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

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

Sussex County
Planning & Zoning Commission

AGENDA**

September 10, 2020

5:00 P.M.

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA

Call to Order

Approval of Agenda

Approval of Minutes – August 27, 2020

Other Business

Somerset Green (F.K.A Lewes Townhouses) KS
Revised Site Plan

Bridgeville Concrete Plant (S-20-22) KH
Preliminary Site Plan

Hocker's Super Center Phase 2 (S-20-24) BM
Preliminary Site Plan

Best Shot Delaware (S-20-28) KS
Preliminary Site Plan

Lands of Layton HW
Minor Subdivision off an existing easement

Lands of Ronda A. Banning HW
Minor Subdivision off a 34.93' wide easement

Lands of Hazel L. Cordrey Trustees KS
Minor Subdivision off a 50' wide easement

Old Business

C/U 2220 Sussex Land Company, LLC (Victor Little) KS
An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential

District for a fence construction business and for outdoor storage of construction materials to be located on a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, containing 6.00 acres, more or less. The property is lying on the west side of Holly Tree Road approximately 0.21 mile south of Fleatown Road (S.C.R. 224). 911 Address: 11412 Holly Tree Road, Lincoln. Tax Parcel: 230-20.00-9.09

C/U 2226 Jonathan E. & Karen M. Hearn KH

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for an events venue to be located on a certain parcel of land lying and being in Northwest Fork Hundred, Sussex County, containing 3.024 acres, more or less. The property is lying on the north side of Cannon Rd. approximately 0.92 mile west of Sussex Hwy. (Route 13). 911 Address 8275 Cannon Road, Seaford. Tax Parcel: 131-18.00-33.00 (part of)

C/U 2229 D.R.'s Lawn Maintenance, LLC KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a landscaping and lawn maintenance business on a certain parcel of land lying and being in Georgetown Hundred, Sussex County, containing 5.678 acres, more or less. The property is lying on the north side of Hollis Rd. (S.C.R. 295), approximately 0.38 mile east of the intersection of Gravel Hill Rd. (Rt. 30) & Hollis Rd. (S.C.R. 295). 911 Address: 25479 Hollis Rd., Harbeson. Tax Parcel: 135-16.00-43.09

C/U 2230 Ralph A. Kemmerlin, Sr. KH

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a professional gunsmithing business to be located on a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, containing 0.74 acres, more or less. The property is lying on the south side of the intersection of Elks Lodge Rd. (S.C.R 211) and Hammond Dr. approximately 0.74 mile southeast of Marshall St (S.C.R. 225). 911 Address: 19306 Elks Lodge Road, Milford. Tax Parcel: 330-11.18-41.00

5:30 P.M. Public Hearings

2020-02 – Lands of Steve Axe Sr. KH

A standard subdivision to divide 5.00 acres +/- into 2 single family lots to be located on a certain parcel of land lying and being in Dagsboro Hundred, Sussex County. The property is lying on the north side of Bunting Road, approximately 0.33 mile east of Kruger Road. Tax Parcel: 133-6.00-56.11. Zoning District: AR-1 (Agricultural Residential District).

2020-05 – Lands of James D. West KH

A standard subdivision to divide 4.296 acres +/- into 4 single family lots to be located on a certain parcel of land lying and being in Northwest Fork Hundred, Sussex County. The property is lying on the west side of Sussex Highway (Route 13), approximately 0.80 mile south of Adams Road (S.C.R. 583). Tax Parcel: 530-17.00-2.02. Zoning District: AR-1 (Agricultural Residential District).

C/U 2231 Solid Walls, LLC KH

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a concrete contractor office, storage and maintenance to be located on a certain parcel of land lying and being in Cedar Creek Hundred, Sussex County, containing 9.51 acres, more or less. The property is lying on the east side of VFW Road, 288

feet south of Ellendale Forest Road. 911 Address: 14411 VFW Road, Ellendale. Tax Parcel: 230-31.00-24.00.

C/Z 1913 FW & SV Thoroughgood Family Limited Partnership HW
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a HI-1 Heavy Industrial District for a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, containing 3.60 acres, more or less. The property is lying on the west side of Thorogoods Road. 911 Address: 30512 & 30540 Thorogoods Road, Dagsboro. Tax Parcel: 233-5.00-70.00.

C/Z 1919 Newton Farms, LLC KH
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a C-1 (General Commercial District) to a LI-2 (Light Industrial District) for a certain parcel of land lyng and being in Northwest Fork Hundred, Sussex County, containing 23.7021 acres, more or less. The property is lying on the south side of E. Newton Road, approximately 791 feet west of Sussex Highway (Route 13). 911 Address: N/A. Tax Parcel: 131-6.00-8.00.

Ord. 20-04 – Amendment to Future Land Use Map
AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 135-16.00-23.00 (PORTION OF)

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on September 3, 2020 at 4:30 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

-MEETING INSTRUCTIONS-

** The Sussex Planning & Zoning Commission is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in-person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chamber seating capacity is limited and seating assignments will be enforced.

The meeting will be streamed live at **https://sussexcountyde.gov/council-chamber-broadcast**

The County is required to provide a dial-in telephone number for the public to comment during the appropriate time of the meeting. Note, the on-line stream experiences a 30-second delay. Any person who dials in by telephone should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1 302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments for those items listed under public hearings on this agenda.

The Planning & Zoning Commission meeting materials, including the "packet", are electronically accessible on the County's website at: **https://sussexcountyde.gov/**

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments shall be submitted by 4:30 P.M on Wednesday, September 9, 2020

# # # #

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

Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Jamie Whitehouse, Director, Department of Planning & Zoning; Lauren DeVore, Planner III, Jenny Norwood, Planner I, Christin Headley, Planner I, Nicholas Torrance, Planner I, and Chase Phillips, Planner I
CC: Vince Robertson, Assistant County Attorney
Date: August 31, 2020
RE: Other Business for the September 10, 2020 Planning Commission Meeting

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This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the September 10, 2020 Planning Commission meeting.

Somerset Green (F.K.A. Lewes Townhouses) KS

Revised Site Plan

This is a Revised Site Plan for the previously approved 53-unit multi-family townhouse development approved under the name "Somerset Green". The development is located on a 6.49-acre parcel at the intersection of Plantations Road and Shady Road. The Revised Site Plan seeks to site a 7-ft high fence along the perimeter of Plantations Road and Shady Road. The Planning and Zoning Commission previously approved the Preliminary Site Plan with final approvals to be made by staff at their meeting of December 18, 2014. In support of the Revised Site Plan, the Applicant has submitted letters of support from 20 occupiers, representing 38% of the units in the development. Tax Parcel: 334-6.00-687.00. Zoning: C-1 (General Commercial Zoning District). Staff are in receipt of all required agency approvals.

Bridgeville Concrete Plant (S-20-22) KH

Preliminary Site Plan

This is a Preliminary Site Plan for a concrete plant to be located on a 5.77-acre parcel of land consisting of an existing 6,640 square foot commercial building, 19 parking spaces, a batch plant, 20,250 square feet of material storage and other site improvements. The property is located on the west side of Sussex Highway (Route 13) and lies within the Combined Highway Corridor Overlay Zone (CHCOZ). The Preliminary Site Plan complies with the Sussex County Zoning Code. Tax Parcel 131-19.00-5.00. Zoning: HI-1 (Heavy Industrial Zoning District). Staff are awaiting agency approvals.

Hocker's Super Center Phase 2 (S-20-24) BM

Preliminary Site Plan

This is a Preliminary Site Plan for a commercial center to consist of two retail spaces, a bank, a fast food establishment, and a previously approved car wash to be located over four (4) parcels of land that have a combined area of 12.0437 acres. There are 107 parking spaces to be provided (including the car wash). This property is located on the corner of Roxana Road (S.C.R. 17) and Atlantic Avenue (S.C.R. 26). The Preliminary Site Plan complies with Sussex County Zoning Code. Tax Parcels: 134-12.00-330.01, 331.00, 332.00, 333.00, 334.00. Zoning: C-1 (General Commercial Zoning District). Staff are awaiting agency approvals.

Best Shot Delaware (S-20-28) KS

Preliminary Site Plan

This is a Preliminary Site Plan for a 13,305 square foot indoor shooting range, retail, and office space for Best Shot Delaware. The property is located on the north side of Coastal Hwy (Route 1) and lies within the Combined Highway Corridor Overlay Zone (CHCOZ). The applicant is requesting a waiver to allow for 28 proposed parking spaces to be located within the front yard setback. The additional parking provided is for future development. The Preliminary Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 334-1.00-15.00. Zoning: C-2 (General Commercial Zoning District) and AR-1 (Agricultural Residential Zoning District) The structure is proposed within the C-2 portion of the parcel. Staff are awaiting agency approvals.

Lands of Layton HW

Minor Subdivision off an existing easement

This is a Preliminary Subdivision Plan for a minor subdivision of a 9.96-acre parcel to create two (2) lots. Lot 1 will consist of 2.134-acres +/-, Lot 2 will consist of 2.656-acres +/-. The residual land will consist of 5.170-acres +/-. The property is located off Woodland Ferry Rd (S.C.R. 78), and the existing easement measures 34.93-ft over an existing driveway (Got Chicken Lane). The Preliminary Subdivision Plan complies with the Sussex County Zoning and Subdivision Code. Tax Parcel: 232-4.00-7.13. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are awaiting agency approvals.

Lands of Ronda A. Banning HW

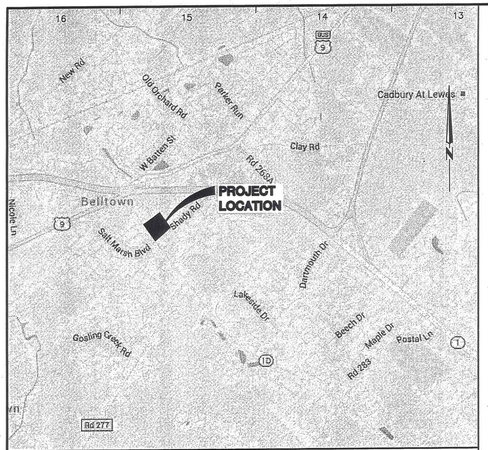
Minor Subdivision off an existing 34.93-ft easement

This is a Preliminary Subdivision Plan for a minor subdivision of a 42.17-acre parcel to create two (2) lots. Lot No. 8 will consist of 1.0274 acres +/-, and Lot No. 9 will consist of 1.4449 acres +/-. The residual land will measure 39.70 acres +/-. The property is located on the north side of Wootten Road (S.C.R. 72). The proposed lots will have access off an existing 50-foot ingress/egress easement over a private road known as Haven Way. The Preliminary Subdivision Plan complies with Sussex County Zoning and Subdivision Codes. Tax Parcel: 332-5.00-15.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are awaiting agency approvals.

Lands of Hazel L. Cordrey Trustees KS

Minor Subdivision off a 50-ft easement

This is a Preliminary Subdivision Plan for a minor subdivision off a 4.9998-acres parcel to create one (1) lot consisting of 1.00 acre, off a proposed 50-ft ingress/egress easement, over an existing driveway. Lot A will consist of 1.00 acre and the residual lands will consist of 3.9998 acres. This property is located off Conleys Chapel Road (S.C.R. 280B). The Preliminary Subdivision Plan complies with Sussex County Zoning and Subdivision Code. Tax Parcel: 234-11.00-74.00. Zoning: MR (Medium Density Residential Zoning District.) Staff are awaiting agency approvals.



LOCATION MAP SCALE: 1"=2,000'

LEGEND

BOUNDARY
RIGHT OF WAY
EASEMENT LINE
BUILDING SETBACK LINE
PROPOSED CONTOUR — 20 —
EXISTING CONTOUR — 19 —
EX. WOODS LINE
PROPOSED PAVEMENT
EX. PAVEMENT
PROPOSED BUILDING STRUCTURES
PROPOSED SIDEWALK
SWALE
PROPOSED FENCE — X — X —

DELDOT GENERAL NOTES

1. 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.
2. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
3. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
4. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS ALONG THE FRONTAGE OF ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL, AND THE REQUIREMENTS OF THE LAND USE AGENCY
5. THE SHARED-USE PATH WITHIN THE PROPERTY LIMITS, 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
6. UPON THE ISSUANCE OF THE TEMPORARY ENTRANCE CONSTRUCTION PERMIT BY THE SOUTH DISTRICT PUBLIC WORKS OFFICE, THE TEMPORARY ENTRANCE IMPROVEMENTS ALONG SCR 276 SHALL BEGIN CONSTRUCTION.
7. PRIOR TO THE ISSUANCE OF THE 1ST BUILDING PERMIT AND/OR CERTIFICATE OF OCCUPANCY, THE TEMPORARY ENTRANCE ALONG SCR 276 SHALL BE COMPLETELY CONSTRUCTED, INSPECTED AND ACCEPTED BY DELDOT.
8. THE TEMPORARY ENTRANCE SHALL HAVE AN INITIAL TRIP RESTRICTION OF 22-OCCUPIED UNITS. ADDITIONAL CERTIFICATES OF OCCUPANCY'S MAY BE ISSUED UNTIL AT THE REQUEST OF THE DEVELOPER AND DELDOT APPROVAL IF THE DART PARK & RIDE BOULEVARD HAS NOT BEEN CONSTRUCTED, INSPECTED AND FINAL ACCEPTED PRIOR TO THE ISSUANCE OF THE 22ND CERTIFICATE OF OCCUPANCY.
9. AT SUCH TIME THE ENTRANCE FROM THE DART PARK & RIDE BOULEVARD IS COMPLETED, THE TEMPORARY ENTRANCE ALONG SCR 276 SHALL BE REMOVED AND REMAINING SIDEWALK SHALL BE RESTORED.

OWNER'S STATEMENT

WE, LEWES-REHOBOTH ASSOCIATES, L.L.C., HEREBY STATE THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THE PLAN WAS MADE AT OUR DIRECTION, WE ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.

LEWES-REHOBOTH ASSOCIATES, L.L.C.
2407 COLUMBIA PIKE, SUITE 200, ARLINGTON, VIRGINIA 22204

BY: _____ 25 April 16
BENJAMIN M. SMITH, JR., TRUSTEE OF THE BMS JR. 2011 TRUST, GROUP A MANAGER — DATE

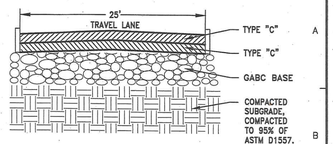
BY: PEETE BROTHERS MANAGEMENT, L.L.C.
A VIRGINIA LIMITED LIABILITY COMPANY
GROUP B MANAGER

BY: _____ 4/23/16
EDWARD C. PEETE, CLASS A MANAGER — DATE

BY: _____ 4/23/16
DAVID D. PEETE, JR., CLASS B MANAGER — DATE

GENERAL NOTES

1. REAR DECKS SHALL NOT BE CONSTRUCTED OFF THE REAR OF UNITS 29 TO 47, DUE TO THE MINIMUM 40' SEPARATION DISTANCE.
2. SIDE DECKS SHALL NOT BE CONSTRUCTED BETWEEN UNITS 6 TO 7, 12 TO 13, AND 17 TO 18, DUE TO THE MINIMUM 40' SEPARATION DISTANCE.
3. THE APPLICANT SHALL FORM A HOMEOWNERS' ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF ROADS, STORMWATER MANAGEMENT FACILITIES, EROSION AND SEDIMENTATION CONTROL FACILITIES, OPEN SPACE, AND OTHER COMMON AREAS.



TYPICAL ROAD SECTION

NOT TO SCALE

DATA COLUMN

TAX MAP NUMBER:	334-6.00-687.00
EXISTING ZONING:	C-1 (COMMERCIAL)
PROPOSED USE:	RESIDENTIAL
TOTAL SITE AREA:	6.49± ACRES
BUILDING AREA:	1.63± ACRES
DRIVEWAY AREA:	0.51± ACRES
ROAD AREA:	1.27± ACRES
OPEN SPACE AREA:	3.08± ACRES
PROPOSED NUMBER OF UNITS:	53 UNITS
PROPOSED HEIGHT MAXIMUM:	42 FEET
PROPOSED MAXIMUM STORIES:	3 STORIES
PROPOSED DENSITY:	8 UNITS/ ACRE
REQUIRED PARKING SPACES:	2/ UNIT
PROVIDED PARKING SPACES (INCLUDING GARAGE):	106 SPACES
C-1 SETBACKS:	FRONT YARD: 40 FEET (40 FEET FROM PLANTATION ROAD) (40 FEET FROM SHADY ROAD) (30 FEET FROM PROPOSED ROAD) REAR YARD: 10 FEET SIDE YARD: 10 FEET
UTILITIES:	WATER – TIDEWATER UTILITIES, INC. SEWER – SUSSEX COUNTY

NO AMENITIES ARE PROPOSED WITHIN THIS DEVELOPMENT.

100 YR. FLOODPLAIN DOES NOT EXIST ON THIS SITE PER FEMA MAP #10005C0331K, DATED 3/16/15.

OWNER / DEVELOPER:
LEWES-REHOBOTH ASSOCIATES, L.L.C.
2407 COLUMBIA PIKE, SUITE 200
ARLINGTON, VIRGINIA 22204

ENGINEER:
DAVIS, BOWEN & FRIEDEL, INC.
ONE PLAZA EAST, SUITE 200
SALISBURY, MD 21801

ENGINEER'S STATEMENT

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

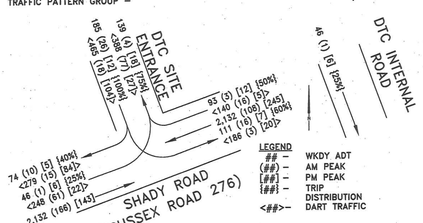
RING W. LARDNER, P.E.
DAVIS, BOWEN & FRIEDEL, INC.
23 NORTH WALNUT STREET
MILFORD, DELAWARE, 19963

RING W. LARDNER No. 10097 PROFESSIONAL ENGINEER DELAWARE

4-15-2016
DATE

ROAD
SHADY ROAD (SUSSEX ROAD 276)
FUNCTIONAL CLASSIFICATION – LOCAL ROADWAY

WEEKDAY AADT (2014 DBF ATR COUNT)	=	3,602
10 YR PROJECTED WEEKDAY AADT = 1.16 X 3,602	=	4,178
10 YR PROJECTED WEEKDAY AADT + COMM DEV ADT (1,081)	=	5,259
10 YR PROJECTED WEEKDAY AADT + COMM DEV + SITE ADT (324)	=	5,583
WEEKDAY DIRECTIONAL SPLIT (DBF COUNTS) = 63.47% / 36.53%		
WEEKDAY PEAK HOUR = 4,178 X 8.48% (DBF WEEKDAY K-FACTOR)		
+ 33 (DELAWARE ARTHRITIS TRAFFIC)	=	388
12.16 TRUCK % X 388	=	47
SPEED – POSTED –		35
TRAFFIC PATTERN GROUP –		7



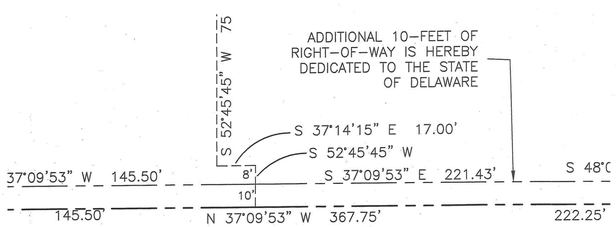
SITE TRIPS GENERATED – PROPOSED

TYPE OF DEV.	ITE CODE	UNITS	WKDY AM	WKDY PM	WKDY ADT
TOWNHOMES/CONDOS	230	53	31	36	370

NOTES:
1. TRIP GENERATION IS BASED ON ITE TRIP GENERATION MANUAL 9TH EDITION.
DESIGN VEHICLE: SU-30.
2. LEWES REHOBOTH TOWNHOMES TRIP DISTRIBUTION BASED ON DELDOT TRAVEL DEMAND MODEL PROVIDED BY DELDOT.
3. DART DAILY TRIP ASSIGNMENT BASED ON PAGE C-14 FROM THE 2012 LEWES AREA TRANSIT FACILITY TRAFFIC STUDY REPORT.
4. DART PEAK HOUR TRIP ASSIGNMENT BASED ON PAGE 11 FROM THE 2012 LEWES AREA TRANSIT FACILITY TRAFFIC STUDY REPORT.

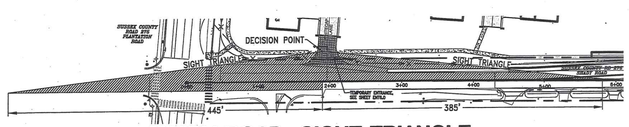
TRAFFIC DIAGRAM

NOT TO SCALE



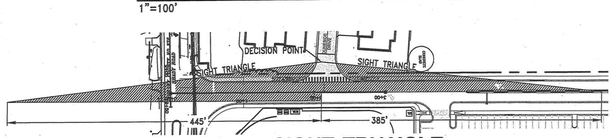
R.O.W. DEDICATION DETAIL

1"=50'



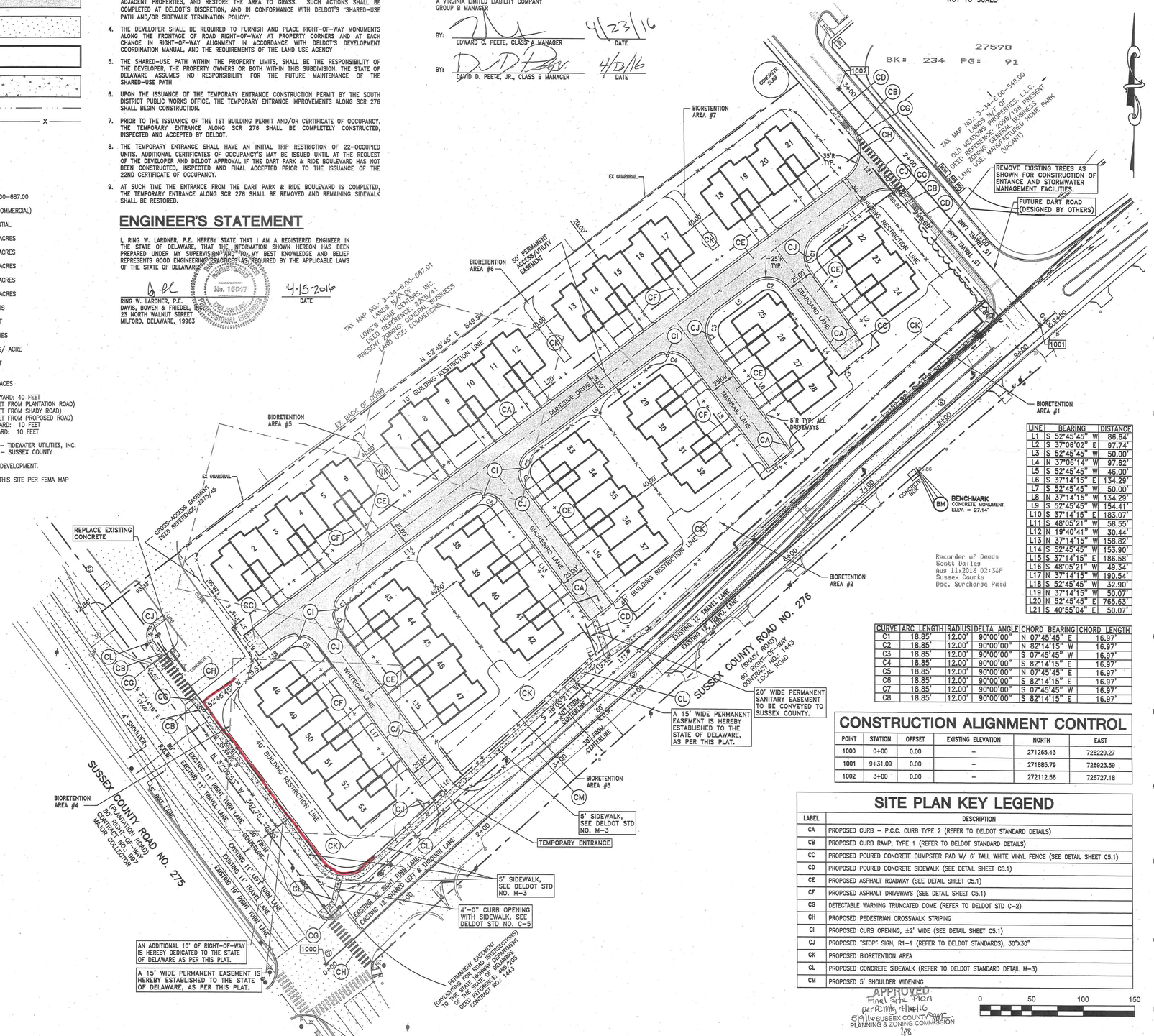
SHADY ROAD- SIGHT TRIANGLE

1"=100'



DART ROAD- SIGHT TRIANGLE

1"=100'



LINE	BEARING	DISTANCE
L1	S 52°45'45" W	86.64'
L2	S 37°06'02" E	97.74'
L3	S 52°45'45" W	50.00'
L4	N 37°06'14" W	97.62'
L5	S 52°45'45" W	46.00'
L6	S 37°14'15" E	134.29'
L7	S 52°45'45" W	50.00'
L8	N 37°14'15" W	134.29'
L9	S 52°45'45" W	154.41'
L10	S 37°14'15" E	183.07'
L11	S 48°05'21" W	58.55'
L12	N 19°40'41" W	30.44'
L13	N 37°14'15" W	158.82'
L14	S 52°45'45" W	153.90'
L15	S 37°14'15" E	186.58'
L16	S 48°05'21" W	49.34'
L17	N 37°14'15" W	190.54'
L18	S 52°45'45" W	32.90'
L19	N 37°14'15" W	50.07'
L20	N 52°45'45" E	765.63'
L21	S 40°55'04" E	50.07'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	18.85'	12.00'	90°00'00"	N 07°45'45" E	16.97'
C2	18.85'	12.00'	90°00'00"	N 82°14'15" W	16.97'
C3	18.85'	12.00'	90°00'00"	S 07°45'45" W	16.97'
C4	18.85'	12.00'	90°00'00"	S 82°14'15" E	16.97'
C5	18.85'	12.00'	90°00'00"	N 07°45'45" E	16.97'
C6	18.85'	12.00'	90°00'00"	S 82°14'15" E	16.97'
C7	18.85'	12.00'	90°00'00"	S 07°45'45" W	16.97'
C8	18.85'	12.00'	90°00'00"	S 82°14'15" E	16.97'

CONSTRUCTION ALIGNMENT CONTROL

POINT	STATION	OFFSET	EXISTING ELEVATION	NORTH	EAST
1000	0+00	0.00	–	271265.43	726229.27
1001	9+31.09	0.00	–	271885.79	726923.59
1002	3+00	0.00	–	272112.56	726727.18

SITE PLAN KEY LEGEND

LABEL	DESCRIPTION
CA	PROPOSED CURB – P.C.C. CURB TYPE 2 (REFER TO DELDOT STANDARD DETAILS)
CB	PROPOSED CURB RAMP, TYPE 1 (REFER TO DELDOT STANDARD DETAILS)
CC	PROPOSED POURED CONCRETE DUMPSTER PAD W/ 6' TALL WHITE VINYL FENCE (SEE DETAIL SHEET C5.1)
CD	PROPOSED POURED CONCRETE SIDEWALK (SEE DETAIL SHEET C5.1)
CE	PROPOSED ASPHALT ROADWAY (SEE DETAIL SHEET C5.1)
CF	PROPOSED ASPHALT DRIVEWAYS (SEE DETAIL SHEET C5.1)
CG	DETECTABLE WARNING TRUNCATED DOME (REFER TO DELDOT STD C-2)
CH	PROPOSED PEDESTRIAN CROSSWALK STRIPING
CI	PROPOSED CURB OPENING, ±2' WIDE (SEE DETAIL SHEET C5.1)
CJ	PROPOSED "STOP" SIGN, R1-1 (REFER TO DELDOT STANDARDS), 30"X30"
CK	PROPOSED BIORETENTION AREA
CL	PROPOSED CONCRETE SIDEWALK (REFER TO DELDOT STANDARD DETAIL M-3)
CM	PROPOSED 5' SHOULDER WIDENING

APPROVED
Final Site Plan
per RCMtg 4/14/16
Sylvia SUSSEX COUNTY
PLANNING & ZONING COMMISSION
1/8

0 50 100 150

P:\2261\2261B002 Lewes Townhouses Project\Design\cds\dwg\C2.0 SITE PLAN.dwg Mar 31, 2016 - 9:45am nlcs

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

SITE PLAN

SOMERSET GREEN
LEWES/REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

Revisions:
1 09-8-15 PER DELDOT COMMENTS
2 10-26-15 PER DELDOT COMMENTS
3 12-07-15 PER DELDOT COMMENTS
4 02-11-16 PER DELDOT COMMENTS
5 03-30-16 PER P&Z COMMENTS

Date: MARCH 2015
Scale: 1" = 50'
Dwn.By: JSB
Proj.No.: 2261B002
Dwg.No.: C2.0

7/22/2020

Sussex County Planning & Zoning
Attn: Permits and Licenses
2 The Circle
Georgetown, Delaware 19947

Re: Fence Permit Application- Somerset Green

Commissioner Jamie Whitehouse:

As COA Executive Board Officers representing the Somerset Green Community in Lewes, Delaware we are providing this letter to express our dire need for an approval of a permit to install a fence along the common grounds perimeter of our community, running parallel to both Plantation and Shady Roads, respectively.

This fence will add both tangible and intangible benefits to our community. It will give the community significant privacy, isolation, and noise reduction from the constant commercial activity and traffic on both major thruways which can be seen and heard from practically every housing unit in Somerset Green.

As executive board members we have full authority to execute this action.
We are exceedingly confident that we are acting in the best economic and aesthetic interest of our community in initiating this permit process.

We respectfully request your total support for our very crucial initiative.

Sincerely,

Kathy Licciardello
Somerset Green COA Executive Officer
Kathy Licciardello

Brendan McCabe
Somerset Green COA Executive Officer
Brendan M

July 22, 2020

To whom it may concern:

RE: Privacy/Safety Fence on Planation/Shady Road

I am the owner and resident of 33121 Whitecap Lane, #48, Lewes, DE 19958, Somerset Green Condominiums. My unit backs up to Plantation Road and I am in agreeance with my neighbors that a privacy/safety fence should be put in place behind these units. I feel it will increase security around our neighborhood and help deter possible crime. It would also allow for privacy from the busy road that looks directly into the windows of my living room and bedroom. Additionally, it would prevent nonresidents from cutting through our neighborhood to reach Lowes or the sidewalk. Considering this is a neighborhood with children and animals, it will also provide an additional security cushion from these roads.

Thank you for your attention to this matter.

Sincerely,

Ashley Miller

33121 Whitecap Lane #48

7/22/2020

Pamela A. Luongo
Margret A. Lawrence
33119 Whitecap Lane
Lewes Delaware 19958

Sussex County
Attn: Permits and Licenses
2 The Circle
Georgetown, Delaware 19947

Re: Fence Permit Application – Somerset Green

To Whom It May Concern:

Please be advised that we are record owners of 33119 Whitecap Lane, Lewes Delaware 19958. We are providing this letter for purposes of expressly supporting any permitting applications, to include any endorsements of same, submitted by any executive council members of Somerset Green's COA.

As it relates to our personal interest, installation of a fence will mitigate significant health and safety issues. William Lawrence, father and husband to the undersigned, respectively, suffers from severe cognitive deficits relative to sustaining a traumatic brain injury in 2012. He requires constant supervision and this fence will provide a crucial safety barrier that will reduce the risk of suffering a traffic-related injury.

Additionally, the fence will benefit the use and enjoyment of my property. Somerset Green is located in an area of dense commercial activity. Inexplicably, a fence was not installed prior to taking possession of the property. The Somerset Green COA, acting in the best interest of the community, has decided to initiate the permitting process. Installation of this fence is also a prudent and logical step to reducing noise while adding privacy.

For the reasons set forth herein, we respectfully request your support for this crucial initiative.

Very Truly Yours,

Pamela A. Luongo

Margaret A. Lawrence

7/22/2020

To whom it may concern,

I have been a resident of Whitecap Lane since the Spring of 2019. There has been talk of adding fencing behind our units on Plantation Road as well as along Shady Road. This would be a great improvement for all the homeowners of Somerset Green, not just those of us who back up to Plantation Road. There are safety concerns as strangers have been seen coming in during the middle of the night from the direction of the Lowes parking lot. On a more personal level we had been promised a dense buffer to separate our homes from the street which would have provided privacy. For various reasons this never came to fruition.

Installing fencing would be a welcome change especially as the community is growing so much with both residential and commercial projects in this already busy area.

Thank you.

Peter Kavka

33117 Whitecap Lane

Lewes, DE 19958

7/22/20

To whom it may concern,

My name is Michael Johnston and I live in the Somerset Green community in Lewes, DE at 33113 Whitecap Ln, Unit #51. I am in agreement with a fence along Plantation and Shady Road as there is no buffer presently and it will provide a buffer, some privacy and safety to the community.

Sincerely,

Michael Johnston

July 22, 2020

To Whom It May Concern:

Re:
Community of Somerset Green, Lewes, DE
Buffer Protection/Privacy Screening/Fence along Plantation Road and Shady Road, Lewes, DE

To Whom It May Concern:

I reside at 33107 Whitecap Lane, Lewes, DE in the community of Somerset Green. When I was sold this home, I had been advised by the builder that a fence would be installed along Plantation Road behind my home and along Shady Road from Plantation Road to Shorebird Lane in the community. I was also advised that a large natural planting bed would be installed behind my home. This never materialized.

Having a buffer/fence along Plantation Road and Shady Road would provide a much-needed visual and noise barrier to traffic along both streets. It would also provide for some privacy and would help deter foot traffic into the community. There are elderly residents, handicapped residents and many children who would benefit from a safety perspective by having a fence installed along Plantation and Shady Road.

It is not safe to leave this community exposed so close to these streets. I strongly support the approval and installation of a fence on these streets.

Thank you for your time and consideration.

Sincerely,

Brendan P. McCabe
33107 Whitecap Lane
Lewes, DE 19958
484-264-8136
Bpmccabe14@yahoo.com

Ray S. Hellmann
35015 Shorebird Lane
Lewes, DE 19958

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

July 22, 2020

Subject: Somerset Green, Lewes, DE
Buffer Protection/Privacy Screening/Fence along Plantation Road and Shady Road, Lewes, DE

Dear Mr. Jamie Whitehouse:

I reside at 35015 Shorebird Lane, Lewes, DE in the community of Somerset Green. When I was sold this home, I was told by the builder that a fence would be installed along Plantation Road and along Shady Road from Plantation Road to Shorebird Lane in this community. I was also advised a line of "Green Giant" tress would be installed along Shady Rd. This never materialized.

Having a buffer/fence along Plantation Road and Shady Road would provide a much-needed visual, noise and safety barrier to increasingly heavy traffic along both streets. It would also provide much needed privacy and would help deter foot traffic into the community. There are elderly, handicapped and many young residents who would benefit from the safety of having a fence installed along Plantation and Shady Roads.

It is not safe to leave this community exposed so close to these busy streets. Furthermore, with the new Sunset Glen development under construction on Shady Rd. directly opposite Somerset Green's SE corner, increased traffic and direct line of sight bears directly into my home. I strongly support the approval and installation of a fence on these streets, as they are indicated on the Somerset Green Site Plan approved by Sussex Co. in 2016.

Thank you for your time and consideration.

Sincerely,

Ray S. Hellmann

Ray S. Hellmann

Szilvia Nagy
35014 Shorebird Lane
Lewes, DE 19958

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

July 22, 2020

Subject:
Somerset Green, Lewes, DE Buffer Protection/Privacy Screening/Fence along Plantation Road and Shady Road, Lewes, DE

Dear Mr. Jamie Whitehouse:

I am the owner of 35014 Shorebird Lane, Lewes, DE in the community of Somerset Green. When I purchased my home, I was told by the builder that a fence would be installed along Plantation Road and along Shady Road from Plantation Road to Shorebird Lane in this community. The builder also told us that giant evergreen trees would be planted along Shady Rd. which has not happened.

I have a young daughter and am very concerned about her safety. Having a buffer/fence along Plantation Road and Shady Road would provide a much-needed visual, noise and safety barrier to increasingly heavy traffic along both streets. It would also provide much needed privacy and would help deter foot traffic into the community. There are elderly, handicapped and many other young residents who would benefit from the safety of having a fence installed along Plantation and Shady Roads.

Currently this community is exposed to these busy streets which is a big safety concern for me. Furthermore, with the new Sunset Glen development under construction on Shady Rd. directly opposite Somerset Green's SE corner, increased traffic and direct line of sight bears directly into my home. I strongly support the approval and installation of a fence on these streets, as they are indicated on the Somerset Green Site Plan approved by Sussex Co. in 2016.

Thank you for your time and consideration.

Sincerely,

Szilvia Nagy, M.D.
35014 Shorebird Lane
Lewes, DE 19958

Diane Tedesco
33111 Whitecap Ln.
Lewes, DE 19958

To whom it may concern

RE: Privacy/safety fence
on Plantation/Shady Road

I am the owner and resident of
33111 Whitecap Lane
Lewes, DE 19958
Somerset Green Condos

My unit backs up to Plantation Rd
and I agree with my neighbors
that a privacy/safety fence should
be put in place behind these units
It will increase security and
help deter possible crime.
It would also increase privacy
and noise from this busy road
Thank you for your attention
to this matter

Diane Tedesco
33111 Whitecap Lane

7-22-2020

To Whom It May Concern.

My name is Laura Iannaco. My family and I live @ 33110 Whitecap Lane in Somerset Green in Lewes, DE. We settled on our home June 2019. When we were considering the purchase of this home, we were advised by the Ryan Homes agent that the Community would have a fence erected along Plantation and Shady roads to provide a buffer for the residents as this is a high-traffic area. This has not come to be, so our Homeowner's Association is working on behalf of the homeowners to obtain the appropriate approvals to do so.

This proposed fence will provide much needed privacy, safety and a noise buffer for those of us that live here.

Plantation + Shady roads are heavily traveled roads. The traffic noise is such that we cannot hold a conversation in our own driveway without the need to raise our voices.

We have no privacy. We cannot sit on our decks and patios without being on full display to those who drive by.

My husband and I would have never chosen

our home under these circumstances that we find ourselves in. We have an 8-year-old daughter and I am wary of her being outside without one of us being right with her. Because of the exposure to the road, our community sees a lot of additional "foot" trafic from non-residents that use our neighborhood as a "cut-through" to get to the Park & Ride, Lowes, and other stores and restaurants.

There is now a new community being built on the opposite side of Shady Road. The entrance/exit to that community faces our homes. The traffic in and out of this new community creates constant headlight "pollution" that shines into our living rooms.

Our community would very much like to have this proposed fence approved for all of these reasons and more.

Thank you for considering this request. This fence will dramatically improve the quality of life here at Somerset Green.

Sincerely,

Laura Tammaro

11 of 20

BREAKWATER CUSTOM FENCE

11412 Holly Tree Rd. Lincoln, DE 19960
302-684-3333 --- 302-644-0895 --- 302-245-4290
Vic2nd@yahoo.com

Quality Building Today, Guarantees Our Tomorrow

DATE: 07/212020
CUSTOMER: Somerset Green/Kathy Licciardello
ADDRESS: Plantation and Shady Road
Lewes, DE 19958
PHONE: 301 996 6636
EMAIL: 3angels4us@gmail.com

DOCUMENT: Proposal for 6 feet Solid Tan Vinyl Installation at same address

We hereby submit specifications and estimates as follows:

Installation of **approx. 571 total feet of 6 feet tall solid tan privacy fencing**. New 6 feet tall fence panels will be constructed of 7/8 x 6 tongue and groove pickets held by 2 horizontal support members 2-inch x 8 inch grooved to accept the pickets. Bottom horizontal support will have a metal support beam to help prevent sagging over the years. Post will be heavy wall thickness and be routed to accept the horizontal members sliding inside them for a bracket free installation. Post caps will be standard external pyramid. All post will be set in concrete. All material shall carry the manufacturer's (Thermal Chek) lifetime warranty.

This fence shall be installed as per the attached work order to be agreed upon by both contractor and customer by signing this proposal/contract. Workmanship is guaranteed for a period of 5 years from the date of installation by Breakwater Fence excluding acts of God. **Customer accepts any and all responsibility for location of final placement of fence line. Breakwater Fence is exempt from any disputes that arise over location of final placement of fence.** Breakwater Fence cannot and will not be held responsible for damage resulting from digging to underground objects and private utilities or amenities that are not marked by the Miss Utility marking system. Such as septic- irrigation – well lines – private electrical lines. Permits are customer's responsibility.

We propose hereby to furnish material and labor complete in accordance with the above specifications for the sum of;

Fifteen Thousand Four Hundred Five Dollars ---------- $15,405.00

Payment to be made are as follows;

A Deposit of 50% $7,702.50 due At Signing – Balance of $7,702.50 due upon completion

All material is guaranteed to be as specified. All work is to be completed in a professional manor according to standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Customer is responsible to carry fire, tornado and all necessary insurances. Our workers are fully covered by Workman's Compensation Insurance.

Breakwater Fence Authorized Signature — **Date** 7/21/2020

Client's Authorized Signature — **Date**

WORK ORDER - BREAKWATER CUSTOM FENCE

Date: 7/21/2020

Name: SOMERSET GREEN / KATHY LICCARDEW

Phone Number: 301-996-6636

Email: JANSELSYHS@GMAIL.COM

Sub Division: SOMERSET GREEN

Address: PLANTATION & SHADY RD
LEWES, DE 19958

Fence Type: 6 FEET VINYL PRIVACY TAN

Grade description: MINIMAL

Line clearing: YES (NO)

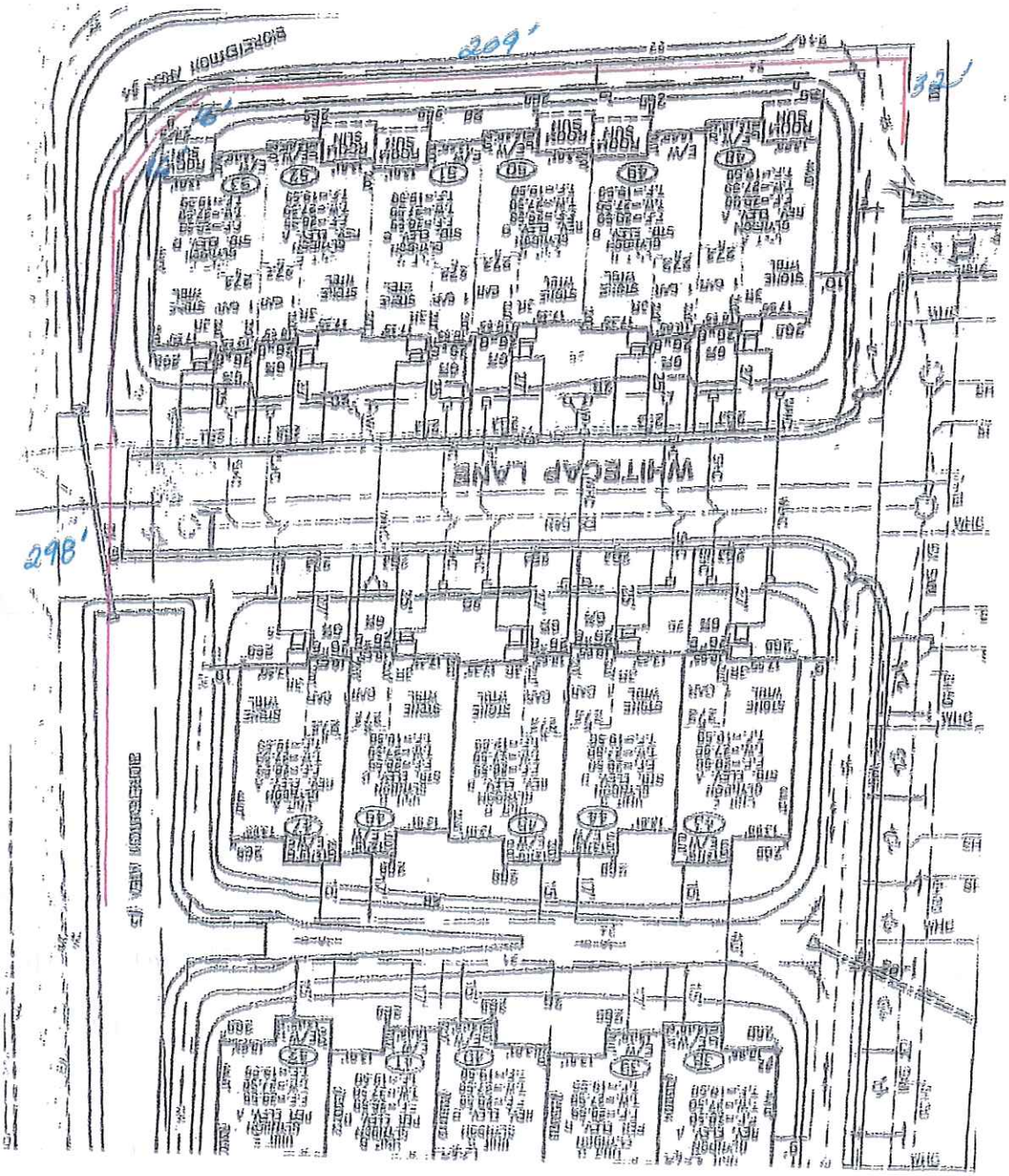
Utilities: YES (NO)

Survey (Y) N __ -Prop Markers Found Y (N)

Does turf and accessibility make it able to use

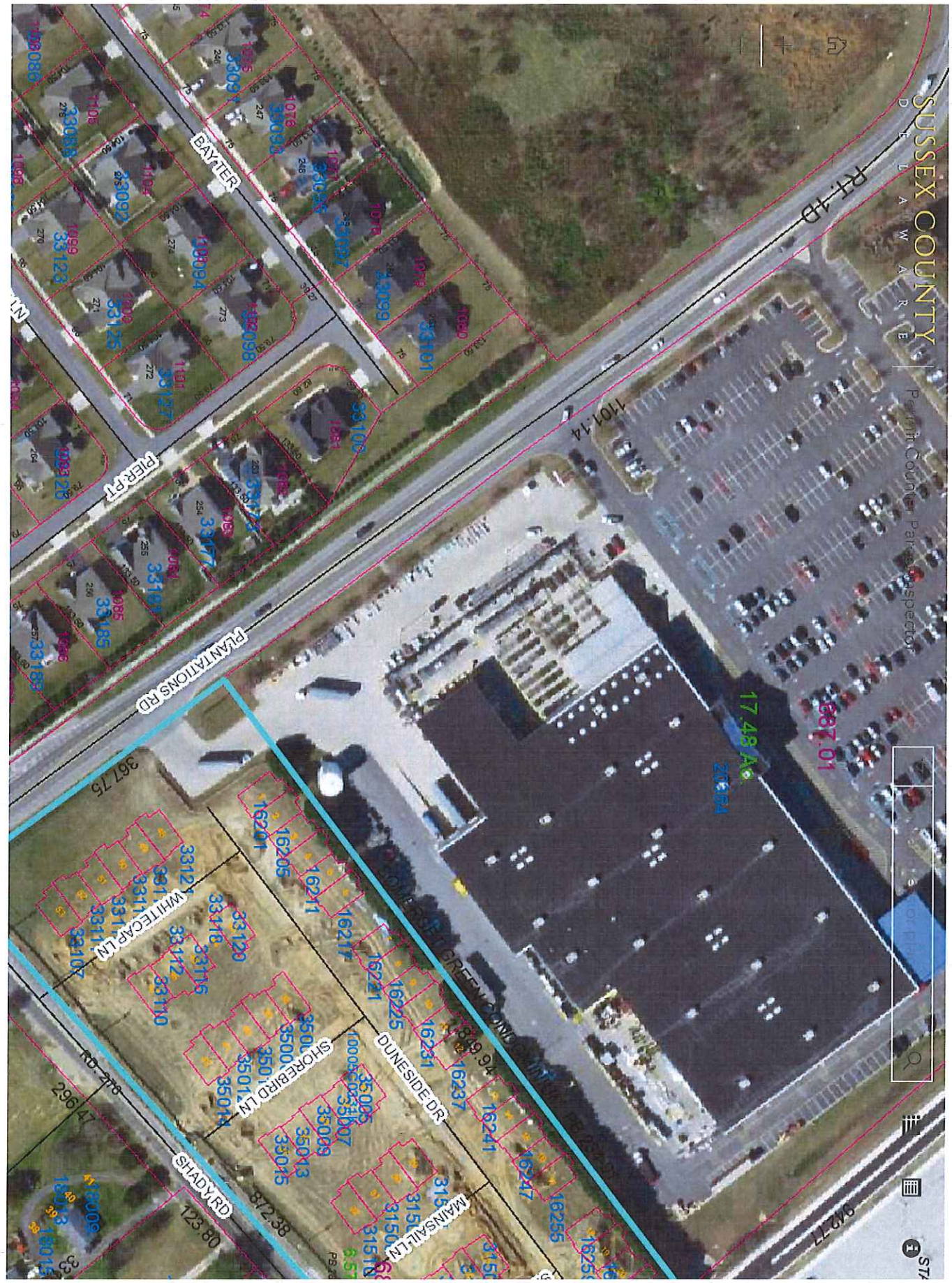
Equipment like mini skid loader YES

Breakwater Fence Signature [signature] date 7/21/20 Customer Signature _____ date _____



DBF quality
when time sit
swell
HOA confirm letter
my authority can change
community

opp =
for =
Jesson approval
Del dept


SUSSEX COUNTY
DELAWARE
Permit Counter Parcel Inspector
Rt 1B
1101.14
17.48 Ac.
687.01
PLANTATIONS RD
PIER PT
BAY TER
DUNESIDE DR
MAINSAIL LN
SHOREBIRD LN
WHITECAP LN
SHADY RD
RD 318
367.75
296.47
872.38
123.80
919.77
1819.94

Miss Utility of Delmarva

Ticket No: 200830547
STANDARD
Original Call Date: 03/23/20 01:03 pm
Op / Rev Op: wibarb / wibarb
Response Due By: 03/26/20 07:00 am
Release Time: 03/23/20 01:19 pm
Expiration Date:

CALLER INFORMATION

Company Name: SOMERSET GREEN
Fax Phone:
Contact Name: KATHY LICCIARDELLO
Phone: 301-996-6636
Caller Address: 33120 WHITECAP LN LEWES,DE 19958
Email Address: c3angels4us@gmail.com
Job Site Contact: SAME
Phone:

DIG SITE INFORMATION

Type of Work: INSTALL FENCE
Work Being Done For: SOMERSET GREEN
Explosives: N
Trenchless:
Permit:
MDOT Permit:
Job Number:

DIG SITE LOCATION

State: DE
County: SUSSEX
Place: LEWES
Subdivision:
Address:
Street: PLANTATION RD
Intersecting Street: SHADY RD
Extent of Work: FROM PLANTATION RD AND SHADY RD MARK 400FT GOING NW TO INCLUDE 30FT NE OF RD
Remarks:
Map Coord NW Lat: 38.7459523
Lon: -75.1720783
SE Lat: 38.7445056
Lon: -75.1705255

MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Damage	Customer Service	Status
CDE01	COMCAST/CABLE PROTECTION SERVI	804-562-3409	877-359-1821	877-359-1821	Clear/No conflict
CUDE03	CHESAPEAKE UTILITIES	302-734-6797	800-427-2883	800-427-2883	Marked
DECO26	DELAWARE ELECTRIC COOP CO	302-349-9090			Clear/No conflict
DPML12	DELMARVA PWR/UTILIQUEST	678-831-2444	800-375-7117	800-375-7117	Clear/No conflict (Response by Utiliquest)
SCED01	SUSSEX COUNTY ENGINEERING	302-855-7717	302-855-7379	302-855-7717	Clear/No conflict (3-23-20. tr. no county sewer in that direction on Plantation Rd)
SDHY26	DE DEPT OF TRANS	302-387-3707	302-659-4600	302-659-4600	Marked
SUN02	CROWN CASTLE/STACK CENTER LOC	801-364-1063	800-286-6664	267-927-2000	Clear/No conflict
TIDE02	TIDEWATER UTILITIES	302-218-2139	302-747-1301	877-720-9272	Marked up to privately (staked and painted work area)
VSUSS	VERIZON	678-831-2444	800-379-0254	410-536-0070	Clear/No conflict (Response by Utiliquest)

Legend: Locate Polygon

Lat/Lon

15 of 20


Ryan Homes at Somerset Green
Somersel Townhou
Ryan Hor Sunset G
Delaware Arthritis
1D
Pier Point
Shady Rd
Sandcastle Cove
Salt Marsh Blvd
Sandcastle Cove
Salt Marsh Blvd
1D
Google
20 m
Map
Report a map error

16 of 20

Gmail

Kathy Licciardello <c3angels4us@gmail.com>

Ticket 200920663 - Response to dig request

2 messages

agt_comm@irth.com <agt_comm@irth.com> Fri, Apr 3, 2020 at 12:12 PM
To: c3angels4us@gmail.com

==========

To: HOMEOWNER Attn: KATHY LICCIARDELLO
Voice: 3019966636 Fax:
Re: Response to dig request

Hello this is an important message from Crown Castle in response to your dig request

==========

Ticket: 200920663
County: SUSSEX Place: LEWES
Address: 33120 WHITECAP LN

SUN02:
We have determined our facilities are clear from the dig site per the one call center ticket. If you have any questions please contact at (801) 364-1063

==========

If you have any further questions, you can contact us at 888-632-0931 extension 2. Thank you

==========

This message was generated by an automated system. Please do not reply to this email.

Kathy Licciardello <c3angels4us@gmail.com> Wed, Jul 22, 2020 at 1:07 PM
To: Kathy Licciardello <c3angels4us@gmail.com>

---------- Forwarded message ---------
From: <agt_comm@irth.com>
Date: Fri, Apr 3, 2020 at 12:12 PM
Subject: Ticket 200920663 - Response to dig request
To: <c3angels4us@gmail.com>

==========

To: HOMEOWNER Attn: KATHY LICCIARDELLO
Voice: 3019966636 Fax:
Re: Response to dig request

Hello this is an important message from Crown Castle in response to your dig request

12 of 20

==========

Ticket: 200920663
County: SUSSEX Place: LEWES
Address: 33120 WHITECAP LN

SUN02:
We have determined our facilities are clear from the dig site per the one call center ticket. If you have any questions please contact at (801) 364-1063

==========

If you have any further questions, you can contact us at 888-632-0931 extension 2. Thank you

==========

This message was generated by an automated system. Please do not reply to this email.

18 of 20

Gmail

Kathy Licciardello <c3angels4us@gmail.com>

Ticket: 200830547

4 messages

de@occinc.com <de@occinc.com> Mon, Mar 23, 2020 at 1:19 PM
To: c3angels4us@gmail.com

NOTICE OF INTENT TO EXCAVATE **STANDARD**

Ticket No:	200830547				
Transmit Date:	3/23/20	**Time:**	1:19 PM		
Release Date:	3/23/20	**Time:**	1:03 PM	**Type:**	CALL
Response Due By:	3/26/20	**Time:**	7:00 AM		

Caller Information

Company:	SOMERSET GREEN	**Type:**	OTHER
Contact Name:	KATHY LICCIARDELLO	**Fax:**	
Phone:	(301) 996-6636		
Caller Address:	33120 WHITECAP LN	LEWES, DE 19958	
Email Address:	c3angels4us@gmail.com		
Job Site Contact:	SAME	**Phone:**	

Dig Site Information

Type of Work:	INSTALL FENCE		
Work Done For:	SOMERSET GREEN		
Permit #:		**Explosives:**	N
Contract Job#:			

Dig Site Location

State:	DE	**County:**	SUSSEX
Place:	LEWES		
Subdivision:			
Address / Street:	PLANTATION RD		
Nearest Intersecting Street:	SHADY RD		
Extent of Work:			

FROM PLANTATION RD AND SHADY RD MARK 400FT GOING NW TO INCLUDE 30FT NE OF RD

Comments:

Excavation Coordinates for # Polygons: 1

Poly 1: NW Lat: 38.7459523 **Lon:** -75.1720783 **SE Lat:** 38.7445056 **Lon:** -75.1705255

Members Notified

District	Company Name	Phone Number
CDE01	COMCAST/CABLE PROTECTION SERVI	(804) 562-3409
CUDE03	CHESAPEAKE UTILITIES	(302) 734-6797
DECO26	DELAWARE ELECTRIC COOP CO	(302) 349-9090
DPML12	DELMARVA PWR/UTILIQUEST	(678) 831-2444
SCED01	SUSSEX COUNTY ENGINEERING	(302) 855-7717
SDHY26	DE DEPT OF TRANS	(302) 387-3707
SUN02	CROWN CASTLE/STACK CENTER LOC	(801) 364-1063

19 of 20

TIDE02	TIDEWATER UTILITIES	(302) 218-2139
VSUSS	VERIZON	(678) 831-2444

Excavator Responsibilities

* EXCAVATORS MUST ENSURE ACCURACY OF TICKET AND MAPPING BY CLICKING ON THIS LINK

Free yourself from hold times with ITIC.

* No one likes to wait. That's why Miss Utility offers online ticketing (ITIC) at MissUtility.net. Using this fully automated systems requires a short training session, so click here to get started so you can get in the Miss Utility Express Lane. It's fast, easy, and free. Get off the phone and get oneline with ITIC.

Kathy Licciardello <c3angels4us@gmail.com> Tue, Mar 31, 2020 at 7:44 PM
To: Brendan McCabe <bpmccabe14@yahoo.com>

[Quoted text hidden]

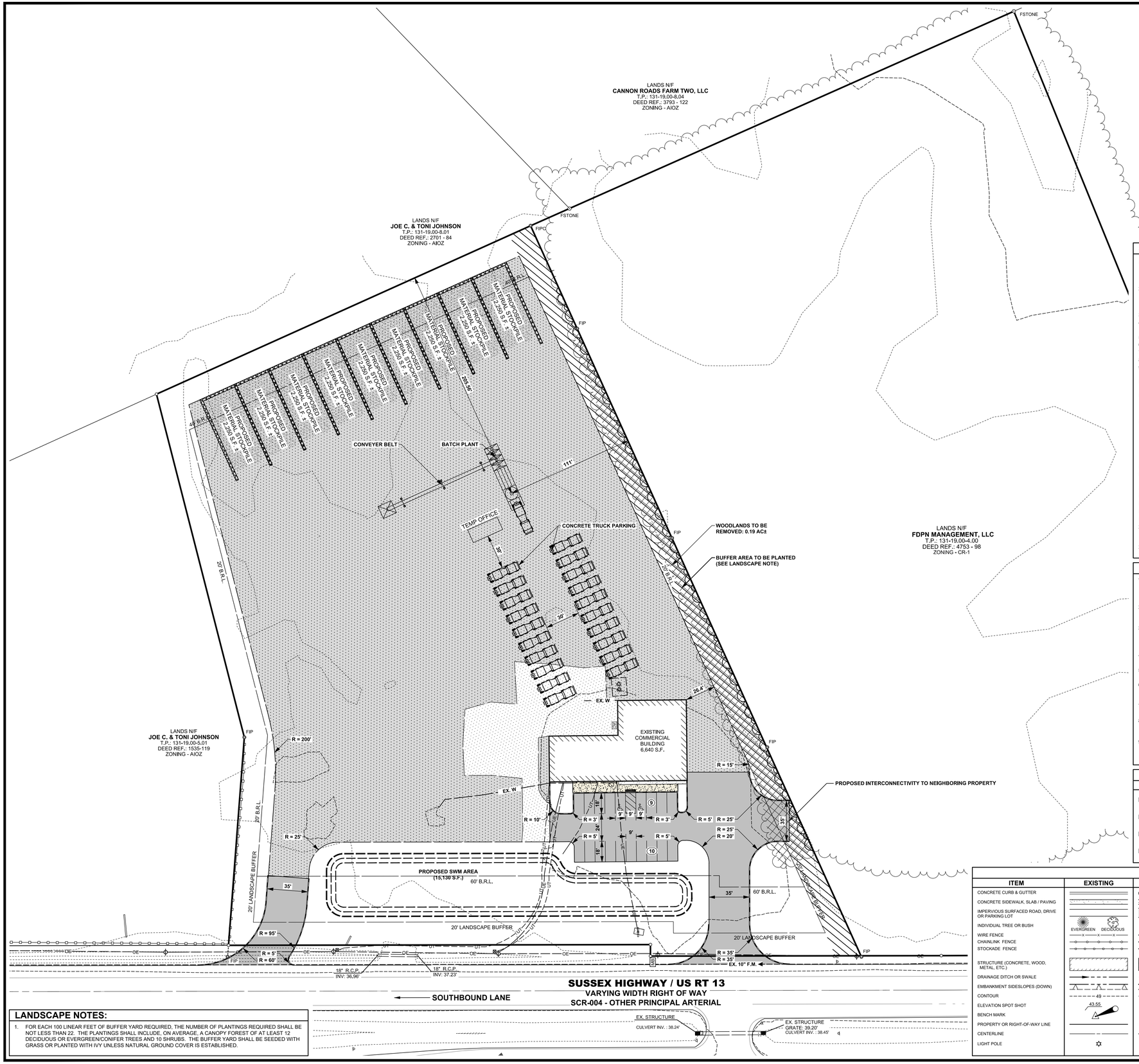
Kathy Licciardello <c3angels4us@gmail.com> Wed, Apr 15, 2020 at 1:05 PM
To: Kathy Licciardello <c3angels4us@gmail.com>

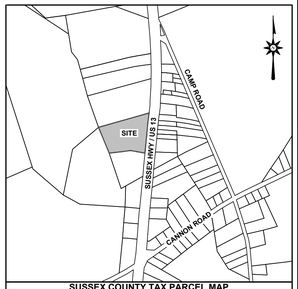
[Quoted text hidden]

Kathy Licciardello <c3angels4us@gmail.com> Wed, Jul 22, 2020 at 1:07 PM
To: Kathy Licciardello <c3angels4us@gmail.com>

[Quoted text hidden]

20 of 20





SUSSEX COUNTY TAX PARCEL MAP

LOCATION MAP SCALE : 1" = 1000'

SITE DATA

1.	OWNER OF RECORD:	FDPN MANAGEMENT, LLC PO BOX 578 DOVER, DE 19904 (302) 730-0150
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVE. DOVER, DELAWARE 19904 (302) 734-7950
3.	PROPERTY MAP NUMBER:	131-19.00-5.00
4.	ZONING CLASSIFICATION:	EXISTING: HI-1 - HEAVY INDUSTRIAL DISTRICT PROPOSED: HI-1 - HEAVY INDUSTRIAL DISTRICT
5.	DEED SUMMARY:	3614 - 251
6.	PRESENT USE:	AUTOMOTIVE REPAIR SHOP
7.	PROPOSED USE:	CONCRETE MANUFACTURING PLANT
8.	TOTAL SITE AREA:	5.6526 ACRES±
9.	PROPOSED BUILDING:	BUILDING: 0 S.F. ACCESSORY: 0 S.F.
10.	IMPERVIOUS COVERAGE:	EXISTING: 62,548.09 S.F. (1.44 ACRES) PROPOSED: 184,411.20 S.F. (4.23 ACRES)
11.	PARKING CALCULATIONS:	MANUFACTURING: 1 SPACE / 2 EMPLOYEES ON THE LARGEST SHIFT REQUIRED: 6 / 2 = 3 SPACES PROVIDED: 19 SPACES (2 ACCESSIBLE) LOADING BERTHS: 1 SPACE (1 SPACE / 2,000 S.F. - 10,000 S.F.)
12.	SETBACKS:	HI-1 - HEAVY INDUSTRIAL DISTRICT FRONT: 60 FT. SIDE: 20 FT. REAR: 20 FT.* *NONE REQUIRED, EXCEPT THAT THERE SHALL BE A REAR YARD NOT LESS THAN 40 FOOT IN DEPTH ON THE REAR SIDE OF A LOT ADJOINING A RESIDENTIAL DISTRICT.
13.	CORRIDOR OVERLAY ZONE:	ROUTE 13 COMBINED HIGHWAY OVERLAY ZONE (CHCOZ)
14.	BUILDING HEIGHT:	MAXIMUM HEIGHT PER CODE: 125 FEET PROPOSED BUILDING HEIGHT: 55 FEET
15.	BATCH PLANT HEIGHT:	PROPOSED HEIGHT: 54.72 FEET
16.	SOURCE OF WATER:	PRIVATE WELL
17.	SOURCE OF SEWER:	SUSSEX COUNTY
18.	SOURCE OF GAS:	N/A
19.	SOURCE OF ELECTRIC:	TBD
20.	SURVEY BENCHMARK:	NGS MONUMENTS VERTICAL: NAVD 88 - XXXXX HORIZONTAL: NAD 83 (2011) - CORS
21.	MONUMENTATION:	EXISTING: 10 FOUND PROPOSED: 0 SET

GENERAL NOTES:

1. THE BOUNDARY & TOPOGRAPHIC DATA SHOWN HEREON WAS COMPILED FROM A FIELD SURVEY PERFORMED BY BECKER MORGAN GROUP, INC., DOVER, DE. IN MAY 2020. PROJECT VERTICAL DATUM IS BASED ON NAVD 88 AND PROJECT HORIZONTAL DATUM IS BASED ON DELAWARE STATE PLANE (NAD83). GPS DERIVED FROM N.G.S. CONTROL MONUMENTS.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
3. ALL UTILITY LOCATIONS AND SIZES SHOWN HEREON ARE EITHER MARKED LOCATIONS IN THE FIELD, VISIBLE AND FIELD LOCATED STRUCTURES OR TAKEN FROM UTILITY MAPS PROVIDED BY UTILITY PROVIDERS. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED.
4. PARCEL IS LOCATED WITHIN AREA OF MINIMAL FLOOD HAZARD (ZONE X), BASED ON FIRM MAP 1005C0254L, PANEL 254 OF 660, REVISION DATE JUNE 20, 2018.
5. ALL ROADS, PARKING, AND OTHER PAVED AREAS WILL BE PRIVATELY OWNED AND MAINTAINED AND ARE NOT INTENDED FOR DEDICATION.
6. DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING EXCAVATION MUST BE REMOVED AND PROPERLY DISCARDED.
7. ALL HANDICAPPED PARKING DEMARCATION, STALLS, AND BUILDING ACCESSIBLE ROUTES SHALL COMPLY WITH THE "AMERICANS WITH DISABILITIES ACT".
8. THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
9. BEFORE THE CONTRACTOR CAN BEGIN CONSTRUCTION HE MUST OBTAIN THE PROPER PERMITS AND/OR APPROVALS FROM THE SUSSEX CONSERVATION DISTRICT (S.C.D.), DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS AND APPROPRIATE STATE AND COUNTY AGENCIES.

HATCH LEGEND

ITEM	HATCH
EXISTING GRAVEL AREAS	
EXISTING CONCRETE AREAS	
PROPOSED GRAVEL AREAS	
PROPOSED PAVEMENT AREAS	

LEGEND

ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	N/A
WIRE FENCE		
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
EMBANKMENT SIDESLOPES (DOWN)		
CONTOUR	49	55
ELEVATION SPOT SHOT	43.55	25.15 25.50 T.C. 25.00 B.C.
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	EX. 10"S	10" S
SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.M.H.)		
SANITARY SEWER CLEANOUT		
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT	F.H.	F.H.
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M. W.V.
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP OR RCP)		
CATCH BASIN		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)		
UNDERGROUND ELECTRIC	U.E.	U.E.
UNDERGROUND TELEPHONE	U.T.	U.T.
UNDERGROUND GAS MAIN	EX. 2" G	2" G
PAVEMENT TO BE REMOVED	N/A	

LANDSCAPE NOTES:

1. FOR EACH 100 LINEAR FEET OF BUFFER YARD REQUIRED, THE NUMBER OF PLANTINGS REQUIRED SHALL BE NOT LESS THAN 22. THE PLANTINGS SHALL INCLUDE, ON AVERAGE, A CANOPY FOREST OF AT LEAST 12 DECIDUOUS OR EVERGREEN/CONIFER TREES AND 10 SHRUBS. THE BUFFER YARD SHALL BE SEEDED WITH GRASS OR PLANTED WITH IVY UNLESS NATURAL GROUND COVER IS ESTABLISHED.

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

Salisbury, MD
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Salisbury, MD 21801
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Wilmington, NC
3333 Jaeckle Drive, Suite 120
Wilmington, North Carolina 28403
Ph. 910.341.7600
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www.beckermorgan.com

PROJECT TITLE

BRIDGEVILLE CONCRETE PLANT DEVELOPMENT

20354 SUSSEX HIGHWAY
TOWN OF BRIDGEVILLE
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE, SIGNAGE, AND STRIPING PLAN

0 20 40 80

SCALE: 1" = 40'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1.	07/29/20	REVISED PER SUSSEX COUNTY PLANNING & ZONING COMMENTS

LAYER STATE: C-201-PRELIM

PROJECT NO.:	**2020112.00**
DATE:	**07/21/2020**
SCALE:	**1" = 40'**
DRAWN BY: **J.D.K.**	PROJ. MGR.: **C.D.C.**

SHEET

C-201-PRELIM

F:\AutoCAD\Projects\2020\2020112\DWG\2020112-SITE-C3D18.dwg, Aug 25, 2020 - 8:31am

PRELIMINARY SITE PLAN
FOR
PHASE 2
HOCKER'S SUPER CENTER - RETAIL
MILLVILLE
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

DATA COLUMN

Plan Purpose: Show Site Plan revisions to accommodate new Fast Food Restaurant, bank and retail. The Car Wash facility has been previously approved. Consolidate all parcels into one parcel.

Tax Parcel Number: 134-12.00-330.01
134-12.00-331.00
134-12.00-332.00
134-12.00-333.00
134-12.00-334.00

Owner: Parcel 134-12.00-330.01/331.00
Hocker's Super Center Properties, LLC
P.O. Box 930
Oceanview, DE 19970

Parcel 134-12.00-332.00/333.00/334.00
Commercial Joint Venture, LLC
38489 Hickman Road
Oceanview, DE 19970

Site Area: -330.01.....9.1923 Acres
-331.00.....0.5722 Acres
-332.00.....0.4106 Acres
-333.00.....0.9055 Acres
-334.00.....0.9631 Acres
-TOTAL.....12.0437 Acres

Existing Impervious Area (all parcels) = 289,437.2935 Sq. Ft. (6.6446 Acs.)
Proposed Impervious Area = 401,452.3119 Sq. Ft. (9.2161 Acs.)

Zoning: C-1

Building Setback: Front = 60'
Side = 5' (25' Adjoining a residential District)
Rear = 5' (30' Adjoining a residential District)
Corner Setback = 15'

Maximum Building Height = 42'
Proposed Building Height = 22'

Building Area: Existing Grocery Store/Retail - 62,000 Sq. Ft.
Previously Approved - Car Wash - 3,911 Sq. Ft.
Proposed - Bank 2,272 Sq. Ft.
Retail 8,100 Sq. Ft
Fastfood 2,886 Sq. Ft. (1,200 Sq. Ft. Patron Use)
Total 79,169 Sq. Ft.

Parking Required: Existing - Grocery/Retail - 1 space per 200 Sq. Ft. = 310 Spaces
Proposed - Bank - 1 space per 200 Sq. Ft. = 12 spaces
Retail - 1 space per 200 Sq. Ft. = 41 spaces
Fastfood - 1 space per 50 Sq. Ft. of Patron Use (1,200 Sq. Ft.)
plus 1 space per 2 Employees (12 Total) = 30 spaces
Carwash - Coin-do-it yourself 2 at waiting area for each lane: 1 at exit area for each lane = 12 spaces
Coin-operated automatic drive-thru, 4 at waiting area for each lane: 2 at exit area for each lane = 12 spaces

Total Parking Required: 405 spaces

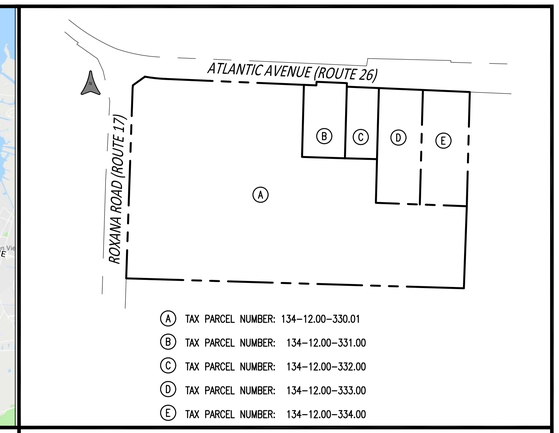
Parking Provided:
Existing: Grocery/Retail - 321 spaces
Proposed: Bank - 12 spaces
Retail - 39 spaces
Fastfood - 33 spaces
Carwash - 23 spaces
Total Parking Provided: 428 spaces

Sewer Service: Sussex County (Gravity)

Water Service: Existing Private Well (Carwash)
Tidewater Utilities (Retail Buildings, Bank and Restaurant)

Site is not located in a Source Water Protection Area

LOCATION MAP SCALE: 1"= 5,280'



(A) TAX PARCEL NUMBER: 134-12.00-330.01
(B) TAX PARCEL NUMBER: 134-12.00-331.00
(C) TAX PARCEL NUMBER: 134-12.00-332.00
(D) TAX PARCEL NUMBER: 134-12.00-333.00
(E) TAX PARCEL NUMBER: 134-12.00-334.00

PARCEL KEY MAP SCALE: 1"= 200'

SHEET INDEX

GENERAL NOTES

1. These drawings show information obtained from the best available records regarding pipes, conduits, telephone lines, and other structures and conditions which exist along the lines of the work at and below the surface of the ground. The owner and engineer disclaim any responsibilities for the accuracy or completeness of said information given. If the contractor relies on said information, he does so at his own risk. The giving of the information on the contract drawings will not relieve the contractor of his obligations to support and protect all pipes, conduit, telephone lines, and other structures/improvements.
2. The contractor shall notify the following, two (2) weeks prior to the start of construction and shall coordinate construction and erosion control with the utility companies involved:

   Miss Utility.....1-800-282-8555
   Sussex County Soil Conservation District.....1-302-856-2105
   Sussex County Department of Public Works.....1-302-855-7703
   Larson Engineering Group, Inc.....1-302-731-7434
3. All construction shall be marked for traffic and pedestrian safety.
4. The contractor shall provide all equipment, labor, and materials for any miscellaneous or test pit excavations required by the engineer.
5. The owner is responsible for the acquisition of all easements, both permanent and temporary.
6. The contractor assumes all responsibility for any deviations from these plans unless said deviation is approved by the engineer. Contractor shall receive written permission from the engineer if a deviation of the plans is necessary.
7. All sidewalks shall meet each door at finished floor elevation.
7. All disturbed areas shall be smoothly graded to provide positive drainage in the direction of flow arrows herein and stabilized with topsoil, seed, and mulch. If settlement occurs, topsoil seed, and mulching shall be repeated until settlement subsides (see erosion and sediment control specifications).
8. Trenches shall not remain open overnight. If it is necessary for trenches to remain open, steel plates capable of bearing traffic shall be used to completely cover the trench openings.
9. All sediment and erosion control facilities shall conform to Delaware Erosion and Sediment Control Handbook February 2019, or newest edition.
10. All fire lanes, fire hydrants, and Fire Department connections shall be marked in accordance with the State Fire Protection regulations.
11. Topography was field generated by Larson Engineering Group, Inc. in July 2019.
12. Boundary information was prepared by Larson Engineering Group, Inc..
13. The Sussex Conservation District reserves the right to add, modify or delete any erosion and sediment control measures as it deems necessary.
14. All construction/demolition debris shall be removed off-site to an approved solid waste facility.
15. All construction shall be done in accordance with Delaware Department of Transportation Standard Specifications for Road and Bridge Construction, dated August 2016, and Standard Construction Details, dated 2018 or as updated.
16. All sidewalk, handicap accessible features and parking spaces are to be constructed and signage placed in accordance with A.D.A. regulations.
17. This site was inspected for wetlands by Watershed ECO in August 2019 and no wetlands were found.
18. The site is not located in the 100 year flood plain per F.I.R.M # 10005C0495K and dated 3/16/2015.
19. The Owner: Hocker's Super Center Properties, LLC assumes maintenance of the stormwater management facilities shown hereon, after project completion.

OWNER'S CERTIFICATION
(PARCELS: 134-12.00-332.00, 134-12.00-333.00 & 134-12.00-334.00)

I, _____, hereby certify that I am the owner of the property described and shown on this plan, that the plan was made at my direction, and that I acknowledge the same to be my act and desire the plan to be developed as shown all in accordance with applicable laws and regulations.

Signature Owner: Commercial Joint Venture, LLC Date
38489 Hickman Road
Oceanview, DE 19970
Phone: (302) 537-1877

OWNER'S CERTIFICATION
(PARCELS: 134-12.00-330.01 & 134-12.00-331.00)

I, _____, hereby certify that I am the owner of the property described and shown on this plan, that the plan was made at my direction, and that I acknowledge the same to be my act and desire the plan to be developed as shown all in accordance with applicable laws and regulations.

Signature Owner: Hocker's Super Center Properties, LLC Date
P.O Box 930
Oceanview, DE 19970
Phone: (302) 537-1877

ENGINEER'S CERTIFICATION

I, George H. Larson, Jr. PE, hereby certify that I am a Registered Engineer, Land Surveyor, or Architect in the State of Delaware, that the information shown hereon has been prepared under my supervision and to the best of my knowledge and belief represents good engineering, surveying, and/or architectural practices as required by the applicable laws of the State of Delaware.

Date _____ Signature _____
George H. Larson Jr. Engineer

SUSSEX COUNTY APPROVAL

_____ _____
Sussex County Date

Agreement No. _____

DATE	SCALE
8/3/2020	AS NOTED
JOB NO.	DRAWN BY
19-033	YATureczy
APPLICATION NO.:	DESIGNED BY:
	DJLiberman
APPROVED BY:	CHECKED BY:
DJLiberman	DJLiberman

DATE	REVISION
8/31/2020	Per Sussex County Comments
9/3/2020	Per Sussex County Comments

DATE SEAL

PRELIMINARY SITE PLAN - TITLE SHEET

FOR
PHASE 2
HOCKER'S SUPERCENTER * MILLVILLE

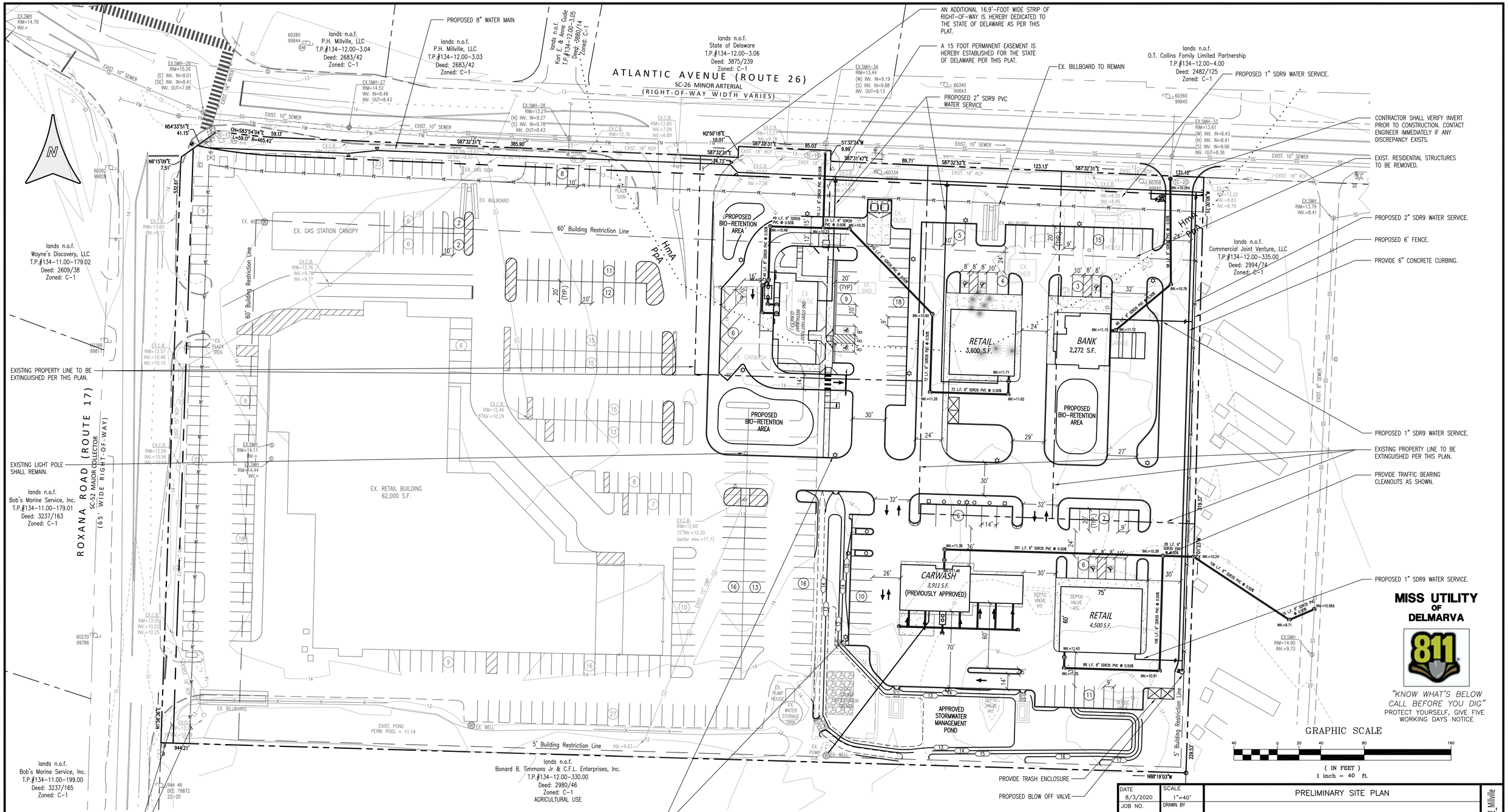
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

PREPARED FOR: G & E, Inc.

LARSON
ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING
910 SOUTH CHAPEL STREET • SUITE 200
NEWARK, DE 19713
Phone: (302) 731-7434
Fax: (302) 731-8211

CADD FILE: PrelimPhase2_Millville

SHEET NO.: RP-1



LEGEND

EXISTING CONTOUR	333
PROPOSED CONTOUR	333
PROPOSED SPOT ELEVATION	33x33
CURB ELEVATION	TC=55.55 / FL=55.55
EXISTING STORM DRAIN LINE	SD
EXISTING SAN. SEWER LINE	SS
PROPOSED SAN. SEWER LINE	
SANITARY SEWER MANHOLE	S
EXISTING SEWER CLEANOUT	
PROPOSED SEWER CLEANOUT	C.O.
EXISTING WATER LINE	W
PROPOSED WATER LINE	
EXISTING FIRE HYDRANT	
PROPOSED FIRE HYDRANT	
EXISTING WATER VALVE	WV
PROPOSED WATER VALVE	
EXISTING UTILITY POLE	
EXISTING TELEPHONE PEDESTAL	
SIGN	
BOLLARD	
EXISTING DECIDUOUS TREE	

SOILS LEGEND

HmA – Hammonton loamy sand, 0 to 2 percent slopes

PpA – Pepperbox loamy sand, 0 to 2 percent slopes

DATE	SCALE
8/3/2020	1"=40'
JOB NO. 19-033	DRAWN BY YATuroczy
APPLICATION NO.:	DESIGNED BY: DJLiberman
APPROVED BY: GHLarson	CHECKED BY: DJLiberman

DATE	REVISION
8/31/2020	Per Sussex County Comments
9/3/2020	Per Sussex County Comments

DATE SEAL

PRELIMINARY SITE PLAN

FOR

HOCKER'S SUPERCENTER * MILLVILLE

INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

PREPARED FOR: G & E, Inc.

