



March 1, 2021

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

RE: Haileys Glen (2017-17) – Preliminary Plat Extension

Dear Jamie,

On behalf of the Owner, we are requesting an extension on the preliminary plat approval of Haileys Glen. The development was granted preliminary approval at the April 12, 2018 Planning and Zoning Meeting.

The original developer diligently pursued agency approvals for the project. However, around January of 2020, the project was placed on hold as the developer dropped out of the contract to purchase the property. The property is now under contract with Schell Brothers.

All of the agency approvals are in place, with the exception of Sussex Conservation District (SWM and E&S).

The following steps are necessary to finalize the subdivision:

- Update the Sussex Conservation District plans and resubmit for approval.
- Submit final plat to Planning and Zoning for staff review.
- Submit copies of agency approval and revised final plat to Planning and Zoning to request final.
- Planning Commission meeting to vote for final approval.
- Obtain signatures (Owner, SCD, Wetlands and Council).
- Record final plat.

We are requesting a six-month extension of the preliminary plat from April 12, 2021 to October 12, 2021 to provide sufficient time to complete the above steps.

Please feel free to contact us if you have any questions.

Respectfully,

Tim Green
Director of Land Development
Schell Brothers, LLC
tgreen@schellbrothers.com
302.542.8349

PLANNING & ZONING COMMISSION

MARTIN L. ROSS, CHAIRMAN
KIM HOEY STEVENSON, VICE CHAIRMAN
R. KELLER HOPKINS
DOUGLAS B. HUDSON
ROBERT C. WHEATLEY



Sussex County

DELAWARE
sussexcountype.gov
302-855-7878 T
302-854-5079 F
JANELLE M. CORNWELL, AICP
DIRECTOR

May 3, 2018

By email to: jpalkewicz@solutionsipem.com

Mr. Jason Palkewicz, P.E.
Solutions IPEM
303 North Bedford Street
Georgetown, DE, 19947

RE: Notice of Decision for Preliminary Subdivision Plan for Haileys Glen (2017-17) for the subdivision of 68 parcels with site improvements and open space to be located off Angola Road. The property is zoned AR-1 and is within the Environmentally Sensitive Development District Overlay Zone.

Tax Parcel: 234-12.00-11.00

Dear Mr. Palkewicz,

At their meeting on April 12, 2018 the Planning Commission granted **preliminary approval** for the subdivision of 32.3 Acres into 68 single family lots (2017-17).

The Preliminary Subdivision Plan is valid for three (3) years from the date of Planning Commission decision. A Final Subdivision Plan shall be approved within three (3) years of the date of approval of the Preliminary Plan or the action of the Planning Commission shall be deemed canceled. Unless an extension is granted, approval shall be rendered null and void if substantial construction is not commenced within five (5) years of the date of recordation of the final plat.

As part of their motion, the Planning Commission acted to approve the development subject to the following conditions:

- A. There shall be no more than 68 lots within the subdivision.
- B. The developer shall establish a homeowner's association responsible for the maintenance of streets, roads, buffers, stormwater management facilities and other common areas.
- C. The stormwater management system shall meet or exceed the requirements of the State and County. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- D. A forested or landscaped buffer of at least 20 feet in depth shall be installed along the entire perimeter of the project. The Final Site Plan shall contain a landscaped plan for all of these areas.
- E. The subdivision shall be served by Sussex County for sewer service.



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

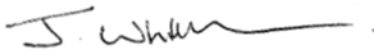
- F. The subdivision shall be served by a publicly regulated central water system providing drinking water and fire protection.
- G. Street design shall meet or exceed Sussex County standards. This includes County street design requirements for turnarounds along the dead-end roadway.
- H. The development shall be served by its own on-site active amenities such as a pool and pool house, and not a sharing arrangement with any other nearby development. These amenities shall be centrally located within the project. The location and type of amenities shall be shown on a revised Preliminary Site Plan submitted in accordance with Condition M.
- I. The developer shall complete all amenities within 2 years of the issuance of the first residential building permit.
- J. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- K. Deliveries of dirt, fill or other similar materials shall only be made to or from the site between the hours of 8:00 a.m. through 5:00 p.m., Monday through Friday.
- L. The Final Site Plan shall indicate all forested areas that will be preserved.
- M. A revised Preliminary Site Plan either depicting or noting these conditions must be submitted to the Office of Planning and Zoning.
- N. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

The Final Subdivision Plan must comply Subdivision Code, including submission of agency approval letters to the Planning and Zoning Office. The agency approvals required for Final Subdivision Plan approval include but are not limited to: Sussex County Mapping and Addressing, Sussex Conservation District, DelDOT, and the Office of the State Fire Marshal.

