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DIRECTOR OF PLANNING & ZONING
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Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: December 16th, 2021

Application: 2021-05 Turnberry (F.K.A. Unity Branch)

Applicant: Schell Brothers, LLC
20184 Phillips Street
Rehoboth Beach, DE 19971

Owner: Hollyville Buyer, LLC
Attention: Timothy Green
20184 Phillips Street
Rehoboth Beach, DE 19971

Site Location: The properties are lying on the southeast side of Hollyville Road (S.C.R. 48), approximately 0.63 mile south of Harbeson Road (Route 5).

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

Proposed Use: 195 Single-Family Lots as a Cluster Subdivision

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Millsboro Fire Company

Sewer: Artesian Water Company

Water: Artesian Wastewater Management, Inc.

Site Area: 145.424 +/- acres

Tax Map ID: 234-10.00-199.00



Layers

Addresses/Parcels

911 Addresses

Parcels

Subdivisions

Zoning

Zoning

Agricultural Residential - AR-1

Agricultural Residential - AR-2

Business Research - B-3

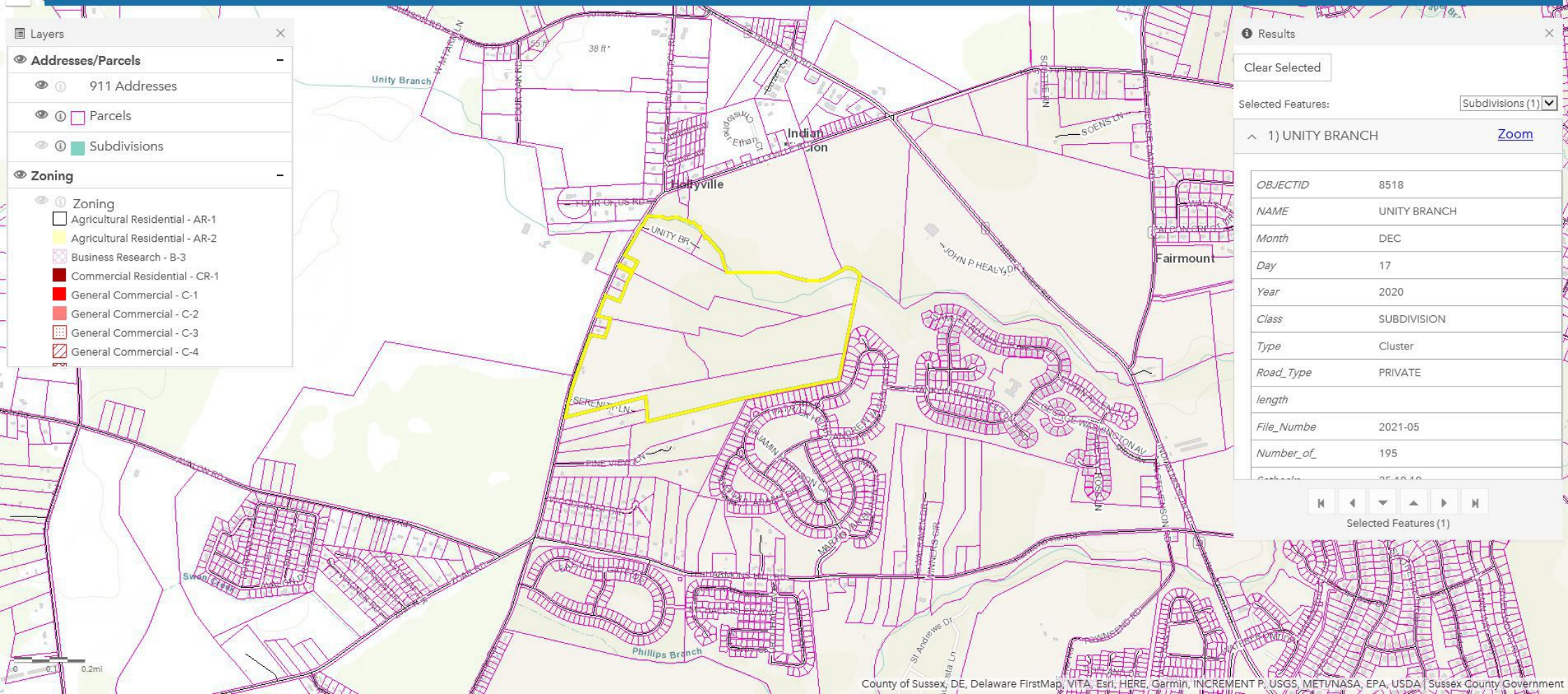
Commercial Residential - CR-1

General Commercial - C-1

General Commercial - C-2

General Commercial - C-3

General Commercial - C-4



Results

Clear Selected

Selected Features: Subdivisions (1)

1) UNITY BRANCH [Zoom](#)

OBJECTID	8518
NAME	UNITY BRANCH
Month	DEC
Day	17
Year	2020
Class	SUBDIVISION
Type	Cluster
Road_Type	PRIVATE
length	
File_Numbe	2021-05
Number_of	195
Created	2021-05-10

Selected Features (1)

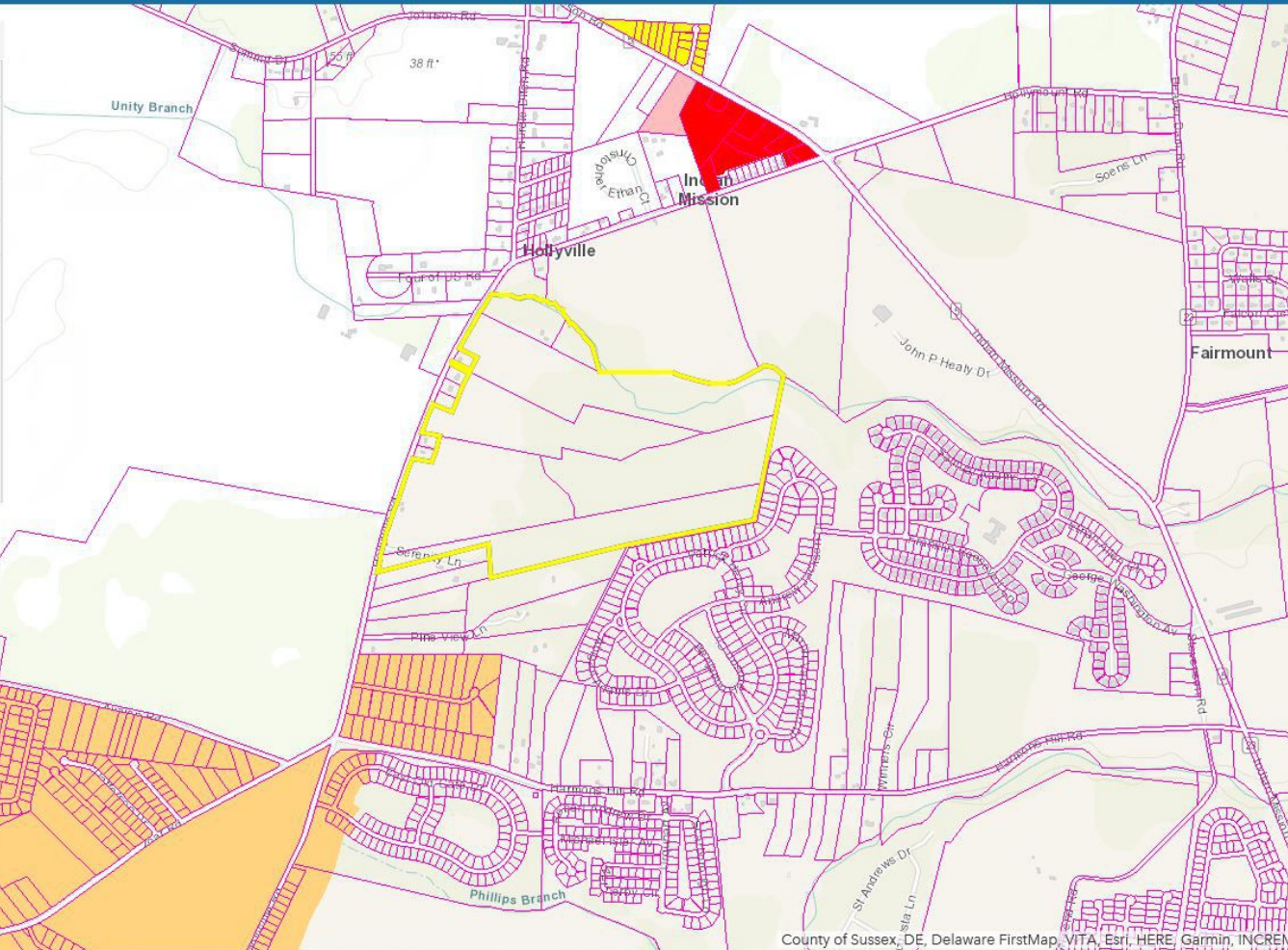
Layers

Addresses/Parcels

- 911 Addresses
- Parcels
- Subdivisions

Zoning

- Zoning
 - Agricultural Residential - AR-1
 - Agricultural Residential - AR-2
 - Business Research - B-3
 - Commercial Residential - CR-1
 - General Commercial - C-1
 - General Commercial - C-2
 - General Commercial - C-3
 - General Commercial - C-4



Results

Clear Selected

Selected Features: Subdivisions (1)

1) UNITY BRANCH

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Month	DEC
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Year	2020
Class	SUBDIVISION
Type	Cluster
Road_Type	PRIVATE
length	
File_Numbe	2021-05
Number_of_	195
Subdivi	25,40,00

Selected Features (1)

Layers

Addresses/Parcels

911 Addresses

Parcels

Subdivisions

Zoning

Zoning

Agricultural Residential - AR-1

Agricultural Residential - AR-2

Business Research - B-3

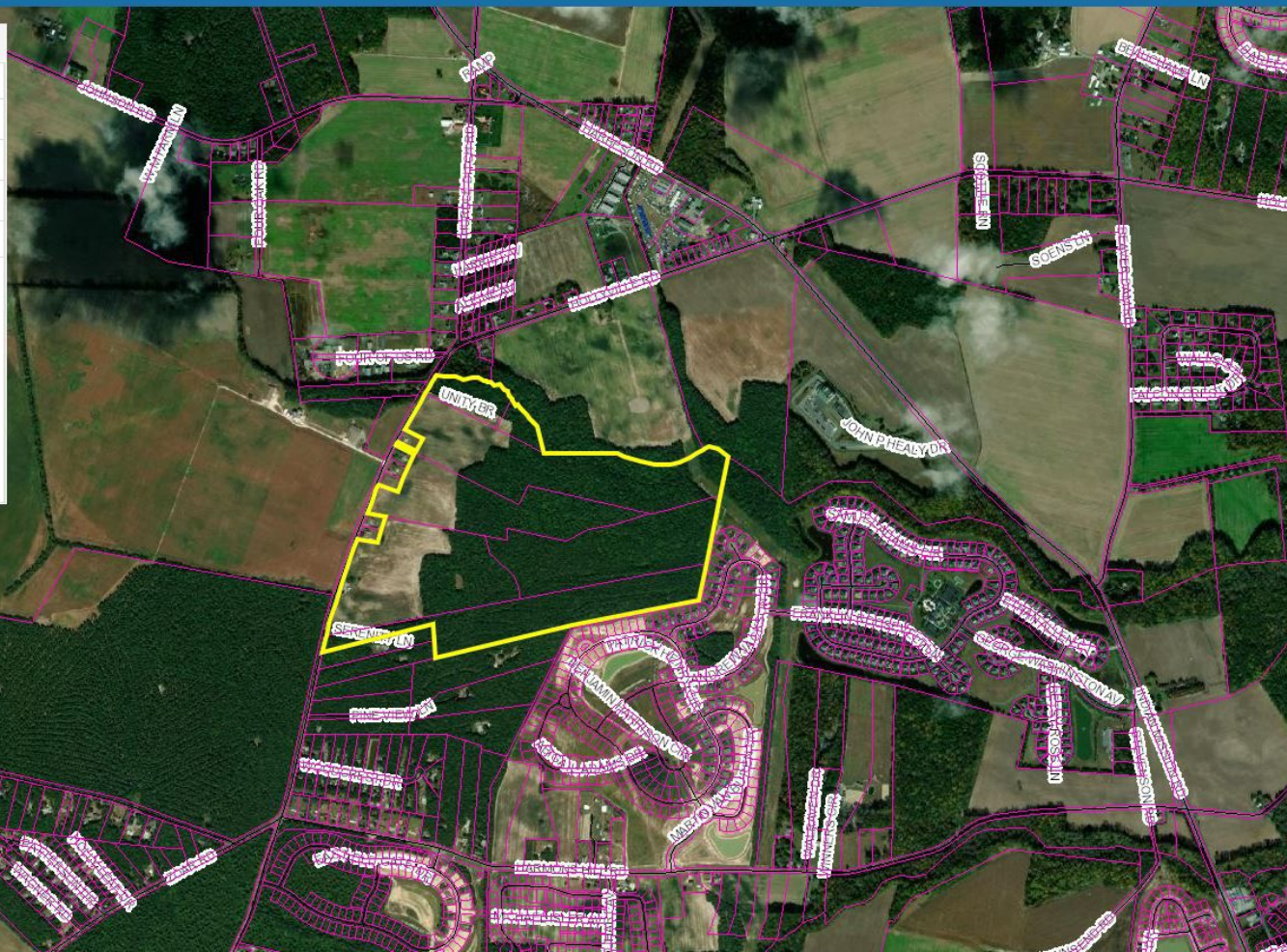
Commercial Residential - CR-1

General Commercial - C-1

General Commercial - C-2

General Commercial - C-3

General Commercial - C-4



Clear Selected

Selected Features: Subdivisions (1)

1) UNITY BRCH Zoom

OBJECTID	8518
NAME	UNITY BRCH
Month	DEC
Day	17
Year	2020
Class	SUBDIVISION
Type	Cluster
Road_Type	PRIVATE
length	
File_Numbe	2021-05
Number_of_	195
Subdivi	25-10-10

Selected Features (1)

File #: _____
Pre-App Date: _____

Sussex County Major Subdivision Application

Sussex County, Delaware

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

Type of Application: (please check applicable)

Standard:

Cluster:

Coastal Area:

Location of Subdivision:

Proposed Name of Subdivision:

Tax Map #: **TM 234-16, P 1.01, 1.02, 3, 4, & 5**

Total Acreage:

Zoning:

Density:

Minimum Lot Size:

Number of Lots:

Open Space Acres:

Water Provider:

Sewer Provider:

Applicant Information

Applicant Name:

Applicant Address:

City:

State:

Zip Code:

Phone #:

E-mail:

Owner Information

Owner Name:

Owner Address:

City:

State:

Zip Code:

Phone #:

E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name:

Agent/Attorney/Engineer Address:

City:

State:

Zip Code:

Phone #:

E-mail:



Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

Completed Application

Provide ten (10) copies of the Site Plan or Survey of the property and a PDF (via e-mail)

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

Provide Fee \$500.00

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

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

PLUS Response Letter (if required) **Environmental Assessment & Public Facility Evaluation Report** (if within Coastal Area)

51% of property owners consent if applicable

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

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

Signature of Applicant/Agent/Attorney

Date:

Signature of Owner

Date:

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Lauren DeVore

From: Brockenbrough, Thomas (DeIDOT) <Thomas.Brockenbrough@delaware.gov>
Sent: Tuesday, August 31, 2021 11:03 AM
To: Lauren DeVore; McCabe, R. Stephen (DeIDOT)
Cc: Brestel, Troy (DeIDOT); Joinville, Claudy (DeIDOT); Furmato, Annamaria (DeIDOT)
Subject: RE: DeIDOT Review of 2021-04 Autumdale (F.K.A. Fairmont) & 2021-05 Turnberry (F.K.A. Unity Branch)

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

Good morning Lauren,

In the context of the MOU between DeIDOT and the County, both developments are Minor based on their trip generation.

Presently a Traffic Operational Analysis (TOA) for Turnberry (fka Unity Branch) is under review. The TOA includes Autumdale (fka Fairmont) as a committed development. While we have completed an initial review and are discussing our findings with the developer's engineer, I do not anticipate that we will complete that discussion and issue a review letter by September 9.

I've copied Troy, Claudy and Annamaria primarily to inform them of the name changes.

Bill

T. William Brockenbrough, Jr., P.E., AICP
County Coordinator
Division of Planning
Delaware Department of Transportation
P.O. Box 778
Dover, DE 19903
(302)760-2109
Thomas.Brockenbrough@delaware.gov



From: Lauren DeVore <lauren.devore@sussexcountyyde.gov>
Sent: Tuesday, August 31, 2021 9:44 AM
To: Brockenbrough, Thomas (DeIDOT) <Thomas.Brockenbrough@delaware.gov>; McCabe, R. Stephen (DeIDOT) <Richard.McCabe@delaware.gov>
Subject: DeIDOT Review of 2021-04 Autumdale (F.K.A. Fairmont) & 2021-05 Turnberry (F.K.A. Unity Branch)
Importance: High

Good Morning, Gentlemen,

I hope that you are both well and enjoyed your weekend.

If you could please kindly review the attached Preliminary Subdivision Plans for traffic impacts in accordance with the County's MOU with DelDOT to determine whether the traffic impacts of the below mentioned Subdivisions will be diminutive, negligible, minor or major, this would be appreciated.

Please note that I will need this information prior to the publishing of the Paperless Packet for the upcoming 9/9/21 Planning and Zoning Commission Meeting, so I will need a response **no later than this Thursday morning (9/2/21)**.

Please see the following details below for further information regarding both projects which was extracted from the Legal Ads for both submissions:

2021-04 Autumdale (Fairmont)

A cluster subdivision to divide 73.905 acres +/- into 104 single-family lots to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County. The property is lying on the south side of Hollyville Road (S.C.R. 48), approximately 0.43 mile southwest of the intersection of Harbeson Road (Rt. 5) and Hollyville Road. Tax Parcel: 234-10.00-14.00. Zoning: AR-1 (Agricultural Residential District).

2021-05 Turnberry (Unity Branch)

A cluster subdivision to divide 145.424 acres +/- into 195 single-family lots to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County. The properties are lying on the southeast side of Hollyville Road (S.C.R. 48), approximately 0.63 mile south of Harbeson Road (Rt. 5). Tax Parcels: 234-10.00-199.00, 234-16.00-1.01, 1.02, 3.00, 4.00 & 5.00. Zoning: AR-1 (Agricultural Residential District).

As always, please let me know if you should have any further questions and it would be my pleasure to assist you.

Thank you in advance for your professional insight and assistance. You both are always a huge help in this process.

Best Regards,

-Lauren

Lauren DeVore

Planner III
Department of Planning and Zoning
P.O. Box 417
2 The Circle
Georgetown, DE 19947
(302)855-7878
8:30AM - 4:30PM



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

NICOLE MAJESKI
SECRETARY

November 23, 2021

Ms. Betty Tustin
The Traffic Group, Inc.
104 Kenwood Court
Berlin, Maryland 21811

Dear Ms. Tustin:

The enclosed Traffic Operational Analysis (TOA) review letter for the **Turnberry (f.k.a. Unity Branch)** (Tax Parcels: 234-10.00-199.00, and 234-16.00-1.01, 1.02, 3.00, 4.00 and 5.00) residential development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TOA to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville
Project Engineer

CJ:km

Enclosures

cc with enclosures: Mr. Jason Palkewicz, Solutions IPEM
Mr. David Edgell, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning and Zoning
Ms. Joanne Arellano, Johnson, Mirmiran, & Thompson, Inc.
DelDOT Distribution

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Director, Transportation Solutions (DOTS)
Pamela Steinebach, Director, Planning
Mark Luszcz, Deputy Director, Traffic, DOTS
Peter Haag, Chief Traffic Engineer, Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Todd Sammons, Assistant Director, Development Coordination
T. William Brockenbrough, Jr., County Coordinator, Development Coordination
Chris Sylvester, Traffic Studies Manager, Traffic, DOTS
Alistair Probert, South District Engineer, South District
Matthew Schlitter, South District Public Works Engineer, South District
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning
Wendy Polasko, Subdivision Engineer, Development Coordination
Steve McCabe, Sussex Review Coordinator, Development Coordination
Mark Galipo, Traffic Engineer, Traffic, DOTS
Brian Yates, Subdivision Manager, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination



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

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Steve McCabe, Sussex Review Coordinator, Development Coordination
Mark Galipo, Traffic Engineer, Traffic, DOTS
Brian Yates, Subdivision Manager, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination



November 19, 2021

Mr. Claudy Joinville
Project Engineer
Delaware Department of Transportation
Development Coordination, Division of Planning
800 Bay Road
Dover, DE 19901

RE: Agreement No. 1945F
Project Number T202069012
Traffic Impact Study Services
Task 3-7A – Turnberry (f.k.a. Unity Branch) TOA

Dear Mr. Joinville:

Johnson, Mirmiran, and Thompson (JMT) has completed a review of the Traffic Operational Analysis (TOA) for the Turnberry (f.k.a. Unity Branch) development, which was prepared by The Traffic Group, Inc., dated May 28, 2021. This review was assigned as Task Number 3-7A. The report is prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The TOA evaluates the impacts of a proposed residential development in Sussex County, Delaware. The development would be comprised of 195 single-family detached homes. The site is located on the southeast side of Hollyville Road (Sussex Road 48), southwest of Hurdle Ditch Road (Sussex Road 290). The subject property is on an approximately 145.4-acre assemblage of parcels. The land is currently zoned as AR-1 (Agricultural Residential) and the developer does not plan to rezone the land. One full access is proposed along Hollyville Road and construction is anticipated to be complete in 2027.

DelDOT currently does not have any active projects within the study area. However, the Hollyville Road and Zoar Road/Harmons Hill Road intersection was included in DelDOT's 2013 *Hazard Elimination Program* (HEP) as Site G. Site G is a 0.30-mile corridor along Zoar Road/Hollyville Road from 0.06 miles west of Avalon Road to 0.10 miles north of Harmons Hill Road. The Site G Task I Report included a crash evaluation and a sight distance review of the Hollyville Road and Zoar Road/Harmons Hill Road intersection. The Task I Report recommended that an additional study be performed at the Hollyville Road intersection with Zoar Road/Harmons Hill Road to determine improvements to reduce the potential for angle crashes.

The Site G Task II Report included additional evaluations to determine improvements at the Hollyville Road intersection with Zoar Road/Harmons Hill Road. The additional evaluations included a multi-way stop control warrant analysis, a traffic signal warrant analysis, a capacity and queue assessment, and a roundabout evaluation. The Task II Report recommended the interim improvement of an all-way stop control with warning beacons and signage, and the ultimate



improvement of a roundabout in conjunction with the developments in the area. Under existing conditions, the intersection is all-way stop-controlled.

Based on our review of the TOA, we have the following comments and recommendations:

Based on the level of service (LOS) evaluation criteria as stated in DelDOT's *Development Coordination Manual*, none of the intersections exhibit LOS deficiencies.

Although the proposed unsignalized two-way stop-controlled Site Entrance along Hollyville Road does not exhibit LOS deficiencies, DelDOT requested an analysis of the intersection configured as a roundabout as a traffic calming measure along Hollyville Road. With the implementation of a roundabout, the intersection would operate at LOS A during the weekday AM and PM peak hours under Case 3 future with development conditions. However, we do not recommend that the developer install a roundabout.

The unsignalized two-way stop-controlled Hollyville Road intersection with Hurdle Ditch Road also does not exhibit LOS deficiencies. Additionally, based on a field visit, sight distance is sufficient along every approach to the intersection. However, based on the *Road Design Manual*, a separate left turn lane should be provided along the northbound approach of Hollyville Road to Hurdle Ditch Road. As such, it is recommended the developer improve the northbound Hollyville Road approach to Hurdle Ditch Road to provide a separate left turn lane.

The subject study is a TOA which was scoped to address specific intersections where DelDOT required additional information to determine the need for offsite improvements. Although the Delaware Route 5 and Hollyville Road/Hollymount Road intersection is not a study intersection, per the February 5, 2021 Scoping Meeting Memorandum, DelDOT will require that the developer enter into a traffic signal agreement at the intersection of Delaware Route 5 and Hollyville Road/Hollymount Road.

Should Sussex County approve the proposed development, the following items should be incorporated into the site design and reflected on the record plan. All applicable agreements (i.e. letter agreements for off-site improvements and traffic signal agreements) should be executed prior to entrance plan approval for the proposed development.

1. The developer shall improve Hollyville Road within the limits of their frontage to meet DelDOT's standards for Functional Classification as found in Section 1.1 of the *Development Coordination Manual* and elsewhere therein. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. Frontage is defined in Section 1 of the *Development Coordination Manual*, which states "This length includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway." Questions on or appeals of this requirement should be directed to the DelDOT Subdivision Review Coordinator in whose area the development is located.



2. The developer should construct a full access site entrance on Hollyville Road, approximately 3,350 feet north of the northeast point of tangency at the Zoar Road/Harmons Hill Road intersection. The intersection should be consistent with the lane configurations shown in the table below.

Approach	Current Configuration	Proposed Configuration
Westbound Site Entrance	Approach does not exist	One shared left turn/right turn lane
Northbound Hollyville Road	One through lane	One through lane and one right turn lane
Southbound Hollyville Road	One through lane	One left turn lane and one through lane

Based on DelDOT's *Development Coordination Manual*, the recommended minimum storage length is 240 feet (excluding taper) for the northbound Hollyville Road right turn lane and 135 feet (excluding taper) for the southbound Hollyville Road left turn lane. The calculated queue lengths from the HCS analysis can be accommodated within the recommended storage lengths.

3. The developer should modify the Hollyville Road intersection with Hurdle Ditch Road to be consistent with the lane configurations shown in the table below:

Approach	Current Configuration	Proposed Configuration
Eastbound Hurdle Ditch Road	One shared left turn/right turn lane	No change
Northbound Hollyville Road	One shared left turn/through lane	One left turn lane and one through lane
Southbound Hollyville Road	One shared through/right turn lane	No change

Based on the *Road Design Manual*, the recommended minimum storage length is 80 feet (excluding taper) for the northbound Hollyville Road left turn lane. The calculated queue length from the HCS analysis can be accommodated within the recommended storage length. The developer should submit a plan to DelDOT depicting the design of the intersection during the Entrance Plan review process.

4. The developer should enter into a traffic signal agreement with DelDOT for the intersection of Delaware Route 5 and Hollyville Road/Hollymount Road. The signal agreement should include pedestrian signals, crosswalks, interconnection, and ITS equipment such as CCTV



cameras at DelDOT's discretion. At DelDOT's discretion, the developer may contribute to the Traffic Signal Revolving Fund in lieu of a traffic signal agreement.

5. The following bicycle, pedestrian, and transit improvements should be included:
 - a. A minimum of fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the Hollyville Road site frontage. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP). The SUP should be designed to meet current AASHTO and ADA standards. A minimum five-foot setback should be maintained from the edge of the pavement to the SUP. If feasible, the SUP should be placed behind utility poles and street trees should be provided within the buffer area. The developer should coordinate with DelDOT's Development Coordination Section during the plan review process to identify the exact location of the SUP.
 - b. At least one internal connection of a sidewalk or shared use path should be provided from the shared-use path along Hollyville Road.
 - c. A SUP connection along the eastern side of Hollyville Road should be provided between the proposed SUPs for this site and the Fairmont site.
 - d. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the northbound Hollyville Road approach to the site entrance.
 - e. ADA compliant curb ramps and marked crosswalks should be provided along the Site Entrance approach to Hollyville Road. The use of diagonal curb ramps is discouraged. The curb ramps should be designed to accommodate the SUP.
 - f. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/SUP or should be flush with the pavement.

Please note that this review generally focuses on capacity and level of service issues; additional safety and operational issues will be further addressed through DelDOT's Plan Review process.

Improvements in this TOA may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at https://www.deldot.gov/Publications/manuals/de_mutcd/index.shtml. For any additional information regarding the work zone impact and mitigation procedures during construction, please contact Mr. Jeff VanHorn, Assistant Director for Traffic Operations and Management. Mr. VanHorn can be reached at (302) 659-4606 or by email at Jeffrey.VanHorn@delaware.gov.



Additional details on our review of the TOA are attached. Please contact me at (302) 266-9600 if you have any questions concerning this review.

Sincerely,
Johnson, Mirmiran, and Thompson, Inc.

A handwritten signature in black ink, appearing to read 'Joanne M. Arellano', is located below the typed name.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE
Janna Brown, E.I.T.

Enclosure

General Information

Report date: May 28, 2021

Prepared by: The Traffic Group, Inc.

Prepared for: Schell Brothers, LLC

Tax Parcels: 234-10.00-199.00 and 234-16.00-1.01, 1.02, 3.00, 4.00 and 5.00

Generally consistent with DelDOT's *Development Coordination Manual (DCM)*: Yes

Project Description and Background

Description: The TOA evaluates the impacts of a residential development consisting of 195 single-family detached homes.

