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





PLEASE NOTE

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



PLANNING & ZONING COMMISSION

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





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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date October 28, 2021

Application: The Knoll (2021-08)

Applicant: Irons Knoll, LLC

118 Atlantic Avenue, Suite 202

Ocean View, DE 19970

Owner: Irons Knoll, LLC

118 Atlantic Avenue, Suite 202

Ocean View, DE 19970

Site Location: Lying on the east side of Irons Lane (S.C.R 348) approximately 0.44

mile north of Holts Landing Road (S.C.R. 346)

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

Proposed Use: 33 Lot Cluster Subdivision

Comprehensive Land

Use Plan Reference: Coastal Area

Councilmanic

District: Mr. Hudson

School District: Indian River School District

Fire District: Millville Fire Company

Sewer: Sussex County

Water: Tidewater

Site Area: 14.66 +/- acres

Tax Map ID.: 134-7.00-163.00



Sussex County



PIN:	134-7.00-163.00
Owner Name	IRONS KNOLL LLC
Book	5300
Mailing Address	118 ATLANTIC AVE STE 202
City	OCEAN VIEW
State	DE
Description	ON TOWN ROAD
Description 2	FX
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

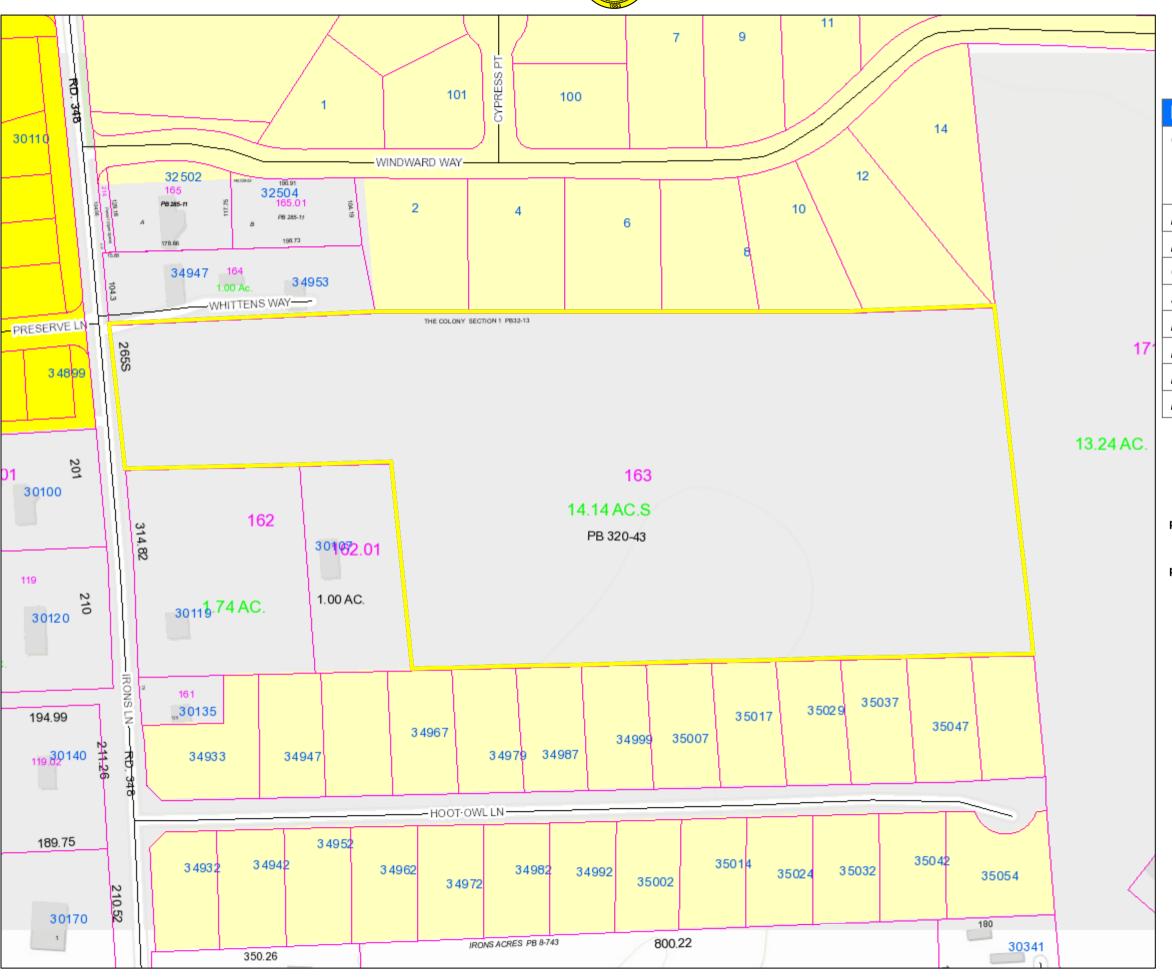
911 Address

Streets

County Boundaries

1:2,257 0.0275 0.055 0.11 mi 0.0425 0.085 0.17 km





PIN:	134-7.00-163.00
Owner Name	IRONS KNOLL LLC
Book	5300
Mailing Address	118 ATLANTIC AVE STE 202
City	OCEAN VIEW
State	DE
Description	ON TOWN ROAD
Description 2	FX
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

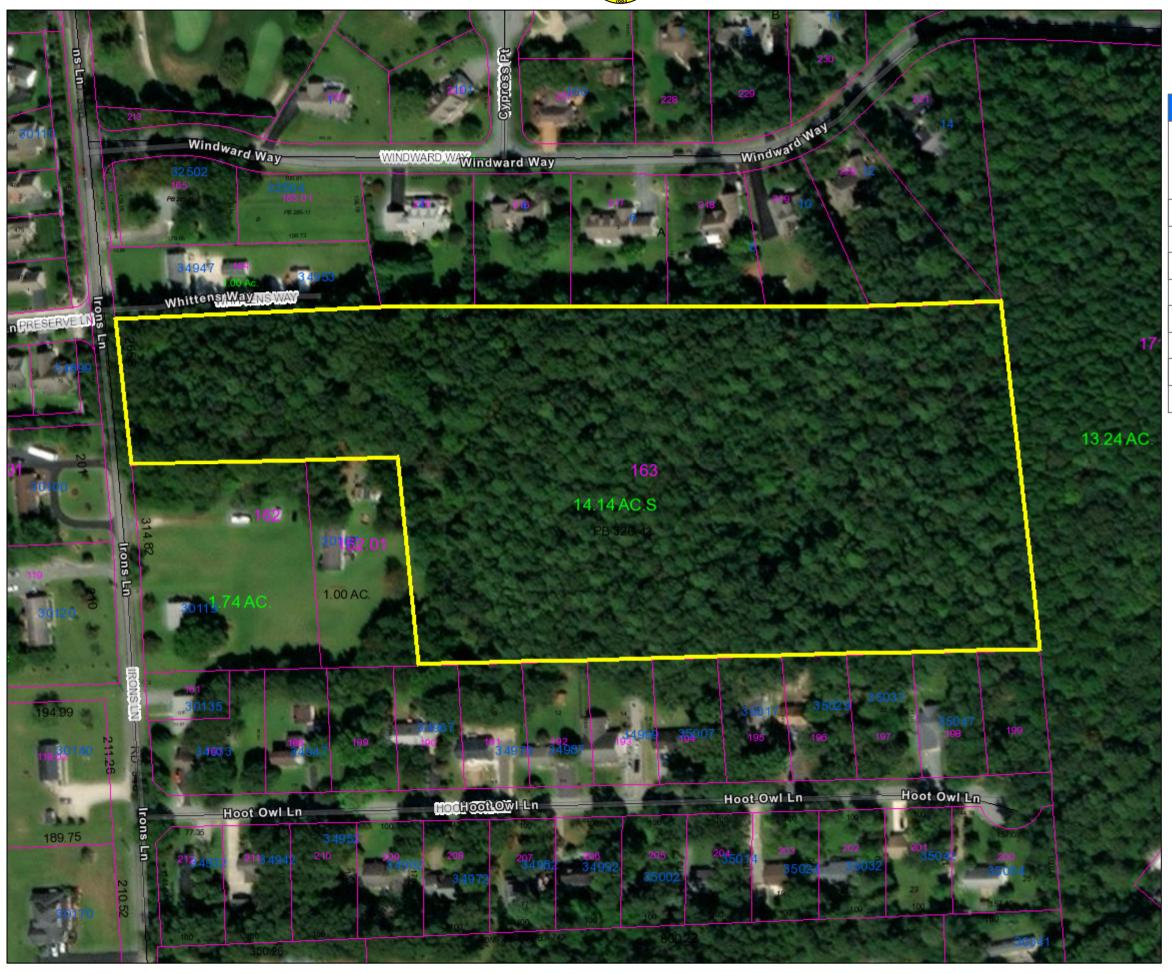
Override 1

Tax Parcels

911 Address

Streets

1:2,257 0 0.0275 0.055 0.11 mi 0 0.0425 0.085 0.17 km



134-7.00-163.00
IRONS KNOLL LLC
5300
118 ATLANTIC AVE STE 202
OCEAN VIEW
DE
ON TOWN ROAD
FX
N/A

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

County Boundaries

Tax Ditch Segments

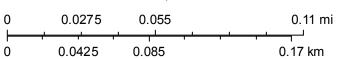
Tax Ditch Channel

--- Pond Feature

+ Special Access ROW

Extent of Right-of-Way

1:2,257



File #: 2021 - 0%
Pre-App Date:____

Sussex County Major Subdivision Application 2620 16349 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 applicab	le)
Standard:	
Cluster: Constal Associated Aso	
Coastal Area: 🗸	
Location of Subdivision:	
Situated on east side of Irons Lane north of Holt's La	inding Road and abuts Irons Acres and The Colony subdivisions.
Proposed Name of Subdivision:	
The Knoll	
Tax Map #: 134-7.00-163.00	Total Acreage: 14.66
Zoning: <u>AR-1</u> Density : <u>2.25</u> Mi	nimum Lot Size: 7,500 Number of Lots: 33
Open Space Acres: 6.2 acres (42%)	
	-
Water Provider: Tidewater Utilities	Sewer Provider: Sussex County
Applicant Information	
Applicant Name: Irons Knoll, LLC	
Applicant Address: 118 Atlantic Avenue, Suite 20	2
City: Ocean View	State: <u>DE</u> ZipCode: <u>19970</u>
Phone #: <u>(302)</u> 539-2488	
Owner Information	
Owner Name: Irons Knoll, LLC	
Owner Address: 118 Atlantic Avenue, Suite 202	Ct-t DE 7:- C-d 10070
City: Ocean View	State: DE Zip Code: 19970
Phone #: <u>(302) 539-2488</u>	E-mail: brad@truenorthls.com
Agent/Attorney/Engineer Information	
Landscape Architect:	DIA Land Took Land Dlanning LLC
Agenty/titorney/Engineer Name:	RLA - Land Tech Land Planning, LLC
Agent/Attorney/Engineer Address: Taggart P	The second secon
City: Bethany Beach	State: <u>DE</u> Zip Code: <u>19930</u>
Phone #: <u>(302)</u> 539-2366	E-mail: jeffc@landtechllc.com





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 proposed lots, landscape plan, etc. Per Subdivision (or Provide compliance with Section 99-9. ○ Deed or Legal description, copy of proposed deed results. 	ls, floodplain, wetlands, topography, Code 99-22, 99-23 & 99-24
✓ Provide Fee \$500.00	
Optional - Additional information for the Commission to con books, etc.) If provided submit seven (7) copies and they shall of ten (10) days prior to the Planning Commission meeting.	
Please be aware that Public Notice will be sent to property of subject site and County staff will come out to the subject sit sign on the site stating the date and time of the Public Heari	e, take photos and place a
PLUS Response Letter (if required) Environmental Assets Evaluation Report	sessment & Public Facility (if within Coastal Area)
51% of property owners consent if applicable	
The undersigned hereby certifies that the forms, exhibits, and statements plans submitted as a part of this application are true and correct.	contained in any papers or
I also certify that I or an agent on by behalf shall attend all public hearing Zoning Commission and any other hearing necessary for this application a questions to the best of my ability to respond to the present and future n morals, convenience, order, prosperity, and general welfare of the inhabit Delaware.	nd that I will answer any eeds, the health, safety,
Signature of Applicant/Agent/Attorney Date:	25/2020
Signature of Owner Bully L Date: 11/2	5/2020
For office use only: 12 28 2020 Date Submitted: Fee: \$500.00 Check #: Staff accepting application: Application & Case #: Location of property:	1004 1004 2020 No 349
Date of PC Hearing: Recommendation of PC Cor	mmission:



STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

800 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

November 20, 2019

Ms. Janelle Cornwell, Director Sussex County Planning & Zoning P.O. Box 417 Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Bayside Knoll, LLC** rezoning application, which we received on October 22, 2019. This application is for an approximately 14.14-acre parcel (Tax Parcel: 134-7.00-163.00). The subject land is located on the east side of Irons Lane (Sussex Road 348), approximately 2,300 feet northeast of the intersection of Holts Landing Road 346) and Irons Lane. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to MR (Medium-Density Residential) to develop 33 single-family detached houses.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Irons Lane where the subject land is located, which is from Old Mill Road (Sussex Road 349) to the Indian River, are 4,702 and 6,051 vehicles per day, respectively.

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

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



Ms. Janelle M. Cornwell Page 2 of 2 November 20, 2019

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

Sincerely,

T. William Brockenbrough, Jr.

J. William Broilemburgh, S.

County Coordinator

Development Coordination

TWB:cjm

Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues Bayside Knoll, LLC, Applicant

J. Marc Coté, Assistant Director, Development Coordination

Gemez Norwood, South District Public Works Manager, Maintenance & Operations Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination

Derek Sapp, Subdivision Manager, Development Coordination

Kevin Hickman, Subdivision Manager, Development Coordination

Brian Yates, Subdivision Manager, Development Coordination

John Andrescavage, Subdivision Manager, Development Coordination

Troy Brestel, Project Engineer, Development Coordination

Claudy Joinville, Project Engineer, Development Coordination

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

		O/O G. O/Z OOMMINENTO
TO:		Jamie Whitehouse
REVI	IEWER:	Chris Calio
DATE	Ξ:	9/3/2021
APPL	_ICATION:	2021-08 The Knoll
APPL	_ICANT:	Irons Knoll LLC
FILE	NO:	SPS-5.04
	MAP & CEL(S):	134-7.00-163.00
LOCA	ATION:	Lying on the east side of Irons Lane (SCR 348), approximately 0.44 mile north of Holts Landing Road (SCR 346).
NO.	OF UNITS:	33 lots
GRO ACRI	SS EAGE:	14.66
SYS	TEM DESIGN	ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: 2
SEW	ER:	
(1).	Is the project	et in a County operated and maintained sanitary sewer and/or water
	Yes	□ No ⊠
		ee question (2). e question (7).
(2).	Which Coun	ty Tier Area is project in? Tier 2
(3).	(3). Is wastewater capacity available for the project? Yes If not, what capacity is available? N/A.	
(4).	Is a Constru (302) 855-7	ction Agreement required? Yes If yes, contact Utility Engineering at 717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
 - Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? Yes
- (8). Comments: Click or tap here to enter text.
- (9). Is a Sewer System Concept Evaluation required? Already Completed, See Attached
- (10). Is a Use of Existing Infrastructure Agreement Required? Yes
- (11). All residential roads must meet or exceed Sussex County minimum design standards.

UTILITY PLANNING & DESIGN REVIEW APPROVAL:

John J. Ashman

Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.

Lisa Walls Noell Warren

ENGINEERING DEPARTMENT

JOHN J. ASHMAN SR. MANAGER OF UTILITY PLANNING & DESIGN REVIEW

> (302) 855-7370 T (302) 854-5391 F jashman@sussexcountyde.gov





DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

SEWER SERVICE CONCEPT EVALUATION (SSCE) UTILITY PLANNING & DESIGN REVIEW

Applicant: GMB
Date: 7/19/2021
Reviewed by: Chris Calio
Agreement #:1161
Project Name: The Knoll
Tax Map & Parcel(s): 134-7.00-163.00
Sewer Tier: Tier 2 - Sussex County Planning Area
Proposed EDUs: 33
Pump Station(s) Impacted: PS 95, PS 270, PS 99
List of parcels to be served, created from the base parcel: N/A
List of additional parcels to be served (Parcels required for continuity must be served with infrastructure):134-7.00-162.00 & 162.01
Connection Point(s): MH 4 In Irons Lane
Use of Existing Infrastructure Agreement required? Yes ⊠ or No □
Annexation Required? Yes ⊠ or No □
Easements Required? Yes ⊠ or No □
Fee for annexation (based on acreage):\$1,500 (10.00 - 150.00 Acres)
Current Zoning: AR-1 Zoning Proposed: AR - Cluster



Acreage: 14.66

Additional Information: On construction drawings extend sewer infrastructure south to the property line set manhole and provide 8" lateral to parcel 134-7.00-162.00 as shown on attached redlined markup drawing.

* No capacity is guaranteed until System Connection Fees are paid

All gravity sewers with three (3) or more minor branches shall be designed at minimum slope and maximum depth.

Sussex County will be assessing bonding and inspection on projects on a unit cost approach per phase.

Recordation of Phasing Plans will now be <u>required</u>, each phase must be recorded prior to issuance of the Notice to Proceed. Any revisions to the phase will require the plan be rerecorded.

Once Construction Drawings are completed with all of the above information satisfied, please submit to:

Sussex County Utility Planning & Design Review 2 The Circle P.O. Box 589 Georgetown DE 19947

CC: John Ashman Jordan Dickerson Noell Warren

Policy for Extending District Boundaries

- 1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
- 2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
- 3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

Application Fe	es
Less than 2 acres	\$500.00
2.1 -9.99 acres	\$750.00
10 - 150.00 acres	\$1,500.00
Greater than 150.00 acres	\$2,500.00

- 4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
- 5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
- 6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
- 7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.

Nick Torrance

From:

Cullen, Kathleen M <kathleen_cullen@fws.gov>

Sent:

Monday, March 8, 2021 11:11 AM

To:

Planning and Zoning

Subject:

FWS review of multiple subdivisions

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

Hi-

This email is regarding the following subdivisions: Coral Crossing, The Knolll, Brookland Farm, Graywood Springs, and Wil King Station. There are no federally listed species at any of these locations, so no further Section 7 consultation is needed. You can fill out the Online Certification Letter if further documentation is needed: https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/online-certification-letter.html

Our office is currently teleworking for the foreseeable future, so there may be delays in mail pick up. For future projects, the fastest way to get a response is to submit through IPaC: https://ecos.fws.gov/ipac/. Please let me know if you have any questions!

Thank you, Kathleen

Kathleen Cullen
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office
177 Admiral Cochrane Dr., Annapolis MD, 21401
410-573-4579 - kathleen cullen@fws.gov



2320 SOUTH DUPONT HIGHWAY DOVER, DELAWARE 19901 AGRICULTURE.DELAWARE.GOV

Telephone: (302) 698-4500 Toll Free: (800) 282-8685 Fax: (302) 697-6287

March 5, 2021

Nick Torrance, Planner I Planning & Zoning Commission P.O. Box 417 Georgetown, Delaware 19947

Subject:

Preliminary Plans for The Knoll

Dear Mr. Torrance,

Thank you for providing preliminary plans for The Knoll subdivision submitted by George, Miles & Buhr, LLC Architects & Engineers to our section dated December, 2020.

The Delaware Forest Service recommends the plans reflect tree planting specifications and that the ISA ANSI A300 best management practices are followed for newly installed trees. DFS recommends planting a 70/30 mix of hardwood and evergreen tree species. There are several tree species that are not recommended for planting in the state due to their invasive nature or the susceptibility to pests and diseases. These species are listed on our department website. The Delaware Forest Service requests planting details and tree species to be added to the preliminary plans before being approved. Please resubmit the preliminary plans to Delaware Forest Service once the updates are completed.

The Delaware Forest Service will await resubmission of plans.

If you have any questions please feel free to contact me at taryn.davidson@delaware.gov.

Sincerely,

Taryn Davidson

Urban Forestry Program

Taugh Davidson

Delaware Forest Service

Nick Torrance

From:

Anthony, Mindy (DNREC) < Mindy. Anthony@delaware.gov>

Sent:

Wednesday, March 3, 2021 10:36 AM

To:

Planning and Zoning

Subject:

FW: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm,

2021-10 Graywood Springs, CZ 1937 Wil King Station

Attachments:

2021-09 Brookland Farm Subdivision Plan.pdf; 2021-10 Graywood Springs Subdivision

Plan.pdf; CZ 1937 Double DB, LP (Wil King Station) Subdivision Plan.pdf

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

Good morning,

DNREC's Division of Waste and Hazardous Substances has reviewed the applications for Project #s 2021-06, 2021-08, 2021-09, 2021-10 and CZ 1937 and has no comments on any of them.

Thank you,

Mindy Anthony Planner IV DNREC-Div. of Waste & Hazardous Substances 89 Kings Hwy Dover, DE 19901 Phone: 302-739-9466 Fax: 302-739-5060

Mindy. Anthony@delaware.gov

Integrity. Respect. Openness. Customer Focus. Quality.



https://de.gov/recycling www.facebook.com/delawarerecycles

From: Nick Torrance <nicholas.torrance@sussexcountyde.gov>

Sent: Monday, January 04, 2021 10:44 AM

To: Krumrine, Beth (DNREC) <Beth.Krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Fox, Duane T. (FireMarshal) <Duane.Fox@delaware.gov>; Butler, Eileen M. (DNREC) <Eileen.Butler@delaware.gov>; Sullivan, James C. (DNREC) <James.Sullivan@delaware.gov>; Cinelli, Jennifer (DelDOT) <jennifer.cinelli@delaware.gov>; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; Crystall, Meghan (DNREC) <Meghan.Crystall@delaware.gov>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@delaware.gov>; Mike Brady <MBRADY@sussexcountyde.gov>; Melendez, Milton (DDA) <milton.melendez@delaware.gov>; Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>; Subdivision (MailBox Resources) <Subdivision@delaware.gov>; Susan Isaacs <sisaacs@sussexcountyde.gov>; Laws, Susanne K (DelDOT) <Susanne.Laws@delaware.gov>; tdickerson@decoop.com; Terri Dukes tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>

Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

1

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021. This may be a duplicate email to some, but I received quite a few returned emails for the size being too large to send. So I will be sending out 2 separate emails. Please look for both.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: pandz@sussexcountyde.gov

Nick Torrance

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947



United States Department of Agriculture

Natural Resources Conservation Service

Februa

February 15, 2021

Georgetown Service Center

Jamie Whitehouse, Director Sussex County Planning & Zoning Sussex County. Courthouse Georgetown, DE 19947

21315 Berlin Road Unit 3 Georgetown, DE 19947

Voice 302.856.3990 Fax 855.306.8272 RE: The Knoll

Baltimore Hundred 33 single family lots

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

EvD

Evesboro loamy sand, 5 to 15 percent slopes

FhA

Fort Mott-Henlopen complex, 0 to 2 percent slopes

FmA

Fort Mott loamy sand, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
EvD	Y3	Somewhat limited	Somewhat limited	Very limited
FhA	G1	Not limited	Not limited	Somewhat limited/not limited
FmA	G1	Not limited	Not limited	Somewhat limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

"Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

"Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.

"Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

G1:

These soils are on nearly level to strongly sloping (0-10% slopes), well drained, mostly permeable soils. As sites for large commercial, industrial, institutional, and residential developments, these soils have fewer limitations than any other soils in the state. Slopes are favorable, and grading can be done without difficulty. Foundation conditions are generally good. Grasses, trees, and do well. Principal soil limitations: No apparent soil limitations for conventional uses.

Y3:

Strongly sloping to steep (5-15% slopes) excessively drained, very sandy, rapidly permeable soils. These are the same kind of soils as in subclass G2 but are more sloping. Slopes moderately limit their use for residential developments, but available moisture for lawns, trees, shrubs, and gardens is severely limited, especially if the soil has been graded.

The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

Sincerely,

Thelton D. Savage

District Conservationist

USDA, Natural Resources Conservation Service

Keiter Dy Dury

TDS/bh



2021-08 TM #134-7.00-163.00 The Knoll



2021-08 TM #134-7.00-163.00 The Knoll

29. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

UTILITY PLANNING DIVISION COMMENTS

REVIEWER:

Chris Calio

APPLICATION:

2021-08 - The Knoll

APPLICANT:

Irons Knoll LLC

FILE NO:

SPS-5.03

TAX MAP &

PARCEL(S):

134-7.00-163.00

LOCATION:

Located on the east side of Irons Lane (SCR 348),

approximately 0.44 mile north of Holts Landing Road (SCR

346)

NO. OF UNITS:

33 single-family lots

GROSS

ACREAGE:

14.66

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

SEWER:

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

Yes 🗆 ·

No 🛛

- a. If yes, see question (2).
- b. If no, see question (7).
- (2). Which County Tier Area is project in? Tier 2
- (3). Is wastewater capacity available for the project? Yes If not, what capacity is available? N/A.
- (4). Is a Construction Agreement required? Yes If yes, contact Utility Engineering at (302) 855-7717.

- 7. The project requires professional land surveying services to accurately delineate, and show the following items but is not limited to the following: all property and right-of-way lines, established at a minimum, two (2) horizontal and vertical control concrete project benchmarks, survey monuments, easements; existing and proposed topographic contours at 1-foot vertical intervals and spot elevations as necessary to establish grades, the locations of all existing structures, highway and roadway pavements, shoulders, curbs, driveways, sidewalks, lighting structures, traffic control signs, and all public and private utilities, including, but not limited to, electric power and telephone lines, poles and boxes, underground electric, telephone, and communication lines, potable water lines, fire hydrants and valve boxes, gas lines, wells, sanitary sewers including septic systems, rim and invert elevations of manholes and cleanouts, and the rims and invert elevations and type of storm water structures, drainage ditches, ponds, streams and waterways, flood zones and flood zone boundaries and elevations, and State and Federal wetlands, trees, cemeteries and historic features, and the finished floor elevations of buildings.
- 8. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer.
- The plan requires a Certification Signature and/or a Certification Block for the Delaware Professional Engineer or Delaware Land Surveyor.
- The plan requires a Certification Signature and/or a Certification Block for the Owner or Representative of the Owner.
- 11. The plan requires a Certification Signature and/or a Certification Block for the Professional Wetlands Delineator.
- 12. The name, address, phone number and contact person's name of the Owner of Record, the Developer and the Engineer or Surveyor preparing the plan.
- Indicate the location of all wetlands (both state and federal), in order to facilitate compliance with County, State and Federal requirements.
- 14. Define the courses and distances of the property perimeter and the approximate acreage contained therein. Establish and set in the field two (2) CONCRETE MONUMENT project benchmarks, preferably at property perimeter corners, georeferenced to the Delaware State Plane Coordinate system NAD 83 and show the location including the North and East coordinates of the marks on the plans.
- 15. Indicate the development construction phases proposed showing the boundaries of each phase. Phasing boundaries shall include buildings, residential units, amenities, roads, storm water management facilities, wastewater systems and all other improvements and utilities required to service each phase.
- 16. Show the layout, width and names of all streets, alleys, crosswalks and easements proposed to be dedicated for private or public use. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets.
- 17. When on site individual septic tank systems are to be used and the lot topography is to be modified by cuts and fills it is required that the Design Engineer contact the

ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718 AIRPORT & INDUSTRIAL PARK (302) 855-7774 **ENVIRONMENTAL SERVICES** (302) 855-7730 PUBLIC WORKS (302) 855-7703 (302) 854-5033 RECORDS MANAGEMENT UTILITY ENGINEERING (302) 855-7717 (302) 855-7719 UTILITY PERMITS (302) 855-1299 UTILITY PLANNING (302) 855-7799 FAX



Sussex County

DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

MICHAEL E. BRADY DIRECTOR OF PUBLIC WORKS

January 8, 2021

REF:

T. A. C. COMMENTS

THE KNOLL SEWER TIER 2

SUSSEX COUNTY ENGINEERING DEPARTMENT

SUSSEX COUNTY TAX MAP NUMBER

134-7.00 PARCEL 16300 PROJECT CLASS-1 AGREEMENT NO. 1161

The following comments are the result of the Sussex County Engineering Department's review of the preliminary site plan for the above referenced project:

PUBLIC WORKS DIVISION COMMENTS

- Proposed developments with private roads or projects required to meet or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
 - a. Private road needs to meet or exceed road pavement design as specified in Chapter 99-18 H.
- This project is not located within the limits of a Ground Water Management Zone (GMZ). Projects located within a GMZ must be forwarded to the County Engineer for review and comment.
- 3. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
- 4. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.
- Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
- 6. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.

The plans shall show and address the following items at minimum:



- (4). Is a Construction Agreement required? Yes If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? No If yes, how many? N/A. Is it likely that additional SCCs will be required? Yes If yes, the current System Connection Charge Rate is \$6,360.00 per EDU. Please contact Noell Warren at 302-855-7719 for additional information on charges.
- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
 - Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? Yes
- (8). Comments: Click or tap here to enter text.
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? Yes

If the above items, as applicable, are incorporated into the development plans, then preliminary approval is recommended. However, final plan approval should be withheld pending the approval of the construction plans by the Sussex County Engineering Department.

Nick Torrance

From:

Terri Dukes

Sent:

Thursday, December 31, 2020 3:23 PM

To:

Nick Torrance

Subject:

RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm,

2021-10 Graywood Springs, CZ 1937 Wil King Station

Nick, All but Brookland Farm has been approved.

From: Nick Torrance < nicholas.torrance@sussexcountyde.gov>

Sent: Thursday, December 31, 2020 1:07 PM

To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes
bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>

Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

V

Sussex County, Delaware Technical Advisory Committee

Comment Sheet



DATE OF REVIEW: January 6, 2021

REVIEWING AGENCY: Delaware State Fire Marshal's Office, Sussex Office

INDIVIDUAL REVIEWERS: Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services

Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist

Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist

Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: THE KNOLL (2021-08)

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

a. Fire Protection Water Requirements:

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
- ➤ Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. Fire Protection Features:

c. Accessibility

All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Irons Lane must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-desac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- > The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- ➤ The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. Gas Piping and System Information:

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

e. Required Notes:

- ➤ Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
- > Proposed Use
- > Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- > National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- > Name of Water Provider
- > Letter from Water Provider approving the system layout
- > Provide Road Names, even for County Roads

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

THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE

Nick Torrance

2021-08

From:

Dickerson, Troy <TDickerson@delaware.coop>

Sent:

Thursday, January 7, 2021 3:37 PM

To:

Planning and Zoning

Subject:

RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm,

2021-10 Graywood Springs, CZ 1937 Wil King Station

Categories:

Nick

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

Good Afternoon,

Everyone one of the subdivisions that were sent are within DEC's service territory. We have adequate facilities in the area to serve the proposed subdivisions.

Thanks!!!

Troy W. Dickerson, P.E.

Assistant V.P. of Engineering Voice: (302) 349-3125 Cell: (302) 535-9048

Fax: (302) 335-9048
Fax: (302) 349-5891
tdickerson@delaware.coop



"We Keep the Lights On"

From: Nick Torrance

Sent: Thursday, December 31, 2020 1:07 PM

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947



Office of Engineering Phone: (302) 741-8640

Fax: (302) 741-8641

January 14, 2021

Mr. Nick Torrance Sussex County Planning & Zoning Commission PO Box 417 Georgetown, DE 19947

Re: Sussex County Technical Advisory Committee

Dear Mr. Torrance:

The Division of Public Health Office of Engineering is in receipt of the following applications:

1. Applications: 2021-06 - Coral Crossing

2021-08- The Knoll

2021-09- Brookland Farm 2021-10- Graywood Springs CZ 1937- Will King Station

These applications indicate central water will be supplied by Tidewater Utilities, Inc. These projects require an Approval to Construct and an Approval to Operate from the Office of Engineering when constructing a new water system or altering an existing water system. In order to obtain an Approval to Construct, plans and specifications must be prepared by a registered Delaware professional engineer. Plans for the system, including water mains or extensions thereto, storage facilities, treatment works, and all related appurtenances, must be approved by the Office of Engineering prior to construction. It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction.

Prior to receiving an Approval to Operate for these projects, the Office of Engineering requires one set of as-built drawings, including profile markups, for all plans approved for construction. Approvals to Operate will be issued after all applicable requirements are met.

Please do not hesitate to contact me at 302-741-8646 with questions or comments.

Willias

William/J/Milliken, J

Engineer III

Office of Engineering

.

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



Sussex County

DELAWARE sussexcountyde.gov

Memorandum

To: Sussex County Technical Advisory Committee From: Nick Torrance, Planner I

Date: December 30th, 2020 RE: Major Subdivision

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

The Sussex County Planning and Zoning Office has received five (5) applications for major subdivisions that requires review by the Sussex County Technical Advisory Committee. Please review the application and provide comments back to the Planning and Zoning Office on or before March 5th, 2021.

<u>2021-06 – Coral Crossing</u>- This is a cluster subdivision. The cluster subdivision is for the creation of three-hundred and fifteen (315) single family lots. The property is located on the southwest side of Robinsonville (S.C.R 277) approximately 0.65 mile south of Kendale Rd (S.C.R. 287) Tax Parcels: 234-6.00-67.00 & 84.00. Zoning: AR-1 (Agricultural Residential District). Owner: Double DB, LP

<u>2021-08– The Knoll- This</u> is a cluster subdivision. The cluster subdivision is for the creation of thirty-three (33) single family lots. The property is located on the east side of Irons Ln. (S.C.R. 348) approximately 0.44 mile north of Holts Landing Road (S.C.R. 346). Tax Parcel: 134-7.00-163.00. Zoning: AR-1 (Agricultural Residential District). Owner: Irons Knoll, LLC

<u>2021-09– Brookland Farm</u>- This is a cluster subdivision. The cluster subdivision is for the creation of ninety-two (92) single family lots. The property is located on the southeast corner of Bayard Rd (S.C.R 384) and Evans Rd (S.C.R 383). Tax Parcel: 533-11.00-87.00. Zoning: AR-1 (Agricultural Residential District). Owner: Brookland Farm Properties, LLC

<u>2021-10- Graywood Springs</u>- This is a cluster subdivision. The cluster subdivision is for the creation of thirty-eight (38) single family lots. The property is located on the east side of Oyster Rocks Road (S.C.R 264) approximately 0.5 mile north of Coastal Highway (Route 1). Tax Parcel: 235-16.00-40.00. Zoning: AR-1 (Agricultural Residential District). Owner: Nancy M. Richards Heirs

JAMIE WHITEHOUSE, AICP MRTPI

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



Sussex County

DELAWARE sussexcountyde.gov

CZ 1937–Wil King Station - This is an RPC subdivision. The subdivision is for the creation of seventy-six (76) single family lots. The property is located directly north of the Oyster Rock Subdivision with a proposed connection from Sandbar Ct. Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19. Zoning: AR-1 & GR (Agricultural and General Residential Districts). Proposed Zoning: MR-RPC (Medium Density Residential District – Residential Planned Community. Owners: Sarah and Leon Harmon, Mildred Harmon, Daniel and Sara Snipes, Rodney Harmon & Kenneth Linton

Please feel free to contact the office with any questions at (302) 855-7878 during normal business hours 8:30am-4:30pm Monday through Friday.



STATE OF DELAWARE EXECUTIVE DEPARTMENT OFFICE OF STATE PLANNING COORDINATION

December 19, 2019

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

RE: PLUS review 2019-11-08; Irons Lane - Calhoun Tract

Dear Mr. Clark:

Thank you for meeting with State agency planers on November 20, 2019 to discuss the proposed plans for the Irons Lane – Calhoun Tract project. According to the information received you are seeking review of a rezoning of 14 acres from AR-1 to MR-RPC in anticipation of a 33-unit subdivision along Irons Lane in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. 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.

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. State investments will support growth in these areas. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but may have priorities for the near future. Level 3 area means there may be environmental concerns on or near the parcel and we would encourage you to design the site with respect for the environmental features which are present.

122 Martin Luther King Jr. Blvd. South – Haslet Armory • Third Floor • Dover, DE 19901 Phone (302)739-3090 • Fax (302) 739-5661 • www. stateplanning.delaware.gov

Code Requirements/Agency Permitting Requirements

Department of Transportation - Contact Bill Brockenbrough 760-2109

- The site access on Irons Lane (Sussex Road 348) must be designed in accordance with DelDOT's <u>Development Coordination Manual</u>, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?de=changes.
- Pursuant to Section 1.3 of the <u>Manual</u>, a Pre-Submittal Meeting is required before plans are submitted for review.
- Section 1.7 of the <u>Manual</u> 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 <u>Development Coordination Manual</u>, 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.
 - The PLUS application states that the proposed development would generate 320 vehicle trip ends per day. DelDOT calculates a slightly higher daily volume, 375 vehicle trip ends per day and a weekday evening peak hour volume of 35 vehicle trip ends per hour. Therefore, a TIS is not required.
- 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 Irons Lane to meet DelDOT's standards for local roads. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easements across the property frontage on Irons Lane. 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 casement is hereby established for the State of Delaware, as per this plat."
- Section 3.5.4.2 of the <u>Manual</u> addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the <u>Manual</u>, in Level 2 Investment Areas, installation of a sidewalk or Shared Use Path along the development's road frontage is required. DelDOT anticipates requiring a Shared Use Path along the development frontage on Irons Lane.

PLUS review 2019-11-08 Page 3 of 7

• In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether turning lanes are warranted at the site entrance and how long the lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. Preliminarily it appears that the site entrance may need to be shifted north to construction of a right turn lane into the site.

<u>Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352</u>

Surface Water Discharges Section

 Not in or near a regulated MS4 or other NPDES permitted operation. Sediment and Stormwater regulations would apply to construction and post-construction activities at this location.

Sediment and Erosion Control/Stormwater Management

• A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. Contact the reviewing agency to schedule a preapplication meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre- and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion. The plan review and approval as well as construction inspection will be coordinated through the Sussex Conservation District. Contact the Sussex Conservation District at (302) 856-7219 for details regarding submittal requirements and fees.

Total Maximum Daily Load (TMDL) and excess nutrients

- Total Maximum Daily Loads (TMDLs) exist for most of the State's water bodies. A TMDL is the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet and continue to meet water quality standards. To support the State's water quality efforts, DNREC reviewers encourage applicants to reduce the amount of pollutants that enter local waterways by limiting the disturbance of natural habitat and increasing the use of green infrastructure.
- A nutrient management plan is required under the Delaware Nutrient Management law (3 Del. Chapter 22) for all persons or entities who apply nutrients to lands or areas of open space in excess of 10 acres. This project's open space may exceed this 10-acre threshold. Please contact the Delaware Nutrient Management Program at (302) 739-4811 for further information concerning compliance requirements, or view additional information here: http://dda.delaware.gov/nutrients/index.shtml

State Historic Preservation Office - Contact Carlton Hall 736-7400

There are no known archaeological sites or known National Register-listed or eligible properties on the parcel. However, the sediments and setting suggest a moderate potential for Native American archaeological resources. Therefore, the Delaware SHPO is recommending an archaeological survey of the parcel. If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

- 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

Recommendations/Additional Information

This section includes a list of site specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. These suggestions do not represent State code requirements. They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (but in no way required) that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation - Contact Bill Brockenbrough 760-2109

- 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/

<u>Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352</u>

Site Visit Request

• In the application, the applicant documented their willingness for a state agency visit to the site. The Delaware Division of Fish and Wildlife botanist and herpetologist would like to request a site visit to this property to document the forest resources which include plants, amphibians, and reptiles. If the applicant would grant the Division a site visit,

PLUS review 2019-11-08 Page 5 of 7

please contact Brian Galvez via email at brian.galvez@delaware.gov or via phone at (302) 223-2446.

Wetlands

- To protect the function and integrity of wetlands, DNREC recommends a minimum 100foot buffer should be left intact around the wetland perimeter. Wetland buffers are an
 integral component of aquatic and wetland habitats, reducing the amount of sediment and
 pollutants that may affect the function and integrity of habitat and the condition and
 survivability of aquatic organisms. Therefore, the applicant is encouraged to maintain
 inputs to natural wetlands at pre-construction levels by avoiding increases or decreases in
 water levels and avoiding diversion of surface water from roadways and stormwater
 facilities into on-site wetlands. Water quality could be detrimentally affected by run-off
 which can contain oil and other pollutants, such as fertilizers and other lawn treatments
 applied by homeowners. Further, low spillage lights (those that reflect light directly
 downward onto the illuminated area) should be used on roads and homes within 750 feet
 of the forested wetlands on site. Fluorescent and mercury vapor lighting should not be
 used
- Small animals, such as salamanders have difficulty climbing vertical curbs. Designing the development to exclude curbs is best for these species, but if road curbing is part of the design, curbing that allows small animals to climb out of the roadbed (such as Cape Cod curbing) is preferred over steep, vertical curbing. DNREC reviewers provide the following recommendations for reptiles and amphibians, (1) Avoid installing sewers with grates, which can create a hazard for amphibians and reptiles, (2) Any culverts installed should be open bottom box culverts to allow for natural substrate to remain and in-water passage of aquatic life. Additionally, culverts should be left as wide as possible to ensure that salamanders can travel through them, (3) Perc test holes act as pitfall traps, collecting large numbers of amphibians, turtles, and other animals that will be unable to escape and will ultimately die. As such, perc test holes should be refilled to grade, and (4) low spillage lights (those that reflect light directly downward onto the illuminated area) should be used on roads and homes within 750 feet of the forested wetlands on site. Fluorescent and mercury vapor lighting should not be used. The applicant should direct any environmental reviews or information requests on rare plants, animals, and vegetation communities to DNREC's Division of Fish and Wildlife at DNREC EnvReview@delaware.gov.

Sustainable Development Recommendations

- The applicant should consider the use of recycled, energy efficient materials, and renewable energy infrastructure.
- The Division of Climate, Coastal, & Energy offers incentives for clean transportation (Workplace EV Charging) and energy efficiency. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (www.de.gov/greenenergy, www.de.gov/cleantransportation, www.de.gov/eeif).

PLUS review 2019-11-08 Page 6 of 7

Nuisance Wildlife

- To deter waterfowl from taking up residence in the stormwater ponds, DNREC reviewers recommend planting the surrounding open space with a mix of native wildflower plantings (to be planted in accordance with the Sediment and Stormwater Plan approval agency requirements). In addition to deterring nuisance waterfowl, the native wildflower mix will also serve to attract bees, butterflies, and other pollinators, and reduce run-off, which can contain oil and other pollutants from the parking areas. DNREC's botanist, Bill McAvoy, would gladly assist in drafting a list of plants suitable for this site. Bill can be contacted at (302) 735-8668 or William.McAvoy@delaware.gov.
- expanses of salt marshes or brackish wetlands or within 1 mile of large tracts of freshwater wetlands, can often lead to increased demands by the public (and their elected officials) for mosquito control services, going beyond what DNREC- Division of Fish and Wildlife, Mosquito Control Section currently has the budget or resources to provide. Often the homeowner's association will inherit the burden of dealing with mosquito issues and should be aware of the following: (1) achieving good control in an environmentally compatible manner requires technical knowledge, (2) they will need concurrence from all their homeowners/residents for if, how, when, and where any treatments will be done, (3) controlling mosquitoes can be quite costly and an on-going problem, and (4) they should be aware that there can be liability issues that their treatment activities might cause, particularly in regard to any claims of chemical trespass, misapplications, or adverse impacts to human health or the environment from insecticide exposures. If the applicant has any questions regarding mosquito control issues, they can contact Dr. Bill Meredith, Mosquito Control Administrator at (302) 739-9917.

Delaware Transit Corporation (DTC) - Contact: Jared Kauffman 576-6062

 A pedestrian pathway is needed between sidewalk frontage and the internal network, which is separated from vehicle traffic.

Sussex County - Contact Rob Davis 854-7719

- The proposed development is in Tier 2 planning area for future sewer service. The parcel adjoins the Sussex County Unified Sanitary Sewer District and can be considered for annexation into the sewer district. A written request for annexation must be submitted along with an application fee of \$1500.00 payable to Sussex County Council. A sewer system concept evaluation must be requested to define a connection point for new projects.
- A "Use of Existing Infrastructure Agreement" is required for new projects and must be
 approved prior to approval of construction plans. Sussex County Code, <u>Chapter 110</u>,
 requires that the Engineer and/or Developer request a Sewer System Concept Evaluation
 (SSCE) from the Utility Planning Department for new projects by providing the parcel(s)

estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

- The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.
- Onetime system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

In addition to the comments above our office has received a letter from Brandy Nauman, Sussex County Housing Coordinator & Fair Housing Compliance Officer. A copy of that letter is enclosed wit this letter.

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

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

Sincerely,

Constance C. Holland, AICP

Director, Office of State Planning Coordination

Constinu C. Halled

CC: Sussex County Planning

Enclosure

BRANDY BENNETT NAUMAN HOUSING COORDINATOR & FAIR HOUSING COMPLIANCE OFFICER

(302) 855-7777 T (302) 854-5397 F bnauman@sussexcountyde.gov





November 8, 2019

Mr. Jeff Clark Land Tech Land Planning, LLC 32895 South Coastal Hwy. Bethany Beach, DE 19930

RE: Irons Lane - Calhoun Tract - PLUS Review (PLUS 2019-11-08)

Dear Mr. Clark,

Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.

Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Thank you,

Brandy B. Nauman Housing Coordinator &

Fair Housing Compliance Officer



THE KNOLL SUBDIVISION

SUBDIVISION CONSIDERATIONS

CHAPTER 99-9 ORDINANCE 1152

INTEGRATION OF PROPOSED SUBDIVISION INTO EXISTING TERRAIN AND SURROUNDING LANDSCAPE

- The 14.66 acre-Knoll Subdivision site is presently wooded and not actively managed for timber harvesting or other silviculture. The entire property is mapped as "Coastal Area" in the current Sussex County Comprehensive Plan and has both central water and sanitary sewer available. The Knoll Subdivision site is bound on the north by The Greens subdivision which was developed in the mid 1980's and is fully built out with large custom residences; many overlooking the Cripple Creek Country Club golf course. To the south is Irons Landing, an older single family lot subdivision which also appears to be fully developed with custom residences. Two large (1-1.75 acre) lots fronting on Irons Lane also adjoin the site to the south. West of The Knoll is The Preserve at Irons Landing, a fully developed 75 lot single family residential subdivision. The land immediately east of the subject tract is also fully wooded and currently undeveloped.
 - Other communities in the immediate area include Fairway Villas, Blackwater Beach and Bay Colony, most of which were developed before 2000 and are fully built out with single family homes on individual lots.
- There are no DNREC or Federal jurisdictional wetlands present on the Knoll Subdivision site.
- An Open Space Management Plan prepared by a qualified professional shall outline a detailed strategy to maintain the native trees and shrubs within existing forested areas and also within any developer planted landscape buffer areas.

THE KNOLL SUBDIVISION

- The Open Space Management Plan will be implemented by landscape maintenance professionals under contract to the Knoll Subdivision Home Owner's Association as required by the subdivision restrictive covenants.
- No lots within Knoll Subdivision shall have direct access onto the road frontage of any State maintained routes or public roads.
- The Knoll Subdivision design results in an excess of 6 acres of open space (+/- 42%) to be actively managed by professional maintenance companies under contract to the home-owners association.
- The low residential density planned for Knoll Subdivision will result in 2.25 dwellings per acre which is generally in keeping with the low-density character of the surrounding area.
- All streets, sidewalks, site grading and sanitary sewer infrastructure will be designed, constructed and inspected for conformance to all Sussex County Engineering Department standards and specifications.
- All grading, drainage and storm water management facilities will be designed, constructed and inspected for conformance to Sussex Conservation District and DNREC standards and specifications.
- All water service infrastructure will be designed to Tidewater Utilities standards and specifications and inspected by the State Fire Marshal's Office for conformance to State Fire Prevention Regulations.

MINIMAL USE OF WETLANDS AND FLOODPLAINS

 The Knoll Subdivision site has been evaluated for the existence of regulated wetlands in November of 2020 by Mr. James McCulley, a recognized qualified professional wetland scientist. No jurisdictional wetlands were found to exist on or near the property.

THE KNOLL SUBDIVISION

- The conclusions reached by Watershed Eco will be attached in the Supplemental Data Book and made a part of the subdivision application.
- No wetland approvals from involved Federal or State regulatory agencies will be needed for subdivision construction.
- The entire Knoll Subdivision site as mapped on Flood Insurance Rate Map (FIRM) Number 10005C0484K (Maps Revised March 16, 2015) is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain). A copy of the current FIRM shall be included within the Supplemental Data Book made a part of this application.

PRESERVATION OF NATURAL AND HISTORIC FEATURES

- The Knoll Subdivision site was reviewed in November of 2019 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.
- The Knoll Subdivision site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- Passive open recreational spaces are confined to areas surrounding stormwater ponds that will primarily serve as opportunities for residents and their guests for walks and pet exercise. Within these wooded areas, beyond clearing for SWM purposes, no further clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety. Where required, the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Knoll Subdivision home owner's association.

THE KNOLL SUBDIVISION

 A central open space area will be used more actively by the residents and their guests. This active area will have adequate space to accommodate tot play equipment, and opportunities for horseshoes, boce ball, and BBQ equipment with outdoor weather protected seating.

• An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Knoll Subdivision home owner's association. The Knoll Subdivision restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

PRESERVATION OF OPEN SPACE AND SCENIC VIEWS

- The existing wooded road frontage of Knoll Subdivision will remain undisturbed for depth of 75' except for the subdivision street entrance connection to Irons Lane.
- The Knoll Subdivision site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- Passive open recreational spaces are confined to areas surrounding stormwater ponds that will primarily serve as opportunities for residents and their guests for walks and pet exercise. Within these wooded areas, beyond clearing for SWM purposes, further clearing, disturbance, or altering of vegetation shall not be permitted except the removal of dead and dying trees which pose a threat to the public safety. Where required the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas

THE KNOLL SUBDIVISION

- will follow the direction of qualified arborists under contract to the Brookland Farm Subdivision home owner's association.
- A central open space area will be used more actively by the residents and their guests. This active area will have adequate space to accommodate a swimming pool and bathhouse, tot-lot play equipment, and opportunities for horseshoes, boce ball, and BBQ equipment with outdoor weather protected seating.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Knoll Subdivision home owner's association. The Knoll Subdivision restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

MINIMIZATION OF TREE, VEGETATION, AND SOIL REMOVAL AND GRADE CHANGES

- Within the limited wooded area, beyond clearing for SWM purposes, street and home construction no further clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety. Where required, the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Brookland Farm Subdivision home owner's association.
- The site is forested and is currently not managed for silviculture.
- The subdivision site grading and drainage design will follow the general contour of the existing pre-developed site except areas that

THE KNOLL SUBDIVISION

- are proposed for excavation as wet ponds and open swales to convey stormwater across the site.
- To the maximum extent possible, site top soils will be stockpiled for re-use in lot areas around new residences and active open space areas and for the creation of earth berms.

SCREENING OF OBJECTIONABLE FEATURES FROM NEIGHBORING PROPERTIES AND ROADWAYS

• As stated earlier in this report, the site is completely forested in its pre-developed condition. Therefore, much of the required perimeter landscape buffer will consist of maintaining the existing forest buffer. Where required to infill the existing forested buffer, the site perimeter areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will be under the direction of qualified arborists under contract to the Knoll Subdivision home owner's association.

PROVISION FOR WATER SUPPLY

- The Knoll Subdivision site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned.
- The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

THE KNOLL SUBDIVISION

PROVISION FOR SEWAGE DISPOSAL

- Sewage disposal proposed for Knoll Subdivision lots will be a connection to the existing Sussex County sanitary sewer infrastructure currently within the Irons Lane right of way.
- The Sussex County sanitary sewer as-built drawings for Irons Lane in the immediate vicinity of the proposed subdivision entrance shows a manhole with gravity main approximately nineteen feet (19') deep.

PREVENTION OF POLLUTION OF SURFACE AND GROUNDWATER

- The Knoll Subdivision property is not currently actively managed for silviculture.
- The storm water management design at Knoll Subdivision will utilize a system of wet ponds, bio-filters, and grassed to address State of Delaware mandated water quality standards. As required by law, all drainage and storm water management design documents and computations will be scrutinized by the Sussex Conservation District prior to issuance of any permits for land disturbing activities.

MINIMIZATION OF EROSION AND SEDIMENTATION, CHANGES IN GROUNDWATER LEVELS, OF INCREASED RATES OF RUNOFF, OF POTENTIAL FOR FLOODING AND DESIGN OF DRAINAGE SO THAT GROUNDWATER RECHARGE IS MAXIMIZED

• Development of the Knoll Subdivision will comply with a Sussex Conservation District approved Erosion and Sediment Control Plan. The storm water management design will utilize a system of ponds, bio-filters, and waterways to address State of Delaware mandated water quality standards. As required by law, all drainage and storm water management design documents and computations

THE KNOLL SUBDIVISION

will be scrutinized by the Sussex Conservation District prior to issuance of any permits for land disturbing activities. The well drained soils types and landscape position with respect to the seasonal groundwater elevation on the Knoll Subdivision site make this an appropriate opportunity to implement infiltration facilities to maximize groundwater recharge.

PROVISION FOR SAFE VEHICULAR AND PEDESTRIAN MOVEMENT WITHIN THE SITE AND TO ADJACENT WAYS

- Based upon comments offered at the PLUS meeting for this application, the Knoll Subdivision site is not required by the Delaware Department of Transportation (DelDOT) to undertake a Traffic Impact Study (TIS) to assess the need for any off-site improvements to public roads. The recommendations for off-site improvements by DelDOT staff and DelDOT regulations will become necessary as a part of the commercial subdivision entrance permit process.
- The commercial subdivision entrance permit will insure, to DelDOT standards, that safe auto and bicycle vehicular and pedestrian movements will occur as a part of this new subdivision construction.
- The Knoll Subdivision design incorporates a continuous paved sidewalk network throughout the neighborhood connecting residents to each other and to site amenities including walking trails.

EFFECT ON AREA PROPERTY VALUES

- The Knoll Subdivision plan is based upon the principals of sound land use planning and landscape architecture.
- Home sites are configured by design to adequately buffer Irons
 Lane, existing The Greens and Irons Acres lots from those being
 proposed in the new subdivision. The rear of lots proposed within
 the Knoll Subdivision will directly abut undeveloped lands to the

THE KNOLL SUBDIVISION

east and are separated from that adjacent property by a distance of over 175'.

 The gateway to this small subdivision preserves a 75'deep area of existing forest before the first residential lot thereby buffering this new community as viewed from Irons Lane. New subdivision streets will be tree lined with residential scale downward projecting street lighting.

• For the above reasons, this new well-planned community will command an above market home sale price and re-sale price which will serve as a positive effect on those properties in the immediate neighborhood.

PRESERVATION AND CONSERVATION OF FARMLAND

• The Knoll Subdivision site will not neither preserve or conserve farmland.

EFFECT ON SCHOOLS, PUBLIC BUILDINGS AND COMMUNITY FACILITIES

- The Knoll Subdivision site with new single family detached homes s likely to attract a mix of both retiree and first-time home buyers with children as residents. The 33-home size of Knoll Subdivision and the projected demographic of the buyers would limit the impacts of future residents upon existing schools.
- During the commercial entrance permit process with DelDOT, the applicant will be required to coordinate this new development with the public-school transportation staff to learn if a school bus stop is appropriate and required at this location. Adequate area is available within the community central open space to design school bus circulation and parking for parents with children awaiting the bus if deemed appropriate.
- The residents in this new neighborhood would be welcomed by local merchants, restaurants and faith-based organizations to contribute to the overall wellbeing of the community.

THE KNOLL SUBDIVISION

EFFECT ON AREA ROADWAYS AND PUBLIC TRANSPORTATION

- The Knoll Subdivision developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application in November of 2020. We await a response from DelDOT.
- All commercial subdivision entrance improvements as well as all
 off-site improvements within the public DelDOT right of way shall
 be constructed and inspected as directed and approved by DelDOT.

COMPATABILITY WITH OTHER AREA LAND USES

- The low residential density planned for Knoll Subdivision will result in 2.25 dwellings per acre which is generally in keeping with the low-density character of the surrounding area.
- Growth in the form of new residential subdivision communities have been progressing along Irons Lane and surrounding area for the last 35 years.
- As stated elsewhere in this report, the site is surrounded by fully built-out and maturing subdivisions in an upscale area that supports a private golf course and large public marina. We believe this in-fill property will be very compatible with area land uses and will not alter the visual aspect of Irons Lane in any appreciable manner.

EFFECT ON AREA WATERWAYS

 All construction activities within the Knoll Subdivision site shall adhere to detailed plans and specifications prepared by Delaware licensed professional engineers contained within a Stormwater Management Plan with Sediments and Erosion Control provisions approved by the Sussex Conservation District. The Sussex Conservation District requires all site disturbances to be under inspection by DNREC staff to insure compliance with approved

THE KNOLL SUBDIVISION

- stormwater management designs and specifications. Therefore, the development of Knoll Subdivision will have taken the necessary precautions to assure there are no negative water quality or quantity effects on neighboring properties.
- An Open Space Management Plan prepared by a qualified professional under agreement with the Knoll Subdivision homeowner's association will monitor the applications of fertilizers and pesticide treatments within the community. Proper management of these fertilizer and pesticide applications may result in less water quality impact to off-site drainage systems than the pre-developed condition of active agriculture.

THE KNOLL CLUSTER SUBDIVISION

ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITY EVALUATION REPORT

Sussex Code Article XXV – Section 115-194.3

BACKGROUND AND PROJECT DESCRIPTION

- The Knoll Subdivision site is a 14.66-acre tract of land (Sussex Tax Parcel: 134-7.00-163.00) situated on the east side of Irons Lane northwest of the town of Millville. The property is currently zoned AR-1 (Agricultural Residential) and lies within the Coastal Area, a designated Growth Area as mapped in the current 2018 Comprehensive Plan for Sussex County. The zoning application is for an AR-1 Cluster Option Subdivision served by central sanitary sewer and seeking approval to develop 33 single-family detached home sites with community open space parks, sidewalks, walking trails and multiple neighborhood lakes planned for use as both active and passive recreation by Knoll Subdivision residents and guests. The development density proposed is 2.25 dwellings per acre.
- A single full-service subdivision entrance is planned at the intersection of Irons Lane.
- The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment and disposal Unified District facilities.
- The site will be served with a public water system via a connection to the Tidewater Utilities Water Company existing infrastructure.
- A professionally designed landscaped buffer to infill an existing forested buffer with a minimum width from 30'will extend along the perimeter of the entire to create a visual buffer as required by the Sussex County Code. The gateway to the community as

THE KNOLL CLUSTER SUBDIVISION

planned will provide a 75' existing forested buffer from Irons Lane to preserve the view of the property from off-site to near predeveloped conditions.

STORMWATER & DRAINAGE DESIGN

• The stormwater management design for the Knoll Subdivision site will meet all current regulatory requirements of the Sussex Conservation District and DNREC. The stormwater management design will incorporate a system of wet ponds and grassed swales. Infiltration facilities will be used where appropriate.

COMMUNITY POTABLE AND FIRE PROTECTION WATER SUPPLY

• The Knoll Subdivision site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use and also supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

WASTEWATER TREATMENT AND DISPOSAL

- The Knoll Subdivision site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system.
- A connection point for the site is available via a manhole within Irons Lane with gravity piping approximately fourteen feet (14') deep.

THE KNOLL CLUSTER SUBDIVISION

TRAFFIC ANALYSIS

- The Knoll Subdivision developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application in November 2019. PLUS remarks by DelDOT indicated no Traffic Impact Study (TIS) is required.
- The usual required dedication of additional right-of-way and permanent easement along the Irons Lane site frontage was also pointed out in the PLUS remarks by DelDOT.

THREATENEND AND ENDANGERED SPECIES

- Watershed Eco, LLC has prepared a Rare, Threatened and Endangered (RTE) Species Research Report dated November 20, 2020. The report includes a review of the United States, Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) for information from their files.
- Both NMFS and USFWS indicated that there are no concerns related to RTE species.
- Mr. McCulley with Watershed Eco reviewed the site and reported that no habitats were observed that would indicate potential for RTE species on the wooded site.

WETLANDS

- The Knoll Subdivision site has been evaluated for the existence of regulated wetlands in November, 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). The wetlands evaluation was conducted on the entire tract (tax parcel 134-7.00-163.00).
- Mr. McCulley concluded there are no DNREC or Federal jurisdictional wetlands present on this tract of land. A detailed

THE KNOLL CLUSTER SUBDIVISION

report shall be made a part of the subdivision application and contained within a Supplementary Data Book.

OPEN SPACE MANAGEMENT

- The Knoll Subdivision site will result in the creation of both active and passive open space areas within the subdivision boundaries. The land use plan identifies a large centrally located open space area that will serve the overall community with active amenities such as a horse shoe pits and children's play equipment. Active amenities such as BBQ grilling, dog parks, horseshoe pits and children's play equipment may also be strategically placed within the central park. Passive open space recreation within the Knoll Subdivision includes a trail system developed around open water storm pond features and provide opportunities for residents/guests walking and for dog walks.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual maintenance of these community open spaces. The perpetual maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Knoll Subdivision home owner's association. The Knoll Subdivision restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

PUBLIC AND PRIVATE INFRASTRUCTURE

 The Knoll Subdivision will be served by both public water from Tidewater Utilities Water Company and public sanitary sewer from Sussex County.

THE KNOLL CLUSTER SUBDIVISION

- The Knoll Subdivision site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. A +/- 19' deep gravity sewer connection exists in the immediate vicinity of the planned subdivision entrance at Irons Lane.
- The Knoll Subdivision site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.
- Other utilities to be extended to the property include gas, CATV, electric and telephone provided through private agreements with those utility companies.
- Site drainage and stormwater management systems will also be developed pursuant to County Code and DNREC regulations governing inspection of installations and facilities maintenance.
- The stormwater management facilities will be subject to an operation and maintenance agreement between the Home Owner's Association (HOA) and the Sussex Conservation District. The operation and maintenance agreements, along with pertinent deed covenants and restrictions, will be provided as these arrangements are made final.

ECONOMIC, RECREATIONAL & OTHER BENEFITS

 Multiple economic benefits accrue to the local economy from construction employee salaries and the purchase of materials during site construction of utilities, streets and amenities as well as individual home construction. Additional benefits accrue from increased property taxes, permit fees, utility impact fees and the like.

THE KNOLL CLUSTER SUBDIVISION

• As stated elsewhere in this report, there are both active and passive recreational opportunities designed into the Knoll Subdivision land use plan. For a subdivision of thirty-three (33) individual residences, there is NOT a substantial Home Owner's Association capability of sustaining high maintenance community and neighborhood amenities such as a swimming pool. An offering of some active and passive open space improvements such as walking trails, tot lot play equipment, BBQ with covered picnic tables represent a manageable economic burden to maintain for a community of this size. This active recreation amenity together with the required professional maintenance of the extensive landscape buffer areas, interior walking trails and common area grass cutting, fertilizing and weed/pest control should be sustainable for a community of this size. A balanced amenity offering with manageable upkeep expense will ensure that the fit and finish of Knoll Subdivision common areas remain in a good state of repair and appearance.

CONFORMANCE WITH COMPREHENSIVE PLAN

- The Knoll Subdivision site has been planned in accordance with the 2018 Comprehensive Plan approved by Sussex County Council.
- The Future Land Use component of the 2018 Plan has established Growth Areas where the County has signaled future growth is expected. The entire Knoll Subdivision site is mapped as <u>Coastal Areas</u> on the 2045 Future Land Use Map. Coastal Areas are one of seven (7) Growth areas defined and described in the 2018 Plan. The 2018 plan seeks to encourage the County's most concentrated forms of new development to Growth Areas.

The 2018 Plan recognizes that the Coastal Growth Area is in a region among the most desirable locations in Sussex County for new housing. Coastal Areas can accommodate development

THE KNOLL CLUSTER SUBDIVISION

provided special environmental concerns are addressed and a range of housing types should be permitted including single family detached which Knoll Subdivision proposes. Coastal Areas development densities proposed in the 2018 Plan range from 2-12 homes per acre. Knoll Subdivision proposes 2.25 dwellings per acre. Cluster development is encouraged that results in the permanent preservation of a substantial percentage of the tract or area being developed. Knoll Subdivision as planned preserves in excess of forty percent (40%) open space as that term is defined in the Sussex County Code. Knoll Subdivision land use planning involves Best Management Practices (BMP's) in storm water management design, preserves significant contiguous areas of the existing woodlands on site, and proposes extensive buffers for wildlife habitat and nutrient (nitrogen and phosphorous) management. The Knoll Subdivision will be connected to the Sussex County regional wastewater collection, transmission and treatment facilities and the Tidewater Utilities regional potable and fire protection water system.

HISTORICAL AND CULTURAL RESOURCES

• The Knoll Subdivision site was reviewed in November of 2019 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.

ACTIONS TO MITIGATE DETRIMENTAL IMPACTS

• The Knoll Subdivision plan is based upon the principals of sound land use planning and landscape architecture. Open space interior parks are located to promote and encourage pedestrian access between homes in the neighborhood and community interaction.

THE KNOLL CLUSTER SUBDIVISION

- Open space pathways into and through the community and landscaped perimeter buffers allow the linking of off-site natural areas for wildlife surrounding the site to remain connected.
 Perimeter landscaped buffers also provide important esthetics for views into the site from neighboring properties and from within the subdivision.
- The gateway to the community presents an existing forested view from Irons Lane and a significant area of natural existing forest will remain after site development and home construction.
- The use of a qualified professional site maintenance company by the home-owners association to manage plant and animal communities in both the native and more manicured areas of Knoll Subdivision will serve to mitigate the effects of development on this site. Plant pest management, fertilizer application management and invasive species plant management will all serve to mitigate effects of a low-density land use.
- Using "state of the art" best management stormwater quality and quantity controls via bio-filters, and bio-retention structures with native plant species will ensure that the impacts of land development are minimized.

Lauren DeVore

From:

Brockenbrough, Thomas (DelDOT) < Thomas. Brockenbrough@delaware.gov>

Sent:

Tuesday, September 14, 2021 10:46 AM

To:

Lauren DeVore; McCabe, R. Stephen (DelDOT)

Cc:

Sammons, Todd (DelDOT); Polasko, Wendy (DelDOT)

Subject:

RE: Upcoming Major Subdivision Applications - Review Status

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.

Lauren,

I've looked at the subdivisions you asked about with regard to the information we have on file (in PDCA). Please be advised as follows:

2021-08 – The Knoll – Scheduled for 9/23/21 P&Z Commission Meeting – This is a 33-lot subdivision proposed on Irons Lane (Sussex Road 348). In the context of the MOU between DelDOT and Sussex County, it would be Negligible. DelDOT held a Pre-Submittal Meeting with the developer's engineer on 4/29/20 but has not received a plan submission.

2021-11 – Lightship Cove (F.K.A. Fisher Road) – Scheduled for 10/14/21 P&Z Commission Meeting - This is a 97-lot subdivision proposed on Fisher Road (Sussex Road 262). In the context of the MOU between DelDOT and Sussex County, it would be Minor. DelDOT is presently reviewing subdivision and entrance plans.

2021-09 – **Brookland Farm** – **Scheduled for 10/28/21 P&Z Commission Meeting** - This is a 92-lot subdivision proposed on Bayard Road (Sussex Road 384). In the context of the MOU between DelDOT and Sussex County, it would be Minor. DelDOT held a Pre-Submittal Meeting with the developer's engineer on 7/21/21 but has not received a plan submission.

2021-10 – Graywood Springs – Scheduled for 10/28/21 P&Z Commission Meeting – This is a 31-lot subdivision proposed on Oyster Rocks Road (Sussex Road 264). In the context of the MOU between DelDOT and Sussex County, it would be Negligible. DelDOT held a Pre-Submittal Meeting with the developer's engineer on 4/8/21 but has not received a plan submission.

2021-06 – Coral Lakes (F.K.A. Coral Crossing) – Scheduled for 11/4/21 P&Z Commission Meeting – DelDOT has no record of a development by this name.