Once all agency approvals have been obtained please submit a minimum of **seven (7) paper copies (11"x17")** to the Planning and Zoning Office for consideration on the next agenda for Planning Commission. It is recommended that two (2) copies of a check print are first submitted to staff for review.

Please feel free to contact me during business hours 8:30am – 4:30pm Monday through Friday at 302-855-7878.

Sincerely,



Jamie Whitehouse
Planner III



DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health

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

January 11, 2019

TIDEWATER UTILITIES, INC.

APPROVAL TO CONSTRUCT

Haileys Glen Connection

Angola District

PWS #DE0000248

Approval #19W15

Mr. Mike Fitzgerald
BB Kielbasa, LLC
7910 Woodmont Avenue, Suite 1165
Bethesda, MD 20814

Dear Mr. Fitzgerald:

As provided by Section 2.11 of the *State of Delaware Regulations Governing Public Drinking Water Systems*, you are granted approval to connect Haileys Glen to the existing main in accordance with the plans submitted by Solutions IPEM, LLC. The plans consist of:

1. Transmittal letter dated January 11, 2019.
2. Two copies of the plans entitled "Haileys Glen" dated June 14, 2018 and revised January 9, 2019.

These plans, as noted, are made a part of this approval. This approval is granted subject to the enclosed list of conditions. 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, the Office of Engineering requires one set of as-built drawings, including profile markups.

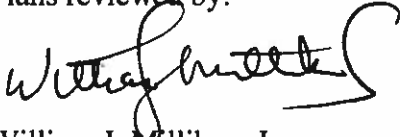
The Office of Engineering recommends detectable tracer tape that is three inches wide and blue in color to be installed directly above all water mains larger than two inches in diameter.

I am sending one set of plans with a copy of this approval to Solutions IPEM, LLC that is signed and dated by the Office of Engineering.

Mr. Mike Fitzgerald
BB Kielbasa, LLC
January 11, 2019
Page 2

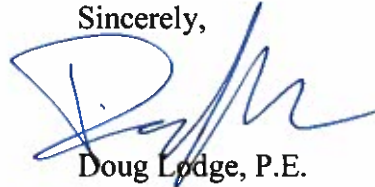
Should you have any questions regarding this matter, please feel free to contact Bill Milliken at (302) 741-8646.

Plans reviewed by:



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

Sincerely,



Doug Lodge, P.E.
Supervisor of Engineering
Office of Engineering

cc: Janelle Cornwell, Sussex County Planning & Zoning
Kevin Neilson, Public Service Commission
Holly Bartkovich, EIT, Solutions IPEM, LLC
Alexis Virdin-Gede, Tidewater Utilities, Inc.
Tawanda Priester, Tidewater Utilities, Inc.
Ashley Kunder, Office of Drinking Water

1. The approval is void if construction has not started by January 11, 2020.
2. The project shall be constructed in accordance with the approved plans and all required conditions listed in this Approval to Construct. If any changes are necessary, revised plans shall be submitted and a supplemental approval issued prior to the start of construction. As-built plans including profile mark-ups must be submitted to the Office of Engineering after construction has been completed.
3. Representatives of the Division of Public Health may inspect this project at any time during the construction.
4. This approval does not cover the structural stability of any units or parts of this project.
5. The water system shall be operated in conformance with the *State of Delaware Regulations Governing Public Drinking Water Systems*.
6. All wells, pipes, tanks, and equipment which can convey or store potable water shall be disinfected in accordance with the current AWWA procedures. Plans or specifications shall outline the procedure and include the disinfectant dosage, contact time, and method of testing the results of the procedure. (Recommended Standards for Water Works 2012 Edition 2.15)
7. Water mains crossing sanitary and storm sewers should be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer, and the water main should be above the sewer. At crossings, one full length of water pipe should be located so both joints will be as far from the sewer as possible. Special structural support for the water and sewer pipes may be required. In cases where it is not practical to maintain an 18-inch separation, the Division may allow deviation on a case-by-case basis if supported by data from the design engineer.
8. Water mains should be laid 10 feet horizontally from any existing or proposed sanitary or storm sewers. The distance should be measured edge to edge. In cases where it is not practical to maintain a 10-foot separation, the Division may allow deviation on a case-by-case basis if supported by data from the design engineer.
9. All chemicals, materials, mechanical devices, and coatings in contact with potable water shall comply with National Sanitation Foundation/American National Standards Institute Standards (NSF/ANSI) 60 and 61 and shall be inert, nontoxic, and shall not impart any taste, odor, or color to the water.
10. Sufficient valves should be provided so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than 500-foot intervals in commercial districts and at not more than one block or 800-foot intervals in other districts.

