

**PLANNING & ZONING COMMISSION**

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



**Sussex County**

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

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date March 11, 2021.

Application: CU 2208 Artesian Wastewater Management, Inc.

Applicant: Artesian Wastewater Management, Inc. (c/o Rodney Wyatt)  
664 Churchmans Road  
Newark, DE 19702

Owner: Artesian Wastewater Management, Inc. (c/o David Spacht, President)  
664 Churchmans Road  
Newark, DE 19702

Site Location: Lying on the east side of Isaacs Road (Route 30/ S.C.R. 230), approximately 610 feet south of Reynolds Pond Road (S.C.R. 231) and on the southwest side of Reynolds Road approximately 635 feet east of Isaacs Road.

Current Zoning: Agricultural Residential (AR-1)

Proposed Use: Expansion of C/U #1724 and amend conditions of approved Final Site Plan.

Comprehensive Land Use Plan Reference: Low Density Area

Councilmatic District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Milton Fire District

Sewer: Artesian Wastewater Management, Inc.

Water: Artesian Water Co. Inc.

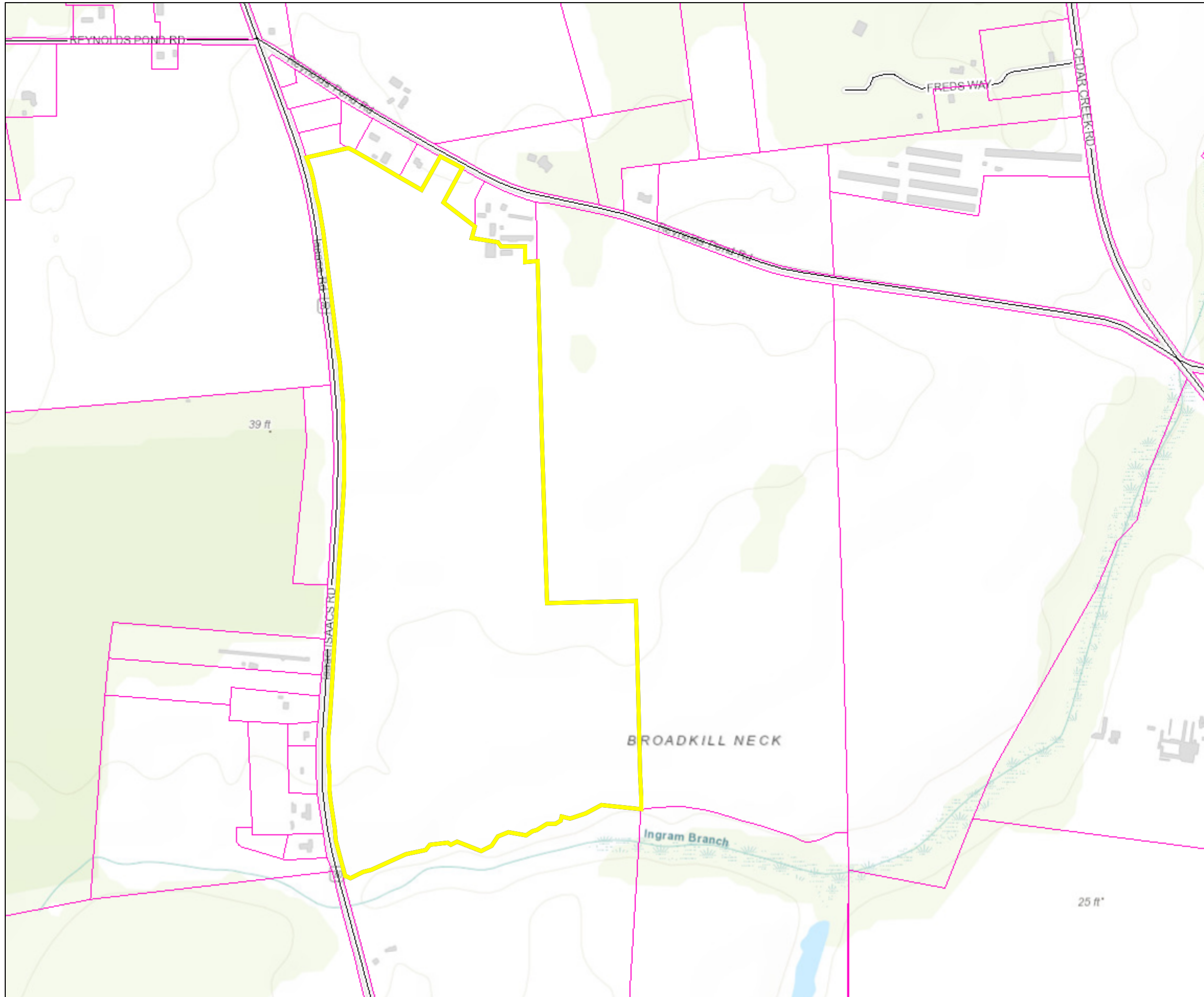
Site Area: 127.37 acres +/-

Tax Map ID.: 235-6.00-28.00 (formerly parcels 235-6.00-28.00 & 29.00)





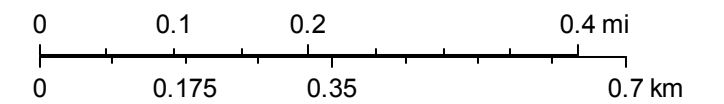
# Sussex County



<b>PIN:</b>	235-6.00-28.00
<b>Owner Name</b>	ARTESIAN WASTEWATER MANAGEMENT INC
<b>Book</b>	4895
<b>Mailing Address</b>	664 CHURCHMANS RD
<b>City</b>	NEWARK
<b>State</b>	DE
<b>Description</b>	BEING KNOWN AS THE AR
<b>Description 2</b>	REGIONAL SEWER PLANT
<b>Description 3</b>	N/A
<b>Land Code</b>	

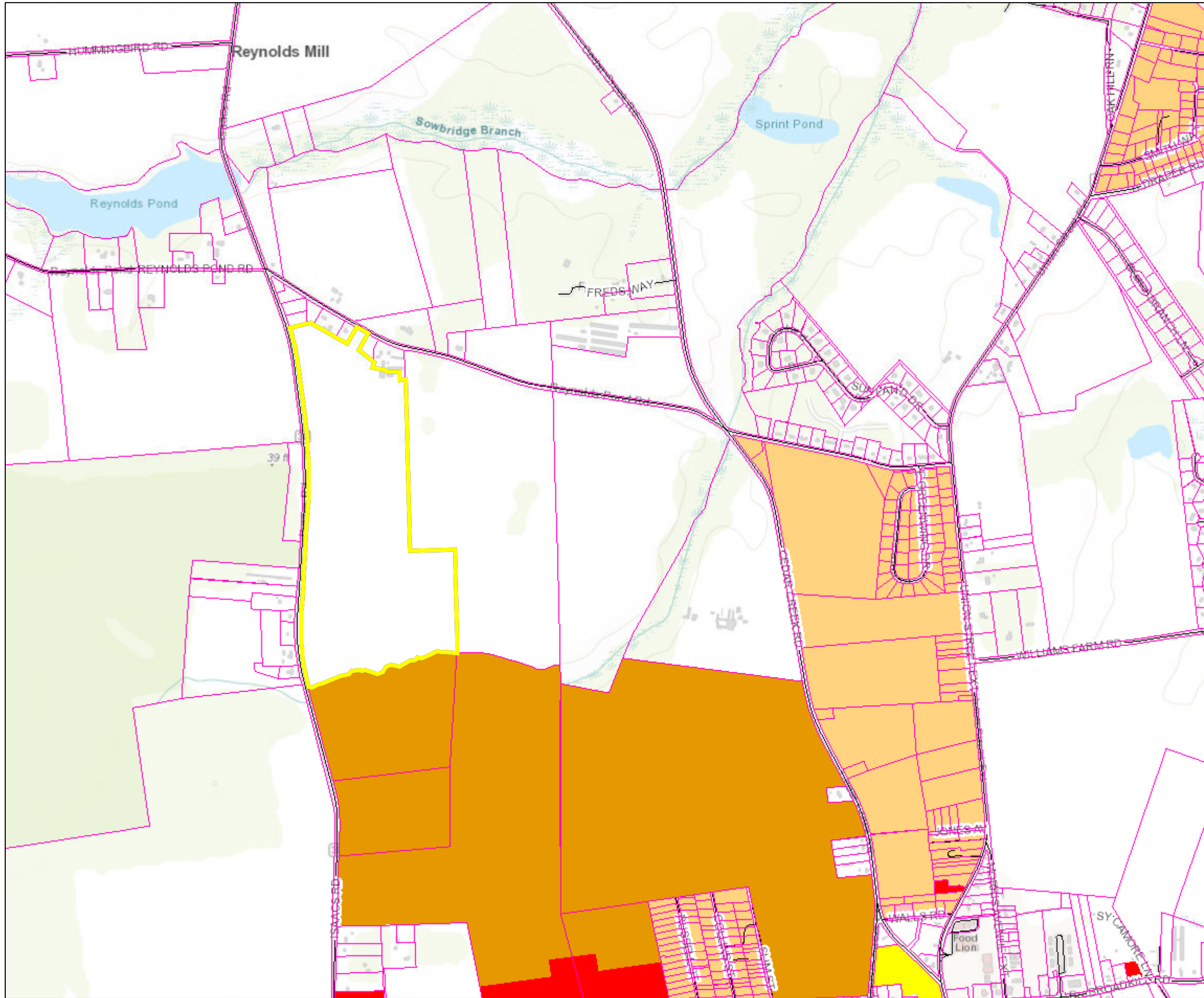
- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets
- County Boundaries

1:9,028





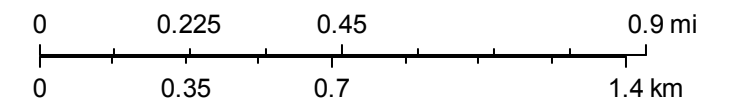
# Sussex County



<b>PIN:</b>	235-6.00-28.00
<b>Owner Name</b>	ARTESIAN WASTEWATER MANAGEMENT INC
<b>Book</b>	4895
<b>Mailing Address</b>	664 CHURCHMANS RD
<b>City</b>	NEWARK
<b>State</b>	DE
<b>Description</b>	BEING KNOWN AS THE AR
<b>Description 2</b>	REGIONAL SEWER PLANT
<b>Description 3</b>	N/A
<b>Land Code</b>	

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

1:18,056





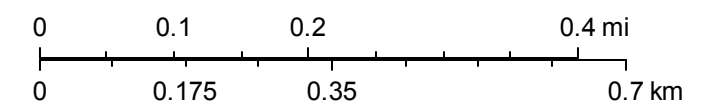
# Sussex County



<b>PIN:</b>	235-6.00-28.00
<b>Owner Name</b>	ARTESIAN WASTEWATER MANAGEMENT INC
<b>Book</b>	4895
<b>Mailing Address</b>	664 CHURCHMANS RD
<b>City</b>	NEWARK
<b>State</b>	DE
<b>Description</b>	BEING KNOWN AS THE AR
<b>Description 2</b>	REGIONAL SEWER PLANT
<b>Description 3</b>	N/A
<b>Land Code</b>	

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

1:9,028



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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Lauren DeVore, Planner III  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: March 2, 2021  
RE: Staff Analysis for CU 2208 Artesian Wastewater Management, Inc.

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2208 Artesian Wastewater Management, Inc. to be reviewed during the March 11, 2021 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 235-6.00-28.00 (formerly Tax Parcel 235-6.00-28.00 & 28.09) to allow for the expansion of the existing wastewater treatment, disposal facility, and water treatment facility. The revisions to the previously approved plan include adding the 52 +/- acres that was subsequently acquired to the conditional use, modification of the landscape requirement and a modification of a previous Condition of Approval placed on the site. Specifically, the application proposes to amend the Conditions of Approval for the existing and previously approved Conditional Uses (1724 & 1725) on the site which require all equipment be located indoors (with the exception of generators). The parcel is located on the east side of Isaacs Road (Route 30/S.C.R. 230), approximately 610 feet south of Reynolds Road (S.C.R. 231). The project site consists of 127.37 acres +/- . It should be noted that the properties to the east and west lie within the Agricultural Preservation District and contain Agricultural Easements.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the parcels have a designation of "Low Density." The surrounding properties to the north, east and west also are designated as "Low Density" areas.

As outlined within the 2018 Sussex County Comprehensive Plan, the primary uses envisioned in Low Density Areas are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas.

The property to the south has the designation of "Developing Area." range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A



variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home.

The subject property is zoned Agricultural Residential (AR-1). The adjoining parcels to the north, and west are all zoned Agricultural Residential (AR-1). The properties to the south and southeast along Isaacs Road (S.C.R. 230) are zoned High Density Residential (HR-1).

Since 2011, there have been five (5) Conditional Use applications within a 2-mile radius of the application site. The first application was Conditional Use No. 1960 to allow for a go-kart track. This application was recommended approval by the Planning and Zoning Commission on April 25, 2013, was approved by the Sussex County Council on May 21, 2013 and was adopted through Ordinance No. 2305. The second application was Conditional Use No. 1947 to allow for a public service building/use. This application was recommended approval by the Planning and Zoning Commission on October 25, 2012, was approved by the Sussex County Council on November 27, 2012 and was adopted through Ordinance No. 2281. The third application was Conditional Use No. 2183 to allow for a storage facility with outdoor storage. This application was recommended approval by the Planning and Zoning Commission on September 26, 2019, was approved by the Sussex County Council on November 12, 2019 and was adopted through Ordinance No. 2688. The fourth application was Conditional Use No. 2163 for an event venue. This application was recommended denial by the Planning and Zoning Commission on April 11, 2019 and was denied by the Sussex County Council on April 30, 2019. The fifth application was Conditional Use No. 1992 to allow for a vendor (lunch truck) to sell foods and beverages. This application was recommended approval by the Planning and Zoning Commission on August 21, 2014, was approved by the Sussex County Council on January 13, 2015 and was adopted through Ordinance No. 2383.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for a 52 +/- acre expansion of the existing wastewater treatment, disposal facility, and wastewater treatment facility subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

# Planning & Zoning Commission 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)**

Conditional Use   
Zoning Map Amendment

REVISED

**Site Address of Conditional Use/Zoning Map Amendment**

Isaacs Road, Milton, DE 19968

**Type of Conditional Use Requested:**

Expansion of CU#1724 & amend conditions of Approved Final Site Plan.

**Tax Map #:** 235-6.00-28 (formerly parcels 235-6.00-28.00 & 29.00) **Size of Parcel(s):** 127.37

**Current Zoning:** AR-1 **Proposed Zoning:** AR-1 **Size of Building:** Multiple sizes

**Land Use Classification:** Wastewater Treatment/Disposal Facility

**Water Provider:** Artesian Water Co. Inc. **Sewer Provider:** Artesian Wastewater Management, Inc.

**Applicant Information**

**Applicant Name:** Artesian Wastewater Management, Inc. c/o Daniel W. Konstanski, P.E.

**Applicant Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dkonstanski@artesianwater.com

**Owner Information**

**Owner Name:** Artesian Wastewater Management, Inc. c/o David Spacht, President

**Owner Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dspacht@artesianwater.com

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Daniel W. Konstanski, P.E.

**Agent/Attorney/Engineer Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dkonstanski@artesianwater.com



# Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- Completed Application**
- Provide eight (8) copies of the Site Plan or Survey of the property**
  - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
  - Provide a PDF of Plans (may be e-mailed to a staff member)
  - Deed or Legal description
- Provide Fee \$500.00**
- Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 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.**
- DelDOT Service Level Evaluation Request Response**
- PLUS Response Letter** (if required)

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 the Sussex County Council 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: 3/1/2021

Signature of Owner

\_\_\_\_\_

Date: 3/1/2021

For office use only:

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

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

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

Subdivision: \_\_\_\_\_

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

Date of CC Hearing: \_\_\_\_\_ Decision of CC: \_\_\_\_\_





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

JENNIFER COHAN  
SECRETARY

March 1, 2019

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

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Artesian Wastewater Management, Inc.** conditional use application, which we received on February 1, 2019. This application is for a 52.75-acre parcel (Tax Parcel: 235-6.00-28.00). The subject land is located on the south side of Reynolds Pond Road (Sussex Road 231) and east of Isaacs Road (Sussex Road 230), approximately 750 feet southeast of the intersection of Isaacs Road and Reynold Pond Road. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to expand the existing wastewater treatment plant.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Isaacs Road where the subject land is located is 3,289 vehicles per day. As the subject land also has frontage along Reynolds Pond Road, the annual average daily traffic volume along that road segment, which is from Isaacs Road to Delaware Route 5, is 620 vehicles per day.

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



Ms. Janelle M. Cornwell  
Page 2 of 2  
March 1, 2019

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Artesian Wastewater Management, Inc, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance & Operations  
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

**PLANNING & ZONING**

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



**Sussex County**

DELAWARE  
sussexcountyde.gov

**Service Level Evaluation Request Form**

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

Date: 1/31/19

**Site Information:**

Site Address/Location: E/S Route 30 (Isaacs Road), south of SCR 231 (Reynolds Pond Road)

Tax Parcel Number: 235-6.00-28.00

Current Zoning: AR-1

Proposed Zoning: C.U.

Land Use Classification: Low Density

Proposed Use(s): Expansion of C.U. #1724 for  
WWTP storage and disposal

Square footage of any proposed buildings or number of units: 52.7539 a. +/-

RECEIVED

JAN 31 2019

SUSSEX COUNTY  
PLANNING & ZONING

**Applicant Information:**

Applicant's Name: Artesian Wastewater Management, Inc

Applicant's Address: 664 Churchmans Road

City: Newark State: DE Zip Code: 19702

Applicant's Phone Number: (302) 856-0010

Applicant's e-mail address: dschrader@morrisjames.com

*MADE CONTACT W/OFFICE  
3/4/2019 4:08 PM*



**ORDINANCE NO. 1922**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SEWAGE TREATMENT PLANT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 74.61 ACRES, MORE OR LESS**

**WHEREAS, on the 27th day of June 2006 a conditional use application, denominated Conditional Use No. 1724, was filed on behalf of North Milton Development Group II; and**

**WHEREAS, on the 25th day of January 2007 a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 18th day of July 2007, said Planning and Zoning Commission recommended that Conditional Use No. 1724 be approved with conditions; and**

**WHEREAS, on the 13th day of February 2007, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County;**

**NOW, THEREFORE,**

**THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1724 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying east of Route 30, 0.6 mile south of Reynolds Pond Road (Road 231), and being more particularly described as follows:**

BEGINNING at a point on the easterly right of way of Route 30 at the centerline of Ingram Branch; thence northerly 1,908.06 feet along the easterly right of way of Route 30 to a point; thence N 70°18'09" E 1,372.42 feet across lands of Ockels Acres to a point; thence southerly along lands of Harry H. Isaacs, Jr., the following six (6) courses: S 08°34'18" W 983.96 feet, S 81°12'47" E 521.76 feet, S 08°38'33" W 1,020.59 feet, S 09°04'21" W 121.98 feet, S 09°04'21" W 68.18 feet, and S 08°08'30" W 3.93 feet to a point in centerline of Ingram Branch; thence westerly by and along the meandering centerline of Ingram Branch 1,858.59 feet to the point and place of beginning, said parcel containing 74.61 acres, more or less, as plotted by Meridian Architects and Engineers.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. The proposal regional Sewage Treatment Plant and its collection and disposal systems shall be reviewed and approved by DNREC and shall be designed and constructed in accordance with all other applicable Federal, State and County requirements, including those mandated by DNREC and other agencies having jurisdiction over same.
2. Because the Applicant did not apply for a water treatment plant as part of this conditional use, one shall not be permitted on this site unless approved under a separate conditional use application.
3. The treatment plant building shall appear to be an agricultural building.
4. All improvements for collection, treatment and disposal of sanitary waste shall be constructed and maintained in accordance with the requirements of the Sussex County Engineering Department, if any, and the Delaware Department of Natural Resources and Environmental Control, and any other governmental agency with jurisdiction over the use of the site, or any modification thereto.
5. There shall be forested buffers of at least 30 feet from all property lines. Any lagoons, Rapid Infiltration Basins or similar structures shall be located at least 100 feet from any dwellings.

6. One lighted sign shall be permitted on each site, not to exceed 32 square feet in size.
7. With the exception of emergency generators that may be located on the site, all of the equipment needed in the operation of the facility shall be located indoors. The generators shall be housed in enclosures to reduce noise.
8. Any security lighting shall be screened so that it does not shine onto neighboring properties or County Roads.
9. The Final Site Plan shall be subject to review and approval by the Sussex County Planning and Zoning Commission.

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1922 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 31ST DAY OF JULY 2007.**

  
**ROBIN A. GRIFFITH**  
**CLERK OF THE COUNCIL**

**The Council found that the conditional use was appropriate legislative action based on the following findings of fact:**

1. This is a conditional use for a sewage treatment plant to be located on 74.61 acres lying on the east side of State Route 30, 6/10's of a mile south of County Road 231 (Reynolds Pond Road), in Broadkill Hundred, Sussex County, Delaware.
2. The Council adopted the recommendation of the Planning and Zoning Commission that the application be approved and adopted the Commission's recommended findings and conditions of approval.
3. The proposed use of the subject property as a sewage treatment plan is generally of a public or semi-public character and is essential and desirable for the general convenience and welfare of neighboring properties and the County.

4. **The regional Sewage Treatment Plant will possess sufficient capacity to serve a substantial volume of users beyond the boundaries of the development proposed to be served by the Plant.**
5. **The regional Sewage Treatment Plant, with the stipulations and conditions placed upon it, will not have any adverse impact upon the County or its residents.**
6. **The Sewage Treatment Plant will be designed to minimize environmental impacts. Significant buffers will be provided from all wetland areas, no wetland areas on the subject property will be disturbed without a valid Federal or State permit.**
7. **The proposed regional Sewage Treatment Plant and its collection and disposal systems shall be reviewed and approved by DNREC and shall be designed and constructed in accordance with all other applicable Federal, State and County requirements, including those mandated by DNREC and other agencies having jurisdiction over the use.**
8. **The proposed use is subject to the review and approval of the Public Service Commission.**
9. **The conditional use is approved subject to nine conditions, which will serve to minimize any potential impacts on the surrounding area.**

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/25/2021**

APPLICATION: **CU 2208 Artesian Wastewater Management, Inc**

APPLICANT: **Artesian Wastewater Management, Inc (c/o Rodney Wyatt)**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **235-6.00-28.00**

LOCATION: **East side of Isaacs Road (Rt. 30/SCR 230), approximately 610 feet south of Reynolds Pond Road (SCR 231) and on the southwest side of Reynolds Pond Road (SCR 231) approximately 635 feet east of Isaacs Road (Rt. 30/SCR 230).**

NO. OF UNITS: **Expansion of CU 1724 and amend conditions of approval.**

GROSS  
ACREAGE: **127.37**

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

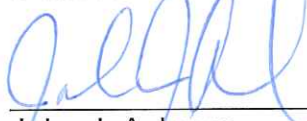
**SEWER:**

- (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? **N/A** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **No** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** 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? **No**
- 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: **The proposed Conditional Use is not in an area where the Sussex County Engineering Department has a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



---

John J. Ashman  
Director of Utility Planning

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

## Jamie Whitehouse

---

**From:** Rebar Jr., John J (DNREC) <John.Rebar@delaware.gov>  
**Sent:** Thursday, January 7, 2021 12:57 PM  
**To:** Jamie Whitehouse  
**Cc:** Roushey, Jennifer S. (DNREC); Wang, Ping (DNREC)  
**Subject:** RE: CU 2208 - Artesian Water Conditional Use Application

**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.

Jamie, I am currently available to participate on those dates and times. Currently, my preference is to participate virtually however, if I get the Covid-19 vaccine or the threat of Covid-19 is reduced by March or April I would be willing to participate in person. JJR

---

**From:** Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>  
**Sent:** Thursday, January 07, 2021 10:29 AM  
**To:** Rebar Jr., John J (DNREC) <John.Rebar@delaware.gov>  
**Subject:** CU 2208 - Artesian Water Conditional Use Application

John, Good morning,

We are looking to move forward with Public Hearings that we have been unable to hear in 2020 due to C-19. To this end, we have secured a new meeting location at Del-Tech and we are working to enable representatives from DeIDOT and DNREC to participate either by telephone or by virtual teleconference. Of course, in-person participation is welcome for those comfortable doing so.

Could I ask whether you would still be able to participate if we schedule hearings for March 11, 2021, at 3PM and then County Council on April 13 at 1:30PM?

If we can confirm this by end of business on Monday, it would be greatly appreciated so that we can notify the applicant.

Thank you,

*Mr. Jamie Whitehouse*, AICP, MRTPI  
Director, Department of Planning & Zoning  
Sussex County  
2 The Circle, P.O. Box 417, Georgetown, DE, 19947  
Tel: 302-855-7878, Fax: 302-854-5079

Much of the County's Planning and Zoning Information can be found online at:  
<https://sussexcountyde.gov/sussex-county-mapping-applications>

Information on the 2018 Sussex County Comprehensive Plan can be found at:  
<https://sussexcountyde.gov/2018-comp-plan-documents>

RECEIVED

JAN 11 2021

SUSSEX COUNTY  
PLANNING & ZONING

---

**From:** Rebar Jr., John J (DNREC) <John.Rebar@delaware.gov>  
**Sent:** Friday, February 21, 2020 4:30 PM



P.O. Box 600  
14198 Sussex Highway  
Greenwood, Delaware 19950  
302-349-9090

[www.delaware.coop](http://www.delaware.coop)

DELAWARE ELECTRIC CO-OP

*"We Keep the Lights On"*

April 24, 2020

Mr. Jamie Whitehouse, AICP  
Planning Director  
Sussex County Planning and Zoning Department  
County Administrative Office Building  
2 The Circle  
Georgetown, DE 19947

Re: Conditional Use Application # 2208

Dear Mr. Whitehouse,

I would like to express my support of the Artesian Wastewater Management, Inc. (Artesian) conditional use application referenced above. The conditional use being proposed by Artesian will provide necessary sewer infrastructure for existing and future development in the surrounding area, which is crucial, for economic growth and development on the western side of the County.

Please do not hesitate to contact me if you have any questions. I can be reached at 302-349-3174 or [bandrew@delaware.coop](mailto:bandrew@delaware.coop).

Sincerely,

A handwritten signature in blue ink that reads "J. William Andrew". The signature is written in a cursive style.

J. William Andrew, P.E.  
President and CEO  
Delaware Electric Cooperative

RECEIVED  
APR 27 2020  
SUSSEX COUNTY  
PLANNING & ZONING

CALL BEFORE YOU DIG  
MISS UTILITY OF DELMARVA  
1-800-282-8555 (IN DE.)  
PLEASE GIVE TWO WORKING DAYS  
ADVANCE NOTICE

THIS DRAWING DOES NOT INCLUDE NECESSARY  
COMPONENTS FOR CONSTRUCTION SAFETY.

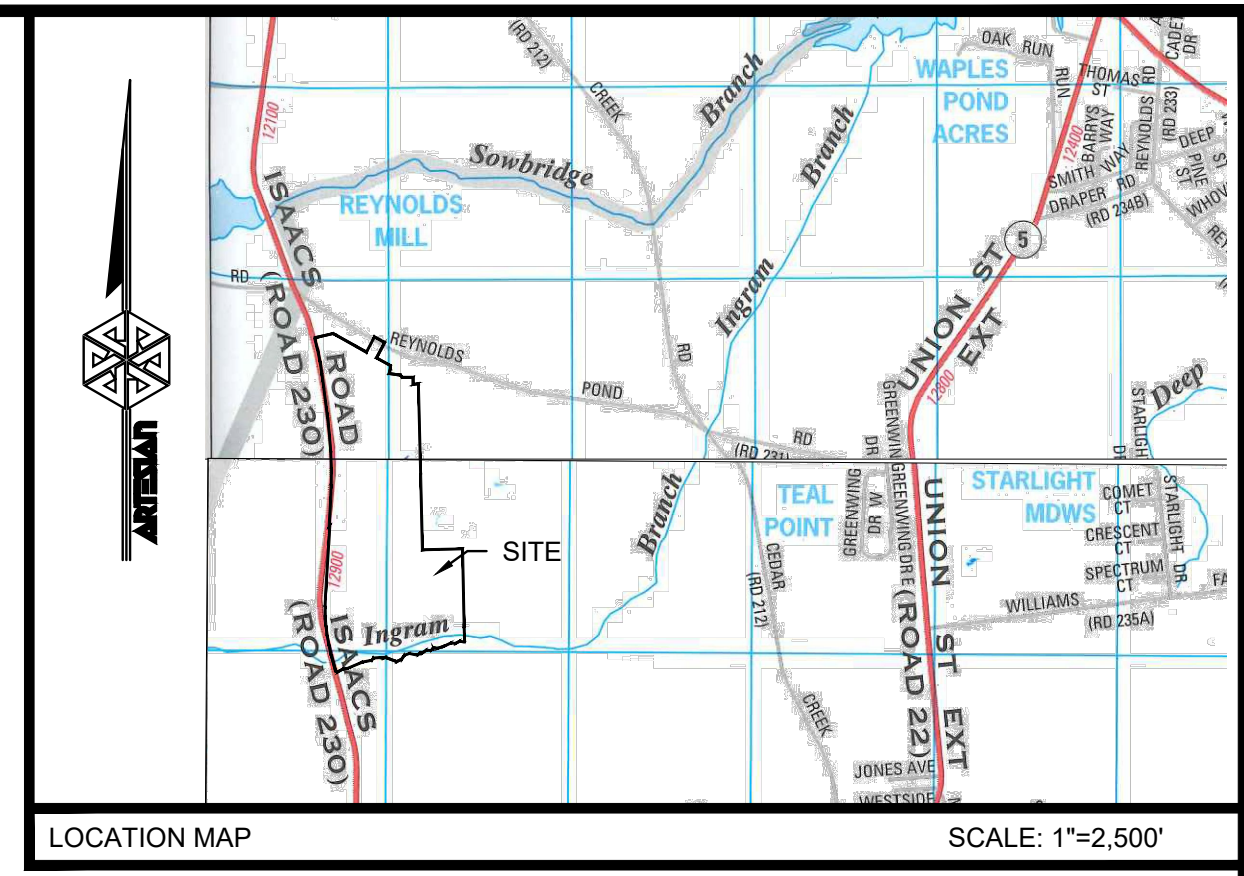
ALL CONSTRUCTION MUST BE DONE IN  
COMPLIANCE WITH THE OCCUPATIONAL SAFETY  
AND HEALTH ACT OF 1970 AND ALL RULES AND  
REGULATIONS THERETO APPURTENANT.

# PRELIMINARY SITE PLAN

## SUSSEX REGIONAL RECHARGE FACILITY (SRRF)

FORMERLY KNOWN AS ARTESIAN NORTHERN SUSSEX REGIONAL WATER RECHARGE FACILITY (ANSRWRF)

SITUATED IN  
**SUSSEX COUNTY \* STATE OF DELAWARE**



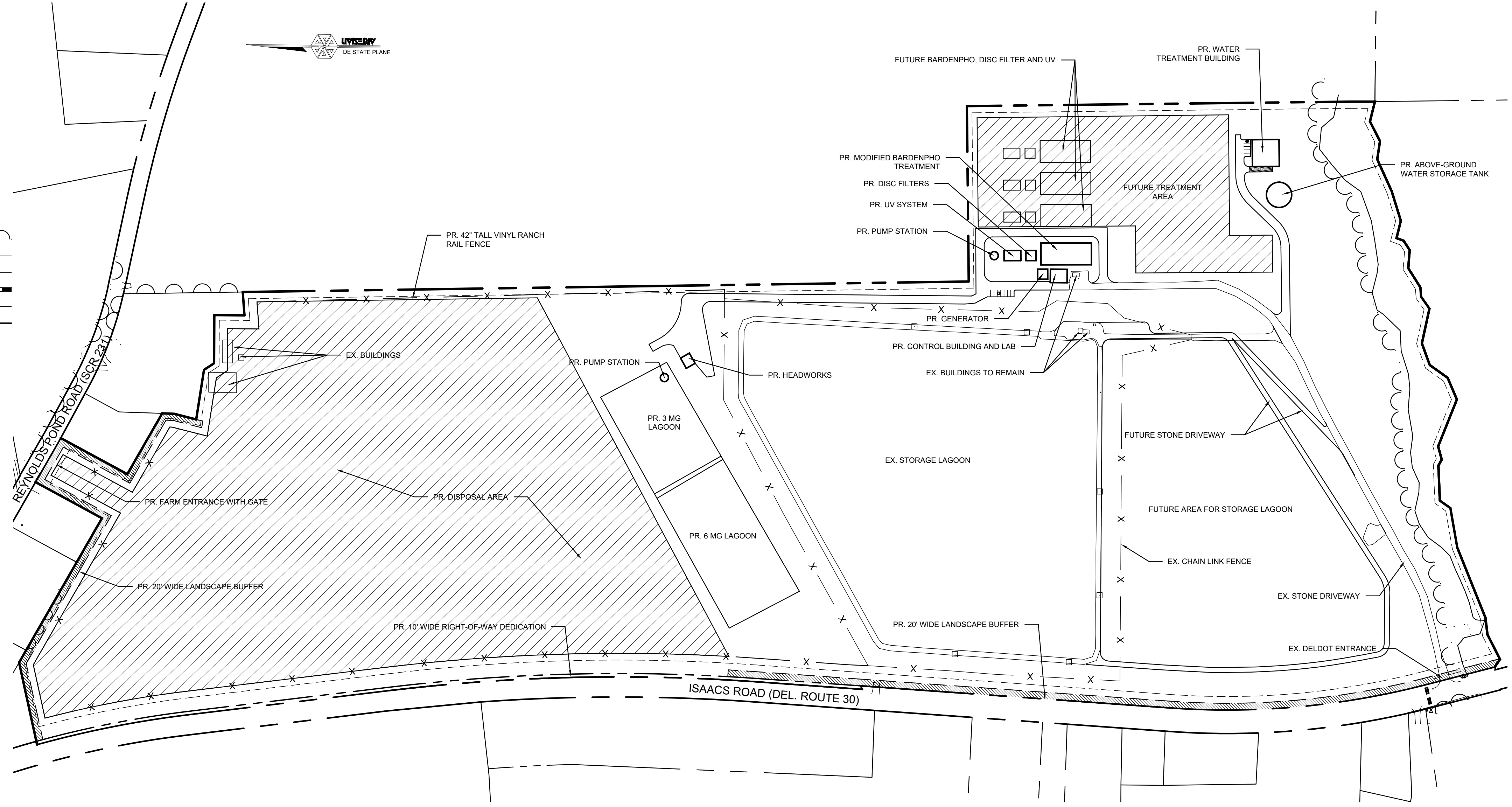
### LEGEND

EXISTING PROPERTY LINE  
ADJACENT PROPERTY LINE  
PROPOSED SETBACK LINE  
EXISTING CENTERLINE  
EXISTING FENCE  
FENCE LINE  
PROPOSED BUFFER  
EXISTING PUBLIC R.O.W.  
PROPOSED PUBLIC R.O.W.  
EXISTING EASEMENT LINE  
PROPOSED EASEMENT LINE  
WETLANDS LINE

EXISTING      PROPOSED

TREELINE  
SANITARY SEWER  
WATER LINE  
STORM SEWER  
ELECTRIC  
CONTOUR  
HYDRANT  
SPOT ELEVATIONS  
CULVERT (W/F.E.S.)  
SIGN  
STORM MANHOLE  
CATCH BASIN  
WELL  
UTILITY POLE & GUY WIRE  
HANDICAP PARKING STALL  
NUMBER OF PARKING STALLS IN ROW  
IRON PIPE FOUND  
IRON PIPE SET  
CONCRETE MONUMENT FOUND  
TEST PIT LOCATION  
FIRE DEPARTMENT CONNECTION  
TREES  
DIRECTIONAL FLOW ARROW  
LIGHT POLE  
CONCRETE  
WETLANDS FLAG

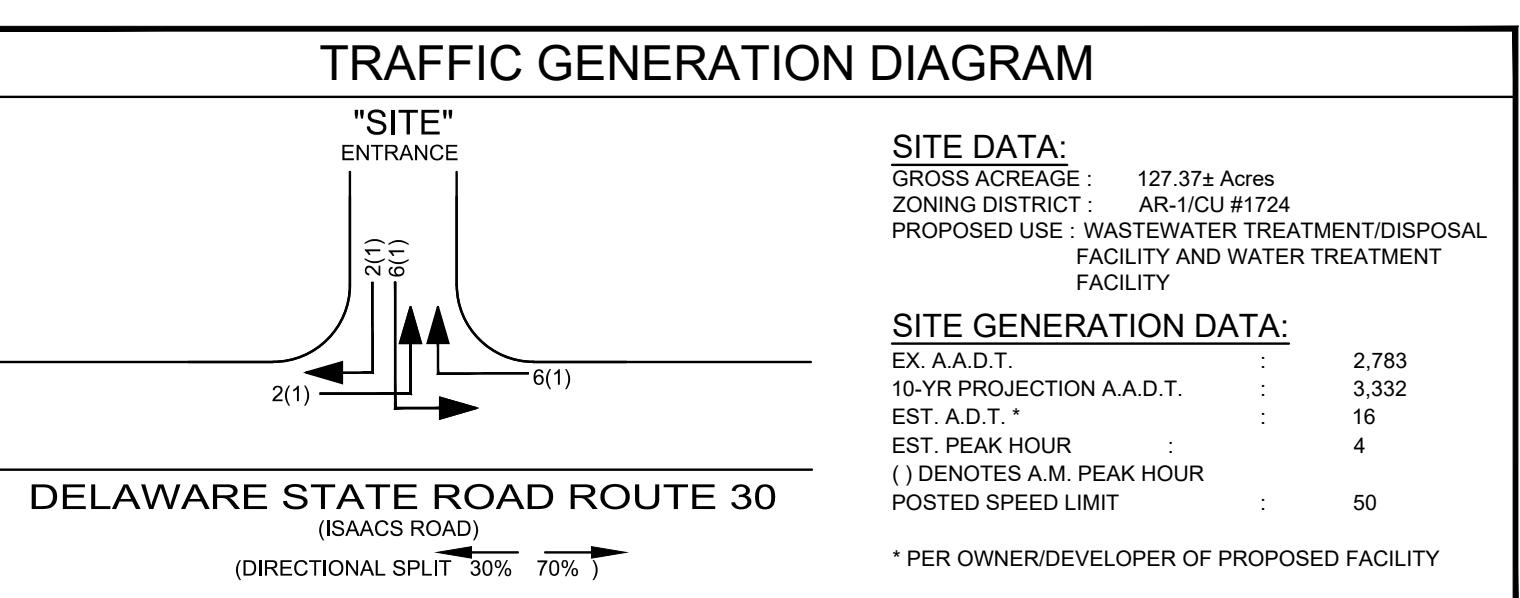
HATCHING REPRESENTS AREA TO HAVE A MEDIUM DENSITY FORESTED AND/OR LANDSCAPE BUFFER STRIP: 5 TREES/100' @ 20 FT. WIDE



#### PLAN DATA

PARCEL I.D. NO.	235-6-00-28.00
ZONING DISTRICT	AR-1 CU #1724
PROPOSED USE	WASTEWATER TREATMENT/DISPOSAL FACILITY AND WATER TREATMENT FACILITY
GROSS ACREAGE	127.37+/- ACRES
OWNER/DEVELOPER	ARTESIAN WASTEWATER MANAGEMENT, INC. 664 CHURCHMANS ROAD NEWARK, DE 19702 (302) 453-7300
DEED REFERENCE	DEED BOOK 3596, PAGE 064
PLAT BOOK REFERENCE	PLAT BOOK 286, PAGE 46
SEWAGE DISPOSAL	ARTESIAN WASTEWATER MANAGEMENT, INC. SEWAGE SYSTEMS SEWERAGE IS SUBJECT TO APPROVAL OF THE THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	ARTESIAN WATER COMPANY, INC. WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
WATERSHED	BROADKILL RIVER
BUILDING SETBACK REQUIREMENTS:	
MIN. DEPTH OF FRONT YARD (FT.)	= 40'
MIN. WIDTH OF SIDE YARD (FT.)	= 15'
MIN. DEPTH OF REAR YARD (FT.)	= 20'
MAX. BUILDING HEIGHT (FT.)	= 42'
PARKING RATIONALE:	N/A
PARKING REQUIRED	17 SPACES * PER OWNER/DEVELOPER OF PROPOSED FACILITY (INCLUDING 1 HANDICAP SPACE)
PARKING PROVIDED	

- #### NOTES:
- SURVEY SHOWN IS BASED ON A FIELD SURVEY BY ARTESIAN WATER COMPANY, INC., FOUND MONUMENTS IN THE FIELD AND ALSO BASED ON A PLAN AND SURVEY BY MERIDIAN ARCHITECTS AND ENGINEERS DATED 2-21-06, ENTITLED RECORD MINOR SUBDIVISION PLAN - OCKELS FARM, RECORDED IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DELAWARE IN PLAT BOOK 112 PAGE 95. IT IS ALSO BASED ON PLOT BOOK 61 PAGE 278, SURVEY BY ADAMS-KEMP FOR THE ABOVE PARCEL, PLOT BOOK 61 PAGE 151 SURVEY BY ADAMS-KEMP DATED 5-1-2000 AND PLOT BOOK 95 PAGE 281 A SUBDIVISION PLAN BY ADAMS-KEMP DATED 8-4-2005.
  - THERE ARE WETLANDS ON THIS SITE AS PER THE NATIONAL WETLANDS INVENTORY MAP.
  - AREAS OF THIS SITE ARE LOCATED IN: ZONE X (AREA OF MINIMAL FLOOD HAZARD) AND ZONE A (AREAS OF SPECIAL FLOOD HAZARD, WITHOUT BASE FLOOD ELEVATION) AS PER FIRM MAP 10005C0165J EFFECTIVE 1/16/2005.