Bill

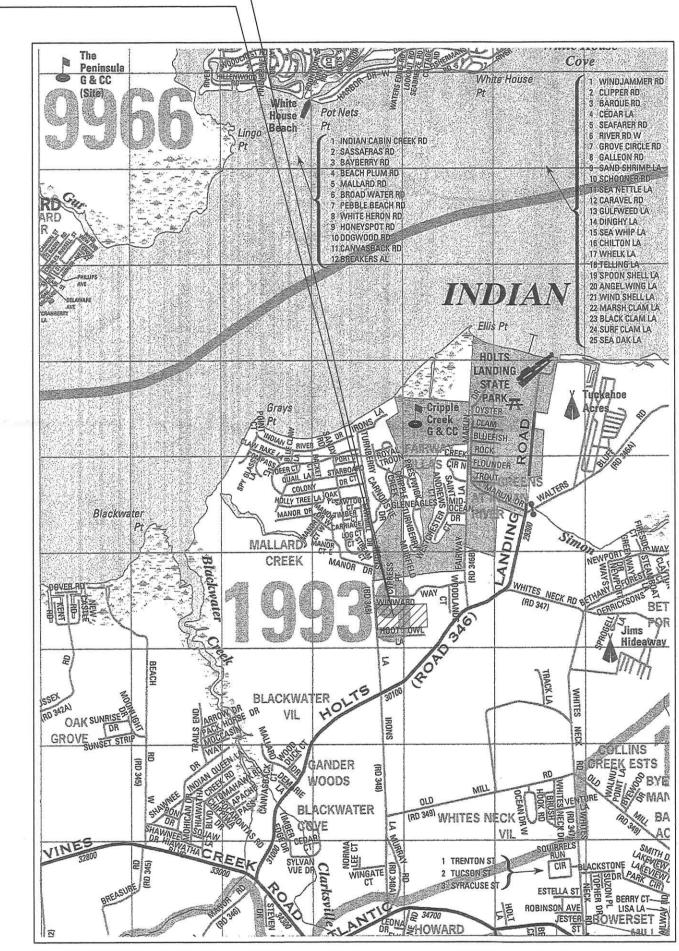
T. William Brockenbrough, Jr., P.E., AICP County Coordinator Division of Planning Delaware Department of Transportation P.O. Box 778 Dover, DE 19903 (302)760-2109 Thomas.Brockenbrough@delaware.gov

THE KNOLL

PRELIMINARY SITE PLAN AR-1 CLUSTER SUBDIVISION (2021-08) SUSSEX COUNTY, DELAWARE

GMB File No. 210113

PROJECT AREA



LOCATION MAP SCALE: 1" = 1,000

PROPOSED

EXISTING

PROPERTY LINE ------

EASEMENT LINE -----

SETBACK LINE -----

PROPERTY CORNER (NOT SPECIFIED)

CONCRETE MONUMENT FOUND

EDGE OF PAVEMENT

SIDEWALK HATCH

EDGE OF POND

STORM MANHOLE

SANITARY MANHOLE

CURB INLET

STORM PIPE

SANITARY PIPE -----ss-----

OVERHEAD ELECTRIC

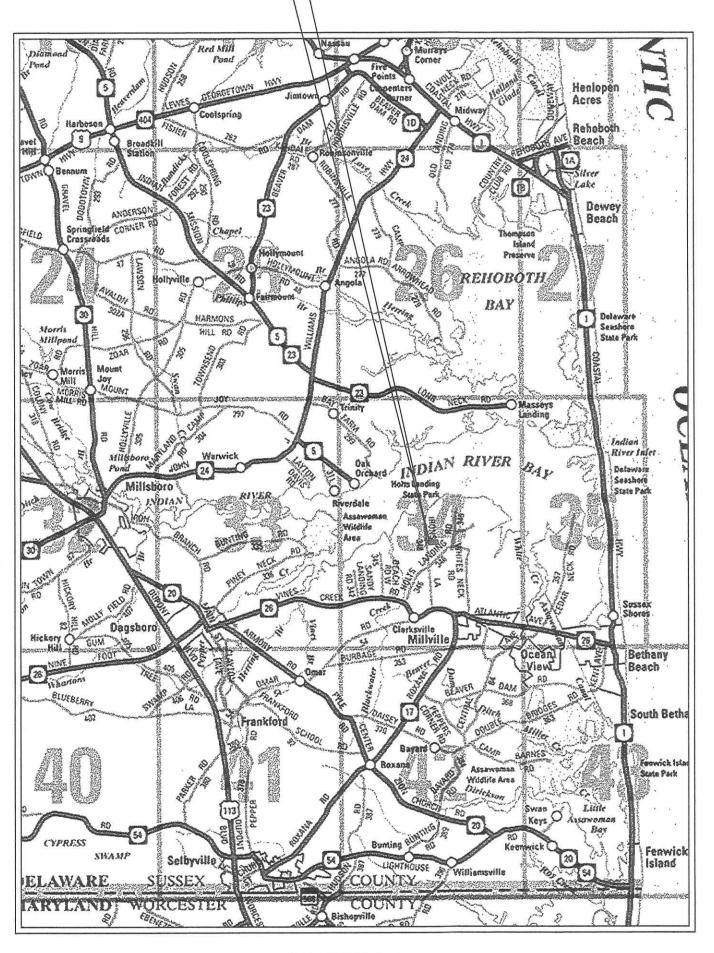
FLOOD ZONES —————

R.O.W. LINE -----

COVER SHEET BOUNDARY SURVEY / EXISTING CONDITIONS PRELIMINARY SITE PLAN PRELIMINARY SITE PLAN RENDERING

APPROVED

SUSSEX COUNTY COUNCIL SUSSEX COUNTY PLANNING AND ZONING COMMISSION PROJECT AREA



VICINITY MAP SCALE: 1" = 1 MILE

GENERAL NOTES:

- 1. STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE KNOLL HOA.
- 2. ALL OPEN SPACE SHALL BE MAINTAINED BY THE KNOLL HOA.
- 4. TOPOGRAPHY SHOWN HEREIN PER LIDAR DATA, DELAWARE STATE PLANE COORDINATE SYSTEM NAD 83/91 AND
- 5. BOUNDARY SHOWN HEREIN PROVIDED BY TRUE NORTH LAND SURVEYING DATED 08-19-2020.
- 6. THIS SITE CONTAINS NO FEDERAL OR STATE OF DELAWARE JURISDICTIONAL WETLANDS.
- 7. THIS SITE IS NOT WITHIN ANY TRANSPORTATION IMPROVEMENT DISTRICT (TID)
- 8. 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.
- 9. FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN 50 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES, NO IMPROVEMENT REQUIRING AN OCCUPANCY APPROVAL FOR A RESIDENTIAL TYPE USE SHALL BE CONSTRUCTED WITHIN 50 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR
- 10. ACCESS TO ALL LOTS WILL BE OF INTERIOR SUBDIVISION ROADS ONLY.
- 11. ALL INTERIOR SIDE LOT LINES ARE RESERVED FOR THE CENTERLINE OF A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT. A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT IS RESERVED ON EACH LOT ALONG THE FRONT AND REAR PROPERTY

SITE DATA:

OWNER/DEVELOPER/APPLICANT:

IRONS KNOLL, LLC. 118 ATLANTIC AVE. STE 202

LANDSCAPE ARCHITECT:

LAND TECH LAND PLANNING, LLC TAGGART PROFESSIONAL CENTER 32895 SOUTH COASTAL HWY; SUITE 202 BETHANY BEACH, DE PHONE: 302.539.2366

CIVIL ENGINEER:

GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH, P.E.

AR-1 - AGRICULTURAL RESIDENTIAL

CONTACT: JEFF CLARK, RLA

TAX MAP: 134-7.00-163.00

5300/242 PLOT BOOK: 320-43

EXISTING ZONING:

COMPREHENSIVE PLAN MAP:

OPEN SPACE PROPOSED:

PROPOSED ZONING: AR-CLUSTER - DEVELOPMENT OPTION FOR LOTS USING A CENTRAL SEWER SYSTEM

COASTAL AREA

O ACRES O ACRES

14.66 ACRES

DNREC WETLANDS: FEDERAL WETLANDS: GROSS DEVELOPMENT AREA: GROSS AREA/21,780 SF: \$20,000 LOTS EXCEEDING 29:

14.66 ACRES 29.32 LOTS ALLOWABLE 7.500 SF 6.20 ACRES (42%)

EXISTING WOODED AREA: 14.59 ACRES (99%) 3.81 ACRES (26%)

UNIT COUNT
DWELLING UNITS REQUIRED PARKING: (2/UNIT)

MAX BUILDING HEIGHT MIN LOT WIDTH:

BUILDING SETBACKS FRONT CORNER:

AMENITIES:

FLOOD ZONE: FLOOD INFORMATION: SPECIAL FLOOD HAZARD AREA ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAP 10005C0484K, DATED MARCH 16,

SOURCE WATER PROTECTION:

THIS PARCEL IS NOT LOCATED IN A WELLHEAD PROTECTION AREA. THIS PARCEL IS LOCATED IN AN AREA OF "FAIR"

GROUNDWATER RECHARGE POTENTIAL.

CENTRAL WATER:

PUBLIC SEWER:

TIDEWATER UTILITIES, INC. SUSSEX COUNTY

OWNER'S CERTIFICATION:
I HEREBY CERTIFY THAT I AM AN OWNER OF THE PROPERTY DESCRIBED AN SHOWN ON THIS PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION. THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT THE SUSSEX CONSERVATION DISTRICT OR THEIR DESIGNATED AGENT

IRONS KNOLL, LLC.

SHALL HAVE RIGHT TO CONDUCT ON-SITE INSPECTIONS.

LANDSCAPE ARCHITECT'S CERTIFICATION: JEFFREY A. CLARK, RLA HEREBY CERTIFY THAT I AM A REGISTERED LANDSCAPE ARCHITECT IN HE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD PLANNING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

JEFFREY A. CLARK, RLA. OWNER, LAND TECH LAND PLANNING, LLC.

DATE

ENGINEER'S CERTIFICATION: "I <u>STEPHEN L. MARSH. P.E.</u> HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

SENIOR VICE PRESIDENT, GEORGE, MILES & BUHR, LLC.

SOIL CONSERVATION DISTRICT

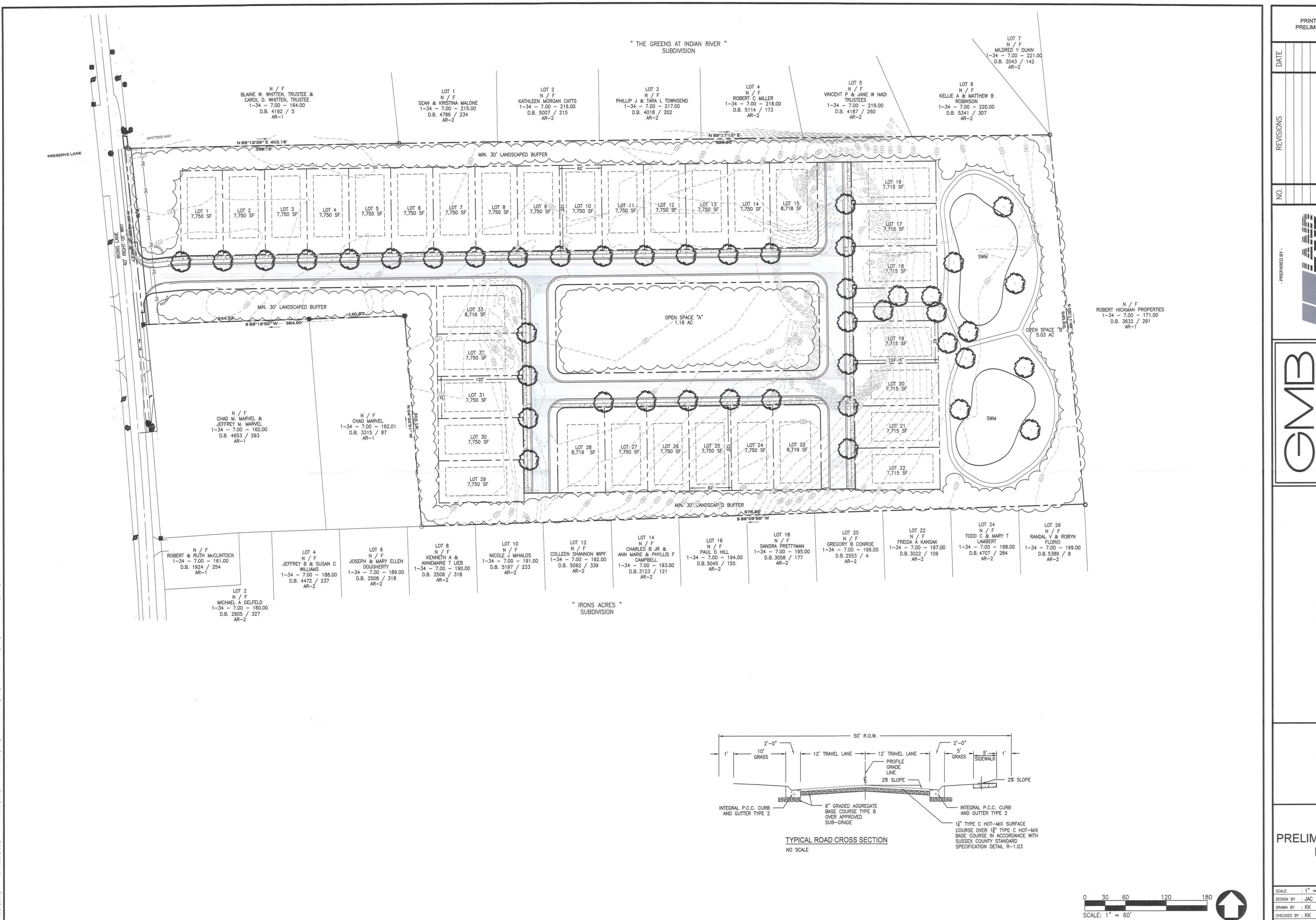
: NOTED DESIGN BY : JAC CHECKED BY : KK GMB FILE : 210113

COVER SHEET

PRELIMINARY SITE PLAN

© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC





PRINTS ISSUED FOR: PRELIMINARY SITE PLAN PRELIMINARY SITE **PLAN** SHEET NO. SCALE : 1" = 60'

GMB FILE : 210113

DATE : AUG 2021

PSP3.0

© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC

THE KNOLL SUSSEX COUNTY, DELAWARE

PRINTS ISSUED FOR: PRELIMINARY SITE PLAN

PRELIMINARY SITE PLAN RENDERING

SHEET NO. DESIGN BY : JAC

DRAWN BY : KK

CHECKED BY : KK

GMB FILE : 210113

DATE : AUG 2021

© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC



Landscape Architecture New Urbanism Design Land Use Planning/Permitting Community Design Prime Consultant - Project Management

September 13, 2021

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

RE:

The Knoll Subdivision 2021-08

Supplemental Data Book

Jamie,

Land Tech Land Planning, LLC represents the owner/applicant for the above referenced proposed subdivision. As required, enclosed please find a Supplemental Data Book prepared in connection with the above referenced application. A digital PDF version of this book will be forwarded to your email. Please advise if Planning and Zoning Department staff require any further application clarifications or additions in advance of the scheduled public hearing before the Planning and Zoning Commission.

Thank you and please contact me with any questions.

ech Land Planning, LLC

effrey A. Clark, R effc@landtechilc.com

file:

theknoll.ltr

enclosures: noted

CC:

Bradley Absher via email

David Hutt, Esq. via email

The Knoll

Proposed AR-1 Coastal Area Cluster Option Single-Family Lot Subdivision 2021-08

Tax Parcel 134-7.00-163.00

Irons Knoll, LLC 118 Atlantic Avenue, Suite 202 Ocean View, Delaware 19970

With

Preliminary Land Use Service Comments and Response

&

Supporting Documents

September 9, 2021

PREPARED BY:

LAND TECH LAND PLANNING, LLC Taggart Professional Center 32895 South Coastal Highway Bethany Beach, DE 19930 302-539-2366

Consulting Team

Legal

MORRIS JAMES LLP 107 W MARKET STREET GEORGETOWN, DELAWARE 19947 302-856-0018

Landscape Architecture

LAND TECH LAND PLANNING, LLC TAGGART PROFESSIONAL CENTER SUITE 202 32895 SOUTH COASTAL HIGHWAY BETHANY BEACH, DELAWARE 19930 302-539-2366

Land Surveying

TRUE NORTH LAND SURVEYING, LLC 118 ATLANTIC AVENUE, SUITE 202 OCEAN VIEW, DELAWARE 19970 302-539-2488

Environmental

WATERSHED ECO, LLC 114 MERRIMAC AVENUE MIDDLETOWN, DELAWARE 19709 302-218-3866

Civil Engineering

GEORGE, MILES & BUHR, LLC 206 W MAIN ST SALISBURY, MARYLAND 21801 410-742-3115

Geotechnical Engineering

GEO-TECHNOLOGY ASSOCIATES, INC. 21133 STERLING AVENUE, SUITE 7 GEORGETOWN, DELAWARE 19947 302-855-9761

TABLE OF CONTENTS

TABT.	Application transmittal, P&Z Change of Zoning application form fee.
TAB 2.	Mapping & Addressing Project and Street Names Approvals
TAB 3.	Amended Preliminary Site Plan
TAB 4.	Environmental Assessment & Public Facility Evaluation Report and Plan.
TAB 5.	Subdivision Considerations (Chapter 99-9)
TAB 6.	Preliminary Land Use Service (PLUS) comments and applicant response. TAC Agency Comments and Applicant Response P&Z Staff Comments and Applicant Response
TAB 7.	DelDOT Service Level Evaluation Request / DelDOT Response
TAB 8.	Wetlands - Corps AJD Response & Wetlands Delineation Plan Rare, Threatened & Endangered Species - Watershed Eco Report
TAB 9.	Water Company Ability to Serve Letter. Sewer Service Concept Evaluation Report

THE KNOLL SUBDIVISION

SUBDIVISION APPLICATION



Landscape Architecture
New Urbanism Design
Land Use Planning/Permitting
Community Design
Prime Consultant – Project Management

December 28, 2020

Jamie Whitehouse, Director Sussex County Planning & Zoning Department 2 The Circle Georgetown, DE 19947

Re: The Knoll

AR – 1 Coastal Area Cluster Option Subdivision with Central Sewer Sussex TM# 1-34-7.00-163.00

Dear Jamie,

Land Tech Land Planning, LLC represents Irons Knoll, LLC, the developer/applicant for the above referenced proposed subdivision. Enclosed, please find an application filed on behalf of Irons Knoll, LLC which includes the following:

- Completed and signed Application
- Ten (10) copies of a Preliminary Site Plan
- Deed
- The required \$ 500.00 application fee.
- · PLUS response letter.
- DelDOT Service Level Evaluation Response
- Environmental Assessment & Public Facility Evaluation Report
- Subdivision Considerations (Chapter 99-9)

Please contact our office if there are any questions or need for additional information in order to confirm this application is complete. A complete PDF copy of the above referenced documents will be forwarded to your attention.

Thank you.

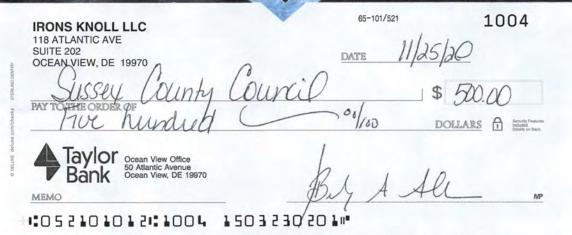
Sincerely, Land Tech Land Planning, LLC

Jeffrey A Clark, RLA jeffc@landtechlc.com

file: theknollpsp.ltr

enclosures: noted

cc: Brad Absher via PDF



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 ch	eck applicable)						
Standard:							
Cluster: ✓							
Coastal Area: ✓							
_							
Location of Subdivision:							
Situated on east side of Irons Lane north of Holt's Landing Road and abuts Irons Acres and The Colony subdivisions.							
Proposed Name of Subdivision	:						
The Knoll							
	T 1 1 4						
Tax Map #: 134-7.00-163.00	Total Acreage: 14.66						
Zoning: AR-1 Density: 2	25 Minimum Lot Size: 7,500 Number of Lots: 33						
Open Space Acres: $6.2 ext{ acres } (42\%)$	n)						
m: 1							
Water Provider: Tidewater Utiliti	es Sewer Provider: Sussex County						
A							
Applicant Information							
Applicant Name: Irons Knoll, LLC							
Applicant Address: 118 Atlantic A							
City: Ocean View	State: DE ZipCode: 19970						
Phone #: (302) 539-2488							
Owner Information							
Owner Name: Irons Knoll, LLC							
Owner Address: 118 Atlantic Aver							
City: Ocean View	State: DE Zip Code: 19970						
Phone #: <u>(302) 539-2488</u>	E-mail: brad@truenorthls.com						
Agent/Attorney/Engineer Info	rmation						
Landscape Architec							
Agent/Attorney/Engineer Name	TOTAL						
	ess: Taggart Professional Ctr. 32895 S. Coastal Hwy. Suite 202						
City: Bethany Beach	State: <u>DE</u> Zip Code: <u>19930</u>						
Phone #: (302) 539-2366	E mail: ieffc@landtechllc.com						





Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

✓ Completed Application	
 Plan shall show the existing proposed lots, landscape provide compliance with Some statements. 	Plan or Survey of the property and a PDF (via e-mail) g conditions, setbacks, roads, floodplain, wetlands, topography, plan, etc. Per Subdivision Code 99-22, 99-23 & 99-24 ection 99-9. copy of proposed deed restrictions, soil feasibility study
✓ Provide Fee \$500.00	
	for the Commission to consider (ex. photos, exhibit en (7) copies and they shall be submitted a minimum ng Commission meeting.
subject site and County staff will c	e will be sent to property owners within 200 feet of the come out to the subject site, take photos and place and time of the Public Hearings for the application.
✓ PLUS Response Letter (if required)	Continues and Assessment & Bublic Facility
51% of property owners consent in	fapplicable
plans submitted as a part of this application are I also certify that I or an agent on by behalf sha Zoning Commission and any other hearing nece questions to the best of my ability to respond t	s, exhibits, and statements contained in any papers or e true and correct. Il attend all public hearing before the Planning and essary for this application and that I will answer any to the present and future needs, the health, safety, neral welfare of the inhabitants of Sussex County,
Signature of Applicant/Agent/Attorney	Date: 11/25/2020
Bully & Ill	Date: 11/25 /2020
For office use only: Date Submitted: Staff accepting application: Location of property:	Fee: \$500.00 Check #:Application & Case #:
Date of PC Hearing:	Recommendation of PC Commission:

Document# 2020000038954 BK: 5300 PG: 242

Recorder of Deeds, Scott Dailey On 8/28/2020 at 8:44:45 AM Sussex County, DE

Consideration: \$595,000.00 County/Town: \$8,925.00 State: \$14,875.00 Total: \$23,800.00

Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP # 134-7.00-163.00

PREPARED BY & RETURN TO: Parsons & Robinson, P.A. 118 Atlantic Ave.#401 P. O. Box 480 Ocean View, DE 19970 File No. 36795/KMT

THIS DEED, made this day of August, 2020,

- BETWEEN -

J & B CALHOUN FARMS, LLC, a Delaware limited liability company, of 32513 Stone Landing Road, Dagsboro, DE 19939, party of the first part,

- AND -

IRONS KNOLL, LLC, a Delaware limited liability company, of 118 Atlantic Ave., Ste 202, Ocean View, DE 19970, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE DOLLAR and 00/100 (\$1.00) and other valuable consideration, 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:

All that certain piece, parcel or lot of land, lying and being situate in the Baltimore Hundred, Sussex County, State of Delaware, and being more particularly described according to a Survey dated August 20, 2020, prepared by True North Land Surveying Inc., as follows, to wit:

Beginning at a concrete monument found, located on the easterly right of way line of Irons Lane, and being the southwesterly corner of said Parcel and a common property corner with the lands now or formerly Chad M. Marvel & Jeffrey M. Marvel; thence by and with said right of way, North 05° 46′ 55" West, a distance of 260.27'to a point; thence by and the lands now or formerly Blaine W. Whitten, Trustee & Carol D. Whitten, Trustee, North 89° 12′ 36" East, passing thru an iron pipe found at 5.02', having a total distance of 403.18', to an iron pipe found; thence by and with the Greens at Indian River Subdivision, North 89° 21′ 36" East, a distance of 959.42', to an iron pipe found; thence by and with the lands of now or formerly Robert Hickman Properties, South 05° 16′ 38" East, a distance of 544.86', to an iron pipe with cap found; thence by and with the Irons Acres Subdivision, South 88° 13′ 32" West, a distance

Document# 2020000038954 BK: 5300 PG: 243 Recorder of Deeds, Scott Dailey On 8/28/2020 at 8:44:45 AM Sussex County, DE Doc Surcharge Paid

of 977.55°, to an iron rod found; thence by and with the lands now or formerly Chad Marvel, North 04° 32° 51" West, a distance of 310.12' to a concrete monument found; thence by and with said lands of Chad Marvel and lands of Chad M. Marvel & Jeffrey M. Marvel, South 88° 16' 50" West, passing thru a concrete monument at 140.57°, having a total distance of 384.90° to said concrete monument found, and said point of beginning, containing 14.66 acres of land, more or less.

