

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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## PLEASE NOTE

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



## Memorandum

To: Sussex County Planning Commission Members

From: Jamie Whitehouse, AICP, Director, Department of Planning & Zoning; Jenny Norwood, Planning and Zoning Manager; Lauren DeVore, AICP, Planner III; Michael Lowrey, Planner III; Chase Phillips, Planner II; Christin Scott, Planner II; Elliott Young, Planner I & Jesse Lindenberg, Planner I

CC: Vince Robertson, Assistant County Attorney

Date: August 4, 2022

RE: Other Business for the August 11, 2022, Planning Commission Meeting

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This memo provides background for the Planning Commission to consider as a part of the Other Business to be reviewed during the August 11, 2022, Meeting of the Planning & Zoning Commission.

### **(S-22-03) Steiner Road Industrial Park**

KH

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for the Lands of Steiner Land LLC and Delstar LLC for the construction of Concrete Central Mixing and Proportioning Plant and a Building Materials Recycling and Sorting Facility. An existing fifty (50) foot wide Perpetual Cross Access Easement will serve as access for ingress/egress for both parcels. The proposed projects also share the same stormwater management facilities. The parcels are a total of 15.00 +/- acres and located on the east side of Steiner Road (S.C.R. 320) approximately 1,060 feet south of Lewes Georgetown Highway (Route 9) with approximately (486) feet of frontage on Steiner Road. Tax Parcels: 135-16.00-23.05 & 135-16.00-23.06. Zoning: HI-1 (Heavy Industrial Zoning District). Staff are awaiting agency approvals. If the Commission desire to act favorably on this plan, final approvals are requested to be made by staff upon the receipt of all agency approvals.

### **(S-22-16) Village Center - Commercial**

KS

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for a Commercial Center to be located on 11.65-acre portion of a parcel on the corner of Kings Highway (Route 9) and Gills Neck Rd. (S.C.R. 267). The Sussex County Council approved Change of Zone 1802 at its meeting of Tuesday, December 13<sup>th</sup>, 2016 through Ordinance No. 2480. The Final Site Plan includes one (1) 1,800 sq. ft. commercial building, four (4) 4,800 sq. ft. commercial buildings, three (3) 13,000 square foot commercial buildings, and one (1) 15,000 square foot commercial building, with parking, roads, green areas, and other site improvements. The Applicant has submitted a written request to allow eighty-one (81) parking spaces to be located in the front yard setback. The Site Plan otherwise complies with the Sussex County Zoning Code. Tax Parcel: 335-12.00-3.00 (portion of). Zoning: B-1 (Neighborhood Business Zoning District). Staff are awaiting agency approvals.

### **S-22-21 Hete4, LLC**

KS

Preliminary Site Plan

This is a Preliminary Site Plan for the construction of four (4) single family dwellings to be located on one (1) parcel of land. This plan includes parking, landscaping, utilities, and other site improvements. The proposal is supported by Conditional Use No. 2262, which was approved by Sussex County



Council on November 16<sup>th</sup>, 2021, through Ordinance No. 2812. This application will be participating in the Transportation Improvement District, and the plan has received a Letter of No Objection from the Delaware Department of Transportation on June 6<sup>th</sup>, 2022. The plan complies with the Sussex County Zoning Code and all Conditions of Approval. Tax Parcel: 334-6.00-686.00. Zoning: AR-1 (Agricultural Residential). Staff are awaiting agency approvals. Should the Commission desire to act favorably, it is requested that all final approvals be made by staff upon the receipt of all agency approvals.

**Grotto's Pizza Corporate Office (Mixed Use)**

KS

Preliminary Site Plan

This is a Preliminary Site Plan for the construction of a three-story, 24,308 square foot +/- mixed-use building to function as corporate office space on the first floor for the Grotto's Pizza restaurant chain, twelve (12) varying size apartment units on the second and third floors, associated parking and other site improvements. The improvements are to be located on the east side of Bay Vista Road (S.C.R. 273(A)) and on the south side of Coastal Highway (Route 1) and lie within the Combined Highway Corridor Overlay Zone (CHCOZ). Staff have also received a request to permit fourteen (14) parking spaces to be located within the front yard setback. The Preliminary Site Plan otherwise complies with the provisions of the Sussex County Zoning Code. Tax Parcel: 334-19.00-170.03. Zoning: General Commercial (C-1) District. Staff are awaiting agency approvals

**(2004-17) The Villages at Red Mill Pond South**

KS

Request to Amend Conditions of Approval

The Planning and Zoning Department has received a request to amend Conditions of Approval for the Revised Final Subdivision Plan for The Villages at Red Mill Ponds South (2004-17) as approved by the Planning & Zoning Commission at their meeting of Thursday, January 24<sup>th</sup>, 2019. On August 2, 2022, staff received a formal request to amend Condition #11 of the Plan's approval. Due to recent revisions and updates to proposed amenities, the Applicant requests that Condition 11, which states, "*All amenities and recreational facilities shall be constructed and open for use by the residents of the development within 2 years of the issuance of the first building permit*" be amended to June 23, 2023. This standard AR-1 subdivision contains one-hundred and seventy-seven (177) single-family lots on 82.10 acres +/- and is located on the south side of Lewes Georgetown Highway (Route 9). Tax Parcel: 334-5.00-170.00. Zoning: AR-1 (Agricultural Residential District).

**(2018-34) Keastone Bay**

Request for a Time Extension

The Planning and Zoning Department has received a request for a time extension for the Preliminary Major Subdivision Plan of Keastone Bay (2018-34). Specifically, the applicant has requested a 6-month time extension to the original expiration date of January 23<sup>rd</sup>, 2020. The proposed deadline would become June 23<sup>rd</sup>, 2020. Included in the published packet are the minutes from the preliminary review and the statement and justifications provided by Solutions IPEM of Georgetown.

**Lands of Shirley Ann Gregory**

KH

Minor Subdivision off a 30-ft Easement

This is a Minor Subdivision Plan for the subdivision of 9.781 acre +/- parcel of land into one (1) lot and residual lands off a 30-foot ingress/egress access easement. Proposed Lot 1 consists of 1.876 acres and the residual lands consist of 7.905 acres +/- . The property is located on the southeast corner of Old Stage Road (S.C.R. 68) and Coachmen Lane (S.C.R. 454 B). The Minor Subdivision Plan

complies with the Sussex County Zoning and Subdivision Codes. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 532-14.00-17.00. Staff are awaiting agency approvals. If the Commission desire to act favorably on this plan, final approvals are requested to be made by staff upon the receipt of all agency approvals.

**Lands of Christopher T. & Sandra M. Kirk**

KH

Minor Subdivision off a 50-ft Easement

This is a Minor Subdivision Plan for the subdivision of 2.083 acre +/- parcel of land into one (1) lot and residual lands off a 50-foot ingress/egress access easement. Proposed Lot 1 consists of 1.023 acres and the residual lands consist of 1.060 acres +/- . The property is located on the northwest side of County Seat Highway (Route 9). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 132-13.00-21.03. Staff are awaiting agency approvals. If the Commission desire to act favorably on this plan, final approvals are requested to be made by staff upon the receipt of all agency approvals.

**Lands of Gordan D. Heathman, Trustee**

BM

Minor Subdivision off a 30-ft Easement

This is a Minor Subdivision Plan for the subdivision of 3.078 acre +/- parcel of land into one (1) lot and residual lands off a 30-foot ingress/egress access easement. Proposed Lot 1 consists of 1.699 acres +/- and the residual lands consist of 1.379 acres +/- . The property is located on the east side of Thorogoods Road (S.C.R. 333). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Zoning: GR (General Residential District). Tax Parcel: 233-5.00-189.00. Staff are awaiting agency approvals. If the Commission desire to act favorably on this plan, final approvals are requested to be made by staff upon the receipt of all agency approvals.



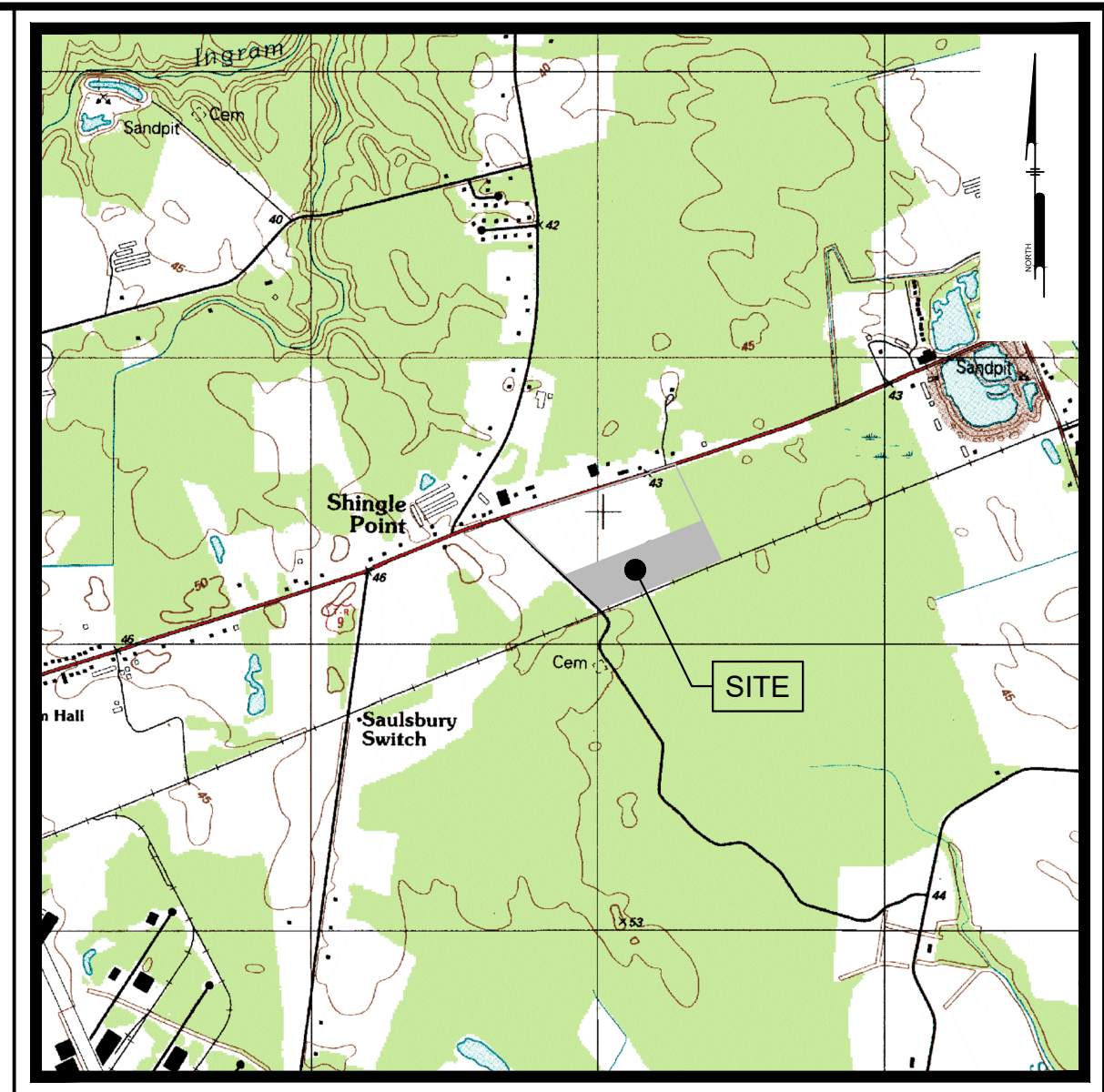
**SITE DATA TABLE:**

1. TAX MAP NUMBER:	135-16-00-23.05 & 135-16-00-23.06
2. OWNER:	DELSTAR, LLC C/O KYLE MURRAY PO BOX 2000 GAMBRILLS MD 21054
OWNER ADDRESS:	STEINER LAND, LLC C/O BRIAN SHIPP AND ANDREW SPRINGER ASHWOOD STREET BETHANY BEACH, DE 19930
3. ADDRESS LOCATION:	STEINER ROAD GEORGETOWN, DE 19947 GEORGETOWN SUSSEX
4. ZONING:	HI-1 (HEAVY INDUSTRIAL) [HI-1 CHANGE OF ZONE 1902, P&Z COMMISSION APPROVAL ON 12/3/2020, COUNTY COUNCIL APPROVAL ON 2/18/2020, ORDINANCE NO. 2709] AGRICULTURAL HEAVY INDUSTRIAL PARCEL A1 - CONCRETE CENTRAL MIXING AND PROPORTIONING PLANT PARCEL A2 - BUILDING MATERIALS RECYCLING AND SORTING FACILITY
5. REQUIRED SETBACKS (B.R.L.):	HI-1 (115-116 B.)
DEPTH OF FRONT YARD (FEET)	50'
WIDTH OF SIDE YARD (FEET)	20'
DEPTH OF REAR YARD (FEET)	20'
6. BUILDING HEIGHT:	125' MAX. (PER 115-116B) 42' MAX (115-83.3)(B)(3)
7. REQUIRED LOT SIZES:	
FRONT:	200 FT. (115-116)
WIDTH:	200 FT. (115-116)
AREA:	2 ACRES. (115-116)
8. PARKING (ARTICLE XXII: OFF-STREET PARKING, CODE SECTION §115-162)	
WHOLESALE OR MANUFACTURING:	1 FOR EVERY 2 EMPLOYEES ON THE MAJOR SHIFT ESTABLISHMENTS (1 PER 2 EMPLOYEES, MAX 28 EMPLOYEES) TOTAL REQUIRED SPACES: 14
PARCEL A1:	1 PER 2 EMPLOYEES (18 EMPLOYEES) TOTAL REQUIRED SPACES: 9 TOTAL PROVIDED SPACES: 9 HANDICAP SPACES = 1
PARCEL A2:	1 PER 2 EMPLOYEES (10 EMPLOYEES) TOTAL REQUIRED SPACES: 5 TOTAL PROVIDED SPACES: 5 HANDICAP SPACES = 1
OVERALL PARKING SPACES:	TOTAL REQUIRED SPACES: 14 TOTAL PROVIDED SPACES: 14 (INCLUDING 2 SPACES)
9. LOADING SPACES REQUIRED:	2 SPACES (CODE SECTION §115-167)
PARCEL A1	PARCEL A2
1 SPACE	1 SPACE
OVERALL LOADING SPACES:	PROPOSED LOADING SPACES: 2 SPACES
10. WATER SUPPLIER:	PRIVATE ON SITE WELLS

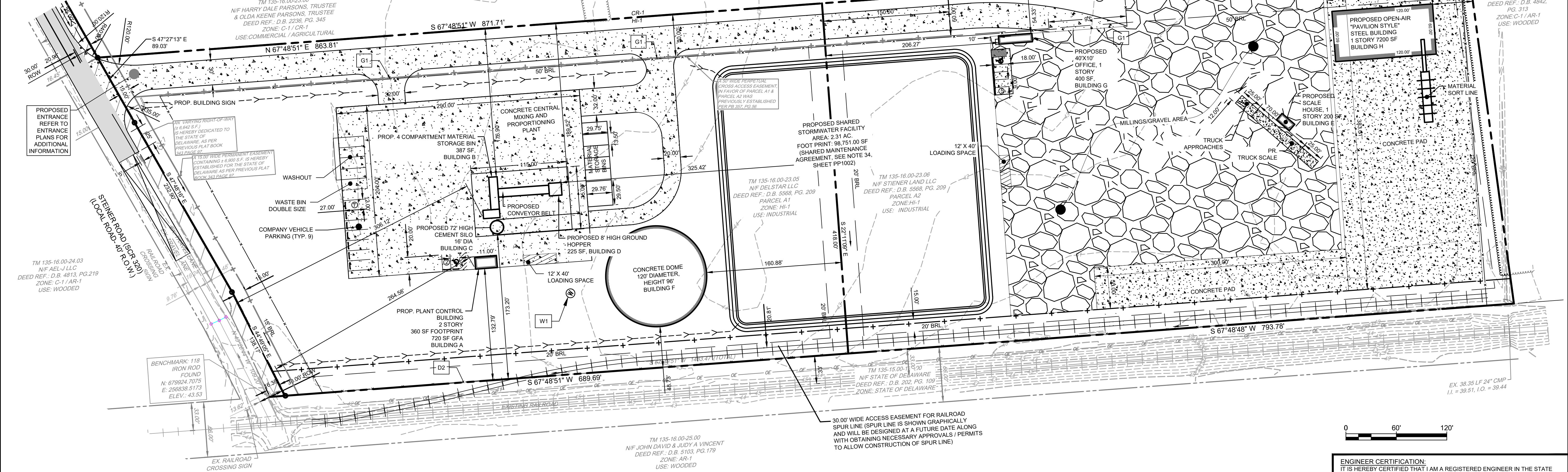
21. SECTION 89 - SOURCE WATER PROPERTY:	A. SUBJECT PROPERTY IS WITHIN AN AREA OF "FAIR" GROUNDWATER RECHARGE B. SUBJECT PROPERTY IS NOT LOCATED IN A WELLHEAD PROTECTION AREA.
22. SANITARY SEWER PROVIDER:	PUBLIC - ARTESIAN WATER COMPANY
23. POSTED SPEED LIMIT:	45 MPH
24. STATE INVESTMENT AREA:	LEVEL 3 COMMERCIAL / HEAVY INDUSTRIAL INDIAN RIVER SCHOOL DISTRICT SCHOOL DISTRICT: FIRE DISTRICT:
25. SITE AREA AND ACREAGE:	ACRES(±)
PARCEL A1:	EX: 0.00 ± AC. (0.00%) PR: 0.29 ± AC. (3.90%) BUILDING FOOT PRINT: PR: 2.29 ± AC. (30.5%) PARKING/DRIVE AISLES/IMPERVIOUS: EX: 0.00 ± AC. (0.00%) PR: 7.30 ± AC. (97.3%)
WOODS:	EX: 0.20 ± AC. (2.70%) PR: 0.00 ± AC. (0.00%) TOTAL: EX: 7.50 ± AC. PR: 7.50 ± AC.
PARCEL A2:	EX: 0.00 ± AC. (0.00%) PR: 0.21 ± AC. (2.80%) BUILDING FOOT PRINT: PR: 4.79 ± AC. (63.9%) PARKING/DRIVE AISLES/IMPERVIOUS: EX: 0.00 ± AC. (0.00%) PR: 3.08 ± AC. (41.1%)
WOODS:	EX: 4.42 ± AC. (58.5%) PR: 0.09 ± AC. (1.2%) TOTAL: EX: 7.50 ± AC. PR: 7.50 ± AC.
TOTAL AREA:	EX: 15.00 ± AC. PR: 15.00 ± AC.
26. EXISTING WOODS AREA:	4.62 ± AC. WOODS TO REMAIN: 0.09 ± AC.
27. LONGITUDE AND LATITUDE:	STATE PLANE COORDINATES: LONGITUDE: W 75°06'52.51" LATITUDE: N 38°33'25.06"
28. PROPOSED DISCHARGE LOCATION:	STEINER ROAD DITCH AT NORTHEAST PROPERTY CORNER
29. WATERSHED:	ROUND POLE BRANCH - BROADKILL RIVER WATERSHED, ULTIMATELY TO DELAWARE BAY
30. FLOOD ZONE:	THIS PROPERTY IS LOCATED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 1000500025. MAP REVISED JUNE 20, 2018. (ZONE X) OUTSIDE 500 YR FLOOD PLAN.
31. WETLANDS AREA:	0 ACRES
32. DATUM:	HORIZONTAL: NAD83 VERTICAL: NAVD 1988
33. FIRE DISTRICT:	GEORGETOWN FIRE COMPANY (STATION 77)
34. LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APPROVAL:	SUSSEX COUNTY
35. TID REFERENCE:	NOT INCLUDED

**LEGEND**

EXISTING	PROPOSED	DESCRIPTION
[Symbol]	[Symbol]	BUILDING
[Symbol]	[Symbol]	BUILDING RESTRICTION LINE
[Symbol]	[Symbol]	EDGE OF PAVEMENT
[Symbol]	[Symbol]	EDGE OF GRAVEL
[Symbol]	[Symbol]	UTILITY EASEMENT
[Symbol]	[Symbol]	PERMANENT EASEMENT
[Symbol]	[Symbol]	FENCE
[Symbol]	[Symbol]	PROPERTY, LINE
[Symbol]	[Symbol]	LEGAL RIGHT-OF-WAY
[Symbol]	[Symbol]	PROPERTY, CORNER FOUND
[Symbol]	[Symbol]	PROPERTY, ADJOINING LINED
[Symbol]	[Symbol]	SITE, MAIL BOX
[Symbol]	[Symbol]	SITE, TRAFFIC SIGN
[Symbol]	[Symbol]	MINOR CONTOUR
[Symbol]	[Symbol]	MAJOR CONTOUR
[Symbol]	[Symbol]	CONCRETE
[Symbol]	[Symbol]	GRAVEL



**S-22-03**



**SITE INFORMATION:**

SITE ADDRESS:  
STEINER ROAD  
GEORGETOWN, DE 19960

OWNER:  
DELSTAR, LLC  
C/O KYLE MURRAY  
PO BOX 2000  
GAMBRILLS MD 21054  
(301) 932-5335

STEINER LAND, LLC  
C/O BRIAN SHIPP AND ANDREW SPRINGER  
ASHWOOD STREET  
BETHANY BEACH, DE 19930

ENGINEER:  
PENNONI ASSOCIATES, INC.  
18072 DAVIDSON DRIVE  
MILTON, DE 19968

**BUILDING USE AND CONSTRUCTION**

BUILDING	USE	AREA (SF)
A	PR. 20± HIGH PLANT CONTROL BUILDING	360.00
B	PR. 25± HIGH COMPARTMENT MATERIAL STORAGE BIN	387.00
C	PR. 72± HIGH CEMENT SILO 16' DIAMETER	225.00
D	PR. 8± HIGH GROUND HOPPER	200.00
E	PR. 15± HIGH SCALE HOUSE	400.00
F	PR. 96± HIGH CONCRETE DOME 120' DIAMETER	7200.00
G	PR. 15± HIGH OFFICE SPACE	400.00
H	PR. 40± OPEN AIR "PAVILION STYLE" STEEL BUILDING	7200.00

**KEYED NOTES**

- [W1] 6" FENCE CHAIN LINK/BARB WIRE
- [W2] 8" FENCE CHAIN LINK/BARB WIRE ALONG RAILROAD
- [G1] PROPOSED GATE
- [W3] PROPOSED WELL

**SOILS**

TYPE	DESCRIPTION	HYDROLOGIC SOIL
Fa8A	FALLSINGTON SANDY LOAMS, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	B/D
Hi8A	HAMMONTON LOAMY SAND, 0 TO 2 PERCENT SLOPES	B
KsA	KLEJ LOAMY SAND, 0 TO 2 PERCENT SLOPES	A/D
W8A	WOODSTOWN SANDY LOAM, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	C

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

SIGNATURE: STEINER LAND, LLC  
C/O BRIAN SHIPP AND ANDREW SPRINGER  
ASHWOOD STREET  
BETHANY BEACH, DE 19930  
(301) 937-9000

DATE: \_\_\_\_\_

**ENGINEER CERTIFICATION:**  
IT IS HEREBY CERTIFIED THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE. THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE COMPLIES WITH APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES. THE DESIGN REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE: ALAN DECKTOR, PE (DE PE#17771)  
PENNONI ASSOCIATES, INC.  
18072 DAVIDSON DRIVE  
MILTON, DE 19968  
OFFICE (302) 984-8030 - FAX (302) 684-8054

DATE: \_\_\_\_\_

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

SIGNATURE: DELSTAR, LLC  
C/O KYLE MURRAY  
PO BOX 2000  
GAMBRILLS MD 21054  
(301) 932-5335

DATE: \_\_\_\_\_

**Pennonni**

**PENNONI ASSOCIATES, INC.**  
18072 DAVIDSON DRIVE  
MILTON, DE 19968  
T 302.684.9030 F 302.684.8054

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

**STEINER ROAD INDUSTRIAL PARK (S-22-03)**

TAX MAP NUMBER: 135-16-00-23.05 (PARCEL A1 & A2)  
STEINER ROAD (SCR 320)  
GEORGETOWN, DE

**PRELIMINARY SITE PLAN**

DELSTAR, LLC STEINER LAND, LLC  
ASHWOOD STREET ASHWOOD STREET  
BETHANY BEACH, DE 19930 BETHANY BEACH, DE 19930

NO.	DATE	REVISIONS	BY
2	2022-06-01	REVISED PER P&Z COMMENTS	PPP
1	2022-04-22	REVISED PER P&Z COMMENTS	EOC

PROJECT: **CHANY21001**

DATE: 2021-11-05

DRAWING SCALE: 1"=60'

DRAWN BY: EOC

APPROVED BY: AMD

**PP1001**

SHEET 1 OF 2



**GENERAL NOTES:**

- ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
- THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
- DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
- ALL MATERIALS SHALL BE NEW AND SHALL BE ASBESTOS AND VERMICULITE FREE. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE INTENDED WORK.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.
- PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD ANY DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED, ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
- THE CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF CONTRACT DRAWINGS ON WHICH HE SHALL NOTE, IN RED, THE ALIGNMENTS AND INVERTS OF ALL UNDERGROUND UTILITIES INSTALLED OR ENCOUNTERED DURING THE PROSECUTION OF THE WORK. ALL DISCREPANCIES BETWEEN THE PLAN LOCATIONS AND ELEVATIONS OF BOTH THE EXISTING AND PROPOSED UTILITIES SHALL BE SHOWN ON THE AS-BUILT DRAWINGS TO BE MAINTAINED BY THE CONTRACTOR IN THE FIELD.
- THE CONTRACTOR SHALL OPEN ONLY THAT SECTION OF TRENCH OR ACCESS PITS WHICH CAN BE BACKFILLED AND STABILIZED AT THE END OF EACH WORKING DAY. STEEL PLATES SHALL BE USED ON ANY TRENCH OR ACCESS PITS WHICH MUST REMAIN OPEN OVERNIGHT. THIS REQUIREMENT DOES NOT APPLY TO AREAS COMPLETELY CLOSED AND SECURE FROM VEHICULAR OR PEDESTRIAN TRAFFIC.
- DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER. CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
- BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 100503022L, EFFECTIVE DATE JUNE 20, 2018, THE PROPERTY IS LOCATED IN FLOOD ZONE "X" (UNSHADED), WHICH IS AN AREA THAT HAS BEEN DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAN.
- SUBJECT PROPERTY IS CURRENTLY "H-1" (HEAVY INDUSTRIAL).
- THE SUBJECT SITE WILL BE CONSTRUCTED AS A SINGLE PHASE.
- TOTAL AREA FOR SUBJECT SITE IS 15.00 ACRES.
- THE BOUNDARY INFORMATION SHOWN ON THIS PLAN WAS COMPILED FROM DOCUMENTS OF PUBLIC RECORD AND A BOUNDARY SURVEY BY PENNONI, DATED FEBRUARY, 2020. ALL PROVIDED EASEMENTS ARE SHOWN AS SHOWN ON THIS PLAN, HOWEVER, THIS PLAN AND SURVEY DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT-OF-WAYS OR EASEMENTS.
- SURVEY DATUM: HORIZONTAL - NAD83; VERTICAL - NAVD83
- DEED REFERENCE: DEED BOOK 5568, PAGE 209.
- PLAT REFERENCE: PLAT BOOK 343, PAGE 97.
- BUILDING LIGHTING TO BE PROVIDED WITH BUILDING PLANS.
- ALL SECURITY LIGHTING (IF NECESSARY) SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- THERE ARE NO WETLANDS ON THIS PROPERTY PER THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
- STORM WATER WILL BE HANDLED BY THE PROPOSED STORM WATER MANAGEMENT POND ON SITE. THE MAINTENANCE OF THE STORM WATER MANAGEMENT FACILITY WITHIN THIS SITE SHALL BE THE RESPONSIBILITY OF THE OWNER.
- ALL FIRE LANES, EXITS, STANDPIPE AND SPRINKLER CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS. ALL BUILDINGS WILL BE WOOD CONSTRUCTION AND HAVE SPRINKLERS.
- LOCK BOX REQUIRED - CONTACT LOCAL FIRE CHIEF OR ORDERING INFORMATION. LOCK BOXES WILL BE LOCATED ON THE RIGHT HAND SIDE OF THE DOOR.
- MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
- ALL DISTURBED AREAS WITHIN THE LIMIT OF DISTURBANCE, BUT NOT IN PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM), SEEDED AND MULCHED. IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINAL INSPECTION, ALL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
- A 72 HOUR (MINIMUM) NOTICE SHALL BE GIVEN TO THE DISTRICT PERMIT SUPERVISOR PRIOR TO STARTING ROADWAY CONSTRUCTION.
- ALL SIGNING FOR MAINTENANCE OF TRAFFIC IS THE CONTRACTOR'S RESPONSIBILITY, AND SHALL FOLLOW THE GUIDELINES SHOWN IN LATEST EDITION OF DELAWARE MUTCD.
- DESIGN, FABRICATION AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD.
- DESIGN AND INSTALLATION OF ALL PAVEMENT MARKINGS AND STRIPING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD. FOR FINAL PERMANENT PAVEMENT MARKINGS:
  - EPOXY RESIN PAINT SHALL BE REQUIRED FOR LONG LINE STRIPING.
  - THERMO PLASTIC (EXTRUDED OR PREFORMED MATERIAL) WILL BE REQUIRED ON ASPHALT SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
  - PERMANENT PAVEMENT MARKING TAPE (PER DELDOT APPROVED MATERIALS LIST) WILL BE REQUIRED ON CONCRETE SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
- BREAKAWAY POSTS SHALL BE USED WHEN INSTALLING ALL SIGNS. REFERENCE DELDOT STANDARD CONSTRUCTION DETAIL T-15.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING, TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION:
  - THE OWNER
  - SUSSEX CONSERVATION DISTRICT
  - DELDOT
- THE CONTRACTOR SHALL MAINTAIN PUBLIC ROADS AND STREETS IN A BROOM SWEEP CONDITION AT ALL TIMES.
- THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING AND INFORMATION SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
- A SEPARATE SIGN PERMIT WILL BE REQUIRED FOR THE PROPOSED SIGN. ANY PROPOSED SIGN DETAILS WILL BE SUBMITTED SEPARATELY.
- THE PROPOSED STORMWATER FACILITY IS LOCATED ON BOTH PROPERTIES AS SHOWN, A REQUIRED SHARED MAINTENANCE AGREEMENT IS WILL BE COMPLETED AND RECORDED TO HANDLE ACCESS AND MAINTENANCE OF BOTH PROPERTIES. THIS IS A REQUIREMENT BY SUSSEX CONSERVATION DISTRICT.

**DELDOT RECORD/SITE PLAN NOTES (REVISED 3-21-2019):**

- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
- NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- 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.
- PRIVATE STREETS CONSTRUCTED WITHIN THIS PROPERTY SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 §131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SHARED-USE PATH.
- ALL LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
- DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
- TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
- A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAT, PER PB 343, PG. 97.

**TRAFFIC GENERATION - STEINER RD (SCR 320)**  
(FULL MOVEMENT)

**ROAD TRAFFIC DATA:**  
FUNCTIONAL CLASSIFICATION - S320 (STEINER RD.) - LOCAL ROAD  
POSTED SPEED LIMIT - 45 MPH  
AADT = 52 TRIPS (FROM 2019 DELDOT TRAFFIC SUMMARY)  
DIRECTIONAL DISTRIBUTION<sup>1</sup>  
10 YEAR PROJECTED AADT = 1.16 x = 52 TRIPS = 60 TRIPS  
10 YEAR PROJECTED AADT + SITE ADT = 322 TRIPS  
TRAFFIC PATTERN GROUP = 7 (FROM 2019 DELDOT TRAFFIC SUMMARY)  
PEAK HOUR - 17.82% x 322 TRIPS = 57 TRIPS  
TRUCK VOLUME - 12.69% x LEFT TURN PEAK ADT = 1 TRIPS

**SITE TRAFFIC DATA:**  
SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION<sup>2</sup>  
EXISTING LAND USE: VACANT FIELD  
PROPOSED LAND USE:  
GENERAL LIGHT INDUSTRIAL (ITE 110)  
900 SF - CONCRETE CENTRAL MIXING AND PROPORTIONING PLANT  
0.90 KSF = T=3.79(X)+57.96 = 62 TRIPS (31 IN / 31 OUT)

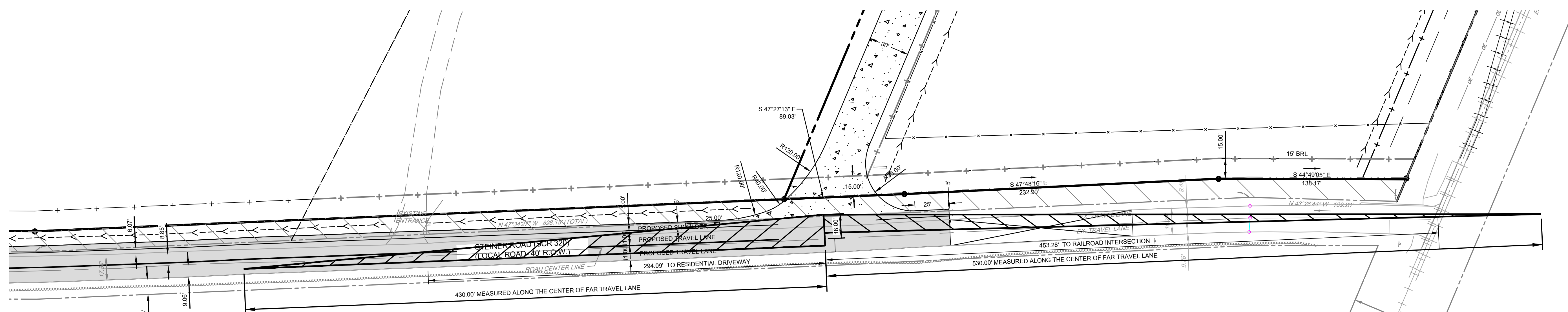
PEAK HOUR OF ADJACENT STREET TRAFFIC:  
AM: Ln(T)=0.74Ln(X)+0.39 = 2 TRIPS (WEEKDAY) [88% / 12%] (1 / 1)  
PM: Ln(T)=0.69Ln(X)+0.43 = 2 TRIPS (WEEKDAY) [13% / 87%] (1 / 1)

SUN SERVICES - MATERIAL RECYCLING COMPANY  
TOTAL PROPOSED TRIPS = 200 TRIPS (100 IN / 100 OUT)  
[ACCORDING TO THE OWNER, THE TRUCK TRAFFIC WOULD BE RELATED TO THE MARKET DEMAND AND ECONOMY. DURING PEAK TIMES, IT IS EXPECTED TO HAVE 100 TRUCKS THROUGHOUT THE DAY WHICH WOULD EQUAL 200 TRIPS.]

PEAK HOUR OF ADJACENT STREET TRAFFIC:  
AM: AVG. RATE: 10 TRIPS (WEEKDAY) [50% / 50%] (5 / 5)  
PM: AVG. RATE: 10 TRIPS (WEEKDAY) [50% / 50%] (5 / 5)  
DIRECTIONAL DISTRIBUTION:  
100% TO AND FROM RT. 9 (282 TRIPS) ENTERING (6) [6], EXITING (6) [6]  
0% TO AND FROM STEINER RD. (0 TRIPS)  
TOTAL COMBINED TRIPS = 282 ADT

**TRAFFIC GENERATION DIAGRAM**  
ADT PEAK HOUR (A.M.), ADT PEAK HOUR (P.M.)  
<sup>1</sup> DIRECTIONAL DISTRIBUTION PROVIDED BY DELDOT  
<sup>2</sup> DIRECTIONAL DISTRIBUTION PROVIDED BY ITE MANUAL

DESIGN VEHICLE - WB-40  
SITE TRUCK TRAFFIC = 70% (183 TRIPS)



**SIGHT DISTANCE TRIANGLE**  
SCALE: 1" = 40' STEINER ROAD SPEED LIMIT IS 40 MPH

**PENNONI ASSOCIATES INC.**  
18072 Davidson Drive  
Milton, DE 19968  
T 302.684.9030 F 302.684.8054

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

**STEINER ROAD INDUSTRIAL PARK (S-22-03)**  
TAX MAP NUMBER: 135-16-00-23.05 (PARCEL A1 & A2)  
STEINER ROAD (SCR 320)  
GEORGETOWN, DE

**PRELIMINARY SITE NOTES**  
DELSTAR, LLC. STEINER LAND, LLC.  
ASHWOOD STREET BETHANY BEACH, DE 19830  
ASHWOOD STREET BETHANY BEACH, DE 19830

NO.	DATE	REVISIONS	BY
1	2022-04-22	REVISED PER RAZ COMMENTS	EOC

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

PROJECT: CHANY21001  
DATE: 2021-11-05  
DRAWING SCALE: AS SHOWN  
DRAWN BY: EOC  
APPROVED BY: AMD

PLOTFILE: 09/02/2022 11:58 AM, RI: Emmanuel Chahua, PLOTSTYLE: Pennoni V02.dwg, PROJECT STATUS: CHANY21001  
 U:\Automation\CHANY\CHANY21001 - Misc Subdivision - Misc\PP1002.dwg



# VILLAGE CENTER - COMMERCIAL

LEWES AND REHOBOTH HUNDRED,  
SUSSEX COUNTY, DELAWARE

KINGS HIGHWAY (SCR 268)  
PRELIMINARY PLAN

MARCH, 2022

DBF # 2261J020

REVISED: JUNE 2022

## DATA COLUMN

TAX MAP ID: 3-35-12.00-3.00

DATUM  
VERTICAL: NAVD 88  
HORIZONTAL: NAD 83 (DE STATE PLANE)  
BENCHMARK: CONCRETE MONUMENT  
LOCATION: NE PROPERTY CORNER (38.7548, -75.1450)  
LAT/LON:

LAND USE  
EXISTING: AGRICULTURAL  
PROPOSED: COMMERCIAL

ZONING: B-1 (NEIGHBORHOOD BUSINESS)

BUILDINGS: 9

BUILDING SETBACKS  
FRONT SETBACK: 60 FT. (KINGS HWY & GILLS NECK ROAD)  
30 FT. (STOCKLEY BLVD.)  
SIDE SETBACK: 5 FT. (20 FT. WHEN ADJACENT TO RESIDENTIAL)  
REAR SETBACK: 5 FT. (30 FT. WHEN ADJACENT TO RESIDENTIAL)  
CORNER SETBACK: 15 FT.

MAXIMUM REQUIREMENTS  
BUILDING HEIGHT: 42 FT.

BUILDING CONSTRUCTION: WOOD/CONCRETE BLOCK

PARKING REQUIREMENTS  
REQUIRED: 5 SPACES PER 1000 SF.  
75,000 SF. / 1000 \* 5 = 375 SPACES  
TOTAL REQUIRED: 375 SPACES MIN.  
PROPOSED: 378 SPACES  
ACCESSIBLE PARKING: 8 REQUIRED & PROVIDED

AREAS:  
PARCEL AREA: 65.051 AC.  
B-1 ZONING AREA: 11.649 AC.

OPEN SPACE/PERVIOUS: 2.419 AC.

BUILDINGS:  
BUILDING "A" 4,800 SF  
BUILDING "B" 4,800 SF  
BUILDING "C" 1,800 SF  
BUILDING "D" 4,800 SF  
BUILDING "E" 4,800 SF  
BUILDING "F" 13,000 SF  
BUILDING "G" 13,000 SF  
BUILDING "H" 13,000 SF  
BUILDING "I" 15,000 SF

ROADS:  
SIDEWALKS/PAVERS: 6.011 AC.  
IMPERVIOUS: 3.445 AC.  
IMPERVIOUS: 11.178 AC. (17%)

TOTAL DEVELOPED AREA: 13.597 AC. (21%)

UTILITIES  
SEWER PROVIDER: PUBLIC (SUSSEX COUNTY)  
WATER PROVIDER: PUBLIC (TIDEWATER UTILITIES, INC.)  
ELECTRIC: DELAWARE ELECTRIC CO-OP  
GAS: CHESAPEAKE UTILITIES

WETLANDS - THE SITE IS NOT IMPACTED BY WETLANDS.

WELLHEAD - THE SITE IS LOCATED PARTIALLY WITHIN A WELLHEAD PROTECTION AREA.

GROUNDWATER RECHARGE - THE SITE IS LOCATED IN A FAIR AND GOOD AQUIFER RECHARGE AREA.

FLOODPLAIN - THE SITE IS NOT WITHIN THE FLOOD PLAIN AS DETERMINED BY FEMA FLOOD INSURANCE RATE MAP #10005C0194K & 10005C0332K, DATED MARCH 16, 2015.

WATERSHED - THE SITE IS LOCATED IN THE (HUC 10) REHOBOTH BAY WATERSHED

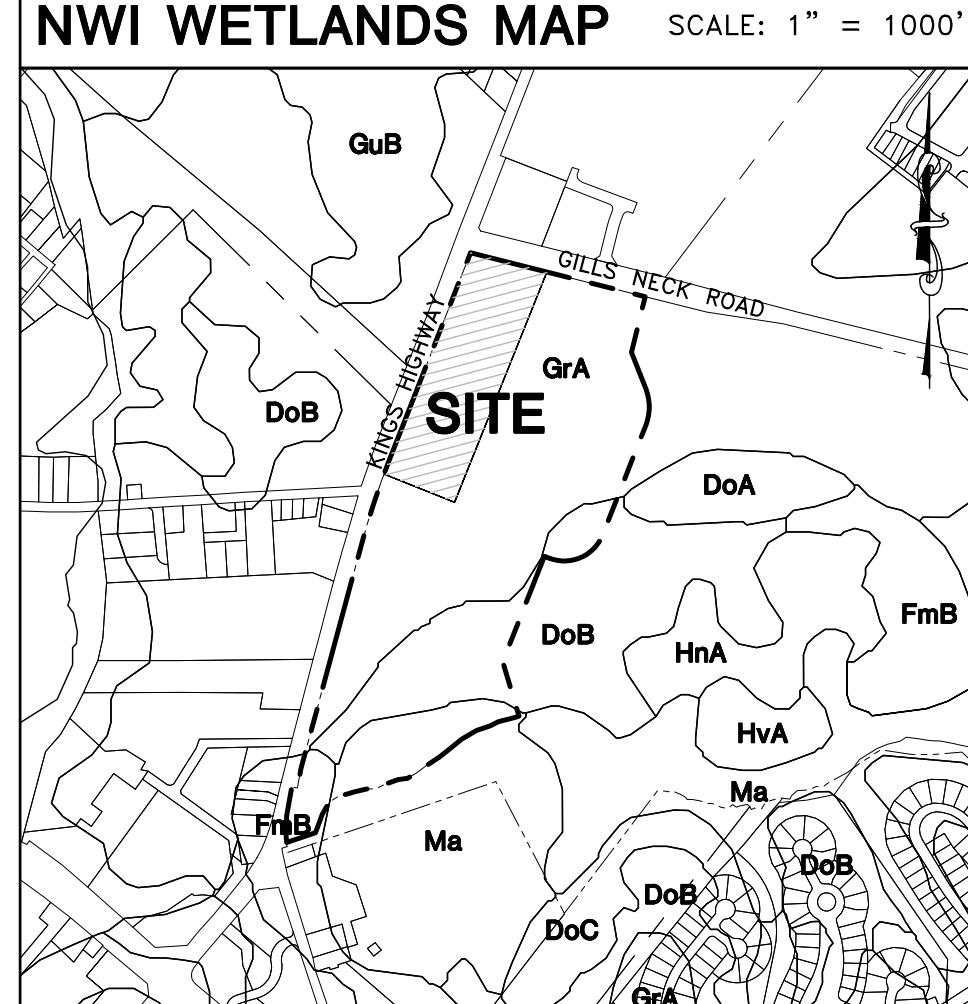
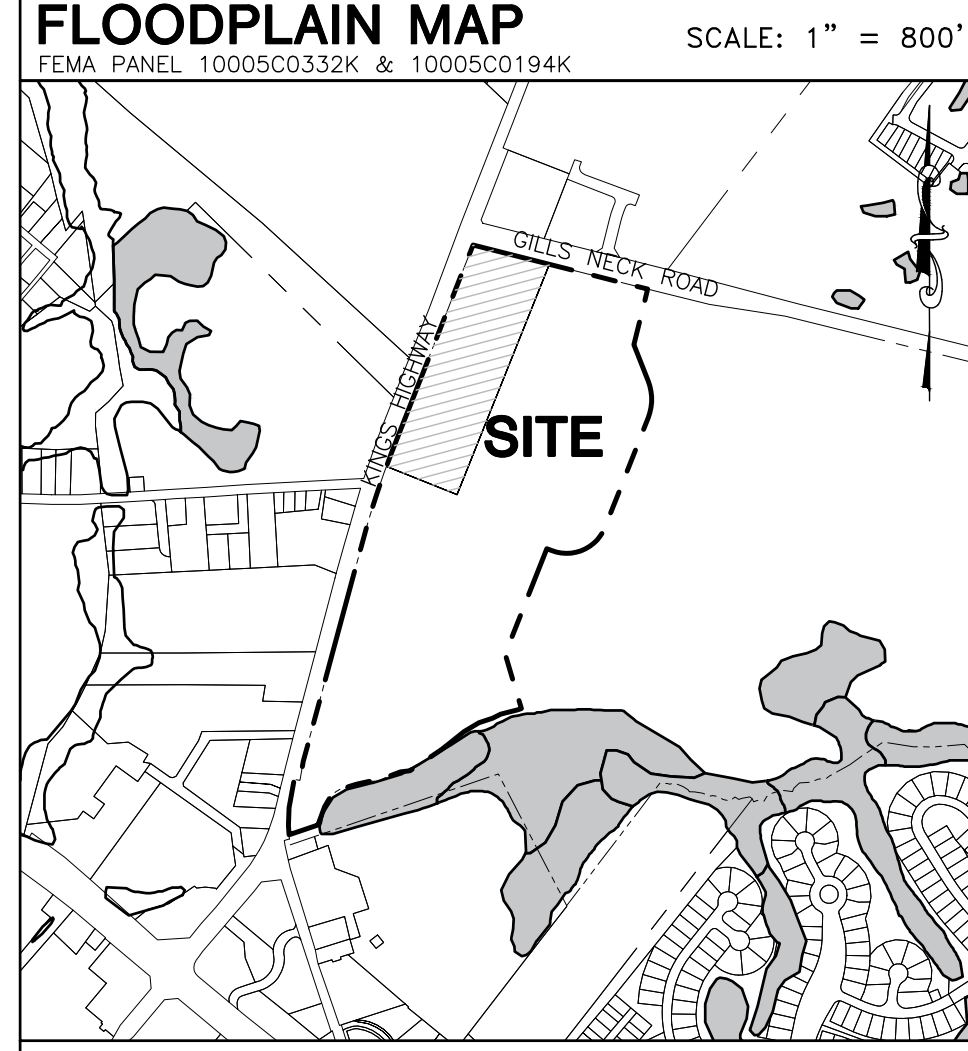
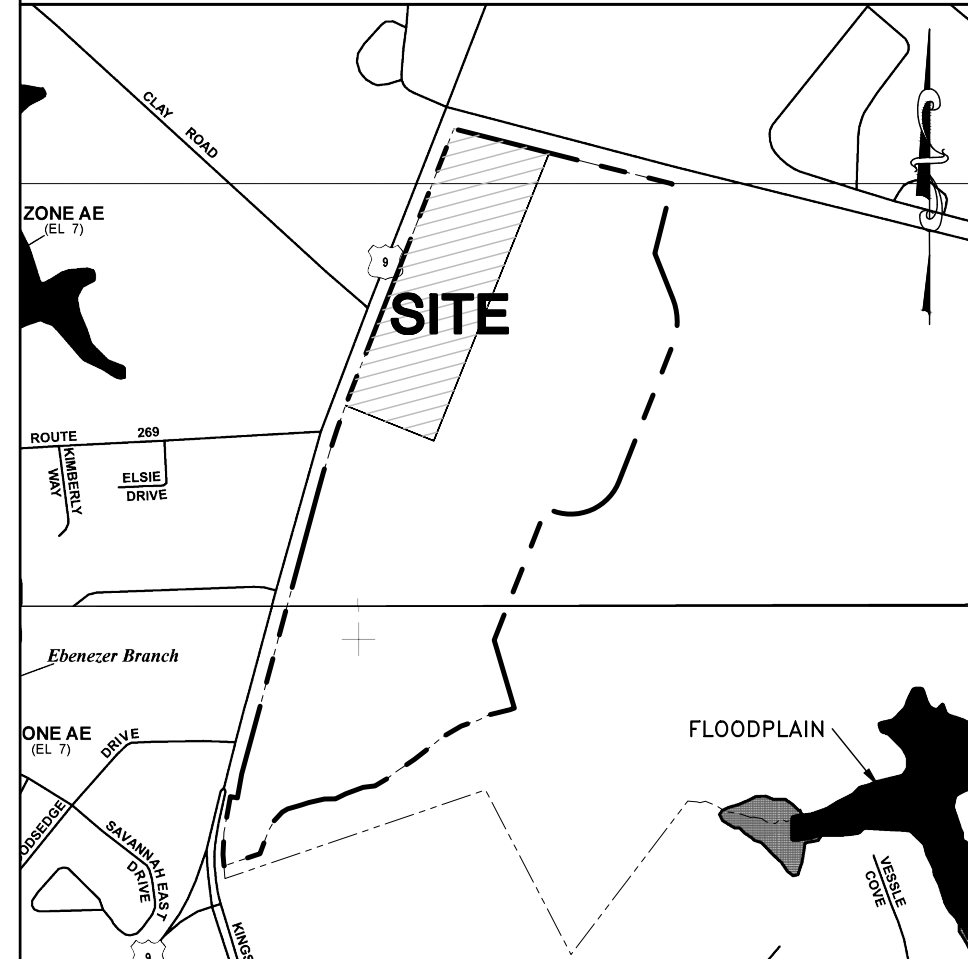
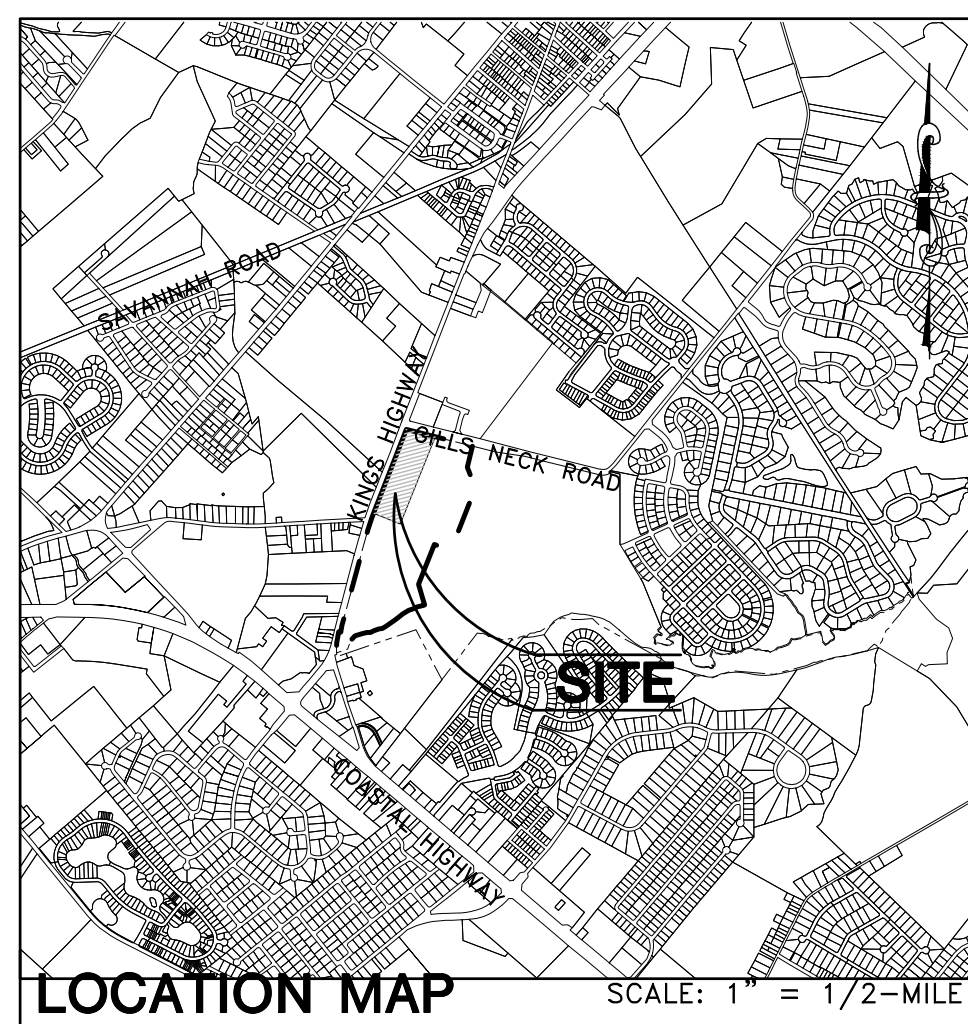
INVESTMENT LEVEL AREA - THIS SITE IS LOCATED IN INVESTMENT LEVEL 1 PER 2020 DELAWARE STRATEGIES FOR STATE POLICIES AND SPENDING.

