



BIOENERGY DEVELOPMENT GROUP, LLC



BLADES, SUSSEX COUNTY, DELAWARE

[illegible]

LOCATION MAP



WETLANDS SHOWN HEREON ARE BASED ON A SITE INVESTIGATION PERFORMED BY RALPH DUNN OF DUFFIELD ASSOCIATES IN JUNE OF 2006. THE WETLANDS LIES WITHIN THE LIMITS OF DISTURBANCE FOR THIS PROJECT. FURTHER SHOWN ON THIS PLAN ARE SUBJECT TO CORRELATIVE USES. SEE SHEET 3 FOR LIST.

THE FILLING LOCATED WITH AN AREA OF FAIR OR POOR WATER RECHARGE POTENTIAL PER CHAPTER 44 SOURCE WATER PROTECTION OF THE MISSOURI COUNTY CODE.

THE PARCEL IS NOT LOCATED WITHIN A WETLAND PROTECTION AREA 1 COUNTY WITH CHAPTER 44 SOURCE WATER PROTECTION OF THE MISSOURI COUNTY CODE. PROPOSED BUILDING HEIGHT IS 35'.

PROPOSED RESIDENTIAL TANK HEIGHT IS 12' ABOVE GRADE.

PROPOSED PRETREATMENT TANK HEIGHT IS 12' ABOVE GRADE.

[illegible][illegible]

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

PROPERTY OWNER _____ DATE _____ 202

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

30 NOVEMBER 2021
DATE

SUSSEX COUNTY CONSERVATION DISTRICT
APPROVED: SUSSEX COUNTY CONSERVATION DISTRICT

SUSSEX COUNTY CERTIFICATION
APPROVED: THE COUNTY PLANNING AND ZONING COMMISSION OF
SUSSEX COUNTY

DATE: 27 JANUARY 2021
SCALE: AS SHOWN
PROJECT NO 12393 CF
SHEET 01 OF 17

INDEX SHEET
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC

PLACEMENT CONTINUED

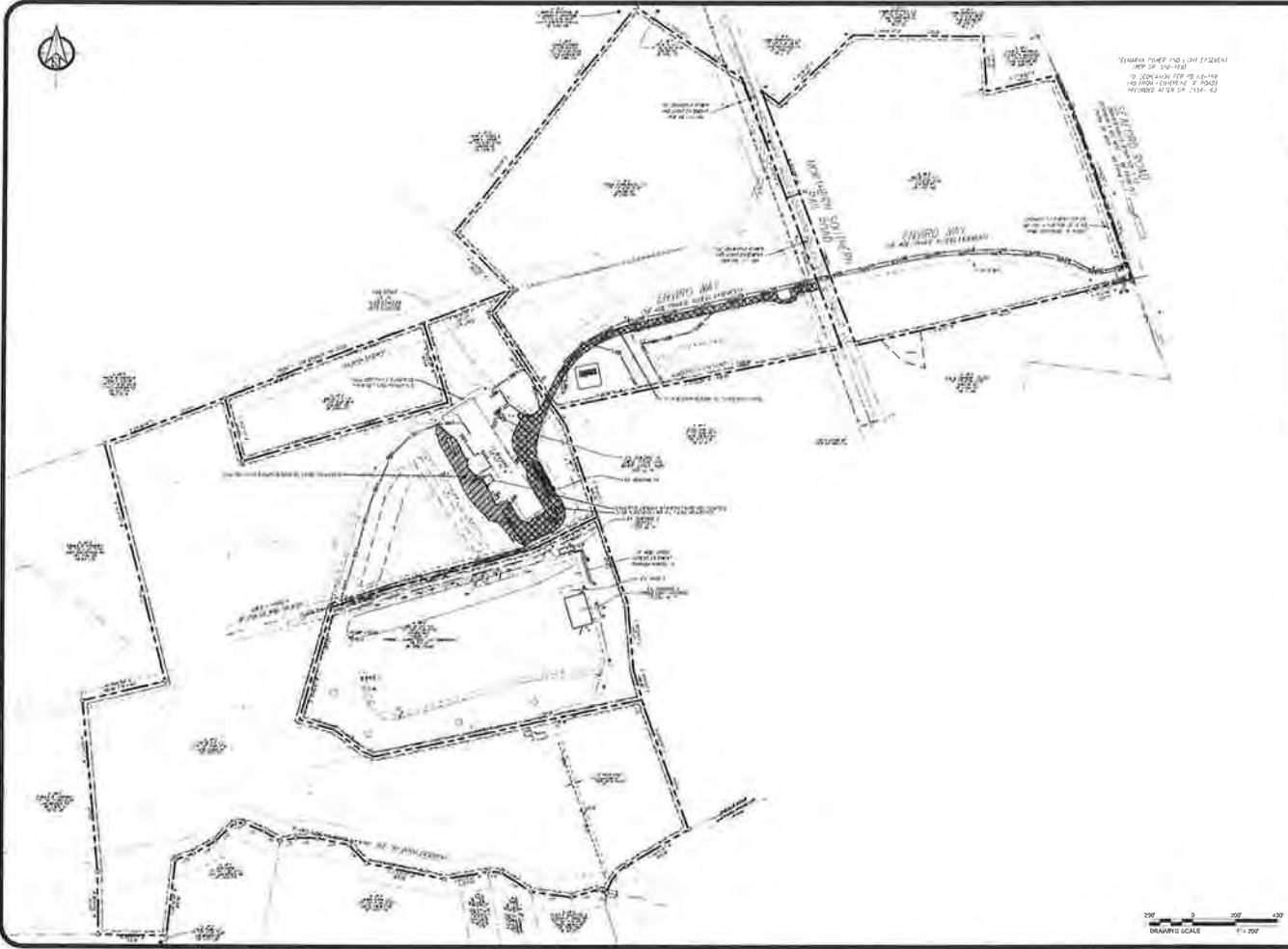
DUFFIELD ASSOCIATES

New York, NY 10019-6874
Tel.: 212 239 6634
Fax: 212 239 6635

5500 LINDEN BLVD., SUITE 1222
NEW YORK, NY 10019-6874
Tel.: 212 239 6634
Fax: 212 239 6635

WALSH HILL BUILDING CO.
P.O. BOX 105118 DALLAS, TX 75210-0118
Tel.: 214 766 1118
Fax: 214 766 1119

[illegible]

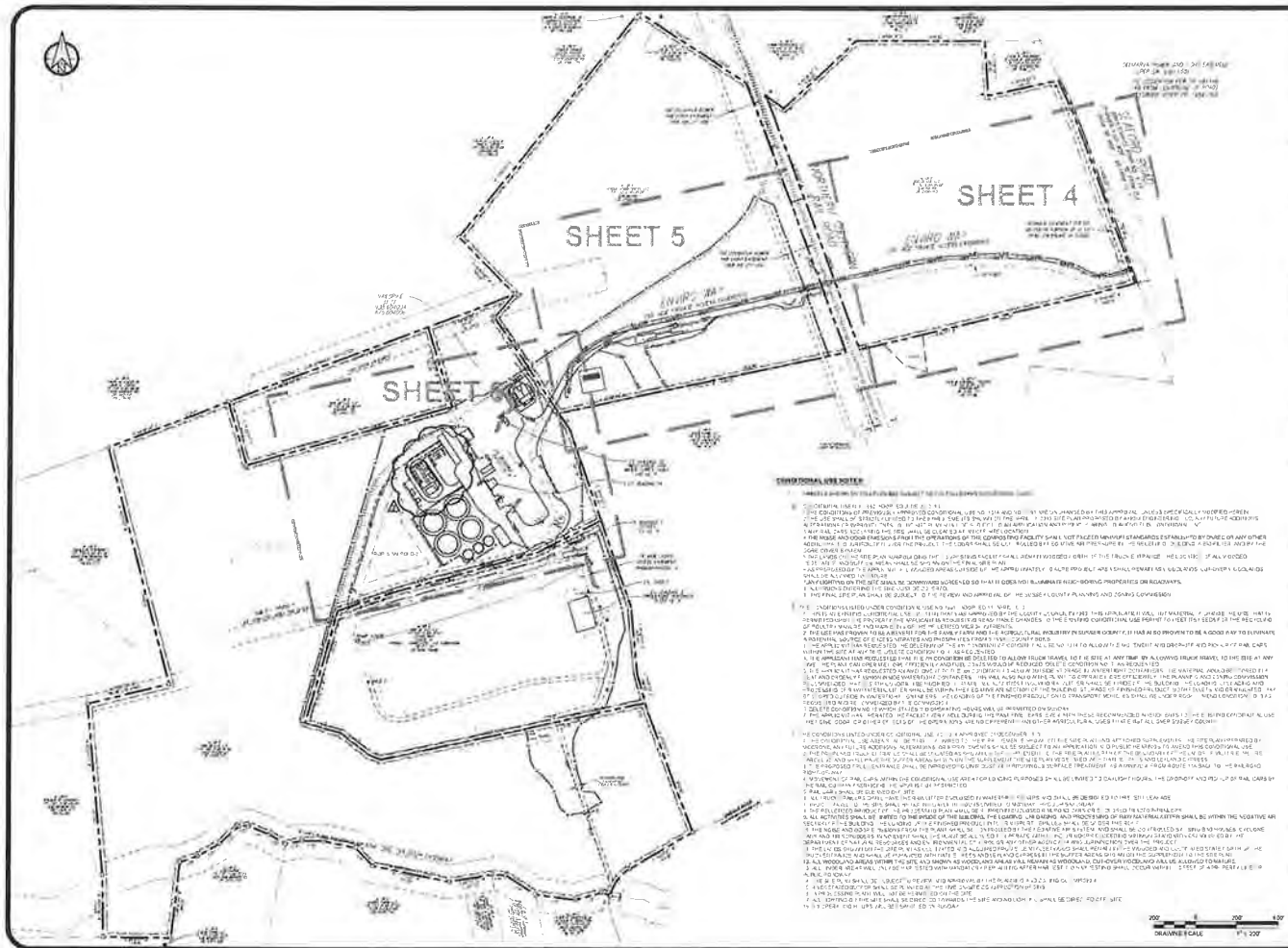


EXISTING CONDITIONS / DEMOLITION PLAN
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
 SUSSEX COUNTY - DELAWARE

DATE: 27 JANUARY 2021
 SCALE: 1" = 200'
 PROJECT NO: 12393 CF
 SHEET: C2 OF 17

DUFFIELD ASSOCIATES
 1000 N. MARKET STREET, SUITE 200
 WILMINGTON, DE 19801
 TEL: 302.441.1234
 FAX: 302.441.1235
 WWW.DUFFIELDASSOCIATES.COM

DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 01/27/2021



**DUFFIELD
ASSOCIATES**
Interior Design & Architecture

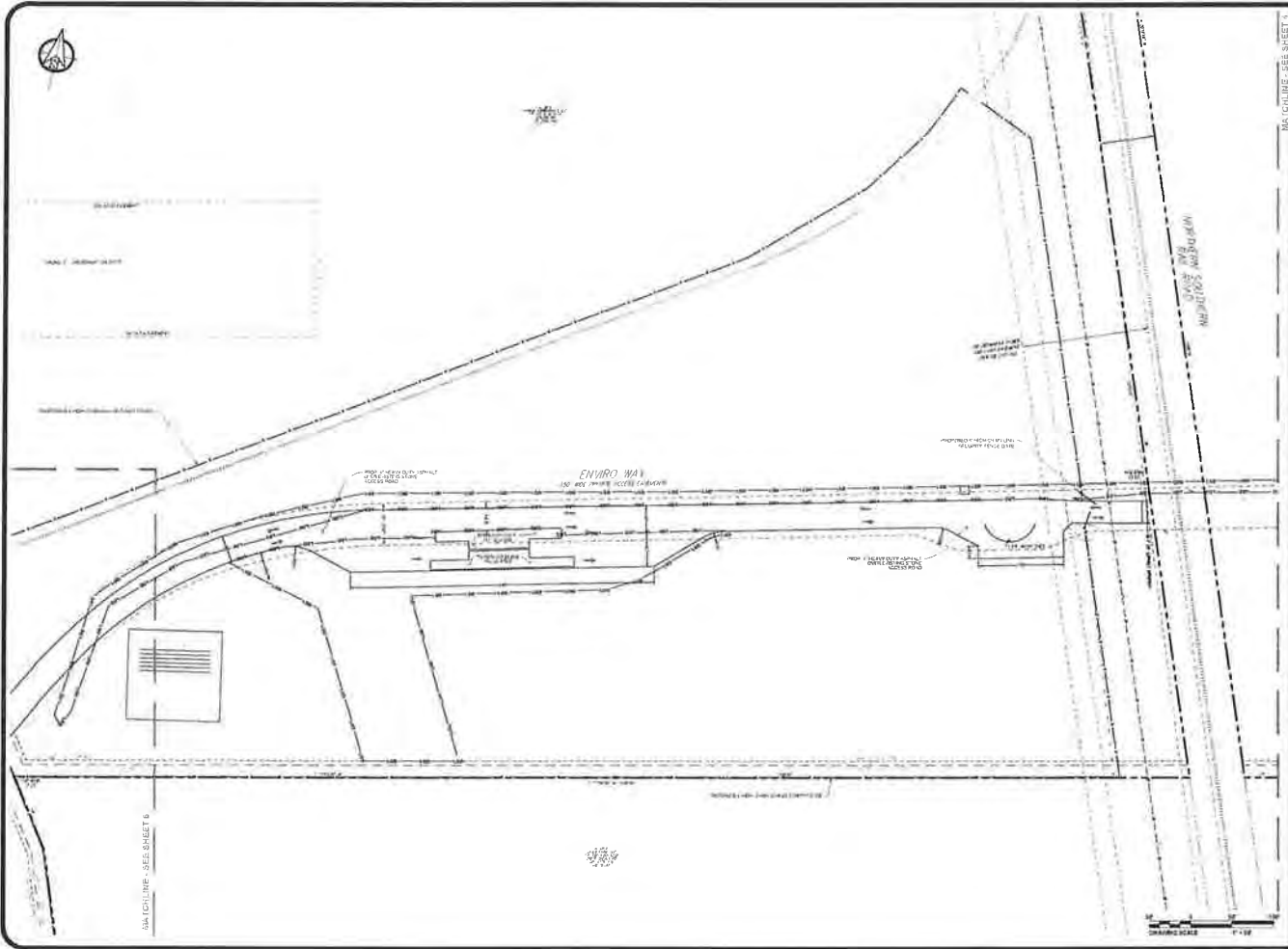
2001 BELMONT BLVD
WILMINGTON, DE 19801-1232
TEL 302 239 5633
FAX 302 239 5455

INTERIOR DESIGNER/ARCHITECT/ARTIST
1500 N. 17TH AVE. SUITE 100
ANN ARBOR MI 48106
TEL 313 769-1100
FAX 313 769-1101

[illegible]

OVERALL SITE PLAN
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
SUSSEX COUNTY - DELAWARE

DATE: 11 JANUARY 2021
SCALE: 1" = 100'
PROJECT NO. 12393 CE
SHEET C3 OF 12



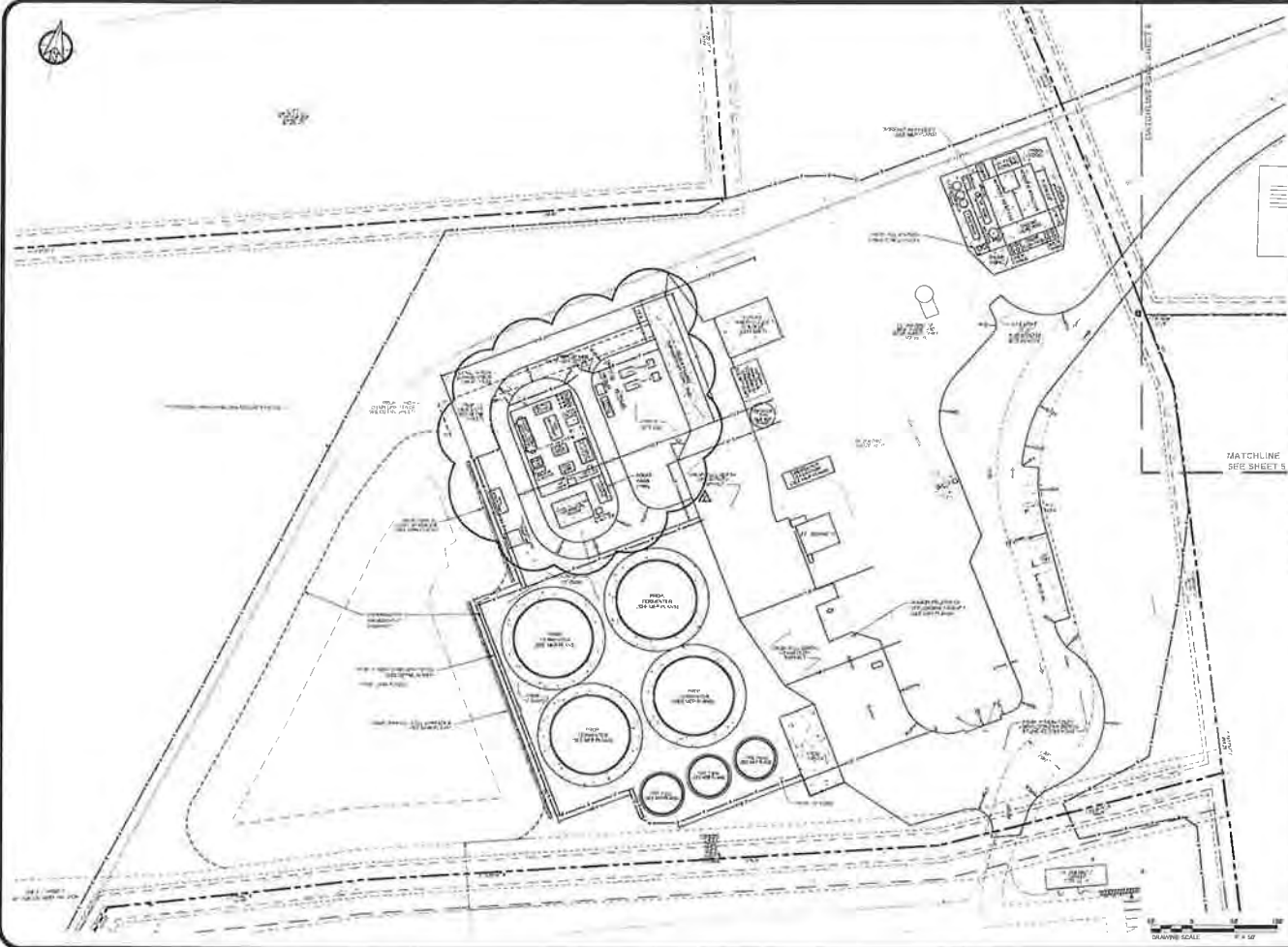
SEE SCHEDULE - SEE SHEET 6

SITE PLAN
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
 SUSSEX COUNTY - DELAWARE

DATE: 17 JANUARY 2021
 SCALE: 1" = 50'
 PROJECT NO: 12391 CP
 SHEET: 15 OF 17

DUFFIELD ASSOCIATES
 1000 N. MARKET STREET
 WILMINGTON, DE 19804-2122
 TEL: 302.224.2244
 FAX: 302.224.2245
 WWW.DUFFIELDASSOCIATES.COM

NO.	REVISION	DATE	BY	CHKD	APP'D
1	ISSUED FOR PERMIT	1/17/21	JM	JD	JD
2					
3					
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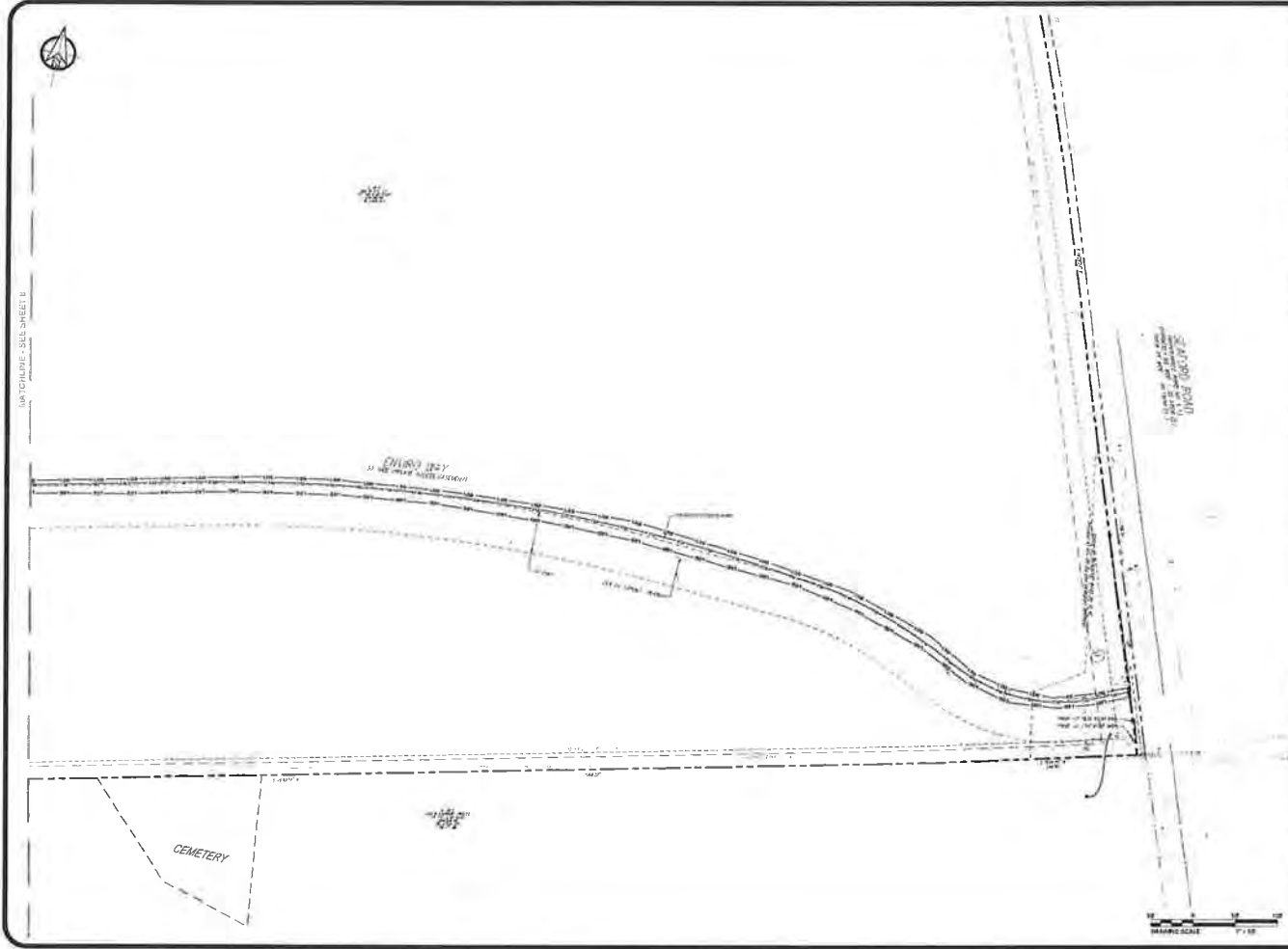


DUFFIELD ASSOCIATES
1000 LANTANA BLVD., SUITE 200
FARMINGTON, CT 06030
TEL: 860.634.1234
WWW.DUFFIELDASSOCIATES.COM

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	01/27/2021
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SITE PLAN
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
SUSSEX COUNTY - DELAWARE

DATE: 27 JANUARY 2021
SCALE: 1" = 50'
PROJECT NO. 12393 CF
SHEET C6 OF 17



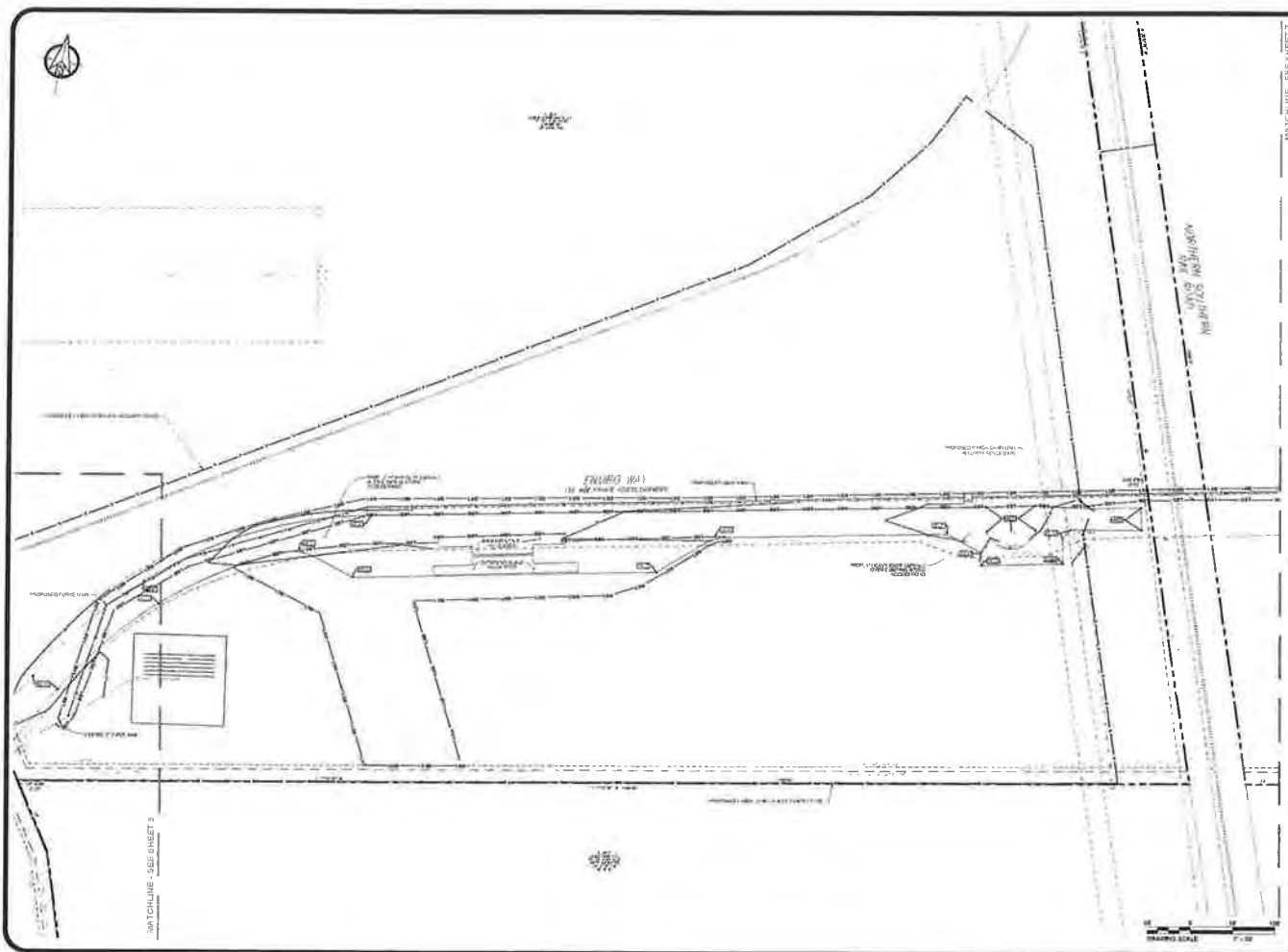
GRADING PLAN
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
 SUSSEX COUNTY - DELAWARE

DUFFIELD ASSOCIATES
 1000 N. MARKET STREET, SUITE 200
 WILMINGTON, DE 19801
 TEL: 302.237.1111
 FAX: 302.237.1112
 EMAIL: DUFFIELD@DUFFIELD.COM

NO.	DESCRIPTION	DATE	BY	CHECKED BY
1	ISSUED FOR PERMIT	01/15/2021	J. DUFFIELD	J. DUFFIELD
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3	REVISED	01/15/2021	J. DUFFIELD	J. DUFFIELD
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100	REVISED	01/15/2021	J. DUFFIELD	J. DUFFIELD

DATE: 01/15/2021
 SCALE: 1" = 50'
 PROJECT NO: 12393 CF
 SHEET: 07 OF 17

ISSUED FOR PERMIT
 01/15/2021
 J. DUFFIELD



ATCHLINE - SEE SHEET 3

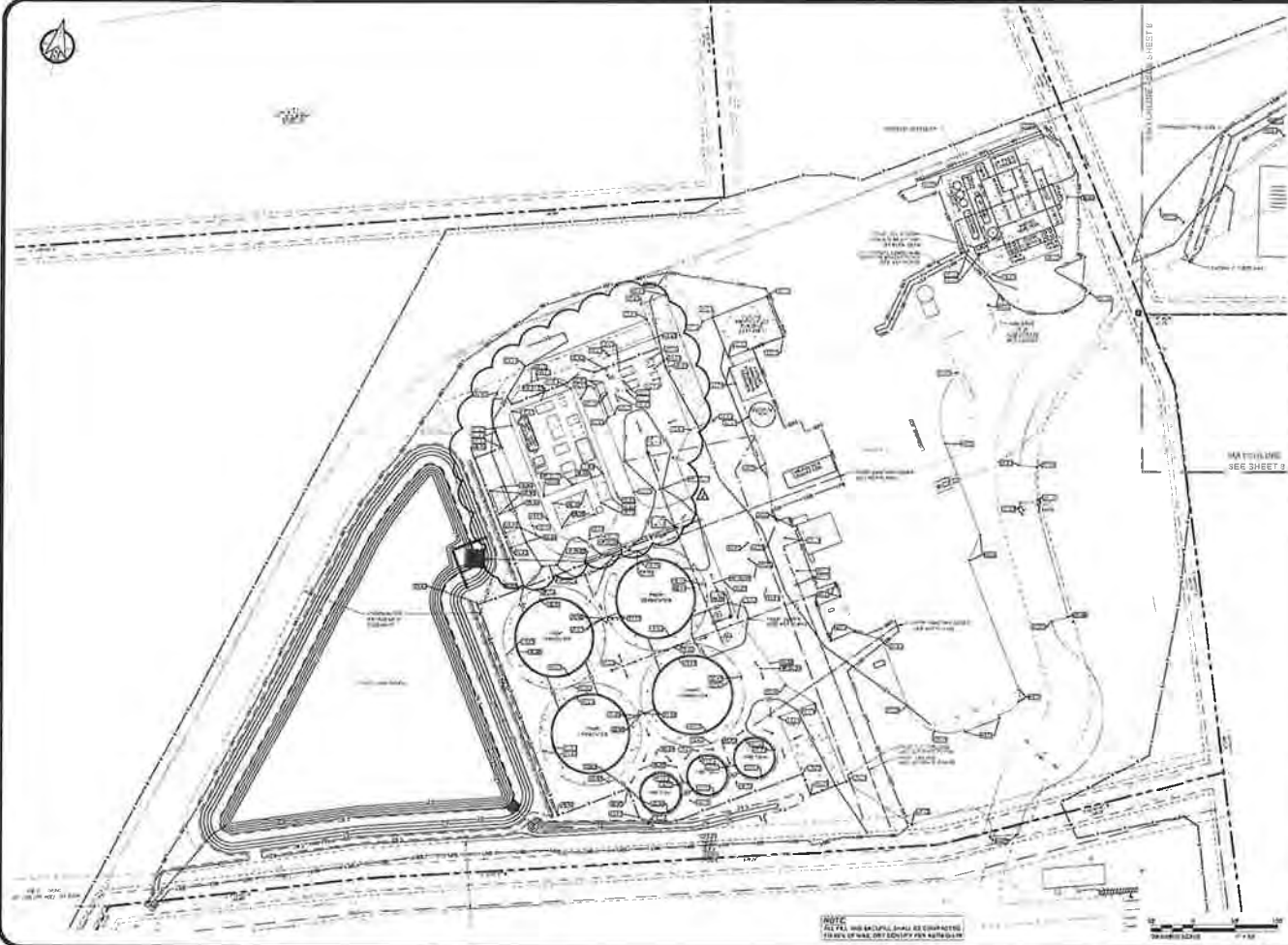
GRADING PLAN
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
SUNSHINE COUNTY - DELAWARE

DUFFIELD ASSOCIATES
1000 N. MARKET STREET, SUITE 200
WILMINGTON, DE 19801
TEL: 302.234.1000
WWW.DUFFIELDASSOCIATES.COM

NO.	DESCRIPTION	DATE	BY	CHKD BY
1	ISSUED FOR PERMIT	12/15/2021	J. DUFFIELD	J. DUFFIELD
2	REVISED	12/15/2021	J. DUFFIELD	J. DUFFIELD
3	REVISED	12/15/2021	J. DUFFIELD	J. DUFFIELD
4	REVISED	12/15/2021	J. DUFFIELD	J. DUFFIELD
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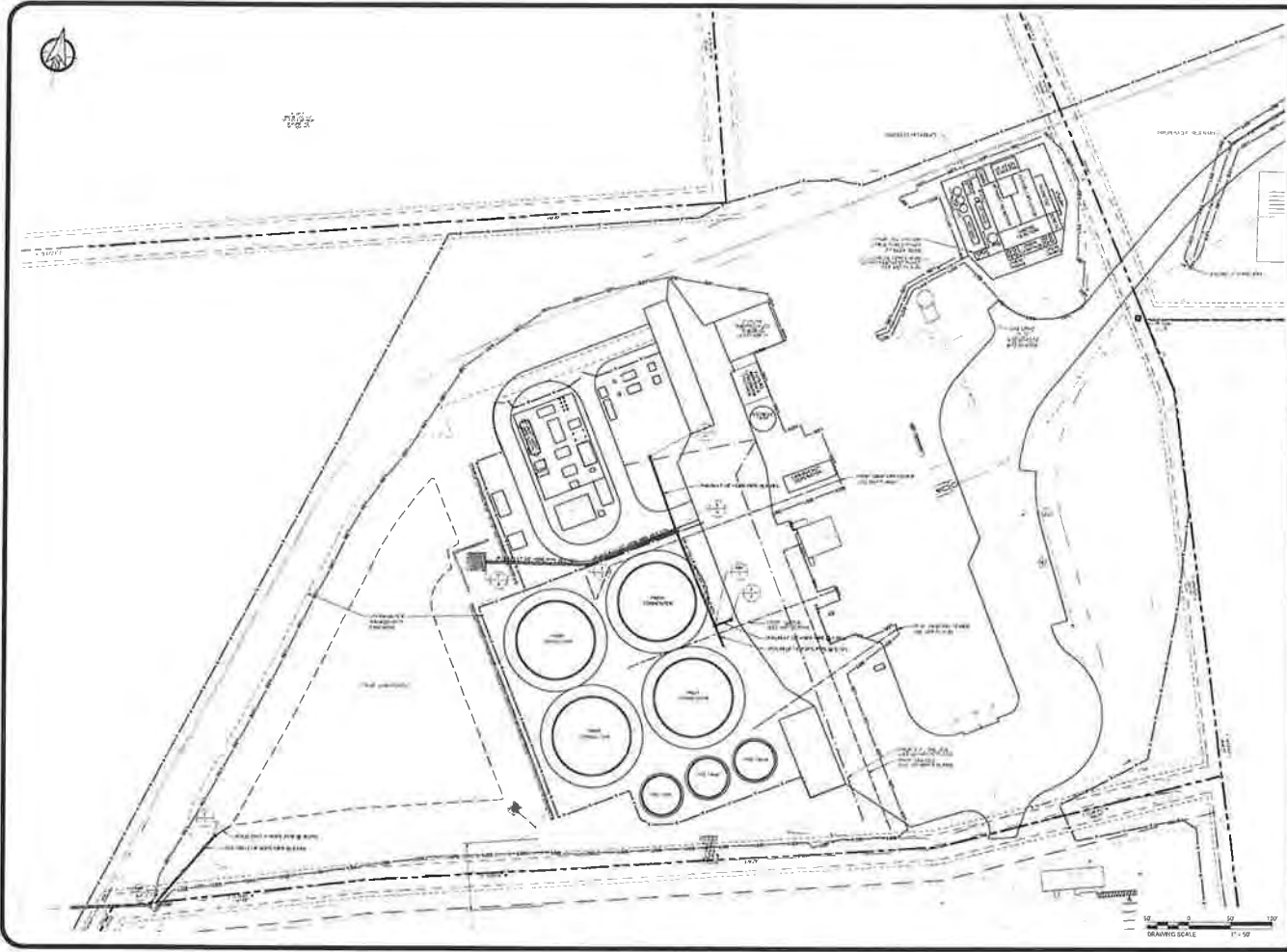
DATE: 27 JANUARY 2021
SCALE: 1" = 50'
PROJECT NO: 12393 CF
SHEET: 08 OF 17

