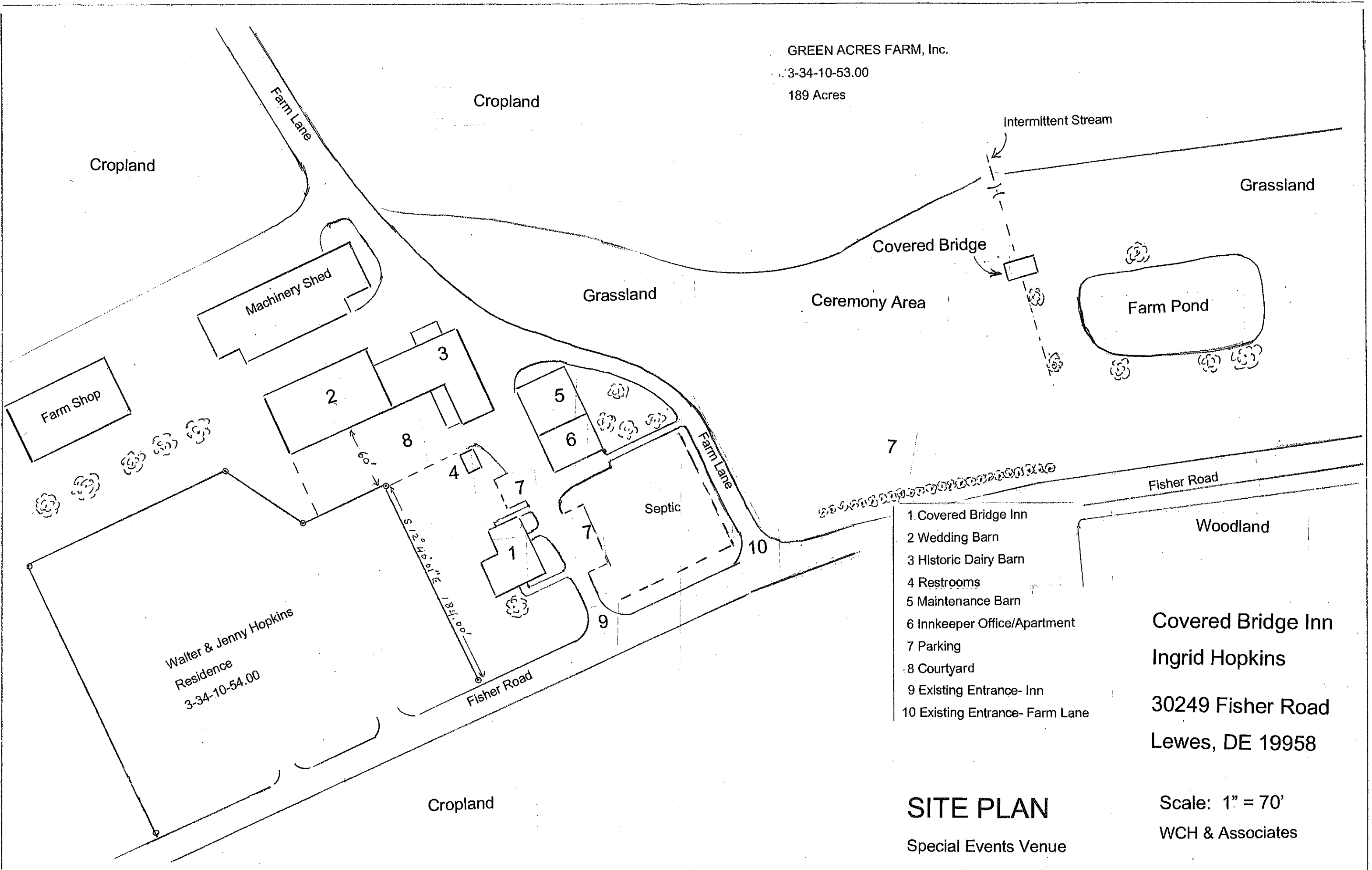
The existence or non-existence of rights of way, easements or other encumbrances affecting these lands has not been verified by the surveyor in the preparation of this survey. No warranty as to title to any lands depicted hereon is provided.

SURVEYED BY: H. Lambros  
 DRAWN BY: D.A.N.  
 CHECKED BY: P.E.L./A.H.  
 PROJECT #: 120101-HOP  
 TAX MAP: 3-34-10.00-54.00  
 DATE: 01-06-2012  
 SHEET NO: 1 Of 1

GREEN ACRES FARM, Inc.

3-34-10-53.00

189 Acres



- 1 Covered Bridge Inn
- 2 Wedding Barn
- 3 Historic Dairy Barn
- 4 Restrooms
- 5 Maintenance Barn
- 6 Innkeeper Office/Apartment
- 7 Parking
- 8 Courtyard
- 9 Existing Entrance- Inn
- 10 Existing Entrance- Farm Lane

Walter & Jenny Hopkins  
Residence  
3-34-10-54.00

Covered Bridge Inn  
Ingrid Hopkins  
30249 Fisher Road  
Lewes, DE 19958

**SITE PLAN**  
Special Events Venue

Scale: 1" = 70'  
WCH & Associates

**PLANNING & ZONING COMMISSION**

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



**Sussex County**

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

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date: June 27, 2019

Application: CZ 1882 Nassau DE Acquisitions Co., LLC

Applicant: Nassau DE Acquisitions Co., LLC  
1201 North Orange St., Suite 300  
Wilmington, DE 19801

Owners: Hagan Herman G Trustee & Patricia R. Hagan Trustee  
Milton, DE 19968

Susan N. Moore  
14492 Oyster Rock Road  
Milton, DE 19968

Site Location: East side of Coastal Highway approximately 150 ft. north of Old Mill Road, and on the north side of Old Mill Road approximately 708 ft. east of Coastal Highway.

Current Zoning: AR-1 (Agricultural Residential) & C2 (Medium Commercial)

Proposed Use: HR-1 RPC (High Density Residential Planned Community)

Comprehensive Land Use Plan Reference: Environmentally Sensitive Developing Areas

Councilmatic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Sussex County

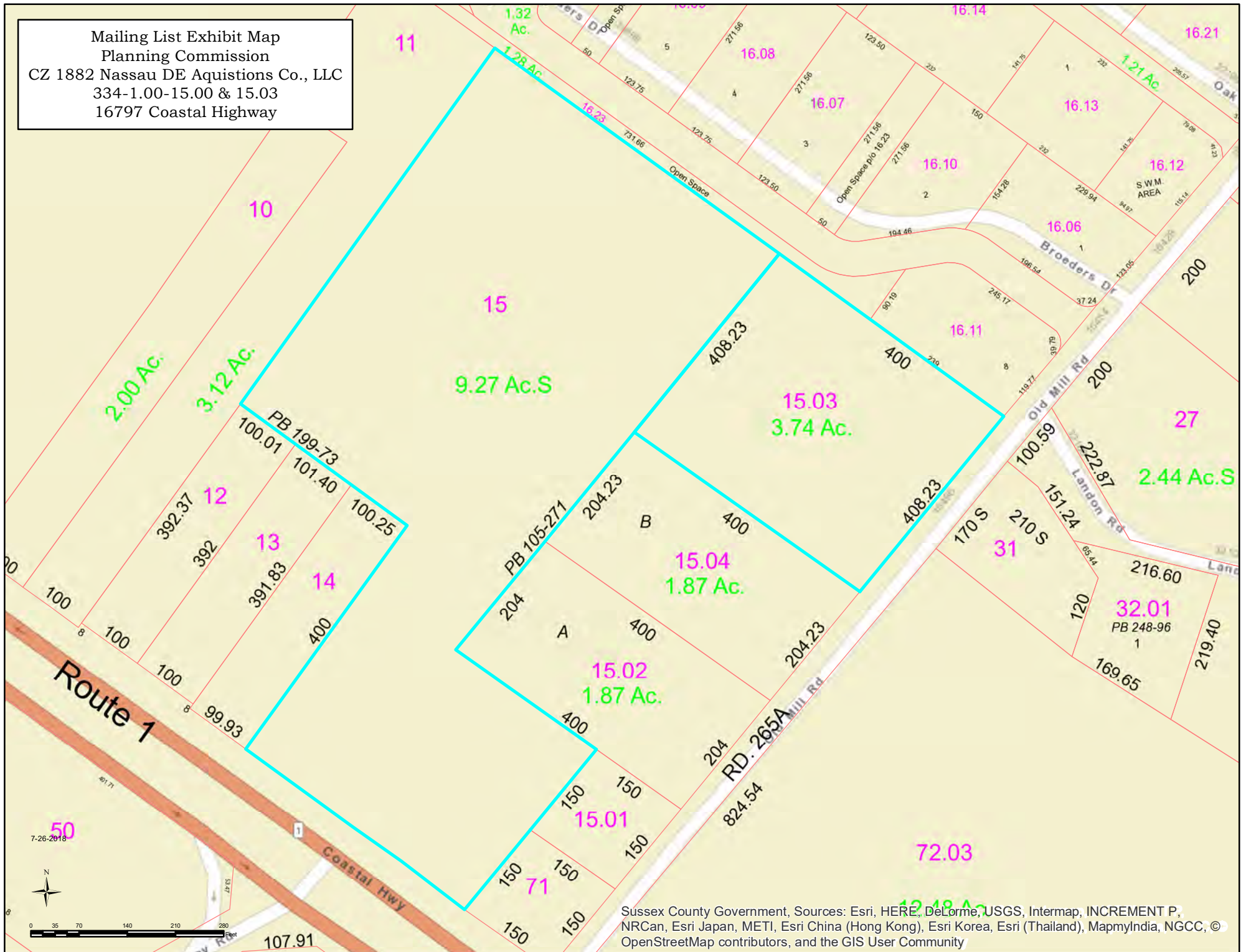
Water: Tidewater Utilities

Site Area: 15.2 acres +/-

Tax Map ID.: 334-1.00-15.00 & 15.03



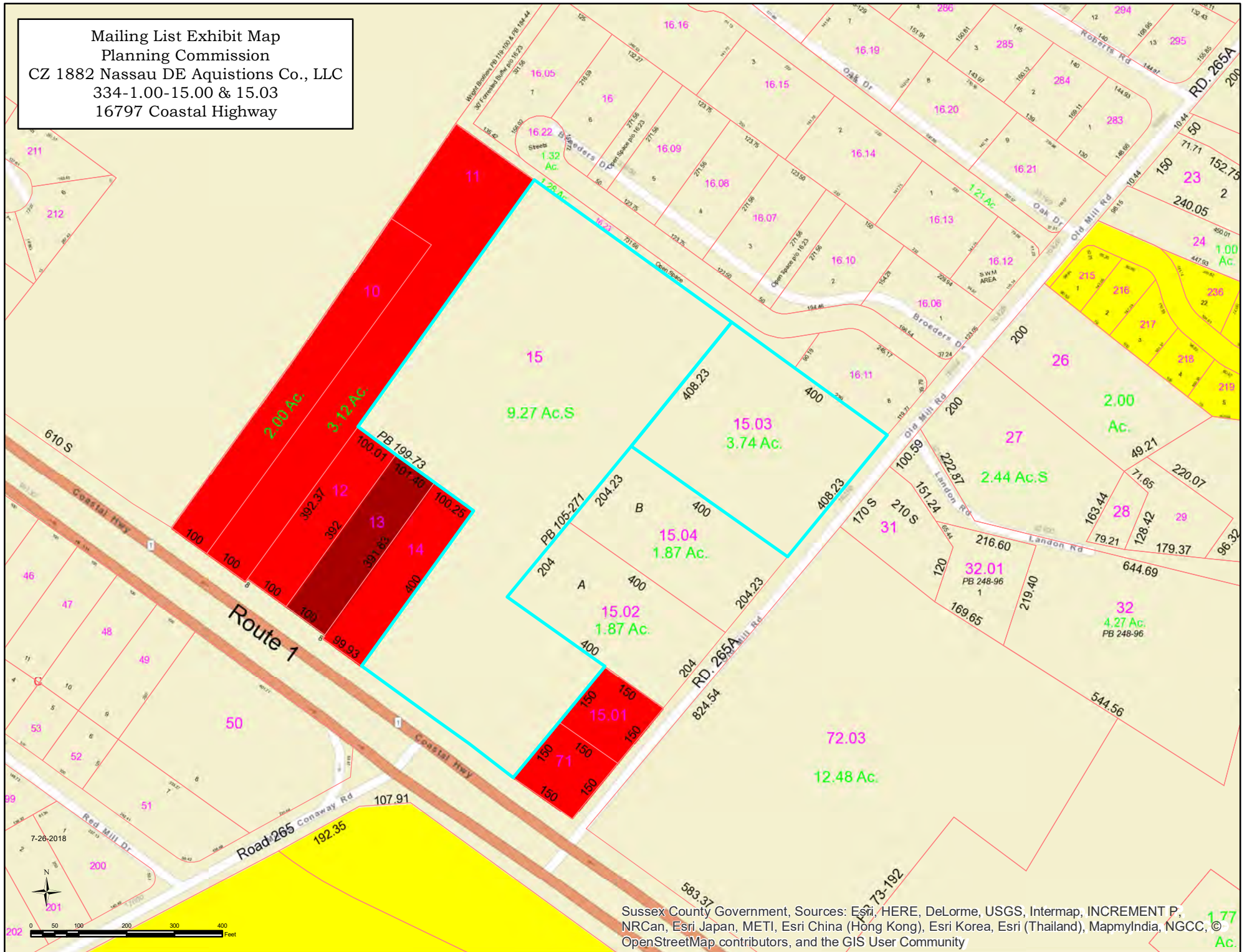
Mailing List Exhibit Map  
Planning Commission  
CZ 1882 Nassau DE Aquistions Co., LLC  
334-1.00-15.00 & 15.03  
16797 Coastal Highway



Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

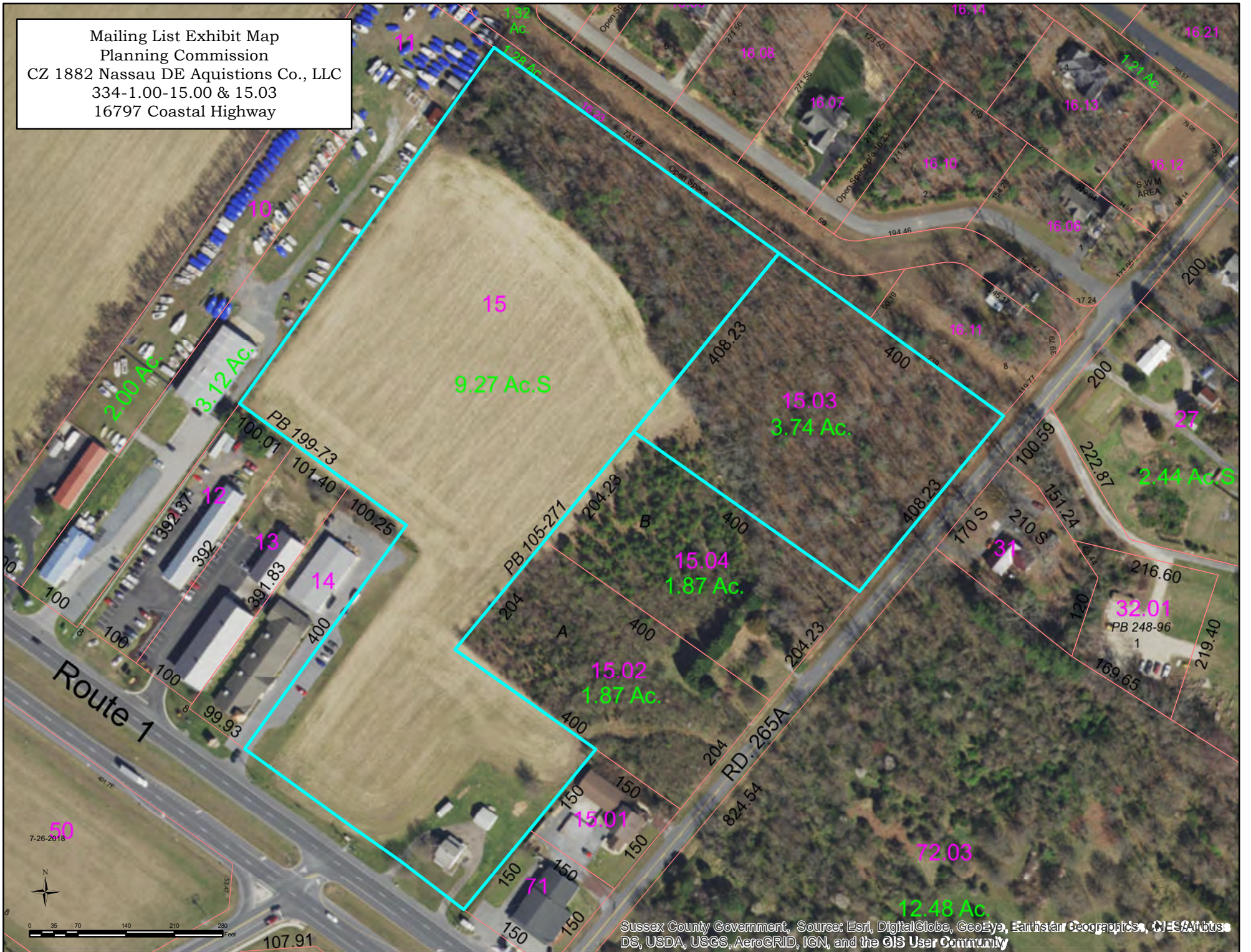


Mailing List Exhibit Map  
 Planning Commission  
 CZ 1882 Nassau DE Aquistions Co., LLC  
 334-1.00-15.00 & 15.03  
 16797 Coastal Highway



Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Mailing List Exhibit Map  
Planning Commission  
CZ 1882 Nassau DE Aquistions Co., LLC  
334-1.00-15.00 & 15.03  
16797 Coastal Highway



## PLANNING & ZONING

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



# Sussex County

DELAWARE  
sussexcountype.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: June 18, 2019  
RE: Staff Analysis for CZ 1882 Nassau DE Acquisitions Co., LLC

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1882 Nassau DE Acquisitions Co., LLC to be reviewed during the June 27, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for parcels 334-1.00-15.00 and 334-1.00-15.03 to allow for a change from AR-1 (Agricultural Residential District) and C-2 (Medium Commercial District) to HR-1 - RPC (High Density Residential District – Residential Planned Community) to be located on Coastal Hwy. (Rt. 1) and Old Mill Rd. The size of the property is 12.5 ac. +/-.

The 2018/2019 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map indicates that the properties have the land use designation Coastal Area.

The surrounding land use to the north, south, east and west is Coastal Area. The Coastal Areas land use designation recognizes that “a range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas.” HR-1-RPC is a zoning district that may be considered in the Coastal Area land use.

The property is zoned AR-1 (Agricultural Residential District) and C-2 (Medium Commercial District). The properties to the north and south are zoned C-1 (General Commercial District) and AR-1 (Agricultural Residential District). The properties to the east are zoned AR-1 (Agricultural Residential District) and MR (Medium-Density Residential District). The properties to the west are AR-1 (Agricultural Residential District) and MR-RPC (Medium-Density Residential District - Residential Planned Community). There are no known Conditional Use in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Change of Zone to allow a change from AR-1 (Agricultural Residential District) and C-2 (Medium Commercial District) to HR-1 - RPC (High Density Residential – Residential Planned Community) could be considered consistent with the land use, area zoning and uses.





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

JENNIFER COHAN  
SECRETARY

March 4, 2019

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Nassau DE Acquisition Co., LLC** rezoning application, which we received on February 7, 2019. This application is for a 13.01-acre assemblage of parcels (Tax Parcels: 334-1.00-15.00 & 15.03). The subject land is located on the northeast side of Delaware Route 1, opposite Minos Conaway Road (Sussex Road 265), and on the northwest side of Old Mill Road (Sussex Road 265A). The subject land is currently zoned AR-1 (Agricultural Residential) and the applicant is seeking to rezone the land to HR-1 (High-Density Residential) to develop 168 multi-family (mid-rise) houses.

Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Delaware Route 1 where the subject land is located, which is from US Route 9 to Delaware Route 16, are 31,327 and 40,318 vehicles per day, respectively. As the subject land also has frontage along Old Mill Road, the annual average and summer average daily traffic volumes along that road segment, are 634 and 816 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per a weekly peak hour or 500 vehicle trips per day, and would be considered to have a Minor impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day but less than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our Development Coordination Manual



Ms. Janelle M. Cornwell  
Page 2 of 3  
March 4, 2019

provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be less than 200 vehicle trips per a weekly peak hour and less than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, a development of 168 multi-family detached houses would generate 914 vehicle trips per day, 57 vehicle trips during the morning peak hour, and 73 vehicle trips during the afternoon peak hour. As stated above, because this development would generate fewer than 2,000 vehicle trips per day and fewer than 200 vehicle trips during a weekly peak hour, the applicant has the option to pay the Area-Wide Study Fee in lieu of doing a TIS. The Area-Wide Study Fee for the proposed development would be \$9,140.00. Payment of the Area-Wide Study Fee does not preclude a developer from having to make or participate in off-site improvements.

Because the site would generate more than 200 vehicle trips per day, a Traffic Operational Analysis (TOA) may be required as part of the site plan review process, in accordance with Chapter 2 of the Development Coordination Manual.

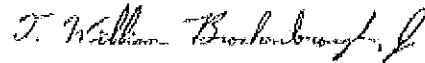
The subject property is adjacent to Delaware Route 1, thereby is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of the existing highway by minimizing and consolidating the number of direct driveway access points on the arterial highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has reasonable secondary access along Old Mill Road. Therefore, site access would be granted along the secondary road.

In addition, DelDOT currently has one project opposite the subject site. It is the SR-1 / Minos Conaway Grade Separated Intersection project aims to maintain capacity on Delaware Route 1 and improve safety at the intersection of Delaware Route 1 and Minos Conaway Road while improving mobility and access for local traffic. The project calls for converting the existing northbound lanes of Delaware Route 1, which front this proposed site, into a future service road. Once the service road is completed, the site can gain full access to the service road. More information regarding the interchange project can be found online at [www.deldot.gov/information/projects/SR1MinosConaway/index.shtml](http://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml). Also, the Corridor Capacity Preservation Program policy can be viewed on Department's website at [www.deldot.gov](http://www.deldot.gov).

Ms. Janelle M. Cornwell  
Page 3 of 3  
March 4, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence or Mr. Thomas Felice, at (302) 760-2338, if you have questions concerning the Corridor Capacity Preservation Program.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

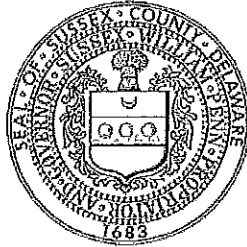
TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Nassau DE Acquisition Co., LLC, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Thomas Felice, Corridor Capacity Preservation Program Manager, Development  
Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance & Operations  
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

**PLANNING & ZONING**

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



**Sussex County**

DELAWARE  
sussexcountyde.gov

**Service Level Evaluation Request Form**

This form shall be submitted to the Planning and Zoning Office and a response shall be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

RECEIVED

Date: 2/7/19

FEB 06 2019

**Site Information:**

SUSSEX COUNTY  
PLANNING & ZONING

Site Address/Location: INTERSECTION OF COASTAL HWY & OLD MILL ROAD

Tax Parcel Number: 334-1.00-15.00 & .03

Current Zoning: AR-1

Proposed Zoning: HR-1

Land Use Classification: AGRICULTURAL & UNDEVELOPED LANDS

Proposed Use(s):

MULTI-FAMILY

Square footage of any proposed buildings or number of units: 168 UNITS

**Applicant Information:**

Applicant's Name: NASSAU DE ACQUISITION Co., LLC

Applicant's Address: 1201 NORTH ORANGE ST, SUITE 300

City: WILMINGTON State: DE Zip Code: 19801

Applicant's Phone Number: 302 287 3045

Applicant's e-mail address: JOSEPH.M.CALABRO@GMAIL.COM

MADE CONTACT

3/4/2019 3:57 PM





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

JENNIFER COHAN  
SECRETARY

March 5, 2019

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

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Ms. Janelle M. Cornwell  
Page 2 of 3  
March 5, 2019

provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be less than 200 vehicle trips per a weekly peak hour and less than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, a development of 168 multi-family (mid-rise) houses would generate 914 vehicle trips per day, 57 vehicle trips during the morning peak hour, and 73 vehicle trips during the afternoon peak hour. As stated above, because this development would generate fewer than 2,000 vehicle trips per day and fewer than 200 vehicle trips during a weekly peak hour, the applicant has the option to pay the Area-Wide Study Fee in lieu of doing a TIS. The Area-Wide Study Fee for the proposed development would be \$9,140.00. Payment of the Area-Wide Study Fee does not preclude a developer from having to make or participate in off-site improvements.

Because the site would generate more than 200 vehicle trips per day, a Traffic Operational Analysis (TOA) may be required as part of the site plan review process, in accordance with Chapter 2 of the Development Coordination Manual.

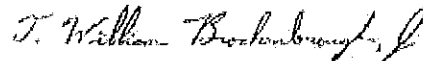
The subject property is adjacent to Delaware Route 1, thereby is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of the existing highway by minimizing and consolidating the number of direct driveway access points on the arterial highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has reasonable secondary access along Old Mill Road. Therefore, site access would be granted along the secondary road.

In addition, DelDOT currently has one project opposite the subject site. It is the SR-1 / Minos Conaway Grade Separated Intersection project aims to maintain capacity on Delaware Route 1 and improve safety at the intersection of Delaware Route 1 and Minos Conaway Road while improving mobility and access for local traffic. The project calls for converting the existing northbound lanes of Delaware Route 1, which front this proposed site, into a future service road. Once the service road is completed, the site can gain full access to the service road. More information regarding the interchange project can be found online at [www.deldot.gov/information/projects/SR1MinosConaway/index.shtml](http://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml). Also, the Corridor Capacity Preservation Program policy can be viewed on Department's website at [www.deldot.gov](http://www.deldot.gov).

Ms. Janelle M. Cornwell  
Page 3 of 3  
March 5, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence or Mr. Thomas Felice, at (302) 760-2338, if you have questions concerning the Corridor Capacity Preservation Program.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Nassau DE Acquisition Co., LLC, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Thomas Felice, Corridor Capacity Preservation Program Manager, Development  
Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance & Operations  
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination



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

JENNIFER COHAN  
SECRETARY

December 3, 2018

Michael H. Vincent President,  
Sussex County Council  
P.O. Box 417 Georgetown, DE 19947

Dear Council President Vincent:

This letter is in response to the request made by Councilman I.G. Burton at the November 27, 2018 County Council meeting regarding Change of Zone applications 1860, 1861 and Conditional Land Use application 2147 - Nassau Property. DelDOT Transportation Planner, Jennifer Cinelli agreed to provide County Council with a response regarding the potential for interim improvements to the traffic network surrounding the property prior to the Minos Conaway project coming online. Our response is as follows:

1. DelDOT is aware of the proposed development and has had discussions with the developer regarding the improvements that will be required.
2. DelDOT submitted comments through the State of Delaware's Preliminary Land Use Service on May 24, 2018 which are attached. These comments address the Corridor Capacity Preservation Program guidelines as well as requirements for approvals for access to State maintained roads.
3. Based on the concerns of County Council, should these zone changes and conditional use be approved, DelDOT will require that a Traffic Operations Analysis (TOA) be performed prior to entrance approval being granted and may require interim improvements at the intersection of Delaware Route 1 and Old Mill Road.

If you have any questions or require additional information, please contact Mr. Bill Brockenbrough, at (302) 760-2109.

Sincerely,

Drew A. Boyce  
Director of Planning



Michael H. Vincent  
December 3, 2018  
Page 2 of 2

DAB:jcm

Enclosure

cc: Michael DuRoss, Assistant Director, Regional Systems Planning  
J. Marc Coté, Assistant Director, Development Coordination  
Joshua Thomas, Planning Supervisor, Regional Systems Planning  
Jennifer Cinelli-Miller, Transportation Planner, Regional Systems Planning  
Thomas C. Felice, Manager, Corridor Capacity Preservation Program, Development Coordination  
Todd J. Sammons, Subdivision Engineer, Development Coordination  
Steven M. Sisson, Sussex County Subdivision Engineer, Development Coordination  
T. William Brockenbrough, Jr., County Coordinator, Development Coordination  
Troy E. Brestel, Project Engineer, Development Coordination

Agency Name: Dept. of Transportation Project Name: Nassau Property  
Division: Planning Contact Person: Bill Brockenbrough

### Regulations/Code Requirements

- Because the subject property fronts on Delaware Route 1 between Dover Air Force Base and the Nassau Bridge, it is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of certain existing highways by minimizing and consolidating the number of direct high-volume, driveway access points along them. Delaware Route 1 is a controlled-access highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code.

Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has frontage along Old Mill Road (Sussex Road 265A). Therefore, all site access must be developed along Old Mill Road, not on Delaware Route 1.

As discussed below in a separate comment, DelDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. When that occurs, access on the service road may be permissible but that conversion should not be expected until after the subject development is complete.

More information regarding the Corridor Capacity Preservation Program is available at [https://www.deldot.gov/Publications/manuals/corr\\_cap/index.shtml](https://www.deldot.gov/Publications/manuals/corr_cap/index.shtml).

- The site access on Old Mill Road must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review.
- Section P.5 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. The PLUS application states that the proposed development would generate 998 vehicle trip ends per day on weekdays, a number that DelDOT finds credible but has not yet verified. DelDOT calculates that the 150 condominiums would generate 816 vehicle trip ends per day on weekdays and presently sees the proposed Sales Center as an accessory use, with no trip generation of its own. Regardless, the 500 vehicle trip ends per day would be exceeded, so a TIS is warranted.

Per Section 2.2.2.2 of the Manual, developments generating fewer than 2,000 vehicle trip ends per day and fewer than 200 vehicle trip ends per hour in any hour of the day may be eligible to pay a fee, the Area Wide Study Fee, in lieu of doing a TIS. The fee is calculated as \$10 times the Average Daily Traffic volume shown on the site plan and is payable with the Initial Stage submission. Payment of the fee does not exempt the developer from responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DeIDOT identifies a need for a TOA in the plan review process.

Two off-site improvements that DeIDOT can readily identify without a TIS or TOA are a contribution to the DeIDOT project mentioned above and improvements to Old Mill Road. The DeIDOT project is the SR 1, Minos Conaway Grade Separated Intersection. It is presently scheduled for construction in Fiscal Years 2023 and 2024 with a total cost of \$32,700,000. More information on the project is available at <https://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml>. This development's contribution would be proportional to its contribution to traffic in the affected area. The need for additional rights-of-way from the development has not been determined but any needed rights-of-way that would otherwise be compensable could be credited toward this contribution.

Presently, Old Mill Road has 10-foot lanes and lacks shoulders. DeIDOT's standard for local roads is 11-foot lanes and 5-foot paved shoulders. At a minimum, the applicant should expect a requirement to improve Old Mill Road to meet that standard in both directions from Route 1 to the north limit of their frontage.

- Section 3.2.4.2 of the Manual addresses the placement of right-of-way monuments (markers) along the roads on which a property fronts, in this case Old Mill Road and Delaware Route 1. Monuments sufficient to re-establish the permanent rights-of-way after the dedication discussed below should be shown on the plan and provided in the field in accordance with this section.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DeIDOT will require dedication of right-of-way along the site's frontage on Old Mill Road and Delaware Route 1. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of Old Mill Road and 30 feet of right-of-way from the outer edge of the northbound through lanes on Delaware Route 1. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"
- In accordance with Section 3.2.5.1.1 of the Manual, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the site entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Old Mill Road and Delaware Route 1. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, “**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**”
- In accordance with Section 3.4 of the Manual, a record plan shall be prepared prior to issuing “Letter of No Objection”. The record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document available on the DelDOT website at <https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items-Record-Subdivision.pdf?09222017>.
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 300 feet of the proposed entrance on both roads.
  - Notes identifying the type of any off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5 of the Manual provides DelDOT’s requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT-maintained public streets for subdivisions. Private or municipal streets should follow the City’s requirements for connectivity.
- Section 3.5.4.2 of the Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, developments in Level 3 and 4 Areas are required to install a sidewalk or Shared Use Path if the project abuts to an existing facility; otherwise it is at DelDOT’s discretion. Because this part of the County appears to be developing rapidly, DelDOT anticipates requiring a Shared Use Path along the development frontage.
- Referring to Section 3.5.5 of the Manual, existing and proposed transit stops and associated facilities as required by the Delaware Transit Corporation (DTC) or DelDOT shall be shown on the Record Plan.
- Because the proposed development is to be constructed in the proximity of a road with a functional classification of principal arterial, freeway or interstate, specifically Delaware Route 1, the developer will be required to perform a noise analysis in accordance with

DelDOT's Noise Policy, found in Section 3.6 of the Manual and may be required to provide noise abatement for residents based on that analysis.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along both Old Mill Road and Delaware Route 1.
- Referring to Section 4.3 of the Manual, an entrance plan shall be prepared prior to issuing entrance approval. The entrance plan submittal shall include the items listed on the Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plan document available on the DelDOT website at [https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items Entrance Construction Subdivision.pdf?09222017](https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items%20Entrance%20Construction%20Subdivision.pdf?09222017).
- In accordance with Section 5.2.5.6 of the Manual, a separate turning template plan shall be provided to verify vehicles can safely enter and exit the site entrance. As per Section 5.2.3 of the Manual, the entrance shall be designed for the largest vehicle using the entrance.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.
- Because the proposed development would not have State-maintained streets, Section 6.4.3 of the Manual, which pertains to the inspection and acceptance of commercial entrances, applies. Construction inspection responsibilities shall be in accordance with Figure 6.4.3-a. DelDOT's preliminary reading of this figure is that the project requires Level I inspection and that a construction inspection agreement will not be needed.
- Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.



## Suggestions

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal street or driveway with no direct access to Old Mill Road or Delaware Route 1.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall now be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available on our website at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision date of December 8, 2017. The notes can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

Agency Name: Dept. of Transportation Project Name: Nassau Property  
Division: Planning Contact Person: Bill Brockenbrough

A similar application for the subject development was reviewed at the May 2018 PLUS meeting and DelDOT provided comments then. Except as modified below, those comments (copy attached) are applicable to this application as well. The significant changes from the previous application include a shift in the desired zoning district, from MR to HR-1, and increase in the number of dwellings from 150 to 168, and changes to the number and arrangement of buildings shown on the sketch plan. As provided below, the increase in the number of dwelling units would increase the trip generation.

### **Regulations/Code Requirements**

- Please refer to DelDOT's May 2018 PLUS comments (copy attached).
- Because the subject property fronts on Delaware Route 1 between Dover Air Force Base and the Nassau Bridge, it is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of certain existing highways by minimizing and consolidating the number of direct driveway access points along them. Delaware Route 1 is a controlled-access highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code.

Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has frontage along Old Mill Road (Sussex Road 265A).

As discussed below in a separate comment, DelDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. Once the service road is built, the site can gain full access to the service road. Prior to the completion of the service road, the applicant can develop a temporary rights-in/rights-out access on Route 1 for a development generating a maximum of 200 vehicle trips per day, according to the Institute of Transportation Engineers' Trip Generation Manual. Prior to the completion of the service road, for any development generating more than 200 vehicle trips per day, all site access must be located on Old Mill Road.

More information regarding the Corridor Capacity Preservation Program is available at [https://www.deldot.gov/Publications/manuals/corr\\_cap/index.shtml](https://www.deldot.gov/Publications/manuals/corr_cap/index.shtml).

- Per Section 2.2.2.1 of the DelDOT Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. The PLUS application states that the proposed development would generate 998 vehicle trip ends per day on weekdays, a number that DelDOT finds credible but has not yet verified. DelDOT calculates that the 168 condominiums would generate 914 vehicle trip ends per day on weekdays and presently sees the proposed Sales Center as an accessory use, with no trip

generation of its own. Regardless, the 500 vehicle trip ends per day would be exceeded, so a TIS is warranted.

Per Section 2.2.2.2 of the Manual, developments generating fewer than 2,000 vehicle trip ends per day and fewer than 200 vehicle trip ends per hour in any hour of the day may be eligible to pay a fee, the Area Wide Study Fee, in lieu of doing a TIS. The fee is calculated as \$10 times the Average Daily Traffic volume shown on the site plan and is payable with the Initial Stage submission. Payment of the fee does not exempt the developer from responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DelDOT identifies a need for a TOA in the plan review process. Refer to the next bulleted comment regarding the requirement of a TOA.

Two off-site improvements that DelDOT can readily identify without a TIS or TOA are a contribution to the DelDOT project mentioned above and improvements to Old Mill Road. The DelDOT project is the SR 1, Minos Conaway Grade Separated Intersection. It is presently scheduled for construction in Fiscal Years 2023 and 2024 with a total cost of \$32,700,000. More information on the project is available at <https://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml>. This development's contribution would be proportional to its contribution to traffic in the affected area. The need for additional rights-of-way from the development has not been determined but any needed rights-of-way that would otherwise be compensable could be credited toward this contribution.

- Section 2.3.2 of the Development Coordination Manual addresses the circumstances in which DelDOT may require a Traffic Operational Analysis (TOA). In the attached letter dated December 3, 2018, concerning the previous rezoning and conditional use applications for this site, DelDOT said that if the County approved those applications DelDOT would require that a TOA be performed prior to granting entrance approval and may require interim improvements at the intersection of Delaware Route 1 and Old Mill Road. DelDOT's December 2018 letter applies to this new application as well.
- Section 3.5.4.2 of the Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, developments in Level 3 and 4 Areas are required to install a sidewalk or Shared Use Path if the project abuts to an existing facility; otherwise it is at DelDOT's discretion. Because this part of the County appears to be developing rapidly, DelDOT anticipates requiring a Shared Use Path along the development frontage. Due to the SR 1, Minos Conaway Grade Separated Intersection, cited above, DelDOT may require the path only along the site's Old Mill Road frontage if it finds there is a significant possibility of a path built along SR 1 being taken by the DelDOT project.

### **Suggestions**

- Please refer to DelDOT's May 2018 PLUS comments (copy attached).
- Please be advised that the Standard General Notes have been updated and posted to the

DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>



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

JENNIFER COHAN  
SECRETARY

May 10, 2019

Ms. Constance C. Holland  
Office of State Planning Coordination  
122 Martin Luther King Jr. Blvd., South  
Haslet Armory, Suite 302  
Dover, DE 19901

Dear Ms. Holland:

This letter is to provide two clarifications to the comments I provided on the Nassau Property application (PLUS 2019-03-05) at the March 27 meeting of the Preliminary Land Use Service (PLUS). My written comments were enclosed with my letter of April 3, 2019. Copies of both the letter and the comments are enclosed with this letter as well.

Our first clarification is to the second bulleted comment, which addresses the effect of the Corridor Capacity Preservation Program on the proposed development. In that comment, the last sentence of the third paragraph is incorrect. The corrected third paragraph should read as follows:

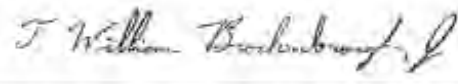
As discussed below in a separate comment, DelDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. Once the service road is built, the site can gain full access to the service road. Prior to the completion of the service road, the applicant can develop a temporary rights-in/rights-out access on Route 1 for a development generating a maximum of 200 vehicle trips per day, according to the Institute of Transportation Engineers' Trip Generation Manual. If the developer wishes to develop the property further before the service road is complete, the additional development would need a separate driveway on Old Mill Road, with no interconnection to that first 200-trip phase until the service road is complete.

Our second clarification is to the fourth bulleted comment, which addresses a December 3, 2018, letter (copy enclosed) and a Traffic Operational Analysis that DelDOT may require. As written, the comment could be read to say that the TOA would focus on a single intersection, when in fact it would be broader. We would like to revise that comment to read as follows:

Section 2.3.2 of the Development Coordination Manual addresses the circumstances in which DelDOT may require a Traffic Operational Analysis (TOA). In the attached letter dated December 3, 2018, concerning the previous rezoning and conditional use applications for this site, DelDOT said that if the County approved those applications DelDOT would require that a TOA be performed prior to granting entrance approval. While the scope of that TOA has not been determined, it would examine the site entrance on Route 1 and cross-overs and intersections to the north and south of the entrance where significant numbers of site-generated trips would make left-turns or U-turns. Based on the TOA results, DelDOT may require interim improvements at the intersection of Delaware Route 1 and Old Mill Road and other locations analyzed therein. DelDOT's December 2018 letter applies to this new application as well.

You may contact me at (302) 760-2109 if you have any questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator

TWB:km  
Enclosures

cc: Alan J. Hill, Hillcrest Associates  
Nicole Majeski, Deputy Secretary  
Aimee V. String, Chief of Legislative Relations  
Charlanne Thornton, Director, Finance  
Drew A. Boyce, Director, Planning  
LaTonya Gilliam, North District Engineer, Maintenance & Operations (M&O)  
Kevin F. Canning, Canal District Engineer, M&O  
Matthew Lichtenstein, Central District Engineer, M&O  
Alistair Probert, South District Engineer, M&O  
Louise A. Holt, Public Information Officer, Office of Community Relations  
Shanté Hastings, Deputy Director, Division of Transportation Solutions (DOTS)  
Mark Luszcz, Assistant Director, Traffic Engineering, DOTS  
Pamela Steinebach, Assistant Director, Project Development North, DOTS  
Michael A. DuRoss, Assistant Director, Regional System Planning  
Jeffrey Niezgoda, Assistant Director, Local Systems Improvement  
J. Marc Coté, Assistant Director, Development Coordination  
Micheale M. L. Smith, Senior Fiscal Management Analyst, Finance  
David Dooley, Senior Planner, Planning, Delaware Transit Corporation (DTC)  
Tremica Cherry-Wall, Service Development Planner, DTC  
Stephen Ottinger, Fixed-Route Planner, DTC  
Matthew Vincent, Canal District Public Works Engineer, M&O  
Richard S. McCabe, Central District Public Works Engineer, M&O  
Robert Greybill, Canal District Permit Engineer, M&O  
Scott R. Rust, Central District Entrance Permit Manager, M&O  
Gemez W. Norwood, South District Public Works Manager, M&O  
James M. Satterfield, IV, Regional Group Engineer, Project Development South I, DOTS  
Bryan Behrens, Regional Group Engineer, Project Development South II, DOTS  
Peter Haag, Traffic Studies Engineer, Traffic Engineering, DOTS  
Danita Ellis, Administrative Specialist, Traffic Engineering, DOTS  
Gene S. Donaldson, Manager of Planning, Traffic Management Center, Traffic Operations, DOTS  
Ann Gravatt, Planning Supervisor, Local Systems Improvement  
Anthony J. Aglio, II, Planning Supervisor, Local Systems Improvement  
Sarah Coakley, Principal Planner, Regional System Planning  
John T. Fiori, Project Planner, Local Systems Improvement  
Maria Andaya, Project Planner, Local Systems Improvement  
Michael C. Hahn, Byways Coordinator, Local Systems Improvement  
Joshua Thomas, Planning Supervisor, Regional System Planning  
Nathan Attard, Project Planner, Regional System Planning  
Jennifer Cinelli-Miller, Project Planner, Regional System Planning  
Thomas C. Felice, Manager, Corridor Capacity Preservation Program  
New Castle County Review Coordinator  
Stephen G. Wright, Kent County Review Coordinator  
Susanne K. Laws, Sussex County Review Coordinator  
Pao Y. Lin, Subdivision Reviewer  
Nana Nyarko-Appiah, Subdivision Reviewer  
Derek A. Sapp, Subdivision Reviewer  
Joshua Schwartz, Subdivision Reviewer  
Jun Xie, Subdivision Reviewer  
Troy E. Brestel, Project Engineer  
Claudy Joinville, Project Engineer  
John J. Pietrobono, Johnson, Mirmiran & Thompson  
Kevin Hickman, Johnson, Mirmiran & Thompson  
Will Mobley, Johnson, Mirmiran & Thompson  
Brian K. Yates, Johnson, Mirmiran & Thompson



STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
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DOVER, DELAWARE 19903

JENNIFER COHAN  
SECRETARY

December 3, 2018

Michael H. Vincent President,  
Sussex County Council  
P.O. Box 417 Georgetown, DE 19947

Dear Council President Vincent:

This letter is in response to the request made by Councilman I.G. Burton at the November 27, 2018 County Council meeting regarding Change of Zone applications 1860, 1861 and Conditional Land Use application 2147 - Nassau Property. DelDOT Transportation Planner, Jennifer Cinelli agreed to provide County Council with a response regarding the potential for interim improvements to the traffic network surrounding the property prior to the Minos Conaway project coming online. Our response is as follows:

1. DelDOT is aware of the proposed development and has had discussions with the developer regarding the improvements that will be required.
2. DelDOT submitted comments through the State of Delaware's Preliminary Land Use Service on May 24, 2018 which are attached. These comments address the Corridor Capacity Preservation Program guidelines as well as requirements for approvals for access to State maintained roads.
3. Based on the concerns of County Council, should these zone changes and conditional use be approved, DelDOT will require that a Traffic Operations Analysis (TOA) be performed prior to entrance approval being granted and may require interim improvements at the intersection of Delaware Route 1 and Old Mill Road.

If you have any questions or require additional information, please contact Mr. Bill Brockenbrough, at (302) 760-2109.

Sincerely,

Drew A. Boyce  
Director of Planning





Michael H. Vincent  
December 3, 2018  
Page 2 of 2

DAB:jcm

Enclosure

cc: Michael DuRoss, Assistant Director, Regional Systems Planning  
J. Marc Coté, Assistant Director, Development Coordination  
Joshua Thomas, Planning Supervisor, Regional Systems Planning  
Jennifer Cinelli-Miller, Transportation Planner, Regional Systems Planning  
Thomas C. Felice, Manager, Corridor Capacity Preservation Program, Development Coordination  
Todd J. Sammons, Subdivision Engineer, Development Coordination  
Steven M. Sisson, Sussex County Subdivision Engineer, Development Coordination  
T. William Brockenbrough, Jr., County Coordinator, Development Coordination  
Troy E. Brestel, Project Engineer, Development Coordination

Agency Name: Dept. of Transportation Project Name: Nassau Property  
Division: Planning Contact Person: Bill Brockenbrough

### Regulations/Code Requirements

- Because the subject property fronts on Delaware Route 1 between Dover Air Force Base and the Nassau Bridge, it is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of certain existing highways by minimizing and consolidating the number of direct high-volume, driveway access points along them. Delaware Route 1 is a controlled-access highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code.

Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has frontage along Old Mill Road (Sussex Road 265A). Therefore, all site access must be developed along Old Mill Road, not on Delaware Route 1.

As discussed below in a separate comment, DelDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. When that occurs, access on the service road may be permissible but that conversion should not be expected until after the subject development is complete.

More information regarding the Corridor Capacity Preservation Program is available at [https://www.deldot.gov/Publications/manuals/corr\\_cap/index.shtml](https://www.deldot.gov/Publications/manuals/corr_cap/index.shtml).

- The site access on Old Mill Road must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review.
- Section P.5 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. The PLUS application states that the proposed development would generate 998 vehicle trip ends per day on weekdays, a number that DelDOT finds credible but has not yet verified. DelDOT calculates that the 150 condominiums would generate 816 vehicle trip ends per day on weekdays and presently sees the proposed Sales Center as an accessory use, with no trip generation of its own. Regardless, the 500 vehicle trip ends per day would be exceeded, so a TIS is warranted.

Per Section 2.2.2.2 of the Manual, developments generating fewer than 2,000 vehicle trip ends per day and fewer than 200 vehicle trip ends per hour in any hour of the day may be eligible to pay a fee, the Area Wide Study Fee, in lieu of doing a TIS. The fee is calculated as \$10 times the Average Daily Traffic volume shown on the site plan and is payable with the Initial Stage submission. Payment of the fee does not exempt the developer from responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DeIDOT identifies a need for a TOA in the plan review process.

Two off-site improvements that DeIDOT can readily identify without a TIS or TOA are a contribution to the DeIDOT project mentioned above and improvements to Old Mill Road. The DeIDOT project is the SR 1, Minos Conaway Grade Separated Intersection. It is presently scheduled for construction in Fiscal Years 2023 and 2024 with a total cost of \$32,700,000. More information on the project is available at <https://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml>. This development's contribution would be proportional to its contribution to traffic in the affected area. The need for additional rights-of-way from the development has not been determined but any needed rights-of-way that would otherwise be compensable could be credited toward this contribution.

Presently, Old Mill Road has 10-foot lanes and lacks shoulders. DeIDOT's standard for local roads is 11-foot lanes and 5-foot paved shoulders. At a minimum, the applicant should expect a requirement to improve Old Mill Road to meet that standard in both directions from Route 1 to the north limit of their frontage.

- Section 3.2.4.2 of the Manual addresses the placement of right-of-way monuments (markers) along the roads on which a property fronts, in this case Old Mill Road and Delaware Route 1. Monuments sufficient to re-establish the permanent rights-of-way after the dedication discussed below should be shown on the plan and provided in the field in accordance with this section.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DeIDOT will require dedication of right-of-way along the site's frontage on Old Mill Road and Delaware Route 1. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of Old Mill Road and 30 feet of right-of-way from the outer edge of the northbound through lanes on Delaware Route 1. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"
- In accordance with Section 3.2.5.1.1 of the Manual, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the site entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Old Mill Road and Delaware Route 1. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, “**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**”
- In accordance with Section 3.4 of the Manual, a record plan shall be prepared prior to issuing “Letter of No Objection”. The record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document available on the DelDOT website at <https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items-Record-Subdivision.pdf?09222017>.
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 300 feet of the proposed entrance on both roads.
  - Notes identifying the type of any off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5 of the Manual provides DelDOT’s requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT-maintained public streets for subdivisions. Private or municipal streets should follow the City’s requirements for connectivity.
- Section 3.5.4.2 of the Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, developments in Level 3 and 4 Areas are required to install a sidewalk or Shared Use Path if the project abuts to an existing facility; otherwise it is at DelDOT’s discretion. Because this part of the County appears to be developing rapidly, DelDOT anticipates requiring a Shared Use Path along the development frontage.
- Referring to Section 3.5.5 of the Manual, existing and proposed transit stops and associated facilities as required by the Delaware Transit Corporation (DTC) or DelDOT shall be shown on the Record Plan.
- Because the proposed development is to be constructed in the proximity of a road with a functional classification of principal arterial, freeway or interstate, specifically Delaware Route 1, the developer will be required to perform a noise analysis in accordance with

DelDOT's Noise Policy, found in Section 3.6 of the Manual and may be required to provide noise abatement for residents based on that analysis.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along both Old Mill Road and Delaware Route 1.
- Referring to Section 4.3 of the Manual, an entrance plan shall be prepared prior to issuing entrance approval. The entrance plan submittal shall include the items listed on the Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plan document available on the DelDOT website at [https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items Entrance Construction Subdivision.pdf?09222017](https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items%20Entrance%20Construction%20Subdivision.pdf?09222017).
- In accordance with Section 5.2.5.6 of the Manual, a separate turning template plan shall be provided to verify vehicles can safely enter and exit the site entrance. As per Section 5.2.3 of the Manual, the entrance shall be designed for the largest vehicle using the entrance.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.
- Because the proposed development would not have State-maintained streets, Section 6.4.3 of the Manual, which pertains to the inspection and acceptance of commercial entrances, applies. Construction inspection responsibilities shall be in accordance with Figure 6.4.3-a. DelDOT's preliminary reading of this figure is that the project requires Level I inspection and that a construction inspection agreement will not be needed.
- Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.

## Suggestions

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal street or driveway with no direct access to Old Mill Road or Delaware Route 1.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall now be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available on our website at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision date of December 8, 2017. The notes can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

BRANDY BENNETT NAUMAN  
HOUSING COORDINATOR &  
FAIR HOUSING COMPLIANCE OFFICER

(302) 855-7777 T  
(302) 854-5397 F  
bnauman@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

March 27, 2019

Mr. Joseph Calabro  
300 Delaware Avenue, Suite 1370  
Wilmington, DE 19801

RE: Sussex County Rental Program

Dear Mr. Calabro:

On March 21, 2019, the County's internal review panel evaluated the Nassau Property application for the Sussex County Rental Program (SCRP). The panel granted the project preliminary approval for participation in the SCRCP. This approval has no bearing on whether the project will receive the necessary land use approvals from Sussex County; it only allows the project to proceed through that process in accordance with Chapter 72 of the Code of Sussex County.

To proceed with the SCRCP project, including the expedited review incentive, the applicant must first execute an Acknowledgement of Participation ("Acknowledgement") agreement. The Acknowledgement binds the applicant to the obligations outlined in the SCRCP application and Chapter 72 of the Code of Sussex County. Once the fully executed Acknowledgement is received by the County, the County Administrator and Director of Planning & Zoning will determine the applicant's priority placement in the list of pending applications. **A project receiving expedited review does not exempt the project from the County's land use approval process, nor guarantee approval through that process.**

If the re-zoning is approved, the applicant must then execute an SCRCP Agreement ("Agreement") within thirty (30) days of County Council's decision. The Agreement is recorded and contains, at minimum, the below stipulations. The applicant should review §72-23 of the Code of Sussex County for a full description of the Agreement.

- A. Number of SCRCP units to be constructed, and final site plan.
- B. Schedule of construction for SCRCP units and delivery schedule to market-rate units, as well as affirmative marketing plan for SCRCP units.
- C. Economic risk borne solely by the applicant.



COUNTY ADMINISTRATIVE OFFICES WEST COMPLEX  
22215 DUPONT BOULEVARD | PO BOX 589  
GEORGETOWN, DELAWARE 19947

- D. No building permits will be issued until the execution of the Agreement. If the applicant does not build SCRP units in accordance with construction schedule, the County Administrator may withhold building permits until SCRP units are constructed.
- E. The Agreement must be signed by the applicant and any other parties having an interest in the property. The Agreement must be recorded in land records of the County.
- F. Partnerships, associations, corporations and other entities may not evade the requirements of the Agreement through voluntary dissolution, bankruptcy, or the sale or transfer of qualifying land.
- G. The Agreement may only be assigned with the prior written approval of the Community Development & Housing Department.
- H. Landlords are responsible for marketing, leasing, and determining tenant eligibility.
- I. If applicant is not also the builder, the relationship between the applicant and builder shall be fully disclosed.

Please do not hesitate to contact me with any questions.

Sincerely,



Brad D. Whaley, Director

CC: Todd F. Lawson, County Administrator  
Janelle Cornwell, Director, Planning & Zoning  
Brandy B. Nauman, Housing Coordinator, Community Development & Housing



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

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **6/10/2019**

APPLICATION: **CZ 1882 Nassau DE Acquisitions Co., LLC**

APPLICANT: **Nassau DE Acquisitions Co., LLC**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **334-1.00-15.00 & 15.03**

LOCATION: **East side of Coastal Highway (SR 1), approximately 150 feet north of Old Mill Road, and on the north side of Old Mill Road, approximately 708 feet east of Coastal Highway (SR 1).**

NO. OF UNITS: **Upzone from AR-1 & C2 to HR-1 RPC**

GROSS  
ACREAGE: **15.2**

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 2**
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **Christine Fletcher** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **Yes**
- (8). Comments: **The parcels are in a Tier 2 category and are required to annex into the Sussex County Unified Sanitary Sewer District. There is currently capacity for the project as proposed by please note that capacity is not guaranteed until the System Connection Charges are paid.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

UTILITY PLANNING APPROVAL:



---

John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
Christine Fletcher



RECEIVED

JUN 10 2019

SUSSEX COUNTY  
PLANNING & ZONING

## MEMORANDUM

TO: Janelle M. Cornwell  
FROM: Debbie Absher, Director of Ag Programs  
SUBJECT: LUPA  
DATE: June 11, 2019

Attached you will find the comments for the following proposed zoning changes:

- CU 2177 – Ingrid Hopkins
- CZ 1882 – Nassau DE Acquisitions Co., LLC
- CZ 1883 – OA-BP Marina Bay-Lakeside

If you have any questions, I can be reached at 856-3990, ext. 3.

BJH

Enclosures

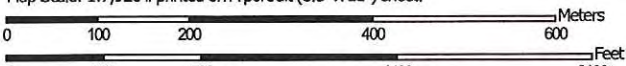


**CZ 1882**  
**TM #334-1.00-15.00 & 15.03**  
**Nassau DE Acquisitions Co., LLC**

Soil Map—Sussex County, Delaware  
(Nassau DE Acquisitions Co., LLC)



Map Scale: 1:7,920 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 18N WGS84































































Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

6/10/2019  
Page 1 of 3

## MAP LEGEND

|  |  |   |
|--|--|---|
|  Area of Interest (AOI) |  Area of Interest (AOI) |  Spoil Area            |
|  Soils                  |  Soil Map Unit Polygons |  Stony Spot            |
|                         |  Soil Map Unit Lines    |  Very Stony Spot       |
|                         |  Soil Map Unit Points   |  Wet Spot              |
|                         | <b>Special Point Features</b>  |  Other                 |
|                         |  Blowout                |  Special Line Features |
|                         |  Borrow Pit             | <b>Water Features</b>   |
|                         |  Clay Spot              |  Streams and Canals    |
|                         |  Closed Depression      | <b>Transportation</b>   |
|                         |  Gravel Pit             |  Rails                 |
|                         |  Gravelly Spot          |  Interstate Highways   |
|                         |  Landfill               |  US Routes             |
|                         |  Lava Flow              |  Major Roads           |
|                         |  Marsh or swamp         |  Local Roads           |
|                         |  Mine or Quarry         | <b>Background</b>   |
|                         |  Miscellaneous Water    |  Aerial Photography    |
|                         |  Perennial Water        |   |
|                         |  Rock Outcrop           |   |
|                         |  Saline Spot            |   |
|                         |  Sandy Spot             |   |
|                        |  Severely Eroded Spot  |   |
|                       |  Sinkhole             |   |
|                       |  Slide or Slip        |   |
|                       |  Sodic Spot           |   |

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware  
Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

| Map Unit Symbol                    | Map Unit Name                               | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------------|----------------|
| EvB                                | Evesboro loamy sand, 0 to 5 percent slopes  | 1.6          | 11.5%          |
| FmA                                | Fort Mott loamy sand, 0 to 2 percent slopes | 11.6         | 82.9%          |
| HpA                                | Henlopen loamy sand, 0 to 2 percent slopes  | 0.2          | 1.1%           |
| RoB                                | Rosedale loamy sand, 2 to 5 percent slopes  | 0.6          | 4.5%           |
| <b>Totals for Area of Interest</b> |   | <b>14.1</b>  | <b>100.0%</b>  |

## Selected Soil Interpretations

This report allows the customer to produce a report showing the results of the soil interpretation(s) of his or her choice. It is useful when a standard report that displays the results of the selected interpretation(s) is not available.

When customers select this report, they are presented with a list of interpretations with results for the selected map units. The customer may select up to three interpretations to be presented in table format.

For a description of the particular interpretations and their criteria, use the "Selected Survey Area Interpretation Descriptions" report.

## Report—Selected Soil Interpretations

| Selected Soil Interpretations--Sussex County, Delaware |                  |                                    |       |                                    |       |  |       |
|--|------------------|------------------------------------|-------|------------------------------------|-------|--|-------|
| Map symbol and soil name                               | Pct. of map unit | ENG - Dwellings W/O Basements      |       | ENG - Dwellings With Basements     |       | ENG - Septic Tank Absorption Fields (DE) |       |
|  |                  | Rating class and limiting features | Value | Rating class and limiting features | Value | Rating class and limiting features       | Value |
| EvB—Evesboro loamy sand, 0 to 5 percent slopes         |                  |                                    |       |                                    |       |  |       |
| Evesboro   | 75               | Not limited                        |       | Not limited                        |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Filtering capacity                       | 1.00  |
| FmA—Fort Mott loamy sand, 0 to 2 percent slopes        |                  |                                    |       |                                    |       |  |       |
| Fort mott  | 80               | Not limited                        |       | Not limited                        |       | Somewhat limited                         |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.50  |
| HpA—Henlopen loamy sand, 0 to 2 percent slopes         |                  |                                    |       |                                    |       |  |       |
| Henlopen   | 80               | Not limited                        |       | Not limited                        |       | Not limited                              |       |
| RoB—Rosedale loamy sand, 2 to 5 percent slopes         |                  |                                    |       |                                    |       |  |       |
| Rosedale   | 75               | Not limited                        |       | Somewhat limited                   |       | Very limited                             |       |
|  |                  |                                    |       | Depth to saturated zone            | 0.73  | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |

## Data Source Information

Soil Survey Area: Sussex County, Delaware

Survey Area Data: Version 19, Sep 14, 2018





## Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

*Prime farmland* is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.

*Unique farmland* is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be *farmland of local importance* for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.

## Report—Prime and other Important Farmlands

| Prime and other Important Farmlands--Sussex County, Delaware |   |                             |
|--|---|-----------------------------|
| Map Symbol   | Map Unit Name                               | Farmland Classification     |
| EvB  | Evesboro loamy sand, 0 to 5 percent slopes  | Not prime farmland          |
| FmA  | Fort Mott loamy sand, 0 to 2 percent slopes | Prime farmland if irrigated |
| HpA  | Henlopen loamy sand, 0 to 2 percent slopes  | Prime farmland if irrigated |
| RoB  | Rosedale loamy sand, 2 to 5 percent slopes  | Prime farmland if irrigated |

## Data Source Information

Soil Survey Area: Sussex County, Delaware  
 Survey Area Data: Version 19, Sep 14, 2018

# SOILS

ADD ANY ADDITIONAL INFORMATION THAT MAY BE CONSIDERED PERTINENT:

**SOILS:**

EvB Evesboro loamy sand, 0 to 5 percent slopes  
FmA Fort Mott loamy sand, 0 to 2 percent slopes  
HpA Henlopen loamy sand, 0 to 2 percent slopes  
RoB Rosedale loamy sand, 2 to 5 percent slopes

- A. SUITABILITY OF SOILS INTENDED USE:  
See attached table for suitability.
  
- B. EVALUATE THE SOILS INCLUDED IN THIS PROJECT WITH RESPECT TO EROSION AND SEDIMENTATION CONTROL:
  - 1. DURING CONSTRUCTION:  
  
Follow recommended erosion and sediment control practices.
  
  - 2. AFTER CONSTRUCTION:  
  
Maintain vegetation.
  
- C. FARMLAND RATING (PRIME, UNIQUE, STATEWIDE IMPORTANCE, ETC.):  
See attached table(s) for ratings.
  
- D. ADDITIONAL COMMENTS (IF APPLICABLE):

# DRAINAGE AND FLOODING

Add any additional information that may be considered pertinent:

## DRAINAGE:

- A. Any Storm flood hazard area affected?  Yes  No
- B. Would the proposed project necessitate any off-site drainage improvements?  
*Not Likely*
- C. Would the proposed project necessitate any on-site drainage improvements?  
*Possibly*
- D. Any Tax Ditch affected?  Yes  No

Additional Comments (if applicable)

All landowners, developers, and site designers are strongly encouraged to thoroughly investigate the presence of easements or right-of-ways along tax ditches. These documents are located in the Prothonotary's Office and/or with the Recorder of Deeds. If a stormwater management facility is proposed along a stream or ditch, the Sussex Conservation District will require verification of any easements. Before you start any project design, please look into this matter by calling the Division of Soil and Water Conservation-Drainage Program at (302) 855-1930 or the Sussex Conservation District Sediment and Stormwater Program at (302) 856-7219 for more information.

## **Policy for Extending District Boundaries**

1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

| <b>Application Fees</b>          |                   |
|----------------------------------|-------------------|
| <b>Less than 2 acres</b>         | <b>\$500.00</b>   |
| <b>2.1 -9.99 acres</b>           | <b>\$750.00</b>   |
| <b>10 - 150.00 acres</b>         | <b>\$1,500.00</b> |
| <b>Greater than 150.00 acres</b> | <b>\$2,500.00</b> |

4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.

**NASSAU DE ACQUISITION CO., LLC**

**CERTIFICATE OF THE MANAGER**

THE UNDERSIGNED, being the duly elected and acting manager (the "Undersigned") of Nassau DE Acquisition Co., LLC, a Delaware limited liability company (the "Company"), does hereby certify that the following preambles and resolutions have been properly and duly adopted at a meeting of the members of the Company, and such resolutions have not been rescinded, amended, or otherwise modified:

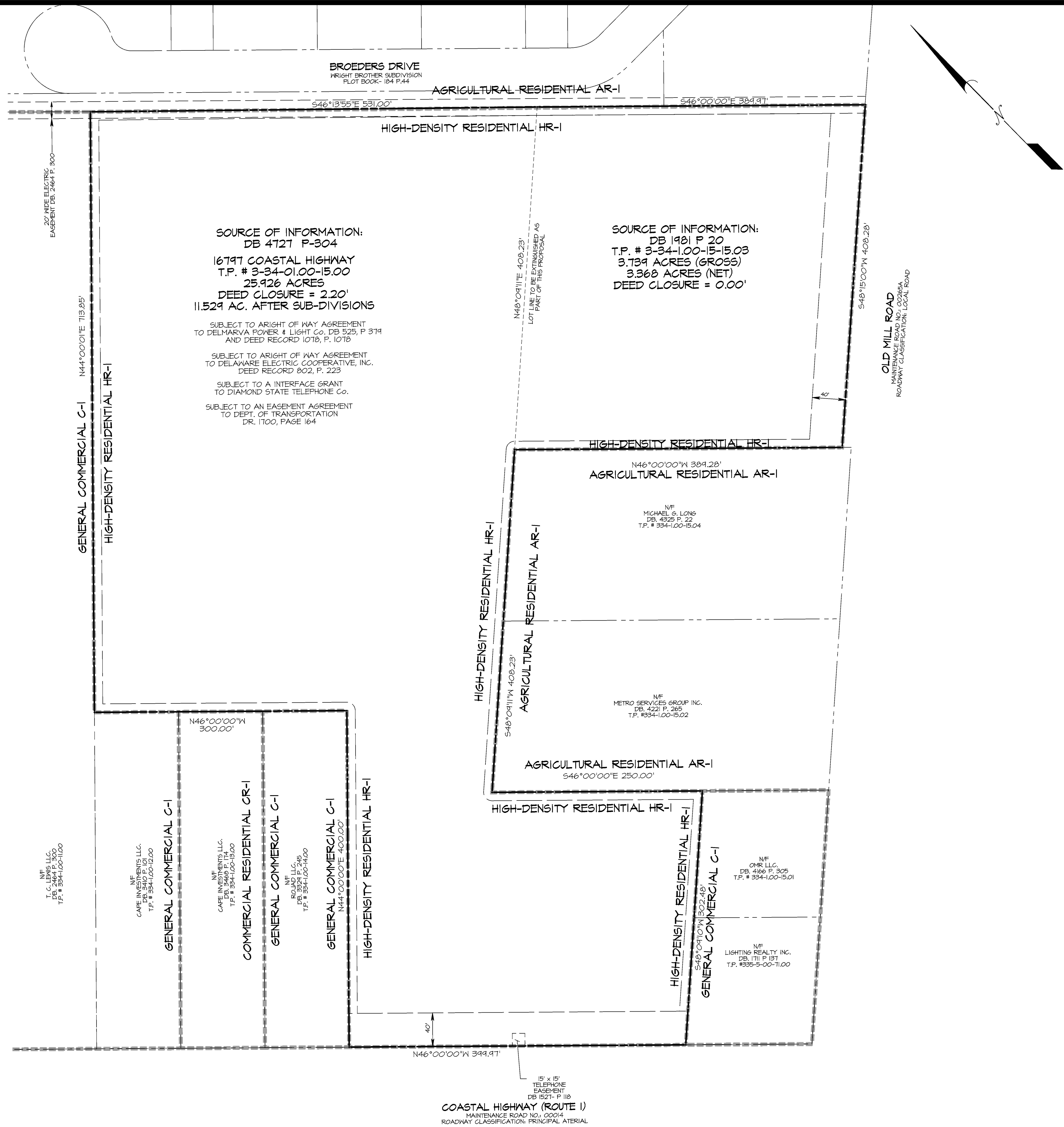
WHEREAS, the Company is the equitable owner, by virtue of two purchase and sale agreements, of those certain parcels of real property being tax parcel numbers 334-1.00-15.03 and 334-1.00-15.00, located in Lewes, Sussex County, Delaware (collectively, the "Property");

NOW THEREFORE, BE IT RESOLVED, that the members of the Company hereby approves each of Michael Scali, as manager, and Sean Allen as Authorized Signatory, to execute any and all documents in further of the developing the Property, including, without limitation, any documents relative to entering the Company and Property into the Sussex County Rental Program, in an effort to provide affordable rental housing for residents with low and moderate incomes; and

BE IT FURTHER RESOLVED, that any action heretofore taken by any members or managers of the Company in regard to the foregoing is hereby ratified and confirmed.

IN WITNESS WHEREOF, the Undersigned has executed this Certificate of the Manager this 4th day of April, 2019.

