

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: July 22nd, 2021

Application: CU 2248 Gulfstream Development, LLC

Applicant: Gulfstream Development, LLC
27 Atlantic Avenue
Ocean View, DE 19970

Owner: Gulfstream Development, LLC
27 Atlantic Avenue
Ocean View, DE 19970

Site Location: West side of the intersection of Muddy Neck Rd (S.C.R 361) & Parker House Road (S.C.R. 362)

Current Zoning: General Residential (GR) Zoning District

Proposed Use: 19 Single-Family Condominiums

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Milville Fire Department

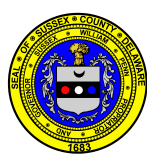
Sewer: Sussex County

Water: Tidewater Utilities

Site Area: 3.93 acres +/-

Tax Map ID.: 134-16.00-382.00



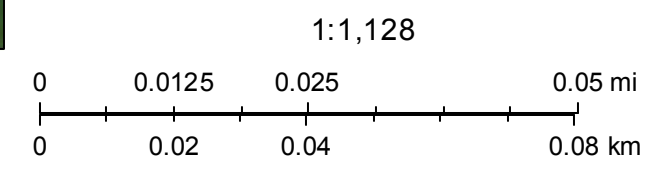


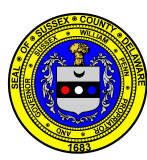
Sussex County



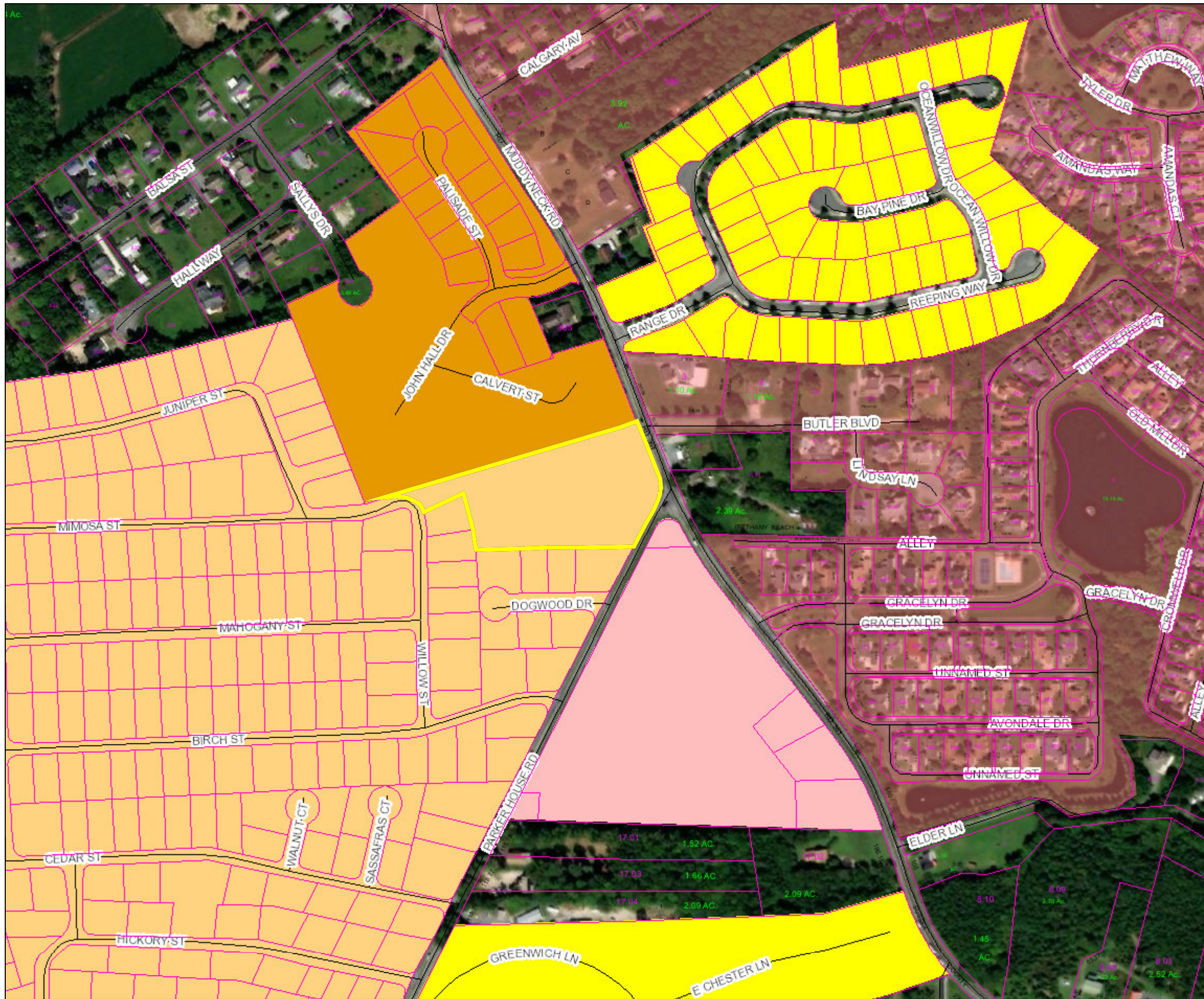
PIN:	134-16.00-382.00
Owner Name	GULFSTREAM DEVELOPMENT LLC
Book	5028
Mailing Address	27 ATLANTIC AVE
City	OCEAN VIEW
State	DE
Description	W/RT 361 CORNER NW/
Description 2	RT 362 P/O MIMOSA ST
Description 3	
Land Code	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Municipal Boundaries





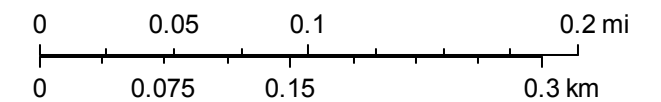
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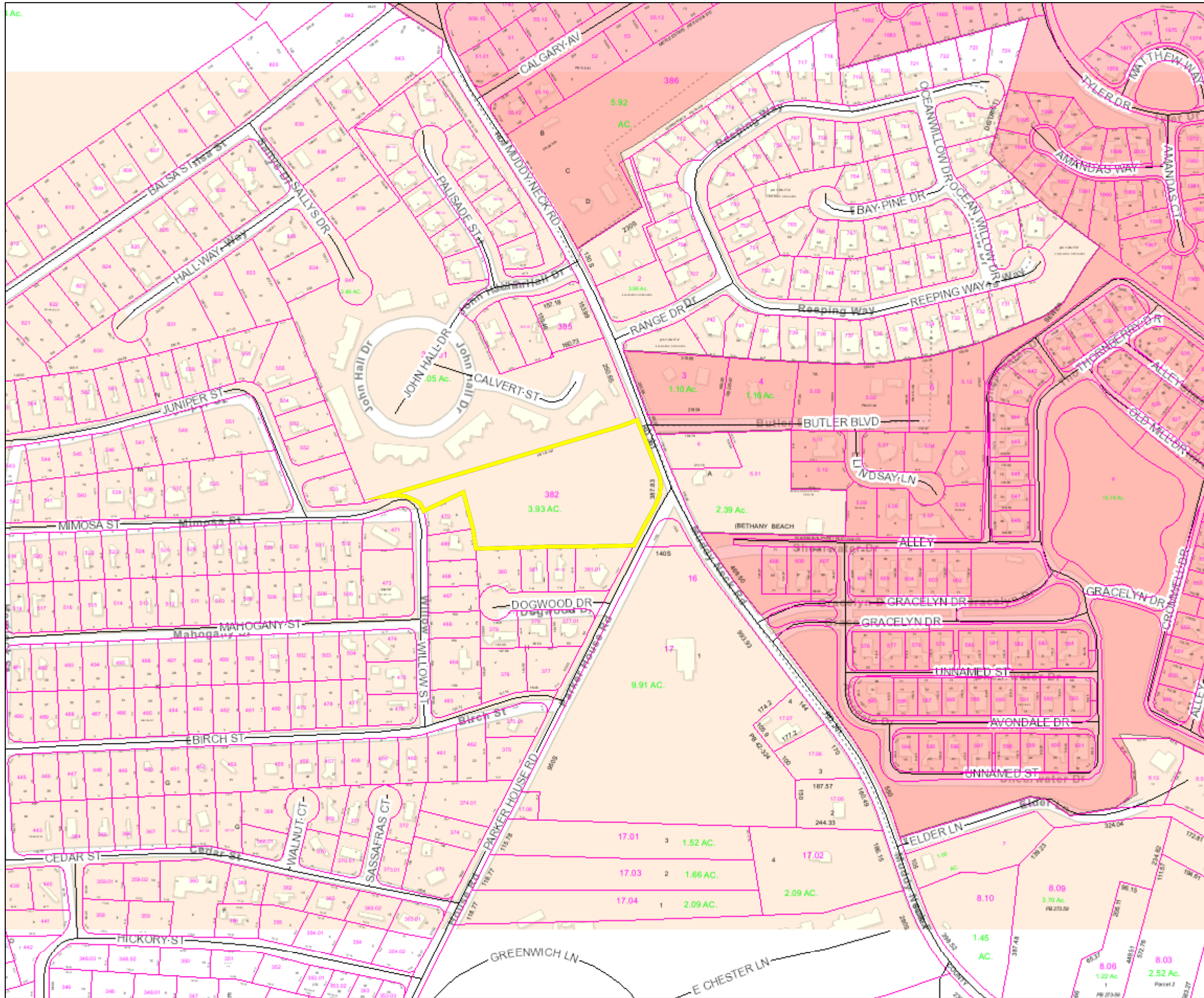
- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels
- Streets

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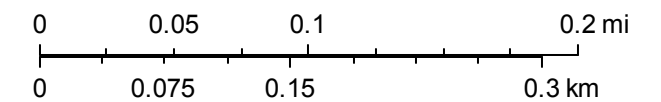
Sussex County



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- | | |
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| polygonLayer | Override 1 |
| polygonLayer | Override 1 |
| Tax Parcels | |
| Streets | |
| County Boundaries | |
| Municipal Boundaries | |

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



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Memorandum

To: Sussex County Planning Commission Members
From: Nicholas Torrance, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: July 15th, 2021
RE: Staff Analysis for CU 2248 Gulfstream Development, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2248 Gulfstream Development, LLC to be reviewed during the July 22nd, 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 Parcels 134-16.00-382.00 to allow for a Conditional Use of land in a General Residential (GR) Zoning District for 19 single-family condominiums. The parcel is located on the west side of the intersection of Muddy Neck Rd (S.C.R 361) & Parker House Road (S.C.R. 362) in Ocean View. The area of the site is approximately 3.93 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework for 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 property has the land use designation of the "Coastal Area." All neighboring properties in Sussex County's jurisdiction are also designated as "Coastal Area." The municipality of Ocean View is located across Muddy Neck Road.

The Coastal Area land use designation recognizes that a range of housing types should be permitted in Coastal Area, including single-family homes, townhouses, and multifamily units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed. It also recognizes a careful mixture of homes with light commercial, office and institutional uses can be appropriate to provide convenient services and to allow people to work close to home.

The property is within a General Residential (GR) Zoning District. The parcels to the south and west are also zone General Residential (GR). The parcel located to the north is zoned High Density Residential – Residential Planned Community (HR-RPC). Across Muddy Neck Road to the east are properties located in the town limits of Ocean View.

Since 1971, there have been 12 Conditional Use applications within a one-mile radius of the application site. Of the 12 Conditional Use applications within a one-mile radius, 9 have been approved, 2 have been denied and 1 was withdrawn.



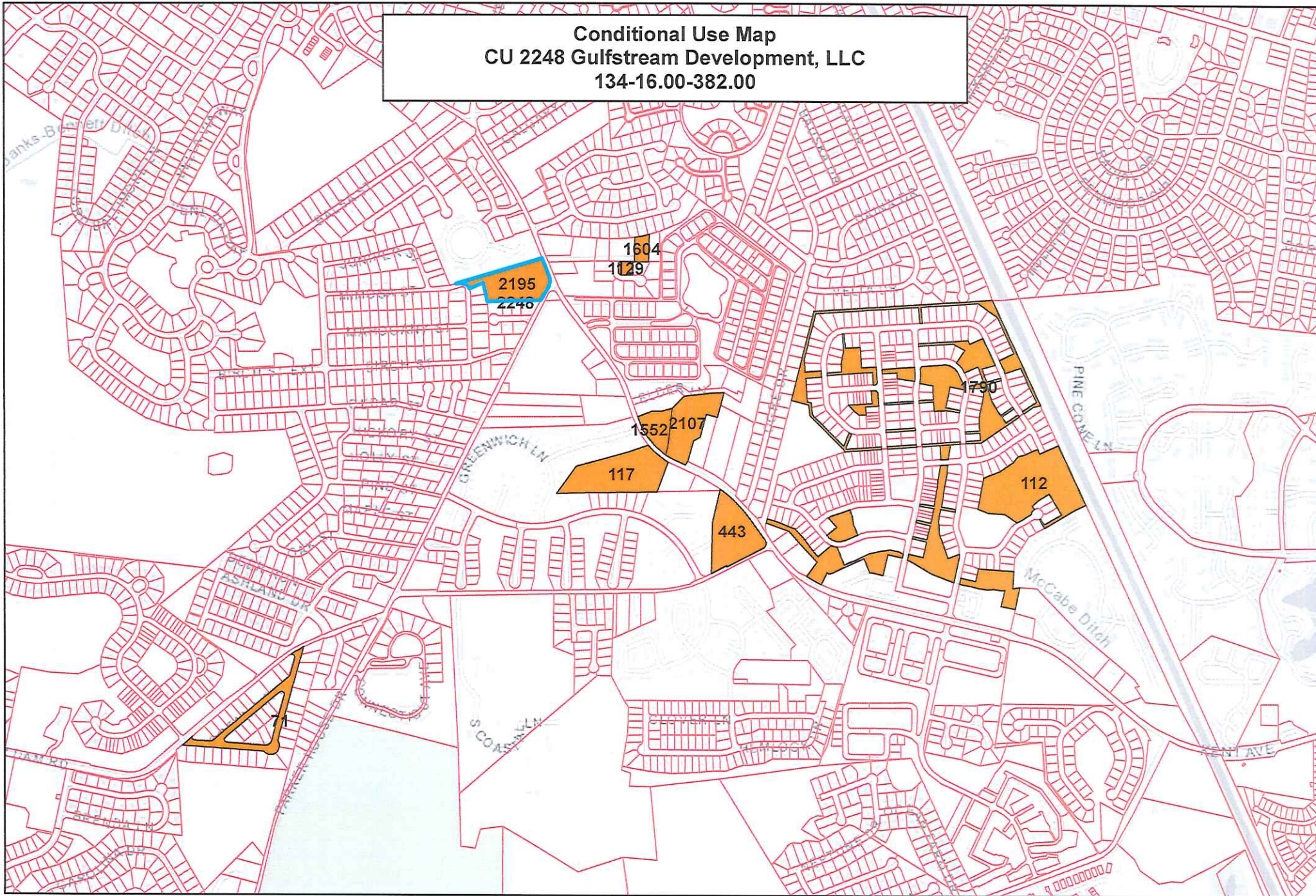
Since 1971, there has been 1 Conditional Use application located on this same parcel. Conditional Use No. 2195 for 45 apartment units was approved by County Council at their meeting of December 17th, 2019 and adopted through Ordinance No. 2695.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for 19 single-family condominiums, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



Sussex County

Conditional Use Map
CU 2248 Gulfstream Development, LLC
134-16.00-382.00



CU #	Tax Parcel	APPLICANT	Zoning	Proposed Use	P&Z Recommendation	P&Z Decision Date	CC Decision	CC Decision
71	134-16.00-50.00	Cee Bee Inc	GR	manufactured home park	N/A	<Null>	Approved	<Null>
112	134-17.00-11.00	Sea T.V. Co	AR-1	tv reception tower & headend building	N/A	<Null>	Approved	<Null>
117	134-17.00-18.00	Hayward Daisey	AR-1	barber shop	N/A	<Null>	Approved	<Null>
443	134-17.00-19.00	Donald J Cooper & Jean	AR-1	poultry house on less than 5-acres	N/A	<Null>	Approved	<Null>
993	134-13.00-47.00	John W. Cooper	AR-1	Professional Office & General Business	Recommended Approval	12/19/1991	Denied	1/21/1992
1122	134-17.00-5.01	Brice J. Butler, Jr.	AR-1	plumbing supply storage	Withdrawn	<Null>		<Null>
1129	134-17.00-5.01	Brice Butler, Jr.	AR-1	plumbing business w/related storage	Recommended Approval	8/24/1995	Approved	9/12/1995
1552	134-17.00-8.10	NCORB, LLC	AR-1	professional offices	Recommended Approval	8/19/2004	Approved	9/21/2004
1604	134-17.00-5.00	Regina A. O' Rourke	AR-1	multi-family	Recommended Approval	4/7/2005	Approved	4/26/2005
1790	134-17.00-12.00	Marthas Light. LLC (VOID)	MR	Care/Retirement Community	Recommended Approval	5/22/2008	Approved	6/3/2008
2107	134-17.00-8.09	Galbraith Development Group	AR-1	mini-storage	Recommended Approval	12/14/2017	Denied	2/27/2018
2195	134-16.00-382.00	Gulfstream Development, LLC (Kent Apartments)	GR	multi-family (45 apartment units)	Recommended Approval	10/10/2019	Approved	12/17/2019
2248	134-16.00-382.00	Gulfstream Development, LLC	GR	Multi-family (19 units)		<Null>		<Null>

File #: CU 2248
202013249

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

Intersection of Parker House Road (362) & Muddy Neck Road (361)

Type of Conditional Use Requested:

a GR- General Residential multifamily residential conditional land use.

Tax Map #: 134-16.00-382.00 Size of Parcel(s): 3.93 acres

Current Zoning: GR Proposed Zoning: GR Size of Building: See Site Plan

Land Use Classification: Multifamily Residential

Water Provider: Tidewater Utilities Sewer Provider: Sussex County

Applicant Information

Applicant Name: Gulfstream Development, LLC
Applicant Address: 27 Atlantic Avenue
City: Ocean View State: DE Zip Code: 19970
Phone #: (302) 539-6178 E-mail: rjh@gulfstream.net

Owner Information

Owner Name: Same as above
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Landscape Architect
Agent/Attorney/Engineer Name: Land Tech Land Planning, LLC - Jeffrey A. Clark, RLA
Agent/Attorney/Engineer Address: Taggart Professional Center - 32895 South Coastal Highway, Suite 202
City: Bethany Beach State: DE Zip Code: 19930
Phone #: (302) 539-2366 E-mail: jeffc@landtechllc.com



Check List for Sussex County Planning & Zoning Applications

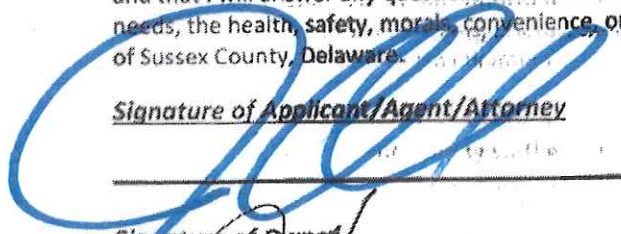
The following shall be submitted with the application

- 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: 10/22/2020

Signature of Owner



Date: 10/20/20

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

September 1, 2020

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Gulfstream Development, LLC** conditional use application, which we received on August 7, 2020. This application is for a 3.93-acre parcel (Tax Parcel: 134-16.00-382.00). The subject land is located on the west side of the intersection of Parker House Road (Sussex Road 362) and Muddy Neck Road (Sussex Road 361). The subject land is currently zoned as GR (General Residential) and the applicant is seeking a conditional use approval to develop 20 single-family detached houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Parker House Road where the subject land is located is 1,725 vehicles per day. As the subject land also has frontage along Muddy Neck Road, the annual average daily traffic volume along that road segment, which is from the south Ocean View limits to Beaver Dam Road (Sussex Road 363), is 3,094 vehicles per day.

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

Because the subject site would generate more than 200 vehicle trips per day, a Traffic Operational Analysis (TOA) may be required as part of the site plan review, in accordance with Chapter 2 of the Development Coordination Manual.



Mr. Jamie Whitehouse
Page 2 of 2
September 1, 2020

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

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
Gulfstream Development, LLC, Applicant
Todd Sammons, 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
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

PLANNING & ZONING
Jamie Whitehouse, AICP, MRTPI
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: 8/6/20

Site Information:

Site Address/Location: West Side of the Parker House Road (SCR 362) and Muddy Neck Road (SCR 361) intersection.

