

**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, MRTPI, AICP  
DIRECTOR OF PLANNING & ZONING

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date: February 17<sup>th</sup>, 2022

Application: 2021-22 The Woods at Burton Pond (Phase II)

Applicant: Spring Cap II, LLC  
105 Foulk Road  
Wilmington, DE 19803

Owner: Spring Cap II, LLC  
105 Foulk Road  
Wilmington, DE 19803

Site Location: South side of Conleys Chapel Road, approximately 0.4 of a mile east of  
Beaver Dam Road

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

Proposed: 19 Single Family Lots as a cluster subdivision.

Comprehensive Land  
Use Plan Reference: Low Density Area

Councilmanic  
District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Lewes Volunteer Fire Department

Sewer: Artesian Wastewater Management

Water: Tidewater Utilities

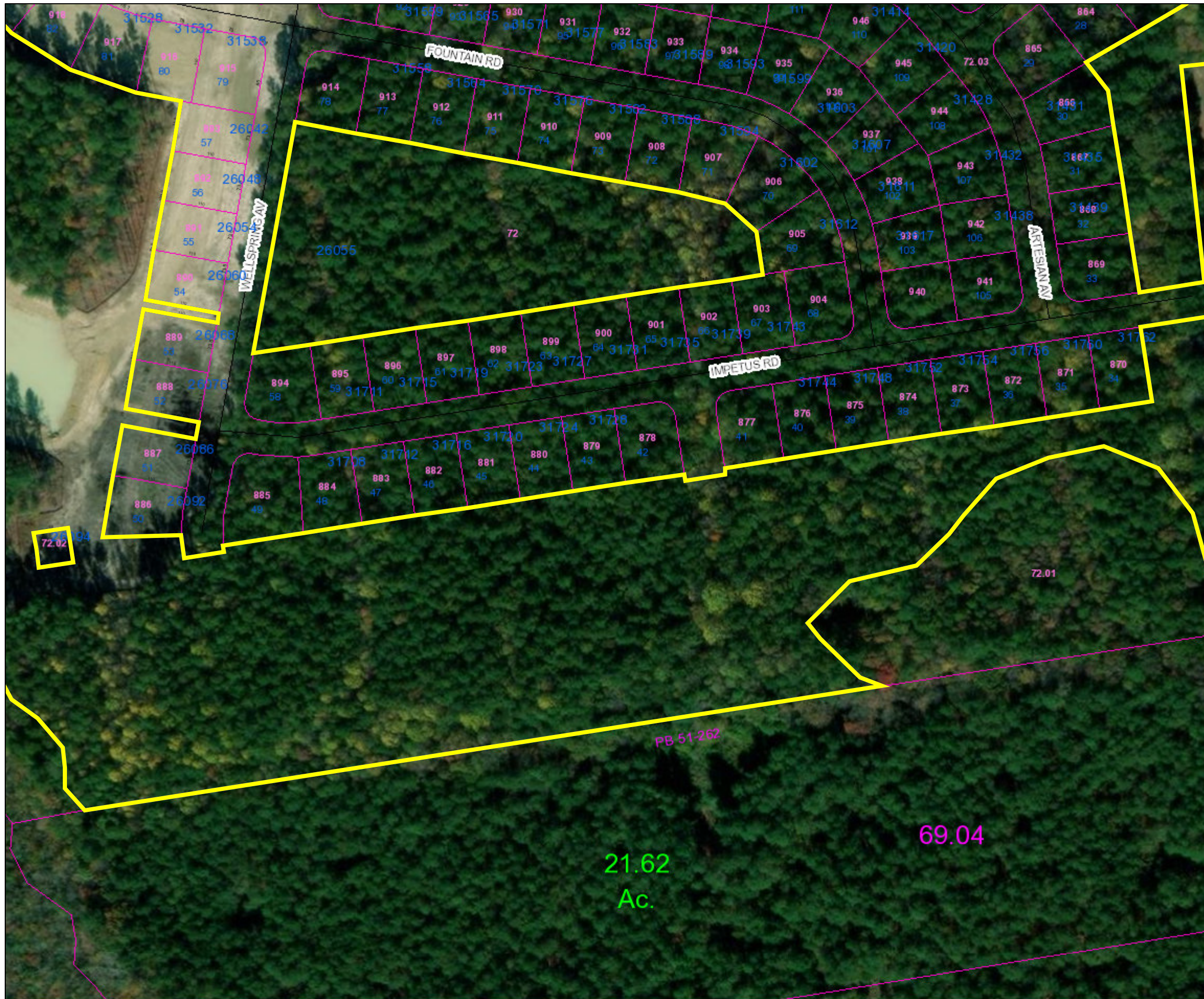
Site Area: 15.01 acres +/-

Tax Map ID.: 234-11.00-72.04





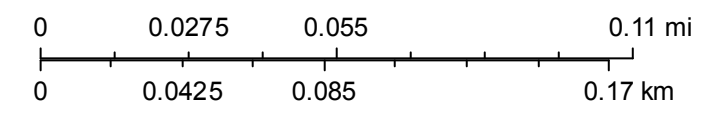
# Sussex County



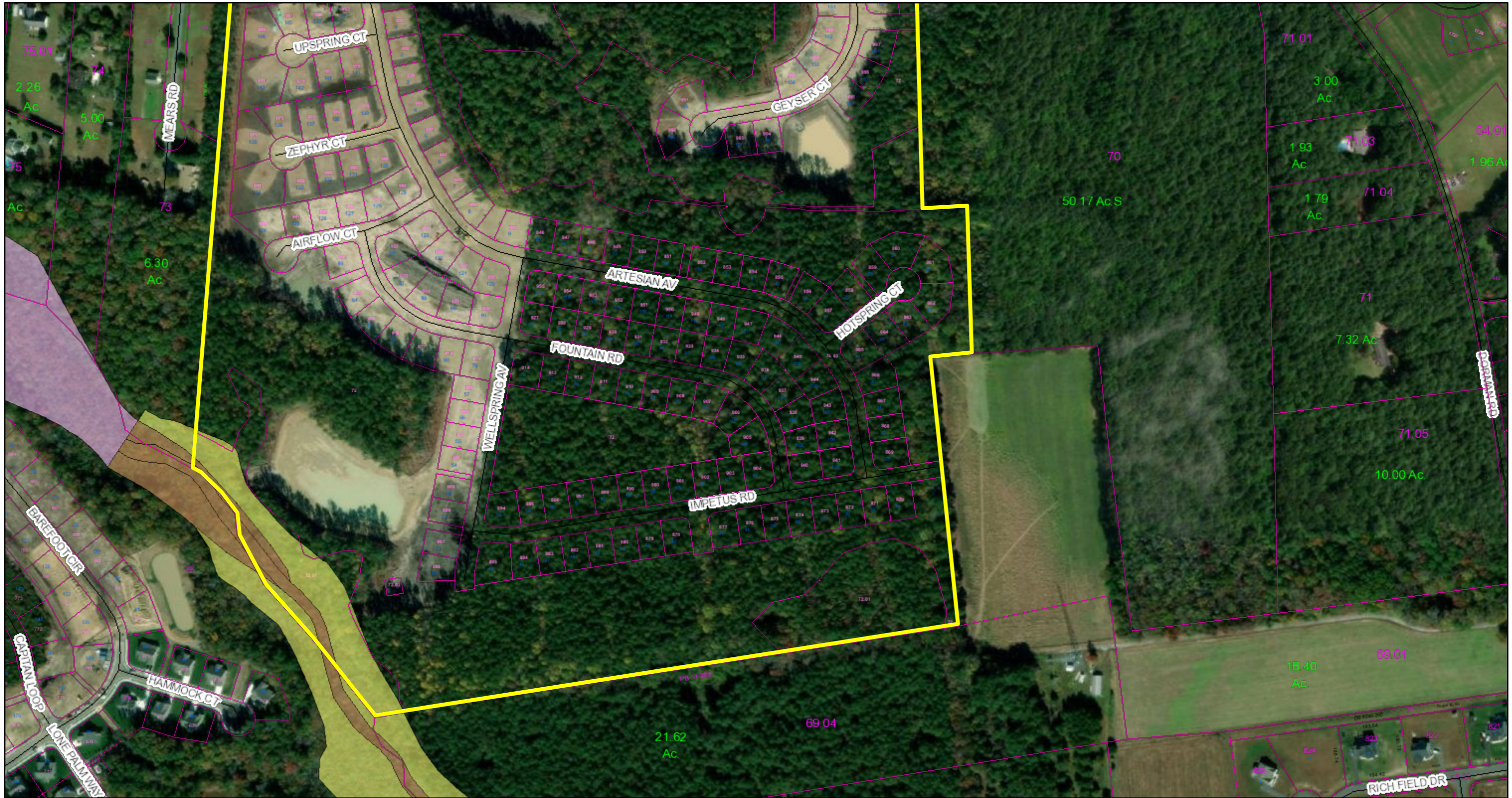
<b>PIN:</b>	234-11.00-72.00
<b>Owner Name</b>	SPRINGCAP II LLC
<b>Book</b>	3127
<b>Mailing Address</b>	105 FOULK RD
<b>City</b>	WILMINGTON
<b>State</b>	DE
<b>Description</b>	THE WOODS AT BURTON
<b>Description 2</b>	POND OPEN SPACE/SWM
<b>Description 3</b>	PARCEL B
<b>Land Code</b>	

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


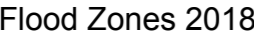
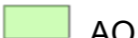

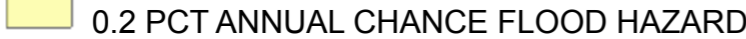






1:2,257



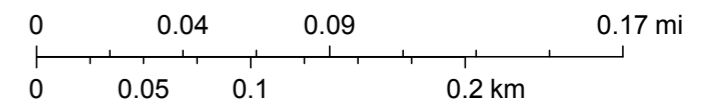
# Sussex County



February 22, 2022

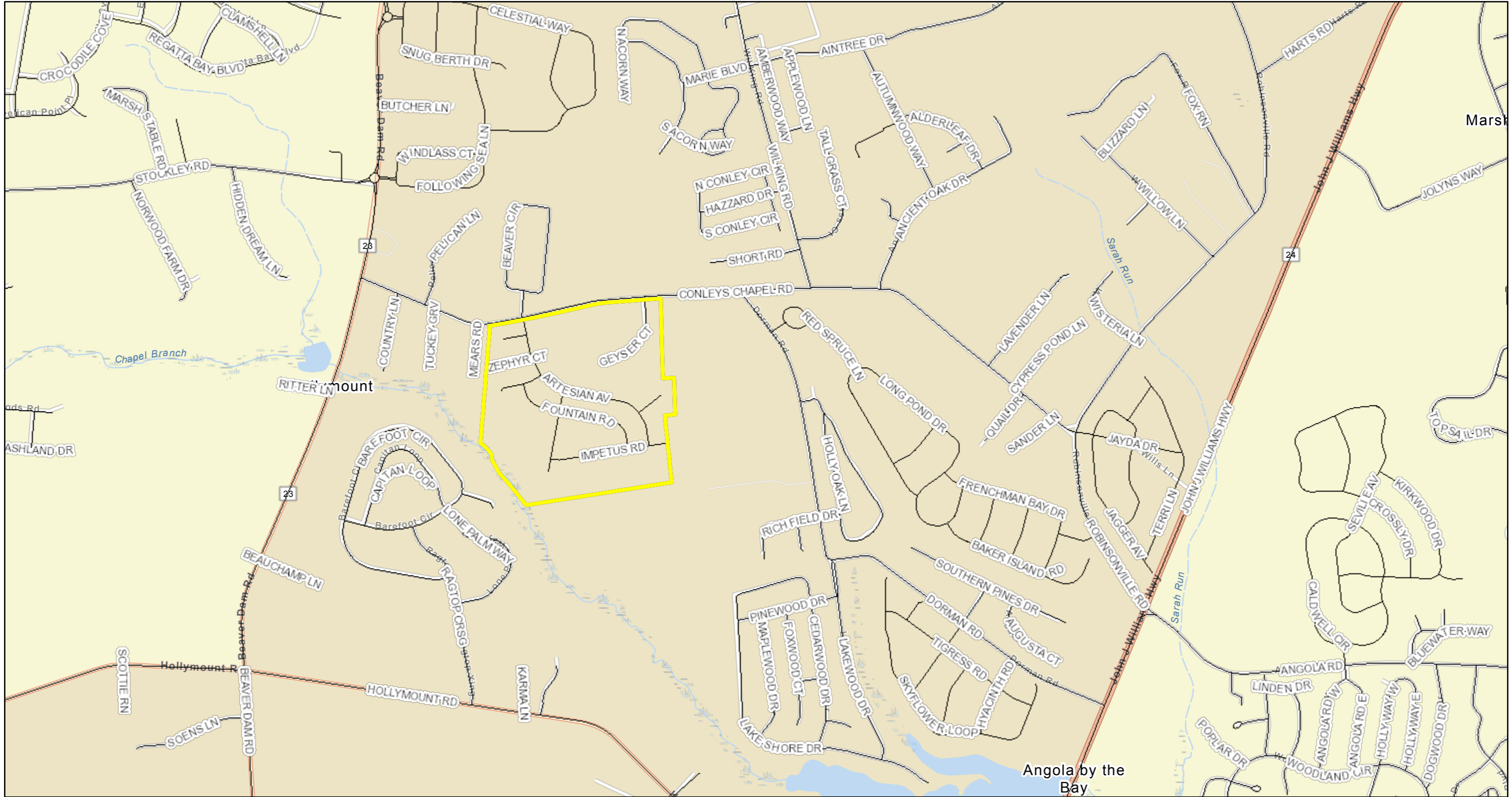
- |  |   |  |
|--|---|--|
|  Override 1  |  Flood Zones 2018                    |  AO         |
|  Override 1  |  0.2 PCT ANNUAL CHANCE FLOOD HAZARD |  OPEN WATER |
|  Tax Parcels |  A                                   |  VE         |
|  Streets     |  AE                                  |  |

1:4,514



FEMA, Sussex County Government, Maxar


# Sussex County



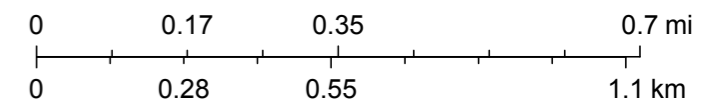
February 22, 2022

 Override 1

 Override 1

 Streets

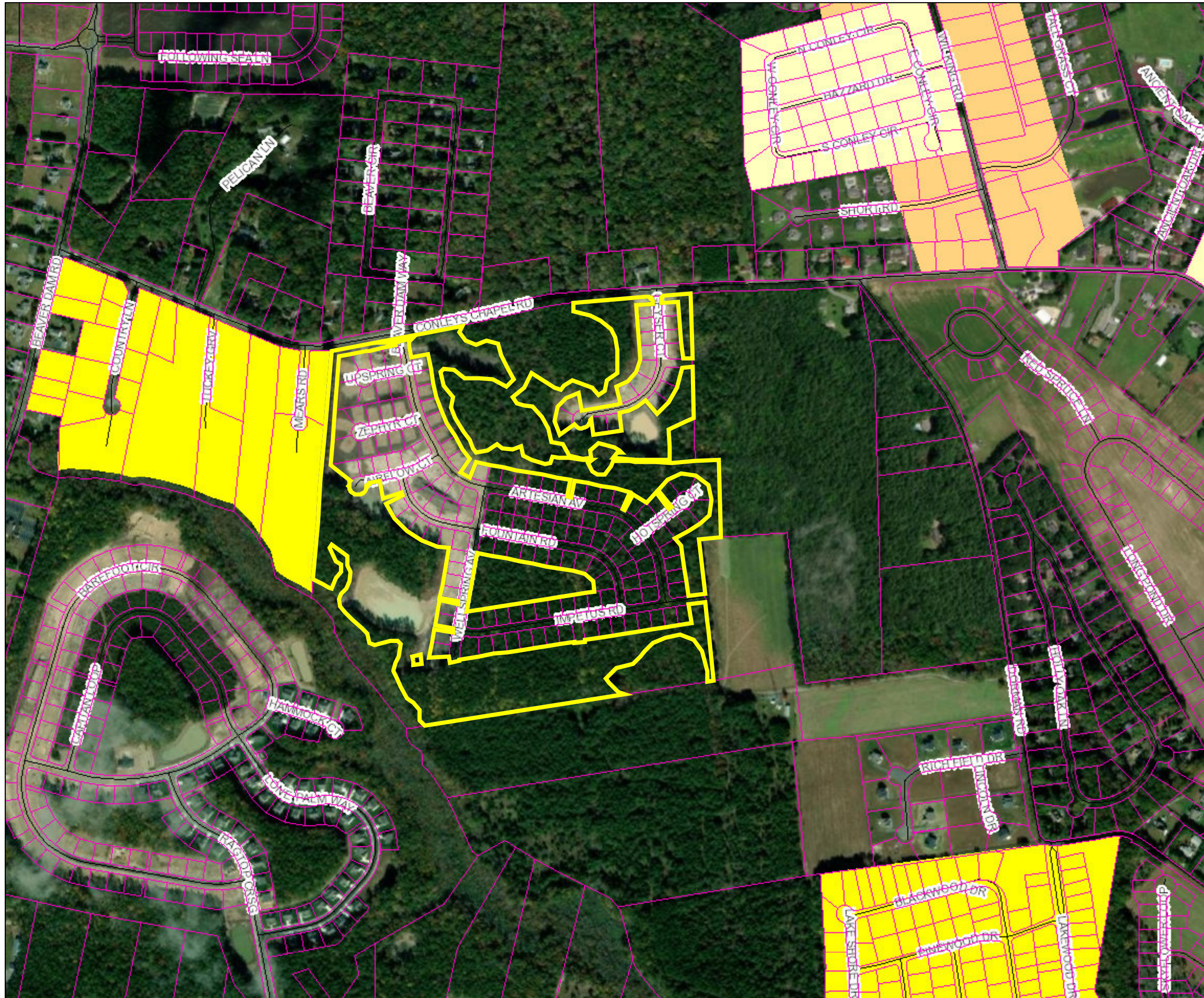
1:18,056



Sussex County Government, Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



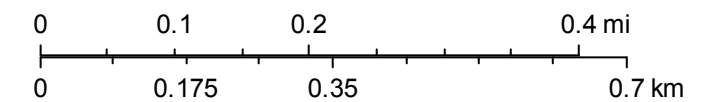
# Sussex County



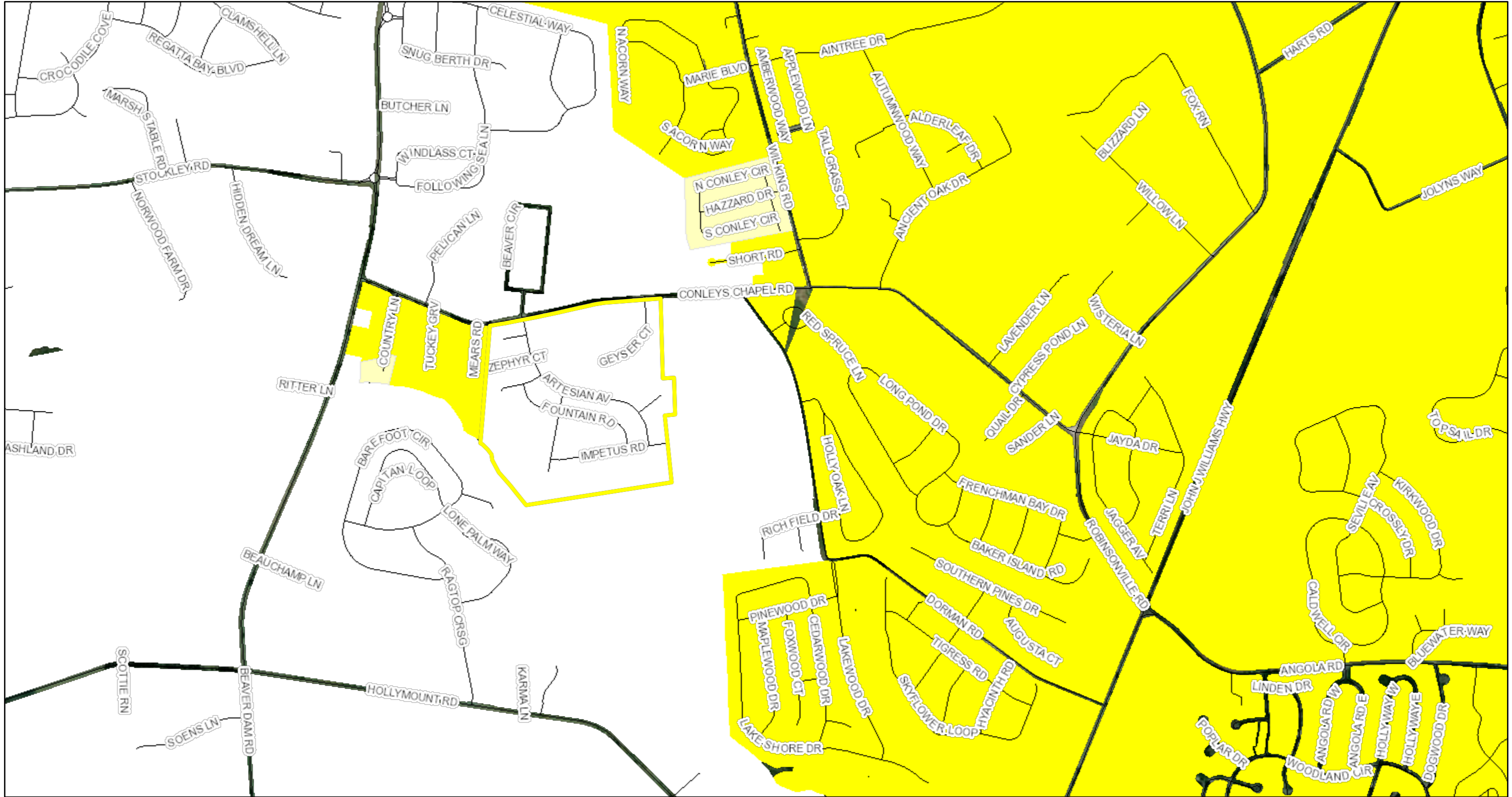
<b>PIN:</b>	234-11.00-72.00
<b>Owner Name</b>	SPRINGCAP II LLC
<b>Book</b>	3127
<b>Mailing Address</b>	105 FOULK RD
<b>City</b>	WILMINGTON
<b>State</b>	DE
<b>Description</b>	THE WOODS AT BURTON
<b>Description 2</b>	POND OPEN SPACE/SWM
<b>Description 3</b>	PARCEL B
<b>Land Code</b>	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets

1:9,028



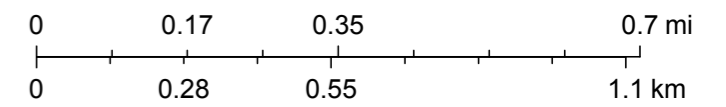
# Sussex County



February 22, 2022

1:18,056

- |            |                      |                           |                |
|------------|----------------------|---------------------------|----------------|
| Override 1 | 2019 Future Land Use | Commercial                | Industrial     |
| Override 1 | Low Density          | Developing Area           | Municipalities |
| Streets    | Coastal Area         | Existing Development Area | Town Center    |



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



# Sussex County

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Chase Phillips, Planner II  
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant  
Date: March 17<sup>th</sup>, 2022  
RE: Woods at Burton Pond Extended (2021-22) and Groundwater Management

To the Members of the Planning Commission,

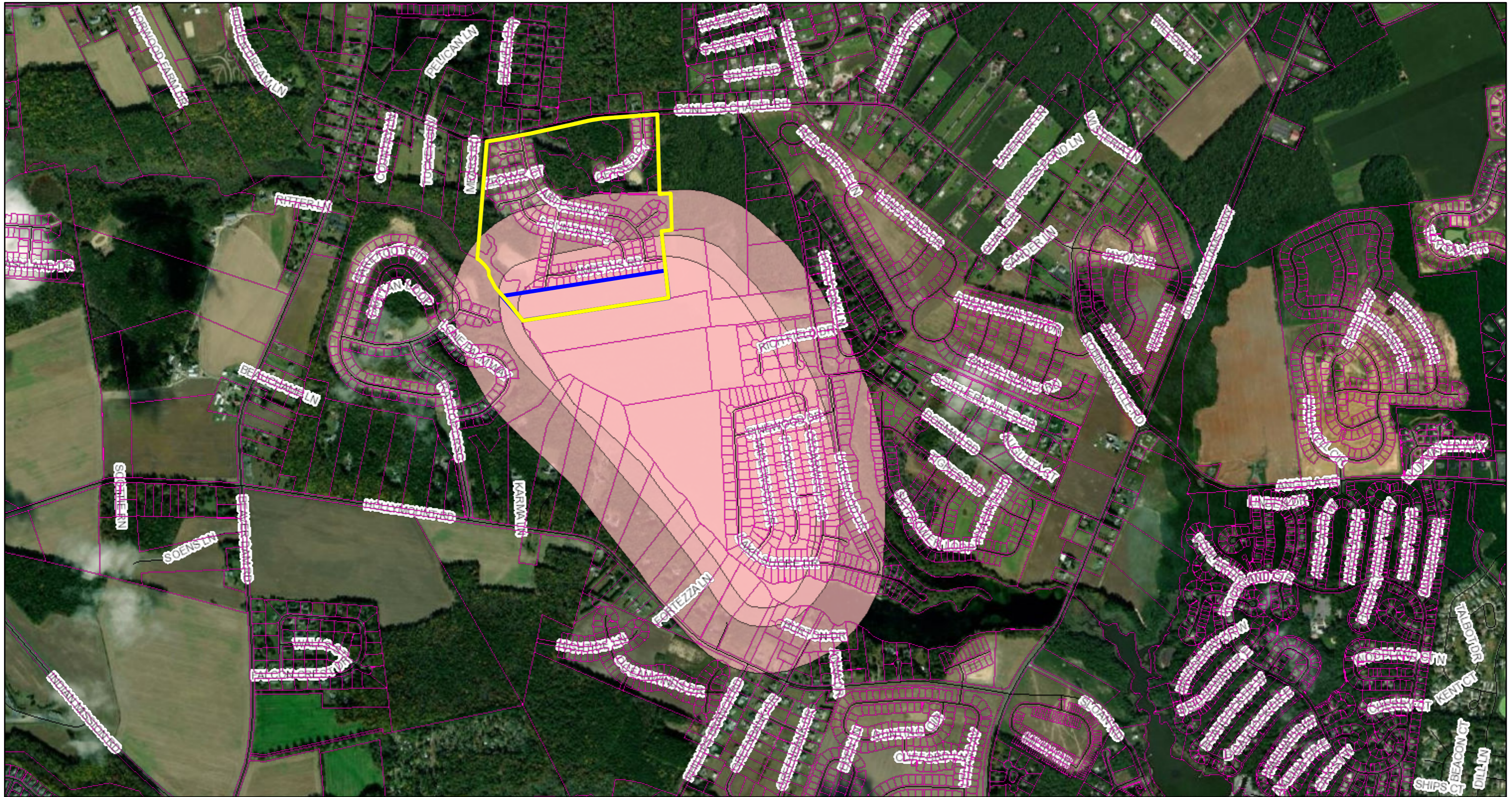
Upon review of the Preliminary Subdivision Plan for the Woods at Burton Pond Extended (2021-21), it was identified that the site is located within the inner-most tier of a Groundwater Management Zone (GMZs). As provided in the Technical Advisory Committee (TAC) comments from the Sussex County Engineering Department, staff note that final approval for this subdivision plan is contingent upon the review by the County Engineer. Thank you.

Sincerely,





Chase Phillips  
Planner II



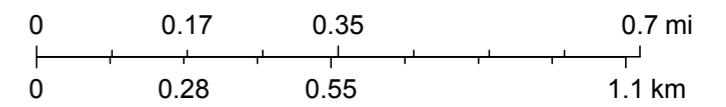
# Sussex County



March 17, 2022

-  Override 1
-  Override 1
-  Tax Parcels
-  Streets
-  County Boundaries
-  LocalGov.GISDATA.GMZs

1:18,056



Sussex County Government, Maxar



File #: 2021-22

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

202109627

## Sussex County Major Subdivision Application

### Sussex County, Delaware

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

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

Standard:

Cluster:

Coastal Area:

**Location of Subdivision:**

southern extension of existing Woods at Burton Pond subdivision, Conley's Chapel Road

**Proposed Name of Subdivision:**

The Woods at Burton Pond Extended

Tax Map #: ~~234-11.00-72.00~~ 72.04 Total Acreage: 15.009 +/-

Zoning: AR-1 Density: 1.26 Minimum Lot Size: 7,500 Number of Lots: 19

Open Space Acres: 5.742 +/-

Water Provider: Tidewater Utilities Sewer Provider: Artesian Wastewater Management

**Applicant Information**

Applicant Name: Spring Cap II, LLC

Applicant Address: 105 Foulk Road

City: Wilmington State: DE Zip Code: 19803

Phone #: (302) 429-8700 E-mail: \_\_\_\_\_

**Owner Information**

Owner Name: Spring Cap II, LLC

Owner Address: 105 Foulk Road

City: Wilmington State: DE Zip Code: 19803

Phone #: (302) 429-8700 E-mail: \_\_\_\_\_

**Agent/Attorney/Engineer Information**

Agent/Attorney/Engineer Name: Davis, Bowen & Friedel, Inc. - Ring W. Lardner, P.E.

Agent/Attorney/Engineer Address: 1 Park Ave

City: Milford State: DE Zip Code: 19963

Phone #: (302) 424-1441 E-mail: rwl@dbfinc.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)
  - o 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
  - o Provide compliance with Section 99-9.
  - o Deed or Legal description, copy of proposed deed restrictions, soil feasibility study
- Provide Fee \$500.00
- Optional - Additional information for the Commission to consider (ex. photos, exhibit books, etc.) If provided submit seven (7) copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.
- PLUS Response Letter (if required)  Environmental Assessment & Public Facility Evaluation Report (if within Coastal Area)
- 51% of property owners consent if applicable

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


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

Signature of Applicant/Agent/Attorney

  
\_\_\_\_\_

Date: 6/22/2021

Signature of Owner

  
\_\_\_\_\_

Date: 06/04/21

For office use only:

Date Submitted: 06/29/2021 Fee: \$500.00 Check #: \_\_\_\_\_

Staff accepting application: Cheryl P Application & Case #: 2021-72 202109677

Location of property: Conley's Chapel Rd. woods at Burton Pond

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

# Mailing List Application Form

For Applications Requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application, a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

## Application Information:

Site Address: Conleys Chapel Road; Residual land from Woods at Burton's Pond

Parcel #: ~~2-34-11.00-72.00~~ 72.04

Site Address: \_\_\_\_\_

Parcel #: \_\_\_\_\_

Applicant Name: Horse Family, LLC

Owner Name: Horse Family, LLC

## Type of Application:

- Conditional Use:
- Change of Zone:
- Subdivision:
- Board of Adjustment:

Date Submitted: 6/23/21

## For office use only:

Date of Public Hearing: \_\_\_\_\_

File #: \_\_\_\_\_

Date list created: \_\_\_\_\_

List created by: \_\_\_\_\_

Date letters mailed: \_\_\_\_\_

Letters sent by: \_\_\_\_\_

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/24/2022**

APPLICATION: **2021-22 The Woods at Burton Pond (Phase II)**

APPLICANT: **Spring Cap II, LLC**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **234-11.00-72.00**

LOCATION: **Lying on the south side of Impetus Road within the existing  
Woods at Burton Pond (2007-29) subdivision.**

NO. OF UNITS: **19 single-family lots**

GROSS  
ACREAGE: **15.01**

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

**SEWER:**

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

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

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

(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **Click or tap here to enter text.**

(9). Is a Sewer System Concept Evaluation required? **Not at this time**

(10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**

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

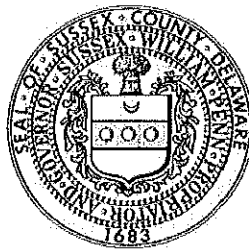
UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

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

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



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Technical Advisory Committee  
From: Ms. Lauren DeVore, Planner III  
Date: June 25, 2021  
RE: Applications Received for a Major Subdivision

---

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

The Sussex County Planning and Zoning Office has received two (2) applications for a Major Subdivision that requires review by the Sussex County Technical Advisory Committee. Please review the application and provide any written comments back to the Planning and Zoning Office within **45 days** of the date of this memorandum (**on or before August 27, 2021**).

**Cobb Property (2021-15)** – This a Cluster Subdivision application for the creation of sixty-eight (68) single family lots. The property is located on the north east side of Zion Church Rd. (Rt. 20) approximately 0.5 mile north west of Lighthouse Rd. (Rt. 54). Tax Parcel: 533-12.00-21.00. Zoning: AR-1 (Agricultural Residential Zoning District). Property Owner: Peggy Jean Timmons Cobb. Applicant: Beazer Homes, LLC.

**The Woods at Burton Pone Extended (2021-22)** – This a Cluster Subdivision application for the creation of nineteen (19) single family lots. This application is an extension to the existing Woods at Burtons Pond (2007-29) Subdivision which currently consists of one-hundred sixty-seven (167) single-family lots. The property is located on the south side of Conley's Chapel Rd. (S.C.R. 280B) off Impetus Rd. within the existing Woods at Burton Pond Subdivision. Tax Parcel: 234-11.00-72.00. Zoning: AR-1 (Agricultural Residential Zoning District). Property Owner: Spring Cap II, LLC. Applicant: Spring Cap II, LLC.

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

## Nick Torrance

---

**From:** Cullen, Kathleen M <kathleen\_cullen@fws.gov>  
**Sent:** Monday, August 30, 2021 9:45 AM  
**To:** Planning and Zoning  
**Subject:** FWS review of Cobb Property and Woods at Burton Pond

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

Hi-

This email is regarding the Cobb Property cluster subdivision and the Woods at Burton Pond Extended. There are no federally listed species at these locations, so no further Section 7 consultation is needed. You can fill out the Online Certification Letter if further documentation is needed: <https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/online-certification-letter.html>

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

Thank you,  
Kathleen

Kathleen Cullen  
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office  
177 Admiral Cochrane Dr., Annapolis MD, 21401  
410-573-4579 - [kathleen\\_cullen@fws.gov](mailto:kathleen_cullen@fws.gov)



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

PHONE: (302) 855-1930  
FAX: (302) 670-7059

DRAINAGE PROGRAM

June 30, 2021

Lauren DeVore  
Sussex County  
Planning and Zoning Office  
2 The Circle  
Georgetown, DE 19947

RE: Parcel # 234-11.00-72.00, The Woods at Burton Pond Extended

The Delaware Department of Natural Resources and Environmental Control (DNREC), Drainage Program has reviewed the above noted property for impacts to Tax Ditches.

My office has **no objection** to the works of improvement to this parcel and offer the following comments:

- The proposed project site is not located near or within a Tax Ditch watershed.
- There are multiple reported drainage concerns near the proposed project site, including a few that were reported within the last three years. These drainage concerns primarily involved roadside ditches needing to be cleaned out or standing water on properties resulting from the nearby developments.
- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.



- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

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

Sincerely,

*Allison Wheatley*  
Allison Wheatley  
Environmental Planner II

cc: Brittany L. Haywood, Tax Ditch Program Manager I



**DELAWARE HEALTH AND SOCIAL SERVICES**  
Division of Public Health

Office of Engineering  
Phone: (302) 741-8640  
Fax: (302) 741-8641

June 30, 2021

Ms. Lauren DeVore  
Sussex County Planning & Zoning Commission  
PO Box 417  
Georgetown, DE 19947

**Re:** Sussex County Technical Advisory Committee

Dear Ms. DeVore:

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

1. **Application:**      *2021-22 The Woods at Burton Pond Extended*

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

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

2. **Application:**      *2021-15 Cobb Property*

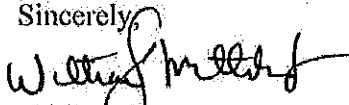
This application indicates central water will be supplied by Artesian Water Company, Inc. *This project requires an Approval to Construct and an Approval to Operate from the Office of Engineering when constructing a new water system or altering an existing water system.* In order to obtain an Approval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

Ms. Lauren DeVore  
Sussex County Planning & Zoning  
June 30, 2021  
Page 2

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

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

Sincerely,



William J. Milliken, Jr.  
Engineer III  
Office of Engineering

## Chase Phillips

---

**From:** Dickerson, Troy <TDickerson@delaware.coop>  
**Sent:** Friday, June 25, 2021 10:58 AM  
**To:** Christin Scott; Beth Krumrine; Brad Hawkes; Chris Calio; Dave Detrick; dholden@chpk.com; C. Daniel Parsons; Duane.Fox@delaware.gov; James Sullivan; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; John J. Ashman; John.Hayes@delaware.gov; John.kennel@delaware.gov; John.Martin@delaware.gov; Jordan T. Dickerson; Kate.Flemming@Delaware.gov; kgabbard@chpk.com; McCabe, Richard (DelDOT); megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs; Terri Dukes; tgiroux@chpk.com; Vince Robertson  
**Subject:** RE: TAC Review 2021-15 Cobb Property & 2021-22 Woods at Burton Pond Extended  
**Categories:** TAC Comments

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

Good Morning Christin,

Both of these developments are located within DEC's service territory and we have facilities in the area to serve both of them.

If you have any additional questions, please let me know.

Thanks!

**Troy W. Dickerson, P.E.**

Assistant V.P. of Engineering

Voice: (302) 349-3125

Cell: (302) 535-9048

Fax: (302) 349-5891

[tdickerson@delaware.coop](mailto:tdickerson@delaware.coop)



---

**From:** Christin Scott

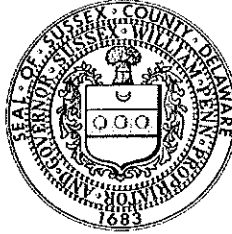
**Sent:** Friday, June 25, 2021 10:08 AM

**To:** Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; Dave Detrick <ddetrick@chpk.com>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; John J. Ashman <jashman@sussexcountyde.gov>; John.Hayes@delaware.gov; John.kennel@delaware.gov; John.Martin@delaware.gov; Jordan T. Dickerson <jordan.dickerson@sussexcountyde.gov>; Kate.Flemming@Delaware.gov; kgabbard@chpk.com; McCabe, Richard (DelDOT) <Richard.McCabe@delaware.gov>; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisacs@sussexcountyde.gov>; Dickerson, Troy

## ENGINEERING DEPARTMENT

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

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



# Sussex County

DELAWARE  
sussexcountyde.gov

Date: August 11, 2021

REF: **T. A. C. COMMENTS**  
**THE WOODS AT BURTON POND EXTENDED**  
**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**SUSSEX COUNTY TAX MAP NUMBER**  
234-11.00-72.00  
**AGREEMENT NO.849-6**

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

### DESIGN REVIEW COMMENTS

1. Proposed developments with private roads or projects required to meet or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
2. This project is located within the limits of a Ground Water Management Zone (GMZ). Projects located within a GMZ must be forwarded to the County Engineer for review and comment.
3. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography, and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
4. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North Arrow required to identify northern direction and viewport should be best fit for the project.
5. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
6. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50' or less.