TRANSPORTATION IMPROVEMENT DISTRICT - THE SITE IS NOT LOCATED IN A TID.

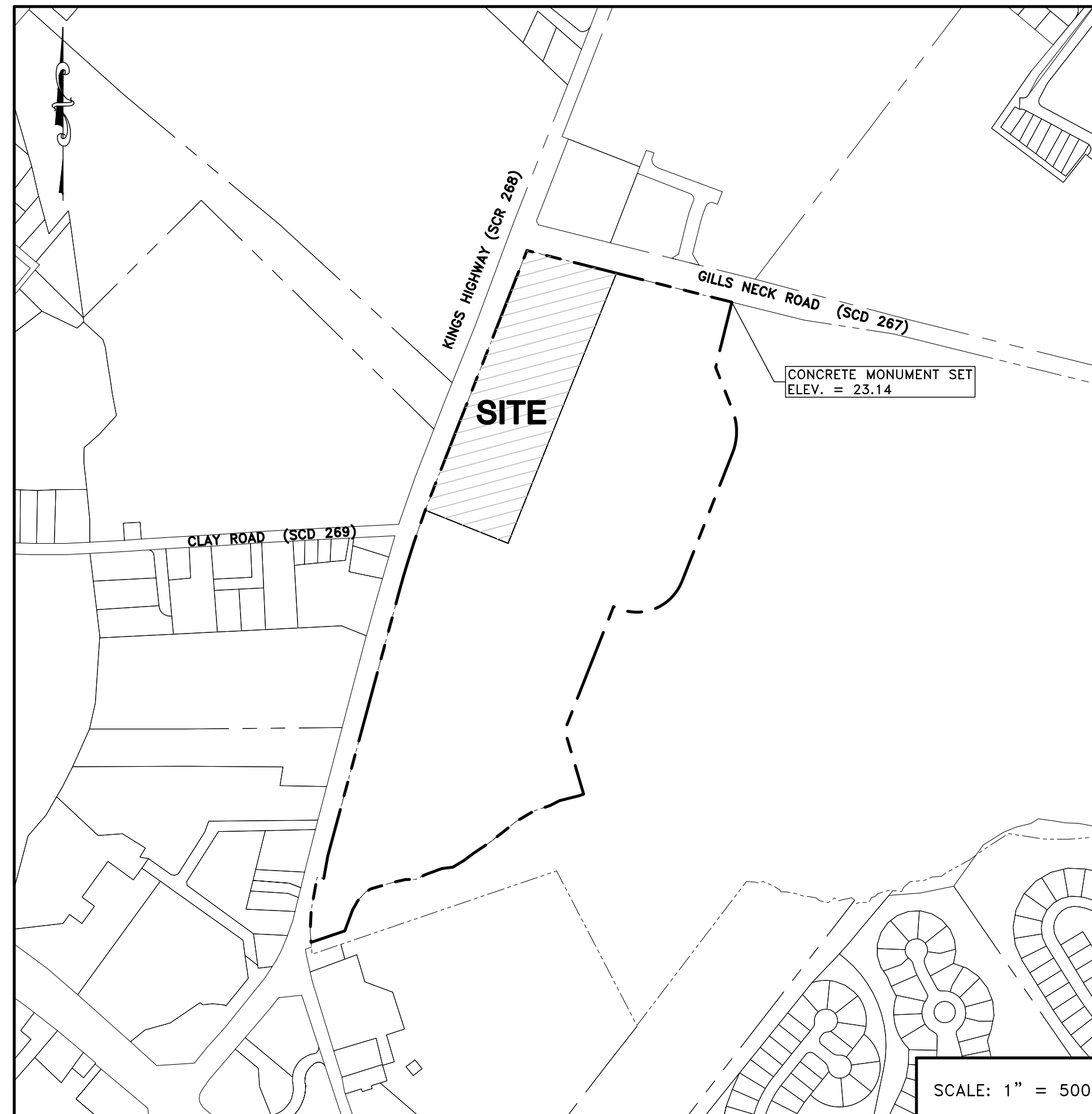
OWNER  
J.G. TOWNSEND JR. & CO.  
P.O. BOX 450  
GEORGETOWN, DELAWARE 19947  
PHONE: 302-856-2525  
CONTACT: PAUL TOWNSEND

ENGINEER  
DAVIS, BOWEN, & FRIEDEL, INC.  
1 PARK AVE.  
MILFORD, DELAWARE 19963  
PHONE: 302-424-1441  
FAX: 302-424-0430

DELEGATED AGENCY  
SUSSEX CONSERVATION DISTRICT  
SEDIMENT & STORMWATER PROGRAM  
23818 SHORTLY ROAD  
GEORGETOWN, DE 19947  
PHONE: 302-856-2105  
FAX: 302-856-7219



DoA: DOWNER SANDY LOAM, 0 TO 2 PERCENT SLOPES (A)  
DoB: DOWNER SANDY LOAM, 2 TO 5 PERCENT SLOPES (A)  
FmB: FORT MOTT LOAMY SAND, 2 TO 5 PERCENT SLOPES(A)  
GrA: GREENWICH LOAM, 0 TO 2 PERCENT SLOPES (B)  
HvA: HURLOCK SANDY LOAM, 0 TO 2 PERCENT SLOPES (A/D)  
HnA: HAMMONTON SANDY LOAM, 0 TO 2 PERCENT SLOPES(B)  
Ma: MANAHAWKIN MUCK, FREQUENTLY FLOODED(D)



## GENERAL NOTES:

- NO LANDSCAPING SHALL BE ALLOWED WITHIN R/W UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DELDOT DEVELOPMENT COORDINATION MANUAL (DCM).
- INTERNAL STREETS CONSTRUCTED WITHIN THE DEVELOPMENT ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS OR BOTH. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SITE. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
- ALL UNITS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
- 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.
- BOUNDARY INFORMATION, EXISTING UTILITIES, AND TOPOGRAPHICAL INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A BOUNDARY SURVEY PERFORMED BY DAVIS, BOWEN, & FRIEDEL INC. IN OCTOBER 2021 AND INFORMATION FOUND AT THE RECORDER OF DEEDS OFFICE FOR SUSSEX COUNTY.
- THIS PLAN DOES NOT VERIFY THE LOCATION, EXISTENCE, OR NON-EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING THE SUBJECT PROPERTY AS NO TITLE SEARCH WAS PERFORMED OR PROVIDED.
- UTILITY EASEMENTS DEPICTED HEREON REPRESENT, TO THE GREATEST EXTENT PERMITTED BY LAW, PRIVATE EASEMENTS FOR THE EXCLUSIVE USE AND BENEFIT OF THOSE UTILITY COMPANIES AND/OR OTHER PROVIDERS OF SERVICES TO THE DEVELOPMENT AS MAY BE DESIGNATED BY THE OWNER, OR ITS SUCCESSORS AND ASSIGNS, FROM TIME TO TIME BY AN INSTRUMENT IN WRITING, AND IN NO WAY GRANT, CONVEY OR CREATE ANY GENERAL PUBLIC UTILITY EASEMENT OR ANY GENERAL OR PUBLIC ACCESS RIGHTS.

## LEGEND

EXISTING		PROPOSED	
RIGHT-OF-WAY	EX-RW	RIGHT-OF-WAY / BOUNDARY LINE	RW
ADJACENT PROPERTY OWNER	---	PROPERTY LINE	---
EASEMENT	++	SETBACK	---
CONTOUR	---33---	EASEMENT	---PE---
CATCH BASIN, STORM PIPE	□	BUFFER	---
SANITARY SEWER MANHOLE, PIPE	●	SANITARY SEWER IDENTIFICATION, MANHOLE, PIPE, FLOW ARROW, PIPE SIZE	○-SS
WATER MAIN	EX-W	WATER MAIN, TEE W/ VALVES, PIPE SIZE	⊕-10W
FIRE HYDRANT ASSEMBLY	⊕	FIRE HYDRANT ASSEMBLY	⊕
UTILITY POLE	⊕	TREE LINE	~
SIGN	⊕	PAVEMENT	■
FENCE	-X-X-X-	SIDEWALK	■
TREE	○	PAVERS	■
TREE LINE	~	LEASE LINE	---
WETLANDS	⬇	TREES/SHRUBS	⊕
PAVEMENT	■		

## SHEET INDEX

TITLE SHEET	PL-00
PRELIMINARY PLAN - OVERVIEW	PL-01
PRELIMINARY PLAN	PL-02 - PL-05

## ENGINEER'S STATEMENT

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

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

SUSSEX CONSERVATION DISTRICT APPROVAL BOX

## OWNER'S CERTIFICATION

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

J.G. TOWNSEND JR. & CO. DATE  
PAUL TOWNSEND  
P.O. BOX 450  
GEORGETOWN, DE. 19947  
PHONE: (302) 856-2525



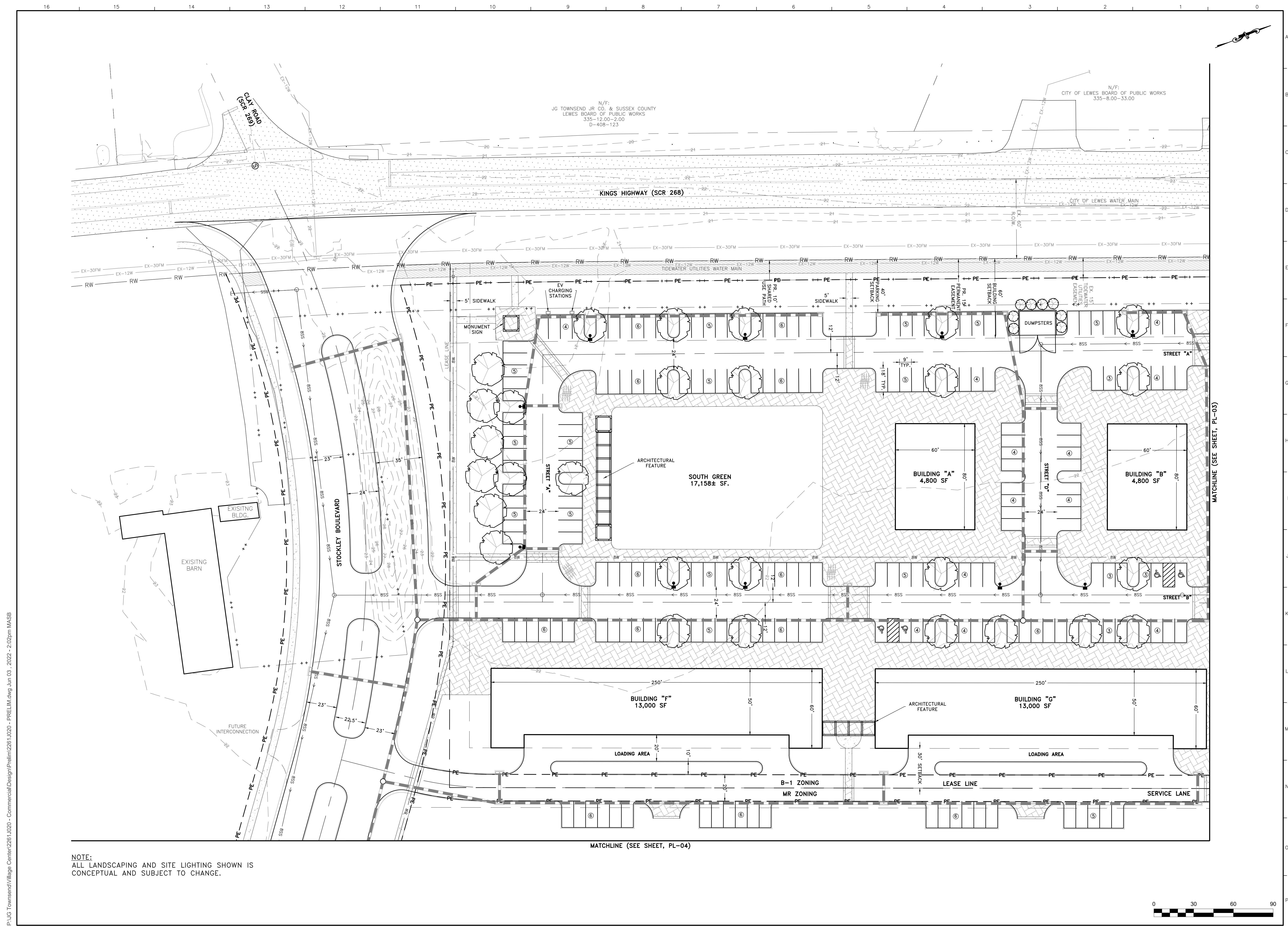
DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS, ENGINEERS & SURVEYORS

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



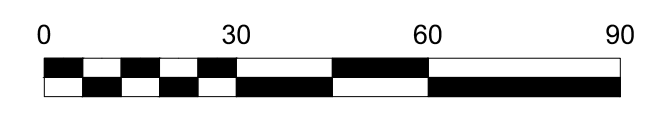






NOTE:  
ALL LANDSCAPING AND SITE LIGHTING SHOWN IS  
CONCEPTUAL AND SUBJECT TO CHANGE.

MATCHLINE (SEE SHEET, PL-04)



N/F:  
JG TOWNSEND JR. CO. & SUSSEX COUNTY  
LEWES BOARD OF PUBLIC WORKS  
335-12.00-2.00  
D-408-123

N/F:  
CITY OF LEWES BOARD OF PUBLIC WORKS  
335-8.00-33.00

**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
SUSSEX COUNTY, DELAWARE  
EASTON, MARYLAND

**VILLAGE CENTER - COMMERCIAL**  
**LEWES AND REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

Revisions:

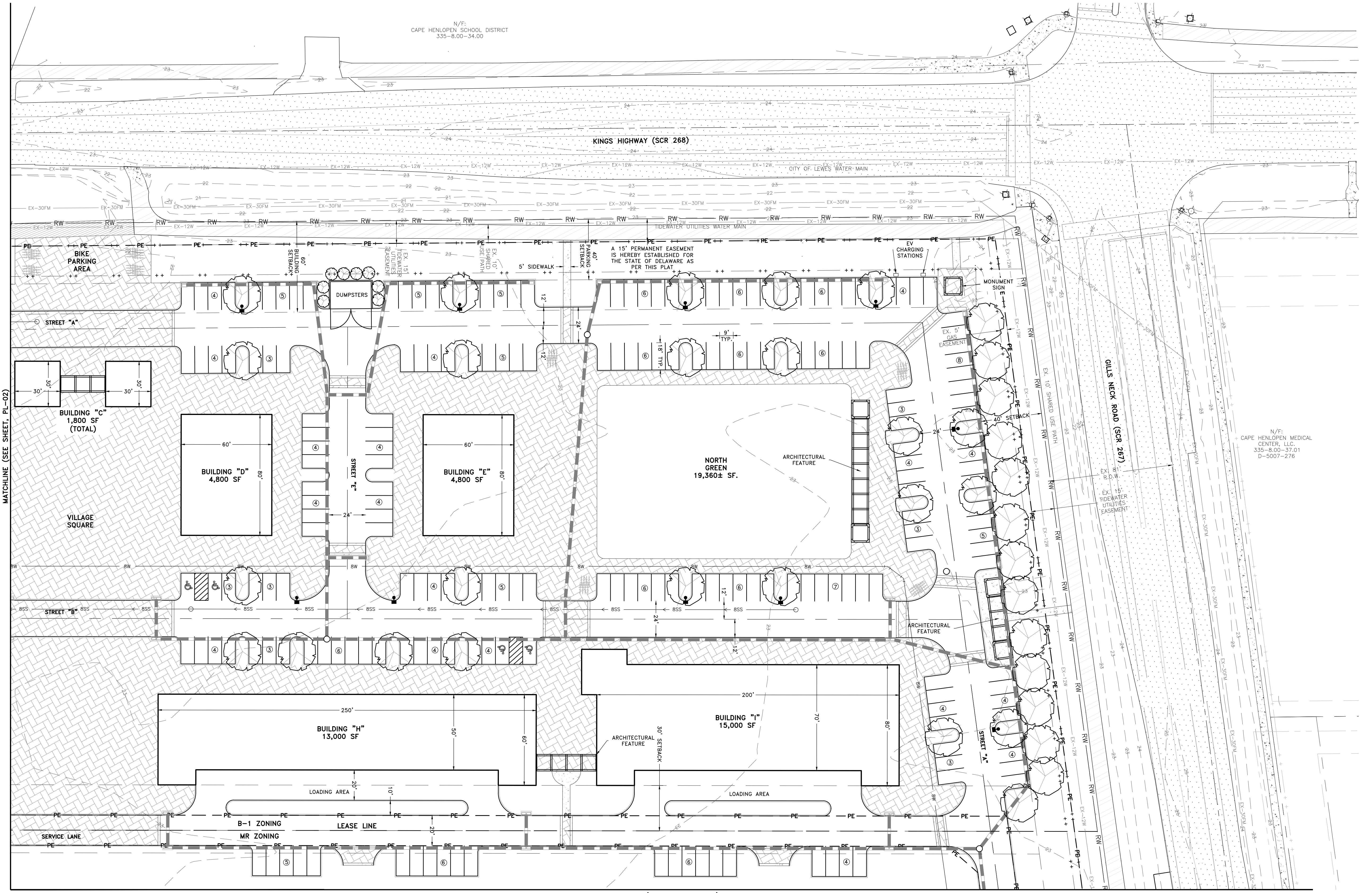
Date: **MARCH, 2022**  
Scale: **1" = 30'**  
Dwn. By: **BJM**  
Proj. No.: **2261J020**  
Dwg. No.:

**PL-02**

PRELIMINARY PLAN

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MATCHLINE (SEE SHEET, PL-02)

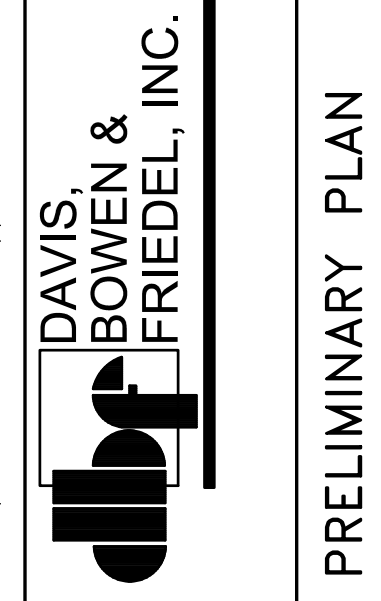
MATCHLINE (SEE SHEET, PL-05)

NOTE:  
ALL LANDSCAPING AND SITE LIGHTING SHOWN IS  
CONCEPTUAL AND SUBJECT TO CHANGE.



P:\UG Townsend\Village Center\261\020 - Commercial\Design\Prelim\261\020 - PRELIM.dwg Jun 03, 2022 - 2:02pm MASB

ARCHITECTS ENGINEERS SURVEYORS  
DAVIS, BOWEN & FRIEDEL, INC.  
SUSSEX, MASSACHUSETTS (413) 633-8900  
LEWES, DELAWARE (302) 627-1441  
EASTON, MARYLAND (410) 770-4744



PRELIMINARY PLAN

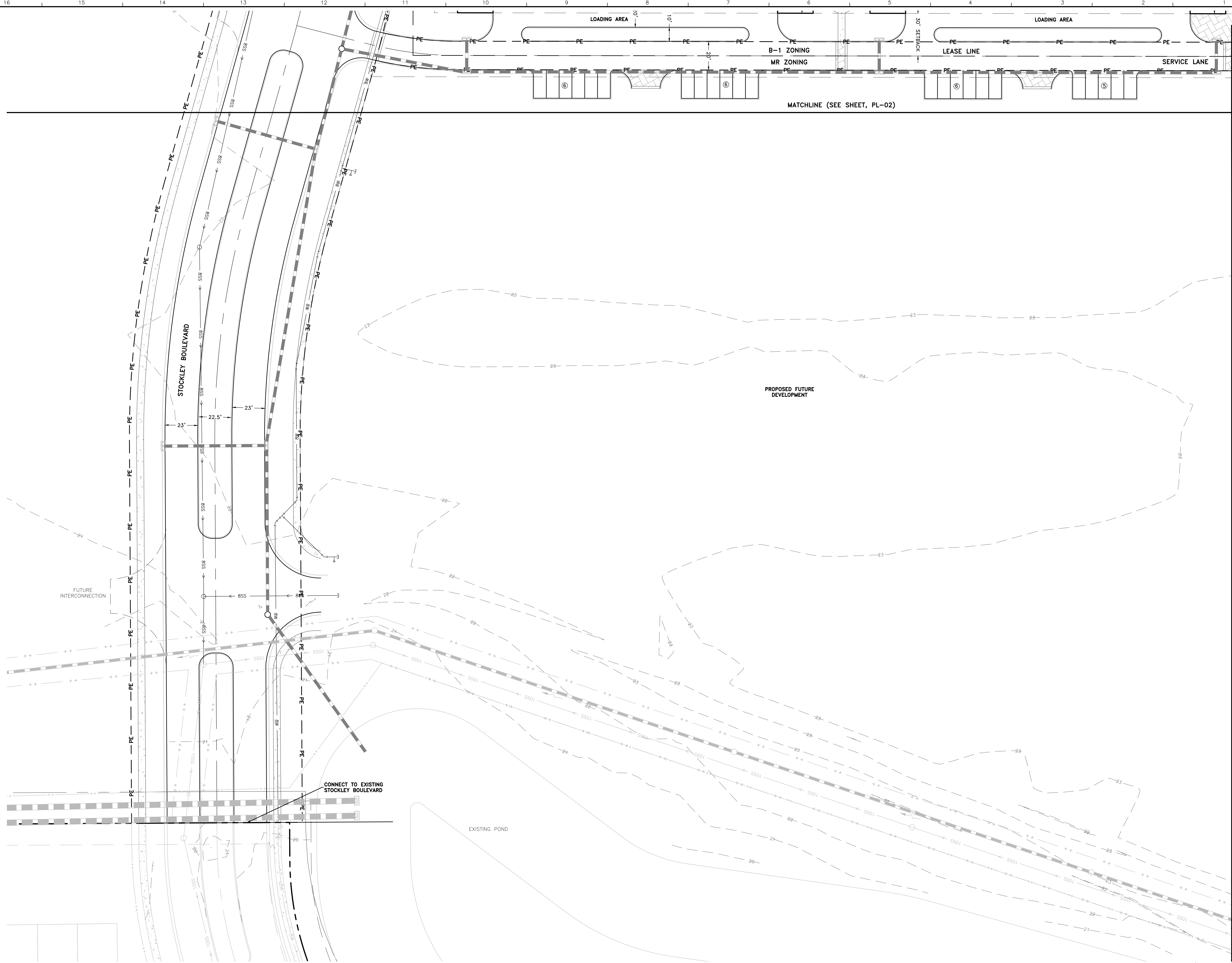
**VILLAGE CENTER - COMMERCIAL**  
**LEWES AND REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

Revisions:

Date: MARCH, 2022  
Scale: 1" = 30'  
Dwn. By: BJM  
Proj. No.: 2261J020  
Dwg. No.:

**PL-03**

P:\JG Townsend\Village Center\2261\020 - Commercial\Design\Prelim\2261\020 - PRELIM.dwg Jun 03, 2022 - 2:04pm MASB



**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1411  
 (410) 770-4744

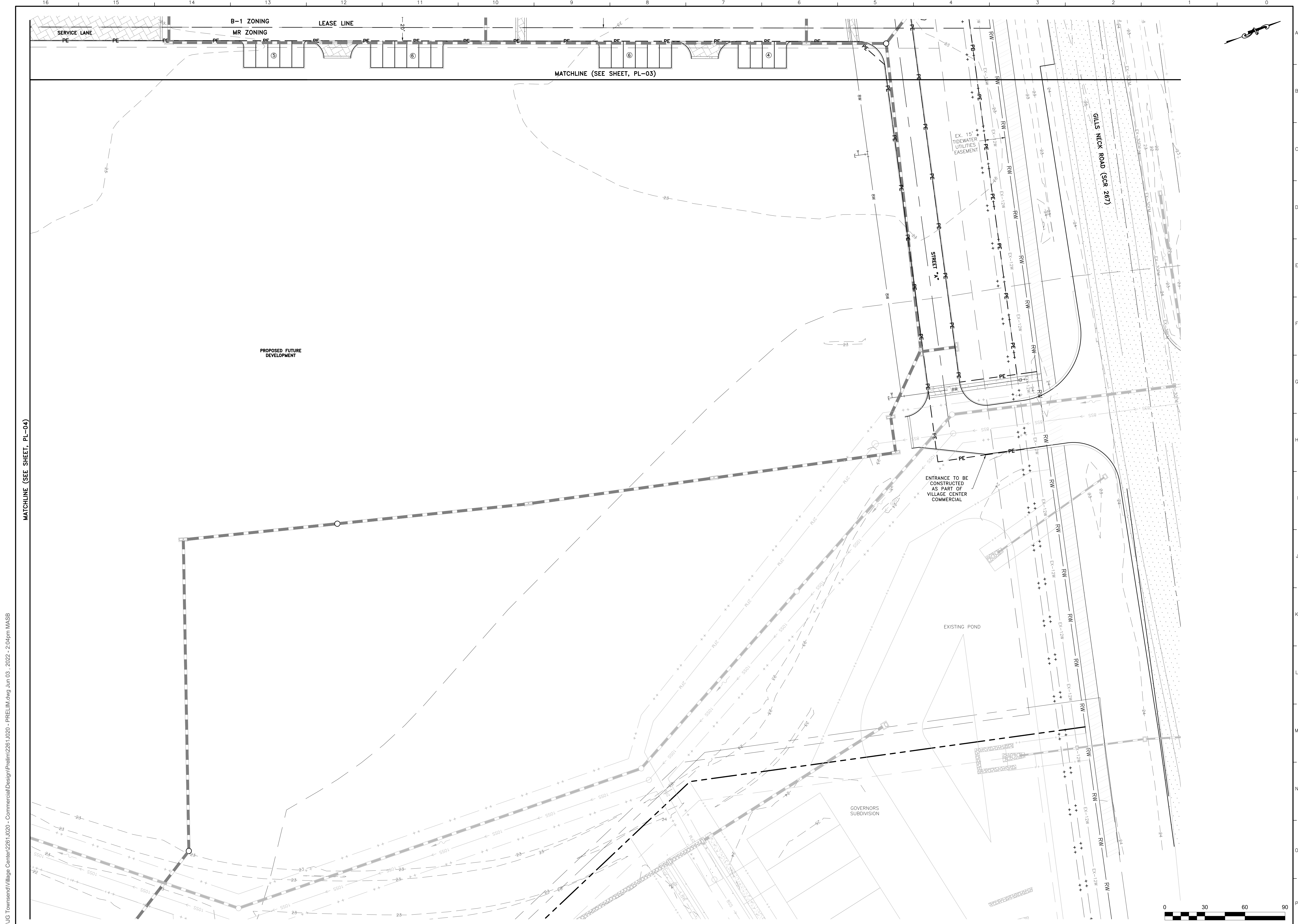
**VILLAGE CENTER - COMMERCIAL**  
**LEWES AND REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	MARCH, 2022
Scale:	1" = 30'
Dwn. By:	BJM
Proj. No.:	2261J020
Dwg. No.:	PL-04

**PL-04**





MATCHLINE (SEE SHEET, PL-04)

P:\JG Townsend\Village Center\2261\020 - Commercial\Design\Prelim\2261\020 - PRELIM.dwg Jun 03, 2022 - 2:04pm MASB



**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 OFFICES: WILMINGTON, DELAWARE  
 EASTON, MARYLAND  
 (302) 424-2000  
 (302) 424-1441  
 (410) 770-4744

PRELIMINARY PLAN

**VILLAGE CENTER - COMMERCIAL**  
**LEWES AND REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

Revisions:
Date: <b>MARCH, 2022</b>
Scale: <b>1" = 30'</b>
Dwn. By: <b>BJM</b>
Proj. No.: <b>2261J020</b>
Dwg. No.: <b>PL-05</b>

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## Christin Scott

---

**From:** Hans Medlarz  
**Sent:** Wednesday, August 3, 2022 7:20 AM  
**To:** Jamie Whitehouse  
**Cc:** Christin Scott; Ring Lardner; Todd F. Lawson  
**Subject:** RE: Village Center: 335-12.00-3.00

Good morning Jamie:

Below you will find the updated commitments DBF will be proffering for the Village Center.

- 1. Add a note to the commercial final site plan stating: "Rooftop Air Conditioning System Components requiring intermittent unit blowdown are prohibited. All commercial leases for buildings / units within the Village Center property shall include said prohibition."*
- 2. Add a note to the commercial final site plan stating: "Runoff from the parking lot shall treat the first flush, as defined within by a permit issued by the Sussex County Engineering Department in accordance with County Code § 1.10-27 Permit Application."*
- 3. Add a note for both projects: "During construction document plan review, provide verification to the Sussex County Engineering Department that the post development recharge exceeds the pre-development volume as calculated within the Water Climatic Budget. Additional recharge may be required if the side slope infiltration in the existing stormwater management ponds do not meet this requirement."*

The Engineering Department is in agreement that that this approach will meet or exceed the requirements under Chapter 89 Source Water Protection.

Regards, Hans

**Hans M. Medlarz, P.E.**  
Sussex County Engineer  
2 The Circle | PO Box 589  
Georgetown, DE 19947  
[hans.medlarz@sussexcountyde.gov](mailto:hans.medlarz@sussexcountyde.gov)  
(302) 855-7728

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**From:** Hans Medlarz  
**Sent:** Thursday, July 28, 2022 7:21 AM  
**To:** Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>  
**Cc:** Christin Scott <christin.scott@sussexcountyde.gov>; Ring Lardner <rlw@dbfinc.com>  
**Subject:** RE: Village Center: 335-12.00-3.00

Hi Jamie:

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

June 06, 2022  
**Revised: June 7, 2022**

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

Attn: Honorable Robert C. Wheatley  
Chairman

RE: **Village Center – Commercial (S-22-16)**  
Parking Setback waiver Request  
Tax Map No.: 335-12.00-3.00 (portion)  
DBF #: 2261J020.B01

Dear Mr. Wheatley:

On behalf of our client, **J.G. Townsend Jr. & Co.**, we are writing this letter to request that parking be allowed in the 60-foot front-yard setback, but no closer than 40' from the right-of-way line. First, we will provide a summary of the project.

*Project Summary*

The property is located on the east side of Kings Highway and the south side of Gills Neck Road. The project will be served by an entrance on Kings Highway aligned with Clay Road and an entrance on Gills Neck Road aligned with the Mitchell Farm (Zwaanendael Farm) entrance. A connector road will be built to Stockley Blvd at Governors with pedestrian connections to Stockley Blvd. and Cannon Road. The entrance at Gills Neck will be constructed with a stub road to the future Village Center Cottages property.

The property is currently zoned B-1. The project includes nine commercial buildings with a total square footage of 75,000 square feet. Sanitary sewer will be provided by Sussex County and water service will be provided by Tidewater Utilities. Stormwater from the site will drain to the existing shared Governors ponds, which were designed to capture runoff from this site.

In 2015, a 30' wide strip of land was dedicated to the State of Delaware by the property owner for improvements to Kings Highway. This right-of-way dedication was provided as part of the Letter Agreement dated September 24, 2009 between the developer and the Delaware Department of Transportation, wherein this right-of-way was specified as being sufficient for any future road projects along Kings Highway.

Front-yard Setback

The code-stipulated front yard setback is out of context with the existing neighborhood. The front yard setback for C-3 is 60 feet from the right-of-way line. Kings Highway is classified as a principal arterial by DelDOT, therefore 50' of right-of-way is required from the centerline of the road, whereas 60' of right-of-way from centerline is existing. Across the street from the site, at Kingston Court and the Cape Professional Campus, there are several buildings within the 60' setback. The Kings Highway and Gills Neck Road Byways plan encourages buildings that front the street as proposed by this project.

Existing Parking

The parking proposed for this project is consistent with other sites along Kings Highway; beginning at the Cape Professional Campus and moving north there are multiple instances of businesses that have parking close to the right-of-way line. Across Gills Neck Road, at the Cape Henlopen Medical Center, parking was allowed to be 40' from the right-of-way line, which is consistent with this application.

For all the reasons listed above, we respectfully request that parking be allowed within the front setback line (no closer than 40' from the r/w) as it is in context with the neighborhood, maintains sufficient distance from the actual roadway, and would not negatively affect adjacent properties. The parking is shown on the preliminary plan for reference.

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

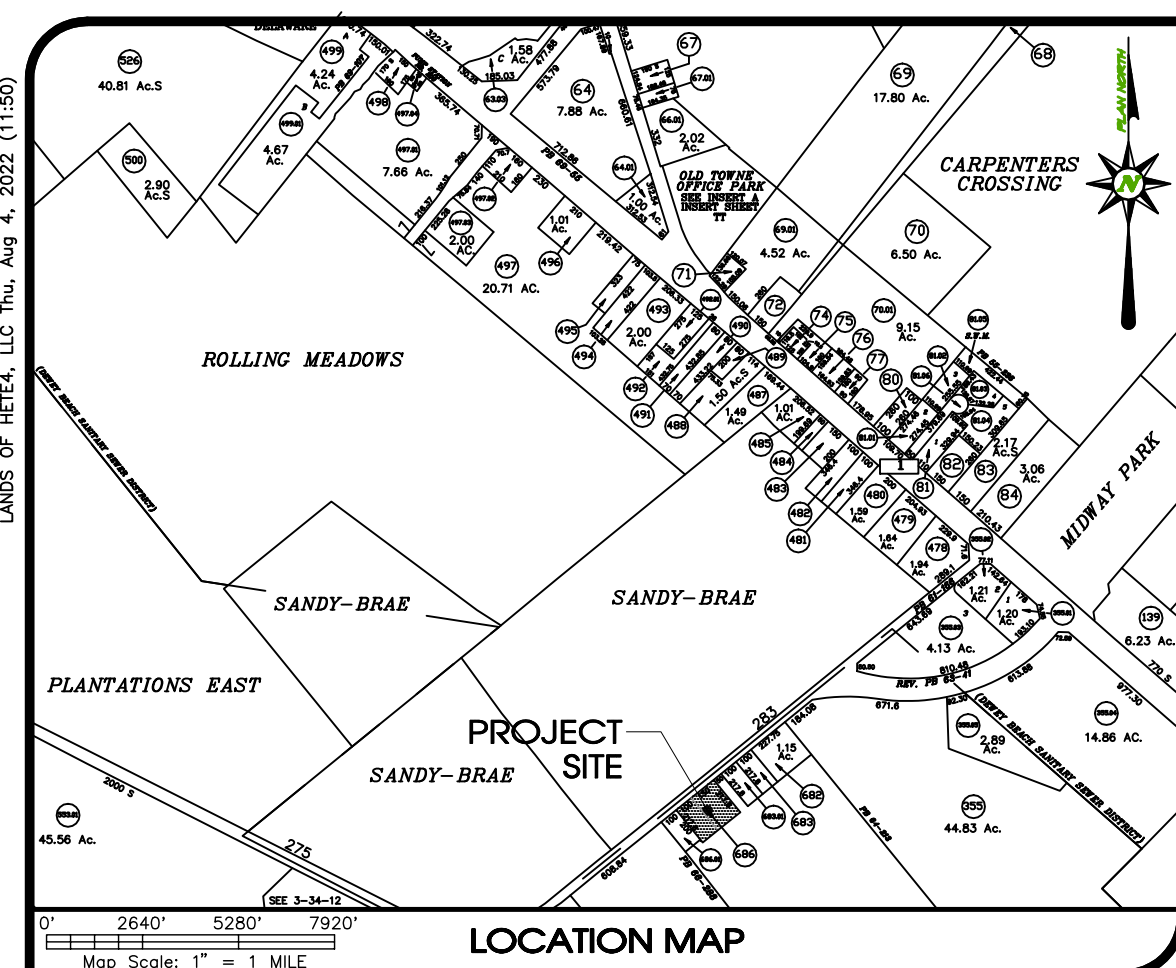
Sincerely,  
*DAVIS, BOWEN & FRIEDEL, INC.*



Cliff Mumford, P.E.  
Associate

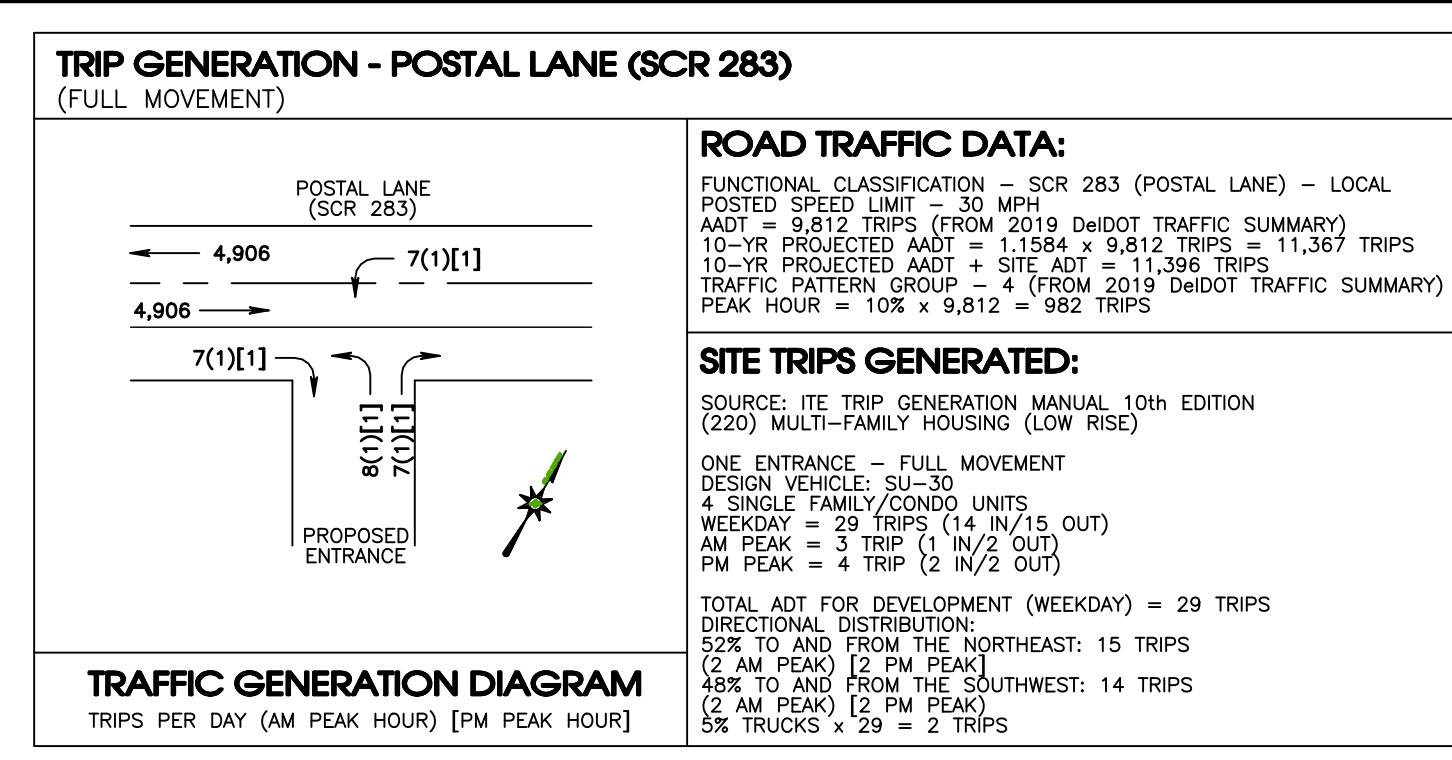


LANDS OF HETEA, LLC. THE AUG. 4, 2022 (11-20)



PLAN LEGEND table with symbols for existing property boundary, adjoining property line, existing pavement, etc.

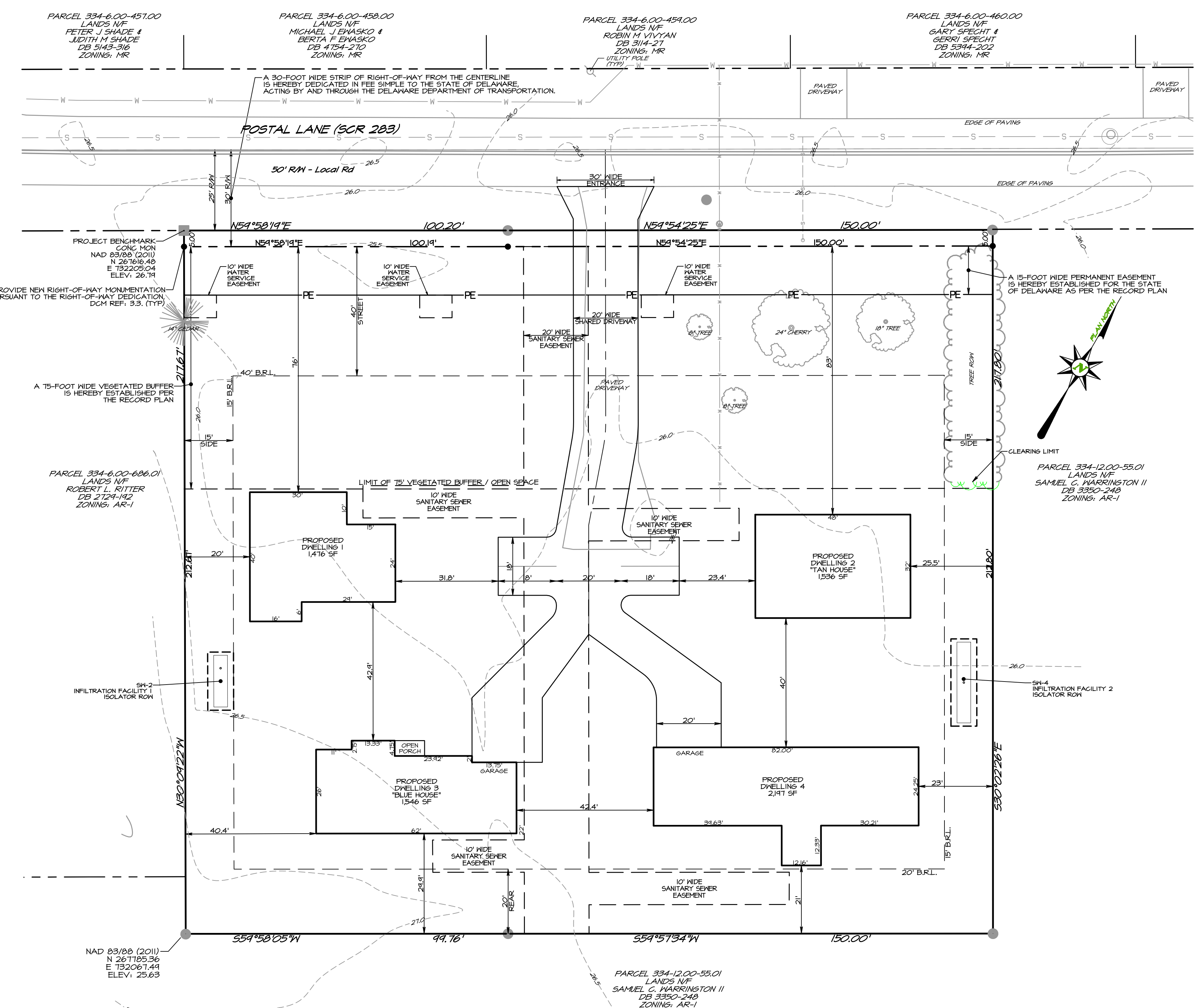
SOILS DATA table with columns: Soils Name, Slopes, Hydraulic Soils Group. Includes entries for Gra Greenwch loam and GuB Greenwch-Urban land complex.



