

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

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



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

Sussex County Planning & Zoning Commission

AGENDA

November 4, 2021

3:00 P.M.

Call to Order

Approval of Agenda

Approval of Minutes – August 26, 2021, October 13, 2021, and October 14, 2021

Other Business

2004-38 Wetherby Subdivision

Revised Final Subdivision Plan

KS

2018-13 Anchors Run

Preliminary Amenities Plan

KS

2018-01 Acadia Landing

Preliminary Amenities Plan

KS

Patriots Glen RPC

Preliminary Site Plan

BM

APD 2021-01 - Webb Family Farms (S-21-10-297)

Consideration of Agricultural Preservation District

Old Business

2021-21 - Lewes Crossing Phase 8 (2016-4)

KS

This is a revision to a previously approved 42-lot major subdivision known as Lewes Crossing. The proposal is to reduce the number of trees proposed within Perimeter 2 in Phase 8 of the Lewes Crossing Subdivision. This reduction is proposed to the rear of Lots 215-227. The property is located on the south side of Beaver Dam Road approximately 1,436 ft. west of Salt Marsh Boulevard. The property is zoned AR-1 (Agricultural Residential District). Tax Map I.D. 334-5.00-222.01



C/U 2264 Laudan Investments, LLC

KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for professional offices to be located on certain parcels of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 0.68 acres, more or less. The property is lying on the southeastern side of Savannah Road (S.C.R. 443A), approximately 0.77-mile northeast of Wescoats Road (Rt. 12). 911 Addresses: 1302 & 1304 Savannah Road, Lewes. Tax Parcels: 335-8.18-15.00 & 335-8.18-16.00

C/U 2271 Chris Brasure

HW

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District to amend Conditional Use No. 1920 (Ordinance No. 2240) to allow for office space to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 1.35 acres, more or less. The property is lying on the northeast corner of the intersection of Lighthouse Road (Rt. 54) and Dickerson Road (S.C.R. 389). 911 Address: 33095 and 33113 Lighthouse Road, Selbyville. Tax Parcels: 533-18.00-25.00.

Public Hearings

C/U 2273 Michael Parsons

KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for the use of commercial deliveries of parts to be sold offsite to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 0.99 acres, more or less. The property is lying on the south side of Pecan Drive, approximately 475 ft. east of Hopkins Road (S.C.R. 286). 911 Address: 30274 Pecan Drive, Lewes. Tax Parcel: 234-5.00-49.00

C/U 2314 Millsboro Fire Company

KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a fire department substation to be located on a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, containing 1.54 acres, more or less. The property is lying on the northeast corner of Millsboro Highway (Rt. 24) and Lewis Road (S.C.R. 409). 911 Address: 30134 Millsboro Highway, Millsboro. Tax Parcel: 133-20.00-17.16

AN ORDINANCE TO AMEND CHAPTER 99, SECTIONS 99-5, 99-6, 99-7, 99-23, 99-24, 99-26, AND 99-30, AND CHAPTER 115 SECTIONS 115-4, 115-25, 115-193, 115-220 AND 115-221 REGARDING CERTAIN DRAINAGE FEATURES, WETLANDS AND WATER RESOURCES AND THE BUFFERS THERETO.

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 234-23.00-270.00

RECESS

C/Z 1936 OA-BP Marina Bay-Lakeside, LLC

BM

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a MR-RPC Medium Density Residential District – Residential Planned Community to a MR-RPC Medium Density Residential District Residential Planned Community to amend conditions of approval of Change of Zone No. 1883 (Ordinance No. 2690) and Change of Zone No. 1475 (Ordinance No. 1573) relating to the maximum number and types of

housing permitted for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 778.39 acres, more or less. The property is lying on the south end of Bay Farm Road (S.C.R. 299) and the south side of Trinity Road (S.C.R. 299A). 911 Address: N/A. Tax Parcels: 234-30.00-1.00 thru 430.00.

C/Z 1937 Double DB, LP

KS

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District and GR General Residential District to an AR-1/MR-RPC Agricultural Residential District and Medium Density Residential District-Residential Planned Community for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 29.07 acres, more or less. The property is lying on the west side of Wil King Rd. (Route 288) approximately 0.89 miles north of Conleys Chapel Road (Route 280B). 911 Addresses: 20440, 20452, and 20464 Wil King Road, Lewes. Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19.

Additional Business

- Executive Session – Pending/Potential Litigation

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on October 28, 2021 at 6:55 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 DETAILS-

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

The County provides 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 are encouraged to be submitted by 4:00 P.M on Wednesday, November 3, 2021.

#

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



Memorandum

To: Sussex County Planning Commission Members

From: Jamie Whitehouse, Director, Department of Planning & Zoning; Jenny Norwood, Planning and Zoning Manager; Lauren DeVore, Planner III; Christin Scott, Planner I; and Elliott Young, Planner I

CC: Vince Robertson, Assistant County Attorney

Date: October 26th, 2021

RE: Other Business for the November 4, 2021 Planning Commission Meeting

This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the November 4, 2021 Special Meeting of the Planning & Zoning Commission.

(2004-38) Wetherby

KS

Revised Final Subdivision Plan

This is a Revised Final Subdivision Plan for Wetherby, a cluster subdivision consisting of one-hundred and twenty-six (126) single-family lots located on the south side of Harmons Hill Road (Rd. 302). The Planning Commission at their October 13, 2021 meeting deemed the subdivision substantially underway, under the stipulation that site work shall continue on the site in order to maintain this status. The Revised Subdivision Plan submitted on August 2, 2021 reflects a change in the previously approved plans to relocate the proposed entrance to the western end of the site, instead of the eastern end to accord with DelDOT requirements. The Revised Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes and all Conditions of Approval. Tax Parcel: 234-16.00-27.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are in receipt of all updated agency approvals.

Patriots Glen RPC (Phase 1)

BM

Preliminary Site Plan

This is a Preliminary Site Plan for Patriots Glen RPC consisting of a one-hundred and sixty-one (161) residential unit residential planned community located on the southeast side of John J. Williams Hwy. (Rt. 24). The Planning Commission at their July 16, 2019 meeting approved CZ 1877 for the MR-RPC (Medium Density Residential Zoning District, Residential Planned Community). The applicant has submitted a written request to reduce right-of-way throughout portions of Patriots Glen (Phase 1) and provided an exhibit. The Preliminary Site Plan otherwise complies with the Sussex County Zoning Code. Tax Parcel: 234-29.00-66.00, 66.01, & 66.02. Zoning: MR-RPC (Medium Density Residential Zoning District-Residential Planned Community). Staff are awaiting agency approvals.

2018-01 Acadia Landing

KS

Preliminary Amenities Plan

This is a Preliminary Amenities Plan for the Acadia Subdivision. This plan proposes a 4,000 +/- square foot clubhouse, in-ground pool, tennis court, associated parking, landscaping and other site improvements. The site is located on the south side of Frenchman Bay Drive within Acadia Landing Subdivision. The Preliminary Amenities Plan complies with the Sussex County Zoning Code. Tax Parcel: 234-11.00-60.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are in receipt



of all required agency approvals for this proposal, and therefore, both Preliminary and Final approvals may be granted at the will of the Commission.

2018-13 Anchors Run

KS

Preliminary Amenities Plan

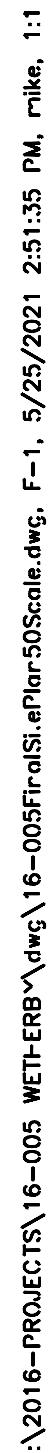
This is a Preliminary Amenities Plan for the Anchors Run Subdivision. This plan proposes a 4,100 +/- square foot clubhouse, in-ground pool, central mailbox, associated parking and other site improvements. The site is located on the end of Snug Berth Drive within the Anchors Run Subdivision. The Preliminary Amenities Plan complies with the Sussex County Zoning Code. Tax Parcels: 234-6.00-19.00 & 234-6.00-20.01. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are in receipt of all required agency approvals for this proposal, and therefore, both Preliminary and Final approvals may be granted at the will of the Commission.

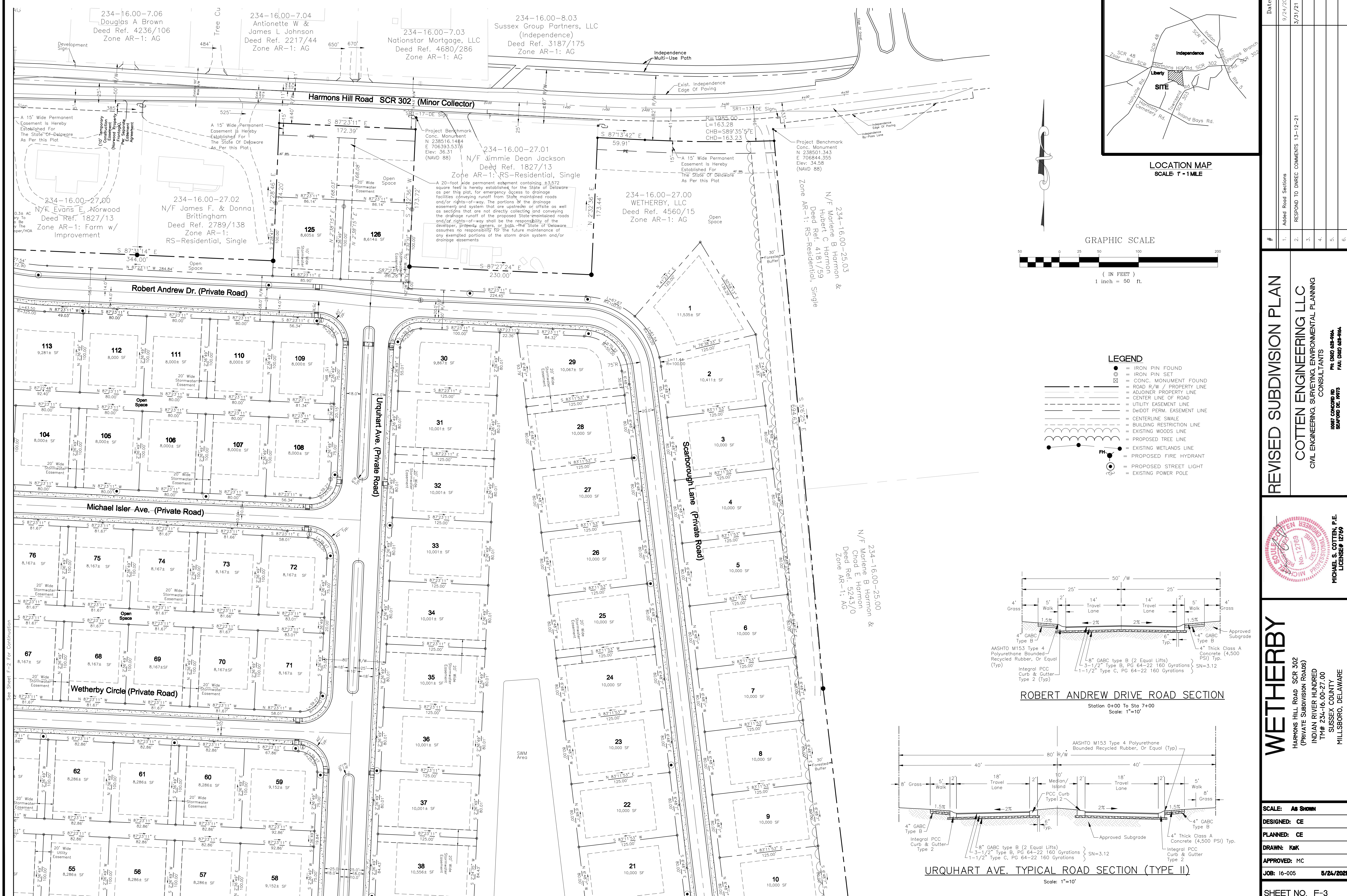
APD 2021-01 – Webb Family Farms, LLC

KH

Consideration of Agricultural Preservation District

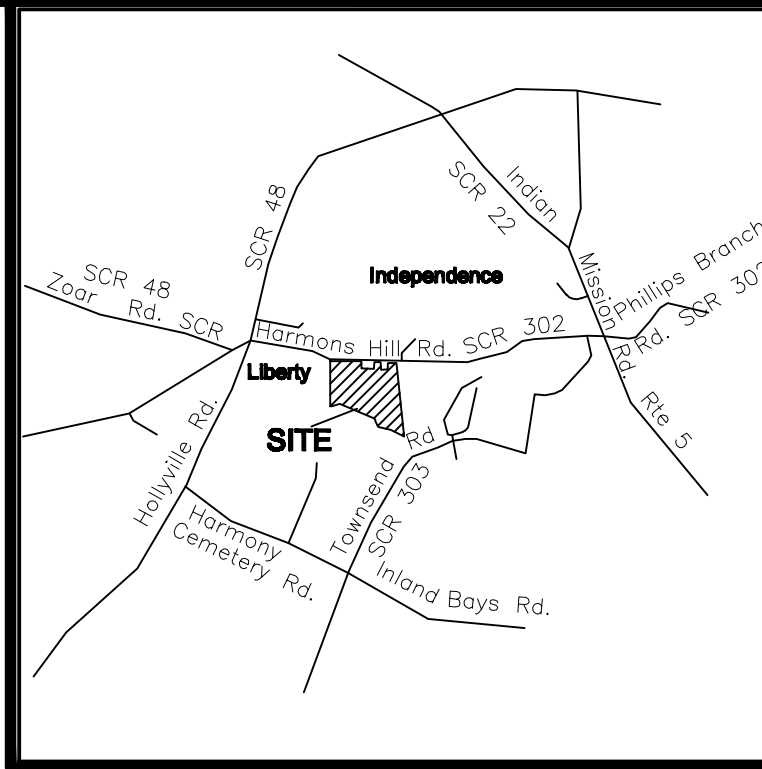
This is an application to consider an Agricultural Preservation District in an Agricultural Residential Zoning District in Cedar Creek Hundred for one (1) parcel of land totaling 250.51 acres more or less, located along the north and south sides of Beach Highway (Rt. 16) and the south west corner of Beach Highway (Rt. 26) and Truitt Road (S.C.R. 604) for the purpose of a recommendation to the Delaware Agricultural Lands Preservation Foundation. Tax Parcel: 230-25.00-29.00. Zoning: AR-1 (Agricultural Residential Zoning District).





See Sheet F-2 For Continuation

See Sheet F-5 For Continuation

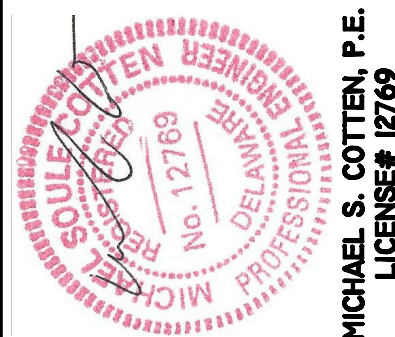


LOCATION MAP
SCALE: 1" = 1 MILE

REVISED SUBDIVISION PLAN

COTTEN ENGINEERING LLC
CIVIL ENGINEERING, SURVEYING, ENVIRONMENTAL PLANNING
CONSULTANTS

10007 CONCORD RD
SEAFORD DE 19775
PH: (302) 655-9164
FAX: (302) 655-9164



MICHAEL S. COTTEN, P.E.
LICENSE # 12769

WETHERBY

HARMONS HILL ROAD SCR 302
(PRIVATE SUBDIVISION ROADS)
INDIAN RIVER HUNDRED
T/M# 234-16.00-27.00
SUSSEX COUNTY
MILLSBORO, DELAWARE

SCALE: As Shown

DESIGNED: CE

PLANNED: CE

DRAWN: KAK

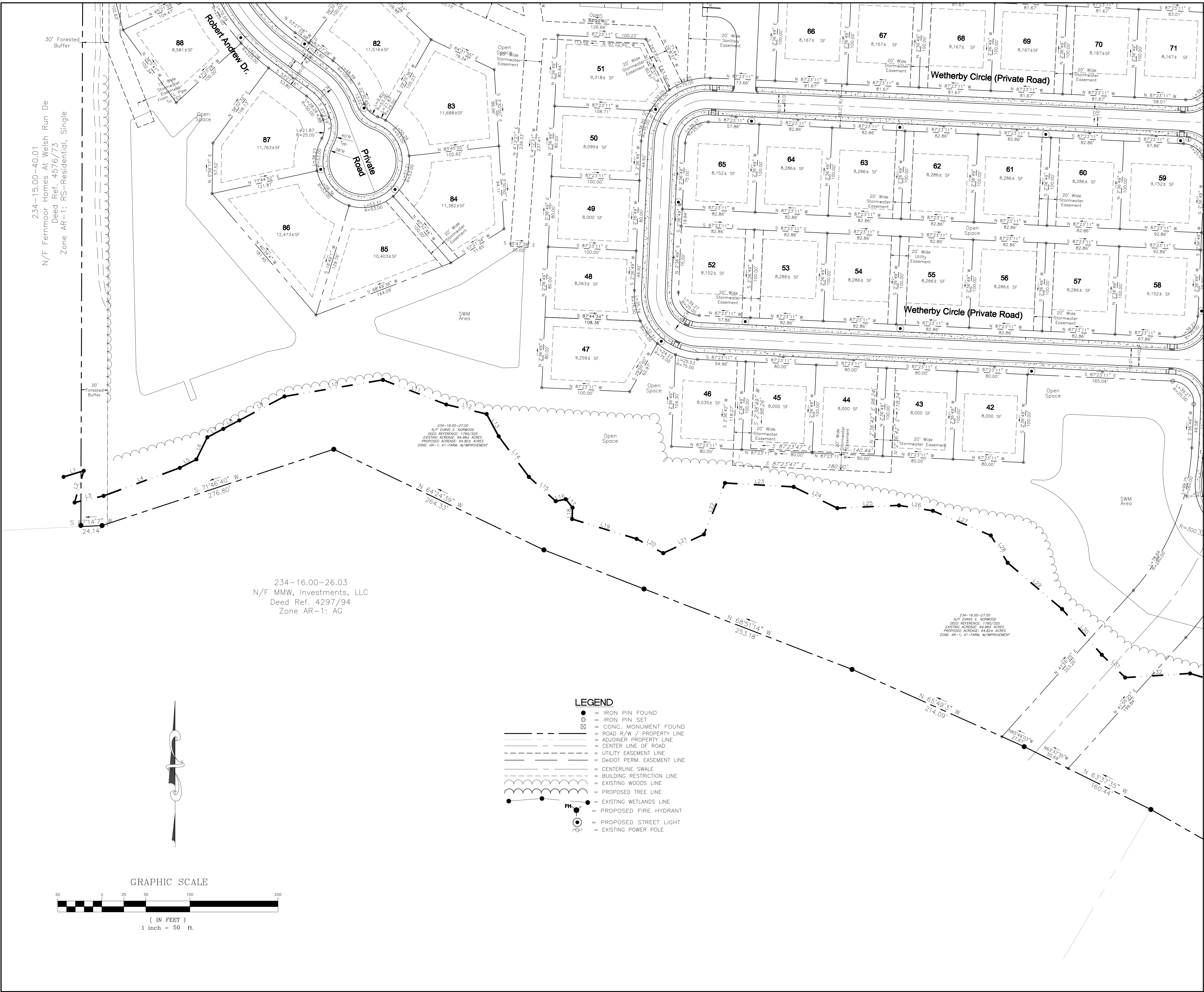
APPROVED: MC

JOB: 16-005

5/24/2021

SHEET NO. F-4

I:\2016-PROJECTS\16-005 WETH-ERB\dwg\16-005FinalB.dwg, F-4, 5/25/2021 2:57:41 PM, mke, 1:1



LEGEND

- = IRON PIN FOUND
- ⊙ = IRON PIN SET
- ⊠ = CONC. MONUMENT FOUND
- = ROAD R/W / PROPERTY LINE
- - - = ADJOINER PROPERTY LINE
- - - = CENTER LINE OF ROAD
- - - = UTILITY EASEMENT LINE
- - - = DELDOT PERM. EASEMENT LINE
- - - = CENTERLINE SWALE
- - - = BUILDING RESTRICTION LINE
- - - = EXISTING WOODS LINE
- - - = PROPOSED TREE LINE
- - - = EXISTING WETLANDS LINE
- - - = PROPOSED FIRE HYDRANT
- - - = PROPOSED STREET LIGHT
- - - = EXISTING POWER POLE

GRAPHIC SCALE



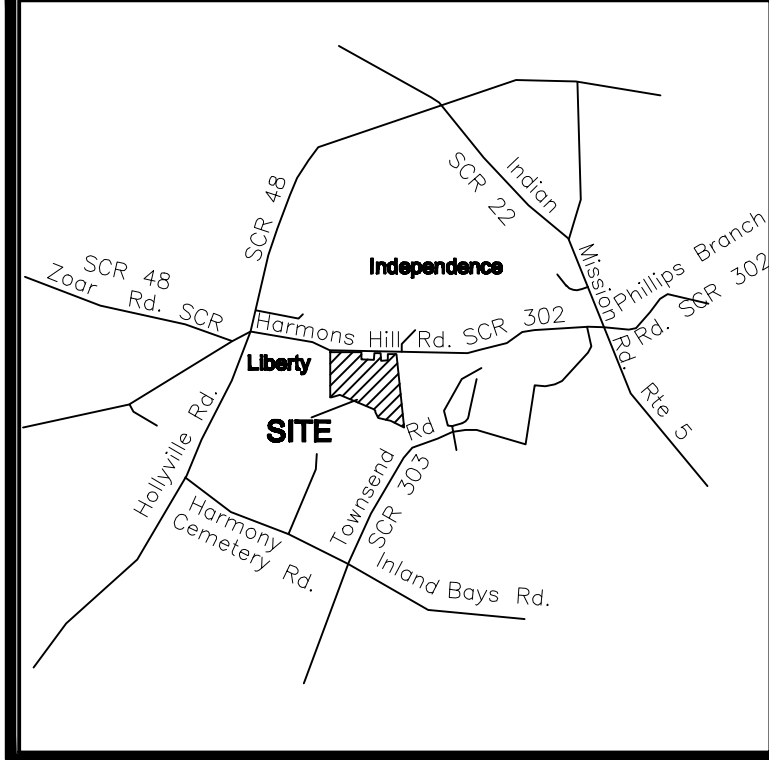
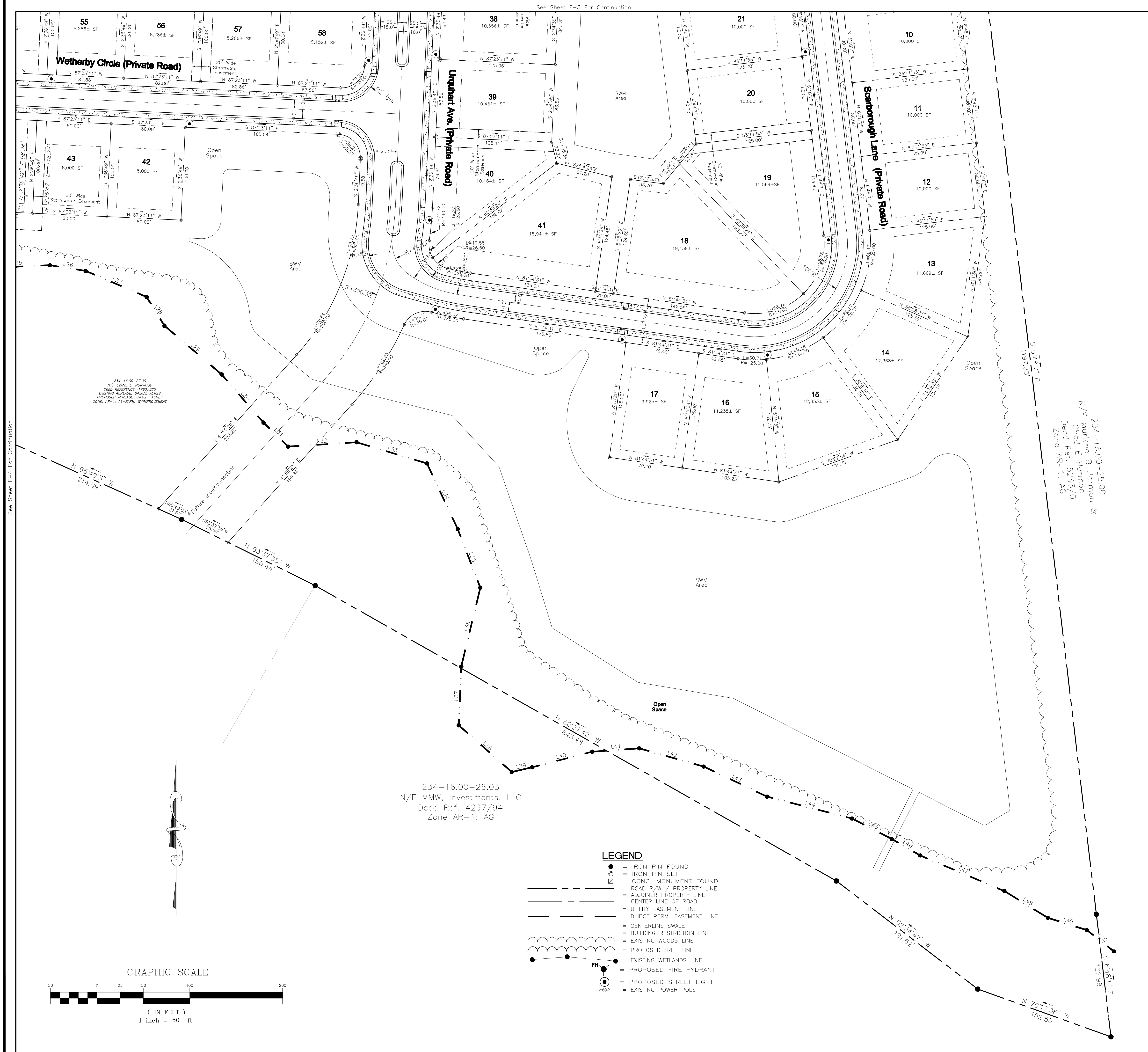
(IN FEET)
1 inch = 50 ft.

234-15.00-40.01
N/F Fernmoor Homes At Welsh Run De
Deed Ref. 4576/73
Zone AR-1: RS-Residential, Single

234-16.00-26.03
N/F MMW, Investments, LLC
Deed Ref. 4297/94
Zone AR-1: AG

234-16.00-27.00
N/F EVANS E. NORWOOD
DEED REFERENCE: 1790/525
EXISTING ACREAGE: 64.984 ACRES
PROPOSED ACREAGE: 64.984 ACRES
ZONE: AR-1; A1-FARM, W/IMPROVEMENT

234-16.00-37.00
N/F EVANS E. NORWOOD
DEED REFERENCE: 1790/525
EXISTING ACREAGE: 64.984 ACRES
PROPOSED ACREAGE: 64.984 ACRES
ZONE: AR-1; A1-FARM, W/IMPROVEMENT



LOCATION MAP
SCALE: 1" = 1 MILE

WETLANDS LINE TABLE		
LINE	LENGTH	BEARING
L1	23.85	N 731°03'32" E
L2	37.47	S 16°01'12" W
L3	33.77	N 73°7'2" E
L4	92.08	N 69°47'37" E
L5	21.16	N 63°33'56" E
L6	57.63	S 261°84'3" E
L7	20.53	N 62°71'5" E
L8	20.53	N 62°71'15" E
L9	57.99	N 62°2'51" E
L10	113.38	N 80°25'27" E
L11	77.10	S 68°41'12" E
L12	47.10	S 76°45'41" E
L13	28.63	S 289°23'31" E
L14	57.63	S 261°84'3" E
L15	41.06	S 47°33'43" E
L16	11.69	N 79°11'8" E
L17	12.18	S 38°44'40" W
L18	12.98	S 146°14'4" W
L19	76.48	S 72°53'01" E
L20	34.32	S 61°54'38" E
L21	50.88	N 651°24'7" E
L22	69.91	N 32°4'27" E
L23	78.03	S 86°45'52" E
L24	55.10	S 64°2'6" E
L25	70.08	N 87°27'30" E
L26	38.93	S 80°52'12" E
L27	71.46	S 66°55'50" E
L28	36.48	S 31°43'35" E
L29	80.94	S 49°35'2" E
L30	68.80	S 41°34'49" E
L31	37.01	S 45°04'18" E
L32	73.87	N 86°23'49" E
L33	79.06	S 73°18'55" E
L34	78.28	S 25°8'30" E
L35	67.59	S 21°7'26" E
L36	87.53	S 13°36'19" W
L37	63.26	S 22°37'34" W
L38	76.10	S 10°10'9" E
L39	22.64	N 77°34" E
L40	66.83	N 75°28'8" E
L41	50.83	N 85°58'55" E
L42	72.10	S 74°14'7" E
L43	75.63	S 64°38'0" E
L44	94.46	S 75°34'3" E
L45	48.13	S 69°47'31" E
L46	35.55	S 62°12'2" E
L47	98.46	S 67°34'9" E
L48	55.01	S 58°23'55" E
L49	43.94	S 72°33'48" E
L50	37.18	S 51°49'58" E

REVISED SUBDIVISION PLAN

COTTEN ENGINEERING LLC
CIVIL ENGINEERING, SURVEYING, ENVIRONMENTAL PLANNING
CONSULTANTS

10087 CONCORD RD
SEAFORD DE. 19973
PH: (302) 628-9164
FAX: (302) 628-9164



MICHAEL S. COTTEN, P.E.
LICENSE# 12769

WETHERBY

ARMONS HILL ROAD SCR 302
(PRIVATE SUBDIVISION ROADS)
INDIAN RIVER HUNDRED
TM# 234-16.00-27.00
SUSSEX COUNTY
MILLSBORO, DELAWARE

SCALE: As Shown

DESIGNED: CE

PLANNED: CE

DRAWN: KBK

APPROVED: MC

JOB: 16-005

SHEET NO. F-5

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



October 25, 2021

Sussex County
Department of Planning & Zoning
2 The Circle
Georgetown, DE 19947

Attention: Mr. Jamie Whitehouse, Director

RE: Patriots Glen
(Parcels 234-29.00-66.00, -66.01, -66.02)
Reduced Right-of-Way Request

Dear Mr. Whitehouse:


On behalf of our client, Schiff Land Development Co., LLC, we hereby request the use of a reduced right-of-way throughout portions of the Patriots Glen (Phase 1) residential subdivision as shown on the enclosed Exhibit 1. Pursuant to our discussions with you and Mr. Hans Medlarz, Sussex County Engineer, the current right-of-way width is 50 feet and the proposed right-of-way is 28 feet with expanded drainage, utility, and access easements provided on both sides of the road. The total width of right of way plus the drainage, utility, and access easement will be 70 Feet.


The reason for this request is to allow for the open space area behind lots 13-64 and 110-152 to be widened. Doing so will allow for a much better storm water management feature and landscaping. The functionality of the road in the subject area will not be impacted. The road pavement width, curbing, and sidewalk will be designed in accordance with typical DelDOT standards. Furthermore the houses situated on the respective lots will NOT be moved forward as a result of the reduced right-of-way as the front setback line will be maintained at the same distance from centerline of road as the standard 50' right-of-way. Otherwise stated the "look and feel" of the community will not be impacted by the reduced right-of-way. Additionally the maintenance of the roadways and sidewalks will also remain unaffected. Again, the benefit to this effort is making the centrally located open space area wider which allows for a better storm water facility, improved landscaping opportunities and easier maintenance.

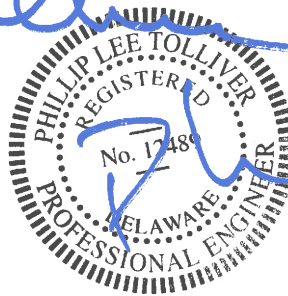
A Site Plan showing the configuration of the single-family lots, roadways (including these reduced right-of-way areas), and open space areas has been provided in response to the approval of the RPC and Change of Zone (CZ 1877) on the subject parcels. The proposed configuration of the Patriots Glen (Phase 1) area has been revised to accommodate access to the Patriots Glen - Phase 2 project as shown on the corresponding RPC Plan (CZ 1911) for that project.

If you should require additional information regarding this request, please contact me at your convenience at 302-326-2200.

Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.


Christopher J. Flathers, P.E.
Senior Project Manager


Phillip L. Tolliver, P.E.
Principal
Vice President



Encl. Exhibit 1 – Right-Of-Way Exhibit

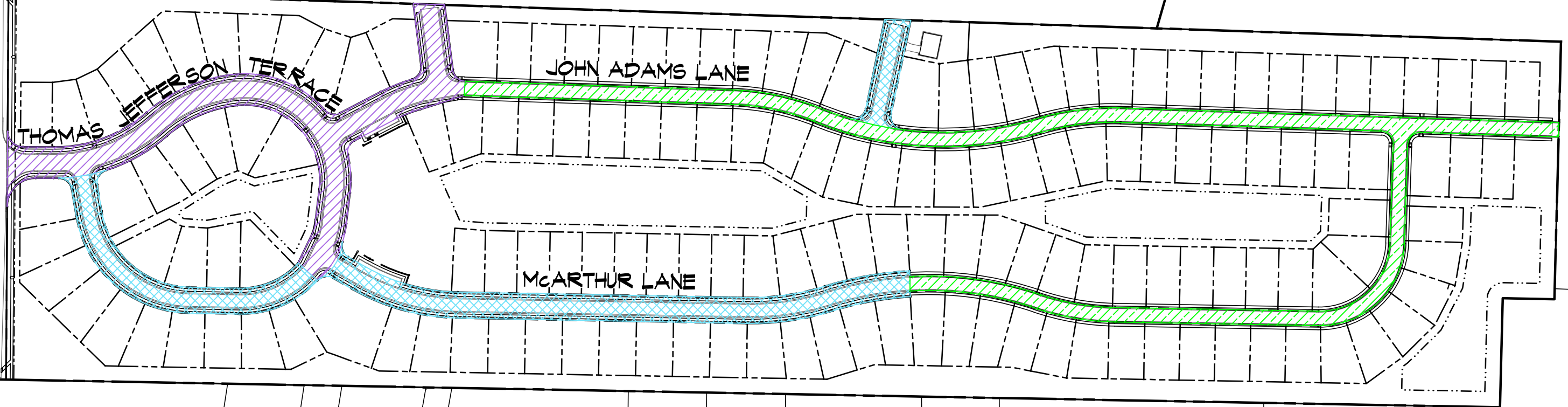
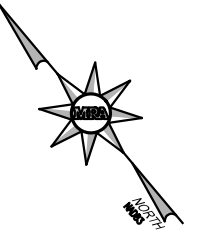
c.c. TJ Schiff, Schiff Land Development Co., LLC
P. Tolliver, MRA
MRA File 21005

JOHN J. WILLIAMS HWY.

LEGEND

-  60' STANDARD R/W
-  50' STANDARD R/W
-  28' REDUCED R/W*

* EXPANDED 21' WIDE DRAINAGE,
UTILITY, & ACCESS EASEMENT
PROVIDED ON EACH SIDE OF REDUCED
RIGHT-OF-WAY FOR 70' TOTAL WIDTH



LAYTON DAVIS ROAD



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

MRAGTA.COM
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EXHIBIT 1
FOR
PATRIOTS GLEN
RIGHT OF WAY EXHIBIT

INDIAN RIVER HUNDRED

SUSSEX COUNTY, DE

SCALE: 1"=200'

DATE: 10/22/21

DRAWN BY: CJF

DESIGN BY: CJF

REVIEW BY: PLT

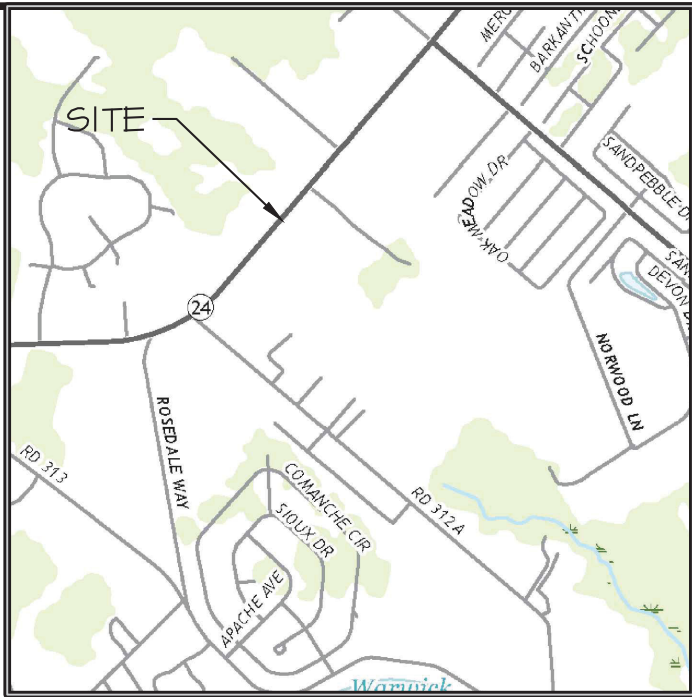
JOB NO. : 20296

PATRIOTS GLEN

SUSSEX COUNTY, DELAWARE SITE PLAN SUSSEX COUNTY PLANNING # XXXX

LEGEND

	EXISTING PROPERTY LINE
	PROPOSED R/L LINE
	PROPOSED LOT LINE
	PROPOSED BUILDING SETBACK LINE
	EXISTING CONTOURS
	PROPOSED CONTOURS
	PROPOSED LOT NUMBER
	EXISTING WOODLANDS LINE
	WOODLAND PRESERVATION LINE



LOCATION MAP

SCALE: 1" = 2000'

DEVELOPER'S CERTIFICATION

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

SCHIFF LAND DEVELOPMENT CO., LLC DATE

16054 S. DUPONT HWY.
HARRINGTON, DE 19452

OWNER'S CERTIFICATION

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

TARA DOUGHTY AND MARK SAMMONS DATE

30756 MT. JOY ROAD
MILLSBORO, DE

WETLANDS STATEMENT

GEO-TECHNOLOGY ASSOCIATES, INC. (GTA) HAS CONDUCTED A FIELD REVIEW WITHIN THE BOUNDARIES OF THIS PLAT TO EVALUATE THE PRESENCE OR ABSENCE OF POTENTIAL STATE AND FEDERAL JURISDICTIONAL WETLANDS FOR THE PURPOSES OF DELAWARE WETLAND AND SUBAQUEOUS LAND REGULATIONS AND SECTION 404 OF THE CLEAN WATER ACT. GTA'S REVIEW WAS CONDUCTED IN GENERAL ACCORDANCE WITH THE TECHNIQUES AND CRITERIA PROVIDED IN THE 1991 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, ATLANTIC AND GULF COASTAL PLAIN REGION (VERSION 2.0), DATED NOVEMBER 2010. THE LIMITS OF THE WETLANDS WERE EVALUATED IN THE FIELD BY GTA PERSONNEL USING BEST PROFESSIONAL JUDGEMENT. NO WETLANDS OR WATERWAYS WERE OBSERVED WITHIN THE BOUNDARIES OF THIS PLAT. NO STATE OR FEDERAL JURISDICTIONAL APPROVAL WAS OBTAINED FOR THIS PROPERTY.

ANDY STANSFIELD DATE

GEO-TECHNOLOGY ASSOCIATES, INC.

ENGINEER'S CERTIFICATION

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

PHILLIP L. TOLLIVER, P.E. DATE

DE LICENSE NO. #12489

PLAN APPROVALS

SUSSEX COUNTY ENGINEERING DEPARTMENT

2 THE CIRCLE
GEORGETOWN, DE 19341

APPROVED DATE

APPROVED BY: CHAIRMAN OR SECRETARY DATE

SUSSEX COUNTY PLANNING

AND ZONING COMMISSION

APPROVED BY: PRESIDENT DATE

SUSSEX COUNTY PLANNING



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

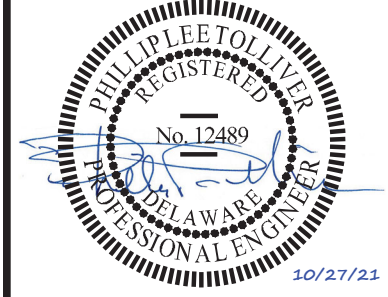
18 BOULDEN CIRCLE, SUITE 36

NEW CASTLE, DELAWARE 19720

(302) 326-2200

FAX: (302) 326-2399

WWW.MRAGTA.COM



SITE PLAN

TITLE SHEET

FOR

PATRIOTS GLEN

ENGINEER'S SEAL INDIAN RIVER HUNDRED SUSSEX COUNTY, DELAWARE

DATE REVISIONS JOB NO.: 20296

SCALE: AS NOTED

DATE: 10/21/2021

DRAWN BY: RDG

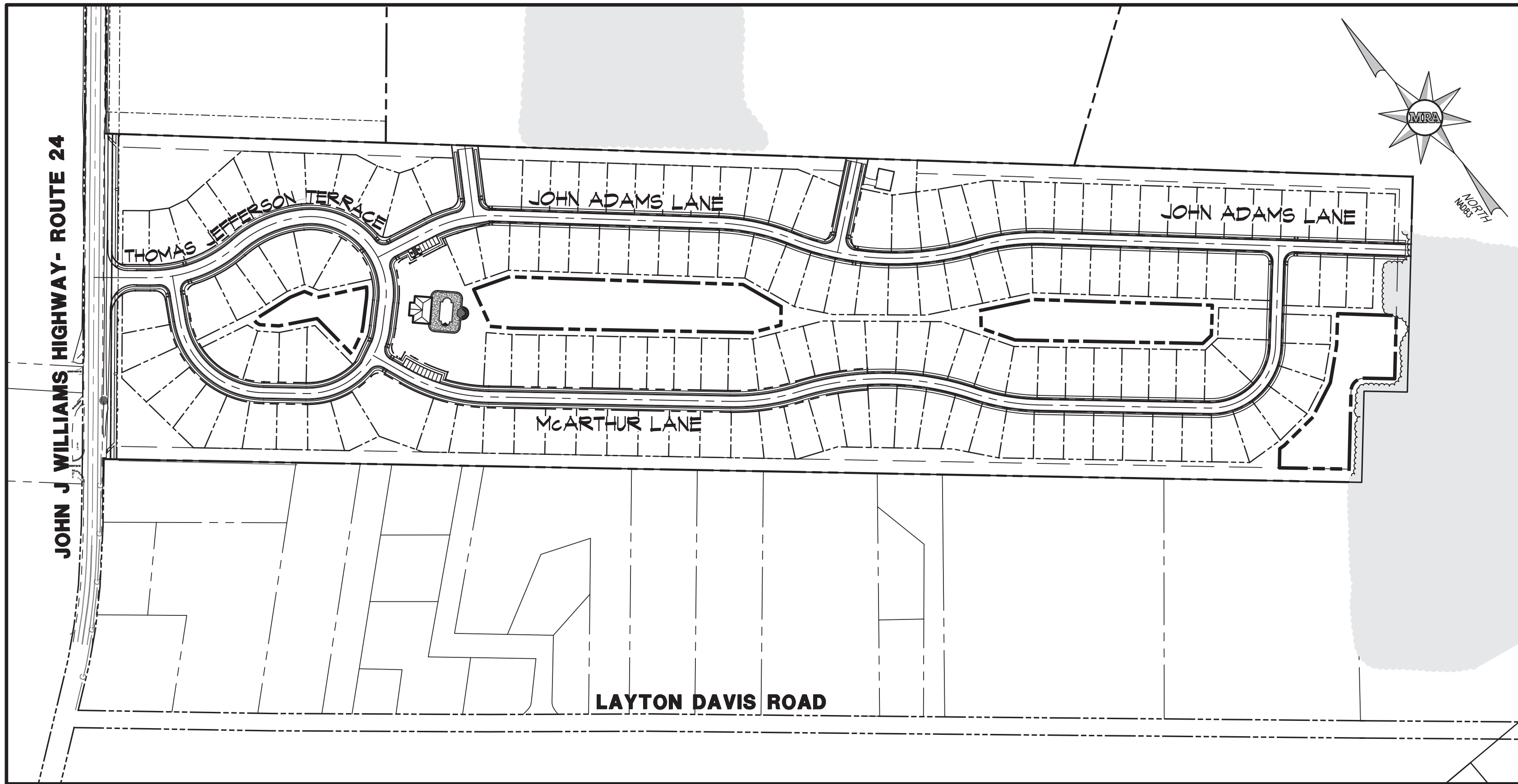
DESIGN BY: CJF

REVIEW BY: PLT

SHEET: 1 OF 6

RPC C/Z #1877 CONDITIONS OF APPROVAL

- THERE SHALL BE NO MORE THAN 161 RESIDENTIAL UNITS WITH THE PROJECT.
- THE BULK AREA STANDARDS FOR THE 161 UNITS SHALL BE AS FOLLOWS:
 - FRONT YARD - 25 FT.
 - SIDE YARD - 10 FT.
 - REAR YARD - 10 FT.
 - CORNER YARD - 15 FT.
 - MINIMUM LOT WIDTH - 60 FT.
 - MINIMUM LOT AREA - 1500 SF.
- SITE PLAN REVIEW SHALL BE REQUIRED FOR EACH PHASE OF THE DEVELOPMENT.
- ALL ENTRANCES, INTERSECTION, INTERCONNECTION, ROADWAY AND MULTI-MODAL IMPROVEMENTS REQUIRED BY DELDOT SHALL BE COMPLETED BY THE APPLICANT IN ACCORDANCE WITH DELDOT'S REQUIREMENTS OR IN ACCORDANCE WITH ANY FURTHER MODIFICATIONS REQUIRED BY DELDOT.
- THE DEVELOPMENT SHALL BE SERVED AS PART OF A SUSSEX COUNTY SANITARY SEWER DISTRICT IN ACCORDANCE WITH THE SUSSEX COUNTY ENGINEERING DEPARTMENT'S SPECIFICATIONS AND REGULATIONS.
- THE MR-RPC SHALL BE SERVED BY A PUBLIC CENTRAL WATER SYSTEM PROVIDING ADEQUATE DRINKING WATER AND FIRE PROTECTION AS REQUIRED BY APPLICABLE REGULATIONS.
- STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE STATE AND COUNTY REQUIREMENTS. THESE FACILITIES SHALL BE OPERATED IN A MANNER THAT IS CONSISTENT WITH BEST MANAGEMENT PRACTICES (BMPs). THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF SUSSEX COUNTY'S CONSERVATION DISTRICT.
- THE INTERIOR STREET DESIGN SHALL BE IN ACCORDANCE WITH OR EXCEED SUSSEX COUNTY'S STREET DESIGN REQUIREMENTS AND SPECIFICATION. THE STREET DESIGN SHALL INCLUDE SIDEWALKS ON BOTH SIDES OF THE STREET.
- THERE SHALL BE A 30-FOOT FORESTED OR LANDSCAPED BUFFER AROUND THE ENTIRE PERIMETER OF THE SITE.
- THE APPLICANT SHALL SUBMIT AS PART OF THE SITE PLAN REVIEW A LANDSCAPE PLAN SHOWING THE PROPOSED TREE AND SHRUB LANDSCAPE DESIGN, INCLUDING LANDSCAPING IN ALL OF THE BUFFER AREAS.
- CONSTRUCTION AND DELIVERIES SHALL ONLY OCCUR FROM MONDAY THROUGH FRIDAY AND ONLY BETWEEN THE HOURS OF 6:00 A.M. AND 6:00 P.M.
- THE APPLICANT SHALL FORM A HOMEOWNERS ASSOCIATION TO BE RESPONSIBLE FOR THE MAINTENANCE OF THE STREETS, ROADS, BUFFERS, OPEN SPACES, STORMWATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS.
- THE RESTRICTIVE COVENANTS AND FINAL SITE PLAN SHALL STATE THAT AGRICULTURAL ACTIVITIES EXIST NEARBY, AND THEY SHALL INCLUDE THE AGRICULTURAL USE PROTECTION NOTICE.
- THE AMENITIES SHALL INCLUDE A CLUBHOUSE/MULTI-PURPOSE BUILDING, POOL AND PATIO AREA, WITH AT LEAST 24 OFF-STREET PARKING SPACE SET ASIDE FOR THESE AREAS. THESE AMENITIES SHALL BE COMPLETED AND OPEN TO USE BY THE RESIDENTS OF THE DEVELOPMENT PRIOR TO THE ISSUANCE OF THE DIST BUILDING PERMIT.
- IF REQUIRED BY THE INDIAN RIVER SCHOOL DISTRICT, A PROTECTED SCHOOL BUS SHELTER WITH RELATED PARKING SHALL BE INSTALLED AT THE ENTRANCE TO THE DEVELOPMENT. ALTERNATIVELY, THE DEVELOPER SHALL COORDINATE WITH THE SCHOOL DISTRICT FOR ANOTHER LOCATION, WITH A PREFERENCE FOR THE CLUBHOUSE BUILDING.
- THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.



SITE OVERVIEW

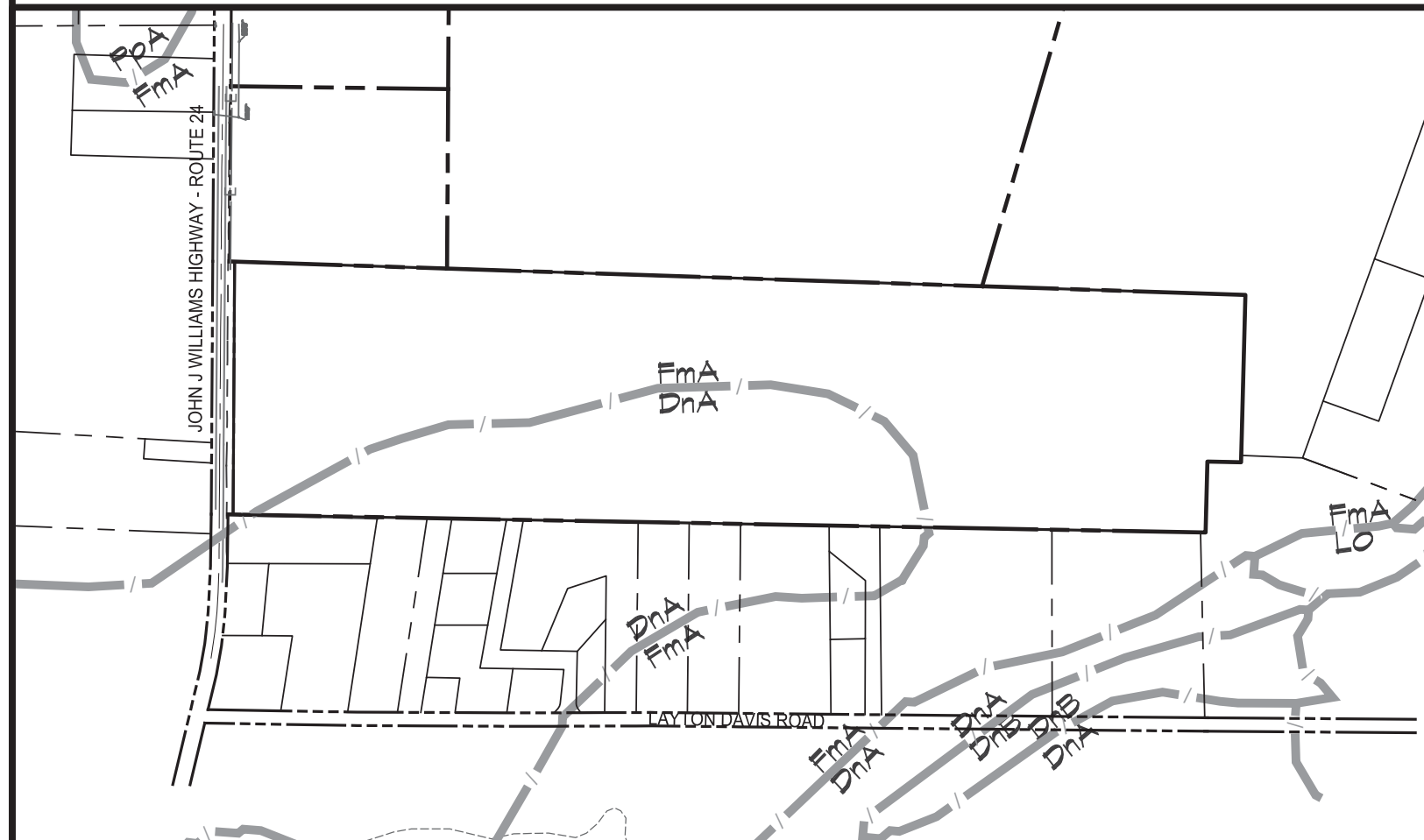
SCALE: 1" = 200'



SCALE: 1" = 200'

INDEX OF DRAWINGS

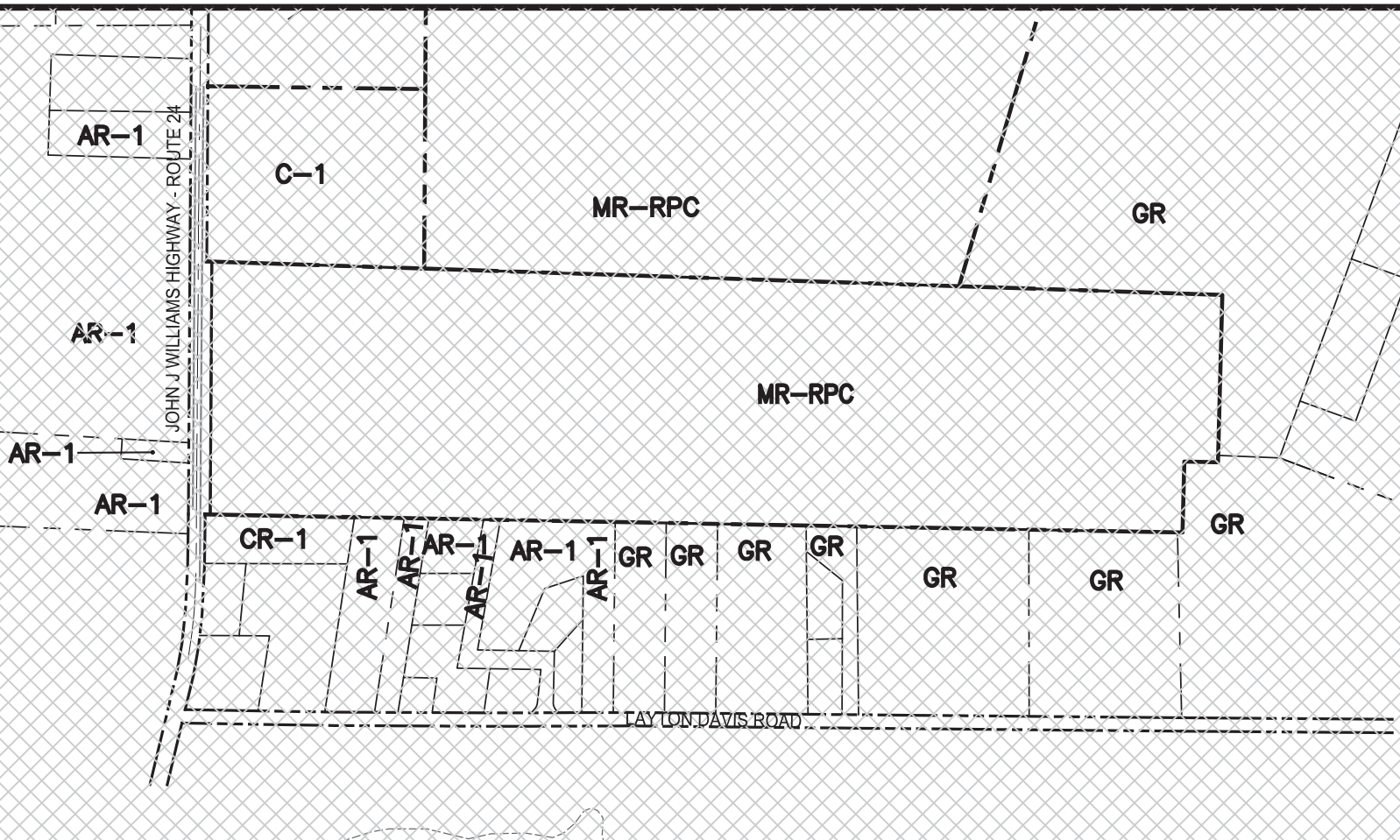
- SITE PLAN TITLE SHEET
- SITE PLAN GENERAL NOTES & DETAILS
- OVERALL SITE PLAN
- SITE PLAN
- SITE PLAN
- SITE PLAN



SOILS MAP

SCALE: 1" = 500'

DnA, DnB - DOWNER LOAMY SAND
FmA - FORT MOTT LOAMY SAND
LQ - LONGMARSH AND INDIANTOWN SOILS
PpA - PERPPERBOX LOAMY SAND

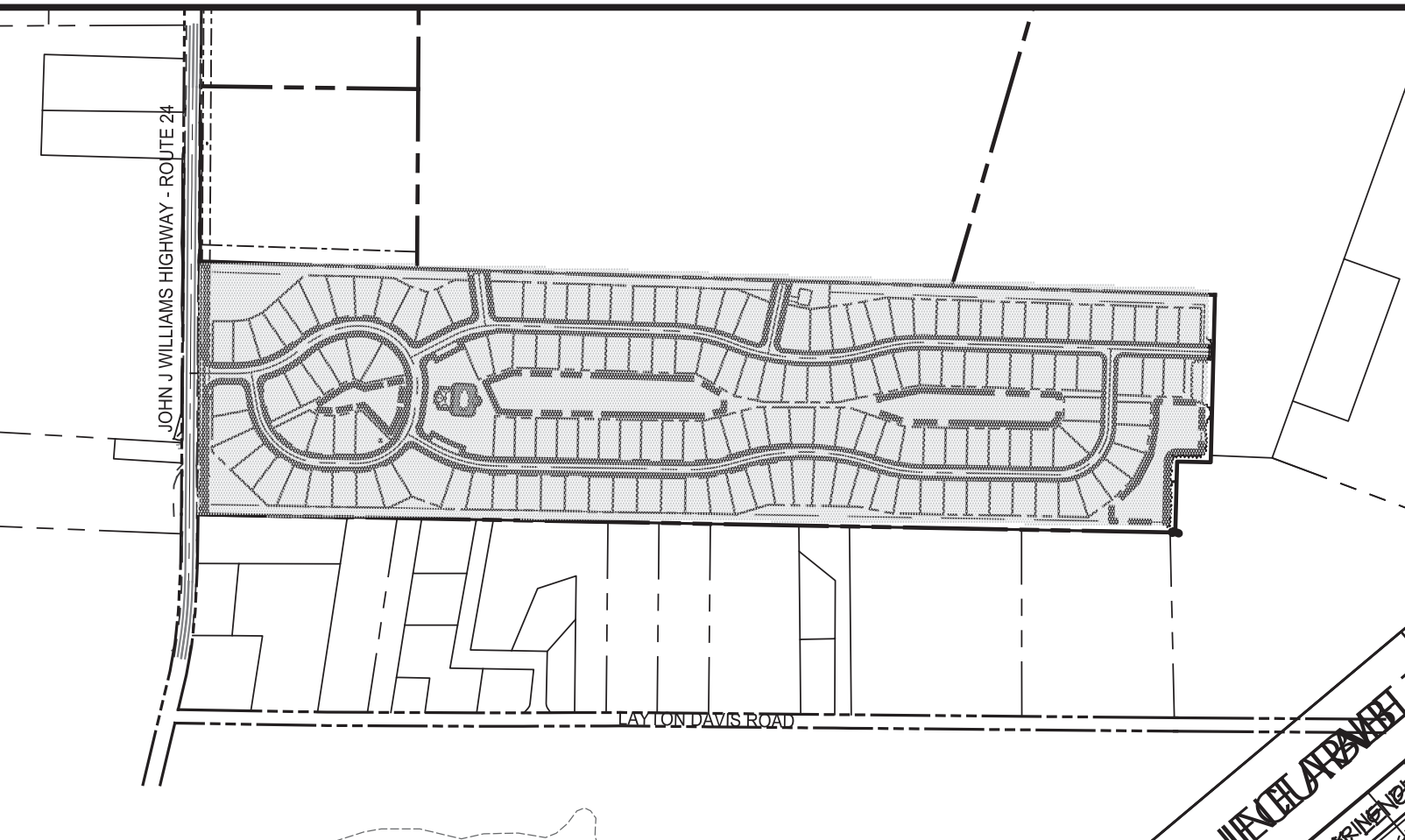


ZONING MAP

SCALE: 1" = 500'

ENVIRONMENTALLY SENSITIVE
DEVELOPMENT DISTRICT

AR-1 - AGRICULTURAL RESIDENTIAL
CR-1 - COMMERCIAL RESIDENTIAL
GR - GENERAL RESIDENTIAL
MR - MEDIUM RESIDENTIAL



PHASING MAP

SCALE: 1" = 500'

THE PROJECT WILL BE APPROVED AS A SINGLE PHASE PROJECT WITH THREE (3) OPERATIONAL BREAKS FOR PURPOSES OF BONDING, BENEFICIAL OCCUPANCY INSPECTION, RELEASE OF USE AND OCCUPANCY PERMITS.

CONSTRUCTION NOTES

1. CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT (1-800-282-8555) AT LEAST (3) WORKING DAYS PRIOR TO EXCAVATION, TO HAVE EXISTING UNDERGROUND UTILITIES LOCATED AND MARKED.
2. ALL MATERIALS & WORKMANSHIP SHALL MEET THE STATE OF DELAWARE STANDARDS & SPECIFICATIONS.
3. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS, AND PROJECT SPECIFICATIONS.
4. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL APPRISE AND COORDINATE DURING ALL PHASES OF CONSTRUCTION:
- A. SCHIFF LAND DEVELOPMENT CO., LLC
B. SUSSEX COUNTY ENGINEERING DEPARTMENT
C. TIDEWATER UTILITIES
D. SUSSEX CONSERVATION DISTRICT
E. SHARP ENERGY
F. VERIZON
G. DELAWARE COOPERATIVE
H. DNR&C

302-348-8014
302-855-7718
302-445-8880
302-856-2105
302-784-6789
302-422-1464
302-344-5941
302-856-5488
5. CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ALL PROPOSED UTILITIES ARE TO BE CONSTRUCTED WITHIN THE ROADWAY OR EASEMENT RIGHT-OF-WAY. DISTURBED AREAS BEYOND THE EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION.
6. INFORMATION SHOWN HEREON IS BASED UPON GIS DATA OBTAINED THROUGH THE STATE OF DELAWARE GIS WEBSITE (FIRSTMAP-DELAWARE.OpensDATA.ARG.GIS.COM) AND DOES NOT REPRESENT FIELD RUN TOPOGRAPHIC OR BOUNDARY SURVEY. SITE LAYOUT IS SUBJECT TO REVISION PENDING FIELD SURVEY.
7. EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLANS ARE BASED UPON THE BEST AVAILABLE INFORMATION AND ARE SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. NO GUARANTEE IS MADE OR IMPLIED REGARDING THE ACCURACY OR COMPLETENESS THEREOF. CONTRACTOR IS RESPONSIBLE FOR THE VERIFICATION OF DEPTH, SIZE, AND MATERIAL OF ALL UNDERGROUND UTILITIES TO HIS OWN SATISFACTION BEFORE BEGINNING ANY EXCAVATION OR UTILITY INSTALLATION. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF THE INFORMATION ON THE PLANS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL SHOWN OR NOT SHOWN EXISTING UTILITIES AND APPURTENANCES. SHOULD ANY EXISTING UTILITIES BE DAMAGED BY THE CONTRACTOR, THE CONTRACTOR SHALL REPAIR THE DAMAGE CAUSED TO THE UTILITY OWNER'S SATISFACTION, AT THE CONTRACTOR'S EXPENSE.
8. DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE PERFORMED IN CONFORMANCE WITH THE DELAWARE DEPARTMENT OF SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF TRAFFIC IN ALL WORK AREAS.
10. ROUGH GRADING SHALL BE COMPLETE PRIOR TO THE CONSTRUCTION OF WATER & SEWER SYSTEMS.
11. USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL IN ACCORDANCE WITH SECTION 204 OF THE DELAWARE DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS AND REFERENCED BY SUSSEX COUNTY ORDINANCE 30 SECTION 5-05 EXCAVATION AND BACKFILL FOR PIPE TRENCHES SUBSECTION B MATERIALS
12. CONTRACTOR SHALL ADJUST TO FINISH GRADE AS NECESSARY ANY VALVE BOXES, MANHOLES, CATCH BASINS ETC., PRIOR TO PLACING PAVING.
13. CONTRACTOR SHALL PROVIDE STAKEOUT NECESSARY FOR THE INSTALLATION OF UTILITIES, STORMDRAINS, PAVING AND ALL OTHER SITE WORK INCLUDED IN THESE PLANS. ALL STAKEOUT WORK IS TO BE UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF DELAWARE.
14. CONTRACTOR TO MAINTAIN MINIMUM OF 3.0 FEET OF COVER OVER ALL NEW WATER LINES AS MEASURED FROM TOP OF PIPE TO FINISHED GRADE, UNLESS OTHERWISE NOTED.
15. SEWER LINES SHALL HAVE MINIMUM VERTICAL CLEARANCE OF 18 INCHES FROM WATER MAINS AT CROSSINGS. MAINTAIN A 10 FOOT MINIMUM PLAN SEPARATION BETWEEN SEWER AND WATER MAINS. SEWER LINES SHALL HAVE A MINIMUM VERTICAL CLEARANCE OF 12 INCHES FROM OTHER UTILITIES. IF THESE CLEARANCES CANNOT BE MAINTAINED, THEN PROVISIONS FOR PROPERLY ENCASEING THE PIPE IN CONCRETE MUST BE PROVIDED.
16. LATERALS SHALL BE 6 INCHES IN DIAMETER, WITH VERTICAL CLEANOUTS OF 6 INCHES IN DIAMETER. AND TO HAVE A MINIMUM OF 3' OF COVER OVER SUSSEX COUNTY CLEANOUT TO MAIN LINE.
17. ALL GRAVITY SEWER PIPES SHALL BE PVC SDR 35. FOR PIPE SLOPES SEE FINAL CONSTRUCTION DRAWINGS FOR SANITARY SEWER PROFILES.
18. MATERIAL OF CONSTRUCTION FOR SEWER FORCE MAINS SHALL BE AS NOTED ON THE FINAL CONSTRUCTION DRAWINGS. SEWER MAINS SHALL BE INSTALLED AS PROFILES TO PREVENT FORMATION OF UNANTICIPATED HIGH POINTS IN THE INSTALLATION.
19. ALL SEWER LINES MUST BE SUCCESSFULLY TESTED ACCORDING TO SUSSEX COUNTY ORDINANCE 30, SECTION 5-04, E, 1-4, ON PAGE 515 THROUGH 518, ACCEPTANCE TESTING, PRIOR TO FINAL ACCEPTANCE.
20. ALL SANITARY SEWER SYSTEM CONSTRUCTION PERFORMANCE SHALL BE IN ACCORDANCE WITH SUSSEX COUNTY ORDINANCE 30, THESE PLANS AND ALL APPLICABLE CONSTRUCTION PERMITS.
21. ALL DROP MANHOLES TO BE 5'-0" IN DIAMETER.
22. FITTINGS SHOWN ON THE PLANS ILLUSTRATE ANTICIPATED ANGLE OF DEFLECTION. THIS INFORMATION IS SHOWN FOR GENERAL INFORMATION AND IS NOT GUARANTEED. ACTUAL ANGLE MAY VARY DUE TO FIELD CONDITIONS. USE OF ADDITIONAL FITTINGS SHALL BE AUTHORIZED BY THE ENGINEER.
23. THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS UNLESS WRITTEN APPROVAL HAS BEEN PROVIDED BY THE ENGINEER.
24. ALL DISTURBED AREAS IN THE STATED RIGHT OF WAY, BUT NOT IN THE PAVEMENT SECTION MUST BE TOPSOILED (6" MINIMUM), FERTILIZED, MULCHED, AND SEEDED.
25. ALL PAVEMENT MARKINGS AND SIGNAGE SHALL BE PLACED IN ACCORDANCE WITH THE MUT.T.C.D. MANUAL, MOST CURRENT EDITION.
26. ALL PROPOSED STORM DRAIN DESIGNATED AS "RCOP" IS TO BE REINFORCED CONCRETE CIRCULAR PIPE, MEETING AASHTO M-110 SPECIFICATIONS. SEE FINAL CONSTRUCTION PLAN & PROFILES FOR SPECIFIC PIPE CLASS.
27. ALL LENGTHS OF SANITARY SEWER PIPE ARE MEASURED HORIZONTALLY FROM CENTER LINES OF INLETS, MANHOLES OR FITTINGS. ALL LENGTHS OF STORM DRAIN PIPE ARE MEASURED HORIZONTALLY FROM EDGE OF STRUCTURE TO EDGE OF STRUCTURE. ACTUAL TRUE LENGTHS OF PIPES ARE TO BE DETERMINED IN THE FIELD.
28. WHERE SPECIFIED, HDPE STORM DRAIN PIPE SHALL BE ADS N-12 (SMOOTH INTERIOR) PIPE WITH ADS PRO-LINK KIT (BELL/BELL COUPLER) FOR WATER TIGHT CONNECTIONS. REFER TO PLAN AND PROFILES FOR MATERIALS USED.
29. ALL EMBEDMENT MATERIALS USED FOR BEDDING, HAUNCHING, AND INITIAL BACKFILL FOR HDPE PIPE SHALL CONFIRM TO AASHTO SECTION 30 AND ASTM D-2321 AS PER MANUFACTURER INSTALLATION REQUIREMENTS. CONTRACTOR SHALL ENSURE THAT PROPER LINE AND GRADE IS ESTABLISHED WITHIN TRENCH BEDDING PRIOR TO PLACEMENT OF PIPE AND THAT PROPER MATERIALS ARE USED AND COMPACTION IS ACHIEVED DURING HAUNCHING AND INITIAL BACKFILL. A GEOTECHNICAL ENGINEER SHALL BE RETAINED TO VERIFY SUITABILITY OF MATERIALS USED AND PROPER COMPACTION. ANY DEVIATION IN LINE AND GRADE OR OBVIOUS JOINT SEPARATION SHALL BE CORRECTED PRIOR TO ESTABLISHMENT OF FINAL SUBGRADE AND PAVEMENT SURFACE. THE CONTRACTOR SHALL TAKE EVERY CARE TO ENSURE CORRECT PIPE INSTALLATION.
30. UNLESS OTHERWISE SPECIFIED ALL ROADWAY INLETS SHALL HAVE A TYPE I INLET GRATE AND TYPE S TOP UNIT PER DELDOT STANDARDS, CURRENT REVISION.
31. IT IS THE CONTRACTORS RESPONSIBILITY TO INSURE THAT PAVING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER EXISTS AFTER PAVING IS COMPLETE.

SUSSEX COUNTY CONSTRUCTION NOTES:

1. ROADWAY STAKEOUTS:
- A. RIGHT-OF-WAY STAKES SHALL BE OFFSET A MINIMUM OF FIVE (5) FEET OUTSIDE THE RIGHT-OF-WAY.

B. STATION NUMBERS TO BE INDICATED ON EACH SIDE OF THE STAKE.

C. THE CENTERLINE ROADWAY CUT AND CUT-LINE SHALL BE LOCATED ON THE SIDE OF THE STAKE WHICH FACES THE CENTERLINE. ALSO A "CL" DESIGNATION SHALL BE INCLUDED.

D. THE SWALE CUT AND CUT-LINE SHALL BE INDICATED ON THE OUTSIDE OF THE STAKE, WHILE ALSO CONTAINING A "SM" DESIGNATION.
2. THE CONTRACTOR SHALL PROVIDE TWO (2) WORKING DAYS NOTICE TO THE COUNTY INSPECTOR PRIOR TO PAVING. AT THIS TIME, THE INSPECTOR MAY REQUIRE THE CONTRACTOR COMPLETE RELATED OR UNRELATED WORK ITEMS BEFORE PAVING MAY BEGIN.
3. SURFACE TREATMENT SHALL NOT BE APPLIED: (SURFACE TREATMENT NOT USED)
- A. AFTER NOVEMBER 1 OR PRIOR TO APRIL 1; OR

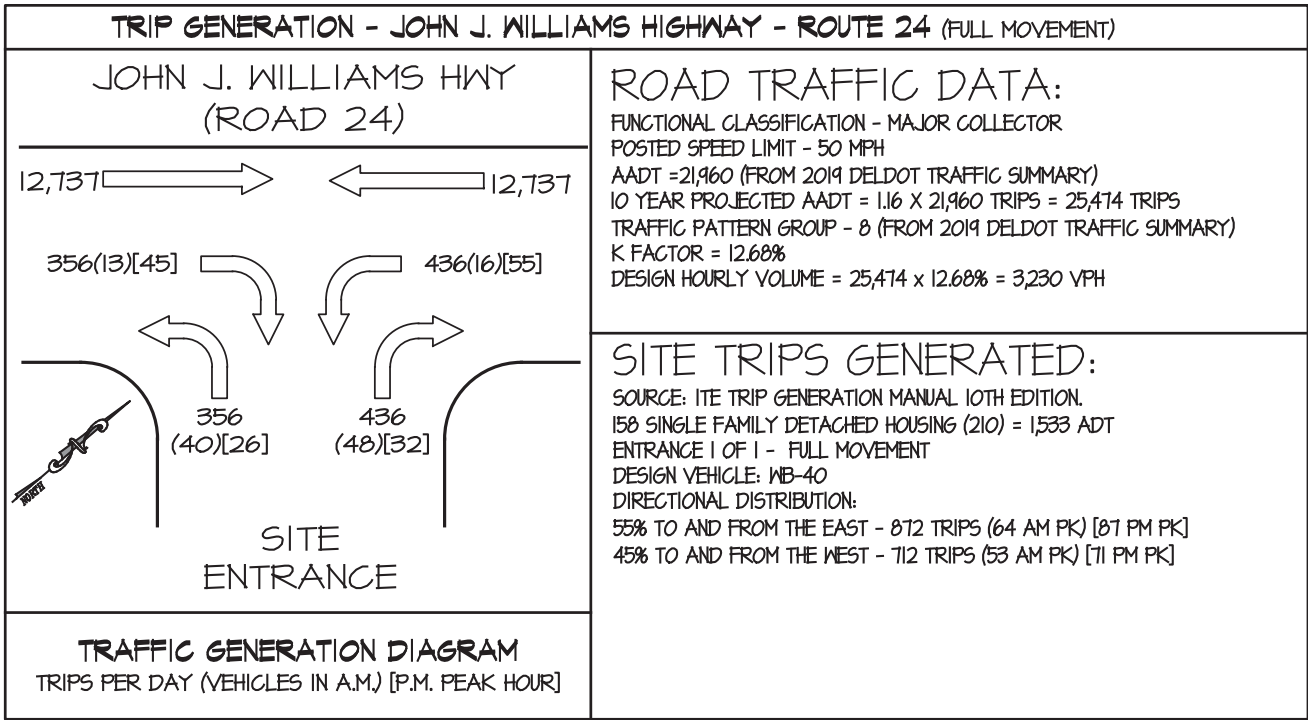
B. WHEN THE TEMPERATURE IS BELOW 50° F; OR

C. ON ANY WET OR FROZEN SURFACE.
4. HOT MIX SHALL NOT BE APPLIED:
- A. WHEN THE TEMPERATURE IS BELOW 40° F; OR

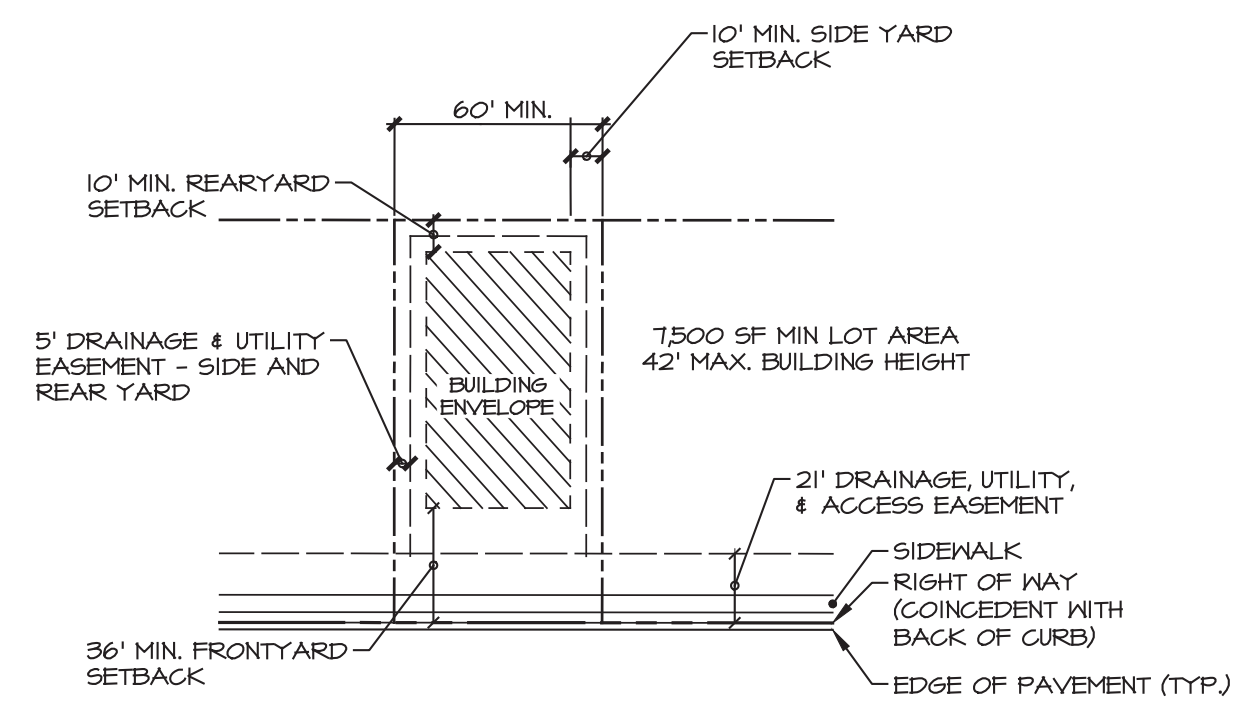
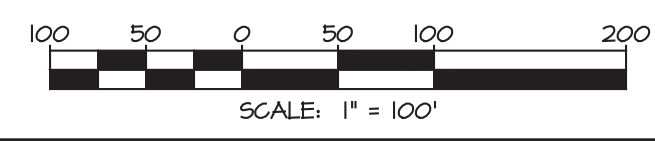
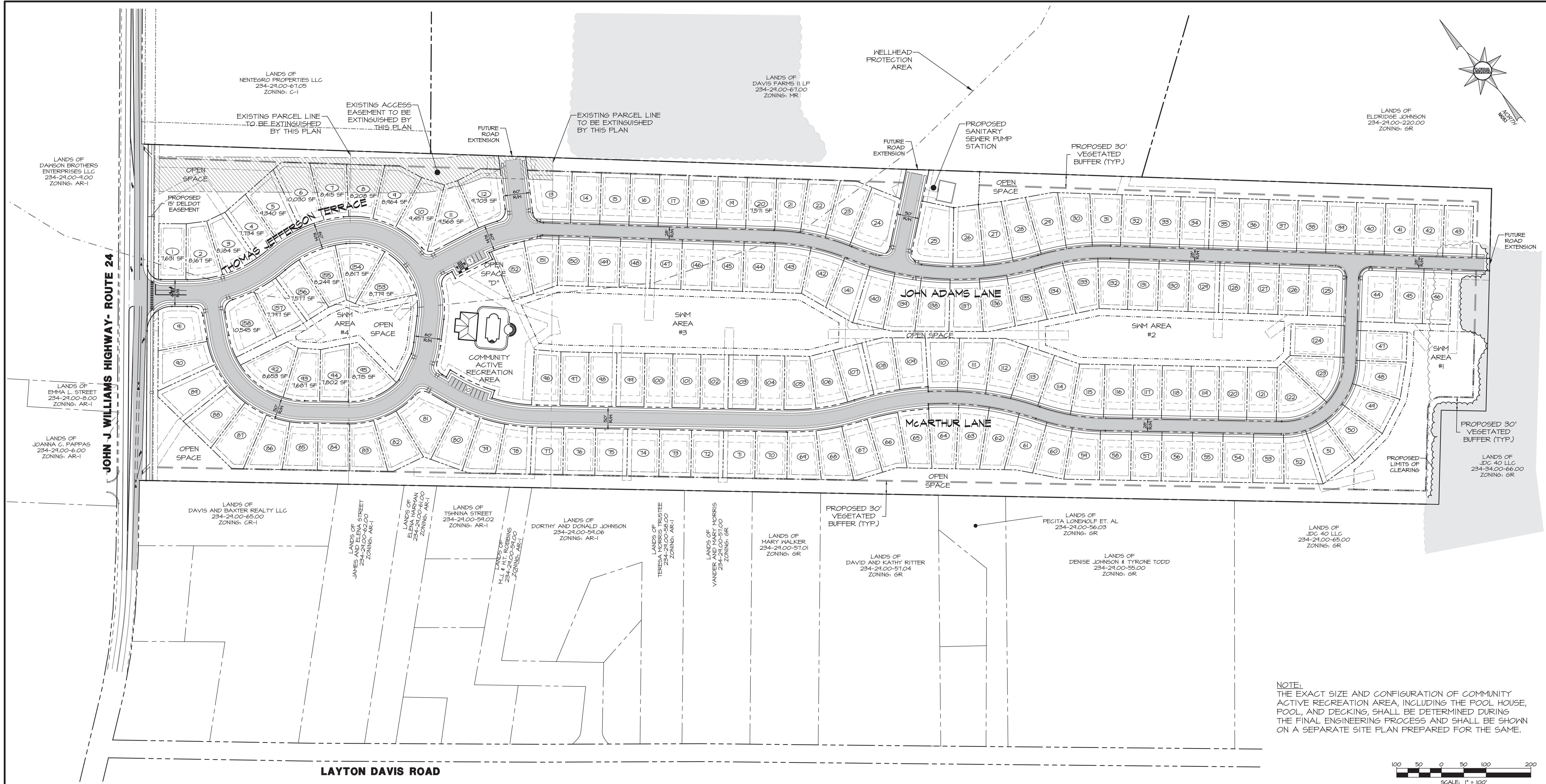
B. ON ANY WET OR FROZEN SURFACE.
5. FOR ALL WOODED AREAS, A SUFFICIENT AREA BEYOND THE RIGHT-OF-WAY SHALL BE CLEARED AND GRUBBED TO ALLOW PROPER GRADING OF THE ROADWAY SWALE BACKSLOPES.
6. ALL DISTURBED AREAS MUST BE STABILIZED WITH 4 INCHES OF TOPSOIL, SEED, AND MULCH.

DELDOT RECORD PLAN NOTES:

1. NO LANDSCAPING SHALL BE ALLOWED WITHIN DELDOT MAINTAINED R/W UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL (DCM).
2. 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.
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 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.
5. SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO BE MAINTAINED BY THE DEVELOPER, HOMEOWNERS ASSOCIATION, OR BOTH. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
6. THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION, THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
7. ALL LOTS SHALL HAVE ACCESS ONLY FROM THE INTERNAL SUBDIVISION STREETS.
8. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
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.

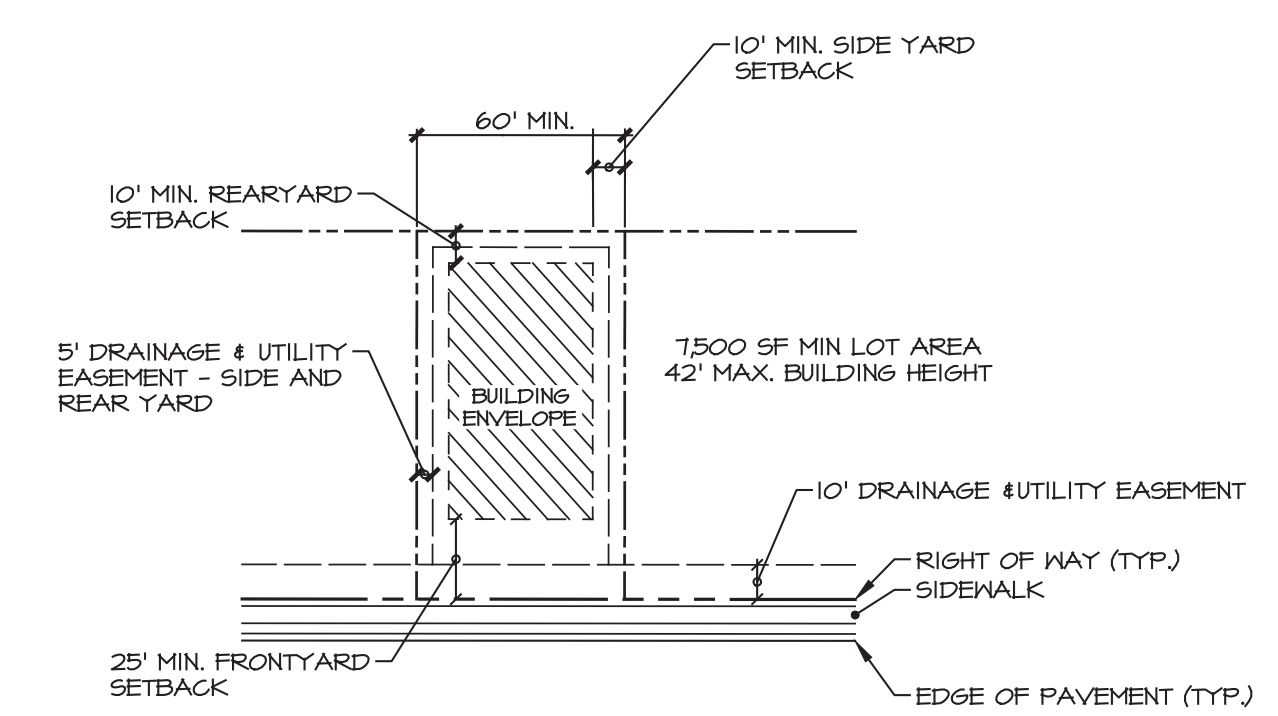


G:\20296-Patriots Glen\PLANNING\PRELIMINARY\Phase 1\PL01\20296_OVERALL SITE PLAN.dwg, 10/27/2021 10:08:08 AM, Copyright 2021 Morris & Ritchie Associates, Inc.



**TYPICAL LAYOUT SINGLE FAMILY LOT
REDUCED R/W CONFIGURATION**

NOT TO SCALE!



**TYPICAL LAYOUT SINGLE FAMILY LOT
STANDARD R/W CONFIGURATION**

NOT TO SCALE!