  
\_\_\_\_\_  
Michael J. Scali, Manager



**SOURCE OF INFORMATION:**  
 DB 4727 P-304  
 16797 COASTAL HIGHWAY  
 T.P. # 3-34-1.00-15.00  
 25.926 ACRES  
 DEED CLOSURE = 2.20'  
 11.529 AC. AFTER SUB-DIVISIONS

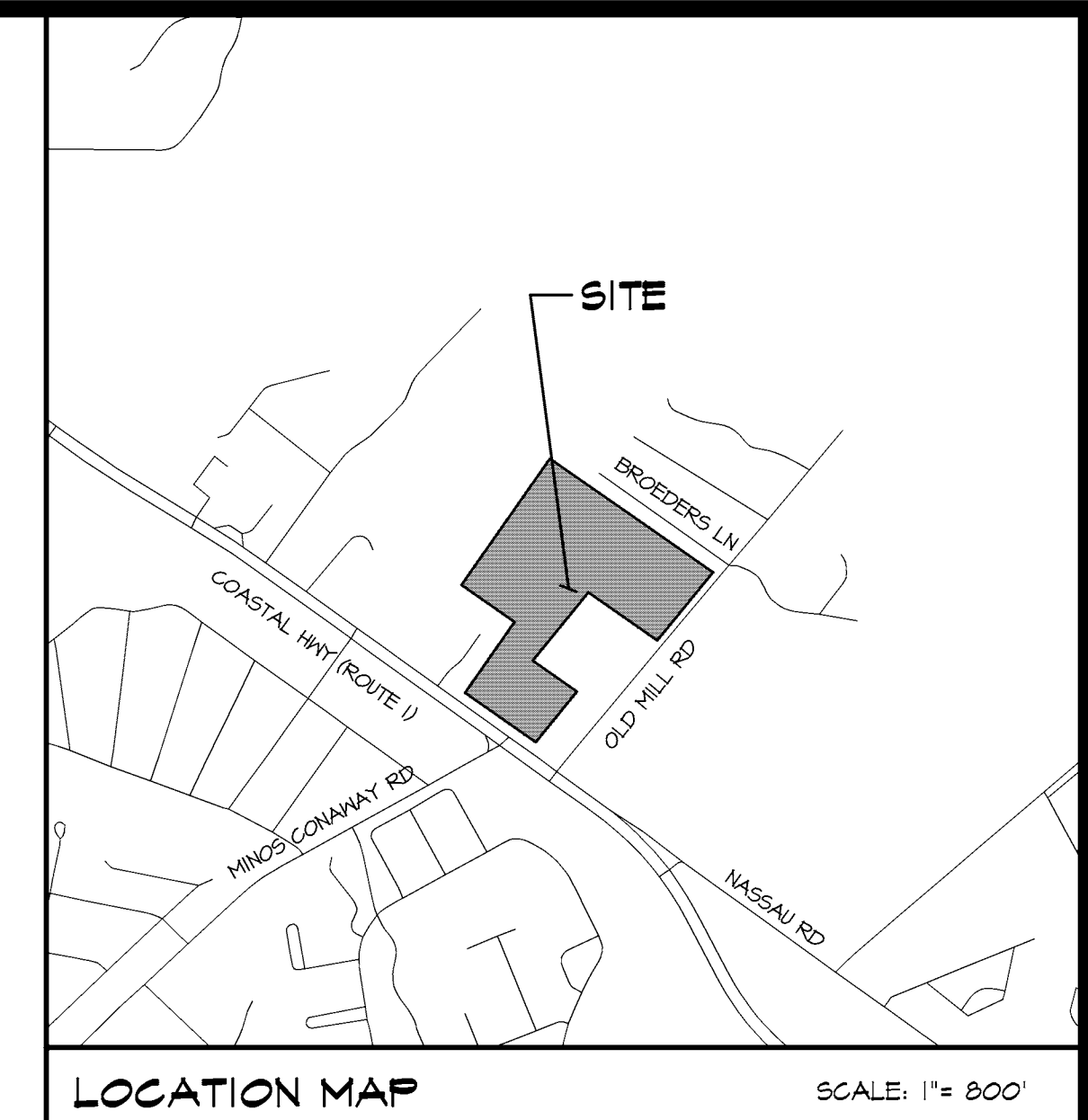
SUBJECT TO A RIGHT OF WAY AGREEMENT TO DELMARVA POWER & LIGHT CO. DB 525 P 374 AND DEED RECORD 1078, P. 1078

SUBJECT TO A RIGHT OF WAY AGREEMENT TO DELAWARE ELECTRIC COOPERATIVE, INC. DEED RECORD 802, P. 223

SUBJECT TO AN INTERFACE GRANT TO DIAMOND STATE TELEPHONE CO.

SUBJECT TO AN EASEMENT AGREEMENT TO DEPT. OF TRANSPORTATION DR. 1700, PAGE 164

**SOURCE OF INFORMATION:**  
 DB 1981 P 20  
 T.P. # 3-34-1.00-15-15.03  
 3.739 ACRES (GROSS)  
 3.368 ACRES (NET)  
 DEED CLOSURE = 0.00'



**DATA COLUMN**

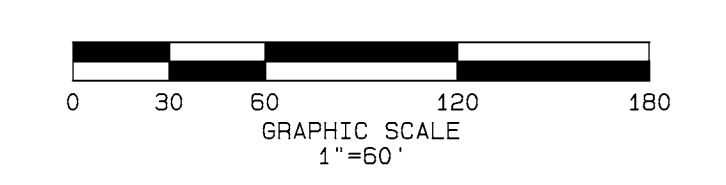
|                                 |  |
|---------------------------------|--|
| 1. TAX PARCEL NUMBER:           | 334-1.00-15.00 & 334-1.00-15.03  |
| DEED REFERENCE:                 | 334-1.00-15.00; 4727/304<br>334-1.00-15.03; 1481/20  |
| PLAT REFERENCE:                 |  |
| OWNER / DEVELOPER:              | 334-1.00-15.00; HANAN HERMAN & TRUSTEE & PATRICIA R HANAN TRUSTEE<br>MILTON, DE<br>334-1.00-15.03; SUSAN N. MOORE<br>14492 OYSTER ROCKS ROAD<br>MILTON, DE |
| EQUITABLE OWNER / DEVELOPER:    | NASSAU DE ACQUISITION CO. LLC<br>1201 NORTH ORANGE STREET, SUITE 300<br>WILMINGTON, DE 19801   |
| 2. TRACT AREA:                  | 334-1.00-15.00; 11.524 ACS.<br>334-1.00-15.03; 3.638 ACS<br>15.171 ACS.  |
| 3. EXISTING ZONING DISTRICT:    | AR-1 12500 ACRES<br>HR-1 HIGH DENSITY RESIDENTIAL PLANNED COMMUNITY 2,662 ACRES<br>15.171 ACRES  |
| 4. PROPOSED USE:                | 168 MULTI-FAMILY DWELLING UNITS<br>4,700 SF SALES CENTER   |
| 5. AREA AND BULK REQUIREMENTS:  | REQUIRED (HR-1)  |
| A. MINIMUM LOT AREA :           | 2 ACRES  |
| B. MINIMUM LOT WIDTH            | 150 FT.  |
| C. MINIMUM DEPTH                | 100 FT.  |
| D. MAXIMUM BUILDING HEIGHT      | 52 FT.   |
| E. FRONT YARD SETBACK:          | 40 FT.   |
| F. REAR YARD SETBACK:           | 10 FT.   |
| REAR YARD ABUTTING RESIDENTIAL: | NA   |
| G. SIDE YARD SETBACK:           | 10 FT. (TWO REQUIRED)  |
| SIDE YARD ABUTTING RESIDENTIAL: | NA   |
| H. MAXIMUM FLOOR AREA:          | NA   |

**GENERAL NOTES**

- INFORMATION SHOWN HEREIN HAS BEEN OBTAINED FROM DEED BOOK 4727 PAGE 304 AND DEED BOOK 1481 PAGE 20
- OUT CONVEYANCES FROM THE DESCRIPTION LISTED IN DB 4727-304 INCLUDE THE SALES LISTED IN DB 1178 PG 324, DB 464 PG 343, DB 463 PG 356, DB 464, PG 346, DB 346, PG 236, DB 349 PG 384, DB 1481 PG 16, DB 1256 PG 171, DB 1766 PG 198 & DELDOT TAKING PER DB 1700 PG 164.
- THIS PLAN IS PLOTTED FROM DEEDS ONLY AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY.
- THIS PLAN IS FOR RE-ZONING PURPOSES ONLY AND IS NOT FOR REAL ESTATE TRANSACTIONS OR FINAL ENGINEERING DESIGN.
- THE ROUTE ONE R/W IS PER DELDOT CONTRACT #64-05-004
- THE OLD MILL R/W IS PER DELDOT CONTRACT #84-053-01

**LEGEND**

|                             |           |
|-----------------------------|-----------|
| PROPERTY BOUNDARY           | —————     |
| LOT LINE TO BE EXTINGUISHED | - - - - - |
| ADJOINING PROPERTY LINE     | —————     |
| EXISTING EASEMENT           | - - - - - |
| ZONING BOUNDARY             | =====     |



**BEFORE YOU DIG**

ANYWHERE IN **DELAWARE**

**STOP CALL 1-800-282-8555**

OUTSIDE DELAWARE CALL 1-800-441-8355

REQUIRES 3 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

**MISS UTILITY OF DELMARVA**

**HILLCREST ASSOCIATES**

ARCHITECTURE • ENGINEERING • LAND PLANNING • SURVEYING

P.O. BOX 1180  
HOCKESSIN, DE 19707

PH: 610.274.8613  
FAX: 610.274.0587

**ZONING EXHIBIT PLAN**  
**NASSAU PROPERTY**  
**DISTRICT 234 - LEWES & REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

|                |               |           |  |
|----------------|---------------|-----------|--|
| DATE:          | 03-26-14      | REVISION: |  |
| DRAWN BY:      | TAS           | DATE:     |  |
| CHECKD. BY:    | PEB           | DATE:     |  |
| PROJ. NO.:     | 4187          | DATE:     |  |
| SCALE:         | 1"=60'        | DATE:     |  |
| CAD FILE NAME: | 4187SKC01.PRO | DATE:     |  |
| DWG. NO.       | 1             | DATE:     |  |



ARCHITECTURE  
CIVIL ENGINEERING  
LAND PLANNING  
SURVEYING

June 10, 2019

State of Delaware  
Office of State Planning Coordination  
Attn: Constance C. Holland, AICP  
122 Martin Luther King Jr. BLVD  
Haslet Armory, Third Floor  
Dover, DE 19901

RECEIVED

JUN 14 2019

SUSSEX COUNTY  
PLANNING & ZONING

RE: PLUS Review 2019-03-05; Nassau Property

Dear Constance,

Below is our point-by-point response (in bold) to the comments found within the PLUS Comment Letter dated June 21, 2018 (quoted in italics) for the above referenced project.

*Strategies for State Policies and Spending*

*This project is located in Investment Levels 3 and 4 according to the Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and/or environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.*

*The Office of State Planning cannot support development in the Level 4 area. Therefore, we ask that the applicant consider pulling the housing within the Level 4 areas and concentrate building within the Level 3 section of this parcel.*

**With the current application, the bulk of the area we are proposing to disturb is within Level 3. While small portions of the site are within Level 4, those same areas incorporate already developed and constructed residential lots and/or roads.**

*In addition, we ask that the County consider the following when reviewing this site:*

*This parcel is within a Corridor Capacity Preservation area which means that access to this site would be through Old Mill Road until the DeIDOT capital project identified in the DeIDOT comments below is completed.*

**Based on the amended comments provided by DeIDOT within their May 10, 2019 letter, the applicant can develop a temporary rights-in/rights-out access onto Route 1. Once the service road is built, the site can gain full access to the service road.**

*At the PLUS meeting in March the developer noted that the applicant had submitted an application*



*for this property through the Sussex County Rental Program. According to comments received from the County, the application is still under review. The Delaware State Housing Authority, below, has stated their support of this application because they believe the density would allow for affordable housing. If the County does approve this site for housing in the future, it should be recorded that these units are for affordable housing and will remain affordable in perpetuity.*

**The project received preliminary approval for participation in the SCRП through the execution and recordation of the Acknowledgement of Participation on May 1, 2019.**

Code Requirements/Agency Permitting Requirements  
Department of Transportation - Contact Bill Brockenbrough 760-2109  
Regulations/Code Requirements

Because the subject property fronts on Delaware Route 1 between Dover Air Force Base and the Nassau Bridge, it is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of certain existing highways by minimizing and consolidating the number of direct driveway access points along them. Delaware Route 1 is a controlled-access highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code.

Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has frontage along Old Mill Road (Sussex Road 265A).

As discussed below in a separate comment, DeIDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. Once the service road is built, the site can gain full access to the service road. Prior to the completion of the service road, the applicant can develop a temporary rights-in/rights-out access on Route 1 for a development generating a maximum of 200 vehicle trips per day, according to the Institute of Transportation Engineers' Trip Generation Manual. If the developer wishes to develop the property further before the service road is complete, the additional development would need a separate driveway on Old Mill Road, with no interconnection to that first 200-trip phase until the service road is complete. *(revised per DeIDOT letter dated May 10, 2019)*

**The Applicant/ Developer agrees and is willing to work with DeIDOT in efforts of obtaining the safest and appropriate entrance in both the short and long term of the project.**

More information regarding the Corridor Capacity Preservation Program is available at <https://www.deldot.gov/Publications/manuals/corrcap/index.shtml>.

Per Section 2.2.2.1 of the DeIDOT Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. The PLUS application states that the proposed development would generate 998 vehicle trip ends per day on weekdays, a number that DeIDOT finds credible but has not yet verified. DeIDOT calculates that the 168 condominiums would generate 914 vehicle trip ends per day on weekdays and presently sees the proposed Sales Center as an accessory use, with no trip generation of its own. Regardless, the 500-vehicle trip ends per day would be exceeded, so a TIS is warranted.

**The traffic analysis history of this project requires some explanation. For a previous application for this property, DelDOT had mistakenly calculated the traffic generation for 150 single family detached houses which equated to 1,687 trips per day from the Service Level Evaluation Request. This was revised in a DelDOT supplement to its original PLUS comments by letter in June 2018. For the current project, the Applicant originally estimated the development would generate 998 trips per day including traffic generated by the sales office. DelDOT's Level of Service Evaluation, however, confirms the generated trips per day to be lower at 914. This reduction in the trips per day is a result of DelDOT calculating the Sales Office as an Accessory Use to the apartments as opposed to an individual use. The Applicant/ Developer understands the requirement for traffic impact study and will defer to Sussex County and DelDOT on whether the Area Wide Study Fee in lieu is more appropriate in this case with the proposed improvements for this section of Route 1.**

Per Section 2.2.2.2 of the Manual, developments generating fewer than 2,000 vehicle trip ends per day and fewer than 200 vehicle trip ends per hour in any hour of the day may be eligible to pay a fee, the Area Wide Study Fee, in lieu of doing a TIS. The fee is calculated as \$10 times the Average Daily Traffic volume shown on the site plan and is payable with the Initial Stage submission. Payment of the fee does not exempt the developer from responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DelDOT identifies a need for a TOA in the plan review process. Refer to the next bulleted comment regarding the requirement of a TOA.

**As previously stated the Applicant/ Developer is amicable to the decision of Sussex County and DelDOT with regards to the Area-Wide Study Fee in Lieu and understand that this does not exempt them from the responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DelDOT identifies a need for a TOA in the plan review process.**

Two off-site improvements that DelDOT can readily identify without a TIS or TOA are a contribution to the DelDOT project mentioned above and improvements to Old Mill Road. The DelDOT project is the SR 1, Minos Conaway Grade Separated Intersection. It is presently scheduled for construction in Fiscal Years 2023 and 2024 with a total cost of \$32,700,000. More information on the project is available at <https://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml>. This development's contribution would be proportional to its contribution to traffic in the affected area. The need for additional rights-of-way from the development has not been determined but any needed rights-of-way that would otherwise be compensable could be credited toward this contribution.

**The Applicant/Developer acknowledges that improvements will be required to Old Mill Road and understands that proportional contribution will be required and also the possible need for DelDOT to require additional rights-of-way as part of their Minos Conaway Grade Separated Intersection project.**

Section 2.3.2 of the Development Coordination Manual addresses the circumstances in which DelDOT may require a Traffic Operational Analysis (TOA). In the attached letter dated December 3, 2018, concerning the previous rezoning and conditional use applications for this site, DelDOT said that if the County approved those applications DelDOT would require that a TOA be performed prior to granting entrance approval. While the scope of that TOA has not been determined, it would examine the site entrance on Route 1 and crossovers and intersections to the north and south of the entrance where significant numbers of site-generated trips would make left-turns or U-turns. Based on the TOA results, DelDOT may require interim improvements at the intersection of Delaware Route 1 and Old Mill Road and other locations analyzed therein. DelDOT's December 2018 letter applies to this new application as

well. *(revised per DelDOT letter dated May 10, 2019)*

**The scope of the TOA will be determined as part of the plan review process with DelDOT and the Applicant/Developer understands that interim improvements may be required along Route 1 as a result of the TOA.**

Section 3.5.4.2 of the Manual address's requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, developments in Level 3 and 4 Areas are required to install a sidewalk or Shared Use Path if the project abuts to an existing facility; otherwise it is at DelDOT's discretion. Because this part of the County appears to be developing rapidly, DelDOT anticipates requiring a Shared Use Path along the development frontage. Due to the SR 1, Minos Conaway Grade Separated Intersection, cited above, DelDOT may require the path only along the site's Old Mill Road frontage if it finds there is a significant possibility of a path built along SR 1 being taken by the DelDOT project. **The Applicant/Developer is aware of DelDOT's policy on sidewalks and shared use paths and will coordinate the locations as required during the approval process with DelDOT.**

#### Suggestions

*Please refer to DelDOT's May 2018 PLUS comments (copy attached).*

**The additional comments from the May 2018 PLUS letter are focused toward the requirements for Plan submissions which will be referred to at such time.**

*Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision's dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>*  
**The latest notes from DelDOT will be included for all plan submissions to DelDOT.**

Department of Natural Resources and Environmental Control - Contact Michael Tholstrup 735-3352  
*The Department of Natural Resources and Environmental Control did not submit comments regarding this application. If the development of this property requires permits from a DNREC section, please contact the DNREC regulatory agency directly.*

**No comments were presented as part of this PLUS review. However, the Applicant / Developer intends to fully comply with all DNREC requirements as the application progresses.**

State Historic Preservation Office - Contact Carlton Hall 736-7404

*There are no known archaeological sites or known National Register-listed or eligible properties on the parcel.*

**No response required.**

*If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).*

**If any remains are discovered at the time of construction the Applicant/Developer shall contact the appropriate agencies.**

*If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or*

historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: [www.achp.gov](http://www.achp.gov)

**It is not anticipated that Federal involvement will be required on this project, however, if required the Applicant/Developer shall comply with Section 106 of the National Historic Preservation Act.**

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

*Fire Protection Water Requirements:*

- *Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.*  
**The proposed water distribution system and fire hydrant locations will be designed to meet these requirements.**
- *Where a water distribution system is proposed for /multi-family dwelling sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.*  
**The pipe sizing for water mains, fire hydrants and sprinkler systems will be included on the water distribution plans prior to approval for construction.**

*Fire Protection Features:*

- *All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.*  
**All the structures over 10,000 Sq. Ft. will have automatic sprinkler systems installed.**
- *Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.*  
**The apartment buildings will have automatic sprinkler systems installed.**
- *Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements*  
**Fire Lane markings will be installed as required.**
- *Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.*  
**The Fire Department Connection locations and details will be included on submissions to the Fire Marshal.**
- *Show Fire Lanes and Sign Detail as shown in DSFPR*  
**Fire Lanes and Sign Details will be included on submissions to the Fire Marshal.**

*Accessibility:*

- *All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Coastal Highway and the access road from Old Mill Road must be constructed so fire department apparatus may negotiate it.*

**All subdivision access will be designed and constructed to allow fire department apparatus access.**

- *Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.*

**The site is designed to allow fire apparatus to locate within 100 ft. of the front doors of all buildings.**

- *Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.*

**No dead-end roads of more than 300 feet are proposed.**

- *The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.*

**The use of speed bumps or other methods of speed control are not anticipated but if they are included at a later date they will be in accordance with DelDOT.**

- *The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.*

**The operation and design of the automatic gate systems will be included in the Fire Marshal submission.**

*Gas Piping and System Information:*

- *Provide type of fuel proposed and show locations of bulk containers on plan.*  
**All utilities will be installed underground with no bulk containers on site.**

*Required Notes:*

- *Provide a note on the final plans submitted for review to read " All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"*
- *Proposed Use*
- *Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units*
- *Square footage of each structure (Total of all Floors)*
- *National Fire Protection Association (NFPA) Construction Type*
- *Maximum Height of Buildings (including number of stories)*
- *Note indicating if building is to be sprinklered*
- *Name of Water Provider*
- *Letter from Water Provider approving the system layout*
- *Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered*
- *Provide Road Names, even for County Roads*

**All of the above notes will be included on the appropriate plans at the time of submission.**

Recommendations/ Additional Information

*This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. These suggestions do not represent State code requirements. They are offered here*

*in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (but in no way required) that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.*

Department of Transportation – Contact Bill Brockenbrough 760-2109  
*Please refer to DeIDOT's May 2018 PLUS comments (copy attached).*

*Please be advised that the Standard General Notes have been updated and posted to the DeIDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>*

**The above recommendations from DeIDOT will be included on future plan submissions to DeIDOT.**

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

*Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov) technical services link, plan review, applications or brochures.*

**The Applicant/Developer will have a preliminary meeting with Fire Protection Specialists prior to final design and submission.**

State Housing Authority – Contact Karen Horton 739-4263

*DSHA strongly supports the partial rezoning of 15 acres on the corner of Coastal Highway and Old Mill Road from AR-1 (Agriculture-Residential) to HR (Medium Residential) to develop 168 units via the Sussex County Rental Program. This would provide housing affordable to county residents who work in the 'Coastal Area' as defined by the County's 2018 Comprehensive Plan. The need for more affordable housing options in this area of the County is acute and well documented. In addition, this site is located within a DSHA-defined 'Area of Opportunity', which are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help household succeed. Since these same areas contain little affordable housing, the County incorporated their intent to expand affordable housing opportunities within 'Areas of Opportunity' into their 2018 Comprehensive Plan.*

**The Developer acknowledges and concurs with the DSHA's comments regarding this project.**

*DSHA takes this opportunity to note our concern that this is the second time the Nassau Property is going through the development review process - adding time and money to providing a more affordable housing product in an area where it is desperately needed. Sussex County Planning and Zoning Commission denied the initial proposal in December because it was not "in character with the surrounding use of single-family homes". DSHA documented our concern of applying additional criteria, including 'similar to the surrounding uses', only to densities associated with a more affordable housing product in the September 20, 2018 PLUS letter, and in a November 15, 2018 letter to the County Administrator. We continue to be discouraged with the application of the criteria of being 'in character with the surrounding use', which in this area is single-family homes for the resort market. These criteria will be used to deny much-needed affordable housing proposals - as it did already for the Nassau Property proposal in December.*

*Considering the site's Coastal Highway close proximity to Five Points in Lewes and location within an 'Area of Opportunity' providing resources and benefits conducive to positive life outcomes, this is an excellent location for a more affordable housing product such as the Nassau Proposal. As a result, we recommend that Sussex County embrace the opportunity to approve this proposal permitting residents to live close to their jobs and gain access to the resources and benefits this area provides.*

Sussex County – Contact Rob Davis 855-7820

*The parcels are not within the boundary of the Sussex County Unified Sanitary Sewer District and annexation into the sewer district is required. Connection to the sewer system is mandatory. Sewer service has not been extended to the parcels. The County does not have a schedule to extend service to the proposed projects. It will be the developer's responsibility to construct off-site infrastructure to obtain sewer service. A Sewer System Concept Evaluation (SSCE) must be requested to define a connection point.*

**The Applicant/Developer has had preliminary discussions with Sussex County Utility Planning to ensure that annexation into the Northern Planning Area is possible and capacity is available for this project prior to making this application. As this project requires a rezoning, the Applicant/Developer will defer the filing of a Sewer System Concept Evaluation until zoning approvals are obtained.**

*The Sussex County Sussex County Code, Chapter 110 requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for their parcel(s) with estimated EDUs for the project, along with payment of \$1,000.00 payable to Sussex County Council. The Utility Planning Department will review the parcels and EDUs, determine capacity, and provide the connection point and any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. Public Works will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.*

**Once the rezoning is approved the Applicant/Developer will submit a formal SSCE to the Utility Planning Department to start the sewer design.**

*A "Use of Existing Infrastructure Agreement" is required and must be approved prior to approval of construction plans.*

**The Agreement will be executed prior to approval of Construction Plans.**

*The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures. The Sussex County Engineer shall approve the connection point.*

**The Applicant/Developer will design and install the collection system in accordance with Sussex County which discharges to a point approved by the County Engineer.**

*Onetime system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.*

**The Applicant/Developer understands that it will be responsible for all fees related to the installation and permitting of the Sanitary Sewer Collection System.**

Page 9 of 9

PLUS Review 2019-03-05; Nassau Property

June 10, 2019

*In addition to the comments above our office has received a letter from Brandy Nauman, Sussex County Housing Coordinator & Fair Housing Compliance Officer. A copy of that letter is enclosed with this letter.*

**This letter acknowledges the application was made to SCRP. Since the date of this letter the project received preliminary approval for participation in the SCRP on March 27, 2019 through the execution and recordation of the Acknowledgement of Participation on May 1, 2019.**

If you have any questions or need additional information, please feel free to contact me immediately by phone at (610) 274-8613 or by email at [tschreier@HillcrestAssoc.com](mailto:tschreier@HillcrestAssoc.com).

Sincerely,



Thomas Schreier, RLA  
Landscape Architect

C. Ms. Janelle Cornwell, Sussex County P&Z Director  
Nassau DE Acquisitions  
4187



Mark A Wright, PE  
33594 Broeders Dr  
Lewes, DE 19958

June 18, 2019

Ms. Janelle M. Cornwell, AICP  
Sussex County Planning & Zoning  
2 The Circle  
PO Box 417  
Georgetown, DE 19947

RECEIVED

JUN 19 2019

RE: CZ 1882 - Application of Nassau DE Acquisition Co., LLC

SUSSEX COUNTY  
PLANNING & ZONING

Dear Ms. Cornwell,

As President of the Home Owners Association for Wright Brothers Subdivision (DBA Wright's Grant Association) I am providing input for enhancement to the developer's Proposed Conditions, which are unknown to us at this time. These enhancements are intended to ensure the safety and minimize degradation of quality of life for the residents, and protect wildlife corridors in our neighborhood.

These enhancements are proposed for your consideration and inclusion into any ordinance related to, or generated under CZ 1882.

While we strongly object to this development of 168 apartment units, it is incumbent upon us to do what we can to minimize the adverse impact and protect our health, safety, prosperity and general welfare. Please note that the developer has never contacted any adjacent property owners for input on Proposed Conditions under CZ 1882.

Wright Brothers Subdivision is located immediately adjacent, along the northeast border of the proposed development. It includes Broeders Dr, and would be greatly affected by this development.

The developer/engineer did submit conditions when they made application for this same land parcel under CZ 1860 & CU 2147. In those applications the developer proposed a minimum 20ft forested buffer, which would not provide an adequate level of separation and privacy. We propose a separation of at least 60ft to our subdivision boundary for privacy and preservation of the existing wildlife corridor.

**Proposed Conditions for Inclusion in the Record:**

- Maintain 60ft wide forested buffer along boundary with Wright Brothers Subdivision.

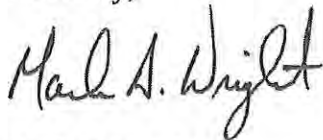
- Building and Parking Lot lighting shall be shielded so as to not shine in the direction of Wright Brothers Subdivision.
- Parking Lot lighting shall not be greater than 12ft in height, i.e., 12ft from ground to top of lamp.
- Dumpster/trash collection receptacles shall be located in front of their respectively served building, no closer than 250ft to the boundary with Wright Brothers Subdivision.
- No exterior stairwells shall be constructed on the rear, or sides, of buildings that overlook the boundary with Wright Brothers Subdivision.
- Visually Solid Stockade-style Fencing, minimum height of 8ft, shall be constructed along the entire length of the boundary with Wright Brothers Subdivision. This is needed to block the headlights of vehicles that transit and/or park behind the proposed buildings, as shown on the developer's submitted plan.

Fence segments shall be staggered, over-lapping, and offset at least 4ft, along its length to allow for unimpeded transit of wildlife through and along the length of the fence. The bottom of the fence segments shall be at least 16in above ground level. Chain-link fencing shall not be considered to be solid fencing.

- An earthen berm shall be placed along the length of the boundary of Wright Brothers Subdivision to inhibit water transport/drainage across the boundary and further block vehicle lights.

Thank you for your consideration of these Proposed Conditions. Their inclusion in the Record will go a long way towards making good neighbors.

Sincerely,



Mark A Wright, PE

CC: Kim Hoey Stevenson

Gerald and Ruth Cohen

32189 Sandpiper Dr.

Lewes, DE 19958

June 19, 2019

Dear Ms. Stevenson and Wingate, and Mr. Hopkins, Mears and Wheatley:

We are writing in reference to CZ1882, which you approved with conditions late last year and is now before you again. We respectfully request that in this second round you deny this application.

My wife and I have owned our current residence for 12 years and for the last three years we have used it as our permanent home. During these dozen years, we have seen a steady increase in the volume and speed of traffic on Route 1 in both directions. When our children have visited us and we are crossing Route 1 to head south, I have told them many times in jest that this is the intersection where I expect to meet my maker. I no longer say this in jest. I believe sincerely and without reservation that this very dangerous intersection where Old Mill Road meets Route 1 will be the scene of more serious accidents, critical injuries or fatalities. You have the power and the responsibility to ensure this does not happen.

I know you have seen video of traffic on this stretch of highway. I believe it shows the challenges confronting motorists on a Sunday morning, which in my opinion understates the danger. Picture this road at morning and evening rush hours, or worse yet, on a summer weekend or holiday. Now throw into that mix the older drivers with slower reflexes who predominantly populate our neighborhood. That's our current situation, which DelDOT recognizes needs to be addressed based on the number of automobile crashes already recorded in this area. Now factor in the 700 to 1,500 or more additional daily trips DelDOT expects if the suggested development is built, and I think you have a devastatingly toxic mix. Of no less concern, this proposed development also will endanger the safety of those who use six other neighboring intersections

Even if we were to record video during these times of day or seasons, no video could give you a complete picture of the dangers we and our neighbors currently face several times of day — or night. If you have not personally visited this intersection and tried to enter the flow of traffic, I implore you to do so.

When I first testified before the P&Z Council last year, I frankly thought it was more than abundantly obvious that this was a ludicrous idea. I was dismayed when I learned the council had unanimously approved the project and was thankful that the County Council heeded our warnings. But now that the project is again before you, I am concerned that you either do not understand the situation, or that you believe some other reason trumps our safety.

And so I want to state very clearly that I have no doubt you will be making a very bad situation exponentially worse if you approve this development. Whatever assurances the developer has given you that traffic is not a disqualifying factor, I can assure you that approving this development is a disaster in the making. I make this assertion as a resident who regularly misgauges the opportune time to enter the flow of traffic, and 2) as someone with the responsibility to safely ferry our 5-year-old granddaughter, daughters and sons-in-law across this intersection.

Mark A Wright, PE  
33594 Broeders Dr  
Lewes, DE 19958

June 18, 2019

Ms. Janelle M. Cornwell, AICP  
Sussex County Planning & Zoning  
2 The Circle  
PO Box 417  
Georgetown, DE 19947

RECEIVED

JUN 19 2019

SUSSEX COUNTY  
PLANNING & ZONING

RE: CZ 1882 - Application of Nassau DE Acquisition Co., LLC

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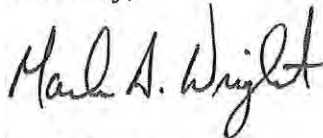
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Sincerely,



Mark A Wright, PE

CC: Kim Hoey Stevenson

June 18, 2019

Planning and Zoning Commission  
County Administrative Office Bldg.  
2 The Circle  
P.O. Box 417  
Georgetown, DE 19947

RE: C/Z#1882 Nassau DE Acquisition Co., LLC-Thomas Schreier, Rezoning  
Application

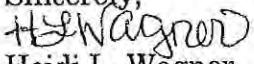
Dear Mr. Wheatley, Mr. Hopkins, Ms. Stevenson, Mr. Mears, Ms. Wingate:

I am a resident on Old Mill Road and I'm writing to comment on the rezoning of Tax Parcels: 334-1.00-15.00 & 15.03 C/Z#1882 from AR-1 (Agricultural Residential) to HR-1 (High Density Residential). I am requesting that Planning & Zoning deny this application.

Old Mill Road is a dead end road. My concerns are an increase in traffic with safety concerns, crime, a decrease in property values, as well as inadequate buffering, and possible environmental and stormwater problems. This rezoning constitutes "spot zoning" to benefit the applicant and to the detriment of the residents in the neighborhood. I own my home and have lived here for 18 years. This rezoning would be a massive change depleting the character of our neighborhood. We should not be penalized when there are other property's where this would be more appropriate.

The concern that I have with the applicant using Old Mill Road as their access to Route 1 is that this access point is near in proximity to where Nassau Road traffic merges onto Route 1. If you look on the attachment you can see where Nassau Road feeds into Route 1 very close to Old Mill Road. This has been a very dangerous area as it is and I am recommending no access to Old Mill Road.

It is critical not to allow the rezoning in order to maintain the safety and character of our community.

Sincerely,  
  
Heidi L. Wagner  
16341 Old Mill Road  
Lewes, Delaware 19958

Attachment

RECEIVED  
JUN 18 2019  
SUSSEX COUNTY  
PLANNING & ZONING

June 18, 2019

County Council Commissioners  
County Administrative Office Bldg.  
2 The Circle  
P.O. Box 417  
Georgetown, DE 19947

RE: C/Z#1882 Nassau DE Acquisition Co., LLC-Thomas Schreier, Rezoning  
Application

Dear Mr. Vincent, Mr. Wilson, Mr. Burton, Mr. Hudson, Mr. Rieley:

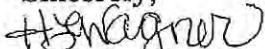
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16341 Old Mill Road  
Lewes, Delaware 19958

Attachment

RECEIVED  
JUN 18 2019  
SUSSEX COUNTY  
PLANNING & ZONING

Nicholas and Gail Sellazzo

16713 Snipe Drive

Lewes, DE 19958

June 14, 2019

Planning and Zoning Commissioners

Georgetown, DE 19947

**RE: Plus Applications 2019-03-05 and DelDot 3 April 2019 response**

To Whom It May Concern

As a homeowner living in Nassau Acres. I am deeply concerned to hear the P and Z Commission is considering allowing a large apartment complex to be built on Old Mill Road.

In my opinion there are issues to be considered before allowing this to happen.

As you know the traffic volume on Route 1 has been growing at an expeditious rate every year. Summer at the beaches causes the traffic to grow to the point where it can actually be dangerous making it next to impossible to exit Old Mill Road. It is extremely difficult to go north. When going south on Route 1 you take your life into your own hands. I can't imagine the congestion with 150 more Units trying to exit this area. There could feasibly be 2 or more cars per unit which could mean 300 plus vehicles along with the traffic already exiting Old Mill RD. Del Dot estimates that 150 apartments will generate 1,500 trips daily. Sussex County recognizes the dangerous nature of this area and has already slated road improvement for 2023/2024. It is also known that Sussex County wants to stop Commercial Zoning east of Route 1. I cordially invite any of you to sit at the corner of Route 1 and Old Mill to watch the flow of traffic. While trying to cross RT 1 to Minus Conway this morning at 9:00am I sat for 10 minutes before I could safely cross.

In addition the Apartment Complex is totally out of character with AR-1 zoning and current residences in the area. This area has been rated as a level 4 area which is mostly agricultural containing agribusiness, farm complexes and small settlements. At the current time there is no infrastructure to support sewage or water supply. Residents in the area have private septic and wells.

**I Implore You to Vote NO Plus Application 2019-03-05 and Del Dot 3 April response**

Respectfully Submitted,

Nicholas and Gail Sellazzo



11 June 2019

# Sussex County Planning and Zoning C/21882

I own 4.94 acres across from this parcel. We would never ask to increase the zoning from AR1. Old mill road cannot handle the current traffic let alone 168 more apartments as proposed by the applicant.

The County Council president stated in December 2018 that he couldn't approve higher density for this area without a service road in place. The service road is planned for 2023/2025.

The applicants parcel at the foot of the Nassau Bridge is a dangerous location for higher density. Please don't disappoint me again with approval... Safety must be our highest priority.

Please keep the current zoning AR1.

Sincerely,  
Keith Landon  
Landon Road  
Levens, Pa 19958

RECEIVED

JUN 17 2019

SUSSEX COUNTY  
PLANNING & ZONING

Nicholas and Gail Sellazzo

16713 Snipe Drive

Lewes, DE 19958

June 14, 2019

Sussex County Commissioners

Georgetown, DE 19947

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**I Implore You to Vote NO Plus Application 2019-03-05 and Del Dot 3 April response**

Respectfully Submitted,

Nicholas and Gail Sellazzo

9 June 2019

# SUSSEX COUNTY PLANNING & ZONING

RECEIVED

RE: CZ1882

JUN 12 2019

SUSSEX COUNTY  
PLANNING & ZONING

Here we go again. High density development in an AR1 Zone on the east side of RT 1, Old Mill Road (DEAD END) CAN'T handle the volume. The service road will not be completed UNTIL 2024/2025.

I WAS disappointed in PLANNING & ZONING'S decision last fall regarding this development. Now they WANT MORE Apartments under AR1. This proposal does NOT MAKE SENSE without the infrastructure in place.

Three MONTHS AGO I came to the intersection of Old Mill & HWY 1 to see a CAR turned upside down in the median. Another driver clipped them coming down the NASSAU bridge AT A high rate of speed. We need to place SAFETY ahead of greed by a developer who will never live here. I'm a 100% disabled American Veteran.

Some of the land in CZ1882 is C4. DEL/DOT recommends this remain AR1. So do I. Five acres of trees will be destroyed if CZ1882 gets approved.

(over)

Rob & Brittany Hoeller  
LONDON ROAD  
LEWES, DE 19958

Sussex County Planning & Zoning  
RE: CZ 1882

RECEIVED 11 June 2019

JUN 12 2019

Ms. Kim Hoey Stevenson,

SUSSEX COUNTY  
PLANNING & ZONING

In December 2018 your County Council denied this developer a change in zoning from AR1 to MR1. They wanted to build over 150 Apartments on 12.50 acres. The reasons for denial was density increases cannot be handled by Old Mill Road. The service road has not been completed and won't begin until 2022/2023 with completion in 2025. Traffic safety at the foot of Nassau bridge and HWY 1 and Old Mill Road.

Now the developer wants to change zoning from AR1 to HR1 and add 168 Apartments. Again the service road has not been started. Old Mill Road is still a dead end road with Hwy 1 as an exit. Per Del/DOT they do not recommend the C4 portion be changed from AR1. The entire communities along Old Mill Road will be impacted by unacceptable traffic backups if this zoning change gets approved. Please --- no increase to zoning. This location can't handle it.

Sincerely,  
Rob Hoeller and Brittany Hoeller

Sussex County Council CZ 1882

Mr. Buxton

RECEIVED

10 June 2019

JUN 12 2019

Sir,

SUSSEX COUNTY  
PLANNING & ZONING

I'm concerned for my safety if this development of high density apartments gets approved. I can't drive anymore and walk to most locations in the area. I'm a 100% disabled American Veteran.

Please do the sensible thing and deny this request until infrastructure improvements can be made. Nassau is a dangerous area because of the high speeds around the bridge. I've seen many accidents in recent years.

AR1 is the correct zoning for this land because Old Mill Road does not have an outlet and some of the acreage is C4. Please --- I'm counting on your support.

Sincerely,

John Landon  
32226 LANDON ROAD  
Lewes, De  
19958

10 June 2019

Sussex County Planning and Zoning  
RE: C/z 1882

RECEIVED

JUN 12 2019

SUSSEX COUNTY  
PLANNING & ZONING

Planning and Zoning Department,

it's within 200 feet of the subject site.

I request that this application AR1 to  
HR-1 high density residential be denied.

Denial for the following reasons:

- (1) Service Road not in place.
- (2) Old Mill Road (dead end) cannot handle increased density
- (3) Old Mill Road and Hwy 1 lies at the foot of the Nassau Bridge. Speeds off the bridge are not safe resulting in risky maneuvers to ~~to~~ cross Hwy 1 going south. Traffic back-ups on Old Mill Road will result in even more accidents.

(4) Some of the land in the application is C4 level and should remain AR1.

(5) Traffic Study needs to be performed  
(6) Application was denied 6 mos ago for the above reasons.  
Sincerely,  
32174 LONDON ROAD, LEWES, DE (OLR) William Landon

Planning and Zoning

12 June 2019

Please do not approve C/21882. Keep the land in AR1 zoning. The applicant's density is off the chart -- 168 units. Infrastructure is not in place to address the traffic volume. our quality of life will be reduced significantly. My family has lived on Cty Rd 265/Old Mill since the 1960's.

County Council denied the applicant in December 2018 for 153 units. Now they want to receive approval for 168 units. Insane is trying to repeat the same thing twice and getting a different result. you need to repeat the same decision twice and deny this application.

Sincerely,  
Wayne Bowden  
Old Mill Road, Lewis

P.S. I own 2.44 acres across from this parcel on Old Mill Rd.

RECEIVED

JUN 14 2019

SUSSEX COUNTY  
PLANNING & ZONING

May 14, 2019

Kim Hoey Stevenson, Vice Chairman  
Sussex County Planning & Zoning  
PO Box 417  
Georgetown, DE 19947

RECEIVED  
MAY 24 2019  
SUSSEX COUNTY  
PLANNING & ZONING

Dear Ms. Stevenson:

As a longtime resident of the Old Mill Road community north of Lewes, I urge you to reject PLUS Application 2019-03-05, the Hillcrest conditional use proposal that would affect several acres at the end of Old Mill from agricultural/residential to high density residential and commercial. A similar application from the same developer was rejected by Sussex County Council last year on several grounds, from the impact on aquifers and wildlife to a dramatic increase in traffic hazards along an already dangerously congested section of the Route 1 corridor.


Currently Old Mill Road accommodates five small residential developments. I haven't counted the exact number of houses. I estimate 60-70 single family homes, none of them "McMansions," all of them with somewhere between a third- and a half- acre lots. The parcel in question could easily support another development similar to those already established. The quality of the neighborhood would remain essentially the same. But the current Hillcrest proposal destroys that neighborhood character as quickly as it deforests it. Beyond character, let's get to basics: Can anyone reasonably think that constructing a 165-unit apartment complex would not raise serious questions about basic needs such as our supply of safe drinking water via aquifers and adequate drainage?

Of course, the every day/all day issue is that of traffic safety—or perhaps traffic danger is a better phrase. As you know, we are a one-way-in, one-way-out community. Old Mill is a narrow country road which begins and ends in a "T" intersection with Route 1. That intersection is dangerous. Cars accelerate coming down the north side of the Nassau Bridge as the highway speed limit increases. Vehicles—more and more of them all the time—enter Route 1 from New Road/Nassau Road about 25 yards south of Old Mill. Residents already wait minutes for gaps in northbound traffic from two sources to scoot across to the median if we are heading south. And once we get to the median, our next challenge is the merge lane from Minos Conaway Road just north of us--another disaster scenario.

I am aware that DelDOT has plans for a "Connector" project to address these conditions, but the projected timeline puts completion six years from now, 2025 at the earliest. Hillcrest's timeline for project completion is 2021. What happens in that years' long gap? How many accidents will occur during those years when residents from 165 apartments join the demolition derby we already contend with? How many fatalities? And who takes responsibility for those lives? Government's first responsibility is the safety of its citizens. You are our government.

Your decision on this application is a quality of life decision for Old Mill residents. It is quite possibly also a life and death decision for somebody or several somebodies. Please make the right decision.

Respectfully,

  
Susan Frederick

14 Cristeen Court  
Lewes, DE 19958



## Janelle Cornwell

---

**From:** Robin Griffith  
**Sent:** Monday, May 6, 2019 11:25 AM  
**To:** Michael H. Vincent; IG Burton; Doug Hudson; John Rieley; Samuel R Wilson Jr  
**Cc:** Janelle Cornwell  
**Subject:** FW: Contact Form: Plus Applications 2019-03-05 and DelDot 3 April 2019

**From:** Nicholas Sellazzo <noreply@forms.email>  
**Sent:** Monday, May 6, 2019 11:19 AM  
**To:** Robin Griffith <rgriffith@sussexcountype.gov>  
**Subject:** Contact Form: Plus Applications 2019-03-05 and DelDot 3 April 2019

Name: Nicholas Sellazzo  
Email: [sellazzogn@comcast.net](mailto:sellazzogn@comcast.net)  
Phone: 3023636924  
Subject: Plus Applications 2019-03-05 and DelDot 3 April 2019  
Message: Nicholas and Gail Sellazzo  
16713 Snipe Drive  
Lewes, DE 19958  
May 6 2019  
Robert C. Wheatley  
Planning and Zoning Office  
Georgetown, DE 19947  
RE: Plus Applications 2019-03-05 and DelDot 3 April 2019 response  
Dear Ms. Cohan,

As a homeowner living in Nassau Acres. I am deeply concerned to hear the P and Z Commission is considering allowing a large apartment complex to be built on Old Mill Road.

In my opinion there are issues to be considered before allowing this to happen.

As you know the traffic volume on Route 1 has been growing at an expeditious rate every year. Summer at the beaches causes the traffic to grow to the point where it can actually be dangerous making it next to impossible to exit Old Mill Road. It is extremely difficult to go north. When going south on Route 1 you take your life into your own hands. I can't imagine the congestion with 150 more Units trying to exit this area. There could feasibly be 2 or more cars per unit which could mean 300 plus vehicles along with the traffic already exiting Old Mill RD. Del Dot estimates that 150 apartments will generate 1,500 trips daily. Sussex County recognizes the dangerous nature of this area and has already slated road improvement for 2023/2024. It is also known that Sussex County wants to stop Commercial Zoning east of Route 1. I cordially invite any of you to sit at the corner of Route 1 and Old Mill to watch the flow of traffic. While trying to cross RT 1 to Minus Conway this morning at 9:00am I sat for 10 minutes before I could safely cross.

In addition the Apartment Complex is totally out of character with AR-1 zoning and current residences in the area. This area has been rated as a level 4 area which is mostly agricultural containing agribusiness, farm complexes and small settlements. At the current time there is no infrastructure to support sewage or water supply. Residents in the area have private septic and wells.

I Implore You to Vote NO Plus Application 2019-03-05 and DelDot 3 April response

Respectfully Submitted,  
Nicholas and Gail Sellazzo

## Janelle Cornwell

---

**From:** Col. William Landon via Sussex County <webmaster@sussexcountype.gov>  
**Sent:** Sunday, April 28, 2019 6:42 PM  
**To:** Janelle Cornwell  
**Subject:** Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Janelle Cornwell

Submitted on Sunday, April 28, 2019 - 6:42pm

Name: Col. William Landon

Email address: williamlandon@comcast.net Phone number: 302-644-0493

Subject: Proposal to develop 15 acres at HWY 1 & Old Mill Road Lewes

Message: Planning & Zoning....We need to have the service road completed before zoning upgrades can occur. Old Mill Road can't handle the increased density that Apartments will bring to this dead end road. It's not safe today to cross highway 1. Please do not approve this project until the service road is completed....2025. Thanks, Bill Landon

PROJECT DEVELOPMENT BOOK  
**NASSAU PARCEL**



June 17, 2019



PREPARED BY:  
Hillcrest Associates, INC.  
PO Box 1180  
Hockessin, DE 19707

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## 1.0 EXECUTIVE SUMMARY

---

### 1.1 PROJECT TEAM

Applicant / Developer:

Nassau DE Acquisition Co., LLC  
Contact: Joe Calabro  
1201 North Orange Street, Suite 300  
Wilmington, DE 19801  
Telephone: (302)287-3045  
E-mail: Joseph.M.Calabro@Gmail.com

Attorney:

Young Conaway Stargatt & Taylor, LLP  
Contact: John E. Tracey  
Rodney Square  
100 North King Street  
Wilmington, DE 19801  
Telephone: (302)571-6740  
E-mail: Jtracey@ycst.com

Civil Engineer / Survey / Architect:

Hillcrest Associates, Inc.  
Contact: Alan Hill  
PO Box 1180  
Hockessin, DE 19707  
Telephone: (610)274-8613  
Email: Ahill@Hillcrestassoc.com

Traffic Engineer:

McMahon Associates, Inc.  
Contact: Nicole R. Kline-Elsier, P.E., PTOE  
840 Springdale Drive  
Exton, PA 19341  
Telephone: (610)594-9995  
E-mail: Nkline@mcmahonassociates.com

## 1.2 GENERAL PROJECT INFORMATION

The Nassau Parcel is a Multifamily development of 168 units within 6 buildings utilizing the Sussex County Rental Program (SCRP) that will provide a variety of on-site amenities, including but not limited to a sales center, private garages with storage spaces, pool, pool house, 1-story club house, tennis courts, pickleball and bocce. Sussex County passed the SCRP ordinance in 2008. The SCRP was created because of the significant lack of affordable rental housing in the County to meet the post-housing bubble demand. With this the Sussex County Council declared it to be the public policy of the County to;

- A. Encourage the creation of a full range of housing choices, conveniently located in suitable living environments, for all incomes, ages and family sizes.
- B. Encourage the production of moderately priced housing to meet the existing and anticipated future employment needs in the County.
- C. Assure that moderately priced housing is dispersed throughout the County consistent with the Comprehensive Plan.
- D. Encourage the production of moderately priced housing by allowing increases in density to reduce land and development costs.
- E. Encourage developments in town centers, developing areas and environmentally sensitive developing areas with 35 or more total dwelling units to include a minimum number of moderately priced units of varying sizes on public water and sewer systems.
- F. Provide incentives for private developers to construct moderately priced housing through tools such as the density incentive.
- G. Allow developers who are building qualified projects an expedited review period.
- H. Allow developers who are building qualified projects an expedited review period.

The project is comprised of two parcels, 334-1.00-15.00 & 334-1.00-15.03, containing approximately 15.162 acres. The subject land is located on the northeast side of Coastal Highway (Delaware Route 1), opposite Minos Conaway Road (Sussex Road 265), and on the northwest side of Old Mill Road (Sussex Road 265A). The site is currently zoned AR-1 (Agricultural Residential) and C2 (Medium Commercial) and classified within the 2018 Sussex County Comprehensive Plan as a Coastal Area as described within the Land Use Element and Future Land use plan. Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. A range of housing types are permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Medium and higher density (4-12 units per acre) can be supported in areas: where there is central water and sewer; near sufficient commercial uses and employment centers; where it is in keeping with the character of the area where it is along a main road or at/or near a major intersection; where there is adequate Level of Service; or where other considerations exist that are relevant to the requested project and density. This project will be providing housing affordable to county residents who work in the 'Coastal Area' as defined by the County's 2018 Comprehensive Plan. The need for more affordable housing options in this area of the County is acute and well documented. In addition, this site is located within a DSHA-defined 'Area of Opportunity', which are strong,

high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help households succeed. Since these same areas contain little affordable housing, the County incorporated their intent to expand affordable housing opportunities within 'Areas of Opportunity' into their 2018 Comprehensive Plan. Furthermore, State Policies and Spending predominantly identify the parcels as lying within Investment Level 3, with only the very rear portion of the property located within Investment Level 4. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. The existing site is bounded by Coastal Highway to the south, the Light House of Lewes and Meineke to the west, Wright Brother Subdivision to the north, and portions of the east abut Old Mill Road, two vacant parcels and Tyndall's Casual Furniture.

The land use application consists of a request to rezone the 15.162-acre parcel from AR-1 & C2 to HR-1 (High-Density Residential Districts). Table 4.5-2 of the Sussex County Comprehensive plan defines applicable zoning districts for each future land use plan category. As stated above, this parcel is located within a Coastal area which according to the Comprehensive Plan depicts HR-1 High Density Residential as an applicable zoning district. The project will consist of 168 units on 15.162 acres which results in a density of 11.08 units per acre, where 12 units per acre is permitted. The table below summarizes the project data.

**Rezoning Table**

| Existing Site Area (Zoning) |            | Proposed (Rezoning)  |
|-----------------------------|------------|----------------------|
| Lot 1                       | Lot 2      |                      |
| 12.50 (AR-1)                | 2.662 (C2) | 15.162 AC (HR-1 RPC) |

No formal submission for construction document approval has been completed at this time. The applicant understands that approvals from all agencies including but not limited to the Sussex Conservation District, Sussex Engineering, Sussex Planning and Zoning, DelDOT, Fire Marshal and Department of Public Health – Office of Drinking Water are required before construction can begin.

The property is subject to a right of way agreement with Delmarva Power & Light Co. (DB 525, P 379 and Deed Record 1078, P. 1078), a right of way agreement with Delaware Electric Cooperative, INC. (Deed Record 802, P 223), a interface grant to Diamond State Telephone Co. and an Easement Agreement with Dept. of Transportation (Deed Record 1700, P 164). The zoning exhibit shown in section 2.3, page 10 of this document was prepared from Deed Book 4727 Page 304 and Deed Book 1981, Page 20. Out conveyances from the description listed in DB 4727-304 include the sales listed in DB 1178 PG 324, DB 464 PG 393, DB 463 PG 356, DB 464, PG 396, DB 386, PG 236, DB 399 PG 389, DB 1981 PG 16, DB 1256 PG 177, DB 1766 PG 199 & DelDOT taking per DB 1700 PG 164. The Route 1 Right-of-way is per DelDOT contract #64-05-004. The Old Mill Right-of-way is per DelDOT contract #89-053-01. No actual field survey has been performed at this time.

Public utilities have been discussed with Sussex Utility Planning. The property is located within the Northern Planning Area or Tier 2 – Sussex County Planning Areas. As shown within the North West Rehoboth Expansion Study Area of March 2013 Figure 2-3-1, the County has a plan for sewer in place. Sewer Annexation would be required as this is not within a service area currently.

Tier 2 – Sussex County Planning Areas

- Any parcel or parcels immediately adjacent to an existing sanitary sewer area boundary capable of annexation.
- Areas where the County has plans to install central sewer to serve existing and future development.



### 1.3 HSITORY OF SITE



Through the utilization of google images, to the best of our knowledge the parcel has been utilized for agricultural purposes as far back as aerial imagery allows us to research.

## 1.4 PROJECT DATA

|                                    |  |
|------------------------------------|--|
| Total Site Area:                   | 15.162 ± Acres   |
| Existing Zoning District:          | AR-1 (Agricultural Residential) & C2 (Medium Commercial)   |
| Proposed Zoning District:          | HR-1 (High-Density Residential)<br>RPC (Residential Planned Community)<br>SCRP (Sussex County Rental Program)<br>Refer to Section 4.0 for proposed conditions  |
| Tax parcels:                       | 334-1.00-15.00 & 334-1.00-15.03  |
| Owners:                            | <u>334-1.00-15.00</u><br>Hagan Herman G Trustee & Patricia R Hagan Trustee<br>Milton, DE 19968<br>Book: 4727 Page: 304<br><br><u>334-1.00-15.03</u><br>Susan N Moore<br>14492 Oyster Rocks Road<br>Milton, DE 19968<br>Book: 1981 Page: 20 |
| Wetlands:                          | To be determined.  |
| Woodlands:                         | 5.5 ± Acres  |
| Area and Bulk Requirements: (HR-1) |  |
| Minimum Lot Area:                  | 2 Acres  |
| Minimum Area:                      | 3,630 SF.  |
| Minimum Lot Width:                 | 150 Ft.  |
| Maximum Building Height:           | 52 Ft.   |
| Front Yard Setback:                | 40 Ft.   |
| Rear Yard Setback:                 | 10 Ft.   |
| Side Yard Setback:                 | 10 Ft. (Two Required)  |
| Utilities:                         |  |
| Sewer:                             | Sussex County (Northern Planning Area)   |
| Water:                             | Tidewater Utilities  |
| Electric:                          | Delmarva   |
| Telephone:                         | TBD  |
| Proposed Project Size:             | 168 Residential Units (including 21 affordable units under SCRIP) with accessory structures  |
| Project Density:                   | 11.08 units per acre   |

Streets: Private

Parking:

| Requirements:   | Required   | Provided    |
|---|--|-------------|
| Multifamily<br>1.5 Spaces per 1 Bedroom DU<br>2 Spaces per 2 Bedroom DU<br>+.5 Spaces per 3 Bedroom DU  | 48 – 1 Bedroom<br>48 – 2 Bedroom<br>72 – 3 Bedroom<br>348 Spaces Required* | 320 Spaces* |
| <p>* Section 115-162.b.(2) multifamily dwellings, in excess of 50 units the required number of parking spaces shall be reduced by 15% from the required number set forth in subsection b(1) after those spaces required for the first 50 units have been provided.</p> <p>50 x 2.5 = 125 spaces - required for first 50 units<br/>                     348 total required spaces - 125 spaces for first 50 units = 223 spaces<br/>                     15% reduction in remaining required = (223 x .15)-223 = 190<br/>                     125 + 190 = 315 spaces required</p> |  |             |
| Office<br>1 space per 200 Sq. Ft. of floor area exclusive of basement. If not used for customer service purposes.   | 23.5 Spaces<br>(4,700/200=23.5)  | 81 Spaces   |
| ** 401 spaces provided = 9 required handicap accessible parking spaces within the 9 required accessible parking spaces 2 van accessible spaces required   |  | 10 Spaces   |

Loading:

| Requirements:   | Required                                       | Provided         |
|---|--|------------------|
| Multifamily<br>1 loading space for up to 25,000 Sq. Ft. | 6 Bldgs @ 15,670 Sq. Ft. =<br>6 Loading spaces | 6 loading spaces |
| Office<br>1 loading space per 5,000 – 25,000 Sq. Ft.    | NA   | NA               |
| Total   | 6 loading spaces                               | 6 loading spaces |

## 1.5 ENVIRONMENTAL ANALYSIS

Sussex County Code Section 115-194.3., ES-1 Environmentally Sensitive Development District Overlay Zone (ESDDOZ), requires “any development containing 50 or more dwelling units” to provide an environmental assessment and public facility evaluation report.

This project has more than 50 dwelling units. Therefore, the applicant intends to comply with this Section.

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

The applicant intends to comply with all State & County requirements for stormwater management. Currently, the plan identifies two locations for stormwater management with the potential to locate additional areas around the site as needed.

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

It is the applicant’s intent to connect to Tidewater’s water system. Tidewater has expressed their ability to serve public water including fire protection. Any increased water usage associated with the project will not create an adverse effect on public water supply of private wells.

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

The subject parcel is not located within an existing Sussex County Sanitary Sewer District; however, it is located within the Northern West Rehoboth Expansion Area. Sewer Annexation would be required as this is not within a service area currently. Based on discussions with Sussex County Utility Planning the expected tie in location to the existing public sewer is in the area of the intersection of New Road and Nassau Road.

*(d) Analysis of the increase in traffic and the effect on the surrounding roadway system:*

The proposed development according to the Institute of Transportation Engineers (ITE) Trip Generation Manual will generate approximately 914 vehicle trips per day, 57 vehicle trips during the morning peak hour, and 73 vehicle trips during afternoon peak hour. Because the project is anticipated to generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day a Traffic Impact Study (TIS) is warranted. However, the DelDOT Development Coordination Manual considers the project to have minor impact to the local area roadways because it is under 200 vehicle trips per a weekly peak hour and 2,000 vehicle trip per day. Therefore, DelDOT could permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. According to Correspondence with DelDOT, if the County were agreeable, they would permit the developer to pay an Area-Wide Study Fee.

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

Endangered or threatened species or proposed habitat areas are not known to exist at the site.

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

There are no known wetlands located on the site. As part of this proposal we intend to have a delineation done to confirm our current understandings.

*(g) Provisions for open space.*

The applicant proposes an active recreation area located near the center of the project as well as internal sidewalks.

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

All infrastructure, including private drives and utilities, will be constructed by the applicant at their expense.

*(i) Economic, recreational or other benefits.*

The project will benefit the local economy by providing construction employment opportunities for local contractors and suppliers. It is the applicant's intention to utilize local contractors and suppliers to the extent possible. In addition to the benefits to the local economy, Sussex County will see increased property tax revenues as a result of the rezoning and the subsequent development. There are also recreational benefits as a result of the construction of a active recreation area within the development and provides additional and alternative housing opportunities to those living and working in Sussex County. Based on the Comprehensive plan, Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. A range of housing types are permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Medium and higher density (4-12 units per acre) can be supported in areas: where there is central water and sewer; near sufficient commercial uses and employment centers; where it is in keeping with the character of the area; where it is along a main road or at/or near a major intersection; where there is adequate Level of Service; or where other considerations exist that are relevant to the requested project and density. This project will be providing housing affordable to county residents who work in the 'Coastal Area' as defined by the County's 2018 Comprehensive Plan. The need for more affordable housing options in this area of the County is acute and well documented. In addition, this site is located within a DSHA-defined 'Area of Opportunity', which are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help households succeed. Since

these same areas contain little affordable housing, the County incorporated their intent to expand affordable housing opportunities within 'Areas of Opportunity' into their 2018 Comprehensive Plan.

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

Based on an online review of the website “National Register of Historic Places” maintained by the U.S. Department of Interior, National Park Service, neither the property nor nearby properties are listed on the National Register of Historic Places.

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

The change of zone is in accordance with the Comprehensive Plan Update as mentioned above in section i.

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

As outlined in items (a) through (k) above, there are no anticipated detrimental impacts generated by this development.

## Planning & Zoning Commission Application Sussex County, Delaware

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

**Type of Application: (please check applicable)**

Conditional Use

Zoning Map Amendment

**Site Address of Conditional Use/Zoning Map Amendment**

Corner of Coastal HWY and Old Mill Road

**Type of Conditional Use Requested:**

**Tax Map #:** 334-1.00-15.00 & .03 **Size of Parcel(s):** 15.171 Acres

**Current Zoning:** AR-1 & C2 **Proposed Zoning:** HR-1(RPC) **Size of Building:** Multiple Buildings

**Land Use Classification:** Agricultural and Undeveloped lands

**Water Provider:** Tidewater Utilities, Inc. **Sewer Provider:** Sussex County

**Applicant Information**

Applicant Name: Multiple Applicants - See Attached.

Applicant Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Owner Information**

Owner Name: Multiple Owners - See Attached.

Owner Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Agent/Attorney/Engineer Information**

Agent/Attorney/Engineer Name: Hillcrest Associates

Agent/Attorney/Engineer Address: PO Box 1180

City: Hockessin State: DE Zip Code: 19707

Phone #: (610) 274-8613 E-mail: Tom@HillcrestAssoc.com



# Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ✓ **Completed Application**
- ✓ **Provide eight (8) copies of the Site Plan or Survey of the property**
  - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
  - Provide a PDF of Plans (may be e-mailed to a staff member)
  - Deed or Legal description
- ✓ **Provide Fee \$500.00**
- **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- ✓ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- ✓ **DeIDOT Service Level Evaluation Request Response**
- ✓ **PLUS Response Letter** (if required)

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

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

**Signature of Applicant/Agent/Attorney**

T. Schmitt

Date: 3/26/2019

**Signature of Owner**

[Signature]  
NASSAU DE ACQUISITION CO, LLC.

Date: 3/26/2019

**For office use only:**

Date Submitted: \_\_\_\_\_ Fee: \$500.00 Check #: \_\_\_\_\_  
Staff accepting application: \_\_\_\_\_ Application & Case #: \_\_\_\_\_  
Location of property: \_\_\_\_\_

Subdivision: \_\_\_\_\_  
Date of PC Hearing: \_\_\_\_\_ Recommendation of PC Commission: \_\_\_\_\_  
Date of CC Hearing: \_\_\_\_\_ Decision of CC: \_\_\_\_\_



LEGAL DESCRIPTION

RE-ZONING OF PARCELS 3-34-1.00-15-15.03 & 3-34-01.00-15.00

All those certain tracts of land or parcels of ground situate in the Lewes & Rehoboth Hundred, County of Sussex, State of Delaware, as shown on a plan prepared by Hillcrest Associates, Inc, entitled, "Zoning Exhibit Plan, Nassau Property", dated March 26, 2019, and being more particularly described as follows to wit:

Beginning at a point in the eastern R/W of Delaware Route 1, said being further located North 46°00'00" West, a distance of 150 feet more or less from the intersection formed by the projection of the Old Mill Road R/W with the Route 1 R/W;

thence along Route 1, North 46°00'00" West, a distance of 399.97 feet to a point in the line of Parcel 334-1.00-14.00;

thence thereby, North 44°00'00" East, a distance of 400.00 feet to a point;

thence along same and along Parcels 334-1.00-13.00 & 334-1.00-12.00, North 46°00'00" West, a distance of 300.00 feet to a point in the line of Parcel 334-1.00-11.00;

thence thereby, North 44°00'01" East, a distance of 713.85 feet to a point in the Wright Brothers Subdivision (Plot Book 184, Page 44);

thence thereby, South 46°13'55" East, a distance of 531.00 feet to a point;

thence along same, South 46°00'00" East, a distance of 389.97 feet to a point in the northern line of Old Mill Road as widened by Deed Book 1700, Page 164;

thence thereby, South 48°15'00" West, a distance of 408.28 feet to a point in the line of Parcel 334-1.00-15.04;

thence thereby, North 46°00'00" West, a distance of 389.28 feet to a point;

thence along same and along Parcel 334-1.00-15.02, South 48°09'10" West, a distance of 408.23 feet to a point;

along Parcel 334-1.00-15.02, South 46°00'00" East, a distance of 250.00 feet to a point in the line of Parcel 334-1.00-15.01;

thence thereby and along Parcel 335-5.00-71, South 48°09'10" West, a distance of 302.48 feet to the Point of Beginning,

containing 15.2 acres, more or less.

## EXHIBIT A

### **I. Applicant Information**

A. Entity: Nassau DE Acquisition Co., LLC

i. Describe the form of legal organization and names of all principals:

The entity is a Limited Liability Company registered in Delaware.

The Principals are:

Todd Bariglio, Michael Scali and Sean Allen.

B. Contact Name: Joseph Calabro

C. Address: 300 Delaware Avenue, Suite 1370, Wilmington, DE 19801

D. Contact telephone and facsimile numbers: (302) 287-3045; Fax: (302) 300-3897

E. Contact e-mail: joseph.m.calabro@gmail.com

F. Housing development experience in Sussex County and elsewhere

i. Include a list of no more than 5 recent projects, with total unit information, average square footage, housing unit type, development location, and builder:

Arbors at Cottagedale Apartments – 168 rental apartment units (21 of which are under the SCRP program). This project is located in Lewes, DE off of Plantation Road. The average square footage of a unit is +/- 1,050 square feet. The builder of this project is MBM Construction, LLC.

Residences at Rehoboth Bay – 180 for sale condominium units. This project is located in Lewes, DE off of Route 24; adjacent to Love Creek marina. The average square footage of a unit is +/- 1,200 square feet. The builder of this project is MBM Construction, LLC.

Coastal Station – mixed-use project with 63 for sale condominium units, 110 key hotel and retail space. This project is located in Rehoboth Beach, DE directly off of Coastal Highway; adjacent to the Tanger Outlets. The average square footage of a condominium unit is +/- 2,000 square feet. The average square footage of a retail space is +/- 4,400 square feet. The average square footage of a hotel room is +/- 298 square feet. The builder of this project is MBM Construction, LLC.

ii. List experience with affordable housing programs, density incentive constructs, and any projects that utilized public monies:

The Arbors at Cottagedale Apartments – 168 rental apartment units (21 of which are under the SCRP program). This project is in the SCRP program (since 2009). A density bonus incentive was included as part of participation in the SCRP program.

One of the members of the Applicant's Entity, Sean Allen, was previously the Director of Construction & Real Estate at Habitat for Humanity of New Castle County. During that time, Mr. Allen was in charge of the construction and redevelopment of several projects that almost always involved public monies such as Brownfield Funding, Community Development Block Grants, HOME Investment Partnership funds, etc. Habitat for Humanity of New Castle County is a non-profit focused on providing affordable housing homeownership options.

## **II. Property Information**

A. Property name: Nassau Property

B. Proposed subdivision name: Apartments at Nassau Mill

C. Parcel and tax map number: 334-1.00-15.00 & .03

D. Property size: +/- 15 Acres

E. Property location: Intersection of Coastal Highway and Old Mill Road

F. Current zoning: AR-1 & C2

i. Include any potential changes in zoning: Rezone AR-1 portion to HR-1

G. State investment level: 3/4

H. Sussex County Comprehensive Plan designation: Environmentally Sensitive Developing Area

I. Delaware State Housing Authority (DSHA) Balanced Housing Opportunities Map Designation (see DSHA's Qualified Action Plan (QAP) online mapping tool): Area of Opportunity

## **III. REQUIRED Documentation**

A. Site context map covering five-mile radius around the property (scale: 1 in. = 1 mi.) showing relationship to community infrastructure (e.g., roads, shopping, employment areas, schools, medical facilities, etc.) and surrounding residential areas. See Attached

B. Evidence of property ownership or control (e.g., deed, contract, etc.); if a contract, copy of the contract with proprietary economic information redacted: See Attached

C. Record plat: A Sketch Plan is attached, a Record Plat will be submitted at which point it is developed.

D. Existing conditions plan (scale: 1 in. = 200 ft. min.) showing property boundaries, topography with 2' contours, existing improvements (if any), sensitive physical features such as forest, wetlands, tax ditches, streams and areas of steep slope: The Existing Conditions Plan will be included with the Preliminary Subdivision Plan Submission when that is developed.

E. Environmental Assessment (if required): This will be included if required during the Subdivision Plan process.

F. PLUS comments (if subdivision is 50 units or more): The Sketch Plan has been submitted to PLUS for review with the review meeting scheduled for March 27, 2019. Comments received from this review will be forwarded when issued.