BEING part of the same lands conveyed to J & B Calhoun Farms, LLC by Deed dated May 28, 2010, from Bessie J. Calhoun, Trustee Under Revocable Trust Agreement of Bessie J. Calhoun, Dated 4/18/01, and Bessie J. Calhoun, Trustee of Trust "A" Under Revocable Trust Agreement of Joseph E. Calhoun Dated 4/18/01, recorded in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Deed Book 3791, Page 132.

IN WITNESS WHEREOF, the said J & B Calhoun Farms, LLC has caused its name to be hereunto set, and its seal to be hereunto affixed, the day and year first above written.

By: Bessie J. Calhoun, Managing Member

By: Bessie J. Calhoun, Managing Member

By: Bessie J. Calhoun, Trustee of Trust A
Under Revocable Agreement of Joseph
E. Calhoun dated 4/18/01, Managing

Member

Document# 2020000038954 BK: 5300 PG: 244 Recorder of Deeds, Scott Dailey On 8/28/2020 at 8:44:45 AM Sussex County, DE Doc Surcharge Paid

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this day of August, A.D. 2020, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Bessie J. Calhoun, Managing Member; and Trustee of Trust A Under Revocable Agreement of Joseph E. Calhoun dated 4/18/01, Managing Member of J & B Calhoun Farms, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed and the act and deed of said limited liability company; that the signature of the Managing Member is in her own proper handwriting and the seal affixed is the common and corporate seal of said limited liability company; and that her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the members of said limited liability company.

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

Notary Public
Printed Name:

My Commission Expires: _____

MANAEN S. ROBINSON, IV, ESQ. ATTORNEY AT LAW-DELAWARE NOTARY PURSUANT TO 29 DEL. C., SEC. 4323(a)(3) THE KNOLL SUBDIVISION

MAPPING & ADDRESSING PROJECT & STREET NAMES

MAPPING & ADDRESSING

MEGAN NEHRBAS MANAGER OF GEOGRAPHIC INFORMATION SYSTEMS (GIS) (302) 855-1176 T (302) 853-5889 F





November 4, 2019

Land Tech Attn: Jeffery A. Clark, RLA 32895 Coastal Hwy, Suite 202 *Bethany Beach, De. 19930*

RE: Proposed Subdivision Name(s)

I have reviewed the name(s) submitted for your proposed subdivision which is located in Dagsboro (134-7.00-163.00). In reviewing the proposed name(s) the following has been approved for this subdivision:

THE KNOLL

Should you have any questions please contact the Sussex County Addressing Department at 302-853-5888 or 302-855-1176.

Sincerely,

Terri Q Dukes

Terri L. Dukes Addressing Technician II

CC: Christin Headley Planning & Zoning



From: Cathy Lyons <<u>CLyons@gmbnet.com</u>>
Sent: Wednesday, September 8, 2021 11:09 AM
To: Terri Dukes <<u>tdukes@sussexcountyde.gov</u>>
Cc: Katja Kalinski <<u>KKalinski@gmbnet.com</u>>

Subject: RE: The Knoll

Terri,

Thank you. We will provide a replacement for the denied name.

Cathy



Cathy Lyons
Sr. Project Coordinator
206 West Main Street | Salisbury, MD | 21801
410.742.3115 | www.gmbnet.com | Find us on facebook

From: Terri Dukes < tdukes@sussexcountyde.gov>
Sent: Wednesday, September 8, 2021 11:07 AM

To: Cathy Lyons < CLyons@gmbnet.com>

Subject: RE: The Knoll

Cathy, please reference your list below.

Terri Dukes Addressing Tech II Sussex County Mapping and Addressing 2 The Circle P.O. Box 589 Georgetown, DE 19947 (302) 855-1176

From: Cathy Lyons < <u>CLyons@gmbnet.com</u>> Sent: Friday, August 27, 2021 8:18 AM

To: Terri Dukes < tdukes@sussexcountyde.gov >

Subject: RE: The Knoll

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.

Terri,

Good morning.

The following are street names for approval:

Tenley's Trail / Approved Sadie's Run / Approved Taylor's Turn / Denied Blakely's Way / Approved

Thank you, Cathy

DESIGN SUMMARY AND SUPPLEMENTAL DATA
THE KNOLL SUBDIVISION

AMENDED PRELIMINARY SITE PLAN

THE KNOLL

PRELIMINARY SITE PLAN AR-1 CLUSTER SUBDIVISION (2021-08) SUSSEX COUNTY, DELAWARE

GMB File No. 210113

PROJECT AREA

EXISTING

PROPERTY LINE ---------

EASEMENT LINE -----

EDGE OF POND ------

FLOOD ZONES —

R.O.W. LINE -------

SETBACK LINE

PROPERTY CORNER (NOT SPECIFIED)

CONCRETE MONUMENT FOUND

EDGE OF PAVEMENT

SIDEWALK

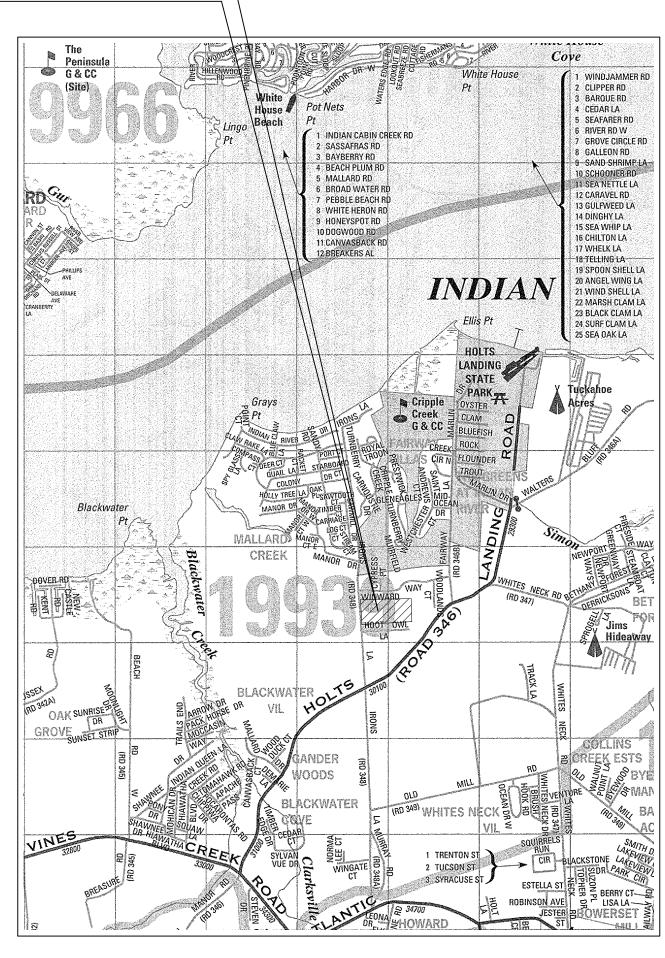
SIDEWALK HATCH

STORM MANHOLE

SANITARY MANHOLE

STORM PIPE

PROPOSED



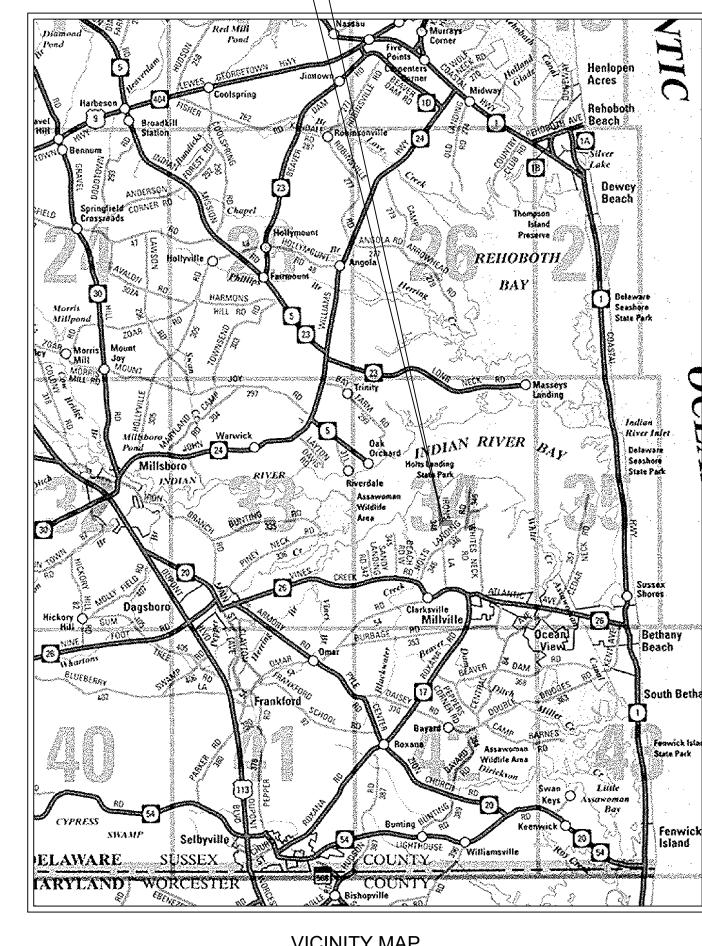
LOCATION MAP
SCALE: 1" = 1,000'

PLANNING AND ZONING COMMISSION

N/A		
N/A		
	PSP 1.0	COVER SHEET
	PSP 2.0	BOUNDARY SURVEY / EXISTING CONDITIONS
	PSP 3.0	PRELIMINARY SITE PLAN
	PSP 4.0	PRELIMINARY SITE PLAN RENDERING
<u>(S)</u>		
——ss——— ——w——— N/A	APPROVED	ВУ
N/A		SUSSEX COUNTY COUNCIL PRESIDENT

APPROVED

PROJECT AREA



VICINITY MAP
SCALE: 1" = 1 MILE

GENERAL NOTES:

- STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE KNOLL HOA.
- 2. ALL OPEN SPACE SHALL BE MAINTAINED BY THE KNOLL HOA.
- 4. TOPOGRAPHY SHOWN HEREIN PER LIDAR DATA, DELAWARE STATE PLANE COORDINATE SYSTEM NAD 83/91 AND NAVD88 VERTICAL DATUM.
- 5. BOUNDARY SHOWN HEREIN PROVIDED BY TRUE NORTH LAND SURVEYING DATED 08-19-2020.
- 6. THIS SITE CONTAINS NO FEDERAL OR STATE OF DELAWARE JURISDICTIONAL WETLANDS.
- 7. THIS SITE IS NOT WITHIN ANY TRANSPORTATION IMPROVEMENT DISTRICT (TID)
- 8. 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.
- 9. FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN 50 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES, NO IMPROVEMENT REQUIRING AN OCCUPANCY APPROVAL FOR A RESIDENTIAL TYPE USE SHALL BE CONSTRUCTED WITHIN 50 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES
- 10. ACCESS TO ALL LOTS WILL BE OF INTERIOR SUBDIVISION ROADS ONLY.
- 11. ALL INTERIOR SIDE LOT LINES ARE RESERVED FOR THE CENTERLINE OF A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT.
 A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT IS RESERVED ON EACH LOT ALONG THE FRONT AND REAR PROPERTY

SITE DATA:

PROPOSED ZONING:

OPEN SPACE PROPOSED

OWNER/DEVELOPER/APPLICANT: IRONS KNOLL, LLC.
118 ATLANTIC AVE. STE 202
OCEAN VIEW, DE 19970

332, 32 ...

TAGGART PROFESSIONAL CENTER
32895 SOUTH COASTAL HWY; SUITE 202
BETHANY BEACH, DE
PHONE: 302.539.2366

CONTACT: JEFF CLARK, RLA

CIVIL ENGINEER:

GEORGE, MILES & BUHR, LLC
206 WEST MAIN ST
SALISBURY, MD 21801

SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH, P.E.

AR-CLUSTER - DEVELOPMENT OPTION FOR LOTS

TAX MAP: 134-7.00-163.00

DEED REFERENCE: 5300/242

EXISTING ZONING: AR-1 - AGRICULTURAL RESIDENTIAL

COMPREHENSIVE PLAN MAP:

COASTAL AREA

TOTAL SITE AREA:

DNREC WETLANDS:

FEDERAL WETLANDS:

GROSS DEVELOPMENT AREA:

GROSS AREA/21,780 SF:

\$20,000 LOTS EXCEEDING 29:

LOTS PROPOSED:

MINIMUM LOT SIZE:

COASTAL AREA

14.66 ACRES

0 ACRES
29.32 LOTS ALLOWABLE

4

LOTS PROPOSED:

33

MINIMUM LOT SIZE:

7,500 SF

6.20 ACRES (42%)

EXISTING WOODED AREA: 14.59 ACRES (99%) WOODS TO REMAIN: 3.81 ACRES (26%)

UNIT COUNT

DWELLING UNITS 33

REQUIRED PARKING: (2/UNIT) 66

PROVIDED PARKING: 66

BUILDING SETBACKS:

FRONT: 25'
FRONT CORNER: 15'
SIDE: 10'
REAR: 10'
MAX BUILDING HEIGHT: 42'

AMENITIES: WALKING TRAI

OD ZONE:

FLOOD INFORMATION: SPECIAL FLOOD HAZARD AREA ZONE X

(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE
FLOODPLAIN) PER FIRM MAP 10005C0484K, DATED MARCH 16,

GROUNDWATER RECHARGE POTENTIAL.

SOURCE WATER PROTECTION:

THIS PARCEL IS NOT LOCATED IN A WELLHEAD PROTECTION AREA. THIS PARCEL IS LOCATED IN AN AREA OF "FAIR"

UTILITIES:

CENTRAL WATER:

TIDEWATER UTILITIES, INC.

PUBLIC SEWER:

SUSSEX COUNTY

OWNER'S CERTIFICATION:
I HEREBY CERTIFY THAT I AM AN OWNER OF THE PROPERTY DESCRIBED AN SHOWN ON THIS
PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION. THE UNDERSIGNED, CERTIFY THAT ALL
LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE
APPROVED PLAN AND THAT THE SUSSEX CONSERVATION DISTRICT OR THEIR DESIGNATED AGENT
SHALL HAVE RIGHT TO CONDUCT ON—SITE INSPECTIONS.

OWNER DATE IRONS KNOLL, LLC.

LANDSCAPE ARCHITECT'S CERTIFICATION:
"I <u>JEFFREY A. CLARK, RLA</u> HEREBY CERTIFY THAT I AM A REGISTERED LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD PLANNING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

JEFFREY A. CLARK, RLA.

OWNER, LAND TECH LAND PLANNING, LLC.

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

ENGINEER D/SENIOR VICE PRESIDENT, GEORGE, MILES & BUHR, LLC.

APPROVED BY
SUSSEX COUNTY
SOIL CONSERVATION DISTRICT



GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY BALTMORE SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 2180

THE KNOLL
SUSSEX COUNTY, DELAWAF

COVER SHEET

SCALE : NOTED

DESIGN BY : JAC

DRAWN BY : KK

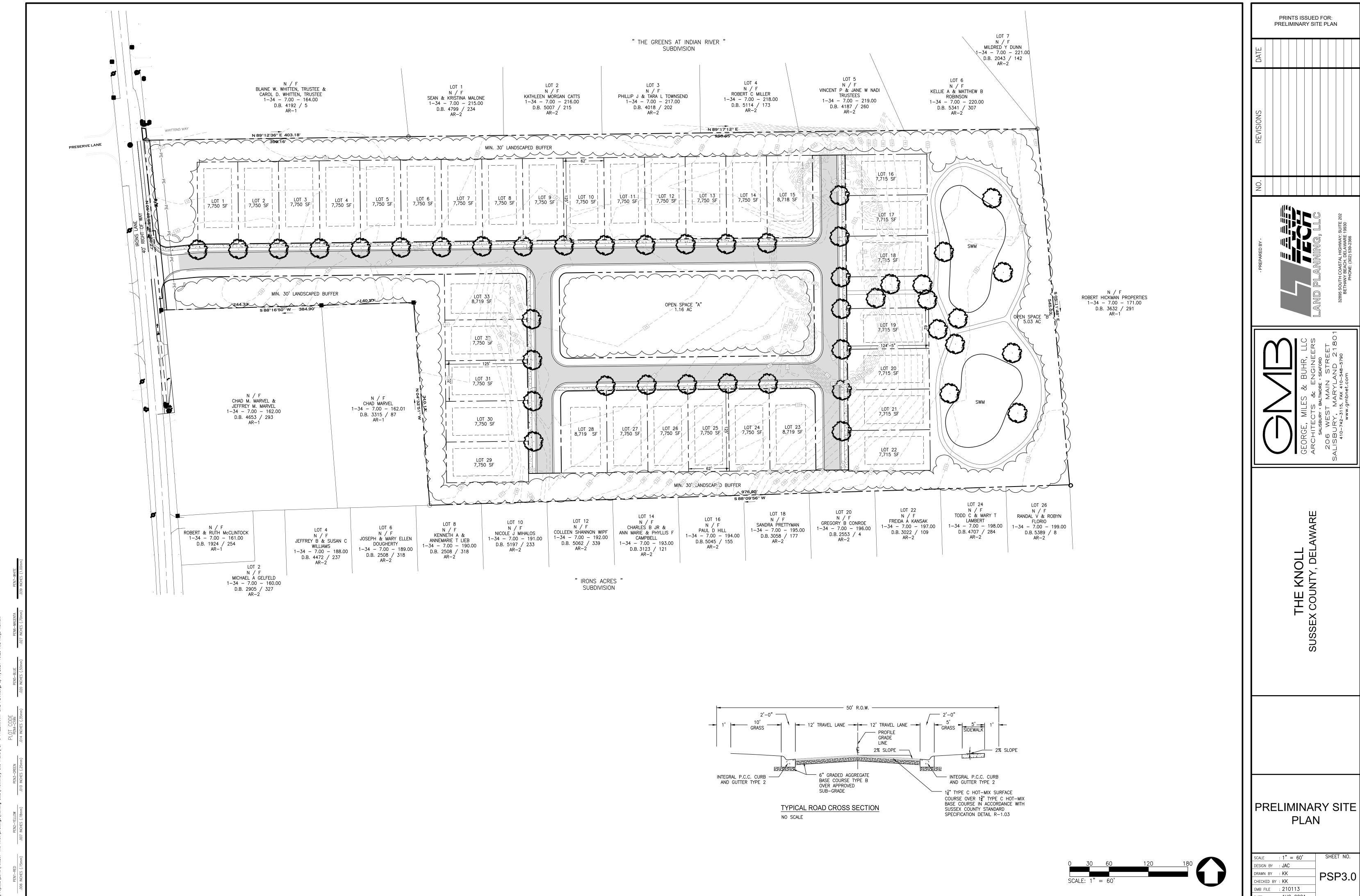
CHECKED BY : KK

GMB FILE : 210113

: AUG 2021



PSP3.0



PSP3.0 : AUG 2021

© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC

PRINTS ISSUED FOR: PRELIMINARY SITE PLAN

PRELIMINARY SITE PLAN RENDERING

DRAWN BY : KK

CHECKED BY : KK

GMB FILE : 210113

DATE : AUG 2021 PSP4.0

© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC

THE KNOLL SUBDIVISION

ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITY EVALUATION

THE KNOLL CLUSTER SUBDIVISION

ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITY EVALUATION REPORT

Sussex Code Article XXV – Section 115-194.3

BACKGROUND AND PROJECT DESCRIPTION

- The Knoll Subdivision site is a 14.66-acre tract of land (Sussex Tax Parcel: 134-7.00-163.00) situated on the east side of Irons Lane northwest of the town of Millville. The property is currently zoned AR-1 (Agricultural Residential) and lies within the Coastal Area, a designated Growth Area as mapped in the current 2018 Comprehensive Plan for Sussex County. The zoning application is for an AR-1 Cluster Option Subdivision served by central sanitary sewer and seeking approval to develop 33 single-family detached home sites with community open space parks, sidewalks, walking trails and multiple neighborhood lakes planned for use as both active and passive recreation by Knoll Subdivision residents and guests. The development density proposed is 2.25 dwellings per acre.
- A single full-service subdivision entrance is planned at the intersection of Irons Lane.
- The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment and disposal Unified District facilities.
- The site will be served with a public water system via a connection to the Tidewater Utilities Water Company existing infrastructure.
- A professionally designed landscaped buffer to infill an existing forested buffer with a minimum width from 30' will extend along the perimeter of the entire to create a visual buffer as required by the Sussex County Code. The gateway to the community as

THE KNOLL CLUSTER SUBDIVISION

planned will provide a 55' existing forested buffer from Irons Lane to preserve the view of the property from off-site to near predeveloped conditions.

STORMWATER & DRAINAGE DESIGN

• The stormwater management design for the Knoll Subdivision site will meet all current regulatory requirements of the Sussex Conservation District and DNREC. The stormwater management design will incorporate a system of wet ponds and grassed swales. Infiltration facilities will be used where appropriate.