ATCHLINE - SEE SHEET 7



NOTE:
ALL ELEVATIONS SHALL BE TO TOP OF CURB OR TOP OF FINISHED GRADE
UNLESS OTHERWISE NOTED

GRADING PLAN		DUFFIELD ASSOCIATES 1000 N. MARKET STREET, SUITE 200 PHILADELPHIA, PA 19107 TEL: 215.595.1234 FAX: 215.595.1235 WWW.DUFFIELDASSOCIATES.COM	
FINAL SITE PLAN		BIOENERGY DEVELOPMENT GROUP, LLC	
SUSSEX COUNTY - DELAWARE			
DATE:	27 JANUARY 2021	PROJECT NO:	12093 CF
SCALE:	1" = 30'	SHEET:	C9 OF 17



UTILITY PLAN
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
SUSSEX COUNTY - DELAWARE

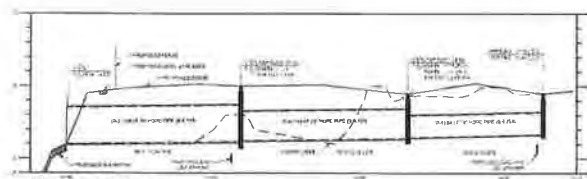
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SHEET: C10 OF 17

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CHECKED BY: [Name]
DATE: [Date]

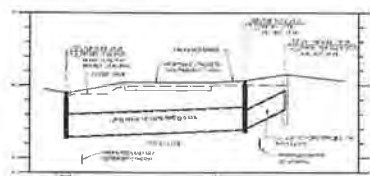
DUFFIELD ASSOCIATES
1000 N. MARKET STREET
SUITE 200
DOVER, DE 19901
TEL: 302.238.1232
WWW.DUFFIELDASSOCIATES.COM

STORM DRAINAGE STRUCTURE SCHEDULE					
NO.	DATE	TYPE	SIZE	DEPTH	INVERT
1	10/1/2010	MANHOLE	48"	4'-0"	100.00
2	10/1/2010	MANHOLE	48"	4'-0"	100.00
3	10/1/2010	MANHOLE	48"	4'-0"	100.00
4	10/1/2010	MANHOLE	48"	4'-0"	100.00
5	10/1/2010	MANHOLE	48"	4'-0"	100.00
6	10/1/2010	MANHOLE	48"	4'-0"	100.00
7	10/1/2010	MANHOLE	48"	4'-0"	100.00
8	10/1/2010	MANHOLE	48"	4'-0"	100.00
9	10/1/2010	MANHOLE	48"	4'-0"	100.00
10	10/1/2010	MANHOLE	48"	4'-0"	100.00

STORM DRAINAGE PIPE SCHEDULE					
NO.	DATE	TYPE	SIZE	DEPTH	INVERT
1	10/1/2010	PIPE	48"	4'-0"	100.00
2	10/1/2010	PIPE	48"	4'-0"	100.00
3	10/1/2010	PIPE	48"	4'-0"	100.00
4	10/1/2010	PIPE	48"	4'-0"	100.00
5	10/1/2010	PIPE	48"	4'-0"	100.00
6	10/1/2010	PIPE	48"	4'-0"	100.00
7	10/1/2010	PIPE	48"	4'-0"	100.00
8	10/1/2010	PIPE	48"	4'-0"	100.00
9	10/1/2010	PIPE	48"	4'-0"	100.00
10	10/1/2010	PIPE	48"	4'-0"	100.00

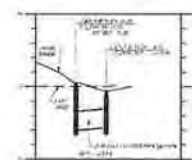


SWM 2: STA. 0+25 TO STA. 0+50



SWM 3: STA. 0+25 TO STA. 0+50

SCALE: HORIZONTAL 1" = 10' VERTICAL 1" = 2'



SWM 1: STA. 0+00 TO STA. 0+50

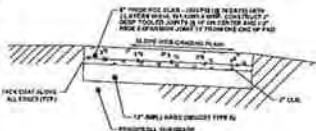
SCALE: HORIZONTAL 1" = 10' VERTICAL 1" = 2'

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 FAX: 302.237.1801
 WWW.DUFFIELDASSOCIATES.COM

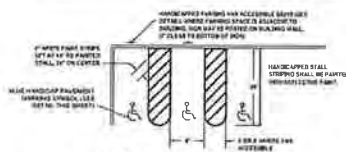
NO.	DATE	DESCRIPTION	BY	CHKD.
1	10/1/2010	DESIGN	J. DUFFIELD	J. DUFFIELD
2	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD
3	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD
4	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD
5	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD
6	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD
7	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD
8	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD
9	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD
10	10/1/2010	REVISION	J. DUFFIELD	J. DUFFIELD

DATE: 10/1/2010
 SCALE: AS SHOWN
 PROJECT NO: 12093 CF
 SHEET: CH 1 OF 17

STORM DRAIN TABLES AND PROFILES
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
 SUSSEX COUNTY - DELAWARE



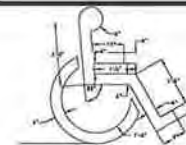
DETAIL: CONCRETE PAVEMENT
SCALE: NOT TO SCALE



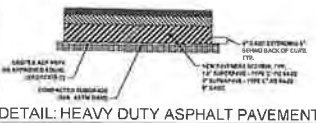
DETAIL: HANDICAPPED PARKING STALL
SCALE: NOT TO SCALE



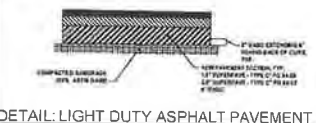
DETAIL: ACCESSIBLE PARKING SIGN (R7-8)
SCALE: NOT TO SCALE



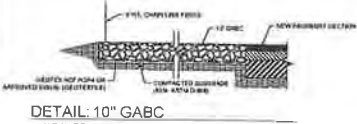
DETAIL: HANDICAP PVMT MARKING SYMBOL
SCALE: NONE



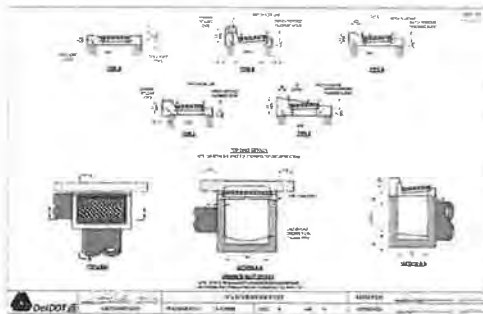
DETAIL: HEAVY DUTY ASPHALT PAVEMENT
SCALE: NOT TO SCALE



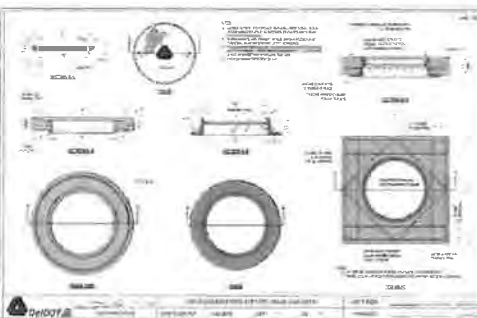
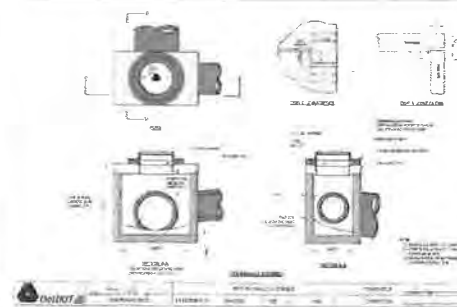
DETAIL: LIGHT DUTY ASPHALT PAVEMENT
SCALE: NOT TO SCALE



DETAIL: 10" GABC
SCALE: NOT TO SCALE



DETAIL: STOP SIGN (R1-1)
SCALE: NOT TO SCALE



NO.	DATE	BY	DESCRIPTION
1	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT
2	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT
3	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT
4	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT
5	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT
6	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT
7	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT
8	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT
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10	10/1/2021	J. DUFFIELD	ISSUED FOR PERMIT

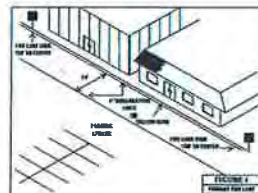
SITE DETAILS
FINAL SITE PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
SUSSEX COUNTY - DELAWARE

DATE: 27 JANUARY 2021
SCALE: AS SHOWN
PROJECT NO: 12393 CP
SHEET: C13 OF 17



SHEET 2

SHEET 3



- NOTES:
1. ALL FIRE LANE MARKINGS SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.
 2. ALL FIRE LANE MARKINGS SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.
 3. ALL FIRE LANE MARKINGS SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.
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 8. ALL FIRE LANE MARKINGS SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.
 9. ALL FIRE LANE MARKINGS SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.
 10. ALL FIRE LANE MARKINGS SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.

DATE: 27 JANUARY 2021
SCALE: 1" = 300'
PROJECT NO: 12393 E.A
SHEET: C13 OF 17

OVERALL SITE PLAN
STATE FIRE MARSHAL PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
SUSSEX COUNTY - DELAWARE

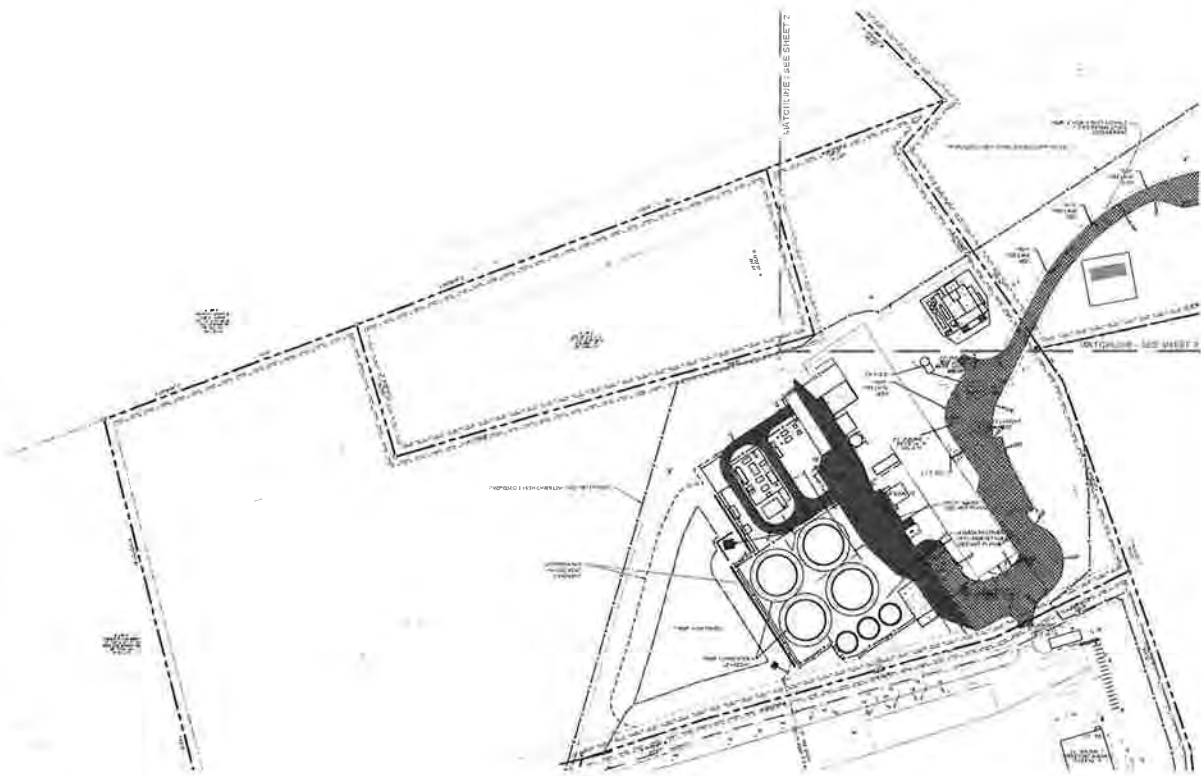
DUFFIELD ASSOCIATES
1111 N. MARKET STREET
PHILADELPHIA, PA 19107
TEL: 215.592.2100
WWW.DUFFIELDASSOCIATES.COM



SEE FORMER - SEE SHEET 3



SITE PLAN	
STATE FIRE MARSHAL PLAN	
BIOENERGY DEVELOPMENT	
GROUP, LLC	
SUSSEX COUNTY - DELAWARE	
DATE: 27 JANUARY 2021	SCALE: 1" = 100'
PROJECT NO: 13393 E.A	SHEET: C14 OF 17
DUFFIELD ASSOCIATES 1000 N. MARKET STREET, SUITE 200 WILMINGTON, DE 19806-1112 TEL: 302.234.2800 FAX: 302.234.2800 WWW.DUFFIELDASSOCIATES.COM	



DRAWING SCALE
1" = 100'

DUFFIELD ASSOCIATES
ARCHITECTS

1000 N. MARKET STREET, SUITE 200
WILMINGTON, DELAWARE 19801-2122
TEL: 302.234.4400
FAX: 302.234.4405
WWW.DUFFIELDASSOCIATES.COM

PROJECT
STATE FIRE MARSHAL PLAN
BIOENERGY DEVELOPMENT

DATE
27 JANUARY 2021

PROJECT NO.
12393 E A

SHEET
C15 OF 17

CLIENT
BIOENERGY DEVELOPMENT
GROUP, LLC

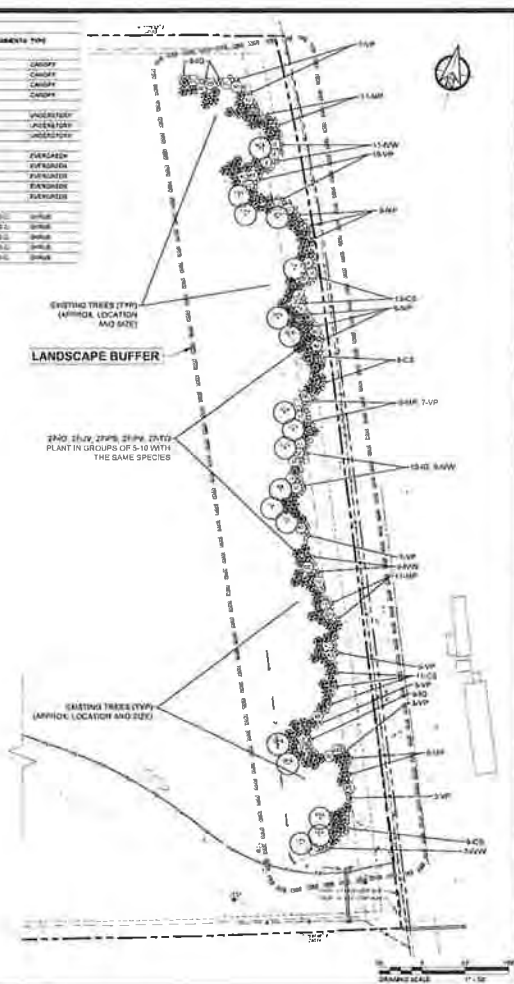
LOCATION
SUSSEX COUNTY - DELAWARE

SITE PLAN
STATE FIRE MARSHAL PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC

DATE
27 JANUARY 2021

PROJECT NO.
12393 E A

SHEET
C15 OF 17



PLANT LIST TREES AND SHRUBS									
PLANT	OPTION 1	OPTION 2	OPTION 3	NATURAL NAME	COMMON NAME	SIZE	HEIGHT	CHARACTER TYPE	
NAME	QUANTITY	QUANTITY	QUANTITY						
CANOPY TREES									
ACA	7	4	4	NEW ENGLAND WHITE	WHITE MAPLE	3.5-5.0' TALL	145'	CANOPY	
ACB	7	4	4	NEW ENGLAND YEW	NEW ENGLAND YEW	3.5-5.0' TALL	145'	CANOPY	
APA	7	4	4	RED BELLIED WOODPECKER	RED BELLIED WOODPECKER	3.5-5.0' TALL	145'	CANOPY	
APB	7	4	4	RED BELLIED WOODPECKER	RED BELLIED WOODPECKER	3.5-5.0' TALL	145'	CANOPY	
SHRUBS AND SMALL TREES									
ACD	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACE	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACF	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACG	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACH	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACI	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACJ	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACK	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACL	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACM	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACN	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACO	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACP	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACQ	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACR	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACS	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACT	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACU	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACV	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACW	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACX	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACY	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ACZ	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADA	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADB	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADC	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADD	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADE	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADF	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADG	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADH	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADI	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADJ	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	
ADK	33	18	18	NEW ENGLAND WHITE	NEW ENGLAND WHITE	3.5-5.0' TALL	145'	SHRUB	

DUFFIELD ASSOCIATES
 1001 N. W. 10th St., Suite 100
 Ft. Lauderdale, FL 33304
 Tel. 305/581-1222
 Fax 305/581-1222
 Telex 305/581-1222
 E-mail: duffield@earthlink.net

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LANDSCAPE PLAN

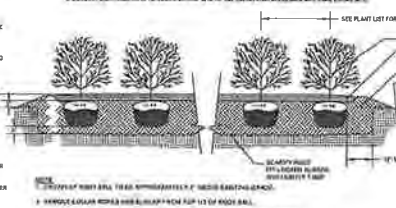
**BIOENERGY DEVELOPMENT
GROUP, LLC**

SUNSHINE COUNTY, DELAWARE

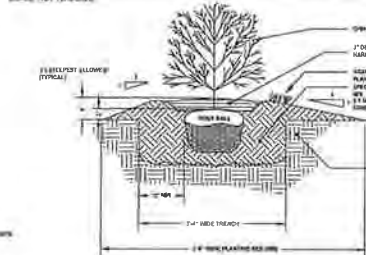
DATE: 17 JANUARY 2024
SCALE: 1" = 10'
PROJECT NO: 12393 E
SHEET: L1 OF

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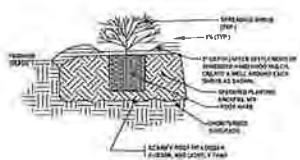
1. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES RELATING TO CONSTRUCTION.



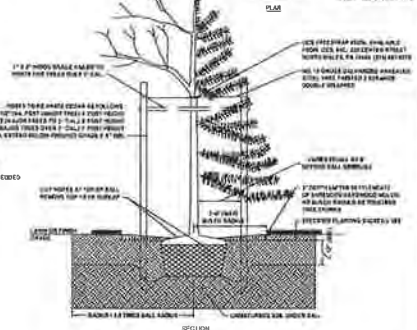
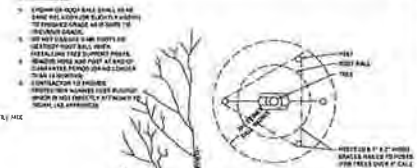
2046 HOT TOP SCALE



PLEASE WRITE TO: MAX



NOT TO SCALE



SCALE NOT TO SCALE

CATCH BASINS AND ROOF DRAIN CLEANSING 8

CATCH BASINS AND ROTOFF DRAIN CLEVERINGS SHOULD BE INSPECTED SEMI-ANNUALLY. POOF DRAINS SHOULD BE CLEARED OF ANY OBSERVED DEBRIS. CATCH BASIN INSPECTIONS SHOULD BE INSPECTED AT LEAST SEMI-ANNUALLY OR AFTER LARGE STORM EVENTS. SEDIMENT SHALL BE REMOVED DURING THE SEMI-ANNUAL INSPECTIONS. FILTER STOPS SHOULD BE REPLACED WHEN THEIR CAPACITY IS REACHED.

FRENCH DRAIN:

8. THERE SHOULD BE SEMI-ANNUAL REGULAR INSPECTIONS OF THE FACILITY, ONCE BEFORE GROWTH EMERGES IN THE SPRING AND ONCE AT SEED DISPERSAL IN THE FALL, JUST BEFORE NEW GROWTH EMERGES IN THE SPRING. CUT DOWN STANDING STALKS OF

1. THE FOLIAGE SHOULD BE TRIMMED TO ELIMINATE COMPLICATION FROM IRREMOVABLE PLANT AND UNDESIRABLE MOISTURE VEGETATION. OBJECTIVE: A FLAT SURFACE TO BE MAINTAINED WITH A CUT SURFACE APPLIED ON SELECTED FOLIAGE BRANCHES, BRANCH TIES AND SHRUBS AS NOTED EVERYWHERE.
2. THE FOLIAGE SHOULD BE IMPROVED AFTER STUMPS HAVE BEEN CUT DOWN. REMOVE AND/OR REBARK AS REQUIRED BASED UPON INSPECTION FINDINGS. FOR MOISTURE MATERIAL, INSPECT FOR GLETS AND ICE DAMAGE.
3. REMOVE EXCESSIVE FOLIAGE AND HUMIDITY RELATED SITUATIONS ACCUMULATED IN THE FORESHORE (IT IS NOT A TASK).
4. REMOVE ALL VISIBLE ACCUMULATIONS OF DEBRIS ON TOP OF THE MICHAL CHAY WITH A FLAT SHOVEL. MAKE TO PROMOTE PESTERILIZATION. ADD MUCH OF SPENDING AS NEEDED TO MAINTAIN A BEACH MUCH CHAY.
5. STABILIZE DROWNED AREAS AND HIGHLIGHT AS NECESSARY.
6. THE SOIL SHOULD BE TESTED ANNUALLY TO DETERMINE PHOSPHORUS, AND ADJUSTED WITH LIMITATIONS IT IS DETERMINED TO BE TOO ACIDIC. IF REQUIRED, REBARK SHOULD ONLY BE APPLIED ON THE FOLIAGE.

LINE OF WORK LINE TO BE DELINEATED BY SHOWN FORM OR APPROVED EQUAL. ALL TREES IDENTIFIED AS BEING PRESERVED FOR CREEKS SHALL BE
 PERCHED ALONG OR BEYOND THEIR DRIP LINE. SEE TREE PROTECTION DETAIL ON THIS SHEET.

- PROVIDING PERSONS TO BE SUBJECTS OF RESEARCH TO THE PROTECTORS SHOULD KNOW ABOUT THEIR RIGHTS AND OBTAINING THEIR INFORMED CONSENT.

ANNUALS PERMANENT
 4 37540 SUMMER PRIOY

- | | |
|------------------------------|-----------------------------|
| • FANES | • CHAMBER (HOP) |
| • SNAKE/DRAGON | • SHASTA GUEST |
| • QUARTY MILLER | • THIRFAD - LEASTY CORCORAN |
| • SUMMER | • ENGLISH LAYEDEN |
| • CECILIAN | • PERSIAN SALVA |
| • KANDOLLS | • LINDSEY PRINCE (HALL) |
| • IMPATIENTS | |
| • FALL / PRINTER | |
| • FANES | |
| • CHRYSLER/THIRFAD | |
| • CHANDLER AL KATE - EMBROID | |



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

JENNIFER COHAN
SECRETARY

October 01, 2020

Peter Ettinger
Bioenergy Development Group LLC
6751 Columbia Gateway Dr. STE 300
Columbia, Maryland 21046

SUBJECT: Authorization to Apply for a Permit for Entrance Construction
Bioenergy Development Blades
Tax Parcel # 132-11.00-41.00, 132-6.00-95.00
SCR013-SEAFORD ROAD
Broad Creek Hundred, Sussex

Dear Peter Ettinger:

The Delaware Department of Transportation (DelDOT) has reviewed your request, dated September 3, 2020, to obtain a Letter of No Contention (LONC) to use an existing commercial building and site entrance for the above referenced project. In coordination with the South District Public Works Office we have determined that your project will require some modifications or enhancements to meet current regulatory requirements. We have therefore determined that this project is eligible to obtain a Permit for Entrance Construction (PEC) to make these modifications. The PEC will include a list of items that must be addressed, as well as requirements for bonding to perform work, where needed, within the State of Delaware right-of-way (ROW). This approval shall be valid for a period of **one (1) year**.

Please note: Your Permit for Entrance Construction must be obtained from the South District Public Works Office, before you can start any construction.

The following conditions are provided with this response letter:

- 1) Site shall have access from the existing entrance located on Seaford Road (SCR 013).
- 2) Only the modifications/construction or traffic pattern changes that are itemized and authorized under the PEC will be permitted. Please coordinate with the DelDOT Public Works Office regarding the scope, location and limits of the following items, as well as any other items listed in the PEC:
 - a) Replace existing stop sign with a new 36"x36" R1-1 stop sign and install a new 16" wide thermo stop bar
- 3) DelDOT reserves the right to review, modify or revoke this authorization letter and PEC and require additional entrance upgrades in the future if proposed activities create traffic conflicts, safety concerns or operational issues.



- 4) The property owner is responsible to:
 - a. Submit information to DelDOT, regarding any future operational or site changes, (including but not limited to: rezoning, site layout changes, changes in use, entrance modifications, expanded/additional uses, new uses, etc.). Changes of this nature may alter the flow and/or volume of traffic and could require a new PEC, LONC or formal review for Approvals and/or Permits.
 - b. Establish and maintain clear sight lines at the entrance. There shall be no placement of structures, signs, objects, items for sale or parking of vehicles within State ROW or entrance limits. Shrubbery, Plantings, trees and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited.
- 5) The property owner and applicant are responsible to coordinate with DelDOT Outdoor Advertising & Roadside Control at (302) 853-1327, for information on obtaining specific permits for sign installation on private property. Permits for Utilities construction within State right-of-way require separate permit applications please contact DelDOT's South District at (302) 853-1345.

The Department would like to thank you for your submittal.

Please contact the South District Public Works Office at (302) 853-1340, for their assistance in obtaining the PEC. No construction or modification listed under Item 2 is allowed in advance of the DelDOT Public Works Office issuance of the Permit for Entrance Construction.

Sincerely,



Susanne K. Laws
Sussex County Review Coordinator,
Development Coordination

cc: Stephen Gorski, Duffield Associates, Inc.
Jamie Whitehouse, Sussex County Planning & Zoning Commission
Rusty Warrington, Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Gomez Norwood, South District Public Works manager
William Kirsch, South District Entrance Permit Supervisor
James Argo, South District Project Reviewer
Wendy L. Polasko, Subdivision Engineer
John Andrescavage, Sussex County Reviewer

PERMIT FOR ENTRANCE CONSTRUCTION

PERMIT NO. : SC-0059-20CM



STATE OF DELAWARE
DEPARTMENT OF
TRANSPORTATION

DIVISION OF
MAINTENANCE &
OPERATIONS

23697 Dupont Blvd
Georgetown, DE 19947

DISTRICT Sussex AREA 1 PERMIT NO. SC-0059-20CM DATE 11/20/2020

Type Of Access : **Commercial**

Bonding Company : Waived

Maintenance Road No.: S13

Delaware Grid Coordinate : 29A3

Issue To : BioEnergy Development Group, LLC.
(Owner)

Phone No.: 7195026100

Address : 9250 Bendix Road, Columbia, MD 21045

Type Of Security Furnished : NA

Amount : \$0.00

(150% of cost)

Estimated Construction Cost : \$0.00

Expiration Date : 11/20/2021

PARCEL ID NO. 132-11.00-41.00

DESCRIPTION OF CONSTRUCTION

Permission is granted to install stop sign with 3-piece break away at 7 feet height to bottom of sign and thermoplastic bar only at the entrance to the project known as Bioenergy Development Blades located on SCR 13 as per plans approved on 10/1/2020 by Susanne Laws, Sussex County Review Coordinator. Due to the minor nature of improvements, the security for this project has been waived. Upon successful completion of work in conformance with approved plans, a permanent entrance permit will be issued. As a property owner granted a permit to construct improvements within the State right-of-way, it is your responsibility to construct improvements according to your plans and State Specifications. The District requires that any changes in the plans have prior approval from the Section Supervisor. Prior notification must be given to the Section Supervisor when work will occur on the permit. Failure to give adequate notification will result in loss of permit and possible legal ramifications. Please contact Bill Kirsch at (302) 853-1342 to give 72 hours notice prior to construction at the entrance.

A final inspection will be held when work on the permit is complete. Any corrections, additions, alterations, etc. will be done before the permit is accepted. These items in no way eliminate guarantees set forth by the permit. The owner/developer must obtain a Utility Construction Permit, separate from the entrance permit, for any utility work to be done within State right-of-way.

If in the future the proposed use changes, expands, is sold, or leased, then this permit will be null and void. The owner will be required to obtain a new permit from DelDOT.

PERMIT FOR ENTRANCE CONSTRUCTION

PERMIT NO. : SC-0059-20CM

It is hereby agreed by the owner of the property affected, and all heirs, assigns, and/or successors in interest, that all construction covered by this permit shall be performed in accordance with the approved construction plan and the current Standard Specifications published by the Department of Transportation. The plan and specifications are incorporated herein by reference, and made part of this permit. Work is to begin within 90 days of the date of this permit, and it is to be completed on or before the above completion date. Requests for an extension of this permit shall be submitted in writing to the Permit Section 30 days prior to expiration.

The Owner agrees not to sell, lease, or change the use of the property to significantly alter the flow and/or volume of traffic and/or drainage as determined within the sole discretion of the Division, and/or transfer his/her interest in the property without obtaining a new permit from the Division of Maintenance & Operations. Such failure automatically voids this permit.

The holder of this permit shall indemnify and save harmless the Division of Maintenance & Operations and its officers, employees, and/or agents from suits and damages arising from, or on account of the above described construction herein permitted on State rights-of-way, or the Division's acceptance thereof consistent with Section 107.14 of the Standard Specifications and all amendments thereto, incorporated herein by reference.

Traffic Control and utility alterations shall be in accordance with current The Division of Maintenance & Operations "Traffic Controls for Streets and Highway Construction Manual" and the "Utilities Policy and Procedure Manual," incorporated herein by reference.

Permittee shall call the Division of Maintenance & Operations Permit Section, (Canal District: 326-4679, Central District: 760-2433, South District: 853-1342) and Miss Utility (1-800-282-8555) prior to any construction on State rights-of-way.

The Division of Maintenance & Operations may require revisions to the approved plans as required by field conditions.

The permittee shall request the Division of Maintenance & Operations make final inspection of the construction when work is completed, and all work must be completed to the satisfaction of said Division of Maintenance & Operations.

This permit shall be wholly conditional upon the satisfactory completion of all provisions set forth herein. If, upon expiration of this permit, work is incomplete or not performed according to the aforesaid plan and specifications, and no extension is applied for and issued, this permit shall become null and void for all legal purposes and the entrance shall be considered illegal with reference to 17 Del.C. §146.

William Kirsch

BioEnergy Development Group, LLC.

Authorized Representative of Division of Maintenance &
Operations

Property Owner

Property Owner Signature



OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT

Plan Review Number: 2020-04-204445-MJS-01

Tax Parcel Number: 1-32-6-95&88.01

Status: Approved as Submitted

Date: 08/04/2020

Project

Tank Farm

28339 Enviro Way - BioEnergy Innovation Center

Enviro Way
Seaford DE 19973

Scope of Project

Number of Stories:

Square Footage:

Construction Class:

Fire District: 71 - Blades Volunteer Fire Company

Occupant Load Inside:

Occupancy Code:

Applicant

Steve Gorski

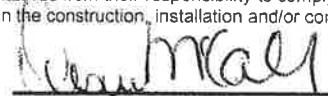
This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

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

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

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

This Plan Review Project was prepared by:


Desiree McCall

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2020-04-204445-MJS-01

Tax Parcel Number: 1-32-6-95&88.01

Status: Approved as Submitted

Date: 08/04/2020

PROJECT COMMENTS

1002 A This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.

1031 A Where the structure being considered is protected throughout by an automatic sprinkler system, the required fire flow shall be modified to meet the designed sprinkler demand where hydraulically calculated plus outside hose streams as specified in NFPA13, Table 11.2.3.1.1 (2002 ed.) (DSFPR Part II, Section 6 3.2.1).

1180 A This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.

1190 A Separate plan submittal is required for the building(s) proposed for this project.

9999

*** PLANS FOR THE GENERATOR SHALL BE SUBMITTED FOR REVIEW**

1299 A The required Fire Lane Access and Perimeter Access and all fire lane markings shall be in accordance with the site plan as approved by this Agency. This will be field verified at the final inspection. Noncompliance may cause a delay in approval for Certificate of Occupancy.

1415 A Fire Department access shall be provided to all otherwise inaccessible gated communities, subdivisions, developments, gated commercial properties or property by any other name through the use of a system or device as required by the Delaware State Fire Prevention Regulations and approved by the Office of the State Fire Marshal after consultation with the local Fire Chief. (DSFPR

Regulation 705, Chapter 2, Section 2.6.2).Please provide specifications for the device. Include how the system works, where the device will be located, and a letter from the Fire Chief accepting the layout.