LARSON ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING
910 SOUTH CHAPEL STREET • SUITE 200
NEWARK, DE 19713
Phone: (302) 731-7434
Fax: (302) 731-8211

CADD FILE: PrelimPhase2_Millville

SHEET NO.: RP-2

PRELIMINARY SITE PLAN

FOR PROPERTY KNOWN AS:

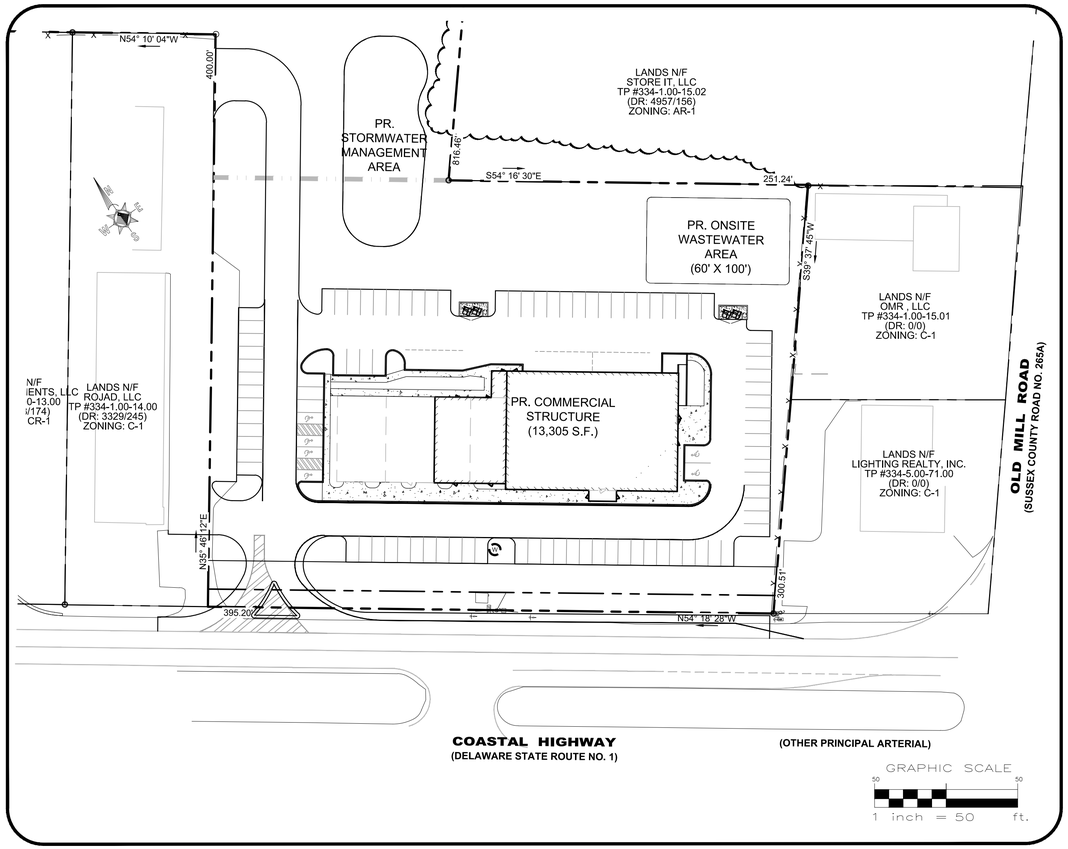
BEST SHOT DELAWARE

GENERAL NOTES:

1. ALL CONSTRUCTION AND MATERIALS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STATE OF DELAWARE STATE HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS, DATED AUGUST 2001 AND THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, DATED APRIL 2016, AND ALL AMENDMENTS THERETO.
2. EXISTING UTILITIES, UNLESS OTHERWISE NOTED ON THE PLANS, ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT "MISS UTILITY" 1-800-282-8555 (3) THREE DAYS PRIOR TO CONSTRUCTION IN ORDER TO VERIFY AND ALLOW FOR THEIR LOCATION AND DEPTH IN THE FIELD.
3. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE. ANY AND ALL DAMAGES DONE TO EXISTING UTILITIES DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPETENTLY REPAIRED AT HIS/HER EXPENSE.
4. THE CONTRACTOR SHALL PRESERVE ALL TREES ON THE SITE EXCEPT WHERE NECESSARY TO CONSTRUCT PROPOSED BUILDINGS, UTILITIES, DRIVEWAYS, OR PARKING AREAS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LICENSING AND INSURANCE REQUIRED FOR CONSTRUCTION.
6. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO COMPLETELY AND ADEQUATELY CONTROL WATER PRESENT IN THE EXCAVATION. THE CONTRACTOR SHALL PROVIDE FOR THE DISPOSAL OF WATER REMOVED FROM EXCAVATIONS, IN SUCH A MANNER AS SHALL NOT CAUSE DAMAGE TO PUBLIC OR PRIVATE PROPERTY OR TO ANY PORTION OF THE WORK COMPLETED OR IN PROGRESS OR CAUSE ANY IMPEDIMENT TO THE USE OF ANY AREA BY THE PUBLIC, IF APPLICABLE. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN THE NECESSARY DEWATERING WELL PERMITS FROM THE STATE OF DELAWARE, DNREC PRIOR TO EXCAVATION.
7. NO DEBRIS WILL BE BURIED ON THIS SITE.
8. PLAN LOCATION AND DIMENSIONS SHALL BE STRICTLY ADHERED TO UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
9. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
10. THIS SITE IS LOCATED ENTIRELY IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2□ ANNUAL CHANCE FLOOD (100-YEAR FLOOD) AS DESIGNATED ON THE FLOOD INSURANCE RATE MAPS NUMBER 10005C0189K LAST REVISED 16th MARCH 2015.
11. THE INTENDED USE OF THIS PROPERTY IS PERMITTED AS A USE IN AN C-2 ZONING DISTRICT IN ACCORDANCE WITH SECTION 115-83.11 OF THEHE ZONING ORDINANCE FOR SUSSEX COUNTY, DELAWARE.
12. NO SITE PREPARATION, SITE DISTURBANCE, EXCAVATION OR OTHER CONSTRUCTION ACTIVITY SHALL TAKE PLACE UNTIL ALL PERMITS HAVE BEEN ACQUIRED BY THE DEVELOPER AND THE SITE PLAN HAS BEEN APPROVED AND RECORDED, IF APPLICABLE.
13. THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
14.
15. THE STATE OF DELAWARE CRITICAL AREA MAPS WERE REVIEWED FOR THIS SITE AND NO STATE OR FEDERALLY REGULATED WETLAND AREAS WERE FOUND TO EXIST.
16. NO LIGHTING IS PROPOSED, HOWEVER ANY FUTURE LIGHTING INSTALLATION ON THE SITE SHALL BE ARRANGED TO MINIMIZE GLARE ON PROPERTY IN RESIDENTIAL AREAS.
17. THIS SITE LIES WITHIN THE COMBINED HIGHWAY CORRIDOR OVERLAY ZONE (CHCOZ) AND SHALL HAVE A 20 FOOT WIDE LANDSCAPE BUFFER TO BE SEEDED OR PLANTED WITH IVY UNLESS NATURAL GROUND COVER IS ESTABLISHED, PER §115-194.1-E(6)(b).

GENERAL NOTES: Re□ord Pla□ (□Last revised March 21, 2019)

1. All entrances shall con□orm to the Delaware De□artment o□Trans□ortation's (DelDOT's) current Develo□ment Coordination Manual and shall be sub□ect to its a□roval.
2. No landsca□ing shall be allowed within the right-o□wa□unless the □lans are com□liant with Section 3.7 o□the Develo□ment Coordination Manual.
3. Shrubber□, □lantings, signs and/or other visual barriers that could obstruct the sight distance o□a driver □re□aring to enter the roadwa□are □rohibited within the de□ined de□arture sight triangle area established on this □lan. I□the established de□arture sight triangle area is outside the right-o□wa□ or □roⓐcts onto an ad□acent □ro□ert□ owner's land, a sight easement should be established and recorded with all a□acted □ro□ert□owners to maintain the re□uired sight distance.
4. U□on com□letion o□the construction o□the sidewalk or shared-use □ath across this □roⓐct's □ontage and □h□sical connection to ad□acent e□isting □acilities, the Develo□er, the □ro□ert□owners or both associated with this □roⓐct, shall be res□onsible to remove an□e□isting road tie-in connections located along ad□acent □ro□erties, and restore the area to grass. Such actions shall be com□leted at DelDOT's discretion, and in con□rmance with DelDOT's Develo□ment Coordination Manual.
5. Private streets constructed within this subdivision shall be maintained b□the Develo□er, the □ro□ert□owners within this subdivision or both (Title 17 §131). DelDOT assumes no res□onsibilities □or the □uture maintenance o□these streets.
6. The sidewalk shall be the res□onsibilit□o□the Develo□er, the □ro□ert□owners or both within this subdivision. The State o□Delaware assumes no res□onsibilit□□or the □uture maintenance □or the sidewalk.
7. The Develo□er shall be re□uired to □urnish and □lace right-o□wa□monuments in accordance with DelDOT's Develo□ment Coordination Manual.
8. The Develo□er shall be re□uired to □urnish and □lace right-o□wa□markers to □rovide a □ermanent re□erence □or re-establishing the right-o□wa□and □ro□ert□corners on local and higher order □ontage roads. Right-o□wa□markers shall be set and/or □laced along the □ontage road right-o□wa□at □ro□ert□corners and at each change in right-o□wa□alignment in accordance with Section 3.2.4.2 o□the Develo□ment Coordination Manual.
11. A □er□etual cross access ingress/egress easement is hereb□established b□this □lat. The e□act location o□said easement is to be determined b□DelDOT at a later date.
12. This commercial □arcel has direct □ontage along Costal Highwa□, Delaware Route 1, which has a □unctional classi□ication o□□rinci□le arterial/□eewa□/interstate as de□ined b□the State o□Delaware's De□artment o□Trans□ortation. Per Section 3.6.1 o□the DelDOT Develo□ment Coordination Manual (DCM): It is the Develo□er's res□onsibil□□to evaluate noise levels and their im□acts on □ro□osed develo□ment, □r □ro□ects ad□acent to e□isting trans□ortation □acilities with this □unctional classi□ication. Roadwa□s with this classi□ication can be e□□ected to generate elevated levels o□road and tra□□c related noise, similar to what can be e□□ected in urban areas. A detailed noise anal□sis □er DCM 3.6 is t□□icall□ recommended to hel□ gauge the actual im□acts that roadwa□ related noise ma□ have on various □otential land-uses (such as those described in DCM Figure 3.6.3-a: Noise Abatement Criteria). With the inclusion o□this note, the Develo□er is acknowledging that the □ro□osed site and/or building location can be e□□ected to e□□eed the s□ecific ma□imum noise levels □or certain commercial and non-residential uses as shown in DCM Figure 3.6.3-a. The Develo□er's waiver o□the noise anal□sis and review o□□otential noise mitigation measures are su□□orted b□the in□easibilit□o□a□□□ing noise mitigation measures, based on engineering considerations and □actors that would limit the abilit□to achieve substantial noise reduction, related to the commercial use o□the site and/or buildings. This waiver acknowledges that the decibel level □r this □arcel ma□e□□eed the a□□licable limits □or some current or □uture □ro□osed uses. The use o□this note signi□ies the Subdivision Engineer's concurrence with waiving the Develo□er's com□letion o□a detailed noise stud□ and subse□uent review o□resulting noise abatement □indings or mitigation measures. An□□uture com□laints relating to e□isting or □uture noise levels im□acting □ro□osed uses on this site and along this e□isting trans□ortation □acilit□shall be the res□onsibilit□o□the Develo□er or Land Owner or both



SITE LOCATION PLAN

(SCALE: 1"=50')

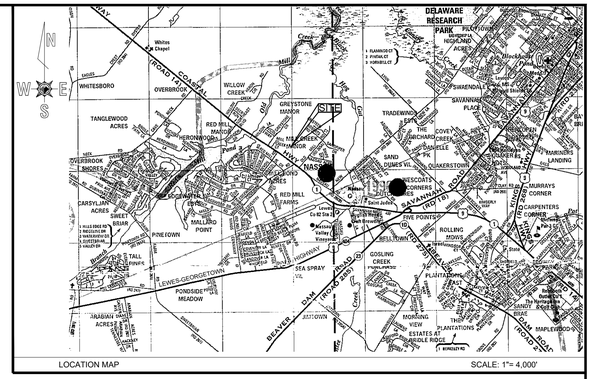
TAX PARCEL NO. 334-1.00-15.00

SITUATE IN

LEWES & REHOBOTH HUNDRED

SUSSEX COUNTY

STATE OF DELAWARE



PLAN DATA:

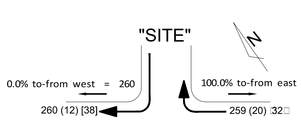
PARCEL I.D. NO.	□	334-1.00-15.00
DEED REFERENCE	□	DB 4727, PG 304
PLAT REFERENCE	□	PB 0, PG 0
EXISTING ZONING DISTRICT	□	AR-1 (AGRICULTURAL RESIDENTIAL), C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING DISTRICT	□	AR-1 (AGRICULTURAL RESIDENTIAL), C-2 (GENERAL COMMERCIAL)
SEWAGE DISPOSAL	□	ONSITE WASTEWATER DISPOSAL SYSTEM SEWERAGE IS SUBJECT TO APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	□	INDIVIDUAL ONSITE WELL WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
WATERSHED	□	BROADKILL RIVER & DELAWARE BAY
OWNER	□	HERMAN HAGAN, TRUSTEE C/O PATRICIA R. HAGAN 7 OAK RIDGE DRIVE MILTON, DE 19963 PHONE: (000) 00-0000
DEVELOPER	□	AMERICAN RESPONDER SERVICES, LLC C/O RON HAGAN, PRESIDENT 19849 HEBRON ROAD REHOBOTH BEACH PHONE: (302) 381-0021
LOCAL LAND USE AGENCY	□	SUSSEX COUNTY PLANNING AND ZONING
HORIZONTAL DATUM	□	NAD 83 (NA 2011, EPOCH 2010)
VERTICAL DATUM	□	NAVD '88
EXISTING USE	□	RESIDENTIAL
PROPOSED USE	□	COMMERCIAL
NO. OF LOTS	□	1 EXISTING, 1 PROPOSED
LOT AREA RATIONALE	□	GROSS AREA (AC.) 11.36 RIGHT-OF-WAY DEDICATION (AC.) 0.11 NET ARE (USED FOR CALCULATIONS) (AC.) 11.25 EXISTING (AC.) / PROPOSED (AC.) BUILDING AREA 0.02 / 0.40 IMPERVIOUS AREAS 0.19 / 1.38 OPEN SPACE AREA 11.03 / 9.48
HEIGHT, AREA & BULK TABLE	□	MAX. BUILDING HEIGHT (FT.)= 42 MINIMUM LOT SIZE (S.F.) = 10,000 MINIMUM LOT WIDTH (FT.) = 75 MINIMUM LOT DEPTH (FT.) = 100 MINIMUM FRONT YARD (FT.) = 60(1) MINIMUM SIDE YARD (FT.) = 5(2) MINIMUM REAR YARD (FT.) = 5
PARKING RATIONALE	□	PR. INDOOR COMMERCIAL RECREATION: 5,259 S.F. PATRON AREA □ 1 SPACE PER 150 S.F. PATRON AREA: PARKING REQUIRED= 35 SPACES PR. OFFICE: 3,040 S.F. □ 1 SPACE PER 200 S.F.: PARKING REQUIRED= 15 SPACES PR. RETAIL STORE: 3,040 S.F. & 8 EMPLOYEES □ 1 SPACE PER 200 S.F. PATRON AREA □ 1 SPACE PER 2 EMPLOYEES: PARKING REQUIRED= 19 SPACES TOTAL PARKING REQUIRED= 69 SPACES TOTAL PARKING PROVIDED= 97 SPACES (6 HC) PR. LOADING SPACE: 2 PER 10,000 - 20,000 S.F. TOTAL LOADING SPACES REQUIRED= 2 SPACES TOTAL LOADING SPACES PROVIDED= 3 SPACES
INVESTMENT LEVEL AREA	□	INVESTMENT LEVEL 3
HIGHWAY MAINTENANCE NO.	□	SC-00014F
POSTED SPEED LIMIT	□	55 MPH ON FRONTAGE ROAD (SR1 & COASTAL HIGHWAY)
FIRE MARSHALL NOTES	□	N.F.P.A BUILDING TYPE = TYPE-II (NON-COMBUSTIBLE) FIRE SUPPRESSION= NO AUTOMATIC SPRINKLERS ARE PROPOSED MAX. BUILDING HEIGHT= H□35' A.) ANY AUTOMATIC FIRE ALARM SYSTEM AND SIGNALING SYSTEM PLANS AND SPECIFICATIONS SHALL BE SUBMITTED FOR REVIEW PER DSFPR FIRE REGULATION 705, CHAPTER 2, SECTION 4. B.) AN AUTOMATIC FIRE ALARM SYSTEM WILL REQUIRE A LOCK BOX; CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
SITE ADDRESS	□	16797 COASTAL HIGHWAY

1. On □ro□ert□□ronting on highwa□s designated b□the Delaware De□artment o□Trans□ortation as Ma□or or Minor Collectors, the setback shall be measured □rom a □oint not less than 40 □eet □rom the center line o□the right-o□wa□.
2. There shall be a side □ard not less than 20 □eet in width on the side o□a lot ad□oining a residential district and there shall be a rear □ard not less than 30 □eet in de□th on the rear side o□a lot ad□oining a residential district.

TRAFFIC GENERATION DIAGRAM:

COASTAL HIGHWAY (STATE ROAD #1)

(RIGHTS IN, RIGHTS OUT)



COASTAL HIGHWAY
DELAWARE COUNTY/STATE ROAD #1
TRAFFIC GENEREATION DIAGRAM
ADT (A.M. PEAK HOUR) □P.M. PEAK HOUR□

ROAD TRAFFIC DATA:

FUNCTIONAL CLASSIFICATION - DE ROUTE 1, COASTAL HIGHWAY - OTHER PRINCIPAL ARTERIAL

POSTED SPEED LIMIT - 50MPH

AADT= 35,191 TRIPS (FROM 2019DELDOT TRAFFIC SUMMARY)

10 YEAR PROJECTED AADT: 1.18 X 35,191 TRIPS = 41,460 TRIPS

10 YEAR PROJECTED AADT + SITE ADT = 41,903 TRIPS

TRAFFIC PATTERN GROUP - 8 (FROM 2019 DELDOT TRAFFIC SUMMARY)

DESIGN HOURLY VOLUME = 11.8% X 41,903 = 4,932 TRIPS

SITE TRIP DATA:

PROPOSED SITE:

1. ITE 432 - INDOOR SHOOTING RANGE - 12 SHOOTING POSITIONS
   ADT: 164 (82 IN/82 OUT); AM: 5 (3 IN/2 OUT); PM: 15 (7 IN/8 OUT)
2. ITE 712 - SMALL OFFICE BUILDING - 3,500 S.F.
   ADT: 57 (28 IN/29 OUT); AM: 7 (6 IN/1 OUT); PM: 9 (3 IN/6 OUT)
3. ITE 814 - VARIETY STORE - 3,500 S.F.
   ADT: 222 (111 IN/ 111 OUT); AM: 11 (6 IN/5 OUT); PM: 24 (12 IN/12 OUT)

PROPOSED SITE TOTAL TRIPS
ADT: 443 (221 IN/222 OUT); AM: 23 (15 IN/8 OUT); PM: 48 (22 IN/26 OUT)

EXISTING CONTIGUOUS SITE (TAX PARCEL: 334-1.00-14.00)
□FOR ENTRANCE DESIGN PURPOSES
ITE 816 - HARDWARE STORE - 8,348 S.F.
ADT: 76: (38 IN/38 OUT); AM: 9 (5 IN/4 OUT); PM: 22 (10 IN/12 OUT)

TOTAL TRIPS:
ADT: 519 (259 IN/260 OUT); AM: 32 (20 IN/12 OUT); PM: 70 (32 IN/38 OUT)

TRIP DISTRIBUTION: RIGHTS-IN/RIGHTS-OUT
100□ TO THE NORTH: ADT-260; AM-12; PM-38
100□ FROM THE SOUTH: ADT-259; AM-20; PM-32

DEVELOPER'S CERTIFICATION

I, RON HAGAN HEREBY CERTIFY THAT HERMAN G. HAGAN, TRUSTEE IS THE LEGAL OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT ITS DIRECTION, THAT IT ACKNOWLEDGES THE SAME TO BE ITS ACT, AND DESIRES THE PLAN TO BE RECORDED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

RON HAGAN, PRESIDENT DATE:
AMERICAN RESPONDER SERVICES, LLC
19849 HEBRON ROAD
REHOBOTH BEACH, DE 19971
PHONE: (302) 381-0021

ENGINEER'S CERTIFICATION

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

ROGER A. GROSS, P.E. DATE:
MERESTONE CONSULTANTS, INC.
33516 CROSSING AVENUE, UNIT 1
FIVE POINTS SQUARE
LEWES, DELAWARE 19958
(302) 226-5880

SHEET INDEX:

DATE	REVISION	CHKD.
8/20/20	REVISED TGD PER DELDOT COMMENTS	R.A.G.
8/12/20	REVISED TGD PER DELDOT PRE-APP MTG	R.A.G.
6/26/20	REVISED TGD PER DELDOT COMMENTS	R.A.G.
6/19/20	REVISED TGD PER DELDOT COMMENTS	R.A.G.
6/9/20	REVISED TGD PER DELDOT COMMENTS	R.A.G.

MERESTONE CONSULTANTS, INC.
ENGINEERS - PLANNERS - SURVEYORS
5215 WEST WOODMILL DRIVE
WILMINGTON, DE 19808
PH: 302-992-7900
FAX: 302-992-7911
33516 CROSSING AVENUE, UNIT 1
FIVE POINTS SQUARE
LEWES, DE 19958
PH: 302-226-5880

DRAWN BY: HMG | DATE: MAY 11, 2020 | SHEET#: SP-1

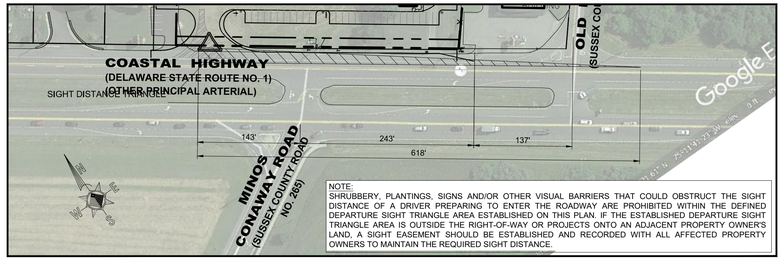
PLAN #: 24794L-330162

E:\Projects\24794L Hagan Indoor Range\DWG\24794L-Site Plan4_recover.dwg, Site Plan-Cover, 8/31/2020 12:01:27 PM, DWG To PDF.pc3

LEGEND

PROPERTY LINE	
BUILDING SETBACK LINE	BSL
RIGHT-OF-WAY LINE	R/W
EASEMENT LINE	
CENTERLINE	
TREELINE	
LIMIT OF DISTURBANCE	LOD
SPECIAL FLOOD HAZARD AREA	SFHA
CRUSHED STONE PAVEMENT	
CAPPED REBAR SET	
CAPPED REBAR FOUND	
REBAR FOUND	
CONCRETE MONUMENT FOUND	
SOIL BORING	
FIRE DEPARTMENT CONNECTION	
MAIL BOX	
CLEAN OUT	
PR. SITE LIGHT	
NUMBER OF PARKING STALLS IN ROW	
HANDICAP MARKER	
PR. SIGN	

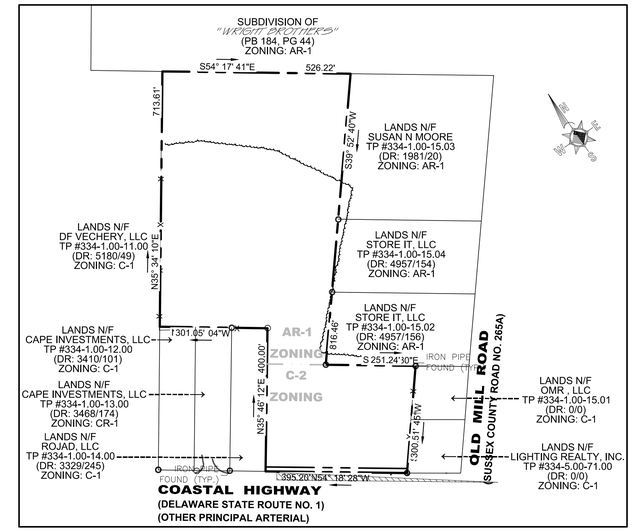
	EXISTING	PROPOSED
SANITARY SEWER	SS MH	SS MH
WATER LINE	W W.V.	W W.V.
STORM SEWER	C.B.	C.B.
ELECTRIC	OHE U.P.	E U.P.
CONTOUR	20	8
HYDRANT		
SPOT ELEVATIONS	x18.50	X (18.50)
CULVERT (w/F.E.S.)	15"RCP	15"RCP
WATER LINE	W	W
GAS LINE	GAS	GAS



NOTE:
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.

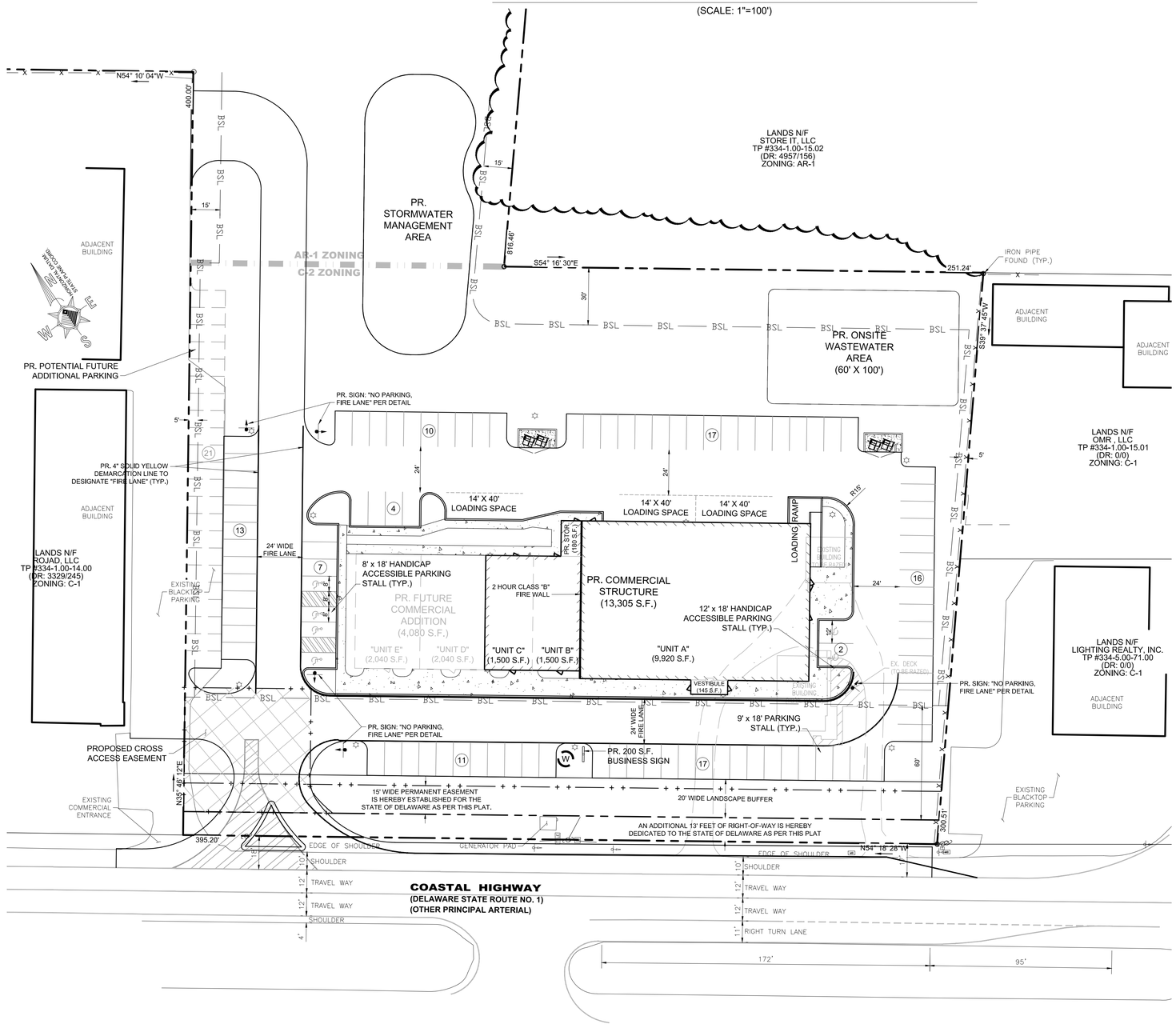
SIGHT TRIANGLE & ADJACENT ENTRANCE DETAIL

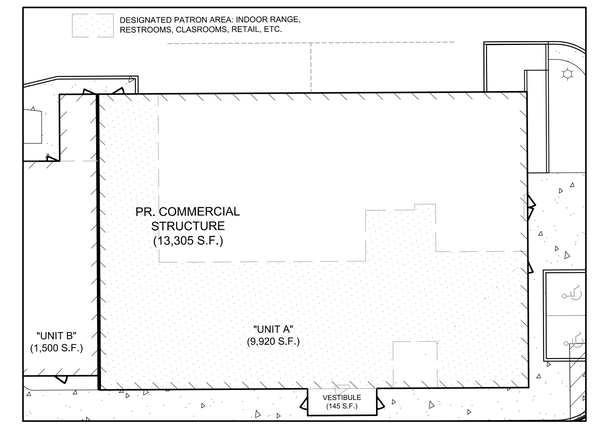
(SCALE: 1"=100')



PROPERTY DETAIL

(SCALE: 1" = 200')





"UNIT A" PATRON AREA DETAIL

(SCALE: 1" = 20')

NOTE:
A PERPETUAL CROSS ACCESS INTER-CONNECTION EASEMENT IS HEREBY ESTABLISHED FOR PARCEL 334-5.00-71.00 BY THIS PLAT. THE EXACT LOCATION OF SAID EASEMENT IS TO BE DETERMINED AT A LATER DATE AND SHALL BE DEPENDENT UPON THE LOCATION OF THE PROPOSED IMPROVEMENTS SHOWN ON THE APPROVED SITE PLANS. THE COSTS TO CONSTRUCT AND MAINTAIN SAID INTER-CONNECTION AND ANY ANCILLARY COSTS INCLUDING, BUT NOT LIMITED TO, STORMWATER MANAGEMENT FACILITIES SHALL BE SHARED BY THE OWNERS AND SUBJECT TO THE CONDITIONS OF A CROSS-ACCESS AGREEMENT.

COMMERCIAL SITE PLAN
FOR PROPERTY KNOWN AS:
BEST SHOT DELAWARE
ALSO KNOWN AS:
16797 COASTAL HIGHWAY
SITUATE IN:
LEWES & REHOBOTH HUNDRED □SUSSEX COUNTY
STATE OF DELAWARE
TAX PARCEL #: 334-1.00-15.00
SCALE: 1" = 30'

GRAPHIC SCALE
1 inch = 30 ft.

ROGER A. GROSS, P.E. (DE REGISTRATION NO. 7842) DATE:

DATE	REVISION	CHKD.
8/20/20	REVISED TGD PER DELDOT COMMENTS	R.A.G.
8/12/20	REVISED TGD PER DELDOT PRE-APP MTG	R.A.G.
6/26/20	REVISED TGD PER DELDOT COMMENTS	R.A.G.
6/19/20	REVISED TGD PER DELDOT COMMENTS	R.A.G.
6/9/20	REVISED TGD PER DELDOT COMMENTS	R.A.G.

MERESTONE CONSULTANTS, INC.
ENGINEERS - PLANNERS - SURVEYORS
5215 WEST WOODMILL DRIVE
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LEWES, DE 19958
PH: 302-226-5880

DRAWN BY: HMG | DATE: 11 MAY 2020 | SHEET#: SP-2

PLAN #: 24794L-330162

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MERESTONE
Consultants, Inc.

Civil Engineers - Land Surveyors - Site Planners

31 August 2020

Jennifer Norwood, Planner I
Sussex County
Planning & Zoning Manager
2 The Circle, P.O. Box 417
Georgetown, DE 19947

Via email: *Jnorwood@sussexcountyde.gov*

RE: Best Shot Delaware

Dear Ms. Norwood:

We respectfully submit a request to allow parking in the front yard setback. The limited depth of the developable area, combined with the necessary parking and sanitary requirements prevent us from placing parking in a reasonably accessible area elsewhere.

If you should have any questions, comments or wish to discuss in further detail, please contact me at your earliest convenience at 302-226-5880 (ext #102).

Sincerely,

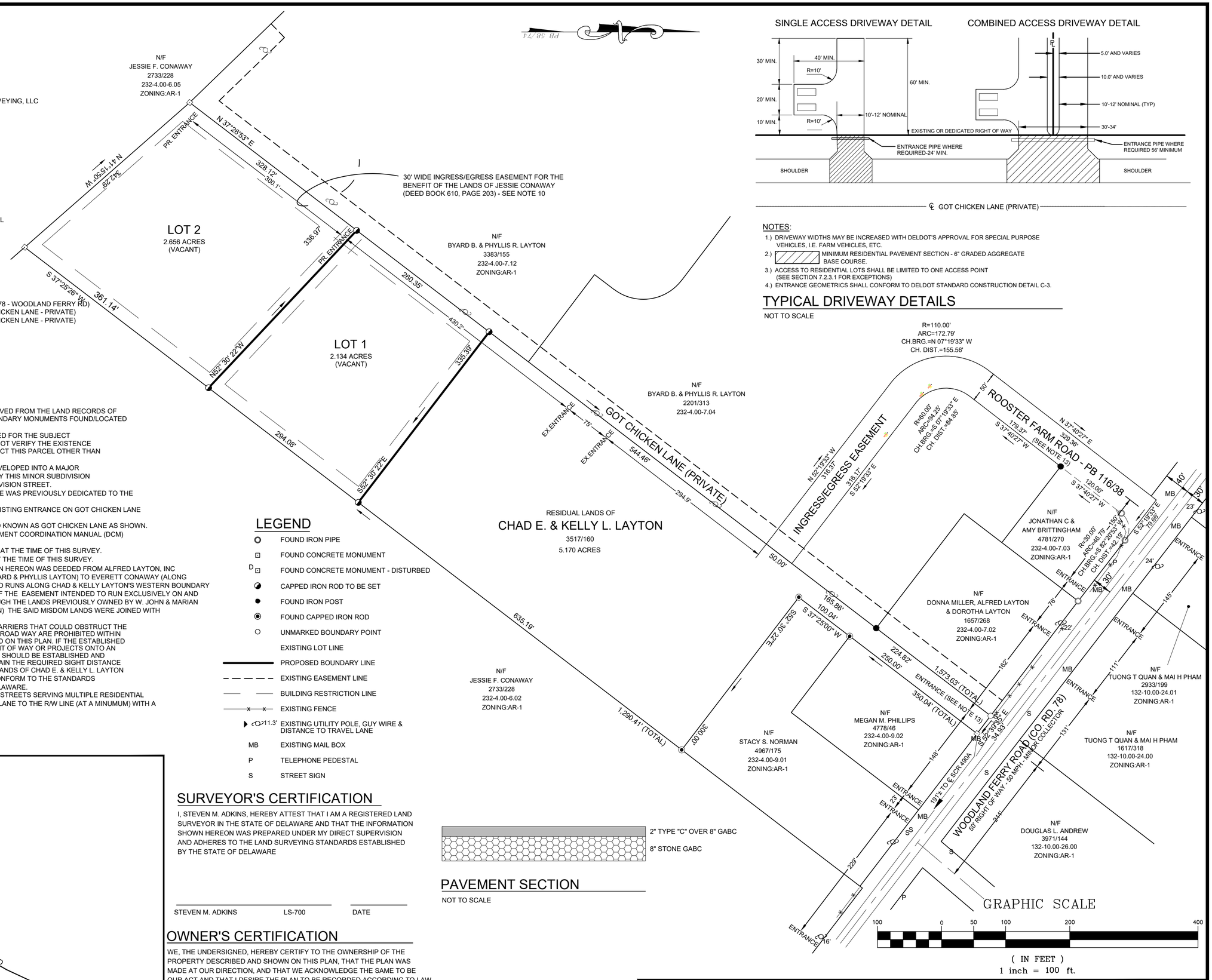
Heather Gilbert
Merestone Consultants, Inc.
Encl.

SITE DATA

OWNERS:	CHAD E. & KELLY L. LAYTON 28765 GOT CHICKEN LN LAUREL, DELAWARE 19956
SURVEYOR:	STEVEN M ADKINS LAND SURVEYING, LLC 28283 DUKES LUMBER ROAD LAUREL, DE 19956
TAX MAP:	232-4.00-7.13
DEED REF:	BOOK 3517, PAGE 160
PLOT REF:	BOOK 116, PAGE 38
EXISTING LOTS:	1
PROPOSED LOTS:	3
LOT AREA:	LOT 1: 2.134 ACRES± LOT 2: 2.656 ACRES± RESIDUE - 5.170 ACRES±
SEWER/WATER:	LOT 1: PRIVATE LOT 2 - PRIVATE RESIDUE - PRIVATE
EXISTING LOT USE:	RESIDENTIAL & AGRICULTURAL
PROPOSED LOT USE:	LOT 1: RESIDENTIAL LOT 2: RESIDENTIAL RESIDUAL: RESIDENTIAL
FLOOD ZONE:	"X"
ZONING:	AR-1
SETBACKS:	FRONT B.R.L. = 30' SIDE B.R.L. = 15' REAR B.R.L. = 20'
LOCAL ROAD FRONTAGE:	RESIDUAL: 34.93' FEET± (SCR 78 - WOODLAND FERRY RD)
PRIVATE ROAD FRONTAGE:	LOT 1: 294.08' FEET± (GOT CHICKEN LANE - PRIVATE) LOT 2: 294.41' FEET± (GOT CHICKEN LANE - PRIVATE)
LOCAL ROAD SPEED LIMIT:	50 MPH
PRIVATE ROAD SPEED LIMIT:	UNMARKED
NEAREST TID:	45 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 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 WAS PREVIOUSLY DEDICATED TO THE STATE OF DELAWARE PER PLAT 239/82.
5. THE RESIDUAL LANDS SHALL HAVE ACCESS FROM THE EXISTING ENTRANCE ON GOT CHICKEN LANE AS SHOWN.
6. LOTS 1 & 2 SHALL HAVE ACCESS FROM THE PRIVATE ROAD KNOWN AS GOT CHICKEN LANE AS SHOWN.
7. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
8. LOTS 1 & 2 SHOWN HEREON WERE VACANT (UNIMPROVED) AT THE TIME OF THIS SURVEY.
9. THE RESIDUAL LANDS SHOWN HEREON WAS IMPROVED AT THE TIME OF THIS SURVEY.
10. A THIRTY FOOT WIDE INGRESS/EGRESS EASEMENT SHOWN HEREON WAS DEEDED FROM ALFRED LAYTON, INC (THE PREVIOUS LAND OWNER, LANDS NOW OWNED BY BYARD & PHYLLIS LAYTON) TO EVERETT CONAWAY (ALONG WITH HIS HEIRS & ASSIGNS, DEED BOOK 640 PAGE 203) AND RUNS ALONG CHAD & KELLY LAYTON'S WESTERN BOUNDARY LINE. PHYSICAL EVIDENCE SUGGESTS THAT A PORTION OF THE EASEMENT INTENDED TO RUN EXCLUSIVELY ON AND THROUGH THE LANDS OF LAYTON ACTUALLY RUNS THROUGH THE LANDS PREVIOUSLY OWNED BY W. JOHN & MARIAN MISDOM (LANDS NOW OWNED BY BYARD & PHILLIS LAYTON) THE SAID MISDOM LANDS WERE JOINED WITH OTHER LANDS OF CHAD & KELLY LAYTON.
11. 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 OS 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
12. THE INTENT OF THIS LAND SURVEY IS TO SUBDIVIDE THE LANDS OF CHAD E. & KELLY L. LAYTON (T.M. 232-4.00-7.13) INTO (3) SEPARATE PARCELS WHICH CONFORM TO THE STANDARDS ESTABLISHED BY SUSSEX COUNTY AND THE STATE OF DELAWARE.
13. PER DCM REFERENCE 3.3.3 ENTRANCES SERVING PRIVATE STREETS SERVING MULTIPLE RESIDENTIAL LOTS SHOULD BE PAVED FROM THE EDGE OF THE TRAVEL LANE TO THE R/W LINE (AT A MINUMUM) WITH A DRIVEWAY/THROAT WIDTH OF 16' TO 24'



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.

TYPICAL DRIVEWAY DETAILS

NOT TO SCALE

LEGEND

	FOUND IRON PIPE
	FOUND CONCRETE MONUMENT
D	FOUND CONCRETE MONUMENT - DISTURBED
	CAPPED IRON ROD TO BE SET
	FOUND IRON POST
	FOUND CAPPED IRON ROD
	UNMARKED BOUNDARY POINT
	EXISTING LOT LINE
	PROPOSED BOUNDARY LINE
	EXISTING EASEMENT LINE
	BUILDING RESTRICTION LINE
	EXISTING FENCE
11.3'	EXISTING UTILITY POLE, GUY WIRE & DISTANCE TO TRAVEL LANE
MB	EXISTING MAIL BOX
P	TELEPHONE PEDESTAL
S	STREET SIGN

2" TYPE "C" OVER 8" GABC

8" STONE GABC

PAVEMENT SECTION

NOT TO SCALE

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

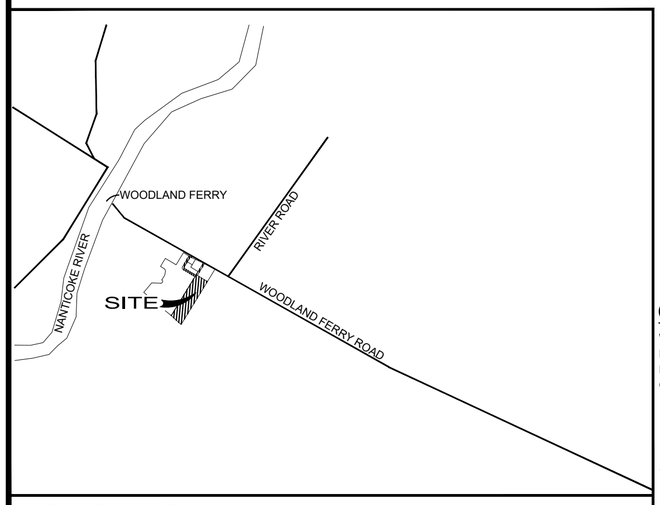
STEVEN M. ADKINS LS-700 DATE

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 I DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

CHAD E. LAYTON DATE

KELLY L. LAYTON DATE



VICINITY MAP

NOT TO SCALE

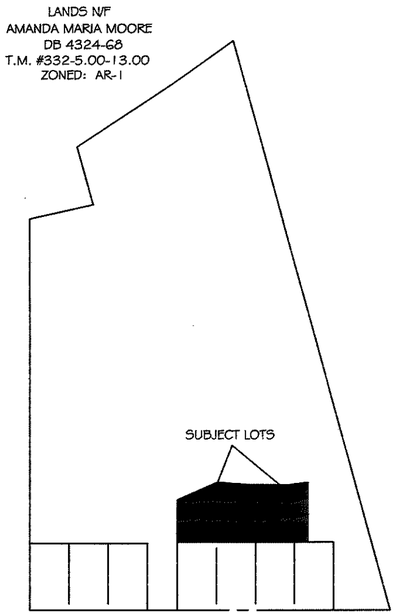
STEVEN M. ADKINS
Land Surveying, LLC
28734 Seaford Road
Laurel, DE 19956
(302) 875-3555 - Office

A MINOR SUBDIVISION FOR

CHAD E. & KELLY L. LAYTON

28765 GOT CHICKEN LANE
BROAD CREEK HUNDRED
SUSSEX COUNTY, DELAWARE

DATE: 04/18/2020	DATE: 08/01/2020
PROJECT #: 2020045.00	
SCALE: 1" = 100'	
DRAWN BY: S.M.A.	
CHECKED BY: S.M.A.	



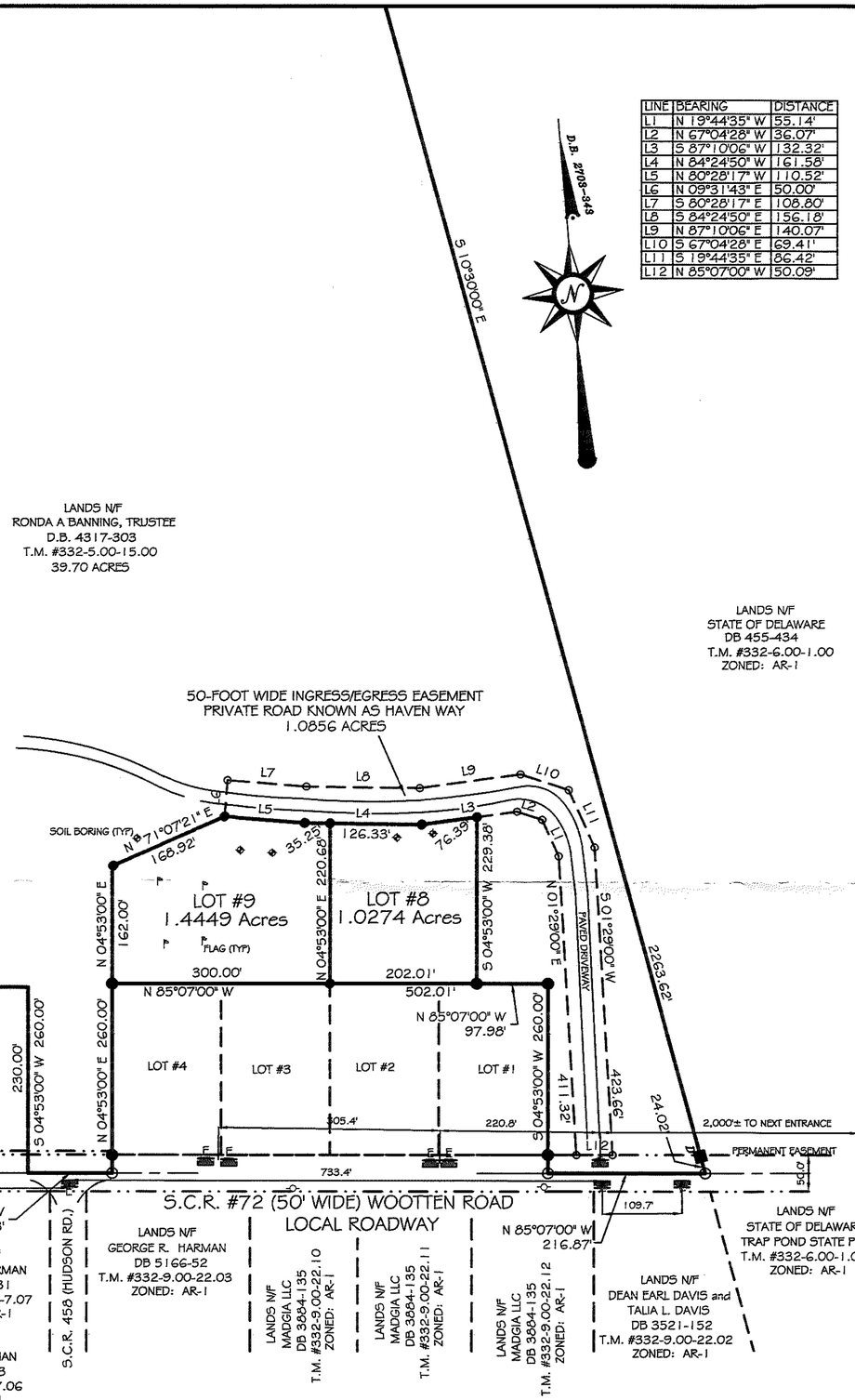
COMPOSITE PLAT
1" = 450'

LANDS N/F
JOHN E. BEERS
DB 3521-152
T.M. #332-5.00-15.05
ZONED: AR-1

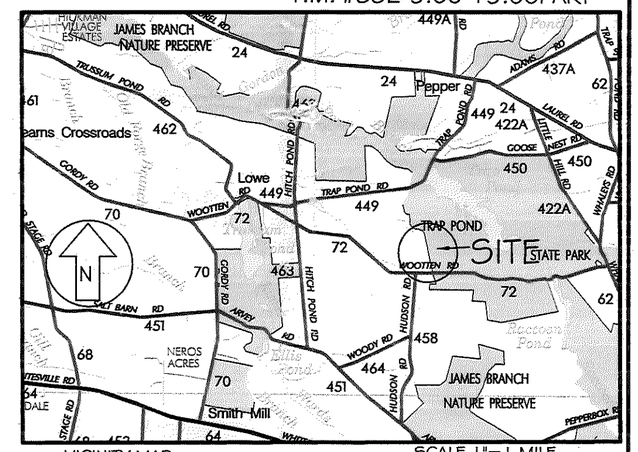
LEGEND:

- ■ CONCRETE MONUMENT (FOUND)
- ▲ IRON ROD (FOUND)
- ● IRON PIPE (FOUND)
- ⊙ POINT
- E EXISTING ENTRANCE
- P PROPOSED ENTRANCE
- UTILITY POLE
- TELEPHONE OR CABLE PEDESTAL
- MAIL BOX
- ROAD SIGN
- EXISTING RIGHT-OF-WAY LINE
- PROPOSED RIGHT-OF -WAY LINE
- PROPERTY LINE
- CENTERLINE
- NEXT PROPERTY LINE
- PROPOSED PROPERTY LINE

LINE	BEARING	DISTANCE
L1	N 19°44'35" W	55.14'
L2	N 67°04'28" W	36.07'
L3	S 87°10'06" W	132.32'
L4	N 84°24'50" W	161.58'
L5	N 80°28'17" W	110.52'
L6	N 09°31'43" E	50.00'
L7	S 80°28'17" E	108.80'
L8	S 84°24'50" E	156.18'
L9	N 87°10'06" E	140.07'
L10	S 67°04'28" E	69.41'
L11	S 19°44'35" E	86.42'
L12	N 85°07'00" W	150.09'



T.M. #332-5.00-15.00PART



VICINITY MAP SCALE 1"=1 MILE

DATA COLUMN:

T.M.#332-5.00-15.00PART
ZONING: AR-1
TRACT AREA: 42.17 ACRES± (INCLUDING RESIDUAL AREA)
EXISTING LOTS: 1
PROPOSED LOTS: 2 NEW (3 TOTAL INCLUDING RESIDUAL LANDS)
PRESENT USE: AGRICULTURAL
PROPOSED USE: RESIDENTIAL/AGRICULTURAL
ACCESS: S.C.R. 72 (WOOTTEN RD.)
ROADWAY CLASSIFICATION: LOCAL ROADWAY
WATER AND SEWER: INDIVIDUAL ON-SITE
100 YEAR FLOODPLAIN: SITE IS NOT IMPACTED
AS PER FIRM #10005C0325L DATED 6/20/18
THIS PROJECT IS NOT IN THE PROXIMITY OF A TID
SPEED LIMIT ON WOOTTEN RD. IS 50MPH (UNPOSTED)

NOTES:

1. 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.
2. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DEL.D.O.T.'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
3. THERE IS A FIFTY FOOT BUILDING SETBACK FROM LANDS USED FOR AGRICULTURAL PURPOSES.
4. LOTS #8 & #9 SHALL HAVE A SINGLE ACCESS TO SCR 72 VIA THE 50' WIDE INGRESS/EGRESS EASEMENT AS SHOWN ON THIS PLAT. THE RESIDUAL LANDS SHALL HAVE A SINGLE ACCESS TO SCR 72 VIA THE 50' WIDE INGRESS/EGRESS EASEMENT AS SHOWN ON THIS PLAT.
5. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FURTURE INVOLVE NOISE, DUST,MANURE AND OTHER ODORS, THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.

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

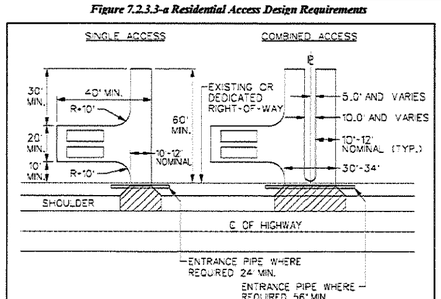
WE CERTIFY THAT TITLE 17, SECTION 530 IS APPLICABLE TO THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN FOR VIRTUE OF: (CHECK APPLICABLE SECTION)

_____THE PARCEL IS SUBDIVIDED INTO NO MORE THAN 2 PARCELS WHICH WILL BE CONTINUED TO BE USED AS A FARM OR FARMLAND, OR

_X_ THE SUBDIVIDED PARCEL OR PARCELS WILL BE TRANSFERRED TO A FAMILY MEMBER OR MEMBERS FOR PURPOSES OF USE AS A FAMILY MEMBER OR MEMBERS' PRINCIPAL RESIDENCE OR FARMLAND.

OWNER SIGNATURE _____ DATE _____

Figure 7.2.3.3-a Residential Access Design Requirements



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 SHOULD 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.

NOTE: 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.

0 150' 300' 450'
SCALE: 1" = 150'

I, DONALD K. MILLER REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

D K. MILLER, PLS 407 _____ DATE _____

OTHER THAN SHOWN, THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY. NO TITLE SEARCH PROVIDED OR STIPULATED.

DATE	REVISION
07-20-2020	DEL. D.O.T. COMMENTS

MINOR SUBDIVISION PLAN FOR

RONDA A. BANNING, TRUSTEE

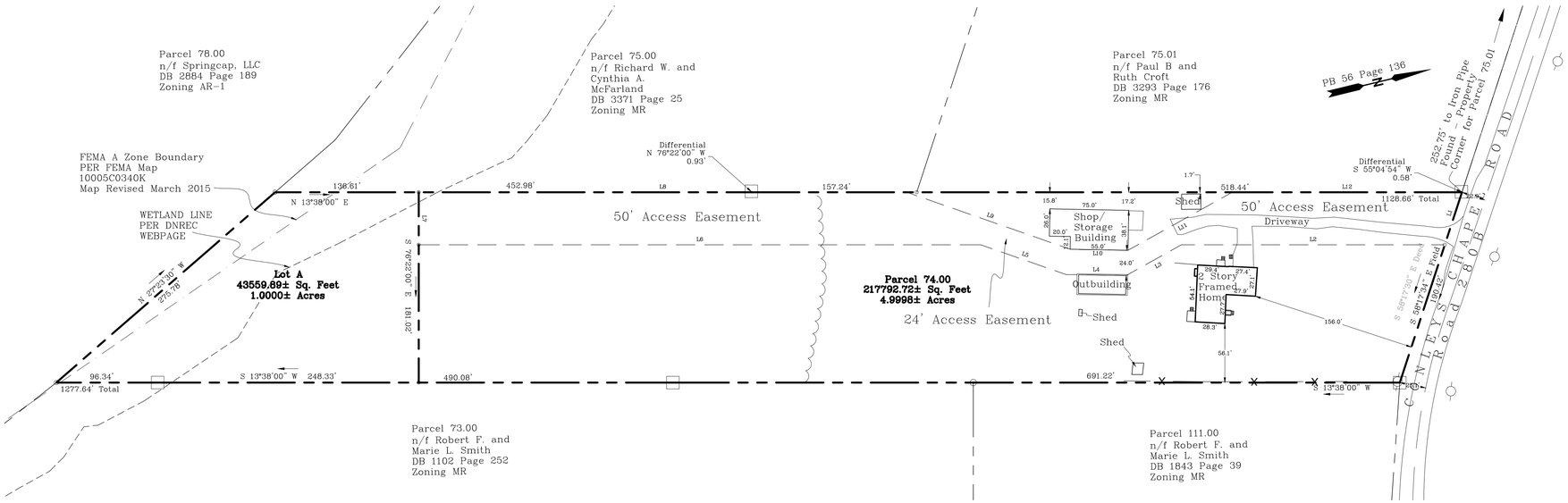
OWNER ADDRESS: 22726 HAVEN WAY, LAUREL, DE. 19956

MILLER LEWIS, INC.
PHONE 302 629 9895
FAX 302 629 2391
LAND SURVEYING
1560 MIDDLEFORD RD.
SEAFORD, DELAWARE 19973

JULY 6, 2020

HUNDRED	COUNTY
LITTLE CREEK	SUSSEX
STATE	DRAWN BY
DELAWARE	D. A. MORRIS
REF.	DWG. NO.
DB. 3575-122	VISION HOMES 3-32-5-15.dwg

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE A 1 ACRE LOT FROM THE RESIDUAL PARCEL



LOT SUBDIVISION SURVEY PLAN

FOR PROPERTY KNOWN AS:

LANDS OF "HAZEL L. CORDREY TRUSTEES"

ALSO KNOWN AS:

"30792 CONLEYS CHAPEL ROAD, LEWES, DE"

SITUATE IN:

INDIAN RIVER HUNDRED □SUSSEX COUNTY

STATE OF DELAWARE

TAX MAP#:234-11.00 PARCEL 74.00

PLAN DATA:

PARCEL I.D. No	□ 234-11.00 Parcel 74.00
PLAT REFERENCE	□ D.B. 946, PAGE 103
ZONING DISTRICT	□ MR (ZONING CLASSIFICATION)
ROADWAY CLASSIFICATION	□ SCR 280B (LOCAL ROAD)
SEWAGE DISPOSAL	□ INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS (PRIVATE)
	SEWERAGE IS SUBJECT TO APPROVAL OF THE THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	□ INDIVIDUAL ON-SITE WELLS (PRIVATE)
	WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
OWNER	□ HAZEL L. CORDREY TRUSTEES
LOT AREA	□ AREA IN LOTS
Lot A	1.0000 ACRES
Residual Area	3.9998 ACRES
Total Area	= 4.9998 ACRES
TOTAL No. OF LOTS	□ 1 SINGLE FAMILY DWELLING UNITS

Setbacks □or Lot A and Residual Lot:

Front□ard - 40' - Residual Lot
- 30' - Lot A

Side□ard - 10'

Rear□ard - 10'

ACCESS EASEMENT DESCRIPTION

LINE	BEARING	DISTANCE
L1	S 58°17'34" E	52.60'
L2	S 13°38'00" W	250.51'
L3	S 14°57'35" E	59.67'
L4	S 14°30'26" W	57.33'
L5	S 32°52'28" W	85.79'
L6	S 13°38'00" W	534.58'
L7	N 76°22'00" W	50.00'
L8	N 13°38'00" E	464.16'
L9	N 32°52'28" E	164.51'
L10	N 14°41'35" E	55.00'
L11	N 15°29'25" W	113.48'
L12	N 13°38'00" E	218.44'

LEGEND

—— x —— x ——Fence
Property Line
Adjoiner Property Line
Property Corner
Concrete Monument Found
Power Pole

NOTES

1. THIS SURVEY IS CLASSIFIED AS A "SUBURBAN" SURVEY.
2. UNLESS THIS PLAT HAS A SEAL WITH AN ORIGINAL SIGNATURE OF ENGINEER, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.
3. THE SURVEY DOES NOT VERIFY THE EXISTENCE OF OR NONEXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS.
4. THERE ARE WETLANDS LOCATED ON THIS PROPERTY.
5. THE OWNER OF LOT A IS RESPONSIBLE FOR MAINTENANCE OF THE ACCESS EASEMENT.

ENGINEER'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

JOHN B. ROACH, JR., P.E. DATE

0' 30' 60' 120' 180'
SCALE: 1" = 60'

JOHN B. ROACH Engineering LLC
22184 MELSON ROAD
GEORGETOWN, DELAWARE 19947
PHONE NO. 302-856-1565

Drawn By: JBR	Date: 07-24-2020
Scale: 1"=60'	Sheet 1/1

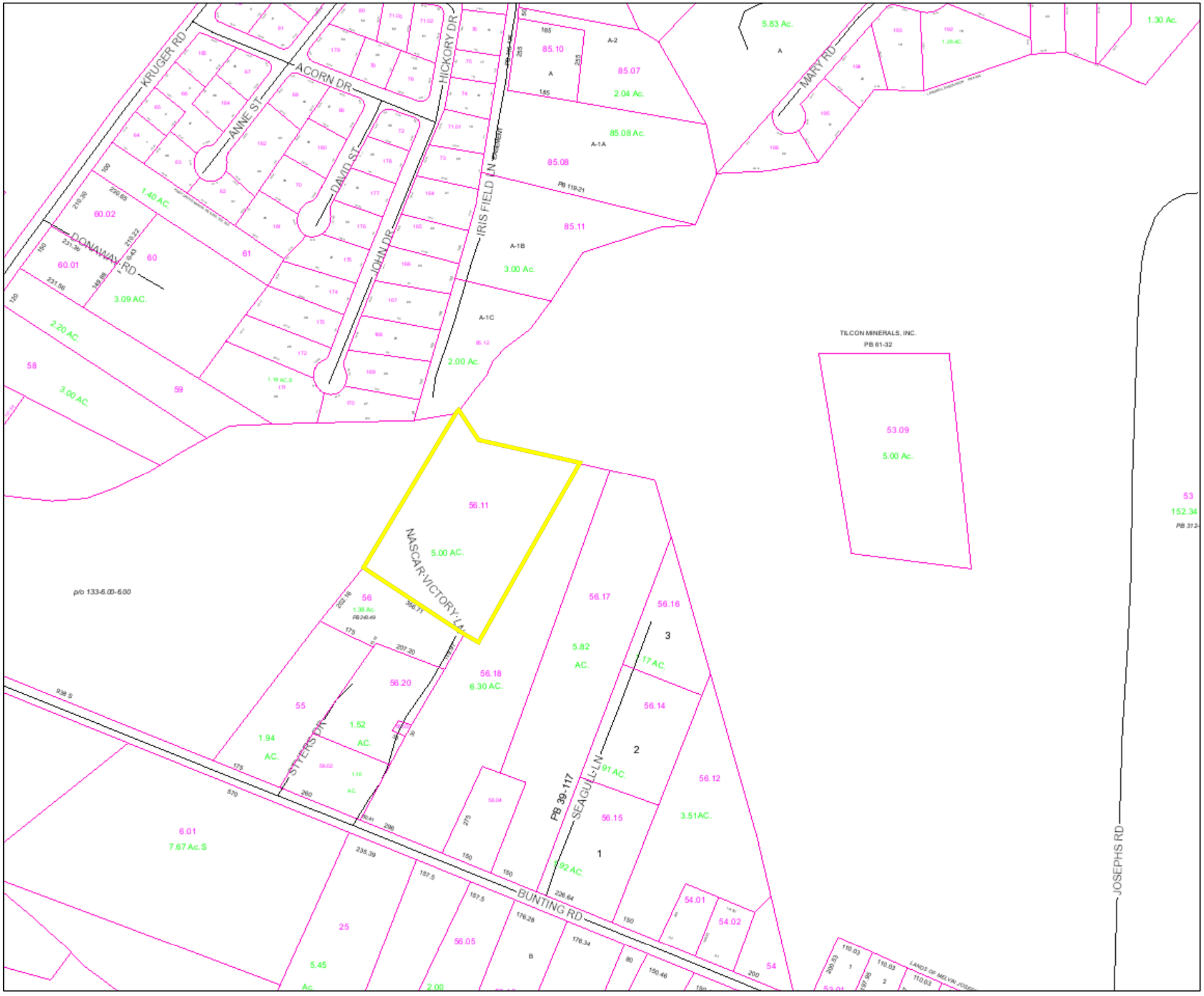
PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE

Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date September 10, 2020.

Application:	(2020-02) Lands of Steve Axe Sr.
Applicant:	Scott Illian 22285 Louise Street Georgetown, DE 19947
Owner:	Steve Axe Sr. 22027 Nascar Victory Lane Georgetown, DE 19947
Site Location:	Located on the north side of Bunting Road (S.C.R. 322) approximately 0.33 mile east of Kruger Road (S.C.R. 321) along an access easement named Nascar Victory Lane.
Current Use:	Residential
Proposed Use:	Residential
Comprehensive Land Use Plan Reference:	Low Density Area
Councilmanic District:	Mr. Wilson
School District:	Indian River School District
Fire District:	Georgetown Fire District
Sewer:	Private, On-site septic
Water:	Private, Well
Site Area:	5.00 acres +/-
Tax Map ID.:	133-6.00-56.11

Sussex County



PIN: 133-6.00-56.11

Owner Name	AXE STEVE G SR
Book	2729
Mailing Address	22027 NASCAR VICTORY R
City	GEORGETOWN
State	DE
Description	P/O PAR A 631'N/RT
Description 2	322 1850'W/RT 321
Description 3	T#35055
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

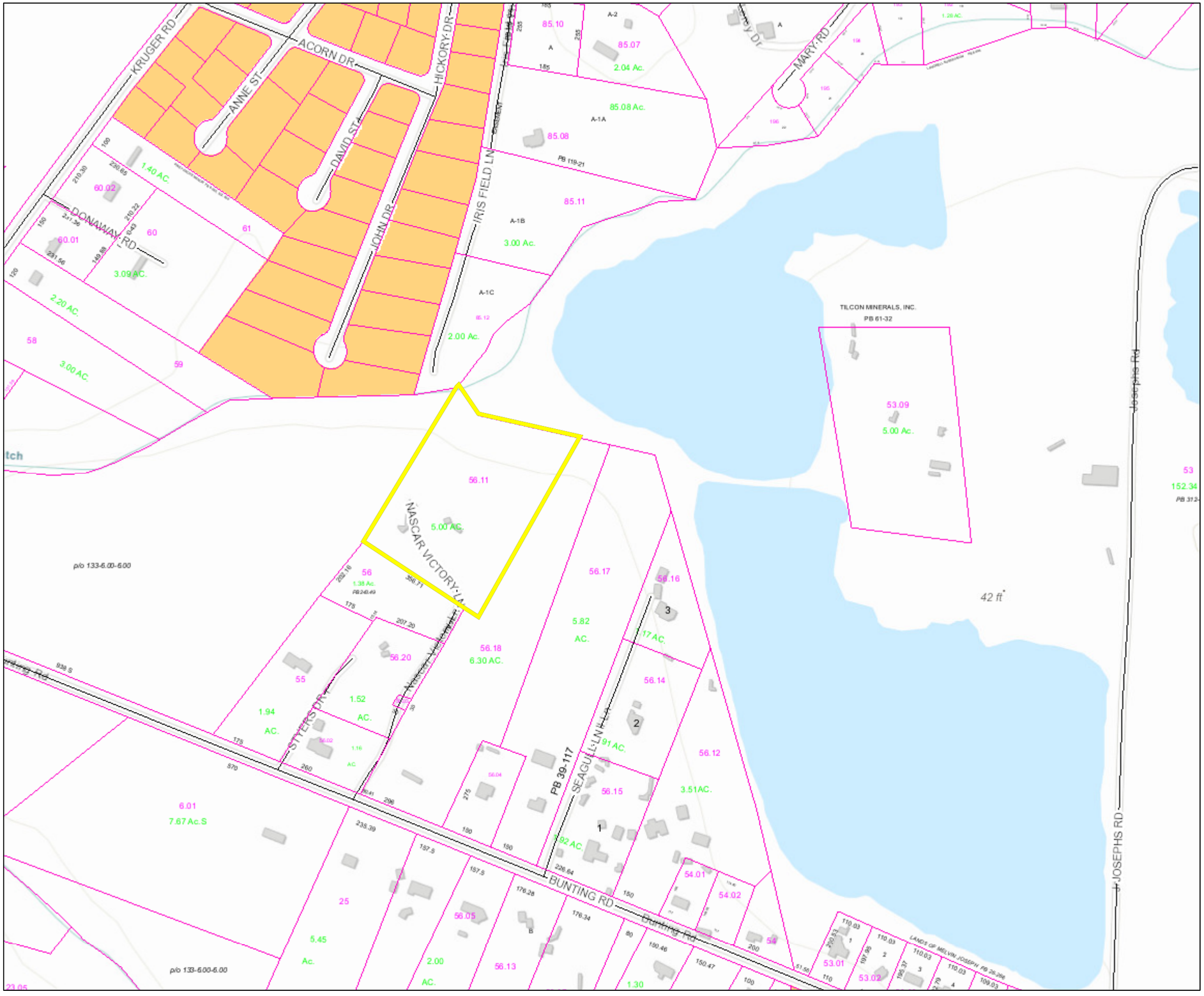
1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

July 20, 2020

Sussex County



PIN:	133-6.00-56.11
Owner Name	AXE STEVE G SR
Book	2729
Mailing Address	22027 NASCAR VICTORY R
City	GEORGETOWN
State	DE
Description	P/O PAR A 631'N/RT
Description 2	322 1850'W/RT 321
Description 3	T#35055
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

July 20, 2020

Sussex County

PIN:	133-6.00-56.11
Owner Name	AXE STEVE G SR
Book	2729
Mailing Address	22027 NASCAR VICTORY R
City	GEORGETOWN
State	DE
Description	P/O PAR A 631'N/RT
Description 2	322 1850'W/RT 321
Description 3	T#35055
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

July 20, 2020

File #: 2020-02
202000245

Sussex County Major Subdivision Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Standard: ✓
Cluster: __
ESDDOZ: __

Location of Subdivision:
222027 Nascar Victory Lane, Georgetown 19947

Proposed Name of Subdivision:
Steve Axe, Sr.

Tax Map #: 1-33-06-56.11 Total Acreage: 5.00 AC

Zoning: AR-1 **Density:** — **Minimum Lot Size:** 1.2 +/- acres **Number of Lots:** 1

Open Space Acres: _____

Water Provider: Well **Sewer Provider:** Septic

Applicant Information

Applicant Name: Scott Illian
Applicant Address: 22285 Louise St.
City: Georgetown State: DE ZipCode: 19947
Phone #: 302-542-2251 E-mail: scottillian@yahoo.com

Owner Information

Owner Name: STEVE AXE SR
Owner Address: 22027 NASCAR VICTORY LN
City: GEORGETOWN State: DE Zip Code: 19947
Phone #: 302 856-2546 E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____
Agent/Attorney/Engineer Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

___ **Completed Application**

___ **Provide fifteen (15) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**

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

___ **Provide Fee $500.00**

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

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

___ **PLUS Response Letter** (if required)

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

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 1/8/2020

Signature of Owner

_____ Date: 1/8/2020

For office use only:

Date Submitted: 1/8/2020 Fee: $500.00 Check #: Cash

Staff accepting application: Ceh Application & Case #: 202000245

Location of property: _____

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

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

JENNIFER COHAN
SECRETARY

May 19, 2020

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

SUBJECT: **Minor Subdivision - Letter of No Objection to Recordation**
SCOTT & KAREN ILLIAN
Tax Parcel # 133-6.00-56.11
SCR322-BUNTING ROAD
Dagsboro Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated January 7, 2020 (last revised April 23, 2020), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

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

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

to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

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

Sincerely,

Stephen Wright
Kent County Review Coordinator
Development Coordination

cc: Stephen Sellers, Miller Lewis
Rusty Warrington, Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
James Argo, South District Project Reviewer
William Kirsch, South District Entrance Permit Supervisor
Shannon Anderson, South District Public Work Admin Specialist
Todd Sammons, Assistant Director
John Andrescavage, Sussex County Reviewer

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **8/24/2020**

APPLICATION: **2020-02 – Lands of Steve Axe Sr.**

APPLICANT: **Scott Illian**

FILE NO: **WSPA-5.01**

TAX MAP & PARCEL(S): **133-6.00-56.11**

LOCATION: **Located on the north side of Bunting Road (SCR 322), approximately 0.33 mile east of Kruger Road (SCR321) along an access easement named Nascar Victory Lane.**

NO. OF UNITS: **2 lots**

GROSS ACREAGE: **5.00+/-**

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

SEWER:

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

Yes ☐ No ☒

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

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

(3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

(4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **No** If yes, the current System Connection Charge Rate is **Unified $6,360.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**

☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **The proposed subdivision of land is in a Tier 3 area for sanitary sewer. Therefore, Sussex County Engineering Department does not have a schedule to provide sanitary sewer service.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:

John J. Ashman
Director of Utility Planning

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

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT

Plan Review Number: 2020-04-203468-MIS-02
Status: Approved as Submitted

Tax Parcel Number: 133-6.00-56.11
Date: 04/14/2020

Project

Scott & Karen Illian Subdivison
; Unit #: 2 Lots
Steve Axe Senior Property

Bunting Road
Georgetown DE 19947

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 77 - Georgetown Fire Co Inc

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Stephen M Sellers
1560 Road 535
Seaford, DE 19973

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

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

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

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

This Plan Review Project was prepared by:

Duane Fox
Fire Protection Specialist III

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2020-04-203468-MIS-02
Status: Approved as Submitted

Tax Parcel Number: 133-6.00-56.11
Date: 04/14/2020

PROJECT COMMENTS

1002 A	This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
1010 A	The following water for fire protection requirements apply: NONE. On-Site Wells Proposed. this site meets Water Flow Table 1. therefore the provisions of NFPA 1142 shall apply to this site (DSFPR Regulation 702, Chapter 6, Section 3).Since wells are proposed for this site, no additional requirements will be made by this Agency for water for fire protection.
1000	The site plans have been approved as submitted. The Office of DE State Fire Marshal has no objection to recordation.
1180 A	This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
1501 A	If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

SCALED. ENGINEERING
561826
20246 Coastal Highway
Rehoboth Beach, DE 19971
PH: (302) 632-7548
www.scaledengineering.com

SITE EVALUATION – APPROVAL PAGE

The soils on this site are approved when the following is completed in full and signed by the approving authority. The information contained in this site evaluation reflects Delaware Department of Natural Resources and Environmental Control (DNREC) policies and procedures at the time of the review. Exhibits and Regulations cited in this report refer to the most current DNREC "Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems". Isolation distance requirements, limited area of suitable soils, filling, removal, and/or compaction of the soil **may negate** construction permit approval or modify the type of system that can be permitted. All information shall be verified by interested parties prior to design and installation of the septic system. This is not a construction permit. Approval of this site evaluation is limited to **five years**. Upon expiration, a new site evaluation will be required in compliance with regulations in effect at that time.

Owner's Name: Steve Axe, Sr. **Lot/Parcel #**: N/A
Tax Map #: 133-6.00-56.11 (P/O)
Initial Disposal System: Capping Fill Low Pressure Pipe On-Site Wastewater Treatment and Disposal System (OWTDS) with Advanced Pretreatment meeting PSN3 requirements.
Location of Initial System: In the immediate vicinity of Soil Boring (BOR) #1 (see plot drawing).
Depth to Limiting Zone: 27 inches to indication of saturation/seasonal high water table.
Alternative Disposal System: Elevated Sand Mound or Peat Biofilter OWTDS. Advanced Pretreatment meeting PSN3 requirements shall be incorporated.
Location of Alternative System: In the immediate vicinity of BOR #2 and 3 (see plot drawing).
Depth to Limiting Zone: 20 inches to indication of saturation/seasonal high water table.
Design Considerations and Comments: See **Exhibit O and P (Initial); Exhibit Q (Sand Mound); Exhibit BB and Guidance Documents Attachment 8 (Peat Biofilter)**. Maintain all isolation distances specified in Exhibit C. See Exhibit C for ways to reduce well isolation distances. Other disposal options include any innovative/alternative technologies approved by DNREC. See Report for additional design information.
Replacement Disposal System: Same as above if space allows or a sand-lined upgrade in area of initial system.
Location of Replacement System: Adjacent to Initial Disposal System.
Depth to Limiting Zone (Replacement System): Same as above.

Instructions to Property Owner / Client

1. Contact a Licensed Class **C** System Designer.
2. A permeability rate of **25 (Initial) and 40 (Alternative)** minutes per inch has been estimated based on the soils found on this site, guidelines set forth in the Regulations, and other factors. You may use the estimated rate or, at your expense, have a percolation test conducted. If you do not choose to use the estimated permeability rate, contact a Licensed Class A Percolation Tester. The depth, location, number and method of percolation test is to be determined by the Class D Soil Scientist.
3. If you have questions, call the evaluator at (302) 632-7548 or DNREC Sussex County (302) 856-4561; Kent County (302) 739-9947.
4. See attached Site Evaluation Report for additional information.

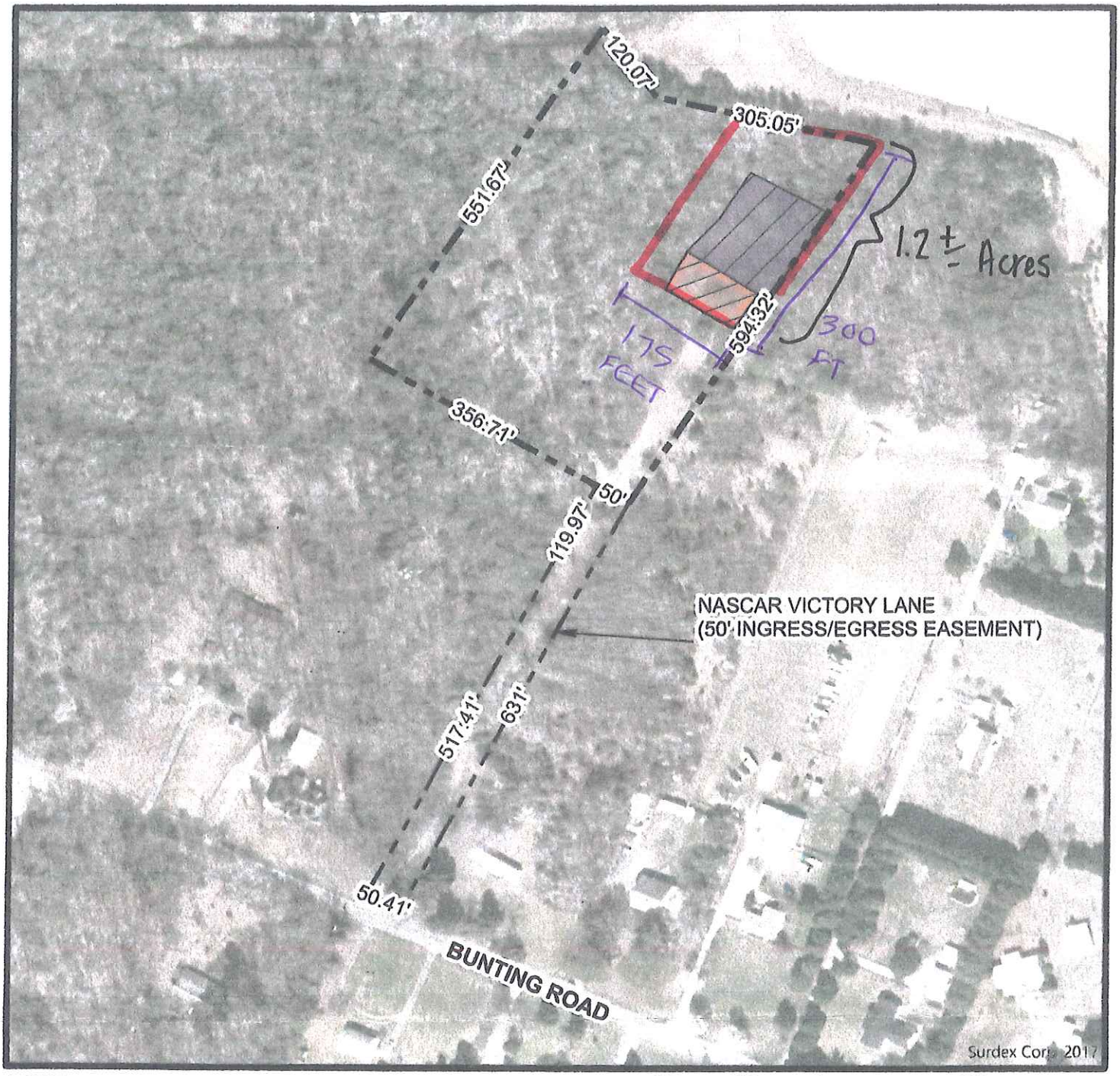
This report has been prepared by: M. Josh Stallings, License # D4601
M. Josh Stallings

Disclaimer: Approval of this site evaluation indicates only that the site evaluation, **based on information presented to us**, was conducted in compliance with the Regulations. It is not an indication of the correctness or quality of the evaluation nor does it guarantee the evaluation is free of omissions.

Field Checked_____ **For Office Use Only** Date 12/4/19

Expiration Date 12/4/24

DNREC Reviewing Soil Scientist



NOTE:
All wells within 150' of proposed OWTDS area shown on plan (unless otherwise noted).