**OWNER/DEVELOPER CERTIFICATION**  
I, HEREBY CERTIFY THAT I AM THE LEGAL REPRESENTATIVE FOR THE FORCE MAIN AND ASSOCIATED CONSTRUCTION IMPROVEMENTS SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

DAVID SPACHT, V.P.  
ARTESIAN WASTEWATER MANAGEMENT, INC.  
664 CHURCHMANS ROAD  
NEWARK, DE 19702  
PHONE: (302) 453-6900  
FAX: (302) 453-5800

DATE: \_\_\_\_\_

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

DANIEL W. KONSTANSKI, P.E.  
ARTESIAN WASTEWATER MANAGEMENT, INC.  
664 CHURCHMANS ROAD  
NEWARK, DE 19702  
PHONE: (302) 453-6900  
FAX: (302) 453-5800

DATE: \_\_\_\_\_

THE PURPOSE OF THIS PLAN IS TO REQUEST THE EXPANSION OF CONDITIONAL USE #1724 AND TO AMEND THE CONDITIONS OF THE APPROVED FINAL SITE PLAN THAT WAS RECORDED BY PLAT BOOK 286, PAGE 46.

#### INDEX OF SHEETS

COVER SHEET	SHEET 1
PRELIMINARY SITE PLAN	SHEET 2
NOTES & DETAILS PLAN	SHEET 3

REFER TO THE ABOVE INDEX FOR THE LOCATION OF OTHER DETAILS REQUIRED FOR SITE IMPROVEMENTS.

664 Churchmans Road  
Newark, Delaware 19702  
P.O. Box 15004, Wilmington, Delaware 19850  
Phone: (302) 453-6900 Fax: (302) 453-5800

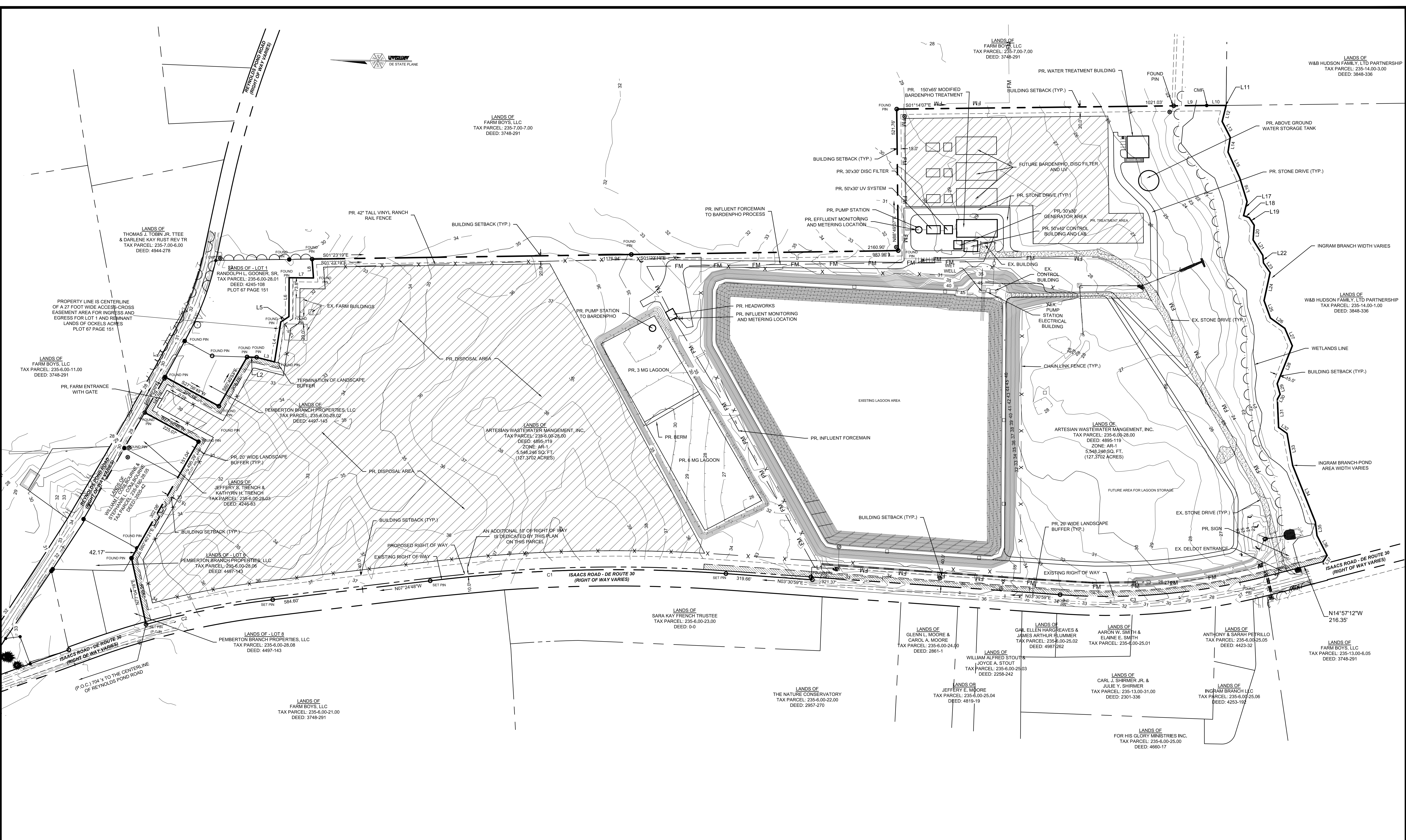
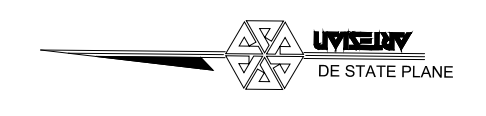
REVISIONS:	DESCRIPTION	BY	DATE
1	REV. PER ARTESIAN	AP	12/9/19
2	REV. PER ARTESIAN	KEG	2/25/21

Date: 10/2/19	Checked By: DK	Sheet 1 of 3
Scale: 1"=200'	Page & Grid:	Hundred: BROADKILL
Drawn By: KEG	CAD File: PRELIM SITE PLAN.dwg	Budget No. 3003456

### PRELIMINARY SITE PLAN

#### SUSSEX REGIONAL RECHARGE FACILITY

SUSSEX COUNTY      STATE OF DELAWARE





664 Churchmans Road  
 Newark, Delaware 19702  
 P.O. Box 15004, Wilmington, Delaware 19850  
 Phone: (302) 453-6900 Fax: (302) 453-5800

REVISIONS:	DESCRIPTION	BY	DATE
1	REV. PER ARTESIAN	AP	12/9/19
2	REV. PER ARTESIAN	KEG	2/25/21

Date:	10/2/19	Checked By:	DK
Scale:	1"=150'	Page & Grid:	
Drawn By:	KEG	CAD File:	PRELIM SITE PLAN.dwg
		Budget No.	3003456

**PRELIMINARY SITE PLAN**  
**SUSSEX REGIONAL RECHARGE FACILITY**

SUSSEX COUNTY  STATE OF DELAWARE

## FORESTED AND/OR LANDSCAPE BUFFER

THE BUFFER STRIP SHALL BE A MINIMUM OF 20 FEET WIDE AND SHALL REMAIN FREE OF BUILDINGS, STREETS, STORMWATER MANAGEMENT AREAS OR FACILITIES, OPEN SPACE, WASTEWATER TREATMENT AND/OR DISPOSAL FACILITIES, WATER TREATMENT FACILITIES OR OTHER SURFACE IMPROVEMENTS. A LANDSCAPE PLAN FOR THE BUFFER SHALL BE DESIGNED AND CERTIFIED TO BY A LICENSED LANDSCAPE ARCHITECT, LICENSED FORESTER OR FORESTER DESIGNATED BY THE SOCIETY OF AMERICAN FORESTERS AS A CERTIFIED FORESTER. THE LANDSCAPE PLAN SHALL BE REVIEWED AND COMMENTED ON BY THE STATE FORESTER AND SHALL BE SUBJECT TO THE FINAL REVIEW AND APPROVAL OF THE COMMISSION.

HATCHING REPRESENTS AREA TO HAVE A MEDIUM DENSITY FORESTED AND/OR LANDSCAPE BUFFER STRIP: 5 TREES/100' @ 20 FT. WIDE

\*\*REFER TO LANDSCAPE PLAN PREPARED BY LEANN SCHNAPPINGER BRIDGMAN, RLA DATED 2/24/21 FOR MORE DETAIL.

### FORESTED BUFFER CONDITIONS:

A. ALL TREES THAT ARE TO BE PLANTED SHALL INCLUDE A MIX OF 70% DECIDUOUS SHADE TREES AND 30% EVERGREEN TREES, A MAJORITY OF WHICH SHALL BE SUITABLE TREES OF COMMON LOCAL SPECIES, WHICH MAY INCLUDE EXISTING AS WELL AS PLANTED TREES.

B. ALL DECIDUOUS TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AND A MINIMUM HEIGHT OF 6 FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THE TREES WILL BE CAPABLE OF OBTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN 5 YEARS OF BEING PLANTED; AND

C. ALL EVERGREEN TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF 5 FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THEY ARE REASONABLY CAPABLE OF ATTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN 5 YEARS OF BEING PLANTED; AND

D. THE LANDSCAPE PLAN MAY INCLUDE SUITABLE EXISTING DECIDUOUS AND EVERGREEN TREES OF COMMON LOCAL SPECIES PROVIDED THEY WILL ACHIEVE THE OVERALL GOAL OF THE PLAN AS DESCRIBED IN SUBSECTION F HEREOF AND PROVIDED THAT SAID EXISTING TREES SURVIVE THE SITE WORK CONSTRUCTION ACTIVITY AND ANY CHANGES IN THE WATER TABLE AND EXPOSURE WHICH MAY RESULT FROM THE CONSTRUCTION ACTIVITY OCCURRING PRIOR TO THE DATE THE BUFFER PLANTINGS ARE REQUIRED TO BE INSTALLED AS PROVIDED IN SUBSECTION F HEREOF; AND

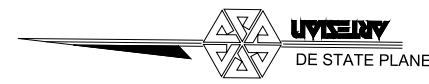
E. THE GOAL OF THE LANDSCAPE PLAN FOR THE FORESTED BUFFER AREA SHALL BE TO INCLUDE TREES OF THE TYPE INDICATED HEREIN THAT WILL BE PLANTED IN A STAGGERED NATURAL MANNER, AS OPPOSED TO BEING PLANTED IN ROW FASHION, WHICH WILL FILTER VIEWS FROM AND INTO THE SUBDIVISION IN SUCH A MANNER THAT THE AREAS ON THE AGRICULTURAL SIDE OF THE BUFFER AREA APPEAR MORE GREEN AND LESS VISIBLE AND THE STRUCTURES OR USES ON THE SUBDIVISION SIDE APPEAR LESS OBVIOUS AND LESS DENSE THAN IF NO LANDSCAPING HAD BEEN REQUIRED. THE PROCEDURES AND DETAILS FOR PLANTING NEW TREES SHALL BE SPECIFIED BY THE LANDSCAPE ARCHITECT ON THE PLAN SUBMITTED TO AND APPROVED BY THE COMMISSION AND SHALL INCLUDE THE REQUIREMENT THAT THE BUFFER AREA SHALL HAVE A FINAL GRADE THAT CONTAINS A MINIMUM OF 4 INCHES OF TOPSOIL AND A SUITABLE GRASS MIX PLANTED AS SACRIFICIAL COVER BETWEEN THE BUFFER TREES FOR SOIL STABILIZATION UNTIL THE NEWLY PLANTED TREES BECOME LARGER. THE PLAN MAY SUBSTITUTE WOODCHIPS FOR PLANTED GRASS BETWEEN THE BUFFER TREES IN RESPECT TO BOTH NEWLY PLANTED AND EXISTING TREES, AS DETERMINED BY THE LANDSCAPE ARCHITECT; AND

F. THE FORESTED AND/OR LANDSCAPE BUFFER SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE, AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE COMMISSION. FOR PROJECTS THAT ARE APPROVED TO BE CONSTRUCTED IN PHASES, THE BUFFER FOR EACH PHASE MUST BE COMPLETED BEFORE COUNTY APPROVALS OR PERMITS WILL BE GRANTED TO CONSTRUCT THE NEXT PHASE; AND

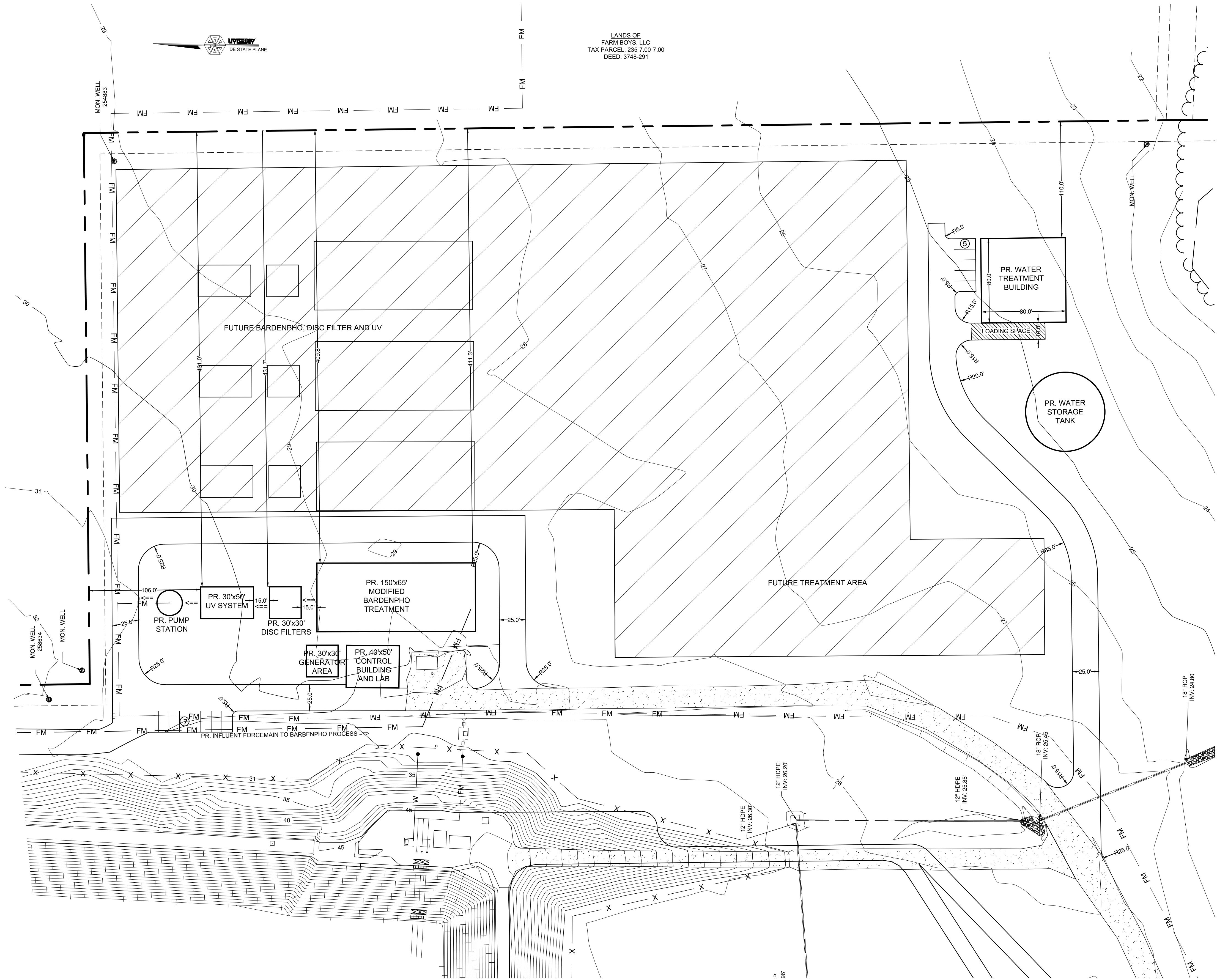
G. THE LAND DEVELOPER SHALL BE HELD RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF TWO YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO THE OWNER, PROVIDED HOWEVER THAT THE DEVELOPER SHALL REPLACE ANY TREES THAT DIE DURING THE MINIMUM TWO YEAR DEVELOPER MAINTENANCE PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO THE OWNER; AND

H. THE 20 FOOT FORESTED AND/OR LANDSCAPE BUFFER STRIP IS NOT REQUIRED TO BE INSTALLED IN THOSE PORTIONS OF THE PROJECT PERIMETER WHICH (1) REPRESENT THE WIDTH OF A RIGHT-OF-WAY CONNECTOR ROAD OR STREET THAT DELDOT OR THE COMMISSION REQUIRED THE APPLICANT TO INSTALL PURSUANT TO 99-17.D AND THE WIDTH OF A STORMWATER OUTFALL SHOWN ON THE FINAL SITE PLAN TO DRAIN SURFACE OR STORMWATER OUTSIDE THE PERIMETER OF THE PROJECT OR ADJACENT TO THE SPRAY APPLICATION FIELD FOR THE SITE.

I. THE LANDSCAPE PLAN SHALL AVOID PLACING PLANTED TREES OR ALLOWING EXISTING TREES TO REMAIN IN THE AREAS ADJACENT TO ENTRANCES INTO AND EXITS FROM THE PROJECT IN SUCH A MANNER AS TO RESTRICT THE VIEW OF MOTORISTS ENTERING OR EXITING FROM THE PROJECT OR RESTRICTING SITE LINES FOR MOTORISTS IN SUCH A MANNER AS TO CREATE A POTENTIAL SAFETY HAZARD.



LANDS OF FARM BOYS, LLC  
TAX PARCEL: 235-7.00-7.00  
DEED: 3748-291



SEGMENT	DIRECTION	LENGTH
L1	N60°20'33"E	11.95'
L2	S1°19'45"W	35.28'
L3	S13°44'06"W	68.08'
L4	S81°37'46"E	149.19'
L5	S33°48'27"E	35.79'
L6	N89°43'48"E	143.41'
L7	S0°1'00"E	89.76'
L8	N85°09'22"E	69.66'
L9	S1°11'34"E	121.70'
L10	S0°31'08"E	67.99'
L11	S1°49'06"E	3.83'
L12	N78°37'40"W	61.00'
L13	S62°15'51"W	65.58'
L14	N81°52'39"W	54.87'
L15	S64°58'28"W	104.11'
L16	S72°20'38"W	92.18'
L17	N76°33'02"W	53.12'
L18	S19°21'25"W	22.31'

SEGMENT	DIRECTION	LENGTH
L19	S56°05'38"W	33.26'
L20	N86°06'38"W	54.21'
L21	S57°17'19"W	67.56'
L22	S84°53'45"W	27.63'
L23	S54°30'27"W	43.31'
L24	N78°16'21"W	105.88'
L25	S69°23'51"W	68.48'
L26	S35°03'35"W	65.44'
L27	S66°15'43"W	70.02'
L28	S73°55'18"W	40.36'
L29	S73°55'18"W	40.36'
L30	N61°26'03"W	20.67'
L31	S86°59'47"W	104.34'
L32	S34°45'01"W	38.26'
L33	S79°30'32"W	119.42'
L34	S67°35'08"W	224.87'
L35	S82°34'41"W	50.27'
L36	S62°27'35"W	82.44'
L37	N56°41'24"W	27.97'

SEGMENT	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	1091.99'	5724.20'	N1°56'55"W	1090.33'
C2	476.32'	3088.87'	N1°34'25"W	475.85'
C3	765.46'	2398.26'	N9°39'17"W	762.10'



664 Churchmans Road  
Newark, Delaware 19702  
P.O. Box 15004, Wilmington, Delaware 19850  
Phone: (302) 453-6900 Fax: (302) 453-5800

NO.	DESCRIPTION	BY	DATE
1	REV. PER ARTESIAN	AP	12/9/19
2	REV. PER ARTESIAN	KEG	2/25/21

Date: 10/2/19	Checked By: DK	Sheet 3 of 3
Scale: 1"=50'	Page & Grid:	Hundred: BROADKILL
Drawn By: KEG	CAD File: PRELIM SITE PLAN.dwg	Budget No. 3003456

## PRELIMINARY SITE PLAN SUSSEX REGIONAL RECHARGE FACILITY

SUSSEX COUNTY STATE OF DELAWARE

G:\ENG\_PROJECTS\701 ANSWARE WASTEWATER\701.100 SRF WWP DESIGN\DRAWINGS\ACTUAL SHEETS\PRELIM SITE PLAN.dwg 2\_25\_2021 11:12:04 PM



# Southern Regional Recharge Facility (SRRF) Conditional Use No. 2208 Information Booklet

## **Public Hearings:**

**Planning & Zoning Commission: March 11, 2021**

**County Council: April 13, 2021**

## TABLE OF CONTENTS

### TAB

1. Conditional Use Application (No. 2208) (revised and original applications)
2. Deeds for Property with Boundary Line Adjustment Plat
  - a. 74 acres (8/9/2010, Deed Book 3812, Page 325 et seq.)
  - b. 52 acres (05/25/2018, Deed Book 4895, Page 119 et seq.)
  - c. 127 acres (Boundary Line Adjustment, 6/26/2019, Plot Book 286, Page 46)
3. Ordinance No. 1922 (Conditional Use No. 1724, adopted July 31, 2007)
4. Ordinance No. 1923 (Conditional Use No. 1725, adopted July 31, 2007)
5. Ordinance No. 2013 (Conditional Use No. 1810, adopted December 2, 2008)
6. Final Site Plan (Conditional Use No. 1724, approved December 27, 2017)
7. Sussex County Maps
  - a. Location Map
  - b. 2045 Future Land Use Map
  - c. Sussex County Zoning Map
  - d. Agricultural/Forest Preservation Map
8. Flood Insurance Rate Map (FIRM) Excerpt from FEMA
9. DelDOT Response to Service Level Evaluation Request, March 1, 2019
10. Preliminary Site Plan for SRRF as 127± acres
11. Project Overview with DNREC Permit Application Confirmation
12. Soils Investigation Report Status Update, February 20, 2021
13. Hydrogeologic Suitability Report Status Update, February 23, 2021
14. Regional Treatment Area
15. SRRF Spray Areas
16. Facilities & Systems Diagram
17. Landscaping Plan
18. Sound Exhibit
19. Site Imagery
20. Community Outreach
21. Proposed Findings of Fact and Conditions of Approval



TAB “1”

# Planning & Zoning Commission 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)**

Conditional Use   
Zoning Map Amendment

REVISED

**Site Address of Conditional Use/Zoning Map Amendment**

Isaacs Road, Milton, DE 19968

**Type of Conditional Use Requested:**

Expansion of CU#1724 & amend conditions of Approved Final Site Plan.

**Tax Map #:** 235-6.00-28 (formerly parcels 235-6.00-28.00 & 29.00) **Size of Parcel(s):** 127.37

**Current Zoning:** AR-1 **Proposed Zoning:** AR-1 **Size of Building:** Multiple sizes

**Land Use Classification:** Wastewater Treatment/Disposal Facility

**Water Provider:** Artesian Water Co. Inc. **Sewer Provider:** Artesian Wastewater Management, Inc.

**Applicant Information**

**Applicant Name:** Artesian Wastewater Management, Inc. c/o Daniel W. Konstanski, P.E.

**Applicant Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dkonstanski@artesianwater.com

**Owner Information**

**Owner Name:** Artesian Wastewater Management, Inc. c/o David Spacht, President

**Owner Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dspacht@artesianwater.com

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Daniel W. Konstanski, P.E.

**Agent/Attorney/Engineer Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dkonstanski@artesianwater.com



# Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- Completed Application**
- Provide eight (8) copies of the Site Plan or Survey of the property**
  - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
  - Provide a PDF of Plans (may be e-mailed to a staff member)
  - Deed or Legal description
- Provide Fee \$500.00**
- Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 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.**
- DelDOT Service Level Evaluation Request Response**
- PLUS Response Letter** (if required)

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 the Sussex County Council 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: 3/1/2021

Signature of Owner

\_\_\_\_\_

Date: 3/1/2021

For office use only:

Date Submitted: \_\_\_\_\_ Fee: \$500.00 Check #: \_\_\_\_\_  
Staff accepting application: \_\_\_\_\_ Application & Case #: \_\_\_\_\_  
Location of property: \_\_\_\_\_

Subdivision: \_\_\_\_\_  
Date of PC Hearing: \_\_\_\_\_ Recommendation of PC Commission: \_\_\_\_\_  
Date of CC Hearing: \_\_\_\_\_ Decision of CC: \_\_\_\_\_

**CALL BEFORE YOU DIG**  
MISS UTILITY OF DELMARVA  
1-800-282-8555 (IN DE.)  
PLEASE GIVE TWO WORKING DAYS  
ADVANCE NOTICE

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.

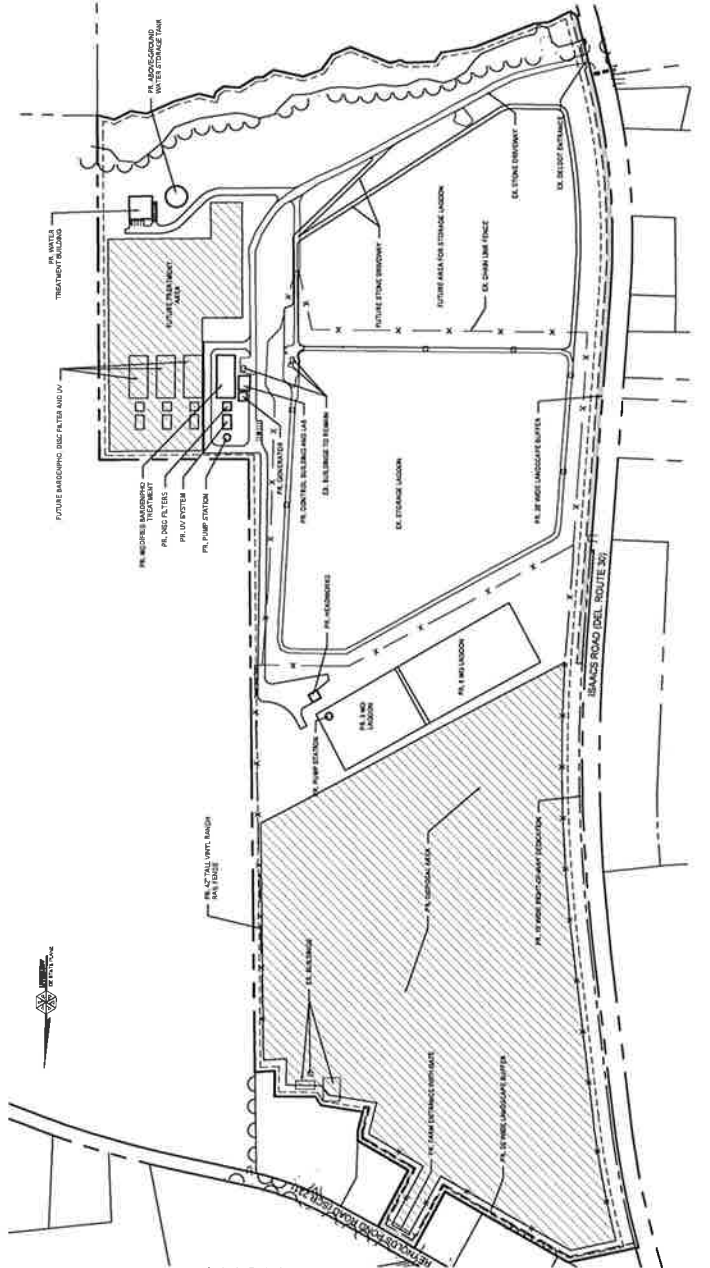
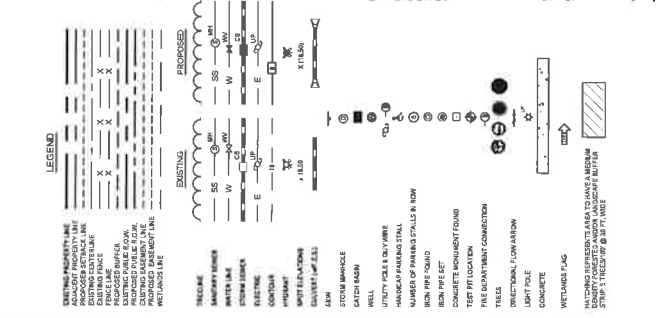
ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.

# PRELIMINARY SITE PLAN

## SUSSEX REGIONAL RECHARGE FACILITY (SRRF)

FORMERLY KNOWN AS ARTESIAN NORTHERN SUSSEX REGIONAL WATER RECHARGE FACILITY (ANSRWRF)

### SITUATED IN SUSSEX COUNTY \* STATE OF DELAWARE



**TRAFFIC GENERATION DIAGRAM**

DATE: 10/27/19  
SCALE: 1"=200'

**SITE DATA:**  
PROJECT: SUSSEX REGIONAL RECHARGE FACILITY AND WATER TREATMENT PLANT  
OWNER: MISS UTILITY OF DELMARVA  
DESIGNER: ATTERMAN WATERS MANAGEMENT, INC.  
PROJECT NO. 30013468

**SITE GENERATION DATA:**  
NO. OF VEHICLES PER HOUR: 100  
EST. A.D.T. PER HOUR: 100  
EST. A.D.T. PER DAY: 1000  
EST. A.D.T. PER YEAR: 365,000

DELAWARE STATE ROAD ROUTE 30  
PROJECT NO. 30013468

**CONTRACTOR'S CERTIFICATION:**  
I, DANIEL W. BOYD, PROJECT MANAGER, ATTERMAN WATERS MANAGEMENT, INC., A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF DELAWARE, CERTIFY THAT THIS PLAN AND SPECIFICATIONS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.

**DATE:** 10/27/19  
**BY:** DANIEL W. BOYD  
**TITLE:** PROJECT MANAGER

**OWNER'S CERTIFICATION:**  
I, DANIEL W. BOYD, PROJECT MANAGER, ATTERMAN WATERS MANAGEMENT, INC., A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF DELAWARE, CERTIFY THAT THIS PLAN AND SPECIFICATIONS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.

**DATE:** 10/27/19  
**BY:** DANIEL W. BOYD  
**TITLE:** PROJECT MANAGER

**INDEX OF SHEETS:**  
SHEET NO. 1 OF 3  
SHEET NO. 2 OF 3  
SHEET NO. 3 OF 3

REFER TO THE INDEX PAGE FOR THE LOCATION OF CHECK SHEETS REQUIRED FOR SET IMPROVEMENTS.

**PRELIMINARY SITE PLAN**  
SUSSEX REGIONAL RECHARGE FACILITY

SUSSEX COUNTY STATE OF DELAWARE

Project No. 30013468

Checked By: DK  
Scale: 1"=200'  
Drawn By: KEG

Sheet: 1 of 3  
Huber: BRD/SHILL

CAD FILE: PRELIM SITE PLAN.dwg

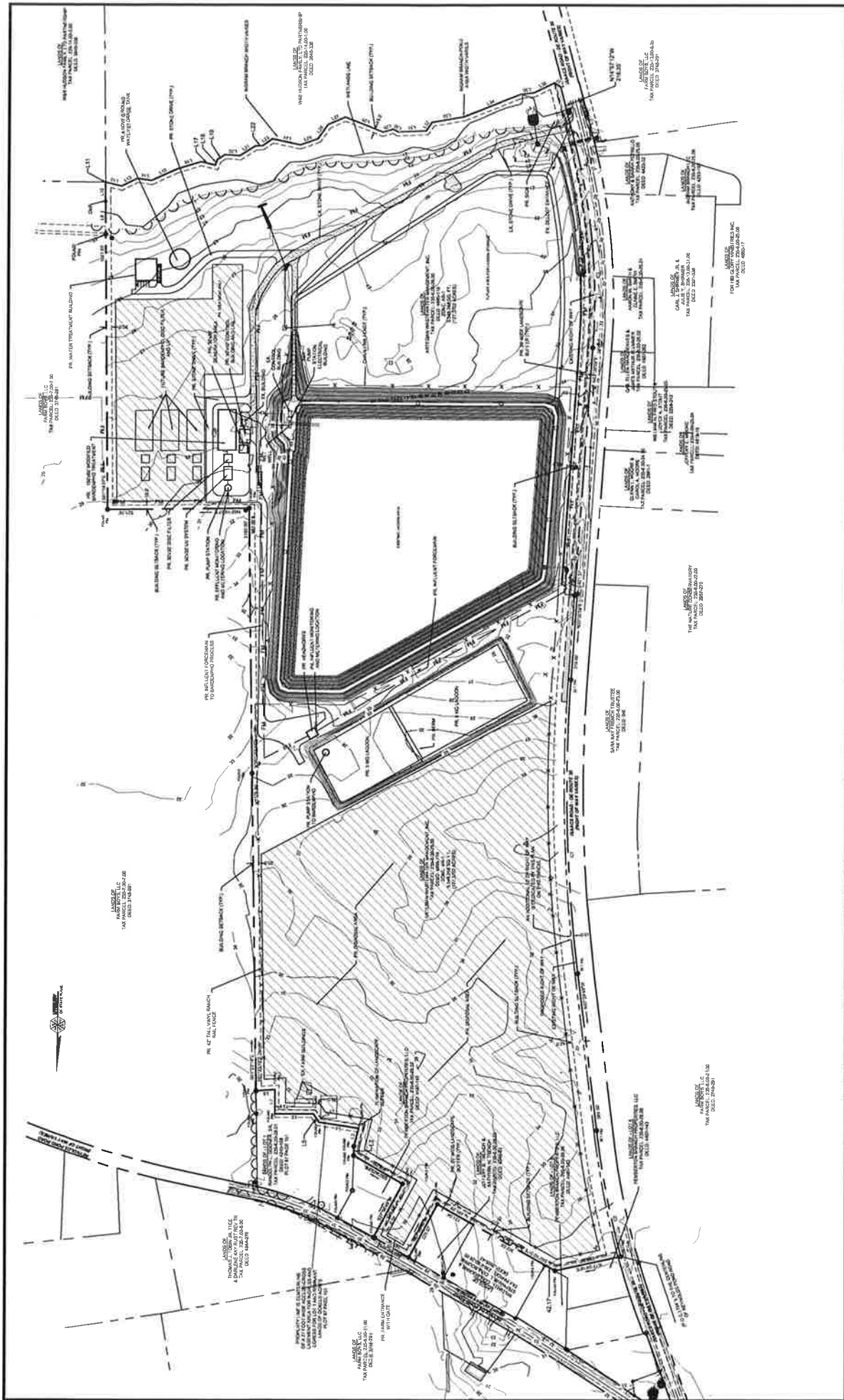
DATE: 10/27/19

BY: DANIEL W. BOYD  
TITLE: PROJECT MANAGER

DATE: 10/27/19  
BY: DANIEL W. BOYD  
TITLE: PROJECT MANAGER

**ATTERMAN WATERS MANAGEMENT, INC.**  
1500 N. WASHINGTON STREET  
MIDDLETOWN, DE 19709  
PHONE: 302-433-6900 FAX: 302-433-6900

**MISS UTILITY OF DELMARVA**  
1500 N. WASHINGTON STREET  
MIDDLETOWN, DE 19709  
PHONE: 302-433-6900 FAX: 302-433-6900



**PRELIMINARY SITE PLAN**  
**SUSSEX REGIONAL RECHARGE FACILITY**

SUSSEX COUNTY STATE OF DELAWARE

Sheet 2 of 3

Revised: BRIDGEMILL

Budget No. 3003466

DATE	BY	DESCRIPTION
10/01/19	DK	Checked By: DK
11/15/19	GC	Page 3 of 4
11/15/19	MEG	Drawn By: MEG
		CAO File: PRELIM SITE PLAN.dwg

**ARTESIAN**  
SUSSEX REGIONAL RECHARGE FACILITY  
P.O. Box 15004, Wilmington, Delaware 19850  
Phone: (302) 453-8900 Fax: (302) 453-8900



Legal Description  
Lands of Artesian Wastewater Management, Inc.

All that certain lot, piece or parcel of land situated in Broadkill Hundred, Sussex County and State of Delaware, lying on the easterly side of Isaacs Road and in part on the southerly side of Reynolds Pond Road; being bounded on the west by Isaacs Road, on the north by other lands of Pemberton Branch Properties, LLC, lands of William L. Coulbourne and Stephane L. Coulbourne, lands of Jeffery S. Trench and Kathryn H. Trench, Reynolds Pond Road and lands of Randolph I. Gooner, Sr. on the east by lands of Farm Boys, LLC and lands of W&B Hudson Family, LTD Partnership on the south by lands of W&B Hudson Family, LTD Partnership and being more particularly described with a lot line adjustment plan for Artesian Wastewater Management, Inc.:

Beginning at a point in the easterly right of way line of Isaacs Road, at a corner for this parcel and lands of Pemberton Branch Properties, LLC, said point commencing 704 feet more or less from the center of Reynolds Pond Road to the point of beginning; thence from said point of beginning with the lands Pemberton Branch Properties, LLC North 77 deg 04 min 16 sec East 249.94 feet to a point; thence continuing in part with lands of Pemberton Branch Properties, LLC, lands of William L. Coulbourne and Stephane L. Coulbourne and lands of Jeffery S. Trench and Kathryn H. Trench South 60 deg 40 min 31 sec Est 495.29 feet to a point, thence with lands of Jeffery S. Trench and Kathryn H. Trench North 27 deg 56 min 48 sec East 225.07 feet to a point in the southerly right of way line of Reynolds Pond Road, thence with the southerly right of way line of Reynolds Pond Road, South 60 deg 40 min 30 sec East 145.04 feet to a point; thence continuing with the southerly right of way line of Reynolds Pond Road South 61 deg 49 min 20 sec East 6.00 feet to a point in the lands of Pemberton Branch Properties, LLC; thence with lands of Pemberton Branch Properties, LLC the following two (2) courses: one (1) South 27 deg 56 min 48 sec West 225.19 feet to a point, thence two (2) South 60 deg 40 min 53 sec East 208.78 feet to a point in the lands of Randolph L. Gooner, Sr.; thence with the lands of Randolph L. Gooner, Sr. the following seven (7) courses: one (1) South 1 deg 19 min 45 sec West 35.28 feet to a point, thence two (2) South 13 deg 44 min 06 sec West 68.08 feet to a point, said point also being the center of a 27 foot wide access easement for ingress and egress, thence with said easement and continuing with lands of Randolph L. Gooner, Sr., three (3) South 81 deg 37 min 46 sec East 149.19 feet to a point, thence four (4) South 33 deg 45 min 27 sec East 35.79 feet to a point, thence five (5) North 89 deg 43 min 48 sec East 143.41 feet to a point, said point also being the end of the 27 foot wide access easement of ingress and egress, thence six (6) South 0 deg 01 min 0 sec East 89.76 feet to a point, thence seven (7) North 85 deg 09 min 22 sec East 69.66 feet to a point in the lands of Farm Boys, LLC, thence with the lands of Farm Boys, LLC South 1 deg 23 min 19 sec East 2,160.90 feet to a point in the lands of ; Farm Boys, LLC, hence with the lands of Farm Boys, LLC, North 88 deg 49 min 37 sec East 521.76 feet to a point, thence continuing with lands of Farm Boys, LLC South 1 deg 14 min 07 sec East 1021.03 feet to a point, thence with lands of Farm Boys, LLC the following three (3) courses: one (1) South 1 deg 11 min 34 sec East 121.70 feet

to a point, thence two (2) South 0 deg 31 min 08 sec East 67.99 feet to a point, thence three (3) South 1 deg 49 min 06 sec East 3.63 feet to a point in the center of Ingram Branch and lands of W&B Hudson Family, LTD Partnership, thence with the center of Ingram Branch and lands of W&B Hudson Family, LTD Partnership the following twenty five (25) courses: one (1) North 76 deg 37 min 40 sec West 61.00 feet to a point, thence two (2) South 62 deg 15 min 51 sec West 65.58 feet to a point, thence three (3) North 81 deg 52 min 39 sec West 54.87 feet to a point, thence four (4) South 64 deg 58 min 28 sec West 104.11 feet to a point, thence five (5) South 72 deg 20 min 36 sec West 92.18 feet to a point, thence six (6) North 76 deg 33 min 02 sec West 53.12 feet to a point, thence seven (7) South 19 deg 21 min 25 sec West 22.31 feet to a point, thence eight (8) South 56 deg 05 min 38 sec West 33.26 feet to a point, thence nine (9) North 86 deg 06 min 38 sec West 54.21 feet to a point, thence ten (10) South 57 deg 17 min 19 sec West 67.56 feet to a point, thence eleven (11) South 84 deg 53 min 45 sec West 27.63 feet to a point, thence twelve (12) South 54 deg 30 min 27 sec West 43.31 feet to a point, thence thirteen (13) North 78 deg 16 min 21 sec West 105.88 feet to a point, thence fourteen (14) South 69 deg 23 min 51 sec West 68.48 feet to a point, thence fifteen (15) South 35 deg 03 min 35 sec West 65.44 feet to a point, thence sixteen (16) South 66 deg 15 min 43 sec West 70.02 feet to a point, thence seventeen (17) South 73 deg 55 min 18 sec West 40.36 feet to a point, thence eighteen (18) North 61 deg 26 min 03 sec West 20.67 feet to a point, thence nineteen (19) South 86 deg 59 min 47 sec West 104.34 feet to a point, thence twenty (20) South 34 deg 45 min 01 sec West 38.26 feet to a point, thence twenty one (21) South 79 deg 30 min 32 sec West 119.42 feet to a point, thence twenty two (22) South 67 deg 35 min 08 sec West 224.87 feet to a point, thence twenty three (23) South 82 deg 34 min 41 sec West 50.27 feet to a point, thence twenty four (24) South 62 deg 27 min 35 sec West 82.44 feet to a point, thence twenty five (25) North 56 deg 41 min 24 sec West 27.97 feet to a point in the easterly right of way line of Isaacs Road, thence with the easterly right of way of Isaacs Road the following eight (8) courses: one (1) North 14 deg 57 min 12 sec West 216.35 feet to a point, thence two (2) with a 2,358.26 foot radius curve to the right an arc of 765.46 feet and a chord bearing and distance of North 5 deg 39 min 17 sec West 762.10 feet to a point, thence three (3) North 3 deg 30 min 59 sec East 921.37 feet to a point, thence four (4) South 60 deg 20 min 33 sec West 11.95 feet to a point, thence five (5) North 3 deg 30 min 59 sec East 319.66 feet, thence six (6) with a 5,724.20 foot radius to the left an arc of 1091.99 feet and a chord bearing and distance of North 1 deg 56 min 55 sec West 1,090.33 feet to a point, thence seven (7) North 7 deg 24 min 48 sec West 584.60 feet to a point, thence eight (8) with a 3,088.87 foot radius curve the left an arc of 476.32 feet and a chord bearing and distance of North 11 deg 34 min 25 sec West 475.85 feet the point and place of beginning. Containing in said parcel 5,548,246 square feet or 127.3702 acres of land be the same more or less.