*** PROVIDE A LETTER SIGNED BY THE PROPERTY OWNER AND FIRE CHIEF AGREEING TO HOW THE FIRE DEPARTMENT WILL ACCESS THE PROPERTY.**

1501 A If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.

2nd c/y

ORDINANCE NO. 2311

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMPOSTING FACILITY AS AN EXTENSION TO CONDITIONAL USE NO. 1314 AND CONDITIONAL USE NO. 1691 (A MICRO-NUTRIENT PLANT WITH RELATED TRUCK ENTRANCE AND RAIL SPUR FOR THE PROCESSING AND HANDLING OF POULTRY LITTER) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 228.88 ACRES, MORE OR LESS (Tax Map I.D. 1-32-6.00-88.01 AND 95.00 and Tax Map I.D. 1-32-11.00-41.00)

WHEREAS, on the 5th day of March 2013, a conditional use application, denominated Conditional Use No. 1962 was filed on behalf of Chesapeake AgriSoil, LLC; and

WHEREAS, on the 25th day of April 2013, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 23rd day of May 2013, said Planning and Zoning Commission recommended that Conditional Use No. 1962 be approved with conditions; and

WHEREAS, on the 21st day of May 2013, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1962 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 Broad Creek Hundred, Sussex County, Delaware, and lying west of Route 13A and north of Road 485 and being more particularly described as:

BEGINNING at a point on the westerly right of way of U.S. Route 13A, a corner for these subject lands and lands now or formerly of Victor E. Moore; thence south 85°45'06" west 250.23 feet, south 86°46'11" west 1068.22 feet and south 07°53'54" west 1,495.60 feet along lands of Victor E. Moore to a point; thence southerly along these lands and lands now or formerly of Victor E. Moore the following courses: south 24°14'37" east 92.40 feet, thence south 09°17'37" east 899.25 feet, thence south 05°00'23" west 313.50 feet, thence south 05°14'37" east 198.00 feet, thence south 09°59'37" east 610.94 feet to the northerly right of way of Road 465; thence westerly 505.15 feet along the northerly right of way of Road 485 to the centerline of Gum Branch; thence northwesterly along the meandering centerline of Gum Branch approximately 2,200.00 feet to a point, a corner for these lands and lands now or formerly of Stephen C. Glenn; thence south 16°46'19" west 354.98 feet along said Glenn property to a point; thence north 78°57'47" west 318.35 feet along lands now or formerly of Frederick M. O'Neal (Trustee) to a point; thence north 09°16'05" east 297.01 feet and north 04°55'59" east 817.39 feet along lands now or formerly of Ronald W. and Ruth M. Conaway to a point; thence north 86°05'12" east 396.08 feet and north 04°18'33" west 1,168.72 feet along lands now or formerly of Donald R. Eisenbrey to a point; thence north 79°02'14" east 2,055.56 feet and north 34°54'37" west 384.45 feet along lands now or formerly of Ralph H. and Jane L. Givens to a point; thence north 49°05'23" east 1,384.35 feet along lands now or formerly of Ralph H. Givens, lands now or formerly of Ronald G. Fensick, and lands now or formerly of Edward N. Dickerson to a point; thence south 45°47'19" east 717.20 feet along lands now or formerly of George D. Elzey, Jr. to a point; thence north 68°08'07" east 504.34 feet and south 79°42'15" east 619.83 feet along lands of Florence E. Johnson and Sussex Manor to a point; thence south 06°25'19" west 261.98 feet to a point; thence north 87°41'15" east 351.14 feet to a point on the westerly right of way of U.S. Route 13A; thence 1,036.47 feet along the westerly right of way of U.S. Route 13A to the point and place of beginning and containing 228.88 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. The conditions of previously approved Conditional Use No. 1314 and No. 1691 are unchanged by this approval, unless specifically modified herein.
2. The use shall be strictly limited to the improvements shown on the April 11, 2013 Site Plan proposed by Axiom Engineering, LLC. Any future additions, alterations or improvements to the Site Plan shall be subject to an application and public hearing to amend this Conditional Use.
3. Any rail cars accessing the site shall be cleaned at an off-site location.
4. The noise and odor emissions from the operations of the composting facility shall not exceed minimum standards established by DNREC or any other agency having jurisdiction over the project. The odors shall be controlled by negative air pressure in the receiving building, a bio-filter, and by the Gore Cover System.
5. The lands on the Site Plan surrounding the composting facility shall remain wooded north of the truck entrance. The location of all wooded, vegetative and buffer areas shall be shown on the Final Site Plan.
6. As proposed by the Applicant, all wooded areas outside of the approximately 20 acre project area shall remain as woodlands. Cut-over woodlands shall be allowed to mature.
7. Any lighting on the site shall be downward screened so that it does not illuminate neighboring properties or roadways.
8. All trucks entering the site must be covered.
9. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2311 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 25TH DAY OF JUNE 2013.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

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

1. This is an application of Chesapeake AgriSoil, LLC to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a composting facility as an extension to Conditional Use No. 1314 Conditional Use No. 1691 (a micro-nutrient plant with related truck entrance and rail spur for processing and handling poultry litter), to be located on a certain parcel of land lying and being in Broad Creek

Hundred, Sussex County, containing 228.88 acres, more or less, lying west of Route 13A north of Road 485 (Tax Map I.D. 1-32-6.00-88.01 and 95.00 and Tax Map I.D. 1-32-11.00-41.00).

2. The Sussex Conservation District commented that the Applicant will be required to follow recommended erosion and sediment control practices during any construction and to maintain vegetation; that no storm flood hazard areas or tax ditches are affected; that it is not likely that any off-site drainage improvements will be required; and that it is possible that on-site drainage improvements will be required.
3. The Sussex County Engineering Department, Utility Planning Division, commented that the site is located in the Western Sussex Planning Area No. 3 and Blades Planning Area No. 2; that an onsite septic system will be utilized; that the parcel is not in an area where the County has a schedule to provide sewer service at this time; and that a Concept Plan is not required.
4. Shannon Carmean-Burton, Attorney, of Sergovic, Carmean and Weidman, P.A., Ken Christenbury, Professional Engineer with Axiom Engineering, LLC, Whitney Hall, Professional Engineer, Wayne Hudson of Perdue Agri-Recycle, LLC, and Charlie Gifford of Chesapeake AgriSoil, LLC were present on behalf of the application and stated that this use will occupy approximately 20 acres of the 228.88 acre site; that the 20 acre portion is contained within Tax Map 1-32-11.00-41.00; that the site is immediately adjacent to the plant; that the existing wooded buffers will remain; that the site is being cleared to eliminate young seedlings and tree growth; that no clearing will occur beyond the railroad spur; that the original conditions for the micro-nutrient plant, as amended in 2006, will remain with the exception of the use of this facility; that DelDOT voiced no objections and determined that there will not be any traffic impact; and that DNREC approvals are required and will be obtained.
5. The Applicant stated that the proposed facility would utilize processed water from the Plant in this process rather than having to haul the processed water off-site for land application.
6. The Applicant further represented that Best Management Practices will be utilized; that the proposed project is very environmentally responsible; that the operation will be carried on during one daytime shift from 7:00 a.m. to 5:00 p.m. weekdays only; that water can be provided to control any dust; that the intended 20 acre area for the facility includes the stormwater management pond; that they may utilize dead-birds in a catastrophic emergency situation; that they anticipate 11 full-time employees, and assume approximately eight (8) secondary related service jobs; and that they will most likely be using independent haulers.
7. The Applicant further represented that the purpose of AR-1 includes references to provide for a full range of agricultural activities and protects agricultural lands; that it should also protect established agricultural operations and activities; that the permitted conditional uses in the AR-1 District include agricultural related activities; that it will decrease the amount of pollution and odor from poultry waste previously applied directly to the soils as a fertilizer; that the proposed use will provide community-wide benefits and the ability to recycle a by-product of the poultry industry utilizing the latest Gore technology; that due to the need for enhancing the ability of the poultry industry to protect the local environment, the proposed conditional use is an appropriate zoning method for permitting the use and thus, the conditional use complies with the Zoning Code; that the Applicant submits that this project is consistent with the provisions of the Comprehensive Plan which identifies the property in a Low Density Area; that the Plan provides that all land designated in the Low Density Area are currently zoned AR-1; that the Plan provides that the primary uses envisioned in Low Density Areas are agricultural activities and single family detached homes; and that industrial uses that support or depend on agriculture should be permitted.

8. The Applicant further represented that the Gore system proposed to be utilized uses positive aeration and a specially designed cover to create an enclosed system that optimizes the recycling process, controls odors and micro-organisms, separates leachate from storm water and creates a consistent product unaffected by outside environmental conditions; and that the use is designed to benefit the family farm and agricultural industry, especially poultry growers, in the County.
9. This is an extension of existing Conditional Uses approved by Sussex County; that Conditional Use Nos. 1314 and 1691 were for a micro-nutrient plant with related truck entrances and a rail spur for the processing and handling of poultry litter; that this is a reasonable change to the existing uses and a reasonable expansion to the overall site; that the proposed site is adjacent to the existing micro-nutrient plant that is operated by Perdue AgriSoil, LLC; and that the proposal is consistent with this adjacent use.
10. The proposed use will have a positive economic impact on Sussex County and its residents, with full-time employees on the site, and additional equipment and hauling services that are necessary for the operation of the facility.
11. The application is supported by the Inland Bays Foundation and the Secretary of the Delaware Department of Agriculture.
12. The use is consistent with the underling AR-1 Agricultural Zoning and the rural agricultural uses that exist in the vicinity of the site; that the proposed use will be a benefit to agriculture in Sussex County, as well as the Delmarva Peninsula, as an efficient means to eliminate a potential source of excess nitrates and phosphates from area soils; and that it also provides an innovative but environmentally sensitive method of handling poultry waste products and produces an end-product that can be beneficially used in an environmentally responsible manner.
13. This use promotes the goals of the Sussex County Comprehensive Plan by enhancing the environmental quality of Sussex County; it is also a use which has a public or semipublic character that is essential and desirable to the general convenience and welfare of Sussex County and its residents.
14. Based on the record and recommendation of the Planning and Zoning Commission and the record created before Council, the Conditional Use was approved subject to 9 conditions which will serve to minimize any potential impacts on the surrounding area and adjoining properties.

JWS 8/14

ORDINANCE NO. 1865

With Conditions and Reasons

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMENDMENT TO CONDITIONS OF APPROVAL OF CONDITIONAL USE NO. 1314 FOR A MICRO-NUTRIENT PLANT WITH RELATED TRUCK ENTRANCE AND RAIL SPUR FOR THE PROCESSING AND HANDLING OF POULTRY LITTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 228.88 ACRES, MORE OR LESS

WHEREAS, on the 11th day of April 2006, a conditional use application, denominated C/U #1691, was filed on behalf of Perdue Farms AgriRecycle, L.L.C.; and

WHEREAS, on the 22nd day of June 2006, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 6th day of July 2006, said Planning and Zoning Commission recommended that C/U #1691 be approved with conditions and reasons; and

WHEREAS, on the 18th day of July 2006, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of C/U #1691 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 Broad Creek Hundred, Sussex County, Delaware, and lying west of U.S. Route 13A and north of Road 485 and being more particularly described as follows:

BEGINNING at a point on the westerly right of way of U.S. Route 13A, a corner for these subject lands and lands now or formerly of Victor E. Moore; thence south 85°45'06"

west 250.23 feet, south $86^{\circ}46'11''$ west 1068.22 feet and south $07^{\circ}53'54''$ west 1,495.60 feet along lands of Victor E. Moore to a point; thence southerly along these lands and lands now or formerly of Victor E. Moore the following courses: south $24^{\circ}14'37''$ east 92.40 feet, thence south $09^{\circ}17'37''$ east 899.25 feet, thence south $05^{\circ}00'23''$ west 313.50 feet, thence south $05^{\circ}14'37''$ east 198.00 feet, thence south $09^{\circ}59'37''$ east 610.94 feet to the northerly right of way of Road 465; thence westerly 505.15 feet along the northerly right of way of Road 485 to the centerline of Gum Branch; thence northwesterly along the meandering centerline of Gum Branch approximately 2,200.00 feet to a point, a corner for these lands and lands now or formerly of Stephen C. Glenn; thence south $16^{\circ}46'19''$ west 354.98 feet along said Glenn property to a point; thence north $78^{\circ}57'47''$ west 318.35 feet along lands now or formerly of Frederick M. O'Neal (Trustee) to a point; thence north $09^{\circ}16'05''$ east 297.01 feet and north $04^{\circ}55'59''$ east 817.39 feet along lands now or formerly of Ronald W. and Ruth M. Conaway to a point; thence north $86^{\circ}05'12''$ east 396.08 feet and north $04^{\circ}18'33''$ west 1,168.72 feet along lands now or formerly of Donald R. Eisenbrey to a point; thence north $79^{\circ}02'14''$ east 2,055.56 feet and north $34^{\circ}54'37''$ west 384.45 feet along lands now or formerly of Ralph H. and Jane L. Givens to a point; thence north $49^{\circ}05'23''$ east 1,384.35 feet along lands now or formerly of Ralph H. Givens, lands now or formerly of Ronald G. Fensick, and lands now or formerly of Edward N. Dickerson to a point; thence south $45^{\circ}47'19''$ east 717.20 feet along lands now or formerly of George D. Elzey, Jr. to a point; thence north $68^{\circ}08'07''$ east 504.34 feet and south $79^{\circ}42'15''$ east 619.83 feet along lands of Florence E. Johnson and Sussex Manor to a point; thence south $06^{\circ}25'19''$ west 261.98 feet to a point; thence north $87^{\circ}41'15''$ east 351.14 feet to a point on the westerly right of way of U.S. Route 13A; thence 1,036.47 feet along the westerly right of way of U.S. Route 13A to the point and place of beginning and containing 228.88 acres more or less as surveyed by Hampshire, Hampshire and Andrews, and F. Douglas Jones Surveying Associates.

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 and reasons:

1. This is an existing Conditional Use (No. 1314) that was approved by the County Council in 1999. This application will not materially change the use that is permitted upon the property.

2. The Applicant is requesting reasonable changes to the existing Conditional Use permit to meet its needs for the recycling of poultry manure and marketing of the pelletized micro-nutrients.
3. The use has proven to be a benefit for the family farm and the agricultural industry in Sussex County. It has also proven to be a good way to eliminate a potential source of excess nitrates and phosphates from Sussex County soils.
4. The Applicant has requested the deletion of the 4th condition of Conditional Use No. 1314 to allow the movement and drop-off and pick-up of rail cars within the site at any time. Delete Condition No. 4, as requested.
5. The Applicant has requested that the 7th condition be deleted to allow truck travel to the site at any time; by allowing truck travel to the site at any time, the plant can operate more efficiently and fuel costs would be reduced. Delete Condition No. 7, as requested.
6. The Applicant has requested an amendment to the 9th condition to allow outside storage in watertight containers; the material would be stored in a neat and orderly fashion inside watertight containers. This will also allow the plant to operate more efficiently. The Planning and Zoning Commission recommended that the 9th condition be modified to state "all activities involving raw litter shall be inside of the building. The loading, unloading and processing of raw material/litter shall be within the negative air section of the building. Storage of finished product, both pellets and granulated, may be stored outside in watertight containers. The loading of the finished product onto transport vehicles shall be under roof." Amend Condition No. 9 as requested and recommended by the Commission.
7. Delete Condition No. 18 which states "No operating hours will be permitted on Sunday."
8. The Applicant has operated the facility very well during the past five years. Even with these recommended amendments to the existing Conditional Use, the noise, odor, or other effects of the operations are no different than other agricultural uses that exist all over Sussex County.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1865 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 25TH DAY OF JULY 2006.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

had a positive effect on the environment by providing a more environmentally sound method of poultry litter disposal.

7. Council heard objections from Russell Ebron, a neighbor who was present in opposition to the application, who voiced various complaints and that he is in opposition to Council approving Sunday operating hours, that lights on the rear of the Perdue building are directed toward his home, and that odors and noises from the plant are offensive and negatively affect the ability of his family to enjoy their property.
8. In response to the objections of Mr. Ebron, the representative from Perdue stated that when any problem is brought to their attention they have tried to correct it and that he will make certain that their lights are not directed toward Mr. Ebron's home, and that DNREC has written a letter in support of the application and stated that the plant is a model facility.
9. Council was provided with a letter from the Delaware Economic Development Office indicating that poultry is a positive factor in the agricultural health of the State and that DEDO supports the expansion of the operating hours, and that in the past a Sunday production schedule has not diminished the quality of life for adjacent property owners.
10. Modifying the conditions as requested by the applicant would not materially change the use that was allowed by the approval of C/U #1314 in 1999, and the changes requested are reasonable to meet the applicant's needs for the recycling of poultry manure and the sale of the pelletized micro-nutrients produced by the plant.
11. The use is proven to be a benefit for the farm family and agricultural industry in Sussex County and has proven to be a good way to eliminate a potential source of excess nitrates and phosphates from Sussex County soils which occurred with the past practice of applying raw poultry manure directly to the soils.
12. The deletion of Conditions 4 and 7 are reasonable and will allow the plant to operate more efficiently throughout the year.
13. The amendment of Condition 9 to allow outside storage in watertight containers is reasonable and will allow the plant to operate more efficiently since all activities involving raw poultry litter are conducted within the building.
14. It was more reasonable to eliminate Condition 18 in order to allow the plant to have the

ability to conduct Sunday operations without the necessity of having to make approval for each Sunday operation.

15. The plant has operated efficiently and within pollution emission standards over the past five years and any noise, odor or other effects of the operations are no different than would occur with other agricultural uses in the County.
16. The revised conditions will not have an adverse impact on the neighborhood or the community.
17. The use is of a public or semi-public character in that it provides a more environmentally sound method of disposing of poultry litter in a commercially reasonable manner and has decreased the amount of pollution from poultry litter previously applied directly to the soils as fertilizer.
18. Based on the above findings, the conditional use is approved subject to the eight (8) conditions and reasons, which will serve to minimize any potential impacts on the surrounding area.

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ORDINANCE NO. 1354

With Stipulations

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MICRO-NUTRIENT PLANT WITH RELATED TRUCK ENTRANCE AND RAIL SPUR FOR THE PROCESSING AND HANDLING OF POULTRY LITTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 228.88 ACRES, MORE OR LESS

WHEREAS, on the 9th day of September, 1999, a conditional use application, denominated C/U #1314 was filed on behalf of Perdue-AgriRecycle, LLC; and

WHEREAS, on the 4th day of November, 1999, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that C/U #1314 be approved; and

WHEREAS, on the 30th day of November, 1999, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of C/U #1314 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 Broad Creek Hundred, Sussex County, Delaware, and lying west of U.S. Route 13A and north of Road 485 and being more particularly described as follows:

BEGINNING at a point on the westerly right of way of U.S. Route 13A, a corner for these subject and lands now or formerly of Victor E. Moore; thence south 85°45'06"

west 250.23 feet, south $86^{\circ}46'11''$ west 1068.22 feet and south $07^{\circ}53'54''$ west 1,495.60 feet along lands of Victor E. Moore to a point; thence southerly along these lands and lands now or formerly of Victor E. Moore the following courses: south $24^{\circ}14'37''$ east 92.40 feet, thence south $09^{\circ}17'37''$ east 899.25 feet, thence south $05^{\circ}00'23''$ west 313.50 feet, thence south $05^{\circ}14'37''$ east 198.00 feet, thence south $09^{\circ}59'37''$ east 610.94 feet to the northerly right of way of Road 465; thence westerly 505.15 feet along the northerly right of way of Road 485 to the centerline of Gum Branch; thence northwesterly along the meandering centerline of Gum Branch approximately 2,200.00 feet to a point, a corner for these lands and lands now or formerly of Stephen C. Glenn; thence south $16^{\circ}46'19''$ west 354.98 feet along said Glenn property to a point; thence north $78^{\circ}57'47''$ west 318.35 feet along lands now or formerly of Frederick M. O'Neal (Trustee) to a point; thence north $09^{\circ}16'05''$ east 297.01 feet and north $04^{\circ}55'59''$ east 817.39 feet along lands now or formerly of Ronald W. and Ruth M. Conaway to a point; thence north $86^{\circ}05'12''$ east 396.08 feet and north $04^{\circ}18'33''$ west 1,168.72 feet along lands now or formerly of Donald R. Eisenbrey to a point; thence north $79^{\circ}02'14''$ east 2,055.56 feet and north $34^{\circ}54'37''$ west 384.45 feet along lands now or formerly of Ralph H. and Jane L. Givens to a point; thence north $49^{\circ}05'23''$ east 1,384.35 feet along lands now or formerly of Ralph H. Givens, lands now or formerly of Ronald G. Fensick, and lands now or formerly of Edward N. Dickerson to a point; thence south $45^{\circ}47'19''$ east 717.20 feet along lands now or formerly of George D. Elzey, Jr. to a point; thence north $68^{\circ}08'07''$ east 504.34 feet and south $79^{\circ}42'15''$ east 619.83 feet along lands of Florence E. Johnson and Sussex Manor to a point; thence south $06^{\circ}25'19''$ west 261.98 feet to a point; thence north $87^{\circ}41'15''$ east 351.14 feet to a point on the westerly right of way of U.S. Route 13A; thence 1,036.47 feet along the westerly right of way of U.S. Route 13A to the point and place of beginning and containing 228.88 acres more or less as surveyed by Hampshire, Hampshire and Andrews, and F. Douglas Jones Surveying Associates.

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 stipulations:

1. The conditional use area shall be strictly limited to the improvements shown on the site plan and attached supplements, the site plan prepared by McCrone. Any future additions, alterations, or improvements shall be subject to an application and public hearings to amend this conditional use.
2. The proposed truck entrance shall be located as shown on the supplement to the site plan north of the boundary of the lands of Victor E. Moore, parcel 92, and shall have the buffer areas shown on the supplement the site plan vegetated with native trees and Leyland Cypress.
3. The proposed truck entrance shall be improved to limit dust with bituminous surface treatment, as a minimum, from Route 13A back to the railroad right-of-way.
4. Movement of rail cars within the conditional use area for loading purposes shall be limited to daylight hours. The drop-off and pick-up of rail cars by the rail company servicing the spur is not restricted.
5. Rail cars shall be cleaned off-site.
6. All truck trailers shall have the raw litter enclosed in waterproof tarps and shall be designed to prevent leakage.
7. Truck travel to the site shall be during daylight hours limited to Monday through Saturday.
8. The pelletized product of the processing plan shall be shipped in enclosed railroad cars or enclosed tractor-trailers.
9. All activities shall be limited to the inside of the building. The loading, unloading, and processing of raw material/litter shall be within the negative air section of the building. The loading of the finished product into transport vehicles shall be under the roof.
10. The noise and odor emissions from the plant shall be controlled by the negative air system, and shall be controlled by using bag houses, cyclone fans and air scrubbers; in no event shall the plant be allowed to operate with noise or odors exceeding minimum standards established by the Department of Natural Resources and Environmental Control or any other agency having jurisdiction over the project.
11. The lands shown on the site plan as cultivated and acquired from E. Jean Fleetwood shall remain in the wooded and cultivated state north of the truck entrance and shall be enhanced with native trees and Leyland Cypress in the buffer areas shown on the supplement to the site plan.
12. All woodland areas within the site and shown as woodland areas will remain as woodland, cut-over woodland will be allowed to mature.
13. All timber areas will only be harvested with mandatory replanting after harvest. No harvesting shall occur within 100 feet of a property line or public roadway.
14. The site plan shall be subject to review and approval by the Planning and Zoning Commission.
15. A vegetated buffer shall be planted at the time on-site construction begins.
16. A processing plant will not be permitted on the site.

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17. All lighting on the site shall be directed towards the site and no lighting shall be directed off-site.
18. No operating hours will be permitted on Sunday.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1354 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 21ST DAY OF DECEMBER, 1999.


ROBIN A. GRIFFITH
CLERK OF THE COUNTY COUNCIL

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant, Perdue-AgriRecycle, L.L.C., is a recently formed business entity, combining the experience of Perdue Farms Incorporated, an established poultry producer on the Delmarva peninsula with experience in pelletization, and AgriRecycle, Inc., which has knowledge in the field of micro-nutrient production, through recycling of poultry manure and marketing of the pelletized micro-nutrients.
2. The applicant has applied for a conditional use on 228± acres of land for a micro-nutrient plant which will be housed in a building 100' x 630'. The remaining portion of the property is to be preserved, except for roads and rail, in production farmland and/or timberland.
3. The proposed facility will have the same physical impact being viewed from off the property as would two chicken broiler houses, and the proposed building is compatible with traditional farm buildings in AR-1 Districts in Sussex County. The building is designed with a conveyor belt tower of 90± feet and a 60± foot rail car loading or staging tower which are exempt from height limits by Sussex County Code § 115-179.
4. The proposed use, as applied for through the conditional use permit, is a use which is designed to benefit the family farm and agricultural industry in Sussex County, particularly the poultry growers in Sussex County. The use is designed to enable the poultry growers to eliminate a potential source of excess nitrates and phosphates being deposited in the soils of Sussex County. The historic spreading of chicken litter without appropriate controls on farmlands within Sussex County and the Delmarva Peninsula is reported by environmental experts as contributing to the contamination problems in the tidal waters and tributaries of the Delmarva Peninsula.

5. The proposed micro-nutrient process uses a waste by-product of the poultry industry productivity and reduces the cost of waste by-product disposal for poultry growers. The process allows the original poultry waste by-product to be converted to a micro-nutrient for resale off the Delmarva peninsula to be utilized in areas where current soils are deprived of the nutrients.
6. Enhancing the environmental quality of life in Sussex County is a goal of the Comprehensive Plan, and a conditional use permit has, for its purpose, the location of uses which are generally of a public or semi-public character, and are essential and desirable to the general convenience and welfare. The application, as presented, meets both the goal and purpose thereby established.
7. The applied for use meets the criteria that the proposed use is for the general convenience and welfare of the entire community, but does require the exercise of planning judgment as to the location and site plan.
8. The conditional use approval process allows the County to condition its approval by imposing restrictions, and the County Council hereinafter imposes conditions on the application approval to lessen its impact on the surrounding neighborhood.
9. Authorization of this use by conditional use permit is appropriate. The use is not a specified use listed in either the LI-1, LI-2 or heavy industrial zoning districts of Sussex County. While the resulting product is akin to a product produced in fertilizer manufacturing, the plant design and process is a recycling facility. The plant will use a negative air flow system and it will operate within a completely enclosed environment which is designed to minimize, if not eliminate, odors and noise from extending beyond the enclosed plant by use of air scrubbers and cyclone fans. The process utilized and the technology of the proposed micro-nutrient plant does not fit within any particular zone established by the Sussex County Zoning Ordinance. Due to the need for enhancing the ability of the poultry industry to protect the local environment, a conditional use is an appropriate zoning method for permitting a use, which will provide community-wide benefits and the ability to recycle a potential environmentally damaging by-product of the poultry industry.
10. The Sussex County Council finds that the restrictions and enhancements to the property which are hereinafter imposed will reduce impacts, if any, on immediately neighboring properties.

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The closest residence is approximately one-half mile from the plant, and the screening proposed by the applicant and the retention of woodlands should screen the plant's operation from immediate view by any residents.

11. The plant is to be served solely by covered trucks. The Sussex County Council recognizes that the need to control odors through fully enclosed trucks will be required as a condition of the permit that all trucks containing poultry litter coming to the property must be covered, with the failure of a contract truck driver to maintain a covered product to be subject to probable termination.
12. The proposed use is partially located within a development district under the 1997 Sussex County Comprehensive Development Plan, and is therefore an appropriate location for a recycling plant which serves the Delmarva agricultural community. Although the plant itself is located in an agricultural district, it is in compliance with the Comprehensive Plan, since facilities designed to enhance and benefit the agricultural community are permitted in all agricultural districts. The use supports, and in turn is dependent upon local agricultural product and by-products. (See Comprehensive Plan at Page 11.)
13. The location of the plant is appropriate. The plant needs to be served by a spur rail line to ship the finished product from the Delmarva peninsula. The location of the plant is centralized with respect to a concentration of the poultry growers within Sussex County, and is served by an adequate road system not part of the major north-south through traffic roadway of Route 13 or Route 113.
14. Granting the conditional use permit should enhance the quality of life in Sussex County by providing an alternative source of disposal of poultry waste, and will allow a continuation of the poultry industry in Sussex County providing poultry growers with an option to be more environmentally responsible.
15. The proposed use which is designed to provide assistance to the poultry growing industry, a major part of the eastern shore agricultural business community, protects a viable economic base of Sussex County, and will provide the poultry growers the opportunity to meet ever-increasing stringent environmental standards imposed by the State and Federal government on their operations.

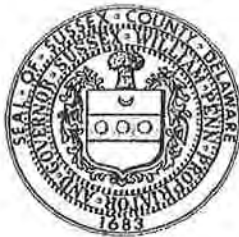
16. The proposed use will be economically beneficial to the County in that it will create from 15 to 20 skilled and semi-skilled jobs. The jobs will have a multiplier effect for the economy of Sussex County. The need to retain skilled and semi-skilled jobs in Sussex County is particularly crucial at this junction, since the Dupont Plant has announced a reduction of employees by 600, or one-third of the existing employees in the year 2000.
17. The tax base of Sussex County will be increased by the assessment for the plant authorized by the conditional use permit, and the local school districts will be benefited by an increase in tax base, without any additional burdens by reason of increased population on the lands conditionally zoned.
18. The Planning and Zoning Commission has recommended approval with conditions. The Sussex County Council accepts and adopts the findings of the Planning and Zoning Commission in principle, but modifies the proposed conditions in certain aspects as hereinafter provided.
19. The Sussex County Council finds that the subject micro-nutrient plant operation will dry, pasteurize and pelletize natural poultry waste within an enclosed plant. This type of facility is not addressed in any of the specific zoning districts established under the Sussex County Comprehensive Zoning Ordinance. The use is best authorized by a conditional use permit, as opposed to a rezoning of the 228 acres of land, so that a majority of the land not required for the plant can be restricted as to use. The below imposed conditions could not be imposed by the Sussex County Council in an ordinance rezoning the property LI-1, or any other non-conditional use zoning classification.
20. The proposed use will also be subject to permit requirements and regulation requirements of the Delaware Department of Natural Resources and Environmental Control controlling noise, odor, surface run-off, dust and wastewater disposal; the Delaware Department of Transportation controlling entrance and truck route access; and the federal government relating to rail use. These agencies will control the operation within their areas of expertise, which is in addition to the conditions that the Sussex County Council can legislatively impose within its area of expertise.
21. The County Council adopts the position of the Applicant as set forth in its letter to the Council dated December 7, 1999, which document is incorporated herein by reference, and finds

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that the appropriate method of implementing the rezoning sought for the Applicant's micro-nutrient processing facility, together with truck entrance and rail spurs, is through a conditional use.

22. The County Council finds that by authorizing the use through a conditional use procedure, the County can impose restrictions and conditions on the use which are designed to provide assurance that the facility will be operated so as to minimize any impact to the community and neighborhood in which the use is located. By the conditional use approval, the County can impose appropriate conditions on the Applicant's use of the property. If the Applicant's proposed use were approved through a district rezoning of lands, then all uses that would be authorized in that district would be authorized at the property, and the County could not impose specific restrictions and conditions upon such use to provide assurance that the Applicant's use of the property will be compatible with uses permitted in the surrounding area and otherwise operate in harmony with the community.

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



Sussex County
DELAWARE
sussexcountyde.gov

October 20, 2020

Mr. Stephen J. Gorski, P.E.
Duffield Associates, Inc.
5400 Limestone Road
Wilmington, DE 19808

By email to: sgorski@duffnet.com

Dear Mr. Gorski,

Thank you for your zoning verification request regarding Tax Parcels 132-11.00-41.00, 132-6.00-88.01, 132-6.00-95.00 and 132-11.00-41.02. The tax parcels are located on the north side of Oneals Road (S.C.R. 485) and the west side of Seaford Road (Route 13A) with access off of Enviro Way.

The above-mentioned parcels consist of a total of 223.26 acres and are zoned Agricultural Residential (AR-1). The subject properties are not located within a Flood Zone. There are two tax ditches present on parcel 132-11.00-41.00. The northern tax ditch contains a R.O.W. that is measured 30-ft from the top of bank of the ditch, and the southern tax ditch contains a R.O.W. is measured 80-ft from the centerline of the ditch.

The use of the site as a composting facility as an addition/extension to the previously approved micro-nutrient plant for the processing and handling of poultry litter was approved by the Sussex County Council on Tuesday, June 25, 2013 under Conditional Use No. 1962. This change was adopted through Ordinance No. 2311 and is subject to nine (9) conditions. The conditions previously approved for the site under Conditional Use No. 1314 and 1691 were unchanged by this approval.

A Preliminary Site Plan for the addition of seven (7) storage tanks and other associated site improvements to be located between Buildings 1 and 3 was received by the Department of Planning and Zoning on April 16, 2020. The site plan includes a proposed 2,000 square foot security and reception office, new landscaping and fencing near the site entrance.

At their meeting of Thursday, April 23, 2020, the Planning and Zoning Commission approved the Preliminary Site Plan with the request that the Final Site Plan also require Commission approval.

A search was conducted regarding the parcel's history which concluded that there are no open violations on the property. Placement of any additional structures on the property which are not reflected on the current site plan will require site plan review and a separate permit from the County.

Please feel free to contact me with any further questions you may have during normal business hours, 8:30AM to 4:30PM, Monday through Friday at (302)855-7878.

Best Regards,

Mr. Jamie Whitehouse,
Director of Planning & Zoning



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

Bioenergy Development Group, LLC
C.U. No 2258

**PROPOSED
FINDINGS OF FACT**

1. This application is made by Bioenergy Development Group, LLC pursuant to S.C. Code § 115-22, to permit the processing and handling of poultry litter to include nutrient recovery for natural gas and electrical generation.

2. The applicant is the owner and occupant of the subject property located in Broad Creek Hundred and identified on the Tax Maps of the Sussex County Department of Finance as T.M. No. 132-6.00-88.01 and 95.00 and 132-11.00-41.00 and 41.02, containing 228.88 acres, more or less.

3. The site was originally approved in 1999 and has been in operation since then for the receipt of poultry waste to be converted to fertilizers. The site is currently operated by the Applicant as a micro-nutrient plant with related truck entrance and rail spur for the processing and handling of poultry waste and litter. These historic uses have been approved by regulatory agencies, including DNREC air and water quality agencies.

4. The site is designated as an AR-1 Agricultural-Residential District, which allows for a full range of agricultural activities, and is designated in the County's Comprehensive Land Use Plan as an Industrial Area, allowing land to be devoted to concentrations of larger industrial uses including heavier industry, light industry, warehousing, and flex space.

5. The present use was originally granted by Conditional Use No. 1314 (approved Dec. 21, 1999) and has been amended by Conditional Use Nos. 1691 (approved July 25, 2006) and 1962 (approved June 25, 2013). These conditions, as amended, will continue to be binding on the site.

6. This proposed extension to the existing conditional use enlarges the use to include nutrient recovery and conversion for natural gas and electrical generation. The structures currently existing on the site will remain. By granting this extension to the conditional use, the

Applicant will be able to continue supporting the agricultural business in the area and maintain or -increase the number of employees working at this site.

7. The proposed change is consistent with and is a reasonable expansion of the current Use and is essential and desirable for the general convenience and welfare of Sussex County residents and the agribusiness community and will have a positive effect on the County's economy.

8. The proposed use will require regulatory review by State agencies, including the Delaware Department of Natural Resources and Environmental Control, relating to air and water quality controls, the State Fire Marshal, and the Department of Transportation.