		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 WWW.MRAGTA.COM	
		SITE PLAN OVERALL PLAN FOR PATRIOTS GLEN	
ENGINEER'S SEAL		INDIAN RIVER HUNDRED	
SUSSEX COUNTY, DELAWARE		JOB NO.: 20296	
DATE	REVISIONS	SCALE: 1"= 100'	
		DATE: 10/21/2021	
		DRAWN BY: CJF	
		DESIGN BY: CJF	
		REVIEW BY: PLT	
		SHEET: 3 OF 6	

JOHN J WILLIAMS HIGHWAY - SR 24
MAJOR COLLECTOR (S024)

LEGEND

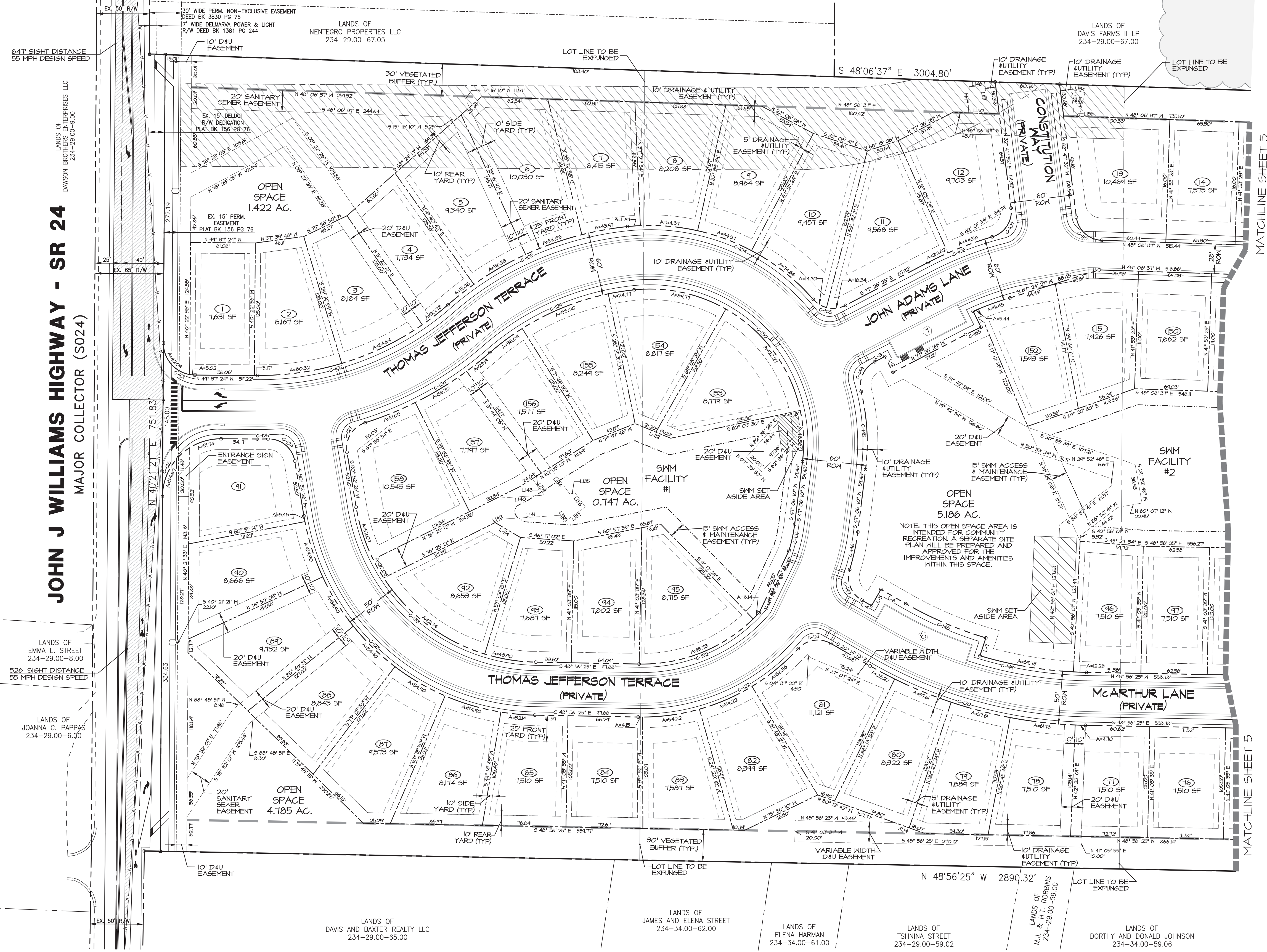
- EXISTING PROPERTY LINE
- LANDSCAPE BUFFER
- ADJACENT PROPERTY LINE
- PROPOSED LOT LINE
- PROPOSED RIGHT OF WAY LINE
- PROPOSED STORMWATER MANAGEMENT AREA
- LINE OF SIGHT
- PROPOSED SETBACK LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- UNDISTURBED FORESTED AREA
- PROPOSED CONCRETE SIDEWALK
- LOT LINE TO BE EXPUNGED*
- EASEMENT TO BE EXPUNGED*
- *LOT LINES AND EASEMENT (SEE PB 156 PG 16)
TO BE EXPUNGED PER THIS PLAT

LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 13° 46' 04" N	16.76'
L-2	N 12° 33' 35" E	16.75'
L-3	N 71° 26' 25" N	10.75'
L-4	S 20° 14' 18" E	10.51'
L-5	N 64° 45' 42" E	17.75'
L-6	S 20° 14' 18" E	27.04'
L-7	S 58° 17' 08" N	17.76'
L-112	N 27° 35' 12" N	36.34'
L-114	S 14° 32' 44" E	27.78'
L134	N 03° 44' 06" E	30.51'
L135	N 55° 42' 04" N	5.41'
L136	N 03° 44' 06" E	16.21'
L137	S 86° 15' 54" E	24.65'
L138	S 03° 44' 06" N	8.00'
L139	S 03° 44' 06" N	14.15'

LINE TABLE

LINE	BEARING	DISTANCE
L140	N 53° 42' 46" N	45.18'
L141	S 53° 42' 46" E	53.85'
L142	S 76° 10' 41" E	7.50'
L143	S 82° 15' 10" E	20.05'
L148	N 48° 06' 37" N	15.02'
L149	S 41° 53' 23" N	25.00'
L150	S 48° 06' 37" E	14.01'
L151	N 32° 44' 20" E	25.32'
L153	N 32° 41' 32" E	25.84'
L154	S 36° 34' 51" E	13.61'
L155	S 53° 20' 04" N	23.28'
L156	N 48° 06' 37" N	4.64'



CURVE TABLE

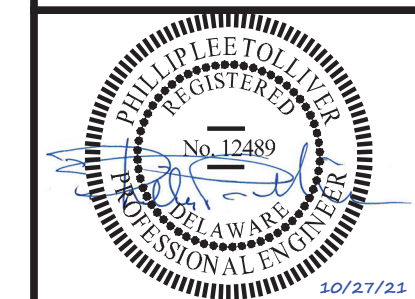
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C-101	30.00'	47.11'	S 04° 38' 01" E	42.42'
C-102	270.00'	145.74'	S 70° 23' 30" E	141.48'
C-103	305.00'	187.81'	S 73° 31' 11" E	184.85'
C-104	205.00'	145.37'	S 28° 34' 34" E	188.06'
C-105	25.00'	33.23'	S 34° 21' 24" E	30.84'
C-106	330.00'	65.20'	N 11° 46' 44" N	65.04'
C-107	25.00'	35.38'	N 73° 20' 04" E	32.50'
C-110	25.00'	35.30'	N 07° 34' 33" N	32.44'
C-120	425.00'	212.90'	S 34° 35' 21" E	210.68'
C-121	25.00'	33.67'	S 58° 44' 07" E	31.18'
C-122	200.00'	164.15'	S 73° 10' 10" E	164.16'
C-123	225.00'	312.12'	S 04° 12' 00" E	287.64'
C-124	25.00'	35.74'	S 10° 24' 40" E	32.77'
C-125	330.00'	10.02'	S 50° 24' 35" E	10.02'
C-126	55.00'	54.67'	S 68° 50' 01" N	52.45'
C-127	25.00'	35.74'	S 71° 34' 32" N	32.77'
C-128	330.00'	135.45'	N 74° 21' 24" N	134.44'
C-129	245.00'	150.86'	N 73° 31' 11" N	148.44'
C-130	145.00'	260.62'	S 04° 23' 18" E	226.43'
C-131	145.00'	25.57'	S 52° 04' 15" N	25.53'
C-132	150.00'	126.86'	S 73° 10' 10" E	123.12'
C-133	175.00'	242.76'	S 04° 12' 00" E	223.76'
C-144	25.00'	33.23'	S 64° 28' 38" N	30.84'
C-145	205.00'	74.04'	S 36° 44' 56" N	73.64'
C-146	205.00'	36.15'	S 52° 04' 15" N	36.10'
C-147	25.00'	33.74'	S 18° 24' 01" N	31.28'
C-148	351.25'	82.31'	S 26° 50' 14" E	82.12'
C-149	375.00'	101.44'	N 41° 08' 55" N	101.68'
C-165	253.25'	16.10'	N 75° 37' 04" N	16.10'

PLAT



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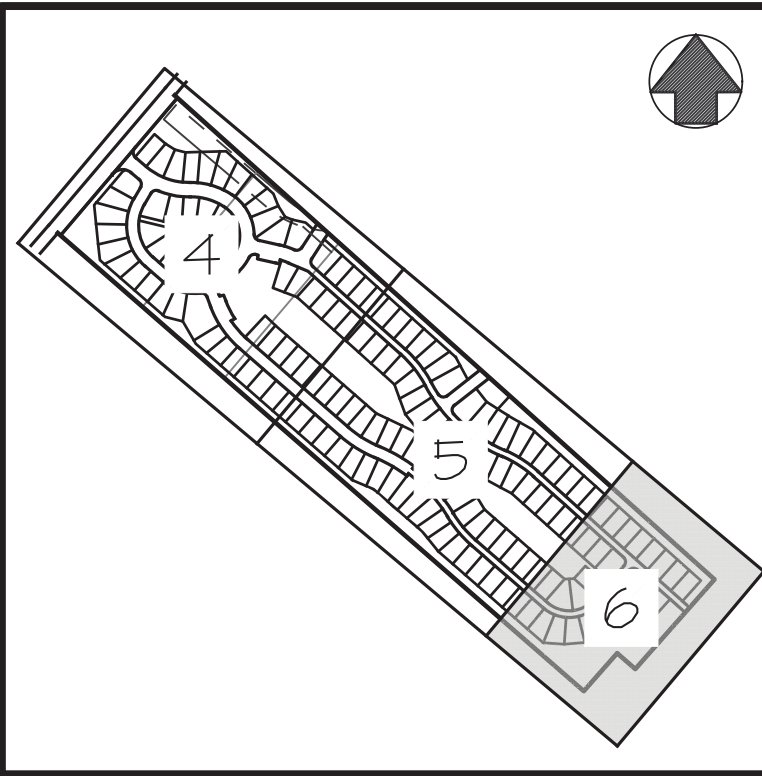
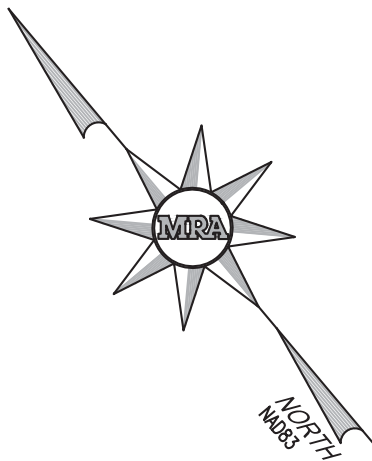
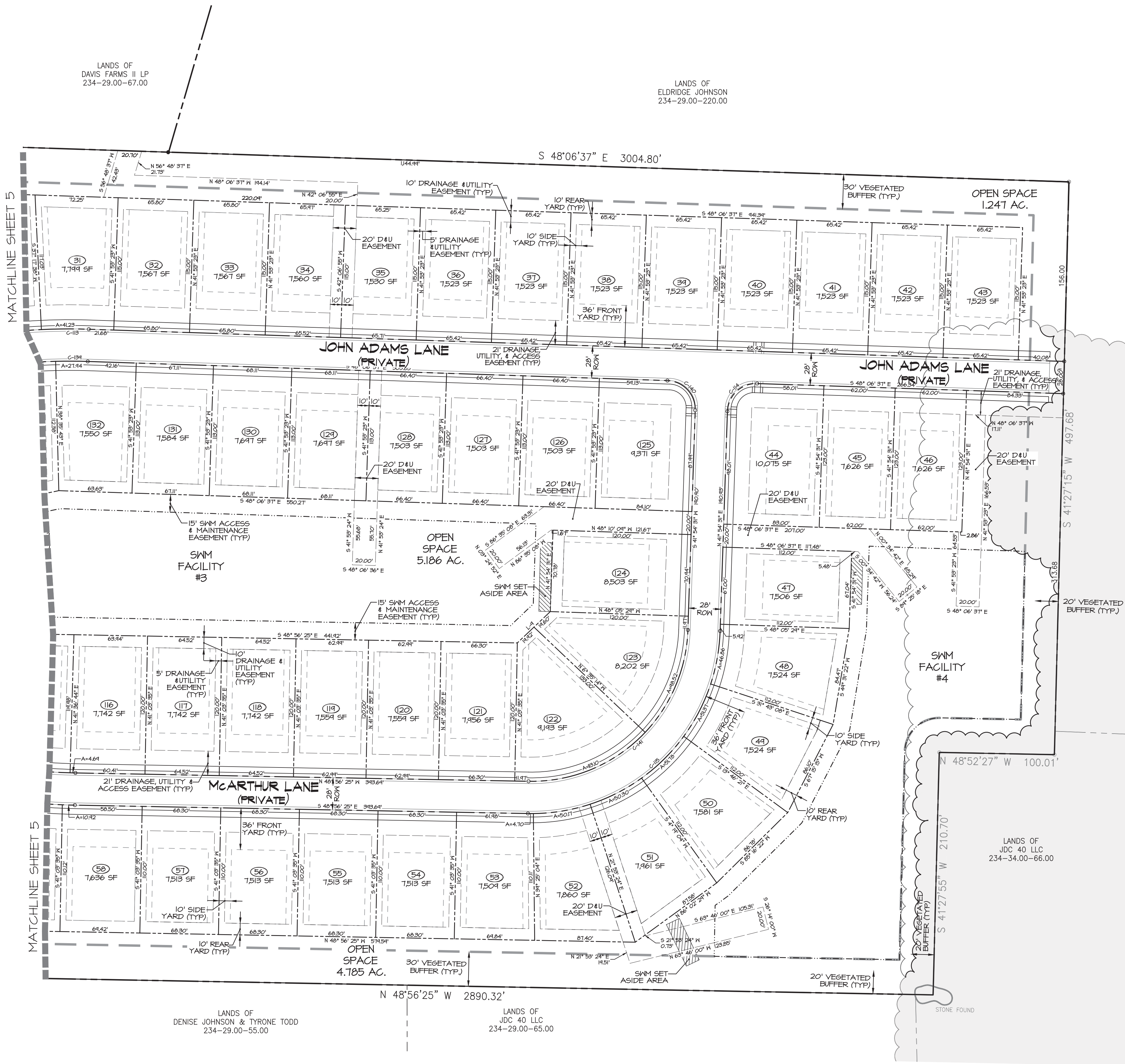
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SITE PLAN
FOR
PATRIOTS GLEN

DATE	REVISIONS	JOB NO.: 20296
		SCALE: 1"= 50'
		DATE: 10/21/2021
		DRAWN BY: CJF
		DESIGN BY: CJF
		REVIEW BY: PLT
		SHEET: 4 OF 6

G:\20296-Patriots Glen\PLANNING\PRELIMINARY\Phase 1\PL01\20296_SITE PLANS.DWG, 10/27/2021 10:09:42 AM, Copyright 2021 Morris & Ritchie Associates, Inc.



KEY MAP
SCALE: 1"=800'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C-113	514.00'	164.81'	N 51° 17' 46" W	164.11'
C-114	25.00'	34.26'	N 86° 53' 51" E	35.35'
C-115	164.00'	250.48'	N 85° 34' 41" E	226.84'
C-116	514.00'	158.31'	S 40° 07' 01" E	157.68'
C-139	486.00'	155.83'	N 51° 17' 46" W	155.17'
C-140	25.00'	34.28'	S 03° 06' 03" E	35.36'
C-141	136.00'	211.61'	S 86° 24' 03" W	190.90'
C-142	486.00'	144.68'	N 40° 07' 01" W	144.04'

LEGEND

- EXISTING PROPERTY LINE
- LANDSCAPE BUFFER
- ADJACENT PROPERTY LINE
- PROPOSED LOT LINE
- PROPOSED RIGHT OF WAY LINE
- PROPOSED STORMWATER MANAGEMENT AREA
- LINE OF SIGHT
- PROPOSED SETBACK LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- UNDISTURBED FORESTED AREA
- PROPOSED CONCRETE SIDEWALK
- LOT LINE TO BE EXPUNGED*
- EASEMENT TO BE EXPUNGED*

*LOT LINES AND EASEMENT (SEE PB 156 PG 16) TO BE EXPUNGED PER THIS PLAT

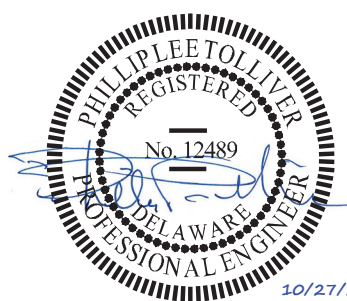


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SITE PLAN
FOR
PATRIOTS GLEN

ENGINEER'S SEAL

INDIAN RIVER HUNDRED

SUSSEX COUNTY, DELAWARE

DATE	REVISIONS	JOB NO.: 20296
		SCALE: 1"= 50'
		DATE: 10/21/2021
		DRAWN BY: CJF
		DESIGN BY: CJF
		REVIEW BY: PLT
		SHEET: 6 OF 6



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PROJECT:

— FOR —

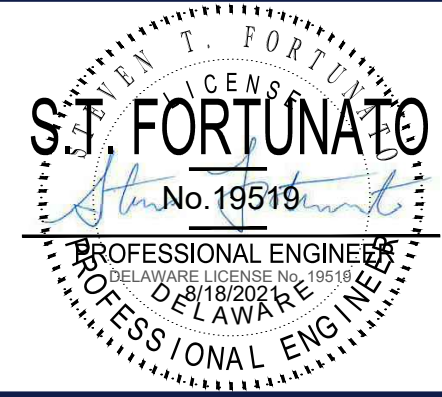
PROPOSED RESIDENTIAL
SUBDIVISION

INDIAN RIVER HUNDRED
BEAVER DAM ROAD
SUSSEX COUNTY, DE
TAX MAP: 234-11.00-60.00

BOHLER//

**18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971**
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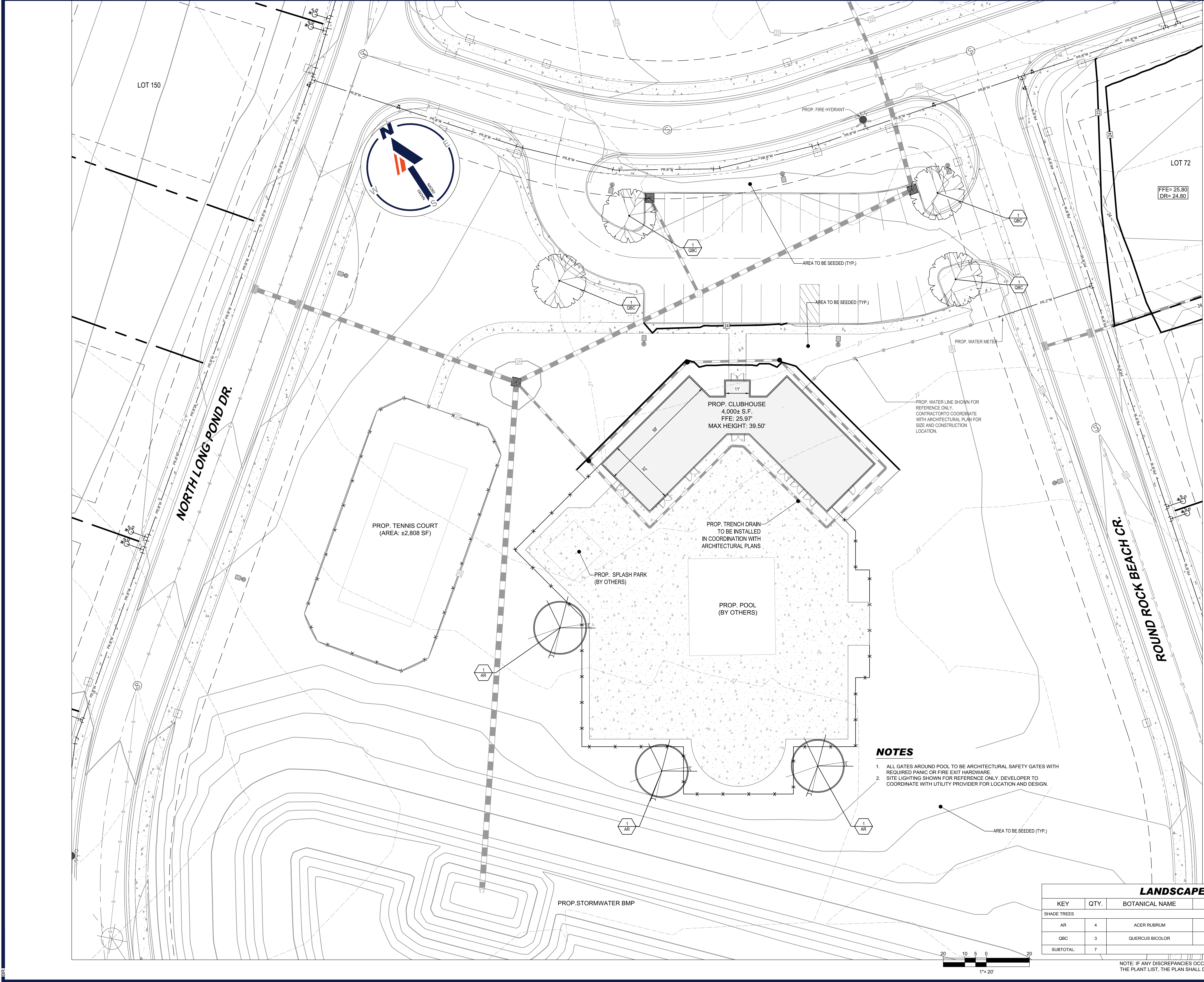
SHEET TITLE:

FINAL SITE PLAN

SHEET NUMBER:

2

REVISION 1 - 11/12/2020



NOTES

- ALL GATES AROUND POOL TO BE ARCHITECTURAL SAFETY GATES WITH REQUIRED PANIC OR FIRE EXIT HARDWARE.
- SITE LIGHTING SHOWN FOR REFERENCE ONLY. DEVELOPER TO COORDINATE WITH UTILITY PROVIDER FOR LOCATION AND DESIGN.

LANDSCAPE SCHEDULE

KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL. / HT.	CONT.
SHADE TREES					
AR	4	ACER RUBRUM	RED MAPLE	2 1/2-3" CAL. / 12-14'	B+B
QBC	3	QUERCUS BICOLOR	SWAMP WHITE OAK	2 1/2-3" CAL. / 12-14'	B+B
SUBTOTAL:	7				

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

REVISIONS

REV	DATE	COMMENT	DRAWN BY
1	10/15/21	PER SUSSEX COUNTY COMMENTS	BIJ STF



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PROJECT No.: DE190039
DRAWN BY: BIJ
CHECKED BY: STF
DATE: 07/23/21
CAD ID: 0

PROJECT:

FINAL SITE PLAN

FOR

ACADIA LANDING CLUBHOUSE

PROPOSED RESIDENTIAL SUBDIVISION

INDIAN RIVER HUNDRED
BEAVER DAM ROAD
SUSSEX COUNTY, DE
TAX MAP: 234-11.00-60.00

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BohlerEngineering.com

E.R. McWILLIAMS

REGISTERED LANDSCAPE ARCHITECT
DELAWARE LICENSE NO. 31-000002

SHEET TITLE:

LANDSCAPE PLAN

SHEET NUMBER:

3

REVISION 1 - 11/12/2020

LANDSCAPE SPECIFICATIONS

1. SCOPE OF WORK:
THE LANDSCAPE CONTRACTOR SHALL BE REQUIRED TO PERFORM ALL CLEARING, FINISHED GRADING, SOIL PREPARATION, PERMANENT SEEDING OR SODDING, PLANTING AND MULCHING INCLUDING ALL LABOR, MATERIALS, TOOLS AND EQUIPMENT NECESSARY FOR THE COMPLETION OF THIS PROJECT, UNLESS OTHERWISE CONTRACTED BY THE GENERAL CONTRACTOR.

2. MATERIALS
A. GENERAL - ALL HARDSCAPE MATERIALS SHALL MEET OR EXCEED SPECIFICATIONS AS OUTLINED IN THE STATE DEPARTMENT OF TRANSPORTATION'S SPECIFICATIONS.
B. TOPSOIL - NATURAL, FRIABLE, LOAMY SILT SOIL HAVING AN ORGANIC CONTENT NOT LESS THAN 5%, A PH RANGE BETWEEN 4.5-7.0. IT SHALL BE FREE OF DEBRIS, ROCKS LARGER THAN ONE INCH (1"), WOOD, ROOTS, VEGETABLE MATTER AND CLAY CLODS.

C. LAWN - ALL DISTURBED AREAS ARE TO BE TREATED WITH A MINIMUM SIX INCH (6") THICK LAYER OF TOPSOIL, OR AS DIRECTED BY THE LOCAL ORDINANCE OR CLIENT, AND SEEDED OR SODDED IN ACCORDANCE WITH THE PERMANENT STABILIZATION METHODS INDICATED WITHIN THE SOIL EROSION AND SEDIMENT CONTROL NOTES.
1.1. LAWN SEED MIXTURE SHALL BE FRESH, CLEAN NEW CROP SEED
1.2. SOD SHALL BE STRONGLY ROOTED, WEED AND DISEASE/PEST FREE WITH A UNIFORM THICKNESS.
1.3. SOD INSTALLED ON SLOPES GREATER THAN 4:1 SHALL BE PEGGED TO HOLD SOD IN PLACE.
D. MULCH - THE MULCH AROUND THE PERIMETER OF THE BUILDING SHALL BE A 3" LAYER OF DOUBLE SHREDDED BLACK CEDAR MULCH ONLY. ALL OTHER AREAS SHALL BE MULCHED WITH A 3" LAYER OF DOUBLE SHREDDED DARK BROWN HARDWOOD BARK MULCH, UNLESS OTHERWISE STATED ON THE LANDSCAPE PLAN.

E. FERTILIZER
1.1. FERTILIZER SHALL BE DELIVERED TO THE SITE MIXED AS SPECIFIED IN THE ORIGINAL UNOPENED STANDARD BAGGS SHOWING WEIGHT, ANALYSIS AND NAME OF MANUFACTURER. FERTILIZER SHALL BE STORED IN A WEATHERPROOF PLACE SO THAT IT CAN BE KEPT DRY PRIOR TO USE.
1.2. FOR THE PURPOSE OF BIDDING, ASSUME THAT FERTILIZER SHALL BE 10% NITROGEN, 6% PHOSPHORUS AND 4% POTASSIUM BY WEIGHT. A FERTILIZER SHOULD NOT BE SELECTED WITHOUT A SOIL TEST PERFORMED BY A CERTIFIED SOIL LABORATORY.

F. PLANT MATERIAL
1.1. ALL PLANTS SHALL IN ALL CASES CONFORM TO THE REQUIREMENTS OF THE 'AMERICAN STANDARD FOR NURSERY STOCK' (ANSI Z60.1), LATEST EDITION, AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
1.2. IN ALL CASES, BOTANICAL NAMES SHALL TAKE PRECEDENCE OVER COMMON NAMES FOR ANY AND ALL PLANT MATERIAL.
1.3. PLANTS SHALL BE LEGIBLY TAGGED WITH THE PROPER NAME AND SIZE. TAGS ARE TO REMAIN ON AT LEAST ONE PLANT OF EACH SPECIES FOR VERIFICATION PURPOSES DURING THE FINAL INSPECTION.
1.4. TREES WITH ABRASION OF THE BARK, SUN SCALDS, DISFIGURATION OR FRESH CUTS OF LIMBS OVER 1/4", WHICH HAVE NOT BEEN COMPLETELY CALLED, SHALL BE REJECTED. PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES.
1.5. ALL PLANTS SHALL BE TYPICAL OF THEIR SPECIES OR VARIETY AND SHALL HAVE A NORMAL HABIT OF GROWTH, WELL DEVELOPED BRANCHES, DENSELY FOLIATED, VIGOROUS ROOT SYSTEMS AND BE FREE OF DISEASE, INSECTS, PESTS, EGGS OR LARVAE.
1.6. CALIPER MEASUREMENTS OF NURSERY GROWN TREES SHALL BE TAKEN AT A POINT ON THE TRUNK SIX INCHES (6") ABOVE THE NATURAL GRADE FOR TREES UP TO AND INCLUDING A FOUR INCH (4") CALIPER SIZE. IF THE CALIPER AT SIX INCHES (6") ABOVE THE GROUND EXCEEDS FOUR INCHES (4") IN CALIPER, THE CALIPER SHOULD BE MEASURED AT A POINT 12" ABOVE THE NATURAL GRADE.
1.7. SHRUBS SHALL BE MEASURED TO THE AVERAGE HEIGHT OR SPREAD OF THE SHRUB, AND NOT TO THE LONGEST BRANCH.
1.8. TREES AND SHRUBS SHALL BE HANDLED WITH CARE BY THE ROOT BALL.

3. GENERAL WORK PROCEDURES
A. CONTRACTOR TO UTILIZE WORKMANLIKE INDUSTRY STANDARDS IN PERFORMING ALL LANDSCAPE CONSTRUCTION. THE SITE IS TO BE LEFT IN A CLEAN STATE AT THE END OF EACH WORKDAY. ALL DEBRIS, MATERIALS AND TOOLS SHALL BE PROPERLY STORED, STOCKPILED OR DISPOSED OF.
B. WASTE MATERIALS AND DEBRIS SHALL BE COMPLETELY DISPOSED OF AT THE CONTRACTOR'S EXPENSE. DEBRIS SHALL NOT BE BURIED, INCLUDING ORGANIC MATERIALS, BUT SHALL BE REMOVED COMPLETELY FROM THE SITE.

4. SITE PREPARATIONS
A. BEFORE AND DURING PRELIMINARY GRADING AND FINISHED GRADING, ALL WEEDS AND GRASSES SHALL BE DUG OUT BY THE ROOTS AND DISPOSED OF IN ACCORDANCE WITH GENERAL WORK PROCEDURES OUTLINED HEREIN.
B. ALL EXISTING TREES TO REMAIN SHALL BE PRUNED TO REMOVE ANY DAMAGED BRANCHES. THE ENTIRE LIMB OF ANY DAMAGED BRANCH SHALL BE CUT OFF AT THE TRUNK. CONTRACTOR SHALL ENSURE THAT CUTS ARE SMOOTH AND STRAIGHT. ANY EXPOSED ROOTS SHALL BE CUT BACK WITH CLEAN, SHARP TOOLS AND TOPSOIL SHALL BE PLACED AROUND THE REMAINDER OF THE ROOTS. EXISTING TREES SHALL BE MONITORED ON A REGULAR BASIS FOR ADDITIONAL ROOT OR BRANCH DAMAGE AS A RESULT OF CONSTRUCTION. ROOTS SHALL NOT BE LEFT EXPOSED FOR MORE THAN ONE (1) DAY. CONTRACTOR SHALL WATER EXISTING TREES AS NEEDED TO PREVENT SHOCK OR DECLINE.
C. CONTRACTOR SHALL ARRANGE TO HAVE A UTILITY STAKE-OUT TO LOCATE ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY LANDSCAPE MATERIAL. UTILITY COMPANIES SHALL BE CONTACTED THREE (3) DAYS PRIOR TO THE BEGINNING OF WORK.

5. TREE PROTECTION
A. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES TO REMAIN. A TREE PROTECTION ZONE SHALL BE ESTABLISHED AT THE DRIP LINE OR 15 FEET FROM THE TRUNK OR AT THE LIMIT OF CONSTRUCTION DISTURBANCE, WHICHEVER IS GREATER. LOCAL STANDARDS THAT MAY REQUIRE A MORE STRICT TREE PROTECTION ZONE SHALL BE HONORED.
B. A FORTY-EIGHT INCH (48") HIGH WOODEN SNOW FENCE OR ORANGE COLORED HIGH-DENSITY 'VISI-FENCE', OR APPROVED EQUAL, MOUNTED ON STEEL POSTS SHALL BE PLACED ALONG THE BOUNDARY OF THE TREE PROTECTION ZONE. POSTS SHALL BE LOCATED AT A MAXIMUM OF EIGHT FEET (8') ON CENTER OR AS INDICATED WITHIN THE TREE PROTECTION DETAIL.
C. WHEN THE TREE PROTECTION FENCING HAS BEEN INSTALLED, IT SHALL BE INSPECTED BY THE APPROVING AGENCY PRIOR TO DEMOLITION, GRADING, TREE CLEARING OR ANY OTHER CONSTRUCTION. THE FENCING ALONG THE TREE PROTECTION ZONE SHALL BE REGULARLY INSPECTED BY THE LANDSCAPE CONTRACTOR AND MAINTAINED UNTIL ALL CONSTRUCTION ACTIVITY HAS BEEN COMPLETED.
D. AT NO TIME SHALL MACHINERY, DEBRIS, FALLEN TREES OR OTHER MATERIALS BE PLACED, STOCKPILED OR LEFT STANDING IN THE TREE PROTECTION ZONE.

6. SOIL MODIFICATIONS
A. CONTRACTOR SHALL ATTAIN A SOIL TEST FOR ALL AREAS OF THE SITE PRIOR TO CONDUCTING ANY PLANTING. SOIL TESTS SHALL BE PERFORMED BY A CERTIFIED SOIL LABORATORY.
B. LANDSCAPE CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITIONS CONSIDERED DETRIMENTAL TO THE GROWTH OF PLANT MATERIAL. SOIL MODIFICATIONS, AS SPECIFIED HEREIN, MAY NEED TO BE CONDUCTED BY THE LANDSCAPE CONTRACTOR DEPENDING ON SITE CONDITIONS.
C. THE FOLLOWING AMENDMENTS AND QUANTITIES ARE APPROXIMATE AND ARE FOR BIDDING PURPOSES ONLY. COMPOSITION OF AMENDMENTS SHOULD BE REVISED DEPENDING ON THE OUTCOME OF A TOPSOIL ANALYSIS PERFORMED BY A CERTIFIED SOIL LABORATORY.
1.1. TO INCREASE A SANDY SOIL'S ABILITY TO RETAIN WATER AND NUTRIENTS, THOROUGHLY TILL ORGANIC MATTER INTO THE TOP 6-12". USE COMPOSTED BARK, COMPOSTED LEAF MULCH OR PEAT MOSS. ALL PRODUCTS SHOULD BE COMPOSTED TO A DARK COLOR AND BE FREE OF PIECES WITH IDENTIFIABLE LEAF OR WOOD STRUCTURE. AVOID MATERIAL WITH A PH HIGHER THAN 7.5.
1.2. TO INCREASE DRAINAGE, MODIFY HEAVY CLAY OR SILT (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY VOLUME) AND/OR AGRICULTURAL GYPSUM. COARSE SAND MAY BE USED IF ENOUGH IS ADDED TO BRING THE SAND CONTENT TO MORE THAN 60% OF THE TOTAL MIX. SUBSURFACE DRAINAGE LINES MAY NEED TO BE ADDED TO INCREASE DRAINAGE.
1.3. MODIFY EXTREMELY SANDY SOILS (MORE THAN 85%) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDDED CLAY LOAM UP TO 30% OF THE TOTAL MIX.

7. FINISHED GRADING
A. UNLESS OTHERWISE CONTRACTED, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TOPSOIL AND THE ESTABLISHMENT OF FINE-GRADING WITHIN THE DISTURBANCE AREA OF THE SITE.
B. LANDSCAPE CONTRACTOR SHALL VERIFY THAT SUBGRADE FOR INSTALLATION OF TOPSOIL HAS BEEN ESTABLISHED. THE SUBGRADE OF THE SITE MUST MEET THE FINISHED GRADE LESS THE REQUIRED TOPSOIL THICKNESS (1-3).
C. ALL LAWN AND PLANTING AREAS SHALL BE GRADED TO A SMOOTH, EVEN AND UNIFORM PLANE WITH NO ABRUPT CHANGE OF SURFACE AS DEPICTED WITHIN THIS SET OF CONSTRUCTION PLANS. IN PLACE UNLESS OTHERWISE DIRECTED BY THE PROJECT ENGINEER OR LANDSCAPE ARCHITECT.
D. ALL PLANTING AREAS SHALL BE GRADED AND MAINTAINED TO ALLOW FREE FLOW OF SURFACE WATER IN AND AROUND THE PLANTING BEDS. STANDING WATER SHALL NOT BE PERMITTED IN PLANTING BEDS.

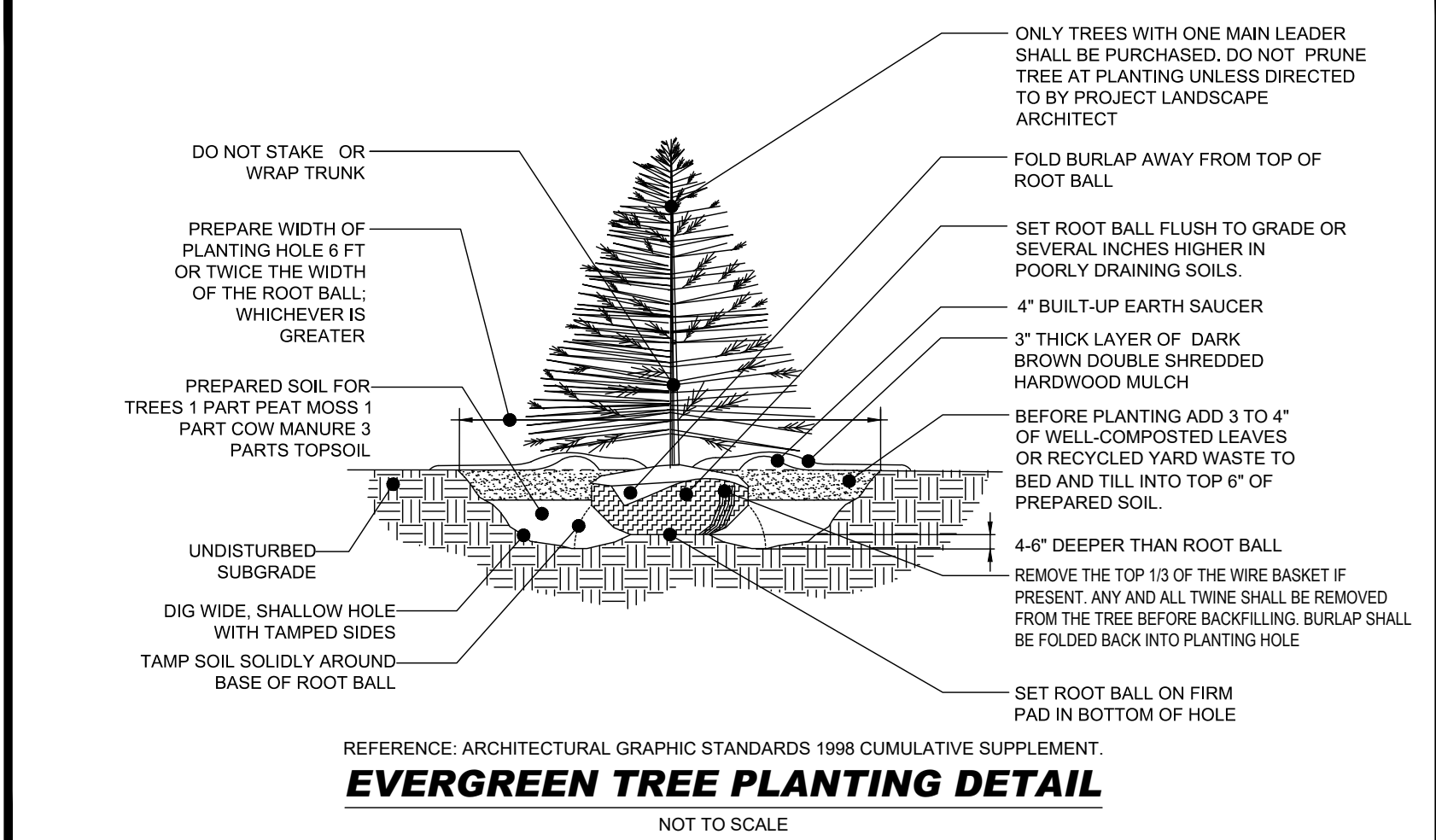
8. TOPSOILING
A. CONTRACTOR SHALL PROVIDE A SIX INCH (6") THICK MINIMUM LAYER OF TOPSOIL, OR AS DIRECTED BY THE LOCAL ORDINANCE OR CLIENT, IN ALL PLANTING AREAS. TOPSOIL SHOULD BE SPREAD OVER A PREPARED SURFACE IN A UNIFORM LAYER TO ACHIEVE THE DESIRED COMPACTED THICKNESS.
B. ON-SITE TOPSOIL MAY BE USED TO SUPPLEMENT THE TOTAL AMOUNT REQUIRED. TOPSOIL FROM THE SITE MAY BE REJECTED IF IT HAS NOT BEEN PROPERLY REMOVED, STORED AND PROTECTED PRIOR TO CONSTRUCTION.
C. CONTRACTOR SHALL FURNISH TO THE APPROVING AGENCY AN ANALYSIS OF BOTH IMPORTED AND ON-SITE TOPSOIL TO BE UTILIZED IN ALL PLANTING AREAS. THE PH AND NUTRIENT LEVELS MAY NEED TO BE ADJUSTED THROUGH SOIL MODIFICATIONS AS NEEDED TO ACHIEVE THE REQUIRED LEVELS AS SPECIFIED IN THE MATERIALS SECTION ABOVE.
D. ALL PLANTING AND LAWN AREAS ARE TO BE CULTIVATED TO A DEPTH OF SIX INCHES (6"). ALL DEBRIS EXPOSED FROM EXCAVATION AND CULTIVATION SHALL BE DISPOSED OF IN ACCORDANCE WITH GENERAL WORK PROCEDURES SECTION ABOVE. THE FOLLOWING SHALL BE FILLED INTO THE TOP FOUR INCHES (4") IN TWO DIRECTIONS (QUANTITIES BASED ON A 1,000 SQUARE FOOT AREA):
1.1. 20 POUNDS 'GROW POWER' OR APPROVED EQUAL
1.2. 20 POUNDS NITRO-FORM (COURSE) 38-0-0 BLUE CHIP
E. THE SPREADING OF TOPSOIL SHALL NOT BE CONDUCTED UNDER MUDDY OR FROZEN CONDITIONS.

9. PLANTING
A. INsofar THAT IT IS FEASIBLE, PLANT MATERIAL SHALL BE PLANTED ON THE DAY OF DELIVERY. IN THE EVENT THAT THIS IS NOT POSSIBLE, LANDSCAPE CONTRACTOR SHALL PROTECT UNINSTALLED PLANT MATERIAL. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN A THREE DAY PERIOD AFTER DELIVERY. PLANTS THAT WILL NOT BE PLANTED FOR A PERIOD OF TIME GREATER THAN THREE DAYS SHALL BE HEALED IN WITH TOPSOIL OR MULCH TO HELP PRESERVE ROOT MOISTURE.
B. PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE AND IN ACCORDANCE WITH ACCEPTED LOCAL PRACTICE. PLANTS SHALL NOT BE INSTALLED IN TOPSOIL THAT IS IN A MUDDY OR FROZEN CONDITION.
C. ANY INJURED ROOTS OR BRANCHES SHALL BE PRUNED TO MAKE CLEAN-CUT ENDS PRIOR TO PLANTING UTILIZING CLEAN, SHARP TOOLS. ONLY INJURED OR DISEASED BRANCHING SHALL BE REMOVED.
D. ALL PLANTING CONTAINERS AND NON-BIODEGRADABLE MATERIALS SHALL BE REMOVED FROM ROOT BALLS DURING PLANTING. NATURAL FIBER BURLAP MUST BE CUT FROM AROUND THE TRUNK OF THE TREE AND FOLDED DOWN AGAINST THE ROOT BALL PRIOR TO BACKFILLING.
E. POSITION TREES AND SHRUBS AT THEIR INTENDED LOCATIONS AS PER THE PLANS AND SECURE THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO EXCAVATING PITS, MAKING NECESSARY ADJUSTMENTS AS DIRECTED.
F. PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, THE PROPOSED LANDSCAPE, AS SHOWN ON THE APPROVED LANDSCAPE PLAN, MUST BE INSTALLED, INSPECTED AND APPROVED BY THE APPROVING AGENCY. THE APPROVING AGENCY SHALL TAKE INTO ACCOUNT SEASONAL CONSIDERATIONS IN THIS REGARD AS FOLLOWS. THE PLANTING OF TREES, SHRUBS, VINES OR GROUND COVER SHALL OCCUR ONLY DURING THE FOLLOWING PLANTING SEASONS:
1.1. PLANTS: MARCH 15 TO DECEMBER 15
1.2. LAWN: MARCH 15 TO JUNE 15 OR SEPT. 1 TO DECEMBER 1
G. PLANTINGS REQUIRED FOR A CERTIFICATE OF OCCUPANCY SHALL BE PROVIDED DURING THE NEXT APPROPRIATE SEASON AT THE MUNICIPALITY'S DISCRETION. CONTRACTOR SHOULD CONTACT APPROVING AGENCY FOR POTENTIAL SUBSTITUTIONS.
H. FURTHERMORE, THE FOLLOWING TREE VARIETIES ARE UNUSUALLY SUSCEPTIBLE TO WINTER DAMAGE. WITH TRANSPLANT SHOCK AND THE SEASONAL LACK OF NITROGEN AVAILABILITY, THE RISK OF PLANT DEATH IS GREATLY INCREASED. IT IS NOT RECOMMENDED THAT THESE SPECIES BE PLANTED DURING THE FALL PLANTING SEASON:
ACER RUBRUM PLATANUS X ACERIFOLIA
BETULA VARIETIES POPULUS VARIETIES
CARPINUS VARIETIES PRUNUS VARIETIES
CRATAEGUS VARIETIES PYRUS VARIETIES
KOELREUTERIA QUERCUS VARIETIES
LIQUIDAMBER STYRACIFLUA TILIA TOMENTOSA
LIRIODENDRON TULIPIFERA ZELKOVA VARIETIES

I. PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, WITH THE WIDTH TWICE THE DIAMETER OF ROOT BALL. THE ROOT BALL SHALL REST ON UNDISTURBED GRADE. EACH PLANT PIT SHALL BE BACKFILLED IN LAYERS WITH THE FOLLOWING PREPARED SOIL, MIXED THOROUGHLY:
• 1 PART PEAT MOSS
• 1 PART COMPOSTED COW MANURE BY VOLUME
• 3 PARTS TOPSOIL BY VOLUME
• 21 GRAMS 'AGRIFORM' PLANTING TABLETS (OR APPROVED EQUAL) AS FOLLOWS:
A) 2 TABLETS PER 1 GALLON PLANT
B) 3 TABLETS PER 5 GALLON PLANT
C) 4 TABLETS PER 15 GALLON PLANT
D) LARGER PLANTS: 2 TABLETS PER 1/2" CALIPER OF TRUNK
J. FILL PREPARED SOIL AROUND BALL OF PLANT HALF-WAY AND INSERT PLANT TABLETS. COMPLETE BACKFILL AND WATER THOROUGHLY.
K. ALL PLANTS SHALL BE PLANTED SO THAT THE TOP OF THE ROOT BALL, THE POINT AT WHICH THE ROOT FLARE BEGINS, IS SET AT GROUND LEVEL AND IN THE CENTER OF THE PIT. NO SOIL IS TO BE PLACED DIRECTLY ON TOP OF THE ROOT BALL.
L. ALL PROPOSED TREES DIRECTLY ADJACENT TO WALKWAYS OR DRIVEWAYS SHALL BE PRUNED AND MAINTAINED TO A MINIMUM BRANCHING HEIGHT OF 7' FROM GRADE.
M. GROUND COVER AREAS SHALL RECEIVE A 1/2" LAYER OF HUMUS RAKED INTO THE TOP 1" OF PREPARED SOIL PRIOR TO PLANTING. ALL GROUND COVER AREAS SHALL BE WEEDED AND TREATED WITH A PRE-EMERGENT CHEMICAL AS PER MANUFACTURER'S RECOMMENDATION.
N. NO PLANT, EXCEPT GROUND COVERS, GRASSES OR VINES, SHALL BE PLANTED LESS THAN TWO FEET (2') FROM EXISTING STRUCTURES AND SIDEWALKS.
O. ALL PLANTING AREAS AND PLANTING PITS SHALL BE MULCHED AS SPECIFIED HEREIN TO FILL THE ENTIRE BED AREA OR SAUCER. NO MULCH IS TO TOUCH THE TRUNK OF THE TREE OR SHRUB.
P. ALL PLANTING AREAS SHALL BE WATERED IMMEDIATELY UPON INSTALLATION IN ACCORDANCE WITH THE WATERING SPECIFICATIONS AS LISTED HEREIN.

10. TRANSPLANTING (WHEN REQUIRED)
A. ALL TRANSPLANTS SHALL BE DUG WITH INTACT ROOT BALLS CAPABLE OF SUSTAINING THE PLANT.
B. IF PLANTS ARE TO BE STOCKPILED BEFORE REPLANTING, THEY SHALL BE HEALED IN WITH MULCH OR SOIL, ADEQUATELY WATERED AND PROTECTED FROM EXTREME HEAT, SUN AND WIND.
C. PLANTS SHALL NOT BE DUG FOR TRANSPLANTING BETWEEN APRIL 10 AND JUNE 30.
D. UPON REPLANTING, BACKFILL SOIL SHALL BE AMENDED WITH FERTILIZER AND ROOT GROWTH HORMONE.
E. TRANSPLANTS SHALL BE GUARANTEED FOR THE LENGTH OF THE GUARANTEE PERIOD SPECIFIED HEREIN.
F. IF TRANSPLANTS DIE, SHRUBS AND TREES LESS THAN SIX INCHES (6") DBH SHALL BE REPLACED IN KIND. TREES GREATER THAN SIX INCHES (6") DBH MAY BE REQUIRED TO BE REPLACED IN ACCORDANCE WITH THE MUNICIPALITY'S TREE REPLACEMENT GUIDELINES.
11. WATERING
A. NEW PLANTINGS OR LAWN AREAS SHALL BE ADEQUATELY IRRIGATED BEGINNING IMMEDIATELY AFTER PLANTING. WATER SHALL BE APPLIED TO EACH TREE AND SHRUB IN SUCH MANNER AS NOT TO DISTURB BACKFILL AND TO THE EXTENT THAT ALL MATERIALS IN THE PLANTING HOLE ARE THOROUGHLY SATURATED. WATERING SHALL CONTINUE AT LEAST UNTIL PLANTS ARE ESTABLISHED.
B. SITE OWNER SHALL PROVIDE WATER IF AVAILABLE ON SITE AT TIME OF PLANTING. IF WATER IS NOT AVAILABLE ON SITE, CONTRACTOR SHALL SUPPLY ALL NECESSARY WATER. THE USE OF WATERING BAGS IS RECOMMENDED FOR ALL NEWLY PLANTED TREES.
C. IF AN IRRIGATION SYSTEM HAS BEEN INSTALLED ON THE SITE, IT SHALL BE USED TO WATER PROPOSED PLANT MATERIAL, BUT ANY FAILURE OF THE SYSTEM DOES NOT ELIMINATE THE CONTRACTOR'S RESPONSIBILITY OF MAINTAINING THE DESIRED MOISTURE LEVEL FOR VIGOROUS, HEALTHY GROWTH.

12. GUARANTEE
A. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANTS FOR A PERIOD OF ONE (1) YEAR FROM APPROVAL OF LANDSCAPE INSTALLATION BY THE APPROVING AGENCY. CONTRACTOR SHALL SUPPLY THE OWNER WITH A MAINTENANCE BOND FOR TEN PERCENT (10%) OF THE VALUE OF THE LANDSCAPE INSTALLATION WHICH WILL BE RELEASED AT THE CONCLUSION OF THE GUARANTEE PERIOD AND WHEN A FINAL INSPECTION HAS BEEN COMPLETED AND APPROVED BY THE OWNER OR AUTHORIZED REPRESENTATIVE.
B. ANY DEAD OR DYING PLANT MATERIAL SHALL BE REPLACED FOR THE LENGTH OF THE GUARANTEE PERIOD. REPLACEMENT OF PLANT MATERIAL SHALL BE CONDUCTED AT THE FIRST SUCCEEDING PLANTING SEASON. ANY DEBRIS SHALL BE DISPOSED OF OFF-SITE, WITHOUT EXCEPTION.
C. TREES AND SHRUBS SHALL BE MAINTAINED BY THE CONTRACTOR DURING CONSTRUCTION AND THROUGHOUT THE 90 DAY MAINTENANCE PERIOD AS SPECIFIED HEREIN. CULTIVATION, WEEDING, WATERING AND THE PREVENTATIVE TREATMENTS SHALL BE PERFORMED AS NECESSARY TO KEEP PLANT MATERIAL IN GOOD CONDITION AND FREE OF INSECTS AND DISEASE.
D. LAWNS SHALL BE MAINTAINED THROUGH WATERING, FERTILIZING, WEEDING, MOWING, TRIMMING AND OTHER OPERATIONS SUCH AS ROLLING, REGARDING AND REPLANTING AS REQUIRED TO ESTABLISH A SMOOTH, ACCEPTABLE LAWN, FREE OF ERODED OR BARE AREAS.
13. CLEANUP
A. UPON THE COMPLETION OF ALL LANDSCAPE INSTALLATION AND BEFORE THE FINAL ACCEPTANCE, THE CONTRACTOR SHALL REMOVE ALL UNUSED MATERIALS, EQUIPMENT AND DEBRIS FROM THE SITE. ALL PAVED AREAS ARE TO BE CLEANED.
B. THE SITE SHALL BE CLEANED AND LEFT IN A NEAT AND ACCEPTABLE CONDITION AS APPROVED BY THE OWNER OR AUTHORIZED REPRESENTATIVE.



STANDARD DRAWING LEGEND		
FOR ENTIRE PLAN SET (NOT TO SCALE)		
EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
	ONSITE PROPERTY LINE / R.O.W. LINE	
	NEIGHBORING PROPERTY LINE / INTERIOR PARCEL LINE	
	EASEMENT LINE	
	SETBACK LINE	
	CONCRETE CURB & GUTTER	
	UTILITY POLE WITH LIGHT	
	POLE LIGHT	
	TRAFFIC LIGHT	
	UTILITY POLE	
	TYPICAL LIGHT	
	ACORN LIGHT	
	TYPICAL SIGN	
	PARKING COUNTS	
	CONTOUR LINE	
	SPOT ELEVATIONS	
	SANITARY LABEL	
	STORM LABEL	
	SANITARY SEWER LATERAL	
	UNDERGROUND WATER LINE	
	UNDERGROUND ELECTRIC LINE	
	UNDERGROUND GAS LINE	
	OVERHEAD WIRE	
	UNDERGROUND TELEPHONE LINE	
	UNDERGROUND CABLE LINE	
	STORM SEWER	
	SANITARY SEWER MAIN	
	HYDRANT	
	SANITARY MANHOLE	
	STORM MANHOLE	
	WATER METER	
	WATER VALVE	
	GAS VALVE	
	GAS METER	
	TYPICAL END SECTION	
	HEADWALL OR ENDWALL	
	YARD INLET	
	CURB INLET	
	CLEAN OUT	
	ELECTRIC MANHOLE	
	TELEPHONE MANHOLE	
	ELECTRIC BOX	
	ELECTRIC PEDESTAL	
	MONITORING WELL	
	TEST PIT	
	BENCHMARK	

REFERENCES

*** BOUNDARY & TOPOGRAPHIC SURVEY:**
PARKER & ASSOCIATES, INC.
528 RIVERSIDE DRIVE
SALISBURY MD 21801
PHONE: (410) 745-1023

*** PREVIOUSLY APPROVED ENGINEERING:**
PARKER & ASSOCIATES, INC.
528 RIVERSIDE DRIVE
SALISBURY MD 21801
PHONE: (410) 745-1023

GOVERNING AGENCIES

*** SUSSEX COUNTY PLANNING AND ZONING:**
2 THE CIRCLE
P.O. BOX 417
GEORGETOWN, DE 1947
PHONE: (302) 855-7878

*** SUSSEX COUNTY ENGINEERING DEPARTMENT:**
2 THE CIRCLE
P.O. BOX 589
GEORGETOWN, DE 1947
PHONE: (302) 855-7718

*** STATE FIRE MARSHAL:**
22705 PARK AVENUE
GEORGETOWN, DE 1947
PHONE: (302) 856-5298

*** DELAWARE HEALTH AND SOCIAL SERVICES OFFICE OF DRINKING WATER:**
43 SOUTH DOUTCH HIGHWAY
DOVER, DE 19901
PHONE: (302) 741-8640

UTILITIES

*** WATER**
TIDEWATER
1100 SOUTH LITTLE CREEK ROAD
DOVER, DE 19901
PHONE: (302) 747-5349

*** SANITARY SEWER**
ARTESIAN WASTEWATER MANAGEMENT, INC.
14701 COASTAL HIGHWAY
MILTON, DE 19668
PHONE: (302) 453-6900

ROW JURISDICTION

*** DELDOT**
800 S BAY ROAD
DOVER, DE 19901
PHONE: (302) 760-2080

This topographic map illustrates the Snug Borth area, including the proposed 'SITE' and surrounding infrastructure. The map features the following elements:

- Topography:** Contour lines indicate the terrain, with a prominent hill labeled 'HILL' in the upper right quadrant.
- Road Network:**
 - CELESTIAL WAY:** A main road running horizontally across the top of the map.
 - SNUG BERTH DRIVE:** A road running horizontally across the middle of the map.
 - FOLLOWING SEA LANE:** A road running vertically through the center of the map.
 - FLAG OFFICER COURT:** A road running vertically on the left side of the map.
 - QUIET HARBOR WAY:** A road running horizontally on the far left side of the map.
 - BEAVER DAM RD:** A road running vertically on the far left side of the map.
- Proposed Site:** A rectangular area labeled 'SITE' is located in the lower right quadrant, near the intersection of Snug Borth Drive and Following Sea Lane.
- Other Features:**
 - A circular feature, possibly a pond or a large building, is located near Quiet Harbor Way.
 - Various smaller buildings and structures are scattered throughout the map, particularly in the lower right area.
- Scale and Orientation:**
 - A scale bar in the top right corner indicates distances of 0, 75, and 150 units, with a note '1"=150'.
 - A north arrow is located in the top right corner, pointing towards the top of the map.

CONTACT: STEVEN T. FORTUNATO, P.E.

STEVEN T. FORTUNATO, P.E.
BOHLER
18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971
P: (302)644-1155 / F: (302)703-3173

SHEET TITLE	SHEET NUMBER
COVER SHEET	1
FINAL SITE PLAN	2
LANDSCAPE PLAN	3
LANDSCAPE NOTES AND DETAILS	4

	SINGLE FAMILY (REQUIRED)	SINGLE FAMILY (PROVIDED)
TRACT AREA:		132.71a AC
LOT AREA PER DWELLING UNIT:	7,500 SF	MIN 7,500 SF
STREET FRONTAGE:	30 FT	MIN 30 FT
LOT WIDTH AT FRONT BUILDING LINE:	60 FT	MIN 60 FT
MAX BUILDING HEIGHT:	42 FT	<42 FT
SETBACKS		
FRONT YARD:	25 FT	25 FT
SIDE YARD (ONE / SUM OF BOTH):	10 FT	10 FT
REAR YARD:	10 FT	10 FT
CORNER YARD:	15 FT	15 FT

OWNER/DEVELOPER:

ANCHORS RUN INVESTMENT, INC
ROBERT LISLE
16255 SUSSEX HIGHWAY
BRIDGEVILLE, DE 19933
(302) 337-0967

ENGINEER:

BOHLER
18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971
(302) 544-1155

2. TAX MAP PARCEL NO.: 234-6-00-19.00 AND 234-6-00-20.01.

3. EXISTING ZONING: AR-1 (AGRICULTURAL RESIDENTIAL LOW-DENSITY AREA)

4. PROPOSED ZONING: AR-1 (AGRICULTURAL RESIDENTIAL LOW-DENSITY AREA)

5. EXISTING USE: VACANT/WOODED

6. PROPOSED USE: RESIDENTIAL SUBDIVISION
TOTAL PROPOSED LOTS: 265 SINGLE FAMILY

7. DENSITY:
PERMITTED: 5,780,848 SF/21,780 SF/LOT = 265 LOTS
PROPOSED: TOTAL: 265 LOTS

8. TOTAL SITE AREA: 132.71± AC

OPEN SPACE CALCULATIONS:

PASSIVE:	32.1 AC
RECREATIONAL:	3.5 AC
PONDS:	19.83 AC
WOODS TO REMAIN:	16.60 AC

NET DEVELOPMENT AREA: 60.68 AC

9. INVESTMENT AREA: LEVEL 4

10. DATUM:
HORIZONTAL: NAD 83 (DELAWARE STATE PLANE GRID)
VERTICAL: NAVD 85

(REFER TO APPROVED PARKER & ASSOCIATE PLANS DATED 01/14/2020)

11. EXISTING GROSS ACREAGE: ±5,780,848 SF (132.71AC)
PROPOSED GROSS ACREAGE: ±5,780,848 SF (132.71AC)

12. THIS PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE .02% CHANCE ANNUAL FLOODPLAIN) PER FIRM MAP NUMBER 1005C0330J, LAST REVISED: MARCH 16, 2015.

13. ACCESS TO THE SITE SHALL BE FROM BEAVER DAM RD VIA TWO PROPOSED ROUND ABOUT ENTRANCES (DESIGN BY OTHERS).

14. ALL FIRE LINES, FIRE HYDRANTS, FIRE DEPARTMENT CONNECTIONS, SPRINKLERS, STANDPIPE CONNECTIONS, AND FIRE EXITS SHALL BE MARKED AND/OR PROTECTED IN ACCORDANCE WITH THE DELAWARE STATE FIRE REGULATION.

15. WATER SUPPLY: TIDewater UTILITIES, INC. SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE STATE DIVISION OF PUBLIC HEALTH AND TIDewater UTILITIES, INC.

16. SANITARY SEWER: ARTESIAN WASTEWATER MANAGEMENT, INC., SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND SUSSEX COUNTY ENGINEERING DEPARTMENT.

17. ACCORDING TO THE NATIONAL WETLANDS MAPPING, ±0.21 AC OF WETLANDS HAVE BEEN IDENTIFIED ON THIS SITE.

18. THIS SITE IS LOCATED WITHIN AN AREA OF "POOR" AND "FAIR" GROUND WATER RECHARGE POTENTIAL.

19. SUSSEX COUNTY AGREEMENT: 1095-2.

20. S.C.E. SUBDIVISION NO.: 2018-13.

21. CLUBHOUSE PARKING

TYPE OF BUSINESS:	COMMERCIAL
PARKING SPACES REQUIRED:	1 SPACE / 200 SF FLOOR AREA 4,100 SF / 200 SF = 21 SPACES
PARKING SPACES PROVIDED:	21 SPACES (INCLUDING 1 ADA VAN ACCESSIBLE SPACE)

22. THIS PLAN IS BASED ON DESIGN ELEMENTS SHOWN ON A PREVIOUSLY APPROVED PLAN PREPARED BY PARKER AND ASSOCIATES, DATED 01/14/2020 AND APPROVED BY DELDOT ON 12/28/2019. THIS PLAN IS FOR PERMITTING PURPOSE ONLY. SOME INFORMATION SHOWN ON THESE PLANS IS PROVIDED FOR REFERENCE ONLY. REFER TO THE PREVIOUSLY APPROVED PLANS FOR MORE INFORMATION.

I HEREBY CERTIFY THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THIS 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.

ROB LISLE / KEVIN BROZYNA	DATE
BAYLIS ESTATES INVESTMENTS, LLC	
16255 SUSSEX HIGHWAY	
BRIDGEVILLE, DE 19933	
P: (443) 532-5222	

The Bohler logo, featuring the word "BOHLER" in a bold, dark blue sans-serif font, with a trademark symbol (TM) to its upper right. Above the text are two parallel slanted lines, one orange and one red.

CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

[illegible]

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REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	DE190040
DRAWN BY:	BIJ
CHECKED BY:	STF
DATE:	07/23/21
CAD I.D.:	SDP - 0

PROJECT

— FOR

ANCHORS RUN
CLUBHOUSE

PROPOSED RESIDENTIAL
SUBDIVISION

INDIAN RIVER HUNDRED
BEAVER DAM ROAD
SUSSEX COUNTY, DE
TAX MAP: 234-6.00-19.00
AND 234-6.00-20.01

BOHLER//

18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971

Phone: (302) 644-1155
Fax: (302) 703-3173
BohlerEngineering.com

SHEET TITLE:

COVER SHEET

SHEET NUMBER

1
OF

REVISION 1 - 11/12/202



LANDSCAPE SCHEDULE					
KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL. / HT.	CONT.
SHADE TREES					
AR	3	ACER RUBRUM	RED MAPLE	2 12'-3" CAL. / 12'-14"	B+B
QBC	4	QUERCUS BICOLOR	SWAMP WHITE OAK	2 12'-3" CAL. / 12'-14"	B+B
SUBTOTAL:	7				

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

REVISIONS

[illegible]

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PROJECT No.:	DE190040
DRAWN BY:	BIJ
CHECKED BY:	STF
DATE:	07/23/21
CAD I.D.:	SDP - 0

PROJECT:

FINAL SITE PLAN

FOR :

ANCHORS RUN
CLUBHOUSE

PROPOSED RESIDENTIAL SUBDIVISION

INDIAN RIVER HUNDRED
BEAVER DAM ROAD
SUSSEX COUNTY, DE
TAX MAP: 234-6.00-19.00
AND 234-6.00-20.01

BOHLER //

18958 COASTAL HWY, SUITE D

REHOBOTH BEACH, DE 19971

Phone: (302) 644-1155
Fax: (302) 703-3173

BohlerEngineering.com

E.R. McWILLIAMS

REGISTERED LANDSCAPE ARCHITECT

SHEET TITLE:

LANDSCAPE PLAN

SHEET NUMBER:

3
OF 4

REVISION 1 - 11/12/2020



DELAWARE AGRICULTURAL LANDS
Preservation Foundation

AGRICULTURAL PRESERVATION DISTRICT APPLICATION

Return to: The Delaware Agricultural Lands Preservation Foundation

2320 S DuPont Highway, Dover, DE 19901

Phone (302)698-4530, or Toll Free in DE Only (800)282-8685

File# **S-21-10-297**

Date **10-11-21**

Name of Petitioner(s) **WEBB FAMILY FARMS, LLC**

Email Address: **CKWMS14@GMAIL.COM**

Mailing Address **27559 MEDALLION AVENUE**

MILLSBORO, DE 19966

Primary Contact Person **KEVIN WILLIAMS** Preferred Contact Number: **302-841-0636**

Farm Location **SUSSEX**

Total Acreage of Farm **250.51**

Adjoining Roads **UNION CHURCH & TRUITT ROADS; BEACH HIGHWAY**

County Tax Parcel Number(s) **230-25.00-29.00 (250.51A)**

Zoning Designation **AR-1**

(call County Planning for zoning designation)

Type of Farm Operation: **AG**

Type of Land Use **Crop Land 125.51**

Acres **Aquaculture** **Acres**

Woodland 125

Acres **Pasture Land** **Acres**

Farmland Structures

Acres **Tidal Wetlands** **Acres**

Residence

Acres **Other (specify)** **Acres**

Of Dwelling Units:

Occupant's Name(s) & Relationship

Easements/Rights-of-Way (if any)

Does the farm have a certified nutrient management plan? ☐ Yes ☒ No

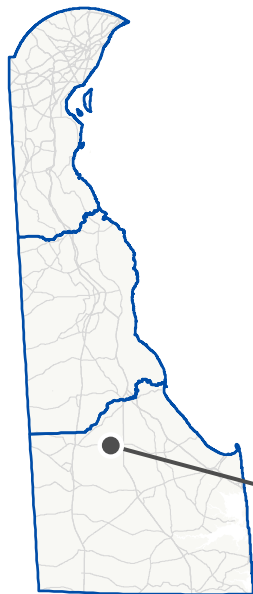
Is any portion of the proposed District/Expansion currently subject to subdivision? ☐ Yes ☒ No

Is the property land locked? (no road frontage) ☐ Yes ☒ No If yes please provide access rights documentation



District Name You Would Prefer: **WEBB FAMILY FARMS DISTRICT**

Monitor Zone **11** Do you wish to have your farm appraised for the next round of Aglands easement selections? ☒ Yes ☐ No

WEBB FAMILY FARMS DISTRICT

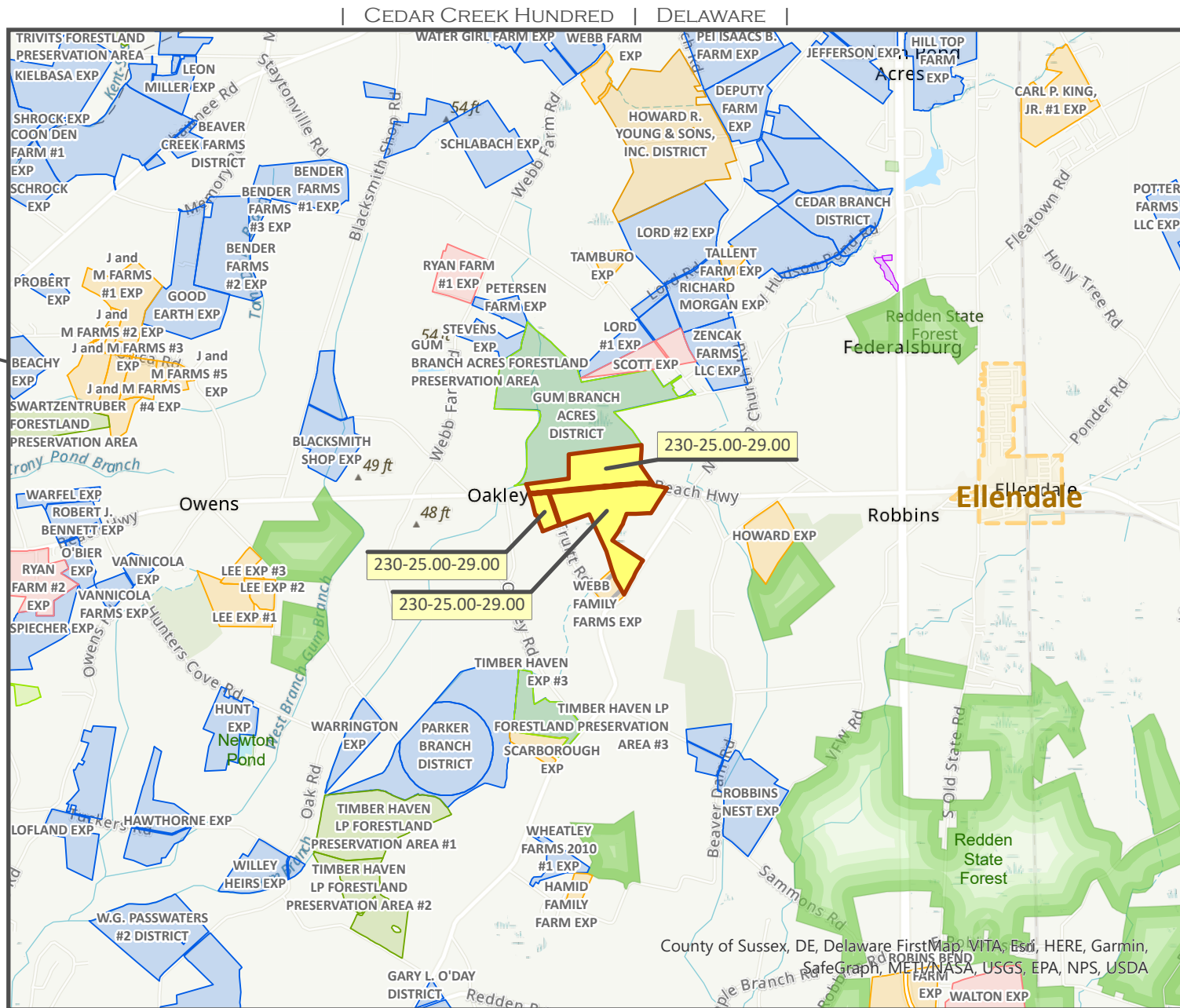


AGRICULTURAL PRESERVATION DISTRICT

 Farm Parcel Boundary
 Public Protected Lands
 Project ID: S-21-10-297

Total Preserved Acres: 250.51
 Program Status: Pending
 Priority Zone: No


Parcel ID	County	Acres
230-25.00-29.00	Sussex	250.51







DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

Lauren Frick - Planner III
 Delaware Dept of Agriculture
 2320 S. Dupont Hwy
 Dover, DE 19901

Pending / Contingent

 Contingent
 Pending

 Agricultural Easement
 Agricultural District
 Agricultural Expansion

 Forestland Area
 Forestland Easement
 Young Farmer



THIS PLAN IS A COMPILATION OF
 AVAILABLE INFORMATION OF RECORD
 AND IS NOT TO BE USED FOR
 ENGINEERING PURPOSES.

Exported: 10/20/2021

EXHIBIT A

WEBB FAMILY FARMS DISTRICT

Project ID: S-21-10-297
Total Preserved Acres: 250.51

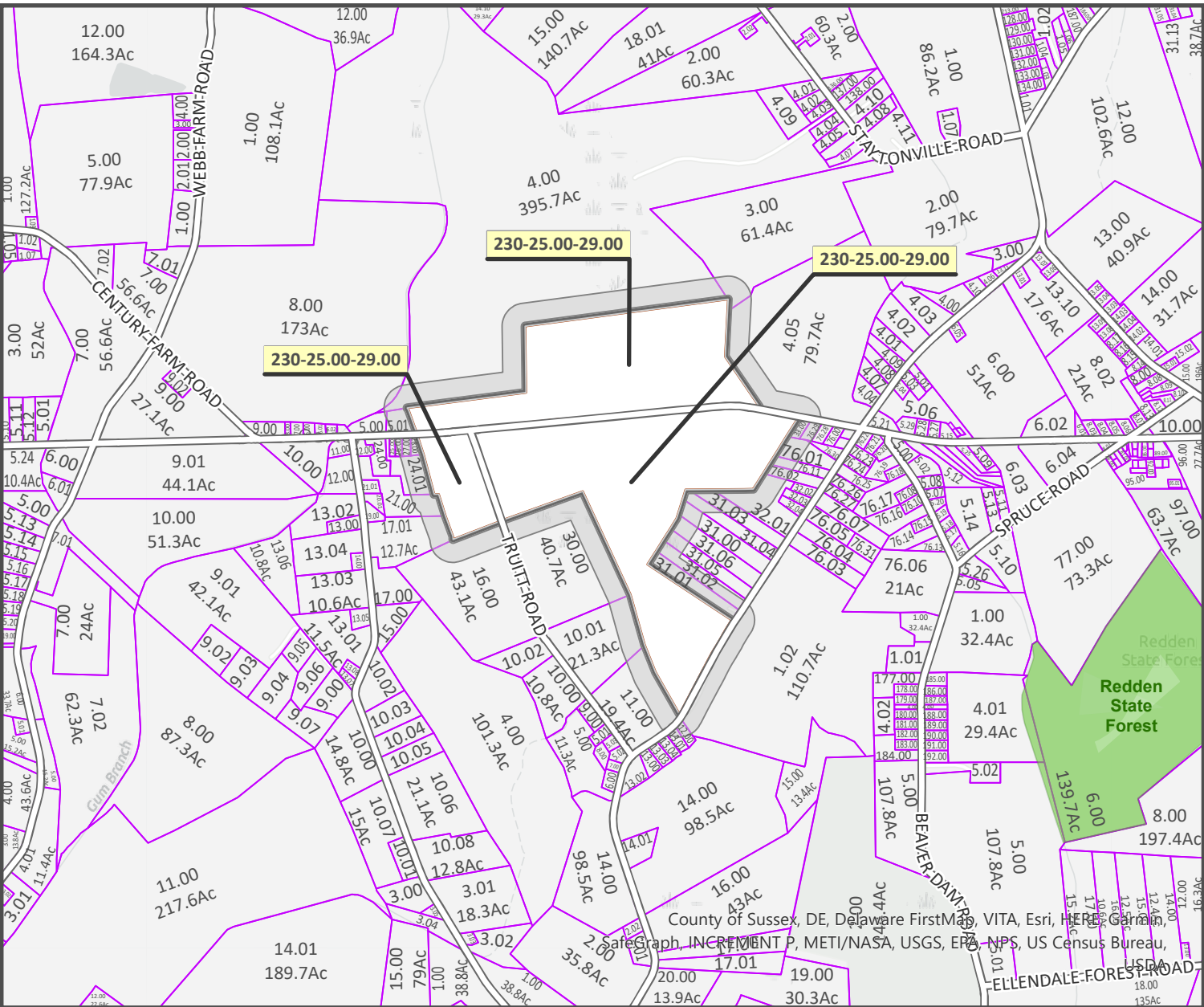
Parcel ID	County Acres
230-25.00-29.00	Sussex 250.51

50 feet

IS THE 50' BOUNDARY LINE FROM AG DISTRICT; NO BUILDINGS FOR NON-AG PURPOSES CAN BE CONSTRUCTED INSIDE THIS AREA. "FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN FIFTY (50) FEET OF THE BOUNDARY OF AN AGRICULTURAL PRESERVATION DISTRICT, NO IMPROVEMENT REQUIRING AN OCCUPANCY APPROVAL SHALL BE CONSTRUCTED WITHIN FIFTY (50) FEET OF THE BOUNDARY OF THE AGRICULTURAL PRESERVATION DISTRICT," PURSUANT TO 3 DEL. C. ss910 (a) (2)

300 feet

IS THE 300' BOUNDARY LINE; NOTICE MUST BE GIVEN TO ALL NEW HOMEOWNERS IN NEW SUBDIVISIONS FILED AFTER THE APPROVAL DATE OF THIS DISTRICT. "FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN THREE HUNDRED (300) FEET OF THE BOUNDARY OF AN AGRICULTURAL PRESERVATION DISTRICT, THE OWNER SHALL PROVIDE IN THE DEED RESTRICTIONS AND ANY LEASES OR AGREEMENTS OF SALE FOR ANY RESIDENTIAL LOT OR DWELLING UNIT THE FOLLOWING NOTICE: 'AGRICULTURAL PRESERVATION DISTRICT: THIS PROPERTY IS LOCATED IN THE VICINITY OF AN ESTABLISHED AGRICULTURAL PRESERVATION DISTRICT IN 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 FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USE ACTIVITIES.'" PURSUANT TO 3 DEL. C. ss910 (a) (1)



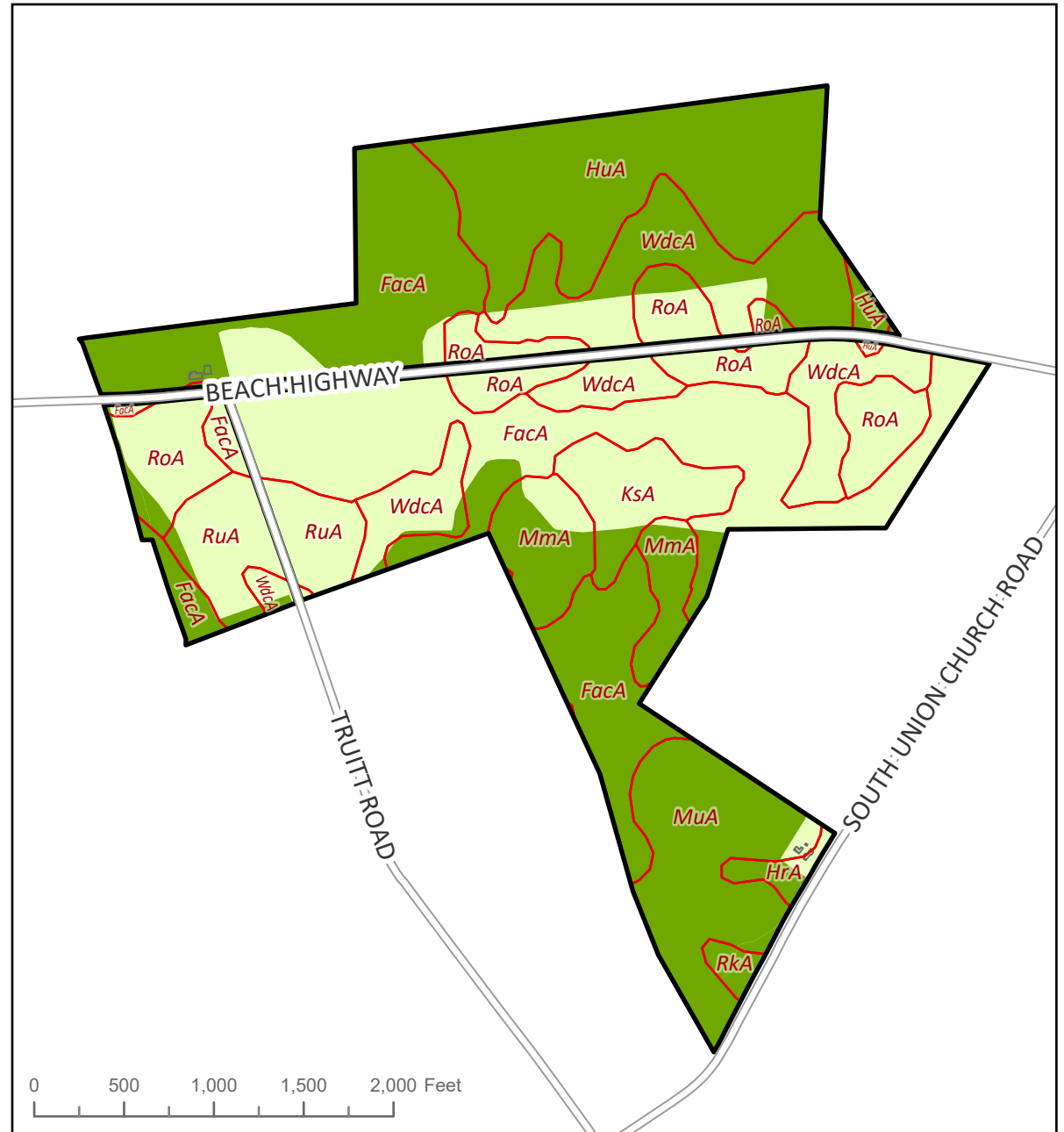
DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION HEREBY CERTIFIES THAT THE PROPERTIES SHOWN AND DESCRIBED ON THIS PLAN, AND SUBJECT TO AN AGRICULTURAL PRESERVATION DISTRICT AGREEMENT FILED AND RECORDED WITH THE RECORDER OF DEEDS IN AND FOR SUSSEX COUNTY, DELAWARE, CONSTITUTE AN AGRICULTURAL PRESERVATION DISTRICT AS PROVIDED IN LEGAL REF. 3 DEL. C. CHAP. 9. FURTHER, I WITNESS THAT THIS DISTRICT HAS BEEN PROPERLY APPROVED AND THAT THE FOUNDATION DESIRES THAT THIS PLAN BE RECORDED ACCORDING TO LAW.

WEBB FAMILY FARMS DISTRICT

NRCS Soils Present

- FacA, Fallsington sandy loams, 0 to 2 percent slopes, Mid-Atlantic Coastal Plain
- HrA, Henlopen-Rosedale complex, 0 to 2 percent slopes
- HuA, Hurlock loamy sand, 0 to 2 percent slopes
- KsA, Klej loamy sand, 0 to 2 percent slopes
- MmA, Mullica mucky sandy loam, 0 to 2 percent slopes
- MuA, Mullica-Berryland complex, 0 to 2 percent slopes
- RkA, Rockawalkin loamy sand, 0 to 2 percent slopes
- RoA, Rosedale loamy sand, 0 to 2 percent slopes
- RuA, Runclint loamy sand, 0 to 2 percent slopes
- WdcA, Woodstown sandy loam, 0 to 2 percent slopes, Mid-Atlantic Coastal Plain

Parcel ID	Class	Soil	Rating	Acres
230-25.00-29.00	Agriculture	FacA	Farmland of statewide importance	43.720
230-25.00-29.00	Agriculture	HrA	Prime farmland if irrigated	0.575
230-25.00-29.00	Agriculture	HuA	Farmland of statewide importance	0.308
230-25.00-29.00	Agriculture	KsA	Farmland of statewide importance	8.305
230-25.00-29.00	Agriculture	MmA	Prime farmland if drained	2.039
230-25.00-29.00	Agriculture	MuA	Prime farmland if drained	0.664
230-25.00-29.00	Agriculture	RoA	Prime farmland if irrigated	22.857
230-25.00-29.00	Agriculture	RuA	Not prime farmland	12.460
230-25.00-29.00	Agriculture	WdcA	All areas are prime farmland	23.050
230-25.00-29.00	Forest	FacA	Farmland of statewide importance	44.983
230-25.00-29.00	Forest	HrA	Prime farmland if irrigated	1.463
230-25.00-29.00	Forest	HuA	Farmland of statewide importance	37.047
230-25.00-29.00	Forest	KsA	Farmland of statewide importance	1.384
230-25.00-29.00	Forest	MmA	Prime farmland if drained	10.651
230-25.00-29.00	Forest	MuA	Prime farmland if drained	21.268
230-25.00-29.00	Forest	RkA	Prime farmland if irrigated	1.442
230-25.00-29.00	Forest	RoA	Prime farmland if irrigated	2.572
230-25.00-29.00	Forest	RuA	Not prime farmland	0.795
230-25.00-29.00	Forest	WdcA	All areas are prime farmland	14.927



Total: 250.51 Ac
 Cropland: 113.98 Ac
 Forest: 136.53 Ac

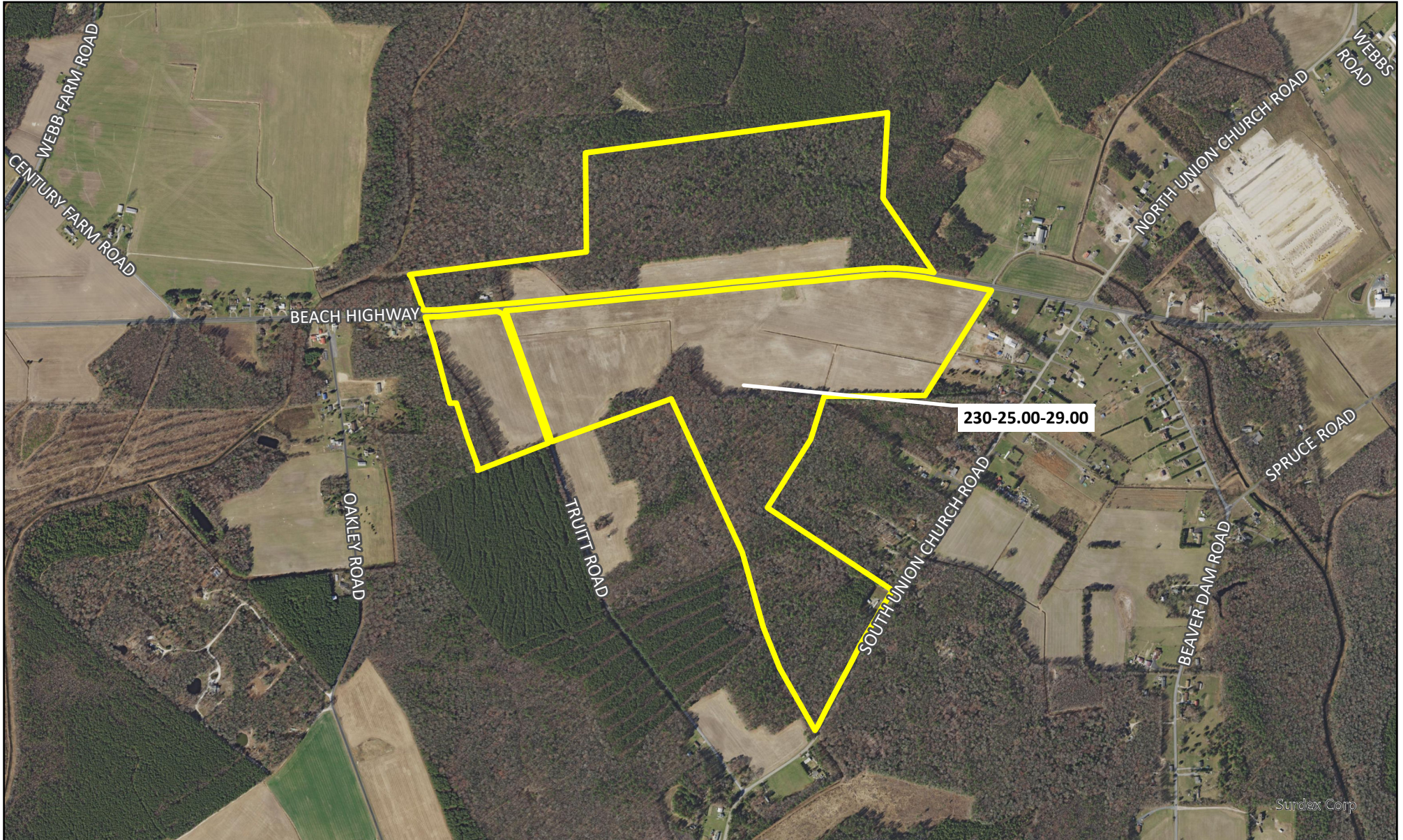
Prime Soil: 237.25 Ac
 Impervious Cover: 0.15 Ac
 Road Frontage: 9,408 Ft

Agriculture
 Forest
 Urban
 Wetland
 Other
 Impervious

EXHIBIT B

S-21-10-297

WEBB FAMILY FARMS DISTRICT



Lauren Frick - Planner III
Delaware Dept of Agriculture
2320 S. Dupont Hwy
Dover, DE 19901
Aerial Photo: April 2017
Exported: 10/20/2021

Parcel ID	Dwellings	Residential Acres	Road Frontage	Acres
230-25.00-29.00	0	0	9,408 ft	250.51

Farms in Agricultural Preservation are allowed 1 acre of residential land use for every 20 total acres, with a minimum of 1 and maximum of 10 acres. Up to 3 dwellings may be placed on the residential acres. Allowances may be further assigned to parcels by subsequent acknowledgements. Refer to the district agreement, easement, and any recorded acknowledgments for current allowances.