Legal Description  
Lands of Artesian Wastewater Management, Inc.

All that certain lot, piece or parcel of land situated in Broadkill Hundred, Sussex County and State of Delaware, lying on the easterly side of Isaacs Road and in part on the southerly side of Reynolds Pond Road; being bounded on the west by Isaacs Road, on the north by other lands of Pemberton Branch Properties, LLC, lands of William L. Coulbourne and Stephane L. Coulbourne, lands of Jeffery S. Trench and Kathryn H. Trench, Reynolds Pond Road and lands of Randolph I. Gooner, Sr. on the east by lands of Farm Boys, LLC and lands of W&B Hudson Family, LTD Partnership on the south by lands of W&B Hudson Family, LTD Partnership and being more particularly described with a lot line adjustment plan for Artesian Wastewater Management, Inc.:

Beginning at a point in the easterly right of way line of Isaacs Road, at a corner for this parcel and lands of Pemberton Branch Properties, LLC, said point commencing 704 feet more or less from the center of Reynolds Pond Road to the point of beginning; thence from said point of beginning with the lands Pemberton Branch Properties, LLC North 77 deg 04 min 16 sec East 249.94 feet to a point; thence continuing in part with lands of Pemberton Branch Properties, LLC, lands of William L. Coulbourne and Stephane L. Coulbourne and lands of Jeffery S. Trench and Kathryn H. Trench South 60 deg 40 min 31 sec Est 495.29 feet to a point, thence with lands of Jeffery S. Trench and Kathryn H. Trench North 27 deg 56 min 48 sec East 225.07 feet to a point in the southerly right of way line of Reynolds Pond Road, thence with the southerly right of way line of Reynolds Pond Road, South 60 deg 40 min 30 sec East 145.04 feet to a point; thence continuing with the southerly right of way line of Reynolds Pond Road South 61 deg 49 min 20 sec East 6.00 feet to a point in the lands of Pemberton Branch Properties, LLC; thence with lands of Pemberton Branch Properties, LLC the following two (2) courses: one (1) South 27 deg 56 min 48 sec West 225.19 feet to a point, thence two (2) South 60 deg 40 min 53 sec East 208.78 feet to a point in the lands of Randolph L. Gooner, Sr.; thence with the lands of Randolph L. Gooner, Sr. the following seven (7) courses: one (1) South 1 deg 19 min 45 sec West 35.28 feet to a point, thence two (2) South 13 deg 44 min 06 sec West 68.08 feet to a point, said point also being the center of a 27 foot wide access easement for ingress and egress, thence with said easement and continuing with lands of Randolph L. Gooner, Sr., three (3) South 81 deg 37 min 46 sec East 149.19 feet to a point, thence four (4) South 33 deg 45 min 27 sec East 35.79 feet to a point, thence five (5) North 89 deg 43 min 48 sec East 143.41 feet to a point, said point also being the end of the 27 foot wide access easement of ingress and egress, thence six (6) South 0 deg 01 min 0 sec East 89.76 feet to a point, thence seven (7) North 85 deg 09 min 22 sec East 69.66 feet to a point in the lands of Farm Boys, LLC, thence with the lands of Farm Boys, LLC South 1 deg 23 min 19 sec East 2,160.90 feet to a point in the lands of ; Farm Boys, LLC, hence with the lands of Farm Boys, LLC, North 88 deg 49 min 37 sec East 521.76 feet to a point, thence continuing with lands of Farm Boys, LLC South 1 deg 14 min 07 sec East 1021.03 feet to a point, thence with lands of Farm Boys, LLC the following three (3) courses: one (1) South 1 deg 11 min 34 sec East 121.70 feet

to a point, thence two (2) South 0 deg 31 min 08 sec East 67.99 feet to a point, thence three (3) South 1 deg 49 min 06 sec East 3.63 feet to a point in the center of Ingram Branch and lands of W&B Hudson Family, LTD Partnership, thence with the center of Ingram Branch and lands of W&B Hudson Family, LTD Partnership the following twenty five (25) courses: one (1) North 76 deg 37 min 40 sec West 61.00 feet to a point, thence two (2) South 62 deg 15 min 51 sec West 65.58 feet to a point, thence three (3) North 81 deg 52 min 39 sec West 54.87 feet to a point, thence four (4) South 64 deg 58 min 28 sec West 104.11 feet to a point, thence five (5) South 72 deg 20 min 36 sec West 92.18 feet to a point, thence six (6) North 76 deg 33 min 02 sec West 53.12 feet to a point, thence seven (7) South 19 deg 21 min 25 sec West 22.31 feet to a point, thence eight (8) South 56 deg 05 min 38 sec West 33.26 feet to a point, thence nine (9) North 86 deg 06 min 38 sec West 54.21 feet to a point, thence ten (10) South 57 deg 17 min 19 sec West 67.56 feet to a point, thence eleven (11) South 84 deg 53 min 45 sec West 27.63 feet to a point, thence twelve (12) South 54 deg 30 min 27 sec West 43.31 feet to a point, thence thirteen (13) North 78 deg 16 min 21 sec West 105.88 feet to a point, thence fourteen (14) South 69 deg 23 min 51 sec West 68.48 feet to a point, thence fifteen (15) South 35 deg 03 min 35 sec West 65.44 feet to a point, thence sixteen (16) South 66 deg 15 min 43 sec West 70.02 feet to a point, thence seventeen (17) South 73 deg 55 min 18 sec West 40.36 feet to a point, thence eighteen (18) North 61 deg 26 min 03 sec West 20.67 feet to a point, thence nineteen (19) South 86 deg 59 min 47 sec West 104.34 feet to a point, thence twenty (20) South 34 deg 45 min 01 sec West 38.26 feet to a point, thence twenty one (21) South 79 deg 30 min 32 sec West 119.42 feet to a point, thence twenty two (22) South 67 deg 35 min 08 sec West 224.87 feet to a point, thence twenty three (23) South 82 deg 34 min 41 sec West 50.27 feet to a point, thence twenty four (24) South 62 deg 27 min 35 sec West 82.44 feet to a point, thence twenty five (25) North 56 deg 41 min 24 sec West 27.97 feet to a point in the easterly right of way line of Isaacs Road, thence with the easterly right of way of Isaacs Road the following eight (8) courses: one (1) North 14 deg 57 min 12 sec West 216.35 feet to a point, thence two (2) with a 2,358.26 foot radius curve to the right an arc of 765.46 feet and a chord bearing and distance of North 5 deg 39 min 17 sec West 762.10 feet to a point, thence three (3) North 3 deg 30 min 59 sec East 921.37 feet to a point, thence four (4) South 60 deg 20 min 33 sec West 11.95 feet to a point, thence five (5) North 3 deg 30 min 59 sec East 319.66 feet, thence six (6) with a 5,724.20 foot radius to the left an arc of 1091.99 feet and a chord bearing and distance of North 1 deg 56 min 55 sec West 1,090.33 feet to a point, thence seven (7) North 7 deg 24 min 48 sec West 584.60 feet to a point, thence eight (8) with a 3,088.87 foot radius curve the left an arc of 476.32 feet and a chord bearing and distance of North 11 deg 34 min 25 sec West 475.85 feet the point and place of beginning. Containing in said parcel 5,548,246 square feet or 127.3702 acres of land be the same more or less.

# Planning & Zoning Commission 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)**

Conditional Use   
Zoning Map Amendment

**Site Address of Conditional Use/Zoning Map Amendment**

Isaacs Road, Milton, DE 19968

**Type of Conditional Use Requested:**

Expansion of CU#1724 & amend conditions of Approved Final Site Plan.

**Tax Map #:** 235-6.00-28.00&28.09 **Size of Parcel(s):** 127.37

**Current Zoning:** AR-1 **Proposed Zoning:** AR-1 **Size of Building:** Multiple sizes

**Land Use Classification:** Wastewater Treatment/Disposal Facility

**Water Provider:** Artesian Water Co. Inc. **Sewer Provider:** Artesian Wastewater Management, Inc.

**Applicant Information**

**Applicant Name:** Artesian Wastewater Management, Inc. c/o Daniel W. Konstanski, P.E.

**Applicant Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dkonstanski@artesianwater.com

**Owner Information**

**Owner Name:** Artesian Wastewater Management, Inc. c/o David Spacht, President

**Owner Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dspacht@artesianwater.com

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Daniel W. Konstanski, P.E.

**Agent/Attorney/Engineer Address:** 664 Churchmans Road

**City:** Newark **State:** DE **Zip Code:** 19702

**Phone #:** (302) 453-6900 **E-mail:** dkonstanski@artesianwater.com



# Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

**Completed Application**

**Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

**Provide Fee \$500.00**

**Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 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.**

**DeIDOT Service Level Evaluation Request Response**

**PLUS Response Letter** (if required)

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 the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

**Signature of Applicant/Agent/Attorney**

\_\_\_\_\_ Date: \_\_\_\_\_

**Signature of Owner**

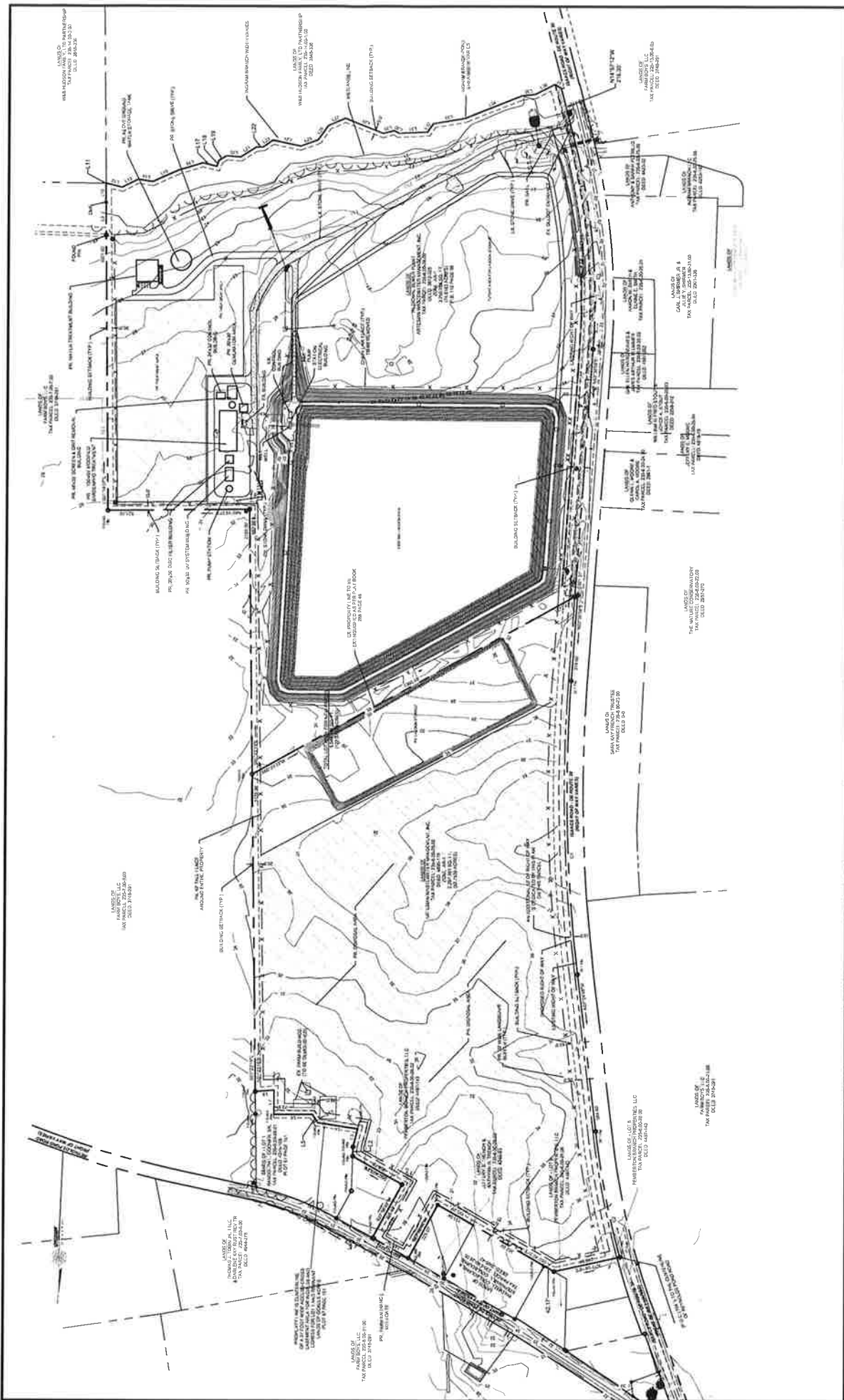
\_\_\_\_\_ Date: \_\_\_\_\_

**For office use only:**

Date Submitted: \_\_\_\_\_ Fee: \$500.00 Check #: \_\_\_\_\_  
Staff accepting application: \_\_\_\_\_ Application & Case #: \_\_\_\_\_  
Location of property: \_\_\_\_\_

Subdivision: \_\_\_\_\_  
Date of PC Hearing: \_\_\_\_\_ Recommendation of PC Commission: \_\_\_\_\_  
Date of CC Hearing: \_\_\_\_\_ Decision of CC: \_\_\_\_\_





**ARTESIAN**  
 654 Chickadee Road  
 Newark, Delaware 19702  
 P.O. Box 15004 Wilmington, Delaware 19850  
 Phone: (302) 463-6000 Fax: (302) 463-6607

**PRELIMINARY SITE PLAN**  
**SUSSEX REGIONAL RECHARGE FACILITY**

SUSSEX COUNTY STATE OF DELAWARE

---

DATE: 10/2/18	Checked By: DK	Sheet 2 of 3	Budget No. 300498
SCALE: 1"=150'	Page & Cit: BCGADKILL	Hundred: BCGADKILL	
Drawn By: JEC	CAD FILE: PRELIM SITE PLAN.dwg		

**ARTESIAN**  
 654 Chickadee Road  
 Newark, Delaware 19702  
 P.O. Box 15004 Wilmington, Delaware 19850  
 Phone: (302) 463-6000 Fax: (302) 463-6607

**PRELIMINARY SITE PLAN**  
**SUSSEX REGIONAL RECHARGE FACILITY**

SUSSEX COUNTY STATE OF DELAWARE



TAB “2”



23660

BK: 3812 PG: 325

Tax Parcel No.: 2-35-6.00-28.09

Prepared by and return to: John M. Bloxom, IV  
Morris, James, LLP  
500 Delaware Avenue; Suite 1500  
P.O. Box 2306  
Wilmington, Delaware 19899

DEED

NORTHERN SUSSEX REGIONAL WATER RECHARGE COMPLEX, LLC,  
a Delaware limited liability company

To

ARTESIAN WASTEWATER MANAGEMENT, INC.,  
a Delaware corporation

*KLM*

BK = 3812 PG = 326

**DEED**

**THIS DEED**, is made this 3<sup>rd</sup> day of August, 2010 between:

**NORTHERN SUSSEX REGIONAL WATER RECHARGE COMPLEX, LLC**, a Delaware limited liability company, of 26412 Broadkill Road, Milton, Delaware 19968, party of the first part,

**A N D**

**ARTESIAN WASTEWATER MANAGEMENT, INC.**, a Delaware corporation, of 664 Churchmans Road, Newark, Delaware 19702, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants and conveys unto the said party of the second part, its successors and assigns, in fee,

ALL that certain lot, parcel or piece of land situated in Broadkill Hundred, Sussex County and State of Delaware, being all of Lot No. 9 as laid out in a Minor Subdivision Plan for North Milton Development Group II, recorded in the Recorder of Deeds, Sussex County and the State of Delaware; lying on the East side of Isaacs Road, just South of Reynolds Pond Road, being bounded on the West by Isaacs Road, on the North by lands of Ockels Acres; on the East by lands of Harry H. Isaacs, Jr.; and on the South by lands of Wayne D. Hudson and Bonnie C. Hudson and being more particularly described in accordance with a recent survey by Meridian Architects and Engineers filed for record in Plot Book 121, Page 95 and being more particularly described as follows, to wit:

BEGINNING at a point in the Easterly right of way line of Isaacs Road at a corner for this lot and lands of Ockels Acres; said point commencing 3,132.45 feet more or less from the Southerly right of way line of Reynolds Pond Road, thence North 70 degrees 18 minutes 09 seconds East 11.95 feet to the point of beginning; thence with said point of beginning North 70 degrees 18 minutes 09 seconds East 1,360.48 feet to a point at a corner for this lot in a point in the lands of Harry H. Isaacs, Jr.; thence with the lands of Harry H. Isaacs, Jr. the following five (5) courses; one (1) South 08 degrees 34 minutes 18 seconds West 983.96 feet to a found concrete monument; thence two (2) South 81 degrees 12 minutes 47 seconds East 521.76 feet to a found concrete monument; thence three (3) South 08 degrees 38 minutes 33 seconds West 1,020.59 feet to a found rebar; thence four (4) South 09 degrees 04 minutes 21 seconds West 190.16 feet to a point, passing over a concrete monument at 121.98 feet; thence five (5) South 08 degrees 08 minutes 30 seconds West 3.93 feet to a point in the center of Ingram Branch at a corner

for this parcel and lands of Wayne D. Hudson and Bonnie C. Hudson; thence with the lands of Wayne D. Hudson and Bonnie C. Hudson and with the center of Ingram Branch the following twenty-six (26) courses; one (1) North 66 degrees 40 minutes 04 seconds West 62.29 feet to a point; thence two (2) South 72 degrees 13 minutes 27 seconds West 65.58 feet to a point; thence three (3) North 71 degrees 55 minutes 03 seconds West 54.87 feet to a point; thence four (4) South 74 degrees 56 minutes 04 seconds West 104.11 feet to a point; thence five (5) South 82 degrees 18 minutes 12 seconds West 92.18 feet to a point; thence six (6) North 66 degrees 35 minutes 26 seconds West 53.12 feet to a point; thence seven (7) South 29 degrees 19 minutes 01 second West 22.31 feet to a point; thence eight (8) South 66 degrees 03 minutes 14 seconds West 33.26 feet to a point; thence nine (9) North 76 degrees 09 minutes 02 seconds West 54.21 feet to a point; thence ten (10) South 67 degrees 14 minutes 55 seconds West 67.56 feet to a point; thence eleven (11) North 85 degrees 08 minutes 39 seconds West 27.63 feet to a point; thence twelve (12) South 64 degrees 28 minutes 03 seconds West 43.31 feet to a point; thence thirteen (13) North 68 degrees 18 minutes 45 seconds West 105.88 feet to a point; thence fourteen (14) South 79 degrees 21 minutes 27 seconds West 68.48 feet to a point; thence fifteen (15) South 45 degrees 01 minute 11 seconds West 65.44 feet to a point; thence sixteen (16) South 76 degrees 13 minutes 19 seconds West 70.02 feet to a point; thence seventeen (17) North 58 degrees 50 minutes 03 seconds West 150.53 feet to a point; thence eighteen (18) South 83 degrees 52 minutes 54 seconds West 40.36 feet to a point; thence nineteen (19) North 51 degrees 28 minutes 27 seconds West 20.67 feet to a point; thence twenty (20) North 83 degrees 02 minutes 37 seconds West 104.34 feet to a point; thence twenty-one (21) South 44 degrees 42 minutes 37 seconds West 38.26 feet to a point; thence twenty-two (22) South 89 degrees 28 minutes 08 seconds West 119.42 feet to a point; thence twenty-three (23) South 77 degrees 32 minutes 44 seconds West 224.87 feet to a point; thence twenty-four (24) North 87 degrees 27 minutes 43 seconds West 50.27 feet to a point; thence twenty-five (25) South 72 degrees 25 minutes 11 seconds West 82.44 feet to a point; thence twenty-six (26) North 46 degrees 43 minutes 48 seconds West 30.45 feet to a point in the center of Ingram Branch in the Easterly right of way line of Isaacs Road thence with the Easterly right of way line of Isaacs Road the following three (3) courses; one (1) North 04 degrees 59 minutes 36 seconds West 217.99 feet to a point; thence two (2) with a 2,358.26 foot radius curve to the right, with an arc distance of 765.46 feet, with a chord bearing and distance of North 04 degrees 10 minutes 39 seconds West 762.11 feet to a point; thence three (3) North 13 degrees 28 minutes 35 seconds East 921.37 feet to the point and place of beginning, said to contain in said parcel 74.6156 acres be the same more or less.

SUBJECT TO ALL covenants, conditions, restrictions, plans and easements of record with respect to the property described above, this reference to which shall not be construed to re-impose any such covenants, conditions, restrictions, plans and easements which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise, as applicable.

BEING the same lands and premises which Ockel Acres, a Delaware partnership, by Deed dated July 1, 2008 and recorded in the Office of the Recorder of Deeds in and for Sussex County and State of Delaware in Deed Book 3595, Page 64, did grant and convey unto Northern Sussex Regional Water Recharge Complex, LLC, a Delaware limited

liability company, party of the first part, in fee. Reference is made also to that certain Corrective Deed from Ockel Acres, a Delaware partnership, to Northern Sussex Regional Water Recharge Complex, LLC, a Delaware limited liability company, that is recorded at the Office of the Recorder of Deeds in and for Sussex County and State of Delaware immediately prior hereto.

IN WITNESS WHEREOF, the said party of the first part has caused this instrument to be executed, delivered, and sealed by its duly authorized representatives as of the day and year aforesaid.

SEALED AND DELIVERED IN THE PRESENCE OF:

NORTHERN SUSSEX REGIONAL WATER RECHARGE COMPLEX, LLC, a Delaware limited liability company

*Rebecca Lockwood*

By: *[Signature]* (SEAL)  
Darin A. Lockwood,  
Managing Member

**RECEIVED**

AUG 09 2010

GRANTEE'S ADDRESS: **ASSESSMENT DIVISION OF SUSSEX COUNTY**

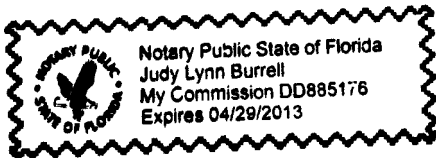
664 Churchmans Road  
Newark, DE 19702

Consideration: 5,000,000.00

County	75,000.00
State	75,000.00
Town	Total 150,000.00
Received: Sue D Aug 09, 2010	

STATE OF FLORIDA :  
: SS.  
Monroe COUNTY :

This instrument was acknowledged before me on August 3, 2010 by Darin A. Lockwood as Managing Member of NORTHERN SUSSEX REGIONAL WATER RECHARGE COMPLEX, LLC, a Delaware limited liability company.



Judy L Burrell  
Notary Public  
Name: Judy L Burrell  
My commission expires:  
4/29/2013

Recorder of Deeds  
John F. Brady  
Aug 09, 2010 09:12A  
Sussex County  
Doc. Surcharge Paid

NO SURVEY REQUESTED NOR PERFORMED

Tax Parcel No. 235-6.00-28.00

Prepared by and Return to:

Katherine H. Betterly, Esquire  
Morris, Nichols, Arsht & Tunnell LLP  
1201 N. Market Street  
P. O. Box 1347  
Wilmington, DE 19899-1347

**DEED**

**THIS DEED**, made as of the 25<sup>th</sup> day of May, in the year Two Thousand and Eighteen (2018),

**BETWEEN: PEMBERTON BRANCH PROPERTIES, LLC**, a Delaware limited liability company, whose address is 17120 Ockels Lane, Milton, Delaware 19968, party of the first part ("Grantor"),

**AND**

**ARTESIAN WASTEWATER MANAGEMENT, INC.**, a Delaware corporation, whose address is 664 Churchmans Road, Newark, Delaware 19702, party of the second part ("Grantee"),

**WITNESSETH**, That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys the premises described below, unto the said party of the second part, its successors and/or assigns:

All that certain lot, piece or parcel of land situated in Broadkill Hundred, Sussex County and State of Delaware, lying on the easterly side of Isaacs Road and in part on the southerly side of Reynolds Pond Road; being bounded on the west by Isaacs Road, on the north by other lands of Pemberton Branch Properties, LLC, lands of William L. Coulbourne and Stephane L. Coulbourne, lands of Jeffery S. Trench and Kathryn H. Trench, Reynolds Pond Road and lands of Randolph I. Gooner, Sr. on the east by lands of Farm Boys, LLC and on the south by lands of Artesian Wastewater Management, Inc. and being more particularly described as follows, to-wit:

LM

LS

Beginning at a point in the easterly right of way line of Isaacs Road, at a corner for this parcel and lands of Pemberton Branch Properties, LLC, said point commencing 704 feet more or less from the center of Reynolds Pond Road to the point of beginning; thence from said point of beginning with the lands of Pemberton Branch Properties, LLC North 77 degrees 04 minute 16 seconds East 249.94 feet to a point; thence continuing in part with lands of Pemberton Branch Properties, LLC, lands of William L. Coulbourne and Stephane L. Coulbourne and lands of Jeffery S. Trench and Kathryn H. Trench South 60 degrees 40 minute 31 seconds East 495.29 feet to a point, thence with lands of Jeffery S. Trench and Kathryn H. Trench North 27 degrees 56 minute 48 seconds East 225.07 feet to a point in the southerly right of way line of Reynolds Pond Road, thence with the southerly right of way line of Reynolds Pond Road, South 60 degrees 40 minute 30 seconds East 145.04 feet to a point; thence continuing with the southerly right of way line of Reynolds Pond Road South 61 degrees 49 minute 20 seconds East 6.00 feet to a point in the lands of Pemberton Branch Properties, LLC; thence with lands of Pemberton Branch Properties, LLC the following two (2) courses: one (1) South 27 degrees 56 minute 48 seconds West 225.19 feet to a point, thence two (2) South 60 degrees 40 minute 53 seconds East 208.78 feet to a point in the lands of Randolph L. Gooner, Sr.; thence with the lands of Randolph L. Gooner, Sr. the following seven (7) courses: one (1) South 1 degrees 19 minute 45 seconds West 35.28 feet to a point, thence two (2) South 13 degrees 44 minute 06 seconds West 68.08 feet to a point, said point also being the center of a 27 foot wide access easement for ingress and egress, thence with said easement and continuing with lands of Randolph L. Gooner, Sr., three (3) South 81 degrees 37 minute 46 seconds East 149.19 feet to a point, thence four (4) South 33 degrees 45 minute 27 seconds East 35.79 feet to a point, thence five (5) North 89 degrees 43 minute 48 seconds East 143.41 feet to a point, said point also being the end of the 27 foot wide access easement of ingress and egress, thence six (6) South 0 degrees 01 minute 0 seconds East 89.76 feet to a point, thence seven (7) North 85 degrees 09 minute 22 seconds East 69.66 feet to a point in the lands of Farm Boys, LLC, thence with the lands of Farm Boys, LLC South 1 degrees 23 minute 19 seconds East 1,176.94 feet to a point in the lands of Artesian Wastewater Management, Inc.; thence with the lands of Artesian Wastewater Management, Inc. South 60 degrees 20 minute 33 seconds West 1,372.43 feet to a point in the easterly right of way of Isaacs Road; thence with the easterly right of way of Isaacs Road the following four (4) courses: one (1) North 3 degrees 30 minute 59 seconds East 319.66 feet to a point, thence two (2) with a 5,724.20 foot radius curve to the left an arc of 1,091.99 feet with a chord bearing and distance of North 1 degrees 56 minute 55 seconds West 1,090.33 feet to a point, thence three (3) North 7 degrees 24 minute 48 seconds West 584.60 feet to a point, thence four (4) with a 3,088.87 foot radius curve to the left an arc of 476.32 feet with a chord bearing and distance of North 11 degrees 34 minute 25 seconds West 475.85 feet to the point and place of beginning. Containing in said parcel 2,297,962 square feet or 52.7539 acres of land be the same more or less.

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

SUBJECT TO ALL other covenants, conditions, restrictions, plans and easements of record with respect to the property described above, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, plans and easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise, as applicable.

BEING a part of the same lands and premises which Dale J. Ockels, Trustee of the Dale J. Ockels Revocable Trust dated August 5, 2009, Gary C. Ockels and Dennis P. Ockels, by Deed dated January 13, 2016, and recorded on January 20, 2016, in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, in Deed Book 4497, Page 143, did grant and convey unto Pemberton Branch Properties, LLC, in fee.

**GRANTEE'S ADDRESS:**

Artesian Water Company, Inc.  
Attn: Legal Department  
664 Churchmans Road  
Newark, Delaware 19702

[signatures follow]

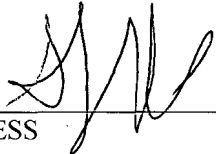
Consideration: 1,529,863.10

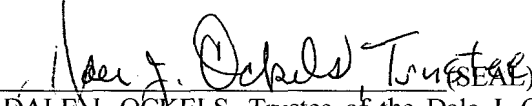
-----	
County	22,947.95
State	38,246.58
Town	Total 61,194.53
Received: Kara S May 31, 2018	

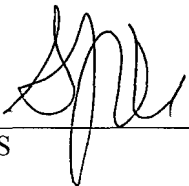
IN WITNESS WHEREOF, the said party of the first part has caused this Indenture to be signed and sealed on the day and year first above written.

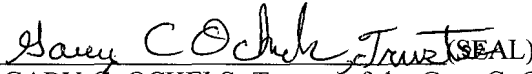
Signed, Sealed, and Delivered  
in the Presence of:

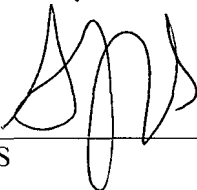
**PEMBERTON BRANCH PROPERTIES, LLC**  
a Delaware limited liability company


  
\_\_\_\_\_  
WITNESS

BY:  (SEAL)  
DALE J. OCKELS, Trustee of the Dale J. Ockels  
Revocable Trust dated August 5, 2009  
Member

  
\_\_\_\_\_  
WITNESS

BY:  (SEAL)  
GARY C. OCKELS, Trustee of the Gary C. Ockels  
Revocable Trust dated January 16, 2017  
Member

  
\_\_\_\_\_  
WITNESS

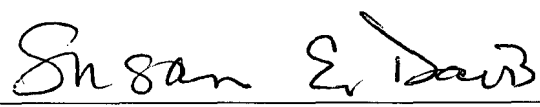
BY:  (SEAL)  
DENNIS P. OCKELS, Trustee of the Dennis P.  
Ockels Revocable Trust dated February 21, 2017  
Member

STATE OF DELAWARE )  
 )SS.  
COUNTY OF SUSSEX )

BE IT REMEMBERED, That on this 25<sup>th</sup> day of May, 2018, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Dale J. Ockels, in his capacity as Trustee of the Dale J. Ockels Revocable Trust dated August 5, 2009, Gary C. Ockels, in his capacity as Trustee of the Gary C. Ockels Revocable Trust dated January 16, 2017, and Dennis P. Ockels, in his capacity as Trustee of the Dennis P. Ockels Revocable Trust dated February 21, 2017, and being the duly authorized Members of Pemberton Branch Properties, LLC, a Delaware limited liability company and party to this Indenture, personally known to me to be such, and each have acknowledged this Indenture to be their act and deed on behalf of the limited liability company.

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

**SUSAN E. DAVIS**  
NOTARY PUBLIC  
STATE OF DELAWARE  
My Commission Expires 12-20-2021

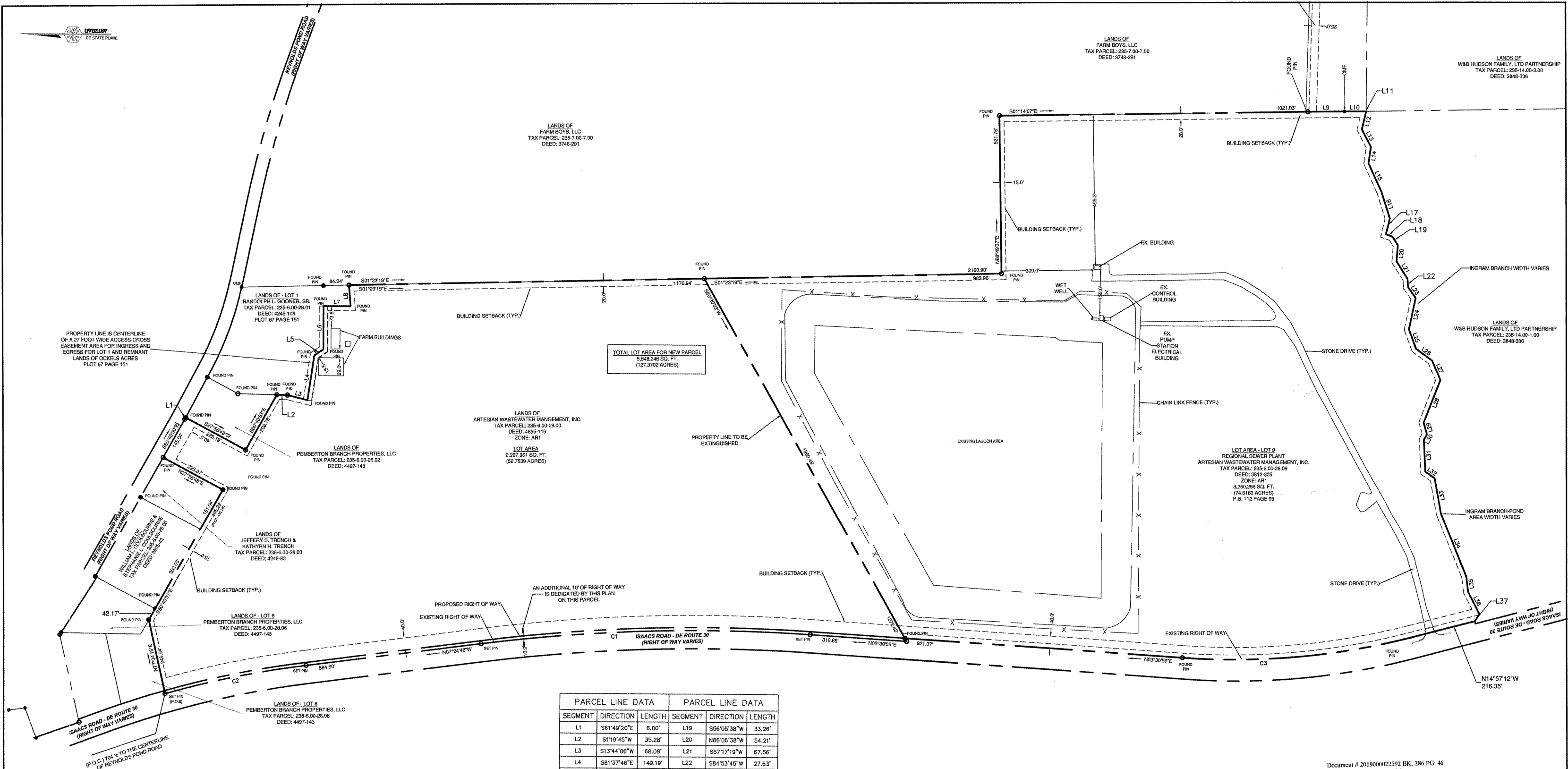
  
\_\_\_\_\_  
NOTARY PUBLIC  
Print or Imprint Name and  
Date Commission Expires

11884077

RECEIVED  
May 31, 2018  
ASSESSMENT DIVISION  
OF SUSSEX COUNTY

Recorder of Deeds  
Scott Dailey  
May 31, 2018 09:34A  
Sussex County  
Doc. Surcharge Paid





PARCEL LINE DATA			PARCEL LINE DATA		
SEGMENT	DIRECTION	LENGTH	SEGMENT	DIRECTION	LENGTH
L1	S61°49'20"E	6.00'	L19	S56°05'38"W	33.26'
L2	S1°19'45"W	35.28'	L20	N86°06'38"W	54.21'
L3	S13°44'06"W	68.08'	L21	S57°17'19"W	67.56'
L4	S81°37'46"E	148.19'	L22	S84°53'45"W	27.63'
L5	S33°45'27"E	35.79'	L23	S54°30'27"W	43.31'
L6	N89°43'48"E	143.41'	L24	N78°16'21"W	105.88'
L7	S0°01'00"E	89.76'	L25	S69°23'51"W	68.48'
L8	N85°09'22"E	69.66'	L26	S35°03'35"W	65.44'
L9	S1°11'34"E	121.70'	L27	S66°15'43"W	70.02'
L10	S0°31'08"E	67.99'	L28	S73°55'18"W	40.36'
L11	S1°49'06"E	3.63'	L30	N61°28'03"W	20.67'
L12	N76°37'40"W	61.00'	L31	S86°59'47"W	104.34'
L13	S62°15'51"W	65.58'	L32	S34°45'01"W	38.26'
L14	N61°52'39"W	54.87'	L33	S79°30'32"W	119.42'
L15	S64°58'28"W	104.11'	L34	S67°35'08"W	224.87'
L16	S72°20'36"W	92.18'	L35	S82°34'41"W	50.27'
L17	N76°33'02"W	53.12'	L36	S62°27'35"W	82.44'
L18	S19°21'25"W	22.31'	L37	N56°41'24"W	27.97'

PARCEL CURVE DATA				
SEGMENT	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	1091.89'	5724.20'	N1°56'55"W	1096.37'
C2	476.32'	3088.87'	N11°34'22"W	478.88'
C3	765.46'	2366.26'	N5°39'17"W	762.10'

**NOTE:**  
 SURVEY SHOWN IS BASED ON A FIELD SURVEY BY ARTESIAN WATER COMPANY, INC., FOUND MONUMENTS IN THE FIELD AND ALSO BASED ON A PLAN AND SURVEY BY MERIDIAN ARCHITECTS AND ENGINEERS DATED 2-21-06, ENTITLED RECORD MINOR SUBDIVISION PLAN - OCKELS FARM, RECORDED IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DELAWARE IN PLAT BOOK 112 PAGE 95. IT IS ALSO BASED ON PLOT BOOK 61 PAGE 278, SURVEY BY ADAMS-KEMP FOR THE ABOVE PARCEL, PLOT BOOK 61 PAGE 151 SURVEY BY ADAMS-KEMP DATED 5-1-2000 AND PLOT BOOK 95 PAGE 281 A SUBDIVISION PLAN BY ADAMS-KEMP DATED 8-4-2005.

**CLASS OF SURVEY:** SUBURBAN SURVEY  
**PURPOSE:** LOT LINE ADJUSTMENT PLAN

**SETBACKS ARE:**  
 FRONT: 40'  
 SIDE: 15'  
 REAR: 20'

I, H. SCOTT PETERSON REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS OR IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL BE THE RESPONSIBILITY OF THE OWNER. A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

H. SCOTT PETERSON, DE PLS. DATE: 6/26/19

664 Churchmans Road  
 Newark, Delaware 19702  
 P.O. Box 15004, Wilmington, Delaware 19850  
 Phone: (302) 453-6900 Fax: (302) 453-5800

14701 Coastal Highway  
 Milton, Delaware 19968  
 Phone: (302) 645 7751 Fax: (302) 645-8233

Date:	4-25-2019	Checked By:	KEW	Sheet	1 of 1
Scale:	1" = 150'	Page & Grid:		Hundred:	BROADKILL
Drawn By:	HSP	CAD File:		Budget No.:	

**ARTESIAN WASTEWATER MANGEMENT, INC.**  
 LOT LINE ADJUSTMENT PLAN-TAX PARCEL #235-6.00-28.00

SUSSEX COUNTY Delaware

TAB “3”

**ORDINANCE NO. 1922**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SEWAGE TREATMENT PLANT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 74.61 ACRES, MORE OR LESS**

**WHEREAS, on the 27th day of June 2006 a conditional use application, denominated Conditional Use No. 1724, was filed on behalf of North Milton Development Group II; and**

**WHEREAS, on the 25th day of January 2007 a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 18th day of July 2007, said Planning and Zoning Commission recommended that Conditional Use No. 1724 be approved with conditions; and**

**WHEREAS, on the 13th day of February 2007, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County;**

**NOW, THEREFORE,**

**THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1724 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying east of Route 30, 0.6 mile south of Reynolds Pond Road (Road 231), and being more particularly described as follows:**

BEGINNING at a point on the easterly right of way of Route 30 at the centerline of Ingram Branch; thence northerly 1,908.06 feet along the easterly right of way of Route 30 to a point; thence N 70°18'09" E 1,372.42 feet across lands of Ockels Acres to a point; thence southerly along lands of Harry H. Isaacs, Jr., the following six (6) courses: S 08°34'18" W 983.96 feet, S 81°12'47" E 521.76 feet, S 08°38'33" W 1,020.59 feet, S 09°04'21" W 121.98 feet, S 09°04'21" W 68.18 feet, and S 08°08'30" W 3.93 feet to a point in centerline of Ingram Branch; thence westerly by and along the meandering centerline of Ingram Branch 1,858.59 feet to the point and place of beginning, said parcel containing 74.61 acres, more or less, as plotted by Meridian Architects and Engineers.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. The proposal regional Sewage Treatment Plant and its collection and disposal systems shall be reviewed and approved by DNREC and shall be designed and constructed in accordance with all other applicable Federal, State and County requirements, including those mandated by DNREC and other agencies having jurisdiction over same.
2. Because the Applicant did not apply for a water treatment plant as part of this conditional use, one shall not be permitted on this site unless approved under a separate conditional use application.
3. The treatment plant building shall appear to be an agricultural building.
4. All improvements for collection, treatment and disposal of sanitary waste shall be constructed and maintained in accordance with the requirements of the Sussex County Engineering Department, if any, and the Delaware Department of Natural Resources and Environmental Control, and any other governmental agency with jurisdiction over the use of the site, or any modification thereto.
5. There shall be forested buffers of at least 30 feet from all property lines. Any lagoons, Rapid Infiltration Basins or similar structures shall be located at least 100 feet from any dwellings.