9. Any concerns raised about the location of facilities, traffic, noise, odor, dust, etc., have been addressed by the Applicant and the best environmentally responsible processes will be continued. The proposed use with the conditions imposed will not have an adverse effect on the neighboring or adjacent properties.

10. This application is appropriate at the subject site because of its designation as an industrial area in the County's Comprehensive Land Use Plan on the State's strategy for spending map in that they encourage these type activities supporting agriculture.

11. The granting of this application benefits the environment by providing a clean and efficient method for the conversion of poultry litter to renewable energy and a serving the community with natural gas and electricity.

12. The conditional uses requested will promote the health, safety and welfare of the inhabitants of Sussex County.

PROPOSED CONDITIONS
OF APPROVAL

1. All improvements for processing and handling of poultry litter to include nutrient recovery for natural gas and electrical generation shall be constructed and maintained in accordance with the requirements of Delaware Department of Natural Resources and Environmental Control, the State Fire Marshal, and any other state or federal governmental agency with jurisdiction over the use of the site, or any modification thereto.
2. The final site plan shall be subject to review and approval by the Sussex County Planning and Zoning Commission.
3. Except as amended by this grant of conditional use, the conditions imposed by Conditional Use No. 1314, and as amended by Conditional Use Nos. 1691 and 1962, shall remain in effect.



Sussex Conservation District
23181 Shortly Road
Georgetown, DE 19947
302-856-2105

<https://www.sussexconservation.org>

APPLICATION FOR STANDARD PLAN APPROVAL

**NON-RESIDENTIAL CONSTRUCTION WITH
LESS THAN 1.0 ACRE DISTURBED**

Applicability Criteria

1. The disturbed area for construction of the improvements will not exceed 1.0 acre.
2. Within the disturbed area, the pre-development land use is not classified as forest.
3. For project site locations within an area previously managed for stormwater quantity and quality under an approved Sediment and Stormwater Plan, the post construction condition meets the original stormwater design criteria.
4. For project site locations within an area previously unmanaged for stormwater quantity and quality under an approved Sediment and Stormwater Plan, one of the following is met:
 - a. Comparison of the existing parcel curved number (CN) based upon the Department's 2017 aerial photography to the proposed CN for the parcel after non-residential construction results in less than one whole number change in the CN, OR
 - b. No new impervious area is proposed as a result of construction.

Site Information

Project Name: <u>Bioenergy Alternative Fuel Processing Facility</u>	Parcel Total Acres (nearest 0.1ac): <u>220.5</u>
Site Location: <u>Enviro Way, Seaford, DE 19973</u>	Disturbed Acres (nearest 0.1ac): <u>.95 acre</u>
Previous Plan Name: <u>N/A</u>	Proposed Impervious Area (square feet): <u>875 sf (net)</u>
Previous Plan Approval Number: <u>N/A</u>	Wooded area to be cleared: <u>0 ac.</u>
Tax Parcel ID: <u>132-6.00-88.01; 95.00; 132-11.00-41.00; 41.02</u>	Pre CN: <u>85</u> Post CN: <u>85</u>

Applicant Information

Owner: <u>BioEnergy Development Group, LLC</u>	Applicant: <u>Duffield Associates</u>
Mailing Address: <u>9250 Bendix Road</u>	Mailing Address: <u>5400 Limestone Rd</u>
<u>Columbia, MD 21045</u>	<u>Wilmington, DE 19808</u>
Owner Phone: <u>719-502-6100</u>	Applicant Phone: <u>410-399-9777</u>
Owner Email: <u>swarfield@bioenergydevco.com</u>	Applicant Email: <u>sgorski@duffnet.com</u>

Approval Information (for office use only)

Approval # <u>2020-967</u>	Fee Paid: \$ <u>1000.00</u>
Approved by: <u>[Signature]</u>	Approval Date: <u>9/21/20</u>
Title: <u>Program Manager</u>	Expiration Date: <u>9/21/25</u>

Standard Conditions

1. Discharges from rooftops will be disconnected using one of the following methods or another method approved by the Department or Delegated Agency:
 - a. Individual downspouts will discharge to lawn or landscape area.
 - b. Discharges from downspouts will be collected to discharge to a rain garden.
 - c. Discharges from downspouts will be collected in rain barrels or cisterns for reuse.
2. Driveways, sidewalks, patios, and other impervious surfaces will be graded to sheet flow to lawn or other pervious areas to the maximum extent practicable.
3. Unless waived in writing by the Department or Delegated Agency a construction site stormwater management plan in accordance with Department or Delegated Agency guidance for this Standard Plan shall be followed. The attached checklist has been developed to serve as guidance for preparing the construction site stormwater management plan.
4. Approval of this Standard Plan does not relieve the applicant from complying with any and all federal, state, county or municipal laws and regulations.

Stabilization Conditions

1. Following initial soil disturbance or redistribution, temporary or permanent stabilization with seed and mulch shall be completed within 14 calendar days to the surface of all disturbed areas not actively under construction.
2. Specific stabilization recommendations may be found in the Delaware Erosion and Sediment Control Handbook, 3.4.3 Standard and Specifications for Vegetative Stabilization.

Applicant Certification

I, the undersigned, certify that the information supplied on this Application for Standard Plan Approval is accurate, the proposed land disturbing activity meets the criteria established, and all conditions of this Standard Plan Approval will be met by the applicant, builder, contractor, and owner during construction and post construction.

Applicant Signature: Stephen Gorski Date: 8/26/2020
Applicant Printed Name: Stephen Gorski, P.E. Title: Sr. Project Manager

THIS STANDARD PLAN APPLICATION FORM MUST BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION

BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE



LOCATION MAP



STANDARD SEDIMENT AND STORMWATER NOTES

[illegible]

SEE SHEET 2 FOR SEQUENCE OF
CONSTRUCTION

WETLAND CERTIFICATION

DISPATCHED TO THE BUREAU HAS BEEN RECORDED. OFFICIALS ADVISED BY THE BUREAU THROUGH
TELETYPE ON 10/20/68 THAT THE LINDSAY AIRPLANE CRASHED AND WAS DESTROYED IN THE DOWNGRADES
AND WAS STAFF REPORTED THAT THE AIRPLANE CRASHED IN THE DOWNGRADES IN THE 1960S.
WALSH HAD BEEN IN THE DOWNGRADES AT THE TIME THAT THE AIRPLANE WAS CRASHED. THE
CRASHED AIRPLANE WAS CRASHED IN THE DOWNGRADES IN THE 1960S.

ENGINEERING COMMUNICATION

[illegible]DUFFIELD
ASSOCIATES

GROUP, LLC
BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE

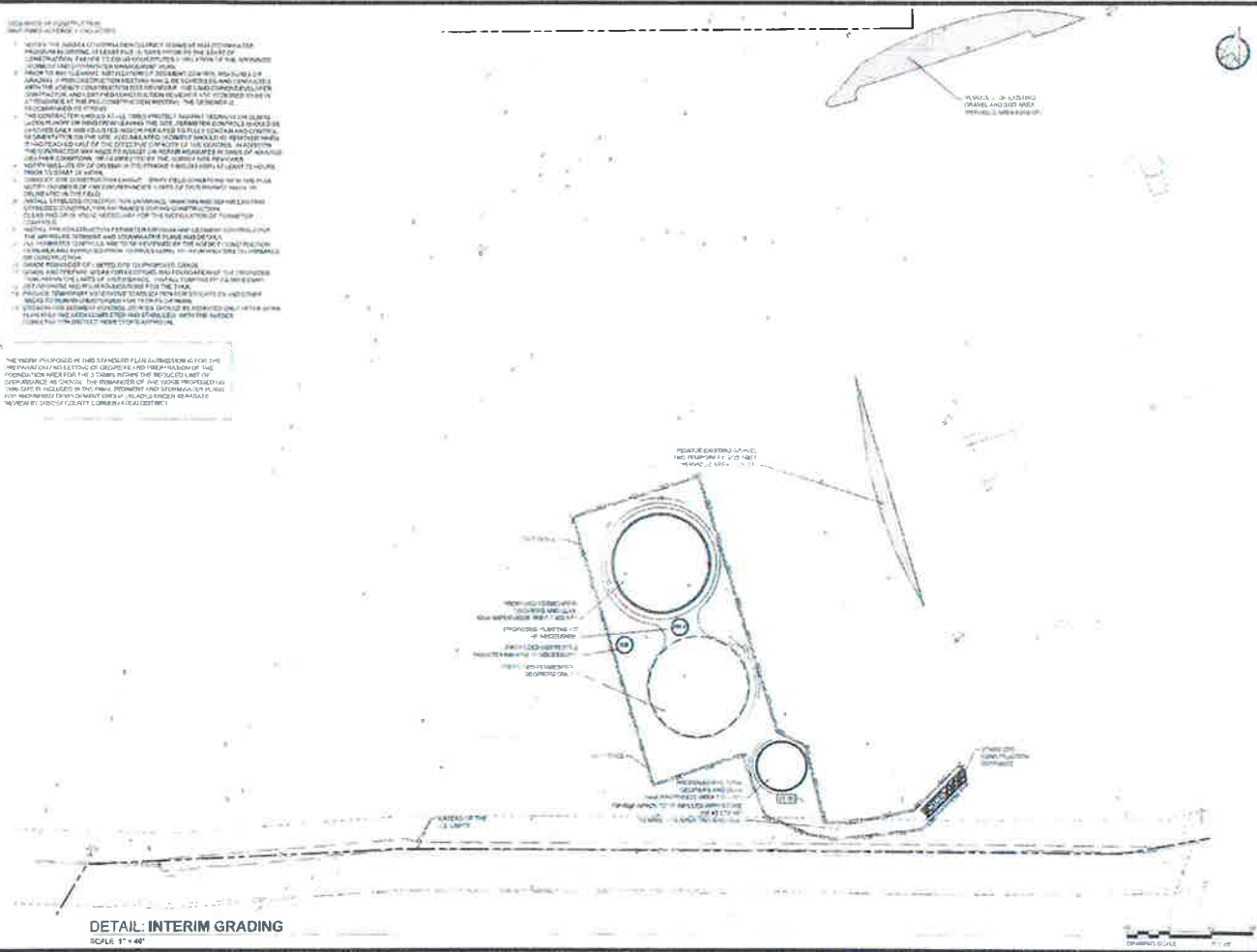
INDEX SHEET
STANDARD PLAN

DATE 10 SEPTEMBER 2020
SCALE AS SHOWN
PROJECT NO 1296 CF
SHEET 1 OF 4

NOTES TO CONTRACTOR

1. NOTIFY THE OWNER OF ANY DISCREPANCY BETWEEN THE INFORMATION PROVIDED BY THE OWNER AND THE INFORMATION PROVIDED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.

THE OWNER HAS PROVIDED IN THIS STANDARD PLAN A SUMMARY OF THE INFORMATION AND DATA REQUIRED FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR.

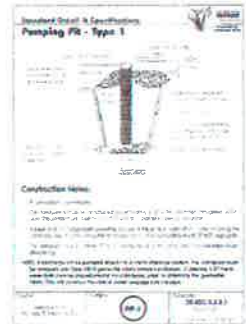
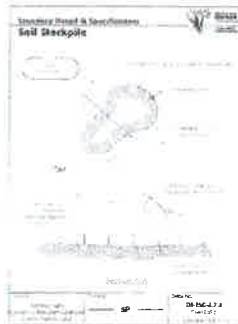


DUFFIELD ASSOCIATES
INCORPORATED
1000 N. 10TH STREET
SUITE 100
DALLAS, TEXAS 75201
PHONE: (214) 742-1000
FAX: (214) 742-1001
WWW.DUFFIELDASSOCIATES.COM

PRE CONSTRUCTION STANDARD PLAN
SEWAGE AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC

BROAD CREEK HUNTERD - SURREY COUNTY DELAWARE

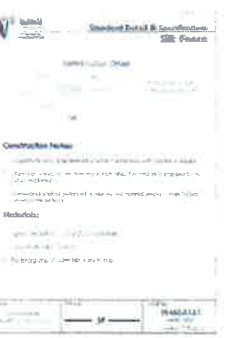
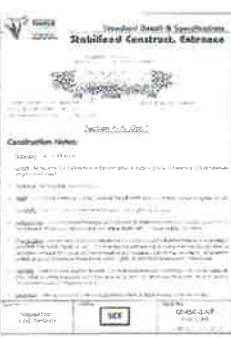
DATE: 09 SEPTEMBER 2020
DRAWN BY: JLD
PROJECT NO.: 1234567
SHEET: 1 OF 1



DETAIL: SOIL STOCK PILE
SCALE: NOT TO SCALE

DETAIL: PUMPING PIT
SCALE: NOT TO SCALE

DETAIL: GEOTEXTILE DEWATERING BAG
SCALE: NOT TO SCALE



DETAIL: STABILIZED CONSTRUCTION ENTRANCE
SCALE: NOT TO SCALE

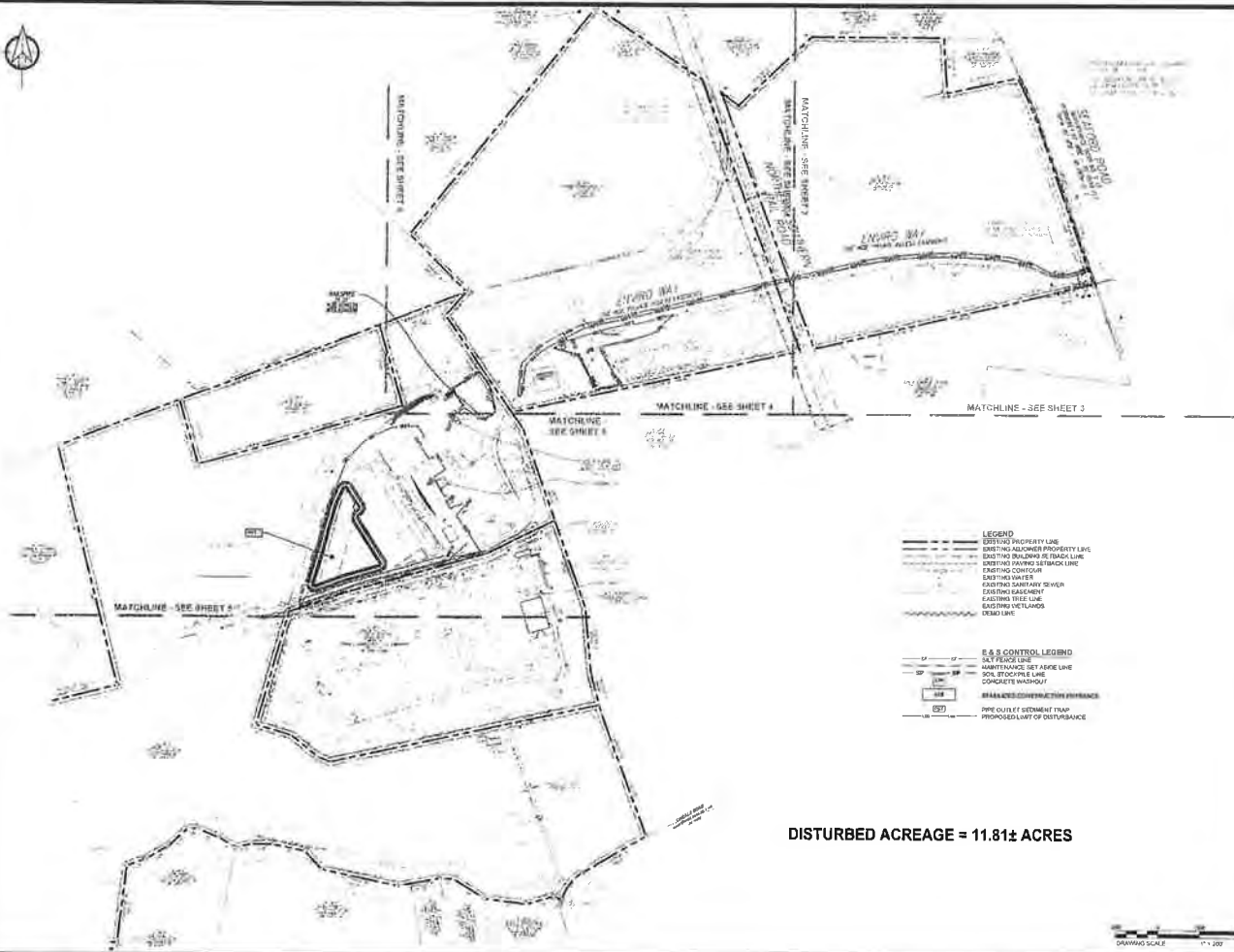
DETAIL: SILT FENCE
SCALE: NOT TO SCALE

DUFFIELD ASSOCIATES
INCORPORATED
1000 N. MARKET STREET, SUITE 200
PHILADELPHIA, PA 19107
TEL: 215-592-1234
WWW.DUFFIELDASSOCIATES.COM

CONSTRUCTION DETAIL SHEET
SEDIMENT AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE

DATE: 09 SEPTEMBER 2020
SCALE: AS NOTED
PROJECT NO: 1234567
SHEET: 5 OF 8





- LEGEND**
- EXISTING PROPERTY LINE
 - EXISTING ALLIANCE PROPERTY LINE
 - EXISTING BUILDING SETBACK LINE
 - EXISTING PAVED SETBACK LINE
 - EXISTING CONTOUR
 - EXISTING DRAINAGE
 - EXISTING SANITARY SEWER
 - EXISTING GAS LINE
 - EXISTING WATER LINE
 - EXISTING WETLANDS
 - DESIGN LINE
- E & S CONTROL LEGEND**
- SETBACK LINE
 - PROPERTY SETBACK LINE
 - SOIL STOCKPILE LINE
 - CONCRETE WASHOUT
 - PIPE OUTLET SEDIMENT TRAP
 - PROPOSED LIMIT OF DISTURBANCE

DISTURBED ACREAGE = 11.81± ACRES

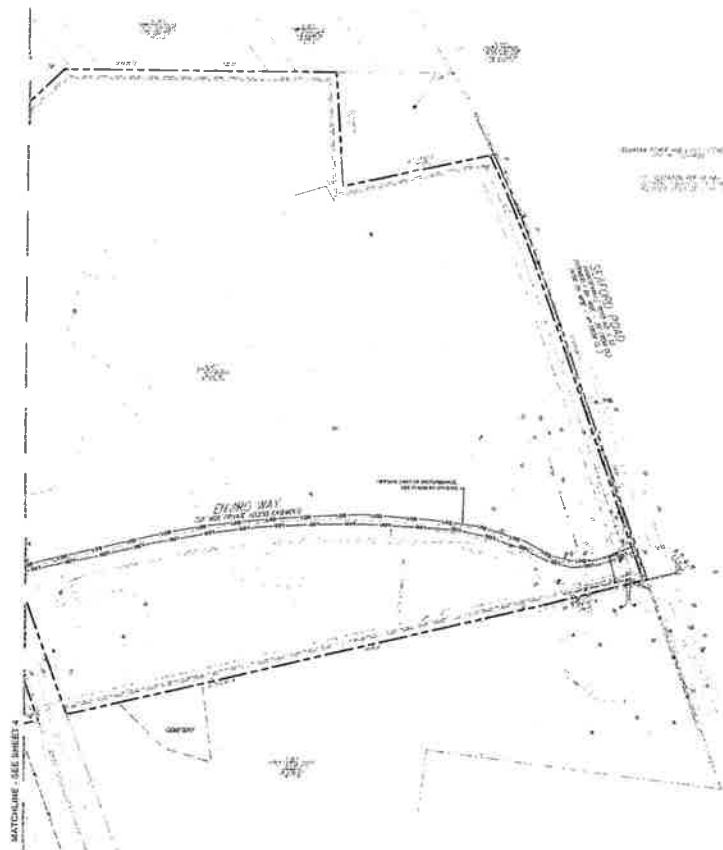


DUFFIELD ASSOCIATES
INCORPORATED
1000 LAMAR AVENUE
SUITE 200
DOVER, DE 19901
TEL: 302.234.4444
FAX: 302.234.4444
WWW.DUFFIELDASSOCIATES.COM

**OVERALL PRE-CONSTRUCTION SITE STORMWATER MANAGEMENT PLAN
SEDIMENT AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC**

DATE: 27 OCTOBER 2020
SCALE: 1" = 200'
PROJECT NO: 12303 CF
SHEET: 2 OF 17

BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE



**BIOENERGY DEVELOPMENT
GROUP, LLC**

DATE: 27 OCTOBER 2020
SCALE: 1" = 100'
PROJECT NO. 12391 CF
SHEET: 3 OF 17

DUFFIELD ASSOCIATES
Inc. • 1000 • 1000 • 1000

1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER
1000 LINDSEY LANE, BOULDER

OR OFFICE IN DELAWARE • MARYLAND,
PENNSYLVANIA AND NEW JERSEY
CALL: DUFFIELD ASSOCIATES
FAX: DUFFIELD ASSOCIATES





- LEGEND**
- EXISTING PROPERTY LINE
 - EXISTING ADJACENT PROPERTY LINE
 - EXISTING BUILDING SETBACK LINE
 - EXISTING PAVING SETBACK LINE
 - EXISTING DRIVEWAY
 - EXISTING DRIVE
 - EXISTING SANITARY SEWER
 - EXISTING DRAINAGE
 - EXISTING WETLANDS
- E & S CONTROL LEGEND**
- CONCRETE WASHOUT
 - PROPOSED LIMIT OF DISTURBANCE
 - SALT FENCE LINE
 - POLE STAKE LINE
 - STABILIZED CONSTRUCTION ENTRANCE

NOTE:

- SEE SHEET 13 FOR CONCRETE WASHOUT SIZING DATA

DRAWING SCALE: 1" = 100'



DUFFIELD ASSOCIATES, INC.
1000 LAMAR AVENUE, SUITE 100
FARMINGTON, CT 06030-1000
TEL: 860.633.8800
FAX: 860.633.8801
WWW.DUFFIELDASSOCIATES.COM



DATE	BY	CHKD	APPD
10/17/2020	DA		
10/17/2020	DA		
10/17/2020	DA		
10/17/2020	DA		
10/17/2020	DA		
10/17/2020	DA		
10/17/2020	DA		
10/17/2020	DA		
10/17/2020	DA		
10/17/2020	DA		

DAVID A. DUFFIELD
REGISTERED PROFESSIONAL ENGINEER
NO. 10000
EXPIRATION DATE 12/31/2020

**PRE-CONSTRUCTION STORMWATER MANAGEMENT PLAN
SEWAGE AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC**
BROAD CREEK HUNTER - SUSSEX COUNTY - DELAWARE

DATE: 17 OCTOBER 2020
SCALE: 1" = 100'
PROJECT NO: 12393 CF
SHEET: 4 OF 17



LEGEND

- EXISTING PROPERTY LINE
- EXISTING ADJACENT PROPERTY LINE
- EXISTING BUILDING SETBACK LINE
- EXISTING PARKING SETBACK LINE
- EXISTING CONTOUR
- EXISTING VALLEY
- EXISTING SANITARY SEWER
- EXISTING EASEMENT
- EXISTING TREE LINE
- EXISTING UTILITIES
- DEMO LOT

E & S CONTROL LEGEND

- STAKE LINE
- MAINTENANCE SET ASIDE LINE
- SOIL STOCKPILE LINE
- STABILIZED CONSTRUCTION ENTRANCE
- PIPE BUILT PERMANENT ROAD
- SPRINKLER COVER/PIPE SERVICE
- PROPOSED LINE OF SETTLEMENT



- NOTE:**
- SEE SHEET 13 FOR PIPE OUTLET SEDIMENT TRAP SIZING DATA
 - SEE SEQUENCE OF CONSTRUCTION (SHEET 10) FOR WHEN TO INSTALL PUMPING PITS AND DEWATERING BAGS

1" = 100'
DRAWING SCALE

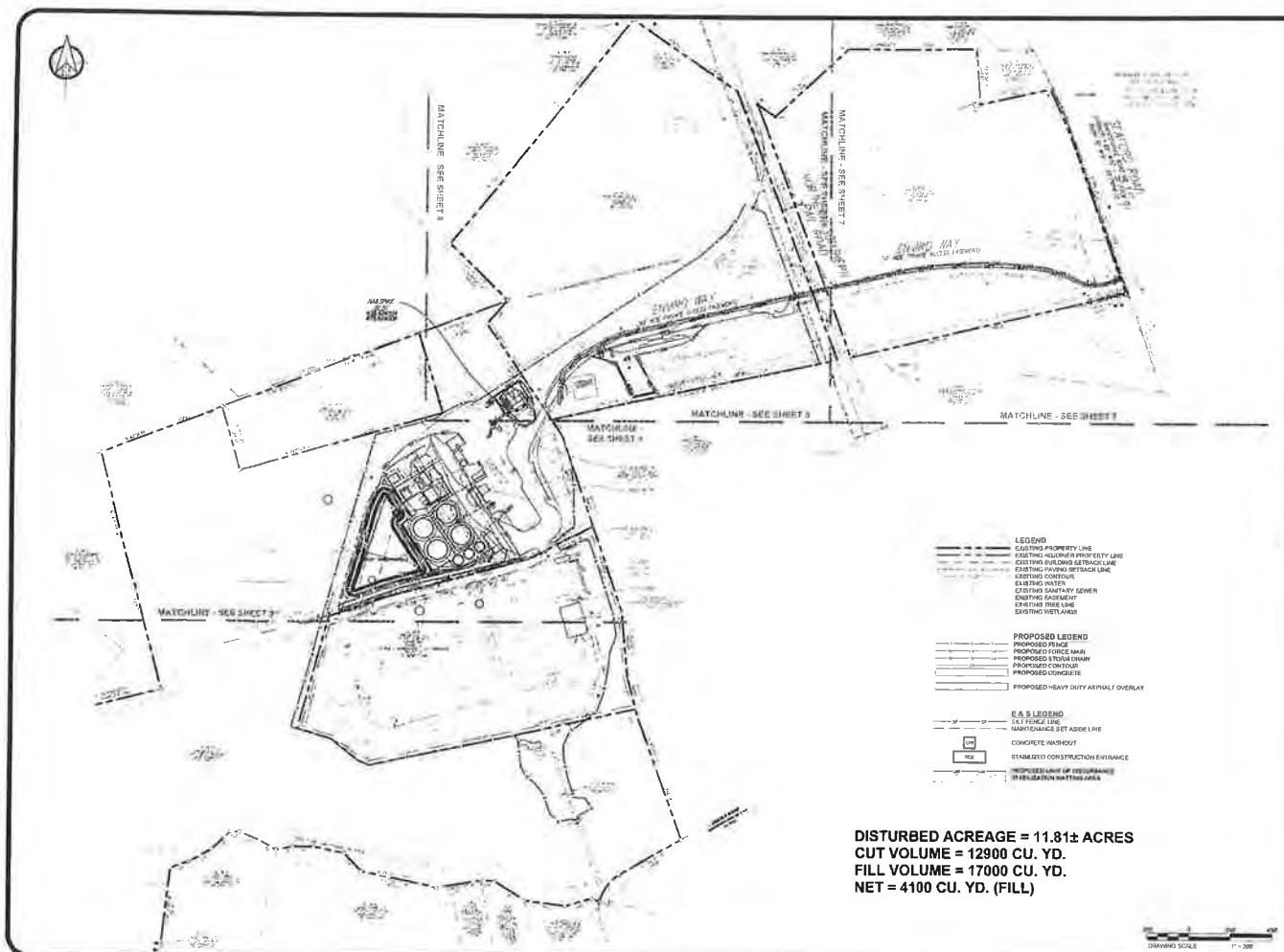


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1000 LINDSEY ROAD
SUITE 100
DALLAS, TEXAS 75243
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FAX: 214.241.1001
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**PRE-CONSTRUCTION STORMWATER MANAGEMENT PLAN
SEDIMENT AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC**
BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE

DATE: 27 OCTOBER 2020
SCALE: 1" = 100'
PROJECT NO: 12390 CF
SHEET: 5 OF 17



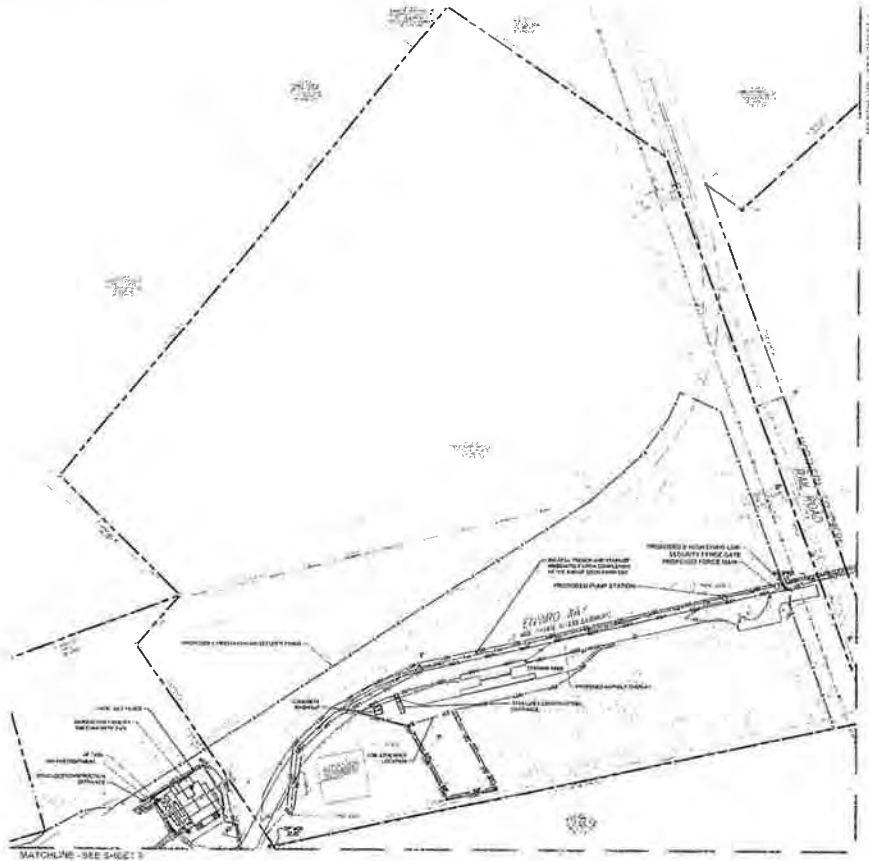


DUFFIELD ASSOCIATES
 400 LIMPSTON ROAD
 WASHINGTON DC 20020-1232
 TEL 202 278 6624
 FAX 202 279 6485
 E-MAIL: DUFFIELD@AOL.COM
 WWW.DUFFIELDNET.COM
 TEL: 1-800-DUFFIELD (CUBA)
 FAX: DUFFIELDNET.COM

[illegible]

**CONSTRUCTION SITE STORMWATER MANAGEMENT PLAN
SEDIMENT AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE**

DATE: 27 OCTOBER 2020
SCALE: 1" = 100'
PROJECT NO: 12393 CF
SHEET: 7 OF 17



- LEGEND**
- EXISTING PROPERTY LINE
 - EXISTING ADJACENT PROPERTY LINE
 - EXISTING BUILDING SETBACK LINE
 - EXISTING PAVING SETBACK LINE
 - EXISTING CONTIGUOUS
 - EXISTING UTILITY
 - EXISTING SANITARY SEWER
 - EXISTING EASEMENT
 - EXISTING FENCE LINE
 - EXISTING VETLANDS
- PROPOSED LEGEND**
- PROPOSED FENCE
 - PROPOSED FENCE BEAM
 - PROPOSED CONTIGUOUS
 - PROPOSED CONCRETE
 - PROPOSED HEAVY DUTY ASPHALT OVERLAY
- AS SHOWN**
- CONCRETE WASHOUT
 - STABILIZED CONSTRUCTION ENTRANCE

NOTE:
• SEE SHEET 13 FOR CONCRETE WASHOUT SIZING DATA

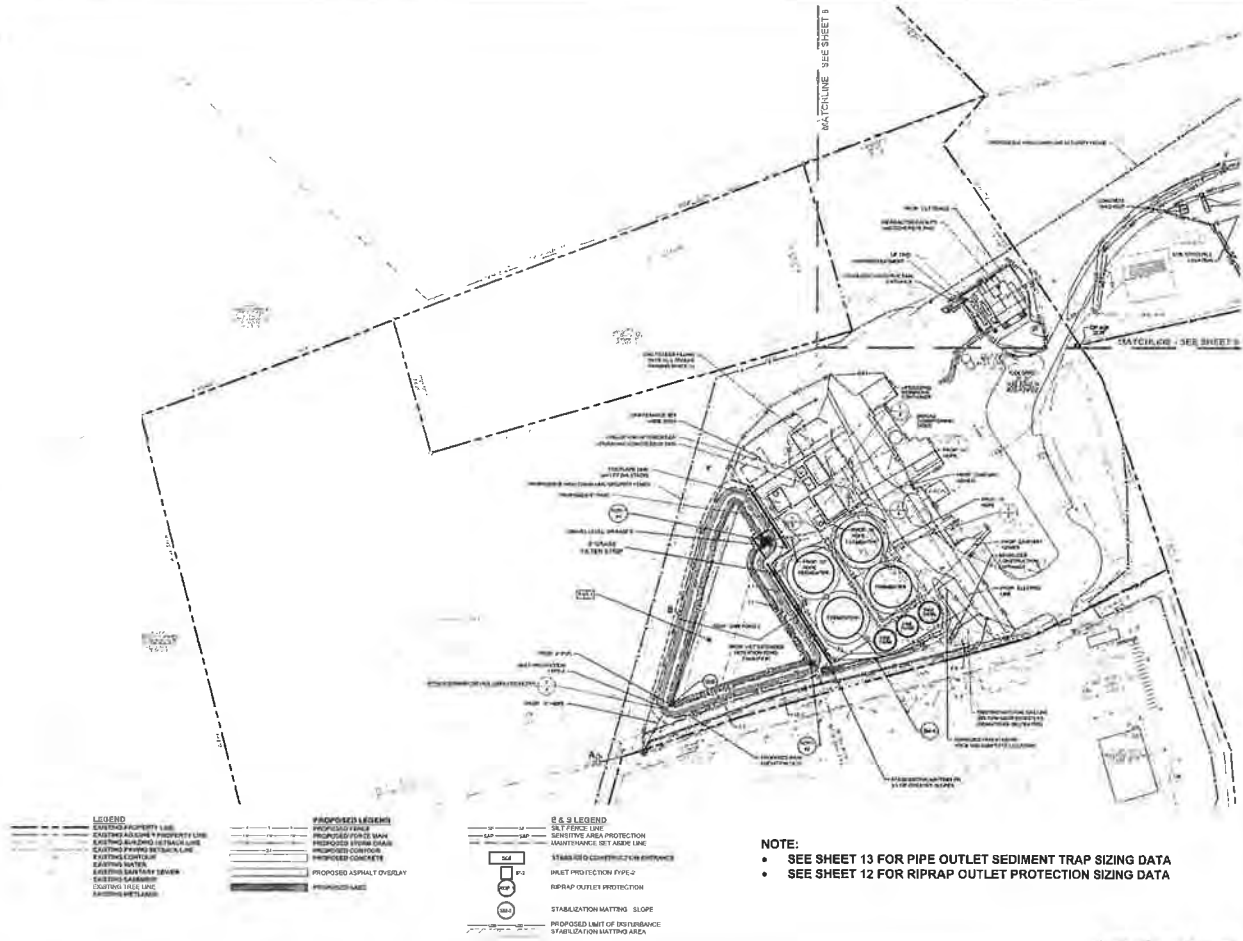
GRAPHIC SCALE 1" = 100'

