

**PLANNING & ZONING COMMISSION**

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



**Sussex County**

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

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date May 27<sup>th</sup>, 2021

Application: Baylis Estates Phase II (2021-13)

Applicant: Bohler Engineering (Attention: Mr. Steven Fortunato)  
18958 Coastal Highway, Suite D  
Rehoboth Beach, DE 19971

Owner: Baylis Estates Investments, LLC  
16255 Sussex Highway  
Bridgeville, DE 19933

Site Location: Located on the northeast side of Mount Joy Road (Route 297).

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

Proposed Use: 51 Single Family Lots as a Cluster Subdivision

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Indian River Fire Company

Sewer: Sussex County

Water: Tidewater Utilities

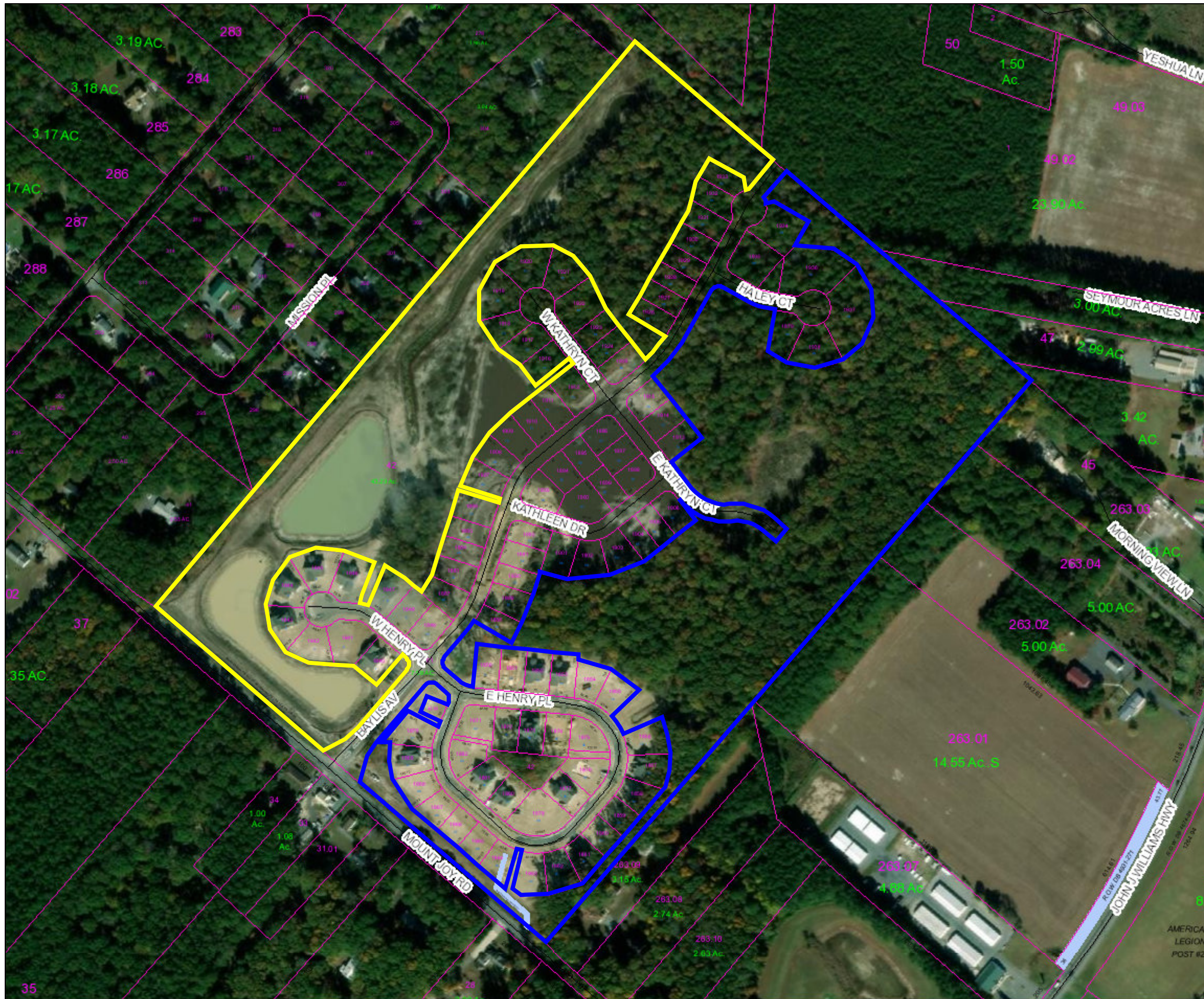
Site Area: 75.48 +/- acres

Tax Map ID.: 234-29.00-42.00





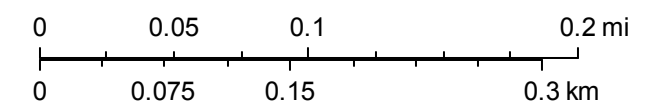
# Sussex County



<b>PIN:</b>	234-29.00-42.00
<b>Owner Name</b>	SUSSEX COUNTY
<b>Book</b>	5222
<b>Mailing Address</b>	PO BOX 589
<b>City</b>	GEORGETOWN
<b>State</b>	DE
<b>Description</b>	BAYLIS ESTATES
<b>Description 2</b>	OPEN SPACE AREAS
<b>Description 3</b>	N/A
<b>Land Code</b>	

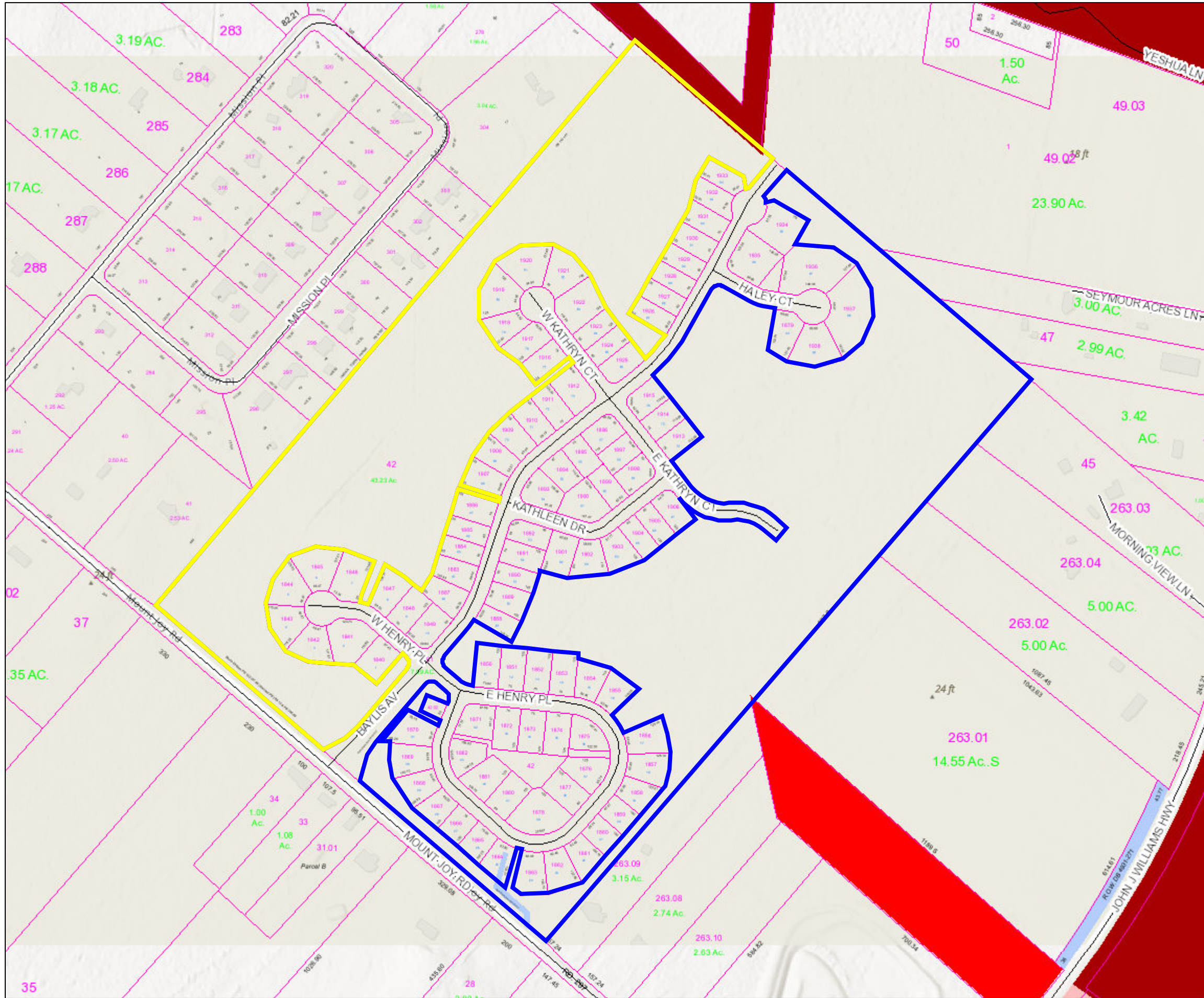
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Override 1
- Tax Parcels
- Streets
- County Boundaries
- Easements

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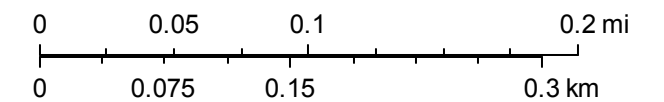
# Sussex County



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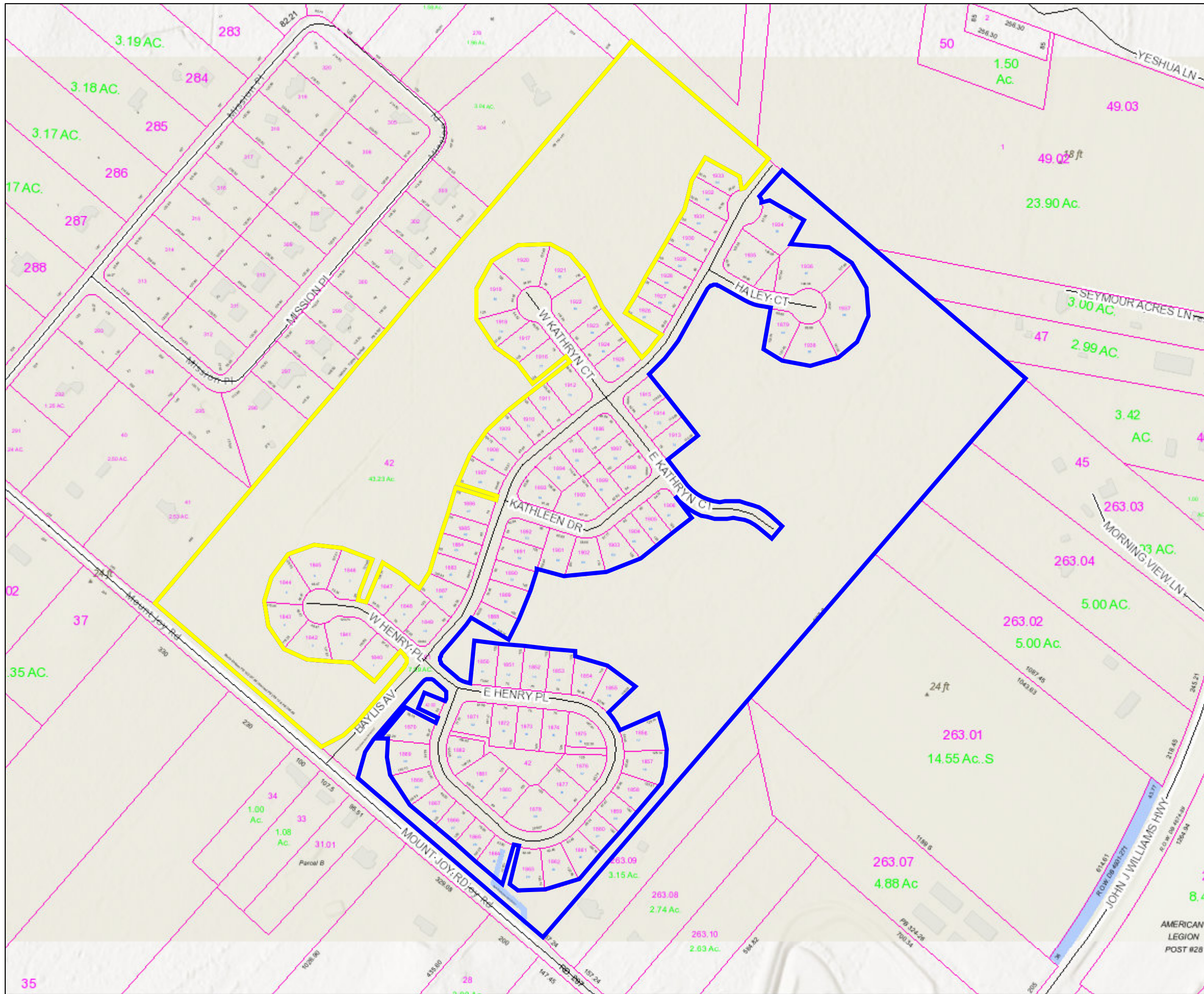
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- Tax Parcels
- Streets

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# Sussex County



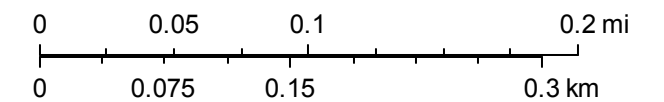
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- polygonLayer**