11. There shall be no connection between the distribution system and any pipes, pumps, hydrants, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into the system.
12. Fire hydrant drains shall not be connected to or located within 10 feet of sanitary sewers, storm sewers, or storm drains.
13. Prior to usage of water from this new well, water plant, storage plant, or distribution system, approval for the water quality must be obtained from the Division of Public Health.
14. The water system should be capable of providing at least 25 psi at ground level at all times throughout the distribution system.
15. All plastic pipe utilized in this drinking water system shall be approved for potable water use (NSF-pw). If any piping is joined with solder or flux, the solder and flux shall be lead free (less than or equal to 0.2 percent lead).
16. All water lines should be buried to a depth of at least 3 feet.
17. A Certificate of Public Conveniences and Necessity should be acquired from the Public Service Commission, (302) 739-4247.
18. This approval is for the distribution system only. Plans and specifications for all well plumbing, pumps, storage (including any interior coatings), and treatment must be submitted to and approved by this office prior to their installation.
19. The approval is subject to immediate revocation upon violation of any of the preceding conditions.
20. All other local (county/city/town) approvals or permits needed must be obtained prior to beginning construction.
21. Upon completion of construction and before the system is placed into operation, a "Notice of Completion" must be submitted to the Office of Engineering. Before placing the system into operation, the following must be adhered to:
 - a. Submit a set of as-built plans with profile markups to the Office of Engineering.
 - b. Obtain an Approval to Operate from the Office of Engineering.



DELAWARE STATE FIRE MARSHAL'S OFFICE
TECHNICAL SERVICES



SFMO APPROVAL SHEET

DATE: 01/29/2019

PROJECT NAME: Hailey's Glen Subdivision PROJECT TYPE: MJS

PROJECT ADDRESS: Angola Road PLAN DATE: 01/24/2019

CITY: Lewes TAX ID# 2-34-12.00-11.00

PROJECT DESCRIPTION : 67 lot single family dwelling subdivision without amenities buildings.

The accompanying application has been accepted for Contingency Construction Start and is authorized only for the work as indicated below with the following restrictions. The owner assumes personal risk and responsibility to correct any deficiencies noted in the Fire Marshal's Plan Review or Inspection Process.

Preliminary Approval

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

FP Specialists FM# and Signature: N/A Date: _____

Plan Review Approval

The owner understands that plan submittals for this project are approved. If annotated below, a Progress Review will be required. No close in or concealment of any kind shall be permitted until a progress inspection is performed by the State Fire Marshal's Office. (A minimum of five days notice is needed when scheduling for a progress visit or final inspection by the State Fire Marshal's Office)

FP Specialists FM# and Signature: [Signature] FM-25 Date: 01/29/2019
Comments:

☐ PROGRESS REVIEW REQUIRED

☒ PROGRESS REVIEW NOT

REQUIRED

Final Approval

The Office of the State Fire Marshal recognizes that this project meets the minimum requirements of the Delaware State Fire Prevention Regulation. This recognition does not relieve the owner, designer, contractor, or designated representative from their responsibility to comply with the applicable provisions of the Delaware State Fire Prevention Regulation.