DUFFIELD ASSOCIATES
1000 LAMAR AVENUE
SUITE 200
FARMINGTON, CT 06030
TEL: 860.273.8434
FAX: 860.273.8435
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**CONSTRUCTION SITE STORMWATER MANAGEMENT PLAN
SEDIMENT AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC**
BROAD CREEK HUNDED - SUSSEX COUNTY - DELAWARE

DATE: 27 OCTOBER 2020
SCALE: 1" = 100'
PROJECT NO: 12393 CP
SHEET: 8 OF 17



LEGEND	
EXISTING PROPERTY LINE	PROPOSED ASPHALT OVERLAY
EXISTING ADJACENT PROPERTY LINE	PROPOSED ASPHALT
EXISTING BUILDING FOOTPRINT	
EXISTING PAVING DETAIL LINE	
EXISTING CONTOUR	
EXISTING WATER	
EXISTING SAND FILL	
EXISTING SAND FILL	
EXISTING SAND FILL	
EXISTING SAND FILL	
EXISTING SAND FILL	

S & S LEGEND	
SECTORED LANE	STABILIZATION MATING SLOPE
SECTORED LANE	PROPOSED LIMIT OF DISTURBANCE
SECTORED LANE	STABILIZATION MATING AREA
SECTORED LANE	
SECTORED LANE	
SECTORED LANE	

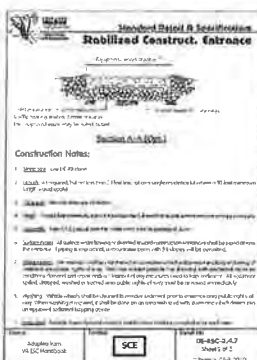
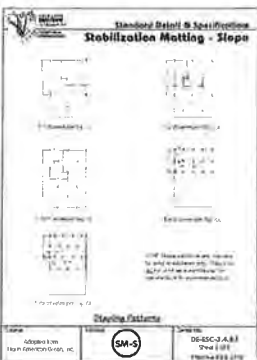
NOTE:
• SEE SHEET 13 FOR PIPE OUTLET SEDIMENT TRAP SIZING DATA
• SEE SHEET 12 FOR RIPRAP OUTLET PROTECTION SIZING DATA



DUFFIELD ASSOCIATES
Professional Engineers
1000 LINDSEY ROAD
SUITE 100
WILMINGTON, DE 19801
TEL: 302.234.4400
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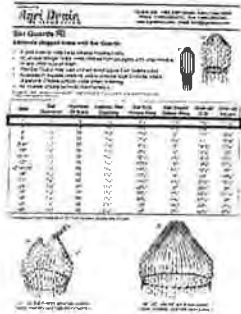
PROJECT NO.	13993
DATE	27 OCTOBER 2020
SCALE	1" = 100'
PROJECT NO.	13993
SHEET	9 OF 17

CONSTRUCTION SITE STORMWATER MANAGEMENT PLAN
SEDMENT AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT GROUP, LLC
BROAD CREEK HUNDEE - SUSSEX COUNTY - DELAWARE

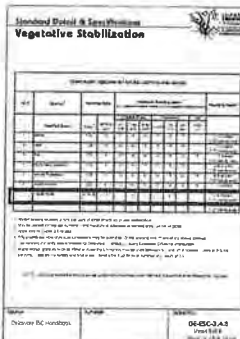
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CONSTRUCTION SITE DETAILS AND NOTES

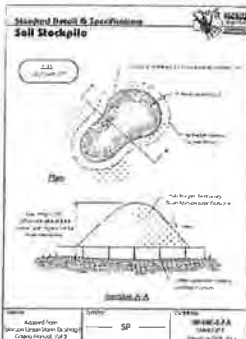
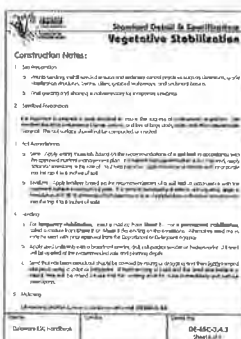
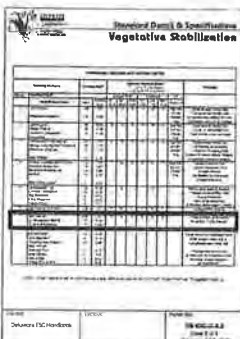
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SCALE: 1" = 100'
PROJECT NO: 12393 CF
SHEET: 10 OF 17



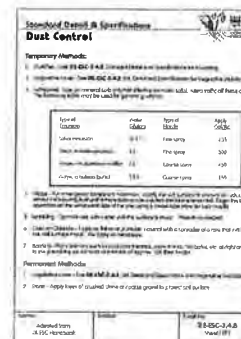
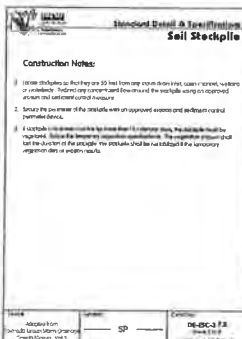
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SCALE: NOT TO SCALE



DETAIL: VEGETATIVE STABILIZATION
SCALE: NOT TO SCALE



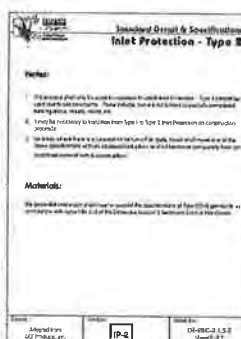
DETAIL: SOIL STOCK PILE
SCALE: NOT TO SCALE



DETAIL: DUST CONTROL
SCALE: NOT TO SCALE



DETAIL: INLET PROTECTION - TYPE 2
SCALE: NOT TO SCALE



CONSTRUCTION SITE DETAILS AND NOTES

SEDIMENT AND STORMWATER MANAGEMENT PLAN

BIOENERGY DEVELOPMENT

GROUP, LLC

BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE

DUFFIELD ASSOCIATES

4400 LINDSEY ROAD
DOWNTOWN, DE 19804
TEL: 302.271.1111
FAX: 302.271.1112

DATE: 27 OCTOBER 2020

SCALE: 1" = 20'

PROJECT NO: 12393 CF

SHEET: 11 OF 17

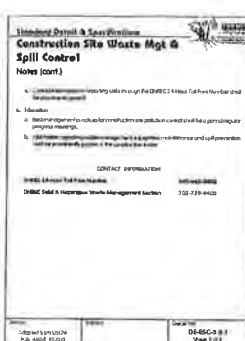
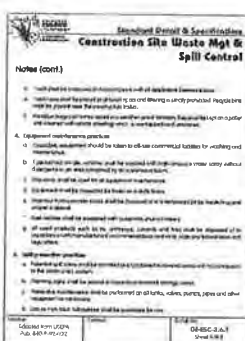
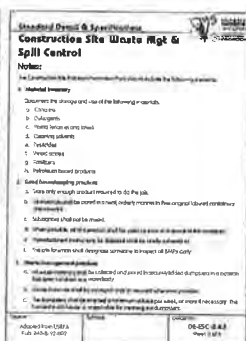
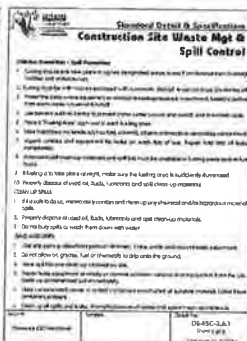
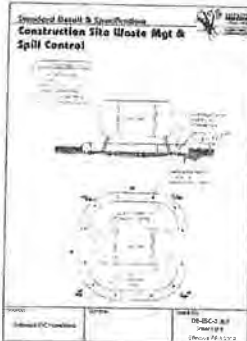
CONSTRUCTION SITE DETAILS AND NOTES

SEDIMENT AND STORMWATER MANAGEMENT PLAN

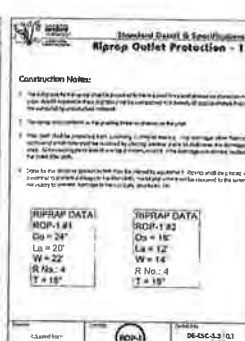
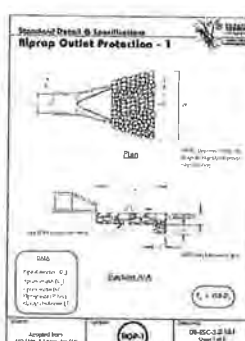
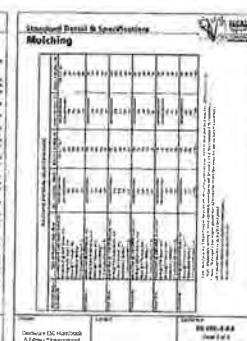
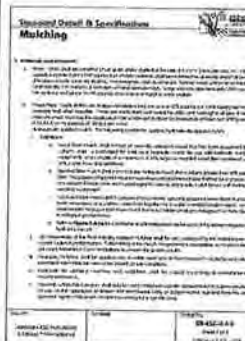
BIOENERGY DEVELOPMENT

GROUP, LLC

BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE



DETAIL: CONSTRUCTION SITE WASTE MANAGEMENT & SPILL CONTROL
SCALE: NOT TO SCALE

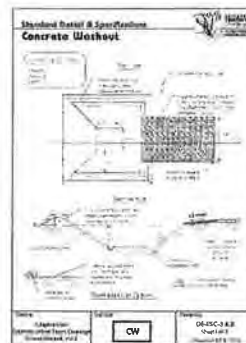
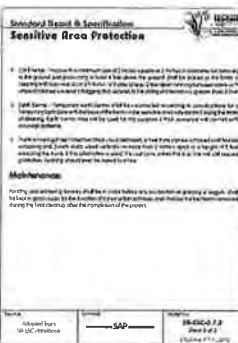
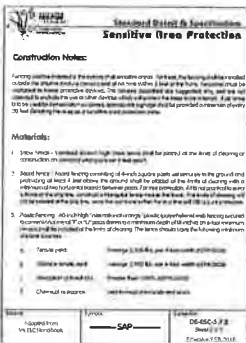


DETAIL: MULCHING
SCALE: NOT TO SCALE

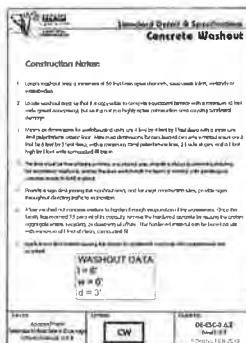
DETAIL: RIPRAP OUTLET PROTECTION - 1
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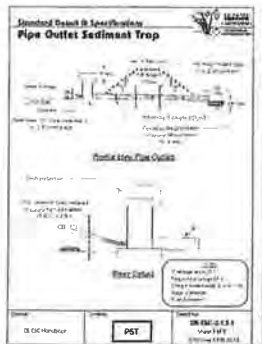
DETAIL: SENSITIVE AREA PROTECTION
SCALE: NOT TO SCALE



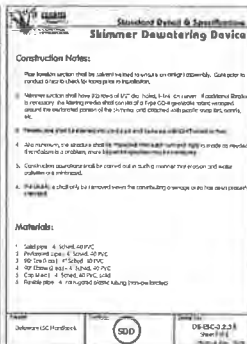
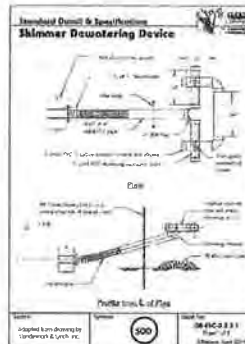
DETAIL: CONCRETE WASHOUT
SCALE: NOT TO SCALE



SEDIMENT TRAP AT DATA
DA = 12.204 AC
VS = 43,800 CF (3000 PER AC)
VH = 351,145 CF
DESIGN DIMENSIONS: SEE PLANS
RIBER: 24"x24"
PIPE DIA: 18"



DETAIL: RIPRAP OUTLET SEDIMENT TRAP
SCALE: NOT TO SCALE



DETAIL: SKIMMER DEWATERING DEVICE
SCALE: NOT TO SCALE

DUFFIELD ASSOCIATES
1000 LAMAR AVENUE
SUITE 100
WILMINGTON, DE 19801
TEL: 302.441.1234
FAX: 302.441.1235
WWW.DUFFIELDASSOCIATES.COM



CONSTRUCTION SITE DETAILS AND NOTES
SEDIMENT AND STORMWATER MANAGEMENT PLAN
BIOENERGY DEVELOPMENT
GROUP, LLC
BROAD CREEK HUNDEB - SUSSEX COUNTY - DELAWARE

DATE: 27 OCTOBER 2020
SCALE: 1" = 200'
PROJECT NO: 12391 CF
SHEET: 13 OF 17



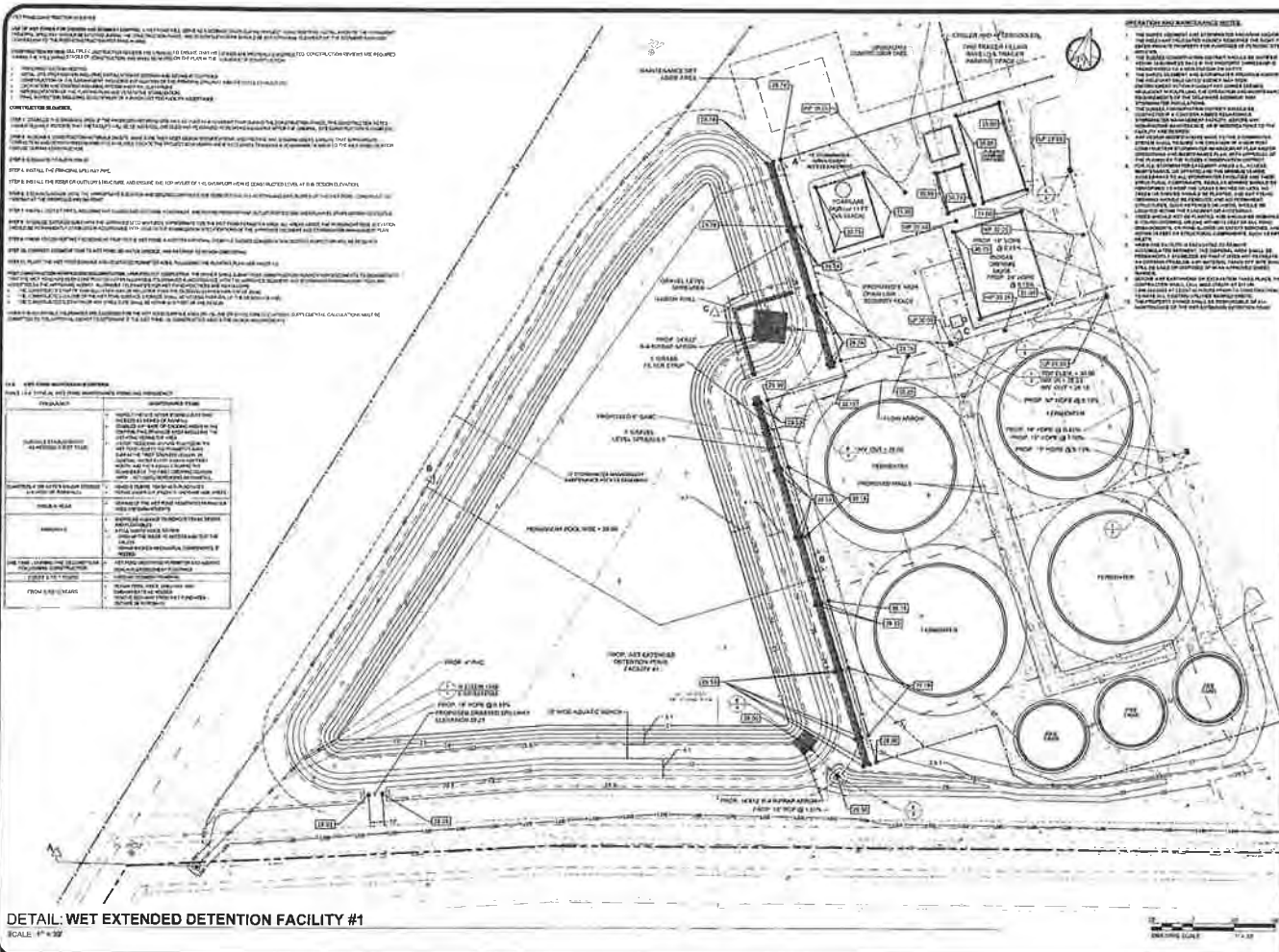
100 LIBERTY ROAD
MILFORD, DE 19060 1332
PH 302.239.6634
FAX 302.239.6484

OFFICES IN DELAWARE, MARYLAND,
PENNSYLVANIA AND NEW JERSEY

WWW.HIFP.OFFNET.COM
EMAIL: USOFFICE@HIFP.NET



DATE: 27 OCTOBER 2020
SCALE: 1" = 200'
PROJECT NO: 12393.CF
SHEET: 14 OF 17



DETAIL: WET EXTENDED DETENTION FACILITY #1

SCALE: 1" = 30'

NOTES:

1. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING CONDITIONS. THE DESIGNER HAS NOT CONDUCTED ANY OTHER INVESTIGATIONS OR TESTS.
2. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.
3. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.
4. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.
5. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.
6. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.
7. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.
8. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.
9. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.
10. THE DESIGNER HAS ASSUMED THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THE PLANS AND ELEVATIONS.

DESIGNER'S CERTIFICATE:

I, the undersigned, being a duly Licensed Professional Engineer in the State of Delaware, do hereby certify that I am the Designer of the above described project and that I am a duly Licensed Professional Engineer in the State of Delaware.

DATE: 27 OCTOBER 2020
 SCALE: 1" = 30'
 PROJECT NO: 12393 CF
 SHEET: 15 OF 17

OWNER'S CERTIFICATE:

I, the undersigned, being a duly Licensed Professional Engineer in the State of Delaware, do hereby certify that I am the Owner of the above described project and that I am a duly Licensed Professional Engineer in the State of Delaware.

DATE: 27 OCTOBER 2020
 SCALE: 1" = 30'
 PROJECT NO: 12393 CF
 SHEET: 15 OF 17

SEAL:

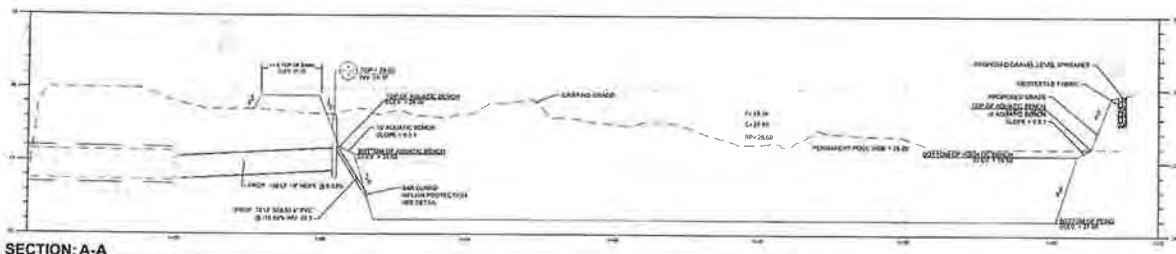
Professional Engineer
 State of Delaware
 No. 12345
 Exp. 12/31/2021

PROJECT INFORMATION:

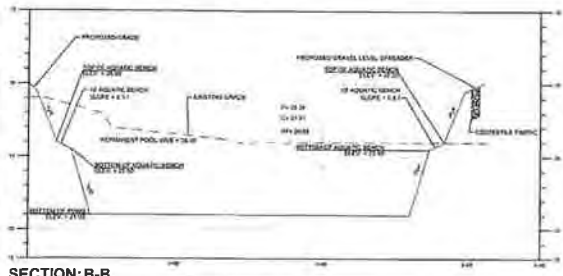
PROJECT NAME: POST CONSTRUCTION STORMWATER MANAGEMENT PLAN, FACILITY #1
 CLIENT: BIOENERGY DEVELOPMENT GROUP, LLC
 ADDRESS: BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE

DESIGNER INFORMATION:

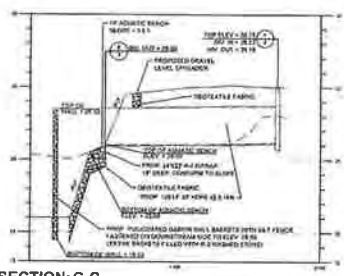
DESIGNER: DUFFIELD ASSOCIATES
 ADDRESS: 12345 MARKET STREET, SUITE 100, WILMINGTON, DE 19801
 PHONE: (302) 123-4567
 FAX: (302) 123-4568
 EMAIL: info@duffieldassoc.com
 WEBSITE: www.duffieldassoc.com



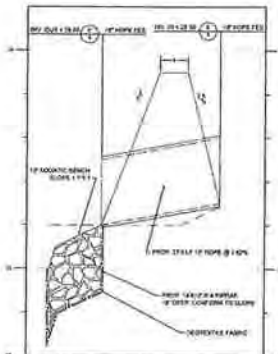
SECTION: A-A
HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 2'



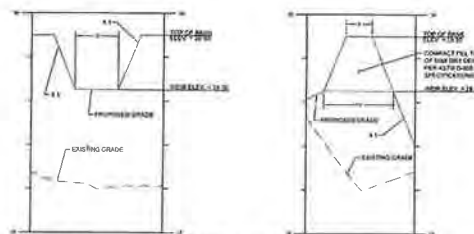
SECTION: B-B
HORIZONTAL SCALE: 1" = 30'
VERTICAL SCALE: 1" = 2'



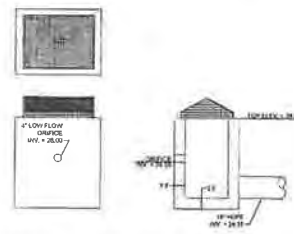
SECTION: C-C
HORIZONTAL SCALE: 1" = 30'
VERTICAL SCALE: 1" = 2'



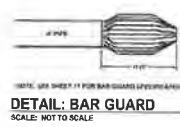
SECTION: E-4 TO E-5
HORIZONTAL SCALE: 1" = 10'
VERTICAL SCALE: 1" = 1'



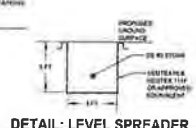
SECTION: GRASSED WEIR SPILLWAY
HORIZONTAL SCALE: 1" = 10'
VERTICAL SCALE: 1" = 1'



SECTION: INLET I-1 (DELDOT STANDARD 24"X34" INLET)
SCALE: 1" = 2'



DETAIL: BAR GUARD
SCALE: NOT TO SCALE



DETAIL: LEVEL SPREADER
SCALE: NOT TO SCALE

DUFFIELD ASSOCIATES

1000 N. MARKET STREET, SUITE 200
PHILADELPHIA, PA 19107
TEL: 215.595.1234
FAX: 215.595.1235
WWW.DUFFIELDASSOCIATES.COM

DATE: 27 OCTOBER 2020
SCALE: AS SHOWN
PROJECT NO: 12193 CF
SHEET: 16 OF 17

WET EXTENDED DETENTION POND FACILITY #1 CROSS-SECTIONS

SEDIMENT AND STORMWATER MANAGEMENT PLAN

BIOENERGY DEVELOPMENT

GROUP, LLC

BROAD CREEK HUNDRED - SUSSEX COUNTY - DELAWARE

DATE: 27 OCTOBER 2020
SCALE: AS SHOWN
PROJECT NO: 12193 CF
SHEET: 16 OF 17



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP
21309 BERLIN ROAD, UNIT #6
GEORGETOWN, DELAWARE 19947

DRAINAGE PROGRAM

PHONE: (302) 855-1930
FAX: (302) 677-7059

11/17/2020

Stephen Gorski
Duffield Associates
5400 Limestone Rd.
Wilmington, DE 19808

RE: Parcel #132-6.00-88.01, 132-6.00-95.00, 132-11.00-41.00, 132-11.00-41.02, BioEnergy Development

The Delaware Department of Natural Resources and Environmental Control (DNREC), Drainage Program has reviewed the plans submitted by Duffield Associates for the above noted property within the Mt. Zion Tax Ditch Watershed.

My office has **no objection** to the works of improvement to these parcels with the following recommendations and comments:

- Maintenance of any private crossings located within the tax ditch channel and/or right-of-ways are the responsibility of the landowner, **not** the tax ditch organization.
- Maintenance of any stormwater management facilities and/or associated infrastructure located within the tax ditch channel(s) and/or right-of-ways are the responsibility of the landowner, **not** the tax ditch organization.
- It is highly recommended that the landowner evaluates and cleans out the tax ditch channel to design grade, if needed, prior to construction of this project. The DNREC Drainage Program can provide technical assistance on this matter.

If you are a consultant working on behalf of a landowner, it is your responsibility to pass on this information to the landowner(s).

If you have any questions or concerns, please contact the Drainage Program at (302) 855-1930.

Sincerely,

Melissa Hubert

Melissa Hubert
Tax Ditch Program Manager II

cc: John Justice, Sussex Conservation District

ORDINANCE NO. 2311

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMPOSTING FACILITY AS AN EXTENSION TO CONDITIONAL USE NO. 1314 AND CONDITIONAL USE NO. 1691 (A MICRO-NUTRIENT PLANT WITH RELATED TRUCK ENTRANCE AND RAIL SPUR FOR THE PROCESSING AND HANDLING OF POULTRY LITTER) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 228.88 ACRES, MORE OR LESS (Tax Map I.D. 1-32-6.00-88.01 AND 95.00 and Tax Map I.D. 1-32-11.00-41.00)

WHEREAS, on the 5th day of March 2013, a conditional use application, denominated Conditional Use No. 1962 was filed on behalf of Chesapeake AgriSoil, LLC; and

WHEREAS, on the 25th day of April 2013, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 23rd day of May 2013, said Planning and Zoning Commission recommended that Conditional Use No. 1962 be approved with conditions; and

WHEREAS, on the 21st day of May 2013, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1962 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 Broad Creek Hundred, Sussex County, Delaware, and lying west of Route 13A and north of Road 485 and being more particularly described as:

BEGINNING at a point on the westerly right of way of U.S. Route 13A, a corner for these subject lands and lands now or formerly of Victor E. Moore; thence south 85°45'06" west 250.23 feet, south 86°46'11" west 1068.22 feet and south 07°53'54" west 1,495.60 feet along lands of Victor E. Moore to a point; thence southerly along these lands and lands now or formerly of Victor E. Moore the following courses: south 24°14'37" east 92.40 feet, thence south 09°17'37" east 899.25 feet, thence south 05°00'23" west 313.50 feet, thence south 05°14'37" east 198.00 feet, thence south 09°59'37" east 610.94 feet to the northerly right of way of Road 465; thence westerly 505.15 feet along the northerly right of way of Road 485 to the centerline of Gum Branch; thence northwesterly along the meandering centerline of Gum Branch approximately 2,200.00 feet to a point, a corner for these lands and lands now or formerly of Stephen C. Glenn; thence south 16°46'19" west 354.98 feet along said Glenn property to a point; thence north 78°57'47" west 318.35 feet along lands now or formerly of Frederick M. O'Neal (Trustee) to a point; thence north 09°16'05" east 297.01 feet and north 04°55'59" east 817.39 feet along lands now or formerly of Ronald W. and Ruth M. Conaway to a point; thence north 86°05'12" east 396.08 feet and north 04°18'33" west 1,168.72 feet along lands now or formerly of Donald R. Eisenbrey to a point; thence north 79°02'14" east 2,055.56 feet and north 34°54'37" west 384.45 feet along lands now or formerly of Ralph H. and Jane L. Givens to a point; thence north 49°05'23" east 1,384.35 feet along lands now or formerly of Ralph H. Givens, lands now or formerly of Ronald G. Fensick, and lands now or formerly of Edward N. Dickerson to a point; thence south 45°47'19" east 717.20 feet along lands now or formerly of George D. Elzey, Jr. to a point; thence north 68°08'07" east 504.34 feet and south 79°42'15" east 619.83 feet along lands of Florence E. Johnson and Sussex Manor to a point; thence south 06°25'19" west 261.98 feet to a point; thence north 87°41'15" east 351.14 feet to a point on the westerly right of way of U.S. Route 13A; thence 1,036.47 feet along the westerly right of way of U.S. Route 13A to the point and place of beginning and containing 228.88 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. The conditions of previously approved Conditional Use No. 1314 and No. 1691 are unchanged by this approval, unless specifically modified herein.
2. The use shall be strictly limited to the improvements shown on the April 11, 2013 Site Plan proposed by Axiom Engineering, LLC. Any future additions, alterations or improvements to the Site Plan shall be subject to an application and public hearing to amend this Conditional Use.
3. Any rail cars accessing the site shall be cleaned at an off-site location.
4. The noise and odor emissions from the operations of the composting facility shall not exceed minimum standards established by DNREC or any other agency having jurisdiction over the project. The odors shall be controlled by negative air pressure in the receiving building, a bio-filter, and by the Gore Cover System.
5. The lands on the Site Plan surrounding the composting facility shall remain wooded north of the truck entrance. The location of all wooded, vegetative and buffer areas shall be shown on the Final Site Plan.
6. As proposed by the Applicant, all wooded areas outside of the approximately 20 acre project area shall remain as woodlands. Cut-over woodlands shall be allowed to mature.
7. Any lighting on the site shall be downward screened so that it does not illuminate neighboring properties or roadways.
8. All trucks entering the site must be covered.
9. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2311 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 25TH DAY OF JUNE 2013.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

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

1. This is an application of Chesapeake AgriSoil, LLC to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a composting facility as an extension to Conditional Use No. 1314 Conditional Use No. 1691 (a micro-nutrient plant with related truck entrance and rail spur for processing and handling poultry litter), to be located on a certain parcel of land lying and being in Broad Creek

Hundred, Sussex County, containing 228.88 acres, more or less, lying west of Route 13A north of Road 485 (Tax Map I.D. 1-32-6.00-88.01 and 95.00 and Tax Map I.D. 1-32-11.00-41.00).

2. The Sussex Conservation District commented that the Applicant will be required to follow recommended erosion and sediment control practices during any construction and to maintain vegetation; that no storm flood hazard areas or tax ditches are affected; that it is not likely that any off-site drainage improvements will be required; and that it is possible that on-site drainage improvements will be required.
3. The Sussex County Engineering Department, Utility Planning Division, commented that the site is located in the Western Sussex Planning Area No. 3 and Blades Planning Area No. 2; that an onsite septic system will be utilized; that the parcel is not in an area where the County has a schedule to provide sewer service at this time; and that a Concept Plan is not required.
4. Shannon Carmean-Burton, Attorney, of Sergovic, Carmean and Weidman, P.A., Ken Christenbury, Professional Engineer with Axiom Engineering, LLC, Whitney Hall, Professional Engineer, Wayne Hudson of Perdue Agri-Recycle, LLC, and Charlie Gifford of Chesapeake AgriSoil, LLC were present on behalf of the application and stated that this use will occupy approximately 20 acres of the 228.88 acre site; that the 20 acre portion is contained within Tax Map 1-32-11.00-41.00; that the site is immediately adjacent to the plant; that the existing wooded buffers will remain; that the site is being cleared to eliminate young seedlings and tree growth; that no clearing will occur beyond the railroad spur; that the original conditions for the micro-nutrient plant, as amended in 2006, will remain with the exception of the use of this facility; that DelDOT voiced no objections and determined that there will not be any traffic impact; and that DNREC approvals are required and will be obtained.
5. The Applicant stated that the proposed facility would utilize processed water from the Plant in this process rather than having to haul the processed water off-site for land application.
6. The Applicant further represented that Best Management Practices will be utilized; that the proposed project is very environmentally responsible; that the operation will be carried on during one daytime shift from 7:00 a.m. to 5:00 p.m. weekdays only; that water can be provided to control any dust; that the intended 20 acre area for the facility includes the stormwater management pond; that they may utilize dead-birds in a catastrophic emergency situation; that they anticipate 11 full-time employees, and assume approximately eight (8) secondary related service jobs; and that they will most likely be using independent haulers.
7. The Applicant further represented that the purpose of AR-1 includes references to provide for a full range of agricultural activities and protects agricultural lands; that it should also protect established agricultural operations and activities; that the permitted conditional uses in the AR-1 District include agricultural related activities; that it will decrease the amount of pollution and odor from poultry waste previously applied directly to the soils as a fertilizer; that the proposed use will provide community-wide benefits and the ability to recycle a by-product of the poultry industry utilizing the latest Gore technology; that due to the need for enhancing the ability of the poultry industry to protect the local environment, the proposed conditional use is an appropriate zoning method for permitting the use and thus, the conditional use complies with the Zoning Code; that the Applicant submits that this project is consistent with the provisions of the Comprehensive Plan which identifies the property in a Low Density Area; that the Plan provides that all land designated in the Low Density Area are currently zoned AR-1; that the Plan provides that the primary uses envisioned in Low Density Areas are agricultural activities and single family detached homes; and that industrial uses that support or depend on agriculture should be permitted.

8. The Applicant further represented that the Gore system proposed to be utilized uses positive aeration and a specially designed cover to create an enclosed system that optimizes the recycling process, controls odors and micro-organisms, separates leachate from storm water and creates a consistent product unaffected by outside environmental conditions; and that the use is designed to benefit the family farm and agricultural industry, especially poultry growers, in the County.
9. This is an extension of existing Conditional Uses approved by Sussex County; that Conditional Use Nos. 1314 and 1691 were for a micro-nutrient plant with related truck entrances and a rail spur for the processing and handling of poultry litter; that this is a reasonable change to the existing uses and a reasonable expansion to the overall site; that the proposed site is adjacent to the existing micro-nutrient plant that is operated by Perdue AgriSoil, LLC; and that the proposal is consistent with this adjacent use.
10. The proposed use will have a positive economic impact on Sussex County and its residents, with full-time employees on the site, and additional equipment and hauling services that are necessary for the operation of the facility.
11. The application is supported by the Inland Bays Foundation and the Secretary of the Delaware Department of Agriculture.
12. The use is consistent with the underling AR-1 Agricultural Zoning and the rural agricultural uses that exist in the vicinity of the site; that the proposed use will be a benefit to agriculture in Sussex County, as well as the Delmarva Peninsula, as an efficient means to eliminate a potential source of excess nitrates and phosphates from area soils; and that it also provides an innovative but environmentally sensitive method of handling poultry waste products and produces an end-product that can be beneficially used in an environmentally responsible manner.
13. This use promotes the goals of the Sussex County Comprehensive Plan by enhancing the environmental quality of Sussex County; it is also a use which has a public or semipublic character that is essential and desirable to the general convenience and welfare of Sussex County and its residents.
14. Based on the record and recommendation of the Planning and Zoning Commission and the record created before Council, the Conditional Use was approved subject to 9 conditions which will serve to minimize any potential impacts on the surrounding area and adjoining properties.