Location: The subject site is located on the southeast side of Hollyville Road, southwest of Hurdle Ditch Road in Sussex County, Delaware.

Amount of Land to be developed: An approximately 145.4-acre assemblage of parcels.

Land Use approval(s) needed: Entrance Plan.

Proposed completion date: 2027.

Proposed access locations: One access point: full access entrance on Hollyville Road.

Daily Traffic Volumes:

- 2019 Average Annual Daily Traffic on Hollyville Road (Sussex Road 48): 4,371

Site Map



**Graphic is an approximation based on the Preliminary Plat prepared by The Traffic Group, Inc. dated October 16, 2020.*

Relevant and On-going Projects

DelDOT currently does not have any active projects within the study area. However, the Hollyville Road and Zoar Road/Harmons Hill Road intersection was included in DelDOT's 2013 *Hazard Elimination Program* (HEP) as Site G. Site G is a 0.30-mile corridor along Zoar Road/Hollyville Road from 0.06 miles west of Avalon Road to 0.10 miles north of Harmons Hill Road. The Site G Task I Report included a crash evaluation and a sight distance review of the Hollyville Road and Zoar Road/Harmons Hill Road intersection. The Task I Report recommended that an additional

study be performed at the Hollyville Road intersection with Zoar Road/Harmons Hill Road to determine improvements to reduce the potential for angle crashes.

The Site G Task II Report included additional evaluations to determine improvements at the Hollyville Road intersection with Zoar Road/Harmons Hill Road. The additional evaluations included a multi-way stop control warrant analysis, a traffic signal warrant analysis, a capacity and queue assessment, and a roundabout evaluation. The Task II Report recommended the interim improvement of an all-way stop control with warning beacons and signage, and the ultimate improvement of a roundabout in conjunction with the developments in the area. Under existing conditions, the intersection is all-way stop controlled.

Livable Delaware

(Source: Delaware Strategies for State Policies and Spending, 2020)

Location with respect to the Strategies for State Policies and Spending Map of Delaware:

The proposed development is located within the Investment Level 4.

Investment Level 4

Delaware's Investment Level 4 Areas are rural in nature and are where the bulk of the state's open space/natural areas and agricultural industry is located. These areas contain agribusiness activities, farm complexes, and small settlements. They typically include historic crossroads or points of trade, often with rich cultural ties. Delaware's Investment Level 4 Areas are also the location of scattered residential uses, featuring almost entirely single-family detached residential structures. Delaware's Investment Level 4 Areas also include many unincorporated communities, typically with their own distinctive character and identity. Investment Level 4 Areas depend on a transportation system primarily of secondary roads linked to roadways used as regional thoroughfares for commuting and trucking.

It is the state's intent to discourage additional urban and suburban development in Investment Level 4 Areas unrelated to agriculture and to the areas' needs. In Investment Level 4 Areas, the state's investments and policies should retain the rural landscape and preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development. The focus for the Level 4 Areas will be to preserve and maintain existing facilities in safe working order, corridor-capacity preservation, and the enhancement of transportation facilities to support agricultural business. The lowest priority is given to transit system enhancements.

Proposed Development's Compatibility with Livable Delaware:

The proposed site would be located in Investment Level 4. The 2020 *Delaware Strategies for State Policies and Spending* states that in Investment Level 4, the priority is to sustain homes and vitality of small rural communities. Investment Level 4 areas feature almost entirely single-family detached residential structures. However, new residential development activities are not supported in Investment Level 4 areas. The proposed development is residential, and the site is comprised of agricultural lands and wildlife habitats. Therefore, the proposed development is generally not

consistent with the 2020 update of the Livable Delaware “Strategies for State Policies and Spending.”

Comprehensive Plan

(Source: *Sussex County 2018 Comprehensive Plan*)

Sussex County Comprehensive Plan:

Per the Sussex County Comprehensive plan, the proposed development is in an area designated as an Agricultural Residential District (AR-1) and the developer does not plan to rezone the land.

Proposed Development’s Compatibility with the Sussex County Comprehensive Plan:

The *Sussex County Comprehensive Plan* indicates that the study area falls in a Low-Density Rural Area. The plan states that in these areas, low-density housing developments with 2 houses per acre are appropriate. Additionally, a portion of the development in these areas is required to be left as open space. The proposed development is a low-density housing development with less than 2 houses per acre, and it includes plans for open space. Therefore, the proposed development is generally consistent with the *Sussex County Comprehensive Plan*.

Trip Generation

The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the *Trip Generation, 10th Edition: An ITE Informational Report*, published by the Institute of Transportation Engineers (ITE) for ITE Land Use Code 210 (single-family detached housing). The trip generation was approved by DelDOT during the Preliminary Traffic Operational Analysis (PTOA) review.

Table 1
Turnberry (f.k.a. Unity Branch) Trip Generation

Land Use	ADT	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
195 Single-Family Homes (ITE Code 210)	1,922	36	107	143	122	71	193

Overview of TOA

Intersections examined:

1. Site Entrance / Hollyville Road (Sussex Road 48)
2. Hollyville Road / Zoar Road (Sussex Road 48) / Harmons Hill Road (Sussex Road 302)
3. Hollyville Road / Hurdle Ditch Road (Sussex Road 290)

Conditions examined:

1. Case 1 – 2021 Existing
2. Case 2 – 2027 without Development

3. Case 3 – 2027 with Development

Committed Developments considered:

1. Fairmont (104 single-family detached houses)
2. Woodridge (188 single-family detached houses, 159 unbuilt)
3. Liberty East (121 single-family detached houses, 99 unbuilt)
4. Wetherby (126 single-family detached houses)
5. Independence (a.k.a. Indigo Run) (455 single-family detached houses, 124 unbuilt)

Note: Committed development information provided in the TOA supersedes the information provided in the February 5, 2021 DelDOT Scoping Meeting Memorandum.

Peak hours evaluated: Weekday morning and weekday evening.

Intersection Descriptions

1. Site Entrance / Hollyville Road (Sussex Road 48)

Type of Control: Proposed two-way stop-controlled intersection (T-intersection)

Westbound Approach: (Site Entrance) Proposed one shared left turn/right turn lane.

Northbound Approach: (Hollyville Road) Existing one through lane, proposed one through lane and one right turn lane.

Southbound Approach: (Hollyville Road) Existing one through lane, proposed one left turn lane and one through lane.

2. Hollyville Road / Zoar Road (Sussex Road 48) / Harmons Hill Road (Sussex Road 302)

Type of Control: Existing all-way stop-controlled intersection (four-legged)

Eastbound Approach: (Zoar Road) Existing one shared left turn/through/right turn lane.

Westbound Approach: (Harmons Hill Road) Existing one shared left turn/through/right turn lane.

Northbound Approach: (Hollyville Road) Existing one shared left turn/through/right turn lane.

Southbound Approach: (Hollyville Road) Existing one shared left turn/through/right turn lane.

3. Hollyville Road / Hurdle Ditch Road (Sussex Road 290)

Type of Control: Existing two-way stop-controlled intersection (T-intersection)

Eastbound Approach: (Hurdle Ditch Road) Existing one shared left turn/right turn lane, stop-controlled.

Northbound Approach: (Hollyville Road) Existing one shared left turn/through lane.

Southbound Approach: (Hollyville Road) Existing one shared through/right turn lane.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Per DelDOT Gateway, Delaware Transit Corporation (DTC) currently does not provide transit service within the study area.

Planned transit service: Per email correspondence on July 1, 2021 with Mr. Jared Kauffman, Planner for DART, transit improvements are not being requested in the area at this time.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County Bicycle Map, a Connector Bicycle Route exists within the study area. The Connector Bicycle Route exists along Hollyville Road, and it traverses through 3 study intersections (Site Entrance, Zoar Road/Harmons Hill Road, and Hurdle Ditch Road).

Planned bicycle and pedestrian facilities: Per email correspondence dated July 1, 2021, from Ms. Linda Osiecki, DelDOT's Pedestrian Coordinator, and email correspondence dated July 2, 2021, from Mr. John Fiori, DelDOT's Bicycle Coordinator, the following improvements were recommended:

- Referring to the State Strategies and Spending Map this site is within Level 4. Per the DelDOT SUP/Sidewalk Policy a non-motorized facility is not required unless the site generates over 2,000-trips or there is an existing facility adjacent to the site. If the facility is required, it would be recommended that a 10-foot wide shared-use path be installed with angled terminations into the shoulder and shared-use path extended to both property lines.
- If the SUP is required, at least one internal connection of a sidewalk or shared use path from the shared-use path along Hollyville Road.
- Per the Development Coordination Manual (DCM) the site shall dedicate right-of-way per the roadway classification and establish a 15' wide permanent easement along the property frontage.
- All entrance, roadway and/or intersection improvements required shall incorporate bicycle and pedestrian facilities. Per the DCM, if the right turn lane is warranted, then a separate bike lane shall be incorporated along the right turn lane.
- Construct frontage SUP with angled terminations and pedestrian access into the site as shown on the plans.
- A bicycle/pedestrian crossing of the Hollyville Road intersection with Zoar Road/Harmons Hill Road should be provided from the proposed SUP along the eastern side of Hollyville Road. The crossing should include marked crosswalks and receiving curb ramps at full SUP width.
- A SUP connection along the southern side of Hollyville Road should be provided between the proposed SUPs for this site and the Fairmont site. If the connection is not provided, marked crosswalks and receiving curb ramps at full SUP width should be provided at the Hollyville Road intersection with Hurdle Ditch Road.

Bicycle Level of Traffic Stress in Delaware: Researchers with the Mineta Transportation Institute developed a framework to measure low-stress connectivity, which can be used to evaluate and guide bicycle network planning. Bicycle LTS analysis uses factors such as the speed of traffic, volume of traffic, and the number of lanes to rate each roadway segment on a scale of 1 to 4, where 1 is a low-stress place to ride and 4 is a high-stress place to ride. It analyzes the total connectivity

of a network to evaluate how many destinations can be accessed using low-stress routes. Developed by planners at the Delaware Department of Transportation (DelDOT), the bicycle Level of Traffic Stress (LTS) model will be applied to bicycle system planning and evaluation throughout the state. The Bicycle LTS for the roadways under existing conditions along the site frontage are summarized below. The Bicycle LTS was determined utilizing the map on the DelDOT Gateway.

- Hollyville Road – LTS: 4

Crash Evaluation

Per the crash data included in the TOA from March 3, 2018 to March 3, 2021 and provided by the Delaware Crash Analysis Reporting System, a total of eight crashes were reported in the area of the Hollyville Road/Hurdle Ditch Road intersection. Of the eight crashes reported, five were single vehicle incidents, two were rear end collisions, and one was a sideswipe crash. Three of the crashes resulted in injuries.

A total of 14 crashes were reported in the area of the Hollyville Road/Zoar Road/Harmons Hill Road intersection. Of the 14 crashes reported, six were single vehicle incidents, five were rear end collisions, one was a front-to-front collision, one was an angle crash, and one was other/unknown. Two of the crashes resulted in injuries and no fatalities were reported within the study area.

Previous Comments

All comments made during the Preliminary TOA (PTOA) were addressed in the Final TOA (FTOA).

General HCS Analysis Comments

(See table footnotes on the following pages for specific comments)

1. JMT and the TOA utilized version 7.9.5 of HCS7.
2. Due to a lack of heavy vehicle count data and per DelDOT's *Development Coordination Manual*, JMT used a heavy vehicle percentage of 3% for each movement greater than 100 vph in all cases, whereas the TOA utilized various heavy vehicle percentages.
3. Per DelDOT's *Development Coordination Manual* and coordination with DelDOT Planning, JMT used a heavy vehicle percentage of 5% for each movement less than 100 vph along roadways. A heavy vehicle percentage of 3% was utilized for movements entering and exiting the proposed site.
4. Per DelDOT's *Development Coordination Manual*, JMT utilized the existing PHF for the Case 1 scenario and a future PHF for Cases 2 and 3 scenarios of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph or the existing PHF, whichever was higher. The TOA utilized existing PHF for all cases.

Table 2
Peak Hour Levels Of Service (LOS)
Based on Traffic Operational Analysis for Turnberry (f.k.a. Unity Branch)
Report Dated May 28, 2021
Prepared by The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) ¹	LOS per TOA		LOS per JMT	
Site Entrance /Hollyville Road (Sussex Road 48)	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2027 with Development (Case 3) ²				
Westbound Site Entrance Approach	B (13.8)	B (12.8)	B (13.0)	B (13.2)
Southbound Hollyville Road Left Turn	A (8.1)	A (8.1)	A (8.0)	A (8.1)

Table 2 (continued)
Peak Hour Levels Of Service (LOS)
Based on Traffic Operational Analysis for Turnberry (f.k.a. Unity Branch)
Report Dated: May 28, 2021
Prepared by The Traffic Group, Inc.

Roundabout ¹	LOS per TOA		LOS per JMT	
Site Entrance /Hollyville Road (Sussex Road 48) ³	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2027 with Development (Case 3)				
Westbound Site Entrance Approach	-	-	A (4.9)	A (4.1)
Northbound Hollyville Road Approach	-	-	A (4.9)	A (5.1)
Southbound Hollyville Road Approach	-	-	A (4.6)	A (5.3)
Overall	-	-	A (4.8)	A (5.1)

¹ For signalized and unsignalized analysis, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

² The TOA utilized a PHF of 0.80 during the AM peak hour, whereas JMT utilized a PHF of 0.88 per DelDOT's *Development Coordination Manual*.

³ Per request from DelDOT, JMT performed an additional analysis of the intersection as a single lane roundabout.

Table 3
Peak Hour Levels Of Service (LOS)
Based on Traffic Operational Analysis for Turnberry (f.k.a. Unity Branch)
Report Dated: May 28, 2021
Prepared by The Traffic Group, Inc.

Unsignalized Intersection All-Way Stop Control ¹	LOS per TOA		LOS per JMT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Hollyville Road/Zoar Road (Sussex Road 48)/Harmons Hill Road (Sussex Road 302)				
2021 Existing (Case 1)				
Eastbound Zoar Road Approach	B (10.4)	B (10.1)	B (10.4)	B (10.2)
Westbound Harmons Hill Road Approach	A (9.3)	A (8.7)	A (9.4)	A (8.8)
Northbound Hollyville Road Approach	A (9.6)	A (8.9)	A (9.7)	A (9.0)
Southbound Hollyville Road Approach	A (9.9)	A (9.3)	A (9.9)	A (9.3)
Overall	A (9.9)	A (9.5)	A (9.9)	A (9.5)
2027 without Development (Case 2)				
Eastbound Zoar Road Approach	B (12.8)	B (13.7)	B (12.1)	B (13.8)
Westbound Harmons Hill Road Approach	B (12.0)	B (10.5)	B (11.5)	B (10.7)
Northbound Hollyville Road Approach	B (11.9)	B (11.1)	B (11.3)	B (11.2)
Southbound Hollyville Road Approach	B (13.3)	B (12.1)	B (12.4)	B (12.2)
Overall	B (12.6)	B (12.2)	B (11.9)	B (12.3)

Table 3 (continued)
Peak Hour Levels Of Service (LOS)
Based on Traffic Operational Analysis for Turnberry (f.k.a. Unity Branch)
Report Dated: May 28, 2021
Prepared by The Traffic Group, Inc.

Unsignalized Intersection All-Way Stop Control ¹	LOS per TOA		LOS per JMT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Hollyville Road/Zoar Road (Sussex Road 48)/Harmon Hill Road (Sussex Road 302)				
2027 with Development (Case 3)				
Eastbound Zoar Road Approach	B (13.7)	C (15.5)	B (12.9)	C (15.7)
Westbound Harmons Hill Road Approach	B (12.6)	B (11.2)	B (12.1)	B (11.3)
Northbound Hollyville Road Approach	B (12.7)	B (12.4)	B (12.0)	B (12.6)
Southbound Hollyville Road Approach	C (15.8)	B (13.7)	B (14.3)	C (13.8)
Overall	B (14.0)	B (13.7)	B (13.0)	B (13.8)

Table 3 (continued)
Peak Hour Levels Of Service (LOS)
Based on Traffic Operational Analysis for Turnberry (f.k.a. Unity Branch)
Report Dated: May 28, 2021
Prepared by The Traffic Group, Inc.

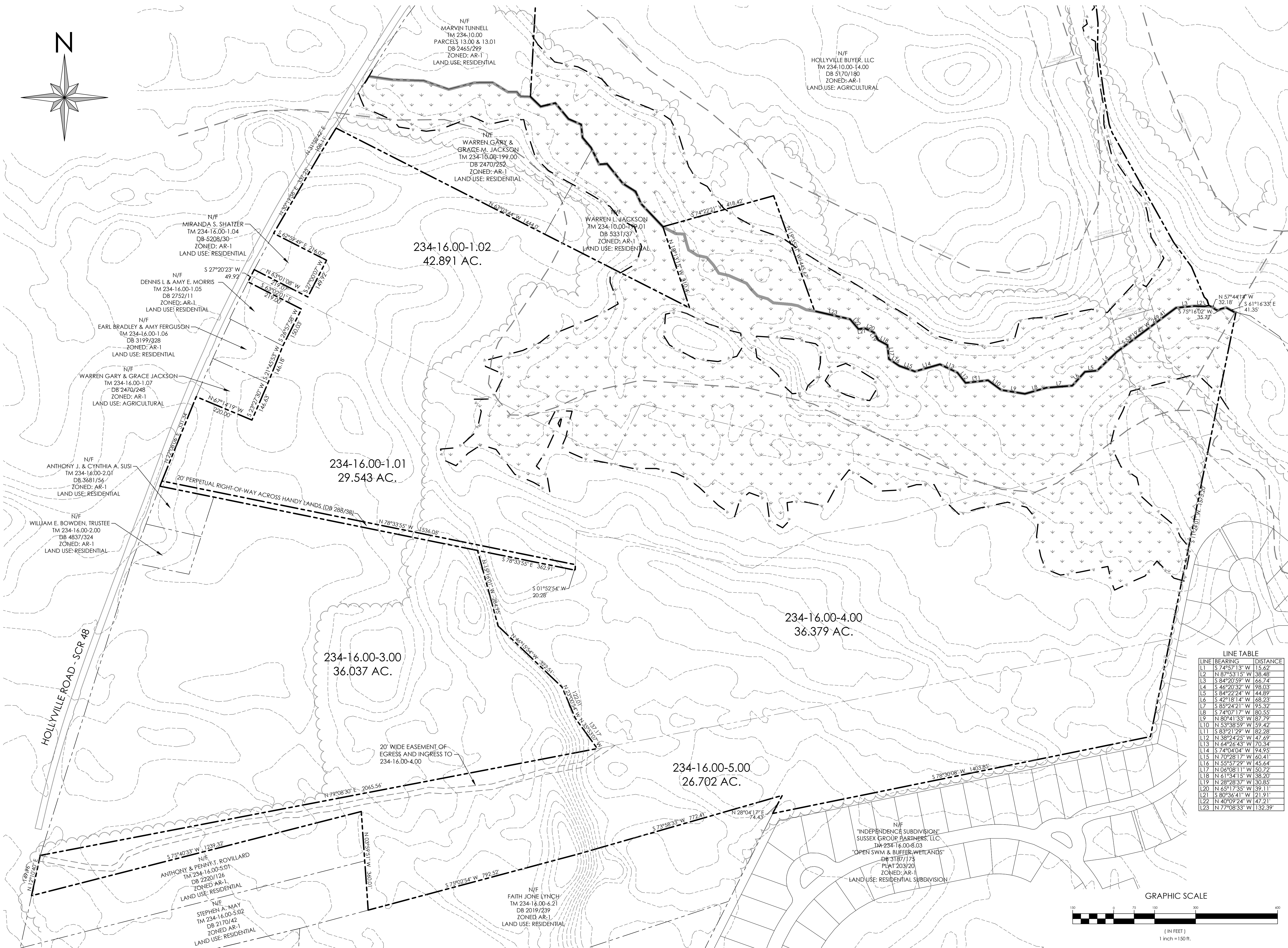
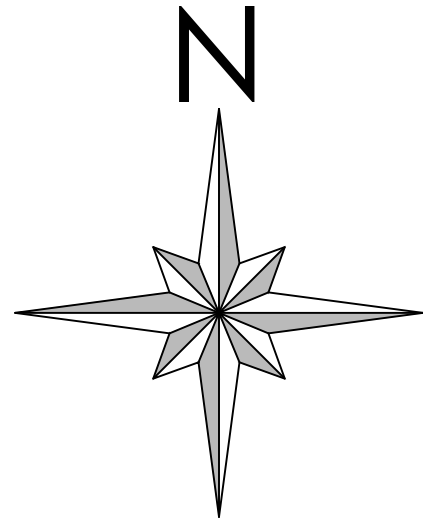
Roundabout ¹	LOS per TOA		LOS per JMT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Hollyville Road/Zoar Road (Sussex Road 48)/Harmon Hill Road (Sussex Road 302)⁴				
2027 with Development (Case 3)				
Eastbound Zoar Road Approach			A (5.8)	A (6.6)
Westbound Harmons Hill Road Approach	-	-	A (5.8)	A (5.3)
Northbound Hollyville Road Approach	-	-	A (5.4)	A (6.3)
Southbound Hollyville Road Approach	-	-	A (6.4)	A (5.7)
Overall	-	-	A (5.9)	A (6.0)

⁴ JMT performed an additional analysis of the intersection as a single lane roundabout.

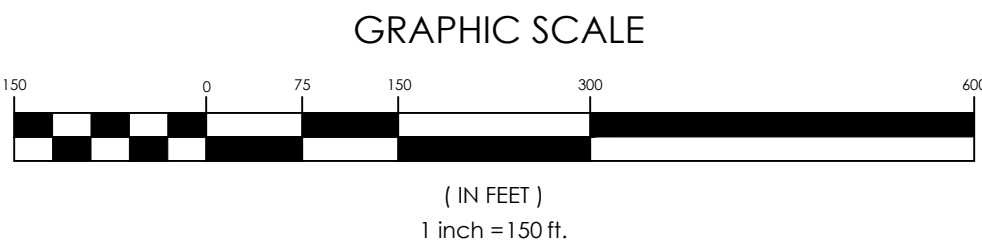
Table 4
Peak Hour Levels Of Service (LOS)
Based on Traffic Operational Analysis for Turnberry (f.k.a. Unity Branch)
Report Dated: May 28, 2021
Prepared by The Traffic Group, Inc.

Unsignalized Intersection Two-way Stop Control (T-Intersection) ^{1, 5}	LOS per TOA		LOS per JMT	
Hollyville Road /Hurdle Ditch Road (Sussex Road 290)	Weekday AM	Weekday PM	Weekday AM	Weekday PM
2021 Existing (Case 1)				
Northbound Hollyville Road Left Turn	A (7.6)	A (7.7)	A (7.6)	A (7.8)
Eastbound Hurdle Ditch Road Approach	A (9.7)	A (9.9)	A (9.7)	A (9.9)
2027 without Development (Case 2)				
Northbound Hollyville Road Left Turn	A (7.8)	A (8.0)	A (7.8)	A (7.9)
Eastbound Hurdle Ditch Road Approach	B (10.3)	B (11.5)	B (10.3)	B (11.1)
2027 with Development (Case 3)				
Northbound Hollyville Road Left Turn	A (7.8)	A (8.1)	A (7.9)	A (8.1)
Eastbound Hurdle Ditch Road Approach	B (10.6)	B (11.8)	B (10.7)	B (11.9)

⁵ Due to a lack of recent count data and per DelDOT's *Development Coordination Manual*, both the TOA and the TIS utilized a PHF for all cases of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph.



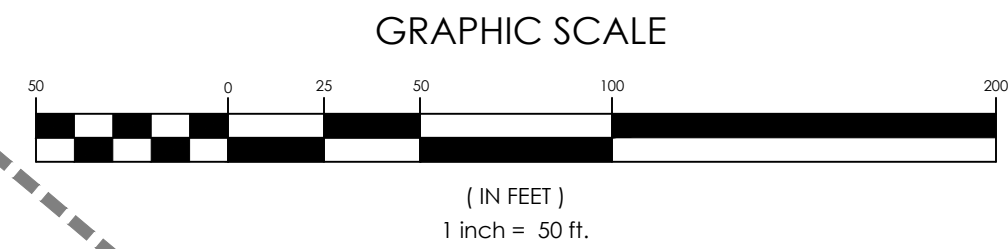
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 74°57'13" W	15.62'
L2	N 87°53'15" W	38.48'
L3	S 84°20'59" W	66.74'
L4	S 44°20'32" W	98.03'
L5	S 84°22'24" W	44.89'
L6	S 42°18'14" W	68.23'
L7	S 85°24'21" W	95.32'
L8	S 74°07'17" W	80.55'
L9	N 83°41'33" W	87.79'
L10	N 53°38'59" W	59.42'
L11	S 83°21'29" W	82.28'
L12	N 38°24'25" W	47.69'
L13	N 64°26'43" W	70.34'
L14	S 74°04'04" W	74.95'
L15	N 70°28'17" W	60.41'
L16	N 55°57'29" W	45.64'
L17	N 06°08'11" W	50.72'
L18	N 61°34'15" W	38.20'
L19	N 28°28'37" W	30.85'
L20	N 65°17'35" W	39.11'
L21	S 80°34'41" W	21.91'
L22	N 40°09'24" W	47.21'
L23	N 77°08'33" W	132.39'



REVISIONS		DESCRIPTION
NO.	DATE	
1	8/20/21	REVISIONS PER AGENCY REVIEW LETTER DATED 8/13/21
2	9/9/21	REMOVE PARCEL 234-10.00-199.00

EXISTING CONDITIONS		for
		TURNBERRY
		SUSSEX COUNTY, DELAWARE
		Prepared for: HOLLYVILLE BUYER, LLC

Date:	10-16-2020	Job Number:	20076
Scale:	1"=100'	Drawn By:	HJB
Designed By:	HJB	Approved By:	J.P.
Sheet No.:		2	
File Name:		PP.dwg	

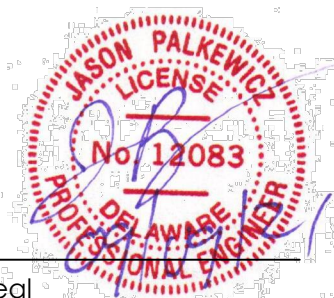


FLOOD ZONE X (UNSHADED)
FLOOD ZONE A

303 North Bedford Street
Georgetown, DE 19947
T. 302.297.9215

3003 Merritt Mill Road
Salisbury, MD 21804
T. 410.572.8833

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Seal
Date

REVISIONS		
NO.	DATE	DESCRIPTION
1	8/20/21	REVISIONS PER AGENCY REVIEW LETTER DATED 8/13/21
2	9/9/21	REMOVE PARCEL 234-10.00-199.00