210 105 0 210 Feet

SITE EVALUATION PLAN-2

STEVE AXE, SR.
22027 NASCAR VICTORY LANE
GEORGETOWN, DE 19947
TM: 133-6.00-56.11 (P/O)

Date: 11/25/2019 1 IN = 200 FT
Drawn: MJS Project: ILAN001

Legend

- Property Line
- Property Line Adjacent
- CFLPP Disposal Area
- ESM Disposal Area

N

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20246 Coastal Highway
Rehoboth Beach, DE 19971
PH: (302) 632-7548
www.scaledengineering.com

Date: 10/30/19 **Tax ID Number:** 133-6.0-56.11 (P/O)

Property Owner: Steve Axe, Sr. **Project Number:** ILAN001

Property Location: 22027 Nascar Victory Lane, Georgetown, DE 19947

Profile #: BOR 1 **Slope:** 0-1% **Estimated Permeability:** 25 mpi

Profile Type: **Soil Boring** ☒ **Test Pit** ☐ **GPS:** N 38.637608 W -75.369125

		Colors		Mottles Desc.			
Horizon	**Depth (in.)**	**Matrix**	**Mottles**	**Ab. S. Con.**	**Texture**	**Structure**	**Consistence**
A	0-1	10yr 3/2			LS	m	vfr
AE	1-5	10yr 4/3			LS	m	vfr
BE	5-8	10yr 5/6			LS	m	vfr
E	8-20	10yr 5/4			LS	m	vfr
Bt1	20-28	10yr 6/6			LS+	1fsbk	fr
Bt2	28-40	10yr 5/6	2.5y 6/3 7.5yr 6/8	f2p c2d	LS+	1fsbk	fr
Bt3	40-48	2.5y 6/4	5yr 5/8 2.5y 6/2	m2p m2d	SL	1msbk	fr
BC	48-62	10yr 6/6	2.5y 6/2 7.5yr 5/8	f2p c2d	LS	m	vfr
C	62-72	2.5y 7/6	2.5y 7/4 10yr 5/8	c2d c2d	LS	m	vfr

Soil Classification: Aquic Arenic Hapludult **Relief:** Gently Sloping

Depth to Limiting Zone: 28" to Redox Features **Depth to Freewater:** >72"

Comments:

Soil Scientist: M. Josh Stalling

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20246 Coastal Highway
Rehoboth Beach, DE 19971
PH: (302) 632-7548
www.scaledengineering.com

Date: 10/30/19 **Tax ID Number:** 133-6.0-56.11 (P/O)

Property Owner: Steve Axe, Sr. **Project Number:** ILAN001

Property Location: 22027 Nascar Victory Lane, Georgetown, DE 19947

Profile #: BOR 2 **Slope:** 0-1% **Estimated Permeability:** 35 mpi

Profile Type: **Soil Boring** ☒ **Test Pit** ☐ **GPS:** N 38.63781 W -75.369067

		Colors		Mottles Desc.			
Horizon	**Depth (in.)**	**Matrix**	**Mottles**	**Ab. S. Con.**	**Texture**	**Structure**	**Consistence**
A	0-2	10yr 3/2			LS	m	fr
AE	2-8	2.5y 4/3			LS	m	fr
E	8-16	2.5y 5/4			LS	m	vfr
Bt1	16-24	10yr 6/4			SL	1fsbk	fr
Bt2	24-32	10yr 6/6	2.5y 6/3 7.5yr 5/8	C2p C2d	SL	m	fi
BC	32-40	10yr 6/4	2.5y 6/2 7.5yr 5/8	C2d C2p	LS	m	fr
C	40-64	2.5y 6/4 10yr 7/6	2.5y 6/2 5yr 5/8	m3d,p C2p	Stratified gr LcoS + coSL	m	fr
Cg	64-72	2.5y 6/2	7.5yr 6/8	C2p	vgr LcoS	m	vfr

Soil Classification: Oxyaquic Hapludult **Relief:** Gently Sloping

Depth to Limiting Zone: 24" to Redox Features **Depth to Freewater:** >72"

Comments:

Soil Scientist: M. Josh Stallings

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20246 Coastal Highway
Rehoboth Beach, DE 19971
PH: (302) 632-7548
www.scaledengineering.com

Date: 10/30/19 **Tax ID Number:** 133-6.0-56.11 (P/O)

Property Owner: Steve Axe, Sr. **Project Number:** ILAN001

Property Location: 22027 Nascar Victory Lane, Georgetown, DE 19947

Profile #: BOR 3 **Slope:** 0-1% **Estimated Permeability:** 40 mpi

Profile Type: **Soil Boring** ☒ **Test Pit** ☐ **GPS:** N 38.637972 W -75.368893

		Colors		Mottles Desc.			
Horizon	Depth (in.)	Matrix	Mottles	Ab. S. Con.	Texture	Structure	Consistence
A	0-1	10yr 3/2			LS	m	fr
AE	1-5	10yr 4/3			LS	m	fr
E	5-12	10yr 6/4			LS	m	fr
Bt1	12-20	10yr 5/4			SL	m	fr
Bt2	20-24	10yr 6/6	7.5yr 5/8	C1d	SL	m	fi
BC	24-30	10yr 5/4	2.5y 7/2 7.5yr 5/8	C2d C1p	LS+	m	fi
C1	30-60	2.5y 6/4 2.5y 6/2	10yr 6/6 5yr 5/8	C2d,p C2p	Stratified LS, LoS, coSL	m	fr/fi
C2	60-72	2.5y 6/3	10yr 6/8 2.5y 6/1	C3p m3d	grcoSL	m	vfr

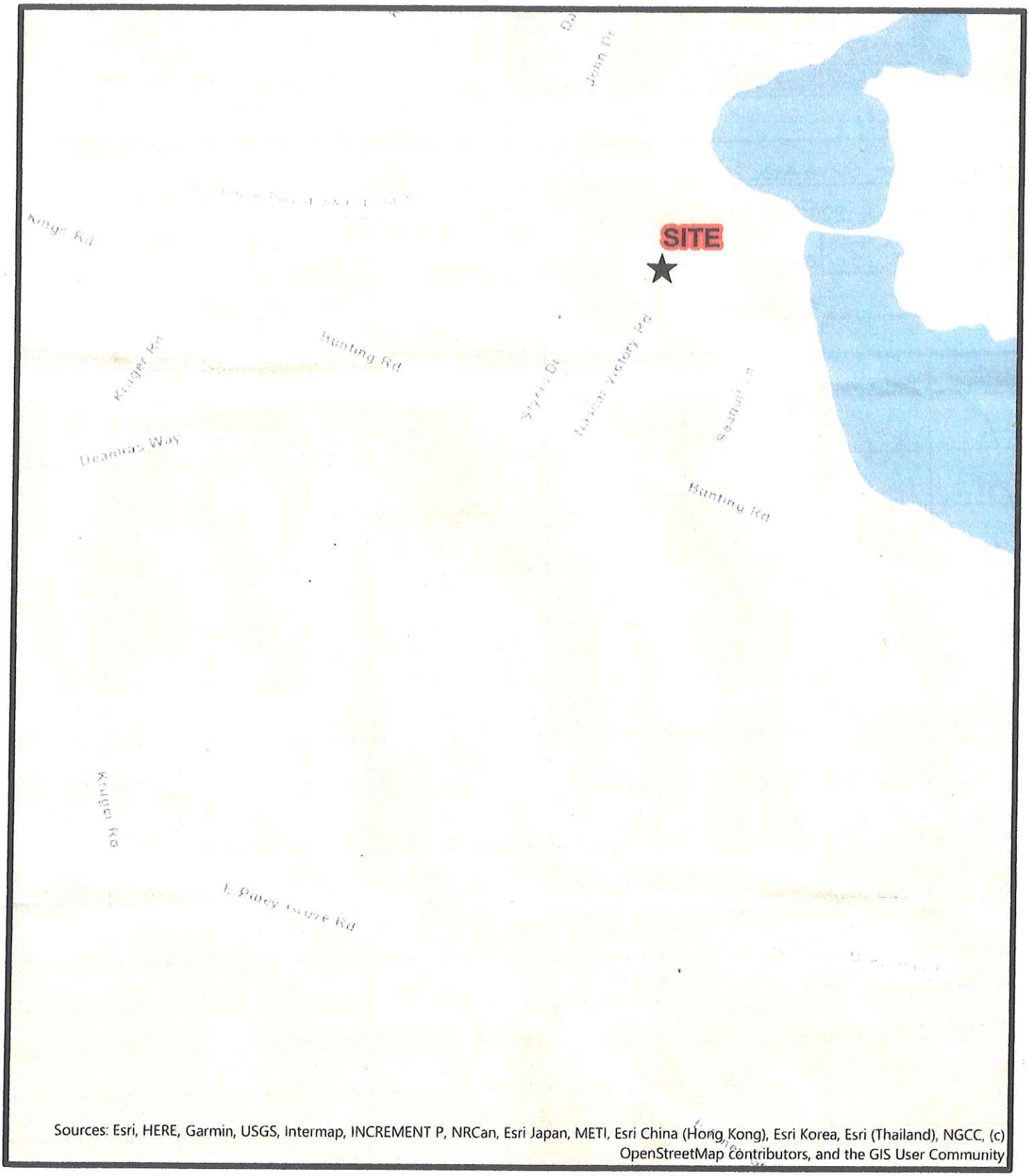
Soil Classification: Oxyaquic Hapludult **Relief:** Gently Sloping

Depth to Limiting Zone: 20" to Redox Conc **Depth to Freewater:** >72"

Comments: 40 mpi due to fine subsoil

Soil Scientist: M. Josh Stolling

SITE LOCATION



0 0.07 0.15 0.3 Miles

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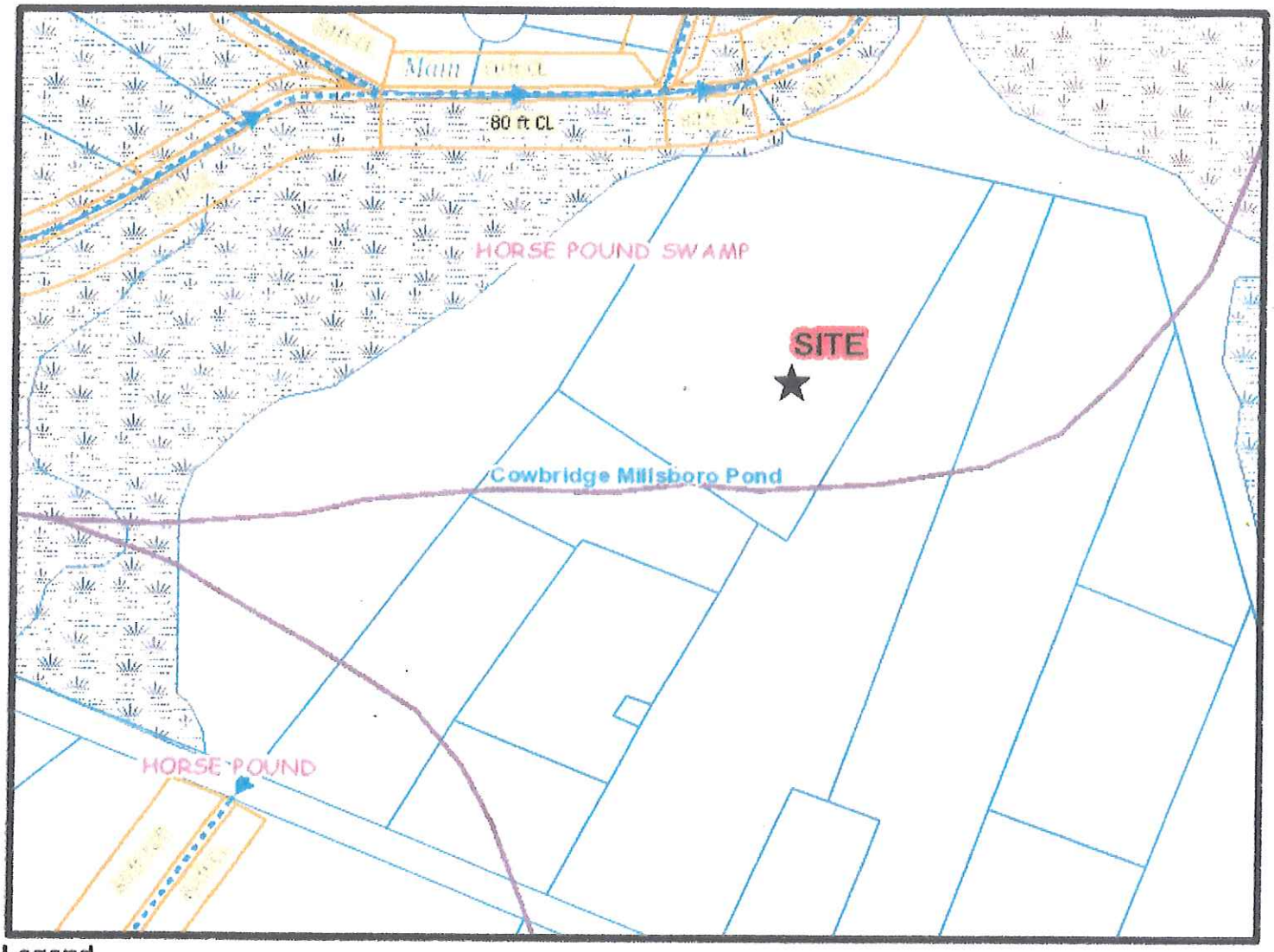
DNREC MAPPING



Legend

- Sussex County Tax Parcel

DNRECFeatures

- Watersheds

Tax Ditch Segments

- 1 - 989
- 990
- 991 - 993
- 994 - 999
- Bay Building Line
- Ocean Building Line
- Extent of Right-of-Way
- Approx. Watershed Boundary

Groundwater Management Zones

- HSCA, 1 Zone
- Multiple, Zone A
- Multiple, Zone B
- SHWMB, 1 Zone
- SIRB, 1 Zone
- SIRB, Zone A
- SIRB, Zone B
- SIRB, Zone C
- TMB, 1 Zone
- TMB, Zone A
- TMB, Zone B
- GWPB, 1 Zone

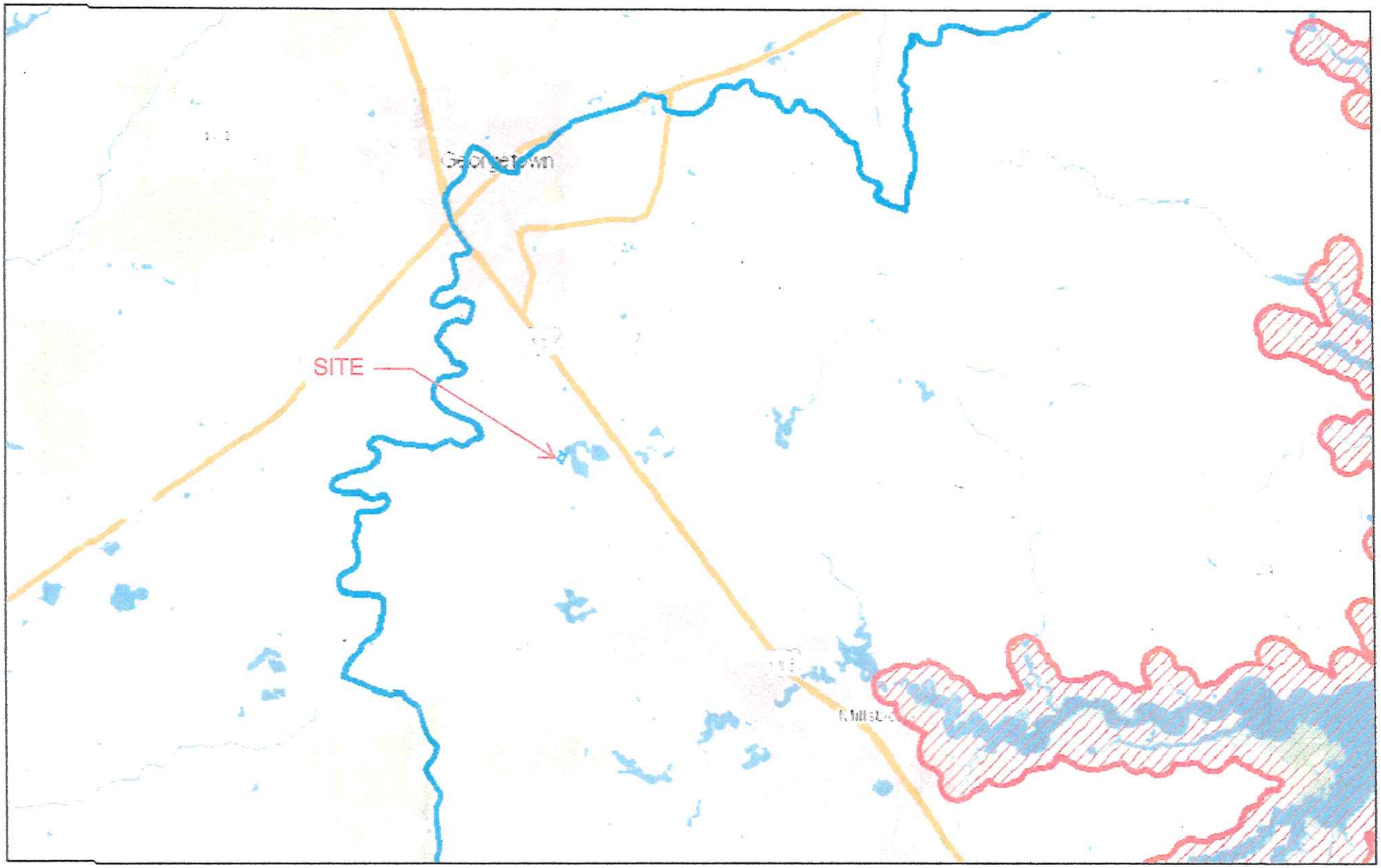
FEMA Flood Maps

- X 500
- A
- AE
- AO
- VE
- Natural Areas(Final)

State Wetlands 2007

- Agriculture
- Estuarine Non-Vegetated
- Estuarine Vegetated
- Lacustrine
- Marine Non-vegetated
- Palustrine Emergent
- Palustrine Forested
- Palustrine Forested Deciduous
- Palustrine Forested Evergreen
- Palustrine Open Water/ Flats
- Palustrine Open Water/ Flats
- Palustrine Scrub/Shrub
- Palustrine Scrub/shrub
- Palustrine Tidal Emergent
- Palustrine Tidal Forested
- Palustrine Tidal Forested
- Palustrine Tidal Scrub/ Shrub
- Riverine Non-vegetated
- Riverine Vegetated
- Recharge Areas
- Wellhead Protection Areas

Inland Bays Pollution Control - PNS3



11/25/2019, 2:58:18 PM

Tidal SWMP

Area Requiring Early Implementation of PSN3

Watershed Boundary

1:144,448

0 1.25 2.5 5 mi

0 2 4 8 km

DNREC
FirstMap 2017

32785 BK 02729 PG 074

TAX MAP #1-33-6.00-56.11
Prepared by: Moore & Rutt, P.A.
P.O. Box 554
Georgetown, DE 19947
Return to: Steve G. Axe Sr.
RD 1, Box 136A
Georgetown, DE 19947

ORIGINAL

THIS DEED, made this 9th day of July, in the year of our LORD Two Thousand Two,

BETWEEN ***TIMOTHY J. MCDORMAN AND RENEE E. MCDORMAN*** of 5301 Stiles Lane, Pace, Florida 32571, parties of the first part,

- AND -

STEVE G. AXE SR. of RD 1, Box 136 A, Georgetown, Delaware 19947, party of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of ONE DOLLAR ($1.00) lawful money and other valuable considerations of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said party of the second part,

ALL that certain tract, piece and parcel of land situate, lying and being in Dagsboro Hundred, Sussex County and State of Delaware, located off the northeasterly side of Route 322 and more particularly described together with right of way for ingress and egress, as follows:

BEGINNING at a point 631.00 feet North 39 degrees 04 minutes 57 seconds East from an iron pipe found in the northeasterly right of way line of route 322, said point being in line of other lands of Brenda J. Thompson and the northeast corner of a 50 foot access road; thence from this point of beginning, by and with the said other lands of Brenda J. Thompson North 44 degrees 11 minutes 41 seconds East a distance of 594.32 feet to an iron pipe found near a ditch bank in line of lands now or formerly of Melvin L. Joseph; thence, turning and running by and with said lands of Melvin L. Joseph, the following two courses and distances: (1) North 67 degrees 57 minutes 20 seconds West 305.05 feet to an iron pipe found; thence (2) running North 28 degrees 19 minutes 31 seconds West 120.07 feet to a point in said ditch, crossing over an i ron pipe found at 10.55 feet; thence turning and running by and with lands now or formerly of George F. and Ann M. Couch South 45 degrees 01 minutes 45 seconds West

Consideration: 132000.00 Exempt Code:A

County	State	Total
1980.00	1980.00	3960.00
counter	Date: 07/16/2002	

551.67 feet to an iron pipe found, crossing over an iron pipe at 44.56 feet; thence leaving said lands now or formerly of George F. and Ann M. Couch, and running South 50 degrees 55 minutes 03 seconds East 406.71 feet to point and place of beginning, said to contain 5.002 acres of land, more or less, as surveyed on April 27, 1999 by Adams-Kemp Associates, Registered land Surveyors together with any and alll improvements located thereon.

TOGETHER WITH a right of way over lands of Gary Brinker et ux, Ada F. Brinker and Joseph C. Gordon, for ingress and egress more particularly described as follows: Beginning for the same at an iron pipe found in the northeasterly right of way line of Route 322, corner for lands of Brenda J. Thompson; ; thence by and with said Thompson lands, North 39 degrees 04 minutes 57 seconds East 631.0 feet to an iron pipe found, said pipe being a corner for this access road and for the southeast corner of lands described above; thence with said lands North 50 degrees 55 minutes 03 seconds West 50 feet to an iron pipe; thence turning and running South 39 degrees 04 minutes 57 seconds West 119.97 feet to a concrete monument; thence continuing South 39 degrees 04 minutes 57 seconds West 517.41 feet to a concrete monument in the northeasterly right of way line of Route 322; thence turning and running by and with the northeasterly right of way line of Route 322, South 58 degrees 11 minutes 36 seconds East 50.41 feet to pipe at point and place of beginning.

SUBJECT, HOWEVER, to the following restrictions to run with the land: No animals, livestock, or poultry of any kind shall be raised, bred or kept on the property conveyed by the within deed or any portion thereof, except that dogs, cats or other household pets may be kept provided they are not kept, bred or maintained for any commercial purpose.

BEING the same land conveyed to Timothy J. McDorman and Renee E. McDorman by deed of Sharon L. Ayres dated April 30, 1999 filed for record in the Office of the Recorder of Deeds in and for Sussex County, Georgetown, Delaware in Deed Book 2383, page 24.

This deed is being executed by Janice Jones as Attorney in Fact for for Timothy J. McDorman pursuant to a Special Power of Attorney executed by Timothy J. McDorman dated June 28, 2002; and as Attorney in Fact for Renee E. McDorman pursuant to a Power of Attorney executed by Renee E. McDorman dated June 24, 2002, recorded herein.

BK 02729 PG 076

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED, and witnessed in the presence of

Witness

Witness

Timothy J. McDorman by his Attorney in fact, Janice Jones (SEAL)
TIMOTHY J. McDORMAN, by his Attorney in Fact, JANICE JONES

Renee E. McDorman by her Attorney in fact, Janice Jones (SEAL)
RENEE E. MCDORMAN, by her Attorney in Fact, JANICE JONES

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 9th day of July, 2002, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, JANICE JONES, Attorney in Fact for TIMOTHY J. MCDORMAN AND RENEE E. MCDORMAN, parties to this Indenture, known to me personally to be such, and she acknowledged this Indenture to be their act and deed.

GIVEN under my hand and seal of office, the day and year aforesaid.

J. EVERETT MOORE, JR. ESQ.
ATTORNEY-NOTARY PUBLIC
Unif. Notorial Act 10 Del. C, 4323(a)(3)
Non Expiring Commission

NOTARIAL OFFICER

02729 077

SPECIAL POWER OF ATTORNEY (REAL ESTATE SALE)

PREAMBLE: This is a MILITARY POWER OF ATTORNEY prepared pursuant to Title 10, United States Code, § 1044b, and executed by a person authorized to receive legal assistance from the military services. Federal law exempts this power of attorney from any requirement of form, substance, formality, or recording that is prescribed for powers of attorney by the laws of a state, the District of Columbia, or a territory, commonwealth, or possession of the United States. Federal law specifies that this power of attorney shall be given the same legal effect as a power of attorney prepared and executed in accordance with the laws of the jurisdiction where it is presented.

KNOW ALL PERSONS: That I, Timothy J. McDorman, currently residing at 5301 Stiles LN Pace, FL by this document do make and appoint Janice Jones, whose address is Century 21, 210 W Market St as my true and lawful attorney-in-fact to act as follows, GRANTING unto my said Attorney full power to: Georgetown DE

Sell, convey, transfer title to, execute deeds or conveyances, mortgage, hypothecate, pledge, quitclaim, or otherwise encumber or dispose of or to contract or agree for the disposal, or encumbrance of the following described land and improvements thereon located at RDI Box 136A Georgetown DE, for such price, and on such terms as my said attorney-in-fact shall deem satisfactory, but not less than $132,000 and for me, and in my name, to make, execute, acknowledge, and deliver, or receive, good and sufficient deeds and conveyances for the same, either with or without covenants and warranty. Tax Map Parcel 1-33 6.00-56.11

TERMINATION: This power shall remain in full force and effect until 31 July 2002, unless sooner revoked or terminated by me.

Notwithstanding my insertion of a specific expiration date herein, if on the above specified expiration date I shall be, or have been, carried in a military status of "missing", "missing-in-action" or "prisoner of war," then this power of attorney shall automatically remain valid and in full effect until sixty (60) days after I have returned to the United States Military control following termination of such status. This power of attorney shall not be affected by the disability of the principal.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this day, 28 June 2002.

Grantor's Signature

WITNESSED: Robert J. Rymsza
PRINT NAME:
NETPDTC Pensacola FL
PRINT ADDRESS:

Ronald P. Smith
PRINT NAME:
NETPDTC Pensacola FL
PRINT ADDRESS:

ACKNOWLEDGEMENT BY NOTARY PUBLIC

STATE OF _____, COUNTY OF _____, ss.

The foregoing instrument was acknowledged before me by _____ and the above named two witnesses, this ____ day of _____, _____.

Print Name:
Notary Public

ACKNOWLEDGEMENT BY A PERSON AUTHORIZED TO ACT AS A NOTARY PURSUANT TO TITLE 10 U.S.C. 1044a

With the United States Armed Forces

At Pensacola, FL, the forgoing instrument was acknowledged before me by Timothy J. McDorman and the above named two witnesses, this 28th day of June 2002. I do further certify that I am a person in the service of the U.S. Armed Forces authorized the general powers of a notary public under Title 10 U.S.C. 1044a and JAGMAN Chapter IX.

ELIZABETH D. EVETT, LNC(SW), U.S. NAVY
Print Name, Grade, Armed Force

NO SEAL REQUIRED

NAVJAG Form 5801/13

BK 02729 PG 078

SPECIAL POWER OF ATTORNEY (REAL ESTATE SALE)

KNOW ALL PERSONS: That I, **Renee E. McDorman**, currently residing at **2024 Ramblewood Dr. Rehoboth Beach DE, 19971** by this document do make and appoint Janice Jones as my true and lawful attorney-in-fact to act as follows, GRANTING unto my said Attorney full power to:

Sell, convey, transfer title to, execute deeds or conveyances, mortgage, hypothecate, pledge, quitclaim, or otherwise encumber or dispose of or to contract or agree for the disposal or encumbrance of the following described land and improvements thereon located at **RD 1 Box 136-A Georgetown, DE 19947**, for such price, and on such terms as my said attorney-in-fact shall deem satisfactory, but not less than **$132,000** and for me, and in my name to make, execute, acknowledge, and deliver, or receive, good and sufficient deeds and conveyances for the same, either with or without covenants and warranty.

TERMINATION: This power shall remain in full force and effect until **July 31, 2002**, unless sooner revoked or terminated by me.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this day, June 24, 2002.

Renée E. McDorman
Grantor's Signature

WITNESSED:

Robin L. Swanson

WITNESSED:

Michelle R. Dulin

ACKNOWLEDGEMENT BY NOTARY PUBLIC

STATE OF Delaware COUNTY OF Sussex

The foregoing instrument was acknowledged before me by Renee E. McDorman and the above named two witnesses, this 24th day of June 2002.

Sally Ann Daisey
Print Name
Notary Public

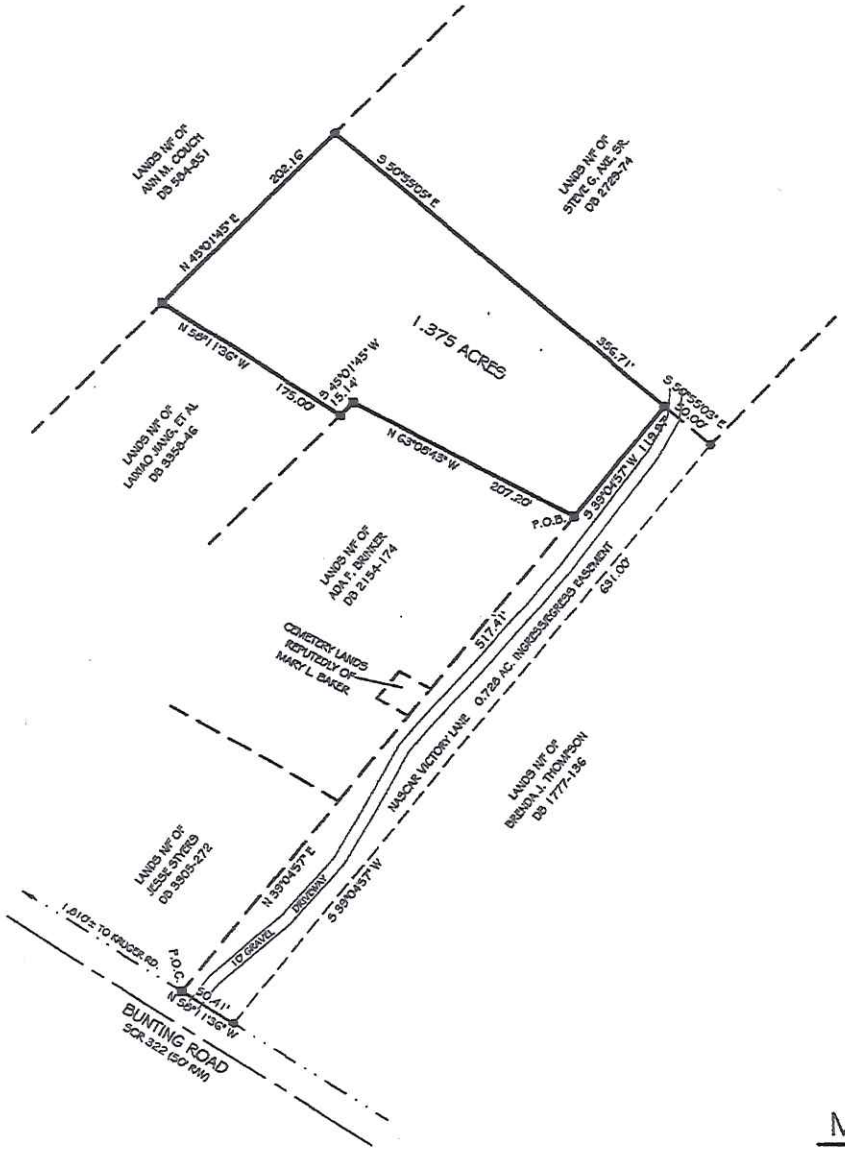
SALLY ANN DAISEY
Notary Public, Delaware
Commission Expires April 30, 2003

RECORDER OF DEEDS
RICHARD H. SELL, II
02 JUL 16 AM 9:56
SUSSEX COUNTY
DOC. SURCHARGE PAID

Received
JUL 17 2002
ASSESSMENT DIVISION
OF SUSSEX CTY.

T. M. #1-33-6-56

BK: 243 PG: 9704 49



Recorder of Deeds
Scott Dailey
Mar 14,2017 12:52P
Sussex County
Doc. Surcharge Paid

LEGEND

- CONCRETE MONUMENT (FOUND)
- IRON PIPE (FOUND)

APPROVED
Boundary Survey
SUSSEX COUNTY
PLANNING & ZONING COMMISSION

BOUNDARY SURVEY FOR

M & M PROPERTIES LLC

SURVEY CLASS: SUBURBAN

OTHER THAN SHOWN, THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.

MILLER LEWIS, INC.
LAND SURVEYING
1560 MIDDLEFORD RD.
SEAFORD, DELAWARE 19973
PH: 302-629-9695 FAX: 302-629-2391

ROBERT V. SIGLER REGISTERED No. 524 PROFESSIONAL LAND SURVEYOR DELAWARE

JANUARY 2017

HUNDRED	COUNTY
DAGSBORO	SUSSEX
STATE	DRAWN BY
DELAWARE	D.K. MILLER
REF.	DWG. NO.
DB 1467-53	M&M PROPERTIES 1-33-6-56

PARID: 133-6.00-56.11
AXE STEVE G SR

ROLL: RP
22027 NASCAR VICTORY LN

Property Information

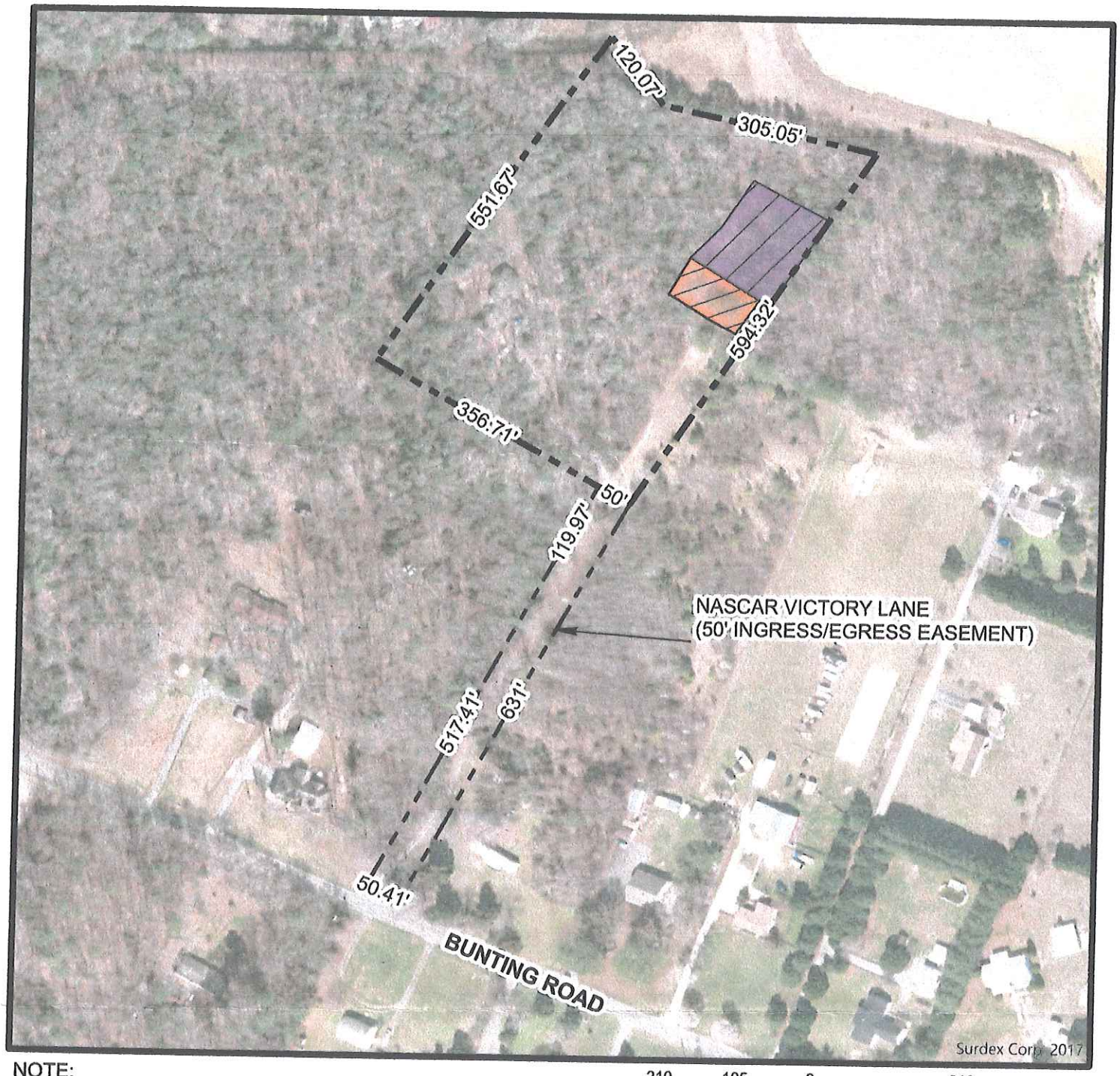
Property Location:	22027 NASCAR VICTORY LN
Unit:	
City:	GEORGETOWN
State:	DE
Zip:	19947
Class:	RES-Residential
Use Code (LUC):	RT-RESIDENTIAL MH ON OWN LAND
Town	00-None
Tax District:	133 – DAGSBORO
School District:	1 - INDIAN RIVER
Council District:	2-Wilson
Fire District:	77-Georgetown
Deeded Acres:	5.0000
Frontage:	0
Depth:	.000
Irr Lot:	
Zoning 1:	AR-1-AGRICULTURAL/RESIDEINTIAL
Zoning 2:	-
Plot Book Page:	/PB
100% Land Value:	$10,000
100% Improvement Value	$38,300
100% Total Value	$48,300

Legal

Legal Description	P/O PAR A 631'N/RT 322 1850'W/RT 321 T#35055

Owners

Owner	Co-owner	Address	City	State	Zip
AXE STEVE G SR		22027 NASCAR VICTORY RD	GEORGETOWN	DE	19947



NOTE:
All wells within 150' of proposed OWTDS area shown on plan (unless otherwise noted).

210 105 0 210 Feet

SITE EVALUATION PLAN-2

STEVE AXE, SR.
22027 NASCAR VICTORY LANE
GEORGETOWN, DE 19947
TM: 133-6.00-56.11 (P/O)

Date: 11/25/2019 1 IN = 200 FT
Drawn: MJS Project: ILAN001

Legend

- Property Line
- Property Line Adjacent
- CFLPP Disposal Area
- ESM Disposal Area

N

SCALED. ENGINEERING

MILLER LEWIS, INC. LAND SURVEYING
1560 MIDDLEFORD RD. • SEAFORD, DE. 19973
PH: 302-629-9895 FAX: 302-629-2391

February 4, 2020

Sussex County Planning and Zoning Commission
2 The Circle
P. O. Box 589
Georgetown, DE. 19947

RE: STEVE G. AXE, SR.
MAJOR SUBDIVISION WAIVERS

Dear Mr. Whitehouse,

The subject major subdivision will be submitted to Planning and Zoning Commission soon. On behalf of the applicant we respectfully request a waiver of the topographic, 30' buffer zone and county street construction requirement due to the minimal number and size of the lot.

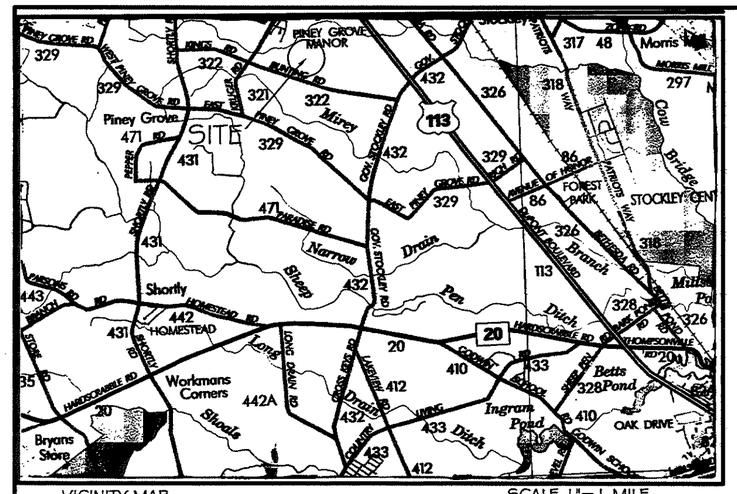
Please feel free to call or email with any questions you may have.

Sincerely,

Dottie A. Morris

Dottie A. Morris, CSTIII

T. M. #133-6.00-56.11



VICINITY MAP SCALE 1"=1 MILE

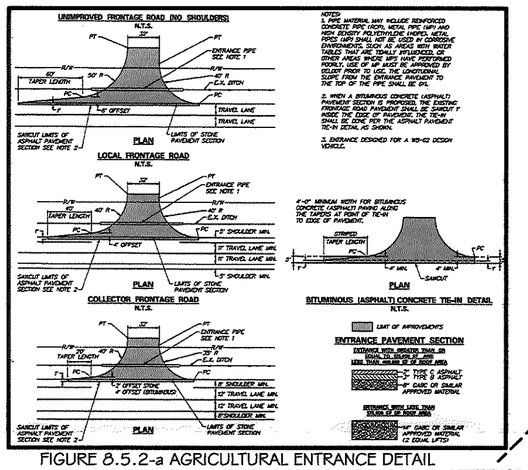


FIGURE 8.5.2-a AGRICULTURAL ENTRANCE DETAIL
REFER TO DEL. D.O.T. DEVELOPMENT COORDINATION MANUAL REFERENCE 3.3.3 FOR ADDITIONAL ENTRANCE REQUIREMENTS AND GUIDANCE.

NOTE: 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.

FIRE MARSHAL NOTES:

1. ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTION SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
2. MAXIMUM HEIGHT: 3 STORIES NOT TO EXCEED 42'.
3. A SINGLE FAMILY DWELLING IS PROPOSED.
4. BUILDING CONSTRUCTION TYPE: NFPA TYPE V WOOD FRAME.
5. AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	23.56'	15.00'	90°00'00"	S 37°41'47" E	21.21'
C2	26.13'	15.00'	99°47'34"	S 57°12'00" W	22.95'

LINE	BEARING	DISTANCE
L1	N 07°18'13" E	120.34'
L2	S 82°41'47" E	30.00'
L3	S 07°18'13" W	55.00'
L4	S 72°54'13" E	20.00'
L5	S 17°05'47" W	30.00'
L6	S 07°18'13" W	22.42'
L7	N 45°48'19" W	30.22'
L8	N 72°54'13" W	12.23'

DATA COLUMN:
T.M.#133-6.00-56.11
ZONING: AR-1
TRACT AREA: 5.0021 ACRES± (INCLUDING RESIDUAL AREA)
EXISTING LOTS: 1
PROPOSED LOTS: 1 NEW (2 TOTAL INCLUDING RESIDUAL LANDS)
PRESENT USE: AGRICULTURAL
PROPOSED USE: AGRICULTURAL/RESIDENTIAL
ACCESS: S.C.R. 322 (BUNTING RD.)
ROADWAY CLASSIFICATION: LOCAL ROADWAY
WATER AND SEWER: INDIVIDUAL ON-SITE
100 YEAR FLOODPLAIN: SITE IS NOT IMPACTED AS PER FIRM #10005C0188K DATED 3/16/15
THIS PROJECT IS NOT IN THE PROXIMITY OF A TID
SPEED LIMIT ON BUNTING RD. IS 50MPH (UNPOSTED)

NOTES:
1. 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.
2. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DEL.D.O.T.'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
3. THERE IS A FIFTY FOOT BUILDING SETBACK FROM LANDS USED FOR AGRICULTURAL PURPOSES.
4. LOT 1 SHALL HAVE A SINGLE ACCESS TO SCR 322 VIA THE 50' WIDE INGRESS/EGRESS EASEMENT AS SHOWN ON THIS PLAT. THE RESIDUAL LANDS SHALL HAVE A SINGLE ACCESS TO SCR 322 VIA THE 50' WIDE INGRESS/EGRESS EASEMENT AS SHOWN ON THIS PLAT.
5. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FURTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
6. THE MAINTENANCE OF THE 50 FOOT WIDE INGRESS/EGRESS EASEMENT SHALL SHALL BE SHARED EQUALLY BY THE OWNERS OF TAX MAP #133-6.00-PARCELS 56.00, 56.11 AND LOT #1 THEIR HEIRS AND/OR ASSIGNS.

LEGEND:
- SOIL BORING
- CONCRETE MONUMENT (FOUND)
- IRON PIPE (SET)
- POINT
- IRON PIPE (FOUND)
- EXISTING ENTRANCE
- PROPOSED ENTRANCE
- EXISTING RIGHT-OF-WAY LINE
- PROPOSED RIGHT-OF -WAY LINE
- PROPERTY LINE
- CENTERLINE
- NEXT PROPERTY LINE
- PROPOSED PROPERTY LINE

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 WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND THAT WE DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

WE CERTIFY THAT TITLE 17, SECTION 530 IS APPLICABLE TO THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN FOR VIRTUE OF: (CHECK APPLICABLE SECTION)

_____ THE PARCEL IS SUBDIVIDED INTO NO MORE THAN 2 PARCELS WHICH WILL BE CONTINUED TO BE USED AS A FARM OR FARLAND, OR

X THE SUBDIVIDED PARCEL OR PARCELS WILL BE TRANSFERRED TO A FAMILY MEMBER OR MEMBERS FOR PURPOSES OF USE AS A FAMILY MEMBER OR MEMBERS' PRINCIPAL RESIDENCE OR FARMLAND.

OWNER SIGNATURE _____ DATE _____

I, STEPHEN M. SELLERS REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

STEPHEN M. SELLERS PLS 566 DATE _____

0' 80' 160' 240'
SCALE: 1" = 80'

DATE	REVISION
3/31/2020	DEL. D.O.T. COMMENTS
4/07/2020	FIRE MARSHAL COMMENT
4/23/2020	DEL. D.O.T. COMMENTS
06/12/2020	S.C.P.&Z. COMMENTS

OTHER THAN SHOWN, THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.

MAJOR SUBDIVISION PLAN FOR

SCOTT & KAREN ILLIAN

OWNER: STEVE G. AXE, SR.
22027 NASCAR VICTORY RD.
GEORGETOWN, DE. 19947

SURVEY CLASS: SUBURBAN

MILLER LEWIS, INC.
LAND SURVEYING
1560 MIDDLEFORD RD.
SEAFORD, DELAWARE 19973
PH: 302-629-9895 FAX: 302-629-2391

JANUARY 7, 2020

HUNDRED	COUNTY
DAGSBORO	SUSSEX
STATE	DRAWN BY
DELAWARE	D. A. MORRIS
REF.	DWG. NO.
DB 1487-53	M&M PROPERTIES 1-33-6-56

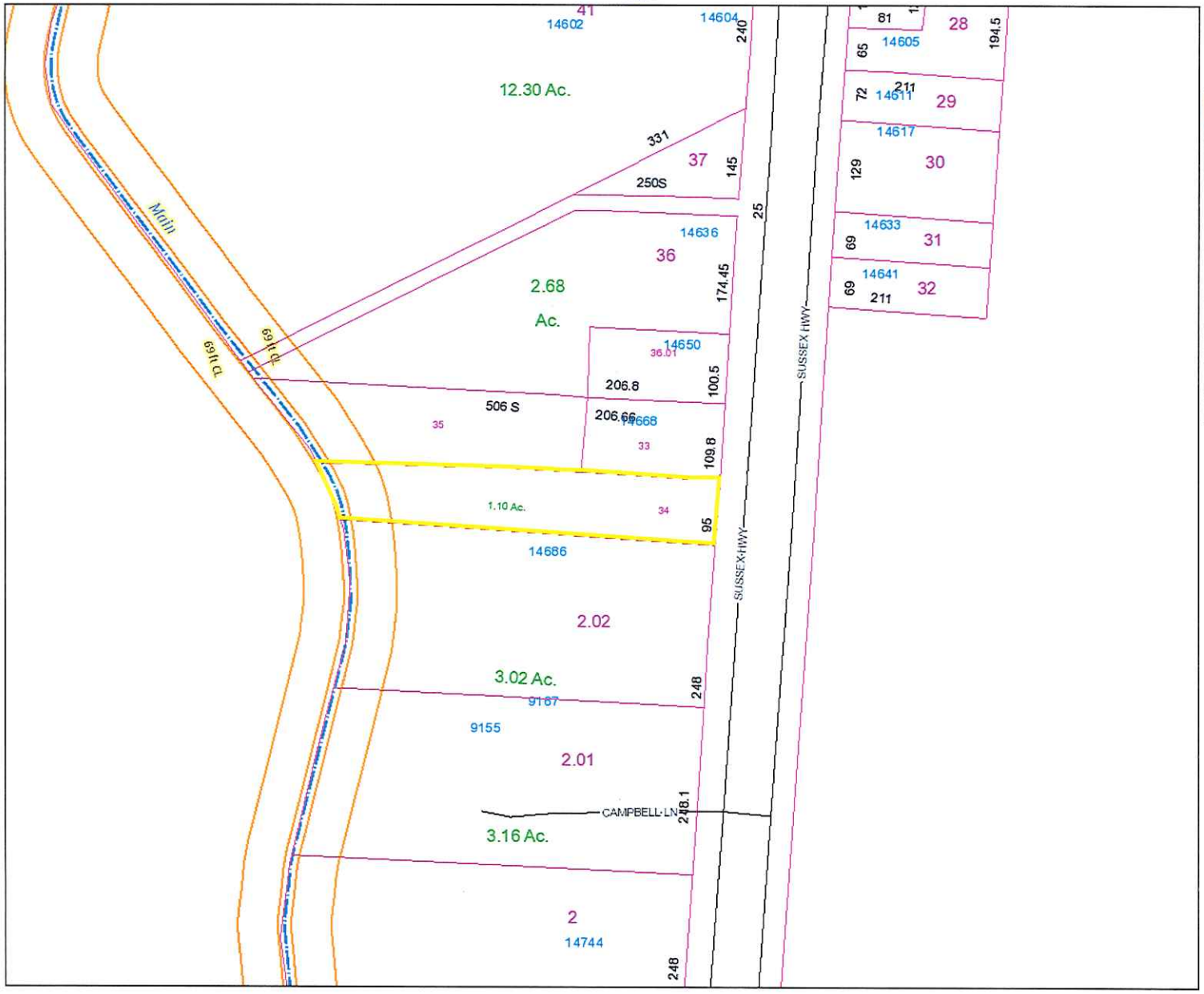
PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE

Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date September 10, 2020.

Application:	(2020-05) Lands of James D. West
Applicant:	James D. West 673 N. Park Drive Salisbury, MD 21804
Owner:	James D. West 673 N. Park Drive Salisbury, MD 21804
Site Location:	Located on the west side of Sussex Hwy. (Rt. 13) approximately 0.78 miles south of Adams Rd.
Current Use:	Residential
Proposed Use:	Residential
Comprehensive Land Use Plan Reference:	Low Density Areas
Councilmatic District:	Mr. Wilson
School District:	Woodbridge School District
Fire District:	Greenwood Fire District
Sewer:	Private, On-site
Water:	Private, On-site
Site Area:	4.296 acres +/-
Tax Map ID.:	530-14.00-34.00 & 530-17.00-2.02

Sussex County



PIN:	530-14.00-34.00
Owner Name	WEST JAMES D
Book	4581
Mailing Address	6825 COLEMAN AVE
City	SALISBURY
State	MD
Description	RD BRDGEVLEGREENWD
Description 2	W/RT 13 3950'
Description 3	S/RT 583
Land Code	

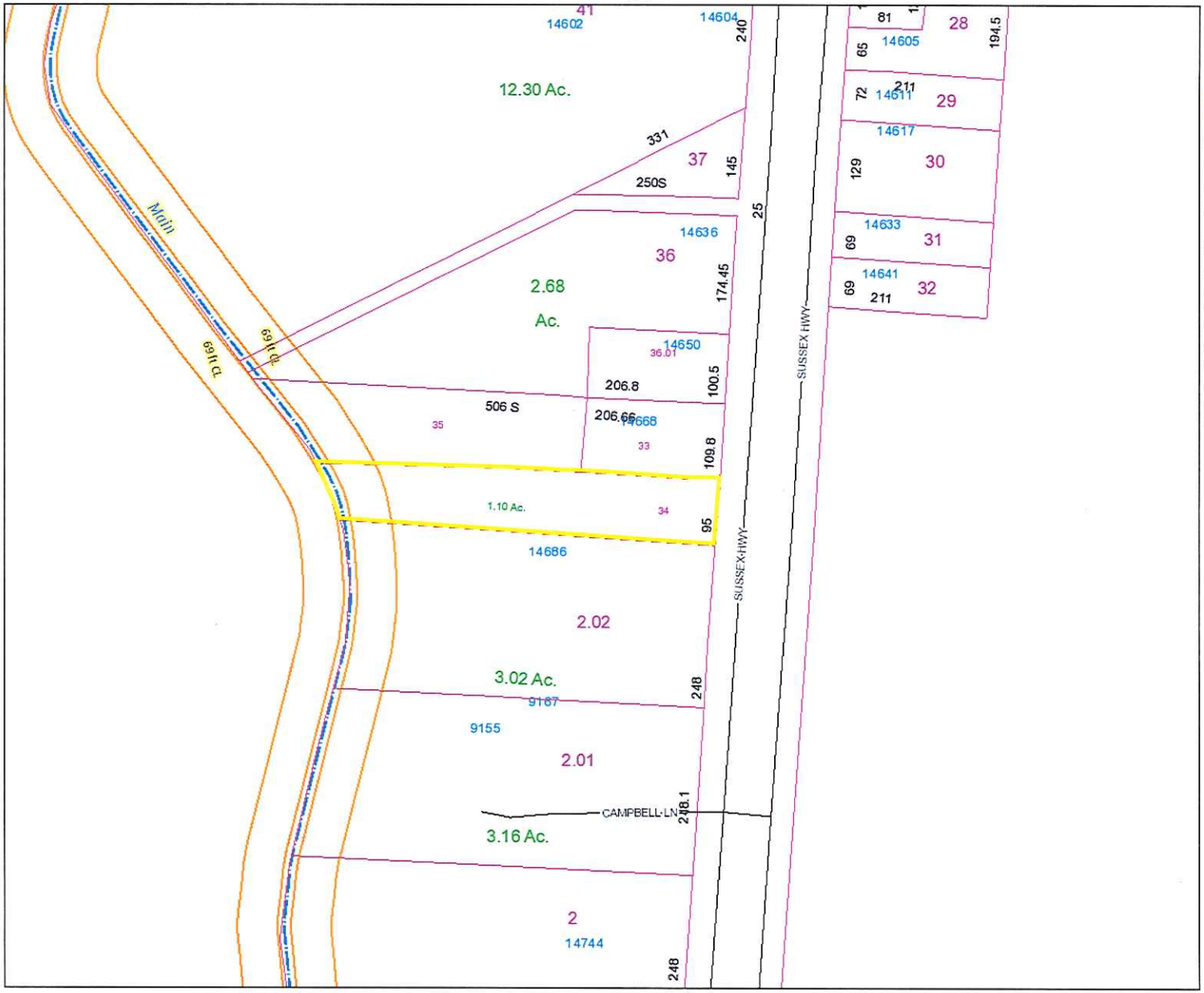
polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
911 Address
Streets

1:2,257

0 0.0275 0.055 0.11 mi
0 0.0425 0.085 0.17 km

August 18, 2020

Sussex County



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August 18, 2020

Sussex County

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polygonLayer

Override 1

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Override 1

Tax Parcels

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Streets

1:2,257

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

August 18, 2020

File #: 2020-05

Sussex County Major Subdivision Application
Sussex County, Delaware

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

RECEIVED
MAR 30 2020
SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Standard: X
Cluster: __
ESDDOZ: __

Location of Subdivision:
14686 SUSSEX HIGHWAY, BRIDGEVILLE, DE. 19933

Proposed Name of Subdivision:
JAMES D. WEST

Tax Map #: 530-17.00-2.02 Total Acreage: 4.288 ACRES +/-

Zoning: AR **Density:** 0.93 **Minimum Lot Size:** 0.75 A **Number of Lots:** 4

Open Space Acres: _____

Water Provider: ON SITE **Sewer Provider:** ON SITE

Applicant Information

Applicant Name: JAMES D. WEST
Applicant Address: 673 N. PARK DRIVE
City: SALISBURY State: MD. ZipCode: 21804
Phone #: 443-523-4416 E-mail: jdw1hd@gmail.com

Owner Information

Owner Name: SAME
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: MILLER-LEWIS, INC.
Agent/Attorney/Engineer Address: 1560 MIDDLEFORD ROAD
City: SEAFORD State: DE Zip Code: 19973
Phone #: 302-629-9895 E-mail: stevesellers@millerlewisinc.com

Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide fifteen (15) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**

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

✓ **Provide Fee $500.00**

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

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

___ **PLUS Response Letter** (if required)

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

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 3/23/2020

Signature of Owner

_____ Date: 3/23/2020

For office use only:

Date Submitted: 3/30/2020 Fee: $500.00 Check #: 1136

Staff accepting application: JD Application & Case #: 2020038733

Location of property: _____

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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **8/24/2020**

APPLICATION: **2020-05 Lands of James D. West**

APPLICANT: **James D. West**

FILE NO: **WSPA-5.01**

TAX MAP & PARCEL(S): **530-14.00-34.00 & 530-17.00-2.02**

LOCATION: **Located on the west side of Sussex Hwy (Rt. 13), approximately 0.78 miles south of Adams Road**

NO. OF UNITS: **4 lots**

GROSS ACREAGE: **4.296 +/-**

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

SEWER:

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

Yes ☐ No ☒

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

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

(3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

(4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **No** If yes, the current System Connection Charge Rate is **Unified $6,360.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**

☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **The proposed subdivision of land is in a Tier 3 area for sanitary sewer service. Therefore, the Sussex County Engineering Department does not currently have a schedule to provide sanitary sewer service.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:

John J. Ashman
Director of Utility Planning

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

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT

Plan Review Number: 2020-04-203539-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 530-17.00-2.02
Date: 04/07/2020

Project

James West Subdivision

James West Property

14686 Sussex Hwy
Bridgeville DE 19933

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 78 - Greenwood Volunteer Fire Co #1 Inc

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Stephen M Sellers
1560 Road 535
Seaford, DE 19973

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

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

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

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

This Plan Review Project was prepared by:

Joseph Moran

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2020-04-203539-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 530-17.00-2.02
Date: 04/07/2020

PROJECT COMMENTS

1002 A	This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
1010 A	The following water for fire protection requirements apply: NONE. On-Site Wells Proposed. this site meets Water Flow Table 1. therefore the provisions of NFPA 1142 shall apply to this site (DSFPR Regulation 702, Chapter 6, Section 3).Since wells are proposed for this site, no additional requirements will be made by this Agency for water for fire protection.
1180 A	This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
1190 A	Separate plan submittal is required for the building(s) proposed for this project.
1501 A	If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

#562145

Coastal Soil Consultants, Inc.
25092 Oak Road
Seaford, DE 19973
Phone & Text: (302) 629-2989
Email: jayduke@comcast.net

SITE EVALUATION APPROVAL PAGE

The soils on this site are approved when the following is completed in full and signed by the approving authority. Isolation distance requirements, limited area of suitable soils, placement of fill, removal of soil, or compaction of the evaluated area may preclude construction permit approval or modify the type of system that may be permitted. An approved report must accompany any permit application. ***This is not a construction permit. All references to the Regulations refer to The Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems Amended 1/11/2014.***

Owner(s) Name:	James D. West	**Tax Map #:**	**5-30-14-35**
Address:	6825 Coleman Ave. Salisbury, MD 21804	**Phone:**	(443) 859-3750

Initial System Type:	Sand-lined elevated sand mound **(ESM)** or Sand-lined Peat filter on-site wastewater treatment and disposal system (OWTDS) (see Exhibits T & BB, respectively, in the Regulations). The area in the vicinity of the drainfield must be excavated to 20" below the existing grade and back filled with suitable sandy fill material (see Exhibit Q in the Regulations). Other OWTDS options include any conventional/alternative technologies approved by DNREC.
Location of Drain Field:	In the vicinity of soil borings **(SB) #1 - #4** (hatched area on the plot plan).
Depth to Limiting Zone:	**36"** to redox depletions & concentrations.
Replacement System Type:	Same as above if space permits. Otherwise, the replacement system may be sand-lined in the vicinity of the initial system.
Location of Drain Field:	In the immediate vicinity of soil borings referred to above.
Depth to Limiting Zone:	Same as above.

Design Comments

1. Maintain all isolation distances specified in Exhibit C of the Regulations.
2. Maintain a 100' isolation distance from all domestic wells and 150' from all public wells.
3. The existing domestic well and OWTDS are to be abandoned and relocated.
4. **To avoid soil compaction, the area in the vicinity of the proposed drainfield should be identified and protected from any vehicular traffic or stockpiling of any material. In addition, any tree removal in this vicinity should be conducted according to DNREC strict guidelines.**

Instructions to the Property Owner

1. Contact a **Class C** System Designer.
2. A permeability rate of **50 minutes per inch (mpi)** has been estimated for the soils on this site. These estimated rates are used to determine the required size of the disposal area. They are based on soil texture and are derived from tables developed by the DNREC. You may elect to use the estimated rate to size the disposal system or have the appropriate tests conducted. Contact the Site Evaluator at (302) 629-2989 or DNREC [(302) 856-4561 in Sussex or (302) 739-9947 in Kent] for testing information.
3. Read the attached Site Evaluation Report for additional information.

Report prepared by: _____ Date of report: January 22, 2020
Joseph C. Duke, Jr., CPSS Class "D" License #: 4048

For Official Use Only

Field checked: _____ Expiration Date: 2/3/25
DNREC Reviewing Soil Scientist _____ Approval Date: 2/3/20

Disclaimer: Approval of a site evaluation indicates only that the site evaluation was conducted in compliance with the regulations. It is not an indication of the quality or correctness of the site evaluation.

IF THERE ARE QUESTIONS REGARDING THIS REPORT CONTACT CLASS D LICENSEE

THE CLASS D LICENSEE IS RESPONSIBLE FOR ERRORS/OMMISSIONS

01/20/20 13:10 0364 CJ SITE EVAL. $75.00

#56148

Coastal Soil Consultants, Inc.
25092 Oak Road
Seaford, DE 19973
Phone & Text: (302) 629-2989
Email: jayduke@comcast.net

SITE EVALUATION APPROVAL PAGE

The soils on this site are approved when the following is completed in full and signed by the approving authority. Isolation distance requirements, limited area of suitable soils, placement of fill, removal of soil, or compaction of the evaluated area may preclude construction permit approval or modify the type of system that may be permitted. An approved report must accompany any permit application. ***This is not a construction permit. All references to the Regulations refer to The Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems Amended 1/11/2014.***

Owner(s) Name:	James D. West	**Tax Map #:** **Lot #:**	**5-30-17-2.02** **B**
Address:	6825 Coleman Ave. Salisbury, MD 21804	**Phone:**	(443) 859-3750

Initial System Type:	Low-pressure pipe **(LPP)** on-site wastewater treatment and disposal system (OWTDS). See Exhibit O in the Regulations. Other OWTDS options include any conventional/alternative technologies approved by DNREC.
Location of Drain Field:	In the vicinity of soil borings **(SB) #1 - #3** (hatched area on the plot plan).
Depth to Limiting Zone:	**32"** to redox depletions & concentrations.
Replacement System Type:	Same as above if space permits. Otherwise, the replacement system may be sand-lined in the vicinity of the initial system.
Location of Drain Field:	In the immediate vicinity of soil borings referred to above.
Depth to Limiting Zone:	Same as above.

Design Comments

1. Maintain all isolation distances specified in Exhibit C of the Regulations.
2. Maintain a 100' isolation distance from all domestic wells and 150' from all public wells.
3. If the 100' isolation distance to the existing domestic well cannot be maintained, it can be reduced to a minimum isolation distance of 50', in accordance with Exhibit C of the Regulations.
4. The location of the well on lot #5-30-17-2.01 is unknown. The DNREC Water Supply Section records were researched under this property owner's name and no information was found. The property is presently owned by Gerald R. & Valerie V. Campbell; zoning certificate enclosed.
5. **To avoid soil compaction, the area in the vicinity of the proposed drainfield should be identified and protected from any vehicular traffic or stockpiling of any material. In addition, any tree removal in this vicinity should be conducted according to DNREC strict guidelines.**

Instructions to the Property Owner

1. Contact a **Class C** System Designer.
2. A permeability rate of **60 minutes per inch (mpi)** has been estimated for the soils on this site. These estimated rates are used to determine the required size of the disposal area. They are based on soil texture and are derived from tables developed by the DNREC. You may elect to use the estimated rate to size the disposal system or have the appropriate tests conducted. Contact the Site Evaluator at (302) 629-2989 or DNREC [(302) 856-4561 in Sussex or (302) 739-9947 in Kent] for testing information.
3. Read the attached Site Evaluation Report for additional information.

Report prepared by: _____ Date of report: January 22, 2020
Joseph C. Duke, Jr., CPSS Class "D" License #: 4048

For Official Use Only

Field checked: _____ Expiration Date: 2/26/25
DNREC Reviewing Soil Scientist _____ Approval Date: 2/26/20

Disclaimer: Approval of a site evaluation indicates only that the site evaluation was conducted in compliance with the regulations. It is not an indication of the quality or correctness of the site evaluation.

If there are questions regarding this report, contact Site Evaluator.

THE CLASS D LICENSEE IS RESPONSIBLE FOR ERRORS/OMMISSIONS

#562146

Coastal Soil Consultants, Inc.
25092 Oak Road
Seaford, DE 19973
Phone & Text: (302) 629-2989
Email: jayduke@comcast.net

SITE EVALUATION APPROVAL PAGE

The soils on this site are approved when the following is completed in full and signed by the approving authority. Isolation distance requirements, limited area of suitable soils, placement of fill, removal of soil, or compaction of the evaluated area may preclude construction permit approval or modify the type of system that may be permitted. An approved report must accompany any permit application. ***This is not a construction permit. All references to the Regulations refer to The Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems Amended 1/11/2014.***

Owner(s) Name:	James D. West	**Tax Map #: 5-30-14-34 & 5-30-17-2.02** **Lot #: D**	
Address:	6825 Coleman Ave. Salisbury, MD 21804	**Phone:**	(443) 859-3750
Replacement System Type:	Low-pressure pipe **(LPP)** on-site wastewater treatment and disposal system (OWTDS). See Exhibit O in the Regulations. Other OWTDS options include any conventional/alternative technologies approved by DNREC.		
Location of Drain Field:	In the vicinity of soil borings **(SB) #1 & #2** (hatched area on the plot plan).		
Depth to Limiting Zone:	**40"** to redox depletions & concentrations.		
Replacement System Type:	Same as above if space permits. Otherwise, the replacement system may be sand-lined in the vicinity of the initial system.		
Location of Drain Field:	In the immediate vicinity of soil borings referred to above.		
Depth to Limiting Zone:	Same as above.		

Design Comments

1. Maintain all isolation distances specified in Exhibit C of the Regulations.
2. Maintain a 100' isolation distance from all domestic wells and 150' from all public wells.
3. The existing domestic well and OWTDS are to be abandoned and relocated.
4. **To avoid soil compaction, the area in the vicinity of the proposed drainfield should be identified and protected from any vehicular traffic or stockpiling of any material. In addition, any tree removal in this vicinity should be conducted according to DNREC strict guidelines.**

Instructions to the Property Owner

1. Contact a **Class C** System Designer.
2. A permeability rate of **50 minutes per inch (mpi)** has been estimated for the soils on this site. These estimated rates are used to determine the required size of the disposal area. They are based on soil texture and are derived from tables developed by the DNREC. You may elect to use the estimated rate to size the disposal system or have the appropriate tests conducted. Contact the Site Evaluator at (302) 629-2989 or DNREC [(302) 856-4561 in Sussex or (302) 739-9947 in Kent] for testing information.
3. Read the attached Site Evaluation Report for additional information.

Report prepared by: _____ Date of report: January 22, 2020
Joseph C. Duke, Jr., CPSS Class "D" License #: 4048

For Official Use Only

Field checked: _____ Expiration Date: 2/3/25
DNREC Reviewing Soil Scientist _____ Approval Date: 2/3/20

Disclaimer: Approval of a site evaluation indicates only that the site evaluation was conducted in compliance with the regulations. It is not an indication of the quality or correctness of the site evaluation.

IF THERE ARE QUESTIONS REGARDING THIS REPORT CONTACT CLASS D LICENSEE

THE CLASS D LICENSEE IS RESPONSIBLE FOR ERRORS/OMMISSIONS

#502144

Coastal Soil Consultants, Inc.
25092 Oak Road
Seaford, DE 19973
Phone & Text: (302) 629-2989
Email: jayduke@comcast.net

SITE EVALUATION APPROVAL PAGE

The soils on this site are approved when the following is completed in full and signed by the approving authority. Isolation distance requirements, limited area of suitable soils, placement of fill, removal of soil, or compaction of the evaluated area may preclude construction permit approval or modify the type of system that may be permitted. An approved report must accompany any permit application. ***This is not a construction permit. All references to the Regulations refer to The Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems Amended 1/11/2014.***

Owner(s) Name:	James D. West	**Tax Map #: 5-30-14-34 & 5-30-17-2.02** **Lot #: A**
Address:	6825 Coleman Ave. Salisbury, MD 21804	**Phone:** (443) 859-3750
Initial System Type:	Low-pressure pipe **(LPP)** on-site wastewater treatment and disposal system (OWTDS). See Exhibit O in the Regulations. Other OWTDS options include any conventional/alternative technologies approved by DNREC.	
Location of Drain Field:	In the vicinity of soil borings **(SB) #1 - #3** (hatched area on the plot plan).	
Depth to Limiting Zone:	**30"** to redox depletions & concentrations.	
Replacement System Type:	Same as above if space permits. Otherwise, the replacement system may be sand-lined in the vicinity of the initial system.	
Location of Drain Field:	In the immediate vicinity of soil borings referred to above.	
Depth to Limiting Zone:	Same as above.	

Design Comments

1. Maintain all isolation distances specified in Exhibit C of the Regulations.
2. Maintain a 100' isolation distance from all domestic wells and 150' from all public wells.
3. If the 100' isolation distance to the existing domestic well cannot be maintained, it can be reduced to a minimum isolation distance of 50', in accordance with Exhibit C of the Regulations.
4. **To avoid soil compaction, the area in the vicinity of the proposed drainfield should be identified and protected from any vehicular traffic or stockpiling of any material. In addition, any tree removal in this vicinity should be conducted according to DNREC strict guidelines.**

Instructions to the Property Owner

1. Contact a **Class C** System Designer.
2. A permeability rate of **60 minutes per inch (mpi)** has been estimated for the soils on this site. These estimated rates are used to determine the required size of the disposal area. They are based on soil texture and are derived from tables developed by the DNREC. You may elect to use the estimated rate to size the disposal system or have the appropriate tests conducted. Contact the Site Evaluator at (302) 629-2989 or DNREC [(302) 856-4561 in Sussex or (302) 739-9947 in Kent] for testing information.
3. Read the attached Site Evaluation Report for additional information.

Report prepared by: _____ Date of report: January 22, 2020
Joseph C. Duke, Jr., CPSS Class "D" License #: 4048

For Official Use Only

Field checked: _____ Expiration Date: 2/3/25
DNREC Reviewing Soil Scientist _____ Approval Date: 2/3/20

Disclaimer: Approval of a site evaluation indicates only that the site evaluation was conducted in compliance with the regulations. It is not an indication of the quality or correctness of the site evaluation.

IF THERE ARE QUESTIONS REGARDING THIS REPORT CONTACT CLASS D LICENSEE

THE CLASS D LICENSEE IS RESPONSIBLE FOR ERRORS/OMMISSIONS

#562147

Coastal Soil Consultants, Inc.

25092 Oak Road
Seaford, DE 19973
Phone & Text: (302) 629-2989
Email: jayduke@comcast.net

RECEIVED
JAN 30 2020
GROUNDWATER
SUSSEX COUNTY

SITE EVALUATION APPROVAL PAGE

The soils on this site are approved when the following is completed in full and signed by the approving authority. Isolation distance requirements, limited area of suitable soils, placement of fill, removal of soil, or compaction of the evaluated area may preclude construction permit approval or modify the type of system that may be permitted. An approved report must accompany any permit application. ***This is not a construction permit. All references to the Regulations refer to The Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems Amended 1/11/2014.***

Owner(s) Name:	James D. West	**Tax Map #:** **Lot #:**	**5-30-17-2.02** **C**
Address:	6825 Coleman Ave. Salisbury, MD 21804	**Phone:**	(443) 859-3750

Initial System Type:	Low-pressure pipe **(LPP)** on-site wastewater treatment and disposal system (OWTDS). See Exhibit O in the Regulations. Other OWTDS options include any conventional/alternative technologies approved by DNREC.
Location of Drain Field:	In the vicinity of soil borings **(SB) #1 & #2** (hatched area on the plot plan).
Depth to Limiting Zone:	**36"** to redox depletions & concentrations.
Replacement System Type:	Same as above if space permits. Otherwise, the replacement system may be sand-lined in the vicinity of the initial system.
Location of Drain Field:	In the immediate vicinity of soil borings referred to above.
Depth to Limiting Zone:	Same as above.

Design Comments

1. Maintain all isolation distances specified in Exhibit C of the Regulations.
2. Maintain a 100' isolation distance from all domestic wells and 150' from all public wells.
3. If the 100' isolation distance to the existing domestic well cannot be maintained, it can be reduced to a minimum isolation distance of 50', in accordance with Exhibit C of the Regulations.
4. The location of the well on lot #5-30-17-2.01 is unknown. The DNREC Water Supply Section records were researched under this property owner's name and no information was found. The property is presently owned by Gerald R. & Valerie V. Campbell; zoning certificate enclosed.
5. **To avoid soil compaction, the area in the vicinity of the proposed drainfield should be identified and protected from any vehicular traffic or stockpiling of any material. In addition, any tree removal in this vicinity should be conducted according to DNREC strict guidelines.**

Instructions to the Property Owner

1. Contact a **Class C** System Designer.
2. A permeability rate of **60 minutes per inch (mpi)** has been estimated for the soils on this site. These estimated rates are used to determine the required size of the disposal area. They are based on soil texture and are derived from tables developed by the DNREC. You may elect to use the estimated rate to size the disposal system or have the appropriate tests conducted. Contact the Site Evaluator at (302) 629-2989 or DNREC [(302) 856-4561 in Sussex or (302) 739-9947 in Kent] for testing information.
3. Read the attached Site Evaluation Report for additional information.

Report prepared by: _____ Date of report: January 22, 2020
Joseph C. Duke, Jr., CPSS Class "D" License #: 4048

For Official Use Only

Field checked: _____ Expiration Date: 2/26/25
DNREC Reviewing Soil Scientist _____ Approval Date: 2/26/20

Disclaimer: Approval of a site evaluation indicates only that the site evaluation was conducted in compliance with the regulations. It is not an indication of the quality or correctness of the site evaluation.

If there are questions regarding this report, contact Site Evaluator.

THE CLASS D LICENSEE IS RESPONSIBLE FOR ERRORS/OMMISSIONS

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT

Plan Review Number: 2020-04-203539-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 530-17.00-2.02
Date: 04/07/2020

Project

James West Subdivision

James West Property

14686 Sussex Hwy
Bridgeville DE 19933

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 78 - Greenwood Volunteer Fire Co #1 Inc

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Stephen M Sellers
1560 Road 535
Seaford, DE 19973

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

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

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

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

This Plan Review Project was prepared by:

Joseph Moran

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2020-04-203539-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 530-17.00-2.02
Date: 04/07/2020

PROJECT COMMENTS

1002 A	This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
1010 A	The following water for fire protection requirements apply: NONE. On-Site Wells Proposed. this site meets Water Flow Table 1. therefore the provisions of NFPA 1142 shall apply to this site (DSFPR Regulation 702, Chapter 6, Section 3).Since wells are proposed for this site, no additional requirements will be made by this Agency for water for fire protection.
1180 A	This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
1190 A	Separate plan submittal is required for the building(s) proposed for this project.
1501 A	If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

MILLER LEWIS, INC. LAND SURVEYING
1560 MIDDLEFORD RD. • SEAFORD, DE. 19973

March 23, 2020

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

RE: JAMES D. WEST, T.M.#530-17.00-2.02
MAJOR SUBDIVISION

Dear Mr. Whitehouse,

The subject major subdivision will be submitted to Planning and Zoning Commission soon. On behalf of the applicant we respectfully request a waiver of the topographic, 30 buffer zone and county street construction requirement due to the minimal number and size of the lots.

Please feel free to call or email with any questions you may have.

Sincerely,

Stephen M. Sellers, PLS

enclosure

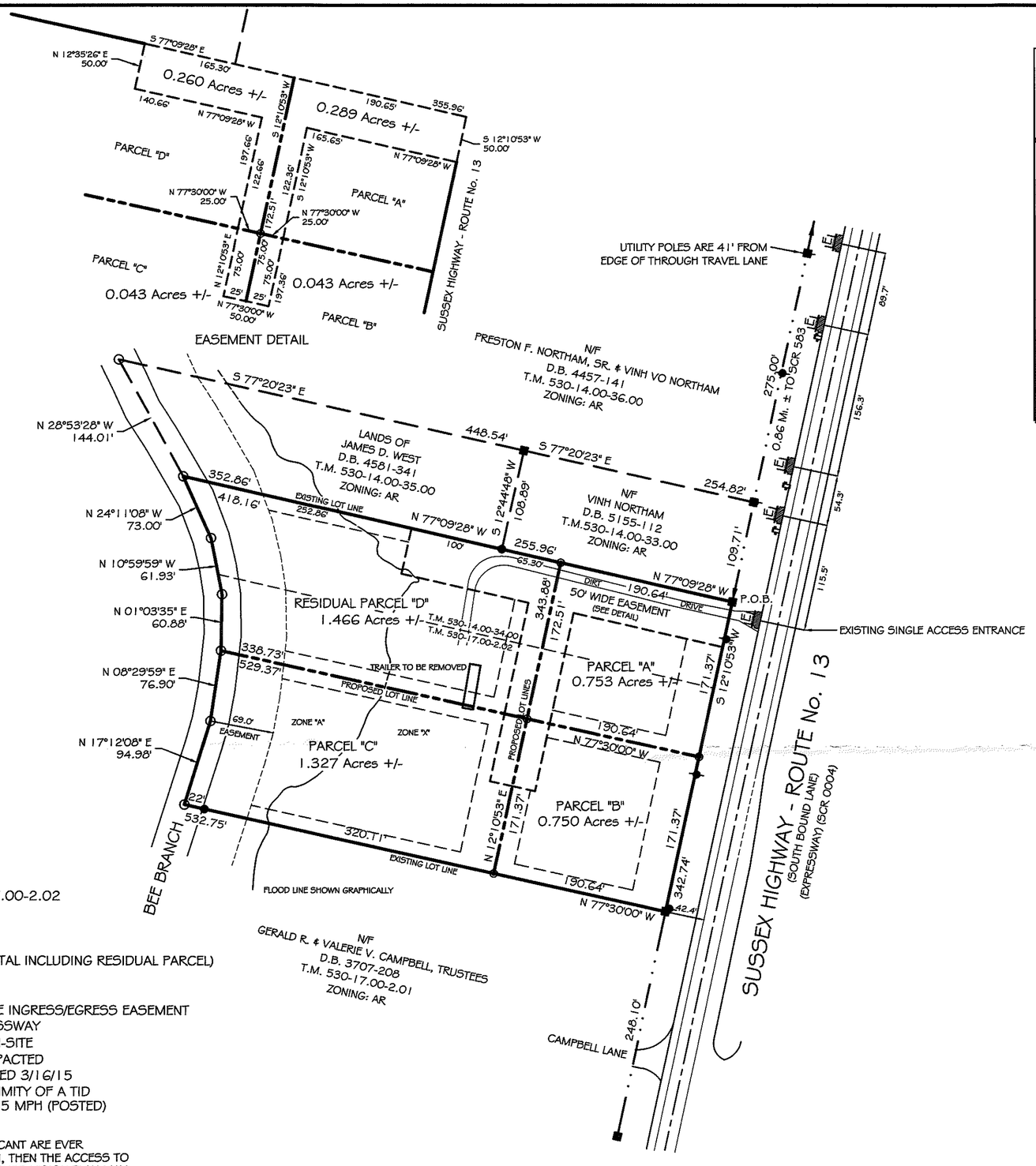
RECEIVED
MAR 30 2020
SUSSEX COUNTY
PLANNING & ZONING

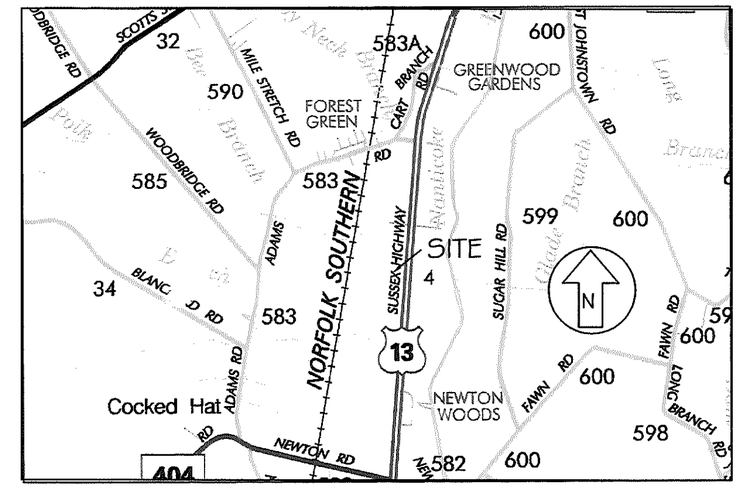
PH: 302-629-9895 FAX: 302-629-2391

T. M. #530-14.00-34.00 & 530-17.00-2.02

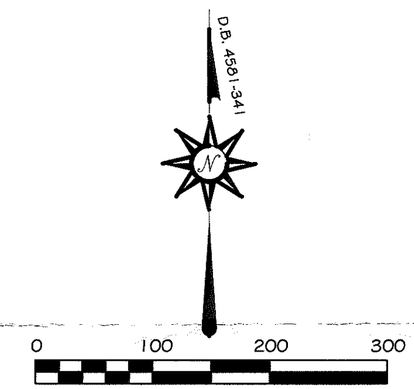
- CONCRETE MONUMENT (FOUND)
- IRON PIPE (FD)
- PIPE (TO BE SET)
- POINT
- SOIL BORING
- UTILITY POLE
- MAILBOX
- EXISTING ENTRANCE

NOTE: 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.





VICINITY MAP
SCALE 1"=1 MILE



SCALE: 1" = 100'

DATA COLUMN:

T.M.#530-14.00-34.00 & 530-17.00-2.02
ZONING: AR-1
TRACT AREA: 4.296 ACRES±
EXISTING PARCELS: 2
PROPOSED PARCELS: 3 NEW (4 TOTAL INCLUDING RESIDUAL PARCEL)
PRESENT USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
ACCESS: ROUTE 13 VIA A 50' WIDE INGRESS/EGRESS EASEMENT
ROADWAY CLASSIFICATION: EXPRESSWAY
WATER AND SEWER: INDIVIDUAL ON-SITE
100 YEAR FLOODPLAIN: SITE IS IMPACTED
AS PER FIRM #10005C0115K DATED 3/16/15
THIS PROJECT IS NOT IN THE PROXIMITY OF A TID
SPEED LIMIT ON SUSSEX HWY. IS 55 MPH (POSTED)

NOTES:
1. 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.
2. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DEL.D.O.T.'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
3. THERE IS A FIFTY FOOT BUILDING SETBACK FROM LANDS USED FOR AGRICULTURAL PURPOSES.
4. ALL PARCELS SHALL HAVE ACCESS TO U.S. ROUTE 13 VIA A 50' WIDE INGRESS / EGRESS EASEMENT, AS SHOWN ON THIS PLAN.

FIRE MARSHAL NOTES:
1. ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTION SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
2. MAXIMUM HEIGHT: 3 STORIES NOT TO EXCEED 42'.
3. A SINGLE FAMILY DWELLINGS ARE PROPOSED.
4. BUILDING CONSTRUCTION TYPE: NFPA TYPE V WOOD FRAME.
5. AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THESE STRUCTURES.

LEGEND:
- EXISTING RIGHT-OF-WAY LINE
- EXISTING LOT LINE
- PROPOSED LOT LINE
- CENTERLINE
- NEXT PROPERTY LINE
- DITCH LINE
- EDGE OF PAVING
- TAX DITCH EASEMENT LINE

OTHER THAN SHOWN, THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.

SURVEY CLASS: SUBURBAN

DATE	REVISION
1-13-2020	MOVED EASEMENT

I, STEPHEN M. SELLERS REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

STEPHEN M. SELLERS, PLS 566 DATE

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 DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

JAMES D. WEST DATE

COMBINED PARCELS 2.02 & 34.00
SUBDIVISION OF LANDS OF
JAMES D. WEST

OWNER: JAMES D. WEST
673 N. PARK DRIVE
SALISBURY, MD. 21804
Ph: 443-859-3750

MILLER LEWIS, INC.
LAND SURVEYING
1560 MIDDLEFORD RD.
SEAFORD, DELAWARE 19973
PH: 302-629-9895 FAX: 302-629-2391

MARCH 23, 2020

HUNDRED	COUNTY
NORTH WEST FORK	SUSSEX
STATE	DRAWN BY
DELAWARE	SMS
REF.	FILE NO.
4581-341	WEST 530-17-2.02

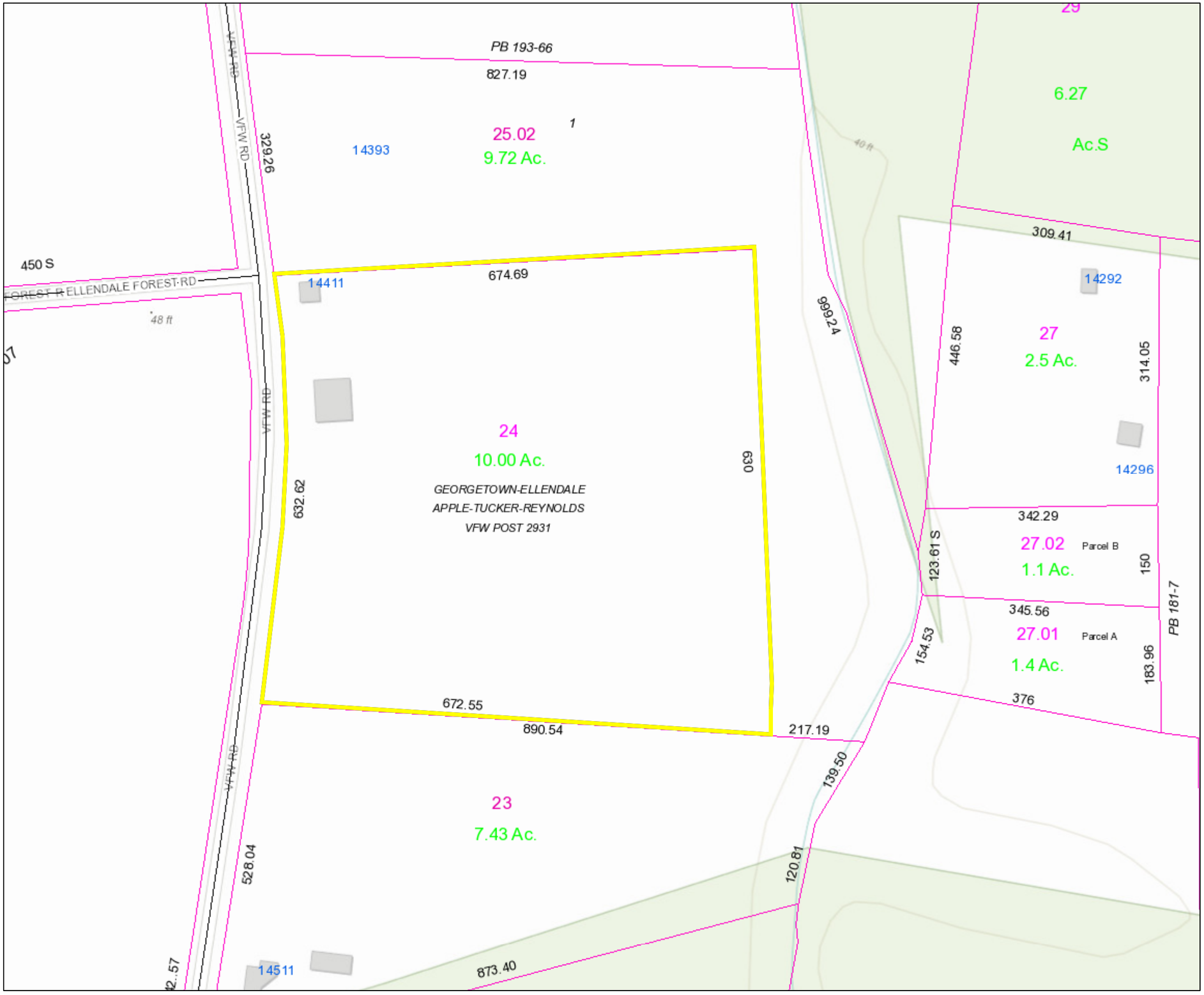
PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE

Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: September 10th, 2020

Application:	CU 2231 Solid Walls, LLC
Applicant/Owner:	Solid Walls, LLC – Mr. Peter Nau 907 Cow Marsh Creek Road Camden Wyoming, DE 19934
Site Location:	On the east side of VFW Road, 288 feet south of Ellendale Forest Road at 14411 VFW Road, (SCR 607) in Ellendale, Delaware 19941.
Current Zoning:	AR-1 (Agricultural Residential District)
Proposed Use:	Concrete contractor office, storage and maintenance.
Comprehensive Land Use Plan Reference:	Low Density Area
Councilmatic District:	Mr. Wilson
School District:	Milford School District
Fire District:	Ellendale Fire Department
Sewer:	Private (On-site)
Water:	Private (On-site)
Site Area:	9.51 acres +/-
Tax Map ID.:	230-31.00-24.00

Sussex County



PIN:	230-31.00-24.00
Owner Name	GEORGETOWN-ELLENDALE VFW POST 2931
Book	3680
Mailing Address	14411 VFW ROAD
City	ELLENDALE
State	DE
Description	E/RT 607
Description 2	RT 608
Description 3	ELLENDALE RD 4950
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

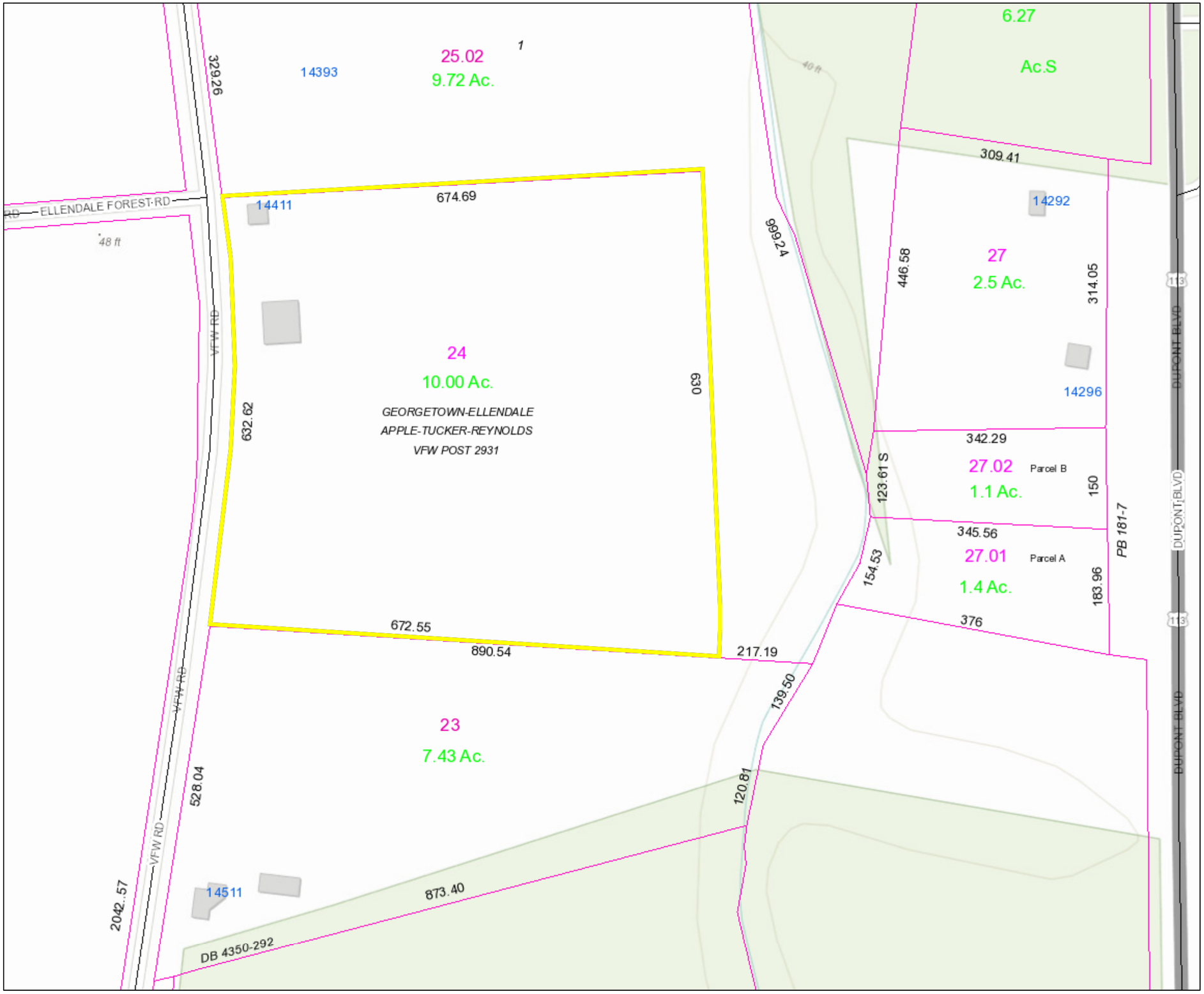
1:2,257

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

August 17, 2020

Sussex County



PIN:	230-31.00-24.00
Owner Name	GEORGETOWN-ELLENDALE VFW POST 2931
Book	3680
Mailing Address	14411 VFW ROAD
City	ELLENDALE
State	DE
Description	E/RT 607
Description 2	RT 608
Description 3	ELLENDALE RD 4950
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

1:2,257

0 0.0275 0.055 0.11 mi

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August 17, 2020

Sussex County

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Owner Name	GEORGETOWN-ELLENDALE VFW POST 2931
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polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

1:2,257

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

August 17, 2020

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: August 24, 2020
RE: Staff Analysis for CU 2231 Solid Walls, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2231 Solid Walls, LLC to be reviewed during the September 10, 2020 Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for tax parcel 230-31.00-24.00 to allow for a concrete contractor office, storage and maintenance to be located on the east side of VFW Road, 288 feet south of Ellendale Forest Road. The property address is 14411 VFW Road in Ellendale, Delaware. The size of the property is 9.51 acres +/-

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

The adjacent parcels to the north, south, east and west are also designated as "Low Density Areas." The primary uses envisioned in "Low Density Areas" are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in "Low Density Areas" should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas.