SITE DATA & ZONING SCHEDULE table with columns: PROPERTY AREA, DEDICATION, DRIVEWAY AREA, DWELLING AREA, etc.

RECORD PLAN NOTES

- 1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL... 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...



PROPERTY AREA table with columns: PROPERTY AREA, DEDICATION, DRIVEWAY AREA, DWELLING AREA, etc.

GENERAL NOTES

- 1. THE PROJECT SITE IS KNOWN AS LANDS OF HETEA, LLC. (T.P. 334-6.00-686.00), AND IS LOCATED 110' NORTHEAST OF THE POSTAL LANE (SCR283) AND MAPLE DRIVE INTERSECTION IN LEWES, DE. 2. THE PROPERTY BOUNDS AND EXISTING FEATURES INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY FORESIGHT SERVICES...

CU 2262 / ORDINANCE 2812 PLANNING & ZONING COMMISSION CONDITIONS

- AT THEIR MEETING OF TUESDAY, NOVEMBER 16, 2021, THE SUSSEX COUNTY COUNCIL APPROVED THE CONDITIONAL USE APPLICATION FOR MULTI-FAMILY (4 UNITS) TO BE LOCATED ON THE SOUTHEAST SIDE OF POSTAL LANE, APPROXIMATELY 0.22-MILE NORTHEAST OF PLANTATION ROAD... A. THE MAXIMUM NUMBER OF RESIDENTIAL UNITS SHALL BE 4.

PLANNING COMMISSION CERTIFICATION

RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF SUSSEX COUNTY ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

OWNER CERTIFICATION

WE, MATTHEW C & MINDY H HETE, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT WE ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SUSSEX CONSERVATION DISTRICT APPROVAL

REVISIONS table with columns: NO., DATE, DESCRIPTION.

JEFFREY C WILLIAMS, PE DATE

APPROVED BY: BUSINESS: J. JACK

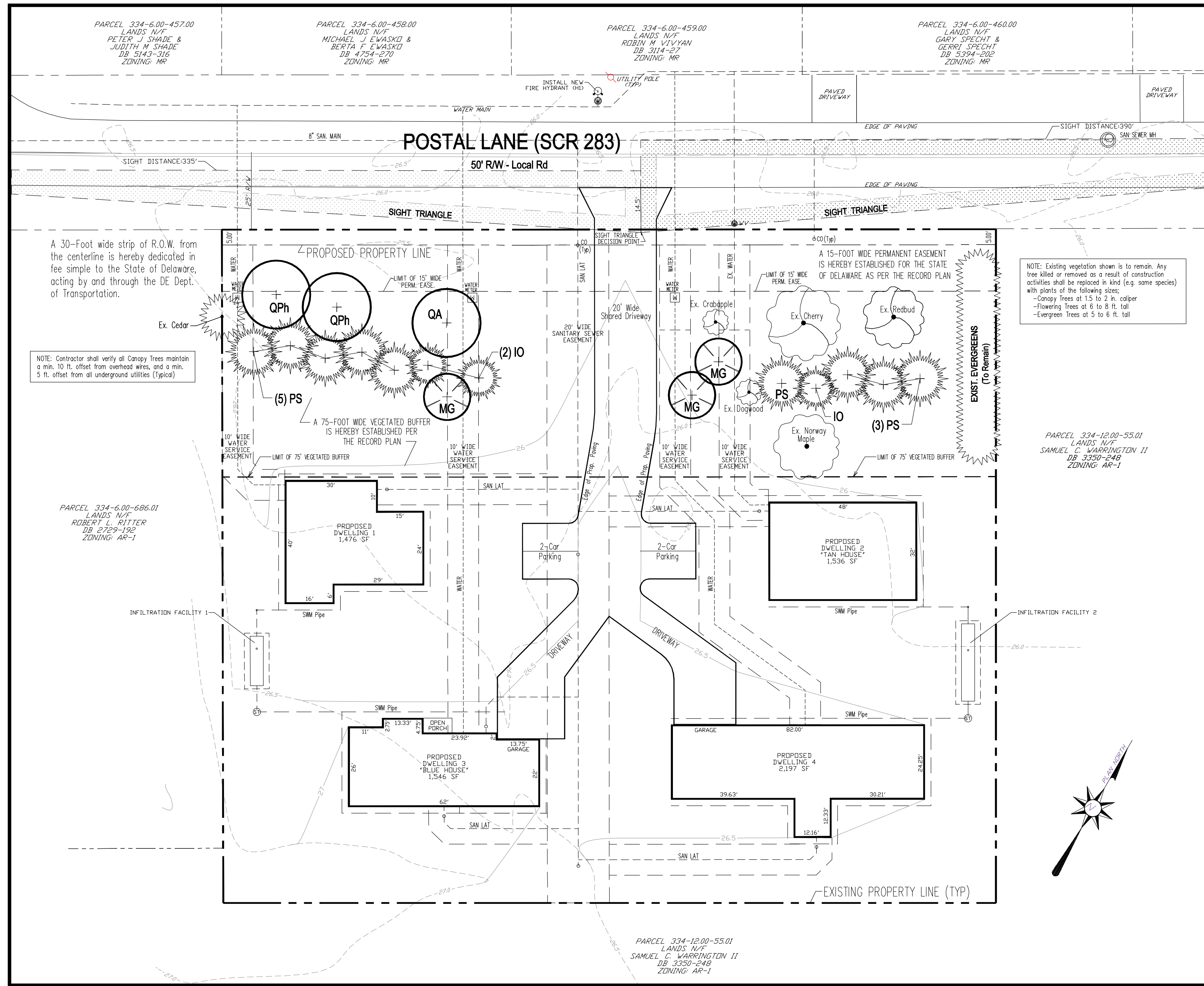
SCALE: 1" = 20'

OWNER/APPLICANT: MATTHEW C & MINDY H HETE

PARCEL INFORMATION: 334-6.00-686.00

THE KERCHER GROUP, INC. CONSULTING • SYSTEMS • ENGINEERING





### LEGEND

	EXISTING CANOPY TREE		PROPOSED CANOPY TREE
	EXISTING UNDERSTORY TREE		PROPOSED FLOWERING TREE
	EXISTING EVERGREEN TREE		PROPOSED EVERGREEN TREE
	EXISTING SHRUB		PROPOSED SHRUB

### NOTES

- Before any excavation takes place, contractor shall call Miss Utility at 811 or 1-800-282-8555 at least 48 hours prior to construction, to have all existing utilities marked onsite.  
 - Existing vegetation shown is to remain unless otherwise indicated on this, or the Record Plan, and shall be fenced off the site prior to any nearby land disturbance activities to prevent plant injury and/or root compaction.  
 - All proposed plant locations are to be determined by the installer by scaling off of the plan, and measuring in the field from known locations (buildings, curbs, walkways, etc.)  
 - The installer shall be responsible for ensuring that no canopy tree is planted under, or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any under-ground water line, sewer line, transmission line, or other utility. In the event that a tree's proposed location conflicts with these restrictions, the installer shall stop work, and notify the landscape architect immediately, so that a solution can be determined.

### CONSTRUCTION NOTES & CONDITIONS:

- 1) Completeness or accuracy of location and depth of underground utilities or structures cannot be guaranteed. The Contractor must verify location and depth of all underground utilities and facilities prior to beginning construction. He shall also take necessary precautions to protect utilities during demolition and construction to maintain un-interrupted service. Any damage to existing utilities due to contractor's neglect shall be immediately repaired at the contractor's expense.
- 2) The contractor shall verify all dimensions and conditions prior to bidding. Commencement of work shall constitute acceptance of conditions. Landscape architect not responsible for existing conditions or the accurate measurement of same.
- 3) It is the responsibility of the Owner, Developer or Contractor to obtain any and all permits or approvals required for the construction or demolition shown on these plans. Any decisions made by the Owner, Developer or Contractor to circumvent the normal permitting process shall be at his sole risk.
- 4) The Landscape Plan is to be considered a part of the Site or Record Plan (by others). All information shown on the Site/Record Plan shall be strictly adhered to, and any discrepancies between the Site/Record Plan and Landscape Plan shall be brought to the attention of Landscape Architect or owner immediately.
- 5) No changes or deviation from these plans unless such change has been approved by the Landscape Architect in writing. Changes made independently by the Owner, or Contractor shall release Landscape Architect from all liability related thereto.
- 6) Owner or Contractor shall be responsible for all subsurface conditions and soil conditions. Landscape Architect makes no representations regarding subsurface conditions or soil conditions, including suitability for planting.
- 7) Landscape Architect shall not control or be responsible for any means, methods, techniques, schedules, sequences or procedures, or for construction safety or any other related programs, or for another's failure to complete the work in accordance with the plans and specifications.
- 8) Landscape Architect maintains the right but not the duty to recommend that Owner reject work that does not appear to conform generally to the plans and specifications, and Landscape Architect shall not have any liability for recommendations made in good faith.
- 9) A lack of or improper maintenance in areas such as, but not limited to, paving & walkways, structures, fountains, signage, outdoor areas and landscaping, may result in damage to property or persons. Owner acknowledges and agrees that proper Project maintenance is required after the Project completion, that Owner is solely responsible for proper maintenance, and that Owner is solely responsible for the results of any lack of or improper maintenance.
- 10) NOT PUBLISHED - ALL RIGHTS RESERVED - All instruments between the Site/Record Plan and Landscape Plan shall be brought to the attention of Landscape Architect or owner immediately.
- 11) No changes or deviation from these plans unless such change has been approved by the Landscape Architect in writing. Changes made independently by the Owner, or Contractor shall release Landscape Architect from all liability related thereto.
- 12) Owner or Contractor shall be responsible for all subsurface conditions and soil conditions. Landscape Architect makes no representations regarding subsurface conditions or soil conditions, including suitability for planting.

### PLANTING SPECIFICATIONS:

#### SECTION 1: SCOPE OF WORK

- 1.1 Contractor shall furnish, deliver, and install all plant material specified in the plant schedules in accordance with the plans, details and specifications of the Landscape Plan, as directed by the Owner or Landscape Architect (hereinafter referred to as L.A.). The term plant material shall mean trees, shrubs, grasses, groundcovers and other growing plants to the extent shown on the plant schedules.
- 1.2 Contractor shall be liable for any damages to property caused by construction/planting operations, and all areas disturbed by such operations shall be restored to their original conditions to the satisfaction of L.A. or Owner.

#### SECTION 2: PLANT MATERIAL

- 2.1 All plants shall be certified to be the species, variety and/or cultivar specified in the plant schedules. All plants shall be typical of the species, variety or cultivar listed, unless otherwise specified, and NO substitutions shall be permitted except by pre-approved, written permission of the L.A. and/or Owner.
- 2.2 Plants shall be nursery grown, delivered in a healthy, disease and insect free condition and conform with the sizes, calipers and conditions outlined in the plant schedules. They shall be sound, healthy, vigorous plants free from defects and shall meet the minimum standards for health, form and root conditions as outlined in American Association of Nurserymen (AAN) Standards. All woody plants (excluding seedling whips) shall have been grown under the same climatic conditions as the project location for a period of at least 2 years prior to installation.
- 2.3 L.A. and Owner reserve the right to refuse plants which in their opinion are damaged, in poor health, or of substandard quality, or do not conform to these specifications, or those of the plant list. Contractor shall replace any rejected plants with acceptable plants at no additional cost to the owner.

#### SECTION 3: PLANT INSTALLATION

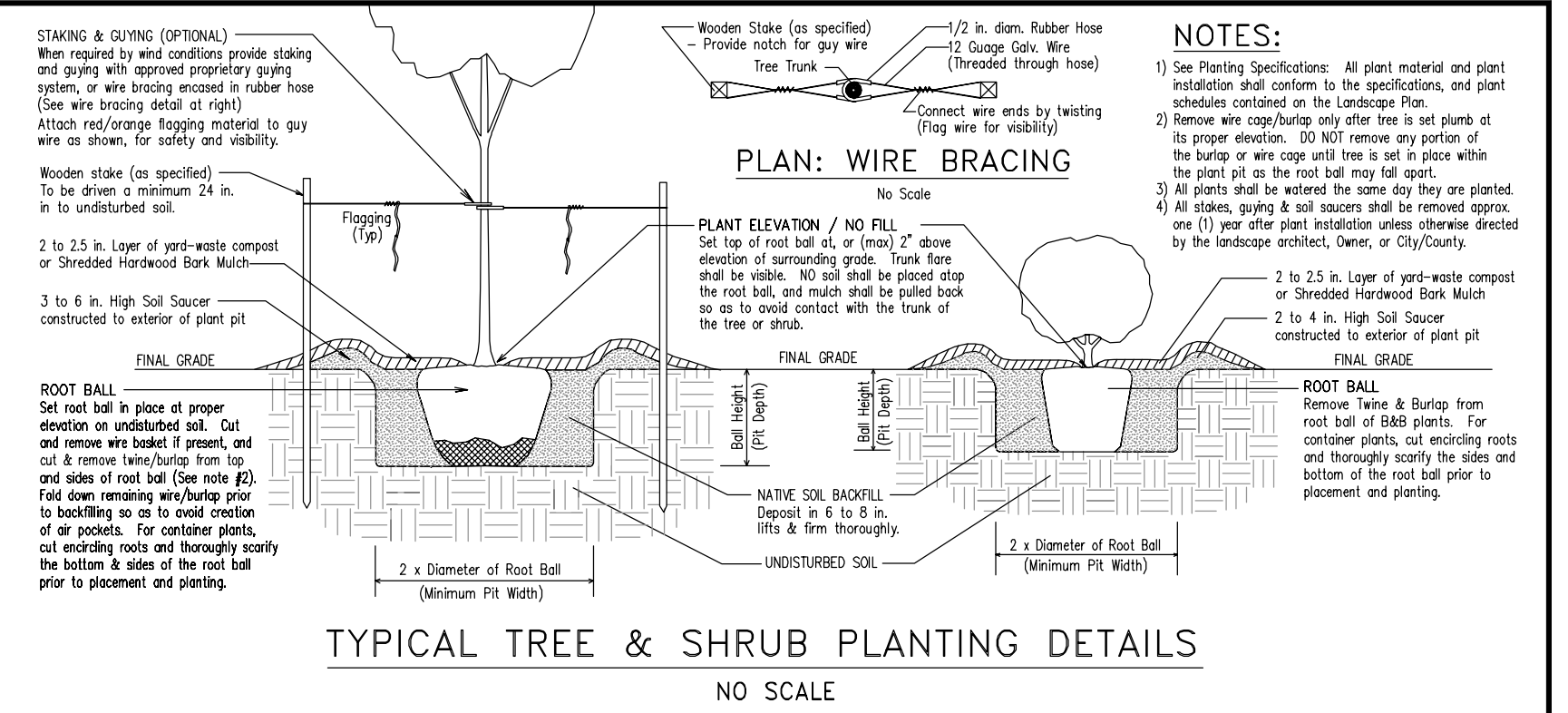
- 3.1 At least 2 weeks before anticipated installation, Contractor shall notify L.A. and Owner of such date so they can arrange to review staked plant locations, inspect plants, and/or conduct inspections. Failure to give proper notice may result in delaying scheduled installation, and Contractor shall assume all responsibility and liability for any losses.
- 3.2 Unless otherwise directed by L.A., planting shall only occur from March 1 to May 1, or from September 15 to December 1. Plants shall be installed on day of delivery. Plants which cannot be same-day installed shall be adequately protected from drying by being watered and "heeled-in" to moist soil or mulch.
- 3.3 Plants shall be installed in accordance with the plans, details and specifications of the Landscape Plan. Workmanship that fails to meet the highest standards will be rejected and Contractor shall assume all costs for re-installing improperly planted plants, improperly located plants, and replacing poor or damaged plants.
- 3.4 Contractor shall determine and stake proposed plant locations by scaling off the plan, and measuring in the field from known, verified locations such as buildings, curbs and paving. Unless otherwise directed by L.A. or Owner, no plants shall be installed until L.A. or Owner reviews and approves Contractor staking.
- 3.5 Each plant shall be planted in an individual pit. Plant pits shall be a minimum two times (2x) the diameter of the root ball, shall have vertical sides, a horizontal bottom, and shall be free of stones and large soil clumps.
- 3.6 Plants shall set staked with the tops of their root balls equal to, or just above (3 in. max) the elevation of the surrounding grade. On slopes the top of the root ball shall be level with the grade found mid-way between the uphill and downhill limits of the root ball. To achieve this additional excavation may occur uphill of the root ball and soil mounding downhill to prevent topsoil loss, and side exposure, respectively.
- 3.7 B&B plants shall be unwrapped only after being set in the plant pit and firming soil under the root ball. Burlap shall be removed (cut) from upper three-fourths of root ball and disposed of onsite. Remaining burlap shall be adjusted to prevent air pockets. If present, wire baskets shall be clipped & removed from root ball top & sides.
- 3.8 Prior to backfilling, Contractor shall examine the top of the root ball and remove any soil that may have been deposited in the nursery. The trunk flare and tops of the main roots of the trunk should be exposed (and Rehoboth exposed after planting) and any soil above this level should be removed. In the event that soil must be removed during this process, Contractor shall adjust plant elevation as needed for compliance with item 3.6 above.
- 3.9 Material used for backfill shall be the excavated native soil only. Backfill shall be deposited in 6 to 8 inch lifts, and firmed thoroughly by tamping. If in the opinion of the contractor the excavated material is unsuitable as backfill, Contractor shall notify L.A. to discuss potential soil amendments and possible changes to scope of contract.
- 3.10 Bare root plants shall be centered in the pit after firming soil in the pit bottom. Roots shall be arranged in their natural position and loose topsoil carefully worked in among them and firmed. Care shall be taken not to bruise or break roots. Roots that are bruised/broken shall be pruned properly, making a clean cut before planting.
- 3.11 A soil sealer sufficient to catch and hold water shall be provided for each tree and shrub. Sowers shall be constructed of the excavated (backfill) material. On level or slightly sloping ground, they shall be located exterior of the plant pit, and completely enclose it. On steeper slopes they shall only be provided to the downhill side of the plant, and constructed in a manner that catches and holds water flowing downhill from above.
- 3.12 After plant installation and final grading, Contractor shall rake over finished planting areas, and apply mulch. Mulch shall be a uniform 2 to 2.5 inch layer of certified yard waste compost, or a commercial shredded hardwood bark mulch. Mulch shall cover the entirety of proposed plant beds, and all exposed soil around individual plants including soil saucers and mounds on slopes. Once applied, mulch shall be pulled back from all woody trunks and stems so as not to be in contact with them.

#### SECTION 4: STAKING AND GUYING

- 4.1 Staking & guying may be undertaken when required by wind conditions, or as directed by L.A. Stakes shall be of the material & dimensions specified herein and driven in to undisturbed soil exterior of the plant pit. Stakes shall have a maximum deflection of 10%. Set opposing stakes parallel to curbs, walks & walls as practicable.
- 4.2 All trees requiring staking & guying shall be staked according to the following minimum standards:  
 Trees 0 to 8 ft. high = Provide two, 1.5 in. x 8 ft. hardwood stakes, driven a min. 24 in. in to soil.  
 Trees 8 to 12 ft. high = Provide two, 2 in. x 8 ft. hardwood stakes, driven a min. 24 in. in to soil.  
 Trees 12 to 16 ft. high = Provide two, 2 in. x 8 ft. hardwood stakes, driven a min. 36 in. in to soil.  
 Trees 16 to 20 ft. high = Provide two, 2 in. x 8 ft. hardwood stakes, driven a min. 36 in. in to soil.  
 Trees 20 to 24 ft. high = Provide two, 2 in. x 8 ft. hardwood stakes, driven a min. 36 in. in to soil.  
 Trees 24 to 28 ft. high = Provide two, 2 in. x 8 ft. hardwood stakes, driven a min. 36 in. in to soil.  
 Trees 28 to 32 ft. high = Provide two, 2 in. x 8 ft. hardwood stakes, driven a min. 36 in. in to soil.  
 Trees 32 to 36 ft. high = Provide two, 2 in. x 8 ft. hardwood stakes, driven a min. 36 in. in to soil.  
 Trees 36 to 40 ft. high = Provide two, 2 in. x 8 ft. hardwood stakes, driven a min. 36 in. in to soil.
- 4.3 Guying shall be done immediately after staking. Stakes shall be fastened to trees with doubled, No. 12 gauge annealed galvanized steel wire run through a suitable length of new, reinforced, 1/2-inch rubber hose. All guying shall be tagged for visibility for the duration of its service. Guying shall not be undertaken where there is possible pedestrian or vehicular liability. Proprietary guying systems may be used with the approval of the L.A.
- 4.4 Contractor shall remove and properly dispose of all stakes, guy wires, and rubber hoses after one year, or the end of any guarantee period unless otherwise directed by the L.A. or Owner.

#### SECTION 5: WATERING, PRUNING, SITE CLEAN-UP, AND INSTALLATION APPROVAL

- 5.1 Contractor shall water all plants immediately after planting (same day). If installation requires several days, he shall water plants when installed, and water ALL plants before leaving the site on the last day.
- 5.2 After installation, broken or bruised branches shall be pruned. If desired, Contractor may thin up to 1/4 of the wood of deciduous plants to prevent desiccation. Pruning shall be done in a manner which retains each plant's natural character. No leaders shall be cut, and evergreens shall not be pruned or sheared unless directed by L.A.
- 5.3 Upon completion of all work, Contractor shall police the grounds and remove all trash and debris for which he is responsible. He shall properly dispose of such material off-site, and shall leave the site in an orderly condition.
- 5.4 Upon project completion Contractor shall notify Owner and request installation approval. Deviations from the plans, details, and specifications herein, and any deficiencies in workmanship shall be rejected, and Contractor shall rectify such problems at his expense. When all work is approved in writing by Owner, the date of such approval shall initiate any guarantee period, and Contractor may request final payment for all work completed and approved.



### LIST OF PROPOSED PLANTS:

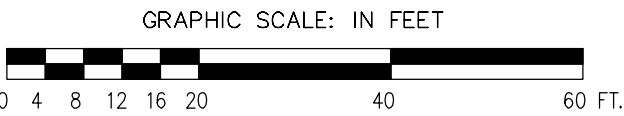
KEY	BOTANICAL NAME	COMMON NAME	NO.	SIZE	CALIPER	ROOT	REMARKS
<b>CANOPY TREES</b>							
QA	Quercus alba	White Oak	1	10 to 12 ft.	1.5 to 2 in.	B&B	Branching to begin a min. 5 ft. above ground. NO wire baskets.
Qph	Quercus phellos	Willow Oak	2	10 to 12 ft.	1.5 to 2 in.	B&B	Branching to begin a min. 5 ft. above ground. NO wire baskets.
<b>FLOWERING TREES</b>							
MG	Magnolia grandiflora	Southern Magnolia	3	6 to 8 ft.	xxxxx	B&B	
<b>EVERGREEN TREES</b>							
IO	Ilex opaca 'Greenleaf'	Dwarfed American Holly	3	5 to 6 ft.	xxxxx	B&B	
PS	Pinus strobus	Eastern White Pine	9	5 to 6 ft.	xxxxx	B&B	

### PLANT MATERIAL ORDERING AND INSTALLATION NOTES:

- Contractor shall obtain approval of landscape architect for all substitutions. NO substitutions will be accepted without pre-approved, written permission of landscape architect.
- All plants shall be certified to be the species, variety or cultivar specified. Contractor shall provide landscape architect with "bill of lading" as proof of species/variety/cultivar provided.
- Trees to be ordered without wire baskets, or baskets shall be removed before installation. All plant installation shall conform to the planting details & specification contained on the plan.
- Plant caliper equals the diameter of a tree trunk as measured at six (6) inches above the root ball (or just above the trunk flare for trees >4 in. cal.).
- Plants for which no variety or cultivar is specified shall be the straight species, or a cultivar that is typical of the species in both size and habit of maturity.
- Planting Bed Preparation & Mulching: Proposed planting beds shall be tilled to a min. depth of 8 inches. After tilling, incorporate certified yard waste compost into the soil at the rate of 1 cu. yard compost per 150 sq. ft. of bed area. After bed preparation & planting, beds shall be mulched with a uniform 2 to 2.5 in. deep layer of compost, or shredded hardwood bark mulch.

Signature of Owner / Developer \_\_\_\_\_ Date \_\_\_\_\_

SITE PLAN REFERENCE S--22-21  
 TAX PARCEL NO. 334-6.00-686.00



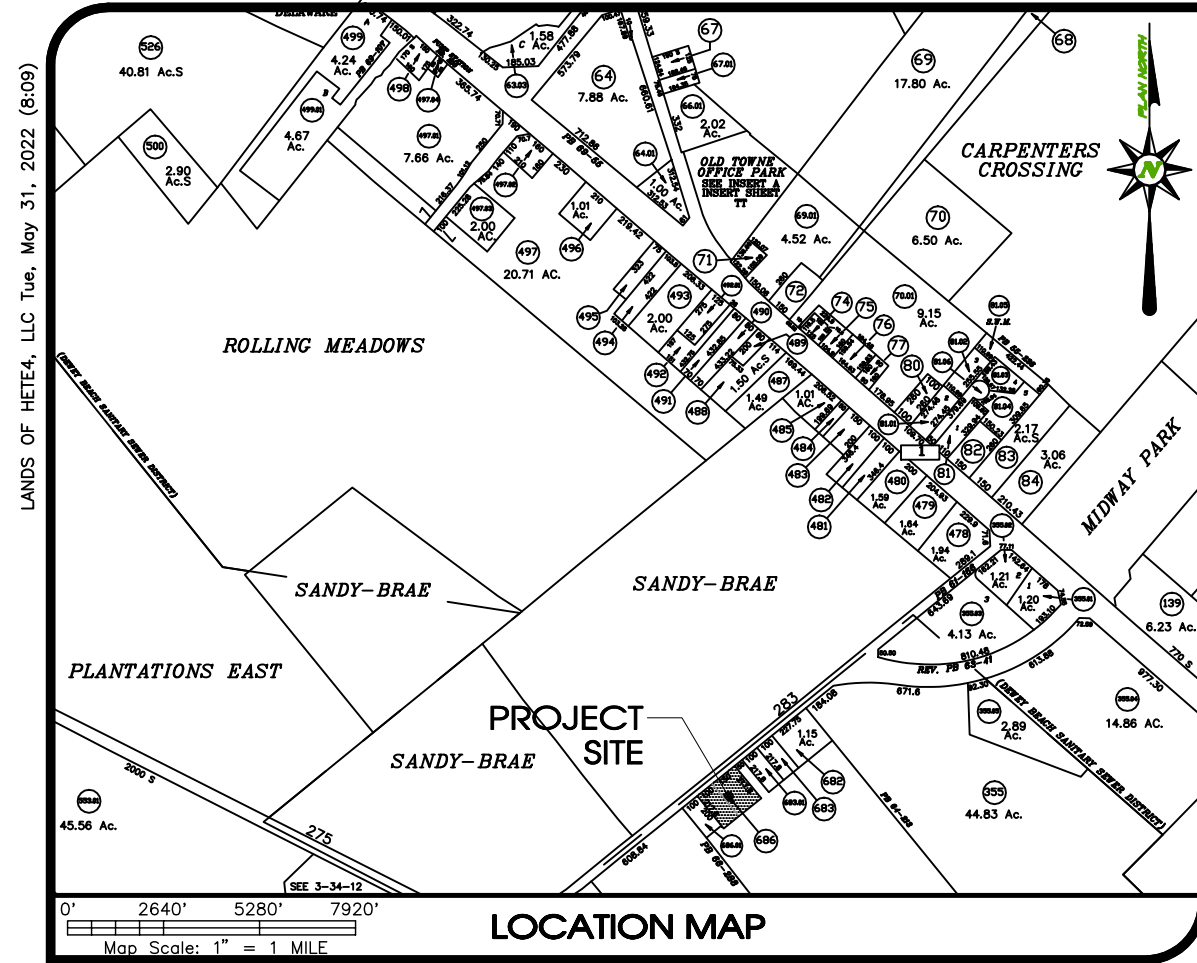
**BURCHAM & ASSOCIATES**  
 LANDSCAPE ARCHITECTS & PLANNERS  
 311 South DuPont Road • Wilmington, DE 19805 • (302) 658-2827

**LANDSCAPE PLAN L1**  
 PROPOSED PLANTING & SPECIFICATIONS FOR  
 RECORD SITE PLAN FOR  
 LANDS OF HETE4, LLC  
 PREPARED FOR  
**MATTHEW C. & MINDY H. HETE**  
 LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

REV. NO.	DATE	REVISION
1	8/1/22	Landscape modified to accommodate Site Plan revisions of 7/19/22

SURVEY BY: The Kercher Group, Inc.	SCALE: 1" = 20'
DESIGN BY: Gary L. Burcham	DATE: June 24, 2022
DRAWN BY: G.L.B.	SHEET NO. 1 OF 1
CHECKED BY: G.L.B.	

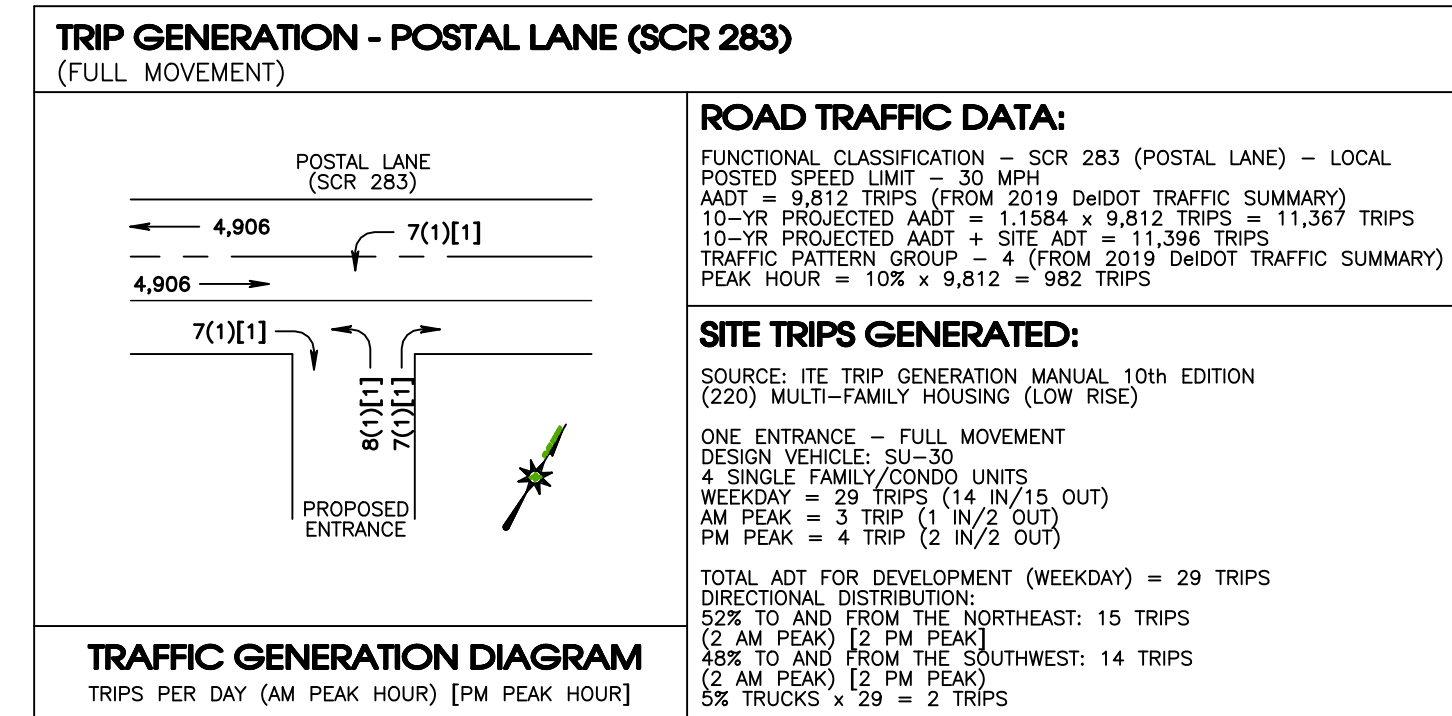




**PLAN LEGEND**

- EXISTING PROPERTY BOUNDARY
- ADJOINING PROPERTY LINE
- EXISTING PAVEMENT EXTENTS
- EXISTING ROAD CENTERLINE
- PROPOSED EASEMENT EXTENTS
- PROPOSED BUILDING RESTRICTION LINE
- PROPOSED EDGE OF PAVEMENT
- PROPOSED PERMANENT EASEMENT (PE)
- PROPOSED SIDEWALK
- EXISTING CONCRETE PROPERTY MONUMENT
- EXISTING IRON PIPE
- PROPOSED CONCRETE
- PROPOSED PAVEMENT

**DeIDOT**  
**NO OBJECTION TO**  
**RECORDATION**  
 June 06, 2022  
 DATE



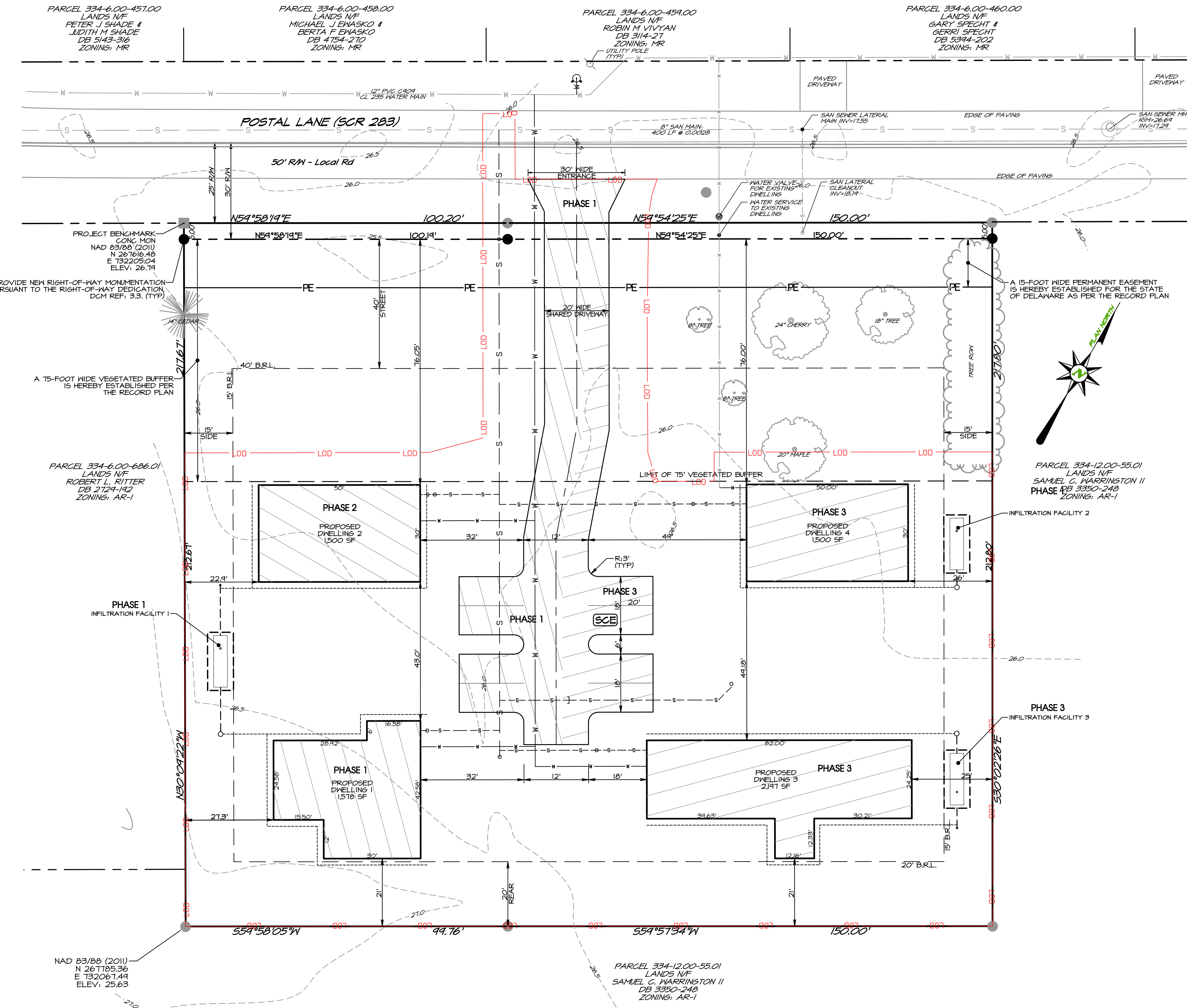
**SITE DATA & ZONING SCHEDULE**

TAX PARCEL No.: 334-6.00-686.00  
 PROPERTY ADDRESS: 34360 POSTAL LANE LEWES, DE 19958  
 EXISTING SITE USE: ONE (1) RESIDENTIAL DWELLING  
 PROPOSED SITE USE: 4 UNIT - SINGLE FAMILY DWELLINGS/CONDOMINIUM DEVELOPMENT  
 CURRENT ZONING DISTRICT: AR-1 (AGRICULTURAL RESIDENTIAL)  
 PROPOSED ZONING DISTRICT: AR-1 (AGRICULTURAL RESIDENTIAL) / CONDITIONAL USE  
 EXISTING LOTS: ONE (1)  
 PROPOSED LOTS: ONE (1)  
 FRONTAGE ROAD: POSTAL LANE (SCR 283)

ORDINANCE ITEM	REQUIREMENT:	PROVIDED:
MINIMUM LOT AREA	20,000 SF	53,171 SF
MINIMUM LOT WIDTH	100 FT	249.76 FT
MINIMUM LOT DEPTH	100 FT	217.67 FT
MINIMUM SETBACKS:		
FRONT	40 FT	40 FT
SIDE	15 FT	15 FT
REAR	20 FT	20 FT
MAXIMUM BUILDING HEIGHT	42 FL/3 Stories	42 FL/3 Stories
MINIMUM BUILDING SEPARATION	40 FT	15.74 FT
PARKING SPACE QTY. (RESIDENTIAL USE)	2 SPACES/ DWELLING UNIT = 8	8 Spaces
SEWER SERVICE	SUSSEX COUNTY	
WATER SERVICE	TIDEWATER UTILITIES	

PROPERTY OWNER: LANDS OF HETE, LLC  
 45 KINGS CREEK CIRCLE  
 REHOBOTH BEACH, DE 19971  
 (302) 344-9888

- RECORD PLAN NOTES**  
 REVISED MARCH 21, 2019
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DEDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
  - NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
  - SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
  - 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 DEDOT'S DISCRETION, AND IN CONFORMANCE WITH DEDOT'S DEVELOPMENT COORDINATION MANUAL.
  - PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER. THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 131) DELOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
  - TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
  - THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DEDOT'S DEVELOPMENT COORDINATION MANUAL.
  - THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AT EACH POINT OF RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
  - THE DEVELOPER WILL BE PARTICIPATING IN THE HENLOPEN LTD. INFRASTRUCTURE REQUIRMENT AGREEMENT IS RECORDED UNDER BOOK 5709/PAGE 245 IN THE OFFICE OF THE SUSSEX COUNTY RECORDER OF DEEDS.
  - ALL LOTS SHALL HAVE ACCESS TO SCR 283 VIA THE 30'-FOOT WIDE INGRESS/EGRESS EASEMENT.
  - THE DEVELOPER SHALL CONSTRUCT A PAVED RESIDENTIAL ENTRANCE TO THE RIGHT-OF-WAY LINE, AS DEPICTED HEREON.



**PROPERTY AREA**

PROPERTY AREA:	54,422 SF
DEDICATION:	1,251 SF (2.3%)
DRIVEWAY AREA:	5,377 SF (10.1%)
DWELLING AREA:	6,775 SF (12.7%)
OPEN SPACE AREA:	41,019 SF (77.1%)
PROPOSED GROSS DENSITY:	3.28 Units/Ac

\*DWELLING AREA IS CONCEPTUAL. ACTUAL BUILDING DIMENSIONS AND SIZE SHALL VARY.

- GENERAL NOTES**
- THE PROJECT SITE IS KNOWN AS LANDS OF HETE, LLC (T.P. 334-6.00-686.00), AND IS LOCATED 110' NORTHEAST OF THE POSTAL LANE (SCR283) AND MAPLE DRIVE INTERSECTION IN LEWES, DE.
  - THE PROPERTY BOUNDS AND EXISTING FEATURES INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY FORESIGHT SERVICES.
  - THE PROPOSED DEVELOPMENT STREETS ARE TO BE PRIVATE AND MAINTAINED BY THE DEVELOPER/PROPERTY OWNER UNTIL A HOMEOWNERS ASSOCIATION IS ESTABLISHED TO PROVIDE FOR SAID MAINTENANCE. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
  - ALL PROPOSED STORMWATER MANAGEMENT FACILITIES ARE TO BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNERS ASSOCIATION CAN PROVIDE FOR SAID MAINTENANCE.
  - THIS PLAN DOES NOT VERIFY THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
  - THE CONTRACTOR SHALL ENSURE THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED PRIOR TO COMMENCEMENT OF ANY SITE CONSTRUCTION ACTIVITIES.
  - ALL CONTRACTORS WORKING ON THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS OF THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK (LATEST EDITION).
  - CONSTRUCTION MATERIALS AND PROCEDURES SHALL FOLLOW THE SUSSEX COUNTY ENGINEERING DEPARTMENT SPECIFICATIONS AND STANDARD DRAWINGS (LATEST EDITION).
  - EXISTING SUBSURFACE UTILITY INFORMATION INDICATED IS BASED UPON VISUAL FIELD INSPECTION BY FORESIGHT SERVICES. SUCH INFORMATION CONCERNING THE SIZE, LOCATION, DEPTH, QUANTITY, ETC. OF SUBSURFACE UTILITIES IS APPROXIMATE IN NATURE AND HAS BEEN OBTAINED AS AN AID IN THE PROJECT DESIGN. THE INFORMATION PROVIDED IS REPRESENTATIVE OF SUBSURFACE CONDITIONS ONLY AT LOCATIONS AND DEPTHS WHERE SUCH INFORMATION WAS OBTAINED. THERE IS NO EXPRESSED OR IMPLIED WARRANTY THAT UTILITY SIZE, LOCATION, DEPTH, QUANTITY, ETC. AS SHOWN EXISTS BETWEEN EXPLORED LOCATIONS. ACCORDINGLY, UTILITY INFORMATION SHOWN SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES. IT IS INCUMBENT UPON THE CONTRACTOR TO VERIFY THE SIZE, LOCATION, DEPTH, QUANTITY, ETC. OF ALL UTILITIES BEFORE EXCAVATION.
  - BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 100029 0332 K, MAP NUMBER 1000500329K, DATED MARCH 10, 2015, THE SUBJECT PROPERTY IS LOCATED IN A ZONE "X" UNSHADE WHICH IS AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
  - NO STATE OR FEDERAL JURISDICTIONAL WETLANDS ARE LOCATED WITHIN THE PROPERTY BOUNDS.
  - ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
  - IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS PART V, CHAPTER 4, SECTION 4-1.1, THE DEVELOPER SHALL PROVIDE TO THE EMERGENCY DISPATCH CENTER HAVING JURISDICTION, A PLOT PLAN OF THE DEVELOPMENT SHOWING EACH DWELLING LOCATION. THE DEVELOPER SHALL ALSO ASSIGN NUMBERS TO ALL DWELLINGS IN A CONSECUTIVE MANNER AND HAVE PLACED THE ASSIGNED NUMBER IN A READILY VISIBLE LOCATION ON EACH DWELLING TO ELIMINATE CONFUSION IN THE EVENT THAT AN EMERGENCY VEHICLE IS NEEDED.
  - ALL PROPOSED LANDSCAPE BUFFERS ARE TO BE MAINTAINED BY THE PROPERTY OWNER/DEVELOPER UNTIL SUCH TIME AS A HOMEOWNERS ASSOCIATION CAN PROVIDE FOR SAID MAINTENANCE.
  - PROPOSED BUILDING TYPE IS NFPA V(000).
  - THE PROPOSED SIGNAGE DEPICTED ON THE PLAN IS INDICATIVE ONLY. SEPARATE APPLICATIONS FOR SIGNAGE SHALL BE REQUIRED FOR ALL SIGNAGE.
  - AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THESE STRUCTURES.