6. One lighted sign shall be permitted on each site, not to exceed 32 square feet in size.
7. With the exception of emergency generators that may be located on the site, all of the equipment needed in the operation of the facility shall be located indoors. The generators shall be housed in enclosures to reduce noise.
8. Any security lighting shall be screened so that it does not shine onto neighboring properties or County Roads.
9. The Final Site Plan shall be subject to review and approval by the Sussex County Planning and Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1922 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 31ST DAY OF JULY 2007.

  
ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. This is a conditional use for a sewage treatment plant to be located on 74.61 acres lying on the east side of State Route 30, 6/10's of a mile south of County Road 231 (Reynolds Pond Road), in Broadkill Hundred, Sussex County, Delaware.
2. The Council adopted the recommendation of the Planning and Zoning Commission that the application be approved and adopted the Commission's recommended findings and conditions of approval.
3. The proposed use of the subject property as a sewage treatment plan is generally of a public or semi-public character and is essential and desirable for the general convenience and welfare of neighboring properties and the County.

4. **The regional Sewage Treatment Plant will possess sufficient capacity to serve a substantial volume of users beyond the boundaries of the development proposed to be served by the Plant.**
5. **The regional Sewage Treatment Plant, with the stipulations and conditions placed upon it, will not have any adverse impact upon the County or its residents.**
6. **The Sewage Treatment Plant will be designed to minimize environmental impacts. Significant buffers will be provided from all wetland areas, no wetland areas on the subject property will be disturbed without a valid Federal or State permit.**
7. **The proposed regional Sewage Treatment Plant and its collection and disposal systems shall be reviewed and approved by DNREC and shall be designed and constructed in accordance with all other applicable Federal, State and County requirements, including those mandated by DNREC and other agencies having jurisdiction over the use.**
8. **The proposed use is subject to the review and approval of the Public Service Commission.**
9. **The conditional use is approved subject to nine conditions, which will serve to minimize any potential impacts on the surrounding area.**

TAB “4”

**ORDINANCE NO. 1923**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR LAND APPLICATION OF SLUDGE, TREATED SLUDGE OR ANY MATERIAL CONTAINING THESE MATERIALS BY SPRAY IRRIGATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL AND CEDAR CREEK HUNDREDS, SUSSEX COUNTY, CONTAINING 1,739.779 ACRES, MORE OR LESS**

**WHEREAS, on the 27th day of June 2006, a conditional use application, denominated Conditional Use No. 1725, was filed on behalf of Harry Isaacs, Jr.; and**

**WHEREAS, on the 25th day of January 2007, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 18th day of July 2007, said Planning and Zoning Commission recommended that Conditional Use No. 1725 be approved with conditions; and**

**WHEREAS, on the 13th day of February 2007, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County;**

**NOW, THEREFORE,**

**THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1725 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Broadkill and Cedar Creek Hundreds, Sussex County, Delaware, and lying on both sides of Route 16, both sides of Route 30, both sides of Road 231, east of Road 212, and both sides of Route 38, and being more particularly described as lands identified on the Sussex**



County Property Maps as: Tax Map I.D. 2.35-13.00-6.00, Tax Map I.D. 2.35-13.00-6.05, Tax Map I.D. 2.30-22.00-1.00, Tax Map I.D. 2.35-7.00-1.00, Tax Map I.D. 2.35-7.00-7.00, Tax Map I.D. 2.35-7.00-27.00, Tax Map I.D. 2.35-7.00-164.00, Tax Map I.D. 2.35-6.00-11.00, Tax Map I.D. 2.35-6.00-11.02, Tax Map I.D. 2.35-6.00-21.00, Tax Map I.D. 2.30-21.00-13.00, Tax Map I.D. 2.30-21.00-35.00, and Tax Map I.D. 2.30-21.00-35.01, said parcels equal a combined total of 1,739.779 acres, more or less, as verified by Meridian Architects and Engineers.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. The use shall be reviewed and approved by DNREC and shall be designed and constructed in accordance with all other applicable Federal, State and County requirements, including those mandated by DNREC and other agencies having jurisdiction over it.
2. Any structures on the properties that are part of this application shall appear to be an agricultural building.
3. All improvements for transmission and disposal of treated waste water shall be constructed and maintained in accordance with the requirements of the Sussex County Engineering Department, if any, and the Delaware Department of Natural Resources and Environmental Control, and any other governmental agency with jurisdiction over the use of the site, or any modification thereto.
4. The wastewater applied to the land shall be treated to a level permitting "unlimited public access".
5. No lagoons or storage of wastewater or sludge shall be permitted on the properties that are the subject of this conditional use.
6. The irrigation rates shall be determined by crop utilization and uptake limits rather than by wastewater disposal needs.
7. The Final Site Plan shall be subject to review and approval by the Sussex County Planning and Zoning Commission.

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1923 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 31ST DAY OF JULY 2007.**

  
**ROBIN A. GRIFFITH**  
**CLERK OF THE COUNCIL**

**The Council found that the conditional use was appropriate legislative action based on the following findings of fact:**

- 1. This conditional use is for the land application of sludge, treated sludge or any material containing these materials by spray irrigation on 1,739.779 acres lying on both sides of State Route 16, both sides of State Route 30, both sides of County Road 231, on the east side of County Road 212 and on both sides of County Road 38 in Broadkill Hundred, Sussex County, Delaware.**
- 2. The Council adopted the recommendation of the Planning and Zoning Commission that the application be approved and adopted the Commission's recommended findings and conditions of approval.**
- 3. The proposed use of the subject property is generally of a public or semi-public character and is essential and desirable for the general convenience and welfare of neighboring properties and the County.**
- 4. This use will create a disposal area for treated wastewater that will have sufficient capacity to serve a substantial volume of users beyond the boundaries of the development proposed to be served by the plant and disposal area.**
- 5. The use, with the stipulations and conditions placed upon it will not have any adverse impact upon the County or its residents.**
- 6. The wastewater disposal system will be designed to minimize environmental impacts. Significant buffers will be provided from any wetland areas and no wetland areas on the subject property will be disturbed without a valid Federal or State permit.**
- 7. The proposed regional Sewage Treatment Plant and its collection and disposal systems will be reviewed and approved by DNREC and shall be designed and constructed in accordance with all other applicable Federal, State and County requirements, including those mandated by DNREC and other agencies having jurisdiction over it.**

8. The proposed use is subject to the review and approval of the Public Service Commission.
9. The property is currently used for agricultural purposes; this underlying use will not be changed as a result of this conditional use.
10. The conditional use is approved subject to nine conditions, which will serve to minimize any potential impacts on the surrounding area.

TAB "5"

**ORDINANCE NO. 2013**

**With Conditions**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A REGIONAL WATER FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 74.61 ACRES, MORE OR LESS**

**WHEREAS, on the 2nd day of July 2008, a conditional use application, denominated Conditional Use No. 1810, was filed on behalf of Artesian Water Company, Inc.; and**

**WHEREAS, on the 28th day of August 2008, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 17th day September 2008, said Planning and Zoning Commission recommended that Conditional Use No. 1810 be approved with conditions; and**

**WHEREAS, on the 16th day of September 2008, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County;**

**NOW, THEREFORE,**

**THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1810 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying east of Route 30, 0.6 mile south of Reynolds Pond Road (Road 231), and being more particularly described as follows:**

BEGINNING at a point on the easterly right-of-way of Route 30 at the centerline of Ingram Branch; thence northerly 1,908.06 feet along the easterly right-of-way of Route 30 to a point; thence N 70°18'09" E 1,372.42 feet across lands of Ockels Acres to a point; thence southerly along lands of Harry H. Isaacs, Jr., the following six (6) courses: S 08°34'18" W 983.96 feet, S 81°12'47" E 521.76 feet, S 08°38'33" W 1,020.59 feet, S 09°04'21" W 121.98 feet, S 09°04'21" W 68.18 feet, and S 08°08'30" W 3.93 feet to a point in centerline of Ingram Branch; thence westerly by and along the meandering centerline of Ingram Branch 1,858.59 feet to the point and place of beginning, said parcel containing 74.61 acres, more or less, as plotted by Meridian Architects and Engineers.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. The treatment plant buildings shall appear to be agricultural buildings.
2. All improvements for collection, treatment and disposal of water shall be constructed and maintained in accordance with the requirements of the Department of Health, the Public Service Commission, the Delaware Department of Natural Resources and Environmental Control, and any other governmental agency with jurisdiction over the use of the site.
3. With the exception of emergency generators that may be located on the site, all of the equipment needed in the operations of the facility shall be located indoors. The generators shall be housed in enclosures to reduce noise.
4. Any security lighting shall be screened so that it does not shine onto neighboring properties or County roads.
5. The Final Site Plan shall be subject to review and approval of the Sussex County Planning and Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2013 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 2ND DAY OF DECEMBER 2008.

  
ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. This is an application for a conditional use for a regional water facility to be located on 74.61 acres lying on the east side of State Route 30, 6/10's of a mile south of County Road 231 (Reynolds Pond Road) in Broadkill Hundred, Sussex County, Delaware.
2. DelDOT did not require a Traffic Impact Study and has approved the location of the proposed entrance.
3. The site is already approved for a regional wastewater treatment facility and the Applicant is proposing the construction of a regional water facility to serve the Elizabethtown project and other projects in the area.
4. The Applicant reported that it had received a Certificate of Public Necessity from the Public Service Commission to construct the regional wastewater treatment facility on this site.
5. The Applicant proposes to construct a 60 x 80 foot water treatment building, an elevated storage tank (not to exceed 150 feet in height and painted a sky neutral color) and 2 wells. The proposed building will have the appearance of an agricultural building.
6. The proposed use is of a public or semi-public character in that it will provide needed sewer service to units that otherwise would be served by septic systems.
7. There were no parties present in support of or in opposition to the application.
8. The use of the subject property as a regional central water facility is generally of a public or semi-public character and is essential and desirable for the general convenience and welfare of neighboring properties and the County.
9. The regional water facility, with the stipulations and conditions placed upon it, will not have an adverse impact upon the County, its residents, or the environment.
10. The regional water facility is appropriate for this site because it is in an area of residential development where central water is not otherwise available.
11. The site has been approved by Conditional Use No. 1724 as a regional wastewater treatment plant and disposal site with rapid infiltration beds.

12. **The use is subject to the review and approval of the Public Service Commission. The Applicant has applied for or will apply for a Certificate of Public Convenience and Necessity to serve the region.**
13. **Based on the record and recommendation of the Planning and Zoning Commission and the record and recommendation of the Council, the Conditional Use was approved subject to five (5) conditions, which will serve to minimize any potential impacts on the surrounding area.**



TAB “6”

NOTE: THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.

LANDS OF HARRY H. ISAACS, JR.  
235-7-007-00  
D-2107-111  
ZONED: AR-1  
(ACTIVE AGRICULTURAL LANDS)

30' WIDE FORESTED BUFFER (SEE SHEET #3 FOR DETAIL)

30' WIDE FORESTED BUFFER (SEE SHEET #3 FOR DETAIL)

30' WIDE FORESTED BUFFER (SEE SHEET #3 FOR DETAIL)

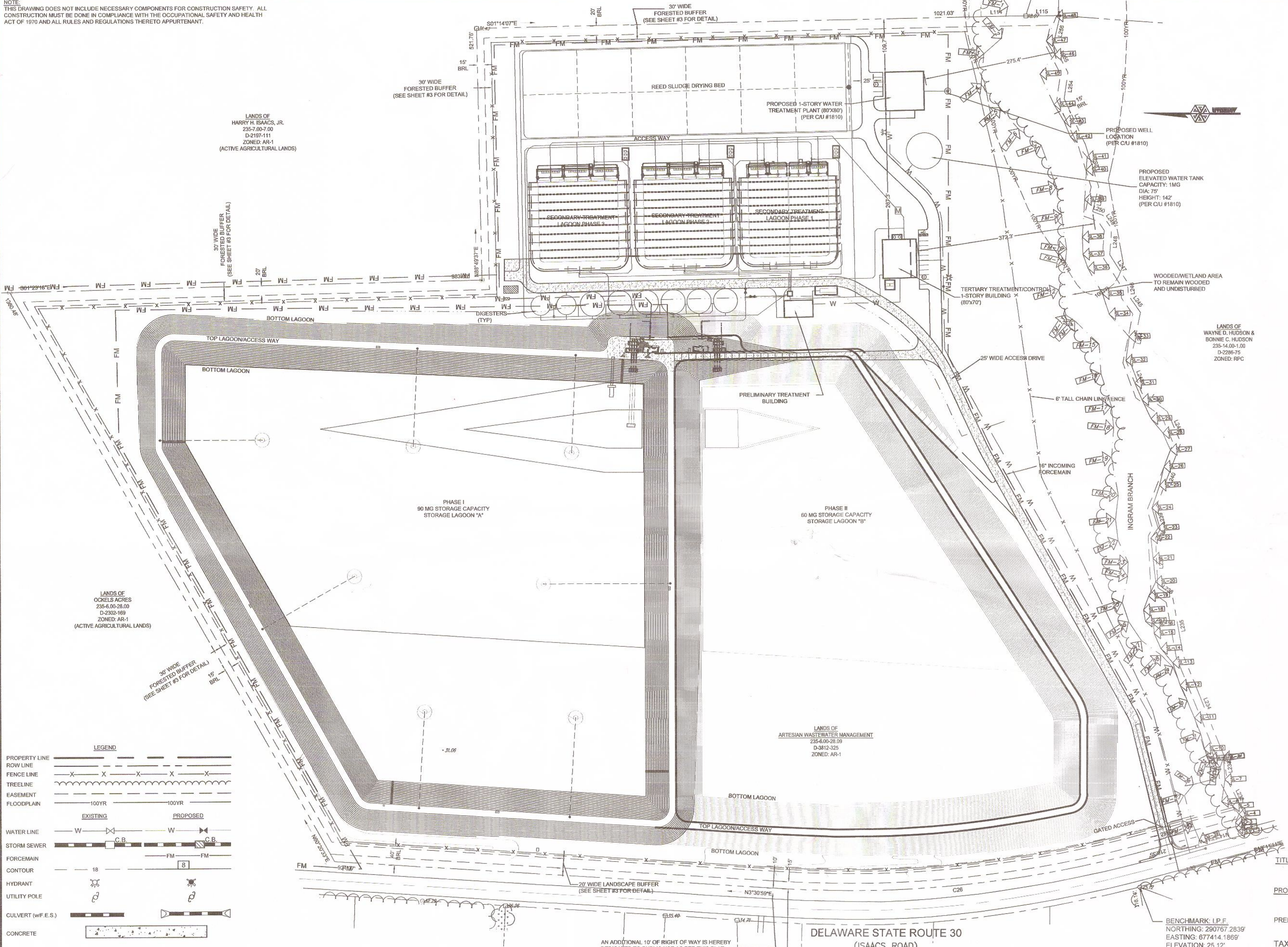
30' WIDE FORESTED BUFFER (SEE SHEET #3 FOR DETAIL)

30' WIDE FORESTED BUFFER (SEE SHEET #3 FOR DETAIL)

30' WIDE FORESTED BUFFER (SEE SHEET #3 FOR DETAIL)

30' WIDE FORESTED BUFFER (SEE SHEET #3 FOR DETAIL)

30' WIDE FORESTED BUFFER (SEE SHEET #3 FOR DETAIL)



LOCATION MAP SCALE: 1"=2,000'

**PARCEL DATA**

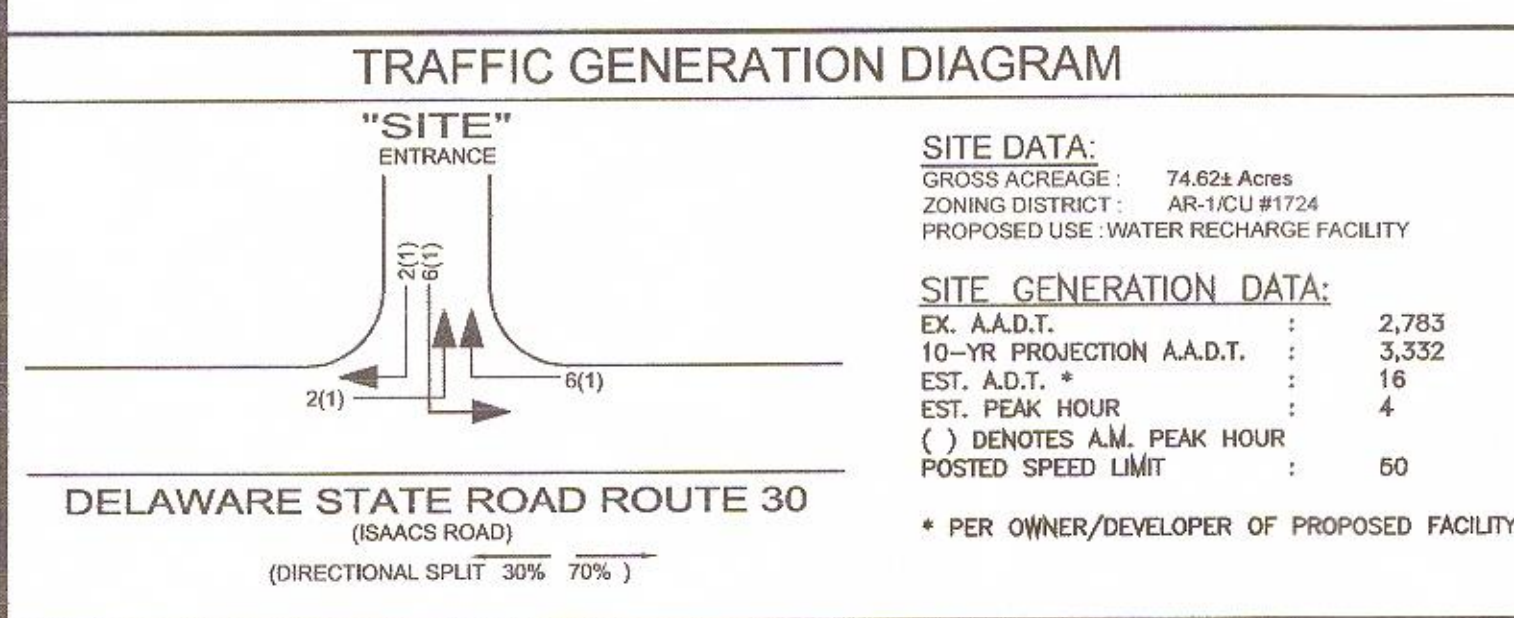
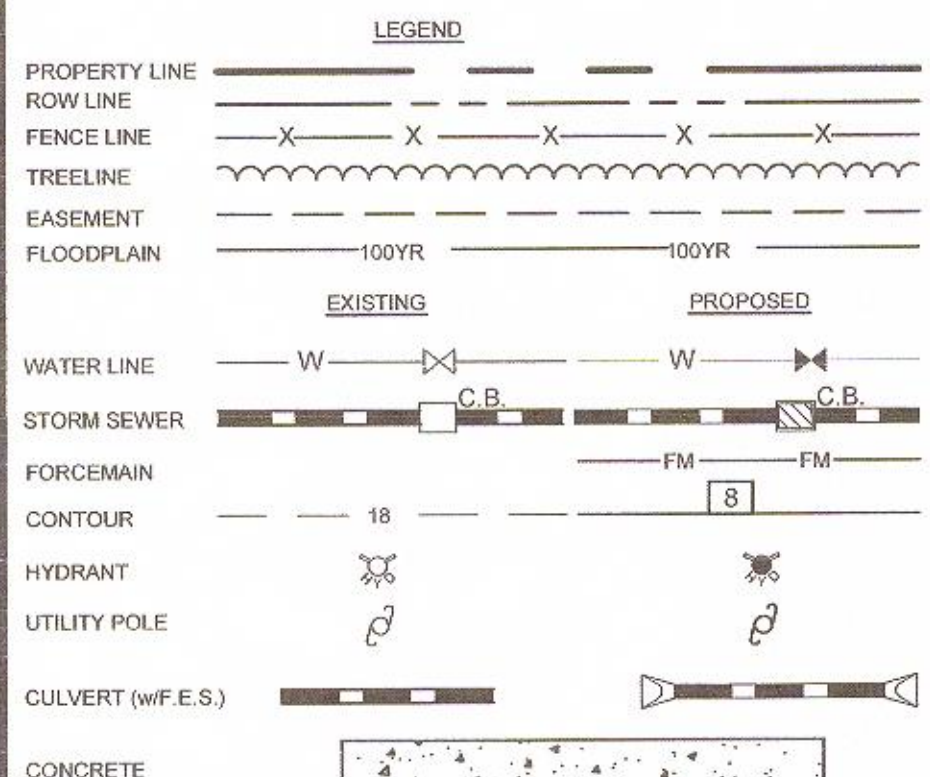
PARCEL I.D. NO.	2-35-6-00-28-09
ZONING DISTRICT	AR-1 CU #1724
PROPOSED USE	REGIONAL WATER RECHARGE FACILITY
GROSS ACREAGE	74.62+- ACRES
OWNER	NORTHERN SUSSEX REGIONAL WATER RECHARGE COMPLEX 25412 BROADKILL ROAD MILTON, DE 19958
DEVELOPER	ARTESIAN WASTEWATER MANAGEMENT, INC. 664 CHURCHMANS ROAD NEWARK, DE 19702 (302) 453-7300
DEED REFERENCE	DEED BOOK 3595, PAGE 084
SEWAGE DISPOSAL	ARTESIAN WASTEWATER MANAGEMENT, INC. SEWAGE SYSTEMS SEWERAGE IS SUBJECT TO APPROVAL OF THE SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS AND THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	ARTESIAN WATER COMPANY, INC. WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.

**BUILDING SETBACK REQUIREMENTS:**  
MIN. DEPTH OF FRONT YARD (FT.) = 40'  
MIN. WIDTH OF SIDE YARD (FT.) = 15'  
MIN. DEPTH OF REAR YARD (FT.) = 30'  
MAX. BUILDING HEIGHT (FT.) = 42'

**PARKING RATIONALE:**  
PARKING REQUIRED: N/A  
PARKING PROVIDED: 17 SPACES \* PER OWNER/DEVELOPER OF PROPOSED FACILITY (INCLUDING 1 HANDICAP SPACE)

**NOTES:**  
1. THIS SITE IS LOCATED IN ZONE 'X' AND ZONE 'A' AS DETERMINED ON FLOOD INSURANCE RATE MAP NUMBER 10005C0165J (JANUARY 8, 2005).  
2. THIS PLAN DOES NOT REPRESENT A FIELD SURVEY BY ARTESIAN CONSULTING ENGINEERS, INC. IT IS BASED ON A BOUNDARY SURVEY BY MERIDIAN ARCHITECTS AND ENGINEERS.

- CONDITIONAL USE #1724 CONDITIONS:**
- THE PROPOSED REGIONAL SEWAGE TREATMENT PLANT AND ITS COLLECTION AND DISPOSAL SYSTEMS SHALL BE REVIEWED AND APPROVED BY DNREC AND SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE, AND COUNTY REQUIREMENTS, INCLUDING THOSE MANDATED BY DNREC AND OTHER AGENCIES HAVING JURISDICTION OVER SAME.
  - BECAUSE THE APPLICANT DID NOT APPLY FOR A WATER TREATMENT PLANT AS PART OF THIS CONDITIONAL USE, ONE SHALL NOT BE PERMITTED ON THIS SITE UNLESS APPROVED UNDER A SEPARATE CONDITIONAL USE APPLICATION. SEE CONDITIONAL USE #1810.
  - THE TREATMENT PLANT BUILDING SHALL APPEAR TO BE AN AGRICULTURAL BUILDING.
  - ALL IMPROVEMENTS FOR COLLECTION, TREATMENT AND DISPOSAL OF SANITARY WASTE SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT, IF ANY, AND THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, AND ANY OTHER GOVERNMENTAL AGENCY WITH JURISDICTION OVER THE USE OF THE SITE, OR ANY MODIFICATION THERE TO.
  - THERE SHALL BE FORESTED BUFFERS OF AT LEAST 30 FEET FROM ALL PROPERTY LINES. ANY LAGOONS, RAPID INFILTRATION BASINS OR SIMILAR STRUCTURES SHALL BE LOCATED AT LEAST 100 FEET FROM ANY DWELLINGS.
  - ONE LIGHTED SIGN SHALL BE PERMITTED ON THIS SITE. NOT TO EXCEED 32 SQUARE FEET IN SIZE.
  - WITH THE EXCEPTION OF EMERGENCY GENERATORS THAT MAY BE LOCATED ON THE SITE, ALL OF THE EQUIPMENT NEEDED IN THE OPERATION OF THE FACILITY SHALL BE LOCATED INDOORS. THE GENERATORS SHALL BE HOUSED IN ENCLOSURES TO REDUCE NOISE.
  - ANY SECURITY LIGHTING SHALL BE SCREENED SO THAT IT DOES NOT SHINE ONTO NEIGHBORING PROPERTIES OR COUNTY ROADS.
  - THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL BY THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.



**SITE DATA:**  
GROSS ACREAGE: 74.62± Acres  
ZONING DISTRICT: AR-1 CU #1724  
PROPOSED USE: WATER RECHARGE FACILITY

**SITE GENERATION DATA:**

EX. A.A.D.T.	2,783
10-YR PROJECTION A.A.D.T.	3,332
EST. A.D.T. *	16
EST. PEAK HOUR	4
( ) DENOTES A.M. PEAK HOUR	
POSTED SPEED LIMIT	50

\* PER OWNER/DEVELOPER OF PROPOSED FACILITY

**WETLANDS CERTIFICATION**

THIS PROPERTY (2-35-6-00-28-09) HAS BEEN EXAMINED BY ENVROTECH ENVIRONMENTAL CONSULTING, INC. (EECI) FOR THE PRESENCE OF WATERS OF THE UNITED STATES INCLUDING WETLANDS (SECTION 404 AND SECTION 10), BASED ON THE CRITERIA SET FORTH BY THE REVIEWING AGENCIES IN THE FORM OF MANUALS, POLICIES, AND PROCEDURES IN PLACE AT THE TIME THAT THE INVESTIGATION WAS CONDUCTED. ANY OF THE ENCLOSED RESOURCES THAT WERE FOUND ON THE PROPERTY ARE DEPICTED IN THIS REPORT IN ACCORDANCE WITH OUR FIELD INVESTIGATIONS AND DETAINED IN THIS REPORT PREPARED BY EECI USING BEST PROFESSIONAL JUDGMENT.

TODD FRITZMAN  
ENVROTECH ENVIRONMENTAL CONSULTING, INC.  
17605 NASSAU COMMONS BLVD.  
UNIT D  
LEWIS, DE 19958  
PH: (302)684-5201

DATE: 8/22/17

**DEVELOPER CERTIFICATION**

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

DAVID SPACHT, C.E.D.  
ARTESIAN WASTEWATER MANAGEMENT, INC.  
664 CHURCHMANS ROAD  
NEWARK, DE 19702  
(302) 453-6900

DATE: 8/22/17

**ENGINEER'S CERTIFICATION**

I, DANIEL W. KONSTANSKI, P.E. HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, AND THAT THE PLAN SHOWN AND DESCRIBED HEREON, CONSISTING OF TWO SHEETS, HAVE BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED STANDARDS AND PRACTICES AND BY THE SUSSEX COUNTY SUBDIVISION AND ZONING REGULATIONS.

DANIEL W. KONSTANSKI, P.E.  
ARTESIAN WASTEWATER MANAGEMENT, INC.  
664 CHURCHMANS ROAD  
NEWARK, DELAWARE 19702  
(302) 453-6900

DATE: 8/17/17

**FINAL SITE PLAN**

PROJECT: ARTESIAN NORTHERN SUSSEX REGIONAL WATER RECHARGE FACILITY  
PREPARED FOR: ARTESIAN WASTEWATER MANAGEMENT, INC.  
TAX MAP No.: 2-35-6-00-28-09  
HUNDRED: BROADKILL  
COUNTY: SUSSEX

**APPROVED**  
REVIEWED FINAL SITE PLAN  
DECEMBER 27 2017  
SUSSEX COUNTY  
PLANNING & ZONING COMMISSION  
APR 12 2020 2:10 PM  
SHEET 1 OF 2


**ARTESIAN WASTEWATER MANAGEMENT, INC.**  
664 CHURCHMANS ROAD  
NEWARK, DELAWARE 19702  
PHONE: (302) 453-6900 FAX: (302) 453-6900

DATE	REVISION	CHKD
DRAWN BY: K.E.W.	CHECKED BY: D.W.K.	DATE: 8/10/17
SCALE: 1"=100'	PROJECT No.:	SHEET No.: 1

NOTE:  
THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.

### FORESTED AND/OR LANDSCAPE BUFFER

THE BUFFER STRIP SHALL BE A MINIMUM OF 20 FEET WIDE AND SHALL REMAIN FREE OF BUILDINGS, STREETS, STORMWATER MANAGEMENT AREAS OR FACILITIES, OPEN SPACE, WASTEWATER TREATMENT AND/OR DISPOSAL FACILITIES, WATER TREATMENT FACILITIES OR OTHER SURFACE IMPROVEMENTS. A LANDSCAPE PLAN FOR THE BUFFER SHALL BE DESIGNED AND CERTIFIED TO BY A LICENSED LANDSCAPE ARCHITECT, LICENSED FORESTER OR FORESTER DESIGNATED BY THE SOCIETY OF AMERICAN FORESTERS AS A CERTIFIED FORESTER. THE LANDSCAPE PLAN SHALL BE REVIEWED AND COMMENTED ON BY THE STATE FORESTER AND SHALL BE SUBJECT TO THE FINAL REVIEW AND APPROVAL OF THE COMMISSION.

 HATCHING REPRESENTS AREA TO HAVE A FORESTED AND/OR LANDSCAPE BUFFER STRIP

**FORESTED BUFFER CONDITIONS:**

A. ALL TREES THAT ARE TO BE PLANTED SHALL INCLUDE A MIX OF 70% DECIDUOUS SHADE TREES AND 30% EVERGREEN TREES, A MAJORITY OF WHICH SHALL BE SUITABLE TREES OF COMMON LOCAL SPECIES, WHICH MAY INCLUDE EXISTING AS WELL AS PLANTED TREES. EVERY 100 FOOT LENGTH OF BUFFER SHALL INCLUDE A MINIMUM TOTAL OF 15 TREES; AND

B. ALL DECIDUOUS TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AND A MINIMUM HEIGHT OF 6 FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THE TREES WILL BE CAPABLE OF OBTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN 5 YEARS OF BEING PLANTED; AND

C. ALL EVERGREEN TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF 5 FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THEY ARE REASONABLY CAPABLE OF ATTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN 5 YEARS OF BEING PLANTED; AND

D. THE LANDSCAPE PLAN MAY INCLUDE SUITABLE EXISTING DECIDUOUS AND EVERGREEN TREES OF COMMON LOCAL SPECIES PROVIDED THEY WILL ACHIEVE THE OVERALL GOAL OF THE PLAN AS DESCRIBED IN SUBSECTION F HEREOF AND PROVIDED THAT SAID EXISTING TREES SURVIVE THE SITE WORK CONSTRUCTION ACTIVITY AND ANY CHANGES IN THE WATER TABLE AND EXPOSURE WHICH MAY RESULT FROM THE CONSTRUCTION ACTIVITY OCCURRING PRIOR TO THE DATE THE BUFFER PLANTINGS ARE REQUIRED TO BE INSTALLED AS PROVIDED IN SUBSECTION F HEREOF; AND

E. THE GOAL OF THE LANDSCAPE PLAN FOR THE FORESTED BUFFER AREA SHALL BE TO INCLUDE TREES OF THE TYPE INDICATED HEREIN THAT WILL BE PLANTED IN A STAGGERED NATURAL MANNER AS OPPOSED TO BEING PLANTED IN ROW FASHION, WHICH WILL FILTER VIEWS FROM AND INTO THE SUBDIVISION IN SUCH A MANNER THAT THE AREAS ON THE AGRICULTURAL SIDE OF THE BUFFER AREA APPEAR MORE GREEN AND LESS VISIBLE AND THE STRUCTURES OR USES ON THE SUBDIVISION SIDE APPEAR LESS OBVIOUS AND LESS DENSE THAN IF NO LANDSCAPING HAD BEEN REQUIRED. THE PROCEDURES AND DETAILS FOR PLANTING NEW TREES SHALL BE SPECIFIED BY THE LANDSCAPE ARCHITECT ON THE PLAN SUBMITTED TO AND APPROVED BY THE COMMISSION AND SHALL INCLUDE THE REQUIREMENT THAT THE BUFFER AREA SHALL HAVE A FINAL GRADE THAT CONTAINS A MINIMUM OF 4 INCHES OF TOPSOIL AND A SUITABLE GRASS MIX PLANTED AS SACRIFICIAL COVER BETWEEN THE BUFFER TREES FOR SOIL STABILIZATION UNTIL THE NEWLY PLANTED TREES BECOME LARGER. THE PLAN MAY SUBSTITUTE WOODCHIPS FOR PLANTED GRASS BETWEEN THE BUFFER TREES IN RESPECT TO BOTH NEWLY PLANTED AND EXISTING TREES, AS DETERMINED BY THE LANDSCAPE ARCHITECT, AND

F. THE FORESTED AND/OR LANDSCAPE BUFFER SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE, AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE COMMISSION. FOR PROJECTS THAT ARE APPROVED TO BE CONSTRUCTED IN PHASES, THE BUFFER FOR EACH PHASE MUST BE COMPLETED BEFORE COUNTY APPROVALS OR PERMITS WILL BE GRANTED TO CONSTRUCT THE NEXT PHASE; AND

G. THE LAND DEVELOPER SHALL BE HELD RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF TWO YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO THE OWNER, PROVIDED HOWEVER THAT THE DEVELOPER SHALL REPLACE ANY TREES THAT DIE DURING THE MINIMUM TWO YEAR DEVELOPER MAINTENANCE PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO THE OWNER; AND

H. THE 20 FOOT FORESTED AND/OR LANDSCAPE BUFFER STRIP IS NOT REQUIRED TO BE INSTALLED IN THOSE PORTIONS OF THE PROJECT PERIMETER WHICH (1) REPRESENT THE WIDTH OF A RIGHT-OF-WAY CONNECTOR ROAD OR STREET THAT DELTOD OR THE COMMISSION REQUIRED THE APPLICANT TO INSTALL PURSUANT TO 99-17.D AND THE WIDTH OF A STORMWATER OUTFALL SHOWN ON THE FINAL SITE PLAN TO DRAIN SURFACE OR STORMWATER OUTSIDE THE PERIMETER OF THE PROJECT.

I. THE LANDSCAPE PLAN SHALL AVOID PLACING PLANTED TREES OR ALLOWING EXISTING TREES TO REMAIN IN THE AREAS ADJACENT TO ENTRANCES INTO AND EXITS FROM THE PROJECT IN SUCH A MANNER AS TO RESTRICT THE VIEW OF MOTORISTS ENTERING OR EXITING FROM THE PROJECT OR RESTRICTING SITE LINES FOR MOTORISTS IN SUCH A MANNER AS TO CREATE A POTENTIAL SAFETY HAZARD.

PROPERTY CURVE TABLE				
SEGMENT	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C26	765.46'	2358.26'	S5°39'17"E	762.10'

PROPERTY LINE TABLE		
SEGMENT	DIRECTION	LENGTH
L114	S1°11'34"E	121.70'
L115	S0°31'08"E	67.99'
L116	S1°49'06"E	3.63'
L231	N56°41'24"W	27.97'
L232	S62°27'35"W	82.44'
L233	S82°34'41"W	50.27'
L234	S67°35'08"W	224.87'
L235	S79°30'32"W	119.42'
L236	S34°45'01"W	38.26'
L237	S86°59'47"W	104.34'
L238	N61°28'03"W	20.57'
L239	S73°55'16"W	40.36'
L240	N68°47'39"W	150.53'
L241	S66°15'43"W	70.02'
L242	S35°03'35"W	65.44'
L243	S69°23'51"W	68.48'
L244	N78°16'21"W	105.88'
L245	S54°30'27"W	43.31'
L246	S84°53'45"W	27.63'
L247	S57°17'19"W	67.56'

PROPERTY LINE TABLE		
SEGMENT	DIRECTION	LENGTH
L248	N86°06'38"W	54.21'
L249	S55°05'38"W	33.26'
L250	S19°21'25"W	22.31'
L251	N76°33'02"W	53.12'
L252	S72°20'36"W	92.18'
L253	S64°56'28"W	104.11'
L254	N81°52'39"W	54.87'
L255	S62°15'51"W	65.58'
L256	N76°37'40"W	61.00'

FEDERAL WETLAND LINE		
FLAG #	DIRECTION	LENGTH
FM-30	S74°05'09"W	61.61'
FM-31	N41°18'47"W	48.41'
FM-64	N78°38'18"W	67.37'
FM-65	N85°13'01"W	63.43'
FM-66	S51°00'45"W	63.06'
FM-67	S48°40'17"W	57.57'
FM-68	S36°23'54"W	57.35'
FM-69	S79°41'46"W	60.70'
FM-70	S81°13'11"W	70.54'
FM-71	N83°58'10"W	27.92'
FM-72	N76°24'05"W	58.40'
FM-73	S73°44'02"W	63.96'
FM-74	S33°28'24"W	22.69'
FM-75	S43°37'18"W	69.29'
FM-76	S86°24'29"W	61.23'
FM-77	S72°03'03"W	71.50'
FM-78	S83°41'09"W	43.68'
FM-79	N85°45'14"W	61.50'
FM-80	S79°42'37"W	80.04'
FM-81	N83°09'55"W	49.82'
FM-82	S83°00'35"W	44.08'
FM-83	S65°13'47"W	50.52'
FM-84	N88°42'23"W	29.01'
FM-85	N78°18'11"W	55.89'
FM-86	S71°14'09"W	42.10'
FM-87	S55°47'28"W	47.23'
FM-88	S36°09'08"W	50.58'
FM-89	S44°30'27"W	34.80'
FM-90	S1°21'32"W	20.07'
FM-91	N14°28'18"W	48.56'
FM-92	S66°36'28"W	36.92'
FM-93	S69°32'30"W	92.15'

APPROVED:  PROFESSIONAL ENGINEER

DATE: 8/17/17

TITLE:  
**FINAL SITE PLAN**

PROJECT:  
**ARTESIAN NORTHERN SUSSEX REGIONAL WATER RECHARGE FACILITY**

PREPARED FOR:  
**ARTESIAN WASTEWATER MANAGEMENT, INC**

TAX MAP No.: 2-35-6.00-28.09

HUNDRED: BROADKILL

COUNTY: SUSSEX

**APPROVED**  
REVISED EQUAL SITE PLAN  
DECEMBER 21, 2017  
SUSSEX COUNTY PLANNING & ZONING COMMISSION  
PER RES. DECEMBER 21, 2017  
SHEET 2 OF 2.