Memorandum

To: Sussex County Planning & Zoning Commission Members

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Mr. Vince Robertson, Assistant County Attorney

Date: April 16, 2020

RE: Preliminary Site Plan for Bioenergy Development Group, LLC

On the agenda for the Planning & Zoning Commission meeting of April 23, 2020 is a request for Preliminary Site Plan approval for a revised Site Plan showing seven (7) storage tanks and other improvements for Tax Parcels 132-6.00-88.01, 95.00 and 132-11.00-41.00 and 41.02.

This memo has been drafted to assist in providing background information to the Commission as to Condition #1 of CU 1314.

The use of the site as a composting facility as an addition/extension to the previously approved micro-nutrient plan for the processing and handling of poultry litter, was approved by County Council on June 25, 2013 under Conditional Use No. 1962 (CU 1962).

Staff have reviewed the original conditions of approval attached to the December 21, 1999 Conditional Use approval (CU 1314) for a micro-nutrient plant for the handling and processing of chicken litter. Condition #1 of that approval states:

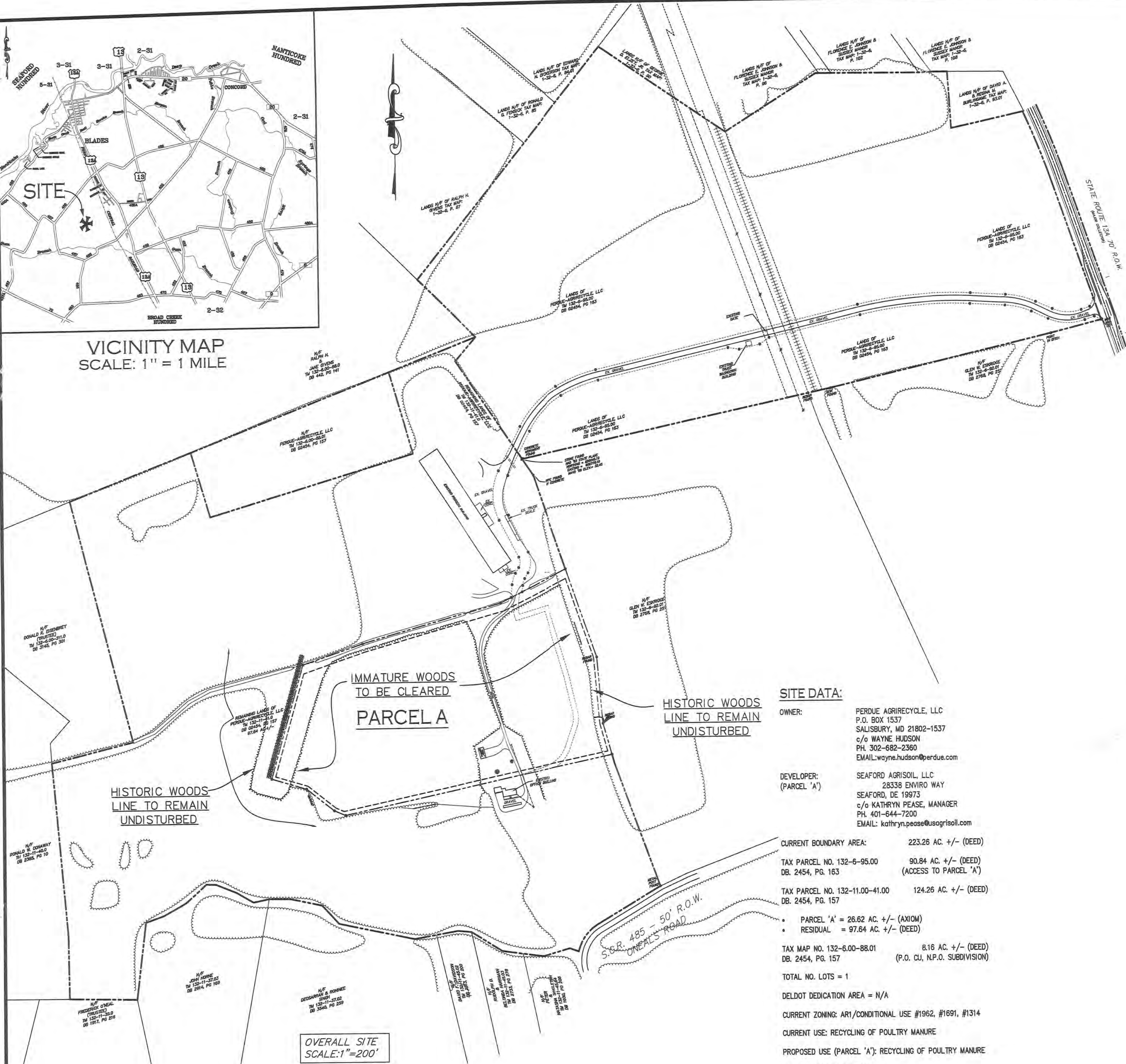
- 1. The Conditional Use area shall be strictly limited to the improvements shown on the site plan and attached supplements, prepared by McCrone. Any future additions, alterations, or improvements shall be subject to an application and public hearings to amend this conditional use.*

This condition was repeated in the Conditions of approval for CU 1962:

- 1. The use shall be strictly limited to the improvements shown on the April 11, 2013 Site Plan proposed by Axiom Engineering, LLC. Any future additions, alterations or improvements to the Site Plan shall be subject to an application and public hearing to amend this Conditional Use.*

Staff are of the opinion that the proposed storage tanks, to be located in the already improved area between Building 1 and Building 3, do not represent an expansion of the Conditional Use area that was identified in applications CU 1314 and CU 1962. Therefore, staff are of the opinion that a public hearing is not required for the storage tanks and other works shown on the revised Site Plan.





VICINITY MAP
SCALE: 1" = 1 MILE

IMMATURE WOODS
TO BE CLEARED
PARCEL A

HISTORIC WOODS
LINE TO REMAIN
UNDISTURBED

HISTORIC WOODS
LINE TO REMAIN
UNDISTURBED

SITE DATA:

OWNER: PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
c/o WAYNE HUDSON
PH. 302-682-2360
EMAIL: wayne.hudson@perdue.com

DEVELOPER: SEAFORD AGRISOL, LLC
(PARCEL 'A')
28338 ENVIRO WAY
SEAFORD, DE 19673
c/o KATHRYN PEASE, MANAGER
PH. 401-644-7200
EMAIL: kathryn.pease@seafordagrisol.com

CURRENT BOUNDARY AREA: 223.28 AC. +/- (DEED)
TAX PARCEL NO. 132-6-95.00 90.84 AC. +/- (DEED)
DB. 2454, PG. 163 (ACCESS TO PARCEL 'A')
TAX PARCEL NO. 132-11.00-41.00 124.26 AC. +/- (DEED)
DB. 2454, PG. 157

• PARCEL 'A' = 26.62 AC. +/- (AXIOM)
• RESIDUAL = 97.64 AC. +/- (DEED)
TAX MAP NO. 132-6-00-88.01 8.16 AC. +/- (DEED)
DB. 2454, PG. 157 (P.O. CU, N.P.O. SUBDIVISION)

TOTAL NO. LOTS = 1
DELOT DEDICATION AREA = N/A

CURRENT ZONING: ARI/CONDITIONAL USE #1962, #1691, #1314

CURRENT USE: RECYCLING OF POULTRY MANURE

PROPOSED USE (PARCEL 'A'): RECYCLING OF POULTRY MANURE

SEWER PROVIDER: PRIVATE

WATER PROVIDER: PRIVATE

BUILDING SETBACK / AREA REGULATIONS

REQUIRED
FRONT = 40'
SIDE = 15'
REAR = 20'
AREA = 32,670 SF.
WIDTH = 100'
DEPTH = 100'

- NOTES:
- THE BOUNDARY INFORMATION SHOWN ON THIS PLAT IS THE RESULT OF A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, LLC.
 - THE PORTION OF THE BOUNDARY SURVEYED BY AXIOM ENGINEERING, LLC, WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
 - THE PARCELS SHOWN HEREON, AND AS BEING AMENDED, ARE SUBJECT TO ALL CURRENT TITLE EXCEPTIONS AS RECORDED.
 - THIS SITE IS LOCATED IN A ZONE X BASED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 100502401 K, MAP REVISED MARCH 16, 2015, AND IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

- DELOT NOTES:
- ALL ENTRANCES SHALL CONFORM TO DELDOT'S STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO APPROVAL.
 - SHRUBBERY, PLANTINGS, SIGNS, AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
 - ALL PERDUE AGRICULTURE PARCELS SHALL HAVE ACCESS FROM ENVIRO WAY.
 - EXISTING ENTRANCE IMPROVEMENTS AND RIGHT-OF-WAY DEDICATION SHOWN HEREON ARE BASED ON DELDOT ENTRANCE PLAN, BY MCCRONE ENGINEERING, DATED 06-06-2000.

REVISED	SHEET INDEX
6-26-2015	CU-1
6-26-2015	CU-2
6-26-2015	CU-3

NOTE
THE PURPOSE OF THIS PLAN IS TO AMEND CONDITIONAL USE #1962 BY INDICATING THE SUBDIVISION OF LANDS AND THE APPLICATION OF APPROPRIATE CONDITIONS ON EACH PARCEL. PARCEL A IS TO BE CONVEYED TO SEAFORD AGRISOL OR ASSIGNS, AND THE REMAINING LANDS ARE TO CONTINUE IN OPERATION UNDER CONDITIONAL USES 1314 & 1865

1999 CONDITIONAL USE 1314 - CONDITIONS APPLICABLE TO REMAINING LANDS OF PERDUE-AGRIRECYCLE, LLC

This Ordinance was adopted subject to the following stipulations:

- The conditional use area shall be strictly limited to the improvements shown on the site plan and attached supplements, the site plan prepared by McCrone. Any future additions, alterations, or improvements shall be subject to an application and public hearings to amend this conditional use.
- The proposed truck entrance shall be located as shown on the supplement to the site plan north of the boundary of the lands of Victor E. Moore, parcel 92, and shall have the buffer areas shown on the supplement the site plan vegetated with native trees and Leyland Cypress.
- The proposed truck entrance shall be improved to limit dust with bituminous surface treatment, as a minimum, from Route 13A back to the railroad right-of-way.
- ~~Movement of rail cars within the conditional use area for loading purposes shall be limited to daylight hours. The drop-off and pick-up of rail cars by the rail company servicing the spur is not restricted.~~ **CONDITION #4 DELETED IN 2006 PER C/U#1865**
- Rail cars shall be cleaned off-site.
- All truck trailers shall have the raw litter enclosed in waterproof tarps and shall be designed to prevent leakage.
- ~~Truck travel to the site shall be during daylight hours limited to Monday through Saturday.~~ **CONDITION #7 DELETED IN 2006 PER C/U#1865**
- The pelletized product of the processing plan shall be shipped in enclosed railroad cars or enclosed tractor-trailers.
- ~~All activities shall be limited to the inside of the building. The loading, unloading, and processing of raw material/litter shall be within the negative air section of the building. The loading of the finished product into transport vehicles shall be under the roof.~~ **CONDITION #9 MODIFIED IN 2006 PER C/U#1865**
- The noise and odor emissions from the plant shall be controlled by the negative air system, and shall be controlled by using bag houses, cyclone fans and air scrubbers; in no event shall the plant be allowed to operate with noise or odors exceeding minimum standards established by the Department of Natural Resources and Environmental Control or any other agency having jurisdiction over the project.
- The lands shown on the site plan as cultivated and acquired from E. Jean Fleetwood shall remain in the wooded and cultivated state north of the truck entrance and shall be enhanced with native trees and Leyland Cypress in the buffer areas shown on the supplement to the site plan.
- All woodland areas within the site and shown as woodland areas will remain as woodland, cut-over woodland will be allowed to mature.
- All timber areas will only be harvested with mandatory replanting after harvest. No harvesting shall occur within 100 feet of a property line or public roadway.
- The site plan shall be subject to review and approval by the Planning and Zoning Commission.
- A vegetated buffer shall be planted at the time on-site construction begins.
- A processing plant will not be permitted on the site.

- All lighting on the site shall be directed towards the site and no lighting shall be directed off-site.
- ~~No operating hours will be permitted on Sunday.~~ **CONDITION #18 DELETED IN 2006 PER C/U#1865**

2015 CONDITIONAL USE 1962 - CONDITIONS APPLICABLE TO PARCEL 'A' ONLY - LANDS TO BE CONVEYED TO SEAFORD AGRISOL, LLC OR ASSIGNS:

- THE CONDITIONS OF PREVIOUSLY APPROVED CU #1314 AND CU #1691 ARE UNCHANGED BY THIS APPROVAL, UNLESS SPECIFICALLY MODIFIED HEREIN.
- THE USE SHALL BE STRICTLY LIMITED TO THE IMPROVEMENTS SHOWN ON THIS SITE PLAN PROPOSED BY AXIOM ENGINEERING, LLC. ANY FUTURE ADDITIONS, ALTERATIONS OR IMPROVEMENTS TO THE SITE PLAN SHALL BE SUBJECT TO AN APPLICATION AND PUBLIC HEARING TO AMEND THIS CONDITIONAL USE.
- ANY RAILS CARS ACCESSING THE SITE SHALL BE CLEANED AT AN OFF-SITE LOCATION.
- THE NOISE AND ODOR EMISSIONS FROM THE OPERATIONS OF THE COMPOSTING FACILITY SHALL NOT EXCEED MINIMUM STANDARDS ESTABLISHED BY D.N.R.E.C. OR ANY OTHER AGENCY HAVING JURISDICTION OVER THE PROJECT. THE ODORS SHALL BE CONTROLLED BY NEGATIVE AIR PRESSURE IN THE RECEIVING BUILDING AND A BIO FILTER AND BY THE GORE COVER SYSTEM OR APPROVED EQUAL.
- THE LANDS ON THE SITE PLAN SURROUNDING THE COMPOSTING FACILITY SHALL REMAIN WOODED NORTH OF THE TRUCK ENTRANCE. THE LOCATION OF ALL WOODED, VEGETATIVE AND BUFFER AREAS SHALL BE SHOWN ON THE FINAL SITE PLAN.
- AS PROPOSED BY THE APPLICANT, ALL WOODED AREAS OUTSIDE OF THE APPROXIMATELY 20 ACRE PROJECT AREA SHALL REMAIN AS WOODLANDS. CUT-OVER WOODLANDS SHALL BE ALLOWED TO MATURE.
- ANY LIGHTING ON THE SITE SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT ILLUMINATE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- ALL TRUCKS ENTERING THE SITE MUST BE COVERED.
- THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

2006 CONDITIONAL USE 1865 - AMENDED CONDITIONS APPLICABLE TO REMAINING LANDS OF PERDUE-AGRIRECYCLE, LLC

- This is an existing Conditional Use (No. 1314) that was approved by the County Council in 1999. This application will not materially change the use that is permitted upon the property.
- The Applicant is requesting reasonable changes to the existing Conditional Use permit to meet its needs for the recycling of poultry manure and marketing of the pelletized micro-nutrients.
- The use has proven to be a benefit for the family farm and the agricultural industry in Sussex County. It has also proven to be a good way to eliminate a potential source of excess nitrates and phosphates from Sussex County soils.
- The Applicant has requested the deletion of the 4th condition of Conditional Use No. 1314 to allow the movement and drop-off and pick-up of rail cars within the site at any time. Delete Condition No. 4, as requested.
- The Applicant has requested that the 7th condition be deleted to allow truck travel to the site at any time; by allowing truck travel to the site at any time, the plant can operate more efficiently and fuel costs would be reduced. Delete Condition No. 7, as requested.
- The Applicant has requested an amendment to the 9th condition to allow outside storage in watertight containers; the material would be stored in a neat and orderly fashion inside watertight containers. This will also allow the plant to operate more efficiently. The Planning and Zoning Commission recommended that the 9th condition be modified to state "all activities involving raw litter shall be inside of the building. The loading, unloading and processing of raw material/litter shall be within the negative air section of the building. Storage of finished product, both pellets and granulated, may be stored outside in watertight containers. The loading of the finished product onto transport vehicles shall be under roof." Amend Condition No. 9 as requested and recommended by the Commission.
- Delete Condition No. 18 which states "No operating hours will be permitted on Sunday."
- The Applicant has operated the facility very well during the past five years. Even with these recommended amendments to the existing Conditional Use, the noise, odor, or other effects of the operations are no different than other agricultural uses that exist all over Sussex County.

OWNER CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE REPRESENTATIVE OF THE LEGAL OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN. THE AREA LABELED "PARCEL A - BOUNDARY TO BE RECORDED" IS TO BE SUBDIVIDED AND CONVEYED TO THE DEVELOPER. LAND DISTURBANCE SHOWN ON THESE PLANS OUTSIDE OF THE SUBDIVIDED PARCEL IS PERMITTED AS SHOWN, AND IS TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS. I HEREBY AUTHORIZE THE RIGHT OF ENTRY FOR PERIODIC ON SITE INSPECTIONS ONTO PARCEL "A" AND THE DISTURBED AREAS OUTSIDE OF PARCEL "A" BY STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL COMPLIANCE PERSONNEL AND/OR AUTHORIZED AGENTS.

N. House Hudson VP of Operations
PRINTED NAME AND TITLE

3/29/15 6/29/15
DATE

SIGNATURE
PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
410-543-3000

DEVELOPER CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE APPLICANT AND DEVELOPER OF THE AREA LABELED "PARCEL A - BOUNDARY TO BE RECORDED". THE PROJECT SHOWN ON THESE PLANS IS TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS. I HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THE APPROVED PLAN, AND THAT ALL RESPONSIBLE PERSONNEL INVOLVED IN THE LAND DISTURBING ACTIVITIES WILL HAVE A SEDIMENT AND STORMWATER MANAGEMENT CERTIFICATION FROM THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. I HEREBY AUTHORIZE THE RIGHT OF ENTRY FOR PERIODIC ON SITE INSPECTIONS BY STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL COMPLIANCE PERSONNEL AND/OR AUTHORIZED AGENTS.

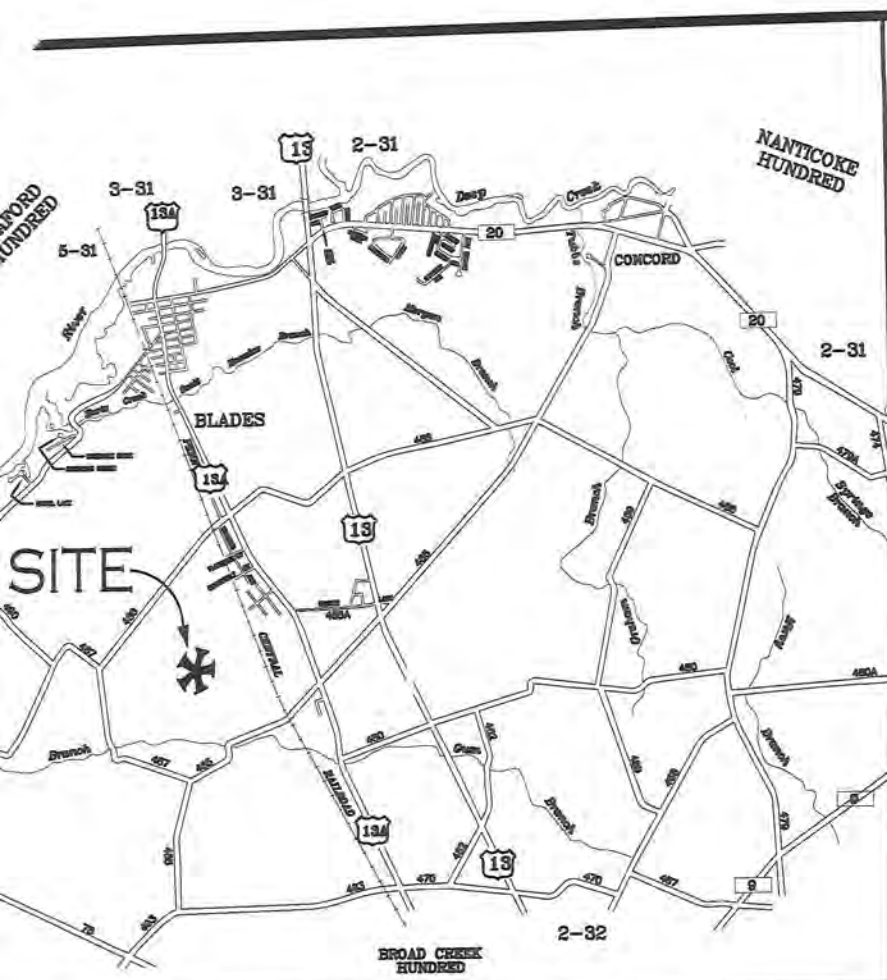
Katrina 6/29/15
BY: DATE

SEAFORD AGRISOL, LLC
28338 ENVIRO WAY
SEAFORD, DE 19673
401-644-7200
CHARLES.GIFFORD@SEAFORDAGRISOL.COM

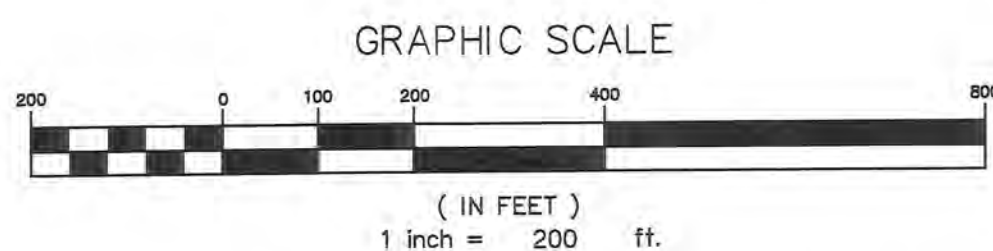
APPROVED
Final Site Plan Per 6/29/15
CU 1865 CU 1962 CU 1314 all approved
SUSSEX COUNTY PLANNING & ZONING COMMISSION

WARNING
0 1/2 1
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

ENGINEER	DESIGNER	DRAWER	CHECKED BY	DATE	TAX MAP	SCALE	PROJECT NO.	0234-1301
				12/1/2014	1-32-11, 41	1" = 300'		
SEAFORD AGRISOL FACILITY								CONDITIONAL USE COVER SHEET
28338 ENVIRO WAY, SEAFORD BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE								
DRAWING: CU-1								SHEET: 1 OF 3



VICINITY MAP
SCALE: 1" = 1 MILE



SITE DATA:

OWNER: PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
c/o WAYNE HUDSON
PH: 302-682-2350
EMAIL: wayne.hudson@perdue.com

DEVELOPER: SEAFORD AGRISOIL, LLC
(PARCEL 'A') 28338 ENVIRO WAY
SEAFORD, DE 19073
c/o KATHRYN PEASE, MANAGER
PH: 401-644-7200
EMAIL: kathryn.pease@seafordsoil.com

CURRENT BOUNDARY AREA: 223.26 AC. +/- (DEED)
TAX PARCEL NO. 132-6-95.00 90.84 AC. +/- (DEED)
DB. 2454, PG. 163 (ACCESS TO PARCEL 'A')
TAX PARCEL NO. 132-11-00-41.00 124.26 AC. +/- (DEED)
DB. 2454, PG. 157
* PARCEL 'A' = 26.62 AC. +/- (AXIOM)
* RESIDUAL = 97.64 AC. +/- (DEED)
TAX MAP NO. 132-6-00-88.01 816 AC. +/- (DEED)
DB. 2454, PG. 157 (P.O. CL. N.P.O. SUBDIVISION)

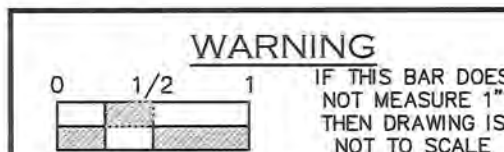
TOTAL NO. LOTS = 1
DELDOT DEDICATION AREA = N/A
CURRENT ZONING: AR1/CONDITIONAL USE #1962, #1691, #1314
CURRENT USE: RECYCLING OF POULTRY MANURE
PROPOSED USE (PARCEL 'A'): RECYCLING OF POULTRY MANURE
SEWER PROVIDER: PRIVATE
WATER PROVIDER: PRIVATE

BUILDING SETBACK / AREA REGULATIONS

FRONT = 40'
SIDE = 15'
REAR = 20'
AREA = 32,670 S.F.
WIDTH = 100'
DEPTH = 100'

- NOTES:
1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, L.L.C.
 2. THE PORTION OF THE BOUNDARY SURVEYED BY AXIOM ENGINEERING, L.L.C., WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
 3. THE PARCELS SHOWN HEREON, AND AS BEING AMENDED, ARE SUBJECT TO ALL CURRENT TITLE EXCEPTIONS AS RECORDED.
 4. THIS SITE IS LOCATED IN A ZONE X BASED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 1000500401 K, MAP REVISED MARCH 16, 2015, AND IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

- DELDOT NOTES:
1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO APPROVAL.
 2. SURVEY, PLANNING, 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 SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
 3. ALL PERDUE AGRICULTURE PARCELS SHALL HAVE ACCESS FROM ENVIRO WAY.
 4. EXISTING ENTRANCE IMPROVEMENTS AND RIGHT-OF-WAY DEDICATION SHOWN HEREON ARE BASED ON DELDOT ENTRANCE PLAN, BY McCORNE ENGINEERING, DATED 06-08-2000.



AXIOM
ENGINEERING L.L.C.
18 CHESTNUT STREET, GEORGETOWN, DE 19947
PH: (302) 855-0810

SEAL

ENGINEER:	KRC
DESIGNER:	RWR
DRAWN:	RWR
CHECKED BY:	KRC
DATE:	12/4/2014
TAX MAP:	1-32-11, 41
SCALE:	AS SHOWN

SEAFORD AGRISOIL FACILITY
28338 ENVIRO WAY, SEAFORD
BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

DRAWING:
CU-

SHEET:
2 OF 3

1) PROCESS ENGINEERING INDICATED ON THESE PLANS WERE PREPARED BY OTHERS, AND ARE NOT THE RESULT OF ENGINEERING EFFORTS PREPARED BY AXIOM ENGINEERING, LLC. PROCESSES TO OCCUR UNDER ROOF WILL OCCUR IN THE PROPOSED 15,000 S.F. BUILDING, WHICH SHALL BE DESIGNED TO ACCOMMODATE THE COMPOSTING PROCEDURES.

- 2) THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAT IS THE RESULT OF A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, L.L.C..
- 3) APPROXIMATE WETLAND AREAS SHOWN ON THIS PLAN WERE FIELD DELINEATED BY WATERSHED ECO. NUMBERED WETLAND FLAGS IN THE PROJECT AREA ON THE FOLLOWING SHEET(S) WERE FIELD LOCATED BY AXIOM ENGINEERING IN JULY 2013. WATERS OF THE US LOCATED IN SUBPOND 2 OF PRONG 1 OF THE MOUNT ZION TAX DITCH WERE IDENTIFIED AS REGULATED WATERS BY WATERSHED ECO. IN THE EVENT THAT STORMWATER MANAGEMENT OUTFALLS (RIPRAP, ETC) ENROACH INTO REGULATED WETLANDS, PERMITS SHALL BE OBTAINED FROM THE U.S. ARMY CORPS OF ENGINEERS AND/OR THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. NO ADDITIONAL WETLAND OR WATERS OF THE U.S. IMPACTS HAVE BEEN CONTEMPLATED FOR THIS PROJECT.
- 5) THIS SITE IS LOCATED IN A ZONE X BASED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 10020C0401 K, MAP REVISED MARCH 16, 2015, AND IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
- 6) MAINTENANCE OF THE GRAVEL AND PAVED AREAS WITHIN THE SITE WILL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE PROPERTY OWNERS WITHIN THIS SITE. THE STATE AND COUNTY ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE PAVED AREAS WITHIN THE SITE.
- 7) STORMWATER SHALL BE HANDLED THROUGH THE DESIGN OF AN EXTENDED DETENTION POND THAT WILL BE LOCATED ON SITE. THE MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITY CONSTRUCTED WITHIN THIS SITE SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE SITE.
- 8) WATER AND WASTEWATER WILL BE PROVIDED BY PROPOSED PRIVATE WELL AND SEPTIC SYSTEM.
- 9) THE PROPOSED BUILDING WILL BE PROTECTED BY AN AUTOMATIC SPRINKLER SYSTEM.
- 10) A LOCK BOX IS REQUIRED. THE LOCATION SHOWN ON THE PLAN IS SUBJECT TO CHANGE BY THE LOCAL FIRE CHIEF. CONTACT THE LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF THE BOX ON THE SITE.
- 11) ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
- 12) MAXIMUM HEIGHT OF BUILDING = 41'
- 13) PROPOSED BUILDING CONSTRUCTION = STEEL
- 14) PARCEL A SHALL HAVE ACCESS FROM THE EXISTING PRIVATE ROAD, ENVIRO WAY, THROUGH THE ADJACENT PROPERTY, SUSSEX COUNTY TAX MAP 1-32-6, PARCEL 95.

- a. THE CONDITIONS OF PREVIOUSLY APPROVED CU #1314 AND CU #1691 ARE UNCHANGED BY THIS APPROVAL, UNLESS SPECIFICALLY MODIFIED HEREIN.
- b. THE USE SHALL BE STRICTLY LIMITED TO THE IMPROVEMENTS SHOWN ON THIS SITE PLAN PROPOSED BY AXIOM ENGINEERING, LLC. ANY FUTURE ADDITIONS, ALTERATIONS OR IMPROVEMENTS TO THE SITE PLAN SHALL BE SUBJECT TO AN APPLICATION AND PUBLIC HEARING TO AMEND THIS CONDITIONAL USE.
- c. ANY RAILS CARS ACCESSING THE SITE SHALL BE CLEANED AT AN OFF-SITE LOCATION.
- d. THE NOISE AND ODOR EMISSIONS FROM THE OPERATIONS OF THE COMPOSTING FACILITY SHALL NOT EXCEED MINIMUM STANDARDS ESTABLISHED BY D.N.R.E.C. OR ANY OTHER AGENCY HAVING JURISDICTION OVER THE PROJECT. THE ODORS SHALL BE CONTROLLED BY NEGATIVE AIR PRESSURE IN THE RECEIVING BUILDING AND A BIO FILTER AND BY THE GORE COVER SYSTEM OR APPROVED EQUAL.
- e. THE LANDS ON THE SITE PLAN SURROUNDING THE COMPOSTING FACILITY SHALL REMAIN WOODED NORTH OF THE TRUCK ENTRANCE. THE LOCATION OF ALL WOODED, VEGETATIVE AND BUFFER AREAS SHALL BE SHOWN ON THE FINAL SITE PLAN.
- f. AS PROPOSED BY THE APPLICANT, ALL WOODED AREAS OUTSIDE OF THE APPROXIMATELY 20 ACRE PROJECT AREA SHALL REMAIN AS WOODLANDS. CUT-OVER WOODLANDS SHALL BE ALLOWED TO MATURE.
- g. ANY LIGHTING ON THE SITE SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT ILLUMINATE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- h. ALL TRUCKS ENTERING THE SITE MUST BE COVERED.
- i. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

OWNER: PERDUE AGRIRECYCLE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537

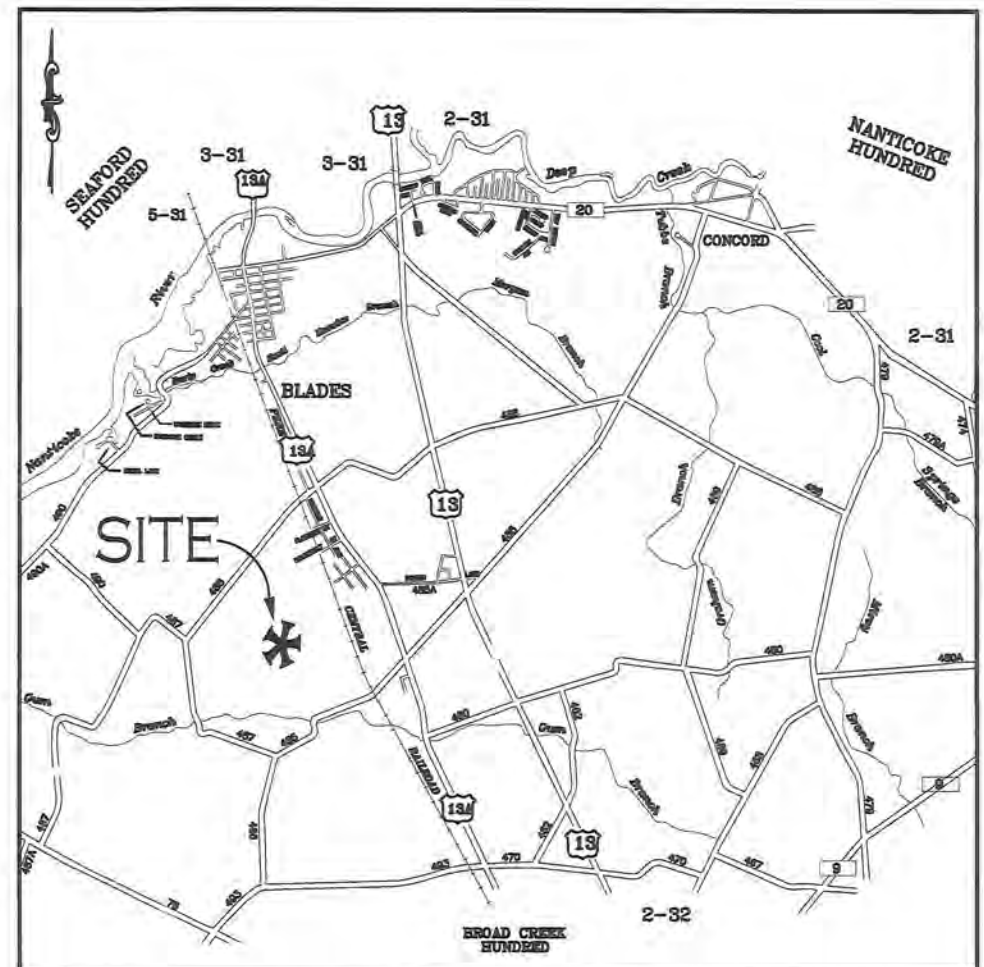
APPLICANT/DEVELOPER: SEAFORD AGRISOIL, LLC
28338 ENVIRO WAY
SEAFORD, DE 19973
C/O: CHARLES GIFFORD
(401) 644-7200

TOTAL SITE AREA: 26.63 AC. +/-
DEVELOPMENT AREA, 124.27 AC. +/- TOTAL

PROPOSED USE:	COMPOSTING
FACILITY	
PROPOSED CONSTRUCTION TYPE:	ASPHALT PAD
PROPOSED BUILDING AREA:	16,250 S.F.
PARKING SPACES REQUIRED:	16
PARKING SPACES PROVIDED:	16 (1 ADA, 15 STD)

FRONT = 40'
SIDE = 15'
REAR = 20'
AREA = 20,000 S.F.
WIDTH = 100'
DEPTH = 100'

ADC MAP REF: 28 K4

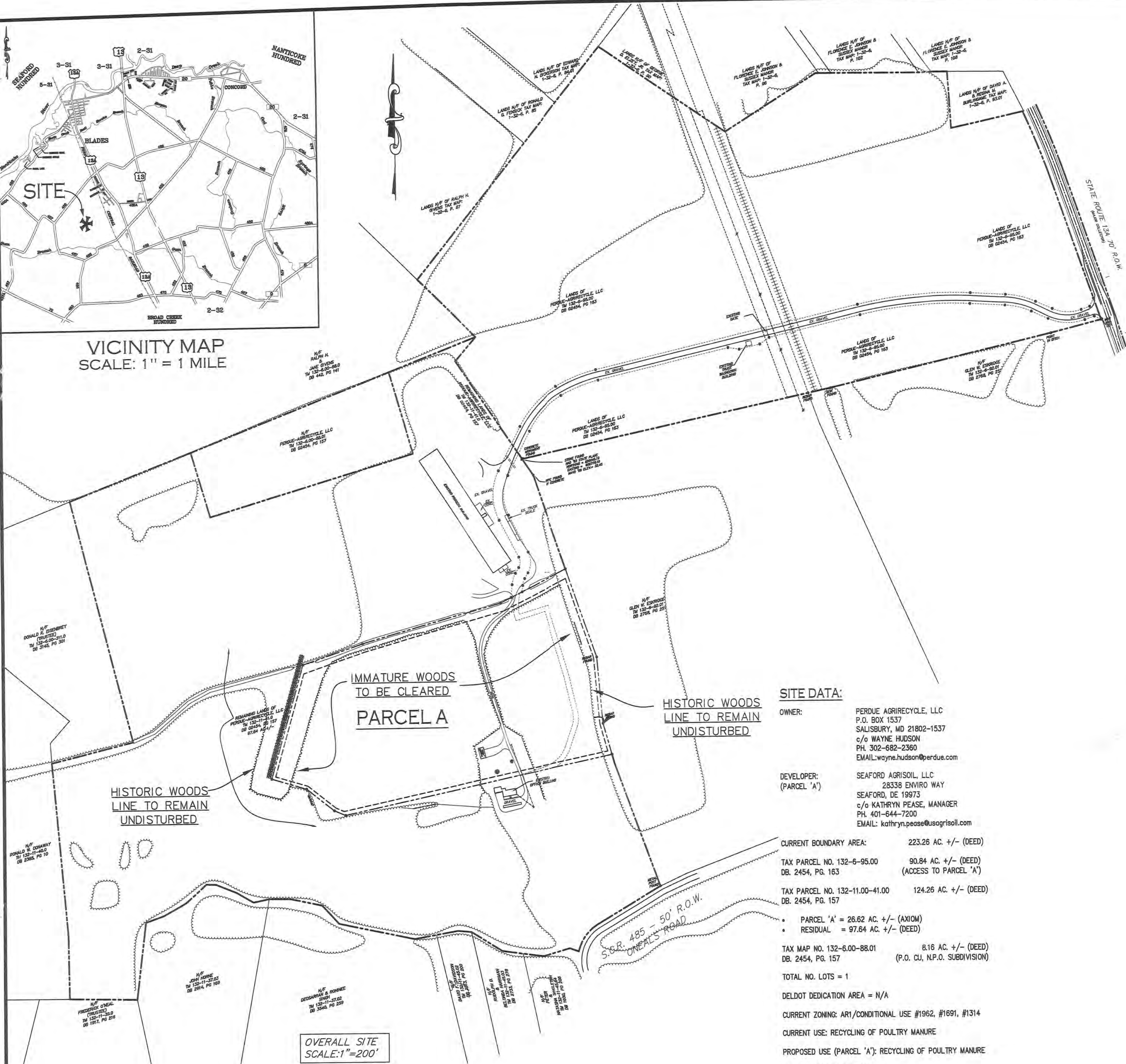
[illegible]

VICINITY MAP
SCALE: 1" = 1 MILE

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO AND APPURTENANT.