G. Preliminary subdivision plan or site plan (scale: 1" = 200 ft.) that includes: A Sketch Plan is attached, a Preliminary Subdivision Plan or Site Plan will be submitted at which point it is developed.

i. Road layouts

ii. Lots with key dimensions and areas; NOTE SCRP LOTS/UNITS

iii. Open space

iv. Wetlands

v. Forests

vi. Sewer and water systems and, for onsite systems, areas dedicated thereto

H. Evidence from public water and sewer utility sources that utilities will be provided to the property: A willing and Able Letter from Tidewater Utilities, Inc. to provide public water is attached. Email correspondence from Sussex County Engineering is attached discussing the proposed public sewer expansion.

#### **IV. Proposed Project**

A. Identification of any Density Incentive sought in excess of the Ordinance: N/A

B. Identification of proposed deviations from the otherwise applicable zoning and subdivision requirements (e.g., lot dimensions and areas, setbacks, etc.)

C. Total number of proposed housing units

i. Number of market rate units: 147

1. Include square footages, breakdown of units by number of bedrooms: Not available. Project is currently pending rezoning and site approval. Upon approval, architectural plans will be created in accordance with approvals.

2. Provide floor plans, if available: Not available. Project is currently pending rezoning and site approval. Upon approval, architectural plans will be created in accordance with approvals.

3. Include number of market rate units to be built per construction phase (if applicable): The site consists of six (6) individual apartment buildings comprised of two (2), Twenty-Four (24) and four (4), Thirty (30) unit buildings. While plans haven't been finalized or progressed past a concept, we do know the project will not be phased.

ii. Number of Sussex County Rental Program Units: 21

1. Include square footages, breakdown of units by number of bedrooms: Not available. Project is currently pending rezoning and site approval. Upon approval, architectural plans will be created in accordance with approvals.

2. Provide floor plans, if available: Not available. Project is currently pending rezoning and site approval. Upon approval, architectural plans will be created in accordance with approvals.

3. Include number of SCRPs units to be built in proportion to market rate units per phase: Construction will not be phased. Thirty (30) unit buildings will each have Four (4) SCRPs units per building. One of the Twenty-Four (24) unit buildings will have Three (3) SCRPs units while the other will have Two (2) SCRPs units for a total of Twenty-One (21) SCRPs units in the project.

#### D. Community amenities

i. Identify community amenities: Clubhouse, pool, tennis courts, pickle ball and bocce ball courts, grill area and resident-only storage spaces.

#### E. Building entity

i. Identify building entity: MBM Construction, LLC

ii. Specific experience with and of the building entity and relationship to Applicant:

MBM Construction and the applicant have a 10+ year history of working together on various real estate and construction ventures. Together, we have developed and constructed commercial projects as well as several multi-family housing projects. These projects include but are not limited to Coastal Station (commercial, hotel and condominium project in Rehoboth Beach, DE), Residences at Rehoboth Bay (condominium project in Lewes, DE) and The Arbors at Cottagedale Apartments (market and affordable rent apartment project in Lewes, DE).

F. Identify the method of affirmatively marketing SCRP units (e.g., multiple listing service, personal sales team, licensed agents, etc.):

We will market SCRP units via multiple listing service, a management/leasing team and online platforms (i.e. DelawareHousingSearch.org, etc.). We will also connect with local non-profit housing agencies and providers (Habitat for Humanity, etc.) to explore partnerships for advertising our apartments to individuals who may qualify for our available units.

**V. Narrative (Do not exceed three single-spaced pages with font size 12)**

A. Describe how the proposed project is consistent with the Ordinance and, if and where not, the associated public benefit:

The proposed project aligns precisely with the Ordinance. The project is located in a DSHA designated Area of Opportunity. The project is in close proximity to employment and Town Centers, easing commuting burdens and distances. This project will also be served by public water and sewer in conformance with the Ordinance. As outlined in the Ordinance, there are certain criteria that a site must meet in order to meet the “Qualifying Land” requirement. This site meets all of the criteria as a “Qualifying Land”.

B. Describe how the proposed project will contribute to the long-term affordability of the SCRP units (i.e., Universal Design, green building, partnership with non-profit housing developer(s), use of public/private funding for creation of affordable housing, etc.):

While the project’s architectural plans have yet to be developed as the project is in its exploratory phase, historically and generally speaking, the construction methods used on our projects are focused on energy efficiency. The utilization of COM checks and HERS ratings allow us to improve our approach towards efficiency through thermal properties of windows, energy efficient LED lighting, building orientation, etc. As a result of energy conscious construction, we are able to reduce our costs and pass along those reductions to future tenants in the form of reduced rents. This ultimately contributes to long-term affordability. We do plan on seeking out partnerships with local non-profit housing

developers to market our SCRP units. Many of these non-profits either have voids in their programs or are overwhelmed with requests but don't have the capacity to accommodate everyone. By working with these non-profits, we can complement their programs by adding capacity and/or supplying rental units for individuals and families who may not qualify for their programs.

C. Describe any use of Good Design characteristics features (i.e., walkability, parks/open space, grid layout, alleys, landscaping, etc.):

The project offers many on-site amenities as previously stated. In addition to those amenities, the site offers a tree lined buffer at the rear of the site to enhance privacy. Also, while the site provides direct access to Coastal Highway, the residential portion of the site is engineered in such a way that it is setback a significant distance from Coastal Highway in order to afford the residents more seclusion.

D. Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the Applicant is encouraged to provide affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations. Describe marketing efforts and provide evidence where applicable (i.e. hosting public meeting, mailing, etc.):

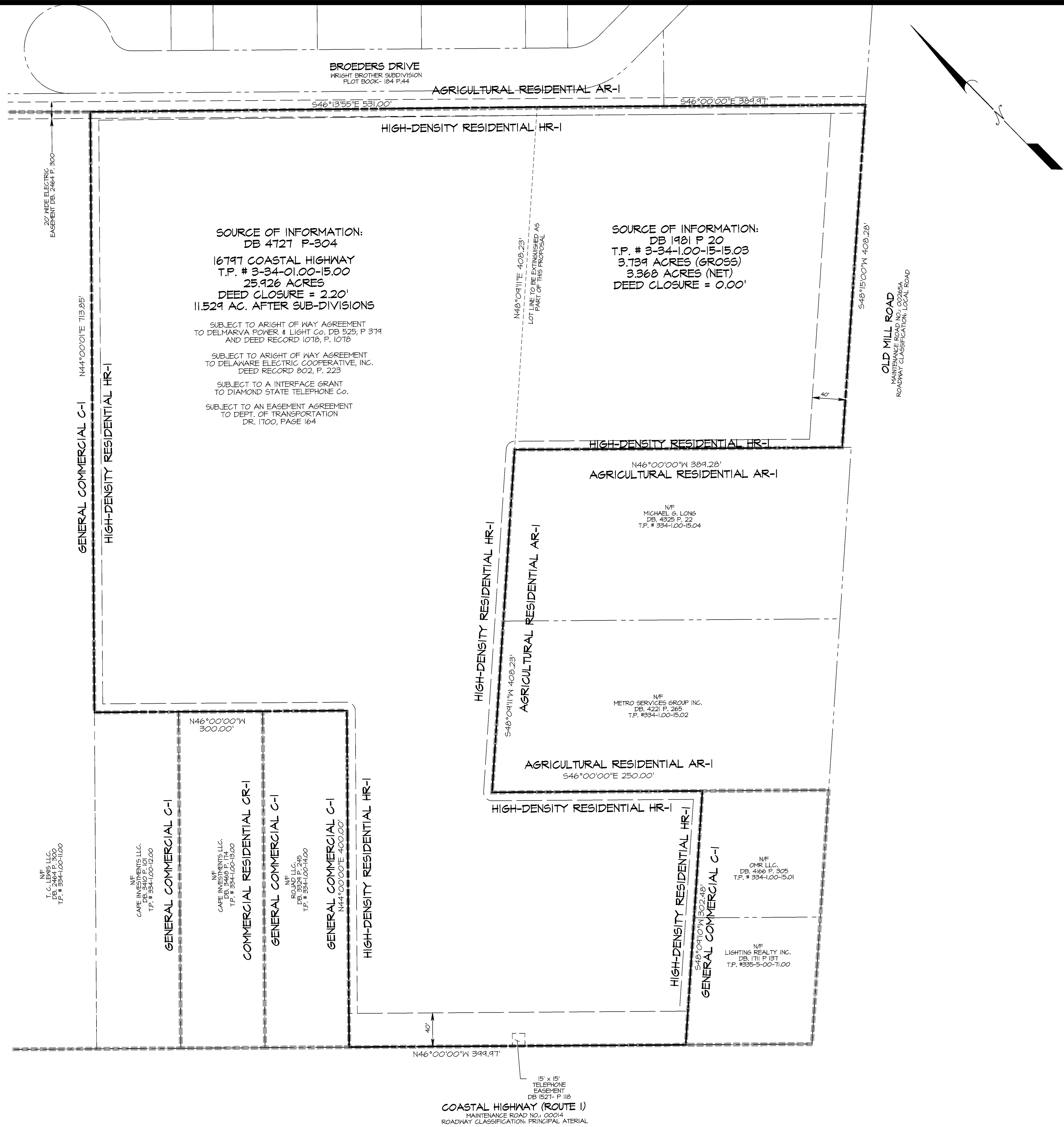
Again, the project is currently pending approval so a fully developed marketing plan has not been finalized at the moment. Upon approval of the plan and confirmation of entry into the SCRP program, a finalized marketing plan will be developed and executed. With that being said, our preliminary marketing plan would be to form alliances with local non-profit housing developers, advertise rental units on online websites and portals, advertise in local publications and, contact and advertise to local employers (particularly service industry establishments since the largest disparity in income and affordable housing has historically been associated to employees of those businesses). We have an established and long-standing relationship with an experienced and reputable property management/leasing company in the area. We would also lean on their expertise to guide us in creating creative and innovate ways to market the units.

E. Provide such other input as Applicant desires:

As mentioned, the project location is an a DSHA designated Area of Opportunity. After discussions with DSHA, they have informed us that they will be writing in strong support of the project in their PLUS comments. The project is ideally located on a major corridor and offers excellent accessibility to area business, recreation and amenities. The project features exterior, resident-only storage units which afford residents the opportunity to

store not commonly used items (i.e. excess furniture, clothes, etc.). This will reduce interior clutter and improve living conditions. The need for affordable rental housing in Sussex County has long been an issue and the influx of new residents, vacationers and businesses has only highlighted the issue further. This project is unmatched by any other project in the SCRP in terms of location. All the requirements and criteria outlined in the SCRP Ordinance are met or exceeded by this project.





**SOURCE OF INFORMATION:**  
 DB 4727 P-304  
 16797 COASTAL HIGHWAY  
 T.P. # 3-34-1.00-15.00  
 25.926 ACRES  
 DEED CLOSURE = 2.20'  
 11.529 AC. AFTER SUB-DIVISIONS

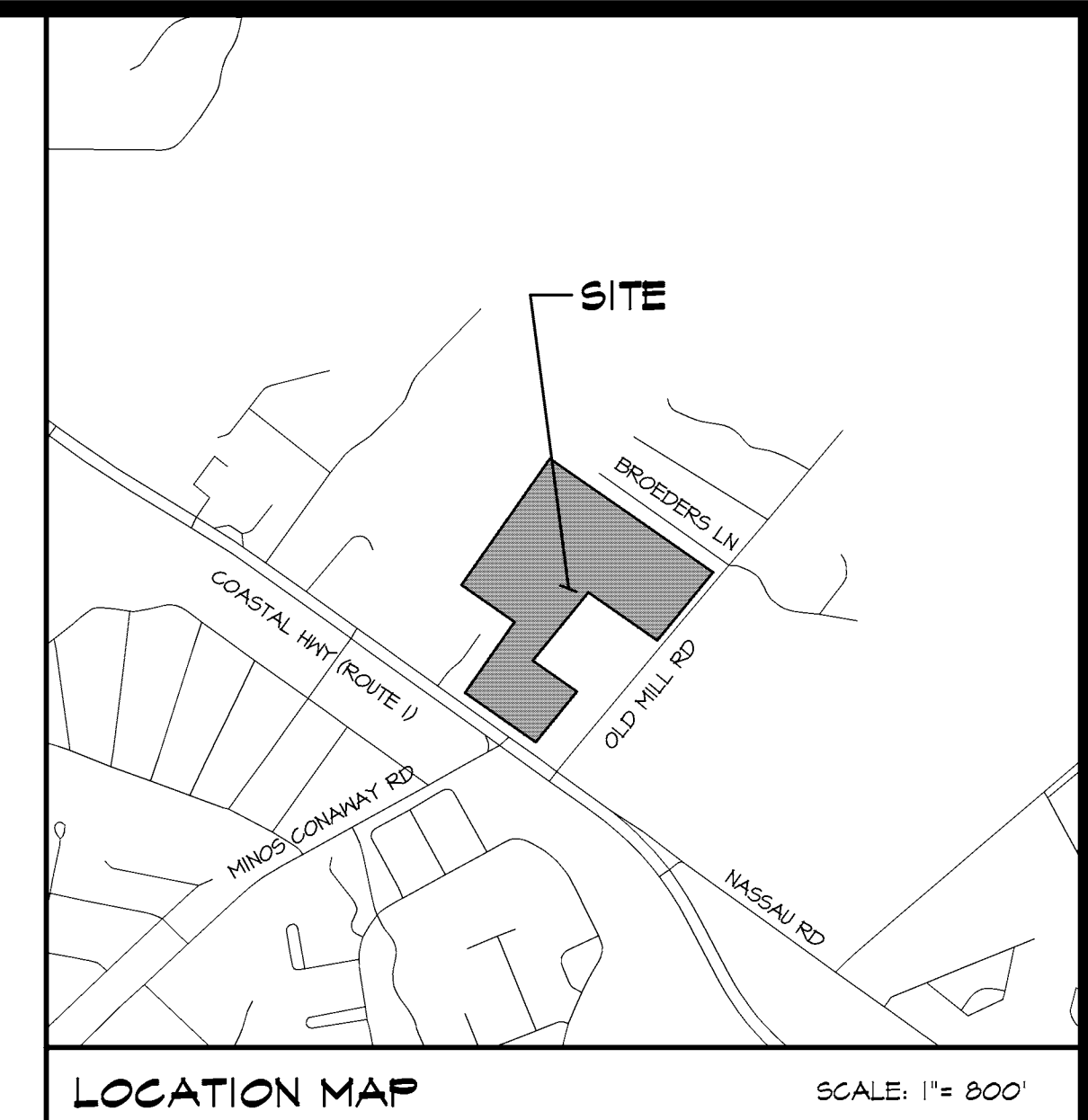
SUBJECT TO A RIGHT OF WAY AGREEMENT TO DELMARVA POWER & LIGHT CO. DB 525 P 374 AND DEED RECORD 1078, P. 1078

SUBJECT TO A RIGHT OF WAY AGREEMENT TO DELAWARE ELECTRIC COOPERATIVE, INC. DEED RECORD 802, P. 223

SUBJECT TO AN INTERFACE GRANT TO DIAMOND STATE TELEPHONE CO.

SUBJECT TO AN EASEMENT AGREEMENT TO DEPT. OF TRANSPORTATION DR. 1700, PAGE 164

**SOURCE OF INFORMATION:**  
 DB 1981 P 20  
 T.P. # 3-34-1.00-15-15.03  
 3.739 ACRES (GROSS)  
 3.368 ACRES (NET)  
 DEED CLOSURE = 0.00'



**DATA COLUMN**

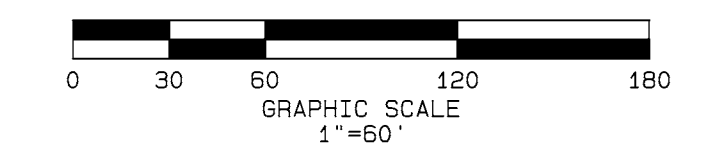
|                                 |  |
|---------------------------------|--|
| 1. TAX PARCEL NUMBER:           | 334-1.00-15.00 & 334-1.00-15.03  |
| DEED REFERENCE:                 | 334-1.00-15.00; 4727/304<br>334-1.00-15.03; 1481/20  |
| PLAT REFERENCE:                 |  |
| OWNER / DEVELOPER:              | 334-1.00-15.00; HASAN HERMAN & TRUSTEE & PATRICIA R HASAN TRUSTEE<br>MILTON, DE<br>334-1.00-15.03; SUSAN N. MOORE<br>14492 OYSTER ROCKS ROAD<br>MILTON, DE |
| EQUITABLE OWNER / DEVELOPER:    | NASSAU DE ACQUISITION CO. LLC<br>1201 NORTH ORANGE STREET, SUITE 300<br>WILMINGTON, DE 19801   |
| 2. TRACT AREA:                  | 334-1.00-15.00; 11.524 ACS.<br>334-1.00-15.03; 3.638 ACS<br>15.171 ACS.  |
| 3. EXISTING ZONING DISTRICT:    | AR-1 12500 ACRES<br>HR-1 HIGH DENSITY RESIDENTIAL PLANNED COMMUNITY 2,662 ACRES<br>15,171 ACRES  |
| 4. PROPOSED USE:                | 168 MULTI-FAMILY DWELLING UNITS<br>4,700 SF SALES CENTER   |
| 5. AREA AND BULK REQUIREMENTS:  | REQUIRED (HR-1)  |
| A. MINIMUM LOT AREA :           | 2 ACRES  |
| B. MINIMUM LOT WIDTH            | 150 FT.  |
| C. MINIMUM DEPTH                | 100 FT.  |
| D. MAXIMUM BUILDING HEIGHT      | 52 FT.   |
| E. FRONT YARD SETBACK:          | 40 FT.   |
| F. REAR YARD SETBACK:           | 10 FT.   |
| REAR YARD ABUTTING RESIDENTIAL: | NA   |
| G. SIDE YARD SETBACK:           | 10 FT. (TWO REQUIRED)  |
| SIDE YARD ABUTTING RESIDENTIAL: | NA   |
| H. MAXIMUM FLOOR AREA:          | NA   |

**GENERAL NOTES**

- INFORMATION SHOWN HEREIN HAS BEEN OBTAINED FROM DEED BOOK 4727 PAGE 304 AND DEED BOOK 1481 PAGE 20
- OUT CONVEYANCES FROM THE DESCRIPTION LISTED IN DB 4727-304 INCLUDE THE SALES LISTED IN DB 1178 PG 324, DB 464 PG 343, DB 463 PG 356, DB 464, PG 346, DB 346, PG 236, DB 349 PG 384, DB 1481 PG 16, DB 1256 PG 171, DB 1766 PG 198 & DELDOT TAKING PER DB 1700 PG 164.
- THIS PLAN IS PLOTTED FROM DEEDS ONLY AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY.
- THIS PLAN IS FOR RE-ZONING PURPOSES ONLY AND IS NOT FOR REAL ESTATE TRANSACTIONS OR FINAL ENGINEERING DESIGN.
- THE ROUTE ONE R/W IS PER DELDOT CONTRACT #64-05-004
- THE OLD MILL R/W IS PER DELDOT CONTRACT #84-053-01

**LEGEND**

|                             |           |
|-----------------------------|-----------|
| PROPERTY BOUNDARY           | —————     |
| LOT LINE TO BE EXTINGUISHED | - - - - - |
| ADJOINING PROPERTY LINE     | —————     |
| EXISTING EASEMENT           | - - - - - |
| ZONING BOUNDARY             | =====     |



**BEFORE YOU DIG**

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REQUIRES 3 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

**MISS UTILITY OF DELMARVA**

**HILLCREST ASSOCIATES**

ARCHITECTURE • ENGINEERING • LAND PLANNING • SURVEYING

P.O. BOX 1180  
 HOCKESSIN, DE 19707

PH: 610.274.8613  
 FAX: 610.274.0587

**ZONING EXHIBIT PLAN**  
**NASSAU PROPERTY**  
**DISTRICT 234 - LEWES & REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

|                |               |           |  |
|----------------|---------------|-----------|--|
| DATE:          | 03-26-14      | REVISION: |  |
| DRAWN BY:      | TAS           | DATE:     |  |
| CHECKD. BY:    | PEB           | DATE:     |  |
| PROJ. NO.:     | 4187          | DATE:     |  |
| SCALE:         | 1"=60'        | DATE:     |  |
| CAD FILE NAME: | 4187SKC01.PRO | DATE:     |  |
| DWG. NO.       | 1             | DATE:     |  |





**View from future Service Road**





**Sale Center**



P.O. Box 1180, Hockessin, DE 19707 | (610) 274-8613 | [www.HillcrestAssoc.com](http://www.HillcrestAssoc.com)



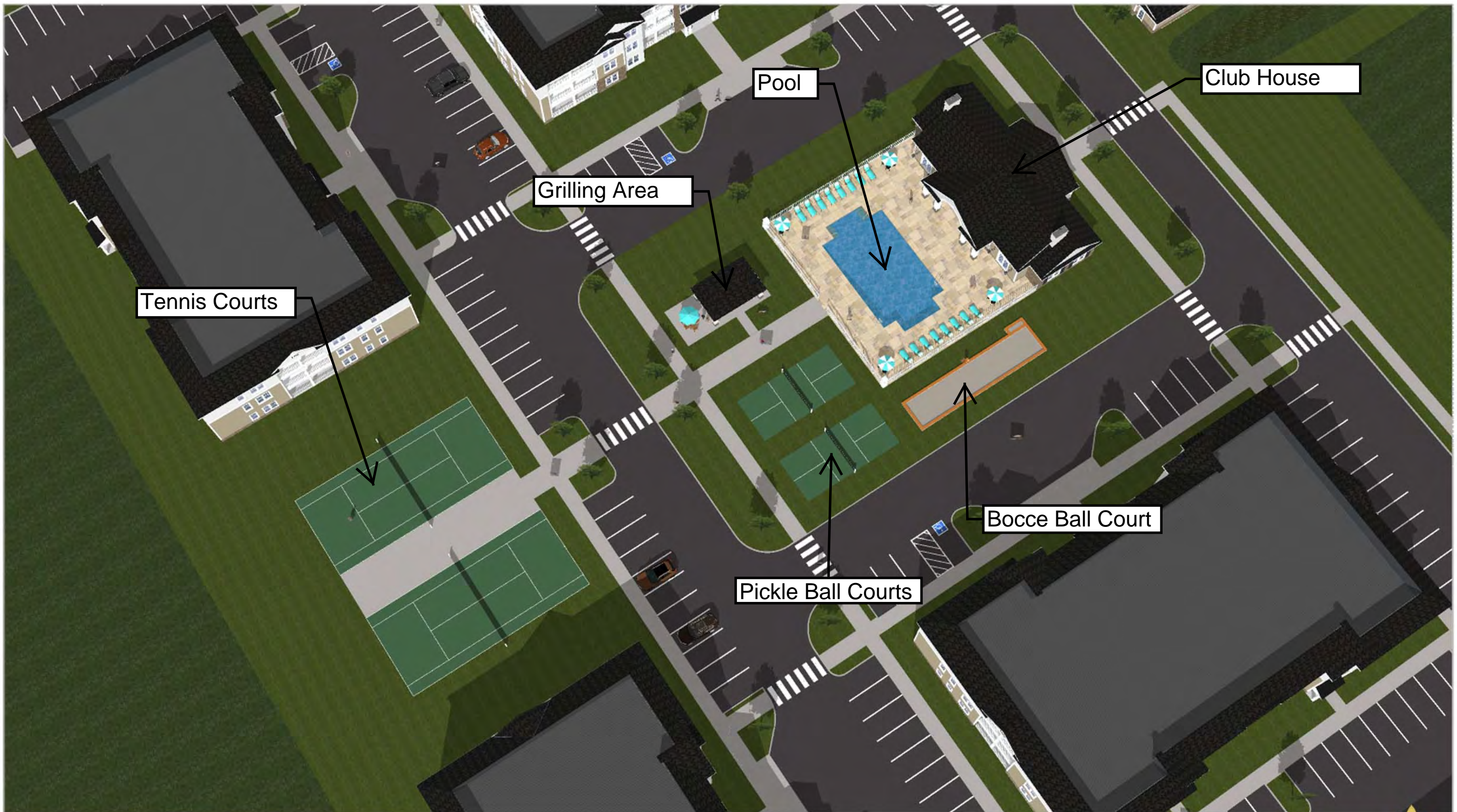
**Club House**





## Site Amenities





## Site Amenities





## Apartment Building



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## Apartment Building



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## Apartment Building



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

JENNIFER COHAN  
SECRETARY

March 5, 2019

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Nassau DE Acquisition Co., LLC** rezoning application, which we received on February 7, 2019. This application is for a 13.01-acre assemblage of parcels (Tax Parcels: 334-1.00-15.00 & 15.03). The subject land is located on the northeast side of Delaware Route 1, opposite Minos Conaway Road (Sussex Road 265), and on the northwest side of Old Mill Road (Sussex Road 265A). The subject land is currently zoned AR-1 (Agricultural Residential) and the applicant is seeking to rezone the land to HR-1 (High-Density Residential) to develop 168 multi-family (mid-rise) houses.

Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Delaware Route 1 where the subject land is located, which is from US Route 9 to Delaware Route 16, are 31,327 and 40,318 vehicles per day, respectively. As the subject land also has frontage along Old Mill Road, the annual average and summer average daily traffic volumes along that road segment, are 634 and 816 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per a weekly peak hour or 500 vehicle trips per day, and would be considered to have a Minor impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day but less than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our Development Coordination Manual



provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be less than 200 vehicle trips per a weekly peak hour and less than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, a development of 168 multi-family (mid-rise) houses would generate 914 vehicle trips per day, 57 vehicle trips during the morning peak hour, and 73 vehicle trips during the afternoon peak hour. As stated above, because this development would generate fewer than 2,000 vehicle trips per day and fewer than 200 vehicle trips during a weekly peak hour, the applicant has the option to pay the Area-Wide Study Fee in lieu of doing a TIS. The Area-Wide Study Fee for the proposed development would be \$9,140.00. Payment of the Area-Wide Study Fee does not preclude a developer from having to make or participate in off-site improvements.

Because the site would generate more than 200 vehicle trips per day, a Traffic Operational Analysis (TOA) may be required as part of the site plan review process, in accordance with Chapter 2 of the Development Coordination Manual.

The subject property is adjacent to Delaware Route 1, thereby is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of the existing highway by minimizing and consolidating the number of direct driveway access points on the arterial highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has reasonable secondary access along Old Mill Road. Therefore, site access would be granted along the secondary road.

In addition, DelDOT currently has one project opposite the subject site. It is the SR-1 / Minos Conaway Grade Separated Intersection project aims to maintain capacity on Delaware Route 1 and improve safety at the intersection of Delaware Route 1 and Minos Conaway Road while improving mobility and access for local traffic. The project calls for converting the existing northbound lanes of Delaware Route 1, which front this proposed site, into a future service road. Once the service road is completed, the site can gain full access to the service road. More information regarding the interchange project can be found online at [www.deldot.gov/information/projects/SR1MinosConaway/index.shtml](http://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml). Also, the Corridor Capacity Preservation Program policy can be viewed on Department's website at [www.deldot.gov](http://www.deldot.gov).

Ms. Janelle M. Cornwell

Page 3 of 3

March 5, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence or Mr. Thomas Felice, at (302) 760-2338, if you have questions concerning the Corridor Capacity Preservation Program.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Nassau DE Acquisition Co., LLC, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Thomas Felice, Corridor Capacity Preservation Program Manager, Development  
Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance & Operations  
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION

April 25, 2019

Thomas Schreier  
Hillcrest Associates, Inc.  
P.O. Box 1180  
Hockessin, DE 19707

RE: PLUS review 2019-03-05; Nassau Property

Dear Mr. Schreier:

Thank you for meeting with State agency planners on March 27, 2019 to discuss the proposed plans for the Nassau Property project. According to the information received you are seeking review of a partial rezoning of 15 acres from AR-1 to HR-1 and a site plan for 168 residential units and 4,700 square feet of commercial space along Rt. 1 in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

**Strategies for State Policies and Spending**

- This project is located in Investment Levels 3 and 4 according to the *Strategies for State Policies and Spending*. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and/or

environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

The Office of State Planning cannot support development in the Level 4 area. Therefore, we ask that the applicant consider pulling the housing within the Level 4 areas and concentrate building within the Level 3 section of this parcel.

In addition, we ask that the County consider the following when reviewing this site:

- This parcel is within a Corridor Capacity Preservation area which means that access to this site would be through Old Mill Road until the DelDOT capital project identified in the DelDOT comments below is completed.
- At the PLUS meeting in March the developer noted that the applicant had submitted an application for this property through the Sussex County Rental Program. According to comments received from the County, the application is still under review. The Delaware State Housing Authority, below, has stated their support of this application because they believe the density would allow for affordable housing. If the County does approve this site for housing in the future, it should be recorded that these units are for affordable housing and will remain affordable in perpetuity.

## **Code Requirements/Agency Permitting Requirements**

### **Department of Transportation – Contact Bill Brockenbrough 760-2109**

- Please refer to DelDOT's May 2018 PLUS comments (copy attached).
- Because the subject property fronts on Delaware Route 1 between Dover Air Force Base and the Nassau Bridge, it is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of certain existing highways by minimizing and consolidating the number of direct driveway access points along them. Delaware Route 1 is a controlled-access highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code.

Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has frontage along Old Mill Road (Sussex Road 265A).

As discussed below in a separate comment, DelDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. Once the service road is built, the site can gain full access to the service road. Prior to the completion of the service road, the applicant can develop a temporary rights-in/rights-out



access on Route 1 for a development generating a maximum of 200 vehicle trips per day, according to the Institute of Transportation Engineers' Trip Generation Manual. Prior to the completion of the service road, for any development generating more than 200 vehicle trips per day, all site access must be located on Old Mill Road.

More information regarding the Corridor Capacity Preservation Program is available at [https://www.deldot.gov/Publications/manuals/corr\\_cap/index.shtml](https://www.deldot.gov/Publications/manuals/corr_cap/index.shtml).

- Per Section 2.2.2.1 of the DelDOT Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. The PLUS application states that the proposed development would generate 998 vehicle trip ends per day on weekdays, a number that DelDOT finds credible but has not yet verified. DelDOT calculates that the 168 condominiums would generate 914 vehicle trip ends per day on weekdays and presently sees the proposed Sales Center as an accessory use, with no trip generation of its own. Regardless, the 500 vehicle trip ends per day would be exceeded, so a TIS is warranted.

Per Section 2.2.2.2 of the Manual, developments generating fewer than 2,000 vehicle trip ends per day and fewer than 200 vehicle trip ends per hour in any hour of the day may be eligible to pay a fee, the Area Wide Study Fee, in lieu of doing a TIS. The fee is calculated as \$10 times the Average Daily Traffic volume shown on the site plan and is payable with the Initial Stage submission. Payment of the fee does not exempt the developer from responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DelDOT identifies a need for a TOA in the plan review process. Refer to the next bulleted comment regarding the requirement of a TOA.

Two off-site improvements that DelDOT can readily identify without a TIS or TOA are a contribution to the DelDOT project mentioned above and improvements to Old Mill Road. The DelDOT project is the SR 1, Minos Conaway Grade Separated Intersection. It is presently scheduled for construction in Fiscal Years 2023 and 2024 with a total cost of \$32,700,000. More information on the project is available at <https://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml>. This development's contribution would be proportional to its contribution to traffic in the affected area. The need for additional rights-of-way from the development has not been determined but any needed rights-of-way that would otherwise be compensable could be credited toward this contribution.

- Section 2.3.2 of the Development Coordination Manual addresses the circumstances in which DelDOT may require a Traffic Operational Analysis (TOA). In the attached letter dated December 3, 2018, concerning the previous rezoning and conditional use applications for this site, DelDOT said that if the County approved those applications DelDOT would require that a TOA be performed prior to granting entrance approval and

may require interim improvements at the intersection of Delaware Route 1 and Old Mill Road. DelDOT's December 2018 letter applies to this new application as well.

- Section 3.5.4.2 of the Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, developments in Level 3 and 4 Areas are required to install a sidewalk or Shared Use Path if the project abuts to an existing facility; otherwise it is at DelDOT's discretion. Because this part of the County appears to be developing rapidly, DelDOT anticipates requiring a Shared Use Path along the development frontage. Due to the SR 1, Minos Conaway Grade Separated Intersection, cited above, DelDOT may require the path only along the site's Old Mill Road frontage if it finds there is a significant possibility of a path built along SR 1 being taken by the DelDOT project.

**Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352**

- The Department of Natural Resources and Environmental Control did not submit comments regarding this application. If the development of this property requires permits from a DNREC section, please contact the DNREC regulatory agency directly.

**State Historic Preservation Office – Contact Carlton Hall 736-7404**

- There are no known archaeological sites, or known National Register-listed or eligible properties on the parcel.
- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: [www.achp.gov](http://www.achp.gov)

**Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037**

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

**Fire Protection Water Requirements:**

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for /multi-family dwelling sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

**Fire Protection Features:**

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR

**Accessibility:**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Coastal Highway and the access road from Old Mill Road must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

**Gas Piping and System Information:**

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

**Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

**Recommendations/Additional Information**

This section includes a list of site specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

**Department of Transportation – Contact Bill Brockenbrough 760-2109**

- Please refer to DelDOT’s May 2018 PLUS comments (copy attached).
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

**Delaware State Fire Marshall’s Office – Contact Duane Fox 259-7037**

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov) technical services link, plan review, applications or brochures.

**State Housing Authority – Contact: Karen Horton 739-4263**

- DSHA strongly supports the partial rezoning of 15 acres on the corner of Coastal Highway and Old Mill Road from AR-1 (Agriculture-Residential) to HR (Medium Residential) to develop 168 units via the Sussex County Rental Program. This would

provide housing affordable to county residents who work in the ‘Coastal Area’ as defined by the County’s 2018 Comprehensive Plan. The need for more affordable housing options in this area of the County is acute and well documented. In addition, this site is located within a DSHA-defined ‘Area of Opportunity’, which are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help household succeed. Since these same areas contain little affordable housing, the County incorporated their intent to expand affordable housing opportunities within ‘Areas of Opportunity’ into their 2018 Comprehensive Plan.

- DSHA takes this opportunity to note our concern that this is the second time the Nassau Property is going through the development review process – adding time and money to providing a more affordable housing product in an area where it is desperately needed. Sussex County Planning and Zoning Commission denied the initial proposal in December because it was not “in character with the surrounding use of single-family homes”. DSHA documented our concern of applying additional criteria, including ‘similar to the surrounding uses’, only to densities associated with a more affordable housing product in the September 20, 2018 PLUS letter, and in a November 15, 2018 letter to the County Administrator. We continue to be discouraged with the application of the criteria of being ‘in character with the surrounding use’, which in this area is single-family homes for the resort market. This criteria will be used to deny much-needed affordable housing proposals – as it did already for the Nassau Property proposal in December.
- Considering the site’s Coastal Highway close proximity to Five Points in Lewes and location within an ‘Area of Opportunity’ providing resources and benefits conducive to positive life outcomes, this is an excellent location for a more affordable housing product such as the Nassau Proposal. As a result, we recommend that Sussex County embrace the opportunity to approve this proposal permitting residents to live close to their jobs and gain access to the resources and benefits this area provides.

**Sussex County – Contact Rob Davis 302-855-7820**

- The parcels are not within the boundary of the Sussex County Unified Sanitary Sewer District and annexation into the sewer district is required. Connection to the sewer system is mandatory. Sewer service has not been extended to the parcels. The County does not have a schedule to extend service to the proposed projects. It will be the developer’s responsibility to construct off-site infrastructure to obtain sewer service. A Sewer System Concept Evaluation (SSCE) must be requested to define a connection point.
- The Sussex County Sussex County Code, Chapter 110 requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for their parcel(s) with estimated EDUs for the project, along with payment of \$1,000.00 payable to Sussex County Council. The Utility Planning Department will review the parcels and EDUs, determine capacity, and provide the connection point and any additional parcels that must be served as part of the project. Should it be determined that a

pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. Public Works will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

- A "Use of Existing Infrastructure Agreement" is required and must be approved prior to approval of construction plans.
- The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures. The Sussex County Engineer shall approve the connection point.
- Onetime system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

In addition to the comments above our office has received a letter from Brandy Nauman, Sussex County Housing Coordinator & Fair Housing Compliance Officer. A copy of that letter is enclosed with this letter.

**Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.**

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP  
Director, Office of State Planning Coordination

CC: Sussex County  
Enclosure  
Attachment

BRANDY BENNETT NAUMAN  
HOUSING COORDINATOR &  
FAIR HOUSING COMPLIANCE OFFICER  
(302) 855-7777 T  
(302) 854-5397 F  
bnauman@sussexcountyde.gov



**Sussex County**  
DELAWARE  
sussexcountyde.gov

March 19, 2019

Mr. Tom Schreier  
Hillcrest Associates Inc.  
P.O. Box 1180  
Hockessin, DE 19707

RE: Nassau Property – PLUS Review (PLUS 2019-03-05)

Dear Mr. Schreier,

Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: [www.sussexcountyde.gov/affordable-and-fair-housing-resource-center](http://www.sussexcountyde.gov/affordable-and-fair-housing-resource-center). The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.

**On March 12, 2019, Hillcrest Associates submitted an application for the Nassau Property under the Sussex County Rental Program. The application is currently under review for eligibility.**

Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Thank you,

Brandy B. Nauman  
*Housing Coordinator &  
Fair Housing Compliance Officer*



COUNTY ADMINISTRATIVE OFFICES WEST COMPLEX  
22215 DUPONT BOULEVARD | PO BOX 589  
GEORGETOWN, DELAWARE 19947

Agency Name: Dept. of Transportation Project Name: Nassau Property  
Division: Planning Contact Person: Bill Brockenbrough

### **Regulations/Code Requirements**

- Because the subject property fronts on Delaware Route 1 between Dover Air Force Base and the Nassau Bridge, it is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of certain existing highways by minimizing and consolidating the number of direct high-volume, driveway access points along them. Delaware Route 1 is a controlled-access highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code.

Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has frontage along Old Mill Road (Sussex Road 265A). Therefore, all site access must be developed along Old Mill Road, not on Delaware Route 1.

As discussed below in a separate comment, DelDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. When that occurs, access on the service road may be permissible but that conversion should not be expected until after the subject development is complete.

More information regarding the Corridor Capacity Preservation Program is available at [https://www.deldot.gov/Publications/manuals/corr\\_cap/index.shtml](https://www.deldot.gov/Publications/manuals/corr_cap/index.shtml).

- The site access on Old Mill Road must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review.
- Section P.5 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. The PLUS application states that the proposed development would generate 998 vehicle trip ends per day on weekdays, a number that DelDOT finds credible but has not yet verified. DelDOT calculates that the 150 condominiums would generate 816 vehicle trip ends per day on weekdays and presently sees the proposed Sales Center as an accessory use, with no trip generation of its own. Regardless, the 500 vehicle trip ends per day would be exceeded, so a TIS is warranted.



Per Section 2.2.2.2 of the Manual, developments generating fewer than 2,000 vehicle trip ends per day and fewer than 200 vehicle trip ends per hour in any hour of the day may be eligible to pay a fee, the Area Wide Study Fee, in lieu of doing a TIS. The fee is calculated as \$10 times the Average Daily Traffic volume shown on the site plan and is payable with the Initial Stage submission. Payment of the fee does not exempt the developer from responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DelDOT identifies a need for a TOA in the plan review process.

Two off-site improvements that DelDOT can readily identify without a TIS or TOA are a contribution to the DelDOT project mentioned above and improvements to Old Mill Road. The DelDOT project is the SR 1, Minos Conaway Grade Separated Intersection. It is presently scheduled for construction in Fiscal Years 2023 and 2024 with a total cost of \$32,700,000. More information on the project is available at <https://www.deldot.gov/information/projects/SR1MinosConaway/index.shtm>. This development's contribution would be proportional to its contribution to traffic in the affected area. The need for additional rights-of-way from the development has not been determined but any needed rights-of-way that would otherwise be compensable could be credited toward this contribution.

Presently, Old Mill Road has 10-foot lanes and lacks shoulders. DelDOT's standard for local roads is 11-foot lanes and 5-foot paved shoulders. At a minimum, the applicant should expect a requirement to improve Old Mill Road to meet that standard in both directions from Route 1 to the north limit of their frontage.

- Section 3.2.4.2 of the Manual addresses the placement of right-of-way monuments (markers) along the roads on which a property fronts, in this case Old Mill Road and Delaware Route 1. Monuments sufficient to re-establish the permanent rights-of-way after the dedication discussed below should be shown on the plan and provided in the field in accordance with this section.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Old Mill Road and Delaware Route 1. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of Old Mill Road and 30 feet of right-of-way from the outer edge of the northbound through lanes on Delaware Route 1. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"
- In accordance with Section 3.2.5.1.1 of the Manual, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the site entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Old Mill Road and Delaware Route 1. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, “**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**”
- In accordance with Section 3.4 of the Manual, a record plan shall be prepared prior to issuing “Letter of No Objection”. The record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document available on the DelDOT website at <https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items-Record-Subdivision.pdf?09222017>.
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 300 feet of the proposed entrance on both roads.
  - Notes identifying the type of any off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5 of the Manual provides DelDOT’s requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT-maintained public streets for subdivisions. Private or municipal streets should follow the City’s requirements for connectivity.
- Section 3.5.4.2 of the Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, developments in Level 3 and 4 Areas are required to install a sidewalk or Shared Use Path if the project abuts to an existing facility; otherwise it is at DelDOT’s discretion. Because this part of the County appears to be developing rapidly, DelDOT anticipates requiring a Shared Use Path along the development frontage.
- Referring to Section 3.5.5 of the Manual, existing and proposed transit stops and associated facilities as required by the Delaware Transit Corporation (DTC) or DelDOT shall be shown on the Record Plan.
- Because the proposed development is to be constructed in the proximity of a road with a functional classification of principal arterial, freeway or interstate, specifically Delaware Route 1, the developer will be required to perform a noise analysis in accordance with

DelDOT's Noise Policy, found in Section 3.6 of the Manual and may be required to provide noise abatement for residents based on that analysis.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along both Old Mill Road and Delaware Route 1.
- Referring to Section 4.3 of the Manual, an entrance plan shall be prepared prior to issuing entrance approval. The entrance plan submittal shall include the items listed on the Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plan document available on the DelDOT website at [https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items\\_Entrance\\_Construction\\_Subdivision.pdf?09222017](https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items_Entrance_Construction_Subdivision.pdf?09222017).
- In accordance with Section 5.2.5.6 of the Manual, a separate turning template plan shall be provided to verify vehicles can safely enter and exit the site entrance. As per Section 5.2.3 of the Manual, the entrance shall be designed for the largest vehicle using the entrance.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.
- Because the proposed development would not have State-maintained streets, Section 6.4.3 of the Manual, which pertains to the inspection and acceptance of commercial entrances, applies. Construction inspection responsibilities shall be in accordance with Figure 6.4.3-a. DelDOT's preliminary reading of this figure is that the project requires Level I inspection and that a construction inspection agreement will not be needed.
- Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.

## **Suggestions**

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal street or driveway with no direct access to Old Mill Road or Delaware Route 1.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall now be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available on our website at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision date of December 8, 2017. The notes can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.



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

JENNIFER COHAN  
SECRETARY

May 10, 2019

Ms. Constance C. Holland  
Office of State Planning Coordination  
122 Martin Luther King Jr. Blvd., South  
Haslet Armory, Suite 302  
Dover, DE 19901

Dear Ms. Holland:

This letter is to provide two clarifications to the comments I provided on the Nassau Property application (PLUS 2019-03-05) at the March 27 meeting of the Preliminary Land Use Service (PLUS). My written comments were enclosed with my letter of April 3, 2019. Copies of both the letter and the comments are enclosed with this letter as well.

Our first clarification is to the second bulleted comment, which addresses the effect of the Corridor Capacity Preservation Program on the proposed development. In that comment, the last sentence of the third paragraph is incorrect. The corrected third paragraph should read as follows:

As discussed below in a separate comment, DelDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. Once the service road is built, the site can gain full access to the service road. Prior to the completion of the service road, the applicant can develop a temporary rights-in/rights-out access on Route 1 for a development generating a maximum of 200 vehicle trips per day, according to the Institute of Transportation Engineers' Trip Generation Manual. If the developer wishes to develop the property further before the service road is complete, the additional development would need a separate driveway on Old Mill Road, with no interconnection to that first 200-trip phase until the service road is complete.

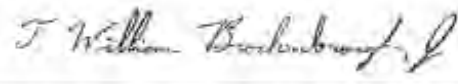
Our second clarification is to the fourth bulleted comment, which addresses a December 3, 2018, letter (copy enclosed) and a Traffic Operational Analysis that DelDOT may require. As written, the comment could be read to say that the TOA would focus on a single intersection, when in fact it would be broader. We would like to revise that comment to read as follows:



Section 2.3.2 of the Development Coordination Manual addresses the circumstances in which DelDOT may require a Traffic Operational Analysis (TOA). In the attached letter dated December 3, 2018, concerning the previous rezoning and conditional use applications for this site, DelDOT said that if the County approved those applications DelDOT would require that a TOA be performed prior to granting entrance approval. While the scope of that TOA has not been determined, it would examine the site entrance on Route 1 and cross-overs and intersections to the north and south of the entrance where significant numbers of site-generated trips would make left-turns or U-turns. Based on the TOA results, DelDOT may require interim improvements at the intersection of Delaware Route 1 and Old Mill Road and other locations analyzed therein. DelDOT's December 2018 letter applies to this new application as well.

You may contact me at (302) 760-2109 if you have any questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator

TWB:km  
Enclosures

cc: Alan J. Hill, Hillcrest Associates  
Nicole Majeski, Deputy Secretary  
Aimee V. String, Chief of Legislative Relations  
Charlanne Thornton, Director, Finance  
Drew A. Boyce, Director, Planning  
LaTonya Gilliam, North District Engineer, Maintenance & Operations (M&O)  
Kevin F. Canning, Canal District Engineer, M&O  
Matthew Lichtenstein, Central District Engineer, M&O  
Alistair Probert, South District Engineer, M&O  
Louise A. Holt, Public Information Officer, Office of Community Relations  
Shanté Hastings, Deputy Director, Division of Transportation Solutions (DOTS)  
Mark Luszcz, Assistant Director, Traffic Engineering, DOTS  
Pamela Steinebach, Assistant Director, Project Development North, DOTS  
Michael A. DuRoss, Assistant Director, Regional System Planning  
Jeffrey Niezgoda, Assistant Director, Local Systems Improvement  
J. Marc Coté, Assistant Director, Development Coordination  
Micheale M. L. Smith, Senior Fiscal Management Analyst, Finance  
David Dooley, Senior Planner, Planning, Delaware Transit Corporation (DTC)  
Tremica Cherry-Wall, Service Development Planner, DTC  
Stephen Ottinger, Fixed-Route Planner, DTC  
Matthew Vincent, Canal District Public Works Engineer, M&O  
Richard S. McCabe, Central District Public Works Engineer, M&O  
Robert Greybill, Canal District Permit Engineer, M&O  
Scott R. Rust, Central District Entrance Permit Manager, M&O  
Gemez W. Norwood, South District Public Works Manager, M&O  
James M. Satterfield, IV, Regional Group Engineer, Project Development South I, DOTS  
Bryan Behrens, Regional Group Engineer, Project Development South II, DOTS  
Peter Haag, Traffic Studies Engineer, Traffic Engineering, DOTS  
Danita Ellis, Administrative Specialist, Traffic Engineering, DOTS  
Gene S. Donaldson, Manager of Planning, Traffic Management Center, Traffic Operations, DOTS  
Ann Gravatt, Planning Supervisor, Local Systems Improvement  
Anthony J. Aglio, II, Planning Supervisor, Local Systems Improvement  
Sarah Coakley, Principal Planner, Regional System Planning  
John T. Fiori, Project Planner, Local Systems Improvement  
Maria Andaya, Project Planner, Local Systems Improvement  
Michael C. Hahn, Byways Coordinator, Local Systems Improvement  
Joshua Thomas, Planning Supervisor, Regional System Planning  
Nathan Attard, Project Planner, Regional System Planning  
Jennifer Cinelli-Miller, Project Planner, Regional System Planning  
Thomas C. Felice, Manager, Corridor Capacity Preservation Program  
New Castle County Review Coordinator  
Stephen G. Wright, Kent County Review Coordinator  
Susanne K. Laws, Sussex County Review Coordinator  
Pao Y. Lin, Subdivision Reviewer  
Nana Nyarko-Appiah, Subdivision Reviewer  
Derek A. Sapp, Subdivision Reviewer  
Joshua Schwartz, Subdivision Reviewer  
Jun Xie, Subdivision Reviewer  
Troy E. Brestel, Project Engineer  
Claudy Joinville, Project Engineer  
John J. Pietrobono, Johnson, Mirmiran & Thompson  
Kevin Hickman, Johnson, Mirmiran & Thompson  
Will Mobley, Johnson, Mirmiran & Thompson  
Brian K. Yates, Johnson, Mirmiran & Thompson



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June 10, 2019

State of Delaware  
Office of State Planning Coordination  
Attn: Constance C. Holland, AICP  
122 Martin Luther King Jr. BLVD  
Haslet Armory, Third Floor  
Dover, DE 19901

RE: PLUS Review 2019-03-05; Nassau Property

Dear Constance,

Below is our point-by-point response (in bold) to the comments found within the PLUS Comment Letter dated June 21, 2018 (quoted in italics) for the above referenced project.

*Strategies for State Policies and Spending*

*This project is located in Investment Levels 3 and 4 according to the Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and/or environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.*

*The Office of State Planning cannot support development in the Level 4 area. Therefore, we ask that the applicant consider pulling the housing within the Level 4 areas and concentrate building within the Level 3 section of this parcel.*

**With the current application, the bulk of the area we are proposing to disturb is within Level 3. While small portions of the site are within Level 4, those same areas incorporate already developed and constructed residential lots and/or roads.**

*In addition, we ask that the County consider the following when reviewing this site:*

*This parcel is within a Corridor Capacity Preservation area which means that access to this site would be through Old Mill Road until the DeIDOT capital project identified in the DeIDOT comments below is completed.*

**Based on the amended comments provided by DeIDOT within their May 10, 2019 letter, the applicant can develop a temporary rights-in/rights-out access onto Route 1. Once the service road is built, the site can gain full access to the service road.**

*At the PLUS meeting in March the developer noted that the applicant had submitted an application*



*for this property through the Sussex County Rental Program. According to comments received from the County, the application is still under review. The Delaware State Housing Authority, below, has stated their support of this application because they believe the density would allow for affordable housing. If the County does approve this site for housing in the future, it should be recorded that these units are for affordable housing and will remain affordable in perpetuity.*

**The project received preliminary approval for participation in the SCRP through the execution and recordation of the Acknowledgement of Participation on May 1, 2019.**

Code Requirements/Agency Permitting Requirements  
Department of Transportation - Contact Bill Brockenbrough 760-2109  
Regulations/Code Requirements

Because the subject property fronts on Delaware Route 1 between Dover Air Force Base and the Nassau Bridge, it is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of certain existing highways by minimizing and consolidating the number of direct driveway access points along them. Delaware Route 1 is a controlled-access highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code.

Per Program policy, if a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In this case, the property has frontage along Old Mill Road (Sussex Road 265A).

As discussed below in a separate comment, DeIDOT is developing a capital project that would convert the northbound lanes of Route 1 to a two-way service road. Once the service road is built, the site can gain full access to the service road. Prior to the completion of the service road, the applicant can develop a temporary rights-in/rights-out access on Route 1 for a development generating a maximum of 200 vehicle trips per day, according to the Institute of Transportation Engineers' Trip Generation Manual. If the developer wishes to develop the property further before the service road is complete, the additional development would need a separate driveway on Old Mill Road, with no interconnection to that first 200-trip phase until the service road is complete. *(revised per DeIDOT letter dated May 10, 2019)*

**The Applicant/ Developer agrees and is willing to work with DeIDOT in efforts of obtaining the safest and appropriate entrance in both the short and long term of the project.**

More information regarding the Corridor Capacity Preservation Program is available at <https://www.deldot.gov/Publications/manuals/corrcap/index.shtml>.

Per Section 2.2.2.1 of the DeIDOT Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. The PLUS application states that the proposed development would generate 998 vehicle trip ends per day on weekdays, a number that DeIDOT finds credible but has not yet verified. DeIDOT calculates that the 168 condominiums would generate 914 vehicle trip ends per day on weekdays and presently sees the proposed Sales Center as an accessory use, with no trip generation of its own. Regardless, the 500-vehicle trip ends per day would be exceeded, so a TIS is warranted.

**The traffic analysis history of this project requires some explanation. For a previous application for this property, DeIDOT had mistakenly calculated the traffic generation for 150 single family detached houses which equated to 1,687 trips per day from the Service Level Evaluation Request. This was revised in a DeIDOT supplement to its original PLUS comments by letter in June 2018. For the current project, the Applicant originally estimated the development would generate 998 trips per day including traffic generated by the sales office. DeIDOT's Level of Service Evaluation, however, confirms the generated trips per day to be lower at 914. This reduction in the trips per day is a result of DeIDOT calculating the Sales Office as an Accessory Use to the apartments as opposed to an individual use. The Applicant/ Developer understands the requirement for traffic impact study and will defer to Sussex County and DeIDOT on whether the Area Wide Study Fee in lieu is more appropriate in this case with the proposed improvements for this section of Route 1.**

Per Section 2.2.2.2 of the Manual, developments generating fewer than 2,000 vehicle trip ends per day and fewer than 200 vehicle trip ends per hour in any hour of the day may be eligible to pay a fee, the Area Wide Study Fee, in lieu of doing a TIS. The fee is calculated as \$10 times the Average Daily Traffic volume shown on the site plan and is payable with the Initial Stage submission. Payment of the fee does not exempt the developer from responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DeIDOT identifies a need for a TOA in the plan review process. Refer to the next bulleted comment regarding the requirement of a TOA.

**As previously stated the Applicant/ Developer is amicable to the decision of Sussex County and DeIDOT with regards to the Area-Wide Study Fee in Lieu and understand that this does not exempt them from the responsibility to make off-site improvements or from preparing a Traffic Operational Analysis (TOA) if DeIDOT identifies a need for a TOA in the plan review process.**

Two off-site improvements that DeIDOT can readily identify without a TIS or TOA are a contribution to the DeIDOT project mentioned above and improvements to Old Mill Road. The DeIDOT project is the SR 1, Minos Conaway Grade Separated Intersection. It is presently scheduled for construction in Fiscal Years 2023 and 2024 with a total cost of \$32,700,000. More information on the project is available at <https://www.deldot.gov/information/projects/SR1MinosConaway/index.shtml>. This development's contribution would be proportional to its contribution to traffic in the affected area. The need for additional rights-of-way from the development has not been determined but any needed rights-of-way that would otherwise be compensable could be credited toward this contribution.

**The Applicant/Developer acknowledges that improvements will be required to Old Mill Road and understands that proportional contribution will be required and also the possible need for DeIDOT to require additional rights-of-way as part of their Minos Conaway Grade Separated Intersection project.**

Section 2.3.2 of the Development Coordination Manual addresses the circumstances in which DeIDOT may require a Traffic Operational Analysis (TOA). In the attached letter dated December 3, 2018, concerning the previous rezoning and conditional use applications for this site, DeIDOT said that if the County approved those applications DeIDOT would require that a TOA be performed prior to granting entrance approval. While the scope of that TOA has not been determined, it would examine the site entrance on Route 1 and crossovers and intersections to the north and south of the entrance where significant numbers of site-generated trips would make left-turns or U-turns. Based on the TOA results, DeIDOT may require interim improvements at the intersection of Delaware Route 1 and Old Mill Road and other locations analyzed therein. DeIDOT's December 2018 letter applies to this new application as

well. *(revised per DeIDOT letter dated May 10, 2019)*

**The scope of the TOA will be determined as part of the plan review process with DeIDOT and the Applicant/Developer understands that interim improvements may be required along Route 1 as a result of the TOA.**

Section 3.5.4.2 of the Manual address's requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, developments in Level 3 and 4 Areas are required to install a sidewalk or Shared Use Path if the project abuts to an existing facility; otherwise it is at DeIDOT's discretion. Because this part of the County appears to be developing rapidly, DeIDOT anticipates requiring a Shared Use Path along the development frontage. Due to the SR 1, Minos Conaway Grade Separated Intersection, cited above, DeIDOT may require the path only along the site's Old Mill Road frontage if it finds there is a significant possibility of a path built along SR 1 being taken by the DeIDOT project.

**The Applicant/Developer is aware of DeIDOT's policy on sidewalks and shared use paths and will coordinate the locations as required during the approval process with DeIDOT.**

#### Suggestions

*Please refer to DeIDOT's May 2018 PLUS comments (copy attached).*

**The additional comments from the May 2018 PLUS letter are focused toward the requirements for Plan submissions which will be referred to at such time.**

*Please be advised that the Standard General Notes have been updated and posted to the DeIDOT website. Please begin using the new versions and look for the revision's dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>*

**The latest notes from DeIDOT will be included for all plan submissions to DeIDOT.**

Department of Natural Resources and Environmental Control - Contact Michael Tholstrup 735-3352  
*The Department of Natural Resources and Environmental Control did not submit comments regarding this application. If the development of this property requires permits from a DNREC section, please contact the DNREC regulatory agency directly.*

**No comments were presented as part of this PLUS review. However, the Applicant / Developer intends to fully comply with all DNREC requirements as the application progresses.**

State Historic Preservation Office - Contact Carlton Hall 736-7404

*There are no known archaeological sites or known National Register-listed or eligible properties on the parcel.*

**No response required.**

*If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).*

**If any remains are discovered at the time of construction the Applicant/Developer shall contact the appropriate agencies.**

*If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or*

*historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: [www.achp.gov](http://www.achp.gov)*

**It is not anticipated that Federal involvement will be required on this project, however, if required the Applicant/Developer shall comply with Section 106 of the National Historic Preservation Act.**

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

*At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):*

*Fire Protection Water Requirements:*

- *Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.*  
**The proposed water distribution system and fire hydrant locations will be designed to meet these requirements.**
- *Where a water distribution system is proposed for /multi-family dwelling sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.*  
**The pipe sizing for water mains, fire hydrants and sprinkler systems will be included on the water distribution plans prior to approval for construction.**

*Fire Protection Features:*

- *All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.*  
**All the structures over 10,000 Sq. Ft. will have automatic sprinkler systems installed.**
- *Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.*  
**The apartment buildings will have automatic sprinkler systems installed.**
- *Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements*  
**Fire Lane markings will be installed as required.**
- *Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.*  
**The Fire Department Connection locations and details will be included on submissions to the Fire Marshal.**
- *Show Fire Lanes and Sign Detail as shown in DSFPR*  
**Fire Lanes and Sign Details will be included on submissions to the Fire Marshal.**

*Accessibility:*

- *All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Coastal Highway and the access road from Old Mill Road must be constructed so fire department apparatus may negotiate it.*

**All subdivision access will be designed and constructed to allow fire department apparatus access.**

- *Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.*

**The site is designed to allow fire apparatus to locate within 100 ft. of the front doors of all buildings.**

- *Any dead-end road more than 300 feet in length shall be provided with a tum-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or tum-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.*

**No dead-end roads of more than 300 feet are proposed.**

- *The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.*

**The use of speed bumps or other methods of speed control are not anticipated but if they are included at a later date they will be in accordance with DeIDOT.**

- *The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.*

**The operation and design of the automatic gate systems will be included in the Fire Marshal submission.**

*Gas Piping and System Information:*

- *Provide type of fuel proposed and show locations of bulk containers on plan.*  
**All utilities will be installed underground with no bulk containers on site.**

*Required Notes:*

- *Provide a note on the final plans submitted for review to read " All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"*
- *Proposed Use*
- *Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units*
- *Square footage of each structure (Total of all Floors)*
- *National Fire Protection Association (NFPA) Construction Type*
- *Maximum Height of Buildings (including number of stories)*
- *Note indicating if building is to be sprinklered*
- *Name of Water Provider*
- *Letter from Water Provider approving the system layout*
- *Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered*
- *Provide Road Names, even for County Roads*

**All of the above notes will be included on the appropriate plans at the time of submission.**

Recommendations/ Additional Information

*This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. These suggestions do not represent State code requirements. They are offered here*

*in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (but in no way required) that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.*

Department of Transportation – Contact Bill Brockenbrough 760-2109  
*Please refer to DeIDOT's May 2018 PLUS comments (copy attached).*

*Please be advised that the Standard General Notes have been updated and posted to the DeIDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>*

**The above recommendations from DeIDOT will be included on future plan submissions to DeIDOT.**

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

*Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov) technical services link, plan review, applications or brochures.*

**The Applicant/Developer will have a preliminary meeting with Fire Protection Specialists prior to final design and submission.**

State Housing Authority – Contact Karen Horton 739-4263

*DSHA strongly supports the partial rezoning of 15 acres on the corner of Coastal Highway and Old Mill Road from AR-1 (Agriculture-Residential) to HR (Medium Residential) to develop 168 units via the Sussex County Rental Program. This would provide housing affordable to county residents who work in the 'Coastal Area' as defined by the County's 2018 Comprehensive Plan. The need for more affordable housing options in this area of the County is acute and well documented. In addition, this site is located within a DSHA-defined 'Area of Opportunity', which are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help household succeed. Since these same areas contain little affordable housing, the County incorporated their intent to expand affordable housing opportunities within 'Areas of Opportunity' into their 2018 Comprehensive Plan.*

**The Developer acknowledges and concurs with the DSHA's comments regarding this project.**

*DSHA takes this opportunity to note our concern that this is the second time the Nassau Property is going through the development review process - adding time and money to providing a more affordable housing product in an area where it is desperately needed. Sussex County Planning and Zoning Commission denied the initial proposal in December because it was not "in character with the surrounding use of single-family homes". DSHA documented our concern of applying additional criteria, including 'similar to the surrounding uses', only to densities associated with a more affordable housing product in the September 20, 2018 PLUS letter, and in a November 15, 2018 letter to the County Administrator. We continue to be discouraged with the application of the criteria of being 'in character with the surrounding use', which in this area is single-family homes for the resort market. These criteria will be used to deny much-needed affordable housing proposals - as it did already for the Nassau Property proposal in December.*

*Considering the site's Coastal Highway close proximity to Five Points in Lewes and location within an 'Area of Opportunity' providing resources and benefits conducive to positive life outcomes, this is an excellent location for a more affordable housing product such as the Nassau Proposal. As a result, we recommend that Sussex County embrace the opportunity to approve this proposal permitting residents to live close to their jobs and gain access to the resources and benefits this area provides.*

**Sussex County – Contact Rob Davis 855-7820**

*The parcels are not within the boundary of the Sussex County Unified Sanitary Sewer District and annexation into the sewer district is required. Connection to the sewer system is mandatory. Sewer service has not been extended to the parcels. The County does not have a schedule to extend service to the proposed projects. It will be the developer's responsibility to construct off-site infrastructure to obtain sewer service. A Sewer System Concept Evaluation (SSCE) must be requested to define a connection point.*

**The Applicant/Developer has had preliminary discussions with Sussex County Utility Planning to ensure that annexation into the Northern Planning Area is possible and capacity is available for this project prior to making this application. As this project requires a rezoning, the Applicant/Developer will defer the filing of a Sewer System Concept Evaluation until zoning approvals are obtained.**

*The Sussex County Sussex County Code, Chapter 110 requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for their parcel(s) with estimated EDUs for the project, along with payment of \$1,000.00 payable to Sussex County Council. The Utility Planning Department will review the parcels and EDUs, determine capacity, and provide the connection point and any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. Public Works will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.*

**Once the rezoning is approved the Applicant/Developer will submit a formal SSCE to the Utility Planning Department to start the sewer design.**

*A "Use of Existing Infrastructure Agreement" is required and must be approved prior to approval of construction plans.*

**The Agreement will be executed prior to approval of Construction Plans.**

*The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures. The Sussex County Engineer shall approve the connection point.*

**The Applicant/Developer will design and install the collection system in accordance with Sussex County which discharges to a point approved by the County Engineer.**

*Onetime system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.*

**The Applicant/Developer understands that it will be responsible for all fees related to the installation and permitting of the Sanitary Sewer Collection System.**

*In addition to the comments above our office has received a letter from Brandy Nauman, Sussex County Housing Coordinator & Fair Housing Compliance Officer. A copy of that letter is enclosed with this letter.*

**This letter acknowledges the application was made to SCRP. Since the date of this letter the project received preliminary approval for participation in the SCRP on March 27, 2019 through the execution and recordation of the Acknowledgement of Participation on May 1, 2019.**

If you have any questions or need additional information, please feel free to contact me immediately by phone at (610) 274-8613 or by email at [tschreier@HillcrestAssoc.com](mailto:tschreier@HillcrestAssoc.com).

Sincerely,



Thomas Schreier, RLA  
Landscape Architect

C. Ms. Janelle Cornwell, Sussex County P&Z Director  
Nassau DE Acquisitions  
4187



BRANDY BENNETT NAUMAN  
HOUSING COORDINATOR &  
FAIR HOUSING COMPLIANCE OFFICER  
(302) 855-7777 T  
(302) 854-5397 F  
bnauman@sussexcountyde.gov



**Sussex County**  
DELAWARE  
sussexcountyde.gov

March 27, 2019

Mr. Joseph Calabro  
300 Delaware Avenue, Suite 1370  
Wilmington, DE 19801

RE: Sussex County Rental Program

Dear Mr. Calabro:

On March 21, 2019, the County's internal review panel evaluated the Nassau Property application for the Sussex County Rental Program (SCRCP). The panel granted the project preliminary approval for participation in the SCRCP. This approval has no bearing on whether the project will receive the necessary land use approvals from Sussex County; it only allows the project to proceed through that process in accordance with Chapter 72 of the Code of Sussex County.

To proceed with the SCRCP project, including the expedited review incentive, the applicant must first execute an Acknowledgement of Participation ("Acknowledgement") agreement. The Acknowledgement binds the applicant to the obligations outlined in the SCRCP application and Chapter 72 of the Code of Sussex County. Once the fully executed Acknowledgement is received by the County, the County Administrator and Director of Planning & Zoning will determine the applicant's priority placement in the list of pending applications. **A project receiving expedited review does not exempt the project from the County's land use approval process, nor guarantee approval through that process.**

If the re-zoning is approved, the applicant must then execute an SCRCP Agreement ("Agreement") within thirty (30) days of County Council's decision. The Agreement is recorded and contains, at minimum, the below stipulations. The applicant should review §72-23 of the Code of Sussex County for a full description of the Agreement.

- A. Number of SCRCP units to be constructed, and final site plan.
- B. Schedule of construction for SCRCP units and delivery schedule to market-rate units, as well as affirmative marketing plan for SCRCP units.
- C. Economic risk borne solely by the applicant.



- D. No building permits will be issued until the execution of the Agreement. If the applicant does not build SCRP units in accordance with construction schedule, the County Administrator may withhold building permits until SCRP units are constructed.
- E. The Agreement must be signed by the applicant and any other parties having an interest in the property. The Agreement must be recorded in land records of the County.
- F. Partnerships, associations, corporations and other entities may not evade the requirements of the Agreement through voluntary dissolution, bankruptcy, or the sale or transfer of qualifying land.
- G. The Agreement may only be assigned with the prior written approval of the Community Development & Housing Department.
- H. Landlords are responsible for marketing, leasing, and determining tenant eligibility.
- I. If applicant is not also the builder, the relationship between the applicant and builder shall be fully disclosed.

Please do not hesitate to contact me with any questions.