COMMUNITY POTABLE AND FIRE PROTECTION WATER SUPPLY

• The Knoll Subdivision site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use and also supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

WASTEWATER TREATMENT AND DISPOSAL

- The Knoll Subdivision site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system.
- A connection point for the site is available via a manhole within Irons Lane with gravity piping approximately nineteen feet (19') deep.

THE KNOLL CLUSTER SUBDIVISION

TRAFFIC ANALYSIS

- The Knoll Subdivision developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application in November 2019. PLUS remarks by DelDOT indicated no Traffic Impact Study (TIS) is required.
- The usual required dedication of additional right-of-way and permanent easement along the Irons Lane site frontage was also pointed out in the PLUS remarks by DelDOT.

THREATENEND AND ENDANGERED SPECIES

- Watershed Eco, LLC has prepared a Rare, Threatened and Endangered (RTE) Species Research Report dated November 20, 2020. The report includes a review of the United States, Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) for information from their files.
- Both NMFS and USFWS indicated that there are no concerns related to RTE species.
- Mr. McCulley with Watershed Eco reviewed the site and reported that no habitats were observed that would indicate potential for RTE species on the wooded site.

WETLANDS

- The Knoll Subdivision site has been evaluated for the existence of regulated wetlands in November, 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). The wetlands evaluation was conducted on the entire tract (tax parcel 134-7.00-163.00).
- Mr. McCulley concluded there are no DNREC or Federal jurisdictional wetlands present on this tract of land. A detailed

THE KNOLL CLUSTER SUBDIVISION

report shall be made a part of the subdivision application and contained within a Supplementary Data Book.

OPEN SPACE MANAGEMENT

- The Knoll Subdivision site will result in the creation of both active and passive open space areas within the subdivision boundaries. The land use plan identifies a large centrally located open space area that will serve the overall community with active amenities such as a horse shoe pits and children's play equipment. Active amenities such as BBQ grilling, dog parks, horseshoe pits and children's play equipment may also be strategically placed within the central park. Passive open space recreation within the Knoll Subdivision includes a trail system developed around open water storm pond features and provide opportunities for residents/guests walking and for dog walks.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual maintenance of these community open spaces. The perpetual maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Knoll Subdivision home owner's association. The Knoll Subdivision restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

PUBLIC AND PRIVATE INFRASTRUCTURE

• The Knoll Subdivision will be served by both public water from Tidewater Utilities Water Company and public sanitary sewer from Sussex County.

THE KNOLL CLUSTER SUBDIVISION

- The Knoll Subdivision site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. A +/- 19' deep gravity sewer connection exists in the immediate vicinity of the planned subdivision entrance at Irons Lane.
- The Knoll Subdivision site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.
- Other utilities to be extended to the property include gas, CATV, electric and telephone provided through private agreements with those utility companies.
- Site drainage and stormwater management systems will also be developed pursuant to County Code and DNREC regulations governing inspection of installations and facilities maintenance.
- The operation and maintenance of the stormwater management facilities shall be accomplished by the Owner's Association as set forth in the restrictive covenants for The Knoll.

ECONOMIC, RECREATIONAL & OTHER BENEFITS

- Multiple economic benefits accrue to the local economy from construction employee salaries and the purchase of materials during site construction of utilities, streets and amenities as well as individual home construction. Additional benefits accrue from increased property taxes, permit fees, utility impact fees and the like.
- As stated elsewhere in this report, there are both active and passive recreational opportunities designed into the Knoll Subdivision land

THE KNOLL CLUSTER SUBDIVISION

use plan. For a subdivision of thirty-three (33) individual residences, there is NOT a substantial Home Owner's Association capability of sustaining high maintenance community and neighborhood amenities such as a swimming pool. An offering of some active and passive open space improvements such as walking trails, tot lot play equipment, BBQ with covered picnic tables represent a manageable economic burden to maintain for a community of this size. This active recreation amenity together with the required professional maintenance of the extensive landscape buffer areas, interior walking trails and common area grass cutting, fertilizing and weed/pest control should be sustainable for a community of this size. A balanced amenity offering with manageable upkeep expense will ensure that the fit and finish of Knoll Subdivision common areas remain in a good state of repair and appearance.

CONFORMANCE WITH COMPREHENSIVE PLAN

- The Knoll Subdivision site has been planned in accordance with the 2018 Comprehensive Plan approved by Sussex County Council.
- The Future Land Use component of the 2018 Plan has established Growth Areas where the County has signaled future growth is expected. The entire Brookland Farm site is mapped as **Coastal Areas** on the 2045 Future Land Use Map. Coastal Areas are one of seven (7) Growth areas defined and described in the 2018 Plan. The 2018 plan seeks to encourage the County's most concentrated forms of new development to Growth Areas.

The 2018 Plan recognizes that the Coastal Growth Area is in a region among the most desirable locations in Sussex County for new housing. Coastal Areas can accommodate development

provided special environmental concerns are addressed and a range of housing types should be permitted including single family

THE KNOLL CLUSTER SUBDIVISION

detached which Knoll Subdivision proposes. Coastal Areas development densities proposed in the 2018 Plan range from 2-12 homes per acre. Knoll Subdivision proposes 2.25 dwellings per acre. Cluster development is encouraged that results in the permanent preservation of a substantial percentage of the tract or area being developed. Knoll Subdivision as planned preserves in excess of forty percent (40%) open space as that term is defined in the Sussex County Code. Knoll Subdivision land use planning involves Best Management Practices (BMP's) in storm water management design, preserves significant contiguous areas of the existing woodlands on site, and proposes extensive buffers for wildlife habitat and nutrient (nitrogen and phosphorous) management. The Knoll Subdivision will be connected to the Sussex County regional wastewater collection, transmission and treatment facilities and the Tidewater Utilities regional potable and fire protection water system.

HISTORICAL AND CULTURAL RESOURCES

• The Knoll Subdivision site was reviewed in November of 2019 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.

ACTIONS TO MITIGATE DETRIMENTAL IMPACTS

• The Knoll Subdivision plan is based upon the principals of sound land use planning and landscape architecture. Open space interior parks are located to promote and encourage pedestrian access between homes in the neighborhood and community interaction.

THE KNOLL CLUSTER SUBDIVISION

- Open space pathways into and through the community and landscaped perimeter buffers allow the linking of off-site natural areas for wildlife surrounding the site to remain connected.
 Perimeter landscaped buffers also provide important esthetics for views into the site from neighboring properties and from within the subdivision.
- The gateway to the community presents an existing forested view from Irons Lane and a significant area of natural existing forest will remain after site development and home construction.
- The use of a qualified professional site maintenance company by the home-owners association to manage plant communities in both the native and more manicured areas of Knoll Subdivision will serve to mitigate the effects of development on this site. Plant pest management, fertilizer application management and invasive species plant management will all serve to mitigate effects of a low-density land use.
- Using "state of the art" best management stormwater quality and quantity controls via bio-filters, and bio-retention structures with native plant species will ensure that the impacts of land development are minimized.

THE KNOLL SUBDIVISION

SUBDIVISION CONSIDERATIONS (CHAPTER 99-9)

THE KNOLL SUBDIVISION

SUBDIVISION CONSIDERATIONS

CHAPTER 99-9 ORDINANCE 1152

INTEGRATION OF PROPOSED SUBDIVISION INTO EXISTING TERRAIN AND SURROUNDING LANDSCAPE

• The 14.66 acre-Knoll Subdivision site is presently wooded and not actively managed for timber harvesting or other silviculture. The entire property is mapped as "Coastal Area" in the current Sussex County Comprehensive Plan and has both central water and sanitary sewer available. The Knoll Subdivision site is bound on the north by The Greens subdivision which was developed in the mid 1980's and is fully built out with large custom residences; many overlooking the Cripple Creek Country Club golf course. To the south is Irons Landing, an older single family lot subdivision which also appears to be fully developed with custom residences. Two large (1-1.75 acre) lots fronting on Irons Lane also adjoin the site to the south. West of The Knoll is The Preserve at Irons Landing, a fully developed 75 lot single family residential subdivision. The land immediately east of the subject tract is also fully wooded and currently undeveloped.

Other communities in the immediate area include Fairway Villas, Blackwater Beach and Bay Colony, most of which were developed before 2000 and are fully built out with single family homes on individual lots.

- There are no DNREC or Federal jurisdictional wetlands present on the Knoll Subdivision site.
- An Open Space Management Plan prepared by a qualified professional shall outline a detailed strategy to maintain the native trees and shrubs within existing forested areas and also within any developer planted landscape buffer areas.

THE KNOLL SUBDIVISION

- The Open Space Management Plan will be implemented by landscape maintenance professionals under contract to the Knoll Subdivision Home Owner's Association as required by the subdivision restrictive covenants.
- No lots within Knoll Subdivision shall have direct access onto the road frontage of any State maintained routes or public roads.
- The Knoll Subdivision design results in an excess of 6 acres of open space (+/- 42%) to be actively managed by professional maintenance companies under contract to the home-owners association.
- The low residential density planned for Knoll Subdivision will result in 2.25 dwellings per acre which is generally in keeping with the low-density character of the surrounding area.
- All streets, sidewalks, site grading and sanitary sewer infrastructure will be designed, constructed and inspected for conformance to all Sussex County Engineering Department standards and specifications.
- All grading, drainage and storm water management facilities will be designed, constructed and inspected for conformance to Sussex Conservation District and DNREC standards and specifications.
- All water service infrastructure will be designed to Tidewater Utilities standards and specifications and inspected by the State Fire Marshal's Office for conformance to State Fire Prevention Regulations.

MINIMAL USE OF WETLANDS AND FLOODPLAINS

• The Knoll Subdivision site has been evaluated for the existence of regulated wetlands in November of 2020 by Mr. James McCulley, a recognized qualified professional wetland scientist. No jurisdictional wetlands were found to exist on or near the property.

THE KNOLL SUBDIVISION

- The conclusions reached by Watershed Eco will be attached in the Supplemental Data Book and made a part of the subdivision application.
- No wetland approvals from involved Federal or State regulatory agencies will be needed for subdivision construction.
- The entire Knoll Subdivision site as mapped on Flood Insurance Rate Map (FIRM) Number 10005C0484K (Maps Revised March 16, 2015) is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain). A copy of the current FIRM shall be included within the Supplemental Data Book made a part of this application.

PRESERVATION OF NATURAL AND HISTORIC FEATURES

- The Knoll Subdivision site was reviewed in November of 2019 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.
- The Knoll Subdivision site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- Passive open recreational spaces are confined to areas surrounding stormwater ponds that will primarily serve as opportunities for residents and their guests for walks and pet exercise. Within these wooded areas, beyond clearing for SWM purposes, no further clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety. Where required, the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Knoll Subdivision home owner's association.

THE KNOLL SUBDIVISION

- A central open space area will be used more actively by the residents and their guests. This active area will have adequate space to accommodate tot play equipment, and opportunities for horseshoes, boce ball, and BBQ equipment with outdoor weather protected seating.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Knoll Subdivision home owner's association. The Knoll Subdivision restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

PRESERVATION OF OPEN SPACE AND SCENIC VIEWS

- The existing wooded road frontage of Knoll Subdivision will remain undisturbed for depth of 75' except for the subdivision street entrance connection to Irons Lane.
- The Knoll Subdivision site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- Passive open recreational spaces are confined to areas surrounding stormwater ponds that will primarily serve as opportunities for residents and their guests for walks and pet exercise. Within these wooded areas, beyond clearing for SWM purposes, further clearing, disturbance, or altering of vegetation shall not be permitted except the removal of dead and dying trees which pose a threat to the public safety. Where required the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas

THE KNOLL SUBDIVISION

- will follow the direction of qualified arborists under contract to the Brookland Farm Subdivision home owner's association.
- A central open space area will be used more actively by the residents and their guests. This active area will have adequate space to accommodate a swimming pool and bathhouse, tot-lot play equipment, and opportunities for horseshoes, boce ball, and BBQ equipment with outdoor weather protected seating.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Knoll Subdivision home owner's association. The Knoll Subdivision restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

MINIMIZATION OF TREE, VEGETATION, AND SOIL REMOVAL AND GRADE CHANGES

- Within the limited wooded area, beyond clearing for SWM purposes, street and home construction no further clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety. Where required, the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Brookland Farm Subdivision home owner's association.
- The site is forested and is currently not managed for silviculture.
- The subdivision site grading and drainage design will follow the general contour of the existing pre-developed site except areas that

THE KNOLL SUBDIVISION

- are proposed for excavation as wet ponds and open swales to convey stormwater across the site.
- To the maximum extent possible, site top soils will be stockpiled for re-use in lot areas around new residences and active open space areas and for the creation of earth berms.

SCREENING OF OBJECTIONABLE FEATURES FROM NEIGHBORING PROPERTIES AND ROADWAYS

• As stated earlier in this report, the site is completely forested in its pre-developed condition. Therefore, much of the required perimeter landscape buffer will consist of maintaining the existing forest buffer. Where required to infill the existing forested buffer, the site perimeter areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will be under the direction of qualified arborists under contract to the Knoll Subdivision home owner's association.

PROVISION FOR WATER SUPPLY

- The Knoll Subdivision site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned.
- The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

THE KNOLL SUBDIVISION

PROVISION FOR SEWAGE DISPOSAL

- Sewage disposal proposed for Knoll Subdivision lots will be a connection to the existing Sussex County sanitary sewer infrastructure currently within the Irons Lane right of way.
- The Sussex County sanitary sewer as-built drawings for Irons Lane in the immediate vicinity of the proposed subdivision entrance shows a manhole with gravity main approximately nineteen feet (19') deep.

PREVENTION OF POLLUTION OF SURFACE AND GROUNDWATER

- The Knoll Subdivision property is not currently actively managed for silviculture.
- The storm water management design at Knoll Subdivision will utilize a system of wet ponds, bio-filters, and grassed to address State of Delaware mandated water quality standards. As required by law, all drainage and storm water management design documents and computations will be scrutinized by the Sussex Conservation District prior to issuance of any permits for land disturbing activities.

MINIMIZATION OF EROSION AND SEDIMENTATION, CHANGES IN GROUNDWATER LEVELS, OF INCREASED RATES OF RUNOFF, OF POTENTIAL FOR FLOODING AND DESIGN OF DRAINAGE SO THAT GROUNDWATER RECHARGE IS MAXIMIZED

• Development of the Knoll Subdivision will comply with a Sussex Conservation District approved Erosion and Sediment Control Plan. The storm water management design will utilize a system of ponds, bio-filters, and waterways to address State of Delaware mandated water quality standards. As required by law, all drainage and storm water management design documents and computations

THE KNOLL SUBDIVISION

will be scrutinized by the Sussex Conservation District prior to issuance of any permits for land disturbing activities. The well drained soils types and landscape position with respect to the seasonal groundwater elevation on the Knoll Subdivision site make this an appropriate opportunity to implement infiltration facilities to maximize groundwater recharge.

PROVISION FOR SAFE VEHICULAR AND PEDESTRIAN MOVEMENT WITHIN THE SITE AND TO ADJACENT WAYS

- Based upon comments offered at the PLUS meeting for this application, the Knoll Subdivision site is not required by the Delaware Department of Transportation (DelDOT) to undertake a Traffic Impact Study (TIS) to assess the need for any off-site improvements to public roads. The recommendations for off-site improvements by DelDOT staff and DelDOT regulations will become necessary as a part of the commercial subdivision entrance permit process.
- The commercial subdivision entrance permit will insure, to DelDOT standards, that safe auto and bicycle vehicular and pedestrian movements will occur as a part of this new subdivision construction.
- The Knoll Subdivision design incorporates a continuous paved sidewalk network throughout the neighborhood connecting residents to each other and to site amenities including walking trails.

EFFECT ON AREA PROPERTY VALUES

- The Knoll Subdivision plan is based upon the principals of sound land use planning and landscape architecture.
- Home sites are configured by design to adequately buffer Irons Lane, existing The Greens and Irons Acres lots from those being proposed in the new subdivision. The rear of lots proposed within the Knoll Subdivision will directly abut undeveloped lands to the

DESIGN SUMMARY AND SUPPLEMENTAL DATA

THE KNOLL SUBDIVISION

- east and are separated from that adjacent property by a distance of over 175'.
- The gateway to this small subdivision preserves a 75'deep area of existing forest before the first residential lot thereby buffering this new community as viewed from Irons Lane. New subdivision streets will be tree lined with residential scale downward projecting street lighting.
- For the above reasons, this new well-planned community will command an above market home sale price and re-sale price which will serve as a positive effect on those properties in the immediate neighborhood.

PRESERVATION AND CONSERVATION OF FARMLAND

• The Knoll Subdivision site will not neither preserve or conserve farmland.

EFFECT ON SCHOOLS, PUBLIC BUILDINGS AND COMMUNITY FACILITIES

- The Knoll Subdivision site with new single family detached homes s likely to attract a mix of both retiree and first-time home buyers with children as residents. The 33-home size of Knoll Subdivision and the projected demographic of the buyers would limit the impacts of future residents upon existing schools.
- During the commercial entrance permit process with DelDOT, the applicant will be required to coordinate this new development with the public-school transportation staff to learn if a school bus stop is appropriate and required at this location. Adequate area is available within the community central open space to design school bus circulation and parking for parents with children awaiting the bus if deemed appropriate.
- The residents in this new neighborhood would be welcomed by local merchants, restaurants and faith-based organizations to contribute to the overall wellbeing of the community.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

THE KNOLL SUBDIVISION

EFFECT ON AREA ROADWAYS AND PUBLIC TRANSPORTATION

- The Knoll Subdivision developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application in November of 2020. We await a response from DelDOT.
- All commercial subdivision entrance improvements as well as all
 off-site improvements within the public DelDOT right of way shall
 be constructed and inspected as directed and approved by DelDOT.

COMPATABILITY WITH OTHER AREA LAND USES

- The low residential density planned for Knoll Subdivision will result in 2.25 dwellings per acre which is generally in keeping with the low-density character of the surrounding area.
- Growth in the form of new residential subdivision communities have been progressing along Irons Lane and surrounding area for the last 35 years.
- As stated elsewhere in this report, the site is surrounded by fully built-out and maturing subdivisions in an upscale area that supports a private golf course and large public marina. We believe this in-fill property will be very compatible with area land uses and will not alter the visual aspect of Irons Lane in any appreciable manner.

EFFECT ON AREA WATERWAYS

 All construction activities within the Knoll Subdivision site shall adhere to detailed plans and specifications prepared by Delaware licensed professional engineers contained within a Stormwater Management Plan with Sediments and Erosion Control provisions approved by the Sussex Conservation District. The Sussex Conservation District requires all site disturbances to be under inspection by DNREC staff to insure compliance with approved

DESIGN SUMMARY AND SUPPLEMENTAL DATA

THE KNOLL SUBDIVISION

- stormwater management designs and specifications. Therefore, the development of Knoll Subdivision will have taken the necessary precautions to assure there are no negative water quality or quantity effects on neighboring properties.
- An Open Space Management Plan prepared by a qualified professional under agreement with the Knoll Subdivision homeowner's association will monitor the applications of fertilizers and pesticide treatments within the community. Proper management of these fertilizer and pesticide applications may result in less water quality impact to off-site drainage systems than the pre-developed condition of active agriculture.

THE KNOLL SUBDIVISION

PLUS, TAC & P&Z STAFF COMMENTS & APPLICANT RESPONSE



STATE OF DELAWARE EXECUTIVE DEPARTMENT OFFICE OF STATE PLANNING COORDINATION

September 10, 2021

David L. Edgell, AICP
Director, Office of State Planning Coordination
122 Martin Luther King, Jr. Blvd. South – Haslet Armory, Third Floor
Dover, DE 19904

RE: PLUS Response 2019-11-08; Irons Lane – Calhoun Tract AKA "The Knoll" Subdivision

Dear Mr. Edgell,

Land Tech Land Planning, LLC represents the owner of the above referenced proposed subdivision application. In response to the review comments within the December 19, 2019 PLUS report that follows, we offer our answers highlighted in color.

December 19, 2019

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

RE: PLUS review 2019-11-08; Irons Lane – Calhoun Tract

Dear Mr. Clark:

Thank you for meeting with State agency planers on November 20, 2019 to discuss the proposed plans for the Irons Lane – Calhoun Tract project. According to the information received you are seeking review of a rezoning of 14 acres from AR-1 to MR-RPC in anticipation of a 33-unit subdivision along Irons Lane in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. 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.

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. State investments will support growth in these areas. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but may have priorities for the near future. Level 3 area means there may be environmental concerns on or near the parcel and we would encourage you to design the site with respect for the environmental features which are present.

Acknowledged

Code Requirements/Agency Permitting Requirements

<u>Department of Transportation – Contact Bill Brockenbrough 760-2109</u>

- The site access on Irons Lane (Sussex Road 348) must be designed in accordance with DelDOT's <u>Development Coordination Manual</u>, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.
 Acknowledged
- Pursuant to Section 1.3 of the <u>Manual</u>, a Pre-Submittal Meeting is required before plans are submitted for review.

Acknowledged

• Section 1.7 of the <u>Manual</u> addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

Acknowledged

• Per Section 2.2.2.1 of the <u>Development Coordination Manual</u>, 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.

The PLUS application states that the proposed development would generate 320 vehicle trip ends per day. DelDOT calculates a slightly higher daily volume, 375 vehicle trip ends per day and a weekday evening peak hour volume of 35 vehicle trip ends per hour. Therefore, a TIS is not required.

Acknowledged

• As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Irons Lane to meet DelDOT's standards for local roads. By this regulation, this dedication is to provide

a minimum of 30 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."

Acknowledged

• In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easements across the property frontage on Irons Lane. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat."

Acknowledged

• Section 3.5.4.2 of the <u>Manual</u> addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the <u>Manual</u>, in Level 2 Investment Areas, installation of a sidewalk or Shared Use Path along the development's road frontage is required. DelDOT anticipates requiring a Shared Use Path along the development frontage on Irons Lane.

Acknowledged

• In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether turning lanes are warranted at the site entrance and how long the lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. Preliminarily it appears that the site entrance may need to be shifted north to construction of a right turn lane into the site.

Acknowledged

<u>Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352</u>

Surface Water Discharges Section

• Not in or near a regulated MS4 or other NPDES permitted operation. Sediment and Stormwater regulations would apply to construction and post-construction activities at this location.

Acknowledged

Sediment and Erosion Control/Stormwater Management

• A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. Contact the reviewing agency to schedule a preapplication meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre- and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion. The plan review and approval as well as construction inspection will be coordinated through the Sussex Conservation District. Contact the Sussex Conservation District at (302) 856-7219 for details regarding submittal requirements and fees.

Acknowledged

Total Maximum Daily Load (TMDL) and excess nutrients

• Total Maximum Daily Loads (TMDLs) exist for most of the State's water bodies. A TMDL is the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet and continue to meet water quality standards. To support the State's water quality efforts, DNREC reviewers encourage applicants to reduce the amount of pollutants that enter local waterways by limiting the disturbance of natural habitat and increasing the use of green infrastructure.