**SOILS DATA**

SOILS MAPPED FROM <https://websoilsurvey.sc.egov.usda.gov>

Soils Name	Slopes	Hydrolic Soil Group
G/A Greenwich loam	0 to 2 percent slopes	B
G/uB Greenwich-Urban land complex	0 to 5 percent slopes	B

**PLANNING COMMISSION CERTIFICATION**

RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF SUSSEX COUNTY ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

SECRETARY (ATTEST) \_\_\_\_\_

RECOMMENDED FOR APPROVAL BY THE SUSSEX COUNTY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

PRESIDENT \_\_\_\_\_

**OWNER CERTIFICATION**

WE, MATTHEW C & MINDY H HETE, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

5/31/22

MATTHEW C HETE  
 MATTHEW C & MINDY H HETE  
 45 Kings Creek Circle  
 Rehoboth Beach, DE 19971  
 Phone: 302.344.9888  
 Email: mchete@msn.com

- PLANNING & ZONING COMMISSION CONDITIONS**
- AT THEIR MEETING OF TUESDAY, NOVEMBER 16, 2021, THE SUSSEX COUNTY COUNCIL APPROVED THE CONDITIONAL USE APPLICATION FOR MULTI-FAMILY (4 UNITS) TO BE LOCATED ON THE SOUTHWEST SIDE OF POSTAL LANE, APPROXIMATELY 0.22-MILE NORTHEAST OF PLANTATION ROAD, SUBJECT TO TWELVE (12) CONDITIONS. THE CONDITIONAL USE SHALL BE SUBSTANTIALLY UNDERTAKEN WITHIN THREE (3) YEARS OF THE COUNTY COUNCIL APPROVAL. OTHERWISE, THE CONDITIONAL USE SHALL EXPIRE. A SITE PLAN SHOWING THE CONDITIONS OF APPROVAL SHALL BE REVIEWED AND APPROVED BY THE PLANNING COMMISSION PRIOR TO COMMENCEMENT OF THE USE ON THE PARCEL. THE FOLLOWING ARE THE CONDITIONS:
- THE MAXIMUM NUMBER OF RESIDENTIAL UNITS SHALL BE 4.
  - ALL ENTRANCE, INTERSECTION, ROADWAY AND MULTI-MODAL IMPROVEMENTS SHALL BE COMPLETED BY THE DEVELOPER IN ACCORDANCE WITH ALL DELOT REQUIREMENTS.
  - THERE SHALL BE A 75-FT BUFFER ALONG THE ROAD FRONTAGE THAT COMPLIES WITH THE REQUIREMENTS OF SECTION 115-22 OF THE ZONING CODE FOR MULTIFAMILY DWELLINGS IN THE AR-1 DISTRICT.
  - THE APPLICANT SHALL SUBMIT AS PART OF THE FINAL SITE PLAN A LANDSCAPE PLAN SHOWING THE PROPOSED TREE AND SHRUB LANDSCAPE DESIGN, INCLUDING THE BUFFER AREAS.
  - THE PROJECT SHALL BE SERVED BY SUSSEX COUNTY SEWER. THE DEVELOPER SHALL COMPLY WITH ALL SUSSEX COUNTY ENGINEERING DEPARTMENT REQUIREMENTS INCLUDING ANY OFFSITE UPDATES NECESSARY TO PROVIDE SERVICE TO THE PROJECT.
  - THE PROJECT SHALL BE SERVED BY CENTRAL WATER TO PROVIDE DRINKING WATER AND FIRE PROTECTION.
  - CONSTRUCTION AND SITE WORK ON THE PROPERTY, INCLUDING DELIVERIES OF MATERIALS TO OR FROM THE PROPERTY, SHALL ONLY OCCUR BETWEEN 7:00AM AND 5:00PM, MONDAY THROUGH FRIDAY. THERE SHALL BE NO CONSTRUCTION ACTIVITIES AT THE SITE ON SATURDAYS OR SUNDAYS. A 24 INCH BY 36 INCH NOTICE SIGN IN ENGLISH AND SPANISH CONFIRMING THESE HOURS SHALL BE PROMINENTLY DISPLAYED AT ALL ENTRANCES TO THE SITE DURING CONSTRUCTION.
  - STREET NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENTS.
  - THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX COUNTY CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
  - ALL STREETLIGHTS SHALL BE DOWNWARD SCREENED SO THAT THEY DO NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
  - THE APPLICANT MUST PAY THE BONUS DENSITY FEE REQUIRED BY CHAPTER 62, SECTION 62-7 OF THE CODE OF SUSSEX COUNTY FOR THE TWO ADDITIONAL UNITS IN EXCESS OF TWO UNITS PER ACRE.
  - THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

**REVISIONS**

No.	DATE	DESCRIPTION
1	2/10/22	PER DELOT PRE-SUBMITTAL MEETING (2/4/22)
2	3/15/22	PER DELOT COMMENT (2/29/22)
3	3/15/22	PER DELOT COMMENT (2/29/22)
4	5/13/22	PER SCD COMMENTS (5/13/22)

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE ORDINANCES OF SUSSEX COUNTY AND THE LAWS OF THE STATE OF DELAWARE.

DATE: 5/31/22

PROFESSIONAL ENGINEER

JEREMY C. WILLIAMS  
 LICENSE No. 13928  
 PROFESSIONAL ENGINEER

APPROVED BY: BUSINESS: J. L. JACK  
 J. L. JACK  
 SCALE: 1" = 20'  
 0' 20' 40'

ONLY THE ORIGINAL AND REPRODUCED SETS OF THIS PLAN SHALL BE CONSIDERED VALID FOR RECORDATION. ANY DUPLICATION, REPRODUCTION, OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER IS PROHIBITED BY LAW.  
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OWNER/APPLICANT: MATTHEW C & MINDY H HETE  
 Rehoboth Beach, DE 19971  
 Email: mchete@msn.com

PARCEL INFORMATION:  
 Parcel No.: 334-6.00-686.00  
 Parcel Area: 54,422 SF (1.249 Ac)  
 Gross Site Area: 54,422 SF (1,029 Ac)  
 Net Site Area: 53,171 SF (1,029 Ac)  
 Net Site Area: 53,171 SF (1,029 Ac)

RECORD SITE PLAN  
 LANDS OF HETE, LLC

LEWES & REHOBOTH HUNDRED - SUSSEX COUNTY - DELAWARE

THE KERCHER GROUP, INC.  
 CONSULTING • SYSTEMS • ENGINEERING  
 37585 REHOBOTH AVE., UNIT 11 - REHOBOTH BEACH, DELAWARE 19971  
 302.871.4345 (Voice) 302.854.8064 (Fax) www.kerchergroup.com

JOB No.: 19-1001ES  
 PLAN DATE: Oct 22, 2020  
 SHEET No.: S1

LANDS OF HETE, LLC, May 31, 2022 (6/30)

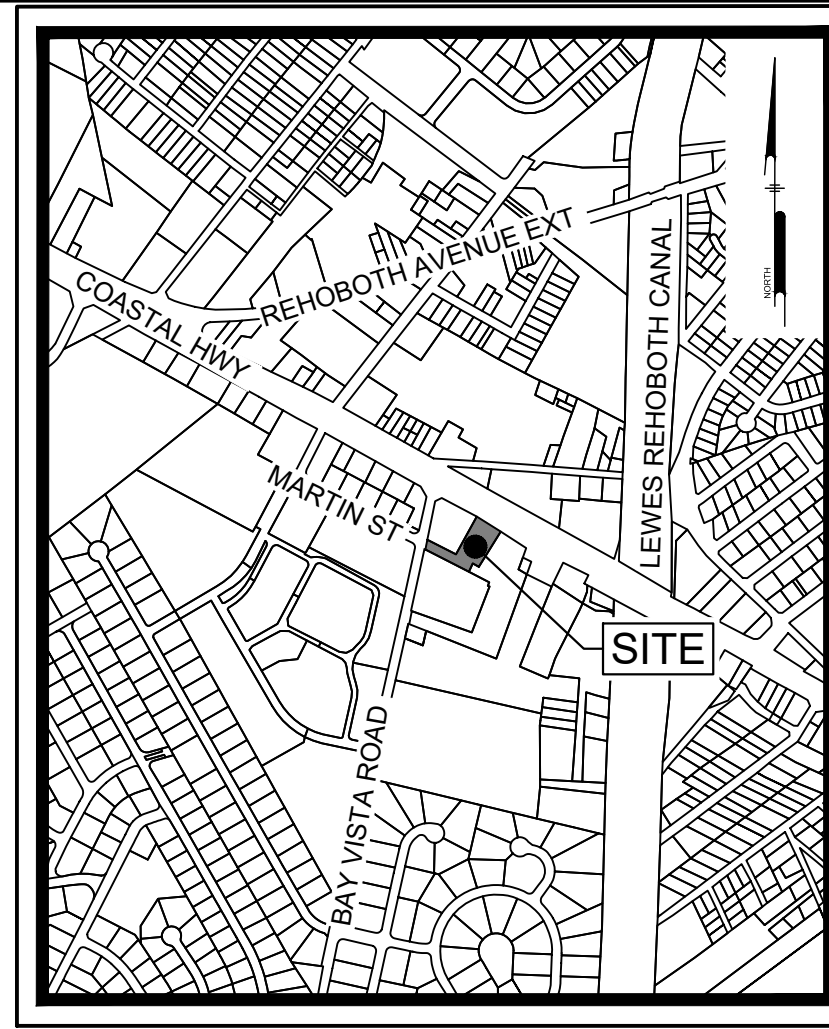
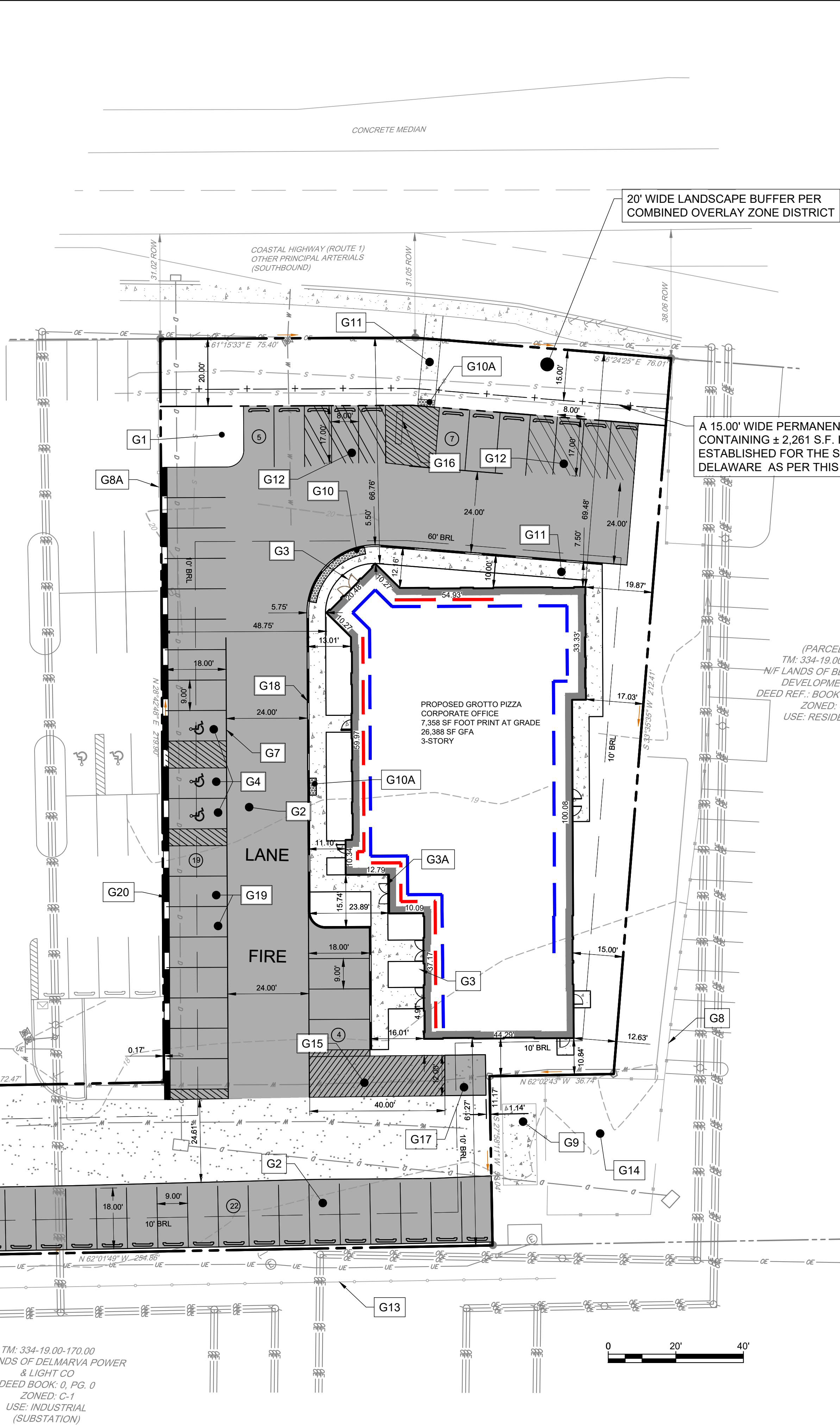


**SITE DATA TABLE:**

1. TAX MAP NUMBER:	334-19-00-170.03 DB: 3010 PG. 347
2. OWNER/DEVELOPER: OWNER/DEVELOPER ADDRESS:	OCEAN SOUTH ASSOCIATES, LLC 20376 COASTAL HWY REHOBOTH BEACH, DE 19971
3. ADDRESS LOCATION: HUNDRED: COUNTY:	20376 COASTAL HWY REHOBOTH BEACH, DE 19971 LEWES AND REHOBOTH SUSSEX
4. CURRENT ZONING:	C-1 (GENERAL COMMERCIAL)
5. PRESENT USE:	OFFICE
6. PROPOSED USE:	OFFICE AND APARTMENTS (12 UNITS)
7. REQUIRED SETBACKS (B.R.L.): FRONT:	(PER 115-82 B) 60 FT (40' FROM PROPERTY LINE ALONG BAY VISTA ROAD AS REQUIRED FOR MULTI-FAMILY TYPE STRUCTURES)
SIDE REAR:	5 FT (10' FOR MULTI-FAMILY) 5 FT (10' FOR MULTI-FAMILY)
7. BUILDING HEIGHT:	(PER 115-82 C) 42' MAX ALLOWED
8. REQUIRED LOT SIZE (MIN.): DEPTH: WIDTH: AREA:	100 FT (PER 115-82 A) 75 FT 10,000 FT (PER 115-82 A)
9. DWELLING UNIT CALCULATION: TOTAL AREA: PERMITTED DENSITY: PROPOSED DENSITY:	1.01 AC. C-1 ZONING MAXIMUM DENSITY: 12 UNITS/ACRES (12 UNITS) 12 UNITS/ACRES PROVIDED
10. PARKING REQUIRED PARKING:	(ARTICLE XXI): OFF-STREET PARKING, CODE SECTION 115-162)
1 BEDROOM APARTMENTS:	1.5 PARKING SPACES PER FAMILY UNIT 8 UNITS X 1.5 = 12 SPACES
2 BEDROOM APARTMENTS:	2 PARKING SPACES PER FAMILY UNIT 4 UNITS X 2 = 8 SPACES
TOTAL:	20 SPACES
OFFICE:	(1 SPACE FOR 200 SF OF FLOOR AREA, EXCLUSIVE OF BASEMENT, IF NOT USED FOR OFFICE OR CUSTOMER SERVICE PURPOSES) 7,358 SF / 200 SF = 37 SPACES
TOTAL REQUIRED SPACES:	57 SPACES
PROVIDED SPACES:	57 SPACES
ADA SPACES:	3 SPACES INCLUDED
COMPACT SPACES:	7 SPACES INCLUDED
11. SITE CALCULATIONS	
BUILDING AREA	EX = 0.18 AC. PR = 0.19 AC.
OPEN SPACE (GRASS AREA)	EX = 0.21 AC. PR = 0.22 AC.
PAVEMENT/STONE AREA	EX = 0.62 AC. PR = 0.60 AC.
TOTAL	EX = 1.01 AC. PR = 1.01 AC.
PERCENTAGE EX. IMPERVIOUS COVER:	0.80 AC. (79.20%)
PERCENTAGE PROP. IMPERVIOUS COVER:	0.79 AC. (78.21%)
EXISTING FORESTED ACRES:	0.00 AC. (0.00%)
12. NET DEVELOPMENT:	0.94 AC.
13. UTILITY SERVICES: SANITARY SEWER SUPPLIER:	PUBLIC - SUSSEX COUNTY TIER 1 - UNIFIED SANITARY SEWER DISTRICT
WATER SUPPLIER:	PUBLIC - CITY OF REHOBOTH
14. SECTION 89 - SOURCE WATER PROTECTION:	A. SUBJECT PROPERTY IS WITHIN AN AREA OF "GOOD" GROUNDWATER RECHARGE. B. SUBJECT PROPERTY IS NOT LOCATED IN WELLHEAD PROTECTION AREA.
15. STATE INVESTMENT AREA:	LEVEL 1
16. FIRE DISTRICT:	REHOBOTH BEACH FIRE CO. (STATION 86)
17. 2019 FUTURE LAND USE MAP:	COMMERCIAL
18. LONGITUDE AND LATITUDE: STATE PLANE COORDINATES:	SITE BENCHMARK #1: NORTH WEST PROPERTY CORNER NEAR COASTAL HWY LONGITUDE: W 75° 05' 46.17" LATITUDE: N 38° 42' 35.30"
19. NON-TIDAL FEDERALLY REGULATED WETLAND AREA:	0.00 ACRES
20. TIDAL STATE REGULATED WETLAND AREA:	0.00 ACRES
21. PROPOSED DISCHARGE LOCATION:	DELDOT ROADWAY DRAINAGE SYSTEM
22. FLOOD ZONE:	FIRM NUMBER 10050C0353K, DATED MARCH 16, 2015 REFER TO GENERAL NOTES (NOTE 12, SHEET PP1002)
23. TRANSPORTATION IMPROVEMENT DISTRICT (TID):	NOT INCLUDED
24. DATUM: HORIZONTAL = NAD83 VERTICAL = NAVD88	
25. WATERSHED:	REHOBOTH CANAL- REHOBOTH BAY
26. LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APPROVAL:	SUSSEX COUNTY

**LEGEND**

EXISTING	PROPOSED	DESCRIPTION
[Symbol]	[Symbol]	BUILDING
[Symbol]	[Symbol]	FULL DEPTH PAVEMENT
[Symbol]	[Symbol]	BUILDING RESTRICTION LINE
[Symbol]	[Symbol]	EDGE OF PAVEMENT
[Symbol]	[Symbol]	EDGE OF GRAVEL
[Symbol]	[Symbol]	UTILITY EASEMENT
[Symbol]	[Symbol]	PERMANENT EASEMENT
[Symbol]	[Symbol]	FENCE
[Symbol]	[Symbol]	POWER, UTILITY POLE
[Symbol]	[Symbol]	PROPERTY, LINE
[Symbol]	[Symbol]	LEGAL RIGHT-OF-WAY
[Symbol]	[Symbol]	PROPERTY, CORNER FOUND
[Symbol]	[Symbol]	PROPERTY, ADJOINING LINED
[Symbol]	[Symbol]	SITE, MAIL BOX
[Symbol]	[Symbol]	SITE, TRAFFIC SIGN
[Symbol]	[Symbol]	SPOT ELEVATION
[Symbol]	[Symbol]	STORMPIPE, INLET, MANHOLE, & FLARED END
[Symbol]	[Symbol]	MINOR CONTOUR
[Symbol]	[Symbol]	MAJOR CONTOUR
[Symbol]	[Symbol]	MARKING, HANDICAP PARKING
[Symbol]	[Symbol]	DETECTABLE WARNING STRIP
[Symbol]	[Symbol]	CONCRETE



**LOCATION MAP**  
SCALE: 1"=1000'

20' WIDE LANDSCAPE BUFFER PER  
COMBINED OVERLAY ZONE DISTRICT

A 15.00' WIDE PERMANENT EASEMENT  
CONTAINING ± 2,261 S.F. IS HEREBY  
ESTABLISHED FOR THE STATE OF  
DELAWARE AS PER THIS PLAT

(PARCEL 4)  
TM: 334-19-00-170.04  
N/F LANDS OF BELLA VISTA  
DEVELOPMENT LLC  
DEED REF.: BOOK 483A, PG. 30  
ZONED: C-1  
USE: RESIDENTIAL

**KEYED NOTES**

- G1 PROPOSED LANDSCAPE ISLAND
- G2 LIGHT DUTY ASPHALT PAVEMENT
- G3 PROPOSED OFFICE ENTRANCE
- G3A PROPOSED RESIDENTIAL ENTRANCE AND LOBBY
- G4 ADA SPACE WITH SIGN MOUNTED ON POST
- G5 EX. STOP SIGN
- G6 EX. STOP BAR
- G7 4" YELLOW SOLID DEMARCATION LINES (TYP) PER STATE FIRE MARSHAL REGULATIONS (PAINT FACE OF CURB WHERE APPLICABLE)
- G8 EXISTING 8' HIGH WOODEN PRIVACY FENCE
- G8A EXISTING WOOD POST/CHAIN FENCE
- G9 EXISTING DUMPSTER AREA ON CONCRETE PAD FOR PARCEL 4 (AGREEMENT FOR ACCESS THROUGH PARCEL 170.03)
- G10 2' WIDE DWS STRIP: ADA RAMP TYPE 1
- G10A 2' WIDE DWS STRIP: ADA RAMP TYPE 2
- G11 PROPOSED 5' WIDE CONCRETE SIDEWALK
- G12 PROPOSED COMPACT PARKING SPACES (TYPICAL OF 4)
- G13 EXISTING CHAIN LINK FENCE WITH BARB WIRE AND PARTIAL SCREENING
- G14 EX. BIKE STORAGE ENCLOSURE FOR PARCEL 4
- G15 PROPOSED LOADING SPACE
- G16 PROPOSED BUSINESS SIGN
- G17 PROPOSED DUMPSTER AREA WITH SCREENING AND ROLLING DUMPSTER
- G18 PCC CURB, TYPE 1-6
- G19 PROPOSED ELECTRIC CAR CHARGING STATION (2 SPACES)
- G20 INTEGRAL PCC CURB AND GUTTER, TYPE 3-8

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

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
OCEAN SOUTH ASSOCIATES LLC  
C/O JEFFREY GOSNEAR  
20376 COASTAL HWY  
REHOBOTH BEACH DE 19971  
JGOSNEAR@GROTTOTOPPIZZA.COM  
(302) 227-3567

**ENGINEER CERTIFICATION:**  
IT IS HEREBY CERTIFIED THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE. THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE COMPLIES WITH APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES. THE DESIGN REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
ALAN DECKTOR, PE (DE PE#17771)  
PENNONI ASSOCIATES, INC  
18072 DAVIDSON DRIVE  
MILTON, DE 19968  
ADECKTOR@PENNONI.COM  
OFFICE: (302) 684-9030 - FAX: (302) 684-8054

A 15.00' WIDE PERMANENT EASEMENT  
CONTAINING ± 778 S.F. IS HEREBY  
ESTABLISHED FOR THE STATE OF  
DELAWARE AS PER THIS PLAT

AN EXISTING 50' WIDE PERPETUAL  
CROSS ACCESS AND  
STORMWATER MANAGEMENT  
EASEMENT IN FAVOR OF PARCELS  
2 & 4 PER PLAT BOOK 86, PG 329

TM: 334-19-00-170.00  
N/F LANDS OF DELMARVA POWER  
& LIGHT CO  
DEED BOOK: 0, PG. 0  
ZONED: C-1  
USE: INDUSTRIAL  
(SUBSTATION)

**Pennonni**  
PENNONI ASSOCIATES INC.  
18072 Davidson Drive  
Milton, DE 19968  
T 302.684.9030 F 302.684.8054

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

GROTTO PIZZA CORPORATE OFFICE  
TAX MAP: 334-19-00-170.03  
20376 COASTAL HWY  
REHOBOTH BEACH, DELAWARE 19971  
**PRELIMINARY SITE PLAN**  
OCEAN SOUTH ASSOCIATES, LLC  
20376 COASTAL HWY  
REHOBOTH BEACH, DELAWARE 19971

NO.	REVISIONS	DATE	BY
1	REVISED PER RAZ COMMENTS	2022-07-21	EOC

PROJECT: FISHR22001  
DATE: 2022-08-04  
DRAWING SCALE: AS SHOWN  
DRAWN BY: RPP  
APPROVED BY: AMD  
**PP1001**  
SHEET 1 OF 2

PROJECT STATUS: PLOTTED: 04/02/2023 10:49 AM BY: Emmanuel Okhai FLOTTED: Pennoni K248 U:\Account\BIBAR\BIBAR22001 - Grotto Corporate Headquarters\DESIGN\SAFE\225991701.dwg

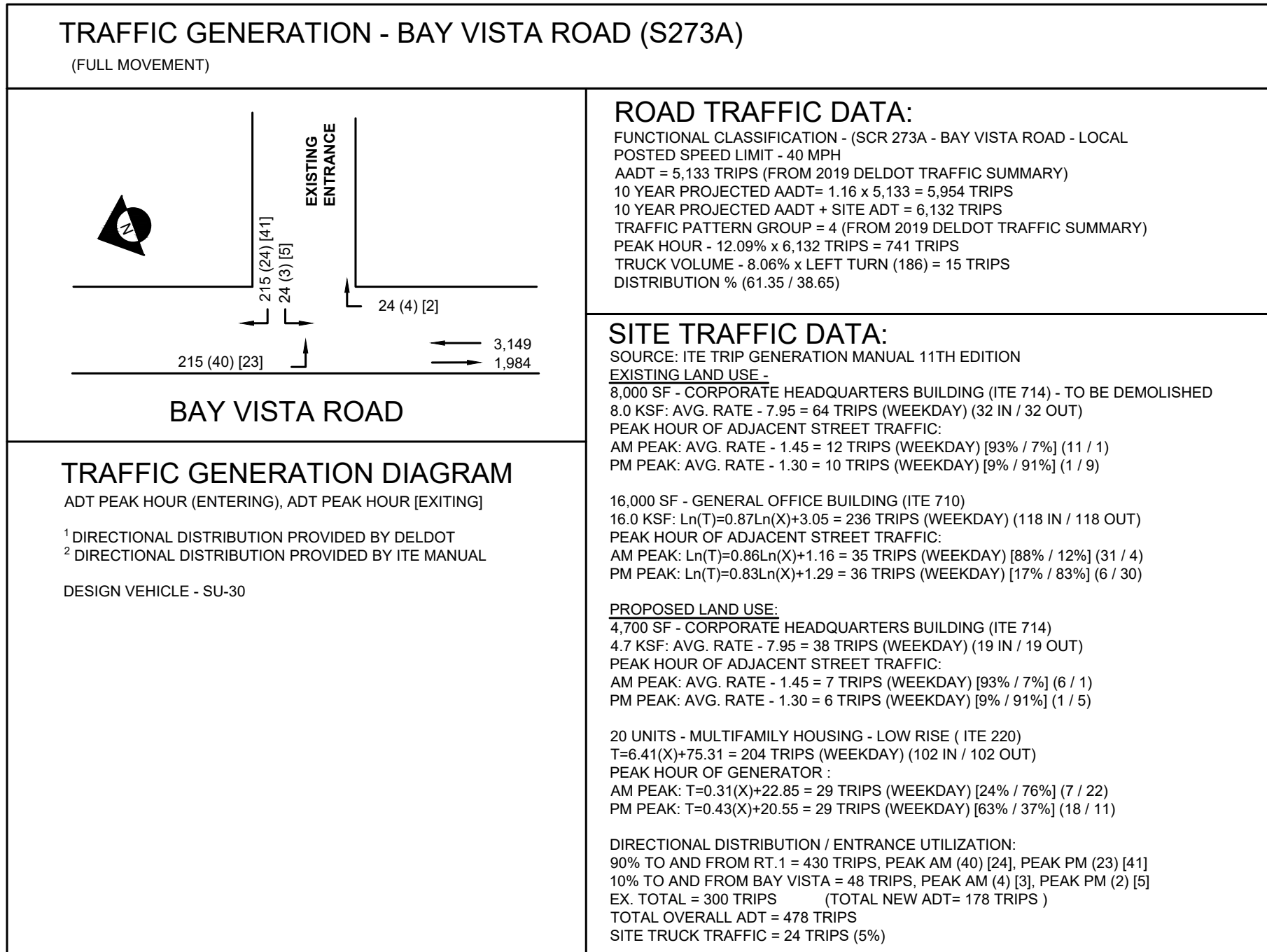


**GENERAL NOTES:**

- ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
- THIS PLAN DOES NOT VERIFY THE EXISTENCE, OR NONEXISTENCE, OF EASEMENT OR RIGHT OF WAYS CROSSING THE SUBJECT PROPERTY.
- THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
- FINAL SET OF APPROVED CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE MAINTAINED ON THE JOB SITE AT ALL TIMES. FAILURE TO COMPLY WITH THIS PROVISION SHALL BE CONSIDERED CAUSE TO STOP THE WORK.
- DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
- ALL MATERIALS SHALL BE NEW AND SHALL BE ASBESTOS AND VERMICULITE FREE. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE INTENDED WORK.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED, IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD ANY DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED. ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
- THE CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF CONTRACT DRAWINGS ON WHICH HE SHALL NOTE, IN RED, THE ALIGNMENTS AND INVERTS OF ALL UNDERGROUND UTILITIES INSTALLED OR ENCOUNTERED DURING THE PROSECUTION OF THE WORK. ALL DISCREPANCIES BETWEEN THE PLAN LOCATIONS AND ELEVATIONS OF BOTH THE EXISTING AND PROPOSED UTILITIES SHALL BE SHOWN ON THE AS-BUILT DRAWINGS TO BE MAINTAINED BY THE CONTRACTOR IN THE FIELD.
- THE CONTRACTOR SHALL OPEN ONLY THAT SECTION OF TRENCH OR ACCESS PITS WHICH CAN BE BACKFILLED AND STABILIZED AT THE END OF EACH WORKING DAY. STEEL PLATES SHALL BE USED ON ANY TRENCH OR ACCESS PITS WHICH MUST REMAIN OPEN OVERNIGHT. THIS REQUIREMENT DOES NOT APPLY TO AREAS COMPLETELY CLOSED AND SECURED FROM VEHICULAR OR PEDESTRIAN TRAFFIC.
- DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER. CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
- BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0353K, EFFECTIVE DATE MARCH 16, 2015, THE ENTIRE PROPERTY IS LOCATED IN AN AREA DESIGNATED AS FLOOD ZONE "X" (UNSHADED), WHICH IS AN AREA THAT HAS BEEN DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
- SUBJECT PROPERTY IS CURRENTLY C-1 (GENERAL COMMERCIAL).
- THE SUBJECT SITE WILL BE CONSTRUCTED AS A SINGLE PHASE.
- TOTAL AREA FOR SUBJECT SITE IS 1.01 ACRES.
- THE BOUNDARY INFORMATION & TOPOGRAPHY SHOWN ON THIS PLAN WAS TAKEN FROM DOCUMENTS OF PUBLIC RECORD AND IS ALSO THE RESULT OF AN ACTUAL FIELD SURVEY BY PENNONI ASSOCIATES, INC. DATED JANUARY 2022.
- ALL PROPOSED LIGHTING WILL BE SUPPLIED BY BUILDING WALL PACKS AND PARKING LOT LIGHTS. REFER TO SITE LIGHTING PLAN.
- ALL SECURITY LIGHTING (IF NECESSARY) SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- STATE AND FEDERAL WETLANDS DO NOT EXIST ON THE SITE.
- STORMWATER IS CONVEYED THROUGH PIPE SYSTEM TO PROPOSED DRY DETENTION BASINS.
- ALL FIRE LANES, FIRE HYDRANTS, EXITS, STANDPIPE, FIRE DEPARTMENT CONNECTIONS AND SPRINKLER CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS. BUILDING CONSTRUCTION TO BE WOOD, STEEL, AND CONCRETE, AND WILL HAVE SPRINKLERS.
- FIRE ALARM REQUIRED - THE FIRE ALARM SIGNALING SYSTEM SHALL BE AUTOMATIC, SUPERVISED OFF-SITE, AND SHALL CONSIST OF FULL COVERAGE BY SMOKE DETECTION AND ALARM NOTIFICATION. WHERE SMOKE DETECTION DEVICES WILL NOT FUNCTION BY REASON OF DEVICE LIMITATION, HEAT DETECTION SHALL BE PROVIDED IN THOSE SPECIFIC LOCATIONS FIRE ALARM SIGNALING SYSTEM PLANS AND SPECIFICATIONS SHALL BE SUBMITTED FOR REVIEW.
- LOCK BOX REQUIRED - CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
- MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
- ALL DISTURBED AREAS WITHIN THE LIMIT OF DISTURBANCE, BUT NOT IN PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM), SEEDED AND MULCHED. IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINAL INSPECTION, ALL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
- A 72 HOUR (MINIMUM) NOTICE SHALL BE GIVEN TO THE DISTRICT PERMIT SUPERVISOR PRIOR TO STARTING ROADWAY CONSTRUCTION.
- THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE OR MODIFY ANY EROSION AND SEDIMENT CONTROL MEASURES AS THEY DEEM NECESSARY.
- THE ENTRANCES / EXITS ARE PROPOSED ONLY, AND ARE SUBJECT TO REVIEW AND APPROVAL BY THE DELAWARE DEPARTMENT OF TRANSPORTATION BEFORE A CONSTRUCTION PERMIT IS ISSUED.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING, TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION:  
THE OWNER, SUSSEX CONSERVATION DISTRICT, & DELDOT
- THE PROPOSED SIGN IS NOT APPROVED AS PART OF THIS SITE PLAN. A SEPARATE SUSSEX COUNTY PERMIT IS REQUIRED.
- THE CONTRACTOR SHALL MAINTAIN PUBLIC ROADS AND STREETS IN A BROOM SWEEP CONDITION AT ALL TIMES.
- ROUTINE PERIODIC INSPECTIONS DURING CONSTRUCTION WILL BE PROVIDED BY THE OWNER. THESE INSPECTIONS DO NOT RELIEVE THE CONTRACTOR FROM HIS OBLIGATION AND RESPONSIBILITY FOR CONSTRUCTING ALL WORK IN STRICT ACCORDANCE WITH ALL STANDARDS AND SPECIFICATIONS AND CONSTRUCTION DOCUMENTS.
- THE CONTRACTOR SHALL PROVIDE SEDIMENT CONTROL MEASURES TO PROTECT STOCKPILE AREAS AND STORAGE AREAS. ALL AREAS USED BY THE CONTRACTOR FOR STAGING OPERATIONS SHALL BE FULLY RESTORED BY THE CONTRACTOR FOR STAGING OPERATIONS SHALL BE FULLY RESTORED BY THE CONTRACTOR UPON COMPLETION OF THE PROJECT. IF THE STAGING AREA IS PAVED, IT SHALL BE RESTORED TO ITS ORIGINAL CONDITION. IF THE STAGING AREA IS UNPAVED, IT SHALL BE RE-GRADED, TOPSOILED, SEEDED AND MULCHED TO THE SATISFACTION OF THE ENGINEER. ALL COSTS ASSOCIATED WITH RESTORATION OF THE STAGING AREA SHALL BE AT THE CONTRACTOR'S EXPENSE. IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINAL INSPECTION, ALL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
- DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTOR SHALL TAKE PRECAUTIONS TO LOCATE PROPERTY LINES AND RIGHT OF WAY LINES PRIOR TO CONSTRUCTION AND AVOID CONSTRUCTION ACTIVITIES ON PRIVATE PROPERTY AND/ OR RIGHTS OF WAYS WHERE SAID CONSTRUCTION IS PROHIBITED. THE CONTRACTOR MAY CONDUCT CONSTRUCTION ACTIVITIES ON PRIVATE PROPERTY PROVIDED IF HE HAS OBTAINED PRIOR WRITTEN PERMISSION FROM THE PROPERTY OWNER AND HAS SUBMITTED A COPY OF SAID WRITTEN PERMISSION TO THE OWNER.
- THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING AND INFORMATION SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.

**DELDOT RECORD SITE PLANS (03/21/2019):**

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

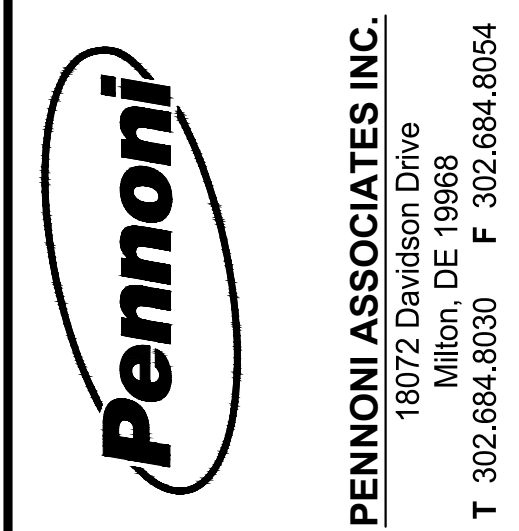
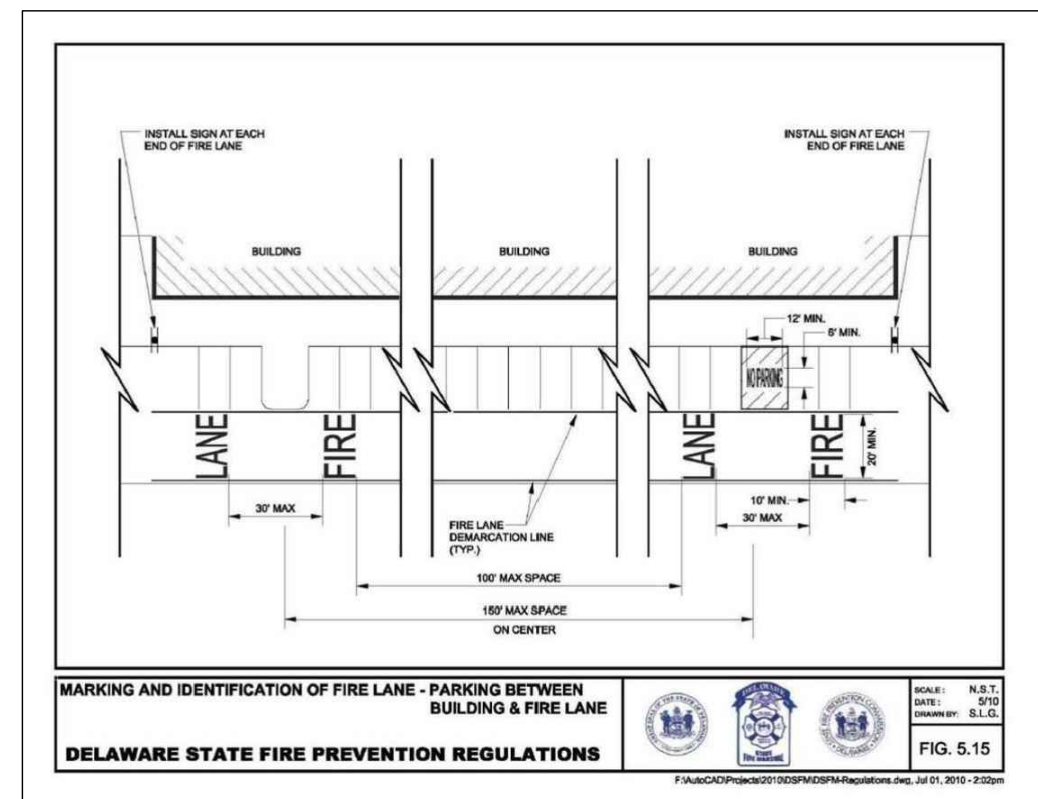


**FIRE MARSHAL NOTES:**

- TAX MAP NUMBER: 334-19-00-170.03 DEED BOOK - D3010, PG 347
- GROSS ACREAGE AREA: 1.01± AC.
- DEVELOPER NAME: OCEAN SOUTH ASSOCIATES, LLC C/O JEFFREY GOSNEAR 20376 COASTAL HWY REHOBOTH BEACH, DE 19971
- OWNER/DEVELOPER ADDRESS: 20376 COASTAL HIGHWAY REHOBOTH BEACH, DE 19971 LEWES AND REHOBOTH HUNDRED SUSSEX COUNTY
- INTENDED USE: OFFICE AND APARTMENTS
- WATER SUPPLIER: CITY OF REHOBOTH
- MAXIMUM BUILDING HEIGHT: 42' ALLOWED (PER 115-82C)
- BUILDING CONSTRUCTION: REFER TO BUILDING USE TABLE
- AUTOMATIC SPRINKLERS: OFFICE: YES, APARTMENTS: YES
- BUILDING PERIMETER (BLUE): PERIMETER ACCESS REQUIRED PERIMETER ACCESS PROPOSED 75% OF BUILDING PERIMETER (432 LF) = 324 LF 361 LF
- FIRE LANE (RED): FIRE LANE REQUIRED FIRE LANE PROVIDED 35% OF BUILDING PERIMETER (432 LF) = 152 LF 175 LF

**NOTES:**

- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.



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

GROTTO PIZZA CORPORATE OFFICE  
TAX MAP: 334-19-00-170.03  
20376 COASTAL HWY REHOBOTH BEACH, DELAWARE 19971  
PRELIMINARY PLAN NOTES AND DETAILS  
OCEAN SOUTH ASSOCIATES, LLC  
20376 COASTAL HWY REHOBOTH BEACH, DELAWARE 19971

NO.	DATE	REVISIONS	BY
1	2022-07-21	REVISED PER PAZ COMMENTS	EOC

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

PROJECT: FISHR22001  
DATE: 2022-07-21  
DRAWING SCALE: AS SHOWN  
DRAWN BY: RPP  
APPROVED BY: AMD



July 28, 2022  
FISHR22001

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

**RE: Preliminary Site Plan Submission  
Grottos Headquarters Mixed Use Apartments  
Tax Map # 334-19.00-170.03  
Lewes & Rehoboth Hundred  
Rehoboth Beach, DE 19971**

Dear Ms. DeVore:

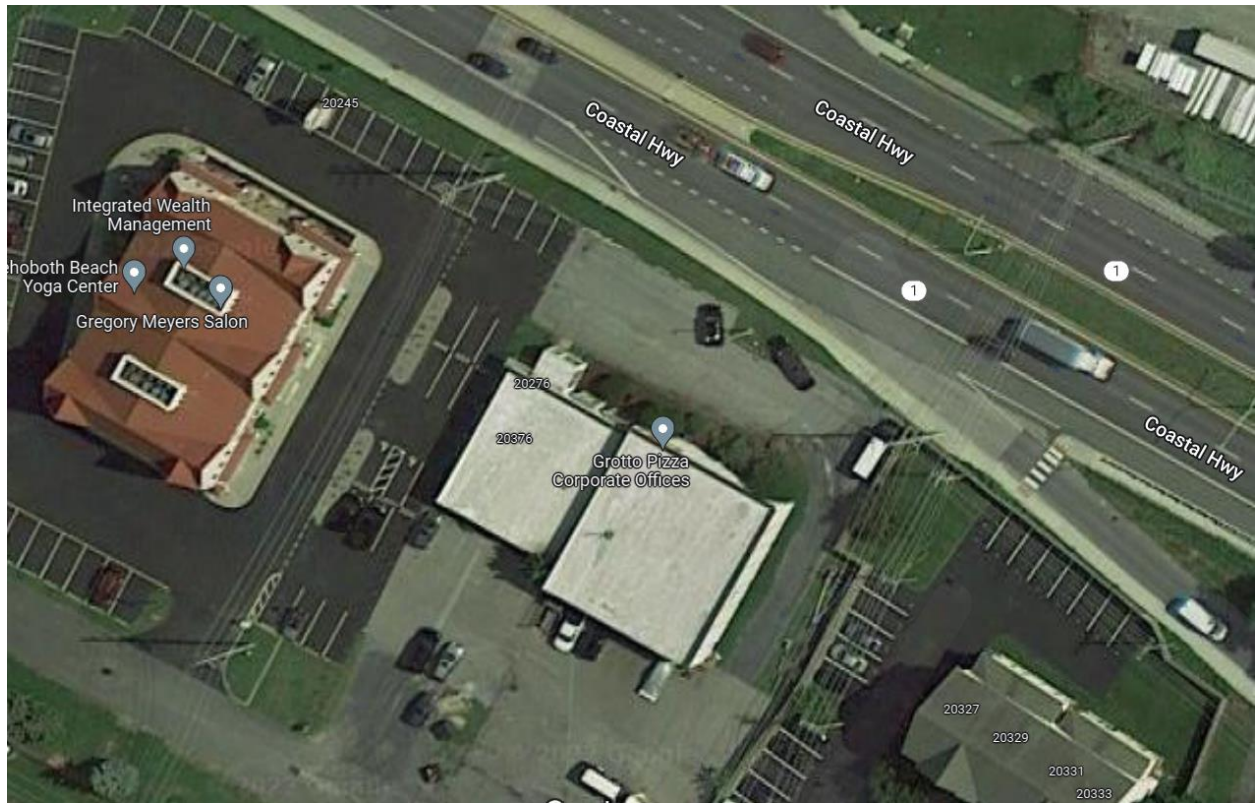
On behalf of Ocean South Associates, LLC., Pennoni Associates Inc. (Pennoni) is submitting the below response to comment #5 written as follows per the dated review letter from P&Z staff on June 2, 2022:

5. *Staff notes that there are approximately fourteen (14) parking spaces located within the front yard setback. Please provide a letter to serve as a waiver request to allow parking within the front yard setback. It should be noted that, "Parking within the front yard setback shall be discouraged and subject to site plan review" (§115-166(C)).*

Parking within the front yard is shown for the proposed mixed use building including Grottos Corporate Headquarters Office and 12 apartment units on the second and third floors which is in keeping with the remainder of the property frontage along Coastal Highway. We are showing the total required parking count based on the code and are not asking for a parking count reduction.

The parking does not encroach any further forward than the adjacent properties to the east and west. The project is removing the impervious area adjacent Coastal Highway and converting a 20' wide swatch of land as part of the CHCOZ into grass / open space area. The proposed parking will sit 20' farther back than the adjacent properties. The proposed parking spaces does not provide for a site distance safety issue for cars traveling south along Coastal Highway. The unique shape and size of this property provides difficulty in locating the parking outside of the front yard setbacks.

For these reasons we do not feel the parking within the front yard setback will diminish or impair property values within the neighborhood or will it create a public nuisance when additional improvements are necessary along Coastal Highway and therefore respectfully request that the Planning Commission grant approval of the preliminary site plan as submitted.



EXISTING PROPERTY AND ADJACENT PARKING ALONG COASTAL HIGHWAY

Respectfully Submitted,

**PENNONI**

Alan Decktor, PE, ENV SP  
Senior Engineer

Mark H. Davidson, Vice President  
Principal Land Planner

CC.