PRELIMINARY PLAT A

TURNBERRY

SUSSEX COUNTY, DELAWARE
Prepared for: HOLLYVILLE BUYER, LLC

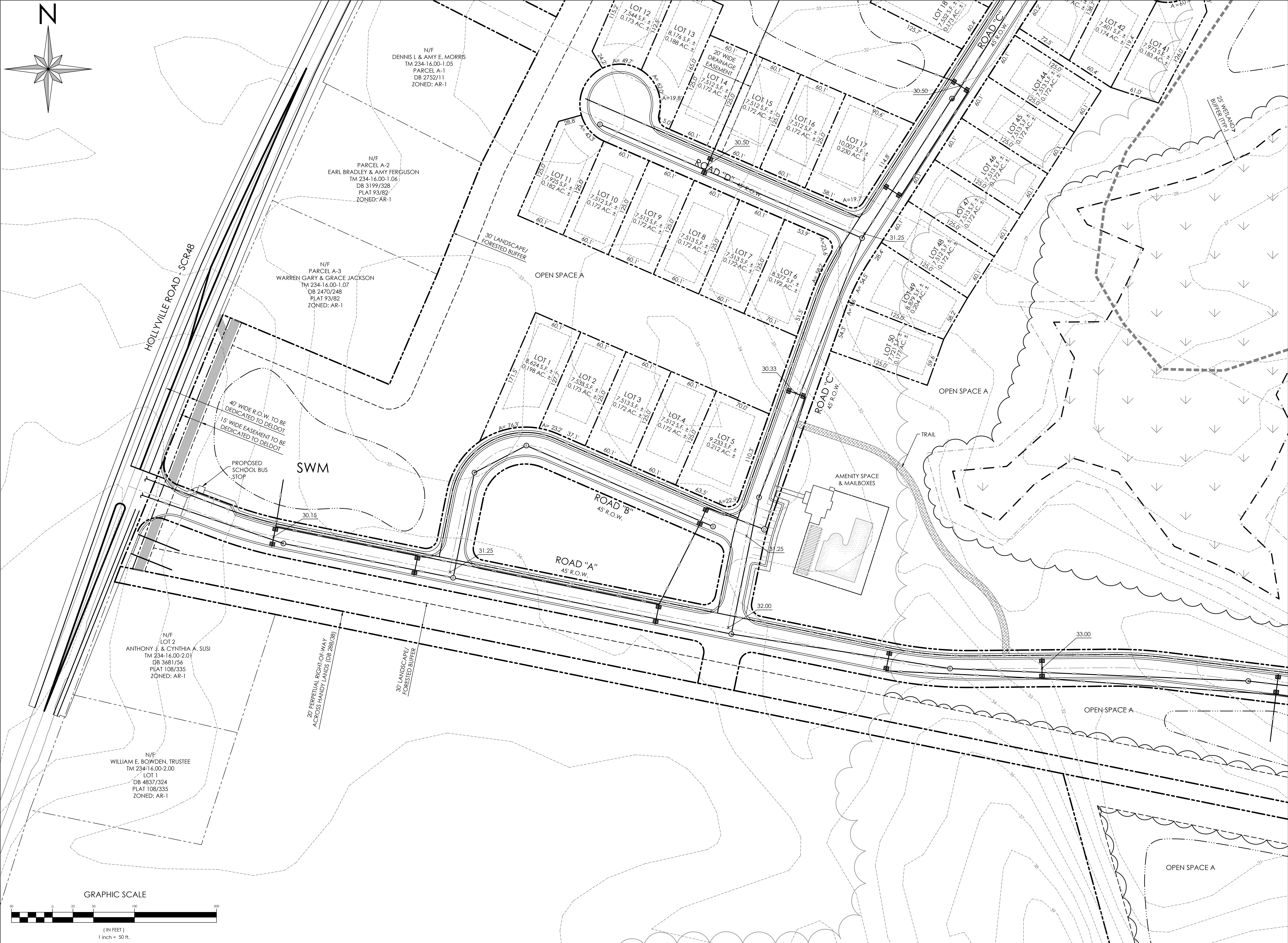
Date:	10-16-2020
Job Number:	20076
Scale:	1"=50'
Drawn By:	HHB
Designed By:	HHB
Approved By:	JP

Sheet No.:

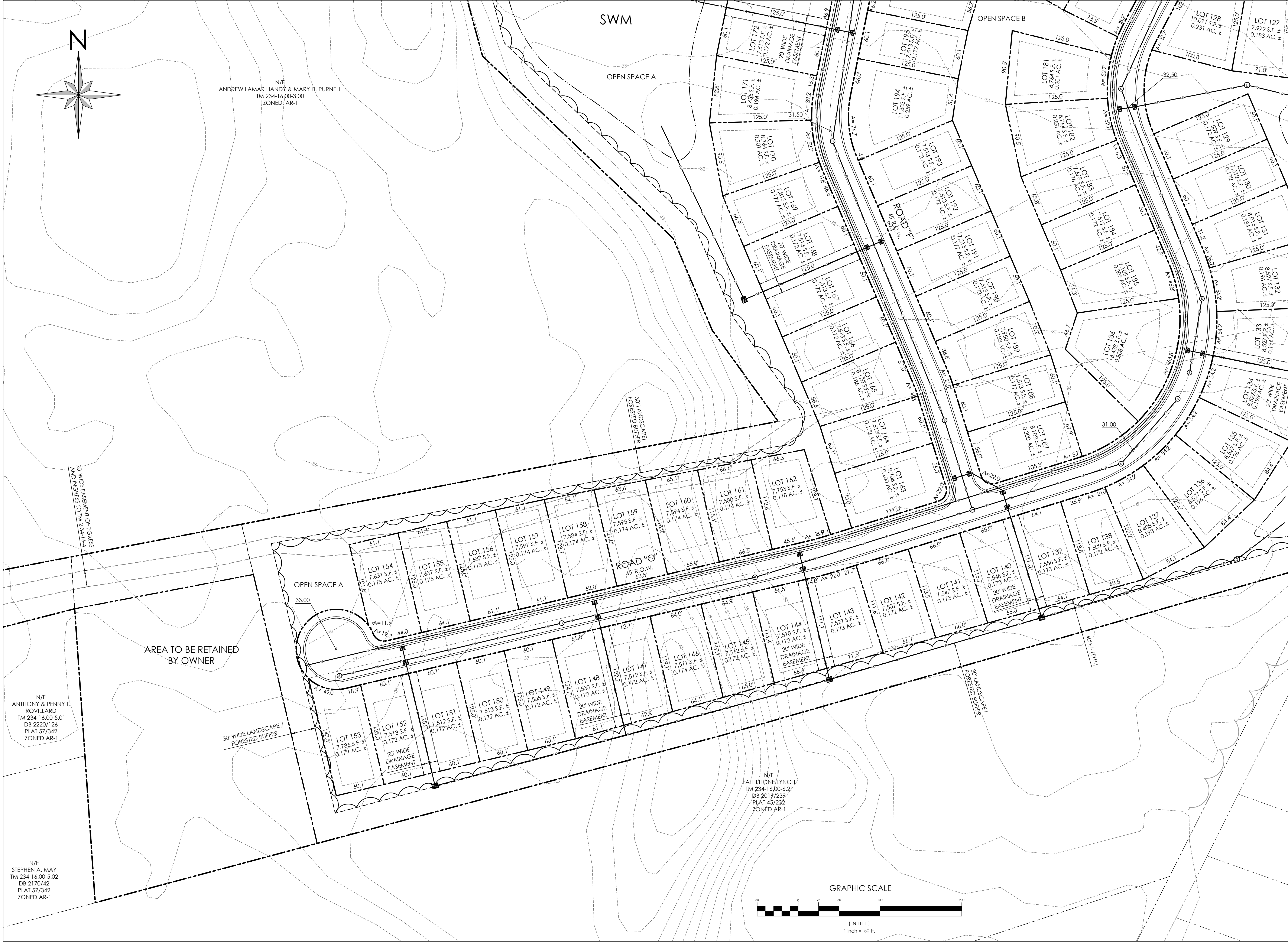
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PP.dwg



REVISIONS		DESCRIPTION
NO.	DATE	
1	8/20/21	REVISIONS PER AGENCY REVIEW LETTER DATED 8/13/21
2	9/9/21	REMOVE PARCEL 234-10.00-199.00



solutions
Professional Land Surveyors, Inc.

303 North Bedford Street
Georgetown, DE 19947
T. 302.297.9215

3033 Marlett Mill Road
Salisbury, MD 21804
T. 410.572.8833

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Date

REVISIONS	
NO.	DESCRIPTION
1	REVISIONS PER AGENCY REVIEW LETTER DATED 8/13/21
2	REMOVE PARCEL 234-10.00-199.00

PRELIMINARY PLATE

for

TURNBERRY

SUSSEX COUNTY, DELAWARE

Prepared for: HOLLYVILLE BUYER, LLC

Date:	10-16-2020
Job Number:	20076
Scale:	1"=50'
Drawn By:	HHB
Designed By:	HHB
Approved By:	J.P.

Sheet No.:

7

File Name:

PP.dwg



REVISIONS		DESCRIPTION
NO.	DATE	
1	8/20/21	REVISIONS PER AGENCY REVIEW LETTER DATED 8/13/21
2	9/9/21	REMOVE PARCEL 234-10.00-199.00

TAX MAP #: 2-34 16.00 1.01 & 1.02 &
p/o 2-34 10.00 199.00
PREPARED BY & RETURN TO:
Tunnell & Raysor, P.A.
770 Kings Highway
Lewes, DE 19958
File No. HD23480/KJM

THIS DEED, made this 16th day of December, 2019,

- BETWEEN -

KEITH A. COFFIN and **SHELLEY J. COFFIN**, his wife, of 323 N. Heron Gull Ct., Ocean City, MD 21842, parties of the first part,

- AND -

HOLLYVILLE BUYER LLC, a Delaware limited liability company of 20184 Phillips Street, Rehoboth Beach, DE 19971, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

EXHIBIT A

As to Parcel 2-34 16.00 1.02

ALL THAT CERTAIN lot or parcel of land lying and being situate in the Indian River Hundred of Sussex County, Delaware, on the easterly side of Hollyville Road, also known as State Route No. 48, as depicted on a recent Boundary Line Adjustment Plan prepared by Russell T. Hammond Surveying, LLC, dated June 11, 2019 and recorded

October 1, 2019 in the Office of the Recorder of Deeds in and for Sussex County in Plot Book 292, Page 51 being more particularly described as follows, to wit:

BEGINNING for this description at a found concrete monument at the westerly most corner of the lands herein described, being on the easterly side of Hollyville Road, THENCE along easterly line of Hollyville Road with a curve to the right having an arc distance of 25.15 feet, radius of 6,252.00 feet, and a chord bearing and distance of North 27 degrees 18 minutes 47 seconds East 25.15 feet to a found iron rod, said iron rod being the southwesterly corner of lands now or formerly of Michael Shatzer, THENCE continuing along the lands now or formerly of Shatzer, South 62 degrees, 59 minutes 24 seconds East 219.23 feet to a found iron rod, THENCE continuing along the lands now or formerly of Shatzer, South 27 degrees 0 minutes 32 seconds West 150.00 feet to a found iron rod, THENCE continuing along the lands now or formerly of Shatzer, North 62 degrees 59 minutes 24 seconds West 216.07 feet to a found iron rod, said found iron rod being on the easterly line of Hollyville Road, THENCE along easterly line of Hollyville Road with a curve to the right having an arc distance of 337.29 feet, radius of 6,252.00 feet, and a chord bearing and distance of North 30 degrees, 20 minutes 56 seconds East 337.24 feet to an unmarked point, THENCE along easterly line of Hollyville Road, North 31 degrees 53 minutes 40 seconds East 109.10 feet to a found concrete monument, said found concrete monument being the southwesterly corner of lands now of formerly of Warren G. Jackson and Grace M. Jackson, THENCE continuing along the lands now or formerly of Jackson, South 63 degrees 1 minute 18 seconds East 1443.52 feet to a found iron pipe, found iron pipe being the southeasterly corner of the said lands of Jackson, THENCE continuing along the lands now or formerly of Jackson, North 18 degrees 10 minutes 53 seconds West 310.34 feet to an unmarked point in the center of Unity Branch, said unmarked point being a corner for the lands now or formerly of Franklin M. Ritter and Irvin W. Ritter, THENCE continuing along the said lands of Ritter, North 74 degrees 23 minutes 19 seconds East 418.42 feet to a found concrete monument, passing through a found iron pipe 18.4 feet from said unmarked point, THENCE continuing along the said lands of Ritter, South 19 degrees 34 minutes 33 seconds East 445.67 feet to an unmarked point in the center of Unity Branch, passing a found concrete monument 11.8 feet from said unmarked point, THENCE continuing along the lands of Ritter and center of Unity Branch the following twenty three courses: (1) South 77 degrees 7 minutes 35 seconds East 132.39 feet to an unmarked point, (2) South 40 degrees 8 minutes 26 seconds East 47.21 feet to an unmarked point, (3) North 80 degrees 37 minutes 39 seconds East 21.91 feet to an unmarked point, (4) South 65 degrees 16 minutes 37 seconds East 39.11 feet to an unmarked point, (5) South 28 degrees 27 minutes 39 seconds East 30.85 feet to an unmarked point, (6) South 61 degrees 33 minutes 17 seconds East 38.20 feet to an unmarked point, (7) South 6 degrees 7 minutes 13 seconds East 50.72 feet to an unmarked point, (8) South 55 degrees 56 minutes 31 seconds East 45.64 feet to an unmarked point, (9) South 70 degrees 27 minutes 19 seconds East 60.41 feet to an unmarked point, (10) North 74 degrees 5 minutes 2 seconds East 94.95 feet to an unmarked point, (11) South 64 degrees 25 minutes 45 seconds East 70.34 feet to an unmarked point, (12) South 38 degrees 23 minutes 27 seconds East 47.69 feet to an unmarked point, (13) North 83 degrees 22 minutes 27 seconds East 82.28 feet to an unmarked point, (14) South 53

degrees 38 minutes 1 second East 59.42 feet to an unmarked point, (15) South 80 degrees 40 minutes 35 seconds East 87.79 feet to an unmarked point, (16) North 74 degrees 8 minutes 15 seconds East 80.55 feet to an unmarked point, (17) North 85 degrees 25 minutes 19 seconds East 95.32 feet to an unmarked point, (18) North 42 degrees 19 minutes 12 seconds East 68.23 feet to an unmarked point, (19) North 84 degrees 23 minutes 22 seconds East 44.89 feet to an unmarked point, (20) North 46 degrees 21 minutes 30 seconds East 98.03 feet to an unmarked point, (21) North 53 degrees 20 minutes 40 seconds East 269.41 feet to an unmarked point, (22) North 84 degrees 21 minutes 57 seconds East 66.74 feet to an unmarked point, (23) South 87 degrees 52 minutes 17 seconds East 61.95 feet to an unmarked point, said unmarked point being a corner of the lands now or formerly of Delaware Solid Waste Authority, THENCE continuing along the lands of Delaware Solid Waste Authority and center of Unity Branch the following three courses; (1) South 56 degrees 56 minutes 15 seconds East 26.38 feet to an unmarked point, (2) North 70 degrees 44 minutes 21 seconds East 33.45 feet to an unmarked point, (3) South 61 degrees 52 minutes 23 seconds East 41.32 feet to an unmarked point, said unmarked point being a corner of the lands now or formerly of Sussex Group Partners, LLC, THENCE continuing along the lands of Sussex Group Partners LLC, South 11 degrees 24 minutes 41 seconds West 431.09 feet to a found concrete monument at a corner of the lands now or formerly of Michael J. O'Donald, passing through a found concrete monument 11.5 feet from said unmarked point, THENCE continuing along the lands of O'Donald, South 74 degrees 19 minutes 11 seconds West 765.60 feet to a found iron pipe, THENCE continuing along with the lands of O'Donald, North 82 degrees 30 minutes 31 seconds West 38.30 feet to a found iron pipe at a corner of other lands now or formerly of Warren G. Jackson and Grace M. Jackson, THENCE continuing along the other lands of Jackson, North 77 degrees 18 minutes 1 second West 1,339.92 feet to a found iron rod, THENCE continuing along the other lands of Jackson, South 26 degrees 57 minutes 0 seconds West 228.08 feet to an unmarked point, THENCE continuing along the other lands now or formerly of Jackson, North 63 degrees 01 minute 57 seconds West 1,476.13 feet to the point and place of beginning, containing 42.518 acres of land, more or less.

As to parcel 2-34 16.00 1.01

ALL THAT CERTAIN lot or parcel of land lying and being situate in the Indian River Hundred, Sussex County, Delaware, on the easterly side of Hollyville Road, also known as State Route No. 48, as depicted on a recent Boundary Line Adjustment Plan prepared by Russell T. Hammond Surveying, LLC, dated June 11, 2019 and recorded October 1, 2019 in the Office of the Recorder of Deeds in and for Sussex County in Plot Book 292, Page 51, being more particularly described as follows, to wit:

BEGINNING for this description at a found concrete monument at the southwesterly most corner of the lands herein described, being on the easterly line of Hollyville Road, THENCE North 20 degrees 20 minutes 46 seconds East 67.86 feet to an unmarked point, THENCE continuing along easterly line of Hollyville Road with a curve to the right having an arc distance of 263.78 feet, radius of 6,252.00 feet, and a chord

bearing and distance of North 21 degrees 33 minutes 17 seconds East 263.76 feet to a set iron rod, said set iron rod being the southwesterly corner of other lands now of formerly of Warren G. and Grace M. Jackson, THENCE continuing along other lands of Jackson, South 67 degrees 15 minutes 14 seconds East 225.12 feet to a found iron pipe, THENCE continuing along other lands of Jackson, North 23 degrees 26 minutes 35 seconds East 146.63 feet to a found iron pipe, said iron pipe being a corner for the lands now or formerly of Earl B. and Amy Ferguson, THENCE continuing along the lands now or formerly of Ferguson, North 21 degrees, 45 minutes 2 seconds East 146.21 feet to a found iron pipe, said iron pipe being a corner for the lands now or formerly of Dennis L. and Amy E. Morris, THENCE continuing along the lands now or formerly of Morris, North 26 degrees 57 minutes 4 seconds East 150.00 feet to a found iron pipe, THENCE continuing along the lands now or formerly of Morris, North 63 degrees 2 minutes 56 seconds West 219.00 feet to a found iron pipe, said iron pipe being on the easterly line of Hollyville Road, THENCE along easterly line of Hollyville Road with a curve to the right having an arc distance of 25.00 feet, radius of 6,252.00 feet, and a chord bearing and distance of North 27 degrees 5 minutes 0 seconds East 25.00 feet to a found concrete monument, said found concrete monument being the southwesterly corner for the lands now or formerly of Warren Layton Jackson and Gary Steven Jackson, THENCE continuing along the lands now or formerly of Jackson the following three courses, (1) South 63 degrees 1 minute 57 seconds East 1,476.13 feet to an unmarked point, (2) North 26 degrees 57 minutes 0 seconds East 222.08 feet to a found iron rod, (3) South 77 degrees 18 minutes 1 second East 1,339.92 feet to a found iron pipe, said iron pipe being at a corner of the lands now or formerly of Michael J. O'Donald, THENCE continuing along the lands now or formerly of O'Donald the following five courses, (1) South 71 degrees 56 minutes 7 seconds West 395.97 feet to a found iron pipe, (2) South 79 degrees 40 minutes 23 seconds West 295.72 feet to a found iron pipe, (3) 61 degrees 46 minutes 58 seconds West 261.97 feet to a found pipe, (4) North 78 degrees 13 minutes 13 seconds West 656.71 feet to a found iron pipe, (5) South 1 degree 54 minutes 53 seconds West 125.69 feet to an iron rod set, said iron rod set at a corner for the lands now or formerly of Andrew L. and Mary H. Purnell, THENCE continuing along the lands now or formerly of Purnell, North 78 degrees 34 minutes 7 seconds West 1,536.09 feet to the point and place of beginning, containing 29.543 acres of land, more or less.

This property is located in the vicinity of land used primarily for agricultural purposes on which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.

BEING the same lands conveyed to Keith A. Coffin and Shirley J. Coffin from Warren L. Jackson, Gary Steven Jackson, Warren Gary Jackson and Grace Millicent Jackson, by Deed dated September 30, 2019, recorded in the Office of the Recorder of

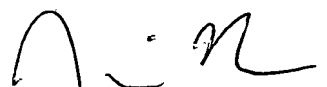
Deeds in and for Sussex County, Delaware, on October 2, 2019, in Deed Book 5131, Page 1. (As to 2-34 16.00 1.02 & p/o 2-34 10.00 199.00)

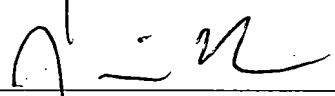
BEING the same lands conveyed to Keith A. Coffin and Shirley J. Coffin from Warren L. Jackson and Grace M. Jackson, by Deed dated September 30, 2019, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on October 2, 2019, in Deed Book 5131, Page 5. (As to 2-34 16.00 1.01)


SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

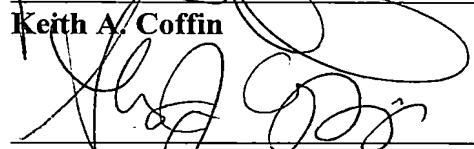
IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:







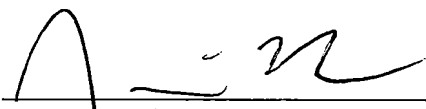
Keith A. Coffin (SEAL)


Shelley J. Coffin (SEAL)

STATE OF MARYLAND, COUNTY OF Sussex: to-wit

BE IT REMEMBERED, that on December 16th, 2019, personally came before me, the subscriber, Keith A. Coffin and Shelley J. Coffin, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.



Notary Public

My Commission Expires: 12/1/20

JAMIE C. KING
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C SEC 4323 (A) 3

TURNBERRY

HOLLYVILLE ROAD

WOOD
HAVEN

WELSH
RUN

WETHERBY

HARMONS HILL ROAD

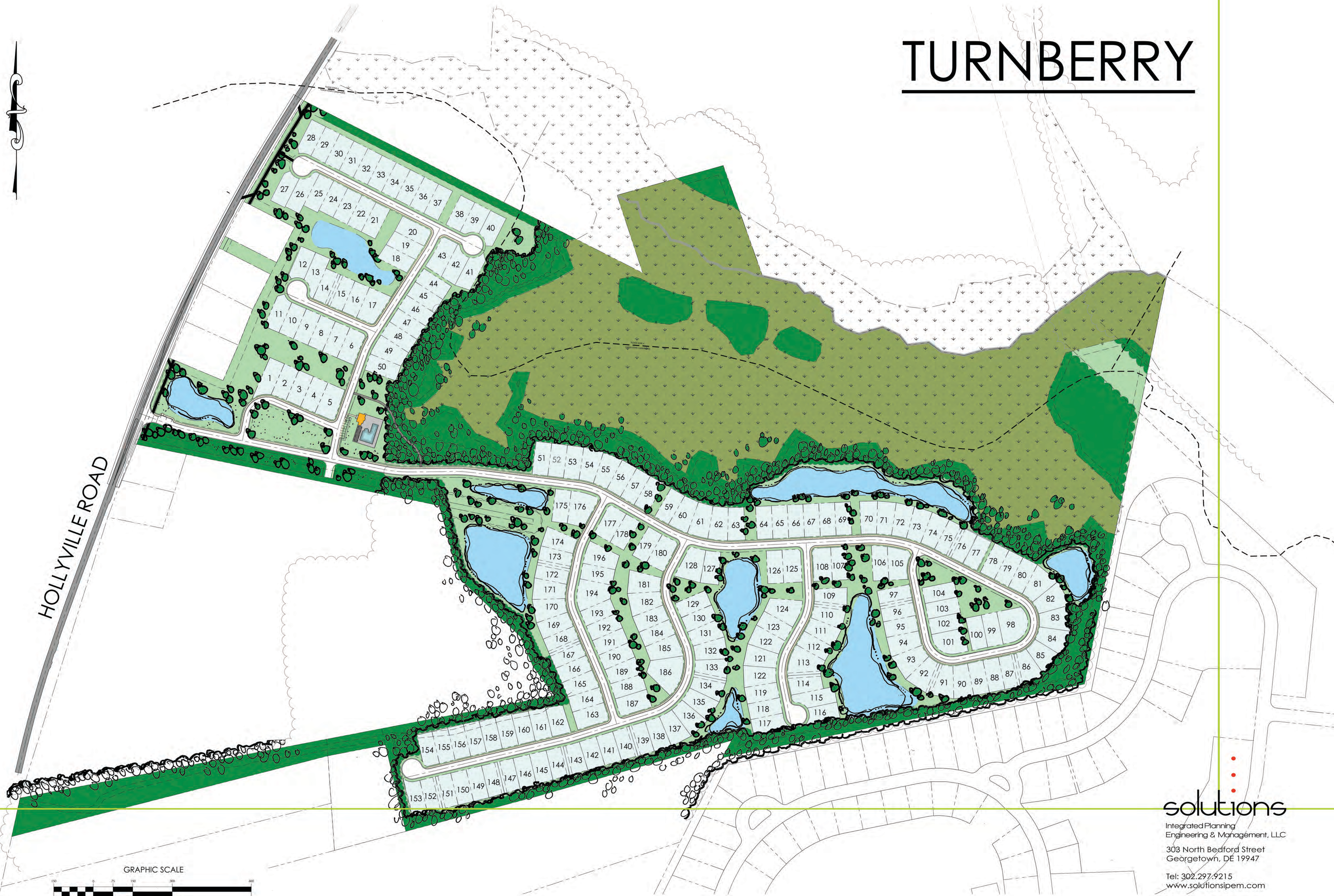
INDEPENDENCE

RT 5

STONEWATER
CREEK

PELICAN
POINT

TURNBERRY



TAX MAP #: 2-34 16.00 5.00
PREPARED BY & RETURN TO:
Tunnell & Raysor, P.A.
770 Kings Highway
Lewes, DE 19958
File No. HD23479/KJM

THIS DEED, made this 16th day of December, 2019,

- BETWEEN -

PAUL S. MAY, of 15536 Liberty Road, Mount Airy, MD 21771, party of the first part,

- AND -

UNITY BRANCH HOLDINGS LLC, a Delaware limited liability company of 20184 Phillips Street, Rehoboth Beach, DE 19971, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece, and parcel of land lying and being situate in Indian River Hundred, Sussex County, State of Delaware, and designated as 26.7120 acres +/- as shown on a plot entitled "LANDS OF COUNTRY TRAILS LAND COMPANY" prepared by Miller-Lewis, Inc. Land Surveyors, recorded the 16th day of December, 1996 or record in the Office of the Recorder of Deeds in and for Sussex County in Plot Book 57, page 342, more particularly described as follows, to wit:

BEGINNING at a concrete monument found in the easterly right-of-way of Sussex County Road #48 (60 foot R/W), said concrete monument being a common corner for this lot and lands now or formerly of James O. & Delores P. Handy; thence running by

and with said Handy lands and other Lands now or formerly of Country Trails Land Company, North 85 degrees 8 minutes 32 second East 4189.55 feet to a pipe set; thence turning and running South 17 degrees 24 minutes 27 seconds West 363.00 feet to a concrete monument found; thence turning and running by and with lands now or formerly of Otis H. Smith, lands now or formerly of Lester A. & Faith J. Lynch and lands now or formerly of Paul and Janet P. Oliva the following four (4) courses and distances: (1) South 84 degrees 29 minutes 23 seconds West 1403.58 feet to a cedar post found by concrete monument, (2) North 34 degrees 1 minute and 1 second East 74.33 feet to a pipe found, (3) South 79 degrees 57 minutes 45 seconds West 772.42 feet to a pipe found, and (4) South 81 degrees 2 minutes 47 seconds West 792.48 feet to a point, said point being a common corner for this lot and 5.3298 acres +/- parcel shown on said plot; thence turning and running South 01 degree 59 minutes 55 seconds West 360.00 feet to a point, said point being a common corner for this lot and 5.1123 acres +/- parcel shown on said plot; thence turning and running South 81 degrees 40 minutes 9 seconds West 1239.39 feet to a point located on the easterly right-of-way of said Sussex County Road #48 (60 foot R/W); thence turning and running by and with said right-of-way, North 18 degrees 10 minutes 24 seconds East 150.00 feet home to the point and place of Beginning said to contain 26.7120 Acres of land more or less.

FURTHER SUBJECT TO, a 20 foot wide Easement for the sole purpose of ingress to and egress from a 36.80015 acre parcel owned by Country Trails Land Co., further described as Tax Parcel No. 2-34-16.00-4.00, for Country Trails Land Company its successors and/or assigns which shall run with the land as shown on plot of record in the Office of the Recorded of Deeds in and for Sussex County in Plot Book 57, page 342, the centerline of said 20 foot wide Easement being more particularly described as follows, to wit:

BEGINNING at a point found South 18 degrees 10 minutes 24 seconds West a distance of 10.87 feet from the southwesterly corner of lands of James O. and Delores P. Handy; thence South 73 degrees 32 minutes 10 seconds East a distance of 180.80 feet; South 81 degrees 21 minutes 16 seconds East a distance of 86.65 feet; North 68 degrees 49 minutes 8 seconds East a distance of 26.62 feet; North 40 degrees 50 minutes 15 seconds East a distance of 44.48 feet. North 73 degrees 55 minutes 42 seconds East a distance of 92.26 feet; North 82 degrees 10 minutes 33 seconds East a distance of 353.46 feet; North 89 degrees 11 minutes 39 seconds East a distance of 108.40 feet; North 76 degrees 35 minutes 4 seconds East a distance of 42.77 feet; South 84 degrees 47 minutes 14 seconds East a distance of 49.91 feet; North 82 degrees 24 minutes 8 seconds East a distance of 73.19 feet; North 89 degrees 42 minutes 39 seconds East a distance of 49.73 feet; North 83 degrees 57 minutes 36 seconds East a distance of 121.19 feet; North 87 degrees 0 minutes 11 seconds East a distance of 161.48 feet; North 83 degrees 36 minutes 53 seconds East a distance of 80.67 feet; South 79 degrees 46 minutes 16 seconds East a distance of 57.42 feet; South 89 degrees 18 minutes 19 seconds East a distance of 174.08 feet; North 79 degrees 51 minutes 10 seconds East a distance of 188.77 feet; North 85 degrees 4 minutes 37 seconds East a distance of 150.57 feet; North 61 degrees 23 minutes 50 seconds East a distance of 115.42 to a point on the property line.

Party of the second part, his heirs and assigns, shall be jointly responsible for one-half (1/2) of the cost of maintaining the aforesaid easement for mutual use with the owner of the aforesaid 36.8005 acre parcel adjoining this parcel.