0 1/2 1

IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE



VICINITY MAP
SCALE: 1" = 1 MILE

IMMATURE WOODS
TO BE CLEARED
PARCEL A

HISTORIC WOODS
LINE TO REMAIN
UNDISTURBED

SITE DATA:

OWNER:
PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
c/o WAYNE HUDSON
PH. 302-682-2360
EMAIL: wayne.hudson@perdue.com

DEVELOPER:
(PARCEL 'A')
SEAFORD AGRISOL, LLC
28338 ENVIRO WAY
SEAFORD, DE 19673
c/o KATHRYN PEASE, MANAGER
PH. 401-644-7200
EMAIL: kathryn.pease@seafordagrisol.com

CURRENT BOUNDARY AREA: 223.28 AC. +/- (DEED)
TAX PARCEL NO. 132-6-95.00 90.84 AC. +/- (DEED)
DB. 2454, PG. 163 (ACCESS TO PARCEL 'A')
TAX PARCEL NO. 132-11.00-41.00 124.26 AC. +/- (DEED)
DB. 2454, PG. 157

• PARCEL 'A' = 26.62 AC. +/- (AXIOM)
• RESIDUAL = 97.64 AC. +/- (DEED)
TAX MAP NO. 132-6-00-88.01 8.16 AC. +/- (DEED)
DB. 2454, PG. 157 (P.O. CU, N.P.O. SUBDIVISION)

TOTAL NO. LOTS = 1

DELDT DEDICATION AREA = N/A

CURRENT ZONING: ARI/CONDITIONAL USE #1962, #1691, #1314

CURRENT USE: RECYCLING OF POULTRY MANURE

PROPOSED USE (PARCEL 'A'): RECYCLING OF POULTRY MANURE

SEWER PROVIDER: PRIVATE

WATER PROVIDER: PRIVATE

BUILDING SETBACK / AREA REGULATIONS

REQUIRED
FRONT = 40'
SIDE = 15'
REAR = 20'
AREA = 32,670 SF.
WIDTH = 100'
DEPTH = 100'

NOTES:

1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAT IS THE RESULT OF A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, LLC.
2. THE PORTION OF THE BOUNDARY SURVEYED BY AXIOM ENGINEERING, LLC, WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
3. THE PARCELS SHOWN HEREON, AND AS BEING AMENDED, ARE SUBJECT TO ALL CURRENT TITLE EXCEPTIONS AS RECORDED.
4. THIS SITE IS LOCATED IN A ZONE X BASED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 100502401 K, MAP REVISED MARCH 16, 2015, AND IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

DELDT NOTES:

1. ALL ENTRANCES SHALL CONFORM TO DELDT'S STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO APPROVAL.
2. SHRUBBERY, PLANTINGS, SIGNS, AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
3. ALL PERDUE AGRICULTURE PARCELS SHALL HAVE ACCESS FROM ENVIRO WAY.
4. EXISTING ENTRANCE IMPROVEMENTS AND RIGHT-OF-WAY DEDICATION SHOWN HEREON ARE BASED ON DELDT ENTRANCE PLAN, BY MCCRONE ENGINEERING, DATED 06-06-2000.

REVISED	SHEET INDEX
6-26-2015	CU-1
6-26-2015	CU-2
6-26-2015	CU-3

NOTE
THE PURPOSE OF THIS PLAN IS TO AMEND CONDITIONAL USE #1962 BY INDICATING THE SUBDIVISION OF LANDS AND THE APPLICATION OF APPROPRIATE CONDITIONS ON EACH PARCEL. PARCEL A IS TO BE CONVEYED TO SEAFORD AGRISOL OR ASSIGNS, AND THE REMAINING LANDS ARE TO CONTINUE IN OPERATION UNDER CONDITIONAL USES 1314 & 1865

1999 CONDITIONAL USE 1314 - CONDITIONS APPLICABLE TO REMAINING LANDS OF PERDUE-AGRIRECYCLE, LLC

This Ordinance was adopted subject to the following stipulations:

1. The conditional use area shall be strictly limited to the improvements shown on the site plan and attached supplements, the site plan prepared by McCrone. Any future additions, alterations, or improvements shall be subject to an application and public hearings to amend this conditional use.
2. The proposed truck entrance shall be located as shown on the supplement to the site plan north of the boundary of the lands of Victor E. Moore, parcel 92, and shall have the buffer areas shown on the supplement the site plan vegetated with native trees and Leyland Cypress.
3. The proposed truck entrance shall be improved to limit dust with bituminous surface treatment, as a minimum, from Route 13A back to the railroad right-of-way.
4. ~~Movement of rail cars within the conditional use area for loading purposes shall be limited to daylight hours. The drop-off and pick-up of rail cars by the rail company servicing the spur is not restricted.~~ **CONDITION #4 DELETED IN 2006 PER C/U#1865**
5. Rail cars shall be cleaned off-site.
6. All truck trailers shall have the raw litter enclosed in waterproof tarps and shall be designed to prevent leakage.
7. ~~Truck travel to the site shall be during daylight hours limited to Monday through Saturday.~~ **CONDITION #7 DELETED IN 2006 PER C/U#1865**
8. The pelletized product of the processing plan shall be shipped in enclosed railroad cars or enclosed tractor-trailers.
9. ~~All activities shall be limited to the inside of the building. The loading, unloading, and processing of raw material/litter shall be within the negative air section of the building. The loading of the finished product into transport vehicles shall be under the roof.~~ **CONDITION #9 MODIFIED IN 2006 PER C/U#1865**
10. The noise and odor emissions from the plant shall be controlled by the negative air system, and shall be controlled by using bag houses, cyclone fans and air scrubbers; in no event shall the plant be allowed to operate with noise or odors exceeding minimum standards established by the Department of Natural Resources and Environmental Control or any other agency having jurisdiction over the project.
11. The lands shown on the site plan as cultivated and acquired from E. Jean Fleetwood shall remain in the wooded and cultivated state north of the truck entrance and shall be enhanced with native trees and Leyland Cypress in the buffer areas shown on the supplement to the site plan.
12. All woodland areas within the site and shown as woodland areas will remain as woodland, cut-over woodland will be allowed to mature.
13. All timber areas will only be harvested with mandatory replanting after harvest. No harvesting shall occur within 100 feet of a property line or public roadway.
14. The site plan shall be subject to review and approval by the Planning and Zoning Commission.
15. A vegetated buffer shall be planted at the time on-site construction begins.
16. A processing plant will not be permitted on the site.

17. All lighting on the site shall be directed towards the site and no lighting shall be directed off-site.
18. ~~No operating hours will be permitted on Sunday.~~ **CONDITION #18 DELETED IN 2006 PER C/U#1865**

2015 CONDITIONAL USE 1962 - CONDITIONS APPLICABLE TO PARCEL 'A' ONLY - LANDS TO BE CONVEYED TO SEAFORD AGRISOL, LLC OR ASSIGNS:

- a. THE CONDITIONS OF PREVIOUSLY APPROVED CU #1314 AND CU #1691 ARE UNCHANGED BY THIS APPROVAL, UNLESS SPECIFICALLY MODIFIED HEREIN.
- b. THE USE SHALL BE STRICTLY LIMITED TO THE IMPROVEMENTS SHOWN ON THIS SITE PLAN PROPOSED BY AXIOM ENGINEERING, LLC. ANY FUTURE ADDITIONS, ALTERATIONS OR IMPROVEMENTS TO THE SITE PLAN SHALL BE SUBJECT TO AN APPLICATION AND PUBLIC HEARING TO AMEND THIS CONDITIONAL USE.
- c. ANY RAILS CARS ACCESSING THE SITE SHALL BE CLEANED AT AN OFF-SITE LOCATION.
- d. THE NOISE AND ODOR EMISSIONS FROM THE OPERATIONS OF THE COMPOSTING FACILITY SHALL NOT EXCEED MINIMUM STANDARDS ESTABLISHED BY D.N.R.E.C. OR ANY OTHER AGENCY HAVING JURISDICTION OVER THE PROJECT. THE ODORS SHALL BE CONTROLLED BY NEGATIVE AIR PRESSURE IN THE RECEIVING BUILDING AND A BIO FILTER AND BY THE GORE COVER SYSTEM OR APPROVED EQUAL.
- e. THE LANDS ON THE SITE PLAN SURROUNDING THE COMPOSTING FACILITY SHALL REMAIN WOODED NORTH OF THE TRUCK ENTRANCE. THE LOCATION OF ALL WOODED, VEGETATIVE AND BUFFER AREAS SHALL BE SHOWN ON THE FINAL SITE PLAN.
- f. AS PROPOSED BY THE APPLICANT, ALL WOODED AREAS OUTSIDE OF THE APPROXIMATELY 20 ACRE PROJECT AREA SHALL REMAIN AS WOODLANDS. CUT-OVER WOODLANDS SHALL BE ALLOWED TO MATURE.
- g. ANY LIGHTING ON THE SITE SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT ILLUMINATE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- h. ALL TRUCKS ENTERING THE SITE MUST BE COVERED.
- i. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

2006 CONDITIONAL USE 1865 - AMENDED CONDITIONS APPLICABLE TO REMAINING LANDS OF PERDUE-AGRIRECYCLE, LLC

1. This is an existing Conditional Use (No. 1314) that was approved by the County Council in 1999. This application will not materially change the use that is permitted upon the property.
2. The Applicant is requesting reasonable changes to the existing Conditional Use permit to meet its needs for the recycling of poultry manure and marketing of the pelletized micro-nutrients.
3. The use has proven to be a benefit for the family farm and the agricultural industry in Sussex County. It has also proven to be a good way to eliminate a potential source of excess nitrates and phosphates from Sussex County soils.
4. The Applicant has requested the deletion of the 4th condition of Conditional Use No. 1314 to allow the movement and drop-off and pick-up of rail cars within the site at any time. Delete Condition No. 4, as requested.
5. The Applicant has requested that the 7th condition be deleted to allow truck travel to the site at any time; by allowing truck travel to the site at any time, the plant can operate more efficiently and fuel costs would be reduced. Delete Condition No. 7, as requested.
6. The Applicant has requested an amendment to the 9th condition to allow outside storage in watertight containers; the material would be stored in a neat and orderly fashion inside watertight containers. This will also allow the plant to operate more efficiently. The Planning and Zoning Commission recommended that the 9th condition be modified to state "all activities involving raw litter shall be inside of the building. The loading, unloading and processing of raw material/litter shall be within the negative air section of the building. Storage of finished product, both pellets and granulated, may be stored outside in watertight containers. The loading of the finished product onto transport vehicles shall be under roof." Amend Condition No. 9 as requested and recommended by the Commission.
7. Delete Condition No. 18 which states "No operating hours will be permitted on Sunday."
8. The Applicant has operated the facility very well during the past five years. Even with these recommended amendments to the existing Conditional Use, the noise, odor, or other effects of the operations are no different than other agricultural uses that exist all over Sussex County.

OWNER CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE REPRESENTATIVE OF THE LEGAL OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN. THE AREA LABELED "PARCEL A - BOUNDARY TO BE RECORDED" IS TO BE SUBDIVIDED AND CONVEYED TO THE DEVELOPER. LAND DISTURBANCE SHOWN ON THESE PLANS OUTSIDE OF THE SUBDIVIDED PARCEL IS PERMITTED AS SHOWN, AND IS TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS. I HEREBY AUTHORIZE THE RIGHT OF ENTRY FOR PERIODIC ON SITE INSPECTIONS ONTO PARCEL "A" AND THE DISTURBED AREAS OUTSIDE OF PARCEL "A" BY STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL COMPLIANCE PERSONNEL AND/OR AUTHORIZED AGENTS.

N. House Hudson VP of Operations
PRINTED NAME AND TITLE

3/29/15 6/29/15
DATE

SIGNATURE
PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
410-543-3000

DEVELOPER CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE APPLICANT AND DEVELOPER OF THE AREA LABELED "PARCEL A - BOUNDARY TO BE RECORDED". THE PROJECT SHOWN ON THESE PLANS IS TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS. I HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THE APPROVED PLAN, AND THAT ALL RESPONSIBLE PERSONNEL INVOLVED IN THE LAND DISTURBING ACTIVITIES WILL HAVE A SEDIMENT AND STORMWATER MANAGEMENT CERTIFICATION FROM THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. I HEREBY AUTHORIZE THE RIGHT OF ENTRY FOR PERIODIC ON SITE INSPECTIONS BY STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL COMPLIANCE PERSONNEL AND/OR AUTHORIZED AGENTS.

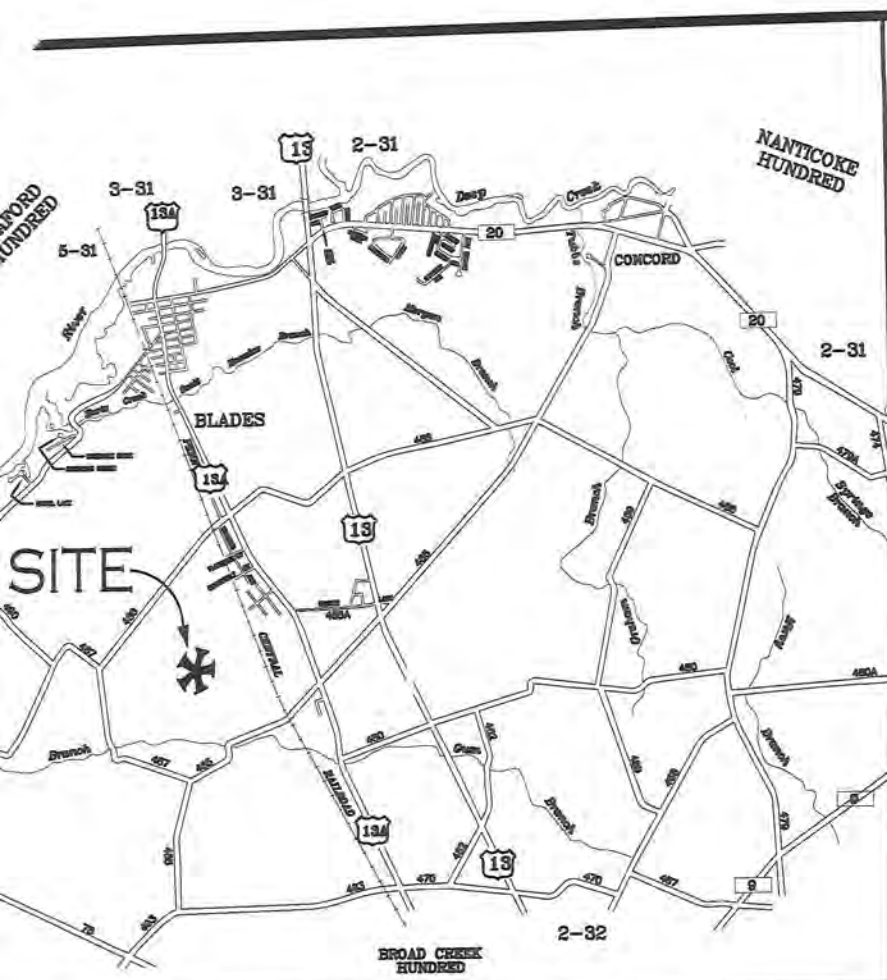
Charles Gifford 6/29/15
BY: DATE

SEAFORD AGRISOL, LLC
28338 ENVIRO WAY
SEAFORD, DE 19673
401-644-7200
CHARLES.GIFFORD@SEAFORDAGRISOL.COM

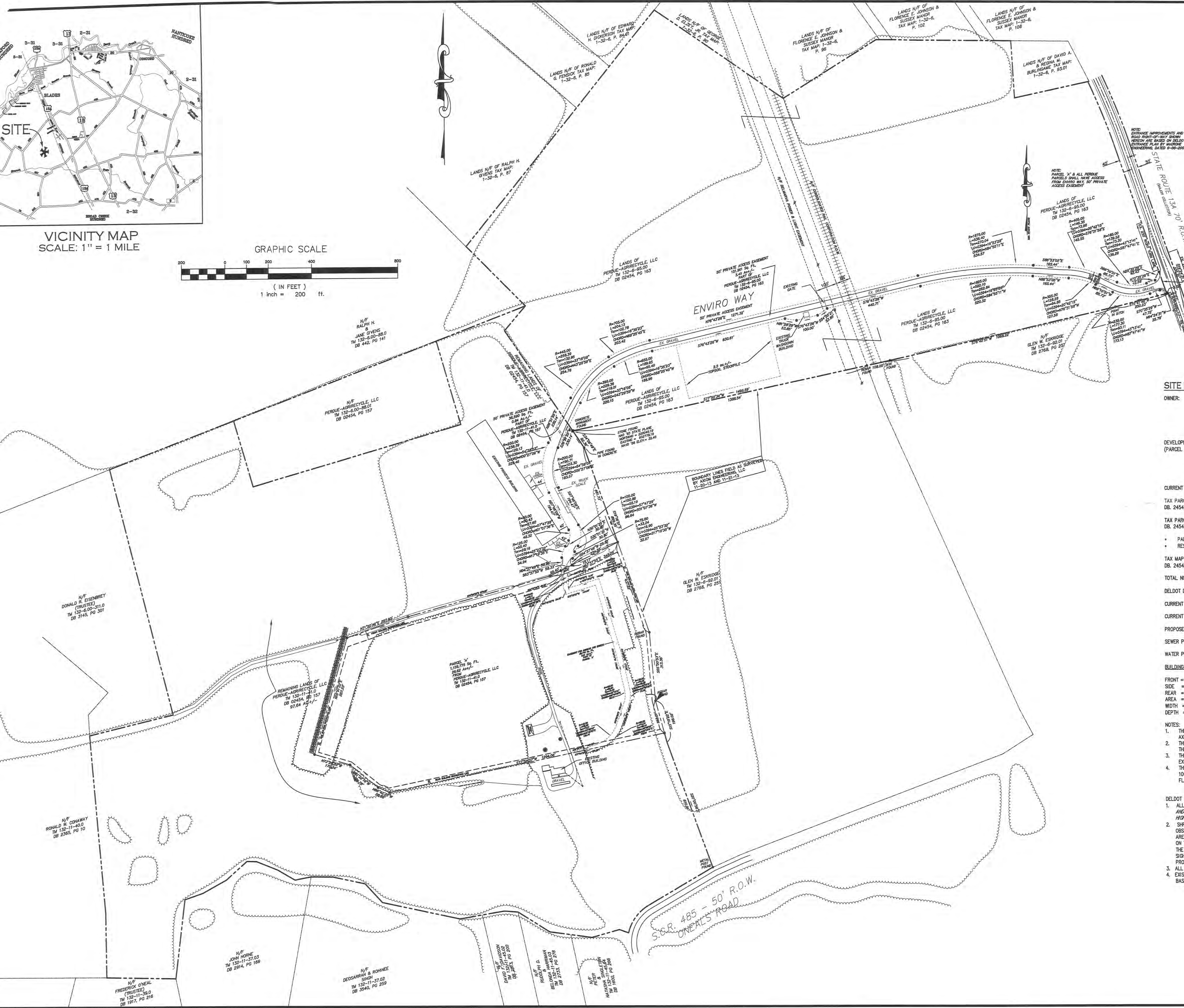
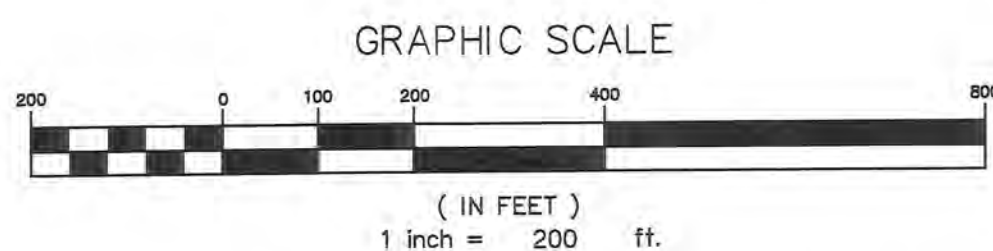
APPROVED
Final Site Plan Per 6/29/15
CU 1865 CU 1962 CU 1314 all approved
SUSSEX COUNTY PLANNING & ZONING COMMISSION

WARNING
0 1/2 1
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

ENGINEER	DESIGNER	DRAFTER	CHECKED BY	DATE	TAX MAP	SCALE	PROJECT NO.	0234-1301
RWR	RWR	RWR	RWR	12/1/2014	1-32-11, 41	1" = 300'		
SEAFORD AGRISOL FACILITY								CONDITIONAL USE COVER SHEET
28338 ENVIRO WAY, SEAFORD BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE								
DRAWING: CU-1								SHEET: 1 OF 3



VICINITY MAP
SCALE: 1" = 1 MILE



SITE DATA:

OWNER: PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
c/o WAYNE HUDSON
PH. 302-682-2350
EMAIL: wayne.hudson@perdue.com

DEVELOPER: SEAFORD AGRISOIL, LLC
(PARCEL 'A') 28338 ENVIRO WAY
SEAFORD, DE 19973
c/o KATHRYN PEASE, MANAGER
PH. 401-644-7200
EMAIL: kathryn.pease@seafordsoil.com

CURRENT BOUNDARY AREA: 223.26 AC. +/- (DEED)
TAX PARCEL NO. 132-6-95.00 90.84 AC. +/- (DEED)
DB. 2454, PG. 163 (ACCESS TO PARCEL 'A')
TAX PARCEL NO. 132-11-00-41.00 124.26 AC. +/- (DEED)
DB. 2454, PG. 157
* PARCEL 'A' = 26.62 AC. +/- (AXIOM)
* RESIDUAL = 97.64 AC. +/- (DEED)
TAX MAP NO. 132-6-00-88.01 816 AC. +/- (DEED)
DB. 2454, PG. 157 (P.O. CL. N.P.O. SUBDIVISION)

TOTAL NO. LOTS = 1
DELDOT DEDICATION AREA = N/A
CURRENT ZONING: AR1/CONDITIONAL USE #1962, #1691, #1314
CURRENT USE: RECYCLING OF POULTRY MANURE
PROPOSED USE (PARCEL 'A'): RECYCLING OF POULTRY MANURE
SEWER PROVIDER: PRIVATE
WATER PROVIDER: PRIVATE

BUILDING SETBACK / AREA REGULATIONS

FRONT = 40'
SIDE = 15'
REAR = 20'
AREA = 32,670 S.F.
WIDTH = 100'
DEPTH = 100'

- NOTES:
1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, L.L.C.
 2. THE PORTION OF THE BOUNDARY SURVEYED BY AXIOM ENGINEERING, L.L.C., WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
 3. THE PARCELS SHOWN HEREON, AND AS BEING AMENDED, ARE SUBJECT TO ALL CURRENT TITLE EXCEPTIONS AS RECORDED.
 4. THIS SITE IS LOCATED IN A ZONE X BASED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 1000500401 K, MAP REVISED MARCH 16, 2015, AND IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

- DELDOT NOTES:
1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO APPROVAL.
 2. SURVEY, 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 SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
 3. ALL PERDUE AGRICULTURE PARCELS SHALL HAVE ACCESS FROM ENVIRO WAY.
 4. EXISTING ENTRANCE IMPROVEMENTS AND RIGHT-OF-WAY DEDICATION SHOWN HEREON ARE BASED ON DELDOT ENTRANCE PLAN, BY McCORNE ENGINEERING, DATED 06-08-2000.



AXIOM
ENGINEERING L.L.C.
18 CHESTNUT STREET, GEORGETOWN, DE 19947
PH. (302) 855-0810

SEAL

ENGINEER:	KRC
DESIGNER:	RWR
DRAWER:	RWR
CHECKED BY:	KRC
DATE:	12/4/2014
TAX MAP:	1-32-11, 41
SCALE:	AS SHOWN

SEAFORD AGRISOIL FACILITY
28338 ENVIRO WAY, SEAFORD
BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

DRAWING:
CU-

SHEET:
2 OF 3

1) PROCESS ENGINEERING INDICATED ON THESE PLANS WERE PREPARED BY OTHERS, AND ARE NOT THE RESULT OF ENGINEERING EFFORTS PREPARED BY AXIOM ENGINEERING, LLC. PROCESSES TO OCCUR UNDER ROOF WILL OCCUR IN THE PROPOSED 15,000 S.F. BUILDING, WHICH SHALL BE DESIGNED TO ACCOMMODATE THE COMPOSTING PROCEDURES.

- 2) THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAT IS THE RESULT OF A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, L.L.C..
- 3) APPROXIMATE WETLAND AREAS SHOWN ON THIS PLAN WERE FIELD DELINEATED BY WATERSHED ECO, INC. NUMBERED WETLAND FLAGS IN THE PROJECT AREA ON THE FOLLOWING SHEET(S) WERE FIELD LOCATED BY AXIOM ENGINEERING IN JULY 2013. WATERS OF THE US LOCATED IN SUBPOND 2 OF PRONG 1 OF THE MOUNT ZION TAX DITCH WERE IDENTIFIED AS REGULATED WATERS BY WATERSHED ECO, IN THE EVENT THAT STORMWATER MANAGEMENT OUTFALLS (RIPRAP, ETC) ENROACH INTO REGULATED WETLANDS, PERMITS SHALL BE OBTAINED FROM THE U.S. ARMY CORPS OF ENGINEERS AND/OR THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. NO ADDITIONAL WETLAND OR WATERS OF THE U.S. IMPACTS HAVE BEEN CONTEMPLATED FOR THIS PROJECT.
- 5) THIS SITE IS LOCATED IN A ZONE X BASED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 10020C0401 K, MAP REVISED MARCH 16, 2015, AND IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
- 6) MAINTENANCE OF THE GRAVEL AND PAVED AREAS WITHIN THE SITE WILL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE PROPERTY OWNERS WITHIN THIS SITE. THE STATE AND COUNTY ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE PAVED AREAS WITHIN THE SITE.
- 7) STORMWATER SHALL BE HANDLED THROUGH THE DESIGN OF AN EXTENDED DETENTION POND THAT WILL BE LOCATED ON SITE. THE MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITY CONSTRUCTED WITHIN THIS SITE SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE SITE.
- 8) WATER AND WASTEWATER WILL BE PROVIDED BY PROPOSED PRIVATE WELL AND SEPTIC SYSTEM.
- 9) THE PROPOSED BUILDING WILL BE PROTECTED BY AN AUTOMATIC SPRINKLER SYSTEM.
- 10) A LOCK BOX IS REQUIRED. THE LOCATION SHOWN ON THE PLAN IS SUBJECT TO CHANGE BY THE LOCAL FIRE CHIEF. CONTACT THE LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF THE BOX ON THE SITE.
- 11) ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
- 12) MAXIMUM HEIGHT OF BUILDING = 41'
- 13) PROPOSED BUILDING CONSTRUCTION = STEEL
- 14) PARCEL A SHALL HAVE ACCESS FROM THE EXISTING PRIVATE ROAD, ENVIRO WAY, THROUGH THE ADJACENT PROPERTY, SUSSEX COUNTY TAX MAP 1-32-6, PARCEL 95.