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

7. The project requires professional land surveying services to accurately delineate, and show the following items but is not limited to the following: all property and right-of-



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 589  
GEORGETOWN, DELAWARE 19947

16. Provide the limits and elevations of the 100-year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations of the base flood.
17. False berms shall not be utilized to create roadside drainage swale back slopes.
18. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way, or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.
19. Provide and show the locations and details of all ADA pedestrian connections.
20. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.
21. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.
22. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.
23. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
24. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.
25. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.
26. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.



ARCHITECTS • ENGINEERS • SURVEYORS

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

June 23, 2021

Sussex County Planning & Zoning  
Sussex County Administration Building  
2 The Circle, Room 147  
Georgetown, DE 19947

Attn: Lauren Devore, Planner III

RE: Woods at Burtons Pond Extended  
Major Subdivision Application  
Tax Map # 2-34-11.00-72.00  
DBF# 0807S001.C01


Dear Ms. Devore:

On behalf of our client, Springcap II, LLC, we are pleased to submit a Major Subdivision application to expand the Woods at Burtons Pond by an additional 19 units. Additional supporting information will be provided prior to the scheduled public hearing. The current zoning for this parcel is AR (Agricultural Residential). Enclosed with this submission are:

- *Planning and Zoning Commission Subdivision Application*
- *Application Fee in the amount of \$500, Check #7921*
- *Mailing List Application Form*
- *10 Copies of Preliminary Site Plan*
- *Landscape Buffer Waiver Request*

If you have any questions or need additional information, please contact me at (302) 424-1441 or via email at [rw1@dbfinc.com](mailto:rw1@dbfinc.com).

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

  
Ring W. Lardner, P.E.  
Principal

P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2021-06-22 Preliminary Plan Initial Submission\WBP Extended P&Z-LDevore-Cover.docx

cc: Justin Hensley, Springcap II, LLC



ARCHITECTS • ENGINEERS • SURVEYORS

June 23, 2021

Sussex County Planning & Zoning  
Sussex County Administration Building  
2 The Circle, Room 147  
Georgetown, DE 19947

Attn: Lauren Devore, Planner III

RE: Woods at Burtons Pond Extended  
Major Subdivision Application  
Tax Map # 2-34-11.00-72.00  
DBF# 0807S001.C01


Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Dear Ms. Devore:

On behalf of our client, Springcap II, LLC, we are respectfully requesting a waiver for a landscape buffer between the common boundary line of the recorded Woods at Burtons Pond and the residual lands. The proposed subdivision is an extension of the existing Subdivision and the waiver would allow the expansion to seamlessly extend the subdivision.

If you have any questions or need additional information, please contact me at (302) 424-1441 or via email at [rwl@dbfinc.com](mailto:rwl@dbfinc.com).

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

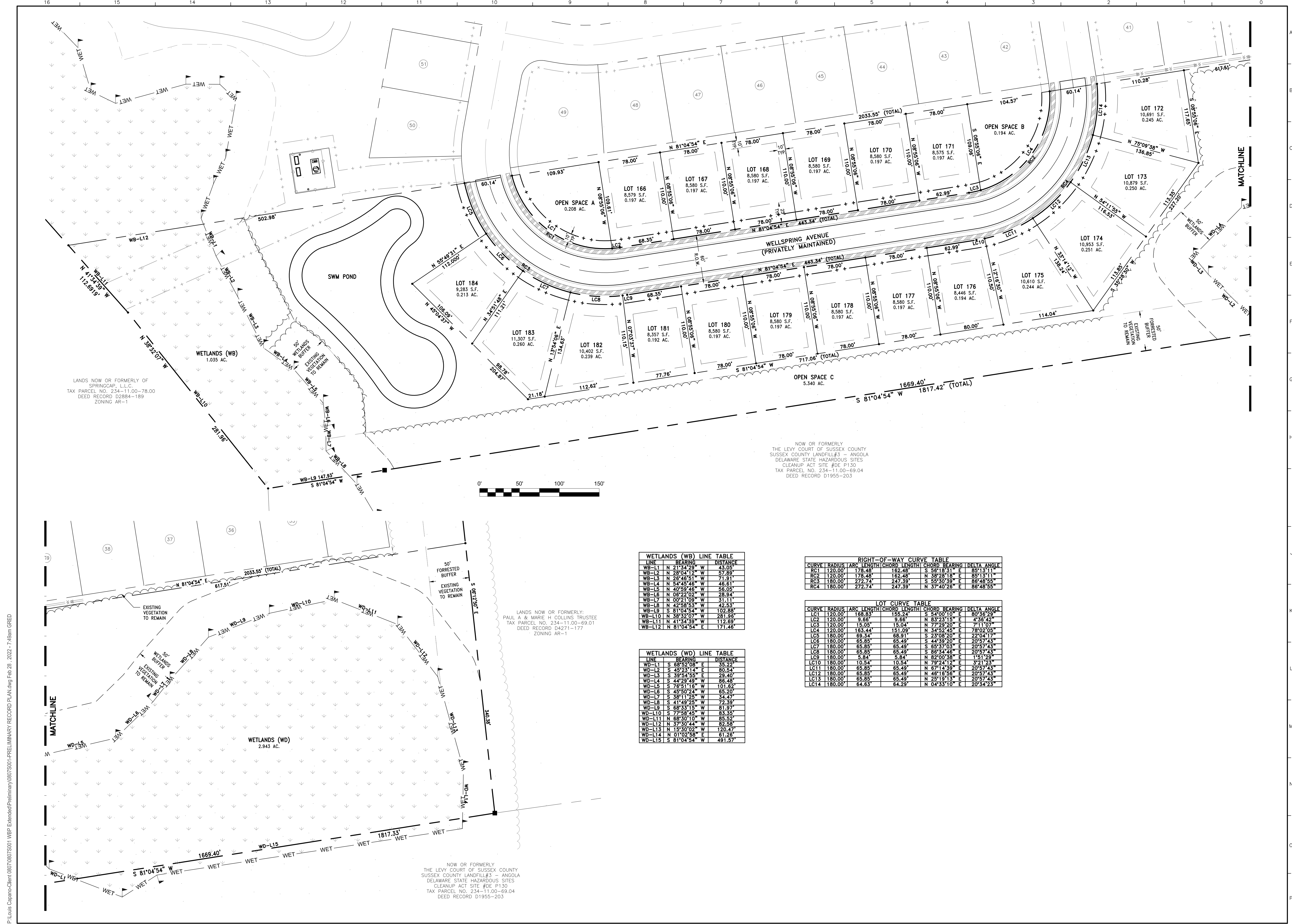
  
Ring W. Lardner, P.E.  
Principal

*P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2021-06-22 Preliminary Plan Initial Submission\WBP Extended Buffer Waiver P&Z-LDevore-Cover.docx*

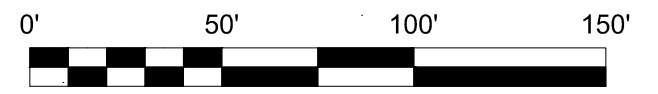
cc: Justin Hensley, Springcap II, LLC







LANDS NOW OR FORMERLY OF  
SPRINGCAP, L.L.C.  
TAX PARCEL NO. 234-11.00-78.00  
DEED RECORD D2884-189  
ZONING AR-1



NOW OR FORMERLY  
THE LEVY COURT OF SUSSEX COUNTY  
SUSSEX COUNTY LANDFILL#3 - ANGLA  
DELAWARE STATE HAZARDOUS SITES  
CLEANUP ACT SITE #DE P130  
TAX PARCEL NO. 234-11.00-69.04  
DEED RECORD D1955-203

LANDS NOW OR FORMERLY:  
PAUL A & MARIE H. COLLINS TRUSTEE  
TAX PARCEL NO. 234-11.00-69.01  
DEED RECORD D4271-177  
ZONING AR-1

NOW OR FORMERLY  
THE LEVY COURT OF SUSSEX COUNTY  
SUSSEX COUNTY LANDFILL#3 - ANGLA  
DELAWARE STATE HAZARDOUS SITES  
CLEANUP ACT SITE #DE P130  
TAX PARCEL NO. 234-11.00-69.04  
DEED RECORD D1955-203

**WETLANDS (WB) LINE TABLE**

LINE	BEARING	DISTANCE
WB-L1	N 21°54'29" W	43.05'
WB-L2	N 28°04'12" W	57.89'
WB-L3	N 26°48'51" W	71.91'
WB-L4	N 44°25'46" W	48.51'
WB-L5	N 40°59'46" W	56.05'
WB-L6	N 06°22'02" W	28.94'
WB-L7	N 00°17'09" W	31.11'
WB-L8	N 42°58'53" W	42.53'
WB-L9	S 81°04'54" W	102.88'
WB-L10	S 38°32'07" W	281.96'
WB-L11	N 41°34'39" W	112.69'
WB-L12	N 81°04'54" E	171.46'

**WETLANDS (WD) LINE TABLE**

LINE	BEARING	DISTANCE
WD-L1	S 68°52'08" E	35.22'
WD-L2	S 45°23'14" E	80.54'
WD-L3	S 39°54'55" E	29.40'
WD-L4	S 44°29'49" W	86.48'
WD-L5	S 76°51'16" W	101.62'
WD-L6	S 45°50'24" W	65.20'
WD-L7	S 38°11'25" W	34.47'
WD-L8	S 41°49'25" W	72.39'
WD-L9	S 68°33'15" W	81.97'
WD-L10	S 77°58'45" W	83.55'
WD-L11	N 68°50'10" W	85.52'
WD-L12	N 37°30'44" W	82.58'
WD-L13	N 15°30'02" W	120.47'
WD-L14	N 81°02'58" E	61.26'
WD-L15	S 81°04'54" W	491.57'

**RIGHT-OF-WAY CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC1	120.00'	178.48'	182.48'	S 56°18'31" E	85°13'11"
RC2	120.00'	178.48'	182.48'	N 38°29'18" E	85°13'11"
RC3	180.00'	272.74'	247.39'	S 55°50'39" E	86°48'55"
RC4	180.00'	272.74'	247.39'	N 37°40'26" E	86°48'55"

**LOT CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
LC1	120.00'	168.83'	155.24'	S 34°00'10" E	80°36'29"
LC2	120.00'	9.66'	9.66'	N 83°23'15" E	4°36'42"
LC3	120.00'	15.05'	15.04'	N 77°29'20" E	7°11'07"
LC4	120.00'	163.44'	151.09'	N 34°52'45" E	78°02'05"
LC5	180.00'	69.34'	68.91'	S 23°08'20" E	22°04'12"
LC6	180.00'	65.85'	65.49'	S 44°39'20" E	20°57'43"
LC7	180.00'	65.85'	65.49'	S 65°37'03" E	20°57'43"
LC8	180.00'	65.85'	65.49'	S 86°34'46" E	20°57'43"
LC9	180.00'	5.84'	5.84'	N 82°00'38" E	1°51'29"
LC10	180.00'	10.54'	10.54'	N 79°24'12" E	3°21'23"
LC11	180.00'	65.85'	65.49'	N 67°14'39" E	20°57'43"
LC12	180.00'	65.85'	65.49'	N 46°16'56" E	20°57'43"
LC13	180.00'	65.85'	65.49'	N 25°19'13" E	20°57'43"
LC14	180.00'	64.63'	64.29'	N 04°33'10" E	20°34'23"

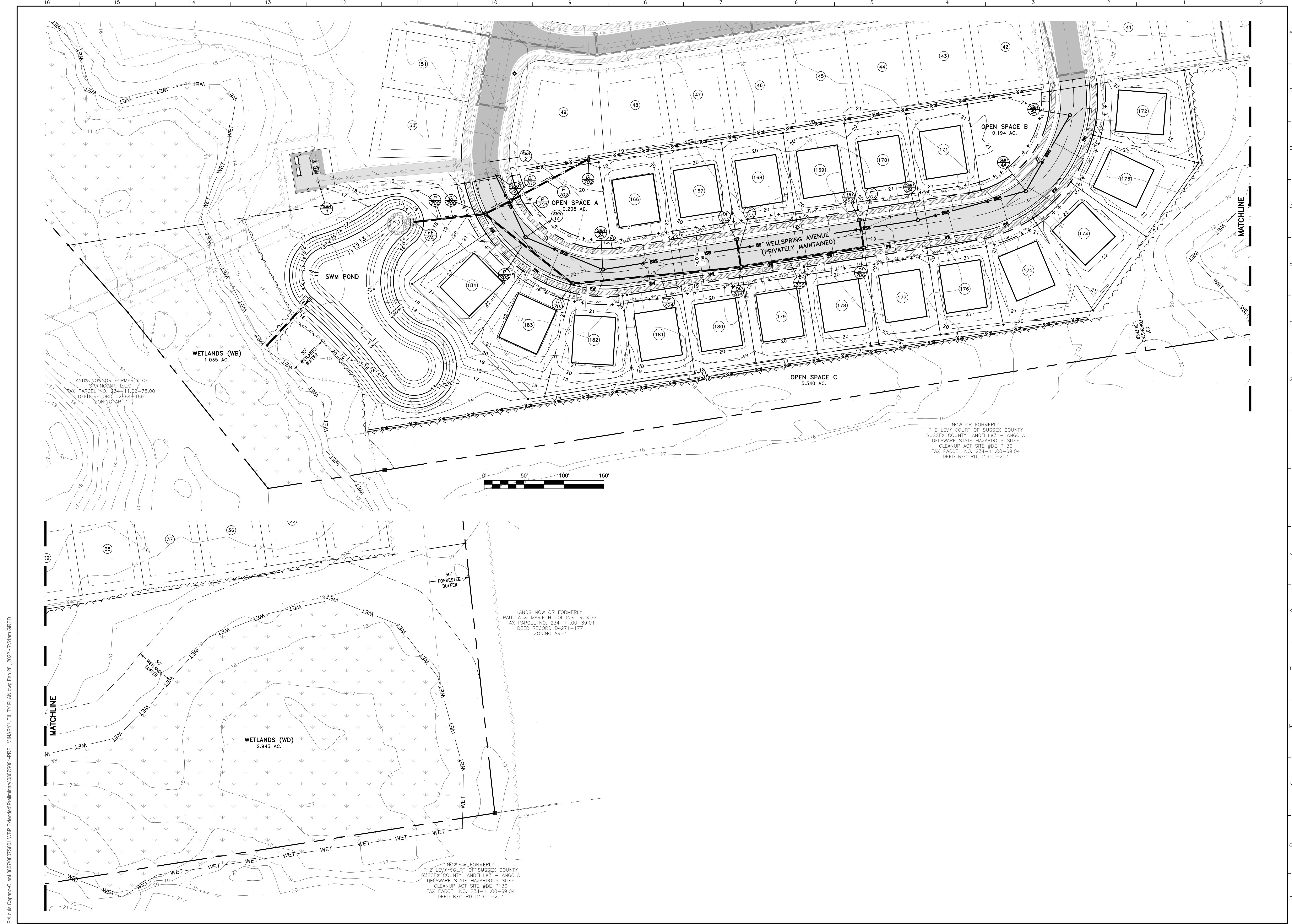
DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS ENGINEERS SURVEYORS  
1000 W. MARKET STREET, SUITE 200  
MILFORD, DELAWARE 19967  
(302) 424-1441  
ESTON, MARYLAND (410) 770-4744

**THE WOODS AT BURTON POND EXTENDED 2021-22**  
**CONLEYS CHAPEL ROAD**  
**INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE**

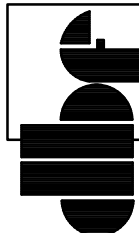
Revisions:  
2022-02-28  
SUSSEX P&Z COMMENTS

Date: MAY 2021  
Scale: 1" = 50'  
Dwn. By: DEG  
Proj. No.: 0807S001  
Dwg. No.:

**PRE-02**



P:\Louis Capano-Client\0807\0807S001\WBSP\_Extended\Preliminary\0807S001-PR Preliminary Utility Plan.dwg Feb 28, 2022 - 7:51am GRED


**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 2000 W. MARKET AVENUE  
 MILFORD, DELAWARE 19967  
 (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

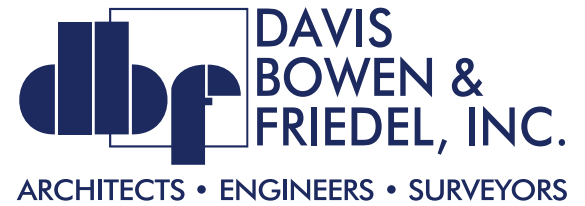
PRELIMINARY UTILITY PLAN

**THE WOODS AT BURTON POND EXTENDED 2021-22**  
**CONLEYS CHAPEL ROAD**  
**INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:  
 2022-02-28  
 SUSSEX P&Z COMMENTS

Date: MAY 2021  
 Scale: 1" = 50'  
 Dwn. By: DEG  
 Proj. No.: 0807S001  
 Dwg. No.:

**PRE-03**



# WOODS AT BURTON POND EXTENDED

## SUSSEX COUNTY, DELAWARE

**Owner:** Springcap II, LLC

**Developer:** Springcap II, LLC

**Engineer:** Davis, Bowen & Friedel, Inc

**Legal Services:** Baird Mandalas Brockstedt, LLC

## Table of Contents

- A. Presentation Outline
- B. Data Columns
- C. Woods at Burtons Pond – Current Record Plan
- D. Preliminary Subdivision Plan – Initial Submission
- E. Preliminary Subdivision Plan – Revised per Staff and TAC Comments
- F. Maps
  - 1. Surrounding Communities Map
  - 2. FEMA Firmette
  - 3. 2020 State Strategies
  - 4. Sussex County Future Land Use Map
  - 5. Sussex County Zoning Map
  - 6. 1992 Aerial Photo
  - 7. 2017 Aerial Photo
  - 8. Environmental Map
  - 9. Sourcewater Protection Area Map
  - 10. NRCS Soil Survey
- G. Assessment of Cultural Resource Potential (2009 Report)
- H. Habitat Evaluation Report
- I. Angola Landfill #3 Compliance
- J. Sussex County Technical Advisory Committee Comment Response
- K. Subdivision Number: Chapter 99-9C Response
- L. Cluster Subdivision Response
- M. Major Subdivision Landscape Buffer Waiver

A

## Presentation Outline

### A. Land Use & Zoning

1. The project is an expansion of an existing subdivision, Woods at Burton Pond.
2. The Woods at Burton Pond is located on the south side of Conley's Chapel Road, approximately 3000' west of Beaver Dam Road in an AR-1, Agricultural Residential District, in Lewes & Rehoboth Hundred. The subject application is the subdivision of the residual lands from the original recording of The Woods at Burton Pond.
3. The Owner of the parcels is Springcap II, LLC.
4. The property is currently zoned AR (Agricultural Residential) in Sussex County.
5. The property is in Investment Level Areas 4 of the 2020 State Strategies Map. No development is proposed in the Level 4 area.
6. The subdivision is an extension of The Woods at Burton Pond and will be governed by the existing comprehensive set of restrictive covenants, as amended.

### B. Land Utilization

1. The total acreage of the expansion is 15.01 acres of land with 3.98 acres of wetlands.
2. The proposed expansion will add 19 lots with a density of 1.27 units per acre. When combined with the existing subdivision, the total number of units will be 186 with a density of 1.63 units per acre.
3. The proposed expansion provides 9.72 acres, more or less, of open space (64% of the expansion parcel acreage). This percentage is subject to final engineering approval.

### C. Environmental

1. The property does contain wetlands as previously delineated and the expansion provides fifty-foot (50') buffers from the wetlands.

2. There are no known archaeological sites within the project boundaries. There are no national historic listed properties within the project boundaries. The findings can be found in Exhibit G.
3. A Habitat Evaluation Report was prepared in January 2009 and a copy can be found in Exhibit H. At the time, there were no Ancient Sand Ridge Forests or rare, threatened, or endangered plants species observed on the property. Since the time of the report, the original subdivision has commenced construction and there are no new observations.
4. The proposed community is not located within an Excellent Groundwater Recharge Area.
5. The existing property is located within the Inland Bays/Indian River Bay Watershed. The Watershed has an established Total Maximum Daily Load (TMDL) and Pollution Control Strategy (PCS). The project through meeting the Stormwater Regulations adopted in 2021 will reduce nitrogen, phosphorus, and bacteria from the proposed development.
6. The proposed expansion is located adjacent to Sussex County Angola Landfill #3. As conditioned on the original application, the development of this parcel in accordance with Sussex County Engineering requirements could be permitted based on additional sampling and monitoring. The compliance can be found in Exhibit I.

#### D. Traffic

1. The proposed expansion will use the existing Artesian Avenue entrance off of Conley's Chapel Road.
2. The Developer of the original subdivision has constructed both entrances as well as the frontage improvements that included auxiliary lanes and adding shoulders. A shared-use path was installed along the property frontage.

#### E. Civil Engineering

1. The internal roads will be privately maintained and will meet or exceed the requirements of the Code of Sussex County.



2. The grading of the site will meet or exceed the requirements of the Code of Sussex County.
3. Drinking and fire protection water will be provided by Tidewater Utilities, Inc.
4. The stormwater management system will meet all State, County, and Conservation District requirements through a combination of Best Management Practices (BMP) and Best Available Technologies (BAT).
5. Fire protection will be provided by the Lewes Volunteer Fire Department.
6. Electricity will be provided by Delaware Electric Cooperative.
7. The parcels are located in the Cape Henlopen School District.

**B**

Woods at Burton Pond Extended  
Data Sheet

**Owner/Developer:** Spring Cap II, LLC  
**Engineer:** Davis, Bowen & Friedel, Inc.  
**Legal Services:** Baird Mandalas Brockstedt, LLC

**Project Description**

**Physical Location:** Property is located on the south side of Conley's Chapel Road (SCR 280B) and 3,500 feet west off Beaver Dam Road (SCR 288A)

**Tax Parcel #:** 234-11.00-72.04  
**Acreage:** 15.01 +/- Acres  
**Current Zoning:** AR (Agricultural Residential)  
**Proposed Zoning:** AR (Agricultural Residential)  
**Existing Use:** Residual Parcel of Original Subdivision  
**Proposed Use:** Additional 19 Residential Lots

<b><u>Land Use</u></b>	<b><u>Acreage (Acres)</u></b>
Parcel Area	15.01
Lot Area:	4.06 (27%)
Total Open Space:	9.72 (64%)
Open Area A	0.21
Open Area B	0.19
Open Area C	5.34
Wetlands	3.98
Right-of-Way	1.23 (9%)

**Bulk and Area Regulations:**

Minimum Lot Area:	7,500 SF	8,357 SF
Minimum Lot Width:	60 FT	70 FT
Front Yard Setback:	25 FT	25 FT
Side Yard Setback:	10 FT	10 FT
Rear Yard Setback:	10 FT	10 FT
Maximum Building Height:	42 FT	42 FT
Open Space:	30%	64%

Woods at Burton Pond Combined  
Data Sheet

**Owner/Developer:** Spring Cap II, LLC  
**Engineer:** Davis, Bowen & Friedel, Inc.  
**Legal Services:** Baird Mandalas Brockstedt, LLC

**Project Description**

Physical Location: Property is located on the south side of Conley's Chapel Road (SCR 280B) and 3,500 feet west off Beaver Dam Road (SCR 288A)

Subdivison No: 2007-29 and 2021-22  
Acreage: 113.931 +/- Acres  
Current Zoning: AR (Agricultural Residential)  
Proposed Zoning: AR (Agricultural Residential)  
Total Number of Lots: 184  
Combined Density: 1.62 DU / AC

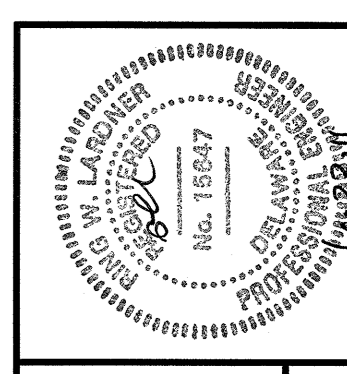
<b><u>Land Use</u></b>	<b><u>Acreage (Acres)</u></b>
Parcel Area	113.931
Lot Area:	39.650
Open Space (Excluding Wetlands):	38.614 (34%)
Wetlands:	21.919 (19%)
Right-of-Way:	13.333
Pump Station:	0.057
DelDOT ROW Dedication:	0.358

**Bulk and Area Regulations:**

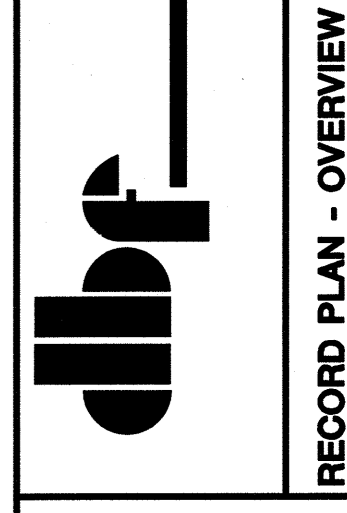
Minimum Lot Area:	7,500 SF	8,357 SF
Minimum Lot Width:	60 FT	70 FT
Front Yard Setback:	25 FT	25 FT
Side Yard Setback:	10 FT	10 FT
Rear Yard Setback:	10 FT	10 FT
Maximum Building Height:	42 FT	42 FT
Open Space:	30%	53%

C





DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS, ENGINEERS & SURVEYORS



RECORD PLAN - OVERVIEW

THE WOODS AT BURTON POND CONLEYS CHAPEL ROAD INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISIONS: 2015-06-15 SCG 2015-06-15 TOWATER, FIRE MARSHAL & PLOT

Date: MAY, 2016 Scale: 1" = 200' Dwn. By: KJK Proj. No.: 0807001 Dwg. No.: R-02

PROPOSED CURVE TABLE FOR LOTS

Table with columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains curve data for lots PC-2A through PC-70E.

PROPOSED CURVE TABLE FOR RIGHT-OF-WAY

Table with columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains curve data for right-of-way lines RC-1 through RC-71.

PROPOSED LINE TABLE FOR LOTS

Table with columns: LINE, BEARING, DISTANCE. Contains line data for lots PL-1 through PL-17.

LINE TABLE FOR BOUNDARY

Table with columns: LINE, BEARING, DISTANCE. Contains boundary line data BL-1 through BL-4.

CURVE TABLE FOR BOUNDARY

Table with columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains boundary curve data BC-1 through BC-3.

WETLANDS LINE TABLE

Table with columns: LINE, BEARING, DISTANCE. Contains wetlands line data WL-1 through WL-43.

WETLANDS LINE TABLE

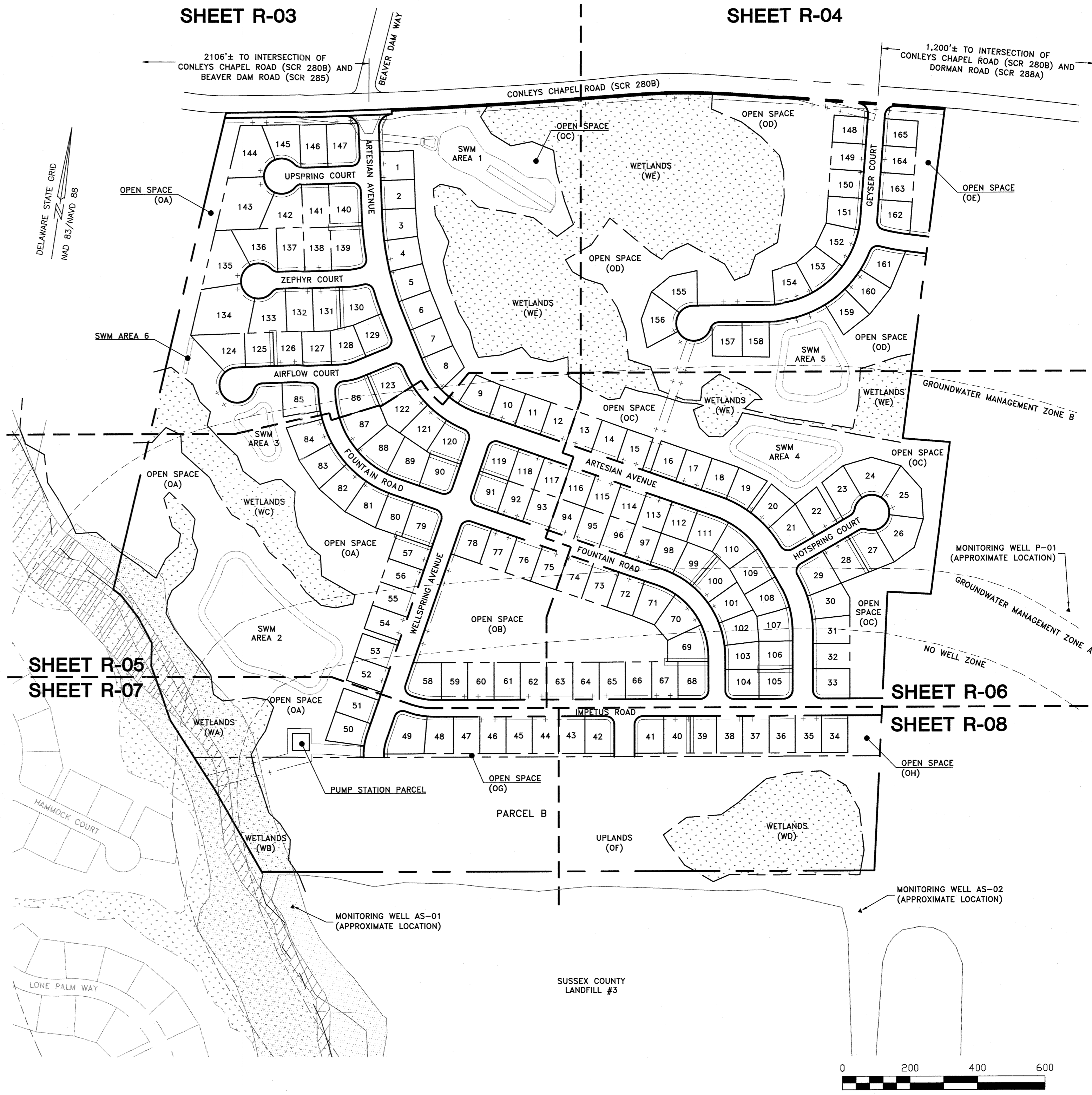
Table with columns: LINE, BEARING, DISTANCE. Contains wetlands line data WL-44 through WL-181.

WETLANDS LINE TABLE

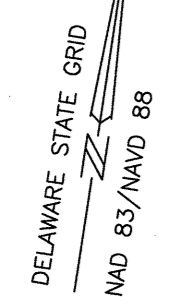
Table with columns: LINE, BEARING, DISTANCE. Contains wetlands line data WL-182 through WL-232.

WETLANDS LINE TABLE

Table with columns: LINE, BEARING, DISTANCE. Contains wetlands line data WL-233 through WL-283.

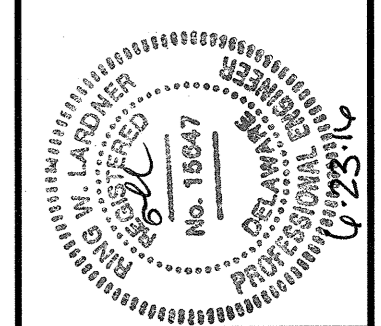
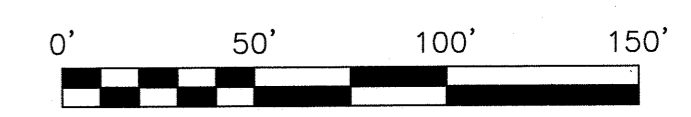


THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT © 2015



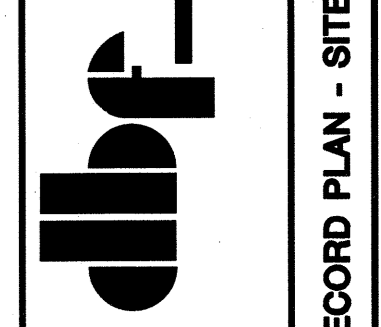
### MONUMENT LEGEND

- IRON ROD WITH CAP SET (473 PROPOSED)
- CONCRETE MONUMENT SET (7 PROPOSED)
- PROPERTY CORNER LOCATE



**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS, ENGINEERS & SURVEYORS

SALESURRY, MARDIAN (410) 543-0991  
 EASTON, MORTIMAR (410) 543-0944  
 WILFORD, DELAWARE (302) 423-1441



RECORD PLAN - SITE PLAN

# THE WOODS AT BURTON POND

## CONLEY'S CHAPEL ROAD

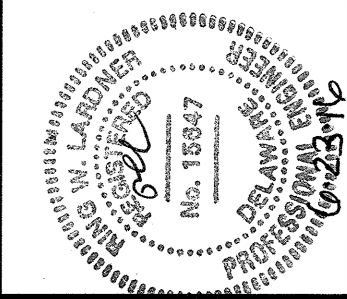
### INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:  
 2015-1-13 SCD  
 2015-6-11 SCD, ARTISAN SEWER,  
 TIDWATER, FIRE  
 MARSHAL, & DELDOT  
 2015-7-27 DNREC, TIDWATER,  
 ARTISAN SEWER, SCD  
 & SCD  
 2015-8-06 SCD  
 2015-8-20 TIDWATER  
 2015-9-04 DEP  
 2015-10-05 DEP  
 2015-12-06 P&Z  
 2016-5-23 CLIENT  
 2016-6-09 TIDWATER & ARTISAN

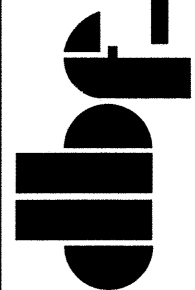
Date: MAY, 2016  
 Scale: 1" = 50'  
 Dwn.By: KJK  
 Proj.No.: 0807001  
 Dwg.No.:

# R-03





DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS, ENGINEERS & SURVEYORS



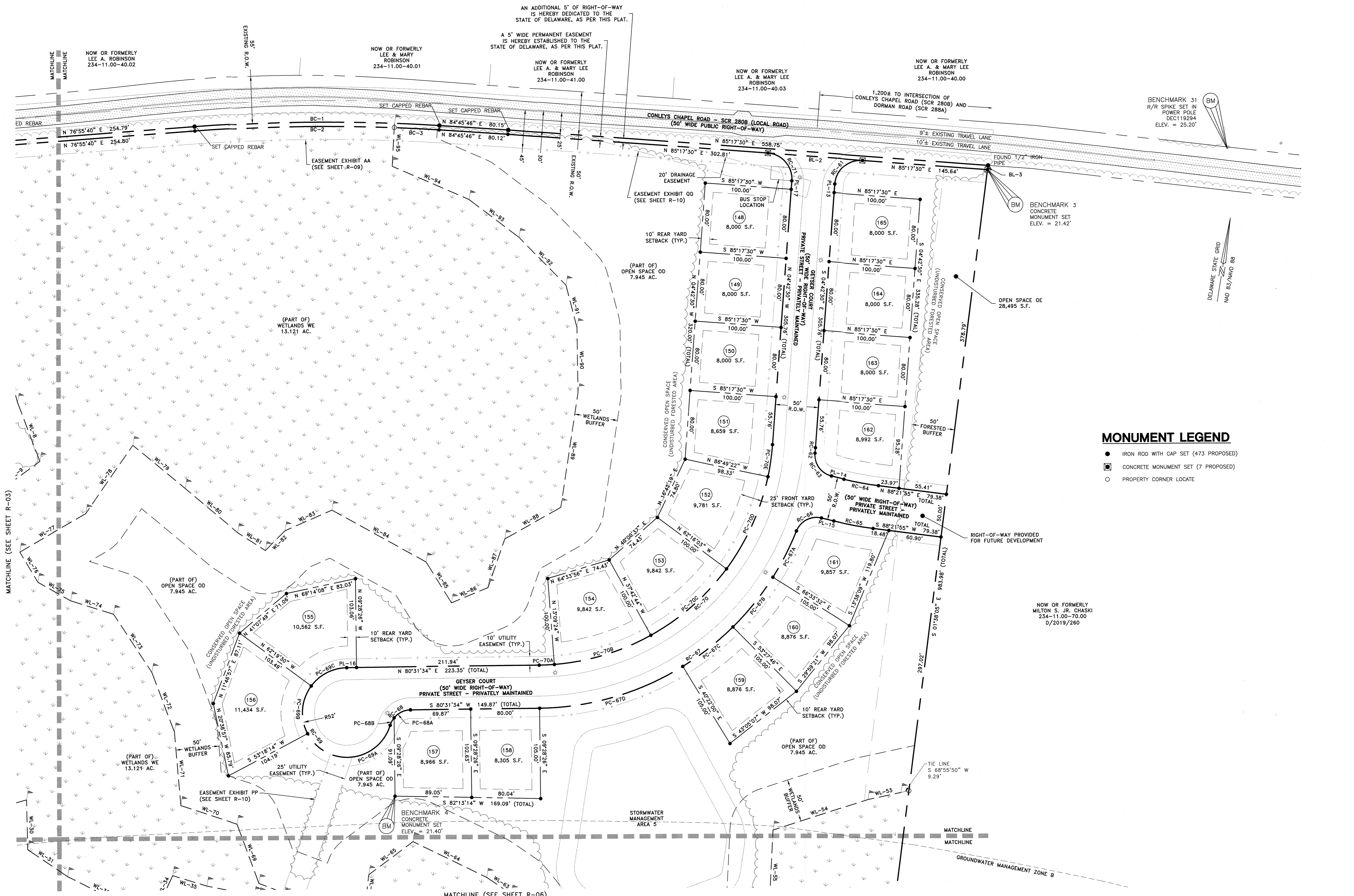
RECORD PLAN - SITE PLAN

# THE WOODS AT BURTON POND CONLEYS CHAPEL ROAD INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:  
2015-01-13 SCD  
2015-06-11 SCE, ARTESIAN SEWER,  
TIDewater, FIRE  
MARSHAL & DEEDOT  
2015-07-27 DNREC, TIDewater,  
ARTESIAN SEWER, SCE  
& SCD  
2015-08-08 SCD  
2015-09-04 DBF  
2015-10-05 MORRIS JAMES  
2015-12-06 PA2  
2016-03-23 CLIENT  
2016-09-09 TIDewater & ARTESIAN