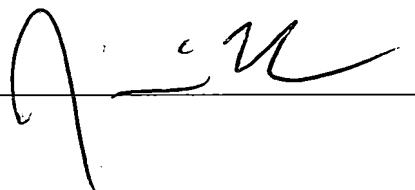
This property is located in the vicinity of land used primarily for agricultural purposes on which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.


BEING the same lands conveyed to Paul S. May from Country Trails Land Co., by Deed dated April 21, 1997, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on April 21, 1997, in Deed Book 2195, Page 348.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

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

Signed, Sealed and Delivered
in the presence of:

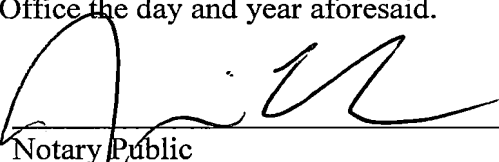



_____(SEAL)
Paul S. May

STATE OF SUSSEX, COUNTY OF Sussex: to-wit

BE IT REMEMBERED, that on December 16th, 2019, personally came before me, the subscriber, Paul S. May, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.



Notary Public

My Commission Expires: _____

JAMIE C. KING
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C SEC 4323 (A) 3

TAX MAP #: 2-34 16.00 4.00
PREPARED BY & RETURN TO:
Tunnell & Raysor, P.A.
770 Kings Highway
Lewes, DE 19958
File No. HD23478/KJM

THIS DEED, made this 12th day of December 2019,

- BETWEEN -

MICHAEL J. O'DONALD, of 71 White Bark Drive, Middletown, DE 19709,
party of the first part,

- AND -

UNITY BRANCH HOLDINGS LLC, a Delaware limited liability company, of
20184 Phillips Street, Rehoboth Beach, Delaware, 199, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece, and parcel of land lying and being situate in Indian River Hundred, Sussex County, State of Delaware, and designated as 36.8005 acres +/- as shown on a plot entitled "LANDS OF COUNTRY TRAILS LAND COMPANY, prepared by Miller-Lewis, Inc. Land Surveyors, recorded the 29th day of April, 1977 of record in the Office of the Recorder of Deeds in and for Sussex County in Plot Book 58, page 378, more particularly described as follows, to wit:

BEGINNING at a pipe set, said pipe set being a common corner for lands now or formerly of James O. & Delores P. Handy and lying on the boundary line of

26.7120 Acre parcel now or formerly of Country Trails Land Co, located 2065.42 feet East of Sussex County Road 48; thence running by and with said lands now or formerly of James O. & Delores P. Handy the following four (4) courses and distances: (1) North 29 degrees 52 minutes 20 seconds West 137.18 feet to a pipe set, (2) North 17 degrees 1 minute 20 seconds West 122.01 feet to a pipe set, (3) North 40 degrees 16 minutes 20 seconds West 322.51 feet to a pipe set, (4) North 9 degrees 16 minutes 27 seconds West 284.95 feet to a pipe set; thence turning and running by and with a 20 foot perpetual right-of-way across Handy Lands, South 72 degrees 34 minutes 21 seconds East 362.88 feet to a pipe set; thence turning and running by and with lands now or formerly of Warren G. & Grace M. Jackson, North 7 degrees 52 minutes 28 seconds East 145.99 feet to a pipe set; thence turning and running by and with lands now or formerly of Warren G. Jackson and Marilyn J. Jackson the following six (6) courses and distances: (1) South 72 degrees 13 minutes 58 seconds East 656.70 feet to a pipe set; (2) North 67 degrees 46 minutes 02 seconds East 262.02 feet to a pipe set; (3) North 85 degrees 38 minutes 32 seconds East 295.68 feet to a pipe set, (4) North 77 degrees 53 minutes 32 seconds East 396.00 to a pipe set, (5) South 76 degrees 28 minutes 58 seconds East 38.25 feet to a pipe set, (6) North 80 degrees 16 minutes and 00 seconds East 765.78 feet to a concrete monument found; thence turning and running by and with lands now or formerly of Otis H. Smith, South 17 degrees 24 minutes 27 seconds West 779.46 feet to a pipe set; thence turning and running, South 85 degrees 8 minutes 32 seconds West 2124.13 feet home to the point and place of beginning said to contained 36.8005 acres more or less.

TOGETHER WITH a 20 foot wide Easement for the sole purpose of ingress to and egress from this parcel which shall run with this land as shown on plot of record in the Office of the Recorder of Deeds in and for Sussex County in Plot Book 57, page 342, the centerline of said 20 feet wide. Easement being more particularly described as follows, to wit:

BEGINNING at a point found South 18 degrees 10 minutes 24 seconds West a distance of 10.87 feet from the southwesterly corner of lands of James O. and Delores P. Handy, thence South 73 degrees 32 minutes 10 seconds East a distance of 180.80 feet; South 81 degrees 21 minutes 16 seconds East a distance of 86.65 feet; North 68 degrees 49 minutes 8 seconds East a distance of 26.62 feet; North 40 degrees 50 minutes 15 seconds East a distance of 44.48 feet; North 73 degrees 55 minutes 42 seconds East a distance of 92.26 feet; North 82 degrees 10 minutes 33 seconds East a distance of 353.46 feet; North 89 degrees 11 minutes 39 seconds East a distance of 108.40 feet; North 76 degrees 35 minutes and 4 seconds East a distance of 42.77 feet; South 84 degrees 47 minutes 14 seconds East a distance of 49.91 feet; North 82 degrees 24 minutes and 8 seconds East a distance of 73.19 feet; North 89 degrees 42 minutes 39 seconds East a distance of 49.73 feet; North 83 degrees 57 minutes 36 seconds East a distance of 121.19 feet; North 87 degrees 0 minutes 11 seconds East a distance of 161.48 feet; North 83 degrees 36 minutes 53 seconds East a distance of 80.67 feet; South 79 degrees 46 minutes 16 seconds East a distance of 57.42 feet; South 89 degrees 18 minutes 19 seconds East a distance of 174.08 feet; North 79 degrees 51 minutes 10 seconds East a distance of 188.77 feet; North 85 degrees 4 minutes 37 seconds East a distance of 150.57 feet; North

61 degrees 23 minutes 50 seconds East a distance of 115.42 feet to a point on the property line.

Party of the second part, his heirs and assigns, shall be jointly responsible for one-half (1/2) of the cost of maintaining the aforesaid easement for mutual use with the owner of 26.7120 acre parcel adjoining this parcel.


This property is located in the vicinity of land used primarily for agricultural purposes on which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.

BEING the same lands conveyed to Michael J. O'Donald from Country Trails Land Co, a Delaware Corporation, by Deed dated April 25, 1997, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on April 29, 1997, in Deed Book 2197, Page 288.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

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

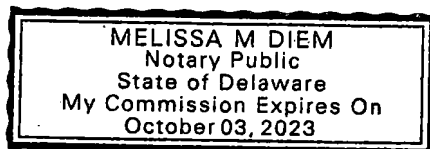
Signed, Sealed and Delivered
in the presence of:

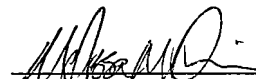
 (SEAL)
Michael J. O'Donald

STATE OF DELAWARE, COUNTY OF NEW CASTLE : to-wit

BE IT REMEMBERED, that on December 12, 2019, personally came before me, the subscriber, Michael J. O'Donald, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.




Notary Public

My Commission Expires: 10/03/2023

Turnberry

Project Reference Material AR-1 Cluster



December 2021



APPLICANT/DEVELOPER: Unity Branch Holdings, LLC

Contact: Tim Green
20184 Phillips Street
Rehoboth Beach, DE 19971
Telephone: 302.226.1994
Email: tgreen@schellbrothers.com

**CIVIL ENGINEER/
LAND PLANNER**

Solutions IPEM LLC

Contact: Jason Palkewicz, PE
303 North Bedford Street
Georgetown, DE 19947
Telephone: 302.297.9215
Email: jpalkewicz@solutionsipem.com

ENVIRONMENTAL

Environmental Resources, Inc

Contact: Edward M. Launay, Professional Wetland Scientist
38173 DuPont Boulevard
Selbyville, DE 19975
Telephone: 302.436.9637
Email: elaunay@ericonsultants.com

ATTORNEY:

Baird Mandalas Brockstedt, LLC

Contact: Mackenzie M Peet, Esq
1413 Savannah Road, Suite 1
Lewes, DE 19958
Telephone: 302.645.2262
Email: mackenzie@bmbde.com

TRAFFIC CONSULTANT:

The Traffic Group, Inc

Contact: Betty Tustin, PE, PTOE
104 Kenwood Court
Berlin, MD 21811
Telephone: 443.290.4060
Email: btustin@trafficgroup.com

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- III. Compliance with Applicable Regulations**
 - A. Compliance with AR-1 (Agricultural Residential District)**
 - B. Statement of Compliance with Chapter 115-25, E. Design Requirements for Cluster Development**
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Resumes:

Jason Palkewicz, PE



I. Executive Summary

Turnberry is a proposed 135.5-acre Cluster Subdivision composed of 195 single-family detached homes on individual lots. The site is located on the West side of Hollyville Road adjacent to the existing Independence residential community. The land is currently zoned AR-1 Agricultural Residential.

Turnberry is located within Investment Level 4 of the State Strategies for Policies and Spending Map.

The proposed community provides 195 single-family homes on roads within private rights-of-way with curb and gutter and sidewalk on one side, streetlights and preserved wooded and wetland areas. The project contains a total of 88 +/- acres (65%) of interconnected open space.

A centrally located recreation facility is provided which includes a pool and bathhouse. Two trails connect the sidewalks to the proposed DeDOT multi-modal path. A school bus stop and central mail facility will also be provided.

Proposed Density and Calculations:

Allowable Homes Calculation (AR-1 Cluster):

2.0 homes/acre

$135.5 \times 2.0 = 270$ homes

Proposed Homes:

195 Homes

Actual Density:

$195 / 135.5 = 1.44$ homes/acre

In conclusion, the proposed community has been thoughtfully planned to achieve a superior living environment for future residents. This plan provides appealing amenities that will result in sustainable property values with neutral to positive impacts on property values in nearby neighborhoods while promoting the health, safety, and welfare of the citizens of Sussex County.

II. Project Overview

A. Boundary Plat, Topographic & Non-Tidal Wetlands Survey

A boundary topographic survey for the property was prepared by Solutions IPEM, LLC. The total area of the property is 135.5 +/- acres. Wetlands areas were flagged and field located as part of the survey.

B. Overview of Current Site Conditions

The property for the proposed Turnberry community is located West of Hollyville Road, adjacent to the Independence community. The proposed development is in the vicinity of the residential communities of Independence, Welsh Run, Wetherby, Pelican Point, Woodridge, Falcon Crest, and Stonewater Creek.

Areas that should be preserved were determined to be non-tidal wetlands, areas along Turnberry Branch as well as the woods adjacent to and within the non-tidal wetlands.

The property is located within flood Zone X, (areas determined to be outside the 0.2% annual chance floodplain), and Zone A, (special flood hazard areas subject to inundation by the 1% annual chance flood) per map number 10005C Panel 0340K, map revised March 16, 2015. The site is located within areas of fair groundwater recharge potential.

A soils report was prepared by GTA. Areas outside of the wetlands contain primarily Class A soils, with some Class A/D. The site is suitable for development including infrastructure, home construction and stormwater management.

C. Land Plan and Amenities

The land plan considers:

- Existing site conditions
 - Non-Tidal Wetlands
 - Forest Land
 - Existing Grades
 - Unity Branch
 - Flood Zones
- Stormwater outfalls
- Adjacent communities
- Existing roadways
- Current housing trends
- Recreational needs

The resultant plan has:

- A 30' landscaped buffer (partially existing woods).
- Proposed lots are more than 40' from the perimeter of the site.
- The lots are a minimum of 50' from the non-tidal wetlands.
- Sidewalks one side of the road along with an anticipated trail connecting to the proposed DeIDOT multi-modal path.
- A 50' buffer from Unity Branch.
- Main recreation facility including:

- Pool
- Bathhouse
- Streetlights.
- Community mailbox cluster.
- School bus stop.
- An efficient stormwater management system that acts as an amenity.
- Large tracks of open space
 - Open Space Required (30%) = 40.65 acres
 - Contiguous Open Space Required (30% of Required Open Space) = 13.09 acres
 - Contiguous Open Space Provided = 78 acres

D. DeIDOT Improvements

A series of discussions were held with DeIDOT officials concerning area roadway improvements related to Hollyville Road specifically about off-site transportation improvements and frontage improvements. A Traffic Operational Analysis (TOA) was prepared by Traffic Group. Entrance improvements are anticipated to include turn lanes into the development.

E. Preliminary Land Use Service (PLUS)

A concept plan for Turnberry was presented to PLUS on September 23, 2020. A response letter was provided to PLUS which addressed their comments point by point.

F. Sanitary Sewer Planning Area

The Turnberry community is anticipated to be served by Artesian. The site is located within the Sussex County Tier 3 – Coordinated CPCN Area.

III. Compliance with Applicable Regulations

A. Compliance with AR-1 (Agricultural Residential District)

The project is located within the AR-1 zone. The site is being developed with residential lots lines within the AR-1 zone and will meet the requirements of the AR-1 Cluster as existed at the time of application.

The proposed land use is in conformity with the Zoning Ordinance which allows 2.0 dwelling units per acre based on the gross site area.

Purpose: Turnberry conforms with the purpose of the AR-1 code in as much as it is a low-density residential community that protects water resources, watersheds, forest area and scenic views. Specific design elements include:

- Recreation facilities including a pool and bathhouse are provided.
- Sidewalks and a connection to the multi modal path are provided.
- No wetlands are impacted.
- There are no wellhead protection areas on the property.
- The site is within the fair groundwater recharge area.
- A walking trail.

Permitted Uses: The AR-1 allows the proposed single-family cluster development.

Permitted Accessory Uses: The zoning allows outdoor amenities for use of occupants and their guests.

Conditional Uses: Turnberry is not applying for any conditional uses.

Special Use Exceptions: Turnberry is not applying for any special use exceptions.

Permitted Signs: All proposed development signage will conform to the regulations provided in 115-159.2.

Height, Area and Bulk Requirements: The height, area and bulk requirements are set forth in the AR-1 District. The following is a summary of the lot dimensions and setbacks for Turnberry, all of which are in conformity with County requirements:

Single Family Lots -

- Minimum Lot Area = 7,500 S.F.
- Minimum Lot Width = 60'
- Front Yard = 25' (15' Corner Lot)
- Side Yard = 10'
- Rear Yard = 10'
- Maximum Building Height = 42'

B. Statement of Compliance with Chapter 115-25, E. Design Requirements for Cluster Development

(1) All development shall be in accordance with the latest amendment to the community design standards. The proposed cluster subdivision complies with the Community Design section of the County's comprehensive plan.

(2) Housing types in the low-density area, as shown on the Sussex County Comprehensive Plan, are limited to single-family detached dwellings and manufactured homes where permitted by ordinance. Only single-family detached home types are proposed within the cluster subdivision.

(3) A forested buffer area with a minimum width of 30 feet shall be provided for lots abutting an agricultural area. A 30' buffer is provided to the adjacent properties. Homes are further than 50' away from agricultural uses.

(4) Dwellings located within 50 feet of an existing residential development shall provide adequate transition in density or shall provide a thirty-foot buffer meeting the standards below and maintained by a designated entity. No proposed lots are within 40' of the outbounds of the project. A 30' buffer is provided.

(5) No lots shall have direct access to any state-maintained roads. No proposed lots have access to state-maintained roads.

(6) All lots shall be configured to be contained completely outside of all wetlands. The proposed lots are not located within wetlands.

(7) Any development using the option in Subsection B(2) shall have central water and wastewater systems operated and maintained by companies authorized by the State of Delaware to perform such services. Wastewater collection and treatment systems must be designed in accordance with the requirements of Sussex County ordinances and conform to the requirements for a central sewer system as defined in § 115-194A of the Sussex County Zoning Ordinance. The proposed community will be served by both central water and wastewater systems.

C. Statement of Compliance with Chapter 115-25, F. (3) Planning and Zoning Requirements

(a) [1] The proposed lots and amenities are located within the environmentally suitable portions of the site. Specifically, wetlands and waterways are avoided. Clearing of the woods will be limited to the amount required to develop the project.

(a) [3] The open space meets the requirements of the County Code. The required open space (30% of site) is 40.65 acres, 88 acres have been provided. Of the required open space (40.65 acres), 30% (13.09 acres) is required to be on one contiguous tract of land (separated by water and up to one street). The project provided 78 acres of contiguous open space. The open space tract is located along the wetlands and waterway. The sidewalk system is proposed to be connect to the DelDOT multi-modal system.

(a) [4] A minimum 25' buffer is provided around the existing non-tidal wetlands as well as a 50' buffer to the branch.

(a) [5] Stormwater management shall be provided per DNREC and Sussex Conservation District. Recharge or structurally equivalent BMPs shall be provided.

(a) [6] Tree removal shall be limited to necessary to construct the project.

(a) [7] Scenic views to waterway, wetland and wooded areas are preserved for the homeowners and passersby by limiting back-to-back lots and providing gaps between lots.

(a) [8] The land plan preserved natural facilities (wetlands, waterways, woods) and includes sidewalks and connections to DelDOT's multi-modal path. Open space adjacent to natural features has been prioritized. Existing grades and drainage area are considered in the lot layout.

(a) [9] Sidewalks are provided on one side of each street.

(b) Natural and historic features are preserved as part of the land plan.

(c) Section 99-9C items are addressed herein.

(d) The cluster subdivision is not located within a designated growth area.

D. Statement of Compliance with Chapter 99, Sussex County Subdivision of Land

Chapter 99-9 (C)

The proposed development plan has taken into consideration all items listed within the Subdivision of Land – Chapter 99, Section C within the Sussex County Code and complies with it in the following manner:

1. *"Integration of the proposed subdivision into existing terrain and surrounding landscape."*

- a. The Developer has taken great effort to utilize the additional land as open space. The proposed location of storm water management facilities was also based on extensive soils borings and a soil report.
- b. Forested non-tidal wetlands have been preserved.
- c. A minimum 30' landscaped buffer has been provided adjacent to all surrounding property lines.
- d. The proposed lots within the community are a minimum of 40' from the outbounds of the property.

2. *"Minimal use of wetlands and floodplains."*

- a. A minimum of 50' is provided between the proposed lots and wetlands.
- b. The proposed lots are located within flood Zone X (unshaded), areas determined to be outside the 0.2% annual chance floodplain.

3. *"Preservation of natural and historic features."*

- a. There are no known historic sites.
- b. The roadway system, stormwater features and lots were designed in such a way to minimize impacts/disturbance of steep slopes.

4. *"Preservation of open space and scenic views."*

- a. Large tracts of open space are being persevered including wooded areas, wetlands, buffers and flood zone.
- b. Views of the existing wooded wetlands are preserved and are viewable from the lots and through open space adjacent to the roadways.

5. *"Minimization of tree, vegetation, and soil removal and grade changes."*

- a. Disturbance to the site will be limited to only those areas required for homes, roads, storm water management and utility installation. All undisturbed vegetation that is compatible with native vegetation shall remain.
- b. Grade changes to the site shall be limited to those necessary to provide positive drainage and proper cover over utilities.

6. *"Screening of objectionable features from neighboring properties and roadways."*

- a. Screening of objectionable features on the site from adjacent properties and roadways shall be provided utilizing the required 30' landscaped buffer around the perimeter of the site or existing forested areas and storm water management facilities where those exist.
- b. The proposed lots within the community are a minimum of 40' from the outbounds of the property.

7. *"Provision for water supply."*

- a. Artesian will provide potable water and fire protection for the development.

8. *"Provision for sewage disposal."*

- a. The Turnberry community wastewater service is intended to be provided by Artesian.

9. *"Provision for solid waste disposal."*

- a. Arrangements will be made with a commercial trash hauler to provide trash collection for Turnberry.

10. *"Prevention of surface and groundwater pollution."*

- a. All runoff from the Turnberry site will be directed via the closed road section and storm drain network into a storm water management system consisting of Best Management Practices (BMP) for treatment and discharge. The storm water management facilities will be designed in accordance with Delaware and Sussex County standards.
- b. Ultimately, through post-development design, runoff will receive better treatment than during pre-development conditions. The project will meet the current storm water management regulations as required by DNREC.

11. *“Minimization of erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding and design of drainage so that groundwater recharge is maximized.”*

- a. As stated above, stormwater management quality and quantity will be provided by a storm water management system consisting of Best Management Practices (BMP) for treatment and discharge. The BMP’s will be designed per Delaware and Sussex County standards. The stormwater collection/treatment system will be adequately sized to prevent flooding.
- b. Erosion and sediment control will be provided by methods approved by the Sussex Conservation District. An erosion and sediment control plan will be prepared and submitted for review.

12. *“Provision for safe vehicular and pedestrian movement within the site and to adjacent ways.”*

- a. Entrance to the site shall be designed per current DelDOT standards.
- b. To promote pedestrian traffic within the development, 5’ sidewalks are provided along one side of the road.
- c. All roads will be designed in accordance with Sussex County standards.

13. *“Effect on area property values.”*

- a. It is expected that the proposed Turnberry community will cause current property values to remain the same if not increase the value of the properties in the area. Great attention has been paid to the detail and aesthetic qualities of the plan, the livability of the community and amenities provided.

14. *“Preservation and conservation of farmland.”*

- a. The proposed subdivision will not adversely affect adjacent farmland due to landscaped buffers and other natural wooded areas and wetland that separate the community from farmland.

15. *“Effect on schools, public buildings, and community facilities.”*

- a. Turnberry will have no adverse effect on schools, public buildings, and community facilities as demonstrated by the PLUS comments.
- b. Community amenities will include a pool and bathhouse. In addition, Turnberry includes several open space areas for other active and passive uses.

16. "Effect on area roadways and public transportation."

- a. A series of discussions were held with DelDOT officials concerning area roadway improvements related to Turnberry specifically with regard to off-site transportation improvements and frontage improvements. Entrance improvements are anticipated to include turn lanes into the property.

17. "Compatibility with Other Land Uses."

- a. The project is near to other residential communities of The proposed development is in the vicinity of the residential communities of Independence, Welsh Run, Wetherby, Pelican Point, Woodridge, Falcon Crest, and Stonewater Creek, thus being compatible in density, home style and land use.

18. "Effect on Area Waterways."

- a. Runoff will be treated for water quality and quantity prior to discharge.

E. Statement of Conformity with Sussex County, Delaware, Comprehensive Plan Update, March 2019

Chapter 4 Future Land Use:

The site is located within the Low-Density Area and complies as follows:

- The proposed land plan addresses environmental concerns.
 - o Greater than 20% of the site is set aside as open space.
 - o 30' perimeter landscape buffer.
- Single-family homes are permitted.
- The proposed density of 1.34 du/ac is in compliance with the 2 du/ac as appropriate in this location.
- Central water and sewer will be available to the site.

Chapter 5 Conservation:

The proposed community complies with the Conservation section as follows:

- The site complies with surface water runoff requirements.
- There are no well head protection areas nor excellent ground recharge areas within the proposed site.
- Wetlands will be preserved.
- No lots are proposed within the existing wetlands.
- The proposed lots are not located within flood zones.
- Central water and sewer will be available to the site.

Chapter 6 Recreation and Open Space:

The proposed community complies with the Recreation and Open Space section as follows:

- The site is located within Region 5 of the Delaware Statewide Comprehensive Outdoor Recreation Plan and provides the following:
 - o High Priorities:
 - Swimming pools
 - Walking/jogging paths (multi-modal)
 - Bike paths (multi-modal)
- In addition, the community provides:
 - o Sidewalks

Chapter 7 Utilities:

The proposed community complies with the Utilities section as follows:

- Water will be provided by Artesian who has the CPCN for the project.
- The Turnberry community wastewater service will be provided by Artesian.
- Adequate areas are provided for stormwater management and stormwater drainage.
- It is anticipated that solid waste collection will be by a licensed commercial hauler.

Chapter 8 Housing:

The proposed community complies with the Housing section as follows:

- The community is located West of the Lewes / Rehoboth Beach region and will provide housing for retirees as well as those working in the County.

Chapter 9 Economic Development:

The proposed community complies with the Economic Development section as follows:

- This development project will directly provide employment/opportunities in:
 - o Construction
 - o Professional, Business and IT Services
 - o Finance, Insurance and Real Estate
 - o Utilities
- The development will also indirectly provide job opportunities in:
 - o Leisure and Hospitality
 - o Education and Healthcare

Chapter 10 Historic Preservation:

The proposed community complies with the Historic Preservation section as follows:

- There are no known historic sites located on the site.

Chapter 12 Community Design:

The proposed community complies with the Community Design section as follows:

- The proposed community is a cluster subdivision, which is widely used in AR-1 zoning.
- Street lighting will be provided.
- Sidewalks are proposed on one side of the roadways.
- The lot sizes within the cluster make rear garages impossible and side loads very unlikely.
- The narrower right-of-way allows for homes to be placed closer to the road.
- The proposed homes will be limited to 42' in height.

- No variances to the required setbacks are proposed.
- Although no direct connection of walking trails or bicycle paths to the existing adjacent communities is possible, the community will connect to multi-modal paths within DelDOT's right-of-way.
- The entrance to the community will be landscaped.
- Cross walks will be provided.
- Landscape/forested buffers will be provided along the perimeter.
- Utilities are proposed to be underground.
- Street signage will be provided throughout the community.

Chapter 13 Mobility Element:

The proposed community complies with the Mobility Element section as follows:

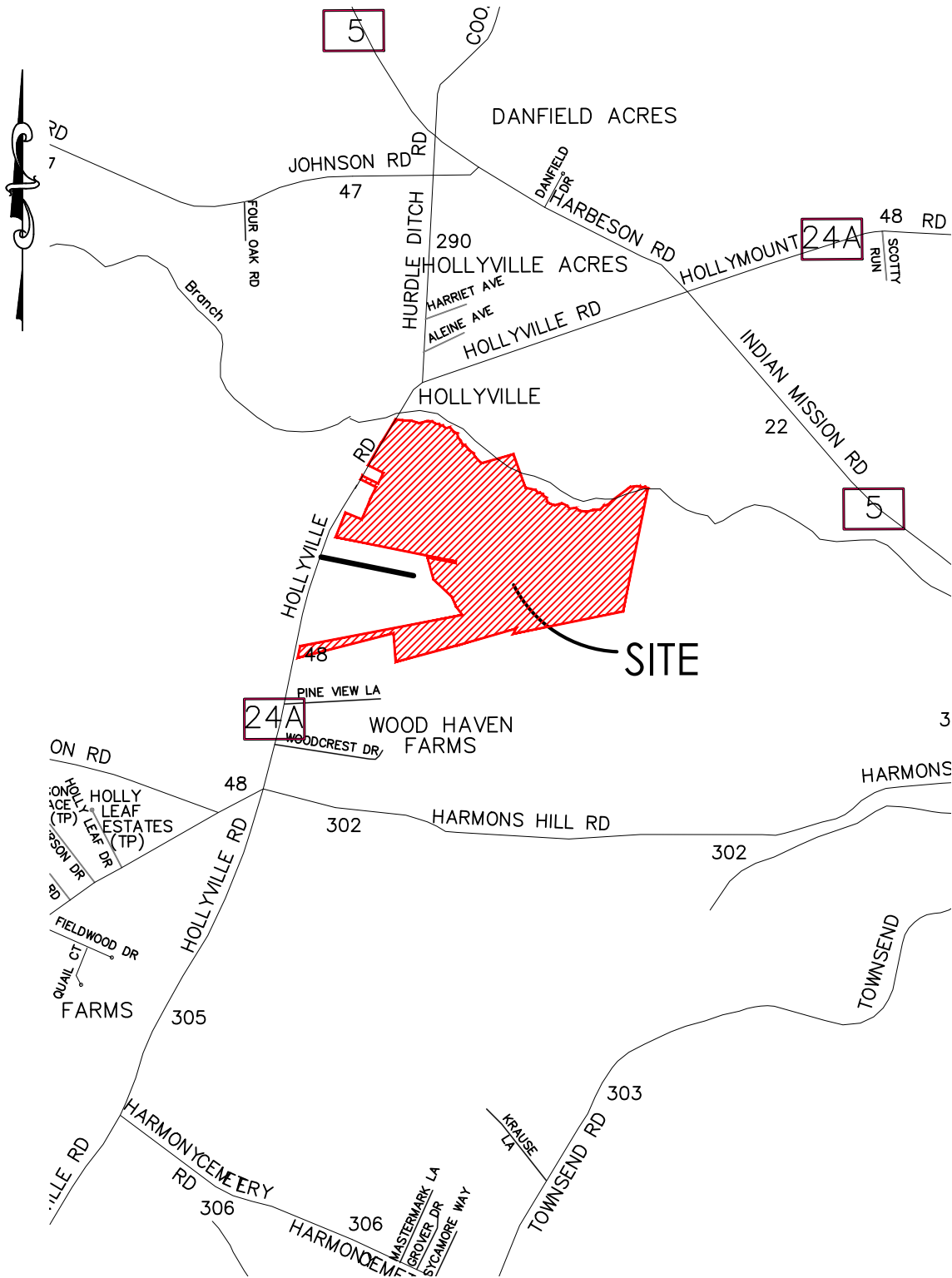
- Entrance, roadway and off-site improvements necessitated by DelDOT will be designed and constructed per DelDOT standards.