U:\Accounts\FISHR\FISHR22001 - Grottos Corporate Headquarters\DELIVERABLES\PZ\2022-07-25 Resubmission\2022-07-28 Parking Waiver Request.docx

## 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  
302-854-5079 F  
JAMIE WHITEHOUSE, AICP MRTPI  
PLANNING & ZONING DIRECTOR

June 2, 2022

Mr. Alan Decktor, P.E., ENV SP  
Pennoni Associates, Inc.  
18072 Davidson Drive  
Milton, DE 19968

By email to: [adecktor@pennoni.com](mailto:adecktor@pennoni.com)

RE: Staff Review of the Preliminary Site Plan for the Grotto's Pizza Corporate Office for the construction of a three-story, 24,308 square foot +/- mixed-use building to function as corporate office space on the first floor and twenty (20) varying size apartment units on the second and third floors to be located on and with access from the east side of Bay Vista Road (S.C.R. 273(A)) and on the south side of Coastal Highway (Route 1)  
Tax Parcel: 334-19.00-170.03

Dear Mr. Decktor,

Further to your submission of April 26, 2022, the Planning and Zoning Department has reviewed the submitted Preliminary Site Plan for the Grotto's Pizza Corporate Office for the construction of a three-story, 24,308 square foot +/- mixed-use building to function as corporate office space on the first floor and twenty (20) varying size apartment units on the second and third floors. The improvements are to be located on the east side of Bay Vista Road (S.C.R. 273(A)) and on the south side of Coastal Highway (Route 1). The parcel is zoned General Commercial (C-1) District. The parcel also lies within the Commercial Area per Sussex County's 2019 Comprehensive Plan. Staff have reviewed the proposed site plan for compliance with the Sussex County Zoning Code and have the following comments:

### Revised Preliminary Site Plan

- 1. Please include the overall project density in dwelling units per acre within the Site Data Column. According to County records, the property consists of 1.01 acres and the proposal is for 20 apartment units. This yields a proposed density of 19.8 dwelling units to the acre which is above the permitted density for the General Commercial (C-1) Zoning District.**
- 2. Please ensure that interconnectivity is provided. In the case of a proposed development as an "office building," the site plan shall provide interconnectivity with adjacent parcels (§115-221(B)(18)) & (§115-219(A)(6)).**



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

3. Staff are of the view that the property contains two front yards – a front yard along Coastal Highway (Route 1) of which a 60-ft setback shall be provided for buildings and structures of “Other” use from the front property line (§115-82(B)) and a 40-ft front yard setback from the front property line along Bay Vista Road (S.C.R. 273(A)) as required for Multifamily-type structures (Table II (115-82(B))). Please be advised as part of Note 6, *“A lot fronting on a numbered road shown on the General Highway Map for Sussex County, as revised January 1979, shall have a front setback of not less than forty (40) feet, measured from the front property line.”*
4. Please ensure that 10-ft side and rear yards are provided on the plans. The Sussex County Code defines an “Apartment Building” as, *“a building in which two or more apartments are located.”* Additionally, the Code defines “multifamily dwellings” as *“apartments, garden apartments, condominiums, duplexes and similar structures”* (§115-4).
5. Staff notes that there are approximately fourteen (14) parking spaces located within the front yard setback. Please provide a letter to serve as a waiver request to allow parking within the front yard setback. It should be noted that, *“Parking within the front yard setback shall be discouraged and subject to site plan review”* (§115-166(C)).
6. Please note that a minimum of one landscape island shall be required once 25 single or 25 double spaces have been exceeded. Landscaping shall be either grass, ornamental landscaping or shade trees (§115-166.1(B)(1)).
7. Please provide screening for all dumpsters and trash collection storage areas and loading areas. Within the C-1 Zoning District, all dumpsters must meet the following setbacks: 60-ft front yards, 30-ft side yards and 30-ft rear yards. Options for providing screening include a six (6-ft) high sight-tight fence or wall or a four (4-ft) evergreen landscape screen subject to the Department of Agriculture (§115-170.1(A-C)).
8. Staff notes that annotation has been provided which demonstrates that a 20-ft landscaped buffer will be provided as the subject property is located within the Combined Highway Corridor Overlay Zone (CHCOZ). Please show additional details regarding the nature, character, and extent of any landscaping to be required as well as the location of the required 60-ft setback within the General Commercial (C-1) Zoning District. As a general reminder, the CHCOZ is measured from the existing road right-of-way line along the Route 1 Corridor (§115-194.1(E)(3)).
9. Please detail the square footage to be utilized for the corporate office use and the square footage to be utilized (or the number of units to be provided) for the proposed apartment units. This will provide greater specificity for the

- Commission as well as staff to determine whether appropriate parking has been provided.**
10. **Staff note that Keyed Notes G7 and G11 do not appear to be labeled on the plans. Please add annotation which shows the location of these features on the plans.**
  11. **DelDOT Notes 5-6 appear to reference Subdivisions. Please clarify whether these provisions will apply to this proposal.**
  12. Please provide a drawing scale for the proposed plans.
  13. Please change the term “Handicap Spaces” to “ADA Accessible Spaces” within the Site Data Column.
  14. Staff notes that a total of three (3) ADA accessible spaces have been provided for this proposal. According to the IBC 2012 edition, the plan achieves the requirement of a minimum of three (3) required ADA accessible spaces for a total of 51-75 parking spaces (Table 1106.1 “Accessible Parking Spaces,” Page 11-14).
  15. Please amend the minor typographical error under Site Data Column #13 from “Section 89 – Source Water “Property” to “Section 89 – Source Water “Protection.”
  16. Please amend the Site Data Column to note that the proposal is located within an area of “Good” Groundwater Recharge Potential instead of an area of “Fair” Groundwater Recharge Potential as noted in order to comply with Chapter 89 “Source Water Protection” of the Sussex County Code (§89-7).
  17. Staff note that all parking spaces appear to achieve the 162 square foot minimum as required per Sussex County’s “Design Standards” (§115-166(A)(1). Additionally, staff note that a maximum of 20% of the required off-street parking spaces may have an area of 8 feet by 17 feet for compact cars, provided that the space is in a commercial parking lot with over 50 required spaces and if no more than four of the spaces for compact cars are placed side-by-side (in this case, 3 have been provided, which complies with Code requirements) (§115-166(A)(2)(a-c)).
  18. Staff note that all interior drive aisles achieve a minimum width of 24 feet as required by Code (§115-116(E)).
  19. Please include the 15-ft corner front yard setback within the Site Data Column (§115-182(B)).
  20. Please include topographic contours at one-foot intervals, unless waived by the Commission as clearly unnecessary to review the project or proposal (§115-220(B)(4)).
  21. Please provide the type (tidal vs. nontidal), nature (State or federal) and agency of jurisdiction (Delaware Department of Natural Resources and Environmental Control (DNREC) or Army Corps of Engineers) responsible for any wetlands on the site within the Site Data Column. (§115-220(B)(13)).
  22. DelDOT Record Plan Notes Numbers 4 and 6 appear to apply to subdivisions. Please remove them from the plans as they are not applicable to this proposal.

23. Staff notes that an appropriate number of loading areas (1 spaces) have been supplied for the use. A corporate office containing between 5,000 to 25,000 square feet (5,418 square feet of floor space) at grade would require a single loading space to be provided. (§115-167).
24. Please provide topographic contours at one-foot intervals, unless waived by the Commission as clearly unnecessary to review the project or proposal (§115-220(B)(4)).
25. Please provide the net development area of the parcel. As a general reminder, net development area shall refer to the total area of land available for development and shall not include open space, drainage land, regional roads and lands used for other public facilities (§115-220(B)(6)).
26. Please clarify the number of construction phases proposed, if any, and ensure that the plot shows the approximate boundaries of each phase, if the proposal should be constructed in multiple phases (115-220(B)(12)).
27. Please note within the Site Data Column that the proposal is also located within Flood Zone “X” per County records (§115-220(B)(14)).

#### Final Site Plan

1. **Please ensure that any proposed landscaping is shown on the plans. Any proposed landscaping must be certified to by a licensed landscape architect and the appropriate Certification Panel and signature line must appear on the plans.**
2. Please include a General Note on the plans which indicates that any proposed signage will require a separate permit issued from the County.
3. Please provide the net development area of the parcel. As a general reminder, net development area shall refer to the total area of land available for development and shall not include open space, drainage land, regional roads and lands used for other public facilities (§115-221(B)(3)).
4. Please include the approximate number of dwelling units to be included in each type of housing: ie: apartments. (For this proposal, please indicate that 20 apartment units are proposed.) (§115-221(B)(4)).
5. Please add the location and character of all outdoor lighting systems to the plans (§115-221(B)(5)).
6. Please include the proposed height of all fences, walls, screen planting and landscaping on the plans (§115-221(B)(9)).
7. Please include the location, character, size, height, and orientation of all proposed signs on the plans (§115-221(B)(11)).
8. Please include with the submittal, a bulk grading plan for the proposal showing the nature of all ground disturbance on the site (§115-221(B)(17)).
9. Please include the nature and location of all proposed trash receptacles on the plans.

10. Staff encourage the use of the following elements within the proposed Final Site Plan where practicable:
  - Provision of a bike rack in front of or near the building to encourage multimodal travel in this location.
  - Provision of an electric vehicle charging station. The Delaware Department of Natural Resources and Environmental Control provides an Electric Vehicle Charging Equipment Rebate Program for public areas. The rebate amounts are \$3,500 for single port and \$7,000 for dual port. Please contact DNREC's Division of Climate, Coastal and Energy for further information if interested (302)735-3480.
  - Provision of landscaping islands within parking areas to eliminate the amount of impervious surface cover provided as the site is located within an area "Good" Groundwater Recharge Potential.
11. Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office (All items in which a check mark appears have been received by the Department. Any items in bold have not been received and still require submittal to the Department):
  - a. **Sussex Conservation District**
  - b. **Office of State Fire Marshal**
  - c. **Delaware Department of Transportation (DelDOT)**

Once all of the above matters have been addressed, please provide **one (1) full-size copy** and **one (1) electronic copy** of a Revised Preliminary Site Plan at least ten (10) days prior to the Planning and Zoning Commission meeting you wish for your application to be considered at. If you wish for your application to be considered by the Planning and Zoning Commission as an "Other Business" item at their meeting scheduled for **Thursday, June 23, 2022**, please submit all required materials later than close of business on **Monday, June 13, 2022**.

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

Sincerely,



Ms. Lauren DeVore  
Planner III





18072 Davidson Drive  
 Milton, DE 19968  
 T: 302-684-8030  
 F: 302-684-8054

www.pennoni.com

July 25, 2022  
 FISHR22001

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

**RE: Preliminary Site Plan Submission  
 Grottos Headquarters Mixed Use Apartments  
 Tax Map # 334-19.00-170.03  
 Lewes & Rehoboth Hundred  
 Rehoboth Beach, DE 19971**

Dear Ms. Devore,

On behalf of Ocean South Associates, LLC., Pennoni Associates Inc. (Pennoni) is pleased to submit the revised Preliminary Site Plan for your consideration of review and approval. We have addressed the following comments per your letter received on June 2, 2022.

We have enclosed one (1) copy of the following documents for review and approval of the project.

<i>Item</i>	<i>Description</i>	<i>Last Revised</i>
<b>Drawings Prepared by Pennoni Associates Inc.</b>		
PP0001 & PP1001	Revised Preliminary Site Plan & Details	7/21/2022

Revised Preliminary Site Plan

*1. Please include the overall project density in dwelling units per acre within the Site Data Column. According to County records, the property consists of 1.01 acres and the proposal is for 20 apartment units. This yields a proposed density of 19.8 dwelling units to the acre which is above the permitted density for the General Commercial (C-1) Zoning District.*

**Pennoni Response (July 25, 2022):** We have added the density calculations as #9 in the site data table. We are only proposing 12 units above the first-floor office space.

*2. Please ensure that interconnectivity is provided. In the case of a proposed development as an “office building,” the site plan shall provide interconnectivity with adjacent parcels (§115-221(B)(18)) & (§115-219(A)(6)).*

**Pennoni Response (July 25, 2022):** The subject property cannot provide additional interconnectivity than it already is doing with Parcel 2 (TM# 334-19.00-170.02). The property to the south is an electrical substation that requires a secure area. The property to the east (Parcel 4 – TM# 334-19.00-170.04) is a residential community but per an existing agreement, this property utilizes the subject property entrance and access for trash pick-ups. As shown on the site plan, their dumpster area is located on the adjacent property but access to it from the



subject property. Behind the dumpster is a bike storage area for the residential community. The adjacent property would be burdened with relocating their dumpster and bike storage areas to allow interconnection.

3. *Staff are of the view that the property contains two front yards – a front yard along Coastal Highway (Route 1) of which a 60-ft setback shall be provided for buildings and structures of “Other” use from the front property line (§115-82(B)) and a 40-ft front yard setback from the front property line along Bay Vista Road (S.C.R. 273(A)) as required for Multifamily-type structures (Table II (115-82(B)). Please be advised as part of Note 6, “A lot fronting on a numbered road shown on the General Highway Map for Sussex County, as revised January 1979, shall have a front setback of not less than forty (40) feet, measured from the front property line.”*

**Pennoni Response (July 25, 2022):** We have updated the site plan to show a front yard for both areas as noted.

4. *Please ensure that 10-ft side and rear yards are provided on the plans. The Sussex County Code defines an “Apartment Building” as, “a building in which two or more apartments are located.” Additionally, the Code defines “multifamily dwellings” as “apartments, garden apartments, condominiums, duplexes and similar structures” (§115-4).*

**Pennoni Response (July 25, 2022):** The side and rear yard setbacks have been updated to be 10’; the plan view and site data table information has been updated.

5. *Staff notes that there are approximately fourteen (14) parking spaces located within the front yard setback. Please provide a letter to serve as a waiver request to allow parking within the front yard setback. It should be noted that, “Parking within the front yard setback shall be discouraged and subject to site plan review” (§115-166(C)).*

**Pennoni Response (July 25, 2022):** Please see attached the parking waiver request letter.

6. *Please note that a minimum of one landscape island shall be required once 25 single or 25 double spaces have been exceeded. Landscaping shall be either grass, ornamental landscaping, or shade trees (§115-166.1(B)(1)).*

**Pennoni Response (July 25, 2022):** We have added landscape island at the north corner of the parking lot breaking up the parking along the perimeter of the property. We will provide a landscape plan with final site plans.

7. *Please provide screening for all dumpsters and trash collection storage areas and loading areas. Within the C-1 Zoning District, all dumpsters must meet the following setbacks: 60-ft front yards, 30-ft side yards and 30-ft rear yards. Options for providing screening include a six (6-ft) high sight-tight fence or wall*

*or a four (4-ft) evergreen landscape screen subject to the Department of Agriculture (§115-170.1(A-C)).*

**Pennoni Response (July 25, 2022):** This comment is related to large-scale uses which we do not meet. The dumpster area will be screened as noted but the loading zone will not be screened.

8. *Staff notes that annotation has been provided which demonstrates that a 20-ft landscaped buffer will be provided as the subject property is located within the Combined Highway Corridor Overlay Zone (CHCOZ). Please show additional details regarding the nature, character, and extent of any landscaping to be required as well as the location of the required 60-ft setback within the General Commercial (C-1) Zoning District. As a general reminder, the CHCOZ is measured from the existing road right-of-way line along the Route 1 Corridor (§115-194.1(E)(3)).*

**Pennoni Response (July 25, 2022):** The CHCOZ overlay area is overlapping with DeIDOT's required 15' wide permanent easement. The area has multiple underground utility lines and will create a problem with landscaping that could compromise this infrastructure. The result of the proposed plan is reducing existing impervious area and converting it to grass within the CHCOZ area and ask if this will meet the intended requirements for landscaping in this area.

9. *Please detail the square footage to be utilized for the corporate office use and the square footage to be utilized (or the number of units to be provided) for the proposed apartment units. This will provide greater specificity for the Commission as well as staff to determine whether appropriate parking has been provided.*

**Pennoni Response (July 25, 2022):** Under #10 in the Site Data Table, we have provided detailed breakdown of the parking requirements to show we are meeting this requirement.

10. *Staff note that Keyed Notes G7 and G11 do not appear to be labeled on the plans. Please add annotation which shows the location of these features on the plans.*

**Pennoni Response (July 25, 2022):** We have verified all key notes are shown on plan view.

11. *DeIDOT Notes 5-6 appear to reference Subdivisions. Please clarify whether these provisions will apply to this proposal.*

**Pennoni Response (July 25, 2022):** We have reviewed the notes and updated accordingly.

12. *Please provide a drawing scale for the proposed plans.*

**Pennoni Response (July 25, 2022):** There is a drawing scale near the bottom right corner of the sheet.

13. *Please change the term "Handicap Spaces" to "ADA Accessible Spaces" within the Site Data Column.*

**Pennoni Response (July 25, 2022):** The language related to ADA spaces has been revised.

14. Staff notes that a total of three (3) ADA accessible spaces have been provided for this proposal. According to the IBC 2012 edition, the plan achieves the requirement of a minimum of three (3) required ADA accessible spaces for a total of 51-75 parking spaces (Table 1106.1 "Accessible Parking Spaces," Page 11-14).

**Pennoni Response (July 25, 2022): Correct, we have 3 ADA spaces shown on the plan.**

15. Please amend the minor typographical error under Site Data Column #13 from "Section 89 – Source Water "Property" to "Section 89 – Source Water "Protection."

**Pennoni Response (July 25, 2022): The note has been revised.**

16. Please amend the Site Data Column to note that the proposal is located within an area of "Good" Groundwater Recharge Potential instead of an area of "Fair" Groundwater Recharge Potential as noted in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

**Pennoni Response (July 25, 2022): The note has been revised.**

17. Staff note that all parking spaces appear to achieve the 162 square foot minimum as required per Sussex County's "Design Standards" (§115-166(A)(1). Additionally, staff note that a maximum of 20% of the required off-street parking spaces may have an area of 8 feet by 17 feet for compact cars, provided that the space is in a commercial parking lot with over 50 required spaces and if no more than four of the spaces for compact cars are placed side-by-side (in this case, 3 have been provided, which complies with Code requirements) (§115-166(A)(2)(a-c)).

**Pennoni Response (July 25, 2022): Correct, but per this revision, we have added a few compact spaces and located them together per code requirements.**

18. Staff note that all interior drive aisles achieve a minimum width of 24 feet as required by Code (§115-116(E)).

**Pennoni Response (July 25, 2022): Correct.**

19. Please include the 15-ft corner front yard setback within the Site Data Column (§115-182(B)).

**Pennoni Response (July 25, 2022): This does not apply and was not added to the plan.**

20. Please include topographic contours at one-foot intervals, unless waived by the Commission as clearly unnecessary to review the project or proposal (§115-220(B)(4)).

**Pennoni Response (July 25, 2022): We have added the existing contours to the plan. The proposed grading of the site is very flat and there is minimum elevation change in the parking areas.**

21. Please provide the type (tidal vs. nontidal), nature (State or federal) and agency of jurisdiction (Delaware Department of Natural Resources and Environmental Control (DNREC) or Army Corps

*of Engineers) responsible for any wetlands on the site within the Site Data Column. (§115-220(B)(13)).*

**Pennoni Response (July 25, 2022):** There are no wetlands on the property, but under #19 & 20 in the site data table we reference both tidal and non-tidal wetlands equal zero acres.

22. *DelDOT Record Plan Notes Numbers 4 and 6 appear to apply to subdivisions. Please remove them from the plans as they are not applicable to this proposal.*

**Pennoni Response (July 25, 2022):** We have reviewed the notes and updated them accordingly.

23. *Staff notes that an appropriate number of loading areas (1 spaces) have been supplied for the use. A corporate office containing between 5,000 to 25,000 square feet (5,418 square feet of floor space) at grade would require a single loading space to be provided. (§115-167).*

**Pennoni Response (July 25, 2022):** Correct, we show a single designated loading space.

24. *Please provide topographic contours at one-foot intervals, unless waived by the Commission as clearly unnecessary to review the project or proposal (§115-220(B)(4)).*

**Pennoni Response (July 25, 2022):** We have added the existing contours to the plan. The proposed grading of the site is very flat and there is minimum elevation change in the parking areas.

25. *Please provide the net development area of the parcel. As a general reminder, net development area shall refer to the total area of land available for development and shall not include open space, drainage land, regional roads and lands used for other public facilities (§115-220(B)(6)).*

**Pennoni Response (July 25, 2022):** The net development area has been added to the site data table, note #12.

26. *Please clarify the number of construction phases proposed, if any, and ensure that the plot shows the approximate boundaries of each phase, if the proposal should be constructed in multiple phases (115-220(B)(12)).*

**Pennoni Response (July 25, 2022):** The project consists of a single building, so the project will be built in one phase. Refer to General Note #14.

27. *Please note within the Site Data Column that the proposal is also located within Flood Zone "X" per County records (§115-220(B)(14)).*

**Pennoni Response (July 25, 2022):** Correct.

### Final Site Plan

1. *Please ensure that any proposed landscaping is shown on the plans. Any proposed landscaping must be certified to by a licensed landscape architect and the appropriate Certification Panel and signature line must appear on the plans.*

**Pennoni Response (July 25, 2022):** We will submit a landscaping plan with the final site plans.

2. *Please include a General Note on the plans which indicates that any proposed signage will require a separate permit issued from the County.*

**Pennoni Response (July 25, 2022): Refer to General Note #30.**

3. *Please provide the net development area of the parcel. As a general reminder, net development area shall refer to the total area of land available for development and shall not include open space, drainage land, regional roads and lands used for other public facilities (§115-221(B)(3)).*

**Pennoni Response (July 25, 2022): The net development area has been added to the site data table, note #12.**

4. *Please include the approximate number of dwelling units to be included in each type of housing; ie: apartments. (For this proposal, please indicate that 20 apartment units are proposed.) (§115-221(B)(4)).*

**Pennoni Response (July 25, 2022): In the site data table, under note #6, the proposed use is listed as office space and 12 apartment units. The breakdown of the apartment units between 1 and 2 bedrooms is shown under the parking breakdown. The building will have eight 1-bedroom apartments and four 2-bedroom units.**

5. *Please add the location and character of all outdoor lighting systems to the plans (§115-221(B)(5)).*

**Pennoni Response (July 25, 2022): We will submit a lighting plan with the final site plan.**

6. *Please include the proposed height of all fences, walls, screen planting and landscaping on the plans (§115-221(B)(9)).*

**Pennoni Response (July 25, 2022): We will include this information with the final site plan.**

7. *Please include the location, character, size, height, and orientation of all proposed signs on the plans (§115-221(B)(11)).*

**Pennoni Response (July 25, 2022): The proposed sign locations are shown on the plan, but the details of these signs will be part of the separate sign application that is required.**

8. *Please include with the submittal, a bulk grading plan for the proposal showing the nature of all ground disturbance on the site (§115-221(B)(17)).*

**Pennoni Response (July 25, 2022): A bulk grading plan will be submitted with the final site plans.**

9. *Please include the nature and location of all proposed trash receptacles on the plans.*

**Pennoni Response (July 25, 2022): We have identified the proposed dumpster area which will be screened. Refer to Keynote G9 and G17.**

10. *Staff encourage the use of the following elements within the proposed Final Site Plan where practicable:*
- *Provision of a bike rack in front of or near the building to encourage multimodal travel in this location.*

**Pennoni Response (July 25, 2022): The project is proposing an indoor bike storage room and not outside bike storage.**

- *Provision of an electric vehicle charging station. The Delaware Department of Natural Resources and Environmental Control provides an Electric Vehicle Charging Equipment Rebate Program for public areas. The rebate amounts are \$3,500 for single port and \$7,000 for dual port. Please contact DNREC's Division of Climate, Coastal and Energy for further information if interested (302)735-3480.*

**Pennoni Response (July 25, 2022): We have identified 2 parking spaces for electrical vehicle charging station. Refer to Keynote G19.**

- *Provision of landscaping islands within parking areas to eliminate the amount of impervious surface cover provided as the site is located within an area "Good" Groundwater Recharge Potential.*

**Pennoni Response (July 25, 2022): The proposed project has decreased the total impervious area compared to existing conditions. The potential runoff will be conveyed to the existing drainage infrastructure along with infiltrating in all open space areas.**

11. *Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office (All items in which a check mark appears have been received by the Department. Any items in bold have not been received and still require submittal to the Department):*

- a. *Sussex Conservation District*
- b. *Office of State Fire Marshal*
- c. ***Delaware Department of Transportation (DelDOT)***

**Pennoni Response (July 25, 2022): Understood.**

If you have any comments or need additional information, please call us at (302) 684-8030.

Sincerely,

**PENNONI ASSOCIATES INC.**



Alan Decktor, PE, ENV SP  
Senior Engineer

CC.

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

August 2, 2022

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

Attn: Mr. Jamie Whitehouse

RE: Red Mill Pond – Amenity  
Tax Map Parcel No: 3-34-5.00-170.00  
DBF #1319A015

Mr. Whitehouse,

On behalf of the Developer K. Hovnanian, we are requesting the revision of condition number eleven (11) from Conditions approved on August 15<sup>th</sup>, 2007. Currently, the condition reads, “All amenities and recreational facilities shall be constructed and open for use by the residents of the development within 2 years of the issuance of the first building permit.” The developer met with Homeowner’s in November of 2021 to discuss offering more Amenities than the previous developer. Homeowner’s agreed and updated plans were designed and approved. When the request came to lengthen the requirement for Amenity completion, the developer asked for 1 year from reapproval. However, there was a mix up between the request and what was passed on from staff and the Commission granted an additional year from the original Condition. Based on material lead times K. Hovnanian is requesting this condition be amended to June 23, 2023.

If you have any questions or need additional information, please do not hesitate to contact me at (302) 424-1441 or [jls@dbfinc.com](mailto:jls@dbfinc.com)

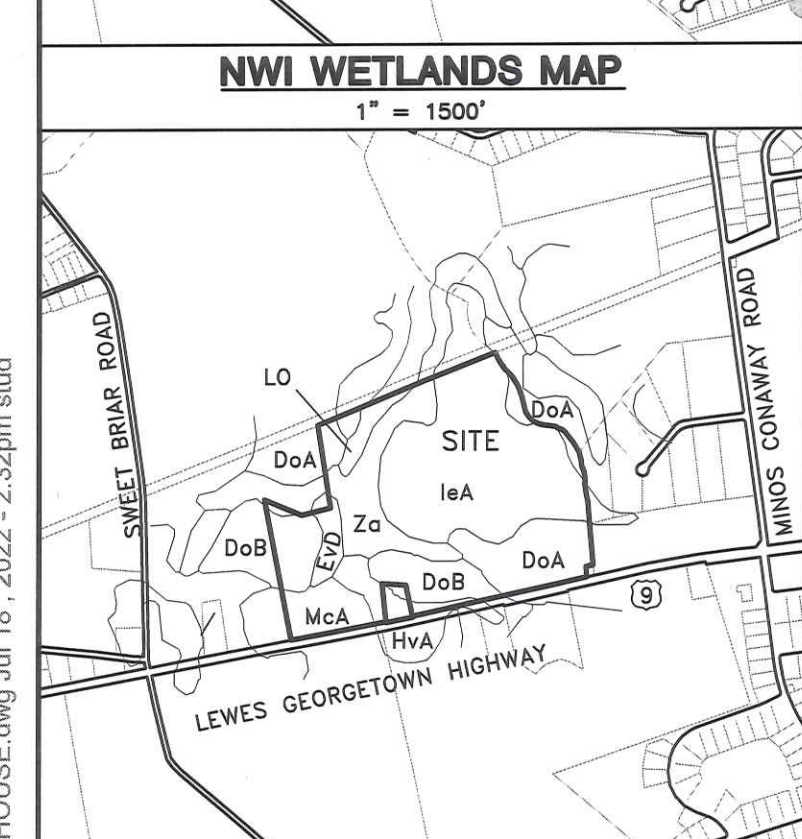
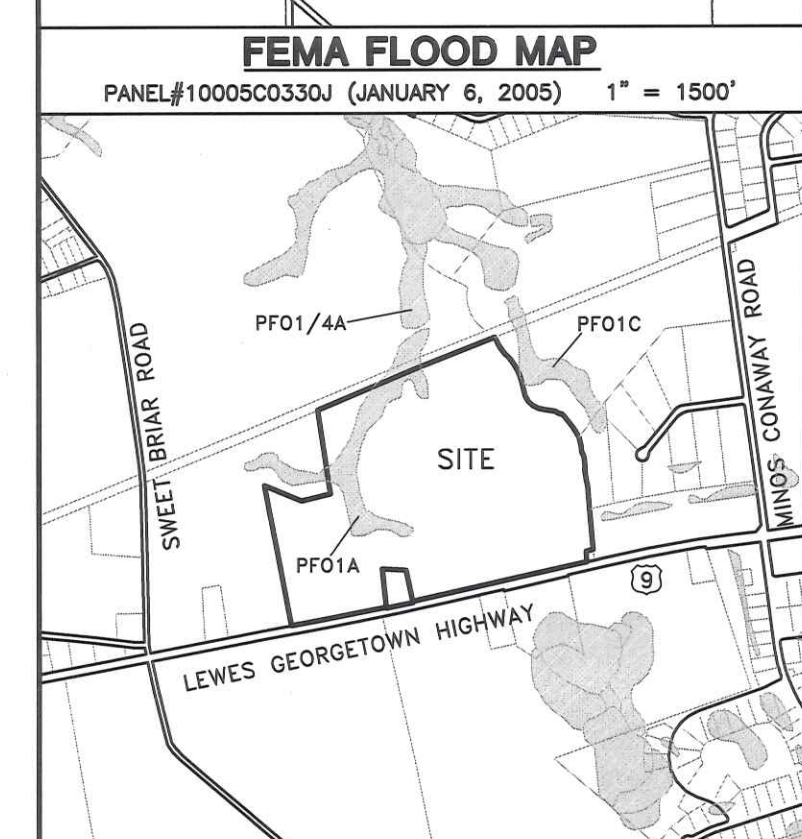
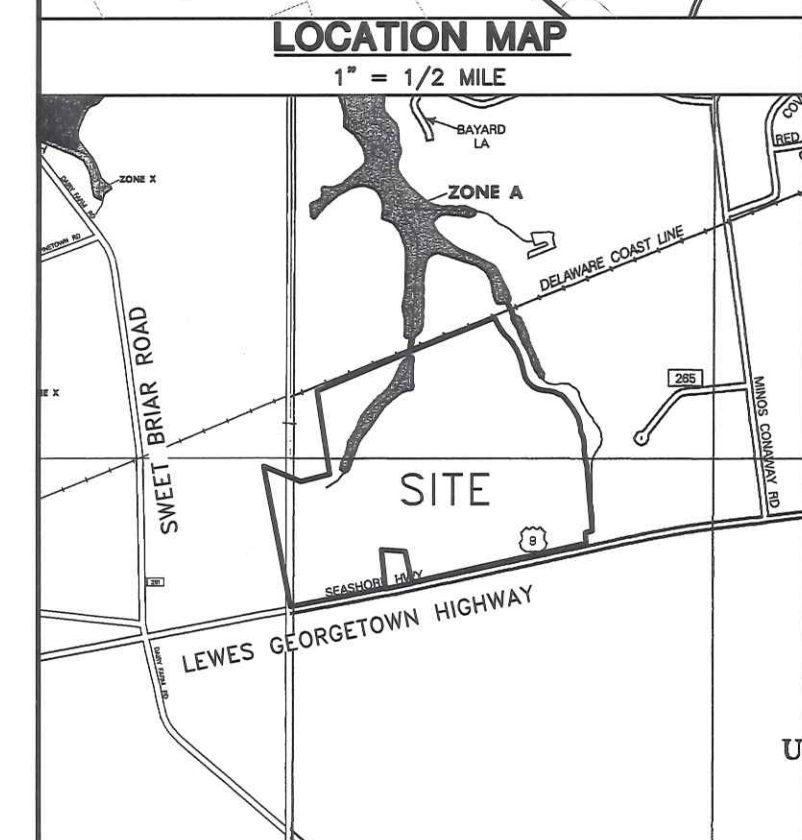
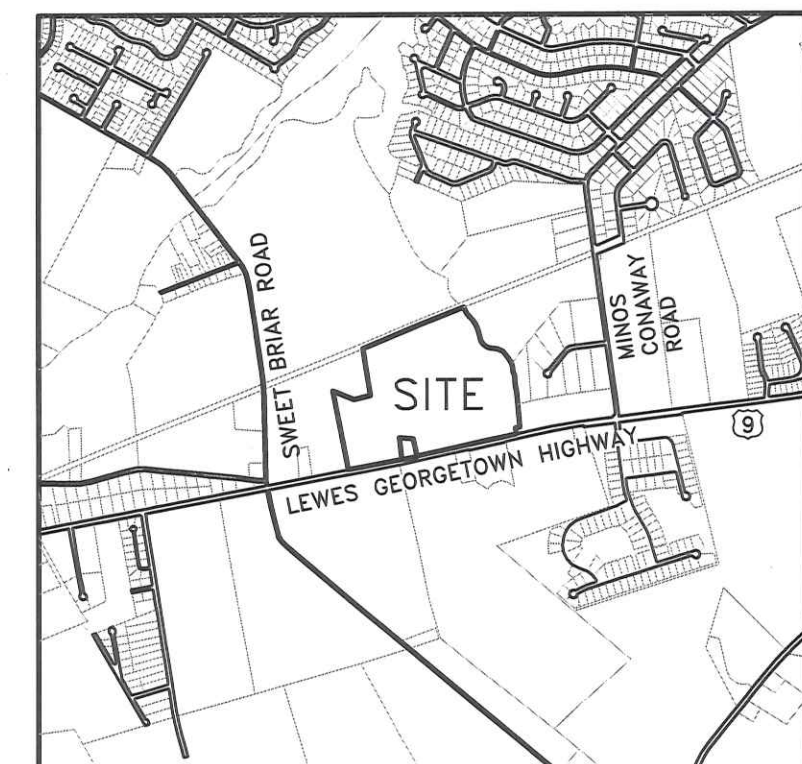
Sincerely,  
Davis, Bowen & Friedel, Inc.



Jamie Sechler, P.E.  
Principal





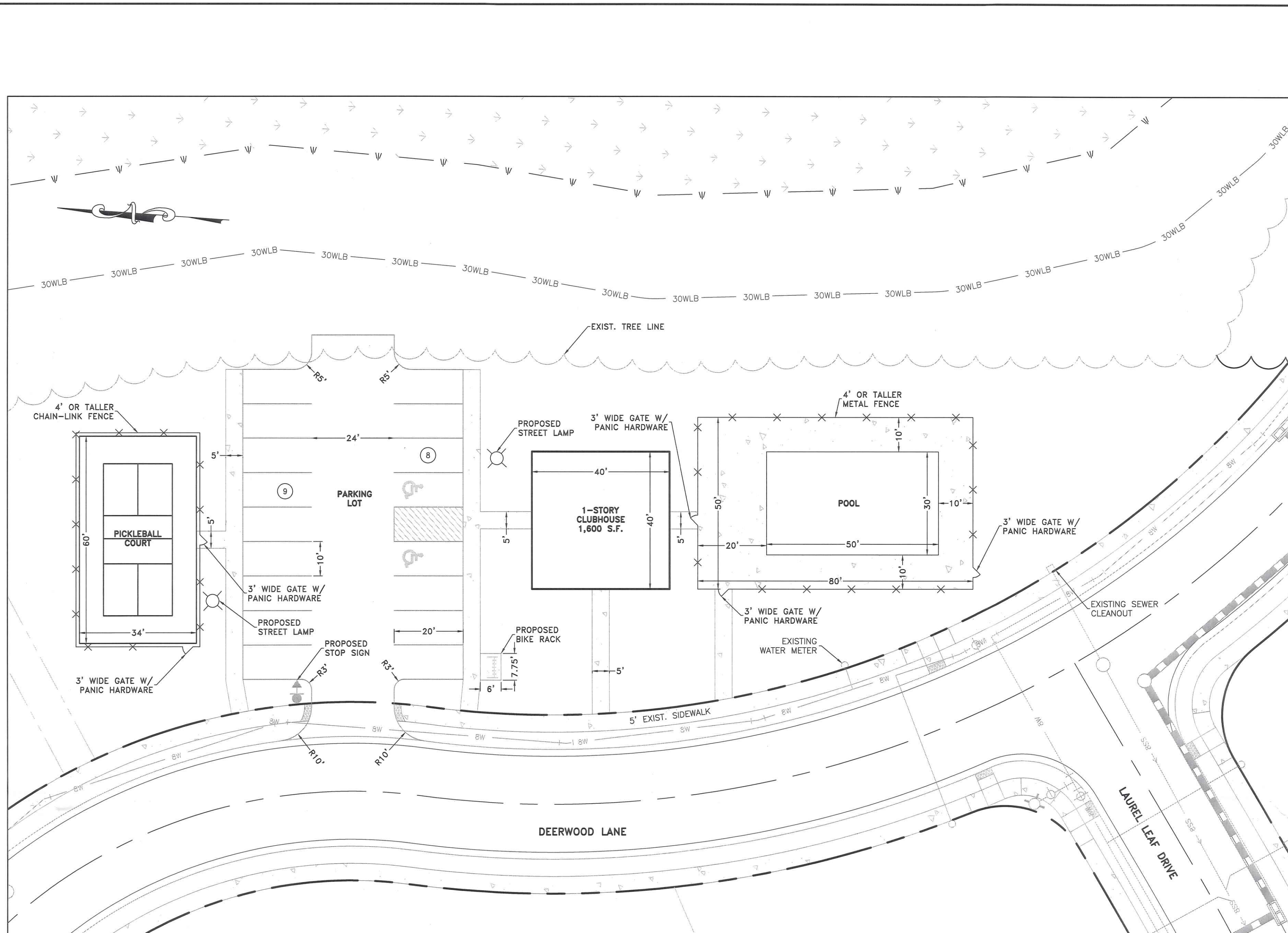


**SOILS DATA**

LABEL	SOIL NAME	TYPE
DoA	DOWNER	B
DoB	DOWNER	B
Evd	EVESBORO	A
HvA	HURLOCK	B/D
IsA	INGLESIDE	B
Lo	LONGMARSH	D
McA	MARSHHOPE	C
Za	ZEDJAH	D

**LEGEND**

- EXISTING CONTOUR: - - - - -
- PROPOSED CONTOUR: ————
- RIGHT-OF-WAY / PROPERTY LINE: ————
- BUILDING SETBACK LINE: - - - - -
- CATCH BASIN, STORM PIPE, STORM MANHOLE: [Symbol]
- SANITARY SEWER MANHOLE, PIPE, FLOW ARROW: [Symbol]
- SANITARY SEWER LATERAL: [Symbol]
- WATER MAIN, TEE W/ VALVES, PIPE SIZE: [Symbol]
- WATER LATERAL: [Symbol]
- FIRE HYDRANT ASSEMBLY: [Symbol]
- FENCE: [Symbol]
- PAVEMENT / FULL DEPTH: [Symbol]
- SIDEWALK: [Symbol]
- PROPOSED SPOT GRADES: [Symbol]
- EXISTING SPOT GRADES: [Symbol]



**FIRE PROTECTION NOTES**

- ALL FIRE LANES, HYDRANTS, EXITS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS (DSFPR, 705, CHAPTER 5).
- WATER PROVIDER: TIDEWATER UTILITIES, INC.
- PROPOSED BUILDING CONSTRUCTION: TYPE V (000)
- INTENDED USE: CLUB HOUSE, POOL AND POOL DECK - ASSEMBLY
- PROPOSED BUILDING HEIGHT: < 42 FEET
- PROPOSED BUILDING SQUARE FOOTAGE: 1,600 ± S.F.
- SITE WILL BE SERVED BY AN UNDERGROUND CLOSED PIPE NATURAL GAS OR PROPANE SYSTEM.
- AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.

**GENERAL NOTES:**

- CONTRACTOR TO INSTALL TRACER WIRE ON SERVICE LINE FOR THE POOL HOUSE.
- THE DESIGNATED HOMEOWNERS ASSOCIATION ASSUMES RESPONSIBILITY FOR THE AMENITIES WITHIN RED MILL POND SOUTH.
- RECREATIONAL AMENITIES TO SERVE THE RESIDENTS OF RED MILL POND SOUTH.
- HANDICAP CURB RAMPS SHALL CONFORM TO ADA STANDARDS AND SPECIFICATIONS.
- OUTDOOR LIGHTING SHALL BE SHIELDED AND DOWNWARD SCREENED.

**DATA COLUMN**

TAX MAP ID:	3-34-5.00-170.00
DATUM:	NAVD 89
VERTICAL:	NAD 83 (DE STATE PLANE)
HORIZONTAL:	
EXISTING ZONING:	AR-1 AGRICULTURAL RESIDENTIAL DISTRICT
PROPOSED ZONING:	AR-1 AGRICULTURAL RESIDENTIAL DISTRICT
COASTAL AREA:	PROJECT LIES WITHIN THE COASTAL AREA
SOURCE WATER PROTECTION:	PROJECT IS NOT WITHIN A WELLHEAD PROTECTION AREA. PROJECT IS WITHIN THE "FAIR" GROUNDWATER RECHARGE AREA.
FLOOD HAZARD MAP:	THE SITE IS LOCATED ON THE FEMA FLOOD INSURANCE RATE MAP #10005C0330J, DATED JANUARY 6, 2005.
WETLANDS:	THIS SITE AS SHOWN HEREON CONTAINS STATE OR FEDERALLY REGULATED WETLANDS BASED ON NWI AND DNR/CWETLAND MAPS.
TOTAL:	83.384 AC.
PARKING REQUIREMENTS:	304 S.F. ASSEMBLY / 50 = 7 SPACES 500 S.F. INDOOR RECREATION / 150 = 4 SPACES TOTAL = 11 SPACES REQUIRED
PARKING PROVIDED:	17 SPACES
LAND USE AREAS:	
SINGLE FAMILY LOTS:	36.996 ACRES
RIGHT-OF-WAY:	11.804 ACRES
OPEN SPACE:	34.416 ACRES
PUMPSTATION:	0.073 ACRES
RIGHT-OF-WAY DEDICATION:	0.095 ACRES
TOTAL SITE AREA:	83.384 ACRES
NET DEVELOPMENT AREA:	36.996 ACRES
REQUIRED OPEN SPACE:	30%
PROPOSED OPEN SPACE:	41%
LOD AREA:	0.618 AC.±
EXISTING WOODED AREA:	23.84 AC.
PROPOSED WOODED AREA:	22.21 AC. (93%)
EXISTING WETLANDS AREA:	10.54 AC.
AR-1 MINIMUM ZONING REQUIREMENTS	
FRONT YARD SETBACK:	25 FT. (CORNER LOTS ALLOW FOR ONE 25' SETBACK AND ONE 15' SETBACK)
SIDE YARD SETBACK:	10 FT.
REAR YARD SETBACK:	10 FT.
MIN. LOT AREA:	7,500 SF.
AVG. LOT AREA:	9,105 SF. (0.21 AC.)
WIDTH OF LOT:	60 FT.
MIN. LOT DEPTH:	100 FT.
VOLUNTARY NON-TIDAL WETLANDS BUFFER:	30 FT.
SANITARY SEWER:	WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (SUSSEX COUNTY AGREEMENT #446-9)
WATER SUPPLY:	TIDEWATER UTILITIES
PROPOSED MAXIMUM BUILDING HEIGHT:	42 FT. (3-1/2 STORIES)
PROPOSED BUILDING HEIGHT:	20 FT.
PROPOSED BUILDING CONSTRUCTION:	WOOD CONSTRUCTION
PROJECT IS LOCATED IN THE HENLOPEN TRANSPORTATION IMPROVEMENT DISTRICT.	

**ENGINEER'S STATEMENT**

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

JUL 18 2022  
DATE

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

**OWNER/DEVELOPER STATEMENT**

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

JUL 20 2022  
DATE

K. HOVHANIAN HOMES OF DELAWARE I, LLC  
2499 SOUTH DUPONT HWY. SUITE G  
SMYRNA, DE 1997

APPROVED  
Ref: P&Z Commission  
JUL 20 2022  
SUSSEX COUNTY  
PLANNING & ZONING COMMISSION  
S.P.S.

**THE VILLAGES AT RED MILL POND-SOUTH AMENITIES**  
**RESIDENTIAL SUBDIVISION**  
**SUSSEX COUNTY, DELAWARE**

ARCHITECTS ENGINEERS SURVEYORS  
 SUSSEX COUNTY, DELAWARE (LIC) 654-9000  
 WILMINGTON, DELAWARE (LIC) 424-1441  
 EASTON, MARYLAND (LIC) 770-1444

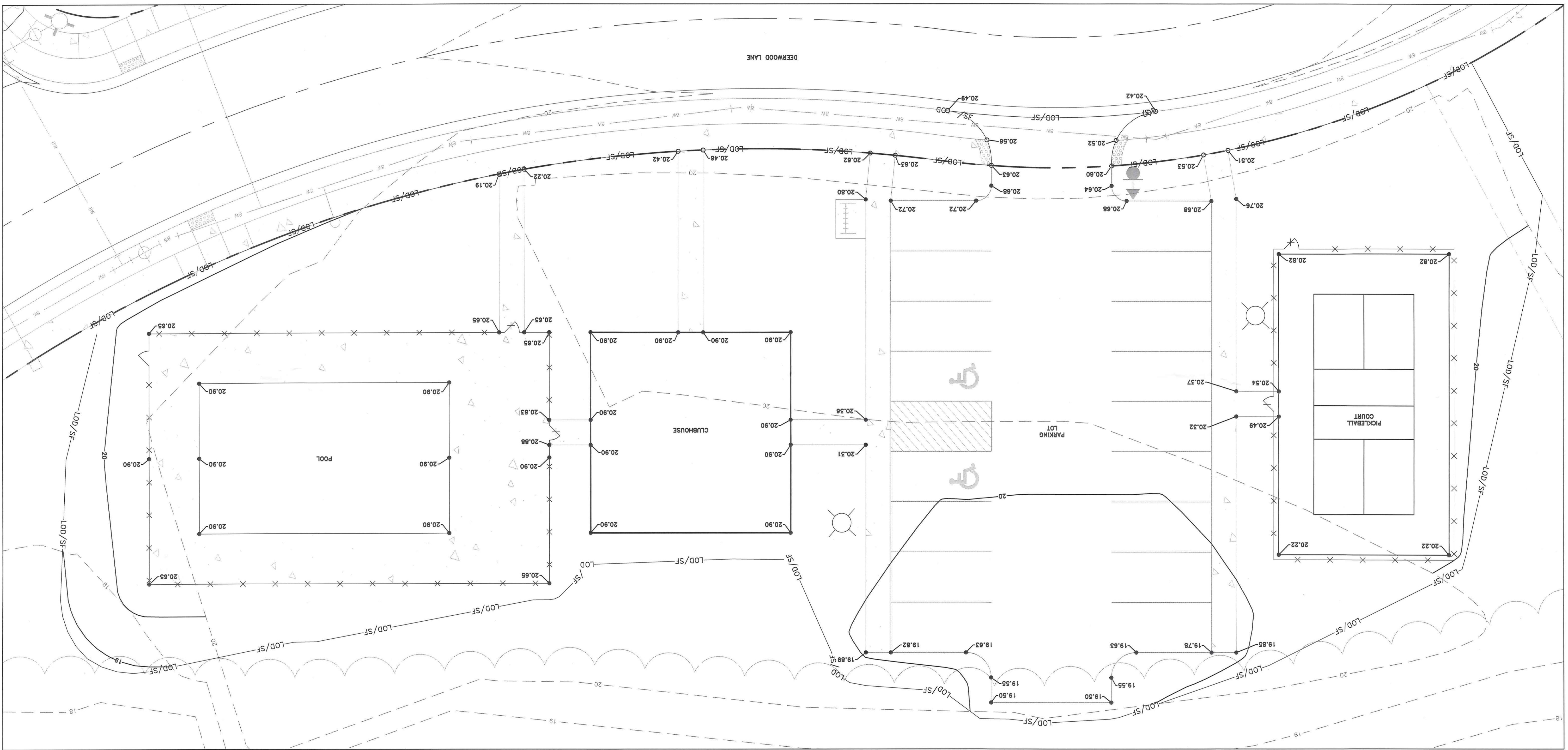
**DAVIS, BOWEN & FRIEDEL, INC.**

**SITE PLAN**

Revisions:

Date:	JANUARY 2022
Scale:	1"=20'
Dwn.By:	RPK
Proj.No.:	14436001
Dwg.No.:	01





02  
 Dwg No.:  
 Proj No.: 1443G001  
 Dwn By: RPK  
 Scale: 1"=10'  
 Date: JANUARY 2022

Revisions:  
**THE VILLAGES AT RED MILL POND-SOUTH AMENITIES**  
**RESIDENTIAL SUBDIVISION**  
 SUSSEX COUNTY DELAWARE

**DAVIS BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 SUSSUNY, WENTLAND  
 HARTON, BEAUMON  
 SUTTON, BROWN  
 (410) 543-9881  
 (410) 543-1441  
 (410) 572-1144







DAVIS BOWEN & FRIEDEL, INC.  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 776-1414

THE VILLAGES AT RED MILL POND-SOUTH AMENITIES  
 RESIDENTIAL SUBDIVISION  
 SUSSEX COUNTY, DELAWARE

Revisions:  
 Date: JANUARY 2022  
 Scale: 1"=10'  
 Dwn.By: RPK  
 Proj.No.: 14436001  
 Dwg.No.: 03

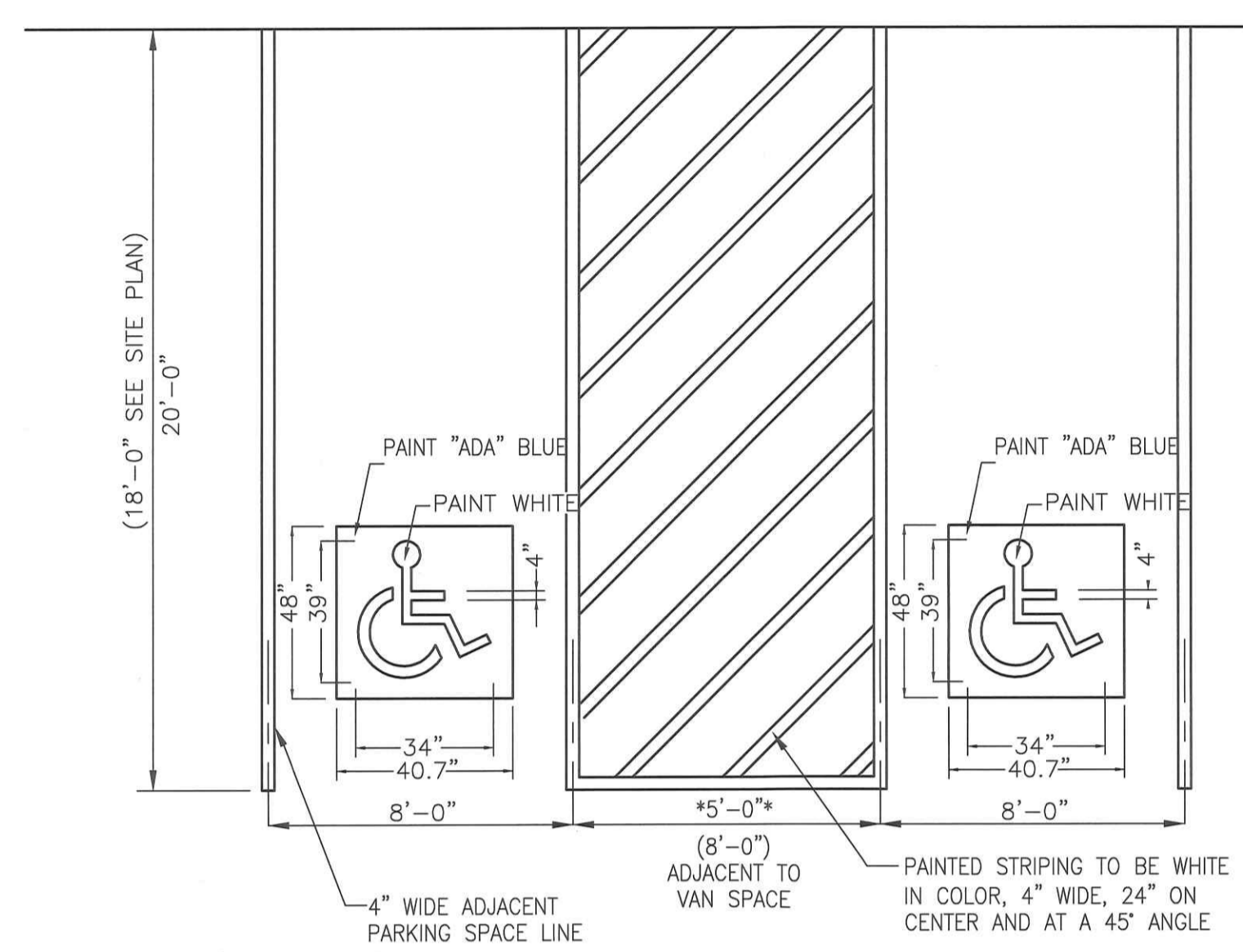
**GENERAL NOTES:**

1. REVIEW AND OR APPROVAL OF THE SEDIMENT AND STORMWATER MANAGEMENT PLAN SHALL NOT RELIEVE THE CONTRACTOR FROM HIS OR HER RESPONSIBILITIES FOR COMPLIANCE WITH THE REQUIREMENTS OF THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS, NOR SHALL IT RELIEVE THE CONTRACTOR FROM ERRORS OR OMISSIONS IN THE APPROVED PLAN.
2. IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY DNREC OR THE DELEGATED AGENCY.
3. FOLLOWING SOIL DISTURBANCE OR REDISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED FOR ALL PERIMETER SEDIMENT CONTROLS, SOIL STOCKPILES, AND ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE WITHIN 14 CALENDAR DAYS UNLESS MORE RESTRICTIVE FEDERAL REQUIREMENTS APPLY.
4. ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL COMPLY WITH THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
5. AT ANY TIME A DEWATERING OPERATION IS USED, IT SHALL BE PREVIOUSLY APPROVED BY THE AGENCY CONSTRUCTION SITE REVIEWER FOR A NON-EROSIVE POINT OF DISCHARGE, AND A DEWATERING PERMIT SHALL BE APPROVED BY THE DNREC WELL PERMITTING BRANCH.
6. APPROVAL OF A SEDIMENT AND STORMWATER MANAGEMENT PLAN DOES NOT GRANT OR IMPLY A RIGHT TO DISCHARGE STORMWATER RUNOFF. THE OWNER/DEVELOPER IS RESPONSIBLE FOR ACQUIRING ANY AND ALL AGREEMENTS, EASEMENTS, ETC., NECESSARY TO COMPLY WITH STATE DRAINAGE AND OTHER APPLICABLE LAWS.
7. BEST AVAILABLE TECHNOLOGY (BAT) SHALL BE EMPLOYED TO MANAGE TURBID DISCHARGES IN ACCORDANCE WITH REQUIREMENTS OF 7. DEL. C. CH 60, REGULATIONS GOVERNING THE CONTROL OF WATER POLLUTION, SECTION 9.1.02, KNOWN AS SPECIAL CONDITIONS FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES, AND DEPARTMENT POLICIES, PROCEDURES, AND GUIDANCE.
8. CONTRACTOR TO INSTALL TRACER WIRE ON SERVICE LINE FOR THE POOL HOUSE.
9. THE DESIGNATED HOMEOWNERS ASSOCIATION ASSUMES RESPONSIBILITY FOR THE AMENITIES AT MARSH ISLAND.
10. RECREATIONAL AMENITIES TO SERVE THE RESIDENTS OF RED MILL SOUTH.
11. HANDICAP CURB RAMPS SHALL CONFORM TO ADA STANDARDS AND SPECIFICATIONS.
12. CLUBHOUSE, AMENITIES AND SWIMMING POOL ARE REQUIRED TO BE PROVIDED IN ORDER TO COMPLY WITH CONDITION 8 OF THE 13 CONDITIONS ASSOCIATED WITH THE PRELIMINARY SITE PLAN APPROVAL FOR LANDLOCK ACRES (2005-73) (FORMER SUBDIVISION NAME) AMENITIES, INCLUDING A CLUBHOUSE AND SWIMMING POOL SHALL BE CONSTRUCTED AND OPEN TO USE BY RESIDENTS OF THE DEVELOPMENT WITHIN 2 YEARS OF THE ISSUANCE OF THE FIRST RESIDENTIAL BUILDING PERMIT.