Acknowledged

A nutrient management plan is required under the Delaware Nutrient Management law (3 Del. Chapter 22) for all persons or entities who apply nutrients to lands or areas of open space in excess of 10 acres. This project's open space may exceed this 10-acre threshold. Please contact the Delaware Nutrient Management Program at (302) 739-4811 for further information concerning compliance requirements, or view additional information here: http://dda.delaware.gov/nutrients/index.shtml
 Acknowledged

<u>State Historic Preservation Office – Contact Carlton Hall 736-7400</u>

There are no known archaeological sites or known National Register-listed or eligible properties on the parcel. However, the sediments and setting suggest a moderate potential for Native American archaeological resources. Therefore, the Delaware SHPO is recommending an archaeological survey of the parcel. If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

- 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).

 Acknowledged
- 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
 Acknowledged

11011110 111001800

Recommendations/Additional Information

This section includes a list of site specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

<u>Department of Transportation – Contact Bill Brockenbrough 760-2109</u>

• The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

Acknowledged

 Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at https://www.deldot.gov/Business/subdivisions/

Acknowledged

<u>Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352</u>

Site Visit Request

• In the application, the applicant documented their willingness for a state agency visit to the site. The Delaware Division of Fish and Wildlife botanist and herpetologist would like to request a site visit to this property to document the forest resources which include plants, amphibians, and reptiles. If the applicant would grant the Division a site visit, please contact Brian Galvez via email at brian.galvez@delaware.gov or via phone at (302) 223-2446.

The applicant engaged the professional services of Mr. James McCulley, a recognized environmental specialist, to tour the site and report his findings regarding the existence of any rare, threatened or endangered species. Mr. McCulley concluded there were none present. A complete RTE report was prepared by Mr. McCulley which can be made available upon request.

Wetlands

- To protect the function and integrity of wetlands, DNREC recommends a minimum 100foot buffer should be left intact around the wetland perimeter. Wetland buffers are an
 integral component of aquatic and wetland habitats, reducing the amount of sediment and
 pollutants that may affect the function and integrity of habitat and the condition and
 survivability of aquatic organisms. Therefore, the applicant is encouraged to maintain
 inputs to natural wetlands at pre-construction levels by avoiding increases or decreases in
 water levels and avoiding diversion of surface water from roadways and stormwater
 facilities into on-site wetlands. Water quality could be detrimentally affected by run-off
 which can contain oil and other pollutants, such as fertilizers and other lawn treatments
 applied by homeowners. Further, low spillage lights (those that reflect light directly
 downward onto the illuminated area) should be used on roads and homes within 750 feet
 of the forested wetlands on site. Fluorescent and mercury vapor lighting should not be
 used
- The applicant engaged the professional services of Mr. James McCulley, a recognized environmental specialist, to tour the site and report his findings regarding the existence of any Federal or State of Delaware jurisdictional wetlands. Mr. McCulley concluded there were none present. A complete wetlands report was prepared by Mr. McCulley which can be made available upon request.

Small animals, such as salamanders have difficulty climbing vertical curbs. Designing the development to exclude curbs is best for these species, but if road curbing is part of the design, curbing that allows small animals to climb out of the roadbed (such as Cape Cod curbing) is preferred over steep, vertical curbing. DNREC reviewers provide the following recommendations for reptiles and amphibians, (1) Avoid installing sewers with grates, which can create a hazard for amphibians and reptiles, (2) Any culverts installed should be open bottom box culverts to allow for natural substrate to remain and in-water passage of aquatic life. Additionally, culverts should be left as wide as possible to ensure that salamanders can travel through them, (3) Perc test holes act as pitfall traps, collecting large numbers of amphibians, turtles, and other animals that will be unable to escape and will ultimately die. As such, perc test holes should be refilled to grade, and (4) low spillage lights (those that reflect light directly downward onto the illuminated area) should be used on roads and homes within 750 feet of the forested wetlands on site. Fluorescent and mercury vapor lighting should not be used. The applicant should direct any environmental reviews or information requests on rare plants, animals, and vegetation communities to DNREC's Division of Fish and Wildlife at DNREC_EnvReview@delaware.gov.

Acknowledged

Sustainable Development Recommendations

- The applicant should consider the use of recycled, energy efficient materials, and renewable energy infrastructure.
- The Division of Climate, Coastal, & Energy offers incentives for clean transportation (Workplace EV Charging) and energy efficiency. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (www.de.gov/greenenergy, www.de.gov/cleantransportation, www.de.gov/eeif).
 Acknowledged

Nuisance Wildlife

To deter waterfowl from taking up residence in the stormwater ponds, DNREC reviewers recommend planting the surrounding open space with a mix of native wildflower plantings (to be planted in accordance with the Sediment and Stormwater Plan approval agency requirements). In addition to deterring nuisance waterfowl, the native wildflower mix will also serve to attract bees, butterflies, and other pollinators, and reduce run-off, which can contain oil and other pollutants from the parking areas. DNREC's botanist, Bill McAvoy, would gladly assist in drafting a list of plants suitable for this site. Bill can be contacted at (302) 735-8668 or William.McAvoy@delaware.gov.

Acknowledged

Development projects that result in increased housing densities within 2 miles of large expanses of salt marshes or brackish wetlands or within 1 mile of large tracts of freshwater wetlands, can often lead to increased demands by the public (and their elected officials) for mosquito control services, going beyond what DNREC- Division of Fish and Wildlife, Mosquito Control Section currently has the budget or resources to provide. Often the homeowner's association will inherit the burden of dealing with mosquito issues and should be aware of the following: (1) achieving

good control in an environmentally compatible manner requires technical knowledge, (2) they will need concurrence from all their homeowners/residents for if, how, when, and where any treatments will be done, (3) controlling mosquitoes can be quite costly and an on-going problem, and (4) they should be aware that there can be liability issues that their treatment activities might cause, particularly in regard to any claims of chemical trespass, misapplications, or adverse impacts to human health or the environment from insecticide exposures. If the applicant has any questions regarding mosquito control issues, they can contact Dr. Bill Meredith, Mosquito Control Administrator at (302) 739-9917.

Acknowledged

Delaware Transit Corporation (DTC) – Contact: Jared Kauffman 576-6062

A pedestrian pathway is needed between sidewalk frontage and the internal network, which is separated from vehicle traffic.

Acknowledged

Sussex County - Contact Rob Davis 854-7719

The proposed development is in Tier 2 planning area for future sewer service. The parcel adjoins the Sussex County Unified Sanitary Sewer District and can be considered for annexation into the sewer district. A written request for annexation must be submitted along with an application fee of \$1500.00 payable to Sussex County Council. A sewer system concept evaluation must be requested to define a connection point for new projects.

Acknowledged

A "Use of Existing Infrastructure Agreement" is required for new projects and must be approved prior to approval of construction plans. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for new projects by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

Acknowledged

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

Acknowledged

Onetime system connection charges will apply. Please contact the Utility Permits Division at 302 854-7719 for additional information on charges.

Acknowledged

In addition to the comments above our office has received a letter from Brandy Nauman, Sussex County Housing Coordinator & Fair Housing Compliance Officer. A copy of that letter is enclosed wit this letter.

PLUS review 2019-11-08 Page 8 of 8

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

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

Sincerely,

Constance C. Holland, AICP Director, Office of State Planning Coordination

CC: Sussex County Planning Enclosure

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 OF PLANNING AND
ZONING

By email to: <u>smarsh@gmbnet.com</u>

July 1, 2021

Mr. Stephen L. Marsh, P.E. George, Miles & Buhr, LLC 206 West Main Street Salisbury, MD 21801

RE: Staff Review of the Check Print for The Knoll (2021-08) for a major cluster subdivision to consist of thirty-three (33) single-family lots with access off of Irons Lane (S.C.R. 348) and associated site improvements to include open space areas, storm water management and other improvements.

Tax Parcel: 134-7.00-163.00

Dear Mr. Marsh,

Further to your submission of December 29, 2020, the Planning and Zoning Department has reviewed the Check Print for The Knoll (2021-08) for a major cluster subdivision to consist of thirty-three (33) single-family lots with access off of Irons Lane (S.C.R. 348) and associated site improvements. The parcel is zoned Agricultural Residential (AR-1) and lies within the Coastal Area. Staff have reviewed the submitted plan for compliance with the Sussex County Zoning and Subdivision Code and have the following comments:

Check Print Review

- 1. Please note in the Site Data Column that the project lies within the Coastal Area per the County's Future Land Use Map within the 2018 Sussex County Comprehensive Plan.
- 2. Please correct the minor typographic error in the Site Data Column regarding existing zoning from "... Agriculture Residential" to "... Agricultural Residential".
- 3. In the Site Data Column, please correct the minor typo of "Gross Area/12,780 SF...." To "Gross Area/21,780...".
- 4. In the Site Data Column, please add the corner front setback of 15'.
- 5. Please add a general note that this project is not located within any Transportation Improvement District.
- 6. Please include in the General Data Column that this parcel is not located in a Wellhead Protection Area to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-6).
- 7. Please include in the General Data Column that this parcel is located in an area of "fair" Groundwater Recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).



Check Print Subdivision Plan Review The Knoll (2021-08) July 1, 2021 Page 2

- 8. Staff notes that there is only one-way-in, one-way-out access into the proposed subdivision. Please note that the Planning and Zoning Commission do desire to see interconnectivity where feasible. The proposed subdivision does not appear to have an opportunity for interconnectivity. However, if interconnectivity cannot be achieved, it is recommended that an easement be established and provided for purposes of emergency access to the subdivision. The easement should be established with the intent to improve it to Sussex County Engineering standards in the future.
- 9. Please provide the lot dimensions.
- 10. Please show any utility and drainage easements to be proposed.
- 11. Please provide the water and sewer providers within the site data column.
- 12. Please note the tax ditch buffer along the north side is 80' from the top of the bank.
- 13. Please show the location, size, and material of all subdivision signage.
- 14. Please provide the location of a mail kiosk, if one will be provided.
- 15. Please show the placeholder for the amenities, if they are to be provided.
- 16. Please notate the percentage/number of existing trees that will remain and the percentage/number of trees to be removed.
- 17. Please note the neighboring lands are used primarily for agricultural purposes and that should be recognized within the General Notes ($\S99-6(G)(12)$).
- 18. Please show the existing forested areas and the forested areas to be removed.
- 19. Please include the names of the owner of record, zoning and Tax ID number of all adjacent properties.

The applicant acknowledges these comments and the appropriate plan revisions have been made within the Preliminary Site Plan.
For Final Plan

- 20. Any Final Subdivision Plan will require a Landscaping Plan to be included.
- 21. On any Final Site Plan, please included notes from DelDOT.
- 22. On any Final Site Plan, please include existing topography and a proposed grading plan.
- 23. Please add the names of all streets as approved by the Sussex County Mapping and Addressing Department (§99-26(A)(7)).
- 24. **Prior to approval of any Final Subdivision Plan**, approval letters or 'no-objection' letters from the following agencies shall be submitted to the Sussex County Planning and Zoning Department (All items in which a check mark appear have been received by the Department. All bolded items still require submittal to the Department before consideration for final approval can be received):
 - a. Sussex Conservation District
 - b. Office of the State Fire Marshal
 - c. Sussex County Engineering Department
 - d. Sussex County Mapping and Addressing Department Approval for the Subdivision name and all street names.
 - e. Delaware Department of Transportation
 - f. Office of Drinking Water (Public Health)
 - g. The local school district regarding bus stop provisions.
 - h. Copies of all HOA documents/restrictive covenants.

Check Print Subdivision Plan Review The Knoll (2021-08) July 1, 2021 Page 3

Once all comments regarding the preliminary subdivision plan have been addressed. please submit one (1) electronic PDF copy of the plans and one (1) full-sized (24" x 36") hard copy of the plans to the Planning and Zoning Department no later than September 3, 2021. The Knoll (2021-8) is tentatively scheduled for a public hearing on September 23, 2021.

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

Sincerely,

Mrs. Christin Scott

Christiscott

Planner I



2320 SOUTH DUPONT HIGHWAY DOVER, DELAWARE 19901 AGRICULTURE.DELAWARE.GOV

Telephone: (302) 698-4500 Toll Free: (800) 282-8685 Fax: (302) 697-6287

March 5, 2021

Nick Torrance, Planner I Planning & Zoning Commission P.O. Box 417 Georgetown, Delaware 19947

Subject: **Preliminary Plans for The Knoll**

Dear Mr. Torrance,

Thank you for providing preliminary plans for The Knoll subdivision submitted by George, Miles & Buhr, LLC Architects & Engineers to our section dated December, 2020.

The Delaware Forest Service recommends the plans reflect tree planting specifications and that the ISA ANSI A300 best management practices are followed for newly installed trees. DFS recommends planting a 70/30 mix of hardwood and evergreen tree species. There are several tree species that are not recommended for planting in the state due to their invasive nature or the susceptibility to pests and diseases. These species are listed on our department website. The Delaware Forest Service requests planting details and tree species to be added to the preliminary plans before being approved. Please resubmit the preliminary plans to Delaware Forest Service once the updates are completed.

The Delaware Forest Service will await resubmission of plans.

If you have any questions please feel free to contact me at taryn.davidson@delaware.gov.

Sincerely,

Taryn Davidson Urban Forestry Program

Delaware Forest Service

Jay Davidson

Nick Torrance

From:

Anthony, Mindy (DNREC) < Mindy. Anthony@delaware.gov>

Sent:

Wednesday, March 3, 2021 10:36 AM

To:

Planning and Zoning

Subject:

FW: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm,

2021-10 Graywood Springs, CZ 1937 Wil King Station

Attachments:

2021-09 Brookland Farm Subdivision Plan.pdf; 2021-10 Graywood Springs Subdivision

Plan.pdf; CZ 1937 Double DB, LP (Wil King Station) Subdivision Plan.pdf

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

Good morning,

DNREC's Division of Waste and Hazardous Substances has reviewed the applications for Project #s 2021-06, 2021-08, 2021-09, 2021-10 and CZ 1937 and has no comments on any of them.

Thank you,

Mindy Anthony Planner IV DNREC-Div. of Waste & Hazardous Substances 89 Kings Hwy Dover, DE 19901 Phone: 302-739-9466

Fax: 302-739-5060

Mindy.Anthony@delaware.gov

Integrity. Respect. Openness. Customer Focus. Quality.



https://de.gov/recycling www.facebook.com/delawarerecycles

From: Nick Torrance < nicholas.torrance@sussexcountyde.gov>

Sent: Monday, January 04, 2021 10:44 AM

To: Krumrine, Beth (DNREC) <Beth.Krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Fox, Duane T. (FireMarshal) <Duane.Fox@delaware.gov>; Butler, Eileen M. (DNREC) <Eileen.Butler@delaware.gov>; Sullivan, James C. (DNREC) <James.Sullivan@delaware.gov>; Cinelli, Jennifer (DelDOT) <jennifer.cinelli@delaware.gov>; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; Crystall, Meghan (DNREC) <Meghan.Crystall@delaware.gov>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@delaware.gov>; Mike Brady <MBRADY@sussexcountyde.gov>; Melendez, Milton (DDA) <milton.melendez@delaware.gov>; Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>; Subdivision (MailBox Resources) <Subdivision@delaware.gov>; Susan Isaacs <sisaacs@sussexcountyde.gov>; Laws, Susanne K (DelDOT) <Susanne.Laws@delaware.gov>; tdickerson@decoop.com; Terri Dukes tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>

Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021. This may be a duplicate email to some, but I received quite a few returned emails for the size being too large to send. So I will be sending out 2 separate emails. Please look for both.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Sussex County, Delaware Technical Advisory Committee

Comment Sheet



DATE OF REVIEW: January 6, 2021

REVIEWING AGENCY: Delaware State Fire Marshal's Office, Sussex Office

INDIVIDUAL REVIEWERS: Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services

Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist

Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist

Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: THE KNOLL (2021-08)

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

a. Fire Protection Water Requirements:

- ➤ Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
- ➤ Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Acknowledged

b. Fire Protection Features:

c. Accessibility

All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Irons Lane must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-desac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- ➤ The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- ➤ The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Acknowledged

d. Gas Piping and System Information:

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

Acknowledged

e. Required Notes:

- ➤ Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
- > Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- ➤ National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- ➤ Note indicating if building is to be sprinklered
- ➤ Name of Water Provider
- ➤ Letter from Water Provider approving the system layout
- Provide Road Names, even for County Roads

Acknowledged

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

THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE



United States Department of Agriculture

Natural Resources Conservation Service

Seorgetown

Georgetown Service Center

21315 Berlin Road Unit 3 Georgetown, DE 19947

Voice 302.856.3990 Fax 855.306.8272 February 15, 2021

Jamie Whitehouse, Director Sussex County Planning & Zoning Sussex County Courthouse Georgetown, DE 19947

RE: The Knoll

Baltimore Hundred 33 single family lots

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

EvD

Evesboro loamy sand, 5 to 15 percent slopes

FhA

Fort Mott-Henlopen complex, 0 to 2 percent slopes

FmA

Fort Mott loamy sand, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
EvD	Y3	Somewhat limited	Somewhat limited	Very limited
FhA	G1	Not limited	Not limited	Somewhat limited/not limited
FmA	G1	Not limited	Not limited	Somewhat limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

"Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

"Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.

"Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

G1:

These soils are on nearly level to strongly sloping (0-10% slopes), well drained, mostly permeable soils. As sites for large commercial, industrial, institutional, and residential developments, these soils have fewer limitations than any other soils in the state. Slopes are favorable, and grading can be done without difficulty. Foundation conditions are generally good. Grasses, trees, and do well. Principal soil limitations: No apparent soil limitations for conventional uses.

Y3:

Strongly sloping to steep (5-15% slopes) excessively drained, very sandy, rapidly permeable soils. These are the same kind of soils as in subclass G2 but are more sloping. Slopes moderately limit their use for residential developments, but available moisture for lawns, trees, shrubs, and gardens is severely limited, especially if the soil has been graded.

The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

Sincerely,

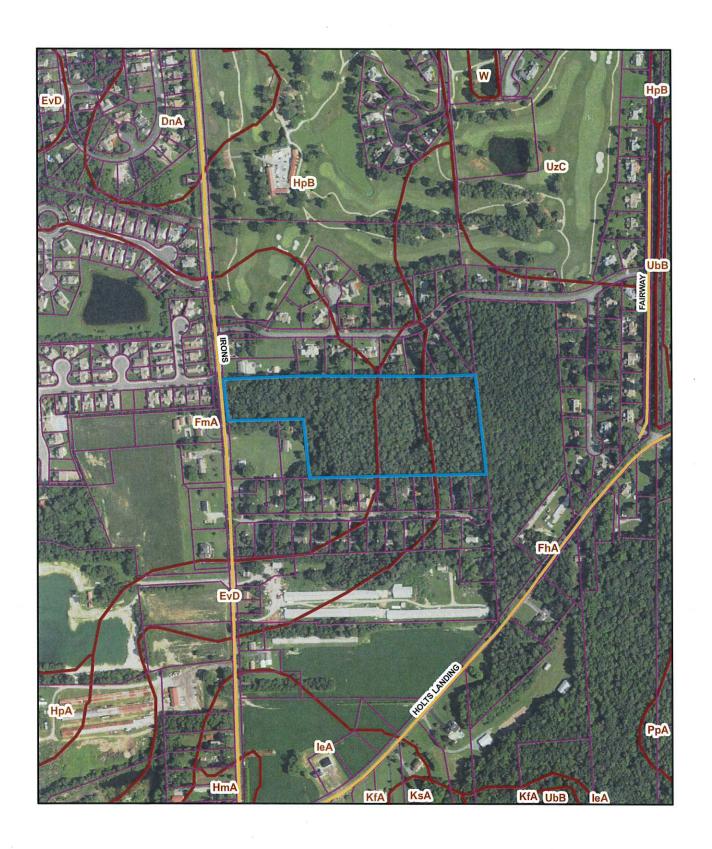
Thelton D. Savage

District Conservationist

Jeiton D Day

USDA, Natural Resources Conservation Service

TDS/bh



2021-08 TM #134-7.00-163.00 The Knoll



2021-08 TM #134-7.00-163.00 The Knoll

Nick Torrance

From:

Terri Dukes

Sent:

Thursday, December 31, 2020 3:23 PM

To:

Nick Torrance

Subject:

RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm,

2021-10 Graywood Springs, CZ 1937 Wil King Station

Nick, All but Brookland Farm has been approved.

From: Nick Torrance < nicholas.torrance@sussexcountyde.gov>

Sent: Thursday, December 31, 2020 1:07 PM

To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes
bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>

Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

THE KNOLL SUBDIVISION

DELDOT SERVICE LEVEL EVALUATION

PLANNING & ZONING

JANELLE M. CORNWELL, AICP DIRECTOR (302) 855-7878 T (302) 854-5079 F





Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Zoning Office.						
Date:						
Site Information:						
Site Address/Location:						
Tax Parcel Number:						
Current Zoning:						
Proposed Zoning:						
Land Use Classification:						
Proposed Use(s):						
Square footage of any proposed buildings or number of units:						
Applicant Information:						
Applicant's Name:						
Applicant's Address:						
City:	State:	Zip Code:				
City.	ouic.	2.1p 30 40 .				
Applicant's Phone Number: Applicant's e-mail address:						





STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

November 20, 2019

Ms. Janelle Cornwell, Director Sussex County Planning & Zoning P.O. Box 417 Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Bayside Knoll, LLC** rezoning application, which we received on October 22, 2019. This application is for an approximately 14.14-acre parcel (Tax Parcel: 134-7.00-163.00). The subject land is located on the east side of Irons Lane (Sussex Road 348), approximately 2,300 feet northeast of the intersection of Holts Landing Road 346) and Irons Lane. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to MR (Medium-Density Residential) to develop 33 single-family detached houses.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Irons Lane where the subject land is located, which is from Old Mill Road (Sussex Road 349) to the Indian River, are 4,702 and 6,051 vehicles per day, respectively.

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

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



Ms. Janelle M. Cornwell Page 2 of 2 November 20, 2019

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

Sincerely,

T. William Brockenbrough, Jr.

J. William Broshonbrungt , f.

County Coordinator

Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues Bayside Knoll, LLC, Applicant

J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

THE KNOLL SUBDIVISION

WETLANDS & RTE SPECIES REPORTS



November 27, 2020

Land Tech, LLC. 32895 South Coastal Highway, Suite 202 Bethany Beach, Delaware 19930

Attention: Mr. Jeff Clark

Subject: Wetland Investigation Report

Irons Knoll Property

Sussex County Tax Parcel: 134-7.00-163.00

Dear Mr. Clark:

Watershed Eco visited the above referenced parcel on November 25, 2020 for the purpose of determining if any wetlands meeting the criteria of the 1987 Corps Delineation Manual (Y-87-1) and the Atlantic Gulf and Coastal Plain Regional Supplement (ERDC/EL TR-10-20) were present on the site. Additionally, I have reviewed the National Wetland Inventory Map, historic aerial photos and USDA Soil Survey Map.