IV. Conclusion

The proposed community of Turnberry will enhance the area with a well-planned design, upscale homes, amenities, and minimal negative impact on the land. The design preserves large amounts of open space while preserving attractive views within the community. The homes will have a neutral to positive impact on the value of the surrounding neighborhoods and will provide the County with additional tax revenue. Passive amenities include existing woodlands and wetlands on-site. Active amenities include pool and bathhouse as well as dedicated open spaces for other activities. The design also preserves and enhances existing views through non-disturbance and accentuates certain features of the existing terrain.

The proposed Community of Unity meets the standards set forth by the County and State and will provide a superior living environment for future residents without placing a burden on the County, State, or taxpayers to serve this community.

VICINITY MAP



TURNBERRY

November 12, 2020

Mrs. Constance C. Holland, AICP, State Planning Director
Haslet Armory
122 Martin Luther King Jr. Blv. South
Dover, DE 19901

RE: PLUS review 2020-09-06; Unity Branch

Dear Mrs. Holland;

Please allow this letter to serve as our response to the PLUS review of the Unity Branch property. Answers to comments have been provided following each comment taken directly from your comment letter for ease of use. Our responses are in red and in different font for ease in review.

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

Response: The developer will comply with all Federal, State and local regulations regarding the development of this property. The developer will comply with any and all regulations/restrictions set forth by Sussex County.

Strategies for State Policies and Spending

This project represents a residential development within a Level 4 area according to the 2020 Strategies for State Policies and Spending. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New residential development activities are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

From a fiscal responsibility perspective, development of this site is likewise inappropriate. The cost of providing services to development in rural areas is an inefficient and wasteful use of the State's fiscal resources. The project as proposed will bring a new residential development to an area where the State has no plans to invest in infrastructure upgrades or additional services. The intended development will need access to services and infrastructure such as police, and transportation. To provide some examples, the State government funds 100% of road maintenance and drainage improvements for the transportation system, and 100% of the cost of police protection in the unincorporated portion of Sussex County where this development is proposed. Over the longer term, the unseen negative ramifications of this development will become even more evident as the cost of maintaining infrastructure and providing services increases.

Because the development is inconsistent with the 2020 *Strategies for State Policies and Spending*, the State does not support the development of this parcel.

With that said, **the comments in this letter are technical, and are not intended to suggest that the State supports this development. This letter does not in any way suggest or imply that you may receive or may be entitled to permits or other approvals necessary to build on this property.**

Response: Understood.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Hollyville Road (Sussex Road 48) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 1,891 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT calculates this number as 1,922 and estimates the weekday morning and evening peak hour trip ends at 143 and 193, respectively.

Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as \$10 per daily trip or, in this case, \$19,220. AWS Fees are used to fund traffic studies, not to build improvements.

Preliminarily, DelDOT anticipates requiring the developer to make some or all of the following frontage and off-site improvements. DelDOT will develop an estimated trip distribution for the development and will meet with the applicant to discuss their findings as to which improvements will be required.

- Improve Hollyville Road, within the limits of the site frontage (see definition in Section 1.8 of the Manual) to meet DelDOT's Major Collector Road standards, which include 12-foot lanes and 8-foot shoulders.
- Provide a Traffic Operational Analysis (TOA) to evaluate sight distance and the need for turning lanes at the intersection of Hollyville Road and Hurdle Ditch Road (Sussex Road 290) and to improve the intersection based on the results of that TOA.
- Contribute toward a DelDOT intersection improvement project (HEP SC, SR 5 & Hurdle Ditch Road) at the intersection of Delaware Route 5, Hurdle Ditch Road and Cool Spring Road (also Sussex Road 290).
- Enter a signal agreement for the intersection of Delaware Route 5, Hollyville Road and Hollymount Road (also Sussex Road 48).
- Enter a signal agreement for the intersection of Delaware Route 5, Harmons Hill Road (Sussex Road 302) and Zoar Road (also Sussex Road 48)

- Contribute toward a planned roundabout at the intersection of Hollyville Road (Sussex Road 305 south of Zoar Road), Zoar Road (also Sussex Road 48) and Harmons Hill Road.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Hollyville Road. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, **"An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."**
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat."**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 450 feet of the entrance on Hollyville Road.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is at DelDOT's discretion. DelDOT anticipates requiring the developer to build an SUP along their frontage on Hollyville Road. DelDOT recognizes that this requirement would yield several short segments of path.
- Section 3.5.4.4 of the Manual addresses requirements for accessways. Accessways are paths that connect subdivision streets to a sidewalk or SUP. DelDOT anticipates requiring accessways to the SUP along the site frontage from proposed cul-de-sacs near Lots 11, 26 and 152.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Hollyville Road.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Hollyville Road.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>.

Response: The developer will continue to coordinate with DelDOT regarding final frontage improvements, off-site improvements, final entrance locations, and cost sharing. Record and Entrance Plans will be submitted to DelDOT in accordance with the latest DelDOT regulations.

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

Concerns Identified Within the Development Footprint

Special Flood Hazard Area

According to the newest Flood Insurance Rate Maps (FIRM), the northern end of this parcel is situated within Special Flood Hazard Area, specifically within the 100-year floodplain (1% annual chance of flooding). Building is not proposed within the floodplain.

- The applicant must comply with local floodplain ordinance and regulations applicable to development or construction within the 100-year floodplain. In determining the boundary of the floodplain, use the most recent FIRM maps available, which can be found at <https://maps.dnrec.delaware.gov/floodplanning/default.html>.
- Contact: DNREC Shoreline and Waterway Management Section at (302) 739-9921. Website: <http://www.dnrec.delaware.gov/swc/Drainage/Pages/Flooding.aspx>
- Locate proposed structures outside of the floodplain. If this is not possible, the developer should consider designing structures to a higher standard to avoid potential future flood damage and loss.

Wetlands

Statewide Wetlands Mapping Project maps indicate the presence of federal wetlands on the site. Federal wetlands include non-tidal and freshwater wetlands. According to the application, a wetland delineation has been completed the U.S. Army Corps of Engineers has not approved the wetland delineation. A minimum of a 25-foot buffer has been proposed for the site, exceeding 150 feet in some areas, according to the preliminary site plans.

- If the project proposes to disturb (dredge or fill) federally regulated wetlands, a delineation of waterways and wetlands is required by the U.S. Army Corps of Engineers. In certain circumstances, additional certifications from DNREC Wetlands & Subaqueous Lands Section will be required as part of the U.S. Army Corps of Engineers permit process.
- For a list of consultants and engineers please visit the DNREC Wetlands and Subaqueous Lands Section link:
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>
- Contact: U.S. Army Corps of Engineers (Dover Office) at DoverRegulatoryFieldOffice@usace.army.mil or (267) 240-5278. Website: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>

Vegetated Buffer Zones

Vegetated buffer zones placed adjacent to waterways and wetlands help to improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Please note that vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.
- Incorporate a 100-foot vegetated buffer from the edge of wetlands and streams to protect water quality.
- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance (LOD) on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.
- Vegetated buffer zones should be deeded as community open space. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change. In general, grass cutting for vegetated buffer zones should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.
- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Delaware Ecological Network

Approximately 80% of this site (forested portion) is located within the Delaware Ecological Network, much of which is proposed to be removed. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on this site could jeopardize habitat beyond the parcel boundary.

- Removing forested areas within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide habitat for wildlife, uptake nutrients, infiltrate

stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

- Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600. Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Old Growth Forest

An analysis of historical data indicates that the forest area proposed to be developed has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife.
- If mature forests are found, these areas should be conserved to the maximum extent practicable.
- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Stormwater Management

This project/site has met the minimum threshold of 5000 square feet of land disturbing activity under the Delaware Sediment and Stormwater Program.

- A Sediment and Stormwater Plan must be developed and approved prior to any land disturbing activity taking place on the site. This plan approval agency will vary, depending on the location of the project, or whether it is operated by a state agency or school district. The appropriate agency for this project is identified below.
- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.state.de.us/eNOI/default.aspx>) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.
- Schedule a project application meeting with the appropriate agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.
- Appropriate plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>

- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov. Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.
- Where site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce overall runoff including pollutant runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Hydric Soils

While most of the project lies within A soils (well drained), the northern portion of the site is comprised of A/D (somewhat poorly drained) and B/D (poorly drained) soils. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.
- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov. Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

General Drainage Recommendations

This area was part of the Hopkins Prong Drainage Study for the Sussex Conservation District. This study revealed that the lower portion of the watershed has experienced flooding.

- All existing ditches on the property should be checked for function and cleaned, if needed, prior to the construction of homes. Wetland permits may be required before cleaning ditches.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.
- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a

drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

- Contact: DNREC Drainage Program at (302) 855-1930.
Website: <http://www.dnrec.delaware.gov/swc/Drainage/Pages/TaxDitches.aspx>

Nutrient Management Plan

This project proposes open space exceeding 10 acres (specifically 90 acres proposed).

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.
- Contact: Delaware Department of Agriculture's Nutrient Management Program at (302) 698-4558. Website: <https://agriculture.delaware.gov/nutrient-management/>

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (approximately 300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.
- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.
- Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

Mosquitoes

The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of freshwater wetlands.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.
- Contact: DNREC Division of Fish and Wildlife at (302) 739-9917.
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/>

Wastewater Permitting – Large Systems

Artesian holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch.

- It is the responsibility of Artesian to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.
- Contact: DNREC Large Systems Branch at (302) 739-9948
Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

Sustainable Practices

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.
- Consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Energy efficiency upgrades for your project may be eligible for funding through the Division of Climate, Coastal, & Energy. Website: www.de.gov/greenenergy, www.de.gov/eeif.
- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Consider installing electric vehicle charging infrastructure to assist Delaware in achieving its clean transportation goals. The Division of Climate, Coastal, & Energy offers incentives for clean transportation (electric vehicle charging). These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality Website: www.de.gov/cleantransportation.
- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.
- The applicant should consider the use of recycled materials, such as reclaimed asphalt pavement, to reduce landfill waste, heat island effects on paved surfaces, and pavement costs.
- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.

Response: The developer will comply with all County and State requirements regarding wetlands, open space, flood zone, etc.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- The Delaware SHPO does not recommend or support development in level 4 areas
- Prehistoric potential is moderate to high. Well-drained soils, prime farmland, and well within favorable distance to a water source, Unity Branch (Beers, topos). Archaeological site on north side of parcel has both historic and prehistoric components. Recommend an archaeological survey.
- Historic archaeological potential is moderate. There is a farmstead there as early as 1918 (topo) but was not there in 1868 (Beers), but that may be just off of the parcel. Remains associated with the farmhouse could be possible, especially with the cemetery. Other than that, the parcel appears to have remained the same through historic times. Considering the cemetery, the Delaware SHPO is recommending caution and an archaeological survey.
- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov

Response: Noted.

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

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

Fire Protection Water Requirements:

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.

- The infrastructure for fire protection water shall be provided, including the size of water mains.

Accessibility:

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

Gas Piping and System Information:

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

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Name of Water Supplier
- Proposed Use
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Provide Road Names, even for County Roads
- Although not a requirement of the State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler

protection in dwellings. The Office of the State Fire Marshal also reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website:

<http://delcode.delaware.gov/title6/c036/sc03/index.shtml>

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

Response: The developer will comply with State Fire Marshal requirements.

Department of Agriculture – Contact: Milton Melendez 698-4534

- The proposed project is adjacent to a property protected through the State's Agricultural Lands Preservation Program (DSWA District S-07-11-250 Parcel 234-10.00-15.00, 234-16.00-12.00). Therefore, the activities conducted on this preserved property are protected by the agricultural use protections outlined in Title 3, Del. C., Chapter 9. These protections effect adjoining developing properties. The 300-foot notification requirement affects all new deeds in a subdivision located in whole or part within 300 feet of an Agricultural District/Easement. Please take note of these restrictions as follows:

§ 910. Agricultural use protections.

(a) Normal agricultural uses and activities conducted in a lawful manner are preferred and priority uses and activities in Agricultural Preservation Districts. In order to establish and maintain a preference and priority for such normal agricultural uses and activities and avert and negate complaints arising from normal noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations, land use adjacent to Agricultural Preservation Districts shall be subject to the following restrictions:

(1) For any new subdivision development located in whole or in part within 300 feet of the boundary of an Agricultural Preservation District, the owner of the development shall provide in the deed restrictions and any leases or agreements of sale for any residential lot or dwelling unit the following notice:

This property is located in the vicinity of an established Agricultural Preservation District in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations. The use and enjoyment of this property is

expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities."

(2) For any new subdivision development located in whole or in part within 50 feet of the boundary of an Agricultural Preservation District, no improvement requiring an occupancy approval shall be constructed within 50 feet of the boundary of the Agricultural Preservation District.

(b) Normal agricultural uses and activities conducted in accordance with good husbandry and best management practices in Agricultural Preservation Districts shall be deemed protected actions and not subject to any claim or complaint of nuisance, including any such claims under any existing or future county or municipal code or ordinance. In the event a formal complaint alleging nuisance related to normal agricultural uses and activities is filed against an owner of lands located in an Agricultural Preservation District, such owner, upon prevailing in any such action, shall be entitled to recover reasonably incurred costs and expenses related to the defense of any such action, including reasonable attorney's fees (68 Del. Laws, c. 118, § 2.).

- In addition, if any wells are to be installed, Section 4.01(A)(2) of the Delaware Regulations Governing the Construction and Use of Wells will apply. This regulation states:

(2) For any parcel, lot, or subdivision created or recorded within fifty (50) feet of, or within the boundaries of, an Agricultural Lands Preservation District (as defined in Title 3, Del. C., Chapter 9); all wells constructed on such parcels shall be located a minimum of fifty (50) feet from any boundary of the Agricultural Lands Preservation District. This requirement does not apply to parcels recorded prior to the implementation date of these Regulations. However, it is recommended that all wells be placed the maximum distance possible from lands which are or have been used for the production of crops which have been subjected to the application of land applied federally regulated chemicals.

Response: Noted.

Delaware Emergency Management Agency – Contact Philip Cane 659-2325

- Dependent on the exact location of the construction and the extent of the project (size of the subdivision), the location may or may not have parts within the 100-year flood plain. The location described is NOT immediately apparent within the 100-year flood plain.

- State of Delaware**
The Official Website of the First State

Home
Search
Legend

Results

Location is **NOT WITHIN** the FEMA 100-year floodplain.
Preliminary data does not exist.

Effective Flood Zone:
X
Preliminary Flood Zone:
n/a
FEMA Issued Flood Map:
10002C0340K
Effective Map Date:
3/15/2015
Watershed (HUC12):
Love Creek-Rehoboth Bay

Download Model:

None

Print
Contacts
Getting Started/Help

[Privacy](#) | [Contact](#) | [Phone Directory](#)

- Please show text and hatching which clearly delineates the location of the 20-ft forested/landscape buffer around the perimeter of the site as per §99-5 of the Code. Please note that this buffer shall be at least 30-ft wide in areas within 50-ft of an existing residential development (§115-25(E)(4)).
- There are no Wellhead Protection Areas on site and the site is located within an area of “fair” Groundwater Recharge according to GIS records. Please note these items on the plans to accord with Chapter 89 “Source Water Protection” of the Sussex County Code.
- Please note that these are informal staff comments, and do not prejudice any decisions that the Sussex County Planning & Zoning Commission may wish to make as part of the formal review process.

Response: The developer will comply with Sussex County zoning requirements.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.
- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County’s “Affordable Housing Support Policy”. The policy along with other resources are available on the County’s Affordable & Fair Housing Resource Center website: www.sussexcountynj.gov/affordable-and-fair-housing-resource-center. The County’s Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.
- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.
- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

Response: Noted.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The project is within a Tier 3 area for wastewater planning. Sussex County does not currently have a schedule to provide sanitary sewer to these parcels. The Sussex County Engineering Department recommends the project receive wastewater service from a public utility or municipality.

Response: Noted. The project is anticipated to be served by Artesian.

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

This concludes our response. If you have any questions, please contact us at your convenience.

Sincerely,

Solutions, IPEM

A handwritten signature in blue ink, appearing to be 'JP', with a long horizontal flourish extending to the right.

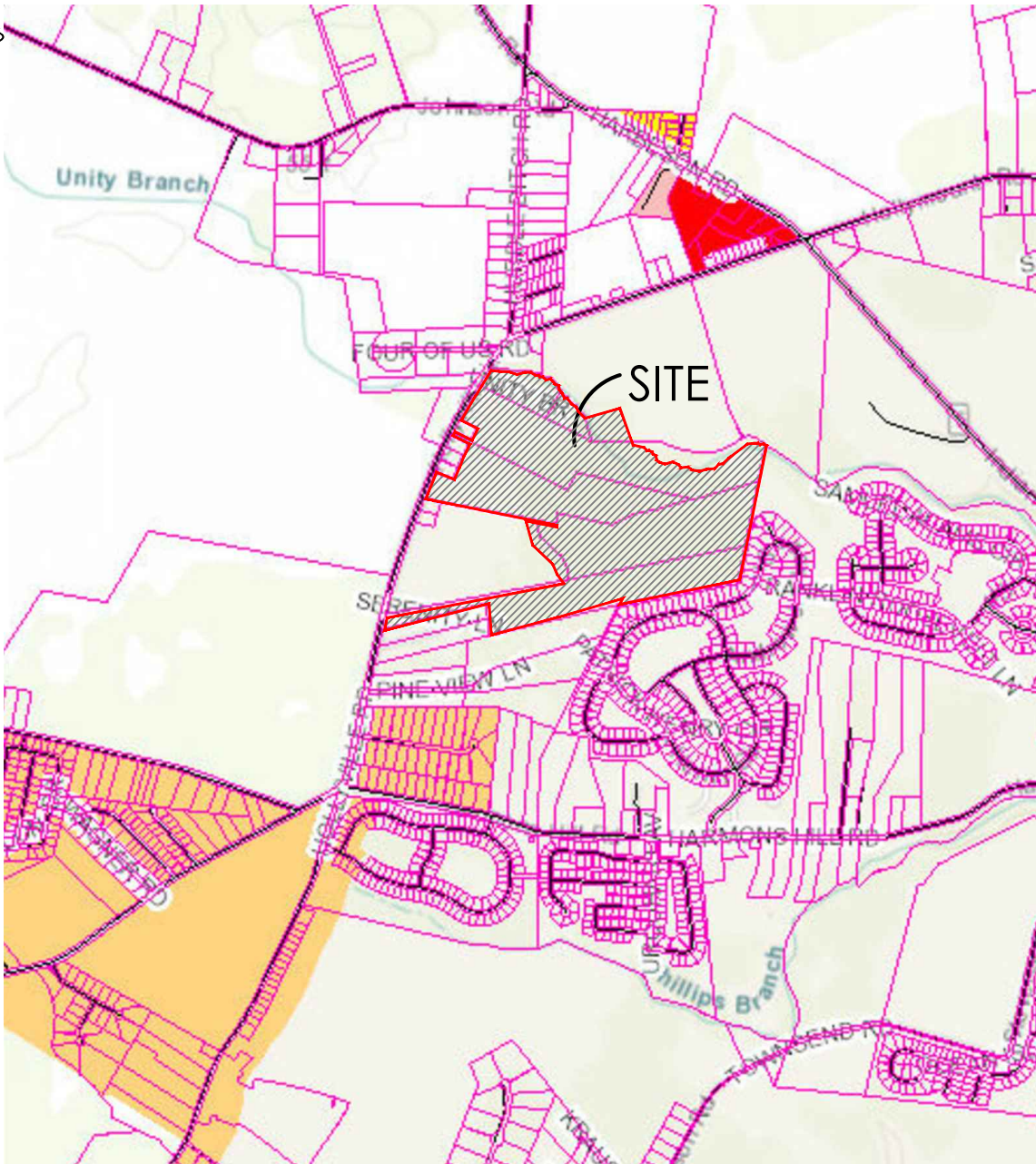
Jason Palkewicz, PE






OUT OF PLAY

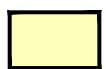
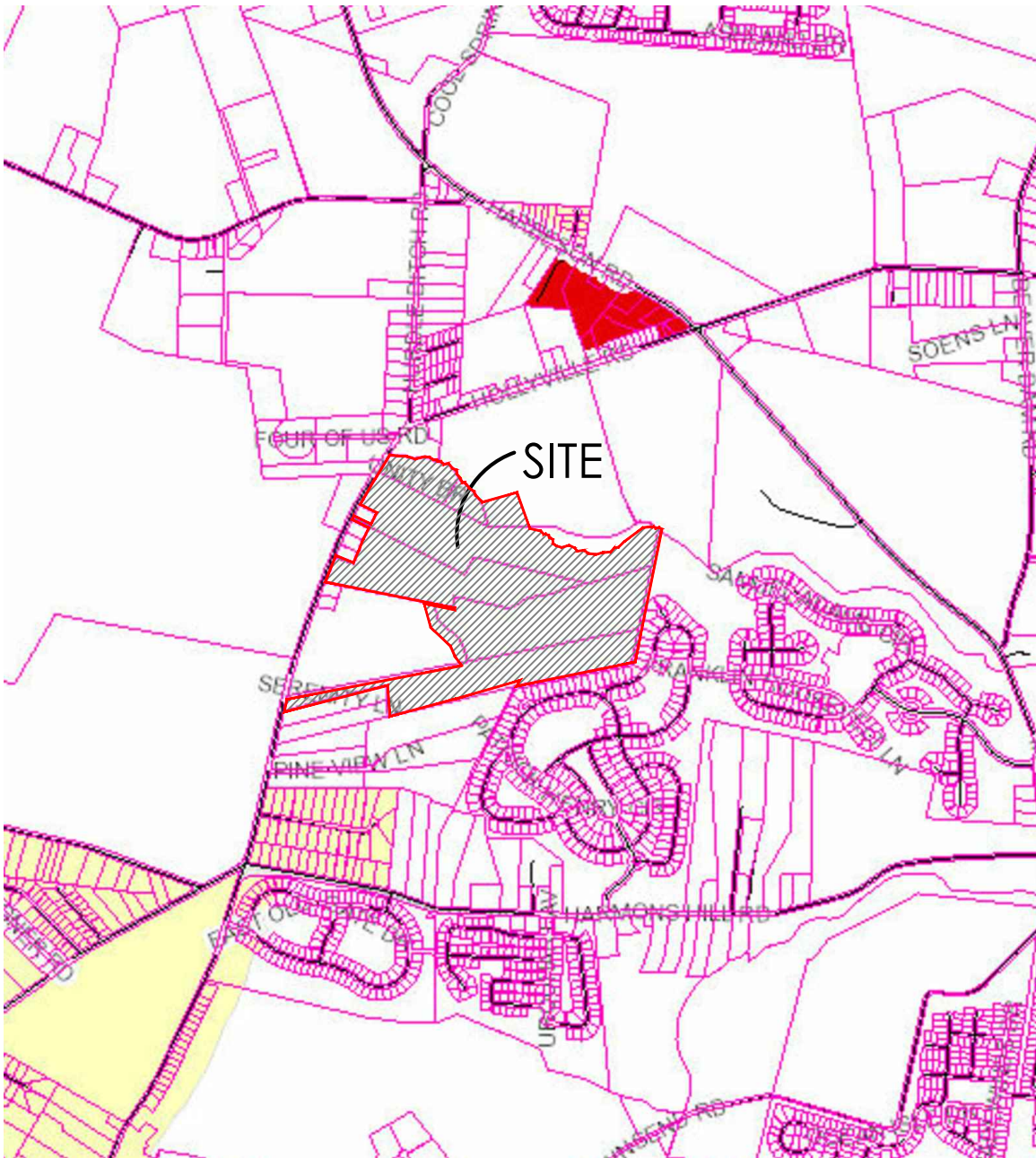
INVESTMENT LEVEL 4

TURNBERRY



-  AGRICULTURAL - AR-1
-  HIGH DENSITY RESIDENTIAL - HR-1
-  GENERAL COMMERCIAL - C-1

TURNBERRY



EXISTING DEVELOPMENT AREA



LOW DENSITY AREA

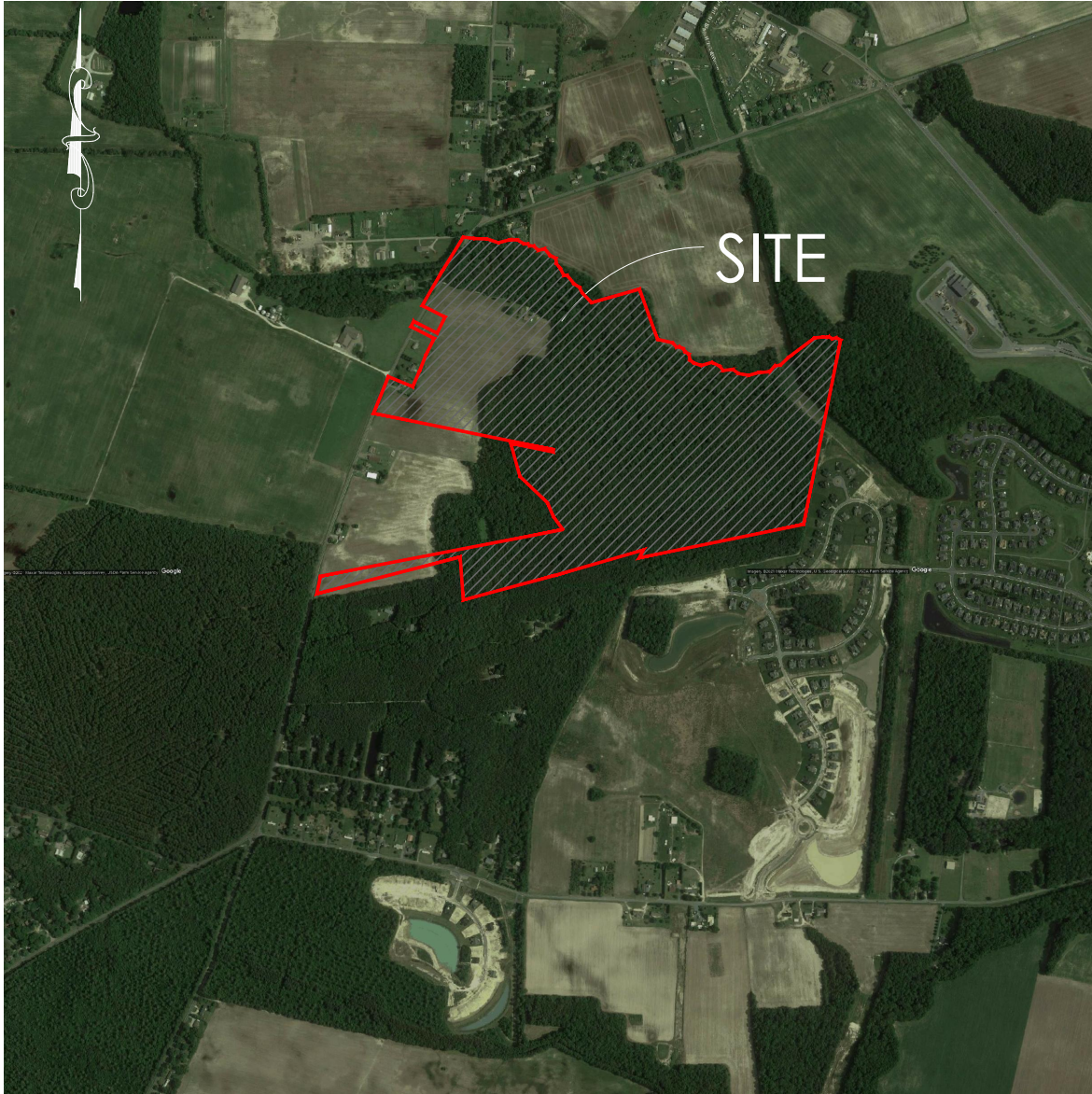


COMMERCIAL

TURNBERRY

FUTURE LAND USE PLAN





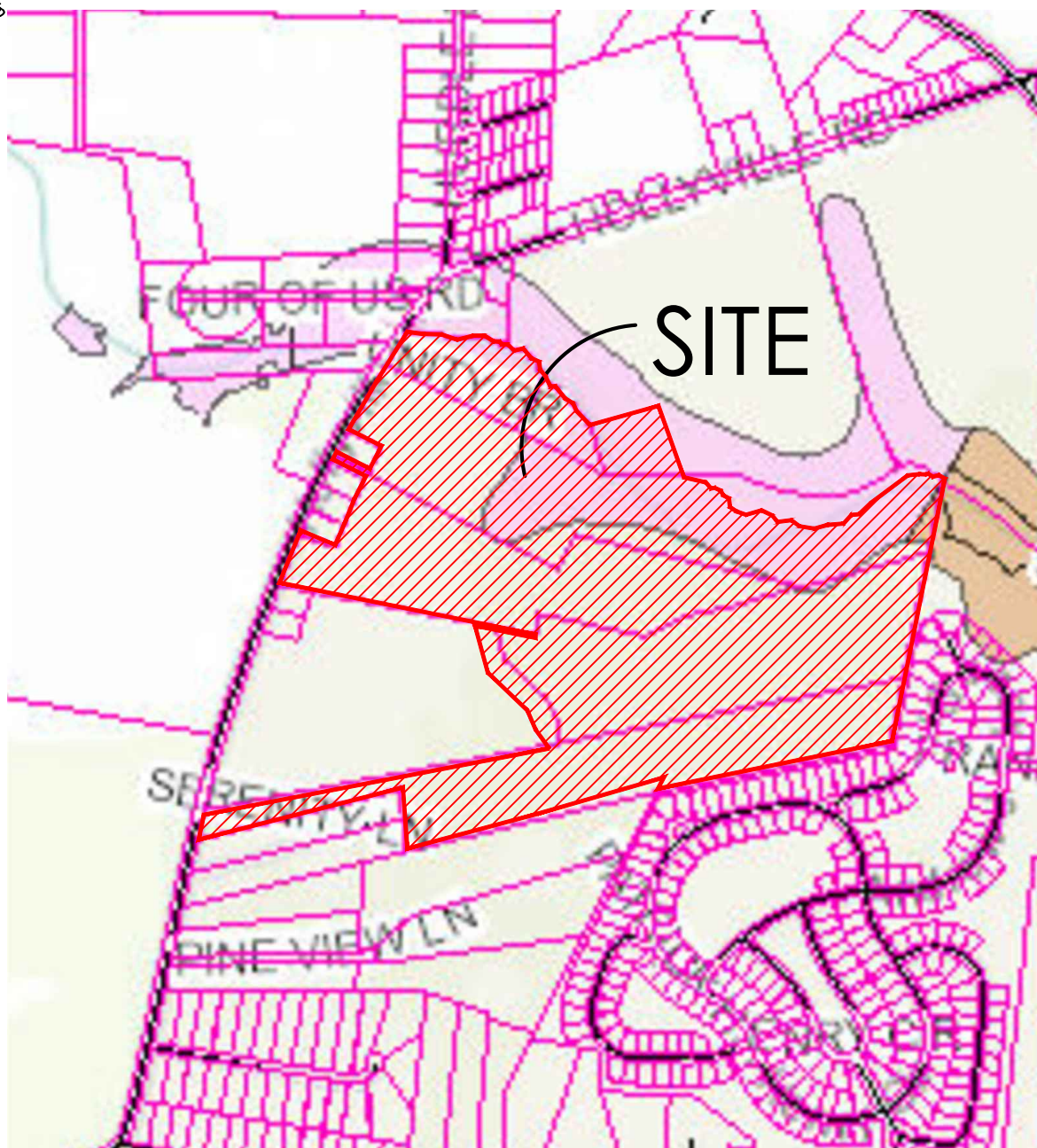
AERIAL

TURNBERRY





FLOOD MAP



PROPERTY IS LOCATED IN FLOOD ZONE A - SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (NO BASE FLOOR ELEVATION DETERMINED) AND ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP 10005C0340K, MAP REVISED MARCH 16, 2015.