FP Specialists FM# and Signature: _____ Date: _____
Comments:

Doc. No. 75-01-98-06-06

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2019-199035-04-MJS-02

Tax Parcel Number: 2-34-12.00-11.00

Review Status: **APPROVED AS SUBMITTED**

Review Date: 01/29/2019

PROJECT COMMENTS

- 1002 A** This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
- 1030 A** This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 500 gpm @ 20 psi residual for 1 hour duration. Hydrant Spacing: 1,000' on center.
- 1408 A** All premises where emergency personnel may be called upon to provide emergency services, which are not readily accessible from streets, shall be provided with suitable gates, access roads, and fire lanes so that all buildings on the premises are accessible to emergency apparatus. (DSFPR Regulation 705, Chapter 5, Section 2).
- 1170 A** The minimum paved radius of a cul-de-sac is 38 feet unobstructed as shown in Figure 5-1. (DSFPR Regulation 705, Chapter 5, Section 2.3.2).
- 1093 A** In the case of one and two-family dwellings emergency service access shall be provided in such a manner so that emergency apparatus will be able to locate within 100 feet from the street to the primary entrance. Where alleys are provided, pumpers shall be able to access all portions of the alley without strict restrictions for entrance radii. (DSFPR Regulation 705, Chapter 5, Sections 2.2 and 2.2.1).
- 1420 A** All fire hydrants shall be marked and identified in accordance with DSFPR Regulation 705, Chapter 6, Section 2.0.
- 1119 A** All proposed fire hydrants and water mains shall be installed in accordance with the most current edition of the Delaware State Fire Prevention Regulations (DSFPR, Part II, Chapters 6 & 7).

1132 A Fire hydrants shall be color coded in accordance with the DSFPR, Part III, Section 3 4. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange.

1232 A All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located. DSFPR Part III,Section 1.1.5.1.

1432 A The steamer connection of all fire hydrants shall be so positioned so as to be facing the street or fire lane. (DSFPR Regulation 705, Chapter 5, Section 10). The center of all hose outlet(s) on fire hydrants shall be not less than 18 inches above finalgrade (NFPA 24, Section 7.3.3).

2500 A A final inspection is required for this project prior to occupancy (DSFPR Part I, Section 4-7). Contact this Agency to schedule this inspection. Please have the plan review number available. A MINIMUM OF FIVE (5) WORKING DAYS NOTICE IS REQUIRED.



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP
89 Kings Highway
DOVER, DELAWARE 19901

OFFICE OF THE
DIRECTOR

PHONE: (302) 739-9921
FAX: (302) 739-6724

October 17, 2018

TO: Mike Fitzgerald
CC: Solutions
FROM: Joanne Gedney, Sediment and Stormwater Program
SUBJECT: NOI: Hailey's Glen

Thank you for your submittal of "The Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity Under a NPDES General Permit" for the subject project.

Date NOI was received: 10-16-2018

Date NOI information was entered into the database: 10-17-2018

Database I.D. #:5859

Check #: 172

By signing the NOI, the signatory agrees to fully comply with the *Special Conditions for Storm Water Discharges Associated with Construction Activities* which can be viewed at http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/PDF/NPDES_Sect9_G_P.pdf

Outlined below are several responsibilities that should be noted:

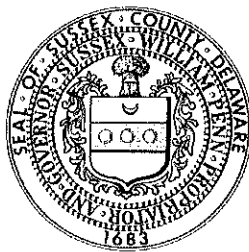
- During construction the approved Sediment and Stormwater Plan shall remain at the site at all times (§ 9.1.02.4.B.1). A copy of the NOI shall be kept at the site as well.
- Maintenance inspections of erosion and sediment (E & S) controls and stormwater management facilities must be conducted weekly and the next day after a rainfall event that results in runoff. (§ 9.1.02.4.B.2).

Delaware's good nature depends on you!

- These inspections must be documented in a weekly log that must be maintained on-site (§ 9.1.02.4.C.1). The documentation must contain:
 1. the date and time of inspection;
 2. the inspector's name;
 3. assessment of the condition of the E & S controls and stormwater management facilities;
 4. any construction, implementation, or maintenance performed; and
 5. a description of the site's present phase of construction.
- If you are using a CCR, their weekly CCR reports will suffice as the weekly log. These reports must be maintained on site.
- If ownership or operational control of the permitted activities is transferred a Transfer of Authorization form must be filled out and submitted to the Department to update the NOI (§ 9.1.02.1.E).
- To closeout your General NPDES Storm Water permit coverage and its requirements a completed Notice of Termination (NOT) form must be submitted to the Department for review and approval. The following requirements (§ 9.1.02.7.B) need to be met prior to submittal of the NOT form:
 1. All items and conditions of the Plan have been satisfied in accordance with the *Delaware Sediment and Stormwater Regulations*;
 2. As-built documentation verifies that permanent stormwater management measures have been constructed in accordance with the approved Plan and the *Delaware Sediment and Stormwater Regulations*; and
 3. Final stabilization has been achieved.