Override 1
- polygonLayer**

Override 1
- Tax Parcels
- Streets
- County Boundaries
- Easements

1:4,514



FULLNAME	Second_Owner_Name	MAILINGADD	CITY	STATE	ZIPCODE	PIN
26582 JOHN J WILLIAMS HIGHWAY LLC		37021 REHOBOTH AVE EXT STE G	REHOBOTH BEACH	DE	19971	234-29.00-263.07
AHSHAPANCK DON C	CARMELITA ALANIZ	4334 PRAIRIE HILL PL NW	ALBUQUERQUE	NM	87114	234-29.00-36.00
AMERICAN STORAGE OF DELAWARE LLC		113 DICKINSON ST	DEWEY BEACH	DE	19971	234-29.00-49.02
AVANZATO JOHN J	MARGARET E AVANZATO	26762 MISSION PL	MILLSBORO	DE	19966	234-29.00-298.00
BALKCOM CLYDE M JR		28828 WEST HENRY PL	MILLSBORO	DE	19966	234-29.00-1846.00
BARLOW BARRY		30662 MOUNT JOY RD	MILLSBORO	DE	19966	234-29.00-34.00
BASISTA JOSEPH G	BASISTA SHARON M	26784 MISSION PL	MILLSBORO	DE	19966	234-29.00-300.00
BAYLIS ESTATES INVESTMENTS LLC		16225 SUSSEX HWY	BRIDGEVILLE	DE	19933	234-29.00-1866.00
BENEDETTO VIVIAN D	WILLIAM A BENEDETTO JR	1708 RUGER DR	BEL AIR	MD	21015	234-29.00-1843.00
BENNETT MARK A		28884 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1874.00
BRENNER MITCHELL	BONNIE BRENNER	28916 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1876.00
CIRILLO ANN M	DAVID G CIRILLO	28820 W HENRY PL	MILLSBORO	DE	19966	234-29.00-1847.00
DAVIS JANICE B		26398 JOHN J WILLIAMS HWY	MILLSBORO	DE	19966	234-29.00-46.00
DEIHM WILLIAM L		PO BOX 28	EAST EARL	PA	17519	234-29.00-263.02
DELMAN ALAN M	ELAINE M DELMAN	1 BREEZY CT	REISTERSTOWN	MD	21136	234-29.00-1871.00
DEVANEY GERTRUDE A		28885 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1853.00
DONATO ALLEN J & MARY JANE		26822 MISSION PL	MILLSBORO	DE	19966	234-29.00-303.00
DOUGHTY TARA SAMMONS-	STERLING A DOUGHTY	30756 MT JOY RD	MILLSBORO	DE	19966	234-29.00-29.00
FERENCZI CHRISTINA WEST	LARRY AMMERMON	26740 MISSION PL	MILLSBORO	DE	19966	234-29.00-296.00
FINK SHAUN C & JENNIFER A FINK		26748 MISSION PL	MILLSBORO	DE	19966	234-29.00-297.00
FOUR DIAMONDS DEVELOPMENT &	CONSULTING LLC	103 GLADE CIRCLE W	REHOBOTH BEACH	DE	19971	234-23.00-115.00
GAST JAMES H	THERESA L GAST	28814 WEST HENRY PL	MILLSBORO	DE	19966	234-29.00-1848.00
GIANESSES IRENE		26818 MISSION PL	MILLSBORO	DE	19966	234-29.00-302.00
GOMEZ	RICARDO	30672 MOUNT JOY ROAD	MILLSBORO	DE	19966	234-29.00-33.00
HAAS ROBERT A	IRENE E HAAS	32524 MORNING VIEW LN	MILLSBORO	DE	19966	234-29.00-263.03
HAGEN LOUIS C JUDY A		26380 JOHN J WILLIAMS HWY	MILLSBORO	DE	19966	234-29.00-47.00
HANE THOMAS	BRIDGETTE WROTEN	30771 MOUNT JOY RD	MILLSBORO	DE	19966	234-29.00-263.08
HARMON ROBERT T & CONSWELLA E		30772 MOUNT JOY RD	MILLSBORO	DE	19966	234-29.00-27.00
HARRING SHARON A		33863 GREAT LAKES ST	MILLSBORO	DE	19966	234-29.00-48.00
HARRINGTON LINDA C		28870 EAST HENRY PL	MILLSBORO	DE	19966	234-29.00-1872.00
HUDSON LAURA B		31688 YESHUA LN	MILLSBORO	DE	19966	234-23.00-114.00
HYNES EUGENE J JR	JUDITH A HYNES	28937 EAST HENRY PL	MILLSBORO	DE	19966	234-29.00-1861.00
HYSON CRAIG	VANESSA R HYSON	28943 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1862.00
INDIAN TOWN FARMS PROPERTY OWNERS ASSOC		26830 MISSION PL	MILLSBORO	DE	19966	234-29.00-39.00
INNOCENTI JOHN RICHARD II	DEBORAH INNOCENTI	28907 E HENRY PLACE	MILLSBORO	DE	19966	234-29.00-1856.00
INSIGHT BUILDING CO LLC		16255 SUSSEX HWY	BRIDGEVILLE	DE	19933	234-29.00-1900.00
INTRINSIC FINANCIAL LLC	C/O DONNA M MCMILLAN ESQ	7520 INDIAN PIPE CT	COLUMBIA	MD	21046	234-29.00-1932.00
JOHNSON LESLIE	ROSA I O'LOUGHLIN	21654 MILL PARK DR	BRIDGEVILLE	DE	19933	234-29.00-41.00
KACZMAREK THOMAS S TTEE	KATHLEEN B KACZMAREK TTEE REV TR	28837 W HENRY PL	MILLSBORO	DE	19966	234-29.00-1842.00
KIMSEY DONALD L	JOYCE A KIMSEY	28836 WEST HENRY PL	MILLSBORO	DE	19966	234-29.00-1845.00
KRUHM ELIZABETH A	RICHARD L KRUHM STACEY M KRUHM	28876 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1873.00
LEONARD JOHN A	MARGARET A LEONARD	28962 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1880.00
LONGTON JAMES MARTIN	MELISSA K LONGTON	28955 EAST HENRY PL	MILLSBORO	DE	19966	234-29.00-1864.00
LOUGHEED EARL R	LOUGHEED KATHLEEN T	32250 BRANDY CIR	MILLSBORO	DE	19966	234-29.00-263.04
MANSFIELD JERRY W	MELBERNE C MANSFIELD	28838 WEST HENRY PLACE	MILLSBORO	DE	19966	234-29.00-1844.00

MATIUCK SYLVIA W	NICHOLAS MATIUCK	28913 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1857.00
MILLER GREGORY L	ANTOINETTE M MILLER	28863 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1850.00
MOORE'S CLOVERLEAF FARM LLC		PO BOX 447	GEORGETOWN	DE	19947	234-29.00-263.01
MORGAN DENNIS	CATHERINE MORGAN	28871 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1851.00
NANTICOKE INDIAN ASSOCIATION INC		27073 JOHN J WILLIAMS HWY	MILLSBORO	DE	19966	234-29.00-35.00
OLIVA JENNIFER		508 MILL RACE ROAD	CARLISLE	PA	17013	234-29.00-37.00
PETERS LORI E		51 CANTWELL DR	MIDDLETOWN	DE	19709	234-29.00-1867.00
PRICE CYRIL H DORIS DAVIS		30692 MOUNT JOY RD	MILLSBORO	DE	19966	234-29.00-31.01
RAMSEY ELIZABETH		28928 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1877.00
REDDING ROSEMARY		28877 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1852.00
RIORDAN EDWARD R SR	CHERE A RIORDAN	26830 MISSION PL	MILLSBORO	DE	19966	234-29.00-304.00
ROCKS HAROLD M		28919 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1858.00
SALOMON GERALD LEE	KATHY JEAN SALOMON	214 SUNSET DR	MONROEVILLE	PA	15146	234-29.00-1863.00
SCUTARI JENNIFER L	MICHAEL A SCUTARI	28991 EAST HENRY PL	MILLSBORO	DE	19966	234-29.00-1870.00
SIKORSKI DANIEL W	SUSAN G SIKORSKI	28938 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1878.00
STOTTLEMIRE THOMAS E	BRIDGET A STOTTLEMIRE	28931 E HENRY PLACE	MILLSBORO	DE	19966	234-29.00-1860.00
STOVER CHAD		329 S RIDGE AVE	GREENCASTLE	PA	17225	234-29.00-301.00
STREET STERLING V & MARY G		30753 MT JOY RD	MILLSBORO	DE	19966	234-29.00-263.09
STRICKLAND WILLIAM C	DIANA M STRICKLAND	28893 EAST HENRY PL	MILLSBORO	DE	19966	234-29.00-1854.00
SWIFT CONNIE F		36625 LONG NECK RD	MILLSBORO	DE	19966	234-29.00-295.00
TAYLOR ROBERT R	NANCY H TAYLOR	28897 EAST HENRY PL	MILLSBORO	DE	19966	234-29.00-1855.00
THORN CYNTHIA J		30756 MOUNT JOY RD	MILLSBORO	DE	19966	234-29.00-29.01
VIGNEAULT DONALD A	BEVERLY J VIGNEAULT	28972 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1881.00
WEBER DONALD J	ROBIN L WEBER	26774 MISSION PL	MILLSBORO	DE	19966	234-29.00-299.00
WINTJEN JEFFREY M	MARINELA WINTJEN	28987 E HENRY PL	MILLSBORO	DE	19966	234-29.00-1869.00
XPRESS CONTRACTING LLC		30740 MT JOY RD	MILLSBORO	DE	19966	234-29.00-28.00

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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Lauren DeVore, Planner III  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: May 19<sup>th</sup>, 2021  
RE: Staff Analysis for Baylis Estates Phase 2 (2021-13)

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This memo is to provide background and analysis for the Planning Commission to consider as a part of the Baylis Estates Phase 2 (2021-13) Subdivision public hearing scheduled for the May 27, 2021, Planning Commission Meeting. This analysis should be included in the record for this application and is subject to comments and information that may be presented during the public hearing.

This proposal is an amendment to the existing and previously approved subdivision plan for the Baylis Estates Phase 2 (2017-01) Subdivision which is a cluster subdivision originally containing thirty-seven (37) single-family lots. The Planning and Zoning Commission approved the Preliminary Subdivision Plan on May 18, 2017, subject to eleven (11) conditions.

Additionally, the Applicant submitted multiple Time Extension Requests for Phase 2. The most recent requests approved by the Planning and Zoning Commission were considered at the meetings of September 24, 2020 and April 22, 2021.

Specifically, this proposal is for a total of fifty-one (51) single-family lots to include the relocation of Lot Numbers 100-106 (which were formerly part of the original Phase 1 Baylis Estates (2004-55) Subdivision,) into Phase 2 of the Subdivision. The Planning and Zoning Commission approved the Final Subdivision Plan for Baylis Estates (2004-55) Phase 1 at their meeting of January 10, 2013 for a total of ninety-nine (99) single-family lots, subject to fourteen (14) conditions. A total of 136 single-family lots were previously approved between the two Phases.

When taken as a whole, the current application proposes an increase of 14 lots from the previous Phase 2 application, for a total of 150 lots across the two Phases. There are no changes to the existing road layout as part of this proposal.

Under §99-13(B) of the Sussex County Code, if a subdivider wishes to alter a previously recorded subdivision to create new lots or substantially change the intent of the original plat, a new subdivision application is required to be filed with the Office of Planning and Zoning. Therefore, the applicant is now submitting this request under a new subdivision application (Baylis Estates Phase 2, 2021-13) for the Commission's consideration.



File #: 2021-13

Pre-App Date: \_\_\_\_\_

# Sussex County Major Subdivision Application 202101889

## Sussex County, Delaware

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

### Type of Application: (please check applicable)

Standard:

Cluster:

Coastal Area:

### Location of Subdivision:

Mount Joy Road

### Proposed Name of Subdivision:

Baylis Estates

Tax Map #: 234-29.00-42.00 Total Acreage: 75.48

Zoning: AR-1 Density: 2 Lots/Ac. Minimum Lot Size: 7500SF Number of Lots: 150

Open Space Acres: 31.14

\*Note, information provided is for entire parcel

Water Provider: Tidewater Sewer Provider: Sussex County

### Applicant Information

Applicant Name: Bohler / Steve Fortunato

Applicant Address: 18958 Coastal Highway, Suite D

City: Rehoboth Beach State: DE Zip Code: 19971

Phone #: (302) 644-1155 E-mail: sfortunato@bohlereng.com

### Owner Information

Owner Name: Baylis Estates Investments, LLC

Owner Address: 16255 Sussex Highway

City: Bridgeville State: DE Zip Code: 19933

Phone #: (302) 956-9337 E-mail: Kevin@insightde.com

### Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: M. Andrew Campanelli, Esq.

Agent/Attorney/Engineer Address: 16255 Sussex Highway

City: Bridgeville State: DE Zip Code: 19933

Phone #: 302-337-0400 E-mail: Acampanelli@insightde.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 property and a PDF (via e-mail)**

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

**Provide Fee \$500.00**

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

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

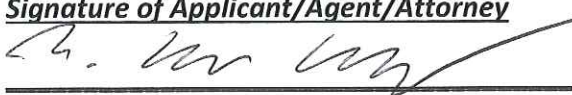
N/A  **PLUS Response Letter** (if required)  **Environmental Assessment & Public Facility Evaluation Report** (if within Coastal Area)

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

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

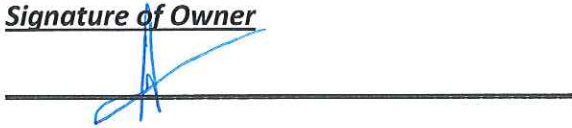
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety,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

**Signature of Applicant/Agent/Attorney**



Date: 1/18/2021

**Signature of Owner**



Date: 1/18/2021

**For office use only:**

Date Submitted: \_\_\_\_\_ Fee: \$500.00 Check #: \_\_\_\_\_

Staff accepting application: \_\_\_\_\_ Application & Case #: \_\_\_\_\_

Location of property: \_\_\_\_\_

Date of PC Hearing: \_\_\_\_\_ Recommendation of PC Commission: \_\_\_\_\_

**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**UTILITY PLANNING DIVISION**  
**TAC COMMENTS**

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **3/31/2021**

APPLICATION: **2021-13 Baylis Estates**

APPLICANT: **Baylis Estates Investments, LLC**

TAC DATE: **4/28/2021**

FILE NO: OOS-1.15

TAX MAP &  
PARCEL(S): **234-29.00-42.00**

LOCATION: **Northeast side of Mount Joy Road (SCR 297)**

NO. OF UNITS: 51 lots (150 lot (total) cluster subdivision)

GROSS  
ACREAGE: 130.52

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No 
  - a. If yes, see question (2).
  - b. If no, see question (7).
- (2). Which County Tier Area is project in? Tier 1
- (3). Is wastewater capacity available for the project? Yes If not, what capacity is available? N/A.
- (4). Is a Construction Agreement required? Yes If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? No If yes, how many? N/A. Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is \$6,360.00 per EDU. Please contact **Nicole Messick** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**

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

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

(8). Comments: **There are additional lots when compared to the completed SSCE. This will not affect the ability to serve but will have an impact to the "Use of Existing Infrastructure"**

(9). Is a Sewer System Concept Evaluation required? **Already Completed, See Attached**

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

UTILITY PLANNING APPROVAL:

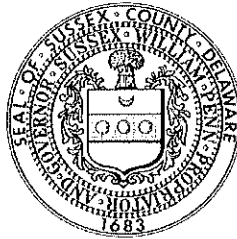


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John J. Ashman  
Director of Utility Planning

## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov  
HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER  
JOHN J. ASHMAN  
DIRECTOR OF UTILITY PLANNING

## SEWER SERVICE CONCEPT EVALUATION (SSCE) UTILITY PLANNING DIVISION

Applicant: Baylis Estates Investments, LLC

Date: 9/15/2020

Reviewed by: Chris Calio

Agreement #:439-2

Project Name: Baylis Estates Phase II

Tax Map & Parcel(s): 234-29.00-42.00

Sewer Tier: Tier 1 - Sussex County Unified Sanitary Sewer District

Proposed EDUs: 44

Pump Station(s) Impacted: PS 353

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):N/A

Connection Point(s): Connection point is within Baylis Estates Phase I

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):N/A

Current Zoning: AR-1 Zoning Proposed: AR-1

Acreage: 19.03



**Additional Information: Engineer is to verify that the existing pump station is adequate to service to increased numbers of EDU's. An amendment to the previous "Use of Existing Infrastructure Agreement" will have to be executed.**

\* No capacity is guaranteed until System Connection Fees are paid

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

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

Sussex County Public Works Department  
2 The Circle  
P.O. Box 589  
Georgetown DE 19947

CC: John Ashman  
Jayne Dickerson  
Michael Brady  
Nichole Bixby

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



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Technical Advisory Committee  
From: Lauren DeVore, Planner III  
Date: March 29, 2021  
RE: Major Subdivision

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**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](mailto:PANDZ@SUSSEXCOUNTYDE.GOV)**

The Sussex County Planning and Zoning Office has received an application for a major cluster subdivision 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 **April 28<sup>th</sup>, 2021**. (Please note that since this is an amended application for a previously approved plan, the Department would ask that all state agency comments be received within **30 days** instead of the standard 45-day comment period.)

**Baylis Estates (2021-13)** - This is an application to amend the existing and previously approved cluster subdivision for Baylis Estates (2004-55) and Baylis Estates Phase 2 (2017-01) to add 51 new lots to Phase 2 within the subdivision. This is an increase of 13 lots from the originally approved 37 lots as part of Phase 2 of the subdivision. The proposal is to subdivide a 130.52 +/- acre parcel of land into a one-hundred and fifty (150) lot cluster subdivision. The property is located on the northeast side of Mount Joy Road (S.C.R. 297). Tax Parcel: 234-29.00-42.00. Zoning: AR-1 (Agricultural Residential Zoning District).