THIS PLAN AND THE DESIGN SHOWN ARE THE EXCLUSIVE PROPERTY OF ARTESIAN WASTEWATER MANAGEMENT, INC. AND SHALL NOT BE ALTERED OR COPIED WITHOUT WRITTEN APPROVAL.		
DATE	REVISION	CHKD.
DRAWN BY: K.E.W.	CHECKED BY: D.W.K.	DATE: 8/10/17
SCALE: N.T.S.	PROJECT No.:	SHEET No.: 2








TAB “7”

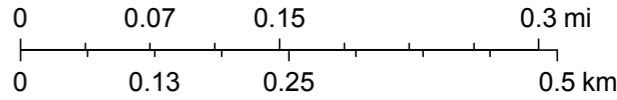
# Sussex County



February 23, 2021

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

1:9,028








Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sussex County Government

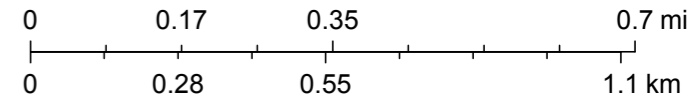
# Sussex County



February 23, 2021

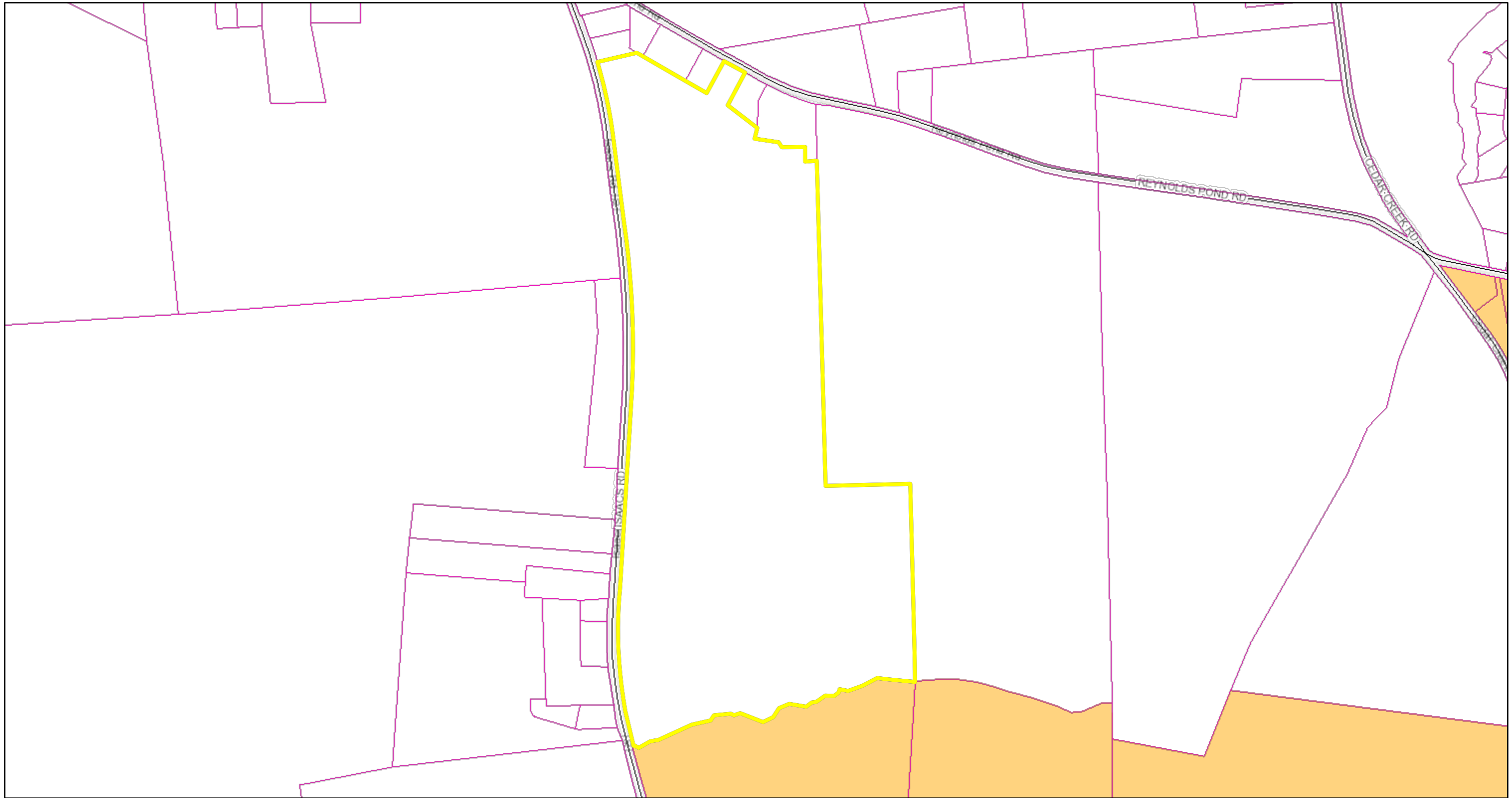
-  Override 1
-  Override 1
-  Tax Parcels
-  Streets
-  County Boundaries

1:18,056



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sussex County Government

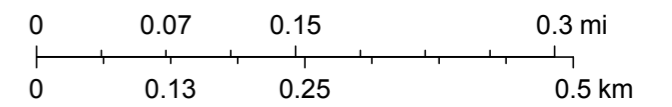
# Sussex County



February 23, 2021

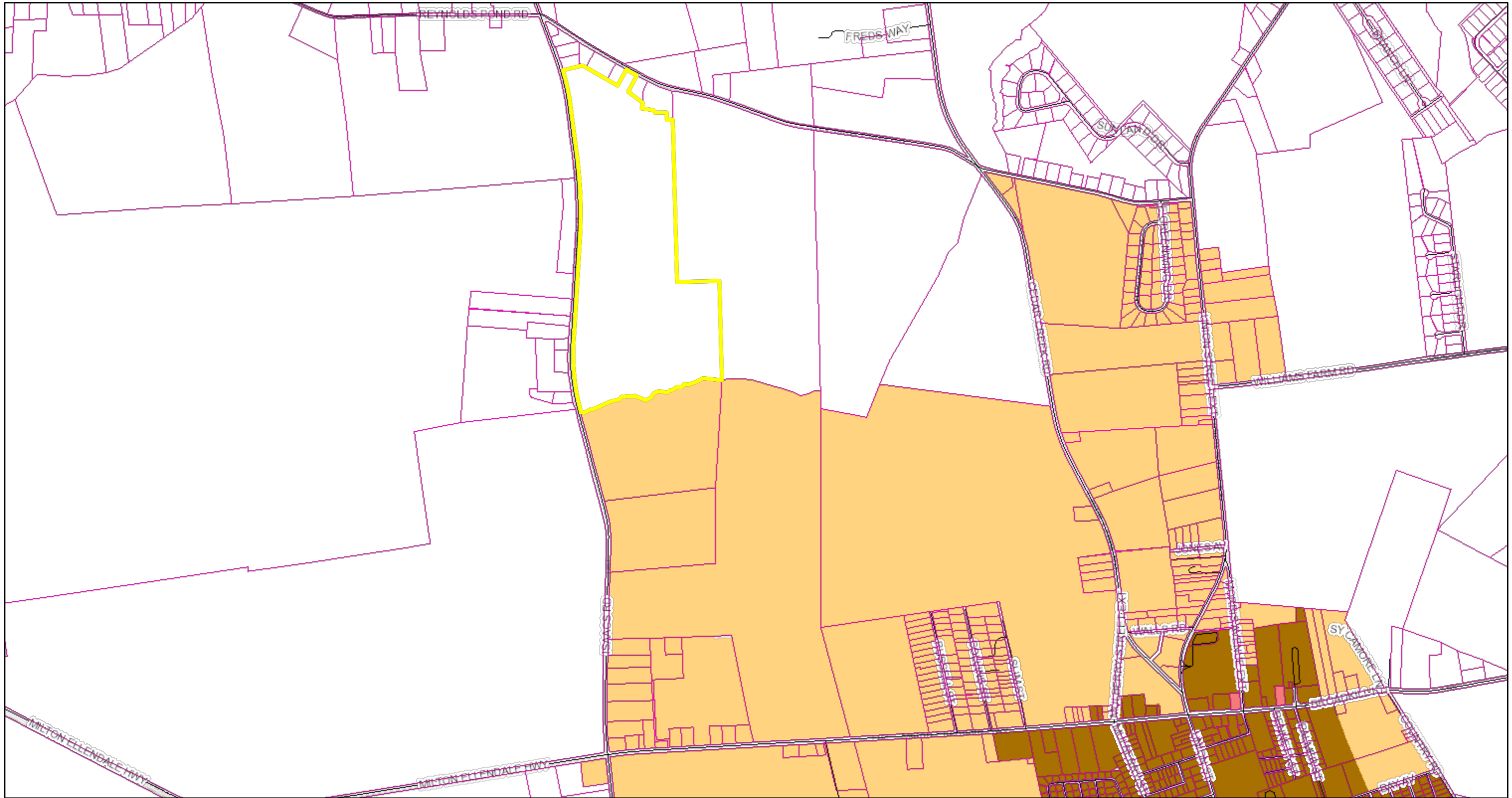


1:9,028



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

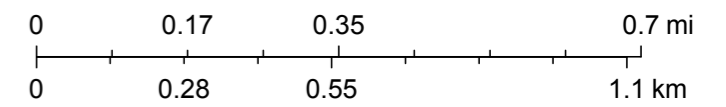
# Sussex County



February 23, 2021

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

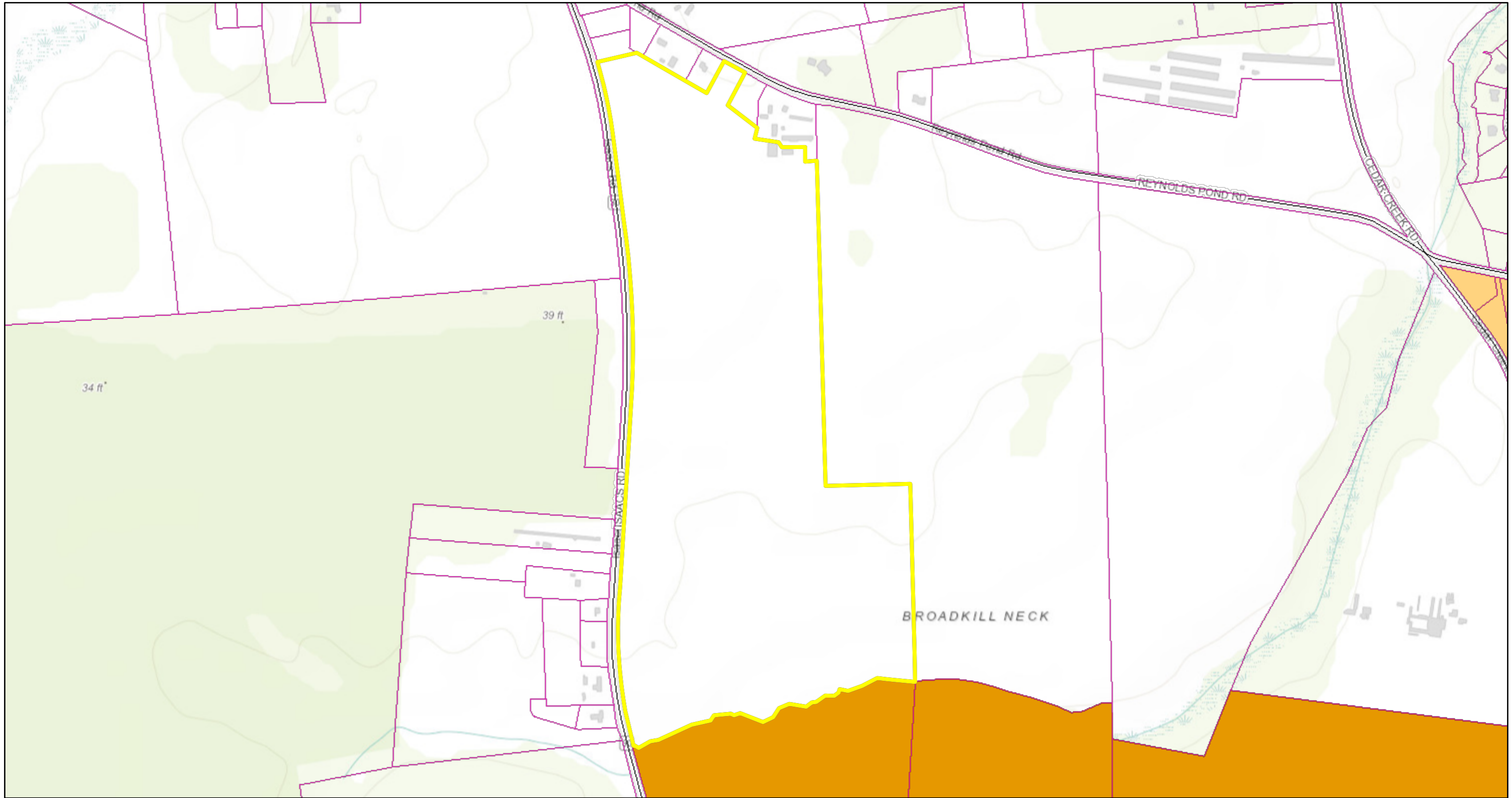
1:18,056



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

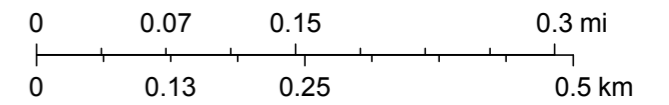


# Sussex County



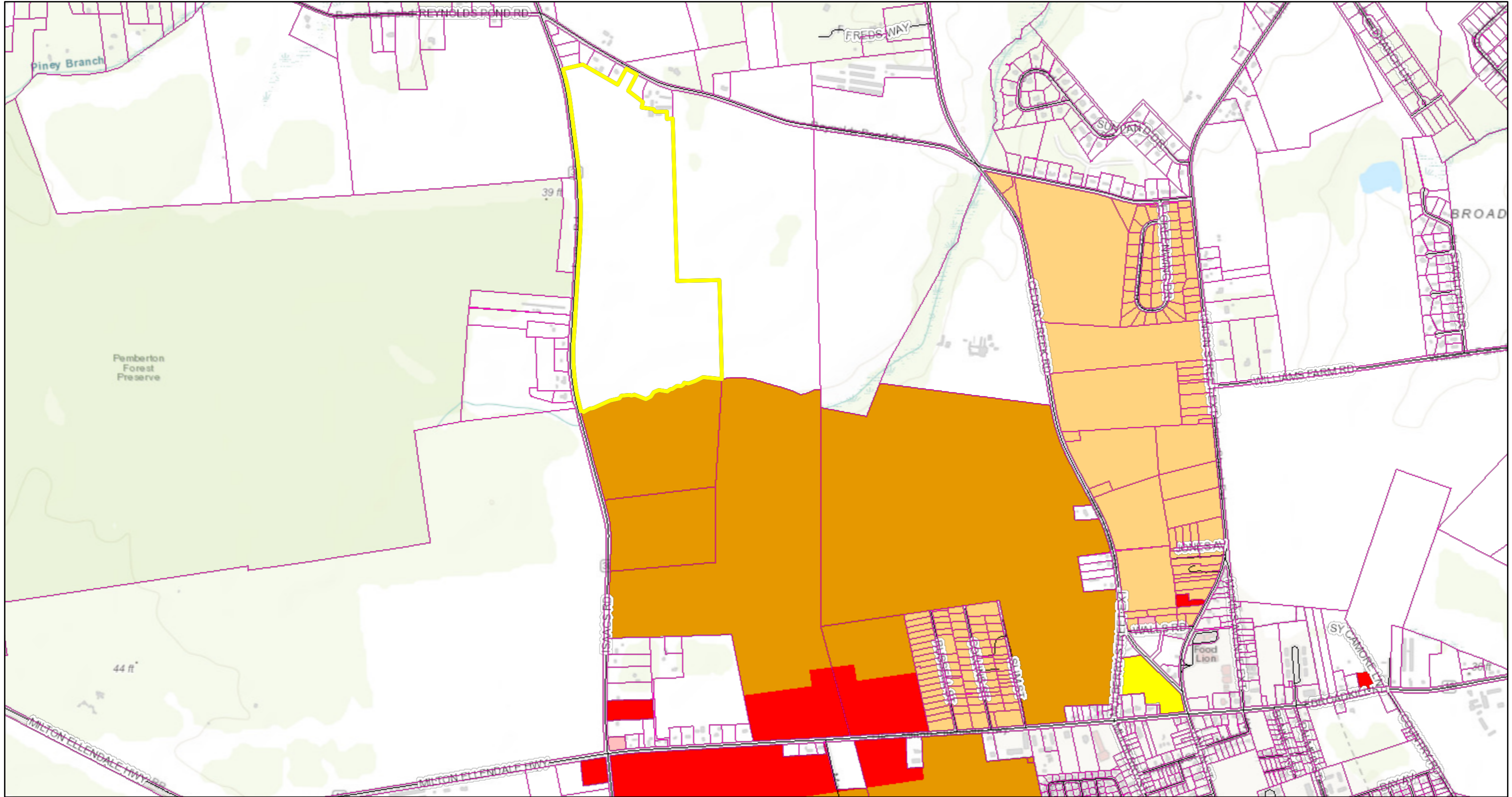
February 23, 2021

1:9,028



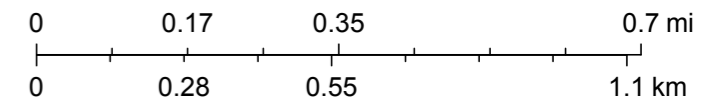
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government

# Sussex County



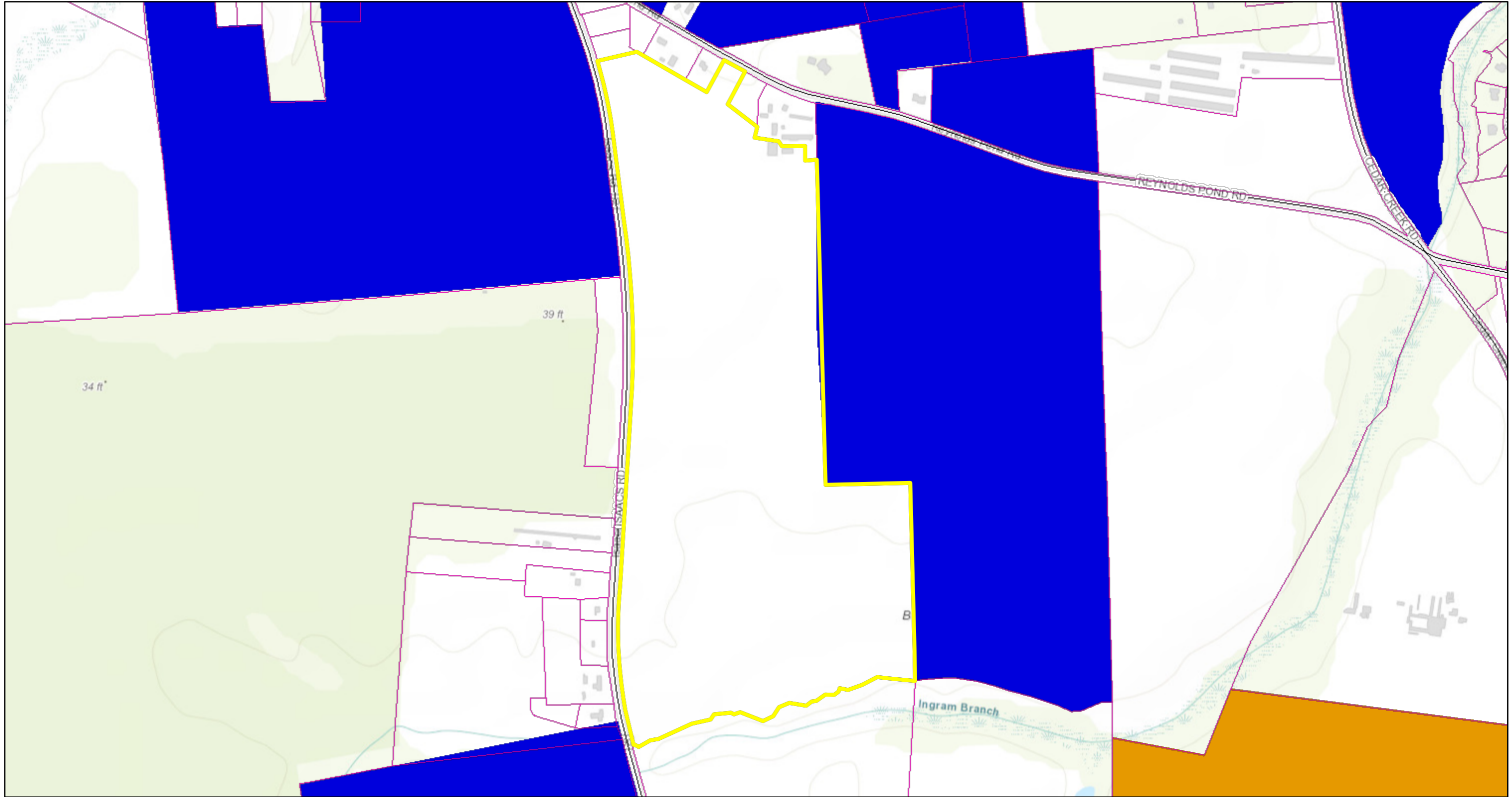
February 23, 2021

1:18,056



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Government

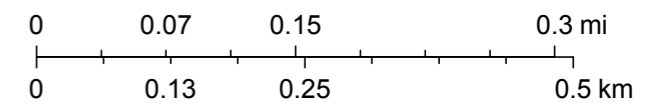
# Sussex County



February 23, 2021

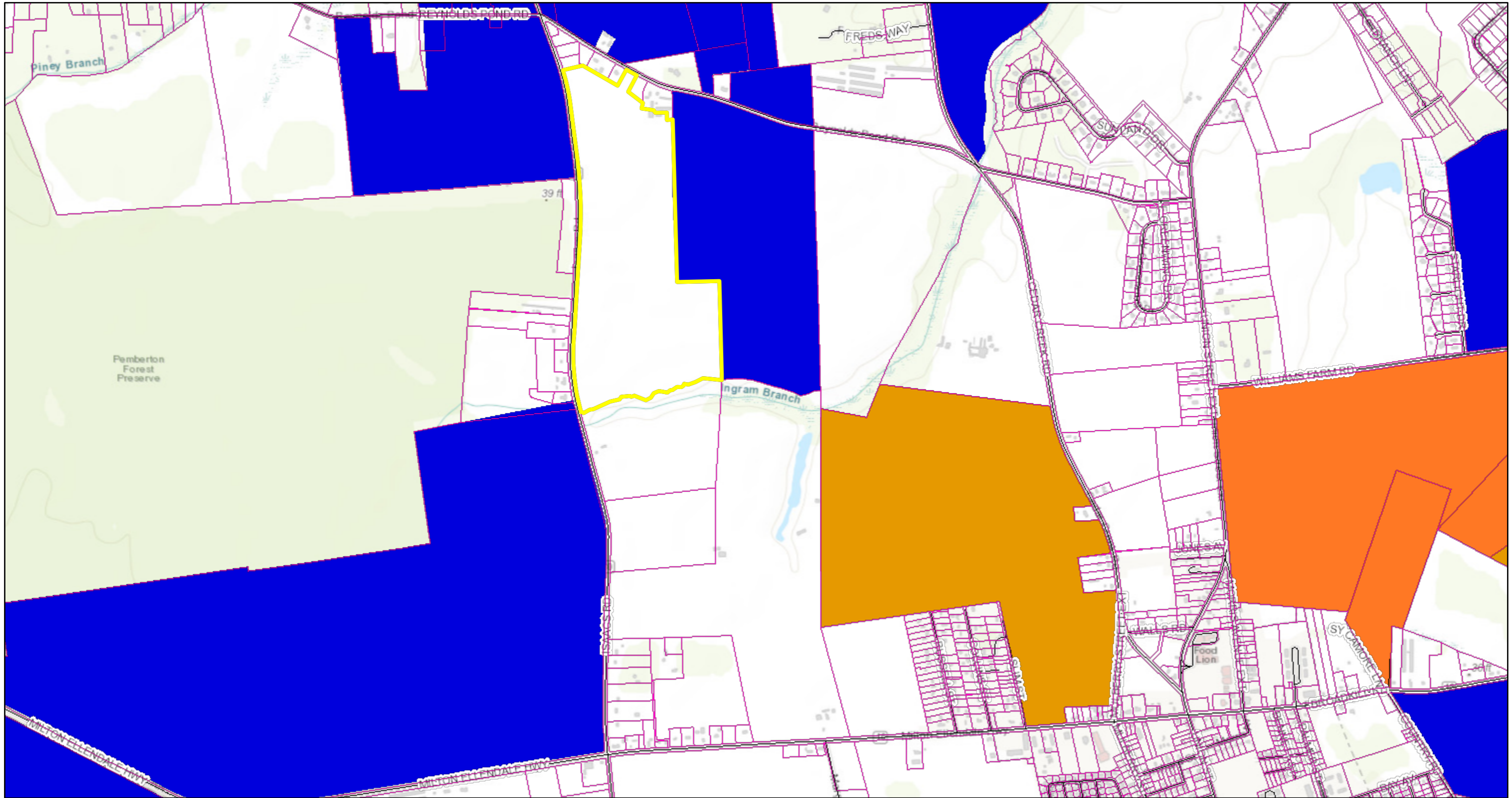
- |             |                                  |                                  |
|-------------|----------------------------------|----------------------------------|
| Override 1  | County Boundaries                | Agricultural Expansion           |
| Override 1  | <b>Ag Preservation Districts</b> | <b>Forest Land Preservation</b>  |
| Tax Parcels | Agricultural Easement            | Forestland Preservation Area     |
| Streets     | Agricultural District            | Forestland Preservation Easement |

1:9,028















Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

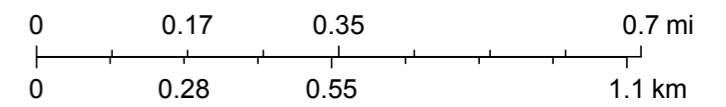
# Sussex County



February 23, 2021

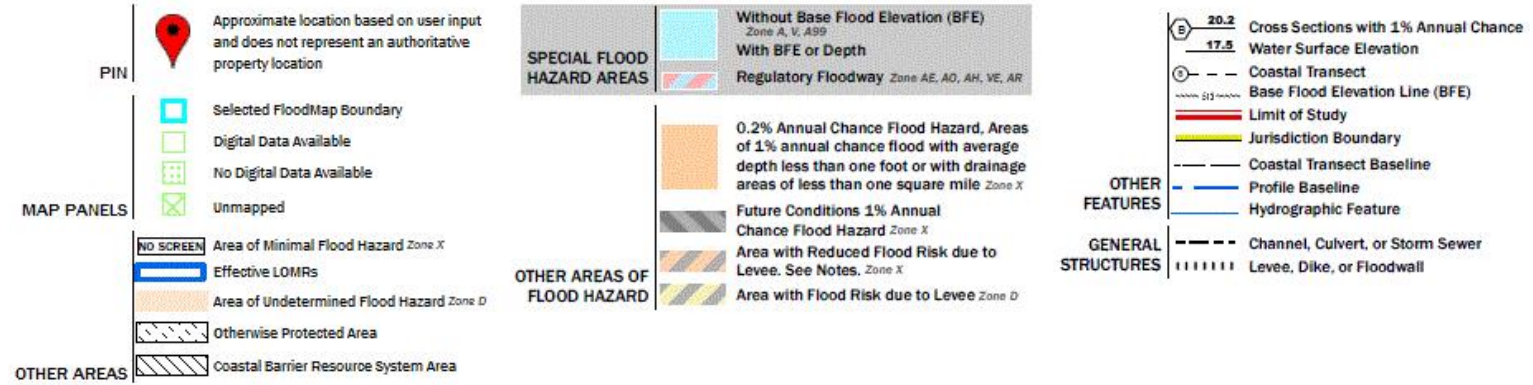
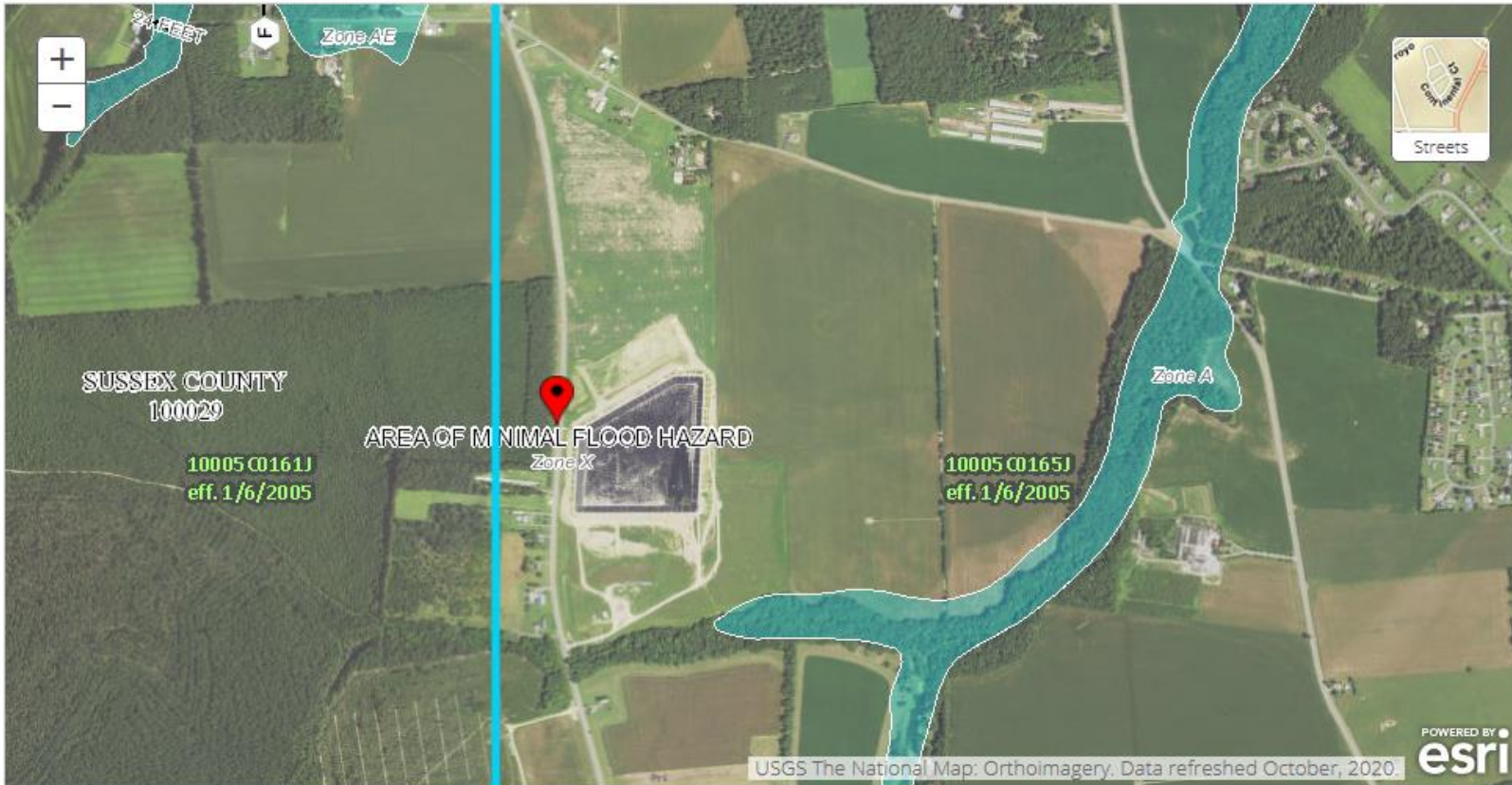
1:18,056

- |  |   |  |
|--|---|--|
|  Override 1  |  County Boundaries         |  Agricultural Expansion           |
|  Override 1  |  Ag Preservation Districts |  Forest Land Preservation         |
|  Tax Parcels |  Agricultural Easement     |  Forestland Preservation Area     |
|  Streets     |  Agricultural District     |  Forestland Preservation Easement |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

TAB “8”



TAB “9”



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

JENNIFER COHAN  
SECRETARY

March 1, 2019

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

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Artesian Wastewater Management, Inc.** conditional use application, which we received on February 1, 2019. This application is for a 52.75-acre parcel (Tax Parcel: 235-6.00-28.00). The subject land is located on the south side of Reynolds Pond Road (Sussex Road 231) and east of Isaacs Road (Sussex Road 230), approximately 750 feet southeast of the intersection of Isaacs Road and Reynold Pond Road. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to expand the existing wastewater treatment plant.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Isaacs Road where the subject land is located is 3,289 vehicles per day. As the subject land also has frontage along Reynolds Pond Road, the annual average daily traffic volume along that road segment, which is from Isaacs Road to Delaware Route 5, is 620 vehicles per day.

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





Ms. Janelle M. Cornwell

Page 2 of 2

March 1, 2019

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Artesian Wastewater Management, Inc, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance & Operations  
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

TAB “10”

CALL BEFORE YOU DIG  
MISS UTILITY OF DELMARVA  
1-800-282-8555 (IN DE.)  
PLEASE GIVE TWO WORKING DAYS  
ADVANCE NOTICE

THIS DRAWING DOES NOT INCLUDE NECESSARY  
COMPONENTS FOR CONSTRUCTION SAFETY.

ALL CONSTRUCTION MUST BE DONE IN  
COMPLIANCE WITH THE OCCUPATIONAL SAFETY  
AND HEALTH ACT OF 1970 AND ALL RULES AND  
REGULATIONS THERETO APPURTENANT.

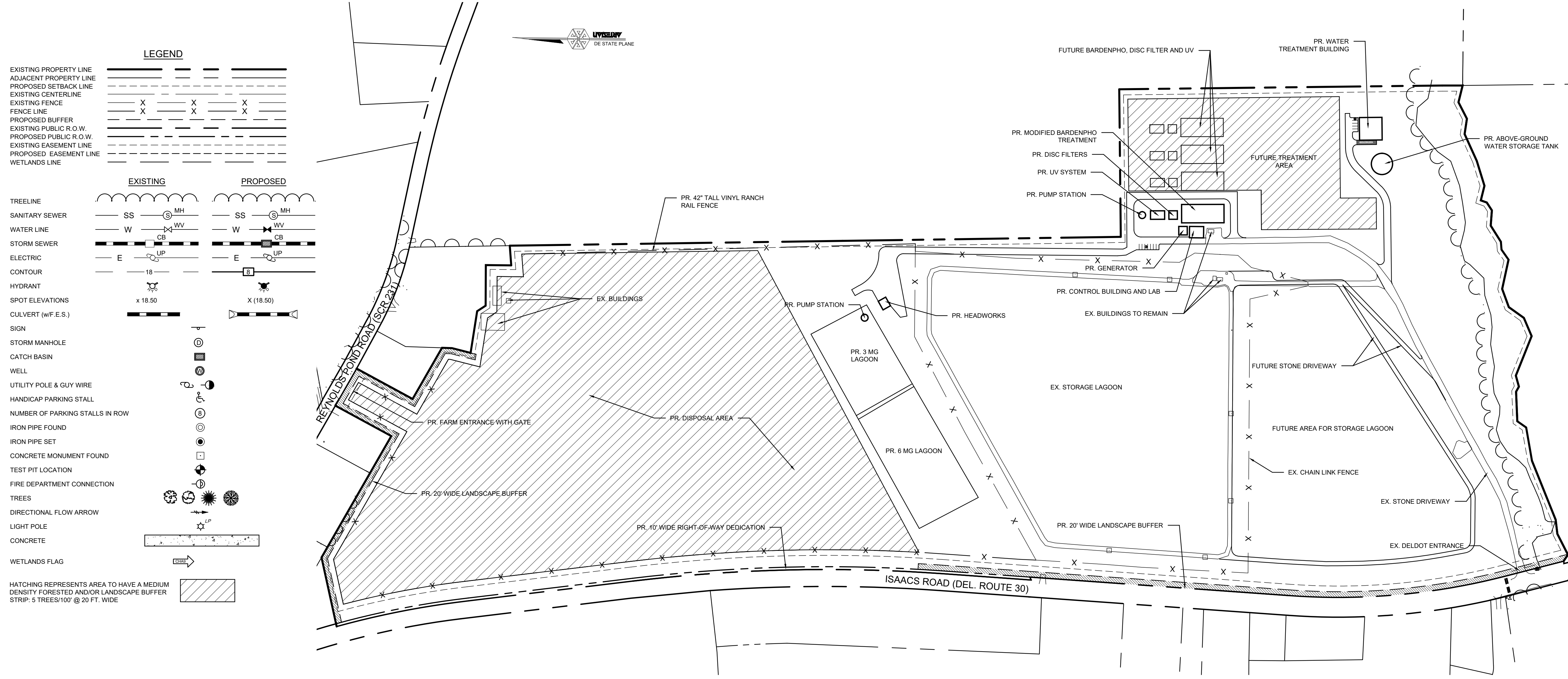
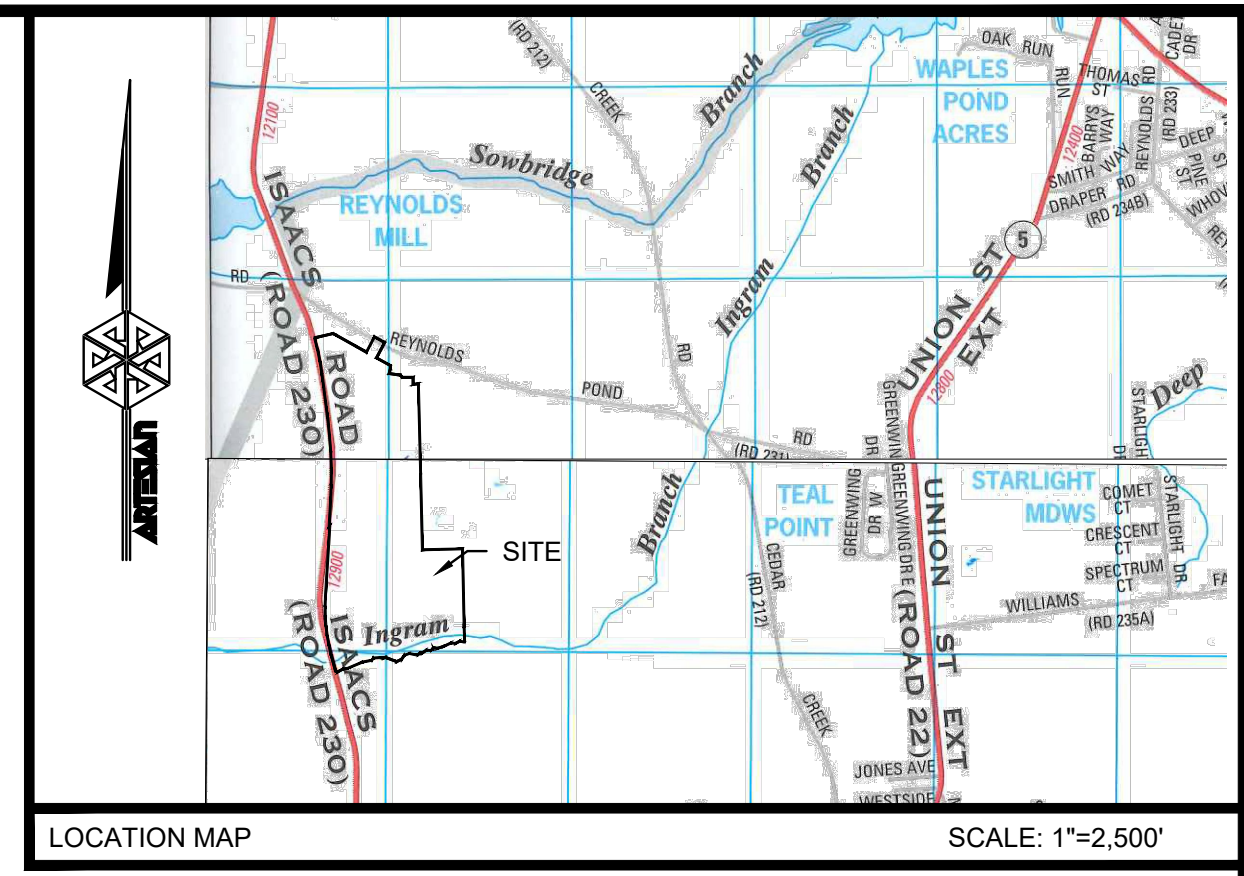
# PRELIMINARY SITE PLAN

## SUSSEX REGIONAL RECHARGE FACILITY (SRRF)

FORMERLY KNOWN AS ARTESIAN NORTHERN SUSSEX REGIONAL WATER RECHARGE FACILITY (ANSRWRF)

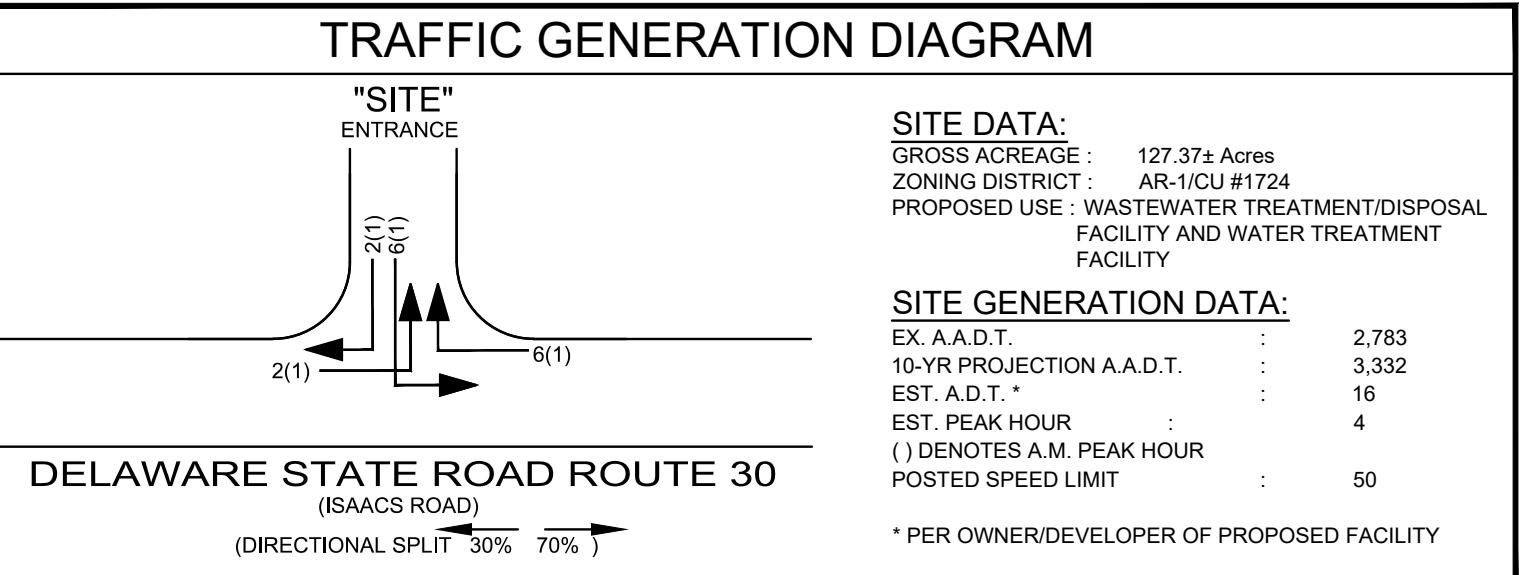
SITUATED IN

### SUSSEX COUNTY \* STATE OF DELAWARE



- PLAN DATA**
- PARCEL I.D. NO. : 235-6.00-28.00
  - ZONING DISTRICT : AR-1 CU #1724
  - PROPOSED USE : WASTEWATER TREATMENT/DISPOSAL FACILITY AND WATER TREATMENT FACILITY
  - GROSS ACREAGE : 127.37+/- ACRES
  - OWNER/DEVELOPER : ARTESIAN WASTEWATER MANAGEMENT, INC.  
664 CHURCHMANS ROAD  
NEWARK, DE 19702  
(302) 453-7300
  - DEED REFERENCE : DEED BOOK 3596, PAGE 064
  - PLAT BOOK REFERENCE : PLAT BOOK 286, PAGE 46
  - SEWAGE DISPOSAL : ARTESIAN WASTEWATER MANAGEMENT, INC.  
SEWAGE SYSTEMS SEWERAGE IS SUBJECT TO APPROVAL OF THE THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
  - WATER SUPPLY : ARTESIAN WATER COMPANY, INC.  
WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
  - WATERSHED : BROADKILL RIVER
- BUILDING SETBACK REQUIREMENTS:**
- MIN. DEPTH OF FRONT YARD (FT.) = 40'
  - MIN. WIDTH OF SIDE YARD (FT.) = 15'
  - MIN. DEPTH OF REAR YARD (FT.) = 20'
  - MAX. BUILDING HEIGHT (FT.) = 42'
- PARKING RATIONALE:**
- PARKING REQUIRED : N/A
  - PARKING PROVIDED : 17 SPACES \* PER OWNER/DEVELOPER OF PROPOSED FACILITY (INCLUDING 1 HANDICAP SPACE)

- NOTES:**
- SURVEY SHOWN IS BASED ON A FIELD SURVEY BY ARTESIAN WATER COMPANY, INC., FOUND MONUMENTS IN THE FIELD AND ALSO BASED ON A PLAN AND SURVEY BY MERIDIAN ARCHITECTS AND ENGINEERS DATED 2-21-06, ENTITLED RECORD MINOR SUBDIVISION PLAN - OCKELS FARM, RECORDED IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DELAWARE IN PLAT BOOK 112 PAGE 95. IT IS ALSO BASED ON PLOT BOOK 61 PAGE 278, SURVEY BY ADAMS-KEMP FOR THE ABOVE PARCEL, PLOT BOOK 61 PAGE 151 SURVEY BY ADAMS-KEMP DATED 5-1-2000 AND PLOT BOOK 95 PAGE 281 A SUBDIVISION PLAN BY ADAMS-KEMP DATED 8-4-2005.
  - THERE ARE WETLANDS ON THIS SITE AS PER THE NATIONAL WETLANDS INVENTORY MAP.
  - AREAS OF THIS SITE ARE LOCATED IN: ZONE X (AREA OF MINIMAL FLOOD HAZARD) AND ZONE A (AREAS OF SPECIAL FLOOD HAZARD, WITHOUT BASE FLOOD ELEVATION) AS PER FIRM MAP 10005C0165J EFFECTIVE 1/16/2005.