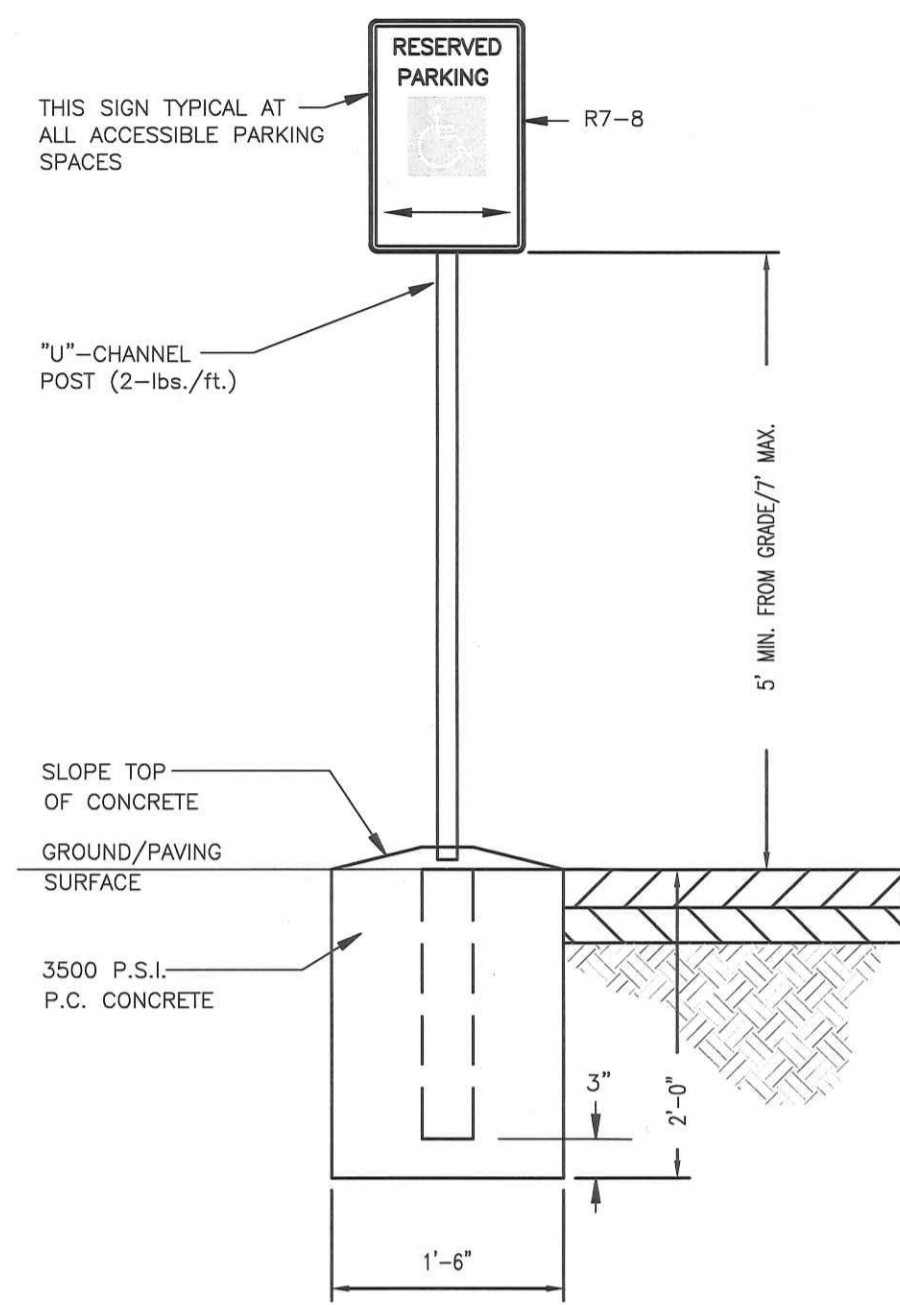
**SEQUENCE OF CONSTRUCTION**

NOTIFY THE SUSSEX CONSERVATION DISTRICT IN WRITING AT LEAST FIVE (5) DAYS PRIOR TO THE START OF CONSTRUCTION. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED SEDIMENT AND STORMWATER MANAGEMENT PLAN.

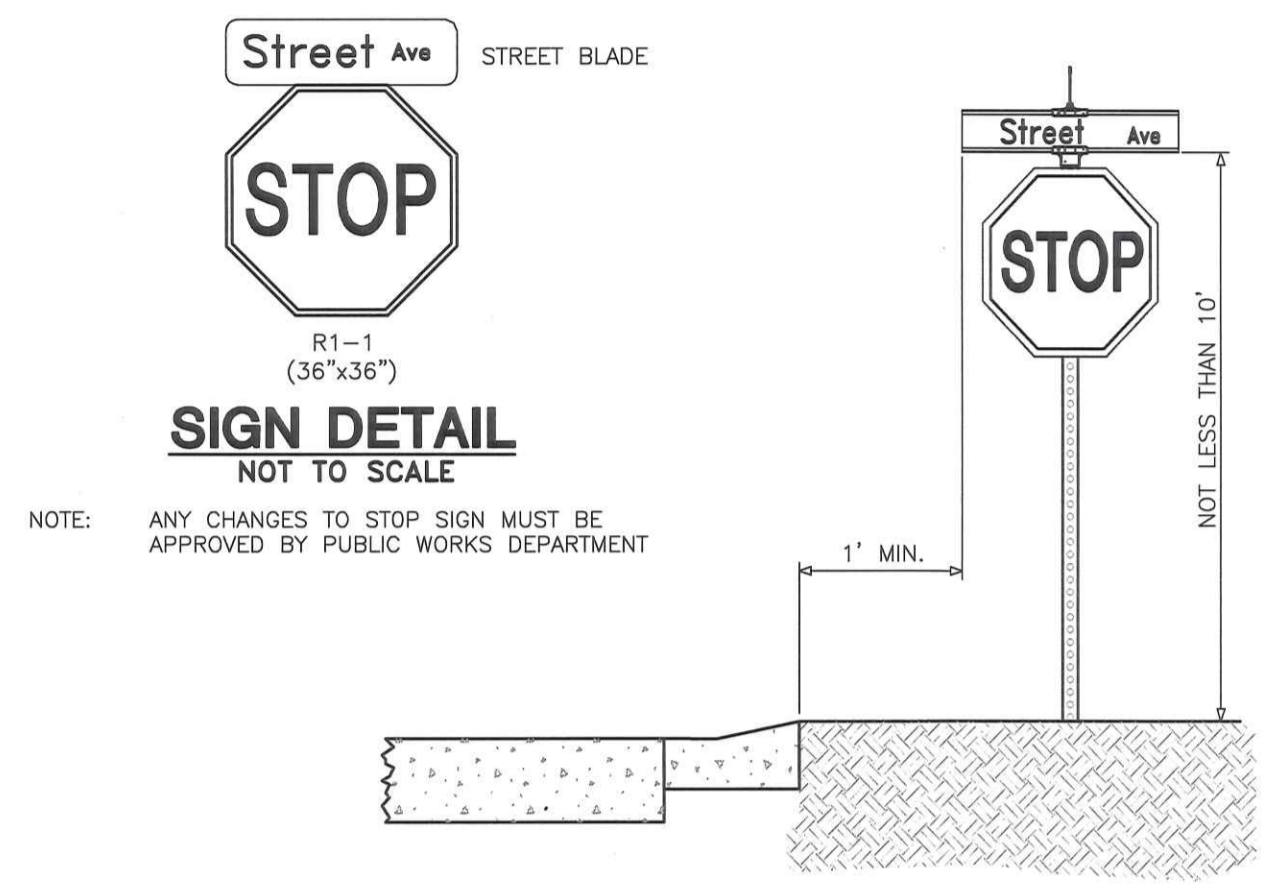
1. INSTALL ALL PRE-BULK EROSION & SEDIMENT CONTROLS. CCR SHALL REVIEW INSTALLATION OF THE INSTALLATION OF THE EROSION & SEDIMENT CONTROLS.
2. ALL PERIMETER CONTROLS ARE TO BE REVIEWED BY THE AGENCY CONSTRUCTION SITE REVIEWER AND APPROVED PRIOR TO PROCEEDING WITH FURTHER SITE DISTURBANCE OR CONSTRUCTION.
3. THE CONTRACTOR SHALL AT ALL TIMES PROTECT AGAINST SEDIMENT OR DEBRIS LADEN RUNOFF OR WIND FROM LEAVING THE SITE. PERIMETER CONTROLS SHOULD BE CHECKED DAILY AND ADJUSTED AND/OR REPAIRED TO FULLY CONTAIN AND CONTROL SEDIMENTATION ON THE SITE. IN ADDITION, THE CONTRACTOR MAY NEED TO ADJUST OR REPAIR MEASURES IN TIMES OF ADVERSE WEATHER CONDITIONS, OR AS DIRECTED BY THE AGENCY CONSTRUCTION SITE REVIEWER.
4. MINIMIZE DEMOLITION, CLEARING AND GRADING OPERATIONS TO AREAS NECESSARY FOR IMMEDIATE CONSTRUCTION ACTIVITY.
5. PERFORM ANY REQUIRED DEMOLITION OF THE EXISTING SITE.
6. STRIP TOPSOIL AND PERFORM ROUGH GRADING FOR BUILDING AND AMENITY AREAS.
7. EXPORT FILL, GRADE FOR BUILDINGS. BEGIN BUILDING CONSTRUCTION.
8. FINE GRADE FOR PROPOSED AMENITY AREAS, PLACE STONE PER PAVEMENT SPECIFICATIONS AND PLANS.
9. UPON COMPLETION OF PAVING AND STABILIZATION OF ALL DISTURBED AREAS,  
 A. REMOVE SEDIMENT FROM STORMDRAIN SYSTEM.  
 B. STABILIZE DISTURBANCE IMMEDIATELY.
10. RESTORE ALL DISTURBED AREAS NOT TO BE COVERED BY PAVEMENT WITH PERMANENT STABILIZATION IN ACCORDANCE WITH ITEM 14 OF THE EROSION AND SEDIMENT CONTROL NOTES.
11. NOTIFY THE CCR AT LEAST THREE (3) DAYS PRIOR TO START OF THE STORMWATER SYSTEM CONSTRUCTION; STORMWATER FACILITIES MUST BE REVIEWED THROUGHOUT THEIR CONSTRUCTION.
12. EROSION AND SEDIMENT CONTROL DEVICES SHOULD BE REMOVED ONLY AFTER WORK IN AN AREA HAS BEEN COMPLETED AND STABILIZED, WITH WRITTEN APPROVAL FROM THE AGENCY CONSTRUCTION SITE REVIEWER.



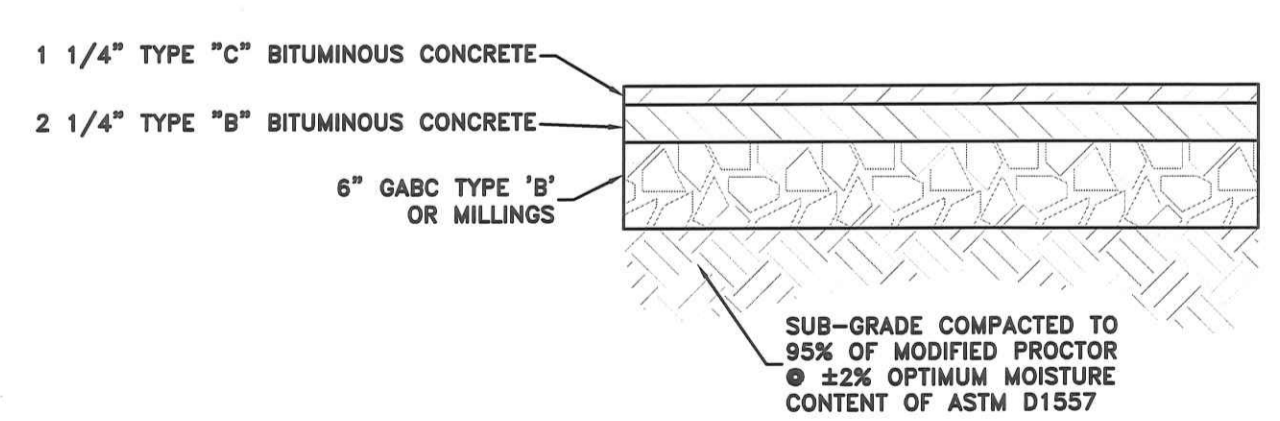
**HANDICAP PARKING DETAIL**  
 NOT TO SCALE



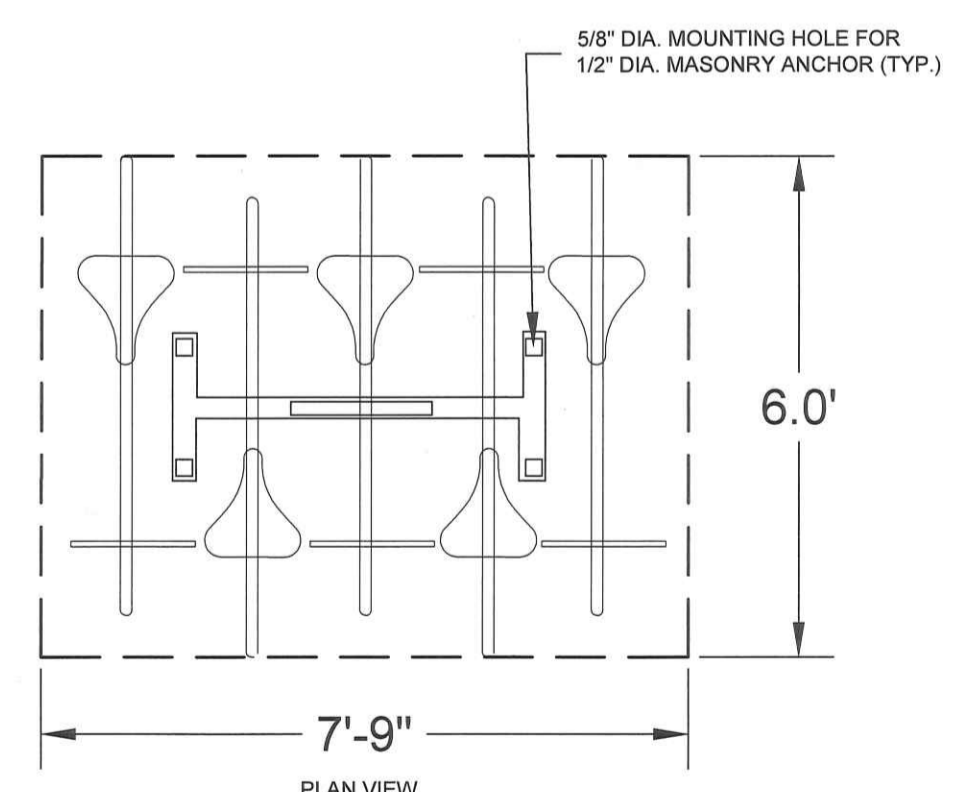
**SIGNAGE FOR HANDICAPPED PARKING SPACE**  
 NOT TO SCALE



**TYPICAL SIGN INSTALLATION**  
 NOT TO SCALE



**PAVEMENT SECTION**  
 NOT TO SCALE

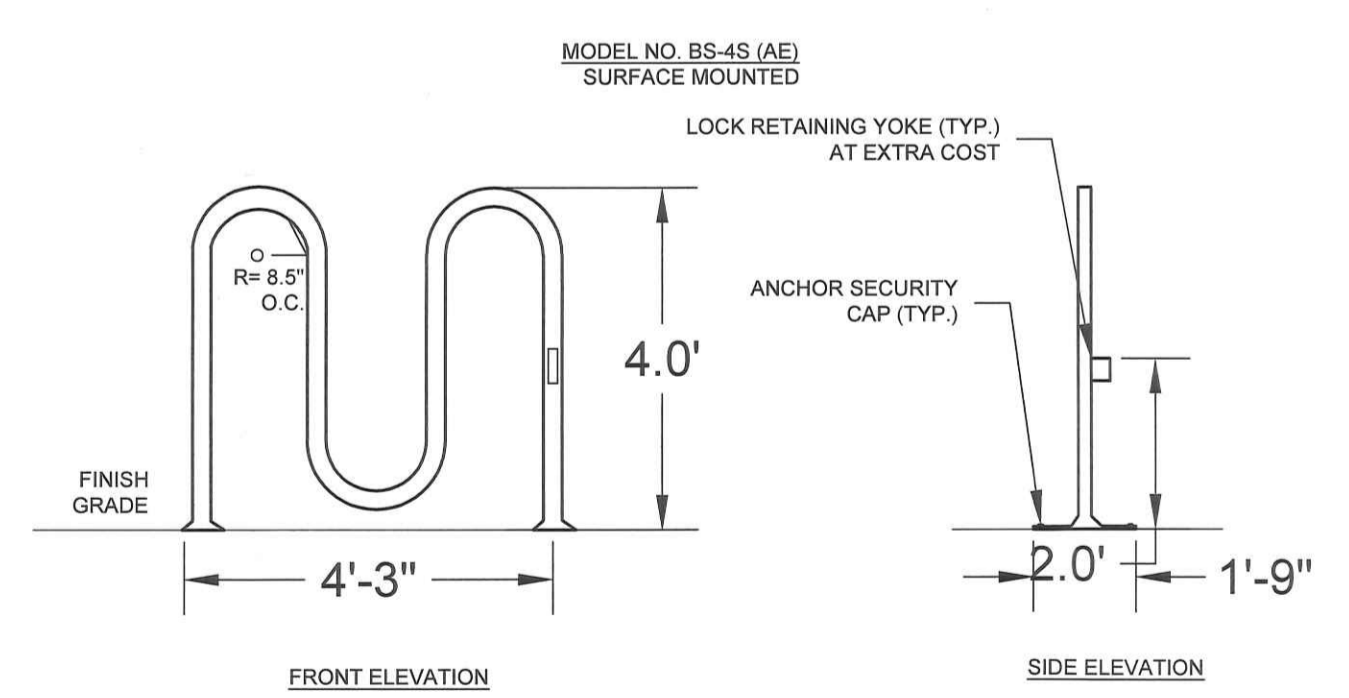


**ORDERING INFORMATION**  
 BIKE-STANCHIONS: ADULT-EXPANDED (AE) VERSION, MODERATE SECURITY BIKE RACKS

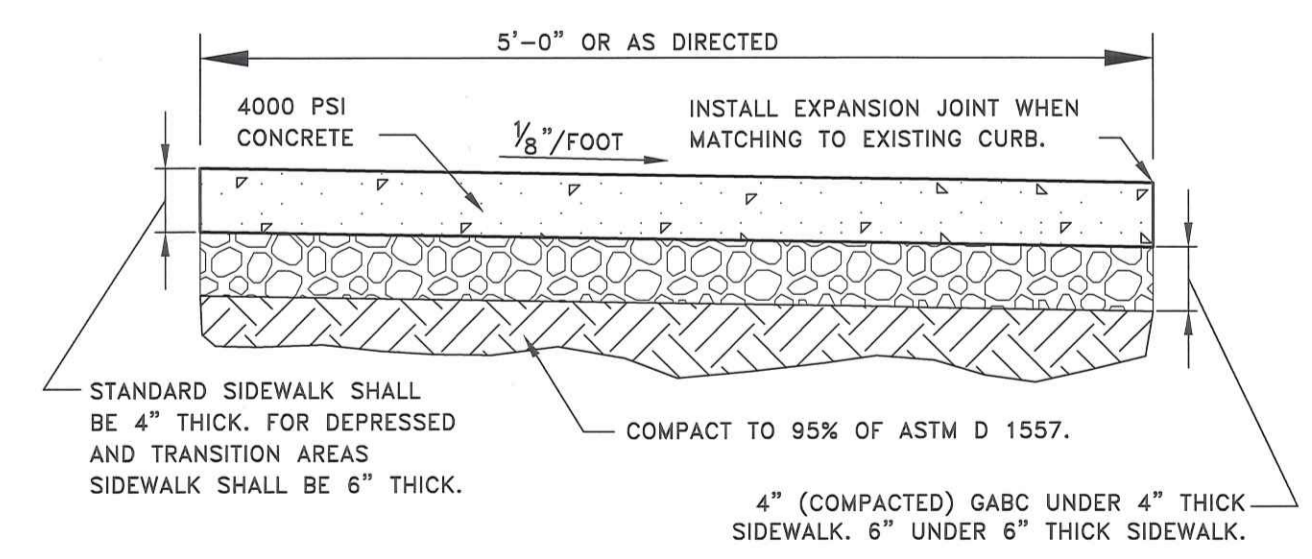
MODEL NO.	LENGTH	BIKE
SURFACE-MOUNT	BELOW-GRADE	(O.C.) CAP.
BS-2S(AE) OR BS-2B(AE)	1'-5"	3
BS-4S(AE) OR BS-4B(AE)	4'-3"	6
BS-6S(AE) OR BS-6B(AE)	7'-1"	7
BS-8S(AE) OR BS-8B(AE)	9'-11"	9
BS-10S(AE) OR BS-10B(AE)	12'-9"	11
BS-12S(AE) OR BS-12B(AE)	15'-7"	13

Bike Security Racks Co. sells bicycle racks, bike parking equipment and bicycle storage systems. 12 Sawyer Loop / Wentworth, NH 03282. To order, call (800) 545-2757 or (617) 876-1180.

**BIKE RACK DETAIL**  
 NOT TO SCALE



- MATERIALS**
- 2" nom., Sched. 40, ASTM A500, welded seamless-steel pipe construction
  - 3/8" x 3" H.R. steel flat-bar for foot assemblies
  - 1/2" dia. H.R. steel round-bar for lock-retaining yokes
  - 2-1/2" nom., Sched. 40, ASTM A500, welded seamless-steel pipe for below-grade sleeves
- FABRICATION**
- All metallurgical joints are MIG welds
- FINISHES**
- Black thermoplastic powder coating to 10 mils thick
  - Hot-dipped galvanized



**CONCRETE SIDEWALK DETAIL**  
 NOT TO SCALE



**Villages at Red Mill Pond South Building Permits**

Application Reference	Project/Activity	Location	Lot no	Application Recv'd	Location Desc	Parcel ID	Project/Activity Desc Line 1	Project/Activity Desc Line 2
<a href="#">201909164</a>	DWELLING	11049 GREENVIEW AVENUE		08/09/2019	VILLAGES AT RED MILL	334-5.00-1213.00	1ST DW 50X51 ATT GAR 21X22	PORCH 15X6, 16X12
<a href="#">202000405</a>	DWELLING	11115 GREENVIEW AVENUE	4	01/13/2020	VILLAGES AT RED MILL PONDSOUTH LOT 4	334-5.00-1207.00	1 ST DW 52X40, ATT GAR 22X20, UNFIN BSMT 60X50, PORCH 10X17	SCREEN PORCH 10X21
<a href="#">202000409</a>	DWELLING	11049 GREENVIEW AVENUE	10	01/13/2020	VILLAGES AT RED MILL PONDSOUTH LOT 10	334-5.00-1213.00	1 ST DW 50X51, ATT GAR 21X22, FNT PORCH 15X6, PORCH 16X12	
<a href="#">202000411</a>	DWELLING	11078 GREENVIEW AVENUE	12	01/13/2020	VILLAGES AT RED MILL PONDSOUTH LOT 12	334-5.00-1215.00	1 1/2 ST DW 50X60, ATT GAR 21X20, PORCH 30X8, 12X12	
<a href="#">202000412</a>	DWELLING	11082 GREENVIEW AVENUE	11	01/13/2020	VILLAGES AT RED MILL PONDSOUTH LOT 11	334-5.00-1214.00	1 ST DW 50X60, ATT GAR 20X22, PORCH 17,10, 10X21	
<a href="#">202000414</a>	DWELLING	11070 GREENVIEW AVENUE	13	01/13/2020	VILLAGES AT RED MILL PONDSOUTH LOT 13	334-5.00-1216.00	1 ST DW 52X40, ATT GAR 21X21, FRN PORCH 13X19	SCREEM PORCH 12X12
<a href="#">202000417</a>	DWELLING	11064 GREENVIEW AVENUE	14	01/13/2020	VILLAGES AT RED MILL PONDSOUTH LOT 14	334-5.00-1217.00	1 ST DW 50X60, ATT GAR 21X20, PORCH 18X10, 12X12	
<a href="#">202000965</a>	DWELLING	32065 DEERWOOD LANE	520	01/28/2020	VILLAGES AT RED MILL PONDSOUTH LOT 20	334-5.00-1223.00	1 ST DW 50X58, ATT GAR 30X25, UNF BSMNT 50X58	PORCH 21X10, DECK 12X16
<a href="#">202000966</a>	DWELLING	32057 DEERWOOD LANE	19	01/28/2020	VILLAGES AT RED MILL PONDSOUTH LOT 19	334-5.00-1222.00	2 ST DW 52X40, ATT GAR 22X20, UNFIN BSMNT 60X50,	PORCH 10X17, 10X21
<a href="#">202000967</a>	DWELLING	11062 GREENVIEW AVENUE	15	01/28/2020	VILLAGES AT RED MILL PONDSOUTH LOT 15	334-5.00-1218.00	2 ST DW 52X40, ATT GAR 22X20, UNFIN BSMNT 60X50	PORCH 10X17, 10X21(ROCKFORD LOFT)
<a href="#">202000968</a>	DWELLING	11058 GREENVIEW AVENUE	16	01/28/2020	VILLAGES AT RED MILL PONDSOUTH LOT 16	334-5.00-1219.00	1 ST DW 52X40, ATT GAR 22X20, UNFIN BSMNT 52X40	PORCH 10X7, 10X21
<a href="#">202002813</a>	DWELLING	11048 GREENVIEW AVENUE		03/09/2020	VILLAGES AT RED MILL PONDSOUTH LOT 18	334-5.00-1221.00	1 ST DW (AMBASSADOR) 40X40, ATT GAR 20X21, PORCH 20X14	
<a href="#">202003296</a>	DWELLING	11048 GREENVIEW AVENUE		03/23/2020	VILLAGES AT RED MILL PONDSOUTH LOT 18	334-5.00-1221.00	1 ST DW(AMBASSADOR) 40X40, ATT GAR 20X21, PORCH 20X14	
<a href="#">202003911</a>	DWELLING	11081 GREENVIEW AVENUE		04/13/2020	VILLAGES AT RED MILL PONDSOUTH LOT 8	334-5.00-1211.00	1 ST DW (ROCKFORD) 52X40, ATT GAR 22X20, PORCH 10X7, 10X21	
<a href="#">202003929</a>	DWELLING	11048 GREENVIEW AVENUE		04/13/2020	VILLAGES AT RED MILL PONDSOUTH LOT 18	334-5.00-1221.00	1 ST DW (AMBASSADOR) 40X40, ATT GAR 20X21, PORCH 20X14	
<a href="#">202004438</a>	DWELLING	11057 GREENVIEW AVENUE		04/27/2020	VILLAGES AT RED MILL PONDSOUTH LOT 9	334-5.00-1212.00	1.5 ST DW (ROCKFORD) 52X40, ATT GAR 22X20, UNFIN BSMT 60X50,	PORCH 7X10,10X21
<a href="#">202004541</a>	COMMERCIAL W/O BC	32344 DEERWOOD LANE		04/29/2020	VILLAGES AT RED MILL PONDSOUTH SWM OPEN AREAS	334-5.00-170.00	REDMILL POND SOUTH - 776' PVC FENCING (ALONG ENTRANCE)	
<a href="#">202004552</a>	SIGN	32344 DEERWOOD LANE		04/29/2020	VILLAGES AT RED MILL PONDSOUTH SWM OPEN AREAS	334-5.00-170.00	SUBDIVISION SIGN	RED MILL POND SOUTH
<a href="#">202004923</a>	DWELLING	32020 DEERWOOD LANE		05/11/2020	VILLAGES AT RED MILL	334-5.00-1204.00	(AMBASSADOR) 1ST DW 40X40 ATT	FT PORCH 20X14
<a href="#">202004924</a>	DWELLING	32014 DEERWOOD LANE		05/11/2020	VILLAGES AT RED MILL PONDSOUTH LOT 2	334-5.00-1205.00	(LOREN) 1ST DW 58X40 ATT GAR 21X21	FT PORCH 13X19 SCREEN PORCH 12X12
<a href="#">202005182</a>	UNIFIED SEWER HOOK UP	11115 GREENVIEW AVENUE	4	05/19/2020	VILLAGES AT RED MILL	334-5.00-1207.00	WR 15530	NB
<a href="#">202005183</a>	UNIFIED SEWER HOOK UP	11049 GREENVIEW AVENUE	10	05/19/2020	VILLAGES AT RED MILL	334-5.00-1213.00	WR 15531	NB
<a href="#">202005184</a>	UNIFIED SEWER HOOK UP	11082 GREENVIEW AVENUE	11	05/19/2020	VILLAGES AT RED MILL	334-5.00-1214.00	WR 15532	NB
<a href="#">202005185</a>	UNIFIED SEWER HOOK UP	11078 GREENVIEW AVENUE	12	05/19/2020	VILLAGES AT RED MILL	334-5.00-1215.00	WR 15533	NB
<a href="#">202005186</a>	UNIFIED SEWER HOOK UP	11070 GREENVIEW AVENUE	13	05/19/2020	VILLAGES AT RED MILL	334-5.00-1216.00	WR 15534	NB
<a href="#">202005187</a>	UNIFIED SEWER HOOK UP	11064 GREENVIEW AVENUE	14	05/19/2020	VILLAGES AT RED MILL	334-5.00-1217.00	WR 15535	NB
<a href="#">202005451</a>	UNIFIED SEWER HOOK UP	11062 GREENVIEW AVENUE	15	05/27/2020	VILLAGES AT RED MILL	334-5.00-1218.00	WR 15542	BL
<a href="#">202005453</a>	UNIFIED SEWER HOOK UP	11058 GREENVIEW AVENUE	16	05/27/2020	VILLAGES AT RED MILL	334-5.00-1219.00	WR 15541	BL
<a href="#">202005696</a>	UNIFIED SEWER HOOK UP	11048 GREENVIEW AVENUE		06/03/2020	VILLAGES AT RED MILL	334-5.00-1221.00	WR 15554	CSF
<a href="#">202006585</a>	UNIFIED SEWER HOOK UP	32065 DEERWOOD LANE	520	06/18/2020	VILLAGES AT RED MILL	334-5.00-1223.00	WR 15582	JED
<a href="#">202007082</a>	UNIFIED SEWER HOOK UP	11081 GREENVIEW AVENUE		06/30/2020	VILLAGES AT RED MILL	334-5.00-1211.00	WR 15616	NW
<a href="#">202007083</a>	UNIFIED SEWER HOOK UP	11057 GREENVIEW AVENUE		06/30/2020	VILLAGES AT RED MILL	334-5.00-1212.00	WR 15617	NW
<a href="#">202007672</a>	DWELLING	11109 GREENVIEW AVENUE	5	07/08/2020	VILLAGES AT RED MILL PONDSOUTH LOT 5	334-5.00-1208.00	1 ST DW 40X40, ATT GAR 20X21, PORCH 20X14, PORCH 12X12	MODEL - AMBASSADOR
<a href="#">202007675</a>	DWELLING	24018 HAVENWOOD LANE		07/08/2020	VILLAGES AT RED MILL PONDSOUTH LOT 107	334-5.00-1310.00	1 ST DW 52X40, ATT GAR 22X20, UNFIN BASE 52X40,	PORCH 5X6, PORCH 10X21, MODEL - ROCKFORD
<a href="#">202008061</a>	UNIFIED SEWER HOOK UP	32014 DEERWOOD LANE		07/15/2020	VILLAGES AT RED MILL	334-5.00-1205.00	WR 15662	NW
<a href="#">202008062</a>	UNIFIED SEWER HOOK UP	32020 DEERWOOD LANE		07/15/2020	VILLAGES AT RED MILL	334-5.00-1204.00	WR 15663	NW

<a href="#">202008064</a>	DWELLING	24012 HAVENWOOD LANE	108	07/15/2020	VILLAGES AT RED MILL PONDSOUTH LOT 108	334-5.00-1311.00	2 ST DW 52X40, ATT GAR 22X20, PORCH 10X17, PORCH 10X21	MODEL - ROCKFORD LOFT
<a href="#">202008587</a>	MISC	11070 GREENVIEW AVENUE	13	07/25/2020	VILLAGES AT RED MILL	334-5.00-1216.00	INSTALL 167 LINEAR FT OF PVC FENCE	
<a href="#">202008685</a>	DWELLING	11054 GREENVIEW AVENUE		07/28/2020	VILLAGES AT RED MILL	334-5.00-1220.00	1 ST DW 40X40, ATT GAR 20X20,	MODEL - AMBASSADOR
<a href="#">202008688</a>	DWELLING	32134 DEERWOOD LANE		07/28/2020	VILLAGES AT RED MILL	334-5.00-1281.00	1 ST DW 58X40, ATT GAR 21X21,	MODEL - LOREN
<a href="#">202008691</a>	DWELLING	32126 DEERWOOD LANE		07/28/2020	VILLAGES AT RED MILL	334-5.00-1282.00	1 ST DW 40X40, ATT GAR 20X21,	MODEL - AMBASSADOR
<a href="#">202009319</a>	DWELLING	24032 HAVENWOOD LANE		08/11/2020	VILLAGES AT RED MILL	334-5.00-1308.00	1.5 ST DW 50X60, ATT GAR 21X20,	MODEL - JASMINE W/ LOFT
<a href="#">202009321</a>	DWELLING	32085 DEERWOOD LANE	23	08/11/2020	VILLAGES AT RED MILL PONDSOUTH LOT 23	334-5.00-1226.00	2 ST DW 52X40, ATT GAR 22X20, PORCH 10X17, PORCH 10X21	MODEL - ROCKFORD LOFT
<a href="#">202009323</a>	DWELLING	11097 GREENVIEW AVENUE		08/11/2020	VILLAGES AT RED MILL PONDSOUTH LOT 7	334-5.00-1210.00	2 ST DW 40X58, ATT GAR 20X19, UNFIN BASEMENT 40X58,	PORCH 21X8, PORCH 12X12, MODEL - EASTWOOD
<a href="#">202009352</a>	DWELLING	13039 LAUREL LEAF DRIVE		08/11/2020	VILLAGES AT RED MILL	334-5.00-1228.00	1.5 ST DW 50X51, ATT GAR 21X22,	MODEL - ST MICHAELS
<a href="#">202009354</a>	DWELLING	13045 LAUREL LEAF DRIVE		08/11/2020	VILLAGES AT RED MILL	334-5.00-1229.00	1 ST DW 50X60, ATT GAR 20X22,	MODEL - ROCKFORD
<a href="#">202009355</a>	DWELLING	32140 DEERWOOD LANE		08/11/2020	VILLAGES AT RED MILL PONDSOUTH LOT 77	334-5.00-1280.00	1 ST DW 40X40, ATT GAR 20X21, PORCH 6X10, PORCH 12X11	MODEL - AMBASSADOR
<a href="#">202009358</a>	DWELLING	24026 HAVENWOOD LANE	106	08/11/2020	VILLAGES AT RED MILL PONDSOUTH LOT 106	334-5.00-1309.00	1 ST DW50X51, ATT GAR 21X22, PORCH 6X8, PORCH 16X12	MODEL - ST MICHAELS
<a href="#">202009361</a>	DWELLING	24011 HAVENWOOD LANE	109	08/11/2020	VILLAGES AT RED MILL PONDSOUTH LOT 109	334-5.00-1312.00	1.5 ST DW 52X40, ATT GAR 22X20, PORCH 10X17, PORCH 20X32	MODEL - ROCKFORD LOFT
<a href="#">202009911</a>	DWELLING	32131 DEERWOOD LANE		08/20/2020	VILLAGES AT RED MILL PONDSOUTH LOT 81	334-5.00-1284.00	1 ST DW 40X40, ATT GAR 20X21, PORCH 20X14, PORCH 12X12	MODEL - AMBASSADOR
<a href="#">202010919</a>	DWELLING	32137 DEERWOOD LANE	82	09/10/2020	VILLAGES AT RED MILL PONDSOUTH LOT 82	334-5.00-1285.00	2 ST DW (EASTWOOD LOFT) 40X58, ATT GAR 20X19, PORCH 21X10	PORCH 12X12
<a href="#">202010960</a>	UNIFIED SEWER HOOK UP	11109 GREENVIEW AVENUE	5	09/10/2020	VILLAGES AT RED MILL	334-5.00-1208.00	WR 15773	NM
<a href="#">202011245</a>	DWELLING	13031 LAUREL LEAF DRIVE		09/15/2020	VILLAGES AT RED MILL	334-5.00-1227.00	1 ST DW 40X40, ATT GAR 20X21,	MODEL - AMBASSADOR
<a href="#">202011252</a>	DWELLING	32127 DEERWOOD LANE		09/15/2020	VILLAGES AT RED MILL	334-5.00-1283.00	1 ST DW 50X58, ATT GAR 30X25,	MODEL - EASTWOOD - F
<a href="#">202011326</a>	DWELLING	32163 DEERWOOD LANE		09/16/2020	VILLAGES AT RED MILL PONDSOUTH LOT 86	334-5.00-1289.00	1 ST DW 40X58, ATT GAR 20X20, PORCH 7X8, PORCH 12X12	MODEL - EASTWOOD
<a href="#">202011332</a>	DWELLING	24013 HAVENWOOD LANE		09/16/2020	VILLAGES AT RED MILL PONDSOUTH LOT 110	334-5.00-1313.00	2 ST DW 52X40, ATT GAR 22X20, PORCH 10X17, DECK 12X14	MODEL - ROCKFORD LOFT
<a href="#">202011335</a>	DWELLING	24019 HAVENWOOD LANE		09/16/2020	VILLAGES AT RED MILL	334-5.00-1314.00	1.5 ST DW 52X40, ATT GAR 22X20,	MODEL - ROCKFORD LOFT
<a href="#">202011336</a>	DWELLING	24025 HAVENWOOD LANE		09/16/2020	VILLAGES AT RED MILL PONDSOUTH LOT 112	334-5.00-1315.00	1 ST DW 50X51, ATT GAR 21X22, PORCH 15X6, PORCH 16X12	MODEL - ST. MICHAELS
<a href="#">202011339</a>	DWELLING	24031 HAVENWOOD LANE		09/16/2020	VILLAGES AT RED MILL	334-5.00-1316.00	1 ST DW 50X58, ATT GAR 30X25,	MODEL - EASTWOOD
<a href="#">202011726</a>	DWELLING	32079 DEERWOOD LANE		09/23/2020	VILLAGES AT RED MILL	334-5.00-1225.00	1.5 ST DW 52X40, ATT GAR 22X20,	MODEL - ROCKFORD LOFT
<a href="#">202012025</a>	DWELLING	32169 DEERWOOD LANE	87	09/29/2020	VILLAGES AT RED MILL PONDSOUTH LOT 87	334-5.00-1290.00	1 ST DW 40X58, ATT GAR 20X20, PORCH 21X10, PORCH 12X12	MODEL - EASTWOOD
<a href="#">202013165</a>	DWELLING	32157 DEERWOOD LANE		10/20/2020	VILLAGES AT RED MILL	334-5.00-1288.00	2 ST DW 40X58, ATT GAR 30X19,	MODEL - EASTWOOD LOFT
<a href="#">202013171</a>	DWELLING	32149 DEERWOOD LANE		10/20/2020	VILLAGES AT RED MILL	334-5.00-1287.00	1.5 ST DW 52X40, ATT GAR 22X20,	MODEL - ROCKFORD LOFT
<a href="#">202013173</a>	DWELLING	32143 DEERWOOD LANE		10/20/2020	VILLAGES AT RED MILL PONDSOUTH LOT 83	334-5.00-1286.00	2 ST DW 40X58, ATT GAR 30X19, PORCH 21X8, PORCH 12X12	MODEL - EASTWOOD LOFT
<a href="#">202013382</a>	RES ADD W/O BC	11048 GREENVIEW AVENUE		10/26/2020	VILLAGES AT RED MILL	334-5.00-1221.00	10x14 DECK UNDER 30"	
<a href="#">202013502</a>	UNIFIED SEWER HOOK UP	24012 HAVENWOOD LANE	108	10/27/2020	VILLAGES AT RED MILL	334-5.00-1311.00	WR 15877	BL
<a href="#">202013504</a>	UNIFIED SEWER HOOK UP	11054 GREENVIEW AVENUE		10/27/2020	VILLAGES AT RED MILL	334-5.00-1220.00	WR 15878	BL
<a href="#">202013862</a>	UNIFIED SEWER HOOK UP	24018 HAVENWOOD LANE		11/02/2020	VILLAGES AT RED MILL	334-5.00-1310.00	WR 15897	BL
<a href="#">202014033</a>	DWELLING	32146 DEERWOOD LANE		11/06/2020	VILLAGES AT RED MILL PONDSOUTH LOT 76	334-5.00-1279.00	1 ST DW 40X58, ATT GAR 20X20, PORCH 7X8, PORCH 12X12	MODEL - EASTWOOD
<a href="#">202014639</a>	UNIFIED SEWER HOOK UP	32085 DEERWOOD LANE	23	11/18/2020	VILLAGES AT RED MILL	334-5.00-1226.00	WR 15937 SFD - 1.0 EDU	CSF
<a href="#">202014640</a>	UNIFIED SEWER HOOK UP	13039 LAUREL LEAF DRIVE		11/18/2020	VILLAGES AT RED MILL	334-5.00-1228.00	WR 15938 SFD - 1.0 EDU	CSF
<a href="#">202014641</a>	UNIFIED SEWER HOOK UP	32131 DEERWOOD LANE		11/18/2020	VILLAGES AT RED MILL	334-5.00-1284.00	WR15939 SFD 1.00 EDU	CSF
<a href="#">202014643</a>	UNIFIED SEWER HOOK UP	24026 HAVENWOOD LANE	106	11/18/2020	VILLAGES AT RED MILL	334-5.00-1309.00	WR 15940 SFD 1.0 EDU	CSF
<a href="#">202014982</a>	UNIFIED SEWER HOOK UP	32140 DEERWOOD LANE		11/25/2020	VILLAGES AT RED MILL	334-5.00-1280.00	WR 15961	NW
<a href="#">202014983</a>	UNIFIED SEWER HOOK UP	24011 HAVENWOOD LANE	109	11/25/2020	VILLAGES AT RED MILL	334-5.00-1312.00	WR 15960	NW
<a href="#">202015599</a>	UNIFIED SEWER HOOK UP	32137 DEERWOOD LANE	82	12/09/2020	VILLAGES AT RED MILL	334-5.00-1285.00	WR 16003	NW
<a href="#">202015632</a>	UNIFIED SEWER HOOK UP	11097 GREENVIEW AVENUE		12/10/2020	VILLAGES AT RED MILL	334-5.00-1210.00	WR 16007	NW
<a href="#">202015633</a>	UNIFIED SEWER HOOK UP	24032 HAVENWOOD LANE		12/10/2020	VILLAGES AT RED MILL	334-5.00-1308.00	WR 16006	NW
<a href="#">202015833</a>	UNIFIED SEWER HOOK UP	13031 LAUREL LEAF DRIVE		12/15/2020	VILLAGES AT RED MILL	334-5.00-1227.00	WR 16025	BL
<a href="#">202015835</a>	UNIFIED SEWER HOOK UP	32134 DEERWOOD LANE		12/15/2020	VILLAGES AT RED MILL	334-5.00-1281.00	WR 16026	BL
<a href="#">202015837</a>	UNIFIED SEWER HOOK UP	32126 DEERWOOD LANE		12/15/2020	VILLAGES AT RED MILL	334-5.00-1282.00	WR 16027	BL