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.

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

RECEIVED

MAY 12 2021

SUSSEX COUNTY  
PLANNING & ZONING

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **5/7/2021**

APPLICATION: **2021-13 Baylis Estates Phase II**

APPLICANT: **Bohler Engineering (Steven Fortunato)**

FILE NO: **OO-1.15**

TAX MAP &  
PARCEL(S): **234-29.00-42.00**

LOCATION: **Northeast side of Mount Joy Road (SCR 297)**

NO. OF UNITS: **150 single family lots total for the entire project.**

GROSS  
ACREAGE: **75.48 +/-**

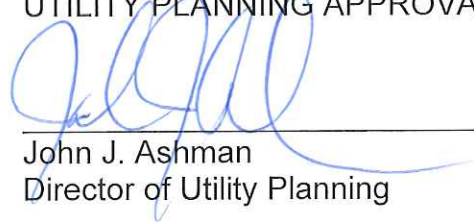
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: 4

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 1**
- (3). Is wastewater capacity available for the project? **No** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **Nicole Messeck** 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? **N/A**
- (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**

UTILITY PLANNING APPROVAL:



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John J. Ashman  
Director of Utility Planning

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



## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOHN J. ASHMAN  
DIRECTOR OF UTILITY PLANNING

## SEWER SERVICE CONCEPT EVALUATION (SSCE) UTILITY PLANNING DIVISION

Applicant: Baylis Estates Investments, LLC

Date: 9/15/2020

Reviewed by: **Chris Calio**

Agreement #: **439-2**

Project Name: **Baylis Estates Phase II**

Tax Map & Parcel(s): **234-29.00-42.00**

Sewer Tier: Tier 1 - Sussex County Unified Sanitary Sewer District

Proposed EDUs: **44**

Pump Station(s) Impacted: **PS 353**

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): **N/A**

Connection Point(s): **Connection point is within Baylis Estates Phase I**

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): **N/A**

Current Zoning: **AR-1** Zoning Proposed: **AR-1**

Acreage: **19.03**



Additional Information: Engineer is to verify that the existing pump station is adequate to service to increased numbers of EDU's. An amendment to the previous "Use of Existing Infrastructure Agreement" will have to be executed.

\* No capacity is guaranteed until System Connection Fees are paid

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

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

Sussex County Public Works Department  
2 The Circle  
P.O. Box 589  
Georgetown DE 19947

CC: John Ashman  
Jayne Dickerson  
Michael Brady  
Nichole Bixby



DELAWARE DEPARTMENT OF  
**AGRICULTURE**

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

TELEPHONE: (302) 698-4500  
TOLL FREE: (800) 282-8685  
FAX: (302) 697-6287

May 5, 2021

Lauren DeVore, Planner III  
Planning & Zoning Commission  
P.O. Box 417  
Georgetown, Delaware 19947

Subject: **Preliminary Plans for Baylis Estates Phase 2**

Dear Mrs. DeVore,

Thank you for providing preliminary plans for Baylis Estates submitted by BOHLER. The plans submitted to our section dated February 3, 2021 are sufficient to meet the Sussex County Planning and Zoning Forested Buffer Ordinance.

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 has no further comment to Baylis Estates preliminary subdivision plans dated February 3, 2021 at this time.

If you have any questions please feel free to contact me at [taryn.davidson@delaware.gov](mailto:taryn.davidson@delaware.gov).

Sincerely,

Taryn Davidson  
Urban Forestry Program  
Delaware Forest Service

DELAWARE DEPARTMENT OF TRANSPORTATION  
COMMENTS FOR  
T.A.C. MEETING  
OF APRIL 2021

**Lands of Baylis Estates Investments LLC**  
**Tax Map # 234-29.00-42.00**  
**Mount Joy Road (S.C.R. 297)**  
**Sussex County**

**#2021-13, Baylis Estates**

1. Referring to the “*Development Coordination Manual*”, Chapter 2 – Traffic Analysis and Improvements, 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. DelDOT estimates the 150 lot subdivision will generate a net increase of 480 vehicle trip ends per day and a net increase of the weekday morning and evening peak hour trip ends at 36 and 49, respectively. Therefore, the proposed 51 lot increase to the subdivision does not meet the Department’s warrants for a Traffic Impact Study (TIS). Additionally, a Traffic Operations Analysis (TOA) is not anticipated to be required, at this time.
2. Referring to the “*Development Coordination Manual*”, Chapter 1 – Access Standards, Section 1.7: Review Fees, 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.
3. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4: Commercial or Major Residential Subdivisions, a record plan shall be prepared prior to issuing “Letter of No Objection”. The Record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document that can be found at the following website under the *Guidance* tab;  
  
<https://www.deldot.gov/Business/subdivisions/index.shtml>
4. For all projects, any sub-station and/or wastewater facilities will be required to have access from the internal subdivision street with no direct access to the State maintained highway.
5. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.8: Stormwater and Drainage Requirements For Record Plan, private stormwater management facilities shall be located a minimum of 20 feet from the State right-of-way, as measured to the top of slope of the facility.

6. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.5.1.2: Frontage Easements, a 15-foot wide permanent easement shall be established across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way for this road. The following note is required, “**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**”
7. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.5: Dedication of Right-Of-Way and Easements, Figure 3.2.5-a Minimum Standards for Total Roadway Right-Of-Way, the project shall be subject to dedicate right-of-way in accordance to the minimum standards. Mount Joy Road (S.C.R. 297) is classified as a Major Collector according to DelDOT’s Roadway Functional Classification Map and would require a minimum of 40’ of Right-Of-Way measured from the physical centerline of the roadway.

<https://deldot.gov/Programs/gate/index.shtml>

8. Referring to the “*Development Coordination Manuals*”, Chapter 3 – Record Plan Design, Section 3.2.4.1: Subdivision Street Right-Of-Way Monuments, right-of-way monuments are recommended to be furnished and placed along the private subdivision street.
9. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.4.2; Frontage Road Right-of-Way Monumentation, concerning the right-of-way markers being placed to provide a permanent reference for re-establishing the right-of-way and property corners along frontage roads. Due to the right-of-way dedication, show and note the property corners markers that will need to be installed.
10. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.5.5: Transit Facilities, transit facilities requirements shall be followed as required by DTC or DelDOT.
11. Referring to the “*Development Coordination Manual*”, under Chapter 3; Record Plan Design, Section 3.2.5.1.1 – Easements, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.
12. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.5.1.4: Drainage easements are required for all drainage facilities which collect or convey roadway runoff but are not located within a dedicated right-of-way. Drainage easements must be shown and labeled on the Plans and must take into account the requirements of Sections 3.8 and 5.7.2.6 of the manual. These easements will require additional metes and bounds and other documentation to clarify the exact location and extents of these permanent easements.

13. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.5: Connectivity, Private or municipal streets should follow the local land use agency’s requirements for connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT maintained public streets for subdivisions. DelDOT recommends that the developer provide an interconnection to the proposed American Storage of Delaware site located on parcel: 234-29.00-49.02. Additionally, the two previously recorded stub streets that would extend Baylis Avenue and East Kathryn Court should be incorporated into the site plan.
14. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4.2.1: Record Plan Content, the traffic generation diagram is required. See Figure 3-4-2-a: Traffic Generation Diagram for the required format and content.
15. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4.2: Record Plan Submittal Requirements, adjacent existing features are required to be shown in accordance with Figure 3.4.2-b.
16. As per the Delaware State Strategies for Policy and Spending Map, this project is located within Investment Level III or IV. Referring to the Departments Shared-Use Path/Sidewalk Policy a project in all Level III and Level IV areas are required to install a path/sidewalk along the property frontage if the project abuts to an existing facility. If the project does not abut an existing facility, it will be at the Subdivision Engineer’s discretion. No fee in lieu of construction will be required. At this time, DelDOT anticipates requiring the developer to build a Shared Use Path along the development’s site frontage.
17. Please refer to the “*Development Coordination Manual*”, Chapter 5 – Design Elements, addresses the design of State maintained subdivision streets and the site entrance. Private or municipal streets should follow the County’s requirements for subdivision street design.
18. Referring to the “*Development Coordination Manual*” under Chapter 5; Design Elements, Section 5.5.5 – Typical Sections – Clear Zone, the clear zone shall be established in accordance with AASHTO’s Roadside Design Guide (RDG). This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, and/or a clear run-out area. The desired width is dependent upon the traffic volumes and speeds and on the roadside geometry.
19. Standard General Notes have been updated and posted to the DelDOT Website. Please begin using the new versions and look for the revision date of March 21, 2019. The notes can be found at the following website under the *Guidance* tab;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
20. All PLUS/TAC comments shall be addressed prior to submitting the plans for review.

21. Referring to the “*Development Coordination Manual*”, Chapter 6 – Construction Administration, Section 6.4.3: Commercial Entrances – Inspection and Acceptance, Figure 6.4.3-a: Construction Inspection Responsibilities, determine if the project is a Level 1 or Level 2 project and if an inspection agreement will be required.
22. The Auxiliary Lane Spreadsheet has been posted to the DelDOT website. Use this spreadsheet to determine if auxiliary lanes are warranted. The Auxiliary Lane Spreadsheet can be found at the following website under the *Forms* tab;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
23. Referring to the “*Development Coordination Manual*” under Chapter 5; Design Elements, Section 5.4 – Sight Distance, a sight distance triangle is required. A spreadsheet has been developed to assist with this task and can be found on the following website under the *Forms* tab;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
24. Effective August 1, 2015, all new and resubmittals shall be uploaded via the PDCA with any fees paid online via credit card or electronic check (ACH). The design firm making the submittal must create the project in the PDCA and upload all the required items to allow DelDOT to start the review process. Our website offers more detailed information, including links to guidance about creating PDCA submittals. This information can be found at the following website under the PDCA section;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>



United States Department of Agriculture

April 23, 2021

Natural Resources  
Conservation Service

Georgetown  
Service Center

21315 Berlin Road  
Unit 3  
Georgetown, DE  
19947

Voice 302.856.3990  
Fax 855.306.8272

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

**RE: Baylis Estates  
Indian River Hundred  
13 new single family lots**

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

FmA Fort Mott loamy sand, 0 to 2 percent slopes  
HpB Henlopen loamy sand, 2 to 5 percent slopes  
KsA Klej loamy sand, 0 to 2 percent slopes  
RuA Runclint 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
FmA	G1	Not limited	Not limited	Somewhat limited
HpB	G2	Not limited	Not limited	Not limited
KsA	R2	Very limited	Very limited	Very limited
RuA	Y2	Somewhat limited	Not limited	Very limited

Definition of soil limitation ratings classes:

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



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

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

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

**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.

**G2:**

The soils in this classification are nearly level or gently sloping, excessively drained or somewhat excessively drained, very sandy, rapidly permeable soils. These soils are sandy and droughty. They are well suited for large commercial and industrial developments, and somewhat less suited for residential uses because of low available moisture for grasses. Care should be taken in location of septic filter fields, wells, and the size of the building lots. Because of the excessive permeability of these particular soils, there is a probability of polluting nearby wells, springs, ponds, streams, or other sources of water.

**R2:**

The soils in this classification are nearly or gently sloping, very poorly, poorly, and somewhat poorly drained. Seasonal high water tables, local ponding, and high potential frost action severely limit these soils for residential developments. The principal soil limitations are: 1) soil is highly susceptible to frost action, 2) excavations are likely to fill with water in late winter or early spring, 3) wet foundations or basements probable, and 4) hazard of temporary ponding of water in areas lacking outlets. Loose running sand commonly encountered in deep excavations.

**Y2:**

The soils in this classification are nearly level or gently sloping, moderately well drained or well drained with ground water between four to six feet from the surface, and are subject to seasonal high water tables. Seasonal wetness and seepage around foundations moderately limits these soils for residential use. The principal soil limitations are: 1) lateral seepage in subsoil causes concentration of water around foundations, 2) soil is highly susceptible to frost action, 3) excavations are likely to fill with water in late winter or early spring, and 4) wet basements or foundations are probable.

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

Sincerely,

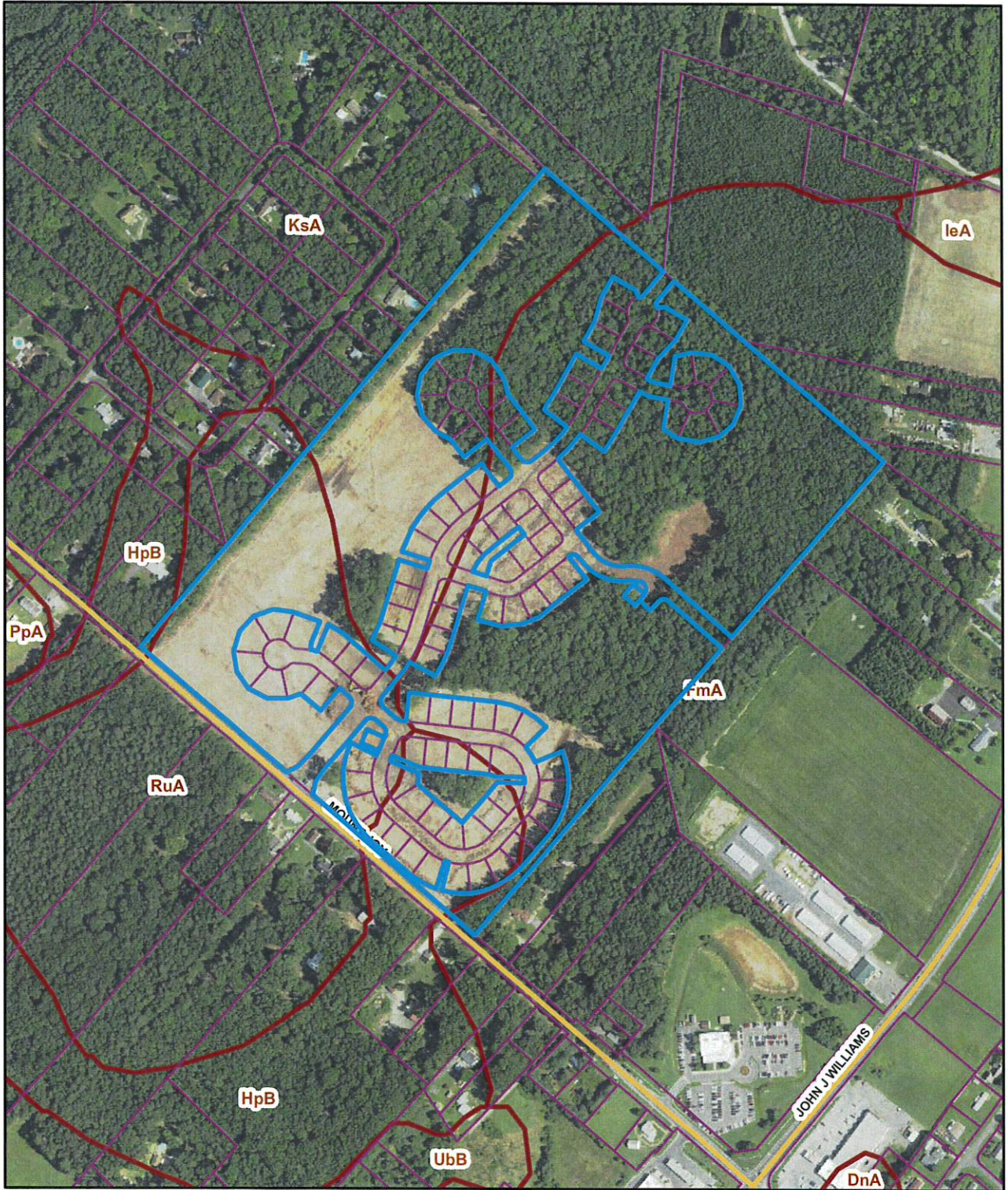
A handwritten signature in black ink, appearing to read "Thelton D. Savage". The signature is fluid and cursive, with a long horizontal stroke at the end.