Tax Parcel Number: 134-16.00-382.00

Current Zoning: GR

Proposed Zoning: GR

Land Use Classification: Residential

Proposed Use(s): Twenty (20) single family detached homes
each measuring 34' x 50'

Square footage of any proposed buildings or number of units: Twenty (20)

Applicant Information:

Applicant's Name: Gulfstream Development, LLC

Applicant's Address: 27 Atlantic Avenue

City: Ocean View State: DE Zip Code: 19970

Applicant's Phone Number: (302) 539-6178

Applicant's e-mail address: rjh@gulfstream.net



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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **7/9/2021**

APPLICATION: **2021-21 Lewes Crossing Phase 8 – Landscape Plan Revision**

APPLICANT: **BDRP, LLC**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **334-5.00-222.01**

LOCATION: **Southeastern side of Beaver Dam Road (SCR 285),
approximately 2,200 feet southwest of Church Street**

NO. OF UNITS: **Revising Landscape Plan for Phase 8**

GROSS
ACREAGE: **19.52**

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

SEWER:

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

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **Yes**
- (8). Comments: **The proposed project is in a Tier 2 planning area and is contiguous to the existing sewer district boundary and annexation is mandatory.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

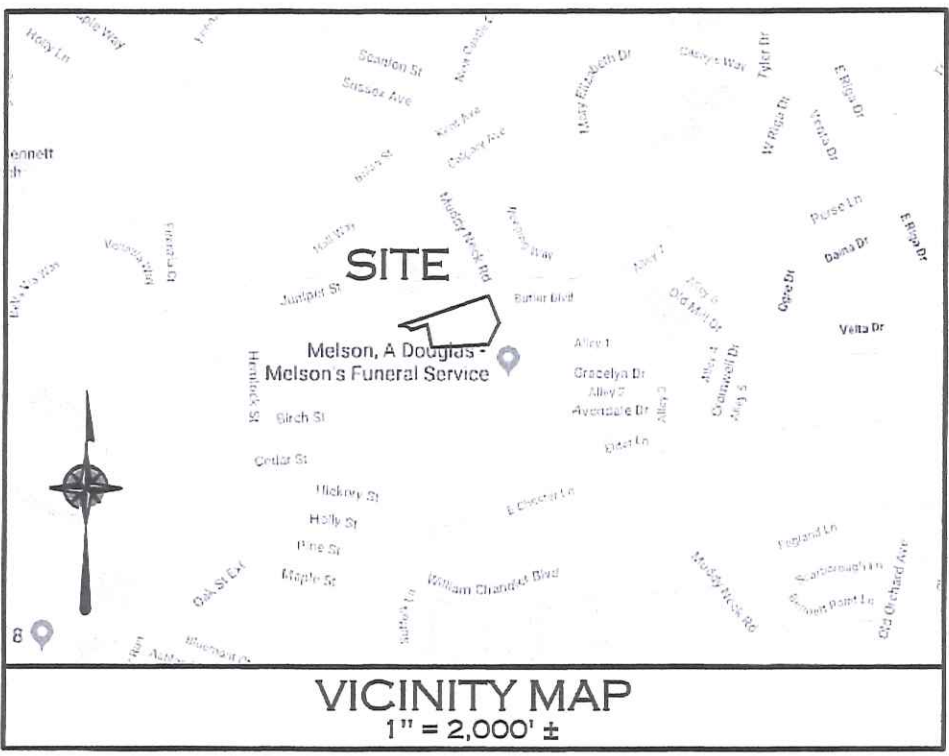
Xc: Hans M. Medlarz, P.E.
Lisa Walls
Christine Fletcher

Policy for Extending District Boundaries

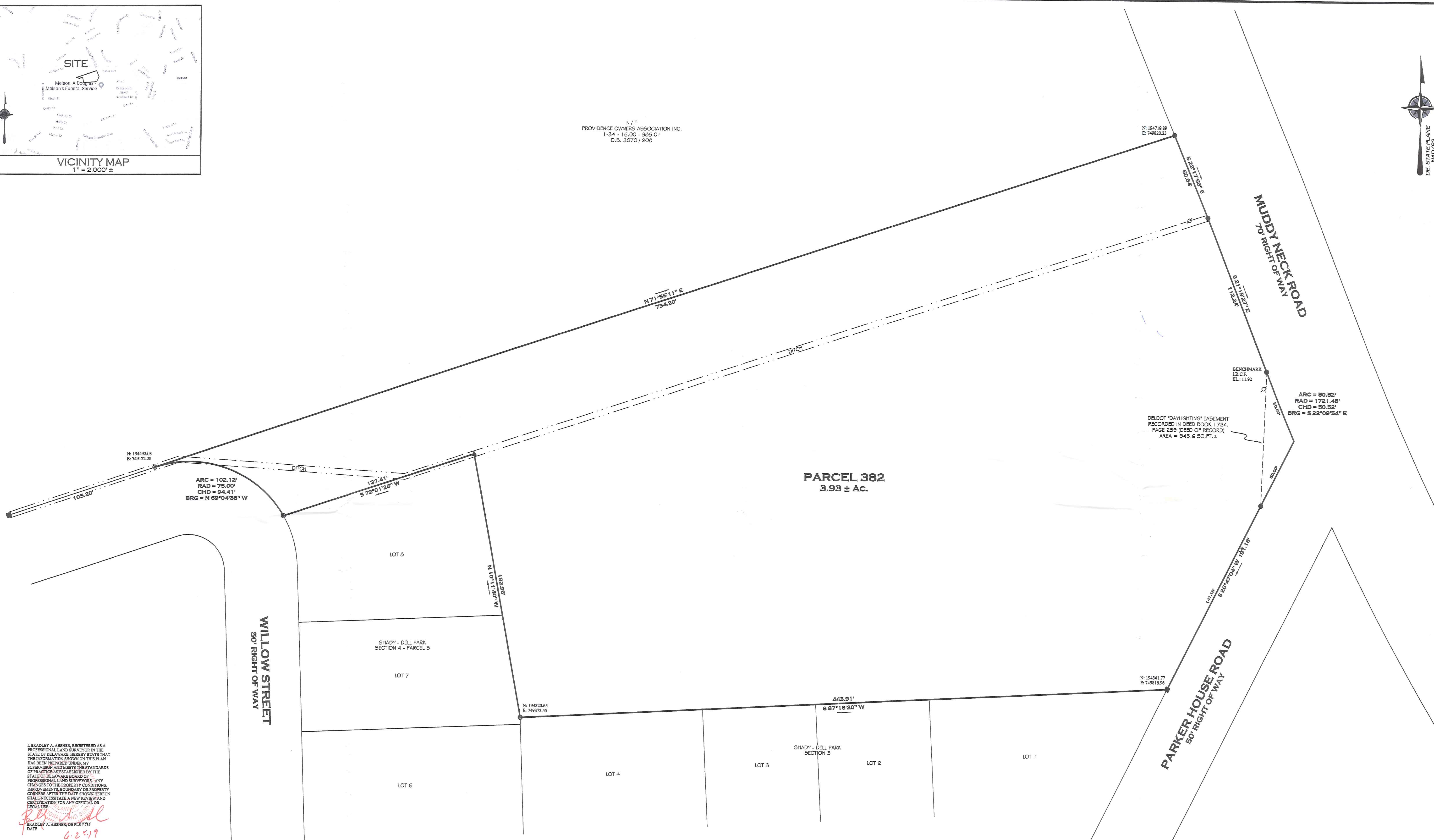
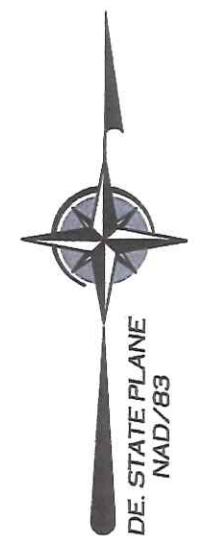
1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate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

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

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



N / F
PROVIDENCE OWNERS ASSOCIATION INC.
1-34 - 16.00 - 382.01
D.B. 3070 / 208



I, BRADLEY A. ABBIE, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT 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, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

Bradley A. Abbie
BRADLEY A. ABBIE, DE PLS # 713
DATE 6-25-19

- NOTES**
1. CLASSIFICATION OF SURVEY: SUBURBAN
 2. ZONE: AR-1
 3. BUILDING SETBACK LINES (BSL)
 - FRONT 40'
 - SIDE 15'
 - REAR 20'
- ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.
4. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

LEGEND

- CONCRETE MONUMENT FOUND
- ▲ STONE FOUND
- IRON PIPE FOUND
- IRON ROD & CAP FOUND
- ⊙ IRON ROD & CAP SET
- ⚡ UTILITY POLE

TAX MAP	1-34 - 16.00 - 382.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	
AREA	3.93 ± AC.
DEED REF.	3547 / 342
PLAT REF.	114 / 215, 110 / 107
DRAWN BY	CJP
DATE	06 / 03 / 19
SCALE	1" = 30'
SURVEY #	DE - 05613

BOUNDARY SURVEY PLAN

FOR
GULFSTREAM DEVELOPMENT LLC

37950 MUDDY NECK ROAD, OCEAN VIEW, DE. 19870

FILE COPY

TRUE NORTH

LAND SURVEY
118 ATLANTIC AVENUE
OCEAN VIEW, DE.
DE 308-591-9
MD-410-430-2

KENT VILLAGE

PRELIMINARY SITE PLAN

CONDITIONAL USE

SUSSEX COUNTY, DELAWARE

GMB File No. 190083

SITE DATA:

OWNER: GULFSTREAM DEVELOPMENT, LLC
27 ATLANTIC AVENUE
OCEAN VIEW, DE 19970

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

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

TAX MAP: 134-16.00-382.00

DEED REFERENCE: 5028/43

EXISTING ZONING: GR - GENERAL RESIDENTIAL

PROPOSED ZONING: GR-CONDITIONAL USE

COMPREHENSIVE PLAN MAP: COASTAL AREA

PROPOSED SITE DATA:
SITE AREA: ±3.93 ACRES
DWELLING UNITS ALLOWED: 47 DWELLING UNITS (12 LOTS/ACRE)
DWELLING UNITS PROPOSED: 19 DWELLING UNITS (4.83 UNITS/ACRE)
OPEN SPACE: ±2.14 ACRES
AREA DEDICATED TO DELDOT: 0.07 ACRES

UNIT COUNT
DWELLING UNITS: 19
REQUIRED PARKING: (2/UNIT): 38
PROVIDED PARKING: 51

BUILDING SETBACKS:
FRONT: 40' MEASURED 40' FROM CENTERLINE OF MUDDY NECK AND PARKER HOUSE ROAD

SIDE: 10'
REAR: 10'
MAX BUILDING HEIGHT: 42'
MIN BUILDING SEPARATION: 10'
PROPOSED BUILDING SEPARATION: 15'
MAX ALLOWABLE MULTI-FAMILY BUILDING LENGTH: 170'

FLOOD ZONE: FLOOD INFORMATION: SPECIAL FLOOD HAZARD AREA ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAP 10005C0512K, DATED MARCH 16, 2015.

UTILITIES:
CENTRAL WATER: TIDEWATER UTILITIES, INC.
PUBLIC SEWER: SUSSEX COUNTY

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

OWNER: GULFSTREAM DEVELOPMENT, LLC. DATE: _____

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

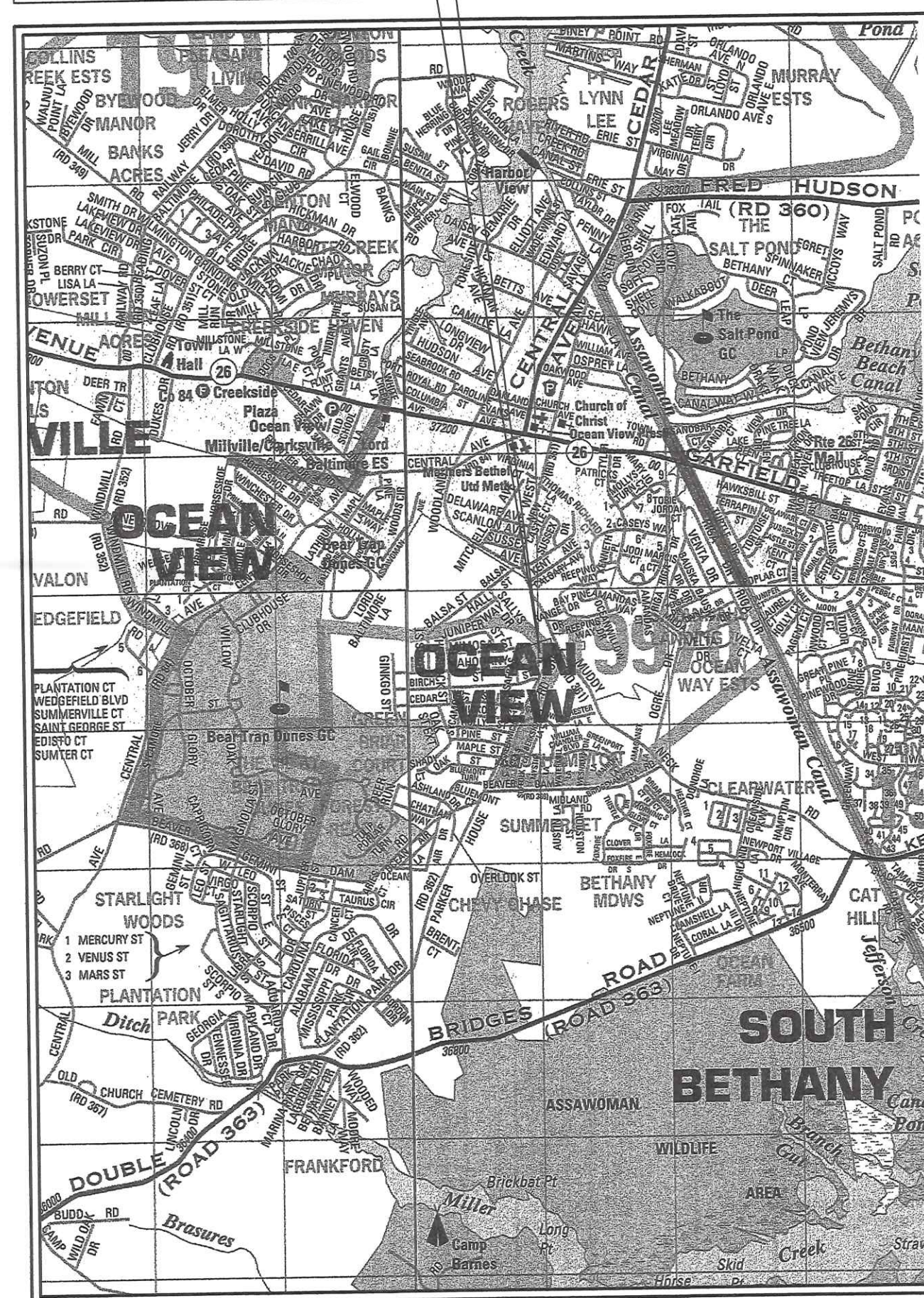
JEFFREY A. CLARK, RLA. DATE: _____
OWNER, LAND TECH LAND PLANNING, LLC.

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

ENGINEER: SENIOR VICE PRESIDENT, GEORGE, MILES & BUHR, LLC. DATE: _____

APPROVED BY: _____
SUSSEX COUNTY SOIL CONSERVATION DISTRICT

PROJECT AREA



LOCATION MAP
SCALE: 1" = 1,000'



VICINITY MAP
SCALE: 1" = 1 MILE

PROJECT AREA

GENERAL NOTES:

- ALL ON-SITE DRIVES ARE PRIVATE AND SHALL BE MAINTAINED BY THE OWNER. THE PERPETUAL MAINTENANCE OF THE DRIVES SHALL BE BY THE KENT VILLAGE CONDOMINIUM OWNER'S ASSOCIATION.
- STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS, MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNERS.
- ALL OPEN SPACE SHALL BE MAINTAINED BY THE OWNERS.
- TOPOGRAPHY SHOWN HEREIN PER LIDAR DATA, DELAWARE STATE PLAN COORDINATE SYSTEM NAD 83/91 AND NAVD88 VERTICAL DATUM.
- BOUNDARY SHOWN HEREIN PROVIDED BY TRUE NORTH LAND SURVEYING JUNE 03, 2019.
- THIS SITE CONTAINS NO FEDERAL OR STATE OF DELAWARE JURISDICTIONAL WETLANDS.

LIST OF DRAWINGS:

- PSP-1.0 COVER SHEET
PSP-2.0 EXISTING CONDITIONS
PSP-3.0 PRELIMINARY SITE PLAN
PSP-4.0 PRELIMINARY SITE PLAN RENDERING

APPROVED BY: _____
SUSSEX COUNTY COUNCIL PRESIDENT

APPROVED BY: _____
SUSSEX COUNTY PLANNING AND ZONING COMMISSION

	EXISTING	PROPOSED
PROPERTY LINE	---	---
EASEMENT LINE	---	---
SETBACK LINE	---	---
R.O.W. LINE	---	---
PROPERTY CORNER (NOT SPECIFIED)	○	N/A
CONCRETE MONUMENT FOUND	CMF □	CMF □
IRON PIPE FOUND	IPF ●	N/A
CONTOUR	---	N/A
EDGE OF PAVEMENT	---	---
CURB	---	---
SIDEWALK	---	---
SIDEWALK HATCH	---	---
EDGE OF POND	---	---
STORM MANHOLE	⊙	⊙
CURB INLET	⊞	⊞
STORM PIPE	SD	SD
SANITARY MANHOLE	⊙	⊙
SANITARY PIPE	SS	SS
WATER PIPE	W	W
OVERHEAD ELECTRIC	E	N/A
UTILITY POLE	⊞	N/A
TREE LINE	---	---
FLOOD ZONES	---	---

PRINTS ISSUED FOR REVIEW

DATE

REVISIONS

NO.