Sincerely,



Brad D. Whaley, Director

CC: Todd F. Lawson, County Administrator  
Janelle Cornwell, Director, Planning & Zoning  
Brandy B. Nauman, Housing Coordinator, Community Development & Housing

# 2018 ROADWAY AADTS OVERALL SITE TRIP PATTERNS

40%

30,522

16759 Coastal Hwy

Black Hog Gul

Nassau

15%

22,084

Belltown

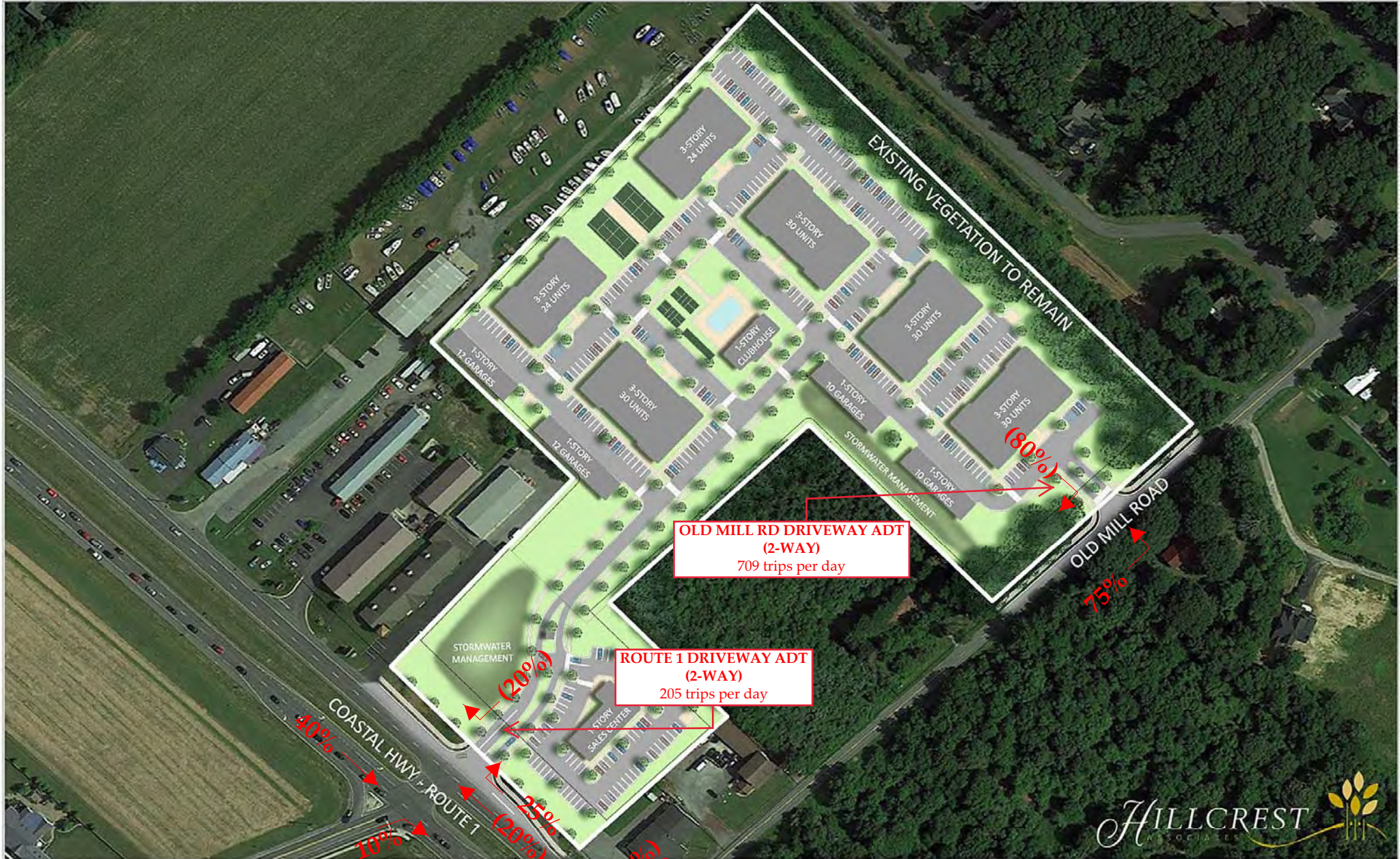
49,629

35%

10%

14,132

**SITE TRIP DISTRIBUTIONS: Entering Trips (Exiting Trips)  
DRIVEWAY ADTS**



**Figure 4.2-1 Existing Land Use**

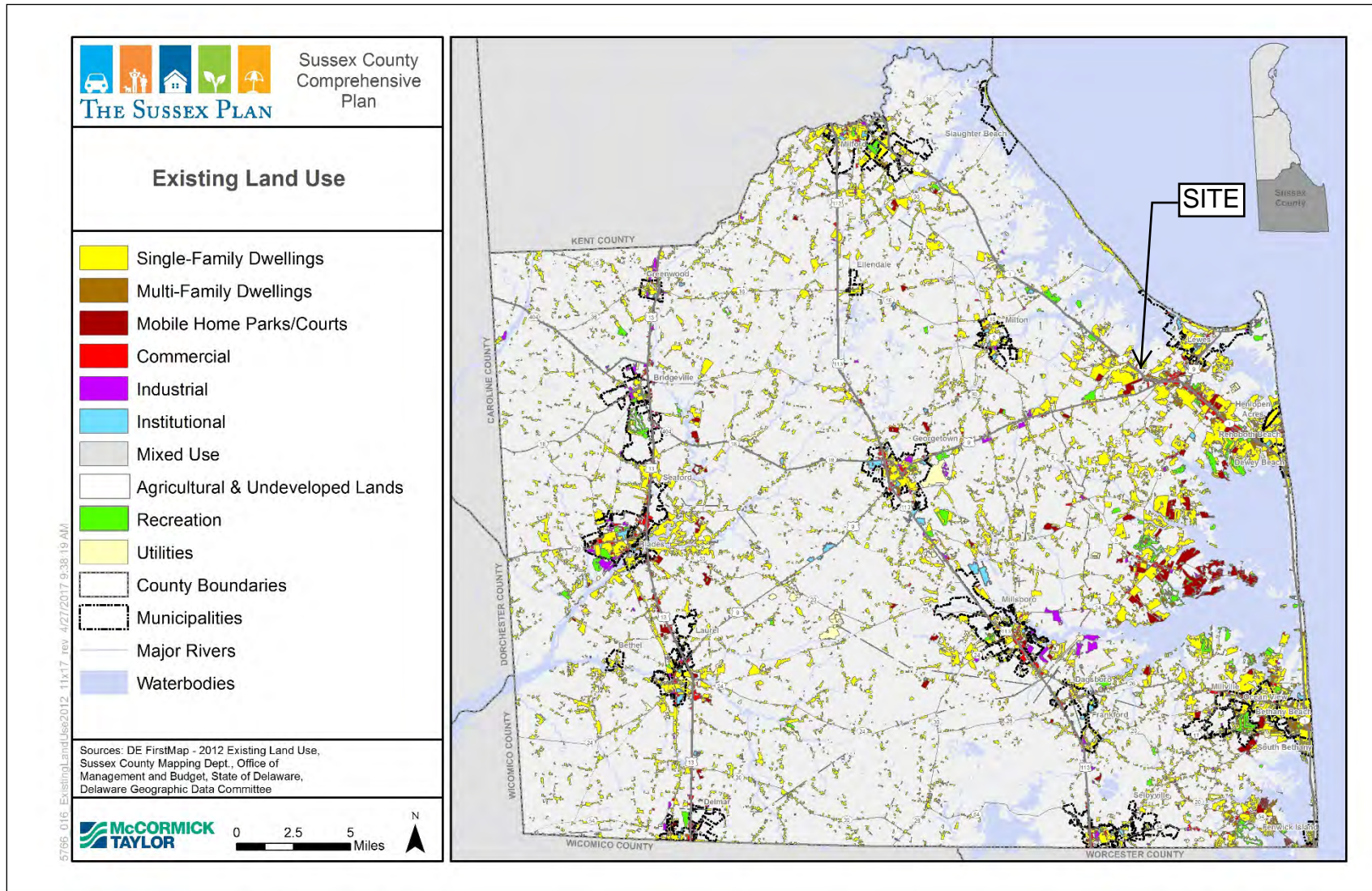


Figure 4.4-1 Strategies for State Policies and Spending

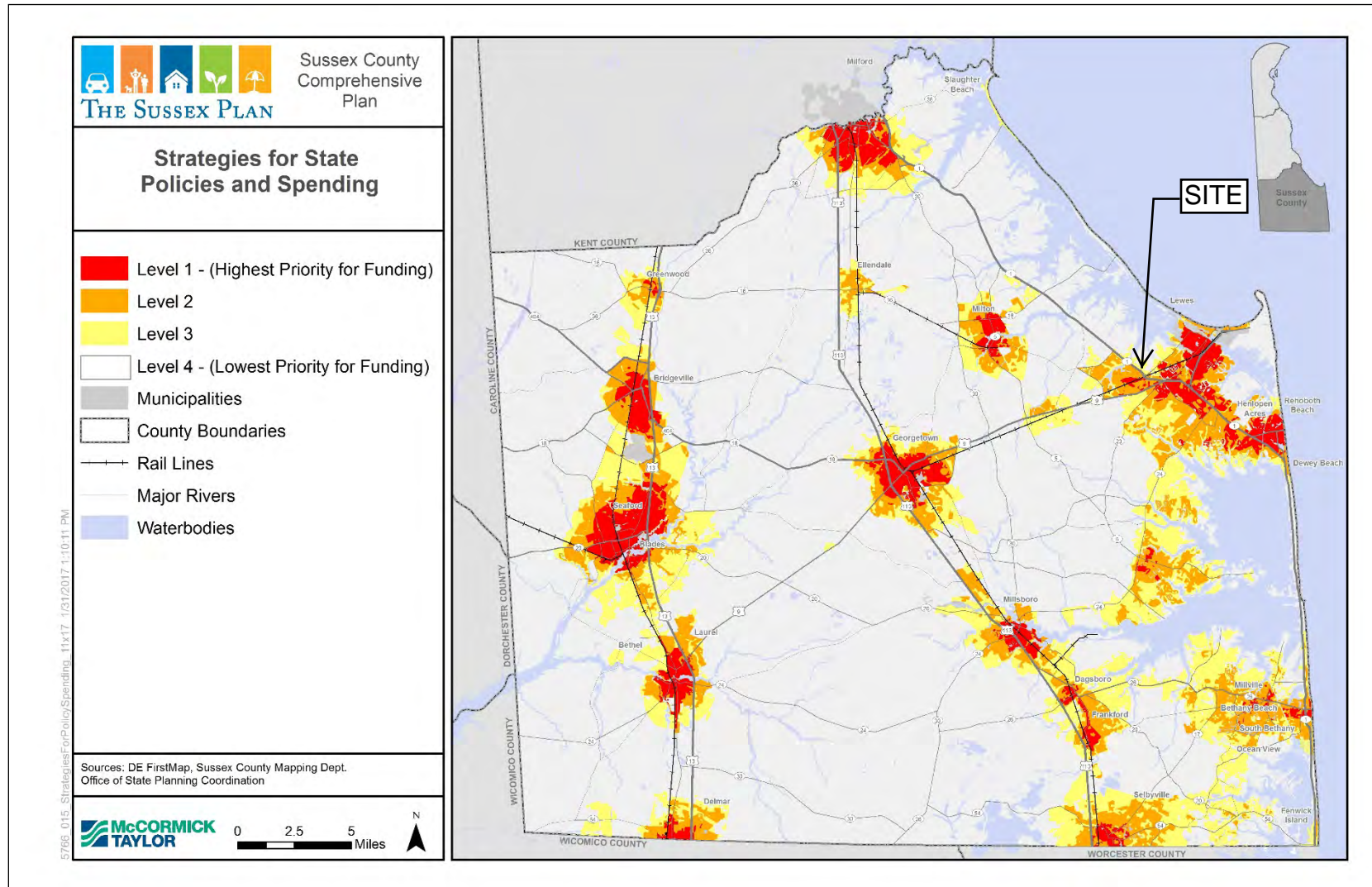
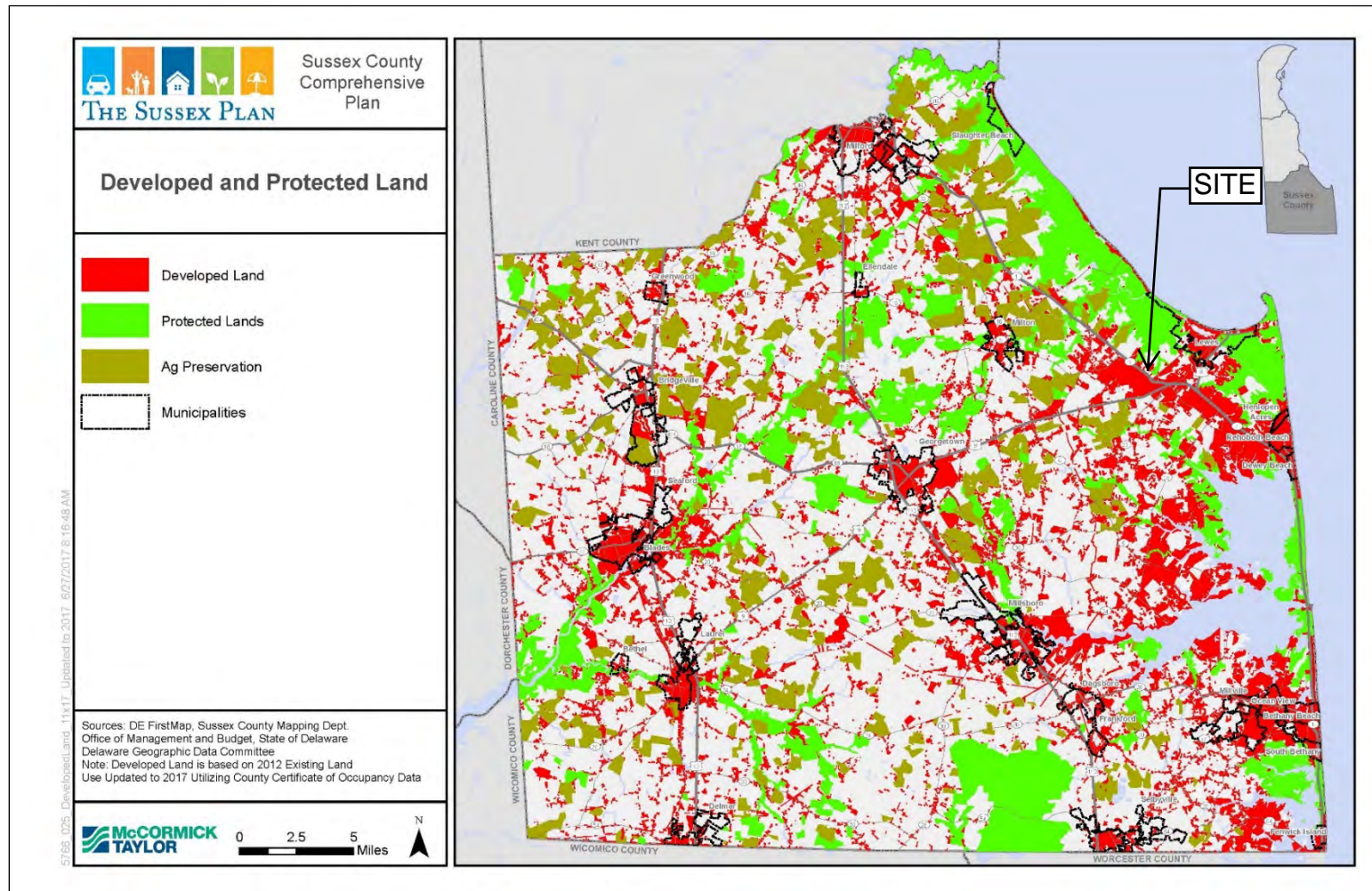
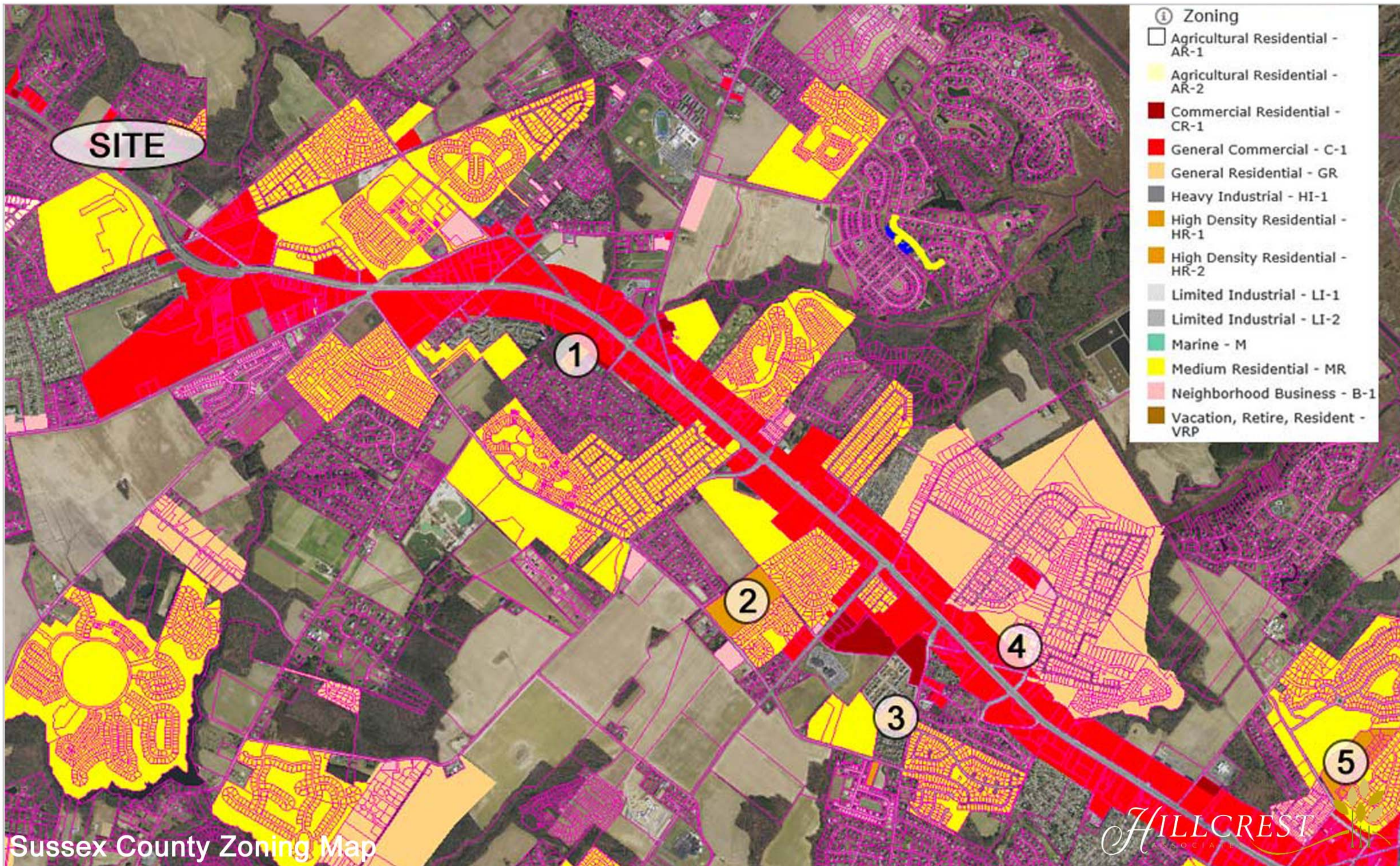


Figure 4.2-2 Developed and Protected Land \*



\* Parcels enrolled in the State's Agricultural Lands Preservation Program change frequently and that the Delaware Department of Agriculture can be contacted for latest update.



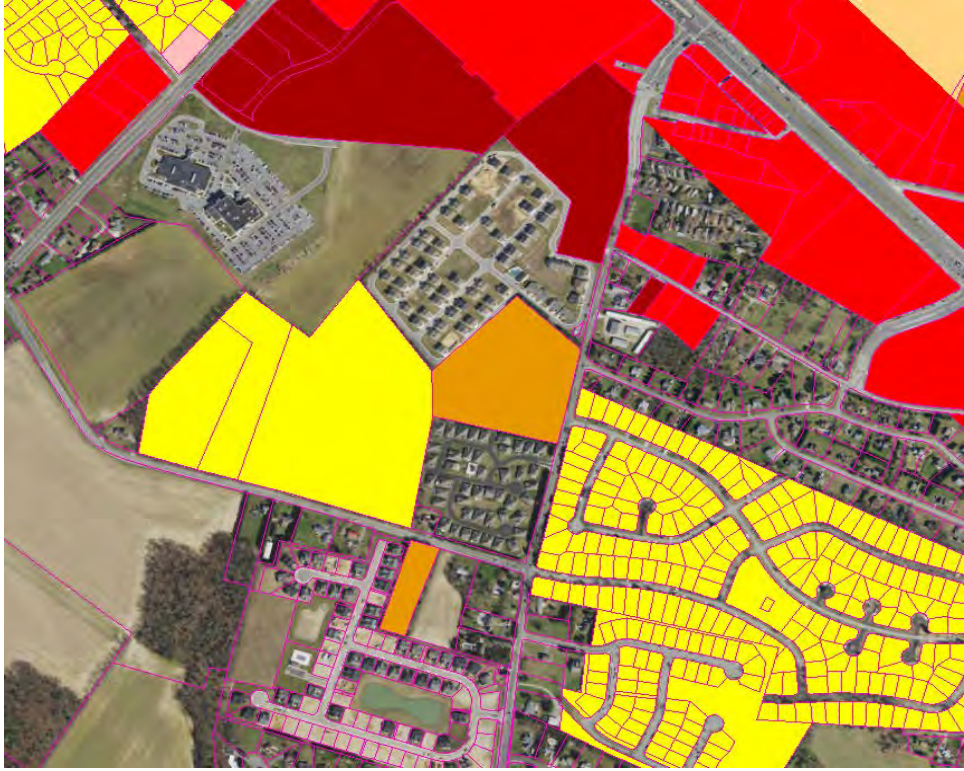
Sussex County Zoning Map

HILLCREST

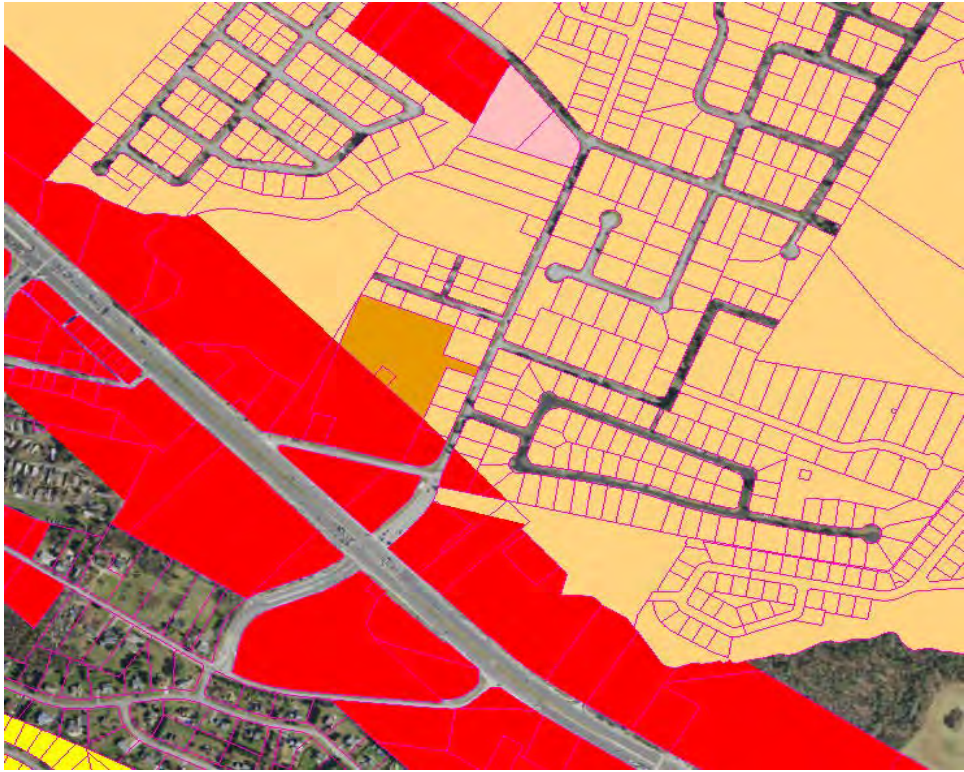




3



4



5

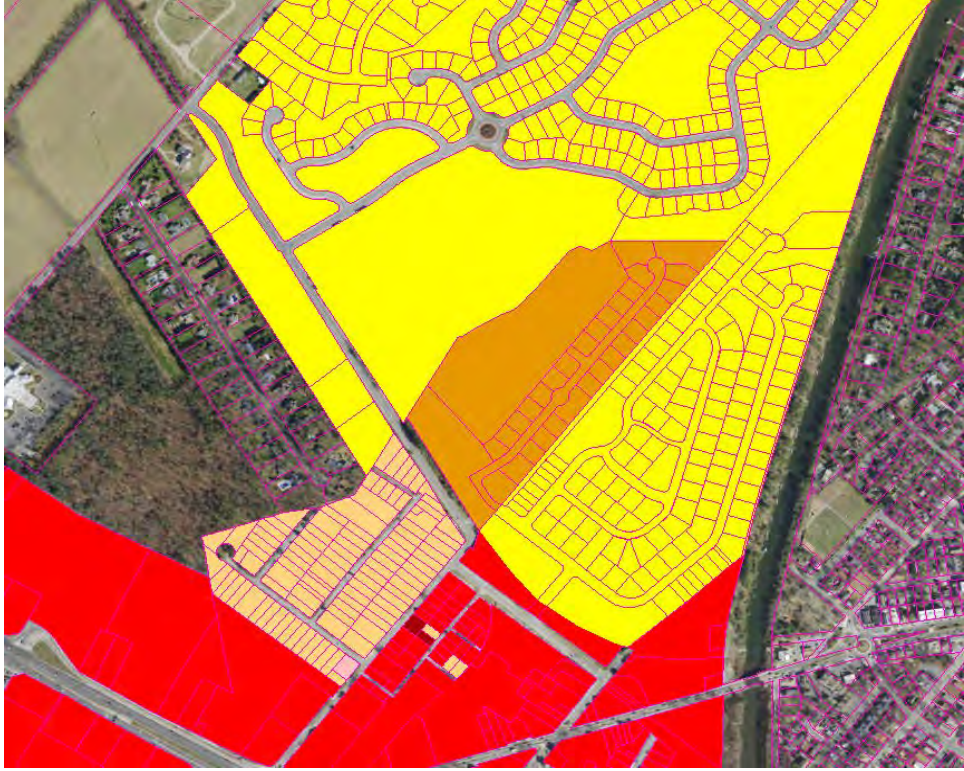
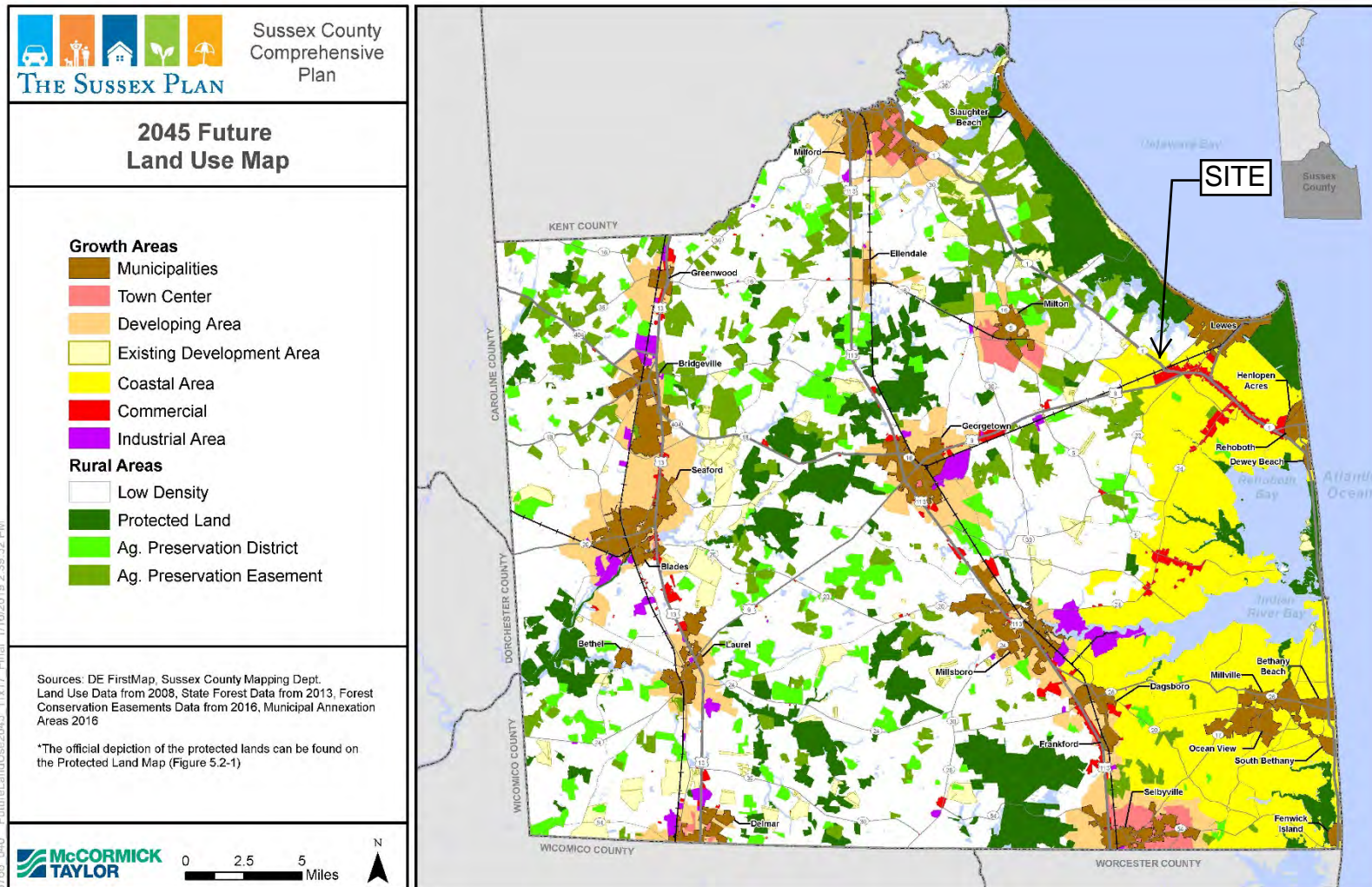


Figure 4.5-1 Sussex County 2045 Future Land Use





HOUSING  
ALLIANCE  
DELAWARE

# The State of Housing & Homelessness in The First State

**2018**

# Housing Affordability<sup>1</sup>

## Affordable Housing: 30% Rule of Thumb

The 30 percent rule is consistent with the federal standard and dates from the era of the Great Depression. During that period, "one week's pay for one month's rent" was the accepted norm. This formula has been incorporated into public policy and is used as a Housing Cost to Income Ratio (HCIR). We use the 30% rule here in order to compare to other housing affordability research and data.

**Delaware has the 15th highest two bedroom rental housing wage<sup>2</sup> in the U.S. In 2017, 101,111 Delawareans rented their homes, roughly, 29% of households.**

### State Facts

|                             | 2018    | 2017    |
|-----------------------------|---------|---------|
| Minimum Wage                | \$8.25  | \$8.25  |
| Average Renter Wage         | \$16.99 | \$17.06 |
| 2-Bedroom Housing Wage      | \$21.85 | \$21.62 |
| Number of Renter Households | 101,111 | 99,173  |

### Housing Wage by County

|                   | 2018    | 2017    |
|-------------------|---------|---------|
| Statewide         | \$21.85 | \$21.62 |
| New Castle County | \$24.35 | \$23.29 |
| Dover MSA         | \$17.94 | \$19.94 |
| Sussex County     | \$17.31 | \$17.60 |

## Affordability in The First State

In Delaware, in 2017, the Fair Market Rent (FMR) for a two-bedroom apartment was **\$1,136**. In order to afford this level of rent and utilities — without paying more than 30% of income on housing — a household must earn **\$3,787** monthly or **\$45,439** annually.

Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a necessary **Delaware Housing Wage of \$21.85 per hour**. The **2017 National Housing Wage is \$22.10 per hour**.

At the Delaware minimum wage of \$8.25 an hour, a renter would have to work **106 hours** a week to afford a two bedroom rental home at Fair Market Rent. A renter would need to work **87 hours** per week to afford a one bedroom unit.

Translated into employment, a renter in Delaware would need **2.6 full time minimum wage jobs** to afford a two bedroom rental home at FMR, or **2.2 full time jobs** to afford a one bedroom unit.

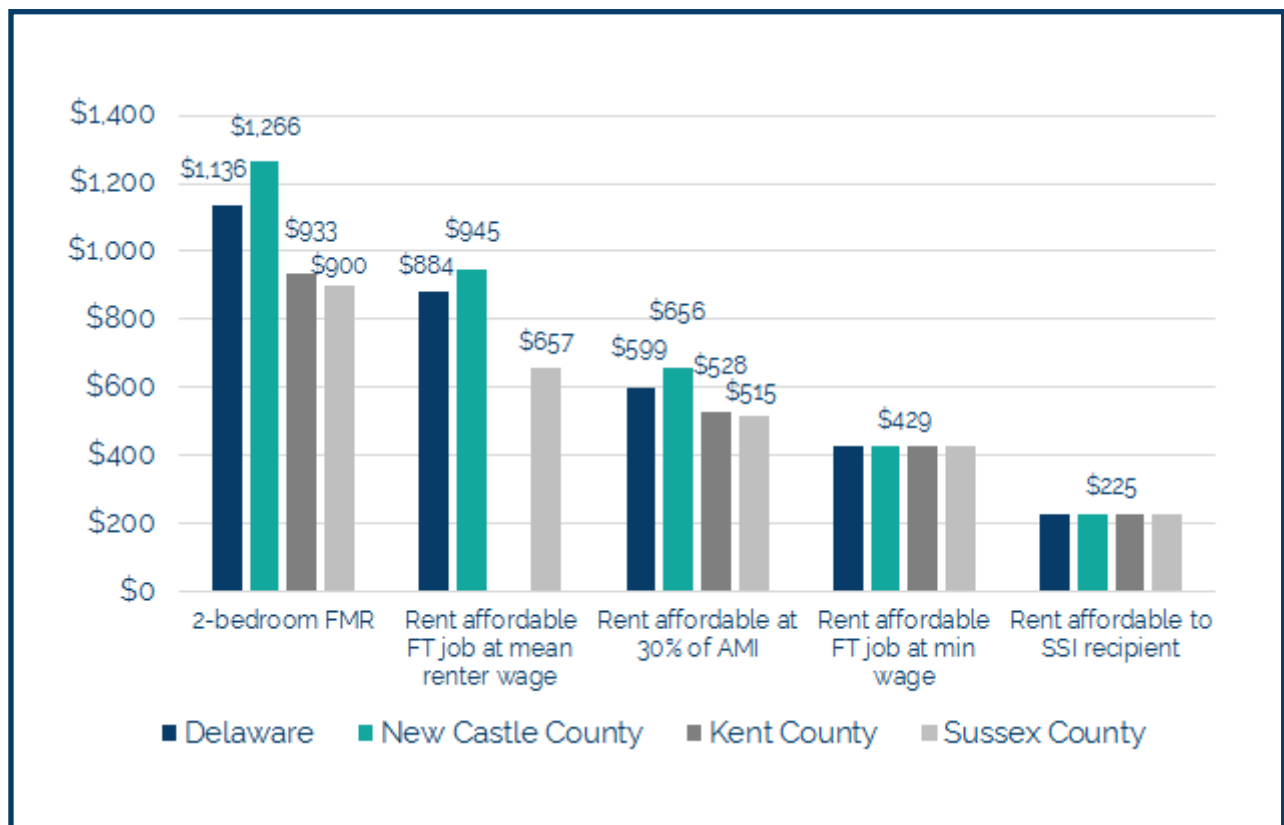
<sup>1</sup> Unless otherwise noted, Housing Affordability Data Source: National Low Income Housing Coalition: Out of Reach 2018.

<sup>2</sup> Housing wage is the full time hourly income a household must earn to afford a rental at Fair Market Rent while not spending more than 30% income on housing costs.

# Housing Affordability By County

|   | New Castle County |         | Kent County |         | Sussex County |         |
|---|-------------------|---------|-------------|---------|---------------|---------|
|   | 2017              | 2018    | 2017        | 2018    | 2017          | 2018    |
| Average Renter Wage                       | \$18.35           | \$18.17 | \$17.06     | unknown | \$12.10       | \$12.63 |
| % of renters                              | 31%               | 31%     | 30%         | 31%     | 22%           | 22%     |
| 2-Bedroom Housing Wage                    | \$23.29           | \$24.35 | \$19.94     | \$17.94 | \$17.60       | \$17.31 |
| Number of Renter Households               | 62,593            | 63,474  | 18,386      | 19,052  | 18,194        | 18,585  |
| Hours at Minimum Wage Needed for 2-BR FMR | 113               | 118     | 97          | 87      | 85            | 84      |
| Number of Jobs Needed at Minimum Wage     | 2.8               | 3.0     | 2.1         | 2.2     | 2.1           | 2.1     |

## Delaware Rental Housing Costs



AMI: Fiscal Year 2018 Area Median Income

FMR: Fiscal Year 2018 Fair Market Rent

## Delaware Housing Cost Burdens and Income<sup>3</sup>

Many Delaware renters are Extremely Low Income (ELI), which is defined as renter households with income at 30%, or less, of the area median income (AMI), which is below the poverty line. ELI renters spending more than 30% of their income on housing costs and utilities are facing a **housing cost burden**. Those spending more than half their income on housing costs and utilities are **severely cost burdened**.

These cost burdened renters are left to choose between basic life necessities, such as transportation, clothing, medical care, or paying rent. The accessibility for affordable rental units for this vulnerable population is woefully inadequate. These renters are at greatest risk for homelessness. One unexpected hardship can result in the loss of a stable home.

## Affordable & Available Homes for ELI Renter Households

Across the state, there is a severe shortage of affordable and available homes for the 20,400 ELI Delaware households. **There are only 24 rental units available statewide for every 100 ELI families**. The crisis is greatest in New Castle County. Delaware is one of 15 states with lower affordable rentals than the national rate, which is 35 per 100 ELI households.

|                   |                                      |
|-------------------|--------------------------------------|
| New Castle County | Less than 30 per 100 ELI households  |
| Kent County       | Between 41-45 per 100 ELI households |
| Sussex County     | Between 30-40 per 100 ELI households |

## Rental Affordability

|            | AMI<br>Monthly<br>Income | Avg.<br>Renter<br>Monthly<br>Income | ELI<br>Monthly<br>Income | Rent<br>Affordable<br>at ELI | 1 BR<br>FMR<br>Cost | 2 BR<br>FMR<br>Cost |
|------------|--------------------------|-------------------------------------|--------------------------|------------------------------|---------------------|---------------------|
| Delaware   | \$6,657                  | \$2,945                             | \$1,997                  | \$599                        | \$937               | \$1,136             |
| New Castle | \$7,283                  | \$3,149                             | \$2,185                  | \$656                        | \$1,047             | \$1,266             |
| Kent       | \$5,867                  | -                                   | \$1,760                  | \$528                        | \$809               | \$933               |
| Sussex     | \$5,725                  | \$2,139                             | \$1,718                  | \$691                        | \$691               | \$900               |

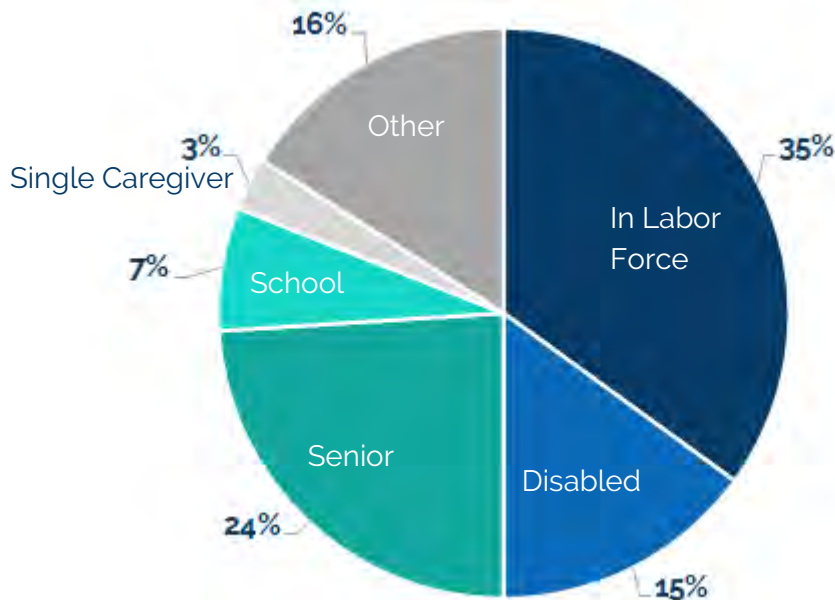
<sup>3</sup>Unless otherwise noted, Housing Cost Burden Data Source: NLIHC The Gap 2018.



## Housing Cost Burden

|                                   | Renter Households | % with Severe Burden | Affordable and Available Units per 100 Households | Deficit of Affordable and Available Units |
|-----------------------------------|-------------------|----------------------|---|---|
| Income at or below 30% of AMI     | 26,766            | 73%                  | 24  | -20,400                                   |
| Income between 31% and 50% of AMI | 15,012            | 29%                  | 55  | -19,285                                   |
| All Renter Households             | 101,111           | 26%                  |   |   |

## Extremely Low Income Renter Households



## Affordable Rent at Minimum Wage

In 2018, in order to afford a modest two bedroom rental home in the U.S., renters need to earn a wage of **\$22.10** per hour and **\$17.90** for a one bedroom.

In Delaware, a renter needs to earn **\$21.62** to afford a two bedroom unit at FMR. However, the renter hourly wage, statewide, is **\$16.99**, with many households having an average hourly wage far below \$16.99. For minimum wage earners, including many heads of households with children, this substantial shortfall forces choices between other basic life essentials such as medical care, clothing, transportation, and utilities. It is also a contributing factor to homelessness.

# DELAWARE HOUSING NEEDS ASSESSMENT 2015-2020

September, 2014



**FINAL REPORT**



## Executive Summary

This Delaware Housing Needs Assessment is intended to frame the current housing conditions within the state and examine the significant trends and issues that will dictate housing policy over the next five years, from 2015-2020. It was developed over a one-year period, from September 2013 through August 2014, using quantitative data and feedback from housing stakeholders, real estate developers, lenders and policy makers. It comes at a time of transition, when the housing market is beginning to show signs of recovery after a national recession and housing crisis. Issues that were not relevant in the past study, like foreclosures, fallen property values, an oversupply of housing, and a growing percentage of renters among households of all ages, are now important issues that will influence future housing policy. Because of these significant shifts in the housing landscape, future housing policy will focus on continuing the recovery efforts and accommodating the changing needs of renters and homeowners. The information provided in this report and supporting documents will assist in developing local and State Consolidated Plans that clearly outline housing policy, programs and funding over the next five years.

Because Delaware has a variety of housing markets, the intent of this study is also to illustrate housing needs within neighborhoods and market areas. This is a divergence from past studies, where housing conditions were examined at the county and state level. This will assist policy makers identify targeted places for programs where issues of affordability, fair housing, housing shortages and blight are most relevant. It will also assist community groups focus on needs within specific neighborhoods.

## Sources of Information

The Delaware Housing Needs Assessment uses quantitative and qualitative data sources, including the following:

- U.S. American Community Survey 2007-2011
- U.S. American Housing Survey 2010
- HUD Comprehensive Housing Affordability Strategy (CHAS) data, 2006-2010
- U.S. Bureau of Labor Statistics 2013-2014
- Delaware Department of Labor 2013-2014
- Delaware Population Consortium population and household projections, 2010 – 2040 (2012 Projections Series)
- Delaware State Housing Authority
- HUD Multi-Family Housing Assistance and Section 8 Contracts database, 2014
- HUD Public Housing Assessment, 2014
- HUD Resident Characteristics Report, 2014
- National Establishment Time Series (NETS) database 2013
- U.S. Department of Commerce, Bureau of Economic Analysis, 2013
- Interviews with county planning departments in Sussex, Kent and New Castle counties
- Survey results from developers and housing service providers
- Boxwood Means home sales data through 2014
- Realtors Association Multiple Listing Service (MLS) database through 2013
- Delaware Office of State Planning Coordination Building Permits data
- Public Housing Authorities for Wilmington, Newark, Dover and New Castle County



## Housing Market Areas

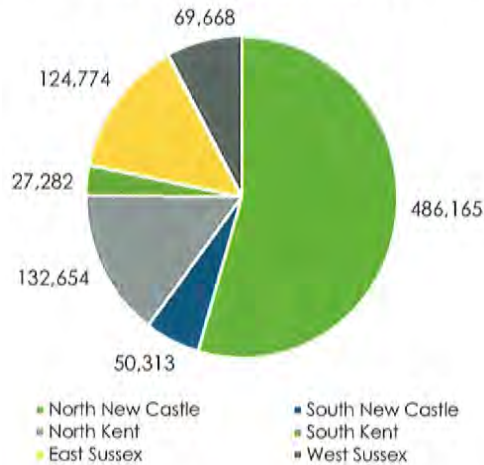
The study examines housing issues at the State, county, and submarket area. The majority of summary statistics throughout the report are at the State and county level, while submarkets are more completely described within the submarket reports at the end of the study. The submarkets were developed based on Census Block Group boundaries and are closely aligned with Census County Divisions (CCDs) within Delaware. The major cities of Wilmington, Newark and Dover are more completely described within their respective submarkets of North New Castle and North Kent counties.



## Summary of Key Findings

Delaware is a fast growing state compared to national averages, and particularly for states in the mid-Atlantic region. Much of this growth is attributable to new retirees moving into Delaware from out of state, attracted by lower taxes and the development of retiree and beach communities in East Sussex County.

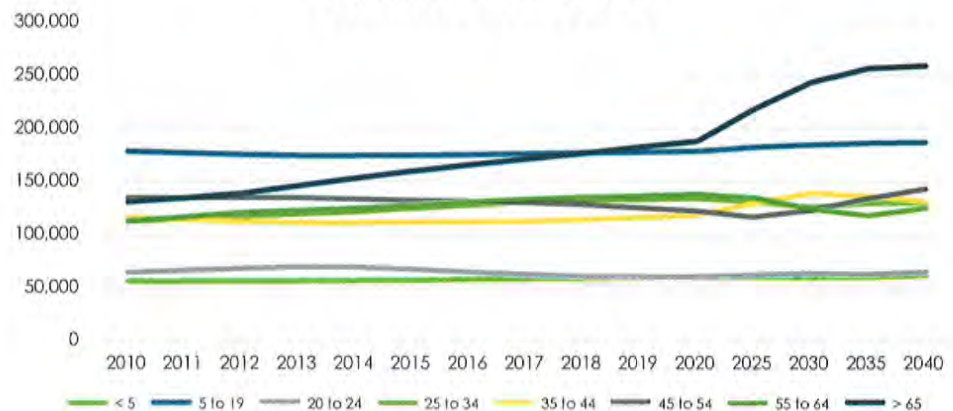
Delaware Population 2011



Source: American Community Survey, 2007-2011

**Demographic changes will influence the size, type and location of new housing. For one, households are getting smaller.** Adults remain single for longer and there are more couples with no or few children, leading to an increase in single-person households and small families. Also, households are getting older as the Baby Boom generation ages into their senior years. Similarly, older families tend to be smaller in size as children move out of their parents' homes. At the same time, there is a growing trend for larger, multi-generational families.

Population Growth by Age



Source: Delaware Population Consortium population and household projections, 2010 – 2040

**Delaware was negatively impacted by the economic recession of the 2000s, but has fared slightly better than national averages and is recovering.**

Unemployment rates went from 3.4% in December 2006 to 8.4% by December 2009, but has dropped to 5.8% by April 2014. In comparison, the national unemployment rates increased from 4.4% to 9.9% between 2006 and 2009 and has stabilized to 6.3%. Job losses were most acutely felt within the banking and finance industries, construction and manufacturing.

**Overall, the State has lower poverty rates and fewer minorities than national average, yet there are pockets of concentrated poverty and minority households within Wilmington, Dover, and poor rural areas.** Most of these areas are in distressed communities, with low property values, low educational attainment, and higher rates of residential vacancy and blight. These areas can be identified within specific Census Tracts of Wilmington and Dover. In rural areas, distressed communities are more concentrated within Census Tracts. Disparity between wealthy communities and high poverty areas is most acute in the Wilmington metro area.



Source: DSHA



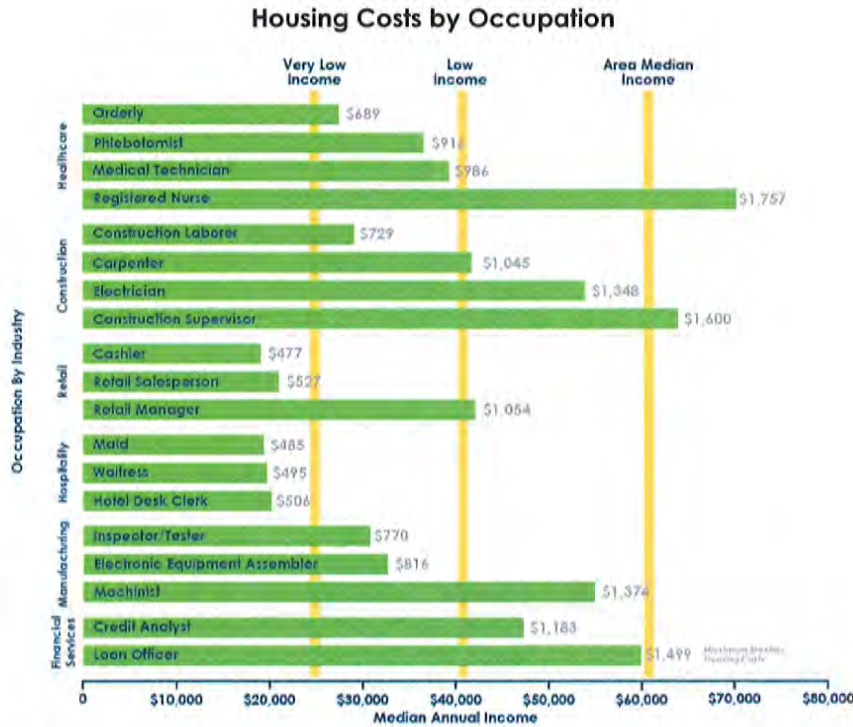
Source: DSHA

**Most of the new housing construction will occur outside of cities, in exurban communities and rural areas with available land to build subdivisions.** Land use patterns have been guided by new residential growth, where developers have acquired large greenfield sites to develop mostly single family developments. Once rural areas are transitioning into more suburban communities, particularly in areas of Kent County and East Sussex County.



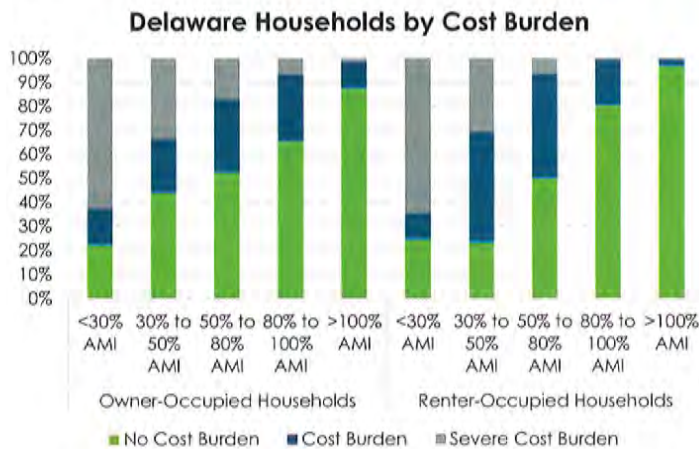
Source: DSHA

**Some of Delaware's strongest industries – particularly health care, tourism and retail – have many low and moderate wage workers, creating a significant demand for workforce housing.** The largest job increases will occur within retail, nursing and food service. There is a shortage of housing affordable to workers within these industries, particularly in the high growth areas of East Sussex County and suburban job centers within New Castle County.



Source(s): Delaware Department of Labor, *Delaware Occupation and Industry Projections*, August 13, 2012; and income data from Novogradac and Company using New Castle County income limits.

**Almost half of all renters and one-third of all homeowners have housing challenges, defined as paying more than 30% of their income on housing costs, or living in overcrowded or substandard living conditions.** The challenges are most severe among renters earning less than 50% of Area Median Income (where 32% of all renters are renters earning less than 50% of AMI and are cost-burdened), and notable for low and moderate income homeowners (where 20% of all homeowners earn less than 100% AMI and are cost-burdened). The greatest number of households with challenges are among non-elderly individuals (people living alone or among roommates) and small families.

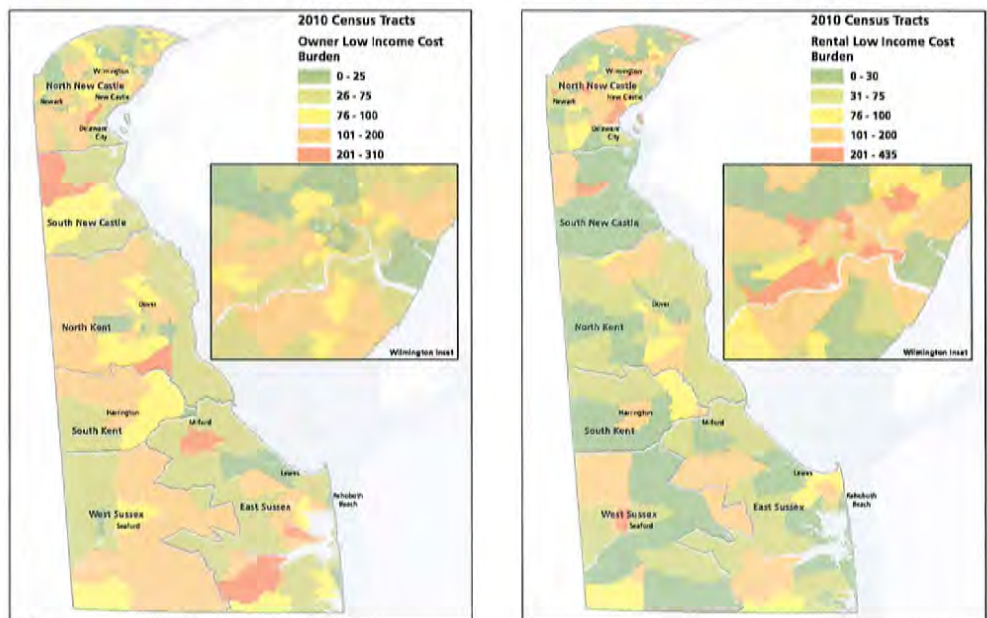


Source: HUD Comprehensive Housing Affordability Strategy, 2006-2010



Minority households are less likely to become homeowners than White, non-Hispanic households, and when they do become homeowners, have a higher chance of experience housing challenges than White, non-Hispanic homeowners. This issue is most prevalent among African American and Hispanic households, where roughly half are homeowners compared to 81% among White, non-Hispanic families; and approximately 40% of African American and Hispanic homeowners face housing challenges, compared to 12% for White, Non-Hispanic homeowners.

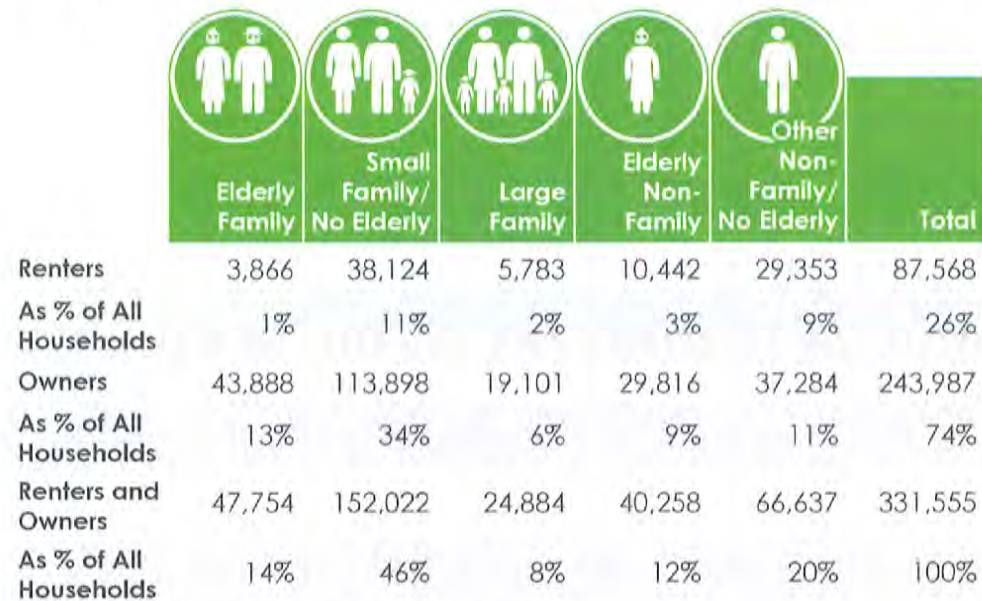
### Maps of Housing Challenges for Homeowners and Renters



Source: HUD Comprehensive Housing Affordability Strategy, 2006-2010



**Future housing demand is shaped by changing demographics, with a growing need for smaller units and more rental housing.** Much of the development in the pipeline is for homeownership, yet there is increasing demand for rental housing as more households wait to purchase a home, or have transitioned into the rental market due to the recent foreclosure crisis. Also, with the growing senior population and smaller families in general, the demand for large single family homes is waning in lieu of smaller single family homes and townhomes.



Source: HUD Comprehensive Housing Affordability Strategy, 2006-2010

**Projected housing demand over the next five years is greatest in New Castle County.** Household growth will be high in New Castle County and East Sussex County. However, an extensive inventory of developed lots and planned subdivisions in East Sussex means that new housing demand is projected to be higher in New Castle County, comprising more than half of all demand for new units through 2020.

**The greatest rental housing demand is among renters earning less than 50% AMI and market rate units; the greatest homeownership demand is from moderate and middle income homeowners.** This follows state trends, where very low income households tend to be renters, while households moving into Delaware are seeking a home to purchase. Among the very low income renters, roughly half earn less than 30% AMI.

**While seniors will comprise a large portion of future demand, they are predominantly homeowners (84%) and are far more likely to enter the homeownership market than the rental market.** Based on projections, 16% of future rental demand will be for senior rental housing, whereas 32% of future home sales will be from seniors.

**Rental Housing Demand by Income (2015-2020)**

|                   | <30% AMI | 30% to 50% AMI | 50% to 80% AMI | 80% + AMI | Total |
|-------------------|----------|----------------|----------------|-----------|-------|
| Delaware State    | 1,730    | 1,455          | 1,525          | 2,820     | 7,530 |
| New Castle County | 1,005    | 845            | 875            | 1,385     | 4,110 |
| North New Castle  | 910      | 680            | 805            | 1,215     | 3,610 |
| South New Castle  | 95       | 165            | 70             | 170       | 500   |
| Kent County       | 340      | 255            | 280            | 595       | 1,470 |
| North Kent        | 255      | 165            | 215            | 460       | 1,095 |
| South Kent        | 85       | 90             | 65             | 135       | 375   |
| Sussex County     | 385      | 355            | 370            | 840       | 1,950 |
| East Sussex       | 165      | 215            | 200            | 550       | 1,130 |
| West Sussex       | 220      | 140            | 170            | 290       | 820   |

Source: GCR Inc.

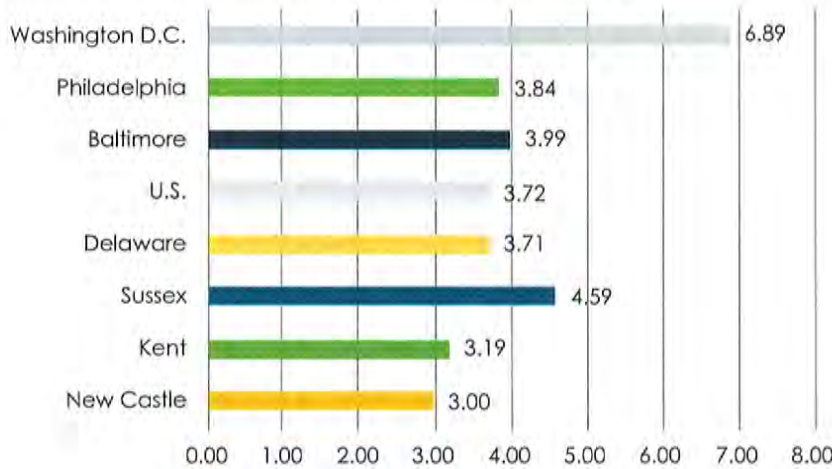
**Homeownership Demand by Income (2015-2020)**

|                   | <50% AMI | 50% to 80% AMI | 80% -120% AMI | >120% AMI | Total  |
|-------------------|----------|----------------|---------------|-----------|--------|
| Delaware State    | 2,425    | 2,705          | 6,075         | 7,140     | 18,345 |
| New Castle County | 1,220    | 1,385          | 3,075         | 4,290     | 9,970  |
| North New Castle  | 810      | 915            | 1,810         | 2,460     | 5,995  |
| South New Castle  | 410      | 470            | 1,265         | 1,830     | 3,975  |
| Kent County       | 495      | 520            | 1,250         | 1,065     | 3,330  |
| North Kent        | 360      | 395            | 940           | 830       | 2,525  |
| South Kent        | 135      | 125            | 310           | 235       | 805    |
| Sussex County     | 710      | 800            | 1,750         | 1,785     | 5,045  |
| East Sussex       | 510      | 560            | 1,265         | 1,295     | 3,630  |
| West Sussex       | 200      | 240            | 485           | 490       | 1,415  |

Source: GCR Inc.

Delaware's housing market has been extremely volatile in the past decade due to the housing bubble and ensuing collapse of the housing market, leading to an increase in foreclosures and lower home values. From 2006 to 2013, median sale price for all homes dropped approximately 15%, while the percent of loans past due increased from 3.5% in 2006, peaked at 9.2% in 2010, and had fallen to 7.7% at the end of 2013.

Home Price to Income Ratio, 2013



Source: U.S. Census Bureau

Delaware's housing market is recovering, but at a slower pace than national average, with property values still much lower than pre-recession. The sluggishly recovering economy, oversupply of homes for sale, and a large number of foreclosed homes, hamper the recovery of the housing market. Recovery is also not even across the state, with unemployment higher in Kent County, Dover and Wilmington and prices recovering more slowly in Kent County.

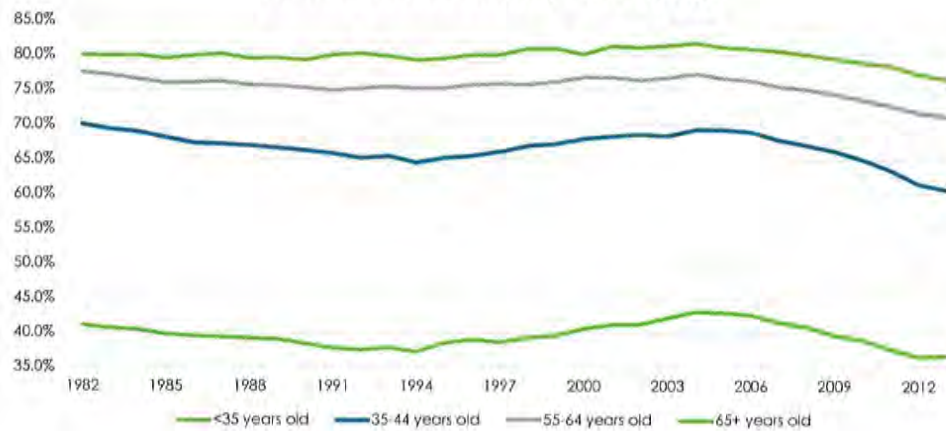
Foreclosure Inventory (NSA)



Source: Mortgage Bankers Association, National Delinquency Survey

**As a result of the housing crisis and recession, fewer households of all ages are homeowners, and demand for new housing has shifted to smaller, more affordable homes and rental housing.** The greatest drop in homeownership rates is among 35 to 44 year old homeowners, presumably the age bracket most likely to enter homeownership during the boom years and thus most impacted by falling home values. There are also fewer homeowners less than 35 years old, reflecting changes in housing preference, high unemployment among younger adults, and the difficulty first-time homebuyers have in accessing a loan now that lending practices have become more stringent. Based on new building permits and feedback from community developers, new homes slated for development will be much more affordable than the homes built during the peak of the housing bubble.

**National Homeownership Rate by Age**



Source: U.S. Census Bureau

**Much of the state's rental housing stock is aging, and may be at risk of becoming substandard or losing affordability as demand exceeds supply.** This is a significant issue among Delaware's subsidized rental housing stock, where more than 3,000 subsidized units are over 25 years old and have not been substantially renovated, equivalent to approximately 30% of all subsidized housing stock.

In response to a high risk of loss of units and some sites in very poor condition, Delaware has prioritized the preservation of its existing subsidized rental housing for several years and successfully rehabilitated and preserved over 1,500 units since 2007. However, with a constantly aging stock and scarce resources for new construction, the need to preserve affordable rental housing will continue.