Thelton D. Savage  
District Conservationist  
USDA, Natural Resources Conservation Service

TDS/bh



2021-13  
TM #234-29.00-42.00  
Baylis Estates



2021-13  
TM #234-29.00-42.00  
Baylis Estates

STANDARD DRAWING LEGEND		
FOR ENTIRE PLAN SET (NOT TO SCALE)		
EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
---	ONSITE PROPERTY LINE / R.O.W. LINE	---
---	NEIGHBORING PROPERTY LINE / INTERIOR PARCEL LINE	---
---	EASEMENT LINE	---
---	SETBACK LINE	---
CURB AND GUTTER		
=====	CONCRETE CURB & GUTTER	=====
=====	SPILL CURB	=====
=====	TRANSITION CURB	=====
=====	DEPRESSED CURB AND GUTTER	=====
←	UTILITY POLE WITH LIGHT	←
←	POLE LIGHT	←
←	TRAFFIC LIGHT	←
○	UTILITY POLE	○
○	TYPICAL LIGHT	○
☆	ACORN LIGHT	☆
▽	TYPICAL SIGN	▽
△	PARKING COUNTS	△
120	CONTOUR LINE	120
125	SPOT ELEVATIONS	125
TC 516.00		TC 516.00
BC 515.55		BC 515.55
SAN #	SANITARY LABEL	SAN #
STM #	STORM LABEL	STM #
SL	SANITARY SEWER LATERAL	SL
W	UNDERGROUND WATER LINE	W
E	UNDERGROUND ELECTRIC LINE	E
G	UNDERGROUND GAS LINE	G
OH	OVERHEAD WIRE	OH
T	UNDERGROUND TELEPHONE LINE	T
C	UNDERGROUND CABLE LINE	C
---	STORM SEWER	---
S	SANITARY SEWER MAIN	S
Y	HYDRANT	Y
⊙	SANITARY MANHOLE	⊙
⊙	STORM MANHOLE	⊙
⊙	WATER METER	⊙
⊙	WATER VALVE	⊙
⊙	GAS VALVE	⊙
⊙	GAS METER	⊙
▽	TYPICAL END SECTION	▽
---	HEADWALL OR ENDWALL	---
⊙	YARD INLET	⊙
⊙	CURB INLET	⊙
○	CLEAN OUT	○
⊙	ELECTRIC MANHOLE	⊙
⊙	TELEPHONE MANHOLE	⊙
⊙	ELECTRIC BOX	⊙
⊙	ELECTRIC PEDESTAL	⊙
⊙	MONITORING WELL	⊙
⊙	TEST PIT	⊙
⊙	BENCHMARK	⊙

# PRELIMINARY SITE PLANS

## FOR BAYLIS ESTATES PHASE 2

### PROPOSED RESIDENTIAL DEVELOPMENT

LOCATION OF SITE  
MOUNT JOY RD  
SUSSEX COUNTY, DELAWARE  
INDIAN RIVER HUNDRED  
TAX MAP 2-34-29 PARCEL 42



#### LOCATION MAP

SCALE: 1" = 1 MILE  
PLAN REFERENCE:  
DELOME STREET ATLAS 2009  
COPYRIGHT 2008

#### OWNER/DEVELOPER

BAYLIS ESTATES INVESTMENTS, LLC  
16255 SUSSEX HIGHWAY  
BRIDGEVILLE, DE 19933  
CONTACT: KEVIN BROZYNA  
(302) 337-0400

PREPARED BY

# BOHLER //

CONTACT: STEVEN T. FORTUNATO, P.E.

DEVELOPMENT STANDARDS		
	SINGLE FAMILY (REQUIRED)	SINGLE FAMILY (PROVIDED)
TRACT AREA		75.48± AC
LOT AREA PER DWELLING UNIT	7,500 SF	MIN 7,500 SF
STREET FRONTAGE	30 FT	MIN 30 FT
LOT WIDTH AT FRONT BUILDING LINE	60 FT	MIN 60 FT
MAX BUILDING HEIGHT	42 FT	42 FT
SETBACKS		
FRONT YARD	25 FT	25 FT
SIDE YARD (ONE / SUM OF BOTH)	10 FT	10 FT
REAR YARD	10 FT	10 FT

SHEET INDEX	
SHEET TITLE	SHEET NUMBER
PRELIMINARY COVER SHEET	C-101
PRELIMINARY OVERALL DEVELOPMENT LAYOUT PLAN	C-300
PRELIMINARY OVERALL SITE LAYOUT PLAN	C-301
PRELIMINARY SITE LAYOUT PLAN	C-302
PRELIMINARY SITE LAYOUT PLAN	C-303
PRELIMINARY SITE LAYOUT PLAN	C-304
PRELIMINARY SITE PLAN SECTIONS	C-305
PRELIMINARY OVERALL GRADING AND UTILITY PLAN	C-401
PRELIMINARY GRADING AND UTILITY PLAN	C-402
PRELIMINARY GRADING AND UTILITY PLAN	C-403
PRELIMINARY GRADING AND UTILITY PLAN	C-404

#### PROJECT NOTES

- TAX MAP PARCEL NO.: 2-34-29 PARCEL 42
- EXISTING ZONING: AR-1 (AGRICULTURAL RESIDENTIAL)
- PROPOSED ZONING: AR-1 (AGRICULTURAL RESIDENTIAL)
- TOTAL SITE AREA: 75.48± AC
- DENSITY: PERMITTED: 3,287,989 SF/21,780 SF/LOT = 150 LOTS  
PROPOSED: 150 LOTS TOTAL
- PROPOSED RESIDENTIAL UNITS: 51 SINGLE-FAMILY (PHASE 2 ONLY)
- INVESTMENT AREA: LEVEL 2 & 3
- SITE AREA:
  - TOTAL SITE: 75.48 AC
  - PHASE 1: 55.04± AC
  - PHASE 2: 20.44± AC
  - R.O.W.: 2,690± AC
  - LOTS: 11,500± AC
  - OPEN AREA: 2.3± AC
  - BUFFER AREA: 1.23± AC
  - TOTAL AREA: 17.83± AC
- FORESTED AREA: 75.48± AC  
EXISTING: 8.73± AC  
REMAININGS: 66.69± AC  
REMOVED: 66.69± AC  
NOTE: REMOVAL OF HEALTHY, MATURE TREES SHALL BE LIMITED AND SCENIC VIEWS THAT CAN BE SEEN FROM WITHIN THE TRACT SHOULD BE PRESERVED TO THE GREATEST EXTENT POSSIBLE.
- OPEN AREA: 2.3± AC  
PHASE 1: 28.29± AC  
PHASE 2: 2.30± AC  
TOTAL: 30.59± AC (40.5%)
- OWNER/DEVELOPER: BAYLIS ESTATES INVESTMENTS, LLC  
C/O KEVIN BROZYNA  
16255 SUSSEX HIGHWAY  
BRIDGEVILLE, DE 19933  
(302) 337-0400
- ENGINEER: BOHLER  
18958 COASTAL HWY, SUITE D  
REHOBOTH BEACH, DE 19971  
(302) 644-1155
- DATUM: HORIZONTAL: NAD 83 (DELAWARE STATE PLANE GRID)  
VERTICAL: NAVD 88
- EXISTING GROSS ACREAGE: 3,287,989 SF (75.48 AC)  
PROPOSED GROSS ACREAGE: 3,287,989 SF (75.48 AC)
- THIS PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 02% CHANCE ANNUAL FLOODPLAIN) PER MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, SUSSEX COUNTY, DELAWARE, AND INCORPORATED AREAS, PANEL 477 OF 660", COMMUNITY PANEL NUMBER 10000900477K, REVISED: MARCH 16, 2015.
- ACCESS TO THE SITE SHALL BE FROM MOUNT JOY RD VIA ONE EXISTING FULL MOVEMENT ENTRANCE.
- ALL FIRE LANES, FIRE HYDRANTS, FIRE DEPARTMENT CONNECTIONS, SPRINKLERS, STANDPIPE CONNECTIONS, AND FIRE EXITS SHALL BE MARKED AND/OR PROTECTED IN ACCORDANCE WITH THE DELAWARE STATE FIRE REGULATION.
- WATER SUPPLY: TIDEWATER. SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE STATE DIVISION OF PUBLIC HEALTH AND TIDEWATER UTILITIES, INC.
- SANITARY SEWER: SUSSEX COUNTY. SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE STATE DIVISION OF PUBLIC HEALTH AND TIDEWATER UTILITIES, INC.
- SUBDIVISION STREETS SHALL BE PRIVATELY OWNED AND MAINTAINED.
- REFERENCE DELDOT RECORD PLANS FOR APPROVED SIGHT DISTANCE AND SITE ENTRANCE INFORMATION.
- UTILITY ELEMENTS TO BE RELOCATED/REPLACED TO BE DONE SO IN ACCORDANCE WITH PROVIDER SPECIFICATIONS, BY GENERAL CONTRACTOR. GENERAL CONTRACTOR TO COORDINATE SAME PRIOR TO PROJECT BIDDING AND CONSTRUCTION.
- REFERENCE APPROVED PHASE 1 PLAN PREPARED BY COTTON ENGINEERING, LLC, LAST REVISED 4/20/20.
- COUNTY PROJECT REFERENCE NUMBER: 2021-13
- THIS PROJECT LIES WITHIN THE COSTAL AREA.
- THIS PROJECT LIES WITHIN AN AREA OF "POOR" AND "FAIR" GROUNDWATER RECHARGE POTENTIAL.
- THIS PROJECT DOES NOT LIE WITHIN A WELHEAD PROTECTION AREA.
- ACCORDING TO THE NATIONAL WETLANDS INVENTORY MAPPING, THERE ARE NO WETLANDS PRESENT ON THIS SITE.
- THE HOMEOWNERS ASSOCIATION WILL BE REQUIRED TO MAINTAIN THE FORESTED/PLANTING BUFFER AND OPEN SPACE AND THE SPECIFICS WILL BE SPELLED OUT IN THE HOMEOWNERS ASSOCIATION DOCUMENTS.
- DEED RESTRICTIONS SHALL APPLY PER A SEPARATE AGREEMENT PREPARED BY THE DEVELOPER.

#### CERTIFICATION OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THIS PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

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

#### CERTIFICATION OF ACCURACY (ENGINEER)

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

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



#### REVISIONS

REV	DATE	COMMENT	DRAWN BY	CHECKED BY
1	5/18/21	PER AGENCY COMMENT	JSW	STF



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PROJECT NO.: DE190077  
DRAWN BY: JSW  
CHECKED BY: STF  
DATE: 2/3/21  
CAD ID: SDP - 0

#### PROJECT:

#### PRELIMINARY SITE PLANS

FOR

#### BAYLIS ESTATES PHASE 2

PROPOSED RESIDENTIAL DEVELOPMENT

INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DE  
TAX MAP: 2-34-29, PARCEL 42

# BOHLER //

18958 COASTAL HWY, SUITE D  
REHOBOTH BEACH, DE 19971  
Phone: (302) 644-1155  
Fax: (302) 703-3173  
BohlerEngineering.com



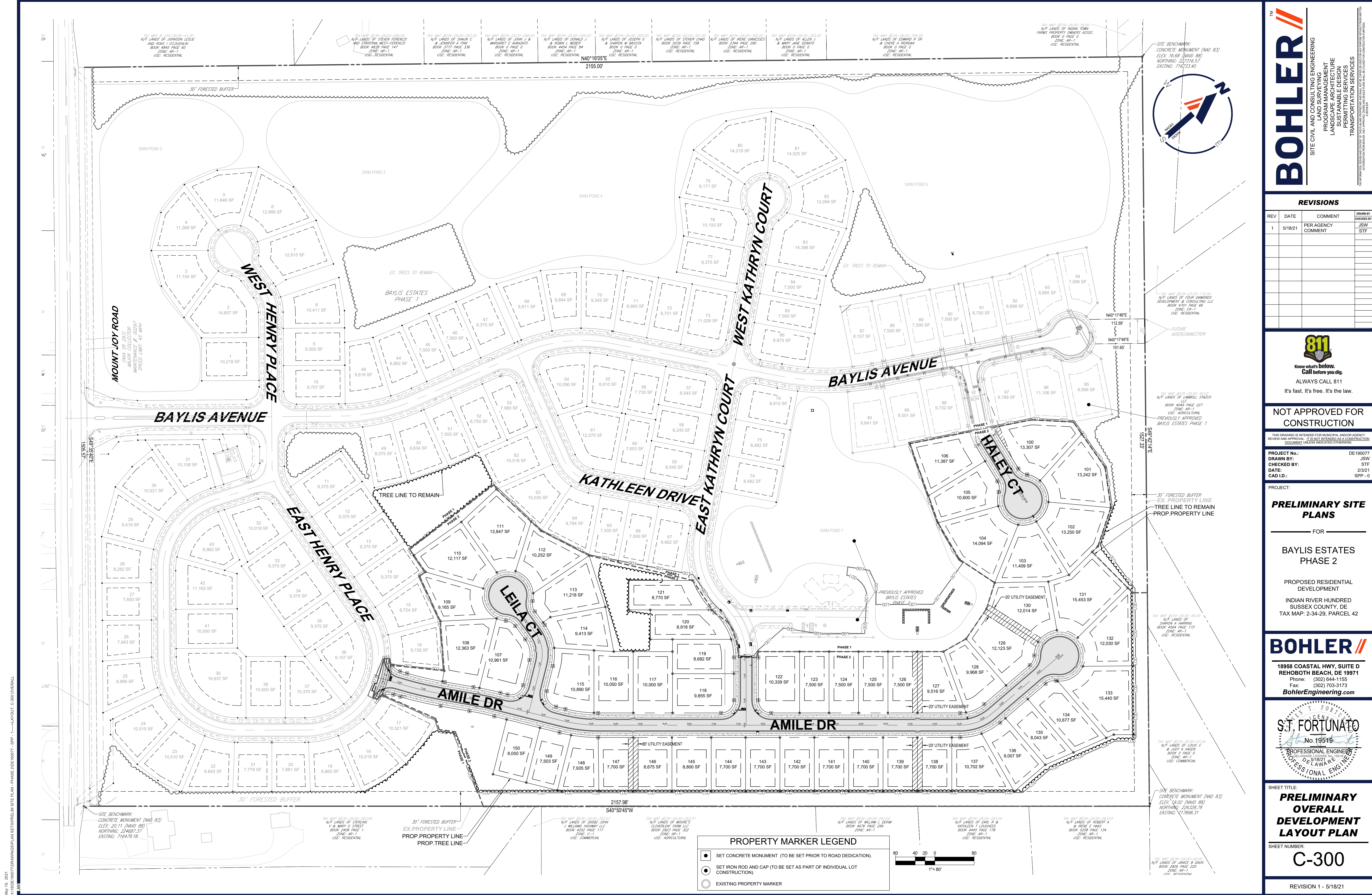
SHEET TITLE:

#### PRELIMINARY COVER SHEET

SHEET NUMBER:

# C-101

REVISION 1 - 5/18/21



**BOHLER**  
 SITE CIVIL AND CONSULTING ENGINEERING  
 PROGRAM MANAGEMENT  
 LANDSCAPE ARCHITECTURE  
 SUSTAINABLE DESIGN  
 PERMITTING SERVICES  
 TRANSPORTATION SERVICES