PREPARED BY



32895 SOUTH COASTAL HWY, SUITE 202
BETHANY BEACH, DELAWARE 19930
PHONE: (302) 539-2366

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-8790
www.gmbnet.com

KENT VILLAGE
SUSSEX COUNTY, DELAWARE

COVER SHEET

SCALE: AS SHOWN SHEET NO. PSP-1
DESIGN BY: JAC
DRAWN BY: RLM
CHECKED BY:
GMB FILE: 190083
DATE: OCT 2020

© COPYRIGHT 2020 GEORGE, MILES & BUHR, LLC

NO.	REVISIONS	DATE

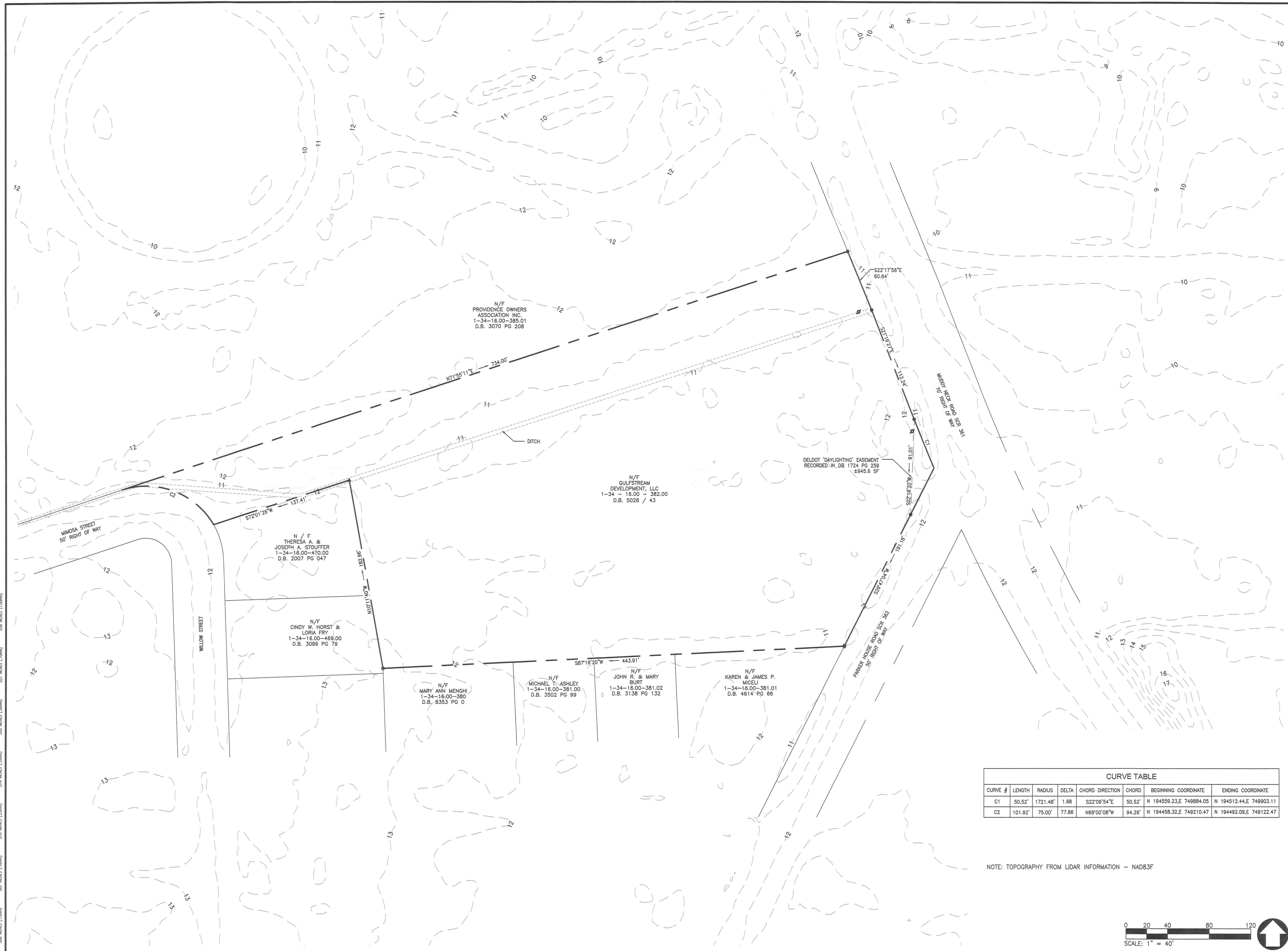


GMB
 GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SALISBURY • BALTIMORE • SEAFORD
 206 WEST MAIN STREET

KENT VILLAGE
 SUSSEX COUNTY, DELAWARE

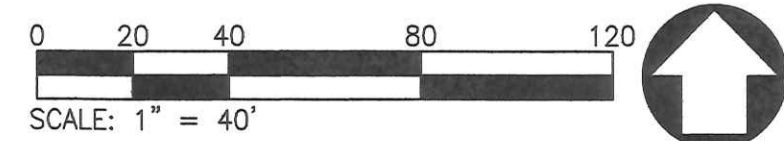
EXISTING
 CONDITION

SCALE : 1" = 40'
 DESIGN BY : JAC
 DRAWN BY : RLM
 CHECKED BY :
 GMB FILE : 190083
 DATE : OCT 2020



CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD	BEGINNING COORDINATE	ENDING COORDINATE
C1	50.52'	1721.48'	1.68	S22°09'54"E	50.52'	N 194559.23,E 749884.05	N 194512.44,E 749903.11
C2	101.92'	75.00'	77.86	N69°00'08"W	94.26'	N 194458.32,E 749210.47	N 194492.09,E 749122.47

NOTE: TOPOGRAPHY FROM LIDAR INFORMATION - NAD83F



G:\Projects\2019\190083 - Muddy Hook Apartments\Drawings\Working\Site Plans\SP-2 EXISTING CONDITIONS.dwg, 10/22/2020, 3:18 PM, Kadir Kalinski
 PLOT CODE
 PLOT DATE
 PLOT USER
 PLOT SCALE
 PLOT SHEETS (of 20)
 PLOT SIZE (inches)
 PLOT ORIENTATION
 PLOT UNIT
 PLOT FONT
 PLOT LINE WEIGHT
 PLOT LINE COLOR
 PLOT LINE DASH
 PLOT LINE OFFSET
 PLOT LINE CAP
 PLOT LINE JUNCTION
 PLOT LINE EXTENSION
 PLOT LINE ANCHOR
 PLOT LINE GROW
 PLOT LINE TRIM
 PLOT LINE PULL
 PLOT LINE PULL2
 PLOT LINE PULL3
 PLOT LINE PULL4
 PLOT LINE PULL5
 PLOT LINE PULL6
 PLOT LINE PULL7
 PLOT LINE PULL8
 PLOT LINE PULL9
 PLOT LINE PULL10
 PLOT LINE PULL11
 PLOT LINE PULL12
 PLOT LINE PULL13
 PLOT LINE PULL14
 PLOT LINE PULL15
 PLOT LINE PULL16
 PLOT LINE PULL17
 PLOT LINE PULL18
 PLOT LINE PULL19
 PLOT LINE PULL20



SITE DATA:

OWNER:	GULFSTREAM DEVELOPMENT, LLC 27 ATLANTIC AVENUE OCEAN VIEW, DE 19870
APPLICANT:	LAND TECH LAND PLANNING, LLC TAGGART PROFESSIONAL CENTER 32895 SOUTH COASTAL HWY, SUITE 202 BETHANY BEACH, DE PHONE: 302.539.2366 CONTACT: JEFF CLARK, RLA
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH, P.E.
TAX MAP:	134-16-00-382.00
DEED REFERENCE:	5028/43
EXISTING ZONING:	GR - GENERAL RESIDENTIAL
PROPOSED ZONING:	GR-CONDITIONAL USE
COMPREHENSIVE PLAN MAP:	COASTAL AREA
PROPOSED SITE DATA:	
SITE AREA:	±3.93 ACRES
DWELLING UNITS ALLOWED:	47 DWELLING UNITS (12 LOTS/ACRE)
DWELLING UNITS PROPOSED:	19 DWELLING UNITS (4.83 UNITS/ACRE)
OPEN SPACE:	±2.14 ACRES
AREA DEDICATED TO DELDOT:	0.07 ACRES
UNIT COUNT	
DWELLING UNITS	19
REQUIRED PARKING: (2/UNIT)	38
PROVIDED PARKING:	51
BUILDING SETBACKS	
FRONT:	40' MEASURED 40' FROM CENTERLINE OF MUDDY NECK AND PARKER HOUSE ROAD
SIDE:	10'
REAR:	10'
MAX BUILDING HEIGHT:	42'
MIN BUILDING SEPARATION:	10'
PROPOSED BUILDING SEPARATION:	15'
MAX. BUILDING LENGTH:	170'
FLOOD ZONE:	FLOOD INFORMATION: SPECIAL FLOOD HAZARD AREA ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAP 10005C0512K, DATED MARCH 16, 2015.
UTILITIES:	
CENTRAL WATER:	TIDEWATER UTILITIES, INC.
PUBLIC SEWER:	SUSSEX COUNTY

- PERM-RED 200 INCHES (50mm)
- PERM-YELLOW 200 INCHES (50mm)
- PERM-GREEN 210 INCHES (53mm)
- PERM-BLUE 200 INCHES (50mm)
- PERM-MADEIRA 207 INCHES (52mm)
- PERM-WHITE 200 INCHES (50mm)

PRINTS ISSUED PLUS PRESENTA

DATE	
REVISIONS	
NO.	

PREPARED BY: **LAND TECH LAND PLANNING, LLC**

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS

KENT VILLAGE
SUSSEX COUNTY, DELAWARE

SITE PLAN RENDER

SCALE	: 1" = 40'
DESIGN BY	: JAC
DRAWN BY	: RLM
CHECKED BY	:
GMB FILE	: 190083
DATE	: OCT 2020

© COPYRIGHT 2020 GEORGE, M



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

July 12, 2021

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

**Re: Kent Village – C/U # 2248
Gulfstream Development, LLC**

Dear Jamie:

Land Tech Land Planning, LLC represents the above referenced land owner seeking a Conditional Use approval for the proposed multifamily residential project named Kent Village.

Enclosed please find five (5) sets of Supplemental Data Books, prepared in advance of the Planning and Zoning Commission public hearing scheduled on Thursday July 22, 2021. A complete PDF set of documents contained in these books will be delivered via email to your office. Thank you and as always, if you should have questions regarding any aspect of this matter, please do not hesitate to contact our office.

Sincerely,
Land Tech Land Planning, LLC

Jeffrey A. Clark, RLA
jeffc@landtechllc.com

file: kentvillagebooks.trans
enclosures: noted
cc: Robert Harris via email

Kent Village

Proposed GR – Multifamily Dwelling Structures

Tax Parcel 1-34-16.00-382.00

Conditional Use Application CU 2248

**Gulfstream Development, LLC
27 Atlantic Avenue
Ocean View, Delaware, 19970
302-539-6178**

With

Preliminary Land Use Service Comments and Response

&

Supporting Documents

July 9, 2021

PREPARED BY:

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

Consulting Team

Landscape Architecture

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

Land Surveying

CIVIL ENGINEERING ASSOCIATES, INC.
55 WEST MAIN STREET
MIDDLETOWN, DELAWARE 19709
302-376-8833

Environmental

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

Civil Engineering

CIVIL ENGINEERING ASSOCIATES, INC.
55 WEST MAIN STREET
MIDDLETOWN, DELAWARE 19709
302-376-8833

Geotechnical Engineering

HARDIN-KIGHT ASSOCIATES, INC.
12515 CATERPILLAR ROAD
BISHOPVILLE, MARYLAND
410-352-5001

TABLE OF CONTENTS

- TAB 1. Application transmittal, P&Z Conditional Use application form, fee.
- TAB 2. Mapping & Addressing Project and Street Names Approvals Preliminary Site Plan – CU 2248
- TAB 3. Property survey and Deed for tax parcel 1-34-16.00-382.00.
- TAB 4. Environmental Assessment & Public Facility Evaluation Report and Plan.
- TAB 5. Preliminary Land Use Service (PLUS) comments and applicant response.
- TAB 6. DelDOT Service Level Evaluation Request Form/DelDOT Response & Traffic Engineer Opinion
- TAB 7. Wetlands/Waters Delineation Report
- TAB 8. Water Company Ability to Serve Letter.
- TAB 9. Proposed Architecture

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**APPLICATION TRANSMITTAL
P&Z C.U. APPLICATION FORM
&
FEE**



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

October 22, 2020

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

**Re: Proposed GR – Multifamily Residential Conditional Use
Kent Village - Tax Map # 134-16.00-382.00
Gulfstream Development, LLC**

Dear Mr. Whitehouse,

Land Tech Land Planning, LLC represents Gulfstream Development, LLC with an application for a Conditional Use as referenced above. Please find enclosed, our application which includes:

- A completed and signed P&Z Commission Application for Conditional Use
- Eight (8) copies of the Preliminary Site Plan for the proposed use together with a recent survey signed and sealed by a Delaware Land Surveyor.
- An application fee check in the amount of \$ 500.00 made payable to the Sussex County Council.
- A copy of the Deed with legal description of the subject property.
- A copy of the PLUS review comments from a September 23, 2020 meeting.
- The DeIDOT Service Level Evaluation Response.

Please review the enclosed documents and confirm that the application is complete and ready to be scheduled for public hearings before both the Sussex Planning & Zoning Commission and County Council. We shall forward a PDF of these enclosures via email.

As always, if you should have questions regarding any aspect of this matter, please do not hesitate to contact our office.

Sincerely,

Land Tech Land Planning, LLC

Jeffrey A. Clark, RLA

jefc@landtechllc.com

file: kentvillagecu.trans
enclosures: noted
cc: client/owner

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**

Intersection of Parker House Road (362) & Muddy Neck Road (361)

Type of Conditional Use Requested:

a GR- General Residential multifamily residential conditional land use.

Tax Map #: 134-16.00-382.00 Size of Parcel(s): 3.93 acresCurrent Zoning: GR Proposed Zoning: GR Size of Building: See Site PlanLand Use Classification: Multifamily ResidentialWater Provider: Tidewater Utilities Sewer Provider: Sussex County**Applicant Information**Applicant Name: Gulfstream Development, LLCApplicant Address: 27 Atlantic AvenueCity: Ocean View State: DE Zip Code: 19970Phone #: (302) 539-6178 E-mail: rjh@gulfstream.net**Owner Information**Owner Name: Same as above

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer InformationLandscape Architect
Agent/Attorney/Engineer Name: Land Tech Land Planning, LLC - Jeffrey A. Clark, RLAAgent/Attorney/Engineer Address: Taggart Professional Center - 32895 South Coastal Highway, Suite 202City: Bethany Beach State: DE Zip Code: 19930Phone #: (302) 539-2366 E-mail: jeffc@landtechllc.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: 10/22/2020

Signature of Owner

Date: 10/20/20

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: _____

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**MAPPING & ADDRESSING
PROJECT/STREET NAME
APPROVAL
&
PRELIMINARY SITE PLAN**

MAPPING & ADDRESSING

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



Sussex County

DELAWARE
sussexcountyde.gov

June 28, 2021

Land Tech

Attn: Jeffery A. Clark

RE: Change of Sub Division Name(s)/Formally known as:

KENT APARTMENTS

I have received your request to change the subdivision previously approved as **Kent Apartments**, which is located in **Ocean View** (134-16.00-382.00). The name change has been approved and will now be known as:

KENT VILLAGE

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

Sincerely,

Terri L. Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning



MAPPING & ADDRESSING

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



Sussex County

DELAWARE
sussexcountyde.gov

June 28,2021

Land Tech

Attn: Jeffery A. Clark
32895 South Coastal Hwy.
Bethany Beach, De.19930

RE: **KENT VILLAGE**

I have received proposed street name(s) for the existing subdivision, **KENT VILLAGE**, located in Ocean View. In reviewing the proposed street name(s) the following have been approved:

Jackson St		

Use only **approved** road names that you have written confirmation for or you will be required to rerecord. Each street name is to be used only once.

Upon final approval of **Kent Village** please forward a copy of the recorded site plan to my attention. Our office would appreciate a digital copy if at all possible for the purpose of addressing. Should you have any questions, please contact the **Sussex County Addressing Department** at 302-855-1176.

Sincerely,

Terri L. Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning



KENT VILLAGE

PRELIMINARY SITE PLAN

CONDITIONAL USE

SUSSEX COUNTY, DELAWARE

GMB File No. 190083

SITE DATA:

OWNER: GULFSTREAM DEVELOPMENT, LLC
27 ATLANTIC AVENUE
OCEAN VIEW, DE 19970

APPLICANT: LAND TECH LAND PLANNING, LLC
TAGGART PROFESSIONAL CENTER
32895 SOUTH COASTAL HWY, SUITE 202
BETHANY BEACH, DE
PHONE: 302.539.2366
CONTACT: JEFF CLARK, RLA

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

TAX MAP: 134-16.00-382.00

DEED REFERENCE: 5028/43

EXISTING ZONING: GR - GENERAL RESIDENTIAL

PROPOSED ZONING: GR-CONDITIONAL USE

COMPREHENSIVE PLAN MAP: COASTAL AREA

PROPOSED SITE DATA:
SITE AREA: ±3.93 ACRES
DWELLING UNITS ALLOWED: 47 DWELLING UNITS (12 LOTS/ACRE)
DWELLING UNITS PROPOSED: 19 DWELLING UNITS (4.83 UNITS/ACRE)
OPEN SPACE: ±2.14 ACRES
AREA DEDICATED TO DELOUT: 0.07 ACRES

UNIT COUNT
DWELLING UNITS: 19
REQUIRED PARKING: (2/UNIT): 38
PROVIDED PARKING: 51

BUILDING SETBACKS:

FRONT: 40' MEASURED 40' FROM CENTERLINE OF MUDDY NECK AND PARKER HOUSE ROAD

SIDE: 10'

REAR: 10'

MAX BUILDING HEIGHT: 42'

MIN BUILDING SEPARATION: 10'

PROPOSED BUILDING SEPARATION: 15'

MAX ALLOWABLE MULTI-FAMILY BUILDING LENGTH: 170'

FLOOD ZONE:

FLOOD INFORMATION: SPECIAL FLOOD HAZARD AREA ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAP 100500512X, DATED MARCH 16, 2015.

UTILITIES:

CENTRAL WATER: TIDEWATER UTILITIES, INC.

PUBLIC SEWER: SUSSEX COUNTY

OWNER'S CERTIFICATION:

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

OWNER
GULFSTREAM DEVELOPMENT, LLC.

DATE

LANDSCAPE ARCHITECT'S CERTIFICATION:

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

JEFFREY A. CLARK, RLA

DATE

ENGINEER'S CERTIFICATION:

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

ENGINEER

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

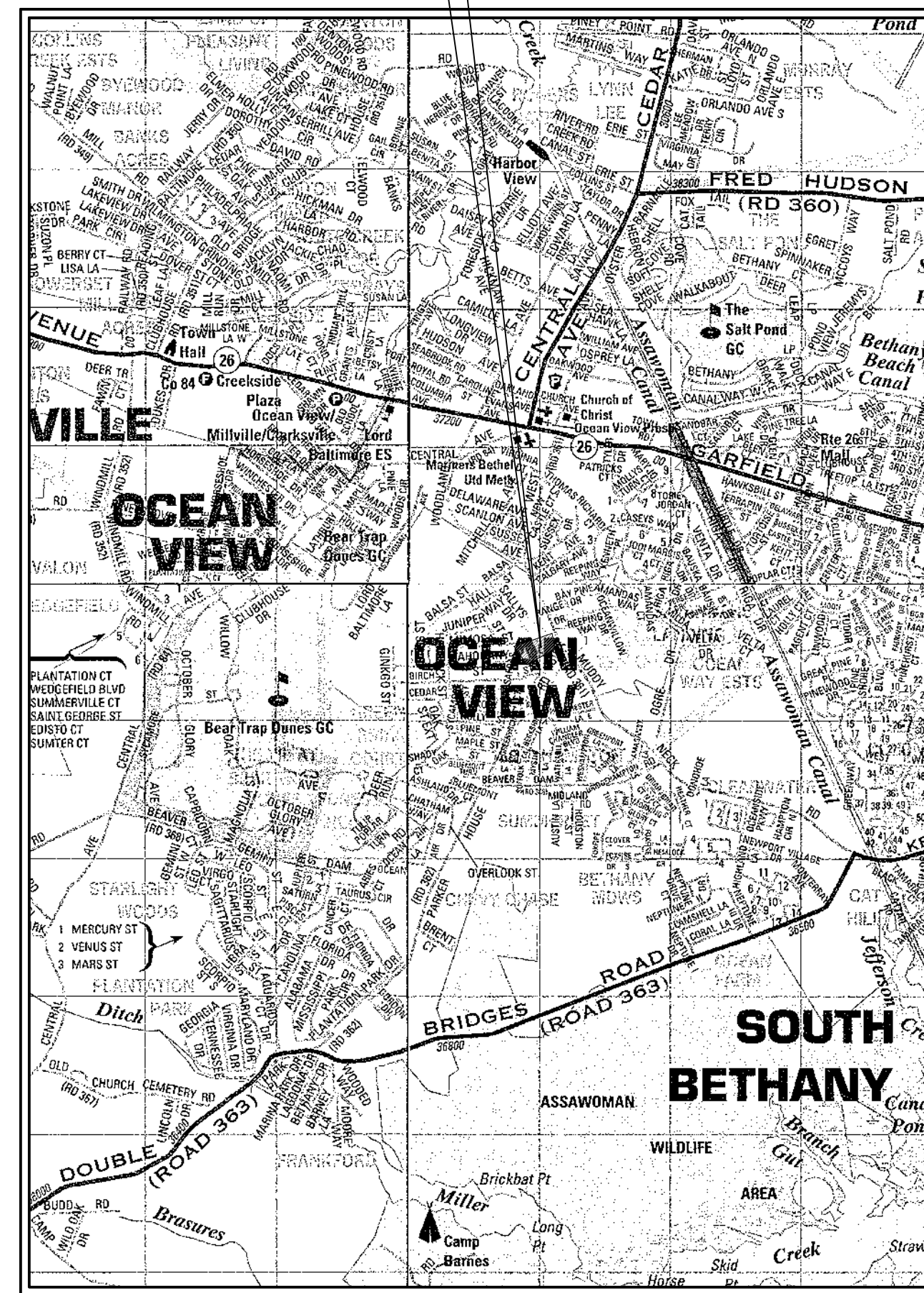
DATE

APPROVED BY

BY

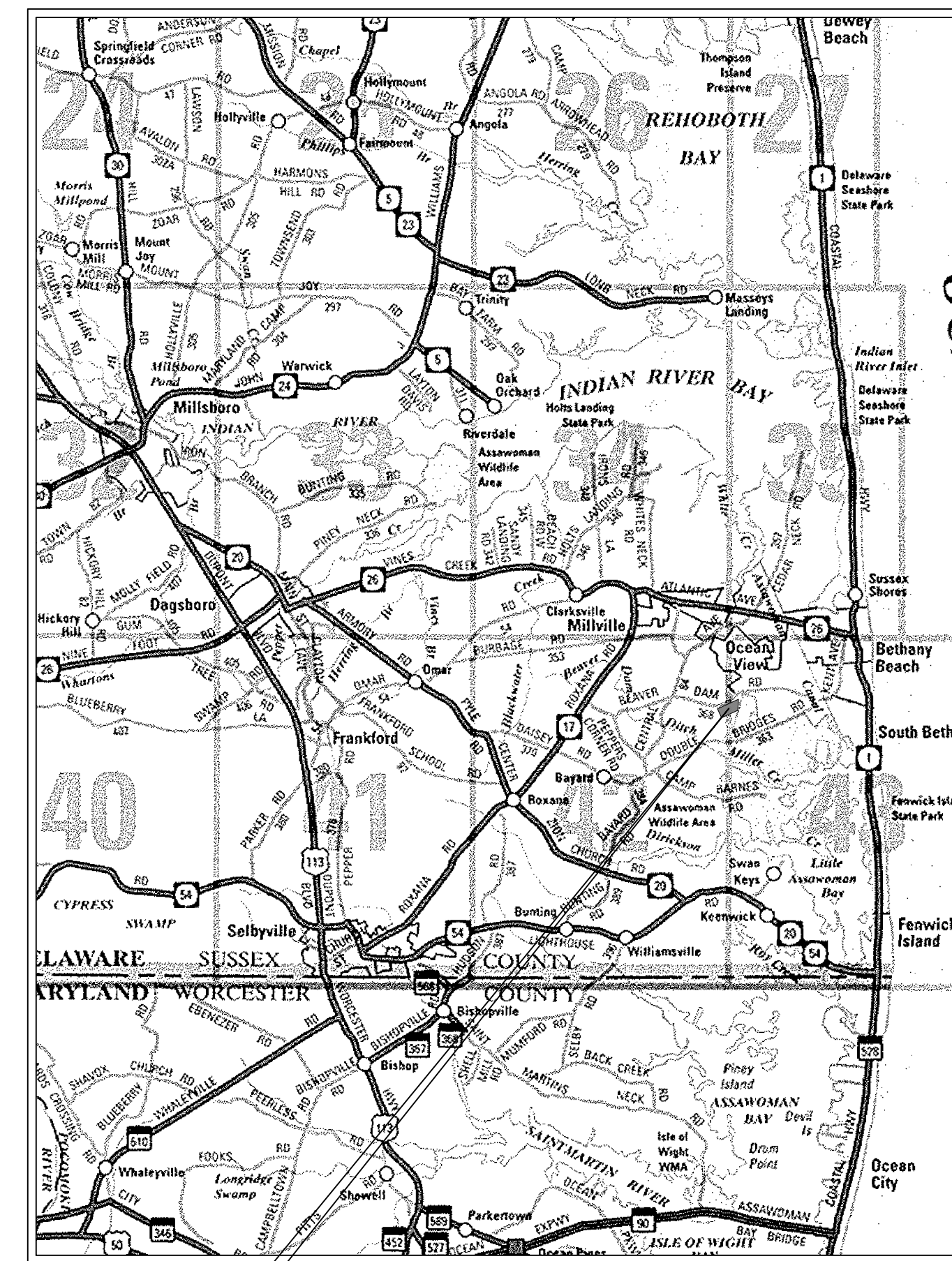
SUSSEX COUNTY
SOIL CONSERVATION DISTRICT

PROJECT AREA



LOCATION MAP
SCALE: 1" = 1,000'

PROJECT AREA



VICINITY MAP
SCALE: 1" = 1 MILE

LIST OF DRAWINGS:

- PSP-1.0 COVER SHEET
- PSP-2.0 EXISTING CONDITIONS
- PSP-3.0 PRELIMINARY SITE PLAN
- PSP-4.0 PRELIMINARY SITE PLAN RENDERING

APPROVED BY

BY

SUSSEX COUNTY COUNCIL
PRESIDENT

APPROVED BY

BY

SUSSEX COUNTY
PLANNING AND ZONING COMMISSION

GENERAL NOTES:

1. ALL ON-SITE DRIVES ARE PRIVATE AND SHALL BE MAINTAINED BY THE OWNER. THE PERPETUAL MAINTENANCE OF THE DRIVES SHALL BE BY THE KENT VILLAGE CONDOMINIUM OWNER'S ASSOCIATION.
2. STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNERS.
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5. BOUNDARY SHOWN HEREIN PROVIDED BY TRUE NORTH LAND SURVEYING JUNE 03, 2019.
6. THIS SITE CONTAINS NO FEDERAL OR STATE OF DELAWARE JURISDICTIONAL WETLANDS.

	EXISTING	PROPOSED
PROPERTY LINE	---	---
EASEMENT LINE	---	---
SETBACK LINE	---	---
R.O.W. LINE	---	---
PROPERTY CORNER (NOT SPECIFIED)	○	N/A
CONCRETE MONUMENT FOUND	CMF □	CMF □
IRON PIPE FOUND	IPF ●	N/A
CONTOUR	---	N/A
EDGE OF PAVEMENT	---	---
CURB	---	---
SIDEWALK	---	---
SIDEWALK HATCH	---	---
EDGE OF POND	---	---
STORM MANHOLE	⊙	⊙
CURB INLET	⊞	⊞
STORM PIPE	SD	SD
SANITARY MANHOLE	⊙	⊙
SANITARY PIPE	SS	SS
WATER PIPE	W	W
OVERHEAD ELECTRIC	E	N/A
UTILITY POLE	⊞	N/A
TREE LINE	---	---
FLOOD ZONES	---	---

PRINTS ISSUED FOR:
REVIEW

DATE

REVISIONS

NO.

PREPARED BY:



32895 SOUTH COASTAL HIGHWAY, SUITE 202
BETHANY BEACH, DE 19970
PHONE: (302) 539-2366



GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-8790
www.gmbnet.com

KENT VILLAGE
SUSSEX COUNTY, DELAWARE

COVER SHEET

SCALE: AS SHOWN SHEET NO.

DESIGN BY: JAC

DRAWN BY: RLM

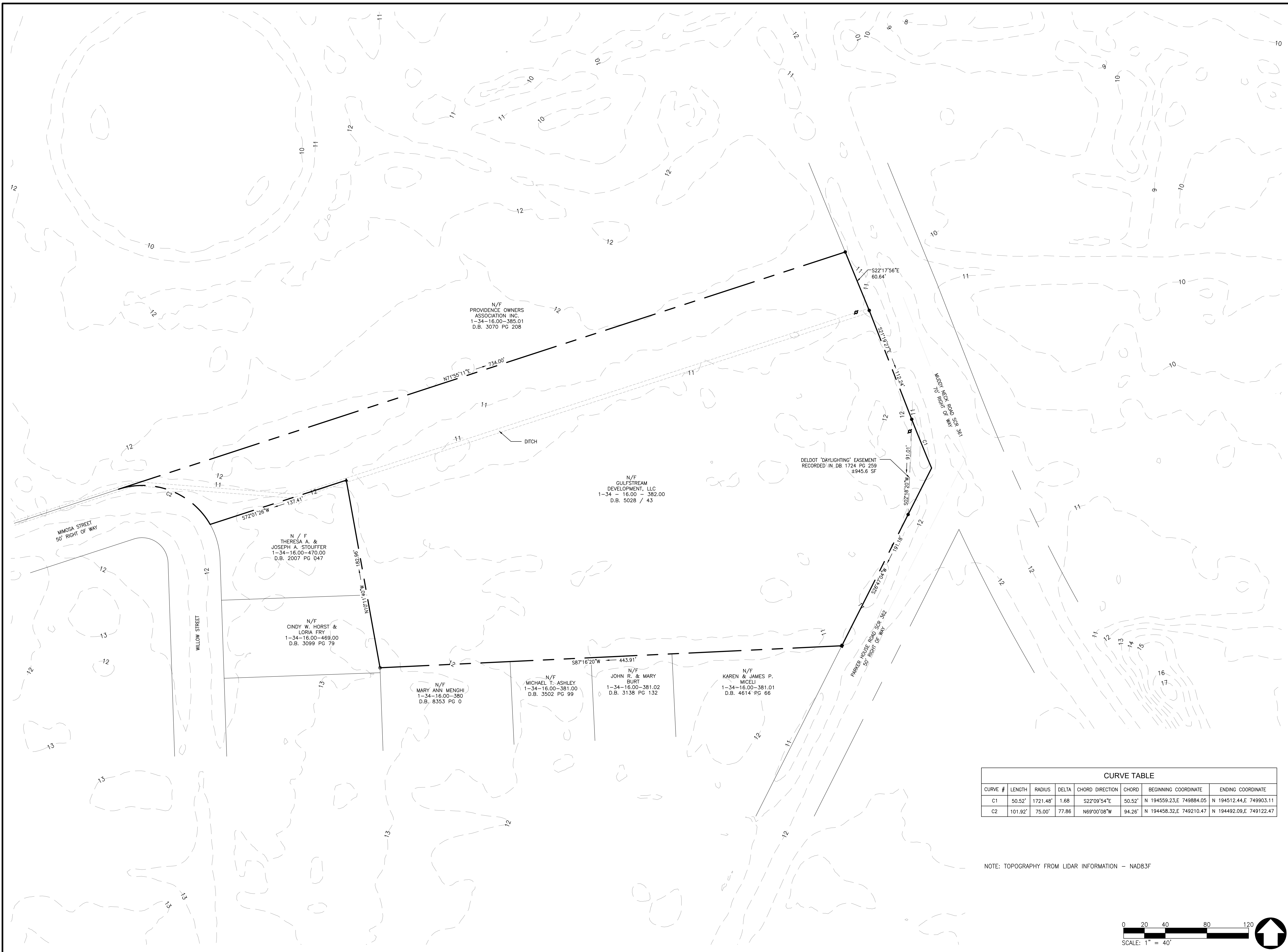
CHECKED BY:

GMB FILE: 190083

DATE: OCT 2020

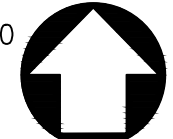
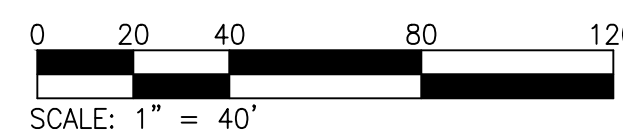
PSP-1

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CURVE TABLE							
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD	BEGINNING COORDINATE	ENDING COORDINATE
C1	50.52'	1721.48'	1.68	S22°09'54"E	50.52'	N 194559.23,E 749884.05	N 194512.44,E 749903.11
C2	101.92'	75.00'	77.86	N69°00'08"W	94.26'	N 194458.32,E 749210.47	N 194492.09,E 749122.47

NOTE: TOPOGRAPHY FROM LIDAR INFORMATION - NAD83F



PRINTS ISSUED FOR: REVIEW	
DATE	
REVISIONS	
NO.	
<p style="font-size: small; margin: 0;">LAND PLANNING, LLC 32895 SOUTH COASTAL HIGHWAY, SUITE 202 BETHESDA, MARYLAND 20814 PHONE: (301) 592-2366</p>	
<p style="font-size: small; margin: 0;">GMB GEORGE, MILES & BUHR, LLC ARCHITECTS & ENGINEERS SALISBURY • BALTIMORE • SEAFORD 206 WEST MAIN STREET SALISBURY, MARYLAND 21801 410-742-3115, FAX 410-548-5790 www.gmbnet.com</p>	
<p style="font-size: x-large; margin: 0;">KENT VILLAGE</p> <p style="font-size: large; margin: 0;">SUSSEX COUNTY, DELAWARE</p>	
EXISTING CONDITIONS	
SCALE : 1" = 40'	SHEET NO.
DESIGN BY : JAC	PSP-2
DRAWN BY : RLM	
CHECKED BY :	
GMB FILE : 190083	
DATE : OCT 2020	
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DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**PROPERTY SURVEY
LEGAL DESCRIPTION
&
DEED**

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT APARTMENTS

**PROPERTY SURVEY
LEGAL DESCRIPTION
&
DEED**

TAX MAP # 1-34-16.00-382.00

PREPARED BY & RETURN TO:
Parsons & Robinson, P.A.
118 Atlantic Ave. #401
Ocean View, DE 19970
File No. A8120/LMG

NO LIEN OR TITLE SEARCH REQUESTED OR PERFORMED

THIS DEED, made this 5 day of March, 2019,

- BETWEEN -

ROBERT T. LEE, Sheriff of Sussex County, Georgetown, Delaware, of PO Box 948,
22215 DuPont Blvd, Georgetown, DE 19947, party of the first part,

- AND -

GULFSTREAM DEVELOPMENT, LLC, of 27 Atlantic Ave., Ocean View, DE
19970, party of the second part.

WHEREAS, a certain Monition, C.A. NO. S18T-08-004 was issued from the Superior Court at the suit of Department of Finance of Sussex County v. American Senior Housing, LLC for Fourteen Thousand One Hundred Forty-Four Dollars and Fifty Six Cents (\$14,144.56), real debt and damages and costs, requiring the Sheriff to expose to public venue certain lands of American Senior Housing, LLC, seized and taken in execution by virtue of a previous writ of Monition, C.A. NO. S18T-08-004, and the Sheriff advertised and sold the lands of American Senior Housing, LLC, subject to the approval of the Superior Court and subject to American Senior Housing, LLC's right of redemption; and

WHEREAS there was no redemption filed pursuant to 9 Del. C. Section 8733, proper return of the sale was made to the Sheriff, and the Superior Court approved the same and ordered the Sheriff to convey the property to the above-named Grantees by its order dated February 26, 2019;

THIS INDENTURE WITNESSETH, that ROBERT T. LEE, Sheriff of Sussex County, for and in consideration of the sum of ONE HUNDRED FIVE THOUSAND DOLLARS (\$105,000.00) lawful money bid and paid by the Grantee, the receipt whereof is hereby acknowledged, and by virtue of the laws of the State of Delaware, has granted, bargained and sold, and by these presents do grant bargain and sell to the Grantee, his heirs and assigns forever, and all rights title and claim whatsoever, in the law and equity of the Grantee, to all that certain tract or parcel of land described as follows:

Tract One:

ALL that certain piece, parcel and tract of land lying and being situate in the Baltimore Hundred of Sussex County, Delaware and being more particularly described as follows:

BEGINNING at a found concrete monument lying on the westerly right-of-way of Sussex County Road No. 362 (a/k/a Parker House Road), said road having a width of 50 feet, said concrete monument marking a common corner for this tract and the lands now or formerly of John J. Lucian, et al, said concrete monument also being a boundary marker for the lands now or formerly of Shady Dell Park Subdivision; thence from the Point of Beginning, by and with the line of the lands of Shady Dell Park Subdivision, North 85 degrees, 58 minutes, 14 seconds West, 443.91 feet to a found iron pipe marking a common corner for this tract and the lands of Shady Dell Park Subdivision; thence continuing with said lands, North 03 degrees, 26 minutes, 14 seconds West, passing a found field stone at 182.39 feet, 187.00 feet to an iron pipe to be set on the line of the lands now or formerly of C. F. L. Enterprises, Inc.; thence by and with the line of C. F. L. Enterprises, Inc., North 79 degrees, 11 minutes, 56 seconds East, 527.35 feet to an iron pipe to be set on the westerly right-of-way of Sussex County Road No. 361 (a/k/a Muddy Neck Road), said road having a width of 70 feet; thence by and with said right-of-way, South 14 degrees, 34 minutes, 01 seconds East, 112.24 feet to an iron pipe to be set at the Point of Curvature (P.C.) of a curve to the left; thence by and with said curve having a central angle of 01 degrees, 51 minutes, 03 seconds, a radius of 1,564.06 feet, and an arc length of 50.52 feet to a point, said point being the Point of Tangency (P.T.) of this curve and the point of intersection of the rights-of-way of Sussex County Road No. 361 and Sussex County Road No. 362; thence by and with the right-of-way of County Road No. 362; South 33 degrees, 32 minutes, 30 seconds West, passing an iron pipe to be set at 50.00 feet, 191.18 feet to the Point of Beginning.

This tract is encumbered by a "daylighting" easement to Del Dot as recorded in Deed Book 1724, Page 259 (deed of record for this tract).

This tract contains 131,594 square feet, or 3.02 acres of land, more or less, as shown on a plat prepared by Design Consultants Group, L.L.C., titled "Property Line Survey-Lands Now or Formerly of Peter and Cheryl Ann Schussler", dated June 14, 2007, and is recorded among the land records of Sussex County in Plat Book 114, Page 215.

BEING the same lands conveyed unto American Senior Housing, LLC, a Virginia Limited Liability Company, by Deed of Peter F. Schussler dated July 13, 2007, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Georgetown, Delaware in Deed Book 3475, Page 222.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

Tract Two:

ALL that certain piece, parcel and tract of land lying and being situate in Baltimore Hundred, Sussex County, Delaware as shown on a Plot prepared by Delaware Surveying Services, dated October 16, 2007 and filed for record in the Office of the Recorder of Deeds, in Plot Book 118, Page 187, and being more particularly described as follows:

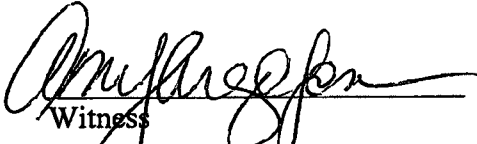
BEGINNING at a found rebar located on the westerly right of way line of Muddy Neck Road (70' wide) and other lands of American Senior Housing, LLC; thence turning and running by and with the line of land of American Senior Housing, LLC South 79 degrees 11 minutes 56 seconds West 527.35 feet to a found rebar; thence turning and running South 09 degrees 32 minutes 30 seconds East 4.00 feet to found concrete marker and a corner for Lot 8; thence turning and running by and with Lot 8 South 78 degrees 46 minutes 52 seconds West 137.84 feet to a set iron pipe and Mimosa Street (50' wide); thence with a curve to the left having a radius of 75.00 feet, the central angle being 78 degrees 00 minutes 40 seconds, the arc distance being 102.12 feet, the chord bearing North 62 degrees 19 minutes 05 seconds West a distance of 94.41 feet to a set iron pipe and lands now or formerly of Providence Land Ltd; thence by and with the line of lands now or formerly of Providence Land Ltd. North 78 degrees 40 minutes 37 seconds East 734.20 feet to a found iron pipe and the westerly right of way line of Muddy Neck Road (70' wide); thence turning and running by and with the westerly right of way line of Muddy Neck Road (70' wide) South 15 degrees 32 minutes 30 seconds East 60.64 feet to a found rebar, the point and place of beginning containing 39,803 square feet of land, be the same more or less.

BEING the same lands conveyed unto American Senior Housing, LLC by Deed of C.F.L. Enterprises, Inc., a corporation of the State of Delaware, dated January 30, 2008, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Georgetown, Delaware in Deed Book 3547, Page 342.

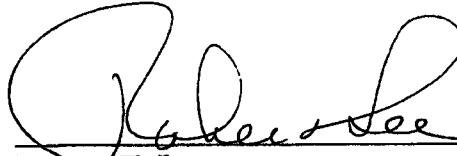
SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

IN TESTIMONY WHEREOF, ROBERT T. LEE, Sheriff of Sussex County, has hereunto set his Hand and Seal the day and year first above written.

Signed, Sealed and Delivered in the presence of:



Witness

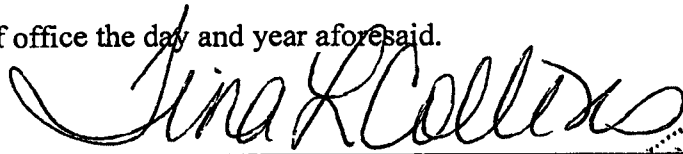


Robert T. Lee (SEAL)

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 5 day of March, 2019, personally came before me, the subscriber, ROBERT T. LEE, Sheriff of Sussex County, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his Act and Deed.