Figure 7.2-1 Water Service Areas that have Received Certificates of Public Convenience and Necessity

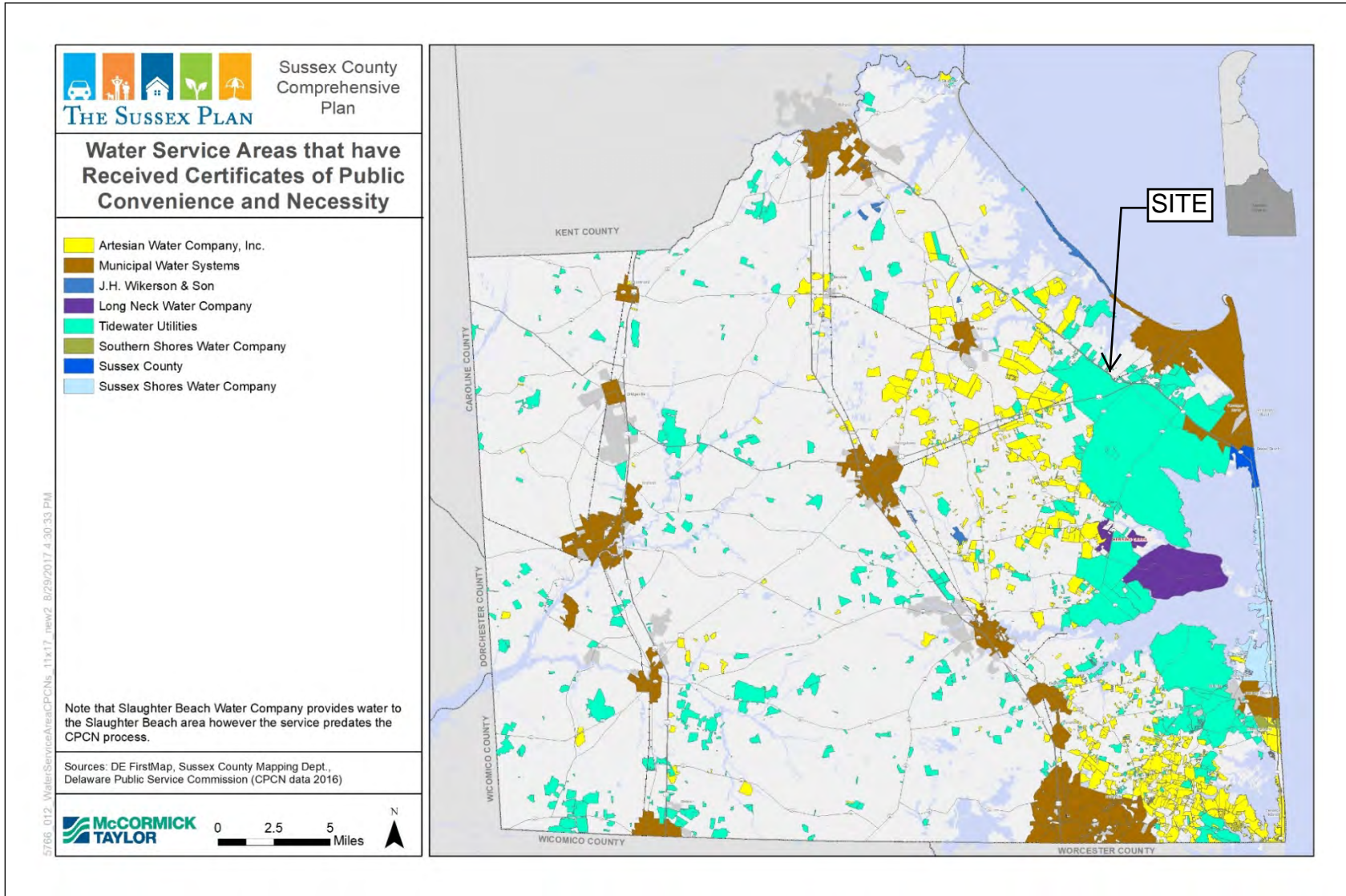


Figure 7.3-1 Wastewater Service Areas that have Received Certificates of Public Convenience and Necessity

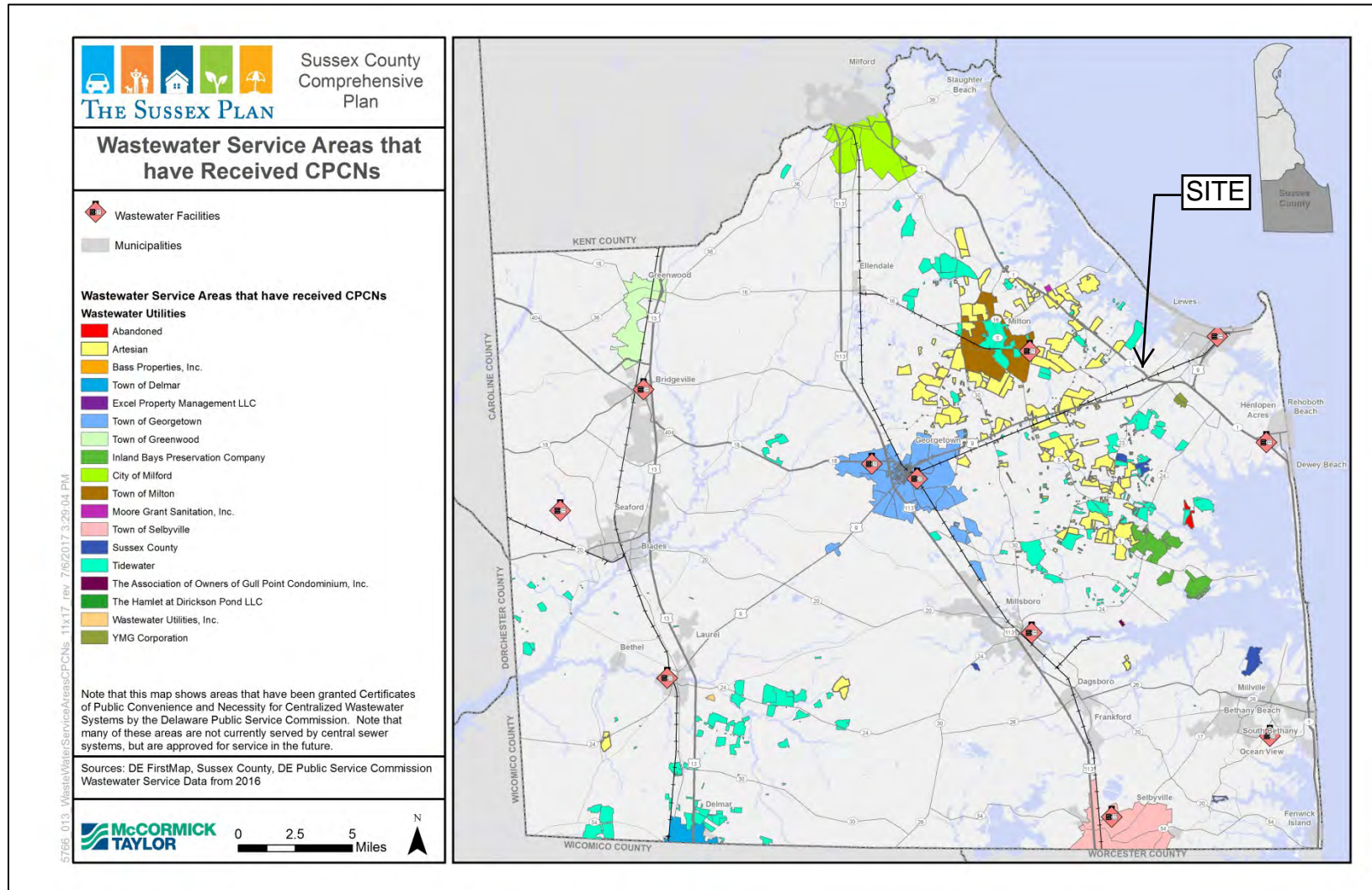
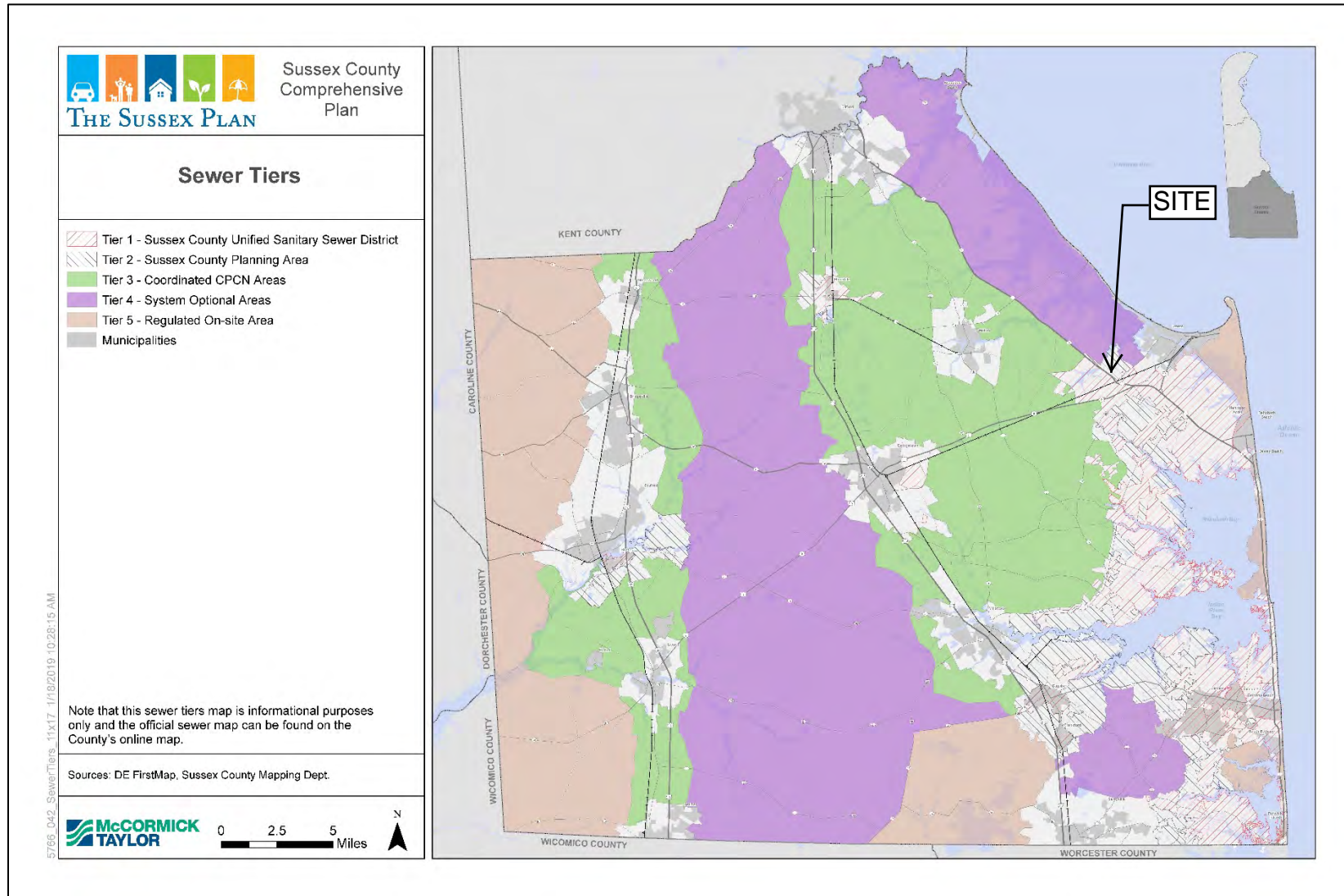
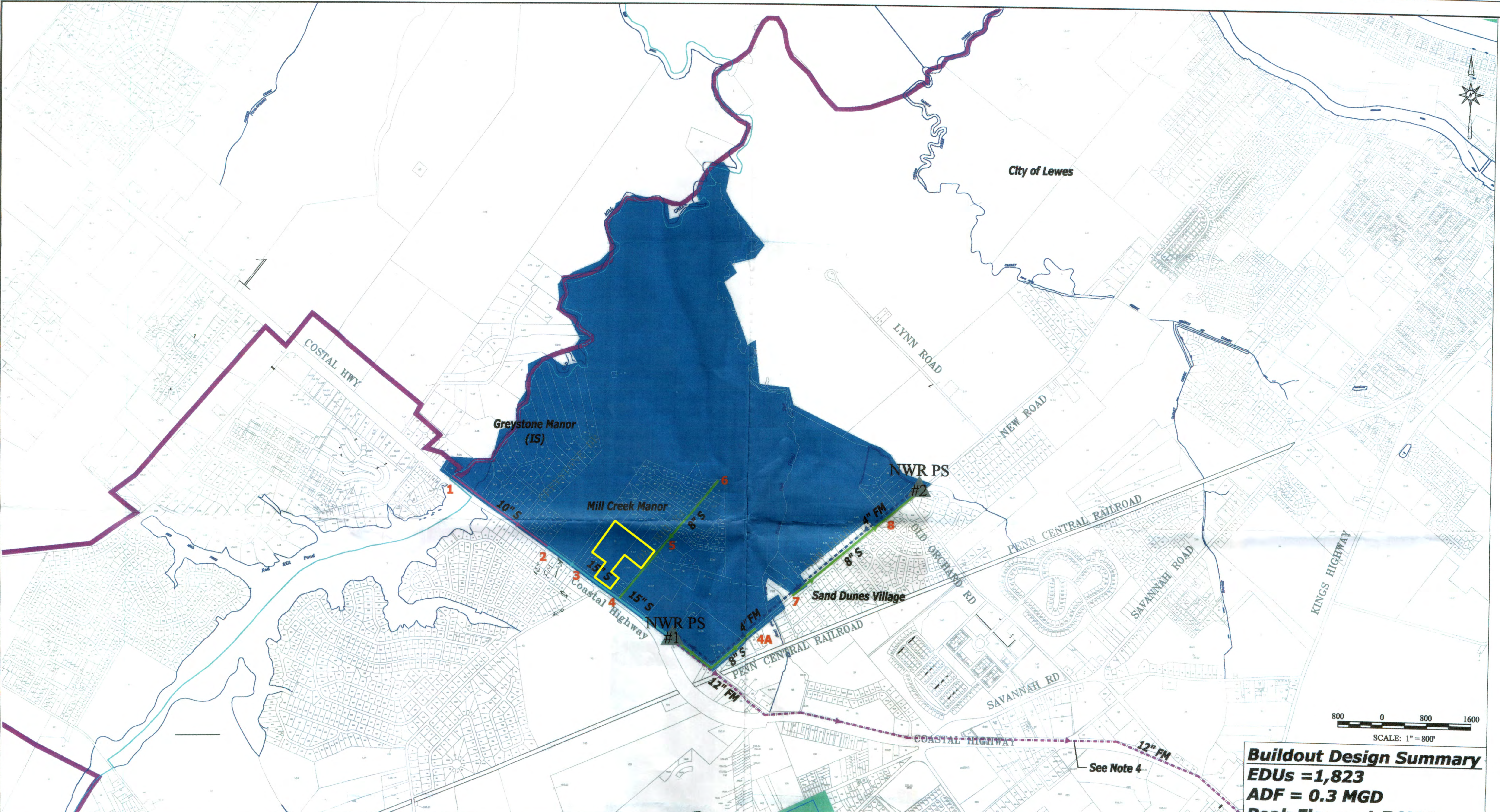


Figure 7.3-2 Sussex County Sewer Tier Map







**Buildout Design Summary**  
**EDUs = 1,823**  
**ADF = 0.3 MGD**  
**Peak Flow = 1.7 MGD**

**LEGEND**

|                |                       |                      |
|----------------|-----------------------|----------------------|
| 6" SEWER PIPE  | 2" SEWER FORCE MAIN   | 20" SEWER FORCE MAIN |
| 8" SEWER PIPE  | 2.5" SEWER FORCE MAIN | 24" SEWER FORCE MAIN |
| 10" SEWER PIPE | 4" SEWER FORCE MAIN   | 30" SEWER FORCE MAIN |
| 12" SEWER PIPE | 6" SEWER FORCE MAIN   |                      |
| 15" SEWER PIPE | 8" SEWER FORCE MAIN   |                      |
| 18" SEWER PIPE | 10" SEWER FORCE MAIN  |                      |
| 20" SEWER PIPE | 12" SEWER FORCE MAIN  |                      |
| 21" SEWER PIPE | 14" SEWER FORCE MAIN  |                      |
| 24" SEWER PIPE | 16" SEWER FORCE MAIN  |                      |
| 27" SEWER PIPE | 18" SEWER FORCE MAIN  |                      |
| 30" SEWER PIPE |                       |                      |

- Northern West Rehoboth Expansion Study Area
- ▲ Pump Station
- Inland Bays Planning Area Boundary with 600' ESDA Buffer
- 2 Node

| Proposed Pump Station | Buildout Design EDUs | PF   | Peak Flow (MGD) |
|-----------------------|----------------------|------|-----------------|
| (Regional) NWR IS#1   | 1823                 | 3.1  | 1.7             |
| NWR IS#2              | 204                  | 3.50 | 0.21            |

**NOTES:**

- 1) All regional pump stations in future study areas proposed to connect directly to treatment facility for the purpose of this study.
- 2) IS - Individual System: Mix Systems, Drip, Septic Systems, Mounds, combination.
- 3) CS - Community System: Normally managed by an individual corporation or association.
- 4) Exact route to WNRWF or redirection to IBRWF to be determined at future time when required.
- 5) ADF is based on treatment values of 150 gpd/EDU, while Peak Flow is peak hour based on 300 gpd/EDU (peaked in accordance with Ord. #38 Standards).



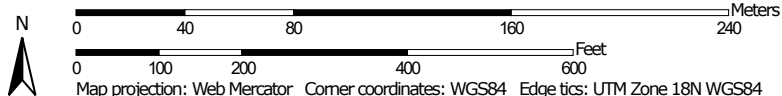
MARCH 2013

Soil Map—Sussex County, Delaware



Soil Map may not be valid at this scale.

Map Scale: 1:2,780 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

### Water Features



Streams and Canals

### Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

### Background



Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware

Survey Area Data: Version 18, Nov 13, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Mar 19, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

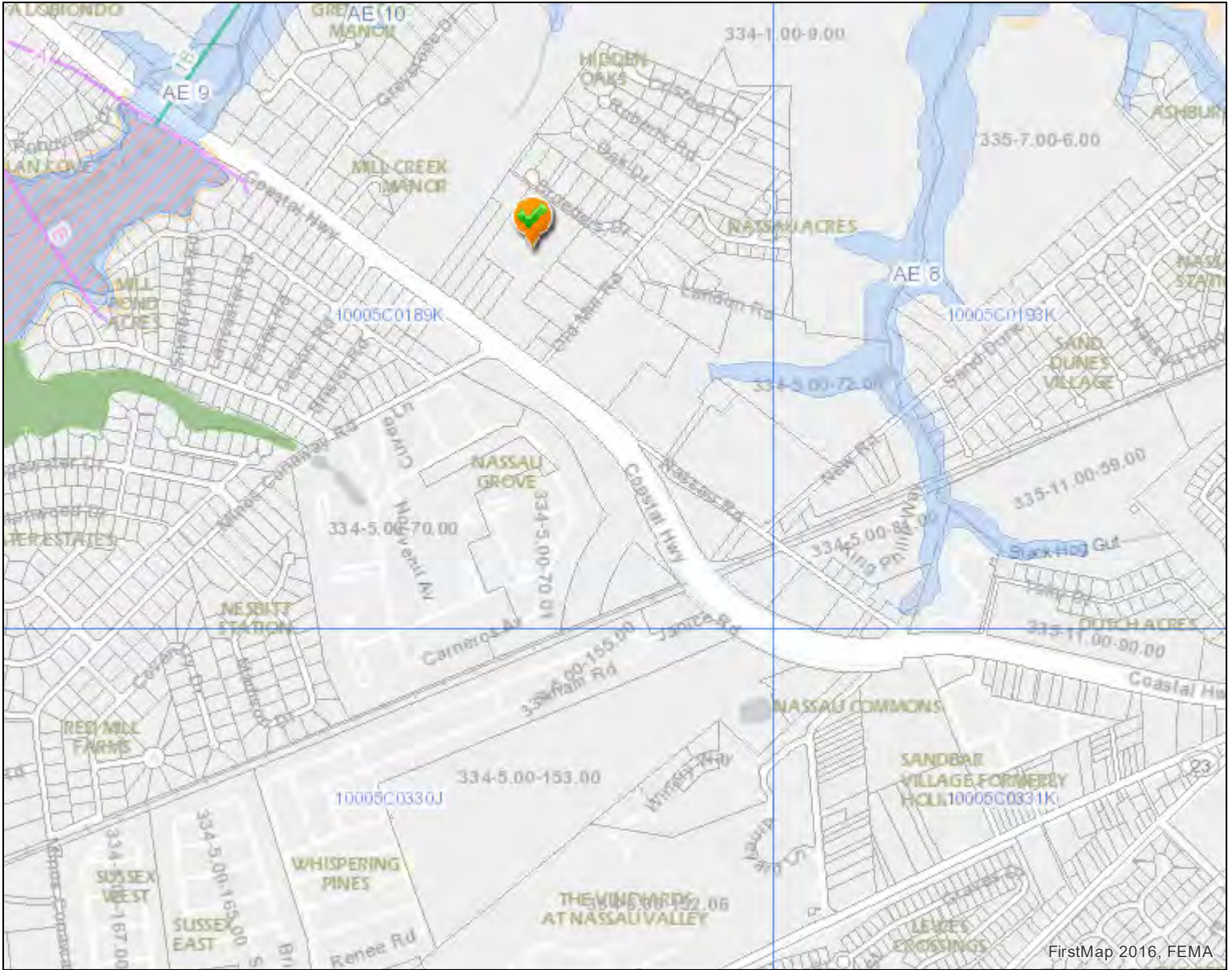
## Map Unit Legend

| Map Unit Symbol                    | Map Unit Name                               | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------------|----------------|
| EvB                                | Evesboro loamy sand, 0 to 5 percent slopes  | 1.6          | 11.5%          |
| FmA                                | Fort Mott loamy sand, 0 to 2 percent slopes | 12.2         | 84.8%          |
| HpA                                | Henlopen loamy sand, 0 to 2 percent slopes  | 0.0          | 0.1%           |
| RoB                                | Rosedale loamy sand, 2 to 5 percent slopes  | 0.5          | 3.6%           |
| <b>Totals for Area of Interest</b> |   | <b>14.3</b>  | <b>100.0%</b>  |



# Delaware Flood Planning Tool

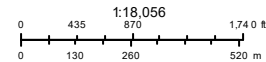
Location is **NOT WITHIN** the FEMA 100-year floodplain.  
Preliminary data does not exist.



FirstMap 2016, FEMA



Location of flood information



April 6, 2018

### Effective Flood Hazard Areas

- A
- AE
- AE, FLOODWAY
- AO
- VE
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- Base Flood Elevation
- LiMWA
- Cross Sections
- Transect

### Preliminary Flood Hazard

- A
- AE
- AE, FLOODWAY
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

### Contours

- INDEX
- DEPRESSION
- HIDDEN
- INTERVAL

Effective Flood Zone: X

Preliminary Flood Zone: n/a

FEMA Issued Flood Map: 10005C0189K

Effective Date: 3/15/2015

Watershed (HUC12):

Canary Creek-Broadkill River

**NOTES TO USERS**

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations** shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown on the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was State Plane Delaware zone (FIPSZONE 0700). The **horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of information shown on this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA, NNGS12  
National Geodetic Survey  
SSM-C, #9202  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

**Base map** information shown on this FIRM was provided in digital format by Delaware Geospatial Data Exchange. The base map features were compiled at a scale of 1:24,000 from aerial photography dated 2011.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

The AE Zone category has been divided by a **Limit of Moderate Wave Action (LIMWA)**. The LIMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LIMWA (or between the shoreline and the LIMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

Contact the **FEMA Map Information eXchange** at 1-877-336-2627 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Information eXchange may also be reached by Fax at 1-800-358-9620 and their website at <http://www.msc.fema.gov/>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-1111 (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/nfp>.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) LEGEND**

**10-01-1983 CBRS Area**  
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER OCTOBER 1, 1983, IN DESIGNATED CBRS AREAS.

**11-16-1990 CBRS Area**  
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER NOVEMBER 16, 1990, IN DESIGNATED CBRS AREAS.

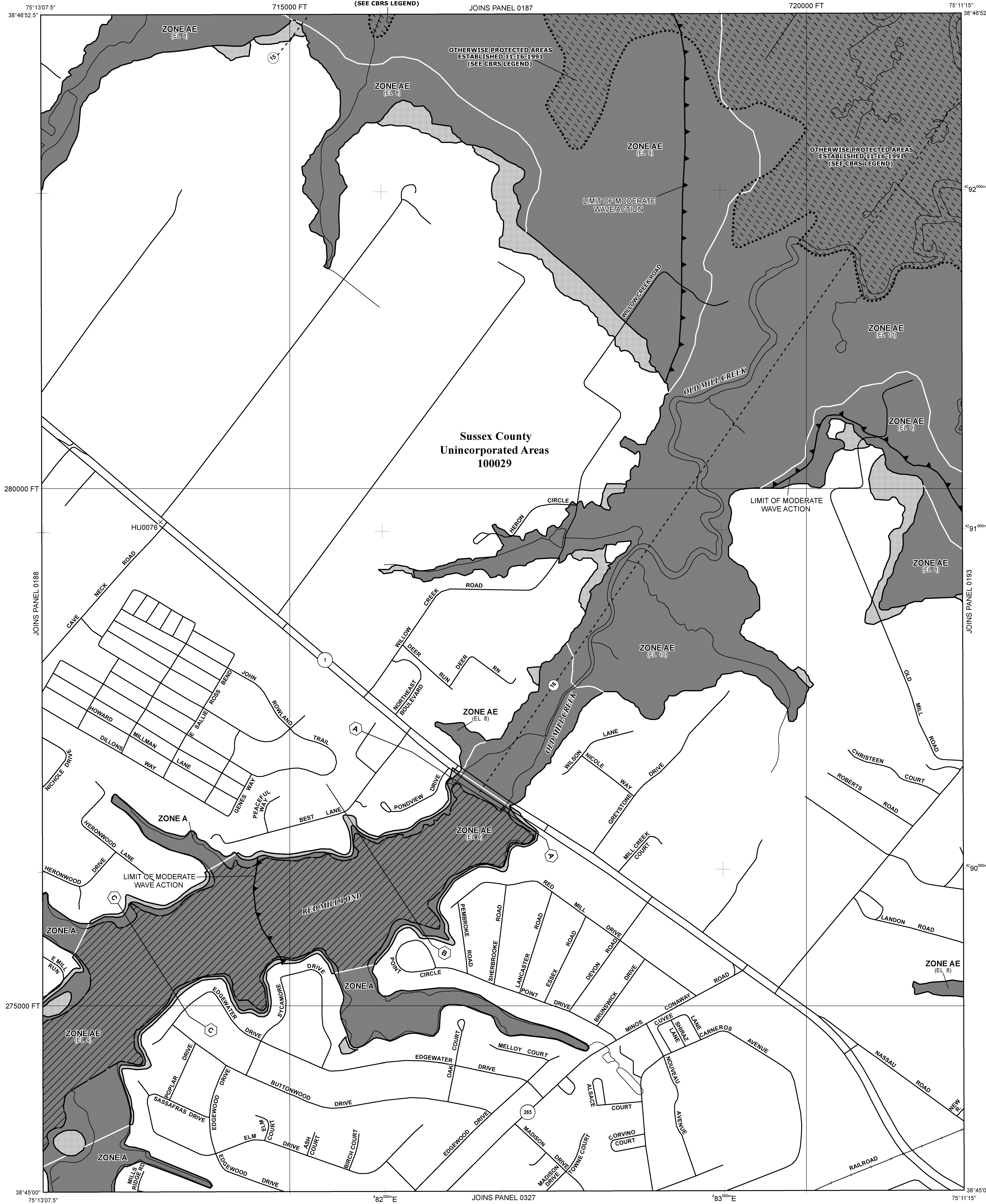
**10-01-1983 Otherwise Protected Area (OPA)**  
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER OCTOBER 1, 1983, IN DESIGNATED OPAs WITHIN THE CBRS.

**11-16-1990 Otherwise Protected Area (OPA)**  
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER NOVEMBER 16, 1990, IN DESIGNATED OPAs WITHIN THE CBRS.

**12-06-1999 Otherwise Protected Area (OPA)**  
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER DECEMBER 06, 1999, IN DESIGNATED OPAs WITHIN THE CBRS.

Boundaries of the **John H. Chafee Coastal Barrier Resources System (CBRS)** shown on this FIRM were transferred from the official CBRS source map(s) for this area and are depicted on this FIRM for informational purposes only. The official CBRS maps are enacted by Congress via the Coastal Barrier Resources Act, as amended, and maintained by the U.S. Fish and Wildlife Service (FWS). The official CBRS maps used to determine whether or not an area is located within the CBRS are available for download at <http://www.fws.gov>. For an official determination of whether or not an area is located within the CBRS, or for any questions regarding the CBRS, please contact the FWS field office for this area at (410) 573-4500.

OTHERWISE PROTECTED AREAS  
ESTABLISHED 11-16-1991  
(SEE CBRS LEGEND)



**LEGEND**

**SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

**FLOODWAY AREAS IN ZONE AE**  
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

**OTHER FLOOD AREAS**  
**ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

- OTHER AREAS**
- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
- OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Limit of Moderate Wave Action

513 (EL 987) Base Flood Elevation line and value; elevation in feet\*  
\* Referenced to the North American Vertical Datum of 1988

87°07'45", 32°22'30" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere

76°00'N 1000-meter Universal Transverse Mercator grid values, zone 18N

600000 FT 5000-foot grid values; Delaware State Plane coordinate system (FIPSZONE 0700), Transverse Mercator projection

DX5510 x Bench mark (see explanation in Notes to Users section of this FIRM panel)

M1.5 River Mile

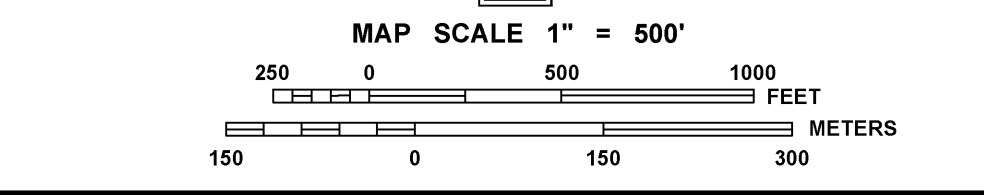
MAP REPOSITORY Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP June 16, 1995

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL See Notice to Users Page in FIS Report

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



PANEL 0189K

**FIRM FLOOD INSURANCE RATE MAP**

**SUSSEX COUNTY, DELAWARE AND INCORPORATED AREAS**

PANEL 189 OF 660  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

| COMMUNITY     | NUMBER | PANEL | SUFFIX |
|---------------|--------|-------|--------|
| SUSSEX COUNTY | 100029 | 0189  | K      |

NOTE: THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT ENABLING LEGISLATION.  
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER  
**1005C0189K**

MAP REVISED  
**MARCH 16, 2015**

Federal Emergency Management Agency



A Middlesex Water Company Affiliate

October 8, 2018

Colin M. Kraucunas, P.E.  
Hillcrest Associates  
PO Box 1180  
Hockessin, DE 19707

**RE: Willing & Able Letter – Nassau Property**

Dear Mr. Kraucunas:

Tidewater Utilities, Inc. (TUI) is willing and able to serve public water, *including fire protection*, to the following parcels identified as Tax Map & Parcel 334-1.00-15.00 and 334-1.00-15.03 based on the terms and conditions of a water service agreement to be negotiated and agreed upon by TUI and the owners of these parcel(s). Parcel 334-1.00-15.00 is located within TUI's Certificate of Public Convenience and Necessity (CPCN) franchised area.

Thus, in order to serve water to this project, TUI must apply for and receive a CPCN for parcel 334-10.00-15.03 from the Public Service Commission. Once the CPCN is granted and a water service agreement is finalized, TUI is legally able to provide the development with water service.

Enclosed please find a sheet entitled "Petition for Inclusion in Tidewater Utilities, Inc. Water Service Territory". Please have the current owner(s) of parcels 334-1.00-15.03 sign the petition and return the original to TUI, Attn: Emily Opdyke. The signed petition from the landowner is an important and necessary first step in the CPCN application submittal process.

Water service will be provided under the conditions and terms stated in the water service agreement between TUI and the parcel owners. TUI will evaluate the most economically feasible method of providing domestic and fire protection water service to this project. Once the method of water service is determined, TUI will conduct a cost analysis that will determine the financial terms of the water service agreement.

Please send a preliminary site plan and construction schedule to TUI. For planning purposes, I also need to know when you expect you will need the first draft of the water service agreement from TUI. Please feel free to contact me at 302-747-1334 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

**TIDEWATER UTILITIES, INC.**

Emily R. Opdyke  
Planning & Development Assistant

cc: Kirsten E. Higgins, Tidewater Utilities, Inc.

# TIDEWATER

UTILITIES, INC.

A Middlesex Water Company Affiliate

We the undersigned, request to be included in the water service territory of Tidewater Utilities, Inc. for the following property/properties:

Tax Parcel Number(s): 334-1.00-15.03  
Property Owner(s): Susan N. Moore  
Mailing Address: 14492 Oyster Roads Road  
Milton, DE 19968  
Property Address: NW SD Rt. 265A, NE Rt. 1

Owner's Signature(s):  \_\_\_\_\_ Date: \_\_\_\_\_

Print Name:  \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

Owner's Signature(s):  \_\_\_\_\_ Date: \_\_\_\_\_

Print Name:  \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

**ALL LEGAL OWNERS OF THE PARCEL MUST SIGN FOR THE PETITION TO BE VALID.  
FOR PARCELS OWNED BY INDIVIDUALS SIMPLY INDICATE OWNER AS TITLE.  
FOR PARCELS OWNED BY CORPORATIONS, LLC'S OR OTHER ENTITIES, PLEASE PROVIDE  
DOCUMENTATION OF SIGNER'S AUTHORIZATION.**

I UNDERSTAND THAT BY SIGNING THIS PETITION MY PROPERTY MAY HAVE TO REMAIN IN TIDEWATER UTILITIES, INC. SERVICE TERRITORY PERMANENTLY. I ALSO UNDERSTAND THAT IT MAY AFFECT MY ABILITY TO OBTAIN A PERMIT FOR A NEW WELL. IF YOU HAVE ANY QUESTIONS, COMMENTS, OR CONCERNS, PLEASE CONTACT THE PUBLIC SERVICE COMMISSION AT (302) 736-7500 (in Delaware, call 800-282-8574).

Return to:  
Tidewater Utilities, Inc.  
1100 South Little Creek Road  
Dover, DE 19901  
Attn: Joe Cuccinello



BRANDY BENNETT NAUMAN  
HOUSING COORDINATOR &  
FAIR HOUSING COMPLIANCE OFFICER  
(302) 855-7777 T  
(302) 854-5397 F  
bnauman@sussexcountyde.gov



**Sussex County**  
DELAWARE  
sussexcountyde.gov

June 12, 2019

Mr. Sean Allen  
Nassau DE Acquisition Co., LLC  
1201 N. Orange Street, Suite 300  
Wilmington, DE 19801

RE: Affordable Housing in Sussex County

Dear Mr. Allen:

Thank you for your interest in promoting affordable housing opportunities in Sussex County. Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. The Sussex County Affordable Housing Support Policy, which outlines the County's mission and guidelines to promote affordable housing is enclosed for review.

In this regard, developers and financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations. Using the guidelines outlined in the Affordable Housing Support Policy, the Nassau Property project in Lewes qualifies for support from Sussex County Community Development & Housing ("CD&H"). On March 12, 2019, Nassau DE Acquisition Co., LLC ("Applicant") submitted an application for the Nassau Property under the Sussex County Rental Program ("SCRIP"). On March 27, 2019, CD&H granted the project preliminary approval for participation in the SCRIP. This pre-approval has no bearing on whether the project will receive the necessary land-use approvals from Sussex County; it only allows the project to process through that process in accordance with Chapter 72 of the Code of Sussex County. As presented, the project will set-aside 21 of 168 proposed dwelling units as affordable rental units under the SCRIP. The Applicant signed an Acknowledgement of Participation in the Sussex County Affordably Priced Rental Unit Program Agreement on April 30, 2019, recorded on May 1, 2019. The project's Parcel Identification Numbers are 334-1.00-15.00 and 334-1.00-15.03 and is identified as an Area of Opportunity per the Delaware State Housing Authority's QAP Mapping System.



COUNTY ADMINISTRATIVE OFFICES WEST COMPLEX  
22215 DUPONT BOULEVARD | PO BOX 589  
GEORGETOWN, DELAWARE 19947

Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes. **This letter does not exempt a developer from the County's planning and zoning process, nor guarantee approval through that process.**

The Community Development and Housing Department is pleased that a developer has elected to pursue development under the Sussex County Rental Program. On behalf of the CD&H, we look forward to cooperating with you and your project as it moves forward.

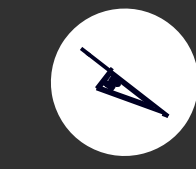
Sincerely,



Brandy B. Nauman  
*Housing Coordinator &  
Fair Housing Compliance Officer*

Enclosure





REAR END 7  
HEAD ON 3  
ANGLE 41  
SIDESWIPE 10

REAR END 26  
ANGLE 15  
SIDESWIPE 1

ANGLE 2  
BICYCLE 1

REAR END 3  
HEAD ON 1  
ANGLE 9  
SIDESWIPE 1  
BICYCLE 2

REAR END 1  
BICYCLE 1

REAR END 15  
ANGLE 9  
SIDESWIPE 1

REAR END 3  
ANGLE 4  
SIDESWIPE 2

REAR END 7  
ANGLE 21  
SIDESWIPE 9

REAR END 1  
ANGLE 2  
SIDESWIPE 2

### 3.0 PROPOSED FINDINGS OF FACT

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1. This is an application that is requesting to rezone the 15.162-acre parcel from AR-1 & C2 to HR-1 (High Density Residential) and construct a multifamily development through the Sussex County Rental Program (SCRIP). The subject land is located on the northeast side of Delaware Route 1, opposite Minos Conaway Road (Sussex Road 265), and on the northwest side of Old Mill Road (Sussex Road 265A).
2. The subject parcels are owned by the following;
  - 334-1.00-15.00  
Hagan Herman G Trustee & Patricia R Hagan Trustee  
Milton, DE 19968  
Book: 4727 Page: 304
  - 334-1.00-15.03  
Susan N Moore  
14492 Oyster Rocks Road  
Milton, DE 19968  
Book: 1981 Page: 20
3. The equitable owner of the subject parcels is Nassau DE Acquisition Co., LLC
4. Table 4.5-2 of the Sussex County Comprehensive plan defines applicable zoning districts for each future land use plan category. As stated above, this parcel is located within a Coastal area which according to the Comprehensive Plan depicts HR-1 High Density Residential as an applicable zoning district.
5. This one hundred and sixty-eight (168) unit multi-family developed is permitted under the HR-1 RPC zone.
6. Classified within the 2018 Sussex County Comprehensive Plan as a Coastal area as described within the Land Use Element and Future Land use plan. Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. A range of housing types are permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Medium and higher density (4-12 units per acre) can be supported in areas: where there is central water and sewer; near sufficient commercial uses and employment centers; where it is in keeping with the character of the area; where it is along a main road or at/or near a major intersection; where there is adequate Level of Service; or where other considerations exist that are relevant to the requested project and density. This project will be providing housing affordable to county residents who work in the 'Coastal Area' as defined by the County's 2018 Comprehensive Plan. The need for more affordable housing options in this area of

the County is acute and well documented. In addition, this site is located within a DSHA-defined 'Area of Opportunity', which are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help households succeed. Since these same areas contain little affordable housing, the County incorporated their intent to expand affordable housing opportunities within 'Areas of Opportunity' into their 2018 Comprehensive Plan. The Strategies for State Policies and Spending predominantly identify the parcels as lying within Investment Level 3, with only the very rear portion of the property located within Investment Level 4.

7. The proposed project will be served by Tidewater Utilities and sewer service will be provided by contract with the Sussex County. This project will require the expansion of the Northern West Rehoboth Area, into a Primary County Service Area for sewer service.
8. With the conditions and stipulations placed upon this Conditional Use / rezoning approval, there will be no adverse impact on neighboring properties or adjacent properties.
9. This rezoning does not affect the public's health, safety and welfare.

#### 4.0 PROPOSED CONDITIONS

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1. The project shall be restricted to the improvements presented as part of this application.
2. The maximum number of apartment units shall not exceed 168.
3. The building height shall be limited to 3 stories and 42 feet. This limitation shall not apply to pitched roofs or chimneys, vents, elevator towers or similar items.
4. As offered by the Applicant, 21 of the units shall be offered for rent under the Sussex County Rental Program (SCRIP) to provide affordable housing.
5. Recreational amenities, including the clubhouse, outdoor swimming pool and deck, Tennis, Pickle Ball and Bocce Ball Courts and a Grill/Picnic Area are to be completed prior to issuance of a building permit for fourth multi-family building.
6. The proposed Architecture will be in general conformance with the architectural designs included in this Project Development Book. Final designs will be provided to the Sussex County Planning and Zoning Department prior to building permit approval to ensure adherence. If the Planning and Zoning Department determines that the final designs are not in compliance then they will have to be submitted to the Planning and Zoning Commission for approval.
7. The Applicant or its assigns shall be responsible for the maintenance of interior drives and parking areas, buildings, buffers, stormwater management, recreational amenities and all open space.
8. All entrances, intersections, interconnections, roadways and multi-modal improvements required by DeIDOT shall be completed in accordance with DeIDOT's requirements.
9. Interior street design shall meet or exceed Sussex County's street design requirements.
10. Road naming and addressing shall be subject to the review and approval of Sussex County Mapping and Addressing Departments.
11. The RPC shall be served as part of a Sussex County Sanitary Sewer District. The Developer shall comply with all requirements and specifications of the County Engineering Department.
12. The RPC shall be served by central water.
13. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with all applicable State and County requirements. These facilities shall be operated in a manner that is consistent with Best Management Practices.

14. 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.
15. The Final Site Plan shall include a landscape plan for all of the buffer areas, showing all of the landscaping and vegetation to be included in the buffer areas.
16. As offered by the Applicant, a voluntary 50-foot landscaped or wooded buffer including a privacy fence shall be established along the boundary of the site adjacent to the Broeders Drive Right of Way.
17. All lighting shall be screened from adjacent residential properties.
18. If requested by the local school district, a school bus stop shall be provided. The location of the bus stop area shall be shown on the Final Site Plan.
19. Construction activities, including site work and deliveries, shall only occur between 7:30 am and 7:00 pm Monday through Friday, and 8:00 am through 5:00 pm on Saturdays.



**PLANNING & ZONING COMMISSION**

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



**Sussex County**

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

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date: June 27, 2019

Application: CZ 1883 OA-BP Marina Bay-Lakeside, LLC.

Applicant/Owner: OA-BP Marina Bay-Lakeside, LLC  
18949 Coastal Hwy, Unit 301  
Rehoboth Beach, DE 19971

Site Location: The Peninsula on Indian River Bay. Southeast corner of the intersection of Bay Farm Rd. and Trinity Rd.

Current Zoning: MR-RPC (Medium Density Residential Planned Community)

Proposed Use: Change to the distribution of the number regarding the types of units allowed.

Comprehensive Land Use Plan Reference: Mixed Residential and Environmentally Sensitive Developing Areas

Councilmatic District: Mr. Hudson

School District: Indian River School District

Fire District: Indian River Fire District

Sewer: Sussex County

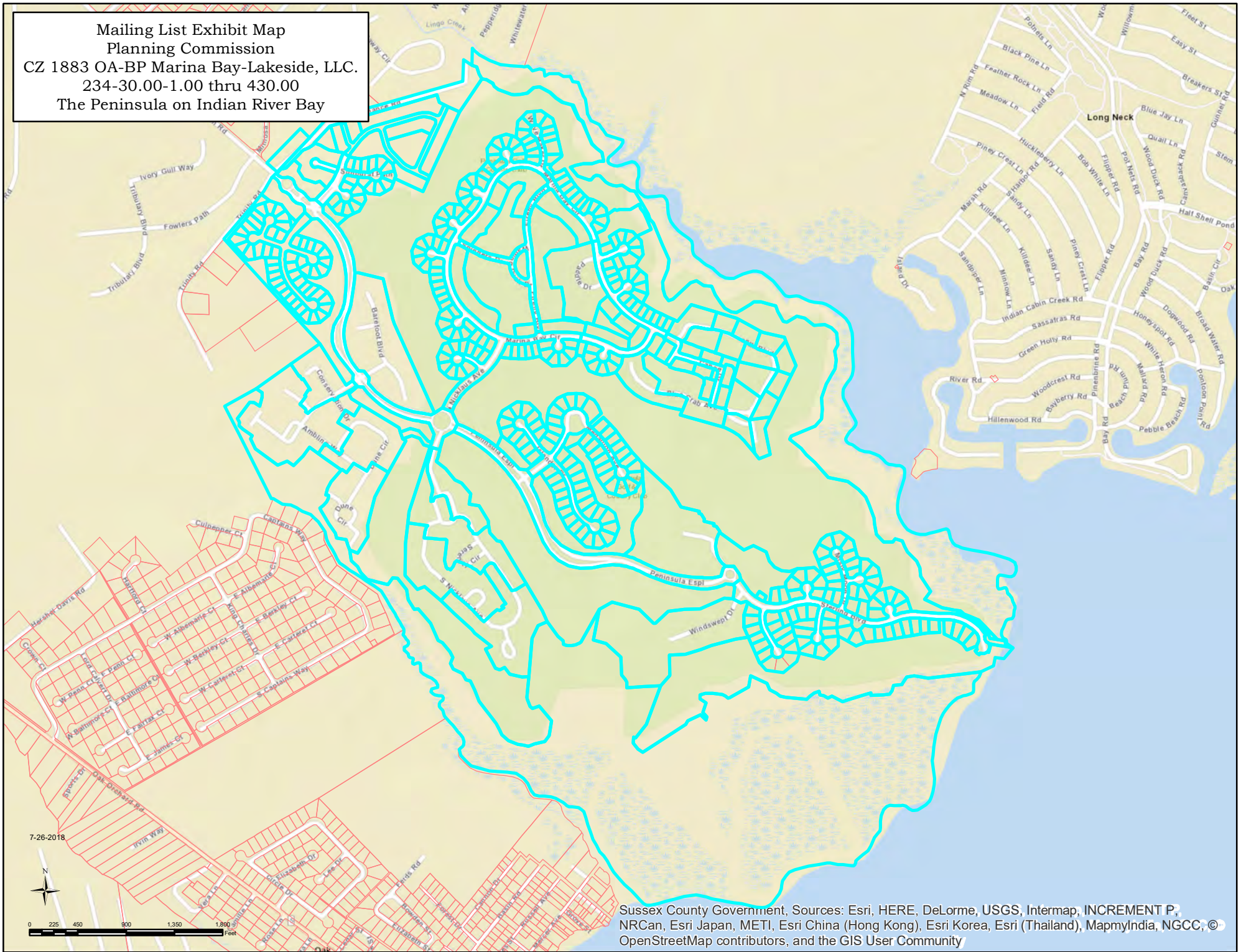
Water: Tidewater Utilities

Site Area: 787.787 acres +/-

Tax Map ID.: 234-30.00-1.00 through 430.00

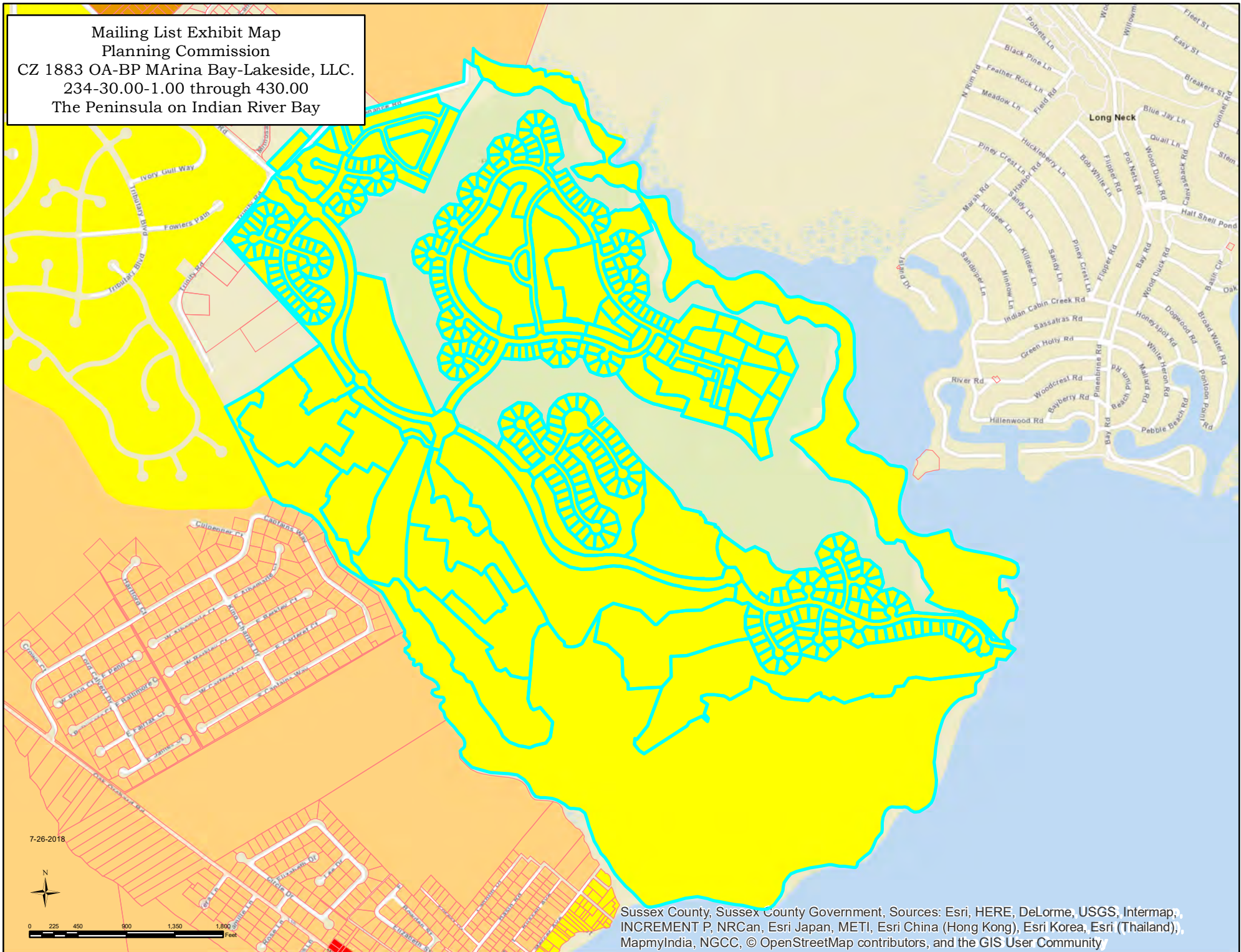


Mailing List Exhibit Map  
Planning Commission  
CZ 1883 OA-BP Marina Bay-Lakeside, LLC.  
234-30.00-1.00 thru 430.00  
The Peninsula on Indian River Bay



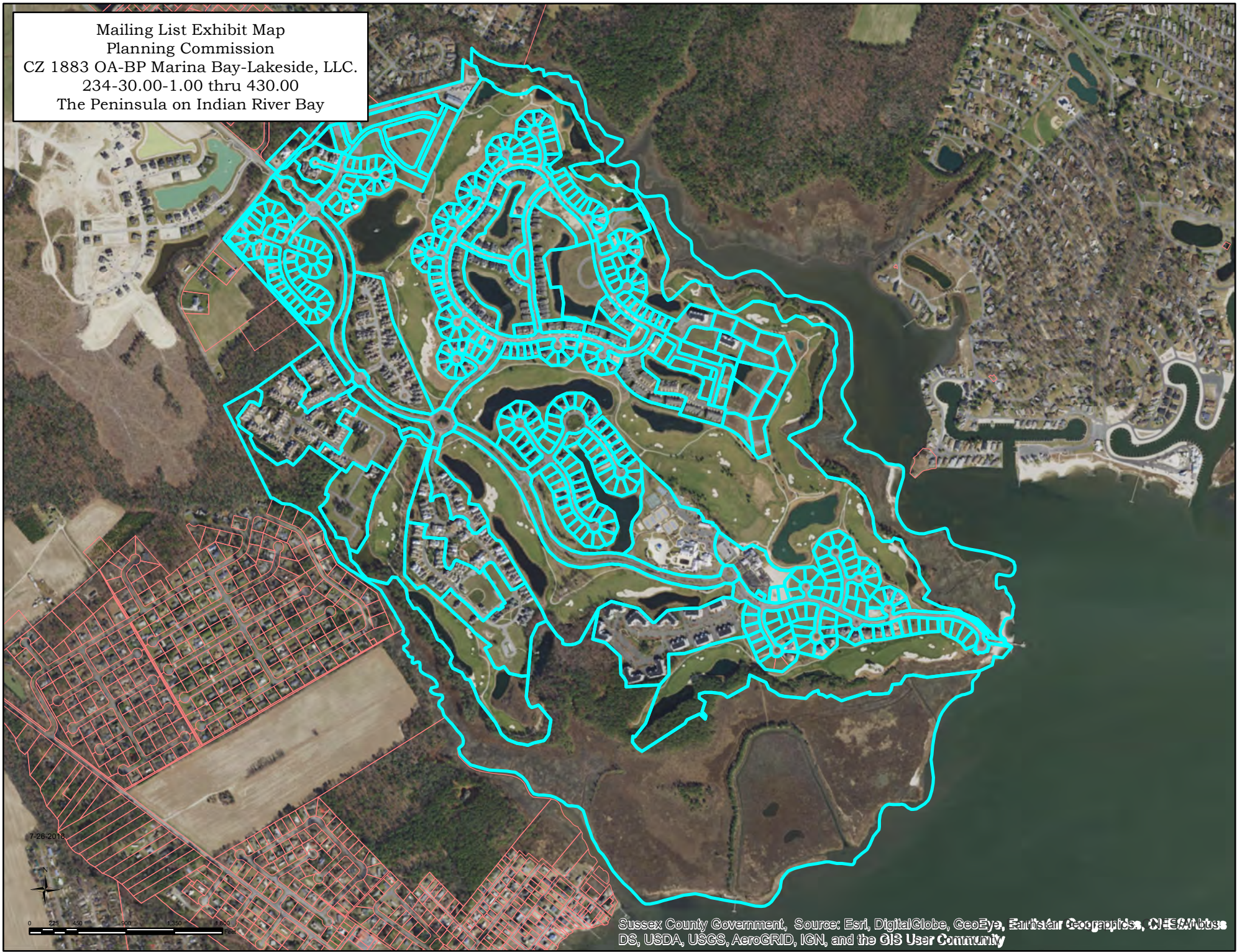
Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Mailing List Exhibit Map  
Planning Commission  
CZ 1883 OA-BP Marina Bay-Lakeside, LLC.  
234-30.00-1.00 through 430.00  
The Peninsula on Indian River Bay



Sussex County, Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Mailing List Exhibit Map  
Planning Commission  
CZ 1883 OA-BP Marina Bay-Lakeside, LLC.  
234-30.00-1.00 thru 430.00  
The Peninsula on Indian River Bay



**PLANNING & ZONING**

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



**Sussex County**

DELAWARE  
sussexcountype.gov

# Memorandum

To: Sussex County Planning Commission Members  
From: Jamie Whitehouse, AICP, Planning & Zoning Manager  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: June 20, 2019  
RE: Staff Analysis for CZ 1883 OA-BP Marina Bay-Lakeside LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1883 OA-BP Marina Bay-Lakeside, LLC to be reviewed during the June 27, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is to revise Condition # 1 of Ordinance 1573 to change the mixture of housing types permitted within the “Peninsula” Medium Density Residential Planned Community (MR-RPC). The proposed changes to the housing distribution/mix are summarized below:

| Housing Type                           | Existing Permitted | Proposed | Difference |
|--|--------------------|----------|------------|
| Single-Family Lots                     | 323                | 358      | +35        |
| Single-Family Detached<br>Condominiums | 378                | 388      | +10        |
| Single-family Attached<br>Townhouses   | 325                | 270      | -55        |
| Multi-family Units                     | 378                | 378      | 0          |
| Totals                                 | 1404               | 1394     | -10        |

The application site is a 787.787 acre +/- tract of land located at the southeast corner of the intersection of Bay Farm Rd. and Trinity Rd. The Tax Parcel ID is 234-30.00-1.00 through 430.00.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the property has the land use designation of Coastal Area.

The Sussex County Comprehensive Plan identifies that Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units.





*Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheelerton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.*

March 13, 2019

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Ms. Janelle Cornwell  
Planning Director

RE: The Peninsula on Indian River Bay  
Condition Amendment  
DBF #1319A012.B01

RECEIVED

MAR 15 2019

SUSSEX COUNTY  
PLANNING & ZONING

Dear Ms. Cornwell:

On behalf of our clients, OA-BP Marina Bay-Lakeside, LLC, we are submitting this request to revise condition one of Ordinance 1573 for the above referenced project.

The current condition reads:

1. The maximum number of units shall not exceed 1,404 units comprised, as follows:
  - a. 323 Single-Family Lots
  - b. 378 Single-Family Detached Condominiums
  - c. 325 Single-Family Attached Townhouses
  - d. 378 Multi-Family Units

Proposed revised condition would read:

1. The maximum number of units shall not exceed 1,394 units comprised, as follows:
  - a. 358 Single-Family Lots
  - b. 388 Single-Family Detached Condominiums
  - c. 270 Single-Family Attached Townhouses
  - d. 378 Multi-Family Units

This request would decrease the number of townhouses and increase the number of single-family lots and single-family detached condominiums which will also decrease the total allowable units from 1,404 to 1,394.

Ms. Janelle Cornwell  
March 13, 2019  
Page 2 of 2

This request is based on the demand of single-family units and the market that exists today. Please find enclosed a list of tax map numbers that includes all the parcels within the above-referenced project. We have also enclosed 3 copies of the master plan that depicts existing conditions based on current Ordinance 1573. A check for \$500.00 is also enclosed for the Change of Condition fee.

Following your review and acceptance of the enclosed information, please place this on the next available meeting agenda for the Planning Commission. Should you have any questions or need additional information, please feel free to call me at (302) 424-1441.

Sincerely,  
DAVIS, BOWEN & FRIEDEL, INC.

A handwritten signature in black ink, appearing to read 'W. Zachary Crouch', written over a white background.

W. Zachary Crouch, P.E.  
Principal

Enclosures

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

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **6/10/2019**

APPLICATION: **CZ 1883 OA-BP Marina Bay-Lakeside, LLC**

APPLICANT: **OA-BP Marina Bay-Lakeside, LLC**

FILE NO: **OM-7.12**

TAX MAP &  
PARCEL(S): **234-30.00-1.00 through 430.00**

LOCATION: **The Peninsula on Indian River Bay. Southeast corner of the intersection of Bay Farm Road and Trinity Road.**

NO. OF UNITS: **Requesting change to the distribution of the number regarding the types of units allowed.**

GROSS  
ACREAGE: **787.787**

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No 
  - a. If yes, see question (2).
  - b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 1**
- (3). Is wastewater capacity available for the project? **Yes, As Proposed** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **Nicole Bixby** at **302-855-7719** for additional information on charges.



- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **Any increase in the number of EDU's will result in the need for a "Use of Existing Infrastructure Agreement"**.
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:

  
\_\_\_\_\_  
John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
Nicole Bixby



RECEIVED

JUN 10 2019

SUSSEX COUNTY  
PLANNING & ZONING

## MEMORANDUM

TO: Janelle M. Cornwell  
FROM: Debbie Absher, Director of Ag Programs  
SUBJECT: LUPA  
DATE: June 11, 2019

Attached you will find the comments for the following proposed zoning changes:

- CU 2177 – Ingrid Hopkins
- CZ 1882 – Nassau DE Acquisitions Co., LLC
- CZ 1883 – OA-BP Marina Bay-Lakeside

If you have any questions, I can be reached at 856-3990, ext. 3.

BJH

Enclosures



**CZ 1883**

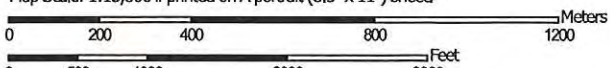
**TM #234-34-30.00-1.00 through 430.00**

**OA-BP Marina Bay-Lakeside, LLC**

Soil Map—Sussex County, Delaware  
(OA-BP Marina Bay-Lakeside, LLC)



Map Scale: 1:15,800 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84








































Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

6/10/2019  
Page 1 of 3

## MAP LEGEND

-  Area of Interest (AOI)
-  Area of Interest (AOI)
- Soils**
-  Soil Map Unit Polygons
-  Soil Map Unit Lines
-  Soil Map Unit Points
- Special Point Features**
-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot
-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features
- Water Features**
-  Streams and Canals
- Transportation**
-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware  
Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

| Map Unit Symbol                    | Map Unit Name   | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------------|----------------|
| Br                                 | Broadkill mucky peat, very frequently flooded, tidal              | 76.6         | 9.8%           |
| DnA                                | Downer loamy sand, 0 to 2 percent slopes                          | 45.4         | 5.8%           |
| DndB                               | Downer loamy sand, 2 to 5 percent slopes, Northern Tidewater Area | 21.7         | 2.8%           |
| FhB                                | Fort Mott-Henlopen complex, 2 to 5 percent slopes                 | 24.5         | 3.1%           |
| FmA                                | Fort Mott loamy sand, 0 to 2 percent slopes                       | 122.8        | 15.7%          |
| FmB                                | Fort Mott loamy sand, 2 to 5 percent slopes                       | 127.2        | 16.3%          |
| GaB                                | Galestown loamy sand, 0 to 5 percent slopes                       | 0.6          | 0.1%           |
| HmA                                | Hammonton loamy sand, 0 to 2 percent slopes                       | 115.9        | 14.8%          |
| HpB                                | Henlopen loamy sand, 2 to 5 percent slopes                        | 9.1          | 1.2%           |
| HuA                                | Hurlock loamy sand, 0 to 2 percent slopes                         | 11.3         | 1.5%           |
| HvA                                | Hurlock sandy loam, 0 to 2 percent slopes                         | 9.7          | 1.2%           |
| IeA                                | Ingleside loamy sand, 0 to 2 percent slopes                       | 108.4        | 13.9%          |
| IeB                                | Ingleside loamy sand, 2 to 5 percent slopes                       | 7.3          | 0.9%           |
| KsA                                | Klej loamy sand, 0 to 2 percent slopes                            | 11.0         | 1.4%           |
| PpA                                | Pepperbox loamy sand, 0 to 2 percent slopes                       | 23.6         | 3.0%           |
| Pu                                 | Purnell peat, very frequently flooded, tidal                      | 28.5         | 3.7%           |
| RoA                                | Rosedale loamy sand, 0 to 2 percent slopes                        | 19.9         | 2.6%           |
| W                                  | Water   | 7.9          | 1.0%           |
| WFg3                               | Tingles-Figgs complex, 2 to 3 meter water depth                   | 2.3          | 0.3%           |
| WHe1                               | Herring Creek mucky silt loam, 0 to 1 meter water depth           | 1.2          | 0.2%           |
| WPa2                               | Pasture Point loamy fine sand, 1 to 2 meter water depth           | 5.6          | 0.7%           |
| <b>Totals for Area of Interest</b> |   | <b>780.6</b> | <b>100.0%</b>  |

## Selected Soil Interpretations

This report allows the customer to produce a report showing the results of the soil interpretation(s) of his or her choice. It is useful when a standard report that displays the results of the selected interpretation(s) is not available.

When customers select this report, they are presented with a list of interpretations with results for the selected map units. The customer may select up to three interpretations to be presented in table format.

For a description of the particular interpretations and their criteria, use the "Selected Survey Area Interpretation Descriptions" report.

### Report—Selected Soil Interpretations

| Selected Soil Interpretations--Sussex County, Delaware                 |                  |                                    |       |                                    |       |  |       |
|--|------------------|------------------------------------|-------|------------------------------------|-------|--|-------|
| Map symbol and soil name   | Pct. of map unit | ENG - Dwellings W/O Basements      |       | ENG - Dwellings With Basements     |       | ENG - Septic Tank Absorption Fields (DE) |       |
|  |                  | Rating class and limiting features | Value | Rating class and limiting features | Value | Rating class and limiting features       | Value |
| Br—Broadkill mucky peat, very frequently flooded, tidal                |                  |                                    |       |                                    |       |  |       |
| Broadkill, very frequently flooded, tidal                              | 70               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Ponding                            | 1.00  | Ponding                            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  | Flooding                           | 1.00  | Flooding                           | 1.00  | Ponding                                  | 1.00  |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Flooding                                 | 1.00  |
|  |                  | Shrink-swell                       | 0.12  |                                    |       | Restricted permeability                  | 1.00  |
| DnA—Downer loamy sand, 0 to 2 percent slopes                           |                  |                                    |       |                                    |       |  |       |
| Downer   | 80               | Not limited                        |       | Not limited                        |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.99  |
| DndB—Downer loamy sand, 2 to 5 percent slopes, Northern Tidewater Area |                  |                                    |       |                                    |       |  |       |
| Downer   | 80               | Not limited                        |       | Not limited                        |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.99  |

| Selected Soil Interpretations--Sussex County, Delaware |                  |                                    |       |                                    |       |  |       |
|--|------------------|------------------------------------|-------|------------------------------------|-------|--|-------|
| Map symbol and soil name                               | Pct. of map unit | ENG - Dwellings W/O Basements      |       | ENG - Dwellings With Basements     |       | ENG - Septic Tank Absorption Fields (DE) |       |
|  |                  | Rating class and limiting features | Value | Rating class and limiting features | Value | Rating class and limiting features       | Value |
| FhB—Fort Mott-Henlopen complex, 2 to 5 percent slopes  |                  |                                    |       |                                    |       |  |       |
| Fort mott  | 45               | Not limited                        |       | Not limited                        |       | Somewhat limited                         |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.50  |
| Henlopen   | 35               | Not limited                        |       | Not limited                        |       | Not limited                              |       |
| FmA—Fort Mott loamy sand, 0 to 2 percent slopes        |                  |                                    |       |                                    |       |  |       |
| Fort mott  | 80               | Not limited                        |       | Not limited                        |       | Somewhat limited                         |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.50  |
| FmB—Fort Mott loamy sand, 2 to 5 percent slopes        |                  |                                    |       |                                    |       |  |       |
| Fort mott  | 80               | Not limited                        |       | Not limited                        |       | Somewhat limited                         |       |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 0.50  |
| GaB—Galestown loamy sand, 0 to 5 percent slopes        |                  |                                    |       |                                    |       |  |       |
| Galestown  | 80               | Not limited                        |       | Not limited                        |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Filtering capacity                       | 1.00  |
| HmA—Hammonton loamy sand, 0 to 2 percent slopes        |                  |                                    |       |                                    |       |  |       |
| Hammonton  | 80               | Somewhat limited                   |       | Very limited                       |       | Very limited                             |       |
|  |                  | Depth to saturated zone            | 0.39  | Depth to saturated zone            | 1.00  | Depth to saturated zone                  | 1.00  |
| HpB—Henlopen loamy sand, 2 to 5 percent slopes         |                  |                                    |       |                                    |       |  |       |
| Henlopen   | 80               | Not limited                        |       | Not limited                        |       | Not limited                              |       |



| Selected Soil Interpretations--Sussex County, Delaware |                  |                                    |       |                                    |       |  |       |
|--|------------------|------------------------------------|-------|------------------------------------|-------|--|-------|
| Map symbol and soil name                               | Pct. of map unit | ENG - Dwellings W/O Basements      |       | ENG - Dwellings With Basements     |       | ENG - Septic Tank Absorption Fields (DE) |       |
|  |                  | Rating class and limiting features | Value | Rating class and limiting features | Value | Rating class and limiting features       | Value |
| HuA—Hurlock loamy sand, 0 to 2 percent slopes          |                  |                                    |       |                                    |       |  |       |
| Hurlock, undrained                                     | 40               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Ponding                            | 1.00  | Ponding                            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Ponding                                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| Hurlock, drained                                       | 40               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| HvA—Hurlock sandy loam, 0 to 2 percent slopes          |                  |                                    |       |                                    |       |  |       |
| Hurlock, drained                                       | 42               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Ponding                            | 1.00  | Ponding                            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Ponding                                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| Hurlock, undrained                                     | 38               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Ponding                            | 1.00  | Ponding                            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Ponding                                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| leA—Ingleside loamy sand, 0 to 2 percent slopes        |                  |                                    |       |                                    |       |  |       |
| Ingleside  | 75               | Not limited                        |       | Somewhat limited                   |       | Very limited                             |       |
|  |                  |                                    |       | Depth to saturated zone            | 0.73  | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| leB—Ingleside loamy sand, 2 to 5 percent slopes        |                  |                                    |       |                                    |       |  |       |
| Ingleside  | 75               | Not limited                        |       | Somewhat limited                   |       | Very limited                             |       |
|  |                  |                                    |       | Depth to saturated zone            | 0.73  | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |

| Selected Soil Interpretations--Sussex County, Delaware |                  |                                    |       |                                    |       |  |       |
|--|------------------|------------------------------------|-------|------------------------------------|-------|--|-------|
| Map symbol and soil name                               | Pct. of map unit | ENG - Dwellings W/O Basements      |       | ENG - Dwellings With Basements     |       | ENG - Septic Tank Absorption Fields (DE) |       |
|  |                  | Rating class and limiting features | Value | Rating class and limiting features | Value | Rating class and limiting features       | Value |
| KsA—Klej loamy sand, 0 to 2 percent slopes             |                  |                                    |       |                                    |       |  |       |
| Klej   | 70               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Filtering capacity                       | 1.00  |
| PpA—Pepperbox loamy sand, 0 to 2 percent slopes        |                  |                                    |       |                                    |       |  |       |
| Pepperbox  | 80               | Somewhat limited                   |       | Very limited                       |       | Very limited                             |       |
|  |                  | Depth to saturated zone            | 0.39  | Depth to saturated zone            | 1.00  | Depth to saturated zone                  | 1.00  |
| Pu—Purnell peat, very frequently flooded, tidal        |                  |                                    |       |                                    |       |  |       |
| Purnell, very frequently flooded                       | 85               | Very limited                       |       | Very limited                       |       | Very limited                             |       |
|  |                  | Ponding                            | 1.00  | Ponding                            | 1.00  | Depth to saturated zone                  | 1.00  |
|  |                  | Flooding                           | 1.00  | Flooding                           | 1.00  | Ponding                                  | 1.00  |
|  |                  | Depth to saturated zone            | 1.00  | Depth to saturated zone            | 1.00  | Flooding                                 | 1.00  |
|  |                  |                                    |       |                                    |       | Filtering capacity                       | 1.00  |
| RoA—Rosedale loamy sand, 0 to 2 percent slopes         |                  |                                    |       |                                    |       |  |       |
| Rosedale   | 75               | Not limited                        |       | Somewhat limited                   |       | Very limited                             |       |
|  |                  |                                    |       | Depth to saturated zone            | 0.73  | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| W—Water  |                  |                                    |       |                                    |       |  |       |
| Water  | 100              | Not rated                          |       | Not rated                          |       | Not rated                                |       |

| Selected Soil Interpretations--Sussex County, Delaware       |                  |                                    |       |                                    |       |  |       |
|--|------------------|------------------------------------|-------|------------------------------------|-------|--|-------|
| Map symbol and soil name                                     | Pct. of map unit | ENG - Dwellings W/O Basements      |       | ENG - Dwellings With Basements     |       | ENG - Septic Tank Absorption Fields (DE) |       |
|  |                  | Rating class and limiting features | Value | Rating class and limiting features | Value | Rating class and limiting features       | Value |
| Wfg3—Tingles-Figgs complex, 2 to 3 meter water depth         |                  |                                    |       |                                    |       |  |       |
| Tingles, 2 to 3 meter water depth                            | 40               | Not rated                          |       | Not rated                          |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Flooding                                 | 1.00  |
|  |                  |                                    |       |                                    |       | Subsidence                               | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |
| Figgs, 2 to 3 meter water depth                              | 33               | Not rated                          |       | Not rated                          |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Flooding                                 | 1.00  |
|  |                  |                                    |       |                                    |       | Subsidence                               | 1.00  |
| WHe1—Herring Creek mucky silt loam, 0 to 1 meter water depth |                  |                                    |       |                                    |       |  |       |
| Herring creek, 0 to 1 meter water depth                      | 85               | Not rated                          |       | Not rated                          |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Flooding                                 | 1.00  |
|  |                  |                                    |       |                                    |       | Subsidence                               | 1.00  |
| WPa2—Pasture Point loamy fine sand, 1 to 2 meter water depth |                  |                                    |       |                                    |       |  |       |
| Pasture point, 1 to 2 meter water depth                      | 85               | Not rated                          |       | Not rated                          |       | Very limited                             |       |
|  |                  |                                    |       |                                    |       | Depth to saturated zone                  | 1.00  |
|  |                  |                                    |       |                                    |       | Flooding                                 | 1.00  |
|  |                  |                                    |       |                                    |       | Restricted permeability                  | 1.00  |

### Data Source Information

Soil Survey Area: Sussex County, Delaware  
 Survey Area Data: Version 19, Sep 14, 2018

## Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

*Prime farmland* is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.

*Unique farmland* is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be *farmland of local importance* for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.