<a href="#">202015839</a>	UNIFIED SEWER HOOK UP	32127 DEERWOOD LANE		12/15/2020	VILLAGES AT RED MILL	334-5.00-1283.00	WR 16028	BL
<a href="#">202015841</a>	UNIFIED SEWER HOOK UP	24013 HAVENWOOD LANE		12/15/2020	VILLAGES AT RED MILL	334-5.00-1313.00	WR 16029	BL
<a href="#">202015843</a>	UNIFIED SEWER HOOK UP	24031 HAVENWOOD LANE		12/15/2020	VILLAGES AT RED MILL	334-5.00-1316.00	WR 16030	BL
<a href="#">202015907</a>	FAST TRACK OUT OF TOWN	32164 DEERWOOD LANE	73	12/16/2020	VILLAGES AT RED MILL PONDSOUTH LOT 73	334-5.00-1276.00	EASTWOOD-1 STY SFD 40X58; ATT GAR 20X20, FRONT COV PORCH 21X	10, REAR COV 12X12 OVERDUE UTL BILL
<a href="#">202015916</a>	FAST TRACK OUT OF TOWN	32152 DEERWOOD LANE	75	12/16/2020	VILLAGES AT RED MILL PONDSOUTH LOT 75	334-5.00-1278.00	AMBASSADOR- 1 STY SFD 40X40; ATT GARAGE 20X21, FRONT COV POR	CH 20X14, REAR COV PORCH 12X12
<a href="#">202016086</a>	FAST TRACK OUT OF TOWN	32158 DEERWOOD LANE	74	12/18/2020	VILLAGES AT RED MILL PONDSOUTH LOT 74	334-5.00-1277.00	EASTWOOD- 1 STY SFD 50X58; ATT GAR 30X25, FRONT COV PORCH 8X	7 OVERDUE UTL BILLS
<a href="#">202100544</a>	UNIFIED SEWER HOOK UP	32079 DEERWOOD LANE		01/13/2021	VILLAGES AT RED MILL	334-5.00-1225.00	WR 16084	CSF
<a href="#">202100925</a>	FAST TRACK OUT OF TOWN	32170 DEERWOOD LANE	72	01/21/2021	VILLAGES AT RED MILL PONDSOUTH LOT 72	334-5.00-1275.00	EASTWOOD LOFT- NEW 2 STY SFD 40X58; ATT GAR 30X19, FRONT POR	CH 8X8
<a href="#">202101006</a>	UNIFIED SEWER HOOK UP	13045 LAUREL LEAF DRIVE		01/22/2021	VILLAGES AT RED MILL	334-5.00-1229.00	WR 16109	CSF
<a href="#">202101007</a>	UNIFIED SEWER HOOK UP	32163 DEERWOOD LANE		01/22/2021	VILLAGES AT RED MILL	334-5.00-1289.00	WR 16110	CSF
<a href="#">202101008</a>	UNIFIED SEWER HOOK UP	24025 HAVENWOOD LANE		01/22/2021	VILLAGES AT RED MILL	334-5.00-1315.00	WR 16111	CSF
<a href="#">202102317</a>	UNIFIED SEWER HOOK UP	32157 DEERWOOD LANE		02/16/2021	VILLAGES AT RED MILL	334-5.00-1288.00	WR 16163	NM
<a href="#">202102318</a>	UNIFIED SEWER HOOK UP	32169 DEERWOOD LANE	87	02/16/2021	VILLAGES AT RED MILL	334-5.00-1290.00	WR 16164	NM
<a href="#">202102321</a>	UNIFIED SEWER HOOK UP	24019 HAVENWOOD LANE		02/16/2021	VILLAGES AT RED MILL	334-5.00-1314.00	WR 16165	NM
<a href="#">202103043</a>	RES ADD W/ BC	32014 DEERWOOD LANE		03/02/2021	VILLAGES AT RED MILL	334-5.00-1205.00	12X15 DECK OVER 30	
<a href="#">202103098</a>	UNIFIED SEWER HOOK UP	32143 DEERWOOD LANE		03/03/2021	VILLAGES AT RED MILL	334-5.00-1286.00	WR 16187	NW
<a href="#">202103536</a>	UNIFIED SEWER HOOK UP	32170 DEERWOOD LANE	72	03/10/2021	VILLAGES AT RED MILL	334-5.00-1275.00	WR 16210	NM
<a href="#">202103537</a>	UNIFIED SEWER HOOK UP	32164 DEERWOOD LANE	73	03/10/2021	VILLAGES AT RED MILL	334-5.00-1276.00	WR 16211	NM
<a href="#">202103538</a>	UNIFIED SEWER HOOK UP	32158 DEERWOOD LANE	74	03/10/2021	VILLAGES AT RED MILL	334-5.00-1277.00	WR 16212	NM
<a href="#">202103539</a>	UNIFIED SEWER HOOK UP	32152 DEERWOOD LANE	75	03/10/2021	VILLAGES AT RED MILL	334-5.00-1278.00	WR 16213	NM
<a href="#">202103542</a>	UNIFIED SEWER HOOK UP	32146 DEERWOOD LANE		03/10/2021	VILLAGES AT RED MILL	334-5.00-1279.00	WR 16214	NM
<a href="#">202103544</a>	UNIFIED SEWER HOOK UP	32149 DEERWOOD LANE		03/10/2021	VILLAGES AT RED MILL	334-5.00-1287.00	WR 16215	NM
<a href="#">202108558</a>	MISC	32131 DEERWOOD LANE		06/04/2021	VILLAGES AT RED MILL	334-5.00-1284.00	159 LINEAR FT OF VINYL FENCE	
<a href="#">202108800</a>	RESIDENTIAL FENCE OUT OF TOWN	32085 DEERWOOD LANE	23	06/09/2021	VILLAGES AT RED MILL	334-5.00-1226.00	143 LF Vinyl Fence 48" Height	
<a href="#">202110217</a>	RESIDENTIAL FENCE OUT OF TOWN	11109 GREENVIEW AVENUE	5	07/08/2021	VILLAGES AT RED MILL	334-5.00-1208.00	138' LF Vinyl Fence 48" Height 2	***OVERDUE UTILITY BILL***
<a href="#">202110863</a>	RESIDENTIAL FENCE OUT OF TOWN	32020 DEERWOOD LANE		07/20/2021	VILLAGES AT RED MILL	334-5.00-1204.00	4x6 L- Shaped Trash Enclosure - (2)	
<a href="#">202112143</a>	R/R W/O BC	24011 HAVENWOOD LANE	109	08/13/2021	VILLAGES AT RED MILL PONDSOUTH LOT 109	334-5.00-1312.00	ENCLOSING EXISTING PORCH W/VINYL WINDOWS	
<a href="#">202112158</a>	R/R W/BC	32014 DEERWOOD LANE		08/13/2021	VILLAGES AT RED MILL PONDSOUTH LOT 2	334-5.00-1205.00	RELOCATING GIRDER AND ADDING NEW FOOTERS TO SUPPORT	HOTTUB ON EXISTING DECK
<a href="#">202113614</a>	RES ADD W/ BC	32126 DEERWOOD LANE	79	09/14/2021	VILLAGES AT RED MILL	334-5.00-1282.00	15X20 SCREEN PORCH	
<a href="#">202113834</a>	FAST TRACK OUT OF TOWN	32010 DEERWOOD LANE		09/20/2021	VILLAGES AT RED MILL PONDSOUTH LOT 3	334-5.00-1206.00	EASTWOOD- 1 STY SFD 40X58; ATT GAR 30X19, FRONT PORCH 21X10	
<a href="#">202113935</a>	RES ADD W/O BC	32170 DEERWOOD LANE	72	09/21/2021	VILLAGES AT RED MILL	334-5.00-1275.00	273 SQ FT PAVER PATIO	
<a href="#">202114320</a>	RES ADD W/ BC	32014 DEERWOOD LANE		09/28/2021	VILLAGES AT RED MILL	334-5.00-1205.00	14X12 SCREEN PORCH ON EXISTING	
<a href="#">202114440</a>	UNIFIED SEWER HOOK UP	32010 DEERWOOD LANE		09/30/2021	VILLAGES AT RED MILL	334-5.00-1206.00	WR 16633	LMW
<a href="#">202115811</a>	RES ADD W/ BC	24032 HAVENWOOD LANE	105	10/27/2021	VILLAGES AT RED MILL	334-5.00-1308.00	16X14 SCREEN PORCH	
<a href="#">202116273</a>	FAST TRACK OUT OF TOWN	32057 DEERWOOD LANE	19	11/05/2021	VILLAGES AT RED MILL PONDSOUTH LOT 19	334-5.00-1222.00	ROCKFORD- 1 STY SFD 52X40; ATT GAR 22X20, FRONT PORCH 10X7,	SCREENED REAR PORCH 10X20
<a href="#">202116827</a>	RES ADD W/ BC	24031 HAVENWOOD LANE	113	11/17/2021	VILLAGES AT RED MILL	334-5.00-1316.00	12X16 DECK OVER 30"	
<a href="#">202116975</a>	UNIFIED SEWER HOOK UP	32057 DEERWOOD LANE	19	11/19/2021	VILLAGES AT RED MILL	334-5.00-1222.00	WR	BL
<a href="#">202118113</a>	RESIDENTIAL FENCE OUT OF TOWN	32170 DEERWOOD LANE	72	12/16/2021	VILLAGES AT RED MILL	334-5.00-1275.00	139' LF Vinyl Fence 48" Height	
<a href="#">202118186</a>	RES ADD W/O BC	32126 DEERWOOD LANE	79	12/17/2021	VILLAGES AT RED MILL PONDSOUTH LOT 79	334-5.00-1282.00	20X15 PAVER PATIO, 12 LF SITTING WALL, FIRE PIT	
<a href="#">202118194</a>	RES ADD W/ BC	32157 DEERWOOD LANE		12/17/2021	VILLAGES AT RED MILL	334-5.00-1288.00	16X14 SCREEN PORCH	
<a href="#">202201340</a>	SOLAR PANELS	24013 HAVENWOOD LANE		02/01/2022	VILLAGES AT RED MILL	334-5.00-1313.00	24 ROOF MOUNT SOLAR PANELS	
<a href="#">202205046</a>	RES ADD W/O BC	32085 DEERWOOD LANE	23	04/08/2022	VILLAGES AT RED MILL	334-5.00-1226.00	225 SQ FT PAVER PATIO 4X8 TRASH	
<a href="#">202205644</a>	SOLAR PANELS	11064 GREENVIEW AVENUE	14	04/20/2022	VILLAGES AT RED MILL	334-5.00-1217.00	20 ROOF MOUNT SOLAR PANELS	

**PLANNING & ZONING COMMISSION**

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



**Sussex County**

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

January 25, 2019

Mr. Jamie Sechler  
Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, DE 19963

By email to: [jls@dbfinc.com](mailto:jls@dbfinc.com)

Re: Notice of Decision Letter for Approval of the Revised Subdivision Plan for the Villages at Red Mill South Subdivision  
Tax Parcel: 334-5.00-170.00 & 334-4.00-54.00

Dear Mr. Sechler,

At their meeting on **Thursday, January 24, 2019** the Planning & Zoning Commission **approved** the **Revised Subdivision Plan** for the **Villages at Red Mill Pond – South (2004-17)** for a major subdivision of 177 single-family lots with private roads and open space with Final approval to be made by staff. The subdivision will be located off Lewes-Georgetown Highway (Route 9) and west of Minos Conoway Road and lies within the Agricultural Residential (AR-1) Zoning District as well as the Environmentally Sensitive Development District Overlay Zone (ESDDOZ). The plan was revised due to the placement of a utility pole in the location of one of the proposed entrances and, as a result, the entrance plan was revised accordingly.

Please submit a minimum of **three (3) signed** and sealed paper copies of the Final Subdivision Plan that address all comments made in the Department’s letter dated **January 10, 2019** to the Planning and Zoning Office for approval. The Planning and Zoning Office will retain two of these copies and any additional copies will be stamped as approved and returned to you. Additional copies of the Final Subdivision Plan may be submitted for endorsement by staff.

Please note that the Final Subdivision Plan, once approved, must be recorded with the Recorder of Deeds Office within a period of 60 days after the Final Subdivision Plans have been approved.

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

Sincerely,

Ms. Lauren DeVore  
Planner III

CC. Andy Wright, Chief of Building Code - Building Code  
Mike Brady, Director of Public Works – Engineering  
John Ashman, Director of Utility Planning - Engineering





solutions

Integrated Planning  
Engineering & Management, LLC

July 28, 2022

Mr. Jamie Whitehouse, AICP, MRTPI  
Director, Sussex County Planning & Zoning  
2 The Circle, PO Box 417  
Georgetown, DE 19947

**RE: Keastone Bay (2018-34) – Preliminary Plat Extension**

Dear Jamie,

On behalf of the Owner, we are requesting an extension on the preliminary plat approval of Keaston Bay. The development was granted preliminary approval at the January 23, 2020 Planning and Zoning Meeting. Around the same time that the COVID-19 pandemic was getting underway – lock downs started in March of 2020. Work was slowed from spring of 2020 to spring of 2021 due to the economic uncertainty of the pandemic and restrictions associated with the State of Emergency.

Standing of agency review and approval:

- DelDOT (Frontage)
  - o Pre-Application Meeting – May 7, 2020
  - o Follow-Up Meeting – July 8, 2021
  - o First Submittal – March 24, 2022
  - o Agency Comments – April 18, 2022
  - o Resubmittal – April 22, 2022
  - o Agency Comments – June 20, 2022
  - o Comments are currently being addressed.
  
- DelDOT (Off-site)
  - o First Submittal – May 18, 2022
  - o Agency Comments – July 18, 2022
  - o Comments are currently being addressed.
  
- Sussex Conservation District (SCD)
  - o Stormwater Assessment Study (SAS) Meeting – April 23, 2020
  - o First Submittal – March 21, 2022
  - o Agency Comments – April 20, 2021
  - o Resubmittal – May 18, 2022
  - o Agency Comments – June 20, 2022
  - o Comments are currently being addressed.



- Inland Bays Preservation Company LLC (Wastewater)
  - o Design Kick-Off Meeting – November 16, 2021
  - o First Submittal – March 21, 2022
  - o Agency Comments – July 11, 2022
  - o Comments are being addressed.
  
- Long Neck Water Company
  - o First Submittal – March 21, 2022
  - o Approval Received – July 22, 2022
  
- Delaware Fire Marshal
  - o First Submittal – March 21, 2022
  - o Approval Received – April 7, 2022
  
- Sussex County Engineering Department (SCED)
  - o First Submittal – March 21, 2022
  - o Comments have not been received (approximately 20 weeks). Expected August 1, 2022.

The following steps are necessary to finalize the subdivision:


- Work with SCD, SCED, and DelDOT to receive plan approval.
- Submit final plat to Planning and Zoning for staff review.
- Submit copies of agency approval and revised final plat to Planning and Zoning to request final.
- Planning Commission meeting to vote for final approval.
- Obtain signatures (Owner, SCD, Wetlands and Council).
- Record final plat.

We are requesting a 6 month extension of the preliminary plat from January 23, 2023 to July 23, 2023 to provide sufficient time to complete the above steps.

Please feel free to contact us if you have any questions.

Respectfully,

Solutions IPFM



Jason Palkewicz, PE  
CEO

C: James A Fuqua Jr, Esq.

## THE MINUTES OF THE REGULAR MEETING OF JANUARY 23, 2020

The regular meeting of the Sussex County Planning and Zoning Commission was held on Thursday evening, January 23, 2020 in the County Council Chamber, Sussex County Administration Office Building, Georgetown, Delaware.

The meeting was called to order at 6:00 p.m. with Chairman Wheatley presiding. The following members of the Commission were present: Mr. Robert Wheatley, Ms. Kim Hoey-Stevenson, Mr. Keller Hopkins, Ms. Holly Wingate, Mr. J. Bruce Mears, with Mr. Vincent Robertson – Assistant County Attorney, Ms. Janelle Cornwell – Director of Planning & Zoning, Mr. Jamie Whitehouse – Planning & Zoning Manager and Ms. Lauren DeVore – Planner III.

Ms. Cornwell noted that there were no changes to the Agenda. Motion by Ms. Stevenson, seconded by Ms. Wingate and carried unanimously to approve the Agenda. Motion carried 5-0.

Ms. Cornwell noted that Mr. Robertson made some minor changes to the minutes as circulated. Motion by Ms. Stevenson, seconded by Mr. Hopkins to approve the minutes from November 21, 2019, December 12, 2019 and December 19, 2019, meetings as revised. Motion carried 5-0.

### OLD BUSINESS

#### **2018-34 – Keastone Bay – Baywood, LLC and Sussex Realty Company**

A Coastal Area/cluster subdivision to divide 310.97 acres +/- into 675 single-family lots to be located on certain parcels of land lying and being in Indian River Hundred, Sussex County. The property is located on the northwest and southeast sides of Green Rd., approximately 360 ft. northeast of Banks Rd. Tax Parcels: 234-17.00-170.00, 172.00, 173.00, 174.00, 234-18.00-68.00, 234-24.00-1.00 & 234-24.00-2.00. Zoning District. AR-1 (Agricultural Residential District).

Mr. Mears moved that the Commission grant preliminary approval for Subdivision 2018-34 Keastone Bay-Baywood LLC and Sussex Realty Company based upon the record made during the Public Hearing and for the following reasons:

1. The Applicant is seeking approval of a subdivision within the Coastal Area and the AR-1 Zoning District. The Applicant is seeking clustered lots with a minimum area of 7,500 square feet.
2. The proposed subdivision will have not more than 651 lots on 310.97 acres. This density is permitted in the AR-1 zone and in the Coastal Area.
3. This is the location of a prior subdivision for 597 lots that received Preliminary Site Plan approval on January 18, 2007. That approval has since lapsed. A new TIS has been required by DelDOT since that prior approval and DelDOT is requiring extensive roadway improvements and contributions from this developer after taking into account other developments that have occurred in the area since 2007.
4. The proposed development is required to comply with all DelDOT roadway and entrance requirements.
5. The proposed subdivision meets the purposes and standards of the Subdivision Code and the Applicant has addressed the requirements of Section 99-9C of the Code.

6. The subdivision contains approximately 136.00 acres of interconnected open space which represents nearly 43% of the site.
7. The project will be served by central water and sewer.
8. The location is in the Coastal Area according to the current Sussex County Comprehensive Plan. The proposed subdivision is appropriate in this Area according to the Plan.
9. This cluster subdivision is based on a cluster design that is superior to a standard subdivision. The design includes a substantial amount of open space and buffering that could not be achieved within a standard subdivision.
10. The development complies with the requirements of the Coastal Area and the Applicant has performed wetland studies that resulted in a "Wetland Investigation Report" prepared by JCM Environmental, a Geotechnical Report prepared by Hillis Carnes Engineering Associates, Inc., and an "Environmental Assessment of Public Facilities Evaluation Report" prepared by the Applicant's engineering firm. Results of those reports are taken into account in the design of the subdivision.
11. The proposed subdivision will not have an adverse impact on wetlands or other environmental features. In addition, there is extensive buffering throughout the design, including a 50-foot perimeter buffer (of which 20 feet will be landscaped or forested), and buffers of at least 100 feet between any wetlands and individual lot lines.
12. This preliminary approval is subject to the following:
  - A. There shall be no more than 651 lots within the subdivision.
  - B. The Final Site Plan shall confirm that at least 43% of the site remains as open space.
  - C. As proffered by the Applicant, no more than 100 building permits shall be issued in any one calendar year.
  - D. The developer shall establish a homeowner's association responsible for the maintenance of streets, roads, buffers, stormwater management facilities and other common areas.
  - E. The stormwater management system shall meet or exceed the requirements of the State and County. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
  - F. As stated by the Applicant, there shall be a buffer of at least 50 feet along the entire perimeter of the project. This perimeter shall include a forested or landscape buffer of at least 20 feet in depth. This perimeter buffer may include existing forest. The Final Site Plan shall contain a landscape plan for all of these areas.
  - G. Water's Edge Trail is a roadway providing access to properties that are not part of this development. This roadway shall remain known as "Water's Edge Trail" within the development. In addition, no homes within this development shall have direct access onto Water's Edge Trail. The developer shall also provide a location for mailboxes with sufficient parking at the intersection of the Water's Edge Trail and Green Road for the off-site Water's Edge Trail properties.
  - H. As stated by the Applicant, there shall be a buffer of at least 100 feet between all wetlands and any lots.
  - I. The development shall comply with all DelDOT entrance and roadway improvement requirements.
  - J. As proffered by the Applicant, sidewalks shall be installed on both sides of all internal streets. A system of fully shielded and downward-screened streetlighting shall also be provided.
  - K. The subdivision shall be served by a central sewer system.

- L. The subdivision shall be served by a publicly regulated central water system providing drinking water and fire protection.
- M. Street design shall meet or exceed Sussex County standards.
- N. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- O. Construction, site work and deliveries shall only occur on the site between the hours of 7:00 a.m. through 7:00 p.m., Monday through Friday, and 8:00 a.m. through 2:00 p.m. on Saturdays. No Sunday hours are permitted.
- P. The Applicant shall coordinate with the local school district regarding the location of a covered school bus stop within the subdivision. If required by the school district, the location of the bus stop area shall be shown on the Final Site Plan.
- Q. The development shall be served by a core recreational complex including a clubhouse with a minimum of 4,000 square feet of floor area, an outdoor pool and deck area, a children's splash pad, a playground, 4 bocce courts, 4 pickleball courts and 2 tennis courts. The core recreational complex shall be completed prior to issuance of the 151<sup>st</sup> Residential building permit. As proffered by the Applicant, there shall also be twelve (12) neighborhood parks built as each phase of the subdivision is developed.
- R. The Final Site Plan shall include a Landscape Plan depicting all landscaping to be provided and forested areas that will be preserved.
- S. A Grading Plan shall be submitted to the Planning and Zoning Department as part of the Final Site Plan.
- T. A revised Preliminary Site Plan either depicting or noting these conditions must be submitted to the Office of Planning and Zoning.
- U. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Mears, seconded by Mr. Hopkins, and carried unanimously to grant approval for the reasons and conditions stated in the Motion. Motion carried 5-0.

**2019-26 - Michael W. Peterson & Mary E. Peterson**

A standard subdivision to divide 2.0124 +/- acres into 6 single-family lots to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County. The property is lying at the northwest side of Railway Rd., approximately 1,354 ft. northeast of Old Mill Rd. Tax Parcel: 134-8.00-29.00, 30.00, & 30.01. Zoning District: GR (General Residential District).

Mr. Mears moved that the Commission grant preliminary approval of Subdivision 2019-26 for Michael W. Peterson & Mary E. Peterson, based upon the record and for the following reasons:

1. This Application seeks to divide three (3) existing lots into six (6) new lots. More than 51% of the existing lots within the subdivision have approved of this re-subdivision.
2. The proposed subdivision generally meets the purpose of the Subdivision Ordinance in that it protects the orderly growth of the County.
3. The land is zoned GR which permits the density and lot sizes that are proposed.
4. There is no evidence in the record that the proposed subdivision will adversely affect nearby uses or property values.

5. The proposed subdivision will not adversely impact school, public building and community facilities.
6. The proposed subdivision will not adversely affect traffic on area roadways.
7. The Applicant has favorably addressed the items set forth in Section 99-9C of the Subdivision Code.
8. Because this is within an existing subdivision, a waiver from the buffer and street design requirements is appropriate.
9. This preliminary approval is subject to the following conditions:
  - A. There shall be no more than six (6) lots within the subdivision.
  - B. The Final Site Plan shall address the shared maintenance of Jerry Drive by the owners of the lots in proportion with the other lot owners having access to Jerry Drive.
  - C. The Final Site Plan shall be subject to the review and approval of Sussex County.

Motion by Mr. Mears, seconded by Ms. Wingate, and carried unanimously to grant approval for the reasons and with the conditions stated in the Motion. Motion carried 5-0.

#### **2019-2 - Old Mill Landing South**

A cluster/coastal area subdivision to divide 145.43 acres +/- into 156 single family lots to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County. The property is lying on the southeast corner of Old Mill Bridge Rd. and Miller Neck Rd. Tax Parcel: 134-21.00-6.00 (portion of). Zoning District. AR-1 (Agricultural Residential District).

Motion by Ms. Wingate, seconded by Ms. Stevenson, and carried unanimously to defer action for further consideration. Motion carried 5-0.

#### **2019-13 - Old Mill Landing North**

A cluster subdivision to divide 37.60 acres +/- into 71 single family lots to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County. The property is lying on the southeast corner of Old Mill Bridge Rd. and Miller Neck Rd. Tax Parcel: 134-21.006.00 (portion of). Zoning District. AR-1 (Agricultural Residential District).

Motion by Ms. Wingate, seconded by Ms. Stevenson, and carried unanimously to defer action for further consideration. Motion carried 5-0.

#### **C/U 2205 - Frank Passwaters**

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for an auto-motorcycle repair to be located on a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, containing 1.8711 acres, more or less. The property is lying on the southwest side of Railroad Ave. and Greely Ave., 911 Address: 8870 Railroad Ave., Lincoln. Tax Parcel: 230-6.00-1.02

Mr. Hopkins moved to recommend the Commission grant preliminary approval of C/U 2205 for Frank Passwaters for an auto and motorcycle repair shop based upon the record made at the public hearing and for the following reasons:

1. The repair facility will small and with the conditions and stipulations placed upon it. It will not have an adverse impact on the neighboring properties or community.
2. The site is located on Railroad Avenue which is a fairly well-traveled roadway. There is also an active railway next to the roadway. This is an appropriate location for a small business such as this one.
3. The small business will not have a negative impact on traffic or nearby roadways.
4. The use as a repair facility is of a public or semi-public character and is desirable for the general convenience and welfare of the area.
5. This recommendation for approval is subject to the following conditions and stipulations:
  - A. One lighted sign, not to exceed 32 square feet per side, shall be permitted.
  - B. Security lighting shall be downward screened and shall be directed away from the neighboring properties and roadways.
  - C. Any dumpsters shall be screened from view of the neighbors and roadways. The dumpster locations shall be shown on the Final Site Plan.
  - D. All repairs shall be performed indoors. No automobile parts shall be stored outside.
  - E. No junked, unregistered or permanently inoperable vehicles, motorcycles or trailers shall be stored on the site.
  - F. There shall not be any parking in the front yard setback.
  - G. All parking areas shall be shown on the Final Site Plan and clearly marked on the site itself. Vehicles shall only be parked within these designated areas.
  - H. As stated by the Applicant, any tow trucks associated with the business shall be stored indoors when not in use.
  - I. All oils and other fluids shall be properly stored indoors in appropriate containers. The Applicant shall also comply with the state and federal requirements for the disposal of these fluids.
  - J. The site shall be subject to all DelDOT entrance and roadway requirements.
  - K. The hours of operation shall be 7:00 am through 5:00 pm, Monday through Friday, and 8:00 am until 5:00 pm on Saturdays. There shall not be any Sunday hours.
  - L. Any violation of these conditions may be grounds for termination of this conditional use.
  - M. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Hopkins, seconded by Ms. Stevenson, and carried unanimously to grant approval for the reasons and with the conditions stated in the Motion. Motion carried 5-0.

**C/Z 1902 - John C. Stamato c/o Ribera Development, LLC**

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an CR-1 Commercial Residential District to an HI-1 Heavy Industrial District for a certain parcel of land lying and being in Georgetown Hundred, Sussex County, containing 15 acres, more or less. The property is lying on the southeast corner of Lewes-Georgetown Hwy. (Rt. 9). and Steiner Rd. 911 Address: N/A. Tax Parcel: 135-16.00-23.00 (portion of)

Mr. Robertson stated that this is a request for a change in zone from CR-1 to HI and there was discussion about whether this change in zone would comply with the current Comprehensive Plan; that in this case, there was consensus among the Commission that this area may have been missed in the Future Land Use Map as being appropriate for future industrial uses given that this location is next to a railroad, just outside of Georgetown and is near the County's industrial park; and that if it were to be approved, a change should be made in the Future Land Use Map.

Mr. Hopkins moved that the Commission recommend approval of C/Z #1902 for John C. Stamato for a Change in Zone from CR-1 to HI-1 based upon the record made during the public hearing and for the following reasons, but contingent upon an amendment to the Sussex County Future Land Use Map. The reasons for this recommendation are as follows:

1. This site is in on a property that has frontage along Route 9, although the area to be rezoned to HI-1 is set back from Route 9 approximately 1,000 feet. Route 9 is classified as a major arterial roadway. While the proposed HI-1 area does not have direct frontage on Route 9, Route 9 is an appropriate entrance location for vehicular access to the site.
2. The entire site is currently zoned as C-1 and CR-1. Properties on either side of the entire site are zoned C-1. There are also a number of commercial and industrial type uses in the area. The proposed HI-1 area is compatible with the surrounding zoning and uses.
3. The site is bounded on the south by an active railroad. The railroad separates this property and any potential uses on it from properties south of the railroad.
4. The adjacent railroad is operated by the Delmarva Central Railroad Company, which connects to other rail service providers. Delmarva Central has submitted a letter in support of the application and indicates that the rezoning to HI-1 will promote further economic opportunities for rail service in Sussex County.
5. This rezoning to HI-1 promotes transportation goals in the Sussex County Land Use Plan, which states in Section 13.2.2 that "The County's goods movement (freight) network is an integral component of the transportation network as well as the economy." However, "the main element of the freight network is the roadway system, which carries trucks (motor freight)." One means of reducing truck impacts is to shift more freight to rail, although opportunities to do that are limited. This site presents an opportunity to achieve this goal.
6. The rezoning will not have an adverse impact on the area. And, if anyone seeks to start a "potentially hazardous use" on the property, the Sussex County Zoning Code provides an additional layer of protection by requiring a public hearing and approval of the use by the Board of Adjustment.
7. No parties appeared in direct opposition to the rezoning.
8. The rezoning promotes the health, safety, morale, welfare, convenience, order and prosperity of present and future residents of Sussex County by establishing an HI-1 zoned property at an appropriate location with access to a major arterial road and rail service.

9. This recommendation is contingent on an amendment to the Future Land Use Map as currently shown in the Comprehensive Plan. According to the Future Land Use Map, the site is within a “Commercial Area”, which does not permit HI-1 Zoning in that Area. However, this site should be amended to a “Developing Area” which does permit HI-1 Zoning. Because of the active rail line, the Map should not have precluded HI-1 zoning from being one of the possible zoning districts for this area.

Motion by Mr. Hopkins, seconded by Ms. Stevenson, and carried unanimously to grant approval for the reasons and with the conditions stated in the Motion. Motion carried 5-0.

### **Memorandum of Understanding Between Sussex County and DelDOT**

The MOU describes the coordination process between Sussex County and DelDOT regarding the process of land use applications. Continuation of Public Hearing

The Commission discussed the Memorandum of Understanding which was deferred from the January 9, 2020 meeting.

Mr. Robertson outlined that, based upon the input at those meetings, that a number of revisions had been made to the draft MOU document, and that a ‘red line’ version had been prepared showing the changes; that this version includes line numbers to assist in understanding where changes have been made. Mr. Robertson outlined that the ‘red line’ version will be made available online prior to the County Council Public Hearing scheduled for January 28, 2020.

Mr. Hopkins moved that the Commission recommend approval of the MOU between Sussex County and the Delaware Department of Transportation for the following reasons, but also subject to the following recommendations:

1. The DelDOT MOU is required by Title 9 of the *Delaware Code*. Title 9 also requires Sussex County to establish a traffic Level of Service, or “LOS” suitable to both DelDOT and Sussex County.
2. Our current MOU dates back to 1988, and a review and update of the MOU is appropriate at this time. Several of the terms and processes identified in the current MOU have been revised. It is necessary for a new MOU to incorporate these revisions.
3. The prior MOU only addressed rezonings. The proposed revised MOU addresses not only rezoning decisions, but also Major Subdivisions, Residential Planned Communities and Residential Conditional Uses.
4. The new MOU is the result of significant work and discussions between representatives of Sussex County and representatives of DelDOT.
5. Constructive public comment was received through a hearing spread over two different Planning & Zoning Meetings. That information was taken into account while looking at appropriate recommendations to Council for possible revisions to the draft MOU.
6. It is clear in the MOU, and with the recommended revisions, that Sussex County retains control over land use decisions within its jurisdiction.
7. Based on the information provided during the public hearings, this recommendation for approval is subject to the following recommendations. For ease of tracking, many of them reference line numbering. A line-numbered version of the MOU should be utilized during the public hearing at County Council. A redlined version of these changes will also



be forwarded to County Council with these recommendations. The recommendations are as follows:

1. In the 6<sup>th</sup> “WHEREAS” clause at line 25, the word “the” should be deleted.
2. Paragraph 3 at lines 103 to 107 should be deleted. While it is necessary to take into account seasonal traffic volumes in all traffic analyses, this is already undertaken as part of DelDOT’s mandated methods of analysis. The rest of the paragraphs should be renumbered accordingly.
3. At Paragraph 5, line 110, add the word “Diminutive” prior to “Negligible”. Both are defined terms, and in neither case should additional traffic analysis be required.
4. In Paragraph 7, at line 128, the following sentence should be added for clarity about how a TIS is reviewed by DelDOT: “DelDOT shall provide a technical evaluation of the TIS in the form of written comments in a Traffic Impact Study Review Letter (TISRL).” Then, the next sentence should be revised so that it states: “DelDOT’s scoping requirements for the TIS and its TISRL should consider the effects of active or proposed transportation improvements in the adopted Six (6) Year Capital Improvements Program, Current Transportation Plans and Committed Off-Site Improvements, the current Sussex County Comprehensive Plan and recommend phasing for development as may be appropriate given the location of the project.”
5. In Paragraph 10, at line 154, letter (d) should be revised so that it states “(d) the application will have a diminutive, negligible or minor impact (with no requirement for a TIS) as described above.” This way it is clear that such smaller land use applications can proceed to a public hearing without the need for a TIS.
6. In Paragraph 11, at line 156, change the word at the beginning of the first sentence from “When” to “if”.
7. In Paragraph 12, at line 164, delete the first sentence of Paragraph 12 in its entirety, and revise the remaining sentences of Paragraph 12 so that the paragraph now states: “If, in DelDOT’s opinion, there are appropriate conditions of approval that it recommends should be imposed upon a land use decision, DelDOT shall offer those conditions as part of the TISRL or as part of its Technical Advisory Committee review for consideration by Sussex County. Any such proposed conditions shall be clearly summarized by DelDOT in its analysis of the TOA, the TISRL or other written comments. Sussex County shall consider the proposed conditions but shall not be obligated to include them as part of any approval.”
8. In Paragraph 13, at line 174, change “required by DelDOT” to “recommended by DelDOT”. In the same Paragraph, at lines 174-177, change the second sentence to state: “To accomplish this, DelDOT should clearly and concisely state what phasing is appropriate for the subject land use application so that Sussex County may impose that recommendation into its various approvals as appropriate.” At line 188, change “TIS” to reference “TISRL” and add the word “process” after “TISLR”.
9. Delete Paragraph 14 at lines 193-194 in its entirety.
10. Under the heading “Site Plan Coordination”, at Paragraph 4 at line 275, add the words “Unless bonded in accordance with DelDOT requirements” to the beginning of the sentence to confirm that DelDOT may grant an entrance permit if certain construction work is bonded.

11. Under the heading “Site Plan Coordination”, at Paragraph 5 lines 278-280, add a similar reference to bonding, so that the sentence now states: “Sussex County will withhold issuance of the Certificate of Compliance until DeIDOT has received appropriate bonding or has accepted the entrance construction and issued the notice to the owner that the entrance construction permit has been issued.”
12. Under the heading “Site Plan Coordination”, add a new Paragraph 6: “The coordination described in this Section shall take into consideration any phasing of the land use project.”
13. In addition to recommendations 1-12, the following more general recommendations should also be considered by Council:
  - a. A comment was received that “Fee In Lieu” should be changed to “Area Wide Study Fee” at line 46, with the following new definition: “A fee collected to complete an Area Wide Study that includes the proposed land use or transportation improvements that benefit the proposed land use. Payment of an Area Wide Study Fee in lieu of a TIS will not preclude a developer’s responsibility for funding and/or construction of its share of off-site improvements. Those improvements may be determined to be needed by the Area Wide Study or other studies including TIS’s received for other nearby developments.” DeIDOT was unable to comment on this suggestion; County Council should consult with DeIDOT as to whether this is an appropriate revision.
  - b. Comments were received about re-organizing the MOU for clarity. The proposed MOU is organized so that it follows the general format and order of the 1988 MOU, rather than completely re-writing the document. However, County Council, with staff, should consider re-organizing parts of the document for clarity.

Motion by Mr. Hopkins, seconded by Mr. Mears, and carried unanimously to recommend approval of the Memorandum of Understanding, as revised, and based upon the reasons outlined in the motion. Motion carried 5-0.

#### PUBLIC HEARINGS

#### **C/Z 1903 – W. Wayne Baker**

**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 Dagsboro Hundred, Sussex County, containing 17.25 acres, more or less.** The property is lying on the southwest corner of DuPont Boulevard (Route 113) and Governor Stockley Road. 911 Address: N/A. Tax Parcel: 133-6.00-43.00

Ms. Cornwell advised the Commission that submitted into the record were an exhibit booklet, a staff analysis of the plan, a boundary survey of the property, and the DeIDOT service level evaluation confirming that a TIS is not currently required but a TIS may be required depending on what the site plan determines.

Mark Davidson, Pennoni & Associates, spoke on behalf of the Applicant, Mr. Wayne Baker. This Application seeks a rezoning of a portion of lands AR-1 residential district located on 17.25 acres more

or less in the Dagsboro Hundred, southwest corner of DuPont Highway which is also US Route 113 and Gov. Stockley Rd. The subject property has been in the Baker family since January 1964. Mr. Baker is the owner of Baker Petroleum, a family owned and operated business, since 1952. Baker Petroleum has spent more than half a century as one of Southern Delaware's leading energy companies. They employ about 150 people. They serve all of Sussex and part of Kent Counties with delivery of propane and heating oils, diesel fuel and gasoline. They operate a number of convenience stores that provide goods and services to local communities in Delaware. The property is bordered on the north and west by US Route 113 and Gov. Stockley Road. On the south AR-1 lands that are in Ag Preservation as well as C-1 Commercial lands that run along Gov. Stockley Rd. and bordered on the east by more AR-1 lands.

Mr. Davidson outlined that the proposed commercial zoning is in the vicinity of other commercial zoned properties and uses and will not diminish property values within the neighborhood, will not create a public nuisance, or result in an increased in public expenditures; that in the booklet, Tab 3, there is an area use map of some of the commercial uses that are in the area; such as, Melvin Joseph Construction Company, Iron Source Equipment Rentals, David A. Banks, M&L Joseph Sand and Gravel Company, a borrow pit shown as a big body of water in the center of the map, a warehouse storage facility, Stockley Tavern, and other various types of commercial uses in the area.

Mr. Davidson stated that the current Comprehensive Plan suggests that each Application should be reviewed on its own merit and does not have a negative impact on the surrounding area or the community or the County in general; that in the 2019 Sussex County Comprehensive Plan the property proposed for rezoning to commercial is identified as being in a low-density area and business development should largely be confined to businesses addressing the needs of nearby homes and agricultural activities; that since the Comprehensive Plan is the guide for the future use of the land, the County's official zoning map must be consistent with the uses and intensities of uses provided for in the Future Land Use Plan; that table 4.5-2 provides a tool for assisting with determining which zoning districts are operable to each Future Land Use category; that in the Comprehensive Plan, one of the stated goals is to promote commercial development and offices in industrial areas and there are several commercial and some industrial type uses in the area but there are a lot of commercial uses in the area where the Applicant is proposing zoning for this property; that in Ordinance No. 2550, Sussex County Council desired to create a more specific C-2 Medium Commercial Zoning District with small related uses to the district to promote better planning and predictability within Sussex County; that the purpose of the C-2 Medium Commercial District is to support uses that include retail sales and performance of consumer services; that it permits a variety of retail professional and service businesses; that this district shall primarily be located near arterial collector streets; that Route 113 is a principle arterial and it accommodates community commercial uses.

One of the exhibits submitted is a rezoning map or bubble sketch that outlines how the Baker family would like to see the property developed sometime in the future; that along the front Route 113, the Applicant is looking to do support services, flex based and as stated previously, they own a number of convenience stores and service stations throughout Sussex County; that this is an ideal place for them to future plan the growth of their business within this area; that access would be taken off Gov. Stockley Rd. US Route 113 is part of the corridor capacity program within DelDOT so access has to be taken off the secondary road; that there are commercial uses are using Gov. Stockley Rd. as their access to their facilities as well; that in the back could be flexible, such as warehouse and storage area and there is

sufficient amount of areas on the property that could handle an on-site wastewater treatment system and handle any type of stormwater plant for the property.

Mr. Davidson stated that the granting of this application for the commercial rezoning would allow the Baker family to plan for the future, to continue to promote their convenience store with gas pumps that would provide for the sale of convenience goods and personal services for the day-to-day living needs of the nearby existing and future communities; that the 2015 Strategies for State Policies and Spending identifies the area as an investment Level 4. Developers and property owners make local roadway improvements as development occurs; that infrastructure needs will be funded by the developer; that additional public infrastructure that will benefit the community such as, road improvements, access improvements, will also be paid for by the developer. There are no wetlands on this particular property; that the property is located in a Food Zone X, unshaded; that there are no historical or natural features on the property; that the soils on this site are deep, well-drained soils; that there is a soil map in the exhibits that shows the type of soils. The soils are well-drained, very deep, sandy soils good for onsite septic systems and good for stormwater Best Management Practices; that the properties are not in any ground water protection zone areas; that the property will be served by commercial on-site wastewater disposal system; that there are no existing wooded areas on the site that will need to be disturbed; that the site is in a Tier III County Sewer area so at some point sewer will be in the area or the Applicant can seek other means; that the Applicant is looking at on-site wastewater treatment system for this property; that one of the things in the Future Land Use Plan directing development to areas that have existing infrastructure and were it can be secured cost effectively; that the road infrastructure is there because it is on US Route 113 which is the principle arterial and any road improvements taking access off Gov. Stockley Rd. will be borne by the Applicant; that the other thing it talks about encouraging tourism and other responsible commercial and industrial job providers to locate and invest in the County; that Mr. Baker has a proven track record of investing in the County; that he employees about 150 people right now and they are looking to expand their facility.

Mr. Davidson stated that he feels that the proposed rezoning meets the general purpose of the zoning laws being located in an appropriate location, meeting the purpose of this district and Future Land Use Plan strategies and objectives of the Comprehensive Plan that promotes growth and development through community design, utilities, transportation and economic development in an area where there is a general mixture of commercial and service activity which is essential and desirable for the welfare of the County.

Mr. Hopkins asked if it is possible to get an entrance from Route 113 to the primary parcel. Mr. Davidson replied that the primary entrance cannot be off Route 113; that it must be accessed off a secondary road; that it will depend on how the traffic impact study determines site circulation and how it will be safer at the intersection. Mr. Hopkins stated that there is a need for a gas station there, but it might be easier if there is a way in and way out. Mr. Davidson commented that DeIDOT would have to do a traffic analysis for whatever is proposed for the property. Sometimes you relieve the traffic at the intersection by allowing right in and right out. They will just not allow you full access. Mr. Hopkins agreed that it makes good sense.

The Commission found that no one spoke in favor of or in opposition to the Application. Chairman Wheatley announced that the Public hearing for the Application was now closed.

At the conclusion of the Public Hearings, the Commission discussed this application. Mr. Hopkins agreed with Mr. Robertson that he would prefer to defer consideration of the application to allow time for a motion to be prepared.

Motion by Mr. Hopkins, seconded by Ms. Stevenson to defer application CZ 1903 for Wayne Baker for further consideration. Motion carried unanimously 5-0.

**C/Z 1904 – Dry Acres, LLC (Jill Cicierski)**

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR1 Agricultural Residential District to a C-2 Medium Commercial District for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 10.88 acres, more or less. The property is lying on the northeast corner of Harbeson Road (Route 5) and the Lewes Georgetown Highway (Route 9). 911 Address: N/A. Tax Parcel: 235-30.00-51.00.

Mr. Whitehouse advised the Commission that they have received an exhibit booklet, a boundary survey, a staff analysis, a copy of the DelDOT service level evaluation confirming that the TIS is not required at this time as part of the rezoning. Also received was a copy of a Plus response, seven letters of support and another letter which is a thirteen-signature petition in support of the rezoning.

Mr. Mark Davidson, Pennoni & Associates spoke on behalf of the Applicant, Jill Cicierski who is the contract purchaser of the property. The owners are Dry Acres LLC. The Application seeks a rezoning for a portion of land in AR-1 Agricultural Residential District located on 10.88 acres, more or less, in the Boardkill Hundred located on the south side Lewes-Georgetown Highway which is US Route 9, west side of Fisher Rd. Sussex County Route 262, to C-2 Medium Commercial District. The property is bordered on the north by US Route 9 which is a principle arterial, directly across the street from Shoreview Woods Development, a 96-unit multi-family development, and on the south by the Maryland Delaware Railroad and is at the end of the active railroad. It is also the placement of the future Rails to Trails path and on the south side of the railroad track there are other lands that are owned by Dry Acres LLC which are zoned AR-1 and GR. On the west there is an existing commercial use, Cool Spring Mini Storage, and on the east by Fisher Rd., along with other commercial uses and the Dollar General on the opposite side. Then diagonal to this site is an institutional zoned parcel of land which has been purchased by Bay Health.

Mr. Davidson stated that Ordinance 2550 Sussex County Council desired to create a more specific C-2 Commercial Zoning District with smaller, more related uses within the district to promote better planning and predictability with Sussex County. The purpose of the C-2 Medium Commercial District is to support uses that include retail sales, performance of consuming services. It permits a variety of retail, professional service businesses. The district should be primarily located near an arterial collector street. Route 9 being the principle arterial which accommodates community commercial uses that do not have outside storage or sales.

Mr. Davidson stated that included in the exhibit is sketch of what Ms. Cicierski's proposal for the site. C-2 zoning would allow her to create a shopping plaza constructed around a community retail plaza that will provide for the sale of convenience goods and personal services for the day-to-day living needs of the nearby existing and future communities. Part of the plan shows full access coming off Fisher Rd. which would be directly lined up across the street from the existing entrance that is for the Dollar General

Store. There is limited access off Route 9 which is right in and right out. In the Plus response, DelDOT did state that this property could have two accesses, one off Route 9 and the other off Fisher Rd. There is a cross section area to enables interconnectivity to adjacent properties. The property to the west is already developed as a mini storage facility. There will be connectivity with the Rails to Trails program along the railroad at the rear of the property.