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



Sussex County

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PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

PLANNING & ZONING COMMISSION

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



Sussex County

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302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 4th, 2021

Application: CU 2273 Michael Parsons

Applicant: Michael Parsons
30274 Pecan Drive
Lewes, DE 19958

Owner: Michael Parsons
30274 Pecan Drive
Lewes, DE 19958

Site Location: 30274 Pecan Drive, Lewes

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Delivery of commercial parts for offsite sales

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Mrs. Stevenson

School District: Cape Henlopen School District

Fire District: Lewes Fire Department

Sewer: Septic (Private, On-Site)

Water: Well (Private, On-Site)

Site Area: 0.99 acres +/-

Tax Map ID.: 234-5.00-49.00





polygonLayer Override 1

polygonLayer Override 1

⋮ Tax Parcels

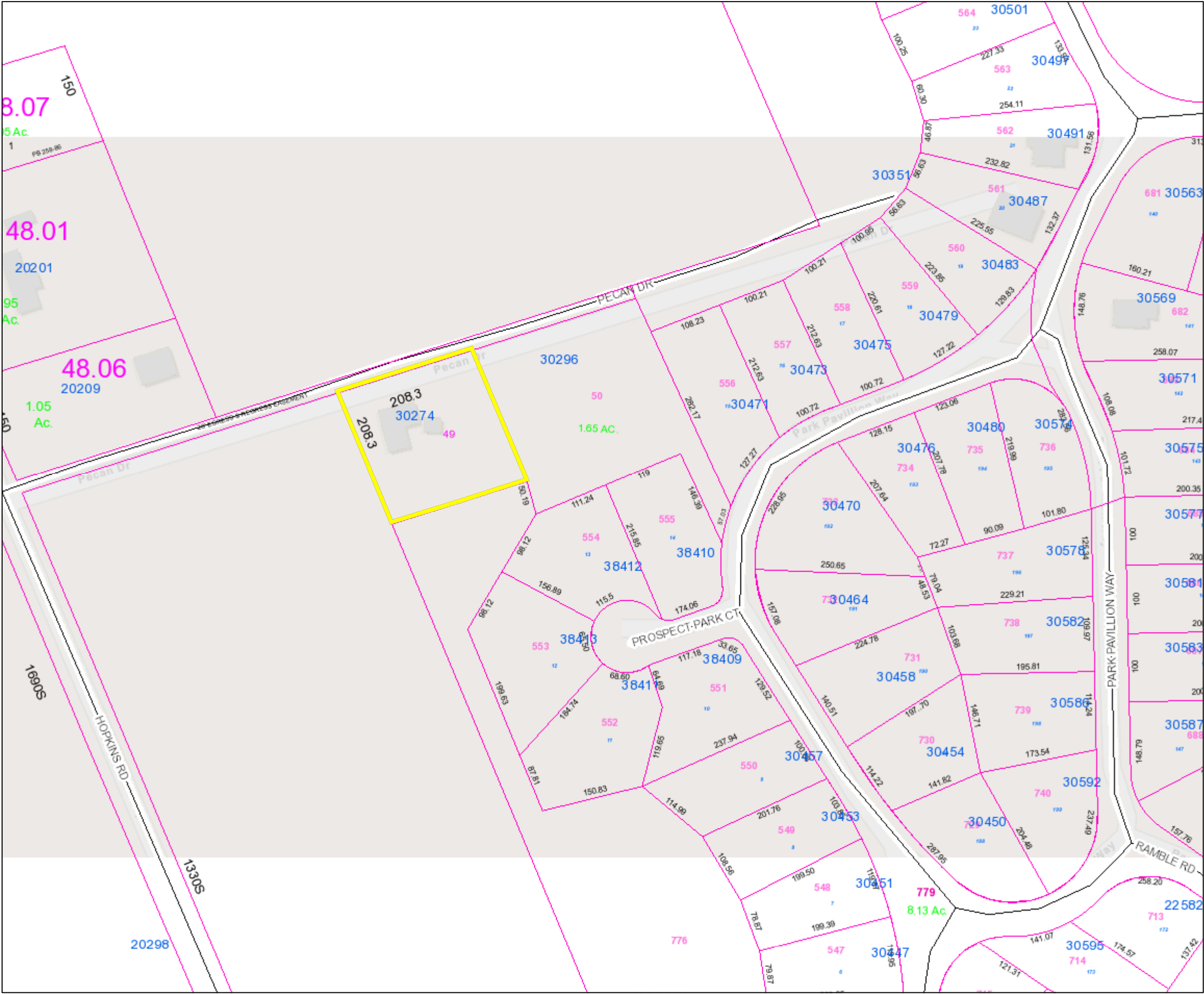
911 Address

— Streets

A graphic scale bar with two rows of markings. The top row is labeled in miles (mi) with values 0, 0.0275, 0.055, and 0.11. The bottom row is labeled in kilometers (km) with values 0, 0.0425, 0.085, and 0.17. The bar consists of a horizontal line with vertical tick marks corresponding to these values.



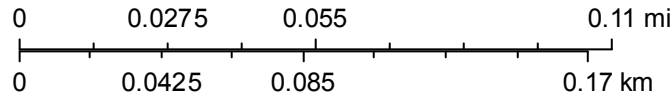
Sussex County

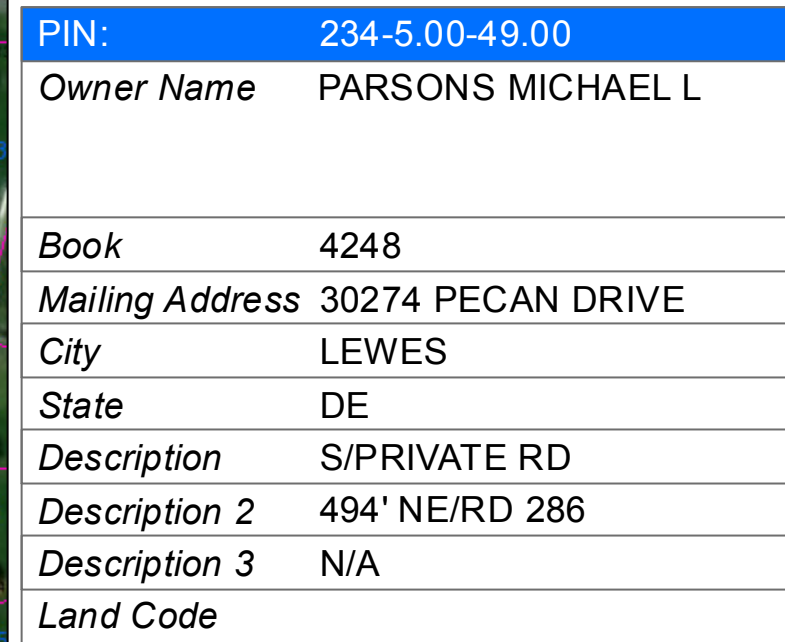


PIN:	234-5.00-49.00
Owner Name	PARSONS MICHAEL L
Book	4248
Mailing Address	30274 PECAN DRIVE
City	LEWES
State	DE
Description	S/PRIVATE RD
Description 2	494' NE/RD 286
Description 3	N/A
Land Code	

- polygonLayer
Override 1
- polygonLayer
Override 1
- Tax Parcels
- 911 Address
- Streets

1:2,257





— Streets

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



Sussex County

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Memorandum

To: Sussex County Planning Commission Members
From: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: October 28, 2021
RE: Staff Analysis for CU 2273 Michael Parsons

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2273 Michael Parsons to be reviewed during the November 4, 2021 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 234-5.00-49.00 to allow for deliveries of parts to be sold offsite. The parcel is lying on south side of Pecan Drive, approximately 475 feet east of Hopkins Road (S.C.R. 286). The parcel consists of 0.99 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 parcel has a designation of "Low Density". The surrounding and adjacent parcels to the north, south, east, and west also contain the "Low Density" Future Land Use Map designation.

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density areas are intended to support agricultural uses and low-density single-family housing. Specifically, the Comprehensive Plan states that single family homes have a density of up to two dwelling units to the acre. It is envisioned that the Low-Density Areas allow for businesses that support nearby residents and the agricultural economy. More intense commercial uses could be limited in scale and impact. While residential growth is expected, the Comprehensive Plan intends for the rural landscape to be maintained and for farmland to be preserved in select locations.

The subject property is zoned Agricultural Residential (AR-1). The adjacent properties to the north, south, east and west of the subject sites are also zoned Agricultural Residential (AR-1).

Since 2011, there have been eight (8) Conditional Use applications within a 1-mile radius of the application site. Please refer to the attached spreadsheet and map for a list of the Conditional Use applications.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow for deliveries of parts to be sold offsite, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



CU 2273 Michael Parsons
234-5.00-49.00

Name	Conditional Use No.	Tax Parcel #	APPLICANT	911 Address	Current Zoning	Proposed Use	P&Z Initial Hearing Date	P&Z Decision	P&Z Decision Date	CC Initial Hearing Date	CC Decision Date	CC Decision	Application Number	Application Rcvd Date	acreage	parcel id 2	parcel id 3
234-5.00-770.00	2082	234-5.00-770.00	Tidewater Utilities					Withdrawn				Withdrawn		12/6/2016		234-5.00-771.00	234-5.00-774.00
234-6.00-13.00	1932	234-6.00-13.00	Tanya Gibbs & Kimwuan Gibbs	Kendale Road (SCR. 287)	GR	Automotive Sales Lot	7/12/2012	Recommended Denial	8/23/2012	8/7/2012	1/15/2013	Denied		4/2/2012			
234-5.00-44.07	2006	234-5.00-44.07	Thomas/Laura Kucharik	19884 Beaver Dam Road, Lewes	AR-1	SEASONAL FARM STAND/GARDEN CENTER	1/22/2015	Recommended Approval	1/22/2015	2/17/2015	3/10/2015	Approved	201409171	10/16/2014	5.23		
234-5.00-44.06	2014	234-5.00-44.06	Jay Beach	Beaver Dam Road/Hopkins Road	AR-1	Landscaping and Site Work Business	4/9/2015	Recommended Approval	4/23/2015	5/19/2015	10/13/2015	Approved	201500651	1/28/2015	5.26		
334-10.00-53.00	2177	334-10.00-53.00	Ingrid Hopkins	30249 Fisher Rd.	AR-1	events venue	6/27/2019	Recommended Approval	7/18/2019	7/30/2019	7/30/2019	Approved	201902804	3/15/2019		334-10.00-55.00	334-10.00-56.00
234-5.00-46.04	2216	234-5.00-46.04	Kenneth Dominic Alton Drummond	20366 Hopkins Rd.	AR-1	Storage & residence for manager Quality Care Homes	7/23/2020	Recommended Approval	8/13/2020	8/25/2020	8/25/2020	Approved	201914497	12/18/2019	3.57		
334-10.00-69.01	2232	334-10.00-69.01	Covered Bridge Inn, LLC	Fisher Rd	AR-1	Wedding Event Space	8/13/2020	Recommended Approval	8/13/2020	9/22/2020	12/29/2020	Withdrawn	202005347	5/22/2020	98		
334-10.00-69.01	2280	334-10.00-69.01	Covered Bridge Inn, LLC	Fisher Rd	AR-1	Wedding Event Space (Resubmitted)	5/27/2021	Recommended Approval		7/13/2021	7/13/2021	Approved	202106150	4/22/2021	98		

File #: CU/2273
202102851

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

30274 Pecan Dr, Lewes, DE 19958

Type of Conditional Use Requested:

Delivery of commercial parts for offsite sale

Tax Map #: 234-5.00-49.00

Size of Parcel(s): 1 acre 43,388 sq. ft.

Current Zoning: AR-1 Proposed Zoning: _____ Size of Building: _____

Land Use Classification: _____

Water Provider: private

Sewer Provider: private

Applicant Information

Applicant Name: Michael Parsons

Applicant Address: 30274 Pecan Dr

City: Lewes

State: DE

Zip Code: 19958

Phone #: 302-430-3905

E-mail: snipsta262@MSN.COM

Owner Information

Owner Name: Same

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

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 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

- o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- o Provide a PDF of Plans (may be e-mailed to a staff member)
- o 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 my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Michael Parsons

Date: 2-25-2021

Signature of Owner

Michael Parsons

Date: 2-25-2021

For office use only:

Date Submitted: 2/26/2021

Fee: \$500.00 Check #: _____

Staff accepting application: JP

Application & Case #: 20210281

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

NICOLE MAJESKI
SECRETARY

February 15, 2021

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Michael Parsons** proposed land use application, which we received on February 8, 2021. This application is for an approximately 1.0-acre parcel (Tax Parcel: 234-5.00-49.00). The subject land is located on the south side of Pecan Drive, a privately-maintained subdivision street, east of its intersection with Hopkins Road. The subject land is currently zoned AR-1 (Agricultural Residential) and the applicant seeks a conditional use approval for delivering/receiving of commercial parts for off-site sale (no onsite sales). Deliveries would be on Thursdays.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Hopkins Road where the subject land is located, which is from Fisher Road to Beaver Dam Road, is 917 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** 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 diminutive with regard to warranting a TIS does not mean that it is diminutive 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.



Mr. Jamie Whitehouse
Page 2 of 2
February 15, 2021

Please contact Ms. Annamaria Fumato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Michael Parsons, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, 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
Annamaria Fumato, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **10/18/2021**

APPLICATION: **CU 2273 Michael Parsons**

APPLICANT: **Michael Parsons**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **234-5.00-49.00**

LOCATION: **30274 Pecan Drive, Lewes, DE**

NO. OF UNITS: **Delivery of commercial parts for offsite sales.**

GROSS
ACREAGE: **0.99**

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

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes ☐ No ☒
- a. If yes, see question (2).
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 3**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

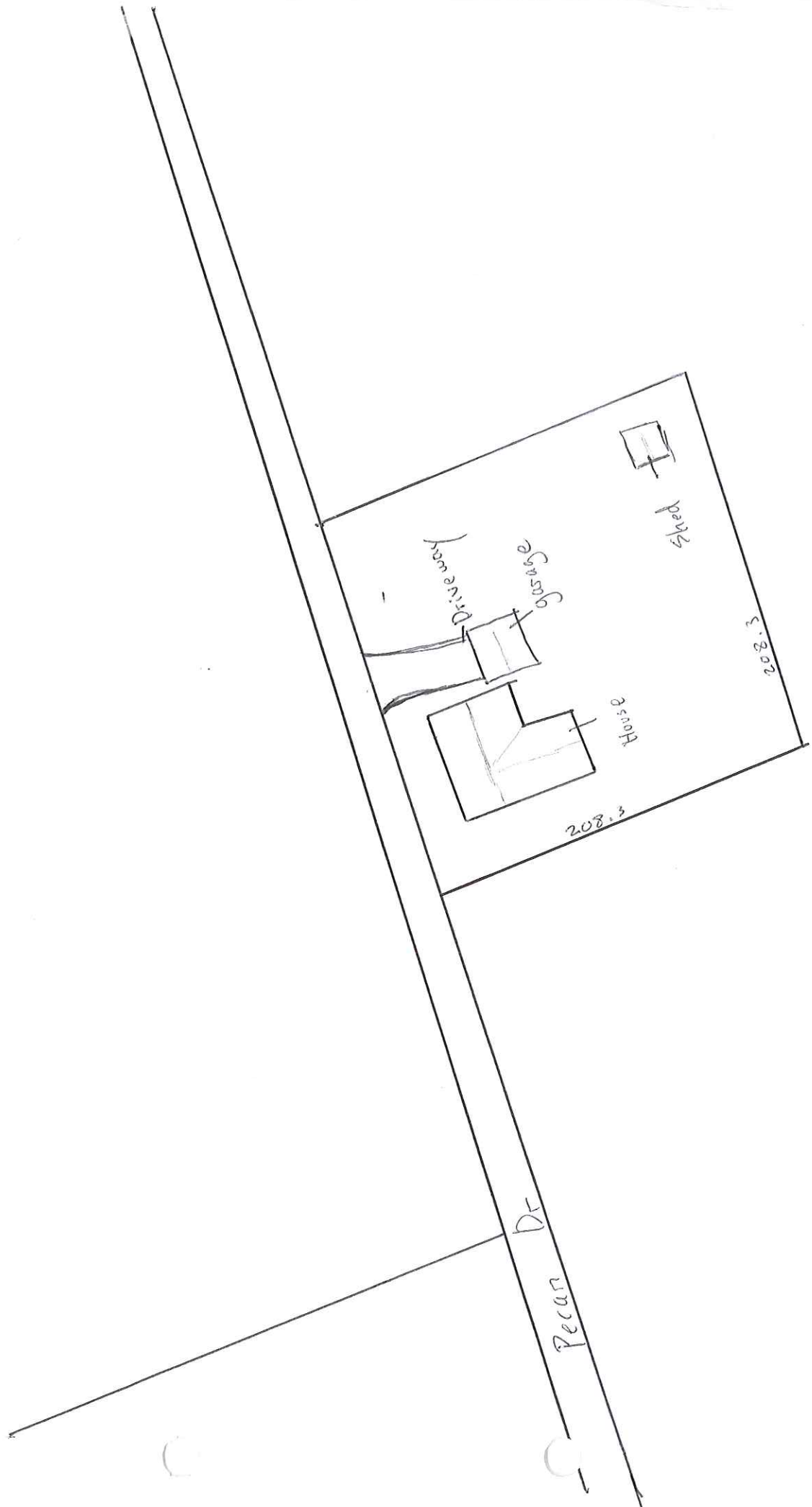
- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- ☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Conditional Use is not located in an area where the Sussex County Engineering Department has a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.
Lisa Walls
No Permit Tech Assigned



208.3 FT



Sussex County



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



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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 4th, 2021

Application: CU 2314 Millsboro Fire Company

Applicant: Millsboro Fire Company
P.O. Box 83
109 East State Street
Millsboro, DE 19966

Owner: Michael H. Nauman
29 Blairs Pond Road
Houston, DE 19954

Site Location: 30134 Millsboro Highway, Millsboro

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Fire Department Substation

Comprehensive Land
Use Plan Reference: Developing Area

Councilmanic
District: Mr. Rieley

School District: Indian River School District

Fire District: Millsboro Fire Department

Sewer: Septic (Private, On-Site)

Water: Well (Private, On-Site)

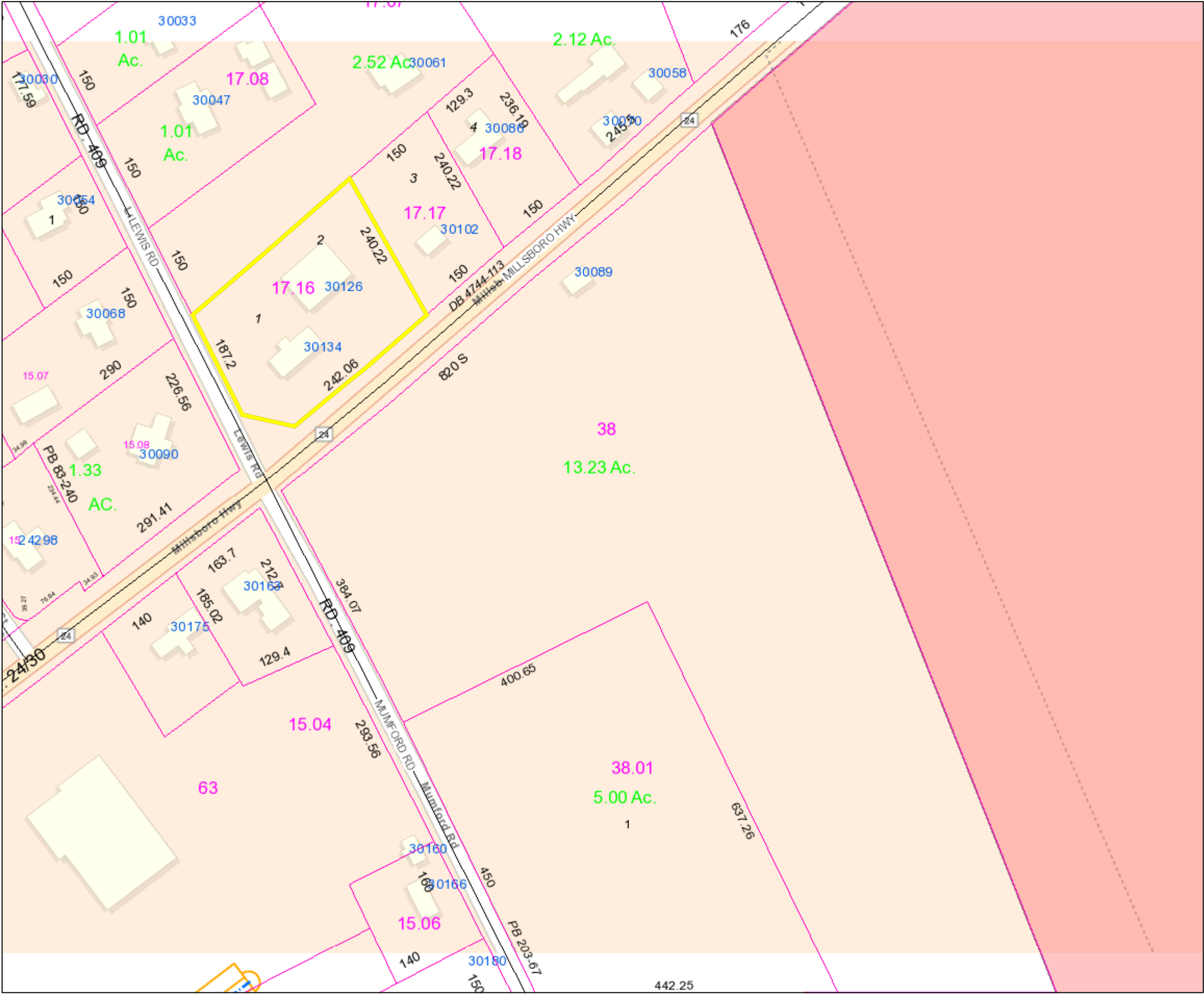
Site Area: 1.54 acres +/-

Tax Map ID.: 133-20.00-17.16





Sussex County



PIN:	133-20.00-17.16
Owner Name	NAUMAN MICHAEL H
Book	4994
Mailing Address	29 BLAIRS POND RD
City	HOUSTON
State	DE
Description	G DONAWAY LANDS
Description 2	LOTS 1 2 NW INT
Description 3	RT 24 RD 409
Land Code	

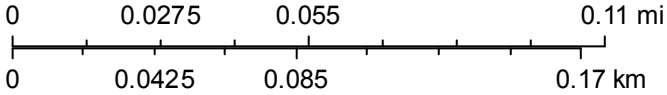
- polygonLayer

Override 1
- polygonLayer

Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Tax Ditch Segments

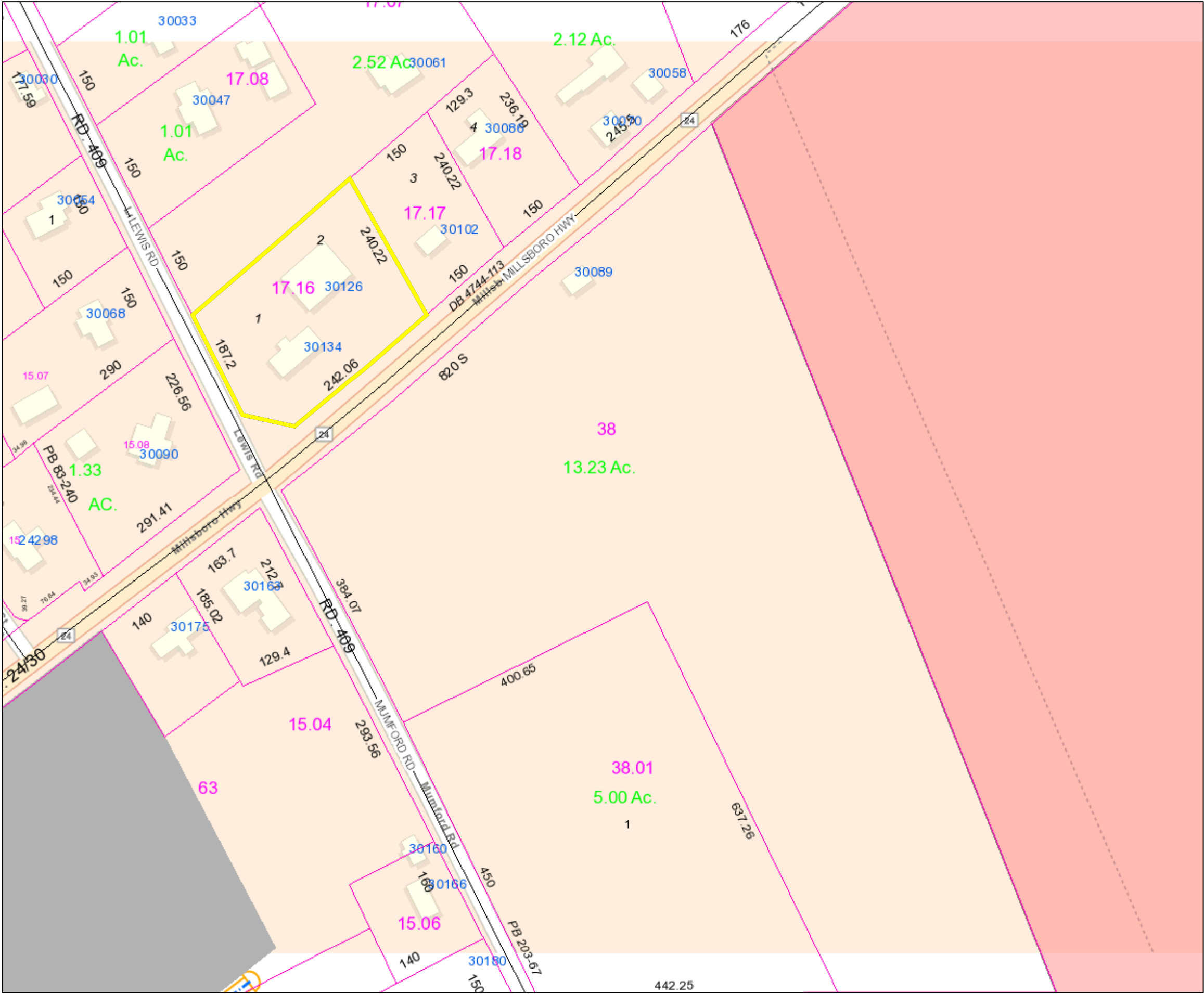
Tax Ditch Channel
- Pond Feature
- Special Access ROW
- Extent of Right-of-Way
- Municipal Boundaries
- TID

1:2,257





Sussex County

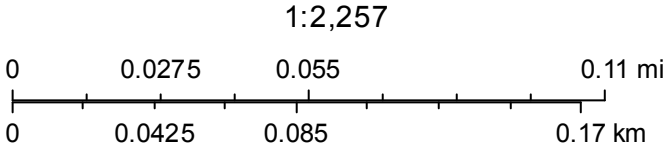


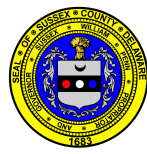
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Land Code	

- polygonLayer

Override 1
- polygonLayer

Override 1
- Tax Parcels
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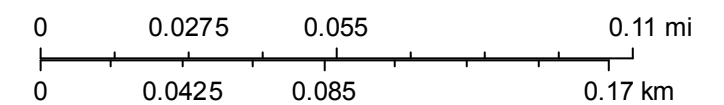
Sussex County



PIN:	133-20.00-17.16
Owner Name	NAUMAN MICHAEL H
Book	4994
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State	DE
Description	G DONAWAY LANDS
Description 2	LOTS 1 2 NW INT
Description 3	RT 24 RD 409
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
911 Address
Streets

1:2,257



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jamie.whitehouse@sussexcountye.gov



Sussex County

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sussexcountye.gov

Memorandum

To: Sussex County Planning Commission Members
From: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: October 28, 2021
RE: Staff Analysis for CU 2314 Millsboro Fire Company

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2314 Millsboro Fire Company to be reviewed during the November 4, 2021 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 133-20.00-17.16 to allow for a fire department substation. The parcel is lying on the northeast corner of Lewis Road (S.C.R. 409) and Millsboro Highway (Rt. 24). The parcel consists of 0.154 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 parcel has a designation of "Developing Area." The surrounding and adjacent to the north, south, and east also contain the "Developing Area" land use designation. The properties on the opposite side of Lewis Road contain the "Low Density" land use designation. The property on the southwest side of Millsboro Highway contains the "Industrial" land use designation.

As outlined within the 2018 Sussex County Comprehensive Plan, Developing Areas are newer, emerging growth areas that demonstrate the characteristics of developmental pressures. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers. – 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 the 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 subject property is zoned Agricultural Residential (AR-1). The adjacent properties to the north, south, east and west of the subject sites are also zoned Agricultural Residential (AR-1). A property further west on the south side of Millsboro Highway is zoned Light Industrial (LI-2).

Since 2011, there has been one (1) Conditional Use application within a 1-mile radius of the application site. Conditional Use No. 2008 was approved by the Sussex County Council on



Tuesday, April 21, 2015, through Ordinance No. 2395, to allow for a trucking business and parking of vehicles.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow for a fire department substation, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CU 2314
202113987

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

SEP 22 2021

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)

Conditional Use ☒

Zoning Map Amendment ☐

Site Address of Conditional Use/Zoning Map Amendment

30134 Millsboro Hwy, Millsboro DE 19966

Type of Conditional Use Requested:

Request for an ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a Fire Department Substation for the Millsboro Fire Company, Inc.

Tax Map #: 133-20.00-17.16

Size of Parcel(s): 1.54 acres

Current Zoning: AR-1

Proposed Zoning: AR-1

Size of Building: 60' x 80' detached garage

Land Use Classification: RS - Residential Single Family

Water Provider: Private

Sewer Provider: Private

Applicant Information

Applicant Name: Millsboro Fire Company

Applicant Address: PO Box 83 109 East State Street

City: Millsboro

State: DE

Zip Code: 19966

Phone #: (302) 934-8359

E-mail: president@millsborofire.com

Owner Information

Owner Name: Michael H. Nauman

Owner Address: 29 Blairs Pond Rd

City: Houston

State: DE

Zip Code: 19954

Phone #: (302) 242-7526

E-mail: N/A

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: George Smith, Esq. (Sergovic, Carmean, Weidman, McCartney, Owens, PA)

Agent/Attorney/Engineer Address: 25 Chestnut Street

City: Georgetown

State: DE

Zip Code: 19947

Phone #: (302) 542-2216

E-mail: buck@sussexattorney.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

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

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

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

Signature of Applicant/Agent/Attorney

Date: 9/20/21

Signature of Owner

Date: 8/15/21

For office use only:

Date Submitted: _____

Staff accepting application: _____

Location of property: _____

Fee: \$500.00 Check #: _____

Application & Case #: _____

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____



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

NICOLE MAJESKI
SECRETARY

August 4, 2021

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Millsboro Fire Company** proposed land use application, which we received on July 29, 2021. This application is for an approximately 1.54-acre parcel (Tax Parcel: 133-20.00-17.16). The subject land is located on the northeast corner of Millsboro Highway (State Route 24) and Mumford Road (Sussex Road 409). The subject land is currently zoned AR-1 (Agriculture Residential) with a conditional use approval to replace the existing house and garage with a Fire Department Substation.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along Millsboro Highway from Delaware Avenue to Phillips Hill Road, are 4,790 and 6,159 vehicles per day, respectively. The annual average daily traffic volume along Mumford Road is 1,140 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.



Mr. Jamie Whitehouse
Page 2 of 2
August 4, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Millsboro Fire Company, Applicant
Nicholas Torrance, Sussex County Planning & Zoning
Elliott Young, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, 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
Annamaria Furmato, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **10/18/2021**

APPLICATION: **CU 2314 Millsboro Fire Company**

APPLICANT: **Millsboro Fire Company**

FILE NO: **WSPA -5.02**

TAX MAP &
PARCEL(S): **133-20.00-17.16**

LOCATION: **30134 Millsboro Highway**

NO. OF UNITS: **Fire Department Substation**

GROSS
ACREAGE: **1.54**

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**

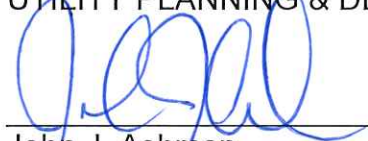
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

- (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? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** 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? **N/A**
- (8). Comments: **The proposed Conditional Use is within the Growth and Annexation Area of the Town of Millsboro. Contact the Town of Millsboro to determine the availability of sanitary sewer and water.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Sr. Manager of Utility Planning & Design Review

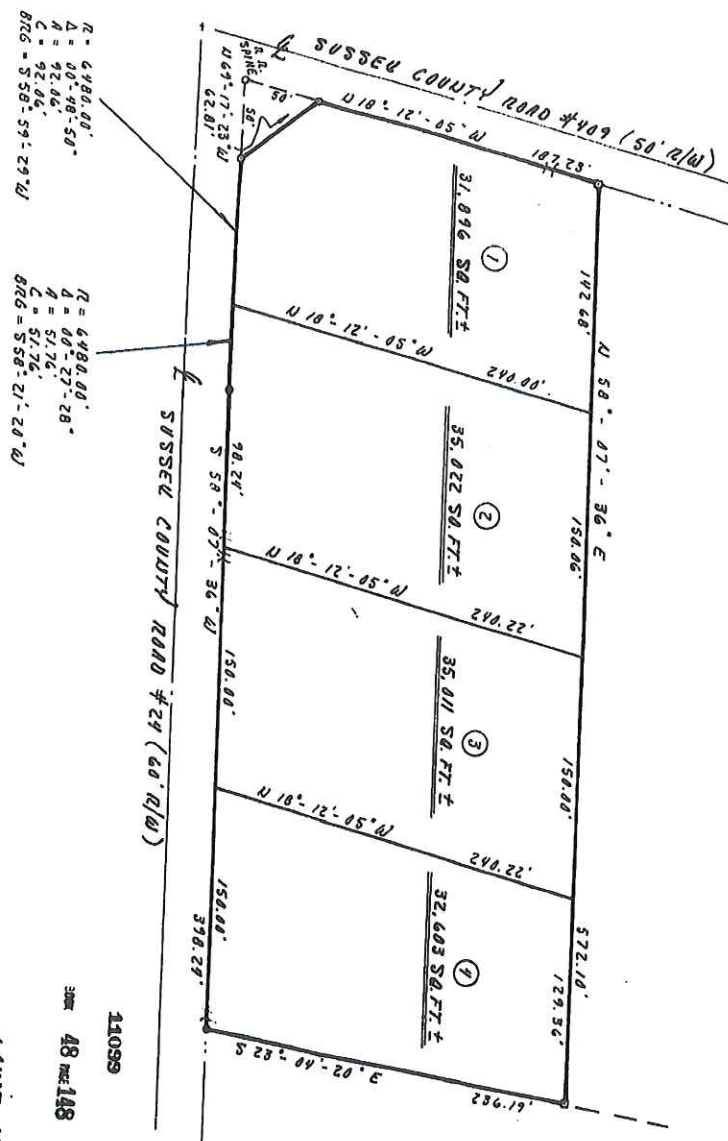
Xc: Hans M. Medlarz, P.E.
Lisa Walls
No Permit Tech Assigned

DOC. SUBC. 1-33-20-17
52 JUN - 4 AM D.L.A.
RECORDS DEEDS
SUSSEX COUNTY

LANDS OF
DOUGLAS L. WARD

LANDS OF
HAROLD B. WARD
538-907 & 673-556

- CONC. MOD.
- PIPE
- POINT



N = 6480.00'
Δ = 00°-48'-50"
A = 92.46'
C = 92.46'
B/C = 558°-59'-29"W

N = 6480.00'
Δ = 00°-27'-28"
A = 51.76'
C = 51.76'
B/C = 558°-21'-20"W

NOTE: ALL ENTRANCE PERMITS
MUST BE OBTAINED FROM THE
COUNTY ENGINEER'S OFFICE
BEFORE ANY CONSTRUCTION
WORK IS DONE ON THE ROAD
RIGHT-OF-WAY. SEE 1991
STATE OF DELAWARE
REVENUE CODE, TITLE 21, SECTION 101.

MILLER LEWIS, INC.		DELAWARE	
LAND	SUNBELT	DELAWARE	DELAWARE
SEARCHED	INDEXED	SERIALIZED	FILED
MAY 10, 1992		MAY 10, 1992	
340039 (5) 1500		340039 (5) 1500	

GERTRUDE M. DOUGLASS
3.1165 ACRES ±

11099
300 48 ME 188





Dagsboro Volunteer Fire Department

Serving our Communities Since 1943

FIRE • RESCUE • EMERGENCY MEDICAL SERVICES

Physical Address: 28331 Clayton Street Dagsboro, Delaware

Mailing Address: PO Box 128 Dagsboro De 19939

Voice: (302) 732-6151 & (302) 732-1089 ♦ Fax: (302) 732-

July 16, 2021

To whom it may concern,

In regards to the request from the leadership of the Millsboro Volunteer Fire Company in an attempt to gain support on future endeavors to obtain additional property for the use of establishing a secondary substation west side of Dupont Boulevard. Following several conversations with Millsboro Fire Chief Dennis Swain, it was explained that with the current traffic conditions additionally showing no signs of relief in or around the town of Millsboro along with the majority of their responding members residing west of Dupont Boulevard, we also feel it would be beneficial to the citizens of the Millsboro Fire Company's current response area and support their decision in obtaining this property. Should anyone have any further questions from the leadership of the Dagsboro Volunteer Fire Department in reference to this matter please feel free to reach out to us at any time.

Respectfully Submitted,

Dylan Betts

DVFD Fire Chief

(302) 245-9814

Alden Townsend

DVFD President

(302) 462-6834



The Desire To Serve, The Ability To Perform, The Courage To Act

P.O. Box 77, Georgetown, DE 19947 • Fire Station (302) 856-7700 • Fax (302) 855-1080

Ron Marvel
Chairman, Delaware State Fire Prevention Commission
1463 Chestnut Grove Road
Dover, DE. 19904

July 14, 2021

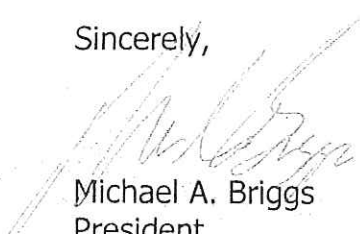
Dear Ron,

The Officers and Members of Georgetown Fire Company submit this correspondence as a letter of support for Millsboro Fire Company and its endeavors towards establishing a substation. Millsboro has been, and continues to be, a well-managed and dedicated partner in the delivery of Fire, Rescue and EMS service and the addition of a substation will serve to improve their already unwavering performance.

Therefore, we respectfully request the Commission grant Millsboro Fire Company permission to operate a substation within their district.

We Remain, At Your Service

Sincerely,


Michael A. Briggs
President


Mark Rogers
Fire Chief



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

(302) 739 - 3160
FAX (302) 739 - 4436

1463 CHESTNUT GROVE ROAD
DOVER, DELAWARE 19904

July 22, 2021

President Ron O'Neal
Millsboro Fire Company, Inc.
P.O. Box 83
Millsboro, DE 19966

Dear President O'Neal:

The Fire Commission made a motion at their regular meeting on July 20, 2022 to grant a 6-month temporary sub-station permit to Millsboro Fire Company as presented on Route 24. Millsboro Fire Company will be responsible to reach out to the appropriate entities to secure all of the proper documents for a certificate of occupancy.

Please feel free to contact us if we can be of any further assistance.

Sincerely,

Ronald H. Marvel
Chairman

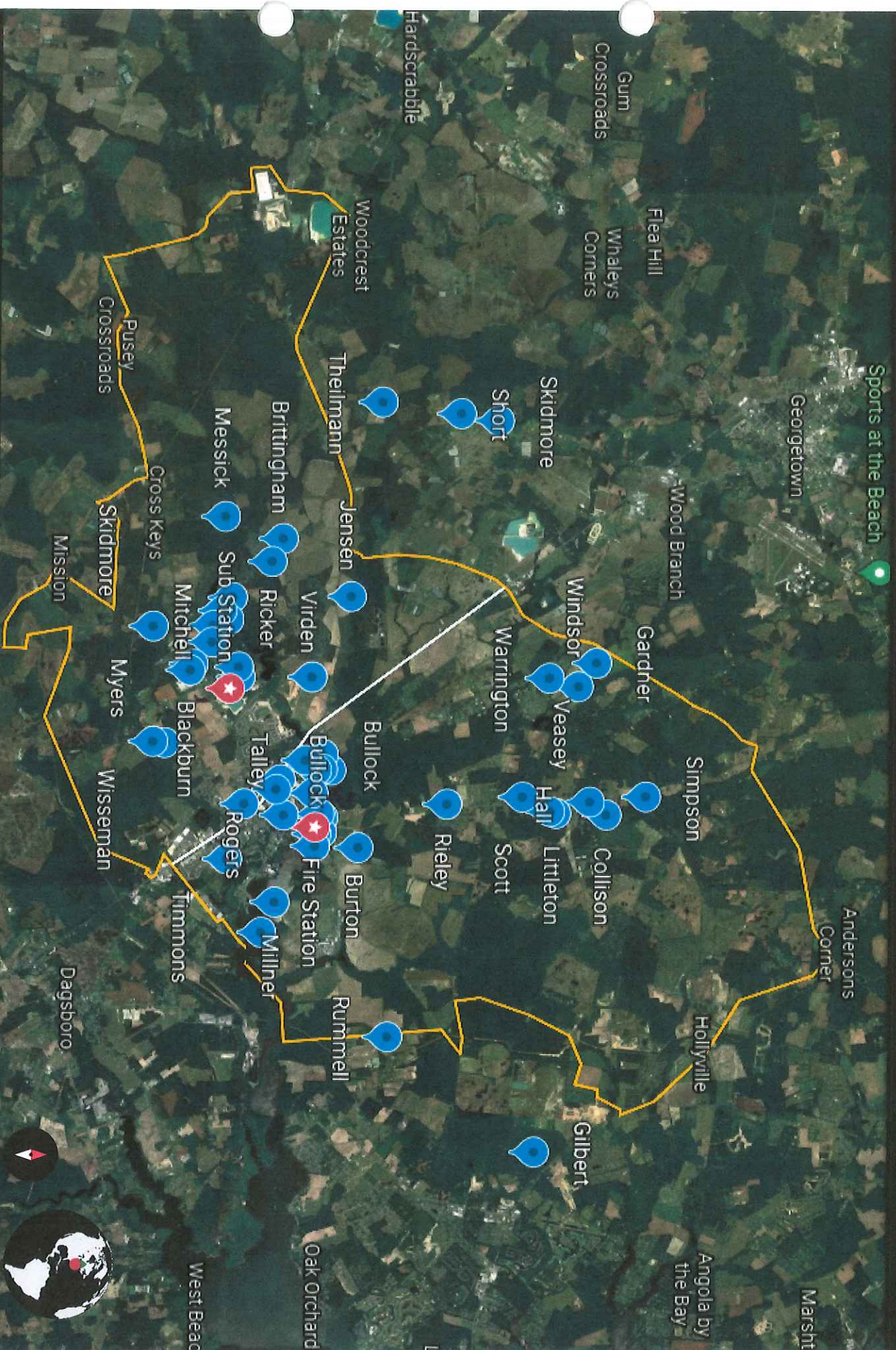
RM/sl

#1

You are currently running an experimental version of Earth.

[Learn more](#)

[Send feedback](#)



Google Earth

Data SIO, NOAA, U.S. Navy, NGA, GEBCO

5,000 m

Camera: 43 km 38°37'19"N 75°19'36"W

6 m



Map Key

Yellow = District boundary of Fire District #83 – Millsboro

White = U. S. Route 113

Blue = Homes of Millsboro Fire Company members

X



Map Key

Enlarged View of Fire District #83 – Millsboro Fire Company

West side of U. S. Route 113

Note Proposed Sub Station at Red balloon

Yellow = District boundary of Fire District #83 – Millsboro

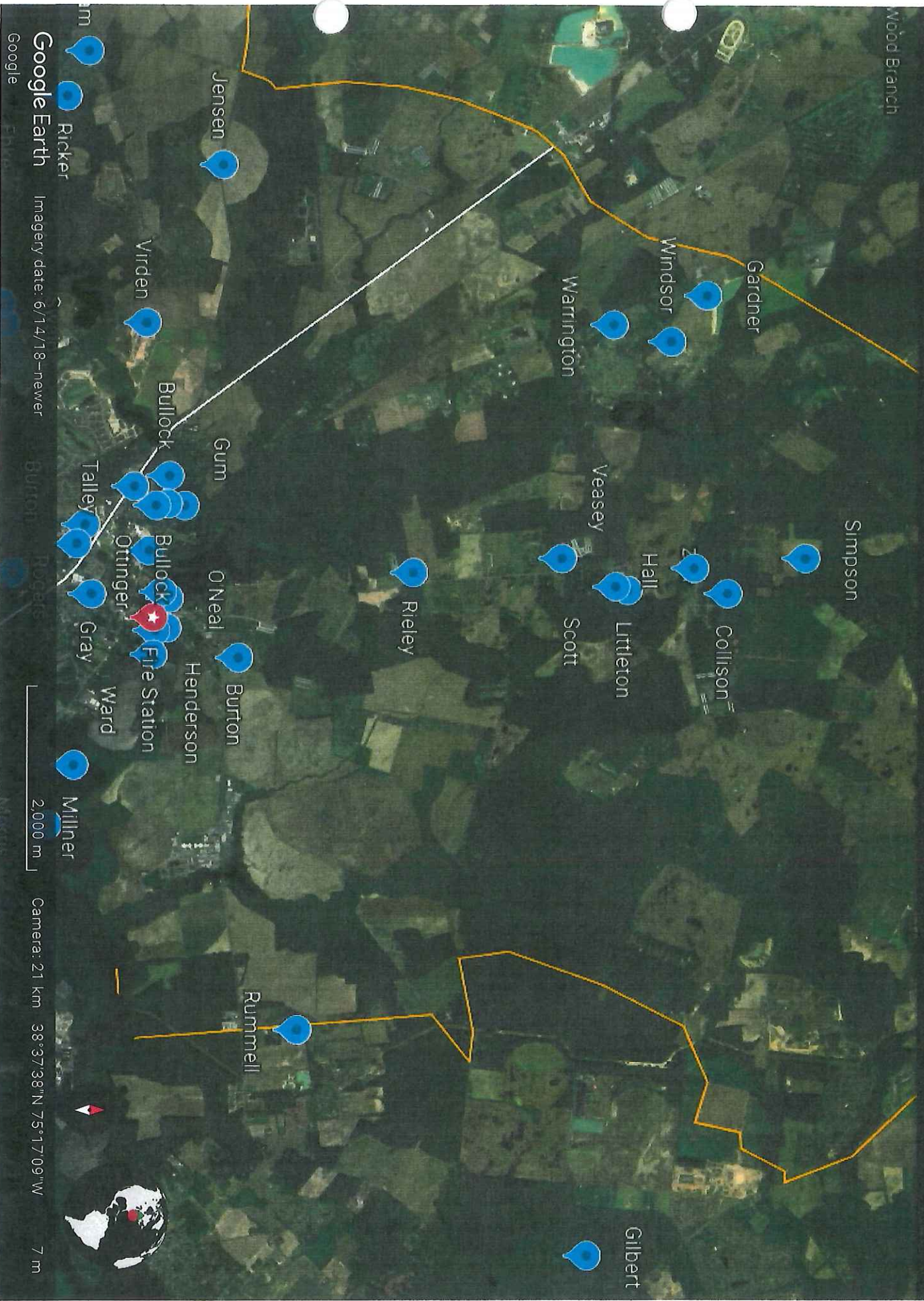
White = U. S. Route 113

Blue = Homes of Millsboro Fire Company members

You are currently running an experimental version of Earth.

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[Send feedback](#)



Google Earth

Imagery date: 6/14/18 - newer

Google

2,000 m

Camera: 21 km 38°37'38"N 75°17'09"W

7 m

Map Key

Enlarged View of Fire District #83 – Millsboro Fire Company

East side of U. S. Route 113

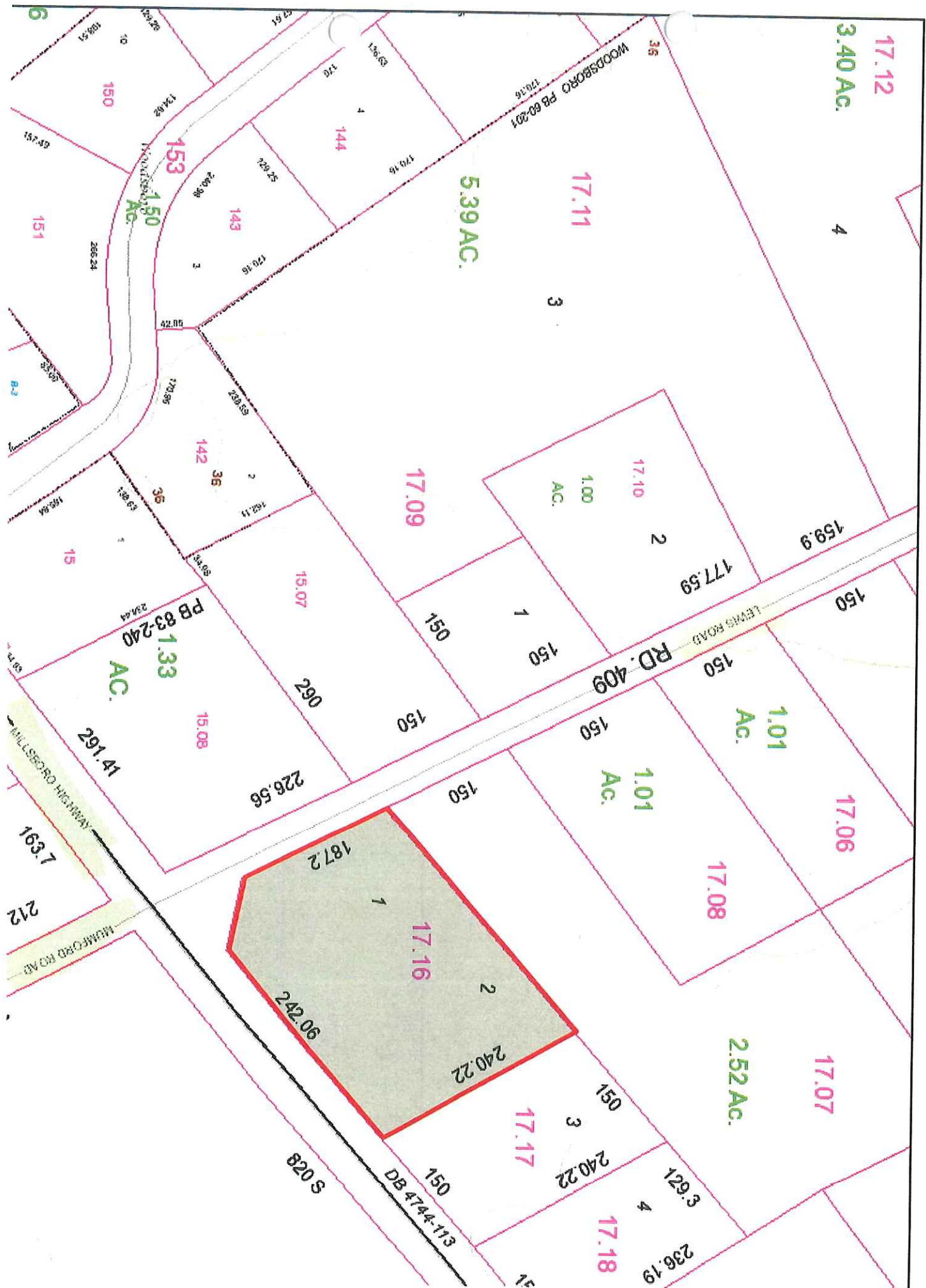
Note current Main Station at Red balloon

Yellow = District boundary of Fire District #83 – Millsboro

White = U. S. Route 113

Blue = Homes of Millsboro Fire Company members

30134 MILLSBORO HWY, MILL





MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83

MILLSBORO, DELAWARE 19966

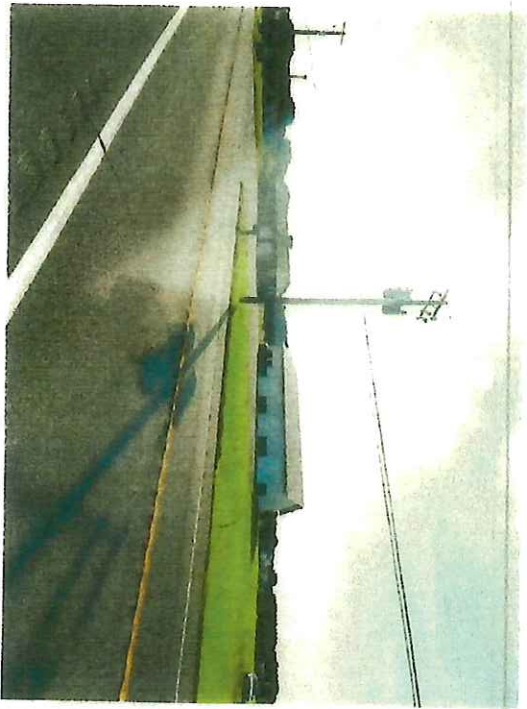
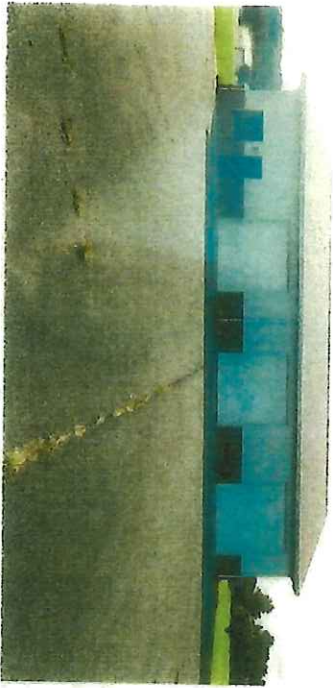
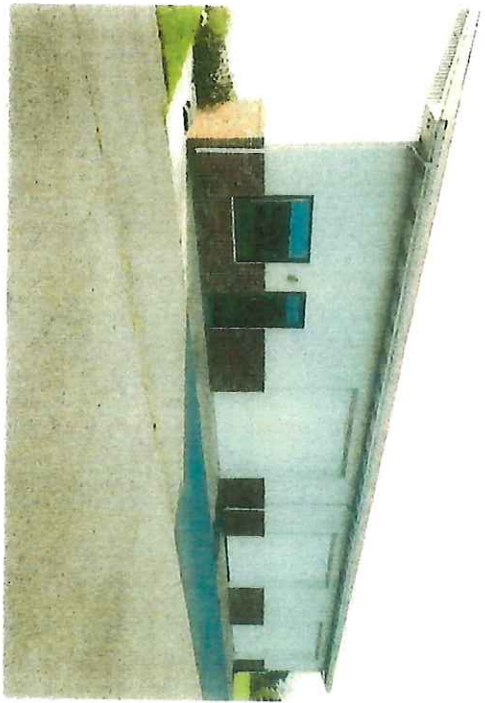
STATION PHONE

(302) 934-8359

FAX

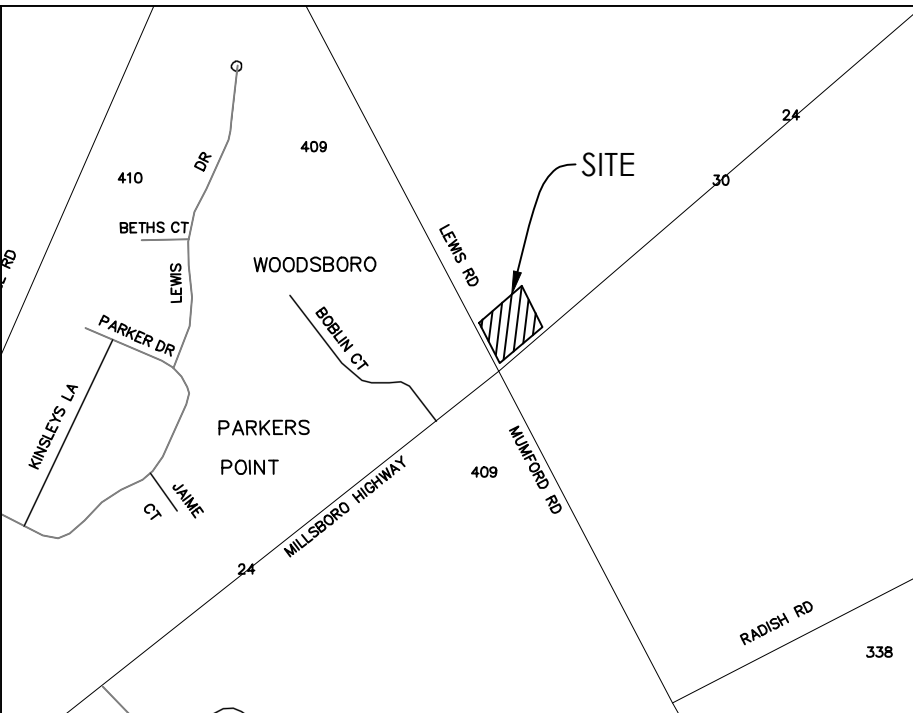
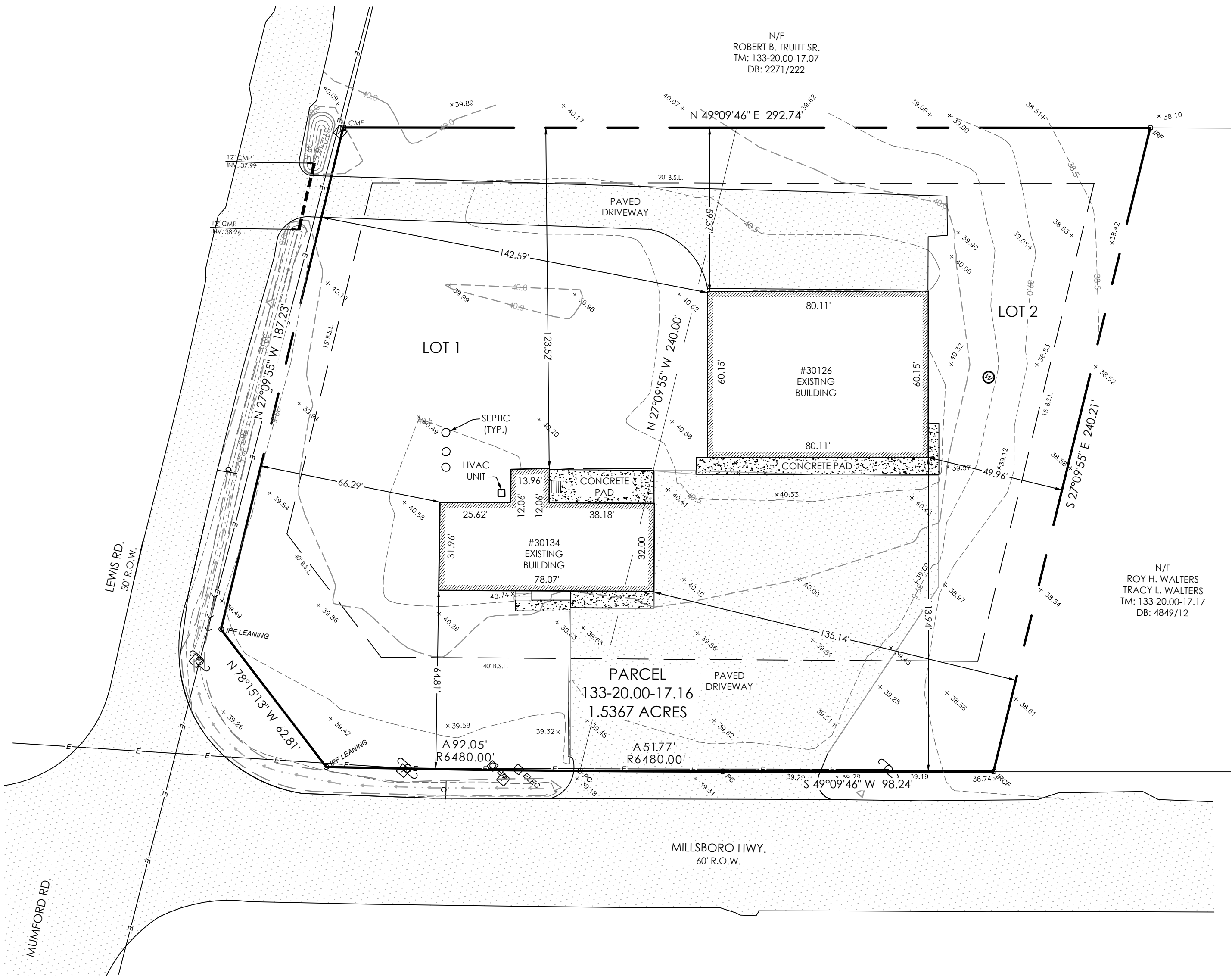
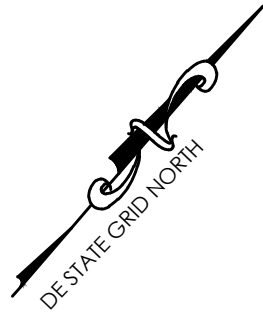
(302) 934-7960

IMAGES OF LEWIS RD PROPERTY









VICINITY MAP 1" = 1,000'

GENERAL NOTES

- 1. CURRENT OWNER: MICHAEL H. NAUMAN
SANDRA P. NAUMAN
29 BLAIRS POND RD.
HOUSTON, DE 19954
- 2. TAX REFERENCE: 133-20.00-17.16
- 3. DEED REFERENCE: 4994/99
- 4. PLAT REFERENCE: 48/148, (LANDS OF GERTRUDE & GEORGE DONAWAY)
- 5. AREA OF LOT: 66,918 SQ. FT., 1.5362 ACRES
- 6. BASED UPON F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER 10005C0454K, PANEL 454 OF 660, WITH AN EFFECTIVE DATE OF JULY 16, 2015, THIS SITE IS LOCATED WITHIN FLOOD ZONE X. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE.
- 7. SETBACKS PER ZONING CODE:
FRONT = 40'
CORNER FRONT (LEWIS ROAD) = 15'
SIDE = 15'
REAR = 20'
- 8. ZONED: AR-1, AGRICULTURAL - RESIDENTIAL
- 9. BEARINGS SHOWN HEREON ARE REFERENCED TO NAD '83 DATUM.

LEGEND

IRON ROD FOUND	O IRF
IRON PIPE FOUND	O IPF
PAVEMENT HATCH	[Pattern]
CONCRETE HATCH	[Pattern]
MAILBOX	△
WELL	⊗
ELECTRIC METER	⊠ EM
ELECTRIC SERVICE BOX	⊠ ELEC
TELEPHONE PEDESTAL	⊠

solutions
Integrated Planning
Engineering & Management, LLC

Fuller Hall
& ASSOCIATES, INC.

A Wholly Owned Subsidiary

303 N. Bedford St.
Georgetown, DE 19947
T. 302.297.9215

3003 Merritt Mill Road
Salisbury, MD 21804
T. 410.572.8833

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REVISONS	DESCRIPTION				
	DATE				

CONDITIONAL USE PLAN
for
MILLSBORO VOLUNTEER
FIRE DEPARTMENT
MILLSBORO, SUSSEX COUNTY, DELAWARE
DAGSBORO HUNDRED

Date:	10/20/21
Job Number:	S21065
Scale:	1" = 30'
Drawn By:	RAM
Designed By:	SWF
Approved By:	SWF

Sheet No.:

1

File Name:
S21065 Site Plan.dwg



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

July 14, 2021

Dear Friends and Neighbors,

The Millsboro Fire Company is looking to purchase the property at Millsboro Highway and Lewes Road to utilize it as a substation.

We currently have thirty-two volunteer members living west of US 113.

With the increasing traffic and the rapid growth of our community, The Millsboro Fire Company is trying to look forward and serve our community in the best way possible.

By having a substation on the west side, our response time to the station would be greatly reduced as well as to the safety of our volunteers responding to the station.

We hope to be good neighbors and stewards to both the families living around this property as well as the community.

Please support our endeavor by signing this letter of intent to help us help you.

Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Mike & Judy Hall

Address

23073 Lakeview Dr. Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Christine F. Chandler

Address

25198 Winter Rd.
Millsboro, De. 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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The Officers and Members of

The Millsboro Fire Company

Name

Care W. Jarboe

Address

23040 Lakeside Drive
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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(302) 934-7960
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Gene Gherke

Address

23020
Lakeside DR. Millsboro



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Graham E. Redden Living

Address

23007 Lakeview DR
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Kathy Gallagher

Address

23082 Lakeview Dr Millsboro DE



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

William Moore J (will)

Address

22973 LAKEVIEW DRIVE
MILLSBORO DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Chad

Address

23561 Willow Drive Millsboro, Del 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
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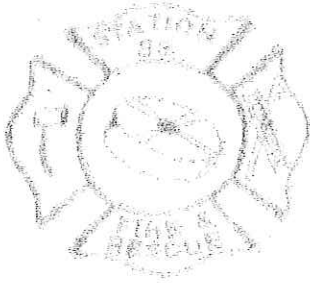
The Millsboro Fire Company

Name

Richard Detlor

Address

30068 Lewis Rd



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
PHONE (302) 831-7000
FAX (302) 831-7000

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Heather Buchanan

Address

441 Fairbridge Ct
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 538-7800
(302) 538-7800

July 14, 2021

Dear Friends and Neighbors,

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We currently have thirty-two volunteer members living west of US 113.

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Carrie Wadley

Address

29952 Lewis Millsboro Rd



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 88
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 938-1248
FAX
(302) 938-7501

July 14, 2021

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The Officers and Members of

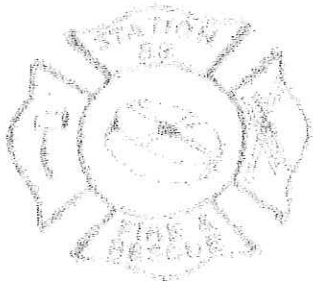
The Millsboro Fire Company

Name

Robin Robbert

Address

29704 Lewis Rd



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 88
MILLSBORO, DELAWARE 19966
STATION PHONE
HOME 301-5599
FAX
(302) 9-4-7999

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Dawn + Chelsea Magee

Address

22408 Horse & Buggy Rd.
Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

[Signature]

Address

29715 LEWIS RD
MILLSBORO



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 854-5358
FAX
(302) 854-7900

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Connie* Atkinson*

Address

113 Moores Xing Unit 51



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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FAX
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Michael Buoni

Address

30089 Lakeview Rd
Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
302-934-1248
FAX
(302) 934-7900

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Louis Angellera

Address

123 Sandridge Ct
Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 534-7899
FAX
(302) 534-7890

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Vanessa B. Petty

Address

105 Mones Crossing #22
Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Phil Fato

Address

30014 LAKEVIEW RD
MILLSBORO



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Susan Bragg

Address

30110 Lakeview Rd.
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 931-5368
FAX
(302) 934-7900

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Kim Collins

Address

209 Laurel Rd Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 933-5559
FAX
(302) 933-7360

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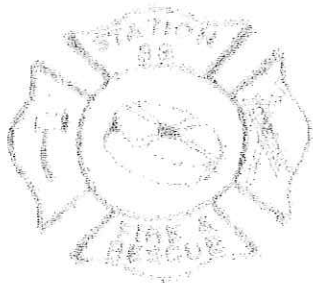
The Millsboro Fire Company

Name

Dave Webster

Address

213 Laurel Rd. Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19366
STATION PHONE
FAX
(302) 514-7887

July 14, 2021

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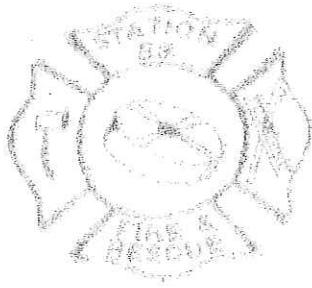
The Millsboro Fire Company

Name

Barry Esham

Address

30498 Jones Store Rd
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
STATION PHONE
(410) 321-0444
FAX
(410) 321-7890

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Lester Bivens

Address

26280 Handy Rd. Millsboro De. 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Raymond Fletcher

Address

72961 Lakeview Dr.
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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(302) 934-8359
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Patricia Sheffer

Address

716 Phillips Hill Dr
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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(302) 934-8359
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(302) 934-7960
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Tom R. Davis

Address

23717 Godwin School Road Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-5348
FAX
(302) 934-7900

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

John & Keni Justice

Address

30822 Arved Rd. Millsboro DE 19966

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Josephine S. Dorey

Address

22750 Carey Camp Rd.
Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Nathan & Debi Evans

Address

15 Parker Dr Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Christopher & Kate Lind

Address

6 Lewis Drive, Millsboro



MILLSBORO FIRE COMPANY, INC.

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Lough & Kenneth Argo

Address

3 Parker Dr Millsboro De 19966



MILLSBORO FIRE COMPANY INC

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Mark & Paula Rogers

Address

29766 Reuel Road, Millsboro

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Sammy Dorey

Address

22778 Carveys Camp Rd

Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Marylu Aguilon

Address

23047 lake view Dr



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Gayle Sheahan

Address

23060 Lakeview Dr.



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

David Clarke

Address

23101 Intervenor Ave



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

L. Nuse

Address

23096 LAKEVIEW DR



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
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We currently have thirty-two volunteer members living west of US 113.

With the increasing traffic and the rapid growth of our community, The Millsboro Fire Company is trying to look forward and serve our community in the best way possible.

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We hope to be good neighbors and stewards to both the families living around this property as well as the community.

Please support our endeavor by signing this letter of intent to help us help you.

Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Joseph R. King

Address

23185 LAKEVIEW DR.



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

July 14, 2021

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The Officers and Members of

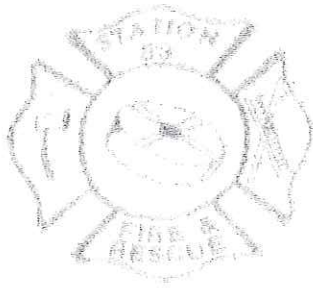
The Millsboro Fire Company

Name

Mary Ann Smulski

Address

23167 Lakeview Dr



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 13
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 324-1267
FAX
(302) 324-7200

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Kendall O'Leary III

Address

30371 Mumford Rd
Millsboro, De. 19966



MILLSBORO FIRE COMPANY, INC.

PO BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 834-5500
FAX
(302) 834-7200

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Beverly B. Mitchell

Address

30350 Mumford Rd.
19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 88
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 834-6354
FAX
(302) 834-7807

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Charlene Ivette

Address

30163 Millsboro Highway
Millsboro



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(857) 811 3358
FAX
(202) 934 7500

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Jack B. Runt

Address

29980 Millsboro Hwy, Millsboro De. 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE:
(410) 321-5588
FAX:
(410) 324-7800

July 14, 2021

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Please support our endeavor by signing this letter of intent to help us help you.

Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Corrado Construction Company (Kevin Rowe)

Address

29864 Millsboro Highway
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

PO BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 334-9393
(302) 334-7000

July 14, 2021

Dear Friends and Neighbors,

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Please support our endeavor by signing this letter of intent to help us help you.

Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Kim Benton - Business Owner,
State Farm Insurance

Address

29848 Millsboro Hwy.
Millsboro, DE 19966

 **State Farm**

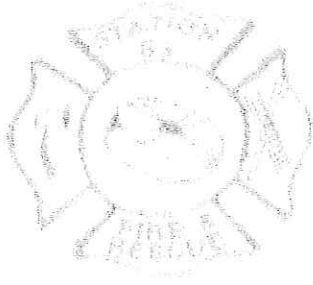
Kim Benton RIC P[®]
Agent

29848 Millsboro Highway
Millsboro, DE 19966-3604
Bus 302-934-9393
Fax 302-934-9309
kim@kimbenton.com

NMLS #139716 NMLS MLO #176725 MLO License #MLO-176725

The greatest compliment you can give is a referral.





MILLSBORO FIRE COMPANY, INC.

PO BOX 13
MILLSBORO, DE 19966
STATION 51
MILLSBORO, DE 19966
(410) 326-1974

July 14, 2021

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Please support our endeavor by signing this letter of intent to help us help you.

Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

William V. Vail

Address

24201 Godwin school Rd
Millsboro De 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

July 14, 2021

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Please support our endeavor by signing this letter of intent to help us help you.

Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

CHUCK E. HICKOLZ

Address

23076 LAKEVIEW DR

MILLSBORO, DE



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Georgiann A. White

Address

*23113 Lakeview Drive
Millsboro, DE 19966*



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
1-800-831-5589
FAX
(302) 634-7500

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Suzanne Innors

Address

29820 Lewes Rd.



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 86
MILLSBORO, DELAWARE 19966
STATION PHONE
(402) 934-5559
FAX
(402) 934-7500

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

James T. McGonigle

Address

30090 Lewis Road
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-7500

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Gerald W. Hocker, Jr.

Address

30378 Mumford Rd Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
SLUG/ON PHONE
MILLISBORO
FAS
(302) 344-7900

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Tammy Esham

Address

30498 Jones Store Rd
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 88
MILLSBORO, DELAWARE 19966
STATION PHONE
(409) 834-5347
FAX
(409) 834-7507

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Linda Dukes

Address

30497 Jones Store Rd
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 88
MILLSBORO, DELAWARE 19966
STATION PHONE
(410) 321-3587
FAX
(410) 321-7891

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Jason Hickman

Address

20958 Brunswick Ln



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
STATION PHONE
(410) 321-1500
FAX
(410) 321-7500

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Address

30233 Conaway Road
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
STATION PHONE
DELETED 5047
FAX
(302) 534-7999

July 14, 2021

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The Officers and Members of

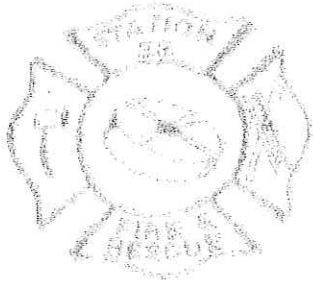
The Millsboro Fire Company

Name

Donald & Brenda Hickman

Address

20364 Hardscrabble Rd



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 544-5577
FAX
(302) 544-7900

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Tim + Vikki Blades

Address

35062 Wright Way
MILLSBORO DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19966
STATION PHONE
HOME 831-0549
FAX
(302) 534-7990

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Christopher Bevel

Address

30225 Conaway rd Millsboro, DE



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 831-5352
FAX
(302) 831-7200

July 14, 2021

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The Officers and Members of

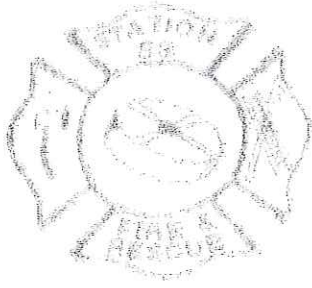
The Millsboro Fire Company

Name

Matt Jones

Address

56 Beacon Circle
Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19966
STATION PHONE
HOME 521-1000
FAX
(410) 534-7500

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

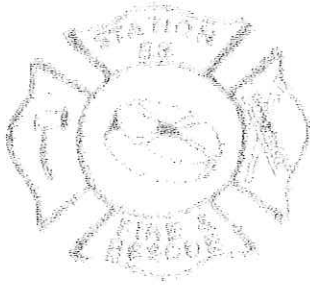
Name

Karen Swain

Address

29806 Lewis Road

Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19366
STATION PHONE
(302) 5-4-7999
FAX
(302) 5-4-7999

July 14, 2021

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The Millsboro Fire Company is looking to purchase the property at Millsboro Highway and Lewes Road to utilize it as a substation.

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Candace Stojan

Address

29761 Lewis Rd



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 338-5541
FAX
(302) 338-7567

July 14, 2021

Dear Friends and Neighbors,

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Brian P. Apple

Address

29690 Lewes Road Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
STATION PHONE
(410) 651-3557
FAX
(410) 651-7897

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Robert B. Truitt Jr.

Address

30061 Lewes Rd
Millsboro, De 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 934-8359
FAX
(302) 934-7960
www.millsborofire.com

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

DA

Address

83557 Willow Drive
Millsboro DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 834-9358
FAX
(302) 834-7400

July 14, 2021

Dear Friends and Neighbors,

The Millsboro Fire Company is looking to purchase the property at Millsboro Highway and Lewes Road to utilize it as a substation.

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Please support our endeavor by signing this letter of intent to help us help you.

Thank you for your support,

The Officers and Members of

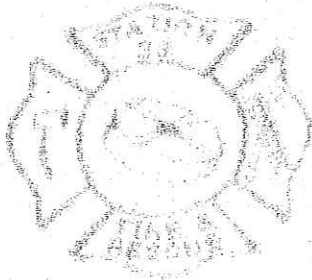
The Millsboro Fire Company

Name

Doris E. Short

Address

113 Moores Xing Unit 51



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19966
PHONE (410) 326-7500
FAX (410) 326-7500

July 14, 2021

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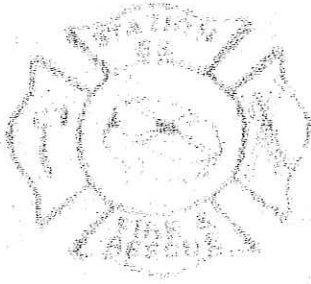
The Millsboro Fire Company

Name

Sharon L. Rust

Address

36091 Auburn
Millsboro, DE. 19966



MILLSBORO FIRE COMPANY, INC.

PO BOX 83
MILLSBORO, DELAWARE 19966
PHONE (302) 398-1100
FAX (302) 398-1101
WWW.MILLSBOROFIRE.COM

July 14, 2021

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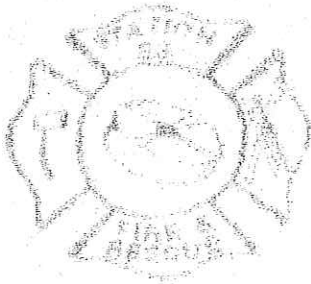
The Millsboro Fire Company

Name

Gabrielle Bowden

Address

36091 Auburn Way,
Millsboro, De 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19966
PHONE (302) 321-1111
(302) 321-1111

July 14, 2021

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The Officers and Members of

The Millsboro Fire Company

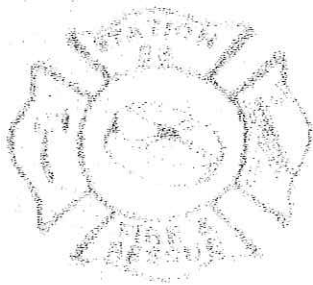
Name

Jessica White

Address

24907 Magnolia Circle
Millsboro, DE 19966

Plantation Lakes



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19966
STATION PHONE
302-638-1047
FAX
302-638-1047

July 14, 2021

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The Millsboro Fire Company

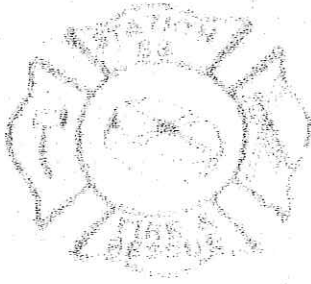
Name

Christopher White

Address

24107 Magnolia Circle
Millsboro, DE 19966

Plantation Lakes



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO DELAWARE 19966
610-638-7500
610-638-7501
610-638-7502

July 14, 2021

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Elizabeth & Christian Johansen

Address

20998 Brunswick LN, Millsboro, DE

Plantation Lakes



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
PHONE (410) 326-1000
FAX (410) 326-1001

July 14, 2021

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The Officers and Members of

The Millsboro Fire Company

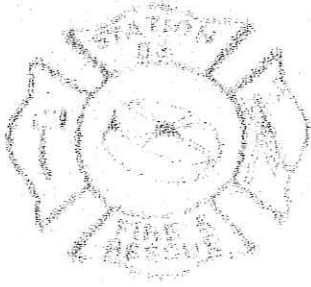
Name

John & Michele Brady

Address

20619 Woodlake Circle, Millsboro, DE 19966

Plantation Lakes



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19966
STATION PHONE
(302) 338-7200

July 14, 2021

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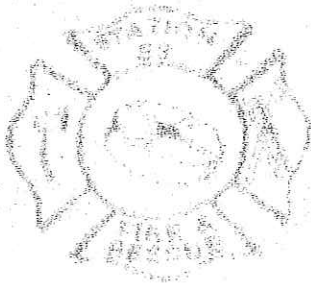
Name

Brandon R Davis

Address

20470 Asheville Drive
Millsboro, DE 19966

Plantation Lakes



MILLSBORO FIRE COMPANY, INC.

PO BOX 81
MILLSBORO, DELAWARE 19966
FIRE PHONE
FIRE FAX
FIRE TOLL FREE

July 14, 2021

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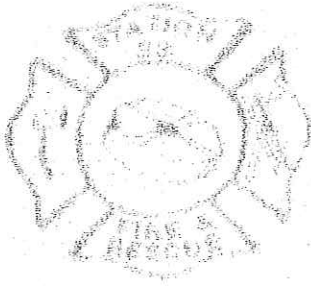
The Millsboro Fire Company

Name

Stephanie Joseph and Joshua Joseph

Address

29545 Revel Road Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
PHONE (302) 34-7800

July 14, 2021

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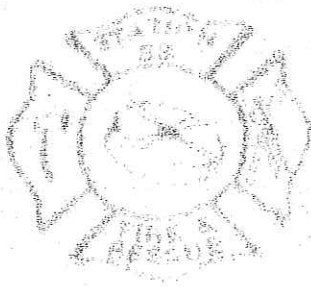
The Millsboro Fire Company

Name

Jennifer Oertzen

Address

28767 Lakewood Rd.
Millsboro, De. 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
810-307-1400
FIRE
1-800-547-7800

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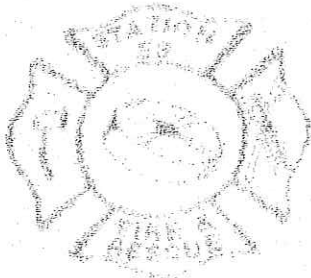
The Millsboro Fire Company

Name

Patricia Prettyman

Address

23581 Godwin School Rd
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83
MILLSBORO, DELAWARE 19966
PHONE (302) 634-7199

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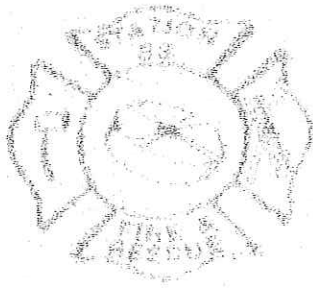
The Millsboro Fire Company

Name

Helen + Tim Morrow

Address

36 Parker Dr.
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 85
MILLSBORO, DELAWARE 19966
PHONE (HOME)
302-331-5579
FAX
(302) 331-7200

July 14, 2021

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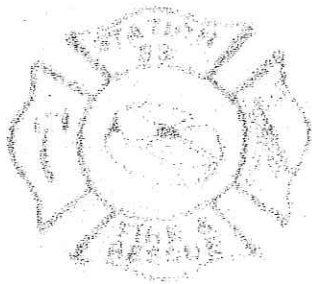
The Millsboro Fire Company

Name

Alicia Hassler

Address

30615 Conaway Rd
Millsboro, DE



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 83

MILLSBORO, DELAWARE 19966

PHONE (301) 347-7500

FAX (301) 347-7500

WEB (301) 347-7500

EMAIL (301) 347-7500

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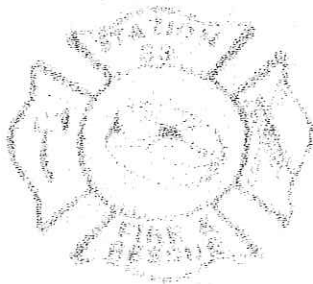
The Millsboro Fire Company

Name

David [Signature]

Address

Longwood LAKES
21331 TREEVIEW LANE
Millsboro, DE 19966



MILLSBORO FIRE COMPANY, INC.

PO BOX 85
MILLSBORO DELAWARE 19966
STOART HOME
107-4-3377
(301) 4-4200

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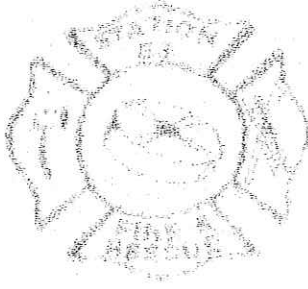
The Millsboro Fire Company

Name

Kevin & Kim Cooper

Address

23491 Godwin School Rd
millsboro de 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 81
MILLSBORO, DELAWARE 19966
PHONE FROM
NEW YORK 504-99
FAX
504-99-7900

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Sherri Smead

Address

23505 Godwin School Rd
Millsboro De 19966



MILLSBORO FIRE COMPANY, INC.

P.O. BOX 82
MILLSBORO, DELAWARE 19966
STATION PHONE
PHONE 301.5549
FAX
(302) 554-7590

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Thank you for your support,

The Officers and Members of

The Millsboro Fire Company

Name

Haleigh Butler

Address

20578 Overman Way
Millsboro DE (Plantation Lakes)

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

AN ORDINANCE TO AMEND CHAPTER 99, SECTIONS 99-5, 99-6, 99-7, 99-23, 99-24, 99-26, AND 99-30, AND CHAPTER 115 SECTIONS 115-4, 115-25, 115-193, 115-220 AND 115-221 REGARDING CERTAIN DRAINAGE FEATURES, WETLAND AND WATER RESOURCES AND THE BUFFERS THERETO.

WHEREAS, Pursuant to the provisions of Title 9, Chapters 68 and 69 of the Delaware Code, the Sussex County Government has the power and authority to regulate the use of land and to adopt a Comprehensive Land Use Plan; and

WHEREAS, Pursuant to Chapters 99 and 115 of the Code of Sussex County, the Sussex County Government has undertaken to regulate the use of land; and

WHEREAS, the existing Section 115-193 of the Code of Sussex County currently regulates the use of land adjacent to certain wetlands and water bodies; and

WHEREAS, the existing Section 115-193 of the Code of Sussex County is in need of improvement regarding its interpretation, application and protection of Resources; and

WHEREAS, certain Resources are in need of substantial enhancements to ensure that Sussex County's drainage network is improved now and maintained in the future; and

WHEREAS, the 2019 Sussex County Comprehensive Plan contemplates the review and improvement of the protection of wetlands and waterways in Sussex County; and

WHEREAS, Goal 4.3 and Objective 4.3.1 of the Future Land Use Element of the 2019 Sussex County Comprehensive Plan states that Sussex County should "Consider strategies for preserving environmental areas from development and the protection of wetlands and waterways", and this Ordinance carries out that Objective; and

WHEREAS, Goal 4.6 and Strategy 4.6.2 of the Future Land Use Element of the 2019 Sussex County Comprehensive Plan states that Sussex County should "Recognize the Inland Bays, their tributaries and other waterbodies as valuable open space areas of ecological importance", and this Ordinance carries out that Strategy; and

WHEREAS, Goal 5.1 of the Conservation Element of the 2019 Sussex County Comprehensive Plan states that Sussex County should “Encourage development practices and regulations that support natural resource protection”, and this Ordinance carries out that Goal; and

WHEREAS, Strategy 5.1.2.2 of the Conservation Element of the 2019 Sussex County Comprehensive Plan states that Sussex County should “Review appropriate sections of Sussex County’s zoning and subdivision codes to determine if amendments are needed that will better help protect groundwater, waterways, sensitive habitat areas and other critical natural lands in Sussex County”, and this Ordinance carries out that Strategy; and

WHEREAS, Goal 5.3 of the Conservation Element of the 2019 Sussex County Comprehensive Plan calls for the protection of the natural functions and quality of the County’s surface waters, groundwater, wetlands and floodplains, and as part of that Goal, the Plan includes Strategies 5.3.1.1, 5.3.1.2 and 5.3.1.6, which respectively state that Sussex County should “Consider developing a program for wetlands and waterways protection”, “Identify an appropriate range of wetlands buffer distances based upon location and context”, and “Recognize the Inland Bays, their tributaries and other waterbodies as valuable open space areas of ecological and economic importance”, and this Ordinance carries out these Goals and Strategies; and

WHEREAS, in adopting this Ordinance, it is the intent of Sussex County Council to balance the protection of land equity with the protection of the Resources defined in the Ordinance and their associated functions; and

WHEREAS, in adopting this Ordinance, it is the intent of Sussex County to establish a framework under which future property owners and Owners Associations will maintain the Resources, Resource Buffers, the properties they are on or adjacent to, and the systems that they are a part of in the future and to ensure the ongoing positive conveyance of drainage features; and

WHEREAS, it has been determined that this Ordinance promotes and protects the health, safety, convenience, orderly growth and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County, Chapter 99, Article I, §99-5 “Definitions,” is hereby amended by inserting the italicized and underlined language alphabetically:

§99-5 Definitions.

For purposes of this Chapter, certain terms and words are hereby defined:

...

EPHEMERAL STREAMS

A feature that carries only runoff in direct response to precipitation with water flowing only during and shortly after large precipitation events. An Ephemeral Stream may or may not have a well-defined channel, its aquatic bed is always above the water table during a year of normal rainfall, and runoff is its primary source of water. An Ephemeral Stream typically lacks the biological, hydrological, and physical characteristics commonly associated with the continuous or intermittent conveyance of water.

...

INTERMITTENT STREAMS

A well-defined channel that contains flowing water for only part of the year, typically during winter and spring when the aquatic bed is below the water table, connecting otherwise isolated Non-Tidal Wetlands to downstream Tidal/Perennial Waters/Streams. The flow may be heavily supplemented by runoff. An Intermittent Stream often lacks the biological and hydrological characteristics commonly associated with the continuous conveyance of water.

...

MAJOR SUBDIVISION

Any subdivision of land *creating six or more new Lots* [involving a proposed new street or the extension of an existing street].

100 . . .

102 MINOR SUBDIVISION

103 Any subdivision creating five or less Lots [fronting on an existing street and not
104 involving any new street] and not adversely affecting the development of the
105 remainder of the parcel or adjoining property and not in conflict with any provisions
106 or portion of the County Comprehensive Plan, Official Map, Zoning Ordinance, or
107 this chapter. Only one such subdivision shall be approved per year per parcel. The
108 maximum number of lots created in the minor subdivision process shall not exceed
109 four plus one for each 10 acres of original parcel size.