### Report—Prime and other Important Farmlands

| Prime and other Important Farmlands--Sussex County, Delaware |   |                                  |
|--|---|----------------------------------|
| Map Symbol   | Map Unit Name   | Farmland Classification          |
| Br   | Broadkill mucky peat, very frequently flooded, tidal              | Not prime farmland               |
| DnA  | Downer loamy sand, 0 to 2 percent slopes                          | All areas are prime farmland     |
| DndB   | Downer loamy sand, 2 to 5 percent slopes, Northern Tidewater Area | All areas are prime farmland     |
| FhB  | Fort Mott-Henlopen complex, 2 to 5 percent slopes                 | Prime farmland if irrigated      |
| FmA  | Fort Mott loamy sand, 0 to 2 percent slopes                       | Prime farmland if irrigated      |
| FmB  | Fort Mott loamy sand, 2 to 5 percent slopes                       | Prime farmland if irrigated      |
| GaB  | Galestown loamy sand, 0 to 5 percent slopes                       | Farmland of statewide importance |
| HmA  | Hammonton loamy sand, 0 to 2 percent slopes                       | All areas are prime farmland     |
| HpB  | Henlopen loamy sand, 2 to 5 percent slopes                        | Prime farmland if irrigated      |
| HuA  | Hurlock loamy sand, 0 to 2 percent slopes                         | Farmland of statewide importance |
| HvA  | Hurlock sandy loam, 0 to 2 percent slopes                         | Farmland of statewide importance |
| IeA  | Ingleside loamy sand, 0 to 2 percent slopes                       | All areas are prime farmland     |
| IeB  | Ingleside loamy sand, 2 to 5 percent slopes                       | All areas are prime farmland     |
| KsA  | Klej loamy sand, 0 to 2 percent slopes                            | Farmland of statewide importance |

| Prime and other Important Farmlands--Sussex County, Delaware |   |                             |
|--|---|-----------------------------|
| Map Symbol   | Map Unit Name   | Farmland Classification     |
| PpA  | Pepperbox loamy sand, 0 to 2 percent slopes             | Prime farmland if irrigated |
| Pu   | Purnell peat, very frequently flooded, tidal            | Not prime farmland          |
| RoA  | Rosedale loamy sand, 0 to 2 percent slopes              | Prime farmland if irrigated |
| W  | Water   | Not prime farmland          |
| WFg3   | Tingles-Figgs complex, 2 to 3 meter water depth         | Not prime farmland          |
| WHe1   | Herring Creek mucky silt loam, 0 to 1 meter water depth | Not prime farmland          |
| WPa2   | Pasture Point loamy fine sand, 1 to 2 meter water depth | Not prime farmland          |

### Data Source Information

Soil Survey Area: Sussex County, Delaware  
 Survey Area Data: Version 19, Sep 14, 2018

# SOILS

ADD ANY ADDITIONAL INFORMATION THAT MAY BE CONSIDERED PERTINENT:

## SOILS:

|     |  |
|-----|--|
| Br  | Broadkill mucky peat, very frequently flooded, tidal |
| DnA | Downer loamy sand, 0 to 2 percent slopes             |
| DnB | Downer loamy sand, 2 to 5 percent slopes             |
| FhB | Fort Mott-Henlopen complex, 2 to 5 percent slopes    |
| FmA | Fort Mott loamy sand, 0 to 2 percent slopes          |
| FmB | Fort Mott loamy sand, 2 to 5 percent slopes          |
| GaB | Galestown loamy sand, 0 to 5 percent slopes          |
| HmA | Hammonton loamy sand, 0 to 2 percent slopes          |
| HpB | Henlopen loamy sand, 2 to 5 percent slopes           |
| HuA | Hurlock loamy sand, 0 to 2 percent slopes            |
| HvA | Hurlock sandy loam, 0 to 2 percent slopes            |
| IeA | Ingleside loamy sand, 0 to 2 percent slopes          |
| IeB | Ingleside loamy sand, 2 to 5 percent slopes          |
| KsA | Klej loamy sand, 0 to 2 percent slopes               |
| PpA | Pepperbox loamy sand, 0 to 2 percent slopes          |
| Pu  | Purnell peat, very frequently flooded, tidal         |
| RoA | Rosedale loamy sand, 0 to 2 percent slopes           |

- A. SUITABILITY OF SOILS INTENDED USE:  
See attached table for suitability.
  
- B. EVALUATE THE SOILS INCLUDED IN THIS PROJECT WITH RESPECT TO EROSION AND SEDIMENTATION CONTROL:
  1. DURING CONSTRUCTION:  
  
Follow recommended erosion and sediment control practices.
  
  2. AFTER CONSTRUCTION:  
  
Maintain vegetation.
  
- C. FARMLAND RATING (PRIME, UNIQUE, STATEWIDE IMPORTANCE, ETC.):  
See attached table(s) for ratings.
  
- D. ADDITIONAL COMMENTS (IF APPLICABLE):

# DRAINAGE AND FLOODING

Add any additional information that may be considered pertinent:

## DRAINAGE:








- A. Any Storm flood hazard area affected?       Yes       No
- B. Would the proposed project necessitate any off-site drainage improvements?  
*No*
- C. Would the proposed project necessitate any on-site drainage improvements?  
*No*
- D. Any Tax Ditch affected?       Yes       No

### Additional Comments (if applicable)

All landowners, developers, and site designers are strongly encouraged to thoroughly investigate the presence of easements or right-of-ways along tax ditches. These documents are located in the Prothonotary's Office and/or with the Recorder of Deeds. If a stormwater management facility is proposed along a stream or ditch, the Sussex Conservation District will require verification of any easements. Before you start any project design, please look into this matter by calling the Division of Soil and Water Conservation-Drainage Program at (302) 855-1930 or the Sussex Conservation District Sediment and Stormwater Program at (302) 856-7219 for more information.





|   |  |
|---|--|
|  | EXISTING<br>SINGLE FAMILY LOTS-----332   |
|  | PER ORDINANCE NO.1573<br>(MAXIMUM SINGLE-FAMILY DETACHED CONDOMINIUMS ALLOWED = 378)<br>PROPOSED(SALESIDE)<br>SINGLE FAMILY DETACHED CONDOMINIUMS-----50 |
|  | EXISTING<br>SINGLE FAMILY DETACHED CONDOMINIUMS---328  |
|  | PER ORDINANCE NO.1573<br>(MAXIMUM SINGLE-FAMILY ATTACHED TOWN HOUSES ALLOWED = 325)<br>PROPOSED(SALESIDE)<br>SINGLE FAMILY ATTACHED TOWN HOUSES---10     |
|  | EXISTING<br>SINGLE FAMILY ATTACHED TOWN HOUSES---239   |
|  | PROPOSED(MARINA BAY)<br>ADDITIONAL SINGLE FAMILY ATTACHED TOWN HOUSES---1  |
|  | PER ORDINANCE NO.1573<br>(MAXIMUM MULTI-FAMILY UNITS ALLOWED = 378)<br>EXISTING<br>MULTI-FAMILY UNITS-----376  |
| <hr/>   |  |
|   | PER ORDINANCE NO.1573<br>(MAXIMUM TOTAL UNITS ALLOWED = 1404)<br>TOTAL UNITS-----1336  |



## PLANNING & ZONING

JAMIE WHITEHOUSE  
PLANNING & ZONING MANAGER

(302) 855-7878 T  
(302) 854-5079 F



# Sussex County

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members

From: Jamie Whitehouse, Planning and Zoning Manager; Lauren DeVore, Planner III; Samantha Bulkilvish, Planner I and Jenny Norwood, Planner I

CC: Vince Robertson, Assistant County Attorney

Date: June 20, 2019

RE: Other Business for June 27, 2019 Planning Commission Meeting

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This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the June 27, 2019 Planning Commission meeting.

### **2019-7 Guy Subdivision #8**

BM

Final Subdivision Plan

This is a Final Subdivision Plan for a standard subdivision of 13 single family lots, site improvements. This site is 38.29 acres located on the south side of Waterview Road, east of Camp Arrowhead Road. The Preliminary Subdivision Plan was approved with conditions at the May 23, 2019 meeting of the Planning and Zoning Commission. The Final Subdivision Plan is in compliance with the Sussex County Zoning and Subdivision Code and all conditions of approval. The Applicant is seeking to split the subdivision into phases while awaiting further DelDOT approval. Phase 1 will consist of 4 lots and the residual land. Tax Parcel: 234-12.00-22.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff is in receipt of agency approvals for the Phase 1 portion of the subdivision.

### **2018-7 Wellesley**

BM

Final Subdivision Plan

This is a Final Subdivision Plan to divide 77.97 acres into 131 single-family lots and located on the southwest side of Warrington Road (SCR. 275), on the south side of John J. Williams Highway (SCR. 24) and on the east side of Mulberry Knoll Road (SCR 284). At their meeting of June 28, 2018, the Planning and Zoning Commission approved the Preliminary Subdivision Plan. The Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Code and all Conditions of Approval. Tax Parcel: (p/o) 334-12.00-46.01, (p/o) 334-12.00-113.00 & p/o 334-12.00-116.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff is in receipt of agency approvals.

### **2005-49 The Woodlands Subdivision**

BM

Final Amenities Site Plan

This is a Final Amenities Plan for the construction of two (2) pools and a bath house and other site improvements. This plan was granted Preliminary Amenities Site Plan approval by the Planning Commission on October 11, 2018. The Final Amenities Plan complies with the Zoning Code. Tax Parcel: 134-19.00-30.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are in receipt of all agency approvals.



**Atlantic Concrete – Lewes Plant**

KS

Revised Site Plan

This is a Revised Site Plan for the replacement of the Lewes Plant which includes a proposed 3,200 sf. building, new conveyor system, concrete block storage bins for aggregate stockpile, parking and other site improvements. The Revised Site Plan complies with the Zoning Code. Tax Parcel: 335-11.00-57.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are awaiting agency approvals.

**S-19-24 Vanderwende Acres, LLC**

KH

Preliminary Site Plan

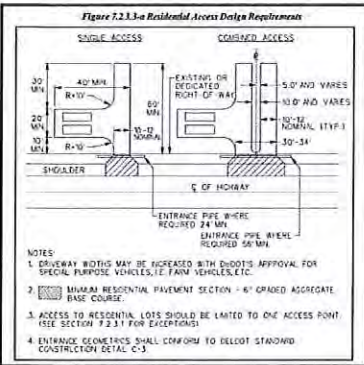
This is a Preliminary Site Plan for a proposed events venue located at 22304 Atlanta Rd. The Planning Commission approved Conditional Use 2165 on March 28, 2019 and the Sussex County Council approved the use on April 16, 2019. The Site Plan is in compliance with the Sussex County Zoning Code and the conditions of approval. Tax Parcel: 531-6.00-72.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are awaiting agency approvals.

**2019-4 Sloan Family Property**

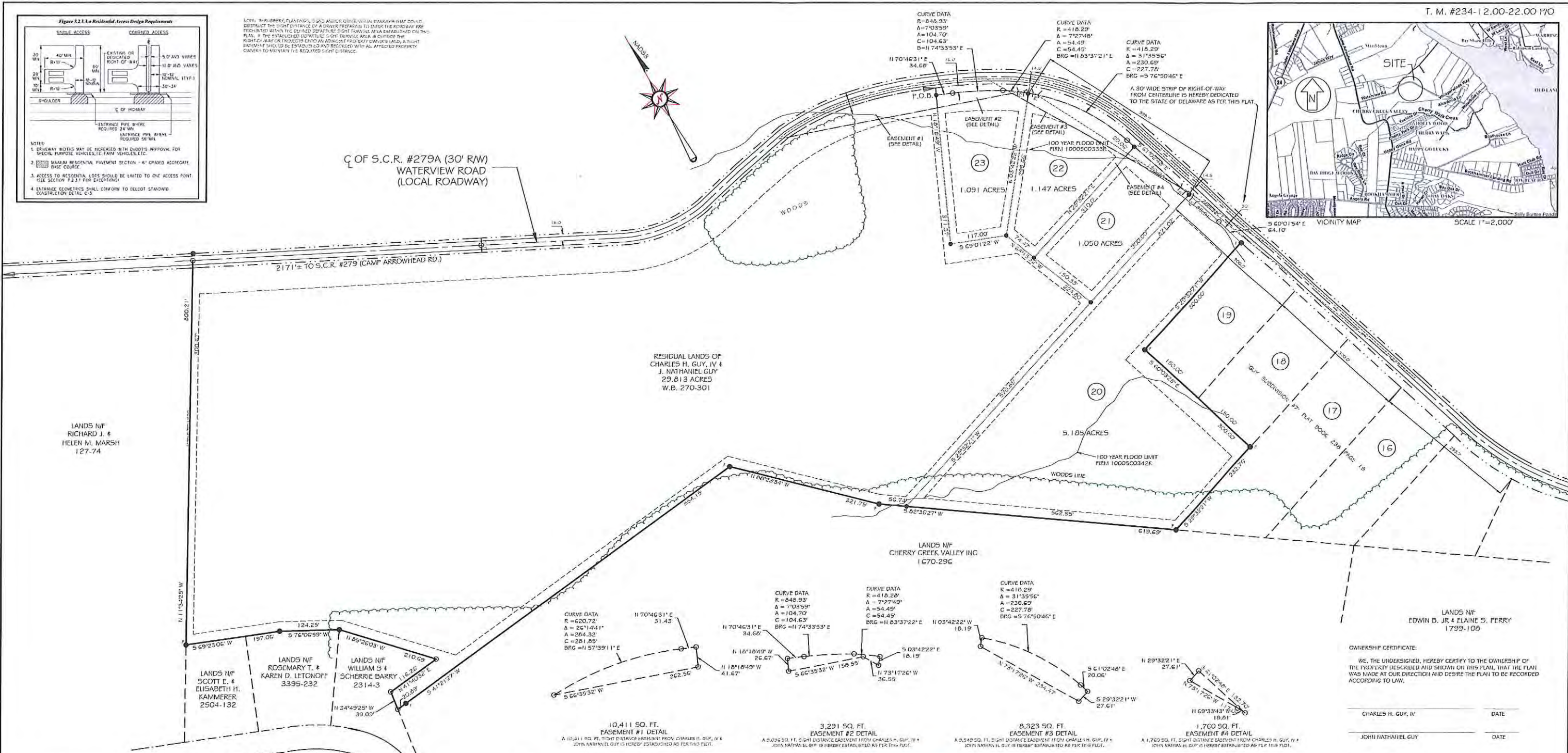
BM

Request to Revise Condition of Approval

This is a request to revise the conditions of approval for an 11-lot standard subdivision located on the north side of Pinewater Drive in the Pinewater Subdivision. Preliminary Subdivision Plan approval was granted by the Commission at its meeting of May 9, 2019 subject to eleven conditions of approval. Condition 'D' requires a 30-foot forested or landscaped buffer along the entire perimeter of the project except that no forested or landscaped buffer shall be required along the perimeter of the project where the sewer easement is located. The applicant requests that the 30-foot forested buffer be reduced to 20 ft. as it was shown on the Preliminary Subdivision Plan and as is required for a standard subdivision. The applicant has also received variances for the area and width of all 11 proposed lots from the Board of Adjustment on December 17, 2018. If the buffer were to increase to 30 ft. the applicant would need to apply for additional variances for the area and lot width of each proposed lot. Tax Parcels: 234-17.12-5.00, 5.01 & 5.02. Zoning: AR-1 (Agricultural Residential Zoning District).



NOTE: SHROUBBERY, PLANTINGS, SODS AND/OR OTHER VEGETATION THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DESIGNATED SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROCEEDS INTO AN ADJACENT PARCEL, A SIGHT TRIANGLE EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.



I, DONALD K. MILLER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

DOUGLAS K. MILLER, PLS 407 DATE

**DATA COLUMN:**

T.M. #234-12.00-22.00 (PART)

ZONING: AR

TRACT AREA: 38.286 ACRES

AREA DEDICATED TO PUBLIC USE: 0.251 ACRES

TOTAL # OF LOTS: 5 (INCLUDES RESIDUAL LANDS)

PRESENT USE: AGRICULTURAL

PROPOSED USE: RESIDENTIAL

ACCESS: S.C.R. #279A (WATERVIEW RD.) LOCAL ROADWAY

WATER AND SEWER: INDIVIDUAL ON-SITE

100 YEAR FLOODPLAIN: SITE IS PARTIALLY IMPACTED AS PER FIRM #10005C0333K & 10005C0342K

SPEED LIMIT ON WATERVIEW RD. IS 50 MPH.

BUILDING SETBACK REQUIREMENTS:

FRONT: 40'

SIDES: 15'

REAR: 20'

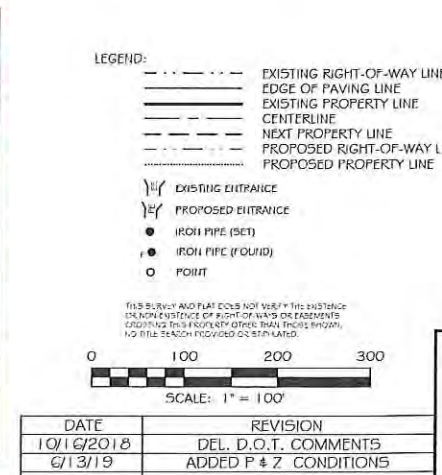
NO LOTS ARE IMPACTED BY WETLANDS

**P & Z CONDITIONS**

A. THERE SHALL BE NO MORE THAN 13 LOTS WITHIN THE SUBDIVISION. ANY FURTHER SUBDIVISION OF THESE LOTS SHALL REQUIRE ANOTHER PUBLIC HEARING.

B. ALL ENTRANCES SHALL COMPLY WITH ALL OF DELDOT'S REQUIREMENTS.

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



**OWNERSHIP CERTIFICATE:**

WE, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

CHARLES H. GUY, IV DATE

JOHN NATHANIEL GUY DATE

SUSSEX COUNTY APPROVAL:

PLANNING & ZONING COMMISSION DATE

SUSSEX COUNTY COUNCIL DATE

**SUBDIVISION OF LANDS**

**GUY SUBDIVISION #8 - PHASE I**

OWNERS: CHARLES H. GUY, IV & JOHN NATHANIEL GUY

404 MAXWELL PLACE

INDIAN ROCKS BEACH, FL 33785

**MILLER LEWIS, INC.**

LAND SURVEYING

1560 MIDDLEFORD RD.

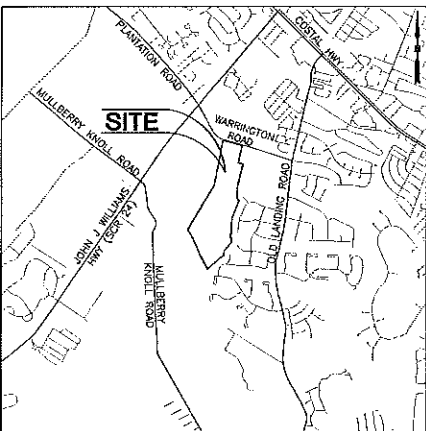
SEAFORD, DELAWARE 19973

PH: 302-629-9095 FAX: 302-629-2391

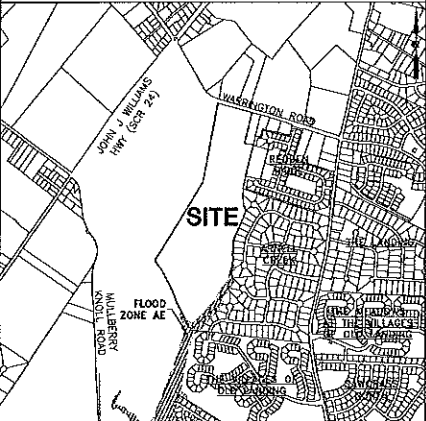
| INDEXED      | COUNTY       |
|--------------|--------------|
| INDIAN RIVER | SUSSEX       |
| STATE        | DELAWARE     |
| DRAWN BY     | D. A. MORRIS |
| DWG. NO.     | GUY          |
| F.B. 108-101 | 2-34-12-22A  |

| DATE       | REVISION               |
|------------|------------------------|
| 10/16/2018 | DEL. D.O.T. COMMENTS   |
| 6/13/19    | ADDED P & Z CONDITIONS |

JUNE 11, 2018



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



**FLOODPLAIN MAP** SCALE: 1" = 1500'

FEMA PANEL 1005C0332K & 1005C0334K DATE MARCH 16, 2015

**DATA COLUMN**

TAX MAP ID: 3-34-12.00-46.01 (PART OF)  
 3-34-12.00-113.00 (PART OF)  
 3-34-12.00-116.00 (PART OF)

DATUM:  
 VERTICAL: NAVD 88  
 HORIZONTAL: NAD 83 (DE STATE PLANE)  
 COORDINATES: (38.7153, -75.1404)

LAND USE:  
 EXISTING: AGRICULTURAL  
 PROPOSED: RESIDENTIAL

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

UNITS:  
 SINGLE FAMILY LOTS: 131  
 TYPICAL LOT SIZE: 80' X 125' (10,000 S.F.)  
 AVERAGE LOT SIZE: 0.29 AC. (11,758 S.F.)

DENSITY:  
 MAXIMUM: 2.00 UNITS PER AC.  
 PROPOSED: 1.68 UNITS PER AC.

**CLUSTER MINIMUM REQUIREMENTS**

LOT AREA: 7,500 S.F. (0.17 AC.)  
 LOT WIDTH: 60 FT.  
 FRONT SETBACK: 25 FT.  
 FRONT CORNER SETBACK: 13 FT.  
 SIDE SETBACK: 10 FT.  
 REAR SETBACK: 10 FT.  
 OPEN SPACE: 30%

**MAXIMUM REQUIREMENTS**

BUILDING HEIGHT: 42 FT.

**PROPOSED:**

BUILDING HEIGHT: 36 FT. (2 STORIES)  
 TOTAL BUILDING SQUARE FOOTAGE: 550,129 SQ.FT.

**AREAS:**

**EXISTING SITE**

SITE AREA: 78.180 AC.  
 (INCLUDES WETLANDS: 4.041 AC.)  
 LAND DEDICATED TO PUBLIC RIGHT-OF-WAY: -0.146 AC.  
 LAND DEDICATED TO SUSSEX COUNTY: -0.057 AC.  
 TOTAL SITE AREA: 77.977 AC.

**PROPOSED SITE**

LOT AREA: 35.171 AC.  
 RIGHT-OF-WAY: 9.084 AC.  
 OPEN SPACE (TOTAL): 26.681 AC. (57.93%)

OPEN SPACE (OA): 3.874 AC.  
 OPEN SPACE (OB): 16.288 AC.  
 OPEN SPACE (OC): 0.324 AC.  
 OPEN SPACE (OD): 4.873 AC.  
 OPEN SPACE (OE): 4.246 AC.

WETLANDS (TOTAL): 4.041 AC. (5.16%)  
 WETLANDS (WA): 0.023 AC.  
 WETLANDS (WB): 0.287 AC.  
 WETLANDS (WC): 3.457 AC.  
 WETLANDS (WD): 0.274 AC.

TOTAL SITE AREA: 77.977 AC.

**IMPERVIOUS AREAS: 5.8% (X Does not include shared-use-paths)**

PAVEMENT (STREETS): 4.418 AC.  
 PARKING: 0.035 AC.  
 SHARED-USE-PATH: 0.144 AC.  
 TOTAL IMPERVIOUS AREAS: 4.595 AC.

**FORESTED AREAS**

EXISTING: 22.052 AC.  
 REMOVED: 4.864 AC.  
 TOTAL PRESERVED: 17.388 AC.

**SWM DISCHARGE LOCATIONS & I.O.D.:**

POND 1: (N:261,950 E:735,576) 11.35 AC.  
 POND 2 & 3: (N:260,191 E:735,370) 23.12 AC.  
 POND 4 & BIG-RETENTION 5: (N:258,909 E:734,555) 16.57 AC.

**UTILITIES**

SEWER PROVIDER: PUBLIC (SUSSEX COUNTY)  
 WATER PROVIDER: PUBLIC (TIDewater UTILITIES, INC.)

PROPOSED BUILDING CONSTRUCTION: WOOD/CONCRETE BLOCK

**WETLANDS** - THIS PROPERTY IS IMPACTED BY WETLANDS. THIS PROJECT IS LOCATED INSIDE OF THE ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT ZONE.

**FLOODPLAIN** - THE PROPERTY IS IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANELS 1005C0332K & 1005C0334K DATED MARCH 16, 2015.

**STATE STRATEGIES MAP: INVESTMENT LEVELS 2 AND 3**

THIS PROPERTY IS LOCATED 1897'± TO THE EAST OF THE INTERSECTION OF WARRINGTON ROAD (SCR 276) AND JOHN J. WILLIAMS HWY (SCR D24). THIS PROPERTY IS LOCATED 1722'± TO THE WEST OF THE INTERSECTION OF WARRINGTON ROAD (SCR 276) AND OLD LANDING ROAD (SCR 274).

WARRINGTON ROAD POSTED SPEED LIMIT: 45 M.P.H.

**PROPERTY OWNER:**  
 J.G. TOWNSEND, JR. & CO.  
 P.O. BOX 430  
 GEORGETOWN, DE 19947  
 PHONE: 302-226-6651  
 CONTACT: NICK HAMMONDS

**PROPERTY DEVELOPER:**  
 WELLESLEY PARTNERS, LLC.  
 246 REHOBOTH AVE.  
 REHOBOTH BEACH, DE 19971  
 PHONE: 302-235-6631  
 CONTACT: NICK HAMMONDS

**ENGINEERS:**  
 DAVIS, BOWEN & FRIEDEL, INC.  
 RING LARDNER, P.E.  
 1 PARK AVENUE  
 MILFORD, DE 19963  
 PHONE: 302-424-1441  
 FAX: 302-424-0430

**WETLAND STATEMENT**

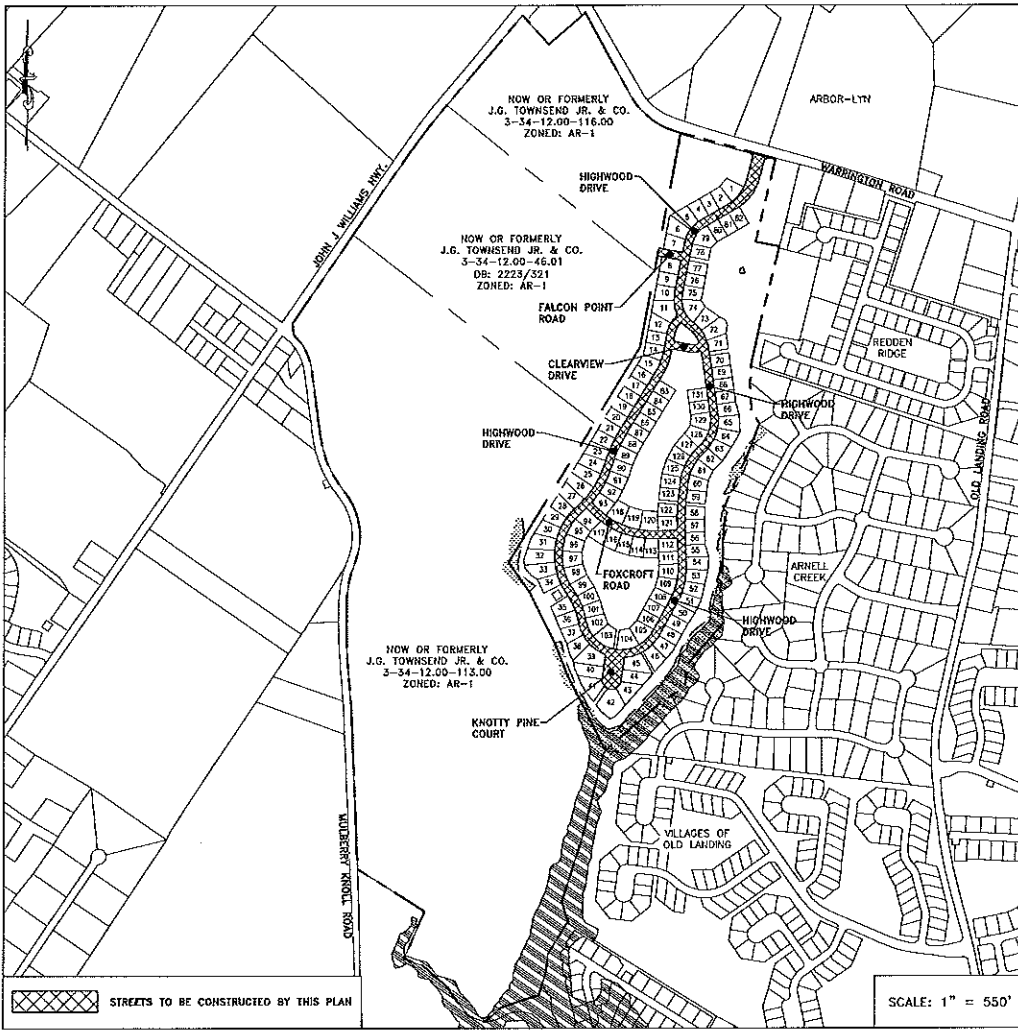
I, EDWARD M. LAUNAY, PWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, REGULATIONS AND SUPPLEMENTAL GUIDANCE (33 CFR 328.3(a)(8)), WATERS OF THE U.S. DEFINITION/CECW-OR, 10-7-1991, QUESTIONS AND ANSWERS ON THE 1987 COE MANUAL/CECW-OR, 9-26-1990, RGL 90-7/CECW-OR, 3-6-1992, CLARIFICATION AND INTERPRETATION OF THE 1987 MANUAL. THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

EDWARD M. LAUNAY DATE  
 ENVIRONMENTAL RESOURCES, INC.  
 (CORPS CERTIFIED WETLAND DELINEATOR WDCP93MD05100368)  
 PROFESSIONAL WETLAND SCIENTIST NO. 875  
 SOCIETY OF WETLAND SCIENTISTS

# WELLESLEY

## LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

**DBF # 2261J008**  
**RECORD PLAN**  
**SUBDIVISION NO: 2018-07**  
**APRIL, 2019**



**OPEN SPACE MANAGEMENT PLAN:**

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

**OWNER'S CERTIFICATION**

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

J.G. TOWNSEND, JR. & CO. DATE  
 P.O. BOX 430  
 GEORGETOWN, DE 19947  
 PHONE: 302-226-6651

**ENGINEER'S STATEMENT**

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

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

**LEGEND**

- PROPERTY BOUNDARY LINE
- PROPOSED PROPERTY LINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED BUILDING SETBACK LINE
- PROPOSED EASEMENT LINE
- PROPERTY LABEL
- EXISTING PROPERTY LINE
- EXISTING RIGHT-TO-WAY LINE
- FORESTED BUFFER LINE
- WETLANDS BUFFER LINE
- WETLANDS LINE
- WETLANDS AREA
- IRON ROD WITH CAP SET
- CONCRETE MONUMENT SET
- PROPERTY CORNER LOCATE

**dbf** DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS, ENGINEERS & SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
 MILFORD, DELAWARE (302) 424-1441  
 EASTON, MARYLAND (410) 776-4744

| SHEET INDEX                     |                |
|---------------------------------|----------------|
| RECORD PLAN - TITLE SHEET       | V-100          |
| RECORD PLAN - MINOR SUBDIVISION | V-101          |
| RECORD PLAN - OVERVIEW          | V-102          |
| RECORD PLAN - SITE PLAN         | V-103 TO V-106 |
| RECORD PLAN - TYPICAL SECTIONS  | V-107          |

**GENERAL NOTES**

1. ALL UNITS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
2. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS. BUILDING CONSTRUCTION TO BE MASONRY AND WOOD.
3. THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURES AS THEY DEEM NECESSARY.
4. AFTER THE CREATION OF THE COMMUNITY'S HOMEOWNER'S ASSOCIATION ALL BUFFER AREAS, AND THE STORMWATER MANAGEMENT AREA, SHALL BE OWNED AND MAINTAINED BY THE COMMUNITY'S HOMEOWNER'S ASSOCIATION. THE DEVELOPER SHALL MAINTAIN THESE AREAS UNTIL THE COMMUNITY HOMEOWNER'S ASSOCIATION IS ESTABLISHED.
5. ALL SWM AREAS WILL BE MAINTAINED IN ACCORDANCE WITH DESIGN AND SPECIFICATIONS FOR THE SPECIFIC SWM AREA. THIS INFORMATION WILL BE PROVIDED TO THE HOMEOWNER'S ASSOCIATION PRIOR TO TURNOVER.
6. ALL COMMON AREAS COVERED WITH GRASS SHALL BE PERIODICALLY MAINTAINED ON A BASIS DETERMINED BY THE HOMEOWNER'S ASSOCIATION.
7. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN ARE FROM A FIELD RUN SURVEY PERFORMED BY DBF, INC. IN OCTOBER, NOVEMBER AND DECEMBER OF 2017 AND JANUARY OF 2018 AND INFORMATION FOUND IN THE RECORDER OF DEEDS OFFICE IN AND FOR SUSSEX COUNTY.
8. A WETLANDS DELINEATION WAS PERFORMED BY ENVIRONMENTAL RESOURCES, INC. IN NOVEMBER & DECEMBER OF 2017 AND JANUARY OF 2018.
9. THIS PLAN DOES NOT VERIFY THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING THE SUBJECT PROPERTIES AS NO TITLE SEARCH WAS PROVIDED.
10. THE PROPERTY IS IMPACTED BY THE 100-YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 1005C0332K, 1005C0334K, DATED MARCH 16, 2015.
11. THE SUBDIVISION WILL BE GOVERNED BY A HOMEOWNER'S ASSOCIATION IN ACCORDANCE WITH THE RECORDED COVENANTS. THE HOMEOWNER'S ASSOCIATION IS RESPONSIBLE FOR THE MAINTENANCE OF ALL ROADS, STORMWATER MANAGEMENT AREAS AND OPEN SPACE.

**CONDITIONS OF APPROVAL**

- A. THERE SHALL BE NO MORE THAN 132 LOTS WITHIN THE SUBDIVISION.
- B. THE DEVELOPER SHALL ESTABLISH A HOMEOWNER'S ASSOCIATION RESPONSIBLE FOR MAINTENANCE OF STREETS, ROADS, BUFFERS, STORMWATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS.
- C. THE STORMWATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREA AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
- D. A FORESTED OR LANDSCAPED BUFFER OF AT LEAST 20 FEET IN DEPTH SHALL BE INSTALLED ALONG THE ENTIRE PERIMETER OF THE PROJECT. THIS BUFFER SHALL BE AT LEAST 30 FEET IN WIDTH FROM THE BOUNDARY OF THE FARMLAND TO THE WEST OF THIS PROPERTY. THE FINAL SITE PLAN SHALL CONTAIN A LANDSCAPED PLAN FOR ALL THESE AREAS.
- E. THE SUBDIVISION SHALL BE SERVED BY SUSSEX COUNTY FOR SEWER SERVICE.
- F. THE SUBDIVISION SHALL BE SERVED BY A PUBLICLY REGULATED CENTRAL WATER SYSTEM PROVIDING DRINKING WATER AND FIRE PROTECTION.
- G. STREET DESIGN SHALL MEET OR EXCEED SUSSEX COUNTY STANDARDS.
- H. THE DEVELOPMENT SHALL BE SERVED BY ITS OWN ON-SITE ACTIVE AMENITIES INCLUDING A POOL AND POOL HOUSE.
- I. THE AMENITIES SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE BOTH RESIDENTIAL BUILDING PERMIT.
- J. ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
- K. DELIVERIES OF DIRT, FILL OR OTHER SIMILAR MATERIALS SHALL ONLY BE MADE TO OR FROM THE SITE BETWEEN THE HOURS OF 8:00 A.M. THROUGH 5:00 P.M., MONDAY THROUGH FRIDAY.
- L. NO OUTDOOR CONSTRUCTION ACTIVITIES SHALL OCCUR AT THE SITE EXCEPT BETWEEN THE HOURS OF 7:30 A.M. THROUGH 7:00 P.M., MONDAY THROUGH FRIDAY, AND 8:00 A.M. THROUGH 2:00 P.M. ON SATURDAYS. THERE SHALL BE NO CONSTRUCTION ACTIVITIES AT THE SITE ON SUNDAYS.
- M. THE FINAL SITE PLAN SHALL INDICATE ALL FORESTED AREAS THAT WILL BE PRESERVED.
- N. AS STATED BY THE APPLICANT, THERE SHALL BE A BUFFER FROM ALL WETLANDS. THE BUFFER SHALL HAVE A DEPTH RANGING FROM 25 FEET TO 175 FEET, AND AN AVERAGE DEPTH OF 75 FEET ALONG THE SOUTHEAST PROPERTY LINE ADJACENT TO ARNELL CREEK AND 50 FEET ALONG THE SOUTHWEST PROPERTY LINE.
- O. AS SHOWN ON THE PRELIMINARY SITE PLAN, THERE SHALL BE A LOCATION PROVIDED FOR FUTURE INTERCONNECTIVITY WITH THE UNDEVELOPED PROPERTY TO THE WEST OF THIS SUBDIVISION.
- P. THE APPLICANT SHALL COORDINATE AND COOPERATE WITH THE LOCAL SCHOOL DISTRICT'S TRANSPORTATION MANAGER TO ESTABLISH SCHOOL BUS AREAS.
- Q. A REVISED PRELIMINARY SITE PLAN EITHER DEPICTING OR NOTING THESE CONDITIONS MUST BE SUBMITTED TO THE OFFICE OF PLANNING AND ZONING.
- R. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

**DELDOT GENERAL 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 APPROVAL.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED PAVEMENT SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS INTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
4. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
5. PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 § 131). DELDOT ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.
6. THE SIDEWALK AND SHARED USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
7. ALL LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
8. 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.

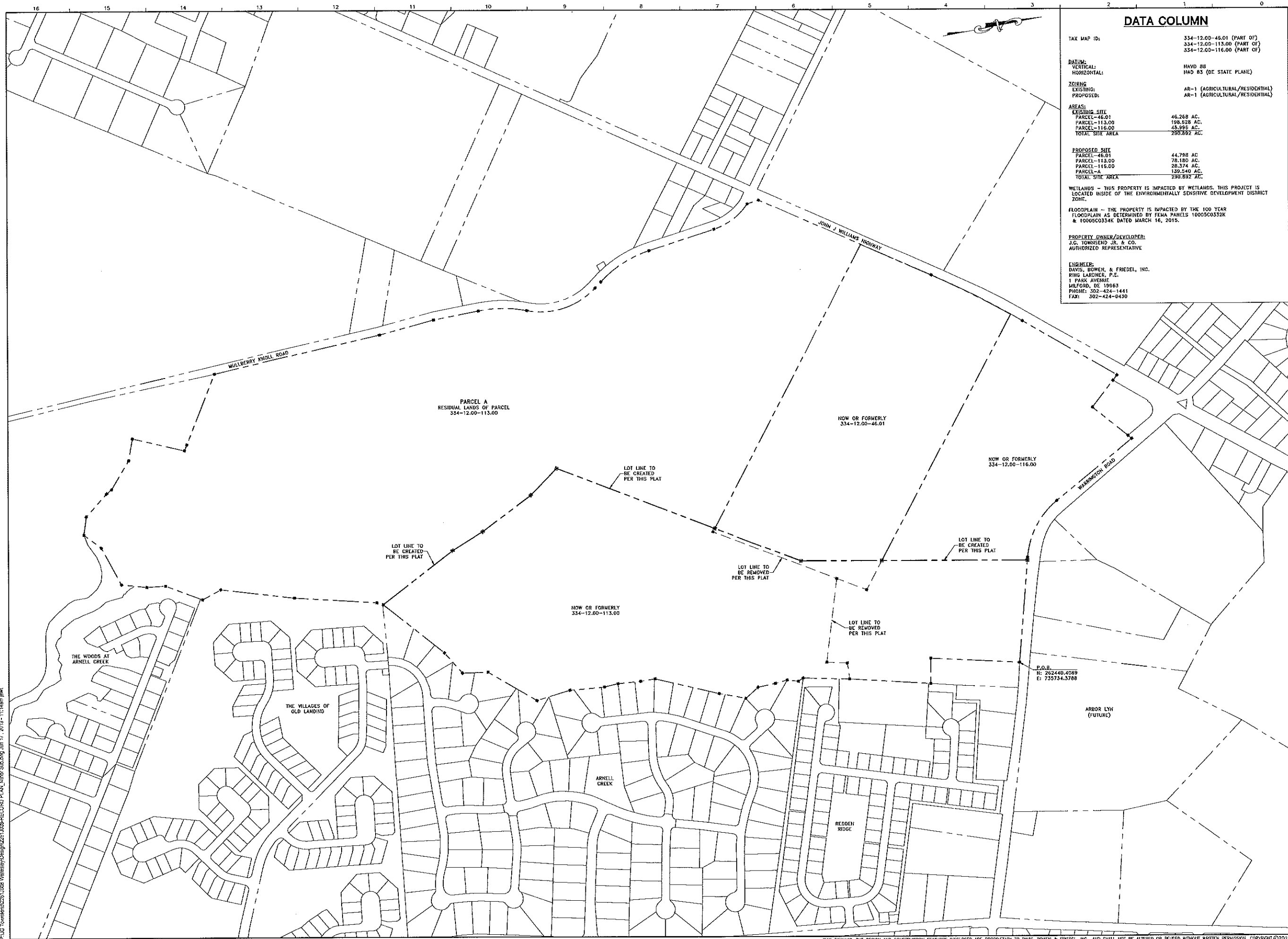
**DELDOT TIS NOTES**

1. THE PROJECT MEETS THE TIS WARRANTS; HOWEVER, THE PROJECT IS ELIGIBLE TO PAY THE AREA WIDE STUDY FEE AND THUS A TIS IS NOT REQUIRED TO BE COMPLETED BY THIS PROJECT.
2. THE OWNER / DEVELOPER SHALL CONtribute \$75,000.00 TO THE INTERSECTION IMPROVEMENTS AT WARRINGTON ROAD AND OLD LANDING ROAD. ONE-THIRD OF THE PAYMENT IS DUE AT TIME OF ENTRANCE PERMIT SUBMISSION, ONE-THIRD ONE BEFORE ISSUANCE OF THE 43RD BUILDING PERMIT AND ONE-THIRD ONE BEFORE ISSUANCE OF THE 26TH BUILDING PERMIT.

**DELDOT ENTRANCE AND PHASING NOTES**

1. ON NOVEMBER 15, 2018, THE DEVELOPERS OF ARBOR-LYN AND WELLESLEY ENTERED INTO A PRIVATE AGREEMENT REGARDING THE DESIGN AND CONSTRUCTION OF THE ENTRANCES AND FRONTAGE IMPROVEMENTS FOR BOTH PROJECTS. THE ARBOR-LYN DEVELOPER IS RESPONSIBLE FOR THE DESIGN AND APPROVAL OF THE ENTRANCE AND FRONTAGE IMPROVEMENTS AND WILL BE SUBMITTED SEPARATELY AS PART OF THE ARBOR-LYN APPROVAL.
  - 2.1. A STANDARD HANDELED ENTRANCE CAN BE CONSTRUCTED TO SERVE UP TO 14 BUILDING PERMITS.
  - 2.2. THE ENTRANCE PLANS FOR A DECELERATION PLAN SHALL BE CONSTRUCTED BY THE 15TH BUILDING PERMIT.
  - 2.3. THE REMAINING FRONTAGE LANE CAN BE USED UP TO 41 BUILDING PERMITS.
  - 2.4. THE REMAINING FRONTAGE ROAD IMPROVEMENTS AND PROTECTED LEFT TURN LANE SHALL BE CONSTRUCTED BY THE 42ND BUILDING PERMIT.

| SUSSEX COUNTY PLANNING & ZONING APPROVAL |      | SUSSEX CONSERVATION DISTRICT |        |
|--|------|------------------------------|--------|
| SUSSEX COUNTY PLANNING & ZONING STAFF    | DATE |                              |        |
| SUSSEX COUNTY COUNCIL PRESIDENT          | DATE |                              |        |
|  |      | REVISIONS:                   |        |
|  |      | 2019-05-17                   | SCD    |
|  |      |                              | TW     |
|  |      | 2019-05-31                   | DELDOT |
|  |      |                              | PAZ    |
|  |      | 2019-06-10                   | TW     |
| <b>V-100</b>                             |      |                              |        |



| DATA COLUMN  |   |
|--|---|
| TAX MAP ID:  | 334-12.00-46.01 (PART OF)<br>334-12.00-113.00 (PART OF)<br>334-12.00-116.00 (PART OF) |
| DATUM:   | NAD 83  |
| VERTICAL:  | NAD 83 (DE STATE PLANE)   |
| HORIZONTAL:  |   |
| ZONING:  | AR-1 (AGRICULTURAL/RESIDENTIAL)   |
| EXISTING:  | AR-1 (AGRICULTURAL/RESIDENTIAL)   |
| PROPOSED:  |   |
| AREAS:   |   |
| EXISTING SITE  |   |
| PARCEL-46.01   | 46.268 AC.  |
| PARCEL-113.00  | 198.528 AC.   |
| PARCEL-116.00  | 43.995 AC.  |
| TOTAL SITE AREA  | 290.892 AC.   |
| PROPOSED SITE  |   |
| PARCEL-46.01   | 44.798 AC.  |
| PARCEL-113.00  | 78.180 AC.  |
| PARCEL-116.00  | 28.374 AC.  |
| PARCEL-A   | 139.540 AC.   |
| TOTAL SITE AREA  | 290.892 AC.   |
| WETLANDS - THIS PROPERTY IS IMPACTED BY WETLANDS. THIS PROJECT IS LOCATED INSIDE OF THE ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT ZONE.       |   |
| FLOODPLAIN - THE PROPERTY IS IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANELS 10005C0332K & 10005C0334K DATED MARCH 16, 2015.      |   |
| PROPERTY OWNER/DEVELOPER:<br>J.C. TOWHEND JR. & CO.<br>AUTHORIZED REPRESENTATIVE   |   |
| ENGINEER:<br>DAVIS, BOWEN, & FRIEDEL, INC.<br>RING LARDNER, P.E.<br>1 PARK AVENUE<br>WILFORD, DE 19963<br>PHONE: 302-424-1441<br>FAX: 302-424-0430 |   |

**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
SUSSEX COUNTY, DELAWARE  
SUSSEX COUNTY, DELAWARE  
SUSSEX COUNTY, DELAWARE

RECORD PLAN - MINOR SUBDIVISION

**WELLESLEY**  
**LEWES AND REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

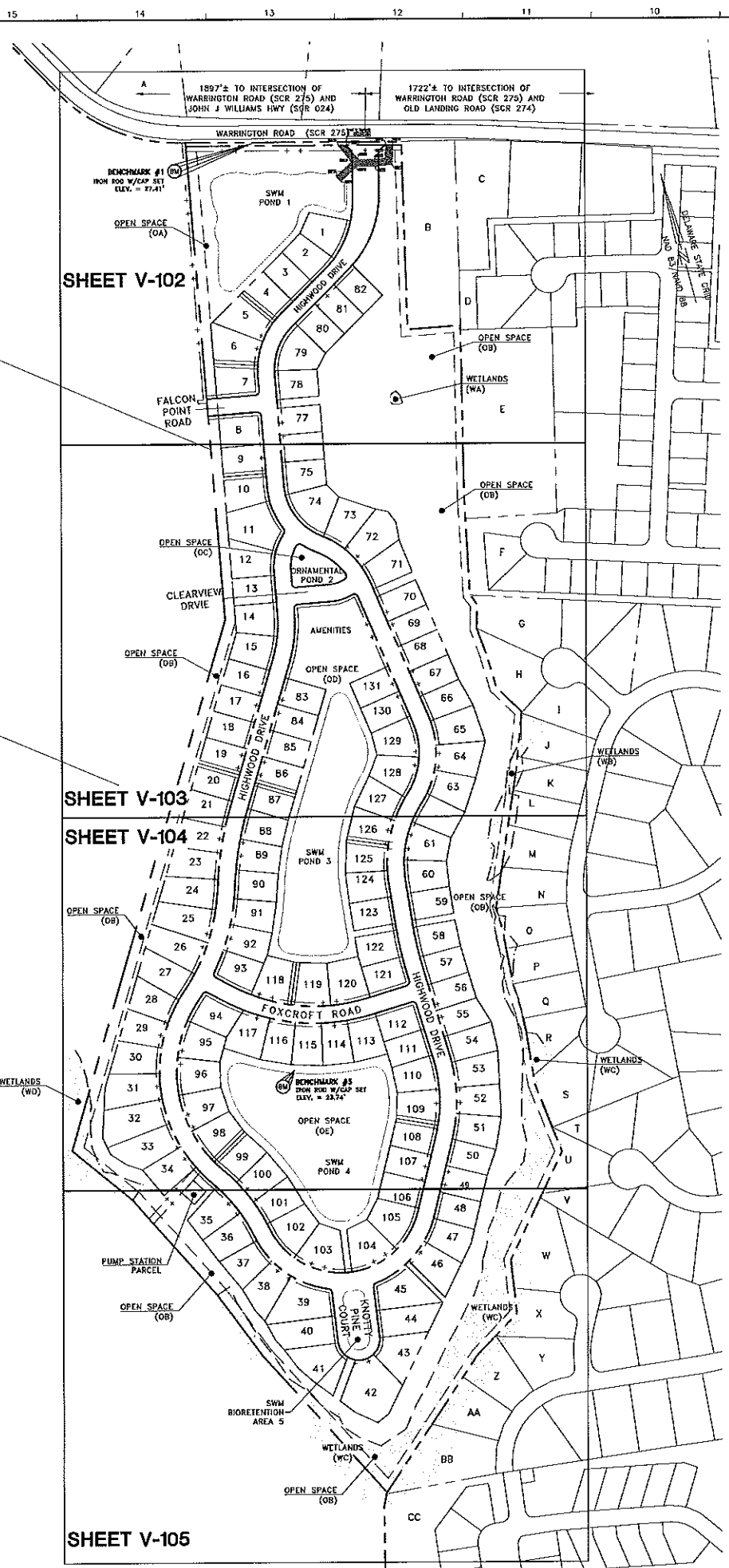
REVISIONS:  
2019-05-31 DELDOT  
P&Z

Date: APRIL, 2019  
Scale: 1" = 250'  
Des. By: SHF  
Proj. No.: 2261J008  
Dwg. No.:

**V-101**

P:\GIS\_Township\2261J008\_Wellesley\Design\2261J008-RECORD PLAN\_Minor\_Sub.dwg Jun 17, 2019 - 11:14am jfm

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**PROPOSED CURVE TABLE FOR RIGHT-OF-WAY**

| CURVE | RADIUS   | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|----------|------------|--------------|---------------|-------------|
| RC-1  | 30.00'   | 47.18'     | 47.18'       | S 60°01'26" W | 90°06'24"   |
| RC-2  | 307.00'  | 241.66'    | 235.47'      | N 37°51'16" E | 45°06'04"   |
| RC-3  | 175.00'  | 150.91'    | 146.28'      | S 35°22'01" W | 49°24'53"   |
| RC-4  | 175.00'  | 150.91'    | 146.28'      | S 21°34'20" E | 144°28'05"  |
| RC-5  | 255.00'  | 209.63'    | 187.62'      | N 31°00'31" W | 45°35'48"   |
| RC-6  | 275.00'  | 229.77'    | 209.09'      | N 19°53'36" E | 56°12'25"   |
| RC-7  | 325.00'  | 238.70'    | 233.37'      | S 26°57'21" W | 42°04'53"   |
| RC-8  | 975.00'  | 132.57'    | 132.57'      | N 13°28'21" E | 74°27'48"   |
| RC-9  | 475.00'  | 354.03'    | 251.01'      | S 24°25'20" E | 30°38'31"   |
| RC-10 | 285.00'  | 275.98'    | 263.55'      | N 56°18'02" E | 55°04'49"   |
| RC-11 | 12.00'   | 15.83'     | 14.71'       | S 46°03'16" W | 75°34'20"   |
| RC-12 | 62.00'   | 194.78'    | 124.60'      | S 81°43'54" E | 180°00'00"  |
| RC-13 | 12.00'   | 15.83'     | 14.71'       | N 29°31'04" W | 75°34'20"   |
| RC-14 | 285.00'  | 280.78'    | 269.56'      | S 39°04'49" E | 56°26'52"   |
| RC-15 | 475.00'  | 200.22'    | 198.74'      | N 22°55'55" W | 24°09'05"   |
| RC-16 | 425.00'  | 626.87'    | 570.83'      | S 07°10'48" W | 84°22'52"   |
| RC-17 | 575.00'  | 321.08'    | 316.93'      | S 32°24'14" E | 31°59'40"   |
| RC-18 | 1005.00' | 252.60'    | 251.86'      | S 24°25'20" E | 14°05'51"   |
| RC-19 | 375.00'  | 136.30'    | 135.55'      | N 21°04'30" E | 20°49'31"   |
| RC-20 | 175.00'  | 118.31'    | 116.07'      | S 30°01'50" W | 36°44'12"   |
| RC-21 | 12.00'   | 15.29'     | 14.28'       | N 12°53'52" E | 75°00'07"   |
| RC-22 | 225.00'  | 134.54'    | 132.56'      | S 08°28'13" E | 34°15'59"   |
| RC-23 | 12.00'   | 18.85'     | 16.97'       | N 54°20'18" E | 90°00'00"   |
| RC-24 | 12.00'   | 18.85'     | 16.97'       | N 55°39'44" E | 80°00'00"   |
| RC-25 | 225.00'  | 194.03'    | 188.07'      | S 35°22'01" W | 49°24'53"   |
| RC-26 | 281.00'  | 221.19'    | 215.53'      | N 37°31'15" E | 44°28'05"   |
| RC-27 | 30.00'   | 42.00'     | 42.00'       | N 28°58'34" E | 88°53'16"   |
| RC-28 | 225.00'  | 46.94'     | 46.85'       | S 47°49'51" E | 11°57'07"   |
| RC-29 | 205.00'  | 109.54'    | 108.24'      | N 38°29'55" W | 30°35'59"   |
| RC-30 | 12.00'   | 21.16'     | 18.53'       | N 27°20'09" E | 101°03'00"  |
| RC-31 | 83.00'   | 33.89'     | 33.60'       | N 89°15'44" E | 22°48'01"   |
| RC-32 | 12.00'   | 18.85'     | 16.97'       | S 34°20'18" E | 90°00'00"   |
| RC-33 | 125.00'  | 73.10'     | 72.07'       | S 27°25'00" W | 53°30'20"   |
| RC-34 | 12.00'   | 19.68'     | 17.55'       | N 88°50'31" W | 93°58'38"   |
| RC-35 | 12.00'   | 19.68'     | 17.55'       | N 55°10'27" W | 93°58'40"   |
| RC-36 | 225.00'  | 220.72'    | 211.58'      | N 19°53'58" E | 56°12'25"   |
| RC-37 | 375.00'  | 275.42'    | 269.27'      | S 26°57'21" W | 42°04'53"   |
| RC-38 | 1025.00' | 139.48'    | 139.37'      | S 02°01'01" W | 7°47'48"    |
| RC-39 | 12.00'   | 18.85'     | 16.97'       | N 43°07'01" E | 90°00'00"   |
| RC-40 | 525.00'  | 420.49'    | 409.34'      | S 65°56'11" E | 45°53'25"   |
| RC-41 | 12.00'   | 18.15'     | 16.47'       | S 02°58'22" E | 86°40'12"   |
| RC-42 | 625.00'  | 254.22'    | 252.47'      | N 29°01'54" E | 23°18'20"   |
| RC-43 | 975.00'  | 240.18'    | 239.57'      | S 24°25'20" W | 14°05'51"   |
| RC-44 | 425.00'  | 154.47'    | 153.82'      | N 21°04'30" E | 20°49'31"   |
| RC-45 | 12.00'   | 18.85'     | 16.97'       | S 55°39'44" E | 80°00'00"   |
| RC-46 | 135.00'  | 53.72'     | 53.37'       | N 89°15'44" E | 22°48'01"   |
| RC-47 | 12.00'   | 18.85'     | 16.97'       | N 46°52'53" W | 90°00'00"   |
| RC-48 | 425.00'  | 227.29'    | 224.59'      | N 13°28'21" E | 30°38'31"   |
| RC-49 | 235.00'  | 376.79'    | 442.19'      | S 81°02'53" E | 140°23'00"  |
| RC-50 | 525.00'  | 221.30'    | 218.65'      | N 22°55'55" W | 24°09'05"   |
| RC-51 | 375.00'  | 552.24'    | 503.67'      | S 07°10'48" W | 84°22'52"   |
| RC-52 | 625.00'  | 221.14'    | 221.15'      | N 48°21'12" E | 8°54'12"    |
| RC-53 | 12.00'   | 18.15'     | 16.47'       | N 89°15'55" W | 85°40'12"   |
| RC-54 | 575.00'  | 460.54'    | 448.33'      | S 68°50'11" E | 45°53'25"   |

**WETLANDS LINE TABLE**

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| A1   | N 70°51'45" E | 42.12'   |
| A2   | S 10°14'25" E | 51.09'   |
| A3   | S 16°58'56" E | 115.47'  |
| A4   | S 22°30'05" E | 82.19'   |
| A5   | S 18°48'17" E | 76.85'   |
| A6   | S 41°32'30" E | 59.26'   |
| A7   | S 29°15'15" E | 85.31'   |
| A8   | S 41°15'10" E | 111.29'  |
| A9   | S 06°01'18" E | 29.71'   |
| A10  | S 41°38'59" E | 58.28'   |
| A11  | S 53°36'06" E | 69.25'   |
| A12  | N 30°28'42" E | 2.54'    |
| A13  | N 71°15'53" E | 65.07'   |
| A14  | N 33°28'53" E | 77.99'   |
| A15  | N 44°43'16" E | 80.79'   |
| A16  | N 40°35'00" E | 39.29'   |
| A17  | N 41°54'49" E | 78.17'   |
| A18  | N 38°36'50" E | 63.20'   |
| A19  | N 48°11'24" E | 58.37'   |
| A20  | N 46°14'06" E | 47.77'   |
| A21  | N 34°33'11" E | 72.64'   |
| A22  | N 18°28'24" E | 36.83'   |
| A23  | N 32°06'04" E | 38.79'   |
| A24  | N 30°35'52" E | 48.68'   |
| A25  | N 37°39'07" E | 59.86'   |
| A26  | N 29°18'58" E | 52.12'   |
| A27  | N 45°36'35" E | 39.48'   |
| A28  | N 54°31'33" E | 77.51'   |
| A29  | N 24°01'30" E | 60.27'   |
| A30  | N 02°08'50" E | 64.51'   |
| A31  | N 15°47'54" E | 80.06'   |
| A32  | N 17°30'22" E | 129.17'  |
| A33  | N 08°32'29" E | 59.88'   |
| A34  | N 12°45'42" W | 100.28'  |
| A35  | N 06°17'07" E | 48.97'   |
| A36  | N 33°17'58" E | 29.12'   |
| A37  | N 31°01'33" W | 19.49'   |
| A38  | N 30°44'33" E | 36.54'   |
| A39  | N 22°48'28" W | 20.03'   |
| A40  | N 00°37'51" E | 53.03'   |
| A41  | N 05°58'10" E | 49.80'   |
| A42  | N 29°01'15" E | 21.34'   |
| A43  | N 03°50'37" W | 32.64'   |
| A44  | N 81°33'07" E | 52.40'   |
| A45  | N 11°26'55" E | 32.54'   |
| A46  | S 00°58'26" W | 65.10'   |
| A47  | S 04°35'23" W | 142.63'  |
| A48  | S 02°23'07" W | 77.39'   |
| A49  | S 06°24'24" W | 57.25'   |
| A50  | S 15°29'35" E | 9.81'    |
| A51  | S 06°00'36" W | 159.08'  |
| A52  | S 06°33'46" E | 214.05'  |
| A53  | S 40°42'35" W | 351.94'  |
| A54  | S 08°46'53" W | 159.08'  |
| A55  | S 09°02'50" W | 168.25'  |
| A56  | S 48°56'27" W | 484.41'  |
| A57  | N 27°03'13" W | 545.51'  |
| A58  | N 21°18'57" W | 222.59'  |

**WETLANDS LINE TABLE**

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| B1   | S 48°26'24" W | 54.29'   |
| B2   | S 16°58'56" E | 45.69'   |
| B3   | S 51°40'14" E | 48.19'   |
| B4   | S 08°20'01" E | 23.75'   |
| B5   | S 17°15'03" E | 26.80'   |
| B6   | S 03°34'20" E | 53.39'   |
| B7   | S 31°11'08" W | 69.30'   |
| B8   | S 17°48'29" E | 70.80'   |
| B9   | S 05°23'17" W | 36.43'   |
| B10  | N 31°29'15" E | 178.40'  |
| B11  | S 35°59'18" W | 225.93'  |

**WETLANDS LINE TABLE**

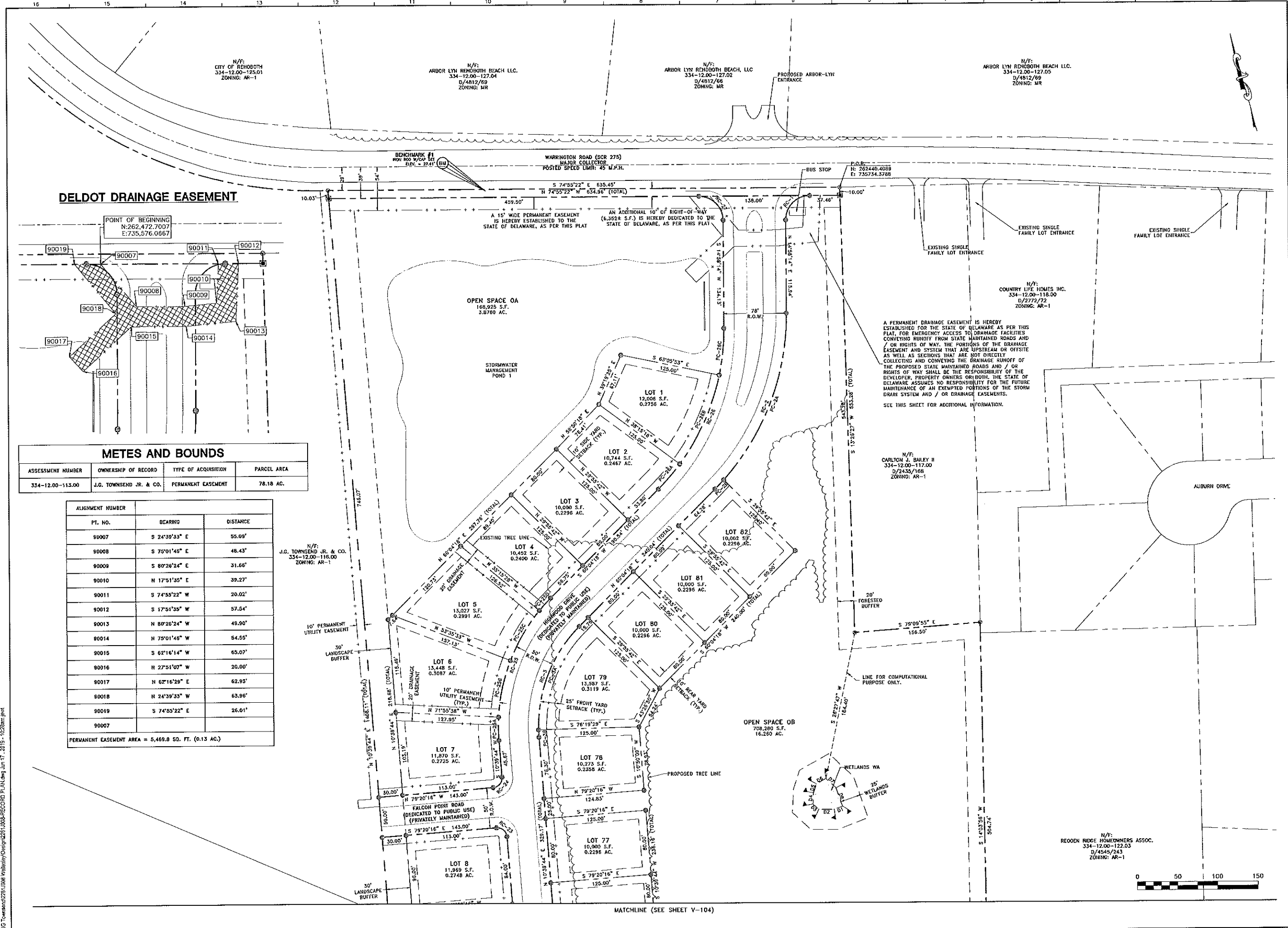
| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| D1   | N 84°02'14" E | 10.95'   |
| D2   | S 72°29'17" E | 19.13'   |
| D3   | S 32°06'50" E | 9.80'    |
| D4   | S 18°08'41" W | 14.30'   |
| D5   | S 33°03'28" W | 11.33'   |
| D6   | S 19°46'44" W | 15.60'   |
| D7   | N 31°42'03" W | 12.11'   |
| D8   | N 04°12'05" W | 24.11'   |

**WETLANDS LINE TABLE**

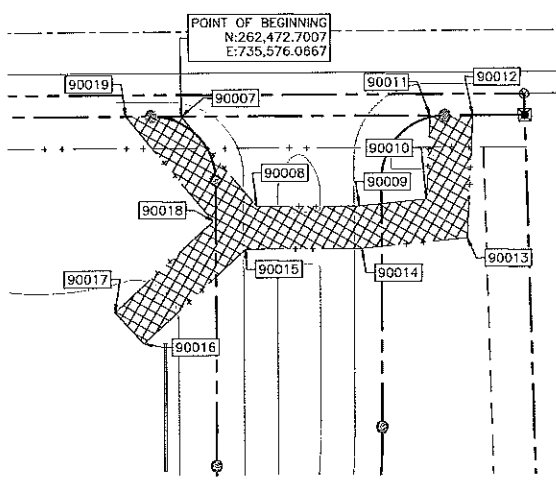
| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| E1   | S 28°20'09" E | 6.58'    |
| E2   | S 31°16'06" W | 53.30'   |
| E3   | S 24°51'44" W | 48.65'   |
| E4   | S 19°27'28" E | 32.45'   |
| E5   | S 29°08'12" W | 54.95'   |
| E6   | S 17°15'11" W | 53.63'   |
| E7   | S 35°58'25" W | 39.97'   |
| E8   | S 21°09'08" W | 58.48'   |
| E9   | S 29°58'50" W | 48.71'   |
| E10  | S 49°50'50" W | 29.41'   |
| E11  | N 21°54'24" E | 77.98'   |
| E12  | N 26°32'08" E | 47.15'   |
| E13  | N 26°32'08" E | 76.20'   |
| E14  | N 11°57'07" E | 23.91'   |
| E15  | N 60°37'27" W | 8.91'    |
| E16  | N 73°15'11" E | 23.83'   |
| E17  | N 68°27'50" E | 16.24'   |
| E18  | N 70°19'38" E | 23.54'   |

**PROPOSED CURVE TABLE FOR LOTS**

| CURVE  | RADIUS  | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|--------|---------|------------|--------------|---------------|-------------|
| PC-2A  | 307.00' | 74.22'     | 220.86'      | N 22°53'11" E | 90°06'24"   |
| PC-2B  | 307.00' | 15.73'     | 15.73'       | N 58°36'15" E | 2°56'09"    |
| PC-3A  | 175.00' | 141.71'    | 137.87'      | S 35°22'01" W | 49°24'53"   |
| PC-3B  | 175.00' | 141.71'    | 137.87'      | S 21°34'20" E | 37°02'47"   |
| PC-4A  | 175.00' | 28.76'     | 28.74'       | S 05°57'05" W | 9°25'18"    |
| PC-4B  | 175.00' | 168.13'    | 161.74'      | S 26°16'59" E | 55°02'51"   |
| PC-5A  | 255.00' | 3.59'      | 3.59'        | N 53°24'14" W | 0°48'22"    |
| PC-5B  | 255.00' | 74.22'     | 73.17'       | N 44°45'10" W | 16°28'43"   |
| PC-6A  | 255.00' | 72.85'     | 72.61'       | N 28°19'11" W | 16°22'13"   |
| PC-6B  | 255.00' | 53.07'     | 52.97'       | N 14°10'20" W | 11°52'27"   |
| PC-6A  | 275.00' | 16.66'     | 16.66'       | N 08°20'28" W | 9°28'18"    |
| PC-6B  | 275.00' | 73.33'     | 73.12'       | N 02°54'04" E | 15°16'44"   |
| PC-6C  | 275.00' | 73.33'     | 73.12'       | N 18°10'48" E | 18°16'44"   |
| PC-6D  | 275.00' | 73.33'     | 73.12'       | N 39°27'42" E | 15°16'44"   |
| PC-6E  | 275.00' | 33.11'     | 33.09'       | N 44°32'51" E | 6°53'54"    |
| PC-7A  | 325.00' | 81.35'     | 81.26'       | S 42°35'18" W | 10°48'59"   |
| PC-7B  | 325.00' | 114.97'    | 114.57'      | S 27°02'46" W | 20°16'03"   |
| PC-7C  | 325.00' | 82.39'     | 82.28'       | S 11°24'49" W | 10°59'49"   |
| PC-8A  | 975.00' | 6.17'      | 6.17'        | S 05°44'02" W | 0°21'46"    |
| PC-8B  | 975.00' | 89.51'     | 89.48'       | S 02°55'20" W | 5°13'57"    |
| PC-8C  | 975.00' | 36.99'     | 36.99'       | S 00°47'59" W | 2°10'25"    |
| PC-9A  | 425.00' | 25.88'     | 25.88'       | N 00°19'14" W | 3°07'18"    |
| PC-9B  | 475.00' | 76.00'     | 75.92'       | N 05°49'26" E | 9°10'02"    |
| PC-9C  | 475.00' | 76.00'     | 75.92'       | N 14°59'29" E | 9°10'02"    |
| PC-9D  | 475.00' | 76.15'     | 76.07'       | N 24°10'04" E | 9°10'02"    |
| PC-10A | 285.00' | 9.47'      | 9.47'        | N 29°42'45" E | 15°41'55"   |
| PC-10B | 285.00' | 73.55'     | 73.34'       | N 38°03'27" E | 14°47'10"   |
| PC-10C | 285.00' | 73.55'     | 73.34'       | S 52°50'37" W | 14°47'10"   |
| PC-10D | 285.00' | 15.01'     | 15.01'       | S 61°44'42" W | 37°01'01"   |
| PC-10E | 285.00' | 102.40'    | 101.85'      | S 73°27'50" W | 20°13'13"   |
| PC-12A | 62.00'  | 3.50'      | 3.50'        | N 09°53'01" E | 3°13'51"    |
| PC-12B | 62.00'  | 54.31'     | 52.59'       | N 36°35'43" E | 50°11'32"   |
| PC-12C | 62.00'  | 57.11'     | 55.11'       | N 88°04'40" E | 52°45'23"   |
| PC-12D | 62.00'  | 25.17'     | 25.00'       | S 53°41'16" E | 23°13'45"   |
| PC-14C | 285.00' | 74.48'     | 74.27'       | S 16°37'04" E | 47°18'38"   |
| PC-14D | 285.00' | 15.88'     | 15.87'       | S 12°27'08" E | 3°11'30"    |
| PC-15A | 475.00' | 78.88'     | 78.79'       | N 15°36'50" W | 9°30'54"    |
| PC-15B | 475.00' | 103.45'    | 103.24'      | N 26°36'37" W | 12°28'40"   |
| PC-15C | 475.00' | 17.88'     | 17.88'       | N 33°49'40" E | 8°13'50"    |
| PC-16A | 425.00' | 66.39'     | 66.33'       | S 30°31'58" E | 8°57'03"    |
| PC-16B | 425.00' | 75.56'     | 75.46'       | S 20°57'50" E | 10°11'09"   |
| PC-16C | 425.00' | 75.56'     | 75.46'       | S 10°46'40" E | 10°11'09"   |
| PC-16D | 425.00' | 75.56'     | 75.46'       | S 00°35'51" E | 10°11'09"   |
| PC-16E | 425.00' | 75.56'     | 75.46'       | S 28°57'57" W | 10°11'09"   |
| PC-16F | 425.00' | 75.56'     | 75.46'       | S 19°46'48" W | 10°11'09"   |
| PC-16G | 425.00' | 75.56'     | 75.46'       | S 28°57'57" W | 10°11'09"   |
| PC-16H | 425.00' | 75.56'     | 75.46'       | S 40°09'05" W | 10°11'09"   |
| PC-16I | 425.00' | 30.58'     | 30.58'       | S 00°35'51" E | 10°11'09"   |
| PC-17A | 575.00' | 58.88'     | 58.86'       | N 46°25'44" E | 5°52'40"    |
| PC-17B | 575.00' | 99.32'     | 99.19'       | N 38°32'30" E | 9°53'48"    |
| PC-17C | 575.00' | 99.32'     | 99.19'       | N 28°38'43" E | 9°53'48"    |
| PC-17D | 575     |            |              |               |             |



**DELDOT DRAINAGE EASEMENT**



**METES AND BOUNDS**

| ASSESSMENT NUMBER | OWNERSHIP OF RECORD     | TYPE OF ACQUISITION | PARCEL AREA |
|-------------------|-------------------------|---------------------|-------------|
| 334-12.00-113.00  | J.G. TOWNSEND JR. & CO. | PERMANENT EASEMENT  | 78.18 AC.   |

| ALIGNMENT NUMBER | PT. NO. | BEARING       | DISTANCE |
|------------------|---------|---------------|----------|
| 90007            |         | S 24°39'53" E | 55.09'   |
| 90008            |         | S 75°01'46" E | 48.43'   |
| 90009            |         | S 80°26'24" E | 31.66'   |
| 90010            |         | N 17°51'35" E | 39.27'   |
| 90011            |         | S 74°53'22" W | 20.02'   |
| 90012            |         | S 17°51'35" W | 57.54'   |
| 90013            |         | N 80°26'24" W | 49.90'   |
| 90014            |         | N 75°01'46" W | 54.55'   |
| 90015            |         | S 62°16'14" W | 65.07'   |
| 90016            |         | N 27°51'07" W | 20.00'   |
| 90017            |         | N 62°16'29" E | 62.93'   |
| 90018            |         | N 24°39'33" W | 63.96'   |
| 90019            |         | S 74°53'22" E | 26.01'   |
| 90007            |         |               |          |

PERMANENT EASEMENT AREA = 5,469.8 SQ. FT. (0.13 AC.)