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

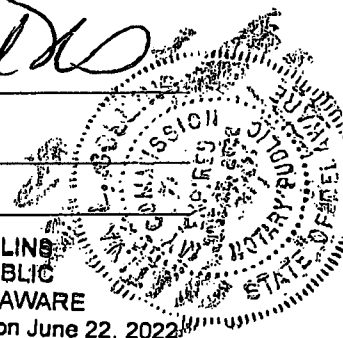


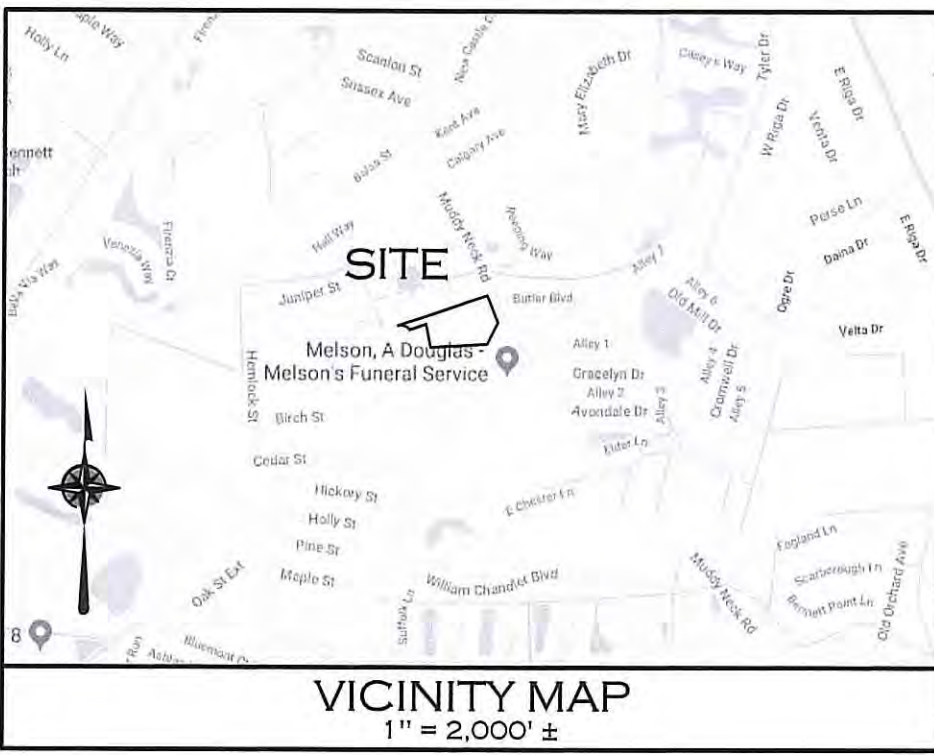
Notary Public

Printed Name: _____

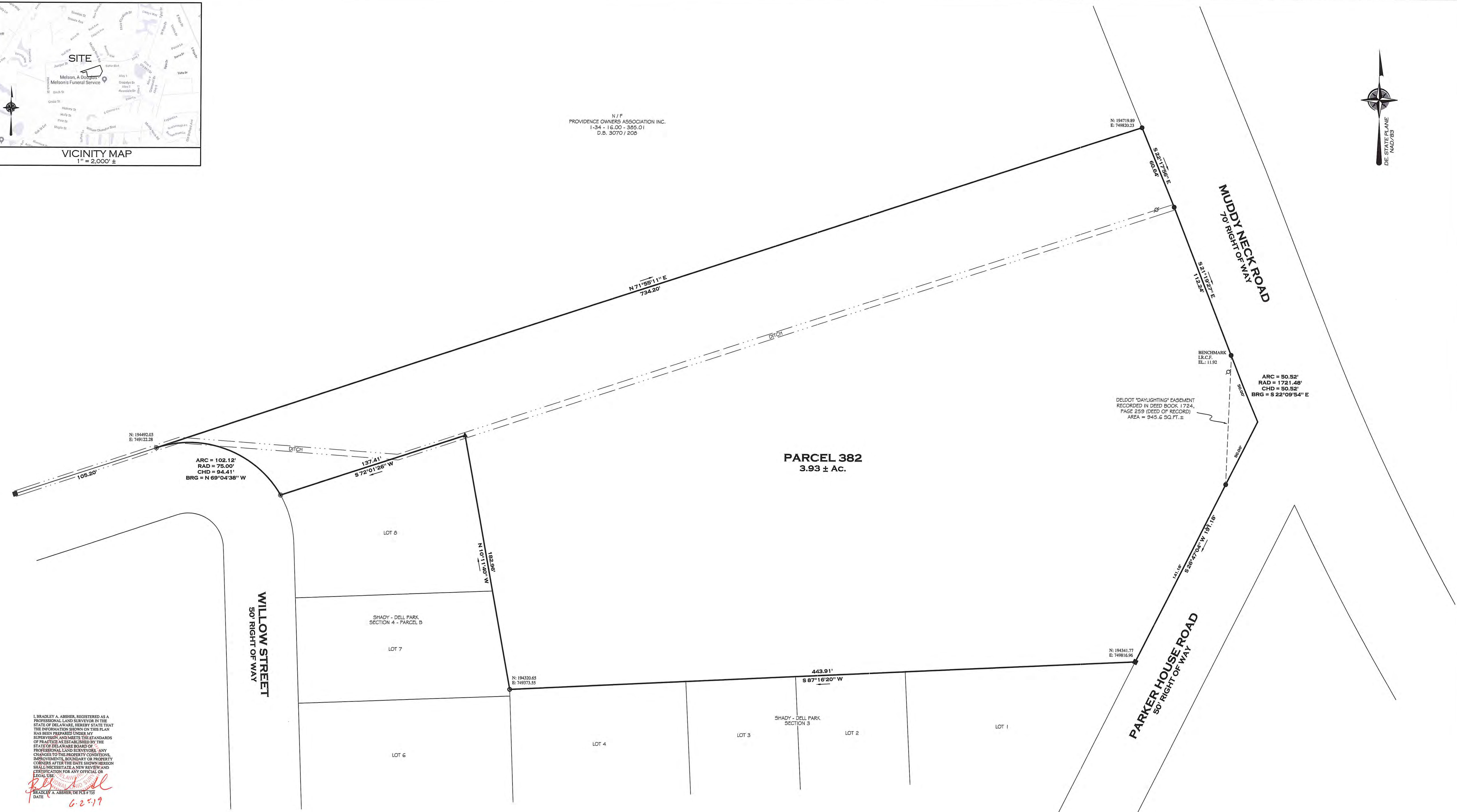
My Commission Expires: _____

TINA L. COLLINS
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires on June 22, 2022





N / F
PROVIDENCE OWNERS ASSOCIATION INC.
1-34 - 16.00 - 305.01
D.B. 3070 / 208



I, BRADLEY A. AISHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT 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, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

Bradley A. Aisher
BRADLEY A. AISHER, DE PLS # 733
DATE 6-25-19

LEGEND

- CONCRETE MONUMENT FOUND
- ▲ STONE FOUND
- IRON PIPE FOUND
- IRON ROD & CAP FOUND
- ⊙ IRON ROD & CAP SET
- ⚡ UTILITY POLE

0' 30' 60' 90'

- NOTES**
- CLASSIFICATION OF SURVEY: SUBURBAN
 - ZONE: AR-1
 - BUILDING SETBACK LINES (BSL)

FRONT	40'
SIDE	15'
REAR	20'
 - ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.
 - NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

TAXMAP 1-34 - 16.00 - 302.00	BOUNDARY SURVEY PLAN	TRUE NORTH
STATE DELAWARE		
COUNTY SUSSEX	FOR GULFSTREAM DEVELOPMENT LLC	LAND SURVEYING
HUNDRED BALTIMORE		
TOWN		
AREA 3.93 ± AC.		
DEED REF. 3547 / 342		
PLAT REF. 114 / 215, 118 / 187		
DRAWN BY CJP		
DATE 06 / 03 / 19		
SCALE 1" = 30'		
SURVEY # DE - 05613	37950 MUDDY NECK ROAD, OCEAN VIEW, DE. 19970	

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**ENVIRONMENTAL
ASSESSMENT
&
PUBLIC FACILITY
EVALUATION REPORT**

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

ENVIRONMENTAL ASSESSMENT & PUBLIC EVALUATION REPORT

BACKGROUND AND PROJECT DESCRIPTION

- The Kent Village site is a 3.93-acre parcel (Sussex Tax Parcel: 134-16.00-382.00). The subject land is located at the intersection of Parker House Road & Muddy Neck Road and currently zoned AR-1 (Agricultural Residential). The application is requesting a Conditional Use seeking approval to develop the site with 19 multifamily dwellings within 19 buildings together sidewalks, shared use path along the street frontage, street trees, shrubs and passive community open space.
- A single commercial entrance is planned on Muddy Neck Road near the northern property boundary and aligned with an existing residential entrance across the public street.
- The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment and disposal Unified District facilities which has adequate capacity.
- The site will be served with public water for both potable and fire protection use via a connection to the Tidewater Utilities Water Company existing infrastructure which has adequate capacity.

STORMWATER & DRAINAGE DESIGN

- Stormwater management design for the Kent Village site will be done in accordance with Delaware's Sediment and Stormwater Regulations and approved by the Sussex Conservation District. A Stormwater Assessment Study has been prepared and a Pre-

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

Application Meeting conducted at the Sussex Conservation District office. The stormwater strategy envisioned for the site includes multiple best management practices (BMP's) to ensure adequate stormwater quality.

COMMUNITY POTABLE AND FIRE PROTECTION WATER SUPPLY

- The Kent Village site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use and also supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants. A willing and able to serve letter from Tidewater Utilities has been received and made a part of the supplemental data book.

WASTEWATER TREATMENT AND DISPOSAL

- The Kent Village site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED), the subject tract lies in a Tier 1 sewer planning area. The SCED report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed.

TRAFFIC ANALYSIS

- The Kent Village developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application on August 6, 2020. The September 1, 2020

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

DelDOT response to the SLER recommended the developer not be required to perform a Traffic Impact Study (TIS).

- PLUS comments from DelDOT included a requirement for the Kent Village developer to provide a minimum of 40' of right-of-way from the physical centerline of both Muddy Neck and Parker House Roads. Preliminary Land Use Service (PLUS) comments went on to require a 15' wide permanent easement across the property frontage on both Muddy Neck and Parker House Roads outside the limits of the ultimate right-of-way.
- DelDOT will require a Shared Use Path (SUP) along the entire property road frontage and an internal sidewalk connection to the SUP.
- DelDOT will require the Kent Village project to improve both Muddy Neck and Parker House Roads within the limits of their frontage with the site to provide 11-foot travel lanes and 8-foot shoulders.
- All existing utilities on the public road frontage must be shown on a plan and a utility relocation plan will be required for any utilities that need to be relocated.

THREATENED AND ENDANGERED SPECIES

- Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471) conducted site specific fieldwork pursuant to the existence of Rare, Threatened or Endangered (RTE) species. No Rare, Threatened or Endangered (RTE) species or habitat was encountered. Since the site is surrounded by residential and business development, the professional environmental consultant concluded it is not expected that the site would support any RTE species.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

WETLANDS

- The Kent Village site has been evaluated for the existence of regulated wetlands on April 10, 2019 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). Mr. McCulley has characterized the site as a scrub/shrub habitat with an adjacent hedgerow. Much of the site has been disturbed in the past. No wetlands were encountered on the site and the upper limits of a ditch were labelled as Waters of the United States, although it likely not a Jurisdictional feature and is likely ephemeral.
- The conclusions reached are found in the full wetland delineation report by Watershed Eco (copy attached in the Supplemental Data Book).

OPEN SPACE MANAGEMENT

- The Kent Village site will result in the creation of both active and passive open space areas within the property boundaries.
- The passive open space areas are found in areas surrounding the proposed multifamily buildings. Clearing, disturbance, or altering of existing vegetation shall be limited as needed to accommodate the proposed construction and for removal of dead and dying trees which pose a threat to public safety on adjacent private property.
- The landscape areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. Maintenance of landscape areas will be under the direction of qualified firms under contract to the Kent Village Condominium Association property management firm.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

- The balance of the open space in Kent Village will be used more actively by the residents and their guests. These active open space areas include the community paved sidewalks, pedestrian paths and connection to the off-site bicycle path network.

PUBLIC AND PRIVATE INFRASTRUCTURE

- The Kent Village multifamily development will be served by both public water from Tidewater Utilities Water Company and public sanitary sewer from Sussex County.
- The Kent Village site, as planned, will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED), the subject tract lies in a Tier 1 sewer planning area. The SCED report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed.
- The Kent Village site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.
- Other utilities to be extended to the property include CATV, electric and telephone provided through private agreements with those utility companies.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

- Site drainage and stormwater management systems will also be developed pursuant to County Code and DNREC regulations governing inspection of installations and facilities maintenance.

ECONOMIC, RECREATIONAL & OTHER BENEFITS

- Multiple economic benefits accrue to the local economy from salaries and purchase of materials during the construction of both site and building improvements. Additional benefits accrue from increased property taxes, permit fees, utility impact fees and the like.

CONFORMANCE WITH COMPREHENSIVE PLAN

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

The 2018 Plan recognizes that the Coastal Growth Area is in a region among the most desirable locations in Sussex County for new housing. Coastal Areas can accommodate development provided special environmental concerns are addressed and a range of housing types should be permitted including multifamily residential which Kent Village proposes. Coastal Areas development densities proposed in the 2018 Plan range from 2-12 homes per acre. Kent Village proposes 4.8 dwellings per acre.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

The Comprehensive Plan states that medium and higher densities could be supported in areas where there is central water and sewer, near sufficient commercial uses and employment centers, where it is in keeping with the character of the area, where it is along a main road or at/or near a major intersection, where there is adequate Level of Service or where other considerations exist that are relevant to the requested project and density. Kent Village meets each of these criteria.

HISTORICAL AND CULTURAL RESOURCES

- The Kent Village site was reviewed in September of 2020 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.

ACTIONS TO MITIGATE DETRIMENTAL IMPACTS

- The Kent Village multifamily residential design is based upon the principals of sound land use planning and landscape architecture. Open space corridors are located to promote and encourage pedestrian access between residences in the neighborhood with a planned link via the public shared use path to Muddy Neck Road.

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**PRELIMINARY LAND USE
SERVICE (PLUS)
COMMENTS
&
APPLICANT RESPONSE**



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

June 29, 2021

David L. Edgell, AICP
Director, Office of State Planning Coordination
122 Martin Luther King, Jr. Blvd. South – Haslet Armory, Third Floor
Dover, DE 19901

PLUS Response 2020-09-01; Kent Village

Dear Mr. Edgell,

Land Tech Land Planning, LLC represents the owner/developer of the above referenced proposed Conditional Use application. In response to the review comments within the October 21, 2020 PLUS report that follows, **we offer our answers highlighted in color.**

October 21, 2020

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

RE: PLUS review 2020-09-01; Kent Village

Dear Mr. Clark:

Thank you for meeting with State agency planners on September 23, 2020 to discuss the Kent Village project. According to the information received, you are seeking review of a proposed site plan for a 19-unit conditional use development on 3.93 acres along Parker House Road in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County has governing authority over this land the developers will need to comply with any and all regulations/restrictions set forth by the County.**

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

Strategies for State Policies and Spending

- This project is located in Investment Levels 1 and 2 according to the *Strategies for State Policies and Spending*. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. **State investments will support growth in this area.**

Acknowledged

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Muddy Neck Road (Sussex Road 361) must be designed in accordance with DeIDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.

Acknowledged

- Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

Acknowledged

- Section P.5 of the Manual addresses fees that are assessed for the review of development proposals. DeIDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

Acknowledged

- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 226 vehicle trip ends per day, 20 in the morning peak hour of the Muddy Neck Road and 22 in the evening peak hour of Muddy Neck Road. **DeIDOT confirms the number of daily trips, finds slightly lower peak hour numbers, 18 and 21 respectively, and finds that the warrant for a TIS is not met.**

The primary purpose of a TIS is to determine the need for off-site transportation improvements. DelDOT anticipates requiring the applicant to improve Muddy Neck Road and Parker House Road (Sussex Road 362) within the limits of their frontage to provide 11-foot lanes and 8-foot shoulders.

Acknowledged

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Muddy Neck Road and Parker House Road. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline on both roads. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"

Acknowledged

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

Acknowledged

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 300 feet of the entrance.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

Acknowledged

- Section 3.5 of the Manual provides DelDOT's requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT maintained public streets for subdivisions. If a pedestrian connection between the proposed subdivision street near Lot 6 and Shady Dell Park can be negotiated, an access easement and a paved path should be provided.

Acknowledged

- Section 3.5.4.2 of the Manual addresses requirements for Shared-Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required. DelDOT will require a SUP across the parcel's frontage on Muddy Neck Road and Parker House Road. The internal sidewalk should be connected to the SUP.

Acknowledged

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Muddy Neck Road and Parker House Road.

Acknowledged

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Acknowledged

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

Acknowledged

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

Acknowledged

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Acknowledged

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Wetlands

Statewide Wetlands Mapping Project maps indicate the potential presence of riverine wetlands specifically in the area near the ditch at the northern edge of the property.

Acknowledged. Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (#000471) conducted site specific fieldwork and concluded that no Federal or State of Delaware jurisdictional wetlands were encountered.

- If the project proposes to disturb (dredge or fill) federally regulated wetlands, a delineation of waterways and wetlands is required by the U.S. Army Corps of Engineers. In certain circumstances, additional certifications from DNREC Wetlands & Subaqueous Lands Section will be required as part of the U.S. Army Corps of Engineers permit process.

Not Applicable

- For a list of consultants and engineers who can conduct delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link:
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>
- Contact: U.S. Army Corps of Engineers (Dover Office) at
DoverRegulatoryFieldOffice@usace.army.mil or (267) 240-5278.
Website: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>

Vegetated Buffer Zones

Vegetated buffer zones placed adjacent to waterways and wetlands help to improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Please note that vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

Acknowledged

Excellent Groundwater Recharge Area

The southwest corner of the parcel is considered to be within Excellent Groundwater Recharge Area. These areas have soils that are conducive to water infiltrating downward from surface water into groundwater.

- The applicant must comply with all County and municipal codes that affect Excellent Groundwater Recharge Areas.
- Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945. Website: <https://dnrec.alpha.delaware.gov/water/supply/ground-water-protection/>

Acknowledged

Stormwater Management

This project/site has met the minimum threshold of 5000 square feet of land disturbing activity under the Delaware Sediment and Stormwater Program.

- A Sediment and Stormwater Plan must be developed and approved prior to any land disturbing activity taking place on the site. This plan approval agency will vary, depending on the location of the project, or whether it is operated by a state agency or school district. The appropriate agency for this project is identified below.

Acknowledged

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.state.de.us/eNOI/default.aspx>) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.

Acknowledged

- Schedule a project application meeting with the appropriate agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.
- **Acknowledged**
- Appropriate plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>
- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: DNREC.Stormwater@delaware.gov.

Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

Water Quality (Pollution Control Strategies)

Pollution Control Strategies have been developed for the following watersheds in Delaware: Appoquinimink, Broadkill, Christina Basin, Inland Bays, Mispillion and Cedar, Murderkill, Nanticoke, St. Jones, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- This site lies within the Indian River Bay, which is part of the Inland Bays Watershed. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

Acknowledged

- Contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.
Website: <https://www.sussexconservation.org/>

Hydric Soils

Hydric Soil Group A/ D (poorly drained) soils have been identified on the site. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Acknowledged

- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

Wastewater Permitting – Large Systems

Sussex County holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch.

- It is the responsibility of Sussex County to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.
- Contact: DNREC Large Systems Branch at (302) 739-9948.
Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

State Historic Preservation Office – Contact Carlton Hall 736-7400

- **Prehistoric archaeological potential is low to moderate.** Poor soils are not favorable for prehistoric sites, but the parcel is within distance to remnant/relic waterways that are now part of the canals (shown on Beers). No comparable sites nearby.
- **Historic potential is low.** The land appears vacant prior to 1954, used for agricultural fields. Beers shows that it may have belonged to Capt. Daisy, but houses were located further away on the land.

Acknowledged

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

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

Fire Protection Water Requirements:

- Where a water distribution system is proposed for single-family dwellings, it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.
- The infrastructure for fire protection water shall be provided, including the size of water mains.

Acknowledged

Accessibility:

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Acknowledged

Gas Piping and System Information:

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

Acknowledged

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Name of Water Supplier
- Proposed Use
- National Fire Protection Association (NFPA) Construction Type
- Townhouse 2-hr separation wall details shall be shown on site plans
- Maximum Height of Buildings (including number of stories)
- Provide Road Names, even for County Road

Acknowledged

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- Please note that since the development lies within the Coastal Area, an environmental assessment (EA) and public facility evaluation report would have to be submitted with the preliminary plans (§115-194.3(B)(2)).

Acknowledged

- There was a former Conditional Use application (CU 2195) on this site for the Kent Apartments for 45 apartments units which was approved for only 16 units by the County Council on 12/17/19 and adopted through Ordinance No. 2695.
- Since this is a Conditional Use application, the applicant will have to submit a Service Level Evaluation Request form to the Department of Planning and Zoning to obtain DelDOT’s approval prior to the submittal of a formal application.

Acknowledged - A SLER was filed and a written response from DelDOT received.