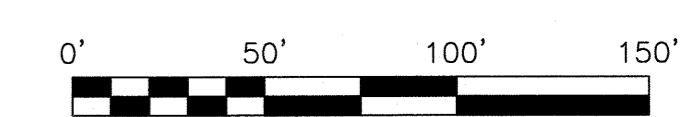
Date: MAY, 2016  
Scale: 1" = 50'  
Dwn.By: KJK  
Proj.No.: 0807D001  
Dwg.No.:

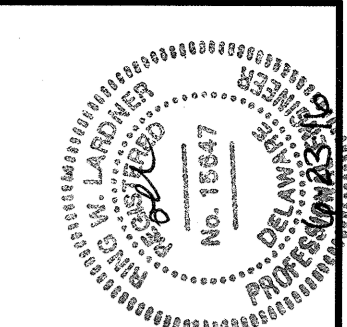
## R-04



### MONUMENT LEGEND

- IRON ROD WITH CAP SET (473 PROPOSED)
- CONCRETE MONUMENT SET (7 PROPOSED)
- PROPERTY CORNER LOCATE





DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS, ENGINEERS & SURVEYORS



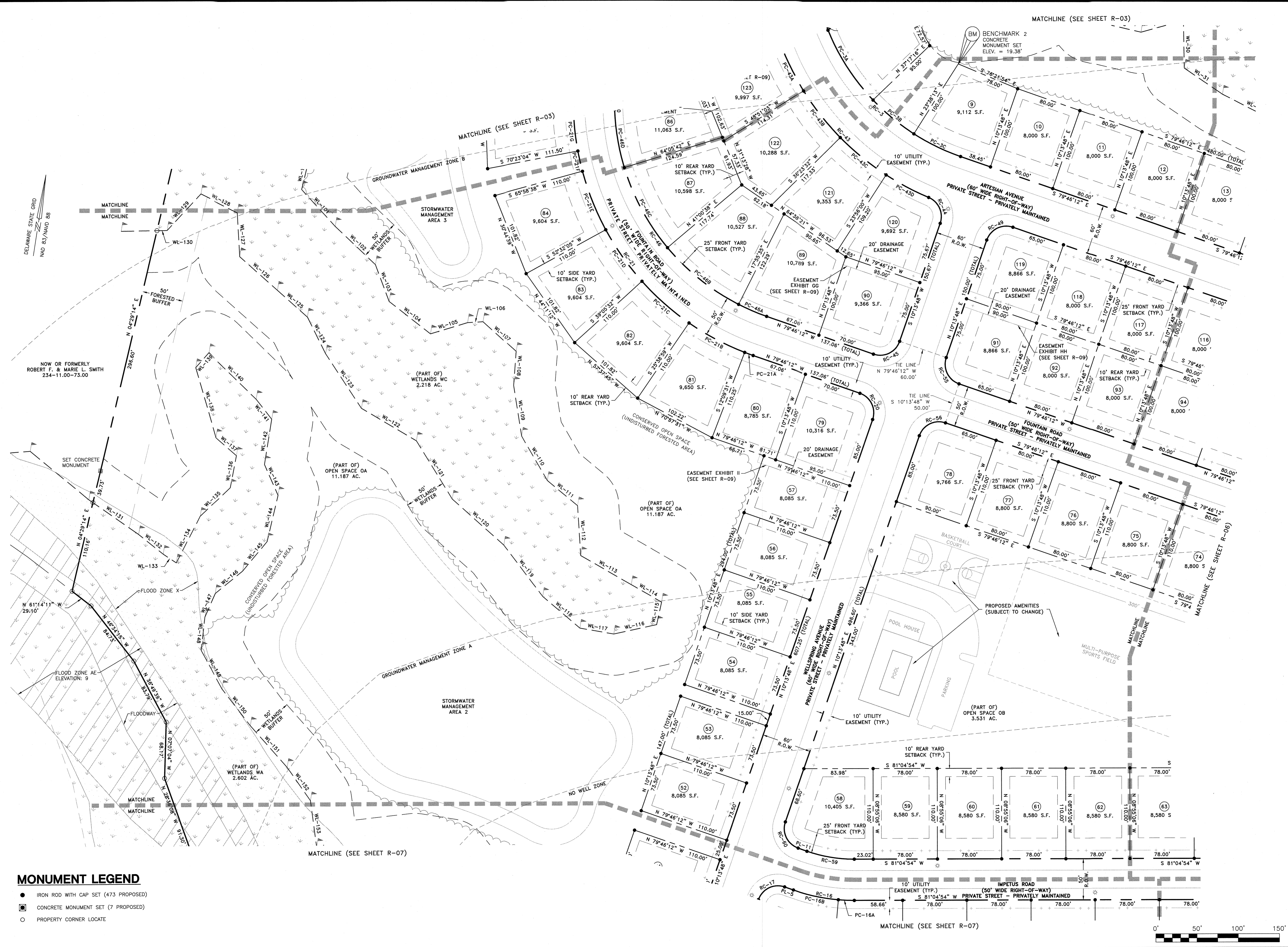
RECORD PLAN - SITE PLAN

**THE WOODS AT BURTON POND**  
**CONLEYS CHAPEL ROAD**  
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

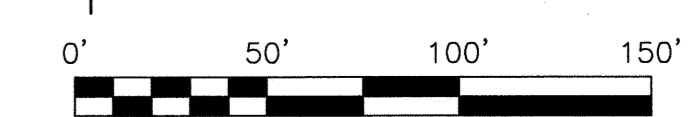
REVISED: 2015-11-13 SCD  
2015-11-13 SEE ARTESIAN SEWER, TIDewater, FIRE MARSHAL & BELDOT  
2015-7-27 DNREC, TIDewater, ARTESIAN SEWER, SCE & SCD  
2015-8-06 SCD  
2015-8-20 TIDewater  
2015-9-04 DBF  
2015-10-05 MORRIS JAMES  
2015-12-06 PAZ  
2016-1-23 CLIENT  
2016-6-08 TIDewater & ARTESIAN

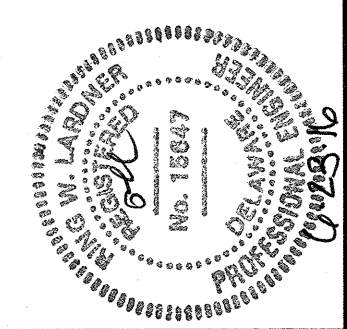
Date: MAY, 2016  
Scale: 1" = 50'  
Dwn. By: KJK  
Proj. No.: 0807D001  
Dwg. No.:

**R-05**

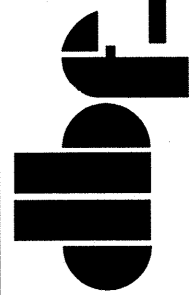


- MONUMENT LEGEND**
- IRON ROD WITH CAP SET (473 PROPOSED)
  - CONCRETE MONUMENT SET (7 PROPOSED)
  - PROPERTY CORNER LOCATE





DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS, ENGINEERS & SURVEYORS  
 SALESBURY, MARYLAND (410) 543-9951  
 WILMINGTON, DELAWARE (302) 424-1441  
 MILFORD, DELAWARE (302) 424-1441



RECORD PLAN - SITE PLAN

**THE WOODS AT BURTON POND**  
**CONLEYS CHAPEL ROAD**  
 INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:  
 2015-1-13 SCD  
 2015-2-11 SCE, ARTESIAN SEWER,  
 TIDEWATER, FIRE  
 MARSHAL & DEEDOT  
 2015-7-27 DWREC, TIDEWATER,  
 ARTESIAN SEWER, SCE  
 & SCD  
 2015-8-08 SCD  
 2015-8-20 TIDEWATER  
 2015-9-04 DBF  
 2015-10-06 MORRIS JAMES  
 2015-12-06 P&Z  
 2016-5-23 CLIENT  
 2016-6-09 TIDEWATER & ARTESIAN

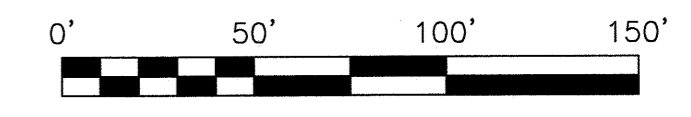
Date: MAY, 2016  
 Scale: 1" = 50'  
 Dwn.By: KJK  
 Proj.No.: 0807D001  
 Dwg.No.:

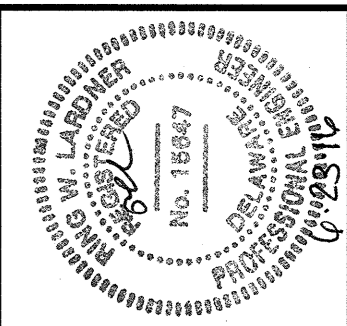
**R-06**



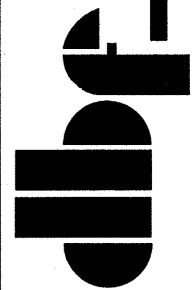
**MONUMENT LEGEND**

- IRON ROD WITH CAP SET (473 PROPOSED)
- CONCRETE MONUMENT SET (7 PROPOSED)
- PROPERTY CORNER LOCATE





**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS, ENGINEERS & SURVEYORS  
 SALESBURY, MARYLAND (410) 543-9091  
 WILMINGTON, DELAWARE (302) 424-1444  
 MILFORD, DELAWARE (302) 424-1444



**RECORD PLAN - SITE PLAN**

**THE WOODS AT BURTON POND**  
**CONLEYS CHAPEL ROAD**  
 INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:  
 2015-5-13 SCD  
 2015-5-11 SEE, ARTESIAN SEWER,  
 TIDEWATER, FIRE  
 MARSHAL & DEEDOT  
 2015-7-27 DNR&C, TIDEWATER,  
 ARTESIAN SEWER, SCE  
 & SCD  
 2015-8-06 SCD  
 2015-9-29 TIDEWATER  
 2015-9-04 DBF  
 2015-10-05 MORRIS JAMES  
 2015-12-08 PAZ  
 2016-2-23 CLIENT  
 2016-6-09 TIDEWATER & ARTESIAN

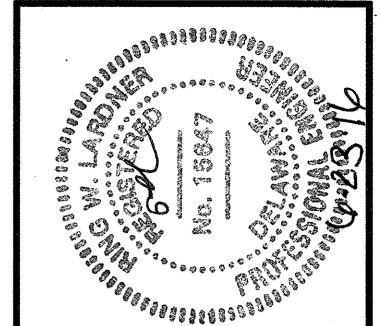
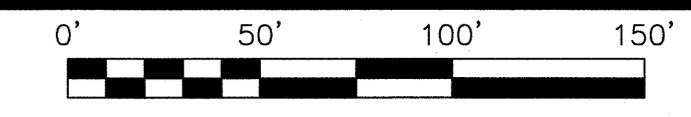
Date: **MAY, 2016**  
 Scale: **1" = 50'**  
 Dwn.By: **KJK**  
 Proj.No.: **0807001**  
 Dwg.No.:

**R-07**

**MONUMENT LEGEND**

- IRON ROD WITH CAP SET (473 PROPOSED)
- CONCRETE MONUMENT SET (7 PROPOSED)
- PROPERTY CORNER LOCATE





**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS, ENGINEERS & SURVEYORS  
 SALISBURY, MARYLAND (410) 543-9091  
 GREENWOOD, DELAWARE (302) 424-1441  
 MILFORD, DELAWARE (302) 424-1441

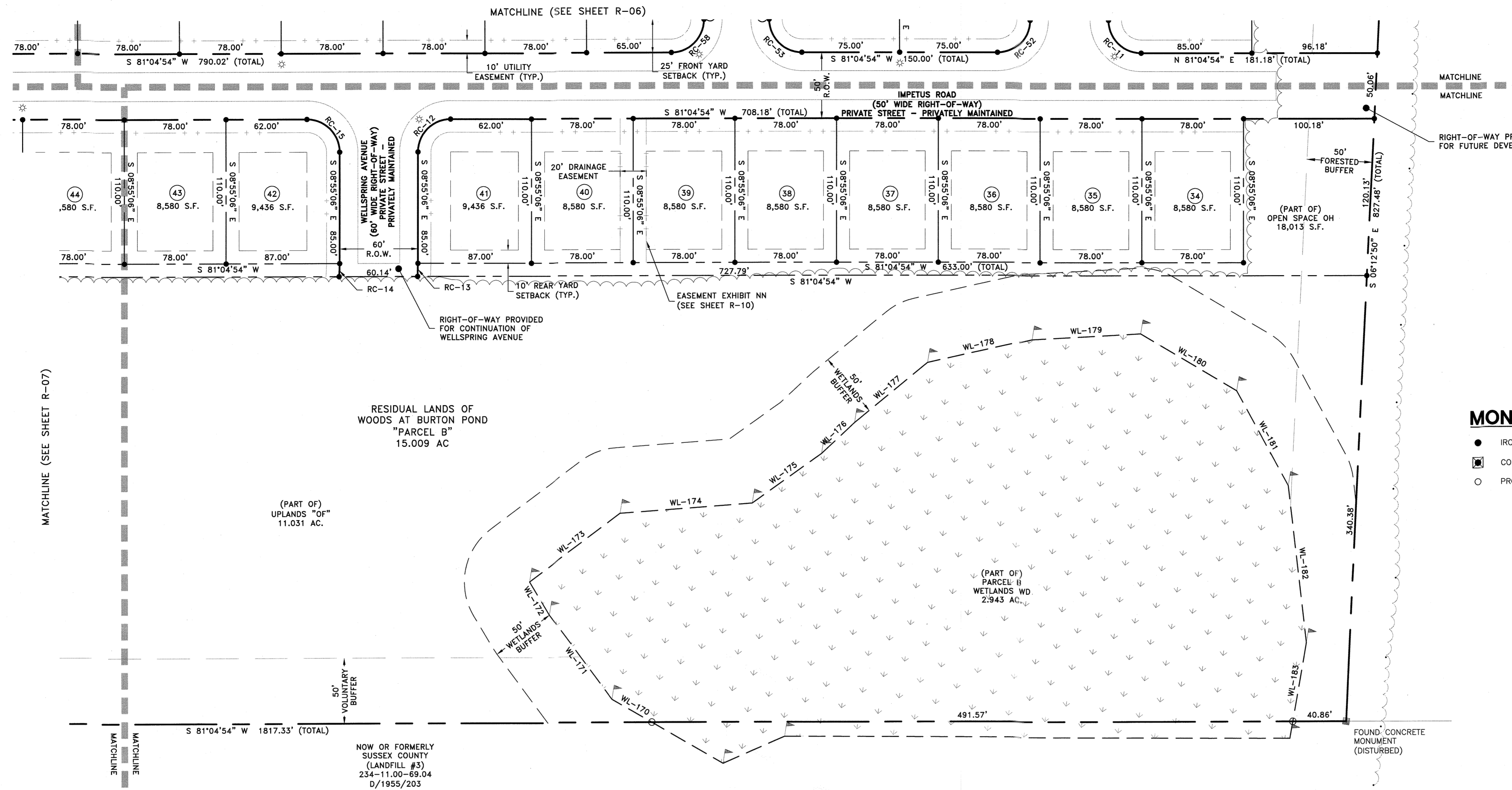
**dbf**  
 RECORD PLAN - SITE PLAN

**THE WOODS AT BURTON POND**  
**CONLEYS CHAPEL ROAD**  
 INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:  
 2015-5-13 SCD  
 2015-6-11 SEE ARTESIAN SEWER,  
 TIDEMASTER, FIRE  
 MARSHAL & DELDOT  
 2015-7-27 DIBREC, TIDEMASTER,  
 ARTESIAN SEWER, SCE  
 & SCD  
 2015-8-06 SCD  
 2015-9-29 TIDEMASTER  
 2015-9-04 DBF  
 2015-10-05 MORRIS JAMES  
 2015-12-06 PAZ  
 2016-2-23 CLIENT  
 2016-6-09 TIDEMASTER & ARTESIAN

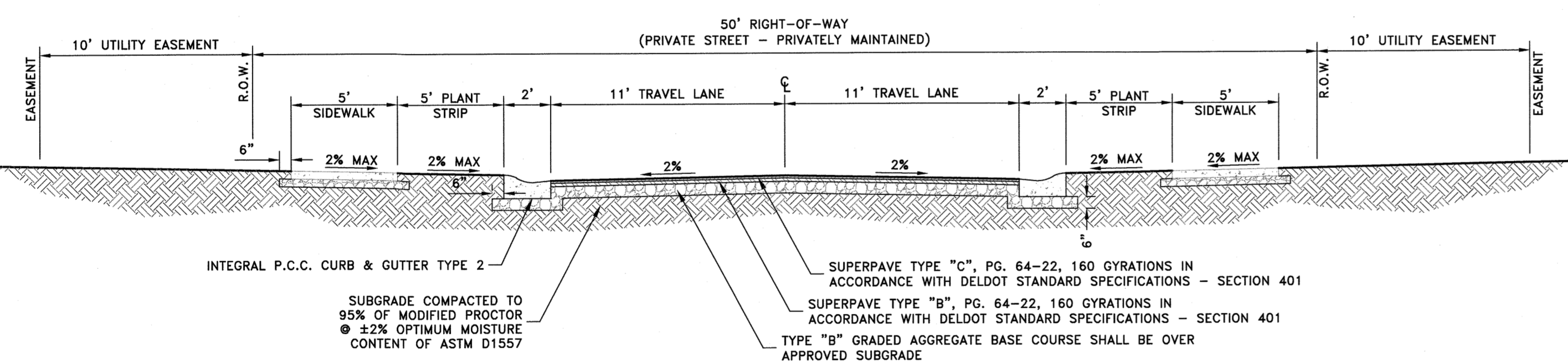
Date: **MAY, 2016**  
 Scale: **1" = 50'**  
 Dwn. By: **KJK**  
 Proj. No.: **0807001**  
 Dwg. No.:

**R-08**



**MONUMENT LEGEND**

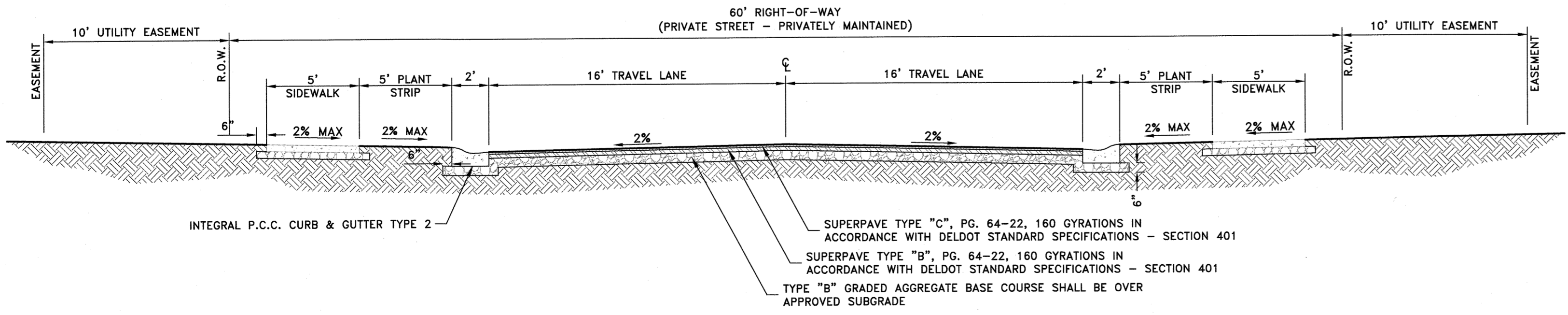
- IRON ROD WITH CAP SET (473 PROPOSED)
- CONCRETE MONUMENT SET (7 PROPOSED)
- PROPERTY CORNER LOCATE



**TYPE I RESIDENTIAL STREET SECTION**

**22' TYPICAL PAVEMENT SECTION**

- UPSPRING COURT (STA. 0+00.00 - STA. 3+01.56)
- ZEPHYR COURT (STA. 0+00.00 - STA. 3+98.96)
- AIRFLOW COURT (STA. 0+00.00 - STA. 5+61.60)
- FOUNTAIN ROAD (STA. 0+00.00 - STA. 17+12.70)
- IMPETUS ROAD (STA. 0+00.00 - STA. 14+01.70)
- HOTSPRING COURT (STA. 0+00.00 - STA. 3+51.25)
- GEYSER COURT (STA. 0+00.00 - STA. 10+81.89)

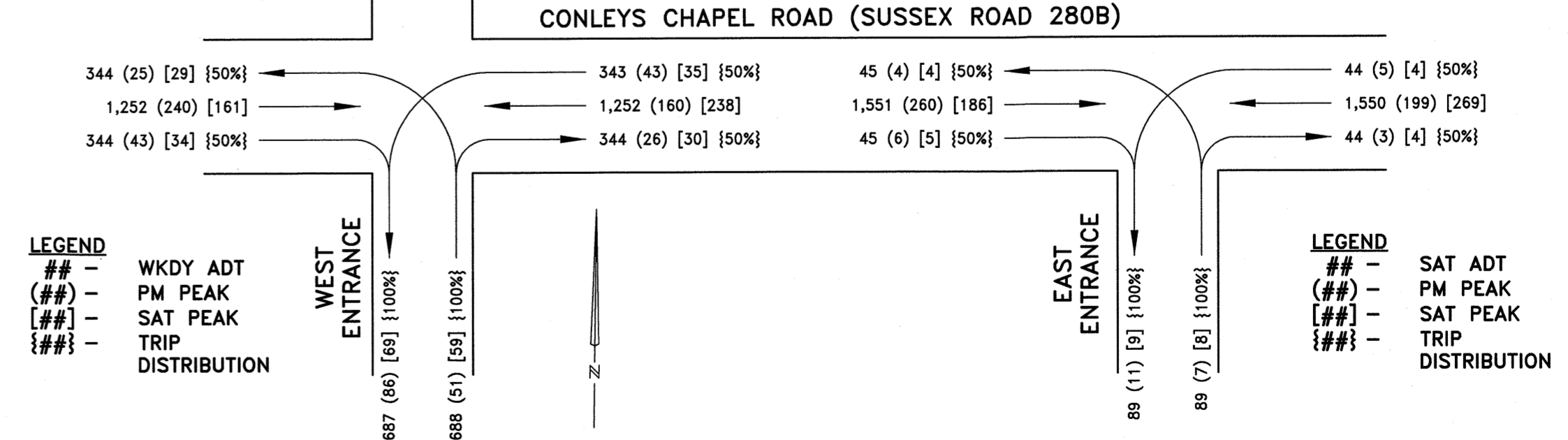


**TYPE II RESIDENTIAL STREET SECTION**

**32' TYPICAL PAVEMENT SECTION**

- ARTESIAN AVENUE (STA. 0+00.00 - STA. 25+14.25)
- WELLSPRING AVENUE (STA. 0+00.00 - STA. 10+24.37)

**ROAD DATA**  
 CONLEYS CHAPEL ROAD (SCR 280B)  
 FUNCTIONAL CLASSIFICATION - LOCAL ROADWAY  
 AADT (2014 DELAWARE TRAFFIC SUMMARY) = 2,152  
 10 YR PROJECTED AADT = 1,116 X 2,152 = 2,497  
 10 YR PROJECTED AADT + SITE ADT (1,546) = 4,043  
 DIRECTIONAL SPLIT = 60.27% / 39.73%  
 PEAK HOUR = 15.28% X 2,497 = 382  
 7.80% TRUCK % X 382 = 50  
 SPEED - POSTED = 40 MPH  
 TRAFFIC PATTERN GROUP - 7



**LEGEND**  
 ## - WKDY ADT  
 (##) - PM PEAK  
 [##] - SAT PEAK  
 {##} - TRIP DISTRIBUTION

**LEGEND**  
 ## - SAT ADT  
 (##) - PM PEAK  
 [##] - SAT PEAK  
 {##} - TRIP DISTRIBUTION

**SITE TRIPS GENERATED**

TYPE OF DEV.	CODE	UNITS	PM	SAT	ADT
SINGLE FAMILY - DETACHED	210	134	137	128	1,375

**SITE TRIPS GENERATED**

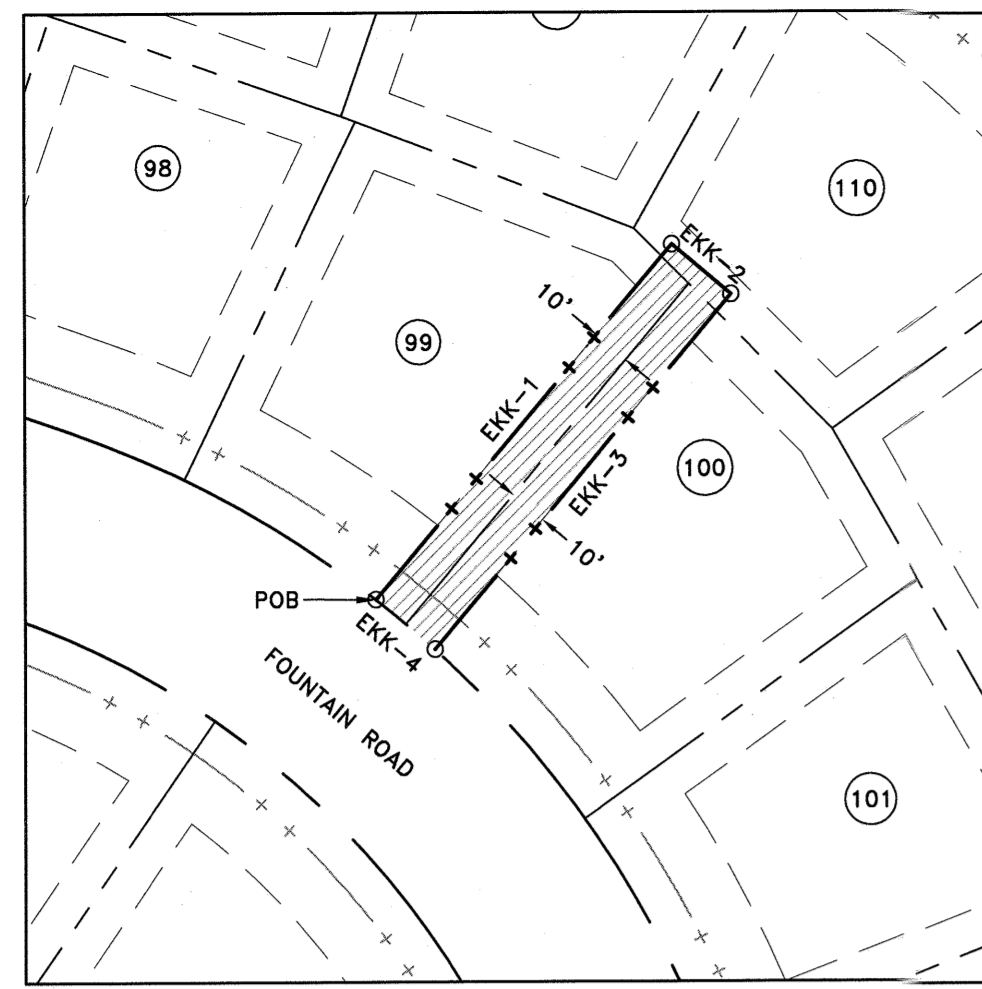
TYPE OF DEV.	CODE	UNITS	PM	SAT	ADT
SINGLE FAMILY - DETACHED	210	18	18	17	178

NOTES:  
 TRIP GENERATION BASED ON ITE TRIP GENERATION 9TH EDITION.

NOTES:  
 TRIP GENERATION BASED ON ITE TRIP GENERATION 9TH EDITION.

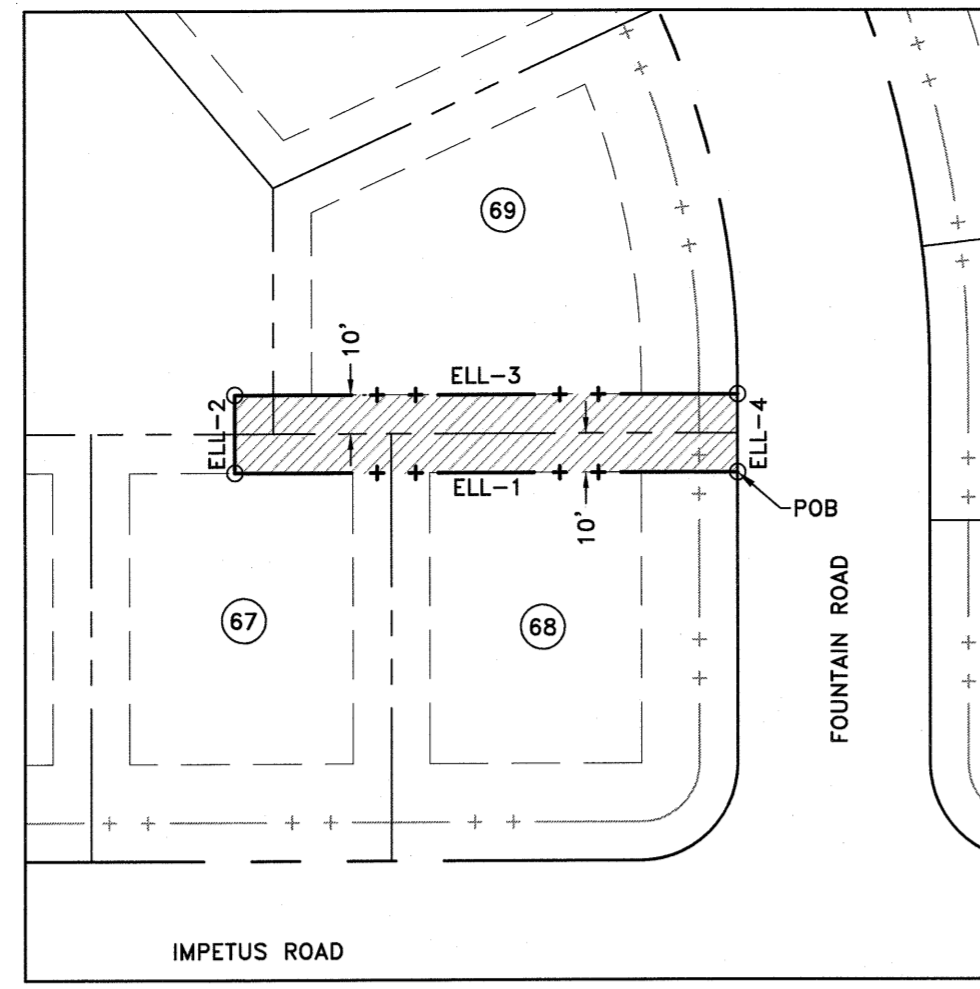
**TRAFFIC DIAGRAM**  
 NOT TO SCALE





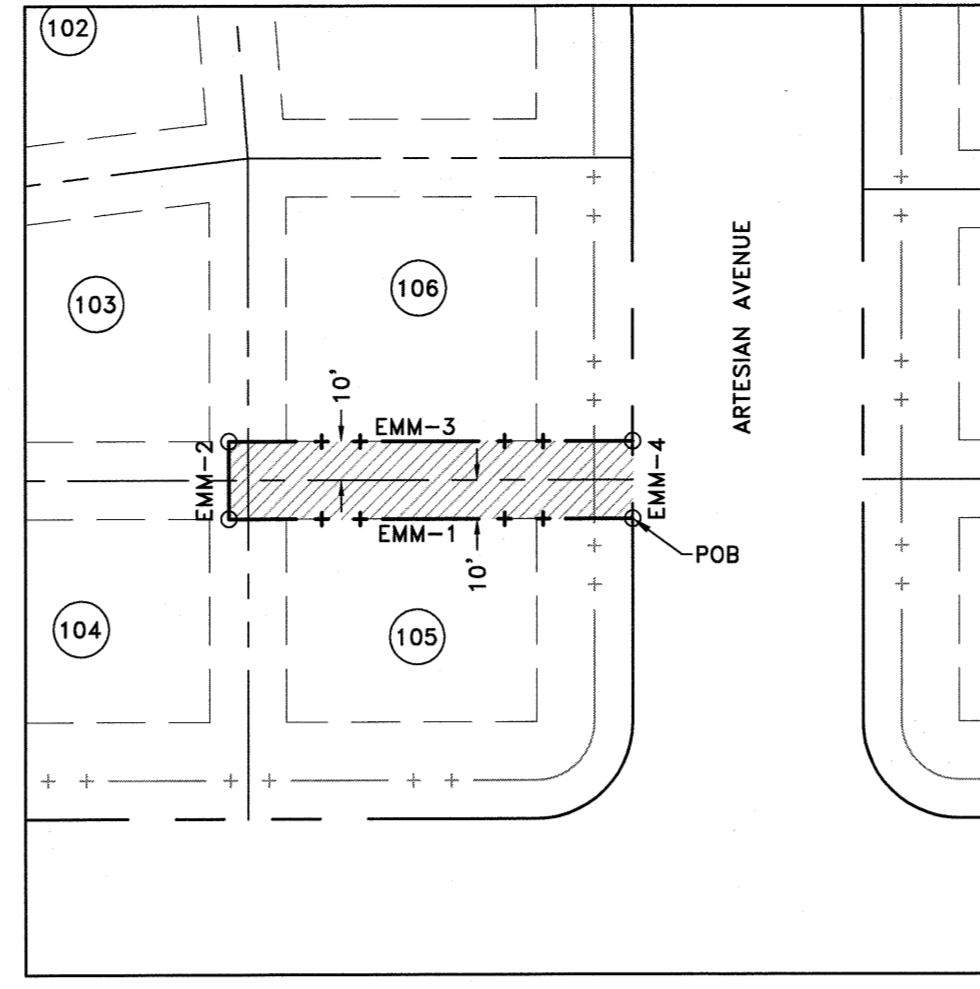
**EASEMENT EXHIBIT KK**  
(PERMANENT DRAINAGE EASEMENT)  
SCALE: 1" = 50'

LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EKK-1	N 31°14'58" E	119.57'					
EKK-2	S 58°45'02" E	20.00'					
EKK-3	S 31°14'58" W	119.57'					
EKK-4			275.00'	20.00'	20.00'	N 58°45'02" W	4°10'04"



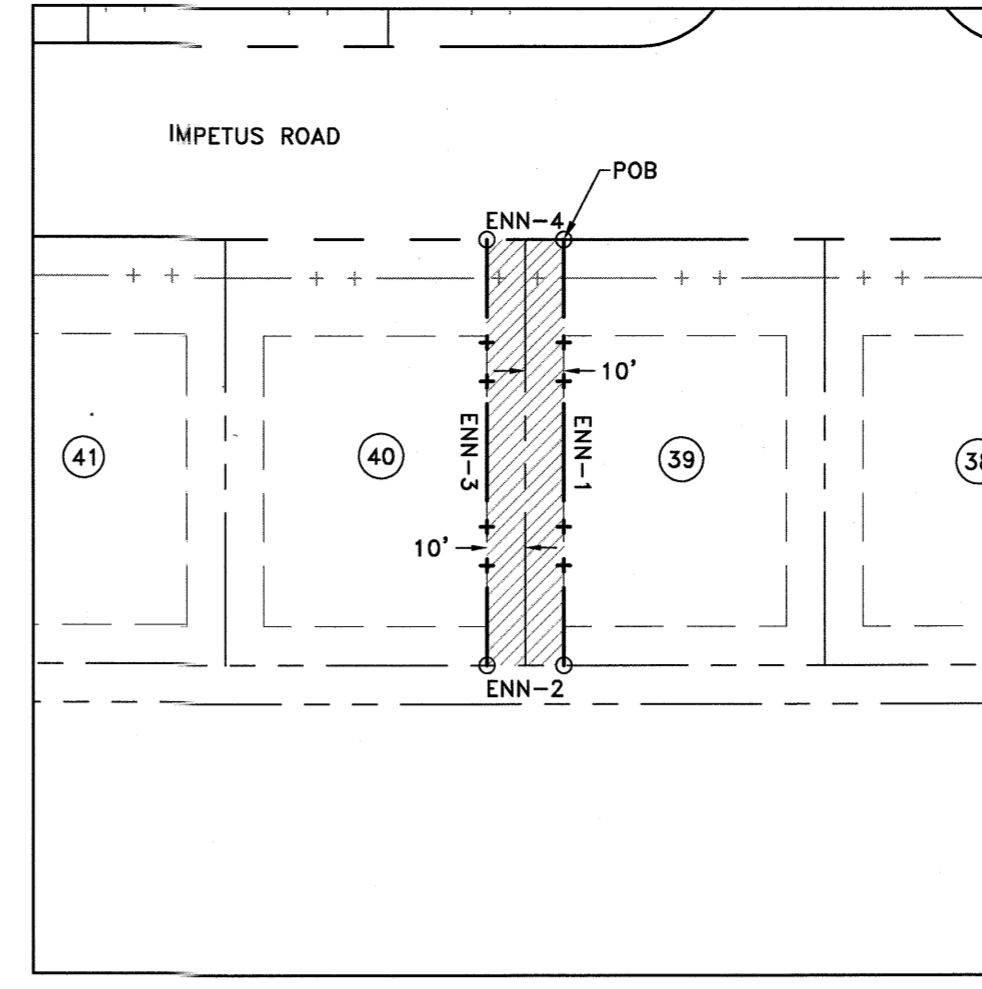
**EASEMENT EXHIBIT LL**  
(PERMANENT DRAINAGE EASEMENT)  
SCALE: 1" = 50'

LABEL	BEARING	DISTANCE
ELL-1	S 81°04'54" W	130.63'
ELL-2	N 08°55'06" W	20.00'
ELL-3	N 81°04'54" E	130.63'
ELL-4	S 08°55'06" E	20.00'