N/P: J.G. TOWNSEND JR. & CO.  
334-12.00-116.00  
ZONING: AR-1

A PERMANENT DRAINAGE EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM STATE MAINTAINED ROADS AND / OR RIGHTS OF WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND / OR RIGHTS OF WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF AN EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND / OR DRAINAGE EASEMENTS. SEE THIS SHEET FOR ADDITIONAL INFORMATION.

DAVIS BOWEN & FRIEDEL, INC.  
ARCHITECTS, ENGINEERS, SURVEYORS  
SUBMITTED TO: DELDOT  
DATE: 04/17/2019  
PROJECT: 2261J008

RECORD PLAN - SITE PLAN

**WELLESLEY LEWES AND REHOBOTH HUNDRED SUSSEX COUNTY, DELAWARE**

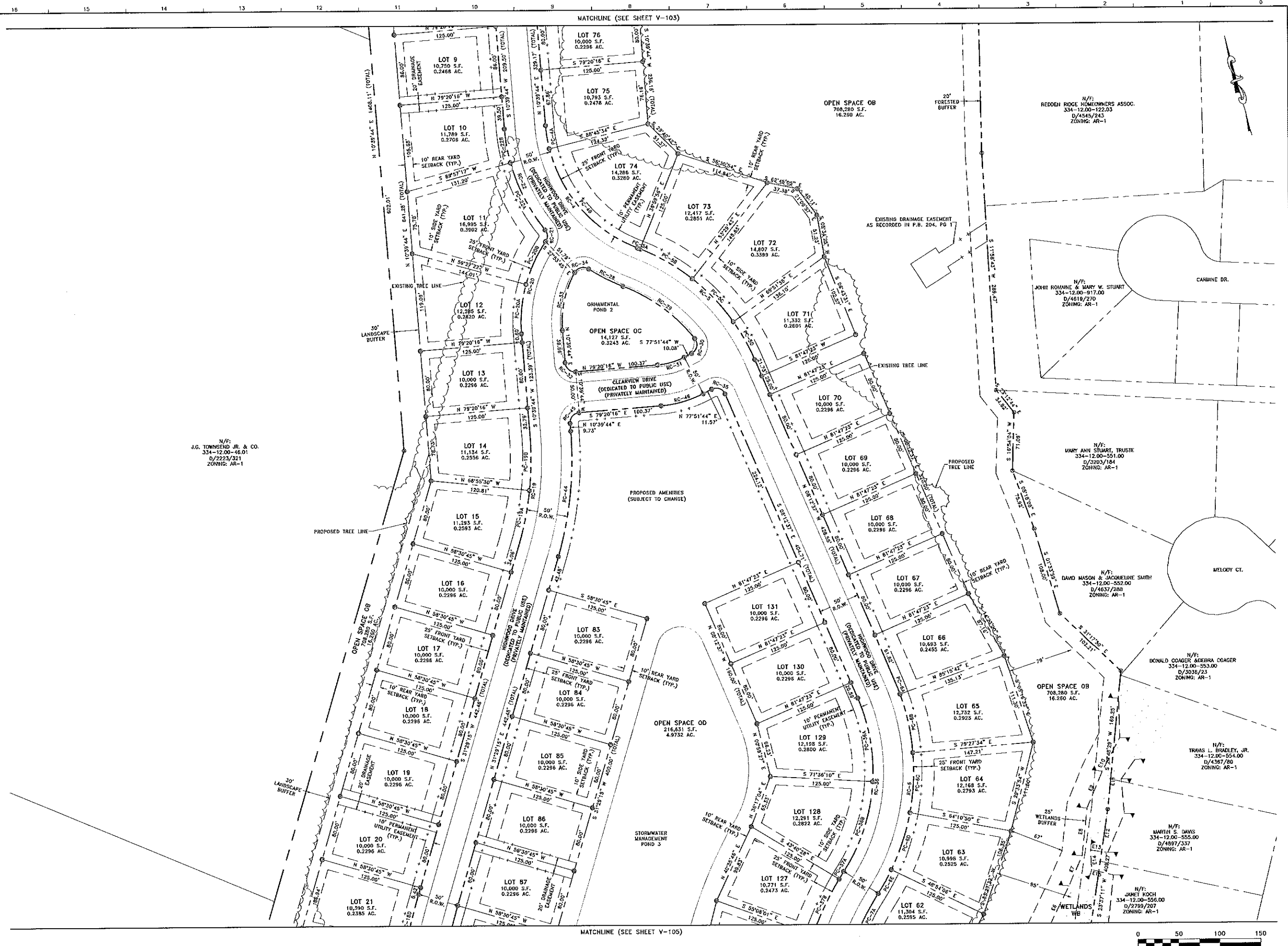
REVISIONS:  
2019-05-17 SCD  
2019-05-31 TR  
2019-06-10 DELDOT  
2019-06-10 P&Z  
2019-06-10 TR

Date: APRIL, 2019  
Scale: 1" = 50'  
Dwn.By: SHF  
Proj.No.: 2261J008  
Dwg.No.:  
**V-103**



P:\JG\Townsend\2261J008 Wellesley Design\2261J008-RECORD PLAN.dwg, Jun 17, 2019, 1:02:28am, plot





MATCHLINE (SEE SHEET V-103)

MATCHLINE (SEE SHEET V-105)

N/F:  
J.G. TOWNSEND JR. & CO.  
334-12.00-46.01  
D/2223/321  
ZONING: AR-1

N/F:  
REDDEN RIDGE HOMEOWNERS ASSOC.  
334-12.00-122.03  
D/4546/243  
ZONING: AR-1

N/F:  
JOHN ROYANNE & MARY W. STUART  
334-12.00-917.00  
D/4618/270  
ZONING: AR-1

N/F:  
MARY ANN STUART, TRUSTE  
334-12.00-351.00  
D/3203/184  
ZONING: AR-1

N/F:  
DAVID MASON & JACQUELINE SMITH  
334-12.00-552.00  
D/4637/288  
ZONING: AR-1

N/F:  
DONALD COAGER & DEBRA COAGER  
334-12.00-553.00  
D/3036/233  
ZONING: AR-1

N/F:  
TRAVIS L. BRADLEY, JR.  
334-12.00-554.00  
D/4387/80  
ZONING: AR-1

N/F:  
MARTIN S. DAVIS  
334-12.00-555.00  
D/4897/337  
ZONING: AR-1

N/F:  
JANET KOCH  
334-12.00-556.00  
D/2789/207  
ZONING: AR-1

DAVIS BOWEN & FRIEDEL, INC.  
ARCHITECTS ENGINEERS SURVEYORS  
CALVERT LINDSAY BROWN  
1410 N. HUNTERS LANE  
WESTVALE, MARYLAND  
410-776-4744

RECORD PLAN - SITE PLAN

**WELLESLEY  
LEWES AND REHOBOTH HUNDRED  
SUSSEX COUNTY, DELAWARE**

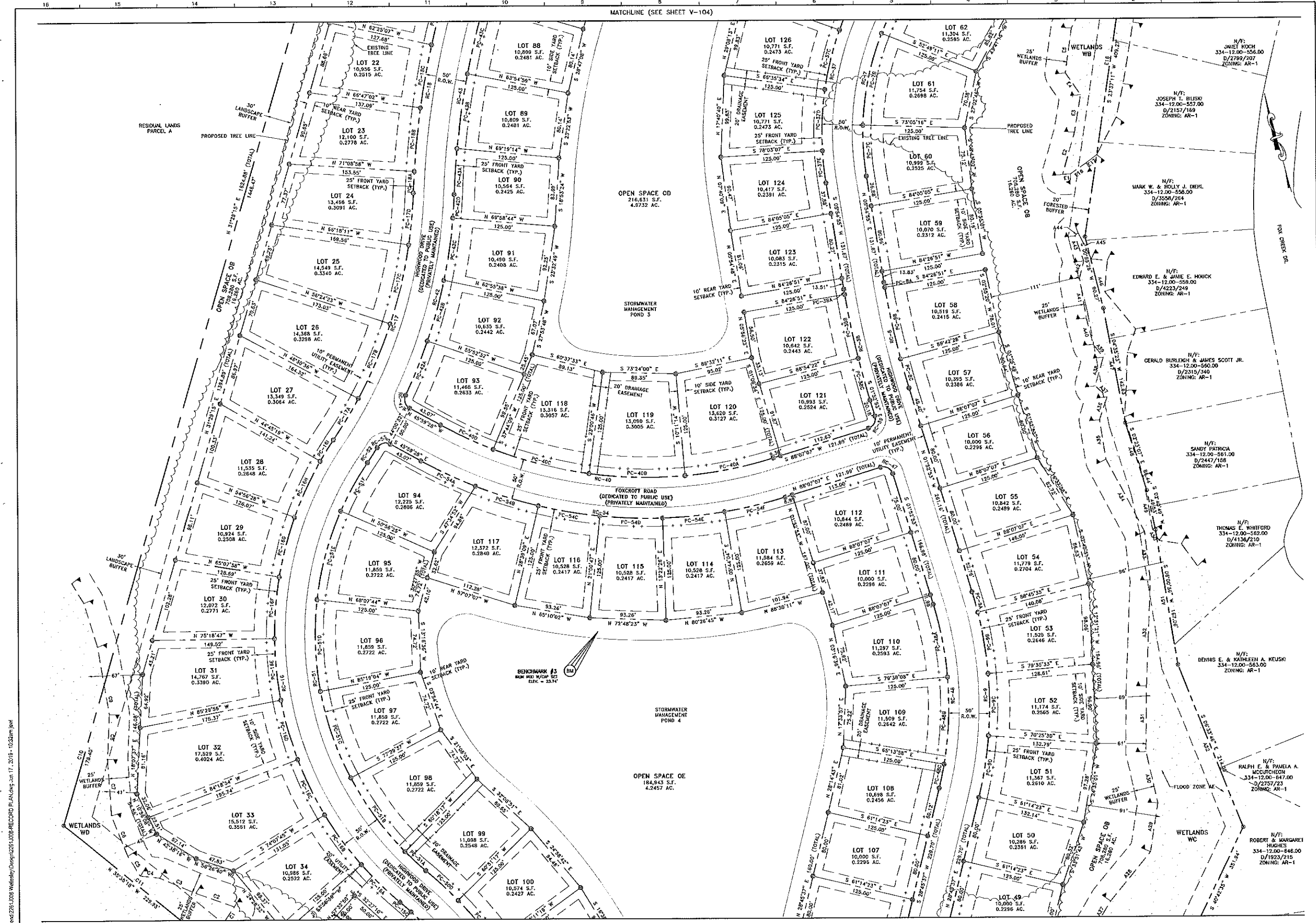
REVISIONS:  
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2019-05-17 SCE  
2019-05-31 DELDOT  
2019-06-10 P&Z  
2019-06-10 TIA

Date: APRIL, 2019  
Scale: 1" = 50'  
Des. By: SHF  
Proj. No.: 2261J00B  
Dwg. No.:

**V-104**



P:\JG Townsend\2261J00B Wellesley\Design\2261J00B-RECORDED PLAN.dwg Jun 17, 2019 - 10:38am jent



DAVIS BOWEN & FRIEDEL, INC.  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET, SUITE 200  
 WILMINGTON, DELAWARE 19801  
 (302) 426-1100  
 (302) 426-1101  
 (302) 426-1102  
 (302) 426-1103  
 (302) 426-1104

RECORD PLAN - SITE PLAN

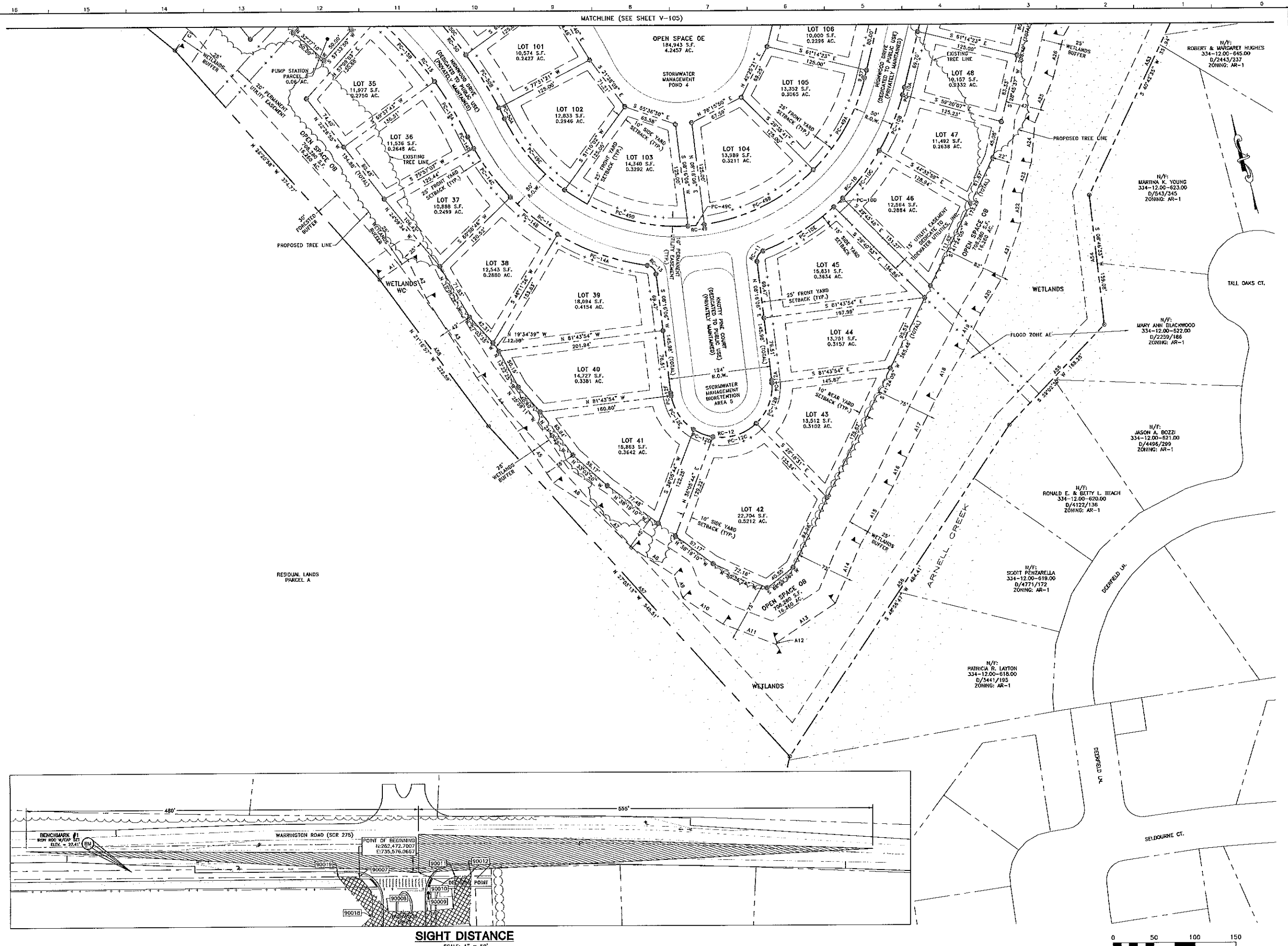
**WELLESLEY**  
**LEWES AND REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

REVISIONS:  
 2019-05-17 SCD  
 SCD  
 2019-05-31 TR  
 TR  
 2019-08-10 P&Z  
 P&Z  
 TR

Date: APRIL, 2019  
 Scale: 1" = 50'  
 Dwn. By: SHF  
 Proj. No.: 2261J008  
 Dwg. No.:

V-105

PLUG Townshd2261J008 Wellesley Design\2261J008-RECORDED PLAN.dwg, Jan 17, 2019, 10:23am jfw



MATCHLINE (SEE SHEET V-105)

DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS ENGINEERS SURVEYORS  
 SALISBURY, MARYLAND (CERT. #43-0001)  
 BOSTON, MASSACHUSETTS (CERT. #10177-0174)

RECORD PLAN - SITE PLAN

**WELLESLEY**  
**LEWES AND REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

REVISIONS:

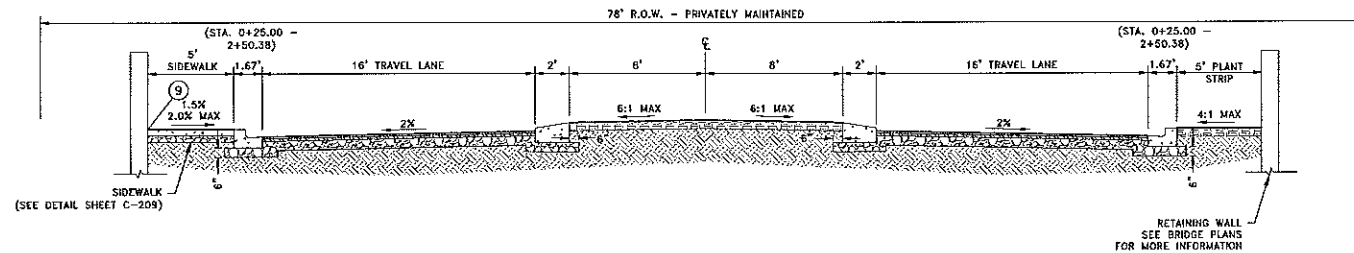
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|------------|-------|
| 2019-05-17 | SCB   |
|            | SCE   |
| 2019-05-31 | TRV   |
|            | DELDT |
| 2019-06-10 | PEZ   |
|            | TUI   |

Date: APRIL, 2019  
 Scale: 1" = 50'  
 Drawn By: SHF  
 Proj. No.: 2261J008  
 Dwg. No.:

**V-106**

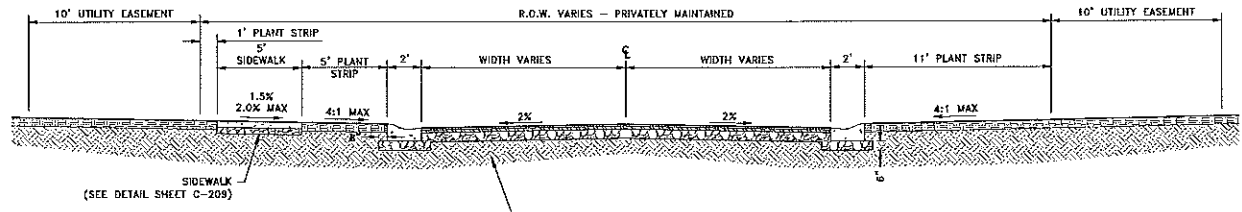
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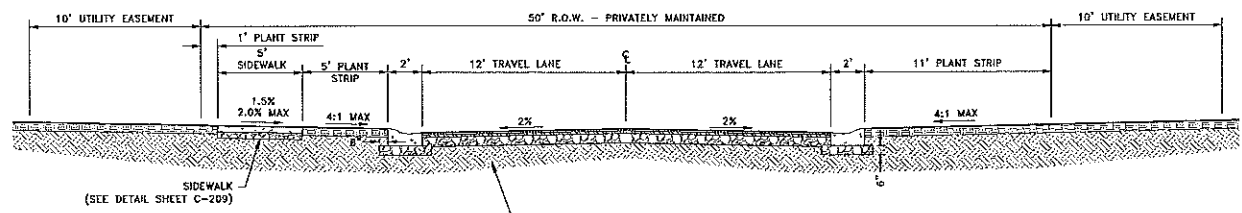
**TYPE I RESIDENTIAL STREET SECTION W/ CENTER MEDIAN**

**18' TYPICAL PAVEMENT SECTION**  
 NOT TO SCALE  
 HIGHWOOD DRIVE (STA. 0+00.00 - 3+02.58)



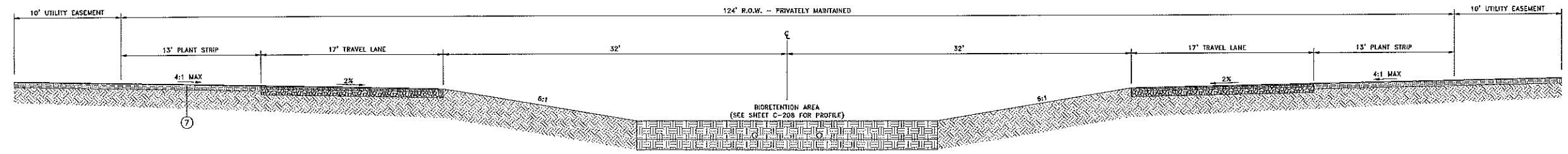
**TYPE I RESIDENTIAL STREET SECTION**

**TYPICAL PAVEMENT SECTION**  
 NOT TO SCALE  
 HIGHWOOD DRIVE (STA. 3+02.58 - 4+50.66)



**TYPE I RESIDENTIAL STREET SECTION**

**24' TYPICAL PAVEMENT SECTION**  
 NOT TO SCALE  
 HIGHWOOD DRIVE (STA. 4+50.66 - 63+40.85)  
 FALCON POINT ROAD (STA. 0+00.00 - 1+80.00)  
 CLEARVIEW DRIVE (STA. 0+00.00 - 0+79.93)  
 CLEARVIEW DRIVE (STA. 1+67.00 - 2+51.80)  
 FOXCROFT ROAD (STA. 0+00.00 - 6+78.50)



**TYPE I RESIDENTIAL STREET SECTION**

**17' TYPICAL PAVEMENT SECTION**  
 NOT TO SCALE  
 KNOTTY PINE COURT (STA. 0+00.00 - 2+22.61)

P:\UG\_Township\2261\UGS\Wellesley\Design\2261\UGS\RECORD PLAN.dwg, Jun 10, 2019, 3:05pm bms

ARCHITECTS ENGINEERS SURVEYORS  
**DAVIS, BOWEN & FRIEDEL, INC.**  
 1101 S. MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 776-1744

RECORD PLAN - TYPICAL SECTIONS

**WELLESLEY**  
**LEWES AND REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

REVISIONS:

|            |         |
|------------|---------|
| 2019-05-17 | SCB     |
| 2019-05-31 | DEL/POT |
| 2019-06-10 | TU      |

|            |             |
|------------|-------------|
| Date:      | APRIL, 2019 |
| Scale:     | N.T.S.      |
| Des. By:   | SHF         |
| Proj. No.: | 2261J008    |
| Dwg. No.:  |             |

**V-107**

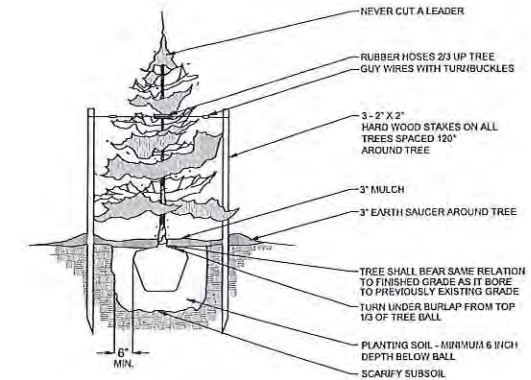
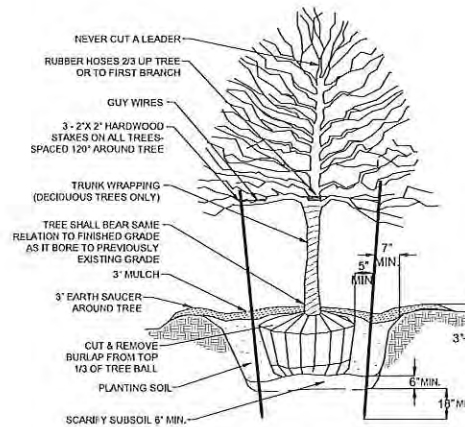




**PLANTING SCHEDULE**

| DEDIDUOUS TREES |      |             |                    |                 |       |
|-----------------|------|-------------|--------------------|-----------------|-------|
| SYMBOL          | QTY. | COMMON NAME | BOTANICAL NAME     | SIZE            | NOTE  |
| AR              | 5    | Red Maple   | Acer Rubrum        | 1 1/2"-2" Calp. | B & B |
| FA              | 6    | White Ash   | Fraxinus Americana | 1 1/2"-2" Calp. | B & B |
| TOTAL           | 11   |             |                    |                 |       |
| EVERGREEN TREES |      |             |                    |                 |       |
| SYMBOL          | QTY. | COMMON NAME | BOTANICAL NAME     | SIZE            | NOTE  |
| TO              | 14   | Arborvitae  | Thuja Occidentalis | 5' - 6' Tall    | B & B |

*only shows 9 on P-1*



**GENERAL PLANTING NOTES**

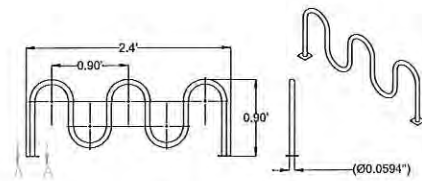
- PLANT MATERIAL SHALL BE FURNISHED AND INSTALLED AS INDICATED INCLUDING ALL LABOR, MATERIALS, PLANTS, EQUIPMENT, INCIDENTALS AND CLEANUP.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLANTING AT CORRECT GRADES AND ALIGNMENT.
- PLANTS SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY; HAVE NORMAL GROWTH HABITS; WELL-DEVELOPED BRANCHES, DENSELY FOLIATED; VIGOROUS ROOT SYSTEMS AND BE FREE FROM DEFECTS AND INJURIES.
- CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITIONS CONSIDERED DETRIMENTAL TO THE GROWTH OF THE PLANT MATERIAL.
- ALL PLANT MATERIAL SHALL BE GUARANTEED BY THE CONTRACTOR TO BE IN VIGOROUS GROWING CONDITION. PROVISION SHALL BE MADE FOR A GROWTH GUARANTEE OF AT LEAST ONE (1) YEAR FOR TREES AND A MINIMUM OF ONE (1) YEAR FOR SHRUBS. REPLACEMENT SHALL BE MADE AT THE BEGINNING OF THE FIRST SUCCESSFUL PLANTING SEASON. ALL REPLACEMENTS SHALL HAVE A GUARANTEE EQUAL TO THAT STATED ABOVE. THE DEVELOPER IS EXPECTED TO MAINTAIN PLANTINGS, INCLUDING WATERING ALL PLANTS ANY TIME FROM APRIL TO DECEMBER WHEN NATURAL RAINFALL IS LESS THAN ONE INCH PER WEEK.
- PLANT MATERIALS SHALL BE PLANTED ON THE DAY OF DELIVERY. IN THE EVENT THIS IS NOT POSSIBLE, THE CONTRACTOR SHALL PROTECT STOCK NOT PLANTED. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN A THREE (3) DAY PERIOD AFTER DELIVERY.
- QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS, SHALL BE IN ACCORDANCE WITH ANSI Z60.1-1986 (OR CURRENT EDITION) "AMERICAN STANDARD FOR NURSERY STOCK", LAST REVISION, AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
- ALL PLANTS SHALL BE PLANTED IN TOPSOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACKFILLING PROGRESSES. NOTHING BUT SUITABLE TOPSOIL, FREE OF DRY SOD, STIFF CLAY, LITTER, ETC., SHALL BE USED FOR PLANTING.
- PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK AND BREAK BRANCHES. PLANTS SHALL BE HANDLED FROM THE BOTTOM OF THE BALL ONLY.
- PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE AND IN ACCORDANCE WITH ACCEPTED LOCAL PRACTICE.
- NO PLANT, EXCEPT GROUND COVERS, SHALL BE PLANTED LESS THAN TWO (2) FEET FROM EXISTING STRUCTURES AND SIDEWALKS.
- SET PLANTS PLUMB AND STRAIGHT. SET AT SUCH LEVEL THAT, AFTER SETTLEMENT, A NORMAL OR NATURAL RELATIONSHIP TO THE CROWN OF THE PLANT WITH THE GROUND SURFACE WILL BE ESTABLISHED. LOCATE PLANT IN THE CENTER OF THE PIT.
- ALL INJURED ROOTS SHALL BE PRUNED TO MAKE CLEAN ENDS BEFORE PLANTING. IT IS ADVISABLE TO PRUNE APPROXIMATELY 1/3 OF THE GROWTH OF LARGE TREES (2" CALIPER AND OVER) BY THE REMOVAL OF SUPERFLUOUS BRANCHES, THOSE WHICH CROSS, THOSE WHICH RUN PARALLEL, ETC. MAIN LEADER OF TREES MUST NOT BE CUT BACK. LONG SIDE BRANCHES, HOWEVER, MUST BE SHORTENED.
- EACH TREE AND SHRUB SHALL BE PRUNED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICE TO PRESERVE NATURAL CHARACTER OF THE PLANT. PRUNING SHALL BE DONE WITH CLEAN, SHARP TOOLS.
- TREES SHALL BE SUPPORTED IMMEDIATELY AFTER PLANTING ONLY WHEN CONDITIONS MERIT. ALL TREES SIX (6) INCHES AND OVER IN CALIPER SHALL BE GUYED. SMALLER TREES SHALL BE STAKED. GUYING WIRES AND STAKES SHALL BE INSTALLED AS INDICATED.
- SHOULD A PLANT BE UNAVAILABLE AT THE TIME OF INSTALLATION, ALL SUBSTITUTIONS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT.
- AREAS TO BE LANDSCAPED SHALL RECEIVE STOCKPILED TOPSOIL TO A MINIMUM DEPTH OF FOUR (4) TO SIX (6) INCHES ORGANIC MATTER CONTENT OF TOPSOIL SHALL BE A MINIMUM OF 4 PERCENT. IN THE EVENT THAT ORGANIC MATTER CONTENT IS DEFICIENT, SOIL AMENDMENTS SHALL BE ADDED AS NECESSARY TO ACHIEVE THE REQUIRED PERCENTAGE.
- PLANTING OPERATIONS SHALL INCLUDE THE COMPLETE REMOVAL OF ALL SYNTHETIC MATERIAL (IF USED) FROM THE ROOTBALL PRIOR TO PLANTING.
- ALL DISTURBED AREAS NOT PAVED OR MULCHED SHALL BE SEEDED.
- WHEN TREE GROWTH BEGINS, ALL STAKES AND/OR GUYING SHALL BE REMOVED.
- THE CONTRACTOR SHALL LOCATE AND VERIFY THE EXISTENCE OF ALL UTILITIES PRIOR TO STARTING WORK.
- THE CONSTRUCTION/IMPROVEMENT OF OPEN SPACE AREAS SHALL BE COMPLETED IN A PROPORTION EQUAL TO OR GREATER THAN THE PROPORTION OF RESIDENTIAL DWELLING UNITS COMPLETED, EXCEPT THAT 100% OF THE RECREATION AREAS SHALL BE COMPLETED PRIOR TO ISSUING BUILDING PERMITS FOR THE FINAL 50% OF THE DWELLING UNITS PROPOSED, UNLESS WRITTEN AGREEMENT IS IN PLACE BETWEEN THE CONTRACTOR AND TOWN OF MIDDLETOWN.



**POOL FENCE (TYP.)**  
N.T.S.



**DUMPSTER ENCLOSURE (TYP.)**  
N.T.S.



**BIKE RACK DETAIL**  
N.T.S.

**CIVIL ENGINEERING ASSOCIATES, LLC**  
ENGINEERING • SURVEYING • CONSTRUCTION SERVICES

101 N BROAD STREET  
MIDDLETOWN, DE 19709

PHONE (302) 376-8833  
FAX (302) 376-8834

WEB WWW.CEA-DE.COM

**DETAILS**  
FOR:  
SUSSEX COUNTY FILE S.P.S.-5.030j

**THE WOODLANDS SUBDIVISION**

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

DATE: JANUARY 31, 2017

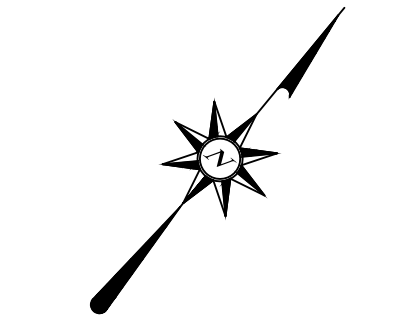
DESIGNED BY: SPR APPROVED BY: RHS

FILE: P15018-POOL\_PLAN.dwg

SHEET NO.: **P-3**

| REVISION | DATE | DESCRIPTION |
|----------|------|-------------|
|          |      |             |
|          |      |             |
|          |      |             |
|          |      |             |

DATE



0 30 60 120  
SCALE: 1" = 60'

PROJECT TITLE

**ATLANTIC CONCRETE LEWES PLANT REPLACEMENT**

OLD ORCHARD ROAD  
LEWES & REHOBOTH  
HUNDRED  
SUSSEX COUNTY, DE

SHEET TITLE

**COVER SHEET & OVERALL LAYOUT**

ISSUE BLOCK

| NO. | DATE    | DESCRIPTION   |
|-----|---------|---|
| 2   | 6-10-19 | REVISED PER SUSSEX PLANNING & FIRE MARSHAL COMMENTS |
| 1   | 5-29-19 | REVISED PER SUSSEX CONSERVATION DISTRICT COMMENTS   |

PROJECT NO.: 2018132.00

DATE: 07/25/2018

SCALE: 1" = 60'

DRAWN BY: T.D.G. / PROJ. MGR.: G.V.M.

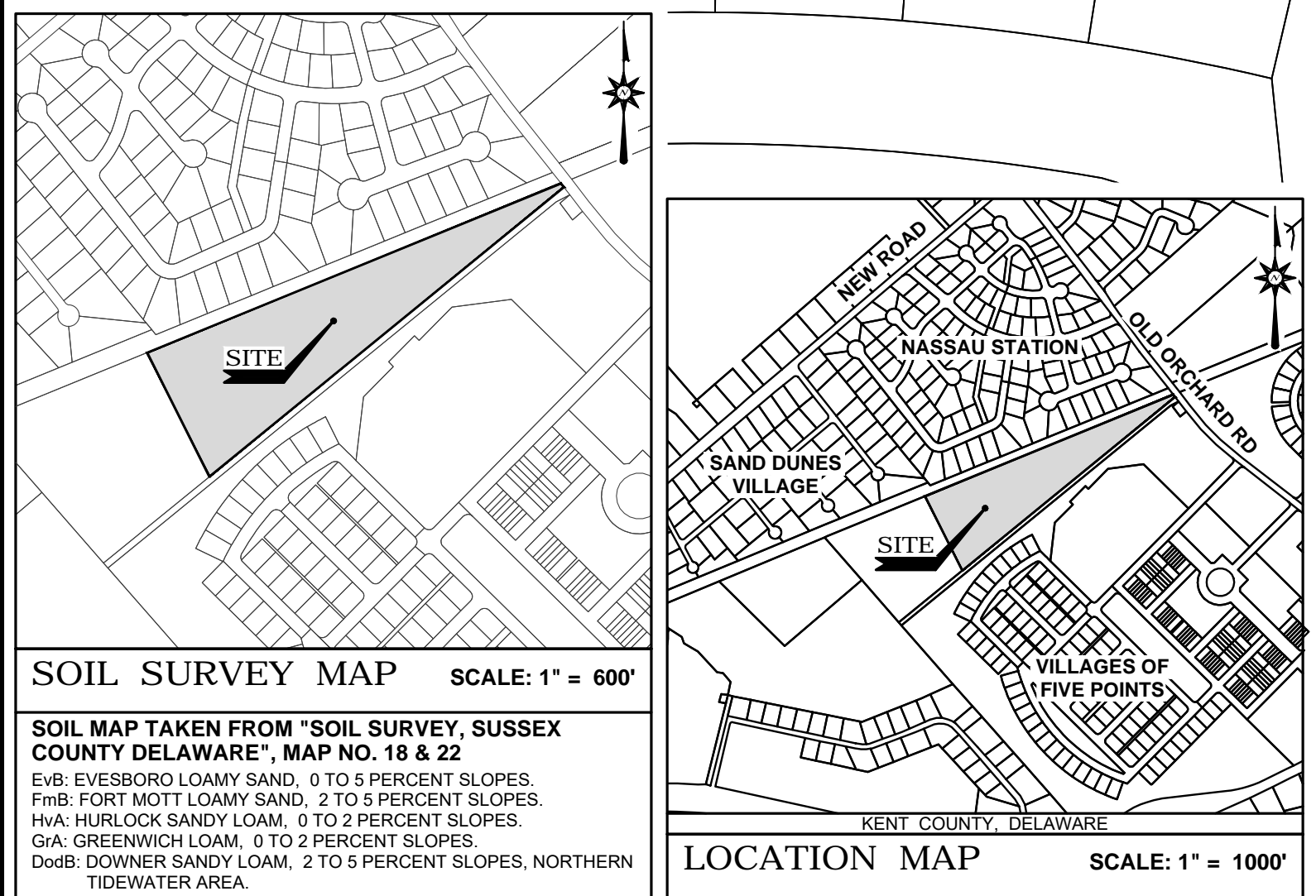
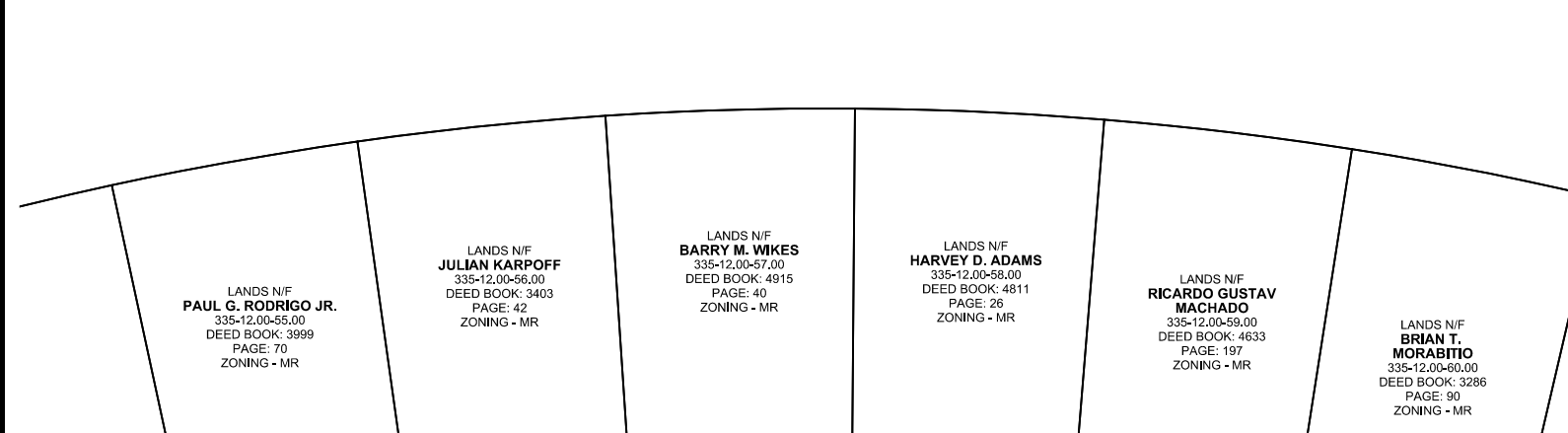
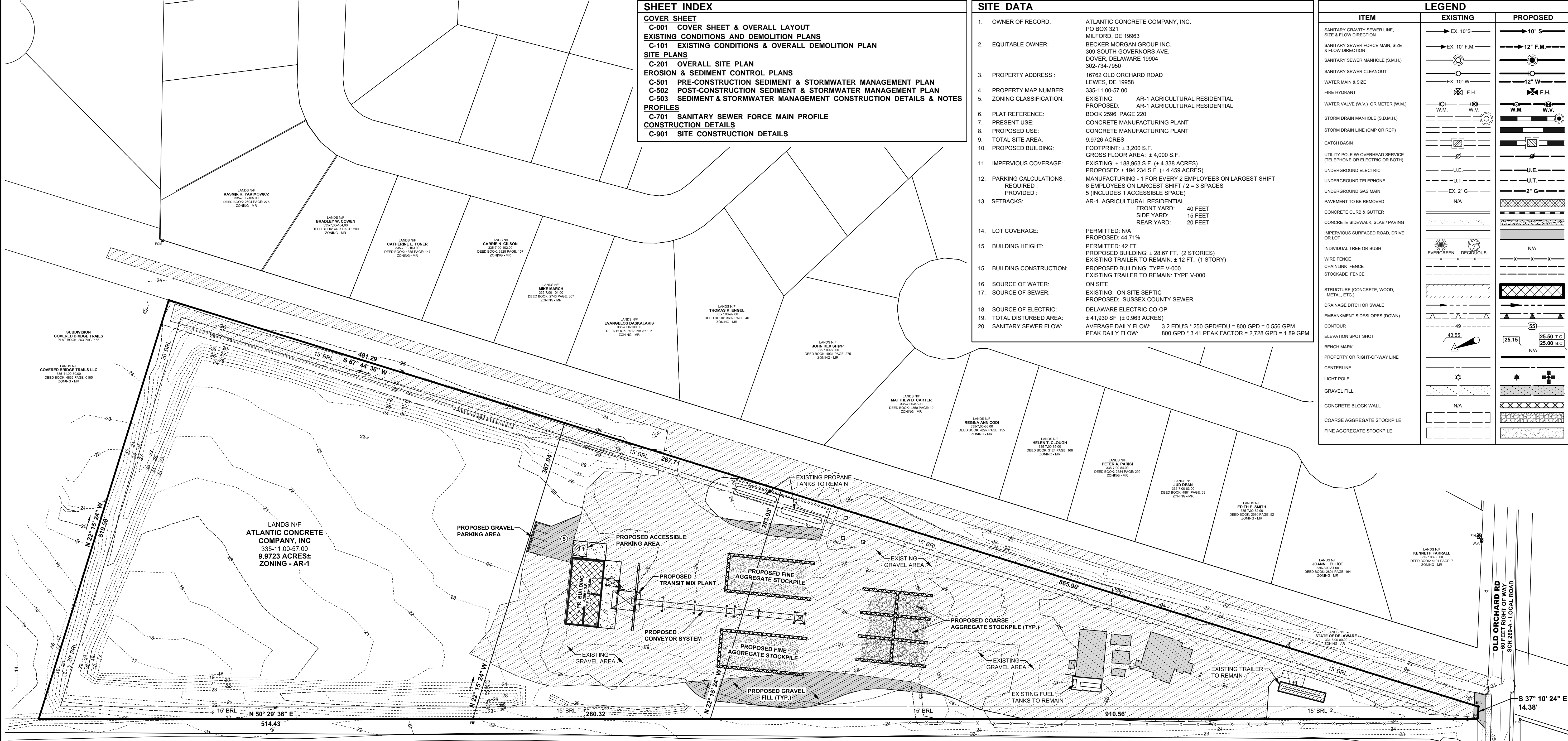
SHEET

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| ITEM   | EXISTING   | PROPOSED                               |
|--|--|--|
|  | SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION | EX. 10" S                              |
| SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION                 | EX. 10" F.M.                                       | 12" F.M.                               |
| SANITARY SEWER MANHOLE (S.M.H.)                                  | SMH  | SMH                                    |
| SANITARY SEWER CLEANOUT  | SC   | SC                                     |
| WATER MAIN & SIZE  | EX. 10" W  | 12" W                                  |
| FIRE HYDRANT   | F.H.   | F.H.                                   |
| WATER VALVE (W.V.) OR METER (W.M.)                               | W.M. / W.V.  | W.M. / W.V.                            |
| STORM DRAIN MANHOLE (S.D.M.H.)                                   | SDMH   | SDMH                                   |
| STORM DRAIN LINE (CMP OR RCP)                                    | SD   | SD                                     |
| CATCH BASIN  | CB   | CB                                     |
| UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH) | U.P.   | U.P.                                   |
| UNDERGROUND ELECTRIC   | U.E.   | U.E.                                   |
| UNDERGROUND TELEPHONE  | U.T.   | U.T.                                   |
| UNDERGROUND GAS MAIN   | EX. 2" G   | 2" G                                   |
| PAVEMENT TO BE REMOVED   | N/A  | PAVEMENT TO BE REMOVED                 |
| CONCRETE CURB & GUTTER   | N/A  | CONCRETE CURB & GUTTER                 |
| CONCRETE SIDEWALK, SLAB / PAVING                                 | N/A  | CONCRETE SIDEWALK, SLAB / PAVING       |
| IMPERVIOUS SURFACED ROAD, DRIVE OR LOT                           | N/A  | IMPERVIOUS SURFACED ROAD, DRIVE OR LOT |
| INDIVIDUAL TREE OR BUSH  | EVERGREEN / DECIDUOUS                              | N/A                                    |
| WIRE FENCE   | W.F.   | N/A                                    |
| CHAINLINK FENCE  | CL.F.  | N/A                                    |
| STOCKADE FENCE   | S.F.   | N/A                                    |
| STRUCTURE (CONCRETE, WOOD, METAL, ETC.)                          | STR.   | STR.                                   |
| DRAINAGE DITCH OR SWALE  | D.D.   | D.D.                                   |
| EMBANKMENT SIDESLOPES (DOWN)                                     | E.S.   | E.S.                                   |
| CONTOUR  | CONTOUR  | CONTOUR                                |
| ELEVATION SPOT SHOT  | ESS  | ESS                                    |
| BENCH MARK   | B.M.   | N/A                                    |
| PROPERTY OR RIGHT-OF-WAY LINE                                    | P.O.W.   | N/A                                    |
| CENTERLINE   | C.L.   | N/A                                    |
| LIGHT POLE   | L.P.   | N/A                                    |
| GRAVEL FILL  | N/A  | GRAVEL FILL                            |
| CONCRETE BLOCK WALL  | N/A  | CONCRETE BLOCK WALL                    |
| COARSE AGGREGATE STOCKPILE                                       | N/A  | COARSE AGGREGATE STOCKPILE             |
| FINE AGGREGATE STOCKPILE   | N/A  | FINE AGGREGATE STOCKPILE               |

| SITE DATA                          |  |
|------------------------------------|--|
| 1. OWNER OF RECORD:                | ATLANTIC CONCRETE COMPANY, INC.<br>PO BOX 321<br>MILFORD, DE 19963   |
| 2. EQUITABLE OWNER:                | BECKER MORGAN GROUP INC.<br>309 SOUTH GOVERNORS AVE.<br>DOVER, DELAWARE 19904<br>302-734-7950  |
| 3. PROPERTY ADDRESS:               | 16762 OLD ORCHARD ROAD<br>LEWES, DE 19958  |
| 4. PROPERTY MAP NUMBER:            | 335-11.00-57.00  |
| 5. ZONING CLASSIFICATION:          | EXISTING: AR-1 AGRICULTURAL RESIDENTIAL<br>PROPOSED: AR-1 AGRICULTURAL RESIDENTIAL   |
| 6. PLAT REFERENCE:                 | BOOK 2596 PAGE 220   |
| 7. PRESENT USE:                    | CONCRETE MANUFACTURING PLANT   |
| 8. PROPOSED USE:                   | CONCRETE MANUFACTURING PLANT   |
| 9. TOTAL SITE AREA:                | 9.9726 ACRES   |
| 10. PROPOSED BUILDING:             | FOOTPRINT: ± 3,200 S.F.<br>GROSS FLOOR AREA: ± 4,000 S.F.  |
| 11. IMPERVIOUS COVERAGE:           | EXISTING: ± 188,963 S.F. (± 4.338 ACRES)<br>PROPOSED: ± 194,234 S.F. (± 4.459 ACRES)   |
| 12. PARKING CALCULATIONS REQUIRED: | MANUFACTURING - 1 FOR EVERY 2 EMPLOYEES ON LARGEST SHIFT<br>6 EMPLOYEES ON LARGEST SHIFT / 2 = 3 SPACES<br>5 (INCLUDES 1 ACCESSIBLE SPACE) |
| 13. SETBACKS:                      | AR-1 AGRICULTURAL RESIDENTIAL<br>FRONT YARD: 40 FEET<br>SIDE YARD: 15 FEET<br>REAR YARD: 20 FEET   |
| 14. LOT COVERAGE:                  | PERMITTED: N/A<br>PROPOSED: 44.71%   |
| 15. BUILDING HEIGHT:               | PERMITTED: 42 FT<br>PROPOSED BUILDING: ± 28 FT. (2 STORIES)<br>EXISTING TRAILER TO REMAIN: ± 12 FT. (1 STORY)                              |
| 15. BUILDING CONSTRUCTION:         | PROPOSED BUILDING: TYPE V-000<br>EXISTING TRAILER TO REMAIN: TYPE V-000  |
| 16. SOURCE OF WATER:               | ON SITE  |
| 17. SOURCE OF SEWER:               | EXISTING: ON SITE SEPTIC<br>PROPOSED: SUSSEX COUNTY SEWER  |
| 18. SOURCE OF ELECTRIC:            | DELAWARE ELECTRIC CO-OP  |
| 19. TOTAL DISTURBED AREA:          | ± 41,930 SF (± 0.963 ACRES)  |
| 20. SANITARY SEWER FLOW:           | AVERAGE DAILY FLOW: 3.2 EDU'S * 250 GPD/EDU = 800 GPD = 0.556 GPM<br>PEAK DAILY FLOW: 800 GPD * 3.41 PEAK FACTOR = 2,728 GPD = 1.89 GPM    |

| SHEET INDEX |   |
|-------------|---|
| C-001       | COVER SHEET & OVERALL LAYOUT                                  |
| C-101       | EXISTING CONDITIONS AND DEMOLITION PLANS                      |
| C-201       | OVERALL SITE PLAN   |
| C-501       | EROSION & SEDIMENT CONTROL PLANS                              |
| C-502       | PRE-CONSTRUCTION SEDIMENT & STORMWATER MANAGEMENT PLAN        |
| C-503       | POST-CONSTRUCTION SEDIMENT & STORMWATER MANAGEMENT PLAN       |
| C-603       | SEDIMENT & STORMWATER MANAGEMENT CONSTRUCTION DETAILS & NOTES |
| C-701       | PROFILES  |
| C-701       | SANITARY SEWER FORCE MAIN PROFILE                             |
| C-901       | CONSTRUCTION DETAILS  |
| C-901       | SITE CONSTRUCTION DETAILS                                     |



**GENERAL NOTES:**

- TOPOGRAPHIC SURVEY DATA SHOWN HEREON WAS PREPARED BY BECKER MORGAN GROUP, DOVER, DE, IN JULY 2018. VERTICAL DATUM IS BASED ON NAVD 88 AND HORIZONTAL DATUM IS BASED ON DELAWARE STATE PLANE (NAD83), GPS DERIVED FROM N.G.S. CONTROL MONUMENTS.
- THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELAWARE (1-800-282-8555) TO VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO ANY UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTORS EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS SHOWN HEREON, HE DOES SO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO TIME DELAYS FROM SAID RELIANCE.
- THIS AREA OF DEVELOPMENT IS NOT IMPACTED BY THE 100 YEAR FLOOD PLAN AS SHOWN ON FIRM 10050C0193K, PANEL 103 OF 660, EFFECTIVE MARCH 16, 2015.
- BECKER MORGAN GROUP CERTIFIES THAT THERE ARE NO FRESH WATER WETLANDS LOCATED WITHIN THE IMPROVED AREA.
- ALL ROADS, PARKING AND OTHER PAVED AREAS WILL BE PRIVATELY OWNED AND MAINTAINED AND ARE NOT INTENDED FOR DEDICATION.
- DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING EXCAVATION MUST BE REMOVED AND PROPERLY DISCARDED.
- ALL HANDICAPPED PARKING DEMARCATION, STALLS, AND BUILDING ACCESSIBLE ROUTES SHALL COMPLY WITH THE "AMERICAN WITH DISABILITIES ACT".
- THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENT FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPLICABLE.
- BEFORE THE CONTRACTOR CAN BEGIN CONSTRUCTION HE MUST OBTAIN THE PROPER PERMITS AND/OR APPROVALS FROM THE SUSSEX CONSERVATION DISTRICT (S.C.D.), DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS AND APPROPRIATE STATE AND COUNTY AGENCIES.
- ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE ACCORDING TO THE CITY OF DOVER AND THE STATE OF DELAWARE STANDARDS, KENT COUNTY DEPARTMENT OF PUBLIC WORKS AND CONSTRUCTION SPECIFICATIONS.

**OWNERS CERTIFICATION**

WE, ATLANTIC CONCRETE COMPANY, INC., HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

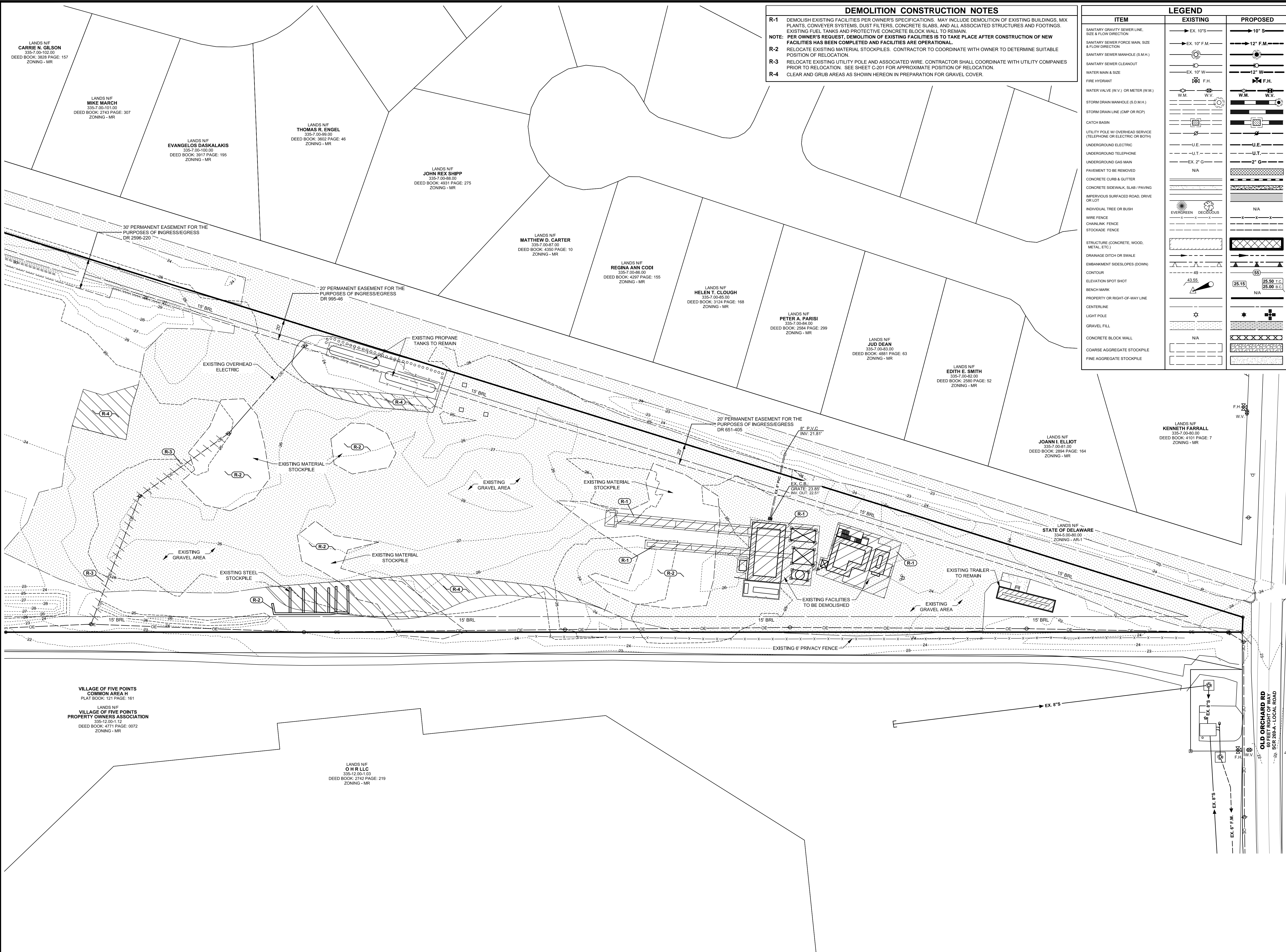
DAVID A. JONES, PRESIDENT DATE

**ENGINEERS CERTIFICATION**

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

GREGORY V. MOORE P.E. NO. 9311 DATE





**DEMOLITION CONSTRUCTION NOTES**

**R-1** DEMOLISH EXISTING FACILITIES PER OWNER'S SPECIFICATIONS. MAY INCLUDE DEMOLITION OF EXISTING BUILDINGS, MIX PLANTS, CONVEYER SYSTEMS, DUST FILTERS, CONCRETE SLABS, AND ALL ASSOCIATED STRUCTURES AND FOOTINGS. EXISTING FUEL TANKS AND PROTECTIVE CONCRETE BLOCK WALL TO REMAIN.

**NOTE:** PER OWNER'S REQUEST, DEMOLITION OF EXISTING FACILITIES IS TO TAKE PLACE AFTER CONSTRUCTION OF NEW FACILITIES HAS BEEN COMPLETED AND FACILITIES ARE OPERATIONAL.

**R-2** RELOCATE EXISTING MATERIAL STOCKPILES. CONTRACTOR TO COORDINATE WITH OWNER TO DETERMINE SUITABLE POSITION OF RELOCATION.

**R-3** RELOCATE EXISTING UTILITY POLE AND ASSOCIATED WIRE. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES PRIOR TO RELOCATION. SEE SHEET C-201 FOR APPROXIMATE POSITION OF RELOCATION.

**R-4** CLEAR AND GRUB AREAS AS SHOWN HEREON IN PREPARATION FOR GRAVEL COVER.

| ITEM   | LEGEND                        |                               |
|--|-------------------------------|-------------------------------|
|  | EXISTING                      | PROPOSED                      |
| SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION               | EX. 10" S                     | 10" S                         |
| SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION                 | EX. 10" F.M.                  | 12" F.M.                      |
| SANITARY SEWER MANHOLE (S.M.H.)                                  | EX. 10" W                     | 12" W                         |
| SANITARY SEWER CLEANOUT  | EX. 10" W                     | 12" W                         |
| WATER MAIN & SIZE  | EX. 10" W                     | 12" W                         |
| FIRE HYDRANT   | F.H.                          | F.H.                          |
| WATER VALVE (W.V.) OR METER (W.M.)                               | W.M. W.V.                     | W.M. W.V.                     |
| STORM DRAIN MANHOLE (S.D.M.H.)                                   | EX. 10" W                     | 12" W                         |
| STORM DRAIN LINE (CMP OR RCP)                                    | EX. 10" W                     | 12" W                         |
| CATCH BASIN  | EX. 10" W                     | 12" W                         |
| UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH) | EX. 10" W                     | 12" W                         |
| UNDERGROUND ELECTRIC   | U.E.                          | U.E.                          |
| UNDERGROUND TELEPHONE  | U.T.                          | U.T.                          |
| UNDERGROUND GAS MAIN   | EX. 2" G                      | 2" G                          |
| PAVEMENT TO BE REMOVED   | N/A                           | CONCRETE                      |
| CONCRETE CURB & GUTTER   | N/A                           | CONCRETE                      |
| CONCRETE SIDEWALK, SLAB / PAVING                                 | N/A                           | CONCRETE                      |
| IMPERVIOUS SURFACED ROAD, DRIVE OR LOT                           | N/A                           | IMPERVIOUS                    |
| INDIVIDUAL TREE OR BUSH  | EVERGREEN DECIDUOUS           | N/A                           |
| WIRE FENCE   | WIRE FENCE                    | WIRE FENCE                    |
| CHAINLINK FENCE  | CHAINLINK FENCE               | CHAINLINK FENCE               |
| STOCKADE FENCE   | STOCKADE FENCE                | STOCKADE FENCE                |
| STRUCTURE (CONCRETE, WOOD, METAL, ETC.)                          | STRUCTURE                     | STRUCTURE                     |
| DRAINAGE DITCH OR SWALE  | DRAINAGE DITCH OR SWALE       | DRAINAGE DITCH OR SWALE       |
| EMBANKMENT SIDESLOPES (DOWN)                                     | EMBANKMENT SIDESLOPES (DOWN)  | EMBANKMENT SIDESLOPES (DOWN)  |
| CONTOUR  | CONTOUR                       | CONTOUR                       |
| ELEVATION SPOT SHOT  | 43.55                         | 25.15 25.50 T.C. 25.00 B.C.   |
| BENCH MARK   | 43.55                         | 25.15 25.50 T.C. 25.00 B.C.   |
| PROPERTY OR RIGHT-OF-WAY LINE                                    | PROPERTY OR RIGHT-OF-WAY LINE | PROPERTY OR RIGHT-OF-WAY LINE |
| CENTERLINE   | CENTERLINE                    | CENTERLINE                    |
| LIGHT POLE   | LIGHT POLE                    | LIGHT POLE                    |
| GRAVEL FILL  | N/A                           | GRAVEL FILL                   |
| CONCRETE BLOCK WALL  | N/A                           | CONCRETE BLOCK WALL           |
| COARSE AGGREGATE STOCKPILE                                       | N/A                           | COARSE AGGREGATE STOCKPILE    |
| FINE AGGREGATE STOCKPILE   | N/A                           | FINE AGGREGATE STOCKPILE      |

**BECKER MORGAN GROUP**

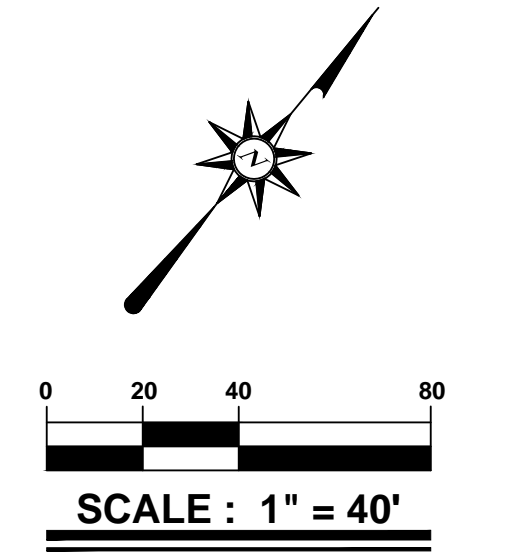
ARCHITECTURE  
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**Wilmington, NC**  
3205 Randall Parkway, Suite 211  
Wilmington, North Carolina 28403  
Ph. 910.341.7600  
Fax 910.341.7506

www.beckermorgan.com



PROJECT TITLE

**ATLANTIC CONCRETE LEWES PLANT REPLACEMENT**

OLD ORCHARD ROAD LEWES & REHOBOTH HUNDRED SUSSEX COUNTY, DE

SHEET TITLE

**EXISTING CONDITIONS & OVERALL DEMOLITION PLAN**

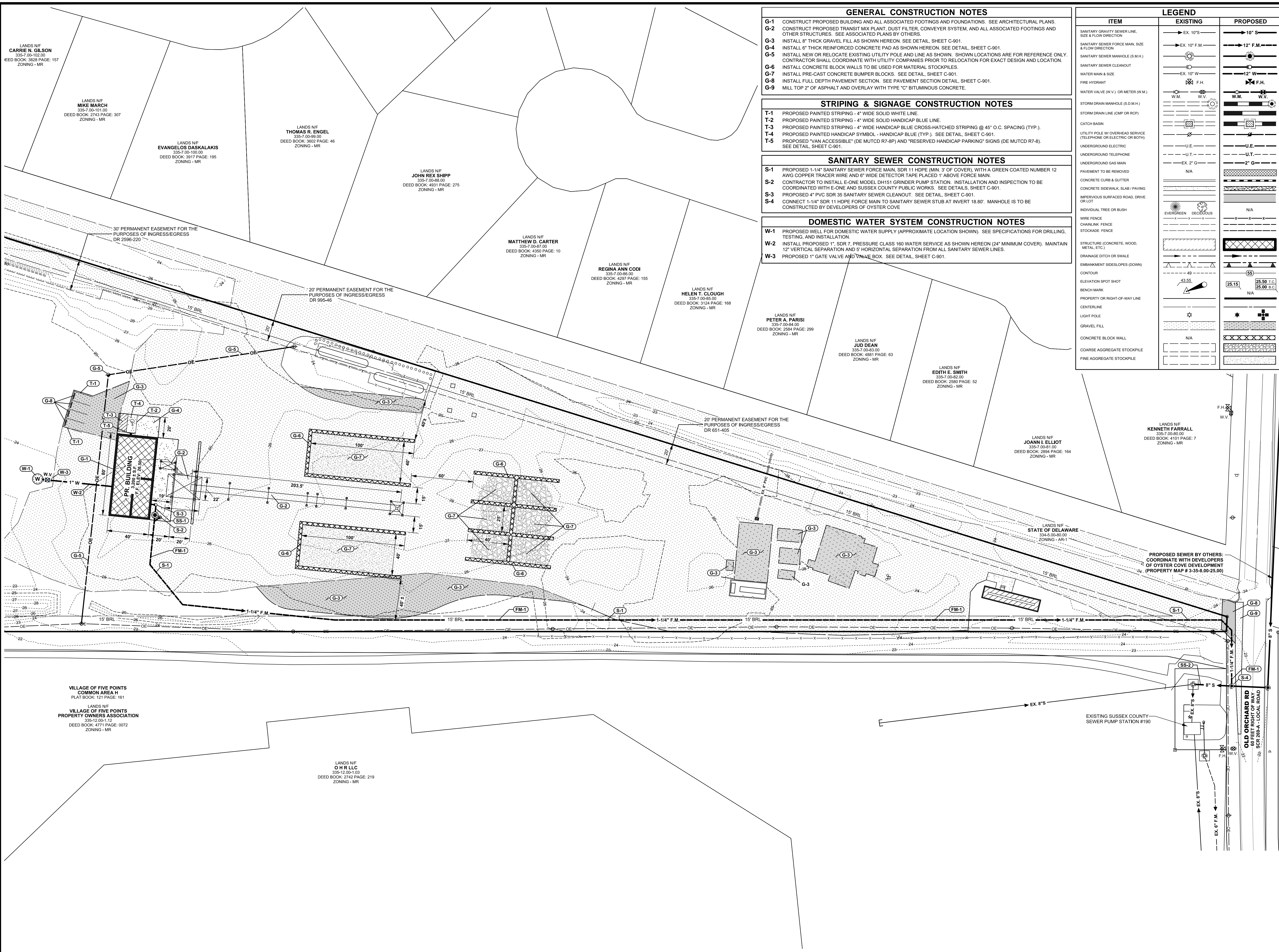
| ISSUE | NO.     | DATE | DESCRIPTION   |
|-------|---------|------|---|
| 2     | 6-10-19 |      | REVISED PER SUSSEX PLANNING & FIRE MARSHAL COMMENTS |
| 1     | 5-29-19 |      | REVISED PER SUSSEX CONSERVATION DISTRICT COMMENTS   |

MARK DATE DESCRIPTION

PROJECT NO.: 2018132.00  
DATE: 07/25/2018  
SCALE: 1" = 60"  
DRAWN BY: T.D.G. PROJ. MGR.: G.V.M.