Additionally, the property is zoned Agricultural Residential (AR-1) Zoning District. The properties located to the north, south, east and west of the subject site are zoned Agricultural Residential (AR-1) Zoning District. The properties located to the east on the opposite side of VFW Road are also zoned Agricultural Residential (AR-1) Zoning District.

Since 2011, there has been one Conditional Use application within a 1-mile radius of the application site. This application is Conditional Use (CU 2140), which was a proposal to allow for a trucking business, landscape and material storage to be located within an Agricultural Residential (AR-1) Zoning District. The application was approved by County Council at their meeting of Tuesday, September 25, 2018 and adopted through Ordinance No. 2602.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use for the abovementioned use, subject to considerations of scale and impact, may be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CU 2231
202005181

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ✔
Zoning Map Amendment ___

Site Address of Conditional Use/Zoning Map Amendment
14411 VFW ROAD, (SCR 607), ELLENDALE, DELAWARE 19941

Type of Conditional Use Requested:
CONCRETE CONTRACTOR OFFICE, STORAGE AND MAINTENANCE.

Tax Map #: 230-31.00-24.00 **Size of Parcel(s):** 9.51 +/-

Current Zoning: AR-1 **Proposed Zoning:** AR-1 CU **Size of Building:** EX: 4,440 SQ FT PROP: 4,800 SQ FT TOTAL: 9,240 SQ FT

Land Use Classification: LOW DENSITY | LEVEL 4

Water Provider: COMMERCIAL WELL PRIVATE **Sewer Provider:** PRIVATE

Applicant Information

Applicant Name: SOLID WALLS LLC | MR. PETER NAU
Applicant Address: 907 COW MARSH CREEK ROAD
City: CAMDEN WYOMING State: DE ZipCode: 19934
Phone #: (302) 284-3493 E-mail: solidwalls1@yahoo.com

Owner Information

Owner Name: GEORGETOWN-ELLENDALE VFW POST 2931
Owner Address: 14411 VFW ROAD
City: ELLENDALE State: DE Zip Code: 19941
Phone #: (302) 422-8333 E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: PENNONI ASSOCIATES | MARK H DAVIDSON
Agent/Attorney/Engineer Address: 18072 DAVIDSON DRIVE
City: MILTON State: DE Zip Code: 19968
Phone #: (302) 684-8030 E-mail: MDAVIDSON@PENNONI.COM

EQUAL HOUSING OPPORTUNITY

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ **Provide Fee $500.00**

✓ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

✓ **DelDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

Date: 5/18/2020

Signature of Owner

Mark M. Newman Digitally signed by Mark M. Newman Date: 2020.05.18 10:02:55 -04'00'

Date: 5/18/20

For office use only:

Date Submitted: _____ Fee: $500.00 Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

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

Date of CC Hearing: _____ Decision of CC: _____

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

JENNIFER COHAN
SECRETARY

March 9, 2020

Mr. Jamie Whitehouse, Acting Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Jamie:

The Department has completed its review of a Service Level Evaluation Request for the **Solid Walls / Peter Nau** conditional use application, which we received on February 10, 2020. This application is for an approximately 10.00-acre parcel (Tax Parcel: 230-31.00-24.00). The subject land is located on the east side of VFW Road (Sussex Road 607), opposite Ellendale Forest Road (Sussex Road 608), southwest of the Town of Ellendale. The subject land is currently zoned as AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to build a 5,400 square-foot storage facility for equipment and supplies and a future 1,600 square-foot storage addition for supplies and materials.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of VFW Road where the subject land is located is 116 vehicles per day.

Based on our review, we estimate that the above land uses will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

DelDOT

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

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

Sincerely,

T. William Brockenbrough, Jr.

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm
cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Solid Walls / Peter Nau, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **8/24/2020**

APPLICATION: **CU 2231 Solid Walls LLC**

APPLICANT: **Solid Walls LLC – Mr. Peter Nau**

FILE NO: **WSPA-5.01**

TAX MAP & PARCEL(S): **230-31.00-24.00**

LOCATION: **On the east side of VFW Road (SCR 607), 288 feet south of Ellendale Forest Road at 14411 VFW Road, Ellendale, Delaware 19941.**

NO. OF UNITS: **Concrete contractor office, storage and maintenance yard.**

GROSS ACREAGE: **9.51 +/-**

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

SEWER:

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

Yes ☐ No ☒

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

(2). Which County Tier Area is project in? **Tier 4**

(3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

(4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **No** If yes, the current System Connection Charge Rate is **Unified $6,360.00** per EDU. Please contact **Choose an item.** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**

☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **The proposed Conditional Use is is a Tier 4 area for sanitary sewer service. Therefore, the Sussex County Engineering Department does not currently have a schedule to provide sanitary sewer service.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:

John J. Ashman
Director of Utility Planning

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

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

www.pennoni.com

SOLID WALLS LLC

CASE NO. CU 2231

ZONING MAP AMENDMENT FROM AR-1TO AR-1 CU

OWNER:

GEORGETOWN-ELLENDALE VFW POST 2931
14411 VFW ROAD
ELLENDALE, DE 19941

DEVELOPER:

SOLID WALLS LLC
MR. PETER NAU
907 COW MARSH CREEK ROAD
CAMDEN WYOMING DE 19934

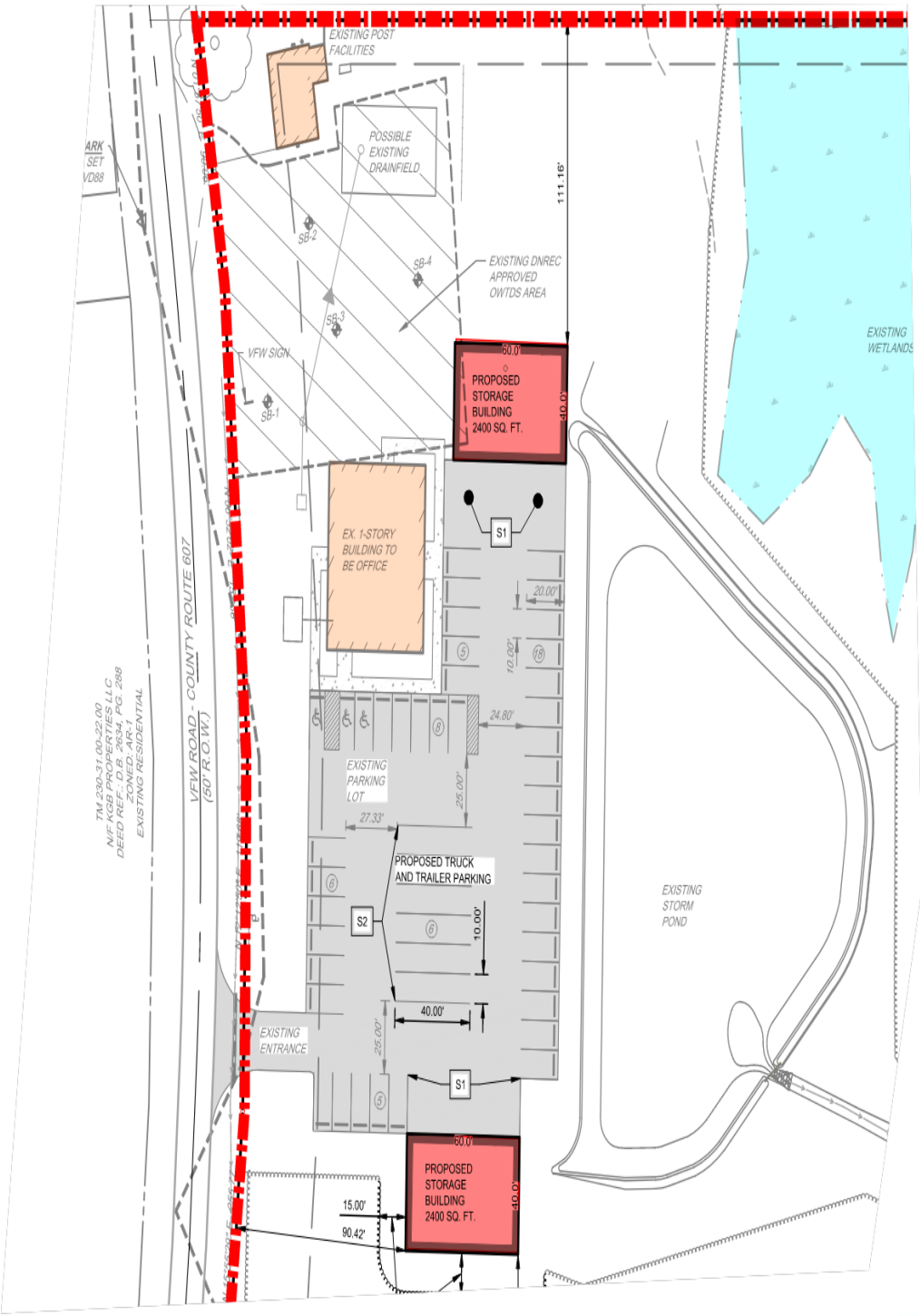
PLANNER/ENGINEER/SURVEYOR:

PENNONI
18072 DAVIDSON DRIVE
MILTON, DE 19968
MARK H. DAVIDSON, PRINCIPAL LAND PLANNER
ALAN DECKTOR, PE., ENV SP
JOHN W. HAUPT, PLS

ENVIRONMENTAL:

PENNONI & ACCENT ENVIRONMENTAL
WILLIAM J. GANGLOFF, PhD. PROFESSIONAL SOIL SCIENTIST

TABLE OF CONTENTS:



Mark H. Davidson / Vice President

Principal Land Planner/Office Director

EDUCATION

University of Delaware; Civil Engineering, (1986-1990)

Land Surveying, Delaware Technical & Community College (1984-1986) and Wastewater Microbiology Diploma (1997)

Land Planning, Institute for Public Administration (2006)

CERTIFICATIONS

DNREC Class A Percolation Tester & Class B Septic Designer, (DE #2418)

Sediment & Stormwater Management, Responsible Personnel, DE (#8760) and MD (#4914)

DNREC Certified Construction Reviewer: DE (#1270)

Delaware Notary

TRAININGS

Hydrology, Delaware TR-20 (1993)

Reducing Flood Hazard in Coastal Development (1996)

Law for Managers/Supervisors (1999)

State and Federal Laws (2000)

Advanced Real Estate Law in Delaware (2002)

Land Conservation and Historic Preservation (2003)

Land Surveying Business Diploma (1998)

Project Manager Training I, Pennoni (2015)

PROFESSIONAL AFFILIATIONS

National Onsite Wastewater Recycling Association

Delaware Onsite Wastewater Recycling Association

American Planning Association

American Institute of Certified Planners

HONORS/AWARDS

Association of Professionals Philanthropy, Brandywine Chapter Fundraising Nominee (2014)

Notable Networker Award, BNI (2013)

EXPERIENCE SUMMARY

Mark H. Davidson serves as Vice President of Pennoni and Office Director for our Southern Delaware, Milton Office. Mark also serves as the Principal Land Planner for Pennoni. He has over 35-years of past experience in Surveying, Engineering, Consulting, Construction and Land Planning. For 12-years he owned a professional engineering, surveying, land planning, environmental and consulting firm that provided professional consulting and design in land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware and Maryland. Mr. Davidson's project experience includes land development planning, surveying, engineering, environmental design and permitting; construction and project consulting, management and inspection; water resource consulting, management and inspection and municipal consulting, planning and inspection for residential, industrial, institutional, municipal and commercial applications.

Mark is a past director of the Delaware Onsite Wastewater Recycling Association as well as a member of the American Planning Association, American Institute of Certified Planners and has served in the past as a committee member of Delaware Low Impact Development Roundtable Committee, Delaware Pollution Control Strategy Committee, Delaware Sediment & Stormwater Regulatory Advisory Committee, and the Delaware Technical & Community College A/E Curriculum Committee. He was also nominated for the Brandywine Chapter Association of Fundraising Professionals Philanthropy Award and has won the BNI Notable Networker Award.

Along with all the experience and education stated and with many years of combined experience in Surveying, Engineering, Consulting and Land Planning, he has been responsible for providing consulting, layout and design in surveying, engineering and land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware, Maryland, Virginia and West Virginia. He has project managed, studied, planned, surveyed, designed and engineered sustainable, master-planned communities, commercial and urban redevelopment projects, and the public infrastructure that supports them.

Mark has provided nationwide land planning consulting services to a variety of clientele to help coordinate project startups as well as final construction consulting services when it came to commercial, residential, industrial, municipal, educational and community land planning. Provided additional consulting in civil/site engineering, stormwater management, erosion and sediment control, wastewater collection and disposal, transportation, and environmental. Market areas practiced; Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, North Dakota, Puerto Rico, Canada and Panama.

Additional Project experience includes cutting edge design and technology as well as value engineering to help clients through the ever-changing market including but not limited to solar voltaic and wind generation projects.

He is currently appointed by the Secretary of DNREC to serve 3-years on the On Site Septic Advisory Board for the State of Delaware.

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ✔
Zoning Map Amendment ___

Site Address of Conditional Use/Zoning Map Amendment

14411 VFW ROAD, (SCR 607), ELLENDALE, DELAWARE 19941

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CONCRETE CONTRACTOR OFFICE, STORAGE AND MAINTENANCE.

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Water Provider: COMMERCIAL WELL PRIVATE **Sewer Provider:** PRIVATE

Applicant Information

Applicant Name: SOLID WALLS LLC | MR. PETER NAU
Applicant Address: 907 COW MARSH CREEK ROAD
City: CAMDEN WYOMING State: DE ZipCode: 19934
Phone #: (302) 284-3493 E-mail: solidwalls1@yahoo.com

Owner Information

Owner Name: GEORGETOWN-ELLENDALE VFW POST 2931
Owner Address: 14411 VFW ROAD
City: ELLENDALE State: DE Zip Code: 19941
Phone #: (302) 422-8333 E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: PENNONI ASSOCIATES | MARK H DAVIDSON
Agent/Attorney/Engineer Address: 18072 DAVIDSON DRIVE
City: MILTON State: DE Zip Code: 19968
Phone #: (302) 684-8030 E-mail: MDAVIDSON@PENNONI.COM

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
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✓ **Provide Fee $500.00**

✓ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

✓ **DelDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 5/18/2020

Signature of Owner

Mark M. Newman Digitally signed by Mark M. Newman Date: 2020.05.18 10:02:55 -04'00'

Date: 5/18/20

For office use only:

Date Submitted: _____ Fee: $500.00 Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

_____

Subdivision: _____

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

Date of CC Hearing: _____ Decision of CC: _____

SWALL20000
230-31.00-24.00
DB3680 PG192

20345

BK: 3680 PG: 192

2-30 31.00 24.00
PREPARED BY:
Sergovic & Carmean, P.A.
123 West Market Street
P.O. Box 751
Georgetown, DE 19947-0751
File No. RE-4612

THIS DEED, made this 29th day of May, 2009,

- BETWEEN -

APPEL-TUCKER REYNOLDS V.F.W. POST NO. 2931, by authority of the Veterans of Foreign Wars of the United States, of P.O. Box 881, Georgetown, DE 19947, party of the first part,

- AND -

GEORGETOWN-ELLENDALE V.F.W. POST NO. 2931, INC., a Delaware corporation, of P.O. Box 881, Georgetown, DE 19947, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar ($1.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, the following described lands to be held by said party of the second part/grantee in trust for the Members of the Georgetown-Ellendale V.F.W. Post 2931 upon the condition that if the Membership elects to surrender its charter in accordance with the Veterans of Foreign Wars of the United States Congressional Charter, By-Laws and Manual of Procedure, the property may be conveyed to any entity with a local presence in the Georgetown-Ellendale, Sussex County locality, which is exempt for federal income tax under section 501(c)(19) of the Internal Revenue Code, or the corresponding section of any future federal tax code, as determined by two thirds vote of approval of the members of the Georgetown-Ellendale V.F.W. Post 2931:

ALL that certain tract, piece and parcel of land situate, lying in Cedar Creek Hundred, Sussex County, Delaware, described more particularly as follows, to wit:

BEGINNING at a point in the center of the public road from Ellendale, via the residence of Robert Short, to the Julius Gorlich farm and is distant northerly along said road, 530 feet from a corner for State Forest lands; thence three new lines to wit: (1) South 79 degrees East 700 feet to a stake; thence (2) North 11 degrees East 630 feet to a stake; thence 93) North 79 degrees West 700 feet to the centerline of the aforesaid road; thence with the centerline of said road, following a slight curve, 630 feet to the place of beginning, containing 10 acres of land, be the same more or less.

CS

This parcel of land is subject to a tax ditch right-of-way and/or assessment pursuant to Superior Court Order C.A. No. 06M-11-087 dated January 4, 2007 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware, in Tax Ditch Book 00001-305.

This parcel of land is also subject to a tax ditch right-of-way and/or assessment pursuant to Superior Court Order C.A. No. 06M-11-025 dated January 4, 2007 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware, in Tax Ditch Book 00002-131.

BEING the same lands conveyed to Appel-Tucker Reynolds VFW Post #2931 by a Deed of Appel-Tucker V.F.W. Post No. 9244 dated February 29, 2008 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware, in Deed Book 3559, page 52.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hand and seal the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

By: Daniel D. Tidwell (SEAL)
Commander

By: Robert Uhle (SEAL)
Quartermaster

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on May 29, 2009, personally came before me, the subscriber, Appel-Tucker Reynolds V.F.W. Post NO. 2931 by Commander, Daniel D. Tidwell and Quartermaster, Robert Uhle, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

Given under my Hand and Seal of office the day and year aforesaid.

Notary Public
Printed Name: _____
My Commission Expires: Leslie Case DiPietro Attorney 29 Del. C. §4323

RETURN TO:
Georgetown-Ellendale V.F.W. Post No. 2931, Inc.
P.O. Box 881
Georgetown, DE 19947

RECEIVED
JUN 01 2009
ASSESSMENT DIVISION
OF SUSSEX COUNTY

Consideration: .00

County		.00
State		.00
Town	Total	.00

Received: Mary W Jun 01,2009

Recorder of Deeds
John F. Brady
Jun 01,2009 11:40A
Sussex County
Doc. Surcharge Paid

SOLID WALLS LLC

CONDITIONAL USE □□22□1□ PLAN

CEDAR CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

PREPARED FOR:

PETER NAU

907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936
(302) 284-3493

Sussex County

SITE DATA:

1. TAX MAP NUMBER: 230-31.00-24.00 DEED BOOK 3680, PG 192
2. OWNER'S NAME: GEORGETOWN-ELLENDALE VFW POST 2931
3. DEVELOPER NAME: SOLID WALLS LLC
4. DEVELOPER ADDRESS: 907 COW MARSH CREEK ROAD CAMDEN WYOMING, DE 19934-2936
5. SITE ADDRESS: 14411 VFW ROAD ELLENDALE, DE 19941
6. HUNDRED: CEDAR CREEK
7. CURRENT ZONING: AR-1 (AGRICULTURAL-RESIDENTIAL)/CU #1835
8. PROPOSED ZONING: AR-1/CONDITIONAL USE
9. PRESENT USE: VFW POST #2931
10. PROPOSED USE: CONTRACTOR OFFICE AND STORAGE
11. REQUIRED SETBACKS:
    FRONT - 40 FEET
    SIDE - 15 FEET
    REAR - 20 FEET
12. BUILDING HEIGHT: 42' ALLOWED
13. PARKING (ARTICLE XXII: OFF-STREET PARKING, CODE SECTION 115-162):
    NO SPECIFIC CODE REQUIREMENT
    EXISTING PARKING: 66 PARKING SPOTS
    PROPOSED PARKING: 48 PARKING SPOTS (INCLUDING 6 TRAILER PARKING SPOTS)
14. WATER SUPPLY: COMMERCIAL WELL
15. SEWER SUPPLY: ON-SITE SEPTIC
16. LATITUDE AND LONGITUDE STATE PLAN COORDINATES:
    LONGITUDE: W075° 21' 22.4109" LATITUDE: N038° 42' 11.2112"
17. TOTAL AREA (GROSS): 9.51± ACRES
    CONDITIONAL USE AREA: 9.51± ACRES
18. NET DEVELOPMENT AREA: 9.51± AC.
19. WETLAND AREA: 1.05± AC. (DNREC NAVIMAP) & RECORD PLANS
20. WATERSHED: NANTICOKE RIVER
21. 2019 FUTURE LAND USE MAP (SUSSEX PLAN) LOW DENSITY
22. 2015 STATE STRATEGIES & INVESTMENT LEVELS: LEVEL 4
23. SITE CALCULATIONS

BUILDING AREA	EX. = 4,440 SF -	(0.10 AC.)	PR. = 9,240 SF	(0.21 AC.)
OPEN SPACE / PERVIOUS AREA	EX. = 104,979 SF -	(2.41 AC.)	PR. = 102,176 SF	(2.35 AC.)
PAVEMENT/IMPERVIOUS AREA	EX. = 26,112 SF -	(0.60 AC.)	PR. = 26,112 SF	(0.60 AC.)
WOODED AREA	EX. = 278,875 SF -	(6.40 AC.)	PR. = 276,875 SF	(6.35 AC.)
TOTAL	EX. = 414,403 SF	(9.51 AC.)	PR. = 414,403 SF	(9.51 AC.)

24. DELDOT
    24.1. ROAD NAME - SCR 607 | VFW ROAD
    24.1.1. FUNCTIONAL CLASSIFICATION - LOCAL ROAD
    24.1.2. AADT = 120 (2019)
    24.2. SPEED LIMIT = 50 MPH
    24.3. PROXIMITY TO TRANSPORTATION DISTRICTS: NONE KNOWN

NOTES:

1. THE TOTAL AREA FOR THE SUBJECT PROPERTY IS 9.51 ACRES±.
2. THIS SURVEY DOES NOT VERIFY THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS-OF-WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
3. THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP 230-31.00, PARCEL 24.00, AND IS CURRENTLY ZONED AR-1 (AGRICULTURAL RESIDENTIAL).
4. CLASS OF SURVEY: RURAL.
5. DEED REFERENCE: DEED BOOK 3680, PAGE 192.
6. PROPERTY BOUNDARY BEARING SYSTEM IS BASED ON DELAWARE STATE PLANE COORDINATE SYSTEM. HORIZONTAL DATUM NAD83.
7. THE PROPERTY IS LOCATED IN ZONE "X" (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 10005C0140K, LAST REVISED 3/16/2015. ZONE "X" (UNSHADED) IS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN.
8. THERE ARE WETLANDS ON THE PROPERTY ACCORDING TO THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
9. THE PROPERTY IS ZONED AR-1 (AGRICULTRUAL-RESIDENTIAL DISTRICT).
10. BUILDING SETBACKS (CH. 115-25C): FRONT- 40' SIDE - 15' REAR - 20'
11. THE SUBJECT SITE IS LOCATED IN THE NANTICOKE RIVER AREAS OF THE CHESAPEAKE BAY WATERSHED, PER DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL (DNREC) ENVIRONMENTAL NAVIGATOR WEBSITE. STORMWATER DISCHARGE WILL BE HANDLED VIA EXISTING DISCHARGE TO THESE WATERSHEDS.
12. NO UNDERGROUND UTILITY MARKING WAS PERFORMED FOR THIS SURVEY.
13. 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.
14. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
15. 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.
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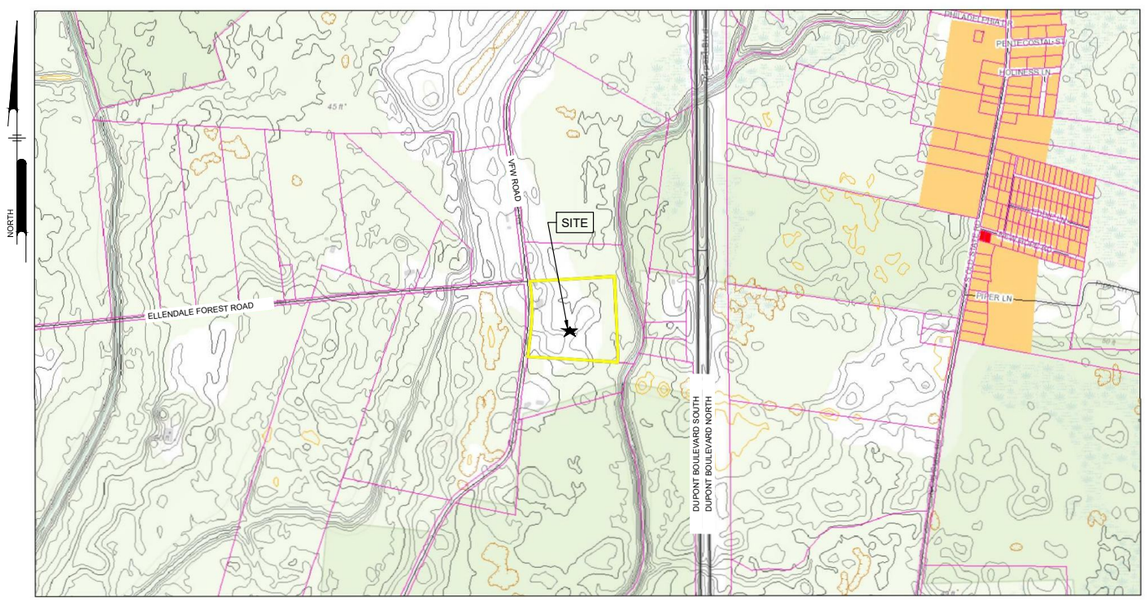

May 6, 2020

Override 1
Override 1
Tax Parcels
Streets
Zoning
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Agricultural Residential - AR-2
Medium Residential - MR
General Residential - GR
High Density Residential - HR-1
High Density Residential - HR-2
Vacation, Retire, Resident - VRP
Neighborhood Business - B-1
Neighborhood Business - B-2
General Commercial - C-1
General Commercial - C-2
General Commercial - C-3
General Commercial - C-4
General Commercial - C-5
Commercial Residential - CR-1
Institutional - I-1
Marine - M
Limited Industrial - LI-1
Limited Industrial - LI-2
Heavy Industrial - HI-1
County Boundaries
Sussex_Co
Depression Index
Depression Intermediate
Normal Index
Normal Intermediate
Municipal Boundaries

LOCATION MAP

0 0.07 0.15 0.3 mi
0 0.13 0.25 0.5 km

SCALE: 1" =600'

Delaware Geological Survey, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government

LEGEND

EXISTING	PROPOSED	DESCRIPTION
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		CURB
		EDGE OF PAVEMENT
		EDGE OF GRAVEL
		EASEMENT
		FENCE
		POWER, UTILITY POLE
		PROPERTY, LINE
		LEGAL RIGHT-OF-WAY
		PROPERTY, CORNER FOUND
		PROPERTY, ADJOINING LINED
		SITE, MAIL BOX
		SITE, TRAFFIC SIGN
		SOIL BOUNDARY
WaC		SOIL LABEL
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		STORM SEWER,HEADWALL
		STORM SEWER, MANHOLE
D D		STORM SEWER, UNDERGROUND
101	101	MINOR CONTOUR
100	100	MAJOR CONTOUR
x 100.5	35.00	SPOT ELEVATION
		BUILDING RESTRICTION LINE
		SWALE/DITCH

OWNER- PARCEL 24.00
GEORGETOWN-ELLENDALE VFW POST 2931
14411 VFW ROAD
ELLENDALE, DE 19941
(302) 422-8333

ENGINEER/SITE DESIGNER
PENNONI ASSOCIATES INC.
18072 DAVIDSON DRIVE
MILTON, DE 19968
(302) 684-8030

SURVEYOR
PENNONI ASSOCIATES INC.
18072 DAVIDSON DRIVE
MILTON, DE 19968
(302) 684-8030

SCHOOL DISTRICT
MILFORD

FIRE DISTRICT
ELLENDALE FIRE DEPARTMENT

WATER UTILITY
COMMERCIAL WELL (PRIVATE)

SEWER UTILITY
ON-SITE SEPTIC (PRIVATE)

TELECOMMUNICATION
VERIZON

POSTAL DISTRICT
ELLENDALE

Sheet List Table		
Sheet Number	Drawing Number	Sheet Title
1	CS0001	COVER SHEET
2	CS1001	CONDITIONAL USE PLAN

PREPARED BY:

PENNONI ASSOCIATES INC.

18072 Davidson Drive
Milton, DE 19968
T 302.684.8030
F 302.684.8054

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800-282-8555
Ticket Number(s):

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SIGNATURE DATE

SHARON K. CRUZ, PE (DE PE#12576)
PENNONI ASSOCIATES, INC
18072 DAVIDSON DRIVE MILTON, DE 19968
(302) 684-8030

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PETER NAU DATE
907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936
(302) 284-3493

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

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

SOLID WALLS LLC
14411 VFW ROAD
ELLENDALE, DE 19941
TAX MAP: 230-31.00-24.00
CEDAR CREEK, SUSSEX COUNTY, DELAWARE

COVER SHEET

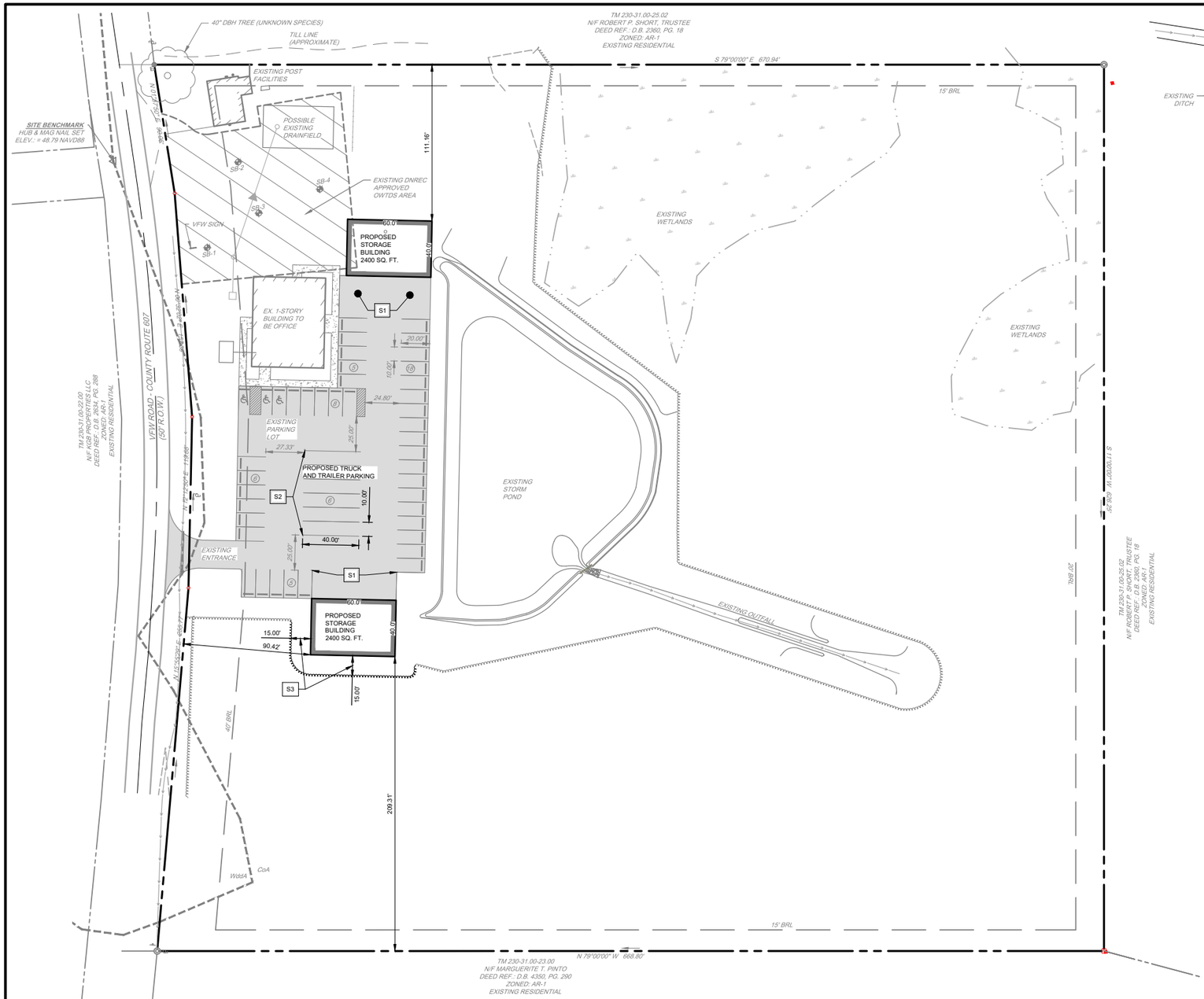
PETER NAU
907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936

DATE	NO.	REVISIONS	BY
08-28-2020	1	ADDEC CONDITIONAL USE NUMBER	

PROJECT	SWALL20000
DATE	2020-05-15
DRAWING SCALE	AS SHOWN
DRAWN BY	SJD
APPROVED BY	MHD

CS0001

SHEET 1 OF 2



SITE PLAN

SCALE: 1" = 40'

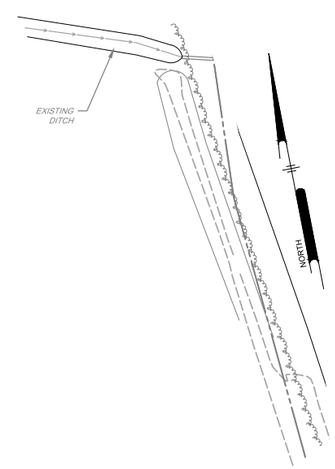
0 40' 80'

KEYED NOTES

S1 EXISTING PARKING SPOTS TO BE REMOVED FOR PROPOSED BUILDING(S)

S2 EXISTING PARKING SPOTS CONVERTED TO TRUCK AND TRAILER PARKING

S3 PROPOSED TREELINE TO BE AT LEAST 15' FROM EDGE OF PROPOSED BUILDING



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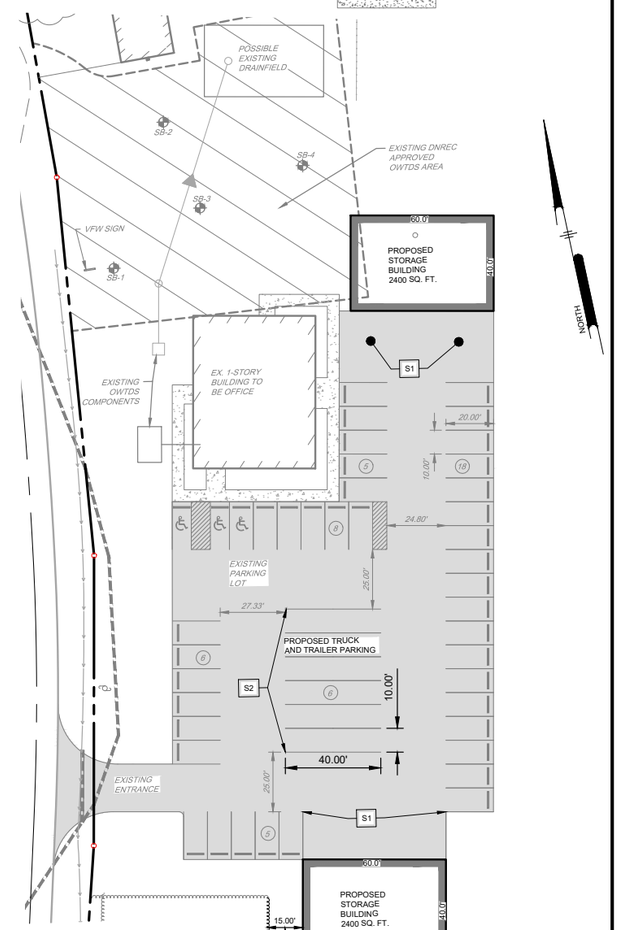

BLOW-UP DETAIL

SCALE: 1" = 30'

0 30' 60'

PENNONI ASSOCIATES INC.
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T 302.684.8030 F 302.684.8054

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SOLID WALLS LLC
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TM: 230-31.00-24.00
CEDAR CREEK, SUSSEX COUNTY, DELAWARE

CONDITIONAL USE PLAN

PETER NAU
907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936

NO.	DATE	REVISIONS	BY

PROJECT	SWALL20000
DATE	2020-05-15
DRAWING SCALE	1"= 40'
DRAWN BY	SJD
APPROVED BY	MHD

CS1001

SHEET 2 OF 2

U:\Accounts\SWALL\SWALLS2000 - VFW POST #2931-Conditional Use\DESIGN_SHEETS\CS1001.dwg PLOTTED: 5/15/2020 10:08 AM BY: Shawn J. Davis PLOTSTYLE: Pennoni NCS.ctb PROJECT STATUS: ---

SOLID WALLS LLC

CONDITIONAL USE □□22□1□ PLAN

CEDAR CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

PREPARED FOR:

PETER NAU

907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936
(302) 284-3493

Sussex County

SITE DATA:

1. TAX MAP NUMBER: 230-31.00-24.00 DEED BOOK 3680, PG 192
2. OWNER'S NAME: GEORGETOWN-ELLENDALE VFW POST 2931
3. DEVELOPER NAME: SOLID WALLS LLC
4. DEVELOPER ADDRESS: 907 COW MARSH CREEK ROAD CAMDEN WYOMING, DE 19934-2936
5. SITE ADDRESS: 14411 VFW ROAD ELLENDALE, DE 19941
6. HUNDRED: CEDAR CREEK
7. CURRENT ZONING: AR-1 (AGRICULTURAL-RESIDENTIAL)/CU #1835
8. PROPOSED ZONING: AR-1/CONDITIONAL USE
9. PRESENT USE: VFW POST #2931
10. PROPOSED USE: CONTRACTOR OFFICE AND STORAGE
11. REQUIRED SETBACKS:
    FRONT - 40 FEET
    SIDE - 15 FEET
    REAR - 20 FEET
12. BUILDING HEIGHT: 42' ALLOWED
13. PARKING (ARTICLE XXII: OFF-STREET PARKING, CODE SECTION 115-162):
    NO SPECIFIC CODE REQUIREMENT
    EXISTING PARKING: 66 PARKING SPOTS
    PROPOSED PARKING: 48 PARKING SPOTS (INCLUDING 6 TRAILER PARKING SPOTS)
14. WATER SUPPLY: COMMERCIAL WELL
15. SEWER SUPPLY: ON-SITE SEPTIC
16. LATITUDE AND LONGITUDE STATE PLAN COORDINATES:
    LONGITUDE: W075° 21' 22.4109" LATITUDE: N038° 42' 11.2112"
17. TOTAL AREA (GROSS): 9.51± ACRES
    CONDITIONAL USE AREA: 9.51± ACRES
18. NET DEVELOPMENT AREA: 9.51± AC.
19. WETLAND AREA: 1.05± AC. (DNREC NAVIMAP) & RECORD PLANS
20. WATERSHED: NANTICOKE RIVER
21. 2019 FUTURE LAND USE MAP (SUSSEX PLAN) LOW DENSITY
22. 2015 STATE STRATEGIES & INVESTMENT LEVELS: LEVEL 4
23. SITE CALCULATIONS

BUILDING AREA	EX. = 4,440 SF -	(0.10 AC.)	PR. = 9,240 SF	(0.21 AC.)
OPEN SPACE / PERVIOUS AREA	EX. = 104,979 SF -	(2.41 AC.)	PR. = 102,176 SF	(2.35 AC.)
PAVEMENT/IMPERVIOUS AREA	EX. = 26,112 SF -	(0.60 AC.)	PR. = 26,112 SF	(0.60 AC.)
WOODED AREA	EX. = 278,875 SF -	(6.40 AC.)	PR. = 276,875 SF	(6.35 AC.)
TOTAL	EX. = 414,403 SF	(9.51 AC.)	PR. = 414,403 SF	(9.51 AC.)

24. DELDOT
    24.1. ROAD NAME - SCR 607 | VFW ROAD
    24.1.1. FUNCTIONAL CLASSIFICATION - LOCAL ROAD
    24.1.2. AADT = 120 (2019)
    24.2. SPEED LIMIT = 50 MPH
    24.3. PROXIMITY TO TRANSPORTATION DISTRICTS: NONE KNOWN

NOTES:

1. THE TOTAL AREA FOR THE SUBJECT PROPERTY IS 9.51 ACRES±.
2. THIS SURVEY DOES NOT VERIFY THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS-OF-WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
3. THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP 230-31.00, PARCEL 24.00, AND IS CURRENTLY ZONED AR-1 (AGRICULTURAL RESIDENTIAL).
4. CLASS OF SURVEY: RURAL.
5. DEED REFERENCE: DEED BOOK 3680, PAGE 192.
6. PROPERTY BOUNDARY BEARING SYSTEM IS BASED ON DELAWARE STATE PLANE COORDINATE SYSTEM. HORIZONTAL DATUM NAD83.
7. THE PROPERTY IS LOCATED IN ZONE "X" (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 10005C0140K, LAST REVISED 3/16/2015. ZONE "X" (UNSHADED) IS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN.
8. THERE ARE WETLANDS ON THE PROPERTY ACCORDING TO THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
9. THE PROPERTY IS ZONED AR-1 (AGRICULTRUAL-RESIDENTIAL DISTRICT).
10. BUILDING SETBACKS (CH. 115-25C): FRONT- 40' SIDE - 15' REAR - 20'
11. THE SUBJECT SITE IS LOCATED IN THE NANTICOKE RIVER AREAS OF THE CHESAPEAKE BAY WATERSHED, PER DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL (DNREC) ENVIRONMENTAL NAVIGATOR WEBSITE. STORMWATER DISCHARGE WILL BE HANDLED VIA EXISTING DISCHARGE TO THESE WATERSHEDS.
12. NO UNDERGROUND UTILITY MARKING WAS PERFORMED FOR THIS SURVEY.
13. 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.
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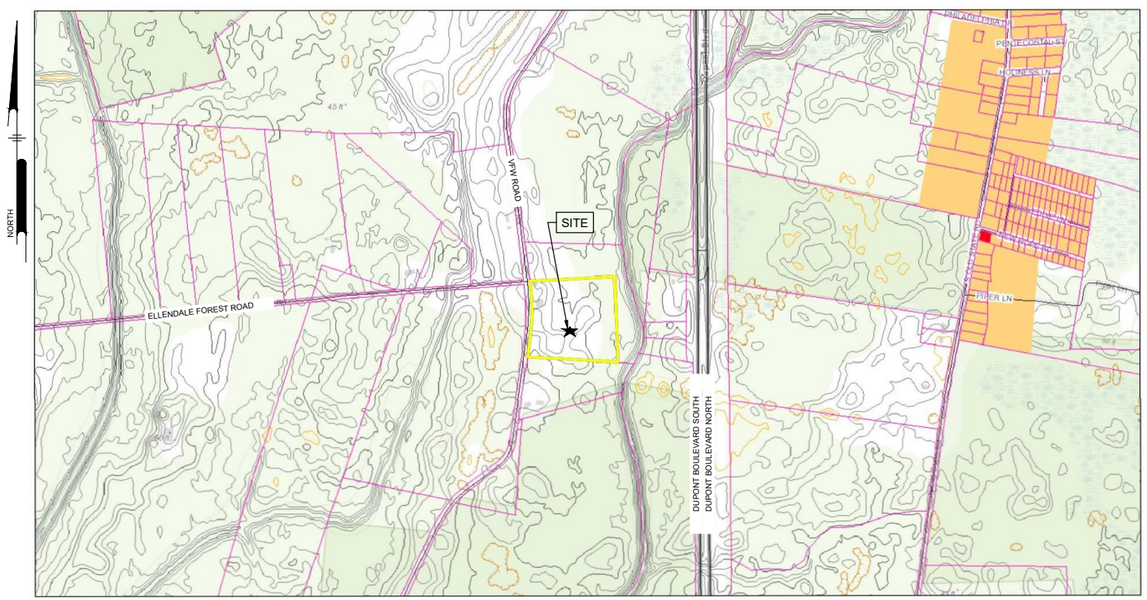

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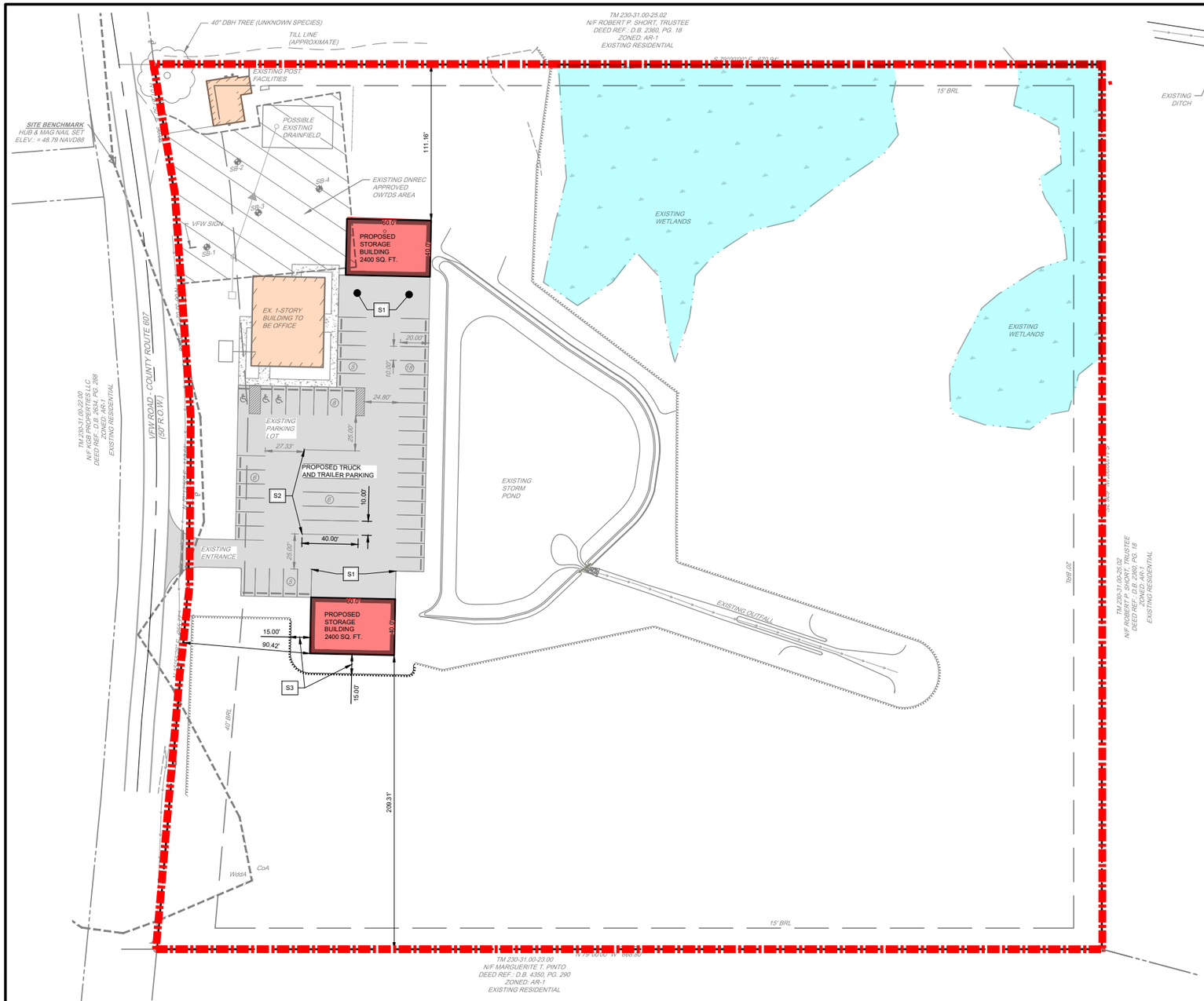
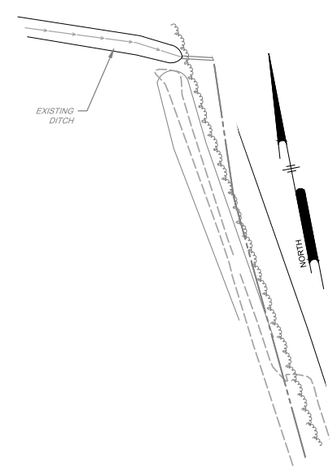
CS0001

SHEET 1 OF 2



SITE PLAN

SCALE: 1" = 40'



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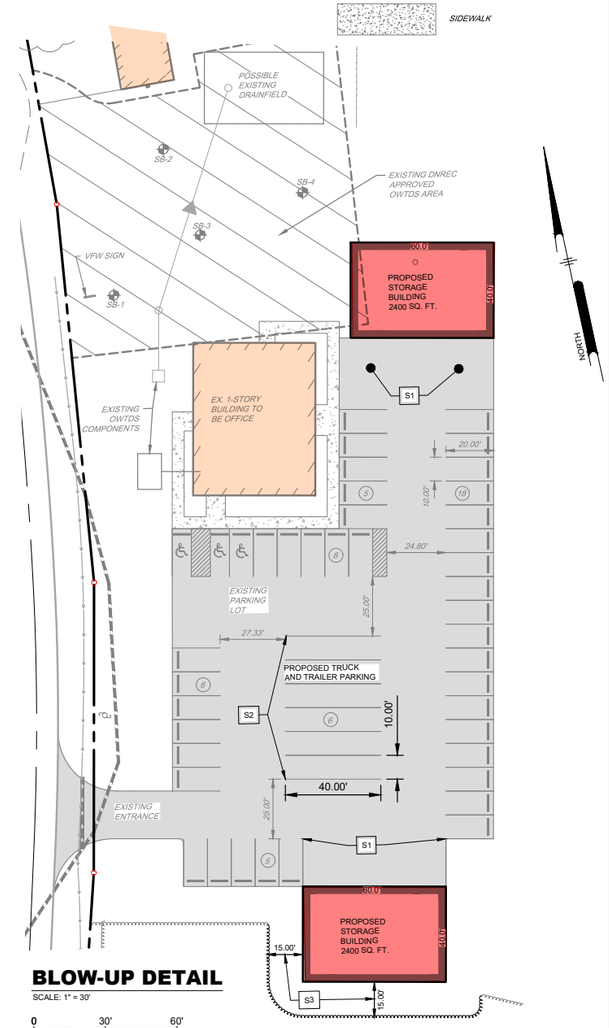
		LANDSCAPE BUFFER
		SIDEWALK



BLOW-UP DETAIL

SCALE: 1" = 30'

0 30' 60'

KEYED NOTES

- S1 EXISTING PARKING SPOTS TO BE REMOVED FOR PROPOSED BUILDING(S)
- S2 EXISTING PARKING SPOTS CONVERTED TO TRUCK AND TRAILER PARKING
- S3 PROPOSED TREELINE TO BE AT LEAST 15' FROM EDGE OF PROPOSED BUILDING

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

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

SOLID WALLS LLC

14411 VFW ROAD
ELLENDALE, DE 19941
TM: 230-31.00-24.00
CEDAR CREEK, SUSSEX COUNTY, DELAWARE

CONDITIONAL USE PLAN

PETER NAU
907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936

DATE	NO.	REVISIONS	BY

PROJECT	SWALL20000
DATE	2020-05-15
DRAWING SCALE	1"= 40'
DRAWN BY	SJD
APPROVED BY	MHD

CS1001

SHEET 2 OF 2

U:\Accounts\SWALL\SWALLS3000 - \VFW POST #2921-Conditional Use\DESIGN_SHEETS\CS1001.dwg PLOTTED: 5/15/2020 10:08 AM, BY: Shawn J. Davis PLOTSTYLE: Pennoni NCS.ctb PROJECT STATUS: ---

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

JENNIFER COHAN
SECRETARY

March 9, 2020

Mr. Jamie Whitehouse, Acting Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Jamie:

The Department has completed its review of a Service Level Evaluation Request for the **Solid Walls / Peter Nau** conditional use application, which we received on February 10, 2020. This application is for an approximately 10.00-acre parcel (Tax Parcel: 230-31.00-24.00). The subject land is located on the east side of VFW Road (Sussex Road 607), opposite Ellendale Forest Road (Sussex Road 608), southwest of the Town of Ellendale. The subject land is currently zoned as AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to build a 5,400 square-foot storage facility for equipment and supplies and a future 1,600 square-foot storage addition for supplies and materials.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of VFW Road where the subject land is located is 116 vehicles per day.

Based on our review, we estimate that the above land uses will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

DelDOT

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

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

Sincerely,

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm
cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Solid Walls / Peter Nau, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

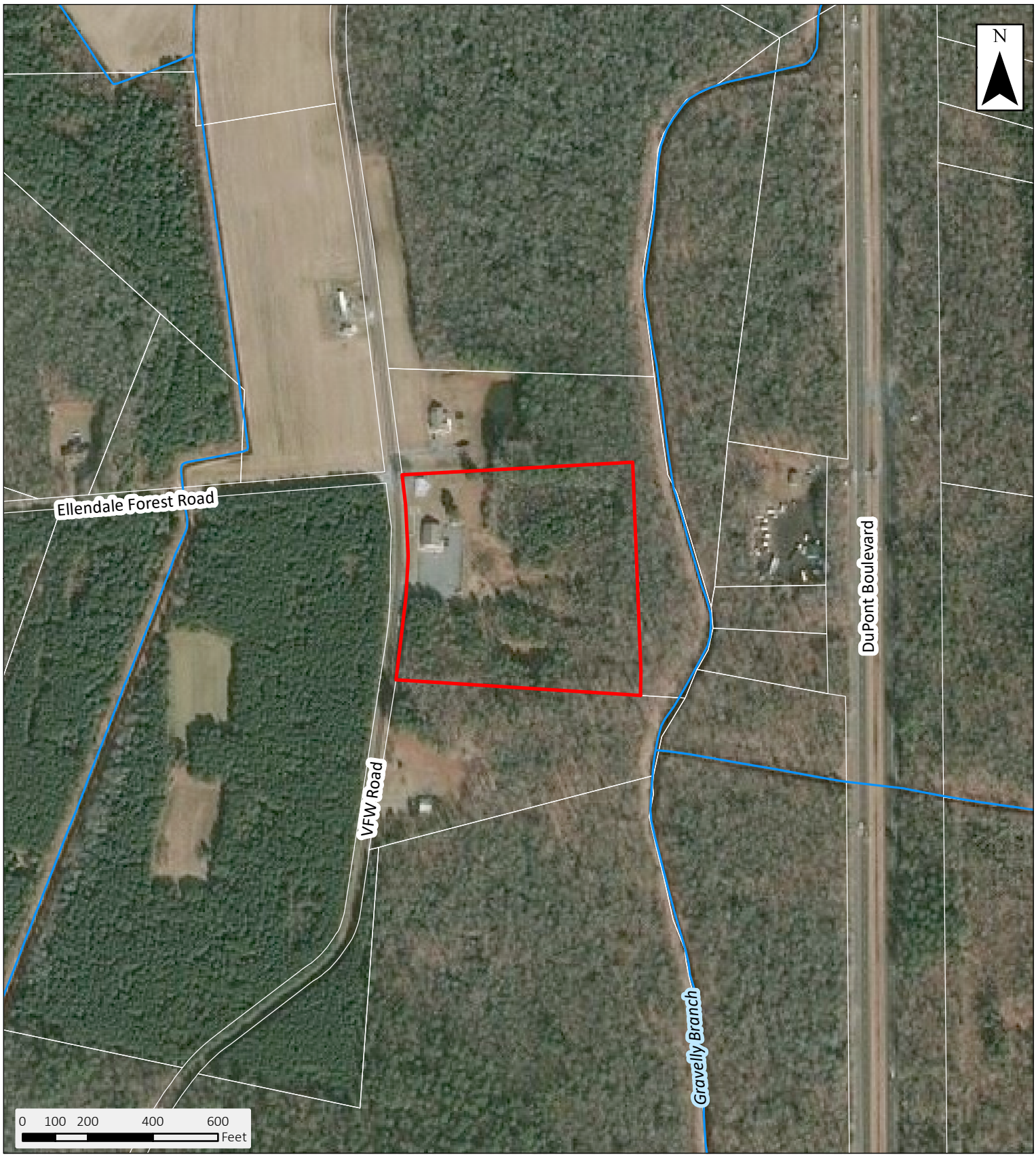


Figure 1 of 20. 1	2019 Aerial Image Solid Walls LLC SWALL20000	Pennoni	Streams Subject Property Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\01 2019 Aerial Image.mxd

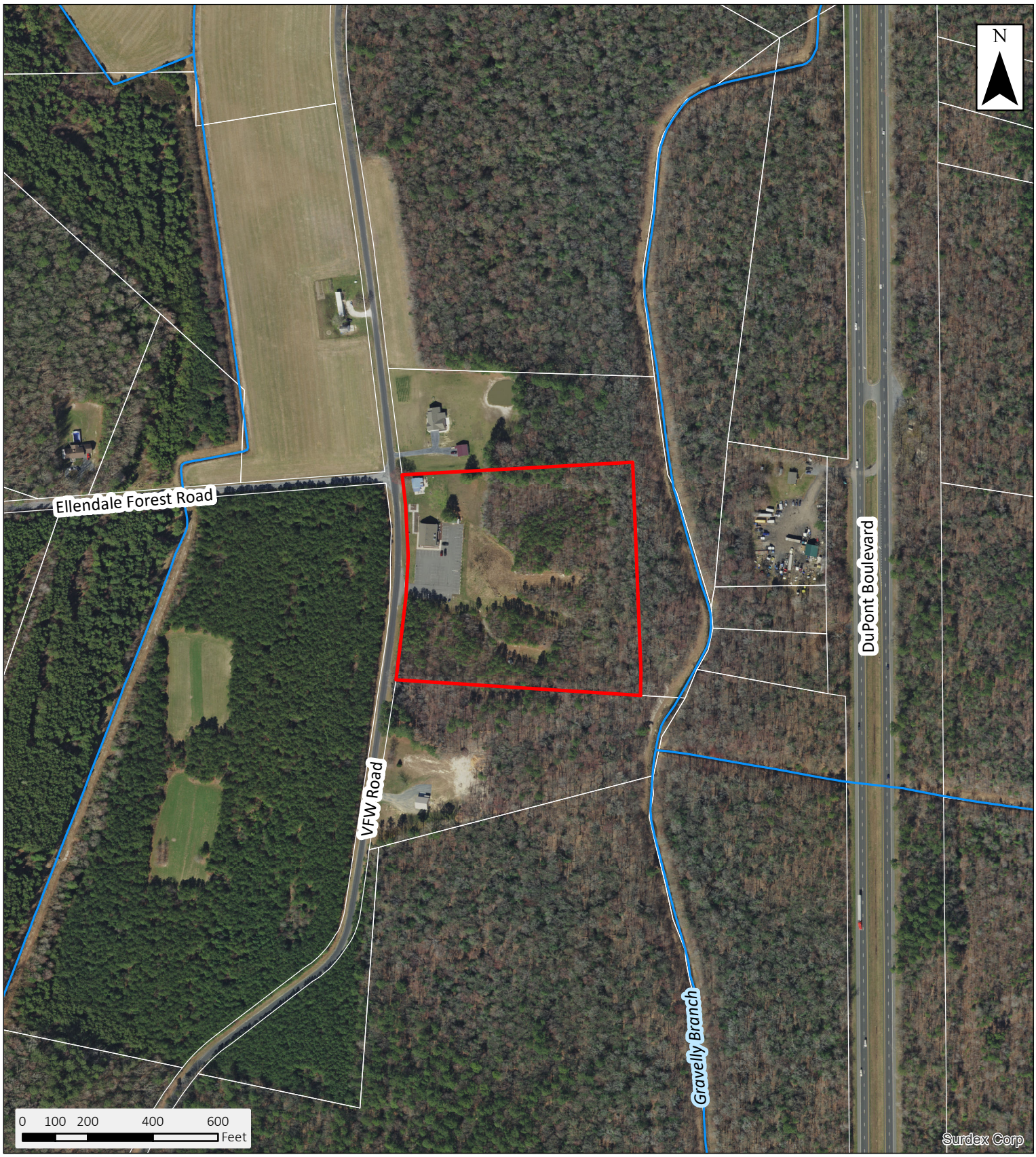


Figure 2 of 20.	2017 Orthophoto	Pennoni	Streams
2	Solid Walls LLC		Subject Property
	SWALL20000		Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\02 2017 Orthophoto.mxd

Figure 3 of 20.	2012 Orthophoto	Pennoni	Streams
3	Solid Walls LLC		Subject Property
	SWALL20000		Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\03 2012 Orthophoto.mxd

Figure 4 of 20.	2007 Orthophoto	Pennoni	Streams
4	Solid Walls LLC		Subject Property
	SWALL20000		Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\04 2007 Orthophoto.mxd

Figure 5 of 20.	2002 Orthophoto	Pennoni	Streams
5	Solid Walls LLC		Subject Property
	SWALL20000		Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\05 2002 Orthophoto.mxd

Figure 6 of 20.	1997 Orthophoto	Pennoni	Streams
6	Solid Walls LLC		Subject Property
	SWALL20000		Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\06 1997 Orthophoto.mxd

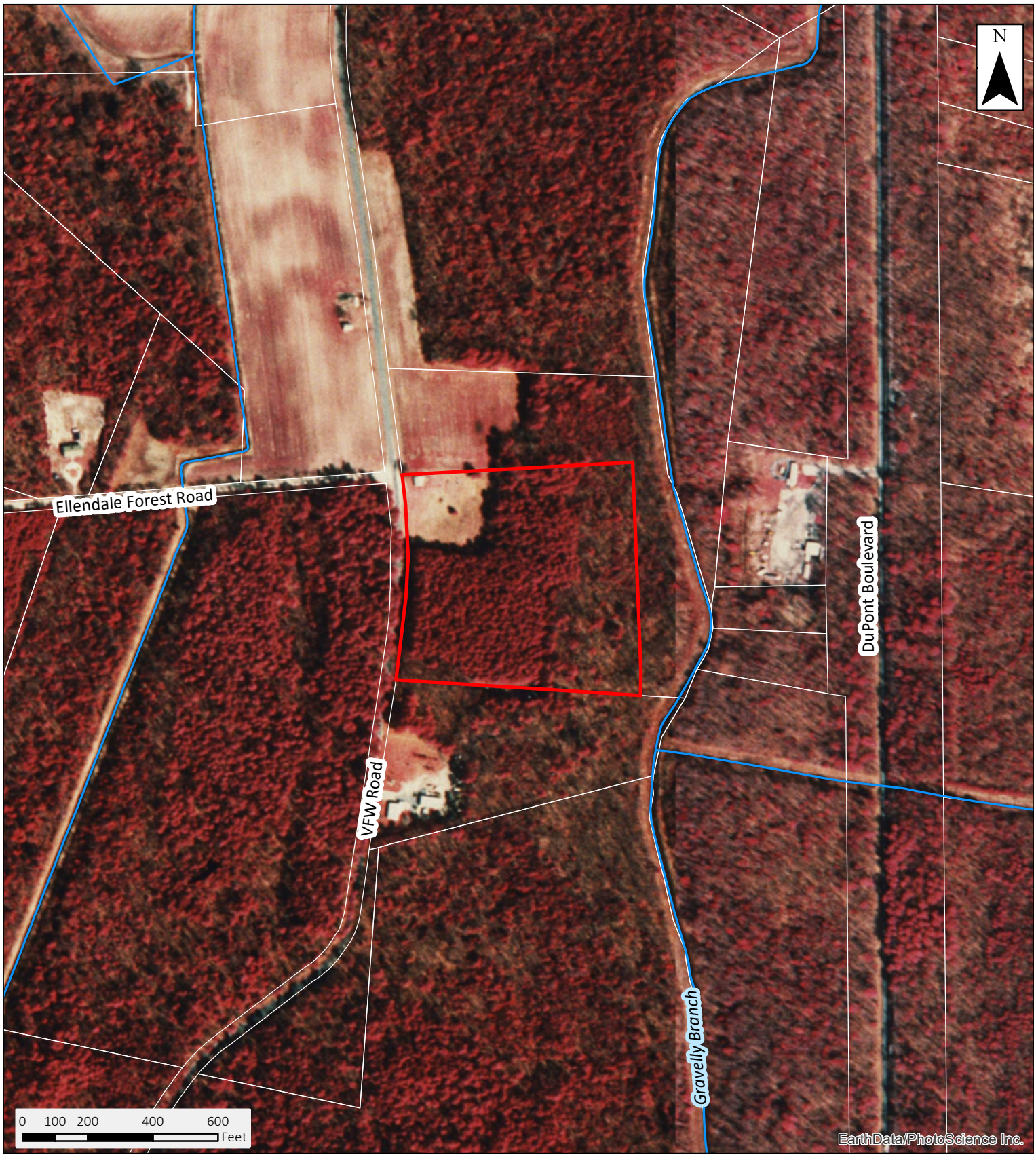


Figure 7 of 20.	1992 Orthophoto	Pennoni	Streams
7	Solid Walls LLC		Subject Property
	SWALL20000		Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\07 1992 Orthophoto.mxd

Figure 8 of 20. 8	1968 Orthophoto Solid Walls LLC SWALL20000	Pennoni	Streams Subject Property Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\08 1968 Orthophoto.mxd

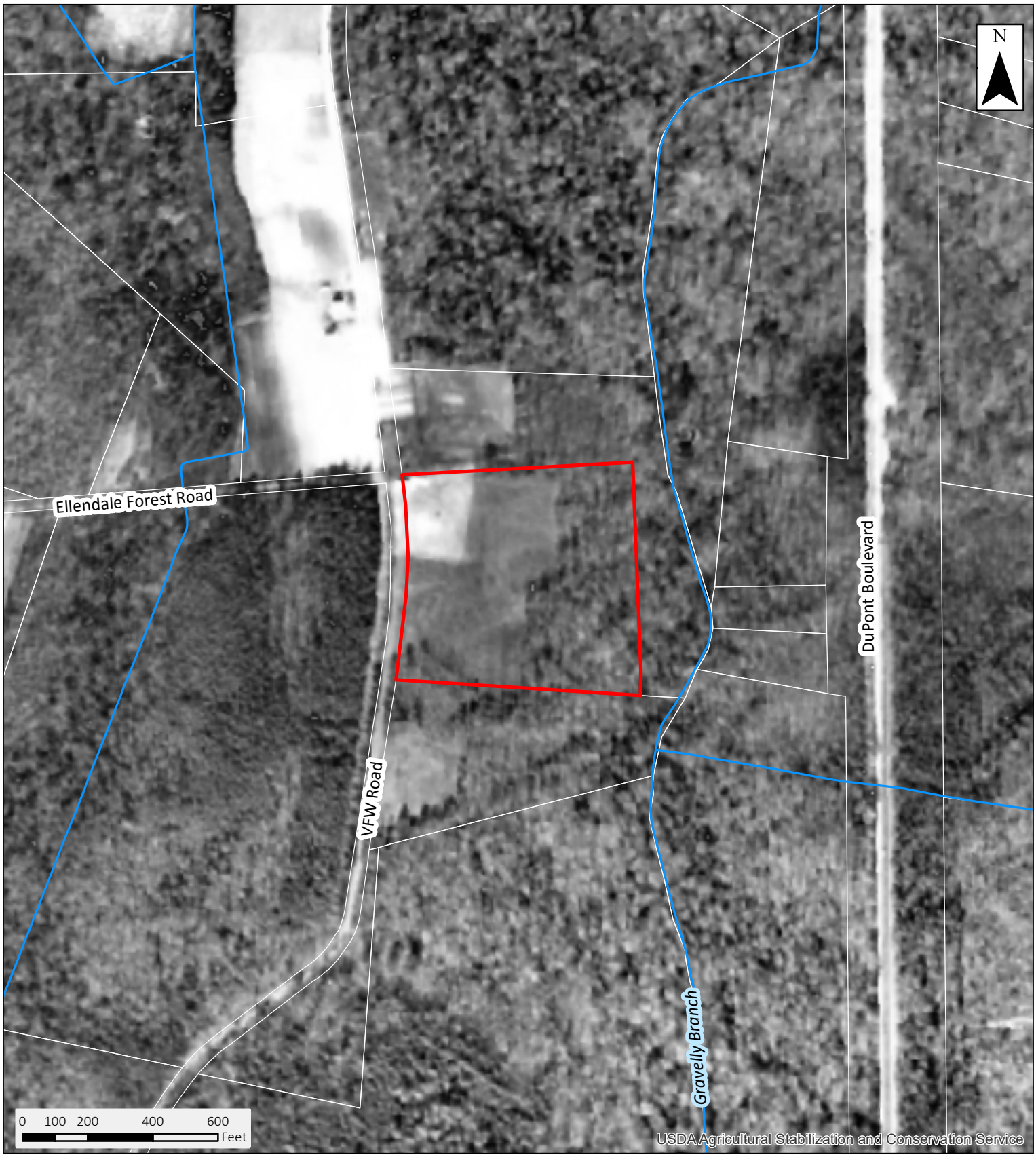


Figure 9 of 20.	1961 Orthophoto	Pennoni	Streams
9	Solid Walls LLC		Subject Property
	SWALL20000		Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\09 1961 Orthophoto.mxd

Figure 10 of 20. 10	1954 Orthophoto Solid Walls LLC SWALL20000	Pennoni	Streams Subject Property Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\10 1954 Orthophoto.mxd

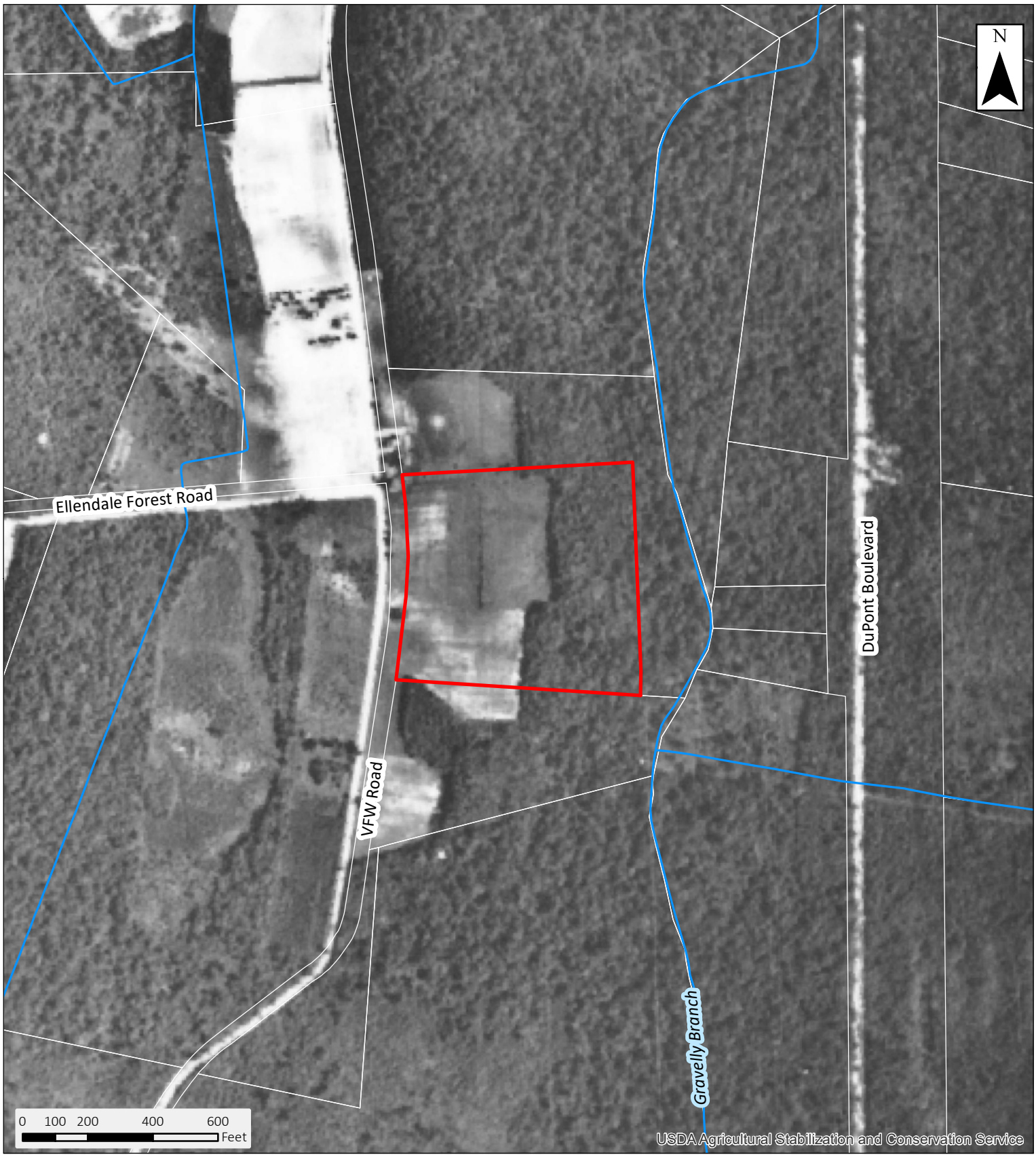


Figure 11 of 20. **11**	1937 Orthophoto Solid Walls LLC SWALL20000	Pennoni	Streams Subject Property Other Tax Parcels

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\11 1937 Orthophoto.mxd

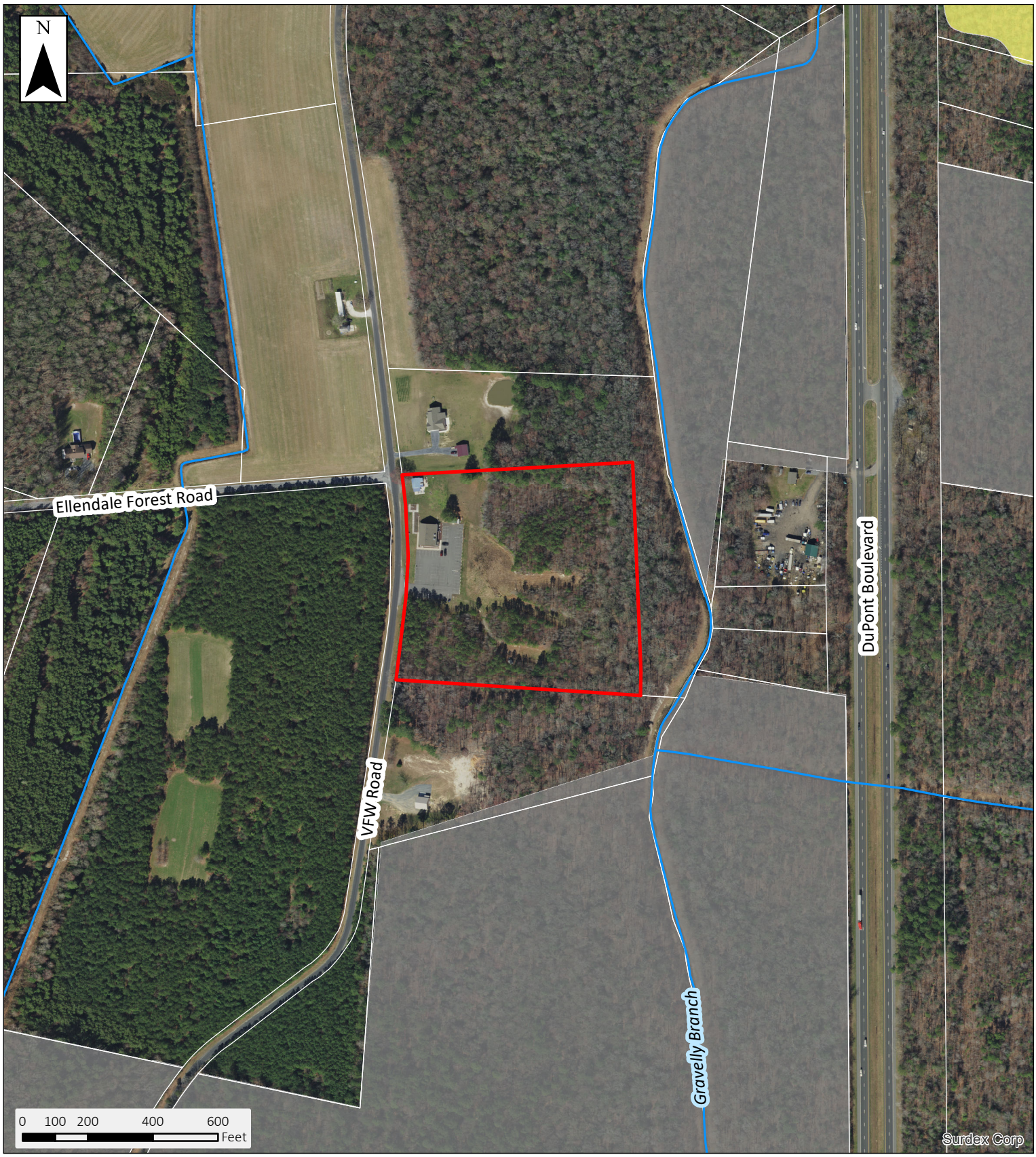


Figure 12 of 20.	2015 State Strategies & Investment Levels	Pennoni	Investment Level
12	Solid Walls LLC		Level 3
			Level 4 (Unshaded)
	SWALL20000		Out Of Play

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\12 2015 State Strategies.mxd

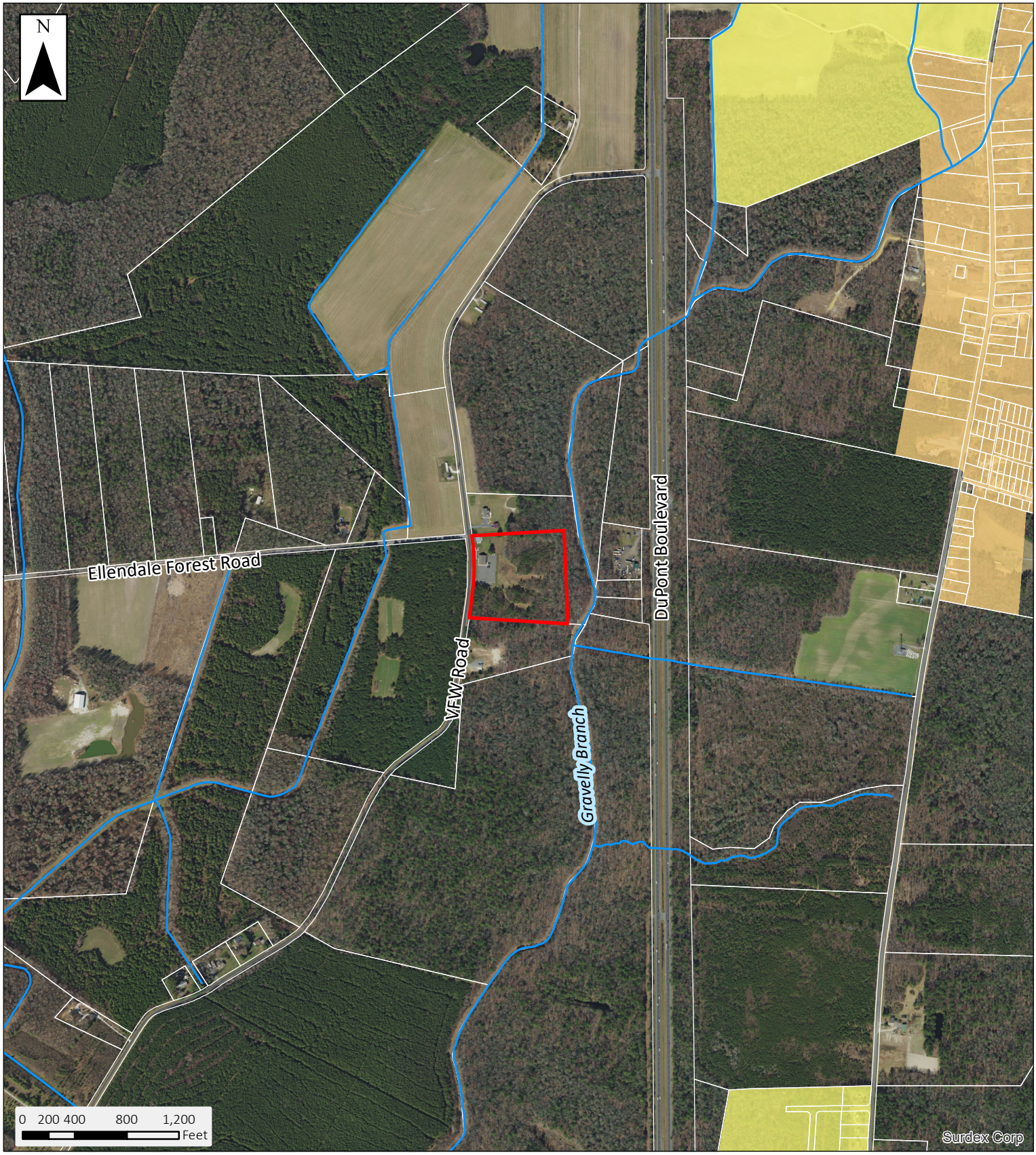


Figure 13 of 20. 13	County Zoning Solid Walls LLC SWALL20000	Pennoni	Agricultural Residential (Unshaded) General Residential Medium Residential