**OWNER/DEVELOPER CERTIFICATION**

I, HEREBY CERTIFY THAT I AM THE LEGAL REPRESENTATIVE FOR THE FORCE MAIN AND ASSOCIATED CONSTRUCTION IMPROVEMENTS SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

DAVID SPACHT, V.P.  
ARTESIAN WASTEWATER MANAGEMENT, INC.  
664 CHURCHMANS ROAD  
NEWARK, DE 19702  
PHONE: (302) 453-6900  
FAX: (302) 453-5800

DATE: \_\_\_\_\_

**ENGINEER'S CERTIFICATION**

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

DANIEL W. KONSTANSKI, P.E.  
ARTESIAN WASTEWATER MANAGEMENT, INC.  
664 CHURCHMANS ROAD  
NEWARK, DE 19702  
PHONE: (302) 453-6900  
FAX: (302) 453-5800

DATE: \_\_\_\_\_

THE PURPOSE OF THIS PLAN IS TO REQUEST THE EXPANSION OF CONDITIONAL USE #1724 AND TO AMEND THE CONDITIONS OF THE APPROVED FINAL SITE PLAN THAT WAS RECORDED BY PLAT BOOK 286, PAGE 46.

**INDEX OF SHEETS**

COVER SHEET	SHEET 1
PRELIMINARY SITE PLAN	SHEET 2
NOTES & DETAILS PLAN	SHEET 3

REFER TO THE ABOVE INDEX FOR THE LOCATION OF OTHER DETAILS REQUIRED FOR SITE IMPROVEMENTS.

664 Churchmans Road  
Newark, Delaware 19702  
P.O. Box 15004, Wilmington, Delaware 19850  
Phone: (302) 453-6900 Fax: (302) 453-5800

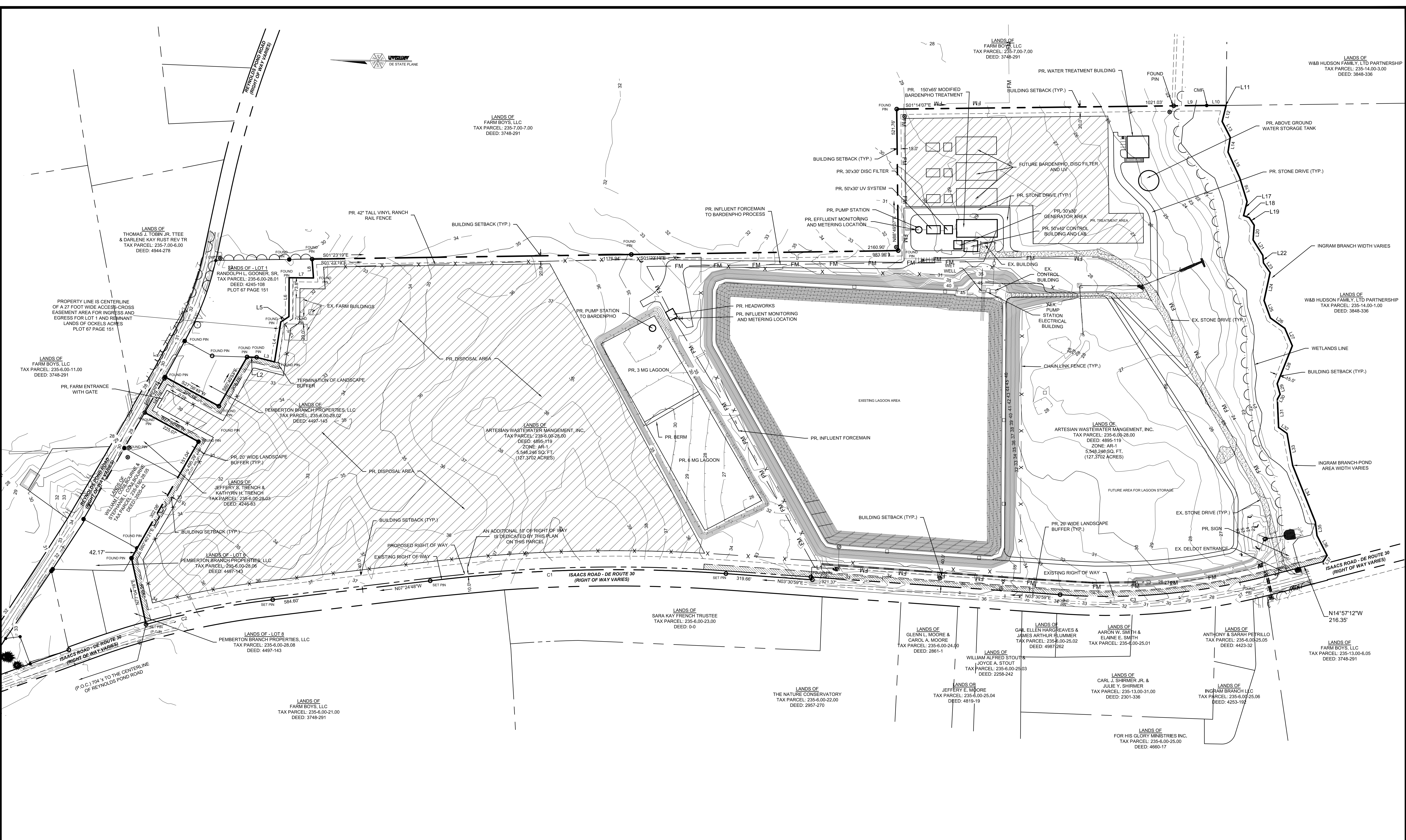
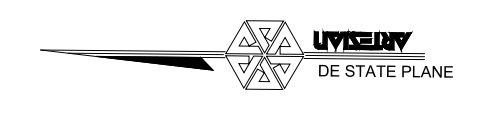
REVISIONS:	DESCRIPTION	BY	DATE
1	REV. PER ARTESIAN	AP	12/9/19
2	REV. PER ARTESIAN	KEG	2/25/21

Date: 10/2/19	Checked By: DK	Sheet 1 of 3
Scale: 1"=200'	Page & Grid:	Hundred: BROADKILL
Drawn By: KEG	CAD File: PRELIM SITE PLAN.dwg	Budget No. 3003456

**PRELIMINARY SITE PLAN**  
**SUSSEX REGIONAL RECHARGE FACILITY**

SUSSEX COUNTY      STATE OF DELAWARE

G:\ENG\_PROJECTS\301 ANSRWF WASTEWATER\301\_100\_SRRF\_WWTP\_DESIGN\DRAWINGS\CIVIL\DWG\SHEETS\PRELIM SITE PLAN.dwg, COVER, 2/25/2021 11:05:57 PM





664 Churchmans Road  
 Newark, Delaware 19702  
 P.O. Box 15004, Wilmington, Delaware 19850  
 Phone: (302) 453-6900 Fax: (302) 453-5800

REVISIONS:	DESCRIPTION	BY	DATE
1	REV. PER ARTESIAN	AP	12/9/19
2	REV. PER ARTESIAN	KEG	2/25/21

Date:	10/2/19	Checked By:	DK
Scale:	1"=150'	Page & Grid:	
Drawn By:	KEG	CAD File:	PRELIM SITE PLAN.dwg
		Budget No.	3003456

**PRELIMINARY SITE PLAN**  
**SUSSEX REGIONAL RECHARGE FACILITY**

SUSSEX COUNTY  STATE OF DELAWARE

# FORESTED AND/OR LANDSCAPE BUFFER

THE BUFFER STRIP SHALL BE A MINIMUM OF 20 FEET WIDE AND SHALL REMAIN FREE OF BUILDINGS, STREETS, STORMWATER MANAGEMENT AREAS OR FACILITIES, OPEN SPACE, WASTEWATER TREATMENT AND/OR DISPOSAL FACILITIES, WATER TREATMENT FACILITIES OR OTHER SURFACE IMPROVEMENTS. A LANDSCAPE PLAN FOR THE BUFFER SHALL BE DESIGNED AND CERTIFIED TO BY A LICENSED LANDSCAPE ARCHITECT, LICENSED FORESTER OR FORESTER DESIGNATED BY THE SOCIETY OF AMERICAN FORESTERS AS A CERTIFIED FORESTER. THE LANDSCAPE PLAN SHALL BE REVIEWED AND COMMENTED ON BY THE STATE FORESTER AND SHALL BE SUBJECT TO THE FINAL REVIEW AND APPROVAL OF THE COMMISSION.

HATCHING REPRESENTS AREA TO HAVE A MEDIUM DENSITY FORESTED AND/OR LANDSCAPE BUFFER STRIP: 5 TREES/100' @ 20 FT. WIDE

\*\*REFER TO LANDSCAPE PLAN PREPARED BY LEANN SCHNAPPINGER BRIDGMAN, RLA DATED 2/24/21 FOR MORE DETAIL.

## FORESTED BUFFER CONDITIONS:

A. ALL TREES THAT ARE TO BE PLANTED SHALL INCLUDE A MIX OF 70% DECIDUOUS SHADE TREES AND 30% EVERGREEN TREES, A MAJORITY OF WHICH SHALL BE SUITABLE TREES OF COMMON LOCAL SPECIES, WHICH MAY INCLUDE EXISTING AS WELL AS PLANTED TREES.

B. ALL DECIDUOUS TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AND A MINIMUM HEIGHT OF 6 FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THE TREES WILL BE CAPABLE OF OBTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN 5 YEARS OF BEING PLANTED; AND

C. ALL EVERGREEN TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF 5 FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THEY ARE REASONABLY CAPABLE OF ATTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN 5 YEARS OF BEING PLANTED; AND

D. THE LANDSCAPE PLAN MAY INCLUDE SUITABLE EXISTING DECIDUOUS AND EVERGREEN TREES OF COMMON LOCAL SPECIES PROVIDED THEY WILL ACHIEVE THE OVERALL GOAL OF THE PLAN AS DESCRIBED IN SUBSECTION F HEREOF AND PROVIDED THAT SAID EXISTING TREES SURVIVE THE SITE WORK CONSTRUCTION ACTIVITY AND ANY CHANGES IN THE WATER TABLE AND EXPOSURE WHICH MAY RESULT FROM THE CONSTRUCTION ACTIVITY OCCURRING PRIOR TO THE DATE THE BUFFER PLANTINGS ARE REQUIRED TO BE INSTALLED AS PROVIDED IN SUBSECTION F HEREOF; AND

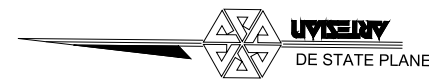
E. THE GOAL OF THE LANDSCAPE PLAN FOR THE FORESTED BUFFER AREA SHALL BE TO INCLUDE TREES OF THE TYPE INDICATED HEREIN THAT WILL BE PLANTED IN A STAGGERED NATURAL MANNER, AS OPPOSED TO BEING PLANTED IN ROW FASHION, WHICH WILL FILTER VIEWS FROM AND INTO THE SUBDIVISION IN SUCH A MANNER THAT THE AREAS ON THE AGRICULTURAL SIDE OF THE BUFFER AREA APPEAR MORE GREEN AND LESS VISIBLE AND THE STRUCTURES OR USES ON THE SUBDIVISION SIDE APPEAR LESS OBVIOUS AND LESS DENSE THAN IF NO LANDSCAPING HAD BEEN REQUIRED. THE PROCEDURES AND DETAILS FOR PLANTING NEW TREES SHALL BE SPECIFIED BY THE LANDSCAPE ARCHITECT ON THE PLAN SUBMITTED TO AND APPROVED BY THE COMMISSION AND SHALL INCLUDE THE REQUIREMENT THAT THE BUFFER AREA SHALL HAVE A FINAL GRADE THAT CONTAINS A MINIMUM OF 4 INCHES OF TOPSOIL AND A SUITABLE GRASS MIX PLANTED AS SACRIFICIAL COVER BETWEEN THE BUFFER TREES FOR SOIL STABILIZATION UNTIL THE NEWLY PLANTED TREES BECOME LARGER. THE PLAN MAY SUBSTITUTE WOODCHIPS FOR PLANTED GRASS BETWEEN THE BUFFER TREES IN RESPECT TO BOTH NEWLY PLANTED AND EXISTING TREES, AS DETERMINED BY THE LANDSCAPE ARCHITECT; AND

F. THE FORESTED AND/OR LANDSCAPE BUFFER SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE, AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE COMMISSION. FOR PROJECTS THAT ARE APPROVED TO BE CONSTRUCTED IN PHASES, THE BUFFER FOR EACH PHASE MUST BE COMPLETED BEFORE COUNTY APPROVALS OR PERMITS WILL BE GRANTED TO CONSTRUCT THE NEXT PHASE; AND

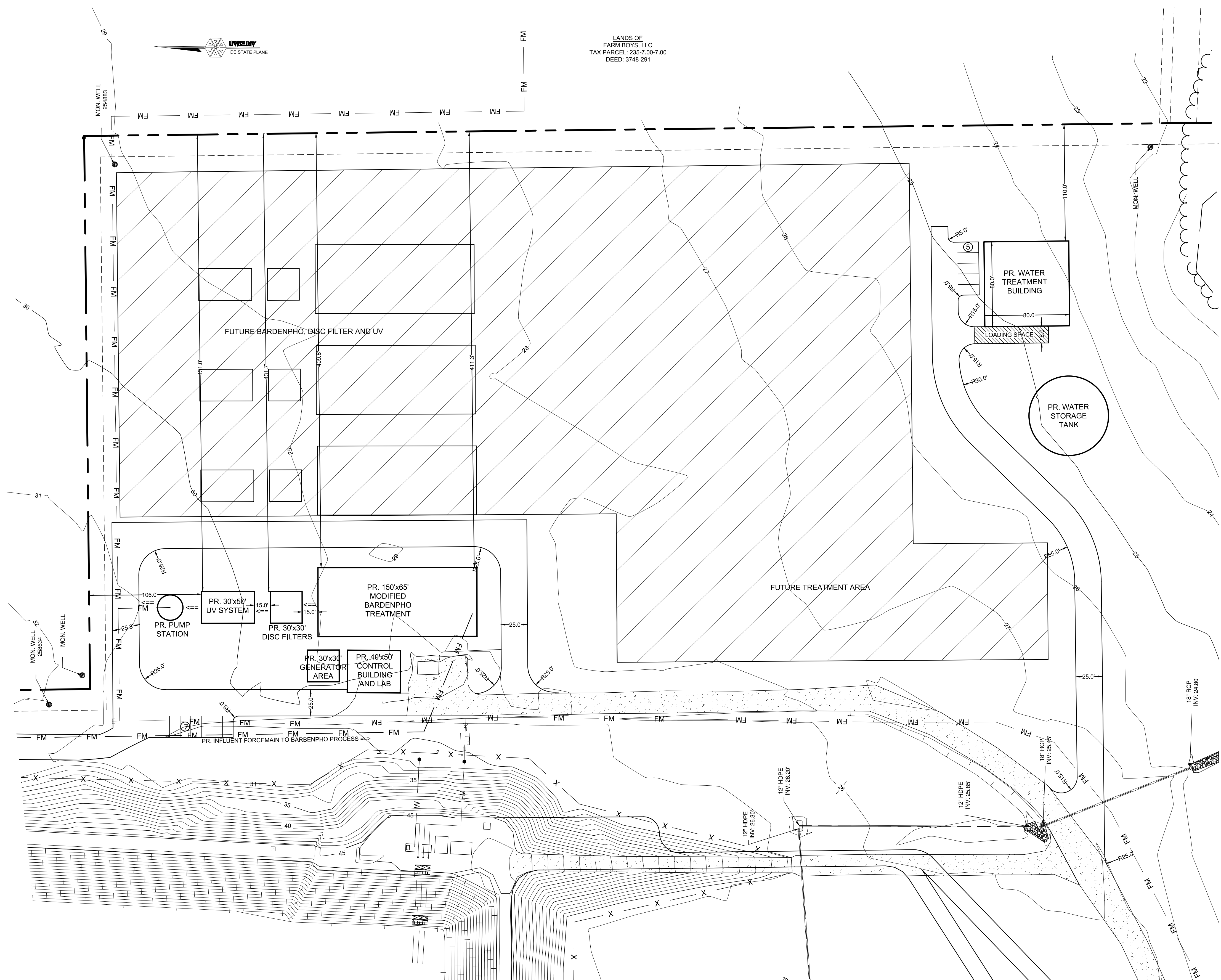
G. THE LAND DEVELOPER SHALL BE HELD RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF TWO YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO THE OWNER, PROVIDED HOWEVER THAT THE DEVELOPER SHALL REPLACE ANY TREES THAT DIE DURING THE MINIMUM TWO YEAR DEVELOPER MAINTENANCE PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO THE OWNER; AND

H. THE 20 FOOT FORESTED AND/OR LANDSCAPE BUFFER STRIP IS NOT REQUIRED TO BE INSTALLED IN THOSE PORTIONS OF THE PROJECT PERIMETER WHICH (1) REPRESENT THE WIDTH OF A RIGHT-OF-WAY CONNECTOR ROAD OR STREET THAT DELDOT OR THE COMMISSION REQUIRED THE APPLICANT TO INSTALL PURSUANT TO 99-17.D AND THE WIDTH OF A STORMWATER OUTFALL SHOWN ON THE FINAL SITE PLAN TO DRAIN SURFACE OR STORMWATER OUTSIDE THE PERIMETER OF THE PROJECT OR ADJACENT TO THE SPRAY APPLICATION FIELD FOR THE SITE.

I. THE LANDSCAPE PLAN SHALL AVOID PLACING PLANTED TREES OR ALLOWING EXISTING TREES TO REMAIN IN THE AREAS ADJACENT TO ENTRANCES INTO AND EXITS FROM THE PROJECT IN SUCH A MANNER AS TO RESTRICT THE VIEW OF MOTORISTS ENTERING OR EXITING FROM THE PROJECT OR RESTRICTING SITE LINES FOR MOTORISTS IN SUCH A MANNER AS TO CREATE A POTENTIAL SAFETY HAZARD.



LANDS OF FARM BOYS, LLC  
TAX PARCEL: 235-7.00-7.00  
DEED: 3748-291



SEGMENT	DIRECTION	LENGTH
L1	N60°20'33"E	11.95'
L2	S1°19'45"W	35.28'
L3	S13°44'06"W	68.08'
L4	S81°37'46"E	149.19'
L5	S33°48'27"E	35.79'
L6	N89°43'48"E	143.41'
L7	S0°1'00"E	89.76'
L8	N85°09'22"E	69.66'
L9	S1°11'34"E	121.70'
L10	S0°31'08"E	67.99'
L11	S1°49'06"E	3.83'
L12	N78°37'40"W	61.00'
L13	S62°15'51"W	65.58'
L14	N81°52'39"W	54.87'
L15	S64°58'28"W	104.11'
L16	S72°20'38"W	92.18'
L17	N76°33'02"W	53.12'
L18	S19°21'25"W	22.31'

SEGMENT	DIRECTION	LENGTH
L19	S56°05'38"W	33.26'
L20	N86°06'38"W	54.21'
L21	S57°17'19"W	67.56'
L22	S84°53'45"W	27.63'
L23	S54°30'27"W	43.31'
L24	N78°16'21"W	105.88'
L25	S69°23'51"W	68.48'
L26	S35°03'35"W	65.44'
L27	S66°15'43"W	70.02'
L28	S73°55'18"W	40.36'
L29	S73°55'18"W	40.36'
L30	N61°26'03"W	20.67'
L31	S86°59'47"W	104.34'
L32	S34°45'01"W	38.26'
L33	S79°30'32"W	119.42'
L34	S67°35'08"W	224.87'
L35	S82°34'41"W	50.27'
L36	S62°27'35"W	82.44'
L37	N56°41'24"W	27.97'

SEGMENT	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	1091.99'	5724.20'	N1°56'55"W	1090.33'
C2	476.32'	3088.87'	N1°34'25"W	475.85'
C3	765.46'	2398.26'	N9°39'17"W	762.10'

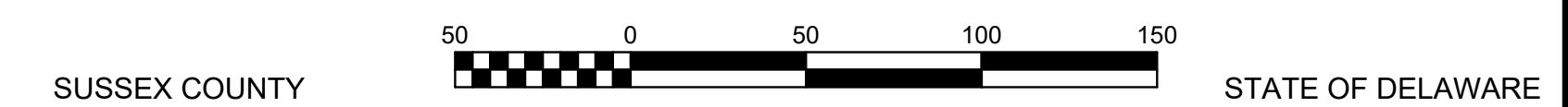


664 Churchmans Road  
Newark, Delaware 19702  
P.O. Box 15004, Wilmington, Delaware 19850  
Phone: (302) 453-6900 Fax: (302) 453-5800

NO.	DESCRIPTION	BY	DATE
1	REV. PER ARTESIAN	AP	12/9/19
2	REV. PER ARTESIAN	KEG	2/25/21

Date: 10/2/19	Checked By: DK	Sheet 3 of 3
Scale: 1"=50'	Page & Grid:	Hundred: BROADKILL
Drawn By: KEG	CAD File: PRELIM SITE PLAN.dwg	Budget No. 3003456

## PRELIMINARY SITE PLAN SUSSEX REGIONAL RECHARGE FACILITY



G:\ENG\_PROJECTS\SUSSEX\1. ANSWARE WASTEWATER\01.100 SRRF WWTTP DESIGN\DRAWINGS\ACTUAL SHEETS\PRELIM SITE PLAN.dwg, 2.25.2021 11:12:17 PM

TAB “11”

## Project Overview

### Background

This project is known as the Southern Regional Recharge Facility (SRRF), previously referred to as the Artesian Northern Sussex Regional Water Recharge Facility (ANSRWRF). SRRF will serve as a regional facility to meet current and future wastewater needs within the Artesian Wastewater Management, Inc. (AWMI) service territories in Sussex County. The facility is owned and operated by AWMI.

North Milton Group II, the prior owner of the property, sought a conditional use from Sussex County for a sewage treatment plant on 74.61 acres along Delaware Route 30 (Isaacs Road). County Council granted approval of that conditional use on June 27, 2006 (Conditional Use Permit No. 1724, Ordinance No. 1922). In 2018, AWMI purchased an adjacent parcel of 52.75 acres and subsequently combined the two tracts of land through a lot line adjustment. This combined lot consists of approximately 127 acres. In the pending conditional use application (No. 2208), AWMI proposes the expansion of the approvals under Conditional Use Permit No. 1724 to the entirety of this combined lot, including, but not limited to, the use of the entire tract for treatment, storage and disposal of wastewater.

SRRF utilizes treated wastewater for irrigation on privately owned agricultural land, under a lease held in perpetuity by AWMI. The irrigation sites total approximately 1,714 acres of land, which includes both wooded and agricultural acreage. The use of these lands for irrigation was approved by the Sussex County Council under Conditional Use Permit No. 1725 on June 27, 2006. These spray sites have been permanently placed in an Agricultural Preservation Easement by the Delaware Agricultural Lands Preservation Foundation. A Memorandum of Understanding between DNREC and the Delaware Department of Agriculture governs the land application of reclaimed wastewater on preserved agricultural lands.

### Regulatory Process

This project was initiated in 2006 with a Letter of Intent under the DNREC Guidance and Regulations Governing Land Treatment of Wastes (amended October 1999). On January 11, 2014, these rules were amended by the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems.

The SRRF facility is being built in multiple phases. The first phase was constructed under DNREC Construction Permit # 359288-01, which was issued by DNREC in October of 2013 and amended in August 22, 2018. This phase was limited to the disposal facilities for treated effluent, including storage and spray facilities as further described below.

Phase 1 of the project included the construction of a storage lagoon and disposal spray fields D, E, F, and G to accept treated wastewater effluent from Allen Harim Foods, LLC (Allen Harim). The design average daily flow for phase 1 is 1.5 MGD with a peak flow of 2.0 MGD. Authorization

to operate Phase 1 was granted in Operations Permit #359288-02, which was issued by DNREC in March of 2020.

Phase 2 of the project is to construct an onsite wastewater treatment facility to treat 625,000 GPD (Peak Month Average Daily Inflow). The treatment facilities for Phase 2 will be constructed on the 75-acre SRRF site where the existing storage lagoon is located. This site has been approved by the Sussex County Council for wastewater treatment, and has been established as a suitable location for wastewater treatment by AWTMI and DNREC through the site selection process.

The site and Phase 1 construction permitting was approved by DNREC and then subsequently confirmed by the Environmental Appeals Board along with both the Delaware Superior and Supreme Courts (*Keep Our Wells Clean v. Dept. of Natural Resources and Environmental Control*, 2020 WL 4044072 (Del. Supr.)). All of these bodies confirmed that the construction permit satisfied the requirements of DNREC's Guidance and Regulations Governing Land Treatment of Wastes, as amended.

The application package for Phase 2 was filed with DNREC on February 7, 2021 (see attached email). The permitting application is presently under technical review by DNREC staff. The original plan was based on a capacity of 3.0 MGD built across several phases. The combined Phase 1 and Phase 2 capacity will be 2.125 MGD (Peak Month Average Daily Inflow), with 1.5 MGD utilizing offsite treatment at Allen Harim. Therefore, a large percentage of Phase 2's capacity is within the original scope of the facility. A 3M gallon diversion and flow equalization lagoon has been included in AWTMI's phase 2 DNREC permit application. This lagoon is located on the expanded parcel area.

In addition, a portion of the 127 acres that is the subject of this conditional use application has already been approved for use in disposal under Operations Permit #359288-02. The additional disposal areas outlined in the amended Conditional Use Application No. 2208 have been preliminarily studied by AWTMI and DNREC. Full approval by DNREC will be obtained prior to construction and operation.

### Objective

The objective is for Phase 2 to be operational by March of 2022. The critical path for Phase 2 of the project is to obtain land use approval through Sussex County's conditional use process and to complete the permitting process through DNREC.



## Hutt, David C.

---

**From:** Daniel Konstanski <DKonstanski@artesianwater.com>  
**Sent:** Tuesday, February 23, 2021 4:50 PM  
**To:** Hutt, David C.  
**Subject:** FW: EXTERNAL: RE: Artesian Wastewater Management Inc. (AWMI) SRRF Construction and Operations Permits Amendment Application Package

David,

Below is the email from DNREC confirming receipt of our most recent Construction and Operations Permit amendments package.

### Daniel Konstanski, P.E., BCEE

*Principal Engineer*

Office: (302).453.2396

Cell: (302) 803-1226



---

**From:** Rebar Jr., John J (DNREC) <John.Rebar@delaware.gov>  
**Sent:** Wednesday, February 10, 2021 1:51 PM  
**To:** Daniel Konstanski <DKonstanski@artesianwater.com>; Baust, Marlene M. (DNREC) <Marlene.Baust@delaware.gov>  
**Cc:** Dave Spacht <DSpacht@artesianwater.com>; Rodney Wyatt <RWyatt@artesianwater.com>; Stanley Siegfried <SSiegfried@artesianwater.com>; Nicki Taylor <NTaylor@artesianwater.com>; Dian C. Taylor <DTaylor@artesianwater.com>; John Thaeber <JThaeber@artesianwater.com>  
**Subject:** EXTERNAL: RE: Artesian Wastewater Management Inc. (AWMI) SRRF Construction and Operations Permits Amendment Application Package

**This email originated from outside the organization.**  
**Use caution when opening attachments or following links.**

---

Daniel,

The Department is in receipt of the application materials below. You can discontinue the use of the link. Thank you.

John

---

**From:** Daniel Konstanski <[DKonstanski@artesianwater.com](mailto:DKonstanski@artesianwater.com)>  
**Sent:** Sunday, February 07, 2021 11:45 AM  
**To:** Rebar Jr., John J (DNREC) <[John.Rebar@delaware.gov](mailto:John.Rebar@delaware.gov)>; Baust, Marlene M. (DNREC) <[Marlene.Baust@delaware.gov](mailto:Marlene.Baust@delaware.gov)>  
**Cc:** Dave Spacht <[DSpacht@artesianwater.com](mailto:DSpacht@artesianwater.com)>; Rodney Wyatt <[RWyatt@artesianwater.com](mailto:RWyatt@artesianwater.com)>; Stanley Siegfried <[SSiegfried@artesianwater.com](mailto:SSiegfried@artesianwater.com)>; Nicki Taylor <[NTaylor@artesianwater.com](mailto:NTaylor@artesianwater.com)>; Dian C. Taylor <[DTaylor@artesianwater.com](mailto:DTaylor@artesianwater.com)>; John Thaeber <[JThaeber@artesianwater.com](mailto:JThaeber@artesianwater.com)>  
**Subject:** Artesian Wastewater Management Inc. (AWMI) SRRF Construction and Operations Permits Amendment Application Package

John and Marlene,

Please find at the following link the application package for amending the SRRF Construction and Operations permits to include a new 625,000 gpd WWTP. At the link you will find 5 files:

- Applications with letter detailing what we are requesting
- Response letter explaining how the comments in John's comment letter have been addressed
- Design Engineering Report
- Drawing set
- Equipment Specifications

If you have any issues with the link or require additional information please let me know.

<https://www.dropbox.com/sh/tbmdb9dsbton2zr/AAAXK3SOpbwp8e13RCdNWNo3a?dl=0>

Please confirm receipt of this application package. Thank you!

**Daniel Konstanski, P.E., BCEE**

*Principal Engineer*

Office: (302).453.2396

Cell: (302) 803-1226



\*\*\* This e-mail and any files transmitted with it may contain confidential and/or proprietary information. It is intended solely for the use of the individual or entity who is the intended recipient. Unauthorized use of this information is prohibited. If you have received this in error, please contact the sender by replying to this message and delete this material from any system it may be on. \*\*\*

TAB “12”

**Bruce B. Bagley**  
**420 Cosden Road**  
**Barclay, Maryland 21607**  
**(410) 708-3854**

February 20, 2021

Mr. Rodney Wyatt  
Director of Operational Compliance  
Artesian Wastewater Management, Inc.  
644 Churchmans Road  
Newark, DE 19702

RE: Artesian Northern Sussex Regional Water Recharge Facility Rapid Infiltration Project,  
235-6.00-28.00 and 235-6.00-28.09, 3-34-13.00-28.09, Milton, Sussex, Delaware

Dear Mr. Wyatt,

This letter summarizes the results of my soil investigation of May to October, 2018 on the above referenced property for the purpose of identifying the soil type, soil infiltration rate and depth to seasonal high ground water at the proposed regional water recharge facility site.

The soils profile was examined by means of a hand auger soil borings and excavated test pits located within the proposed regional water recharge facility. All of the examined soil profile is described in detail and in accordance with standard (USDA, NRCS) techniques and nomenclature for the field descriptions of soils. A combination of approximately 400(+/-) soil borings and test pits were examined during the 5 month soils investigation, along with 15 to 20 double ring infiltrometers were conducted to determine infiltration rates across the site to analyze the site ability to be a regional water recharge facility. Department of Natural Resource and Environmental Control (DNREC) staff was present on site throughout the five month field investigation.

The proposed regional water recharge facility location occupies a flat, upland landscape position, which consists of well drained soils. After completing the field investigation studies necessary for determinate the sites suitability to support the regional water recharge facility, a Soils Investigation Report (SIR) and other environmental reports will be submitted to DNREC of their review, comment and approval.

If you have any questions please do not hesitate to contact me. I can be reached at (410) 708-3854 or email at [bruce.b.bagley@gmail.com](mailto:bruce.b.bagley@gmail.com).

Sincerely,



Bruce B. Bagley, CPSS  
Soil Scientist

TAB “13”



---

February 23, 2021

Mr. Daniel Konstanski, P.E.  
Principal Engineer  
Artesian Resources Corporation  
664 Churchmans Road  
Newark, DE 19702

**RE: Sussex Regional Recycling Facility (SRRF)  
Property on Isaacs and Reynolds Pond Road  
Site Characterization Status**

Dear Mr. Konstanski:

Artesian Wastewater Management, Inc. (AWMI) has initiated a Site Characterization Study for the above referenced site located west of City of Milton, Sussex County, Delaware. The DNREC requirements for Site Characterization are outlined in the Regulations Governing the Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems; Chapter 60, Section 6.0. Demicco and Associates, LLC has been providing the professional geological investigation for the site; specifically, Section 6.2.1.3 Site Reconnaissance and Section 6.2.3 Hydrogeologic Suitability Report (HSR). The HSR must be signed and sealed by a Delaware-licensed professional geologist.

### **Specific Tasks Completed to Date**

AWMI has initiated the Site Characterization by the submittal of a Letter of Intent (May 25, 2018) in compliance with Section 6.2.1 of the wastewater treatment regulations. The required hydrogeological reconnaissance has been undertaken prior to the actual fieldwork commencement. Reviewed as part of the hydrogeological reconnaissance were the published data on the region largely from the Delaware Geological Survey (DGS), the existing SRRF studies from the Construction Permit application, and follow-up site work for the Operation Permit application.

A meeting with DNREC, as required in Section 6.2.1.4, was held (May, 2018) to discuss the scope of work for both soil and hydrogeologic investigations. As discussed in the meeting, the HSR will be conducted as per the Section 6.2.3 regulations and will be initiated following completion of the Soil Investigation Report (SIR).



---

The Soils Reconnaissance and the field work portion of the SIR (Section 6.2.2) has been conducted to date by Mr. Bruce Bagley a Class D.3 soil scientist. The status of these investigations is presented under separate cover by Mr. Bagley.

The preliminary hydrogeological reconnaissance and our field observations during the SIR work indicates that **the site is suitable for the construction of a treated effluent disposal system**. However, the detailed investigations required under the HSR have not been conducted to date. Therefore, a reliable estimate of the quantity of treated effluent that can be discharge to the site in not known.

### **Specific Tasks to be Completed**

The HSR includes multiple types of geological investigations. Detail requirements for each of these tasks are presented in Section 6.2.3 of the DNREC regulations. The following presents a short list of these investigations:

- Geologic Drilling Investigation and Well Installation
- Ground Water Flow Investigation
- Wet Season Monitoring
- Aquifer Properties with Aquifer Testing
- Ambient Groundwater Quality
- Ground Water Mounding Analysis
- Basin Testing

Following completion of these tasks, the disposal capacity of the site will be developed. The HSR will be submitted to DNREC detailing the results of the investigation.

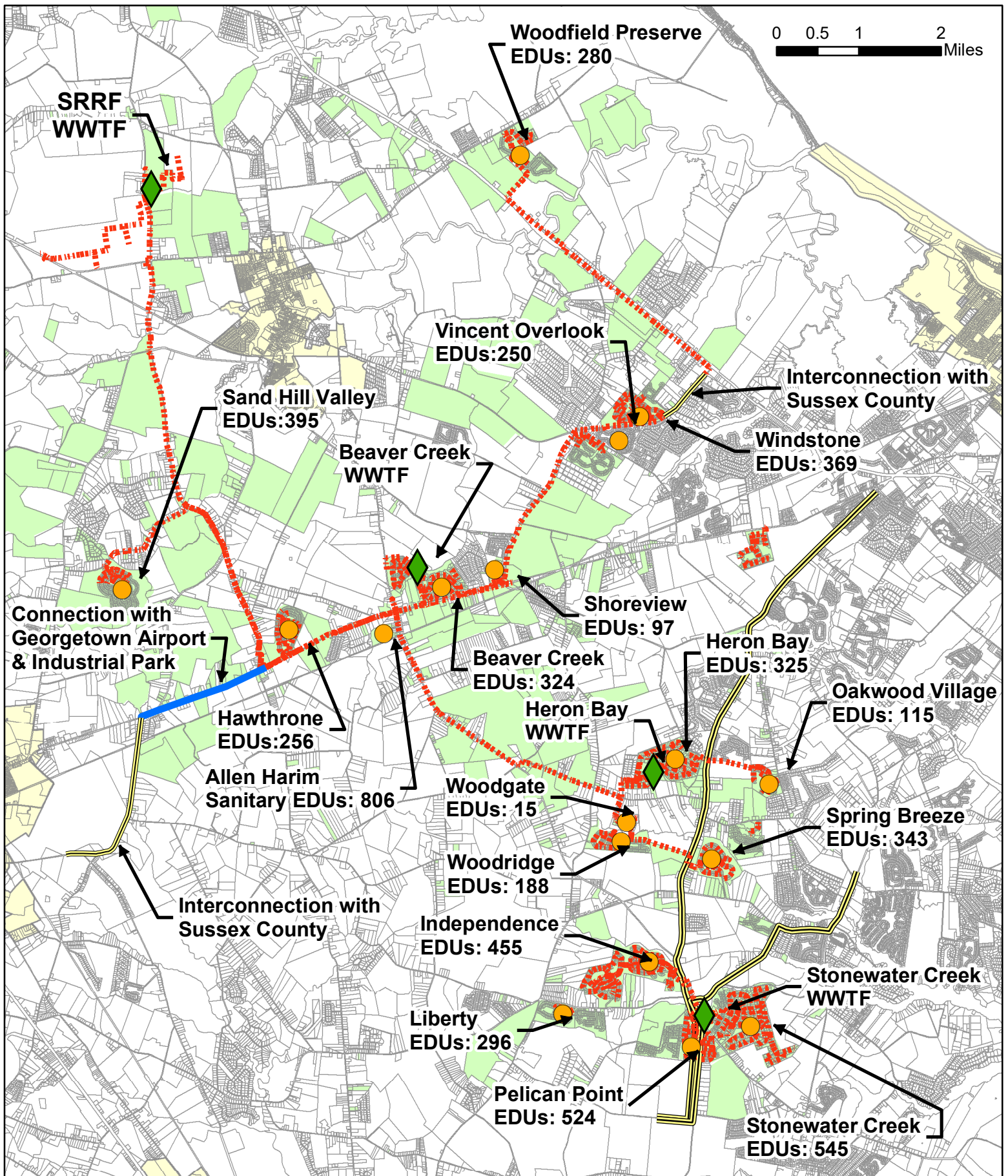
If you have any questions on this letter, please feel free to call. We thank you for this opportunity to be of service.