**REVISIONS**

REV	DATE	COMMENT	DRAWN BY
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 DATE: 2/3/21  
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**PRELIMINARY SITE PLANS**

FOR

**BAYLIS ESTATES PHASE 2**

PROPOSED RESIDENTIAL DEVELOPMENT

INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DE  
 TAX MAP: 2-34-29, PARCEL 42

**BOHLER**

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 REHOBOTH BEACH, DE 19971  
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**S.T. FORTUNATO**  
 No. 19519  
 PROFESSIONAL ENGINEER  
 STATE OF DELAWARE

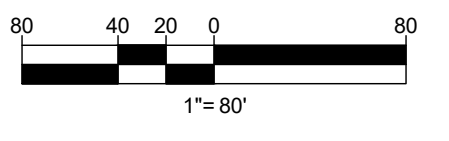
SHEET TITLE:  
**PRELIMINARY OVERALL DEVELOPMENT LAYOUT PLAN**

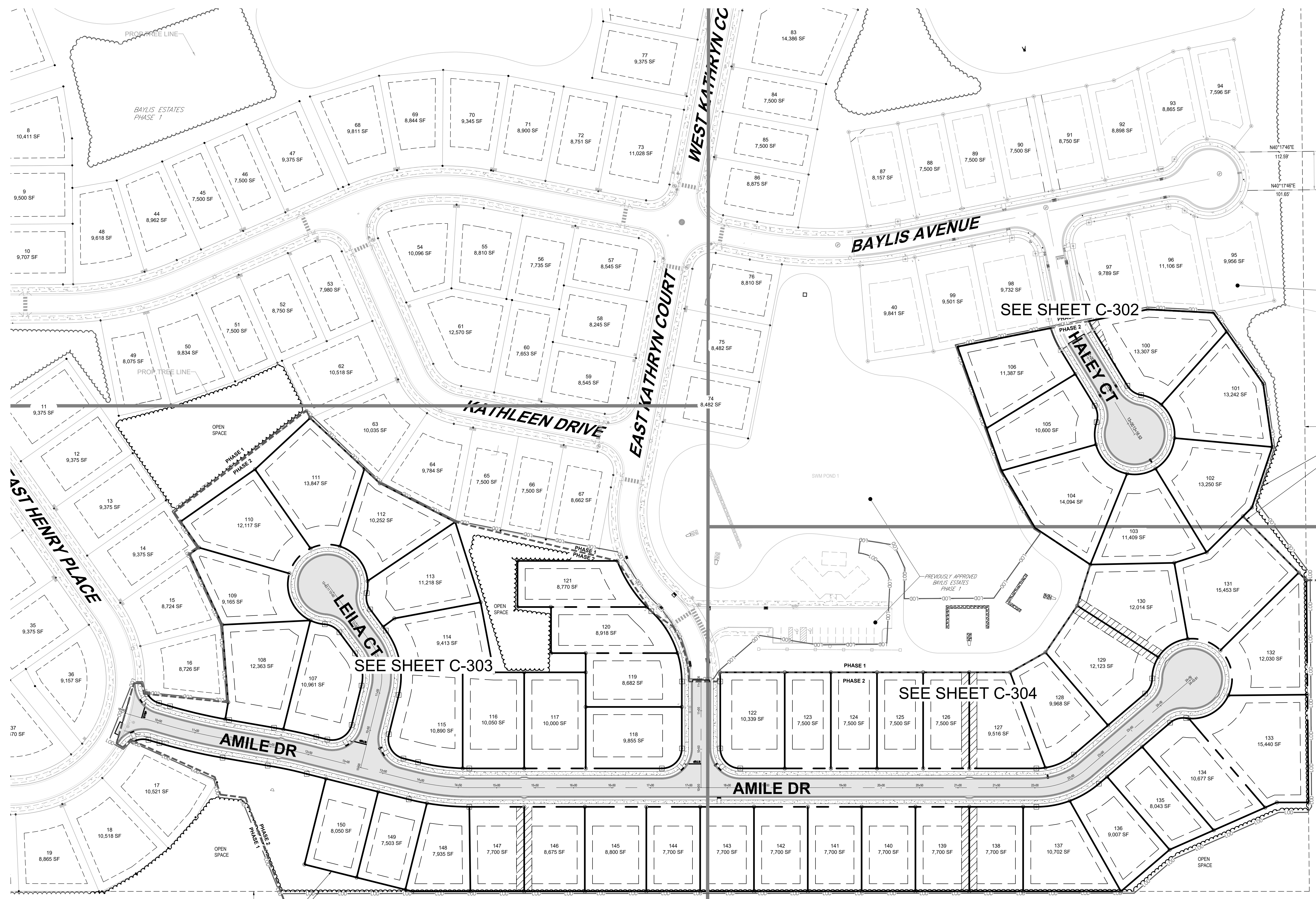
SHEET NUMBER:  
**C-300**

REVISION 1 - 5/18/21

**PROPERTY MARKER LEGEND**

- SET CONCRETE MONUMENT (TO BE SET PRIOR TO ROAD DEDICATION).
- SET IRON ROD AND CAP (TO BE SET AS PART OF INDIVIDUAL LOT CONSTRUCTION).
- EXISTING PROPERTY MARKER





**BOHLER**  
 SITE CIVIL AND CONSULTING ENGINEERING  
 PROGRAM MANAGEMENT  
 LANDSCAPE ARCHITECTURE  
 SUSTAINABLE DESIGN  
 PERMITTING SERVICES  
 TRANSPORTATION SERVICES

**REVISIONS**

REV	DATE	COMMENT	DRAWN BY
1	5/18/21	PER AGENCY COMMENT	JSW STF

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PROJECT No.: DE190077  
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 CHECKED BY: STF  
 DATE: 2/3/21  
 CAD ID.: SPP-0

**PRELIMINARY SITE PLANS**  
 FOR  
**BAYLIS ESTATES PHASE 2**  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DE  
 TAX MAP: 2-34-29, PARCEL 42

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 18958 COASTAL HWY, SUITE D  
 REHOBOTH BEACH, DE 19971  
 Phone: (302) 644-1155  
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 DE LAWARE  
 PROFESSIONAL ENGINEER

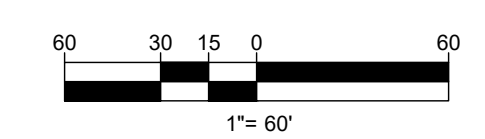
**PRELIMINARY OVERALL SITE LAYOUT PLAN**

SHEET NUMBER:  
**C-301**

REVISION 1 - 5/18/21

**PROPERTY MARKER LEGEND**

- SET CONCRETE MONUMENT (TO BE SET PRIOR TO ROAD DEDICATION)
- SET IRON ROD AND CAP (TO BE SET AS PART OF INDIVIDUAL LOT CONSTRUCTION)
- EXISTING PROPERTY MARKER



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

**REVISIONS**

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1	5/18/21	PER AGENCY COMMENT	JSW STF

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 DRAWN BY: JSW  
 CHECKED BY: STF  
 DATE: 2/3/21  
 CAD ID.: SPP - 0

**PRELIMINARY SITE PLANS**

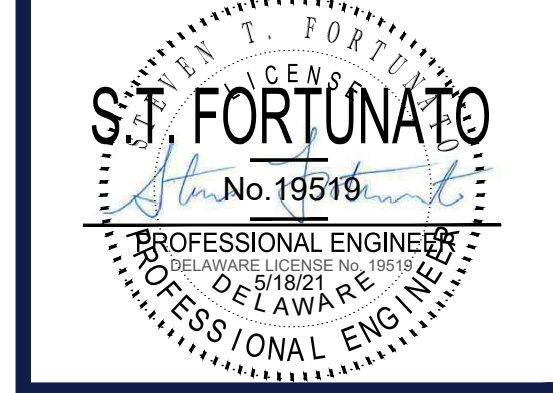
FOR

**BAYLIS ESTATES PHASE 2**

PROPOSED RESIDENTIAL DEVELOPMENT  
 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DE  
 TAX MAP: 2-34-29, PARCEL 42

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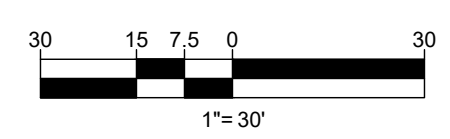


SHEET TITLE:  
**PRELIMINARY SITE LAYOUT PLAN**

SHEET NUMBER:  
**C-302**

REVISION 1 - 5/18/21

**MATCHLINE - SHEET C-304**



May 19, 2021  
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**REVISIONS**

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 CHECKED BY: STF  
 DATE: 2/3/21  
 CAD ID: SPP-0

**PRELIMINARY SITE PLANS**  
 FOR  
**BAYLIS ESTATES PHASE 2**  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DE  
 TAX MAP: 2-34-29, PARCEL 42

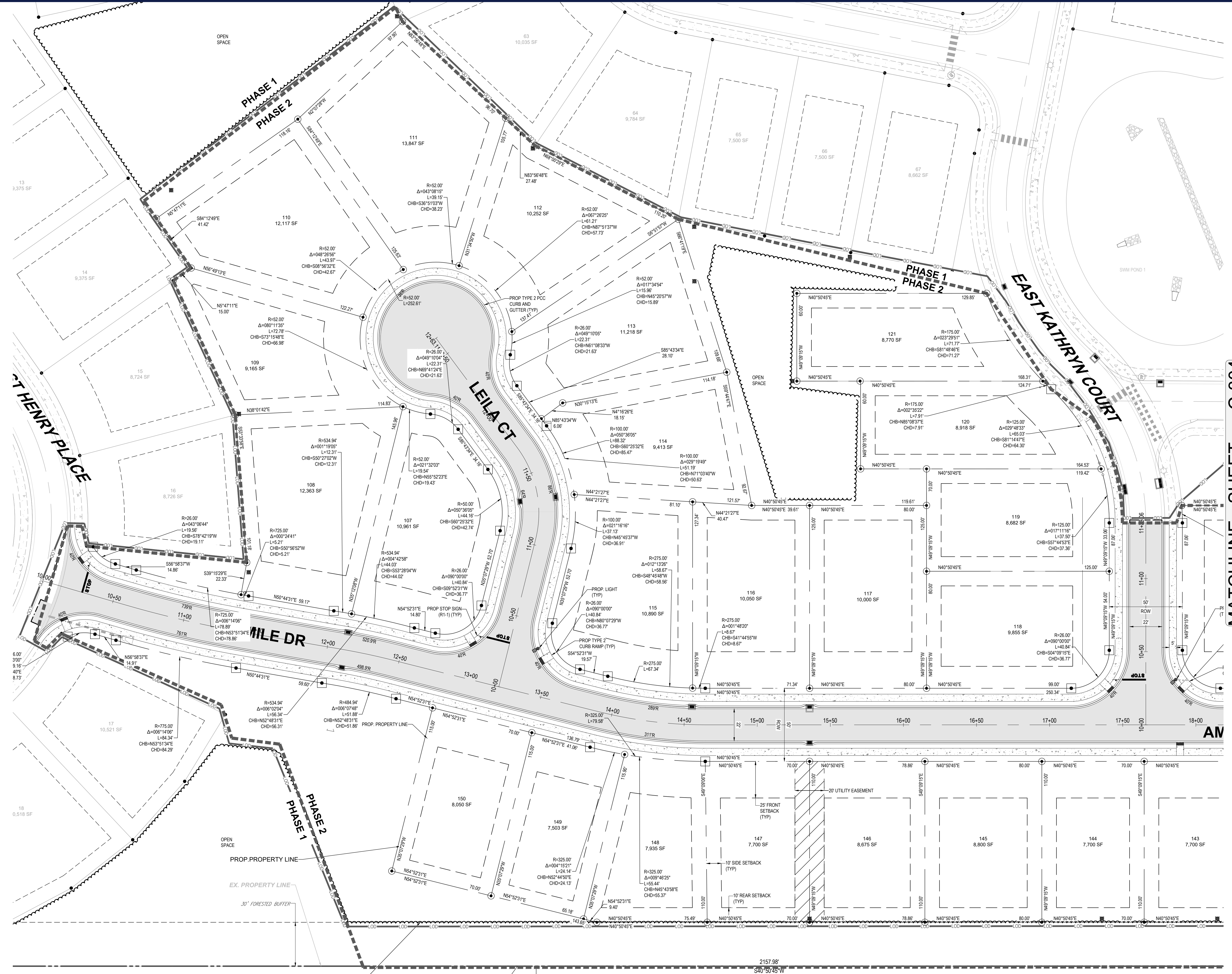
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**S.T. FORTUNATO**  
 No. 19519  
 PROFESSIONAL ENGINEER  
 STATE OF DELAWARE

**PRELIMINARY SITE LAYOUT PLAN**

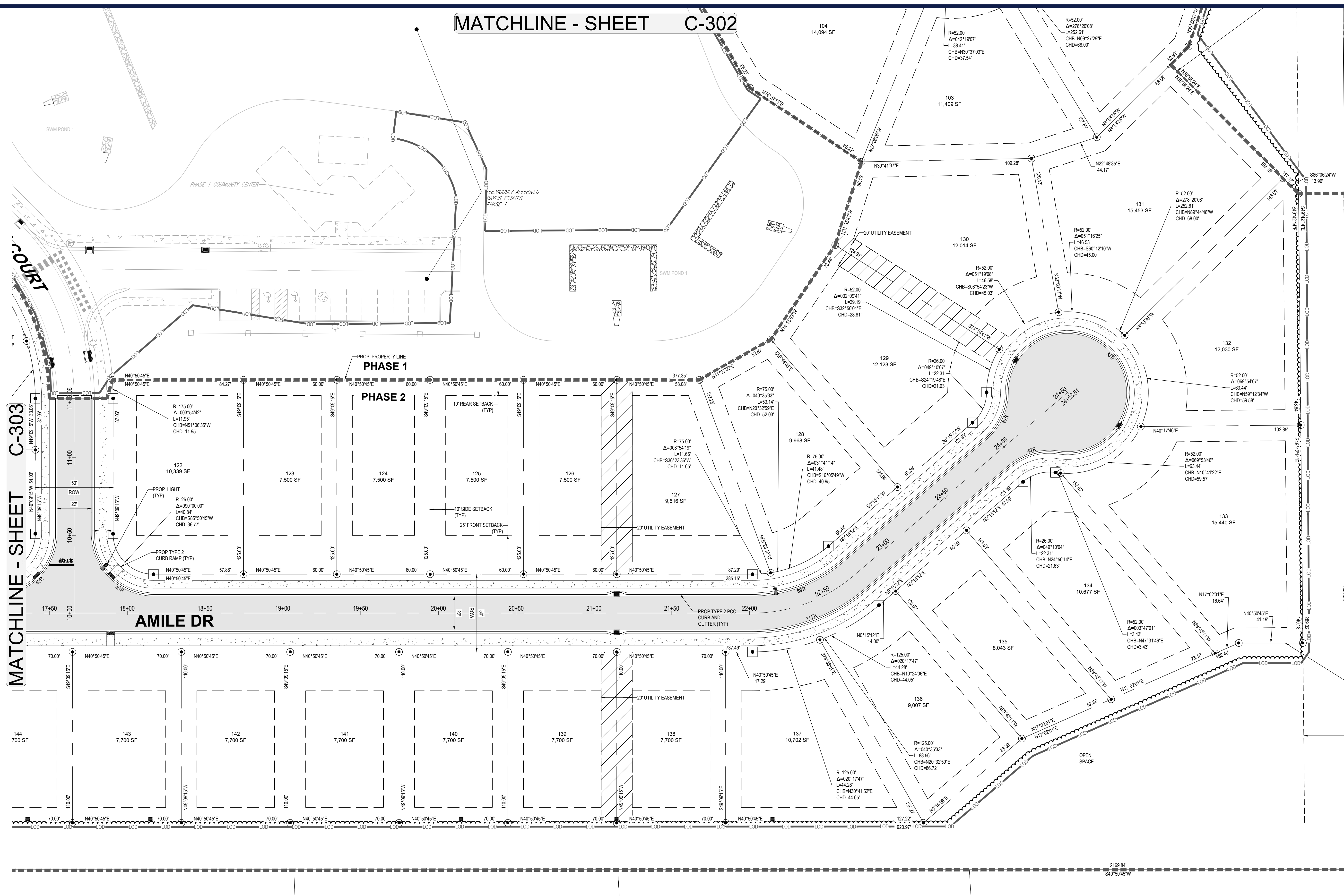
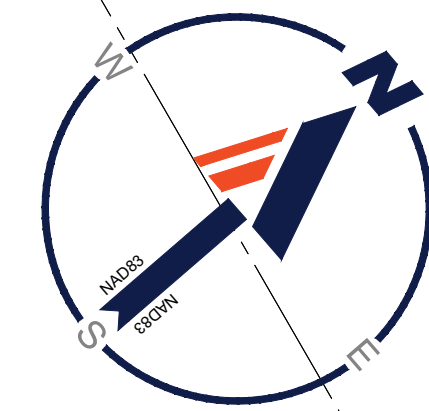
SHEET NUMBER:  
**C-303**