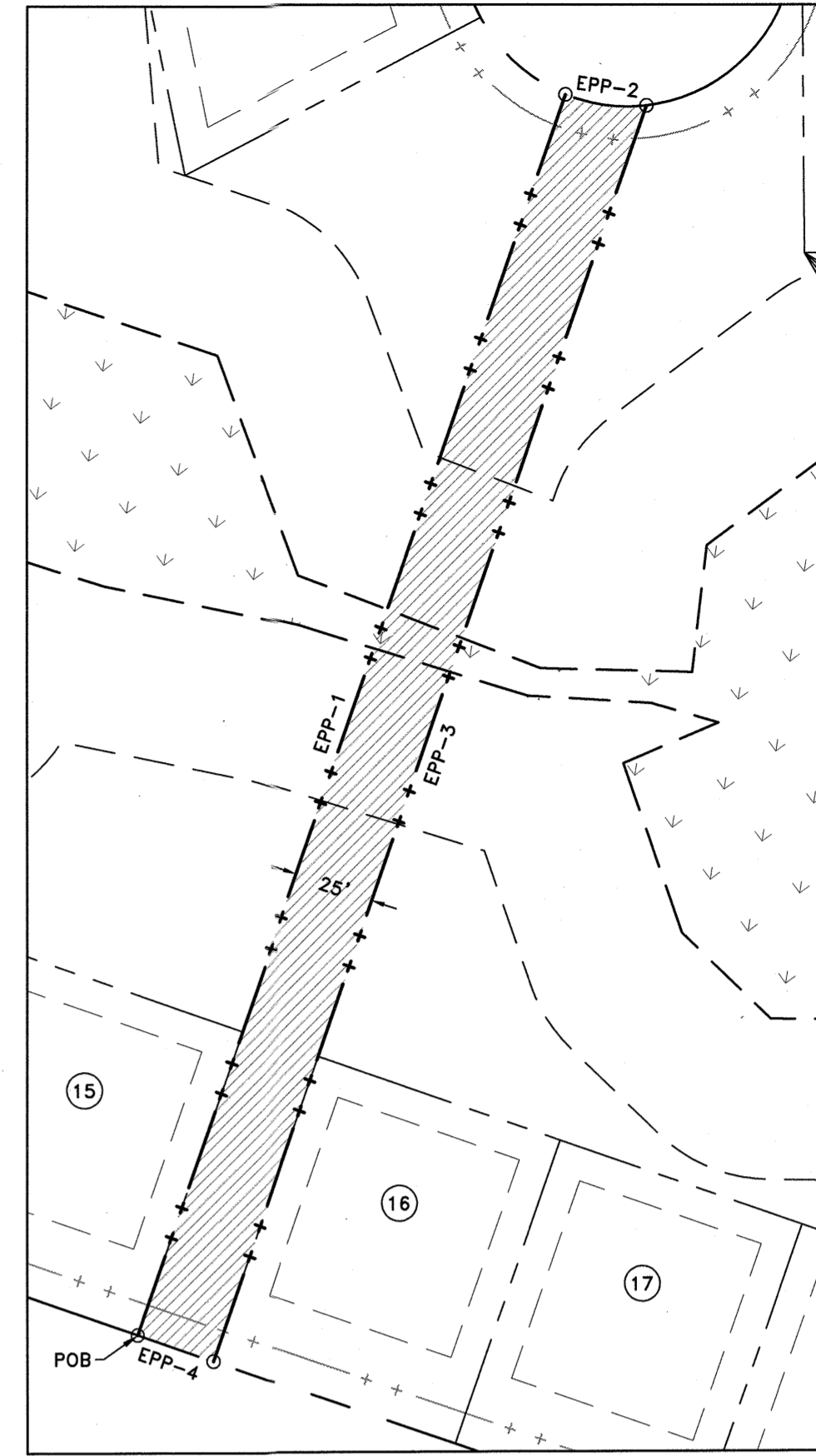
**EASEMENT EXHIBIT MM**  
(PERMANENT DRAINAGE EASEMENT)  
SCALE: 1" = 50'

LABEL	BEARING	DISTANCE
EMM-1	S 81°04'54" W	105.00'
EMM-2	N 08°55'06" W	20.00'
EMM-3	N 81°04'54" E	105.00'
EMM-4	S 08°55'06" E	20.00'



**EASEMENT EXHIBIT NN**  
(PERMANENT DRAINAGE EASEMENT)  
SCALE: 1" = 50'

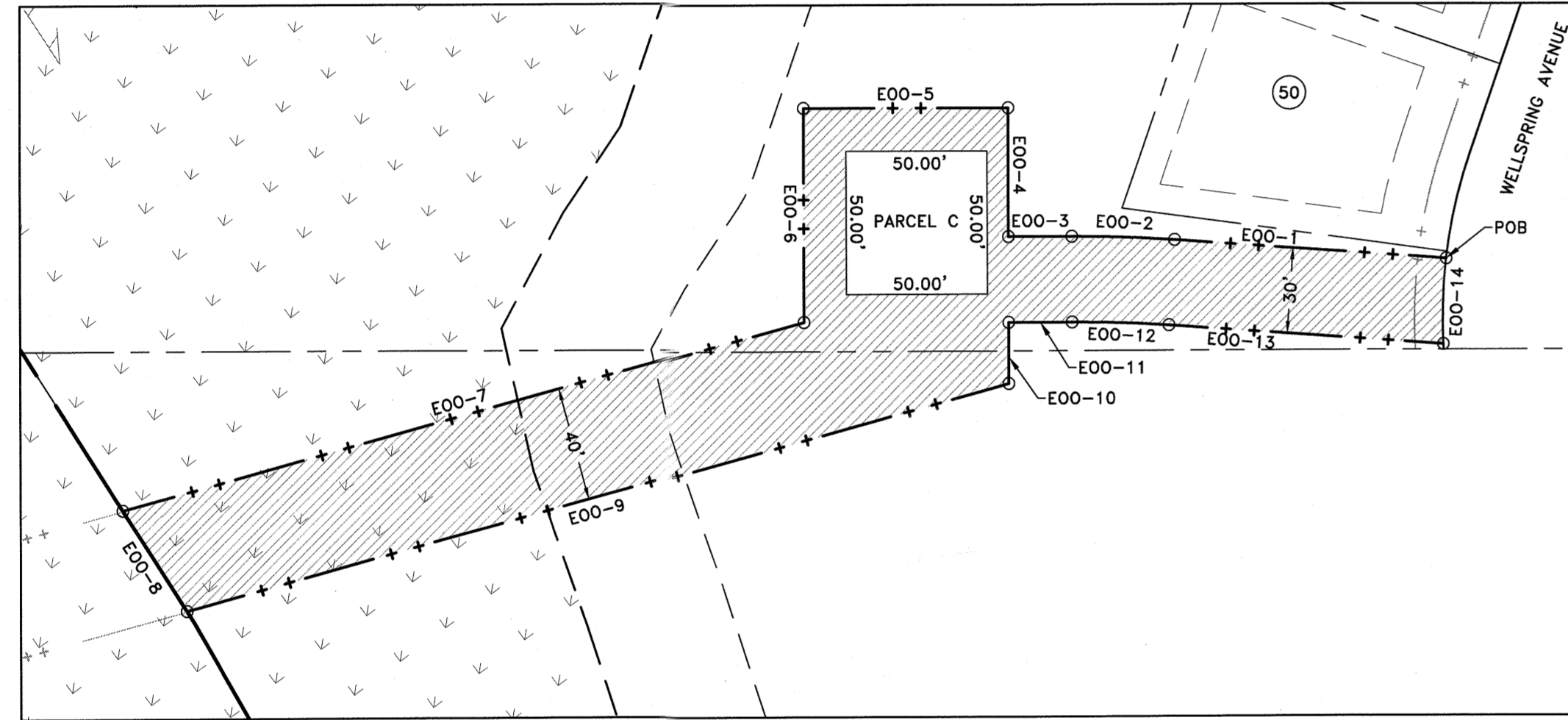
LABEL	BEARING	DISTANCE
ENN-1	S 08°55'06" E	110.00'
ENN-2	S 81°04'54" W	20.00'
ENN-3	N 08°55'06" W	110.00'
ENN-4	N 81°04'54" E	20.00'



**EASEMENT EXHIBIT PP**  
(PERMANENT UTILITY EASEMENT)  
SCALE: 1" = 50'

LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EPP-1	N 10°13'48" E	407.55'					
EPP-2			52.00'	25.77'	25.51'	N 88°47'59" E	28°23'35"
EPP-3	S 10°13'48" W	412.60'					
EPP-4	N 79°46'12" W	25.00'					

Recorder of Deeds  
SUSSEX COUNTY, DELAWARE  
Jun 29 2016 02:23P  
SUSSEX COUNTY  
Doc. Surcharge Paid

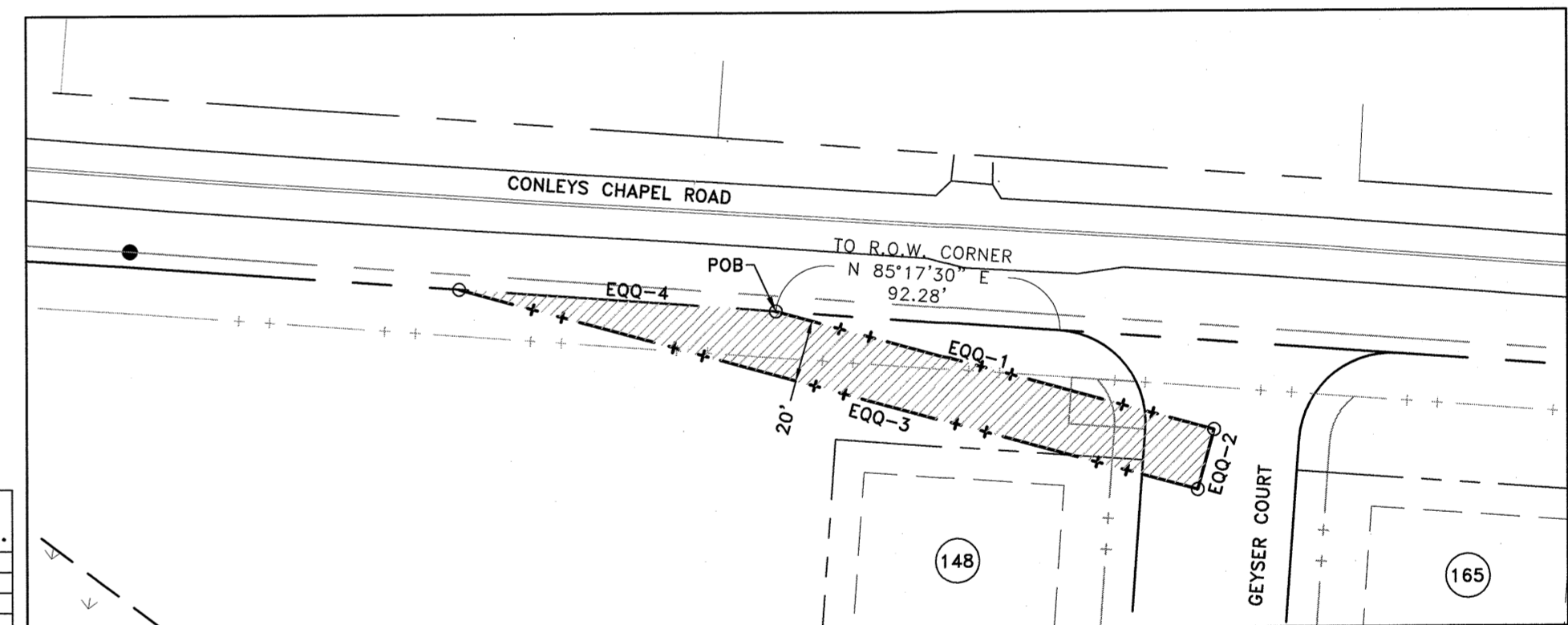


**EASEMENT EXHIBIT OO**  
(PERMANENT UTILITY EASEMENT)  
SCALE: 1" = 50'

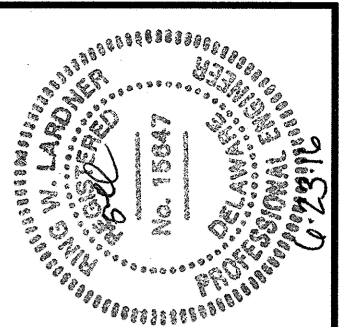
LABEL	BEARING	DISTANCE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EOO-1	S 85°10'45" W	96.23'					
EOO-2	S 81°04'54" W	22.40'	509.00'	36.40'	36.39'	S 83°07'49" W	4°05'51"
EOO-3	N 08°55'06" W	45.00'					
EOO-4	S 81°04'54" W	72.50'					
EOO-5	S 08°55'06" E	74.75'					
EOO-6	S 85°50'35" W	250.01'					
EOO-7	S 41°54'09" E	41.92'					
EOO-8	N 65°50'35" E	301.70'					
EOO-9	N 08°55'06" W	21.46'					
EOO-10	N 81°04'54" E	22.40'					
EOO-11			479.00'	34.26'	34.25'	N 83°07'49" E	4°05'51"
EOO-12	N 85°10'45" E	97.23'	180.00'	30.05'	30.02'	N 06°44'16" W	9°33'57"
EOO-13							
EOO-14							

EASEMENT	NORTHING	EASTING
KK	249106.5137	716409.6329
LL	248876.2544	716501.8196
MM	248892.7834	716752.2853
NN	248721.1904	716481.2476
OO	248490.2859	715493.6007
PP	249420.3423	716218.4292
QQ	250578.5451	716593.6298

LABEL	BEARING	DISTANCE
EQO-1	S 83°30'57" E	147.34'
EQO-2	S 08°55'06" W	20.00'
EQO-3	N 83°30'57" W	248.41'
EQO-4	N 85°17'30" E	103.04'



**EASEMENT EXHIBIT QQ**  
(PERMANENT EASEMENT ESTABLISHED TO THE STATE OF DELAWARE)  
SCALE: 1" = 50'



DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS, ENGINEERS & SURVEYORS  
SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441



RECORD PLAN - EASEMENT DETAILS

THE WOODS AT BURTON POND  
CONLEYS CHAPEL ROAD  
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

REVISED:  
2015-11-13 SCD  
2015-6-11 SCE, ARTESIAN SEWER,  
TIDEWATER, FIRE  
MARSHAL & DEEDOT  
2015-7-27 DNREC, TIDEWATER,  
ARTESIAN SEWER, SCE  
& SCD  
2015-8-08 SCD  
2015-8-20 TIDEWATER  
2015-9-04 DEF  
2015-10-05 MORRIS JAMES  
2015-12-06 P&Z  
2016-4-23 CLIENT  
2016-6-09 TIDEWATER & ARTESIAN

Date: MAY, 2016  
Scale: AS SHOWN  
Dwn.By: KJK  
Proj.No.: 0807D001  
Dwg.No.:

R-10

D



# THE WOODS AT BURTON POND EXTENDED

## INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

DBF # 0807S001

SUSSEX COUNTY AGREEMENT #849

SUBDIVISION #2007-29

MAY, 2021

## PRELIMINARY TITLE SHEET

INDEX OF SHEETS	
PRELIMINARY TITLE SHEET	PL-01
PRELIMINARY RECORD PLAN	PL-02
PRELIMINARY UTILITY PLAN	PL-03

### GENERAL NOTES

1. DRAINAGE, STORMWATER MANAGEMENT, AND EROSION AND SEDIMENT CONTROLS SHALL BE IN ACCORDANCE WITH THE DELAWARE SEDIMENT & STORMWATER REGULATIONS OF 1991, OR AS LATER AMENDED. MAINTENANCE OF DRAINAGE, STORMWATER MANAGEMENT, AND SEDIMENT & EROSION CONTROL PRACTICES WILL BE THE RESPONSIBILITY OF THE SITE CONTRACTOR DURING THE CONSTRUCTION PHASE OF THE PROJECT, INCLUDING CONSTRUCTION OF THE UTILITIES. WHEN THE PERMANENT DRAINAGE AND SEDIMENT MANAGEMENT PRACTICES HAVE BEEN COMPLETED TO THE SATISFACTION OF THE APPLICABLE AGENCIES, MAINTENANCE WILL ULTIMATELY BECOME THE RESPONSIBILITY OF THE PROPERTY OWNERS/ HOMEOWNERS ASSOCIATION.
2. SEDIMENT AND EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE DELAWARE EROSION & SEDIMENT CONTROL HANDBOOK (LATEST EDITION). THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURE AS DEEMED NECESSARY.
3. ENTRANCE/EXIT FACILITIES ARE SUBJECT TO THE FINAL APPROVAL OF THE DELAWARE DEPARTMENT OF TRANSPORTATION.
4. THERE SHALL BE NO DEBRIS DISPOSAL ON THIS SITE.
5. THE BOUNDARY AND BASE TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY BY KARINS AND ASSOCIATES, DURING SEPTEMBER, 2006. DAVIS, BOWEN & FRIEDEL REVIEWED THE BOUNDARY AND TOPOGRAPHIC SURVEYS. ADDITIONAL TOPOGRAPHIC SURVEY WAS COMPLETED IN SEPTEMBER, 2014.
6. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODOORS, THE USE OF AGRICULTURAL CHEMICALS, AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
7. AGRICULTURAL USE PROTECTION NOTICE, AS REQUIRED BY SECTION 99-6(G) OF THE SUSSEX COUNTY CODE SHALL BE INCORPORATED IN THE DEED RESTRICTIONS AND ANY LEASES OR SALE AGREEMENTS FOR ALL LOTS.
8. ALL LOTS ARE SUBJECT TO DEED RESTRICTIONS TO BE RECORDED FOR THIS SUBDIVISION.
9. ALL NEWLY CREATED STREETS ARE TO BE PUBLIC RIGHTS-OF-WAY AND WILL ULTIMATELY BE MAINTAINED BY THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION. IN ADDITION TO THE STREETS, THE PROPERTY OWNERS/HOMEOWNERS ASSOCIATION SHALL ALSO BE RESPONSIBLE FOR THE MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES AND OPEN AREAS. SEE MAINTENANCE DECLARATION.
10. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
11. A UTILITY EASEMENT, 10 FEET WIDE, SHALL BE ESTABLISHED ALONG EACH FRONT AND SIDE LOT LINE PROPOSED BY THIS PLAN. THESE EASEMENTS SHALL BE AVAILABLE FOR ANY UTILITY USE AND ARE ESTABLISHED 10 FEET WIDE ALONG STREET FRONTAGE, AND 5 FEET ON EACH SIDE OF ALL SIDE LOT LINES.
12. THE INTERNAL RIGHT-OF-WAY IS ALSO A BLANKET UTILITY EASEMENT FOR WATER, SEWER, GAS/PROPANE, ELECTRIC, PHONE AND CABLE.
13. WATER SUPPLY - TIDEWATER UTILITIES COMPANY WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE STATE DIVISION OF PUBLIC HEALTH.
14. SANITARY SEWER - (CENTRAL SEWER SYSTEM) ARTESIAN WASTEWATER WILL PROVIDE SEWER SERVICE FOR THE PROPERTY. SEWER SERVICE IS SUBJECT TO THE APPROVAL OF SUSSEX COUNTY ENGINEERING AND THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES.
15. FLOODPLAIN - THE PROPERTY IS IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0340K, DATED MARCH 16, 2015, SUSSEX COUNTY, DELAWARE.
16. A NOTICE TO PROCEED WITH CONSTRUCTION WILL NOT BE ISSUED FOR THIS PROJECT UNTIL: 1-THE REGIONAL WASTEWATER FACILITY APPROVED BY DNREC TO SERVICE THIS PROJECT IS SUBSTANTIALLY UNDER CONSTRUCTION; AND 2-THE DESIGN OF THE CORRESPONDING TRANSMISSION SYSTEM TO CONNECT THIS PROJECT TO SAID WASTEWATER FACILITY HAS BEEN APPROVED BY DNREC AND THE COUNTY ENGINEER.
17. ANY TREES REMOVED FROM THE CONSERVED OPEN SPACE AREAS SHALL BE REPLACED IN KIND.
18. THE PROPERTY IDENTIFIED HEREIN IS LOCATED WITHIN THE "SUSSEX COUNTY LANDFILL #3 - ANGOLA" GROUNDWATER MANAGEMENT ZONE (GMZ), AND HAS CERTAIN REGULATIONS PLACED UPON IT CONCERNING ANY PROPOSED LAND AND/OR GROUNDWATER USE. CONTACT THE SUSSEX COUNTY ENGINEERING DEPARTMENT FOR ADDITIONAL INFORMATION.
19. ANY ACTIVITY INCLUDING BASEMENT CONSTRUCTION, GROUNDWATER EXTRACTION AND ALL FORMS OF SUBSURFACE DEPRESSURIZATION WHICH COULD AFFECT THE EXISTING HYDROGEOLOGICAL GROUNDWATER FLOW OR LOWER THE WATER TABLE ON ADJOINING PROPERTIES SHALL BE PROHIBITED.
20. A 50-FOOT VOLUNTARY BUFFER SHALL BE ESTABLISHED WITHIN "PARCEL B", ALONG THE SOUTHERN PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA. THE 50-FOOT VOLUNTARY BUFFER SHALL CONTAIN A NATURAL BARRIER AND BE CONSTRUCTED UNDER THE SUPERVISION OF A CERTIFIED ARBORIST TO PREVENT ACCESS TO THE LANDFILL. THE NATURAL BARRIER SHALL BE IMPLEMENTED PRIOR TO THE ISSUANCE OF THE 1ST CERTIFICATE OF OCCUPANCY WITHIN THIS SUBDIVISION.
21. THE FOLLOWING ENVIRONMENTAL REQUIREMENTS ARE TO BE MET BY THE DEVELOPER PRIOR TO SUBDIVIDING THE REMAINING RESIDUAL LANDS OF WOODS AT BURTON POND, PARCEL B.
  - a. INSTALL TWO (2) WATER MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA, THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
  - b. INSTALL TWO (2) GAS MONITORING WELLS WITHIN PARCEL B 300 FEET FROM THE PROPERTY LINE ADJACENT TO SUSSEX COUNTY LANDFILL #3 - ANGOLA, AS DIRECTED BY SUSSEX COUNTY ENGINEERING THREE (3) YEARS PRIOR TO FURTHER SUBDIVISION PLAN SUBMITTAL. THE LOCATION OF THESE WELLS SHALL BE PLACED IN AN AREA THAT WILL NOT IMPACT FUTURE DEVELOPMENT OF WOODS AT BURTON POND, PARCEL B.
  - c. DEVELOP A VAPOR MIGRATION EVALUATION BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.
  - d. CONFIRM GROUNDWATER EVALUATION CONTOURS BASED ON DATA TO BE COLLECTED BY SUSSEX COUNTY.

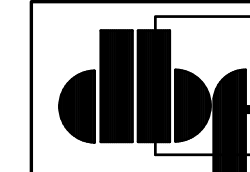
### SUBDIVISION #2007-29 CONDITIONS:

- A) THERE SHALL BE NO MORE THAN 167 LOTS WITHIN THE SUBDIVISION.
- B) THE APPLICANT SHALL FORM A HOMEOWNER'S ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF STREETS, ROADS, ANY BUFFER, STORM WATER MANAGEMENT FACILITIES, EROSION AND SEDIMENTATION CONTROL FACILITIES AND OTHER COMMON AREAS.
- C) THE STORM WATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. IT SHALL BE CONSTRUCTED AND MAINTAINED USING BEST MANAGEMENT PRACTICES.
- D) ALL ENTRANCES SHALL COMPLY WITH ALL OF DELDOT'S REQUIREMENTS, AND AN AREA FOR A SCHOOL BUS STOP SHALL BE ESTABLISHED. THE LOCATION OF THE SCHOOL BUS STOP SHALL BE COORDINATED WITH THE LOCAL SCHOOL DISTRICT.
- E) ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
- F) THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORM WATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
- G) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT FORESTED BUFFER AROUND THE ENTIRE PERIMETER OF THE PROJECT. THE FINAL SITE PLAN SHALL CONTAIN A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER AREAS. ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER AREAS TO PREVENT DISTURBANCE.
- H) THE DEVELOPER SHALL MAINTAIN AS MANY EXISTING TREES AS POSSIBLE. THE UNDISTURBED FORESTED AREAS SHALL BE CLEARLY SHOWN ON THE FINAL SITE PLAN.
- I) NO WETLANDS SHALL BE INCLUDED WITH ANY LOTS.
- J) A SYSTEM OF STREET LIGHTING SHALL BE ESTABLISHED.
- K) AS STATED BY THE APPLICANT, SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL STREETS IN THE SUBDIVISION.
- L) THE SUBDIVISION SHALL BE SERVED BY A CENTRAL SEWER SYSTEM AS DEFINED BY SUSSEX COUNTY ORDINANCE, DESIGNED IN ACCORDANCE WITH SUSSEX COUNTY ENGINEERING DEPARTMENT AND DNREC SPECIFICATIONS.
- M) AS PROPOSED BY THE APPLICANT, THERE SHALL BE A 50-FOOT BUFFER FROM ALL WETLANDS. A LANDSCAPE PLAN FOR ALL BUFFERS SHALL BE INCLUDED IN THE FINAL SITE PLAN, AND ALL SILT FENCING SHALL BE ON THE INTERIOR SIDE OF THE BUFFER TO PREVENT DISTURBANCE.
- N) AMENITIES SHALL INCLUDE A POOL HOUSE, POOL, BASKETBALL COURT AND A 150-FOOT BY 300-FOOT MULTI-PURPOSE SPORT FIELD. ALL AMENITIES SHALL BE STARTED AT OR BEFORE THE ISSUANCE OF THE 10TH BUILDING PERMIT AND SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE 120TH BUILDING PERMIT.
- O) AS STATED BY THE APPLICANT, THE WETLANDS BUFFERS SHALL BE PERMANENTLY MARKED WITH SIGNAGE.
- P) THIS PRELIMINARY APPROVAL IS CONTINGENT UPON THE APPLICANT SUBMITTING A REVISED PRELIMINARY SITEPLAN EITHER DEPICTING OR NOTING THE CONDITIONS OF THIS APPROVAL ON IT. IT SHALL APPROVE THE REVISED PLAN UPON CONFIRMATION THAT THE CONDITIONS OF APPROVAL HAVE BEEN DEPICTED OR NOTED ON IT.
- Q) THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

### ENGINEER'S STATEMENT

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

DAVIS, BOWEN & FRIEDEL, INC. DATE  
BY RING W. LARDNER, P.E.



DAVIS,  
BOWEN &  
FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441  
FAKON, MARYLAND (410) 770-4744

Revisions:

PRE-01

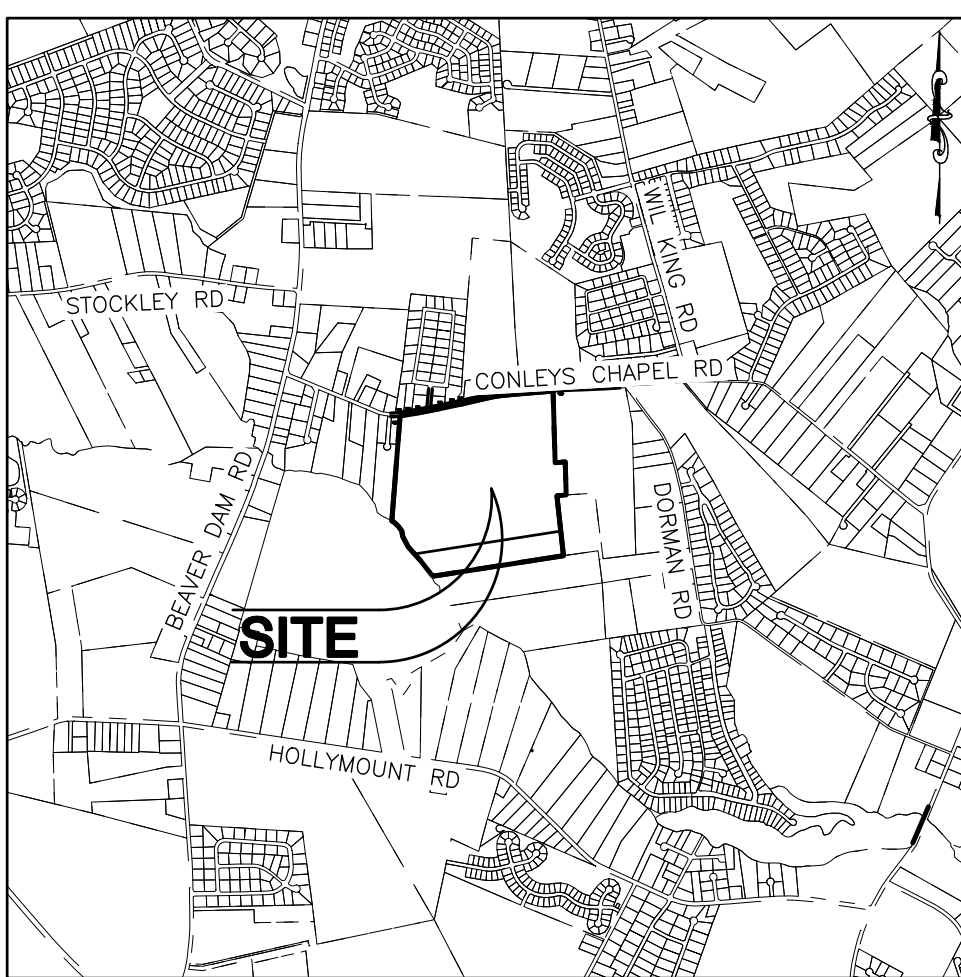
### DATA COLUMN

TAX MAP ID:	2-34-11.00-72.00
DATUM:	NAVD 88
VERTICAL:	NAD 83 (DE STATE GRID)
HORIZONTAL:	
ZONING:	AR1
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	19
AVERAGE LOT SIZE:	100' X 93'
AVERAGE LOT AREA:	9,300 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA:	15,009 AC
(INCLUDES WETLANDS: 3.978 AC)	
WETLANDS (WB):	1,035 AC
WETLANDS (WD):	2,943 AC
PROPOSED (TOTAL SITE)	
LOT AREA:	15,009 AC
OPEN SPACE (TOTAL):	4,057 AC
OPEN SPACE (A):	5,742 AC
OPEN SPACE (B):	0,208 AC
OPEN SPACE (C):	0,194 AC
WETLANDS:	5,340 AC
	3,978 AC
RIGHT-OF-WAY:	1,232 AC
TOTAL SITE AREA:	15,009 AC
PAVEMENT:	0.659 AC
SIDEWALK:	0.210 AC
TOTAL:	0.869 AC
SEWER PROVIDER:	ARTESIAN WASTEWATER MANAGEMENT, INC.
WATER PROVIDER:	TIDEWATER UTILITIES
GAS PROVIDER:	POORE'S PROPANE
ELECTRIC:	DELAWARE ELECTRIC COOPERATIVE
ENGINEER:	DAVIS, BOWEN & FRIEDEL, INC. 1 PARK AVENUE MILFORD, DE 19963 PHONE: 302-424-1441 FAX: 302-424-0430

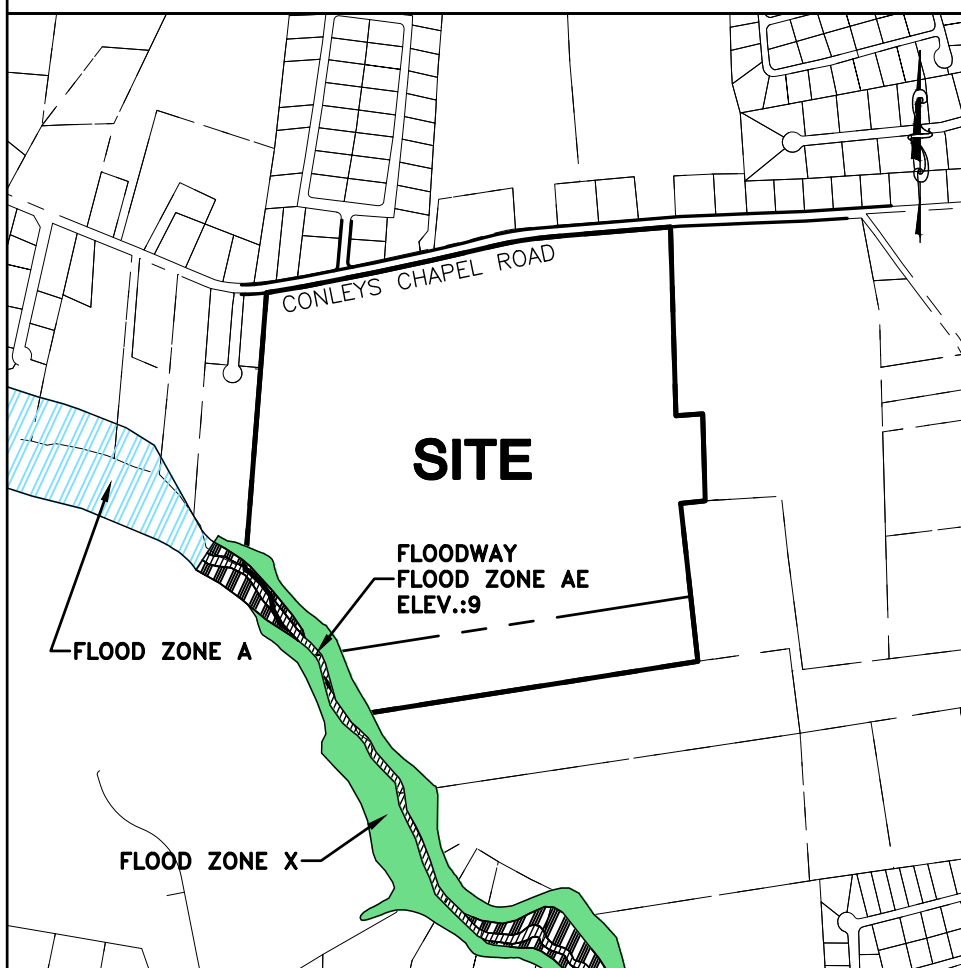
### DATA COLUMN

TAX MAP ID:	2-34-11.00-72.00
DATUM:	NAVD 88
VERTICAL:	NAD 83 (DE STATE GRID)
HORIZONTAL:	
ZONING:	AR1
EXISTING:	AR1
PROPOSED:	AR1
MINIMUM REQUIREMENTS	
LOT AREA:	7,500 S.F.
LOT WIDTH:	60 FT.
LOT FRONT YARD:	25 FT.
LOT SIDE YARD:	10 FT.
LOT REAR YARD:	10 FT.
MAXIMUM BUILDING HEIGHT:	42 FT.
UNITS:	
SINGLE FAMILY:	184
AVERAGE LOT SIZE:	105' X 90'
AVERAGE LOT AREA:	9,450 S.F.
AREAS:	
EXISTING (TOTAL SITE)	
SITE AREA:	113,931 AC
(INCLUDES WETLANDS: 21.92 AC)	
PROPOSED (TOTAL SITE)	
LOT AREA:	35,593 AC
PUMP STATION LOT:	0.057 AC
OPEN SPACE (TOTAL):	32.872 AC
WETLANDS (TOTAL):	17,941 AC
RIGHT-OF-WAY:	12,101 AC
TOTAL SITE AREA:	98,564 AC
PAVEMENT:	6.25 AC
SIDEWALK:	2.18 AC
TOTAL:	8.43 AC
SEWER PROVIDER:	ARTESIAN WASTEWATER MANAGEMENT, INC.
WATER PROVIDER:	TIDEWATER UTILITIES
GAS PROVIDER:	POORE'S PROPANE
ELECTRIC:	DELAWARE ELECTRIC COOPERATIVE

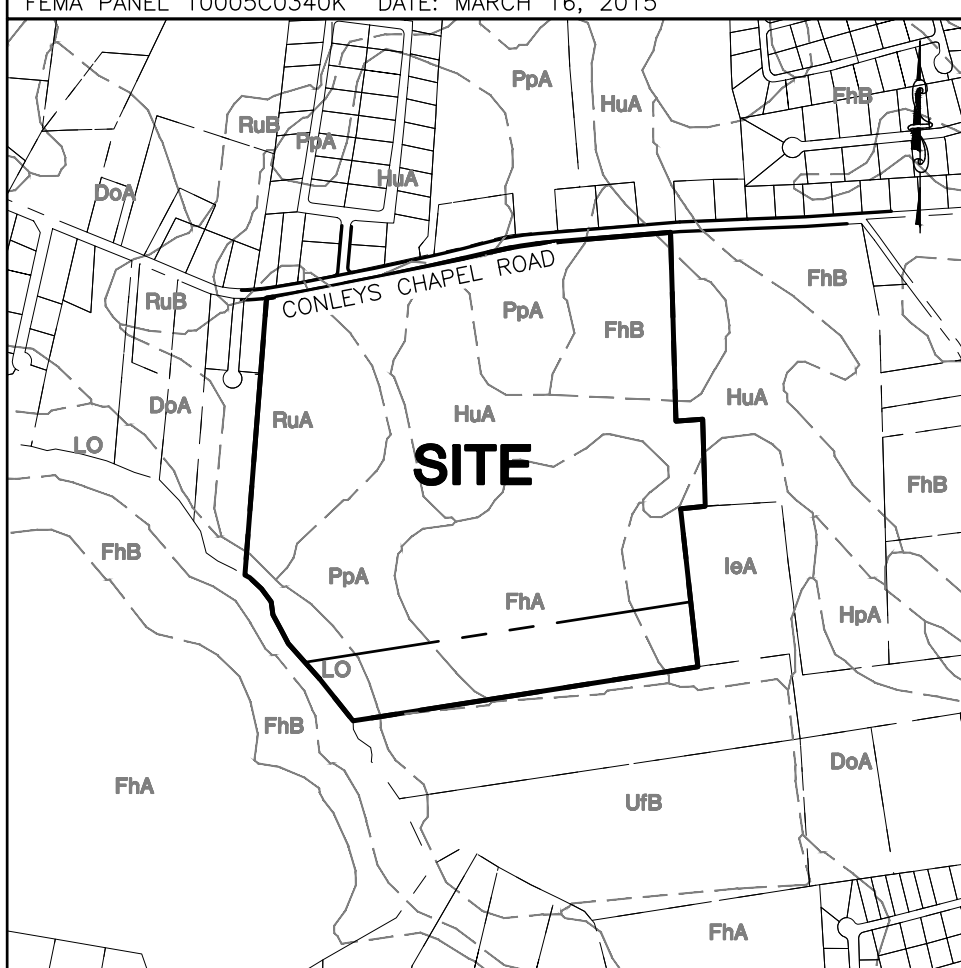
SEWER PROVIDER: ARTESIAN WASTEWATER MANAGEMENT, INC.  
WATER PROVIDER: TIDEWATER UTILITIES  
GAS PROVIDER: POORE'S PROPANE  
ELECTRIC: DELAWARE ELECTRIC COOPERATIVE