Sincerely,  
Demicco & Associates, LLC

Peter M. Demicco, PG  
Sn. Hydrogeologist

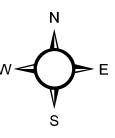
**TAB “14”**





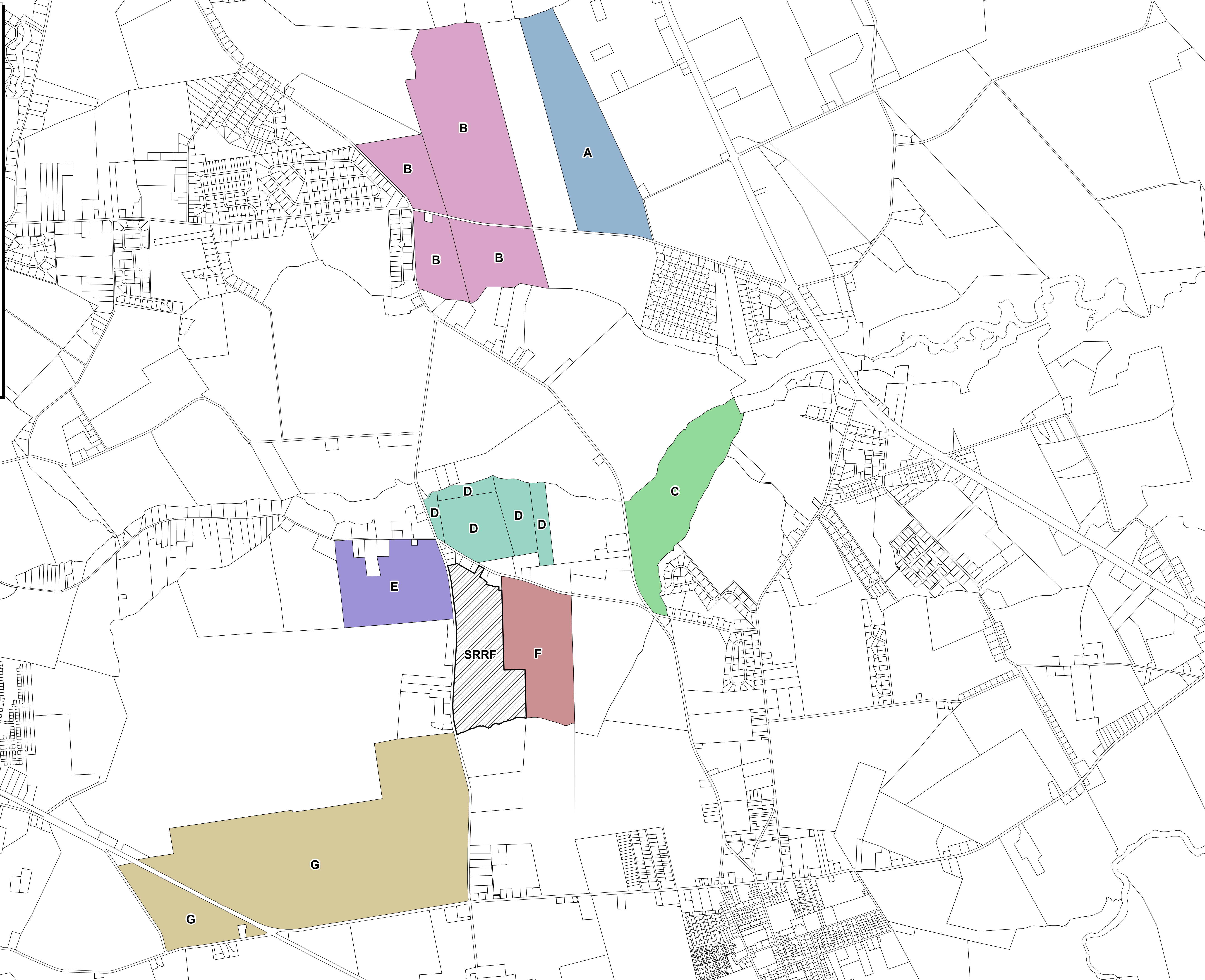
Regional\_Plan\_SM\_20190920.mxd  
 Revised: 2/24/21

- SUBDIVISION
- WWTF
- Future FM
- Existing FM
- Sussex County FM
- Municipal Boundries
- Artesian Wastewater Management, Inc. CPCN

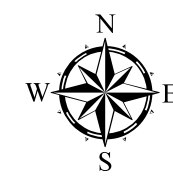


TAB “15”

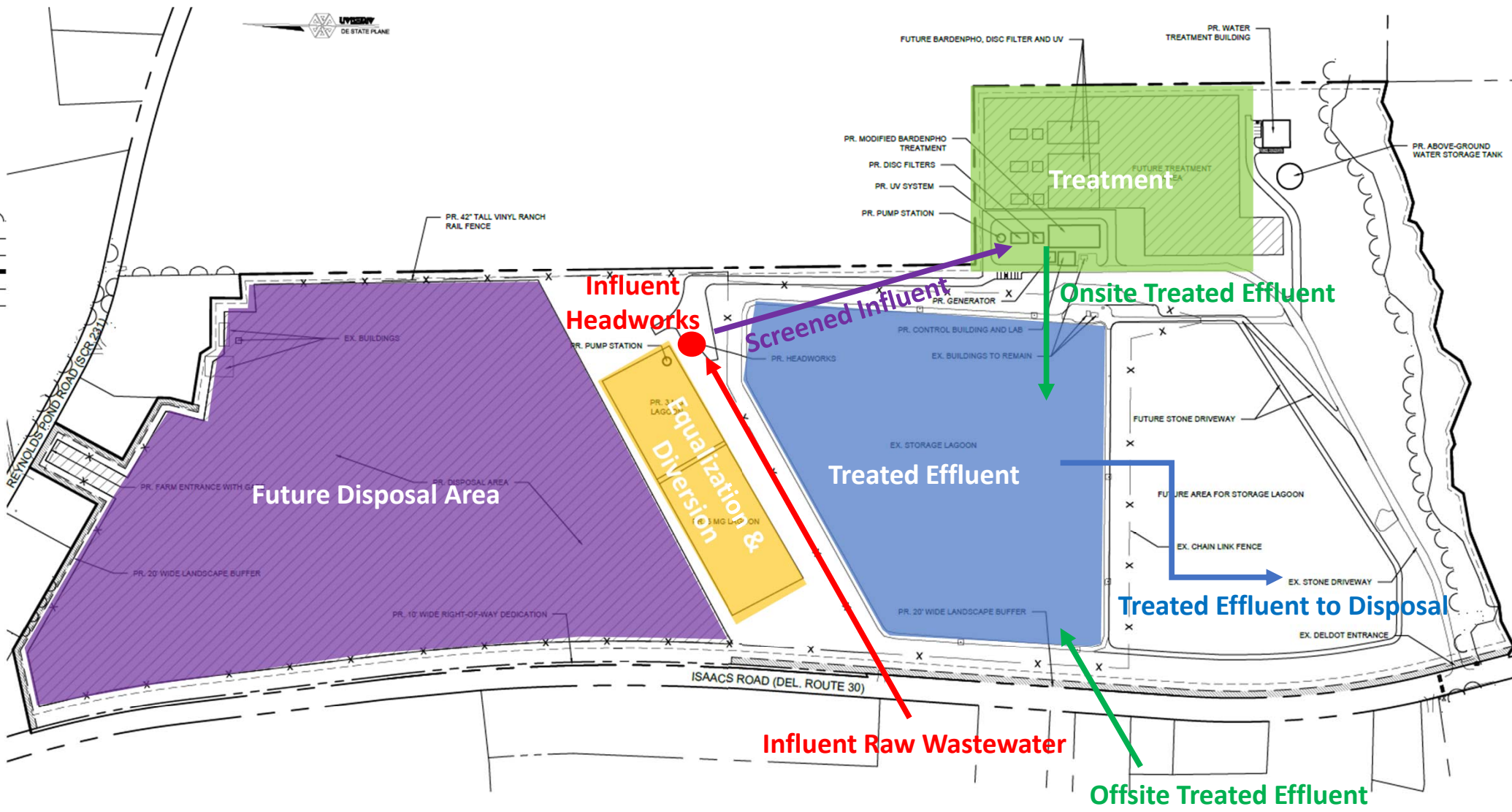
Location	Parcel	Acreage per Parcel	Total for Spray Field
Field A	230-22.00-1.00	182.87	182.87
Field B	230-21.00-35.00	77.93	412.76
	230-21.00-35.01	113.69	
	230-21.00-13.00	221.14	
Field C	235-7.00-27.00	157.53	157.53
Field D	235-6.00-11.00	56.76	125.14
	235-6.00-11.01	6.22	
	235-6.00-11.02	10.46	
	235-7.00-164.00	32.45	
	235-7.00-1.00	19.23	
Field E	235-8.00-21.00	118.96	118.96
Field F	235-7.00-7.00	126.51	126.51
Field G	235-13.00-6.05	515.6	590.5
	235-13.00-6.06	74.9	
<b>Total</b>			<b>1714.27</b>
Source: Acreage based on survey approved by Sussex County Planning and Zoning Commission on 4/27/10 [PB 145 PG 23]			
Location	Parcel	Acreage	
SRRF	235-6.00-28	127.37	



# SRRF SPRAY FIELDS



TAB “16”



**Influent Headworks**

**Screened Influent**

**Onsite Treated Effluent**

**Treated Effluent**

**Treated Effluent to Disposal**

**Influent Raw Wastewater**

**Offsite Treated Effluent**

**Future Disposal Area**

**Equalization & Diversion**

**Treatment**

REYNOLDS POND ROAD (SCR 221)

ISAACS ROAD (DEL. ROUTE 30)

- FUTURE BARDENPHO, DISC FILTER AND UV
- PR. WATER TREATMENT BUILDING
- PR. ABOVE-GROUND WATER STORAGE TANK
- PR. MODIFIED BARDENPHO TREATMENT
- PR. DISC FILTERS
- PR. UV SYSTEM
- PR. PUMP STATION
- PR. GENERATOR
- PR. CONTROL BUILDING AND LAB
- EX. BUILDINGS TO REMAIN
- EX. STORAGE LAGOON
- FUTURE STONE DRIVEWAY
- FUTURE AREA FOR STORAGE LAGOON
- EX. CHAIN LINK FENCE
- EX. STONE DRIVEWAY
- EX. DELDOT ENTRANCE
- PR. 42" TALL VINYL RANCH RAIL FENCE
- PR. FARM ENTRANCE WITH GATE
- PR. 20' WIDE LANDSCAPE BUFFER
- PR. 10' WIDE RIGHT-OF-WAY DEDICATION
- PR. 3' LAGOON
- PR. 1 MG LAGOON
- PR. PUMP STATION
- PR. HEADWORKS
- EX. BUILDINGS
- PR. DISPOSAL AREA
- PR. 20' WIDE LANDSCAPE BUFFER

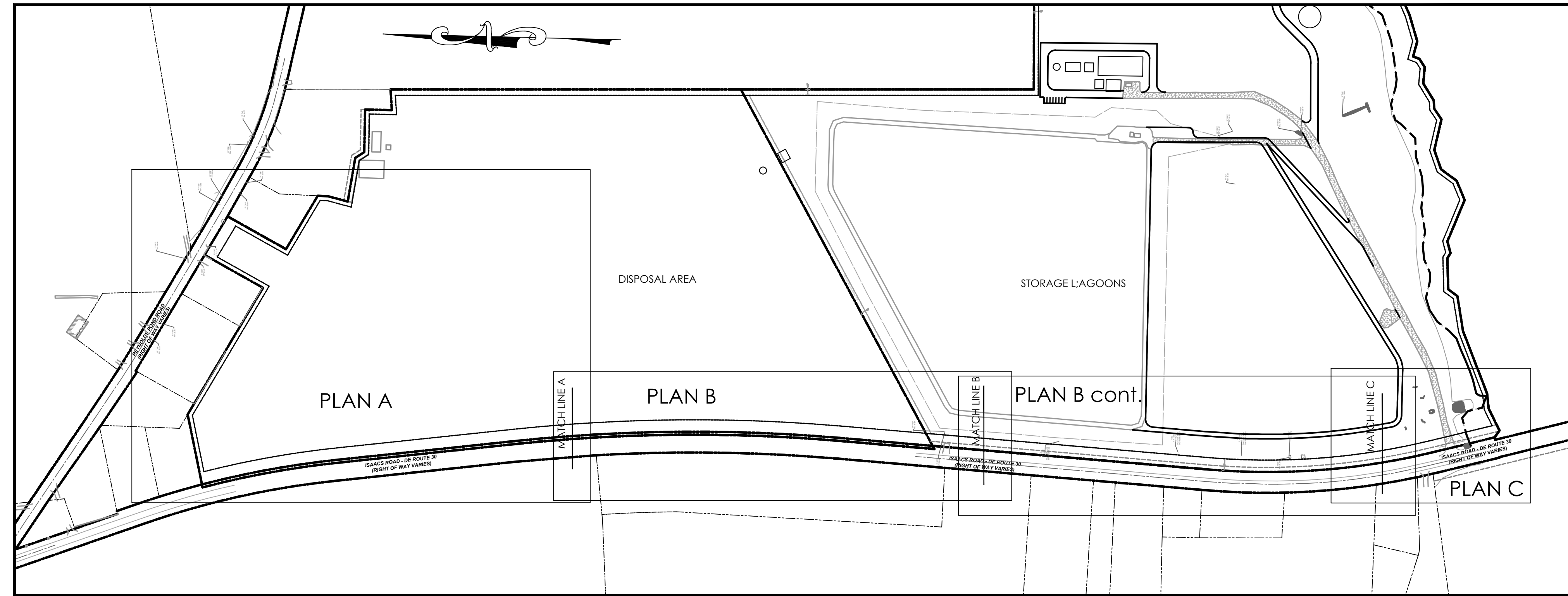
**TAB “17”**

# LANDSCAPE PLAN

## SUSSEX REGIONAL RECHARGE FACILITY (SRRF)

FORMERLY KNOWN AS ARTESIAN NORTHERN SUSSEX REGIONAL WATER RECHARGE FACILITY (ANSRWRF)

### SUSSEX COUNTY, STATE OF DELAWARE



**KEY PLAN**  
SCALE: 1"=250'

LEGEND		
EXISTING	PROPOSED	
PROPERTY LINE		
ADJACENT PROPERTY LINE		
SETBACK LINE		
CENTERLINE		
PUBLIC R.O.W.		
EASEMENT LINE		
BUILDING		
PAVEMENT		
EXISTING EASEMENT LINE		
WETLANDS LINE		
TREELINE		
SANITARY SEWER		
FORECEMAIN		
WATER LINE		
STORM SEWER		
ELECTRIC		
CONTOUR		
FIBER OPTIC LINE		
SIGN		
WELL		
IRON PIPE FOUND		
IRON PIPE SET		
CONCRETE MONUMENT FOUND		
TREES		
FENCE		
TELEPHONE PEDESTAL		
MAILBOX		

PLAN DATA	
PARCEL I.D. NO.	* 235-6.00-28.09 AND 235-6.00-28.00
ZONING DISTRICT	* AR-1 C/U #1724
PROPOSED USE	* WASTEWATER TREATMENT/DISPOSAL FACILITY AND WATER TREATMENT FACILITY
GROSS ACREAGE	* 127.37 +/- ACRES
OWNER/DEVELOPER	* ARTESIAN WASTEWATER MANAGEMENT, INC. 664 CHURCHMANS ROAD NEWARK, DE 19702 (302) 453-7300
DEED REFERENCE	* DEED BOOK 3595, PAGE 064
PLAT BOOK REFERENCE	* PLAT BOOK 286, PAGE 46
SEWAGE DISPOSAL	* ARTESIAN WASTEWATER MANAGEMENT, INC. SEWAGE SYSTEMS SEWERAGE IS SUBJECT TO APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	* ARTESIAN WATER COMPANY, INC. WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
WATERSHED	* BROADKILL RIVER

BUFFER CALCULATIONS	
BUFFER TYPE	= 20' MEDIUM DENSITY
AREA OF 20' BUFFER TO BE PLANTED	= 78,060 SQ. FT.
LENGTH OF 20' BUFFER TO BE PLANTED	= 3,903 LINEAR FEET
TREES REQUIRED TO BE PLANTED IN BUFFER	= 3,903/100 = 39.03 X 5 = 195
TREES PROVIDED IN BUFFER	= 195

- NOTES:**
- SURVEY SHOWN IS BASED ON A FIELD SURVEY BY ARTESIAN WATER COMPANY, INC., FOUND MONUMENTS IN THE FIELD AND ALSO BASED ON A PLAN AND SURVEY BY MERIDIAN ARCHITECTS AND ENGINEERS DATED 2-21-06, ENTITLED RECORD MINOR SUBDIVISION PLAN - OCKELS FARM, RECORDED IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DELAWARE IN PLAT BOOK 112 PAGE 95. IT IS ALSO BASED ON PLOT BOOK 61 PAGE 278, SURVEY BY ADAMS-KEMP FOR THE ABOVE PARCEL, PLOT BOOK 61 PAGE 151 SURVEY BY ADAMS-KEMP DATED 5-1-2000 AND PLOT BOOK 95 PAGE 281 A SUBDIVISION PLAN BY ADAMS-KEMP DATED 8-4-2005.
  - THERE ARE WETLANDS ON THIS SITE AS PER THE NATIONAL WETLANDS INVENTORY MAP.
  - AREAS OF THIS SITE ARE LOCATED IN: ZONE X (AREA OF MINIMAL FLOOD HAZARD) AND ZONE A (AREAS OF SPECIAL FLOOD HAZARD, WITHOUT BASE FLOOD ELEVATION) AS PER FIRM MAP 10005C0165J EFFECTIVE 1/16/2005.



LANDSCAPE ARCHITECT'S CERTIFICATION

I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION.

*Lee Ann Schnappinger Bridgman* 2-24-21

LEE ANN SCHNAPPINGER BRIDGMAN, RLA DATE  
BRIDGMAN LANDSCAPE ARCHITECTURE, LLC

Seal \_\_\_\_\_  
Date \_\_\_\_\_

NO.	DATE	DESCRIPTION

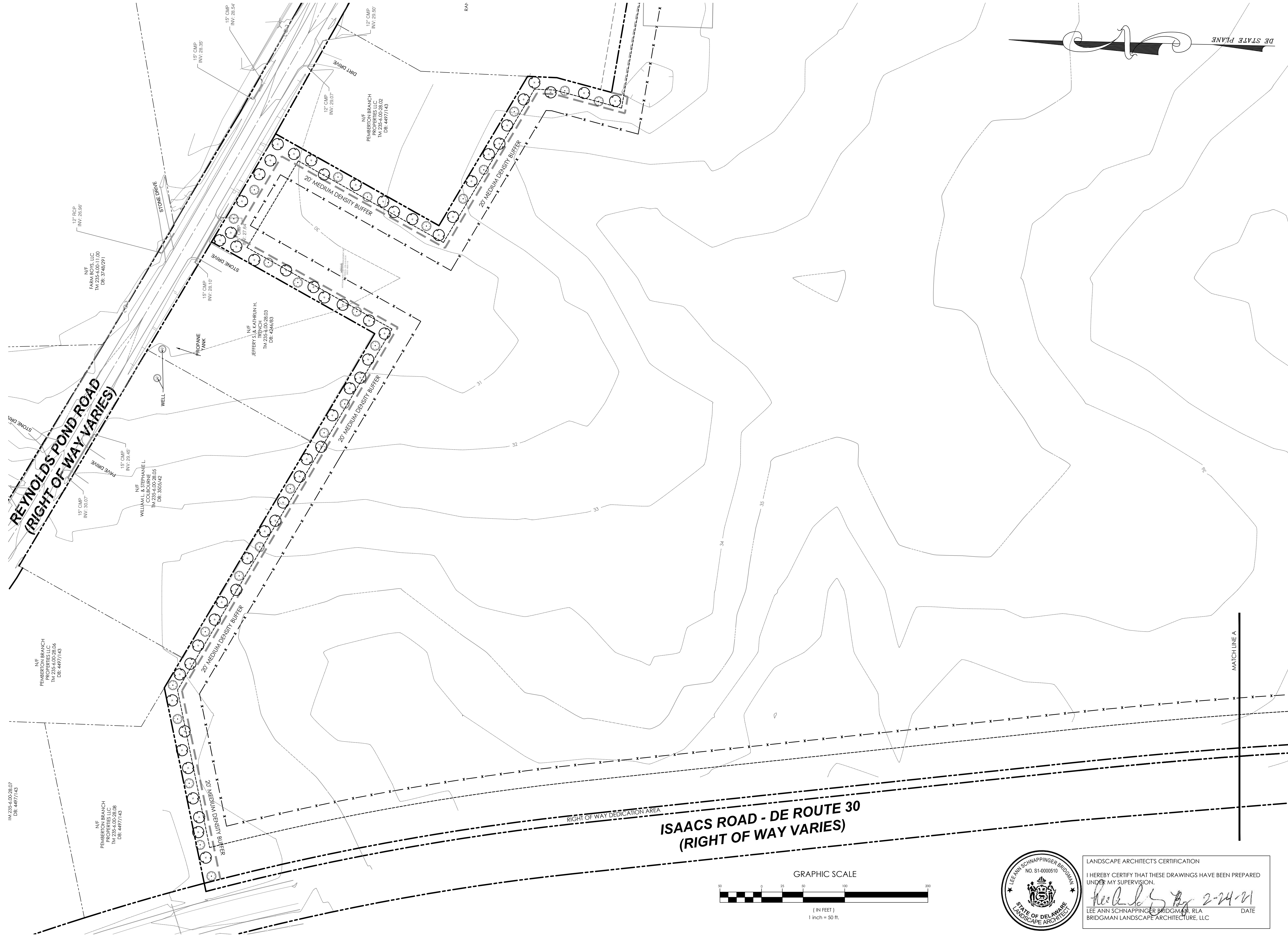
LANDSCAPE COVER SHEET

for  
**SUSSEX COUNTY  
RECHARGE FACILITY**  
SUSSEX COUNTY, DELAWARE

Date:	3/12/20
Job Number:	20020
Scale:	AS NOTED
Drawn By:	ML
Designed By:	LSB
Approved By:	LSB

Sheet No.: 01

File Name: 20020-landscape



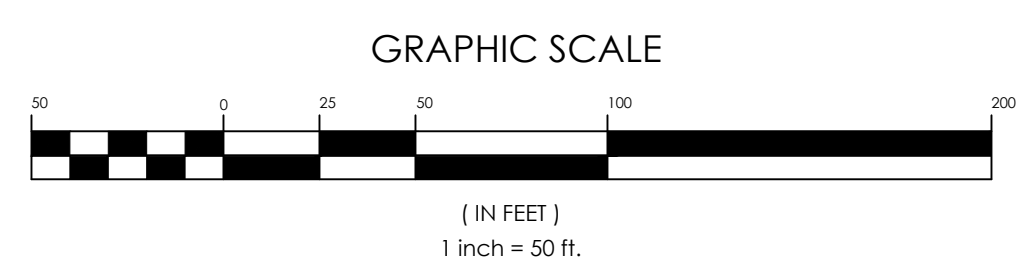
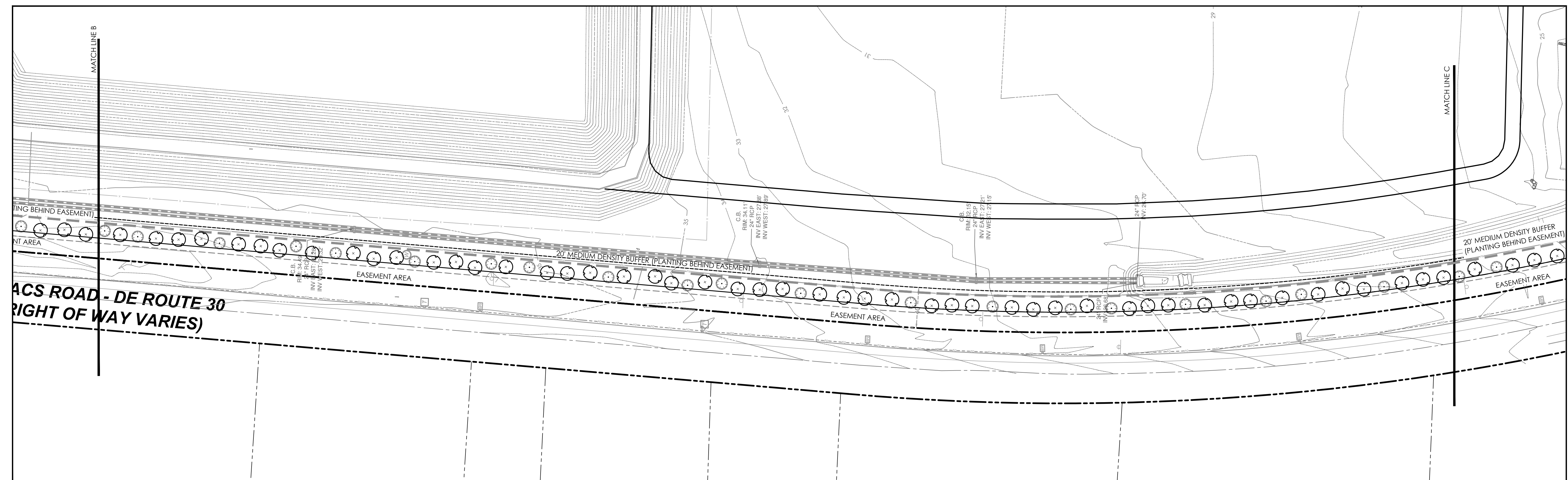
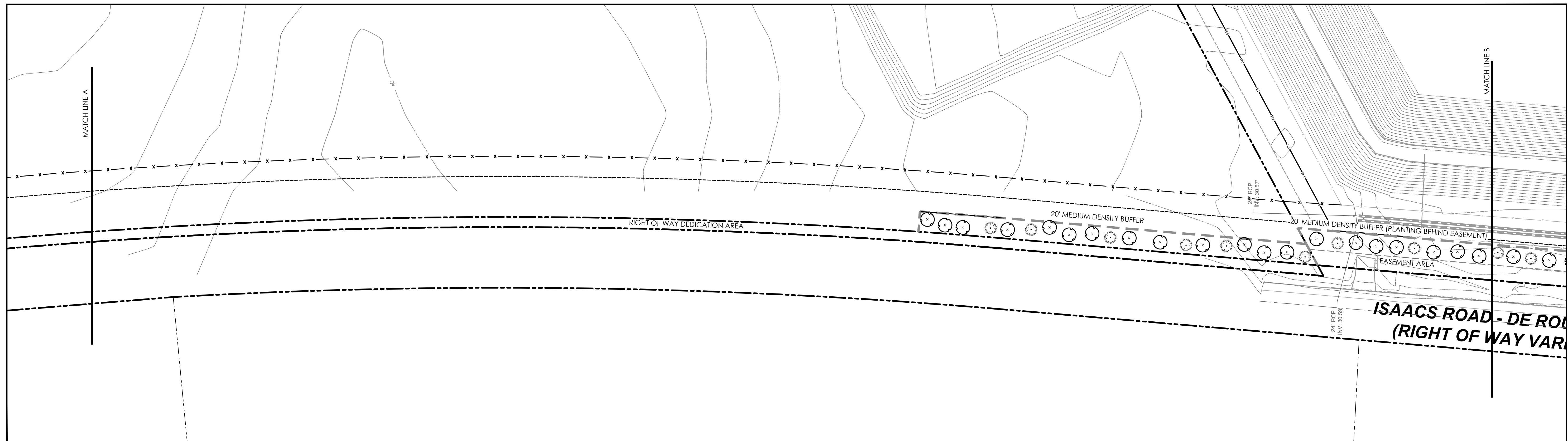
Seal \_\_\_\_\_  
 Date \_\_\_\_\_

REVISIONS	
NO.	DESCRIPTION

LANDSCAPE PLAN A  
 for  
**SUSSEX COUNTY  
 RECHARGE FACILITY**  
 SUSSEX COUNTY, DELAWARE

Date:	3/12/20
Job Number:	20020
Scale:	1"=50'
Drawn By:	ML
Designed By:	LSB
Approved By:	LSB





LANDSCAPE ARCHITECT'S CERTIFICATION  
I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION.

*Lee Ann Schnappinger Bridgman* 2-24-21 DATE  
LEE ANN SCHNAPPINGER BRIDGMAN, RLA  
BRIDGMAN LANDSCAPE ARCHITECTURE, LLC



303 North Bedford Street  
Georgetown, DE 19942  
T. 302-297-9215

3033 Manitt Mill Road  
Salisbury, MD 21804  
T. 410-572-8833

www.solutionsipem.com Copyright © 2020

Seal \_\_\_\_\_  
Date \_\_\_\_\_

NO.	REVISIONS	
	DATE	DESCRIPTION

LANDSCAPE PLAN B

for

# SUSSEX COUNTY RECHARGE FACILITY

SUSSEX COUNTY, DELAWARE

Date:	3/12/20
Job Number:	20020
Scale:	1"=50'
Drawn By:	ML
Designed By:	LSB
Approved By:	LSB

Sheet No.: 03

File Name: 20020-landscape

**PLANTING SPECIFICATIONS**

**A. MATERIALS:**

- PLANTS SHALL BE NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICES, AND GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT. THEY SHALL HAVE BEEN ROOT PRUNED WITHIN THE LAST TWO YEARS. THEY SHALL BE SOUND, HEALTHY AND VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF. THEY SHALL BE FREE OF DISEASE, PEST EGGS OR LARVAE, AND SHALL HAVE A HEALTHY, DEVELOPED ROOT SYSTEM. PLANTS SHALL NOT BE PRUNED BEFORE DELIVERY. TREES WITH A DAMAGED OR CROOKED LEADER OR MULTIPLE LEADERS, ABRASIONS ON THE BARK, SUNSCALD, DISFIGURING KNOTS OR FRESH CUTS OVER 1 1/2" WILL BE REJECTED. NO CHANGE IN QUANTITY, SIZE, KIND OR QUALITY OF PLANT SPECIFIED WILL BE PERMITTED WITHOUT THE APPROVAL OF THE LANDSCAPE ARCHITECT/DESIGNER.
- TOPSOIL SHALL BE FERTILE, FRIABLE AND TYPICAL OF THE LOCALITY; IT SHALL BE FREE OF STONES, LUMPS, PLANTS, ROOTS, STICKS AND SHALL NOT BE DELIVERED IN A FROZEN OR MUDDY CONDITION.
- PLANTING SOIL (BACKFILL MIX) SHALL BE FIVE PARTS TOPSOIL AND ONE PART WET LOOSE PEAT MOSS.
- STAKING MATERIALS: GUY WIRE SHALL BE PLIABLE 12 GAUGE GALVANIZED TWISTED TWO STRAND WIRE. HOSE SHALL BE A SUITABLE LENGTH OF TWO-PLY, REINFORCED BLACK RUBBER HOSE 3/4" INCH IN DIAMETER; STAKES SHALL CONFORM TO THE DETAIL ON THIS SHEET.
- WRAPPING MATERIAL SHALL BE A STANDARD MANUFACTURED TREE WRAPPING PAPER, BROWN IN COLOR WITH CRINKLED SURFACE AND FASTENED BY AN APPROVED METHOD.

**B. APPLICABLE SPECIFICATIONS AND STANDARDS:**

- "STANDARDIZED PLANT NAMES," LATEST EDITION AMERICAN JOINT COMMITTEE ON HORTICULTURAL NOMENCLATURE.
- "AMERICAN STANDARD FOR NURSERY STOCK," LATEST EDITION, AMERICAN ASSOCIATION OF NURSEYMEN.

**C. DIGGING AND HANDLING OF PLANT MATERIALS:**

- IMMEDIATELY BEFORE DIGGING, SPRAY ALL EVERGREEN OR DECIDUOUS PLANT MATERIAL IN FULL LEAF WITH ANTI-DESICCANT, APPLYING AN ADEQUATE FILM OVER TRUNKS, BRANCHES, TWIGS, ANDY OR FOLIAGE.
- DIG BALL AND BURLAP (B&B) PLANTS WITH FIRM NATURAL BALLS OF EARTH, OF DIAMETER NOT LESS THAN THAT RECOMMENDED BY AMERICAN STANDARD FOR NURSERY STOCK, AND IF SUFFICIENT DEPTH TO INCLUDE THE FIBROUS AND FEEDING ROOTS. PLANTS MOVED WITH A BALL WILL NOT BE ACCEPTED IF THE BALL IS CRACKED OR BROKEN BEFORE OR DURING PLANTING OPERATIONS.

**D. EXCAVATION OF PLANTING AREAS:**

- STAKE OUT ON THE GROUND LOCATIONS FOR PLANTS AND OUTLINES OF AREA TO BE PLANTED AND OBTAIN APPROVAL OF THE LANDSCAPE ARCHITECT/DESIGNER BEFORE EXCAVATION IS BEGUN.

**E. PLANTING OPERATIONS:**

- SET PLANTS AT SAME RELATIONSHIP TO FINISHED GRADE AS THEY BORE TO THE GROUND FROM WHICH THEY WERE DUG. USE PLANTING SOIL TO BACKFILL APPROXIMATELY 2/3 FULL WATER THOROUGHLY BEFORE INSTALLING REMAINDER OF THE PLANTING SOIL TO TOP OF PIT, ELIMINATING ALL AIR POCKETS.
- SET PLANTING PLUMB AND BRACE RIGIDLY IN POSITION UNTIL THE PLANTING SOIL HAS BEEN STAMPED SOLIDLY AROUND THE BALL AND ROOTS. CUT ROPES OR STRINGS FROM TOP OF BALL AFTER PLANT HAS BEEN SET. LEAVE BURLAP OR CLOTH WRAPPING INTACT AROUND BALLS. TURN UNDER AND BURY PORTIONS OF BURLAP AT TOP OF BALL.
- PROTECT PLANTS AT ALL TIMES FROM SUN OR DRYING WINDS. PLANTS THAT CANNOT BE PLANTED IMMEDIATELY ON DELIVERY SHALL BE KEPT IN THE SHADE, WELL PROTECTED WITH SOIL, WET MOSS OR OTHER ACCEPTABLE MATERIAL AND SHALL BE KEPT WELL WATERED. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN THREE DAYS AFTER DELIVERY.
- PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES. PLANTS SHALL BE LIFTED AND HANDLED FROM THE BOTTOM OF THE BALL ONLY.
- MULCH ALL PITS AND BEDS WITH A THREE INCH LAYER OF DOUBLE SHREDDED HARDWOOD BARK MULCH IMMEDIATELY AFTER PLANTING AND WORK INTO THE TOP. THREE INCHES OF THE PLANTING SOIL. FORM A 3" EARTH SAUCER AROUND EACH PLANT. WATER ALL PLANTS IMMEDIATELY AFTER PLANTING.
- REMOVE ANY TREE WRAPPING FROM TRUNK FOLLOWING INSTALLATION.

**F. STAKING AND PRUNING:**

- STAKING SHALL BE COMPLETED IMMEDIATELY AFTER PLANTING. PLANTS SHALL STAND PLUMB AFTER STAKING. STAKES AND GUY WIRES SHALL BE REMOVED AT THE END OF THE GUARANTEE PERIOD AND DEPOSITED OFF SITE BY THE CONTRACTOR.
- PRUNE PLANTS AT THE TIME OF PLANTING ONLY TO REMOVE DEAD WOOD, SUCKERS, OR BROKEN BRANCHES.

**G. GUARANTEE:**

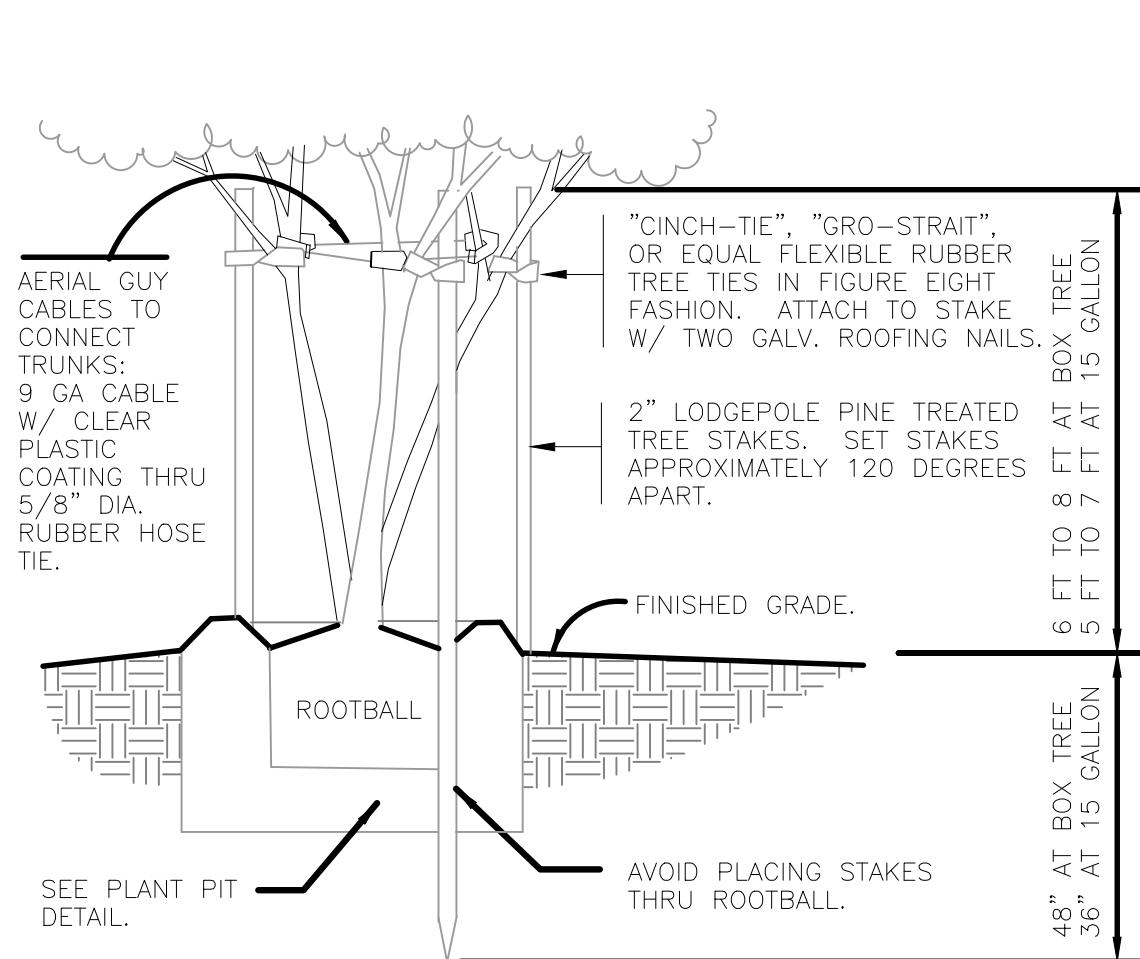
ALL PLANT MATERIALS SHALL BE GUARANTEED FOR ONE (1) FULL YEAR FROM THE DATE THAT THE LANDSCAPE INSTALLATION IS ACCEPTED AS COMPLETE. PLANT MATERIAL NOT FOUND TO BE IN A HEALTHY, VIGOROUS CONDITION AT THE BEGINNING OF THE SECOND GROWING SEASON IS TO BE REPLACED.

**H. SEEDING:**

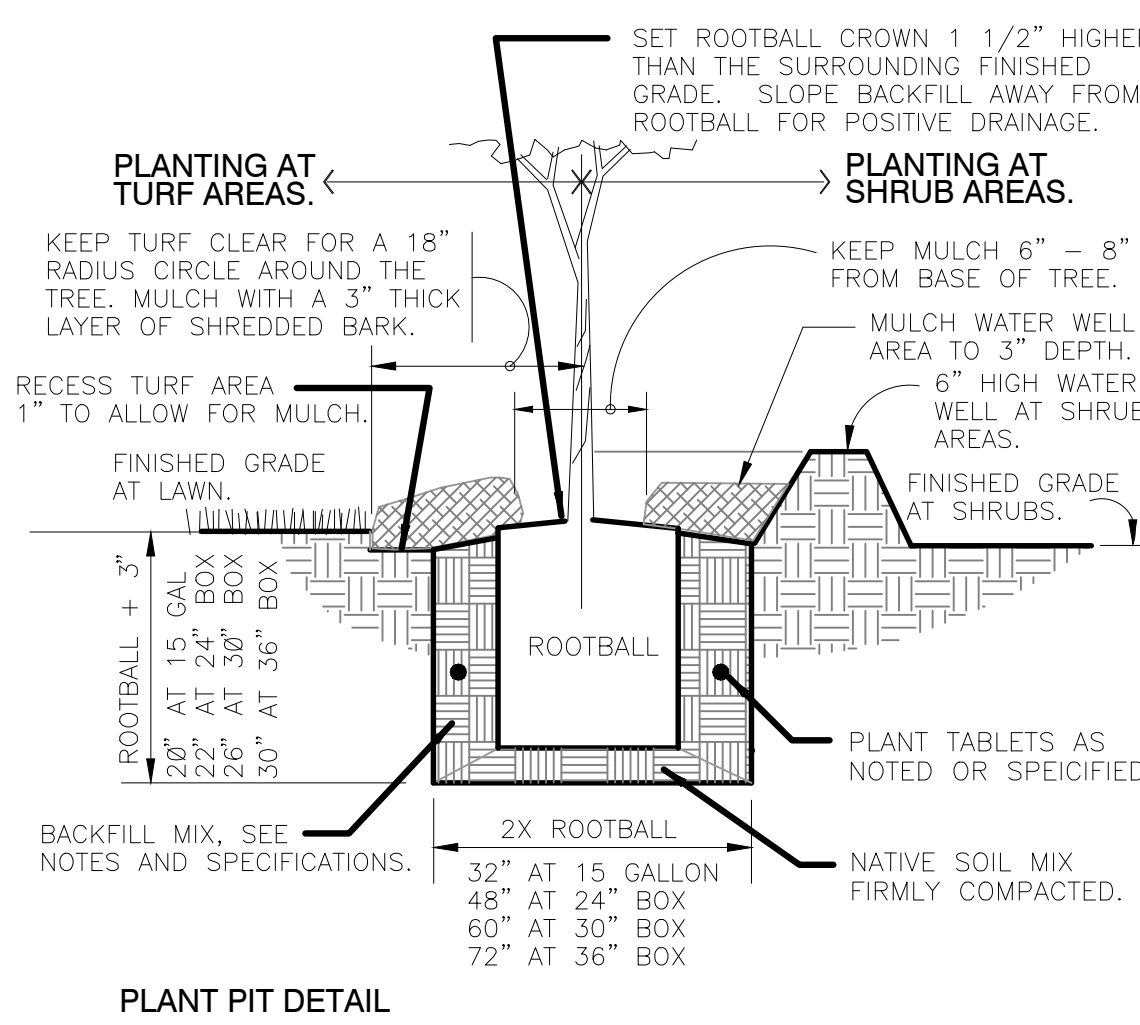
- ALL AREAS REMAINING DISTURBED AFTER CONSTRUCTION, PAVING AND INSTALLATION OF THE LANDSCAPING ARE TO BE SEED.
  - SEED BED PREPARATION: APPLY 25 LBS. OF 10-10-10 FERTILIZER PER 1000 SQ.FT. HARROW OR DISC INTO SOIL TO A DEPTH OF 3-4 INCHES. APPLY PULVERIZED GROUND LIMESTONE, 50 LBS. PER 1000 SQ. FT.
  - SEEDING: APPLY 4.5 LBS PER 1000 SQ. FT. OF KENTUCKY 31 TALL FESCUE OR A SUITABLE COMPARABLE MIX ON A MOIST SEED BED WITH SUITABLE EQUIPMENT.
  - MULCHING: IMMEDIATELY AFTER SEEDING, UNIFORMLY MULCH ENTIRE AREA WITH UNDERWEATHERED SMALL GRAIN STRAW AT A RATE OF 1 1/2"-2" TONS PER ACRE.
- FOR BEST RESULTS, SEEDING SHOULD BE PERFORMED BETWEEN MARCH 1ST AND APRIL 30TH OR AUG. 15TH TO OCT. 31ST.