REVISION 1 - 5/18/21



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MATCHLINE - SHEET C-302



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 PROGRAM MANAGEMENT  
 LANDSCAPE ARCHITECTURE  
 SUSTAINABLE DESIGN  
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**REVISIONS**

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**PRELIMINARY SITE PLANS**

FOR

**BAYLIS ESTATES PHASE 2**

PROPOSED RESIDENTIAL DEVELOPMENT  
 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DE  
 TAX MAP: 2-34-29, PARCEL 42

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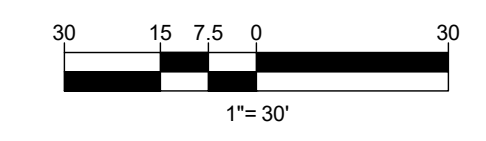
**S.T. FORTUNATO**  
 No. 19519  
 PROFESSIONAL ENGINEER  
 STATE OF DELAWARE  
 PROFESSIONAL ENGINEER

SHEET TITLE:  
**PRELIMINARY SITE LAYOUT PLAN**

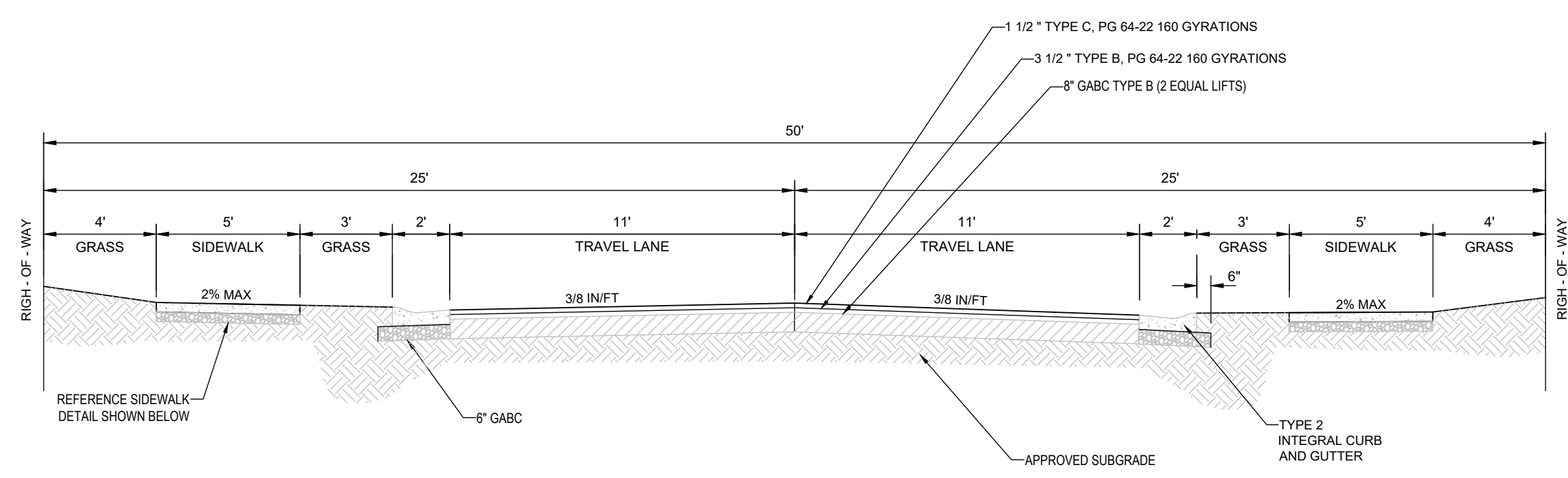
SHEET NUMBER:  
**C-304**

REVISION 1 - 5/18/21

May 19, 2021  
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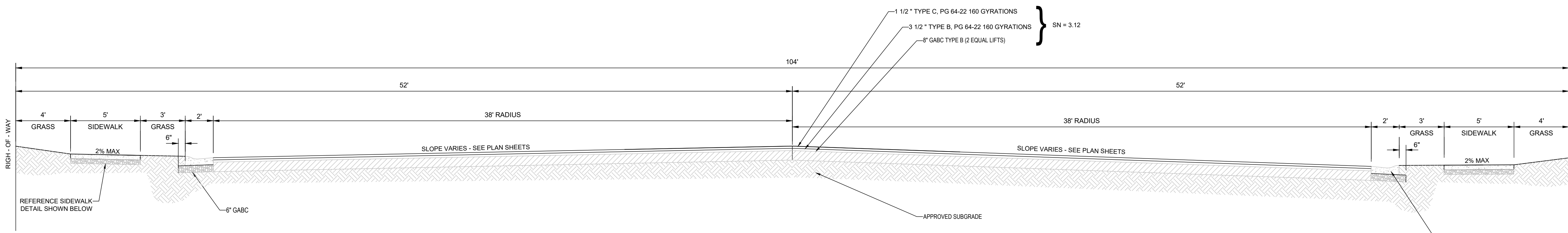


May 19, 2021  
 H:\19007\DRAWINGS\PLAN SET\PRELIM SITE PLAN - PHASE 2\DE190077 - SPP - 1 - LAYOUT - C-305 SITE PLAN SECTIONS



**INTERIOR ROAD SECTION**  
NOT TO SCALE

HAYLEY COURT AMILE DRIVE      LEILA COURT EAST KATHRYN COURT



**TYPICAL CUL-DE-SAC SECTION**  
NOT TO SCALE

HAYLEY COURT AMILE DRIVE      LEILA COURT EAST KATHRYN COURT

**LOT AND PARCEL AREAS**

LOT #	AREA (S. Q. FT.)	AREA (ACRES)
100	13,307	0.31
101	13,242	0.30
102	13,250	0.30
103	11,409	0.26
104	14,094	0.32
105	10,600	0.24
106	11,387	0.26
107	10,961	0.25
108	12,363	0.28
109	9,165	0.21
110	12,117	0.28
111	13,847	0.32
112	10,252	0.24
113	11,218	0.26
114	9,413	0.22
115	10,890	0.25
116	10,050	0.23
117	10,000	0.23
118	9,855	0.23
119	8,682	0.20
120	8,918	0.20
121	8,770	0.20
122	10,339	0.24
123	7,500	0.17
124	7,500	0.17
125	7,500	0.17

**LOT AND PARCEL AREAS**

LOT #	AREA (S. Q. FT.)	AREA (ACRE)
126	7,500	0.17
127	9,516	0.22
128	9,968	0.23
129	12,123	0.28
130	12,014	0.28
131	15,453	0.35
132	12,030	0.28
133	15,440	0.35
134	10,677	0.25
135	8,043	0.18
136	9,007	0.21
137	10,702	0.25
138	7,700	0.18
139	7,700	0.18
140	7,700	0.18
141	7,700	0.18
142	7,700	0.18
143	7,700	0.18
144	7,700	0.18
145	8,800	0.20
146	8,675	0.20
147	7,700	0.18
148	7,935	0.18
149	7,503	0.17
150	8,050	0.18

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 PERMITTING SERVICES  
 TRANSPORTATION SERVICES

**REVISIONS**

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PROJECT No.: DE190077  
 DRAWN BY: JSW  
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 DATE: 2/3/21  
 CAD ID: SPP - 0

PROJECT:

**PRELIMINARY SITE PLANS**

FOR  
**BAYLIS ESTATES PHASE 2**  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DE  
 TAX MAP: 2-34-29, PARCEL 42

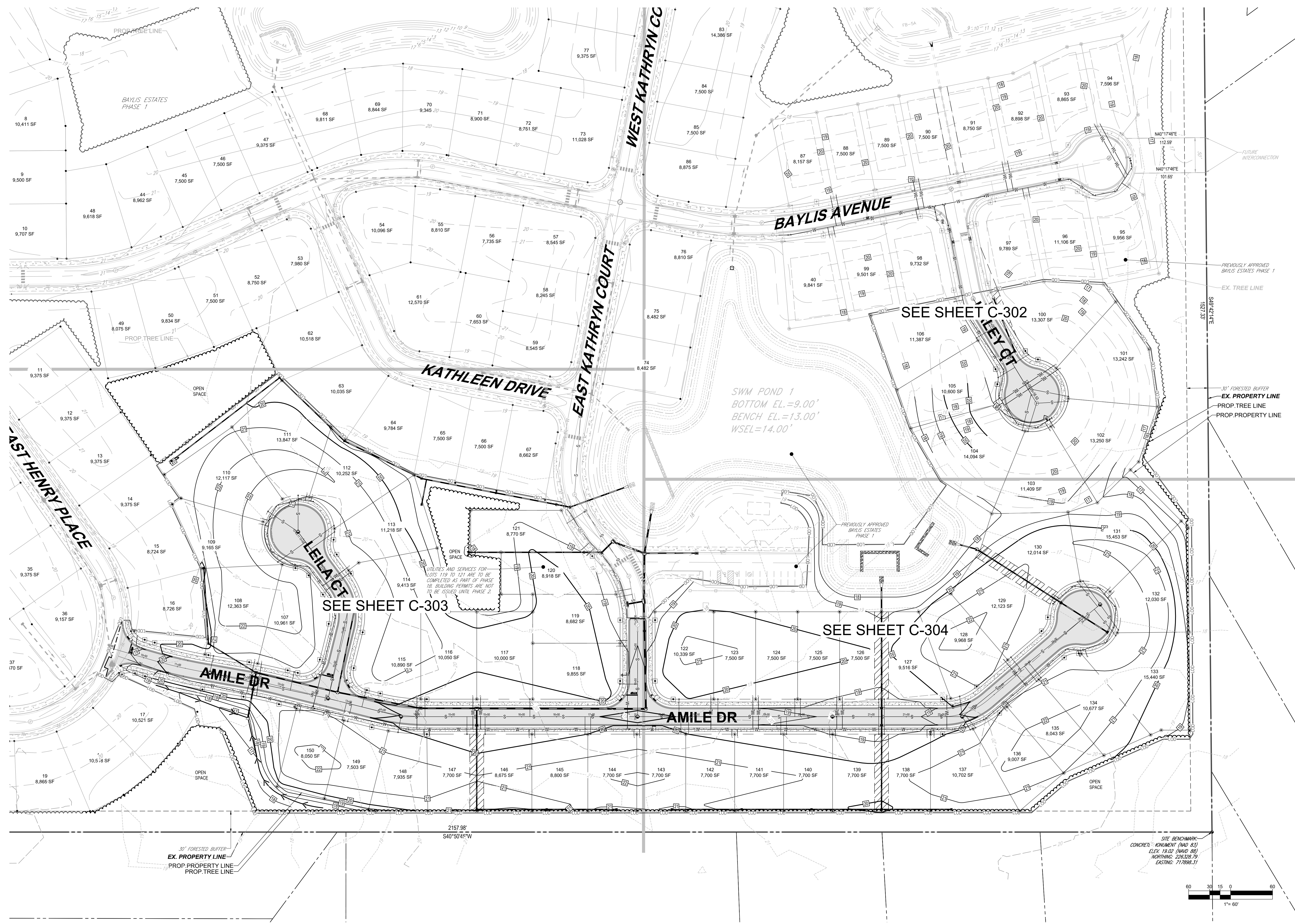
**BOHLER**  
 18958 COASTAL HWY, SUITE D  
 REHOBOTH BEACH, DE 19971  
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 BohlerEngineering.com

**S.T. FORTUNATO**  
 No. 19519  
 PROFESSIONAL ENGINEER  
 DE 190077  
 DE LAWARE  
 PROFESSIONAL ENGINEER

**PRELIMINARY SITE PLAN SECTIONS**

SHEET NUMBER:  
**C-305**

REVISION 1 - 5/18/21



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**REVISIONS**

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**PRELIMINARY SITE PLANS**

FOR

**BAYLIS ESTATES PHASE 2**

PROPOSED RESIDENTIAL DEVELOPMENT  
 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DE  
 TAX MAP: 2-34-29, PARCEL 42

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 PROFESSIONAL ENGINEER  
 STATE OF DELAWARE

SHEET TITLE:  
**PRELIMINARY OVERALL GRADING AND UTILITY PLAN**

SHEET NUMBER:  
**C-401**

REVISION 1 - 5/18/21

May 19, 2021  
 H:\18000\DRAWINGS\PLAN SETS\PRELIM SITE PLAN - PHASE 2\DE190077 - LTP - 1--LAYOUT- C-401 OVERALL



TAX MAP #234-23.00-115.00  
N/F LANDS OF FOUR DIAMONDS  
DEVELOPMENT & CONSULTING  
LLC  
BOOK 4701 PAGE 66  
ZONE: CR-1

TAX MAP #234-29.00-49.02  
N/F LANDS OF LAMBOLL  
STAZCO LLC  
BOOK 4049 PAGE 227  
ZONE: AR-1

PREVIOUSLY APPROVED  
BAYLIS ESTATES PHASE 1

SWM POND 1  
BOTTOM EL. = 9.00'  
BENCH EL. = 13.00'  
WSEL = 14.00'



**BOHLER**  
SITE CIVIL AND CONSULTING ENGINEERING  
PROGRAM MANAGEMENT  
LANDSCAPE ARCHITECTURE  
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**REVISIONS**

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CAD ID: SDP - 0

PROJECT:  
**PRELIMINARY SITE PLANS**  
FOR  
**BAYLIS ESTATES PHASE 2**  
PROPOSED RESIDENTIAL DEVELOPMENT  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DE  
TAX MAP: 2-34-29, PARCEL 42

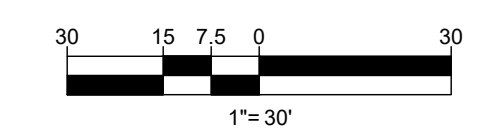
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Professional Engineer  
No. 19519  
5/18/21  
DELAWARE  
PROFESSIONAL ENGINEER