111 . . .

113 NON-TIDAL WETLANDS

115 Non-Tidal Wetlands are those wetlands, not classified by this Chapter as Tidal
116 Wetlands, which lie contiguous or abutting to Tidal Waters, Tidal Wetlands,
117 Perennial Streams or those Intermittent Streams providing a surface water
118 connection between adjacent Wetlands. Non-Tidal Wetlands also include those
119 Wetlands only separated from otherwise contiguous or abutting Wetlands by
120 constructed dikes, barriers, culverts, natural river berms and beach dunes.

122 . . .

124 ORDINARY HIGH WATER MARK DELINEATION

126 The boundary of Perennial Non-Tidal Rivers or Streams, Intermittent Streams or
127 Ephemeral Streams shall be defined by the Ordinary High Water Mark. Ordinary
128 High Water Mark means the line on a shore or bank established by the fluctuations
129 of water and indicated by physical characteristics such as a clear, natural line
130 impressed on the bank, shelving, changes in the character of soil, destruction of
131 terrestrial vegetation, the presence of litter and debris, or other similar physical
132 characteristics indicating the frequent presence of flowing water.

134 . . .

PERENNIAL NON-TIDAL RIVERS AND STREAMS

A well-defined channel that contains flowing water year-round during a year of normal rainfall with the aquatic bed located below the water table for most of the year and which is not subject to tidal influence. Groundwater is the primary source of water for a Perennial Stream, but it also carries runoff. A Perennial Stream exhibits the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.

...

RESOURCE BUFFER - WETLANDS AND WATERS

A managed area between residential land uses and Resources that is not subdividable once established, with the exception of a subdivision boundary resulting from an approved phase. Resource Buffers function to:

- Protect the Resources and their associated functions.
- Improve/protect water quality via sediment filtration, reduce impact of nutrient loading on Resources, moderate water temperature, and enhance infiltration and stabilization of channel banks.
- Provide wildlife habitat via nesting, breeding, and feeding opportunities; provide sanctuary/refuge during high water events; protect critical water's edge habitat; and protect rare, threatened, and endangered species associated with each Resource and its upland edge.
- Enhance and/or maintain the flood plain storage functionality via reduction of flood conveyance velocities as well as dissipation of stormwater discharge energy.

...

RESOURCES

Those Wetlands and waters to be provided with a Resource Buffer due to their importance to Sussex County. These Resources include Tidal Waters, Tidal Wetlands, Non-Tidal Wetlands, Perennial Streams, and those Intermittent Streams providing a surface water connection between Wetlands.

...

TAX DITCH

A Tax Ditch is a drainage channel or conveyance and the corresponding right-of-way established and/or formed in accordance with Title 7, Chapter 41 of the Delaware Code, and approved by a "ditch order" entered by the Superior Court of the State of Delaware and County of Sussex.

...

TIDAL WATERS (MEAN HIGH-WATER LINE)

Those waters occurring below the mean high-water line of any tidal water body, tidal stream, or tidal marsh, which is defined as the average height of all the high-tide water recorded over a nineteen-year period as defined by the National Oceanic and Atmospheric Administration tidal datum.

...

TIDAL WETLANDS

Areas under the jurisdiction of Title 7, Chapter 66 of the Delaware Code, as regulated and mapped by the Department of Natural Resources and Environmental Control.

...

WATER DEPENDENT ACTIVITIES

Activities that are approved through federal and state permit programs that meet the definition of water dependent activities included in those programs. Water-dependent uses are uses that can only be conducted on, in, over, or adjacent to the water; each involves, as an integral part of the use, direct access to and use of the water. Examples include marinas, boat ramps/launches, docks, piers, water intakes, aquatic habitat restoration, and similar uses.

...

WATER RELATED ACTIVITIES

Water Related Activities are those considered ancillary to and supporting permitted Water Dependent Activities completed on adjacent uplands. Examples include utility connections, limited points of access, loading/unloading areas, and similar uses.

...

WETLANDS

Wetlands are areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Agricultural land consisting of "Prior Converted Croplands" as defined by the National Food Security Act Manual (August 1988), are not wetlands. The procedure for delineating the boundary of all wetlands, except for Tidal Wetlands as defined by this ordinance, shall be the methodology provided in the Corps of Engineers Wetland Delineation Manual (January 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (November 2010).

Section 2. The Code of Sussex County, Chapter 99, Article I, §99-6 "General Requirements and Restrictions", is hereby amended by deleting the language in brackets and inserting the italicized and underlined language in existing subsection J. and as a new subsection K. thereof as follows:

§99-6 General Requirements and Restrictions.

...

J. A forested and/or landscape buffer, as defined in § 99-5, Subsections A through J must be depicted on the preliminary and final plot plans for each major subdivision of lands [into four or more lots] and must be established in accordance with all the requirements of the definition of "forested and/or landscaped buffer strip," Subsections A through J in § 99-5.

...

K. Resources and Resource Buffers, as defined in § 99-5 must be depicted on the preliminary and final plot plans for each major subdivision of lands and must comply with the requirements of §115-193.

Section 3. The Code of Sussex County, Chapter 99, Article II, §99-7 “Preliminary Conference”, is hereby amended by deleting the language in brackets in subsection C. thereof as follows:

§99-7 Preliminary Conference.

...

C. If the Director determines that the proposed subdivision represents a minor subdivision of a parcel, existing as of the effective date of this amended provision, on a street other than a major arterial roadway, and if the Director determines that review by the Commission is not necessary or desirable, he may waive the requirement of preparing a preliminary plat and may authorize the preparation of a record plat for purposes of recordation. He may, however, request review assistance from other concerned agencies prior to authorizing preparation of the plat. Lots in any minor subdivision plat approved by the Director, without review by the Commission, shall have a minimum area of 3/4 of an acre and a minimum width of 150 feet and shall utilize entrances as approved by the Delaware Department of Transportation. [Such a minor subdivision shall be limited to four lots per parcel, as well as one additional lot for each 10 acres of parcel size, with a maximum of four subdivided lots approved for recordation per calendar year.]

Section 4. The Code of Sussex County, Chapter 99, Article IV, §99-23 “Information to Be Shown”, is hereby amended by inserting the italicized and underlined language as a new subsection T. thereof:

§99-23 Information to Be Shown.

The preliminary plat shall be drawn in a clear and legible manner and shall show the following information”

...

T. The location of all Water and Wetland Resources and their Resource Buffers.

(1) The boundary and type of any Non-Tidal/Tidal Wetland or water resources (Tidal, Perennial, Intermittent) which require a Resource Buffer. The boundary will be shown per methods identified in the definitions of Wetlands and Ordinary High Water Line Delineation.

(2) All existing (i.e., at the time of application) native forest and non-forest meadow within the future Resource Buffer shall be identified.

(3) The area limits of the required Resource Buffers.

(4) Calculations supporting Resource Buffer width averaging (§115-193B).

(5) Calculations supporting Resource Buffer enhancement calculations and corresponding Forested and/or Landscaped Buffer reductions, if applicable (§115-193F).

(6) Proposed access easement layout for access to Resource Buffers and the adjacent Resources with a note that such access easements are "public access easements for maintenance purposes". For purposes of this requirement, "public" shall mean, and be limited to, those parties requiring access for maintenance purposes.

(7) A reference by title, author and date, to the "Drainage Assessment Report" required by Section 115-193.F.2.

Section 5. The Code of Sussex County, Chapter 99, Article IV, §99-24 "Supporting Statements", is hereby amended by inserting the italicized and underlined language as a new subsection G thereof:

§99-24 Supporting Statements

The preliminary plat shall be accompanied by the following written and signed statements in support of the subdivision's application for tentative approval:

...

G. A Resource and Resource Buffer Management Plan that describes measures for managing the Resource and Resource Buffer(s) required pursuant to Chapter

115, Article XXV, Section 115-193 on the site. The Resource and Resource Buffer Management Plan shall be included as part of the recorded declaration for the subdivision.

Section 6. The Code of Sussex County, Chapter 99, Article V, §99-26, “Information to Be Shown”, is hereby amended by inserting the italicized and underlined language as a new subsection A.(21) and C thereof:

§99-26 Information to Be Shown.

A. The final plat shall be legibly and accurately drawn and show the following information:

...

(21) The location of all Resource Buffers.

(a) The boundary and type of any Non-Tidal/Tidal Wetland or water resources (Tidal, Perennial, Intermittent) which require a Resource Buffer. The boundary will be shown per methods identified in the definitions of Wetlands and Ordinary High Water Line Delineation.

(b) All existing (i.e., at the time of application) native forest and non-forest meadow within the future Resource Buffer shall be identified.

(c) The area limits of the required Resource Buffer.

(d) Calculations supporting Resource Buffer width averaging (§115-193B).

(e) Calculations supporting Resource Buffer enhancement calculations and corresponding Forested and/or Landscaped Buffer reductions, if applicable (§155-193F).

(f) Proposed access easement layout for access to Resource Buffers and the adjacent Resources with a note that such access easements are “public access easements for maintenance purposes”. For purposes of this requirement, “public” shall mean, and be limited to, those parties requiring access for maintenance purposes.

(g) A statement incorporating the Resource and Resource Management and Maintenance Plan by reference.

(h) A reference by title, author and date, to the "Drainage Assessment Report" required by Section 115-193.F.2.

...

C. An AutoCAD drawing file containing all items required in Section A above shall be submitted in electronic format. The data shall be referenced in NAD 1983 StatePlane Delaware FIPS 0700 (U.S. Feet) Projected Coordinate System.

Section 7. The Code of Sussex County, Chapter 99, Article VI, §99-30, "Plans", is hereby amended by inserting the italicized and underlined language as a new subsection J. and K. thereof:

§99-30 Plans.

Plans, profiles and specifications for the required improvements shall be prepared by the subdivider and submitted for approval by the appropriate public authorities prior to construction. No construction shall commence prior to the issuance of a notice to proceed by the County Engineer or his or her designee for the required improvements. All plans, profiles and specifications approved by the County Engineer or his or her designee with the issuance of a notice to proceed shall remain valid or, if substantial construction is not actively and continuously underway, they shall expire upon the expiration of the final site plan. Prior to the issuance of a notice to proceed, the County Engineer may require the owner and/or his designee to execute an agreement addressing the required improvements. The plans and profiles submitted for all new construction shall include the following:

...

J. Resources and Resource Buffers.

K. Proposed access easement layout with a note that such access easements are "public access easements for maintenance purposes". For purposes of this requirement, "public" shall mean, and be limited to, those parties requiring access for maintenance purposes.

Section 8. The Code of Sussex County, Chapter 115, Article I, §115-4 “Definitions and Word Usage,” is hereby amended by inserting the italicized and underlined language alphabetically in Subsection B thereof:

§115-4 Definitions and Word Usage.

....

B. General definitions. For the purpose of this chapter, certain terms and words are hereby defined as follows:

....

EPHEMERAL STREAMS

A feature that carries only runoff in direct response to precipitation with water flowing only during and shortly after large precipitation events. An Ephemeral Stream may or may not have a well-defined channel, its aquatic bed is always above the water table during a year of normal rainfall, and runoff is its primary source of water. An Ephemeral Stream typically lacks the biological, hydrological, and physical characteristics commonly associated with the continuous or intermittent conveyance of water.

...

INTERMITTENT STREAMS

A well-defined channel that contains flowing water for only part of the year, typically during winter and spring when the aquatic bed is below the water table, connecting otherwise isolated Non-tidal Wetlands to downstream Tidal/Perennial Waters/Streams. The flow may be heavily supplemented by runoff. An Intermittent Stream often lacks the biological and hydrological characteristics commonly associated with the continuous conveyance of water.

...

NON-TIDAL WETLANDS

Non-Tidal Wetlands are those Wetlands, not classified by this Chapter as Tidal Wetlands, which lie contiguous or abutting to Tidal Waters, Tidal Wetlands, Perennial Streams or those Intermittent Streams providing a surface water connection between adjacent Wetlands. Non-Tidal Wetlands also include those Wetlands only separated from otherwise contiguous or abutting Wetlands by constructed dikes, barriers, culverts, natural river berms and beach dunes.

...

ORDINARY HIGH WATER MARK DELINEATION

The boundary of Perennial Non-Tidal Rivers or Streams, Intermittent Streams or Ephemeral Streams shall be defined by the Ordinary High Water Mark. Ordinary High Water Mark means the line on a shore or bank established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other similar physical characteristics indicating the frequent presence of flowing water.

...

PERENNIAL NON-TIDAL RIVERS AND STREAMS

A well-defined channel that contains flowing water year-round during a year of normal rainfall with the aquatic bed located below the water table for most of the year and which is not subject to tidal influence. Groundwater is the primary source of water for a perennial stream, but it also carries runoff. A Perennial Stream exhibits the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.

...

RESOURCE BUFFER - WETLANDS AND WATERS

A managed area between residential land uses and Resources that is not subdividable once established, with the exception of a subdivision boundary resulting from an approved phase. Resource Buffers function to:

- Protect the Resources and their associated functions.
- Improve/protect water quality via sediment filtration, reduce impact of nutrient loading on Resources, moderate water temperature, and enhance infiltration and stabilization of channel banks.
- Provide wildlife habitat via nesting, breeding, and feeding opportunities; provide sanctuary/refuge during high water events; protect critical water's edge habitat; and protect rare, threatened, and endangered species associated with each Resource and its upland edge.
- Enhance and/or maintain the flood plain storage functionality via reduction of flood conveyance velocities as well as dissipation of stormwater discharge energy.

...

RESOURCES

Those wetlands and waters to be provided with a Resource Buffer due to their importance to Sussex County. These Resources include Tidal Waters, Tidal Wetlands, Non-Tidal Wetlands, Perennial Streams, and those Intermittent Streams providing a surface water connection between Wetlands.

...

TAX DITCH

A Tax Ditch is a drainage channel or conveyance and the corresponding right-of-way established and/or formed in accordance with Title 7, Chapter 41 of the Delaware Code, and approved by a "ditch order" entered by the Superior Court of the State of Delaware and County of Sussex.

...

TIDAL WATERS (MEAN HIGH-WATER LINE)

Those waters occurring below the mean high-water line of any tidal water body, tidal stream, or tidal marsh, which is defined as the average height of all the high-tide water recorded over a nineteen-year period as defined by the National Oceanic and Atmospheric Administration tidal datum.

...

TIDAL WETLANDS

Areas under the jurisdiction of Title 7, Chapter 66 of the Delaware Code, as regulated and mapped by the Department of Natural Resources and Environmental Control.

...

WATER DEPENDENT ACTIVITIES

Activities that are approved through federal and state permit programs that meet the definition of water dependent activities included in those programs. Water-dependent uses are uses that can only be conducted on, in, over, or adjacent to the water; each involves, as an integral part of the use, direct access to and use of the water. Examples include marinas, boat ramps/launches, docks, piers, water intakes, aquatic habitat restoration, and similar uses.

...

WATER RELATED ACTIVITIES

Water Related Activities are those considered ancillary to and supporting permitted Water Dependent Activities completed on adjacent uplands. Examples include utility connections, limited points of access, loading/unloading areas, and similar uses.

...

WETLANDS

Wetlands are areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Agricultural land consisting of "Prior Converted Croplands" as defined by the National Food Security Act Manual (August 1988), are not wetlands. The procedure for delineating the boundary of all wetlands, except for Tidal Wetlands as defined by this ordinance, shall be the methodology provided in the Corps of Engineers Wetland Delineation Manual (January 1987) and the Regional

Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (November 2010).

Section 9. The Code of Sussex County, Chapter 115, Article IV, §115-25 “Height, Area and Bulk Requirements,” is hereby amended by deleting the language in brackets and inserting the italicized and underlined language in Subsection F(3)(a)[4] thereof:

§115-25 Height, Area and Bulk

F. Review procedures for cluster development

...

(3) The Planning & Zoning Commission shall determine that the following requirements are met before approving any preliminary plan and such application shall be reviewed on an expedited basis.

(a) The cluster development sketch plan and the preliminary plan of the cluster subdivision provides for a total environment and design which are superior, [and] *in* the reasonable judgment of the Planning Commission, to that which would be allowed under the regulations for the standard option. For the purposes of this subsection a proposed cluster subdivision which provides for a total environment and design which are superior to that allowed under the standard option subdivision is one which, in the reasonable judgment of the Planning Commission meets all of the following criteria:

...

[4] [A minimum of 25 feet of permanent setback must be maintained around the outer boundaries of all wetlands, except for tidal waters, tidal tributary streams and tidal wetlands and from the ordinary high water line of perennial nontidal rivers and nontidal streams as provided for in §115-193B under Ordinance No. 774 where a fifty-foot permanent setback is required. No buildings or paving shall be placed within these setbacks.] *The*

preliminary plan shall comply with the requirements of §115-193.

Section 10. The Code of Sussex County, Chapter 115, Article XXV, §115-193 “Buffer Zones for Wetlands and Tidal and Nonperennial Waters,” is hereby amended by amending the Title thereof to state “Resource Protection” and deleting the language in brackets and inserting the italicized and underlined language:

§115-193 [Buffer Zones for Wetlands and Tidal and Nonperennial Waters] Resource Protection

[A.

Definitions. As used in this section, the following terms shall have the meanings indicated:

BUFFER ZONE

An existing naturally vegetated area or an area purposely established in vegetation which shall not be cultivated in order to protect aquatic, wetlands, shoreline and upland environments from man-made encroachment and disturbances. The "buffer zone" shall be maintained in natural vegetation, but may include planted vegetation where necessary to protect, stabilize or enhance the area.

MEAN HIGH-WATER LINE OF TIDAL WATER

The average height of all the high-tide water recorded over a nineteen-year period as defined by the National Oceanic and Atmospheric Administration tidal datum.

PERENNIAL NONTIDAL RIVERS AND STREAMS

Any body of water which continuously flows during a year and which is not subject to tidal influence.

TIDAL TRIBUTARY STREAM

A stream under tidal influence, either connecting fresh or salt water.

TIDAL WETLANDS

Areas under the jurisdiction of Title 7, Chapter 66, of the Delaware Code, as the chapter appears as of the date of the adoption of this Article, as regulated and mapped by the Department of Natural Resources and Environmental Control.

WETLANDS

A private or state wetland as defined by the Delaware Department of Natural Resources and Environmental Control regulations and maps as promulgated pursuant to Chapter 66, Title 7, of the Delaware Code, as the chapter appears upon the date of the adoption of this Article.

B. A fifty-foot buffer zone is hereby established landward from the mean high water line of tidal waters, tidal tributary streams and tidal wetlands and from the ordinary high water line of perennial nontidal rivers and nontidal streams in Sussex County.

C. Excluded from buffer zone designation are farm ponds, tax ditches and other man-made bodies of water where these waters are not located on or within perennial streams. A buffer zone shall not be required for agricultural drainage ditches if the adjacent agricultural land is the subject of a conservation farm plan established with the Sussex Conservation District.

D. Excluded from buffer zone regulations are facilities necessarily associated with water-dependent facilities (maritime, recreational, educational or fisheries activities that cannot exist outside of the buffer by reason of the intrinsic nature of their operation) and the installation, repair or maintenance of any stormwater management facility, sanitary sewer system, culvert, bridge, public utility, street, drainage facility, pond, recreational amenity, pier, bulkhead, boat ramp, waterway improvement project or erosion-stabilization project that has received the joint approval of the County Engineering Department and the appropriate federal, state and local agencies. An existing public storm-drain system may be extended in order to complete an unenclosed gap or correct a drainage problem, subject to receiving the approval of the County Engineering Department and the appropriate federal, state and local agencies.

E. Grandfathering provision. The following types of land uses may be developed notwithstanding the provisions of this section:

(1) Existing improvements and construction as of the date of the approval of this section may continue. Alterations or expansions which shall be attached to a preexisting structure built on nonconforming land, pursuant to this section, will not be permitted unless proven that such improvement is

constructed at an equal distance or landward of the preexisting structure which is most proximate to the wetland area and a variance is granted as provided below.

(2) Subdivision plats and site plans approved and of record in the office of the Director of Planning and Zoning or in the office of the Recorder of Deeds in and for Sussex County prior to the adoption of this section, originally adopted July 19, 1988, or approved and similarly of record as of the effective date of this amendment, adopted July 2, 1991, may be developed as of record and shall be subject to setbacks or buffer restrictions established for the use when originally approved. Any previously approved and similarly recorded subdivision plats and site plans, if approved prior to the original date of this section on July 19, 1988, or prior to this amendment, adopted July 2, 1991, may be amended if it is determined by the Planning and Zoning Commission that the amended plan represents an equal or less intrusive use on the buffer area or setback area.

F. Variances to the provisions of this section will be considered by the Board of Adjustment under the following conditions:

(1) That findings are made by the Board of Adjustment which demonstrate that special conditions or circumstances exist that are peculiar to the land or structure within the county and that a literal enforcement of provisions within the buffer zone as designated by this section would result in unwarranted hardship.

(2) That the variance request is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or nonconforming, on any neighboring property.

(3) That the granting of a variance will not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the designated buffer zones and in waters adjacent to buffer zones. Variances will be in harmony with the general spirit and intent of the section and any subsequent regulations.

(4) That applications for a variance will be made, in writing, to the Board of Adjustment, with a copy to the County Administrator.

(3) Any land upon which development has progressed to the point of pouring of a foundation or the installation of structural improvements as of

the date of the approval of this section shall be permitted to be developed, provided that there shall be no further encroachment upon the buffer zone, as required in Subsection E(1) above.]

A. Resource Buffer Widths.

1. Resource Buffer Widths shall be established in accordance with Table 1, with Zone A being closest to the Resource.

2. Resource Buffers are not required landward/adjacent to those portions of Resources to be filled or developed with a valid U. S. Army Corps of Engineers or Delaware Department of Natural Resources and Environmental Control permit.

3. No Resource Buffer shall overlay a Tax Ditch or Tax Ditch Right of Way. If a proposed development contains a Tax Ditch, with a right-of-way of less than the total Resource Buffer Width, then that area of the Resource Buffer outside of the right-of-way shall be designated as Zone B.

664

<u>Table 1: Resource Buffer Widths</u>			
<u>Resource Type</u> <u>(See Definitions, §115-4B)</u>	<u>Full Buffer</u> <u>Width (ft)</u>	<u>Zone A (ft)</u>	<u>Zone B (ft)</u>
<u>Tidal Waters</u>	<u>100</u>	<u>50</u>	<u>50</u>
<u>Tidal Wetlands</u>	<u>100</u>	<u>50</u>	<u>50</u>
<u>Perennial Non-tidal Rivers and Streams</u>	<u>50</u>	<u>25</u>	<u>25</u>
<u>Non-tidal Wetlands</u>	<u>30</u>	<u>15</u>	<u>15</u>
<u>Intermittent Streams</u>	<u>30</u>	<u>15</u>	<u>15</u>
<u>Ephemeral Streams</u>	<u>0</u>	<u>0</u>	<u>0</u>

665

666 B. Resource Buffer Width Averaging.

667

668 1. Resource Buffer width averaging may be utilized to adjust the required
 669 Zone B Resource Buffer width thereby allowing flexibility for the
 670 proposed development, so long as the overall square footage of the
 671 Zone B Resource Buffer is maintained.

672

673 2. Criteria for utilizing Resource Buffer width averaging:

674 (a) Resource Buffer width averaging is not available for Zone A.

675 (b) The overall square footage of Zone B Resource Buffer must be
 676 achieved within the boundaries of the proposed development unless a
 677 Resource Buffer Option permitted under subsection G is utilized.

678 (c) Resource Buffer width averaging may be used on all of the Zone
 679 B Resource Buffers within the boundaries of the proposed development.

(d) Zone B Resource Buffer averaging shall not be expanded more than double the width of Zone B Resource Buffer as referenced in Section 115-193A.

(e) The overall square footage of Zone B Resource Buffer must be calculated based upon the entire length of the Resource borderline that is located within the boundaries of the proposed development.

C. Permitted Activities.

Activities in Zone A and B shall be “Permitted” or “Not Permitted” as set forth in the following Table. Uses not specifically identified shall be prohibited, unless the contrary is clear from the context of the Table, as determined by the Commission.

<u>Table 2: Resource Buffer Activities by Zone</u>		
<u>ACTIVITY</u>	<u>ZONE A</u>	<u>ZONE B</u>
<u>1. Impacts to resource buffers resulting from State and/or Federally permitted disturbances to Resources (wetlands/waters) such as maintenance of Resources and Resource Buffers, utilities, roads, bridges, docks, piers, boat ramps, bulkheads, shoreline stabilization, and resources authorized to be filled or disturbed for development.</u>	<u>PERMITTED</u>	<u>PERMITTED</u>
<u>2. Water-related facilities and ancillary uses required to support water-dependent projects approved by a federal or state permit, including but not limited to: marinas, wharfs, community docking facilities, boat ramps, and canoe/kayak launches.</u>	<u>PERMITTED</u>	<u>PERMITTED</u>
<u>3. Repair or maintenance of existing infrastructure or utilities, including roads, bridges, culverts, water lines, and sanitary sewer lines.</u>	<u>PERMITTED</u>	<u>PERMITTED</u>
<u>4. Temporary impacts resulting from installation of utilities by trenching</u>	<u>PERMITTED</u>	<u>PERMITTED</u>

Table 2: Resource Buffer Activities by Zone

<u>ACTIVITY</u>	<u>ZONE A</u>	<u>ZONE B</u>
<i>methods which are part of State or Federally approved utility installation projects or the installation of utilities by directional boring methods.</i>		
<i>5. Stormwater Management conveyances as approved by the Sussex Conservation District.</i>	<u>PERMITTED</u>	<u>PERMITTED</u>
<i>6. Tax Ditch Maintenance as approved by DNREC Drainage Program.</i>	<u>PERMITTED</u>	<u>PERMITTED</u>
<i>7. Maintenance or repair of drainage conveyances not within a Tax Ditch Right of Way as approved by the Sussex County Engineering Department or Sussex Conservation District.</i>	<u>PERMITTED</u>	<u>PERMITTED</u>
<i>8. Structural crossings of Resources such as bridges or boardwalks which may not require a State or Federal permit.</i>	<u>PERMITTED</u>	<u>PERMITTED</u>
<i>9. Maintenance or modification to previously existing structures and improvements within existing footprint.</i>	<u>PERMITTED</u>	<u>PERMITTED</u>
<i>10. State or Federally approved wetland restoration, creation, and enhancement projects.</i>	<u>PERMITTED</u>	<u>PERMITTED</u>
<i>11. State or Federally approved flood plain restoration, or Resource restoration projects involving the maintenance, repair, restoration, creation, or enhancement of Resources and their Resource Buffers.</i>	<u>PERMITTED</u>	<u>PERMITTED</u>
<i>12. Soil Erosion and Sediment Control measures as approved by Sussex Conservation District.</i>	<u>PERMITTED</u>	<u>PERMITTED</u>
<i>13. Forest Management Activities conducted under the guidance and direction of a Licensed Forester,</i>	<u>PERMITTED</u>	<u>PERMITTED</u>

Table 2: Resource Buffer Activities by Zone

<u>ACTIVITY</u>	<u>ZONE A</u>	<u>ZONE B</u>
<u>Arborist, Landscape Architect, or Qualified Resource Buffer Professional.</u>		
<u>14. Invasive Species Control (plant, insect, animal) conducted in accordance with State and Federal law.</u>	<u>PERMITTED</u>	<u>PERMITTED</u>
<u>15. Planting/establishment of non-invasive native species (as listed by DNREC).</u>	<u>PERMITTED</u>	<u>PERMITTED</u>
<u>16. Installation, repair, maintenance, and removal of wells (potable, monitoring, injection as approved by state/federal agencies).</u>	<u>PERMITTED</u>	<u>PERMITTED</u>
<u>17. Walking Trails approved by a State and/or Federal Permit where any associated impervious area runoff is managed under a Sussex Conservation District permit.</u>	<u>PERMITTED</u>	<u>PERMITTED</u>
<u>18. Extended Detention dry and wet stormwater management ponds.</u>	<u>NOT PERMITTED</u>	<u>PERMITTED</u>
<u>19. Removal of any dead, dying, damaged, or unstable live tree from a Resource or Resource Buffer which presents an imminent danger to property or public safety.</u>	<u>PERMITTED</u>	<u>PERMITTED</u>
<u>20. Stormwater Management Water Quality BMPs as approved by the Sussex Conservation District.</u>	<u>PERMITTED</u> <u>(Limited to 10% of Total square footage of Zone A in a proposed development)</u>	<u>PERMITTED</u>
<u>21. Sewage disposal facilities.</u>	<u>NOT PERMITTED</u>	<u>NOT PERMITTED</u>
<u>22. Storage of hazardous materials and siting of industrial sites, landfills, or junkyards.</u>	<u>NOT PERMITTED</u>	<u>NOT PERMITTED</u>

Table 2: Resource Buffer Activities by Zone

<u>ACTIVITY</u>	<u>ZONE A</u>	<u>ZONE B</u>
<u>23. Swimming pools, community clubhouses, and all Non-Water-Dependent or Non-Water Related improvements not specifically permitted under this section.</u>	<u>NOT PERMITTED</u>	<u>NOT PERMITTED</u>

D. Resource Buffer Standards.

1. All existing (i.e., at the time of application) conditions, including the vegetative land features, and the proposed conditions within the proposed Resource Buffer shall be identified on the Preliminary Site Plan.

2. If a proposed development contains a Resource, then the associated Resource Buffer shall conform with the following criteria based on vegetative features existing at the time of Preliminary Site plan Submission:

(a) Established native forests and non-forest meadows predominated by non-invasive species shall be retained.

(i) Forest: Subject to §115-193C, all existing trees and understory constituting a proposed Resource Buffer shall be preserved and maintained in their natural state. "Selective Cutting" (Subsection E) activities may be implemented. Invasive species may be removed from the Resource Buffer.

(ii) Non-forest Meadow: Subject to §115-193C, all existing meadows constituting a proposed non-forested Resource Buffer that are composed of herbaceous and shrub species shall be preserved and maintained in their natural state. Non-forest meadow may also include old field areas with a mixture of herbaceous vegetation, shrubs and trees transitioning to a forested condition through natural succession. Invasive species may be removed from the Resource Buffer.

(b) Grazed pasture, managed turf, active cropland or areas of bare earth not stabilized with vegetative cover shall be re- established as native forest or non-forest meadow prior to determination of substantial completion of the proposed development phase where that "unstabilized" area is located by planting of non-invasive species or through the process of natural succession augmented with invasive species control.

E. Selective Cutting.

1. "Selective Cutting" is defined as the removal or limbing of trees greater than three inches in diameter at breast height which does not change the area of the overall forest canopy by the concentrated removal of trees in a specific location. "Selective Cutting" also permits the removal or brushing of forest understory. Disruption of a contiguous forest canopy for a width greater than thirty feet shall not occur and does not meet the definition of "Selective Cutting". "Selective Cutting" does not include stump removal.
2. "Selective Cutting" shall be completed under the guidance and approval of a Licensed Forester, ISA Certified Arborist, Registered Landscape Architect, or Qualified Resource Buffer Professional

F. Maintenance of Drainage Conveyances

1. All Resource Buffers identified on a Final Site Plan shall be designated as a drainage and access easement permitting access by any future owners' association, federal, state or local agency and the public, for the limited purpose of maintenance or monitoring of drainage capacity or conveyance by any future owners' association; federal state or local agency; and the public. In addition, a corresponding easement for access into each individual Resource Buffer established on the site shall, whenever possible, be provided from a public road or street within a proposed development.
2. If a Resource Buffer abuts or contains features such as ephemeral, intermittent or perennial streams which are not part of an established Tax Ditch and which convey drainage from or through a site proposed for development, a "Drainage Assessment Report" shall be prepared by a registered Delaware Professional Engineer. As part of the pre-application process, Sussex County will determine the information to be included in the Drainage Assessment Report. At a minimum, the Drainage Assessment

Report shall identify the following concerning measures needed for drainage conveyances:

(a) Identification of any unstable or eroding stream banks or conveyance requiring stabilization or restoration measures.

(b) The location of any stream blockages such as debris jams, fallen or unstable trees, beaver dams or similar impediments to conveyance.

(c) The location of any sand or gravel deposition within a channel or conveyance which impedes the flow of water produced by a storm having an annual probability of occurrence of 10%.

(d) A discussion of all recommended measures to remedy any impediment to drainage conveyance or drainage stability.

(e) A summary of required local, state or federal permits required to remedy any impediment to drainage conveyance.

(f) The easement width and a sufficient number of easements to provide adequate access to the Resource for maintenance.

3. Remedies required by Sussex County as a result of the Drainage Assessment Report shall be shown on the Final Site Plan.

G. Resource Buffer Options

1. A proposed development shall be permitted to utilize the following options, consistent with §115-193, Section B. Resource Buffer Width Averaging, to incentivize the retention of forests:

(a) When the preservation of a forest within the Resource Buffer that has been in existence for at least five years prior to the date of application as identified by a Licensed Forester, Arborist, Landscape Architect, or Qualified Resource Buffer Professional is achieved, then a corresponding area reduction of either the Resource Buffer Zone B along the entire or part of that Resource; or the Forested and/or

Landscaped Buffer required in Chapter 99 in areas adjacent to like-zoned land is permitted.

(b) When the Preservation of a forest connected to (but not within) a Resource Buffer in excess of the requirements listed in Section 115-193.A. is achieved, then a corresponding area reduction of either non-Forest Resource Buffer Zone B on the same Resource, or Forested and/or Landscaped Buffer required in Chapter 99 in areas adjacent to like-zoned land is permitted.

(c) When the provision of Resource Buffer widths in excess of the requirements listed in Section 115-193.A. is achieved, then a corresponding area reduction of the Forested and/or Landscaped Buffer required in Chapter 99 in areas adjacent to like-zoned land is permitted.

2. A proposed development shall be permitted to utilize the following options to incentivize the retention or expansion of Resource Buffers or provide additional functional benefit of Resource Buffers:

(a) (i) When the creation of a Resource Buffer under a perpetual conservation easement for the benefit of a conservation organization approved by Sussex County on lands in the same twelve-digit hydrologic unit code as defined by the United States Geological Survey as the proposed development is achieved, then a 75 percent corresponding area reduction of the Resource Buffer Zones A and/or B on the same Resource within the proposed development is permitted.

(ii) When the creation of a Resource Buffer for forest preservation under a perpetual conservation easement for the benefit of a conservation organization approved by Sussex County on lands in the same twelve-digit hydrologic unit code as defined by the United States Geological Survey as the proposed development is achieved, then a 125 percent corresponding area reduction of the Resource Buffer Zones A and/or B on the same Resource within the proposed development is permitted.

(b) Funding, partially or entirely, an off-site restoration project under the Sussex County Clean Water Enhancement Program, subject to approval

of the Sussex Conservation District, with completion of the restoration by Sussex County in the same twelve digit hydrologic unit code as defined by the United States Geological Survey as the proposed development with a corresponding Resource Buffer Zone A and/or B reduction equal to the Resource Buffer area created in the off-site project.

(c) (i) A proposed development with a pre-existing property boundary in the center of an Intermittent or Perennial Stream that includes a perpetual conservation easement for the benefit of a conservation organization approved by Sussex County in the form of a Zone A Resource Buffer on the opposite side of the Intermittent or Perennial Stream may receive a corresponding area reduction of the Zone B Resource Buffer within the proposed development.

(ii) A proposed development with a pre-existing boundary in the center of an Intermittent or Perennial Stream may receive a 200 percent area reduction of Zone B Resource Buffer if forest lands designated as Zone A Resource Buffers are secured under a perpetual conservation easement for the benefit of a conservation organization approved by Sussex County on the opposite side of the Intermittent or Perennial Stream along the proposed development boundary.

3. For purposes of this Subsection G., "Forest" shall mean: A vegetative community dominated by trees and other woody plants covering a land area of 10,000 square feet or greater. Forest includes: (1) areas that have at least 100 trees per acre with at least 50% of those having a two-inch or greater diameter at 4.5 feet above the ground and larger, and (2) forest areas that have been cut but neither stumps were removed nor the land surface regraded.

H. Resource and Resource Buffer Maintenance and Management.

1. Resource and Resource Buffer Management Plan

Any proposed development where Resource Buffers are required shall submit a Resource and Resource Buffer Management Plan, prepared by a Qualified

Resource Buffer Management Professional, that describes measures for maintaining or improving the Resource and the Resource Buffer(s) on the site. The Resource and Resource Buffer Management Plan shall be proffered as part of the Supporting Statement requirements of §99-24, or at the time of Preliminary Site Plan approval for any residential conditional use. The maintenance standards or management actions associated with the Resource and Resource Buffer Management Plan shall be included as an obligation of the owners' association in the recorded declaration for any new development. The Resource and Resource Buffer Management Plan shall describe how the Resource Buffer will be managed to maintain its functions and cite any measures to be implemented for the enhancement of Resource Buffers or their functions. It shall also include a narrative discussing the overall plan for access easements sufficient for expected short- and long-term maintenance and management needs.

2. Any Perennial or Intermittent Stream within a proposed development that does not exhibit a positive conveyance (regardless of whether it is part of a Tax Ditch) shall be identified by phase on the Detailed Grading Plan as follows:

(a) If the deficient Perennial or Intermittent Stream has adjacent Non-Tidal Wetlands, the applicant shall restore the conveyance channel to a positive conveyance (i.e. the removal of conveyance impediments) within the entire site prior to the issuance of substantial completion of the final approved phase. This restoration shall be in compliance with all applicable federal, state and county requirements.

(b) If the deficient Perennial or Intermittent Stream has no adjacent Non-Tidal Wetlands, the applicant shall restore the conveyance channel to a positive conveyance (i.e. the removal of conveyance impediments) within the entire site prior to the issuance of substantial completion of the first approved phase. This restoration shall be in compliance with all applicable federal, state and county requirements.

I. Modifications and Exceptions.

The Planning and Zoning Commission shall be authorized, as part of the site plan review process, to grant preliminary or final site plan approval with modifications of, or exceptions to, the foregoing requirements upon the submission of a detailed

and specific written request from the applicant with supporting documentation from a Qualified Wetland Resource Professional or Qualified Resource Buffer Management Professional, but only upon the satisfaction of all of the following conditions:

1. When the Commission finds that special conditions or circumstances exist that are peculiar to the land or structure and that a literal enforcement of a specific requirement of this section would result in unwarranted hardship.

2. That the modification or exception request is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or nonconforming, on any neighboring property.

3. That the granting of a modification or exception will not adversely affect the functions of the Resource or its Resource Buffer as set forth in the definition of that term. Waivers shall be in harmony with the general spirit and intent of this section and any subsequent regulations.

4. That the basis for the modification or exception cannot be achieved through Resource Buffer Width Averaging as provided by §115-193B.

5. That in no event shall there be a modification or exception to the width requirements of Zone A.

The date of any modification or exception by the Commission shall be noted on the final site plan.

J. These requirements shall only apply to subdivisions governed by Chapter 99, Residential Planned Communities and uses identified in §115-219A(1) and (2).

Section 11. The Code of Sussex County, Chapter 115, Article XXVIII, §115-220 “Preliminary Site Plan Requirements”, is hereby amended by inserting the italicized and underlined language as a new Subsection B(17) thereof:

§115-220 Preliminary Site Plan Requirements

...

B. The preliminary site plan shall show the following:

...

(17) In the case of a proposed development with the uses identified in §115-219A(1) and (2) or Residential Planned Communities, the site plan shall include all required Resource Buffers and the following:

(a) The boundary and type of any Non-Tidal/Tidal Wetland or water resources (Tidal, Perennial, Intermittent) which require a Resource Buffer. The boundary will be shown per methods identified in the definitions of Wetlands and Ordinary High Water Line Delineation.

(b) All existing (i.e., at the time of application) native forest and non-forest meadow within the future Resource Buffer.

(c) The limits of the required Resource Buffers.

(d) Calculations supporting Resource Buffer width averaging (§115-193B).

(e) Calculations supporting Resource Buffer enhancement calculations and corresponding Forested and/or Landscaped Buffer reductions, if applicable (§115-193F).

(f) Proposed access easement layout for access to Resource Buffers and the adjacent Resources with a note that such access easements are “public access easements for maintenance purposes”. For purposes of this requirement, “public” shall mean, and be limited to, those parties requiring access for maintenance purposes.

(g) A reference by title, author and date, to the “Drainage Assessment Report” required by Section 115-193.F.2.

Section 12. The Code of Sussex County, Chapter 115, Article XXVIII, §115-221 “Final Site Plan Requirements”, is hereby amended by inserting the italicized and underlined language as a new Subsections B(19) and E. thereof:

§115-221 Final Site Plan Requirements

...

B. The final site plan shall show the following:

(19) In the case of a proposed development with the uses identified in §115-219A(1) and (2) or Residential Planned Communities, the site plan shall include all required Resources and Resource Buffers including the following, where applicable:

(a) The boundary and type of any Non-Tidal/Tidal Wetland or water resources (Tidal, Perennial, Intermittent) which require a Resource Buffer. The boundary will be shown per methods identified in the definitions of Wetlands and Ordinary High Water Line Delineation.

(b) All existing (i.e., at the time of application) native forest and non-forest meadow within the future Resource Buffer.

(c) The limits of the required Resource Buffers.

(d) Calculations supporting Resource Buffer width averaging (§115-193B).

(e) Calculations supporting Resource Buffer enhancement calculations and corresponding Forested and/or Landscaped Buffer reductions, if applicable (§115-193F).

(f) Proposed access easement layout for access to Resource Buffers and the adjacent Resources with a note that such access easements are “public access easements for maintenance purposes”. For purposes of this requirement, “public” shall mean, and be limited to, those parties requiring access for maintenance purposes.

(g) A statement incorporating the Resource and Resource Management and Maintenance Plan by reference.

(h) A reference by title, author and date, to the “Drainage Assessment Report” required by Section 115-193.F.2.

...

E. An AutoCAD drawing file containing all items required in Section A above shall be submitted in electronic format. The data shall be referenced in NAD 1983 StatePlane Delaware FIPS 0700 (U.S. Feet) Projected Coordinate System.

Section13. Effective Date.

996 This Ordinance shall take effect upon _____ () months from the date of adoption
997 by Sussex County Council. Provided however, that it shall not apply to any
998 completed applications on file with the Sussex County Office of Planning & Zoning.

**Sussex County
Drainage and Resource Buffer Ordinance
Summary Paper**

The following information is a summary of the provisions within the Buffers – Wetlands – Drainage Ordinance to be used as a guide in the review of the Ordinance.

Section ¹	Title	Summary	Page Numbers
1	Definitions	Defines: ephemeral streams, intermittent streams, major subdivision, minor subdivision, non-tidal wetlands, ordinary high-water mark delineation, perennial non-tidal rivers and streams, resource buffer – wetlands and waters, resources, tax ditch, tidal waters (mean high-water line), tidal wetlands, water dependent activities, water related activities, and wetlands.	Pages: 3-7
2	General Requirements & Restrictions	Requires Resources and Resources Buffers to be depicted on preliminary and final plat plans for each major subdivision of lands	Pages: 7-8
3	Preliminary Conference	Amends the current Code to strike the reference to a minor subdivision	Page: 8
4	Information to Be Shown	Lists the specific information to be shown on the preliminary plat	Pages: 8-9
5	Supporting Statements	Requires a Resource and Resource Buffer Management Plan and the same to be recorded as part of the subdivision	Pages: 9-10
6	Information to Be Shown	Lists the specific information to be shown on the final plat	Pages: 10-11
7	Plans	Requires Resources and Resources Buffers and the public access easement as part of the Chapter 99 "Plans"	Page: 11
8	Definitions and Word Usage	Includes identical definitions as Section 1	Pages: 12-16
9	Height, Area and Bulk Requirements	Amends the current Code related to cluster subdivisions to come into compliance with the requirements of §115-193.	Pages: 16-17

Section ¹	Title	Summary	Page Numbers
10	Resource Protection	Strikes the current buffer ordinance (§115-193) and renames the section "Resource Protection"	Pages: 17-20
		10A. Requires Resource Buffer widths	Pages: 20-21
		10A. Lists the Resource Buffer widths (Table 1)	Page: 21
		10B. Defines Resource Buffer averaging	Pages: 21-22
		10C. Lists the Resource Buffer Permitted Activities by Zone (Table 2)	Pages: 22-25
		10D. Defines the Resource Buffer Standards	Pages: 25-26
		10E. Defines Selective Cutting	Page: 26
		10F. Defines the maintenance of drainage conveyances including a requirement for a Drainage Assessment Report	Pages: 26-27
		10G. Defines Resource Buffer Options to incentivize the retention of forests and the retention or expansion of Resource Buffers	Pages: 27-29
		10H. Defines the Resource and Resource Buffer Maintenance and Management requirements	Pages: 29-30
		10I. Defines the requirements for the PZ Commission to grant an exception or modification	Pages: 30-31
11	Preliminary Site Plan Requirements	Lists the specific information to be shown on the preliminary site plan	Pages: 31-32
12	Final Site Plan Requirements	Lists the specific information to be shown on the final site plan	Pages: 32-33
13	Effective Date	Effective date of the ordinance	Page: 33-34

1. Sections 1-7 address Chapter 99 of County Code. Sections 8-12 address Chapter 115 of County Code.

#

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, October 27, 2021 10:47 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

SUPPORT EXHIBIT

Submitted on Wednesday, October 27, 2021 - 10:46am

Name: L Cherney
Email address: chern5@aol.com
Phone number: 410-419-9464
Subject: Buffers

Message:

Please let it be known that I support increasing buffer zones around wetlands and forest, and bringing them in line with the other counties here in Delaware. Increasing the buffers will have a tremendous positive effect on reducing runoff, and increasing the health of inland bays and wetlands. It is important in this time of increased development, that we be forward- thinking in protecting the great amount of wetlands in Sussex county. We are the lowest county in the state, which has the lowest mean elevation of any state in the country. We have a responsibility and a privilege to protect our resources. Thank you, L Cherney

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 234-23.00-270.00

WHEREAS, on March 9th, 2020, the Sussex County Planning and Zoning Office received an application for Change of Zone No. 1922

WHEREAS, the Sussex County Council will consider Change of Zone No. 1922 from a B-1 Neighborhood Business District, C-1 General Commercial District and CR-1 Commercial Residential District to a HR-RPC High Density Residential District Residential Planned Community for certain parcels of land lying and being in Indian River Hundred, Sussex County, containing 31.11 acres, more or less (The entirety of Tax Parcel No. 234-23.00-270.00) (the “Property”); and

WHEREAS, the Property is designated as being within the Commercial Area as set forth in the Future Land Use Map identified as Figure 4.5-1 in the Plan, and the Commercial Area does not permit such HR-1 Zoning; and

WHEREAS, Sussex County Council desires to adopt this Ordinance amending the Future Land Use Map of the Plan with minor amendments; and

WHEREAS, in accordance with the required process for public hearings on ordinances such as this one, both Sussex County Council and the Sussex County Planning & Zoning Commission will hold public hearings on this Ordinance, but limited in scope to this specific proposed amendment to the Future Land Use Map contained in the Plan.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Future Land Use Map identified as Figure 4.5-1 of the Sussex County Comprehensive Plan is hereby amended to change the Area designation of Sussex County Parcel No. 234-23.00-270.00 from the Commercial Area to the Coastal Area. The Sussex County Parcel No. 234-23.00-270.00 so changed is identified in Exhibit A, attached hereto and incorporated herein.

Section 2. This Ordinance shall also take effect following its adoption by majority vote of all members of the County Council of Sussex County, Delaware, and upon certification by the State of Delaware.



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

July 22, 2021

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

RE: PLUS review 2021-06-10; Sussex County Comprehensive Plan Amendment

Dear Mr. Whitehouse:

Thank you for meeting with State agency planners on June 23, 2021 to discuss the proposed Comprehensive Plan Amendment for Sussex County. This proposed amendment would change the Future Land Use Map for 4 parcels from the Commercial Area to the Coastal Area.

Please note that additional changes to the plan could result in additional comments from the State. Additionally, the comments below reflect only issues that are the responsibility of the agencies that were represented at the meeting.

Office of State Planning Coordination – Contact Dorothy Morris 739-3090

These parcels were reviewed through PLUS as 2019-05-09, Baywood Gardens, which was reviewed for a 514 unit apartment complex. This PLUS application included parcel 234-23.00-270.00, 273.01, 273.02, 273.03, 273.05. At this time all parcels, with the exception of 234-23.00-270.00 is already in the Coastal Area according to the Sussex County Comprehensive plan.

Parcel 234-23.00-270.00 is surrounded by Coastal area and is currently slated for a higher use, commercial. It is also within levels 2 and 3 according to the Strategies for State Policies and Spending. The state has no objections to the amending the comprehensive plan to include 234-23.00-270.00 in the Coastal Area.

Please note that not objecting to the amendment does not constitute support from state agencies for future development. If it meets the PLUS criteria, any future development not already reviewed through PLUS would need to be reviewed for state agency comment.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- PLUS 2021-06-10 – This amendment would facilitate two developments known collectively as parts of Baywood Gardens. In November 2019 and December 2020, DelDOT provided comments on Traffic Impact Studies for those developments. Copies of those comments are available at https://deldot.gov/Business/subdivisions/index.shtml?dc=Traffic_Studies.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

- DNREC reviewers are not in support of this change as the intensity of use allowed in the Coastal Area is inconsistent with the resource constraints on site. In areas zoned as Coastal Areas, the density could be up to 12 units per acre. In addition, heavy commercial uses are allowed in this area.
- A Wellhead Protection Area lies within Parcel 234-23.00-270.00. Wellhead Protection Areas are the surface and subsurface areas surrounding a water well, or a public water supply wellfield. Contaminants leaching into the soil have the potential to reach the water supplies in these areas.
- Groundwater Recharge Areas are located on parcels 234-23.00-273.01, 234-23.00-273.02 and 234-23.00-273.03. These areas have soils that are conducive to water infiltrating downward from surface water into groundwater. Preservation of these areas is important for replenishing groundwater supplies and ensuring drinking water for future generations.
- Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov

Parcel#: 234-23.00-270.00:

- Prehistoric archaeological potential is low to moderate. The area is almost completely well-drained soils, but it is just outside of favorable distance to a water source (Guinea Creek). Southern half of parcel has been disturbed, but the norther half has seen limited change. Moderate potential up north, but still not completely favorable.
- Historic archaeological potential is low. The location of the John J. Williams Dwelling at the southern border would have made it high in that area, but there appears to be a large amount of ground disturbance and earthmoving between 2002-2007, and the house has since been demolished according to Oct 2019 Google Street view. No other structures appear to be on the parcel. Any historic remains found in the middle of the parcel where ag fields were would likely be field scatter.

Parcel# 234-23.00-273.01:

- Prehistoric potential is low. Despite well-drained soils, there is no water source within favorable distance to the parcel. Some ground disturbance from deforestation and reforestation as well.
- Historic archaeological potential is low. No structures that are shown on historic maps, aerials, or topographic maps. Seems to have been either partial ag field or forested continuously.

Parcel# 234-23.00-273.02:

- Prehistoric potential is low. Despite well-drained soils, there is no water source within favorable distance to the parcel. Some ground disturbance from deforestation and reforestation as well.
- Historic archaeological potential is low. No structures that are shown on historic maps, aerials, or topographic maps. Seems to have been either partial ag field or forested continuously

Parcel# 234-23.00-273.03:

- Prehistoric potential is low. Despite well-drained soils, there is no water source within favorable distance to the parcel. Some ground disturbance from deforestation and reforestation as well.
- Historic archaeological potential is low. No structures that are shown on historic maps, aerials, or topographic maps. Seems to have been either partial ag field or forested continuously.

Once a decision has been reached on this proposed comprehensive plan amendment, please notify the Office of State Planning Coordination for our records. If approved this notification should include a copy of the plan amendment as approved, the adopting resolution or ordinance, a revised version of any maps that were updated as well as any text that was approved in amending the comprehensive plan. If the amendment is not approved by the county, please include a copy of the minutes verifying this amendment was denied.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Edgell', written in a cursive style.

David L. Edgell, AICP
Director, Office of State Planning Coordination

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
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COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

PLANNING & ZONING COMMISSION

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



Sussex County

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JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 4th, 2021

Application: CZ 1936 OA-BP Marina Bay-Lakeside, LLC

Applicant: OA-BP Marina Bay-Lakeside, LLC
20184 Phillips Street
Rehoboth Beach, DE 19971

Owner: OA-BP Marina Bay-Lakeside, LLC
20184 Phillips Street
Rehoboth Beach, DE 19971

Site Location: The property is lying on the south end of Bay Farm Road (S.C.R. 299) and the south side of Trinity Road (S.C.R. 299A).

Current Zoning: Medium Density Residential - Residential Planned Community (MR-RPC)

Proposed Zoning: Medium Density Residential – Residential Planned Community (MR-RPC)

Proposed Use: Increase the number of Single-Family Detached Condominiums permitted under Condition “1” of Ordinance No. 2690 from 388 to 471 (83 units) and decrease the number of Multi-Family Units from 378 to 295 (83 units).

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Indian River Fire District

Sewer: Sussex County Sewer District

Water: Tidewater Utilities

Site Area: 778.39 +/- acres

Tax Map ID.: 234-30.00-1.00 thru 430.00



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Sussex County

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Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: October 29th, 2021
RE: Staff Analysis for CZ 1936 OA-BP Marina Bay – Lakeside, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1936 OA-BP Marina Bay – Lakeside, LLC to be reviewed during the November 4, 2021, 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 Parcels 234-30.00-1.00 thru 430.00 to allow for a change of zone from a Medium Density Residential, Residential Planned Community (MR-RPC) to a Medium Density Residential, Residential Planned Community (MR-RPC). The parcels are located on the south end of Bay Farm Road (S.C.R. 299) and the south side of Trinity Road (S.C.R. 299A). The parcels to be rezoned contains 778.39 acres +/-.

Specifically, the proposal is to amend Condition #1 of Ordinance No. 2690 by increasing the number of Single-Family Detached Condominiums permitted from 388 to 471 (83 units) and decrease the number of Multi-Family Units from 378 to 295 (83 units).

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 properties have a land use designation of "Coastal Area." The properties to the north, south, east and west also have the land use designation of Coastal Area with four (4) parcels to the west and one parcel to the north having a Future Land Use designation of Commercial Area.

As outlined in the 2018 Sussex County Comprehensive Plan, the Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed.

The properties are zoned Medium Density Residential, Residential Planned Community (MR-RPC). The adjacent parcels to the north of the subject properties are zoned General Residential (GR) Zoning District and consist of the Pot Nets Lakeside and Oak Forest Manufactured Home Parks. The properties to the southwest of the subject properties are zoned General Residential (GR) Zoning District and are comprised of the Captain's Way Residential Planned Community



(RPC) and Oak Landing Subdivision. The properties to the northeast, which border the Indian River Bay are zoned Agricultural Residential (AR-1) Zoning District and are included as part of the Pot Nets Bayside and White House Beach Manufactured Home Parks.

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 “Zoning Districts Applicable to Future Land Use Categories,” the Medium Density Residential Zoning District is listed as an applicable zoning district in the “Coastal Area.”

Since 2011, there have been three (3) Change of Zone applications within a 2-mile radius of the application site. The first application is for Change of Zone No. 1801 for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Commercial Residential (CR-1) Zoning District. The application was approved by the Sussex County Council on July 26, 2016 and the change was adopted through Ordinance No. 2459. The second application is for Change of Zone No. 1880 for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Medium Commercial (C-2) Zoning District. The application was approved by the Sussex County Council on July 16, 2019 and adopted through Ordinance No. 2669. The last application is for Change of Zone No. 1791 for a change of zone from an Agricultural Residential (AR-1) Zoning District to a General Commercial (C-1) Zoning District. The application was approved by the Sussex County Council on April 12, 2016 and adopted through Ordinance No. 2444.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from a Medium Density Residential, Residential Planned Community (MR-RPC) Zoning District to a Medium Density Residential, Residential Planned Community (MR-RPC) for the sole purpose of increasing the number of Single-Family Detached Condominiums permitted under Condition #1 of Ordinance No. 2690 could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CZ 1936

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

The Peninsula on Indian River Bay

Type of Conditional Use Requested:

Request to amend condition #1 of Ordinance 2690

Tax Map #: 234-30.00-1.00 thru 430.00

Size of Parcel(s): 778.39 Acres

Current Zoning: MR-RPC

Proposed Zoning: MR-RPC

Size of Building:

Land Use Classification: Residential Subdivision

Water Provider: Tidewater Utilities

Sewer Provider: Sussex County

Applicant Information

Applicant Name: OA-BP Marina Bay-Lakeside, LLC

Applicant Address: 20184 Phillips Street

City: Rehoboth Beach

State: DE

Zip Code: 19971

Phone #: (302) 227-3573

E-mail: greg@oacompanies.com

Owner Information

Owner Name: OA-BP Marina Bay-Lakeside, LLC

Owner Address: 20184 Phillips Street

City: Rehoboth Beach

State: DE

Zip Code: 19971

Phone #: (302) 227-3573

E-mail: greg@oacompanies.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Davis, Bowen & Friedel, Inc.

Agent/Attorney/Engineer Address: 1 Park Avenue

City: Milford

State: DE

Zip Code: 19963

Phone #: (302) 424-1441

E-mail: wzc@dbfinc.com



Check List for Sussex County Planning & Zoning Applications

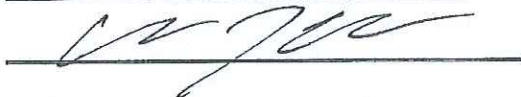
The following shall be submitted with the application

- ☒ Completed Application
- ☒ Provide eight (8) copies of the Site Plan or Survey of the property
 - o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - o Provide a PDF of Plans (may be e-mailed to a staff member)
 - o 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.

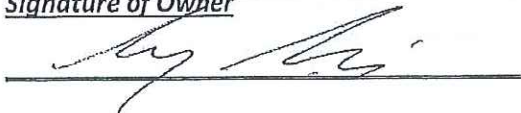
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future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

Signature of Applicant/Agent/Attorney



Date: 8-30-2021

Signature of Owner



Date: 8/30/21

For office use only:

Date Submitted: 8/30/21

Staff accepting application: ABD

Location of property: _____

Fee: \$500.00 Check #: _____

Application & Case #: CZ 1936

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____

Owner Name	Second Owner Name	TaxID	Mailing Address	City	Zip	Community Name
ADORNETTO CHARLES JR	KAREN EILEEN ADORNETTO	234-30.00-195.00	24640 NAVIGATORS WALK	MILLSBORO	19966	THE PENINSULA
AHNTHOLZ ROSS C	MARGARET E AHNTHOLZ	234-30.00-367.00-142	27087 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
AMATO ROBERT M	VIRGINIA M AMATO	234-30.00-367.00-127	27053 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
ANDERSON DREW J TTEE	MARY K ANDERSON TTEE REV TR	234-30.00-367.02-113	27044 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
ANTHENELLI JAMES V TTEE	MARY MONICA ANTHENELLI TTEE REV TRST	234-30.00-300.00	24456 JACKS DR	MILLSBORO	19966	THE PENINSULA
APOSTOLIDIS LISA A	DIMITRIOS G APOSTOLIDIS	234-30.00-305.01-151	22124 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
ARSDELL KEVIN D VAN	SUSAN M VAN ARSDELL	234-30.00-316.04-26	28014 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
ASPINWALL WILLIAM P	MARY HAVILAND ASPINWALL	234-30.00-313.00-67	33396 PADDLE DR	MILLSBORO	19966	THE PENINSULA
BACH PAUL D	<Null>	234-30.00-303.00-17	27177 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
BARREIROS SILVINO MANUEL	MARY A DIVVER	234-30.00-314.04-209	24227 CANOE DR	MILLSBORO	19966	THE PENINSULA
BECK DAVID HALDEMAN	LINDA CASH BECK	234-30.00-200.00	33412 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
BENSON DAVID L TTEE	BRENDA A FAHERTY TTEE REV LIV TR	234-30.00-313.00-66	33398 PADDLE DR	MILLSBORO	19966	THE PENINSULA
BERGEN NANCY S	<Null>	234-30.00-367.00-140	27083 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
BERNHARDT MICHAEL H	ANNE K BERNHARDT	234-30.00-213.00	24608 WAKESIDE DR	MILLSBORO	19966	THE PENINSULA
BERRY GLENN FREDERICK	JANET RAE BERRY	234-30.00-280.00	33330 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
BICKLEY RONALD D	LAURA T BICKLEY	234-30.00-192.00	24649 NAVIGATORS WALK	MILLSBORO	19966	THE PENINSULA
BIGHAM JOSEPH J TTEE	MAUREEN C BIGHAM TTEE OF THE JOSEPH J BI	234-30.00-311.00-31	33481 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
BILOTTI JOHN JR	BARBARA ELIZABETH BILOTTI	234-30.00-314.08-233	24266 CANOE DR	MILLSBORO	19966	THE PENINSULA
BISGOOD SANDRA M	<Null>	234-30.00-304.02-117	33171 VERANDA CIR	MILLSBORO	19966	THE PENINSULA
BLANNETT JOHN D	ALICE E BLANNETT	234-30.00-303.00-26	27201 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
BLOUIN ROBERT P	KATHLEEN M BLOUIN	234-30.00-62.00	27642 STERLING BLVD	MILLSBORO	19966	THE PENINSULA
BORGES GUY L	KAREN BORGES	234-30.00-305.02-41	22163 DUNE CIR	MILLSBORO	19966	THE PENINSULA
BOYLAN PATRICIA MARIE	DENIS MICHAEL BOYLAN	234-30.00-316.04-23	28028 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
BRENNAN WILLIAM G	NATALY MUKHINA	234-30.00-304.01-83	33141 SERENITY CIR	MILLSBORO	19966	THE PENINSULA
BUCKLES VICKIE H	<Null>	234-30.00-367.00-107	33258 WADING DUCK DR	MILLSBORO	19966	THE PENINSULA
BUDIG PHILIP G TTEE	NYDA BUDIG TTEE FML TR	234-30.00-313.02-53	33301 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
BURROUGHS GEORGE	<Null>	234-30.00-367.00-148	33274 WADING DUCK DR	MILLSBORO	19966	THE PENINSULA
BYRNES JOHN M	KATHERINE CUNNINGHAM	234-30.00-310.00-25	33469 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
CAK PROPERTIES LLC	<Null>	234-30.00-73.00	27690 STERLING BLVD	MILLSBORO	19966	THE PENINSULA
CALCUTTA JAMES A	PATRICIA L DIETZ	234-30.00-166.00	33421 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
CALLAGHAN THOMAS	JACQUELINE CALLAGHAN	234-30.00-367.00-153	33231 SPINNERS DR	MILLSBORO	19966	THE PENINSULA
CALLAHAN RICHARD A	KATHI L BONNER CALLAHAN	234-30.00-158.00	33418 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
CAREY DAVID W	CHARLENE F CAREY TR	234-30.00-367.02-79	33365 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
CARNEY JOHN M	DIANE E CARNEY	234-30.00-301.00	24454 JACKS DR	MILLSBORO	19966	THE PENINSULA
CARO THOMAS J	AMY J CARO	234-30.00-229.00	24566 ATLANTIC DR	MILLSBORO	19966	THE PENINSULA
CAROLA JOHN A	<Null>	234-30.00-308.00-10	33437 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
CAROLAN MICHAEL JOHN	JOANNE CAROLAN	234-30.00-231.00	24562 ATLANTIC DR	MILLSBORO	19966	THE PENINSULA
CARROLL CHARLES E TTEE	LOU ANN CARROLL TTEE LIV TR	234-30.00-70.00	27676 STERLING BLVD	MILLSBORO	19966	THE PENINSULA
CASEY DENNIS K	PATRICIA LOUISE CASEY	234-30.00-314.01-189	24273 CANOE DR	MILLSBORO	19966	THE PENINSULA
CAVAN LUCILLE A	SCOTT B CAVAN	234-30.00-222.00	24582 BEACHCOMBER DR	MILLSBORO	19966	THE PENINSULA
CHAUFOURNIER ROGER L	CHAUFOURNIER NANCY N	234-30.00-256.00	33344 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
CHRISNER RONALD W	LESLEY A CHRISNER	234-30.00-218.00	24585 BEACHCOMBER DR	MILLSBORO	19966	THE PENINSULA
COBURN RUSSELL L	BARBARA A COBURN	234-30.00-247.00	33362 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
COCCARO JOSEPH	MARIA COCCARO	234-30.00-367.02-114	27040 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
COHEN MERRILL	KAREN LYNN DAVIDSON COHEN	234-30.00-173.00	33443 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
COHEN RICHARD P	ANGELA L COHEN	234-30.00-156.00	33426 ISLANDER DR	MILLSBORO	19966	THE PENINSULA

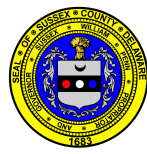
COMLY WILLIAM F	LYNNE COMLY	234-30.00-367.00-93	33236 SPINNERS DR	MILLSBORO	19966	THE PENINSULA
CORCORAN DEBRA L	<Null>	234-30.00-305.01-2	33049 CONSERVATION DR	MILLSBORO	19966	THE PENINSULA
CRANFORD JAMES R	CRANFORD JULIE W	234-30.00-220.00	24586 BEACHCOMBER DR	MILLSBORO	19966	THE PENINSULA
CRICHLEY CHARLES T JR TRUSTEE	SUSAN C CRICHLEY TRUSTEE	234-30.00-311.00-29	33479 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
CUNNINGHAM GEORGE D	TIMOTHY F OSEHA ANNE P OSEHA	234-30.00-308.00-19	33409 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
CUNNINGHAM GEORGE D TTEE	NOREEN T CUNNINGHAM TTEE REV TR	234-30.00-23.00	26966 SUNBURST PATH	MILLSBORO	19966	THE PENINSULA
CURRAN BARBARA A	<Null>	234-30.00-367.00-112	27050 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
CURRY NEIL V JR	PATRICIA K CURRY	234-30.00-316.06-*	27131 SAILSIDE DR	MILLSBORO	19966	THE PENINSULA
DAVIS CHERYL LYNN	<Null>	234-30.00-263.00	24436 PUTTERS DR	MILLSBORO	19966	THE PENINSULA
DAVIS LARRY	WANDA DAVIS	234-30.00-306.00-2304	33564 WINDSWEPT DR	MILLSBORO	19966	THE PENINSULA
DEBLOIS BRUCE M	A LAWANNA DEBLOIS	234-30.00-31.00-7	26955 SUGAR SAND LN	MILLSBORO	19966	THE PENINSULA
DEMPSTER TINA	<Null>	234-30.00-314.02-195	24259 CANOE DR	MILLSBORO	19966	THE PENINSULA
DENEHY PAUL A	ELLEN JEAN DENEHY	234-30.00-171.00	33441 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
DIERINGER DONALD C TRUSTEE	PATRICIA H DIERINGER TRUSTEE	234-30.00-119.00	33482 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
DILLON KAREN I	<Null>	234-30.00-314.05-216	24206 CANOE DR	MILLSBORO	19966	THE PENINSULA
DOERR KEVIN M	MARIA T DOERR	234-30.00-316.06-*	28011 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
DOLFE DONNA	BRIAN DOLFE	234-30.00-303.00-42	27214 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
DRESSEL ROBERT A SR TRUSTEE	SHERRI ANNDRESSEL TRUSTEE	234-30.00-367.00-139	27081 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
EASON PETE	RENEE EASON	234-30.00-91.00	33558 MISTY MOON DR	MILLSBORO	19966	THE PENINSULA
EDISON JOHN MICHAEL	PATRICIA SLIMICK EDISON	234-30.00-314.03-203	24241 CANOE DR	MILLSBORO	19966	THE PENINSULA
ELLENBERGER VALERIE W & WALTER H	ELLENBERGER III	234-30.00-305.00-110	22165 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
ELLIOTT DANIEL	PAULINE ELLIOTT	234-30.00-310.00-4	33457 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
ENGELMANN BRUCE H TRUSTEE	MARY E TRUSTEE	234-30.00-367.00-154	33235 SPINNERS DR	MILLSBORO	19966	THE PENINSULA
EVANOFF JOHN LYLE	KAREN ANN KENNEY	234-30.00-163.00	33409 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
FAGAN TIMOTHY GREGG	CHRISTINA C FAGAN	234-30.00-313.03-36	33497 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
FARIAS KAREN M	JUAN CARLOS FARIAS	234-30.00-308.00-13	33427 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
FARRAR VINCENT J TTEE	BARBARA A FARRAR TTEE REV TR	234-30.00-307.00-91	33403 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
FLAYER MARIE P	FRANK W PRATKO	234-30.00-305.01-128	33067 AMBLING WAY	MILLSBORO	19966	THE PENINSULA
FORAKER ORVAL	MARGERY FORAKER	234-30.00-287.00	24474 BROOKSTONE PATH	MILLSBORO	19966	THE PENINSULA
FORSTER RICHARD E	SANDRA A FORSTER	234-30.00-367.00-147	33276 WADING DUCK DR	MILLSBORO	19966	THE PENINSULA
FOWLER JAMES C JR	JANICE O FOWLER	234-30.00-316.01-59	27114 SAILSIDE DR	MILLSBORO	19966	THE PENINSULA
FRANK DENNIS P	DIANE L FRANK TR	234-30.00-367.00-144	27086 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
FRENCH SHERRY L	FRENCH ALBERT H	234-30.00-305.00-112	22161 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
GALLAGHER JOHN F	JANET M GALLAGHER	234-30.00-367.03-118	27027 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
GARGAN THOMAS V & HELEN F	GARGAN	234-30.00-205.00	24627 SWIRLING WATERS PATH	MILLSBORO	19966	THE PENINSULA
GATTI ANDREW	ALEXIS GATTI	234-30.00-242.00	24536 WAVE MAKER DR	MILLSBORO	19966	THE PENINSULA
GAVRON MICHAEL JOSEPH	CATHERINE JANE GAVRON	234-30.00-367.00-155	33237 SPINNERS DR	MILLSBORO	19966	THE PENINSULA
GEE JOHN SHERWOOD CO-TRUSTEE	SUSAN LANGLEY GEE	234-30.00-275.00	24504 KAYAKERS PATH	MILLSBORO	19966	THE PENINSULA
GEHRING GORDON JOSEPH	WENDY LOUISE GEHRING	234-30.00-305.02-56	33104 AMBLING WAY	MILLSBORO	19966	THE PENINSULA
GENTZLER ALVIN B	GENTZLER DORIAN F	234-30.00-367.00-128	27055 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
GIANNETTO JOSEPH	DIANE M GIANNETTO	234-30.00-367.00-151	33227 SPINNERS DR	MILLSBORO	19966	THE PENINSULA
GIBSON CHARLES E	CATHRYN O GIBSON	234-30.00-114.00	33461 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
GLEICH HENRY A JR	THOMAS JOHN GLEICH	234-30.00-314.02-200	24249 CANOE DR	MILLSBORO	19966	THE PENINSULA
GREALLY FRANCIS	SUSAN GREALLY	234-30.00-305.01-132	22097 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
GRENDA THOMAS J	DEBORAH J GRENDA	234-30.00-367.03-76	33355 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
GRIFFITH MARISSA ROMAN TTEE LIV TR	<Null>	234-30.00-233.00	33366 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
GROSS ROBERT S	TRACEY T GROSS	234-30.00-303.00-25	27199 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA

GROVER RICHARD C	BARBARA B GROVER	234-30.00-367.00-138	27075 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
HALL THOMAS J	ELAINE D PLATT-HALL	234-30.00-316.04-24	28024 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
HAMMOND STEVEN EUGENE TTEE	DIANE COLLINS TTEE REV TR	234-30.00-367.02-81	33371 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
HANSEN GREGORY C	BRENDA D HANSEN	234-30.00-294.00	33292 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
HARRIS TRACY L III	ANNAMARIA F CASTIGLIA	234-30.00-189.00	24641 NAVIGATORS WALK	MILLSBORO	19966	THE PENINSULA
HARROD DAVID M	LORRAINE F HARROD	234-30.00-31.00-6	26956 SUGAR SAND LN	MILLSBORO	19966	THE PENINSULA
HARTMAN MARCELLA J	KEN J HARTMAN	234-30.00-305.01-49	22152 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
HARTWELL WILLIAM C	ROBIN K HARTWELL	234-30.00-42.00	33505 DRIFTING DUNES WAY	MILLSBORO	19966	THE PENINSULA
HAUBERT HARRY HAMILTON III	LEE ANN HAUBERT	234-30.00-316.05-30	27158 SAILSIDE DR	MILLSBORO	19966	THE PENINSULA
HEGEDUS GEORGE T	MARY ANN MIHALY HEGEDUS	234-30.00-272.00	24503 KAYAKERS PATH	MILLSBORO	19966	THE PENINSULA
HENRY BARRY W	LYNN K HENRY	234-30.00-198.00	33416 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
HINES KENNETH J	CATHERINE M HINES	234-30.00-153.00	33438 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
HIVELY BROCK R	TAMARA J HIVELY	234-30.00-282.00	33320 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
HO DICK YUI-KWAN	MARYANNE YINGST	234-30.00-284.00	24477 BROOKSTONE PATH	MILLSBORO	19966	THE PENINSULA
HOCK RUDOLPH P	TONI A BARRETT	234-30.00-367.00-92	33240 SPINNERS DR	MILLSBORO	19966	THE PENINSULA
HODULICH DAVID MICHAEL	MARGARET FERNALD GOMES	234-30.00-123.00	33462 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
HOFFMAN KENT C NANCY J HOFFMAN	<Null>	234-30.00-31.00-10	26949 SUGAR SAND LN	MILLSBORO	19966	THE PENINSULA
HOWARD ELIZAWETA	<Null>	234-30.00-230.00	24564 ATLANTIC DR	MILLSBORO	19966	THE PENINSULA
HOYT BARRY J	SUSAN O'CONNELL	234-30.00-313.00-60	33414 PADDLE DR	MILLSBORO	19966	THE PENINSULA
HUNT CLARENCE E III	KIMBERLY H HUNT	234-30.00-313.00-70	33384 PADDLE DR	MILLSBORO	19966	THE PENINSULA
IBIISA HOLDINGS LLC	<Null>	234-30.00-314.07-229A	24246 CANOE DR	MILLSBORO	19966	THE PENINSULA
IP WALLACE S	NANCY T IP	234-30.00-367.03-119	27029 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
J MAGLIANO LLC	<Null>	234-30.00-313.02-52	33299 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
JAHELKA CRAIG STEVEN	<Null>	234-30.00-249.00	33358 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
JARVIS GEORGE N	FRANCES V JARVIS	234-30.00-291.00	33298 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
JOHNSON BRUCE A	DONNA R JOHNSON	234-30.00-302.00	33466 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
JOHNSON GREGORY E	JULIA M JOHNSON	234-30.00-316.06-*	28005 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
JONES GARY R	PATRICIA MCCRYSTAL-SMITH	234-30.00-271.00	24499 KAYAKERS PATH	MILLSBORO	19966	THE PENINSULA
KAIGH EDWARD JOSEPH TTEE	KATHLEEN MARIE KAIGH TTEE REV LIV TR	234-30.00-304.02-90	33119 SERENITY CIR	MILLSBORO	19966	THE PENINSULA
KARBONIK NICHOLAS DANIEL	DIANE MARY KARBONIK	234-30.00-367.02-80	33369 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
KELLOGG CHRIS W MARSHA A	KELLOGG	234-30.00-151.00	33446 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
KIEFFER CRAIG ALLEN	ELSA ANNE BRAY	234-30.00-305.01-114	33068 SECLUDED PATH	MILLSBORO	19966	THE PENINSULA
KIENZLE LAURENCE JOHN	ANN WOODWARD KIENZLE	234-30.00-216.00	24602 WAKESIDE DR	MILLSBORO	19966	THE PENINSULA
KINNEY DAVID BROOKE JR	<Null>	234-30.00-314.07-229	24244 CANOE DR	MILLSBORO	19966	THE PENINSULA
KISBY WILLIAM R FRANCES L	ROCKELMANN-KISBY	234-30.00-312.01-*	33506 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
KLEINTOP DOUGLAS M	JENNY JEAN KLEINTOP	234-30.00-314.07-226	24238 CANOE DR	MILLSBORO	19966	THE PENINSULA
KOCH BERNHARD	MARGARET-ANN KOCH	234-30.00-303.00-23	27193 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
KRAY KEVIN P	MARILYN C KRAY	234-30.00-170.00	33437 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
LAJOIE CLAUDE	LOUISE LAJOIE	234-30.00-288.00	33308 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
LAPPAS JOHN T	MARIA G LAPPAS	234-30.00-316.04-27	28010 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
LATTA PAUL I JR	KATHLEEN V LATTA	234-30.00-67.00	27664 STERLING BLVD	MILLSBORO	19966	THE PENINSULA
LEONHARTT EDWARD M	NANCY H LEONHARTT	234-30.00-304.01-93	33109 SERENITY CIR	MILLSBORO	19966	THE PENINSULA
LESTER GILDA TTEE REV TR	<Null>	234-30.00-112.00	33453 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
LEVERING WILLIAM T	NANCY K LEVERING	234-30.00-367.00-123	27041 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
LIGAMERI ALAN	CHERRIE LIGAMERI	234-30.00-312.01-*	33502 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
LOGAN ROBERT S	BETH ANNE LOGAN	234-30.00-367.00-150	33270 WADING DUCK DR	MILLSBORO	19966	THE PENINSULA
LOGUE MICHAEL J	TERESA M LOGUE	234-30.00-258.00	24435 PUTTERS DR	MILLSBORO	19966	THE PENINSULA

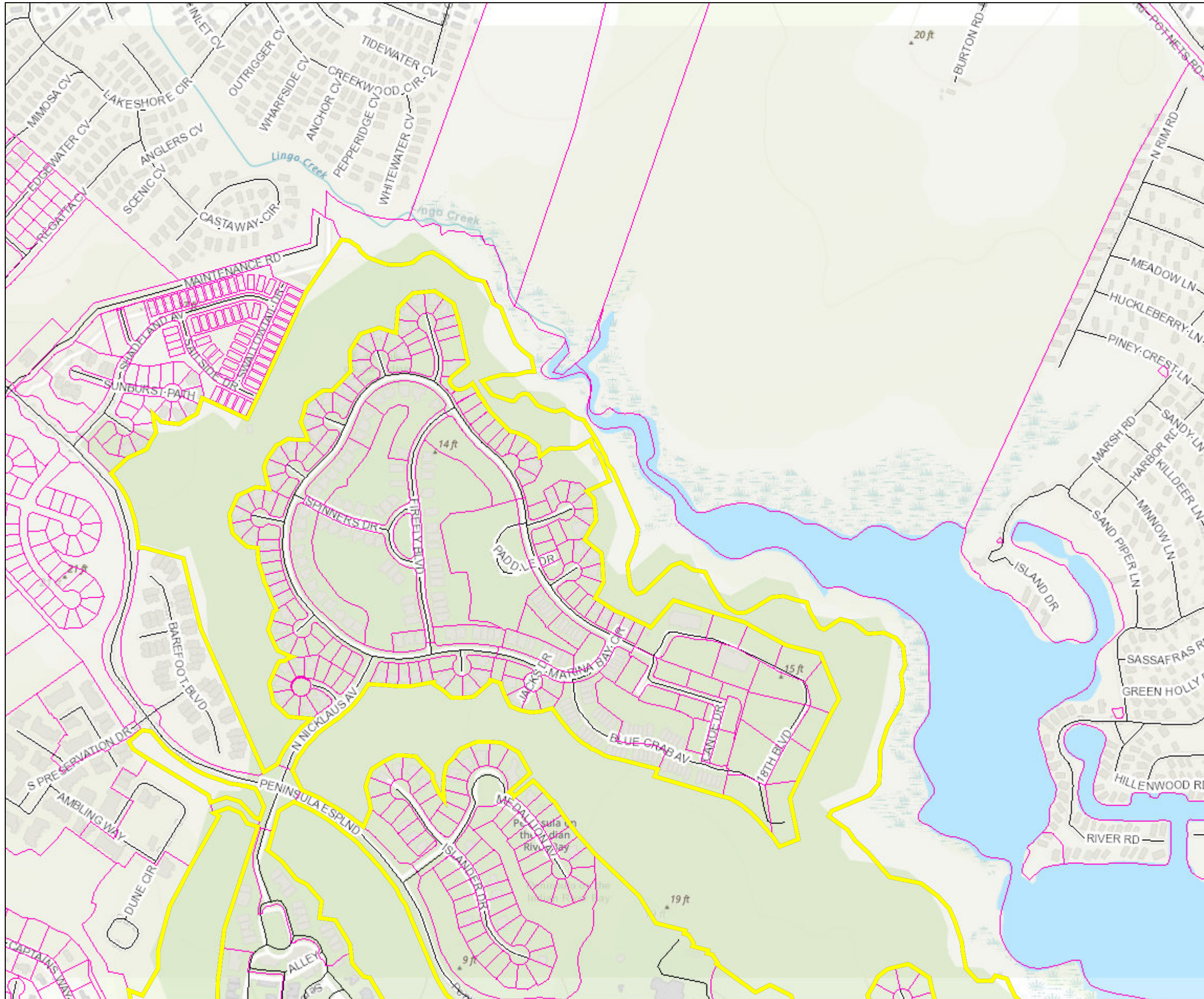
LUCENTE EDWARD R	MARY E LUCENTE	234-30.00-172.00	33445 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
LUCENTE RICHARD A	KATHLEEN LUCENTE	234-30.00-314.05	24200 CANOE DR	MILLSBORO	19966	THE PENINSULA
LYNCH JOHN F JR	SUSAN E LYNCH	234-30.00-312.00-255	33494 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
MACDONELL RICHARD B	DANIELLE MACDONELL	234-30.00-314.01-194	24263 CANOE DR	MILLSBORO	19966	THE PENINSULA
MAIER DEBRA LEE	JEAN ELIZABETH SAMILTON	234-30.00-246.00	24524 WAVE MAKER DR	MILLSBORO	19966	THE PENINSULA
MALLORY RONALD W TR	CATHERINE MALLORY TR	234-30.00-285.00	24478 BROOKSTONE PATH	MILLSBORO	19966	THE PENINSULA
MANNION JOHN D	MARYANNE MANNION	234-30.00-78.00	33600 SAND DOLLAR DR	MILLSBORO	19966	THE PENINSULA
MARINARO CHERYL	<Null>	234-30.00-305.01-131	33061 AMBLING WAY	MILLSBORO	19966	THE PENINSULA
MARINI GARY J	ELIZABETH R MARINI	234-30.00-164.00	33413 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
MARQUART ANDREW M	SUSAN J MARQUART	234-30.00-367.00-134	27065 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
MARTENS JOHN H	MARILYN R MARTENS	234-30.00-367.03-73	33345 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
MAYER NEAL M TRUSTEE	JANE G MAYER TRUSTEE	234-30.00-305.01-55	33102 AMBLING WAY	MILLSBORO	19966	THE PENINSULA
MCARDLE JEROME F TTEE	BARBARA C MCARDLE TTEE LIV TR	234-30.00-31.00-2	26948 SUGAR SAND LN	MILLSBORO	19966	THE PENINSULA
MCDUGAL JERALD F	DONNA P MCDUGAL	234-30.00-305.00-111	22163 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
MCKEE JOHN BOYLSTON	SUZANNE MARIE MCKEE	234-30.00-266.00	33446 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
MCKENNA JOHN J	KAREN S MCKENNA	234-30.00-193.00	24646 NAVIGATORS WALK	MILLSBORO	19966	THE PENINSULA
MEGGIOLARO JOHN J TRUSTEE	MARY A GRIER TRUSTEE	234-30.00-310.00-27	33473 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
MEHRLANDER JOHN H	DELYNN M BRADSHAW-MEHRLANDER	234-30.00-303.00-4	27202 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
MERENSTEIN LAWRENCE E TTEE REV TR	<Null>	234-30.00-196.00	33420 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
MILLER CHARLES L JR	KRISTEN KIDWELL-MILLER	234-30.00-305.01-140	22096 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
MILLER FREDERICK L	JUDY B MILLER	234-30.00-24.00	26967 SUNBURST PATH	MILLSBORO	19966	THE PENINSULA
MILLER GREGORY P & GWENDOLYN RY	<Null>	234-30.00-303.00-12	27180 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
MILUTIN KENNETH E	SHERI L MILUTIN	234-30.00-208.00	24622 SWIRLING WATERS PATH	MILLSBORO	19966	THE PENINSULA
MOORE MARILYN A	<Null>	234-30.00-316.06-*	28025 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
MOORE ROBERT J	CAROLINE T MOORE	234-30.00-95.00	33571 MISTY MOON DR	MILLSBORO	19966	THE PENINSULA
MUSARRA EILEEN LORETTA	<Null>	234-30.00-316.04-20	28042 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
NEIDER JAMES	ELENA NEIDER	234-30.00-201.00	33410 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
NEVAREZ HECTOR O TTEE	THERESA M NEVAREZ TTEE LIVING TR	234-30.00-219.00	24587 BEACHCOMBER DR	MILLSBORO	19966	THE PENINSULA
NEWTON LON	CONSTANCE NEWTON	234-30.00-168.00	33429 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
NICKEL JEFFREY C	TINA L NICKEL	234-30.00-87.00	27726 SUNWALK BLVD	MILLSBORO	19966	THE PENINSULA
NITTOLY RICHARD	NANCY NITTOLY	234-30.00-305.01-119	33082 SECLUDED PATH	MILLSBORO	19966	THE PENINSULA
NORDEN ALAN N	PATRICIA A NORDEN	234-30.00-187.00	33434 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
O'ROURKE MICHAEL	CAROLE O'ROURKE	234-30.00-367.02-116	27032 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
O'ROURKE RORY	KATHLEEN O'ROURKE	234-30.00-309.00-6	33451 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
OCONNOR RICHARD W	MARY JANE OCONNOR	234-30.00-188.00	33432 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
OLIVARI EDWARD R	YVONNE D OLIVARI	234-30.00-313.03-39	33503 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
OUR THREE BLESSINGS LLC	<Null>	234-30.00-367.00-156	33241 SPINNERS DR	MILLSBORO	19966	THE PENINSULA
PALMER MICHAEL J VIRGINIA A	PALMER TRUSTEES	234-30.00-303.00-13	27178 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
PAOLUCCI ANTHONY TRUSTEE	PATRICIA A PAOLUCCI	234-30.00-212.00	24607 WAKESIDE DR	MILLSBORO	19966	THE PENINSULA
PASHUCK DAVID M	SUZI PASHUCK	234-30.00-316.05-31	27154 SAILSIDE DR	MILLSBORO	19966	THE PENINSULA
PASQUIER EDUARDO M	JOHANNA S PASQUIER	234-30.00-31.00-8	26953 SUGAR SAND LN	MILLSBORO	19966	THE PENINSULA
PENINSULA COMMUNITY ASSOCIATION INC THE	<Null>	234-30.00-14.00	26984 GENTLE WATERS LN	MILLSBORO	19966	THE PENINSULA
PETE GERADINO A	LOIS PETE	234-30.00-367.00-126	27045 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
PIERCE JAMES T & NANCY B	PIERCE	234-30.00-303.00-22	27191 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
POLISE MICHAEL F & DEBORAH L	POLISE	234-30.00-267.00	33444 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
PORETZ BARRY R TRUSTEE	BARBARA C PORETZ TRUSTEE	234-30.00-303.00-28	27213 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
PRINCE KENNETH R	SHELLEY A PRINCE	234-30.00-303.00-9	33012 MOORING CV	MILLSBORO	19966	THE PENINSULA