LOCATION MAP SCALE: 1" = 1/2-MILE



FLOODPLAIN MAP SCALE: 1" = 1000'

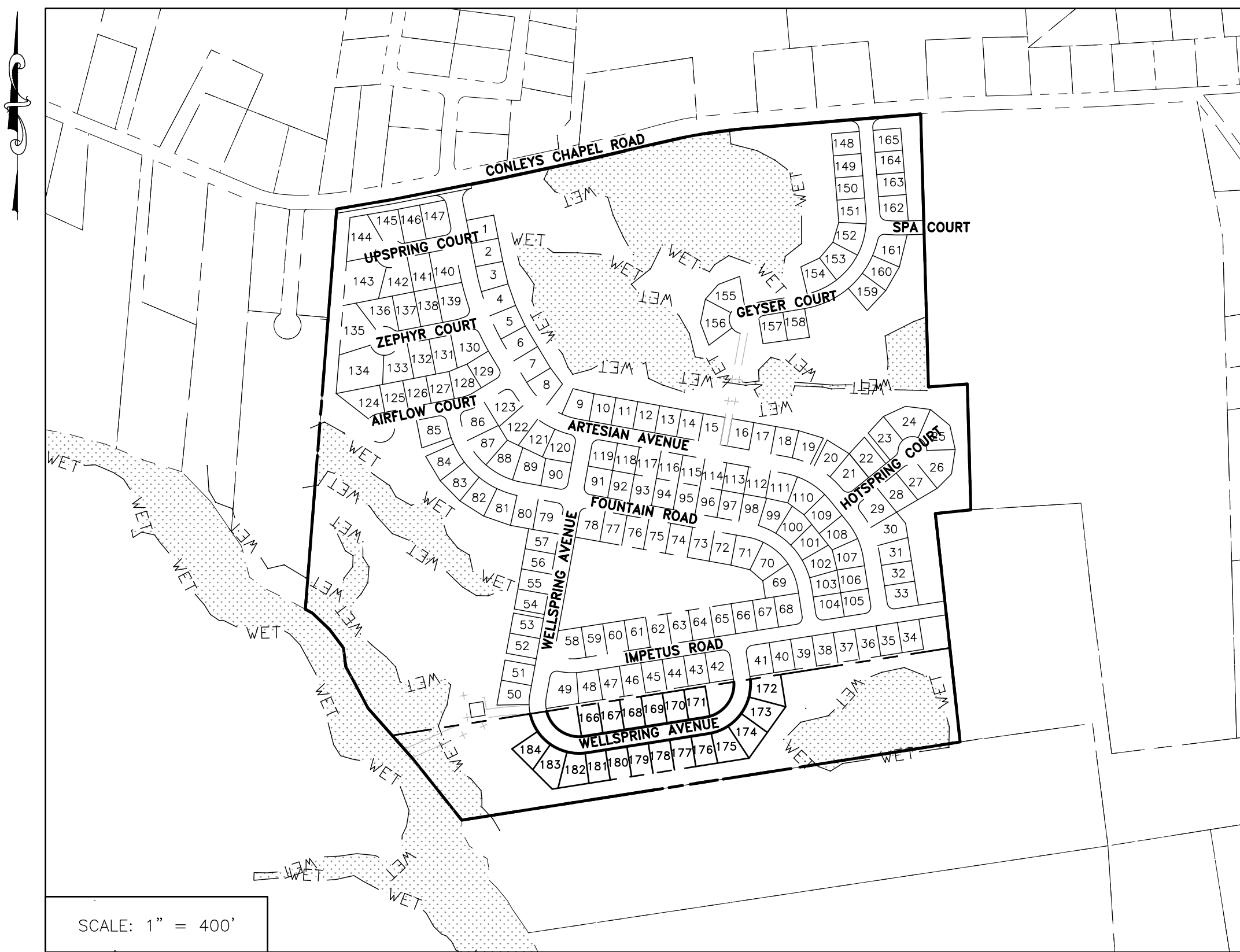


SOILS MAP SCALE: 1" = 1000'

- DnA: DOWNER LOAMY SAND, 0 TO 2 PERCENT SLOPES (B)  
DnB: DOWNER LOAMY SAND, 2 TO 5 PERCENT SLOPES (B)  
DoA: DOWNER SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)  
FhA: FORT MOTT-HENLOPEN COMPLEX, 0 TO 2 PERCENT SLOPES (A)  
FhB: FORT MOTT-HENLOPEN COMPLEX, 2 TO 5 PERCENT SLOPES (A)  
FmA: FORT MOTT LOAMY SAND, 0 TO 2 PERCENT SLOPES (A)  
HmA: HAMMONTON LOAMY SAND, 0 TO 2 PERCENT SLOPES (B)  
HnA: HAMMONTON SANDY LOAM, 0 TO 2 PERCENT SLOPES (B)  
HuA: HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES (B/D)  
LO: LONGMARSH AND INDIANTOWN SOILS, FREQUENTLY FLOODED (D)  
PpA: PEPPERBOX LOAMY SAND, 0 TO 2 PERCENT SLOPES (C)  
RnA: RUNCLINT LOAMY SAND, 0 TO 2 PERCENT SLOPES (A)  
UB: UDORTMENTS, REFUSE SUBSTRATUM, 0 TO 35 PERCENT SLOPES (C)

### OPEN SPACE MANAGEMENT PLAN:

1. ALL WETLAND BUFFERS ARE TO REMAIN IN THEIR NATURAL STATE. MAINTENANCE WILL CONSIST OF TRASH AND INVASIVE SPECIES REMOVAL.
2. ALL COMMON AREAS COVERED WITH GRASS SHALL BE PERIODICALLY MAINTAINED ON A BASIS DETERMINED BY THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION.
3. ALL OPEN SPACE AMENITIES SHALL BE INSPECTED ANNUALLY TO ENSURE THEY ARE SAFE FOR PLAY AND REPAIRED AS REQUIRED.
4. ALL SWM AREAS ARE TO BE INSPECTED ANNUALLY AND AFTER A RAIN EVENT GREATER THAN 2" IN A 24 HOUR PERIOD.
5. ALL SWM AREAS WILL BE MAINTAINED IN ACCORDANCE WITH DESIGN AND SPECIFICATIONS FOR THE SPECIFIC SWM AREA. THIS INFORMATION WILL BE PROVIDED TO THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION PRIOR TO TURNOVER.



### LEGEND

EX. RIGHT OF WAY	---
RIGHT OF WAY	---
PROPERTY LINE	---
BUILDING SETBACK LINE	---
PROPOSED FENCE	---X---
EXISTING CONTOUR	---19---
EX. SPOT ELEVATION	EP:44.70
EX. WOODS LINE	~~~~~
LIMITS OF JURISDICTIONAL WETLANDS	---
WETLANDS BUFFER	---
IRON PIPE FOUND	•
CONCRETE MONUMENT FOUND	■
IRON ROD & CAP TO BE SET	•
DELDOT MONUMENT TO BE SET	■
EX. EDGE OF PAVEMENT	---
CURB	---

### OWNER'S CERTIFICATION

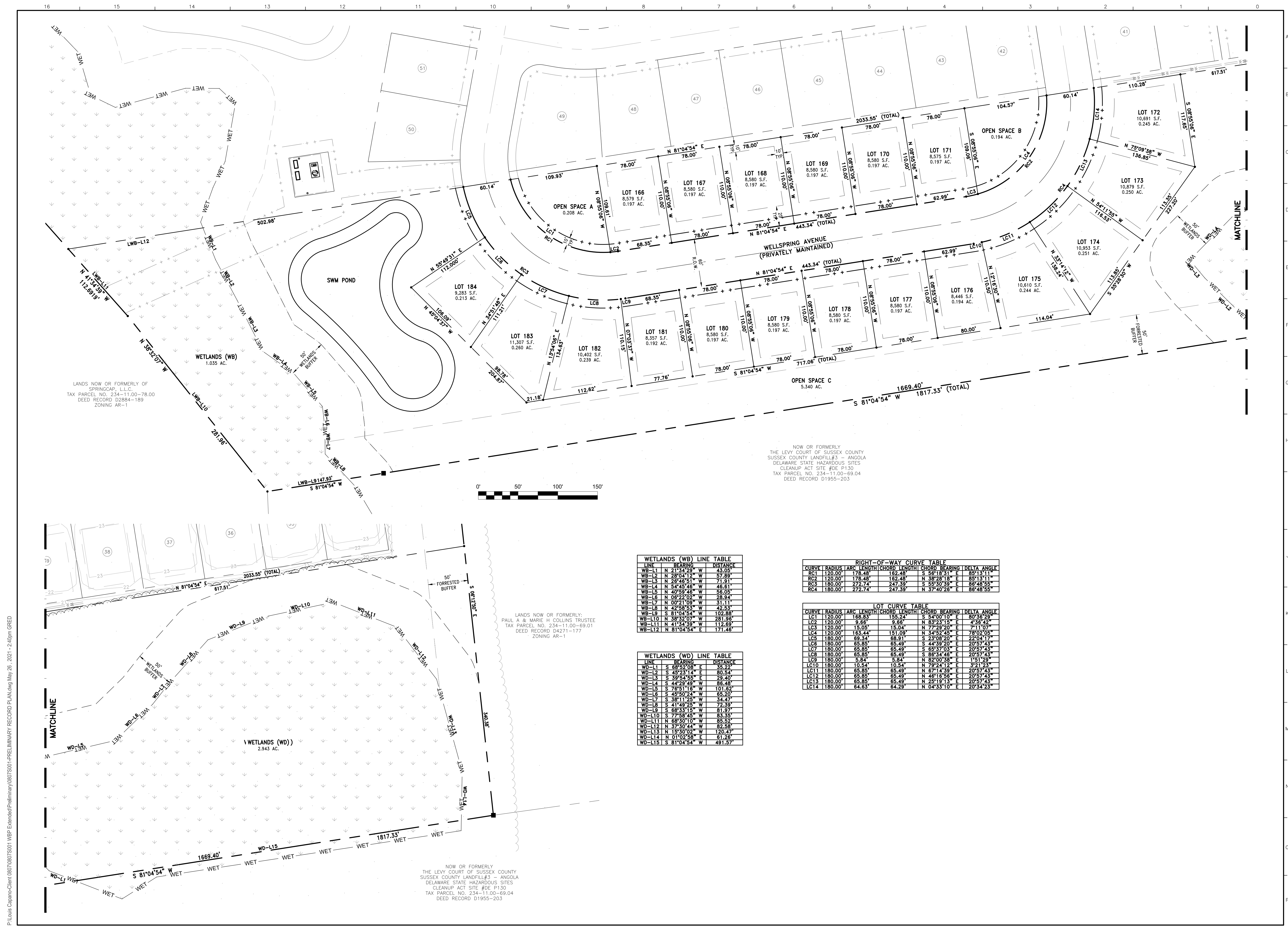
"I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E., BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT. AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT, AS REFERENCED ON THIS COVERSHEET."

SPRING CAP II, LLC. DATE  
105 FOULK ROAD  
WILMINGTON, DE 19803  
PHONE 302-429-8700

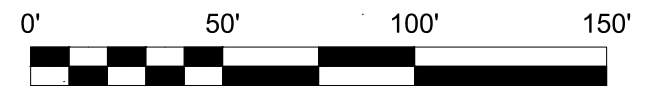
### WETLANDS STATEMENT

THIS SITE HAS BEEN INVESTIGATED FOR THE PRESENCE OF WETLANDS AND OTHER WATERS OF THE UNITED STATES BY JAMES C. MCCULLEY IV, PWS OF WATERSHED ECO LLC. THE SITE WAS INVESTIGATED IN ACCORDANCE WITH THE U.S. ARMY CORPS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1) AND APPLICABLE REGIONAL SUPPLEMENTS. THE U.S. ARMY CORPS OF ENGINEERS ISSUED A JURISDICTIONAL DETERMINATION (CDAP-OP-R-2014-285-23) ON JUNE 6, 2014. THIS JURISDICTIONAL DETERMINATION IS FOR A PERIOD OF FIVE YEARS. THIS PLAN ACCURATELY REPRESENTS THE RESULTS OF THE WETLAND STUDY AND JURISDICTIONAL DETERMINATIONS DESCRIBED ABOVE.

WATERSHED ECO, LLC. DATE  
JAMES C. MCCULLEY, IV, PWS  
PWS #000471



LANDS NOW OR FORMERLY OF  
SPRINGCAP, L.L.C.  
TAX PARCEL NO. 234-11.00-78.00  
DEED RECORD D2884-189  
ZONING AR-1



NOW OR FORMERLY  
THE LEVY COURT OF SUSSEX COUNTY  
SUSSEX COUNTY LANDFILL#3 - ANGOLA  
DELAWARE STATE HAZARDOUS SITES  
CLEANUP ACT SITE #DE P130  
TAX PARCEL NO. 234-11.00-69.04  
DEED RECORD D1955-203

LANDS NOW OR FORMERLY:  
PAUL A & MARIE H COLLINS TRUSTEE  
TAX PARCEL NO. 234-11.00-69.01  
DEED RECORD D4271-177  
ZONING AR-1

NOW OR FORMERLY  
THE LEVY COURT OF SUSSEX COUNTY  
SUSSEX COUNTY LANDFILL#3 - ANGOLA  
DELAWARE STATE HAZARDOUS SITES  
CLEANUP ACT SITE #DE P130  
TAX PARCEL NO. 234-11.00-69.04  
DEED RECORD D1955-203

**WETLANDS (WB) LINE TABLE**

LINE	BEARING	DISTANCE
WB-L1	N 21°54'29" W	43.05'
WB-L2	N 28°04'12" W	57.89'
WB-L3	N 28°48'51" W	71.91'
WB-L4	N 44°45'46" W	48.61'
WB-L5	N 40°59'46" W	56.05'
WB-L6	N 06°22'02" W	28.94'
WB-L7	N 00°21'09" W	31.11'
WB-L8	N 42°58'53" W	42.53'
WB-L9	S 81°04'54" W	102.88'
WB-L10	S 38°32'07" W	281.96'
WB-L11	N 41°34'39" W	112.69'
WB-L12	N 81°04'54" E	171.46'

**WETLANDS (WD) LINE TABLE**

LINE	BEARING	DISTANCE
WD-L1	S 68°52'08" E	35.22'
WD-L2	S 45°23'14" E	80.54'
WD-L3	S 39°54'55" E	29.40'
WD-L4	S 44°29'49" W	66.48'
WD-L5	S 78°51'16" W	101.62'
WD-L6	S 45°50'24" W	65.20'
WD-L7	S 38°11'35" W	34.47'
WD-L8	S 41°49'25" W	72.39'
WD-L9	S 68°33'15" W	81.97'
WD-L10	S 77°58'45" W	83.55'
WD-L11	N 68°50'10" W	85.52'
WD-L12	S 37°30'44" W	82.58'
WD-L13	N 15°30'02" W	120.47'
WD-L14	N 61°02'58" E	61.26'
WD-L15	S 81°04'54" W	491.57'

**RIGHT-OF-WAY CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC1	120.00'	178.48'	182.48'	S 56°18'31" E	85°13'11"
RC2	120.00'	178.48'	182.48'	N 38°29'18" E	85°13'11"
RC3	180.00'	272.74'	247.39'	S 55°30'39" E	86°48'55"
RC4	180.00'	272.74'	247.39'	N 37°40'26" E	86°48'55"

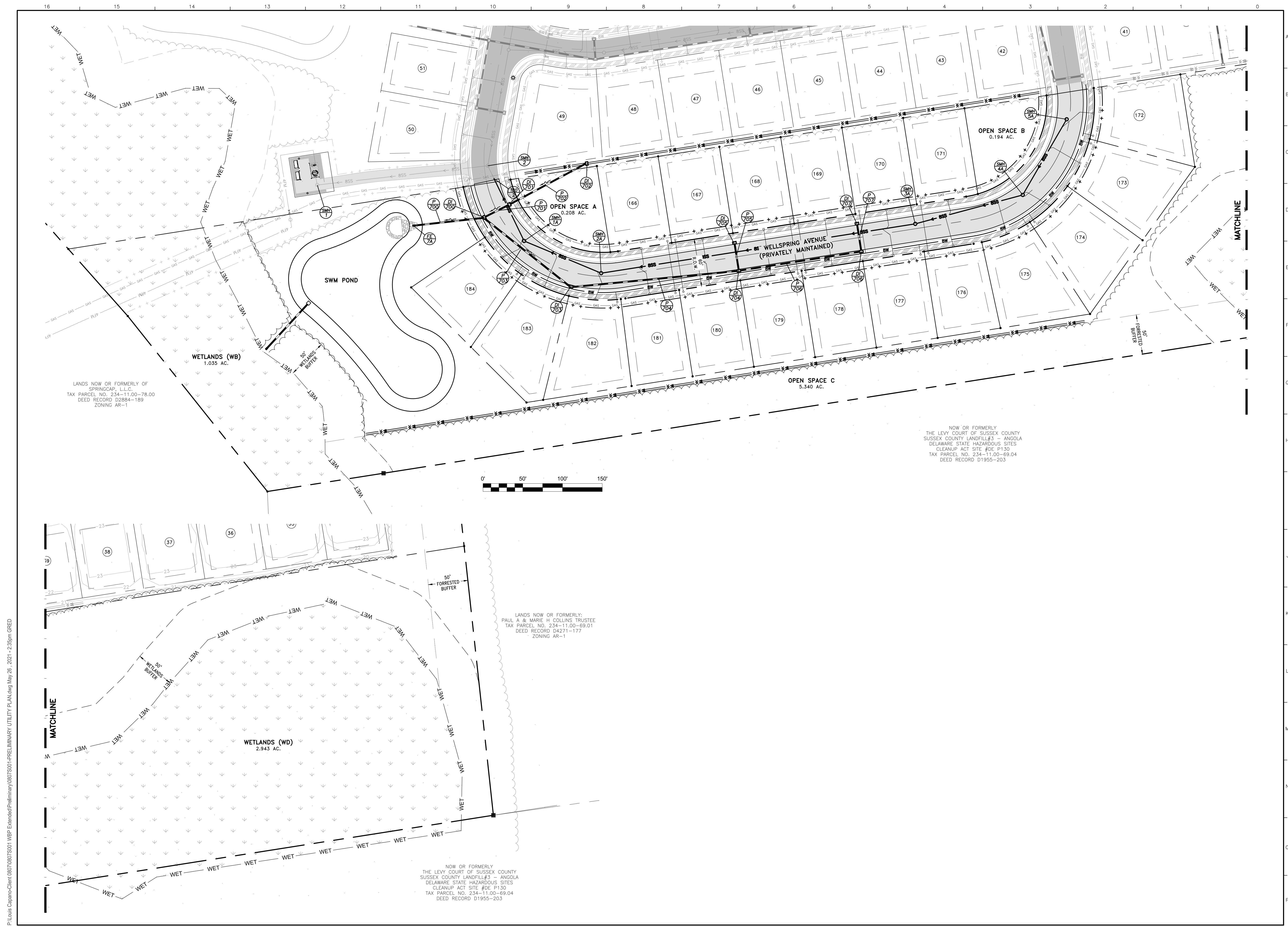
**LOT CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
LC1	120.00'	168.83'	155.24'	S 54°00'10" E	80°38'29"
LC2	120.00'	9.66'	9.66'	N 83°23'15" E	4°36'42"
LC3	120.00'	15.05'	15.04'	N 77°28'20" E	7°11'07"
LC4	120.00'	163.44'	151.09'	N 34°52'45" E	78°02'05"
LC5	180.00'	69.34'	68.91'	S 23°08'20" E	22°04'12"
LC6	180.00'	65.85'	65.49'	S 44°39'20" E	20°57'43"
LC7	180.00'	65.85'	65.49'	S 65°37'03" E	20°57'43"
LC8	180.00'	65.85'	65.49'	S 66°34'46" E	20°57'43"
LC9	180.00'	5.84'	5.84'	N 82°00'38" E	1°51'29"
LC10	180.00'	10.54'	10.54'	N 79°24'12" E	3°21'23"
LC11	180.00'	65.85'	65.49'	N 67°14'39" E	20°57'43"
LC12	180.00'	65.85'	65.49'	N 46°18'56" E	20°57'43"
LC13	180.00'	65.85'	65.49'	N 25°19'13" E	20°57'43"
LC14	180.00'	64.63'	64.29'	N 04°33'10" E	20°34'23"

**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
1500 W. MARKET STREET  
MILFORD, DELAWARE 19967  
(302) 634-2800  
(302) 634-1441  
(410) 770-4744  
EASTON, MARYLAND  
(410) 770-4744

**THE WOODS AT BURTON POND EXTENDED**  
**CONLEYS CHAPEL ROAD**  
**INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:  
  
Date: MAY 2021  
Scale: 1" = 50'  
Dwn.By: DEG  
Proj.No.: 0807S001  
Dwg.No.: PRE-02



P:\Louis Capano-Client\0807\0807S001\18BP\_Extended\Preliminary\0807S001-PRELIMINARY UTILITY PLAN.dwg May 26, 2021 - 2:35pm GRED

LANDS NOW OR FORMERLY OF  
SPRINGCAP, L.L.C.  
TAX PARCEL NO. 234-11.00-78.00  
DEED RECORD D2884-189  
ZONING AR-1

WETLANDS (WB)  
1.035 AC.

SWM POND



LANDS NOW OR FORMERLY:  
PAUL A & MARIE H COLLINS TRUSTEE  
TAX PARCEL NO. 234-11.00-69.01  
DEED RECORD D4271-177  
ZONING AR-1

WETLANDS (WD)  
2.943 AC.

NOW OR FORMERLY  
THE LEVY COURT OF SUSSEX COUNTY  
SUSSEX COUNTY LANDFILL#3 - ANGOLA  
DELAWARE STATE HAZARDOUS SITES  
CLEANUP ACT SITE #DE P130  
TAX PARCEL NO. 234-11.00-69.04  
DEED RECORD D1955-203

NOW OR FORMERLY  
THE LEVY COURT OF SUSSEX COUNTY  
SUSSEX COUNTY LANDFILL#3 - ANGOLA  
DELAWARE STATE HAZARDOUS SITES  
CLEANUP ACT SITE #DE P130  
TAX PARCEL NO. 234-11.00-69.04  
DEED RECORD D1955-203

**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS

1501 S. WILSON ROAD  
MILFORD, DELAWARE 19967  
(302) 424-1441  
EASTON, MARYLAND (410) 770-4744

**THE WOODS AT BURTON POND EXTENDED**  
**CONLEYS CHAPEL ROAD**  
**INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:	
Date:	MAY 2021
Scale:	1" = 50'
Dwn. By:	DEG
Proj. No.:	0807S001
Dwg. No.:	PRE-03

**E**

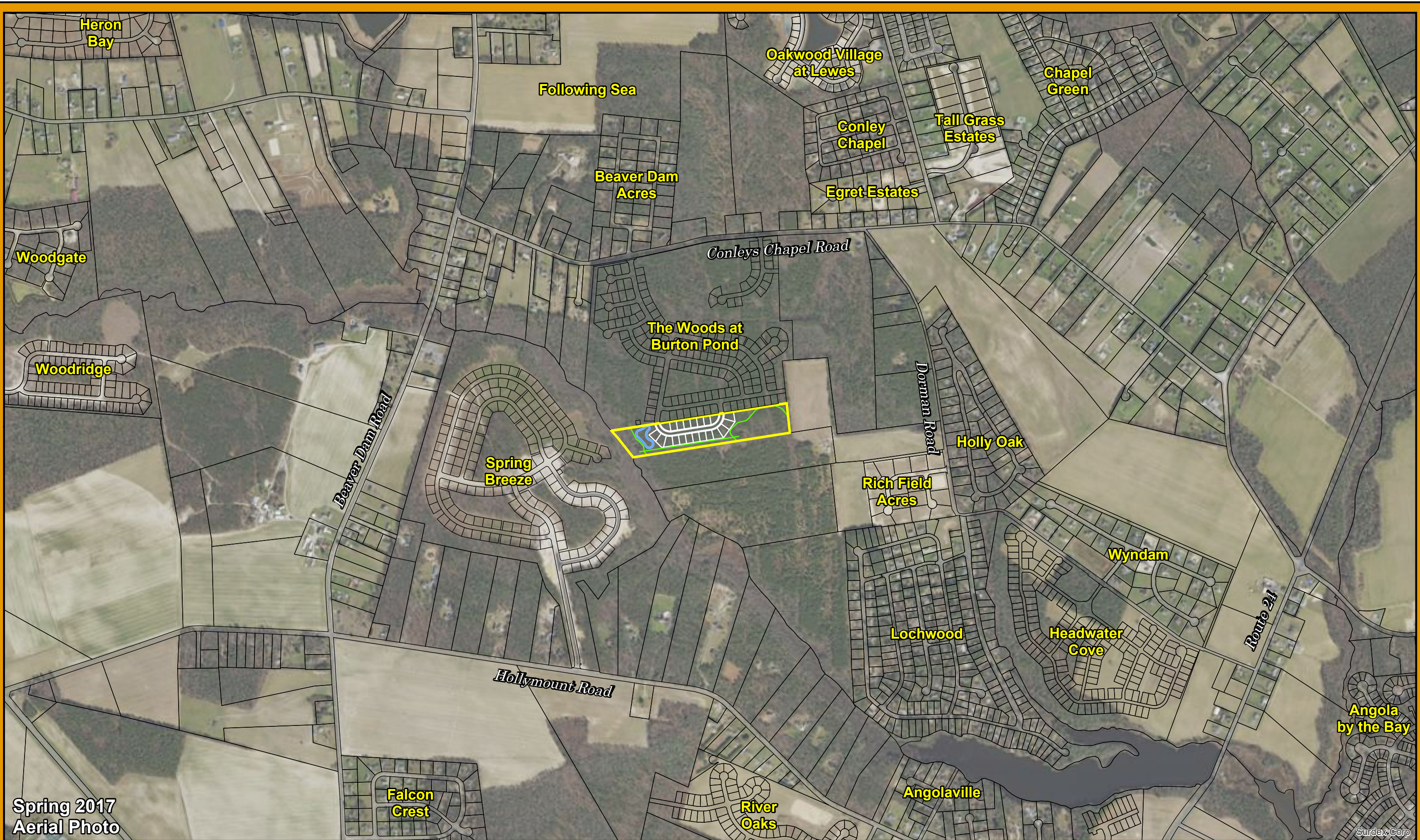






**F**





Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County

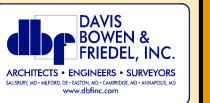


February 2022

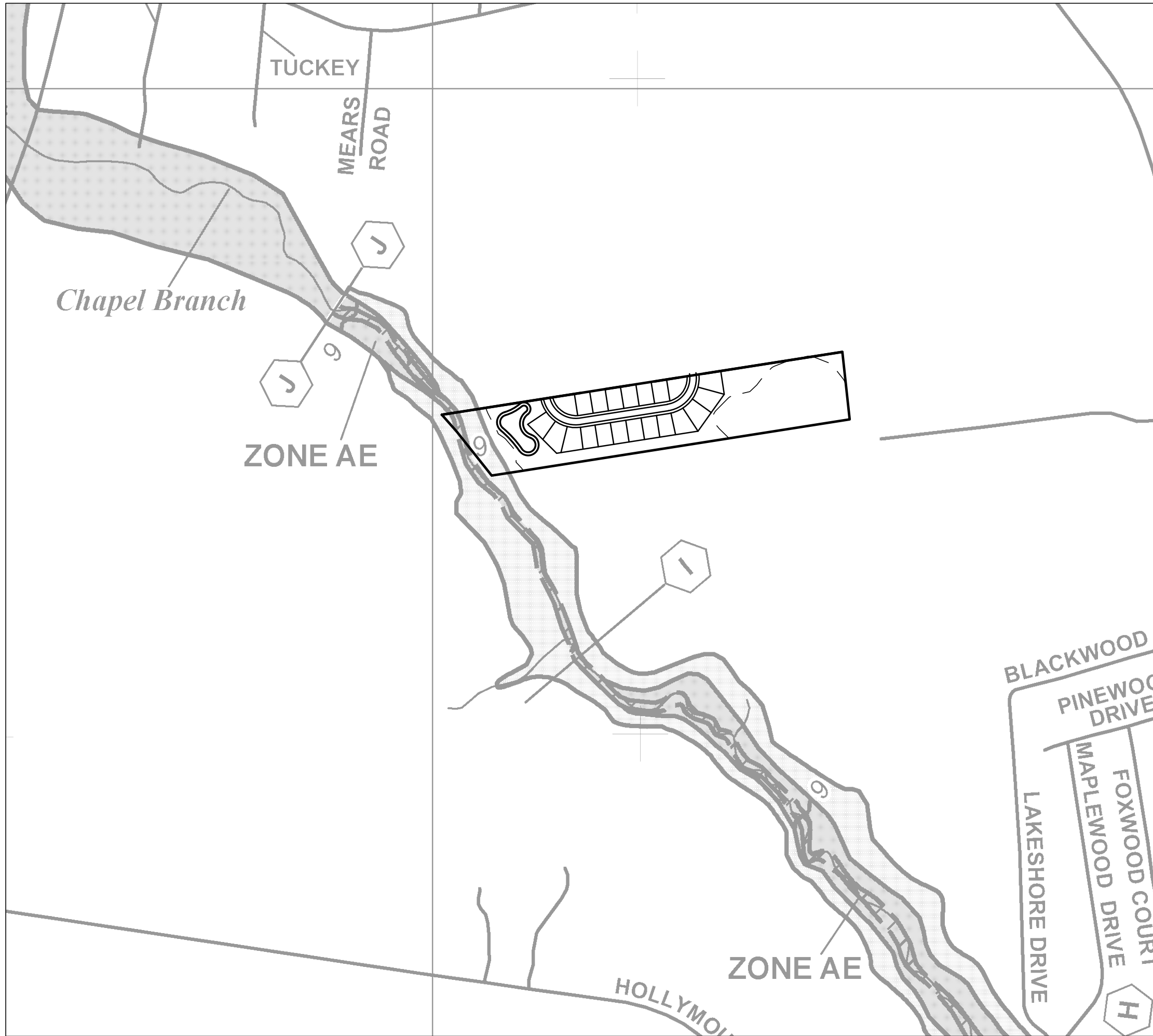
## Surrounding Communities

### The Woods at Burton Pond Extended

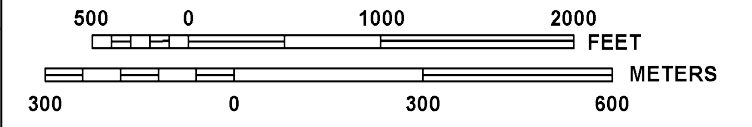
Sussex County, Delaware



Surdex Corp



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM  
 NFIP

PANEL 0340K

**FIRM**  
 FLOOD INSURANCE RATE MAP

SUSSEX COUNTY,  
 DELAWARE  
 AND INCORPORATED AREAS

**PANEL 340 OF 660**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY	100029	0340	K

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



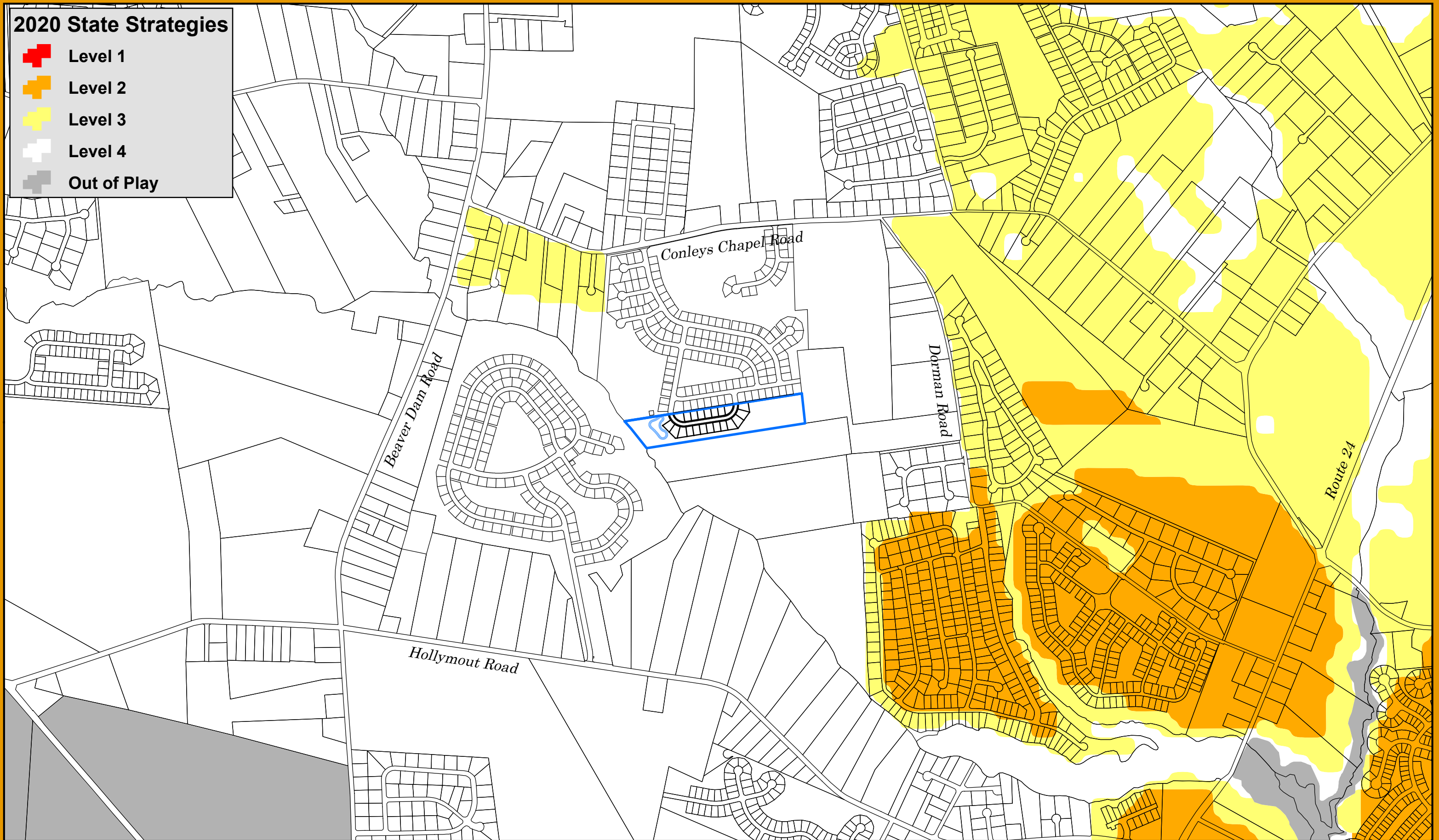
**MAP NUMBER**  
 10005C0340K

**MAP REVISED**  
 MARCH 16, 2015

Federal Emergency Management Agency

# 2020 State Strategies

-  Level 1
-  Level 2
-  Level 3
-  Level 4
-  Out of Play



Sources:  
Tax Parcels per Sussex County












## 2020 State Strategies

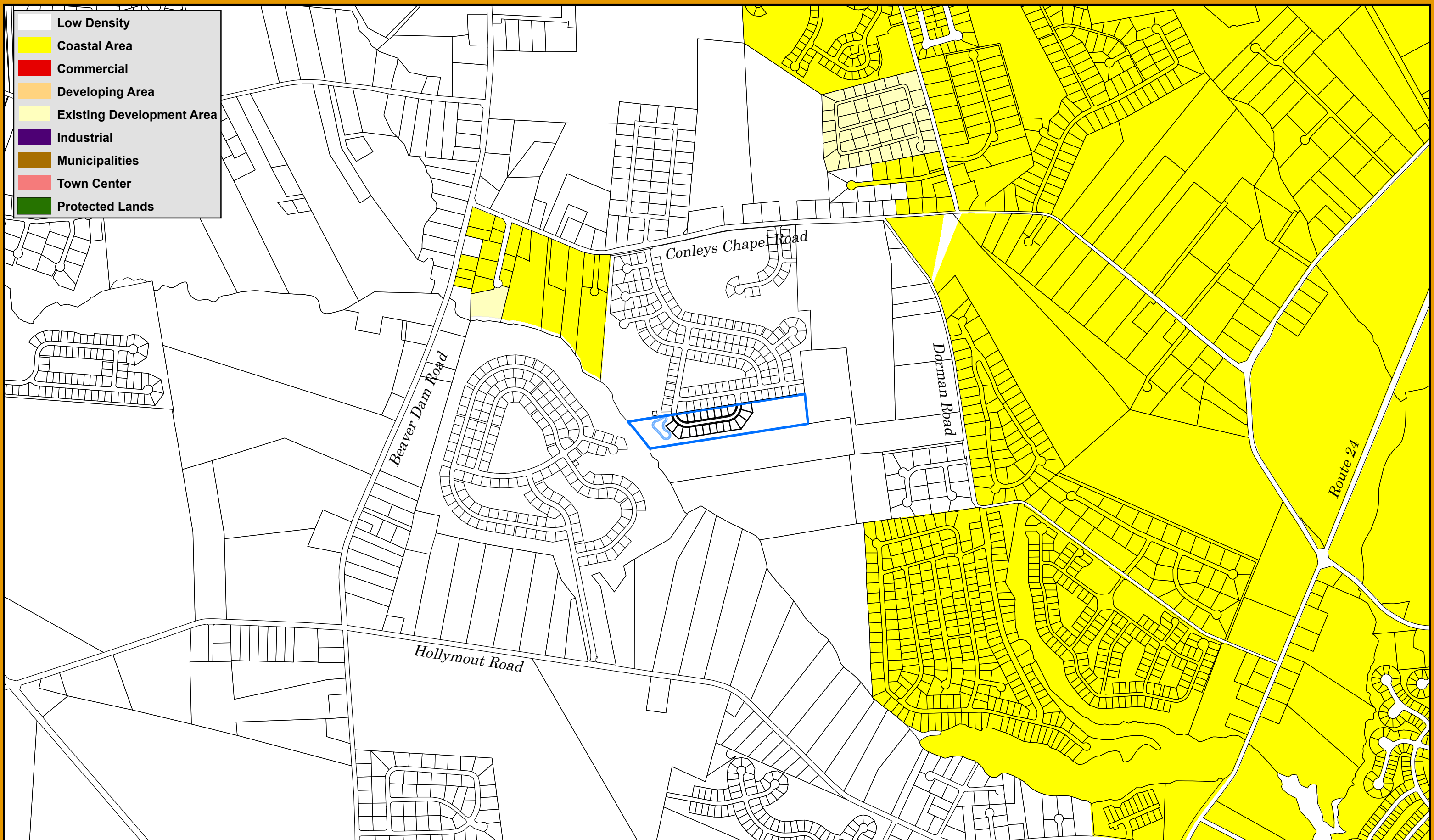
### The Woods at Burton Pond Extended

Sussex County, Delaware

0 1,000 2,000  
Feet



-  Low Density
-  Coastal Area
-  Commercial
-  Developing Area
-  Existing Development Area
-  Industrial
-  Municipalities
-  Town Center
-  Protected Lands