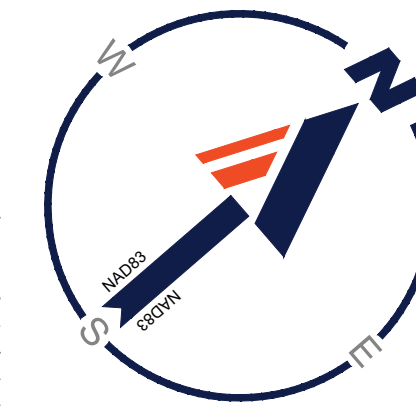
SHEET TITLE:  
**PRELIMINARY GRADING AND UTILITY PLAN**

SHEET NUMBER:  
**C-402**

REVISION 1 - 5/18/21



May 19, 2021  
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REVISIONS				
REV	DATE	COMMENT	CHECKED BY	DRAWN BY
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 DATE: 2/3/21  
 CAD ID: SDP - 0

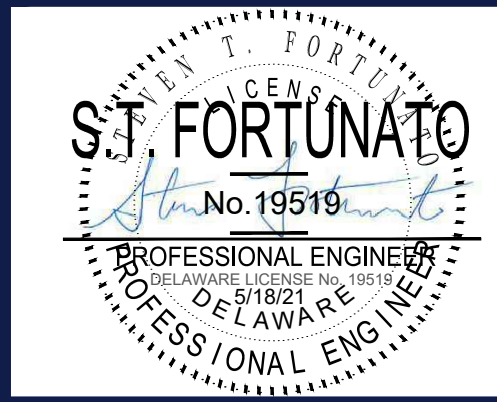
PROJECT:  
**PRELIMINARY SITE PLANS**

FOR  
**BAYLIS ESTATES PHASE 2**

PROPOSED RESIDENTIAL DEVELOPMENT  
 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DE  
 TAX MAP: 2-34-29, PARCEL 42

**BOHLER**

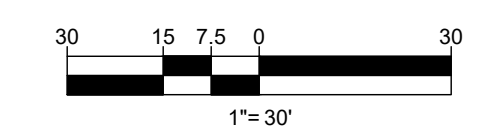
18958 COASTAL HWY, SUITE D  
 REHOBOTH BEACH, DE 19971  
 Phone: (302) 644-1155  
 Fax: (302) 703-3173  
 BohlerEngineering.com



SHEET TITLE:  
**PRELIMINARY GRADING AND UTILITY PLAN**

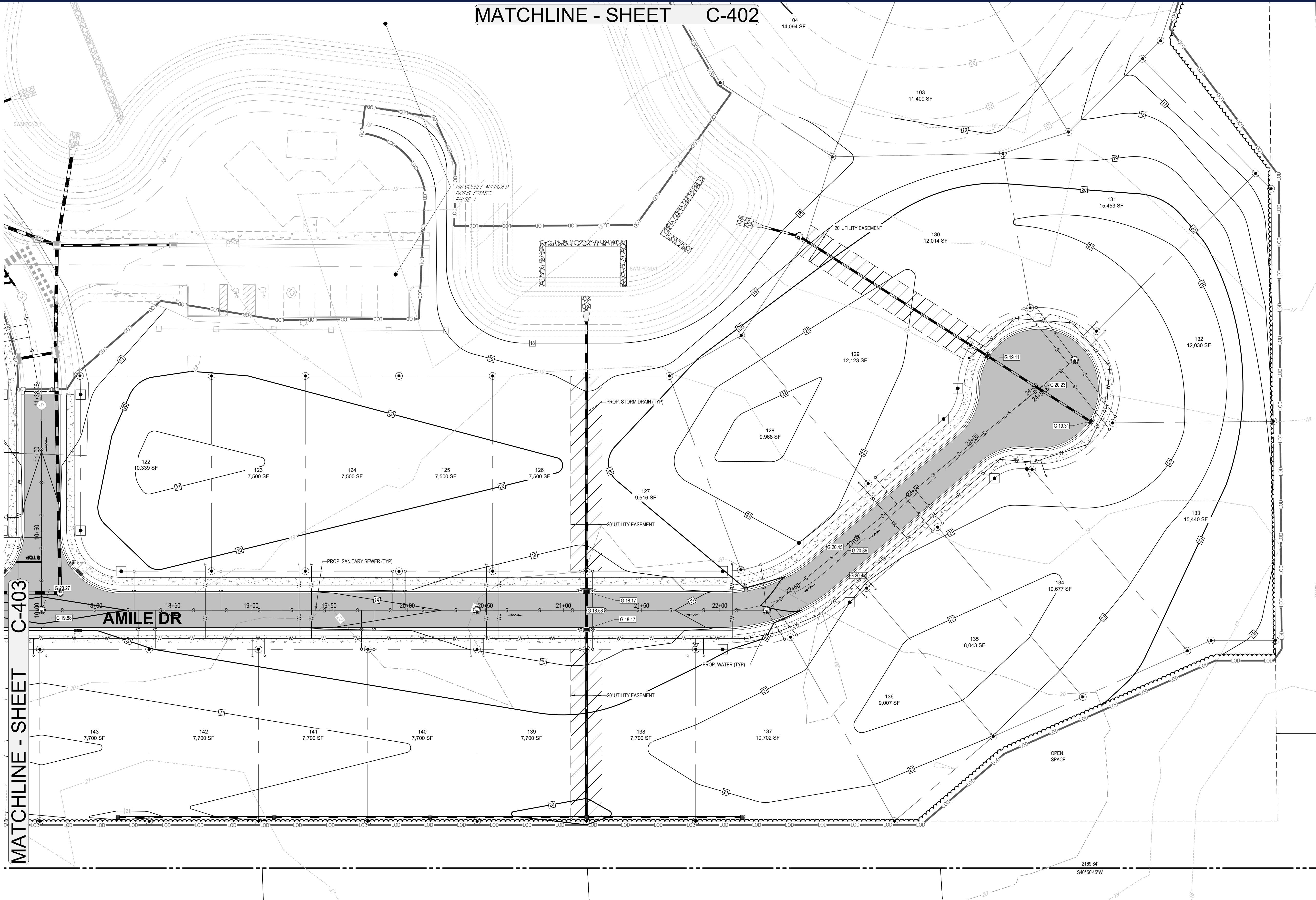
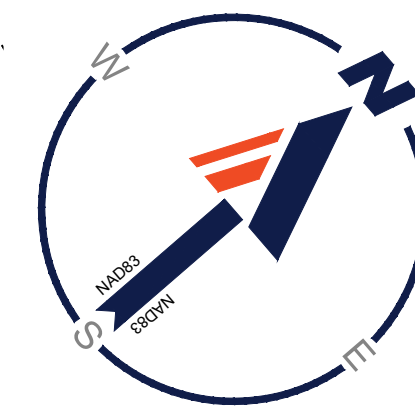
SHEET NUMBER:  
**C-403**

REVISION 1 - 5/18/21



May 19, 2021  
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MATCHLINE - SHEET C-402



TAX MAP #234-29.00-48.00  
N/F LANDS OF SHARON A  
HARRING  
BOOK 4564 PAGE 173  
ZONE: AR-1

TAX MAP #234-29.00-47.00  
N/F LANDS OF LOUIS C &  
JUDY A HAGEN  
BOOK 0 PAGE 0  
ZONE: AR-1

**BOHLER**  
SITE CIVIL AND CONSULTING ENGINEERING  
PROGRAM MANAGEMENT  
LANDSCAPE ARCHITECTURE  
SUSTAINABLE DESIGN  
PERMITTING SERVICES  
TRANSPORTATION SERVICES

**REVISIONS**

REV	DATE	COMMENT	CHECKED BY
1	5/18/21	PER AGENCY COMMENT	JSW STF

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THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: DE190077  
DRAWN BY: JSW  
CHECKED BY: STF  
DATE: 2/3/21  
CAD ID: SDP-0

PROJECT:  
**PRELIMINARY SITE PLANS**  
FOR  
**BAYLIS ESTATES PHASE 2**  
PROPOSED RESIDENTIAL DEVELOPMENT  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DE  
TAX MAP: 2-34-29, PARCEL 42

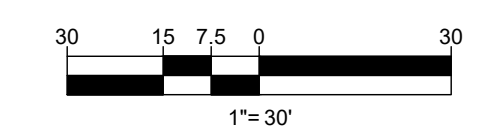
**BOHLER**  
18958 COASTAL HWY, SUITE D  
REHOBOTH BEACH, DE 19971  
Phone: (302) 644-1155  
Fax: (302) 703-3173  
BohlerEngineering.com

**S.T. FORTUNATO**  
No. 19519  
PROFESSIONAL ENGINEER  
DELAWARE  
PROFESSIONAL ENGINEER

SHEET TITLE:  
**PRELIMINARY GRADING AND UTILITY PLAN**

SHEET NUMBER:  
**C-404**

REVISION 1 - 5/18/21



May 19, 2021  
 H:\18000\18000\DRAWINGS\PLAN SETS\PRELIM SITE PLAN - PHASE 2\DE190077 - LTP - 1 - LAYOUT - C-404 GRADING UTILITY

## PLANNING & ZONING COMMISSION

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



# Sussex County

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

May 17, 2021

Mr. Steven T. Fortunato, P.E.  
Bohler Engineering  
18958 Coastal Highway, Suite D  
Rehoboth Beach, DE 19971

By email to: [sfortunato@bohlereng.com](mailto:sfortunato@bohlereng.com)

RE: Staff Review of the Preliminary Subdivision Plan for Baylis Estates Phase II (2021-13) for an application to amend the existing cluster subdivision for Baylis Estates Phase 2 (2017-01) to subdivide 130.52 +/- acres into fifty-one (51) single-family lots to be located on the northeast side of Mount Joy Road (S.C.R. 297).

Tax Parcel: 234-29.00-42.00

Dear Mr. Fortunato,

Further to your submission of February 8, 2021 the Planning and Zoning Department has reviewed the submitted Preliminary Subdivision Plan for Baylis Estates Phase II (2021-13) for an application to amend the existing cluster subdivision for Baylis Estates Phase 2 (2017-01) to subdivide 130.52 +/- acres into fifty-one (51) single-family lots to be located on the northeast side of Mount Joy Road (S.C.R. 297). The parcel is zoned Agricultural Residential (AR-1) Zoning District. The parcel also lies within the Coastal Area per Sussex County's 2019 Comprehensive Plan. Staff have reviewed the proposed subdivision plan for compliance with the Sussex County Zoning and Subdivision Code and have the following comments:

### Preliminary Subdivision Plan

1. Please include the County Project Reference Number on the Cover Sheet of the plans. The County Project Reference Number for this project is 2021-13.
2. It appears that the Flood Zone status of the property is referenced twice in the Site Data Column (as part of General Note Nos. 13 and 22.) Please delete one of these references to prevent duplicity or redundancy.
3. Please ensure that all street names are approved by the Sussex County Department of Mapping and Addressing, so as not to duplicate or closely approximate the name of any other subdivision streets in the County (§99-23(A)).
4. Please clarify within the Site Data Column that this project lies within the Coastal Area. The proposal also consists of 50 or more dwelling units. Therefore, copies of an Environmental Assessment (EA) and public facility evaluation report will need to be



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



- submitted to the Department, copies of which will be forwarded to the Office of State Planning Coordination and members of the Technical Advisory Committee (TAC) for review and comment. The EA should address the criteria listed in §115-194.3(2) (a-l) of the Sussex County Code.
5. Please ensure that this proposal meets the provisions of the County's Superior Design Criteria for cluster subdivisions as referenced in §115-25(E-F) of the Code.
  6. Please include the number of forested acres to remain and to be removed within the Site Data Column. Please note that the removal of healthy, mature trees shall be limited and that scenic views that can be seen from within the tract should be preserved to the greatest extent possible (§115-25(F)(6-7)).
  7. Please note whether a trail system will be provided to link homes to destinations outside of the tract (§115-25(F)(8)(c)).
  8. Staff notes the provision of sidewalks on at least one side of the street (§115-25(9)).
  9. Please note within the Site Data Column that the project does not lie within a Wellhead Protection Area in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-6).
  10. Please note within the Site Data Column that the project lies within an area of "poor" and "fair" Groundwater Recharge Potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).
  11. As a general reminder, please ensure that the Lots are numbered in consecutive, numerical order (based on the last and most recently approved, previous Phase of the subdivision) (§99-23 (K)).
  12. Please include a breakdown of tidal vs. non-tidal wetland totals in the Site Data Column as well as those wetlands which are under the Delaware Department of Natural Resources and Environmental Control's (DNREC's) (State) jurisdiction and those which are under the Army Corp. of Engineers' (Federal) jurisdiction (99-23(Q)).
  13. Please include the amount of open space as a percentage of the gross area of the site within the Site Data Column (§99-23(S)). Please ensure that the subdivision retains a minimum open space percentage of 30% overall in accordance with §115-25(B)(2) of the Sussex County Code. Additionally, 30% of all required open space shall be located on one contiguous tract of land, except that such open space may be separated by water bodies and a maximum of one street (§115-25(F)(3)(b)).
  14. Please confirm whether any stormwater management ponds, or drainage facilities will be included within this proposed Phase of the subdivision. If so, please clearly indicate the location and size of these drainage facilities on the plans (§99-23(M)).
  15. Please add statements concerning any proposed deed restrictions to be imposed by the owner (§99-24(B)).
  16. Please add statements explaining how and when the subdivider proposes to provide for the perpetual maintenance of the forested buffer strips (or in this case, the existing vegetation and tree line to remain on site) (§99-24(F)).

Final Subdivision Plan

1. Please include the locations, dimensions and purposes of any other property offered for dedication or to be reserved for acquisition for public use or to be reserved by deed covenant for the common use of property owners in the subdivision (§99-26(A)(11)).
2. Please include a space for the signature of the Chairman or Secretary of the Commission and the President of the Sussex County Council (§99-26(A)(13)).
3. Please also ensure that if the site contains no wetlands that the plans contain a signed and dated statement by an experienced and qualified professional verifying the accuracy of any delineations on the property (§99-26(A)(17)).
4. Please add to the plans, a certification panel and space for the stamp of and a space for the signature of an authorized representative of the Sussex Conservation District approving the location and design of all stormwater management areas and erosion and sediment control facilities which shall be shown on the final site plan (§99-26(A)(18)).
5. Please include a breakdown of the open space on the plans (Open Space “A,” “B,” “C,” etc.) and the purpose of all open space areas. Please also add the percentage of impervious surface cover area in the Site Data Column (§99-26(A)(19)).
6. Please include a summary of deed restrictions applicable within the subdivision, including agreements for the operation and maintenance by the property owners or agency in the subdivision of street and road improvements, surface drainage facilities, erosion and sedimentation control facilities, water supply facilities, sanitary sewer facilities, forested buffer strips, all areas approved as open space and other improvements” (§99-27(A)).
7. Please show the location of any proposed lighting within the subdivision.
8. Please ensure that the 30-ft forested/landscape buffer that meets the provisions of §99-5 of the Sussex County Code is shown around the entire perimeter of the site to be developed. Please note that the 30-ft width shall be exclusive of any proposed stormwater management areas or facilities, open space, etc.
9. Please add a General Note to the plans which clarifies that any additional signage will require the issuance of a separate permit from the County.
10. Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office:
  - a. **Sussex Conservation District**
  - b. **Office of State Fire Marshal**
  - c. **Delaware Department of Transportation (DelDOT)**
  - d. **Sussex County Engineering Department**
  - e. **Sussex County Mapping and Addressing Department**

- f. Office of Drinking Water (Public Health)**
- g. The local school district regarding bus stop provisions.**
- h. Copies of any proposed and updated HOA bylaws or deed restrictions to be imposed on property owners within the subdivision.**

Please provide **one (1) full-size copy** and **one (1) electronic copy** of a Revised Preliminary Subdivision Plan at least **ten (10) days prior** to your scheduled public hearing before the Planning and Zoning Commission. Your application has been scheduled for a public hearing and consideration by the Commission at their upcoming meeting of **May 27, 2021**. Therefore, please submit all required plans and supporting documentation (ie: Exhibit Books) later than close of business on **May 17, 2021**.