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\13 County Zoning.mxd

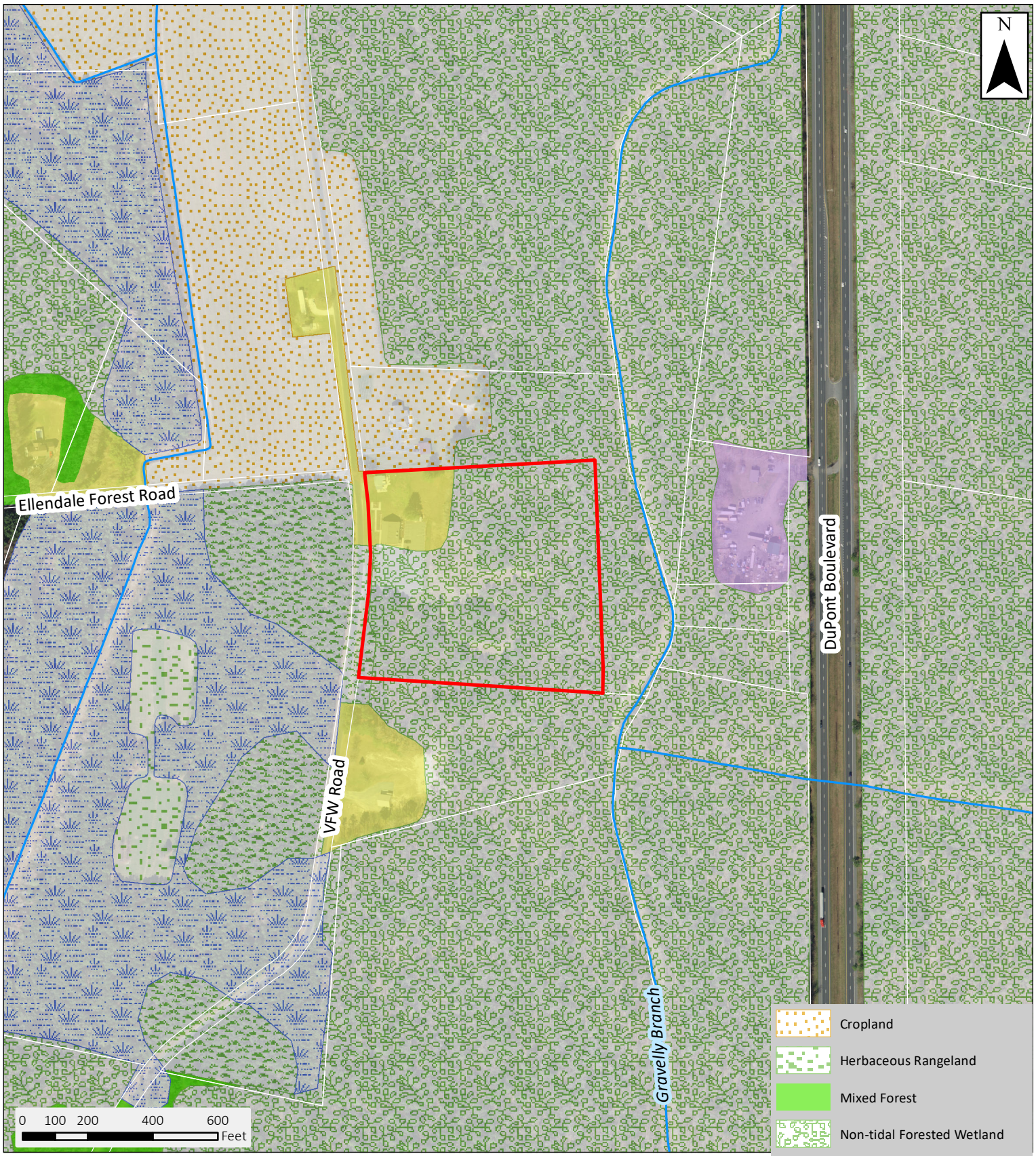


Figure 14 of 20.	2012 Land Use Land Cover	Pennoni	
14	Solid Walls LLC		
	SWALL20000		

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\14 2012 Land Use Land Cover.mxd

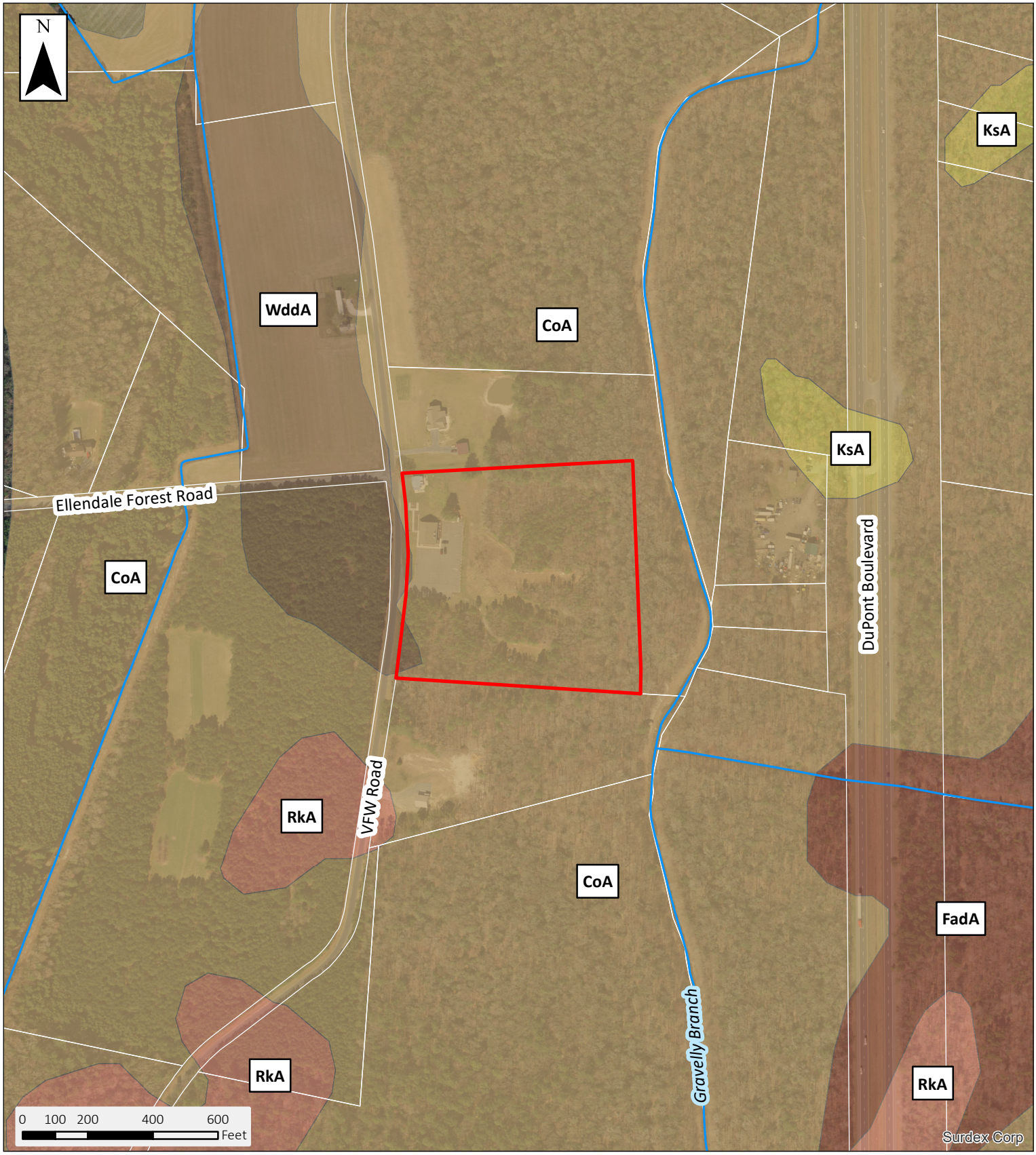


Figure 15 of 20. 15	NRCS Soils Mapping Solid Walls LLC SWALL20000	Pennoni	Soil Types: CoA - Corsica mucky loam, 0-2% slopes, Group B/D WddA - Woodstown sandy loam, Northern Tidewater Area 0-2% slopes, Group C

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\15 NRCS Soils Mapping.mxd

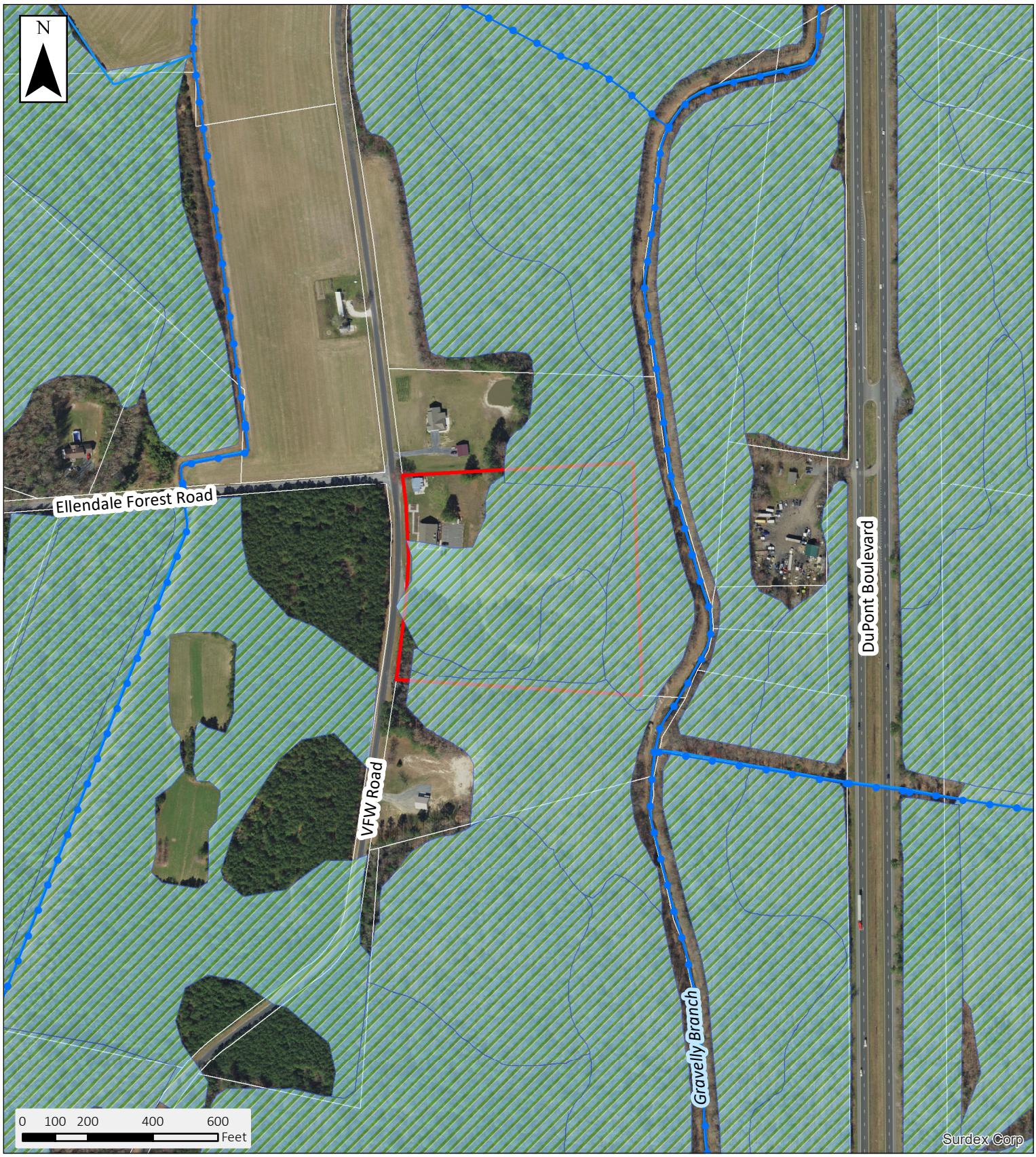


Figure 16 of 20. 16	State Wetlands Mapping Solid Walls LLC SWALL20000	Pennoni	Tax Ditch Segments DNREC Wetlands

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\16 State Wetlands Areas.mxd

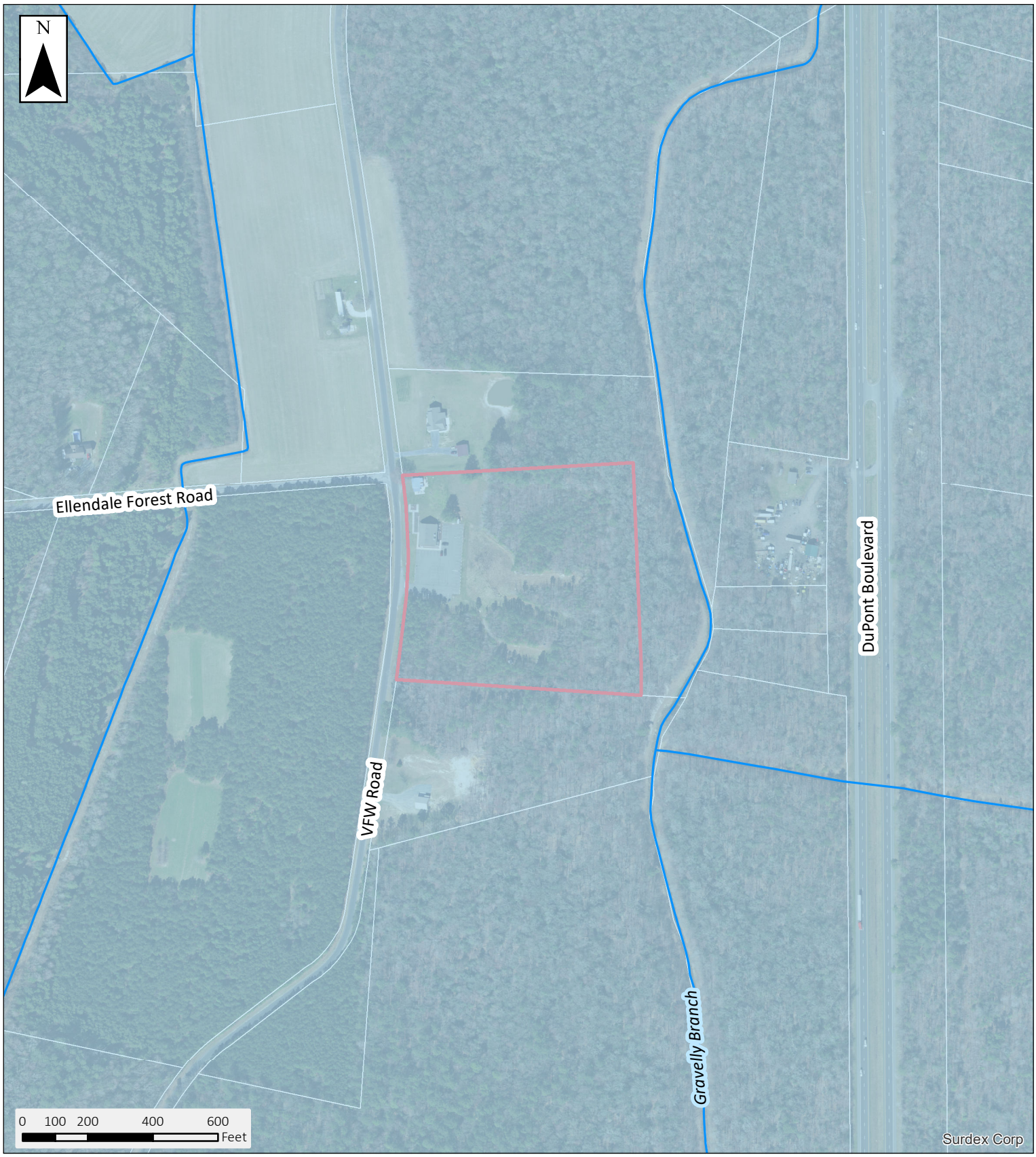


Figure 17 of 20.	FEMA Flood Plain Mapping	Pennoni	Zone X
17	Solid Walls LLC		FEMA Flood Map #10005C0140K (3/16/15)
	SWALL20000		

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\17 FEMA Floodplain Mapping.mxd

Figure 18 of 20. 18	Groundwater Recharge Potential Solid Walls LLC SWALL20000	Pennoni	Good, Poor, Fair, Water Area

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\18 Groundwater Recharge Potential.mxd

Figure 19 of 20.	USGS Topographic Map	Pennoni	
19	Solid Walls LLC		
	SWALL20000		

Date: 8/26/2020

Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\19 USGS Topographic Map.mxd

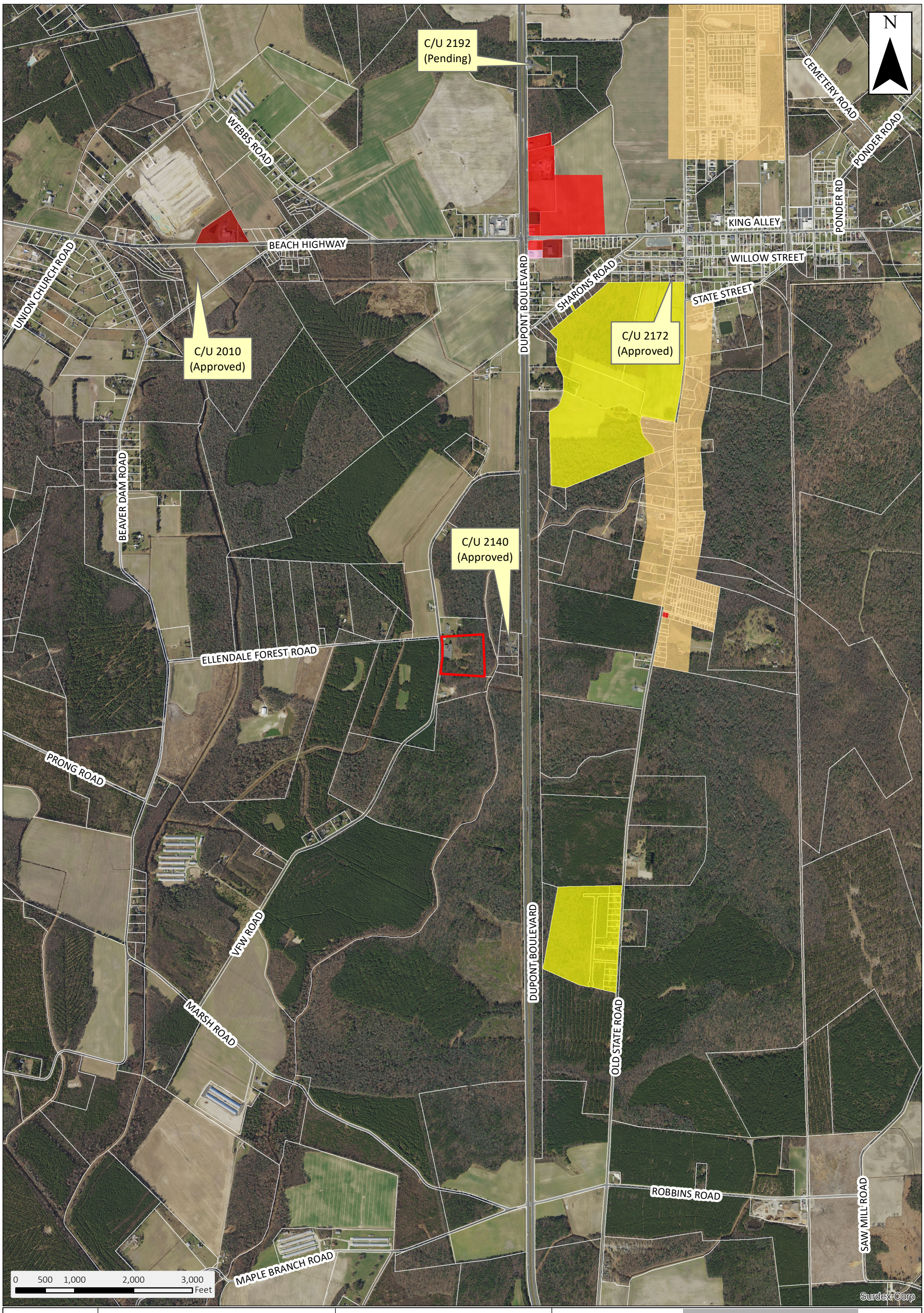


Figure 20 of 20.	Area Conditional Use Applications	Pennoni	County Zoning	AR-1, GR, CR-1, MR, C-1, B-1
20	Solid Walls, LLC			
	SWALL20000			

Date: 8/26/2020 Document Path: C:\Users\MWalls\Documents\GIS Projects\SWALL20000\20 Area CU Applications.mxd

Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea

FOIA Decision/ Attorney General's Office (continued)

Mr. Griffin reported that Sussex County received a decision from the Attorney General's Office regarding FOIA complaints filed in early April 2009 by Mr. Kramer and Mr. Gaffney. The Decision indicated that the County would be allowed to charge for the 8 hours of employees' time involved in compiling requested emails from August 2008 to January 2009. Mr. Griffin also reported that Mr. Kramer has asked the Attorney General's Office to reconsider, which will result in a later decision.

M 376 09 Recess

At 5:39 p.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to recess until 6:00 p.m. Motion Adopted by Voice Vote.

Reconvene

Mr. Phillips called the Council back into session at 6:06 p.m.

Public Hearing/ C/U No. 1835

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A VFW POST (PRIVATE CLUB) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 10.00 ACRES, MORE OR LESS" (Conditional Use No. 1835) filed on behalf of Appel - Tucker - Reynolds V.F.W. Post No. 2931.

The Planning and Zoning Commission held a Public Hearing on this application on May 28, 2009 at which time they recommended approval with conditions.

(See the minutes of the meeting of the Planning and Zoning Commission dated May 28, 2009.)

Lawrence Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing.

Mr. Lank distributed Exhibit Books which were provided by the Applicant.

Mr. Lank reported that the following letters of support were received and made a part of the record: Delores Price, President, Ellendale Town Council; Ellendale Volunteer Fire Co., Inc.; Clifford Short, Vice President, Ellendale Ruritan Club; Margaret Robinson, Major Nathanial Mitchell Chapter of the Daughters of the American Revolution; and Barbara McGowan, Ladies Auxiliary to Veterans of Foreign Wars of the United States (VFW) Post 2931.

David Tidwell, Project Coordinator for the Applicant; Shannon Carmean, Attorney from Sergovic & Ellis, P.A., and Steve McCabe, P.E. from George, Miles & Buhr, LLC, were present and stated that they have applied for a Conditional Use to construct and expand the use of this site for the VFW

Public Hearing/ C/U No. 1835 (continued)

Post; that the site contains approximately 10 acres and is improved by an existing 900 square foot building used for VFW events; that they propose to replace the existing building with a 3,280 square foot one-story building; that the existing building is intended to be converted to a storage building; that the VFW Post building will be utilized as a private club facility; that a private club is a listed Conditional Use; that the use meets the purpose of a Conditional Use since it a semi-public use and meeting place; that the use meets the purpose of the Comprehensive Plan in a Low Density Area which permits non-residential uses; that the site has been utilized for a VFW Post for many years; that they are not aware of any former complaints about the use; that Sussex County Mapping and Addressing has acknowledged the history of the use at this location by naming the road "VFW Road"; that the site is surrounded by agricultural lands and wooded lands; that there should be no negative impact on traffic; that there will not be any disturbance of the wetlands; that the improvements will meet or exceed the needs of the members of the VFW Post; that the proposed improvements will be an improvement for public safety by providing modern conveniences, handicap accessibility, and adequate parking; that DelDOT has approved the entrance location; that the entrance location will be improved and made safer; that the entrance will be located farther away from the intersection; that the Office of the State Fire Marshal has approved the site plan; that the Sussex Conservation District has approved the site for maintenance with Best Management Practices; that the original building has a non-conforming septic system; that a LPP Septic System is proposed subject to receipt of an approval from DNREC; that the VFW Post was chartered in Georgetown in 1947; that the members have a need for more space; that the veterans serve the community by having social functions and raising money for the community; that the VFW Post presently has 140 members; that the existing building is out-dated with poor heating and no handicap accessibility; that the general drainage of the area is to the tax ditches; that they cannot create any more runoff than the runoff that already exists; that a larger kitchen facility is proposed; that the existing sign will remain and hopefully, can be replaced in the future with a larger sign; that they would like a flexibility in the hours; that they may in the future want to change their hours to accommodate the membership; that hours from 9:00 a.m. through 1:00 a.m. would be acceptable seven (7) days per week; that the facility is not open to the general public unless they are guests; that a small bar will be available; and that the seating capacity of the building is limited to 120 seats.

Persons present demonstrated their support by a show of hands.

There were no persons present in opposition to the application.

There were no public comments and the Public Hearing was closed.

M 377 09 Adopt Ordinance

A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to Adopt Ordinance No. 2062 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL

No. 2062 (C/U No. 1835)

RESIDENTIAL DISTRICT FOR A VFW POST (PRIVATE CLUB) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 10.00 ACRES, MORE OR LESS" (Conditional Use No. 1835) filed on behalf of Appel - Tucker - Reynolds V.F.W. Post No. 2931, with the following conditions:

M 377 09 Adopt Ordinance No. 2062 (C/U No. 1835) (continued)

1. **There is currently lighting on the property. Any additional lighting shall be screened so that it does not shine on roadways or adjacent properties.**
2. **One lighted sign shall be permitted, not to exceed 32 square feet per side.**
3. **The parking shall meet or exceed the requirements of the Zoning Code.**
4. **The property is not to be rented by any outside groups that are not affiliated with a veteran's organization.**
5. **All entrances shall comply with all of DelDOT's requirements.**
6. **The hours of operation shall be limited to 9:00 a.m. through 1:00 a.m., seven (7) days per week.**
7. **The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission**

Motion Adopted: **5 Yeas.**

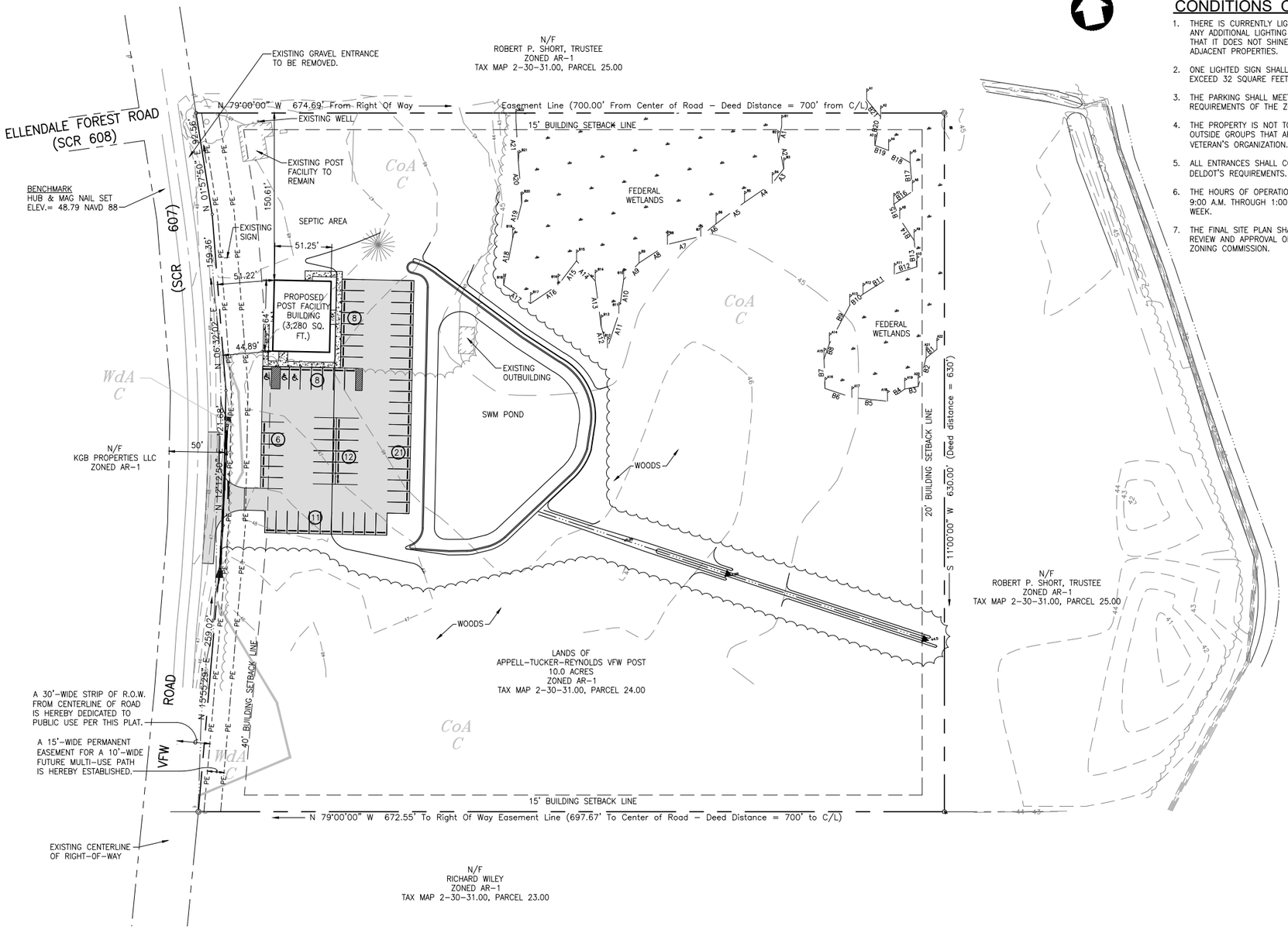
Vote by Roll Call: **Mrs. Deaver, Yea; Mr. Vincent, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Phillips, Yea**

Public Hearing/ C/Z No. 1643

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.848 ACRES, MORE OR LESS" (Change of Zone No. 1643) filed on behalf of Landh Investments, L.L.C.

The Planning and Zoning Commission held a Public Hearing on this application on May 28, 2009 at which time they deferred action. On June 11, 2009, the Commission recommended that the application be approved.

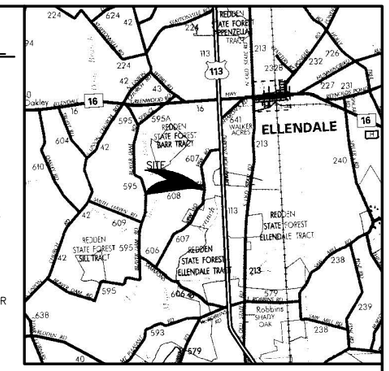
(See the minutes of the meeting of the Planning and Zoning Commission dated May 28 and June 11, 2009.)



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

CONDITIONAL USE #1835
CONDITIONS OF APPROVAL

1. THERE IS CURRENTLY LIGHTING ON THE PROPERTY. ANY ADDITIONAL LIGHTING SHALL BE SCREENED SO THAT IT DOES NOT SHINE ON ROADWAYS OR ADJACENT PROPERTIES.
2. ONE LIGHTED SIGN SHALL BE PERMITTED, NOT TO EXCEED 32 SQUARE FEET PER SIDE.
3. THE PARKING SHALL MEET OR EXCEED THE REQUIREMENTS OF THE ZONING CODE.
4. THE PROPERTY IS NOT TO BE RENTED BY ANY OUTSIDE GROUPS THAT ARE NOT AFFILIATED WITH A VETERAN'S ORGANIZATION.
5. ALL ENTRANCES SHALL COMPLY WIITH ALL OF DELDOT'S REQUIREMENTS.
6. THE HOURS OF OPERATION SHALL BE LIMITED TO 9:00 A.M. THROUGH 1:00 A.M. SEVEN (7) DAYS PER WEEK.
7. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.



LOCATION MAP
SCALE: 1" = 1 MILE

GENERAL NOTES

1. PERIMETER BOUNDARY AND TOPOGRAPHIC INFORMATION WERE TAKEN FROM SURVEYS PREPARED BY COMPASS POINT ASSOCIATES.
2. ADJACENT PROPERTY INFORMATION IS BASED UPON SUSSEX COUNTY TAX MAP INFORMATION AND IS NOT THE RESULT OF A TITLE SEARCH AND/OR SURVEY.
3. IN ACCORDANCE WITH A WETLAND SURVEY PERFORMED BY JCM ENVIRONMENTAL THIS SITE CONTAINS FEDERAL JURISDICTIONAL WETLANDS. NO STATE WETLANDS EXIST ON THIS SITE. NO WETLANDS WILL BE DISTURBED UNDER THIS APPLICATION.
4. THIS PROPERTY IS OUTSIDE THE 100 YEAR FLOOD PLAIN PER FIRM # 10005C0150J, DATED JANUARY 6, 2005.

SITE DATA

1. OWNER: APPEL-TUCKER-REYNOLDS VFW POST 2931
   14411 VFW ROAD
   ELLENDALE, DELAWARE 19941
2. ENGINEER: GEORGE, MILES & BUHR, LLC
   400 HIGH STREET
   SEAFORD, DELAWARE 19973
   CONTACT: RICHARD S. McCABE, P.E.
3. APPLICANT: APPELL-TUCKER-REYNOLDS VFW POST 2931
   P.O. BOX 881
   GEORGETOWN, DELAWARE 19947
   CONTACT: DAVID TIDWELL
4. MINIMUM BUILDING SETBACK LINES: FRONT - 40', REAR - 20', SIDES - 15'.
5. TAX MAP LOCATION: TAX MAP 2-30-31.00, PARCEL 24.00.
6. A 5-FOOT WIDE STRIP OF LAND IS HEREBY DEDICATED AND ASSIGNED TO THE STATE OF DELAWARE, BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION, AS PER THIS PLAT.
7. PARCEL AREA = 9.52 ACRES.
8. PORTION OF PARCEL AREA DEVOTED TO BUILDINGS: 0.9%.
9. PORTION OF PARCEL AREA DEVOTED TO OFF-STREET PARKING: 5.9%.
10. NET DEVELOPMENT AREA = 8.48 ACRES.
11. BUILDING HEIGHT = DOES NOT EXCEED 42'.
12. PARKING SPACES REQUIRED: COMMUNITY CENTER
    (1 SPACE PER 50 SQ. FT. OF GROSS FLOOR AREA).
    NUMBER OF PARKING REQUIRED: 66
    NUMBER OF HANDICAPPED REQUIRED: 3
    NUMBER OF SPACES PROVIDED: 66

WETLANDS LINE TABLES

LINE	BEARING	DISTANCE
A 1	S 22°52'54" W	14.14
A 2	S 0°4'36" W	24.87
A 3	S 48°55'31" W	16.86
A 4	S 66°47'8" W	30.19
A 5	S 63°57'27" W	32.20
A 6	S 61°31'58" W	17.86
A 7	S 87°23'1" W	30.98
A 8	S 67°59'49" W	30.52
A 9	S 53°35'53" W	20.38
A 10	S 19°01'51" W	30.88
A 11	S 29°25'38" W	32.88
A 12	N 4°42'11" W	20.75
A 13	N 3°33'18" E	40.89
A 14	N 32°7'1" W	24.72
A 15	S 48°28'29" W	27.39
A 16	S 67°11'27" W	29.84
A 17	N 44°41'45" W	29.36
A 18	N 21°56'21" E	43.01
A 19	N 25°18'59" E	32.95
A 20	N 6°22'5" E	37.58
A 21	N 7°35'2" E	37.17

LINE	BEARING	DISTANCE
B 1	S 61°44'37" W	12.46
B 2	S 26°40'31" W	26.75
B 3	N 89°48'37" W	12.30
B 4	S 65°48'7" W	19.06
B 5	N 63°57'27" W	32.27
B 6	N 60°10'14" W	25.63
B 7	N 9°16'5" E	26.50
B 8	N 30°0'38" E	14.51
B 9	N 38°58'31" E	39.23
B 10	N 60°59'13" E	15.69
B 11	N 68°21'19" E	33.44
B 12	N 82°47'18" E	21.45
B 13	N 5°6'15" E	23.77
B 14	N 22°42'2" W	23.49
B 15	N 10°57'21" W	14.18
B 16	N 66°15'9" E	20.33
B 17	N 6°43'10" E	26.03
B 18	N 49°38'55" W	22.31
B 19	N 58°48'40" W	13.26
B 20	N 22°34'20" E	26.32
B 21	N 28°22'36" W	19.81

WETLANDS DELINEATION STATEMENT:

THIS PROPERTY HAS BEEN EXAMINED BY JCM ENVIRONMENTAL FOR THE PRESENCE OF WATERS OF THE UNITED STATES INCLUDING WETLANDS (SECTION 404 AND SECTION 10), STATE SUBAQUEOUS LANDS AND STATE TIDAL WETLANDS BASED ON THE CRITERIA SET FORTH BY THE REVIEWING AGENCIES IN THE FORM OF MANUALS, POLICIES AND PROCEDURES IN PLACE AT THE TIME THAT THE INVESTIGATION WAS CONDUCTED. ANY OF THE ABOVE RESOURCES THAT WERE FOUND ON THE PROPERTY ARE CLEARLY MAPPED ON THIS PLAN IN ACCORDANCE WITH OUR FIELD INVESTIGATIONS AND DETAILED IN THE REPORT DATED DECEMBER 29, 2008 PREPARED BY JCM ENVIRONMENTAL USING BEST PROFESSIONAL JUDGMENT.

JCM ENVIRONMENTAL
100 LAKE DRIVE, SUITE 3
NEWARK, DELAWARE 19702

DATE

OWNERS CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY AS SHOWN BY THIS PLAN AND THAT THIS PLAN HAS BEEN PREPARED UNDER MY DIRECTION.

OWNER

DATE

ENGINEERS CERTIFICATION:

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

ENGINEER'S SIGNATURE

DATE

LEGEND

EXISTING	PROPOSED	
	N/A	PROPERTY LINE/RIGHT OF WAY
		PAVEMENT
N/A		CONCRETE SIDEWALK
		BUILDING
45 46	N/A	ELEVATION CONTOUR
		TREELINE
	N/A	PROPERTY CORNERS
	N/A	UTILITY POLE
N/A		BUILDING SETBACK
WdA C	N/A	USDA SOIL TYPE AND LINE

FINAL PLANS
PRINTS ISSUED FOR:
PERMITS

NO.	REVISIONS	DATE
1	PARCEL AREA CORRECTED TO 9.52 ACRES	09/01/09

GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • LEWES • SEAFORD • YORK
www.gmbnet.com

APPEL - TUCKER - REYNOLDS V.F.W. POST NO. 2931

NEAR ELLENDALE
CEDAR CREEK HUNDRED
SUSSEX COUNTY, DELAWARE

FINAL SITE PLAN

SCALE	: 1" = 50'
DESIGN BY	: JWK, JTD
DRAWN BY	: JWK, JTD
CHECKED BY	: RSM, JAS
GMB FILE	: 2008151
DATE	: JUNE 2009

C-1

PLOT CODE
PEN1-RED .006 INCHES (.15mm)
PEN2-YELLOW .007 INCHES (.18mm)
PEN3-GREEN .010 INCHES (.25mm)
PEN4-CYAN .014 INCHES (.35mm)
PEN5-BLUE .020 INCHES (.50mm)
PEN6-MAGENTA .027 INCHES (.70mm)
PEN7-WHITE .039 INCHES (1.00mm)

H:\Projects\2008\2008151 Ellendale VFW\Drawings\Working Sets\Final Site Plans\C101-SP-CondUse-Final.dwg, C1 FSP, 3/26/2020 9:35:01 AM, jwk, 1:1

CONSULTANT TEAM

DEVELOPER: APPEL–TUCKER–REYNOLDS VFW POST
14411 VFW ROAD
ELLENDALE, DELAWARE 19941

CIVIL ENGINEER/LAND PLANNER: GEORGE, MILES & BUHR, LLC
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801

CONTACT: JUDY A. SCHWARTZ, P.E.
410–742–3115

SURVEYOR: COMPASS POINT ASSOCIATES
26353 LEWES GEORGETOWN HIGHWAY
HEBESON, DELAWARE 19951

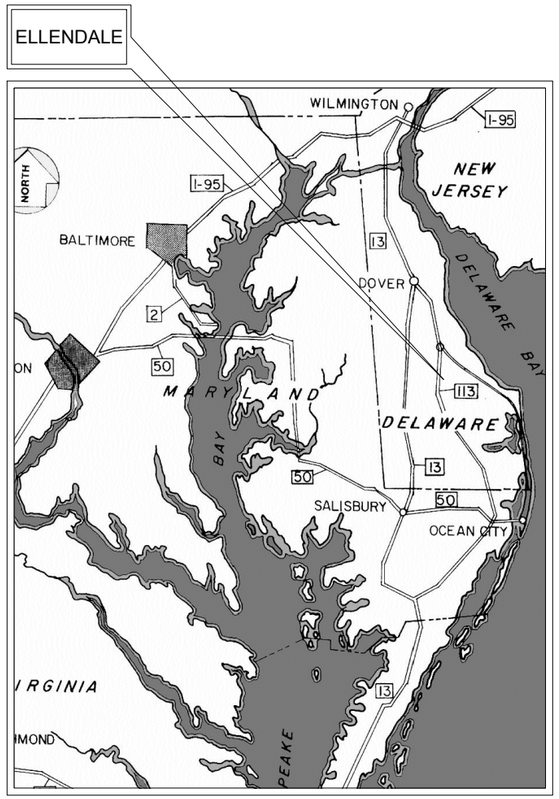
CONTACT: 302–684–2580

SITE IMPROVEMENTS
APPEL - TUCKER - REYNOLDS
V.F.W. POST NO. 2931

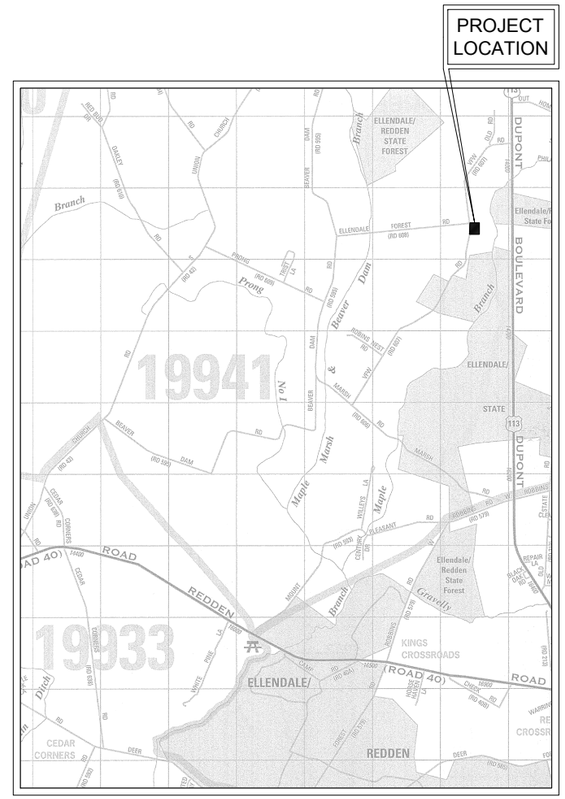
SHEET LIST

SITE DATA

SITE LOCATION:	ELLENDALE, DELAWARE
TAX MAP PARCEL NUMBERS:	2–30–31.00 PARCEL 24.00
SITE AREA:	9.52± ACRES
TOTAL DISTURBED AREA:	3.0± ACRES



VICINITY MAP
SCALE: 1" = 20 MILES



LOCATION MAP
SCALE: 1" = 2000'

GENERAL NOTES

1. PERIMETER BOUNDARY AND TOPOGRAPHIC INFORMATION WERE TAKEN FROM SURVEYS PREPARED BY COMPASS POINT ASSOCIATES.
2. NAME OF THIS PROPOSED PROJECT: APPEL–TUCKER REYNOLDS V.F.W. POST NO. 2931.
3. SUSSEX COUNTY PLANNING AND ZONING COMMISSION REFERENCE NUMBER: TO BE DETERMINED.
4. INTENDED USE OF BUILDINGS: PRIVATE CLUB.
5. NAME OF WATER SUPPLIER: N/A. PRIVATE INDIVIDUAL WELL. THERE IS NO EXISTING PUBLIC WATER SERVICE IN THE VICINITY.
6. LOCATION OF FIRE HYDRANTS: NONE.
7. LOCATION AND DIAMETER OF WATER MAINS SUPPLYING FIRE PROTECTION WATER: N/A. THERE IS NO EXISTING PUBLIC WATER SERVICE IN THE VICINITY.
8. MAXIMUM HEIGHT OF BUILDING: DOES NOT EXCEED 35'.
9. PROPOSED BUILDING CONSTRUCTION: WOOD FRAME.
10. BUILDING WILL NOT BE PROTECTED BY SPRINKLERS.
11. LOCATION OF FIRE LANES AND THEIR WIDTHS: N/A.
12. "ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS."
13. INDIVIDUAL DWELLINGS SHALL NOT EXCEED 35' OR THREE STORIES IN HEIGHT, 10,000 AGGREGATE GROSS SQUARE FOOTAGE IN FLOOR AREA, AND SHALL BE LOCATED A MINIMUM OF 15' FROM ALL PROPERTY LINES AND 10' FROM EXPOSURE HAZARDS ON THE SAME PROPERTY.
14. MINIMUM BUILDING SETBACK LINES: FRONT – 40', REAR – 20', SIDES – 15'.
15. TAX MAP LOCATION: TAX MAP 2–30–31.00, PARCEL 24.00.
16. TOTAL PARKING SPACES REQUIRED IS 60.
    TOTAL PARKING SPACES PROVIDED IS 64.
17. NUMBER OF HANDICAPPED SPACES PROVIDED IS 3.

DEVELOPER'S CERTIFICATION:

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

_____ DATE

ENGINEER'S CERTIFICATION:

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

_____ DATE
JUDY A. SCHWARTZ, P.E.
GEORGE, MILES & BUHR, LLC

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

NO.	REVISIONS	DATE

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APPEL - TUCKER - REYNOLDS
V.F.W. POST NO. 2931

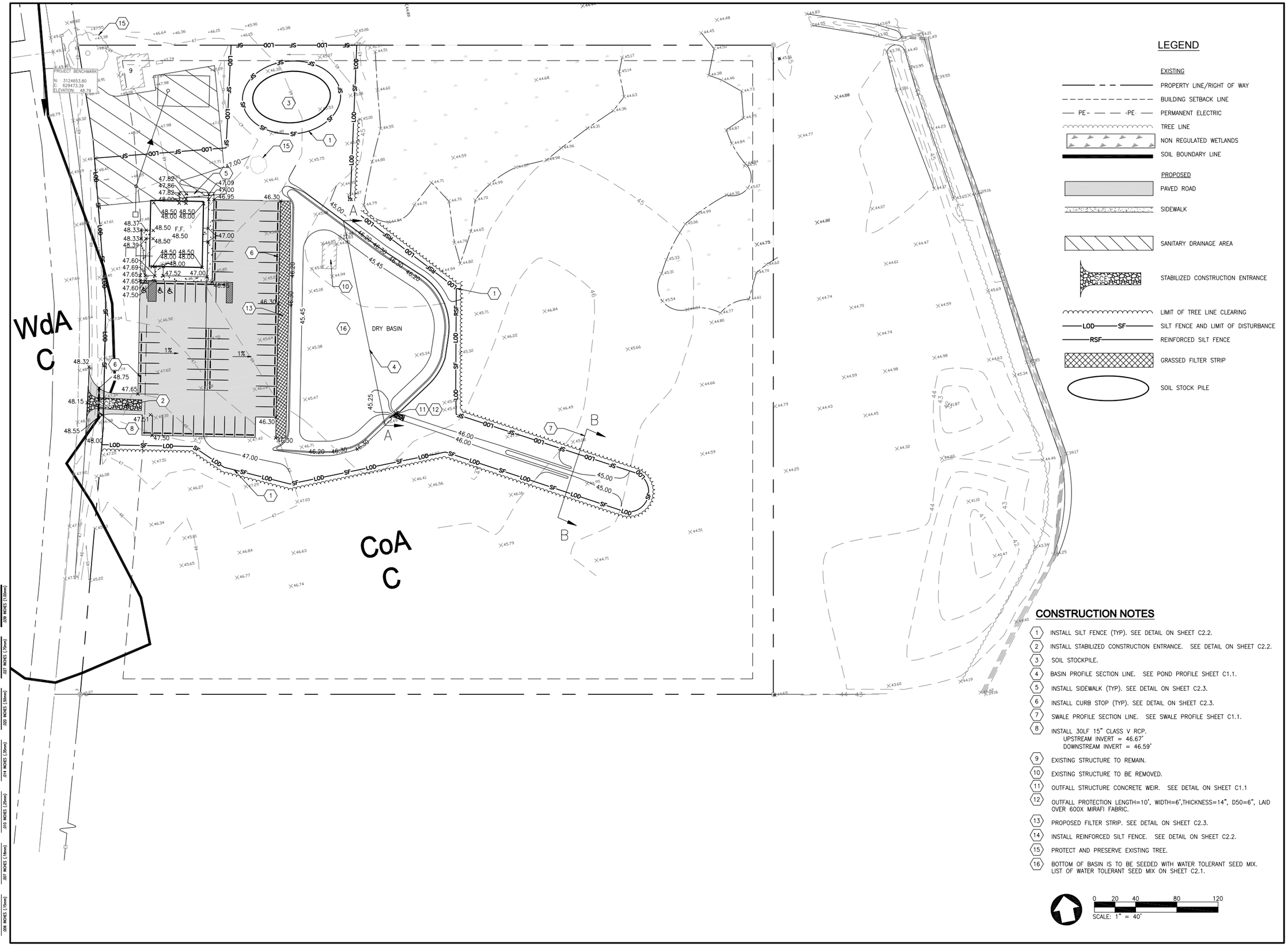
CEDAR CREEK HUNDRED
SUSSEX COUNTY, DELAWARE

COVER SHEET

SCALE :	
DESIGN BY	:JJS/RAS
DRAWN BY	:BGA
CHECKED BY :	
GMB FILE	:2008151
DATE	:JAN 2009

SHEET NO. G1.0

PLOT CODE
FENI–RED .096 INCHES (.15mm)
FENI–YELLOW .007 INCHES (.18mm)
FENI–GREEN .010 INCHES (.25mm)
FENI–CYAN .014 INCHES (.35mm)
FENI–BLUE .020 INCHES (.50mm)
FENI–MAGENTA .027 INCHES (.75mm)
FENI–WHITE .039 INCHES (1.00mm)



LEGEND

EXISTING

- PROPERTY LINE/RIGHT OF WAY
- BUILDING SETBACK LINE
- PE — PERMANENT ELECTRIC
- TREE LINE
- NON REGULATED WETLANDS
- SOIL BOUNDARY LINE

PROPOSED

- PAVED ROAD
- SIDEWALK
- SANITARY DRAINAGE AREA
- STABILIZED CONSTRUCTION ENTRANCE
- LIMIT OF TREE LINE CLEARING
- LOD — SF — SILT FENCE AND LIMIT OF DISTURBANCE
- RSF — REINFORCED SILT FENCE
- GRASSED FILTER STRIP
- SOIL STOCK PILE

CONSTRUCTION NOTES

1. INSTALL SILT FENCE (TYP). SEE DETAIL ON SHEET C2.2.
2. INSTALL STABILIZED CONSTRUCTION ENTRANCE. SEE DETAIL ON SHEET C2.2.
3. SOIL STOCKPILE.
4. BASIN PROFILE SECTION LINE. SEE POND PROFILE SHEET C1.1.
5. INSTALL SIDEWALK (TYP). SEE DETAIL ON SHEET C2.3.
6. INSTALL CURB STOP (TYP). SEE DETAIL ON SHEET C2.3.
7. SWALE PROFILE SECTION LINE. SEE SWALE PROFILE SHEET C1.1.
8. INSTALL 30LF 15" CLASS V RCP.
   UPSTREAM INVERT = 46.67'
   DOWNSTREAM INVERT = 46.59'
9. EXISTING STRUCTURE TO REMAIN.
10. EXISTING STRUCTURE TO BE REMOVED.
11. OUTFALL STRUCTURE CONCRETE WEIR. SEE DETAIL ON SHEET C1.1
12. OUTFALL PROTECTION LENGTH=10', WIDTH=6',THICKNESS=14", D50=6", LAID OVER 600X MIRAFI FABRIC.
13. PROPOSED FILTER STRIP. SEE DETAIL ON SHEET C2.3.
14. INSTALL REINFORCED SILT FENCE. SEE DETAIL ON SHEET C2.2.
15. PROTECT AND PRESERVE EXISTING TREE.
16. BOTTOM OF BASIN IS TO BE SEEDED WITH WATER TOLERANT SEED MIX. LIST OF WATER TOLERANT SEED MIX ON SHEET C2.1.

0 20 40 80 120
SCALE: 1" = 40'

NO.	REVISIONS	DATE

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APPEL - TUCKER - REYNOLDS
V.F.W. POST NO. 2931

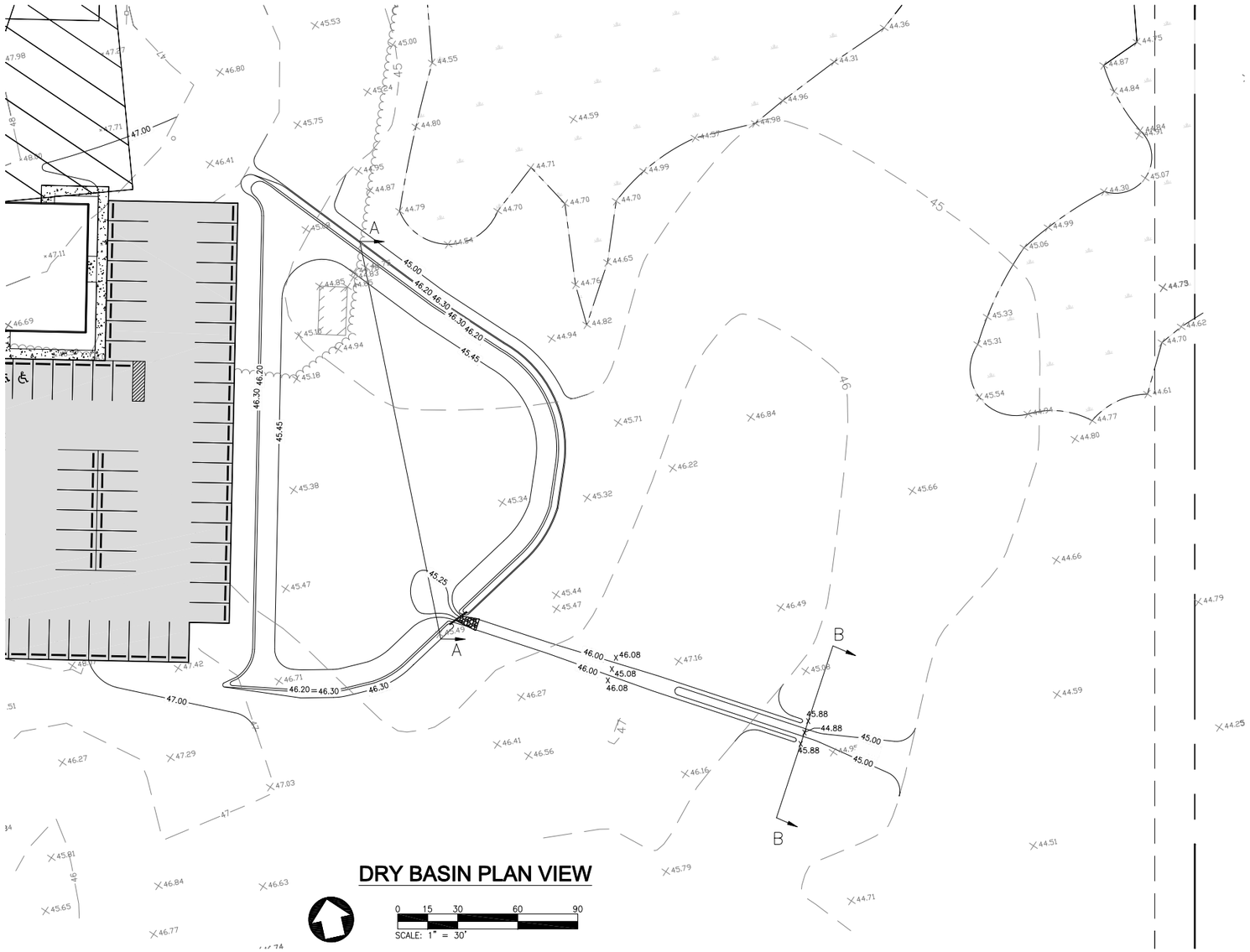
CEDAR CREEK HUNDRED
SUSSEX COUNTY, DELAWARE

OVERALL SITE PLAN

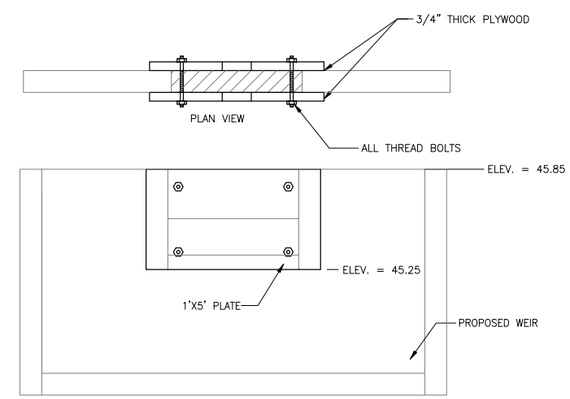
SCALE	:1" = 40'
DESIGN BY	:JJS/RAS
DRAWN BY	:BGA
CHECKED BY :	
GMB FILE	:2008151
DATE	:JAN 2009

SHEET NO.
C1.0

PLOT CODE
PEN1-RED .008 INCHES (.2mm)
PEN2-YELLOW .007 INCHES (.18mm)
PEN3-GREEN .010 INCHES (.25mm)
PEN4-CYAN .014 INCHES (.35mm)
PEN5-BLUE .020 INCHES (.50mm)
PEN6-MAGENTA .028 INCHES (.70mm)
PEN7-WHITE .039 INCHES (1.00mm)

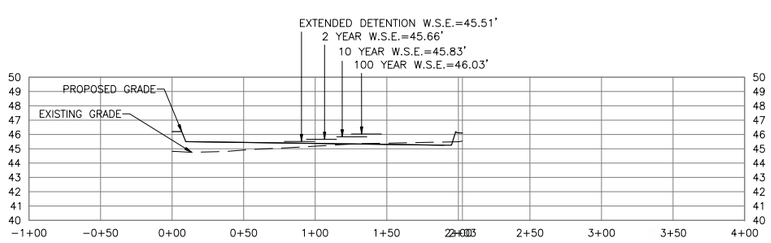


DRY BASIN PLAN VIEW



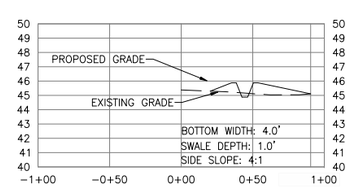
TEMPORARY WEIR BLOCK

NOT TO SCALE



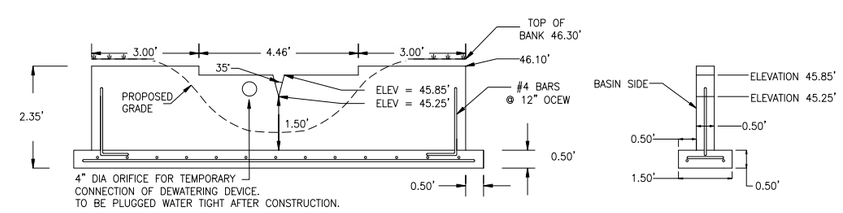
PROFILE OF DRY BASIN : A-A

VERTICAL SCALE: 1"=5'
HORIZONTAL SCALE: 1"=50'



PROFILE OF SWALE : B-B

VERTICAL SCALE: 1"=5'
HORIZONTAL SCALE: 1"=50'



V-NOTCH WEIR DETAIL

SCALE 1"=2'

NO.	REVISIONS	DATE

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APPEL - TUCKER - REYNOLDS
V.F.W. POST NO. 2931

CEDAR CREEK HUNDRED
SUSSEX COUNTY, DELAWARE

POND PROFILE

SCALE	:AS SHOWN
DESIGN BY	:JJS/RAS
DRAWN BY	:BGA
CHECKED BY :	
GMB FILE	:2008151
DATE	:JAN 2009

SHEET NO. C1.1

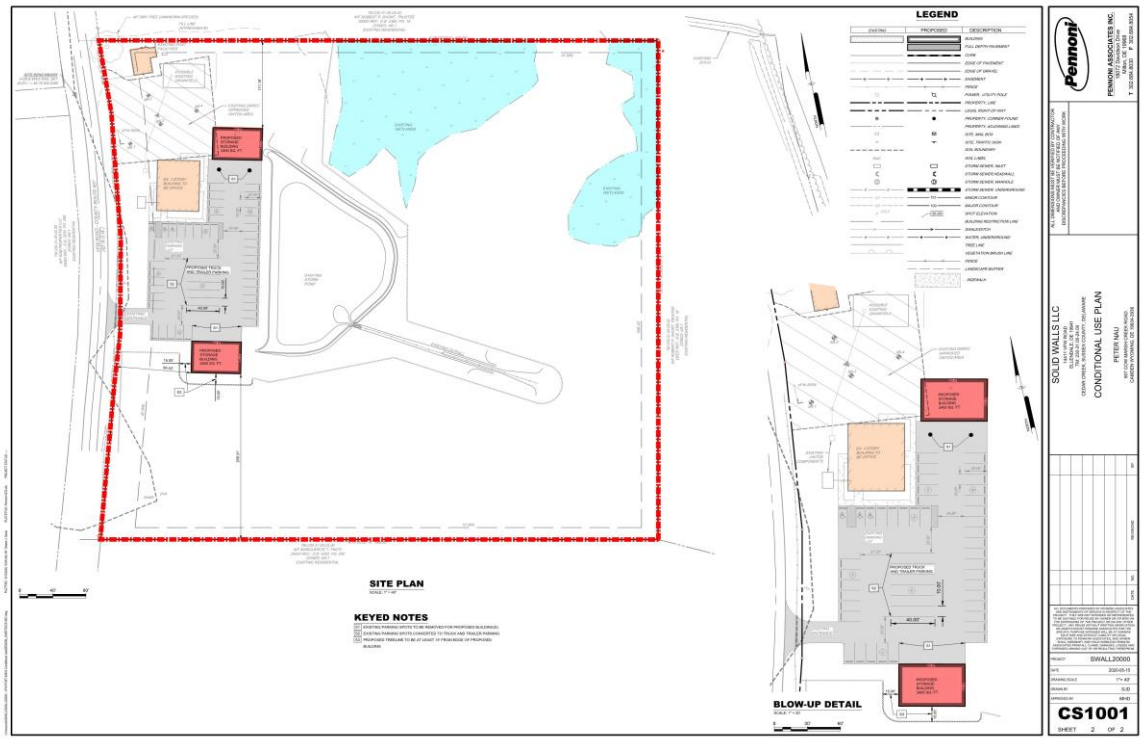
PLOT CODE
PEN1-RED .008 INCHES (.20mm)
PEN2-YELLOW .007 INCHES (.18mm)
PEN3-GREEN .010 INCHES (.25mm)
PEN4-CYAN .014 INCHES (.35mm)
PEN5-BLUE .020 INCHES (.50mm)
PEN6-MAGENTA .027 INCHES (.70mm)
PEN7-WHITE .039 INCHES (1.00mm)

SOLID WALLS, LLC

CONDITIONAL USE #2231

PROPOSED FINDINGS OF FACT

1. This is an application to grant a conditional use of lands in a AR-1 Agricultural Residential District located on 9.51 acres property, more or less, in the Cedar Creek Hundred located on the east side of VFW Road a.k.a. Sussex County Road 607.

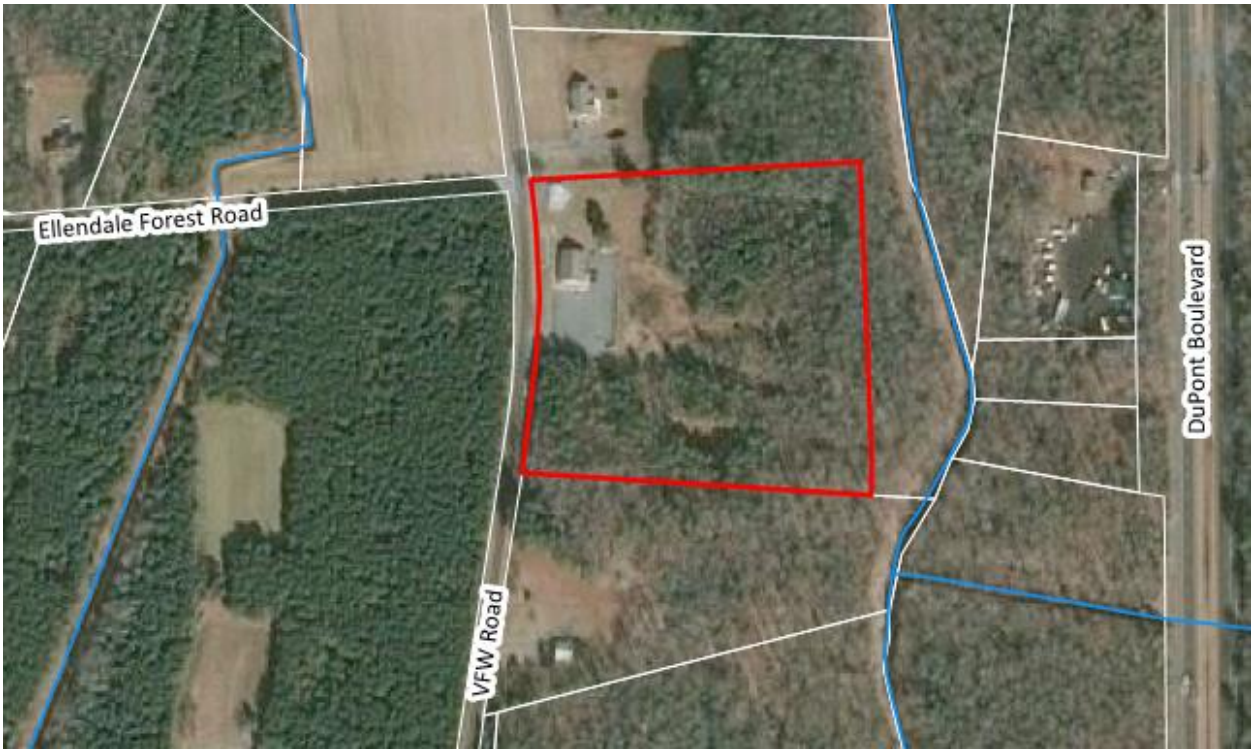


2. The applicant is Peter Nau President and Owner of Solid Walls, LLC. Mr. Nau has the property under contract to purchase.

3. The property is identified on the tax maps of the Sussex County Department of Finance as Tax Map No. 230-31.00 Parcel 24.00.

4. The property is the site of the Georgetown-Ellendale VFW Post 2931 which is part of an existing Conditional Use #1835 approved on June 16, 2009.

5. The properties are bordered on:
    a. North and East by a single-family detached residence on wooded lands;
    b. South by a single-family detached residence on wooded lands;
    c. West by VFW road which is a local road with connections to US Route 113 and Sammons Road which will provide easy and safe access to Georgetown, Ellendale and Milford



6. The proposed Conditional Use is for Concrete Contractor Office, Storage and Maintenance for Solid Walls, LLC.

7. Since 2005, Solid Walls, LLC has been a leading Delaware Company in the poured foundation industry providing poured concrete foundations, basements and slab floors to contractors and private homeowners in Delaware and Maryland. Solid Walls does business with over 30 residential contractors and employs up to 50-employees.

8. The purpose of the Conditional Use is to provide for certain uses which cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations. These uses are generally of a public or semipublic character and are essential and desirable for the general convenience and welfare but, because of the nature of the use, the importance of the relationship to the Comprehensive Plan and possible impact not only on neighboring properties but on a large section of the county, require the exercise of planning judgment on location and site plan. The Conditional Use Site Plan Submitted shows the existing buildings that were used by the VFW in the past. These buildings will be utilized to support the office needs for Solid Walls, LLC. The site has an existing permitted entrance and sufficient parking that will be used for the business. The parking spaces will be used for employees and for the trucks and trailers used for the business. Two (2) additional storage and maintenance buildings are being proposed that will allow Solid Walls to store all materials out of site of the general public. Maintenance to work vehicles will be done inside of these buildings. In general, with the objective of ensuring a durable, harmonious and appropriate use of the land in accordance with the objectives of the Comprehensive Plan, the Conditional Use Site Plan presented with the application, assures a good arrangement and appearance and ensuring harmony with the neighborhood.

9. In the 2019 Sussex County Comprehensive Plan – the area for the proposed Conditional Use is identified to be in a Low-Density. The focus of business uses in Low Density Areas should be providing services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. 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.

10. The 2015 Strategies for State Policies and Spending Map identifies the area as Investment 4.

11. The project will be subject to the “Conditions of Approval” which have been submitted as a part of this application.

12. The Conditional Use will be subject to Preliminary and Final Site Plan review and approval by the Planning & Zoning Commission.

13. The proposed conditional use meets the general purpose of the Zoning Ordinance being located in an appropriate location meeting the purpose of this district and the comprehensive plan by providing sufficient space in appropriate locations for certain uses which cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations, which is essential and desirable for the general convenience, orderly growth, prosperity and welfare of the County.

SOLID WALLS, LLC
CONDITIONAL USE #2231
CONDITIONS OF APPROVAL

Conditional Use approval is subject to the following conditions:

A. This use shall be limited to office, storage and maintenance for Solid Walls, LLC. No other businesses shall be conducted from the site and no vehicles associated with any other businesses shall be parked on the site. No retail sales shall be conducted from the site.

B. To enhance the general character of the district and its compatibility with its residential and agricultural surroundings, one indirectly illuminated on-premises sign, not to exceed 32 square feet of sign area per side shall be permitted for the business.

C. The hours of operation shall be limited to 6:00 am through 6:00 pm, Monday through Friday and 7:00 am through 2:00pm on Saturday. There shall not be any Sunday hours of operation.

D. Any security lighting shall be screened so that it does not shine on neighboring properties or roadways.

E. The applicant shall comply with all DelDOT requirements, including any entrance or roadway improvements.

F. All stormwater management facilities shall be subject to the review and approval of the Sussex Conservation District. The final Site Plan shall include the approval of the Sussex Conservation District for the design and location of the stormwater management areas.

G. There shall not be any dumping on the site and all dumpsters permitted on the site shall be screened from the view of neighboring properties and roadways.

H. The Final Site Plan shall clearly show all areas for vehicle and equipment storage and parking, and these areas shall be clearly marked on the site itself.

I. All equipment, trailer and vehicle maintenance and repair shall occur indoors.

J. All loading areas, storage areas and trash container areas shall be screened and be located at least 50-feet from all property lines. This buffer area shall be shown on the Final Site Plan.

K. Failure to comply with any of these conditions shall be grounds for termination of the Conditional Use Approval.

L. The Final site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

SOLID WALLS LLC

CONDITIONAL USE 22 1 PLAN

CEDAR CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

PREPARED FOR:

PETER NAU

907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936
(302) 284-3493

Sussex County

SITE DATA:

1. TAX MAP NUMBER: 230-31.00-24.00
   DEED BOOK 3680, PG 192
2. OWNER'S NAME: GEORGETOWN-ELLENDALE VFW POST 2931
3. DEVELOPER NAME: SOLID WALLS LLC
4. DEVELOPER ADDRESS: 907 COW MARSH CREEK ROAD
   CAMDEN WYOMING, DE 19934-2936
5. SITE ADDRESS: 14411 VFW ROAD
   ELLENDALE, DE 19941
6. HUNDRED: CEDAR CREEK
7. CURRENT ZONING: AR-1 (AGRICULTURAL-RESIDENTIAL)/CU #1835
8. PROPOSED ZONING: AR-1/CONDITIONAL USE
9. PRESENT USE: VFW POST #2931
10. PROPOSED USE: CONTRACTOR OFFICE AND STORAGE
11. REQUIRED SETBACKS:
    FRONT - 40 FEET
    SIDE - 15 FEET
    REAR - 20 FEET
12. BUILDING HEIGHT: 42' ALLOWED
13. PARKING (ARTICLE XXII: OFF-STREET PARKING, CODE SECTION 115-162):

    NO SPECIFIC CODE REQUIREMENT

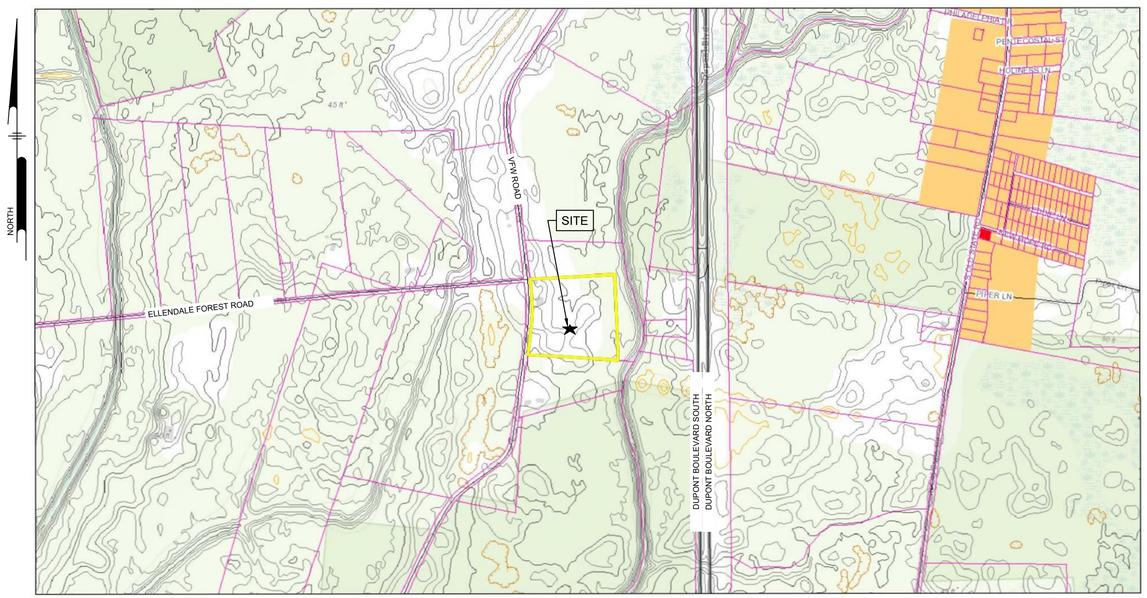
    EXISTING PARKING: 66 PARKING SPOTS
    PROPOSED PARKING: 48 PARKING SPOTS (INCLUDING 6 TRAILER PARKING SPOTS)
14. WATER SUPPLY: COMMERCIAL WELL
15. SEWER SUPPLY: ON-SITE SEPTIC
16. LATITUDE AND LONGITUDE STATE PLAN COORDINATES:
    LONGITUDE: W075° 21' 22.4109" LATITUDE: N038° 42' 11.2112"
17. TOTAL AREA (GROSS): 9.51± ACRES
    CONDITIONAL USE AREA: 9.51± ACRES
18. NET DEVELOPMENT AREA: 9.51± AC.
19. WETLAND AREA: 1.05± AC. (DNREC NAVMAP) & RECORD PLANS
20. WATERSHED: NANTICOKE RIVER
21. 2019 FUTURE LAND USE MAP (SUSSEX PLAN) LOW DENSITY
22. 2015 STATE STRATEGIES &
    INVESTMENT LEVELS: LEVEL 4
23. SITE CALCULATIONS

BUILDING AREA	EX. = 4,440 SF -	(0.10 AC.)	PR. = 9,240 SF	(0.21 AC.)
OPEN SPACE / PERVIOUS AREA	EX. = 104,979 SF -	(2.41 AC.)	PR. = 102,176 SF	(2.35 AC.)
PAVEMENT/IMPERVIOUS AREA	EX. = 26,112 SF -	(0.60 AC.)	PR. = 26,112 SF	(0.60 AC.)
WOODED AREA	EX. = 278,875 SF -	(6.40 AC.)	PR. = 276,875 SF	(6.35 AC.)
TOTAL	EX. = 414,403 SF	(9.51 AC.)	PR. = 414,403 SF	(9.51 AC.)

24. DELDOT
    24.1. ROAD NAME - SCR 607 | VFW ROAD
    24.1.1. FUNCTIONAL CLASSIFICATION - LOCAL ROAD
    24.1.2. AADT = 120 (2019)
    24.2. SPEED LIMIT = 50 MPH
    24.3. PROXIMITY TO TRANSPORTATION DISTRICTS: NONE KNOWN

NOTES:

1. THE TOTAL AREA FOR THE SUBJECT PROPERTY IS 9.51 ACRES±.
2. THIS SURVEY DOES NOT VERIFY THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS-OF-WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
3. THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP 230-31.00, PARCEL 24.00, AND IS CURRENTLY ZONED AR-1 (AGRICULTURAL RESIDENTIAL).
4. CLASS OF SURVEY: RURAL.
5. DEED REFERENCE: DEED BOOK 3680, PAGE 192.
6. PROPERTY BOUNDARY BEARING SYSTEM IS BASED ON DELAWARE STATE PLANE COORDINATE SYSTEM. HORIZONTAL DATUM NAD83.
7. THE PROPERTY IS LOCATED IN ZONE "X" (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 10005C0140K, LAST REVISED 3/16/2015. ZONE "X" (UNSHADED) IS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN.
8. THERE ARE WETLANDS ON THE PROPERTY ACCORDING TO THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
9. THE PROPERTY IS ZONED AR-1 (AGRICULTRUAL-RESIDENTIAL DISTRICT).
10. BUILDING SETBACKS (CH. 115-25C): FRONT- 40'
    SIDE- 15'
    REAR - 20'
11. THE SUBJECT SITE IS LOCATED IN THE NANTICOKE RIVER AREAS OF THE CHESAPEAKE BAY WATERSHED. PER DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL (DNREC) ENVIRONMENTAL NAVIGATOR WEBSITE. STORMWATER DISCHARGE WILL BE HANDLED VIA EXISTING DISCHARGE TO THESE WATERSHEDS.
12. NO UNDERGROUND UTILITY MARKING WAS PERFORMED FOR THIS SURVEY.
13. 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.
14. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
15. 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.
16. 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.
17. 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.
18. 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.
19. ALL SECURITY LIGHTING (IF NECESSARY) SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
20. ALL FIRE LANES, EXITS, STANDPIPE AND SPRINKLER CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
21. MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
22. MAINTENANCE OF THE STREETS WITHIN THE SITE WILL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR PROPERTY OWNERS WITHIN THE SITE. THE STATE AND COUNTY ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.
23. THE HEIGHT, LOCATION, AND MATERIAL OF ALL FENCES, WALLS, SCREEN PLANTING AND LANDSCAPING WILL BE SHOWN ON THE FINAL SITE PLAN.
24. ANY PROPOSED SIGN DETAILS WILL BE SUBMITTED SEPARATELY.
25. THE INFORMATION PROVIDED ON THIS PLAN IS TAKEN FROM D.B. 3680, PG. 192, AND AERIAL IMAGING, AND IS NOT THE RESULT OF A FIELD SURVEY BY PENNONI ASSOCIATES INC.



May 6, 2020

Override 1
Override 1
Tax Parcels
Streets
Zoning
Agricultural Residential - AR-1
Agricultural Residential - AR-2
Medium Residential - MR
General Residential - GR
High Density Residential - HR-1
High Density Residential - HR-2
Vacation, Retire, Resident - VRP
Neighborhood Business - B-1
Neighborhood Business - B-2
General Commercial - C-1
General Commercial - C-2
General Commercial - C-3
General Commercial - C-4
General Commercial - C-5
Commercial Residential - CR-1
Institutional - I-1
Marine - M
Limited Industrial - LI-1
Limited Industrial - LI-2
Heavy Industrial - HI-1
County Boundaries
Sussex_Co
Depression Index
Depression Intermediate
Normal Index
Normal Intermediate
Municipal Boundaries

LOCATION MAP

0 0.07 0.15 0.3 mi
0 0.13 0.25 0.5 km

SCALE: 1" =600'

Delaware Geological Survey, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		BUILDING
		FULL DEPTH PAVEMENT
		CURB
		EDGE OF PAVEMENT
		EDGE OF GRAVEL
		EASEMENT
		FENCE
		POWER, UTILITY POLE
		PROPERTY, LINE
		LEGAL RIGHT-OF-WAY
		PROPERTY, CORNER FOUND
		PROPERTY, ADJOINING LINED
		SITE, MAIL BOX
		SITE, TRAFFIC SIGN
		SOIL BOUNDARY
WaC		SOIL LABEL
		STORM SEWER, INLET
		STORM SEWER,HEADWALL
		STORM SEWER, MANHOLE
D D		STORM SEWER, UNDERGROUND
101	101	MINOR CONTOUR
100	100	MAJOR CONTOUR
x 100.5	35.00	SPOT ELEVATION
		BUILDING RESTRICTION LINE
		SWALE/DITCH

OWNER- PARCEL 24.00
GEORGETOWN-ELLENDALE VFW POST 2931
14411 VFW ROAD
ELLENDALE, DE 19941
(302) 422-8333

ENGINEER/SITE DESIGNER
PENNONI ASSOCIATES INC.
18072 DAVIDSON DRIVE
MILTON, DE 19968
(302) 684-8030

SURVEYOR
PENNONI ASSOCIATES INC.
18072 DAVIDSON DRIVE
MILTON, DE 19968
(302) 684-8030

SCHOOL DISTRICT
MILFORD

FIRE DISTRICT
ELLENDALE FIRE DEPARTMENT

WATER UTILITY
COMMERCIAL WELL (PRIVATE)

SEWER UTILITY
ON-SITE SEPTIC (PRIVATE)

TELECOMMUNICATION
VERIZON

POSTAL DISTRICT
ELLENDALE

Sheet List Table

Sheet Number	Drawing Number	Sheet Title
1	CS0001	COVER SHEET
2	CS1001	CONDITIONAL USE PLAN

PREPARED BY:

PENNONI ASSOCIATES INC.