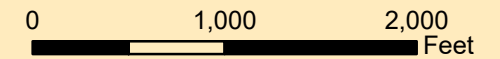
February 2022

## Sussex County 2045 Future Land Use Map

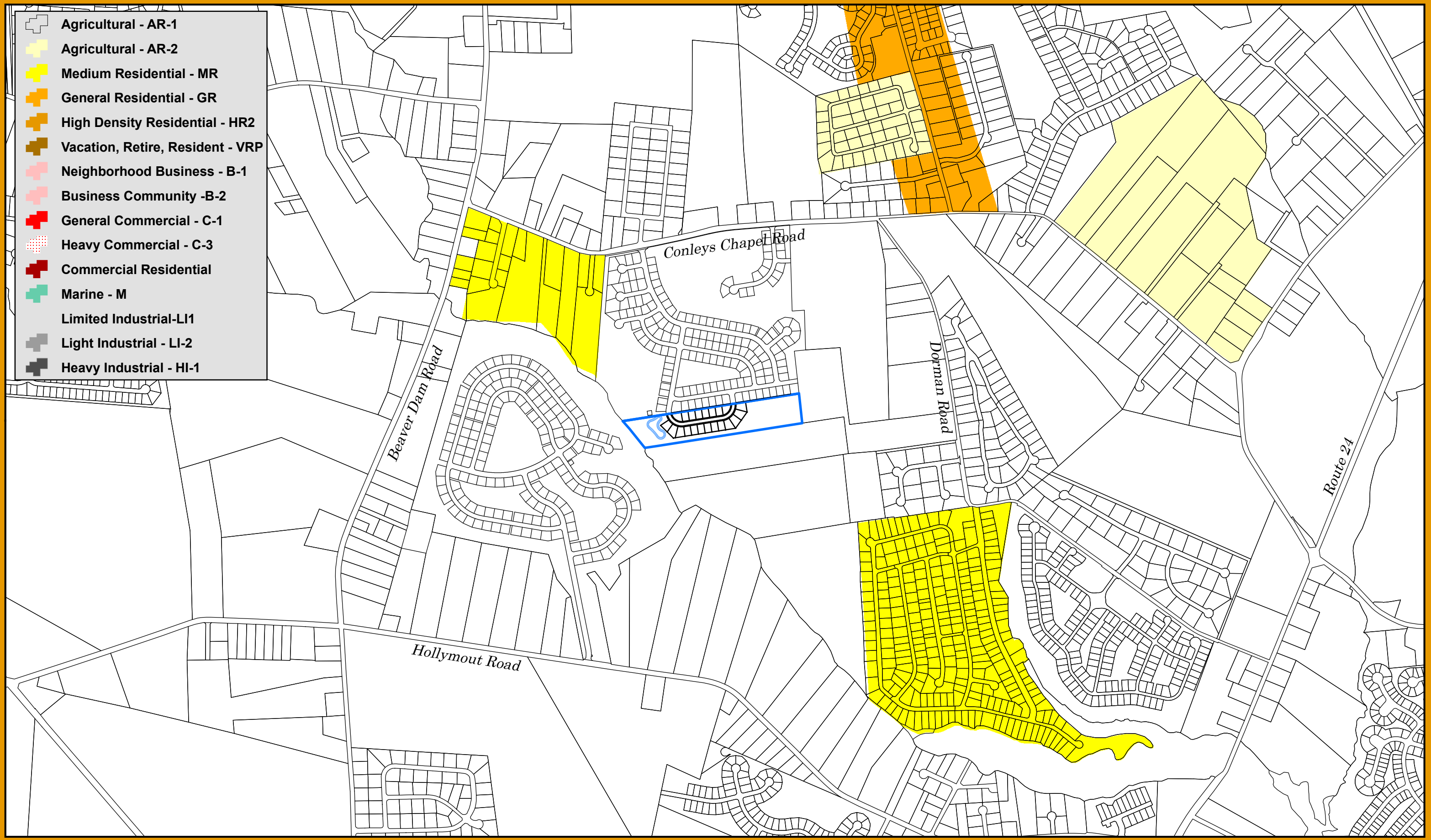
### The Woods at Burton Pond Extended

Sussex County, Delaware

Sources:  
Tax Parcels per Sussex County



-  Agricultural - AR-1
-  Agricultural - AR-2
-  Medium Residential - MR
-  General Residential - GR
-  High Density Residential - HR2
-  Vacation, Retire, Resident - VRP
-  Neighborhood Business - B-1
-  Business Community -B-2
-  General Commercial - C-1
-  Heavy Commercial - C-3
-  Commercial Residential
-  Marine - M
-  Limited Industrial-LI1
-  Light Industrial - LI-2
-  Heavy Industrial - HI-1



Sources:  
Tax Parcels per Sussex County



## Sussex County Zoning Map

### The Woods at Burton Pond Extended

Sussex County, Delaware





Spring 1992  
Aerial Photo



February 2022

Sources:  
Tax Parcels per Sussex County

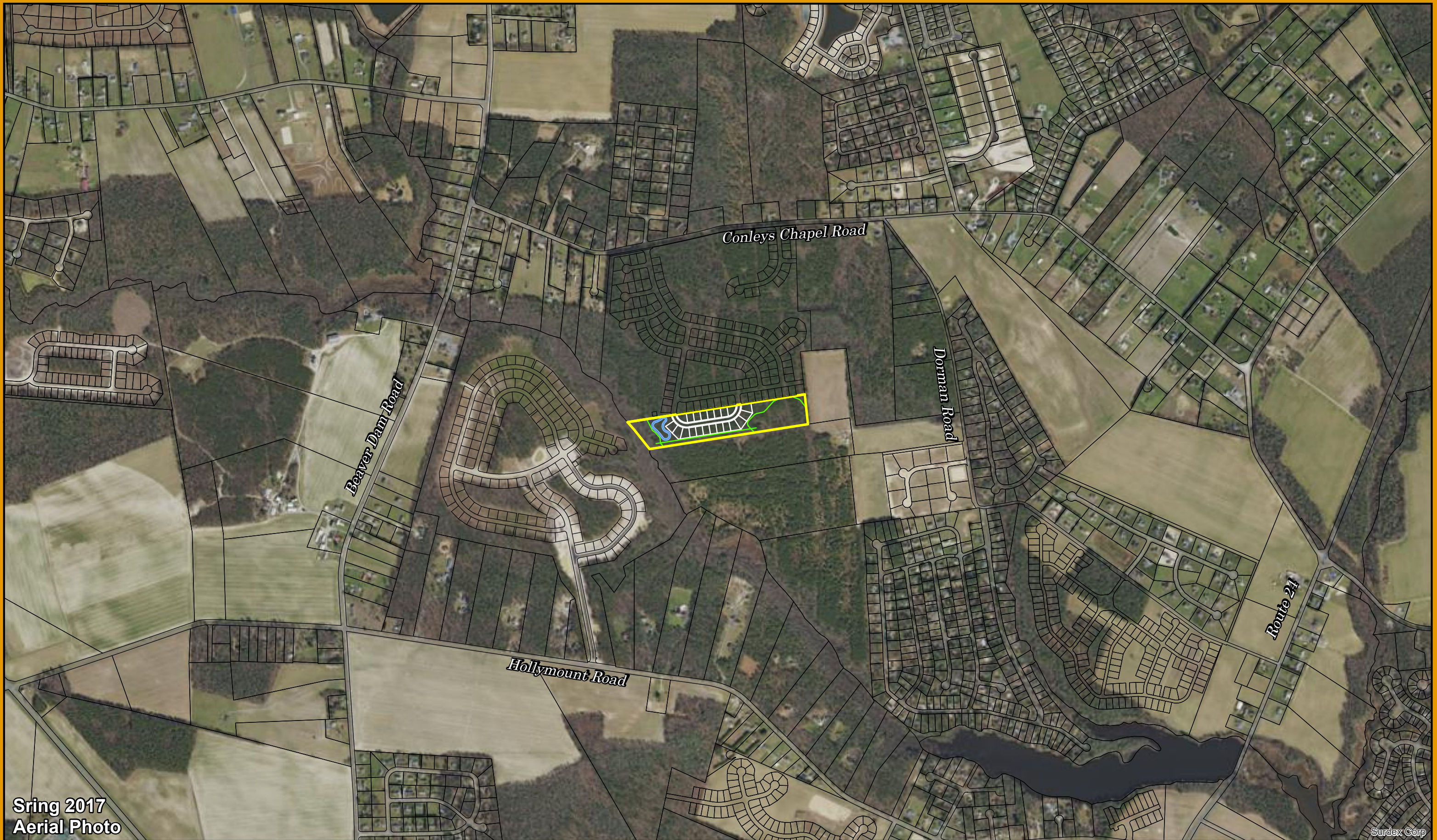
# 1992 Aerial Photo

## The Woods at Burton Pond Extended

Sussex County, Delaware

0 1,000 2,000  
Feet





Spring 2017  
Aerial Photo

Surdex Corp

Sources:  
Tax Parcels per Sussex County






### 2017 Aerial Photo

#### The Woods at Burton Pond Extended

Sussex County, Delaware




 100-YR Flood Plain  
 NWI Wetlands  
 1' Contours



Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County

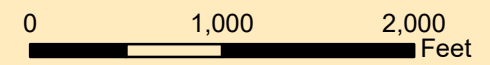

February 2022



## Environmental Map

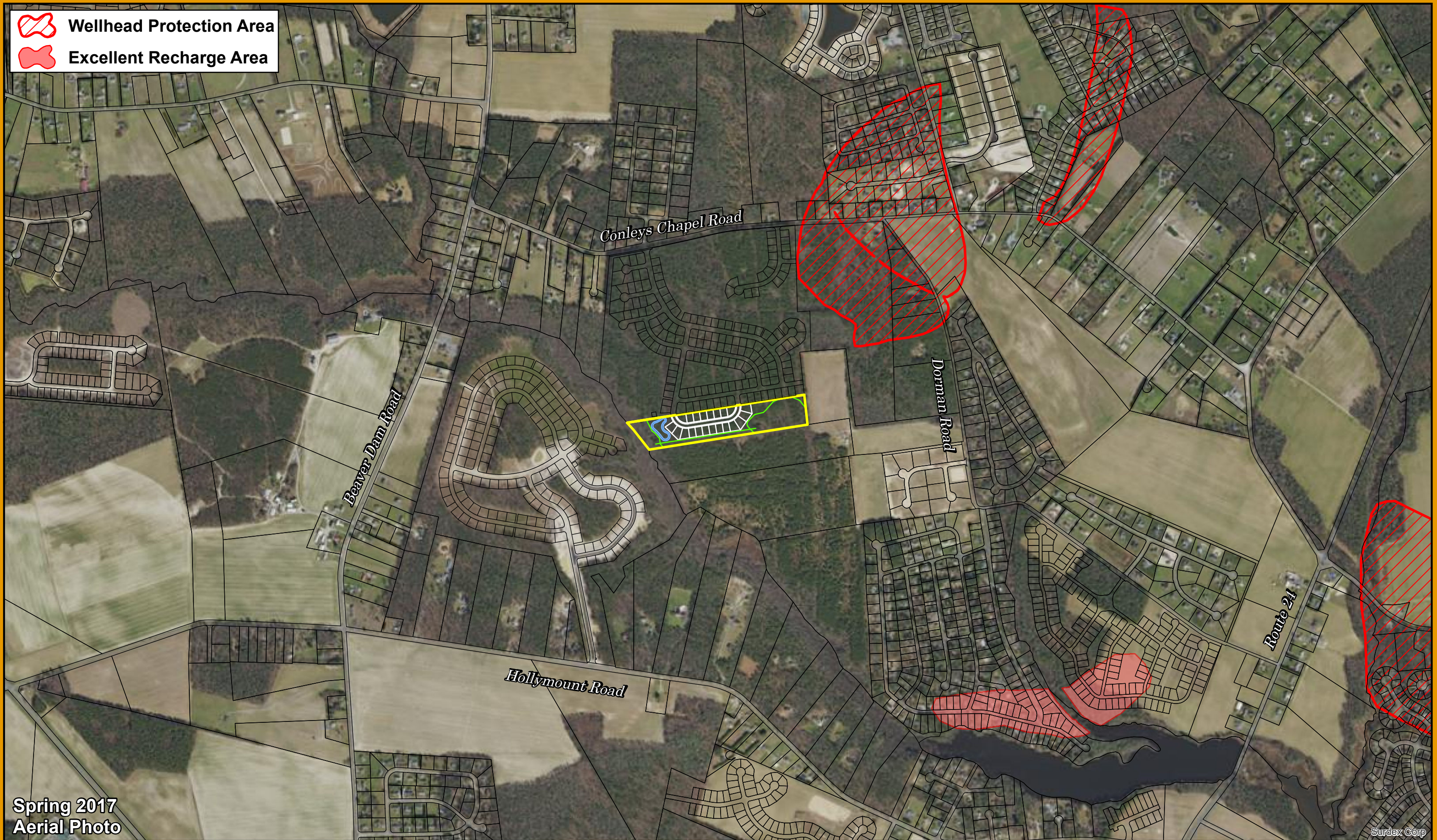
### The Woods at Burton Pond Extended

Sussex County, Delaware



-  Wellhead Protection Area
-  Excellent Recharge Area



Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County



February 2022

## Source Water Protection Areas

### The Woods at Burton Pond Extended

Sussex County, Delaware



Surdex Corp



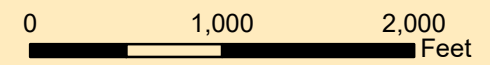


Spring 2017  
Aerial Photo



### **NCRS Soil Survey**

**The Woods at Burton Pond Extended**  
Sussex County, Delaware



G

**ASSESSMENT OF  
CULTURAL RESOURCE POTENTIAL  
WOODS ON BURTON POND  
SUSSEX COUNTY, DELAWARE**

January 12, 2009

Prepared for

Davis Bowen & Friedel  
23 N. Walnut St.  
Milford, De. 19963

Prepared by

Edward Otter Inc.  
1704 Camden Avenue  
Salisbury, Maryland 21801

## TABLE OF CONTENTS

INTRODUCTION .....	1
PROJECT DESCRIPTION .....	1
Purpose .....	1
Project Area .....	2
Research Design .....	2
CULTURE HISTORY .....	2
Prehistoric Era .....	4
Historic Era .....	7
RESULTS .....	8
Archaeological Potential (Historic) .....	10
Archaeological Potential (Prehistoric) .....	16
CONCLUSION .....	18
REFERENCES .....	19

## LIST OF FIGURES

<b>Figure 1.</b> Project location. ....	3
<b>Figure 2.</b> 1837 Orphans Court plat of the Luke Lamb estate. ....	11
<b>Figure 3.</b> 1837 plat superimposed on development plan .....	12
<b>Figure 4.</b> 1868 Beers Atlas (portion). ....	13
<b>Figure 5.</b> 1918 U.S.G.S. topographic map .....	14
<b>Figure 6.</b> 1938 aerial photograph .....	15
<b>Figure 7.</b> Locations of 19 <sup>th</sup> century structures (based on maps) .....	16
<b>Figure 8.</b> Areas of potential prehistoric archaeological sites (in blue) .....	17

## INTRODUCTION

This project was conducted for Davis, Bowen & Friedel as part of a Plus review. Currently the wooded tract is proposed for cluster type residential development. The property under study is located on the south side of Conelys Chapel Road east of its intersection with Beaver Dam Road (Figure 1). Edward Otter, Ph. D. of Edward Otter, Inc. conducted this study.

## PROJECT DESCRIPTION

### Purpose

The goal of this project is to provide information about potential historical and archaeological issues that may arise during property development. Historic structures and archaeological sites can be impediments to property development from a financial and scheduling viewpoint.

The National Historic Preservation Act of 1966, as amended states that all federal agencies will consider the impacts of their actions on historic resources. Historic resources are those defined as listed on or eligible for listing on the National Register of Historic Places. Thus, before a federal permit can be issued or funds spent for a project, a process for identifying historic resources must be completed. Impacts to any eligible sites must be mitigated before the federal action (permit or funds) can be taken.

In land development, the most common form of federal action is the issuance of a wetland permit. When a permit application is made, the Army Corps of Engineers notifies the State Historic Preservation Office (SHPO). It is the SHPO that oversees compliance of the legislation.

Section 106 of the National Historic Preservation Act establishes a staged approach to cultural resource investigations. The initial step is a Phase I survey. The goal of such a survey is to identify all cultural resources within the area to be affected by the federal action. Phase II work looks at resources identified during the Phase I survey and determines whether or not the sites are eligible for inclusion on the National Register of Historic Places. Any negative effects to sites determined to be eligible for inclusion must be mitigated.

At the State and County level, the Plus Review asks for a variety of information. It is asked if cultural resources, including standing structures and archaeological sites, are threatened by the project. It is for the plus review that this work is being conducted.

## Project Area

The project area is located in Lewes and Rehoboth Hundred in Sussex County, Delaware. Braceys Branch is on the south side of the project area and Conelys Chapel Road is to the north (Figure 1). The terrain is nearly level with some steep slopes along streams and gullies. Elevations within the project area range from just above sea level to about 20 feet above mean sea level.

Soils within the project area are predominately of the evesboro and klej soils. A small area of Fallsington soil is present. Evesboro soils are deep well drained soils. This is not great farm land in that available moisture and fertility are low. In places these are aeolian in nature. Klej soils are moderately well drained to somewhat poorly drained but can be used for agriculture. Fallsington soils are poorly drained areas in uplands.

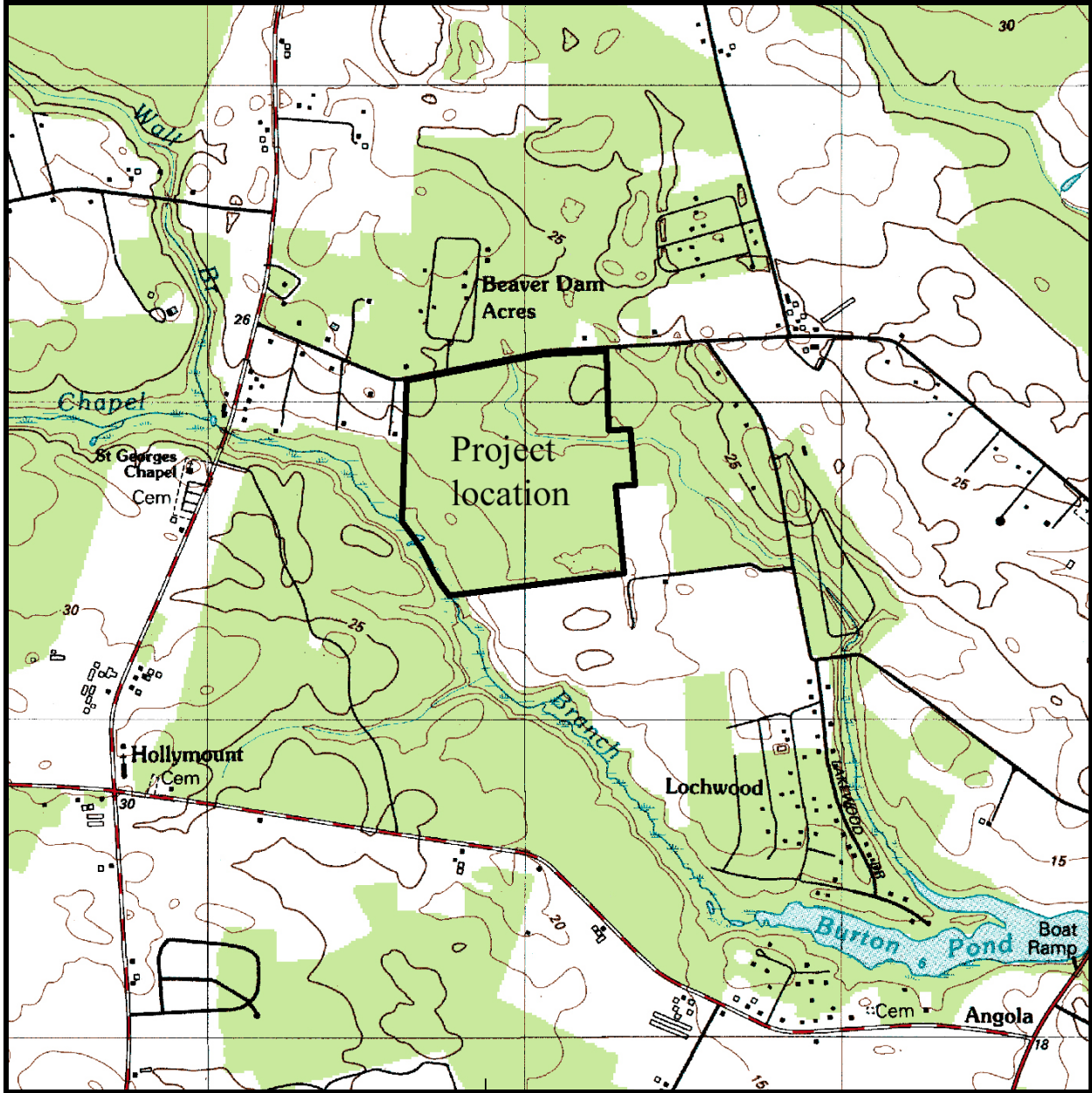
## Research Design

Studies of this nature are primarily archival with a limited amount of field reconnaissance. Records for the property are researched at the courthouse for indications of past land use. These include land records, wills, orphans court documents, and any other records identified. Specific types of land use and the presence of occupation at different times in the past can be learned from these records. Other document sources include historic maps, aerial photographs, and the Delaware State Cultural Resource files maintained by the Delaware Historic Preservation Office.

Because of archaeological work conducted over the last three decades in Delaware and surrounding states, the environmental settings of prehistoric sites have been recognized. It has been recognized that prehistoric peoples settled on particular locations because of environmental conditions. The presence of water and well drained soils appear to have been important factors in settlement locations. Armed with this information, it is possible, in general terms, to predict where prehistoric archaeological sites can be found. While not fool-proof, such predictions can be helpful in future land use planning.

## CULTURE HISTORY

Humans have occupied the Delaware for at least 15,000 years. Human occupation of North America is divided into two eras, prehistoric and historic. The historic era is equivalent to the time of Euro-American occupation. The prehistoric era on Delmarva is divided into the Paleo-Indian, Archaic, Woodland I and Woodland II periods. The Woodland I period is further divided into complexes based on sets of artifacts that indicate particular adaptations within temporal and spatial limits (Custer 1989:14).



**Figure 1.** Project location.

U.S.G.S. topographic map, Fairmont quadrangle



## Prehistoric Era

Periods of the prehistoric past are known from prior archaeological study. The periods are defined on the basis of artifacts recovered in context and dated through radio-carbon analysis.

### Paleo-Indian Period (13000 B.C. - 8000 B.C.)

The diagnostic tools of the Paleo-Indian period are the fluted Clovis point, and the Kirk, and Palmer point types. Paleo-Indian sites are centered around sources of cryptocrystalline rocks suitable for working into tools (Gardner 1974, 1977). There are no primary outcrops of cryptocrystalline rocks on the Delmarva Peninsula south of Newark, Delaware. However, there are areas on the western side of the Peninsula where good quality stone (for making tools) are found. Associated with these cobble sources are Paleo-Indian sites such as Paw-Paw Cove (Lowery 1989). In general, however, there are few known Paleo-Indian sites on the Delmarva Peninsula. Fluted point finds from Delmarva are primarily surface finds, including two from the Nanticoke drainage (Custer 1989a:94).

For years, the subsistence of these first people was believed to be based on the hunting of Pleistocene megafauna such as mammoth and mastodon. This assumption was based on the similarity of projectile points across the country and the association of these early tools with megafauna in sites located in the Midwest and west. Evidence from sites in the east also suggest hunting of smaller animals such as deer, birds, and fish (Dent & Kaufman 1985; Ebright 1992).

### Archaic (8000 B.C. - 3000 B.C.)

During the Archaic period, the vegetation changed from the spruce woodland to a mixed coniferous/deciduous forest with a large increase in the amount of white pine noted (Carbone 1976). By around 7,000 B.C. the forest changed to the Oak-Chestnut forest characteristic of the region until the chestnut blight (Carbone 1973). Essentially modern floral and faunal patterns became established during this episode (Carbone 1973; Custer 1989). Throughout this time sea level was rising as the ice caps melted. Sea level rise was rapid and it is likely that estuarine resources in the Chesapeake and Delaware Bays had not yet become established.

Archaic sites are identified by the presence of bifurcate based points of various names and by Morrow Mountain projectile points. Points of this period are found on the Delmarva Peninsula but little is known about local settlement patterns. Custer (1989a) notes the highest concentration of bifurcate based points is along the mid-peninsular drainage divide. The introduction of ground stone tools (Coe 1964), generally plant processing tools, indicates the increased importance of vegetable foods at this time.

Woodland I (3000 B.C. - A.D. 1000).

The Woodland I is divided into four complexes (Table 1). These are temporally and spatially definable based on sets of artifacts related to particular adaptations (Custer 1994, 1989). Woodland I sites are more numerous in southwestern Delaware than for any other period (Custer 1989b:33). Sites are found in a variety of locations indicating a refined subsistence pattern incorporating seasonal movements geared toward collecting a variety of food resources. Areas with well-drained soils along streams are good locations for sites of this period. The largest sites of this period are associated with well-drained soil along major waterways.

PERIOD	COMPLEX
3000 B.C. - 500 B.C.	Barker's Landing
500 B.C. - A.D. 1	Wolfe Neck/Delmarva Adena
A.D. 1 - A.D. 500	Carey
A.D. 500 - A.D. 1000	Late Carey

Table 1. Woodland I Complexes

Settlement during the Woodland I has been interpreted to be characterized by family oriented camps. Winter base camps were located along major waterways (Custer 1994:84) with procurement camps spread across various ecozones.

Barker's Landing Complex (3000 B.C. - 500 B.C.)

Projectile points characteristic of the Barker's Landing Complex include the Savannah River, Bare Island and fishtail types, among others. Custer (1994) has divided the Barker's Island Complex into three periods (I, II, and III). In the Barker's Island I (3000 B.C. - 2000 B.C.) small stemmed points were used. During the Barker's Island II (2000 B.C. - 1200 B.C.) small stemmed points and broadspears were used. Steatite bowls were also included in the material culture at this period. The Barker's Island III period includes fishtail points and steatite tempered pottery and Dames Quarter ceramics (Custer 1994).

Wolfe Neck/Delmarva Adena Complex (500 B.C. - A.D. 1)

Around 500 B.C. Wolf Neck ceramics replace the earlier forms. Across the eastern United States at this time, ceramics were sand and crushed quartz tempered with cord or net marked exteriors and Wolf Neck is the local variety of this pattern. Custer regards Wolfe Neck and Delmarva Adena complexes to be coexisting cultures. The most significant difference is the burial ceremonialism, including exotic non-local artifacts, associated with Delmarva Adena. Custer relates the rise of Delmarva Adena to increased social organization.

### Carey Complex (A.D. 1 - A.D. 500)

Custer notes that the most dramatic marker for the emergence of the Carey Complex is the cessation of Delmarva Adena (Custer 1989a:276). Mockley ceramics (tempered with crushed shell) and Rossville projectile points are characteristic artifact types.

### Late Carey Complex (A.D. 500 - A.D. 1000)

During this period there is a reduction in the number of sites in the Nanticoke area (Custer 1989b:40). Hell Island ceramics and Jacks Reef projectile points are diagnostic of the period. The presence of Hell Island pottery is believed due to an intrusion from the north (Custer 1989b:41)

### Woodland II (A.D. 1000 - A.D. 1600)

The Woodland II is characterized by essentially modern climatic conditions. A minor perturbation, the Little Ice Age, occurred between A.D. 1200 and A.D. 1600. This appears to have been a period of cooler temperatures and decreased precipitation (Otter 1989). The effects of the little ice age were recorded across Europe as well as North America (Wigley, Ingram & Farmer 1981).

Two complexes are recognized in Delaware for the Late Woodland II period (Custer 1989). The Minguannan Complex is mostly restricted to the northern part of the state although occasional pieces of mingunannan ceramics may be found in Sussex County.

In the lower part of the state, from central Kent County south through Sussex County, the Slaughter Creek Complex is found. This complex is characterized by triangular projectile points and Townsend/Rappahanock ceramics. A major distinction between Townsend/Rappahanock pottery and Mockley pottery, besides surface treatment, is that Townsend/Rappahanock pots were better made. Paddling seems more thorough resulting in thinner vessel walls and fewer breaks along coil lines. Sites associated with Slaughter Creek complex are often large suggesting sedentary villages.

Maize agriculture was clearly present in the Middle Atlantic during this period. Corn has been found at the Rosenstock and Thomas Point sites in Maryland, and at the Great Neck site in Virginia Beach, Virginia. There is little justification for believing maize was not present in Delaware. Hunting and the gathering of wild plant foods was also clearly an important component of Woodland II life.

## Historic Era

### Exploration and Frontier Settlement (1630 - 1730) (Contact Period)

European settlement of the Delmarva Peninsula began in Virginia about 1628, at Lewes (Swanandael) about 1630 and along the upper Chesapeake Bay about 1633. The Delaware settlements were contested between the Swedes, Dutch, and English. By 1674 the English had gained complete control of the region. After William Penn was granted the Delaware counties in 1682 the economic focus became centered around Philadelphia.

During this period, Native Americans in Delaware lost their prehistoric ways through various processes of discrimination, assimilation, and displacement. Earliest contacts included trading with the Europeans for goods. Native groups became entangled in the complex European politics of the day and were played by one nation against others. A significant factor in the disappearance of the Native American lifestyles was the introduction of European diseases which the Americans were not physically equipped to fend off. Between the fighting, diseases, and discrimination, the Native Americans either left the region or hid themselves either in small groups or assimilated as best as possible into the new European styled society.

Early historic period economics in lower Delaware centered around the production of corn, cattle, and hogs. These products were marketed in Philadelphia. Perhaps because of the economic interests, settlements during this period were located along navigable streams. Most sites are located within 12 miles of the Delaware Bay or Atlantic Ocean and within 300 feet of a navigable stream (De Cunzo & Catts 1990:36). The upper reaches of Love Creek, just southeast of the project area is believed to have been an area of late 17<sup>th</sup> century English occupation.

### Intensified and Durable Occupation (1730 - 1770)

The population of lower Delmarva grew steadily during this period. Life was centered around agrarian pursuits. Farm products reached foreign markets through Philadelphia. Iron forges came into existence along the Nanticoke, and presumably along other waterways, about 1760 and were largely gone by the Revolution. Road networks were developed and settlers moved further inland. Small hamlets developed at this time, mostly along river crossings (De Cunzo & Catts 1990:44). While the title chain could not be completed for the land in the project area, it is likely that it was originally patented during this period.

### Transformation from Colony to State (1770 - 1830)

The Revolution altered foreign markets. Food produced on Delmarva was sold in Baltimore and Philadelphia instead of Europe or the West Indies. These economic ties continued until the Civil War. Rapid population growth after the Revolution led to the clearing and tilling of marginal lands (De Cunzo & Catts 1990:53). By the 1820s many were heading west for better

land. There was also an increase in industrialization. In 1810 more than 70% of the textile mills of Delaware were in Sussex County. Flax and wool were major crops in the county.

#### Industrialization and Capitalization (1830 - 1880)

The rise of Baltimore as an important overseas port siphoned Delmarva goods away from Philadelphia. Railroads reached the lower peninsula around 1850 and improved transportation. This allowed farmers to raise more perishable, and lucrative, crops such as peaches. Canning also developed after the Civil War and became an important industry. Corn and wheat remained the major crops.

#### Urbanization and Sub-urbanization (1880 - 1940)

The term for this period is somewhat misleading for southern Delaware. Little urbanization occurred. The most significant changes of this period in southern Delaware were improvements in transportation and a shift to truck crops and poultry as major farm products. The modern poultry industry that quickly raises and markets chickens was developed in Sussex County. The need to satisfy feeding requirements of the birds shifted crops from truck items to feed crops. The land now included in the Georgetown Airport was occupied by farms during this time.

## RESULTS

An attempt was made to examine all deeds involving the land back to the initial land patents in the late 17<sup>th</sup> century or early 18<sup>th</sup> century. This is done by working backwards in the land records. In the process, wills, and other documents are identified and read for information about land use and habitation. This work helps in determining the extent and types of land use that has occurred on the property through the years. It is not uncommon to find references to houses that no longer stand.

State and Federal site files were examined to determine if previous cultural resources studies had been done on the property and if sites or structures were known to exist. This work also provides insight into the types of cultural resources known to exist in the area but outside the project boundaries. No archaeological sites or historic structures are reported as being on the property.

#### Land Tenure History

Since 2005, the property has been owned by Springcap LLC. In April of that year they purchased the tract from HLHJR Ventures - Red Mill LLC (3127/096). HLHJR LLC. acquired the property in 2002 from Townsends Inc. (2784/109). This is described as a 114.09 acre parcel.

Townsend Inc. purchased the tract in 1946 from Theodore and Elizabeth Jarvis (364/262). The property is identified as the Luke Lamb farm. Theodore and Elizabeth Jarvis bought this tract, along with a larger piece near Harbeson, from Sidney Jarvis in 1926 (268/499). Sidney only owned the property less than three years, having purchased it in 1923 from Carlton Pepper (240/537). The tract is again referred to as the Luke Lamb Farm.

Carlton Pepper was the grandson and one of the heirs of William Coard Burton and Ann Eliza Burton. It was through Ann Burton's will that Carlton became vested in the property (will 20/252). It was stated in the will that Ann inherited the property from her father (no name given). Fortunately, Carlton Pepper wrote a genealogy of his Burton line and that report is on file at the Delaware State Archives. Ann Burton's father was Dagworthy Derickson. A D. Derickson is shown as the property owner on the 1868 Beer's Atlas (Figure )

In Dagworthy Derickson's will of 1870 it stated that the farm tenented by Manean B. Marvel was to go to Ann Eliza and William Burton. No deed exists to document the purchase of the property by Dagworthy Derickson. However, a note in the 1860 Sussex County assessment records indicates the property was purchased by Derickson from Manean Marvel.

Manean Marvel purchased the property in 1850 from William F. Lamb (57/350). William Lamb became the sole owner of the property upon the death of his sisters in 1849. The tract is identified as 112 acres in size. William and his sisters inherited the property upon the death of their mother, Sarah Lamb. Sarah had a dower interest in the property since the death of her husband, Luke Lamb, in 1836. An orphans court plat of the property dated 1837 for the estate of Luke Lamb clearly shows the present property line configuration for the property (Figure).

Luke Lamb was the winning bidder at a sheriff's sale of the land of John Hill in 1819 (34/204). This was the same 200 acre parcel that John Hill bought from Nehemiah Field (23/113), the heir of his father John Field and his mother, Mary Hazzard. Mary Hazzard came to own the property through the will of her grandfather, Coard Hazzard, and he inherited the property from his father, David Hazzard. The specific 112 acre study tract cannot be identified on the 1754 plat of Coard Hazzard's 534 acre tract called Price (Figure ), although it was clearly part of this property.

David Hazzard bought the land in 1715 from Matthew Stevens (1/302). Stevens first bought the land in 1696 from Robert Tomlinson (1/226). Tomlinson acquired the tract from Robert Bracey in 1688 (1/72) and Bracy bought it from Thomas Dennis, the original grantee (1/105).

### Archaeological Potential (Historic)

Based on the land tenure history, some predictions about historic archaeological sites can be made. The property was part of a larger tract of land first patented in the third quarter of the 17<sup>th</sup> century. At this time, it is not possible to predict where 17<sup>th</sup> and early 18<sup>th</sup> century sites might be found. The 1754 plat does not provide sufficient information for predicting where the William Cord Hazzard house was. The Hazzard family cemetery was included in the part of Price that was granted to David Hazzard, the son of Coard Hazzard (Coard Hazzard will).

There can be little doubt as to house locations in 1837. Property lines marked for the division of Luke Lamb's estate have survived to the present and the Orphans Court plat for the estate of Luke Lamb clearly shows these lines, the location of the mansion house and two other buildings (Figure 2). It is possible to superimpose this on the proposed development tract (Figure 3).

The 1868 Beer's Atlas (Figure 4) shows the house location identified as the property of D (Dagworthy) Derickson. The 1918 U.S.G.S. topographic map (Figure 5) also shows the location of the mansion house. The other small house on the lane to the big house, south from Conley Chapel Road, is not shown and likely had fallen by 1868. On the 1938 aerial photograph (Figure 6), the mansion house location is not readily visible. This indicate that the building had been destroyed by that time.

Based on this data, it is certain that at least two 19<sup>th</sup> century house sites exist on the property (Figure 7). 17<sup>th</sup> and 18<sup>th</sup> century sites might be present. These would likely be located on higher elevated ground near a stream or spring but archaeology is not able to predict where these sites might be. The property appears to have been vacated during the 20<sup>th</sup> century.