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING

September 18, 2018

Mr. Jason Palkewicz
Solutions, IPEM
303 N. Bedford Street
Georgetown, DE 19947

REF: **HAILEY'S GLEN
CONCEPT PLAN APPROVAL
SUBDIVISION NO.
TAX MAP AND PARCEL NUMBER
234-12.00-11.00
CLASS-1
AGREEMENT NO. 1097
FILE: ANG-4.07.04**

Dear Mr. Palkewicz:

Attached please find six (6) copies of the approved concept plan that you submitted for the above-referenced project. Please note that these drawings are not to be used for construction.

Please submit a copy of this concept plan *within* each set of your detailed design drawing submissions, which will be submitted to Mr. Michael Brady, Director of Public Works.

The purpose of the concept plan is to establish preliminary pipeline alignments, sizes and minimize changes during the construction drawing approval process. It is not meant to preempt the construction drawing review process and comments and changes can be expected.

If you should have any questions, please do not hesitate to contact me at (302) 855-1299.

Sincerely,

SUSSEX COUNTY ENGINEERING DEPARTMENT

Mr. Chris Calio
Planning Technician

Attachments

Xc: Mr. John J. Ashman, w/o attachment
Mrs. Jayne Dickerson, w/o attachment
Mr. Michael Brady, w/attachment
Permit Technician, w/attachment
EC: Mr. Michael Brady, w/attachment
99110 database, w/attachment



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

MAPPING & ADDRESSING

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



Sussex County

DELAWARE
sussexcountyde.gov

November 9, 2017

Solutions IPEM
Attn: Jason Palkewicz
303 N Bedford Street
Georgetown, DE 19947

RE: **Proposed Subdivision Name**

I have reviewed the name(s) submitted for your proposed subdivision, which is located in Lewes (234-12.00-11.00). In reviewing the proposed name(s) the following has been **approved** for this subdivision:

HAILEYS GLEN

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

Sincerely,

Terri L Dukes

Terri L. Dukes
Addressing Technician II

CC: Jennifer Norwood
Planning & Zoning



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



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

JENNIFER COHAN
SECRETARY

May 02, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

SUBJECT: Letter of No Objection to Recordation
Hailey's Glen (F.K.A Kielbasa)
Tax Parcel # 234-12.00-11.00
SCR 277 (Angola Road)
Indian River Hundred, Sussex County

Dear Ms. Cornwell:

The Department of Transportation has reviewed the Site Plan, dated May 14, 2018 (signed and sealed on April 30, 2019), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawings. This "No Objection to Recordation" approval shall be valid for a period of five (5) years. If the Site Plan is not recorded prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. Entrance plans shall be developed in accordance with DelDOT's [Development Coordination Manual](#) and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel

Hailey's Glen (F.K.A Kielbasa)
Ms. Janelle Cornwell
Page 2
May 02, 2019

that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

If I can be of any further assistance, please call me at (302) 760-2266.

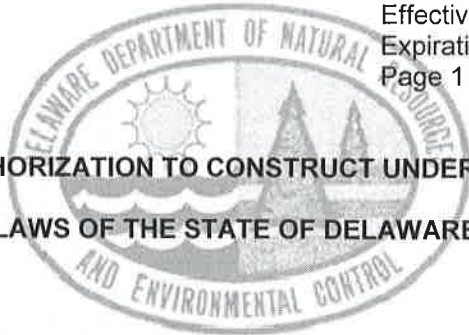
Very truly yours,



Susanne K. Laws
Sussex County Review Coordinator
Development Coordination

cc: Mike Fitzgerald, Hailey Development, LC
Jason Palkewicz, Solutions IPeM
William Kirsch, South District Entrance Permit Supervisor
Rusty Warrington, Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Gomez W. Norwood, South District Public Work Manager
Jennifer Pinkerton, Chief Materials & Research Engineer
Peter Haag, Traffic Studies Manager
Linda Osiecki, Consistency Control Engineer
John Fiori, Bicycle Coordinator
Maria Andaya, Pedestrian Coordinator
Mark Galipo, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Joseph Ellis, Contech Manager
David Dooley, DTC Planner
James Kelley, JMT
Todd Sammons, Subdivision Engineer
John Andrescavage, Sussex County Reviewer