18072 Davidson Drive
Milton, DE 19968
T 302.684.8030
F 302.684.8054

CALL BEFORE YOU DIG
Call Miss Utility of Delmarva
800-282-8555
Ticket Number(s):

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

SIGNATURE DATE

SHARON K. CRUZ, PE (DE PE#12576)
PENNONI ASSOCIATES, INC
18072 DAVIDSON DRIVE MILTON, DE 19968
(302) 684-8030

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

PETER NAU DATE
907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936
(302) 284-3493

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

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

SOLID WALLS LLC
14411 VFW ROAD
ELLENDALE, DE 19941
TM 230-31.00-24.00
CEDAR CREEK, SUSSEX COUNTY, DELAWARE

COVER SHEET

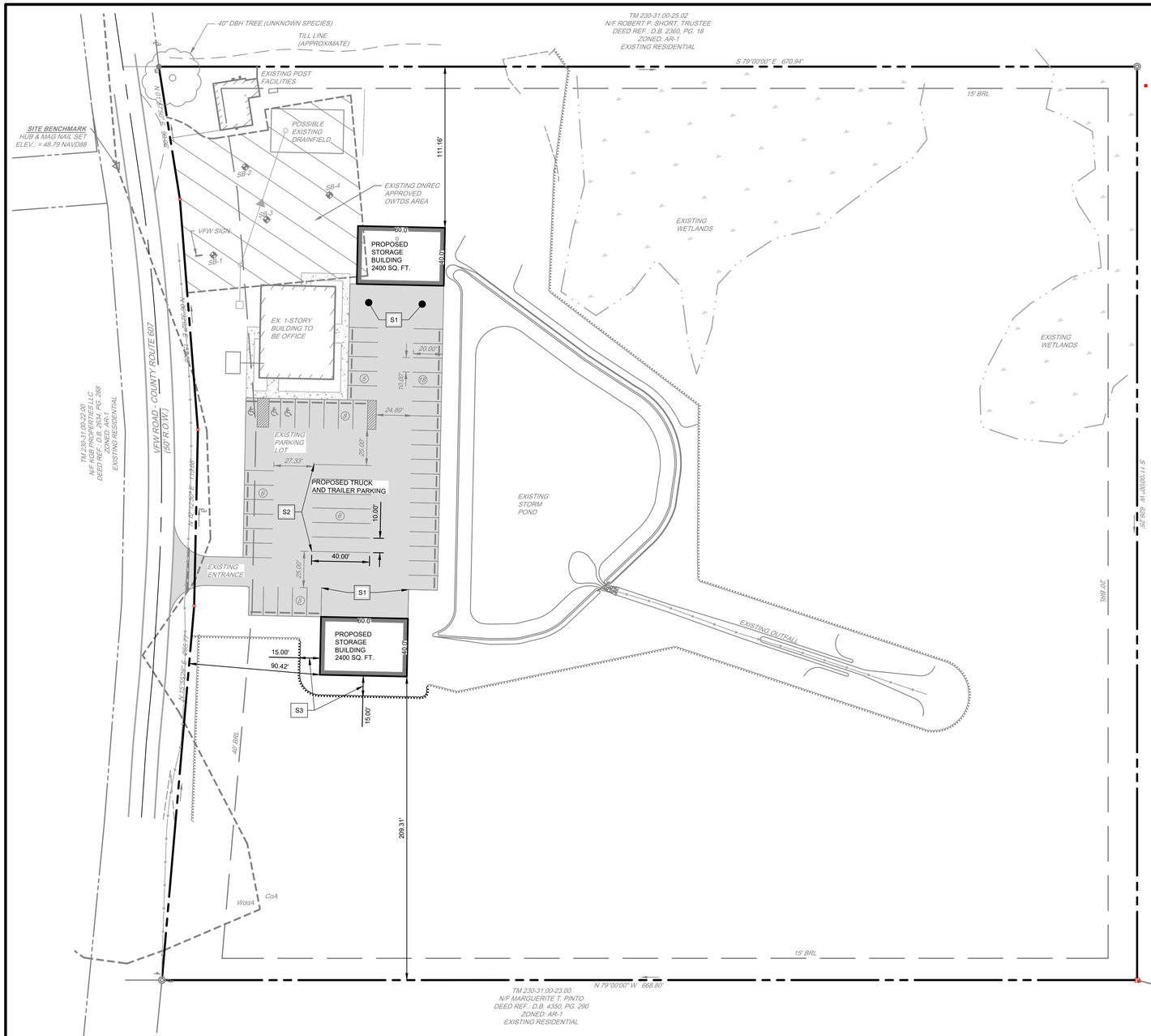
PETER NAU
907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936

DATE	NO.	REVISIONS	BY
08-28-2020	1	ADDEC CONDITIONAL USE NUMBER	

PROJECT	SWALL20000
DATE	2020-05-15
DRAWING SCALE	AS SHOWN
DRAWN BY	SJD
APPROVED BY	MHD

CS0001

SHEET 1 OF 2



SITE PLAN

SCALE: 1" = 40'

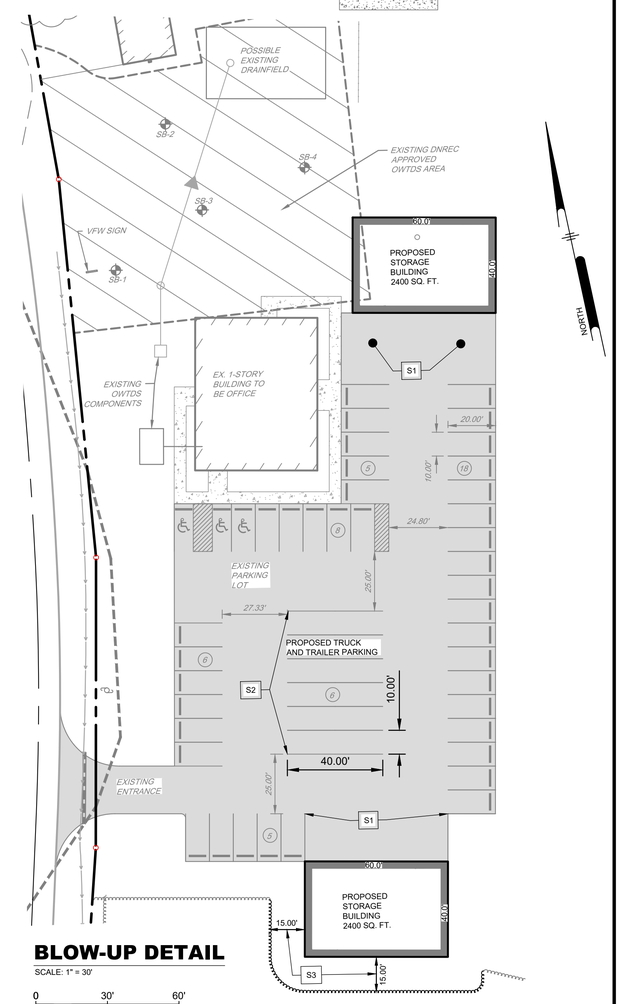
0 40' 80'

KEYED NOTES

S1	EXISTING PARKING SPOTS TO BE REMOVED FOR PROPOSED BUILDING(S)
S2	EXISTING PARKING SPOTS CONVERTED TO TRUCK AND TRAILER PARKING
S3	PROPOSED TREELINE TO BE AT LEAST 15' FROM EDGE OF PROPOSED BUILDING

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		BUILDING
		FULL DEPTH PAVEMENT
		CURB
		EDGE OF PAVEMENT
		EDGE OF GRAVEL
		EASEMENT
		FENCE
		POWER, UTILITY POLE
		PROPERTY, LINE
		LEGAL RIGHT-OF-WAY
		PROPERTY, CORNER FOUND
		PROPERTY, ADJOINING LINED
		SITE, MAIL BOX
		SITE, TRAFFIC SIGN
		SOIL BOUNDARY
WaC		SOIL LABEL
		STORM SEWER, INLET
		STORM SEWER,HEADWALL
		STORM SEWER, MANHOLE
D D		STORM SEWER, UNDERGROUND
101	101	MINOR CONTOUR
100	100	MAJOR CONTOUR
x 100.5	35.00	SPOT ELEVATION
		BUILDING RESTRICTION LINE
		SWALE/DITCH
W W	W W	WATER, UNDERGROUND
		TREE LINE
		VEGETATION BRUSH LINE
		FENCE
		LANDSCAPE BUFFER
		SIDEWALK



BLOW-UP DETAIL

SCALE: 1" = 30'

0 30' 60'

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

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

SOLID WALLS LLC
14411 VFW ROAD
ELLENDALE, DE 19941
TM 230-31.00-24.00
CEDAR CREEK, SUSSEX COUNTY, DELAWARE

CONDITIONAL USE PLAN

PETER NAU
907 COW MARSH CREEK ROAD
CAMDEN WYOMING, DE 19934-2936

DATE	NO.	REVISIONS	BY

PROJECT	SWALL20000
DATE	2020-05-15
DRAWING SCALE	1"= 40'
DRAWN BY	SJD
APPROVED BY	MHD

CS1001

SHEET 2 OF 2

U:\Accounts\SWALL\SWALLS2000 - \VFW POST #2021-Conditional Use\DESIGN_SHEETS\CS1001.dwg PLOTTED: 5/15/2020 10:08 AM BY: Shawn J. Davis PLOTSTYLE: Pennoni NCS.ctb PROJECT STATUS: ---

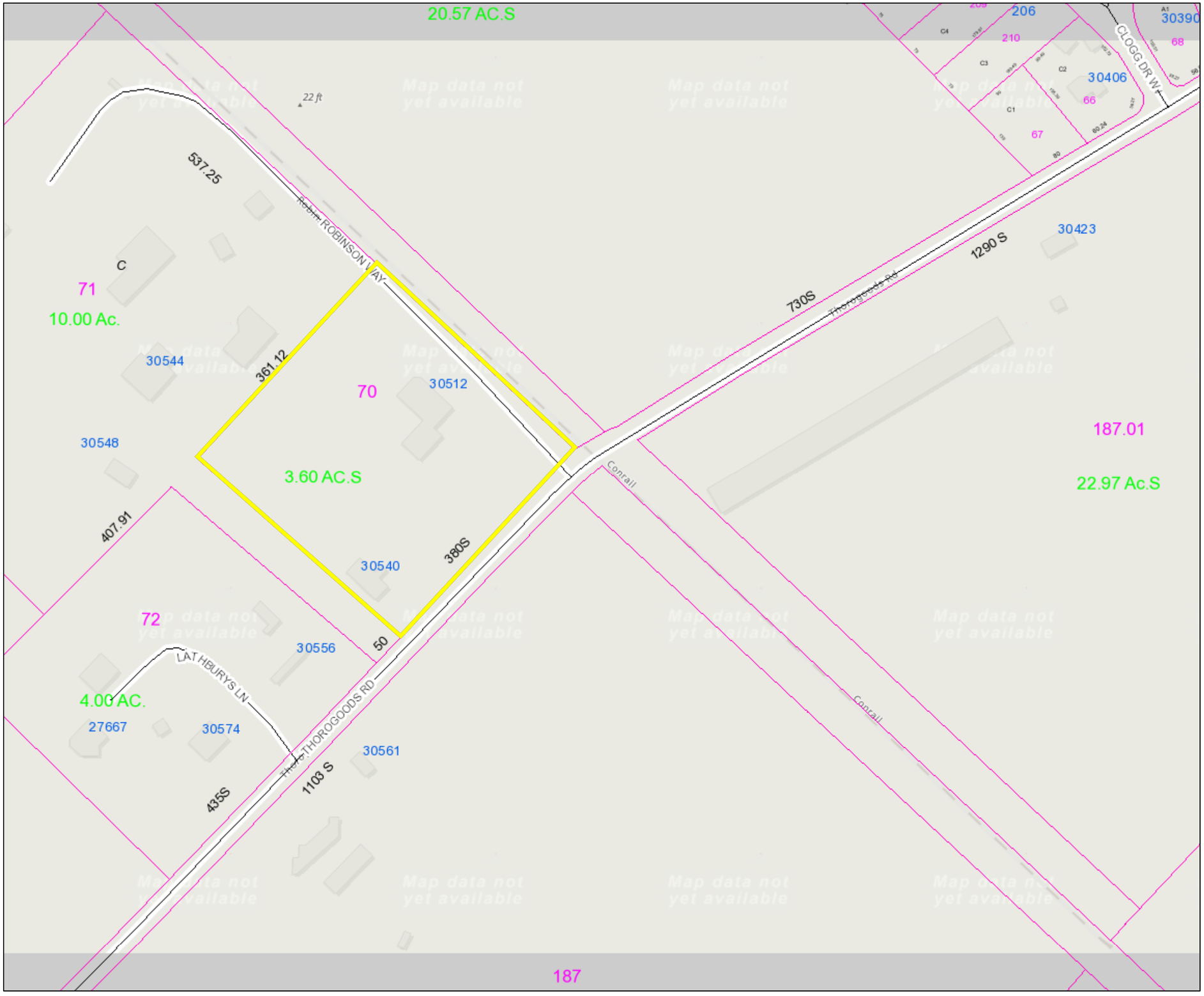
PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE

Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: September 10th, 2020

Application:	CZ 1913 FW & SV Thoroughgood Family Limited Partnership
Applicant/Owner:	FW & SV Thoroughgood Family Limited Partnership 30771 Thorogoods Road Dagsboro, DE 19939
Site Location:	On the west side of Thorogoods Road at 30540 & 30512 Thorogoods Road (S.C.R. 333).
Current Zoning:	AR-1 (Agricultural Residential District)
Proposed Zoning:	HI-1 (Heavy Industrial District)
Comprehensive Land Use Plan Reference:	Developing Areas
Councilmatic District:	Mr. Rieley
School District:	Indian River School District
Fire District:	Dagsboro Fire Department
Sewer:	Private (On-site)
Water:	Private (On-site)
Site Area:	3.60 acres +/-
Tax Map ID.:	233-5.00-70.00

Sussex County



PIN:	233-5.00-70.00
Owner Name	F W & S V THOROUGHGOOD FAMILY
Book	2946
Mailing Address	30771 THOROGOODS RD
City	DAGSBORO
State	DE
Description	DIRT RD/DUPONT RD
Description 2	TO CANNONS SWITH
Description 3	3.6 AC.S.
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

County Boundaries

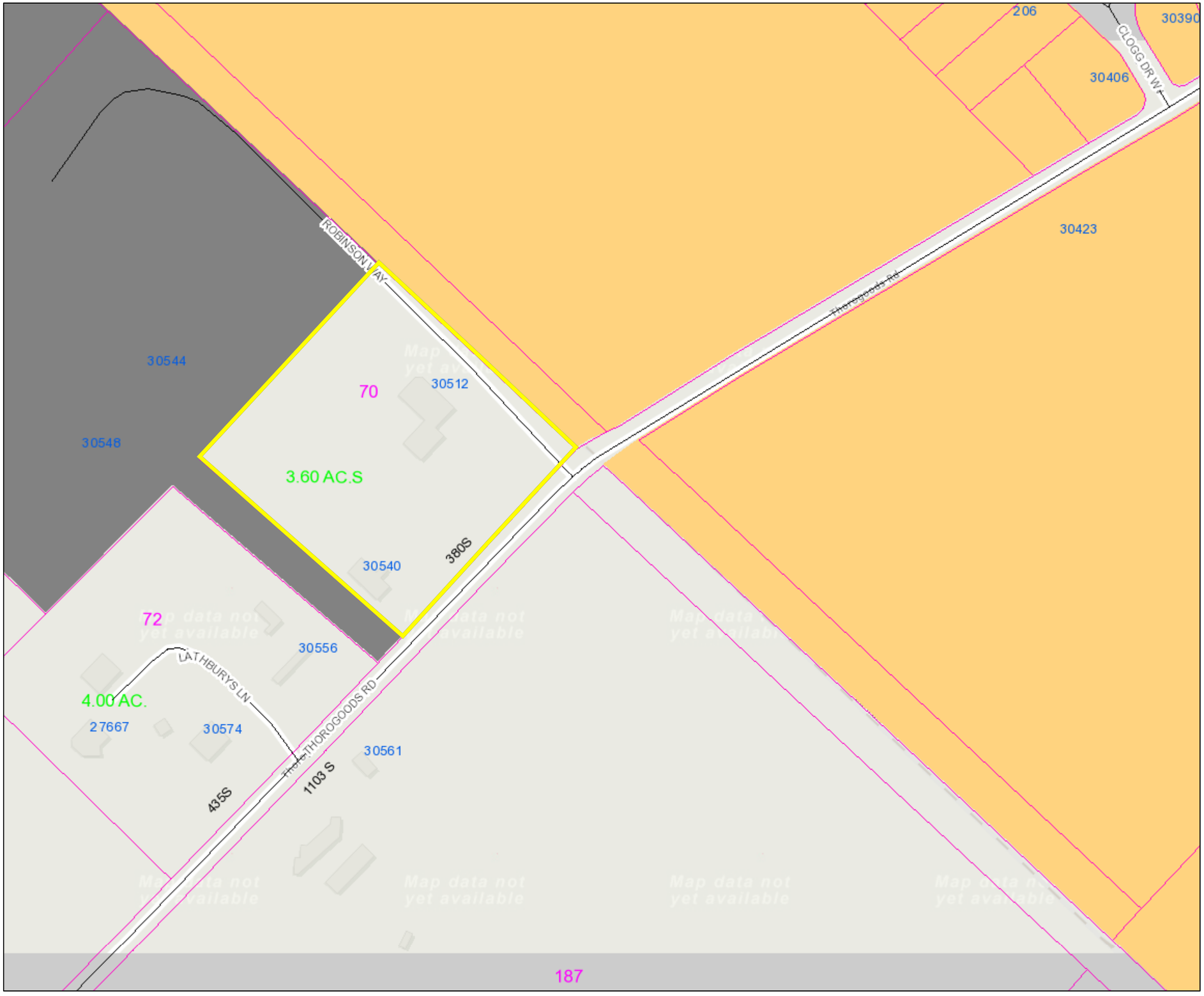
1:2,257

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

August 17, 2020

Sussex County



PIN:	233-5.00-70.00
Owner Name	F W & S V THOROUGHGOOD FAMILY
Book	2946
Mailing Address	30771 THOROGOODS RD
City	DAGSBORO
State	DE
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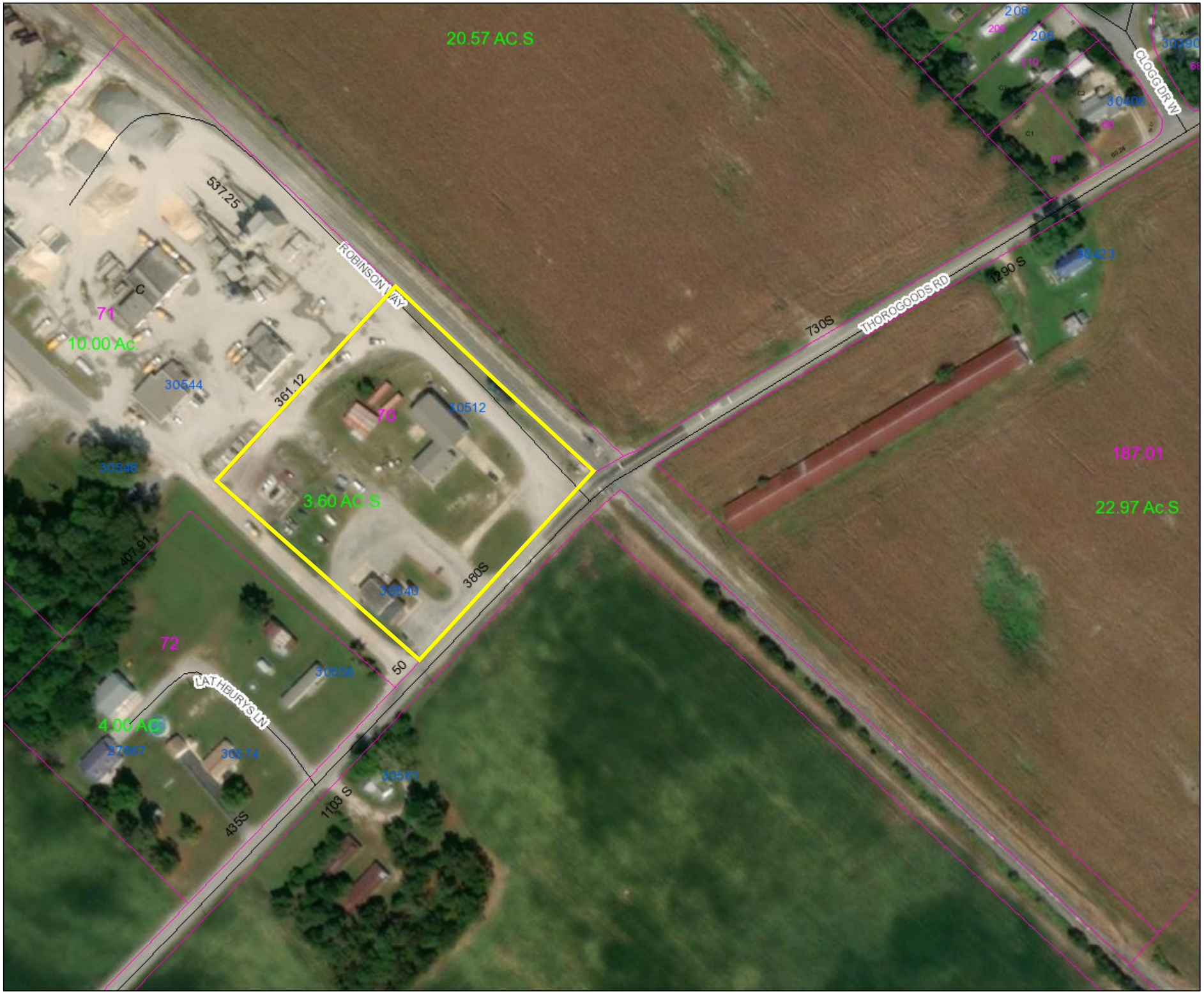

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August 17, 2020

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: August 25, 2020
RE: Staff Analysis for CZ 1913 FW & SV Thoroughgood Family Limited Partnership

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1913 FW & SV Thoroughgood Family Limited Partnership to be reviewed during the September 10, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcel 233-5.00-70.00 to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Heavy Industrial (HI-1) District. The parcel is located on the west side of Thorogoods Road. The property is located at 30512 and 30540 Thorogoods Road in Dagsboro, Delaware. The size of the property is approximately 3.60 acres +/-

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has the land use designation of "Developing Area." The properties to the east on the other side of Robinson Way are also designated "Developing Areas."

"Developing Areas" are newer, emerging growth areas that demonstrate the characteristics of developmental pressures. A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of "Developing Areas" with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home.

The properties to the north and west are designated "Industrial Areas." Industrial Areas are lands devoted to concentrations of larger industrial uses including heavier industry, light industry, warehousing, and flex space. Appropriate development in these areas could take the form of conventional industrial parks or planned business parks with a unified design that incorporate a combination of light industry and other business uses. Large, more intensive stand-alone industrial uses should also be directed to these areas.

The areas to the to the south (on the opposite side of Thorogoods Road) of the subject parcel are designated as "Coastal Areas." Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed.

Additionally, the subject property is zoned Agricultural Residential (AR-1) Zoning District. The property to the south is also zoned Agricultural Residential (AR-1) Zoning District. The property to the east on the other side of Robinson Way is zoned General Residential (GR) Zoning District. The property encompassing the subject property to the north and west is zoned Heavy Industrial (HI-1) Zoning District.

Although the Heavy Industrial (HI-1) Zoning District is not listed as an applicable zoning district for "Developing Areas" under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" of the 2018 Sussex County Comprehensive Plan, it is listed as an applicable zoning district for "Industrial Areas." The adjacent parcel which surrounds the subject parcel is designated as an "Industrial Area" of which the Heavy Industrial (HI-1) Zoning District is an applicable zoning district.

Since 2011, there have been no Change of Zone application proposed within a one-mile radius of the application site.

Based on the analysis of the surrounding zoning and uses, a Change of Zone to Heavy Industrial (HI-1) in this location, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: C/Z #1913
2019 14203

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✓

Site Address of Conditional Use/Zoning Map Amendment

30540 & 30512 Thorogoods Road, Dagsboro, DE

Type of Conditional Use Requested:

Tax Map #: 233-5.00-70.00 **Size of Parcel(s):** 3.60 acres

Current Zoning: AR-1 **Proposed Zoning:** HI-1 **Size of Building:** To be determined

Land Use Classification: 2019 Future Land Use Map: Developing Area

Water Provider: _____ **Sewer Provider:** _____

Applicant Information

Applicant Name: FW & SV Thoroughgood Family Limited Partnership
Applicant Address: 30771 Thorogoods Road
City: Dagsboro State: DE ZipCode: 19939
Phone #: (302) 245-7778 E-mail: mgchildrenscenter@yahoo.com

Owner Information

Owner Name: FW & SV Thoroughgood Family Limited Partnership
Owner Address: 30771 Thorogoods Road
City: Dagsboro State: DE Zip Code: 19939
Phone #: (302) 245-7778 E-mail: mgchildrenscenter@yahoo.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire (Morris James LLP)
Agent/Attorney/Engineer Address: 107 West Market Street
City: Georgetown State: DE Zip Code: 19947
Phone #: (302) 856-0018 E-mail: dhutt@morrisjames.com

RECEIVED
DEC 10 2019
SUSSEX COUNTY
PLANNING & ZONING

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ **Provide Fee $500.00**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

✓ **DelDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 11/26/19

Signature of Owner

Frank Thoroughgood Date: 11/26/19

For office use only:

Date Submitted: 12/11/2019 Fee: $500.00 Check #: 106012

Staff accepting application: NP Application & Case #: 2019114203

Location of property: _____

Subdivision: _____

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

Date of CC Hearing: _____ Decision of CC: _____

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

JENNIFER COHAN
SECRETARY

November 20, 2019

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

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **FW & SV Thoroughgood Family Limited Partnership** rezoning application, which we received on October 22, 2019. This application is for an approximately 3.60-acre parcel (Tax Parcel: 233-5.00-70.00). The subject land is located on the northwest side of Thorogoods Road (Sussex Road 333), approximately 2,400 feet northwest of the intersection of Dagsboro Road (Sussex Road 334) and Thorogoods Road, south of the Town of Millsboro. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to HI-1 (Heavy Industrial) to continue operating a general garage and conducting industrial activities.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Thorogoods Road where the subject land is located is 3,319 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

DelDOT

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

Sincerely,

T. William Brockenbrough, Jr.

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm
cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
FW & SV Thoroughgood Family Limited Partnership, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **8/24/2020**

APPLICATION: **CZ 1913 FW & SV Thoroughgood Family Limited Partnership**

APPLICANT: **FW & SV Thoroughgood Family Limited Partnership**

FILE NO: **NCPA-5.03**

TAX MAP & PARCEL(S): **233-5.00-70.00**

LOCATION: **On the west side of Thorogoods Road (SCR 333) at 30540 & 30512 Thorogoods Road**

NO. OF UNITS: **Up zone from AR-1 to HI-1**

GROSS ACREAGE: **3.60**

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

SEWER:

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

Yes ☐ No ☒

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

(2). Which County Tier Area is project in? **Municipal Growth & annexation Area**

(3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

(4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **M/A**. Is it likely that additional SCCs will be required? **No** If yes, the current System Connection Charge Rate is **Unified $6,360.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**

☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **The proposed Change of Zone is in the Growth and Annexation Area of the Town of Millsboro. Contact the Town of Millsboro concerning the availability of sanitary sewer and water.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:

John J. Ashman
Director of Utility Planning

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

FW & SV Thoroughgood Family Limited Partnership

Change of Zone No. 1913

FW & SV Thoroughgood Family
Limited Partnership
30771 Thorogoods Road
Dagsboro, DE 19939

SCTP No: 233-5.00-70.00
30540 & 30512 Thorogoods Road,
Dagsboro, DE

David C. Hutt, Esquire
Morris James LLP

Public Hearings:

Planning Commision	09/10/2020
County Council	10/06/2020

Table of Contents

Tab “1”

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✓

Site Address of Conditional Use/Zoning Map Amendment

30540 & 30512 Thorogoods Road, Dagsboro, DE

Type of Conditional Use Requested:

Tax Map #: 233-5.00-70.00 **Size of Parcel(s):** 3.60 acres

Current Zoning: AR-1 **Proposed Zoning:** HI-1 **Size of Building:** To be determined

Land Use Classification: 2019 Future Land Use Map: Developing Area

Water Provider: _____ **Sewer Provider:** _____

Applicant Information

Applicant Name: FW & SV Thoroughgood Family Limited Partnership
Applicant Address: 30771 Thorogoods Road
City: Dagsboro State: DE ZipCode: 19939
Phone #: (302) 245-7778 E-mail: mgchildrenscenter@yahoo.com

Owner Information

Owner Name: FW & SV Thoroughgood Family Limited Partnership
Owner Address: 30771 Thorogoods Road
City: Dagsboro State: DE Zip Code: 19939
Phone #: (302) 245-7778 E-mail: mgchildrenscenter@yahoo.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire (Morris James LLP)
Agent/Attorney/Engineer Address: 107 West Market Street
City: Georgetown State: DE Zip Code: 19947
Phone #: (302) 856-0018 E-mail: dhutt@morrisjames.com

RECEIVED
DEC 10 2019
SUSSEX COUNTY
PLANNING & ZONING

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ **Provide Fee $500.00**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

✓ **DelDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 11/26/19

Signature of Owner

Frank T. Shaughnessy _____ Date: 11/26/19

For office use only:

Date Submitted: _____ Fee: $500.00 Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

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

Date of CC Hearing: _____ Decision of CC: _____

Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

Application Information:

Site Address: 30540 Thorogoods Road

Dagsboro, DE 19939

Parcel #: 233-5.00-70.00

Site Address: _____

_____

Parcel #: _____

Applicant Name: FW & SV Thoroughgood Family Limited Partnership

Owner Name: FW & SV Thoroughgood Family Limited Partnership

Type of Application:

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

Date Submitted: _____

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

Sussex County, DE
Treasury
P.O. Box 601
Georgetown, DE 19947
Welcome

33016233-0002 Lindsey S 12/11/2019 08:42AM

PERMITS / INSPECTIONS
CHANGE OF ZONE - FEE
2019 Item: 201914203|Z015 500.00

500.00

Subtotal	500.00
Total	500.00
CHECK	500.00
Check Number00000106012	
Change due	0.00

Paid by: MORRIS JAMES LLP

Thank you for your payment

Sussex County, DE COPY
DUPLICATE RECEIPT

Tab “2”

09970

BK 02946 PG 230

Tax Parcel#2-33-5.00-13.00; 70.00; 186.01
Prepared by: David W. Baker, Esq., P.A.
P O Box 551, 109 S. Race St.
Georgetown, Delaware 19947
Return to: FRANK W. THOROUGHGOOD
SARA V. THOROUGHGOOD
Box 129A
Dagsboro, Delaware 19939

NO LIEN OR TITLE SEARCH
PERFORMED - NONE REQUESTED

This Deed, made this 26th day of February,

in the year of our Lord Two Thousand Four.

BETWEEN SARA V. THOROUGHGOOD, of E. D. 1, Box 129A, Dagsboro, Delaware 19939, party of the first part,

-and-

F W and S V THOROUGHGOOD FAMILY LIMITED PARTNERSHIP, a Delaware Limited Partnership, of R. D. 1, Box 129A, Dagsboro, Delaware 19939, party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Dollar ($1.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, its Successors and Assigns,

PARCEL NO. 1 (2-33-5.00-13.00):

ALL that certain piece, parcel or lot of land lying and being situate in Dagsboro Hundred, Sussex County and State of Delaware and lying on the westerly side of County Road leading from Dagsboro-Millsboro Stone Road to Pennsylvania Rail Road bounded and described as follows, to wit:

BEGINNING center of a ditch on westerly side of aforesaid county road right of way; thence with right of way S 55¼° W, 242 feet to curve thence S 40° W, 100 feet to a light pole thence leave road with other land of Edward M. Clogg and Lucy M. Clogg, his wife, N 54° 50' W, 291 feet to center of Wharton's Branch

Consideration: 90.00 Exempt Code: A

County	State	Total
0.00	0.00	0.00
counter	Date: 02/26/2004	

S RLP

Canal; thence in a northeasterly direction to the mouth of a ditch leading into Wharton's Branch; thence down center of said ditch northeasterly to place of BEGINNING, containing 49,300 square feet more or less with improvements thereon.

BEING the same lands conveyed unto SARA V. THOROUGHGOOD by deed of FRANK WILLIAM THOROUGHGOOD, II and WILLIAM EDGAR THOROUGHGOOD dated the 12th day of August, A.D. 1992, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1872 at Page 247.

PARCEL NO. 2 (2-33-5.00-70.00; 186.01):

TRACT NO. 1:

ALL that certain lot, piece or parcel of land situate, lying and being in Dagsboro Hundred, Sussex County, Delaware, bounded on the East by D.M.&V. Railroad Company, bounded on the South by State Road #333, bounded on the North by Thoro-Goods Concrete Company and bounded on the West by a road leading from State Road #333 to Thoro-Goods Concrete Company and being more particularly described as follows:

BEGINNING on the northerly right of way of State Road #333 where the same is intersected by the easterly right of way of the road leading from State Road #333 to Thoro-Goods Concrete Company; thence along the northerly right of way of State Road #333 in an easterly direction, 376 feet or such a distance as will reach the D.M.&V. Railroad; thence along the D.M.&V. Railroad in a northerly direction a distance of 420 feet or such a distance as will reach Thoro-Goods Concrete Company; thence along lands of Thoro-Goods Concrete Company in a westerly direction 376 feet or such a distance as will reach the road leading from State Road #333 to Thoro-Goods Concrete Company; thence in a southerly direction along said outlet road 420 feet or such a distance as will reach the place of beginning, be the contents what they may.

TRACT NO. 2:

ALL that certain tract, piece and parcel of land lying and being situated in Dagsboro Hundred, Sussex County, Delaware, more particularly described as follows, to wit:

BEGINNING at a point in the Northeasterly right-of-way line of County Road 334 which point is a Southwesterly corner for land of J. R. Blizzard; thence by and with the aforesaid Northeasterly right-of-way line of County Road 334 North 52° 43' 34" West a distance of 70 feet; thence North 31° 16' 26" East a distance of

234 feet to a point; thence South 59° 3' 34" East a distance of 73 feet to a point; thence North 31° 16' 26" East a distance of 427.18 feet to a point; thence South 52° 16' 41" West a distance of 66.89 feet to a point in Wharton's Branch; thence by and with the meanderings of Wharton's Branch to a point which is 331.58 feet South 1° 40' 22" East of the last-mentioned point; thence continuing with Wharton's Branch in a Southwesterly direction to a point which is 259.82 feet South 44° 46' 46" West of the last-mentioned point; thence North 52° 43' 34" West a distance of 174.83 feet to a point; thence South 37° 16' 26" West a distance of 150 feet home to the place of beginning, said to contain 2.73 acres, more or less.

TRACT NO. 3:

ALL that certain lot, piece or parcel of land, situate, lying and being in Dagsboro Hundred, Sussex County, Delaware, on the southeasterly side of County Road 333, more fully described as follows:

BEGINNING at a concrete monument in the Southeasterly right-of-way line of County Road 333 which point is 390 feet from the intersection of County Road 333 and County Road 334, and being a corner for this land and lands now or formerly of William Thoroughgood; thence by and with the aforesaid County Road 333 North 38° 11' 40" East a distance of 100.00 feet to a concrete monument; thence by and with other lands now or formerly of Durham & Thompson South 54° 17' 00" East a distance of 200.25 feet to a concrete monument on line of other lands now or formerly of Durham & Thompson; thence by and with other lands now or formerly of Durham & Thompson South 38° 11' 40" West a distance of 100.00 feet to a concrete monument; thence North 54° 17' 00" West a distance of 200.25 feet home to the place of beginning, containing 20,006.17 square feet, more or less, as will more fully and clearly appear upon reference to a plot prepared by Gene R. Littleton in March, 1974, together with all improvements thereon.

BEING the same lands conveyed unto SARA V. THOROUGHGOOD by deed of FRANK W. THOROUGHGOOD and SARA V. THOROUGHGOOD dated the 23rd day of May, A.D. 1989, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1701 at Page 62.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal, the day and year aforesaid.

SIGNED, SEALED, DELIVERED,
and Witnessed in the presence of

Lisa R. Baker

Sara V. Thoroughgood (SEAL)
SARA V. THOROUGHGOOD

Gail M Jones

STATE OF DELAWARE :
: ss.
SUSSEX COUNTY :

BE IT REMEMBERED, that on this 26th day of February, in the year of our Lord Two Thousand Four personally came before me, a Notary Public in and for the State and County aforesaid, SARA V. THOROUGHGOOD, party to this Indenture, known to me personally to be such, and acknowledge this Indenture to be her Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid.

DAVID W. BAKER
ATTORNEY AT LAW
NOTARY PUBLIC STATE OF DELAWARE
No Expiration Date

(Seal)
Notary Public

RECORDER OF DEEDS
JOHN F. BRADY

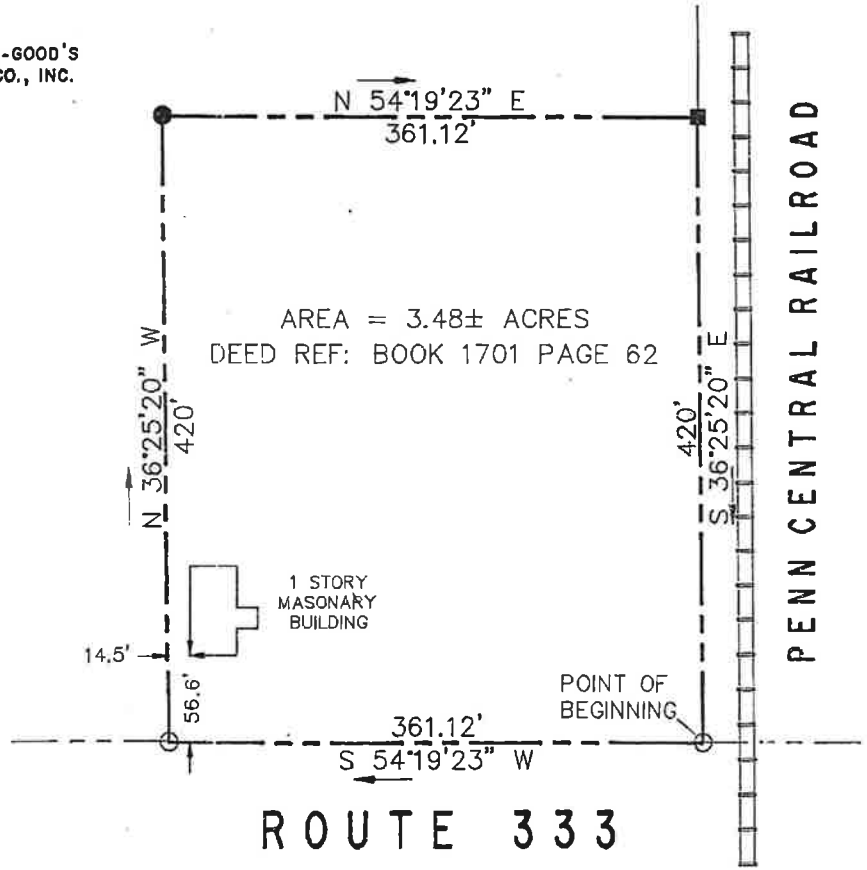
04 FEB 26 AM 10: 50

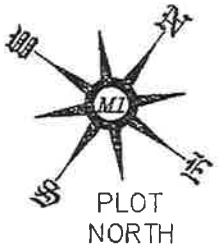
SUSSEX COUNTY
DOC. SURCHARGE PAID

Received
FEB 27 2004
ASSESSMENT DIVISION
OF SUSSEX CTY

Tab “3”

DRAWING NUMBER
6DF - 269





I HEREBY STATE THAT THIS PARCEL SURVEY WAS PERFORMED IN ACCORDANCE WITH ACCEPTABLE LOCAL SURVEYING STANDARDS FOR THE EXCLUSIVE USE OF THE PRESENT OWNER AND THOSE WHO PURCHASE OR ISSUE TITLE INSURANCE TO THIS PARCEL WITHIN SIX MONTHS FROM THE MOST RECENT DATE HEREON.

- UNLESS THIS PLAT HAS AN EMBOSSED SEAL AND AN ORIGINAL SIGNATURE OF THE SURVEYOR, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.
- THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE FOR RIGHTS-OF-WAY OR EASEMENTS CROSSING THE PROPERTY.
- NO TITLE SEARCH PROVIDED OR STIPULATED.

■ = FOUND CONCRETE MARKER
● = FOUND IRON PIPE
○ = SET IRON PIPE

PARCEL OF
SARA V. THOROUGHGOOD

DAGSBORO HUNDRED – SUSSEX COUNTY – DELWARE

SCALE: 1" = 100'	DATE: 4-29-95	DRAWN BY: DAN
McCann, Inc. Surveyors Designers Engineers		F.B.: 133/46 W.O.: 95-04-1041 T.M.: 2-35-5-70
Georgetown, DE 19947 Dover, DE 19901 Clarksville, DE 19937 DONALD J. McCANN P.L.S. #440		

Tab “4”

PLANNING & ZONING
JANELLE M. CORNWELL, AICP
DIRECTOR
(302) 855-7878 T
(302) 854-5079 F

Sussex County
DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

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

Date: 10/22/19

Site Information:

Site Address/Location: 30540 Thorogoods Road, Dagsboro, DE

Tax Parcel Number: 233-5.00-70.00
Current Zoning: AR-1
Proposed Zoning: HI-1
Land Use Classification: Commercial

Proposed Use(s): General garage/industrial activities

Square footage of any proposed buildings or number of units: N/A

Applicant Information:

Applicant's Name: FW & SV Thoroughgood Family Limited Partnership

Applicant's Address: 30771 Thorogoods Road
City: Dagsboro State: DE Zip Code: 19939

Applicant's Phone Number: 302-245-7778
Applicant's e-mail address: mgchildrenscenter@yahoo.com

David C. Hutt, Esq.
Morris James LLP
107 W. Market Street
PO Box 609
Georgetown, DE 19947
(302) 856-0015
DHutt@MorrisJames.com

RECEIVED
OCT 22 2019
SUSSEX COUNTY
PLANNING & ZONING

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

JENNIFER COHAN
SECRETARY

November 20, 2019

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

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **FW & SV Thoroughgood Family Limited Partnership** rezoning application, which we received on October 22, 2019. This application is for an approximately 3.60-acre parcel (Tax Parcel: 233-5.00-70.00). The subject land is located on the northwest side of Thorogoods Road (Sussex Road 333), approximately 2,400 feet northwest of the intersection of Dagsboro Road (Sussex Road 334) and Thorogoods Road, south of the Town of Millsboro. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to HI-1 (Heavy Industrial) to continue operating a general garage and conducting industrial activities.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Thorogoods Road where the subject land is located is 3,319 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

DelDOT

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

Sincerely,

T. William Brockenbrough, Jr.

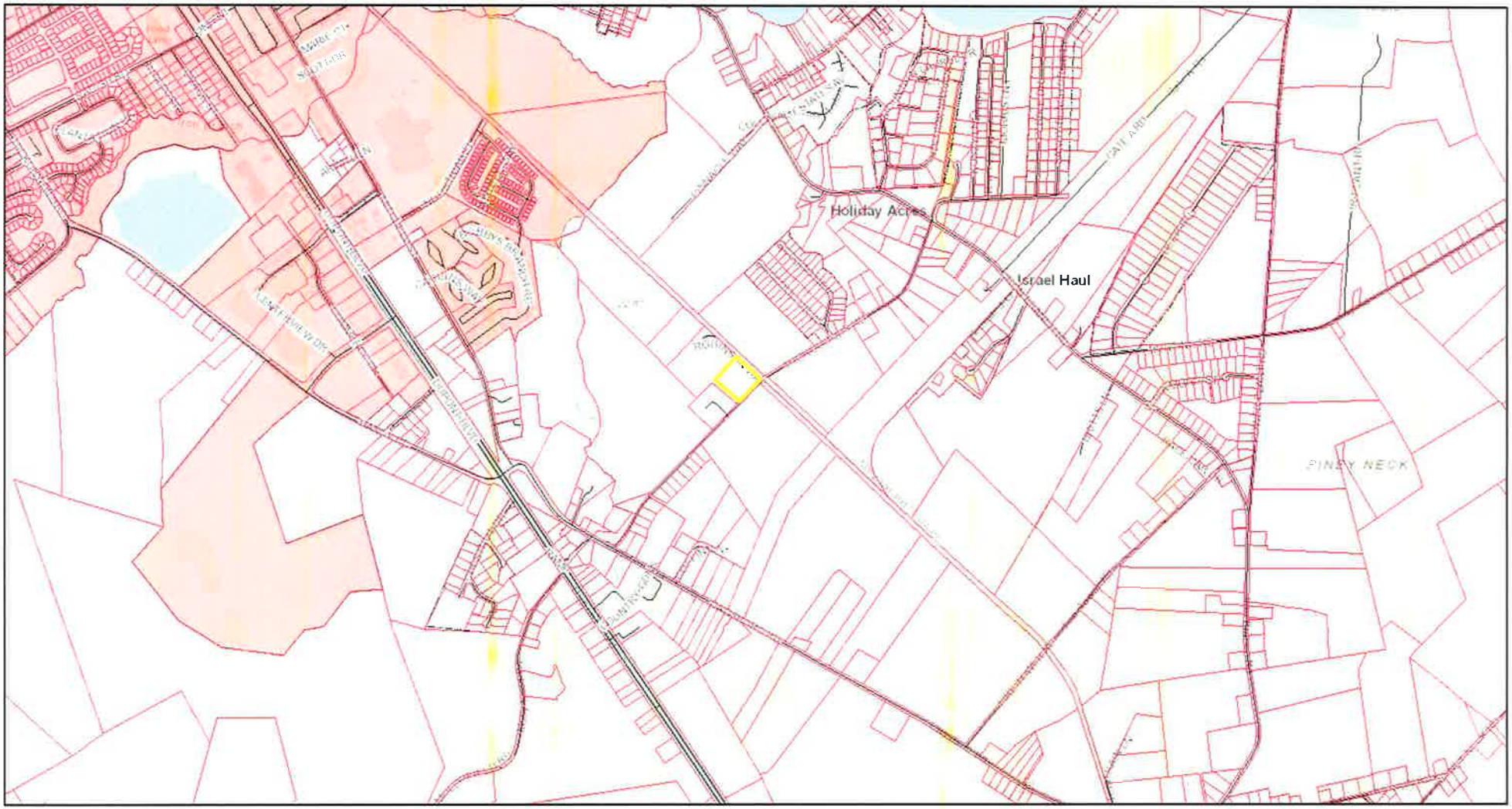
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
FW & SV Thoroughgood Family Limited Partnership, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

Tab “5”

Sussex County



August 29, 2020

1:18,056

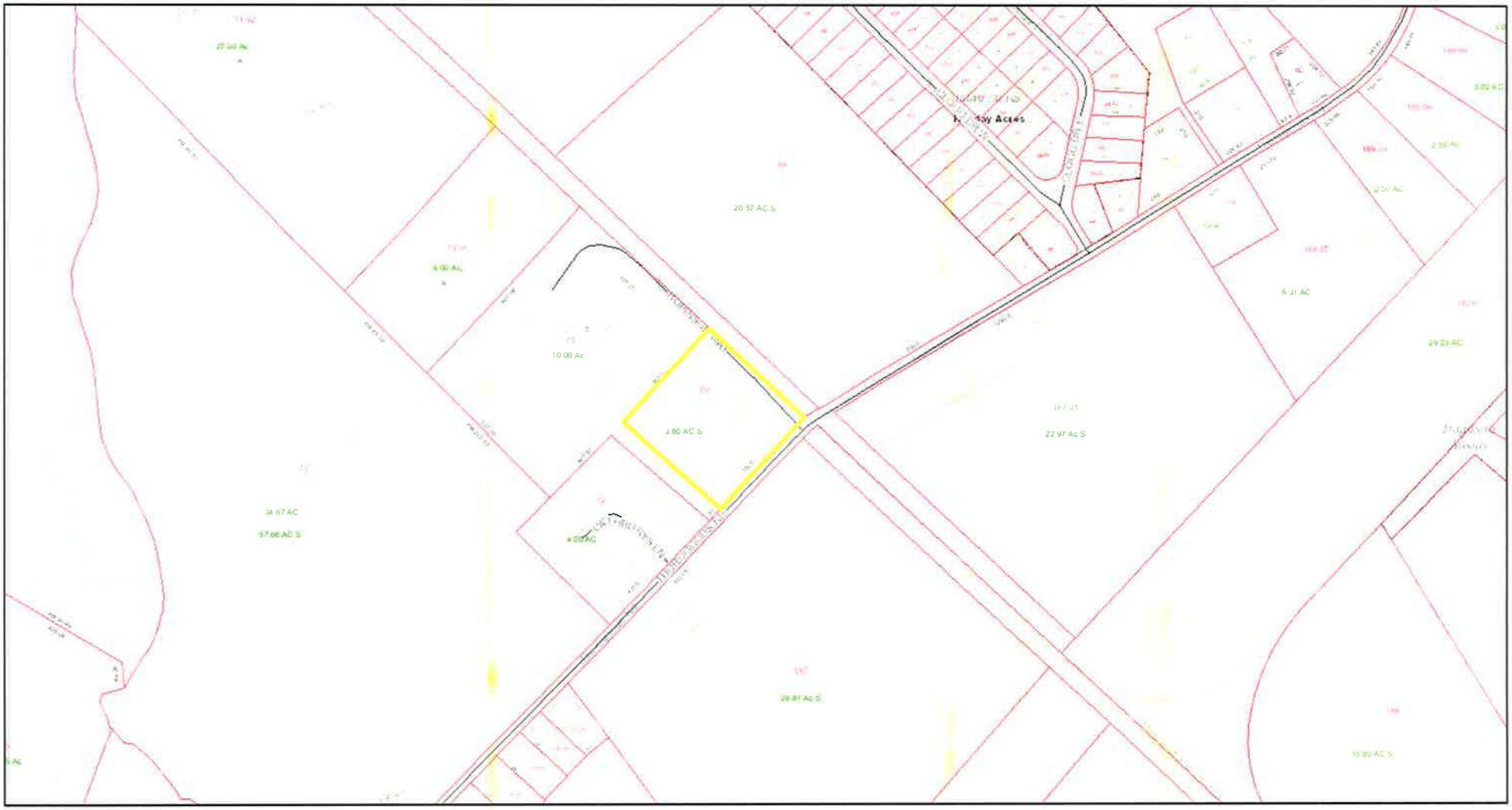
- Override 1
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- Communities
- Public Protected Lands
- Geographic Names
- Municipal Boundaries

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

Delaware Geological Survey, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government, FirstMap

Sussex County



August 29, 2020

Override 1
Override 1
Tax Parcels
Streets
County Boundaries
Communities
Public Protected Lands
Geographic Names
Municipal Boundaries

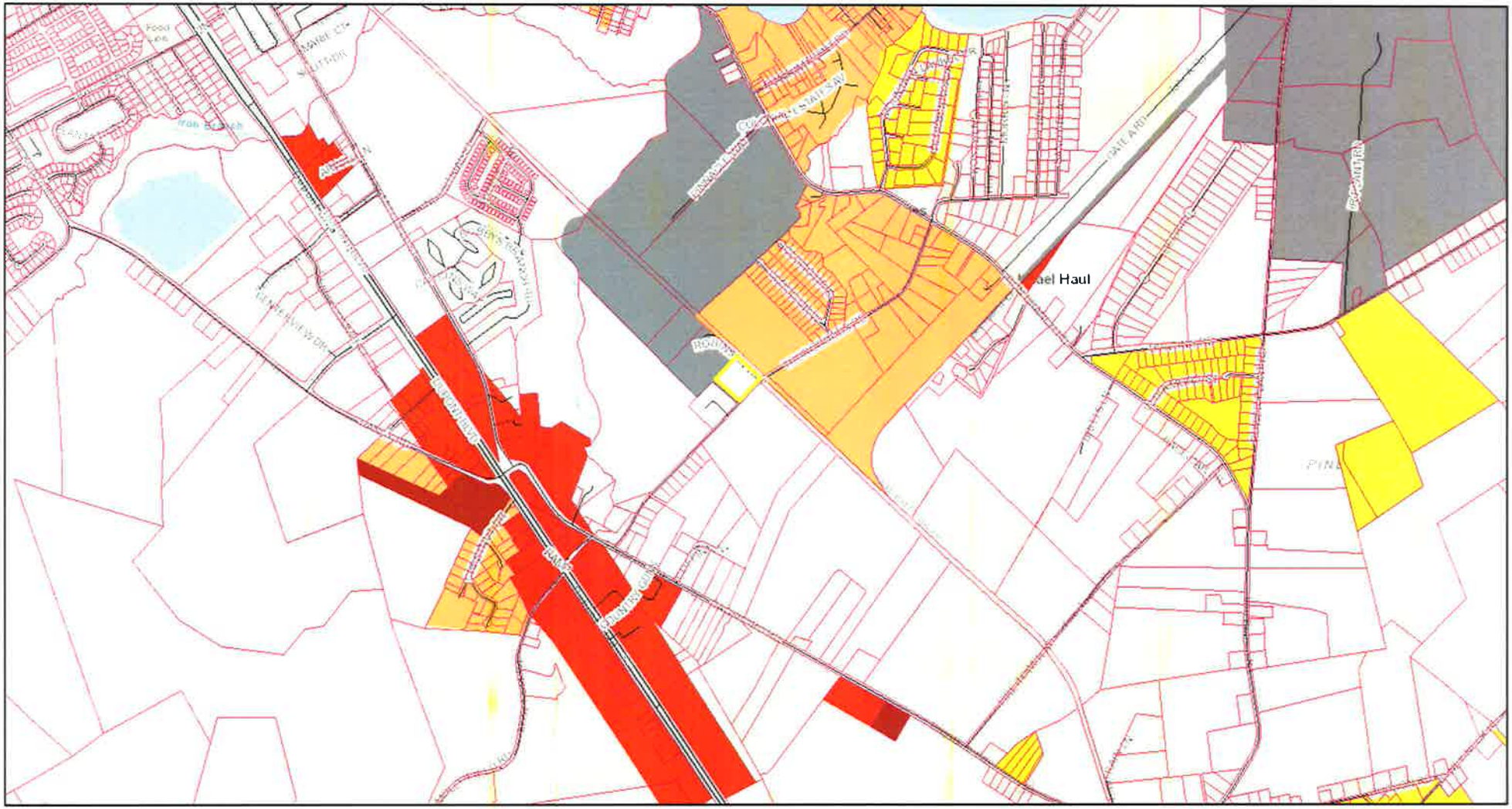
1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government, FirstMap

Sussex County



August 29, 2020

1:18,056

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

Override 1

Override 1

Tax Parcels

Streets

Zoning

Agricultural Residential - AR-1

Agricultural Residential - AR-2

Medium Residential - MR

General Residential - GR

High Density Residential - HR-1

High Density Residential - HR-2

Vacation, Retire, Resident - VRP

Neighborhood Business - B-1

Neighborhood Business - B-2

Business Research - B-3

General Commercial - C-1

General Commercial - C-2

General Commercial - C-3

General Commercial - C-4

General Commercial - C-5

Commercial Residential - CR-1

Institutional - I-1

Marine - M

Limited Industrial - LI-1

Light Industrial - LI-2

Heavy Industrial - HI-1

County Boundaries

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government

Sussex County

August 29, 2020

1:4,514

- Override 1
- Override 1
- Tax Parcels
- Streets

Zoning

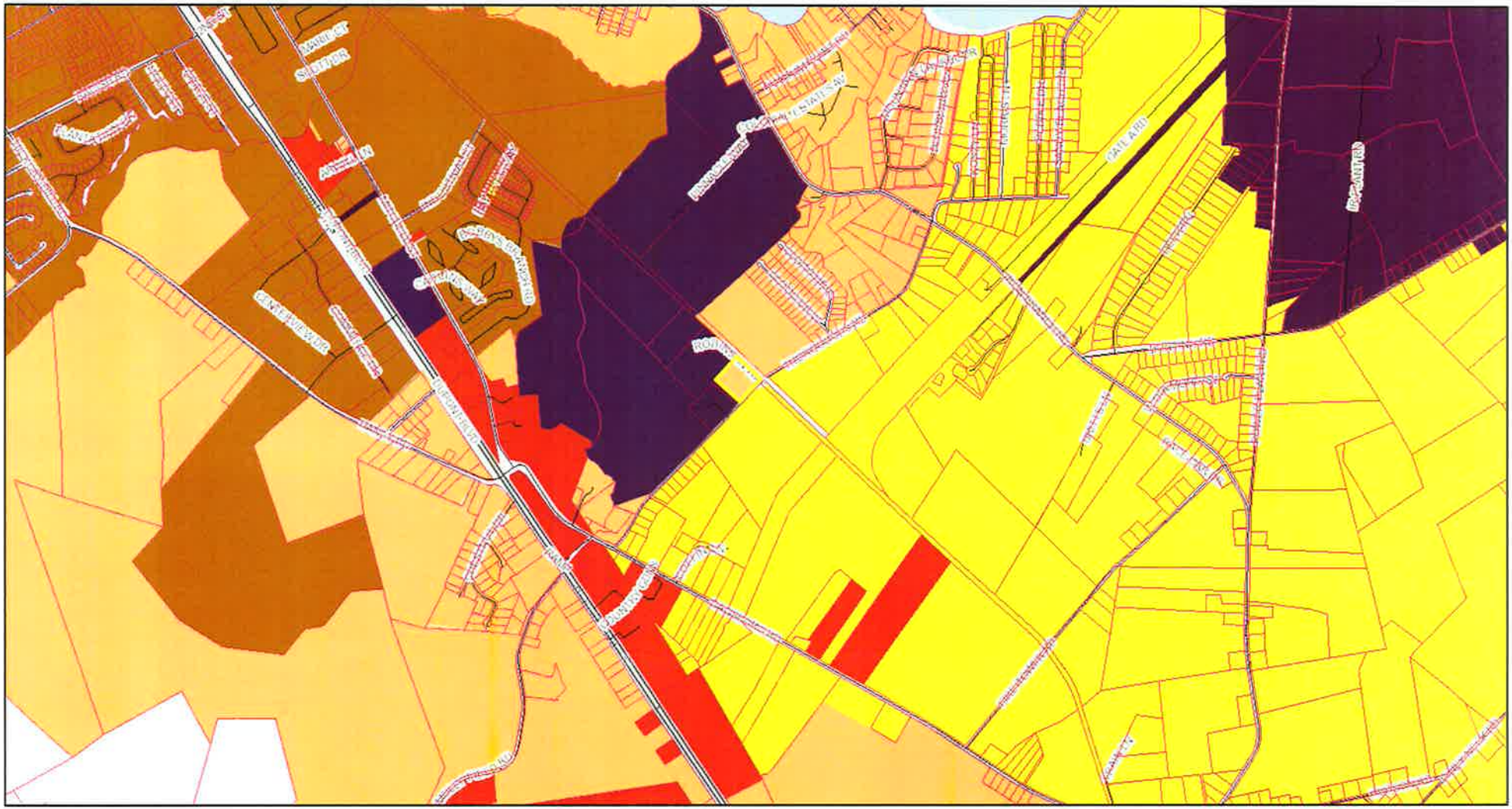
- Agricultural Residential - AR-1
- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- Neighborhood Business - B-2
- Business Research - B-3
- General Commercial - C-1
- General Commercial - C-2
- General Commercial - C-3
- General Commercial - C-4
- General Commercial - C-5
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1
- County Boundaries
- Communities
- Public Protected Lands
- Geographic Names
- Municipal Boundaries

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government, FirstMap

Sussex County



August 29, 2020

Override 1

Override 1

Tax Parcels

Streets

County Boundaries

2019 Future Land Use

Low Density

Coastal Area

Commercial

Developing Area

Existing Development Area

Industrial

Municipalities

Town Center

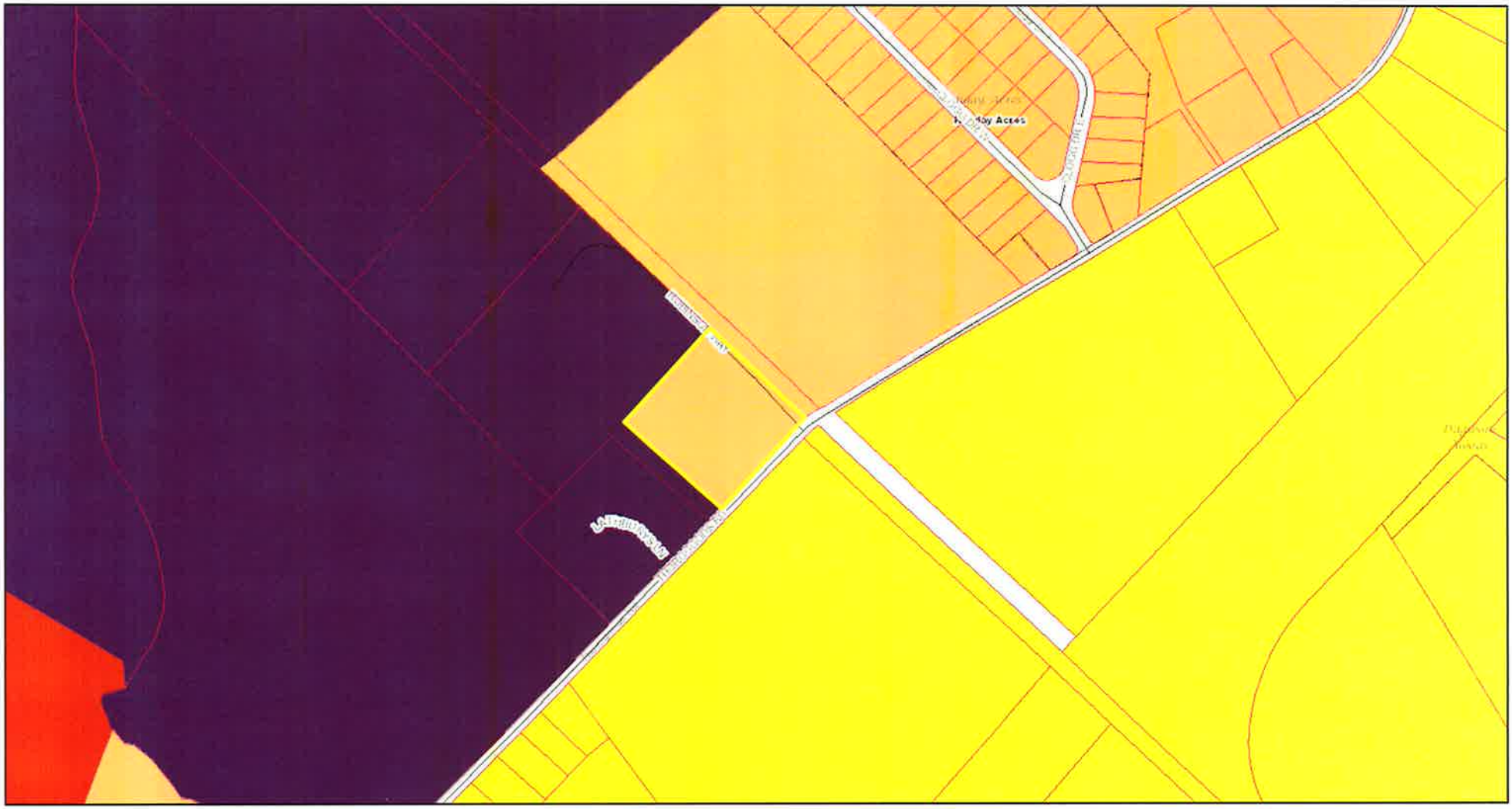
1:18,056

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

Sussex County



August 29, 2020

- Override 1
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- Coastal Area
- Commercial
- Developing Area
- Existing Development Area
- Industrial
- Municipalities
- Town Center
- Municipal Boundaries

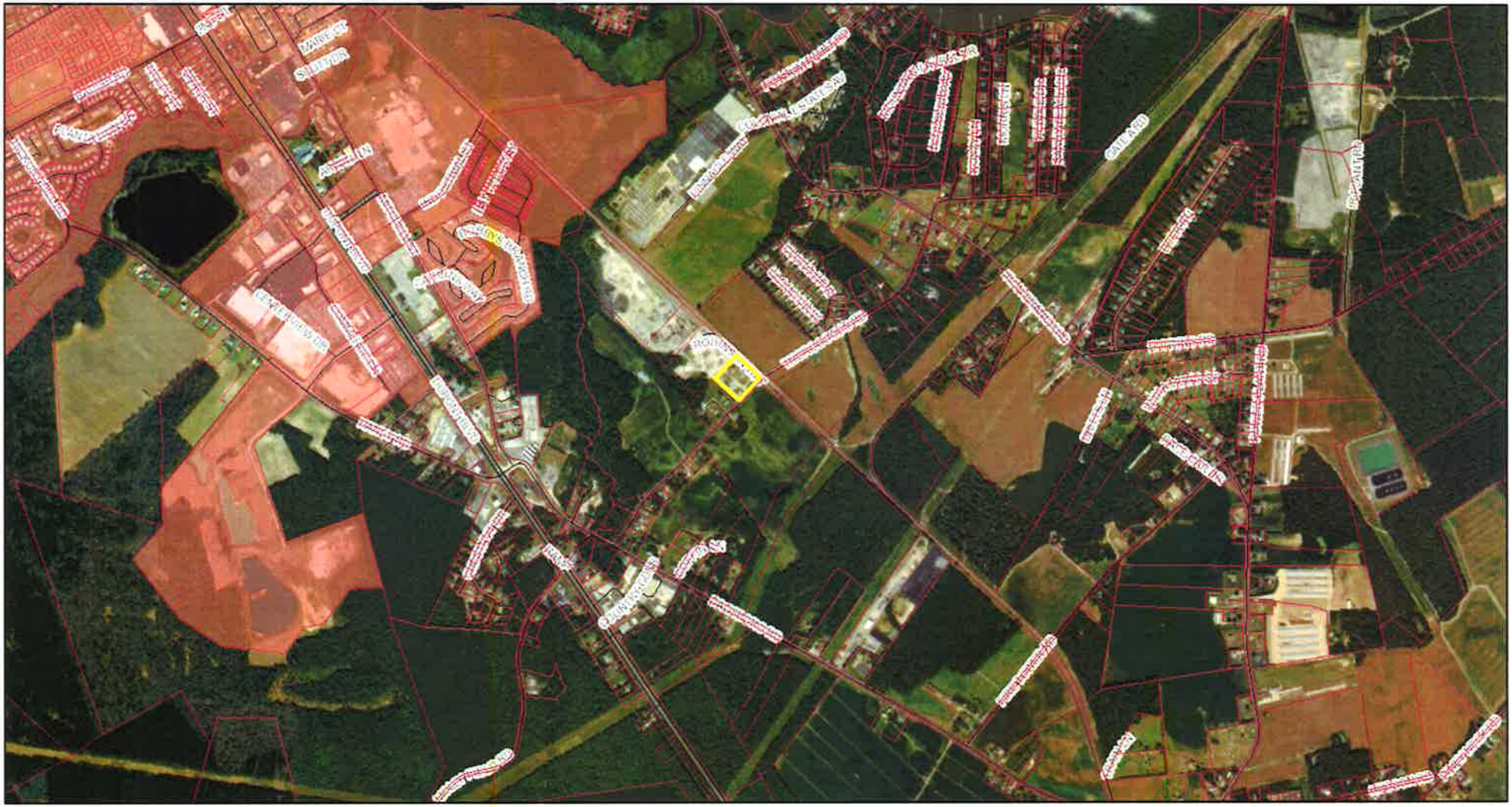
1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government, FirstMap

Sussex County



August 29, 2020

Override 1
Override 1
Tax Parcels
Streets
County Boundaries
Communities
Public Protected Lands
Geographic Names
Municipal Boundaries

1:18,056

0 0.17 0.35 0.7 mi
0 0.28 0.55 1.1 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Delaware Geological Survey, Sussex County Government, FirstMap

Sussex County

August 29, 2020

Override 1
Override 1
Tax Parcels
Streets
County Boundaries
Communities
Public Protected Lands
Geographic Names
Municipal Boundaries

1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sussex County, Sussex County Government, FirstMap

Tab “6”

National Flood Hazard Layer FIRMette

FEMA

75°16'25"W 38°34'25"N

75°15'48"W 38°33'57"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Are of 1% annual chance flood with averag depth less than one foot or with drainag areas of less than one square mile *Zone*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zon*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

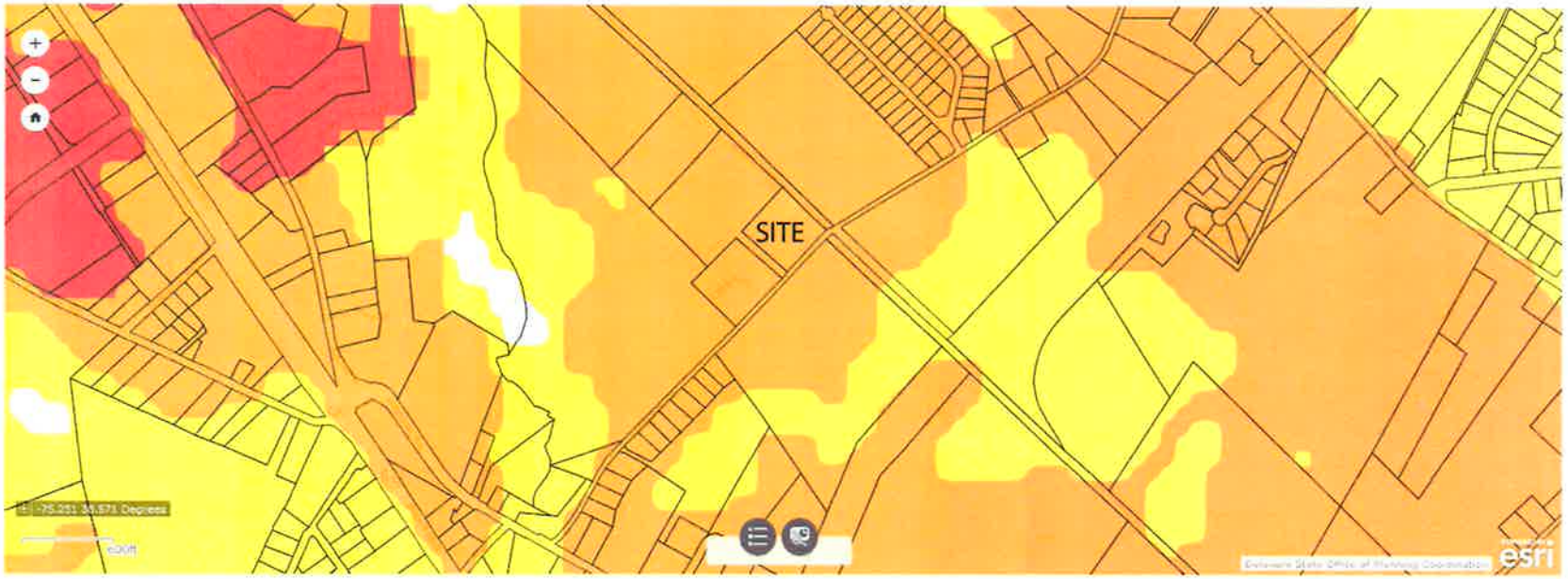
The pin displayed on the map is an approximat point selected by the user and does not repres an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/29/2020 at 1:24 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Tab “7”



DE_State_Strategies_2020

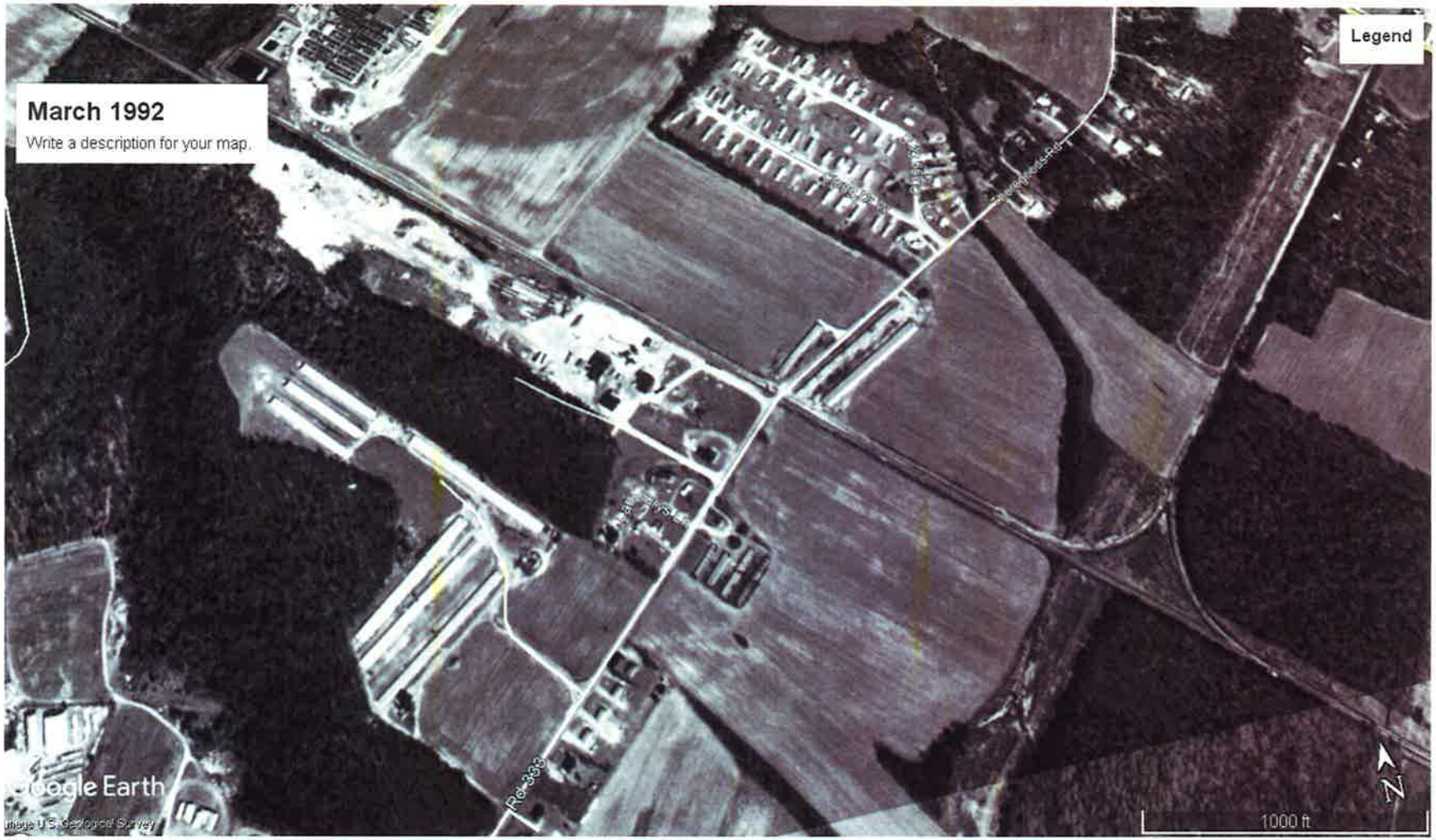
2020 State Strategies

- 1
- 2
- 3
- 4
- Out of Play

DELAWARE STATE STRATEGIES MAP 2020

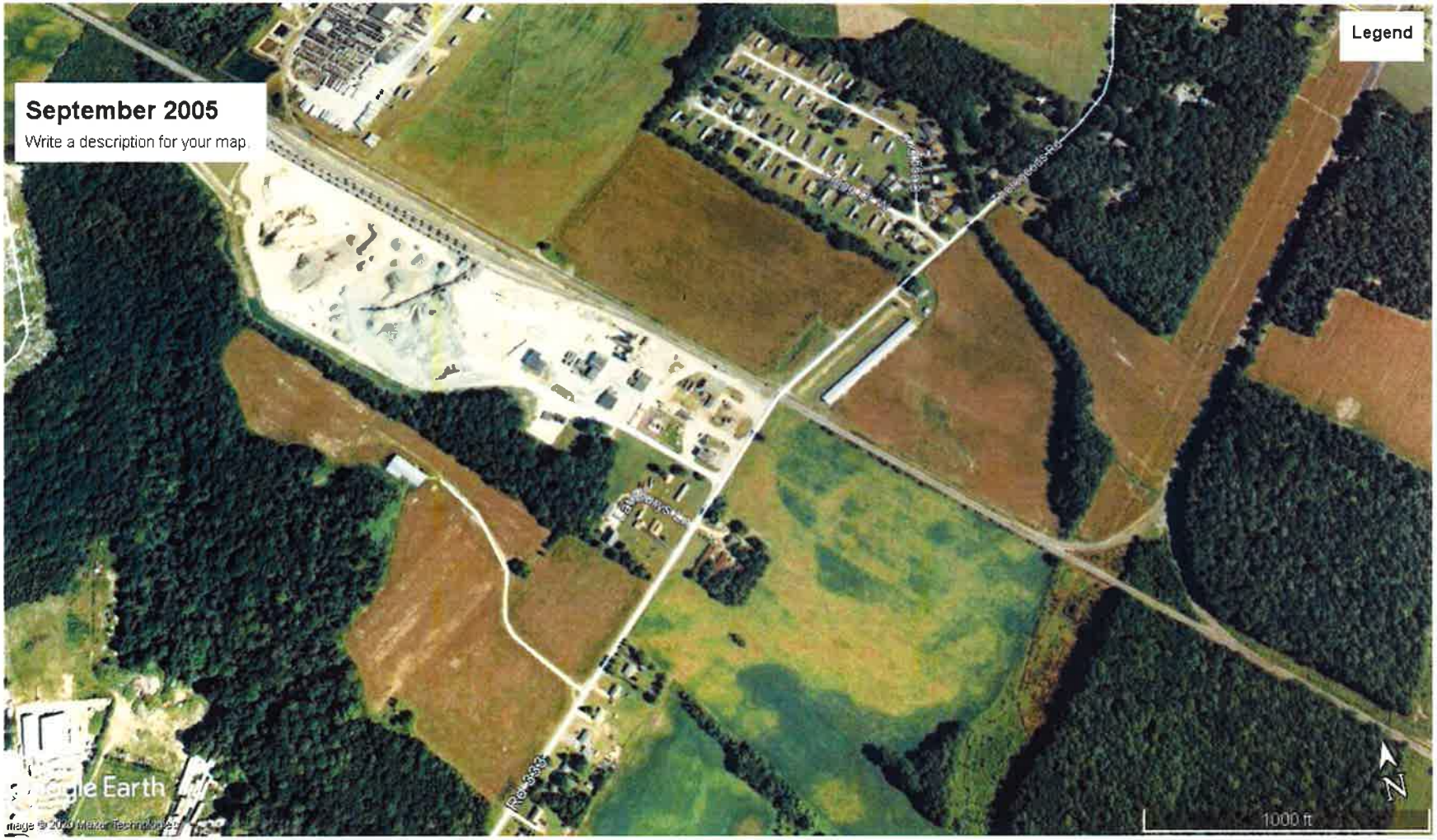
11998944/1

Tab “8”



AERIAL IMAGE—March 1992

11998954/1



AERIAL IMAGE—September 2005

AERIAL IMAGE—June 2018

Tab “9”

ORDINANCE NO. 1039

WITH STIPULATIONS

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TRUCK REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 3.48 ACRES, MORE OR LESS

WHEREAS, on the 12th day of May, 1995, a conditional use application, denominated C/U #1120 was filed on behalf of Sara V. Thoroughgood; and

WHEREAS, on the 8th day of June, 1995, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that C/U #1120 be approved; and

WHEREAS, on the 27th day of June, 1995, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of C/U #1120 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Dagsboro Hundred, Sussex County, Delaware, and lying at the northwesterly corner of the intersection of Road 333 and Penn Central Railroad and being more particularly described as follows:

BEGINNING at the northwesterly corner of the intersection of Road 333 and Penn Central Railroad, thence along the right of way of Road 333, south 54°19′23" west 361.12 feet to an iron pipe being a corner for these lands and lands of Thoro-Good's Concrete Co., Inc. thence along said lands the following two courses and distances 1) north 36°25′20" west 420 feet to an iron pipe, thence north 54°19′23" east 361.12 feet to a concrete marker on the right of way of Penn Central Railroad, thence along said right of way south 36°25′20" east 420 feet to said place of beginning, said parcel to contain 3.48 acres more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. No oil changes shall be performed on site.
2. No fuel shall be stored or sold on site.
3. Not more than ten vehicles shall be stored on site at any time.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1039 ADOPTED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 27TH DAY OF JUNE, 1995.

Robin A. Griffith
Clerk of the County Council

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant established by substantial evidence that the proposed use will enable a family trucking business to locate and grow at the facility in an area adjoining Heavy Industrial zoned property.
2. The proposed use will have no adverse impact on the character of the neighborhood, property values therein, traffic or the environment in the area.
3. The proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Tab “10”

BUILDING CODE REQUIRED: Yes

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO. 157446

NEEDS TOWN PERMIT: NA DNREC # NA S & W NA Div. of Rev. NA

LOCATION

Route 333 (N) (S) (E) (W) Side: corner with (E) (miles) (N) (S) (E) (W) of Bnn(entre)

Subdiv. or TP: Lot No. Section or Block Patrick

Town Street

District No. 233 Map No. 5 Parcel No. 70 MANU. HOME #

Frontage: 561 + Depth: 420 + Acreage: 3.45 Ac.

ASSESSMENT

I. TYPE OF IMPROVEMENT

Cost of Improvements 24,000. Stories

New Building Size 7540

Addition

Relocation

Accessory Structure Truck Shop

Sign Light Repairs

Remodeling

Other

II. INTERIOR

No. of Bedrooms

No. of Bathrooms

No. of Rooms

Remarks

III. HEATING

Electric ☐ Gas ☐

Heat Pump ☐ FHA ☐

Air Conditioned ☐

IV. EXTERIOR WALLS

Vinyl ☐ Wood ☐

Aluminum Siding ☐ Brick ☐

Other

V. INTERIOR WALLS

Dry Wall ☐

Paneling ☐

Other

VI. FOUNDATION

Pad ☐ Brick ☐

Pilings ☐ Conc. Blk. ☐

Other

VII. FIRE PLACE

Yes ☐ No ☐

MASONARY ☐ Metal ☐

VIII. ROOFING

Built-Up ☐

Asphalt Shingle ☐

Metal Shingle ☐

Other

IX. FLOORING

Earth ☐ Wood ☐

Carpet ☐ Vinyl ☐

Concrete ☐

Other

ZONING

TYPE OF USE

Existing Use OFFICE BLDG.

Proposed Use TRUCK REPAIR SHOP (42x75)

Single Family Commercial Other

Zoning District AR1 Number of Units

SETBACKS

Front Yard per site plan Side Yard Rear Yard

Side yard on side street on corner lot

From any dwelling of other ownership

From any other unit in a manufactured home park

Cannot occupy more than % of total lot area

Height

Board of Adjustment Case No.

Conditional Use Case No.

Approved by Planning & Zoning 8-8-95

SEE BELOW

FLOOD

Flood Zone X

Elevation Required above Mean sea level

To be measured to.

1. Finished first floor

2. Lowest structural member:

Elevation Certification ☐ Height Certification ☐

Breakaway Walls ☐ Venting ☐

Placement Survey ☐

ADDITIONAL REQUIREMENTS & COMMENTS S.C.D. not required

Bldg Code & Fire Marshal OK

CONTRACTOR IDENTIFICATION

Name: Smith Thermographical

Address: Dorrisboro Rd

City: Laurel State: DE Zip: 19956

Co Lnsch Of.

Name & Address of provider of Certificate of Compliance (Builder)

Name:

Address: NA

City: State: Zip:

The owner of this building or land and the undersigned agree to comply to all applicable Federal, State and County Regulations and to apply for a Certificate of Compliance or Completion. This does not imply approval of other Governmental Agencies or Compliance with private deed restrictions.

Applicant: Frank Thermogaard Phone No. 302-934-8859

Fee: 94.50. Date Issued: 8-8-95

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed if construction has begun and continued in a normal manner and not discontinued for reasons other than those in permit holder's control. Grading or surface shaping of the site shall not be considered as "actual construction". Permit must be renewed prior to expiration date.

OFFICIALS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to the Board of Assessment and Planning Agents and Building Code Officials to enter upon said premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said premises and remains being given on the signing of this permit.

THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.

AB

AGEMENT PERMIT
(N APPROVAL AGENCY)

Lot #
or Road#

(state) (zip)

Phone: 855 0562

Phone: 856 3081

Del 19947

d Area sq. ft.

151446

fication may be submitted instead of a
the Delaware Sediment and Stormwater

are contiguous lots being developed

complying with any and all Federal, State,

ntrol under the provisions of this permit, the
ional control measures as necessary OR
ion.

ast five days prior to beginning construction.

ction by the Sussex Conservation District.

tion; that I/We have read and understand
ll the limitations and conditions set forth by

DATE 8/8/95

DATE

ning Agency PINK-Applicant

STATE O
DIVISION
STATEMENT FO

If property is recently acquired,
Realty Transfer Tax (unless other
construction or alteration of building
contracted or undertaken within one
tax is 1% against construction amount

If the building permit is for ar
decks, etc.) wherein the property was
value of the building, including sepa
the property owner must complete a
this permit office) to establish the a
may apply under the law. However
your permit, simply check the item b
apply, please request the State ta
cannot be processed until an exem
paid.

I hereby attest that:

() This building permit is not fo
structure whether residentia
columns or walls; or,

X The owner has owned the
construction contract.

() The total contract cost(s)
building, are less than $10,

Name of building owner:

Tax parcel number or pro

I affirm the foregoing is tr

For local permit office use on
Permit Number:
Permit Value:

BUILDING CODE REQUIRED: Yes

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO. 181582

NEEDS TOWN PERMIT: _____ DNREC # 1001153 S & W _____ Div. of Rev. _____

LOCATION

Route 333 (N) (S) (E) (W) Side: 1/2 (ft) (Miles) (N) (S) (E) (W) of 354

Subdiv. or TP: _____ Lot No. _____ Section or Block _____

Town _____ Sheet _____

District No. 2-33 Map No 5 Parcel No. 70 MANU. HOME # _____

Frontage: _____ Depth: _____ Acreage: 3.00

ASSESSMENT

C-1

I. TYPE OF IMPROVEMENT

Cost of Improvements 34,870 Stories _____

New Building _____ Size 2 Stories

Addition _____

Relocation _____

Accessory Structure Office Building

Step _____

Remodeling _____

Other _____

II. INTERIOR

No. of Bedrooms _____

No. of Bathrooms 2

No. of Rooms 3

Basement _____

III. HEATING

Electric ☐ Gas ☑

Heat Pump ☐ FHA ☐

Air Conditioned ☑

IV. EXTERIOR WALLS

Vinyl ☐ Wood ☐

Alum. Siding ☐ Brick ☐

Other Metal

V. INTERIOR WALLS

Dry Wall ☑

Paneling ☐

Other _____

VI. FOUNDATION

Full ☐ Block ☐

Piling ☐ Conc Blk ☐

Other Pole

VII. FIRE PLACE

Yes ☐ No ☐

MASONARY ☐ Metal ☐

VIII. ROOFING

Built-Up ☐ Metal ☑

Asphalt Shingle ☐

Wood Shingle ☐

Other _____

IX. FLOORING

Earth ☐ Wood ☐

Carpet ☐ Vinyl ☐

Concrete

Other _____

ZONING

TYPE OF USE

Existing Use Building - Warehouse

Proposed Use Office Bldg

Single Family _____ Commercial ✓ Other _____

Zoning District C-1 AR-1 Number of Units _____

SETBACKS

Front Yard 40' Side Yard 15' Rear Yard 20'

Side yard on side street on corner lot _____

From any dwelling of other ownership _____

From any other unit in a manufactured homepark _____

Cannot occupy over than _____ % of total lot area

Height 42 max

Board of Adjustment Case No. _____

Conditional Use Case No. C1120

Approved by Planning & Zoning Office 6-11-99

C/O

FLOOD

Flood Zone _____

Elevation Required above Mean sea level _____

To be measured to:

1. Finished first floor _____

2. Lowest structural member _____

Elevation Certification ☐ Height Certification ☐

Breakaway Walls ☐ Venting ☐

Placement Survey ☐

ADDITIONAL REQUIREMENTS & COMMENTS Building Code; Fire Marshal OK. SCD N/A < 5,000 sf

OWNER'S IDENTIFICATION:

Name: Lucille V. Thornycroft

Address: 1201 Bridgeville Rd

City: Seaford State: DE Zip: 19973

On Lands Of: STA-73

Name & Address of recipient of Certificate of Compliance (Builder):

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

The owner of this building or land hereby agrees to comply with applicable Federal, State and County Regulations and to apply for certificate of Compliance at Completion. This does not imply approval of other Governmental Agencies or Compliance with private deed restrictions.

Signature of Applicant: [signature]

Permit Fee: 1245.00 TD

Phone No. 398-9166

Date Issued: 6-17-99

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit holder's control. Grading or surface shaping of the site shall not be considered as "actual construction". Permit must be renewed prior to expiration date.