PROCHASKA STEVEN C	LORRAINE PROCHASKA	234-30.00-314.07-227	24240 CANOE DR	MILLSBORO	19966	THE PENINSULA
PROSSER LEANNE SILICATO	<Null>	234-30.00-118.00	33477 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
PUMMER WALTER JR	KAREN L PUMMER	234-30.00-270.00	24493 KAYAKERS PATH	MILLSBORO	19966	THE PENINSULA
RAINFORTH GARY N	<Null>	234-30.00-313.02-49	33293 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
REED GEORGE D JR TRUSTEE	CLAIRE G REED TRUSTEE	234-30.00-206.00	24626 SWIRLING WATERS PATH	MILLSBORO	19966	THE PENINSULA
REILLY STEPHEN JOHN	REGINA ANN REILLY	234-30.00-316.06-*	28021 SWALLOWTAIL DR	LEWES	19966	THE PENINSULA
RICHMAN JAY S	ROBIN M RICHMAN	234-30.00-313.00-68	33392 PADDLE DR	MILLSBORO	19966	THE PENINSULA
ROBINSON EDWARD S JR	ASHLEY ROBINSON	234-30.00-240.00	24544 WAVE MAKER DR	MILLSBORO	19966	THE PENINSULA
RUFFO KENNETH THOMAS	ROSANNE RUFFO	234-30.00-244.00	24528 WAVE MAKER DR	MILLSBORO	19966	THE PENINSULA
RUSSO ROBIN J	SUSAN R RUSSO	234-30.00-313.00-61	33412 PADDLE DR	MILLSBORO	19966	THE PENINSULA
SALVUCCI JOHN T	MARGARET V SALVUCCI	234-30.00-250.00	33356 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
SAUNDERS JOE A	CONNIE M SAUNDERS	234-30.00-305.01-149	22120 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
SCARPONE JOSEPH TTEE REV TR	<Null>	234-30.00-304.02-113	33187 VERANDA CIR	MILLSBORO	19966	THE PENINSULA
SCHEFFEL ROSANNA	<Null>	234-30.00-314.07-225	24236 CANOE DR	MILLSBORO	19966	THE PENINSULA
SCHNEIDER STEVEN	KIMBERLY SCHNEIDER	234-30.00-310.00-26	33471 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
SCHNELL GARY P	LINDA SCHNELL	234-30.00-210.00	24603 WAKESIDE DR	MILLSBORO	19966	THE PENINSULA
SCHULENBURG RICHARD R TTEE	SCHULENBURG DEBORAH L TTEE REV TR	234-30.00-308.00-12	33429 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
SCHULTZ THOMAS M	BARBARA SCHULTZ	234-30.00-367.00-135	27069 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
SCHUMACHER REBECCA A	<Null>	234-30.00-194.00	24642 NAVIGATORS WALK	MILLSBORO	19966	THE PENINSULA
SCHWERDTFEGER DAVID A & JENNIFER C	SCHWERDTFEGER TRUSTEES	234-30.00-305.02-57	33108 AMBLING WAY	MILLSBORO	19966	THE PENINSULA
SCOTT PHYLLIS T TTEE	SIGEN TR	234-30.00-314.05-218	24210 CANOE DR	MILLSBORO	19966	THE PENINSULA
SERIO RALPH M	<Null>	234-30.00-40.00	33502 DRIFTING DUNES WAY	MILLSBORO	19966	THE PENINSULA
SHALONGO JACK	AMY C SHALONGO	234-30.00-306.00-6201	33586 WINDSWEPT DR	MILLSBORO	19966	THE PENINSULA
SHEERAN ANDREW J	JESSICA M CHARTERS	234-30.00-314.06-222	24226 CANOE DR	MILLSBORO	19966	THE PENINSULA
SHORTER DOROTHEA	RONELL SHORTER	234-30.00-367.00-137	27073 FIREFLY BLVD	MILLSBORO	19966	THE PENINSULA
SIEGEL JUDITH PAULA	<Null>	234-30.00-314.04-207	24231 CANOE DR	MILLSBORO	19966	THE PENINSULA
SMITH BRIAN M	SUSAN C SMITH	234-30.00-232.00	24560 ATLANTIC DR	MILLSBORO	19966	THE PENINSULA
SMITH DANIEL F	SUSAN C SMITH	234-30.00-316.05-33	27144 SAILSIDE DR	MILLSBORO	19966	THE PENINSULA
SMITH EARL LEROY	<Null>	234-30.00-314.07-228	24242 CANOE DR	MILLSBORO	19966	THE PENINSULA
SOTHORON W HADDOX TTEE	JACQUELINE G SOTHORON TTEE FAM TRST	234-30.00-305.01-118	33080 SECLUDED PATH	MILLSBORO	19966	THE PENINSULA
SPANGLER DOUGLAS M	PATRICIA A SPANGLER	234-30.00-314.06-220	24222 CANOE DR	MILLSBORO	19966	THE PENINSULA
SPINELLI FRANK R TRUSTEE	<Null>	234-30.00-306.00-3101	33570 WINDSWEPT DR	MILLSBORO	19966	THE PENINSULA
STEVENS LARRY R	CAROL J STEVENS	234-30.00-306.00-8201	33579 WINDSWEPT DR	MILLSBORO	19966	THE PENINSULA
STIKEMAN JOHN C TTEE	RENNER JOAN ANNE TTEE REV TR	234-30.00-289.00	33302 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
SUSALIS NICHOLAS JR	SUSALIS DIANE J	234-30.00-152.00	33442 ISLANDER DR	MILLSBORO	19966	THE PENINSULA
SUTHERLAND DAVID TR	REV TR	234-30.00-239.00	24543 WAVE MAKER DR	MILLSBORO	19966	THE PENINSULA
SUTTON PETER C	SUSAN L SUTTON	234-30.00-313.00-65	33402 PADDLE DR	MILLSBORO	19966	THE PENINSULA
TAPKAS JEFFREY	DORIS GABRIEL TAPKAS	234-30.00-63.00	27646 STERLING BLVD	MILLSBORO	19966	THE PENINSULA
TEESDALE WALTER M	AMY E TEESDALE	234-30.00-305.00-96	33025 CONSERVATION DR	MILLSBORO	19966	THE PENINSULA
TOMASI PETER J	DEBORAH STAMOS-TOMASI	234-30.00-316.06-*	27117 SAILSIDE DR	MILLSBORO	19966	THE PENINSULA
TREDWAY MATTHEW A	ANDREA J TREDWAY	234-30.00-304.01-87	33129 SERENITY CIR	MILLSBORO	19966	THE PENINSULA
TROPANO JOSEPH J JR	<Null>	234-30.00-303.00-18	27181 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
VAGLICA KATHLEEN MARIE TTEE	ANTHONY J VAGLICA TTEE REV TR	234-30.00-203.00	24623 SWIRLING WATERS PATH	MILLSBORO	19966	THE PENINSULA
VAUGHN JOHN TTEE	ROXANNE VAUGHN TTEE FAMILY REV TR	234-30.00-104.00	33516 SEASPELL LN	MILLSBORO	19966	THE PENINSULA
VENDETTI JAMES A G & ROSE M	VENDETTI REVOCABLE TRUST	234-30.00-237.00	24537 WAVE MAKER DR	MILLSBORO	19966	THE PENINSULA
VIVERETTE MARY ANN	GEORGE MICHAEL VIVERETTE	234-30.00-316.04-22	28032 SWALLOWTAIL DR	MILLSBORO	19966	THE PENINSULA
WALTERS IRENE K	GREGORY D KIES	234-30.00-305.00-98	33021 CONSERVATION DR	MILLSBORO	19966	THE PENINSULA

WARD ROBERT D	PAULETTE WARD	234-30.00-314.05-217	24208 CANOE DR	MILLSBORO	19966	THE PENINSULA
WAXHAM JON C & JULIE A WAXHAM	<Null>	234-30.00-306.00-5201	33584 WINDSWEPT DR	MILLSBORO	19966	THE PENINSULA
WEINER JEFFREY	JILL T WEINER	234-30.00-305.01-145	22108 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA
WELLSPRING DE LLC	% KENNETH HELLINGS	234-30.00-81.00	33593 SAND DOLLAR DR	MILLSBORO	19966	THE PENINSULA
WELSH DONALD PATRICK	JEAN C WELSH	234-30.00-314.01-193	24265 CANOE DR	MILLSBORO	19966	THE PENINSULA
WEZEL MICHAEL R	ANN MARIE WEZEL	234-30.00-31.00-4	26952 SUGAR SAND LN	MILLSBORO	19966	THE PENINSULA
WIEBER TERRENCE L	MARTHA B WIEBER	234-30.00-314.06-224	24230 CANOE DR	MILLSBORO	19966	THE PENINSULA
WISHNOW STEVEN MARK	SUSAN FRAN WISHNOW	234-30.00-314.03-204	24239 CANOE DR	MILLSBORO	19966	THE PENINSULA
WOLFGANG ROGER A	SANDRA M WOLFGANG	234-30.00-214.00	24606 WAKESIDE DR	MILLSBORO	19966	THE PENINSULA
WYSOCKI JOHN	MARIANN P WYSOCKI	234-30.00-367.03-71	33341 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
YALE RICHARD N	ARLENE S PORTO	234-30.00-307.00-87	33391 MARINA BAY CIR	MILLSBORO	19966	THE PENINSULA
YEATMAN BETHANN	JOHN M YEATMAN JR	234-30.00-303.00-30	27217 BAREFOOT BLVD	MILLSBORO	19966	THE PENINSULA
ZABIELSKI EDWARD A JR	PATRICIA O ZABIELSKI	234-30.00-305.01-1	33047 S PRESERVATION DR	MILLSBORO	19966	THE PENINSULA



Sussex County

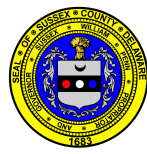


PIN:	234-30.00-1.08
Owner Name	OA-BP MARINA BAY-LAKESIDE LLC
Book	4320
Mailing Address	18949 COASTAL HWY
City	REHOBOTH BEACH
State	DE
Description	THE PENINSULA
Description 2	GOLF COURSE
Description 3	PARCELS 1 THRU 6
Land Code	

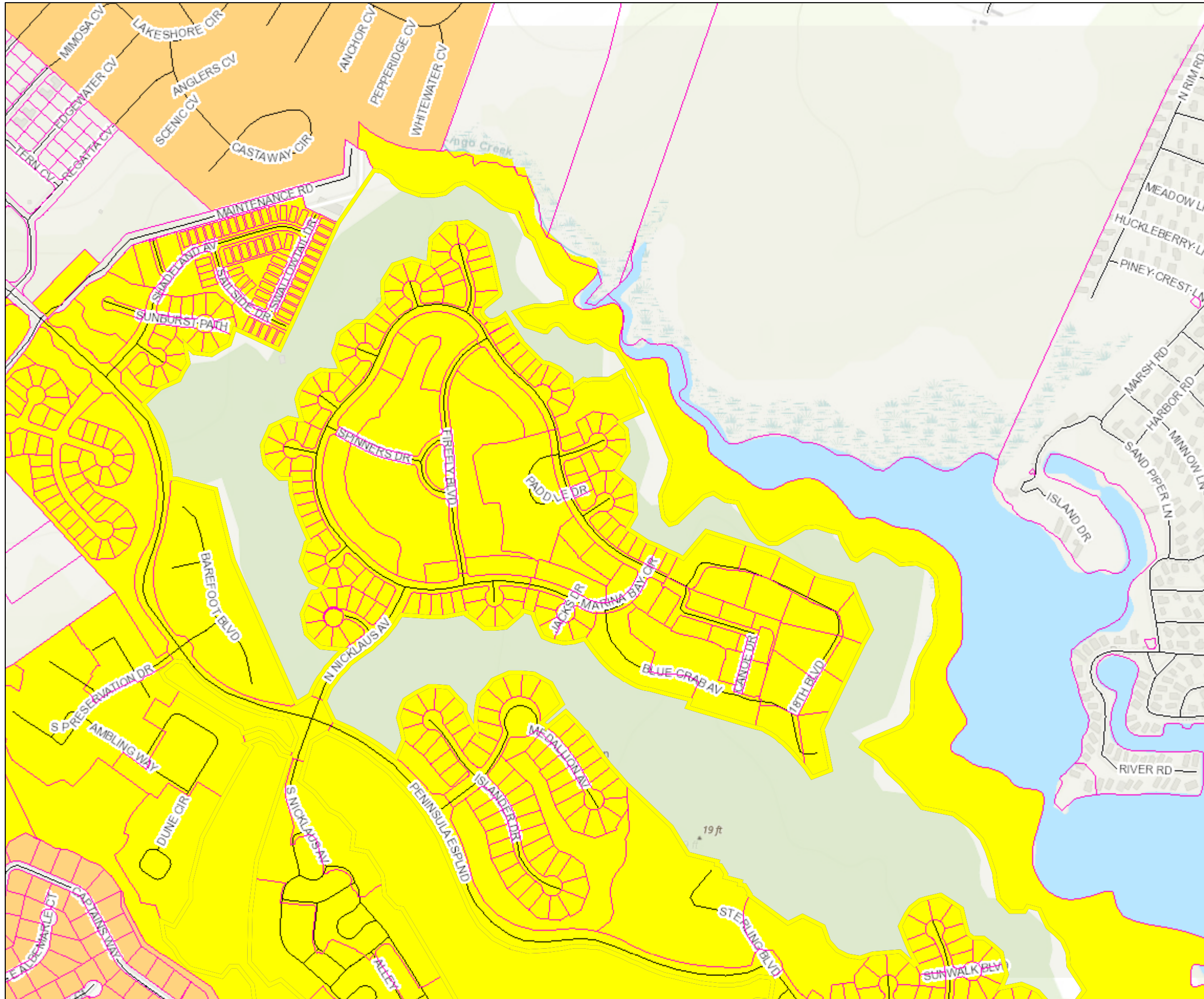
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polygonLayer
Override 1

- Tax Parcels
- Streets
- County Boundaries



Sussex County



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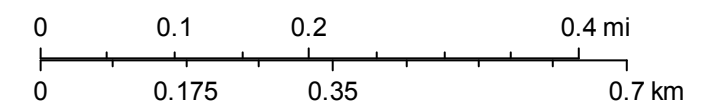
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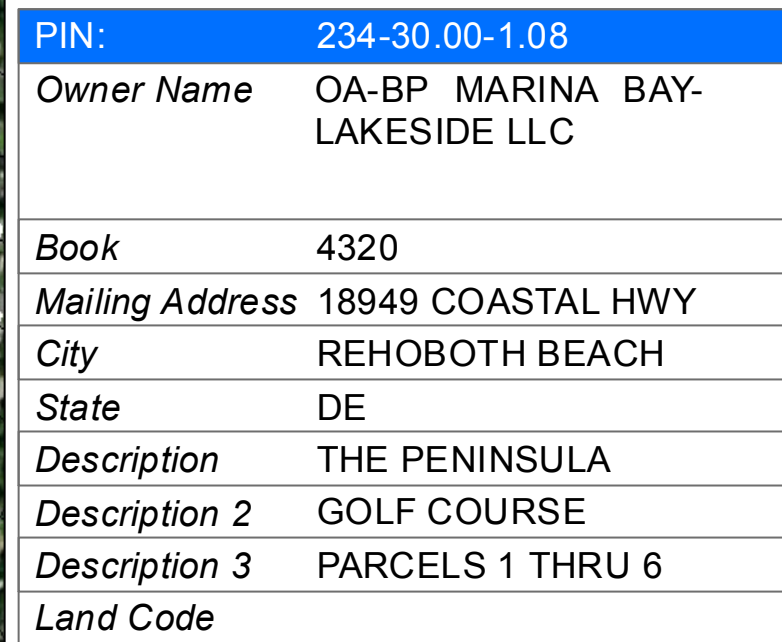
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..... Tax Parcels

— Streets

1:9,028





Override 1

Override 1

— Streets

County

**Legal Description of 635.997 Acres of Land, More or Less
Being a Residential Planned Community Known as
The Peninsula on Indian River Bay
in the Indian River Hundred, Sussex County, Delaware**

April 29, 2014

BEGINNING for the purpose of this legal description at a concrete monument found at the end of the northeasterly right of way line of Bay Farm Road (50 feet wide), also known as State Road Number 299. Said concrete monument being South 49°43'25" East 125.00 feet from a concrete monument found along the northeasterly right of way line of State Road Number 299 at the western most corner of the lands now or formerly of Peninsula at Long Neck, LLC (see Deed Book 2840, Page 49), also being known as The Discovery Center. Said beginning point also being the southernmost corner of the lands of the said Peninsula at Long Neck, LLC and a corner of the lands herein described, as shown on a plat entitled "ALTA/ACSM Land Title Survey, for The Peninsula on Indian River Bay, Indian River Hundred, Sussex County, Delaware", dated July 30, 2013, prepared by McCrone, Inc.

THENCE leaving said beginning point and running with the common boundary line between the lands now or formerly of Peninsula at Long Neck, LLC, Pot Nets Lakeside – Baywood Farm Road, and the lands herein described.

- 1. North 42° 50' 31" East, a total distance of 673.50 feet** passing over a concrete monument found at a distance of 439.50 feet at the corner of the aforesaid Peninsula at Long Neck, LLC and Pot Nets Lakeside – Baywood Farm Road lands and continuing with the aforesaid Pot Nets Lakeside – Baywood Farm Road lands to a concrete monument found. Thence continuing with the aforesaid Pot Nets Lakeside – Baywood Farm Road lands,
- 2. North 73° 49' 57" East, a total distance of 1,314.49 feet,** passing over a concrete monument found at a distance of 513.08 feet at a corner of the aforesaid Pot Nets Lakeside – Baywood Farm Road lands to a concrete monument found at a corner of the aforesaid, Pot Nets Lakeside – Baywood Farm Road lands and the lands herein described, thence continuing with the aforesaid Pot Nets Lakeside – Baywood Farm Road lands,
- 3. North 02° 58' 20" East, a total distance of 397.96 feet** passing over an iron pipe found at a distance of 181.39 feet and also passing over a capped pin set at distance of 297.96 feet, to a point in the center line of the Run of Lingo Creek, thence by and with the center line of the Run of Lingo Creek the following 46 courses and distances:
- 4. South 59° 51' 12" East, a distance of 111.64 feet,**
- 5. South 00° 02' 35" East, a distance of 58.60 feet,**
- 6. South 60°28' 38" East, a distance of 40.14 feet,**
- 7. South 81° 36' 07" East, a distance of 41.09 feet,**

32. South 71° 51' 41" East, a distance of 128.64 feet,
33. South 27° 24' 06" East, a distance of 48.25 feet,
34. South 12° 36' 58" West, a distance of 62.47 feet,
35. South 43° 03' 42" West, a distance of 115.52 feet,
36. South 20° 05' 40" West, a distance of 24.82 feet,
37. South 24° 43' 18" East, a distance of 29.56 feet,
38. South 69° 22' 26" East, a distance of 38.72 feet,
39. North 81° 12' 14" East, a distance of 29.57 feet,
40. North 61° 36' 42" East, a distance of 63.90 feet,
41. North 73° 04' 32" East, a distance of 36.53 feet,
42. South 65° 54' 07" East, a distance of 63.25 feet,
43. South 27° 24' 44" East, a distance of 92.40 feet,
44. South 08° 53' 41" West, a distance of 145.17 feet,
45. South 25° 04' 44" East, a distance of 64.14 feet,
46. South 87° 17' 49" East, a distance of 269.21 feet,
47. South 15° 47' 01" East, a distance of 65.18 feet,
48. South 08° 02' 28" East, a distance of 243.75 feet,
49. South 49° 11' 59" East, a distance of 212.36 feet, thence leaving the center line of the Run of Lingo Creek and going to the westerly shoreline of Lingo Creek.
50. South 55° 00' 27" West, a distance of 44.84 feet, to a point along the westerly shoreline of Lingo Creek, thence in a southeasterly direction, by and with the shoreline of Lingo Creek.
51. A distance of 5,787.3 feet more or less to the shoreline of Indian River Bay and being subtended by the following 3 tie lines:
 1. South 63° 16' 01" East a distance of 1,645.85 feet, thence
 2. South 20° 30' 56" East a distance of 1,456.41 feet, thence
 3. South 48° 44' 46" East a distance of 1,346.54 feet, thence in a westerly direction, running by and with the shoreline of Indian River Bay,

76. South 88° 17' 09" West, a distance of 68.73 feet,
77. North 68° 26' 31" West, a distance of 40.43 feet,
78. North 22° 05' 27" West, a distance of 22.58 feet,
79. North 35° 20' 13" East, a distance of 29.36 feet,
80. South 90° 00' 00" East, a distance of 18.19 feet,
81. South 80° 28' 18" East, a distance of 42.12 feet,
82. North 62° 12' 11" East, a distance of 18.85 feet,
83. North 07° 33' 03" East, a distance of 25.38 feet,
84. North 24° 13' 27" West, a distance of 26.79 feet,
85. North 40° 25' 10" West, a distance of 49.91 feet,
86. North 57° 30' 04" West, a distance of 46.35 feet,
87. North 75° 09' 38" West, a distance of 77.86 feet,
88. North 48° 52' 20" West, a distance of 39.28 feet,
89. North 00° 00' 00" East, a distance of 19.56 feet,
90. North 44° 29' 38" East, a distance of 59.60 feet,
91. North 01° 05' 59" East, a distance of 20.23 feet,
92. North 46° 19' 02" West, a distance of 76.38 feet,
93. North 83° 41' 16" West, a distance of 16.05 feet,
94. South 58° 04' 57" West, a distance of 29.45 feet,
95. South 75° 42' 37" West, a distance of 15.37 feet,
96. North 31° 33' 20" West, a distance of 36.59 feet,
97. North 51° 07' 58" West, a distance of 27.78 feet,
98. North 35° 21' 07" West, a distance of 37.12 feet,
99. North 16° 21' 05" West, a distance of 11.19 feet,
100. North 27° 00' 54" East, a distance of 13.82 feet,
101. South 88° 10' 18" East, a distance of 29.22 feet,
102. North 55° 10' 41" East, a distance of 17.83 feet,
103. North 32° 37' 36" East, a distance of 12.13 feet,

131. North 50° 33' 58" West, a distance of 28.68 feet,
132. North 19° 44' 44" West, a distance of 11.81 feet,
133. North 46° 44' 37" West, a distance of 12.24 feet,
134. North 00° 32' 31" West, a distance of 15.32 feet,
135. North 42° 15' 30" West, a distance of 50.10 feet,
136. North 08° 59' 13" East, a distance of 38.56 feet,
137. North 28° 59' 04" West, a distance of 57.93 feet,
138. North 00° 02' 01" East, a distance of 20.33 feet,
139. North 86° 50' 20" West, a distance of 33.58 feet,
140. North 51° 54' 59" West, a distance of 75.43 feet,
141. North 74° 21' 13" West, a distance of 9.88 feet,
142. North 38° 44' 07" West, a distance of 20.33 feet,
143. North 84° 13' 53" West, a distance of 30.27 feet,
144. North 68° 50' 46" West, a distance of 22.90 feet,
145. North 54° 51' 47" West, a distance of 25.96 feet,
146. North 74° 57' 52" West, a distance of 36.49 feet,
147. North 52° 25' 56" West, a distance of 68.78 feet,
148. North 61° 29' 25" West, a distance of 20.88 feet,
149. North 15° 09' 50" West, a distance of 19.35 feet,
150. North 31° 01' 45" West, a distance of 50.71 feet,
151. North 69° 11' 15" West, a distance of 26.21 feet,
152. North 53° 05' 07" West, a distance of 32.72 feet,
153. North 47° 25' 57" West, a distance of 40.03 feet,
154. North 55° 30' 16" West, a distance of 19.99 feet,
155. North 42° 45' 32" West, a distance of 13.30 feet,
156. North 37° 16' 42" West, a distance of 21.73 feet,
157. North 05° 58' 45" West, a distance of 10.15 feet,
158. North 07° 11' 20" West, a distance of 12.91 feet,

79.39 feet, thence running with the common boundary line between the aforesaid Pritchett lands and the lands herein described.

184. North 57° 02' 42" East, a distance of 1,063.58 feet to a stone found at the easterly corner of the aforementioned Pritchett land and a corner of the lands herein described, thence running with the common boundary line between the aforesaid Pritchett lands, the lands now or formerly of Marlene Pritchett Johnson and the lands herein described.

185. North 42° 33' 02" West, a total distance of 1,331.16 feet to a capped pin found along the southerly right of way line of Trinity Road, (30 feet wide), also known as State Road Number 299A, passing over a concrete monument found at a distance of 567.17 feet and continuing for at the northeasterly corner of the aforementioned Marlene Pritchett Johnson land and a corner of the lands herein described. Thence running with the southerly right of way line of State Road Number 299A the following 3 courses and distances.

186. North 40° 00' 18" East a distance of 288.44 feet to a capped pin found, thence

187. North 39°01' 37" East a distance of 298.49 feet to a capped pin found, thence

188. North 30° 19' 22" East a distance of 150.52 feet to a capped pin found at the intersection of the southerly right of way line of State Road Number 299A and the southwesterly right of way line of State Road Number 299 (50 feet wide), thence

189. North 45° 30' 40" East a distance of 50.09 feet to the place of beginning. Containing in all **778.39 Acres of land more or less**, as shown on the aforementioned ALTA/ACSM Land Title Survey plat prepared by McCrone, Inc.

EXCEPTING out and there from the following pieces and parcels of land, with all recording references, book/page, referring to the Office of Recorder of Deeds for Sussex County, Delaware,

1. "Phase 1" Plat 89/54
 - a. Lot 10 Deed 4017/329
 - b. Lot 11 Deed 3078/242
 - c. Lot 12 Deed 3519/29
 - d. Lot 13 Deed 4081/221
 - e. Lot 14 Deed 3078/251
 - f. "The Peninsula Esplanade" Westerly Part of Deed 3369/185
2. "Phase 1B – Sailside" Plat 117/230 (Excludes Sugar Sand Lane) Deed 3175/85
3. Maintenance Area (includes maintenance road) Deed 3369/177
4. "Phase 3 – Sanctuary" Plat 99/210
 - a. Lot 29 Deed 4183/27
 - b. Lot 30 Deed 4197/13
 - c. Lot 31 Deed 3851/113
 - d. Lot 32 Deed 4187/276
 - e. Lot 33 Deed 4178/304
 - f. Lot 43 Deed 4022/267
 - g. Lot 44 Deed 3923/48
 - h. Lot 45 Deed 3899/131
 - i. Pump Station Site Deed 3263/63
5. "Phase 4 – Lakeside" Plat 106/275
 - a. Park Area Deed 3827/141

aa. Lot 53 Deed 4232/105
bb. Lot 55 Deed 4130/38
cc. Lot 57 Deed 4231/244
dd. Lot 63 Deed 3759/297
ee. Lot 64 Deed 4231/177
ff. Lot 65 Deed 4054/219
gg. Lot 66 Deed 4067/242
hh. Lot 68 Deed 3920/12
ii. Lot 81 Deed 4201/184
jj. Lot 118 Deed 3515/61
kk. Lot 119 Deed 3472/134
ll. Lot 120 Deed 3086/56
mm. Lot 121 Deed 3581/107
nn. Lot 123 Deed 3466/89
oo. Lot 124 Deed 3615/294
pp. Lot 125 Deed 3822/148
qq. Lot 126 Deed 3089/7
rr. Lot 127 Deed 3104/274

7. "Phase 5B – Marina Bay, Areas 1, 2, 3 & 4" Plat 110/290

a. Areas 1, 2, 3, & 4 Deed 3258/282
b. Unit 8, Area 3 Deed 3980/96
c. Unit 1, Area 4 Deed 3958/252
d. Unit 24, Area 4 Deed 4009/93
e. Unit 25, Area 4 Deed 4040/327
f. Unit 26, Area 4 Deed 4110/167
g. Unit 27, Area 4 Deed 3951/196
h. Unit 5, Area 3 Deed 4242/202
i. Unit 2, Area 4 Deed 4242/134

8. "Phase 5B – Marina Bay, Area 7" Plat 105/277

a. Unit 107 Deed 4159/9
b. Unit 109 Deed 4056/88
c. Unit 110 Deed 4139/208
d. Unit 112 Deed 4283/110
e. Unit 127 Deed 4209/142
f. Unit 130 Deed 4129/26
g. Unit 131 Deed 4096/97
h. Unit 132 Deed 4104/255
i. Unit 134 Deed 4208/253
j. Unit 135 Deed 4055/194
k. Unit 135 Deed 4163/269
l. Unit 136 Deed 4177/109
m. Unit 137 Deed 4173/113
n. Unit 138 Deed 4039/167
o. Unit 139 Deed 3988/82
p. Unit 140 Deed 4181/301
q. Unit 141 Deed 4142/276
r. Unit 142 Deed 4078/327
s. Unit 143 Deed 4196/287
t. Unit 144 Deed 4227/125
u. Unit 146 Deed 3993/330
v. Unit 147 Deed 4078/316
w. Unit 150 Deed 4047/84

- b. Unit 179, Area 9 Deed 4051/146
- c. Unit 180, Area 9 Deed 4054/77
- d. Unit 181, Area 9 Deed 4049/289
- e. Unit 182, Area 9 Deed 4049/122
- f. Unit 183, Area 9 Deed 4050/218
- g. Unit 184, Area 9 Deed 4102/4
- h. Unit 185, Area 9 Deed 4096/60
- i. Unit 186, Area 9 Deed 4096/224
- j. Unit 187, Area 9 Deed 4098/59
- k. Unit 188, Area 9 Deed 4101/227
- l. Unit 236, Area 9 Deed 4231/60
- m. Unit 237, Area 9 Deed 4232/157
- n. Unit 238, Area 9 Deed 4233/316
- o. Unit 239, Area 9 Deed 4236/274
- p. Unit 240, Area 9 Deed 4234/132
- q. Unit 241, Area 9 Deed 4196/241
- r. Unit 242, Area 9 Deed 4196/252
- s. Unit 243, Area 9 Deed 4196/276
- t. Unit 244, Area 9 Deed 4196/231
- u. Unit 245, Area 9 Deed 4207/1
- v. Unit 246, Area 9 Deed 4196/260
- w. Phase 18.1, Area 10 Deed 3478/98
- x. Phase 18.12, Area 10 Deed 3757/180

12. "Phase 7 – The Moorings" Deed 3092/307, Plat 91/234

13. "Phase 8 – Veranda" Plat 111/338

- a. Phase 8.1 Deed 3130/38
- b. Phase 8.2 Deed 3156/91
- c. Phase 8.3 Deed 3292/168
- d. Phase 8.4 Deed 3407/223

14. "Phase 9 – Windswept" Deed 4100/12, Plat 94/205

15. "Phase 10 – Conservancy" Plat 95/92

- a. Phase 10.1 Deed 3187/26
- b. Phase 10.2 Deed 3223/322
- c. Phase 10.3 Deed 3324/11
- d. Phase 10.4 Deed 3407/223
- e. Pump Station Site Deed 3119/45

16. "The Peninsula Esplanade" Easterly Part of Deed 3827/137, Plat 91/54

CONTAINING 635.997 Acres of land, more or less.

BEING a part of that parcel or tract of land conveyed by Deed, dated June 30, 2003 from Bay Farm, LLC, a Delaware limited liability company unto Peninsula at Longneck, L.L.C., a Virginia limited liability company and filed in the Office of Recorder of Deeds for Sussex County, Delaware in Deed Book 2854, page 153

ORDINANCE NO. 2690

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT-RESIDENTIAL PLANNED COMMUNITY TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT-RESIDENTIAL PLANNED COMMUNITY TO AMEND CONDITIONS OF APPROVAL OF CHANGE OF ZONE NO. 1475 (ORDINANCE NO. 1573) FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 787.787 ACRES, MORE OR LESS

WHEREAS, on the 19th day of March 2019, a zoning application, denominated Change of Zone No. 1883, was filed on behalf of OA-BP Marina Bay-Lakeside, LLC; and

WHEREAS, on the 27th day of June 2019, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 18th day of July 2019, said Planning and Zoning Commission recommended that Change of Zone No. 1883 be approved; and

WHEREAS, on the 30th day of July 2019, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone 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.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [MR-RPC Medium Density Residential District-Residential Planned Community] and adding in lieu thereof the designation of MR-RPC Medium Density Residential District-Residential Planned Community 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 Indian River Hundred, Sussex County, Delaware, and lying on the south end of Bay Farm Road and the south side of Trinity Road, and being more particularly described in the attached legal description prepared by McCrone, said parcel containing 787.787 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:

Condition No. 1 of Change of Zone No. 1475 and Ordinance No. 1573 is hereby amended as follows:

“The maximum number of units shall not exceed 1,394 units completed, as follows:

**358 Single Family Lots
388 Single Family Detached Condominiums
270 Single Family Attached Town Houses
378 Multi-Family Units”**

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2690 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 8TH DAY OF OCTOBER 2019.


**ROBIN A. GRIFFITH
CLERK OF THE COUNCIL**

The Council found that the Change of Zone was appropriate legislative action based on the following Findings of Fact:

- A. This is the application of OA-BP Marina Bay-Lakeside, LLC to amend the Comprehensive Zoning Map of Sussex County from a MR-RPC Medium Density Residential District - Residential Planned Community to a MR-RPC Medium Density Residential District - Residential Planned Community to amend conditions of approval of Change of Zone No. 1475 (Ordinance No. 1573) for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 787.787 acres, more or less (Tax I.D. No. 234-30.00-1.00 through 430.00) (911 Address: None Available).**
- B. Based on the record before the Planning and Zoning Commission and the hearing before the Sussex County Council, Council found that Zac Crouch with Davis, Bowen & Friedel, Inc. was present at the Planning and Zoning Commission hearing, and Ring Lardner with Davis Bowen & Friedel, Inc. was present at the Sussex County Council hearing, on behalf of the application; that the application is for an amendment to Condition #1 to Ordinance No. 1573; that the original condition stated that the number of units shall not exceed 1,404 consisting of 323 single-family lots, 378 single-family detached condos, 325 single-family attached townhouses, and 378 multi-family units; that the Applicant wishes to reduce the number of townhouses and increase the number of single-family and single-family detached condos; that the overall number requested shall not exceed 1,394 units comprised of 358 single-family lots, 388 single-family detached condos, 270 single-family attached townhouses, and 370 multi-family units; that this amendment will result in an increase of 35 single-family lots, an increase of 10 single-family detached condominiums, a reduction of 55 single-family attached townhouses, and no change in the number of multi-family units; that there would be a total reduction of 10 units; that the request is due to market and trend changes; and that the market indicates that more single-family units are desired.**
- C. Based on the record and recommendation of the Planning and Zoning Commission and the Planning and Zoning Commission's Findings (1 through 6), Council found that:**
 - 1. C/Z # 1475, which was identified as Ordinance No. 1573, included a condition identifying the number and types of uses allowed within this MR-RPC as follows:**

“The maximum number of units shall not exceed 1,404 units comprised, as follows:

323 Single Family Lots

378 Single Family Detached Condominiums

325 Single Family Attached Town Houses

378 Multi-Family Units”

2. This MR-RPC was approved in 2002 and is still being built out today.
3. As the master developer of this project, the Applicant has stated that there is no longer as strong demand for townhouse units within this project. Based upon the market, they are seeking to replace certain townhouse units with single-family units and detached condominium units. This will also result in a reduction in the total number of units that will be built in the MR-RPC.
4. The Peninsula Owners Association representatives testified during the hearing that they do not object to this request, subject to confirmation of the reduced number of units that will be allowed as a result of this request.
5. This request will not adversely affect the overall design of the MR-RPC, or the current and future residents of the development.
6. For these reasons, and at the Applicant’s request, Condition #1 of C/Z #1475 and Ordinance #1573 is hereby amended to state as follows:

“The maximum number of units shall not exceed 1,394 units comprised, as follows:

358 Single Family Lots

388 Single Family Detached Condominiums

270 Single Family Attached Town Houses

378 Multi-Family Units”

- D. Based on the record created before the Planning and Zoning Commission and the Sussex County Council, the Council approved this application with the amended condition set forth herein.

Introduced 09/14/21

Council District: Mr. Hudson
Tax I.D. Nos. 234-30.00-1.00 thru 430.00
911 Address: N/A

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT- RESIDENTIAL PLANNED COMMUNITY TO AMEND CONDITIONS OF APPROVAL OF CHANGE OF ZONE NO. 1883 (ORDINANCE NO. 2690) AND CHANGE OF ZONE NO. 1475 (ORDINANCE NO. 1573) RELATING TO THE MAXIMUM NUMBER AND TYPES OF HOUSING PERMITTED FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 778.39 ACRES, MORE OR LESS

WHEREAS, on the 30th day of August 2021, a zoning application, denominated Change of Zone No. 1936 was filed on behalf of OA-BP Marina Bay-Lakeside, LLC; and

WHEREAS, on the ____ day of _____ 2021, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1936 be _____; and

WHEREAS, on the ____ day of _____ 2021, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone 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,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [MR-RPC Medium Density Residential District-Residential Planned Community] and adding in lieu thereof the designation of MR-RPC Medium Density Residential District-Residential Planned Community 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 Indian River Hundred, Sussex County, Delaware, and lying on the south end of Bay Farm Road (S.C.R. 299) and the south side of Trinity Road (S.C.R. 299A), and being more particularly described in the attached legal description prepared by McCrone, Inc., said parcel containing 778.39 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.

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **10/18/2021**

APPLICATION: **CZ 1936 OA-BP Marina Bay – Lakeside, LLC**

APPLICANT: **OA-BP Marina Bay – Lakeside LLC**

FILE NO: **OM-7.12**

TAX MAP &
PARCEL(S): **234-30.00-1.00 through 430.00**

LOCATION: **Lying on the south end of Bay Farm Road (SCR 299) and the south side of Trinity Road (SCR 299A).**

NO. OF UNITS: **Increase the number of single family units by 83 and decrease the number of Multi-Family Units by 83**

GROSS
ACREAGE: **788.39**

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

SEWER:

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

Yes ☒

No ☐

a. If yes, see question (2).

b. If no, see question (7).

(2). Which County Tier Area is project in? **Tier 1**

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

(4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** 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? **N/A**

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

(7). Is project adjacent to the Unified Sewer District? **N/A**

(8). Comments: **Developer will be required to add/remove sanitary sewer laterals where appropriate to accommodate the changes requested.**

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

(10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

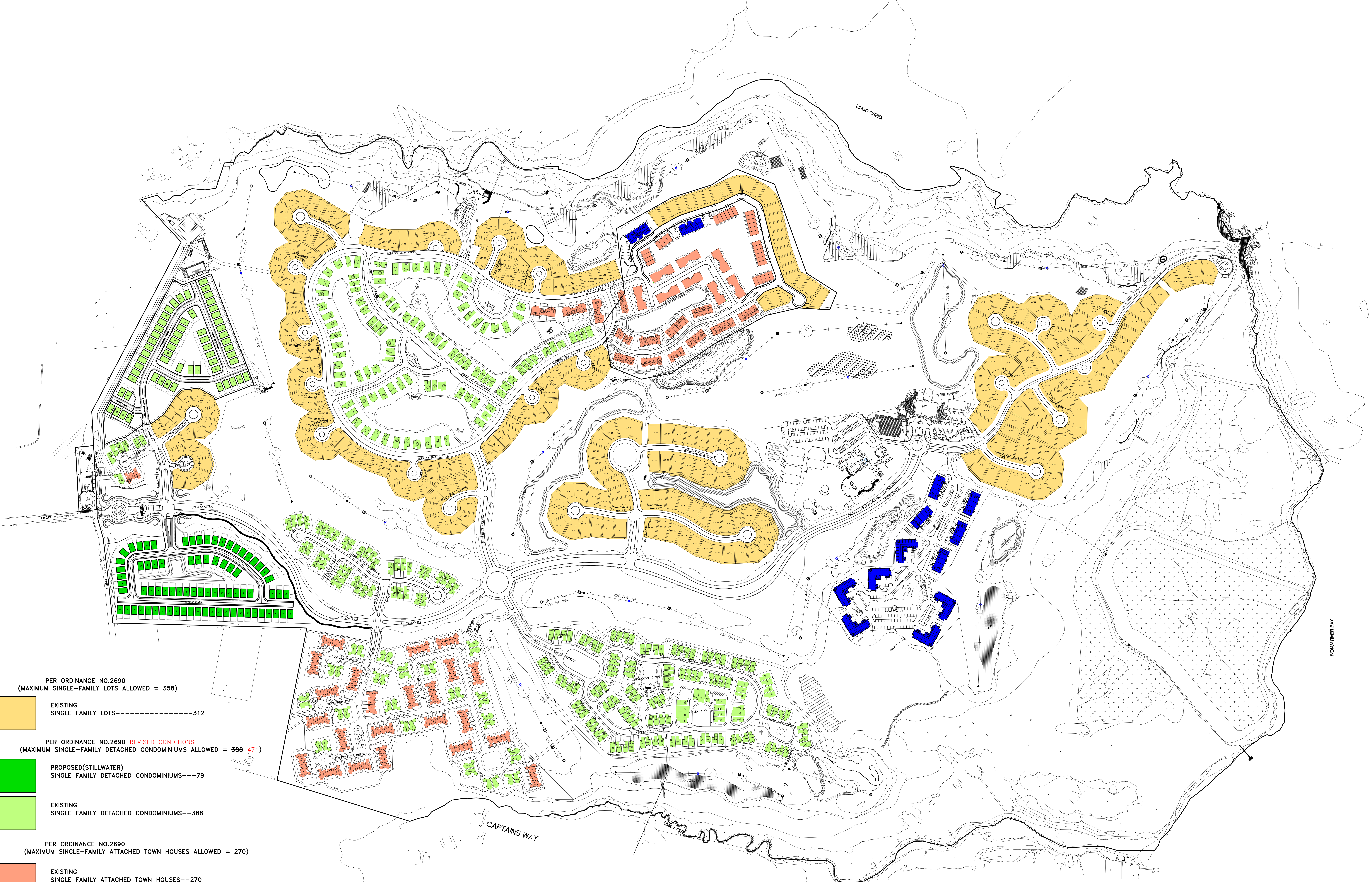
(11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.
Lisa Walls
Nicole Messeck



- PER ORDINANCE NO.2690
(MAXIMUM SINGLE-FAMILY LOTS ALLOWED = 358)

EXISTING
SINGLE FAMILY LOTS-----312
- PER-ORDINANCE NO.2690 REVISED CONDITIONS
(MAXIMUM SINGLE-FAMILY DETACHED CONDOMINIUMS ALLOWED = 388 471)

PROPOSED(STILLWATER)
SINGLE FAMILY DETACHED CONDOMINIUMS---79

EXISTING
SINGLE FAMILY DETACHED CONDOMINIUMS---388
- PER ORDINANCE NO.2690
(MAXIMUM SINGLE-FAMILY ATTACHED TOWN HOUSES ALLOWED = 270)

EXISTING
SINGLE FAMILY ATTACHED TOWN HOUSES---270
- PER-ORDINANCE NO.2690 REVISED CONDITIONS
(MAXIMUM MULTI-FAMILY UNITS ALLOWED = 378 295)

EXISTING
MULTI-FAMILY UNITS-----295
- PER ORDINANCE NO. 2690
(MAXIMUM TOTAL UNITS ALLOWED = 1394)

TOTAL UNITS-----1344

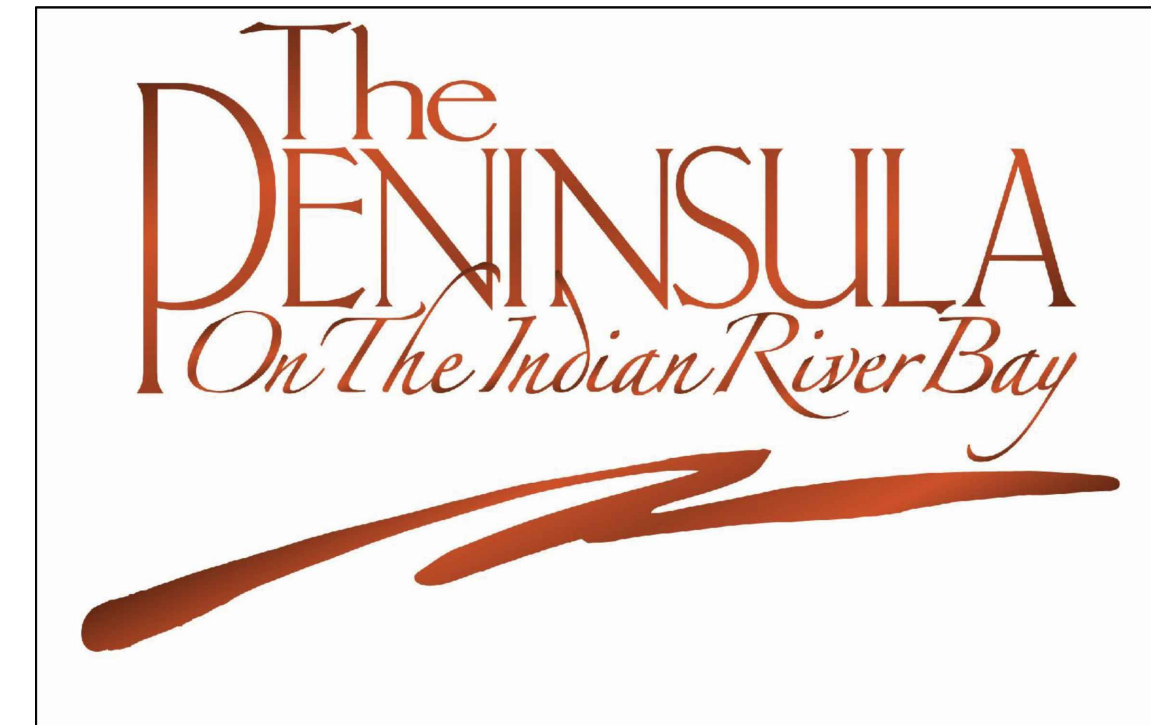
- EXISTING CONDITIONS**
(CONDITION 1 OF ORDINANCE 2690)

1. THE MAXIMUM NUMBER OF UNITS SHALL NOT EXCEED 1,394 UNITS COMPRISED, AS FOLLOWS:

 - A. 358 SINGLE-FAMILY LOTS
 - B. 388 SINGLE-FAMILY DETACHED CONDOMINIUMS
 - C. 270 SINGLE-FAMILY ATTACHED TOWNHOUSES
 - D. 378 MULTI-FAMILY UNITS
- PROPOSED CONDITIONS**
(REVISION TO CONDITION 1 OF ORDINANCE 2690)

1. THE MAXIMUM NUMBER OF UNITS SHALL NOT EXCEED 1,394 UNITS COMPRISED, AS FOLLOWS:

 - A. 358 SINGLE-FAMILY LOTS
 - B. 471 SINGLE-FAMILY DETACHED CONDOMINIUMS
 - C. 270 SINGLE-FAMILY ATTACHED TOWNHOUSES
 - D. 295 MULTI-FAMILY UNITS



Jamie Whitehouse

From: Judith Siegel <siegeljp@hotmail.com>
Sent: Saturday, October 23, 2021 11:34 AM
To: Planning and Zoning
Subject: Letter to zoning commissioners ahead of public hearing Nov 4 re zone change by Ocean Atlantic
Attachments: Sussex Zoning appeal.docx; OceanAtlanticLennar1.jpg; OceanAtlanticzone2.jpg; OceanAtlantic3.jpg

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear members of the commission, I have attached this letter and referenced photos for your review.

I am a resident of The Penninsula development at 26937 Bay Farm Road in Millsboro and am writing to request that you deny Ocean Atlantic/Lennar Builder's request to change the zoning (I believe it is case # CZ1936.)

Like the other 12 existing townhome owners whose backyards are adjacent to the field in question, I was blindsided by the sudden announcement of 8 new townhomes for sale in a field that was never intended or approved for housing construction. In 2020 the Lennar sales representatives assured me and the other home buyers that the field behind our townhomes was "not suitable or zoned for building." You can see on the map of existing and planned building that this field was never intended for new housing. Yet, Lennar/Ocean Atlantic is so sure of your approval that they have already leveled and elevated the proposed sites and are advertising new townhomes for purchase (see attached photos).

The field provides a badly needed green space in an area that is already over-crowded by townhouses and condominiums. The proposed townhomes will compromise privacy and reduce the value of our homes. Many of us chose our homes in 2020/21 because of the small field that provided green space and privacy.

Furthermore, the sites under development have been raised 3-4 feet above what is left of the field. Rain will runoff and swamp that area and the backyards of the existing townhomes (see photos).

In the interest of the wellbeing of Sussex County residents and the integrity of the builders in our area, the request to allow new construction and rezone should be denied. Should Ocean Atlantic/Lennar's request to rezone be approved they should, at minimum, be required to build a barrier to prevent the remaining field and existing back yards from flooding, and plant trees between the existing and new townhomes to help maintain privacy.

Dear members of the Zoning Commission,

I am a resident of The Peninsula development at 26937 Bay Farm Road in Millsboro and am writing to request that you deny Ocean Atlantic/Lennar Builder's request to change the zoning (I believe it is case # CZ1936.)

Like the other 12 existing townhome owners, whose backyards are adjacent to the field in question, I was blindsided by the sudden announcement of 8 new townhomes for sale in a field that was never intended or approved for housing construction. In 2020 the Lennar sales representatives assured me and the other home buyers that the field behind our townhomes was "not suitable or zoned for building." You can see on the map of existing and planned building that this field was never intended for new housing. Yet, Lennar/Ocean Atlantic is so sure of your approval that they have already leveled and elevated the proposed sites and are advertising new townhomes for purchase (see attached photos).

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Thank you for your time and consideration,

Judy Siegel, 24231 Canoe Drive, Millsboro DE 19966.





JOIN VIP LIST

The
PENINSULA
A Lennar Home

**New Villa-Style
Townhomes**

**NEW PHASE
OPENING SOON**

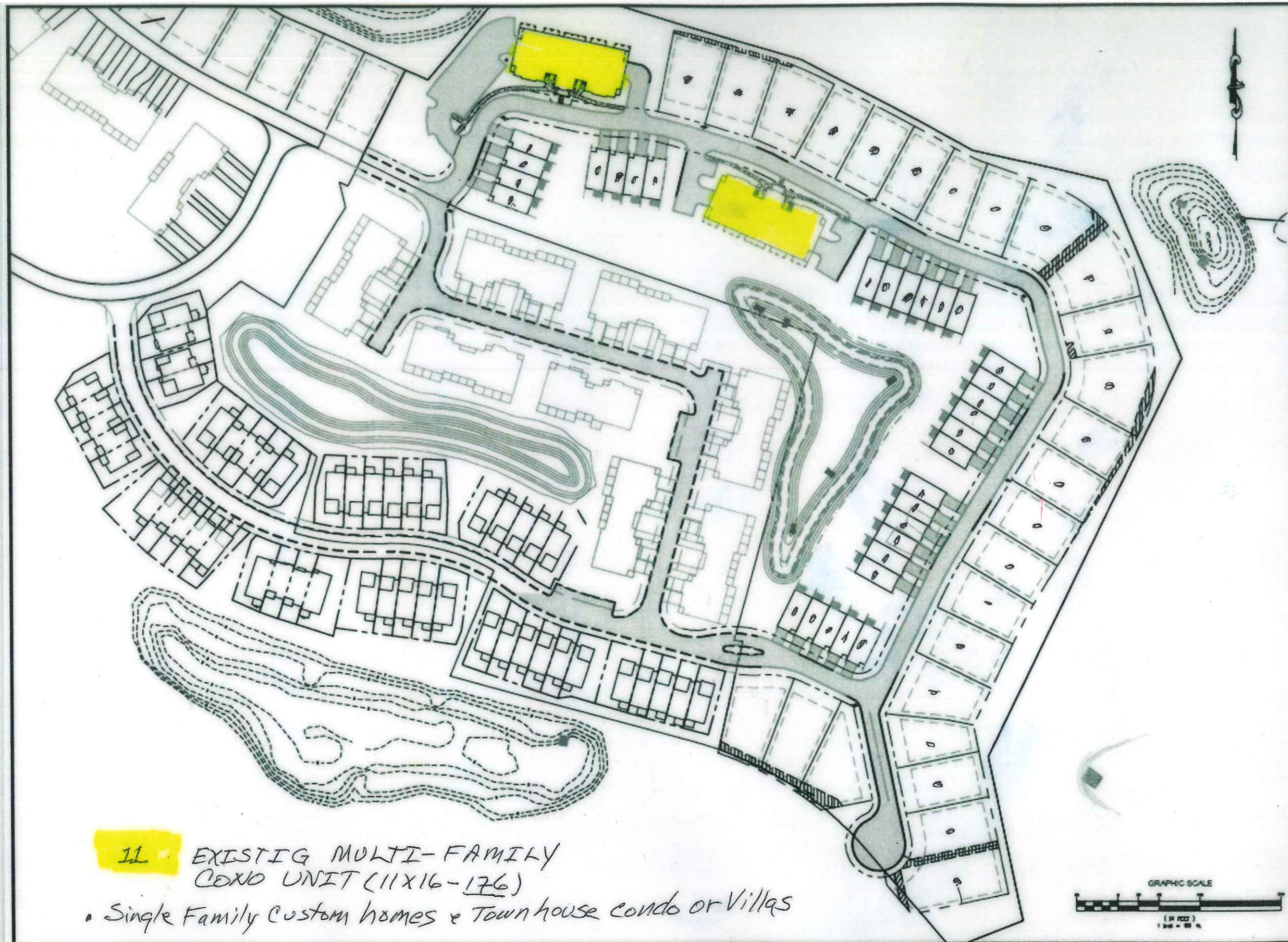
888.214.2073

LennarAtPeninsula.com



LENNAR.COM

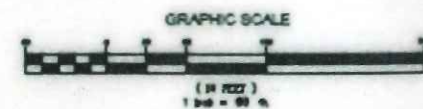


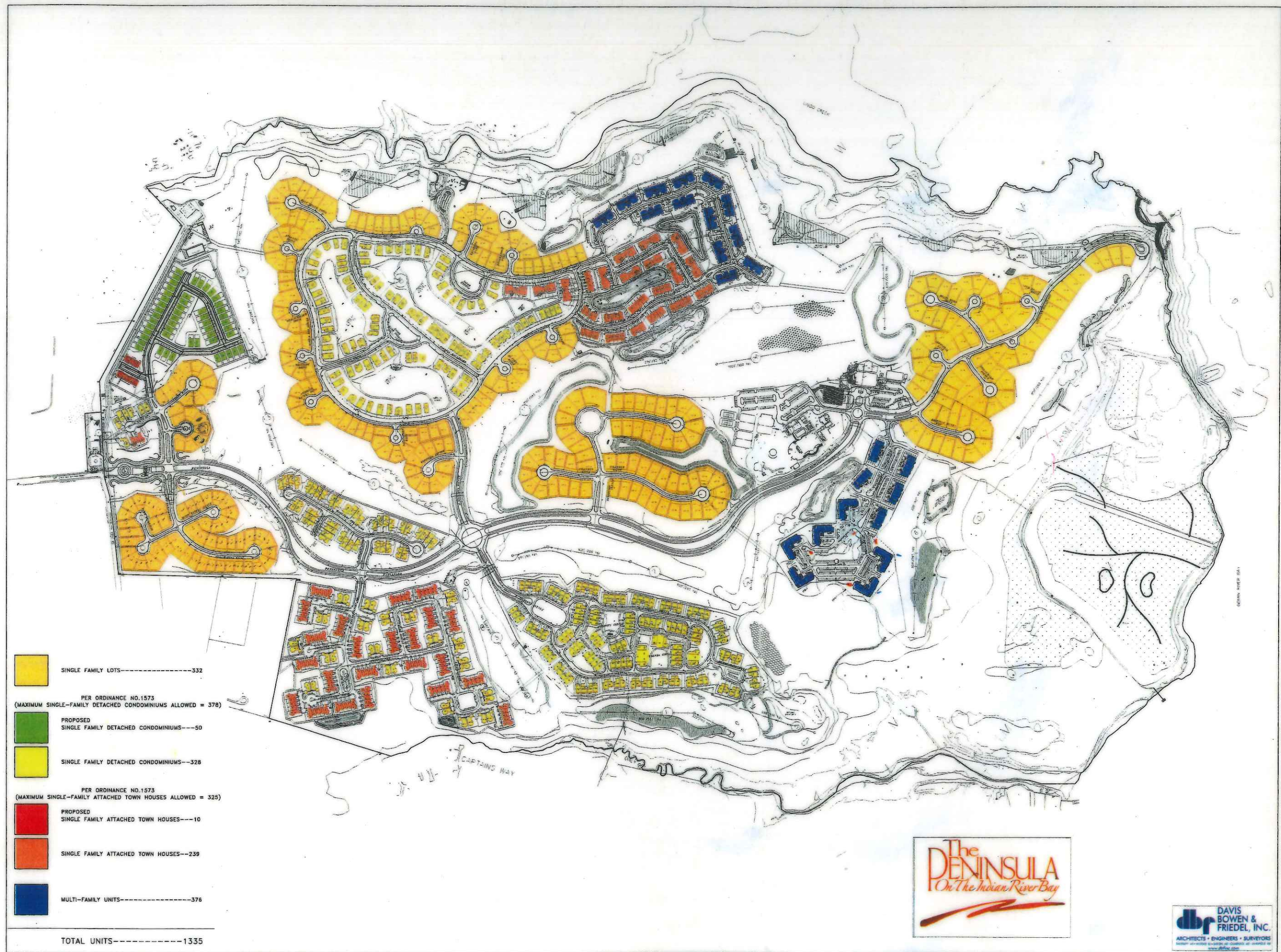


11

EXISTING MULTI-FAMILY
CONDO UNIT (11X16-176)

- Single Family Custom homes & Town house condo or Villas





The PENINSULA On The Indian River Bay

Ocean Atlantic Wells Fargo opportunity



DELAWARE'S FIRST PRIVATE JACK NICKLAUS SIGNATURE COURSE

THE DISCOVERY CENTER
26937 BAY FARM ROAD, MILLSBORO, DE 19966
302-947-4717 • TOLL FREE: 866-PEN-DELA
WWW.PENINSULADELAWARE.COM

 SINGLE-FAMILY
CUSTOM HOMES

 VILLAS

 TOWNHOMES

 CONDOMINIUMS

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



Sussex County

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sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

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
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date November 4, 2021

Application: CZ 1937 Double DB, LP (Wil King Station)

Applicant: Double DB, LP
507 North York Street, Suite 2D
Mechanicsburg, PA 17055

Owners: See Attached Document for Multiple Owners

Site Location: The property is lying on the west side of Wil King Rd. (Route 288)
approximately 0.89 miles north of Conleys Chapel Road (Route 280)

Current Zoning: Split-zoned General Residential (GR) and Agricultural Residential (AR-1)
Zoning Districts

Proposed Zoning: AR-1/MR-RPC Agricultural Residential and Medium Density Residential –
Residential Planned Community

Proposed Use: 76 Single Family Lots

Comprehensive Land
Use Plan Reference: Coastal Area and Low Density

Councilmanic
District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Lewes Fire District

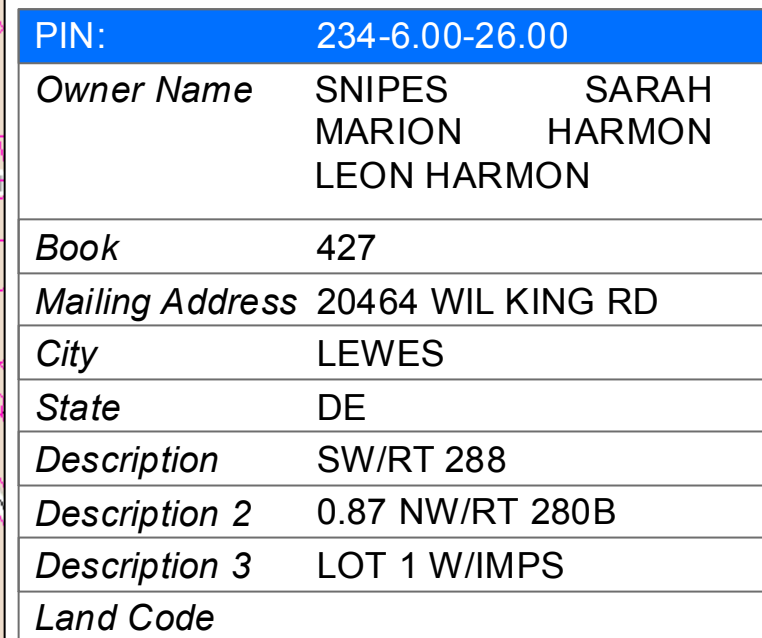
Sewer: Sussex County Sewer District

Water: Artesian

Site Area: 29.07 +/- acres

Tax Map ID.: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19





Override 1

Override 1

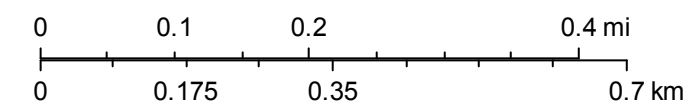
— Streets

County Boundaries

- Extent of Right-of-Way

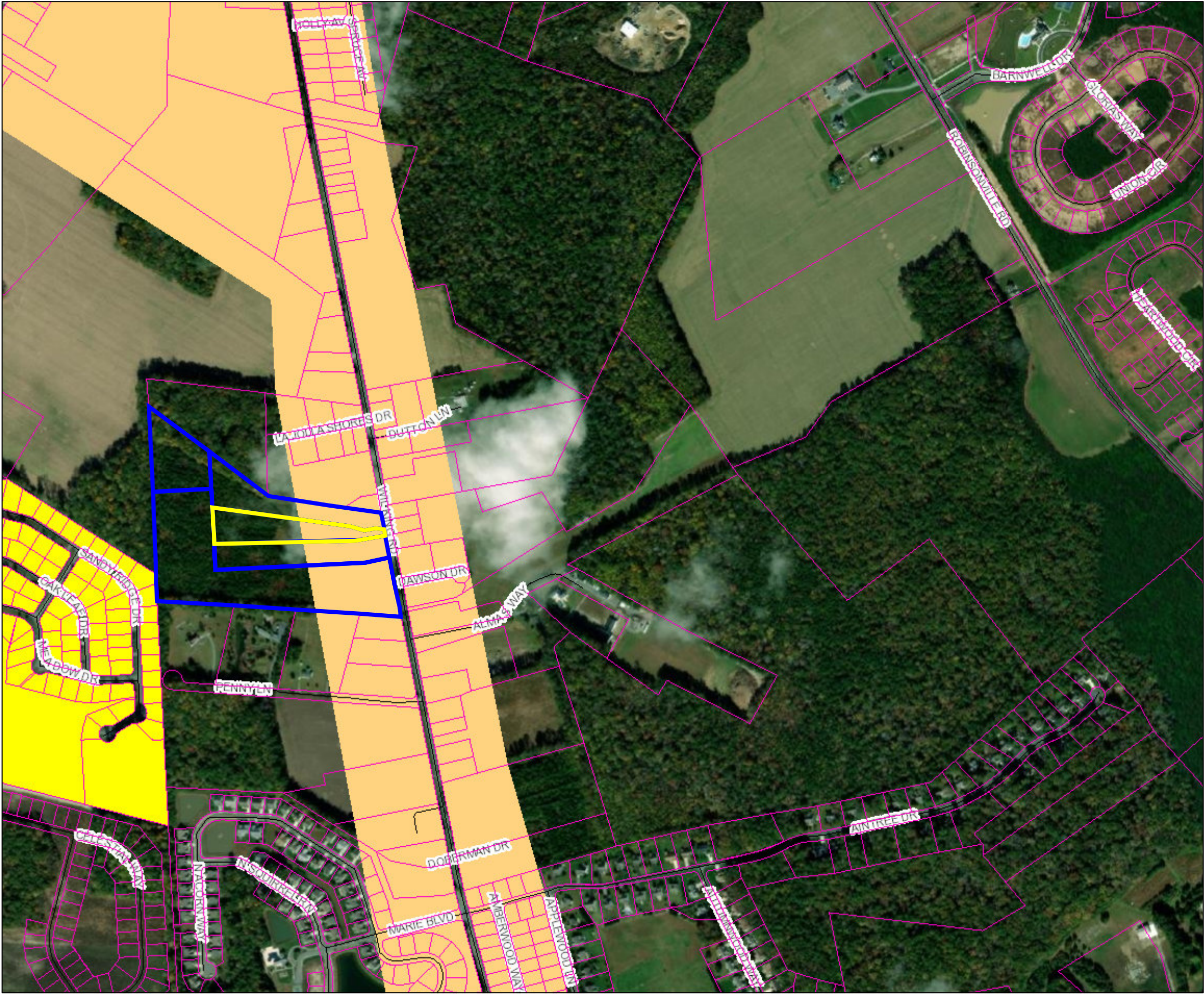
 Municipal Boundaries

1:9,028





Sussex County



PIN:	234-6.00-26.00	
Owner Name	SNIPES MARION LEON HARMON	SARAH HARMON
Book	427	
Mailing Address	20464 WIL KING RD	
City	LEWES	
State	DE	
Description	SW/RT 288	
Description 2	0.87 NW/RT 280B	
Description 3	LOT 1 W/IMPS	
Land Code		

polygonLayer

Override 1

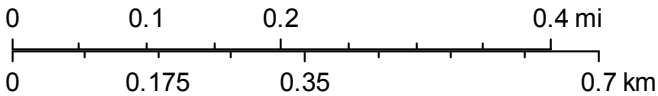
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Override 1

--- Tax Parcels

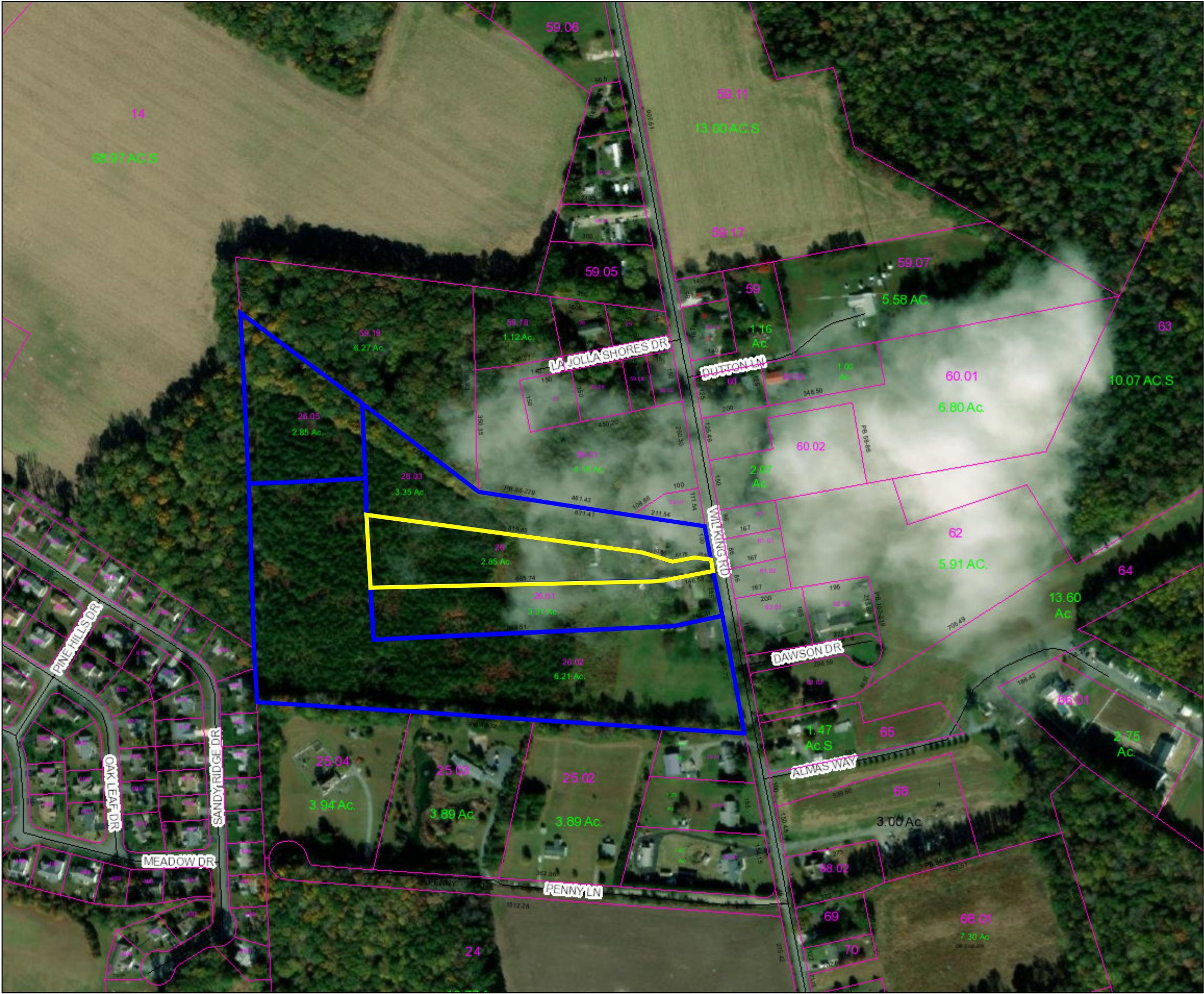
— Streets

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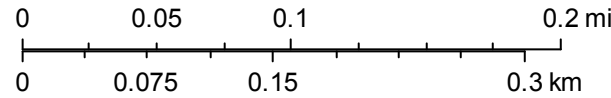
Sussex County



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State	DE	
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Description 3	LOT 1 W/IMPS	
Land Code		

- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels
 - Streets
 - County Boundaries
 - Extent of Right-of-Way
 - Municipal Boundaries

1:4,514



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



Sussex County

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Memorandum

To: Sussex County Planning Commission Members
From: Nick Torrance, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: October 26th, 2021
RE: Staff Analysis for CZ 1937 Double DB, LP

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1937 Double DB, LP to be reviewed during the November 4, 2021, 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 Parcels 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19 to allow for a change of zone from General Residential Zoning District (GR) and Agricultural Residential Zoning District (AR-1) to an Agricultural Residential and Medium Density Residential – Residential Planned Community (AR-1/MR-RPC). The property is lying on the west side of Wil King Rd. (Route 288) approximately 0.89 miles north of Conleys Chapel Road (Route 280). The parcel to be rezoned contains 29.07 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 a land use designation of “Coastal Area” and “Low Density.” The properties to the north, south, east and west also have the land use designation of Coastal Area. The properties to the northwest have a land use designation of Low Density.

As outlined in the 2018 Sussex County Comprehensive Plan, the Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed.

The property is split-zoned with the property being zoned General Residential (GR) Zoning district along the frontage of Wil King Road and Agricultural Residential (AR-1) Zoning District in the rear of the property. The adjacent parcels to the east along Wil King Road are also zoned General Residential (GR). At the rear of the property to the west is the Oak Crest Farms Subdivision zoned Medium Density Residential (MR). All other surrounding parcels are zoned Agricultural Residential Zoning District (AR-1).

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 “Zoning Districts Applicable to Future Land



Use Categories,” the Medium Density Residential (MR) Zoning District is listed as an applicable zoning district in the “Coastal Area.” The portion of the property with the land use designation of “Low Density” is not seeking a change in zoning, therefore it would also be consistent with the Comprehensive Plan.

Since 2011, there have been no Change of Zone applications within a 1-mile radius of the application site.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from a General Residential Zoning District (GR) and Agricultural Residential Zoning District (AR-1) to an Agricultural Residential and Medium Density Residential - Residential Planned Community (AR-1/MR-RPC) could be considered as being consistent with the land use, based on size and scale, with area zoning and surrounding uses.

File #: C/21937

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

202016351
202016352
202016353
202016354
202016355
202016356

Type of Application: (please check applicable)

Conditional Use ☐

Zoning Map Amendment ☒

Site Address of Conditional Use/Zoning Map Amendment

West side of Wil King Road +/- 1 mile south of Kendale Road intersection

Type of Conditional Use Requested:

Tax Map #: see attached Size of Parcel(s): 29.07 Total Site

22.83 Acres MR (Proposed CZ from AR-1 & GR)
6.24 Acres AR-1 (Existing to Remain)

Current Zoning: AR, GR Proposed Zoning: AR-1 & MR Size of Building:

Land Use Classification: Residential

Water Provider: Tidewater Utilities

Sewer Provider: Sussex County

Applicant Information

Applicant Name: Double DB, LP

Applicant Address: 507 North York Street, Suite 2D

City: Mechanicsburg State: PA Zip Code: 17055

Phone #: (717) 461-2401 E-mail: webster.gray@yahoo.com

Owner Information

Owner Name: see attached

Owner Address:

City: State: Zip Code:

Phone #: E-mail:

Agent/Attorney/Engineer Information

Landscape Architect

Agent/Attorney/Engineer Name: Jeff Clark, RLA - Land Tech Land Planning, LLC

Agent/Attorney/Engineer Address: Taggart Professional Center, 32895 S. Coastal Highway

City: Bethany Beach State: DE Zip Code: 19930

Phone #: (302) 539-2366 E-mail: jeffc@landtechllc.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

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

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

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

Signature of Applicant/Agent/Attorney

Date: 11/25/2020

Signature of Owner

Date: 11/25/2020

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: _____

Wil King Station Property Owners

TM# 234-6.00-26.00
Sara and Leon Harmon
20464 Wil King Road
Lewes, DE

TM# 234-6.00-26.01
Mildred Harmon
20454 Wil King Road
Lewes, DE

TM# 234-6.00-26.02
Daniel and Sara Snipes
20464 Wil King Road
Lewes, DE

TM# 234-6.00-26.03
Rodney Harmon
20440 Wil King Road
Lewes, DE

TM# 234-6.00-26.05
Sara and Leon Harmon
20464 Wil King Road
Lewes, DE

TM# 234-6.00-59.19
Kenneth Linton
10933 Fox Mill Lane
Charlotte, NC



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

December 2, 2020

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Double DB, LP – Wil King Road** rezoning application, which we received on October 30, 2020. This application is for an approximately 24.84-acre assemblage of parcels (Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19). The subject land is located on the west side of Wil King Road (Sussex Road 288), approximately 4,700 feet south of Kendale Road (Sussex Road 287). The subject land is currently split-zoned as AR-1 (Agricultural Residential) and GR (General Residential), and the applicant is seeking to rezone the GR portion to MR (Medium-Density Residential) with a residential planned community (RPC) overlay to develop 75 single-family detached houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Wil King Road where the subject land is located is 1,455 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per weekly peak hour and 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 weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per weekly peak hour and 2,000 vehicle trips per day. These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. For that reason, the applicant will be required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.



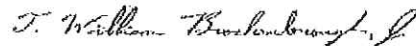
Mr. Jamie Whitehouse
Page 2 of 2
December 2, 2020

The applicant should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits.

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: Double DB, LP, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Sarah Coakley, Principal Planner, Regional Systems Planning
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

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



Sussex County
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sussexcountype.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: 10/30/20

Site Information:

Site Address/Location: West side of Wil King Road +/- 1 mile south of Kendale Road intersection

Tax Parcel Number: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, 59.19

Current Zoning: _____ AR and GR

Proposed Zoning: AR and MR RPC

Land Use Classification: Residential Coastal Zone

Proposed Use(s): Single family lots subdivision w/ central water and sewer

Square footage of any proposed buildings or number of units:

15 lots minimum 13,333 sf

60 lots minimum 7,500 sf

TOTAL DENSITY = 75

Applicant Information:

Applicant's Name: Double DB, LP

Applicant's Address: 507 North York Street, Suite 2D

City: Mechanicsburg State: PA Zip Code: 17055

Applicant's Phone Number: (717) 461-2401

Applicant's e-mail address: webster.gray@yahoo.com



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

Last updated 3-12-20



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

December 18, 2020

Jeff Clark, RLA
Land Tech Land Planning, LLC
Taggart Professional Center, Suite 202
32895 South Coastal Highway
Bethany Beach, DE 19930

RE: PLUS review 2020-11-06; Wil King Station

Dear Mr. Clark:

Thank you for meeting with State agency planners on November 18, 2020 to discuss the proposed plans for the Inland Bays Community project. According to the information received you are seeking review of a proposed 75 unit subdivision on 29.1 acres along Wil King Road in Sussex County

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

Strategies for State Policies and Spending

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

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

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

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Wil King Road (Sussex Road 288) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.
- In accordance with Sections 1.6.7 and 7.2.3.2 of the Manual, DelDOT may require that some or all of the lots along Wil King Road, portions of which would apparently be retained by their current owners, be accessed by way of the subdivision street system rather than by Wil King Road. To the extent that those lots are already developed and the homes would remain, their access should be discussed at or before the Pre-Submittal Meeting. The applicant's engineer may contact Mr. Brian Yates, a Subdivision Reviewer in DelDOT's Development Coordination Section, to initiate that discussion. Mr. Yates may be reached at Brian.Yates@delaware.gov or (302) 760-2151.
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 798 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT confirms this number and estimates the weekday morning and evening peak hour trip ends at 58 and 77, respectively. Therefore, a TIS would normally be required.

However, the subject development is located in the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. For that reason, the developer will be required to pay a fee per dwelling in lieu of doing a TIS and making

off-site improvements in accordance therewith. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The developer should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Wil King Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, **"An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."**
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Wil King Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat."**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 450 feet of the entrance on Wil King Road.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.4 of the Manual addresses requirements for accessways. Accessways are paths that connect subdivision streets to a sidewalk or SUP. DelDOT anticipates requiring an accessway from Wil King Road to the development streets near Lot 4.
- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along both Wil King Road.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Stormwater Management

This project/site has met the minimum threshold of 5000 square feet of land disturbing activity under the DNREC Sediment and Stormwater Program.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. The plan review agency is the Sussex Conservation District.
- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.state.de.us/eNOI/default.aspx>) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.
- Schedule a project application meeting with the appropriate agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov.
Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

Water Quality (Pollution Control Strategies)

Pollution Control Strategies have been developed for the following watersheds in Delaware: Appoquinimink, Broadkill, Christina Basin, Inland Bays, Mispillion and Cedar, Murderkill, Nanticoke, St. Jones, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- This site lies within the Rehoboth Bay of the Inland Bays Watershed. Consult with the appropriate plan review agency (Sussex Conservation District) to determine if stricter stormwater management standards may apply for development projects in this area.

Hydrologic Soils Group

While some of the site contains moderately well drained soils (Hydrologic Soils Group C), most of the site contains poorly drained soils (Hydrologic Soils Group C/D). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: DNREC.Stormwater@delaware.gov.

Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

Wetlands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of freshwater wetlands located toward the center of the site.

- If the project proposes to disturb (dredge or fill) wetlands under the jurisdiction of the U.S. Army Corps of Engineers, a delineation of waterways and wetlands is required, as well as associated authorizations and permits. In certain circumstances, additional certifications from DNREC Wetlands & Subaqueous Lands Section will be required as part of the U.S. Army Corps of Engineers permit process.
- For a list of consultants and engineers who can conduct wetland delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link:
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>

Contact: U.S. Army Corps of Engineers (Dover Office) at
DoverRegulatoryFieldOffice@usace.army.mil or (267) 240-5278.

Website: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (approximately 300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

Wastewater Permitting – Large Systems

Sussex County (permittee) holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch.

- It is the responsibility of the permittee to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.

Contact: DNREC Large Systems Branch at (302) 739-9948.

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

State Historic Preservation Office – Contact Carlton Hall 736-7400

- The Delaware SHPO does not recommend developing in Level 4 areas. Prehistoric archaeological potential is low. Mostly poorly drained soils and not close enough to any water sources. However, it's on/close to Nanticoke Land, so it is recommended that the owner/developer check with the tribe prior to work.
- Historic potential is moderate. No buildings on Beers, but historic maps indicate that a building was on that parcel in the early 20th century. Context may have been destroyed by more modern farm complex. There also appears to be a road that cuts through the parcel on the 1918 topographic maps.

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

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

Fire Protection Water Requirements:

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.
- The infrastructure for fire protection water shall be provided, including the size of water mains.

Accessibility:

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where

traffic circles (roundabouts) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information:

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

Required Notes:

- Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
- Name of Water Supplier
- Proposed Use
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Provide Road Names, even for County Roads

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 1 and Tier 2 area within the Sussex County Unified Sanitary Sewer District, Chapel Branch area and connection to the sewer system is mandatory. A "Use of Existing Infrastructure Agreement" is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm

capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served. The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

Recommendations/Additional Information

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

Department of Transportation – Contact Bill Brockenbrough 760-2109

- From the discussion at the PLUS meeting, DelDOT understands that the County is encouraging the developer to extend the stub streets proposed near Lots 24 and 59 to the property line to allow for interconnections to the lands to the west. DelDOT supports such interconnections as being consistent with Section 3.5 of the Manual.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Wil King Road.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Forest Removal (Mature Forest)

The preliminary plan proposes the elimination of 18 of 21 acres of the forest on the site. An analysis of historical data indicates that the forest area located on the northern portion of the site has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. These areas provide habitat for wildlife, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, which reduces carbon that contributes to climate change.
- A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife. If mature forests are found, these areas should be conserved to the maximum extent practicable.
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Delaware Ecological Network

The mature forest located at the northern portion of the site provides a connection route for wildlife migration between forested lands (within the Delaware Ecological Network) situated off-site, both to the east and to the west of the project site. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on this site could jeopardize habitat beyond the parcel boundary.

- Conserve these lands as community open space. Removing forested areas connecting lands within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

For improved stormwater management, preserve existing trees, wetlands, and passive open space.

General Drainage Recommendations

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project. Environmental permits or exemptions may be required by the County Conservation District, U.S. Army Corp of Engineers, or the DNREC Sediment and Stormwater Program prior to clearing and/or excavating ditch channels.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.
- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <http://www.dnrec.delaware.gov/swc/Pages/DrainageTaxDitchWaterMgt.aspx>

Wetlands

- A wetland Jurisdictional Determination (JD) is recommended to be completed by a consultant or a representative of the DNREC Wetlands and Subaqueous Lands Section to be sure there are no impacts to wetlands. Please contact the DNREC Wetlands and Subaqueous Lands Section for more information.

Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

Additional Sustainable Practices

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.
- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.
- DNREC reviewers recommend incorporating additional open space, planting open space with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

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

- Although not a requirement of the State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in dwellings. The Office of the State Fire Marshal also reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website:
<http://delcode.delaware.gov/title6/c036/sc03/index.shtml>
- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

State Housing Authority – Contact: Jonathan Taswell 739-4263

- DSHA supports the site plan for 75-unit family subdivision on 29.1 acres along Wil King road in Sussex County. This is a decent location for a more affordable housing product. As a result, DSHA recommends that Sussex county embrace the opportunity to approve this proposal permitting residents to live close to their jobs, as well as, access the resources and benefits this area provides.
- DSHA encourages a site layout and quality design measures that creates desirable housing units which are vital to any well-balanced community, the intensity of the proposal warrants design measures to create human-scaled, and pedestrian-oriented community. Incorporating attractive streetscapes, community recreation areas, visually

appealing façade treatments, significant landscaping and pedestrian-oriented measures will help the proposal to integrate well into the larger community plan for Sussex County.

- This Proposal provides Sussex County an excellent opportunity to facilitate a more affordable housing product in the Coastal Resort Area. The need for housing affordable to the many county residents who work in this resort economy is acute and well documented. This proposal is located in a great location with high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help household succeed. Unfortunately, these same areas contain little affordable housing. DSHA encourages the County and developer to work together, perhaps through participation in the County's Moderately Priced Housing Unit program, to insure an affordable housing price, so that more Sussex County residents can benefit from the many resources and benefits this area provides.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.
- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.
- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.
- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland". The signature is written in dark ink and is positioned above the typed name and title.

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

CC: Sussex County Planning

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITY EVALUATION REPORT

Sussex Code Article XXV – Section 115-194.3

BACKGROUND AND PROJECT DESCRIPTION

- The Wil King Station site is a 29.07-acre assemblage of parcels (Sussex Tax Parcels: 2-34-6.00-26.00, 2-34-6.00-26.01, 2-34-6.00-26.02, 2-34-6.00-26.03, 2-34-6.00-26.05, 2-34-6.00-59.19). The subject land is located on the east side of Wil King Road approximately one mile south of the Kendale Road Intersection. The subject land is currently split-zoned both AR-1 (Agricultural Residential) and GR (General Residential). The AR-1 acreage is +/- 23.38 acres and the Wil King Road frontage GR acreage is +/- 5.69 acres. The AR -1 acreage lies in two Comprehensive Map zones with +/- 6.24 acres lying within the Low-Density area and +/- 17.14 acres lying within the Coastal area. The Wil King Station application proposes an MR & AR-1 RPC Subdivision seeking approval to develop 76 single-family detached home sites. The existing AR-1 and GR acreage within the Coastal area as mapped within the current Comprehensive Plan will be proposed for a zoning change to MR, which is consistent with the neighboring developed subdivision to the east. The balance of the RPC application will remain zoned AR-1 in the Low-Density area as mapped in the Comprehensive Plan.
- A single subdivision entrance is planned at the intersection with Wil King Road with a long straight roadway segment affording Wil King Station residents and their guests good site distance when exiting the proposed new community.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment and disposal Unified District facilities and public water by Tidewater Utilities for both potable and fire protection use.
- A professionally designed landscaped buffer with a minimum width of 20' will extend along the entire perimeter of the site. The gateway to the community as planned will present a view into the site from Wil King Road that is a tree lined gently curved street and no lots/homes for +/- 300 feet when viewing into the new community.

STORMWATER & DRAINAGE DESIGN

- Stormwater management design for the Wil King Station site will be done in accordance with Delaware's Sediment and Stormwater Regulations and approved by the Sussex Conservation District. The design will incorporate wet ponds, swales, and where appropriate, infiltration basins.

COMMUNITY POTABLE AND FIRE PROTECTION WATER SUPPLY

- The Wil King Station site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use and also supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

WASTEWATER TREATMENT AND DISPOSAL

- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020, the subject tract lies in a Tier 1 area of the sewer district. The SSCE report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed. No capacity is guaranteed until System Connection Fees are paid.
- The recommended sanitary sewer connection point will be located at the intersection of Wil King Road and Dawson Drive via a proposed manhole.

TRAFFIC ANALYSIS

- The Wil King Station developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application on October 30, 2020. The December 2, 2020 DelDOT response to the SLER notes that the subject development is located in the Henlopen Transportation Improvement District, recently adopted by DelDOT and Sussex County. For that reason, the applicant will be required to pay a fee per dwelling unit in lieu of doing a Traffic Impact Study (TIS) and making offsite improvements therewith. Any improvements required by DelDOT beyond the site entrance will be creditable toward the fee.

THREATENED AND ENDANGERED SPECIES

- Watershed Eco, LLC has conducted a Rare, Threatened and Endangered (RTE) Species study in November of 2020. Based

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

upon written comments from both the U. S. Fish and Wildlife Service and the National Marine Fisheries Service, it was concluded there are no concerns for any RTE species at this location.

WETLANDS

- The Wil King Station site has been evaluated for the existence of regulated wetlands in September 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). Mr. McCulley has concluded that there are no DNREC or Federal jurisdictional wetlands present on this property.
- The conclusions reached in the full wetland delineation report by Watershed Eco shall be made a part of the RPC application and contained within the Supplementary Data Book.

OPEN SPACE MANAGEMENT

- The Wil King Station site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- The passive open space areas within Wil King Station are associated with the storm water wet ponds and perimeter buffers. An active open space area for playground equipment is situated in the interior of the community separated from the entrance and more heavily trafficked streets for child safety purposes.
- The management of the existing passive open space areas will be to preserve native trees and shrubs in the current condition. No clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to public safety of adjacent private property.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- The landscape buffer areas will either remain in their natural state or be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will be under the direction of qualified arborists under contract to the Wil King Station home owner's association

PUBLIC AND PRIVATE INFRASTRUCTURE

- The Wil King Station subdivision will be served by both public water from Tidewater Utilities Water Company and public sanitary sewer from Sussex County.
- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020 the subject tract lies in Tier 1 of the sewer planning areas. The SCED report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed.
- The sanitary sewer infrastructure will include an on-site pump station with a direct connection to existing Sussex County force main transmission piping and a complete gravity collection system to serve each new residence. All pumping station components and gravity piping and appurtenances will be installed at the expense of the developer following Sussex County Ordinance 38 and other utility standards and operating agreements, inspected by Sussex County staff and dedicated to Sussex County upon acceptance of in-place construction.

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WIL KING STATION SUBDIVISION

- The stormwater management facilities will be subject to an operation and maintenance agreement between the Home Owner's Association (HOA) and the Sussex Conservation District. The operation and maintenance agreements, along with pertinent deed covenants and restrictions, will be provided as these arrangements are made final.

ECONOMIC, RECREATIONAL & OTHER BENEFITS

- Multiple economic benefits accrue to the local economy from salaries and purchase of materials during the construction of both site and building improvements. Additional benefits accrue from increased property taxes, permit fees, utility impact fees and the like.
- As stated elsewhere in this report, there are both active and passive recreational opportunities designed into the Wil King Station land use plan. For a subdivision of seventy-six (76) individual residences, there is a limited Home Owner's Association capability of sustaining expensive amenities. Based upon discussions with homebuilders interested in purchasing lots within Wil King Station, the price point for this community is targeted at young working age families with children. An area dedicated to children's play equipment is an adequate economic burden to maintain for a community of this size. This active recreation amenity together with the required professional maintenance of the extensive landscape buffer areas, interior walking trails and common area grass cutting, fertilizing and weed/pest control should be sustainable for a community of this size. A balanced amenity offering with manageable upkeep expense will insure that the fit and finish of Wil King Station common areas remain in a good state of repair and appearance.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

CONFORMANCE WITH COMPREHENSIVE PLAN

- The Wil King Station subdivision site has been planned in accordance with the new updated 2018 Comprehensive Plan approved by Sussex County Council.
- The Future Land Use component of the 2018 Plan has established Growth Areas where the County has signaled future growth is expected. Eighty percent (80%) of the entire Wil King Station site is mapped as **Coastal Areas** on the 2045 Future Land Use Map. Coastal Areas are one of seven (7) Growth areas defined and described in the 2018 Plan. The 2018 plan seeks to encourage the County's most concentrated forms of new development to Growth Areas. The Low-Density portion of the Wil King Station development will maintain the prescribed low density for those areas served by central sanitary sewer and public water.
- The 2018 Plan recognizes that the Coastal Growth Area is in a region among the most desirable locations in Sussex County for new housing. Coastal Areas can accommodate development provided special environmental concerns are addressed and a range of housing types should be permitted including single family detached which Wil King Station proposes. Coastal Areas development densities proposed in the 2018 Plan range from 2-12 homes per acre. Wil King Station subdivision proposes 2.6 dwellings per acre. Cluster development is encouraged that results in the permanent preservation of a substantial percentage of the tract or area being developed. Wil King Station subdivision as planned preserves 28 percent (28%) open space as that term is defined in the Sussex County Code. Wil King Station land use planning involves Best Management Practices (BMP's) in storm water management design, preserves much of the existing woodlands on site, and proposes extensive buffers for wildlife habitat and nutrient (nitrogen and phosphorous) management.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- The Wil King Station subdivision will be connected to the Sussex County regional wastewater collection, transmission and treatment facilities and the Tidewater Utilities regional potable and fire protection water system.