- The applicant is required to participate in a pre-application meeting with the County. Please contact the Planning and Zoning Department to schedule a pre-application meeting with staff to discuss the proposed project by calling (302)855-7878 or you may reach out to Lauren DeVore at lauren.devore@sussexcountyde.gov.

Acknowledged

- Following submission to the County, staff would undertake review of the Preliminary Site Plan, where more detailed comments would be provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

Acknowledged As of this writing, no written comments have been received.

- 4.83 dwelling units per acre appears to comply with Code requirements for the GR Zoning District for a Conditional Use, which allows a total of up to 12 dwelling units per acre.
- The proposed plan includes 0.75 acres +/- (out of a total of 3.93 acres) of open space. Additional open space and sidewalks are encouraged for the community as well as connections to existing trails or bike paths. Interconnectivity is encouraged so that there is not only one way in, one way out access in the event of an emergency.

Acknowledged

- The application notes that there is a tax ditch on the property, but staff have confirmed that there are no tax ditches currently on the property according to the County's Online Mapping System. There are no Wellhead Protection Areas on site and the site is located within an area of "good" Groundwater Recharge according to GIS records. Please note these items on the plans to accord with Chapter 89 "Source Water Protection" of the Sussex County Code.

Acknowledged

- Please note that these are informal staff comments, and do not prejudice any decisions that the Sussex County Planning & Zoning Commission may wish to make as part of the formal review process.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District, South Ocean View area and connection to the sewer system is mandatory.

Acknowledged

- A "Use of Existing Infrastructure Agreement" is required for new projects. Sussex County Code, [Chapter 110](#), requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part

of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

Acknowledged

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

Acknowledged

Recommendations/Additional Information

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

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Muddy Neck Road or Parker House Road.

Acknowledged

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

Acknowledged

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

Acknowledged

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Vegetated Buffer Zones

- Incorporate a 100-foot vegetated buffer zone from the edge of wetlands to protect water quality.
- **Acknowledged. A qualified wetlands scientist has concluded there are no wetlands on the Kent Village site**
- Vegetated buffer zones should be deeded as community open space. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance (LOD) on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.
- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change. In general, grass cutting for vegetated buffer zones should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.
- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Stormwater Management

- Where site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce overall runoff including pollutant runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.
- **Acknowledged**

General Drainage Recommendations

- All existing ditches on the property should be checked for function and cleaned, if needed, prior to the construction of homes. Wetland permits may be required before cleaning ditches.

Acknowledged

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

Acknowledged

- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

Acknowledged

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

Acknowledged

- Contact: DNREC Drainage Program at (302) 855-1930.
Website: <http://www.dnrec.delaware.gov/swc/Drainage/Pages/TaxDitches.aspx>

Tax Ditches

- The application states that tax ditches are present on the site, however, according to the most recent GIS data, tax ditches were not found on the site. Rather, the on-site ditch on the northern portion of the parcel drains into an off-site tax ditch to the northwest.

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- Although not a requirement of the State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in dwellings. The Office of the State Fire Marshal also reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of

Title 6 of the Delaware Code which can be found at the following website:

<http://delcode.delaware.gov/title6/c036/sc03/index.shtml>

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

Acknowledged

Sussex County Housing – Contact: Brandy Nauman 855-7779

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

Acknowledged

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

Acknowledged

- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.
- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.
- On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning

PLUS review 2020-09-01

Page 15 of 15

Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

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

Sincerely,

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

CC: Sussex County

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**DeIDOT SLER FORM
&
DeIDOT RESPONSE**

PLANNING & ZONING
Jamie Whitehouse, AICP, MRTPI
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:

Site Information:

Site Address/Location:

Tax Parcel Number:

Current Zoning:

Proposed Zoning:

Land Use Classification:

Proposed Use(s):

Square footage of any proposed buildings or number of units:

Applicant Information:

Applicant's Name:

Applicant's Address:

City:

State:

Zip Code:

Applicant's Phone Number:

Applicant's e-mail address:



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

Last updated 3-12-20



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
600 BAY ROAD
P.O. BOX 77B
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

September 1, 2020

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Gulfstream Development, LLC** conditional use application, which we received on August 7, 2020. This application is for a 3.93-acre parcel (Tax Parcel: 134-16.00-382.00). The subject land is located on the west side of the intersection of Parker House Road (Sussex Road 362) and Muddy Neck Road (Sussex Road 361). The subject land is currently zoned as GR (General Residential) and the applicant is seeking a conditional use approval to develop 20 single-family detached houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Parker House Road where the subject land is located is 1,725 vehicles per day. As the subject land also has frontage along Muddy Neck Road, the annual average daily traffic volume along that road segment, which is from the south Ocean View limits to Beaver Dam Road (Sussex Road 363), is 3,094 vehicles per day.

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

Because the subject site would generate more than 200 vehicle trips per day, a Traffic Operational Analysis (TOA) may be required as part of the site plan review, in accordance with Chapter 2 of the Development Coordination Manual.




Mr. Jamie Whitehouse
Page 2 of 2
September 1, 2020

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

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

Sincerely,



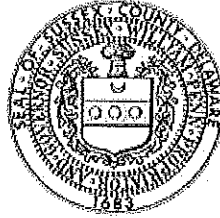
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Gulfstream Development, LLC, Applicant
Todd Sammons, 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
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

PLANNING & ZONING
Jamie Whitehouse, AICP, MRTPI
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: 8/6/20

Site Information:

Site Address/Location: West Side of the Parker House Road (SCR 362) and Muddy Neck Road (SCR 361) intersection.

Tax Parcel Number: 134-16.00-382.00

Current Zoning: GR

Proposed Zoning: GR

Land Use Classification: Residential

Proposed Use(s): Twenty (20) single family detached homes
each measuring 34' x 50'

Square footage of any proposed buildings or number of units: Twenty (20)

Applicant Information:

Applicant's Name: Gulfstream Development, LLC

Applicant's Address: 27 Atlantic Avenue

City: Ocean View State: DE Zip Code: 19970

Applicant's Phone Number: (302) 539-6178

Applicant's e-mail address: rjh@gulfstream.net



DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**WETLANDS/WATERS OF U.S.
DELINEATION
REPORT**

Wetlands/Waters Delineation Report for: **Muddy Neck Apartments**

Completed: May 10, 2019

Fieldwork: April 10, 2019



Prepared by:



Watershed Eco LLC
James C. McCulley IV, PWS
#000471

114 Merrimac Avenue
Middletown, Delaware 19709
www.WatershedEco.com



A. Site Description, Landscape Setting

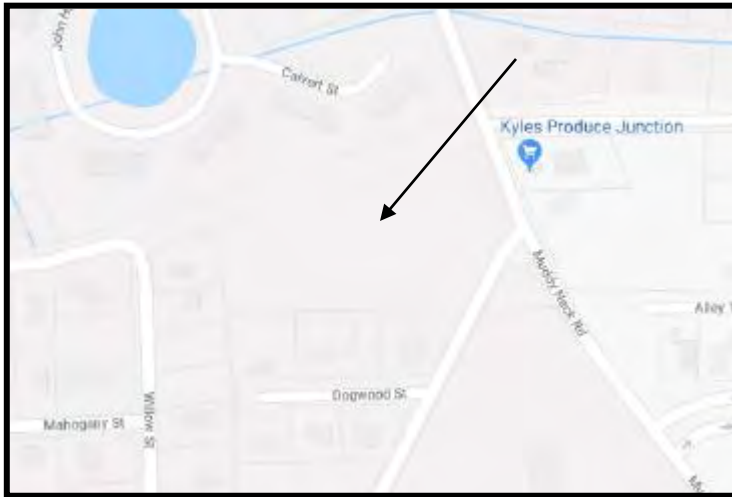


Figure 1: Location

This site lies west of Muddy Neck Road and east of Willow Street in Ocean View, Sussex County, Delaware at approximate Latitude and Longitude: 38.533561 and -75.089827. The site is further described as Tax Parcel 1-34-16-382.00 and comprises approximately 3.93 Acres). The site surrounded by residential uses.

The site is a scrub/shrub habitat with adjacent hedgerow. Much of the site has been disturbed in the past.

The site is accessed from Muddy Neck Road and/or Parker House Road.

No wetlands were encountered on the site and the upper limits of a ditch were labelled as Waters of the United States, although it is likely not a Jurisdictional feature and is likely ephemeral.

B. Site Alterations, Current and Past Land Use

The 1992 aerial photo (below) depicts three structures on the property with the remainder of the site cleared and mowed.



Figure 2: 1992 Aerial Photo

The 2005 Aerial Photo depicts two of the structures are still present.



Figure 3: 2005 Aerial Photo

The 2007 Aerial Photo shows little change from 2005.



Figure 4: 2007 Aerial Photo

The 2010 Aerial Photo depicts that the structures are gone and resembles the current site conditions.



Figure 5: 2010 Aerial Photo

B.1 Soils -

The mapped soils are shown below, the main soils mapped on the site is Mullica Sandy Loam (MmA) and Hurlock Sandy Loam (HvA) which are described as very poorly drained, (see details in attached soil report). The soils encountered on the site appeared to be old fill material and were not hydric.



Figure 6: Soil Map



Figure 7: NWI Map

The National Wetland Inventory (NWI) Map (above) depicts a ditch along the northern property boundary. The site investigation revealed that this ditch only extended a short area into the site and appeared to be ephemeral.

B.2 Hydrology –

According to the USGS Quadrangle, the site occupies a flat area and a ditch is depicted offsite to the north where the adjacent development exists and not along the property line where it is depicted on the NWI.



Figure 8: USGS Mapping

B.3 Vegetation -

The dominant vegetation in the scrub/shrub area of the site included:

Autumn Olive, Blackberry, Multiflora Rose, Black Cherry, Loblolly Pine, Red Maple, Sweetgum and Japanese Honeysuckle.

No wetland plant communities were encountered on the site.



Figure 9: Wetland Mapping

REPRESENTATIVE PHOTOGRAPHS



Photo 1: Scrub Shrub Area



Photo 2: Ephemeral Ditch

C. Results and Conclusions

This field investigation found a small section of ephemeral ditch on the western portion of the site. This ditch was conservatively mapped as Waters of the United States and will not be disturbed by the proposed development plan.

Based on the above, it is the opinion of Watershed Eco, LLC and James C. McCulley IV, PWS #000471 that the above map accurately depicts the Waters that exist on the site.

D. Disclaimer Statement

This report documents the investigation, best professional judgment, and conclusions of the investigators. It should be used at your own risk until it has been approved in writing by the U.S. Army Corps of Engineers.



United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Sussex County, Delaware**

Muddy Neck Road



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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Contents

Preface	2
How Soil Surveys Are Made	5
Soil Map	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Sussex County, Delaware.....	13
HvA—Hurlock sandy loam, 0 to 2 percent slopes.....	13
MmA—Mullica mucky sandy loam, 0 to 2 percent slopes.....	15
References	17

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

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scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

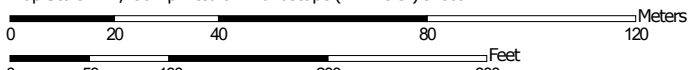
Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map




Map Scale: 1:1,450 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)




















Soils







 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

Special Point Features






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
 Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Jun 27, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HvA	Hurlock sandy loam, 0 to 2 percent slopes	1.7	38.6%
MmA	Mullica mucky sandy loam, 0 to 2 percent slopes	2.8	61.4%
Totals for Area of Interest		4.5	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,

Custom Soil Resource Report

onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Sussex County, Delaware

HvA—Hurlock sandy loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qth9

Elevation: 0 to 120 feet

Mean annual precipitation: 42 to 48 inches

Mean annual air temperature: 52 to 58 degrees F

Frost-free period: 180 to 220 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Hurlock, drained, and similar soils: 42 percent

Hurlock, undrained, and similar soils: 38 percent

Minor components: 20 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hurlock, Drained

Setting

Landform: Flats, depressions, swales

Down-slope shape: Linear, concave

Across-slope shape: Linear, concave

Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam

Eg - 10 to 13 inches: sandy loam

Btg - 13 to 25 inches: sandy loam

Cg - 25 to 63 inches: loamy sand

2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high
(0.06 to 5.95 in/hr)

Depth to water table: About 10 to 20 inches

Frequency of flooding: None

Frequency of ponding: Rare

Available water storage in profile: Moderate (about 6.7 inches)

Interpretive groups

Land capability classification (irrigated): 3w

Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: A/D

Hydric soil rating: Yes

Description of Hurlock, Undrained

Setting

Landform: Flats, swales, depressions, drainageways

Down-slope shape: Linear, concave

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Across-slope shape: Linear, concave

Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Oe - 0 to 2 inches: moderately decomposed plant material

A - 2 to 4 inches: sandy loam

Eg - 4 to 13 inches: sandy loam

Btg - 13 to 25 inches: sandy loam

Cg - 25 to 63 inches: loamy sand

2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high
(0.06 to 5.95 in/hr)

Depth to water table: About 0 to 10 inches

Frequency of flooding: None

Frequency of ponding: Occasional

Available water storage in profile: Moderate (about 7.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 5w

Hydrologic Soil Group: A/D

Hydric soil rating: Yes

Minor Components

Hammonton

Percent of map unit: 5 percent

Landform: Drainageways, flats

Landform position (three-dimensional): Rise

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: No

Mullica, drained

Percent of map unit: 5 percent

Landform: Flats, swales, depressions, drainageways

Landform position (three-dimensional): Dip

Down-slope shape: Linear, concave

Across-slope shape: Linear, concave

Hydric soil rating: Yes

Woodstown

Percent of map unit: 5 percent

Landform: Flats, broad interstream divides, fluviomarine terraces

Landform position (three-dimensional): Tread, rise

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: No

Klej

Percent of map unit: 5 percent

Landform: Flats

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Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

MmA—Mullica mucky sandy loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qtj7
Elevation: 30 to 230 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Prime farmland if drained

Map Unit Composition

Mullica, drained, and similar soils: 50 percent
Mullica, undrained, and similar soils: 30 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mullica, Drained

Setting

Landform: Swales, drainageways, flats, depressions
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave

Typical profile

Ap - 0 to 10 inches: mucky sandy loam
A - 10 to 14 inches: mucky sandy loam
Bg - 14 to 24 inches: sandy loam
Cg - 24 to 65 inches: sand
2Ab - 65 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Very poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 5.95 in/hr)
Depth to water table: About 0 to 10 inches
Frequency of flooding: None
Frequency of ponding: Rare
Available water storage in profile: Low (about 4.9 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: A/D

Custom Soil Resource Report

Hydric soil rating: Yes

Description of Mullica, Undrained

Setting

Landform: Depressions, drainageways, swales, flats

Down-slope shape: Concave, linear

Across-slope shape: Concave, linear

Parent material: Sandy and loamy fluviomarine sediments

Typical profile

Oe - 0 to 3 inches: moderately decomposed plant material

A - 3 to 10 inches: mucky sandy loam

Eg - 10 to 14 inches: sandy loam

Bg - 14 to 24 inches: sandy loam

Cg - 24 to 65 inches: sand

2Ab - 65 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Very poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 5.95 in/hr)

Depth to water table: About 0 to 10 inches

Frequency of flooding: None

Frequency of ponding: Frequent

Available water storage in profile: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: A/D

Hydric soil rating: Yes

Minor Components

Berryland

Percent of map unit: 10 percent

Landform: Flats, depressions, swales

Hydric soil rating: Yes

Hurlock

Percent of map unit: 10 percent

Landform: Flats

Hydric soil rating: Yes

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April 9, 2019

Wetlands

- | | | | | | |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



April 9, 2019

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Muddy Neck Road

1992

Legend
Ditch - Pass WOUS



Muddy Neck Rd




700 ft

Muddy Neck Road

2005

Legend


-  Ditch - Pass WOUS



Muddy Neck Road

2005

Legend

 Ditch - Pass WOUS



Google Earth

Image U.S. Geological Survey

Muddy Neck Rd

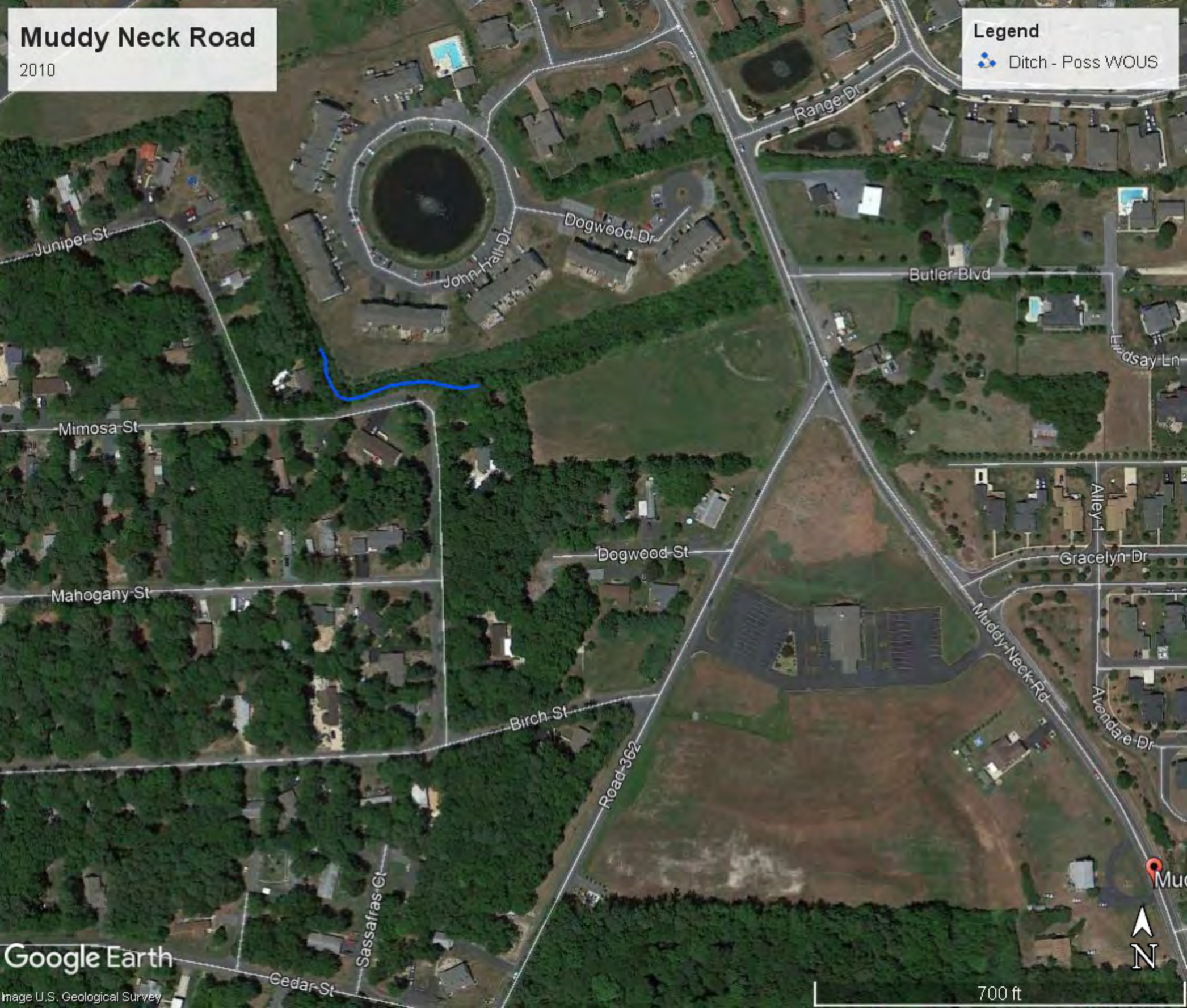


700 ft

Muddy Neck Road

2010

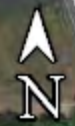
Legend
Ditch - Pass WOUS



Google Earth

Image U.S. Geological Survey


700 ft

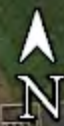
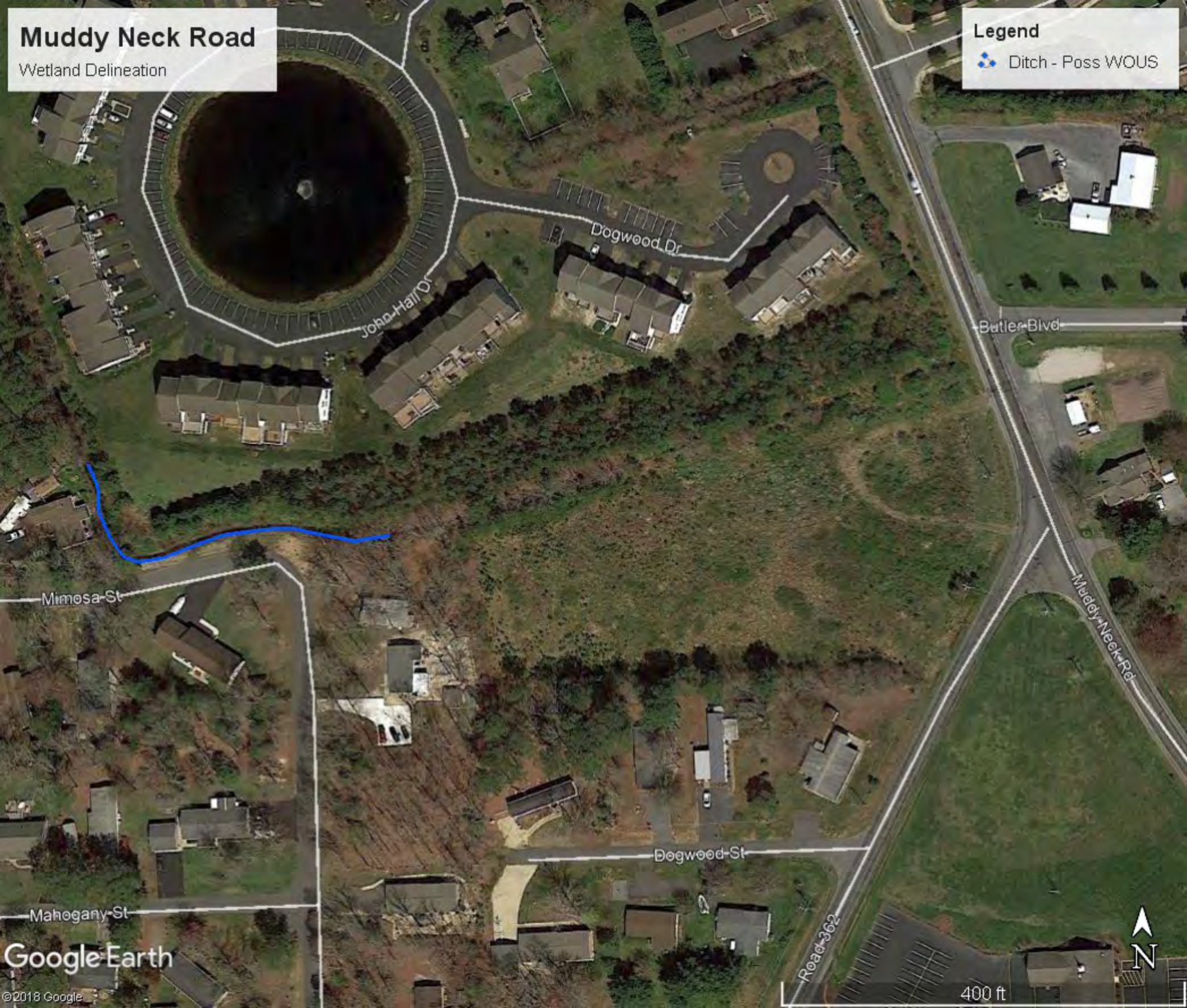