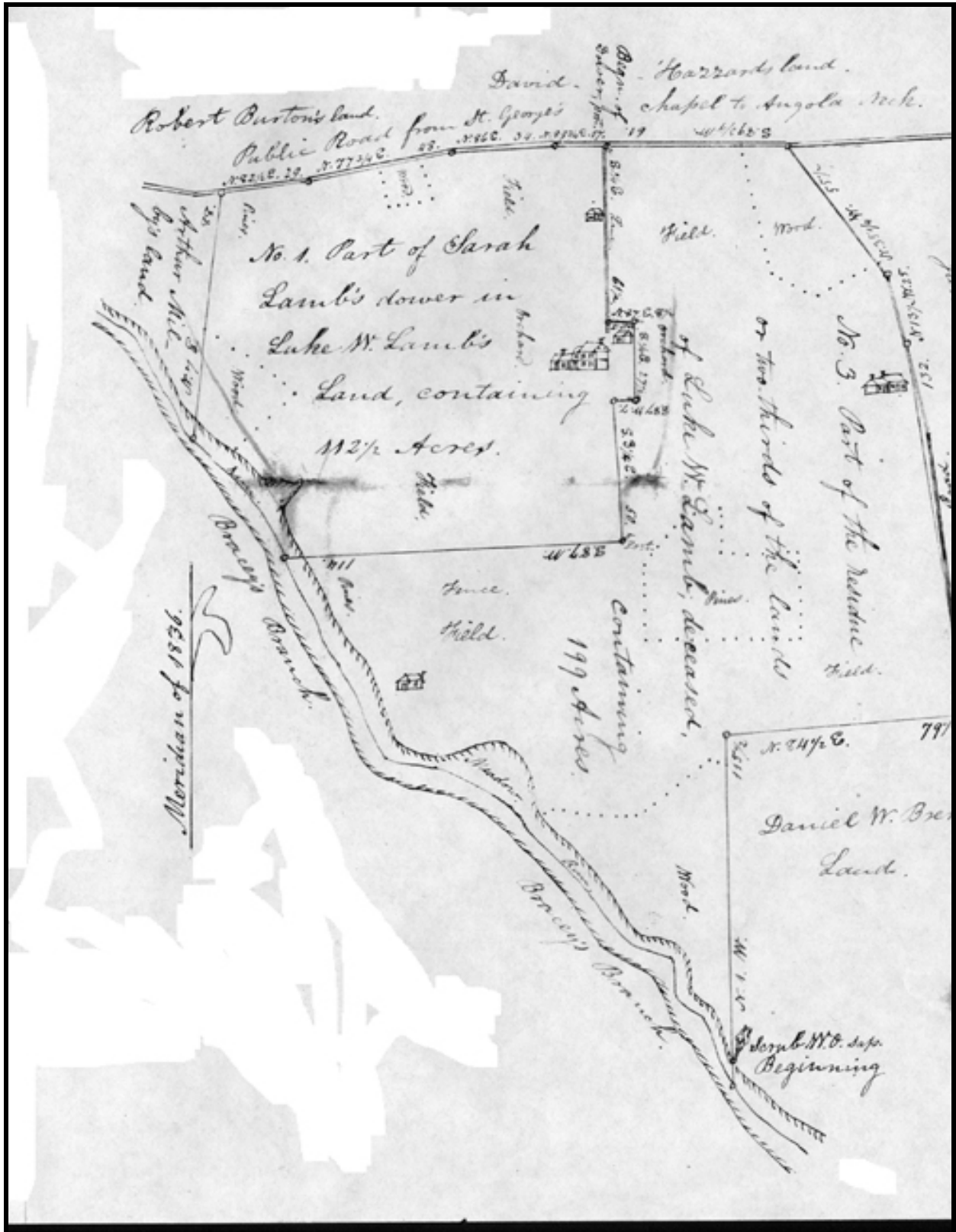


Figure 2. 1837 Orphans Court plat of the Luke Lamb estate.



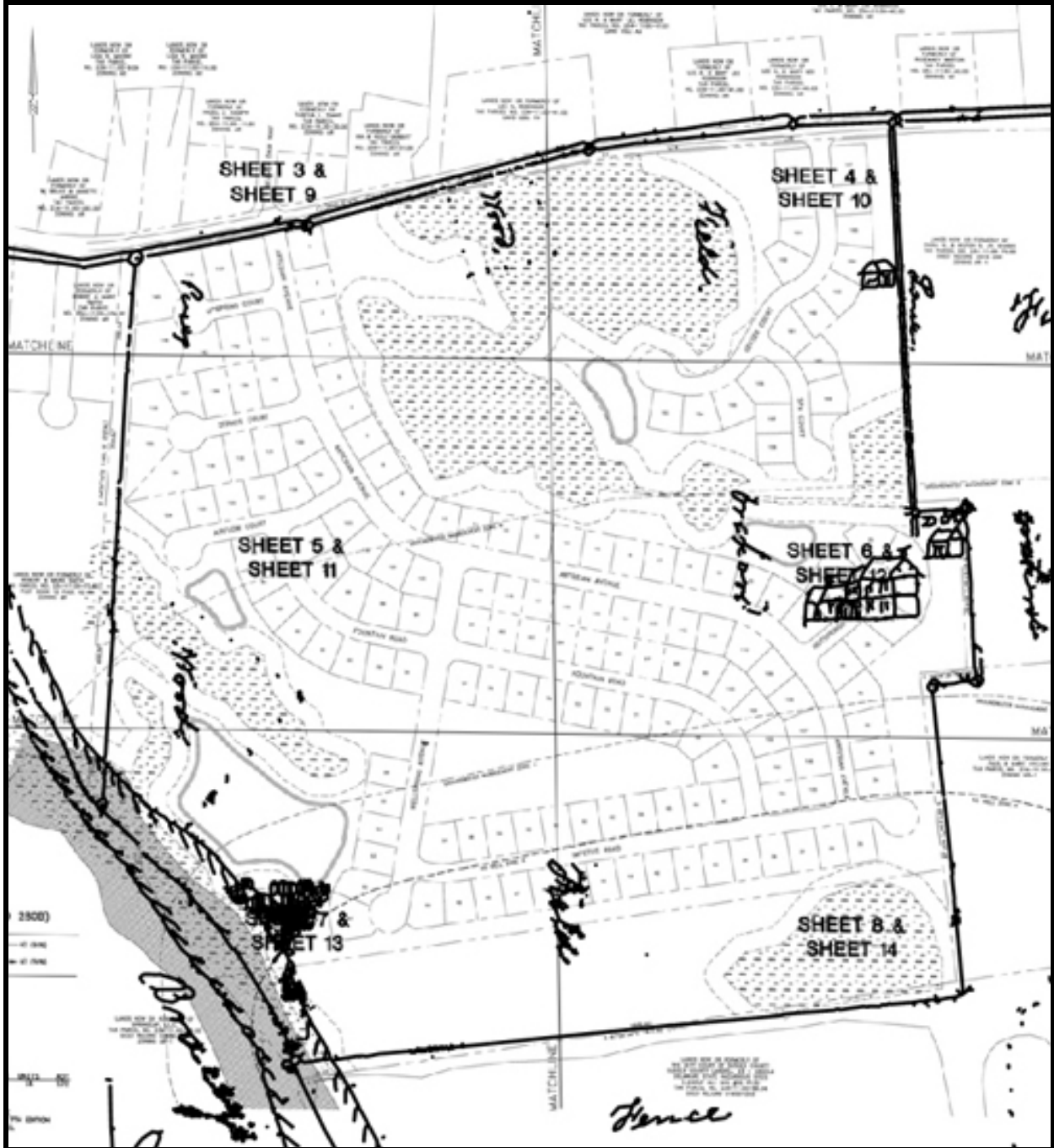


Figure 3. 1837 plat superimposed on development plan

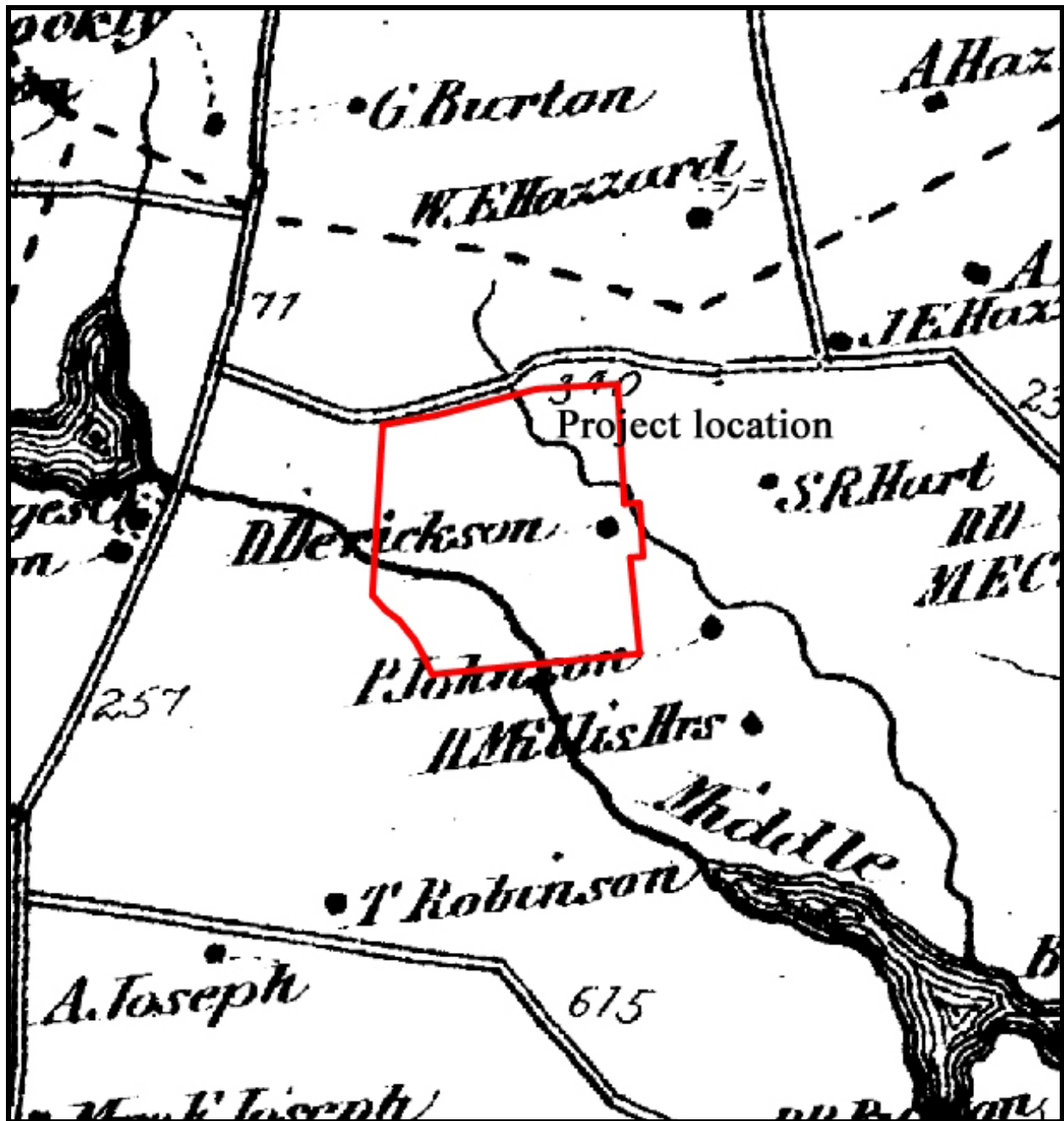


Figure 4. 1868 Beers Atlas (portion).

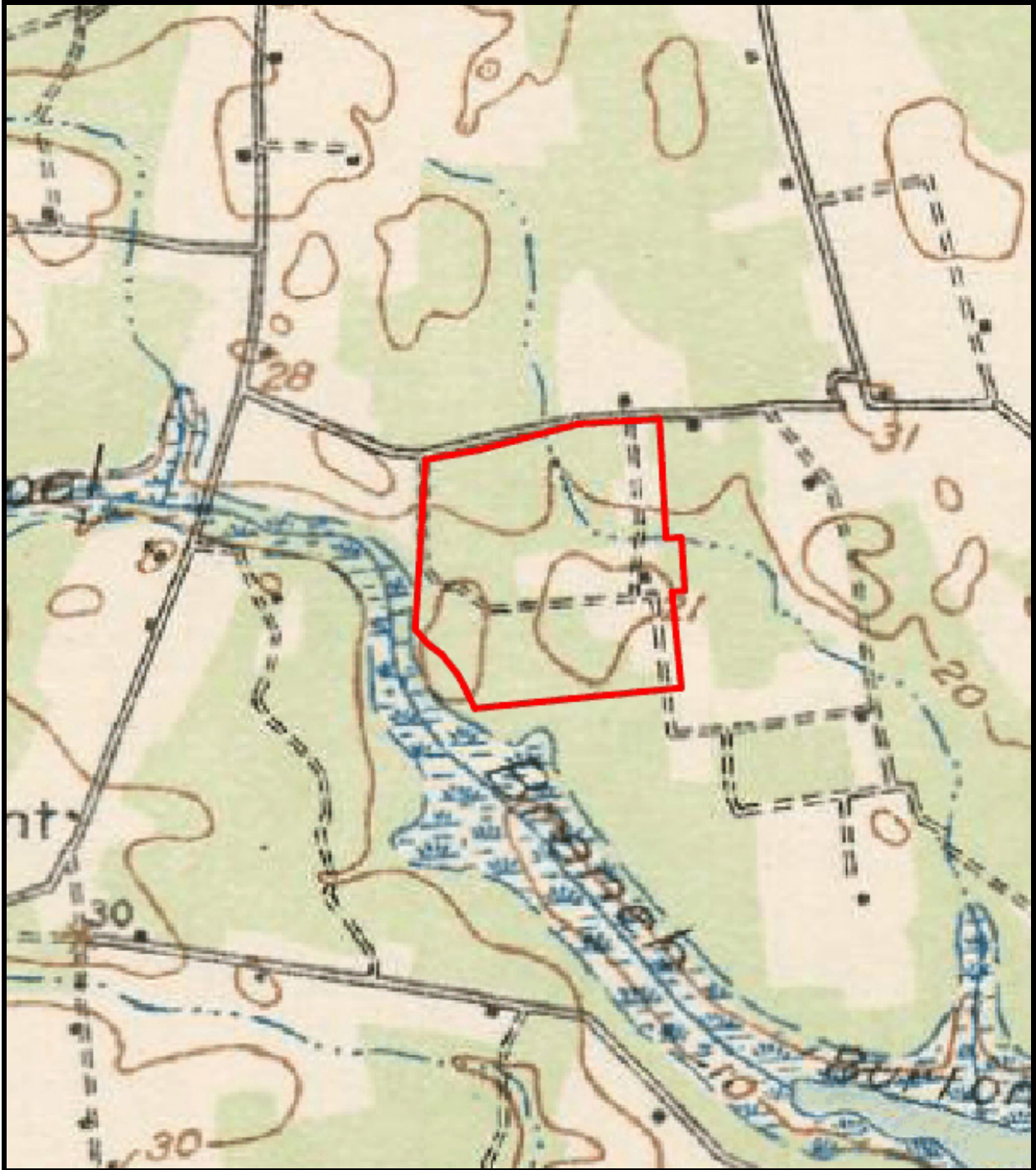
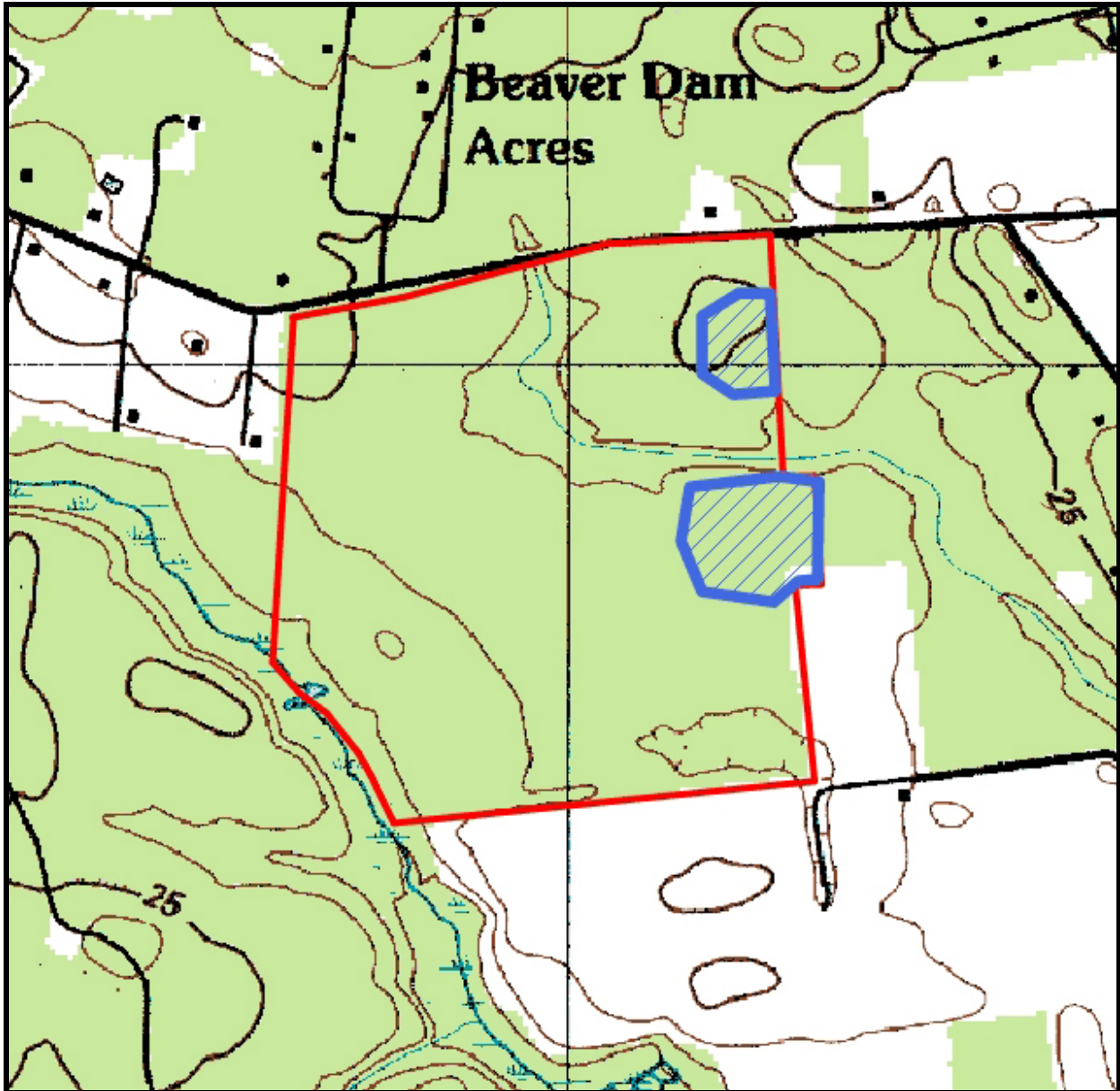


Figure 5. 1918 U.S.G.S. topographic map



**Figure 6.** 1938 aerial photograph



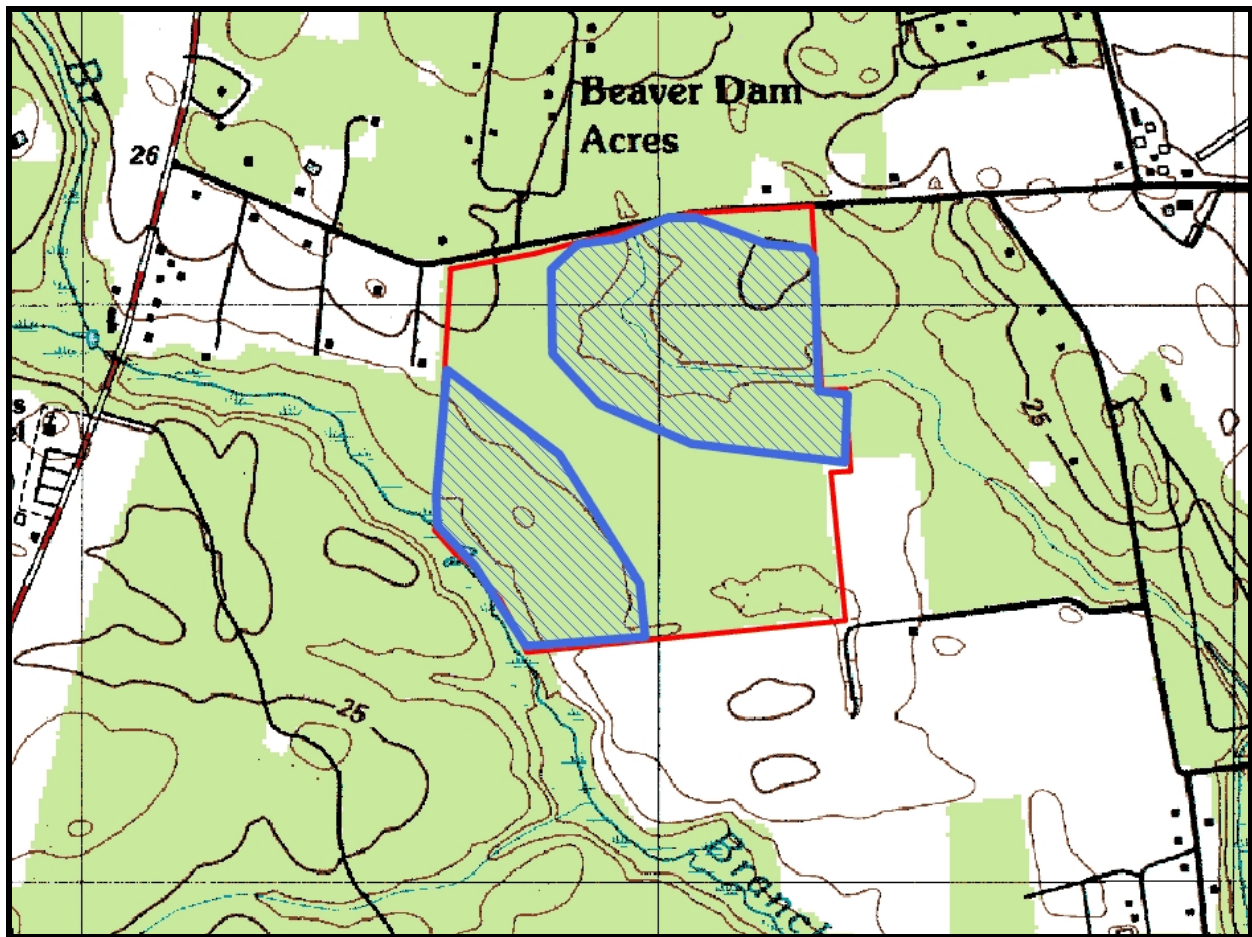
**Figure 7.** Locations of 19<sup>th</sup> century structures (based on maps)

Archaeological Potential (Prehistoric)

The Delaware State Archaeological site files shows no archaeological sites within the project area. The closest archaeological site is Lockwood, just southeast of the project area. The Lockwood site is a prehistoric site buried within an aeolian sediment. Cultural material was found nearly one meter deep and is likely eligible for the National Register of Historic Places if it has not been destroyed by development. The deeply buried materials likely retain sufficient integrity for the site to provide meaningful information about the prehistoric past in Sussex County.

The area near Bracey's Branch on the southwest side of the project area is different from the setting for the Lockwood site in that at Lockwood, the elevation is higher closer to the stream. Soils in both locations are mapped as Evesboro sandy loam. At Lockwood this was determined to be an aeolian sediment and it may be so at the Woods of Burton Pond. However, the lower elevation could result in wetter soil less suited to habitation. For this reason, the potential for prehistoric archaeological sites to exist in proximity to Bracey's Branch is considered moderate (Figure 8).

Bracey's Branch is not the only surface water on the tract. There is a small stream toward the northeast side of the property. There is higher elevated land on both sides of this stream and these are the settings for the 19<sup>th</sup> century sites. This land also is considered to have at least a moderate potential for containing prehistoric sites.



**Figure 8.** Areas of potential prehistoric archaeological sites (in blue)

## CONCLUSION

The Woods at Burtons Pond contains two areas of archaeological potential. Near Braceys Branch there is a moderate chance for finding prehistoric archaeological sites. Along the small branch to the northeast there is also a chance for finding prehistoric sites. At least two locations have been identified as having been the locations of houses in the first half of the 19<sup>th</sup> century.

If any federal involvement is required, archaeological study will be required. Archaeological field work can verify the presence or absence of sites in the predicted areas. Field study can also determine whether the 19<sup>th</sup> century sites have any scientific value considering the property has been logged during the 20<sup>th</sup> century. These studies are conducted in stages and under the guidance of the Delaware State Historic Preservation Office.

## REFERENCES

Carbone, Victor

1976 Environment and Prehistory in the Shenandoah Valley of Virginia. Ph.D. dissertation, Catholic University of America, Washington D.C.

Coe, Joeffre

1964 Formative Cultures of the Carolina Piedmont. *Transactions of the American Philosophical Society new series* 54

Custer, Jay F.

1989a Prehistoric Cultures of the Delmarva Peninsula. University of Delaware Press, Newark, De.

1989b A Management Plan for the Prehistoric Resources of Southwestern Delaware. University of Delaware Center for Archaeological Research Monograph no. 6

1994 Stability, Storage, and Cultural Change in Prehistoric Delaware: The Woodland I Period (3000 B.C. - A.D. 1000).

Custer, J. F. and Glen Mellin

1987 Archaeological Survey and Test Excavations in the Atlantic Coastal Zone of Delaware. *Bulletin of the Archaeological Society of Delaware*. 24:1-78.

DeCunzo, LuAnne & Wade P. Catts

1990 Management Plan for Delaware's Historical Archaeological Resources

Dent, Richard J. & B. E. Kaufman

1985 Aboriginal Subsistence and site ecology as interpreted from microflaural and faunal remains. In: *Shawnee Minisink: A Stratified PaleoIndian-Archaic Site in the upper Delaware Valley of Pennsylvania*. Edited by Charles McNett. Academic Press

Ebright, Carol

1992 Early Native American Prehistory on the Maryland Western Shore: Archaeological Investigations at the Higgins Site. Maryland State Highways Project Planning Division Environmental Evaluation Section Archaeological Report Number 1.

Gardner, Williams M

1974 Flint Run PaleoIndian Complex: Pattern and Process during the Paleo-Indian to Early Archaic. In: *The Flint Run Paleo-Indian Complex: A Preliminary Report 1971-1973*. Edited by William M. Gardner. *Occasional Publications No. 1, Catholic University Archaeological Laboratories, Washington, D.C.*



Gardner, William M.

1977 Flint Run Paleo-Indian Complex and its implications for eastern North American prehistory. *Annals of the New York Academy of Sciences* 288:257-263.

Lowery, Darin

1989 Paw Paw Cove Paleo-Indian Complex, Talbot County, Md. Archeology of Eastern North America 17:143-163

Otter, Edward

1989 Archaeological Analysis of the Faunal Material from Two Cabin Run Sites (44WR3 & 44WR300) Warren County, Virginia. Masters thesis, Catholic University of America, Washington, D.C.

Wigley, T.M.C., M.J. Ingram & G. Farmer

1981 Climate and History: Studies in Past Climates

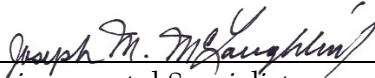
H

# The Woods at Burton Pond Habitat Evaluation Report



PREPARED AT THE REQUEST OF:

Davis Bowen & Friedel, Inc  
23 North Walnut Street  
Milford, DE 19963

  
Environmental Specialist

January 14, 2009  
Date

  
Environmental Scientist

January 14, 2009  
Date

This report was prepared for the exclusive use of Davis Bowen & Friedel, Inc.  
Unauthorized duplication is prohibited.

## PURPOSE

This document presents the results of a rare species survey and habitat evaluation, forest stand assessment, and Critical Natural Area (CNA) assessment conducted on the property known The Woods at Burton Pond (Tax Parcel 234-11.00-72.00) located in Sussex County, Delaware as shown on the various mapping figures found within, and at the end of this report. Field observations and data analysis have been summarized in this report by JCM Environmental for review by regulatory agencies.

The State of Delaware, Department of Natural Resources and Environmental Control (DNREC) reviewed the proposed project in 2006 through the PLUS process, and complete set of comments can be found in the appendices. The State identified the following concerns in their review that pertain to this report:

1. Rare species
  - a. Although DNREC had never surveyed the property at the time of review, there were concerns noted regarding records of Red-headed Woodpecker (*Melanerpes erythrocephalus*) in a woodlot just south of the project area. Recommendations for protection of this species include avoidance of forest fragmentation, and leaving mature and dead trees standing.
  - b. There are records of Mud Salamander (*Pseudotriton montanus*) being present adjacent to the property.
  - c. There are numerous records of rare species both upstream and down of Chapel Branch. DNREC recommends at least a 100 foot wetland buffer in order to protect any potential rare species associated with Chapel Branch.
2. Ancient Sand Ridge Forest- Based on a GIS database search, DNREC noted that the property potentially contains an ancient sand ridge forest. These types of forests develop on well-drained sandy substrates of prehistoric sand ridges or dunes. If identified, DNREC recommends that these forests are preserved.
3. A site visit was requested in order for DNREC staff to survey the property for any potential rare species.
4. Forest Preservation- Cumulative impacts to forest tracts are of concern to DNREC, and because of other developments in the area and potential impacts to wildlife species, DNREC encourages the landowner to consider preservation rather than development.
  - a. If preservation is not going to be considered, DNREC would like the current plan to be downsized, including the removal of multiple lots and infrastructure.
  - b. If possible, using an alternative method of stormwater management that does not require tree clearing would be preferable.
  - c. If tree removal is implemented, it is recommended that clearing not occur between April 1<sup>st</sup> and August 31<sup>st</sup> of any year in order to reduce impacts to wildlife that may utilize trees for breeding.

Each of the above listed items is addressed in further detail in either the body or conclusion of this report.

The field delineation was performed within the boundaries of the subject property as shown in Figure 1. The property is bordered by private residential lots and woodlands to the west, Conley's Chapel Road to the north, woodlands and agricultural fields to the east, and woodlands/scrub-shrub areas, formerly of landfill status, to the south. The subject property consisted primarily of mid-successional mixed deciduous/coniferous woodlands, with areas of forested wetlands.

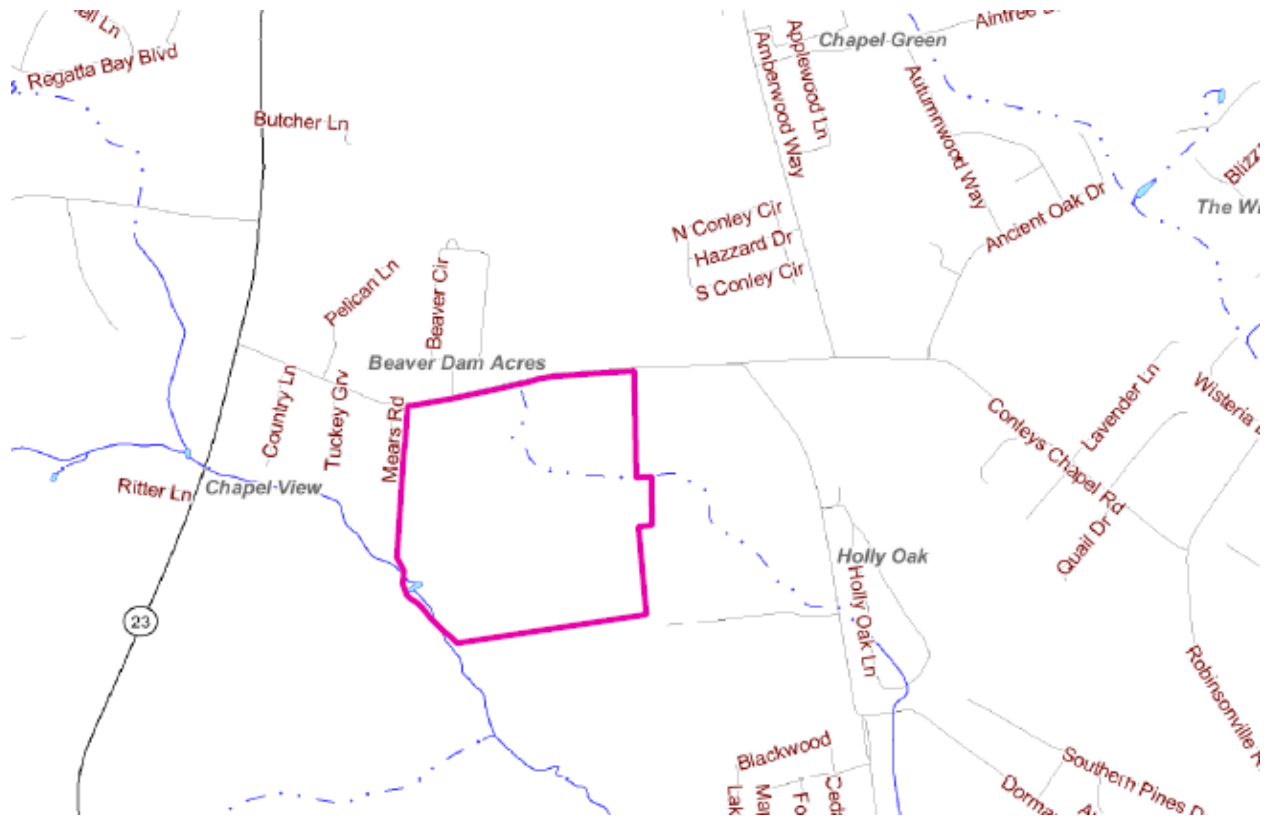


Figure 1. Site Location Map

## PROPERTY ASSESSMENT

### METHODS

A site plan showing existing conditions, including: property boundaries, roads, tree lines, waterways and other points of reference was used in conjunction with a 2002 color infrared (CIR), and 2007 aerial photograph to estimate locations of land cover types and to identify various habitat types. Data point locations were estimated based on the physical features mapping and CIR photography.

The site investigation consisted of visual observations of all land cover types and habitat types on the site. Data was collected in representative areas with respect to vegetative cover, tree sizes, soil types, and other natural and man-made conditions. Any species observations or unique or rare habitat types or features were noted during the site investigation.

Site visits were conducted on January 5<sup>th</sup> and January 8<sup>th</sup> of 2009. During these visits, 9 data points were established throughout the site as depicted on the attached map. Robert Coxe, a field botanist for DNREC, was present during the January 5<sup>th</sup> visit, and had full access to all portions of the property.

#### *Forest Stand Data Collection Methods*

The forest stand delineation was based on data collected from 0.1-acre plots. All live trees within each plot were measured for diameter at breast height (DBH). All trees  $\geq 6$ " DBH were recorded along with their species. Additional data collected included species present within the shrub, herbaceous and vine layers, animal species observed, and soil characteristics. The soils exposed at each plot were observed using a 2.5" Dutch auger. Borings were made to a depth of 20-24 inches and soil color and texture were noted.

The forest stand delineations were based on data collected from 0.1-acre plots intended to represent specific forest or non-forest areas within the property. The diameter at breast height (DBH) was measured for all trees  $\geq 6$ " DBH. Species were identified and the percentage of canopy cover the recorded trees provided to the plot was estimated. Data point locations are shown on Figure 2. found below.



Figure 2. Data Point Map

## RESULTS

### *Habitat Type Designations*

As shown in Figure 3, the property is primarily comprised of mid-successional woodlands with pockets of wetlands. There are two, connected seasonal wetlands located in the southeastern corner of the site, and a portion of Chapel Branch runs near the southwestern property boundary.



Figure 3. Habitat Designations

### Forest

The onsite forest canopy was dominated by Red Maple, Loblolly Pine, Sweet Gum, and Black Oak, and canopy cover averaged 85%. The understory was comprised primarily of Red Maple, American Holly saplings, and the shrub layer was dominated by Highbush Blueberry, American Holly, and Common Greenbrier. The understory layers ranged from quite thick around Chapel Branch, to open around the forested wetlands. Average DBH of all tree species observed within sample plots ranged from 6.0 inches to 16.9 inches. Soils within these areas consisted primarily of 10YR 4/1, 10YR 5/2, and 10YR 5/4 with textures ranging from sandy loam to clay and sand. Dominant soil texture throughout the forested area was sandy clay.

Based on aerial photography, the property appears to have been timbered sometime between 1951 and 1968, and machinery roads are clearly visible in the 1992 aerial photograph. The forest's road pattern does not appear to have changed significantly since 1992, and there was no evidence of recent timbering activity observed during the January site visits.



Representative forest photographs



Dominant vegetation present within the Forest	
Common Name	Scientific Name
Red Maple	<i>Acer rubrum</i>
American Holly	<i>Ilex opaca</i>
Sweet Gum	<i>Liquidambar styraciflua</i>
Tulip Poplar	<i>Liriodendron tulipifera</i>
Black Gum	<i>Nyssa sylvatica</i>
Loblolly Pine	<i>Pinus taeda</i>
Aspen sp.	<i>Populus sp.</i>
Black Cherry	<i>Prunus serotina</i>
White Oak	<i>Quercus alba</i>
Southern Red Oak	<i>Quercus falcata</i>
Swamp Chestnut Oak	<i>Quercus michauxii</i>
Northern Red Oak	<i>Quercus rubra</i>
Black Oak	<i>Quercus velutina</i>
Common Greenbrier	<i>Smilax rotundifolia</i>
Poison Ivy	<i>Toxicodendron radicans</i>
Highbush Blueberry	<i>Vaccinium corymbosum</i>

#### Non-Forest Areas

The non-forest areas within the property consisted of seasonal wetlands in the southeastern corner of the property, and the areas adjacent to Chapel Branch. The seasonal wetlands averaged approximately 6 inches of standing water, and when vegetation was present, it consisted almost solely of Loblolly Pine, Red Maple, and Sweet Gum. The dominant vegetation associated with Chapel Branch was Alder, Inkberry, and Common Greenbrier.



Seasonal wetlands in the southeastern portion of the property



Chapel Branch and associated scrub/shrub wetlands

### *Critical Natural Areas*

Chapel Branch and its associated wetlands have been designated as a Critical Natural Area (CNA) by DNREC (Figure 4.). This portion of the property was examined extensively by members of both JCM Environmental and DNREC, and no rare plant species were noted by the JCM field staff. A letter from DNREC is pending, but discussions with Robert Coxe indicated that the State had also been unable to locate any rare species.

The wetlands adjacent to Chapel Branch had deep, mucky pockets up to at least 16 inches, and are potential habitat for Mud Salamanders, Four-toed Salamanders, and various species of Treefrog. However, the developer has left a substantial forested buffer around these areas, and as such, any potential rare species should not be impacted by the proposed development.

A former landfill site (Sussex County Landfill #3- Angola) is just south of the property, and in accordance with Sussex County Council Resolution #R02687, JCM Environmental confirms that no impacts to the property will occur through the land use change plans. Onsite water features drain southerly through the property and offsite, so there is no danger of groundwater contamination from the former landfill. Additionally, proposed infrastructure lines are over 150 feet from the landfill site.