HISTORICAL AND CULTURAL RESOURCES

- The Wil King Station site was reviewed in November of 2018 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.

ACTIONS TO MITIGATE DETRIMENTAL IMPACTS

- The Wil King Station subdivision plan is based upon the principals of sound land use planning and landscape architecture. Open space corridors are located to promote and encourage pedestrian access between homes in the neighborhood.
- Wooded and open space pathways into and through the community via the landscaped perimeter buffers allow the linking of off-site natural areas for wildlife surrounding the site to remain connected. Perimeter landscaped buffers also provide important esthetics for views into the site from neighboring properties and from within the subdivision.
- No wetland impacts, crossings or other intrusions are planned in Wil King Station.
- The use of a qualified professional site maintenance company by the home-owners association to manage plant and animal communities in both the native and more manicured areas of Wil King Station will serve to mitigate the effects of development on this site. Plant pest management, fertilizer application management and invasive species plant management will all serve

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

to mitigate the effects of a low-density land use.

- Using “state of the art” best management stormwater quality and quantity controls via bio-filters and bio-retention structures with native plant species will ensure that the impacts of the land development are minimized.

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/3/2021**

APPLICATION: **CZ 1937 Double DB, LP (Wil King Station)**

APPLICANT: **Double DB, LP**

FILE NO: **CB-1.07**

TAX MAP &
PARCEL(S): **234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, 59.19**

LOCATION: **Lying on the west side of Wil King Road (SCR 288),
approximately 0.89 mile north of Conley's Chapel Road (SCR
280)**

NO. OF UNITS: **76 single-family lots**

GROSS
ACREAGE: **29.07**

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

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes ☒ No ☐
- a. If yes, see question (2).
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 1**
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- ☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **It appears that there are several parcel lines that need to be clarified for this project.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.
Lisa Walls
Noell Warren

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



Sussex County
DELAWARE
sussexcountye.gov

Memorandum

To: Sussex County Technical Advisory
Committee From: Nick Torrance, Planner I
Date: December 30th, 2020
RE: Major Subdivision

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

The Sussex County Planning and Zoning Office has received five (5) applications for major subdivisions that requires review by the Sussex County Technical Advisory Committee. Please review the application and provide comments back to the Planning and Zoning Office on or before **March 5th, 2021**.

2021-06 – Coral Crossing- This is a cluster subdivision. The cluster subdivision is for the creation of three-hundred and fifteen (315) single family lots. The property is located on the southwest side of Robinsonville (S.C.R 277) approximately 0.65 mile south of Kendale Rd (S.C.R. 287) Tax Parcels: 234-6.00-67.00 & 84.00. Zoning: AR-1 (Agricultural Residential District). Owner: Double DB, LP

2021-08– The Knoll- This is a cluster subdivision. The cluster subdivision is for the creation of thirty-three (33) single family lots. The property is located on the east side of Irons Ln. (S.C.R. 348) approximately 0.44 mile north of Holts Landing Road (S.C.R 346). Tax Parcel: 134-7.00-163.00. Zoning: AR-1 (Agricultural Residential District). Owner: Irons Knoll, LLC

2021-09– Brookland Farm- This is a cluster subdivision. The cluster subdivision is for the creation of ninety-two (92) single family lots. The property is located on the southeast corner of Bayard Rd (S.C.R 384) and Evans Rd (S.C.R 383). Tax Parcel: 533-11.00-87.00. Zoning: AR-1 (Agricultural Residential District). Owner: Brookland Farm Properties, LLC

2021-10– Graywood Springs- This is a cluster subdivision. The cluster subdivision is for the creation of thirty-eight (38) single family lots. The property is located on the east side of Oyster Rocks Road (S.C.R 264) approximately 0.5 mile north of Coastal Highway (Route 1) . Tax Parcel: 235-16.00-40.00. Zoning: AR-1 (Agricultural Residential District). Owner: Nancy M. Richards Heirs

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



Sussex County
DELAWARE
sussexcountye.gov

CZ 1937– Wil King Station - This is an RPC subdivision. The subdivision is for the creation of seventy-six (76) single family lots. The property is located directly north of the Oyster Rock Subdivision with a proposed connection from Sandbar Ct. Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19. Zoning: AR-1 & GR (Agricultural and General Residential Districts). Proposed Zoning: MR-RPC (Medium Density Residential District – Residential Planned Community. Owners: Sarah and Leon Harmon, Mildred Harmon, Daniel and Sara Snipes, Rodney Harmon & Kenneth Linton

Please feel free to contact the office with any questions at (302) 855-7878 during normal business hours 8:30am-4:30pm Monday through Friday.

Nick Torrance

From: Terri Dukes
Sent: Thursday, December 31, 2020 3:23 PM
To: Nick Torrance
Subject: RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Nick, All but Brookland Farm has been approved.

From: Nick Torrance <nicholas.torrance@sussexcountyde.gov>
Sent: Thursday, December 31, 2020 1:07 PM
To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance

Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Sussex County, Delaware
Technical Advisory Committee

Comment Sheet



DATE OF REVIEW: January 6, 2021

REVIEWING AGENCY: Delaware State Fire Marshal's Office, Sussex Office

INDIVIDUAL REVIEWERS: Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist
Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: WIL KING STATION (CZ 1937)

The reasons and conditions applied to this project and their sources are itemized below:

- ❖ ***The DE State Fire Marshal's Office has no objection to the conditional RPC zoning for the aforementioned project. Formal submittal is required for final site plan approval.***

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

a. **Fire Protection Water Requirements:**

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

➤

c. **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This

means that the access road to the subdivision from Wil King Road must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**

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

e. **Required Notes:**

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

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website:

www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE

Nick Torrance

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Thursday, January 7, 2021 3:37 PM
To: Planning and Zoning
Subject: RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Categories: Nick

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Good Afternoon,

Everyone one of the subdivisions that were sent are within DEC's service territory. We have adequate facilities in the area to serve the proposed subdivisions.

Thanks!!!

Troy W. Dickerson, P.E.
Assistant V.P. of Engineering
Voice: (302) 349-3125
Cell: (302) 535-9048
Fax: (302) 349-5891
tdickerson@delaware.coop



From: Nick Torrance
Sent: Thursday, December 31, 2020 1:07 PM
To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; Dickerson, Troy <TDickerson@delaware.coop>; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance

Planner I

Department of Planning and Zoning

(302) 855-7878

2 The Circle

P.O. Box 417

Georgetown, DE 19947



DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health

Office of Engineering
Phone: (302) 741-8640
Fax: (302) 741-8641

January 14, 2021

Mr. Nick Torrance
Sussex County Planning & Zoning Commission
PO Box 417
Georgetown, DE 19947

Re: Sussex County Technical Advisory Committee

Dear Mr. Torrance:

The Division of Public Health Office of Engineering is in receipt of the following applications:

1. **Applications:** *2021-06 – Coral Crossing*
 2021-08– The Knoll
 2021-09- Brookland Farm
 2021-10- Graywood Springs
 CZ 1937- Will King Station

These applications indicate central water will be supplied by Tidewater Utilities, Inc. *These projects require an Approval to Construct and an Approval to Operate from the Office of Engineering when constructing a new water system or altering an existing water system.* In order to obtain an Approval to Construct, plans and specifications must be prepared by a registered Delaware professional engineer. Plans for the system, including water mains or extensions thereto, storage facilities, treatment works, and all related appurtenances, must be approved by the Office of Engineering prior to construction. It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction.

Prior to receiving an Approval to Operate for these projects, the Office of Engineering requires one set of as-built drawings, including profile markups, for all plans approved for construction. Approvals to Operate will be issued after all applicable requirements are met.

Please do not hesitate to contact me at 302-741-8646 with questions or comments.

Sincerely,

William J. Milliken, Jr.
Engineer III
Office of Engineering

Nick Torrance

From: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Sent: Monday, March 8, 2021 11:11 AM
To: Planning and Zoning
Subject: FWS review of multiple subdivisions

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Hi-

This email is regarding the following subdivisions: Coral Crossing, The Knoll, Brookland Farm, Graywood Springs, and Wil King Station. There are no federally listed species at any of these locations, so no further Section 7 consultation is needed. You can fill out the Online Certification Letter if further documentation is needed: <https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/online-certification-letter.html>

Our office is currently teleworking for the foreseeable future, so there may be delays in mail pick up. For future projects, the fastest way to get a response is to submit through IPaC: <https://ecos.fws.gov/ipac/>. Please let me know if you have any questions!

Thank you,
Kathleen

Kathleen Cullen
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office
177 Admiral Cochrane Dr., Annapolis MD, 21401
410-573-4579 - kathleen_cullen@fws.gov



DELAWARE DEPARTMENT OF
AGRICULTURE

2320 SOUTH DUPONT HIGHWAY
DOVER, DELAWARE 19901
AGRICULTURE.DELAWARE.GOV

TELEPHONE: (302) 698-4500
TOLL FREE: (800) 282-8685
FAX: (302) 697-6287

March 5, 2021

Nick Torrance, Planner I
Planning & Zoning Commission
P.O. Box 417
Georgetown, Delaware 19947

Subject: **Preliminary Plans for Wil King Station**

Dear Mr. Torrance,

Thank you for providing preliminary plans for Wil King Station subdivision submitted by George, Miles & Buhr, LLC Architects & Engineers to our section dated December, 2020.

The Delaware Forest Service recommends the plans reflect tree planting specifications and that the ISA ANSI A300 best management practices are followed for newly installed trees. DFS recommends planting a 70/30 mix of hardwood and evergreen tree species. There are several tree species that are not recommended for planting in the state due to their invasive nature or the susceptibility to pests and diseases. These species are listed on our department website. The Delaware Forest Service requests planting details and tree species to be added to the preliminary plans before being approved. Please resubmit the preliminary plans to Delaware Forest Service once the updates are completed.

The Delaware Forest Service will await resubmission of plans.

If you have any questions please feel free to contact me at taryn.davidson@delaware.gov.

Sincerely,

Taryn Davidson
Urban Forestry Program
Delaware Forest Service

Nick Torrance

From: Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>
Sent: Wednesday, March 3, 2021 10:36 AM
To: Planning and Zoning
Subject: FW: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station
Attachments: 2021-09 Brookland Farm Subdivision Plan.pdf; 2021-10 Graywood Springs Subdivision Plan.pdf; CZ 1937 Double DB, LP (Wil King Station) Subdivision Plan.pdf

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Good morning,

DNREC's Division of Waste and Hazardous Substances has reviewed the applications for Project #s 2021-06, 2021-08, 2021-09, 2021-10 and CZ 1937 and has no comments on any of them.

Thank you,

Mindy Anthony
Planner IV
DNREC-Div. of Waste & Hazardous Substances
89 Kings Hwy
Dover, DE 19901
Phone: 302-739-9466
Fax: 302-739-5060
Mindy.Anthony@delaware.gov

Integrity. Respect. Openness. Customer Focus. Quality.



<https://de.gov/recycling>
www.facebook.com/delawarerecycles

From: Nick Torrance <nicholas.torrance@sussexcountyde.gov>
Sent: Monday, January 04, 2021 10:44 AM
To: Krumrine, Beth (DNREC) <Beth.Krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Fox, Duane T. (FireMarshal) <Duane.Fox@delaware.gov>; Butler, Eileen M. (DNREC) <Eileen.Butler@delaware.gov>; Sullivan, James C. (DNREC) <James.Sullivan@delaware.gov>; Cinelli, Jennifer (DelDOT) <jennifer.cinelli@delaware.gov>; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; Crystall, Meghan (DNREC) <Meghan.Crystall@delaware.gov>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@delaware.gov>; Mike Brady <MBRADY@sussexcountyde.gov>; Melendez, Milton (DDA) <milton.melendez@delaware.gov>; Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>; Subdivision (MailBox Resources) <Subdivision@delaware.gov>; Susan Isaacs <sisaacs@sussexcountyde.gov>; Laws, Susanne K (DelDOT) <Susanne.Laws@delaware.gov>; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021. This may be a duplicate email to some, but I received quite a few returned emails for the size being too large to send. So I will be sending out 2 separate emails. Please look for both.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance

Nick Torrance

Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Sussex County, Delaware
Technical Advisory Committee

Comment Sheet



DATE OF REVIEW: February 15, 2021

REVIEWING AGENCY: Delaware State Fire Marshal's Office, Sussex Office

INDIVIDUAL REVIEWERS: Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist
Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: LANDS OF LIGHTPIPE, LLC (CZ 1931)

The reasons and conditions applied to this project and their sources are itemized below:

- ❖ ***The DE State Fire Marshal's Office has no objection to the conditional RPC zoning for the aforementioned project. Formal submittal is required for final site plan approval.***

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

a. **Fire Protection Water Requirements:**

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Townhouses)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

c. **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This

means that the access road to the subdivision from Muddy Neck Road must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**

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

e. **Required Notes:**

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Townhouse 2-hr separation wall details shall be shown on site plans
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website:

www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE



United States Department of Agriculture

Natural Resources
Conservation
Service

February 15, 2021

Georgetown
Service Center

Jamie Whitehouse, Director
Sussex County Planning & Zoning
Sussex County Courthouse
Georgetown, DE 19947

21315 Berlin Road
Unit 3
Georgetown, DE
19947

**RE: Wil King Station
76 single family lots**

Voice 302.856.3990
Fax 855.306.8272

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

FgA Fallsington loam, 0 to 2 percent slopes
PyA Pineyneck loam, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
FgA	R2	Very limited	Very limited	Very limited
PyA	Y2	Very limited	Somewhat limited	Very limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

"Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

"Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.

"Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

R2:

The soils in this classification are nearly or gently sloping, very poorly, poorly, and somewhat poorly drained. Seasonal high water tables, local ponding, and high potential frost action severely limit these soils for residential developments. The principal soil limitations are: 1) soil is highly susceptible to frost action, 2) excavations are likely to fill with water in late winter or early spring, 3) wet foundations or basements probable, and 4) hazard of temporary ponding of water in areas lacking outlets. Loose running sand commonly encountered in deep excavations.

Y2:

The soils in this classification are nearly level or gently sloping, moderately well drained or well drained with ground water between four to six feet from the surface, and are subject to seasonal high water tables. Seasonal wetness and seepage around foundations moderately limits these soils for residential use. The principal soil limitations are: 1) lateral seepage in subsoil causes concentration of water around foundations, 2) soil is highly susceptible to frost action, 3) excavations are likely to fill with water in late winter or early spring, and 4) wet basements or foundations are probable.

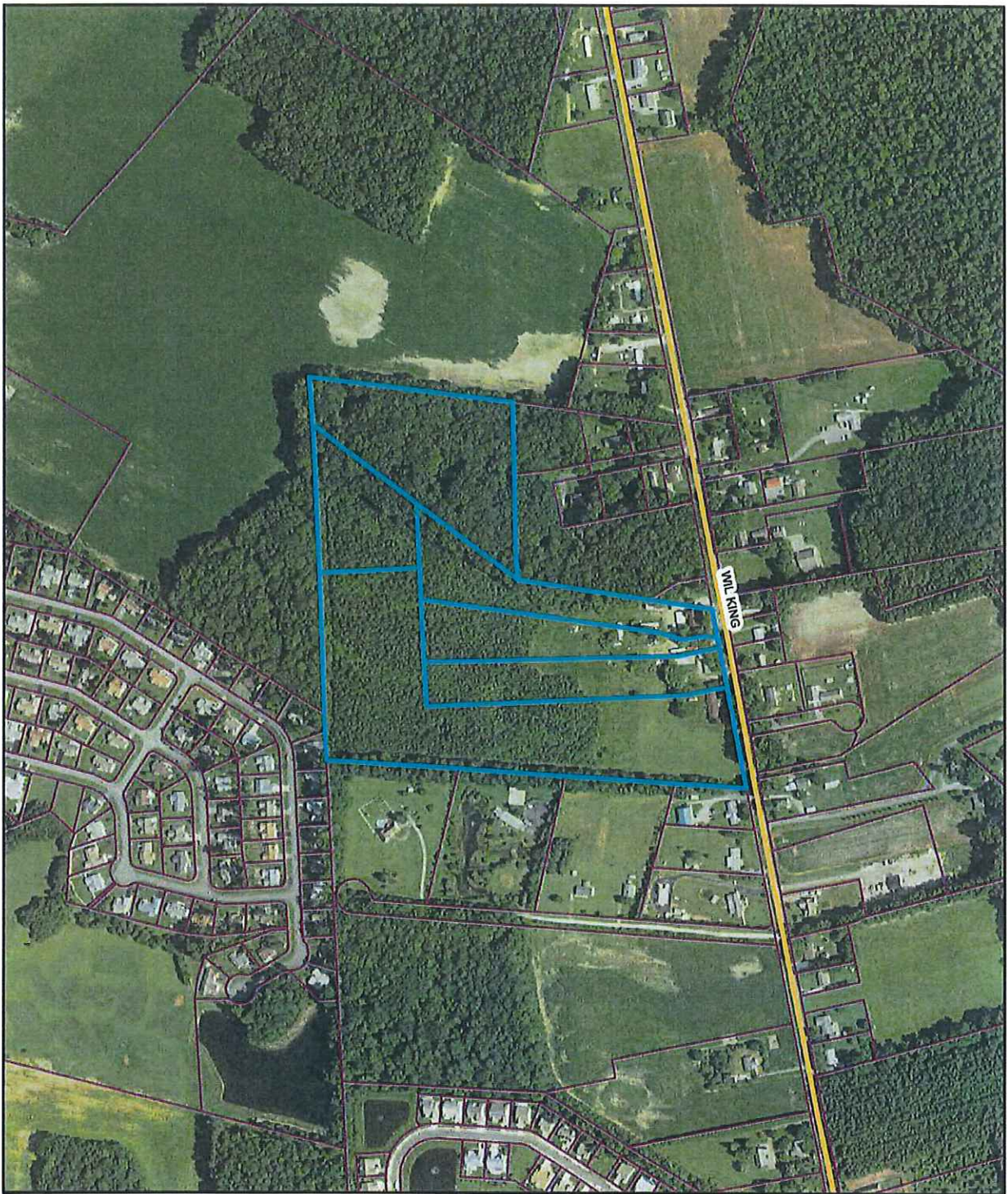
The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

Sincerely,

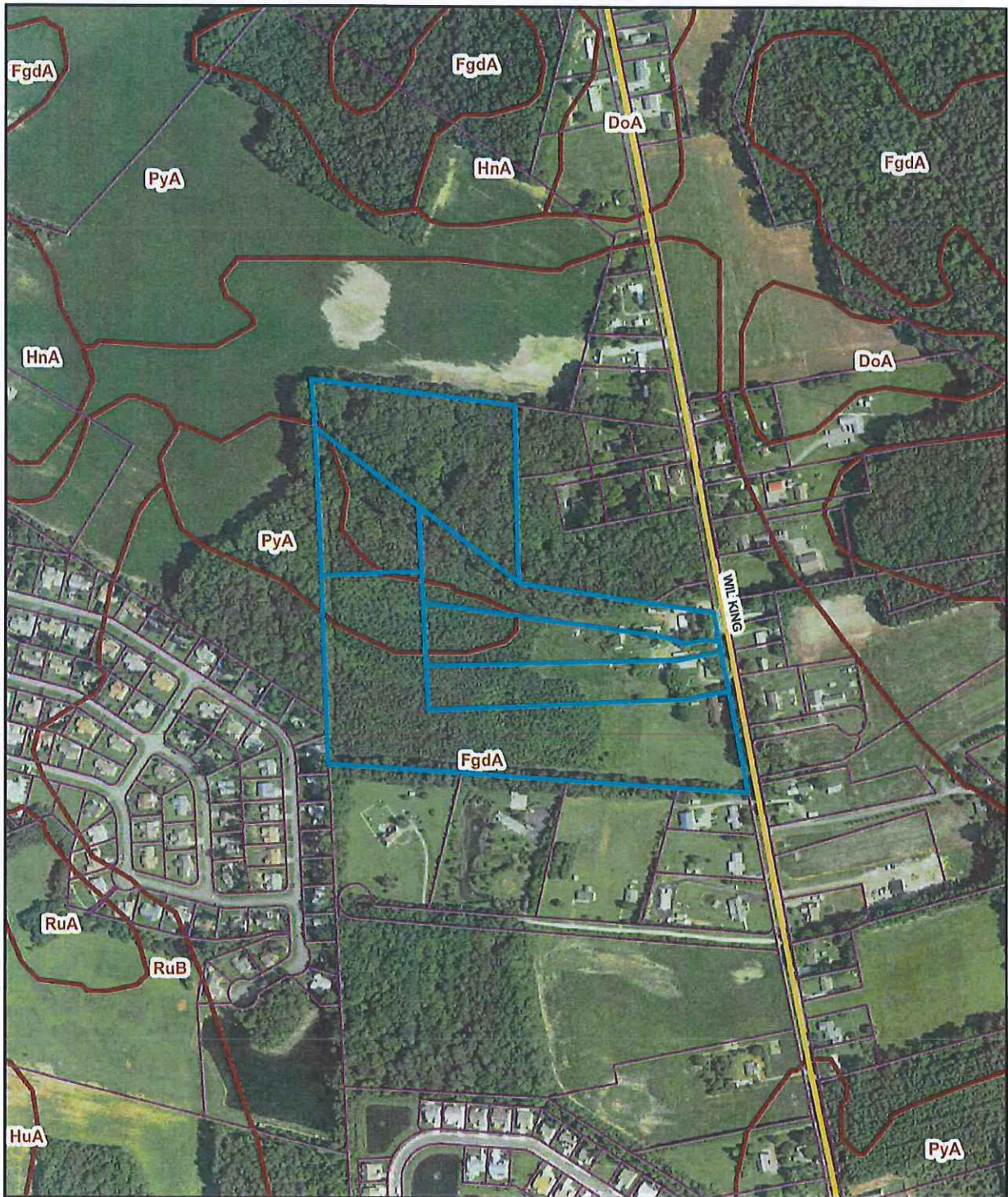


Thelton D. Savage
District Conservationist
USDA, Natural Resources Conservation Service

TDS/bh



CZ 1937
TM #234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19
Wil King Station



CZ 1937
TM #234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19
Wil King Station

CZ 1937 Wil King Station

Comments from the DNREC Drainage Program

- Tax Ditch Comments:
 - The proposed project is not located within a tax ditch watershed. There are no tax ditch channels or rights-of-way (ROW) located on or near the project location.
- General Drainage Comments:
 - There are multiple reported drainage concerns near the proposed project area. A number of these concerns involve private landowners seeking guidance on ways to increase drainage on their properties. There are also multiple concerns from 2010-2012 regarding flooding along Wil King Road just south of the proposed project area. The ditch was put on a list for cleanout. No resolution has been reported. There was an additional concern reported in 2020 about flooding along Wil King Road. The project will be proposed as an addition on the RC&D list.

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

MICHAEL E. BRADY
DIRECTOR OF PUBLIC WORKS

January 8, 2021

REF: T. A. C. COMMENTS
WIL KING STATION
SEWER TIER 1
SUSSEX COUNTY ENGINEERING DEPARTMENT
SUSSEX COUNTY TAX MAP NUMBER
234-6.00 PARCEL 26.00,26.01,26.02,26.03,26.05 & 59.19
PROJECT CLASS-1
AGREEMENT NO. 1163

The following comments are the result of the Sussex County Engineering Department's review of the preliminary site plan for the above referenced project:

PUBLIC WORKS DIVISION COMMENTS

1. Proposed developments with private roads or projects required to meet or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
 - a. Private road needs to meet or exceed road pavement design as specified in Chapter 99-18 H.
2. This project is not located within the limits of a Ground Water Management Zone (GMZ). Projects located within a GMZ must be forwarded to the County Engineer for review and comment.
3. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
4. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.
5. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
6. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.

The plans shall show and address the following items at minimum:



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

7. The project requires professional land surveying services to accurately delineate, and show the following items but is not limited to the following: all property and right-of-way lines, established at a minimum, two (2) horizontal and vertical control concrete project benchmarks, survey monuments, easements, existing and proposed topographic contours at 1-foot vertical intervals and spot elevations as necessary to establish grades, the locations of all existing structures, highway and roadway pavements, shoulders, curbs, driveways, sidewalks, lighting structures, traffic control signs, and all public and private utilities, including, but not limited to, electric power and telephone lines, poles and boxes, underground electric, telephone, and communication lines, potable water lines, fire hydrants and valve boxes, gas lines, wells, sanitary sewers including septic systems, rim and invert elevations of manholes and cleanouts, and the rims and invert elevations and type of storm water structures, drainage ditches, ponds, streams and waterways, flood zones and flood zone boundaries and elevations, and State and Federal wetlands, trees, cemeteries and historic features, and the finished floor elevations of buildings.
8. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer.
9. The plan requires a Certification Signature and/or a Certification Block for the Delaware Professional Engineer or Delaware Land Surveyor.
10. The plan requires a Certification Signature and/or a Certification Block for the Owner or Representative of the Owner.
11. The plan requires a Certification Signature and/or a Certification Block for the Professional Wetlands Delineator.
12. The name, address, phone number and contact person's name of the Owner of Record, the Developer and the Engineer or Surveyor preparing the plan.
13. Indicate the location of all wetlands (both state and federal), in order to facilitate compliance with County, State and Federal requirements.
14. Define the courses and distances of the property perimeter and the approximate acreage contained therein. Establish and set in the field two (2) CONCRETE MONUMENT project benchmarks, preferably at property perimeter corners, geo-referenced to the Delaware State Plane Coordinate system NAD 83 and show the location including the North and East coordinates of the marks on the plans.
15. Indicate the development construction phases proposed showing the boundaries of each phase. Phasing boundaries shall include buildings, residential units, amenities, roads, storm water management facilities, wastewater systems and all other improvements and utilities required to service each phase.
16. Show the layout, width and names of all streets, alleys, crosswalks and easements proposed to be dedicated for private or public use. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets.
17. When on site individual septic tank systems are to be used and the lot topography is to be modified by cuts and fills it is required that the Design Engineer contact the

Delaware Department of Natural Resources and Environmental Control, Division of Groundwater Water Discharge Section, 20653 DuPont Boulevard, Unit 5, Georgetown, DE 19947 phone number 302-856-4561 subject to mass grading operations for documented approval.

18. Provide the limits and elevations of the one hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood.
19. The pavement radius for all cul-de-sacs shall be no less than 38 feet in diameter or as otherwise required by the State Fire Marshall's office or the County Engineering Department.
20. False berms shall not be utilized to create roadside drainage swale back slopes.
21. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.
22. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.
23. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.
24. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.
25. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.
26. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
27. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.
28. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.

29. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

UTILITY PLANNING DIVISION COMMENTS

REVIEWER: **Chris Calio**

APPLICATION: **CZ 1937 – Wil King Station**

APPLICANT: **Double DB LP**

FILE NO: **CB-1.09**

TAX MAP &
PARCEL(S): **234-6.00-26.00, 26.01, 26.02, 26.03, 26.05 & 59.19**

LOCATION: **Located on the west side of Wil King Road.**

NO. OF UNITS: **76**

GROSS
ACREAGE: **29.07**

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

SEWER:

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

If yes, the current System Connection Charge Rate is \$6,360.00 per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**

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

- (7). Is project adjacent to the Unified Sewer District? **N/A**

- (8). Comments: **The attached SSCE addresses several projects. The comments pertaining to this project are defined as Site A.**

- (9). Is a Sewer System Concept Evaluation required? **Already Completed, See Attached**

- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

If the above items, as applicable, are incorporated into the development plans, then preliminary approval is recommended. However, final plan approval should be withheld pending the approval of the construction plans by the Sussex County Engineering Department.



Landscape Architecture
New Urbanism Design
Land Use Planning/Permitting
Community Design
Prime Consultant – Project Management

September 13, 2021

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

RE: Wil King Station – Change of Zone No. 1937
Supplemental Data Book

Jamie,

Land Tech Land Planning, LLC represents the owner/applicant for the above referenced proposed subdivision. As required, enclosed please find a Supplemental Data Book prepared in connection with the above referenced application. A digital PDF version of this book will be forwarded to your email. Please advise if Planning and Zoning Department staff require any further application clarifications or additions in advance of the scheduled public hearing before the Planning and Zoning Commission.

Thank you and please contact me with any questions.

Sincerely,
Land Tech Land Planning, LLC

Jeffrey A. Clark, RLA
jeff@landtechllc.com

file: wilkingstation.ltr
enclosures: noted
cc: Josh and Web Gray via email
David Hutt, Esq. via email

Wil King Station

Proposed AR-1/MR RPC Single-Family Lot Subdivision

Tax Parcels 234-6.00-26.00 and 59.19

Change of Zone Application C/Z 1937

Double DB, LP
507 North York Street, Suite 2D
Mechanicsburg, PA 17055

With

Preliminary Land Use Service Comments and Response

&

Supporting Documents

September 9, 2021

PREPARED BY:

LAND TECH LAND PLANNING, LLC
Taggart Professional Center
32895 South Coastal Highway
Bethany Beach, DE 19930
302-539-2366

Consulting Team

Legal

MORRIS JAMES LLP
107 W MARKET STREET
GEORGETOWN, DELAWARE 19947
302-856-0018

Landscape Architecture

LAND TECH LAND PLANNING, LLC
TAGGART PROFESSIONAL CENTER SUITE 202
32895 SOUTH COASTAL HIGHWAY
BETHANY BEACH, DELAWARE 19930
302-539-2366

Land Surveying

VISTA DESIGN, INC.
11634 WORCESTER HIGHWAY
SHOWELL, MARYLAND 21862
410-352-5604

Environmental

WATERSHED ECO, LLC
114 MERRIMAC AVENUE
MIDDLETOWN, DELAWARE 19709
302-218-3866

Civil Engineering

GEORGE, MILES & BUHR, LLC
206 W MAIN ST
SALISBURY, MARYLAND 21801
410-742-3115

Geotechnical Engineering

GEO-TECHNOLOGY ASSOCIATES, INC.
21133 STERLING AVENUE, SUITE 7
GEORGETOWN, DELAWARE 19947
302-855-9761

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TAB 5.	Subdivision Considerations (Chapter 99-9)
TAB 6.	Preliminary Land Use Service (PLUS) comments and applicant response. TAC Agency Comments and applicant response
TAB 7.	DelDOT Service Level Evaluation Request /DelDOT Response
TAB 8.	Wetlands - Corps AJD Response & Wetlands Delineation Plan Rare, Threatened & Endangered Species – Watershed Eco Report Preliminary Site Assessment – Debris on Site
TAB 9.	Water Company Ability to Serve Letter. Sewer Service Concept Evaluation Report

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

C/Z APPLICATION



Landscape Architecture
New Urbanism Design
Land Use Planning/Permitting
Community Design
Prime Consultant – Project Management

December 29, 2020

Jamie Whitehouse, Director
Sussex County Planning & Zoning Department
2 The Circle
Georgetown, DE 19947

**Re: Wil King Station
AR-1 & GR Proposed CZ and CU to AR-1 & MR RPC
Sussex TM#s 2-34-6.00-26.00, 26.01, 26.02, 26.03, 26.05 & 59.19**

Dear Jamie,

Land Tech Land Planning, LLC represents Double DB, LP, the developer/applicant for the above referenced proposed Zoning Change (AR-1 & GR to MR) and Conditional Use (RPC) subdivision. Enclosed, please find two applications filed on behalf of Double DP, LP which includes the following:

Zoning Map Amendment

- Completed and signed Application
- Eight (8) copies of a Preliminary Site Plan
- Deeds (6)
- The required \$ 500.00 application fee.
- PLUS response letter.
- DelDOT Service Level Evaluation Request Form (response not received from P&Z)

Conditional Use

- Completed and signed Application
- Deeds (6)
- The required \$ 500.00 application fee.
- PLUS response letter.
- DelDOT Service Level Evaluation Request Form (response not received from P&Z)

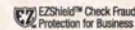
We have not included an additional eight (8) sets of plans for the second application. Please advise if additional plan copies are needed. Please contact our office if there are any questions or need for additional information in order to confirm this application is complete. A complete PDF copy of the above referenced documents will be forwarded to your attention.

Thank you.

Sincerely,
Land Tech Land Planning, LLC

Jeffrey A. Clark, RLA
jeffc@landtechllc.com

file: wilkingstation.ltr
enclosures: noted
cc: Josh Gray via PDF



1013

DOUBLE DB LP
507 N YORK ST SUITE 2D
MECHANICSBURG, PA 17055-2778

S&T BANK
60-685/433

11/25/2020

PAY TO THE
ORDER OF

Sussex County Council

\$ **500.00

Five Hundred and 00/100*****

DOLLARS

Sussex County Council



Josh Drang
AUTHORIZED SIGNATURE

MEMO

Planning & Zoning Application - Wil King

⑈001013⑈ ⑆043306855⑆ 3002665028⑈

DOUBLE DB LP

1013

Sussex County Council					11/25/2020	
Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/25/2020	Bill	Zoning App. - Wil K	500.00	500.00		500.00
					Check Amount	500.00

S&T Bank - Wil King Planning & Zoning Application - Wil King

500.00

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

West side of Wil King Road +/- 1 mile south of Kendale Road intersection

Type of Conditional Use Requested:

Tax Map #: see attached Size of Parcel(s): 29.07 Total Site

22.83 Acres MR (Proposed CZ from AR-1 & GR)
6.24 Acres AR-1 (Existing to Remain)

Current Zoning: AR, GR Proposed Zoning: AR-1 & MR Size of Building: _____

Land Use Classification: Residential

Water Provider: Tidewater Utilities Sewer Provider: Sussex County

Applicant Information

Applicant Name: Double DB, LP

Applicant Address: 507 North York Street, Suite 2D

City: Mechanicsburg State: PA Zip Code: 17055

Phone #: (717) 461-9995 E-mail: admin@DBLPRE.com

Owner Information

Owner Name: see attached

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Landscape Architect

Agent/Attorney/Engineer Name: Jeff Clark, RLA - Land Tech Land Planning, LLC

Agent/Attorney/Engineer Address: Taggart Professional Center, 32895 S. Coastal Highway

City: Bethany Beach State: DE Zip Code: 19930

Phone #: (302) 539-2366 E-mail: jeffc@landtechllc.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

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

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

✓ **Provide Fee \$500.00**

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

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

✓ **DeIDOT Service Level Evaluation Request Response**

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

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

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

Signature of Applicant/Agent/Attorney

Date: 11/25/2020

Signature of Owner

Date: 11/25/2020

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: _____

Wil King Station Property Owners

TM# 234-6.00-26.00
Sara and Leon Harmon
20464 Wil King Road
Lewes, DE

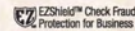
TM# 234-6.00-26.01
Mildred Harmon
20454 Wil King Road
Lewes, DE

TM# 234-6.00-26.02
Daniel and Sara Snipes
20464 Wil King Road
Lewes, DE

TM# 234-6.00-26.03
Rodney Harmon
20440 Wil King Road
Lewes, DE

TM# 234-6.00-26.05
Sara and Leon Harmon
20464 Wil King Road
Lewes, DE

TM# 234-6.00-59.19
Kenneth Linton
10933 Fox Mill Lane
Charlotte, NC



1013

DOUBLE DB LP507 N YORK ST SUITE 2D
MECHANICSBURG, PA 17055-2778**S&T BANK**
60-685/433

11/25/2020

PAY TO THE
ORDER OF

Sussex County Council

\$ **500.00

Five Hundred and 00/100*****

DOLLARS

Sussex County Council


AUTHORIZED SIGNATURE

MEMO

Planning & Zoning Application - Wil King

⑈001013⑈ ⑆043306855⑆ 3002665028⑈

DOUBLE DB LP

1013

Sussex County Council

Date	Type	Reference
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Balance Due
500.00

11/25/2020

Discount

Payment
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500.00

Check Amount

S&T Bank - Wil King Planning & Zoning Application - Wil King

500.00

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 X

Zoning Map Amendment _____

Site Address of Conditional Use/Zoning Map Amendment

West side of Wil King Road +/- 1 mile south of Kendale Road intersection

Type of Conditional Use Requested:

AR-1 & MR RPC

Tax Map #: see attached Size of Parcel(s): 29.07

6.24 Acres AR-1 RPC
22.83 Acres MR RPC

Current Zoning: AR, GR Proposed Zoning: _____ Size of Building: _____

AR-1 & MR RPC

Land Use Classification: Residential

Water Provider: Tidewater Utilities Sewer Provider: Sussex County

Applicant Information

Applicant Name: Double DB, LP

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

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

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

Signature of Applicant/Agent/Attorney

Date: 11/25/2020

Signature of Owner

Date: 11/25/2020

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: _____

Wil King Station Property Owners

TM# 234-6.00-26.00
Sara and Leon Harmon
20464 Wil King Road
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20464 Wil King Road
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TM# 234-6.00-26.05
Sara and Leon Harmon
20464 Wil King Road
Lewes, DE

TM# 234-6.00-59.19
Kenneth Linton
10933 Fox Mill Lane
Charlotte, NC

2346.00 26.01
19940.00 39 ft

371

BOOK 851 PAGE 338

INDIVIDUAL DEED—Typewritten
and by TOWN & MEYER, Inc., Notaries
MILFORD, DELAWARE**This Deed, MADE THE**

16th day of July in the year of our LORD,
one thousand nine hundred and seventy-seven.

Between LEON HARMON and SARAH C. HARMON, his wife, of Lewes
and Rehoboth Hundred, Sussex County, Delaware, parties of the
first part,

- AND -

GEORGE I. HARMON and MILDRED F. HARMON, his wife, of R. D.
1, Box E-99, Lewes, Sussex County, Delaware, parties of the second
part.

Witnesseth. That the said part 1st of the first part, for and in consider-
ation of the sum of ONE DOLLAR (\$1.00)

lawful money of the United States of America,
the receipt whereof is hereby acknowledged, hereby grant and convey unto
the said part 1st of the second part,

All that certain tract, piece and parcel of land, lying
and being situate in Indian River Hundred, Sussex County, Delaware,
and more particularly described as follows, to wit:

BEGINNING at a point on the westerly right-of-way line of
State Road 288 and being a corner for these lands and lands now
or formerly of Leon Harmon and Sarah C. Harmon, his wife; thence
and with said right-of-way line, South 01° 50' East 105.00 feet
to a pipe; thence South 88° 10' West 148.00 feet to a pipe; thence
North 01° 50' West 105.00 feet to a point; thence North 88° 10'
East 148.00 feet to a nail, being the place of beginning, said
to contain 15,540 square feet, be the same more or less, and as
more particularly shown on a survey attached hereto, prepared
by J. Curtis Pritchman, dated June 7, 1977.

BEING a portion of those lands conveyed unto Leon Harmon
and Sarah C. Harmon, his wife, by deed of Albert R. Johnson, dated
December 3, 1953, and of record in the Office of the Recorder
of Deeds, in and for Sussex County, in Deed Book 427, page 100.



BOOK 851 PAGE 339

In Witness Whereof, The said parties of the first part have hereunto set hand and seal, the day and year aforesaid.

SEALED AND DELIVERED
in the presence of

Barton Wall

Barton Wall

Leon Harmon (Seal)
Leon Harmon

Sarah C. Harmon (Seal)
Sarah C. Harmon

(Seal)

(Seal)

State of Delaware,

SUSSEX

County. } ss.

Be It Remembered, that on this 16 day of July in the year of our Lord one thousand nine hundred and seventy-seven, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Leon Harmon and Sarah C. Harmon, his wife,

Part 108 to this Indenture, known to me personally to be such, and they acknowledge this Indenture to be their Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid

RECEIVED
MARY ANN McCABE
JUL 19 1 09 PM '77
RECORDER OF DEEDS
SUSSEX COUNTY

PURCHASERS R270.1 11-77
DAY OF July 1977
ASSESSMENT DIVISION SUSSEX COUNTY
MILNER E. SAVAGE



George L. Harmon
P.O. Box F-99
Greenville, Del.
7-29-77

5418

BOOK 947 PAGE 315

This Deed, made this

29th day of April, in the year of
our LORD one thousand nine hundred and seventy-nine,

BETWEEN, LEON HARMON and SARAH C. HARMON, his wife, of R. D. 1, Box E99, Lewes, Sussex County, Delaware, 19958, parties of the first part,

AND

GEORGE I. HARMON and MILDRED F. HARMON, his wife, of R. D. 1, Lewes, Sussex County, Delaware, 19958, parties 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 of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said part^{1st} of the second part,

ALL that certain lot, piece or parcel of land situate, lying and being in Indian River Hundred, Sussex County and State of Delaware, and being more particularly described as follows, to wit: BEGINNING at a pipe located on the Western right-of-way line of State Road 288, said pipe being a corner for this land and other land now or formerly of George I. Harmon, at ux.; thence along the Western right-of-way line of the said State Road 288, South 1° 50' East 30.00 feet to a pipe, being a corner for lands now or formerly of Daniel L. Snipes, at ux.; thence along lands now or formerly of Snipes South 88° 10' West 148.00 feet to a pipe and lands now or formerly of Leon Harmon, at ux.; thence along lands now or formerly of Harmon North 1° 50' West 30.00 feet to a pipe, being a corner for lands now or formerly of the aforesaid George I. Harmon, at ux.; thence along lands now or formerly of Harmon North 88° 10' East 148.00 feet back to the place of beginning, said to contain 4,440 square feet of land, be the same more or less, as shown on a survey prepared by J. Curtis Fritchman, Registered Surveyor, dated March 5, 1979.

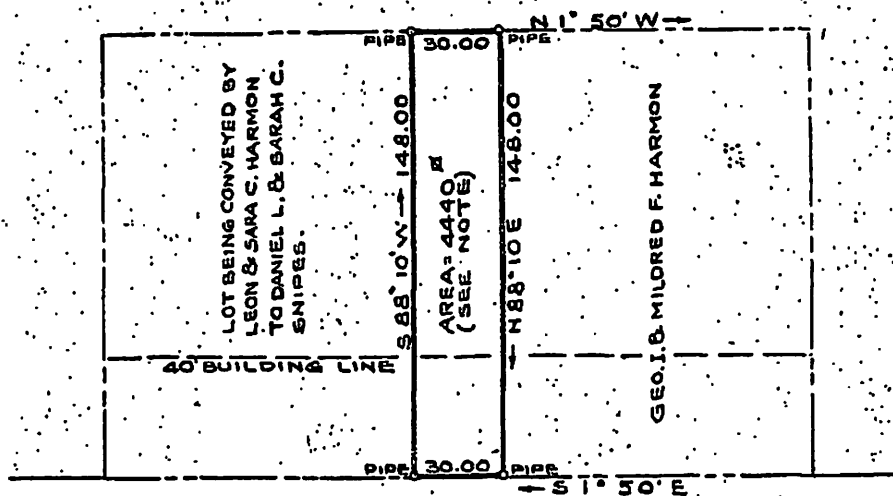
BEING a part of the same land conveyed to Leon Harmon and Sarah C. Harmon, his wife, by deed of Albert R. Johnson, a divorced man, dated December 3, 1953 and of record in the Office of the Recorder of Deeds at Georgetown, Sussex County, Delaware, in Deed Record Vol. 427, page 100.



BETTS & SCHRADER
ATTORNEYS AT LAW
15 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19947

BOOK 947 PAGE 316

LEON & SARAH C. HARMON



STATE ROAD 288
18' BITUMINOUS

NOTE:

ABOVE AREA NOT TO BE CONSIDERED AS
A BUILDING LOT BUT AS AN ADDITION TO
LOT OF GEORGE I. & MILDRED F. HARMON.

APPROVED
as an extension
to lands of George I
& Mildred F. Harmon,
not to be considered a
separate building lot.

4/19/79

COUNTY PLANNING & ZONING COMMISSION
OF SULLY COUNTY



PLAN OF SURVEY
MADE FOR
GEORGE I. & MILDRED F. HARMON
INDIAN RIVER HUND., SUSSEX CO., DEL.
SCALE: 1" = 40' MAR. 5, 1979.
J. Curtis Fritchman
J. CURTIS FRITCHMAN REG. SURVEYOR
REHOBOTH BEACH, DEL.

BOOK 947 PAGE 317

In Witness Whereof, The said parties of the first part have here-
unto set their hands and seals, the day and year aforesaid.

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

[Signature]

[Signature]

Leon Harmon
Leon Harmon

(Seal)

Sarah C. Harmon

(Seal)

Sarah C. Harmon

(Seal)

(Seal)

STATE OF DELAWARE,

SUSSEX

County, ss.

BE IT REMEMBERED, that on this 29TH day of
April in the year of our Lord one thousand nine hundred and
seventy-nine, personally came before me, a Notary Public in and for the State and
County aforesaid, LEON HARMON and SARAH C. HARMON, his wife,

Parties to this Indenture, known to me personally to be such, and they
acknowledge this Indenture to be their Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid.

RECEIVED
HART ANN ESCABE

MAY 1 10 13 AM '79

RECORDER OF DEEDS
SUSSEX COUNTY

[Signature]
Notary Public



THIS 2nd PURCHASERS REPORT MADE
DAY OF *May* 1979
ASSESSMENT DIVISION OF SUSSEX COUNTY

BETTS & SCHRADER
ATTORNEYS AT LAW
15 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19047

George C. Harmon
4001 Bar 599
Lewes, Del. 19958
5.14.79

21,837 sq ft

69725 03082 135

MAP No.: 2-34-6-26.02 & 26.04

Prepared By:

Brown, Shiels, Beauregard & Chasanov
10 East Pine Street, P.O. Box 742
Georgetown, Delaware 19947**NO TITLE SEARCH REQUESTED**
NONE WAS MADE.THIS DEED made this 2nd day of December, 2004.**BETWEEN**

Sarah C. Harmon of 20420 Wilking Road, Lewes DE 19958 and Daniel L. Snipes and Sarah Catherine Snipes, of 20462 Wilking Road, Lewes DE 19958, parties of the first part,

- AND -

Daniel L. Snipes and Sarah Catherine Snipes, of 20462 Wilking Road, Lewes DE 19958, parties 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) current lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said parties of the second part.**ALL** that certain piece, parcel and tract of land lying and being situate in Indian River Hundred, Sussex County and State of Delaware being described more particularly:**BEGINNING** at an iron pipe (set) on the westerly right-of-way line of Sussex County Road #288 (50' R/W); said pipe being situate a distance of .87 miles, more or less, from Sussex County Road #280B; thence through the lands of Sarah C. Harmon, now or formerly, the following three courses and distances: 1) North 77 degrees 14 minutes 12 seconds West, a distance of 152.94 feet to an iron pipe (set); 2) North 76 degrees 14 minutes 51 seconds West a distance of 21.20 feet to an iron pipe (set); 3) North 08 degrees 17 minutes 40 seconds East a distance of 116.11 feet to an iron pipe (set); thence with the lands of George I. & Mildred F. Harmon, now or formerly, North 88 degrees 10 minutes 00 seconds East a distance of 148.00 feet to an iron pipe (set); thence with Sussex County Road #288, South 01 degree 50 minutes 00 seconds East a distance of 158.54 feet home to the point and place of beginning said to contain 21,837 square feet of land, be the same more or less. A copy of the survey attached hereto.**BEING** a part of the same lands and premises conveyed unto Leon Harmon and Sarah C. Harmon, his wife, by deed of Albert R. Johnson dated December 3, 1953 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, Georgetown, Delaware in Deed Book 427 Page 100. Said Leon Harmon having since departed this life on July 28, 1982.

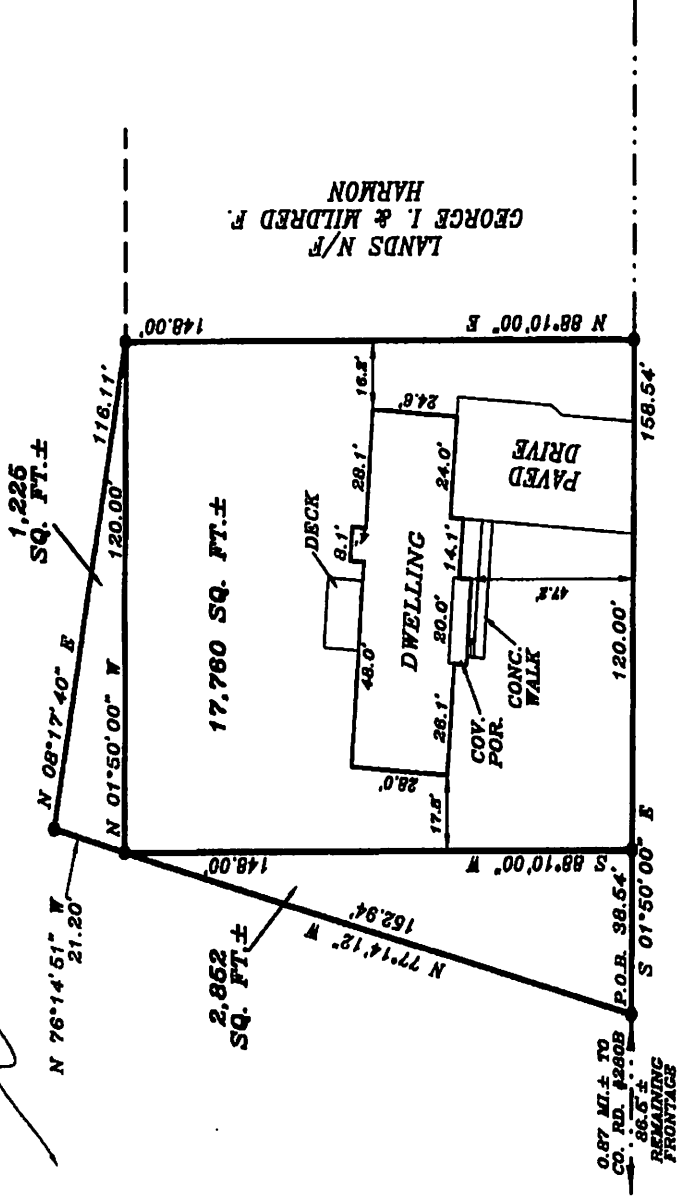
Consideration: \$0.00 Exempt Code: A

County	State	Total
0.00	0.00	0.00
counter	Date: 12/30/2004	

1

03082 2136

T.M. #2-34-6-26.02 & 26.04

LANDS N/F
SARAH C. HARMON

● IRON PIPE (SET)

2,852 ft as an extension to lands of
Snipes and not as a separate lot.

12/30/04 SA

ADDITION TO LANDS OF
DANIEL SNIPES

INDIAN RIVER HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
SURVEYED/PREPARED BY: MILLER-LEWIS, INC.
NOVEMBER 9, 2004 24459 SUSSEX HWY.
SCALE 1" = 40' SEAFORD, DE 19973

CLASS "B" SURVEY

03082 137

BEING the same lands and premises conveyed unto Daniel L. Snipes and Sarah Catherine Snipes by deed of Leon Harmon and Sarah C. Harmon dated March 18, 1979 and of record in the office of the Recorder of Deeds in and for Sussex County in Deed Book 941 page 137, and by deed of Sarah C. Harmon unto Daniel L. Snipes and Sarah C. Snipes, dated March 31, 1989, and of record in the office of the Recorder of Deeds in and for Sussex County in Deed Book 1639 page 110.

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

SEALED AND DELIVERED

in the presence of

Mary Etta Jones

Sarah C. Harmon (SEAL)
Sarah C. Harmon

as to all

Daniel L. Snipes (SEAL)
Daniel L. Snipes

Sarah C. Snipes (SEAL)
Sarah C. Snipes

STATE OF DELAWARE :

: SS.

COUNTY OF SUSSEX :

BE IT REMEMBERED that on this 2nd day of December, in the year of our LORD Two Thousand and Four, personally came before me, a Notary Public for the State and County aforesaid, Sarah C. Harmon, Daniel L. Snipes and Sarah C. Snipes, parties to this Indenture, known to me personally to be such, and has acknowledged this Indenture to be their act and deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid.

Mary Etta Jones
NOTARY PUBLIC

Return To:
Daniel L. Snipes and
Sarah C. Snipes
20464 Wilking Road
Lewes DE 19958

Mary Etta Jones
Delaware, Qualified in Kent County
My Commission Expires June 24, 2008

RECORDER OF DEEDS
JOHN F. BRADY

04 DEC 30 PM 3:46

SUSSEX COUNTY
DOC. SURCHARGE PAID

2

Received

JAN 03 2005

ASSESSMENT DIVISION
OF SUSSEX CTY

6271

BOOK 1639 PAGE 110

(No. 44-B)

DEED-TYPEWRITER

Printed and Sold by Hugh George Co., Spotswood

This Deed, Made this

3/10 day of March in the year of
our LORD one thousand nine hundred and Eighty-Nine

BETWEEN, Sarah C. Harmon, widow, of Sussex County, Delaware,
party of the first part,

-AND-

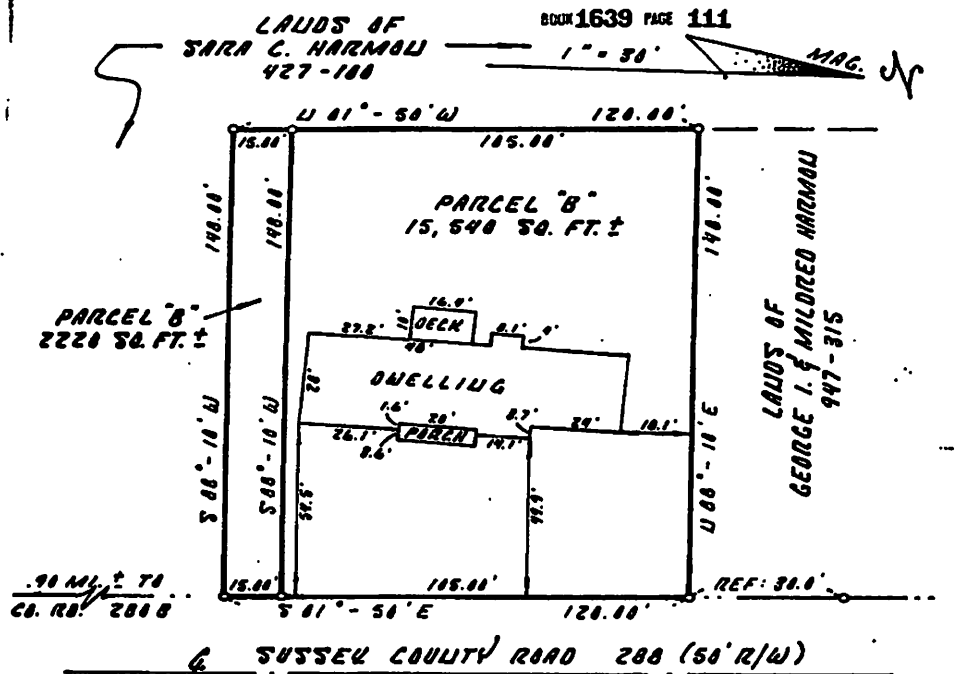
Daniel L. Snipes and Sarah C. Snipes, his wife, of Sussex
county, Delaware parties of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the sum of
\$1.00 (ONE DOLLAR) lawful money of the United States of America,
the receipt whereof is hereby acknowledged, hereby grant and conveys unto the said
parties of the second part,

ALL that certain lot, piece or
parcel of land situate, lying and being in Indian River Hundred,
Sussex County and State of Delaware, and being more particularly
described as follows, to wit: BEGINNING at a point on the Westerly
side of Road No. 228, said point being a corner for this land and
lands now owned by Daniel L. and Sarah C. Snipes, his wife, thence
along the Western right-of-way line of the said State Road No. 288,
South 1° 50' East 13 feet to a pipe; thence turning and running
along the lands now owned by Sarah C. Harmon, widow, the following
three courses and distances; South 88° 10' West 148.00 feet to a
pipe; thence North 1° 50' West .5 feet to a point; thence North 88°
10' East 148.00 feet, to the said point of beginning, as shown on
a Survey prepared by Miller Lewis, Inc. registered surveyor, dated
October 13, 1987.

BEING, a part of the same lands conveyed unto Leon
Harmon and Sarah C. Harmon, his wife, by Deed of Albert R. Johnson,
divorced man, on December 3, 1953, and recorded in the Office of
Recorder of Deeds for Sussex County, Delaware, in Deed Book 427,
Page 100. Said Leon Harmon having departed this life on July 28,
1982.

2344 333 4/ 7/89 TX-EX CD .00



- PIPE
- PAINT

APPROVED

PARCEL "A" LAUDS OF

DANIEL L. & SARA C. SUIPES

PARCEL "B" ADDITION TO LAUDS OF

DANIEL L. & SARA C. SUIPES

COUNTY PLANNING & ZONING COMMISSION
OF SUSSEX COUNTY

INDIAN RIVER NO. SUSSEX COUNTY

STATE OF DELAWARE

SURVEYED BY: MILLER, INC.

OCT. 13, 1997 SEAFORD, DE.

DRAWN BY: D. A. MORRIS

2-34-6-26.2

4667

BOOK 941 PAGE 137

This Deed, made this

eighteenth day of March in the year of
our LORD one thousand nine hundred and seventy-nine,

BETWEEN, LEON HARMON and SARAH C. HARMON, his wife, of R. D. 1,
Box E99, Lewes, Sussex County, Delaware, 19958, parties of the first
part,

AND

DANIEL L. SNIPES and SARAH CATHERINE SNIPES, his wife;
of R. D. 1, Box E99, Lewes, Sussex County, Delaware, 19958, parties 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 of the United
States of America, the receipt whereof is hereby acknowledged, hereby grant
and convey unto the said part of the second part,

ALL that certain lot, piece or
parcel of land situate, lying and being in Indian River Hundred,
Sussex County and State of Delaware, and being more particularly
described as follows, to wit: BEGINNING at a pipe located on the
Western right-of-way line of State Road 288, said pipe being a corner
for this land and lands now or formerly of Leon Harmon, et ux.; thence
along the Western right-of-way line of the said State Road 288, South
1° 50' East 105.00 feet to a pipe; thence turning and running along
lands now or formerly of the said Leon Harmon, et ux., the following
three courses and distances: South 88° 10' West 148.00 feet to a pipe;
thence North 1° 50' West 105.00 feet to a pipe; thence North 88° 10'
East 148.00 feet back to the place of beginning, said to contain 15,540
square feet of land, be the same more or less, as shown on a survey
prepared by J. Curtis Fritchman, Registered Surveyor, dated March 5,
1979.

BEING a part of the same land conveyed to Leon Harmon and Sarah
C. Harmon, his wife, by deed of Albert R. Johnson, a divorced man,
dated December 3, 1953 and of record in the Office of the Recorder of
Deeds at Georgetown, Sussex County, Delaware, in Deed Record Vol. 427,
page 100.

BETTS & SCHRADER
ATTORNEYS AT LAW
15 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19947



BOOK 941 PAGE 139

In Witness Whereof, The said parties of the first part have here-
unto set their hands and seals, the day and year aforesaid.

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

James A. Harmon
both

Leon Harmon (Seal)
Leon Harmon

Sarah C. Harmon (Seal)
Sarah C. Harmon

(Seal)

(Seal)



STATE OF DELAWARE,

SUSSEX

County, ss.

BE IT REMEMBERED, that on this eighteenth day of
March in the year of our Lord one thousand nine hundred and
seventy-nine, personally came before me, a Notary Public in and for the State and
County aforesaid, LEON HARMON and SARAH C. HARMON, his wife,

Parties to this Indenture, known to me personally to be such, and they
acknowledge this Indenture to be their Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid

RECEIVED
MARY ANN MCARE
MAR 19 11 23 AM '79
RECORDER OF DEEDS
SUSSEX COUNTY

James A. Harmon
Notary Public



PURCHASERS REPORT MADE
DAY OF March 1979
ASSIGNMENT DIVISION OF SUSSEX COUNTY

BETTS & SCHRADER
ATTORNEYS AT LAW
15 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19047

James A. Harmon
RD # 1 Box E99
Lewes, Del. 4-4-79

21802 Sgft

05742

BK 2798 PG 66

TP NO. 2-34 6.00 26.03
 PREPARED BY and
 RETURN TO:
 James B. Tyler, III, Esq.
 211 E. Market Street
 Georgetown DE 19947

This Deed, MADE THE 28th day of January in the year
 of our LORD two thousand three,

Between

SARAH C. HARMON, OF
 20420 WILL KING ROAD, LEWES, DELAWARE 19958,
 PARTY OF THE FIRST PART,

-AND-

RODNEY E. HARMON, OF
 20440 WILL KING ROAD, LEWES, DELAWARE 19958,
 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, does hereby grant and convey unto the said party of the second part, his heirs and assigns,

All that certain tract, piece and parcel of land, situate, lying and being in Indian River Hundred, Sussex County, Delaware, on the Westerly side of County Route 288, and more particularly described in accordance with that certain survey of L. Franklin Beers, Jr., Delaware Registered Professional Land Surveyor, dated September, 1987, as follows:

Beginning at an iron pipe set in the Westerly right of way of County Route 288 (at 50' wide), a corner for this lands herein conveyed and lands now or formerly of L. Lucas; thence, by and with the said right of way, South 01° 48' East 100.00 feet to an iron pipe set in the said right of way; thence, by and with a new division line between the lands herein conveyed and other lands of Sarah C. Harmon, North 72° 51' 48" West 150 feet to an iron pipe set; thence, still with the lands

NO TITLE SEARCH PERFORMED; NONE REQUESTED

Consideration:	90.00	Exempt Code: A
County	State	Total
0.00	0.00	0.00
counter	Date: 01/30/2003	

85

02798 067

of the said Sarah C. Harmon, North 46° 48' 26" West 215.34 feet to an iron pipe set in the line of the lands now or formerly of L. Lucas; thence, by and with the said Lucas lands, South 72° 51' 48" East 311.00 feet to the point and place of Beginning, containing 21,802 square feet of land, more or less, and any improvements located thereon.

Being all of the land conveyed to Sarah C. Harmon by August 11, 1993 Deed of Rodney E. Harmon recorded in the Office of the Recorder of Deeds in and for Sussex County, at Georgetown, DE in Deed Book 1932, Page 298.

In Witness Whereof, the said party of the first part has hereunto set her hand and seal the day and year aforesaid.

SEALED AND DELIVERED
in the presence of

Gingelb Andersen
WITNESS

Sarah C Harmon (SEAL)
Sarah C. Harmon

State of Delaware)
) ss.
County of Sussex)

Be it Remembered, that on this ^{28th} day of January in the year of our Lord two thousand three, personally came before me, *Sarah C. Harmon*, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid.

D. Gail Cooke
Notary Public

RECORDED OF DEEDS
JAN 15 2003

03 JAN 30 AM 10:06

SUSSEX COUNTY
DOC. SURCHARGE PAID

D. GAIL COOKE
Notary Public, State of Delaware
No. 2002086247
My Commission Expires April 18, 2004

Received

JAN 31 2003

ASSESSMENT DIVISION
OF SUSSEX CTY

19370

#01932 #298

Tax Parcel No. 2-34 6.00 26.3

THIS DEED, Made this 11th day of August, in the year of our Lord one thousand nine hundred and ninety-three.

BETWEEN,

RODNEY E. HARMON, RD 1, Box E99, Lewes, Delaware 19958,
party of the first part,

AND

SARAH C. HARMON, Widow, RD 1, Box E99, Lewes, Delaware 19958, her heirs and assigns,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of SEVEN THOUSAND DOLLARS (\$7,000.00), lawful money of United States of America, the receipt whereof on April 20, 1993 is hereby acknowledged, hereby grants and conveys unto the said party of the second part, their heirs and assigns,

ALL that certain tract, piece and parcel of land situate, lying and being in Indian River Hundred, Sussex County, Delaware, on the westerly side of County Route 288, and more particularly described in accordance with that certain survey of L. Franklin Beers, Jr., Delaware Registered Professional Land Surveyor, dated September, 1987,

BEGINNING at an iron pipe set in the westerly right of way of County Route 288 (at 50' wide), a corner for the lands herein conveyed and lands now or formerly of L. Lucas; thence, by and with the said right of way South 01 degrees 48 minutes East 100.00 feet to an iron pipe set in the said right of way; thence, by and with a new division line between the lands herein conveyed and other lands of by Sarah C. Harmon, North 72 degrees 51 minutes 48 seconds West 150 feet to an iron pipe set; thence, still with the lands of the said Sarah C. Harmon, North 46 degrees 48 minutes 26 seconds West 215.34 feet to an iron pipe set in the line of the lands now or formerly of L. Lucas; thence, by and with the said lands, South 72 degrees 51 minutes 48 seconds East 311.00 feet to the point and place of beginning, containing 21,802 square feet of land, more or less.

NO TITLE SEARCH PERFORMED AS NONE WAS REQUESTED

Prepared by:
James B. Tyler, III
100 W. Market Street.
P.O. Box 555
Georgetown, DE 19947
(302) 856-6397

7275 111 9/ 1/93 CTX-EX 50 .00

DUM

#01932 #299

Being part of the lands conveyed to Rodney E. Harmon by Sarah C. Harmon, widow, by deed dated October 1, 1987 and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Georgetown, Delaware in Deed Book 1522, Page 161.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year aforesaid.

Rodney E. Harmon
RODNEY E. HARMON

STATE OF DELAWARE :
COUNTY OF SUSSEX : SS.

BE IT REMEMBERED, that on this 14th day of July, 1993, personally came before me, a Notary Public for the State of Delaware, known to me personally to be such, and acknowledged this Indenture to be his act and deed

GIVEN under my hand and seal of office.

James B. Tyler, Jr.
NOTARY PUBLIC
MY COMMISSION EXPIRES:

JAMES B. TYLER, JR.
Delaware Attorney At Law
Notarial Acts Authorized
By 28 Del. C. §4323

VALERIE HALEN
DOC. SURCHARGE PAID

93 SEP -1 AM 11:15

PURCHASERS REPORT
MADE THIS DATE

SEP 2 1993

RECORDER OF DEEDS
SUSSEX COUNTY

ASSESSMENT DIVISION
OF SUSSEX COUNTY

James Tyler, Jr.
9/27/93

15512

.1522 PAGE 161

This Deed, MADE THE

1st day of October

in the year of our LORD,

one thousand nine hundred and eighty-seven

Between

SARAH C. HARMON, Widow, R.D. 1, Box E99, Lewes, DE 19958, party of the first part,

-AND-

RODNEY E. HARMON, R.D. 1, Box E99, Lewes, DE 19958, 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) and other good and valuable considerations

lawful money of the United States of America,

the receipt whereof is hereby acknowledged, hereby grant, and convey unto

the said party of the second part, his heirs and assigns,

All

that certain tract, piece and parcel of land situate, lying and being in Indian River Hundred, Sussex County, Delaware, on the westerly side of County Route 288, and more particularly described in accordance with that certain survey of L. Franklin Beers, Jr., Delaware Registered Professional Land Surveyor, dated Sept. 1987, attached hereto and made a part hereof as follows:

BEGINNING at an iron pipe set in the westerly right of way of County Route 288 (at 50' wide), a corner for the lands herein conveyed and lands now or formerly of L. Lucas; thence, by and with the said right of way South 01° 48' East 100.00 feet to an iron pipe set in the said right of way; thence, by and with a new division line between the lands herein conveyed and the lands retained by Sarah C. Harmon, North 72° 51' 48" West 150 feet to an iron pipe set; thence, still with the lands of the said Sarah C. Harmon, North 46° 48' 26" West 215.34 feet to an iron pipe set in the line of the lands now or formerly of L. Lucas; thence, by and with the said lands South 72° 51' 48" East 311.00 feet to the point and place of beginning, containing 21,802 square feet of land, more or less.

BEING part of the lands conveyed to Leon Harmon and Sarah C. Harmon, his wife, by December 3, 1953 deed of Albert R. Johnson, recorded in the Office of the Recorder of Deeds in and for Sussex County at Georgetown, Delaware in Deed Book 427, Page 100, et seq. Leon Harmon died July 28, 1982 leaving the said Sarah C. Harmon as his surviving tenant by the entireties.

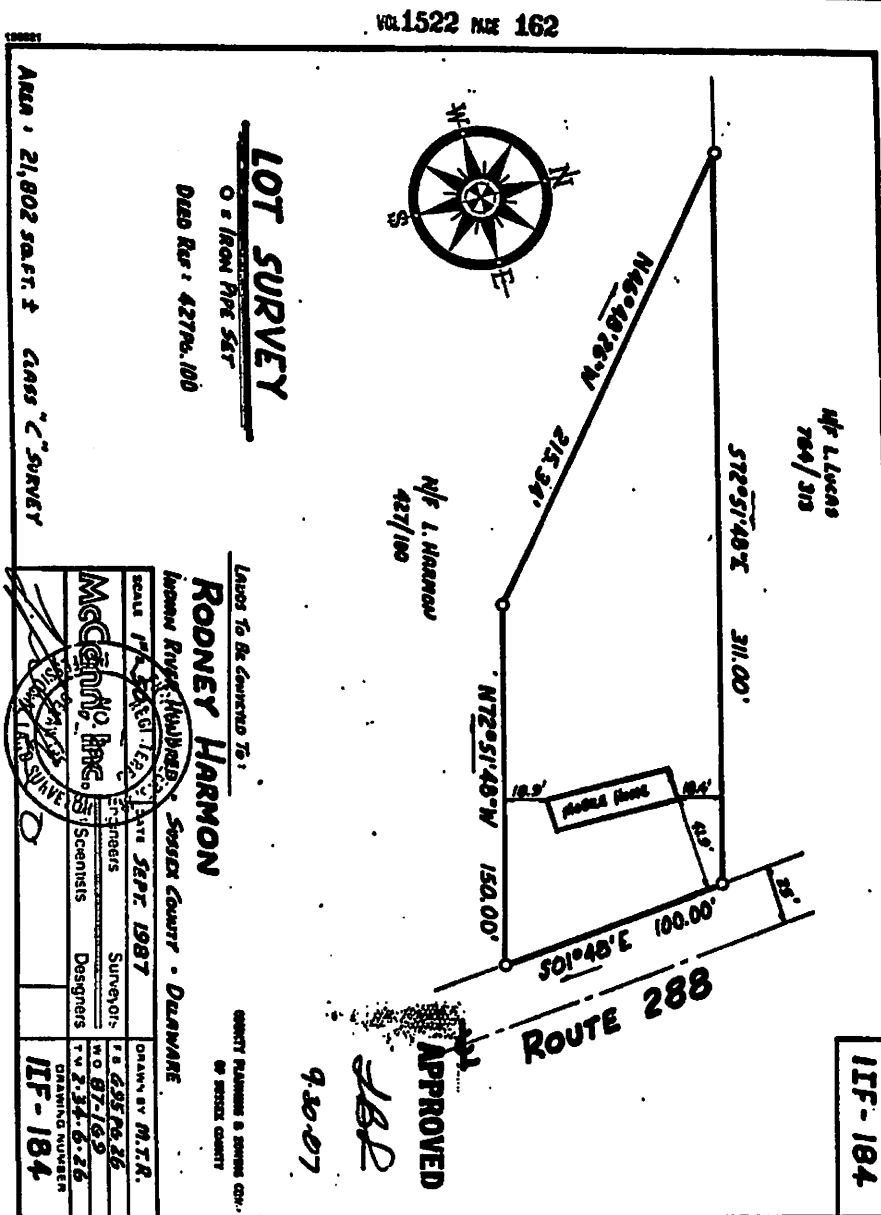
NO TITLE SEARCH -- NONE REQUESTED

0324 333

10/ 6/87

TX-EX CD

.00



VOL. 1522 PAGE 163

In Witness Whereof, The said party of the first part has hereunto set her hand and seal, this day and year aforesaid.

SEALED AND DELIVERED
in the presence of

D. Tailor

Sarah C Harmon (Seal)
SARAH C. HARMON

_____ (Seal)

_____ (Seal)

_____ (Seal)

State of Delaware,

SUSSEX

County. } ss.

Be It Remembered, that on this 1st day of
October in the year of our Lord one thousand nine hundred and
eighty-seven personally came before me, a Notary Public in and for
the County and State aforesaid, SARAH C. HARMON,

Party to this Indenture, known to me personally to be such, and she did
acknowledge this Indenture to be her Deed.

GIVEN under my hand and Seal of Office, this day and year aforesaid

RUSSELL WECABE
Notary Public

OCT -6 AM 11:28

SUSSEX COUNTY

James B. Tyler, III
Notary Public

JAMES B. TYLER, III
Notary Public
County of Sussex
State of Delaware
My Commission Expires Oct. 20 1997

7th PURCHASER'S RECORD BOOK
DAY OF October 1987
ASSESSMENT DIVISION OF SUSSEX COUNTY

James B. Tyler, III, Atty.
(Silo) 10-23-87

(No. 44-B)

DEED-TYPEWRITER
Printed and Sold by Hugh A. George Co., Stationers, 905 Shipley B., Wilmington, Del.

This Deed, Made this

3rd. day of *December* in the year of
our LORD one thousand nine hundred and fifty-three.

BETWEEN, ALBERT R. JOHNSON, a divorced man, of Lewes and Rehoboth Hundred, Sussex County, Delaware, party of the first part, and LEON HARMON and SARAH C. HARMON, his wife, of Lewes and Rehoboth Hundred, Sussex County, Delaware, parties 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) and other good and valuable considerations
lawful money of the United States of America,
the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said parties of the second part,

ALL

That certain tract, piece and parcel of land, situate, lying and being in Indian River Hundred, County of Sussex and State of Delaware, fronting on the West side of the Public Road leading from the Homestead of Ernest Hazzard to the homestead of Gardner Drain, and bounded on the North by lands of John L. Johnson, on the West by lands of James H. King and on the South by lands of David H. Hazzard, and on the East by the aforesaid Public Road, and being all the lands formerly belonging to Harry R. Hazzard lying on the West side of the aforesaid Public Road, containing twenty-four and one half (24½) acres, be the same more or less; conveyed to this grantor by deed from James E. Hazzard and Dulcina C. Hazzard, his wife, by deed dated November 13, 1929 and of record in the office of the Recorder of Deeds in and for Sussex County, Delaware in Deed Record D.H.U., Vol. 277, page 452, the sixth day of December 1929.

In Witness Whereof, the said part y of the first part has hereunto set his hand and seal the day and year aforesaid.

Sealed and Delivered in the Presence of

Florence G. King

Albert R. Johnson



State of Delaware

SUSSEX

County

ss.

3rd. day of December
nine hundred and Fifty-three

Be it Remembered, That on this
in the year of our LORD one thousand
personally came before me

ALBERT R. JOHNSON, a divorced man

part y to this Indenture, known to me personally to be such, and he
acknowledged this Indenture to be his Deed.

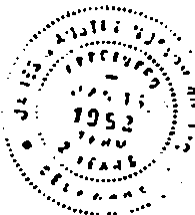
PURCHASERS REPORT MADE

This 4th Day of Dec. 1953

Board of Assessment of Sussex County

By *H. Ernest Conwell, clerk*

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



RECEIVED FOR RECORD

Dec. 4th A.D. 1953

CHARLES F. HUDSON, Recorder

James B. Austin
Notary Public.

My Commission expires January 1, 1954

BOOK 427 PAGE 100

(No. 44-B)

DEED-TYPEWRITER
Printed and Sold by Hugh A. George Co., Stationers, 925 Ebbey St., Wilmington, Del.**This Deed, Made this***3rd* day of *December* in the year of
our LORD one thousand nine hundred and fifty-three.

BETWEEN, ALBERT R. JOHNSON, a divorced man, of Lewes and Rehoboth Hundred,
Sussex County, Delaware; party of the first part, and LEON HARMON and SARAH C.
HARMON, his wife, of Lewes and Rehoboth Hundred, Sussex County, Delaware, parties
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) and other good and valuable considerations
lawful money of the United States of America,
the receipt whereof is hereby acknowledged, hereby grant and convey unto the said
parties of the second part,

ALL

That certain tract, piece and parcel of land, situate, lying and being in Indian
River Hundred, County of Sussex and State of Delaware, fronting on the West side
of the Public Road leading from the Homestead of Ernest Hazzard to the homestead
of Gardner Drain, and bounded on the North by lands of John L. Johnson, on the
West by lands of James R. King and on the South by lands of David H. Hazzard, and
on the East by the aforesaid Public Road, and being all the lands formerly belong-
ing to Harry R. Hazzard lying on the West side of the aforesaid Public Road, con-
taining twenty-four and one half ($24\frac{1}{2}$) acres, be the same more or less; conveyed
to this grantor by deed from James E. Hazzard and Dalcina C. Hazzard, his wife,
by deed dated November 13, 1929 and of record in the office of the Recorder of
Deeds in and for Sussex County, Delaware in Deed Record D.H.U., Vol. 277, page 452,
the sixth day of December 1929.

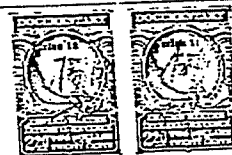
BOOK 427 PAGE 101

In Witness Whereof, the said part y of the first part ha a hereunto set his
hand and seal the day and year aforesaid.

Deated and Delivered in the Presence of

Florence G. May Jr

Albert R. Johnson



State of Delaware

SUSSEX

County } ss.

3rd. day of December
nine hundred and Fifty-three

Be it Remembered, That on this
in the year of our LORD one thousand
personally came before me

ALBERT R. JOHNSON, a divorced man

part y to this Indenture, known to me personally to be such, and he
acknowledged this Indenture to be his Deed.

PURCHASERS REPORT MADE

This 4th. day of Dec. 1953

Board of Assessment of Sussex County

By J. Ernest Cowell, clerk

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



RECEIVED FOR RECORD

Dec. 4th. A. D. 1953
CHARLES F. HUDSON, Recorder

James B. Austin
Notary Public.

By Charles F. Hudson
Recorder

11469

03108 2197

Parcel P/O 2-34 6.00 59.01
Ret to: Prepared by:
 Hudson, Jones, Jaywork & Fisher
 309 Rehoboth Avenue
 P.O. Box P
 Rehoboth Beach, DE 19971

THIS DEED made this 29 day of November, in the year of our Lord 2004,

BETWEEN Kenneth A. Linton (A/K/A K. Ashley Linton) of 23 Reba Road, Millville, Delaware 19967 and Janet N. Linton (F/K/A Janet M. Regan) of 31418 La Jolla Shores Drive, Lewes, Delaware 19958 parties of the first part

and

Kenneth A. Linton of 23 Reba Road, Millville, Delaware 19967 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) and other good and valuable consideration, Current Lawful Money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part, in fee simple the following described lands, situate, lying and being in Sussex County, State of Delaware;

ALL that certain lot, piece or parcel of land, situate, lying and being in Indian River Hundred, Sussex County, Delaware and shown and designated as lot C on a certain survey or plot prepared for Janet Linton and Ashley Linton by Charles L. Kauffman II Surveying Engineering and Planning dated July 6, 2004 and of record in the Office of Recorder of Deeds in and for Sussex County Delaware in Plot Book 86, Page 229 and more particularly described as follows, to wit:

Beginning at an iron pipe found at the intersection found at the southeasterly corner of this lot where it intersects the southwesterly corner of lot A along the dividing lines of lands now or formerly of Harmon; thence from said point and place of beginning along said Harmon dividing line North 44 degrees 38 minutes 30 seconds West 878.23 feet to a found concrete monument; thence turning and running North 13 degrees 06 minutes 20 East 176.56 feet to a found concrete monument; thence turning and running South 72 degrees 45 minutes 40 seconds East 703.55 feet to a found iron pipe; thence turning and running along the dividing line between this lot, lot B and lot A South 09 degrees 09 minutes 40 seconds West 595.95 feet home to the point and place beginning.

Together with, however, to the following easements(North Easement and South Easement) for ingress, egress and utilities for the benefit of Lot C as shown on the above described plot, which easements shall benefit the current and future owners of lot C, their

Consideration: 90.00 Exempt Code: A

County	State	Total
0.00	0.00	0.00
counter	Date: 03/03/2005	

Deu

#03108 2198

respective heirs successors and assigns, said easements shown on the aforesaid plot and more particularly described as follows:

NORTH EASEMENT

Beginning at an iron pipe found at the intersection of lot B, lands now or formerly of Wood, and existing 50 foot wide road and lot A; thence from said point and place of beginning turning and running along the existing 50 foot wide road South 01 degrees 44 minutes 20 seconds East 50.00 feet to an iron pipe found on lands now or formerly of Morris; thence turning and running along lands of Morris South 88 degrees 05 minutes 10 seconds West 140.00 feet to a concrete monument; thence continuing across lot A South 88 degrees 05 minutes 10 seconds West a distance necessary to reach the dividing line between lot A and lot C; thence turning and running along said dividing line North 9 degrees 09 minutes 40 seconds East 50.00 feet to an iron pipe; thence turning and running along the dividing line between lot A and lot B South 88 degrees 05 minutes 10 seconds West 260.27 feet home to the point and place of beginning be the contents what they may.

SOUTH EASEMENT

Beginning at a concrete monument found on the right-of-way line of County Road 288 at the dividing line between these lands and those now or formerly of Larosa Corp beginning at a concrete monument located on the southwesterly right-of-way line of County Road 288, said concrete monument being found on the dividing line between this lot and lands now or formerly of Larosa Corp; thence from said point and place of beginning leaving said right-of-way line and running along lands now or formerly of Larosa Corp. South 88 degrees 09 minutes 45 seconds West, 100.00 feet to a concrete monument; thence continuing South 65 degrees 02 minutes 40 seconds West 108.86 feet to a set iron pipe on lands now or formerly of Harmon; thence turning and running North 72 degrees 55 minutes 30 seconds West 461.43 feet to a found iron pipe; thence turning and running along the dividing line between this lot and lot C North 09 degrees 09 minutes 40 seconds East 50.00 feet; thence turning and running in a Northeasterly direction along a line parallel to the southerly boundary of lot A (on the dividing line between lot A, lands now of formerly of Greenfields, Harmon and Larosa Corp.) and said parallel line being a distance of 50 feet from the southerly boundary of lot A and running a distance necessary to reach the southwesterly right-of-way line of County Road 288; thence turning and running along said right-of-way line South 01 degrees 46 minutes 30 seconds East 50.00 feet home to the point and place of beginning be the contents what they may.

SUBJECT, however, to the reservations, restrictions, conditions and covenants of record and subject to such state of facts as an accurate survey and/or inspection of the lands and premises will disclose, the operation and effect of any zoning laws, and building restrictions imposed by public authority; and easements and public utility grants of record;

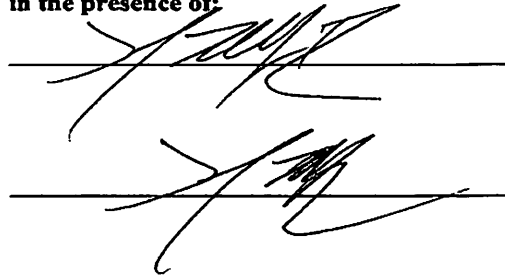
#03108 2199


BEING part of the same lands conveyed unto Kenneth A. Linton (A/K/A K. Ashley Linton) and Janet M. Regan (N/K/A Janet N. Linton) by deed of Shirley A. Ricketts and Markci D. Metcalf (A/K/A Markci D. Metchalf) dated November 27, 2000 and of record in the Office of Recorder of Deeds in and for Sussex County, Delaware in Deed Book 2543, Page 228.

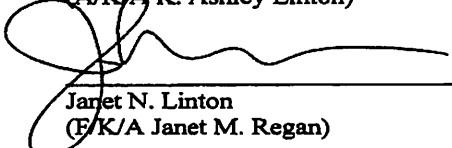
SUBJECT, however, to the following right of first refusal in favor of Janet N. Linton. In the event that Kenneth A. Linton should desire to sell Lot C as described herein and as more fully shown on the Plot, of record, aforesaid, in Plot Book 86, page 229 during such time that Janet N. Linton is still the owner of Lot A or Lot B, as shown on the Plot, then upon receipt by Kenneth A. Linton of a bona fide offer to purchase Lot C, then said offer shall be presented to Janet N. Linton, who shall have the option to purchase the property subject to the offer upon the same terms and conditions contained within said offer. Janet N. Linton shall have thirty (30) days within which to elect to purchase the property as set forth in the offer. The thirty (30) days shall commence upon the mailing by certified mail, return receipt requested, and regular mail of a copy of the offer to Janet N. Linton at the address listed for Janet N. Linton on the Sussex County, Delaware tax records for Parcel A and Parcel B. If Janet N. Linton shall elect to purchase the property upon the terms and conditions contained within the offer, a written notice of her intention to do so must be sent within said thirty (30) day period by certified mail, return receipt requested. The terms of the purchase will be those as set forth in the offer with the exception of the settlement date, which shall be extended by the number of days from the date that the contract was ratified until the date of the mailing of the election to purchase. In the event that no election to purchase is made within said thirty (30) day period, then Kenneth A. Linton shall be free to sell the property to the purchaser as set forth in the offer. This right of first refusal shall expire upon the earlier of the death of Janet N. Linton or the date upon which she no longer owns either Lot A or Lot B.

IN WITNESS WHEREOF, the party of the first part has hereunto set their hands and seals the day and year aforesaid.

Signed, Sealed and Delivered
in the presence of:




Kenneth A. Linton
(A/K/A K. Ashley Linton)


Janet N. Linton
(F/K/A Janet M. Regan)

03108 200

State of Delaware)
 : S.S.
 County of Sussex)

BE IT REMEMBERED, that on the 29 day of November, A.D. 2004 personally came before me, a Notary Public for the State and County aforesaid, Kenneth A. Linton (A/K/A K. Ashley Linton) party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

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

DANIEL P. MYERS, II
 NOTARIAL OFFICER PURSUANT TO
 29 DEL. CODE SECT. 4323 (3)
 ATTORNEY AT LAW - DELAWARE
 ID # 2685

Notary Public
 Printed Name: _____
 My Commission Expires: _____

State of Delaware)
 : S.S.
 County of Sussex)

BE IT REMEMBERED, that on the 29 day of November, A.D. 2004 personally came before me, a Notary Public for the State and County aforesaid, Janet M. Linton (F/K/A Janet M. Regan) party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed.

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

DANIEL P. MYERS, II
 NOTARIAL OFFICER PURSUANT TO
 29 DEL. CODE SECT. 4323 (3)
 ATTORNEY AT LAW - DELAWARE
 ID # 2685

Notary Public
 Printed Name: _____
 My Commission Expires: _____

RECORDER OF DEEDS
 JOHN F. BRADY
 05 MAR -3 PM 2:41
 SUSSEX COUNTY
 DOC. SURCHARGE PAID

Received
 MAR 04 2005
 ASSESSMENT DIVISION
 OF SUSSEX CITY

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

**SUBDIVISION/STREET NAME
APPROVALS**

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F



Sussex County
DELAWARE
sussexcountyde.gov

December 3, 2020

LAND TECH LLC.

Attn: Jeffrey A. Clark, RLA & Webster Gray

RE: Proposed Subdivision Name(s)

I have reviewed the name(s) submitted for your proposed subdivision which is located in Lewes (234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19). In reviewing the proposed name(s) the following has been approved for this subdivision:

WIL KING STATION

Should you have any questions please contact the Sussex County Addressing Department at 302-853-5888 or 302-855-1176.

Sincerely,

Terri L. Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F



Sussex County
DELAWARE
sussexcountye.gov

December 3, 2020

LAND TECH LLC.

Attn: Jeffrey A. Clark, RLA & Webster Gray

RE: **Wil King Station**

I have received proposed street name(s) for the proposed subdivision, **Wil King Station**, located in **Lewes**. In reviewing the proposed street name(s) the following have been approved:

Kensington Blvd	Cambridge Ct	Squire Ln
Duke Dr		

Use only **approved** road names that you have written confirmation for or you will be required to rerecord. Each street name is to be used only once.

Upon final approval of **Wil King Station** please forward a copy of the recorded site plan to my attention. Our office would appreciate a digital copy if at all possible, for the purpose of addressing. Should you have any questions, please contact the **Sussex County Addressing Department** at 302-855-1176.