ASSESSORS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY: The owner or owners of these premises do hereby consent to the Board of Assessment and Planning and Zoning Agents and Building Code Officials to enter upon and premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property, said consent being given on the signing of this permit.

THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.

A8

Tab “11”

PROPOSED FINDINGS OF FACTS
C/Z 1913

1. This is an application to amend the comprehensive zoning map from AR-1 (Agricultural Residential District) to HI-1 (Heavy Industrial District) for 3.60± acres located in Dagsboro Hundred, Sussex County, being situated along the west side of Thorogoods Road (County Road 333), known as 30512 and 30540 Thorogoods Road, also being known and designated as Sussex County Tax District 233, Map 5.00, Parcel 70.00.

2. The applicant and owner of the property is FW & SV Thoroughgood Family Limited Partnership, a Delaware limited partnership.

3. The property is improved and is currently used as a truck repair/mechanics shop.

4. The current use is conducted pursuant to Ordinance No. 1039 adopted by Sussex County Council on June 27, 1995, which ordinance adopted Conditional Use No. 1120 for the Thoroughgoods to operate a family-run truck repair shop. The family's goal is to be able to expand and lease portions of the property for similar uses but this is limited by the stipulations and conditions imposed through Conditional Use No. 1120.

5. In the 2019 Sussex County Comprehensive Plan update, the property is identified for purposes of future land use as being in a Developing Area. The property to the east is also designated as a Developing Area. The properties to the north and west are designated on the Future Land Use Map as being within an Industrial Area. The property to the south is designated on the Future Land Use Map as being within the Coastal Area. All of these areas are Growth Areas within the County's Comprehensive Plan. The Developing Area in which this property is located is a Growth Area and Table 4.5-2 titled "Zoning Districts Applicable to Future Land Use Categories" identifies HI-1 (Heavy Industrial District) as an applicable zoning district for the Developing Area.

6. The guidelines for future growth in the Developing Area states within the permitted uses for this Area that "[p]ortions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks."

7. The property is situated between existing industrial uses, an active railroad and Thorogoods Road. The immediate area has only a few homes.

8. The 2020 Delaware Strategies for State Policies and Spending identify the property as Investment Level 2, which are areas that "have been shown to be the most active portion of Delaware's developed landscape" where "state investments and policies should support and encourage a wide range of uses" and "is the priority for job creation and retention."

9. The purpose of the HI-1 (Heavy Industrial District) is to "provide for a variety of industrial operations" as "[i]t is the intention of the district to preserve the land in the district for industrial use and to exclude new residential or commercial development, except for certain specified uses deemed appropriate adjuncts to industrial operations." The existing and intended use of the property is consistent with these permitted uses. This is also consistent with the immediately adjacent properties.

10. The Zoning Code protects adjacent properties from "potentially hazardous industries" which are only permitted after a separate public hearing before the Board of Adjustment.

11. The Site is not within a floodplain based upon FEMA Map Number 10005C0459K, dated March 16, 2015, showing the entire property as located in an area designated as Zone "X" (unshaded), which is an area determined to be outside the 500-year floodplain.

12. There are no wetlands located on the property.

13. In the immediate area there are asphalt and concrete industrial operations.

14. The proposed conditional use will not increase the congestion of roads or streets as confirmed by DelDOT, which did not require a Traffic Impact Study or Traffic Operations Analysis and determined that the property's impact would be "negligible" on the adjacent roads. More specifically, DelDOT reviewed the application and issued a letter stating that the proposed land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day, which is below the warrants when a Traffic Impact Study is required. In addition, DelDOT's review stated that it considered the application's traffic impact to be "negligible" in the context of DelDOT's agreement with Sussex County regarding land development coordination. Further, any future site plan will require DelDOT review and approval to provide for safe vehicular and pedestrian movement within the site and entrance approval for access onto Thorogoods Road.

15. The property is served by private (on-site) wells for domestic use and fire protection subject to the review and approval of the Delaware State Department of Natural Resources and Environmental Control (DNREC) and the Delaware Division of Public Health.

16. The property is served by a private (on-site) wastewater disposal system subject to the DNREC's regulations governing the design, installation and operation of on-site wastewater treatment and disposal systems.

17. As a part of site plan approval for any future use or redevelopment, stormwater management design and permitting will be required; thus assuring neighboring lands will be protected from any land disturbance activity on site.

18. The proposed HI-1 (Heavy Industrial District) zoning classification is in character with the nature of the area, will not adversely affect the neighboring and adjacent properties, and is consistent with the purpose of the HI-1 zoning district.

19. The proposed zoning meets the purpose of the Zoning Ordinance in that it promotes the orderly growth, convenience, order, prosperity and welfare of the County.

20. All factors have been considered and the proposed HI-1 (Heavy Industrial District) classification meets the purposes and goals of the County's Comprehensive Plan and its Zoning Code. The addition of areas for industrial and adjunct uses permitted in the HI-1 (Heavy Industrial District) zoning district is appropriate for and consistent with this area along Thorogoods Road where these industries already exist. As a result, the proposed HI-1 (Heavy Industrial District) classification is consistent with the Sussex County Comprehensive Land Use Plan.

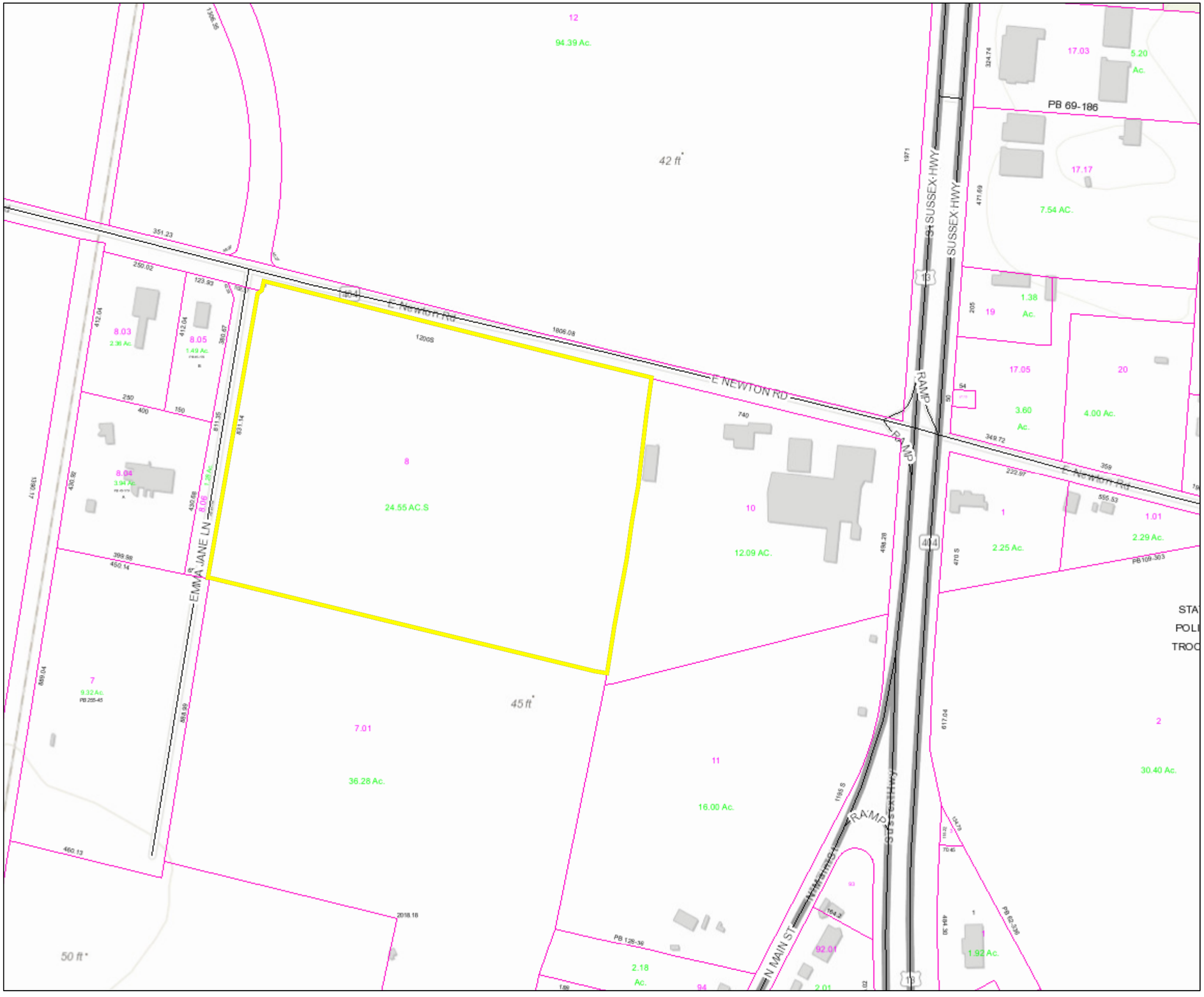
PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE

Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: September 10th, 2020

Application:	CZ 1919 Newton Farms, LLC
Applicant/Owner:	Newton Farms, LLC 16536 Sussex Highway Bridgeville, DE 19933
Site Location:	On the south side of E. Newton Road, approximately 791 ft. west of Sussex Highway (Route 13).
Current Zoning:	C-1 (General Residential District)
Proposed Zoning:	LI-2 (Light Industrial District)
Comprehensive Land Use Plan Reference:	Developing Area
Councilmatic District:	Mr. Vincent
School District:	Woodbridge School District
Fire District:	Bridgeville Fire Department
Sewer:	Private (On-site)
Water:	Private (On-site)
Site Area:	23.7021 acres +/-
Tax Map ID.:	131-6.00-8.00

Sussex County



PIN:	131-6.00-8.00
Owner Name	NEWTON FARMS LLC J CONAWAY E MCSOPDDEN
Book	2885
Mailing Address	PO BOX 397
City	BRIDGEVILLE
State	DE
Description	S/RT 584
Description 2	750'W/RT 13
Description 3	FX
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

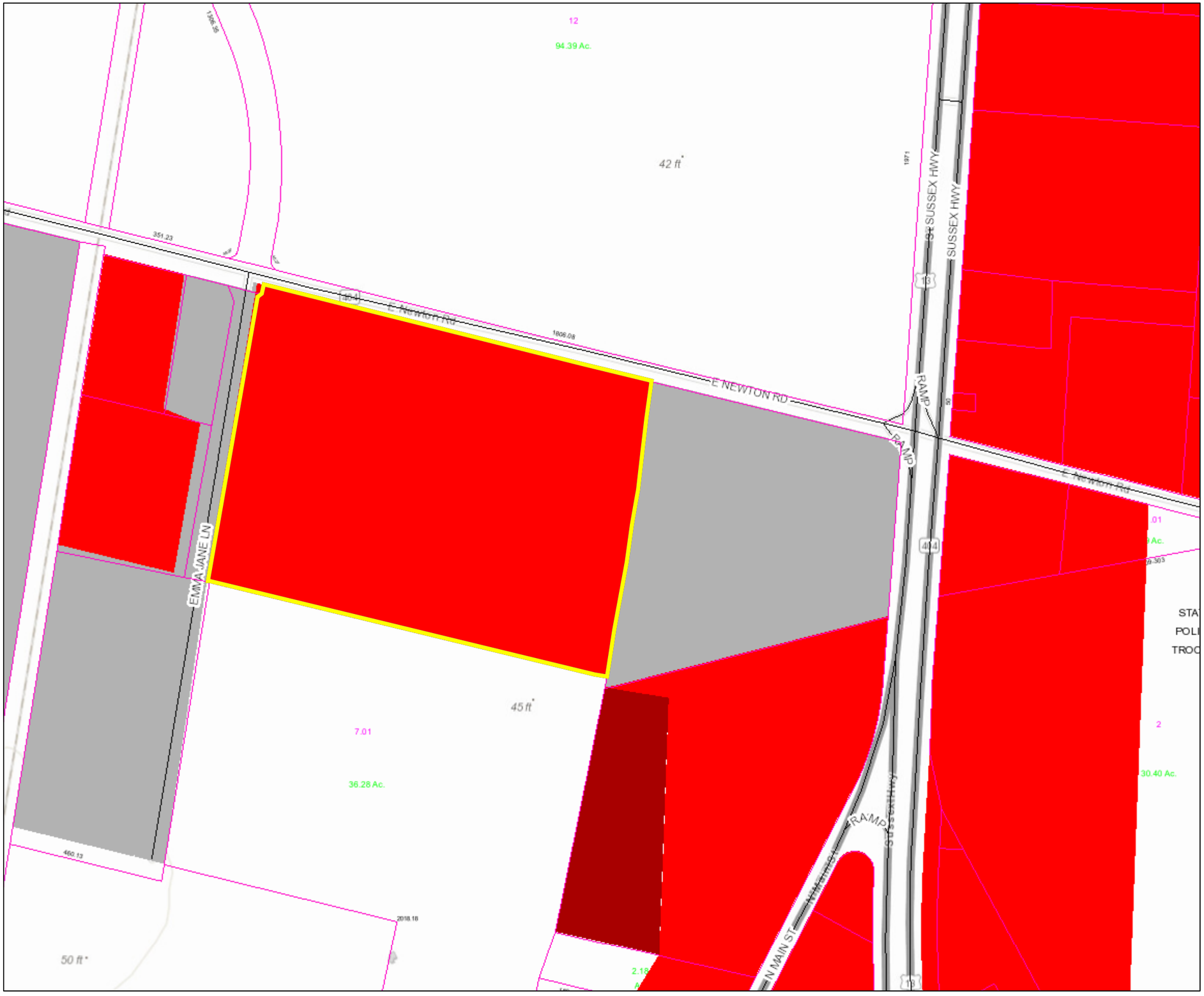
1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

June 9, 2020

Sussex County



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Description 2	750'W/RT 13
Description 3	FX
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

1:4,514

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June 9, 2020

Sussex County

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polygonLayer

Override 1

polygonLayer

Override 1

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Streets

County Boundaries

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0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

June 9, 2020

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: August 25, 2020
RE: Staff Analysis for CZ 1919 Newton Farms, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1919 Newton Farms, LLC to be reviewed during the September 10, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcel 131-6.00-8.00 to allow for a change of zone from a General Commercial (C-1) Zoning District to a Light Industrial (LI-2) District. The parcel is located on the south side of E. Newton Road, approximately 791 feet west of Sussex Highway (Route 13). The size of the property is approximately 23.7021 acres +/-

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has the land use designation of "Developing Area." The properties to the east on the other side of Sussex Highway (Route 13) are also designated as "Developing Areas."

"Developing Areas" are newer, emerging growth areas that demonstrate the characteristics of developmental pressures. A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of "Developing Areas" with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home.

The properties to the north, south, east and west of the subject site are designated "Industrial Areas." Industrial Areas are lands devoted to concentrations of larger industrial uses including heavier industry, light industry, warehousing, and flex space. Appropriate development in these areas could take the form of conventional industrial parks or planned business parks with a unified design that incorporate a combination of light industry and other business uses. Large, more intensive stand-alone industrial uses should also be directed to these areas.

Additionally, the subject property is zoned General Commercial (C-1) Zoning District. The properties to the east and west are zoned Light Industrial (LI-2) Zoning District. The properties to the north and south are zoned Agricultural Residential (AR-1) Zoning District.

Although the Light Industrial (LI-2) Zoning District is not listed as an applicable zoning district for "Developing Areas" under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" of the 2018 Sussex County Comprehensive Plan, it is listed as an applicable zoning district for "Industrial Areas." The adjacent parcels to the north, south, east and west of the subject parcel are designated as "Industrial Areas" of which the Light Industrial (LI-2) Zoning District is an applicable zoning district.

Since 2011, there has been one Change of Zone application proposed within a one-mile radius of the application site. This application is for Change of Zone (C/Z 1826) to facilitate a change of zone from an Agricultural Residential (AR-1) Zoning District and General Commercial (C-1) Zoning District to a Commercial Residential (CR-1) Zoning District.

Based on the analysis of the surrounding zoning and uses, a Change of Zone to Light Industrial (LI-2) in this location, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: C2 1919
202001083

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✓

Site Address of Conditional Use/Zoning Map Amendment

8600 E Newton Rd, Bridgeville, DE

Type of Conditional Use Requested:

Not applicable.

Tax Map #: 131-6.00-8.00 **Size of Parcel(s):** 23.7021 ACRES

Current Zoning: C-1 **Proposed Zoning:** LI-2 **Size of Building:** 72,000 SF

Land Use Classification: Developing Area

Water Provider: N/A (on-site well) **Sewer Provider:** N/A (on-site system)

Applicant Information

Applicant Name: Newton Farms, LLC
Applicant Address: 16536 Sussex Highway
City: Bridgeville State: DE ZipCode: 19933
Phone #: (302) 542-8767 E-mail: rob.riderjr.@oanewton.com

Owner Information

Owner Name: Newton Farms, LLC
Owner Address: 16536 Sussex Highway
City: Bridgeville State: DE Zip Code: 19933
Phone #: (302) 542-8767 E-mail: rob.riderjr.@oanewton.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esq. | Morris James LLP
Agent/Attorney/Engineer Address: 107 W. Market Street
City: Georgetown State: DE Zip Code: 19947
Phone #: (302) 856-0015 E-mail: dhutt@morrisjames.com

EQUAL HOUSING OPPORTUNITY

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ **Provide Fee $500.00**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

✓ **DelDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 1/27/2020

Signature of Owner

_____ Date: 1/20/2020

For office use only:

Date Submitted: 1/30/2020 Fee: $500.00 Check #: 1106

Staff accepting application: cah Application & Case #: 202001083

Location of property: _____

Subdivision: _____

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

Date of CC Hearing: _____ Decision of CC: _____

Sussex County, DE
Treasury
P.O. Box 601
Georgetown, DE 19947
Welcome

33016587-0005 Megan D. 01/30/2020 09:23AM

PERMITS / INSPECTIONS
CHANGE OF ZONE - FEE
2020 Item: 202001083|Z015 500.00

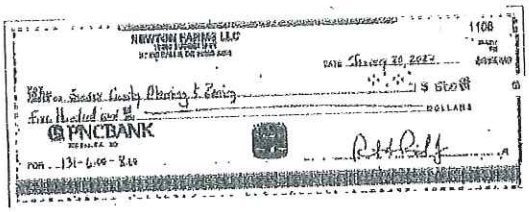
500.00

Subtotal 500.00
Total 500.00

CHECK 500.00
Check Number001106

Change due 0.00

Paid by: NEWTON FARMS LLC



Thank you for your payment

CUSTOMER COPY

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

JENNIFER COHAN
SECRETARY

January 2, 2020

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

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Robert F. Rider, Jr.** rezoning application, which we received on December 3, 2019. This application is for an approximately 24.55-acre parcel (Tax Parcel: 131-6.00-8.00). The subject land is located on the south side of Newton Road (Sussex Road 582), approximately 800 feet west of the intersection of US Route 13 and Newton Road, north of the Town of Bridgeville. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to LI-2 (Light Industrial) to develop a 72,000 square-foot sheet metal and metal fabrication facility with associated office space.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Newton Road where the subject land is located, which is from Delaware Route 404 to US Route 13, are 6,888 and 8,865 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per weekly peak hour or 500 vehicle trips per day, and would be considered to have a Minor impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our Development Coordination Manual provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be fewer than 200 vehicle trips per a weekly peak hour and fewer than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of $10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.

Our review of the trip generation information provided by the applicant's engineer indicates that the proposed 72,000 square-foot sheet metal and metal fabrication facility

would generate 204 vehicle trips per day, 100 vehicle trips during the morning peak hour, and 100 vehicle trips during the evening peak hour. As stated above, because this development would generate fewer than 2,000 vehicle trips per day and fewer than 200 vehicle trips during a weekly peak hour, the applicant has the option to pay the Area-Wide Study Fee in lieu of doing a TIS. The Area-Wide Study Fee for the proposed development would be $2,040.00. Payment of the Area-Wide Study Fee does not preclude a developer from having to make or participate in off-site improvements, including a Traffic Operational Analysis (TOA), if one is found to be necessary during the site plan review process.

On September 9, 2019, DelDOT issued an Area Wide Study Fee (AWSF) letter for a 67,500 square-foot metal fabrication facility on the subject parcel in the amount of $2,040.00. While the proposed square-footage on the subject application is more than the 67,500 square-foot facility indicated in the AWFS letter, we do not anticipate an increase in the above-mentioned trip generation. A copy of the AWSF letter is enclosed with this letter.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

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

Sincerely,

T. William Brockenbrough, Jr.

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm
Enclosure
cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Jamie Whitehouse, Planning & Zoning Manager, Sussex County Planning & Zoning
Robert F. Rider, Jr, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

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

JENNIFER COHAN
SECRETARY

MEMORANDUM

TO: Susanne Laws, Sussex Review Coordinator

FROM: Troy Brestel, Project Engineer TEB

DATE: September 9, 2019

SUBJECT: **MillerMetal Fabrication Facility – (Protocol Tax Parcel #131-6.00-8.00)**
Area Wide Study Fee and Off-site Improvements

The subject development meets DelDOT's volume warrants to pay the Area Wide Study Fee in lieu of doing a Traffic Impact Study (TIS). This memorandum is to address the amount of that fee and the off-site improvements that should be required of the developer in the absence of a TIS. The fee and improvements presented below are an alternative to the developer doing a TIS and the improvements identified through DelDOT's review of that study.

1) The proposed development consists of a 67,500 square foot fabrication facility. Per review of information supplied by the developer, we have determined that the proposed development would generate 204 daily trips and 100 hourly trips for both the a.m. and p.m. peak hours. The fee is calculated at ten dollars per daily trip. For the proposed development, the fee would be $2,040.00.

2) There are no off-site improvements that the developer will be required to make or participate in.

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

TB:km
cc: Marty Miller, MillerMetal Fabrication, Inc.
Dave Heatwole, Scaled Engineering, Inc.
J. Marc Coté, Assistant Director, Development Coordination
T. William Brockenbrough, Jr., County Coordinator, Development Coordination
Peter Haag, Traffic Studies Manager, Traffic, DOTS
Gemez Norwood, South District Public Works Manager, South District, DOTS
Derek Sapp, Subdivision Manager, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **8/24/2020**

APPLICATION: **CZ 1919 Newton Farms LLC**

APPLICANT: **Newton Farms LLC**

FILE NO: **WS-4.06**

TAX MAP & PARCEL(S): **131-6.00-8.00**

LOCATION: **On the south side of E. Newton Road, approximately 791 feet west of Sussex Highway (Rt. 13).**

NO. OF UNITS: **Upzone from C-1 to LI-1**

GROSS ACREAGE: **23.7021**

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

SEWER:

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

Yes ☐ No ☒

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

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

(3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

(4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **No** If yes, the current System Connection Charge Rate is **Unified $6,360.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**

☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **The proposed Change of Zone is in a Tier 2 area for sanitary sewer service. However, the Sussex County Engineering Department does not currently have a schedule to provide sanitary sewer service.**

(9). Is a Sewer System Concept Evaluation required? **No**

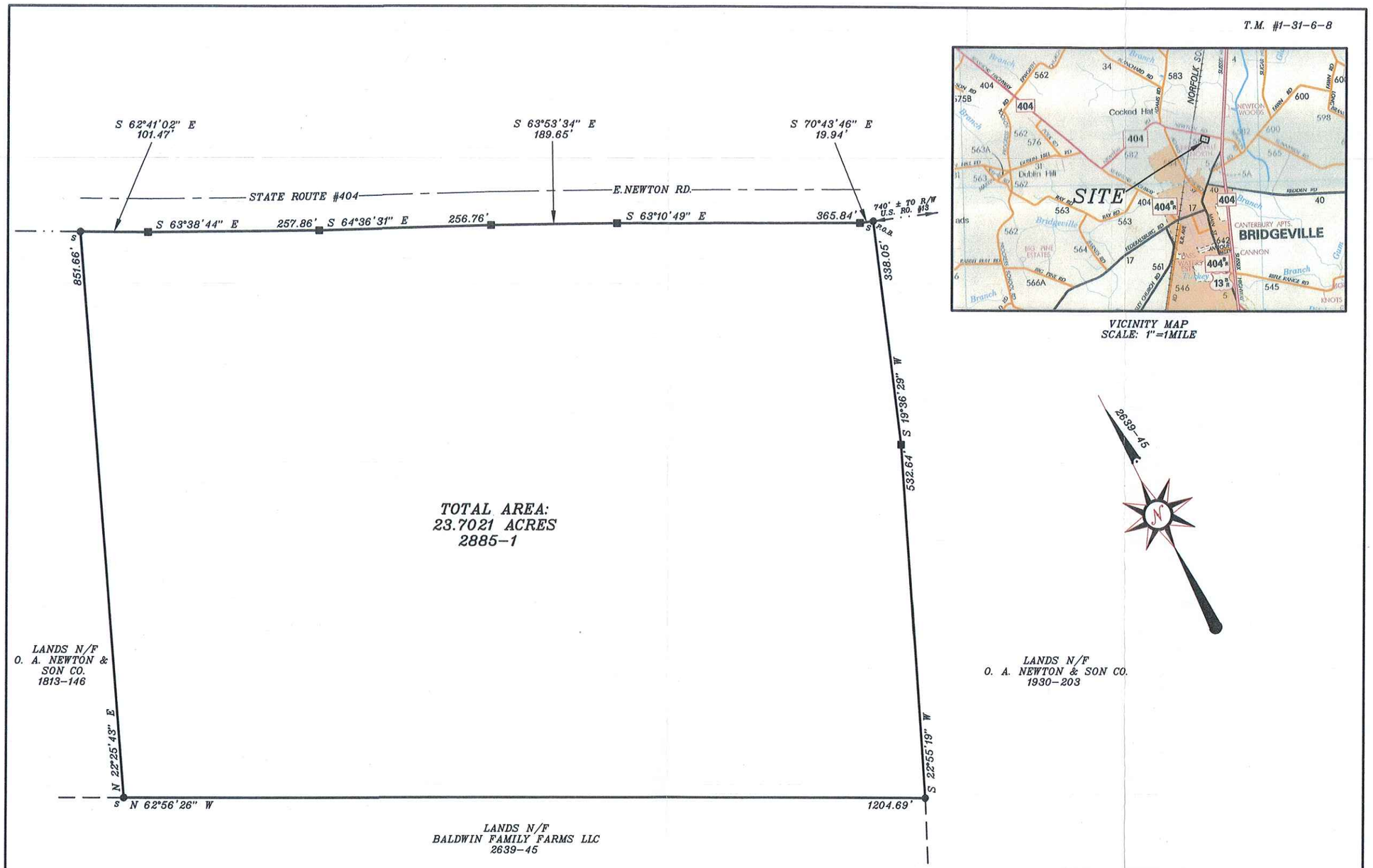
(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:

John J. Ashman
Director of Utility Planning

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

T.M. #1-31-6-8



PROPERTY SURVEY FOR
NEWTON FARMS LLC.

SCALE: 1"=100'

SUBURBAN SURVEY

MILLER LEWIS, INC.
LAND SURVEYING
34313 PEPPERS CORNER RD.
FRANKFORD, DELAWARE 19945

DONALD K. MILLER REGISTERED No. 497 PROFESSIONAL LAND SURVEYOR
JANUARY 23, 2007

HUNDRED	COUNTY
NORTHWEST FORK	SUSSEX
STATE	DRAWN BY
DELAWARE	D.K. MILLER
REF.	DWG. NO.
2885-1	1-31-6-8

Newton Farms, LLC

Change of Zone No. 1919

Newton Farms, LLC
16536 Sussex Highway
Bridgeville, DE 19933

SCTP No: 131-6.00-8.00
8600 E. Newton Road
Bridgeville, DE

David C. Hutt, Esquire
Morris James LLP

Public Hearings:

Planning Commision	09/10/2020
County Council	10/06/2020

Table of Contents

Tab “1”

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

RECEIVED
JAN 30 2020
SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✓

Site Address of Conditional Use/Zoning Map Amendment
8600 E Newton Rd, Bridgeville, DE

Type of Conditional Use Requested:
Not applicable.

Tax Map #: 131-6.00-8.00 **Size of Parcel(s):** 23.7021 ACRES

Current Zoning: C-1 **Proposed Zoning:** LI-2 **Size of Building:** 72,000 SF

Land Use Classification: Developing Area

Water Provider: N/A (on-site well) **Sewer Provider:** N/A (on-site system)

Applicant Information

Applicant Name: Newton Farms, LLC
Applicant Address: 16536 Sussex Highway
City: Bridgeville State: DE ZipCode: 19933
Phone #: (302) 542-8767 E-mail: rob.riderjr.@oanewton.com

Owner Information

Owner Name: Newton Farms, LLC
Owner Address: 16536 Sussex Highway
City: Bridgeville State: DE Zip Code: 19933
Phone #: (302) 542-8767 E-mail: rob.riderjr.@oanewton.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esq. | Morris James LLP
Agent/Attorney/Engineer Address: 107 W. Market Street
City: Georgetown State: DE Zip Code: 19947
Phone #: (302) 856-0015 E-mail: dhutt@morrisjames.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
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- Deed or Legal description

✓ **Provide Fee $500.00**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

✓ **DelDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 1/27/2020

Signature of Owner

_____ Date: 1/20/2020

For office use only:

Date Submitted: _____ Fee: $500.00 Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

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

Date of CC Hearing: _____ Decision of CC: _____

Sussex County, DE
Treasury
P.O. Box 601
Georgetown, DE 19947
Welcome

33016587-0005 Megan D. 01/30/2020 09:23AM

PERMITS / INSPECTIONS
CHANGE OF ZONE - FEE
2020 Item: 202001083|Z015 500.00

500.00

Subtotal 500.00
Total 500.00

CHECK 500.00
Check Number001106

Change due 0.00

Paid by: NEWTON FARMS LLC

Thank you for your payment

CUSTOMER COPY

January 25, 2020

Miller-Lewis, Inc. Land Surveying
1560 Middleford Road Seaford DE 19973

LEGAL DESCRIPTION OF LANDS OF
NEWTON FARMS, LLC
TM# 1-31-6-8

All that certain piece, parcel and tract of land lying and being situate in Northwest Fork Hundred, Sussex County and State of Delaware, being the lands of Newton Farms, LLC as designated on a survey plat prepared by Miller-Lewis, Inc., dated January 23, 2007 and more particularly described, as follows:

BEGINNING at an iron pipe set on the southwesterly right-of-way line of State Route #404 (also known as East Newton Road), said pipe being situate westerly 740 feet more or less from the right-of-way line of U.S. Route #13; thence with lands now or formerly of O. A. Newton & Son Co. the following two (2) courses and distances: 1) South 19°-36'-29" West a distance of 338.05 feet to a concrete monument found; 2) South 22°-55'-19" West a distance of 532.64 feet to a disturbed iron pipe found; thence with lands now or formerly of Baldwin Family Farms LLC North 62°-56'-26" West a distance of 1,204.69 feet to an iron pipe set; thence with lands now or formerly of O. A. Newton & Son Co. North 22°-25'-43" East a distance of 851.66 feet to an iron pipe set; thence with said right-of-way line the following six (6) courses and distances: 1) South 62°-41'-02" East a distance of 101.47 feet to a concrete monument found; 2) South 63°-38'-44" East a distance of 257.86 feet to a concrete monument found; 3) South 64°-36'-31" East distance of 256.76 feet to a concrete monument found; 4) South 63°-53'-34" East a distance of 189.65 feet to a concrete monument found; 5) South 63°-10'-49" East a distance of 365.84 feet to a concrete monument found; 6) South 70°-43'-46" East a distance of 19.94 feet home to the point and place of beginning said to contain 23.7021 acres of land, more or less.

Donald K. Miller, PLS #407

Tab “2”

56030

BK 02885 PG 001

Tax Map 1-31-6.00,
Parcels 1.00, 8.00 and 12.00;

Tax Map 1-31-10.00, Parcel 12.00;

Tax Map 5-30-6.00,
Parcels 12.00, 17.00 and 21.00

PREPARED BY AND RETURN TO:
Wilson, Halbrook & Bayard, P.A.
P.O. Box 690, Georgetown, DE 19947

NO TITLE OR LIEN SEARCH REQUESTED AND NONE PERFORMED

DEED

THIS DEED, made this 15th day of September, A.D., 2003,

B E T W E E N,

PNC BANK, DELAWARE, (formerly Bank of Delaware) a Corporation of the State of Delaware, and ROBERT F. RIDER, as Co-Trustees under the Will of Warren C. Newton, and ROBERT F. RIDER, as Trustee under the Will of Elizabeth Newton, and Robert F. Rider, Trustee, under Order of the Court of Chancery dated January 7, 2003, in In the Matter of Newton Farms, Incorporated, C.A. No. 2246-S, parties of the first part, Bridgeville, Delaware 19933, parties of the first part, Grantors ("Grantors"),

A N D

Newton Farms, L.L.C., a Delaware Limited Liability Company, of P.O. Box 397, party of the second part, Grantee ("Grantee"),

W I T N E S S E T H:

That the Grantor, for and in consideration of the sum of One Dollar ($1.00), and other valuable and lawful considerations, currently lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the Grantee, as its heirs, successors and assigns forever,

TRACT NO. 1

Consideration:	$0.00	Exempt Code: A
County	State	Total
0.00	0.00	0.00
counter	Date: 09/17/2003	

All that certain piece or parcel of land situated in Northwest Fork Hundred, Sussex County, and State of Delaware, more particularly described as follows: Bounded on the West by the concrete highway leading from Bridgeville to Woodenhawk, on the North by lands now or formerly of Joshua T. West, other lands now or formerly of Warren C. Newton and lands now or formerly of H.P. Cannon Farms, Inc. on the East by lands now or formerly of H.L. Cannon and lands now or formerly of George W. Willin, and on the South by an improved slag highway leading from the Bridgeville-Woodenhawk concrete highway to Cocked Hat together with all and singular the buildings and other improvements and appurtenances thereunto belonging, containing two hundred and twenty-two (222) acres, twenty-nine (29) perches of land, more or less;

RESERVING, THEREFROM, HOWEVER, ALL that certain tract, piece or parcel of land situate in said Hundred, County and State, beginning at a point in the center of Road No. 582 and running in a Northerly direction with the center of a lane or roadway leading past Elizabeth E. Newton six hundred twenty-five (625) feet to a pipe in the center of said lane or roadway; thence turning and running in a Southwesterly direction a distance of eight hundred thirty-two (832) feet, more or less, to the center of a ditch known as Prong No. 2 of the Bridgeville Branch Tax Ditch; thence running in part with the center of the present said ditch and in part with the center of the proposed re-construction of said ditch, in a Southeasterly direction a distance of six hundred three (603) feet to the center of Road No. 582; thence turning and running with the center of said Road No. 582 in an Easterly direction a distance of seven hundred ten (710) feet, back to the place of beginning, be the contents thereof whatsoever they may, together with improvements consisting of a home and a combined garage and workshop thereon erected.

EXCEPTING, THEREFROM, HOWEVER, the following conveyances away by Warren C. Newton and wife: Deed to William R. Conaway, dated December 31, 1962, recorded in Deed Book 553, Page 274, 17,500 square feet of land, more or less: Deed to O.A. Newton & Son Company, dated February 25, 1947, recorded in Deed Book EMK, Vol. 371, Page 32, 6.55 acres and 11.65 acres of land, more or less: Deed to J.N. Conaway dated December 31, 1956, recorded in Deed Book 469, Page 88, ½ interest in 26,250 square feet of land, more or less; Deed to J.N. Conaway, February 28, 1957, recorded in Deed Book 474, Page 377, ½ interest in 26,250 square feet of land, more or less: Deed to William R. Conaway, dated January 21, 1964,

recorded in Deed Book 572, Page 46, 6,000 square feet of land, more or less: Deed to State of Delaware dated April 2, 1959, recorded in Deed Book 505, Page 160, Parcel No. 3 - .1209 of an acre of land more or less, and .3913 of an acre of land, more or less, of Parcel No. 2.

TRACT NO. 2

ALL that certain piece or parcel of land situate, lying and being in Northwest Fork Hundred, Sussex County, State of Delaware, beginning for the metes and bounds thereof at a stone, a corner for this land and other lands now or formerly of Warren C. Newton, and lands now or formerly of Oliver A. Newton and runs with the lands now or formerly of O. A. Newton, North 36 degrees East 13 7/10 perches to a stone; thence with a line North 36 ½ degrees West 44 6/10 perches to the center of a ditch small marked Spruce pine standing on the South bank of a ditch; thence with the center of said ditch South 55 degrees West 16 3/10 perches to the lands now or formerly of Warren C. Newton; thence binding with same South 41 ½ degrees East 50 perches to the place of beginning, containing four and three-eights (4 3/8) acres of land, be the same more or less.

TRACT NO. 3

ALL that certain tract, piece or parcel of land, situate, in Northwest Fork Hundred, Sussex County, and State of Delaware, adjoining lands now or formerly of H.P. Cannon, O.A. Newton and Joshua T. West, more particularly described as follows, viz:

BEGINNING at a corner for lands now or formerly of J.T. West and H.P. Cannon and running with the lands of said Cannon North 41 ½ degrees West 88.7 perches to a stone; thence with South edge of Public Road and other lands now or formerly of J.T. West South 49 ½ degrees West 34.8 perches to a stone; thence South 60 degrees East 15.6 perches to a stone; thence South 34 ½ degrees East 49.6 perches to a stone, North 56 degrees East 10 ½ perches to stone, South 35 ½ degrees East 26.5 perches to a sassafras tree in line of lands now or formerly of O.A. Newton; thence with same North 48 degrees East 12.8 perches to a stone; thence North 35 degrees East 15 perches to the place of beginning, containing seventeen (17) acres and thirty-six (36) square perches, be the same more or less, as surveyed January 13, 1926.

TRACT NO. 4

ALL that certain tract, piece or parcel of land, situate, lying and being in North West Fork Hundred, Sussex County, State of Delaware, more particularly bounded and described as follows, to wit:

COMMENCING at an iron stake on the South side of a private road and running South 16 ¾ degrees West 125 rods to a stone; thence turning and running along and with the lands now or formerly of Oliver A. Newton North 79 ½ degrees West 134 ½ rods to a red oak stump; thence turning and running along and with lands now or formerly of Elwood Rust, formerly belonging to H.P. Cannon Farms Company, Inc., North 36 ¾ degrees East 113 rods to an iron spike in the aforementioned road; thence turning and running with said road South 87 ½ degrees East 114 ½ rods, home to the place of beginning, containing ninety (90) acres of land, more or less.

TRACT NO. 5

ALL that certain tract of land, situated in Northwest Fork Hundred, Sussex County, Delaware, described as follows:

BEGINNING in the center of a public road leading from Cocked Hat to lands now or formerly of Oliver A. Newton, in line with a stake on the North of said road; thence North with lands now or formerly of Luther Rust, North 38½ degrees West 130.1 perches to a stone in the line of lands now or formerly of Warren C. Newton; thence with said lands now or formerly of Warren C. Newton and lands now or formerly of Oliver A. Newton, South 15 ½ degrees West 54.4 perches to a stone; thence South 70 ½ degrees West 14.4 perches to a stone; thence South 09 degrees West 58.6 perches; thence South 36 ¾ degrees East 58.4 perches to the middle of said public road; thence with the middle of said public road North 54 degrees East 108.5 perches to the place of beginning, containing sixty-three and one quarter (63 ¼) acres of land, more or less.

LESS the following described parcel that was conveyed from the above tract by a Deed from G.W. Willin to Percy E. Hopkins, Sr. in October, 1946; Beginning in the center of the private road and runs with the same North 38 degrees West 415 feet to a stake, South 55 degrees West 105 feet to a stake, South 38 degrees East 415 feet to a stake at the Public Road; thence with the road North 55 degree East 105 feet to the place of beginning, containing one (1) acre of

land, be it the same more or less.

TRACT NO. 6

ALL that certain piece and parcel of land situate and being in Northwest Fork Hundred, Sussex County, State of Delaware, more particularly described as follows:

BEGINNING at the intersection of the road leading from Bridgeville to Trinity M.E. Church and other lands now or formerly of Hardy E. Bennett; thence by and with the line of said Bennett lands in an Easterly direction to a ditch; thence by and with the meanderings of said ditch in a Northerly direction to the lands now or formerly owned by O.A. Newton; thence by and with the line of said Newton lands in a westerly direction to the road leading from Bridgeville to Trinity M.E. Church; thence by and with said road in a Southerly direction to the place of beginning, containing approximately nine (9) acres, be the same more or less.

A portion of the land containing 92,050 square feet of land was conveyed from the said tract of land by a Deed of Warren C. Newton and Elizabeth E. Newton, his wife, to Dorothy N. Porteus dated the 26th day of Mary, 1952, and filed for record in the Office of the Recorder of Deeds in Deed Record No. 414, Page 208. The said lot of land was thereafter reconveyed by a Deed of Dorothy N. Porteus etal., to Newton Farms, Incorporated.

EXCEPTING THEREFROM, HOWEVER, Deed to State of Delaware dated April 2, 1959, recorded in the aforesaid Recorder of Deeds Office in Deed Book Vol. 505, Page 160, Parcel No. 1 - .1376 of an acre, more or less, and .0272 of an acre, more or less, of Parcel No. 2; Deed to Church of God dated June 6, 1960, recorded in aforesaid Recorder of Deeds Office in Deed Book Vol. 535, Page 323, 20,670 square feet of land.

TRACT NO. 7

ALL those two (2) certain tracts, pieces or parcels of land more particularly described as follows, to wit:

TRACT NO. 1 - ALL that certain tract of land designated as Tract Number Two in the proceedings of Baltimore Trust Company, Administrator of Philip H. Willey, deceased, to sell lands of Philip H. Willey, deceased, for the payment of his debts as will by

reference being thereunto had more fully appear. The aforesaid tract Number Two being situate in Northwest Fork Hundred, Sussex County, Delaware, adjoining lands now or late of Eugene Smith, Sarah Trout, Oliver A. Newton and lands formerly of Daniel F. Ball, containing twenty-eight (28) acres of land, more or less.

TRACT NO. 2 - ALL that certain tract, piece or parcel of land situate, lying and being in Northwest Fork Hundred, Sussex County and State of Delaware, adjoining lands now or formerly of Philip H. Willey, Philip L. Cannon, and others, more particularly described as follows, to wit:

BEGINNING at a stone, a corner for these lands and lands of said Philip H. Willey, said stone being in the edge of the public road leading from "Cocked Hat" to the road leading from Bridgeville to Dublin Hill; thence along and with said public road first named, North 57 degrees East 122.2 perches to a stone; thence still along and with said public road North 51 ½ degrees East 37 perches to a stone, a corner for these lands and lands now or formerly of Philip L. Cannon; thence turning and running with the lands now or formerly of said Philip L. Cannon South 31 ½ degrees East 72.7 perches to a stone, a corner for these lands and for other lands now or formerly of Dorothy Newton Porteus, et vir; thence turning and running with a line dividing these lands from lands now or formerly of Sarah Trout South 57 degrees 09 minutes West one hundred sixty-five (165) perches to the line of the lands now or formerly of said Philip H. Willey; thence turning and running with said Willey's land North 27 ½ degrees West 68.7 perches, home to the place of beginning, containing seventy (70) acres of land, be the same, more or less.

EXCEPTING, THEREFROM, HOWEVER, the following conveyance out of Tract No. 1 of this Tract No. 7 by Warren C. Newton and wife: Deed to State of Delaware, dated April 2, 1959, recorded in the aforesaid Recorder of Deeds Office in Deed Book Vol. 505, Page 160, being .3434 of an acre, more or less of Parcel No. 2.

TRACT NO. 8

ALL that certain tract of land situate in Northwest Fork Hundred, Sussex County, Delaware, described as follows:

BEGINNING at a point in the center of the public road leading from Cocked Hat to the Bridgeville-Dublin Hill Road; thence with

lands now or formerly of Oliver A. Newton South 31 degrees East 81.6 perches; thence South 74 ¼ degrees West 4.7 perches; thence South 19 ½ degrees East 24 perches; thence with lands now or formerly of George B. Ruos North 68 ½ degrees East 131.7 perches to the center of the public road leading from Bridgeville to Greenwood; thence therewith North 17 ¾ degrees West 102 perches; thence North 11 ½ degrees West 34 perches to the center of the first mentioned road; thence with the center of the first mention road South 58 degrees West 75.2 perches; thence South 54 degrees West to the place of beginning, containing one hundred four and one-half (104 1/2) acres of land, more or less.

TRACT NO. 9

ALL that certain tract, piece and parcel of land situated in Northwest Fork Hundred, Sussex County, State of Delaware, lying on the East side of the public highway leading from Bridgeville to Cocked Hat, bounded on the North by lands now or formerly of George B. Ruos, on the East by the Delaware Railroad, and on the South by lands now or formerly of Charles E. Brown, containing twenty-nine and four-tenths (29.4) acres of land, more or less.

EXCEPTING, THEREFROM, HOWEVER, the following conveyance away by Warren C. Newton and wife; Deed to O.A. Newton & Son Company dated September 18, 1947, recorded in the aforesaid Recorder's Office in Deed EMM, VOL. 373, Page 405, 5.95 acres.

TRACT NO. 10

ALL those two certain tracts of land situate in Northwest Fork Hundred, Sussex County and State of Delaware, lying on the Easterly side of the public road leading from Bridgeville to Greenwood by way of "Cocked Hat" and on both sides of the Delaware Railroad Company's right of way adjoining lands now or formerly of Agnews Ellen Butler, George V. Ruos, Mrs. Cahall, and Harry L. Cannon, more fully described as follows, to wit:

TRACT NO. 1 - Beginning for the outlines thereof in the center of the aforesaid public road from Bridgeville to Cocked Hat at a cement block on the east side of said road; thence with a line North 71-3/4 degrees East 96.2 perches to a stone in the West line of the aforesaid Railroad; thence with the same North 17 ¾ degrees East 37 perches to the center of the public road at Dale's Crossing thence with the center of the said road North 68 ½ degrees West

134.2 perches to the center of the public road from Bridgeville to Cocked Hat; thence with said road South 15 degrees East 116.5 perches to the place of beginning, containing 45 1/8 acres of land, more or less.

TRACT NO. 2 - A small tract on the East side of the Delaware Railroad, beginning in the center of the public road at Dale's Crossing and running thence with said Railroad line South 17 ¾ degrees West 54 perches; thence with lands now or formerly of George V. Ruos, North 86 degrees East 31 perches to lands now or formerly of Mrs. Cahall North 12 ½ degrees East 30 perches to the Polk Lot; thence North 68 ½ degrees West 8 perches to a stone; thence North 14 ½ degrees East 12 perches to the center of the public road; thence North 68 1/2 degrees West 18 perches to the place of beginning, containing 6 ¾ acres of land, more or less and making a total in the two tracts of 51-7/8 acres of land, more or less, according to survey and plot made December 18, 1936 by Clarence H. Melson, Surveyor.

EXCEPTING, THEREFROM, HOWEVER, the following conveyance away by Warren C. Newton and wife: Deed to George V. Ruos dated December 4, 1951, recorded in the aforesaid Recorder's Office in Deed Record 408, Page 439, 1.4 acres.

TRACT NO. 11

ALL that certain lot, piece or parcel of land lying and being in Northwest Fork Hundred, Sussex County, State of Delaware, more particularly bounded and described as follows, to wit:

COMMENCING at a point in the center of the public highway leading to Bridgeville, East of Dale's Crossing, and adjoining Lot now or formerly of Noah Kimmey; thence running with said lot and the lands now or formerly of Warren C. Newton and George Ruos South 12 degrees West 63 perches to a stone; thence turning and running with lands now or formerly of George Ruos South 79 ½ degrees East 69 perches to a stone; thence South 20 degrees West 7 ½ perches to a stake in the boundary line of the lands now or formerly of G. Dickerson; thence with said lands North 85 ¼ degrees East 51 8/10 perches to a stake; thence North 14 ¼ degrees East 32 2/10 perches to the center of said highway; thence North 68 ¼ degrees West 120 perches, home to the place of beginning, containing 32 ½ acres of land, more or less.

EXCEPTING, THEREFROM, HOWEVER, the following conveyances away by Warren C. Newton and Elizabeth E. Newton, his wife: Deed to O.A. Newton & Son Company dated February 7, 1947, recorded in the aforesaid Recorder's Office in Deed Book EMG, Vol. 367, Page 280, 76,800 square feet of land; Deed to O.A. Newton & Son Company dated January 5, 1955, recorded in the aforesaid Recorder's Office in Deed Book 442, Page 48, 45,700 square feet of land; Deed to O.A. Newton and Son Company dated January 27, 1958, recorded in the aforesaid Recorder's Office in Deed Book 483, Page 580, 75,670 square feet of land; Deed to George V. Ruos, dated December 4, 1951 and recorded in the aforesaid Recorder's Office in Deed Book 406, Page 439, 1.4 acres, more or less.

TRACT NO. 12

ALL that piece or parcel of land situate in Northwest Fork Hundred, Sussex County, State of Delaware, bounded as follows:

BEGINNING in the center of the County Road leading from Dale's Crossing on the Delaware Railroad to the mill formerly belonging to the late Governor William Cannon, deceased, and in the division line between Lizzie Cahall and John Sorden and thence running down said line 11.1 perches; thence parallel with the aforesaid County Road 7.2 perches; thence parallel with the aforementioned division line 11.1 perches to the center of the aforesaid County Road and thence with Center of said County Road to the place of beginning and containing one-half (1/2) acre of land, be the same more or less.

TRACT NO. 13

ALL those two several lots, pieces or parcels of land situated lying and being in Northwest Fork Hundred, Sussex County, Delaware, more particularly described as follows, to wit:

No. 1 - Beginning at a point in the eastern side of the Delaware Railroad, a corner for lands now or formerly of said Warren C. Newton and said George Ruos, the said beginning point being distant southerly along the Railroad Company's lands, 891 feet from the center line of a dirt road from Dale's Crossing to Cocked Hat (also from Dale's Crossing easterly to Route 13); thence along and with the Railroad lands, southerly one and three-quarters (1 ¾) feet to a corner; thence a line (forming an angle with Railroad of 94 degrees and 36 minutes when projected from North

toward East), or South 68 degrees and 10 minutes East, four hundred and sixty-four and three-quarters (464 ¾) feet; thence North 12 ½ degrees East 190 ¾ feet; thence in a Westerly direction along lands of said Newton to the place of beginning.

No. 2 - Beginning at a large stone, a corner for lands now or formerly of Warren C. Newton; thence with same South 20 degrees West 89 feet to a division line; thence with same North 68 degrees 10 minutes West, 426 feet, or such distance as will reach the old division line; thence following the old division line, easterly to the place of beginning, the two tracts together containing one and four-tenths (1.4) acres of land, be the same more or less. The object of this conveyance with the aid of another deed from Newton to Ruos of the same date is to establish a new division line parallel to the dirt road from Dale's Crossing to Route 13 and extending easterly from the Delaware Railroad to lands of Grover Dickerson.

TRACT NO. 14

ALL that certain tract, piece and parcel of land situate in Northwest Fork Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

Bounded on the West by the right-of-way of the Delaware Railroad Company, bounded on the South by the lands now or formerly of Electra Goldsborough and bounded on the East, West and North by the lands now or formerly of George Ryos, and being all of the lands East of the Delaware Railroad Company right-of-way conveyed unto Newton Chemical and Supply Company by a Deed of Fred J. Palmer, dated June 5, 1944, and recorded in the aforesaid Recorder's Office in Deed Book ELN, Vol. 348, Page 29, be the contents what it may.

TRACT NO. 15

ALL that certain tract, piece or parcel of land situated lying and being in Northwest Fork Hundred, Sussex County, Delaware, adjoining lands now or formerly of the heirs of Rev. Thomas A. Moore, deceased, Henry C. Short and bordering on the North side of the Public Road leading from Cotrells Mills to M.I. Fisher's and contained with the following courses and distances: Beginning for the same in the center of the aforesaid Public Road at a corner of lands now or formerly of said Fisher and run from thence down the

center of said road South 69 ½ degrees West 17.7 rods; thence leave said Road and run North 54 ¾ degrees West 9 ¼ rods to a post where formerly stood a cedar in line of lands now or formerly of said Short; thence with the same North 38 degrees East 73 ¾ rods; thence North 8 ¾ degrees West 31 rods to post, a corner of dower lands of the widow of said Thomas A. Moore, deceased, then with the same North 45 ¼ degrees East 63.4 rods to a post; then South 40 ½ degrees East 106.2 rods to the center of the aforesaid public road; then down the same South 68 ½ degrees West 140.64 rods home to the place of beginning, containing fifty-six (56) acres and twenty -two (22) square rods of land, more or less.

EXCEPTING, THEREFROM, HOWEVER, the following conveyance away by Warren C. Newton and wife: Deed to Fred N. Truitt, dated March 9, 1946, recorded in the aforesaid Recorder's Office in Deed Book 362, Page 3, ½ acre: Deed to O.A. Newton & Son Company, dated September 18, 1947, and recorded in the aforesaid Recorder's Office in Deed Book EMM, Vol. 373, Page 405, 33,480 square feet.

TRACT NO. 16

ALL that certain tract, piece and parcel of land situate, lying and being in Nanticoke Hundred, Sussex County, Delaware, fronting on the public road leading from Gum Branch Road to the Greenwood Road, adjoining lands now or formerly of John H. Smith, Ezekiel Willey, Charles Webb and Joseph J. Smith more fully described as follows: Beginning at a corner for these lands and lands now or formerly of Ezekiel Willey: thence in a Southerly direction in a straight line with lands now or formerly of said Ezekiel Willey 54 rods and 10 feet to a stone, a corner for these lands and lands now or formerly of Joseph J. Smith and Ezekiel Willey; thence in a straight line running with a small ditch separating these lands from lands now or formerly of Joseph J. Smith in an Easterly course 53 rods to the West Branch Ditch; thence up the said West Branch Ditch with its several meanderings in a Northerly course to a bridge 41 rods and 14 feet at the first mentioned public road; thence with the aforesaid public road in a Westerly course 76 rods and 10 feet to the place of beginning, containing 21 acres, more or less, of young growing pine and woodland, improved with an old frame dwelling house thereon.

RESERVING thereout and therefrom said lands herein conveyed a right of way fifteen feet wide beginning at the aforesaid public road leading from Gum Branch Road to Greenwood, and extending along

the land now or formerly of E. Willey in a Southerly direction to another corner for these lands and other lands now or formerly of said Joseph J. Smith and terminating thereat.

TRACT NO. 17

ALL that certain tract, piece or parcel of land, with improvement situate thereon located in Nanticoke Hundred, Sussex County, State of Delaware, described as follows, to wit:

Beginning at a point at the run of Mortons Branch, a corner for lands now or formerly of Leonard Chaffinch; thence two courses with said lands, North forty-six and one-half degrees East ten hundred fifty (1,050) feet to a stone; North fifty-two degrees West, eight hundred (800) feet to the South side of the Bridgeville to St. Johnston State Highway; thence with same, North forty-seven degrees fifty three minutes East, five hundred seventy seven and one-half (577 ½) feet to the center line of the dirt road leading to Sunnyside School; thence along the center of same, South fifty three degrees East, twenty three hundred eighty eight (2,388) feet to a point opposite the center line of a ditch and a corner for lands now or formerly of Addison Tatman; thence with same, South nine degrees West, two hundred twenty eight (228) feet; thence continuing with said Tatman lands and with said ditch in part, South thirty nine degrees twenty two minutes West, twenty four hundred thirty (2,430) feet to the run of Mortons Branch; thence with lands now or formerly of William G. Passwaters, Northerly to the place of beginning, containing 104 ¾ acres of land, be the same more or less.

TRACT NO. 18

ALL that certain tract, piece and parcel of land situated in Northwest Fork Hundred, Sussex County, State of Delaware, lying on the Northeasterly side of Route 404 leading from Bridgeville, Delaware, to Denton, Maryland and shown as Lot No. 15 in Plot Book 2, Page 14; the above Lot 15 being adjacent to the right of way of above mentioned Route 404 adjoins the lands of Newton Farms, Incorporated and has for its Northeasterly boundary the center of Prong 2 of Bridgeville Branch Tax Ditch and contains approximately 92,050 square feet of land be the same Plot #15 which Warren C. Newton and his wife, Elizabeth E. Newton, conveyed to Dorothy R. Porteus by a Deed dated May 26, 1952 and recorded in Deed Book GMB Volume 414, Page 208.

TRACT NO. 19

ALL that certain tract, piece and parcel of land situate in Northwest Fork Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

BEGINNING at a stake in the west line of the new dual highway and on the North side of the public road leading from Dale's Crossing to the Delaware State Police Station at Bridgeville, Delaware, commencing at the center of said road and running with the westerly edge of the right-of-way line of the aforementioned dual highway, North twelve degrees (12 degrees) East one hundred twenty-one (121) perches more or less to a stone; thence along the lands of Jane N. Rider North seventy-two and one-quarter degrees (72 ¼) West one hundred thirty-four and one-tenth perches (134.1) more or less to a stake in the Easterly edge of the right-of-way of the Delaware Railroad; thence with the Easterly edge of the right-of-way of said Delaware Railroad South seventeen and one-half degrees (17-1/2) West sixty-five and three-tenths (65.3) perches more or less to a cement post in the line of the said Delaware Railroad Company right-of-way; thence continuing along the said Easterly right-of-way of the Delaware Railroad South seventeen degrees (17) seventeen (17) minutes East seven hundred feet (700) to a point at the North side of the aforementioned public road leading from Dale's Crossing to the Delaware State Police Station, known as Delaware Route 584; thence South sixty-eight degrees (68) ten (10) minutes West along the said Northerly right-of-way, a distance of one hundred ten feet (110) to a point; thence South sixty-eight and one-quarter degrees (68 ¼) East, continuing along the said Northerly right-of-way of Delaware Route 584, a distance of one hundred thirty-eight and six-tenth perches (138.6) to the point where the Northerly right-of-way of Delaware Route 584 intersects with the Westerly right-of-way of the aforementioned dual highway, known as U.S. Route 13, containing 101.446 acres, more or less.

TRACT NO. 20

ALL those two (2) certain pieces or parcels of land situate in Northwest Fork Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

No. 1 - Beginning at an iron pipe dividing the lands of

O.A. Newton & Son Company and Newton Farms, Incorporated, said pipe being 147 feet in a Northeasterly direction from an iron bolt in the center of a private macadam road, said road being located West of the former residence of Oliver A. Newton, now deceased, and now being occupied by Newton Chemical & Supply Company and other Newton Companies, said road being the main outlet from the lands hereby conveyed and lands of Newton Farms, Incorporated, to Highway #582, connecting the Bridgeville to Denton Highway No. 404, and the old County Road #583 leading from Bridgeville to Greenwood; thence from the said iron pipe continuing in a Northeasterly direction with the dividing line between the lands of O.A. Newton & Son Company and Newton Farms, Incorporated, a distance of 329 feet to a marker in a fence line dividing the properties of O.A. Newton & Son Company and Newton Farms, Incorporated; thence with an interior angle of 92 degrees in a Northwesterly direction by and with lands of Newton Farms, Incorporated, a distance of 273 feet to a marker; thence with an interior angle of 88 degrees in a Southwesterly direction a distance of 329 feet to a marker in a fence line; thence with an interior angle of 92 degrees in a Southeasterly direction 273 feet to the place of beginning, be the contents what they may.

No. 2 - Beginning at a pipe located in the center of the private macadam road heretofore referred to, a distance of 211 feet Northwest of the beginning point of Tract No. 1 herein conveyed; thence with the center of said road and with a line of marks in the center of said private road at a bearing of approximately North 32 ¾ degrees West a distance of 594 feet to a pipe in the center of the aforesaid macadam road; thence with an interior angle of 90 degrees in a Southwesterly direction by and with the lands of Warren C. Newton a distance of 1,156 feet to a post in a ditch; thence by and with the center and meandering of said ditch a distance of approximately 676 feet to a post on the aforesaid ditch; thence in a Northeasterly direction by and with the lands of Warren C. Newton a distance of 839 feet to the place of beginning, the interior angle at the place of beginning being 87 ½ degrees, be the contents thereof what they may, together with all improvements thereon.

Reserving to the said Warren C. Newton, his heirs or assigns, the right-of-way over and upon any and all roads contiguous to the lands conveyed by this deed together with the right-of-way over and across a private macadam road located West of the house formerly occupied by Oliver A. Newton and now occupied by Newton Chemical & Supply Company and other Newton Companies and intersecting with the

Highway #582 connecting the Bridgeville-Denton Highway #404 with the old county road leading from Bridgeville to Greenwood #583.

EXCEPTING thereout and therefrom the standing wooden electric poles, wires being suspended thereby, the transformer or transformers used in conjunction therewith, being used as of the time of the execution of this deed, for the supply of electrical service for the benefit of the grantor and being the property of the grantor.

ALSO EXCEPTING thereout and therefrom the pump house, tanks, pipes, and appurtenances used in conjunction therewith for the supply of water used for the production of eggs, chicks and poultry and the incidental uses thereto, for the benefit of the grantor and being the property of the grantor.

IN ADDITION to the above reservation and exceptions, this conveyance is made subject to a reservation to the grantors, O.A. Newton & Son Company, its successors and assigns, jointly with Warren C. Newton of Bridgeville, Delaware, of a right-of-way over and upon any and all roads contiguous to the lands conveyed by this deed together with the right-of-way over and across a private macadam road located west of the house now occupied by Newton Chemical & Supply Company and other Newton Companies, and intersecting with the highway connecting the Bridgeville to Denton Highway with the old County Road leading from Bridgeville to Greenwood.

EXCEPTING and RESERVING from the hereinbefore described parcels of land the following tracts of land:

A tract of land conveyed unto William R. Conaway by a Deed of Newton Farms, Incorporated, a corporation of the State of Delaware, dated the 19th day of February, 1974, and filed for record in Deed Record No. 728, Page 928. It was described as follows:

ALL that certain tract, piece and parcel of land, lying and being in the Northwest Fork Hundred, Sussex County, State of Delaware, being more particularly described as follows:

BEGINNING at a concrete marker on the right-of-way of Route 404, the point being 444.78 feet and South 38 degrees 00 minutes 00 second East of a concrete marker, a corner for the lands of Newton Farms, Incorporated, Bridgeville, Delaware, and Lester L. Showers,

Bridgeville, Delaware; thence by and with said right-of-way of Route 404 South 38 degrees 00 minutes 00 seconds East, a distance of 102.83 feet to a point and beginning of a curve having a radius of 25 feet, continuing around said radius of an arc distance of 36.27 feet to a point on the right-of-way of a 50 foot private road; thence by and with said private road North 58 degrees 52 minutes 40 seconds East, a distance of 147.46 feet to an iron pipe, continuing on same bearing 7.82 feet to center line of Prong #2 of the Bridgeville Branch Tax Ditch, in all, a total of 177.45 feet; thence by and with said ditch North 31 degrees 00 minutes 16 seconds West, a distance of 147.34 feet to a point; thence leaving center line of said ditch South 52 degrees 00 minutes 00 seconds West, a distance of 7.77 feet to an iron pipe, and continuing on said bearing 186.35 feet to a concrete marker, in all, a total of 194.12 feet; said concrete marker being the place of beginning, containing in all, 25,105 square feet.

A tract of land conveyed unto Philip H. Lyons and Cheryl L. Lyons, his wife, by a Deed of Newton Farms, Inc., a corporation of the State of Delaware, dated the 31st day of March, 1975, and filed for record in Deed Record No. 744, Page 987. It was described as follows:

ALL that certain piece or parcel of land, situate, lying and being in Northwest Fork Hundred, Sussex County, Delaware, being more particularly bounded and described as follows:

BEGINNING at a concrete marker located on the North right-of-way of Route 18 at a corner of these lands and the lands of Hillbert Massey; which point of beginning is approximately 826 feet East of the Easterly right-of-way line of Route 532; thence North 73 degrees 12 minutes 57 seconds East along the said Northerly right-of-way of Route 18, a distance of 100 feet to a concrete marker; thence North 16 degrees 47 minutes 03 seconds West along other lands of grantor, a distance of 277.39 feet to a concrete marker; thence South 42 degrees 30 minutes 42 seconds West along the lands of Hilda S. Baker, a distance of 116.30 feet to a concrete marker; thence South 16 degrees 47 minutes 03 seconds East along the lands of the said Hilbert Massey, a distance of 218 feet to the place of beginning, containing approximately 24,770 square feet or .5686 acres.

A tract of land conveyed unto Emerson M. Abbott and Kathryn D. Abbott, his wife, by a Deed of Newton Farms, Incorporated, a

corporation of the State of Delaware, dated the 19th day of February, 1974, and filed for record in Deed Record No. 726, Page 180. It was described as follows:

ALL that certain tract, piece and parcel of land, lying and being in the Northwest Fork Hundred, Sussex County, State of Delaware, being more particularly described as follows:

BEGINNING at a marker on the northerly right-of-way of Delaware Route 18, said marker being North 72 degrees 44 minutes 55 seconds East, 300 feet from a concrete marker, a corner for the lands of Newton Farms, Incorporated, and Hilbert W. Massey, deceased January 26, 1974; thence North 72 degrees 44 minutes 55 seconds East along said right-of-way of Route 18, a distance of 150' 00" to a concrete marker; thence turning and running North 17 degrees 15 minutes 05 seconds West, a distance of 481.62 feet to a concrete marker; thence turning and running South 42 degrees 30 minutes 42 seconds West, a distance of 173.62 feet to a concrete marker; thence turning and running South 17 degrees 15 minutes 05 seconds East, a distance of 394.19 feet to the place of beginning, containing 1.508 acres more or less.

A tract of land conveyed unto O.A. Newton & Son Company, a corporation of the State of Delaware, by a Deed of Newton Farms, Incorporated, a corporation of the State of Delaware, dated the 2nd day of April, 1976, and filed for record in Deed Record No. 785, Page 152. It was described as follows:

ALL that certain lot, piece or parcel of land situate, lying and being in Northwest Fork Hundred, Sussex County, State of Delaware, and lying on the Southerly side of Delaware Route 584 and being more particularly described as follows, to wit:

BEGINNING at an iron pin set in the Southerly right-of-way line of Delaware Route 584 and in line of other lands of O.A. Newton & Son, Company, said point of beginning being North 68 degrees 21 minutes 20 seconds West 570 feet from a concrete monument set in the Southwesterly intersection of Delaware Route 584 and U.S. Route 13; thence from said point of beginning and with the Southerly right-of-way line of Delaware Route 584 North 68 degrees 21 minutes 20 seconds West 170 feet to a concrete monument and other lands of Newton Farms, Incorporated; thence by and with the other lands of the said Newton Farms, Incorporated South 14 degrees 26 minutes 13 seconds West 347.80 feet to a concrete

monument; thence turning and running South 68 degrees 21 minutes 20 seconds East 185 feet to a concrete monument located in line of lands of said O.A. Newton & Son, Company; thence by and with the line of lands of said O.A. Newton & Son, Company North 12 degrees 00 minutes 00 seconds East 350 feet to an iron pipe set in the Southerly right-of-way line of Delaware Route 584, the point and place of beginning, containing 61,246 square feet of land or 1.406 acres of land, be the same more or less, as surveyed by J.J. McCann, Inc., Registered Surveyor, March 18, 1976.

A tract of land conveyed unto George Lee Slacum, Sr. by a Deed of Newton Farms, Incorporated, a corporation of the State of Delaware, dated the 19th day of June, 1969, and filed for record in Deed Record No. 643, Page 162. It was described as follows:

ALL that certain lot, pieces and parcels of land situated in Northwest Fork Hundred, Sussex County, State of Delaware, more fully described as follows:

BEGINNING at a marker on the Northeasterly side of the right-of-way of State Highway 404, this point being 562 feet from the center line of a ditch and the said Highway right-of-way, said ditch being the dividing lines between the lands of Jack H. Bennett and the Church of God; thence at a right angle along a course North 37 degrees 45 minutes East, a distance of 200 feet to a concrete marker; thence in a Northwesterly direction along a line parallel to aforesaid Highway right-of-way, the course being North 52 degrees 15 minutes West, a distance of 162 feet to a concrete marker; thence at a right angle along a course South 37 degrees 45 minutes West, a distance of 200 feet to a concrete marker in the Northeasterly right-of-way of Highway 404; thence in a line with the abovementioned right-of-way, a course of South 52 degrees 15 minutes East to the place of beginning, a distance of 162 feet, containing 32,400 square feet.

A tract of land conveyed unto Warren C. Newton by a Deed of Newton Farms, Incorporated, a corporation of the State of Delaware, dated the 22nd day of December, 1976, and filed for record in Deed Record No. 821, Page 340. It was described as follows:

ALL that certain tract, piece and parcel of land situate in Northwest Fork Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

BEGINNING at a concrete marker located on the Northerly right-of-way of County Route 582, said marker being North 60 degrees 04 minutes 34 seconds East, a distance of 452.72 feet from a railroad spike located in the intersection of a private macadam road in said County Route 582, and North 60 degrees 06 minutes 10 seconds East, a distance of 1279.84 feet and North 58 degrees 54 minutes 37 seconds East a distance of 238.87 feet, being a corner of these lands and lands known as Tract C conveyed to William R. Conaway from Newton Farms, Incorporated; thence North 29 degrees 19 minutes 03 seconds West, a distance of 265 feet along the lands of William R. Conaway to a point; thence North 58 degrees 54 minutes 3 seconds East, a distance of 140 feet along other lands of Newton Farms, Incorporated to a point; thence South 29 degrees 19 minutes 03 seconds East, a distance of approximately 265 feet to the said Northerly right-of-way of County Route 582 along other lands of Newton Farms, Incorporated to a point; thence South 58 degrees 54 minutes 37 seconds East along the said Northerly right-of-way of County Route 582, a distance of approximately 140 feet to the place of beginning, containing approximately 37,100 square feet more or less.

A tract of land conveyed unto William R. Conaway by a Deed of Newton Farms, Incorporated, a corporation of the State of Delaware, dated the 20th day of December, 1976, and filed for record in the Deed Record No. 821, Page 342. It was described as follows:

ALL that certain tract, piece and parcel of land situate in Northwest Fork Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

TRACT NO. 1

BEGINNING at a point located on the Easterly right-of-way of Delaware Route 404 at a corner of these lands and lands of Lester L. Showers; thence South 38 degrees 30 minutes 02 seconds East along the said Easterly right of way of Delaware Route 404 a distance of 444.98 feet to a point at the corner of these lands and lands of William R. Conaway; thence North 51 degrees 29 minutes 58 seconds East along the lands of William R. Conaway, a distance of 189.16 feet to the center line of Prong 2 of the Bridgeville Tax Ditch; thence South 31 degrees 30 minutes 16 seconds East along the said center line of Prong 2, a distance of 147.35 feet; thence South 58 degrees 22 minutes 38 seconds West along the lands of William R. Conaway, a distance of 172.45 feet to the Easterly right

of way of Delaware Route 404; thence South 38 degrees 30 minutes 02 seconds East along the said right of way a distance of 50.36 feet to a corner of these lands and lands of Joanna N. Conaway; thence North 58 degrees 22 minutes 38 seconds East along the lands of Joanna N. Conaway, a distance of 171.28 feet to the center line of the said Prong 2 of the Bridgeville Tax Ditch; thence South 38 degrees 03 minutes 51 seconds East along the center line of the said Prong 2 of the Bridgeville Tax Ditch, a distance of 149.87 feet; thence continuing along the center line of the said Prong 2 of the Bridgeville Tax Ditch South 39 degrees 28 minutes 34 seconds East, a distance of 135.30 feet; thence South 58 degrees 22 minutes 38 seconds West along the lands of William R. Conaway, a distance of 172.45 feet to the said Easterly right of way of Delaware Route 404; thence South 43 degrees 14 minutes 48 seconds East along the said Easterly right of way of Delaware Route 404, a distance of 258.39 feet; thence continuing along the said Easterly right of way of Delaware Route 404 South 44 degrees 40 minutes 56 seconds, East, a distance of 1144.98 feet; thence South 82 degrees 18 minutes 11 seconds East, a distance of 79.21 feet; thence North 60 degrees 04 minutes 34 seconds East, a distance of 13 feet; thence South 29 degrees 55 minutes 26 seconds East, a distance of 5 feet to the Northerly right of way of County Route 582; thence North 60 degrees 04 minutes 34 seconds East along the said Northerly right of way of County Route 582, a distance of 501.25 feet to the center line of Prong 2 of the Bridgeville Tax Ditch; thence North 44 degrees 12 minutes 26 seconds West along the center line of said Prong 2 of the Bridgeville Tax Ditch, a distance of 577.20 feet to an iron pipe; thence North 57 degrees 19 minutes 37 seconds East along the lands of Warren C. Newton, a distance of 835.36 feet to a railroad spike set in the center line of a private macadam road; thence North 32 degrees 09 minutes 33 seconds West along the center line of the said private macadam road, a distance of 398.16 feet to a point; thence North 32 degrees 04 minutes 20 seconds West along the center line of a dirt lane adjoining other lands of Newton Farms, Incorporated, a distance of 796.29 feet to an iron pipe; thence South 57 degrees 37 minutes 27 seconds West along other lands of Newton Farms, Incorporated, a distance of 497.16 feet to an iron pipe; thence North 33 degrees 15 minutes 02 seconds West along the center line of a dirt lane dividing these lands and other lands of Newton Farms, Incorporated, a distance of 731.93 feet to a concrete marker; thence South 48 degrees 11 minutes 50 seconds West along the lands of Lester L. Showers, a distance of 691.85 feet to an iron pipe; thence continuing along the lands of Lester L. Showers, South 53 degrees 12 minutes 30 seconds West, a distance of 57.06

feet to a concrete marker; thence continuing along the lands of Lester L. Showers South 49 degrees 13 minutes 54 seconds West, a distance of 241.38 feet to the place of beginning, containing approximately 53.691 acres more or less as shown on the Plot NWF-24 as surveyed by Donald J. McCann PLS 440 on December 1976, together with all improvements thereon.

TRACT NO. 2

BEGINNING at a railroad spike on the Northerly right of way of County Route 582 at the intersection of the center line of a private macadam road; thence North 60 degrees 04 minutes 34 seconds East along the said County Route 582, a distance of 452.72 feet to a concrete marker; thence North 29 degrees 42 minutes 28 seconds West along other lands of Newton Farms, Incorporated, a distance of 681.15 feet to an iron pipe; thence South 58 degrees 07 minutes 12 seconds West along lands of Swift and Company, a distance of 333.98 feet to an iron pipe; thence South 32 degrees 02 minutes 27 seconds East along the lands of O.A. Newton & Son Company, a distance of 270.61 feet to a concrete marker; thence South 56 degrees 44 minutes 15 seconds West along the lands of O.A. Newton & Son Company, a distance of 147.00 feet to a railroad spike set in the center line of a private macadam road; thence South 32 degrees 09 minutes 33 seconds East along the center line of a private macadam road a distance of 391.05 feet to the place of beginning, containing 6.295 acres more or less, together with all improvements thereon.

This conveyance is made subject to the following condition and reservation, as was contained in the deed of Warren C. Newton, etal., in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Record No. 371, Page 32, as follows:

Reserving to the said Warren C. Newton, his heirs or assigns, the right-of-way over and upon any and all roads contiguous to the lands conveyed by this deed together with the right of way over and across a private macadam road located West of the house formerly occupied by Oliver A. Newton and now occupied by Newton Chemical Supply Company and other Newton Companies and intersecting with the highway #582 connecting the Bridgeville-Denton Highway #404 with the old county road leading from Bridgeville to Greenwood #583.

EXCEPTING thereout and therefrom the standing wooden electric

poles, wires being suspended thereby, the transformer or transformers used in conjunction therewith, being used as of the time of the execution of this deed, for the supply of electrical service for the benefit of the grantor and being the property of the grantor.

ALSO EXCEPTING thereout and therefrom the pump house, tanks, pipes and appurtenances used in conjunction therewith for the supply of water used for the production of eggs, chicks and poultry and the incidental uses thereto, for the benefit of the grantor and being the property of the grantor.

IN ADDITION to the above reservation and exceptions, this conveyance is made subject to a reservation to the grantors, O.A. Newton & Son Company, its successors and assigns, jointly with Warren C. Newton of Bridgeville, Delaware, of a right of way over and upon any all roads contiguous to the lands conveyed by this deed together with the right of way over and across a private macadam road located west of the house now occupied by Newton Chemical & Supply Company and other Newton Companies, and intersecting with the highway connecting the Bridgeville to Denton Highway with the old County Road leading from Bridgeville to Greenwood.

A tract of land conveyed unto Joanna N. Conaway, Kevin S. Conaway, Guy S. Conaway, and William R. Conaway, by a Deed of Newton Farms, Incorporated, a corporation of the State of Delaware, dated the 20th day of December, 1976, and filed for record in Deed Record No. 821, Page 149. It was described as follows:

ALL that certain tract, piece and parcel of land situate in Northwest Fork Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

BEGINNING at a concrete marker located on the Northerly right of way of County Route 582, a distance of 1532 feet from Delaware Route 404 being a corner of these lands and other lands known as Tract A conveyed to William R. Conaway from Newton Farms, Incorporated; thence North 60 degrees 06 minutes 10 seconds East along the Northerly right of way of County Route 582, a distance of 179.48 feet to a point; thence continuing along the said Northerly right of way of Route 582 North 58 degrees 54 minutes 37 seconds East, a distance of 238.87 feet to a concrete marker; thence North 29 degrees 19 minutes 03 seconds West along the lands of Newton

Farms, Incorporated, a distance of 400.66 feet to a concrete marker; thence South 64 degrees 43 minutes 26 seconds West along lands of Newton Farms, Incorporated, a distance of 90.31 feet to a concrete marker; thence North 19 degrees 40 minutes 49 seconds West along lands of Newton Farms, Incorporated, a distance of 487.72 feet to a concrete marker; thence South 69 degrees 20 minutes 21 seconds West along lands of Newton Farms, Incorporated, a distance of 670.15 feet to a concrete marker; thence North 53 degrees 38 minutes 42 seconds West along lands of Newton Farms, Incorporated, a distance of 1441.64 feet to an iron pipe set in the center line of a drainage ditch; thence North 36 degrees 13 minutes 25 seconds West along lands of Newton Farms, Incorporated and Frances B. Scott, a distance of 1260.32 feet to a concrete marker; thence South 57 degrees 47 minutes 51 seconds West along the center line of a drainage ditch and lands of Frances B. Scott, a distance of 268.95 feet to a concrete marker; thence North 40 degrees 41 minutes 28 seconds West along lands of Frances B. Scott, a distance of 645.70 feet to a concrete marker in the center line of an abandoned dirt public road; thence South 50 degrees 33 minutes 22 seconds West along the center line of said abandoned dirt public road and the lands of Randall C. Handy, a distance of 574.00 feet to a concrete marker; thence South 58 degrees 28 minutes 10 seconds East along the lands of Lester L. Showers, a distance of 270.42 feet to a concrete marker; thence South 34 degrees 28 minutes 10 seconds East along the lands of Lester L. Showers, a distance of 818.00 feet to a concrete marker found; thence North 56 degrees 14 minutes 50 seconds East along the lands of Lester L. Showers, a distance of 173.50 feet to a concrete marker; thence South 34 degrees 58 minutes 10 seconds East along lands of Lester L. Showers, a distance of 422.55 feet to a concrete marker; thence South 48 degrees 11 minutes 50 seconds West along lands of Lester L. Showers, a distance of 663.35 feet to a concrete marker; thence South 33 degrees 15 minutes 02 seconds East along the center line of a dirt lane and other lands being conveyed to William R. Conaway by a Deed of Newton Farms, Incorporated, known as Tract B, a distance of 731.93 feet to an iron pipe set in the center line of said dirt lane; thence North 57 degrees 37 minutes 27 seconds East along the center line of dirt lane and other lands being conveyed to William R. Conaway by Newton Farms, Incorporated, known as Tract B, a distance of 497.16 feet to an iron pipe; thence South 32 degrees 04 minutes 20 seconds East along the center line of a dirt lane and other lands being conveyed to William R. Conaway by Newton Farms, Incorporated, known as Tract B, a distance of 796.29 feet to a point; thence North 56 degrees 51 minutes 32 seconds East along

the center line of a private dirt road and lands of Swift and Company a distance of 496.30 feet to a point; thence South 29 degrees 42 minutes 28 seconds East along lands of Swift and Company and lands to be conveyed to William R. Conaway from Newton Farms, Incorporated, known as Tract A, a distance of 1025.15 feet to the place of beginning, containing 103.972 acres, more or less, together with all improvements thereon, as shown on the Plot NWF-24A as surveyed by Donald J. McCann, PLS 440, on December, 1976.

The lands and premises herein conveyed are subject to various easements and rights of ways as granted from time to time for highway purposes and utility purposes.

EXCEPTING THEREFROM any portion(s) of the the aforedescribed property previously conveyed to others. The purpose of this Deed to is convey unto the Grantee all of the remaining portions of the aforedescribed property not previously conveyed to others, as believed to be generally depicted on current tax maps, the parcels being referenced at the top of this instrument, relevant portions of such tax maps being attached hereto for reference purposes.

BEING a part of the lands and premises heretofore conveyed unto this Grantor by Deed of Newton Farms, Incorporated, dated February 28, 1978, and now of record in the Office of the Recorder of Deeds, aforesaid, in Deed Book 883, Page 41, &c.

Newton Farms, Incorporated, was dissolved in 1972, still owning all or portions of the property described herein. By Order of the Court of Chancery, in and for Sussex County, dated January 7, 2003, in In the Matter of Newton Farms, Incorporated, C.A. No. 2246-S, Robert F. Rider was appointed Trustee of Newton Farms, Incorporated, to take charge of the corporation's property as necessary for the settlement of its unfinished business, with all of the powers and authority granted to trustees for such purposes. A copy of the said Order is attached to this Deed. The undersigned, Robert F. Rider, Trustee, joins in this conveyance to confirm the validity of the prior conveyance unto the Grantor hereunder, pursuant to the authority granted by the Chancery Court Order.

Any and all conveyances of portions of the above-described property previously conveyed to others, after the dissolution of Newton Farms, Incorporated, are hereby confirmed.

IN WITNESS WHEREOF, the parties of the first part have caused these presents to be duly executed, the day and year first above written.

PNC BANK, DELAWARE
(formerly Bank of Delaware)
A Corporation of the
State of Delaware

By: Kirsten Connolly
Vice President

[CORPORATE SEAL]

Attest: Jill D. Baxter
Secretary

STATE OF DELAWARE :
: SS.
COUNTY OF SUSSEX :

BE IT REMEMBERED, That on this 8th day of September, A.D., 2003, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, KIRSTEN CONNOLLY, Vice President of PNC BANK, DELAWARE, (formerly Bank of Delaware) a Corporation of the State of Delaware, Co-Trustee under the Will of Warren C. Newton, party to the foregoing Indenture, known to me personally to be such, and acknowledged said Indenture to be his act and deed and the act and deed of the said corporation; that the signature of the Vice President thereto is in his own proper handwriting; that the seal affixed is the common and corporate seal of said corporation, duly affixed by its authority; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by resolution of the Board of Directors of said corporation.

GIVEN under my hand and seal of office, the day and year aforesaid.

Jill D. Baxter
Notary Public
JILL D BAXTER
(Typewritten Name of Notary Public)

MY COMMISSION EXPIRES: 2/18/07

JILL D. BAXTER
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Feb. 18, 2007

IN WITNESS WHEREOF, the parties of the first part have caused these presents to be duly executed, the day and year first above written.

WITNESS:

_____ _____ (SEAL)
Robert F. Rider, Co-Trustee
under the Will of Warren C. Newton

_____ _____ (SEAL)
Robert F. Rider, Trustee under
the Will of Elizabeth Newton

STATE OF DELAWARE :
: SS.
COUNTY OF SUSSEX :

BE IT REMEMBERED, That on this 11 day of Sept, A.D., 2003, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, ROBERT F. RIDER, Co-Trustee under the Will of Warren C. Newton and Trustee under the Will of Elizabeth Newton party to the foregoing Indenture, known to me personally to be such, and acknowledged said Indenture to be his act and deed.

GIVEN under my hand and seal of office, the day and year aforesaid.

Michele E. Bennett
Notary Public

_____
(Typewritten Name of Notary Public)

MY COMMISSION EXPIRES: _____

MICHELE E. BENNETT
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Oct. 23, 2005

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal, the day and year first abovewritten.

WITNESS:

GRANTOR:
Newton Farms, Incorporated

_____ (SEAL)
By: Robert F. Rider, Trustee

STATE OF DELAWARE :
: SS:
COUNTY OF COUNTY :

BE IT REMEMBERED, That on this 11 day of Sept, A.D., 2003, personally appeared before me, the Subscriber, a Notary Public for the State of County aforesaid, Robert F. Rider, Trustee, party to the foregoing Indenture, known to me personally to be such, and acknowledged said Indenture to be his act and deed and the act and deed of the company, Newton Farms, Incorporated.

GIVEN under my hand and seal of office, the day and year aforesaid.