Figure 4. Critical Natural Areas per DNREC mapping

## CONCLUSIONS

The onsite woodlands have, in the past, been cleared to allow for machinery to move through the site, although no recent clearing efforts were noted during the site visits. These areas were comprised of typical species found on the Coastal Plain in Delaware, dominated by Loblolly Pine and Red Maple. No Ancient Sand Ridge Forests were noted during the field effort. No rare, threatened, or endangered plant species were observed on the property.

At the time of the survey, the State of Delaware had no records of Rare, Threatened or Endangered Species on the property. However, concerns were noted regarding known occurrences of Red-headed Woodpecker and Mud Salamander on adjacent properties. Typical habitat for Red-headed Woodpecker does not occur on the site, as there are few snags. Potential Mud Salamander habitat occurs around Chapel Branch, although no specimens were located at the time of this field study. Based on the significant buffer allocated around this water system, no adverse effects from the proposed development should occur to any potential Mud Salamander habitat or existing populations.

A field botanist from DNREC, Robert Coxe, accompanied JCM during the January 5<sup>th</sup> field visit, and results from his survey are forthcoming.

The developer has made a notable effort to maintain the integrity of onsite wetlands, particularly those of concern around Chapel Branch, by implementing a greater than required buffer. Additionally, large tracts of forested wetlands will remain as open space and habitat areas for local wildlife.

# APPENDICES

DATA POINT 1

DATE: January 8, 2009  
 PROJECT: The Woods at Burton Pond  
 PLOT SIZE: 0.1 acre  
 CATEGORY: Forested wetlands

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
<i>Acer rubrum</i>	Red Maple	9.4	10.2	9.6	6.3	8.9	1.7684
<i>Nyssa sylvatica</i>	Black Gum	6.4				6.4	0.2234
<i>Pinus taeda</i>	Loblolly Pine	13.8	13.8			13.8	2.0774

Canopy Cover	85%
Trees with DBH of 6.0-17.99	7
Trees with DBH ≥ 18	0
Trees within plot	7
Trees/Acre	70
Average DBH/plot	9.9
Basal Area of Plot	4.0692
Basal Area/Acre	40.692

SOILS		
Depth (inches)	Matrix Color	Texture
0-16	10YR 3/1	Sandy Clay
17-24	10YR 4/1	Clay

DATA POINT 2

DATE: January 8, 2009  
 PROJECT: The Woods at Burton Pond  
 PLOT SIZE: 0.1 acre  
 CATEGORY: Forested wetlands

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
<i>Pinus taeda</i>	Loblolly Pine	10.9	13.8			12.3	1.6867
<i>Populus sp.</i>	Aspen sp.	13.4	7.9			10.7	1.3197

Canopy Cover	85%
Trees with DBH of 6.0-17.99	4
Trees with DBH ≥ 18	0
Trees within plot	4
Trees/Acre	40
Average DBH/plot	11.5
Basal Area of Plot	3.0064
Basal Area/Acre	30.064

SOILS		
Depth (inches)	Matrix Color	Texture
0-8	10YR 4/1	Sandy Clay
9-24	10YR 5/2	Clay



DATA POINT 3

DATE: January 8, 2009  
 PROJECT: The Woods at Burton Pond  
 PLOT SIZE: 0.1 acre  
 CATEGORY: Forest

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
<i>Acer rubrum</i>	Red Maple	7.1	7.6	6.4		7.0	0.8133
<i>Liquidambar styraciflua</i>	Sweet Gum	8.0	7.8	8.3		8.0	1.0566
<i>Pinus taeda</i>	Loblolly Pine	15.6				15.6	1.3273
<i>Prunus serotina</i>	Black Cherry	7.5	8.2	11.1		8.9	1.3455
<i>Quercus rubra</i>	Northern Red Oak	12.6				12.6	0.8659

Canopy Cover	90%
Trees with DBH of 6.0-17.99	11
Trees with DBH ≥ 18	0
Trees within plot	11
Trees/Acre	110
Average DBH/plot	9.1
Basal Area of Plot	5.4086
Basal Area/Acre	54.086

SOILS		
Depth (inches)	Matrix Color	Texture
0-8	10YR 3/2	Sand
9-24	10YR 4/2	Sandy Clay

DATA POINT 4

DATE: January 8, 2009  
 PROJECT: The Woods at Burton Pond  
 PLOT SIZE: 0.1 acre  
 CATEGORY: Forest

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
<i>Acer rubrum</i>	Red Maple	7.8				7.8	0.3318
<i>Liriodendron tulipifera</i>	Tulip Poplar	14.5				14.5	1.1467
<i>Pinus taeda</i>	Loblolly Pine	15.5	12.0	11.6		13.0	2.8296
<i>Quercus alba</i>	White Oak	7.6	6.1			6.9	0.5179
<i>Quercus falcata</i>	Southern Red Oak	8.0				8.0	0.3491
<i>Quercus michauxii</i>	Swamp Chestnut Oak	6.3				6.3	0.2165

Canopy Cover	95%
Trees with DBH of 6.0-17.99	9
Trees with DBH ≥ 18	0
Trees within plot	9
Trees/Acre	90
Average DBH/plot	9.9
Basal Area of Plot	5.3916
Basal Area/Acre	53.916

SOILS		
Depth (inches)	Matrix Color	Texture
0-8	10YR 4/3	Sandy Loam
9-24	10YR 5/2	Sandy Clay

DATA POINT 5

DATE: January 8, 2009  
 PROJECT: The Woods at Burton Pond  
 PLOT SIZE: 0.1 acre  
 CATEGORY: Forested wetlands

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
<i>Acer rubrum</i>	Red Maple	7.8	7.8	6.4		7.3	0.8870
<i>Liriodendron tulipifera</i>	Tulip Poplar	11.9				11.9	0.7723
<i>Pinus taeda</i>	Loblolly Pine	15.1				15.1	1.2436
<i>Quercus alba</i>	White Oak	6.5	6.7			6.6	0.4752
<i>Quercus velutina</i>	Black Oak	10.4	9.6	11.3		10.4	1.7889

Canopy Cover	80%
Trees with DBH of 6.0-17.99	10
Trees with DBH ≥ 18	0
Trees within plot	10
Trees/Acre	100
Average DBH/plot	9.4
Basal Area of Plot	5.1670
Basal Area/Acre	51.670

SOILS		
Depth (inches)	Matrix Color	Texture
0-6	10YR 4/2	Sand
7-24	10YR 5/4	Sand

DATA POINT 6

DATE: January 8, 2009  
 PROJECT: The Woods at Burton Pond  
 PLOT SIZE: 0.1 acre  
 CATEGORY: Forest

TREES							
Scientific Name	Common Name	DBH (inches)				Average DBH	BA/Species
<i>Acer rubrum</i>	Red Maple	6.4				6.4	0.2234
<i>Ilex opaca</i>	American Holly	6.4				6.4	0.2234
<i>Pinus taeda</i>	Loblolly Pine	12.7	8.7			10.7	1.2925
<i>Pinus virginiana</i>	Virginia Pine	6.0				6.0	0.1963
<i>Quercus alba</i>	White Oak	6.8	8.0	14.9		9.9	1.8121
<i>Quercus velutina</i>	Black Oak	16.9				16.9	1.5577

Canopy Cover	80%
Trees with DBH of 6.0-17.99	9
Trees with DBH ≥ 18	0
Trees within plot	9
Trees/Acre	90
Average DBH/plot	9.6
Basal Area of Plot	5.3054
Basal Area/Acre	53.054

SOILS		
Depth (inches)	Matrix Color	Texture
0-4	10YR 5/2	Sandy Clay
5-24	10YR 5/4	Sandy Clay

#### DATA POINT 7

DATE: January 8, 2009  
PROJECT: The Woods at Burton Pond  
PLOT SIZE: 0.1 acre  
CATEGORY: Wetlands

Comments: Data Point 7 was located within the wetlands near Chapel Branch. This area was dominated by Inkberry (*Ilex glabra*), Highbush Blueberry (*Vaccinium corymbosum*), and Royal Fern (*Osmunda regalis*). There was no canopy cover as this was an open wetland.

#### DATA POINT 8

DATE: January 8, 2009  
PROJECT: The Woods at Burton Pond  
PLOT SIZE: 0.1 acre  
CATEGORY: Wetlands associated with Chapel Branch

Comments: Data Point 8 was located south of Data Point 7, and was associated with Chapel Branch. Dominant vegetation in this area was Inkberry (*I. glabra*), Alder sp. (*Alnus* sp.), and Common Greenbrier (*Smilax rotundifolia*). There was no significant canopy cover in this area.

#### DATA POINT 9

DATE: January 8, 2009  
PROJECT: The Woods at Burton Pond  
PLOT SIZE: 0.1 acre  
CATEGORY: Wetlands

Comments: Data Point 9 was located near the seasonal wetlands in the southeastern portion of the site. Dominant vegetation around these areas included Red Maple (*A. rubrum*), Loblolly Pine (*P. taeda*), and Sweet Gum (*L. styraciflua*). The water depth in these pools averaged approximately 6 inches. These pools do not appear to retain enough water throughout the year in order to sustain salamander populations. No significant canopy cover was present over these wetlands.



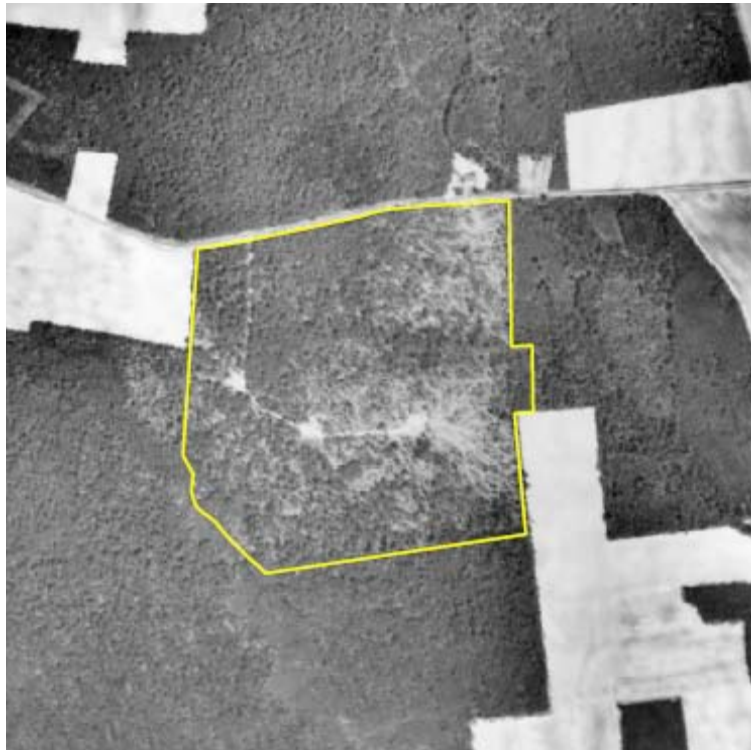
1937 Aerial



1954 Aerial



1961 Aerial



1968 Aerial



1992 Aerial



1997 Aerial





2002 Aerial



2007 Aerial

1

## Ring Lardner

---

**From:** Bill Krapf <bkrampf@capanoinc.com>  
**Sent:** Monday, January 24, 2022 4:40 PM  
**To:** Ring Lardner  
**Subject:** FW: The Woods at Burton Pond Ph.3 - Construction Dewatering

*William J Krapf*

William J Krapf  
Chief Development Officer  
LC Management  
302-429-8700 (o)  
302-379-2331 (m)

---

**From:** Hans Medlarz <hans.medlarz@sussexcountyde.gov>  
**Sent:** Wednesday, January 19, 2022 12:49 PM  
**To:** Justin Hensley <jhensley@capanoinc.com>  
**Cc:** jrossi@envalliance.com; Bill Krapf <bkrampf@capanoinc.com>; Alan Pongratz (alan.pongratz@delaware.gov) <alan.pongratz@delaware.gov>; Keith Bryan <kbryan@sussexcountyde.gov>  
**Subject:** The Woods at Burton Pond Ph.3 - Construction Dewatering

Greetings Justin:

Thank you for sharing Environmental Alliance, Inc.'s hydrogeologic report.

After reviewing the report I concur with the conclusions derived from the 72-hour constant rate (+/-375gpm) aquifer pump test.

A withdrawal rate in that order of magnitude does not appear to sufficiently alter hydraulic gradients in vicinity of the Angola Landfill.

Of particular interest were the groundwater contours under maximum drawdown conditions. They reveal that the gradient does not capture groundwater from the downgradient Angola Landfill. Therefore, Sussex County does not object to construction related dewatering activities in general as long as the rate is limited to <400gpm.

I prefer this objective is achieved by limiting the length of dewatering header. I am looping in DNREC's Alan Pongratz to assure close cooperation in permit issuance.

Regards, Hans

**Hans M. Medlarz, P.E.**  
Sussex County Engineer  
2 The Circle | PO Box 589  
Georgetown, DE 19947  
[hans.medlarz@sussexcountyde.gov](mailto:hans.medlarz@sussexcountyde.gov)  
(302) 855-7728

**From:** Justin Hensley <[jhensley@capanoinc.com](mailto:jhensley@capanoinc.com)>  
**Sent:** Thursday, January 6, 2022 12:36 PM  
**To:** Hans Medlarz <[hans.medlarz@sussexcountyde.gov](mailto:hans.medlarz@sussexcountyde.gov)>  
**Cc:** [jrossi@envalliance.com](mailto:jrossi@envalliance.com)  
**Subject:** The Woods at Burton Pond

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

Hans,

I write to you on the behalf of Springcap 2, LLC regarding the subdivision known as “The Woods at Burton Pond” as recorded with a revision on or about May 2016.

**1. Testing:**

- a. As you may be aware we conducted an extensive ground water/environmental study in coordination with DNREC. This report is attached for your consideration. The report includes the results of the aquifer pumping test that was conducted in the southwest corner of Phase I development plan, closest to the Angola Landfill, during installation of the pump house. The groundwater elevation monitoring during the pump test indicated that the influence on the shallow aquifer under the 350-400 GPM pumping rates did not sufficiently alter hydraulic gradients in the vicinity of the Angola Landfill. The test suggests that pumping of the shallow groundwater (within 20 feet of ground surface) on the Woods at Burton’s Pond property does not capture groundwater from the downgradient Angola Landfill, and that a majority of the capture is from upgradient flow (to be expected), and the stream (depending on how close the pumping is to Chapel Branch).
- b. Additionally, analytical testing of the pumping effluent during the test did not report any detectable concentrations of VOCs or SVOCs above standards, nor elevated concentrations of inorganics, specifically iron and manganese.
- c. The proposed short duration dewatering in the upper portion of the shallow aquifer to install utilities in Phase 3 of the Woods at Burton Pond, which is northeast of the test area and further upgradient from the Angola Landfill, should not have a noticeable effect on groundwater gradients beneath the landfill (i.e. should not capture groundwater potentially impacted with leachate).
- d. Furthermore, a review of the recently published Five-Year Remedial Evaluation Report for Five Sussex County Landfills (Weston, December 2021) indicates that:  
☐ Groundwater monitoring data and trend testing results indicate a generally stable to improving groundwater conditions at the Angola Landfill. No VOCs have been detected in groundwater at concentrations greater than respective URS since 2001. Iron and manganese were the only inorganic constituents detected at concentrations above respective URS during the most recent sampling event conducted in 2020.

**2. Record Plan:**

- A. The record plan states several points in line 20:
  - ii. Basement construction – **which we are not constructing**
  - iii. Ground water extraction that could affect ground water flow- **which my study clearly illustrates that our proposed dewatering is in fact upgradient to the land fill which makes the possibility of lowering the water table on adjoining properties or adversely changing the existing groundwater flow nearly impossible if not impossible.**

19. THE PROPERTY IDENTIFIED HEREIN IS LOCATED WITHIN THE "SUSSEX COUNTY LANDFILL #3 - ANGOLA" GROUNDWATER MAN PROPOSED LAND AND/OR GROUNDWATER USE. CONTACT THE SUSSEX COUNTY ENGINEERING DEPARTMENT FOR ADDITIONAL

20. ANY ACTIVITY INCLUDING BASEMENT CONSTRUCTION, GROUNDWATER EXTRACTION AND ALL FORMS OF SUBSURFACE DEPRESS THE WATER TABLE ON ADJOINING PROPERTIES SHALL BE PROHIBITED.

**3. Summary/ Plan Forward:**

- a. We acknowledge that the county owned Angola land fill may have detrimental impacts to our environment and ultimately the lands of Springcap 2, LLC. However, I truly believe that at the time of the original recordation of this plan, that past data of the land fill was contemplated while applying necessary notes to ensure that any potentially harmful contamination is not brought back to the surface from many decades ago. Furthermore, with fast forwarding time, additional testing, and other supporting reports; it is the belief that the Angola landfill is less detrimental than originally contemplated.
- b. Currently the water table is sitting at an elevation 17
  - i. Many of our sewer runs (approx 2500' of sewer main and 63 services) are approximately 6-7' below the current water table. It is estimated that we could install roughly 200' of sewer main a day, roughly 12-13 business days and 63 services will take us additional 7-8 business days. In general, this task could be completed within 30 days +/-.
  - ii. The storm sewer runs will also need dewatered but are much shallower.
- c. Ideas have been tossed around by the contractor to install valves within the dewatering rig to be able to reduce the amount of dewatering points to the immediate work area as work progresses. Other ideas would be to double up pipe crews and shorten construction time for dewatering purposes and engage environmental alliance to do testing while dewatering.
- d. We request that the County Engineer evaluates these reports and provides us with the necessary relief to install temporary dewatering points in our development for use of installing the sewer(s) within phase 3. We believe in strict coordination with the county engineer and dnrec that a work plan could be developed to allow for necessary development improvements and to also protect our environment and current/ future inhabitants thereof.

Please let me know your thoughts above. Also, if a meeting with any folks i.e environmental alliance, contractor(s), DBF, owner's representatives is deemed necessary- I will immediately orchestrate such meeting.

Sincerely,

Justin Hensley  
Director of Land Development  
LC Management

**J**

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

March 11, 2022

Georgetown Administrative Building  
Planning and Zoning Department  
2 The Circle  
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, Planning Director

Re: The Woods at Burton Pond Extended  
TAC Comment Response  
DBF# 807D001

Dear Chairman Wheatley and Members of the Commission,

On behalf of our client, Spring Cap II, L.L.C., we are pleased to submit our formal response to the TAC comments provided to us on January 22, 2022. We have listed each agency as submitted to our office.

**Delaware Health and Social Services, William J. Milliken, Jr.**

We have read the comments from DHSS and will comply with the requirements to obtain an Approval to Construct and Approval to Operate.

**Drainage Program of DNREC, Allison Wheatley**

We have read the comments from the Drainage Program and will ensure that the project does not hinder off-site drainage upstream or cause drainage issues downstream.

**Sussex County Engineering, John J. Ashman**

We have read the County Engineering comments and will comply with their requirements for project review and approval.

**U.S. Fish and Wildlife Service – Chesapeake Bay Field Office, Kathleen Cullen**

We have read the comments from U.S. Fish and Wildlife and note that there is no further Section 7 consultation required.

The proposed TAC comments do not require a revision to the preliminary plan set.

On behalf of our client, we thank you for your review and consideration of this response. If you should have any questions or concerns, please contact me at 424-1441

Sincerely  
DAVIS, BOWEN & FRIEDEL INC.



Ring W. Lardner, P.E.  
Principal

P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2022-03-02 2nd Draft Presentation BookletJ - TAC Comment Response.doc

Cc: Justin Hensley, III, Spring Cap II, L.L.C.  
Mackenzie Peet, Baird Mandalas Brockstedt, LLC



**K**

March 11, 2022

*Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.*

Georgetown Administrative Building  
Planning and Zoning Department  
2 The Circle  
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, Planning Director

Re: The Woods at Burton Pond  
Chapter 99-9 C Response  
DBF# 0807D001

Dear Chairman Wheatley and Members of the Commission,

On behalf of our client, Spring Cap II, L.L.C. we are pleased to demonstrate that the proposed Woods at Burton Pond Subdivision Extension provides a careful consideration of the following items in Sussex County Chapter 99-9C:

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

- a. The subdivision provides a minimum 50-foot wooded buffer along eastern, southern, and western adjacent properties.
- b. The subdivision is an extension of the existing subdivision.
- c. There is a minimum 50-foot buffer provided, undisturbed from all 404 non-tidal wetlands.

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

- a. There are 3.98 acres of 404 non-tidal Wetlands located on the extension parcel that are not located within lot lines and will not be disturbed.
- b. There is a minimum 50' forested buffer for all 404 non-tidal Wetlands that will not be disturbed.
- c. Part of the property is located within the 100-year floodplain. There are no proposed lots located within the floodplain.

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

- a. The active and passive open space areas are located in existing forested areas for all property owners to enjoy.
- b. There is a minimum undisturbed 50-foot buffer provided from the 404 non-tidal wetlands.
- c. The proposed buffer will provide a visual and noise buffer for St. Georges Chapel located to the southwest of this site. The location of the Chapel is over 2000' to the southwest of the property.
- d. Ed Otter, Inc. completed an Assessment of Cultural Resource Potential on January 12, 2009. The Assessment identified 3 homes that once existed on this site and moderate potential for pre-historic archeological sites. The homes have not existed since 1938 and the potential archeological sites are based upon characteristics from the Lockwood site located to the south of this project. Should any foundations or archeological sites be found they will be documented in accordance with local, state, and federal regulations.
- e. JCM Environmental has surveyed this site as part of a Habitat Evaluation Report. There are no rare, threatened or endangered species located on this project.

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

- a. There is a total of approximately 9.72 acres, more or less, of open space provided for this project, which is in excess of 64% of the expansion. The percentage is subject to final engineering approval.
- b. The expansion will be able to use the active amenities as constructed within the original subdivision.

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

- a. Grade changes will be minimized to the extent necessary to provide road construction to meet design requirements and to ensure proper lot drainage.
- b. The site will be “balanced,” which will minimize the need for soil to be removed or hauled from or to the site.

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

- a. The proposed 50-foot buffer will provide screening from the adjacent neighboring properties.
- b. The expansion area does not have state road frontage.

**7. Provision for water supply.**

- a. Tidewater Utilities, Inc. will supply all homes with central water.

**8. Provision for sewage disposal.**

- a. Artesian Wastewater Management, Inc. will provide wastewater disposal. The wastewater will be treated at the Heron Bay Wastewater Treatment Facility owned and operated by Artesian Wastewater Management, Inc. This facility is a public utility and Artesian is recognized as a public utility by the Public Service Commission.

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

- a. The storm drainage system will capture 100% of all drainage from the site.
- b. Best Available Technologies (BATs) will be used during the design and construction of the property.
- c. Best Management Practices (BMPs) will be used during the design and construction of the property.
- d. A forested buffer along the wetlands will provide additional treatment of stormwater.
- e. The site will utilize Green Technology where feasible for the project.
- f. Environmental Alliance, Inc. completed a hydrogeologic report. The Sussex County engineer confirmed that groundwater from the landfill will not be captured during construction. There are additional limitations that were recorded in the original subdivision and will be included in the expansion.

**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 is maximized.**

- a. The project will construct a forty-eight hour wet extended detention pond.
- b. The stormwater management areas will be designed to meet all local, state, and federal guidelines for sediment and nutrient removal.
- c. An Erosion and Sediment Control Plan will be developed and implemented as required by the Sussex Conservation District and DNREC. The plan will specify in detail how the project is to be constructed to limit the amount of sediment and other pollutants from leaving the site during construction.
- d. All storms will be designed per the current Sediment and Stormwater Regulations.
- e. Environmental Alliance, Inc. completed a hydrogeologic report. The Sussex County engineer confirmed that groundwater from the landfill will not be captured during construction. There are additional limitations that were recorded in the original subdivision and will be included in the expansion.

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

- a. The interior of the subdivision contains sidewalks on both sides of the street providing pedestrian connection throughout the site.
- b. The road design will conform to Sussex County standards and specifications and will be turned over to the homeowner's association for maintenance upon acceptance by the County.
- c. Street lighting will be provided for this project.

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

- a. Based on historical land trends in Sussex County, the property values around the proposed subdivision will increase with the development of The Woods at Burton Pond.

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

- a. Cluster housing development is incorporated in this site which will allow for a significant amount of open space and buffer area around the property edge, especially along Chapel Branch. This provides a more open and relaxed plan and allows greater environmental protection through the use of expanded buffers and the incorporation

of open space that exceeds the County requirements. The existing site is not cleared or currently used for farmland or crops.

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

- a. The increase in tax revenue to the school district will assist in the maintenance and operations of the public school system.
- b. The trend towards seniors moving to Sussex County will provide tax revenue without adding large numbers of potential new students.

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

- a. The expansion will have minimal effect on the area roadway and public transportation. The original subdivision has completed all required improvements.

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

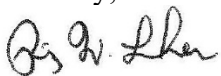
- a. The subdivision conforms to the designated zoning for the property and is consistent with the surrounding land use as mentioned above.

**17. Effect on area waterways.**

- a. The subdivision will be designed to meet the current Sediment and Stormwater Regulations.
- b. The site will comply with all TMDLs and PCS's as adopted by the State.

On behalf of our client, we thank you for your review and consideration of this response. If you should have any questions or concerns, please contact me at 424-1441

Sincerely,



Ring W. Lardner, P.E.  
Principal

Cc: Justin Hensley, Spring Cap II, L.L.C.  
Mackenzie Peet, Baird Mandalas Brockstedt, LLC

L

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

March 11, 2022

Georgetown Administrative Building  
Planning and Zoning Department  
2 The Circle  
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, Planning Director

Re: The Woods at Burton Pond Extended  
Cluster Ordinance Response  
DBF# 807D001

Dear Chairman Wheatley and Members of the Commission,

On behalf of our client, Spring Cap II, L.L.C., we are pleased to demonstrate that the proposed Woods at Burton Pond Subdivision Extended provides a careful consideration of the following items in Sussex County Chapter 115-25:

*E. Design requirements for cluster development.*

- (1) *All development shall be in accordance with the latest amendment to the community design standards. **The proposed development is in accordance with § 99-15 through § 99-21. The proposed site is suitable for development and has preserved natural features to the maximum extent possible. The streets have been designed in accordance with street layout and street design standards. The lots have been designed to avoid an excessive depth to width ratio, provide sufficient width for corner lots, and insured that each lot has access to a street. Easements will be recorded and identified when necessary or required. Approximately 9.72 acres (64%) of open space has been provided and will be passive. The extension will use the active amenities as constructed in the original subdivision.***
- (2) *Housing types in the low-density area, as shown on the Sussex County Comprehensive Plan, are limited to single-family detached dwellings and manufactured homes where permitted by ordinance. **The subdivision is located in a low-density area as shown on the Sussex County Comprehensive Plan. The proposed expansion contains 19 single-family detached dwellings.***



- (3) *A forested buffer area with a minimum width of 30 feet shall be provided for lots abutting an agricultural area. **A forested buffer area with a minimum width of fifty feet (50')** has been provided for the eastern, western, and southern adjacent parcels.*
- (4) *Dwellings located within 50 feet of an existing residential development shall provide adequate transition in density or shall provide a thirty-foot buffer meeting the standards below and maintained by a designated entity.*
- (a) *A planting strip at least 30 feet wide near the property line which shall include two canopy trees, four understory trees, and 10 shrubs per 100 linear feet of buffer; or*
- (b) *A landscaped rolling berm at least four feet in height; or*
- (c) *A solid fence or wall a minimum of six feet in height designed with durable materials, texture, and colors compatible with adjacent residential development.*

**There are no existing residential dwellings located within fifty feet (50') of the proposed expansion. A 50' forested buffer is provided along the eastern, western, and southern property boundary.**

- (5) *No lots shall have direct access to any state-maintained roads. **No lots will have direct access to Conleys Chapel Road and a note stating this is shown on the Title Sheet of the Preliminary Plan.***
- (6) *All lots shall be configured to be contained completely outside of all wetlands. **The proposed lots are configured so that they are located completely outside of all wetlands.***
- (7) *Any development using the option in Subsection B(2) shall have central water and wastewater systems operated and maintained by companies authorized by the State of Delaware to perform such services. Wastewater collection and treatment systems must be designed in accordance with the requirements of Sussex County ordinances and conform to the requirements for a central sewer system as defined in § 11 5-194A of the Sussex County Zoning Ordinance. **The Proposed Subdivision uses the option in Subsection B(2). The water system will be owned and operated by Tidewater Utilities, Inc. and the wastewater system will be owned and operated by Artesian Wastewater Management, Inc. Both companies are public utilities and are regulated by the Public Service Commission.***

F. *Review procedures for cluster development.*

(1) *The developer shall submit an application for a cluster development in accordance with Chapter 99, Subdivision of Land, of the Sussex County Code and which shall include, at a minimum, a sketch plan showing the location and uses of all open spaces, the extent of existing wooded areas and wetlands and the location of any historical or cultural resources. The Director of Planning and Zoning may waive this requirement when the proposed development does not contain significant natural features or resources. **The developer submitted an application for a cluster development in accordance with Chapter 99, Subdivision of Land, of the Sussex County Code on June 24, 2021. A sketch plan was included with this submission.***

(2) *The information submitted shall include a plan for the management of all open space. **A plan for the management of all open space is included on the Title Sheet of the Preliminary Plan. This section will be reviewed and revised/updated during the design phase.***

(3) *The Sussex County Planning and Zoning Commission shall determine that the following requirements are met before approving any cluster development.*

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

*[1] Homes shall be clustered on the environmentally suitable portions of the tract, specifically, those portions of the tract least encumbered by sensitive environmental features, including but not limited to wetlands, mature woodlands, waterways, and water bodies. This doe not inhibit the development of wooded parcels. **The proposed lots within the expansion are located on lands that are not encumbered by wetlands, waterways, or waterbodies. The parcel is wooded and the disturbed area has been minimized to the maximum extent practicable.***

*[2] Reserved.*

*[3] Required open space shall comply with the following criteria:*

*[a] All required open space must meet the official definition of acceptable open space contained in § 115-4. **All proposed open space meets the criteria of § 115-4.***

*[b] Required open space must be designed to be beneficial to the residents or users of the open space. It shall not be constituted of fragmented lands with little open space value. Accordingly, 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. **Open Space Parcel C is 5.34 acres of land and 35% of the expanded parcel.***

*[c] If one of the following physical conditions exists adjacent to the proposed cluster development tract, at least 30% of all required open space must be adjacent to:*

*[i] An existing or officially planned public park, land preserved by easement, or land preserved as open space and in municipal, County, state, or federal ownership. **Open Space Parcel C is located adjacent to the land owned by Sussex County for the closed Angola Landfill #3 and complies with this requirement.***

*[ii] Existing wetlands, waterways, wildlife corridors, or other ecology-sensitive land. **Open Space Parcel C is located adjacent to existing wetlands and complies with this requirement.***

*[iii] Existing farmland and/or woodlands. **The expansion parcel is wooded and there are some farmlands in the vicinity. Open Space Parcel C is adjacent to the outer boundary and complies with this requirement.***

*[iv] If more than one of these physical features exist on adjacent properties, then one of these features will be identified and utilized to satisfy this requirement. **Items [i] through [iii] exist and have identified Sussex County Angola Landfill #3 to satisfy this requirement.***

*[v] If the open space is proposed to be dedicated to a municipality, a County, state, or federal agency, or a homeowners' association, an agreement shall be provided, in advance, stipulating that such entity agrees in advance to accept that dedication and maintain that land for public recreation or as a nature preserve. **The proposed open space will be included in the existing HOA as part of the current covenants.***

*[vi] Open space in a cluster development shall include a pedestrian trail system accessible to residents. This trail system shall connect to an adjacent trail, adjacent neighborhood, adjacent commercial area, or adjacent public open space if any such areas exist adjacent to the proposed cluster development. Construction materials for the proposed trail shall be identified, and typical construction detail for the proposed trail shall be shown. Trail construction materials shall be pervious in*

*nature. The expansion will include sidewalks on both sides of the street that will connect to the existing subdivision and ultimately the shared use path along Conley's Chapel Road. There are no existing trail systems in this area.*

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

*[5] Stormwater management shall be designed to promote groundwater recharge and protect groundwater quality. Natural drainage flows shall be maintained to the greatest extent possible. Drainage from rooftops shall be directed to vegetated areas or allow green technology. Stormwater detention and retention facilities should be designed to resemble natural ponds as referenced by DNREC in the National Resource Conservation Service's (NRCS) Pond Code 378, Visual Resource Design. **Stormwater will be designed per current Sediment and Stormwater Regulations and on-site conditions will determine if groundwater recharge or other green technologies are feasible.***

*[6] Removal of healthy mature trees shall be limited. **Removal of healthy trees is limited to the disturbed areas needed for roads, houses, stormwater, and drainage.***

*[7] Scenic views that can be seen from within the tract should be preserved to the greatest extent possible. **The proposed lots have been centralized to preserve scenic views.***

*[8] The applicant for a cluster development shall illustrate that the following sequence and process was followed in the site design of the cluster project:*

*[a] Identify lands that should be preserved. First, areas worthy of preservation should be mapped, including wetlands, wooded areas, waterways, other water bodies, and natural drainage areas. Then, other important features should be mapped, such as tree lines, scenic views, historic buildings, and prime farmland. The areas with the fewest important natural, scenic, and historic features should be considered the "potential development area."*

*[b] Identify developable areas. Next, the most appropriate locations for development should be chosen to minimize the impact to the most important features mapped in the first step.*

*[c] Locate roads and trails. After the developable areas are determined, a road system should be designed to serve those homes. A trail system that links homes to destinations outside of the tract should be designed.*

*[d] Locate lot lines. The last step is to configure lot lines and make necessary adjustments to satisfy the various reviewing agencies' comments.*

**This exercise was performed as part of the subdivision layout and will be reviewed as part of the public hearing process.**

*[9] Sidewalks shall be required at least on one side of each street, subject to Planning and Zoning Commission approval. Sidewalks are provided on both sides of the street.*

*(b) The cluster development plan will preserve the natural environment and any historic or archeological resources. The proposed extension will preserve the natural environment.*

*(c) All of the items in Ordinance Number 1152 (see § 99-9C) have been addressed and approval of the cluster option for the proposed development will not have an adverse effect on any of the items to be considered. The proposed expansion complies with both § 99-9C and § 115-25 E. and F. and will not have an adverse effect on any of the items to be considered.*

*(4) The Sussex County Planning and Zoning Commission may add conditions to the approval of any cluster development to protect adjacent properties and the natural environment. We believe the conditions imposed on the original subdivision are appropriate and adequate for the expansion area.*

On behalf of our client, we thank you for your review and consideration of this response. If you should have any questions or concerns, please contact me at 424-1441

Sincerely  
Davis, Bowen & Friedel, Inc.



Ring W. Lardner, P.E.  
Principal

cc: Justin Hensley, III, Spring Cap II, L.L.C.  
Mackenzie Peet, Baird Mandalas Brockstedt, LLC

M

June 23, 2021

Sussex County Planning & Zoning  
Sussex County Administration Building  
2 The Circle, Room 147  
Georgetown, DE 19947

Attn: Lauren Devore, Planner III

RE: Woods at Burtons Pond Extended  
Major Subdivision Application  
Tax Map # 2-34-11.00-72.00  
DBF# 0807S001.C01


Michael R. Wigley, AIA, LEED AP  
W. Zachary Crauch, P.E.  
Michael E. Wheadleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Dear Ms. Devore:

On behalf of our client, Springcap II, LLC, we are respectfully requesting a waiver for a landscape buffer between the common boundary line of the recorded Woods at Burtons Pond and the residual lands. The proposed subdivision is an extension of the existing Subdivision and the waiver would allow the expansion to seamlessly extend the subdivision.

If you have any questions or need additional information, please contact me at (302) 424-1441 or via email at [rwl@dbfinc.com](mailto:rwl@dbfinc.com).

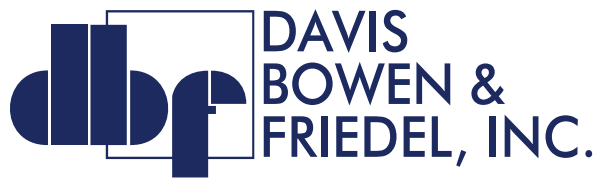
Sincerely,  
*Davis, Bowen & Friedel, Inc.*



Ring W. Lardner, P.E.  
Principal

P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2021-06-22 Preliminary Plan Initial Submission\WBP Extended Buffer Waiver P&Z-LDevore-Cover.docx

cc: Justin Hensley, Springcap II, LLC



**DAVIS  
BOWEN &  
FRIEDEL, INC.**

**ARCHITECTS • ENGINEERS • SURVEYORS**

23 North Walnut Street  
Milford, DE 19963  
(302) 424-1441

One Plaza East, Suite 200  
Salisbury, MD 21801  
(410) 543-9091

106 Washington Street  
Easton, MD 21601  
(410) 770-4744



**Andrews, Miller & Associates**

A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.

106 Washington Street  
Easton, MD 21601  
(410) 770-4744

[www.dbfinc.com](http://www.dbfinc.com)





ARCHITECTS • ENGINEERS • SURVEYORS

June 23, 2021

Sussex County Planning & Zoning  
Sussex County Administration Building  
2 The Circle, Room 147  
Georgetown, DE 19947

Attn: Lauren Devore, Planner III

RE: Woods at Burtons Pond Extended  
Major Subdivision Application  
Tax Map # 2-34-11.00-72.00  
DBF# 0807S001.C01

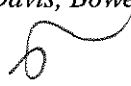
Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheelleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Dear Ms. Devore:

On behalf of our client, Springcap II, LLC, we are respectfully requesting a waiver for a landscape buffer between the common boundary line of the recorded Woods at Burtons Pond and the residual lands. The proposed subdivision is an extension of the existing Subdivision and the waiver would allow the expansion to seamlessly extend the subdivision.

If you have any questions or need additional information, please contact me at (302) 424-1441 or via email at [rw1@dbfinc.com](mailto:rw1@dbfinc.com).

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

  
Ring W. Lardner, P.E.  
Principal

*P:\Louis Capano-Client 0807\0807S001 WBP Extended\Docs\P&Z\2021-06-22 Preliminary Plan Initial Submission\WBP Extended Buffer Waiver P&Z-LDevore-Cover.docx*

cc: Justin Hensley, Springcap II, LLC