Sincerely,

Terri L. Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

**AMENDED
PRELIMINARY SITE PLAN
BOUNDARY SURVEY
&
WRITTEN LEGAL
DESCRIPTION**

Legal Description
Lands N/F
Sarah Marion Snipes Harmon, Leon Harmon
& Mildred F. Harmon for Life
& G. Harmon Jr.
Tax Map 2-34-6.00 Parcel 26.00 & Parcel 59.19

ALL that certain piece, parcel and tract of land lying and being situate in Indian River Hundred, Sussex County, State of Delaware and shown on a certain survey or plot titled "Corrective Boundary and Reinstatement Plat", prepared for Leon J. Harmon and Sarah C. Snipes by Vista Design, Inc. dated August 17, 2021, and of record in the Office of Recorder of Deeds in and for Sussex County, Delaware in Plot Book 349, Page 43 and being described more particularly as follows:

BEGINNING at an iron pipe found on the westerly right-of-way line of Sussex County Road #288 (50 feet wide right-of-way), also known as Wil-King Road; said pipe marking northeast corner of land now or formerly of Ernest J. Fessenbecker, Tax Map 2-34-6.00, Parcel 25.01, Deed Book 2474, Page 242, being situate a distance of 0.88 miles, more or less, from Sussex County Road #280B;

From the **POINT OF BEGINNING**; thence departing from westerly right-of way line of said Sussex County Road #288 and along northern boundary of said Parcel 25.01;

N 85 degrees 49 minutes 31 seconds W for a distance of 1,435.10 feet, passing over an iron pipe found at 1,430.46 feet to a point on a line marking northwest corner of land now or formerly of Gary C. and Kathryn L. Kaier, Tax Map #2-34-6.00, Parcel 25.04, Deed Book 2488, Page 67 and eastern boundary line of land now or formerly of Kenneth W. Denham, Tax Map #2-34-6.00, Parcel 503.00, Deed Book 4267, Page 116, thence turning and running along eastern boundary of said Denham Parcel 503.00;

N 02 degrees 50 minutes 10 seconds W for a distance of 157.17 feet to an iron rod with cap found, marking northeastern corner of said Denham Parcel 503.00 and southeastern corner of land now or formerly of Anthony C. and Kay M. Dibuo, Tax Map # 2-34-6.00, Parcel 504.00, Deed Book 3531, Page 5, thence running along eastern boundary of said Parcel 504.00;

N 03 degrees 19 minutes 38 seconds W for a distance of 974.69 feet to a concrete monument found, marking eastern boundary of land now or formerly of Jacqueline Renae McGrellis, Trustee, Tax Map #2-34-6.00, Parcel 14.00, Deed Book 4064, Page 41, thence continuing with eastern boundary of said McGrellis Parcel 14.00;

North 03 degrees 34 minutes 23 East for a distance of 176.10 feet to a found concrete monument along the eastern boundary line and corner of said McGrellis land, thence turning and continue running along southern boundary of said McGrellis land;

South 82 degrees 02 minutes 39 seconds East for a distance of 703.55 feet to an iron rod with cap found marking a point along the southern boundary of McGrellis land and the northwest corner of lands now or formerly of Janet N. Linton, Tax Map #2-34-6.00, Parcel 59.18, Deed Book 3108, Page 201, thence turning and running along western boundary of said Linton Parcel 59.18;

South 00 degrees 07 minutes 25 seconds West for a distance of 595.98 feet to an iron pipe found, marking the southwest corner of other lands now or formerly of Janet N. Linton, Tax Map 2-34-6.00, Parcel 59.01,

Deed Book 3108, Page 201, thence turning and running along southern boundary of said Linton Parcel 59.01;

S 82 degrees 09 minutes 15 seconds E for a distance of 360.37 feet to an iron pipe found, marking new line of division of Parcel 26.03, Tax Map #2-34-6.00, reverting back to original lot lines prior to the creation of Plat Book 212, Page 95, thence the following two courses along the new line of division of said Parcel 26.03;

S 56 degrees 01 minutes 26 seconds E for a distance of 215.34 feet to a point on a line, thence;

S 82 degrees 13 minutes 45 seconds E for a distance of 150.00 feet to an iron pipe found, marking southeastern corner of said Parcel 26.03 and western right-of-way line of said Sussex County Road #288, thence running along and with western right-of way line;

S 10 degrees 59 minutes 41 seconds E for a distance of 34.21 feet to a point marking the northwest corner of land now or formerly of Mildred F. Harmon, Tax Map 2-34-6.00, Parcel 26.01, thence departing from said right-of way line and running with northern boundary of said Parcel 26.01, and the new line of division reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 78 degrees 54 minutes 47 seconds W for a distance of 146.53 feet to an iron pipe found, marking northwest corner of said Parcel 26.01, thence turning and running with new line of division reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 11 degrees 05 minutes 13 seconds E for a distance of 135.00 feet to an iron pipe found, marking southwest corner of said Parcel 26.01 and northwest corner of land now or formerly of Daniel L. and Sarah C. Snipes, Tax Map #2-34-6.00, Parcel 26.02, Deed Book 3082, Page 135, thence the following the next three courses on a new line of division of said Parcel 26.02, reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 00 degrees 57 minutes 27 seconds E for a distance of 116.11 feet to an iron pipe found, thence;

S 85 degrees 30 minutes 04 seconds E for a distance of 21.20 feet to a point on a line, thence;

S 86 degrees 29 minutes 25 seconds E for a distance of 150.93 feet to a point on a line of westerly right-of way line of said Sussex County Road #288, thence turning and running along said westerly right-of way line;

S 10 degrees 59 minutes 41 seconds E for a distance of 157.89 feet to a point on said westerly right-of-way line, thence continuing with said right-of way line;

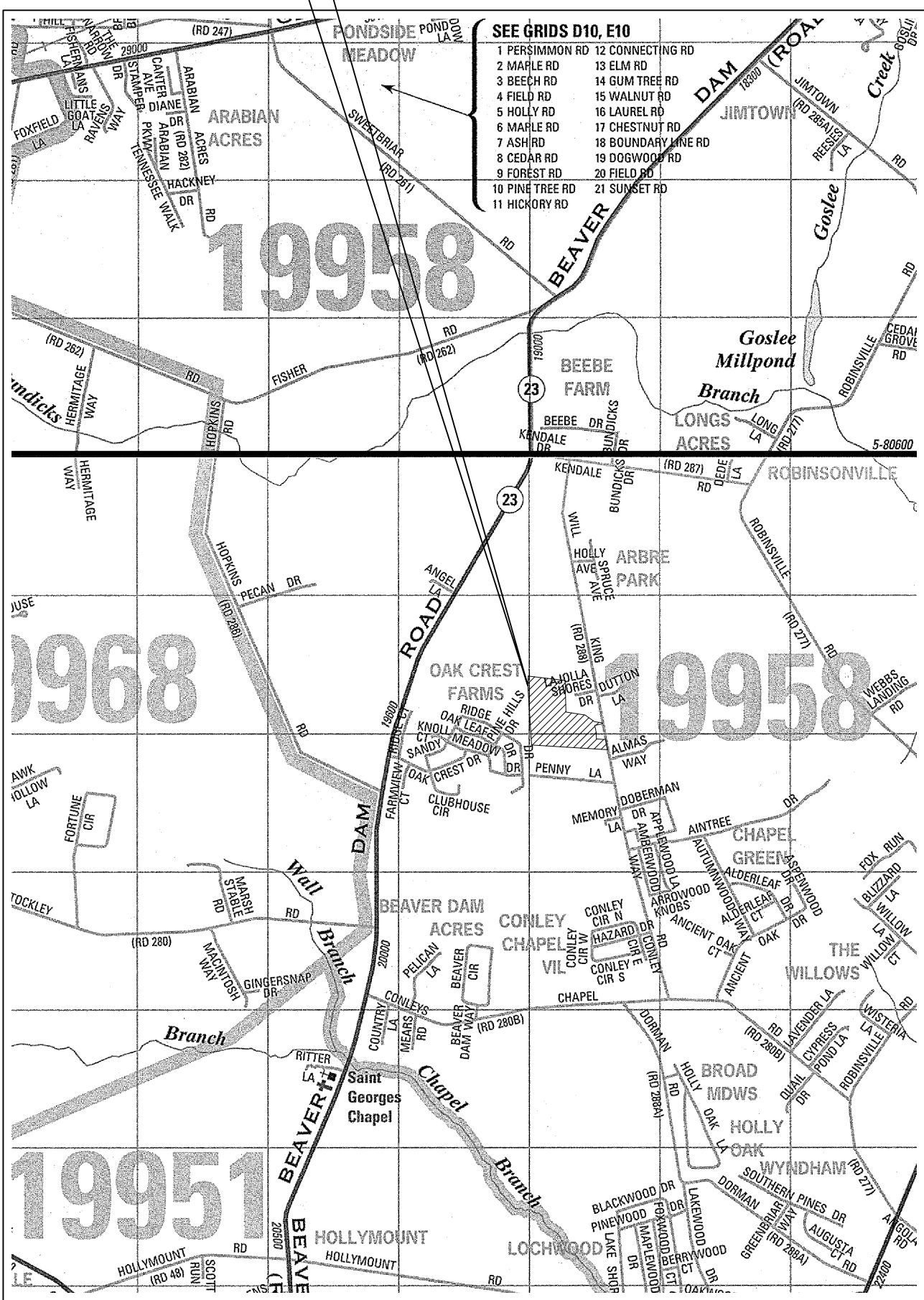
S 10 degrees 59 minutes 41 seconds E for a distance of 51.81 feet to an iron pipe found marking the place and POINT OF BEGINNING, containing 1,267,253 square feet or 29.10 acres of land more or less.



WIL KING STATION
PRELIMINARY SITE PLAN
RESIDENTIAL PLANNED COMMUNITY
SUSSEX COUNTY, DELAWARE

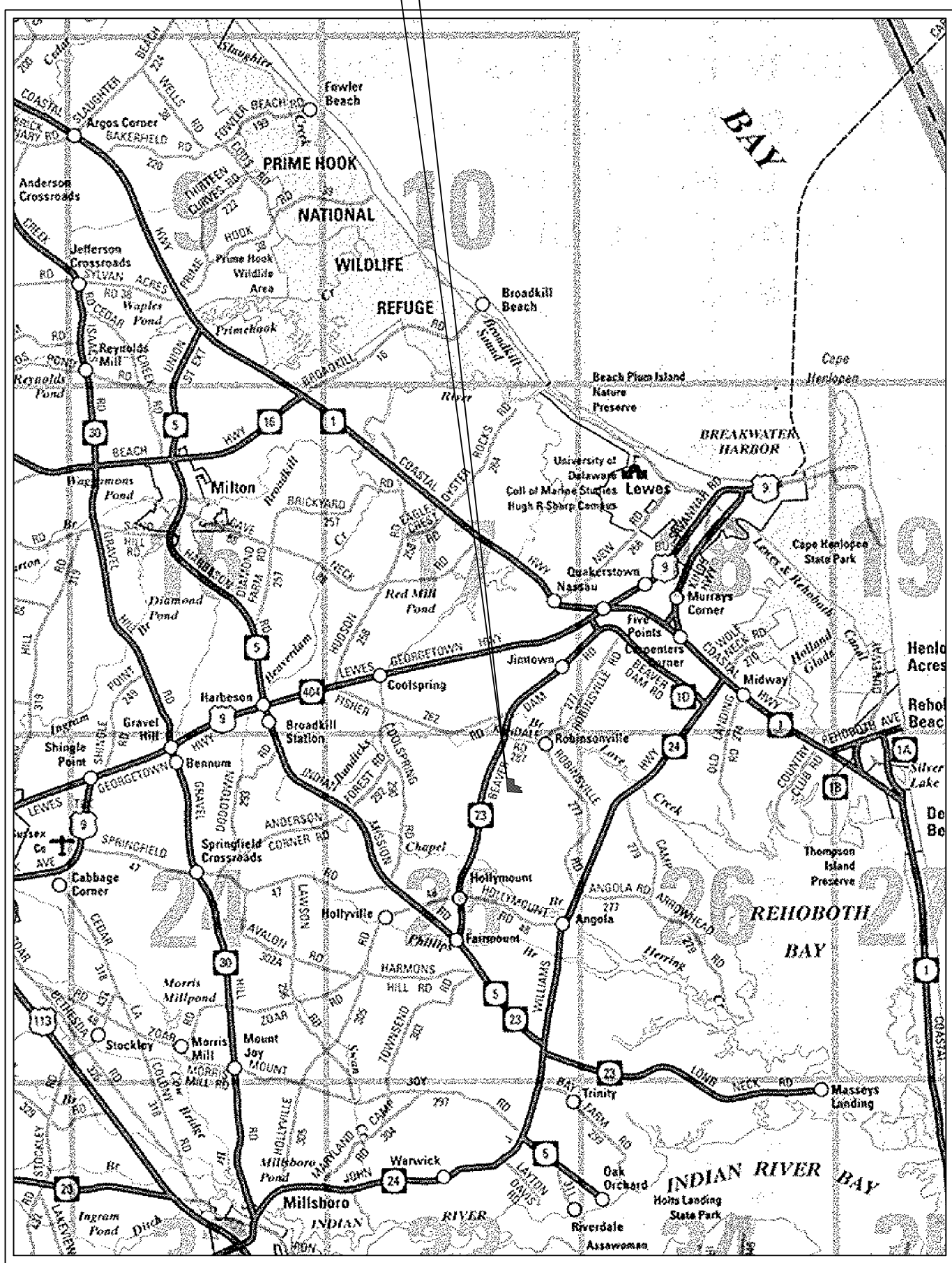
GMB File No. 200143

PROJECT AREA



LOCATION MAP
SCALE: 1" = 1,000'

PROJECT AREA



VICINITY MAP
SCALE: 1" = 1 MILE

GENERAL NOTES:

- STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNERS.
- ALL OPEN SPACE SHALL BE MAINTAINED BY THE RESIDENTS OF WIL KING STATION.
- TOPOGRAPHY AND BOUNDARY SHOWN HEREIN PER SURVEY FROM VISTA DESIGN, DELAWARE STATE PLANE COORDINATE SYSTEM NAD 83/91 AND NAVD88 VERTICAL DATUM.
- THIS SITE CONTAINS NO FEDERAL OR STATE OF DELAWARE JURISDICTIONAL WETLANDS.

- PSP 1.0 COVER SHEET
- PSP 2.0 BOUNDARY SURVEY
- PSP 3.0 EXISTING CONDITIONS
- PSP 4.0 PRELIMINARY SITE PLAN
- PSP 5.0 PRELIMINARY SITE PLAN RENDERING

APPROVED _____ BY _____
SUSSEX COUNTY COUNCIL
PRESIDENT

APPROVED _____ BY _____
SUSSEX COUNTY
PLANNING AND ZONING COMMISSION

SITE DATA:

OWNERS:
TM 234-6.00-26.00
SARA MARION SNIPES HARMON
LEON HARMON & MILDRED F. HARMON FOR LIFE
G. HARMON JR.
20464 WIL KING ROAD
LEWES, DE

TM 234-6.00-59.19
KENNETH LINTON
10933 FOX MILL LANE
CHARLOTTE, NC

APPLICANT:
DOUBLE DB, LP
507 NORTH YORK ST.
SUITE 2D
MECHANICSBURG, PA 17055

LANDSCAPE ARCHITECT:
LAND TECH LAND PLANNING, LLC
TAGGART PROFESSIONAL CENTER
32895 SOUTH COASTAL HWY, SUITE 202
BETHANY BEACH, DE
PHONE: 302.539.2366
CONTACT: JEFF CLARK, RLA

CIVIL ENGINEER:
GEORGE, MILES & BUHR, LLC
206 WEST MAIN ST
SALISBURY, MD 21801
PHONE: 410.742.3115
CONTACT: STEPHEN L. MARSH, P.E.

TAX MAPS: 234-6.00-26.00 & 59.19

EXISTING ZONING: AR-1 AGRICULTURE RESIDENTIAL (23.38 ACRES)
GR (5.69 ACRES)

PROPOSED ZONING: AR-1 AND MR RPC

COMPREHENSIVE PLAN MAP: LOW DENSITY AND COASTAL AREA

PROPOSED SITE DATA

TOTAL SITE AREA: ±29.10 AC.
AR-1 LOW DENSITY AREA: ±6.26 AC.
AR-1 LOW DENSITY STREET ROW: ±0.91 AC.
AR-1 LOW DENSITY RPC NET DEVELOPMENT AREA: ±5.35 AC.
AR-1 LOW DENSITY DWELLINGS PERMITTED: 11.65 LOTS (5.35 AC/20,000 SF)
AR-1 LOW DENSITY DWELLINGS PROPOSED: 11 LOTS
AR-1 MINIMUM LOT SIZE: 13,333 SF
AR-1 MINIMUM LOT WIDTH: 67'
MR-RPC COASTAL SITE AREA: ±22.84 AC.
MR-RPC COASTAL STREET ROW: ±3.65 AC.
MR-RPC COASTAL NET DEVELOPMENT AREA: ±19.19 AC.
MR-RPC DWELLINGS PERMITTED: 83.5 LOTS (19.18 AC/10,000 SF)
MR-RPC COASTAL AREA DWELLINGS PROPOSED: 65 LOTS
MR-RPC MINIMUM LOT SIZE: 7,500 SF
MR-RPC MINIMUM LOT WIDTH: 60'

OVERALL DENSITY: 2.61 LOTS/ACRE
FEDERAL WETLANDS: 0 ACRES
DNREC WETLANDS: 0 ACRES
OPEN SPACE PROPOSED ±9.08 AC (31%)

UNIT COUNT

SINGLE FAMILY LOTS: 76
REQUIRED PARKING: 152
PROVIDED PARKING: 152

BUILDING SETBACKS

MAX BUILDING HEIGHT: 42
FRONT: 25'
SIDE: 10'
REAR: 10'

PROPOSED AMENITIES: PLAYGROUND, TOT LOT EQUIPMENT, SCHOOL BUS STOP

FLOOD ZONE:

FLOOD INFORMATION: SPECIAL HAZARD AREA ZONE X
(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL
CHANCE FLOODPLAIN) PER FIRM MAP 10005C0330J DATED
MARCH 16, 2015.

UTILITIES

CENTRAL WATER: TIDEWATER UTILITIES, INC.
PUBLIC SEWER: SUSSEX COUNTY

OWNER'S CERTIFICATION:

I HEREBY CERTIFY THAT I AM AN OWNER OF THE PROPERTY DESCRIBED AS SHOWN ON THIS
PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION. THE UNDERSIGNED, CERTIFY THAT ALL
LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE
APPROVED PLAN AND THAT THE SUSSEX CONSERVATION DISTRICT OR THEIR DESIGNATED AGENT
SHALL HAVE RIGHT TO CONDUCT ON-SITE INSPECTIONS.

OWNER _____ DATE _____

LANDSCAPE ARCHITECT'S CERTIFICATION:

I, JEFFREY A. CLARK, RLA, HEREBY CERTIFY THAT I AM A REGISTERED LANDSCAPE 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
PLANNING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

JEFFREY A. CLARK, RLA, _____ DATE _____
OWNER, LAND TECH LAND PLANNING, LLC.

ENGINEER'S CERTIFICATION:

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

ENGINEER _____ DATE _____
SENIOR VICE PRESIDENT, GEORGE, MILES & BUHR, LLC.

APPROVED _____ BY _____
SUSSEX COUNTY
SOIL CONSERVATION DISTRICT

PRINTS ISSUED FOR:

DATE

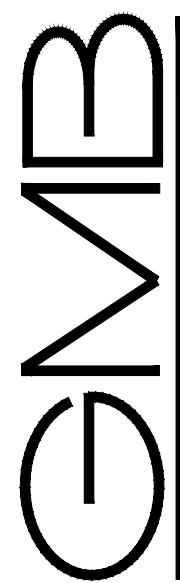
REVISIONS

NO.

PREPARED BY:



32895 SOUTH COASTAL HWY, SUITE 202
BETHANY BEACH, DELAWARE 19803
PHONE: (302) 539-2366



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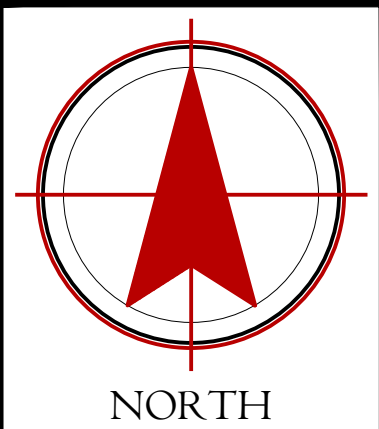
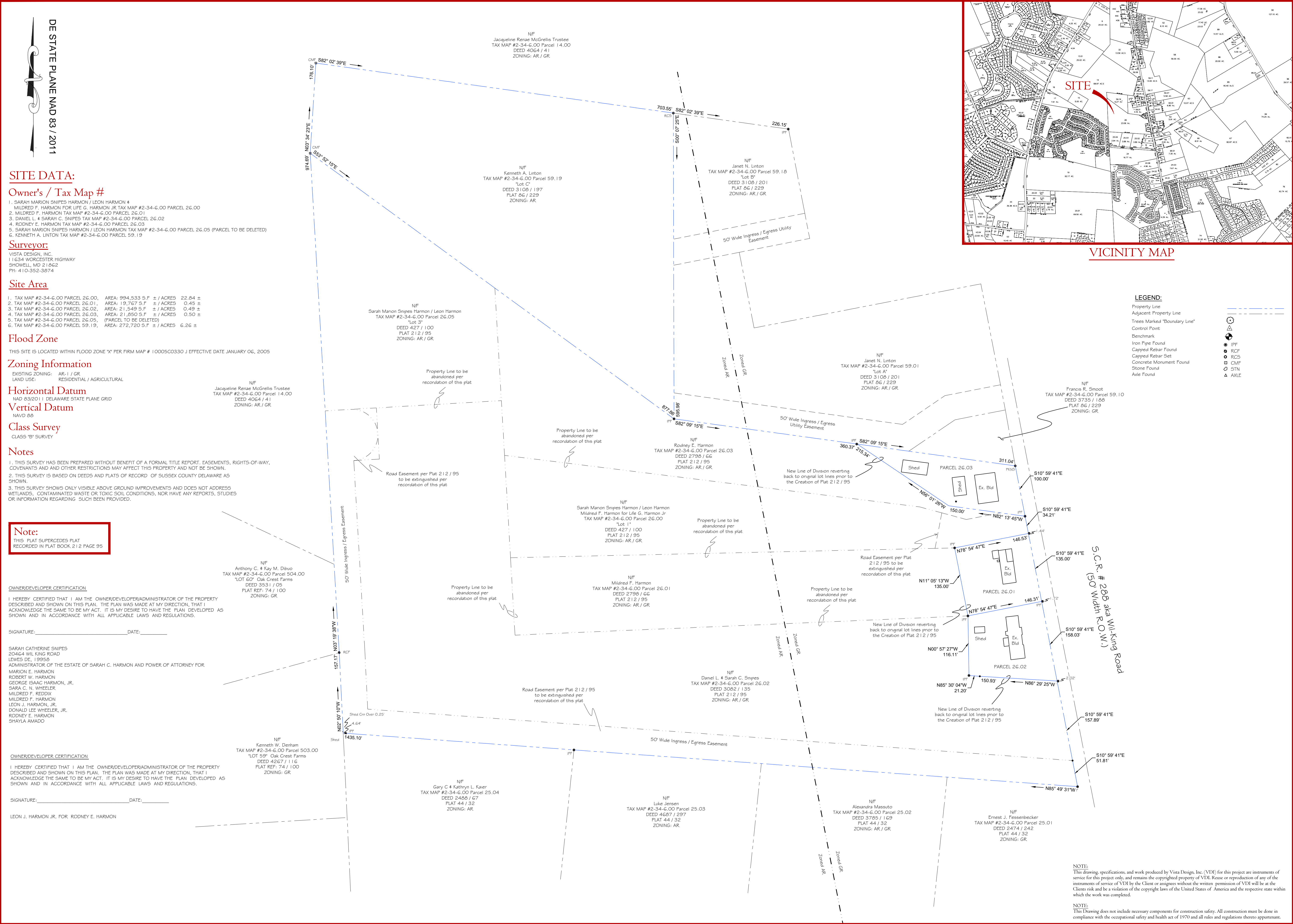
WIL KING STATION
SUSSEX COUNTY, DELAWARE

COVER SHEET

SCALE: AS SHOWN SHEET NO.
DESIGN BY: JAC
DRAWN BY: KK
CHECKED BY: KK
GMB FILE: 200143
DATE: AUG 2021

PSP1.0

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REVISIONS						
1.	Revised per Comments 08/10/21					
2.						
3.						
4.						
5.						
6.						
7.						

PROJECT DATA		1" = 80'
Project No.: 21-006	File Name: 21-006-SiteArea.dwg	
INDIAN RIVER HUNDRED		
SUSSEX COUNTY DELAWARE		
Date: 8/12/21	Scale:	

CORRECTIVE BOUNDARY & REINSTATEMENT PLAT

WIL-KING ROAD

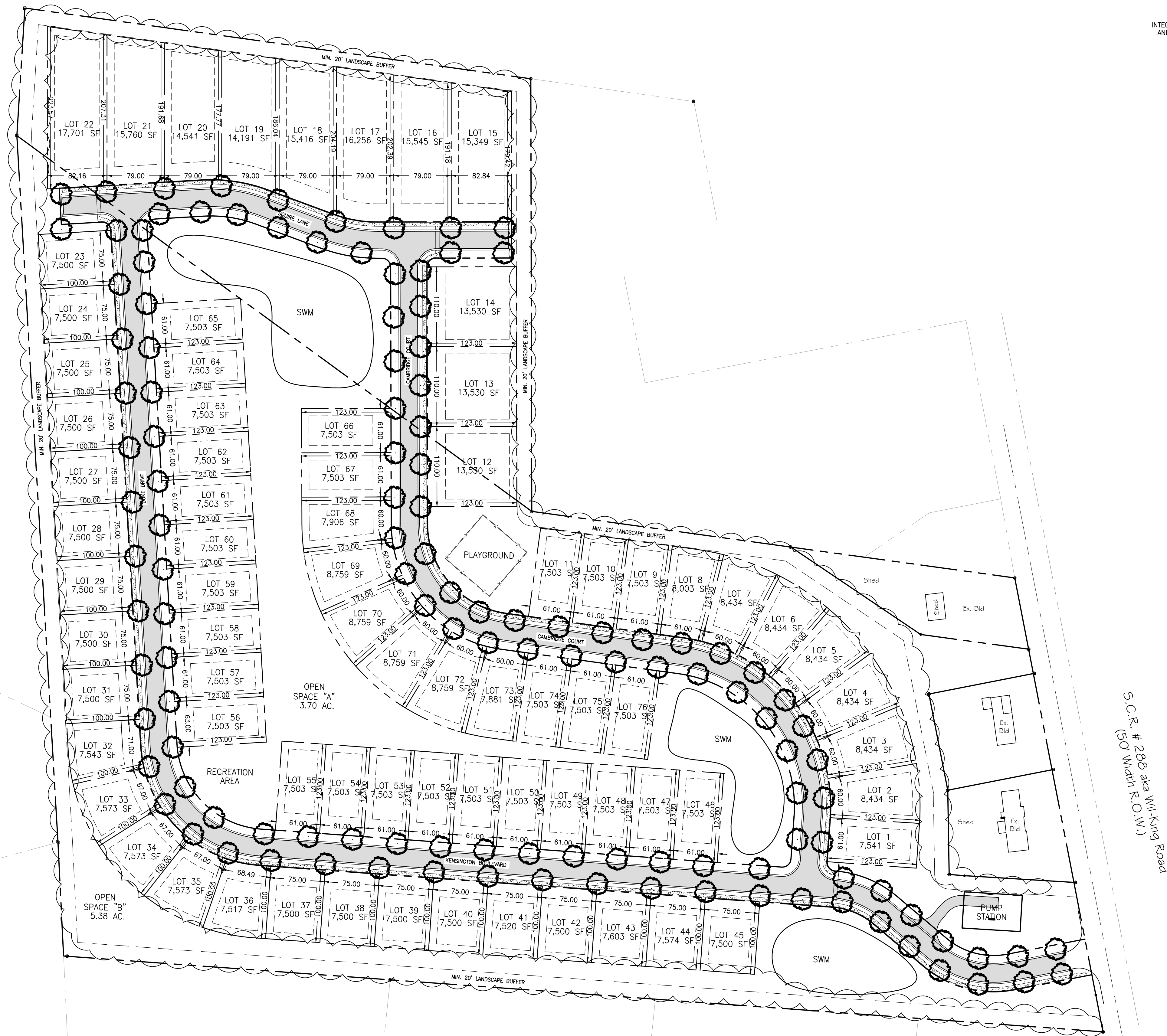
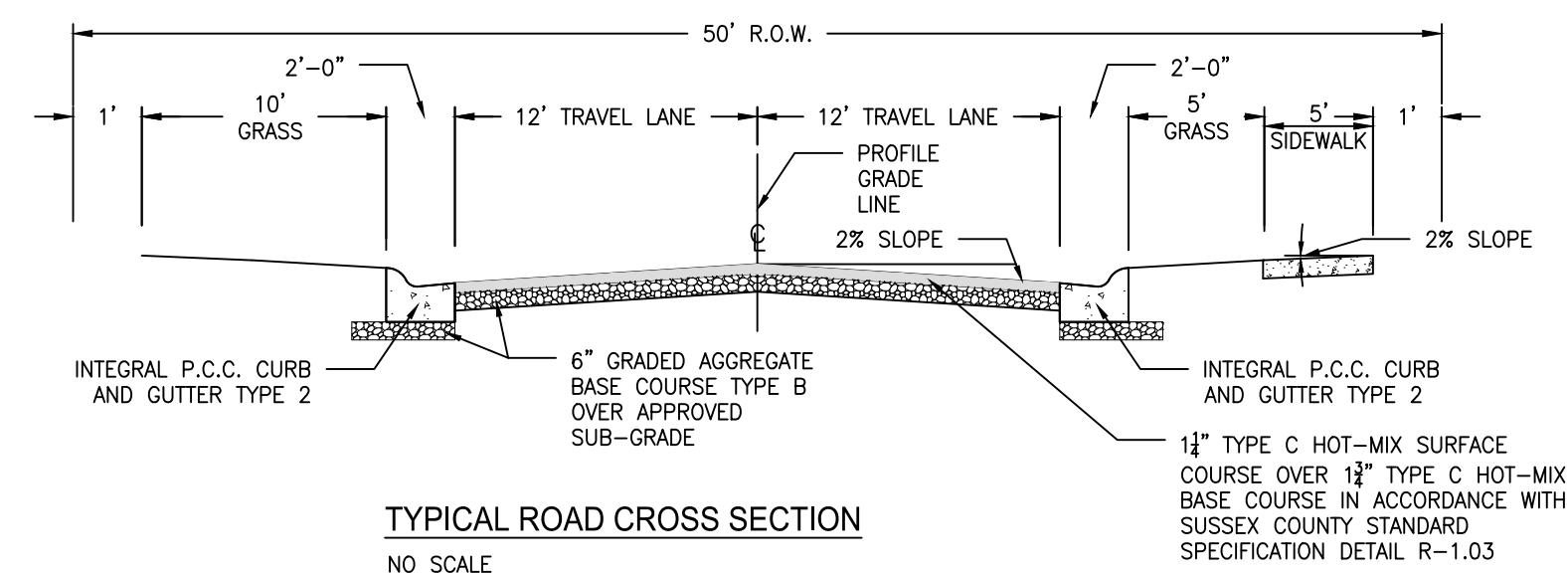
VISTA DESIGN, INC.
Landscape Architects, Land Planning Consultants, Engineers, and Surveyors
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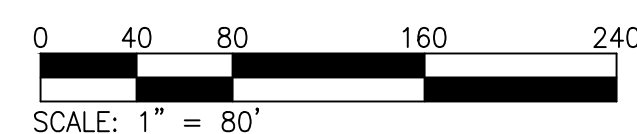
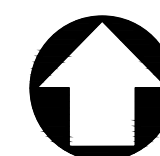
WIL KING STATION
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN

SCALE : 1" = 80'	SHEET NO. PSP4.0
DESIGN BY : JAC	
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 200143	
DATE : AUG 2021	



S.C.R. # 288 aka Wil-King Road
(50' Width R.O.W.)



DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

**ENVIRONMENTAL
ASSESSMENT
&
PUBLIC FACILITY
EVALUATION REPORT**

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITY EVALUATION REPORT

Sussex Code Article XXV – Section 115-194.3

BACKGROUND AND PROJECT DESCRIPTION

- The Wil King Station site is a 29.10-acre assemblage of two tracts of land (Sussex Tax Parcels: 2-34-6.00-26.00 and 2-34-6.00-59.19). The subject land is located on the west side of Wil King Road approximately one mile south of the Kendale Road Intersection. The subject land is currently split-zoned both AR-1 (Agricultural Residential) and GR (General Residential). The AR-1 acreage is +/- 23.39 acres and the Wil King Road frontage GR acreage is +/- 5.71 acres. The AR-1 acreage lies in two Comprehensive Map zones with +/- 6.26 acres lying within the Low-Density area and +/- 17.13 acres lying within the Coastal area. The Wil King Station application proposes an MR & AR-1 RPC Subdivision seeking approval to develop 76 single-family detached home sites. The existing AR-1 and GR acreage within the Coastal area as mapped within the current Comprehensive Plan will be proposed for a zoning change to MR, which is consistent with the neighboring developed subdivision to the east. The balance of the RPC application will remain zoned AR-1 in the Low-Density area as mapped in the Comprehensive Plan.
- A single subdivision entrance is planned at the intersection with Wil King Road with a long straight roadway segment affording Wil King Station residents and their guests good site distance when exiting the proposed new community.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment and disposal Unified District facilities and public water by Tidewater Utilities for both potable and fire protection use.
- A professionally designed landscaped buffer with a minimum width of 20' will extend along the entire perimeter of the site. The gateway to the community as planned will present a view into the site from Wil King Road that is a tree lined gently curved street and no lots/homes for +/- 300 feet when viewing into the new community.

STORMWATER & DRAINAGE DESIGN

- Stormwater management design for the Wil King Station site will be done in accordance with Delaware's Sediment and Stormwater Regulations and approved by the Sussex Conservation District. The design will incorporate wet ponds, swales, and where appropriate, infiltration basins.

COMMUNITY POTABLE AND FIRE PROTECTION WATER SUPPLY

- The Wil King Station site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use and also supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

WASTEWATER TREATMENT AND DISPOSAL

- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020, the subject tract lies in a Tier 1 area of the sewer district. The SSCE report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed. No capacity is guaranteed until System Connection Fees are paid.
- The recommended sanitary sewer connection point will be located at the intersection of Wil King Road and Dawson Drive via a proposed manhole.

TRAFFIC ANALYSIS

- The Wil King Station developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application on October 30, 2020. The December 2, 2020 DelDOT response to the SLER notes that the subject development is located in the Henlopen Transportation Improvement District, recently adopted by DelDOT and Sussex County. For that reason, the applicant will be required to pay a fee per dwelling unit in lieu of doing a Traffic Impact Study (TIS) and making offsite improvements therewith. Any improvements required by DelDOT beyond the site entrance will be creditable toward the fee.

THREATENED AND ENDANGERED SPECIES

- Watershed Eco, LLC has conducted a Rare, Threatened and Endangered (RTE) Species study in November of 2020. Based

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

upon written comments from both the U. S. Fish and Wildlife Service and the National Marine Fisheries Service, it was concluded there are no concerns for any RTE species at this location.

WETLANDS

- The Wil King Station site has been evaluated for the existence of regulated wetlands in September 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). Mr. McCulley has concluded that there are no DNREC or Federal jurisdictional wetlands present on this property.
- The conclusions reached in the full wetland delineation report by Watershed Eco shall be made a part of the RPC application and contained within the Supplementary Data Book.

OPEN SPACE MANAGEMENT

- The Wil King Station site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- The passive open space areas within Wil King Station are associated with the storm water wet ponds and perimeter buffers. An active open space area for playground equipment is situated in the interior of the community separated from the entrance and more heavily trafficked streets for child safety purposes.
- The management of the existing passive open space areas will be to preserve native trees and shrubs in the current condition. No clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to public safety of adjacent private property.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- The landscape buffer areas will either remain in their natural state or be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will be under the direction of qualified arborists under contract to the Wil King Station home owner's association

PUBLIC AND PRIVATE INFRASTRUCTURE

- The Wil King Station subdivision will be served by both public water from Tidewater Utilities Water Company and public sanitary sewer from Sussex County.
- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020 the subject tract lies in Tier 1 of the sewer planning areas. The SCED report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed.
- The sanitary sewer infrastructure will include an on-site pump station with a direct connection to existing Sussex County force main transmission piping and a complete gravity collection system to serve each new residence. All pumping station components and gravity piping and appurtenances will be installed at the expense of the developer following Sussex County Ordinance 38 and other utility standards and operating agreements, inspected by Sussex County staff and dedicated to Sussex County upon acceptance of in-place construction.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

ECONOMIC, RECREATIONAL & OTHER BENEFITS

- Multiple economic benefits accrue to the local economy from salaries and purchase of materials during the construction of both site and building improvements. Additional benefits accrue from increased property taxes, permit fees, utility impact fees and the like.
- As stated elsewhere in this report, there are both active and passive recreational opportunities designed into the Wil King Station land use plan. For a subdivision of seventy-six (76) individual residences, there is a limited Home Owner's Association capability of sustaining expensive amenities. Based upon discussions with homebuilders interested in purchasing lots within Wil King Station, the price point for this community is targeted at young working age families with children. An area dedicated to children's play equipment is an adequate economic burden to maintain for a community of this size. This active recreation amenity together with the required professional maintenance of the extensive landscape buffer areas, interior walking trails and common area grass cutting, fertilizing and weed/pest control should be sustainable for a community of this size. A balanced amenity offering with manageable upkeep expense will insure that the fit and finish of Wil King Station common areas remain in a good state of repair and appearance.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

CONFORMANCE WITH COMPREHENSIVE PLAN

- The Wil King Station subdivision site has been planned in accordance with the new updated 2018 Comprehensive Plan approved by Sussex County Council.
- The Future Land Use component of the 2018 Plan has established Growth Areas where the County has signaled future growth is expected. Eighty percent (80%) of the entire Wil King Station site is mapped as **Coastal Areas** on the 2045 Future Land Use Map. Coastal Areas are one of seven (7) Growth areas defined and described in the 2018 Plan. The 2018 plan seeks to encourage the County's most concentrated forms of new development to Growth Areas. The Low-Density portion of the Wil King Station development will maintain the prescribed low density for those areas served by central sanitary sewer and public water.
- The 2018 Plan recognizes that the Coastal Growth Area is in a region among the most desirable locations in Sussex County for new housing. Coastal Areas can accommodate development provided special environmental concerns are addressed and a range of housing types should be permitted including single family detached which Wil King Station proposes. Coastal Areas development densities proposed in the 2018 Plan range from 2-12 homes per acre. Wil King Station subdivision proposes 2.6 dwellings per acre. Cluster development is encouraged that results in the permanent preservation of a substantial percentage of the tract or area being developed. Wil King Station subdivision as planned preserves 31 percent (31%) open space as that term is defined in the Sussex County Code. Wil King Station land use planning involves Best Management Practices (BMP's) in storm water management design, preserves much of the existing woodlands on site, and proposes extensive buffers for wildlife habitat and nutrient (nitrogen and phosphorous) management.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- The Wil King Station subdivision will be connected to the Sussex County regional wastewater collection, transmission and treatment facilities and the Tidewater Utilities regional potable and fire protection water system.

HISTORICAL AND CULTURAL RESOURCES

- The Wil King Station site was reviewed in November of 2018 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.

ACTIONS TO MITIGATE DETRIMENTAL IMPACTS

- The Wil King Station subdivision plan is based upon the principals of sound land use planning and landscape architecture. Open space corridors are located to promote and encourage pedestrian access between homes in the neighborhood.
- Wooded and open space pathways into and through the community via the landscaped perimeter buffers allow the linking of off-site natural areas for wildlife surrounding the site to remain connected. Perimeter landscaped buffers also provide important esthetics for views into the site from neighboring properties and from within the subdivision.
- No wetland impacts, crossings or other intrusions are planned in Wil King Station.
- The use of a qualified professional site maintenance company by the home-owners association to manage plant and animal communities in both the native and more manicured areas of Wil King Station will serve to mitigate the effects of development on this site. Plant pest management, fertilizer application management and invasive species plant management will all serve

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

to mitigate the effects of a low-density land use.

- Using “state of the art” best management stormwater quality and quantity controls via bio-filters and bio-retention structures with native plant species will ensure that the impacts of the land development are minimized.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

**SUBDIVISION
CONSIDERATIONS
(CHAPTER 99-9)**

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

SUBDIVISION CONSIDERATIONS

CHAPTER 99-9 ORDINANCE 1152

INTEGRATION OF PROPOSED SUBDIVISION INTO EXISTING TERRAIN AND SURROUNDING LANDSCAPE

- The Wil King Station proposed subdivision property is bound on the north and northwest by open farmland that is tilled for row crops and some forested area immediately abutting the Wil King Station site.
- The western boundary of the Wil King Station site abuts the medium density residential Oak Crest Farms subdivision. Oak Crest Farms is a fully developed 175 single family lot community with lots averaging one quarter acre in size.
- To the south and abutting the Wil King Station site is a six-lot subdivision of fully developed farmsteads ranging in size from +/- 4 acres to 1 acre.
- The eastern boundary of Wil King Station abuts a number of subdivided lots ranging in size from just over an acre to approximately one-half acre and accessed by private right of ways or directly from Wil King Road. There is a single 4.2-acre tract that is presently undeveloped with Wil King Road frontage. We understand that this 4.2-acre site has recently become an application for further subdivision. The remaining Wil King Road fronting lots are presently occupied by many of the current owners of the property which is the subject of the proposed Wil King Station AR-MR-RPC subdivision.
- Required perimeter landscaped buffers along all Wil King Station site boundaries will be professionally designed and installed as a part of the subdivision construction process.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- This site has been evaluated for the presence of Federal or DNREC jurisdictional wetlands and none were found to be present. The wetlands evaluation was conducted by James C. McCulley, a recognized expert in the environmental consulting field.
- An Open Space Management Plan prepared by a qualified professional shall outline a detailed strategy to maintain the native trees and shrubs within existing natural forested areas as well as developer planted landscape buffer areas.
- The Open Space Management Plan will be implemented by landscape maintenance professionals under contract to the Wil King Station Home Owner's Association as required by the subdivision restrictive covenants.
- No lots within Wil King Station have direct access onto the road frontage of any State maintained routes or public roads.
- The limited Wil King Road frontage for the subject tract of land does not present any opportunity for more than a single subdivision entrance. However, this single entrance connects with a long straight segment of Wil King Road and will provide good visibility for future residents exiting the private subdivision street. Interior Wil King Station private subdivision streets dead end in several locations which could become connections with adjoining tracts of undeveloped land.
- The extension of public water and sanitary sewer into the Wil King Station site will present an opportunity for some adjoining land owners to connect to these two public utilities and abandon on-site septic systems and wells if they so choose.
- The Wil King Station subdivision design results in nearly 30 percent open space to be actively managed by professional maintenance companies under contract to the home-owners association.
- The low residential density planned for Wil King Station will result in 2.6 dwelling per acre, generally in keeping with the low-density character of the surrounding area.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- All streets, sidewalks, site grading and sanitary sewer system infrastructure will be designed, constructed and inspected for conformance to all Sussex County Engineering Department standards and specifications.
- All grading, drainage and storm water management facilities will be designed, constructed and inspected for conformance to Sussex Conservation District and DNREC standards and specifications.
- All water service infrastructure will be designed to Tidewater Utilities standards and specifications and inspected by the State Fire Marshal's Office for conformance to State Fire Prevention Regulations.

MINIMAL USE OF WETLANDS AND FLOODPLAINS

- The Wil King Station site has been evaluated for the existence of regulated wetlands in October of 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). No Federal or DNREC wetlands were found on the property. A full copy of Mr. McCulley's wetland report will be included within the Supplemental Data Book.
- The entire Wil King Station site as mapped on Flood Insurance Rate Map (FIRM) Number 10005C0330J (Map Revised March 16, 2015) is in "Other Areas" Zone X. Zone X are areas determined to be outside the 0.2% annual chance of floodplain. A copy of the current FIRM will be included within the Supplemental Data Book.

PRESERVATION OF NATURAL AND HISTORIC FEATURES

- The Wil King Station site was reviewed in November of 2020 by the State Historic Preservation Office as a part of the PLUS process. Their report indicates that prehistoric archeological potential is low and the historic potential is moderate.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- The Wil King Station site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- The passive open space areas are confined to the proposed extensive perimeter landscape buffering system. The management of the existing passive open space areas will be to preserve native trees and shrubs in the current condition. No clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety of adjacent private property. The 20' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Wil King Station home owner's association.
- The balance of the open space in Wil King Station will be used more actively by the residents and their guests. These active open space areas are adjoining storm water ponds and a large centrally located playground area situated far away from the subdivision entrance and the more heavily travelled segments of the private streets.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Wil King Station home owner's association. The Wil King Station restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

PRESERVATION OF OPEN SPACE AND SCENIC VIEWS

- The Wil King Station site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- The passive open space areas are confined to the proposed extensive perimeter landscape buffering system. The management of the existing passive open space areas will be to preserve native trees and shrubs in the current condition. No clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety of adjacent private property. The 20' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Wil King Station home owner's association.
- The balance of the open space in Wil King Station will be used more actively by the residents and their guests. These active open space areas are adjoining storm water ponds and a large centrally located playground area situated far away from the subdivision entrance and the more heavily travelled segments of the private streets.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Wil King Station home owner's association. The Wil King Station restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- The Wil King Station land use plan will present a view into the site from Wil King Road that is a tree lined gently curved street and no lots/homes for +/- 300 feet into the site.

MINIMIZATION OF TREE, VEGETATION, AND SOIL REMOVAL AND GRADE CHANGES

- Development of the Wil King Station site will result in no clearing, disturbance, or altering of vegetation within existing passive forested open space areas except the removal of dead and dying trees which pose a threat to public safety of adjacent private property.
- Existing forested active open space areas and areas set aside for stormwater management and community trails will be selectively cleared and disturbed only as needed to construct SWM facilities and play/community park equipment.
- The subdivision site grading and drainage design follows the general contour of the existing pre-developed site except areas that are proposed for excavation as wet ponds and open swales to convey stormwater across the site.
- To the maximum extent possible, site top soils will be stockpiled for re-use in lot areas around new residences and active open space areas and for the creation of earth berms.

SCREENING OF OBJECTIONABLE FEATURES FROM NEIGHBORING PROPERTIES AND ROADWAYS

- The site perimeter landscape buffer areas will either be left in their natural condition or vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

will be under the direction of qualified arborists under contract to the Wil King Station home owner's association.

- The Wil King Station land use plan will present a view into the site from Wil King Road that is a tree lined gently curved street and no lots/homes for +/- 300 feet into the site.

PROVISION FOR WATER SUPPLY

- The Wil King Station site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned.
- The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

PROVISION FOR SEWAGE DISPOSAL

- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020, the subject tract lies in a Tier 1 area of the sewer district. The SSCE report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed. No capacity is guaranteed until System Connection Fees are paid.
- The connection point will be located at the intersection of Wil King Road and Dawson Drive via a proposed manhole.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

PREVENTION OF POLLUTION OF SURFACE AND GROUNDWATER

- Stormwater management design for the Wil King Station site will be done in accordance with DNREC's Sediment and Stormwater Regulations and approved by the Sussex Conservation District. The design will incorporate wet ponds, swales, and where appropriate, infiltration basins.

MINIMIZATION OF EROSION AND SEDIMENTATION, CHANGES IN GROUNDWATER LEVELS, OF INCREASED RATES OF RUNOFF, OF POTENTIAL FOR FLOODING AND DESIGN OF DRAINAGE SO THAT GROUNDWATER RECHARGE IS MAXIMIZED

- The storm water management design at Wil King Station will utilize a system of wet ponds, bio-filters, and waterways for the management of post development runoff volumes to address State of Delaware mandated water quality standards. As required by law, all drainage and storm water management design documents and computations will be scrutinized by the Sussex Conservation District prior to issuance of any permits for land disturbing activities.

PROVISION FOR SAFE VEHICULAR AND PEDESTRIAN MOVEMENT WITHIN THE SITE AND TO ADJACENT WAYS

- The Wil King Station site is not required by the Delaware Department of Transportation (DelDOT) to undertake a Traffic Impact Study (TIS) and assess the need for any off-site improvements to public roads.
- The Wil King Station development is located in the Henlopen Transportation Improvement District (TID), recently adopted by

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

DelDOT and Sussex County. For that reason, the applicant will be required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith.

- The commercial subdivision entrance permit will insure, to DelDOT standards, that safe auto and bicycle vehicular and pedestrian movements will occur as a part of this new subdivision construction.
- The Wil King Station subdivision design incorporates a continuous paved sidewalk network throughout the neighborhood connecting residents to each other and to site amenities including walking trails.

EFFECT ON AREA PROPERTY VALUES

- The Wil King Station subdivision plan is based upon the principals of sound land use planning and landscape architecture.
- Open space corridors are located to promote and encourage pedestrian access between homes in the neighborhood and to connect to public pedestrian and bicycle systems.
- Wooded and open space pathways into and through the community and landscaped perimeter buffers allow the linking of off-site natural areas surrounding the site to remain connected. Perimeter landscaped buffers also provide important esthetics for views toward the site from neighboring properties and from within the subdivision.
- Home sites are configured by design resulting in future residential construction being viewed from off-site looking at the front and not rear of all proposed residences.
- The gateway to the community presents a gently curved tree lined street setting with no homesites for +/- 300 feet into the property.
- For the above reasons, this new well-planned community will command an above market home sale price and re-sale price which will serve as a positive effect on those properties in the immediate neighborhood.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

PRESERVATION AND CONSERVATION OF FARMLAND

- The Wil King Station site will neither preserve or conserve farmland.

EFFECT ON SCHOOLS, PUBLIC BUILDINGS AND COMMUNITY FACILITIES

- The Wil King Station site with new single family detached homes priced as workforce housing is likely to attract young families and first home buyers as residents. Therefore, the applicant will coordinate with the local school district to learn how best to design a school bus stop and bus turn-a-round inside the community. Provisions will be needed for parents to park cars while waiting with children for the school bus to arrive.
- During the commercial entrance permit process with DelDOT, the applicant will be required to coordinate this new development with the DART transportation staff to learn if a public service bus stop is appropriate and required at this location.
- The residents in this new neighborhood would be welcomed by local merchants, restaurants and faith-based organizations to contribute to the overall wellbeing of the community.

EFFECT ON AREA ROADWAYS AND PUBLIC TRANSPORTATION

- The Wil King Station developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application on October 30, 2020. The December 02, 2020 DelDOT response to the SLER points out that The Wil King Station development is located in the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County. For that reason, the applicant will be required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

- All commercial subdivision entrance improvements within the public DelDOT right of way shall be constructed and inspected as directed and approved by DelDOT.

COMPATABILITY WITH OTHER AREA LAND USES

- The residential density planned for Wil King Station will result in 2.6 dwellings per acre in keeping with the low-density character of the newly developed surrounding area.
- There are a number of existing residential communities in the immediate vicinity as well as several planned subdivisions that have recently started construction or are about to begin.

EFFECT ON AREA WATERWAYS

- All construction activities within the Wil King Station site shall adhere to detailed plans and specifications prepared by Delaware licensed professional engineers contained within a Stormwater Management Plan with Sediments and Erosion Control provisions approved by the Sussex Conservation District. The Sussex Conservation District requires all site disturbances to be under inspection by DNREC staff to insure compliance with approved stormwater management designs and specifications. Therefore, the development of Wil King Station will have taken the necessary precautions to assure there are no negative water quality or quantity effect on area tax ditch waterways.
- An Open Space Management Plan prepared by a qualified professional under agreement with the Wil King Station homeowner's association will monitor the applications of fertilizers and pesticide treatments within the community.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

PLUS SUBDIVISION COMMENTS

**PLUS COMP PLAN AMENDMENT
APPLICATION and PLUS RESPONSE**

**TAC COMMENTS
with
APPLICANT RESPONSE**



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

August 11, 2021

David L. Edgell, AICP
Director, Office of State Planning Coordination
122 Martin Luther King, Jr. Blvd. South – Haslet Armory, Third Floor
Dover, DE 19901

RE: PLUS Response 2020-11-06; Wil King Station

Dear Mr. Edgell,

Land Tech Land Planning, LLC represents the owner/developer of the above referenced proposed Change of Zone application. In response to the review comments within the December 18, 2020 PLUS report that follows, *we offer our answers highlighted in color.*

December 18, 2020

Jeff Clark, RLA
Land Tech Land Planning, LLC
Taggart Professional Center, Suite 202
32895 South Coastal Highway
Bethany Beach, DE 19930

RE: PLUS review 2020-11-06; Wil King Station

Dear Mr. Clark:

Thank you for meeting with State agency planners on November 18, 2020 to discuss the proposed plans for the Inland Bays Community project. According to the information received you are seeking review of a proposed 75 unit subdivision on 29.1 acres along Wil King Road in Sussex County

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

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

Strategies for State Policies and Spending

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

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

A review of the Future Land Use Map within the current Sussex County Comprehensive Plan shows that there is an unusual shape to the Coastal Area in this vicinity as it steps in-and-out with the unusual property lines of the various tax parcels. Stated a little differently, if one simply “squared off” the Coastal Area shown on the adjacent properties, the 6-acre Level 4 Property would be within a Coastal Area. Even beyond the boundaries of the immediately adjacent parcels, the area between Beaver Dam Road and Wil King Road is within the Coastal Area except for a few parcels including the 6-acre Level 4 Property. Thus, at both the micro and macro levels a Coastal Area designation is consistent with other properties in this part of the County.

The entire length of Wil King Road, from Kendale Road to Conley’s Chapel Road, is shown on the Comprehensive Zoning Map as being within the GR District. In addition, behind the assemblage of parcels for the proposed Wil King Station community is the Oak Crest Farms community which lies within an MR District.

The requested addition of the 6-acre Level 4 Property within the Wil King Station subdivision also demonstrates sound land use and planning. This is best-reflected by the current application which seeks a split AR-I/MR RPC rather than simply seeking an MR-RPC. As the applicant, Planning & Zoning staff and the public can appreciate, creating consistent zoning and future land use classifications throughout a project makes it much easier to apply the requirements of not only the Zoning Code but also all other approvals and documents related to a project. Public utilities, such as water and sewer (site lies within a Tier 1 & 2 sewer planning area), would be made available to the 6-acre Level 4 Property through the balance of the proposed Wil King Station community. Likewise, access to Wil King Road for the 6-acre Level 4 Property would be through the streets proposed for Wil King Station.

The proposed Wil King Station land use plan will allow for a homogenous zoning application both for a change of zoning classification as well as an RPC overlay.

The requested amendment is also consistent with the character and nature of the uses in this area and will not have an adverse effect on adjacent properties.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Wil King Road (Sussex Road 288) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.

Acknowledged

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

Acknowledged

- In accordance with Sections 1.6.7 and 7.2.3.2 of the Manual, DelDOT may require that some or all of the lots along Wil King Road, portions of which would apparently be retained by their current owners, be accessed by way of the subdivision street system rather than by Wil King Road. To the extent that those lots are already developed and the homes would remain, their access should be discussed at or before the Pre-Submittal Meeting. The applicant's engineer may contact Mr. Brian Yates, a Subdivision Reviewer in DelDOT's Development Coordination Section, to initiate that discussion. Mr. Yates may be reached at Brian.Yates@delaware.gov or (302) 760-2151.

Acknowledged

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

Acknowledged

- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are

estimated at 798 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT confirms this number and estimates the weekday morning and evening peak hour trip ends at 58 and 77, respectively. Therefore, a TIS would normally be required.

However, the subject development is located in the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. For that reason, the developer will be required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The developer should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

Acknowledged

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Wil King Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, **"An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."**

Acknowledged

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Wil King Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat."**

Acknowledged

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 450 feet of the entrance on Wil King Road.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- *Acknowledged*

- Section 3.5.4.4 of the Manual addresses requirements for accessways. Accessways are paths that connect subdivision streets to a sidewalk or SUP. DeIDOT anticipates requiring an accessway from Wil King Road to the development streets near Lot 4.

This matter was discussed during the pre-application meeting and was determined to be unnecessary.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along both Wil King Road.

Acknowledged

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

Acknowledged

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

Acknowledged

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Acknowledged

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Stormwater Management

This project/site has met the minimum threshold of 5000 square feet of land disturbing activity under the DNREC Sediment and Stormwater Program.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. The plan review agency is the Sussex Conservation District.

Acknowledged

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.state.de.us/eNOI/default.aspx>) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.

Acknowledged

- Schedule a project application meeting with the appropriate agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov.
Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

Acknowledged

Water Quality (Pollution Control Strategies)

Pollution Control Strategies have been developed for the following watersheds in Delaware: Appoquinimink, Broadkill, Christina Basin, Inland Bays, Mispillion and Cedar, Murderkill, Nanticoke, St. Jones, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- This site lies within the Rehoboth Bay of the Inland Bays Watershed. Consult with the appropriate plan review agency (Sussex Conservation District) to determine if stricter stormwater management standards may apply for development projects in this area.

Acknowledged

Hydrologic Soils Group

While some of the site contains moderately well drained soils (Hydrologic Soils Group C), most of the site contains poorly drained soils (Hydrologic Soils Group C/D). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: DNREC.Stormwater@delaware.gov.

Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

A comprehensive site soils investigation has been undertaken by Geo-Technology Associates, Inc. and will form the basis for all storm water management BMP's that will serve the Wil King Station site.

Wetlands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of freshwater wetlands located toward the center of the site.

- If the project proposes to disturb (dredge or fill) wetlands under the jurisdiction of the U.S. Army Corps of Engineers, a delineation of waterways and wetlands is required, as well as associated authorizations and permits. In certain circumstances, additional certifications from DNREC Wetlands & Subaqueous Lands Section will be required as part of the U.S. Army Corps of Engineers permit process.
- For a list of consultants and engineers who can conduct wetland delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link:
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>

Contact: U.S. Army Corps of Engineers (Dover Office) at
DoverRegulatoryFieldOffice@usace.army.mil or (267) 240-5278.

Website: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>

A comprehensive site evaluation has been undertaken by Watershed Eco, LLC who has determined that no jurisdictional wetlands exist on this property proposed for development. Further, a letter of agreement with the findings of Watershed Eco, LLC has been issued by the U. S. Army Corps of Engineers.

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (approximately 300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

Acknowledged

Wastewater Permitting – Large Systems

Sussex County (permittee) holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch.

- It is the responsibility of the permittee to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.

Contact: DNREC Large Systems Branch at (302) 739-9948.

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

Acknowledged

State Historic Preservation Office – Contact Carlton Hall 736-7400

- The Delaware SHPO does not recommend developing in Level 4 areas. Prehistoric archaeological potential is low. Mostly poorly drained soils and not close enough to any water sources. However, it's on/close to Nanticoke Land, so it is recommended that the owner/developer check with the tribe prior to work.
- Historic potential is moderate. No buildings on Beers, but historic maps indicate that a building was on that parcel in the early 20th century. Context may have been destroyed by more modern farm complex. There also appears to be a road that cuts through the parcel on the 1918 topographic maps.

Acknowledged

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

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

Fire Protection Water Requirements:

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.
- The infrastructure for fire protection water shall be provided, including the size of water mains.

Acknowledged

Accessibility:

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not

adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where traffic circles (roundabouts) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Acknowledged

Gas Piping and System Information:

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

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Name of Water Supplier
- Proposed Use
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Provide Road Names, even for County Roads

Acknowledged

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 1 and Tier 2 area within the Sussex County Unified Sanitary Sewer District, Chapel Branch area and connection to the sewer system is mandatory. A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for the

project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served. The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

Recommendations/Additional Information

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

Department of Transportation – Contact Bill Brockenbrough 760-2109

- From the discussion at the PLUS meeting, DelDOT understands that the County is encouraging the developer to extend the stub streets proposed near Lots 24 and 59 to the property line to allow for interconnections to the lands to the west. DelDOT supports such interconnections as being consistent with Section 3.5 of the Manual.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Wil King Road.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>.

Acknowledged

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Forest Removal (Mature Forest)

The preliminary plan proposes the elimination of 18 of 21 acres of the forest on the site. An analysis of historical data indicates that the forest area located on the northern portion of the site has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. These areas provide habitat for wildlife, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, which reduces carbon that contributes to climate change.
- A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife. If mature forests are found, these areas should be conserved to the maximum extent practicable.
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Acknowledged. Watershed Eco, LLC has conducted a thorough site inventory and prepared a Rare, Threatened & Endangered (RTE) Species Report. The Watershed Eco findings are that there are no concerns for any RTE species and further the site has been highly disturbed with roadways and dumping of household trash, debris and used tires.

Delaware Ecological Network

The mature forest located at the northern portion of the site provides a connection route for wildlife migration between forested lands (within the Delaware Ecological Network) situated off-site, both to the east and to the west of the project site. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on this site could jeopardize habitat beyond the parcel boundary.

- Conserve these lands as community open space. Removing forested areas connecting lands within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Acknowledged

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Acknowledged

General Drainage Recommendations

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project. Environmental permits or exemptions may be required by the County Conservation District, U.S. Army Corp of Engineers, or the DNREC Sediment and Stormwater Program prior to clearing and/or excavating ditch channels.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.
- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <http://www.dnrec.delaware.gov/swc/Pages/DrainageTaxDitchWaterMgt.aspx>

Acknowledged

Wetlands

- A wetland Jurisdictional Determination (JD) is recommended to be completed by a consultant or a representative of the DNREC Wetlands and Subaqueous Lands Section to be sure there are no impacts to wetlands. Please contact the DNREC Wetlands and Subaqueous Lands Section for more information.

Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

A comprehensive site evaluation has been undertaken by Watershed Eco, LLC who has determined that no jurisdictional wetlands exist on this property proposed for development. Further, a letter of agreement with the findings of Watershed Eco, LLC has been issued by the U. S. Army Corps of Engineers.

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

Acknowledged

Additional Sustainable Practices

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.
- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.
- DNREC reviewers recommend incorporating additional open space, planting open space with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

Acknowledged

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

- Although not a requirement of the State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in dwellings. The Office of the State Fire Marshal also reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website:
<http://delcode.delaware.gov/title6/c036/sc03/index.shtml>
- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Acknowledged

State Housing Authority – Contact: Jonathan Taswell 739-4263

- DSHA supports the site plan for 75-unit family subdivision on 29.1 acres along Wil King road in Sussex County. This is a decent location for a more affordable housing product. As a result, DSHA recommends that Sussex county embrace the opportunity to approve this proposal permitting residents to live close to their jobs, as well as, access the resources and benefits this area provides.
- DSHA encourages a site layout and quality design measures that creates desirable housing units which are vital to any well-balanced community, the intensity of the proposal warrants design measures to create human-scaled, and pedestrian-oriented community. Incorporating attractive streetscapes, community recreation areas, visually appealing façade treatments, significant landscaping and pedestrian-oriented measures will help the proposal to integrate well into the larger community plan for Sussex County.
- This Proposal provides Sussex County an excellent opportunity to facilitate a more affordable housing product in the Coastal Resort Area. The need for housing affordable to the many county residents who work in this resort economy is acute and well documented. This proposal is located in a great location with high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help household succeed. Unfortunately, these same areas contain little affordable housing. DSHA encourages the County and developer to work together, perhaps through participation in the County's Moderately Priced Housing Unit program, to insure an affordable housing price, so that more Sussex County residents can benefit from the many resources and benefits this area provides.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to

Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountynj.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.
- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.
- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

Acknowledged

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

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

Sincerely,

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

CC: Sussex County Planning

May 21, 2021

Via: Email (jamie.whitehouse@sussexcountyde.gov)

Jamie Whitehouse, Director
Sussex County Planning & Zoning Office
2 The Circle, P.O. Box 417
Georgetown, DE 19947

RE: 2045 Future Land Use Map Amendment Request
Current: Low Density Area
Requested: Coastal Area
Sussex County Tax Parcel No. 234-6.00-59.19 (the "Property")

Dear Jamie,

This firm represents Double DB, LP, the contract purchaser and developer of the above-referenced Property situated near Wil King Road (Sussex Road 288). The property consists of a little more than six (6) acres and is presently unimproved.

On Sussex County's Comprehensive Zoning Map, the Property is within an Agricultural Residential District (AR-1 District). The 2045 Future Land Use Map found within Chapter 4 of the 2019 Sussex County Comprehensive Plan shows the Property as being within an area designated as a Low Density Area.

This request to modify the Future Land Use Map seeks to change the designation of the Property from being located within a Low Density Area to a Coastal Area.

By way of quick background regarding this request, my client contracted to purchase an assemblage of tax parcels which are proposed to comprise a community known as Wil King Station. The Property for which this Future Land Use Map Amendment is sought is one of the parcels involved in the proposed community. At the end of 2020, Double DB, LP filed two (2) applications with your office that included the Property. The first application sought to change the zoning classification of the adjacent properties from a combination of the AR-1 District and General Residential District (GR District) to the Medium Density Residential District (MR District). For reasons described hereinafter, there was not a change of zone requested for the 6-acre Property. The second application sought to create an AR-1/MR RPC for the assemblage of parcels. Thus, if both of those applications were granted by County Council, the assemblage of parcels would have both an AR-1 District area as well as an MR District area—with both zoning districts subject to an RPC overlay.

Jamie Whitehouse

May 21, 2021

Page 2

The change of zone application was designated as CZ No. 1937 – Wil King Station. The applications including the Office of State Planning Coordination's PLUS Letter and DelDOT's SFR are part of the file in your office. If you need any additional copies of the application, PLUS letter or SFR, please let me know. Through your staff review process, you questioned whether it would be a better application to seek to change the zoning classification of the Property from the AR-1 District to the MR District so that the end result would be an MR RPC rather than the unusual hybrid, AR-1/MR RPC.

The reason the application was not filed in this manner is because in addition to the assemblage of parcels having two (2) zoning classifications they also have two (2) designations on the Future Land Use Map. All of the parcels comprising Wil King Station are within a Coastal Area on the Future Land Use Map with the exception of the 6-acre Property, which is in a Low Density Area. Pursuant to Table 4.5-2 Zoning Districts Applicable to Future Land Use Categories found within the Comprehensive Plan, the MR District is not envisaged to be within a Low Density Area. Because of this inconsistency, my client did not pursue an amendment to the Future Land Use Map but instead was going to work around the difficulties in dealing with the split-zoning and the split-Future Land Use Map classifications, *i.e.*, the AR-1/MR RPC.

After our meeting earlier this week to discuss this project, my client has decided to request the amendment of the Future Land Use Map for the 6-acre Property from a Low Density Area to a Coastal Area. In the first instance, a review of the Future Land Use Map shows that there is an unusual shape to the Coastal Area in this vicinity as it steps in-and-out with the unusual property lines of the various tax parcels. Stated a little differently, if one simply "squared off" the Coastal Area shown on the adjacent properties, the 6-acre Property would be within a Coastal Area. Even beyond the boundaries of the immediately adjacent parcels, the area between Beaver Dam Road and Wil King Road is within the Coastal Area except for a few parcels including the 6-acre Property. Thus at both the micro and macro levels a Coastal Area designation is consistent with other properties in this part of the County.

The changing of this Property's designation on the Future Land Use Map will allow it to be used more consistently with the surrounding area. The entire length of Wil King Road, from Kendale Road to Conley's Chapel Road, is shown on the Comprehensive Zoning Map as being within the GR District. In addition, behind the assemblage of parcels for the proposed Wil King Station community is the Oak Crest Farms community which lies within an MR District. The proposal to include the 6-acre Property within a Coastal Area on the Future Land Use Map so that it can be the subject of a change of zoning classification to the MR District is consistent with both the existing MR District and GR District zoning classifications.

The requested change to the Future Land Use Map is not only consistent with the current configuration of both the County's Comprehensive Zoning Map and its Future Land Use Map but it also demonstrates sound land use and planning. This is best-reflected by the current application which seeks a split AR-1/MR RPC rather than simply seeking an MR-RPC. As the applicant,

Jamie Whitehouse
May 21, 2021
Page 3

Planning & Zoning staff and the public can appreciate, creating consistent zoning and future land use classifications throughout a project makes it much easier to apply the requirements of not only the Zoning Code but also all other approvals and documents related to a project.

Public utilities, such as water and sewer, would be made available to the 6-acre Property through the balance of the proposed Wil King Station community. Likewise, access to Wil King Road for the 6-acre Property would be through the streets proposed for Wil King Station.

The requested amendment of the Future Land Use Map will allow for a homogenous zoning application both for a change of zoning classification as well as an RPC overlay. The requested amendment is also consistent with the character and nature of the uses in this area and will not have an adverse effect on adjacent properties.

Please include this letter with the County's submission to the Office of State Planning Coordination seeking to amend the designation of this Property on the Future Land Use Map. In addition, please let me know if I can provide you with any further information to assist in this process.

Very Truly Yours,

MORRIS JAMES LLP


David C. Hutt, Esquire



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

July 22, 2021

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

RE: PLUS review 2021-06-16; Sussex County Comprehensive Plan Amendment

Dear Mr. Whitehouse:

Thank you for meeting with State agency planners on June 23, 2021 to discuss the proposed Comprehensive Plan Amendment for Sussex County. This proposed amendment would amend the Future Land Use Map to move one parcel from the Low Density Area to the Coastal Area.

Please note that additional changes to the plan could result in additional comments from the State. Additionally, the comments below reflect only issues that are the responsibility of the agencies that were represented at the meeting.

Office of State Planning Coordination – Contact Dorothy Morris 739-3090

Parcel 234-6.00-59.19 was reviewed through PLUS as 2020-11-06 Wil King Station. At the time of that review state agencies asked that the developer pull the housing out of this parcel because of its location in Level 4 and concentrate the housing on the Level 3 areas of the plan which coincide with the Coastal Area of your map.

After reviewing the information, this office believes this site is within a Level 4 area because of the environmental features on and around the site. The site plan reviewed through PLUS proposed the elimination of 18 of 21 acres of the forest on the site. An analysis of historical data indicates that the forest area located on the northern portion (which is this parcel) of the site has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat. This forest provides a connection route for wildlife migration between forested lands (within the Delaware Ecological Network) situated off-site, both to the east and to the west of the project site. This network is

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

made up of interconnecting natural areas of significant ecological value. Forest disturbances on this site could jeopardize habitat beyond the parcel boundary.

The Office of State planning supports this as a Level 4 area and respectfully requests it remain in the Low Density area for environmental reasons. In addition, our PLUS comments on this site stand and any future development on this site should be designed with environmental protections.

Department of Transportation – Contact Bill Brockenbrough 760-2109

This amendment would facilitate the development of the Wil King Station (aka Will King Station) subdivision. This development was reviewed at PLUS in November 2020 and is currently starting through DelDOT's plan review process.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

- DNREC reviewers are not in support of this change as increasing development intensity on this parcel is inconsistent with the Delaware Strategies for State Policy and Spending. This parcel lies within an area designated as Levels 3 and 4 lands of Delaware Strategies for State Policies and Spending and significant environmental features exist on this site.
- An analysis of historical data indicates that the entire parcel has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.
- This parcel is surrounded by lands contained within the Delaware Ecological Network. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances in these areas will jeopardize habitat on the parcel and possibly beyond the parcel's boundary.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- The Delaware SHPO does not support development in Level 4 areas. There are no known archaeological sites or known National Register listed or eligible properties on the parcel.
- Prehistoric archaeological potential is low. Poorly drained soils and too far away from a historic water source.
- Historic archaeological potential is low. There is no evidence of structures until after 1997 and the parcel has remained wooded throughout the 20th century.
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section

106 process please review the Advisory Council on Historic Preservation's website at:
www.achp.gov

Once a decision has been reached on this proposed comprehensive plan amendment, please notify the Office of State Planning Coordination for our records. If approved this notification should include a copy of the plan amendment as approved, the adopting resolution or ordinance, a revised version of any maps that were updated as well as any text that was approved in amending the comprehensive plan. If the amendment is not approved by the county, please include a copy of the minutes verifying this amendment was denied.

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

Sincerely,

A handwritten signature in black ink, appearing to read "D. Edgell", written in a cursive style.

David L. Edgell, AICP
Director, Office of State Planning Coordination

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



Sussex County
DELAWARE
sussexcountye.gov

Memorandum

To: Sussex County Technical Advisory
Committee From: Nick Torrance, Planner I
Date: December 30th, 2020
RE: Major Subdivision

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

The Sussex County Planning and Zoning Office has received five (5) applications for major subdivisions that requires review by the Sussex County Technical Advisory Committee. Please review the application and provide comments back to the Planning and Zoning Office on or before **March 5th, 2021**.

2021-06 – Coral Crossing- This is a cluster subdivision. The cluster subdivision is for the creation of three-hundred and fifteen (315) single family lots. The property is located on the southwest side of Robinsonville (S.C.R 277) approximately 0.65 mile south of Kendale Rd (S.C.R. 287) Tax Parcels: 234-6.00-67.00 & 84.00. Zoning: AR-1 (Agricultural Residential District). Owner: Double DB, LP

2021-08– The Knoll- This is a cluster subdivision. The cluster subdivision is for the creation of thirty-three (33) single family lots. The property is located on the east side of Irons Ln. (S.C.R. 348) approximately 0.44 mile north of Holts Landing Road (S.C.R 346). Tax Parcel: 134-7.00-163.00. Zoning: AR-1 (Agricultural Residential District). Owner: Irons Knoll, LLC

2021-09– Brookland Farm- This is a cluster subdivision. The cluster subdivision is for the creation of ninety-two (92) single family lots. The property is located on the southeast corner of Bayard Rd (S.C.R 384) and Evans Rd (S.C.R 383). Tax Parcel: 533-11.00-87.00. Zoning: AR-1 (Agricultural Residential District). Owner: Brookland Farm Properties, LLC

2021-10– Graywood Springs- This is a cluster subdivision. The cluster subdivision is for the creation of thirty-eight (38) single family lots. The property is located on the east side of Oyster Rocks Road (S.C.R 264) approximately 0.5 mile north of Coastal Highway (Route 1) . Tax Parcel: 235-16.00-40.00. Zoning: AR-1 (Agricultural Residential District). Owner: Nancy M. Richards Heirs

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



Sussex County
DELAWARE
sussexcountye.gov

CZ 1937– Wil King Station - This is an RPC subdivision. The subdivision is for the creation of seventy-six (76) single family lots. The property is located directly north of the Oyster Rock Subdivision with a proposed connection from Sandbar Ct. Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19. Zoning: AR-1 & GR (Agricultural and General Residential Districts). Proposed Zoning: MR-RPC (Medium Density Residential District – Residential Planned Community. Owners: Sarah and Leon Harmon, Mildred Harmon, Daniel and Sara Snipes, Rodney Harmon & Kenneth Linton

Please feel free to contact the office with any questions at (302) 855-7878 during normal business hours 8:30am-4:30pm Monday through Friday.

Nick Torrance

From: Terri Dukes
Sent: Thursday, December 31, 2020 3:23 PM
To: Nick Torrance
Subject: RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Nick, All but Brookland Farm has been approved.

From: Nick Torrance <nicholas.torrance@sussexcountyde.gov>
Sent: Thursday, December 31, 2020 1:07 PM
To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaac@sussexcountyde.gov>; susanne.laws@delaware.gov; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance

Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Sussex County, Delaware
Technical Advisory Committee

Comment Sheet



DATE OF REVIEW: January 6, 2021

REVIEWING AGENCY: Delaware State Fire Marshal's Office, Sussex Office

INDIVIDUAL REVIEWERS: Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist
Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: WIL KING STATION (CZ 1937)

The reasons and conditions applied to this project and their sources are itemized below:

- ❖ ***The DE State Fire Marshal's Office has no objection to the conditional RPC zoning for the aforementioned project. Formal submittal is required for final site plan approval.***

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

a. **Fire Protection Water Requirements:**

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**



c. **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This

means that the access road to the subdivision from Wil King Road must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**

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

e. **Required Notes:**

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

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website:

www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

All State Fire Marshal comments are acknowledged and will be complied with.

THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE

Nick Torrance

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Thursday, January 7, 2021 3:37 PM
To: Planning and Zoning
Subject: RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Categories: Nick

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Good Afternoon,

Everyone one of the subdivisions that were sent are within DEC's service territory. We have adequate facilities in the area to serve the proposed subdivisions.

Thanks!!!

Troy W. Dickerson, P.E.
Assistant V.P. of Engineering
Voice: (302) 349-3125
Cell: (302) 535-9048
Fax: (302) 349-5891
tdickerson@delaware.coop



From: Nick Torrance
Sent: Thursday, December 31, 2020 1:07 PM
To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountye.gov>; Chris Calio <ccalio@sussexcountye.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountye.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountye.gov>; kgabbard@chpk.com; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountye.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaaacs@sussexcountye.gov>; susanne.laws@delaware.gov; Dickerson, Troy <TDickerson@delaware.coop>; Terri Dukes <tdukes@sussexcountye.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance

Planner I

Department of Planning and Zoning

(302) 855-7878

2 The Circle

P.O. Box 417

Georgetown, DE 19947



DELAWARE HEALTH AND SOCIAL SERVICES

Division of Public Health

Office of Engineering

Phone: (302) 741-8640

Fax: (302) 741-8641

January 14, 2021

Mr. Nick Torrance
Sussex County Planning & Zoning Commission
PO Box 417
Georgetown, DE 19947

Re: Sussex County Technical Advisory Committee

Dear Mr. Torrance:

The Division of Public Health Office of Engineering is in receipt of the following applications:

1. **Applications:** *2021-06 – Coral Crossing*
 2021-08– The Knoll
 2021-09- Brookland Farm
 2021-10- Graywood Springs
 CZ 1937- Will King Station

These applications indicate central water will be supplied by Tidewater Utilities, Inc. *These projects require an Approval to Construct and an Approval to Operate from the Office of Engineering when constructing a new water system or altering an existing water system.* In order to obtain an Approval to Construct, plans and specifications must be prepared by a registered Delaware professional engineer. Plans for the system, including water mains or extensions thereto, storage facilities, treatment works, and all related appurtenances, must be approved by the Office of Engineering prior to construction. It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction.

Prior to receiving an Approval to Operate for these projects, the Office of Engineering requires one set of as-built drawings, including profile markups, for all plans approved for construction. Approvals to Operate will be issued after all applicable requirements are met.

Acknowledged

Please do not hesitate to contact me at 302-741-8646 with questions or comments.

Sincerely,

William J. Milliken, Jr.
Engineer III
Office of Engineering

Nick Torrance

From: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Sent: Monday, March 8, 2021 11:11 AM
To: Planning and Zoning
Subject: FWS review of multiple subdivisions

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Hi-

This email is regarding the following subdivisions: Coral Crossing, The Knoll, Brookland Farm, Graywood Springs, and **Wil King Station**. There are no federally listed species at any of these locations, so no further Section 7 consultation is needed. You can fill out the Online Certification Letter if further documentation is needed: <https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/online-certification-letter.html>

Our office is currently teleworking for the foreseeable future, so there may be delays in mail pick up. For future projects, the fastest way to get a response is to submit through IPaC: <https://ecos.fws.gov/ipac/>. Please let me know if you have any questions!

Thank you,
Kathleen

Kathleen Cullen
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office
177 Admiral Cochrane Dr., Annapolis MD, 21401
410-573-4579 - kathleen_cullen@fws.gov



DELAWARE DEPARTMENT OF
AGRICULTURE

2320 SOUTH DUPONT HIGHWAY
DOVER, DELAWARE 19901
AGRICULTURE.DELAWARE.GOV

TELEPHONE: (302) 698-4500
TOLL FREE: (800) 282-8685
FAX: (302) 697-6287

March 5, 2021

Nick Torrance, Planner I
Planning & Zoning Commission
P.O. Box 417
Georgetown, Delaware 19947

Subject: **Preliminary Plans for Wil King Station**

Dear Mr. Torrance,

Thank you for providing preliminary plans for Wil King Station subdivision submitted by George, Miles & Buhr, LLC Architects & Engineers to our section dated December, 2020.

The Delaware Forest Service recommends the plans reflect tree planting specifications and that the ISA ANSI A300 best management practices are followed for newly installed trees. DFS recommends planting a 70/30 mix of hardwood and evergreen tree species. There are several tree species that are not recommended for planting in the state due to their invasive nature or the susceptibility to pests and diseases. These species are listed on our department website. The Delaware Forest Service requests planting details and tree species to be added to the preliminary plans before being approved. Please resubmit the preliminary plans to Delaware Forest Service once the updates are completed.

The Delaware Forest Service will await resubmission of plans.

If you have any questions please feel free to contact me at taryn.davidson@delaware.gov.

Acknowledged

Sincerely,

Taryn Davidson
Urban Forestry Program
Delaware Forest Service

Nick Torrance

From: Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>
Sent: Wednesday, March 3, 2021 10:36 AM
To: Planning and Zoning
Subject: FW: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station
Attachments: 2021-09 Brookland Farm Subdivision Plan.pdf; 2021-10 Graywood Springs Subdivision Plan.pdf; CZ 1937 Double DB, LP (Wil King Station) Subdivision Plan.pdf

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Good morning,

DNREC's Division of Waste and Hazardous Substances has reviewed the applications for Project #s 2021-06, 2021-08, 2021-09, 2021-10 and CZ 1937 and has no comments on any of them.

Thank you,

Mindy Anthony
Planner IV
DNREC-Div. of Waste & Hazardous Substances
89 Kings Hwy
Dover, DE 19901
Phone: 302-739-9466
Fax: 302-739-5060
Mindy.Anthony@delaware.gov

Integrity. Respect. Openness. Customer Focus. Quality.



<https://de.gov/recycling>
www.facebook.com/delawarerecycles

From: Nick Torrance <nicholas.torrance@sussexcountyde.gov>
Sent: Monday, January 04, 2021 10:44 AM
To: Krumrine, Beth (DNREC) <Beth.Krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Fox, Duane T. (FireMarshal) <Duane.Fox@delaware.gov>; Butler, Eileen M. (DNREC) <Eileen.Butler@delaware.gov>; Sullivan, James C. (DNREC) <James.Sullivan@delaware.gov>; Cinelli, Jennifer (DelDOT) <jennifer.cinelli@delaware.gov>; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; Crystall, Meghan (DNREC) <Meghan.Crystall@delaware.gov>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@delaware.gov>; Mike Brady <MBRADY@sussexcountyde.gov>; Melendez, Milton (DDA) <milton.melendez@delaware.gov>; Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>; Subdivision (MailBox Resources) <Subdivision@delaware.gov>; Susan Isaacs <sisaacs@sussexcountyde.gov>; Laws, Susanne K (DelDOT) <Susanne.Laws@delaware.gov>; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station



United States Department of Agriculture

Natural Resources
Conservation
Service

February 15, 2021

Georgetown
Service Center

Jamie Whitehouse, Director
Sussex County Planning & Zoning
Sussex County Courthouse
Georgetown, DE 19947

21315 Berlin Road
Unit 3
Georgetown, DE
19947

**RE: Wil King Station
76 single family lots**

Voice 302.856.3990
Fax 855.306.8272

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

FgA Fallsington loam, 0 to 2 percent slopes
PyA Pineyneck loam, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
FgA	R2	Very limited	Very limited	Very limited
PyA	Y2	Very limited	Somewhat limited	Very limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

"Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

"Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.

"Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

R2:

The soils in this classification are nearly or gently sloping, very poorly, poorly, and somewhat poorly drained. Seasonal high water tables, local ponding, and high potential frost action severely limit these soils for residential developments. The principal soil limitations are: 1) soil is highly susceptible to frost action, 2) excavations are likely to fill with water in late winter or early spring, 3) wet foundations or basements probable, and 4) hazard of temporary ponding of water in areas lacking outlets. Loose running sand commonly encountered in deep excavations.

Y2:

The soils in this classification are nearly level or gently sloping, moderately well drained or well drained with ground water between four to six feet from the surface, and are subject to seasonal high water tables. Seasonal wetness and seepage around foundations moderately limits these soils for residential use. The principal soil limitations are: 1) lateral seepage in subsoil causes concentration of water around foundations, 2) soil is highly susceptible to frost action, 3) excavations are likely to fill with water in late winter or early spring, and 4) wet basements or foundations are probable.

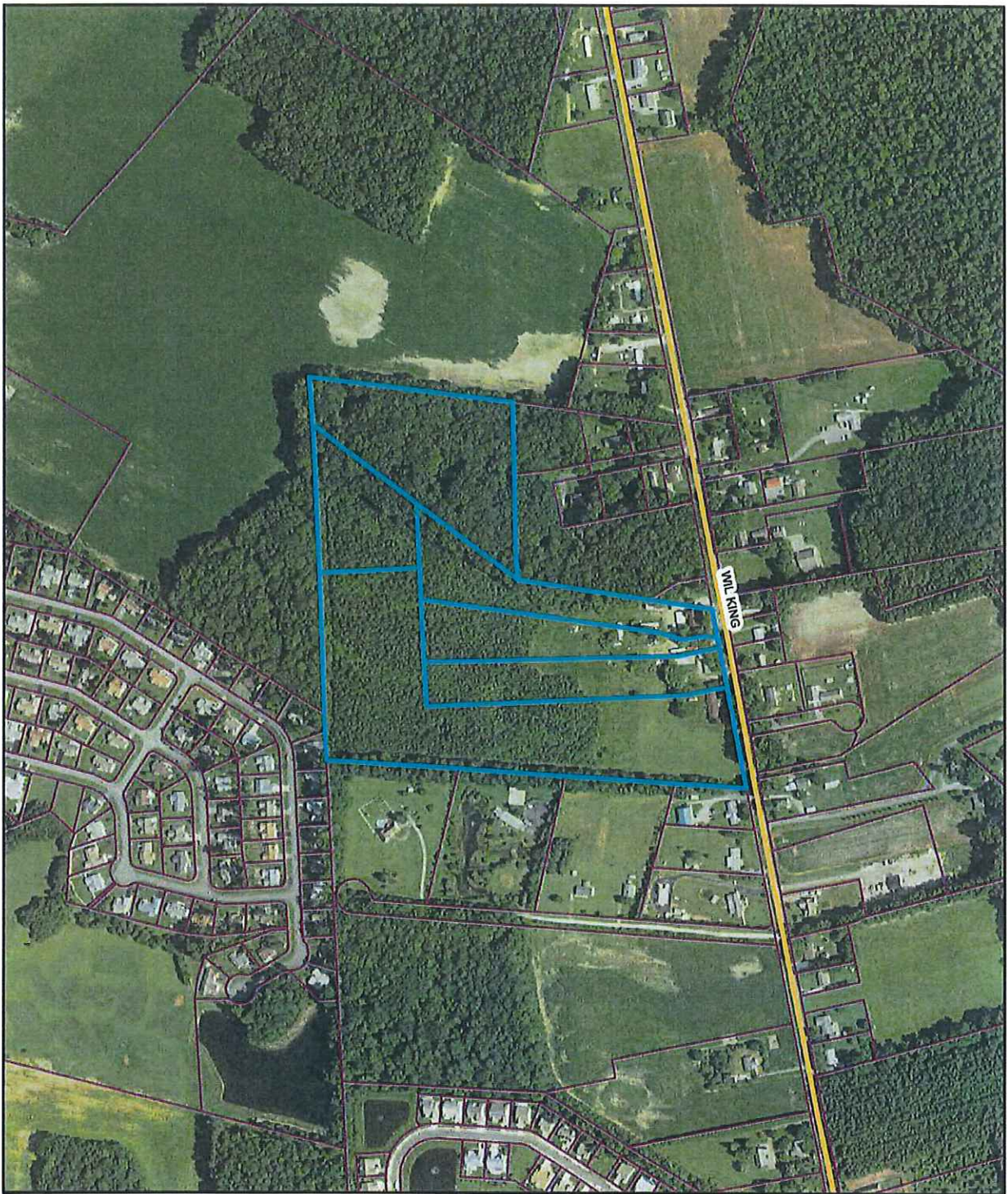
The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

Sincerely,

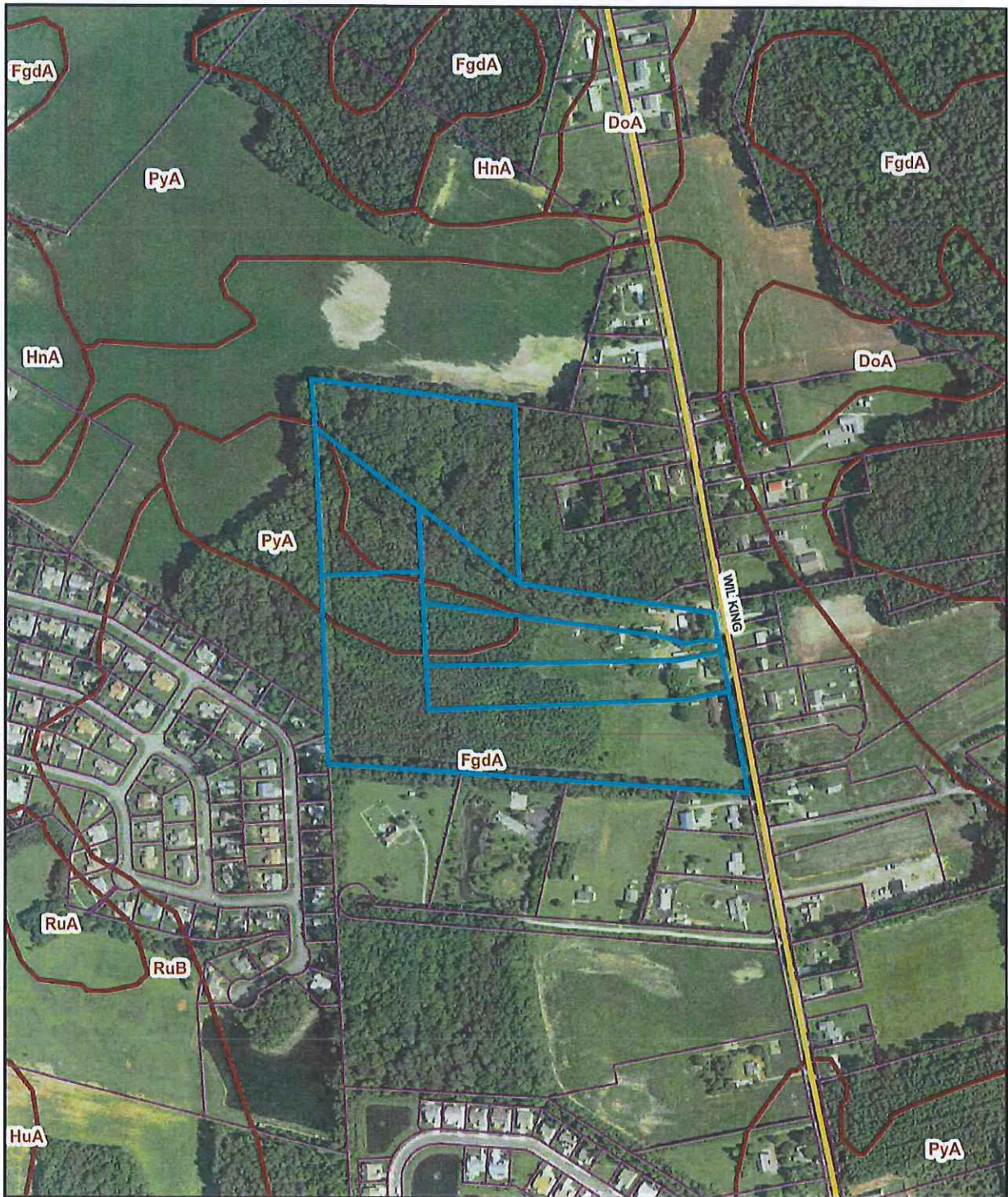


Thelton D. Savage
District Conservationist
USDA, Natural Resources Conservation Service

TDS/bh



CZ 1937
TM #234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19
Wil King Station



CZ 1937
TM #234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19
Wil King Station

CZ 1937 Wil King Station

Comments from the DNREC Drainage Program

- Tax Ditch Comments:
 - The proposed project is not located within a tax ditch watershed. There are no tax ditch channels or rights-of-way (ROW) located on or near the project location.
- General Drainage Comments:
 - There are multiple reported drainage concerns near the proposed project area. A number of these concerns involve private landowners seeking guidance on ways to increase drainage on their properties. There are also multiple concerns from 2010-2012 regarding flooding along Wil King Road just south of the proposed project area. The ditch was put on a list for cleanout. No resolution has been reported. There was an additional concern reported in 2020 about flooding along Wil King Road. The project will be proposed as an addition on the RC&D list.