Mr. Davidson stated that the proposed rezoning to C-2 for this property is in the vicinity of other commercial zoned properties and uses and will not diminish or impair property values within the neighborhood, will not create a public nuisance or result in an increase in public expenditures. An area map was submitted showing commercial uses along this corridor, such as, Dollar General, the Cool Spring Storage Center, the Coastal Light Patios and Garden Center, and to the east the Oak Creek Wine & Spirits. This is an area that has supported other commercial uses in the past and currently.

Mr. Davidson stated that in the 2019 Sussex County Comprehensive Plan the area of the proposed rezoning for this property is identified to be in a low density and is currently surrounded by existing developing areas. The Sussex Plan suggests that each Application should be reviewed on its own merit and does not have a negative impact on the surrounding area or the County in general. Some of the stated goals within the Plan for new commercial zoning is to promote growth and development in areas where capital facilities and infrastructure are already available and adequate to support growth. The property has already dedicated right-of-way along Fisher Rd. and US Route 9 when DelDOT re-did the intersection of Route 9 and Fisher Rd. Additional property will be dedicated for the expansion of US Route 9 from an 80 ft. right-of-way to 100 ft. right-of-way. To promote commercial development in designated commercial office and in industrial areas in scale and intensity distance appropriate to adjacent residential neighborhoods. The bubble sketch shows what Ms. Cicierski would like to do with the property. Additionally, the nearest residential development Shoreview Woods development across the road as well as the Cool Spring development further east on Fisher Rd. will benefit in that the subject property is not adjacent to their development but close enough to serve the residents with future services without them having to travel further distances. Engage in planning that considers the efficient location of public services and infrastructure while establishing future public sewer service areas that will help preserve open space by promoting early growth rather than unplanned sprawl. This property is located along US Route 9 with access to public sewer and water as well as access to major roadway systems that are east and west of Lewes and Georgetown. This property in this location with commercial zoning will prohibit any unplanned sprawl that the Comprehensive Plan is discouraging.

Mr. Davidson stated that the current owners have already worked with DelDOT regarding the dedication of additional right of way along Route 9 and Fisher Rd. and the developers will work with DelDOT to allow share cross access easements within the property which will promote interconnection to adjacent properties. A TIS was not required as part of this Application but the developers will have to provide future transportation improvements to the adjacent roadways. In addition, future connection to the Rails to Trails pedestrian path along the existing road will be coordinated with DelDOT. A DART bus shelter will be required for this project. Since US Route 9 is a principle and an important freight corridor, setbacks will be increased to allow for future capacity in the form of additional right of way dedications, permit easements and additional stormwater management setbacks. Intersections and commercial entrances will be consolidated to reduce access points. Service roads to the properties will link local residents to commercial parking lots at the rear of the buildings and will increase the aesthetic benefits to the community. The purpose of retail and office uses in low density areas should provide

conveniences and services to nearby residences which is what is being proposed for these properties. Commercial uses may be appropriated depending on the surrounding uses. These services will reduce traffic to Route 1 for basic needs.

Mr. Davidson stated that the Sussex Plan promotes US Route 9 vision to be tied to efforts to make the corridor multimodal. Currently the Georgetown to Lewes Rail Trail is being constructed by DelDOT in phases. Once completed the trail will provide a pedestrian bicycle path that is separated from car traffic. The trail will service as both recreational asset and transportation option to the community. The Rails to Trails is being planned that as it comes down through Cool Spring where the existing rail has been removed at this time and when connects to US Route 9, it will run down US Route 9 to get to the intersection and then will have a pedestrian crossing across US Route 9, down Fisher Rd. and then pick up the railroad track that runs along the rear of the property. This property will be dedicating additional land to be able to accommodate the future Rails to Trails connection.

Mr. Davidson stated that since the Comprehensive is a guide to future land use the County official land map must be consistent with the uses and intents of uses provided in the Future Land Use Plan. Table 4.5-2 provides a tool for assisting in determining which zoning districts are applicable to each future land use category. The applicable zoning district for low-density area is the C-2 Medium Commercial District. The 2015 Strategies for State Policies and Spending identifies the area as an Investment Level III. This area is intermingled with a fast-growing area in the County and is adjacent to Level II areas. The priorities in the Level III area are for DelDOT to focus on regional movements between towns and other population centers. Developers and property owners will make local roadway improvements as development occurs. All infrastructure needs will be funded by the developer.

Mr. Davidson stated that the wetlands on the property have been delineated and will not be disturbed. The property is located in a Flood Zone X unshaded. There are not historical nature features on the property. Stormwater will be onsite and use best management practices for handling stormwater runoff and the properties are not in ground water protection zone. Private utility companies are considered a viable option for water wastewater treatment in areas where county and municipal services are nonexistent or unplanned. As stated previously, Artesian Wastewater Management, Inc. mainly provide water and sewer services for developments along US Route 9 east of Georgetown and CPCN's will be executed for both water and sewer for this property. Existing water and sewer are already located in front of this property. Delmarva Power & Light Co. has 150 ft. wide utility easement through the subject property that connects to major substations to the north. This electric service will provide sufficient energy to this property and beyond this area. These properties have natural gas transmission pipeline located along the property that is owned and operated by Eastern Shore Gas Co. which is also Chesapeake Utilities. Verizon and Comcast are the main telecommunication providers operating in this service area. All these utilities ensure quality growth of development by the planning and developing of infrastructure and services in the County to complement State and local planning efforts with adequate sewer, water and electricity, natural gas and fiber optic infrastructure to the property.

Mr. Davidson stated that finally the proposed rezoning meets the general purpose of the zoning ordinance being located in an appropriate location meeting the purpose of this district and the Future Land Use Plan strategies and objectives of the Comprehensive Plan that promotes growth and development through community design, utilities, transportation, economic development in an area where general mixture of commercial and service activity now exists which is essential and desirable

for the general convenience, early growth, prosperity and welfare of the County. We ask that the Commission look favorable regarding this application to C-2.

Ms. Stevenson stated that if the rezoning were approved and a site plan submitted for commercial use, there would need to see a strong lighting plan for the protection of the residents in the area.

Mr. Hopkins discussed the property being in a flood area but not wetlands. Mr. Davidson replied that it is in a Zone X Flood and there are about 1 ½ acres of wetlands on the property.

Ms. Wingate stated that she sees two areas designated wetlands and asked if the wetlands would be disturbed. Mr. Davidson pointed out the wetlands on the map and he stated that the wetlands will remain wooded and that the entrance will split the wetlands.

The Commission found that no one spoke in favor of or in opposition to the Application. Upon there being no further questions, Chairman Wheatley closed the public hearing for this application.

At the conclusion of the Public Hearings, the Commission discussed C/Z 1904 Dry Acres, LLC (Jill Cicierski). Motion by Ms. Stevenson, second by Mr. Hopkins, to defer action for further consideration. Motion carried 5-0.

#### OTHER BUSINESS

##### **Country Life Community (S-18-14)**

###### Preliminary Site Plan

This is a Preliminary Site Plan for approval for construction of thirty-five single family cottages and forty-five apartment units with access off Hickman Rd. Sussex County Route 16. The Applicant asks to be granted a special use exception for a convalescent home, nursing home and/or home for the aged through the Board of Adjustment case #12194. The Preliminary Site Plan complies with the Sussex County Zoning Code. The Tax Parcel is 530-4.00-23.00 and 530-9.00-4.00. The zoning is AR-1 Agricultural Residential Zoning District and Staff are awaiting Agency approvals.

Motion by Mr. Hopkins, seconded by Ms. Wingate, and carried unanimously to approve the Preliminary Site Plan with final approval by staff subject to receipt of all agency approvals. Motion carried 5-0.

##### **Artisan's Bank (S-19-47)**

###### Preliminary Site Plan

This is a Preliminary Site Plan for the construction of a proposed 3,632 sq. ft. bank building and associated parking to consist of a total of 27 parking spaces, accessed off Hood Rd and John J. Williams Highway, Route 24. The Preliminary Site plan complies with Sussex County Zoning Code. The Tax Parcel is District 334-12.00-127.06, The zoning is CR-1 Commercial Residential Zoning District and Staff are waiting Agency approvals.

Motion by Mr. Mears, seconded by Mr. Hopkins, and carried unanimously to approve the Preliminary Site Plan with final approval by staff subject to receipt of all agency approvals. Motion carried 5-0.



**ABC Storage, LLC**

Revised Site Plan

This is a Revised Site Plan for the construction of an additional 22 parking spaces for an existing mini storage and retail business. The Planning & Zoning Commission approved Change of Zone 1884 on August 13, 2019 for the C-2 Medium Commercial District. The Applicant is requesting approval to provide parking in the front yard setback, there will be 4 parking spaces within the front yard setback with the remaining proposed parking spaces beyond the front yard setback. If the request is granted, the revised site plan otherwise complies with the Sussex County Zoning Code. The Tax Parcel is District 231-6.00-231.00, and District 231-5.00-24.00,. The Zoning District is C-1 General Commercial Zoning District and C-2 Medium Commercial Zoning District. Staff are awaiting Agency approvals.

Motion by Mr. Hopkins, seconded by Ms. Stevenson, and carried unanimously for the approval of Revised Site Plan for ABC Storage, LLC for parking in the front yard setback with final approval by Staff upon receipt of all Agency approvals. Motion carried 5-0.

**The Bottom Line (S-19-48)**

Preliminary Site Plan

This is a Preliminary Site Plan for a professional office in an existing 1,374 sq. ft. structure, 7 parking spaces and other site improvements located at 29065 Lewes-Georgetown Highway. The Applicant is requesting approval for relief from the interconnectivity requirement for commercial uses. The Preliminary Site Plan otherwise complies with the Sussex County Zoning Code. The Tax Parcel is District 334-4.00-80.00. The Zoning District is AR-1 Agricultural Residential Zoning District. Staff are awaiting Agency approvals.

Ms. Stevenson thinks that the interconnectivity should remain; that it does not have to be built at this time but should remain on the Site Plan so that it is designated for the future. It was the consensus of the Commission that the interconnectivity remains on the plan.

Motion by Ms. Stevenson, seconded by Ms. Wingate, and carried unanimously for the approval of the Preliminary Site Plan with the condition to require interconnectivity be shown on the Final Site Plan and to build it when deemed necessary by the Commission with final approval by the Staff upon receipt of all other Agency approvals. Motion carried 5-0.

**Fishers Popcorn Fenwick, LLC**

Preliminary Site Plan

This is a Preliminary Site Plan for a proposed parking lot obtaining 9 parking spaces and other site improvements located off Lighthouse Rd. The Applicant is seeking a provision to allow for parking in the front yard setback. The front yard setback requirement per the County Zoning Code is 60 ft. The average front yard setback for this lot would 15 ft. for structure. The Preliminary Site Plan complies with the Sussex County Zoning Code and the Tax Parcel is District 134-23.20-149.00The Zoning District is C-1 General Commercial Zoning District and Staff are awaiting Agency approvals.

Motion by Mr. Hopkins, seconded by Ms. Stevenson and carried unanimously for approval of the Preliminary Site Plan with final approval by Staff upon the receipt of all Agency approvals. Motion carried 5-0.

**ADDITIONAL BUSINESS**

Public comments in recognition of Ms. Cornwell. Mr. Robertson and the Commission expressed their good wishes to Ms. Cornwell. Ms. Cornwell thanked everyone for their good wishes. Mr. Wheatley stated that the entire Planning and Zoning Commission deeply appreciates Ms. Cornwell's years of service, her help, and her friendship; and that they wish her all the best in her next endeavor.

**Meeting adjourned at 7:44 p.m.**

\*\*\*\*\*

**Planning and Zoning Commission meetings can be monitored on the internet at [www.sussexcountyde.gov](http://www.sussexcountyde.gov).**

\*\*\*\*\*





**VICINITY MAP**  
NOT TO SCALE

**SITE DATA**

OWNERS: SHIRLEY ANNE GREGORY  
505 ARCHER PL  
SALISBURY, MARYLAND 21801

SURVEYOR: STEVEN M ADKINS LAND SURVEYING, LLC  
212 E. FRONT STREET  
LAUREL, DE 19956

TAX MAP: 532-14.00-17.00

DEED REF: BOOK 704, PAGE 30

EXISTING LOTS: 1

PROPOSED LOTS: 2

LOT AREA: LOT 1: 81,757.1 SQ.FT.± (1.876 Ac.)  
RESIDUAL: 7.905 ACRES±

SEWER/WATER: LOT 1: PRIVATE  
RESIDUAL: PRIVATE

EXISTING LOT USE: AGRICULTURAL/RESIDENTIAL

PROPOSED LOT USE: LOT 1: RESIDENTIAL  
RESIDUAL: AGRICULTURAL

ZONING: AR-1

SETBACKS: FRONT B.R.L. = 40'  
SIDE B.R.L. = 15'  
REAR B.R.L. = 20'

LOCAL ROAD FRONTAGE: LOT 1: 0.00' FEET± (COACHMANS ROAD (SCR 454B))  
RESIDUE: 707.55' FEET± (COACHMANS ROAD (SCR 454B))  
RESIDUE: 243.62' FEET± (OLD STAGE ROAD (SCR 68))

LOCAL ROAD SPEED LIMIT: 50 MPH

NEAREST TID: 60 MI. ±

**LEGEND**

- CAPPED IRON ROD TO BE SET
- FOUND IRON PIPE
- EXISTING POWER POLE
- INGRESS/EGRESS EASEMENT LINE
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- P ELECTRIC PEDESTAL
- S STREET SIGN
- MB MAIL BOX
- T.B.R. TO BE REMOVED

**NOTES**

1. THE BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE AND IS SUPPORTED BY BOUNDARY MONUMENTS FOUND/LOCATED DURING OUR FIELD RUN LAND SURVEY.
2. A TITLE SEARCH WAS NEITHER REQUESTED NOR PREPARED FOR THE SUBJECT PARCEL SHOWN HEREON, THEREFORE, THIS PLAN DOES NOT VERIFY THE EXISTENCE OF ANY RIGHTS OF WAY OR EASEMENTS WHICH MAY AFFECT THIS PARCEL OTHER THAN THE INFORMATION SHOWN ON THIS PLAN.
3. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
4. LOT 1 & THE RESIDUAL LANDS SHALL HAVE A COMBINED ACCESS TO SCR 454B VIA THE 30' INGRESS/EGRESS EASEMENT AS SHOWN.
5. THE RESIDUAL LANDS SHALL HAVE A SINGLE ACCESS TO SCR 407 VIA AN EXISTING ENTRANCE AS SHOWN.
6. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
7. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROAD WAY ARE PROHIBITED WITHIN DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT OF WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED LAND OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
8. THE INTENT OF THIS LAND SURVEY IS TO SUBDIVIDE THE LANDS OF SHIRLEY ANN GREGORY (532-14.00-17.00) INTO (2) SEPARATE PARCELS (INCLUDING THE RESIDUAL LANDS) WHICH CONFORM TO THE STANDARDS ESTABLISHED BY SUSSEX COUNTY AND THE STATE OF DELAWARE.

**OWNER'S CERTIFICATION**

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

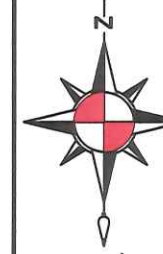
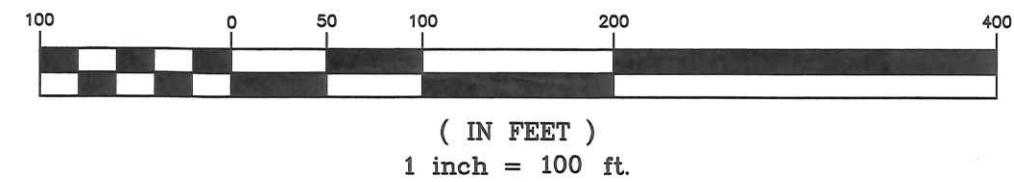
SHIRLEY ANN GREGORY \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S CERTIFICATION**

I, STEVEN M. ADKINS, HEREBY ATTEST THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE AND THAT THE INFORMATION SHOWN HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION AND ADHERES TO THE LAND SURVEYING STANDARDS ESTABLISHED BY THE STATE OF DELAWARE

STEVEN M. ADKINS \_\_\_\_\_ LS-700 \_\_\_\_\_ DATE \_\_\_\_\_

**GRAPHIC SCALE**

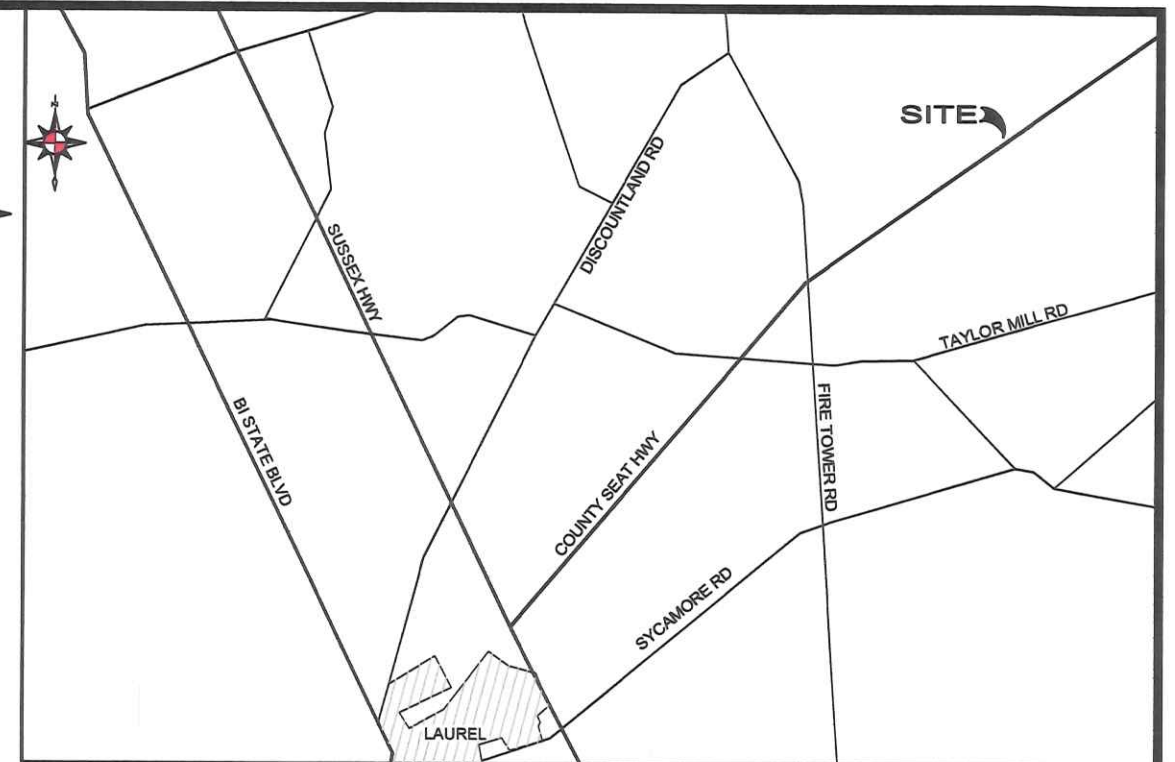
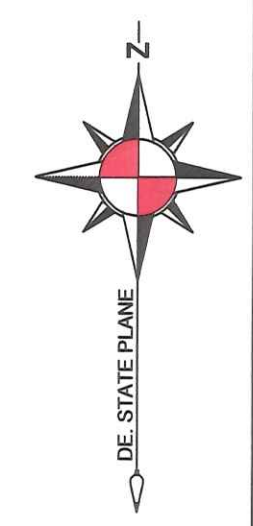
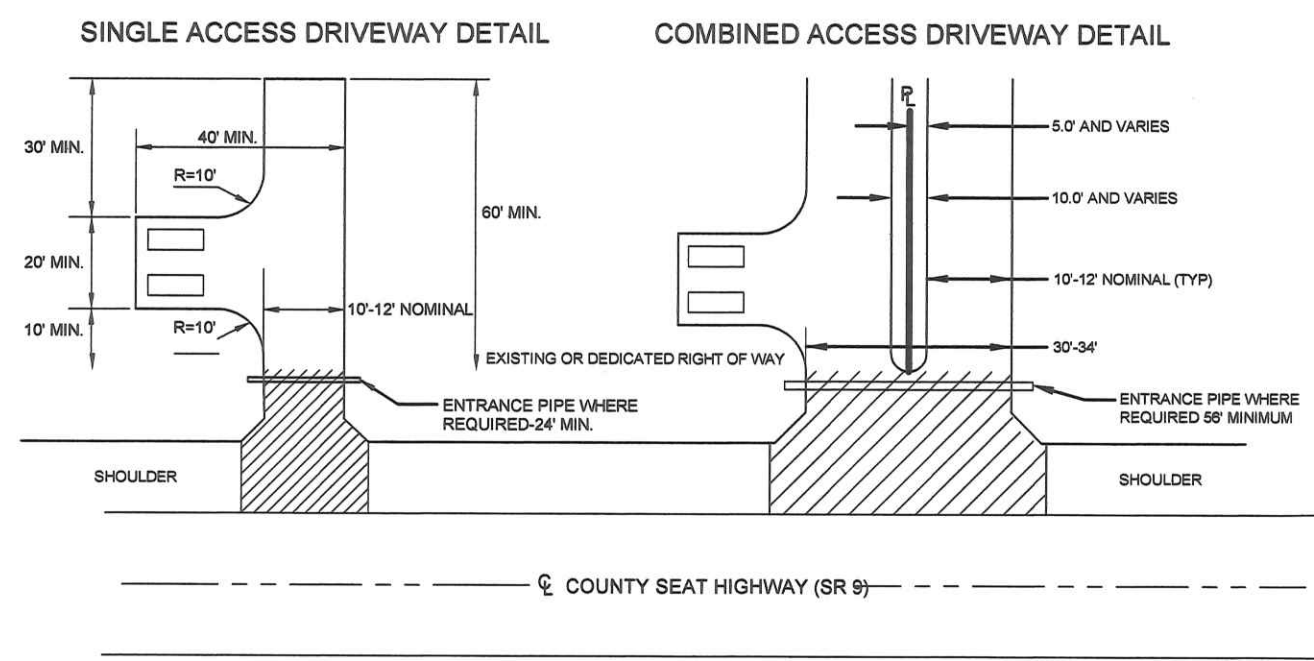


**STEVEN M. ADKINS**  
Land Surveying, LLC  
212 E. Front Street  
Laurel, DE 19956  
(302) 875-3555 - Office

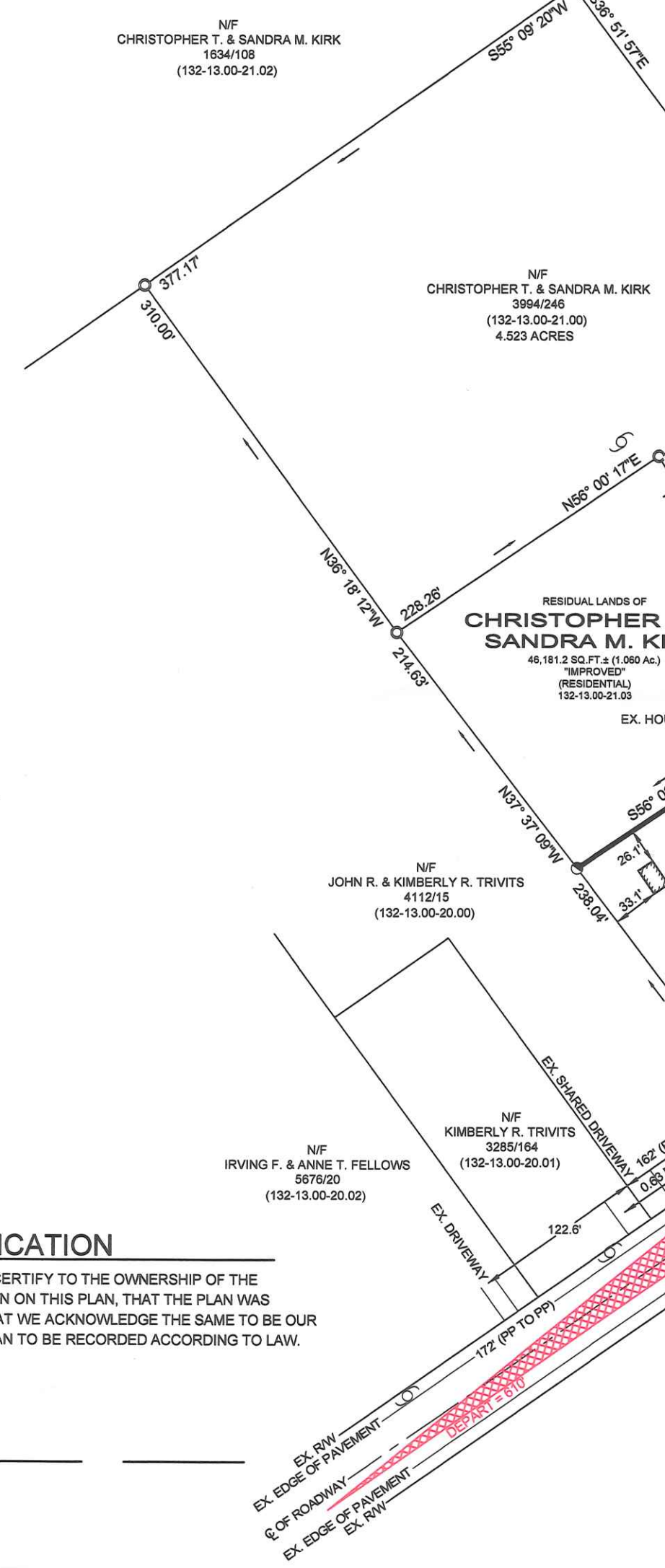
MINOR SUBDIVISION OF THE LANDS OF  
**SHIRLEY ANN GREGORY**  
**12058 COACHMANS ROAD (SCR 454B)**  
LITTLE CREEK HUNDRED  
SUSSEX COUNTY, DELAWARE

DATE: 07/07/2022  
PROJECT #: 2021038.00  
SCALE: 1" = 100'  
DRAWN BY: S.M.A.  
CHECKED BY: S.M.A.





VICINITY MAP  
NOT TO SCALE



- NOTES:**
- 1.) DRIVEWAY WIDTHS MAY BE INCREASED WITH DELDOT'S APPROVAL FOR SPECIAL PURPOSE VEHICLES, I.E. FARM VEHICLES, ETC.
  - 2.) MINIMUM RESIDENTIAL PAVEMENT SECTION - 6" GRADED AGGREGATE BASE COURSE.
  - 3.) ACCESS TO RESIDENTIAL LOTS SHALL BE LIMITED TO ONE ACCESS POINT (SEE SECTION 7.2.3.1 FOR EXCEPTIONS)
  - 4.) ENTRANCE GEOMETRICS SHALL CONFORM TO DELDOT STANDARD CONSTRUCTION DETAIL C-3.

**RESIDENTIAL ACCESS DESIGN REQUIREMENTS**  
NOT TO SCALE

**SITE DATA**

**OWNERS:** CHRISTOPHER T. & SANDRA M. KIRK  
12082 MIREY BRANCH RD  
LAUREL, DELAWARE 19956

**SURVEYOR:** STEVEN M ADKINS LAND SURVEYING, LLC  
212 E. FRONT STREET  
LAUREL, DE 19956

**TAX MAP:** 132-13.00-21.03

**DEED REF:** BOOK 6685, PAGE 189

**EXISTING LOTS:** 1

**PROPOSED LOTS:** 2

**LOT AREA:** LOT 1: 44,592.5 SQ.FT.± (1.023 Ac.±)  
RESIDUAL: 46,181.2 SQ.FT.± (1.060 Ac.±)

**SEWER/WATER:** LOT 1: PRIVATE  
RESIDUAL: PRIVATE

**EXISTING LOT USE:** RESIDENTIAL

**PROPOSED LOT USE:** LOT 1: RESIDENTIAL  
RESIDUAL: RESIDENTIAL

**ZONING:** AR-1

**SETBACKS:** FRONT B.R.L. = 40' (LOT 1)  
FRONT B.R.L. = 30' (RESIDUE)  
SIDE B.R.L. = 15'  
REAR B.R.L. = 20'

**LOCAL ROAD FRONTAGE:** LOT 1: 174.92' FEET± (COUNTY SEAT HIGHWAY - (SR 9)  
RESIDUE: 100.00' FEET± (ON INGRESS/EGRESS EASEMENT)

**LOCAL ROAD SPEED LIMIT:** 50 MPH

**NEAREST TID:** 30 MI. ±

**LEGEND**

- CAPPED IRON ROD TO BE SET
- FOUND IRON PIPE
- FOUND CAPPED IRON ROD
- FOUND CONCRETE MONUMENT
- DEDICATED RIGHT OF WAY LINE
- - - INGRESS/EGRESS EASEMENT LINE
- EXISTING PROPERTY LINE
- - - PROPOSED PROPERTY LINE
- MB EXISTING MAIL BOX
- OVERHEAD POWER POLE

**NOTES**

1. THE BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE AND IS SUPPORTED BY BOUNDARY MONUMENTS FOUND/LOCATED DURING OUR FIELD RUN LAND SURVEY.
2. A TITLE SEARCH WAS NEITHER REQUESTED NOR PREPARED FOR THE SUBJECT PARCEL SHOWN HEREON, THEREFORE, THIS PLAN DOES NOT VERIFY THE EXISTENCE OF ANY RIGHTS OF WAY OR EASEMENTS WHICH MAY AFFECT THIS PARCEL OTHER THAN THE INFORMATION SHOWN ON THIS PLAN.
3. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
4. A 40' WIDE STRIP OF RIGHT OF WAY FROM THE CENTERLINE IS HEREBY DEDICATED TO THE STATE OF DELAWARE AS PER THIS PLAN.
5. LOT 1 SHALL HAVE A SINGLE ACCESS TO SR 9 VIA THE EXISTING DRIVEWAY AS SHOWN.
6. THE RESIDUAL LANDS AND TAX PARCEL 132-13.00-22.00 (OTHER LANDS OF CHRISTOPHER & SANDRA KIRK) SHALL HAVE A SINGLE ACCESS TO SR 9 VIA A 50' WIDE INGRESS/EGRESS EASEMENT AS SHOWN.
7. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
8. 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 DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT OF WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED LAND OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
9. THE INTENT OF THIS LAND SURVEY IS TO SUBDIVIDE THE LANDS OF CHRISTOPHER T. & SANDRA M. KIRK (132-13.00-21.03) INTO (2) SEPARATE PARCELS (INCLUDING THE RESIDUAL LANDS) WHICH CONFORM TO THE STANDARDS ESTABLISHED BY SUSSEX COUNTY AND THE STATE OF DELAWARE. IN ADDITION A 50' INGRESS/EGRESS ACCESS EASEMENT AS SHOWN HEREON IS HEREBY ESTABLISHED PER THIS PLAN.

**OWNER'S CERTIFICATION**

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

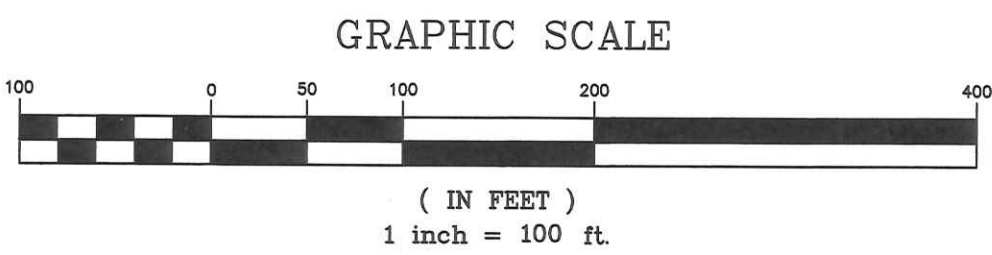
CHRISTOPHER T. KIRK \_\_\_\_\_ DATE \_\_\_\_\_

SANDRA M. KIRK \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S CERTIFICATION**

I, STEVEN M. ADKINS, HEREBY ATTEST THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE AND THAT THE INFORMATION SHOWN HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION AND ADHERES TO THE LAND SURVEYING STANDARDS ESTABLISHED BY THE STATE OF DELAWARE

STEVEN M. ADKINS LS-700 DATE \_\_\_\_\_

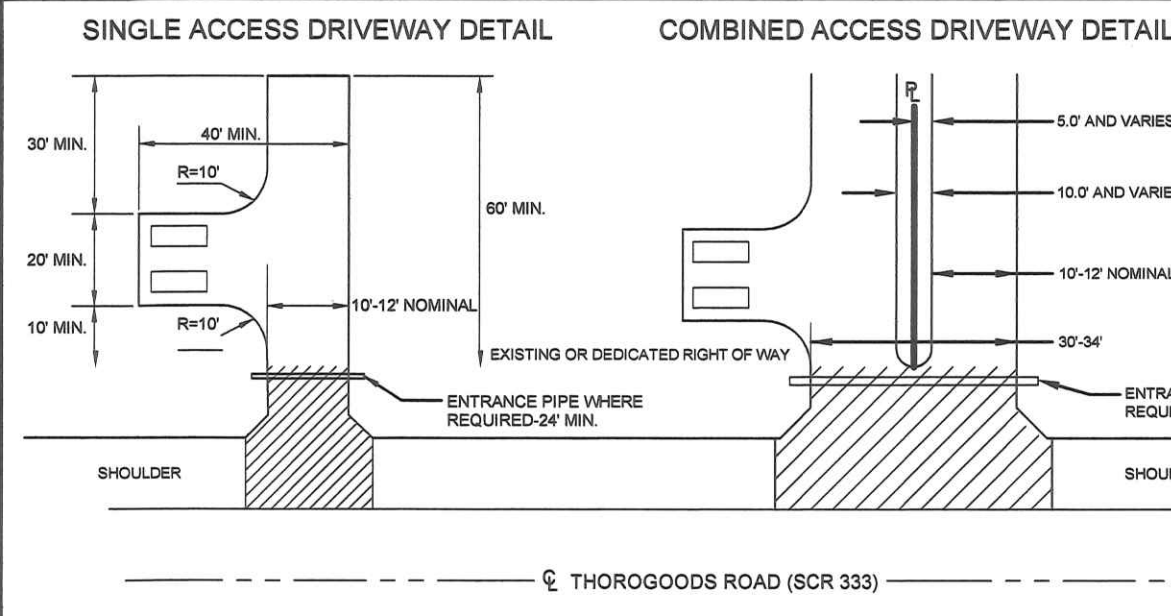


**STEVEN M. ADKINS**  
Land Surveying, LLC  
212 E. Front Street  
Laurel, DE 19956  
(302) 875-3555 - Office

MINOR SUBDIVISION OF THE LANDS OF  
**CHRISTOPHER T. & SANDRA M. KIRK**  
**12321 COUNTY SEAT HIGHWAY**  
BROAD CREEK HUNDRED  
SUSSEX COUNTY, DELAWARE

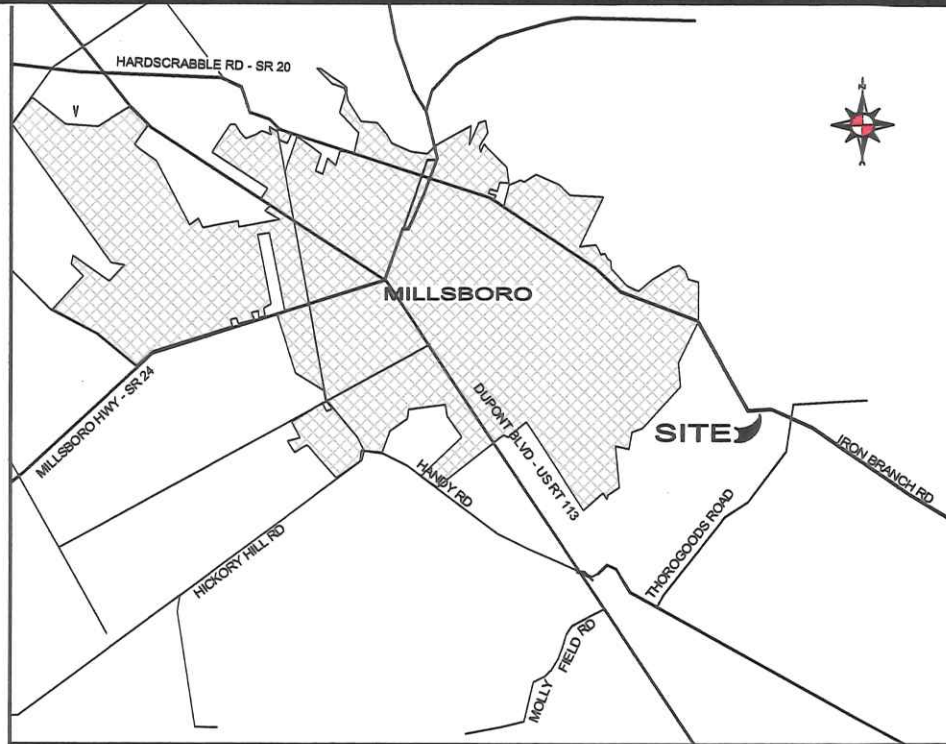
DATE:	07/01/2022
PROJECT #:	2021024.01
SCALE:	1" = 100'
DRAWN BY:	S.M.A.
CHECKED BY:	S.M.A.





**LEGEND**

- DEL-DOT RW CONCRETE MONUMENT TO BE SET
- CAPPED IRON ROD TO BE SET
- FOUND IRON PIPE
- BUILDING RESTRICTION LINE
- DEDICATED RIGHT OF WAY LINE
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- ELECTRIC PEDESTAL
- STREET SIGN
- MAIL BOX TO BE REMOVED
- UTILITY POLE



**VICINITY MAP**  
NOT TO SCALE

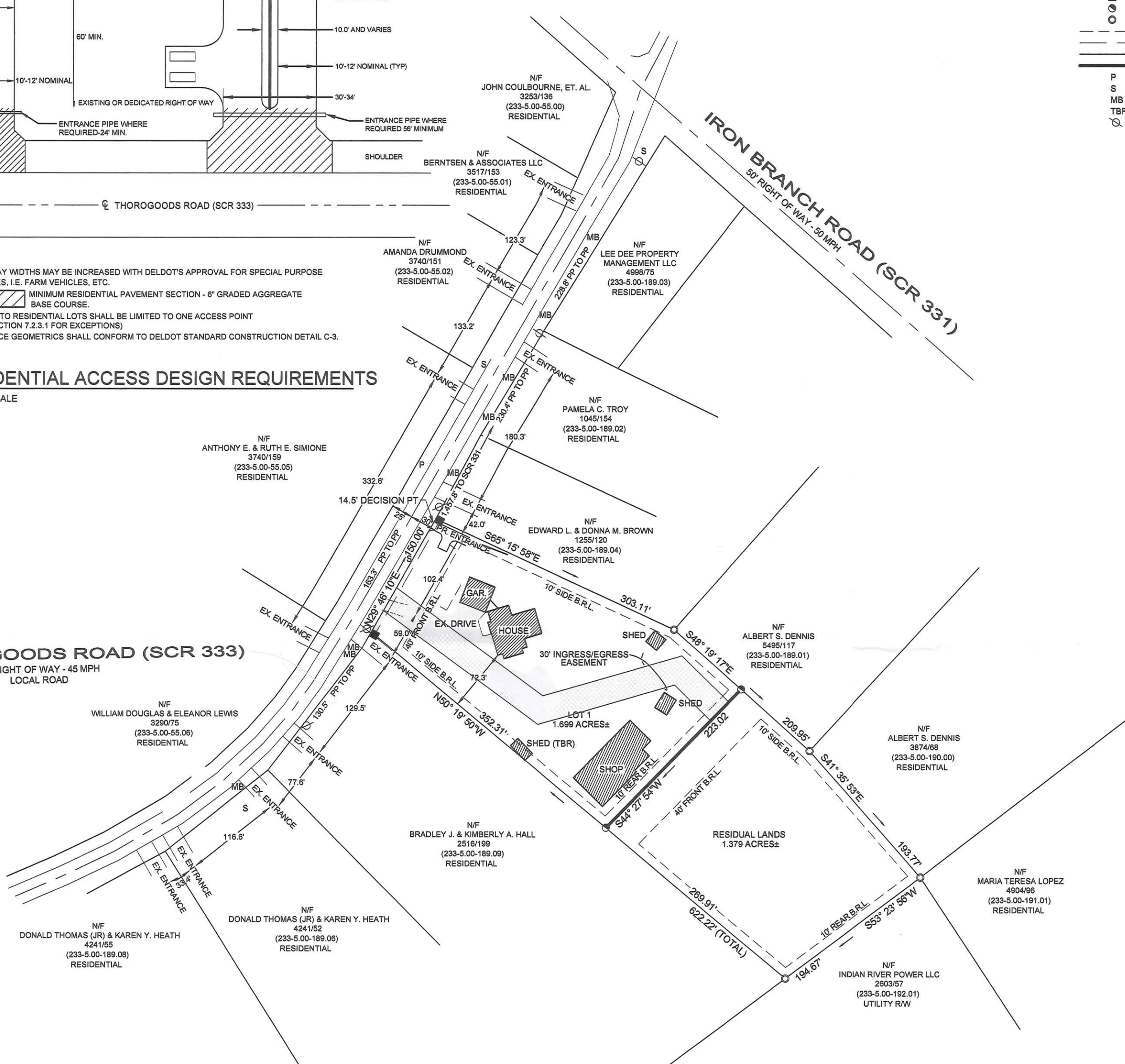
- NOTES:**
- 1.) DRIVEWAY WIDTHS MAY BE INCREASED WITH DELDOT'S APPROVAL FOR SPECIAL PURPOSE VEHICLES, I.E. FARM VEHICLES, ETC.
  - 2.) MINIMUM RESIDENTIAL PAVEMENT SECTION - 6" GRADED AGGREGATE BASE COURSE.
  - 3.) ACCESS TO RESIDENTIAL LOTS SHALL BE LIMITED TO ONE ACCESS POINT (SEE SECTION 7.2.3.1 FOR EXCEPTIONS)
  - 4.) ENTRANCE GEOMETRICS SHALL CONFORM TO DELDOT STANDARD CONSTRUCTION DETAIL C-3.

**RESIDENTIAL ACCESS DESIGN REQUIREMENTS**

NOT TO SCALE

**THOROGOODS ROAD (SCR 333)**  
50' RIGHT OF WAY - 45 MPH LOCAL ROAD

**IRON BRANCH ROAD (SCR 331)**  
50' RIGHT OF WAY - 50 MPH



**SITE DATA**

<b>OWNERS:</b>	GORDAN D. HEATHMAN, TRUSTEE 30259 THOROGOODS RD DAGSBORO, DELAWARE 19939 302-245-9078
<b>SURVEYOR:</b>	STEVEN M ADKINS LAND SURVEYING, LLC 212 E. FRONT STREET LAUREL, DE 19956
<b>TAX MAP:</b>	233-5.00-189.00
<b>DEED REF:</b>	BOOK 4809, PAGE 182
<b>EXISTING LOTS:</b>	1
<b>PROPOSED LOTS:</b>	2
<b>LOT AREA:</b>	LOT 1: 1.699 ACRES RESIDUAL: 1.379 ACRES
<b>SEWER/WATER:</b>	LOT 1 & RESIDUAL: PRIVATE
<b>EXISTING LOT USE:</b>	RESIDENTIAL
<b>PROPOSED LOT USE:</b>	LOT 1: RESIDENTIAL RESIDUAL: RESIDENTIAL
<b>ZONING:</b>	GR
<b>SETBACKS:</b>	FRONT B.R.L. = 40' SIDE B.R.L. = 10' REAR B.R.L. = 10'
<b>LOCAL ROAD FRONTAGE:</b>	LOT 1: 150.00' FEET± (THOROGOODS ROAD (SCR 333)) RESIDUE: 0.00' FEET± (THOROGOODS ROAD (SCR 333))
<b>LOCAL ROAD SPEED LIMIT:</b>	45 MPH
<b>NEAREST TID:</b>	30 MI. ±

**NOTES**

1. THE BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE AND IS SUPPORTED BY BOUNDARY MONUMENTS FOUND/LOCATED DURING OUR FIELD RUN LAND SURVEY.
2. A TITLE SEARCH WAS NEITHER REQUESTED NOR PREPARED FOR THE SUBJECT PARCEL SHOWN HEREON. THEREFORE, THIS PLAN DOES NOT VERIFY THE EXISTENCE OF ANY RIGHTS OF WAY OR EASEMENTS WHICH MAY AFFECT THIS PARCEL OTHER THAN THE INFORMATION SHOWN ON THIS PLAN.
3. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
4. A 30' WIDE STRIP OF RIGHT OF WAY FROM THE CENTERLINE IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION.
5. LOT 1 SHALL HAVE A SINGLE ACCESS TO SCR 333 IN WHICH THE ENTRANCE SHALL BE LOCATED ALONG THE EASTERN BOUNDARY LINE. SHOULD ADDITIONAL LOTS EVER BE DEVELOPED FROM THE RESIDUAL LANDS, THEN THE SINGLE ACCESS SHALL BE CONVERTED TO A COMBINED ACCESS.
6. THE RESIDUAL LANDS SHALL HAVE A SINGLE ACCESS TO SCR 333 VIA AN EXISTING ENTRANCE AS SHOWN.
7. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
8. 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 DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT OF WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED LAND OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
9. THE INTENT OF THIS LAND SURVEY IS TO SUBDIVIDE THE LANDS OF GORDAN HEATHMAN, TRUSTEE (233-5.00-189.00) INTO (2) SEPARATE PARCELS (INCLUDING THE RESIDUAL LANDS) WHICH CONFORM TO THE STANDARDS ESTABLISHED BY SUSSEX COUNTY AND THE STATE OF DELAWARE.

**OWNER'S CERTIFICATION**

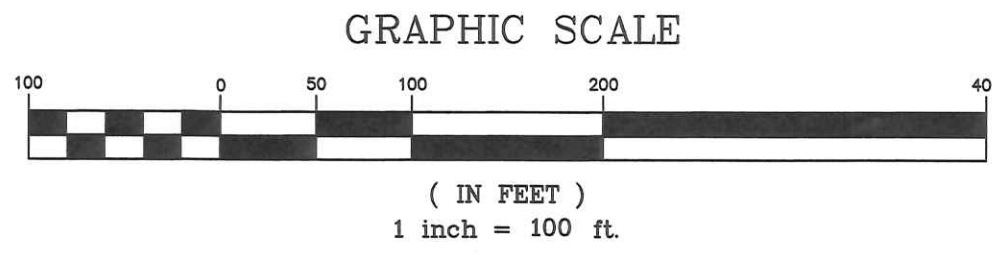
I, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND THAT I DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

GORDAN D. HEATHMAN II, TRUSTEE      DATE

**SURVEYOR'S CERTIFICATION**

I, STEVEN M. ADKINS, HEREBY ATTEST THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE AND THAT THE INFORMATION SHOWN HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION AND ADHERES TO THE LAND SURVEYING STANDARDS ESTABLISHED BY THE STATE OF DELAWARE

STEVEN M. ADKINS      LS-700      DATE



**STEVEN M. ADKINS**  
Land Surveying, LLC  
212 E. Front Street  
Laurel, DE 19956  
(302) 875-3555 - Office

MINOR SUBDIVISION OF THE LANDS OF  
**GORDAN D. HEATHMAN, TRUSTEE**  
30259 THOROGOODS RD (SCR 333)  
DAGSBORO HUNDRED  
SUSSEX COUNTY, DELAWARE

DATE:	REV:
05/16/2022	08/29/2022
PROJECT #:	
2022009.00	
SCALE:	
1" = 100'	
DRAWN BY:	
S.M.A.	
CHECKED BY:	
S.M.A.	