- a. THE CONDITIONS OF PREVIOUSLY APPROVED CU #1314 AND CU #1691 ARE UNCHANGED BY THIS APPROVAL, UNLESS SPECIFICALLY MODIFIED HEREIN.
- b. THE USE SHALL BE STRICTLY LIMITED TO THE IMPROVEMENTS SHOWN ON THIS SITE PLAN PROPOSED BY AXIOM ENGINEERING, LLC. ANY FUTURE ADDITIONS, ALTERATIONS OR IMPROVEMENTS TO THE SITE PLAN SHALL BE SUBJECT TO AN APPLICATION AND PUBLIC HEARING TO AMEND THIS CONDITIONAL USE.
- c. ANY RAILS CARS ACCESSING THE SITE SHALL BE CLEANED AT AN OFF-SITE LOCATION.
- d. THE NOISE AND ODOR EMISSIONS FROM THE OPERATIONS OF THE COMPOSTING FACILITY SHALL NOT EXCEED MINIMUM STANDARDS ESTABLISHED BY D.N.R.E.C. OR ANY OTHER AGENCY HAVING JURISDICTION OVER THE PROJECT. THE ODORS SHALL BE CONTROLLED BY NEGATIVE AIR PRESSURE IN THE RECEIVING BUILDING AND A BIO FILTER AND BY THE GORE COVER SYSTEM OR APPROVED EQUAL.
- e. THE LANDS ON THE SITE PLAN SURROUNDING THE COMPOSTING FACILITY SHALL REMAIN WOODED NORTH OF THE TRUCK ENTRANCE. THE LOCATION OF ALL WOODED, VEGETATIVE AND BUFFER AREAS SHALL BE SHOWN ON THE FINAL SITE PLAN.
- f. AS PROPOSED BY THE APPLICANT, ALL WOODED AREAS OUTSIDE OF THE APPROXIMATELY 20 ACRE PROJECT AREA SHALL REMAIN AS WOODLANDS. CUT-OVER WOODLANDS SHALL BE ALLOWED TO MATURE.
- g. ANY LIGHTING ON THE SITE SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT ILLUMINATE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- h. ALL TRUCKS ENTERING THE SITE MUST BE COVERED.
- i. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

OWNER: PERDUE AGRIRECYCLE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537

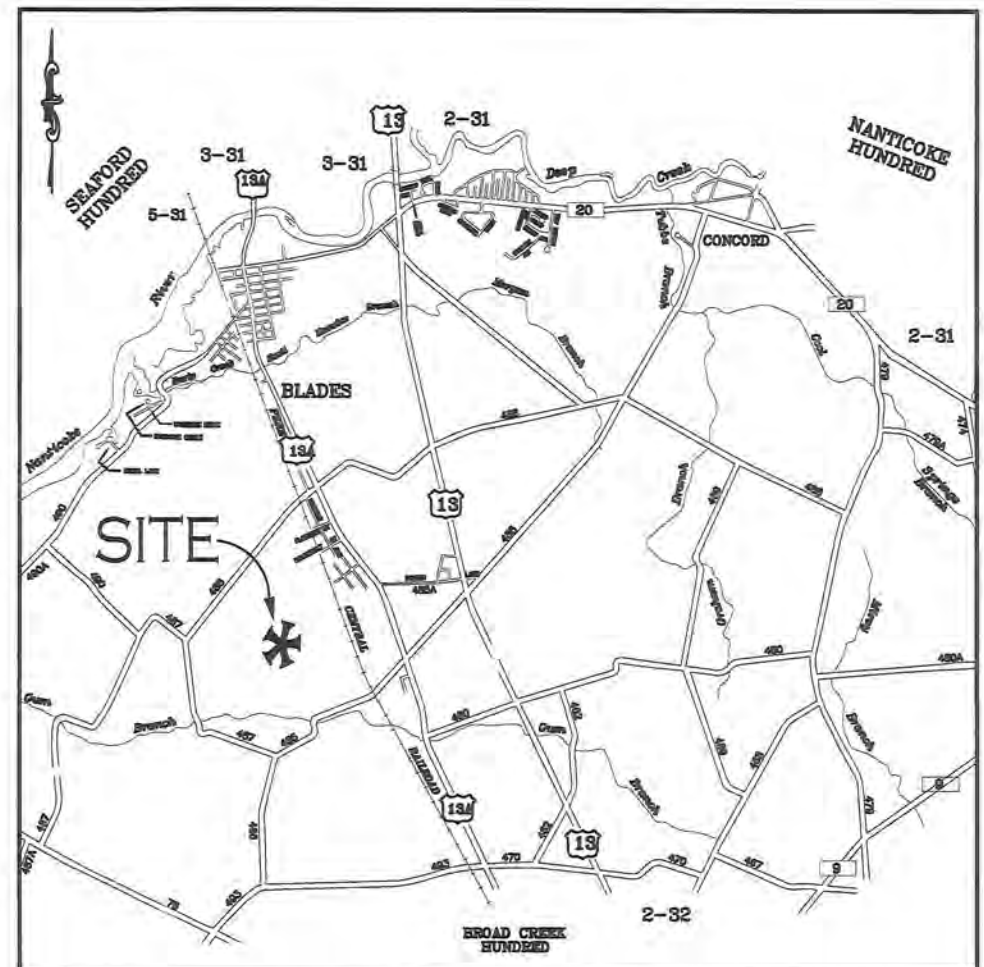
APPLICANT/DEVELOPER: SEAFORD AGRISOIL, LLC
28338 ENVIRO WAY
SEAFORD, DE 19973
C/O: CHARLES GIFFORD
(401) 644-7200

TOTAL SITE AREA: 26.63 AC. +/-
DEVELOPMENT AREA, 124.27 AC. +/- TOTAL

PROPOSED USE:	COMPOSTING
FACILITY	
PROPOSED CONSTRUCTION TYPE:	ASPHALT PAD
PROPOSED BUILDING AREA:	16,250 S.F.
PARKING SPACES REQUIRED:	16
PARKING SPACES PROVIDED:	16 (1 ADA, 15 STD)

FRONT = 40'
SIDE = 15'
REAR = 20'
AREA = 20,000 S.F.
WIDTH = 100'
DEPTH = 100'

ADC MAP REF: 28 K4

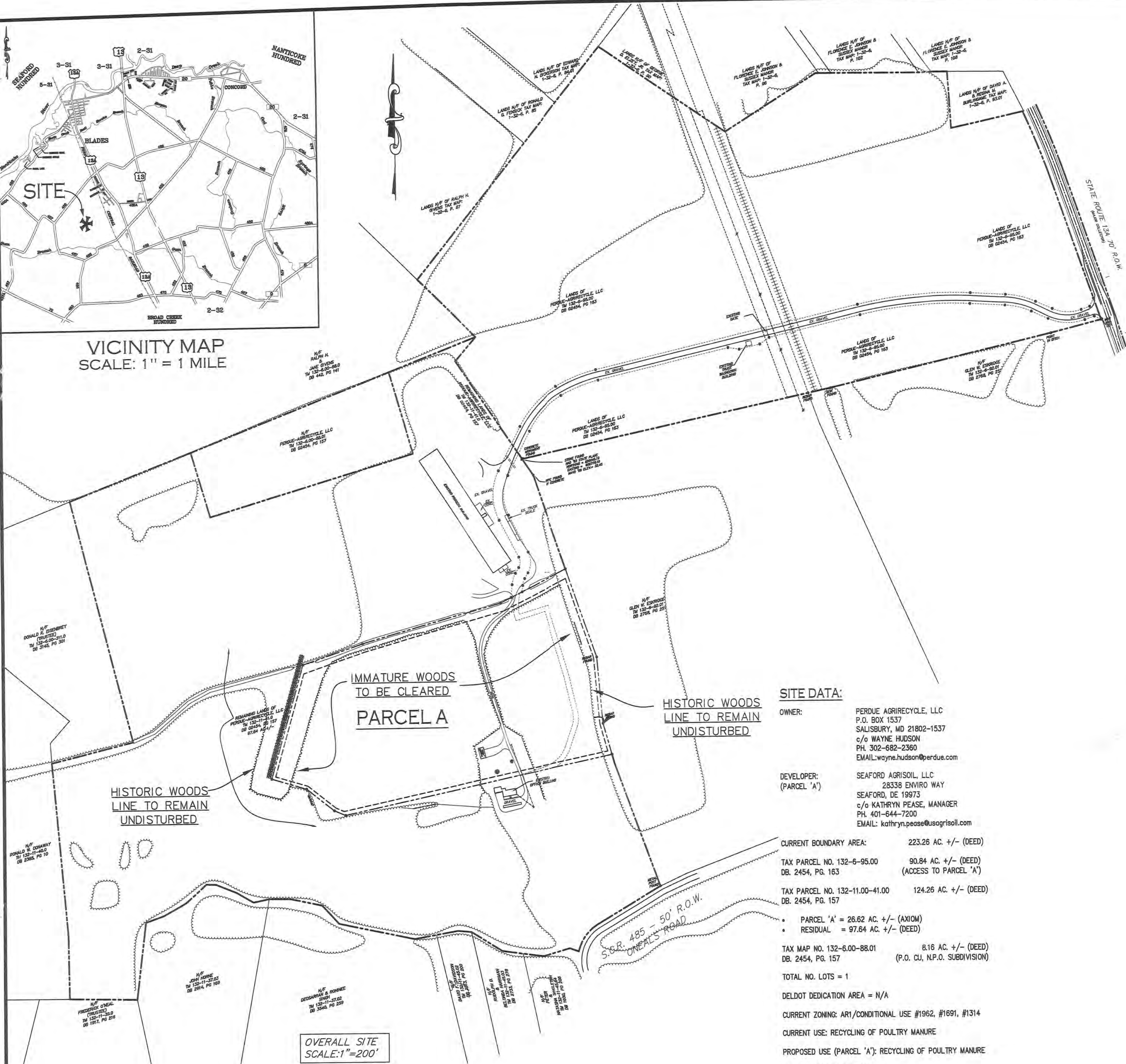


VICINITY MAP
SCALE: 1" = 1 MILE

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO AND APPURTENANT.

0 1/2 1

IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE



VICINITY MAP
SCALE: 1" = 1 MILE

IMMATURE WOODS
TO BE CLEARED
PARCEL A

HISTORIC WOODS
LINE TO REMAIN
UNDISTURBED

HISTORIC WOODS
LINE TO REMAIN
UNDISTURBED

OVERALL SITE
SCALE: 1" = 200'

GRAPHIC SCALE

(IN FEET)
1 inch = 300 ft.

REVISED	SHEET INDEX
6-26-2015	CU-1
6-26-2015	CU-2
6-26-2015	CU-3

NOTE
THE PURPOSE OF THIS PLAN IS TO AMEND CONDITIONAL USE #1962 BY INDICATING THE SUBDIVISION OF LANDS AND THE APPLICATION OF APPROPRIATE CONDITIONS ON EACH PARCEL. PARCEL A IS TO BE CONVEYED TO SEAFORD AGRISOL OR ASSIGNS, AND THE REMAINING LANDS ARE TO CONTINUE IN OPERATION UNDER CONDITIONAL USES 1314 & 1865

SITE DATA:

OWNER:
PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
c/o WAYNE HUDSON
PH. 302-682-2360
EMAIL: wayne.hudson@perdue.com

DEVELOPER:
(PARCEL 'A')
SEAFORD AGRISOL, LLC
28338 ENVIRO WAY
SEAFORD, DE 19673
c/o KATHRYN PEASE, MANAGER
PH. 401-644-7200
EMAIL: kathryn.pease@seafordagrisol.com

CURRENT BOUNDARY AREA: 223.28 AC. +/- (DEED)
TAX PARCEL NO. 132-6-95.00 90.84 AC. +/- (DEED)
DB. 2454, PG. 163 (ACCESS TO PARCEL 'A')
TAX PARCEL NO. 132-11.00-41.00 124.26 AC. +/- (DEED)
DB. 2454, PG. 157

• PARCEL 'A' = 26.62 AC. +/- (AXIOM)
• RESIDUAL = 97.64 AC. +/- (DEED)
TAX MAP NO. 132-6-00-88.01 8.16 AC. +/- (DEED)
DB. 2454, PG. 157 (P.O. CU, N.P.O. SUBDIVISION)

TOTAL NO. LOTS = 1

DELDT DEDICATION AREA = N/A

CURRENT ZONING: ARI/CONDITIONAL USE #1962, #1691, #1314

CURRENT USE: RECYCLING OF POULTRY MANURE

PROPOSED USE (PARCEL 'A'): RECYCLING OF POULTRY MANURE

SEWER PROVIDER: PRIVATE

WATER PROVIDER: PRIVATE

BUILDING SETBACK / AREA REGULATIONS

REQUIRED
FRONT = 40'
SIDE = 15'
REAR = 20'
AREA = 32,670 SF.
WIDTH = 100'
DEPTH = 100'

NOTES:

- THE BOUNDARY INFORMATION SHOWN ON THIS PLAT IS THE RESULT OF A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, LLC.
- THE PORTION OF THE BOUNDARY SURVEYED BY AXIOM ENGINEERING, LLC, WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
- THE PARCELS SHOWN HEREON, AND AS BEING AMENDED, ARE SUBJECT TO ALL CURRENT TITLE EXCEPTIONS AS RECORDED.
- THIS SITE IS LOCATED IN A ZONE X BASED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 100502401 K, MAP REVISED MARCH 16, 2015, AND IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

DELDT NOTES:

- ALL ENTRANCES SHALL CONFORM TO DELDT'S STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO APPROVAL.
- SHRUBBERY, PLANTINGS, SIGNS, AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- ALL PERDUE AGRICULTURE PARCELS SHALL HAVE ACCESS FROM ENVIRO WAY.
- EXISTING ENTRANCE IMPROVEMENTS AND RIGHT-OF-WAY DEDICATION SHOWN HEREON ARE BASED ON DELDT ENTRANCE PLAN, BY MCCRONE ENGINEERING, DATED 06-05-2000.

1999 CONDITIONAL USE 1314 - CONDITIONS APPLICABLE TO REMAINING LANDS OF PERDUE-AGRIRECYCLE, LLC

This Ordinance was adopted subject to the following stipulations:

- The conditional use area shall be strictly limited to the improvements shown on the site plan and attached supplements, the site plan prepared by McCrone. Any future additions, alterations, or improvements shall be subject to an application and public hearings to amend this conditional use.
- The proposed truck entrance shall be located as shown on the supplement to the site plan north of the boundary of the lands of Victor E. Moore, parcel 92, and shall have the buffer areas shown on the supplement the site plan vegetated with native trees and Leyland Cypress.
- The proposed truck entrance shall be improved to limit dust with bituminous surface treatment, as a minimum, from Route 13A back to the railroad right-of-way.
- ~~Movement of rail cars within the conditional use area for loading purposes shall be limited to daylight hours. The drop-off and pick-up of rail cars by the rail company servicing the spur is not restricted.~~ **CONDITION #4 DELETED IN 2006 PER C/U#1865**
- Rail cars shall be cleaned off-site.
- All truck trailers shall have the raw litter enclosed in waterproof tarps and shall be designed to prevent leakage.
- ~~Truck travel to the site shall be during daylight hours limited to Monday through Saturday.~~ **CONDITION #7 DELETED IN 2006 PER C/U#1865**
- The pelletized product of the processing plan shall be shipped in enclosed railroad cars or enclosed tractor-trailers.
- ~~All activities shall be limited to the inside of the building. The loading, unloading, and processing of raw material/litter shall be within the negative air section of the building. The loading of the finished product into transport vehicles shall be under the roof.~~ **CONDITION #9 MODIFIED IN 2006 PER C/U#1865**
- The noise and odor emissions from the plant shall be controlled by the negative air system, and shall be controlled by using bag houses, cyclone fans and air scrubbers; in no event shall the plant be allowed to operate with noise or odors exceeding minimum standards established by the Department of Natural Resources and Environmental Control or any other agency having jurisdiction over the project.
- The lands shown on the site plan as cultivated and acquired from E. Jean Fleetwood shall remain in the wooded and cultivated state north of the truck entrance and shall be enhanced with native trees and Leyland Cypress in the buffer areas shown on the supplement to the site plan.
- All woodland areas within the site and shown as woodland areas will remain as woodland, cut-over woodland will be allowed to mature.
- All timber areas will only be harvested with mandatory replanting after harvest. No harvesting shall occur within 100 feet of a property line or public roadway.
- The site plan shall be subject to review and approval by the Planning and Zoning Commission.
- A vegetated buffer shall be planted at the time on-site construction begins.
- A processing plant will not be permitted on the site.

- All lighting on the site shall be directed towards the site and no lighting shall be directed off-site.

~~No operating hours will be permitted on Sunday.~~
CONDITION #18 DELETED IN 2006 PER C/U#1865

2015 CONDITIONAL USE 1962 - CONDITIONS APPLICABLE TO PARCEL 'A' ONLY - LANDS TO BE CONVEYED TO SEAFORD AGRISOL, LLC OR ASSIGNS:

- THE CONDITIONS OF PREVIOUSLY APPROVED CU #1314 AND CU #1691 ARE UNCHANGED BY THIS APPROVAL, UNLESS SPECIFICALLY MODIFIED HEREIN.
- THE USE SHALL BE STRICTLY LIMITED TO THE IMPROVEMENTS SHOWN ON THIS SITE PLAN PROPOSED BY AXIOM ENGINEERING, LLC. ANY FUTURE ADDITIONS, ALTERATIONS OR IMPROVEMENTS TO THE SITE PLAN SHALL BE SUBJECT TO AN APPLICATION AND PUBLIC HEARING TO AMEND THIS CONDITIONAL USE.
- ANY RAILS CARS ACCESSING THE SITE SHALL BE CLEANED AT AN OFF-SITE LOCATION.
- THE NOISE AND ODOR EMISSIONS FROM THE OPERATIONS OF THE COMPOSTING FACILITY SHALL NOT EXCEED MINIMUM STANDARDS ESTABLISHED BY D.N.R.E.C. OR ANY OTHER AGENCY HAVING JURISDICTION OVER THE PROJECT. THE ODORS SHALL BE CONTROLLED BY NEGATIVE AIR PRESSURE IN THE RECEIVING BUILDING AND A BIO FILTER AND BY THE GORE COVER SYSTEM OR APPROVED EQUAL.
- THE LANDS ON THE SITE PLAN SURROUNDING THE COMPOSTING FACILITY SHALL REMAIN WOODED NORTH OF THE TRUCK ENTRANCE. THE LOCATION OF ALL WOODED, VEGETATIVE AND BUFFER AREAS SHALL BE SHOWN ON THE FINAL SITE PLAN.
- AS PROPOSED BY THE APPLICANT, ALL WOODED AREAS OUTSIDE OF THE APPROXIMATELY 20 ACRE PROJECT AREA SHALL REMAIN AS WOODED LANDS. CUT-OVER WOODLANDS SHALL BE ALLOWED TO MATURE.
- ANY LIGHTING ON THE SITE SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT ILLUMINATE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- ALL TRUCKS ENTERING THE SITE MUST BE COVERED.
- THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

2006 CONDITIONAL USE 1865 - AMENDED CONDITIONS APPLICABLE TO REMAINING LANDS OF PERDUE-AGRIRECYCLE, LLC

- This is an existing Conditional Use (No. 1314) that was approved by the County Council in 1999. This application will not materially change the use that is permitted upon the property.
- The Applicant is requesting reasonable changes to the existing Conditional Use permit to meet its needs for the recycling of poultry manure and marketing of the pelletized micro-nutrients.
- The use has proven to be a benefit for the family farm and the agricultural industry in Sussex County. It has also proven to be a good way to eliminate a potential source of excess nitrates and phosphates from Sussex County soils.
- The Applicant has requested the deletion of the 4th condition of Conditional Use No. 1314 to allow the movement and drop-off and pick-up of rail cars within the site at any time. Delete Condition No. 4, as requested.
- The Applicant has requested that the 7th condition be deleted to allow truck travel to the site at any time; by allowing truck travel to the site at any time, the plant can operate more efficiently and fuel costs would be reduced. Delete Condition No. 7, as requested.
- The Applicant has requested an amendment to the 9th condition to allow outside storage in watertight containers; the material would be stored in a neat and orderly fashion inside watertight containers. This will also allow the plant to operate more efficiently. The Planning and Zoning Commission recommended that the 9th condition be modified to state "all activities involving raw litter shall be inside of the building. The loading, unloading and processing of raw material/litter shall be within the negative air section of the building. Storage of finished product, both pellets and granulated, may be stored outside in watertight containers. The loading of the finished product onto transport vehicles shall be under roof." Amend Condition No. 9 as requested and recommended by the Commission.
- Delete Condition No. 18 which states "No operating hours will be permitted on Sunday."
- The Applicant has operated the facility very well during the past five years. Even with these recommended amendments to the existing Conditional Use, the noise, odor, or other effects of the operations are no different than other agricultural uses that exist all over Sussex County.

OWNER CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE REPRESENTATIVE OF THE LEGAL OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN. THE AREA LABELED "PARCEL A - BOUNDARY TO BE RECORDED" IS TO BE SUBDIVIDED AND CONVEYED TO THE DEVELOPER. LAND DISTURBANCE SHOWN ON THESE PLANS OUTSIDE OF THE SUBDIVIDED PARCEL IS PERMITTED AS SHOWN, AND IS TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS. I HEREBY AUTHORIZE THE RIGHT OF ENTRY FOR PERIODIC ON SITE INSPECTIONS ONTO PARCEL "A" AND THE DISTURBED AREAS OUTSIDE OF PARCEL "A" BY STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL COMPLIANCE PERSONNEL AND/OR AUTHORIZED AGENTS.

N. House Hudson VP of Operations
PRINTED NAME AND TITLE

3/12/2015 6/29/15
DATE

SIGNATURE
PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
410-543-3000

DEVELOPER CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE APPLICANT AND DEVELOPER OF THE AREA LABELED "PARCEL A - BOUNDARY TO BE RECORDED". THE PROJECT SHOWN ON THESE PLANS IS TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS. I HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THE APPROVED PLAN, AND THAT ALL RESPONSIBLE PERSONNEL INVOLVED IN THE LAND DISTURBING ACTIVITIES WILL HAVE A SEDIMENT AND STORMWATER MANAGEMENT CERTIFICATION FROM THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. I HEREBY AUTHORIZE THE RIGHT OF ENTRY FOR PERIODIC ON SITE INSPECTIONS BY STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL COMPLIANCE PERSONNEL AND/OR AUTHORIZED AGENTS.

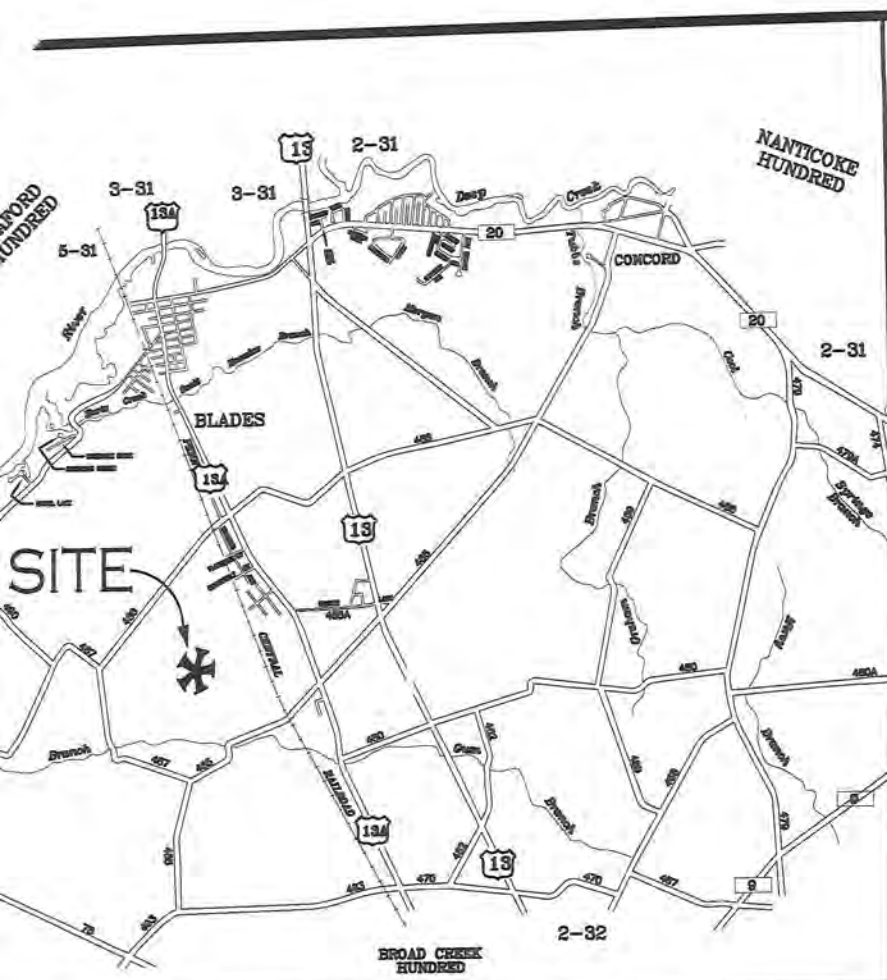
Charles Gifford 6/29/15
BY: DATE

SEAFORD AGRISOL, LLC
28338 ENVIRO WAY
SEAFORD, DE 19673
401-644-7200
CHARLES.GIFFORD@SEAFORDAGRISOL.COM

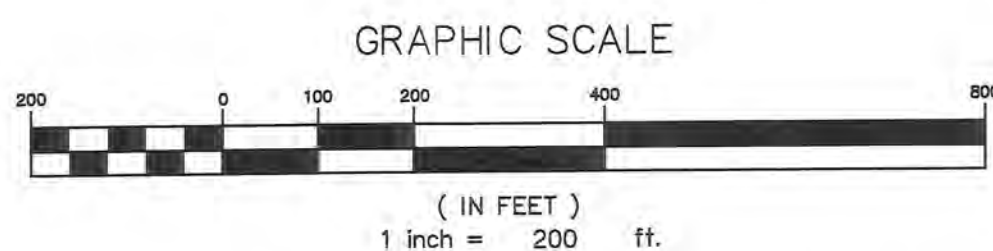
APPROVED
Final Site Plan Per 6/29/15
CU 1962, CU 1865, CU 1314, all approved
SUSSEX COUNTY PLANNING & ZONING COMMISSION

WARNING
0 1/2 1
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

ENGINEER	DESIGNER	DRAFTER	CHECKED BY	DATE	TAX MAP	SCALE	PROJECT NO.	0234-1301
RWR	RWR	RWR	RWR	12/1/2014	1-32-11, 41	1" = 300'		
SEAFORD AGRISOL FACILITY								CONDITIONAL USE COVER SHEET
28338 ENVIRO WAY, SEAFORD BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE								
DRAWING: CU-1								SHEET: 1 OF 3



VICINITY MAP
SCALE: 1" = 1 MILE



SITE DATA:

OWNER: PERDUE AGRICULTURE, LLC
P.O. BOX 1537
SALISBURY, MD 21802-1537
c/o WAYNE HUDSON
PH: 302-682-2350
EMAIL: wayne.hudson@perdue.com

DEVELOPER: SEAFORD AGRISOIL, LLC
(PARCEL 'A') 28338 ENVIRO WAY
SEAFORD, DE 19973
c/o KATHRYN PEASE, MANAGER
PH: 401-644-7200
EMAIL: kathryn.pease@seafordagrisoil.com

CURRENT BOUNDARY AREA: 223.26 AC. +/- (DEED)
TAX PARCEL NO. 132-6-95.00 90.84 AC. +/- (DEED)
DB. 2454, PG. 163 (ACCESS TO PARCEL 'A')
TAX PARCEL NO. 132-11-00-41.00 124.26 AC. +/- (DEED)
DB. 2454, PG. 157
* PARCEL 'A' = 26.62 AC. +/- (AXIOM)
* RESIDUAL = 97.64 AC. +/- (DEED)
TAX MAP NO. 132-6-00-88.01 816 AC. +/- (DEED)
DB. 2454, PG. 157 (P.O. CU, N.P.O. SUBDIVISION)

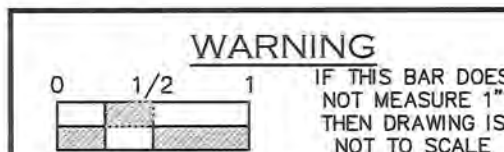
TOTAL NO. LOTS = 1
DELDOT DEDICATION AREA = N/A
CURRENT ZONING: AR1/CONDITIONAL USE #1962, #1691, #1314
CURRENT USE: RECYCLING OF POULTRY MANURE
PROPOSED USE (PARCEL 'A'): RECYCLING OF POULTRY MANURE
SEWER PROVIDER: PRIVATE
WATER PROVIDER: PRIVATE

BUILDING SETBACK / AREA REGULATIONS

FRONT = 40'
SIDE = 15'
REAR = 20'
AREA = 32,670 S.F.
WIDTH = 100'
DEPTH = 100'

- NOTES:
1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, L.L.C.
 2. THE PORTION OF THE BOUNDARY SURVEYED BY AXIOM ENGINEERING, L.L.C., WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
 3. THE PARCELS SHOWN HEREON, AND AS BEING AMENDED, ARE SUBJECT TO ALL CURRENT TITLE EXCEPTIONS AS RECORDED.
 4. THIS SITE IS LOCATED IN A ZONE X BASED ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 1000500401 K, MAP REVISED MARCH 16, 2015, AND IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

- DELDOT NOTES:
1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO APPROVAL.
 2. SURVEY, 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 SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
 3. ALL PERDUE AGRICULTURE PARCELS SHALL HAVE ACCESS FROM ENVIRO WAY.
 4. EXISTING ENTRANCE IMPROVEMENTS AND RIGHT-OF-WAY DEDICATION SHOWN HEREON ARE BASED ON DELDOT ENTRANCE PLAN, BY McCORNE ENGINEERING, DATED 06-08-2000.



AXIOM
ENGINEERING L.L.C.
18 CHESTNUT STREET, GEORGETOWN, DE 19947
PH: (302) 855-0810

SEAL

ENGINEER:	KRC
DESIGNER:	RWR
DRAWN:	RWR
CHECKED BY:	KRC
DATE:	12/4/2014
TAX MAP:	1-32-11, 41
SCALE:	AS SHOWN

SEAFORD AGRISOIL FACILITY
28338 ENVIRO WAY, SEAFORD
BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

DRAWING:
CU-

SHEET:
2 OF 3

1) PROCESS ENGINEERING INDICATED ON THESE PLANS WERE PREPARED BY OTHERS, AND ARE NOT THE RESULT OF ENGINEERING EFFORTS PREPARED BY AXIOM ENGINEERING, L.L.C. PROCESSES TO OCCUR UNDER ROOF WILL OCCUR IN THE PROPOSED 15,000 S.F. BUILDING, WHICH SHALL BE DESIGNED TO ACCOMMODATE THE COMPOSTING PROCEDURES.

-
- N/F
DONALD R. EISENBREY
(TRUSTEE)
TM 132-6-00-311.0
DB 3143, PG 301
- N/F
RONALD W. DOWAWAY
TM 132-11-40.0
DB 2365, PG 10
- N/F
FREDERICK O'NEAL
(TRUSTEE)
TM 132-11-39.0
DB 1917, PG 218
- PARCEL TO

- a. THE CONDITIONS OF PREVIOUSLY APPROVED CU #1314 AND CU #169 ARE UNCHANGED BY THIS APPROVAL, UNLESS SPECIFICALLY MODIFIED HEREIN.
- b. THE USE SHALL BE STRICTLY LIMITED TO THE IMPROVEMENTS SHOWN ON THIS SITE PLAN PROPOSED BY AXIOM ENGINEERING, LLC. ANY FUTURE ADDITIONS, ALTERATIONS OR IMPROVEMENTS TO THE SITE PLAN SHALL BE SUBJECT TO AN APPLICATION AND PUBLIC HEARING TO AMEND THIS CONDITIONAL USE.
- c. ANY RAILS CARS ACCESSING THE SITE SHALL BE CLEANED AT AN OFF-SITE LOCATION.
- d. THE NOISE AND ODOR EMISSIONS FROM THE OPERATIONS OF THE COMPOSTING FACILITY SHALL NOT EXCEED MINIMUM STANDARDS ESTABLISHED BY D.N.R.E.C. OR ANY OTHER AGENCY HAVING JURISDICTION OVER THE PROJECT. THE ODORS SHALL BE CONTROLLED BY NEGATIVE AIR PRESSURE IN THE RECEIVING BUILDING AND A BIO FILTER AND BY THE GORE COVER SYSTEM OR APPROVED EQUAL.
- e. THE LANDS ON THE SITE PLAN SURROUNDING THE COMPOSTING FACILITY SHALL REMAIN WOODED NORTH OF THE TRUCK ENTRANCE. THE LOCATION OF ALL WOODED, VEGETATIVE AND BUFFER AREAS SHALL BE SHOWN ON THE FINAL SITE PLAN.
- f. AS PROPOSED BY THE APPLICANT, ALL WOODED AREAS OUTSIDE OF THE APPROXIMATELY 20 ACRE PROJECT AREA SHALL REMAIN AS WOODLANDS. CUT-OVER WOODLANDS SHALL BE ALLOWED TO MATURE.
- g. ANY LIGHTING ON THE SITE SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT ILLUMINATE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- h. ALL TRUCKS ENTERING THE SITE MUST BE COVERED.
- i. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

TOTAL SITE AREA:	26.63 AC. +/-
DEVELOPMENT AREA,	124.27 AC. +/- TOTAL
CURRENT ZONING:	AR1/CONDITIONAL USE
#1962	
PROPOSED USE:	COMPOSTING
FACILITY	
PROPOSED CONSTRUCTION TYPE:	ASPHALT PAD
PROPOSED BUILDING AREA:	16,250 S.F.
PARKING SPACES REQUIRED:	16
PARKING SPACES PROVIDED:	16 (1 ADA, 15 S

NOTE: PARCELS '1' & 'ALL PERDUE' PARCELS SHALL HAVE ACCESS FROM ENVIRO WAY, 50' PRIVATE ACCESS EASEMENT

LANDS OF PERDUE-AGRIRECYLE, LLC
TM 132-4-50.00
DB 02454, PG 163

LANDS OF PERDUE-AGRIRECYLE, LLC
TM 132-E-20.00
DB 02454, PG 163

GLEN W. ESPINOSE
TM 132-4-50.00
DB 2768, PG 231

EX. GRAVEL

EX. DIRT

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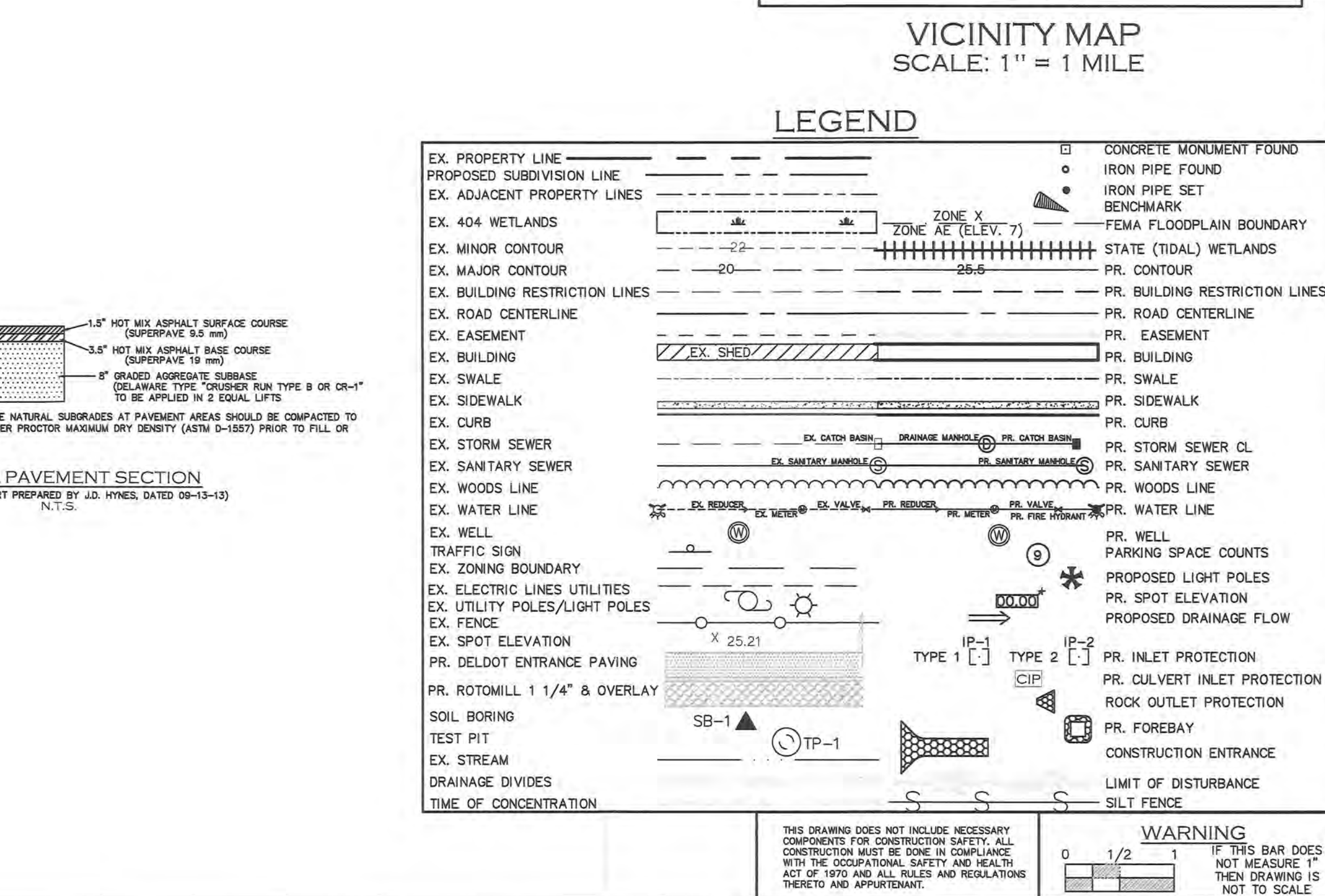
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DRAWING:		CU-3		SHEET:		3 OF 3	
SEAFORD AGRISOIL FACILITY				CONDITIONAL USE SITE PLAN			
28338 ENVIRO WAY, SEAFORD							
BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE							
ENGINEER:	KRC	DESIGNER:	RWR	DATE:	12/4/2014	CHECKED BY:	KRC
DRAFTER:	RWR	TAX MAP:	1-32-11, 41	SCALE:	1" = 200'	PROJECT NO:	O234-1301
				A XIOM			
				ENGINEERING L.L.C.			
				18 CHESTNUT STREET, GEORGETOWN, DE 19647			
				PH: (302) 855-0810			
				FAX: 855-0812			
				E-MAIL: AXIOM@AXENG.COM			
				WEB: WWW.AXENG.COM			
				REV			
				REVISION RECORD			
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