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



Sussex County

DELAWARE
sussexcountyde.gov
HANS M. MEDLARZ, P.E.
COUNTY ENGINEER
MICHAEL E. BRADY
DIRECTOR OF PUBLIC WORKS

January 8, 2021

REF:

**T. A. C. COMMENTS
WIL KING STATION
SEWER TIER 1
SUSSEX COUNTY ENGINEERING DEPARTMENT
SUSSEX COUNTY TAX MAP NUMBER
234-6.00 PARCEL 26.00,26.01,26.02,26.03,26.05 & 59.19
PROJECT CLASS-1
AGREEMENT NO. 1163**

The following comments are the result of the Sussex County Engineering Department's review of the preliminary site plan for the above referenced project:

PUBLIC WORKS DIVISION COMMENTS

1. Proposed developments with private roads or projects required to meet or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
 - a. Private road needs to meet or exceed road pavement design as specified in Chapter 99-18 H.
2. This project is not located within the limits of a Ground Water Management Zone (GMZ). Projects located within a GMZ must be forwarded to the County Engineer for review and comment.
3. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
4. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.
5. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
6. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.

The plans shall show and address the following items at minimum:



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

7. The project requires professional land surveying services to accurately delineate, and show the following items but is not limited to the following: all property and right-of-way lines, established at a minimum, two (2) horizontal and vertical control concrete project benchmarks, survey monuments, easements, existing and proposed topographic contours at 1-foot vertical intervals and spot elevations as necessary to establish grades, the locations of all existing structures, highway and roadway pavements, shoulders, curbs, driveways, sidewalks, lighting structures, traffic control signs, and all public and private utilities, including, but not limited to, electric power and telephone lines, poles and boxes, underground electric, telephone, and communication lines, potable water lines, fire hydrants and valve boxes, gas lines, wells, sanitary sewers including septic systems, rim and invert elevations of manholes and cleanouts, and the rims and invert elevations and type of storm water structures, drainage ditches, ponds, streams and waterways, flood zones and flood zone boundaries and elevations, and State and Federal wetlands, trees, cemeteries and historic features, and the finished floor elevations of buildings.
8. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer.
9. The plan requires a Certification Signature and/or a Certification Block for the Delaware Professional Engineer or Delaware Land Surveyor.
10. The plan requires a Certification Signature and/or a Certification Block for the Owner or Representative of the Owner.
11. The plan requires a Certification Signature and/or a Certification Block for the Professional Wetlands Delineator.
12. The name, address, phone number and contact person's name of the Owner of Record, the Developer and the Engineer or Surveyor preparing the plan.
13. Indicate the location of all wetlands (both state and federal), in order to facilitate compliance with County, State and Federal requirements.
14. Define the courses and distances of the property perimeter and the approximate acreage contained therein. Establish and set in the field two (2) CONCRETE MONUMENT project benchmarks, preferably at property perimeter corners, geo-referenced to the Delaware State Plane Coordinate system NAD 83 and show the location including the North and East coordinates of the marks on the plans.
15. Indicate the development construction phases proposed showing the boundaries of each phase. Phasing boundaries shall include buildings, residential units, amenities, roads, storm water management facilities, wastewater systems and all other improvements and utilities required to service each phase.
16. Show the layout, width and names of all streets, alleys, crosswalks and easements proposed to be dedicated for private or public use. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets.
17. When on site individual septic tank systems are to be used and the lot topography is to be modified by cuts and fills it is required that the Design Engineer contact the

Delaware Department of Natural Resources and Environmental Control, Division of Groundwater Water Discharge Section, 20653 DuPont Boulevard, Unit 5, Georgetown, DE 19947 phone number 302-856-4561 subject to mass grading operations for documented approval.

18. Provide the limits and elevations of the one hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood.
19. The pavement radius for all cul-de-sacs shall be no less than 38 feet in diameter or as otherwise required by the State Fire Marshall's office or the County Engineering Department.
20. False berms shall not be utilized to create roadside drainage swale back slopes.
21. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.
22. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.
23. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.
24. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.
25. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.
26. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
27. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.
28. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.

29. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

Acknowledge all SCED Comments and applicant will comply

UTILITY PLANNING DIVISION COMMENTS

REVIEWER: Chris Calio

APPLICATION: CZ 1937 – Wil King Station

APPLICANT: Double DB LP

FILE NO: CB-1.09

TAX MAP &
PARCEL(S): 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05 & 59.19

LOCATION: Located on the west side of Wil King Road.

NO. OF UNITS: 76

GROSS
ACREAGE: 29.07

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

SEWER:

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

If yes, the current System Connection Charge Rate is \$6,360.00 per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**

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

- (7). Is project adjacent to the Unified Sewer District? **N/A**

- (8). Comments: **The attached SSCE addresses several projects. The comments pertaining to this project are defined as Site A.**

- (9). Is a Sewer System Concept Evaluation required? **Already Completed, See Attached**

- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

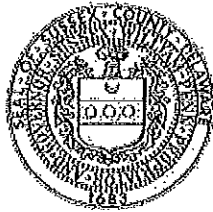
If the above items, as applicable, are incorporated into the development plans, then preliminary approval is recommended. However, final plan approval should be withheld pending the approval of the construction plans by the Sussex County Engineering Department.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

**DELDOT SERVICE LEVEL
EVALUATION REQUEST FORM
AND
DELDOT RESPONSE**

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



Last updated 3-12-20



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

December 2, 2020

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Double DB, LP – Wil King Road** rezoning application, which we received on October 30, 2020. This application is for an approximately 24.84-acre assemblage of parcels (Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19). The subject land is located on the west side of Wil King Road (Sussex Road 288), approximately 4,700 feet south of Kendale Road (Sussex Road 287). The subject land is currently split-zoned as AR-1 (Agricultural Residential) and GR (General Residential), and the applicant is seeking to rezone the GR portion to MR (Medium-Density Residential) with a residential planned community (RPC) overlay to develop 75 single-family detached houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Wil King Road where the subject land is located is 1,455 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per weekly peak hour and 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 weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per weekly peak hour and 2,000 vehicle trips per day. These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. For that reason, the applicant will be required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.



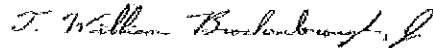
Mr. Jamie Whitehouse
Page 2 of 2
December 2, 2020

The applicant should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits.

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: Double DB, LP, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Sarah Coakley, Principal Planner, Regional Systems Planning
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

**WETLANDS
CORPS AJD RESPONSE
RTE SPECIES REPORT
&
PRELIMINARY
ENVIRONMENTAL SITE
ASSESSMENT**



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

Regulatory Branch

17 May 2021

SUBJECT: Approved Jurisdictional Determination NAP-OPR-2021-190-23
Project Name: Wil King Station SX
Coordinates: Lat. 38.702456°N/-75.204452°W

William Twupac
Watershed Eco, LLC
203 Clydia Court
Middletown, Delaware 19709

Dear Mr. Twupac:

This approved jurisdictional determination (AJD) is provided in response to your request on behalf of Land Tech, LLC for a Corps of Engineers determination of federal jurisdiction as it relates to Tax Map Parcels 234-6.00-59.18, -26.00, -26.01, -26.02, -26.03, and -26.04. The property is located at 20464 Wil King Road, Lewes, Sussex County, Delaware.

The findings of this AJD are documented in the enclosed AJD Form. The findings are also depicted on a site plan prepared by GMB, LLC, dated March 2021, and titled: Wetlands Delineation Plan, Wil King Station, Sussex County, Delaware, one sheet.

A Department of the Army permit is required for work or structures in “navigable waters of the United States” pursuant to Section 10 the Rivers and Harbors Act (RHA) of 1899 and the discharge of dredged or fill material into “waters of the United States” pursuant to Section 404 of the Clean Water Act (CWA). Any proposal to perform such activities within areas of federal jurisdiction will require the prior approval of this office.

Food Security Act statement: The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

This AJD is valid for a period of five (5) years. This AJD is issued in accordance with current federal regulations and is based upon the existing site conditions and information

provided by you in your application. This office reserves the right to reevaluate and modify this AJD at any time should the existing site conditions or federal regulations change, or should the information provided by you prove to be false, incomplete, or inaccurate.

You may request an administrative appeal of this AJD if you do not accept this determination. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the North Atlantic Division Office at the following address:

Mr. James W. Haggerty
Regulatory Program Manager (CENAD-PD-OR)
United States Army Corps of Engineers, North Atlantic Division
Fort Hamilton Military Community, Bldg. 301, General Lee Avenue
Brooklyn, NY 11252-6700
James.W.Haggerty@usace.army.mil

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 17 July 2021.

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

If you have any questions regarding this matter, please contact me at (302) 736-9764, or by email at john.g.brundage@usace.army.mil.

Sincerely,

A handwritten signature in cursive script that reads "John G. Brundage".

John G. Brundage
Senior Staff Biologist
Regulatory Branch

Enclosures

PEN1-RED : 0.08 INCHES (1.0mm) PEN2-YELLOW : 0.07 INCHES (1.0mm) PEN3-GREEN : 0.10 INCHES (2.5mm) PEN4-COAL : 0.14 INCHES (3.5mm) PEN5-BLUE : 0.07 INCHES (2.0mm) PEN6-MAGENTA : 0.07 INCHES (1.0mm) PEN7-WHITE : 0.09 INCHES (1.0mm)



SITE DATA:

OWNERS:

TM 234-6.00-26.00; 26.05

TM 234-6.00-26.01

TM 234-6.00-26.02

TM 234-6.00-26.03

TM 234-6.00-59.19

APPLICANT:

LANDSCAPE ARCHITECT:

CIVIL ENGINEER:

TAX MAPS:

EXISTING ZONING:

TOTAL SITE AREA:

TOTAL AREA OF WETLANDS:

FLOOD ZONE:

SARA AND LEON HARMON
20464 WIL KING ROAD
LEWES, DE

MILDRED HARMON
20454 WIL KING ROAD
LEWES, DE

DANIEL AND SARA SNIPES
20464 WIL KING ROAD
LEWES, DE

RODNEY HARMON
20440 WIL KING ROAD
LEWES, DE

KENNETH LINTON
10933 FOX MILL LANE
CHARLOTTE, NC

DOUBLE DB, LP
507 NORTH YORK ST.
SUITE 2D
MECHANICSBURG, PA 17055

LAND TECH LAND PLANNING, LLC
TAGGART PROFESSIONAL CENTER
32895 SOUTH COASTAL HWY, SUITE 202
BETHANY BEACH, DE
PHONE: 302.539.2366
CONTACT: JEFF CLARK, RLA

GEORGE, MILES & BUHR, LLC
206 WEST MAIN ST
SALISBURY, MD 21801
PHONE: 410.742.3115
CONTACT: STEPHEN L. MARSH, P.E.

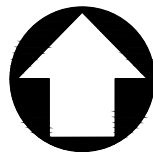
234-6.00-26.00, 01, 02, 03, 05 & 59.19

AR-1 AGRICULTURE RESIDENTIAL (23.38 ACRES)
GR (5.69 ACRES)

±29.07 AC.

±0.484 AC.

FLOOD INFORMATION: SPECIAL HAZARD AREA ZONE X
(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL
CHANCE FLOODPLAIN) PER FIRM MAP 10005C0350J DATED
MARCH 16, 2015.



0 50 100 200 300
SCALE: 1" = 100'

PRINTS ISSUED FOR:
PRELIMINARY
APPROVAL

DATE

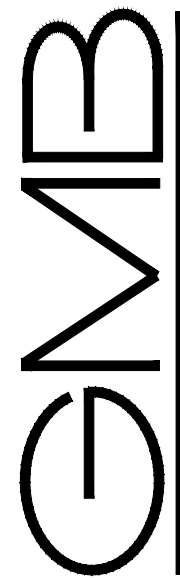
REVISIONS

NO.

*PREPARED BY:



32895 SOUTH COASTAL HWY, SUITE 202
BETHANY BEACH, DELAWARE 19803
PHONE: (302) 539-2366



GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

WIL KING STATION
SUSSEX COUNTY, DELAWARE

WETLANDS
DELINEATION PLAN

SCALE : 1" = 100'
DESIGN BY : JAC
DRAWN BY : KK
CHECKED BY : KK
GMB FILE : 200143
DATE : MAR 2021

SHEET NO.
W1.0



www.WatershedEco.com
Creating Value

August 20, 2021

Land Tech LLC
32895 South Coastal Highway, Suite 202
Bethany Beach, Delaware 19930

Attention: Jeff Clark

Subject: Rare, Threatened and Endangered Species Research
Will King Road Property
Tax Parcels 234-6.00-26.00, -26.01, -26.02, -26.03, -26.05 and -59.19

Dear Jeff:

At your request, I have investigated the government databases related to Rare, Threatened and Endangered (RTE) Species for the above captioned property. This included a review of the United States, Fish and Wildlife Service (USFWS) database, the National Marine Fisheries Service (NMFS) database and a request to the State of Delaware, Natural Heritage Department for information from their files.

USFWS –

The Official Species List (see attached), indicates that there are no concerns related to RTE Species for this parcel.

NMFS –

This search (see attached) indicates that there are no concerns for any RTE species.

DNREC –

This search revealed no rare, threatened, or endangered species on the site. DNREC did express that the forest should be preserved to maximum extent practicable. DNREC does not know how extensive the forest disturbances are on the site.

302-464-0831
Jim@WatershedEco.com

A review of the site indicates that the site is wooded with typical species for this area of the Outer Coastal Plain in Delaware. An old road bisects the property, and the site is highly disturbed with dumping of household trash, debris and used tires.

Based on the above information, there do not appear to be any concerns related to RTE Species associated with the site.

If you have any additional questions, please feel free to contact me.

Sincerely,



James C. McCulley IV, SPWS (#000471)
Environmental Scientist





STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

DIVISION OF FISH & WILDLIFE
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

**DIRECTOR'S
OFFICE**

PHONE
(302) 739-9910

December 10, 2020

Jim McCulley
Watershed Eco
203 Clydia Court
Middletown, DE 19709

Re: WAEC 2020 Wil King Road, Tax Parcel No. 533-11.00-87.00

Dear Jim McCulley:

Thank you for contacting the Species Conservation and Research Program (SCRCP) about information on rare, threatened and endangered species, unique natural communities, and other significant natural resources as they relate to the above referenced project. Project details were not yet available at this stage, so the comments below are a response to a general inquiry and should not be used as a review for a specific design. Please contact SCRCP again for project specific recommendations when those details become available.

State Natural Heritage Site

A review of our database indicates that there are currently no records of state-rare or federally listed plants, animals or natural communities at this project site. As a result, at present, this project does not lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve which are two criteria used to identify "Designated Critical Resource Waters" in the Army Corps of Engineers (ACOE) Nationwide Permit General Condition No. 22. A copy of this letter shall be included in any permit application or pre-construction notification submitted to the Army Corps of Engineers for activities on this property.

Fisheries

As no project design detailing any impacts to waterways was available at the time of this review, there are no fisheries concerns at present.

***We Bring You Delaware's Great Outdoors
through Science and Service***

Find us on Facebook <http://www.facebook.com/DelawareFishWildlife>

Potential Old Growth Forest

A visual analysis of our historical database indicates that the forest block proposed to be developed has likely maintained some degree of forest cover since 1937. This constitutes the potential for a mature forest and, as such, the potential for rare, threatened, or endangered species that rely on this type of habitat. In addition, part of the forest block is mapped within the Delaware Wetlands Inventory. Cumulative forest loss and forest fragmentation throughout the state is of utmost concern to the Division of Fish and Wildlife. While project plans were not yet available, we would recommend that any future development at this site avoid clearing the forests to the greatest extent possible. In addition, these forests serve as a buffer to the wetlands present on the parcel. Buffers are an integral component of aquatic and wetland habitats that serve to reduce the amount of sediments, pollutants, and other non-point source material that may affect the function and integrity of habitat and the condition and survivability of aquatic organisms.

We are continually updating our records on Delaware's rare, threatened and endangered species, unique natural communities and other significant natural resources. If the start of the project is delayed more than a year past the date of this letter, please contact us again for the latest information.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Katie Kadlubar".

Katie Kadlubar
Environmental Review Coordinator
Phone: (302) 735-8665
6180 Hay Point Landing Road
Smyrna, DE 19977

(See invoice on next page)



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127

<http://www.fws.gov/chesapeakebay/>
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

November 20, 2020

Consultation Code: 05E2CB00-2021-SLI-0246

Event Code: 05E2CB00-2021-E-00599

Project Name: Will King Road Property

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2021-SLI-0246

Event Code: 05E2CB00-2021-E-00599

Project Name: Will King Road Property

Project Type: FILL

Project Description: Residential development west of Will King Road.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.702773858437276N75.20464846716513W>



Counties: Sussex, DE

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- [PEM1C](#)

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1B](#)
-



www.WatershedEco.com
Creating Value

August 20, 2021

Landtech, LLC.
118 Atlantic Avenue
Ocean View, Delaware 19970

Attention: Jeff Clark

Subject: 20464 Will King Road
Lewes, Delaware

Dear Jeff:

As you are aware, Watershed Eco, LLC., conducted a Phase I Environmental Site Assessment of the above referenced property in September 2020 as requested by Landtech. The Subject Property is located at 20464 Wil King Road Lewes, Delaware 19958, at Latitude and Longitude 38.702456 and -75.204452. The subject property is further identified as Sussex County Tax Parcel 234-6.00-59.19, 26.00, 26.01, 26.02, 26.03, and 26.04 totaling approximately 24.84 acres.

The subject property consisted of forested uplands, old field areas, and an abandoned dwelling in the east. While conducting the site investigation several dump piles were observed within the woodlands in the north-central portion of the property. These piles consisted of household waste, construction debris, and piles of used tires. Watershed Eco suggested conducting a limited environmental assessment to confirm the extent of the debris and that no buried trash existed within this area.

On October 22, 2020, Watershed Eco conducted a thorough investigation of the debris piles utilizing a skid steer to move the debris. Starting in the northwestern extent of the property and moving southeasterly, debris piles were pushed to verify the depth of the material. Photographs of the debris are attached. Based on the findings, all trash and debris piles appeared to have dumped on the soil surface. When debris piles were moved no evidence of buried debris or trash was observed below the surrounding soil grade. Composite soil samples were conducted at 4 random locations for laboratory analysis (see attached map).

Laboratory analysis was conducted by Mid-Atlantic Environmental Laboratories, Inc. in New Castle Delaware. One sample exceeded the HSCA Screening Level for Antimony. In Sample #3, the Antimony Level was 4.33 mg/Kg and the screening level is slightly lower at 3.1 mg/Kg. Antimony is a common component in the cells of lead acid batteries and is the likely source of the Antimony in surface soils in the area of Sample #3.

302-464-0831
Jim@WatershedEco.com

Watershed Eco suggests that the area around sample #3 be remediated through soil removal or homogenization. Additional sampling in the area will determine the area to be remediated and sample after remediation will confirm that the soils do not exceed the DNREC Screening Levels for Residential Soils.

If you have any additional questions, please feel free to contact me.

Sincerely,



James C. McCulley IV, SPWS (#000471)
Environmental Scientist





Excavation of debris pile in the northwestern portion of the property.



Typical debris pile in the northwestern portion of the property.



Excavation of small debris pile in the north-central portion of the property.



Typical household waste pile in the north-central portion of the property.



Tires dumped in the north-central portion of the property.



Excavation of household waste pile in the north-central portion of the property.



Excavation of tire pile in the east-central portion of the property.



Undisturbed soils under tire pile in east-central portion of the property.

20464 Wil King Road

Soil Sampling Location Map

Legend

- Property Boundary
- SS1-Sampling Location



DESIGN SUMMARY AND SUPPLEMENTAL DATA

WIL KING STATION SUBDIVISION

**WATER COMPANY
ABILITY TO SERVE LETTER
&
SEWER EVALUATION REPORT**



March 5, 2021

GMB

Attn: Ms. Cathy Lyons
206 West Main Street
Salisbury, MD 21801

RE: Willing & Able Letter: Tax Parcel No. 234-6.00-26.00, 234-6.00-26.01, 234-6.00-26.02, 234-6.00-26.03, 234-6.00-26.05 and 234-6.00-59.19
Wil King Station (Angola Water District)

Dear Ms. Lyons:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, *including fire protection*, to the following parcel(s) identified as Tax Map & Parcel No. 234-6.00-26.00, 234-6.00-26.01, 234-6.00-26.02, 234-6.00-26.03, 234-6.00-26.05 and 234-6.00-59.19 Wil King Station (Angola Water District) . Water service is contingent on the terms and conditions of a Water Service Agreement by and between Tidewater and the Project Owner. This parcel is located within Tidewater's existing water Certificate of Public Convenience and Necessity franchise area.

Please send a site plan and construction schedule to Tidewater. Please feel free to contact me at 302-747-1325 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

Kirsten E. Higgins

Kirsten Higgins
Vice President, Development & Contract
Administration

cc: Brian Carbaugh, P.E., Tidewater Utilities, Inc.

ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718
AIRPORT & INDUSTRIAL PARK (302) 855-7774
ENVIRONMENTAL SERVICES (302) 855-7730
PUBLIC WORKS (302) 855-7703
RECORDS MANAGEMENT (302) 854-5033
UTILITY ENGINEERING (302) 855-7717
UTILITY PERMITS (302) 855-7719
UTILITY PLANNING (302) 855-1299
FAX (302) 855-7799



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING

SEWER SERVICE CONCEPT EVALUATION (SSCE) UTILITY PLANNING DIVISION

Applicant: **Land Tech**

Date: 8/20/2020

Reviewed by: **John Ashman**

Agreement #: **TBD**

Project Name: **Adkins, Novosel, Tanager & Harmon**

Tax Map & Parcel(s): **234-6.00-59.19, 26.00, 26.01, 26.02, 26.03, 26.05, 68.01, 67.00 & 84.00**

Sewer Tier: Tier 1 - Sussex County Unified Sanitary Sewer District

Proposed EDUs: **605 Total**

Pump Station(s) Impacted: **Proposed Chapel Branch & PS 404**

List of parcels to be served, created from the base parcel: **N/A**

List of additional parcels to be served (Parcels required for continuity must be served with infrastructure): **Click or tap here to enter text.**

Connection Point(s): **Parcels 59.19, 26.00, 26.01, 26.02, 26.03, & 26.05 (Site A) will require an on-site pumpstation and connect to the proposed manhole (MH7) in Wil King Road at the intersection with Dawson Dr. Parcel 68.01 and part of parcel 67.00 (Site "B") will connect to the proposed manhole (MH5) by gravity. Parcel 84.00 (Site "C") and the balance of parcel 67.00 (Site "B") will connect to TCO#3 across the street from Tidewater Landing or utilize a connection point thru Site "D" if developer moves forward with that project.**

Use of Existing Infrastructure Agreement required? Yes ☒ or No ☐

Annexation Required? Yes ☐ or No ☒

Easements Required? Yes ☒ or No ☐

Fee for annexation (based on acreage): **\$2,500 (Greater than 150.00 Acres)**



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947

Current Zoning: AR-1 Zoning Proposed: MR

Acreage: 293.00

Additional Information: Site "D" 234-6.00-58.00 & 85.00 have had a SSCe previously completed and attached. Some parcels are located in a Tier 2 and will require annexation into the sewer district.

* No capacity is guaranteed until System Connection Fees are paid

All gravity sewers with three (3) or more minor branches shall be designed at minimum slope and maximum depth.

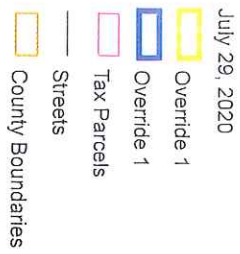
Once Construction Drawings are completed with all of the above information satisfied, please submit to:

Sussex County Public Works Department
2 The Circle
P.O. Box 589
Georgetown DE 19947

CC: John Ashman
Jayne Dickerson
Michael Brady
Noell Warren

6" CO
position
down

JUN 6-80
1984
5' CEMENTY



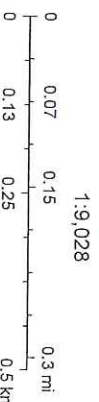
GRAY PROPERTIES

PROPERTIES

2

• Rim 24.21
19.13
19.1

• Rim 24.01
19.13
19.24
19.1

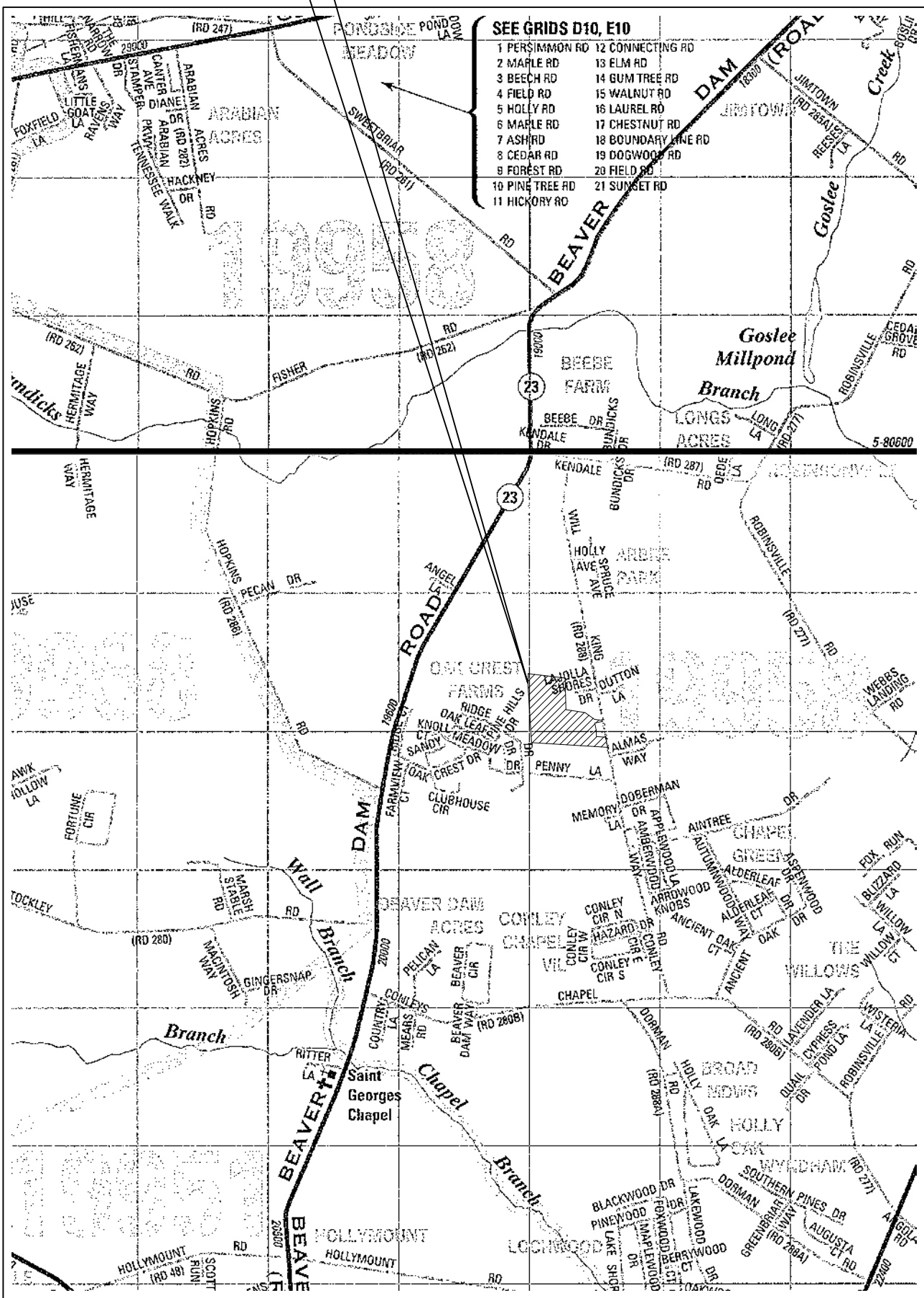


Delaware Department of Education, Delaware Geological Survey,
DNREC, Division of Watershed Stewardship, Drainage Program
john.minkster@state.de.us, Sources: Esri, HERE, Garmin, Intermap,
increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase,
IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

WIL KING STATION
PRELIMINARY SITE PLAN
RESIDENTIAL PLANNED COMMUNITY
SUSSEX COUNTY, DELAWARE

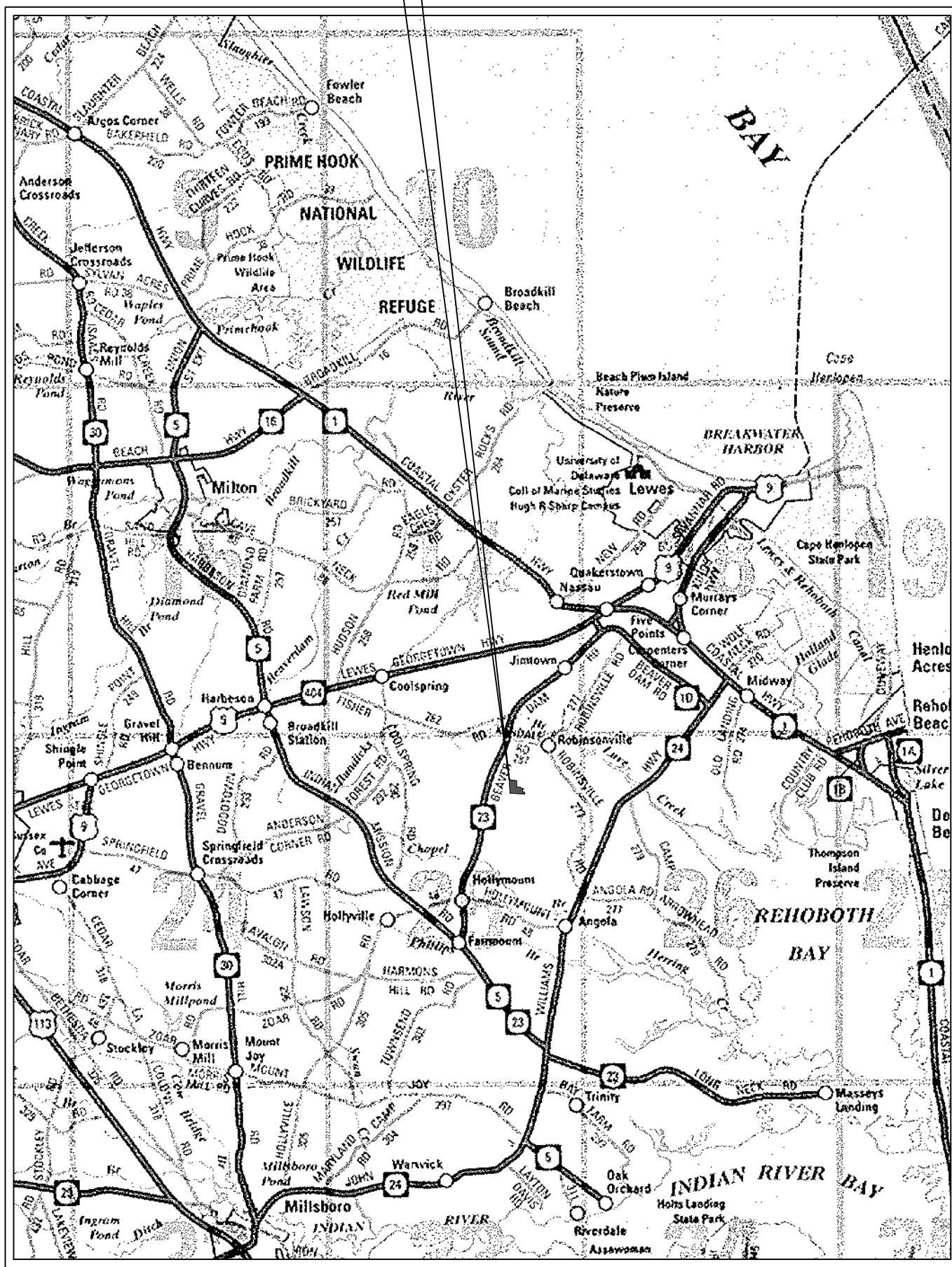
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PROJECT AREA



LOCATION MAP
SCALE: 1" = 1,000'

PROJECT AREA



VICINITY MAP
SCALE: 1" = 1 MILE

GENERAL NOTES:

1. STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNERS.
2. ALL OPEN SPACE SHALL BE MAINTAINED BY THE RESIDENTS OF WIL KING STATION.
3. TOPOGRAPHY SHOWN HEREIN PER LIDAR DATA, DELAWARE STATE PLAN COORDINATE SYSTEM NAD 83/91 AND NAVD88 VERTICAL DATUM.
4. THIS SITE CONTAINS NO FEDERAL OR STATE OF DELAWARE JURISDICTIONAL WETLANDS.

- PSP 1.0 COVER SHEET
- PSP 2.0 EXISTING CONDITIONS
- PSP 3.0 PRELIMINARY SITE PLAN
- PSP 4.0 PRELIMINARY SITE PLAN RENDERING

APPROVED _____ BY _____
SUSSEX COUNTY COUNCIL
PRESIDENT

APPROVED _____ BY _____
SUSSEX COUNTY
PLANNING AND ZONING COMMISSION

SITE DATA:

OWNERS:
TM 234-6.00-26.00; 26.05
TM 234-6.00-26.01
TM 234-6.00-26.02
TM 234-6.00-26.03
TM 234-6.00-59.19
APPLICANT:
LANDSCAPE ARCHITECT:
CIVIL ENGINEER:
TAX MAPS:
DEED REFERENCE:
EXISTING ZONING:
PROPOSED ZONING:
COMPREHENSIVE PLAN MAP:

SARA AND LEON HARMON
20464 WIL KING ROAD
LEWES, DE
MILDRED HARMON
20454 WIL KING ROAD
LEWES, DE
DANIEL AND SARA SNIPES
20464 WIL KING ROAD
LEWES, DE
RODNEY HARMON
20440 WIL KING ROAD
LEWES, DE
KENNETH LINTON
10933 FOX MILL LANE
CHARLOTTE, NC
DOUBLE DB, LP
507 NORTH YORK ST.
SUITE 2D
MECHANICSBURG, PA 17055
LAND TECH LAND PLANNING, LLC
TAGGART PROFESSIONAL CENTER
32895 SOUTH COASTAL HWY; SUITE 202
BETHANY BEACH, DE
PHONE: 302.539.2366
CONTACT: JEFF CLARK, RLA
GEORGE, MILES & BUHR, LLC
206 WEST MAIN ST
SALISBURY, MD 21801
PHONE: 410.742.3115
CONTACT: STEPHEN L. MARSH, P.E.
234-6.00-26.00, 01, 02, 03, 05 & 59.19
X/X
AR-1 AGRICULTURE RESIDENTIAL (23.38 ACRES)
GR (5.69 ACRES)
AR-1 AND MR RPC
LOW DENSITY AND COASTAL AREA

PROPOSED SITE DATA

TOTAL SITE AREA: ±29.07 AC.
AR-1 LOW DENSITY AREA: ±6.24 AC.
AR-1 LOW DENSITY STREET ROW: ±0.83 AC.
AR-1 LOW DENSITY RPC NET DEVELOPMENT AREA: ±5.41 AC.
AR-1 LOW DENSITY DWELLINGS PERMITTED: 11.78 LOTS (5.41 AC/20,000 SF)
AR-1 LOW DENSITY DWELLINGS PROPOSED: 11 LOTS
AR-1 MINIMUM LOT SIZE: 13,333 SF
AR-1 MINIMUM LOT WIDTH: 67'
MR-RPC COASTAL SITE AREA: ±22.83 AC.
MR-RPC COASTAL STREET ROW: ±3.80 AC.
MR-RPC COASTAL NET DEVELOPMENT AREA: ±19.03 AC.
MR-RPC DWELLINGS PERMITTED: 82.9 LOTS (19.03 AC/10,000 SF)
MR-RPC COASTAL AREA DWELLINGS PROPOSED: 65 LOTS
MR-RPC MINIMUM LOT SIZE: 7,500 SF
MR-RPC MINIMUM LOT WIDTH: 60'

OVERALL DENSITY: 2.61 LOTS/ACRE
FEDERAL WETLANDS: 0 ACRES
DNREC WETLANDS: 0 ACRES
OPEN SPACE PROPOSED: ±8.23 AC

UNIT COUNT

SINGLE FAMILY LOTS: 76
REQUIRED PARKING: 152
PROVIDED PARKING: 152

BUILDING SETBACKS

MAX BUILDING HEIGHT: 42'
FRONT: 25'
SIDE: 10'
REAR: 10'

PROPOSED AMENITIES: PLAYGROUND, TOT LOT EQUIPMENT, SCHOOL BUS STOP

FLOOD ZONE:

FLOOD INFORMATION: SPECIAL HAZARD AREA ZONE X
(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAP 10005C0330J DATED MARCH 16, 2015.

UTILITIES

CENTRAL WATER: TIDEWATER UTILITIES, INC.
PUBLIC SEWER: SUSSEX COUNTY

OWNER'S CERTIFICATION:

I HEREBY CERTIFY THAT I AM AN OWNER OF THE PROPERTY DESCRIBED AS SHOWN ON THIS PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION. THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT THE SUSSEX CONSERVATION DISTRICT OR THEIR DESIGNATED AGENT SHALL HAVE RIGHT TO CONDUCT ON-SITE INSPECTIONS.

OWNER _____ DATE _____

LANDSCAPE ARCHITECT'S CERTIFICATION:

I, JEFFREY A. CLARK, RLA, HEREBY CERTIFY THAT I AM A REGISTERED LANDSCAPE 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 PLANNING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

JEFFREY A. CLARK, RLA
OWNER, LAND TECH LAND PLANNING, LLC. _____ DATE _____

ENGINEER'S CERTIFICATION:

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

ENGINEER _____ DATE _____
SENIOR VICE PRESIDENT, GEORGE, MILES & BUHR, LLC.

APPROVED _____ BY _____
SUSSEX COUNTY
SOIL CONSERVATION DISTRICT

PRINTS ISSUED FOR:
PRELIMINARY
APPROVAL

DATE

REVISIONS

NO.

PREPARED BY:

LAND TECH
LAND PLANNING, LLC
32895 SOUTH COASTAL HWY, SUITE 202
BETHANY BEACH, DELAWARE 19803
PHONE: (302) 539-2366

GMB

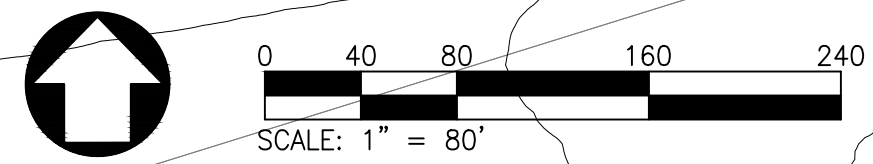
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-9790
www.gmbnet.com

WIL KING STATION
SUSSEX COUNTY, DELAWARE

COVER SHEET

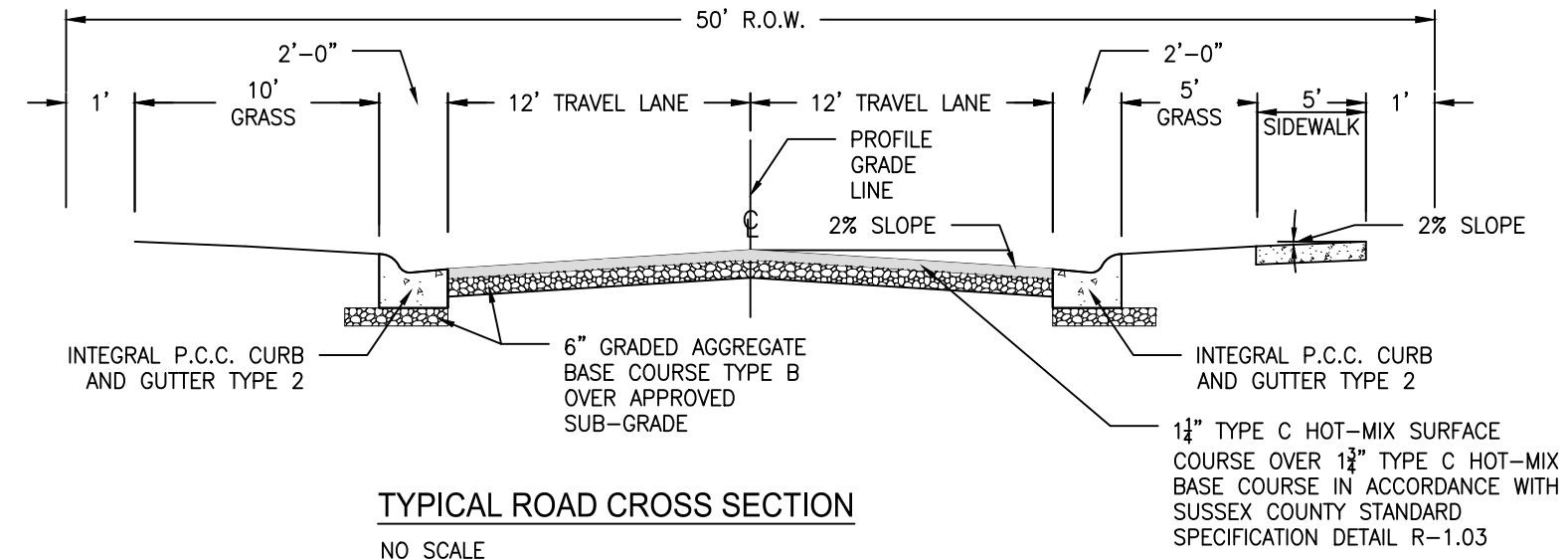
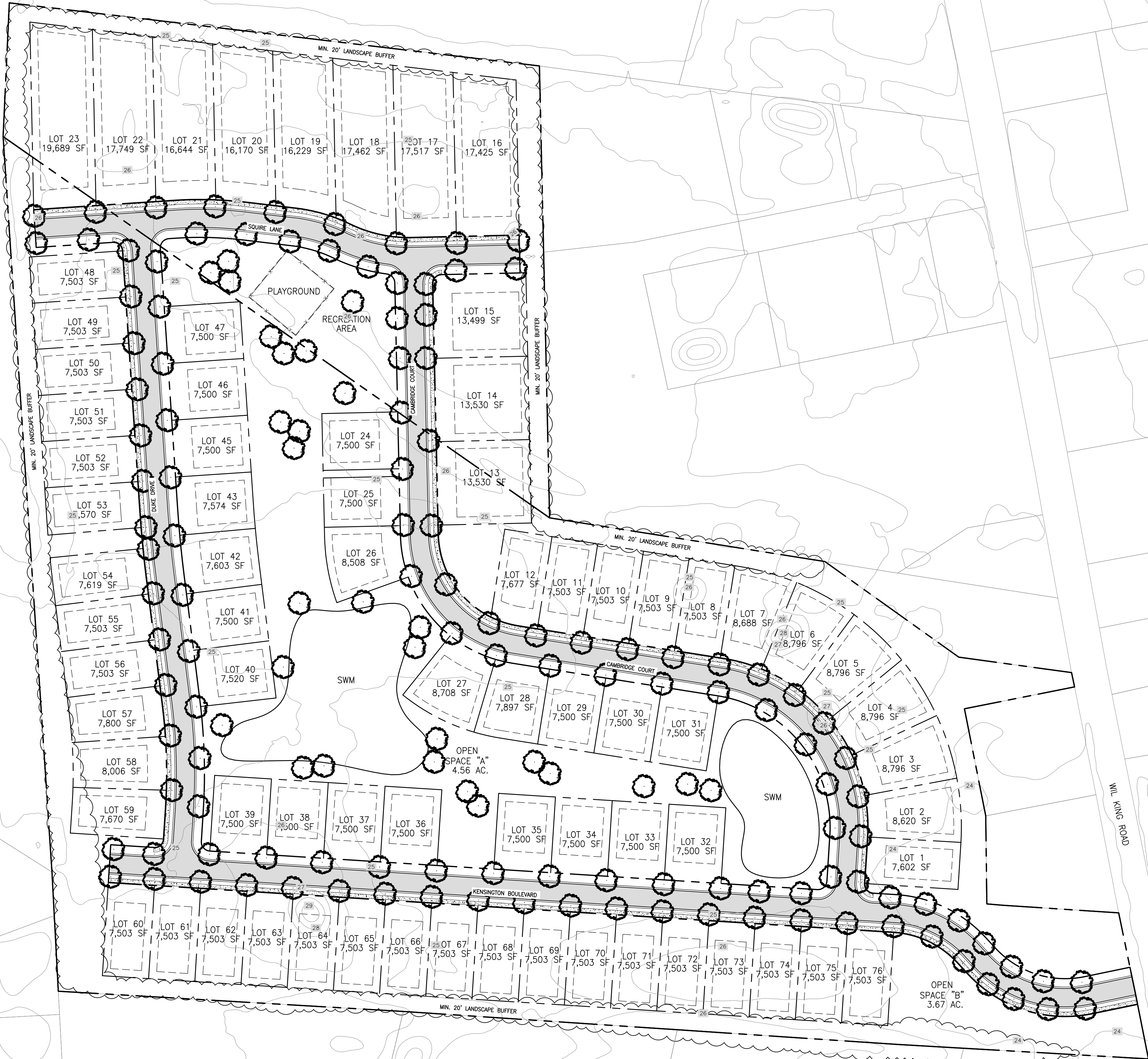
SCALE: AS SHOWN
DESIGN BY: JAC
DRAWN BY: KK
CHECKED BY: KK
GMB FILE: 200143
DATE: DEC 2020
SHEET NO.
PSP1.0

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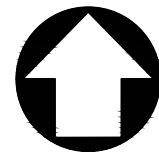
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DESIGN BY	: KK	
DRAWN BY	: KK	
CHECKED BY	:	
GMB FILE	: 200143	
DATE	: DEC 2020	

PEN1-RED (.001 INCHES (1.0mm))	PEN2-YELLOW (.007 INCHES (1.8mm))	PEN3-ORANGE (.014 INCHES (3.6mm))	PEN4-BROWN (.021 INCHES (5.3mm))	PEN5-GRAY (.028 INCHES (7.1mm))	PEN6-WHITE (.035 INCHES (8.9mm))
PLOT CODE PSP3.0	PLOT CODE PSP3.0	PLOT CODE PSP3.0	PLOT CODE PSP3.0	PLOT CODE PSP3.0	PLOT CODE PSP3.0



TYPICAL ROAD CROSS SECTION

NO SCALE

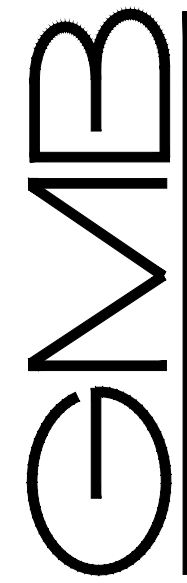


PRINTS ISSUED FOR:
PRELIMINARY
APPROVAL

DATE

REVISIONS

NO.



GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

WIL KING STATION
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE
PLAN

SCALE: 1" = 80'
DESIGN BY: JAC
DRAWN BY: KK
CHECKED BY: KK
GMB FILE: 200143
DATE: DEC 2020

SHEET NO.

PSP3.0

Nick Torrance

From: janet ledigabel <jreganlinton@hotmail.com>
Sent: Tuesday, July 20, 2021 11:34 AM
To: Planning and Zoning
Cc: Michael.Reader@delaware.gov; alastair.probert@delaware.gov
Subject: Asking for Deferment of Wil King Station Proposed Development Hearing on August 12th, 2021

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Good Day Ladies and Gentleman of the Planning and Zoning Commission, Captain Reader of the Delaware State Police, and Mr. Probert of the Department of Transportation:

I own parcel 234-6-59.01. This will Border Wil King Station on 2 sides. I have a beautiful wooded property with a home in the middle, the address of that home being 31418 La Jolla Shores Drive, Lewes, De. I am asking for a 6ft high, wood on wood privacy fence to be installed by the developer, Webster, and Joshua Gray, and maintained at a cost to the Homeowners association if one exists or to the builder. I would also like to request that at least a 20ft buffer of mature trees be maintained on those 2 sides so that there is a privacy buffer between my property and this cluster development. I would also like the developer to inform the buyers of this 20ft buffer and that signs be posted that this buffer must remain intact. This will at least offer some area for the living animals in nature that this property maintains. This is a beautiful property, I lived here for 20 years on this beautiful slice of land in our beautiful Sussex County, and I am worried there will be no natural habitat left for the squirrels, birds, deer, rabbits, and the other animals this once this developer cuts all of the mature growth trees down as most developers do these days.

I would also like to see DelDOT do a traffic study before this cluster development is approved. In 2003, I write to the Dept of Transportation and had the speed limit reduced to 45 from 50 mph. However, there is no patrolling of this speed limit although I have complained to Troop 7 to patrol for speeders numerous times. It is a death trap to try and go out to the mailbox to retrieve the mail, since there is no shoulder at all, just a drop down into a ditch. There is nowhere to jump out of the way if 2 cars are traveling north and south at the same time while a resident is retrieving their mail. In fact, a Delaware St. Police officer resides on Wil King road and drives up and down coming and going to work. Wil King Road is similar to Hudson Road in width, 22ft, no shoulder, and homes close to the road and the speed limit on Hudson Road is 40mph with the electronic flashing speed limit signs. Wil King Road is a straight North/South shot as a cut-through from the Rt 9 area to the Rt 24 area, drivers regularly cut through Wil King Road to access both East/West arteries and do so at high speed because there is no patrolling for speed. I would like to see the speed limit reduced to 35mph and have the flashing speed limit signs. Perhaps a traffic study would show the number of vehicles and how there is no shoulder so that a reduced speed limit would be for the safety of all.

Also, as sent in another email, pictures of this area flooding with a copy to Alastair Probart. DelDOT has done nothing to remedy that lack of water flow on this road. Creating more cluster development in this area, I am concerned about how much more water will sit on homeowner's lawns, similarly as in Oak Orchard.

Thank you for considering my recommendations.

Sincerely,

Janet Le Digabel
Owner of parcel 234-6-59.01
Owner of 31418 La Jolla Shores Drive
LEWES, De 19958

Nick Torrance

From: janet ledigabel <jreganlinton@hotmail.com>
Sent: Tuesday, July 20, 2021 10:46 AM
To: Planning and Zoning
Subject: Fw: Flooding Wil King Road - Near the Proposed Wil King Station Hearing Date August 12, 2021- Need DelDot Study before the development is approved
Attachments: 20201217_133358_resized.jpg; 20201217_133346_resized.jpg; 20201217_133330_resized.jpg; 20201217_133326_resized.jpg; 20201217_133144_resized.jpg; 20201217_133138_resized.jpg; 20201217_133109_resized.jpg; 20201217_133106_resized.jpg; 20201217_133053_resized.jpg; 20201217_133051_resized.jpg; 20201217_133048_resized.jpg; 20201217_132826_resized.jpg; 20201217_132813_resized.jpg; 20201217_133041_resized.jpg

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Good Day Ladies and Gentlemen of the Commission and Mr. Whitehouse:

Please see the above photo's of the Flooding on Wil King Road adjacent and across the road from the Proposed Wil King Station. These are Ron and Rachel Edwards, John Edwards, John Edwards horse pasture, and Rodney Harmon's properties.

This area floods after every rain. A DelDOT study should be performed not only for traffic impact but also, how the additional homes and drainage will affect the surrounding properties. I believe that no other cluster development including Wil King Station should be approved until this wet drainage issue has been corrected. I believe that Wil King Station should be deferred until a drainage study is completed as well as a traffic impact study which I spoke about in an additional email.

Sincerely,

Janet Le Digabel
own home adjacent to Wil King Road
302-344-3694

From: janet ledigabel <jreganlinton@hotmail.com>
Sent: Tuesday, July 20, 2021 9:37 AM
To: alastair.probert@delaware.gov <alastair.probert@delaware.gov>
Subject: Fw: Flooding Wil King Road - Can you provide any guidance as to who to contact about this? Wil King Roads floods and nothing is being done about this:

From: janet ledigabel <jreganlinton@hotmail.com>
Sent: Friday, December 18, 2020 11:13 AM

To: Alexis.F.Jamison@state.de.us <A Alexis.F.Jamison@state.de.us>

Subject: Fw: Flooding Wil King Road - Can you provide any guidance as to who to contact about this?

Hello Alexis _

An additional problem in Lewes is that the Wil King Road area floods after every rainstorm. The problem is, Wil King Road is about 2 to 3 feet higher than the residences - I have been told by Jessica Watson of Sussex Conservation that DELDOT is aware of this and will do nothing. These were taken after this week's storm. This happens after every heavy rain. The photo's are on Wil King road between La Jolla Shores Drive and heading south to Alma's Way. Complete flooding of yards and pastures and driveways! In my opinion, there needs to be a drainage ditch dug all the way up and down Wil King Road.

Can Representative Smyck forward this to someone so that we can have a remedy?

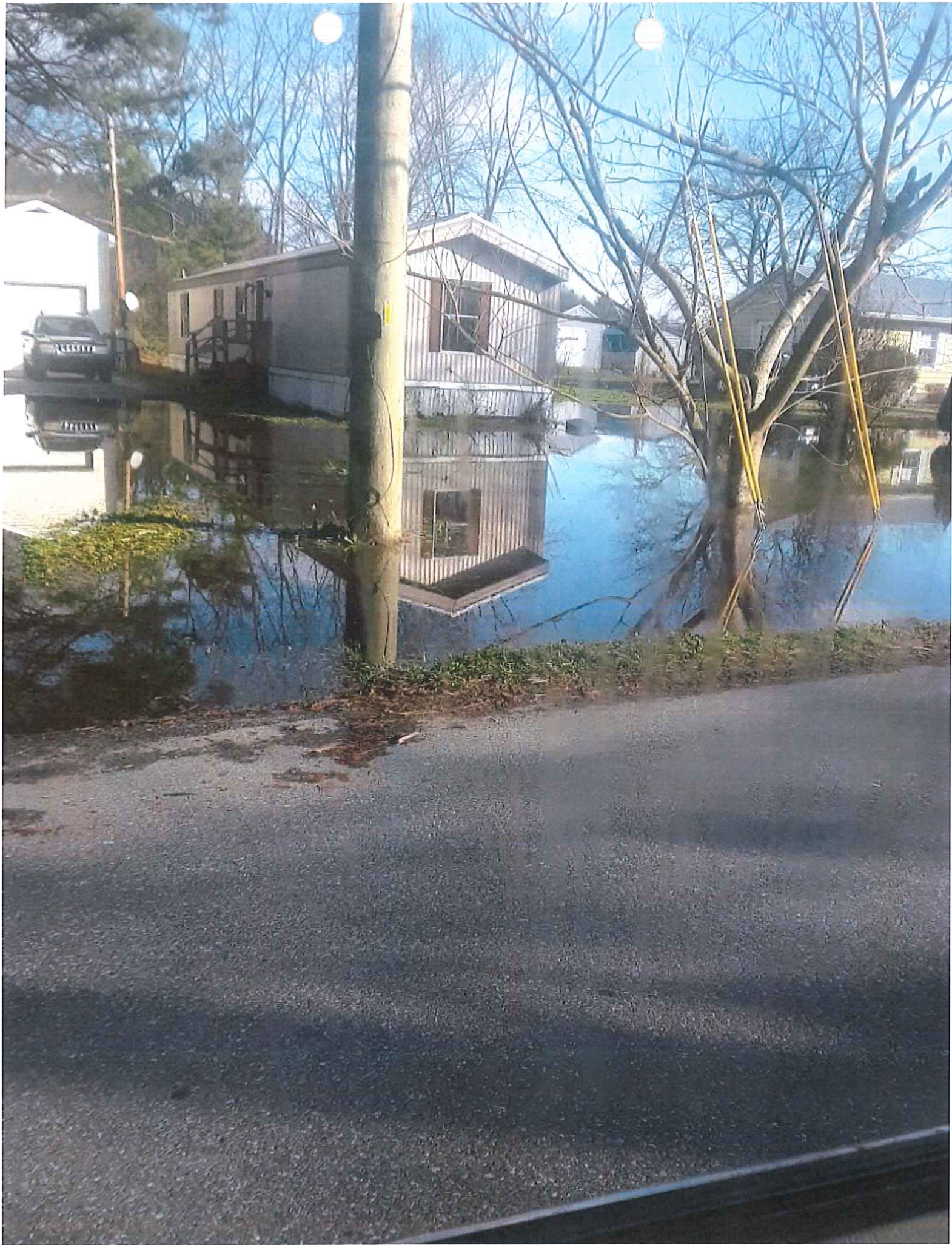
Thanks,

Janet Le Digabel
Property Owner Wil King Road

Sent from my Samsung Galaxy , an AT&T LTE smartphone





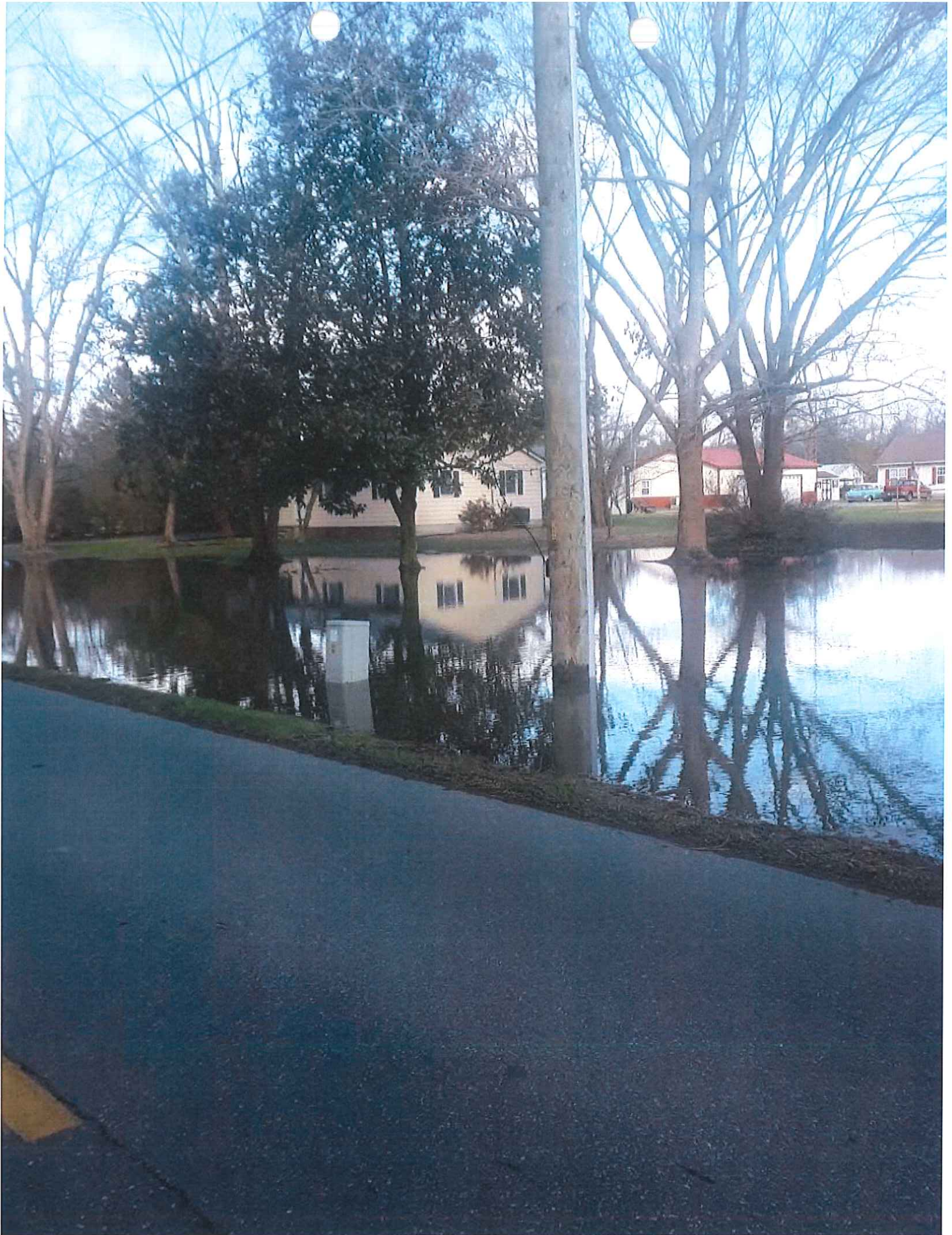




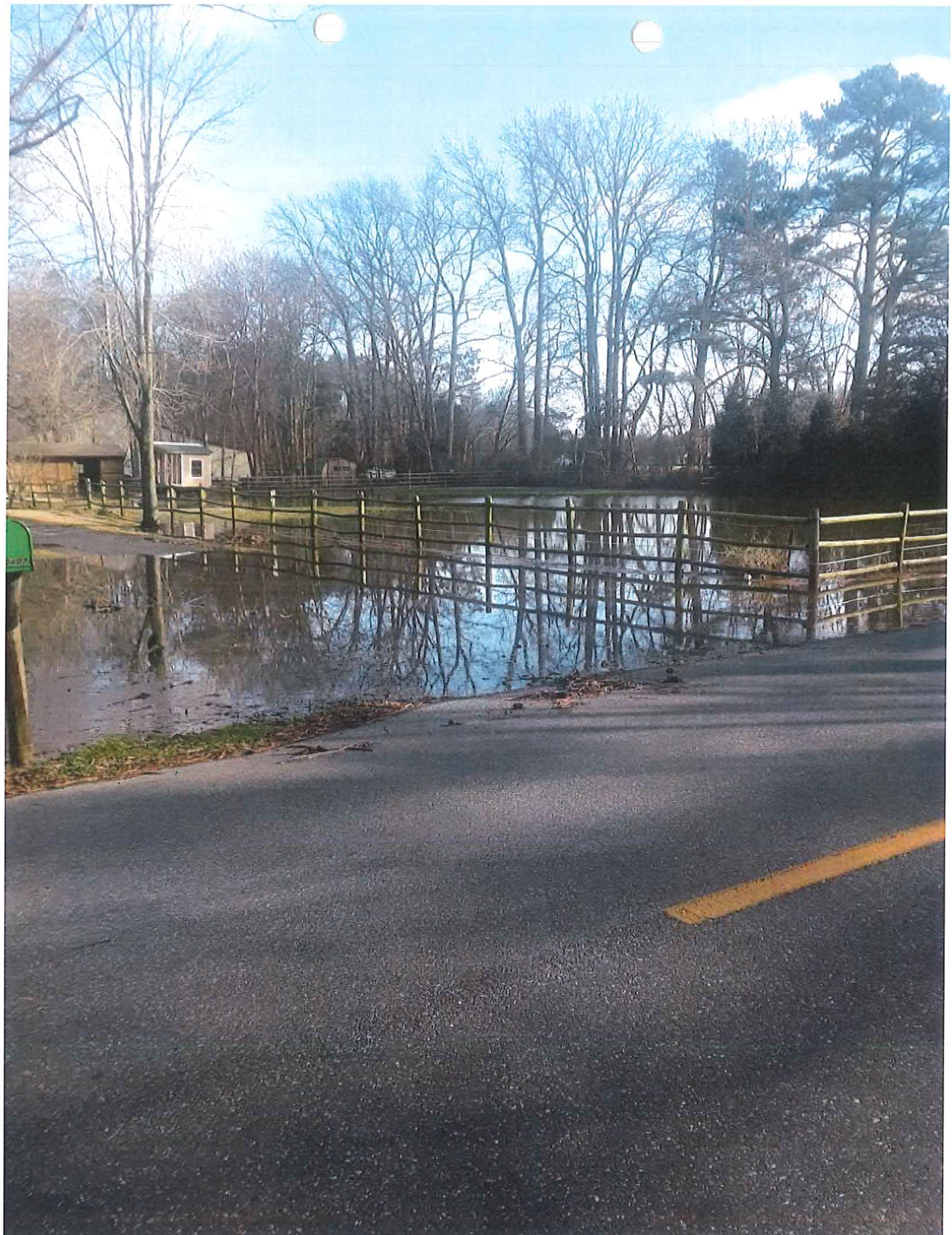




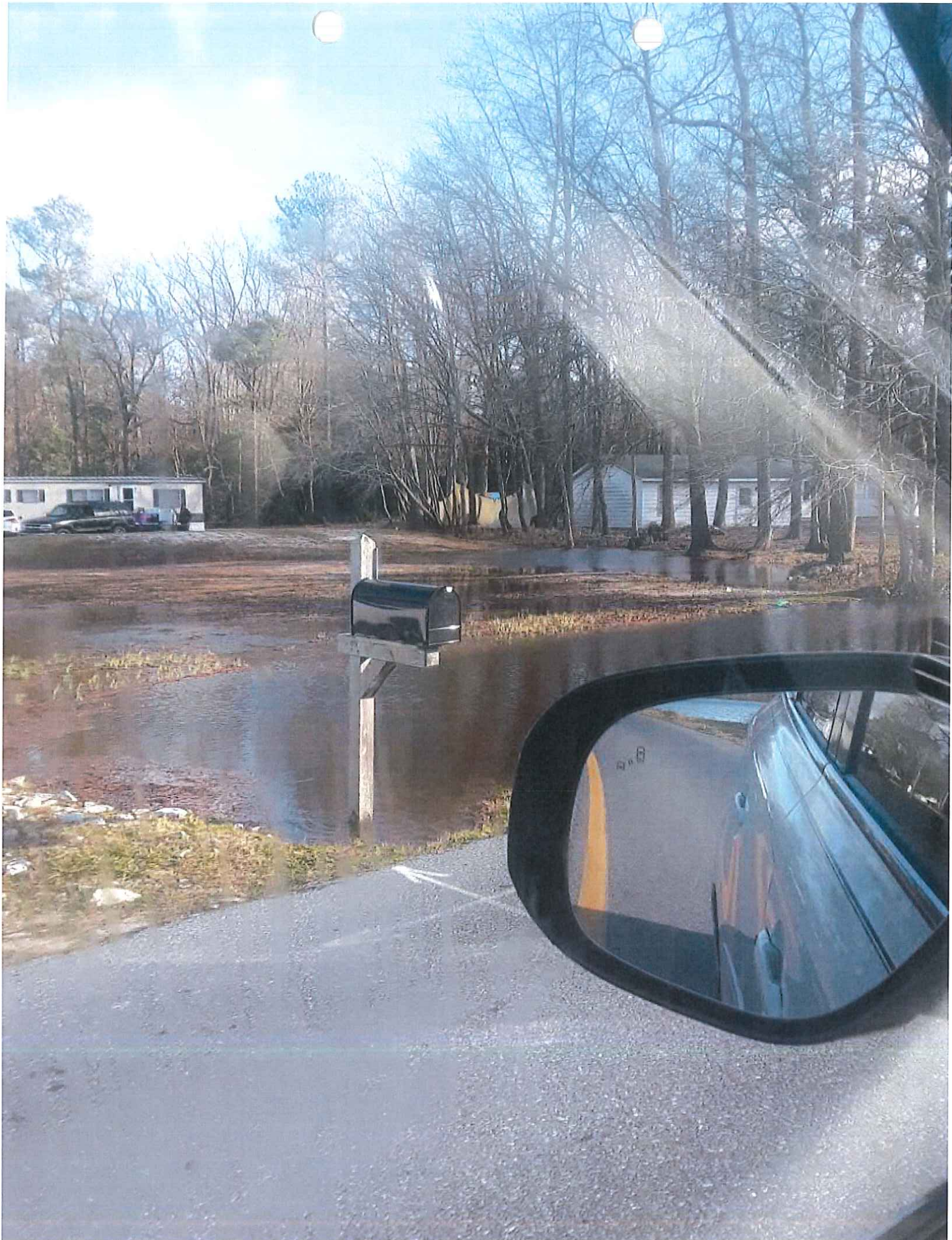


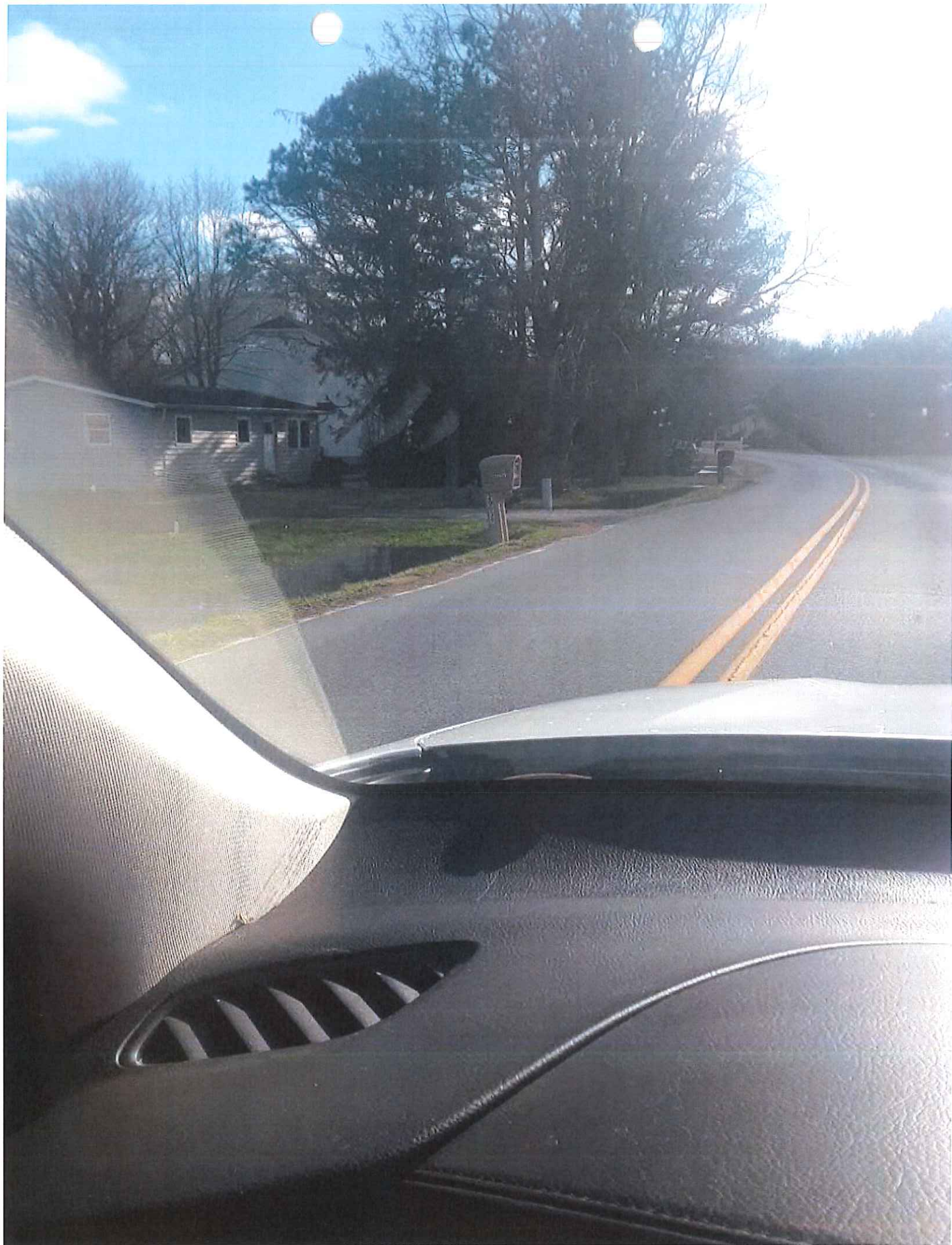


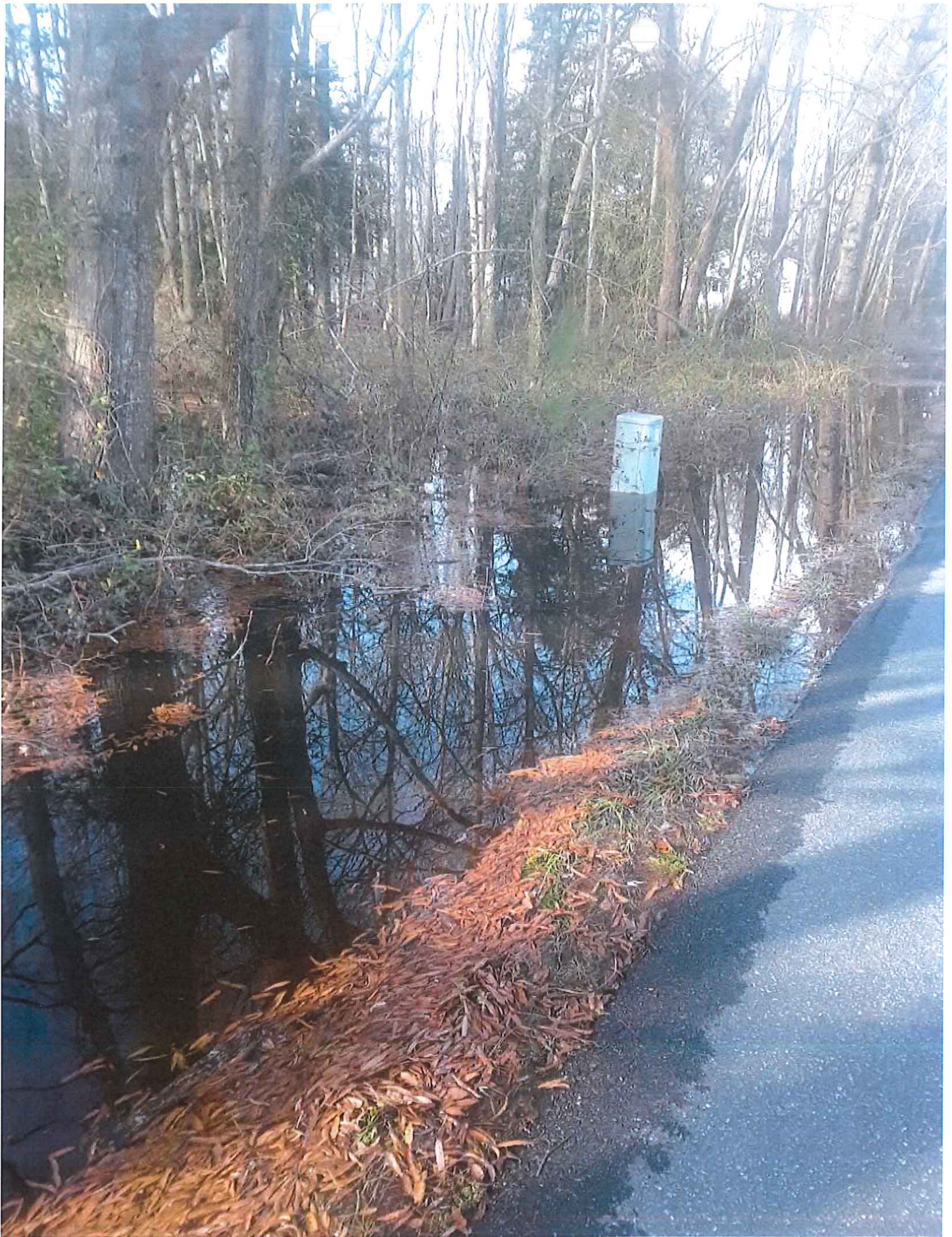












Lauren DeVore

From: janet ledigabel <jreganlinton@hotmail.com>
Sent: Wednesday, September 22, 2021 11:02 AM
To: Planning and Zoning; Lauren DeVore
Subject: Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I will be presenting my case against Wil King Station tomorrow for the County Commission Meeting.

Sincerely,

Janet Le Digabel

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: janet ledigabel <jreganlinton@hotmail.com>
Date: 9/22/21 9:43 AM (GMT-05:00)
To: jreganlinton@hotmail.com
Subject: Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

Good Day Lauren and the Sussex County Planning and Zoning Board-

The meeting agenda for tomorrow, 9/23 includes Wil King Station.

Please see the attached email thread from Webster Gray, a partner in the project.

Briefly, I own the parcel next to this proposed site. He had been emailing me for 2 years, with various low ball offers to buy my attached 4 acre parcel, promising to leave it as 'green space' at one point. It became a shell and nut game with his various offers. I only wonder how many farmers are not quick enough to see through this game, and get taken advantage of by this developer and others.

I will oppose this development tomorrow evening for various reasons and I ask that the commission defer until my items are reviewed:

1) I ask that the proposed playground to be left as green space NOT a PLAYGROUND. Leave the mature growth trees. As Mr. Constance Holland of the Office of State Planning and Coordination indicates in his report dated December 2, 2020, that the Wetlands Mapping Project indicates under Wetlands, quote 'the potential presence of freshwater wetlands located toward the center of the site'. Some of this proposed 24 acres are in Level 4 Wetlands. Saving this area from development will help save the wildlife from, as Mr. Holland's letter states, 'Development of this site is anticipated to displace local wildlife' and, quote 'wildlife displaced by encroaching development may become a nuisance for homeowners. I love the use of Mr. Hollands word, 'nuisance', who is the nuisance here? The cookie cutter developments that rape our natural resources, or the deer? Guess what, your auto insurance and mine will go up as there will be many more 'deer' accidents on Wil King Road, hopefully not killing a human being. This developer, as well as others, build right

upon Wetlands, destroying what natural sites can be left for the generations to come. And home buyers have no idea that they are purchasing a home on wet grounds. At Harts Landing on RT 24 in Lewes, not too far from this proposed plan, there is a beautiful natural area in the center, with mature growth trees, and a walking trail around it. I ask the commission to require the developer to change his plot plan to eliminate the playground, and keep the space as mature woodlands and wetlands. This is reasonable.

2) I ask that the developer must include a 20ft buffer around all property lines, leaving the mature growth trees and buyers of these lots must agree to this in writing when purchasing. This is reasonable.

3) I would like a 6 ft, wood on wood privacy fence along my property line to be installed by the developer and to be maintained by the HOA. This is also reasonable.

4) I would like Chief Natosha Carmine of the Nanticoke Indian Tribe or her appointee to be informed in writing of the potential for this to be a Historic Nanticoke site. I ask that an archaeological investigation to be completed, to be paid for by the developer, to find out if this land is a Native Burial Ground, and or a Historic Preservation site. I would like the findings be published to the County Commission and the Public BEFORE any building is started. You may remember Eagle Crest Townhomes off of Shady Road in Lewes. It was the Daisy Nanticoke burial ground. The site was bulldozed down and only after everything was built, a monument was installed. This is Sad. Very Sad. Don't let this happen.

4) As Sussex County population is growing by Leaps and Bounds, a 2019 traffic study on Wil King Road is outdated. Wil King Rd, is a cut through from Rt 1, Rt 9, and Rt 24. The US Census indicated that our County is growing by 2.02% per year. This is a 4% increase over the course of 2 years, over 10 years, 20%. . A new traffic study is in order and even though this shell game of paying the TID to DelDot instead of doing a traffic study, which the homebuyers end up paying back this TID in fees to the developer anyway, I ask for a traffic Impact Study to be done and paid for by the developer. I lived there for 20 years. I know how bad traffic is on Wil King Road. I also recommend to DelDot that the speed limit be reduced to 35mph, as Wil King Road has no shoulder, there is no where to stand when retrieving ones mail. One has to jump into the ditch as cars speed by. I would like DelDot to investigate the lack of shoulder on this road, safety hazards and lower the speed limit. I will write to Brian Yates and Sarah Coakley at DelDot to request this, however, I ask the commission defer until the study is completed.

5) I ask that the name of the project be changed to something more harmonious with Nature. Since most of this is Sara Harmons Land originally, and since she is deceased, and their heirs are all Harmon descendants, and they are all Registered Nanticoke, Perhaps Harmony Retreat.

6) This is very important. I own the land connected to this parcel, and in no way will I ever agree to extend La Jolla Shores drive to connect to a multi unit housing complex - ever. I am against cookie cutter developments and feel that they are ruining Sussex County. I have informed Mr. Webster Gray of this already and I have suggested to him in writing that he make a cul-de-sac where he has the dead end street. As per section 3.5.4.4 of the DelDot Manual as stated by Mr Holland, DelDot addresses requirements for accessways. According to Mr. Gray's plot plan, there is a dead end street connected to my property. With this existing plot plan, this could potentially disrupt my parcel if DelDot requires additional accessways to this parcel. Very tricky Mr. Gray. Therefore, I ask that the engineer re-design this to possibly connect to Beaver Dam acres or, eliminate this dead end completely so as to assure the safety and rights of keeping my parcel intact without a road going through it.

7) Make sure a qualified Delineator completes a wetlands study. Make no exceptions. If wetlands are found, they are to be maintained and left alone with the required buffer zones around all sides.

8) as Per Mr. HOLLANDS report, The State Historic Preservation Office does not recommend developing in Level 4 areas. I agree. Any level 4 areas should be left to nature. We need the commission to start following the state recommendations.

9) again, I do not wish to connect to this development through my parcel 234-6-59.01. Eliminate the STUB street near my parcel. I would ask that I have a say in protecting my asset.

10) Request that more than the proposed 2 acres of forest be preserved. Cutting down 18 of the 21 acres of forest will as Mr. Hollands report says will have impact on the rare, threatened, and endangered species that rely on this type of habitat.

Lastly, after reading Mr. Hollands reports, with so many factors such as a Native American historic site, Wetlands, Level 4 Wetlands, cutting down 18 of the 21 acres of mature growth trees that have been there since 1937, eliminating the natural habitat for many endangered species, the need for forests to provide habitat for wildlife, uptake nutrients, infiltrate stormwater, and improve water quality, reducing carbon, a forest assessment should be required and if conservation areas are found, these areas should be conserved to the maximum extent as possible.

In closing, this land is not prime development for a cookie cutter, zero lot line, 4 homes per acre development. This land would be better preserved if such parcels were sold as individuals and made into farmettes.

Respectfully,

Janet Le Digabel owner
Parcel 234-6-59.01
Owner 31428 La Jolla Shores Drive, Lewes, De 19958

Post script, I apologize for any typos as I was typing this on my phone on a flight after a business trip at 7am today.

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: janet ledigabel <jreganlinton@hotmail.com>
Date: 9/21/21 10:03 PM (GMT-05:00)
To: janet ledigabel <jreganlinton@hotmail.com>
Subject: Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>
Date: 1/7/20 6:12 PM (GMT-05:00)
To: janet ledigabel <jreganlinton@hotmail.com>
Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Appreciate the feedback!

If we would contractually agree to preserve your 4 acre wooded property and not development it would that change your mind to sell as well?

Thanks,

Web

Sent from my iPhone

On Jan 7, 2020, at 5:58 PM, janet ledigabel <jreganlinton@hotmail.com> wrote:

I understand Webster. If you were more inclined to build a 'Walden' type development, I would be more inclined to sell. I'm more of a Julia Butterfly Hill type than a money motivated person.

We need more developments such as Bryn Gweled in Bucks County, PA, or Arden, in New Castle, Delaware.

Please check out those two utopian type developments and consider something different for Sussex County.

I am very much against the builders who build cheaply constructed housing units on 1/3 acre lots and ruin the beautiful Sussex County Landscape.

Good Luck with your project. There is a need and market for 1 acre lots and even 1/2 acre lots. Maybe you can start a new trend.

Cheers,

Janet Le Digabel

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 1/7/20 2:24 PM (GMT-05:00)

To: janet ledigabel <jreganlinton@hotmail.com>

Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Janet,

Not a problem. Within the next couple of weeks we will be starting to spend money and get our engineers, real estate attorney, surveyors, wetlands, etc involved to take the Wil King adjoining properties we have under contract and start coming up with a development plan.

So if you do have any interest at all in selling, it would be great if you can respond sooner than later so we can incorporate your property into the development design. As if we get too far down the road, it won't be cost effective for us to pay additional professional fees to rework the development plans just to add your small 4 acre property in the mix.

Thanks!

Web

On Tuesday, January 7, 2020, 2:17:44 PM EST, janet ledigabel <jreganlinton@hotmail.com> wrote:

Happy New Year Webster, and thank you kindly for all of your information and background on your development projects.

I am currently focusing on other projects that I have not thought very much about selling my acreage.

When the time is right, I'll contact you.

Best Regards,

Janet Le Digabel

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 1/7/20 1:54 PM (GMT-05:00)

To: janet ledigabel <jreganlinton@hotmail.com>

Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Hey Janet,

Hope you had a great holiday season and the new year is off to a great start for you.

Just wanted to check in and see if your stance changed on the purchase price per acre on your 4acre wooded property?

Thanks,
Web

On Tuesday, December 10, 2019, 6:30:38 PM EST, Webster Gray <webster.gray@yahoo.com> wrote:

I can appreciate your sentiment...We grew up in a log house with 2 ponds we swam and fished in that dad built in a small town in northeast PA and grew up around woods, hills, mountains, our grandparents active farm that I own now.

You need to keep so much green space in a development project and if the engineers feel it would work nicely for the lot design plan, agree your 4 acre wooded property would be a great area to leave untouched and contribute to that green space.

Sent from my iPhone

On Dec 10, 2019, at 3:05 PM, janet ledigabel <jreganlinton@hotmail.com> wrote:

Webster-

Post Script - I am pretty much and environmentalist and would not want to bear to see the desecration of a beautiful wooded parcel to see Schell Brothers slap some cheaply built homes on 1/3 of an acre.

Just my thoughts.

Thanks,

Janet Le Digabel

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 12/10/19 12:24 PM (GMT-05:00)

To: janet ledigabel <jreganlinton@hotmail.com>

Subject: Re: Land Wil King Road Sussex County, DE

Hey Janet,

Hope you had a great thanksgiving holiday and you are ready for the winter holiday season ahead!

I appreciate the feedback you provided.

I think we could probably be agreeable to a lot of your terms, but the purchase price per acre is way too high for us. For the most part, we have not been paying more than \$25k per acre on Wil King. And we just recently got the 13k acre Wil King property across the street under contract and we should be able to treat it as one development project with the our other Wil King properties that surround your 4 acre wooded property per Planning and Zoning.

So either way it is fine if you want to keep your property for your own investment flip and/or long term rental purposes as we don't need it for our development project. But we would be interested in adding your property to our development, if you would reconsider the purchase price per acre.

Thanks!

Web

On Sunday, November 3, 2019, 11:08:50 AM EST, janet ledigabel <jreganlinton@hotmail.com> wrote:

Hi Webster -

At this time, the amount that I would be interested in is \$100,000 per acre for the parcel off of Wil King Road, with a non-refundable \$50,000 down payment, and full payment due at the time of settlement. I do not use a realtor, I would use the settlement services of attorney Susan Pittard Weidman, Rehoboth Beach, Delaware, for sales contract and settlement. I would want to settle within 60-90 days from the acceptance of your offer.

Regards,

Janet Le Digabel
302-344-3694