**AUTHORIZATION TO CONSTRUCT UNDER THE
LAWS OF THE STATE OF DELAWARE**



PART I

1. In compliance with the provisions of 7 Del. C., §6003,

**Sussex County Council
2 The Circle
P. O. Box 589
Georgetown, DE 19947**

and

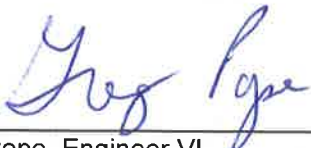
**BB Kielbasa, LLC
7910 Woodmont Avenue, Suite 1165
Bethesda, MD 20814**

are authorized, jointly and individually, to construct facilities consisting of the following:

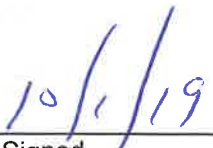
Approximately, two thousand seven hundred and five linear feet of eight inch (2,705 LF of 8"), one hundred and ninety seven linear feet of ten inch (197 LF of 10") gravity system, 15 manholes cleanouts, laterals and related facilities, one pump station with dual pumps and one thousand eight hundred and eighty linear feet of four inch force main (1,880 LF of 4"FM) and related appurtenances to serve the proposed Hailey's Glen residential subdivision located on Angola Road (SCR277) across from the intersection with Angola Beach Road (SCR278) and approximately 375' east of Bay Ridge Lane, Sussex County, Delaware. The gravity system, forcemain and pump station will all be located within the residential subdivision.

in accordance with plans and specifications as described below and limitations, requirements and other conditions set forth in Parts I, II and III hereof.

2. The plans and specifications consist of the following:
Sixteen (16) drawings** prepared by Solutions, IPEM, titled "Road, Storm Drain, Sewer, Water & ESC Plans for Hailey's Glen, Sussex County, Delaware for BB Kielbasa, LLC", dated 05/14/18, revised 4/15/19, and endorsed by Mr. Hans Medlarz, Sussex County Engineer, on 9/30/19; the current Sussex County Standard Specifications for Design and Construction of Ordinance 38 Projects; and a letter dated



Greg Pope, Engineer VI
By Agreement with Surface Water Discharges Section
Division of Water
State of Delaware Department of Natural Resources
And Environmental Control



Date Signed

November 30, 2012, addressed to Molly J. Mackil, P.E., DNREC, from Mr. Michael Izzo, Sussex County Engineer.

** Sheet Nos. 1, 2, 4, 16 through 21, 23 through 29

Sheet No. 1 titled "Cover Sheet"; Sheet No. 2 titled "General Notes"; Sheet No. 4 titled "Index Sheet"; Sheet No. 16 titled "Details 2"; Sheet No. 17 titled "Sanitary Sewer Index Plan"; Sheet No. 18 titled "Sanitary Sewer Plan A"; Sheet No. 19 titled "Sanitary Sewer Plan B"; Sheet No. 20 titled "Sanitary Sewer Plan C"; Sheet No. 21 titled "Sanitary Sewer Profile 1"; Sheet Nos. 23 titled "Sanitary Sewer Profile 2"; Sheet No. 24 titled "Force Main Profile"; Sheet No. 25 titled "Sanitary Sewer Details 1"; Sheet No. 26 titled "Sanitary Sewer Details 2"; Sheet No. 27 titled "Pump Station Site Plan" Sheet No. 28 titled "Pump Station Details 1"; Sheet No. 29 titled "Pump Station Details 2"

3. The liquid waste will be discharged through the existing wastewater collection and transmission facilities, to the Inland Bays Wastewater Treatment facility, which discharges treated wastewater in accordance with NPDES Permit No. LTS-5004-90-12.

A. Effluent Limitations on Pollutants Attributable to Industrial Users

The use of the constructed facility is conditioned on meeting all applicable pretreatment standards under 40 CFR, Part 403, or toxic pollutant discharge limitations under Section 307(a) of the Clean Water Act of 1977, PL 95-217.

B. Flow and Usage Limitations

This permit authorizes a daily average discharge of N/A gallons*. The flow in the system shall be measured at least every N/A.

* This permit authorizes only the construction of the wastewater collection and conveyance facilities referenced herein.

The total proposed Equivalent Dwelling Units (EDU's) is 114 @ 250 gallons per day (gpd)/EDU = 28,500 gpd.