Muddy Neck Road

Wetland Delineation

Legend

 Ditch - Pass WOUS



DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**WATER COMPANY
ABILITY TO SERVE
LETTER**

TIDEWATER
UTILITIES, INC.

A Middlesex Water Company Affiliate

October 1, 2019

Golfstream Development Corp.
27 Atlantic Ave
Ocean View, DE 19970
Attn: Cathy Lyons

RE: Public Water Service – Parcel # 134-16.00-382.00

Dear Ms. Lyons:

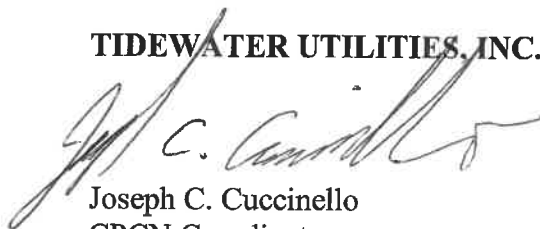
Tidewater Utilities, Inc. is willing and able to provide public water service to the following parcel 134-16.00-382.00. Tidewater has an existing 12” main running on east side of Muddy Neck Rd.

Please contact our Customer Service department at 1-877-720-9272 to obtain water service.

I hope this information is sufficient for your needs. Please feel free to contact me at 302-747-1308 if you should have any questions.

Sincerely,

TIDEWATER UTILITIES, INC.



Joseph C. Cuccinello
CPCN Coordinator

DESIGN SUMMARY AND SUPPLEMENTAL DATA

KENT VILLAGE

**PROPOSED
ARCHITECTURAL
ELEVATIONS
&
FLOOR PLANS**

CONCEPTUAL VIEWS

THREE BEDROOM HOME



NUMBER	DATE	REVISION	DESCRIPTION



DRAWINGS PROVIDED FOR:
 LAND AND MARKETING CORP
 UNIT 8 FISHERS LANDING ROAD
 OCEAN VIEW, DE 19970

DRAWINGS PROVIDED BY:
 ATLANTIC DESIGN GROUP
 34085 CREEK ROAD
 DAGSBORO, DE 19939
 302-462-6438

DATE:

1/19/2020

SCALE: 1/4"

SHEET:

1

NUMBER	DATE	REVISED BY	DESCRIPTION



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 UNIT 8 FISHERS LANDING ROAD
 OCEAN VIEW, DE 19970

DRAWINGS PROVIDED BY:
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 34085 CREEK ROAD
 DAGSBORO, DE 19939
 302-462-6438

DATE:

1/19/2020

SCALE: 1/4"

SHEET:

2

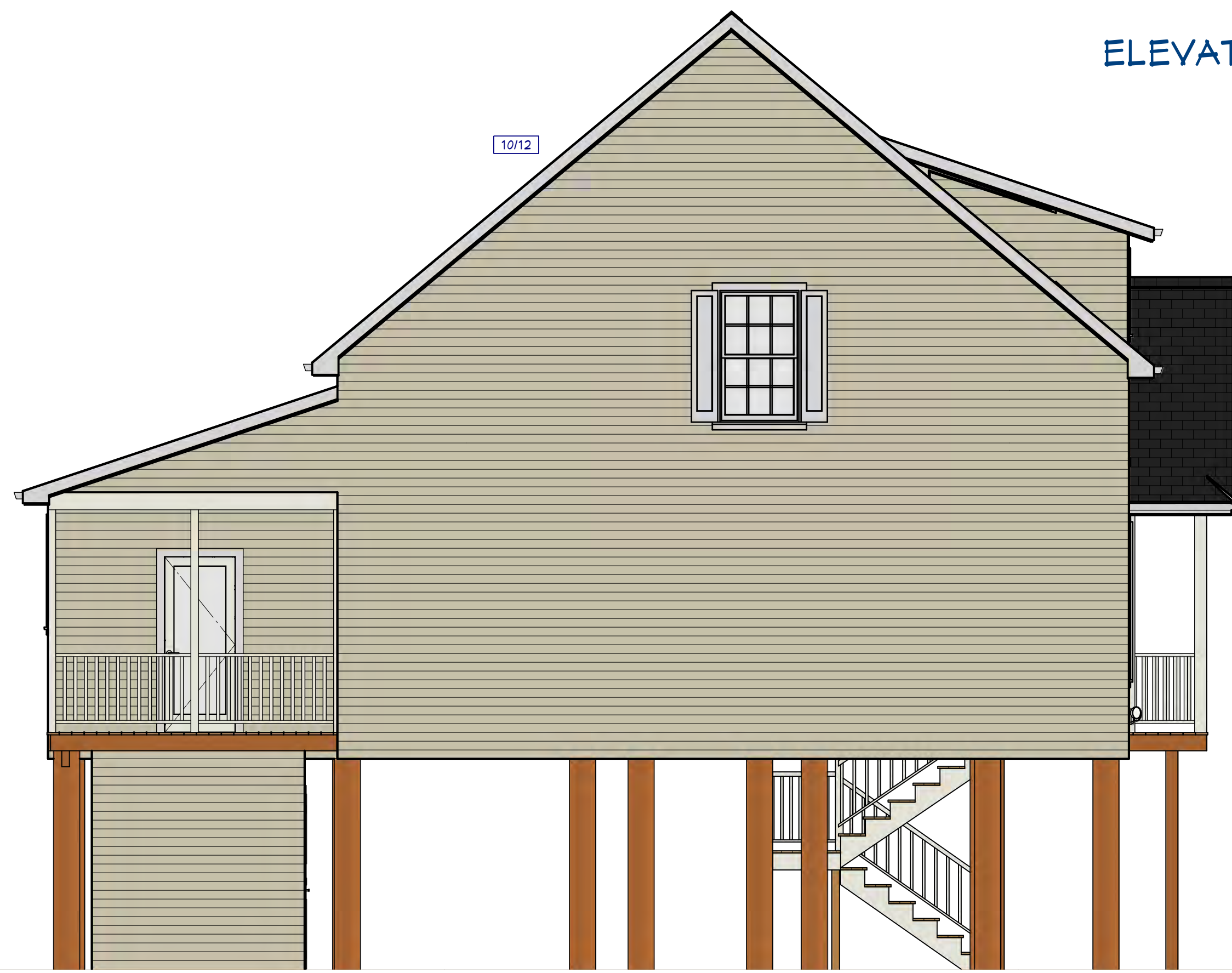


Exterior Elevation Front



Exterior Elevation Back

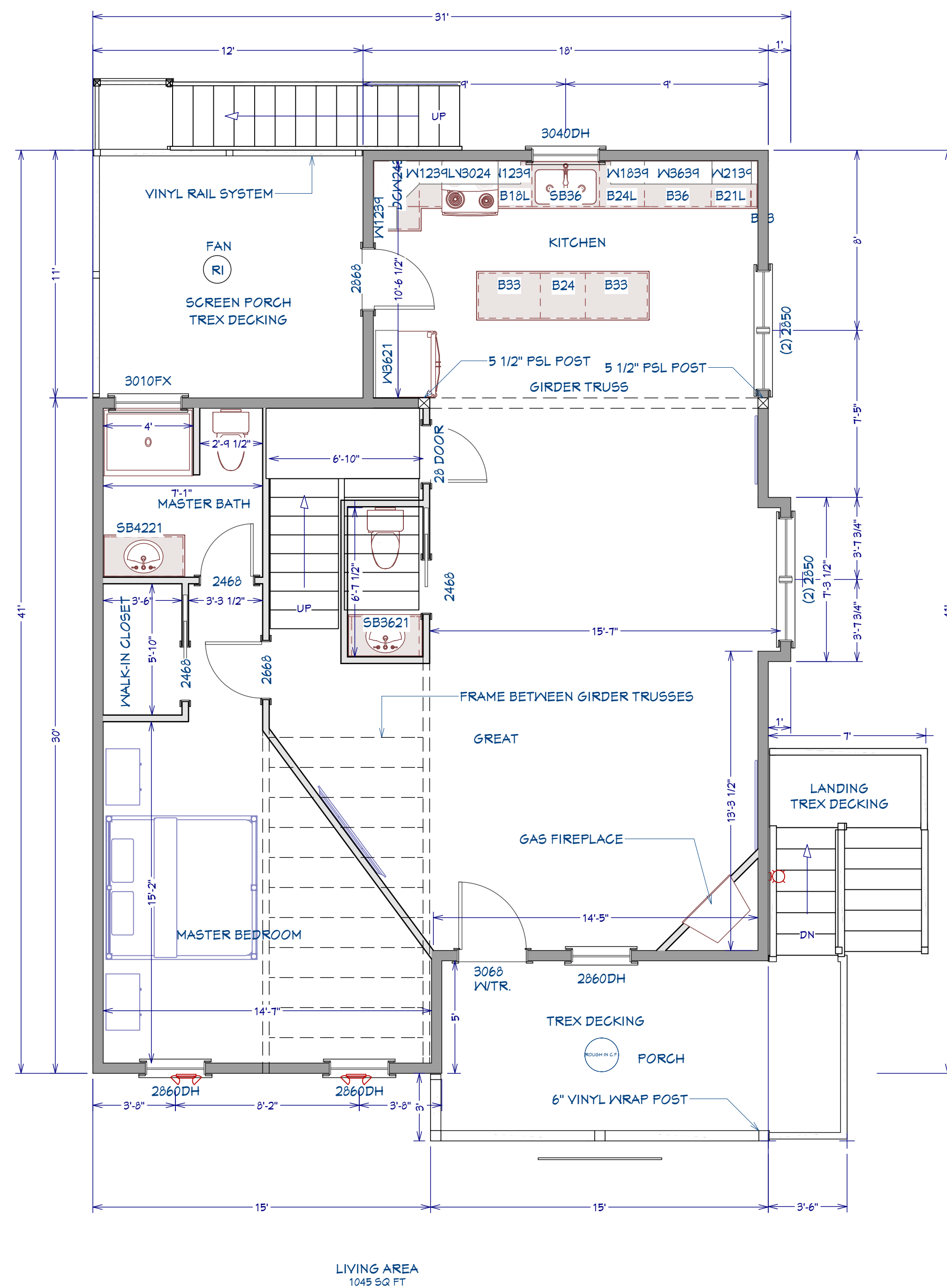
ELEVATIONS 1/4" SCALE



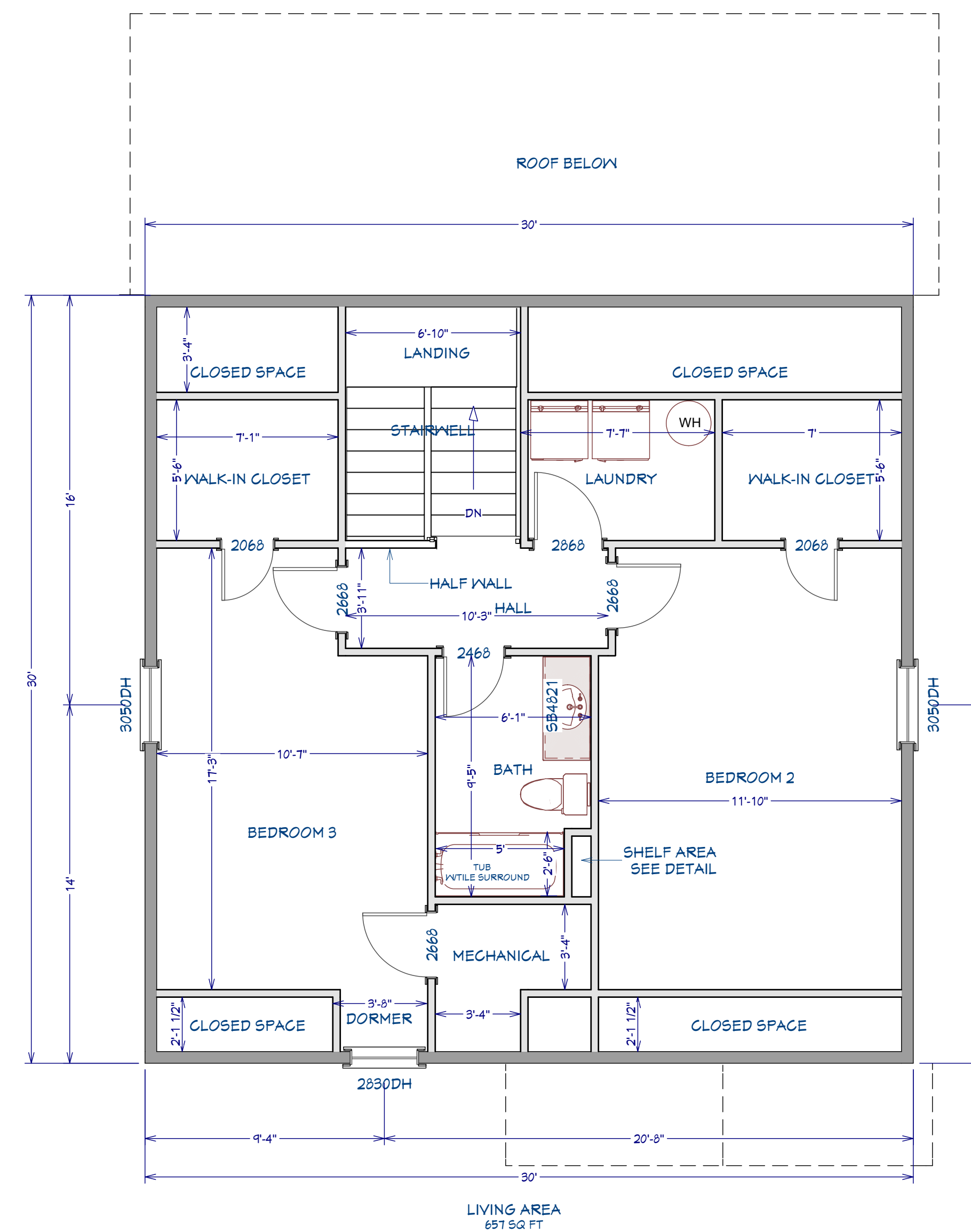
Exterior Elevation Right



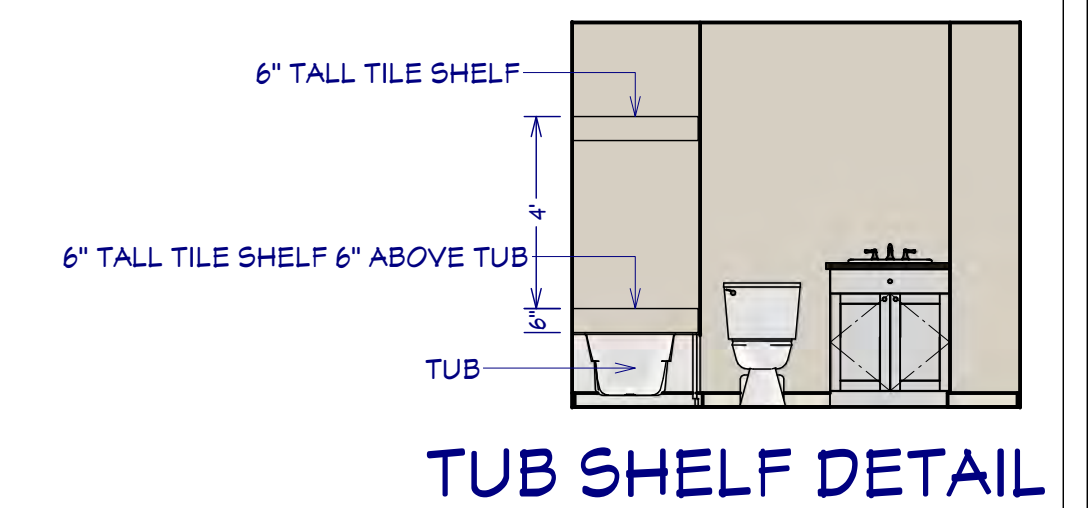
Exterior Elevation Left



FIRST FLOOR
1/4" SCALE



SECOND FLOOR
1/4" SCALE



NUMBER	DATE	REVISION TABLE	REVISOR	DESCRIPTION



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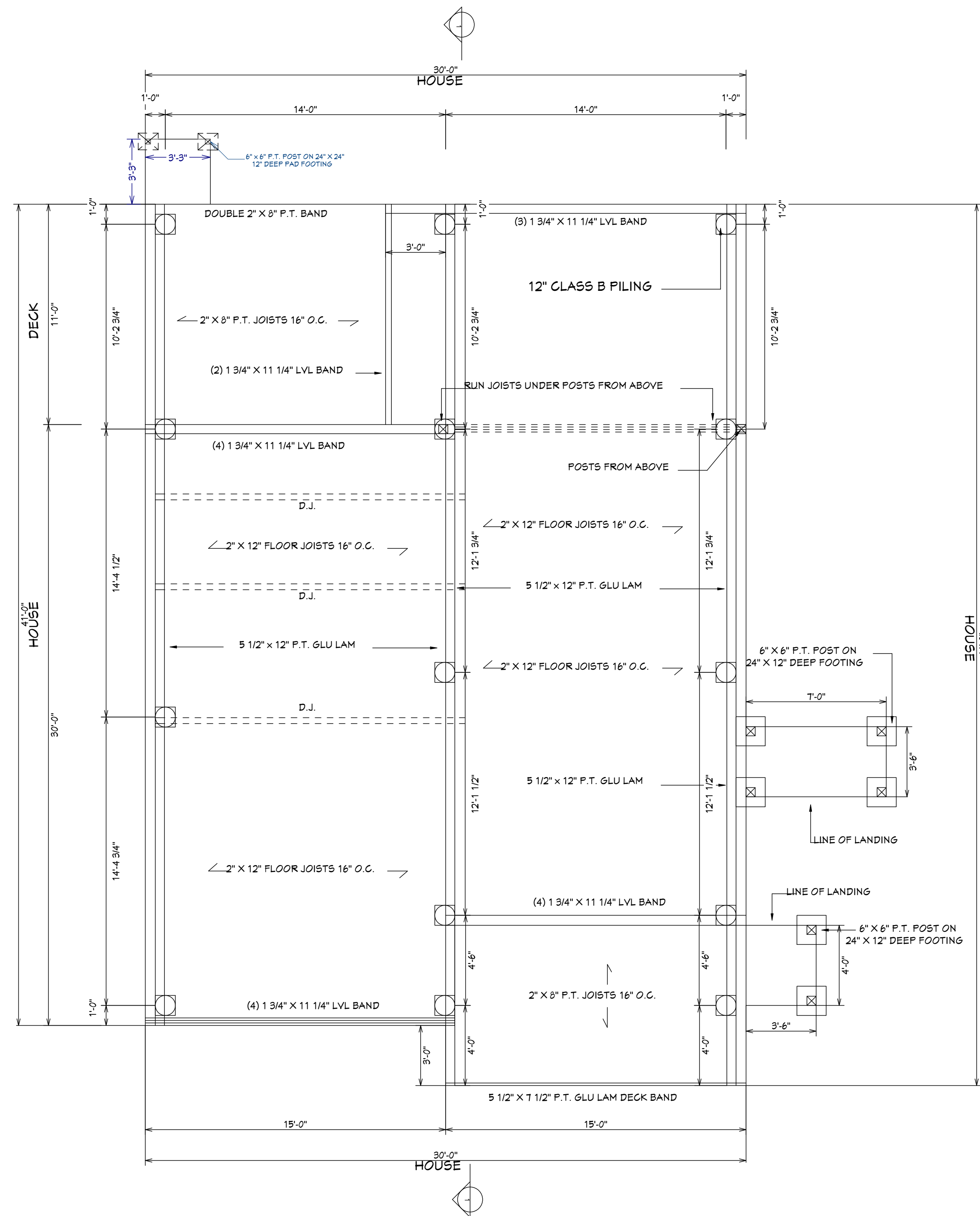
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1/19/2020