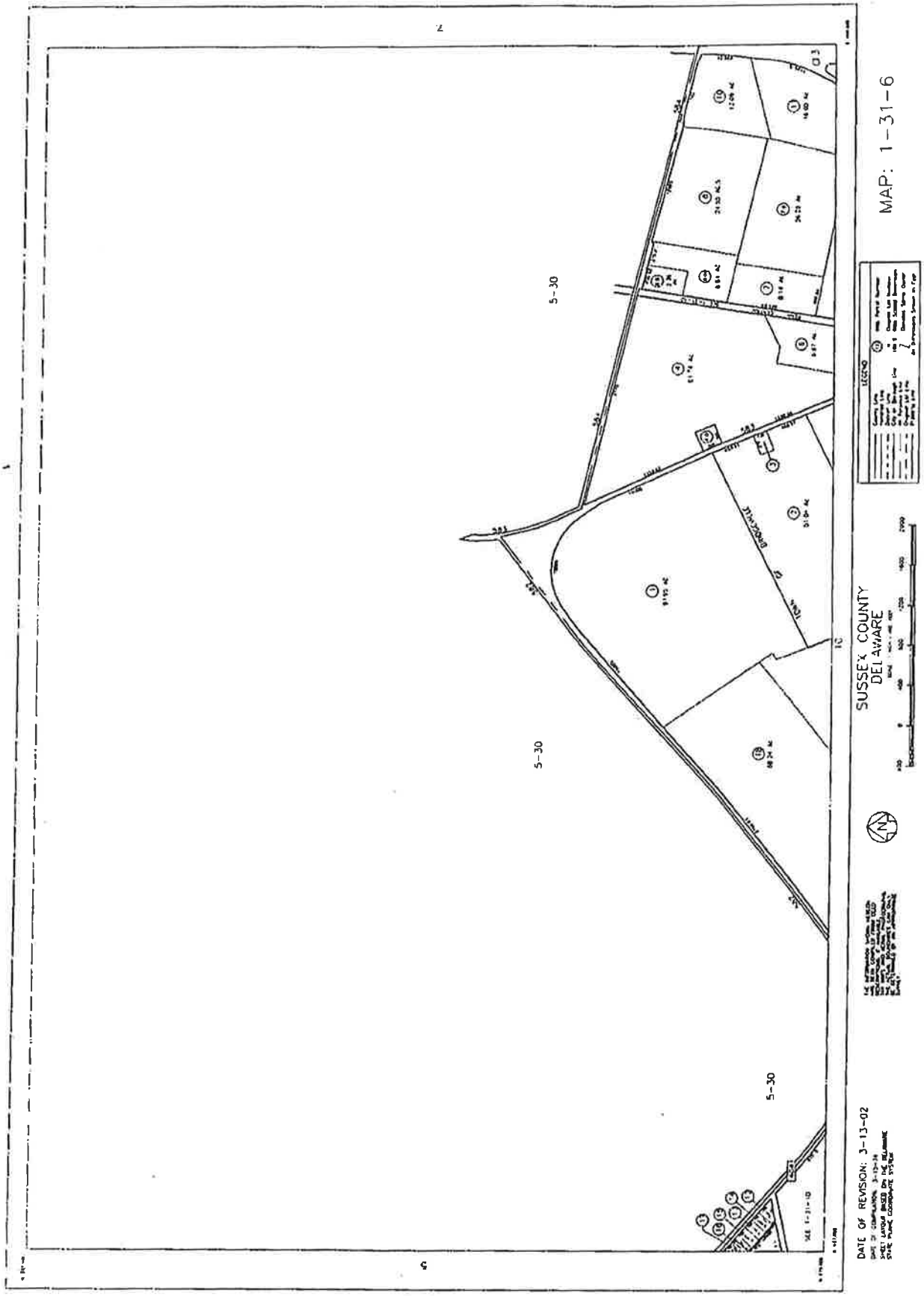
Michele E. Bennett
Notary Public

_____
(Typewritten Name of Notary Public)

MY COMMISSION EXPIRES:

F:\CWLayfield\RETRANS.DOC\Newton Farms LLC Deed (from RFR & BOD) 7-03.doc

MICHELE E. BENNETT
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Oct. 23, 2005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SUSSEX COUNTY
DELAWARE
5-30
5-30
5-30
DATE OF REVISION: 3-13-02

Exhibit A

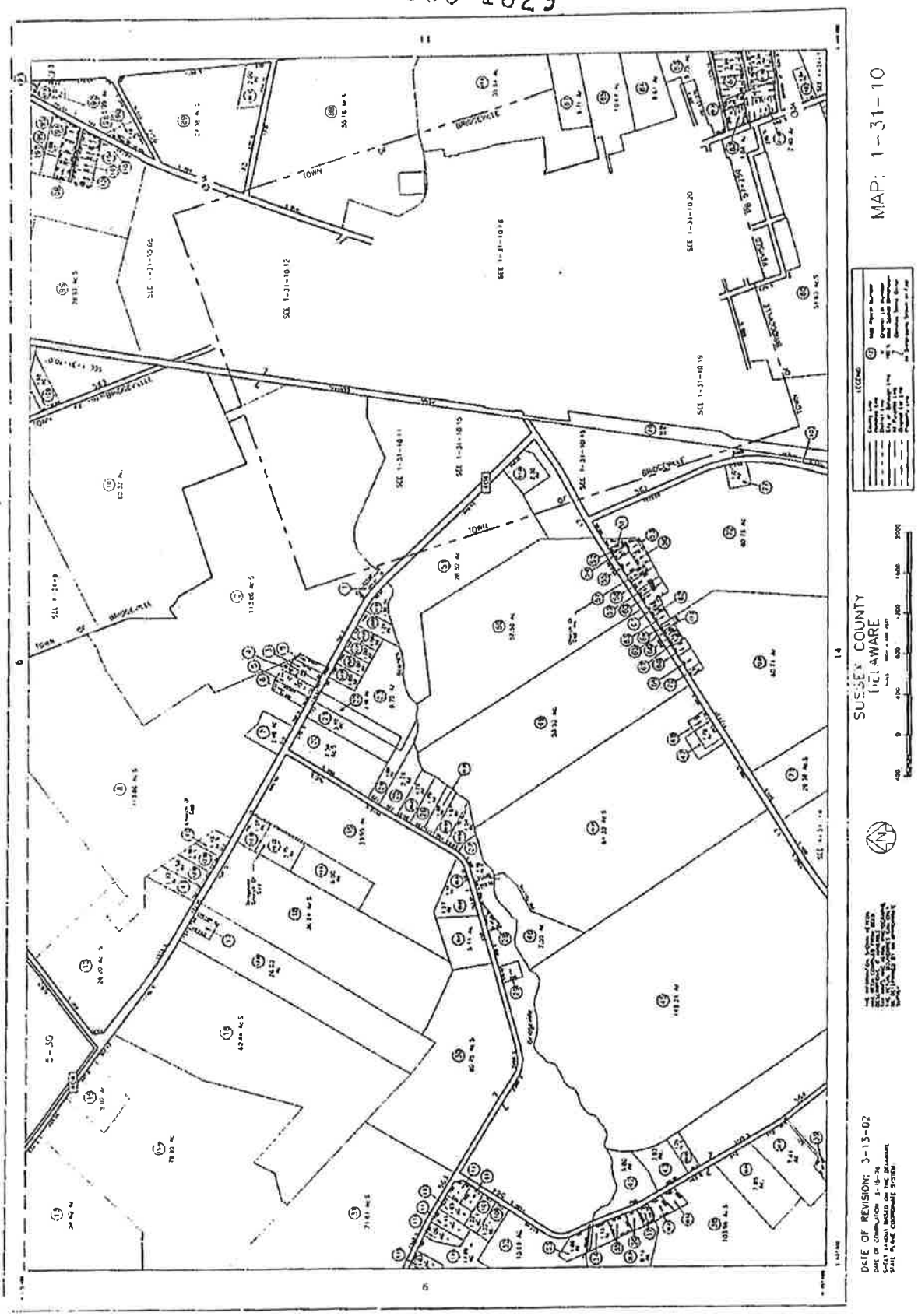


Exhibit B

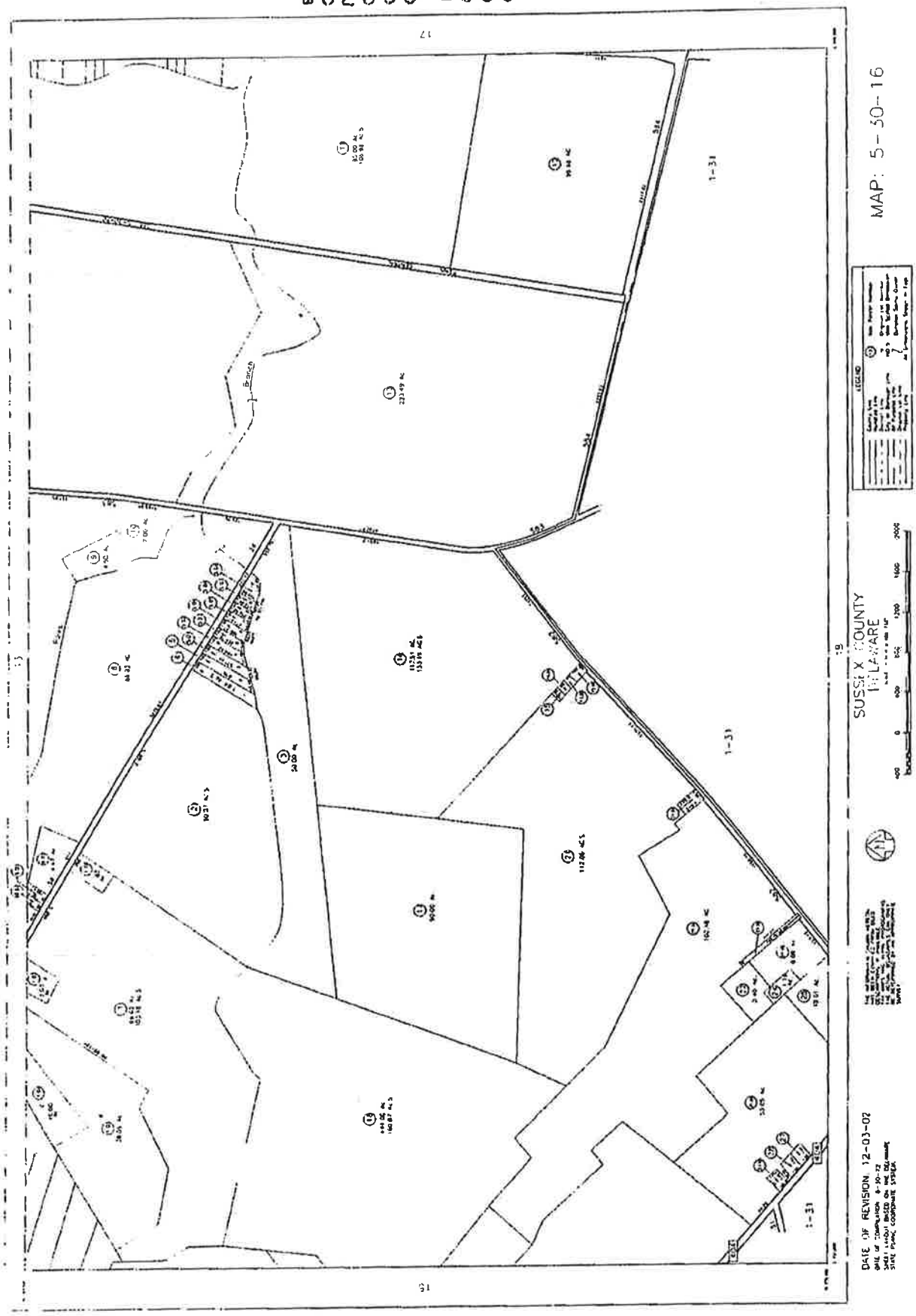


Exhibit C

BK 02885 PG 031

#2

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

IN THE MATTER OF NEWTON FARMS, INCORPORATED, a Delaware corporation	:	C.A. #2246-S

ORDER

AND NOW, to wit, this 7th day of January, 2003, the Court having read and considered the foregoing Application for Appointment of Trustee, it is:

ORDERED THAT Robert F. Rider is appointed as Trustee of Newton Farms, Incorporated pursuant to 8 *Del. C.* § 279 to take charge of the corporation's property as necessary for the settlement of its unfinished business and to have all of the powers and authority granted to trustees for such purposes.

Chancellor

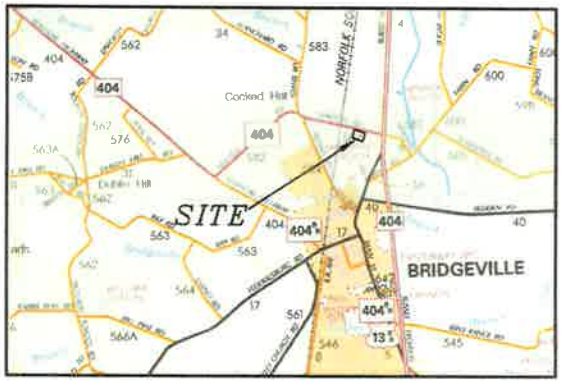
RECORDER OF DEEDS
JOHN F. BRADY
03 SEP 17 PM 12:35
SUSSEX COUNTY
DOC. SURCHARGE PAID

Received
SEP 18 2003
ASSESSMENT DIVISION
OF SUSSEX CTY

Exhibit D

Tab “3”

T.M. #1-31-6-8



VICINITY MAP
SCALE: 1"=1MILE

LANDS N/F
O. A. NEWTON & SON CO.
1930-203

- ■ CONCRETE MONUMENT (FOUND)
- ● DISTURBED PIPE (FOUND)
- s● IRON PIPE (SET)
- ○ POINT

PROPERTY SURVEY FOR
NEWTON FARMS LLC.

SCALE: 1"=100'

SUBURBAN SURVEY

MILLER LEWIS, INC.
LAND SURVEYING
34313 PEPPERS CORNER RD.
FRANKFORD, DELAWARE 19945

DONALD K. MILLER REGISTERED No. 407 PROFESSIONAL LAND SURVEYOR
JANUARY 23, 2007

HUNDRED	COUNTY
NORTHWEST FORK	SUSSEX
STATE	DRAWN BY
DELAWARE	D.K. MILLER
REF.	DWG. NO.
2885-1	1-31-6-8

Tab “4”

PLANNING & ZONING
JANELLE M. CORNWELL, AICP
DIRECTOR
(302) 855-7878 T
(302) 854-5079 F

Sussex County
DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

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

Date: 11/27/19

Site Information:

Site Address/Location: 8600 E Newton Rd, Bridgeville, DE

Tax Parcel Number: 131-6.00-8.00
Current Zoning: C-1
Proposed Zoning: LI-2
Land Use Classification: Developing Area

Proposed Use(s): A Sheet Metal and Metal Fabrication Facility with Associated Office Space

Square footage of any proposed buildings or number of units: 72,000 sf

Applicant Information:

Applicant's Name: Robert F. Rider, Jr.

Applicant's Address: 16356 Sussex Highway
City: Bridgeville State: DE Zip Code: 19933

Applicant's Phone Number: (302) 542-8767
Applicant's e-mail address: rob.riderjr@oanewton.com

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

JENNIFER COHAN
SECRETARY

January 2, 2020

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

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Robert F. Rider, Jr.** rezoning application, which we received on December 3, 2019. This application is for an approximately 24.55-acre parcel (Tax Parcel: 131-6.00-8.00). The subject land is located on the south side of Newton Road (Sussex Road 582), approximately 800 feet west of the intersection of US Route 13 and Newton Road, north of the Town of Bridgeville. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to LI-2 (Light Industrial) to develop a 72,000 square-foot sheet metal and metal fabrication facility with associated office space.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Newton Road where the subject land is located, which is from Delaware Route 404 to US Route 13, are 6,888 and 8,865 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per weekly peak hour or 500 vehicle trips per day, and would be considered to have a Minor impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our Development Coordination Manual provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be fewer than 200 vehicle trips per a weekly peak hour and fewer than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of $10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.

Our review of the trip generation information provided by the applicant's engineer indicates that the proposed 72,000 square-foot sheet metal and metal fabrication facility

would generate 204 vehicle trips per day, 100 vehicle trips during the morning peak hour, and 100 vehicle trips during the evening peak hour. As stated above, because this development would generate fewer than 2,000 vehicle trips per day and fewer than 200 vehicle trips during a weekly peak hour, the applicant has the option to pay the Area-Wide Study Fee in lieu of doing a TIS. The Area-Wide Study Fee for the proposed development would be $2,040.00. Payment of the Area-Wide Study Fee does not preclude a developer from having to make or participate in off-site improvements, including a Traffic Operational Analysis (TOA), if one is found to be necessary during the site plan review process.

On September 9, 2019, DelDOT issued an Area Wide Study Fee (AWSF) letter for a 67,500 square-foot metal fabrication facility on the subject parcel in the amount of $2,040.00. While the proposed square-footage on the subject application is more than the 67,500 square-foot facility indicated in the AWFS letter, we do not anticipate an increase in the above-mentioned trip generation. A copy of the AWSF letter is enclosed with this letter.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

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

Sincerely,

T. William Brockenbrough, Jr.

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm
Enclosure
cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Jamie Whitehouse, Planning & Zoning Manager, Sussex County Planning & Zoning
Robert F. Rider, Jr, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

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

JENNIFER COHAN
SECRETARY

MEMORANDUM

TO: Susanne Laws, Sussex Review Coordinator

FROM: Troy Brestel, Project Engineer TEB

DATE: September 9, 2019

SUBJECT: **MillerMetal Fabrication Facility – (Protocol Tax Parcel #131-6.00-8.00)**
Area Wide Study Fee and Off-site Improvements

The subject development meets DelDOT's volume warrants to pay the Area Wide Study Fee in lieu of doing a Traffic Impact Study (TIS). This memorandum is to address the amount of that fee and the off-site improvements that should be required of the developer in the absence of a TIS. The fee and improvements presented below are an alternative to the developer doing a TIS and the improvements identified through DelDOT's review of that study.

1) The proposed development consists of a 67,500 square foot fabrication facility. Per review of information supplied by the developer, we have determined that the proposed development would generate 204 daily trips and 100 hourly trips for both the a.m. and p.m. peak hours. The fee is calculated at ten dollars per daily trip. For the proposed development, the fee would be $2,040.00.

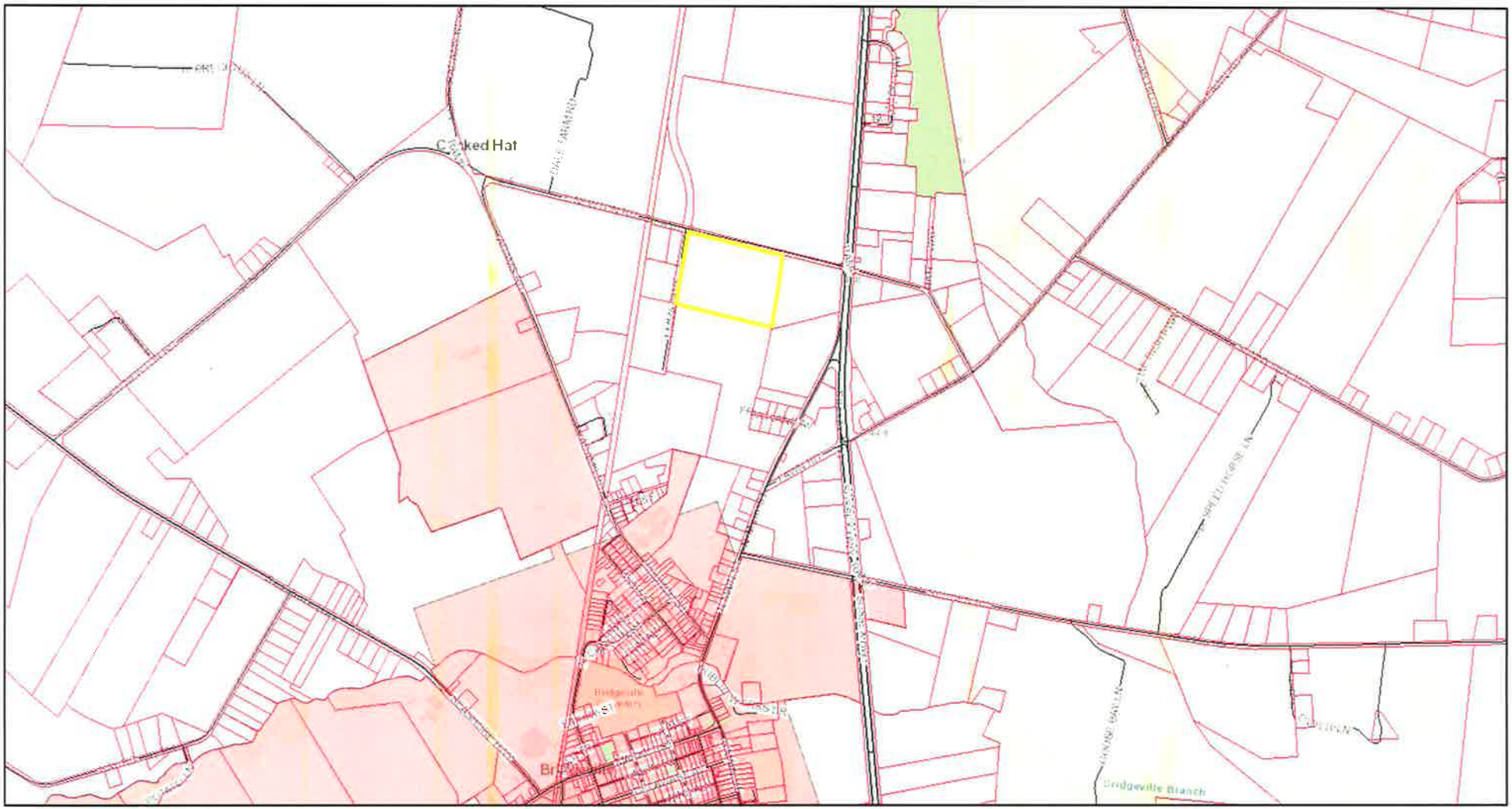
2) There are no off-site improvements that the developer will be required to make or participate in.

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

TB:km
cc: Marty Miller, MillerMetal Fabrication, Inc.
Dave Heatwole, Scaled Engineering, Inc.
J. Marc Coté, Assistant Director, Development Coordination
T. William Brockenbrough, Jr., County Coordinator, Development Coordination
Peter Haag, Traffic Studies Manager, Traffic, DOTS
Gemez Norwood, South District Public Works Manager, South District, DOTS
Derek Sapp, Subdivision Manager, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

Tab “5”

Sussex County



August 29, 2020

1:18,056

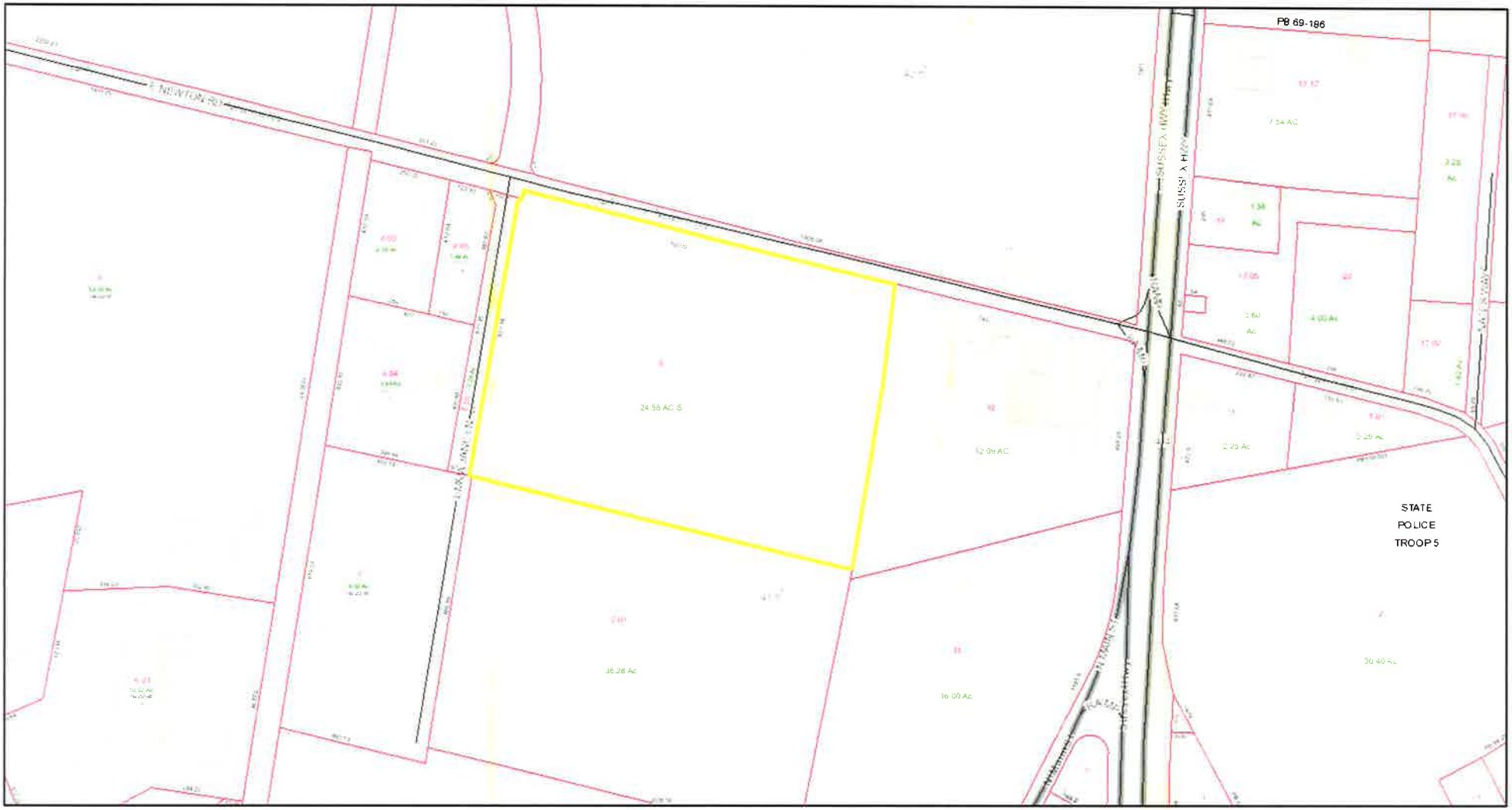
- Override 1
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- Communities
- Public Protected Lands
- Geographic Names
- Municipal Boundaries

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

Delaware Geological Survey, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government, FirstMap

Sussex County



August 29, 2020

- Override 1
- Override 1
- Tax Parcels
- Streets
- County Boundaries

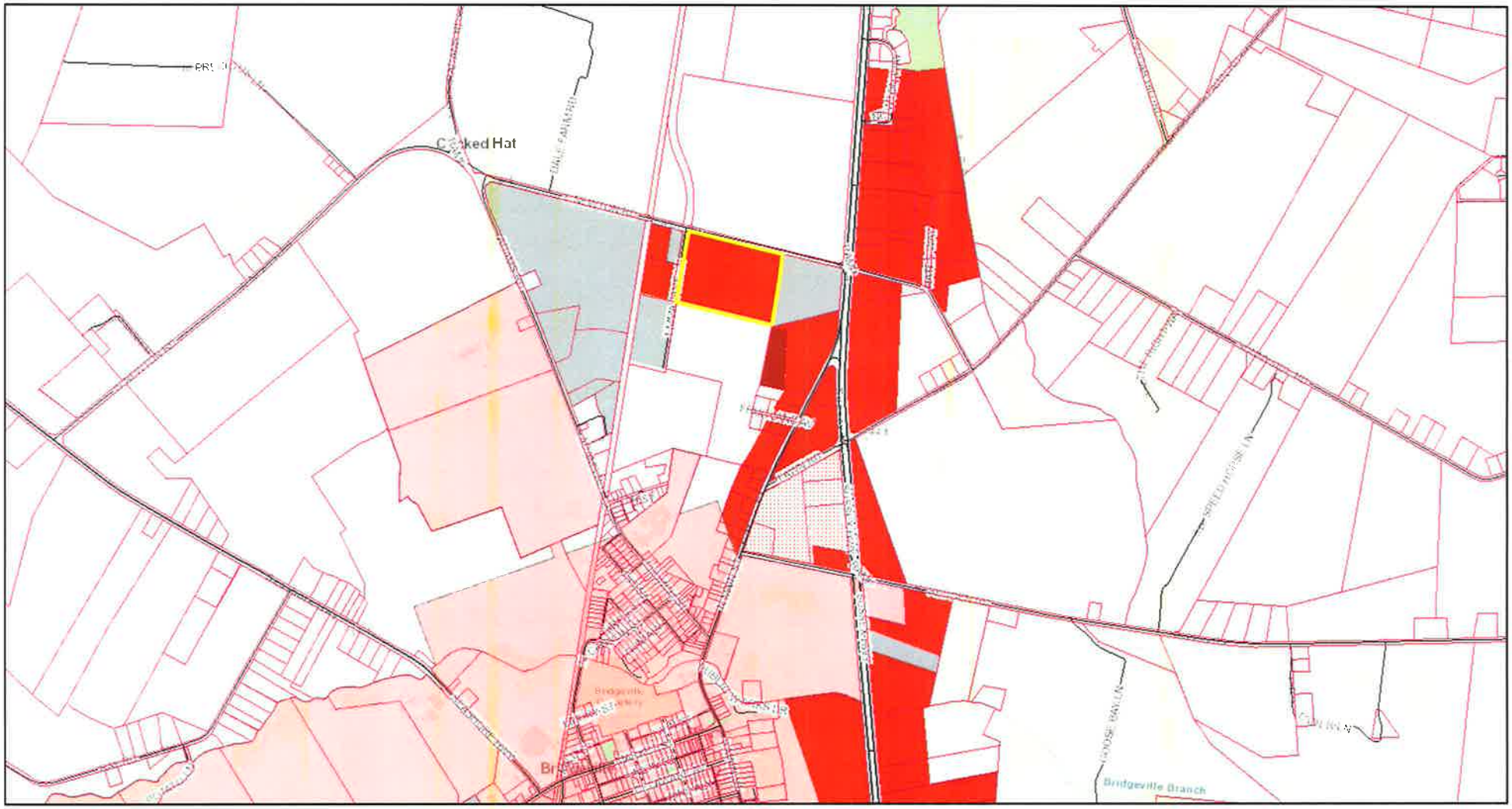
1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

Sussex County



August 29, 2020

1:18,056

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

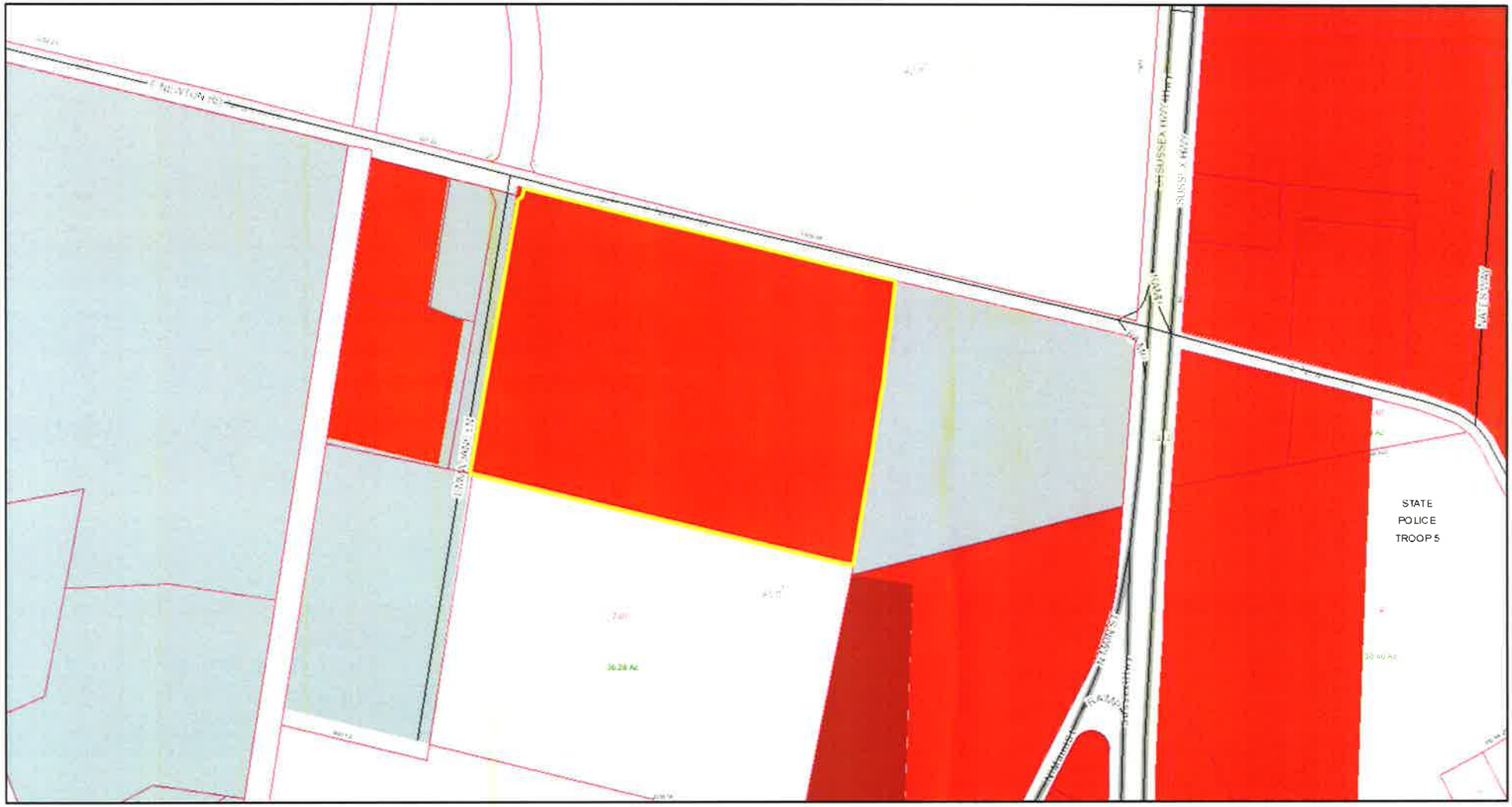
Override 1
Override 1
Tax Parcels
Streets

Zoning

Agricultural Residential - AR-1
Agricultural Residential - AR-2
Medium Residential - MR
General Residential - GR
High Density Residential - HR-1
High Density Residential - HR-2
Vacation, Retire, Resident - VRP
Neighborhood Business - B-1
Neighborhood Business - B-2
Business Research - B-3
General Commercial - C-1
General Commercial - C-2
General Commercial - C-3
General Commercial - C-4
General Commercial - C-5
Commercial Residential - CR-1
Institutional - I-1
Marine - M
Limited Industrial - LI-1
Light Industrial - LI-2
Heavy Industrial - HI-1
County Boundaries
Communities
Public Protected Lands
Geographic Names
Municipal Boundaries

Delaware Geological Survey, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government,

Sussex County



August 29, 2020

1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Override 1

Override 1

Tax Parcels

Streets

Zoning

Agricultural Residential - AR-1

Agricultural Residential - AR-2

Medium Residential - MR

General Residential - GR

High Density Residential - HR-1

High Density Residential - HR-2

Vacation, Retire, Resident - VRP

Neighborhood Business - B-1

Neighborhood Business - B-2

Business Research - B-3

General Commercial - C-1

General Commercial - C-2

General Commercial - C-3

General Commercial - C-4

General Commercial - C-5

Commercial Residential - CR-1

Institutional - I-1

Marine - M

Limited Industrial - LI-1

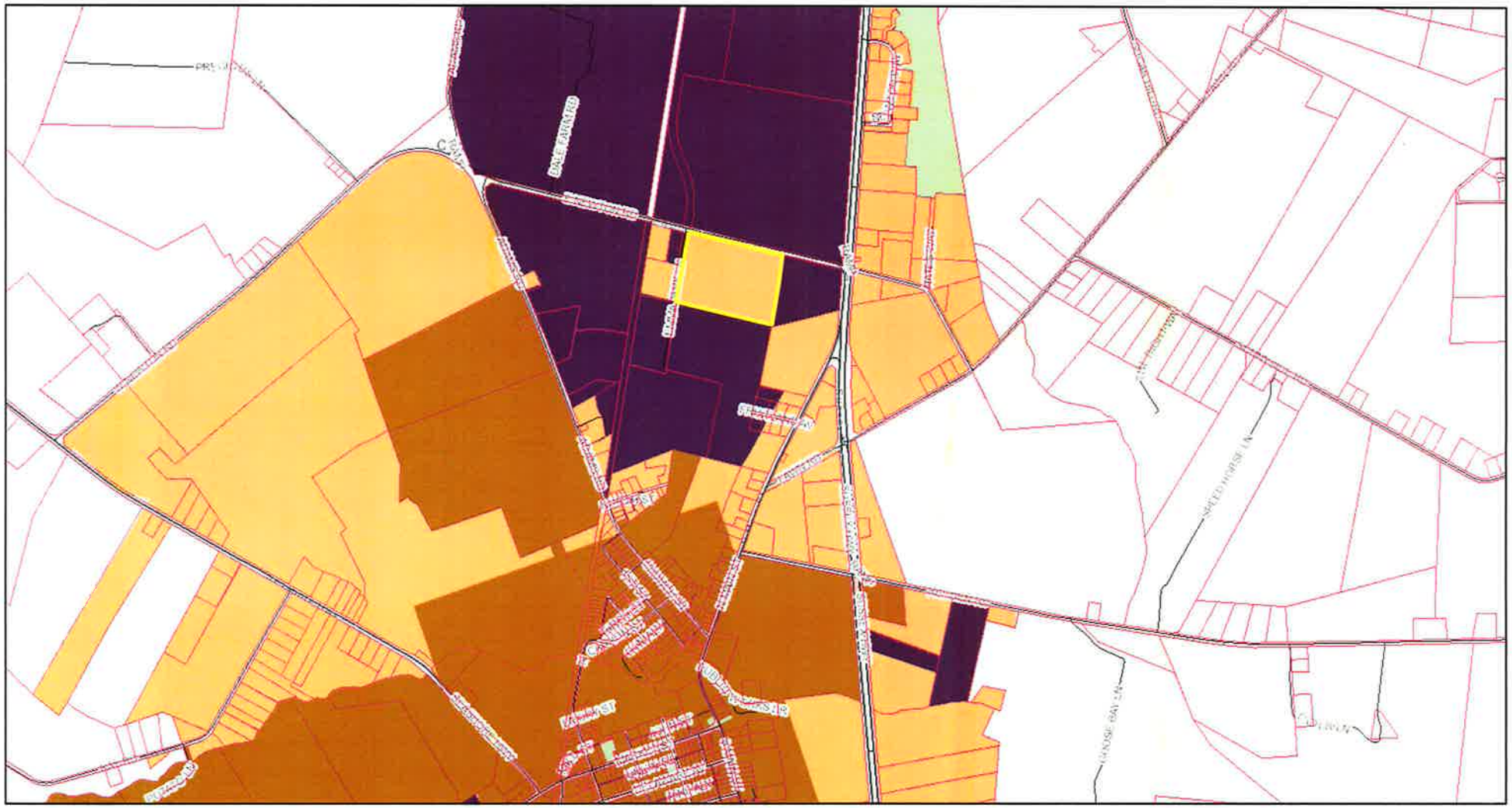
Light Industrial - LI-2

Heavy Industrial - HI-1

County Boundaries

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government

Sussex County



August 29, 2020

- Override 1
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- Communities
- Public Protected Lands
- Geographic Names
- 2019 Future Land Use
- Low Density
- Coastal Area
- Commercial
- Developing Area
- Existing Development Area
- Industrial
- Municipalities
- Town Center
- Municipal Boundaries

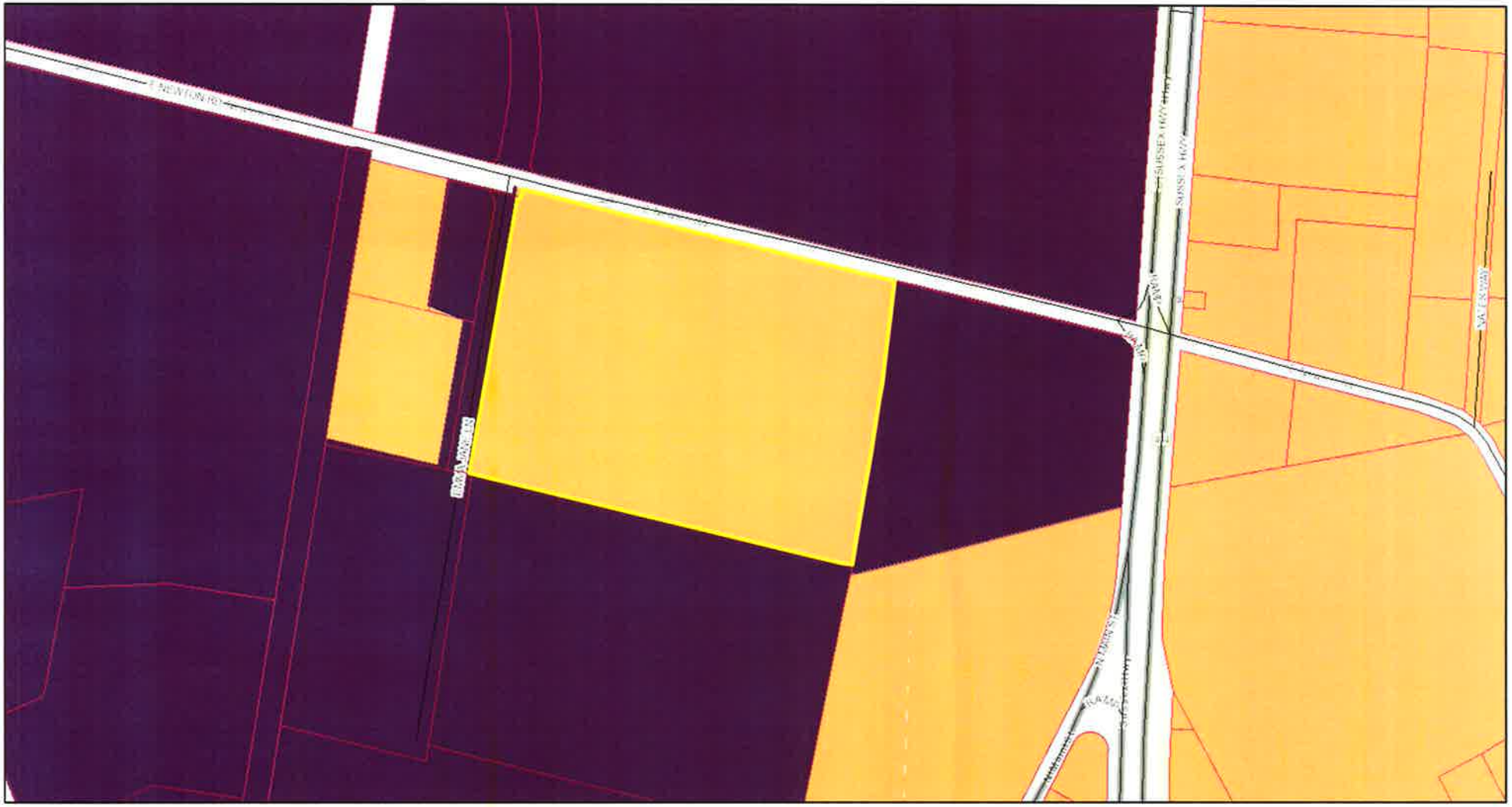
1:18,056

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

Delaware Geological Survey, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government, FirstMap

Sussex County



August 29, 2020

Override 1

Override 1

Tax Parcels

Streets

County Boundaries

2019 Future Land Use

Low Density

Coastal Area

Commercial

Developing Area

Existing Development Area

Industrial

Municipalities

Town Center

1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

Sussex County

August 29, 2020

Override 1
Override 1
Tax Parcels
Streets
County Boundaries
Communities
Public Protected Lands
Geographic Names
Municipal Boundaries

1:18,056

0 0.17 0.35 0.7 mi
0 0.28 0.55 1.1 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Delaware Geological Survey, Sussex County Government, FirstMap

Sussex County

August 29, 2020

- Override 1
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- Tax Parcels
- Streets
- County Boundaries

1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sussex County Government

Tab “6”

National Flood Hazard Layer FIRMette

FEMA

75°36'15"W 38°45'47"N

75°35'38"W 38°45'19"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

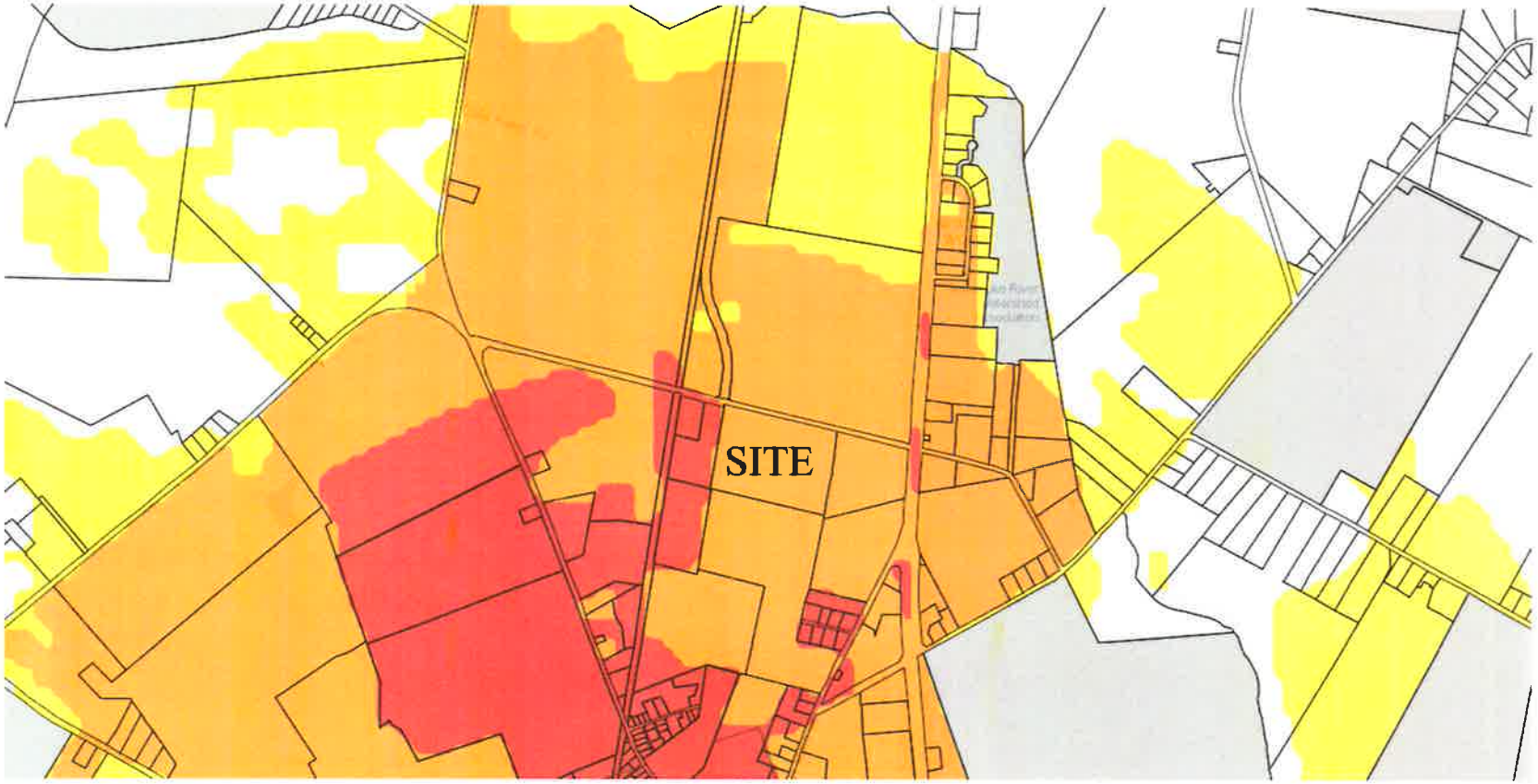
The pin displayed on the map is an approximat point selected by the user and does not represe an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/29/2020 at 10:57 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Tab “7”



DE_State_Strategies_2020

2020 State Strategies

- 1
- 2
- 3
- 4
- Out of Play

DELAWARE STATE STRATEGIES MAP 2020

11998912/1

Tab “8”

INTERSECTION of SR404/US 113

Eastern Boundary (O.A. Newton)

Western Boundary (Emma Jane Lane)

Tab “9”

Miller Metal Fabricating

Architectural Renderings

11998920/1


Miller Metal

12000962/1

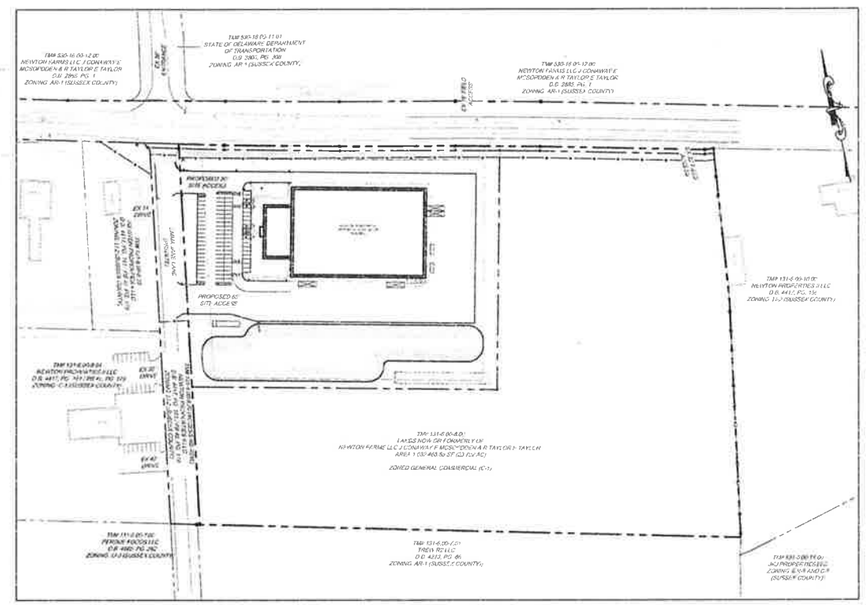
MILLERMETAL FABRICATION FACILITY

SUSSEX COUNTY PROJECT REFERENCE # S-20-17

PRELIMINARY SITE PLANS

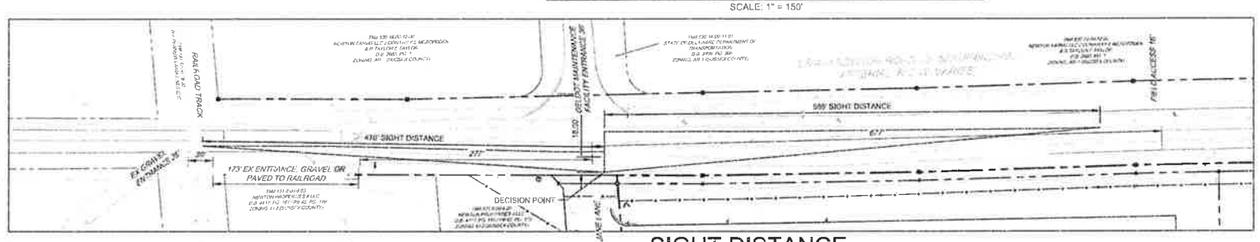
LEGEND

	EXISTING	PROPOSED
PROPERTY LINE / RIGHT OF WAY		
ADJOINING PROPERTY LINE		
BUILDING RESTRICTION LINE		
EASEMENT		
CENTER LINE OF ROAD		
EDGE OF PAVING		
CURB		
DRIVEWAY		
CONTOURS		
SWALE		
LIMIT OF CONSTRUCTION		LOC LOC LOC LOC
WETLANDS LINE AND FLAG	NW NW NW	
FLOODPLAIN	FP FP FP	
SOILS DESIGNATION	MmA	
SOIL BORING		
WOODS		
FENCE		
SIDEWALK		
SHARED USE PATH		
BUILDING		
UTILITY POLE/GUY WIRE		
OVERHEAD ELECTRIC	OHE OHE OHE	
CABLE TV, PEDESTAL OR HAND HOLE	CT	
TRAFFIC SIGN		
SINGLE & TWIN HEAD SITE LIGHT		
ELECTRICAL HAND HOLE AND TRANSFORMER	E XF	
FIBER OPTIC HAND HOLE	FO	
WATER MAIN, FIRE HYDRANT, VALVE, SERVICE ASSEMBLY AND METER PIT	W FH W W W	W FH V W
SEWER MAIN, MANHOLE, & CLEANOUT	S MH C.O. S S	S MH C.O. S S
SANITARY SEWER FORCEMAIN	FM FM FM FM FM FM	FM FM FM
UNDERGROUND ELECTRIC	E E E E	
UNDERGROUND GAS	GM GM GM GM GM	
UNDERGROUND FIBER OPTIC	FO FO FO	
TELEPHONE LINE	T T T T	
STORM WATER PIPE, MH, AND CB		



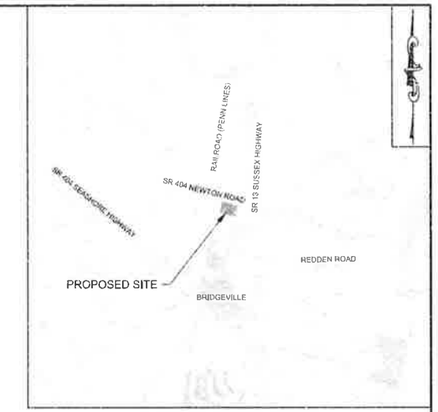
SITE OVERVIEW & ADJACENT ZONING

SCALE: 1" = 150'



SIGHT DISTANCE

SCALE: 1" = 80'



LOCATION MAP

SCALE: 1" = 1 MILE

SOILS & FLOODPLAIN MAP

ENTIRE AREA IS ZONE X PER PANEL # 10005C0115K (MARCH 16, 2015)

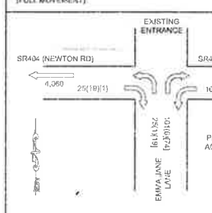
SCALE: 1" = 500'

SYMBOL	NAME	SOIL GROUP
HoA	HAMBROOK SANDY LOAM, 0 TO 2 PERCENT SLOPES	B
HaA	HAMMONTON-FALLSINGTON-MALLICA COMPLEX, 0 TO 2 PERCENT SLOPES	B
SaA	SASSAFRAS SANDY LOAM, 0 TO 2 PERCENT SLOPES	B

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

TRAFFIC GENERATION - SR404 NEWTON RD (S 582)

(FULL MOVEMENT)



TRAFFIC GENERATION DIAGRAM

ADT (AM PEAK) (PM PEAK)

ROAD TRAFFIC DATA:

FUNCTIONAL CLASSIFICATION = SR404 (NEWTON RD) - PRINCIPAL ARTERIAL
POSTED SPEED LIMIT = 45 MPH
AADT = 6,783 TRIPS (FROM 2019 DELDOT TRAFFIC SUMMARY)
10 YEAR PROJECTED AADT = 1.16 x 6,783 = 7,868 TRIPS
10 YEAR PROJECTED AADT + SITE ADT = 7,868 + 252 = 8,120 TRIPS
TRAFFIC PATTERN GROUP = 5 (FROM 2019 DELDOT TRAFFIC SUMMARY)
PEAK HOUR = 11.33% x 8,120 TRIPS = 914 TRIPS
DIRECTIONAL DISTRIBUTION SR404 (NEWTON RD):
50% TO THE WEST = 4,121
50% TO THE EAST = 4,121

SITE TRAFFIC DATA:

SOURCE: SITE TRAFFIC PROVIDED BY MILLERMETAL FABRICATION, INC. & OLD DOMINION FREIGHT LINE. (OLD DOMINION FREIGHT LINE TRIPS EXISTING SITE ADT: 252 TRIPS (204 MILLERMETAL, 48 OLD DOMINION)
ONE ENTRANCE = FULL MOVEMENT
DESIGN VEHICLE = WB-40
DIRECTIONAL DISTRIBUTION:
80% TO & FROM THE EAST = 252 * 80% = 202
20% TO & FROM THE WEST = 252 * 20% = 48
MORNING PEAK: 93% / 7% IN/OUT MORNING PEAK HOUR SPLIT
100 TRIPS: 93 IN / 7 OUT
EVENING PEAK: 7% / 93% IN/OUT EVENING PEAK HOUR SPLIT
100 TRIPS: 7 IN / 93 OUT
10% TRUCKS = 10% * 252 = 25

PROJECT TEAM

OWNER/DEVELOPER:
MILLERMETAL FABRICATION, INC.
8600 E NEWTON ROAD
BRIDGEVILLE, DE 19960
(302) 337-2291

SITE PLANER, ENGINEER, AND SURVEYOR:
SITEWORKS ENGINEERING
19 COMMERCE STREET
HARRINGTON, DE 19952
(302) 841-7901

GEOTECHNICAL ENGINEER
GEOTECHNOLOGY ASSOCIATES
21133 STERLING AVENUE, UNIT 7
GEORGETOWN, DE 19947
(302) 586-9761

INDEX OF DRAWINGS

LIMIT OF DISTURBANCE: ±9.4 ACRES

OWNER(S) CERTIFICATION

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

NEWTON FARMS LLC. DATE
PO BOX 397
BRIDGEVILLE, DE 19933

OWNER(S) CERTIFICATION

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

NEWTON PROPERTIES II LLC. DATE
PO BOX 397
BRIDGEVILLE, DE 19933

ENGINEERS CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM A REGISTERED PROFESSIONAL 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.

DAVID M. HEATWOLE, P.E. (DE LICENSE NO. #17796) DATE
19 COMMERCE STREET
HARRINGTON, DE 19952

DEVELOPER'S CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE DEVELOPER OF "PARCEL A" DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

MILLERMETAL FABRICATION, INC. DATE
8600 E NEWTON ROAD
BRIDGEVILLE, DE 19933

SITEWORKS ENGINEERING
PO BOX 2 | 19 COMMERCE ST. HARRINGTON, DE 19952 Phone: (302) 841-7901

RECORD PLAN COVER SHEET

MILLERMETAL FABRICATION FACILITY
TAX PARCEL NO. 131-6.00-8.00
SR 404 NEWTON ROAD (S 582)
NORTHWEST FORK HUNDRED, SUSSEX COUNTY

ISSUE / REVISION BLOCK

5/7/20 - SUSSEX COUNTY P&Z
7/2/20 - DELDOT
7/7/20 - STATE FIRE MARSHAL
7/10/20 - SUSSEX CONSERVATION
8/28/20 - DELDOT

SCALE	PROJECT #	DRAWN BY
AS NOTED	MMF2001	DMH

DRAWING NUMBER

R-1

DELDOT RECORD PLAN NOTES

REVISED MARCH 21, 2019

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.

2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.

3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.

4. UPON COMPLETION OF THE CONSTRUCTION OF THE SHAREDUSE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS, SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.

5. PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION, OR BOTH. (TITLE 17 §131), DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.

6. THE SHARE 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 FOR THE SHARED USE PATH.

7. ALL LOTS SHALL HAVE ACCESS FROM INTERNAL STREETS.

8. TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.

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

10. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.

11. THIS COMMERCIAL PARCEL HAS DIRECT FRONTAGE ALONG NEWTON ROAD, ROUTE 404, WHICH HAS A FUNCTIONAL CLASSIFICATION OF PRINCIPLE ARTERIAL AS DEFINED BY THE STATE OF DELAWARE'S DEPARTMENT OF TRANSPORTATION. PER SECTION 3.6.1 OF THE DELDOT DEVELOPMENT COORDINATION MANUAL (DCM) IT IS THE DEVELOPER'S RESPONSIBILITY TO EVALUATE NOISE LEVELS AND THEIR IMPACTS ON PROPOSED DEVELOPMENT, FOR PROJECTS ADJACENT TO EXISTING TRANSPORTATION FACILITIES WITH THIS FUNCTIONAL CLASSIFICATION. ROADWAYS WITH THIS CLASSIFICATION CAN BE EXPECTED TO GENERATE ELEVATED LEVELS OF ROAD AND TRAFFIC RELATED NOISE. SIMILAR TO WHAT CAN BE EXPECTED IN URBAN AREAS. A DETAILED NOISE ANALYSIS PER DCM 3.6 IS TYPICALLY RECOMMENDED TO HELP GAUGE THE ACTUAL IMPACTS THAT ROADWAY RELATED NOISE MAY HAVE ON VARIOUS POTENTIAL LAND-USES (SUCH AS THOSE DESCRIBED IN DCM FIGURE 3.6.3-A: NOISE ABATEMENT CRITERIA). WITH THE INCLUSION OF THIS NOTE, THE DEVELOPER IS ACKNOWLEDGING THAT THE PROPOSED SITE AND/OR BUILDING LOCATION CAN BE EXPECTED TO EXCEED THE SPECIFIC MAXIMUM NOISE LEVELS FOR CERTAIN COMMERCIAL AND NON-RESIDENTIAL USES AS SHOWN IN DCM FIGURE 3.6.3-A. THE DEVELOPER'S WAIVER OF THE NOISE ANALYSIS AND REVIEW OF POTENTIAL NOISE MITIGATION MEASURES ARE SUPPORTED BY THE INFEASIBILITY OF APPLYING NOISE MITIGATION MEASURES, BASED ON ENGINEERING CONSIDERATIONS AND FACTORS THAT WOULD LIMIT THE ABILITY TO ACHIEVE SUBSTANTIAL NOISE REDUCTION. RELATED TO THE COMMERCIAL USE OF THE SITE AND/OR BUILDINGS, THIS WAIVER ACKNOWLEDGES THAT THE DECIBEL LEVEL FOR THIS PARCEL MAY EXCEED THE APPLICABLE LIMITS FOR SOME CURRENT OR FUTURE PROPOSED USES. THE USE OF THIS NOTE SIGNIFIES THE SUBDIVISION ENGINEER'S CONCURRENCE WITH WAIVING THE DEVELOPER'S COMPLETION OF A DETAILED NOISE STUDY AND SUBSEQUENT REVIEW OF RESULTING NOISE ABATEMENT FINDINGS OR MITIGATION MEASURES. ANY FUTURE COMPLAINTS RELATING TO EXISTING OR FUTURE NOISE LEVELS IMPACTING PROPOSED USES ON THIS SITE AND ALONG THIS EXISTING TRANSPORTATION FACILITY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER OR LAND OWNER OR RIGTH.

12. IN ACCORDANCE WITH A DELDOT MEMORANDUM FROM TROY BRESTEL, PROJECT ENGINEER, DATED SEPTEMBER 6, 2016, THE MILLERMETAL FABRICATION FACILITY PROJECT MEETS DELDOT'S VOLUME WARRANTS TO PAY THE AREA WIDE STUDY FEE IN LIEU OF DOING A TRAFFIC IMPACT STUDY (TIS) AND THERE ARE NO OFF-SITE IMPROVEMENTS THAT THE DEVELOPER WILL BE REQUIRED TO MAKE OR PARTICIPATE IN.

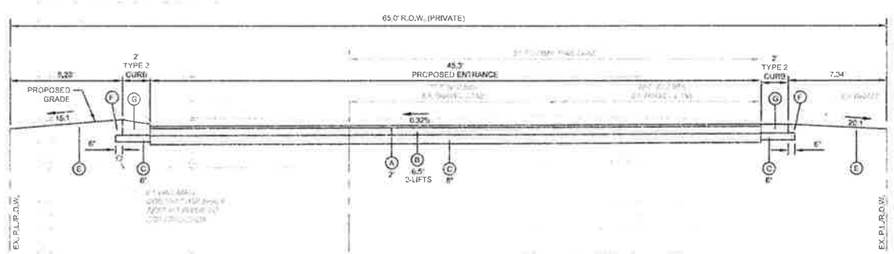
SITE DATA:

1.	TAX MAP NUMBER(S)	131-6.00-8.00 & 131-6.00-8.06
2.	PARCEL 131-6.00-8.00 OWNER GROSS PROPERTY AREA AREA DEDICATED TO DELDOT PARCEL AREA / NET DEVELOPMENT AREA: RESIDUAL PROPERTY AREA	 NEWTON FARMS LLC, J CONAWAY, & E MCSOPDDEN 23.792 ACRES 0.274 ACRES 8.592 ACRES (PARCEL A) 14.926 ACRES (REMAINING LANDS)
	PARCEL 131-6.00-8.06 OWNER GROSS PROPERTY AREA: AREA DEDICATED TO DELDOT REMAINING LANDS	 NEWTON PROPERTIES II LLC 1.273 ACRES 0.017 ACRES 1.256 ACRES
3.	EXISTING & PROPOSED LOTS	1 EXISTING - 2 PROPOSED
4.	DEVELOPER NAME:	MILLERMETAL FABRICATION, INC. NEWTON PROPERTIES II, LLC
5.	PROPERTY ADDRESS:	8500 NEWTON ROAD BRIDGEVILLE, DE 19966
6.	GOVERNMENTAL ENTITY RESPONSIBLE FOR LAND USE APPROVAL:	SUSSEX COUNTY
7.	HUNDRED/COUNTY:	NORTHWEST FORK HUNDRED / SUSSEX COUNTY
8.	CURRENT ZONING:	C-1 - GENERAL COMMERCIAL
9.	PROPOSED ZONING	LI-2 - LIMITED INDUSTRIAL 2
10.	PRESENT USE:	TILLED CROPS
11.	PROPOSED USE:	METAL FABRICATION SHOP
12.	GROSS LEASABLE FLOOR AREA:	67,320 SF
13.	MINIMUM LOT SIZE:	AREA = 1 ACRES WIDTH = 150 FEET DEPTH = 200 FEET
14.	REQUIRED LI-2 SETBACKS (B.R.L.):	FRONT: 50-FEET SIDE: 20-FEET REAR: 20-FEET
15.	MAXIMUM HEIGHT REQUIREMENT: PROPOSED HEIGHT:	52-FEET ~32-FEET
16.	REQUIRED PARKING	1 FOR EVERY TWO EMPLOYEES ON THE MAJOR SHIFT (MANUFACTURING) EMPLOYEES ON MAJOR SHIFT (81) PARKING SPACES REQUIRED = 41 PARKING SPACES PROVIDED = 60
17.	LOADING SPACE REQUIRED LOADING SPACED PROVIDED	4 SPACES 4 SPACES
18.	WATER SUPPLIER:	ON-SITE WELL
19.	SANITARY SEWER PROVIDER	ON-SITE WASTEWATER DISPOSAL SYSTEM
20.	PROJECT DATUM HORIZONTAL: VERTICAL:	 NAD 83 NAVD88
21.	FEMA FLOOD MAP: PER FEMA FLOOD MAP 10005C0115K EFFECTIVE 3/18/2015, THE SITE IS NOT SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD.	
22.	POSTED SPEED LIMIT FOR E NEWTON RD (SCR 282):	45 MPH
23.	2015 STATE INVESTMENT AREA:	LEVEL 2
24.	LATITUDE AND LONGITUDE STATE PLAN COORDINATES: LATITUDE: N 38° 45' 36" LONGITUDE: W 75° 35' 59"	
25.	WETLAND AREA	0.00 ACRES
26.	PROPOSED DISCHARGE LOCATION:	INFILTRATION / EX CLOSED DRAINAGE
27.	PROXIMITY TO T.I.D.:	NOT WITHIN AN IDENTIFIED TID
28.	LIMIT OF DISTURBANCE:	9.4 ACRES
29.	WATERSHED:	NANTICOKE RIVER

TYPICAL SECTION LEGEND

- (A) ITEM 401005 - SUPERPAVE TYPE C, PG 70-22, CARBONATE STONE
- (B) ITEM 401015 - SUPERPAVE TYPE B, PG 70-22
- (C) ITEM 301001 - GRADED AGGREGATE BASE COURSE, TYPE B
- (D) ITEM 903020 - EROSION CONTROL BLANKET MULCH, TYPE 3 FOR 1 ROLL WITH MINIMUM 6' OF WIDTH
- (E) ITEM 908004 - TOPSOIL, 6" DEPTH OR
ITEM 608010 - TOPSOILING, 6" DEPTH
ITEM 908014 - PERMANENT GRASS SEEDING, DRY GROUND
- (F) ITEM 206006 - BORROW, TYPE F
- (G) ITEM 701014 - PORTLAND CEMENT CONCRETE CURB - TYPE 2 (PER DELDOT STANDARD DETAIL C-1)
- (H) TAPER MILL AND OVERLAY TO FINAL GRADE
- (I) NOT USED
- (J) SAFETY EDGE (PER DELDOT STANDARD DETAIL P-6)
- (K) ITEM 401005 - SUPERPAVE TYPE C, PG 64-22 (CARBONATE STONE)

NOTE: SUBGRADE SHALL BE PREPARED IN ACCORDANCE WITH DELDOT STANDARD SPECIFICATIONS.



EMMA JANE LANE ENTRANCE SECTION

SCALE: 1" = 5'

GENERAL NOTES:

1. ALL KNOWN EASEMENTS ARE SHOWN ON THE PLAN; HOWEVER, THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY.
2. THE ITEMS DEPICTED ON THE FINAL SITE PLAN ARE FOR ILLUSTRATIVE AND OUTLINE PURPOSES ONLY. THE GENERAL LOCATION AND DIMENSIONS OF ITEMS DEPICTED ON THE FINAL SITE PLAN MAY BE SUPERCEDED BY APPROVED / REVISED CONSTRUCTION DRAWINGS, BUILDING PERMIT DRAWINGS AND OTHER MODIFICATIONS THERETO APPROVED BY THE AUTHORITIES HAVING JURISDICTION AT THE SOLE DISCRETION OF THE DEVELOPER INCLUDING THE DEVELOPER'S SUCCESSORS AND ASSIGNS.
3. ALL LIGHTING SHALL BE DOWNWARD SCREENED TO MINIMIZE GLARE ON SURROUNDING RESIDENTIAL PROPERTIES.
4. THE PROPOSED SIGN IS NOT APPROVED AS PART OF THIS SITE PLAN. A SEPARATE SUSSEX COUNTY PERMIT IS REQUIRED.

SITE WORKS ENGINEERING
PO BOX 2 | 19 COMMERCE ST, HARRINGTON, DE 19952 Phone: (302) 841-7901

RECORD PLAN NOTES

MILLERMETAL FABRICATION FACILITY
TAX PARCEL NO. 131-6.00-8.00
SR 404 NEWTON ROAD (S 582)
NORTHWEST FORK HUNDRED, SUSSEX COUNTY

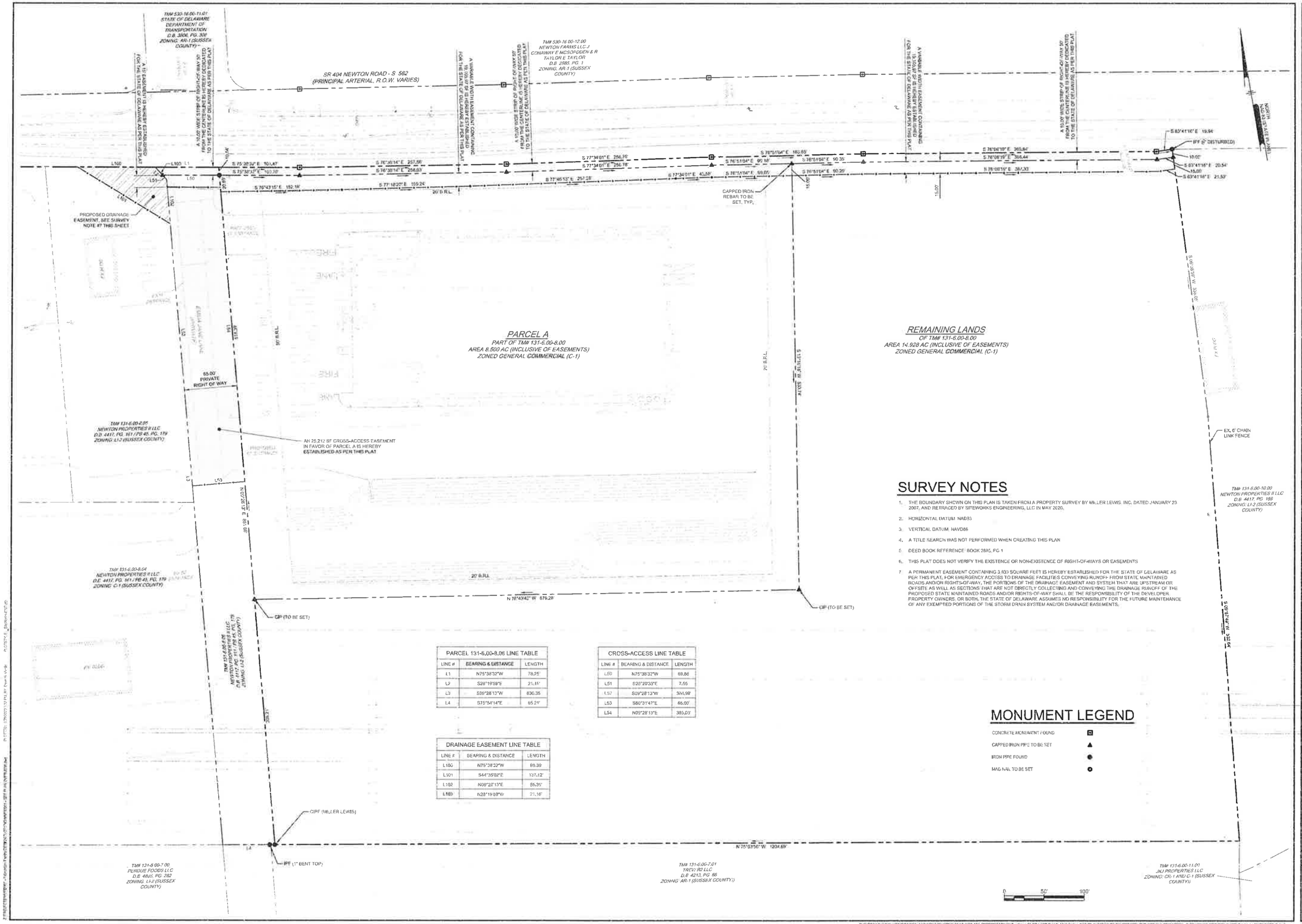
ISSUE / REVISION BLOCK

5/7/20 - SUSSEX COUNTY PSZ
7/2/20 - DELDOT
7/7/20 - STATE FIRE MARSHAL
7/10/20 - SUSSEX CONSERVATION
8/26/20 - DELDOT

SCALE	PROJECT #	DRAWN BY
AS NOTED	MMF12001	DMH

DRAWING NUMBER

R-2



SURVEY NOTES

1. THE BOUNDARY SHOWN ON THIS PLAN IS TAKEN FROM A PROPERTY SURVEY BY MILLER LEWIS, INC. DATED JANUARY 23 2007, AND RETRACED BY SITEWORKS ENGINEERING, LLC IN MAY 2020.
2. HORIZONTAL DATUM: NAD83
3. VERTICAL DATUM: NAVD88
4. A TITLE SEARCH WAS NOT PERFORMED WHEN CREATING THIS PLAN
5. DEED BOOK REFERENCE: BOOK 2885, PG 1
6. THIS PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT-OF-WAYS OR EASEMENTS
7. A PERMANENT EASEMENT CONTAINING 3,830 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.

PARCEL 131-6.00-8.06 LINE TABLE

LINE #	BEARING & DISTANCE	LENGTH
L1	N75°38'32"W	78.25'
L2	S28°19'59"E	21.16'
L3	S09°28'13"W	836.35
L4	S75°54'14"E	65.21'

CROSS-ACCESS LINE TABLE

LINE #	BEARING & DISTANCE	LENGTH
L50	N75°38'32"W	68.86
L51	S20°20'33"E	7.55
L52	S09°28'13"W	344.99
L53	S80°31'47"E	65.00'
L54	N09°28'13"E	385.00

DRAINAGE EASEMENT LINE TABLE

LINE #	BEARING & DISTANCE	LENGTH
L100	N75°38'32"W	89.39
L101	S44°35'02"E	137.12'
L102	N09°28'13"E	55.35'
L103	N28°19'59"W	21.16'

MONUMENT LEGEND

- CONCRETE MONUMENT FOUND
- CAPPED IRON PIPE TO BE SET
- IRON PIPE FOUND
- MAG NAIL TO BE SET

SITEWORKS ENGINEERING
PO BOX 212 | 19 COMMERCE ST, HARRINGTON, DE 19952 Phone: (302) 841-7901

SUBDIVISION PLAN

MILLERMETAL FABRICATION FACILITY

TAX PARCEL NO. 131-6.00-8.00
SR 404 NEWTON ROAD (S 582)
NORTHWEST FORK HUNDRED, SUSSEX COUNTY

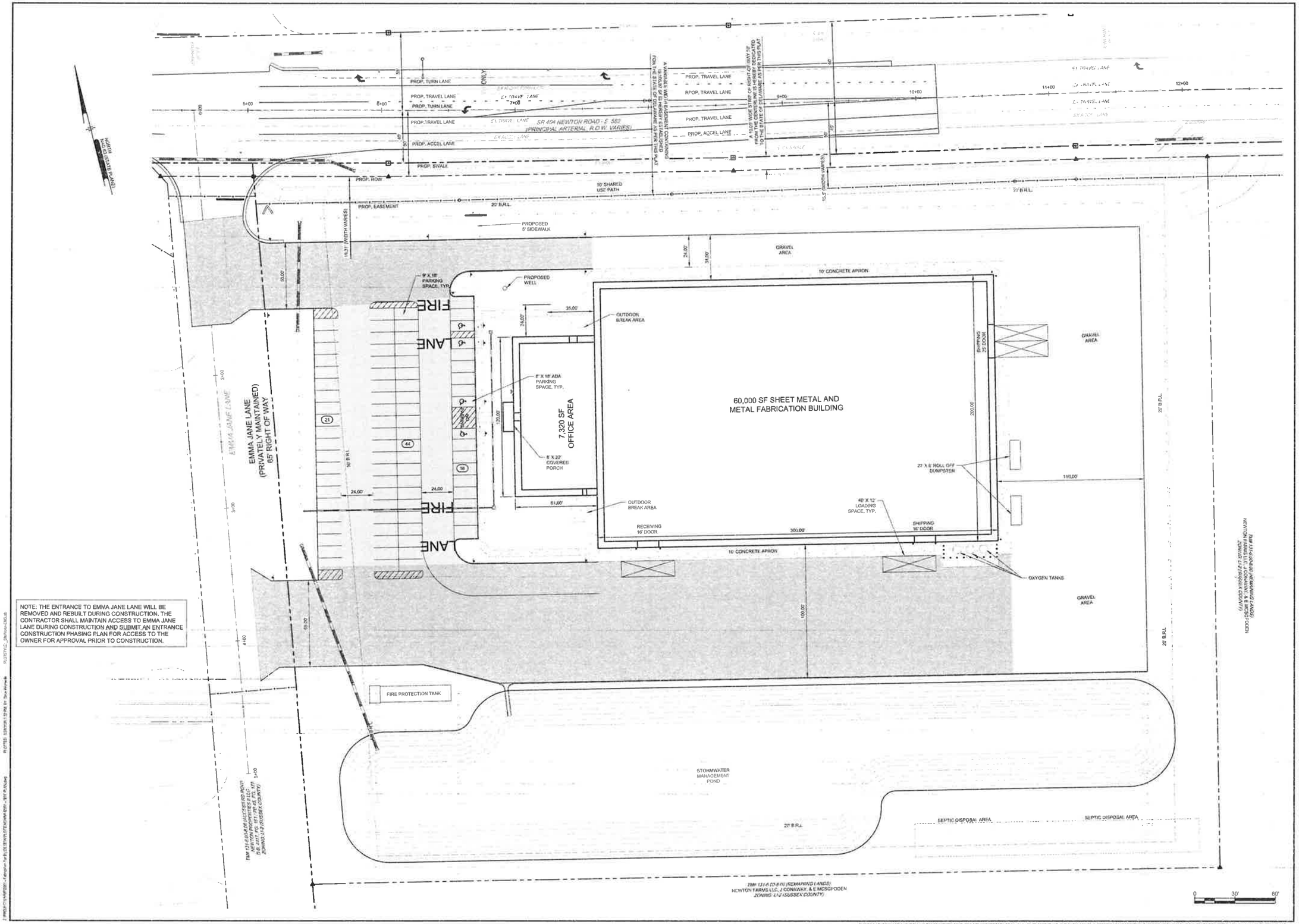
ISSUE / REVISION BLOCK

5/7/20 - SUSSEX COUNTY P&Z
7/2/20 - DELDOT
7/7/20 - STATE FIRE MARSHAL
7/10/20 - SUSSEX CONSERVATION
8/26/20 - DELDOT

SCALE	PROJECT #	DRAWN BY
1" = 50'	SMM2001	DRH

DRAWING NUMBER

R-3



SITEWORKS ENGINEERING
PO BOX 2 | 19 COMMERCE ST, HARRINGTON, DE 19952 Phone: (302) 841-7901

PRELIMINARY SITE PLAN

MILLERMETAL FABRICATION FACILITY

TAX PARCEL NO. 131-6.00-8.00
SR 404 NEWTON ROAD (S 582)
NORTHWEST FORK HUNDRED, SUSSEX COUNTY

ISSUE / REVISION BLOCK

6/7/20 - SUSSEX COUNTY P&Z
7/2/20 - DELDOT
7/7/20 - STATE FIRE MARSHAL
7/10/20 - SUSSEX CONSERVATION
8/28/20 - DELDOT

SCALE	PROJECT #	DRAWN BY
1" = 30'	MMF-0001	DMH

DRAWING NUMBER

R-4

Tab “10”

PROPOSED FINDINGS OF FACTS
C/Z 1919

1. This is an application to amend the comprehensive zoning map from C-1 (General Commercial District) to LI-2 (Light Industrial District) for 23.7021± acres located in Northwest Fork Hundred, Sussex County, being situated along the south side of E. Newton Road (Delaware Route 404), approximately 791 feet West of Sussex Highway (U.S. Route 13), also being known and designated as Sussex County Tax District 131, Map 6.00, Parcel 8.00.

2. The applicant and owner of the property is Newton Farms, LLC, a Delaware limited liability company.

3. The property is unimproved and is currently used for agricultural purposes (farming).

4. The intended use of the site will be for manufacturing, light industrial and flex space for related uses.

5. In the 2019 Sussex County Comprehensive Plan update, the property is identified for purposes of future land use as being in a Developing Area. The property is surrounded by areas designated on the Future Land Use Map as being within the Industrial Area. The Developing Area is a Growth Area and Table 4.5-2 titled "Zoning Districts Applicable to Future Land Use Categories" identifies LI-2 (Light Industrial District) as an applicable zoning district for the Developing Area.

6. The guidelines for future growth in the Developing Area states within the permitted uses for this Area that "[p]ortions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks."

7. The property has good road access being located along SR404 (Newton Road) a Principal Arterial. There are only a few homes in the area. Further, the property is surrounded by areas designated on the Future Land Use Map as being in the Industrial Area.

8. The 2020 Delaware Strategies for State Policies and Spending identify the property as Investment Level 2, which are areas that "have been shown to be the most active portion of Delaware's developed landscape" where "state investments and policies should support and encourage a wide range of uses" and "is the priority for job creation and retention."

9. The purpose of the LI-2 Light Industrial District is to "provide for a wide variety of light manufacturing, fabricating, processing, wholesale distributing and warehousing uses appropriately located for access by major thoroughfares or railroads. Commercial uses and open storage of materials are permitted, but new residential development is excluded." The intended use of the property are consistent with these permitted uses.

10. The Site is not within a floodplain based upon FEMA Map Number 10005C0115K, dated March 16, 2015, the entire property is located in an area designated as Zone "X" (unshaded), which is an area determined to be outside the 500-year floodplain.

11. There are no wetlands located on the property.

12. The property is located on Delaware Route 404 (East Newton Road), a principal arterial, a place where the Zoning Code and Comprehensive Plan encourage growth and industrial-style uses, and one of Sussex County's primary east-west travel routes.

13. The property is less than 800 feet from U.S. Route 13 (Sussex Highway) one of Sussex County's primary north-south travel routes.

14. In the immediate area there exist numerous industrial and commercial uses which are similar to the proposed use(s) for this property.

15. DelDOT responded to the Service Level Evaluation Request and stated that the proposed project will have a Minor impact on the local area roadways and, pursuant to the Development Coordination Manual, the applicant can pay an Area-Wide Study Fee in lieu of a Traffic Impact Study.

16. The property will be served by private (on-site) wells for domestic use and fire protection subject to the review and approval of the Delaware State Department of Natural Resources and Environmental Control and the Delaware Division of Public Health.

17. The property will be served by a private (on-site) wastewater disposal system subject to the Delaware State Department of Natural Resources and Environmental Control's regulations governing the design, installation and operation of on-site wastewater treatment and disposal systems.

18. As a part of site plan approval for any future use, stormwater management design and permitting will be required; thus assuring neighboring lands will be protected from any land disturbance activity on site.

19. The proposed LI-2 (Light Industrial District) zoning classification is in character with the nature of the area, will not adversely affect the neighboring and adjacent properties, and is consistent with the purpose of the LI-2 zoning district and the character and trend of development along E. Newton Road.

20. The proposed project meets the purpose of the Zoning Ordinance in that it promotes the orderly growth, convenience, order, prosperity and welfare of the County.

21. All factors have been considered and the proposed LI-2 (Light Industrial District) classification meets the purposes and goals of the County's Comprehensive Plan and its Zoning Code. The addition of areas for light manufacturing, fabricating, processing, wholesale distributing and warehousing permitted in the LI-2 (Light Industrial District) zoning district is appropriate for and consistent with this area along Delaware Route 404. As a result, the proposed LI-2 (Light Industrial District) classification is consistent with the Sussex County Comprehensive Land Use Plan.