SHEET

**C-101**  
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**GENERAL CONSTRUCTION NOTES**

**G-1** CONSTRUCT PROPOSED BUILDING AND ALL ASSOCIATED FOOTINGS AND FOUNDATIONS. SEE ARCHITECTURAL PLANS.  
**G-2** CONSTRUCT PROPOSED TRANSIT MIX PLANT, DUST FILTER, CONVEYER SYSTEM, AND ALL ASSOCIATED FOOTINGS AND OTHER STRUCTURES. SEE ASSOCIATED PLANS BY OTHERS.  
**G-3** INSTALL 8" THICK GRAVEL FILL AS SHOWN HEREON. SEE DETAIL, SHEET C-901.  
**G-4** INSTALL 6" THICK REINFORCED CONCRETE PAD AS SHOWN HEREON. SEE DETAIL, SHEET C-901.  
**G-5** INSTALL NEW OR RELOCATE EXISTING UTILITY POLE AND LINE AS SHOWN. SHOWN LOCATIONS ARE FOR REFERENCE ONLY. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES PRIOR TO RELOCATION FOR EXACT DESIGN AND LOCATION.  
**G-6** INSTALL CONCRETE BLOCK WALLS TO BE USED FOR MATERIAL STOCKPILES.  
**G-7** INSTALL PRE-CAST CONCRETE BUMPER BLOCKS. SEE DETAIL, SHEET C-901.  
**G-8** INSTALL FULL DEPTH PAVEMENT SECTION. SEE PAVEMENT SECTION DETAIL, SHEET C-901.  
**G-9** MILL TOP 2" OF ASPHALT AND OVERLAY WITH TYPE "C" BITUMINOUS CONCRETE.

**STRIPING & SIGNAGE CONSTRUCTION NOTES**

**T-1** PROPOSED PAINTED STRIPING - 4" WIDE SOLID WHITE LINE.  
**T-2** PROPOSED PAINTED STRIPING - 4" WIDE SOLID HANDICAP BLUE LINE.  
**T-3** PROPOSED PAINTED STRIPING - 4" WIDE HANDICAP BLUE CROSS-HATCHED STRIPING @ 45° O.C. SPACING (TYP.).  
**T-4** PROPOSED PAINTED HANDICAP SYMBOL - HANDICAP BLUE (TYP.). SEE DETAIL, SHEET C-901.  
**T-5** PROPOSED "VAN ACCESSIBLE" (DE MUTCD R7-8P) AND "RESERVED HANDICAP PARKING" SIGNS (DE MUTCD R7-8). SEE DETAIL, SHEET C-901.

**SANITARY SEWER CONSTRUCTION NOTES**

**S-1** PROPOSED 1-1/4" SANITARY SEWER FORCE MAIN, SDR 11 HOPE (MIN. 5' OF COVER), WITH A GREEN COATED NUMBER 12 AWG COPPER TRACER WIRE AND 6" WIDE DETECTOR TAPE PLACED 1" ABOVE FORCE MAIN.  
**S-2** CONTRACTOR TO INSTALL E-ONE MODEL DH151 GRINDER PUMP STATION. INSTALLATION AND INSPECTION TO BE COORDINATED WITH E-ONE AND SUSSEX COUNTY PUBLIC WORKS. SEE DETAILS, SHEET C-901.  
**S-3** PROPOSED 4" PVC SDR 35 SANITARY SEWER CLEANOUT. SEE DETAIL, SHEET C-901.  
**S-4** CONNECT 1-1/4" SDR 11 HOPE FORCE MAIN TO SANITARY SEWER STUB AT INVERT 18.80'. MANHOLE IS TO BE CONSTRUCTED BY DEVELOPERS OF OYSTER COVE.

**DOMESTIC WATER SYSTEM CONSTRUCTION NOTES**

**W-1** PROPOSED WELL FOR DOMESTIC WATER SUPPLY (APPROXIMATE LOCATION SHOWN). SEE SPECIFICATIONS FOR DRILLING, TESTING, AND INSTALLATION.  
**W-2** INSTALL PROPOSED 1", SDR 7, PRESSURE CLASS 160 WATER SERVICE AS SHOWN HEREON (24" MINIMUM COVER). MAINTAIN 12" VERTICAL SEPARATION AND 5' HORIZONTAL SEPARATION FROM ALL SANITARY SEWER LINES.  
**W-3** PROPOSED 1" GATE VALVE AND VALVE BOX. SEE DETAIL, SHEET C-901.

| ITEM   | LEGEND                        |           |
|--|-------------------------------|-----------|
|  | EXISTING                      | PROPOSED  |
| SANITARY GRAVITY SEWER LINE, SEE # FLOW DIRECTION                | EX. 10" S                     | 10" S     |
| SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION                 | EX. 10" F.M.                  | 12" F.M.  |
| SANITARY SEWER MANHOLE (S.M.H.)                                  | EX. 10" W                     | 12" W     |
| SANITARY SEWER CLEANOUT  | EX. 10" W                     | 12" W     |
| WATER MAIN & SIZE  | EX. 10" W                     | 12" W     |
| FIRE HYDRANT   | F.H.                          | F.H.      |
| WATER VALVE (W.V.) OR METER (W.M.)                               | W.M. W.V.                     | W.M. W.V. |
| STORM DRAIN MANHOLE (S.D.M.H.)                                   | EX. 10" W                     | 12" W     |
| STORM DRAIN LINE (CMP OR RCP)                                    | EX. 10" S                     | 12" S     |
| CATCH BASIN  | EX. 10" W                     | 12" W     |
| UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH) | EX. 10" W                     | 12" W     |
| UNDERGROUND ELECTRIC   | U.E.                          | U.E.      |
| UNDERGROUND TELEPHONE  | U.T.                          | U.T.      |
| UNDERGROUND GAS MAIN   | EX. 2" G                      | 2" G      |
| PAVEMENT TO BE REMOVED   | N/A                           | N/A       |
| CONCRETE CURB & GUTTER   | N/A                           | N/A       |
| CONCRETE SIDEWALK, SLAB PAVING                                   | N/A                           | N/A       |
| IMPERVIOUS SURFACED ROAD, DRIVE OR LOT                           | N/A                           | N/A       |
| INDIVIDUAL TREE OR BUSH  | EVERGREEN DECIDUOUS           | N/A       |
| WIRE FENCE   | WIRE FENCE                    | N/A       |
| CHAINLINK FENCE  | CHAINLINK FENCE               | N/A       |
| STOCKADE FENCE   | STOCKADE FENCE                | N/A       |
| STRUCTURE (CONCRETE, WOOD, METAL, ETC.)                          | STRUCTURE                     | STRUCTURE |
| DRAINAGE DITCH OR SWALE  | DRAINAGE DITCH OR SWALE       | N/A       |
| EMBANKMENT SIDESLOPES (DOWN)                                     | EMBANKMENT SIDESLOPES (DOWN)  | N/A       |
| CONTOUR  | CONTOUR                       | N/A       |
| ELEVATION SPOT SHOT  | ELEVATION SPOT SHOT           | N/A       |
| BENCH MARK   | BENCH MARK                    | N/A       |
| PROPERTY OR RIGHT-OF-WAY LINE                                    | PROPERTY OR RIGHT-OF-WAY LINE | N/A       |
| CENTERLINE   | CENTERLINE                    | N/A       |
| LIGHT POLE   | LIGHT POLE                    | N/A       |
| GRAVEL FILL  | GRAVEL FILL                   | N/A       |
| CONCRETE BLOCK WALL  | CONCRETE BLOCK WALL           | N/A       |
| COARSE AGGREGATE STOCKPILE                                       | COARSE AGGREGATE STOCKPILE    | N/A       |
| FINE AGGREGATE STOCKPILE   | FINE AGGREGATE STOCKPILE      | N/A       |

**BECKER MORGAN GROUP**

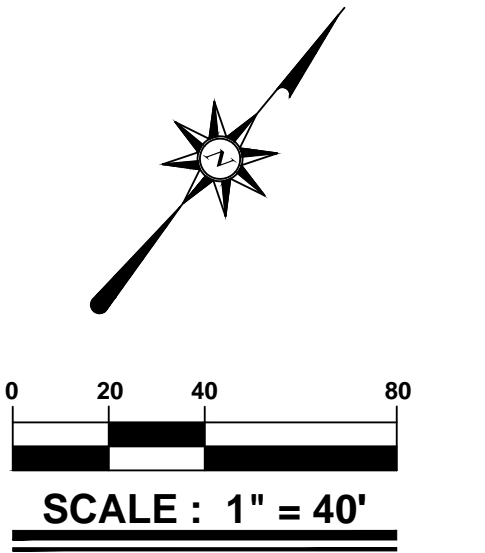
ARCHITECTURE  
ENGINEERING

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Dover, DE 19904  
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Wilmington, NC  
3205 Randall Parkway, Suite 211  
Wilmington, North Carolina 28403  
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Fax 910.341.7506

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PROJECT TITLE  
**ATLANTIC CONCRETE LEWES PLANT REPLACEMENT**

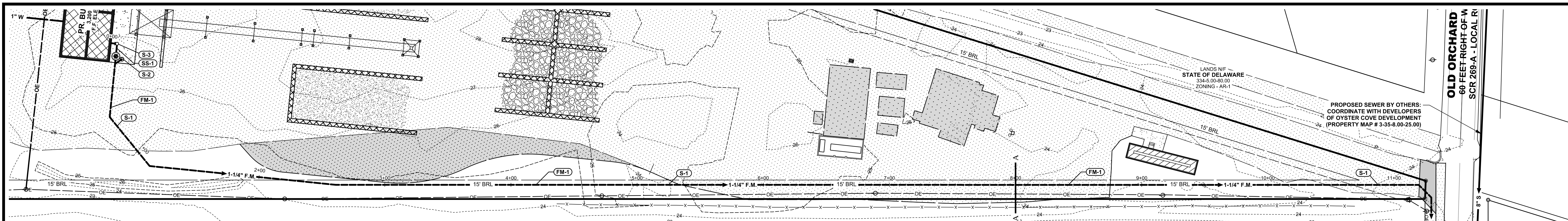
OLD ORCHARD ROAD  
LEWES & REHOBOTH  
HUNDRED  
SUSSEX COUNTY, DE

SHEET TITLE  
**SITE & UTILITY PLAN**

| MARK | DATE    | DESCRIPTION   |
|------|---------|---|
| 2    | 6-10-19 | REVISED PER SUSSEX PLANNING & FIRE MARSHAL COMMENTS |
| 1    | 5-29-19 | REVISED PER SUSSEX CONSERVATION DISTRICT COMMENTS   |

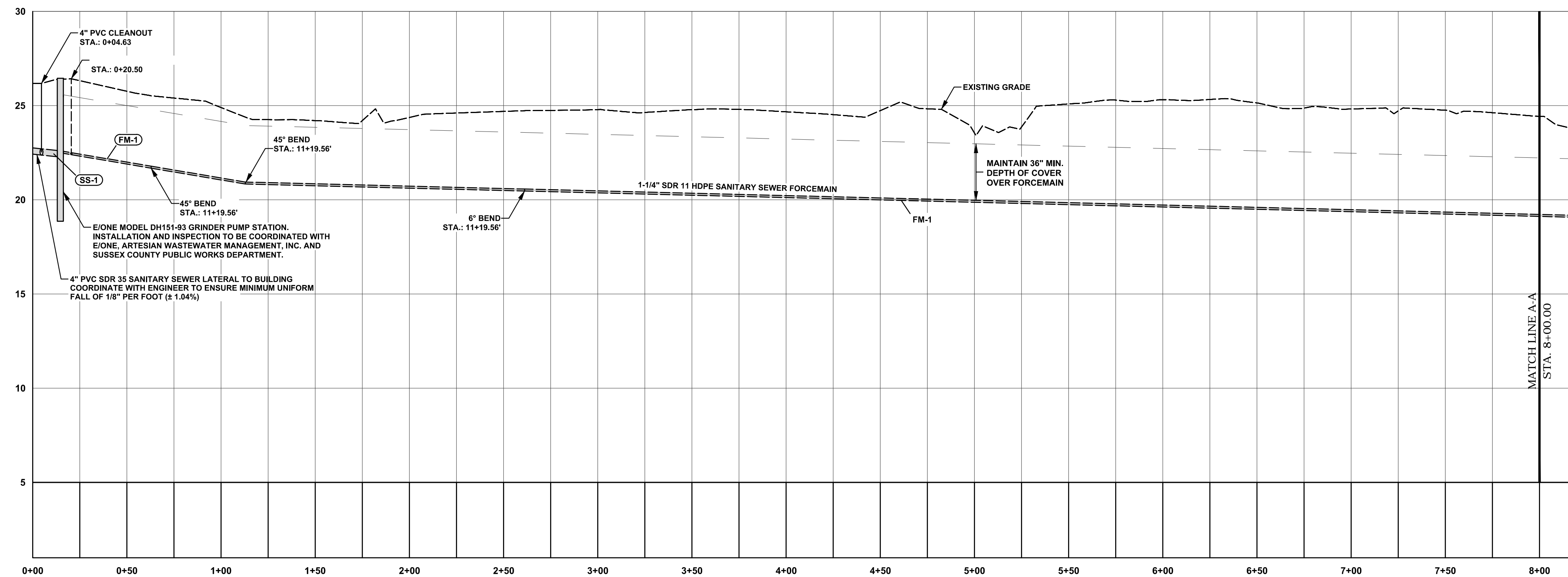
PROJECT NO.: 2018132.00  
DATE: 07/25/2018  
SCALE: 1" = 40"  
DRAWN BY: T.D.G. PROJ. MGR.: G.V.M.

**C-201**

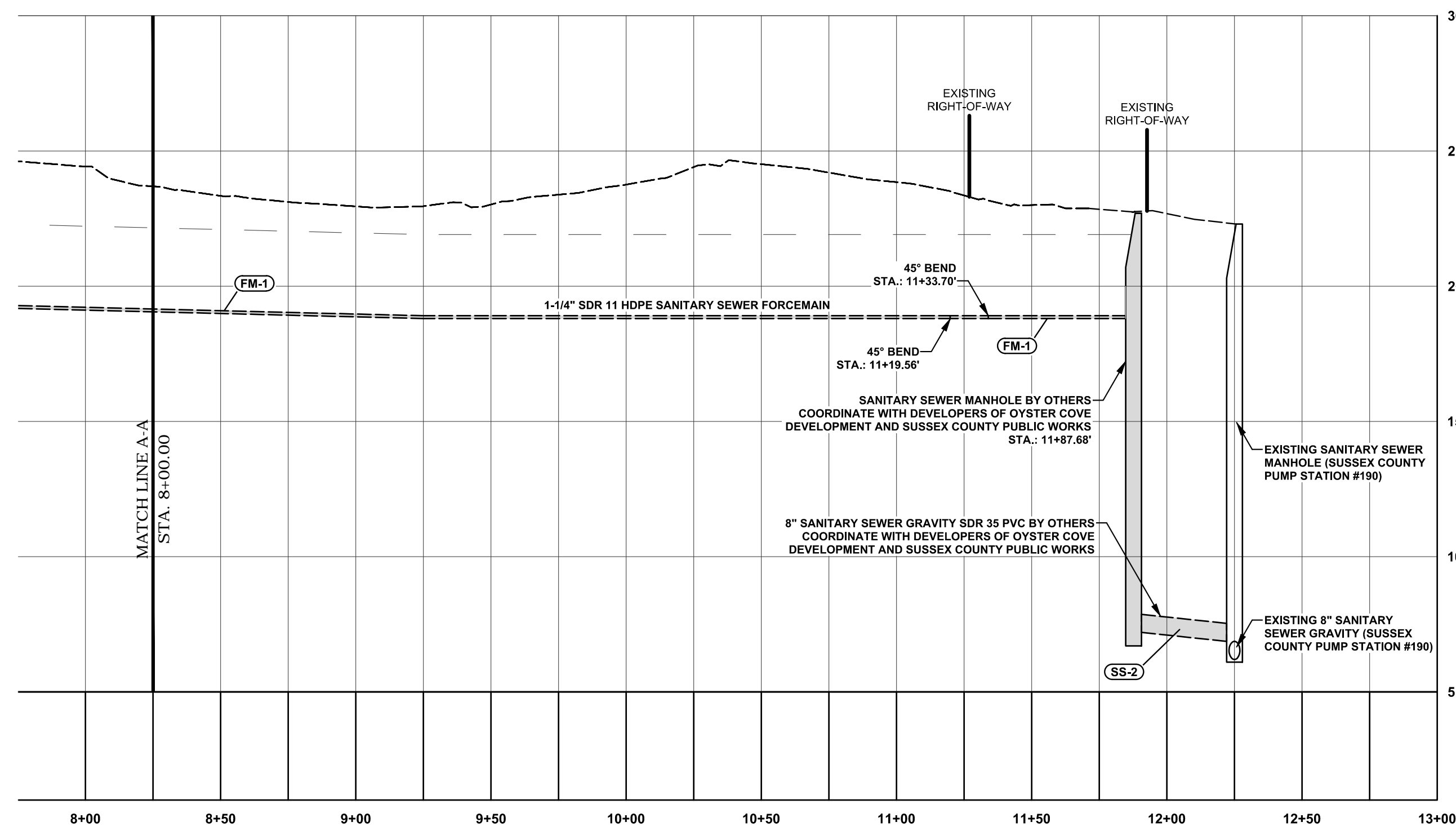


VILLAGE OF FIVE POINTS  
COMMON AREA H  
PLAT BOOK: 121 PAGE: 161

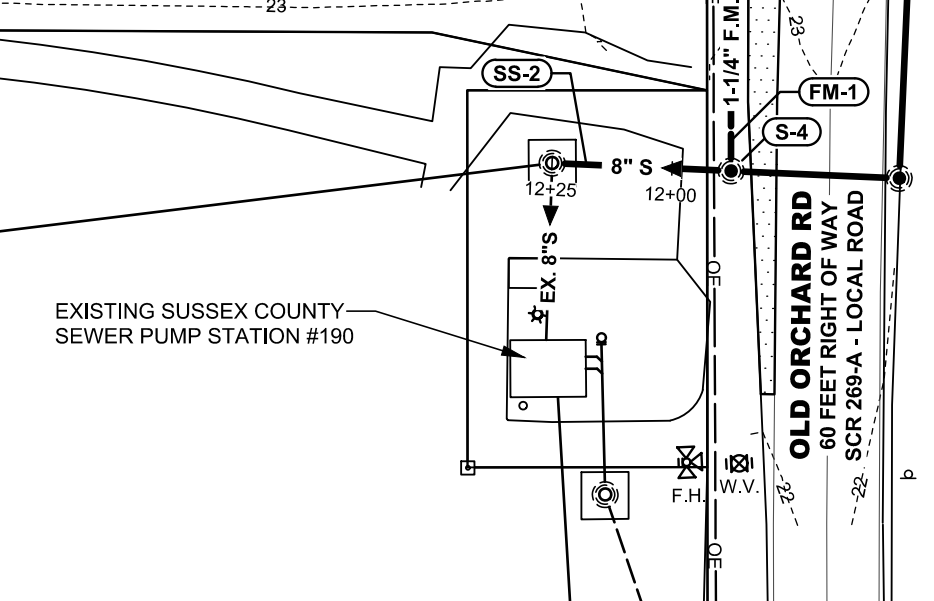
SANITARY SEWER FORCEMAIN - PLAN VIEW



SANITARY SEWER FORCEMAIN - CENTERLINE PROFILE (0+00.00 TO 8+00.00)



SANITARY SEWER FORCEMAIN - CENTERLINE PROFILE (8+00.00 TO 12+24.99)



EXISTING SUSSEX COUNTY  
SEWER PUMP STATION #190

| SANITARY SEWER PIPE SCHEDULE |        |             |             |            |         |          |
|------------------------------|--------|-------------|-------------|------------|---------|----------|
| PIPE No.                     | SIZE   | PIPE TYPE   | LENGTH      | SLOPE      | INV. IN | INV. OUT |
| SS-1                         | 4"     | PVC SDR 35  | 13.03' ±    | 1.04% MIN. | TBD     | 22.28'   |
| SS-2                         | 8"     | PVC SDR 35  | 31.48' ±    | 1.04%      | 7.20'   | 6.87'    |
| FM-1                         | 1-1/4" | HDPE SDR 11 | 1,168.51' ± | VARIES     | 22.42'  | 18.80'   |

**SANITARY SEWER CONSTRUCTION NOTES**

- S-1 PROPOSED 1-1/4" SANITARY SEWER FORCE MAIN, SDR 11 HDPE (MIN. 3' OF COVER), WITH A GREEN COATED NUMBER 12 AWG COPPER TRACER WIRE AND 6" WIDE DETECTOR TAPE PLACED 1' ABOVE FORCE MAIN.
- S-2 CONTRACTOR TO INSTALL E-ONE MODEL DH151 GRINDER PUMP STATION. INSTALLATION AND INSPECTION TO BE COORDINATED WITH E-ONE AND SUSSEX COUNTY PUBLIC WORKS. SEE DETAILS, SHEET C-901.
- S-3 PROPOSED 4" PVC SDR 35 SANITARY SEWER CLEANOUT. SEE DETAIL, SHEET C-901.
- S-4 CONNECT 8" PVC SDR 35 LATERAL TO SANITARY SEWER STUB AT INVERT 18.80'. MANHOLE IS TO BE CONSTRUCTED BY DEVELOPERS OF OYSTER COVE.



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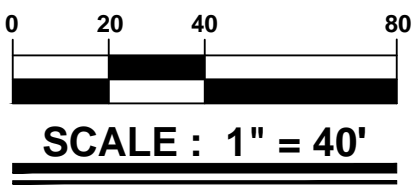
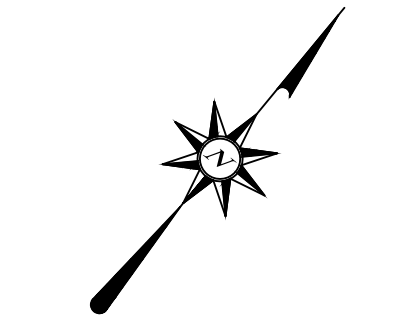
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Wilmington, NC

3205 Randall Parkway, Suite 211  
Wilmington, North Carolina 28403  
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PROJECT TITLE

ATLANTIC  
CONCRETE  
LEWES PLANT  
REPLACEMENT

OLD ORCHARD ROAD  
LEWES & REHOBOTH  
HUNDRED  
SUSSEX COUNTY, DE

SHEET TITLE

SANITARY SEWER  
FORCE MAIN  
PROFILE

ISSUE BLOCK

| NO. | DATE    | DESCRIPTION   |
|-----|---------|---|
| 2   | 6-10-19 | REVISED PER SUSSEX PLANNING & FIRE MARSHAL COMMENTS |
| 1   | 5-29-19 | REVISED PER SUSSEX CONSERVATION DISTRICT COMMENTS   |

PROJECT NO.: 2018132.00

DATE: 07/25/2018

SCALE: AS NOTED

DRAWN BY: T.D.G. PROJ. MGR.: G.V.M.

SHEET

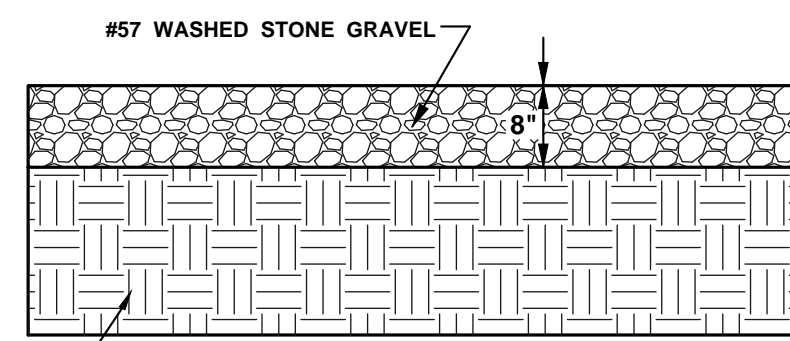
C-701

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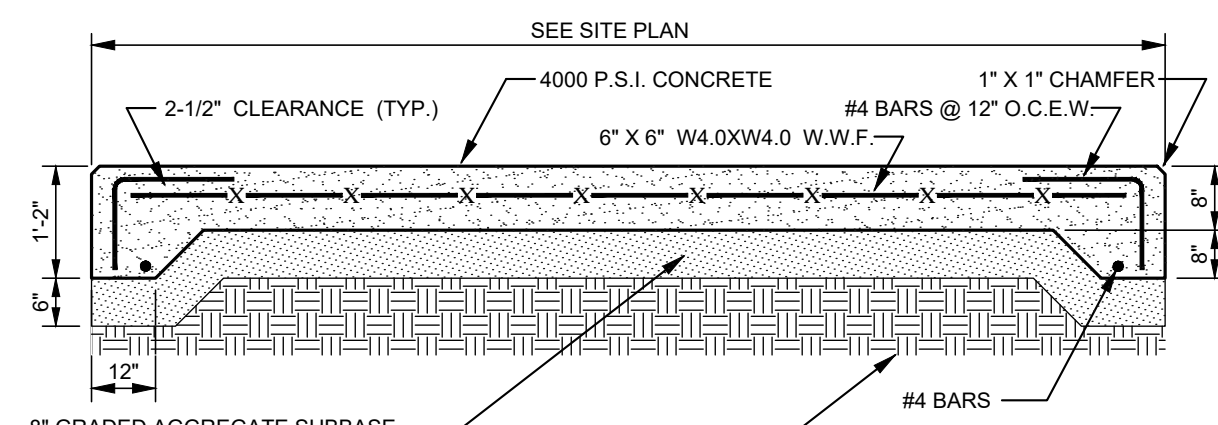
NOTE:  
1. PROVIDE PREFORMED THERMOPLASTIC (90 MIL) ACCESSIBLE SYMBOL  
COLOR: WHITE SYMBOL ON BLUE BACKGROUND. SIZE: 48" X 48".

**ACCESSIBLE THERMO SYMBOL**  
NO SCALE BMG NO.: SW-4E-2



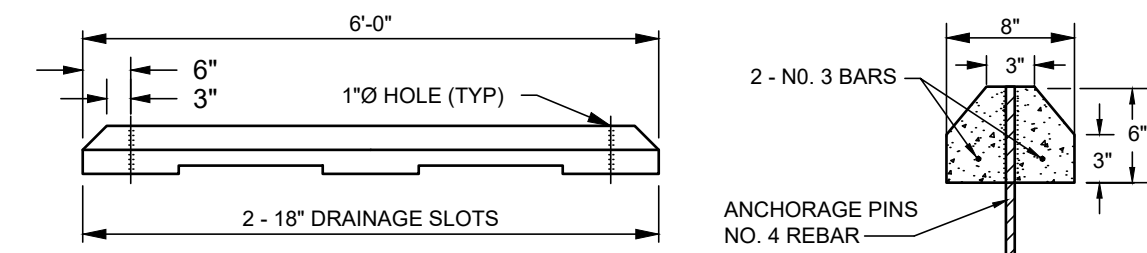
TOP 12" OF SUBGRADE SHALL BE COMPACTED TO 95% OF THE MODIFIED PROCTOR STANDARD DRY DENSITY AS DETERMINED BY THE MODIFIED PROCTOR TEST, ASTM D 1557

**GRAVEL FILL DETAIL**  
NO SCALE BMG NO.: SW-18A

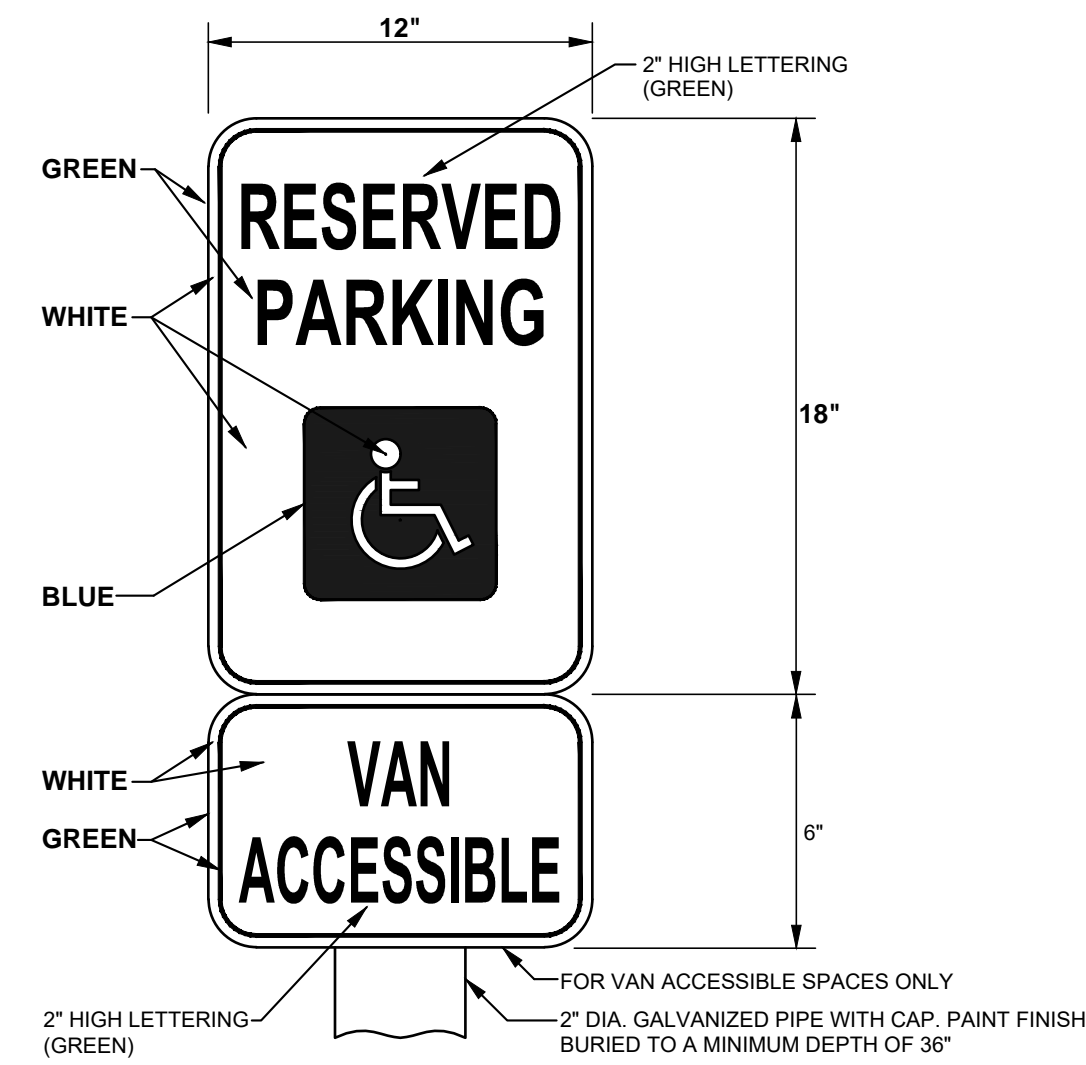


8" GRADED AGGREGATE SUBBASE  
CR-1 BASE  
TOP 12" OF SUBGRADE SHALL BE COMPACTED TO 95% OF THE MODIFIED PROCTOR STANDARD DRY DENSITY

**8" CONCRETE PAD SECTION**  
NO SCALE BMG NO.: SW-6B

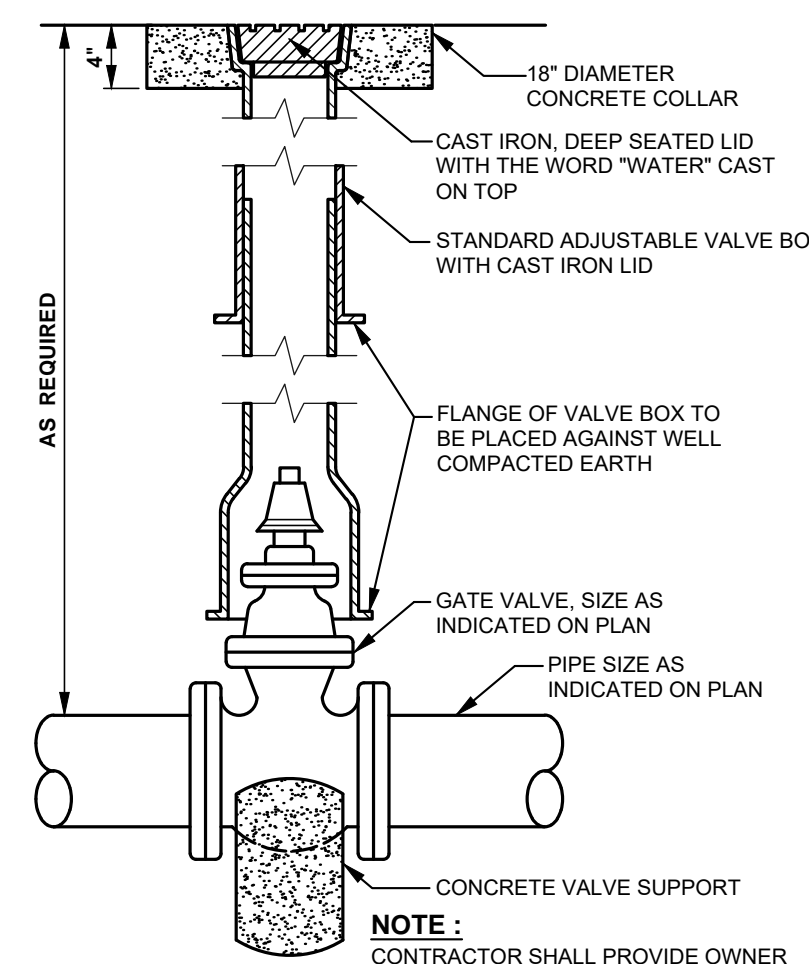


**PRECAST CONCRETE BUMPER BLOCKS**  
NO SCALE BMG NO.: SW-14

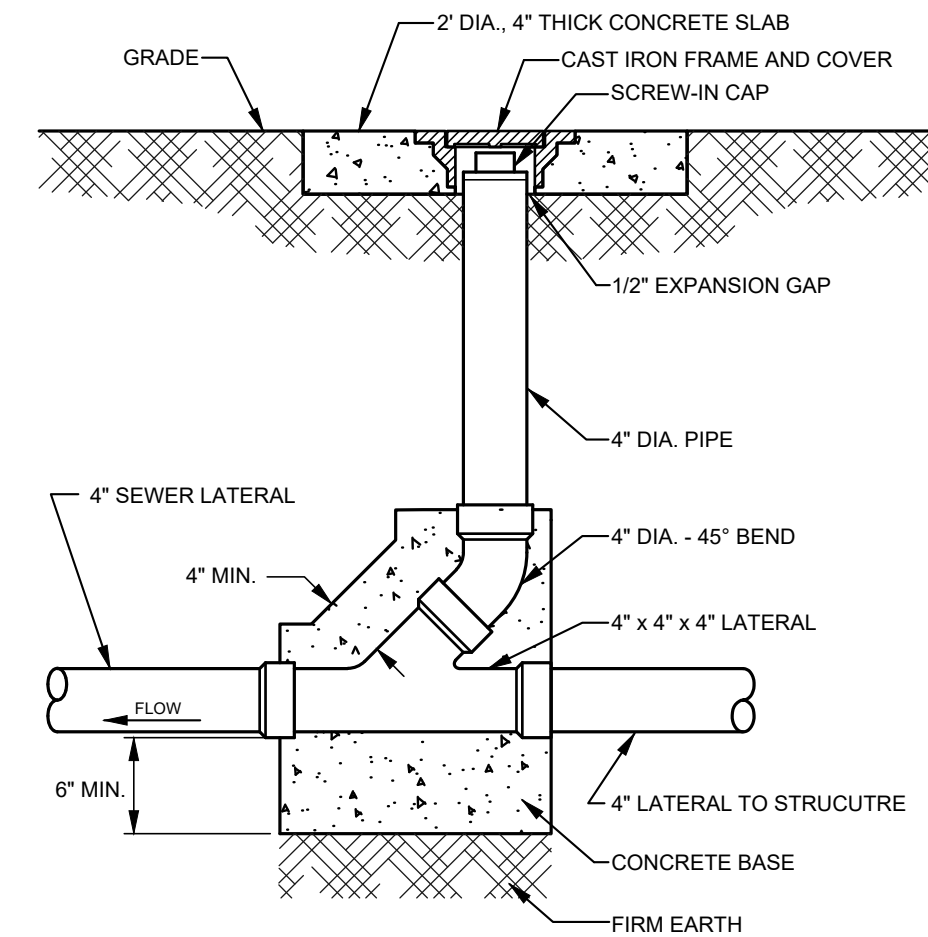


NOTES:  
1. THE BOTTOM EDGE OF SIGN SHALL BE A MINIMUM OF 5'0" AND A MAXIMUM OF 7'0" ABOVE FINISHED GRADE. CONTRACTOR SHALL INSTALL ONE SIGN PER ACCESSIBLE PARKING SPACE. SIGNS ARE TO BE CENTERED ON STALL WIDTH, FACING PARKING.  
2. THE SIGN BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS AS DEFINED BY THE CURRENT AMERICANS WITH DISABILITIES ACT (ADA) REGULATIONS.

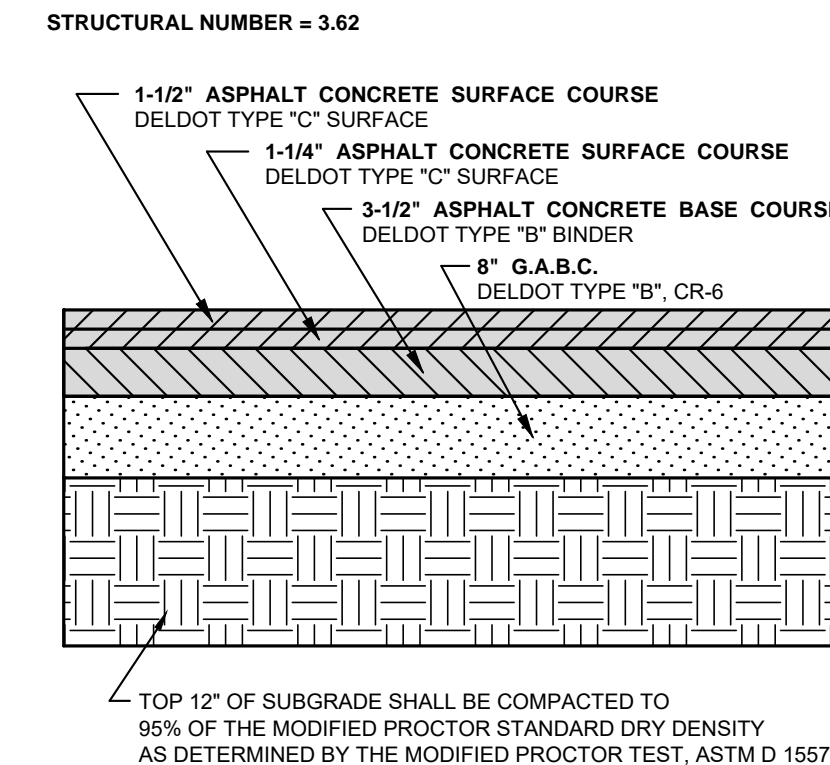
**VAN ACCESSIBLE PARKING SIGN DETAIL**  
NO SCALE BMG NO.: SW-4C-2



**GATE VALVE DETAIL**  
NO SCALE BMG NO.: W-03



**SANITARY SEWER CLEANOUT**  
NO SCALE BMG NO.: SS-38



**PAVEMENT SECTION DETAIL**  
NO SCALE BMG NO.: SW-2A

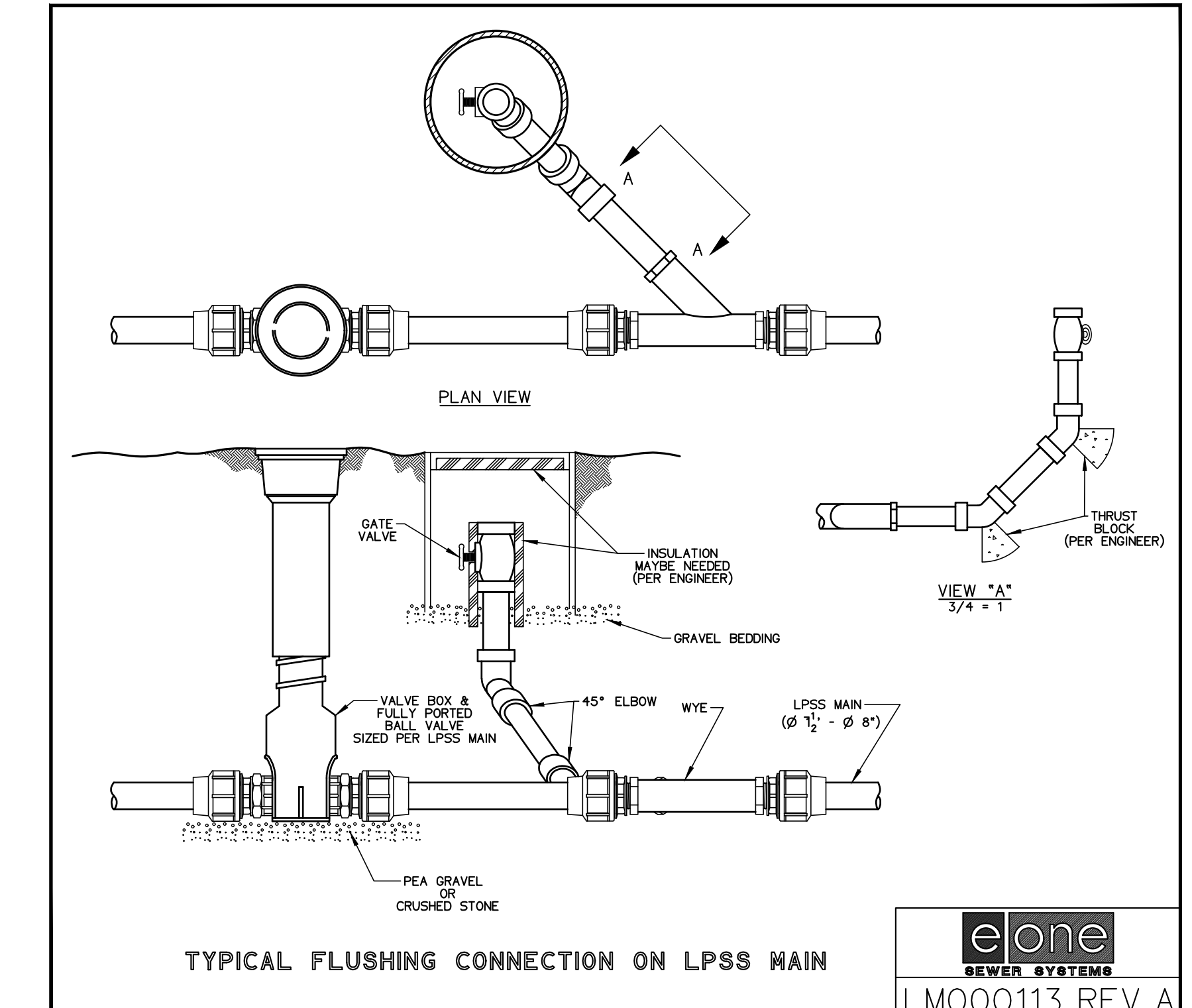
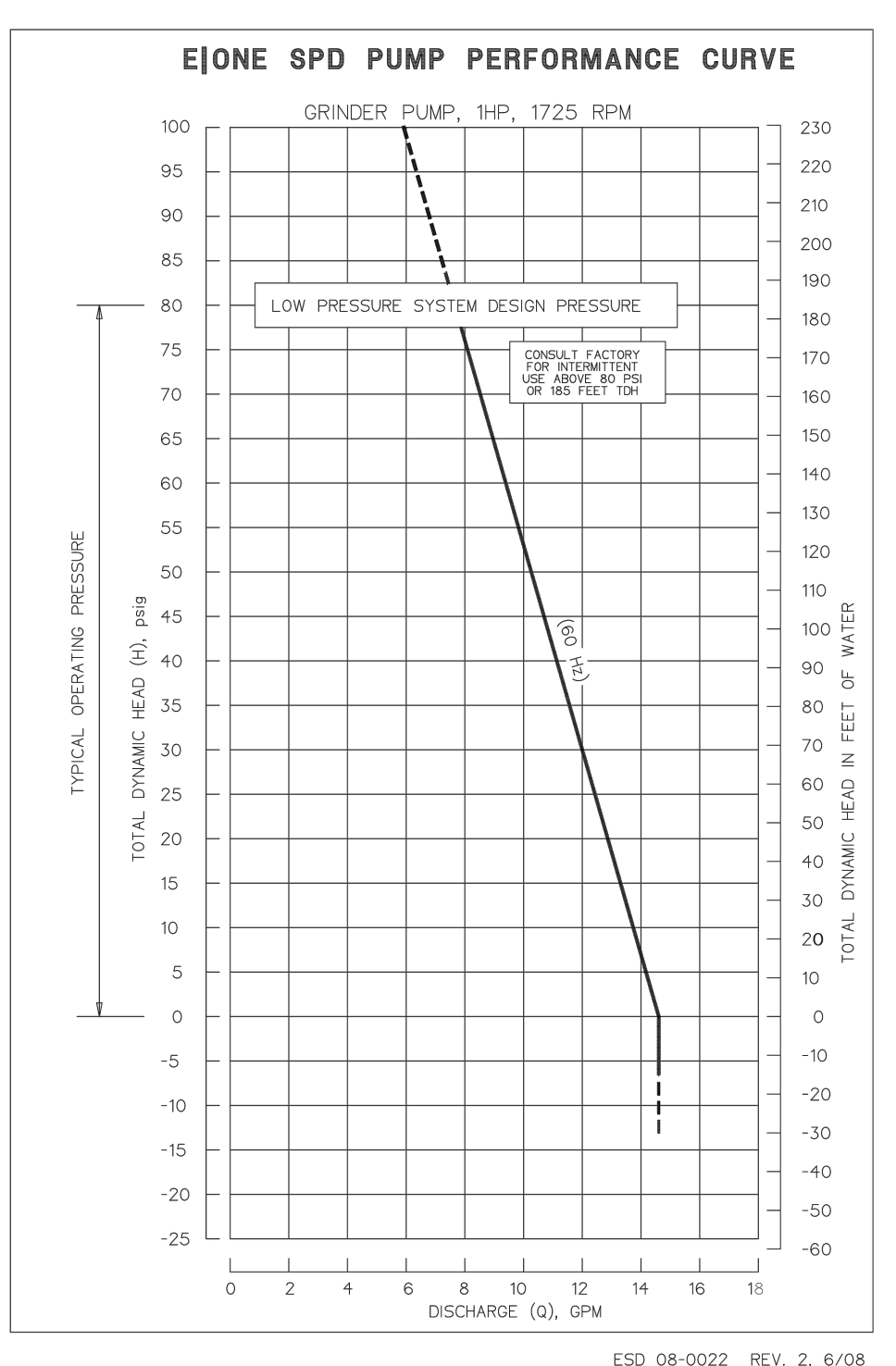
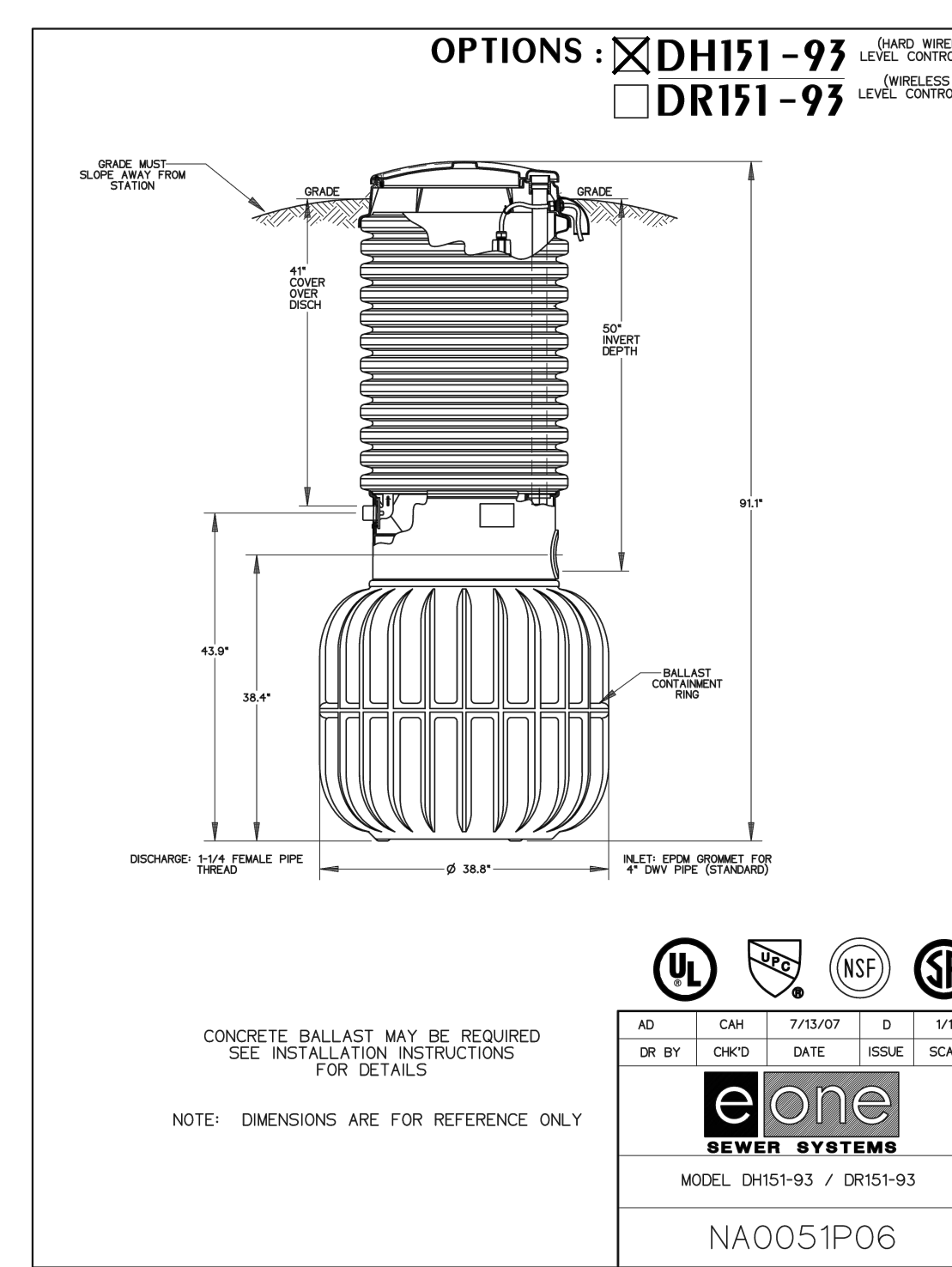
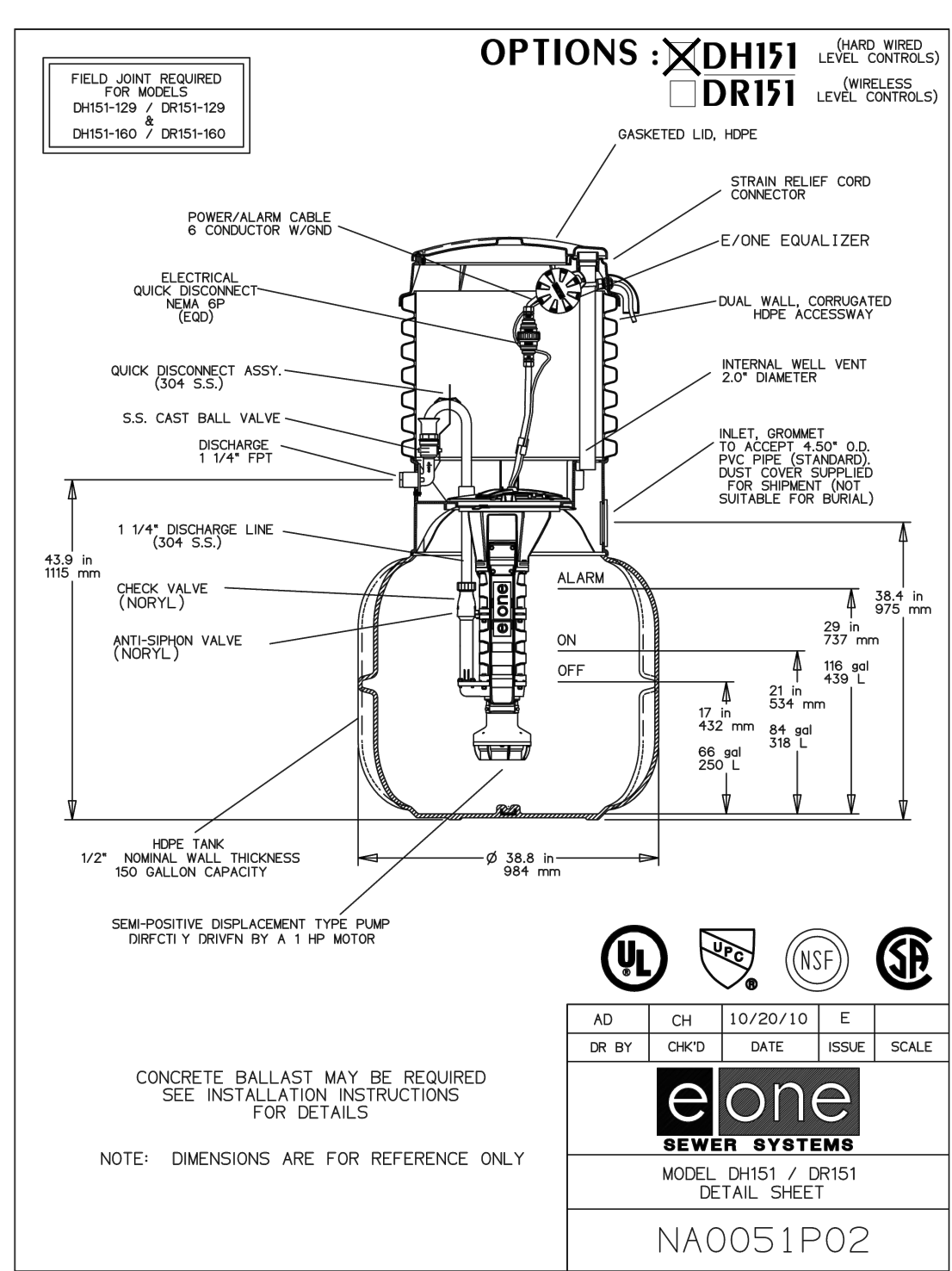
**BECKER MORGAN GROUP**  
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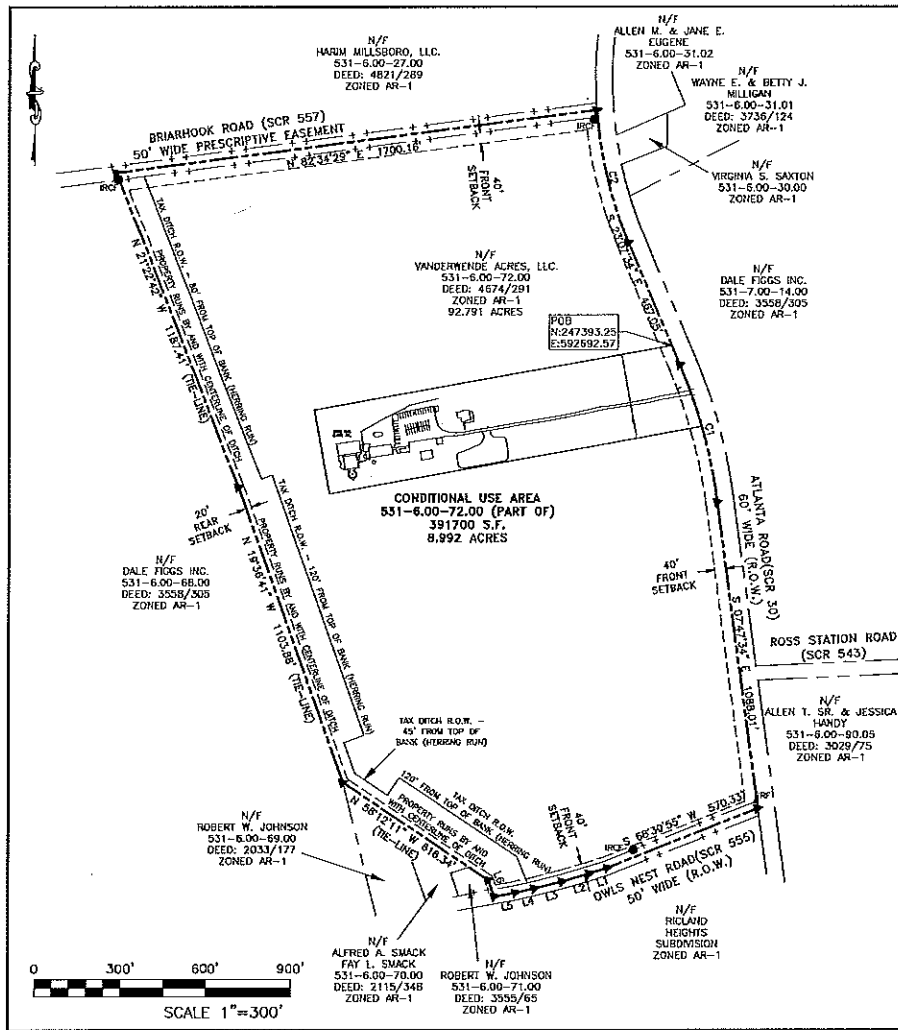
PROJECT TITLE  
**ATLANTIC CONCRETE LEWES PLANT REPLACEMENT**

OLD ORCHARD ROAD  
LEWES & REHOBOTH  
HUNDRED  
SUSSEX COUNTY, DE

SHEET TITLE  
**SITE CONSTRUCTION DETAILS**

| ISSUE BLOCK           | NO. | DATE                        | DESCRIPTION   |
|-----------------------|-----|-----------------------------|---|
|                       | 2   | 6-10-19                     | REVISED PER SUSSEX PLANNING & FIRE MARSHAL COMMENTS |
|                       | 1   | 5-29-19                     | REVISED PER SUSSEX CONSERVATION DISTRICT COMMENTS   |
| MARK DATE DESCRIPTION |     |                             |   |
| LAYER STATE: C-001    |     |                             |   |
| <b>PROJECT NO.:</b>   |     | 2018132.00                  |   |
| <b>DATE:</b>          |     | 07/25/2018                  |   |
| <b>SCALE:</b>         |     | AS NOTED                    |   |
| <b>DRAWN BY:</b>      |     | T.D.G. / PROJ. MGR.: G.V.M. |   |
| SHEET                 |     |                             |   |
| <b>C-901</b>          |     | COPYRIGHT 2015              |   |





**BOUNDARY CURVE TABLE**

| CURVE | ARC LENGTH | RADIUS   | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|------------|----------|-------------|---------------|--------------|
| C1    | 503.06'    | 1879.86' | 15°27'34"   | S 15°27'34" E | 301.58'      |
| C2    | 481.85'    | 1462.39' | 11°52'45"   | S 13°41'13" E | 479.67'      |

**BOUNDARY LINE TABLE**

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 72°21'26" W | 65.73'   |
| L2   | S 73°24'26" W | 199.32'  |
| L3   | S 75°37'26" W | 199.11'  |
| L4   | S 77°30'26" W | 168.53'  |
| L5   | S 79°31'16" W | 175.62'  |
| L6   | N 2°01'11" W  | 163.23'  |

**DATA COLUMN**

TAX MAP ID: 5-31-6.00-72.00  
DEED REF: 4674/291

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

ZONING: EXISTING: AR-1 (AGRICULTURAL RESIDENTIAL)  
PROPOSED: AR-1 CONDITIONAL USE

LAND USE: EXISTING: RESIDENTIAL  
PROPOSED: RESIDENTIAL/EVENTS VENUE

SITE AREA: PARCEL 5-31-6.00-72.00: 92.791 ACRES±  
CONDITIONAL USE AREA: 8.992 ACRES±

BUILDING AREA: EXISTING HOME: 2,000 SQFT.  
EXISTING 3 CAR GARAGE: 1,200 SQFT.  
EXISTING PAVILION: 3,315 SQFT.  
EXISTING MILK BARN: 2,930 SQFT.  
EXISTING MILK HOUSE: 500 SQFT.  
EXISTING PATIO AREA: 3,200 SQFT.

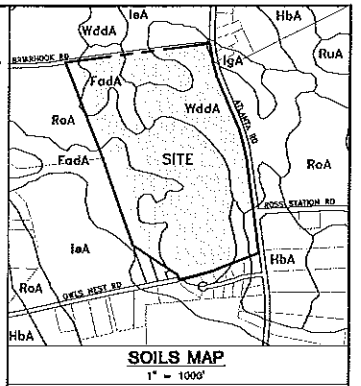
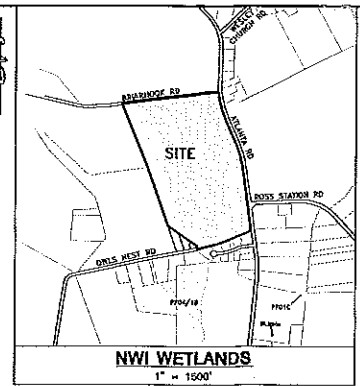
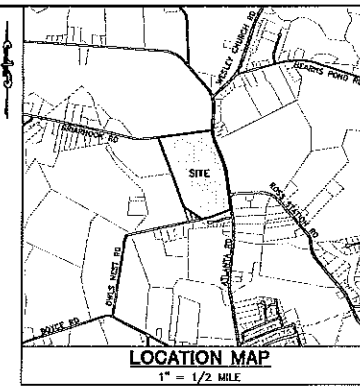
PARKING: PROVIDED: 40 SPACES

AR-1 SETBACK REQUIREMENTS: FRONT YARD: 40 FT.  
SIDE YARD: 15 FT.  
REAR YARD: 20 FT.  
MAX BUILDING HEIGHT: 42 FT.

UTILITIES: WATER: ON-SITE  
SEWER: ON-SITE

WETLANDS DO NOT EXIST ON SITE

FLOODPLAIN - THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0249L DATED JUNE 20, 2018.



FodA - FALLSINGTON SANDY LOAM, 0 TO 2% SLOPES, HSG B/D  
HbA - HANOVER SANDY LOAM, 0 TO 2% SLOPES, HSG B  
IaA - IROLESIDE LOAMY SAND, 0 TO 2% SLOPES, HSG A  
RoA - ROSEDALE LOAMY SAND, 0 TO 2% SLOPES, HSG A  
WdA - WOODSTOWN, 0 TO 2% SLOPES, HSG C

**CONDITIONAL USE(CU2165) CONDITIONS**

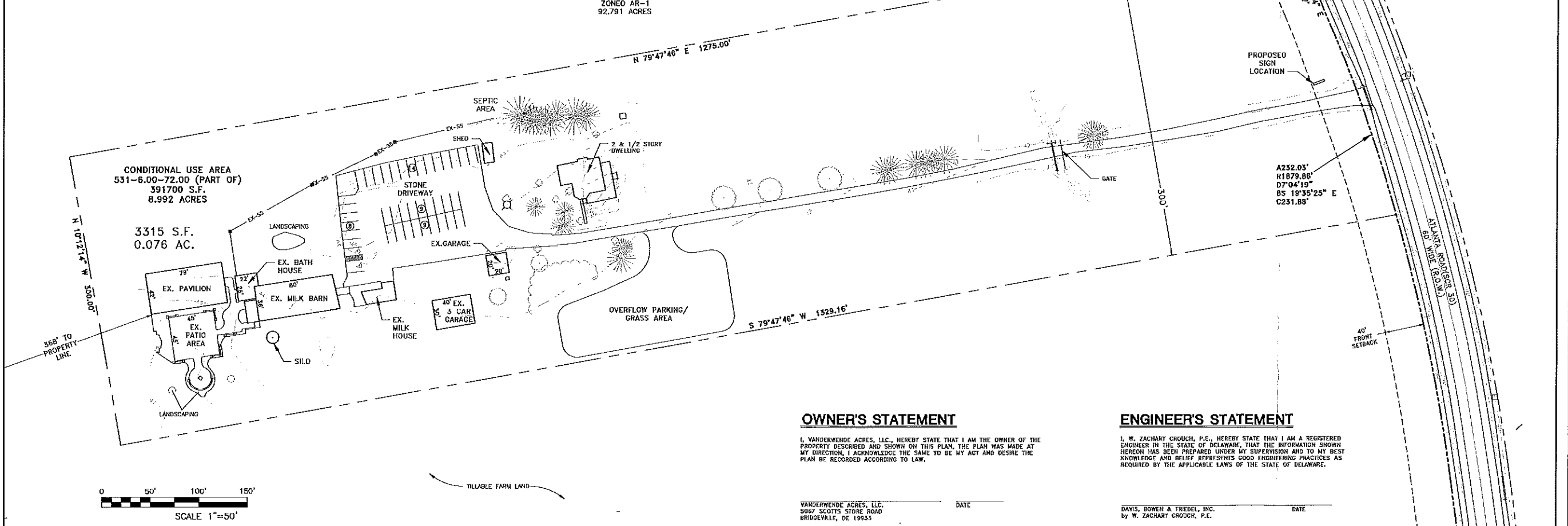
- FOOD AND BEVERAGE SERVICE AND MUSIC OR SIMILAR ENTERTAINMENT IS PERMITTED.
- ALL PARKING AREAS SHALL BE GENERALLY SHOWN ON THE FINAL SITE PLAN. NO PARKING SHALL BE PERMITTED ON ANY NEARBY COUNTY ROADS.
- ALL ENTRANCE LOCATIONS SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF DELOOT.
- THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION

**LEGEND**

- IRON ROD FOUND
- IRON ROD WITH CAP FOUND
- ▲ UNMARKED POINT
- PROPERTY LINE
- - - - - CONDITIONAL USE LINE
- - - - - ADJACENT PROPERTY LINE
- - - - - SETBACK PROPERTY LINE
- TREE LINE
- - - - - EASEMENT LINE

**FIRE NOTES**

- BUILDING WILL NOT BE PROTECTED BY AUTOMATIC SPRINKLERS.
- ALL FIRE LINES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.



**OWNER'S STATEMENT**

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

**ENGINEER'S STATEMENT**

I, W. ZACHARY CROUCH, 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.

VANDERWENDE ACRES, LLC.  
5067 SCOTT'S STORE ROAD  
BRIDGEVILLE, DE 19933

DAVIS, BOWEN & FRIEDEL, INC.  
W. ZACHARY CROUCH, P.E.

**VANDERWENDE ACRES, LLC.**  
SEAFORD HUNDRED  
SUSSEX COUNTY, DELAWARE

DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS ENGINEERS SURVEYORS  
SALISBURY, WYOMING (307) 343-8001  
SEAFORD, DELAWARE (302) 424-1441  
BOUNCEVILLE, DELAWARE (302) 377-7744

Revisions:

|           |              |
|-----------|--------------|
| Date:     | JUNE 2019    |
| Scale:    | 1" = 50'     |
| Drawn By: | J.M.J.       |
| Proj.No.: | 2566A002.801 |
| Dwg.No.:  | 1            |



GEORGE, MILES & BUHR, LLC

■ ■ ■ ■

ARCHITECTS  
ENGINEERS

206 WEST MAIN STREET  
SALISBURY, MD 21801  
PH: 410.742.3115  
PH: 800.789.4462  
FAX: 410.548.5790

SALISBURY  
BALTIMORE  
SEAFORD

[www.gmbnet.com](http://www.gmbnet.com)

■ ■ ■ ■

June 10, 2019

Ms. Samantha Bulkilvish, Planner I  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

RE: Sloan Family Property  
Tax Map Parcel: 234-17.12-5.00, 5.01, and 5.02  
GMB Project: R180222

Dear Ms. Bulkilvish,

Per your Staff Review letter, dated June 7, item (3), we are submitting this letter requesting a revision to the Conditions of Approval for the reference project. Condition 'D' requires a 30' forested or landscaped buffer on all sides of the subdivision except where sewer easement is located. In conversation with staff, we believe the note regarding the 30' wooded buffer is a typo and should read as a required 20' wooded buffer. The Sloan property is located within the Conservation Zone, but we are seeking a straight subdivision and not a cluster option. In previous correspondence, you concurred that you believe the 30' requirement was noted in error.

If you have any questions or comments, please feel free to contact me by telephone at (410) 742-3115 or by e-mail at [lmyrick@gmbnet.com](mailto:lmyrick@gmbnet.com).

Sincerely,

R. Lawton Myrick  
Planner

cc: Mr. Sam Sloan, Jr. (w/encl.)

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