C. Monitoring and Reporting (When Required)

1. Representative sampling of the volume and nature of the monitored discharge shall be conducted at the request of the Division of Water.

2. Reporting

Monitoring results shall be reported to the:
Delaware Department of Natural Resources and Environmental Control
Division of Water, Surface Water Discharges Section
89 Kings Highway
Dover, DE 19901
302-739-9946

3. Definitions

a. "Daily average flow" means the total flow during a calendar month divided by the number of days in the month that the facility was operating.

b. "Daily maximum flow" means the highest total flow during any calendar

day.

- c. "Daily Peak Flow" means the flow which can be safely transported within the sewage system without causing an overflow or a backup into the building(s) or residence(s).
- d. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
- e. "Measured flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.
- f. "Estimate" means a value to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

4. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The date, exact place and time of sampling or measurement;
- b. The person(s) who performed the sampling and/or measurement;
- c. The date(s) and time(s) analysis was performed;
- d. The individual(s) who performed each analysis;
- e. The analytical technique(s) or method(s) used;
- f. The results of each analysis; and
- g. Appropriate quality assurance information.

5. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, all records of instrument calibration and maintenance and all charts from continuous monitoring instruments, shall be retained for three (3) years. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Department.

6. Test Procedures

Test procedures for the analysis of pollutants shall conform to the applicable test procedures identified in 40 CFR, Part 136, unless otherwise specified in this permit.

END OF PART I

PART II

A. Management Requirements

1. Duty to Comply

The permittee must comply with the terms and conditions of this permit. Failure to do so constitutes a violation of this permit, which is grounds for enforcement and the imposition of penalties as provided in 7 Del.C., Chapter 60, grounds for permit termination or loss of authorization to discharge or operate pursuant to this permit, grounds for permit revocation and reissuance or permit modification, or denial of a permit renewal application.

2. Notification

a. Changes in Authorized Activities

The permittee shall notify the Department of any proposed change in the activity authorized herein, of any proposed substantive change in the operation of the facility or facilities authorized herein, or of any anticipated facility expansions, production increases, or process modifications. Notification is required only when such alteration, addition or change may justify the inclusion of conditions that are absent or different from those specified in this permit. This includes, for example, the construction of additional wastewater collection, transmission or treatment facilities and changes which will result in new, different, or increased discharges of pollutants. Following such notice, the Department may require the submission of a new permit application or this permit may be reopened and modified to address the proposed changes.

b. Noncompliance

If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this permit, the permittee shall provide the Department with the following information, in writing, within five (5) days of becoming aware of such condition:

A description of the discharge and cause of noncompliance; and

The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall, at all times, maintain in good working order and operate as efficiently as possible all collection and treatment facilities and systems (and related appurtenances) installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective management, adequate operator staffing and training and adequate laboratory process controls, including appropriate quality assurance procedures.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and extent of the noncomplying discharge.

5. Bypassing

Any bypass or intentional diversion of waste streams from the facilities authorized by this permit, or any portion thereof, is prohibited, except (i) where unavoidable to prevent loss of human life, personal injury or severe property damage, or (ii) where excessive storm drainage or run-off would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Department, in writing, of each such diversion or bypass.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a manner such as to prevent any pollutant from such materials from entering the surface water or groundwater.

B. Responsibilities

1. Within 90 days following the completion of construction, the permittee shall submit to the Department an "as-built" set of plans of the facility or facilities constructed, bearing the seal and signature of a licensed Professional Engineer registered in the State of Delaware.

2. Right of Entry

The permittee shall allow the Secretary of the Department of Natural Resources and Environmental Control, or his authorized representative(s), upon the presentation of credentials:

- a. To enter upon the permittee's premises for inspection of any records, flow measurements, construction or other activity authorized by this permit or any condition required under the terms of this permit; and
- b. At reasonable times, to have access to and to copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and
- c. To sample any discharge.

3. Transferability

This permit is transferable with the Department's consent, provided that an intention to transfer accompanied by a copy of the permit is provided to the Department, signed by both the transferor and the transferee at least ten (10) days prior to the actual transfer.