**LANDSCAPE BUFFER NOTES**

- THE LANDSCAPE AND/OR FORESTED BUFFERS SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE COMMISSION.
- THE LAND DEVELOPER SHALL BE RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES, INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF 2 YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO A CONDOMINIUM ASSOCIATION; PROVIDED, HOWEVER THAT THE DEVELOPER SHALL REPLACE TREES THAT DIE DURING THE MINIMUM 2 YEAR DEVELOPER MAINTENANCE PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO A CONDOMINIUM ASSOCIATION.
- ADDITIONAL INFORMATION AS TO HOW THE LANDSCAPE/FORESTED BUFFERS ARE TO BE MAINTAINED IN PERPETUITY SHALL BE INCLUDED IN THE RESTRICTIVE COVENANTS AND/OR CONDOMINIUM ASSOCIATION DOCUMENTS.
- THE 20' WIDE LANDSCAPE BUFFER SHOWN IN THIS PLAN MUST BE PLANTED WITH A MIX OF 70% DECIDUOUS AND 30% EVERGREEN TREES, THE MAJORITY OF WHICH SHALL BE SUITABLE TREES OF COMMON LOCAL SPECIES. EVERY 100' OF BUFFER SHALL INCLUDE A MINIMUM OF 5 TREES FOR A MEDIUM DENSITY BUFFER.
- ALL DECIDUOUS TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AND MINIMUM HEIGHT OF SIX FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THE TREES WILL BE CAPABLE OF OBTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.
- ALL EVERGREEN TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF FIVE FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THEY ARE REASONABLY CAPABLE OF ATTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN 5 YEARS OF BEING PLANTED.
- THE TREES SHALL BE PLANTED IN A STAGGERED NATURAL MANNER. THE PROCEDURES AND DETAILS FOR PLANTING NEW TREES SHALL BE SPECIFIED BY THE LANDSCAPE ARCHITECT ON THE PLAN SUBMITTED TO AND APPROVED BY THE COMMISSION AND SHALL INCLUDE THE REQUIREMENT THAT THE BUFFER AREA SHALL HAVE A FINAL GRADE THAT CONTAINED A MINIMUM OF FOUR INCHES OF TOPSOIL AND A SUITABLE GRASS MIX PLANTED AS SACRIFICIAL COVER BETWEEN THE BUFFER TREES FOR SOIL STABILIZATION UNTIL THE NEWLY PLANTED TREES BECOME LARGER. THE PLAN MAY SUBSTITUTE WOODCHIPS FOR PLATED GRASS BETWEEN THE BUFFER TREES IN RESPECT TO BOTH NEWLY PLANTED AND EXISTING TREES, AS DETERMINED BY THE LANDSCAPE ARCHITECT.
- IF SUBSTITUTIONS ARE MADE FOR PLANTS IN THE BUFFER, ONLY SUBSTITUTE DECIDUOUS FOR DECIDUOUS OR EVERGREEN FOR EVERGREEN TO MAINTAIN THE REQUIRED MIX OF TREES.



**STAKING DETAIL**



**PLANT PIT DETAIL**

**TREE PLANTING MULTI-STAKE**

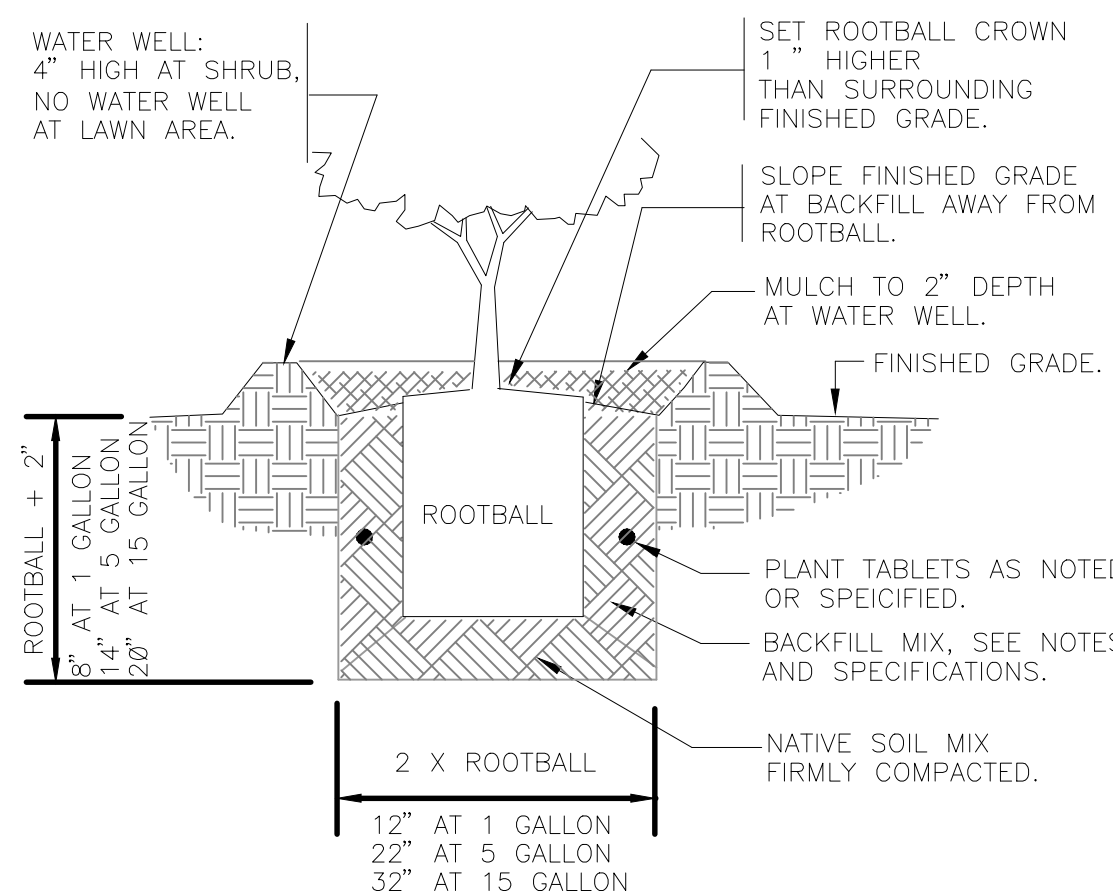
1" = 1'-0" FX-PL-FX-TREE-15

BUFFER SEEDING SCHEDULE		
QUANTITY	MIX	VENDOR
78,060 SQ. FT.	NEWSOM LC SHADE MIX OR APPROVED EQUAL	NEWSOM SEED 800-553-2719

DECIDUOUS TREES:		
BOTANICAL NAME	COMMON NAME	SIZE
<i>Acer saccharum</i>	Sugar Maple	1.5" CAL., 6' HGT. MIN.
<i>Acer rubrum</i>	Red maple	1.5" CAL., 6' HGT. MIN.
<i>Carpinus caroliniana</i>	American Hornbeam	1.5" CAL., 6' HGT. MIN.
<i>Liriodendron tulipifera</i>	Tuliptree	1.5" CAL., 6' HGT. MIN.
<i>Nyssa sylvatica</i>	Black Gum	1.5" CAL., 6' HGT. MIN.
<i>Platanus acerifolia</i>	London Plane Tree	1.5" CAL., 6' HGT. MIN.
<i>Taxodium distichum</i>	Bald Cypress	1.5" CAL., 6' HGT. MIN.

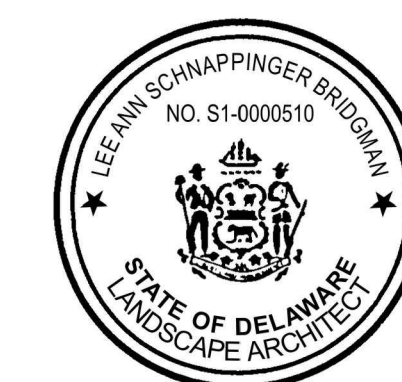
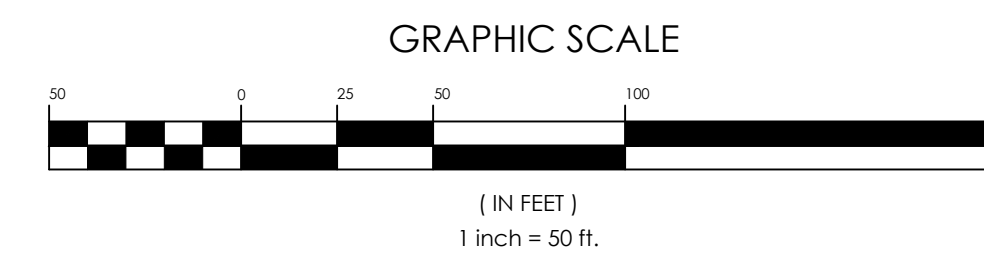
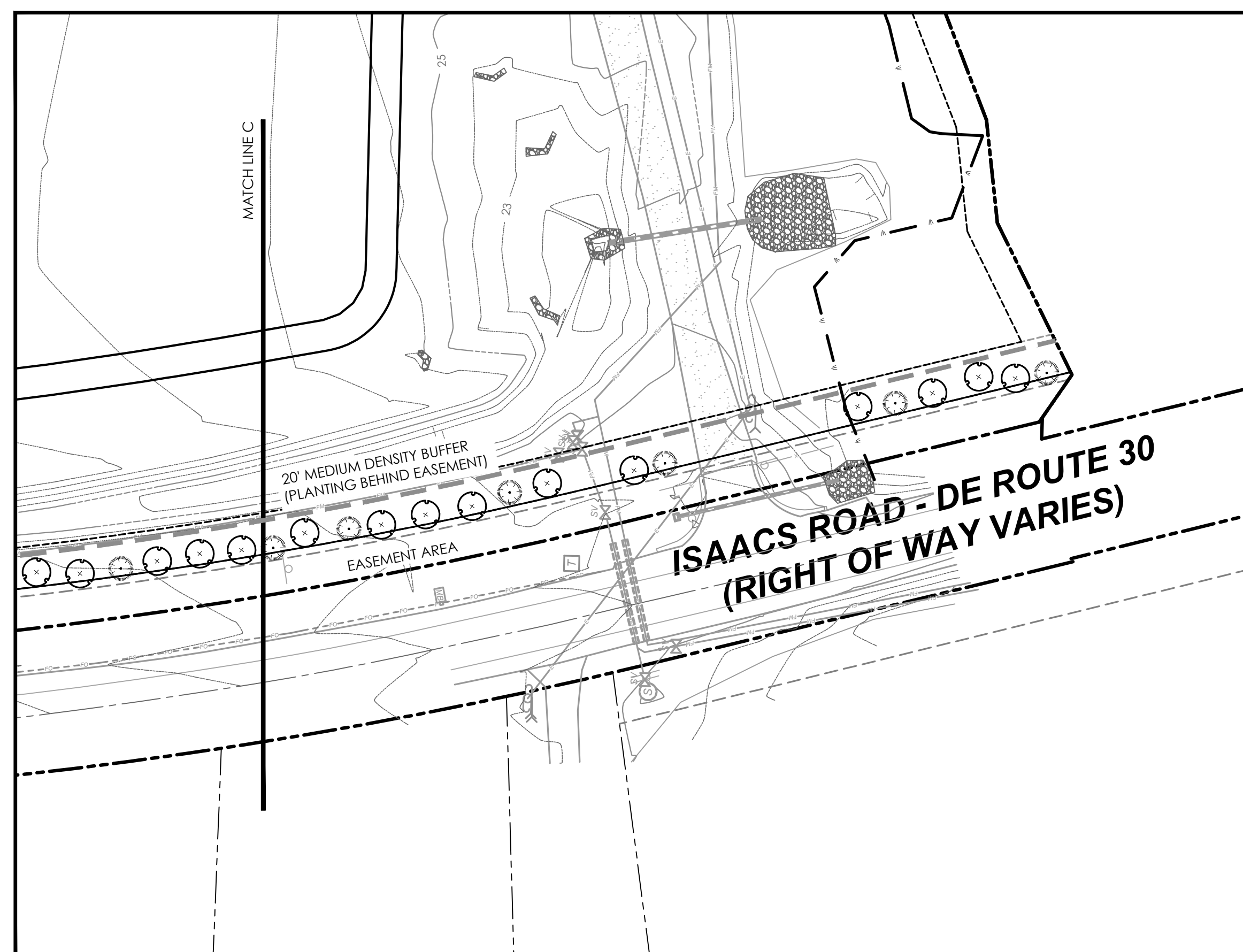
EVERGREEN TREES:		
BOTANICAL NAME	COMMON NAME	SIZE
<i>Ilex opaca</i>	American Holly	5' HGT. MIN.
<i>Juniperus virginiana</i>	Red Cedar	5' HGT. MIN.
<i>Magnolia virginiana</i>	Sweetbay Magnolia	5' HGT. MIN.
<i>Picea abies</i>	Norway Spruce	5' HGT. MIN.
<i>Pinus rigida</i>	Pitch Pine	5' HGT. MIN.
<i>Pinus virginiana</i>	Virginia Pine	5' HGT. MIN.
<i>Thuja standishii</i> x <i>pilcata</i> 'Green Giant'	Green Giant Arborvitae	5' HGT. MIN.

BUFFER TREE PLANTING SCHEDULE			
SYMBOL	QUANTITY	TREE TYPE	SIZE
	136	DECIDUOUS	1.5" CAL., 6' HGT. MIN.
	59	EVERGREEN	5' HGT. MIN.



**SHRUB PLANTING**

1" = 1'-0" FX-PL-FX-SHRB-07



LANDSCAPE ARCHITECT'S CERTIFICATION  
 I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION.  
 Lee Ann Schnappinger Bridgman/RLA DATE  
 BRIDGMAN LANDSCAPE ARCHITECTURE, LLC

Seal \_\_\_\_\_  
 Date \_\_\_\_\_

REVISIONS		DESCRIPTION
NO.	DATE	

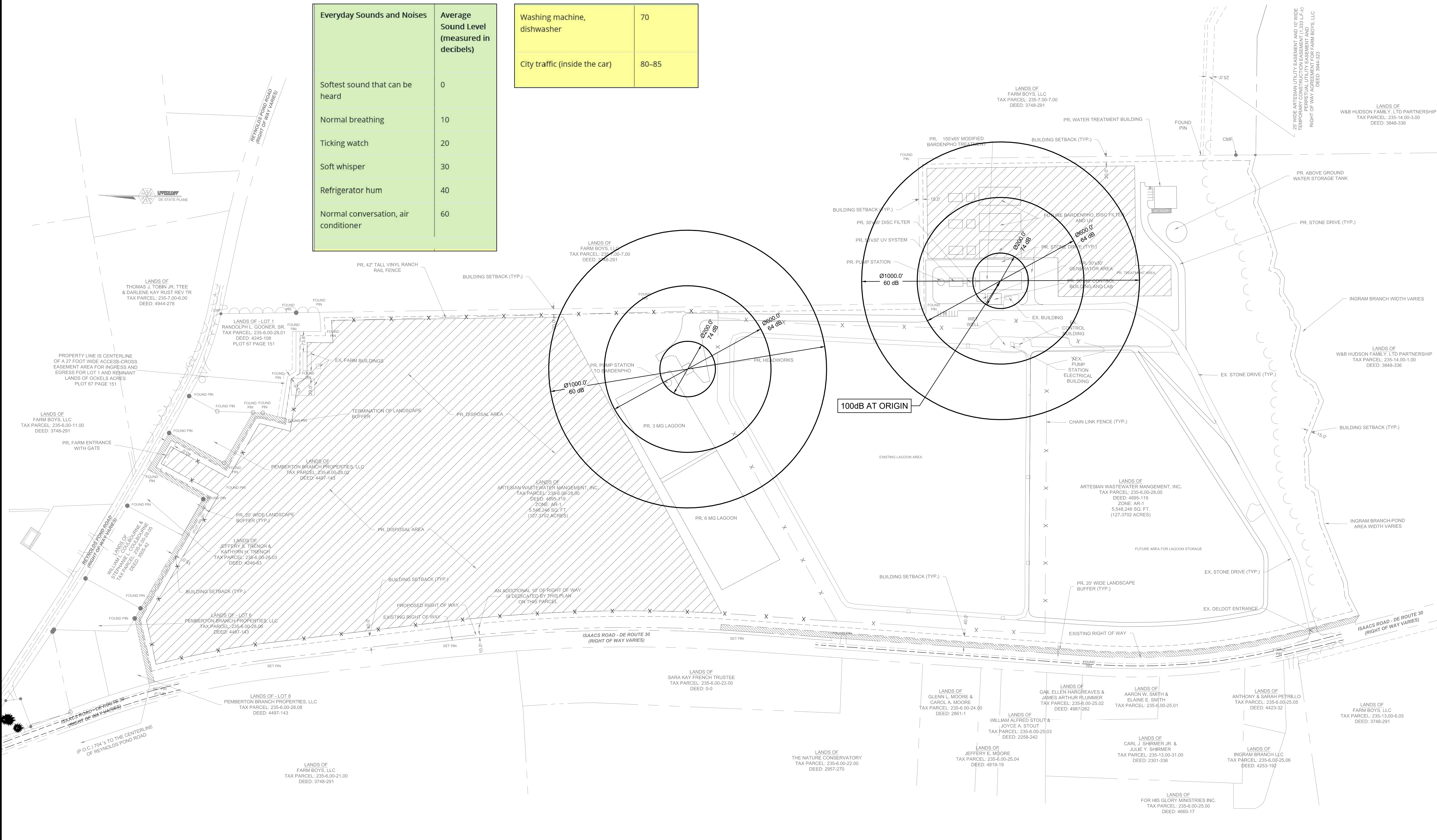
LANDSCAPE PLAN C  
 for  
**SUSSEX COUNTY RECHARGE FACILITY**  
 SUSSEX COUNTY, DELAWARE

Date: 3/12/20  
 Job Number: 20020  
 Scale: 1"=50'  
 Drawn By: ML  
 Designed By: LSB  
 Approved By: LSB  
 Sheet No.: 04  
 File Name: 20020-landscape

TAB “18”

Everyday Sounds and Noises	Average Sound Level (measured in decibels)
Softest sound that can be heard	0
Normal breathing	10
Ticking watch	20
Soft whisper	30
Refrigerator hum	40
Normal conversation, air conditioner	60

Washing machine, dishwasher	70
City traffic (inside the car)	80-85



**ARTESIAN**  
 ARTESIAN WASTEWATER MANAGEMENT, INC.  
 664 Churchmans Road  
 Newark, Delaware 19702  
 P.O. Box 15004, Wilmington, Delaware 19850  
 Phone: (302) 453-6900 Fax: (302) 453-5800

REVISIONS:	DESCRIPTION	BY	DATE

Date:	3/1/21	Checked By:	DK	Sheet	1 of 1
Scale:	1"=150'	Page & Grid:		Hundred:	BROADKILL
Drawn By:	KEG	CAD File:	SOUND EXHIBIT.dwg	Budget No.	3003456

**SOUND EXHIBIT**  
**SUSSEX REGIONAL RECHARGE FACILITY**

SUSSEX COUNTY      STATE OF DELAWARE

150      0      150      300      450

G:\ENG\_PROJECTS\SUSSEX\ANSWER WASTEWATER\DESIGN\DRAWINGS\CIVIL\SHIETS\SOUND EXHIBIT.dwg, 11/3/2021 9:44:17 AM

TAB “19”



**THE SOUTHWARD FACING LAGOON WALL AS SEEN FROM THE  
INTERNAL ROAD ON THE SRRF PROPERTY.**



**ONE OF THE TWO EXISTING BUILDINGS LOCATED ON THE  
NORTHEAST CORNER OF THE PROPERTY.**



**THE SECOND OF TWO BUILDINGS LOCATED ON THE  
NORTHEAST CORNER OF THE PROPERTY.**





**LOOKING SOUTH ALONG ROUTE 30 WITH THE SRRF PROPERTY ON THE LEFT.**



**FIELD E, ONE OF THE 4 DISPOSAL SITES APPROVED FOR SPRAY IRRIGATION OF TREATED WASTEWATER UNDER THE CURRENT DNREC OPERATIONS PERMIT.**



**THE SOUTHWARD FACING LAGOON WALL AS SEEN FROM ROUTE 30.**

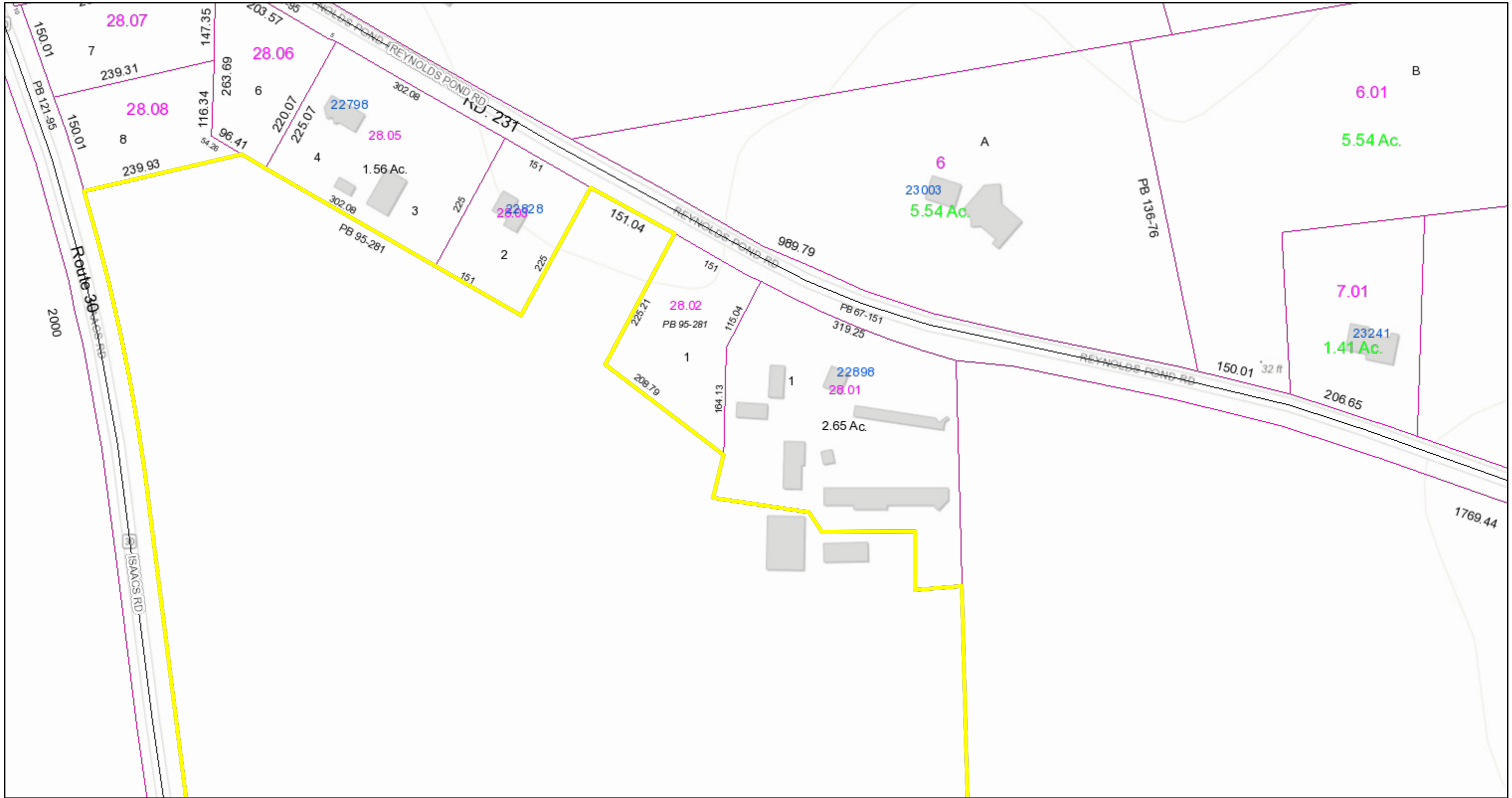


**LOOKING NORTH ALONG ROUTE 30 WITH THE SRRF PROPERTY ON THE RIGHT.**



**A PORTION OF THE EARTHEN BERM WHICH FORMS THE LAGOON WALL ALONG WITH THE SECURITY FENCE WHICH SURROUNDS IT.**

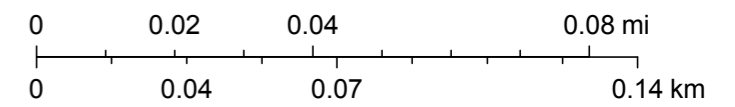
# Sussex County



February 27, 2021

- Override 1
- Tax Parcels
- Streets
- Override 1
- 911 Address
- County Boundaries

1:2,257



Delaware Department of Education, Wetland mapping is supported with funding provided by the Environmental Protection Agency., Delaware Geological Survey, DNREC, Division of Watershed Stewardship, Drainage Program, john.inkster@state.de.us. Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

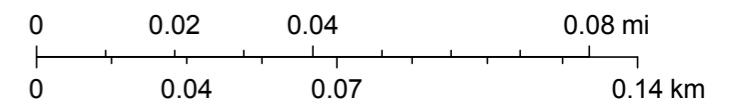
# Sussex County



February 27, 2021

- Override 1
- Tax Parcels
- Streets
- Override 1
- 911 Address
- County Boundaries

1:2,257



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Delaware Department of Education, Wetland mapping is supported with funding provided by the Environmental Protection Agency., Delaware Geological Survey, DNREC, Division of Watershed

**TAB “20”**



# Artesian Wastewater Management

Invites you to join us at a **Community Information Session** to provide an update on the **Sussex Regional Recharge Facility**.

**Saturday, January 18, 2020 • 1:00 pm - 3:00 pm**

**CHEER CENTER-MILTON • 24855 Broadkill Road • Milton, DE 19968**

**Protects**

**Benefits**



**Reduces**

**Eliminates**

**Returns**

## Artesian's Regional Water Recharge Facility

**Protects** and improves our groundwater quality

**Benefits** farmers by providing water for irrigation and reducing fertilizer demands

**Reduces** harmful nutrients entering our rivers, streams and bays

**Eliminates** stream discharge by reusing and recycling precious water resources

**Returns** much needed groundwater to aquifers through spray irrigation



***Our Mission is to Protect and Preserve Water Throughout its Cycle of Use.***



OVER 100 YEARS OF SUPERIOR SERVICE

Artesian Water Company



Artesian Wastewater Management



Artesian Utility Development



Artesian Water Pennsylvania



Artesian Water Maryland



Artesian Wastewater Maryland

December 27, 2019

RE: **Community Information Session – January 18, 2020**  
**Artesian Sussex Regional Recharge Facility Update**

Artesian Wastewater Management invites you to join us at a Community Information Session to provide an update on the Sussex Regional Recharge Facility. The facility, located on Route 30 north of Milton, is being constructed to support the recycling and productive use of treated wastewater, benefitting the environment, farming and the communities of Northern Sussex County. Before we enter into the second phase of work at this location, we want to take this time to present our vision of the site and how we will be part the local community. The first phase of the facility included:

- A 90 Million gallon storage lagoon
- Spray facilities located on over 400 acres of farm fields and forested areas
- Control and monitoring facility
- Network of over 20 miles of treated water transmission and distribution infrastructure

#### PLEASE JOIN US

**Saturday January 18, 2020**  
**1:00 p.m. – 3:00 p.m.**  
**CHEER CENTER-MILTON**  
**24855 Broadkill Road**  
**Milton, DE 19968**

Open communication with our neighbors and the community regarding our role, the footprint of the facility and how we conduct business is an important part of being a responsible corporate citizen. At the information session, we will provide an update on the next phase of the project and enhanced operations at the facility. The presentation will be followed by a question and answer session where maps, photos and graphics will be on display.

We have been a leader in Delaware for over a 110 years as a water service provider, committed to protecting our water resources and delivering superior quality water to our customers. As a corporation we take our role seriously as an environmental steward, providing water and wastewater services to customers across the Delmarva Peninsula.

We look forward to keeping you informed about our progress and providing you with information on how we will benefit your community and Sussex County. Your RSVP is kindly requested. Please contact Virginia Eisenbrey at 302-453-6925 or [veisenbrey@artesianwater.com](mailto:veisenbrey@artesianwater.com).

We hope you can join us!  
Artesian Wastewater Management, Inc.



## Artesian details new Milton spray facility plans

Citizens grill company reps over environmental impact



Artesian detailed plans for a second phase of construction at the Sussex Regional Recharge Facility outside Milton. The new phase would include a 625,000-gallon-capacity treatment plant. However, at a Jan. 19 public information session, citizens raised concerns about the environmental impact of the project. FILE PHOTO

By Ryan Mavity January 31, 2020

Artesian Water Company unveiled plans for the second phase of its Sussex Regional Recharge Facility that will include a new wastewater treatment plant to serve development on the way in the area.

But more than 100 people who attended a Jan. 19 public information session at Milton's CHEER Center challenged the project, as well as Artesian's partnership with poultry processing company Allen Harim.

Anthony Scarpa, co-founder of citizens group Keep Our Wells Clean, which has appealed Artesian's construction permit for the facility, said there are still questions about the quality of the water Allen Harim will be sending to the facility for spray disposal. He asked how Artesian will know whether the water Allen Harim is sending will affect nearby wells.

Dave Spacht, president of Artesian's wastewater management section, said Allen Harim will be required to treat its water to state environmental standards. He said Artesian is awaiting permits on operations from Delaware Department of Natural Resources and Environmental Control, and he did not wish to speak about the permit process.

"We will meet all permit requirements," he said.

Spacht said he wanted to talk about Artesian's future development at the site.



Dave Spacht, president of Artesian's wastewater management section. RYAN MAVITY PHOTO

Regarding the recharge facility, Spacht said the company believes spray irrigation is the best, most environmentally friendly method of disposing of treated wastewater.

"We do not discharge to streams," he said.

Spacht said the company has no past history of violations and has a similar spray facility in Middletown. He said representatives from DNREC declined to attend the session; he said the meeting was not required but Artesian wanted to inform the public.

Spacht said the first phase of the project is installing a pipe from Allen Harim's plant in Harbeson to Route 30. He said the company also has a separate raw wastewater line coming from Huff Road up Gravel Hill Road to the 400-acre site, at the intersection of Route 30 and Route 16.

The raw line is in anticipation of the next phase of the project: taking raw wastewater from surrounding developments and treating it at a new, 625,000-gallon-capacity treatment plant at the recharge facility. Spacht said additional lines will be constructed to the plant, but that the company will not mingle raw wastewater and treated effluent from Allen Harim. Spacht said Artesian is working on a DNREC permit for the new plant and pipelines.

Daniel Kostanski, engineer for Artesian, said the new plant will include diversion lagoons to store water in case of problems during treatment.

While he was there to explain the new treatment plant and how it would work, those in attendance still questioned Allen Harim's treatment of its wastewater.

Kostanski was specifically asked about how water would go from Allen Harim to Artesian's spray fields. He said Allen Harim will perform metering and monitoring of its wastewater. Tests of treated effluent would be sent to an independent lab and then forwarded to Artesian and DNREC. When it comes to Artesian's wastewater treatment, Kostanski said Artesian will test samples both before and after disinfection of effluent, and sampling will be sent to a third-party lab, with monthly reports going to DNREC.

Kostanski and Spacht were asked what makes Allen Harim different from Mountaire, which is subject of a class-action lawsuit for environmental violations in Millsboro.

"Spray irrigation is used successfully throughout this country," Kostanski said. "This is a well-established, proven method of disposal. One bad actor here in Delaware does not disprove or refute a science that is used around the world."

When another audience member asked a similar question, Spacht said, "We have no violations at this point for any reason. Our track record is clear. We do react to the public's concern regarding wastewater. We can't afford to mess up. We do water. Period. And we're good at it."

Audience members questioned the effects on air from the open-air lagoons, odor from the site, the location of the facility and the proximity to neighbors. Artesian had planned breakout stations with particular aspects of the treatment plant project, but the question-and-answer portion took up the entire two-hour session. Most of those who spoke were highly skeptical, such as Milton resident Keith Steck, who questioned whether the site of the facility was appropriate given its location near surrounding drinking wells.

"That is not an excellent site," he said.

Still, the project had some defenders. Sara Smyk, a resident of Beaver Creek in Harbeson, said the Artesian proposal was the best solution to keep up with growth surrounding Milton.

"They are being as practical and as environmentally practical as possible," she said of Artesian. "The people who are opposed to this have good reasons, but a compromise lies in the middle. Let's compromise."

Sen. Ernie Lopez, R-Milton, said he appreciated Artesian hosting the forum and understood why people are sensitive about the facility. While he did not take a side, Lopez said he thinks the project is a good step forward in planning for future growth.

"We need to get ahead of the game, as opposed to 20 years from now wishing we had done it," he said.



**MOST POPULAR**

- Man charged with DUI following crash... (12,981)
- Rehoboth's Bellmoor Inn sold to NYC... (9,326)
- Overpass proposed at Routes 113 and... (7,733)
- Delaware prepares for coronavirus (6,812)
- Patty's Deli moving back to Lewes (6,489)
- SEED Eatery now open on Route 1 in... (5,391)
- Police: Man uses BB handgun to... (5,188)
- Clear Space set to demolish Rehoboth... (5,121)
- Lewes stylist brings services to you (5,055)
- Lewes man faces drug charges after... (4,414)

**CALENDAR OF EVENTS**

**Today**

8:00 am to 9:00 am

**Workout with Eli Class**

**Tomorrow**

8:00 am to 11:00 am

**Wood Carving Group**

8:00 am to 1:30 pm

**Home of the Brave Foundation Collection**

8:00 am to 1:30 pm

**Home of the Brave Foundation Collection**

8:30 am

**Walk Aerobics**

8:30 am

**Walk Aerobics**

**TAB “21”**

**Artesian Wastewater Management, Inc.**

**Conditional Use Application CU 2208**

PROPOSED FINDINGS OF FACT & CONDITIONS OF APPROVAL

1. This is an application for a conditional use to expand and amend Conditional Use No. 1724, adopted by County Council as Ordinance No. 1922 on July 31, 2007 by adding 52.76± acres to the existing 74.61± acres for a total acreage of 127.37± for property located in the Broadkill Hundred of Sussex County, along the eastern side of Isaacs Road (Del. Route 30), being known as Tax Parcel No. 235-6.00-28.00 (which was formerly known as Parcels 235-6.00-28.00 & 28.09).
2. The property is owned by Artesian Wastewater Management, Inc. with an address of 664 Churchmans Road, Newark, Delaware 19702.
3. On July 31, 2007, Sussex County Council adopted Ordinance Nos. 1922 and 1923 approving Conditional Use Application No. 1724 and No. 1725 as follows:
  - a. Ordinance No. 1922 (Conditional Use No. 1724) approved the location of a sewage treatment plant for the collection, treatment and disposal of waste on 74.61± acres along the eastern side of Isaacs Road (Del. Route 30), then known as Tax Parcel No. 235-6.00-28.09 (and now a part of Tax Parcel No. 235-6.00-28.00) subject to nine (9) conditions; and
  - b. Ordinance No. 1923 (Conditional Use No. 1725) approved spray irrigation on various tax parcels comprising 1,739.8± acres subject to seven (7) conditions.
4. The second condition of Ordinance No. 1922 (Conditional Use No. 1724) stated as follows:
  2. Because the Applicant did not apply for a water treatment plan as part of this conditional use, one shall not be permitted on this site unless approved under a separate conditional use application.
5. On December 2, 2008, Sussex County Council adopted Ordinance No. 2013 approving Conditional Use Application No. 1810 for the location of a regional water facility on 74.61± acres along the eastern side of Isaacs Road (Del. Route 30), then known as Tax Parcel No. 235-6.00-28.09 (and now a part of Tax Parcel No. 235-6.00-28.00) subject to five (5) conditions.
6. In 2018, Artesian Wastewater Management, Inc. acquired the 52.76± acres adjacent to the 74.61± acres along the eastern side of Isaacs Road (Del. Route 30) subject to Ordinance No. 1922 (Conditional Use No. 1724).

7. The Applicant seeks to add the 52.76± acres acquired in 2018 to the existing conditional use so that the entire site would be subject to a conditional use for the collection, storage, treatment and disposal of waste.
8. The regional sewage treatment plant and its accompanying facilities have the capacity to serve a substantial number of residential, commercial and industrial users for a broad area of the County not served by Sussex County or any other water or sewer utility ranging from areas north and east of Milton to areas as far south as the Long Neck Area and as far west as the business park at the Delaware Coastal Airport.
9. The regional sewage treatment plant and its accompanying facilities were designed to minimize environmental impact upon the County and this expansion furthers that purpose for the County and its.
10. The regional sewage treatment plant and its accompanying facilities play a vital role in protecting the County's most sensitive environmental areas including, but not limited to the Inland Bays, the Broadkill River watershed, and their adjacent tributaries and waterways, by providing for the collection, storage, treatment and disposal of waste in a manner that is greatly superior to on-site systems.
11. Expansion of the regional sewage treatment plan and its accompanying facilities have been and will be reviewed and approved by DNREC and will continue to be designed and constructed in accordance with all applicable Federal, State and County requirements, including those mandated by DNREC and other agencies having jurisdiction over the use.
12. Expansion of the regional sewage treatment plant is generally of a public or semipublic character and is essential and desirable for the general convenience and welfare of neighboring properties and the County. Expansion of the existing regional sewage treatment plan is vital to support the safe transmittal, storage, treatment and disposal of waste in the County and is consistent with the County's Zoning Code and its Comprehensive Plan.

This recommendation of approval is subject to the following proposed conditions:

- a. The regional Sewage Treatment Plant and its accompanying systems and facilities for the collection, storage, treatment and disposal of waste shall continue to operate with all changes or modifications to those systems and facilities being reviewed and approved by DNREC and shall be operated, designed and constructed in accordance with all other applicable Federal, State and County requirements, including those mandated by DNREC and other agencies having jurisdiction over same.

- b. The water treatment plant shall be subject to the conditions imposed on December on December 2, 2008 when Sussex County Council adopted Ordinance No. 2013 approving Conditional Use Application No. 1810.
- c. Any buildings constructed on the site shall be constructed with an agricultural appearance.
- d. All improvements for collection, storage, treatment and disposal of waste, or any modification thereto, shall be constructed, maintained and operated in accordance with the requirements of the Delaware Department of Natural Resources and Environmental Control, and any other governmental agency with jurisdiction over the use of the site.
- e. There shall be a medium density landscaped buffer twenty feet (20') in width adjacent to the storage lagoons along Isaacs Road (Del. Route 30) and along the back of the properties along the northern boundary of the property with the exception of where the structures are located too close to the northern boundary line for the location of the buffer (SCTP No. 235-6.00-28.01. The density and location of these landscaped buffers shall be shown on the final site plan.
- f. Any lagoons, Rapid Infiltration Basins or similar structures shall be located at least 100 feet from any dwellings.
- g. One lighted sign shall be permitted along Isaacs Road (Del. Route 30), not to exceed 32 square feet in size.
- h. Any motorized, non-vehicular equipment utilized in the operation of the facility within six hundred feet (600') of a dwelling shall be located indoors.
- i. Any security lighting shall be screened so that it does not shine onto neighboring properties or County Roads.
- j. The Final Site Plan shall be subject to review and approval by the Sussex County Planning and Zoning Commission.