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

Sincerely,

A handwritten signature in black ink that reads "Lauren DeVore". The signature is written in a cursive, flowing style.

Ms. Lauren DeVore  
Planner III

May 20, 2021  
Via Federal Express

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

Attn.: Lauren DeVore

Re: 2017-1 Baylis Estates – Phase II  
Preliminary Site Plan  
Mount Joy Road  
Sussex County, DE  
Tax Parcel No. 234-29.00-42.00  
BEVA# DE190077

Dear Ms. DeVore,

In regard to the Baylis Phase 2 Preliminary Site Plan Review Comments report dated May 17, 2021, please find the following point by point responses for your review regarding the respective items that we understand need additional information:

- Comment 1:** Please include the County Project Reference Number on the Cover Sheet of the plans. The County Project Reference Number for this project is 2021-13.
- Response 1:** **The County Project Reference Number has been added as note 22.**
- Comment 2:** It appears that the Flood Zone status of the property is referenced twice in the Site Data Column (as part of General Note Nos. 13 and 22.) Please delete one of these references to prevent duplicity or redundancy.
- Response 2:** **The second Flood Zone note, formerly note 22, has been removed.**
- Comment 3:** Please ensure that all street names are approved by the Sussex County Department of Mapping and Addressing, so as not to duplicate or closely approximate the name of any other subdivision streets in the County (§99-23(A)).
- Response 3:** **Comment noted. To be provided prior to final approval.**
- Comment 4:** Please clarify within the Site Data Column that this project lies within the Coastal Area. The proposal also consists of 50 or more dwelling units. Therefore, copies of an Environmental Assessment (EA) and public facility evaluation report will need to be submitted to the Department, copies of which will be forwarded to the Office of State Planning Coordination and members of the Technical Advisory Committee (TAC) for review and comment. The EA should address the criteria listed in §115-194.3(2) (a-1) of the Sussex County Code.
- Response 4:** **Costal Area note has been added as note 23. An Environmental Assessment and public facility evaluation report are included in this submission.**

**Comment 5:** Please ensure that this proposal meets the provisions of the County’s Superior Design Criteria for cluster subdivisions as referenced in §115-25(E-F) of the Code.

**Response 5:** **The phase 2 plans have been reviewed against code section §115-25(E-F) and appear to comply with these requirements.**

**Comment 6:** Please include the number of forested acres to remain and to be removed within the Site Data Column. Please note that the removal of healthy, mature trees shall be limited and that scenic views that can be seen from within the tract should be preserved to the greatest extent possible (§115-25(F)(6-7)).

**Response 6:** **Existing forested area, remaining forested area, and removed forested area have been added to note 8.**

**Comment 7:** Please note whether a trail system will be provided to link homes to destinations outside of the tract (§115-25(F)(8)(c)).

**Response 7:** **Per previous discussion, a trail system is not required or provided.**

**Comment 8:** Staff notes the provision of sidewalks on at least one side of the street (§115-25(9)).

**Response 8:** **Comment noted.**

**Comment 9:** Please note within the Site Data Column that the project does not lie within a Wellhead Protection Area in order to comply with Chapter 89 “Source Water Protection” of the Sussex County Code (§89-6).

**Response 9:** **Note 25 has been added to clarify that the project is not within a Wellhead Protection Area.**

**Comment 10:** Please note within the Site Data Column that the project lies within an area of “poor” and “fair” Groundwater Recharge Potential in order to comply with Chapter 89 “Source Water Protection” of the Sussex County Code (§89-7).

**Response 10:** **Note 24 has been added to clarify that the project is within “poor” and “fair” Groundwater Recharge Potential areas.**

**Comment 11:** As a general reminder, please ensure that the Lots are numbered in consecutive, numerical order (based on the last and most recently approved, previous Phase of the subdivision) (§99-23 (K)).

**Response 11:** **Comment noted.**

**Comment 12:** Please include a breakdown of tidal vs. non-tidal wetland totals in the Site Data Column as well as those wetlands which are under the Delaware Department of Natural Resources and Environmental Control’s (DNREC’s) (State) jurisdiction and those which are under the Army Corp. of Engineers’ (Federal) jurisdiction (99-23(Q)).

**Response 12:** **No wetlands are present on site according to the National Wetlands inventory. Note 26 has been added.**

**Comment 13:** Please include the amount of open space as a percentage of the gross area of the site within the Site Data Column (§99-23(S)). Please ensure that the subdivision retains a

minimum open space percentage of 30% overall in accordance with §115-25(B)(2) of the Sussex County Code. Additionally, 30% of all required open space shall be located on one contiguous tract of land, except that such open space may be separated by water bodies and a maximum of one street (§115-25(F)(3)(b)).

**Response 13:** Open space has been added for the overall site and a percentage has been added for the whole site, see note #8.

**Comment 14:** Please confirm whether any stormwater management ponds, or drainage facilities will be included within this proposed Phase of the subdivision. If so, please clearly indicate the location and size of these drainage facilities on the plans (§99-23(M)).

**Response 14:** No ponds or drainage facilities are proposed in this phase.

**Comment 15:** Please add statements concerning any proposed deed restrictions to be imposed by the owner (§99-24(B)).

**Response 15:** Note 28 added for deed restrictions.

**Comment 16:** Please add statements explaining how and when the subdivider proposes to provide for the perpetual maintenance of the forested buffer strips (or in this case, the existing vegetation and tree line to remain on site) (§99-24(F)).

**Response 16:** Statement added specifying responsibility for perpetual maintenance of the forested buffer strips as note 27.

Additionally, we have received the TAC comments per your email on 5/12/21. We have reviewed the comments and will be incorporating them into the Final Site Plans.

Should you have any questions or require additional information, please do not hesitate to contact this office at (302) 644-1155 to discuss. Thank you.

Very truly yours,



Steven T. Fortunato, P.E.  
Project Manager

cc: Kevin Broyna, Insight Homes (w/o encl.)  
M. Andrew Campanelli, Insight Homes (w/o encl.)  
David M. Kuklish, P.E., Bohler (w/o encl.)  
File

## Chapter 99-9C Responses

### Baylis Estates Phase II, Mt. Joy Road, Millsboro DE

The proposed Baylis Estates provides consideration of the following:

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

The proposed project consists of one (1) parcel, known as Tax Map: 234-29.00-42.00. The parcel is comprised of 75.48± acres. Baylis Estates Investments, LLC. is proposing to subdivide the 75.48± Ac. into 150 single family homes, along with associated features.

The proposed subdivision is located 2,000± feet north-west of the intersection of John J Williams Hwy and Mt Joy Rd in Sussex County, Delaware. Prior to construction of Baylis Estates Phase I, there are no improvements on the proposed and it is all wooded. Phase I of this project is currently under construction.

Located along the northwest boundary of the site is an existing residential subdivision zoned AR-1. Located to the northeast of the site are residential areas zoned CR-1 and AR-1, as well as agricultural uses zoned AR-1 and commercial uses zoned AR-1. To the Southeast of the site are residential uses zoned AR-1 as well as commercial use zoned C-1. Along the southwest boundary is Mount Joy Rd, a state owned and maintained roadway.

The proposed project will integrate into the existing terrain and surrounding landscape as there are multiple residential uses and subdivisions around the site. The site will also integrate into the existing terrain as able to and will retain areas of forest and a forested buffer along the boundaries to tie into the neighboring parcels.

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

Pursuant to the Environmental Consultants site investigation, the subject site contains no wetlands. Further, the site is located on FEMA Flood Insurance Rate Map 10005C0477K, Panel 447 of 660, revised March 16, 2015. The site is located completely within Zone X (areas to be determined to be outside the 0.2 annual percent chance of flood). Therefore, there are no impacts/use of wetlands and floodplains.

#### **3. Preservation of natural and historical features.**

Natural features such as the existing forested areas will be preserved to the fullest extent. There are no known historical features (or physical structures/improvements) on the site.

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

The proposed plan attempts to preserve open space and views as much as possible. Forested buffer areas along the property lines are proposed and wet ponds have been proposed throughout the development. Additional open space is provided for use by residents of the subdivision.

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

The proposed plan will be designed to minimize cut and fill on the site in the effort of balancing the site. Some excavation will be required for the proposed stormwater management area. It is anticipated that spoil material from these areas will be used to help fill the site where needed to allow for adequate drainage away from the proposed structure. Erosion and sediment controls will be designed in accordance with Sussex Conservation District and DNREC requirements to minimize soil removal from the subject site. As mentioned previously, the existing wooded areas will be preserved the fullest extent possible.

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

There will be a 30' forested buffer along the boundary of the site with adjacent parcels which will help to provide screening of the new residential area.

## **7. Provision for water supply.**

Water service is provided by Tidewater Utilities, Inc.

## **8. Provision for sewage disposal.**

Sewer service will be provided by Sussex County public sewer, with the proposed connection point at an existing sanitary main within the Mount Joy Rd right-of-way.

## **9. Prevention of pollution of surface and groundwater.**

The site stormwater management system will capture a majority of runoff from impervious surfaces (roads, driveways and roofs) and provide quality and quantity management in accordance with the applicable DNREC Sediment and Stormwater Regulations. This will maximize groundwater recharge potential and at the same time be utilizing a DNREC approved green BMP to handle stormwater management. A series of Extended Detention Wet Ponds and proposed to manage the runoff and allow for pollutants to be treated. All requirements set forth by DNREC and the Sussex Conservation District as it relates to the regulated stormwater management pollutants.

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

As mentioned above, five (5) stormwater management ponds have been proposed throughout the site. As stormwater is treated by these facilities, pollutants will be removed and the extended detention will



increase groundwater recharge to the fullest extent possible. Erosion and sediment controls, including sediment traps, inlet protection, silt fence, and vegetative stabilization will be provided both along the perimeter of the site and throughout the site, as well as at the entrance to help minimize sediment from leaving the site. Stormwater management and erosion and sediment controls will be provided in accordance with State and Local requirements.

## **11. Provision for safe vehicular and pedestrian movement within the site and to adjacent ways.**

The entrance will be designed in accordance with DelDOT requirements which will allow for safe vehicular and pedestrian movement to the adjacent Mount Joy Rd. The internal subdivision streets layout will be designed in accordance with the Sussex County Engineering Department and the Office of State Fire Marshal requirements, and other applicable agencies as required. A five-foot concrete sidewalk is provided throughout the subdivision to provide for safe pedestrian travel.

## **12. Effect on area property values.**

It is not anticipated that the proposed project will have a negative impact on property values.

## **13. Preservation and conservation of farmland.**

The site does not contain any farmland.

## **14. Effect on schools, public buildings and community facilities.**

The approval of the plan should not negatively impact area schools, public buildings or community facilities. Internal community amenities are proposed as part of this project.

## **15. Effect on area roadways and public transportation.**

DelDOT has reviewed and provided a service level evaluation for the proposed project and has determined a traffic impact study will not be required. The proposed subdivision entrance, as well as the right-of-way frontage improvements along Mount Joy Rd is required to be designed in accordance with DelDOT rules and regulations. Therefore, it is not anticipated that the proposed project will have a negative impact on the area roadways and/or public transportation.

## **16. Compatibility with other area land uses.**

As mentioned above, the proposed project is located within the vicinity of other similar residential subdivision as well as some smaller commercial areas.

## **17. Effect on area waterways.**

The development will utilize multiple stormwater management ponds for storm water management treatment and to limit pollutants from leaving the site. This project also proposes various erosion and



sediment control measures to reduce the potential impacts of construction. It is not anticipated that this project will have a negative effect on the surrounding waterways.

## Coastal Area Environmental Assessment and Public Facilities Evaluation Report

### Baylis Estates Phase II, Mt. Joy Road, Millsboro DE Section 115-194.3 Responses

The proposed Baylis Estates Phase II Development provides consideration of the following:

- A) Proposed drainage design and the effect on stormwater quality and quantity leaving the site, including methods for reducing the amount of phosphorous and nitrogen in the stormwater runoff and the control of any other pollutants such as petroleum hydrocarbons or metals.**

The site stormwater management system will capture a majority of runoff from impervious surfaces (roads, driveways and roofs) and provide quality and quantity management in accordance with the applicable DNREC Sediment and Stormwater Regulations. This will maximize groundwater recharge potential and at the same time be utilizing a DNREC approved green BMP to handle stormwater management. A series of Extended Detention Wet Ponds and proposed to manage the runoff and allow for pollutants to be treated. All requirements set forth by DNREC and the Sussex Conservation District as it relates to the regulated stormwater management pollutants.

- B) Proposed method of providing potable and, where appropriate, irrigation water and the effect on public or private water systems and groundwater, including an estimate of average and peak demands.**

This project is located within Tidewater Utilities, Inc.'s service area and they are providing domestic service water for the site. Tidewater has been informed about the development and they have capacity to provide for the development.

- C) Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on-site septic systems.**

The site will be served by a Sussex County owned and maintained public sewer system currently within the Mount Joy Rd right-of-way. The sewer system of the site will come to a pump station on site and pumped to the sewer system in the right-of-way. The Sussex County Engineering Department has reviewed the project with minimal comments and is acceptable with the proposed connection.

- D) Analysis of the increase in traffic and the effect on the surrounding roadway system.**

Pursuant to the DeIDOT completed service level evaluation, a traffic impact study is not required or proposed. The site's entrance, as well as DeIDOT right-of-way frontage improvements will be designed in accordance with current DeIDOT regulations. The increase in traffic is not anticipated to have a negative effect on the surrounding roadway systems.

**E) The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.**

Research has not revealed any endangered or threatened species on the subject site. However, the applicant will consult with DNREC if, and as necessary, should findings become evident during the design process.

**F) The preservation and protection from loss of any tidal or nontidal wetlands on the site.**

Pursuant to the site investigation from the Environmental Consultant and the National Wetlands Inventory, there are no existing wetlands on the subject site.

**G) Provisions for open space as defined in § 115-4.**

The development will contain open space that is both designated as active and passive open space areas. Active open space area uses will be determined at a later time but may include items such as a pool, clubhouse and activity area. The passive open space includes buffers, stormwater management ponds, and forested areas to remain. Open area accounts for more than 40% of the total parcel area.

**H) A description of provisions for public and private infrastructure.**

Water service will be provided to the site via public utility from Tidewater. Sanitary sewer will be provided via Sussex County. The entrance, as well as road frontage improvements, will be designed in accordance with DeIDOT requirements. Onsite private drive aisles, including stormwater management, will be designed to meet the Sussex County Engineering Department, Sussex Conservation District, and Office of State Fire Marshal requirements as needed, and will be owned and maintained by the HOA. Electric is provided by Delaware Electric Coop.

**I) Economic, recreational or other benefits.**

The proposed residential subdivision will provide additional housing in the area and construction of the project will also provide jobs in the area. The housing will also provide additional taxes for the county and allow for additional occupants to support local establishments.

**J) The presence of any historic or cultural resources that are listed on the National Register of Historic Places.**

There are no known historic or cultural resources on this site.

- K) An affirmation that the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan.**

It is the applicant's belief that the proposed use will comply with all applicable County, State and Federal requirements as required. The site is currently zoned AR-1 and the proposed development meets county requirements for AR-1 zoned cluster subdivisions.

- L) Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.**

It is the applicant's belief that the proposed plan will not result in detrimental impact to the surrounding areas. The plan shall conform to all County, State and Federal regulations, as required, to include adequate buffering, provisions for stormwater management, water, sanitary sewer and safe vehicular circulation both internal and external to the subject site.