TURNBERRY





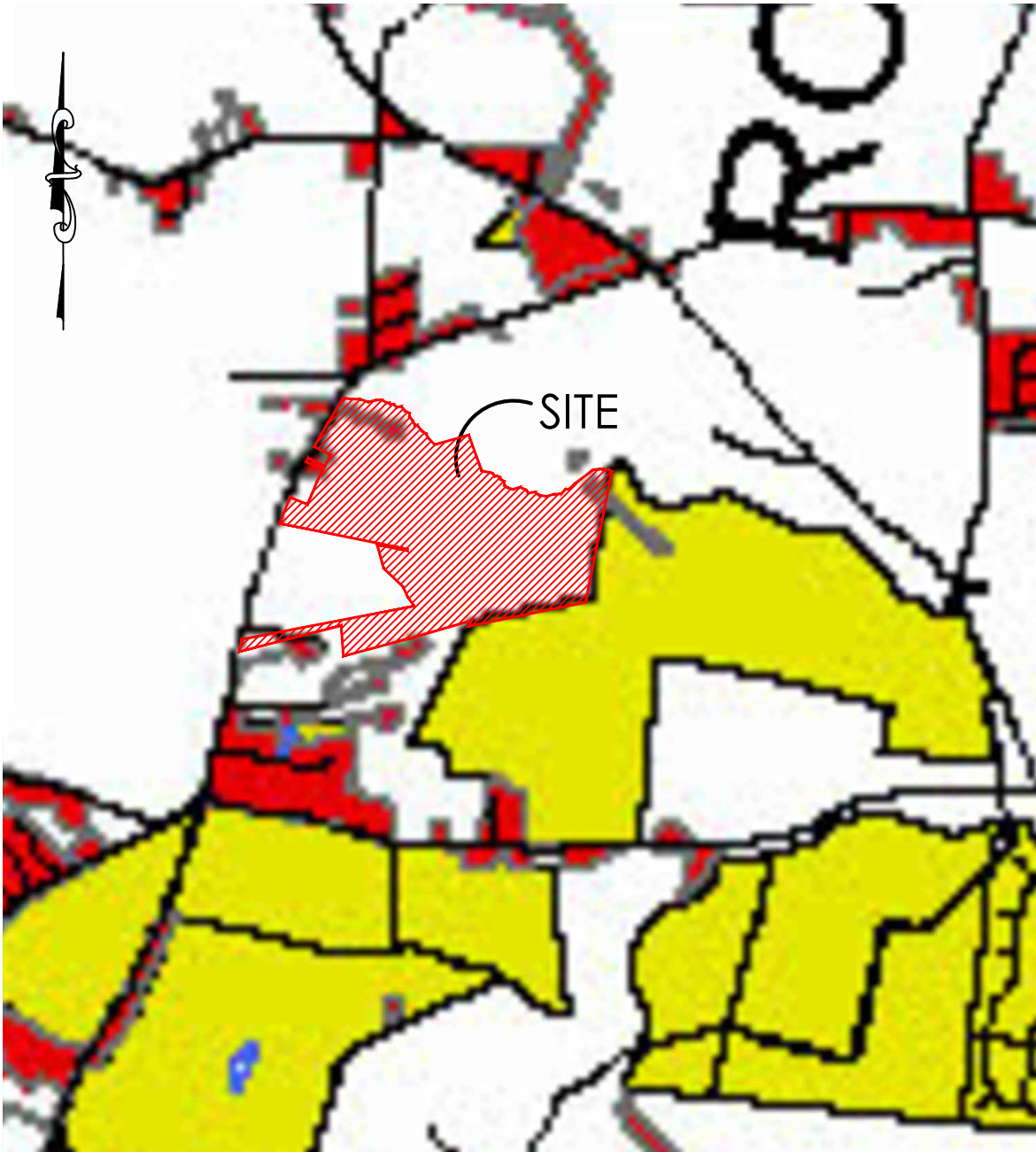
GROUNDWATER RECHARGE PLAN



- EXCELLENT GROUNDWATER RECHARGE
- GOOD GROUNDWATER RECHARGE
- FAIR GROUNDWATER RECHARGE
- POOR GROUNDWATER RECHARGE

TURNBERRY





DEVELOPED LANDS



MAJOR PROPOSED DEVELOPMENTS

TURNBERRY

GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND
ENVIRONMENTAL CONSULTANTS

A Practicing Geoprofessional Business Association Member Firm



August 20, 2021

Schell Brothers LLC
20184 Phillip Street
Rehoboth Beach, Delaware 19971

Attn: Mr. Tim Green
Director of Land Development

Re: Report of Subsurface Exploration
Hollyville Property
Buildings and Roadways
Sussex County, Delaware

Ladies & Gentlemen:

Pursuant to your request, Geo-Technology Associates, Incorporated (GTA) has performed geotechnical exploration at the proposed **Hollyville Property** project located in Sussex County, Delaware. The purpose of the subsurface exploration was to present our recommendations with respect to foundation and slab support for the proposed house construction, including basement feasibility, earthwork, pavement and utility construction. The exploration consisted of performing ten hand auger borings within the proposed construction area, visually classifying the soils, and performing limited laboratory testing.

Unless Schell Brothers, LLC specifies otherwise, the samples collected as a part of the subsurface exploration will be disposed of after a period of 60 days from the date of this report. Thank you for the opportunity to be of assistance. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,
GEO-TECHNOLOGY ASSOCIATES, INC.

Travis P. Caraway, EIT
Project Geotechnical Professional
TPC/GRS/llh 31210796

Gregory R. Sauter, P.E.
Vice President



21133 Sterling Avenue, Suite 7, Georgetown, DE 19947 (302) 855-9761

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Visit us on the web at www.gtaeng.com



REPORT OF SUBSURFACE EXPLORATION

Hollyville Property
Buildings and Roadways
Sussex County, Delaware

August 20, 2021

Prepared For:

Schell Brothers, LLC
20184 Phillips Street
Rehoboth Beach, Delaware 19971

Attn: Mr. Tim Green
Director of Land Development

Prepared By:

GEO-TECHNOLOGY ASSOCIATES, INC.
Geotechnical and Environmental Consultants
21133 Sterling Avenue, Suite 7
Georgetown, Delaware 19947
302-855-9761

GTA Job No: 31210796

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**REPORT OF SUBSURFACE EXPLORATION
HOLLYVILLE
BUILDINGS AND ROADWAYS
SUSSEX COUNTY, DELAWARE
AUGUST 2021**

INTRODUCTION

A new community is proposed along the south and east sides of Hollyville Road approximately ½ to 1-mile west of Harbeson Road (Route 5) in the Harbeson area of Sussex County, Delaware. Geo-Technology Associates, Inc. (GTA) was retained by Schell Brothers to perform a geotechnical exploration of the site. The scope of this study included field exploration, review of site plans, limited laboratory testing and engineering analysis. The field exploration consisted of 10 auger borings, performed throughout the property. Concept plans, depicting the proposed improvements prepared by Solutions IPREM, LLC were referenced for this report. A SWM and pump station report with 61 additional borings has been submitted separately.

SITE CONDITIONS

Referring to the attached Site Location Plan and Exploration Location Plan, the project site consists of two irregularly shaped parcels located on the south and east sides of Hollyville Road with the first parcel approximately ½ mile and the second parcel approximately 1 mile west of Harbeson Road in the Harbeson area of Sussex County, Delaware. The two parcels are separated by Unity Branch and plan designated wetlands. The site consists of agricultural fields and mature woods. Topographically, the site gently slopes downward in an easterly direction towards Unity Branch with the ground surface ranging from approximate Elevation 35 to 26 Mean Sea Level (MSL) at the boring locations.

PROPOSED CONSTRUCTION

The proposed construction will consist of 195 single-family homes within the southern parcel and 104 single-family homes within the northern parcel. A shallow spread foundation system and ground supported slabs are anticipated. Preliminary, foundation loads of upwards to 20 kips for columns and 3 kips per lineal foot are estimated for the proposed structures. Once final loads are determined, GTA should be consulted for additional analysis and recommendations, as applicable.

The proposed construction will also consist of roadways, utilities, and stormwater management (SWM) facilities. The buildings will be served by public water and sewer. While the grading scheme was not available at the time of this report, GTA assumes the building lots and roadway areas will require several feet of cut to fill and ranging from 6 to 14 feet of cut to achieve pond bottom grades in the SWM areas.

SITE GEOLOGY

According to the Geologic Map of the Fairmount and Rehoboth Beach Quadrangles, Delaware (2011), published by the Delaware Geological Survey, the project area is underlain by sediments of the Coastal Plain Physiographic Province. Coastal Plain sediments below the surficial deposits exposed in the site area were generally deposited in commonly estuarine environments of the Tertiary and Quaternary geologic ages. The Late Pliocene deposits, located in the northeastern portion of the site, are predominately designated as the Beaverdam formation. These deposits are characterized by “...very coarse sand with pebbles to silty clay...silty to clayey, fine to coarse sand.” The Late Pleistocene deposits, located in the southwestern portion of the site, are predominately designated as the Lynch Height Formation. These deposits are characterized by “...silty, clayey, very coarse to fine sand...gravelly sand to sandy gravel.” Please review the referenced publication for further details regarding these geologic units.

SUBSURFACE EXPLORATION

To characterize subsurface conditions, GTA performed 10 auger borings, designated as A-1 through A-10, along the roadway alignments, at the relative locations shown on the attached Figure 2, Exploration Location Plan. The borings were drilled to a depth of 10 feet below the ground surface level or where wet, caving conditions were met a depth of 5½ to 8½ feet below the ground surface, during August 2021.

Samples obtained from the borings were returned to GTA's office for visual classification by GTA personnel. Selected samples recovered from the field exploration were submitted for limited laboratory analysis. The soil layers were classified in accordance with the Unified Soil Classification System (USCS). Classifications provided on the logs are visual descriptions,

supplemented by available laboratory data. The exploration logs are presented in Appendix B. The logs represent our interpretation of the field data based on observation and limited soil classification tests. The interfaces indicated on the logs may be gradual.

SUBSURFACE CONDITIONS

The soils were visually classified in accordance with the Unified Soil Classification System (USCS). Beneath an approximately 2- to 16-inch-thick surficial topsoil layer, the explorations generally encountered native subsoils visually classified as predominantly consisting of Silty SANDS (USCS: SM), Poorly-graded SANDs with Silt (SP-SM) and Clayey SANDs (SC). The relative densities of the granular soils were very loose to medium dense based on average DCP values of 2 to 25+ blows per 1¾ inches (bpi).

Explorations A-4 and A-6 encountered subordinate layers of native, fine-grained materials. These fine-grained materials generally consisted of SILTs (USCS: ML). The consistencies of these fine-grained materials were stiff based upon average DCP values of 9 bpf.

GTA's estimate of the seasonal high groundwater level is based upon water levels near seasonal highs, soil coloring, mottling and/or saturation. The results of the groundwater level readings and GTA's opinion of the estimated seasonal high groundwater depth are summarized as follows:

GROUNDWATER DATA SUMMARY

Exploration No.	Existing Ground Surface Elevation (MSL)	Depth Below Existing Ground Surface (ft.)/ Elevation (MSL) to Groundwater at Completion	Depth Below Existing Ground Surface (ft.)/ Elevation (MSL) to Groundwater At One to Three Days After Completion	*Depth Below Existing Ground Surface (ft.)/ Elevation (MSL) to Estimated Seasonal High Groundwater
A-1	EL 29	5.2 / EL 23.8	3.9 / EL 25.1	3 / EL 26
A-2	EL 31	7.8 / EL 23.2	7.5 / EL 23.5	5 / EL 26
A-3	EL 30	4.4 / EL 25.6	4.0 / EL 26.0	3 / EL 27
A-4	EL 30	5.8 / EL 24.2	4.4 / EL 25.6	3 / EL 27
A-5	EL 31	5.9 / EL 25.1	5.6 / EL 25.4	5 / EL 26
A-6	EL 33	6.8 / EL 26.2	6.1 / EL 26.9	5 / EL 28
A-7	EL 35	Dry to 10.0 / Dry to EL 25.0	Dry to 10.0 / Dry to EL 25.0	10 / EL 25

Exploration No.	Existing Ground Surface Elevation (MSL)	Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Groundwater at Completion	Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Groundwater At One to Three Days After Completion	*Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Estimated Seasonal High Groundwater
A-8	EL 28	5.3 / EL 22.7	4.9 / EL 23.1	4 / EL 24
A-9	EL 31	7.6 / EL 23.4	6.4 / EL 24.6	5 / EL 26
A-10	EL 37	Dry to 10.0 / Dry to EL 27.0	Dry to 10.0 / Dry to EL 27.0	10 / EL 27

*Seasonal high groundwater estimate based upon observed soil mottling, color and/or saturation and should be considered approximate.

**Existing ground surface elevation estimated from Google Earth.

The groundwater levels can be expected to fluctuate with seasonal changes, precipitation, and other factors such as development activity. Additionally, perched water conditions develop in granular soils overlying fine-grained and/or denser soils during the “wet season” and during heavy periods of precipitation. Please refer to the exploration logs provided in Appendix B for further information.

LABORATORY TESTING

Selected samples obtained from the borings was tested for grain-size analysis, Atterberg Limits, moisture density relationship, natural moisture content, and/or California Bearing Ratio (CBR). The grain-size analysis and Atterberg Limits testing were performed to identify the Unified Soil Classification System (USCS) designations for the soil. The results of testing are as follows:

SUMMARY OF LABORATORY TESTING

EXPLORATION NO.	DEPTH (FT.)	USCS CLASSIFICATION	LL (%)	PI (%)	NM %
A-5/A-10 Composite	1 – 4	Silty SAND (SM)	NP	NP	5.5
A-5	1 – 4	Poorly-graded SAND with Silt (SP-SM)	NP	NP	6.1
A-10	1 – 4	Silty SAND (SM)	NP	NP	3.0

Note: LL=Liquid Limit PI=Plastic Index NP=Non-plastic NM=Natural Moisture Content

A near surface, bulk sample was also tested for moisture-density relationships in accordance with the Modified Proctor (ASTM D-1557) method for use in evaluating the suitability of these soils for reuse as fill. The sample was also subjected to California Bearing Ratio (CBR)

testing for use in evaluation of pavement subgrade supporting quality. Results of these tests are summarized in the following table.

SUMMARY OF COMPACTION and CBR DATA
(ASTM D 1557, the Modified Proctor; ASTM D 1883, CBR)

EXPLORATION NO.	DEPTH (FT)	MAXIMUM DRY DENSITY (PCF)	OPTIMUM MOISTURE (%)	NATURAL MOISTURE (%)	CBR AT 95% COMPACTION (%)
A-5/A-10 Composite	1 – 4	124.0	8.5	5.5	27.1

Please refer to the laboratory test results included within Appendix C for additional information.

CONCLUSIONS AND RECOMMENDATIONS

Based upon the results of this study, it is our opinion that construction of the proposed improvements is feasible, given that the geotechnical recommendations are followed and that the standard level of care is maintained during construction. GTA's preliminary recommendations are provided in the following paragraphs.

Earthwork

Before the placement of compacted fill, areas below proposed foundations, slabs, and pavements should be stripped to remove topsoil and soft materials. In areas where soft and/or concentrated organic materials are encountered during mass earthwork operations, these materials should be removed to expose firm native soils and replaced with structural fill. After stripping, subgrade areas should be proof-rolled with a loaded tandem-axle dump truck, performed as recommended by GTA. No fill should be placed until the geotechnical engineer approves the subgrade. Wet soils near surface grade will result in poor trafficability. Positive drainage should be maintained during construction.

Precipitation will result in standing water at low areas and in localized undercut areas. Positive drainage should be provided to protect exposed subgrades. During wet season construction, GTA anticipates that the existing surficial soils may soften and significant rutting

may occur. If water is allowed to pond, the exposed subgrade materials may deteriorate and additional over-excavation or subgrade improvement may be required at the affected areas. Depending on the level of precipitation and construction traffic routing, a contingency (cost per in-place cubic yard) should be established for undercut and replacement of soft soils.

Most near surface on-site soils beneath the topsoil, similar to the materials tested, are considered suitable for reuse as structural fill material within roadways and building lots. Excavated site materials conforming to SP, SP-SM or SM classifications will be suitable for reuse as structural fill. Materials conforming to SP-SM or SP are recommended for at least the top one foot of building pad and roadway subgrade fill. Materials conforming to USCS SC, CL and ML are not recommended for structural fill and should be placed in designated green and pond areas or properly disposed of offsite. The moisture of the bulk sample tested was approximately three percent below the optimum moisture content. At this indicated moisture level, granular site materials similar to the sample tested may require limited moisture supplementation after spreading over a large area and prior to compaction. During wet weather or when excavating below or near groundwater, delays and expense will likely be associated with reducing soil moistures to acceptable levels.

For utility and site earthwork construction, the success of these operations will be largely dependent upon the weather conditions at the time of the earthwork construction. Summer construction season is recommended to reduce the premium cost for drying. A contingency should be established for moisture adjustments and importing suitable materials. If the work is performed during wet weather, offsite borrow may be required to complete the earthwork construction.

Deeper excavations, such as for utility installations, will likely encounter groundwater. Consideration must be given to dewatering and stability of excavated slopes. Contractors should provide adequate dewatering and earth support systems in utility trench excavations. Utility pipe systems below pavement and other structural areas should be backfilled using controlled, compacted fill conforming to USCS SM, SP-SM or SP soils. The backfill should be constructed as described in our site grading recommendations. Lift thickness should be reduced to 4 inches when compacting with lightweight equipment around structures.

Dewatering through the use of “sump and pump” for trenches extending 1 to 2 feet below groundwater, in conjunction with well point techniques in deeper utility areas, will be required for utility installation. Most utility installations extended below 5 feet will likely encounter groundwater. Well points will be required for deeper utility alignments.

Off-site borrow should meet Unified Soil Classification System (USCS) designation SM, SP, SW, GM, GP, or GW and be approved by GTA. Utility backfill and roadway fill should conform to DelDOT Type C Borrow. All fills should be constructed in maximum 8-inch thick loose lifts and be compacted to the following specifications:

COMPACTION SPECIFICATIONS

Structure / Fill Location	Compaction / Moisture Specification
Below foundations, floor slab subgrades and within wall backfill and pavement areas	95% of ASTM D 1557 Moisture: $\pm 3\%$ of optimum
Lawn or unimproved areas	90% of ASTM D 1557 Moisture: optimum to $\pm 3\%$ of optimum

A fulltime soils-technician under guidance of GTA should observe fill construction. Compactive effort should be verified by in-place density testing.

Basement Feasibility

Considering groundwater levels below normal seasonal highs, a nominal clearance of 2 to 3-feet between the estimated seasonal high groundwater and basement depth was used with respect to GTA’s opinion of the feasibility of basement construction when considering groundwater depth.

While the grading scheme is not available at the time of this report, in general, it is our opinion that conventional basement construction (5 to 6 feet deep) is not feasible at most lots, with respect to the estimated seasonal high groundwater level. Depending upon final grading scheme, GTA recommends that the top of finished ground concrete slab surface for each basement/crawlspace lot be placed no lower than as follows:

Lot Numbers	Top of Basement/Crawlspace Slab Embedment Elevation (MSL)
South: 71 – 85, 97 – 99, 103 – 105	EL 26
South: 54 – 59, 176 – 179	EL 27
North: 1 – 23, 38 – 78, 90 – 104 South: 6 – 11, 17, 46 – 53, 60 – 70, 86 – 96, 100 – 102, 106 – 141, 162 – 164, 174, 175, 180 – 188	EL 28
North: 24 – 37, 79 – 89 South: 12 – 16, 18 – 45, 142 – 161, 165 – 173, 189 – 195	EL 29
South: 1 – 5	EL 30

To facilitate basement construction, yard grades will need to be raised several feet, at most lots. If the grades cannot be raised to facilitate basement construction, GTA recommends conditioned crawlspace or slab on grade construction.

If saturated footing and slab subgrades are encountered during construction, GTA should be consulted. The subgrade should be stabilized and the basement or crawlspace ground floor level may have to be raised as recommended by GTA. At lots where, clayey subgrade is encountered at ground floor subgrade, drainage trenches filled with AASHTO # 57 aggregate wrapped with filter fabric (Mirafi 140N or approved equal) will need to be excavated to penetrate the clayey materials and expose underlying sands. GTA should observe the basement/crawlspace foundation subgrade and construction for conformance with our recommendations and to allow for additional recommendations based upon the conditions observed in the field at the time of construction.

For basement and crawlspace foundations, an exterior and interior perimeter foundation drain system outletted to a sump crock provided with a backup mechanical pump is recommended. Perimeter drains should be installed for the foundation to prevent excess hydrostatic pressure. All exterior grades should slope to drain away from the building foundation. Basement and crawlspace drains, dampproofing, footings, and wall construction should be in general accordance with IRC 2012 and Sussex County requirements, as applicable.

Foundations

Based upon the exploration data, it is GTA's opinion that the proposed houses and clubhouse facility may be supported on structural fill or firm native soils using shallow spread footings designed for a maximum net allowable bearing pressure of 2,000 pounds per square foot (psf). Minimum widths for wall footings of 16 inches and column footings of 24 inches are recommended. Settlement of 1-inch total and ½-inch differential over a 50-foot horizontal span is estimated considering preliminary wall loads of 3 kips per foot and column loads of 20 kips. Exterior footings should be founded a minimum of 24 inches below the final exterior grades to provide protection from frost action.

Detailed foundation evaluations should be performed in each footing excavation prior to the placement of reinforcing steel or concrete. These evaluations should be performed by a representative of GTA to confirm that the allowable soil bearing capacity is available. The foundation bearing surface evaluations should be performed using a combination of visual observation, comparison with the borings, hand-rod probing, and Dynamic Cone Penetrometer (DCP) testing. Footings should be concreted on the day they are excavated. If very loose or unsuitable materials are encountered, the footing excavations should be undercut and the subgrade should be reestablished with AASHTO No. 57 crushed stone or in accordance with GTA's recommendations in the field at the time of construction.

Floor Slabs

The ground floors should be designed as concrete slab-on-grade. GTA recommends that the concrete floor slabs supported on grade be founded on a four-inch thick open-graded stone layer covered with a polyethylene vapor retarder to interrupt the rise of moisture through the slab. Natural and compacted fill subgrades for support of the floor slabs should be tested to verify stability and compaction in accordance with GTA's earthwork recommendations prior to placement of concrete. Control joints should be provided to control shrinkage cracking of the concrete floor system. Isolation joints should be present at the location of walls, columns, and footings to allow for differential movement.

Pavements

Pavement sections should be designed based on anticipated subgrade conditions and traffic intensity. Laboratory testing of selected site soils indicated a CBR value of approximately 27.1 percent for the Silty SAND (AASHTO A-2-4(0)) sample tested. The CBR value is based upon a relative compaction of 95 percent of maximum dry density (Modified Proctor, ASTM D-1557). Based upon the CBR value and the field conditions encountered at the borings, the site soils tested are considered to be generally good for supporting standard pavement sections.

Based on GTA's experience with similar projects, construction traffic is likely to be more significant for the design of the pavements. The pavement section thickness should be designed to reflect construction traffic and the subgrade supporting quality of the site soils. The on-site soils conforming to SM, SP-SM or SP will be suitable for the support of the pavement thickness sections indicated in the following paragraphs. However, subgrade materials should be carefully evaluated prior to graded aggregate base placement and paving. Subgrade materials conforming to AASHTO Classification A-4, A-5, A-6 or A-7 and USCS SC classification should be undercut and replaced with suitable granular materials conforming to A-1, A-2 or A-3 and DelDOT Type C Borrow. Therefore, GTA recommends that the upper 12 inches of roadway subgrade be constructed of fill with the following characteristics:

PAVEMENT SUBGRADE SPECIFICATIONS

Liquid Limit	35 or less
Plasticity Index	Non-Plastic
Maximum Dry Density	105 pcf or greater
California Bearing Ratio	10 or greater

Prior to construction of pavement sections, the pavement subgrade should be proof-rolled with a loaded tandem-axle dump truck under the observation of GTA to verify stability. Unstable or unsuitable soils should be over-excavated to a stable bearing layer. The subgrade may be re-established with approved, controlled, compacted stabilized fill. A contingency for undercutting and replacement of unsuitable materials should be provided.

For roadway pavement construction, it is recommended that two different pavement sections be utilized to reduce the potential for pavement failures during construction. The heavy-duty pavement section can be constructed for the primary roadways including the entrance. The standard-duty pavement section can be constructed for the interior minor roadways. It is recommended that construction traffic be limited to the heavy-duty pavement sections. The recommended preliminary pavement sections are as follows:

FLEXIBLE PAVEMENT

Pavement Components	Standard-Duty	Heavy-Duty
Hot Mix Asphalt Surface Course (Type C; 9.5 mm Superpave)	1 ¼ inches	1 ¼ inches
Hot Mix Asphalt Base Course (Type B; 19 mm Superpave)	3 inches	3 ¾ inches
Graded Aggregate Base Course (Type B Crusher Run)	6 inches	8 inches
Approved Subgrade	12 inches	12 inches

RIGID PAVEMENT

Pavement Components	Standard-Duty	Heavy-Duty
Portland Cement Concrete*	6 inches	7 inches
Graded Aggregate Base Course (Type B Crusher Run)	4 inches	4 inches
Approved Subgrade	12 inches	12 inches

*f'c= 4,000 psi concrete provided with 7% air-entrainment; control joints, isolation joints, load transfer devices, and reinforcement as required.