No wetlands were observed on the property during my investigation and the following history and site conditions were noted:

The site was depicted as completely forested in 1937, in 1992 the property remains wooded with residential dwellings being constructed on adjacent properties north and south of the property. A slight disturbance in the forest cover is depicted in the east-central portion of the property in the 1992 aerial photograph. Based on the site investigation it appears this area may have been utilized as a borrow area in the past as the landscape was slightly depressed compared to the surrounding areas. No water-stained leaves or evidence of ponding water were observed within this area.



Figure 1: 1937 Aerial Photo



Figure 2: 1992 Aerial Photo

In 2012 aerial photo shows the site remains forested and does not depict any wet soils or potential wetland areas within the subject property.



Figure 3: 2012 Aerial Photo

The National Wetland Inventory Map does not depict any wetlands on the site. Palustrine forested wetlands (PFO1R) are identified on the adjacent property to the east.



Figure 4: NWI Map

The Soil Survey Mapping depicts well drained soils on the site.



Figure 5: Soils Map

The USGS mapping depicts the property as sloping gently to the northeast. No "blue-line" stream features are depicted on the site.

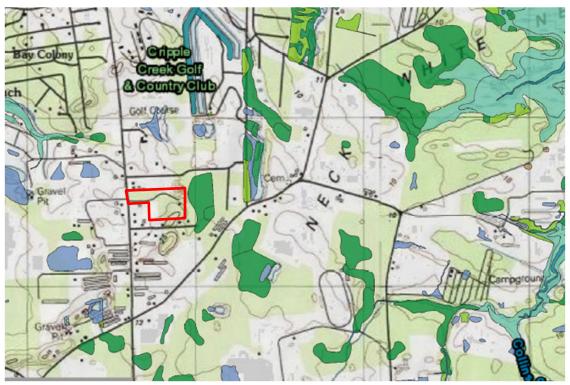


Figure 6: USGS Mapping

A total of three data points were established to support the delineation. Figure 7 depicts the location of these data points within the subject property. Representative data sheets (UPL-1, UPL-2, and UPL-3) are included in the appendices of this document.



Figure 7: Data Point Location Map

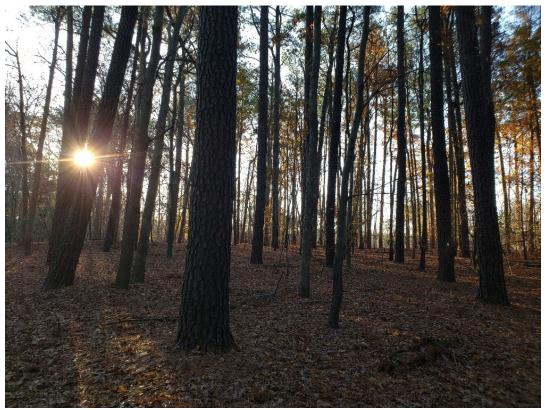
The site investigation confirmed that the site was completely forested. The forest cover consisted of mixed deciduous and coniferous forest dominated by facultative (FAC) and facultative-upland (FACU) species consisting of loblolly pine (*Pinus taeda*), white oak (*Quercus alba*), bitternut hickory (*Carya cordiformis*), sassafras (*Sassafras albidum*), red maple (*Acer rubrum*), and black cherry (*Prunus serotina*) with scattered American holly (*Ilex opaca*). No dominant hydrophytic plant communities were observed within the subject property.



Upland Forest cover at data point UPL-1 in the western portion of the property.



Upland forest cover at data point UPL-2 in the southwestern portion of the property.



Typical upland forest cover in the east-central portion of the property at data point UPL-3.

No wetland hydrology characteristics outlined in the USACE Wetland Delineation Manual and Regional Supplement were observed during the site investigation.

Soil borings were conducted to a depth of 20 inches using a 3-inch diameter Dutch auger. Soil colors were visually estimated using a Munsell Soil Color Chart and texture was estimated using standard soil texture criteria. Soil characteristics were compared to the Hydric Soil Indicator Guide in order to identify whether hydric soils were present at each data point location.

The site investigation confirmed the soil types mapped by USDA. The subject property consisted of well-drained sandy soils. A typical soil profile consisted of 10YR 4/2 sand in the upper 4 inches followed by 10YR 4/4 sand to a depth of approximately 10 inches. From a depth of 10-20 inches, 10YR 5/4 sand was observed.



Typical non-hydric soil profile located in the east-central portion of the property at data point UPL-3.

In conclusion Watershed Eco LLC has determined that no wetland areas were identified within the boundaries of the subject property at the time of the investigation and that none of the historical background information indicates any potential wetland characteristics on the site.

If you have any questions or concerns, please feel free to give me a call.

Sincerely,

James C. McCulley IV, PWS (#000471) Environmental Scientist JAMES C. MCCULLEY, IV 6000471



December 22, 2020

Land Tech LLC 32895 South Coastal Highway, Suite 202 Bethany Beach, Delaware 19930

Attention: Jeff Clark

Subject: Rare, Threatened and Endangered Species Research

Irons Knoll Property

Tax Parcel 134-7.00-163.00

Dear Jeff:

At your request, I have investigated the government databases related to Rare, Threatened and Endangered (RTE) Species for the above captioned property. This included a review of the United States, Fish and Wildlife Service (USFWS) database, the National Marine Fisheries Service (NMFS) database and a request to the State of Delaware, Natural Heritage Department for information from their files.

USFWS -

The Official Species List (see attached) indicates that there are no concerns related to RTE Species for this parcel.

NMFS -

This search (see attached) indicates that there are concerns for Atlantic Sturgeon and Sea Turtles in the Indian River Bay and Whites Creek to the north and east of the Subject Property. No species of concern are noted on or near the Property but any impacts to the habitats depicted, should be avoided. This would involve following the State of Delaware Sediment and Erosion Control Regulations as well as the Storm Water Regulations to avoid any sediment or pollution reaching these habitats from the site.

State of Delaware Natural Heritage -

DNREC indicated potential for Eastern Tiger Salamander on the site. This species needs temporary or permanent pools of water to support it's life cycle, no permanent or temporary pools were observed on or near the site and although DNREC has records of the species within 1 kilometer, it is unlikely that the species exists on the site.

A review of the site indicates that the site is wooded with typical species for this area of the Outer Coastal Plain in Delaware. No habitats were observed that would indicate the potential for RTE Species on the site. No wetlands were encountered on the site (see Wetland Report).

Based on the above information, there do not appear to be any concerns related to RTE Species associated with the site. Once information is received from the State of Delaware, this letter will be updated.

If you have any additional questions, please feel free to contact me.

Sincerely,

James C. McCulley IV, SPWS (#000471)

Environmental Scientist



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Chesapeake Bay Ecological Services Field Office 177 Admiral Cochrane Drive Annapolis, MD 21401-7307 Phone: (410) 573-4599 Fax: (410) 266-9127

http://www.fws.gov/chesapeakebay/

http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html



In Reply Refer To: November 20, 2020

Consultation Code: 05E2CB00-2021-SLI-0243

Event Code: 05E2CB00-2021-E-00591

Project Name: Irons Knoll

Subject: List of threatened and endangered species that may occur in your proposed project

location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office 177 Admiral Cochrane Drive Annapolis, MD 21401-7307 (410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2021-SLI-0243

Event Code: 05E2CB00-2021-E-00591

Project Name: Irons Knoll

Project Type: FILL

Project Description: Residential subdivision on 14.14 acres on Irons Lane, south of Windward

Way and north of Hoot Owl Lane.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/38.573788342898666N75.13991894998082W



Counties: Sussex, DE

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of</u> Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER FORESTED/SHRUB WETLAND

• <u>PFO1B</u>



Drawn Action Area & Overlapping S7 Consultation Areas

Area of Interest (AOI) Information

Area: 2,456.29 acres

Nov 20 2020 11:35:16 Eastern Standard Time



Irons Knoll residential subdivision.

Summary

Name	Count	Area(acres)	Length(mi)
Atlantic Sturgeon	2	153.18	N/A
Shortnose Sturgeon	0	0	N/A
Atlantic Salmon	0	0	N/A
Sea Turtles	4	229.16	N/A
Atlantic Large Whales	0	0	N/A
In or Near Critical Habitat	0	0	N/A

Atlantic Sturgeon

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres
1	ANS_C50_ ADU_MAF	Atlantic sturgeon	Adult	Migrating & Foraging	N/A	01/01	12/31	N/A	N/A	76.59
2	ANS_C50_ SUB_MAF	Atlantic sturgeon	Subadult	Migrating & Foraging	N/A	01/01	12/31	N/A	N/A	76.59

Sea Turtles

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres
1	GRN_STS _AJV_MAF	Green sea turtle	Adults and juveniles	Migrating & Foraging	Massachus etts (S of Cape Cod) through Virginia	5/1	11/30	No Data	No Data	57.29
2	KMP_STS _AJV_MAF	Kemp's ridley sea turtle	Adults and juveniles	Migrating & Foraging	Massachus etts (S of Cape Cod) through Virginia	5/1	11/30	No Data	No Data	57.29
3	LTR_STS_ AJV_MAF	Leatherbac k sea turtle	Adults and juveniles	Migrating & Foraging	Massachus etts (S of Cape Cod) through Virginia	5/1	11/30	No Data	No Data	57.29
4	LOG_STS_ AJV_MAF	Loggerhead sea turtle	Adults and juveniles	Migrating & Foraging	Massachus etts (S of Cape Cod) through Virginia	5/1	11/30	No Data	No Data	57.29

DISCLAIMER: Use of this App does NOT replace the Endangered Species Act (ESA) Section 7 consultation process; it is a first step in determining if a proposed Federal action overlaps with listed species or critical habitat presence. Because the data provided through this App are updated regularly, reporting results must include the date they were generated. The report outputs (map/tables) depend on the options picked by the user, including the shape and size of the action area drawn, the layers marked as visible or selectable, and the buffer distance specified when using the "Draw your Action Area" function. Area calculations represent the size of overlap between the user-drawn Area of Interest (with buffer) and the specified S7 Consultation Area. Summary table areas represent the sum of these overlapping areas for each species group.



DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIRECTOR'S OFFICE DIVISION OF FISH & WILDLIFE RICHARDSON & ROBBINS BUILDING 89 KINGS HIGHWAY DOVER, DELAWARE 19901

PHONE (302) 739-9910

December 21, 2020

Jim McCulley Watershed Eco 203 Clydia Court Middletown, DE 19709

Re: WAEC 2020 Irons Knoll, Tax Parcel No. 134-7.00-163.00

Dear Jim McCulley:

Thank you for contacting the Species Conservation and Research Program (SCRP) about information on rare, threatened and endangered species, unique natural communities, and other significant natural resources as they relate to the above referenced project. Project details were not yet available at this stage, so the comments below are a response to a general inquiry and should not be used as a review for a specific design. Please contact SCRP again for project specific recommendations when those details become available.

Our Division scientists have not surveyed the project area. However, review of aerial imagery revealed that the site has habitat that could potentially support the state-endangered Eastern Tiger Salamander (*Ambystoma tigrinum*), as we have record of a known breeding pond less than 1 kilometer away. In addition, this site has the potential to support old growth forest (see further comment below). In order to provide more informed comments, we request the opportunity to conduct a survey to evaluate habitat and determine the potential for species of conservation concern. Please note that our scientists have extensive knowledge of the flora and fauna of the state. The survey will be conducted at no expense to the landowner. In the event that authorizations will be needed from DNREC's Coastal Management Program and/or Wetlands and Subaqueous Lands Section, they will require complete and up to date information from the Wildlife Species and Conservation Research Program as part of their review. Therefore, allowing access to the site will increase the efficiency of the State authorization process. Please contact me at 302-735-8665 or at Kathryn.Kadlubar@delaware.gov if the landowner will grant a site visit.

We Bring You Delaware's Great Outdoors through Science and Service

Fisheries

As no project design detailing any impacts to waterways was available at the time of this review, there are no fisheries concerns at present.

Potential Old Growth Forest

A visual analysis of our historical database indicates that the forest block proposed to be developed has likely maintained some degree of forest cover since 1937. This constitutes the potential for a mature forest and, as such, the potential for rare, threatened, or endangered species that rely on this type of habitat. In addition, part of the forest block is mapped within the Delaware Wetlands Inventory. Cumulative forest loss and forest fragmentation throughout the state is of utmost concern to the Division of Fish and Wildlife. While project plans were not yet available, we would recommend that any future development at this site avoid clearing the forests to the greatest extent possible. In addition, these forests serve as a buffer to the wetlands present on the parcel. Buffers are an integral component of aquatic and wetland habitats that serve to reduce the amount of sediments, pollutants, and other non-point source material that may affect the function and integrity of habitat and the condition and survivability of aquatic organisms.

We are continually updating our records on Delaware's rare, threatened and endangered species, unique natural communities and other significant natural resources. If the start of the project is delayed more than a year past the date of this letter, please contact us again for the latest information.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,

Katie Kadlubar

Environmental Review Coordinator

Phone: (302) 735-8665

6180 Hay Point Landing Road

aticallular

Smyrna, DE 19977

(See invoice on next page)

INVOICE - PAYMENT DUE

It is our policy to charge a fee for this environmental review service. This letter constitutes an invoice for \$35.00 (\$35.00/hour for a minimum of one hour). Please make your check payable to "Delaware Division of Fish and Wildlife" and submit to:

DE Division of Fish and Wildlife 89 Kings Hwy. Dover, DE 19901 ATTN: Brandi Henderson

In order for us to properly process your payment, you must reference "WAEC 2020 Irons Knoll" on your check.

cc: Brandi Henderson, Fish and Wildlife Accounting Specialist; Code to 72900

THE KNOLL SUBDIVISION

WATER & & SANITARY SEWER ABILITY TO SERVE LETTERS



March 3, 2021

GMB

Attn: Cathy Lyons 206 West Main Street Salisbury, MD 21801

RE: Willing & Able Letter – Tax Parcel 134-7.00-163.00 – The Knoll

Dear Ms. Lyons:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, *including fire protection*, to the following parcel(s) identified as Tax Map & Parcel 134-7.00-163.00. Water service is contingent on the terms and conditions of a Water Service Agreement by and between Tidewater and the Project Owner. This parcel is located within Tidewater's existing water Certificate of Public Convenience and Necessity franchise area.

Please send a site plan and construction schedule to Tidewater if they have not been submitted. Please feel free to contact me at 302-747-1325 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

Kirsten E. Higgins

Kirsten Higgins
Vice President, Development & Contract
Administration

cc: Brian Carbaugh, P.E., Tidewater Utilities, Inc.

ENGINEERING DEPARTMENT

JOHN J. ASHMAN SR. MANAGER OF UTILITY PLANNING & DESIGN REVIEW

> (302) 855-7370 T (302) 854-5391 F jashman@sussexcountyde.gov





DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

SEWER SERVICE CONCEPT EVALUATION (SSCE) UTILITY PLANNING & DESIGN REVIEW

Applicant: GMB
Date: 7/19/2021
Reviewed by: Chris Calio
Agreement #:1161
Project Name: The Knoll
Tax Map & Parcel(s): 134-7.00-163.00
Sewer Tier: Tier 2 - Sussex County Planning Area
Proposed EDUs: 33
Pump Station(s) Impacted: PS 95, PS 270, PS 99
List of parcels to be served, created from the base parcel: N/A
List of additional parcels to be served (Parcels required for continuity must be served with infrastructure):134-7.00-162.00 & 162.01
Connection Point(s): MH 4 In Irons Lane
Use of Existing Infrastructure Agreement required? Yes ⊠ or No □
Annexation Required? Yes ⊠ or No □
Easements Required? Yes ⊠ or No □
Fee for annexation (based on acreage):\$1,500 (10.00 - 150.00 Acres)
Current Zoning: AR-1 Zoning Proposed: AR - Cluster
Acreage: 14.66



Additional Information: On construction drawings extend sewer infrastructure south to the property line set manhole and provide 8" lateral to parcel 134-7.00-162.00 as shown on attached redlined markup drawing.

* No capacity is guaranteed until System Connection Fees are paid

All gravity sewers with three (3) or more minor branches shall be designed at minimum slope and maximum depth.

Sussex County will be assessing bonding and inspection on projects on a unit cost approach per phase.

Recordation of Phasing Plans will now be <u>required</u>, each phase must be recorded prior to issuance of the Notice to Proceed. Any revisions to the phase will require the plan be rerecorded.

Once Construction Drawings are completed with all of the above information satisfied, please submit to:

Sussex County Utility Planning & Design Review 2 The Circle P.O. Box 589
Georgetown DE 19947

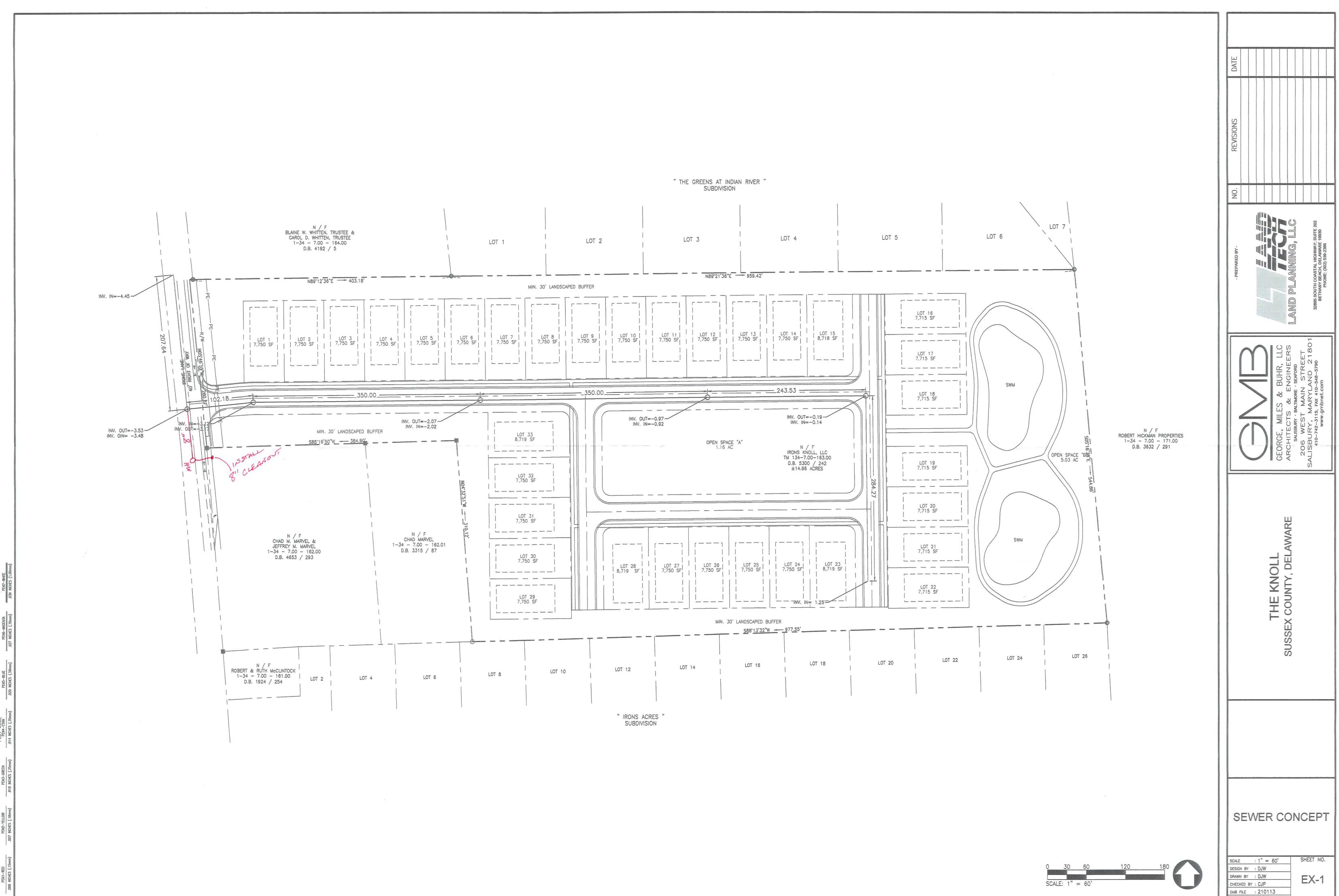
CC: John Ashman Jordan Dickerson Noell Warren

Policy for Extending District Boundaries

- 1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
- 2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
- 3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

Application Fees						
Less than 2 acres	\$500.00					
2.1 -9.99 acres	\$750.00					
10 - 150.00 acres	\$1,500.00					
Greater than 150.00 acres	\$2,500.00					

- 4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
- 5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
- 6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
- 7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.



: MAY 2021

© COPYRIGHT 2020 GEORGE, MILES & BUHR, LLC

Christin Scott

From:

Tara Harrington <tlh@udel.edu>

Sent:

Tuesday, September 21, 2021 1:33 PM

To:

Planning and Zoning; Jamie Whitehouse

Subject:

2021-08 The Knoll opposition / Parcel 134-7.00-163.00

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 Sussex County Planning and Zoning and Jamie Whitehouse,

Please record for all related hearings that we are opposed to the proposed subdivision "The Knoll" (33 single family lots) on parcel 134-7.00-163.00 (Zoning AR-1). Please reference the hearing notice 2021-08 The Knoll.

We are writing to express our strong opposition to the proposed subdivision "The Knoll". While the local community may be unable to prevent new development, many residents in the Greens at Indian River community (that backs to the proposed subdivision) are completely opposed to the proposed subdivision on parcel 134-7.00-163.00 that will allow more traffic, safety concerns, destroy local wildlife habitat, and potentially lower the property values of the existing community by losing the quaint "sussex county" rural appeal that many year-round residents love and enjoy about the area.

Traffic and safety of pedestrians are major areas of concern. In general, the area traffic is continuing to increase, and heavy traffic is already common in the summer months (as many moving to the area are seasonal residents). The road infrastructure is at its limit. Adding more residents and therefore vehicles on our roads, where many residents walk and bicycle, creates more safety concerns. We frequently walk our dog and 2 year old child in the stroller in this area and it is apparent that we are over capacity in terms of traffic along Irons Lane.

Wildlife has been observed in the area, and any development will destroy their habitat. Many deer and fox families are frequently sighted in the woods on the subject parcel and destroying their habitat will no doubt push them to the roads creating traffic safety concerns. Any planned development of the property should consider the continuing impact to local wildlife habitat. The presence of endangered species should also be investigated by the appropriate agency prior to approving development.

I urge you to deny the proposed subdivision, and from recent discussions with my neighbors, I know our opinions are shared by many who are unable to attend the upcoming public hearing or write letters and emails.

Sincerely,
Phillip and Tara Townsend
6 Windward Way
Dagsboro, DE 19939
The Greens at Indian River
(302)-299-9192

Thank you, Tara Townsend