4. Availability of Reports

All reports submitted with the application and those reports required under the terms of this permit shall be available for public inspection at the offices of the Department of Natural Resources and Environmental Control. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in 7 Del. C., §6013. Any person who causes or contributes to the discharge of a pollutant into State waters either in excess of any conditions specified in this permit or in absence of a specific permit condition shall report such an incident to the Department required under 7 Del. C. §6028.

5. Permit Modification

This permit may be modified, suspended or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any term or condition of this permit;
- b. Obtaining this permit by misrepresentation or failure to fully disclose all relevant facts;
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized activity; or
- d. Information that the permitted activity poses a threat to human health or welfare, or to the environment.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under 7 Del. C., Chapter 60.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation.

8. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

9. Severability

The provisions of this permit are severable. If any provision of this permit is held invalid, or if the application of any provision of this permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART III

A. Special Conditions

1. This permit authorizes only the construction of the wastewater facilities and related work referenced herein.
2. If wellpointing is required during construction, the wells must be installed by a licensed well driller, and a permit to construct such wells must first be obtained from the Well Permits Branch of the Water Supply Section.
3. All construction shall be in agreement with plans and specifications submitted under this project and approved by the Department of Natural Resources and Environmental Control.
4. All construction shall be in accordance with Ten States Standards and other applicable local utility construction specifications and standards.
5. Connections or additions to the proposed system, other than those proposed on the plans, will not be allowed without prior approval from the Department.

END OF PART III

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

MICHAEL E. BRADY
DIRECTOR OF PUBLIC WORKS

September 30, 2019

Mr. Jason Palkewicz, P.E.
Solutions, IPEM
303 N. Bedford Street
Georgetown, DE 19947

REF: **HAILEY'S GLEN
ANGOLA NECK SANITARY SEWER DISTRICT
SUBDIVISION NO. 2017-17
SUSSEX COUNTY TAX MAP NUMBER
234 - 12.00 - PARCEL 11.00 - CLASS-1
AGREEMENT NO. 1097**

Dear Mr. Palkewicz:

The above referenced project was approved on September 30, 2019 and one (1) set of approved plans are enclosed. This approval is valid for three (3) years, unless prior to expiration of that three (3) year period, a time extension is requested and approved by the Department. Plans granted an extension beyond the three (3) period will be required to meet updated standards and specifications.

Also, it is your responsibility to secure approvals and/or permits that may be required by other regulatory agencies.

Please contact Mr. Gary Fleetwood of this Division to initiate pre-construction procedures for private roads and Mr. Keith Bryan in the Department's Division of Utility Engineering to initiate pre-construction procedures for sanitary sewer.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

SUSSEX COUNTY ENGINEERING DEPARTMENT

Jordan T. Dickerson
Public Works Technician IV

cc: Mr. Keith Bryan, w/2 enclosures
Ms. Janelle Cornwell, w/o enclosure
Public Works Field File, w/enclosure



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

PLAN APPROVAL APPLICATION

Development Name _____

Engineering Firm _____

Contact Number _____

Developer _____

Contact and Number _____

PLEASE INCLUDE THE FOLLOWING WITH THIS APPLICATION:

- 1) (3) copies of **SEALED FINAL WATER PLANS** as approved by: ☐
TUI, Office of State Fire Marshal and DHSS-Office of
Drinking Water.
- 2) Copy of Office of State Fire Marshal approval letter ☐
- 3) Copy of DHSS - Office of Drinking Water approval letter ☐
- 4) Copy of **RECORDED RECORD PLAT** showing all TUI
easements with Book/Page ☐
- 5) Electronic copies on CD: ☐
 - **SEALED FINAL WATER PLANS** in .pdf and .dwg format
 - **RECORDED RECORD PLAT** in .pdf format

BUILDING TYPE	# OF BUILDINGS	UNITS PER BUILDING	# OF DOMESTIC METERS	DOMESTIC METER SIZE	# OF FIRE CONNECTIONS	FIRE CONNECTION SIZE

One line per Domestic or Fire connection size

Fire Connections must be shown on FINAL plans submitted

Building Types

SF - 1 or 2 family detached
TC - Townhome or Condominium
AP - Apartment
CC - Community/Clubhouse
PH - Pool/Poolhouse
CM - Commercial
PS - Sanitary Sewer Pump Station

Various Domestic Meter Sizes

5/8", 1", 1 1/2", 2", 3", 4"

Various Fire Connection Sizes

2", 4", 6", 8", N/A

Project Manager

Date