When pavement areas are established to approximate pavement subgrade, the pavement subgrade material should be observed by GTA to allow for additional recommendations based upon subgrade conditions observed at the time of construction. All pavement materials and construction should conform to the State of Delaware, Department of Transportation (DelDOT), STANDARD SPECIFICATIONS, latest edition, and Sussex County standards, as applicable.

LIMITATIONS

This report, including all supporting exploration logs, field data, field notes, laboratory test data, calculations, estimates, and other documents prepared by GTA in connection with this project, has been prepared for the exclusive use of Schell Brothers, LLC pursuant to the agreements between GTA and Schell Brothers, LLC dated April 20, 2021 and in accordance with generally accepted engineering practice. All terms and conditions set forth in the Agreement and the General

Provisions attached thereto are incorporated herein by reference. No warranty, express or implied, is given herein. Use and reproduction of this report by any other person without the expressed written permission of GTA and Schell Brothers, LLC is unauthorized and such use is at the sole risk of the user.

The analysis and preliminary recommendations contained in this report are based on the data obtained from limited observation and testing of the encountered materials. Test borings indicate soil conditions only at specific locations and times and only at the depths penetrated. They do not necessarily reflect strata or variations that may exist between test boring locations. Consequently, the analysis and recommendations must be considered preliminary until the subsurface conditions can be verified by direct observation at the time of construction. If variations of subsurface conditions from those described in this report are noted during construction, recommendations in this report may need to be re-evaluated.

In the event that any changes in the nature, design, or location of the facilities are planned, the conclusions and recommendations contained in this report should not be considered valid unless the changes are reviewed and conclusions of this report are verified in writing. Geo-Technology Associates, Inc. is not responsible for any claims, damages, or liability associated with interpretation of subsurface data or reuse of the subsurface data or engineering analysis without the expressed written authorization of Geo-Technology Associates, Inc.

The scope of our services for this geotechnical exploration did not include any environmental assessment or investigation for the presence or absence of wetlands, or hazardous or toxic materials in the soil, surface water, groundwater or air, on or below or around this site. Any statements in this report or on the logs regarding odors or unusual or suspicious items or conditions observed are strictly for the information of our Client. This report and the attached logs are instruments of service. The subject matter of this report is limited to the facts and matters stated herein. Absence of a reference to any other conditions or subject matter shall not be construed by the reader to imply approval by the writer.

Important Information about This Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

The Geoprofessional Business Association (GBA) has prepared this advisory to help you – assumedly a client representative – interpret and apply this geotechnical-engineering report as effectively as possible. In that way, you can benefit from a lowered exposure to problems associated with subsurface conditions at project sites and development of them that, for decades, have been a principal cause of construction delays, cost overruns, claims, and disputes. If you have questions or want more information about any of the issues discussed herein, contact your GBA-member geotechnical engineer. Active engagement in GBA exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project.

Understand the Geotechnical-Engineering Services Provided for this Report

Geotechnical-engineering services typically include the planning, collection, interpretation, and analysis of exploratory data from widely spaced borings and/or test pits. Field data are combined with results from laboratory tests of soil and rock samples obtained from field exploration (if applicable), observations made during site reconnaissance, and historical information to form one or more models of the expected subsurface conditions beneath the site. Local geology and alterations of the site surface and subsurface by previous and proposed construction are also important considerations. Geotechnical engineers apply their engineering training, experience, and judgment to adapt the requirements of the prospective project to the subsurface model(s). Estimates are made of the subsurface conditions that will likely be exposed during construction as well as the expected performance of foundations and other structures being planned and/or affected by construction activities.

The culmination of these geotechnical-engineering services is typically a geotechnical-engineering report providing the data obtained, a discussion of the subsurface model(s), the engineering and geologic engineering assessments and analyses made, and the recommendations developed to satisfy the given requirements of the project. These reports may be titled investigations, explorations, studies, assessments, or evaluations. Regardless of the title used, the geotechnical-engineering report is an engineering interpretation of the subsurface conditions within the context of the project and does not represent a close examination, systematic inquiry, or thorough investigation of all site and subsurface conditions.

Geotechnical-Engineering Services are Performed for Specific Purposes, Persons, and Projects, and At Specific Times

Geotechnical engineers structure their services to meet the specific needs, goals, and risk management preferences of their clients. A geotechnical-engineering study conducted for a given civil engineer

will not likely meet the needs of a civil-works constructor or even a different civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client.

Likewise, geotechnical-engineering services are performed for a specific project and purpose. For example, it is unlikely that a geotechnical-engineering study for a refrigerated warehouse will be the same as one prepared for a parking garage; and a few borings drilled during a preliminary study to evaluate site feasibility will not be adequate to develop geotechnical design recommendations for the project.

Do not rely on this report if your geotechnical engineer prepared it:

- for a different client;
- for a different project or purpose;
- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, the reliability of a geotechnical-engineering report can be affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. *If you are the least bit uncertain about the continued reliability of this report, contact your geotechnical engineer before applying the recommendations in it. A minor amount of additional testing or analysis after the passage of time – if any is required at all – could prevent major problems.*

Read this Report in Full

Costly problems have occurred because those relying on a geotechnical-engineering report did not read the report in its entirety. Do not rely on an executive summary. Do not read selective elements only. *Read and refer to the report in full.*

You Need to Inform Your Geotechnical Engineer About Change

Your geotechnical engineer considered unique, project-specific factors when developing the scope of study behind this report and developing the confirmation-dependent recommendations the report conveys. Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the elevation, configuration, location, orientation, function or weight of the proposed structure and the desired performance criteria;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project or site changes – even minor ones – and request an assessment of their impact. *The geotechnical engineer who prepared this report cannot accept*

responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.

Most of the “Findings” Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site’s subsurface using various sampling and testing procedures. *Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing is performed.* The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgement to form opinions about subsurface conditions throughout the site. Actual site-wide subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team through project completion to obtain informed guidance quickly, whenever needed.

This Report’s Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, they are not final, because the geotechnical engineer who developed them relied heavily on judgement and opinion to do so. Your geotechnical engineer can finalize the recommendations *only after observing actual subsurface conditions* exposed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. *The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.*

This Report Could Be Misinterpreted

Other design professionals’ misinterpretation of geotechnical-engineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a continuing member of the design team, to:

- confer with other design-team members;
- help develop specifications;
- review pertinent elements of other design professionals’ plans and specifications; and
- be available whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction-phase observations.

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, *but be certain to note*

conspicuously that you’ve included the material for information purposes only. To avoid misunderstanding, you may also want to note that “informational purposes” means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, *only* from the design drawings and specifications. Remind constructors that they may perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. This happens in part because soil and rock on project sites are typically heterogeneous and not manufactured materials with well-defined engineering properties like steel and concrete. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled “limitations,” many of these provisions indicate where geotechnical engineers’ responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a “phase-one” or “phase-two” environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnical-engineering report does not usually provide environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated subsurface environmental problems have led to project failures.* If you have not obtained your own environmental information about the project site, ask your geotechnical consultant for a recommendation on how to find environmental risk-management guidance.

Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, the engineer’s services were not designed, conducted, or intended to prevent migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, *proper implementation of the geotechnical engineer’s recommendations will not of itself be sufficient to prevent moisture infiltration.* Confront the risk of moisture infiltration by including building-envelope or mold specialists on the design team. *Geotechnical engineers are not building-envelope or mold specialists.*



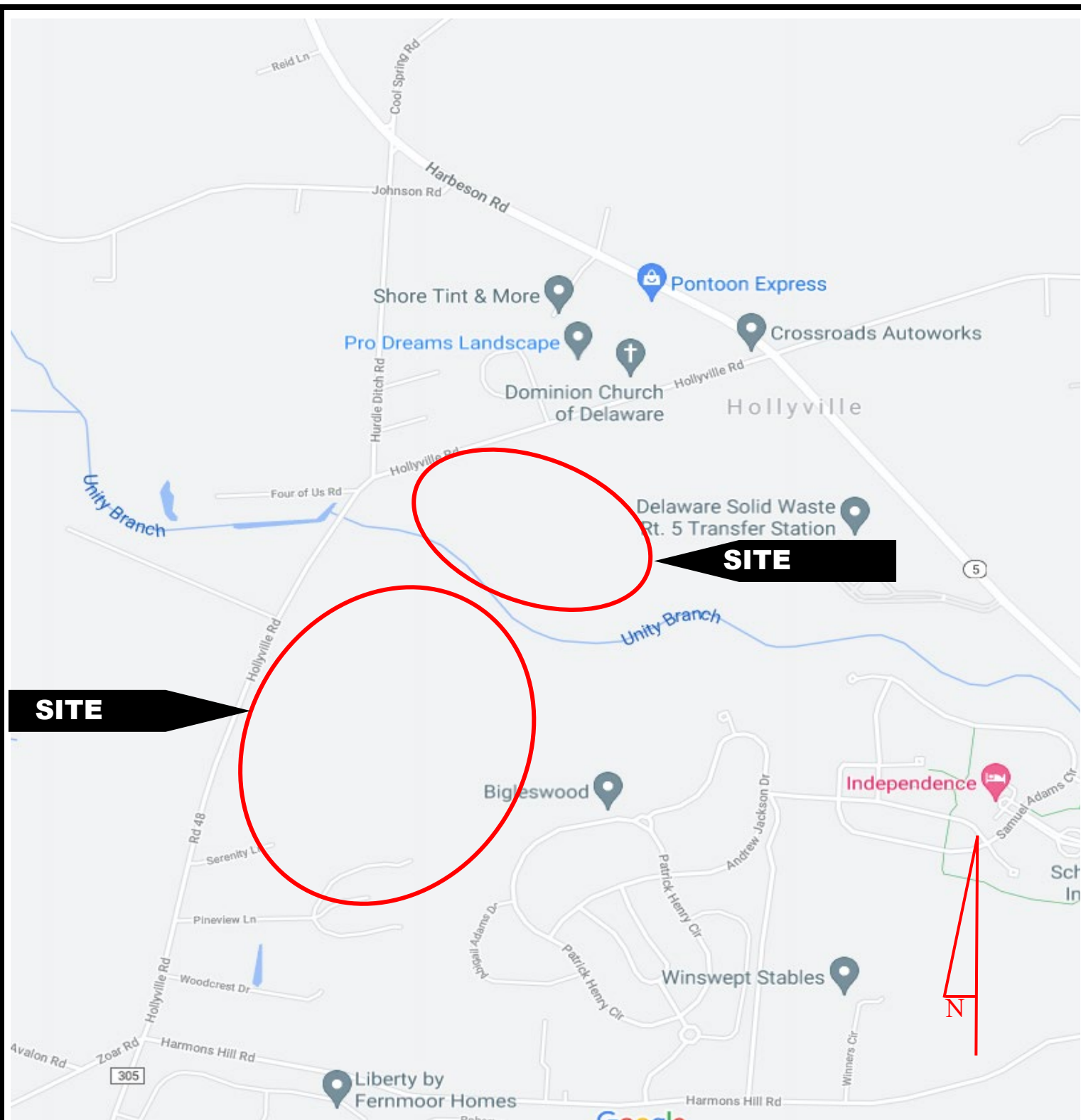
GEOPROFESSIONAL
BUSINESS
ASSOCIATION

Telephone: 301/565-2733

e-mail: info@geoprofessional.org www.geoprofessional.org

APPENDIX A

FIGURES



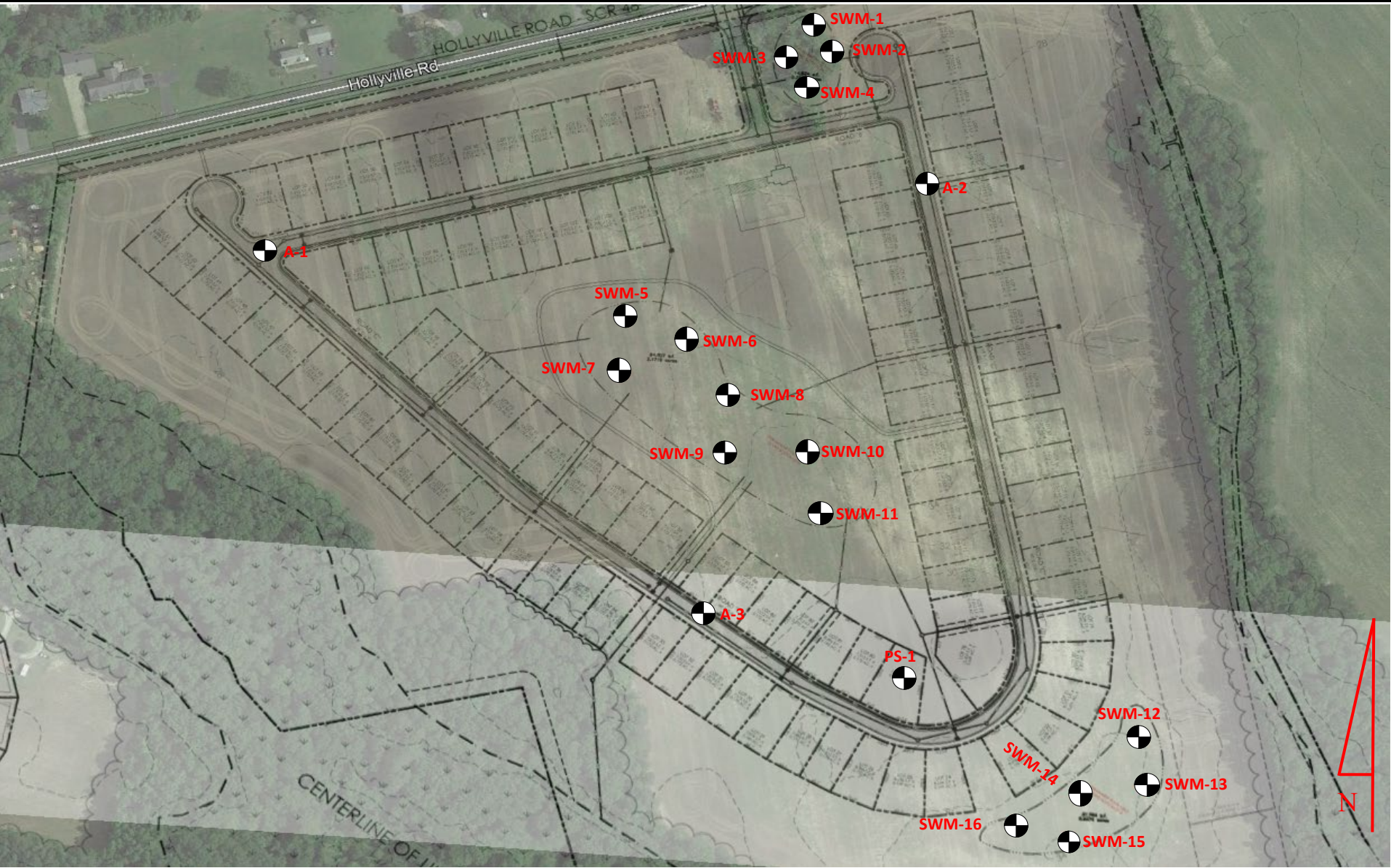
Site Location Plan taken from Google Maps




GEO-TECHNOLOGY ASSOCIATES, INC.
 GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS
 21133 Sterling Avenue, Suite 7
 Georgetown, Delaware 19947
 (302) 855-9761 Fax (302) 856-3388

**Site Location Plan
 Hollyville Property
 Sussex County, Delaware**

SCALE	DATE	DRAWN BY	DESIGN BY	REVIEW BY	JOB NO.
NTS	August 2021	GTA	Google Maps	GRS	31210796



Exploration Location Plan taken from Google Earth and an untitled plan prepared by Solutions IPEM and not dated.

 Exploration Location



GEO-TECHNOLOGY ASSOCIATES, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS
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Georgetown, Delaware 19947
(302) 855-9761 Fax (302) 856-3388

Exploration Location Plan
Hollyville
Sussex County, Delaware

SCALE 11X17
1" ~ 190'

DATE
August 2021

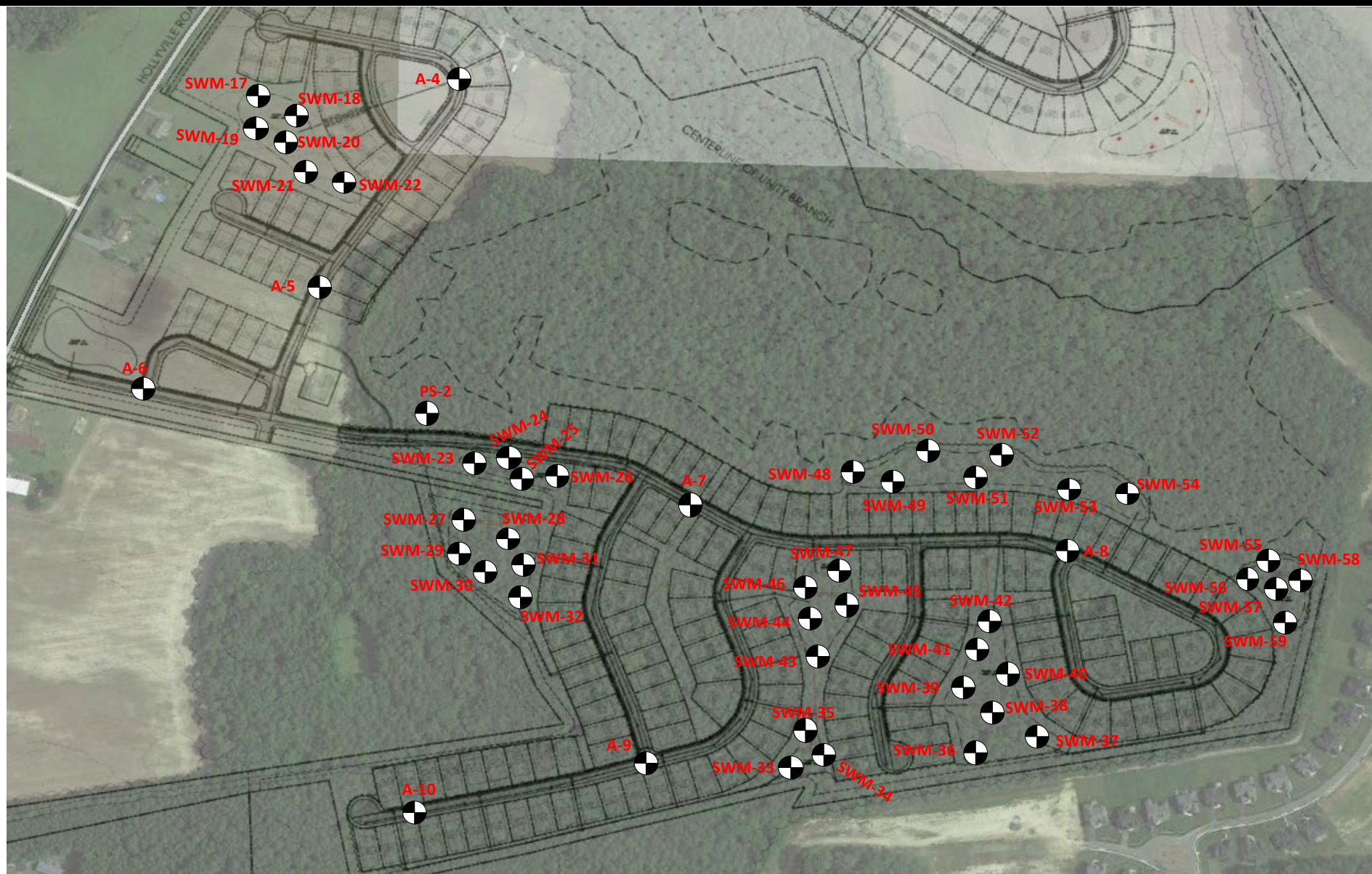
DRAWN BY
GTA

DESIGN BY
Solutions


REVIEW BY
GRS

JOB NO.
31210796

Figure
2



Exploration Location Plan taken from Google Earth and an untitled plan prepared by Solutions IPEM and not dated.

 Exploration Location



GEO-TECHNOLOGY ASSOCIATES, INC.
 GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS
 21133 Sterling Avenue, Suite 7
 Georgetown, Delaware 19947
 (302) 855-9761 Fax (302) 856-3388

Exploration Location Plan
Hollyville Property
Sussex County, Delaware

SCALE 11X17
 1" ~ 305'

DATE
 August 2021

DRAWN BY
 GTA

DESIGN BY
 Solutions

REVIEW BY
 GRS

JOB NO.
 31210796

Figure
 3



OVER 100 YEARS OF SUPERIOR SERVICE

Artesian Water Company



Artesian Wastewater Management



Artesian Utility Development



Artesian Water Pennsylvania



Artesian Water Maryland



Artesian Wastewater Maryland

July 26, 2021

Mr. Chris Schell
Schell Brothers, LLC
20184 Phillips Street
Rehoboth Beach, Delaware 19971

RE: Unity Branch Subdivision Ability to Serve Letter

With reference to your request concerning Water and Wastewater Service (collectively, "Service") for Unity Branch Subdivision Project on Hollyville Road in Indian River Hundred, Sussex County, Delaware, with tax parcel numbers 234-10.00-199.00, 234-16.00-1.01, 234-16.00-1.02, 234-16.00-3.00, 234-16.00-4.00 and 234-16.00-5.00 (the "Property"), please be advised as follows:

Subject to the following conditions, Artesian Water Company, Inc. and Artesian Wastewater Management, Inc. (collectively, "Artesian") are willing and able to provide Service to the Property that meets all applicable State of Delaware, Delaware Department of Natural Resources and Environmental Control, and Sussex County standards. Artesian has the water and wastewater Certificates of Public Convenience and Necessity ("CPCNs") from the Delaware Public Service Commission.

Based on current conditions and subject to the development entity and Artesian entering Water and Wastewater Service Agreements (collectively, "Agreements") that addresses the financial terms of the provision of Service for the Property, in accordance with Artesian's tariff as approved by the Delaware Public Service Commission, Artesian is willing and able to provide the required Service for this Property.

This letter shall expire if Agreements are not executed within one year of the date of this letter.

If you have any questions, please do not hesitate to contact us.

Yours very truly,

Katherine E. Garrison

Katherine E. Garrison
Senior Planning Designer

Jason Palkewicz, Professional Engineer **CEO**

EDUCATION

BE, Environmental Eng., 1995
Hofstra University

MS, Civil Eng., 1999
University of Toledo

REGISTRATIONS

- Professional Engineer
MD # 25088
- Professional Engineer
DE # 12083
- Professional Engineer
VA # 035417

MEMBERSHIPS

- LEED, AP

PROFESSIONAL SUMMARY

Mr. Palkewicz is a Professional Engineer and Project Manager with licenses in Maryland, Virginia and Delaware, with over 25 years of experience successfully overseeing all phases of planning, engineering and survey projects for government and private-sector clients. He is a highly skilled team leader, detail oriented with the ability to solve problems with limited resources while never losing sight of the big picture.

SPECIAL PROJECT EXPERIENCE

- **Pot-Nets Bayside, Sussex County, DE** – Provided design and permitting drawings for the rehabilitation and replacement of approximately 10,000 lf of vinyl marina bulkhead including dozens of piers, hundreds of piles and two boat launching facilities.
- **Pelican Point, Sussex County, DE** – Prepared construction drawings and plats for a 379 unit residential along Rte 5 outside of Long Neck. Plans included roadway, grading, sediment and erosion control, potable water, gravity sanitary sewer and sanitary pump station
- **Chase Oaks, Sussex County, DE** – The civil engineer project manager for this 253 unit coastal area cluster subdivision located on Robinsonville Road. The project included planning, entitlement, roadway, grading, stormwater management, sanitary sewer, pump station and DelDOT entrance design.
- **Headwater Cove, Sussex County, DE** – Prepared construction drawings and plats for a 163 unit residential subdivision on Dorman Road. Plans included roadway, grading, sediment and erosion control, potable water, gravity sanitary sewer and sanitary pump station.

Jamie Whitehouse

From: islanddiver2003 <islanddiver2003@yahoo.com>
Sent: Thursday, September 9, 2021 3:48 PM
To: Planning and Zoning
Subject: Against 2021-4 Fairmont

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

Dear members of the planning and zoning boards,

My name is Janet Sullins and I live at 23242 Hollyville Rd., across from the proposed idiotic subdivision.

People come to Sussex County because it's Slower lower Delaware, but now, it's only slower because you can't get anywhere on Rte. 1. Not only do we not need another gargantuan fake neighborhood, Hollyville Rd is not the place for one. And if there are another planned for 200 houses barely a mile further west, then that is just true idiocy.

Hollyville Rd is dangerous and narrow. There are no shoulders, only ditches. People come around the blind curve at appropriately named Hurdle Ditch Rd., and wind up in the ditch, taking out mailboxes....mine was first taken out 4 days after I moved in/installed it. Others have had theirs out multiple times also. Adding approximately 200 cars to the daily mix is not a wise move. If you dont go ahead with this, you won't be fixing problems later

I am on a national site called NextDoor, and at least once every week, I see posts from people in local communities complaining of cars being broken into, or even having bicycles stolen out of open garages in broad daylight . We rather enjoy living in a safe stretch where we don't worry if we go out and forget to lock up. These fake neighborhoods entice criminals to park and sneak around.

Another thing to be considered is the long term occupation of these houses. Most people moving here are retirees, and in 20 or 30 years will be in assisted living or dead. There is not the population behind them who are going to fill the vacancies. Instead of buying these mcmansions which are thrown up in 30 days or so, perhaps they should be encouraged to restore one of the many homes in disrepair. And keep those on the tax rolls.

Just because you can grant permission for these to be built, doesn't mean you should. The onus is on you to make the ethical decision to preserve the land...and our watertable! Oh, by the way... That tract is practically a wetland.

Thank you for listening,
Janet Sullins

Sent from my Verizon, Samsung Galaxy smartphone

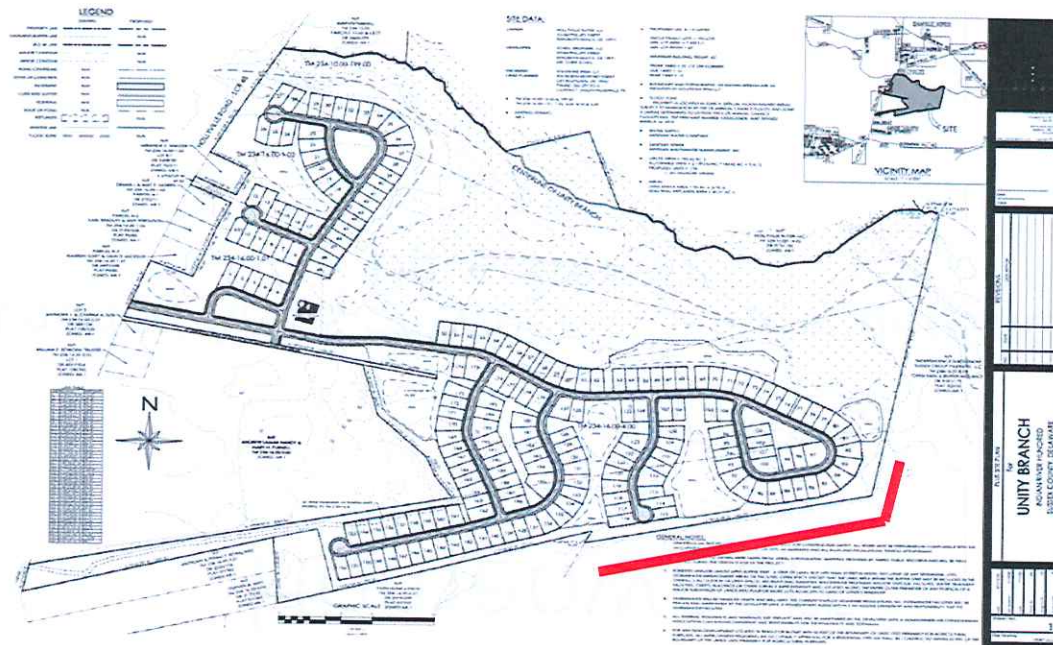
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SUSSEX COUNTY
PLANNING & ZONING

Unity Branch (UB) Development Effects on The Independence Homeowners

- Wooded Areas between UB and Independence
Developments

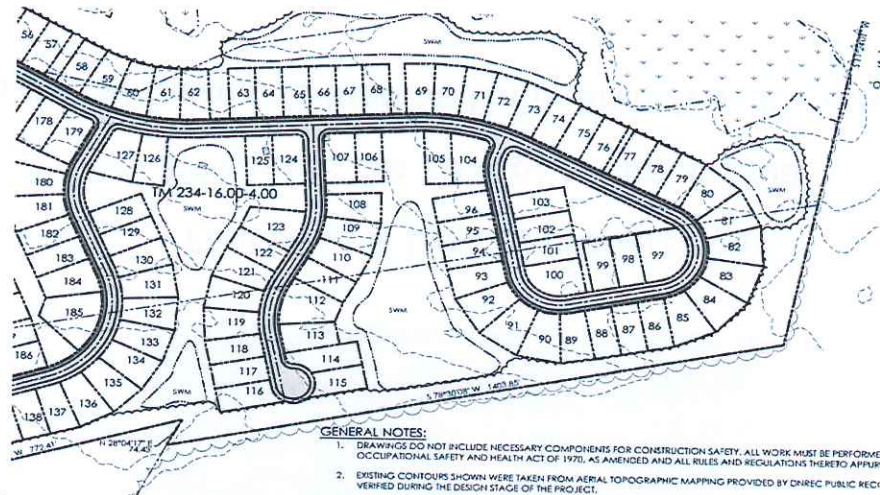


Unity Branch development

- 24 Independence homesites effected (red line area)
- Average \$25,000 lot premiums paid for "Wooded Lots"
- Total of approximately \$600,000 paid by 24 Independence homeowners at closing



- First cone is Lot 250 property line
- 2nd cone is the 20 ft of common area
- 3rd cone is the 30 ft area defined on Unity Branch as the new wooded line



- Area of concern for 24 Independence homesites losing the forested backyards that premiums were paid for.
- Request Unity Branch (UB) developer look into increasing the “Wooded Line” buffer zone by 50 feet.

AND/OR

- Do not remove trees from the “Wooded Line” area between the two communities. Plant more trees/shrubs/conifers in the “Wooded Line” area between the two communities. This would consist of 3 rows of plants/trees in the buffer zone. First a row of shrubs as close to the Independence property line, followed by a row of conifers in the middle and finally any hardwoods that could be planted closest to the UB property line to alleviate visual and sound concerns for both developments

Unity Branch development effects on the Independence Homeowners – Drainage Issues

I am Sal Guida. I live at 29590 Patrick Henry Circle in the Independence Community. My house backs up to the proposed Unity Branch Community (UBC) sometimes referred to as Turnberry.

I, and some of my neighbors who also back up to the proposed UBC, have had problems with standing water both on our property and Community property. The water abuts the UBC community property.

I first brought this problem to the attention of the Schell Construction Manager while my house was being built in July 2019. We have since discussed this problem with Schell Brothers Builders, Ocean Atlantic, and the Sussex Conservation District. Schell Brothers and Ocean Atlantic have agreed to correct this problem and other standing water problems in the Community. But the corrections have not been made.

This issue, in addition to making portions of our property unusable, creates an environment conducive to mosquito breeding and often makes mowing impossible. I believe that it reduces the value of our homes, not only those effected by the flooding, but our community as well.

I am concerned that the removal of more trees will make the flooding problem worse.

Since Unity Branch is also a Schell Brothers community, I request that you make remediation of these problems prior to the start of construction a condition in the approval process.

I have attached two photos taken from my yard. One is looking east and the other looking west.

I invite all of you to visit my property to see the problems.

Thank you.

Sal Guida





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Unity Branch Development Impact on Independence Homeowners

Privacy, Premiums, 55+ Community

The Unity Branch development will directly impact 42 Independence residents on 24 lots, and indirectly impact Independence overall. Other residents are equally concerned with the minimal buffer and 203 have signed a petition requesting that the distance between Unity Branch and Independence be increased by an additional 50' of woods (80' of woods in total) on the Unity Branch side.

The proposed 30' buffer is not sufficiently dense enough to secure our privacy. Independence residents can see clearly through to the 30' marker. A Schell Brothers' representative has referred to it as a 50' buffer, by including the Independence 20' of common area at the end of Independence residents' property line, but that 20' is just grass, no trees, therefore no visual buffer.

The homeowners on these 24 lots made very deliberate decisions to pay extra -- most paying a \$25,000 premium -- for a wooded lot to ensure privacy in retirement. These are our dream houses in a 55+ community. With the current proposed buffer, the Unity Branch development -- which is not a 55+ community -- with its 195 homes, ponds and other structures will likely be visible and audible to us. If trees are cleared past that 30' marker, it will ruin the backyards of these 24 lots and likely decrease real estate value.

In light of the hundreds of thousands of dollars paid specifically for wooded lots and to insure our privacy and our 55+ community, we request that the Planning and Zoning Commission make it a condition in the approval process to increase the buffer by 50' wooded feet on the Unity Branch side. A possible solution could be shortening the lots to be sold at Unity Branch that back up to Independence to preserve the forest.

Thank you.

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Petition Against 2021-05 Unity Branch

SUSSEX COUNTY
ANNING & ZONING

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The clearing of trees on the Unity Branch border with Independence could adversely impact already existing drainage issues for Independence residents who have been experiencing flooding problems.

An 80' wooded buffer of mature trees enables both Independence residents and Unity Branch residents to have a natural barrier, ensuring their privacy and comfort. It will also provide the developer of Unity Branch Development the opportunity to sell wooded lots at a premium.

Since Schell Brothers is the developer of both properties, it is in their control and best interest to create a harmonious environment.

	Name (Printed)	Signature	Address	Date
1	William S. McGloin	<i>William S. McGloin</i>	29576 Patrick Henry Cir Millsboro DE	9/6/21
2	PAULA GANZI MCGLOIN	<i>Paula Ganzi McGloin</i>	29576 Patrick Henry Circle, Millsboro DE 19966	9/6/21
3	Kim Barnes	<i>Kim Barnes</i>	29719 Frankline Road Millsboro, DE 19966	9/6/21
4	Tom Barnes	<i>Tom Barnes</i>	" "	9/6/21
5	WENNY MORELLI	<i>Wenny Morelli</i>	30191 Ethan Allen Ct	9-6-21
6	Serry Baker	<i>Serry Baker</i>	" "	10-1
7	S BEZAK	<i>S Bezak</i>	23817 Sam Adams Circle	9-6-21
8	BOB ALPADO	<i>Bob Alpado</i>	29585 Patrick Henry Cir	9-6-21
9	THOMAS GEALY	<i>Thomas Gealy</i>	29581 Patrick Henry Circle Millsboro, DE 19966	9-6-21
10	<i>Christine M. Alough</i>	<i>Christine M. Alough</i>	29581 Patrick Henry Circle Millsboro, DE 19966	9-6-21
11	CHRISTINE ALLOUGH	<i>Christine Alough</i>	29585 Patrick Henry Cir Millsboro, DE 19966	9-6-21
12	Christine M. Alough	<i>Christine M. Alough</i>	" "	9-6-21
13	Sean Boyajian	<i>Sean Boyajian</i>	29582 Andrew Jackson Dr. Millsboro, DE 19966	9-6-21
14	Dave Boyajian	<i>Dave Boyajian</i>	" "	9-6-21

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COUNTY
ZONING

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	Name (Printed)	Signature	Address	Date
15	Sharon Langston	Sharon B. Langston	29716 E. Roosevelt	9/6/21
16	R.L. Lampron	R.L. Lampron	" "	9/6/21
17	Cynthia Beggs	WLB	29438 Andrew Jackson Dr. Millsboro	9/6/21
18	Ron Rollman	Ronald Rollman	29537 Patrick Henry Circle	9/6/21
19	M. Rollman	M. Rollman	29537 PHC	9/6/21
20	Susan Farinacci	Susan A. Farinacci	23595 Francis Marion Ct	9/6/21
21	Gene Farinacci	Gene Farinacci	23595 Francis Marion Cr	9/6/21
22	David Flogg	David Flogg	29438 Andrew Jackson Dr.	9/6/21
23	J. KARANTZALIS	J. Karantzalis	29480 ANDREW JACKSON DR	9/6/21
24	Maria Karantzalis	Maria Karantzalis	29480 ANDREW JACKSON DR	9/6/21
25	Gloria K DeLoro	Gloria K DeLoro	29435 Andrew Jackson Dr	9/6/21

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SUSSEX COUNTY
PLANNING & ZONING

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	Name (Printed)	Signature	Address	Date
26	Barb Caputo	[Signature]	29597 PATRICK Henry	9-6-21
27	Carol Gurling	[Signature]	23808 Sam Adams	9-6-21
28	LOIS SCHWARTZ	[Signature]	29492 ANDREW JACKSON DR	9-6-21
29	Joe + Ev. Quiring	[Signature]	23855 SAM ADAMS dr.	9-6-21
30	JAMES E. McLEARY	[Signature]	34022 BENJAMIN FRANKLIN HWY	9/6/21
31	Rosemary + Ivar Nelson	[Signature]	23835 Sam Adams	9-6-21
32	SCOTT KESTEL	[Signature]	29612 MARTIN VAN BUREN DR	9/8/21
33	Regina McShane	[Signature]	29604 Martin Van Buren Dr	9/8/21
34	James McShane	[Signature]	29604 Martin Van Buren Dr	9-8-21
35	M. DeGuglielmo	[Signature]	29501 PATRICK HENRY CIRCLE	9/6/21
36	Patrick Ottens	[Signature]	29520 Patrick Henry Circle	9/6/21
37	Ellen Goffa	[Signature]	29629 Martin Van Buren Dr.	9/6/21
38	Roger McLevey	[Signature]	29487 Andrew Jackson Dr.	9/6/21

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39	LINDA LEWIS	Linda Lewis	24004 Benjamin Harrison Circle	9/6/21
40	TIM IERARDI	Tim Ierardi	24101 Benjamin Harrison Circle	9/6/21
41	PETER BOGETT	Peter Bogett	24004 Benjamin Harrison Cir Millsboro, DE 19966	9/6/21
42	KATHI MCCARTHY	Kathi McCarthy	29490 Andrew Jackson Dr Millsboro, DE 19966	9-6-21
43	DAN MCCARTHY	Dan McCarthy	29490 ANDREW JACKSON DR MILLSBORO, DE 19966	9/6/21
44	Patricia Guida	Patricia Guida	29590 Patrick Henry Circle (P) Millsboro, DE 19966	9-6-21
45	SAL GUIDA	Sal Guida	29590 Patrick Henry Cir Millsboro, DE 19966	9-6-2021

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	Name (Printed)	Signature	Address	Date
46	Barbara Kuehl	B Kuehl	23596 Francis Marion Court	9/6/21
47	JANDA DEGUELICHIS	J Deguelichis	21501 PATRICK Henry Cir	9/6/21
48	Jane Pritchett	Jane Pritchett	21650 Martin Van Buren Dr.	9/6/21
49	Susan O'Hara	21520 Patrick Susan O'Hara	Henry Circle Millsboro, DE	9/6/21
50	Kathy Elkhart	Kathy Elkhart	21650 Martin Van Buren	9/6/21
51	Yvonne Iellariello	Yvonne Iellariello	24010 Benjamin Harrison Circle	9/6/21

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	Name (Printed)	Signature	Address	Date
52	STEVEN GADBOIS	[Signature]	24026 BENJAMIN HARRISON CIRCLE MILLSBORO DE 19966	9-6-21
53	Sherril Gadbois	[Signature]	24026 Benjamin Harrison Dr. Millsboro DE 19966	9-6-21
54	Deb Blatt	[Signature]	29375 Andrew Jackson Dr. Millsboro DE 19966	9-6-21
55	Marilyn Haynos	[Signature]	29449 Andrew Jackson Drive Millsboro, Delaware	9-6-21
56	JANICE Cibelli	[Signature]	23855 BETY ROSS LN Millsboro DE	9-6-21
57	Amiro "Giz" Gutierrez	MIKO GUTIERREZ	29681 F. ROOSEVELT LN MILLSBORO, DE	9-6-21

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	Name (Printed)	Signature	Address	Date
58	PHYLLIS GUTZMERTL	<i>Phyllis Gutzmirtl</i>	29681 Franklin Roosevelt Ln Millsboro, DE 19966	9-6-21
59	GARY SIMONE	<i>Gary Simone</i>	29676 Franklin Roosevelt Ln Millsboro, DE 19966	9-6-21
60	Patricia Simone	<i>Patricia Simone</i>	29676 Franklin Roosevelt Ln Millsboro, DE 19966	9/6/21
61	Sheri McAlevey	<i>Sheri McAvey</i>	29487 Andrew Jackson Millsboro DE 19966	9/6/21
62	AUDREY BONNETT	<i>Audrey Bonnett</i>	30192 ETHAN ALLEN MILLSBORO 19966	9.6.21
63	Cathy Farinelli	<i>Cathy Farinelli</i>	29156 ABIGAIL PARKS MILLSBORO DE	9-6-21

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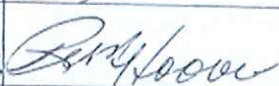
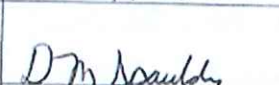
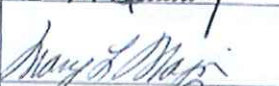

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64 DAVID MAJOR		30165 ETHAN ALLEN	9/6/21
65 TOM FARINELLI		29156 ABIGAIL ADAMS	9/6/21
66 ROSS HOOVER		23605 THOMAS PAINE DR. MILLBORO DE 19966	9/6/21
67 DM SPAULDING		2314 SUMMIT MEANS CIRCLE MILLBORO DE	9/6/21
68 MARY MAJOR		30165 ETHAN ALLEN CT. 19966	9-6-21
69 MARGARET RUPP		23831 SAMUEL ADAMS C.R. MILLBORO, DE 19966	9-6-21

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70	Jim Quackenbush		29197 Martin Van Buren	9/6/21
71	V Quackenbush		29597 Martin Van Buren Dr.	09/06/21
72	Gary Frenson		29615 Martin Van Buren Dr	9/6/21
73	Diane Frenson		29615 Martin Van Buren Dr	9/6/21
74	Bruce Romick		23713 S.A. Rd	9/6/21
75	Catherine Rahn		23713 S.A.C.	9/6/21
76	LINDA KRAK		29582 PATRICK HENRY Cir.	9/6/21
	George McDonald		29160 Abigail Adams Dr.	9/6/21
77	Cathy McDonald		29160 Abigail Adams Dr.	9/6/21
78	Martha Bonli		29601 Patrick Henry Cir	9/6/21

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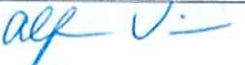

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	Name (Printed)	Signature	Address	Date
79	John Miklavic		29607 Patrick Henry Cir Millsboro, DE 19966	9/6/21
80	Julie Miklavic		29607 Patrick Henry Circle Millsboro DE 19966	9/6/21
81	Barbara Lewis		29606 Patrick Henry Circle	9/6/21
82	Ren Levine		29606 Patrick Henry Circle	9/6/21
83	MITCH KRAFT		29582 PATRICK HENRY CIRCLE MILLSBORO, DE 19966	9/6/21
84	RICK BONTI		29601 PATRICK HENRY CIRCLE	9/6/21
	MARLA BONTI		" " " "	"
85	Alfonse Vico		23853 Betty Ross Ln	9/6/21
86	Alfred Vico		23853 Betty Ross Lane	9/6/21

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SUSSEX COUNTY
PLANNING & ZONING

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	Name (Printed)	Signature	Address	Date
67	Fred D. Sisto	<i>Fred D. Sisto</i>	29500 Andrew Jackson Dr. Millsboro DE 19966	9/6
68	Chris D. Sisto	<i>Christine D. Sisto</i>	29500 Andrew Jackson Dr. Millsboro DE 19966	9/6
89	Madelyn Thompson	<i>Madelyn Thompson</i>	30190 Ethan Allen Ct Millsboro, DE 19966	9/6
90	Rich Thompson	<i>Rich Thompson</i>	30190 Ethan Allen Ct Millsboro, DE 19966	9/6
91	RENEE SHULLEN	<i>Renee Shullen</i>	29642 MARTIN VAN BUREN MILLSBORO, DE 19966	9/6
92	PAT NUOTOLA	<i>Patricia Nuotola</i>	29506 PATRICK HENRY CIR. MILLSBORO, DE 19966	9/6/2021

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	Name (Printed)	Signature	Address	Date
93	DENNIS Nucato/A	<i>Dennis Nucato</i>	28506 PATRICK Henry Cir MILLSBORO DE 19966	9/6/21
94	Raymond Lacey	<i>Raymond Lacey</i>	29631 Patrick Henry Cir Millsboro, DE 19963	9/6/21
95	Carlene Whitfel	<i>Carlene Whitfel</i>	29774 Samuel Adams Cir Millsboro, DE 19966	9/6/21
96	Arlene Gordon	<i>Arlene Gordon</i>	23814 SAC Millsboro, DE	9/6/21
97	ALLAN Goldstein	<i>Allan Goldstein</i>	23774 Samuel Adams Cir Millsboro, DE	9/6/21
98	Nancy Chazyjnski PT952/nsk	<i>Nancy Chazyjnski</i>	29614 Martin Van Buren Dr Millsboro DE 19966	9/6/21

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	Name (Printed)	Signature	Address	Date
99	MaryBeth Jones	MB Jones	29594 Patrick Henry Cir.	9-6-21
100	Tom Jones	[Signature]	LOT 255	
101	Marcy Maxwell	[Signature]	23694 Samuel Adams Cir 1966	9-6-21
102	Michael Greaves	[Signature]	"	"
103	Bill & Sheila Donovan	[Signature]	29621 Merton Van Buren Millsboro DE.	9-6-21
104	George McDonald	[Signature]	29160 Abigail Adams	9/6/21
105	Margie Jones	[Signature]	29325 Andrew Jackson	9-6-21
106	Herb Zinder	[Signature]	29325 Andrew Jackson	9-6-21

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	Name (Printed)	Signature	Address	Date
107	Donise Kmetz	<i>Donise Kmetz</i>	29163 Abigail Adams	9/6/21
108	Rox Kmetz	<i>Rox Kmetz</i>	29163 Abigail Adams	9/6/21
109	Mario P. H.	<i>M P H</i>	29164 Abigail Adams	9-6-21
110	Lynn Goodman	<i>Lynn Goodman</i>	29615 Patrick Henry Circle	9-6-21

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111	Jane Bognell	Jane Bognell	29593 Patrick Henry Circle Millsboro	9/7/21
112	RICHARD BAENE	Richard Baene	29593 PATRICK HENRY CIRCLE MILLSBORO DE	9/7/21
113	CATHERINE URRICH	Catherine Urrich	29580 Patrick Henry Circle Millsboro, DE 19966	9/7/21
114	Elizabeth Carman	Elizabeth Carman	29580 Patrick Henry Circle H. Millsboro, DE 19966	9/7/21
115	GAIL RYAN	Gail Ryan	23800 Samuel Adams Ct. Millsboro, DE 19966	9-7-21
116	JUDE RYAN	Jude Ryan	23800 SAMUEL ADAMS CT. MILLSBORO, DE 19966	9-7-21

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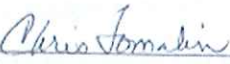

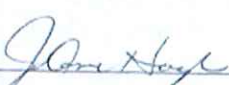
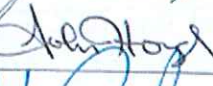

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117	MAUREEN SMITH		23700 SAMUEL ADAMS CIR MILLSBORO DE 19966	9/6/21
18	CHRIS TOMALIN		MILLSBORO DE 29417 Andrew Jackson Dr.	9/6/2021
19	EILEEN CLARK		29677 Franklin Roosevelt MILLSBORO, DE 19966	9/6/21
20	JOANNE HOGG		29683 FRL MILLSBORO, DE 19966	9/6/21
21	JOHN HOGG		29683 FRANKLIN ROOSEVELT LN MILLSBORO DE 19966	9/6/21
22	JAMES T. SMITH		23700 SAMUEL ADAMS CIRCLE MILLSBORO DE 19966	9/6/21

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123	Nathan Wise	<i>Nathan Wise</i>	23730 Samuel Adams Cir.	9-6-21
124	Cathy Hutcherson	<i>Cathy Hutcherson</i>	23818 Samuel Adams Circle	9/6/21
125	Kay Brondi	<i>Kay Brondi</i>	29574 Andrew Jackson	9/6/21
126	PAT JUREWIKZ	<i>Pat Jurewikz</i>	23841 Samuel Adams	9/6/21
27	J Jurewikz	<i>J Jurewikz</i>	" "	" "
128	RICHARD WABR	<i>Richard Wabr</i>	23834 SAMUEL ADAMS	9/6/21
129	CAROLYN ERB	<i>Carolyn Erb</i>	29505 PATRICK HENRY CIR	9/6/21

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30	DIANNE HOOVER	<i>Dianne Hoover</i>	23605 Thomas Park Drive	9/6/21
131	Jean Rice	<i>E. Jean Rice</i>	29383 Andrew Jackson Dr	9/6/21
32	Rob PRICE	<i>Rob Price</i>	" "	9/6/21
133	Gordon Hutchinson	<i>Gordon H</i>	23829 Sam Adams	9/6/21
134	Carol Hutchinson	<i>Carol Hutchinson</i>	" "	9/6/21
35	SUSAN E SAVAN	<i>Susan E Savan</i>	29620 Patrick Henry Circle	9/6/21

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136	Mary Beth Casey	Mary Beth Casey	23806 Samuel Adams Cir	9/6/21
37	Jim Erb	Jim Erb	29505 Patrick Henry Cir	9/6/21
138	LORRAINE CALVO	Lorraine Calvo	23884 Samuel Adams Cir., Millsboro, DE 19966	9/6/21
39	LOIS FORD	Lois A. Ford	29491 Andrew Jackson Millsboro, DE 19966	9/6/21
140	KAREN PARRINO	Brenda Hersh	29574 Patrick Henry Cir Millsboro DE 19966	9-6-21
41	Bob Hersh	Bob Hersh	29574 Patrick Henry Cir Millsboro DE 19966	9-6-21

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142	T.N. TOMALIN	T.N. Tomalin	29417 ANDREW JACKSON DR.	9/6/21
143	Cheryl Perry	Cheryl Perry	29457 Andrew Jackson	9/6/21
144	Elia B/BA	Elia B/BA	29375 DD DR	9/6/21
145	Nancy Pascale	Nancy Pascale	29476 Andrew Jackson Dr	9/6/21
46	DAVID HAZOSKI	DAVID HAZOSKI	29643 PATRICK HENRY	9/6/21
47	Gina Perry	Gina Perry	29457 ANDREW JACKSON	9/6/21

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148	CHRISTOPHER GALEONE	<i>Christopher Galeone</i>	29175 ABIGAIL ADAMS DR.	9/6/21
149	Rhea McVicker	<i>Rhea McVicker</i>	29469 Andrew Jackson Dr	9/6/21
150	Barry McVicker	<i>Barry McVicker</i>	29469 Andrew Jackson Dr	9/6/21
151	Suzanne Callinan	<i>Suzanne Callinan</i>	29470 ANDREW JACKSON DR	9/6/21
152	John F Callinan	<i>John F Callinan</i>	" "	"
153	Burt Hutchinson	<i>Burt Hutchinson</i>	23818 SAMUEL ADAMS	9/6/21

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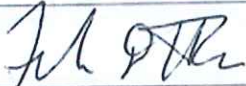
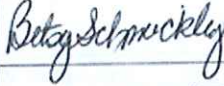
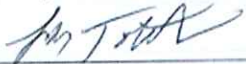

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The clearing of trees on the Unity Branch border with Independence could adversely impact already existing drainage issues for Independence residents who have been experiencing flooding problems.

An 80' wooded buffer of mature trees enables both Independence residents and Unity Branch residents to have a natural barrier, ensuring their privacy and comfort. It will also provide the developer of Unity Branch Development the opportunity to sell wooded lots at a premium.

Since Schell Brothers is the developer of both properties, it is in their control and best interest to create a harmonious environment.

	Name (Printed)	Signature	Address	Date
154	Richard Schmitt		23852 Samuel Adams Cir Millsboro, DE 19966	9/7/21
155	Frank & Lucille D. Towno		23710 Samuel Adams Cir Millsboro DE 19966	9/7/21
156	Betsy and Bruce Schmuckley		26966 Patrick Henry Cir. Millsboro DE 19966	9/7/2021
157	LARRY TOOTCHEN		29577 Patrick Henry Circle Millsboro DE 19966	9/7/2021
158	Sacquette H Tootchen		29577 Patrick Henry Circle Millsboro DE	9/2/2021

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SUSSEX COUNTY
PLANNING & ZONING

Petition Against 2021-05 Unity Branch

Petition Summary: Requesting Unity Branch Development increase the distance between Independence and Unity Branch by 50 feet and that this buffer remain wooded.

We, the undersigned, residents of Sussex County, Delaware, request that the proposed Unity Branch Development increase its wooded buffer that borders the Independence Development lots 233-257 on Patrick Henry Circle, Andrew Jackson Drive and Francis Marion Court for the following reasons:

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	Name (Printed)	Signature	Address	Date
159	ANN MELLINGER	<i>Ann Mellinger</i>	29669 FRANKLIN ROOSEVELT W MILLSBORO DE	9/6/2021
160	Sandra Craig	<i>Sandra Craig</i>	29500 Patrick Henry Cir., Millsboro	9/6/2021
161	Richard Craig	<i>Richard Craig</i>	29500 " " " "	9/6/2021
162	Jeff Levine	<i>Jeff Levine</i>	23600 Samuel Adams Cir " "	9/6/2021
163	Joni Levine	<i>Joni Levine</i>	23600 Samuel Adams Circle " "	9/6/2021
164	Sandra Fluck	<i>Sandra Fluck</i>	23743 Samuel Adams Circle " "	9/6/21
165	Pat Morgan	<i>Pat Morgan</i>	23749 Samuel Adams Circle " "	9/6/21
166	Christina	<i>Christina</i>	29661 FRANKLIN ROOSEVELT " "	9/6/2021

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	Name (Printed)	Signature	Address	Date
167	Yelene Wood	Yelene Wood	29661 Franklin, Roosevelt Ln Millsboro	9/6/21
168	SUSAN BUFFO	Susan Buffo	28715 Franklin Roosevelt L N MILSB	9/6/21
169	Kathryn Bolster	Kathryn Bolster	29600 Martin Van Buren, Millsboro	9/7/21

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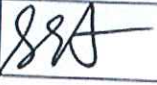
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Name (Printed)	Signature	Address	Date
170 Ryan T. Asaph		29528 Patrick Henry Circle Millsboro, DE (Independence)	9/7/21
171 Susan E. Asaph		29528 Patrick Henry Cir. Millsboro, DE (Unity)	9/7/21

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Keep the wooded buffer

27 people have signed this petition. Add your name now!

3 Comments



Petition Against 2021-05 Unity Branch

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Name (Printed)

Signature

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SUSSEX COUNTY
PLANNING & ZONING

Address

Date

Share for Success

Share on Facebook Share on Twitter Share in Messenger

COMMENTS

- Patricia Plitt
Sep 07, 2021
I am on Francis Marion and I will be directly impacted by this development
- Bob Denson
Sep 07, 2021
When we bought here I asked Josh and was told no additional schell houses would be built along that perimeter .
- Michele Parkins
Sep 07, 2021
Keep our buffer!

to comment

SIGNATURES

- 172 • Richard Engelman United States
- 173 • Barbara Karp United States
- 174 • Bill Marijane Schrammel United States
- 175 • Michael Volpe United States
- 176 • Patricia Plitt United States
- 177 • Laurel Druben United States
- 178 • Sondra Lucky United States
- 179 • Bob Denson United States
- 180 • Adrienne Weible United States
- 181 • Ronald Kassenoff United States
- 182 • Michele Parkins United States
- 183 • Fred Bush United States
- 184 • Michael Bobek Jr. United States
- 185 • Robert Campbell United States
- 186 • Jean Thompson United States
- 187 • Jannette Lawrence United States
- 188 • Ann Leisenring United States
- 189 • Suzanne Gruber United States
- 190 • Schaffer Steven United States
- 191 • Colleen Grier United States

- 192 • Ed Madenford United States
- 193 • Qun Zhang United States
- 194 • Shek Wu United States
- 195 • Susan Schaffer United States
- 196 • Gloria Macin United States
- 197 • Carrie Thompsen United States
- 198 • Janet Johnson United States

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199	STANLEY KARP	<i>Stanley Karp</i>	29455 ANDREW JACKSON DR,	9/7/21
200	Billie Hay	<i>Billie Hay</i>	29444 Andrew Jackson Dr	9/7/21
201	Robert S. Donnelly	<i>RD</i>	23592 Francis Marion Ct	9/7/21
202	Diane B Donnelly	<i>Diane B Donnelly</i>	23592 Francis Marion Ct	9/7/21
203	DANLEY KUMMER	<i>DANLEY</i>	23596 Francis Marion Court	9/7/21