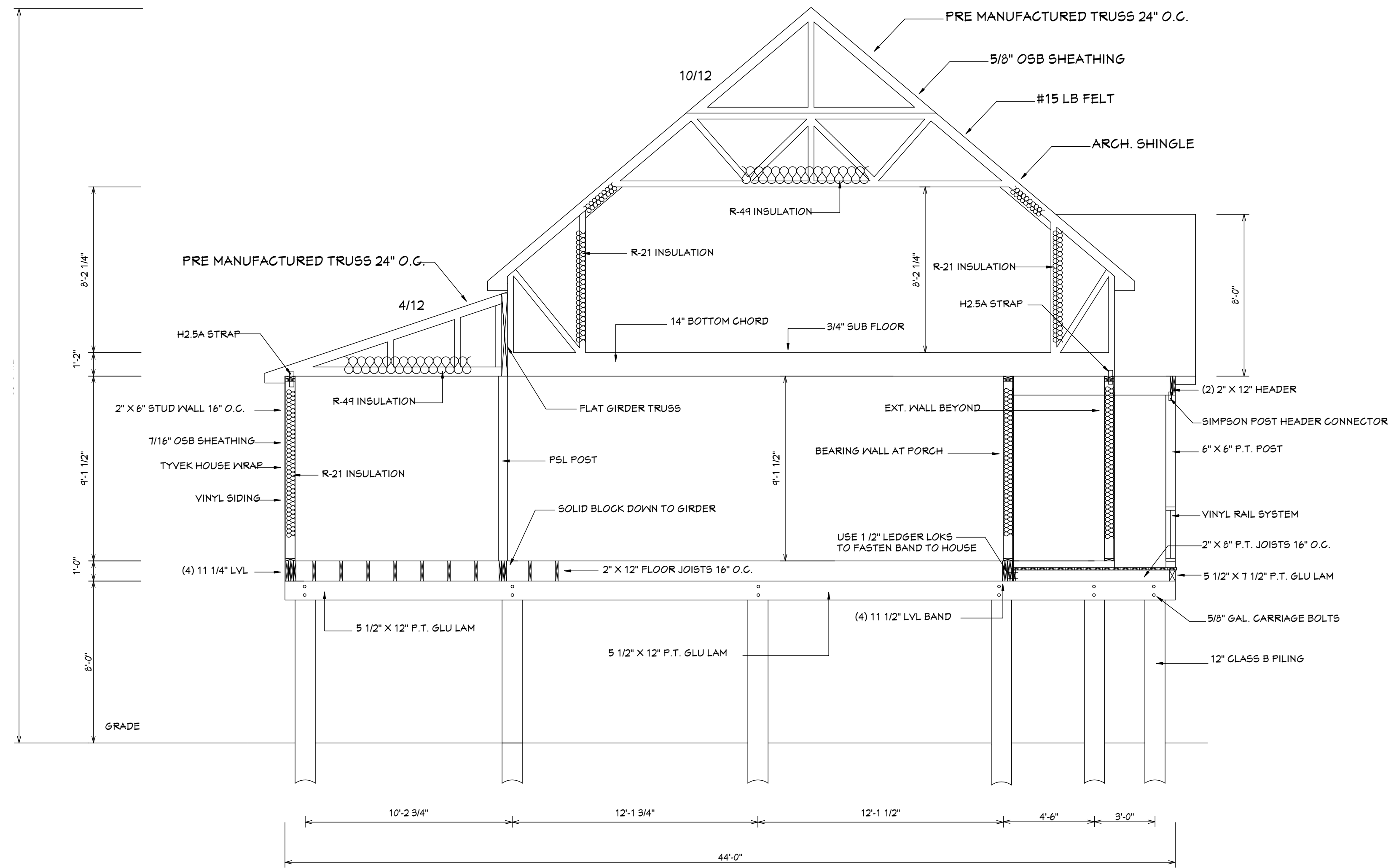
SCALE: 1/4"

SHEET:

3



**FOUNDATION
1/4" SCALE**



**SECTION
1/4" SCALE**

- All piling shall be 12" diameter Class B Southern Pine piles conforming to ASTM D25-88A and treated to AWP Standard C3. Piles shall be driven to a minimum penetration of 10'-0" and then achieve a driven resistance of not less than 20,000 lb. 17' blows per foot are required by an 8100 ft.lb hammer to achieve 20,000 lb. Blow count shall be recorded for the last 4'-0" of driving. For other size hammers, the driven resistance shall be computed using an acceptable formula such as the "Engineering News" formula, $R=2Eg/(S+0.1)$ Where Eg is the energy of the hammer in ft.-lb., S is the set of the pile per blow in inches and R is the pile bearing load in pounds.
- All girders, deck joists, stair stringers and decking shall be #2 Southern Pine or better, pressure treated to AWP Standard LP22. Deck joists shall be connected to girders using hurricane ties.
- Girders shall be fully seated on cut faces of notches in piling and bolted to the piling using 3/4" diameter galvanized steel bolts. Over size washers are to be used at all timber contact faces.
- All girders shall be free of splits and shakes, spiked together with nails in 2 rows at 12" centers using a staggered pitch.
- All lumber used as structural framing shall be SPF No.1/No.2 or better, having an $Fb=975psi$ as defined in the latest edition of "National Design Specification" published by National Forest & Paper Association.
- All exterior steel bolts, straps and clips shall be hot dipped galvanized. Hanger References are for Simpson Strong Tie Connectors. Connectors in contact with contact with pressure treated wood or exposed conditions should be Simpson Z-MAX series.
- All exterior steel bolts, straps and clips shall be hot dipped galvanized. Hanger References are for Simpson Strong Tie Connectors. Connectors in contact with contact with pressure treated wood or exposed conditions should be Simpson Z-MAX series.
- Handrails shall comply with R312.1 Stairs shall comply with R011.7
- DESIGN CODE - International Residential Code 2012

DESIGN LOADINGS

Design wind speed	110 mph
Ground snow load	30 lb/sq. ft.
Other floors	40 lb/sq. ft.
Decks	60 lb/sq. ft.

Compliance with setbacks and HOA requirements are the responsibility of the owner and builder.

DEVIATION FROM THESE SEALED DRAWINGS, WITHOUT PRIOR WRITTEN APPROVAL FROM THE ENGINEER OF RECORD WILL VOID THIS SEAL

REFER TO TRUSS MANUFACTURER FOR EXACT LAYOUT

NUMBER	DATE	REVISION BY	DESCRIPTION



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UNIT 8 FISHERS LANDING ROAD
OCEAN VIEW, DE 19970**

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ATLANTIC DESIGN GROUP
34085 CREEK ROAD
DAGSBORO, DE 19939
302-462-6438**

DATE:

1/19/2020

SCALE: 1/4"

SHEET:

4

CONCEPTUAL VIEWS

FOUR BEDROOM HOME



REVISION TABLE		
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 UNIT 5
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 ATLANTIC DESIGN GROUP
 34085 CREEK ROAD
 DAGSBORO, DE 19939
 302-462-6438

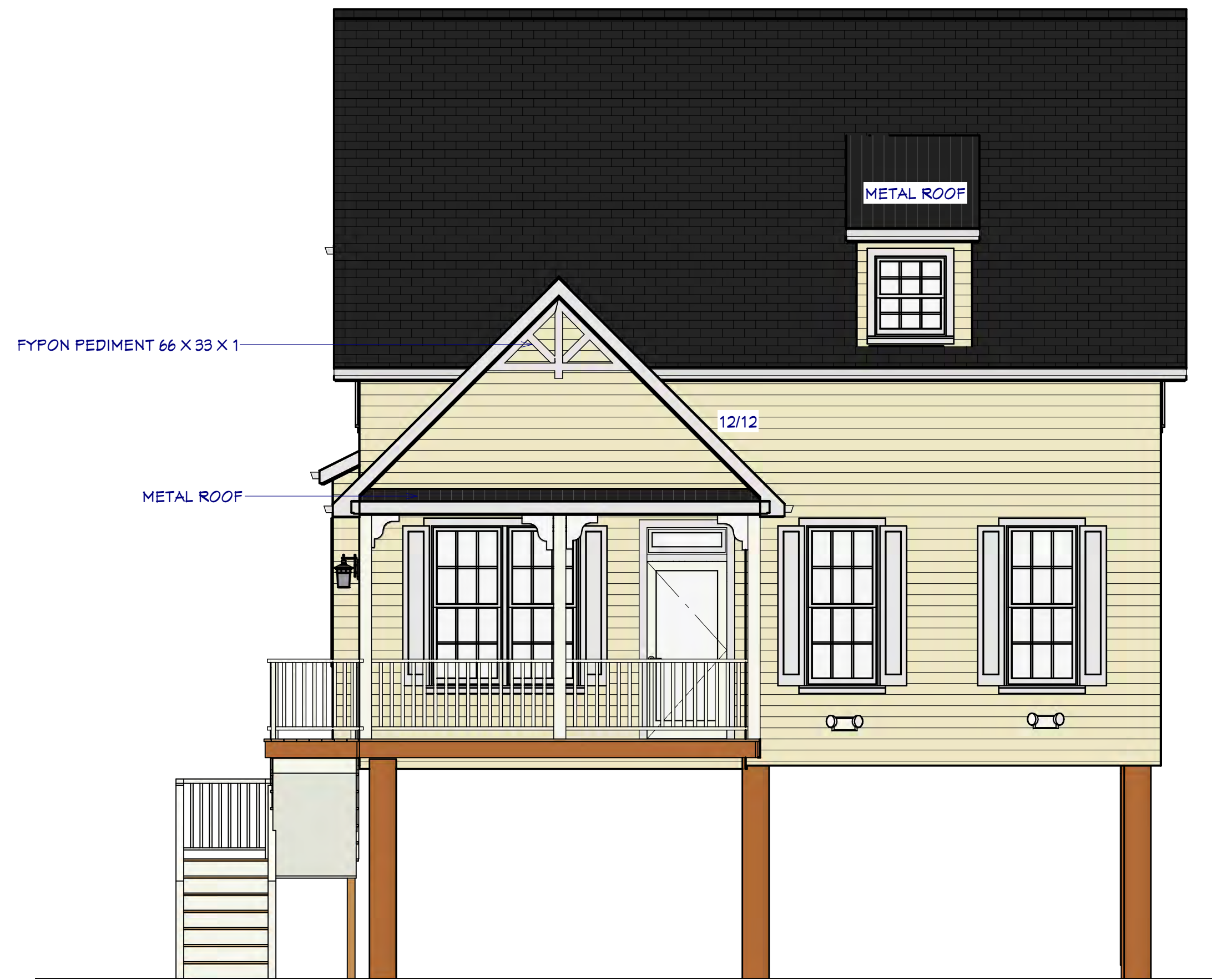
DATE:

9/9/2020

SCALE: 1/4"

SHEET:

1



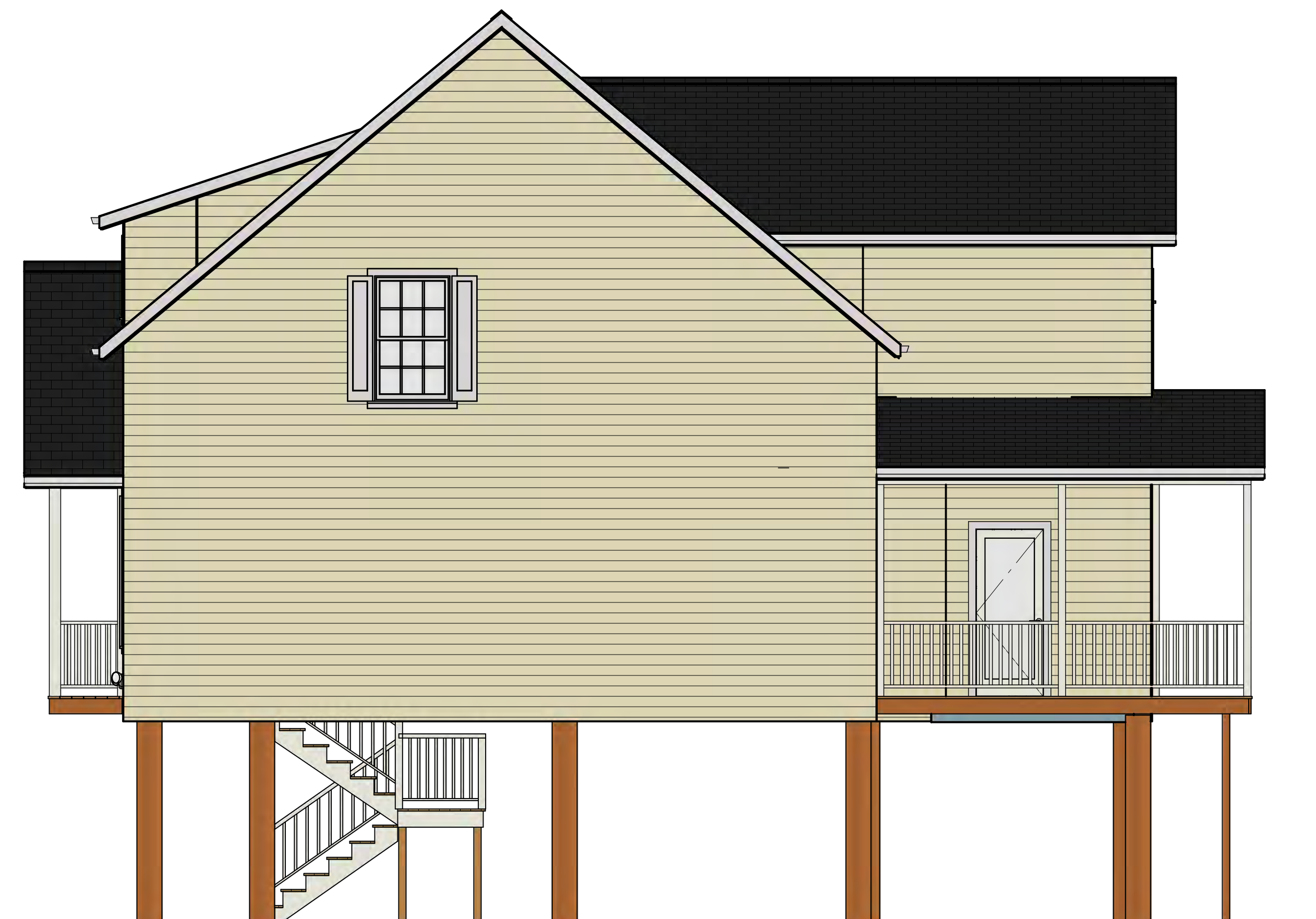
FRONT ELEVATION
1/4" SCALE



REAR ELEVATION
1/4" SCALE



LEFT ELEVATION
1/4" SCALE



RIGHT ELEVATION
1/4" SCALE

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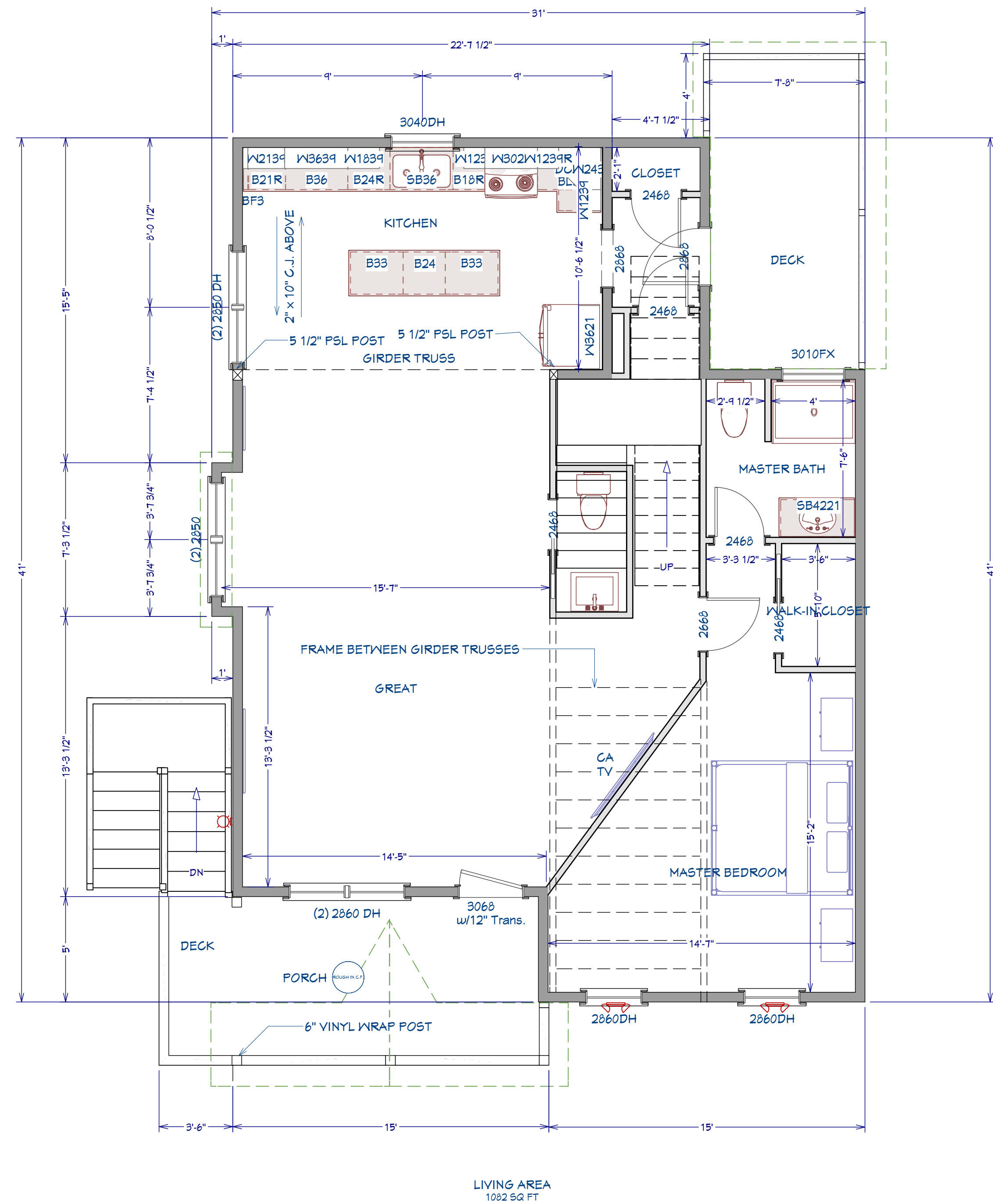
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9/9/2020

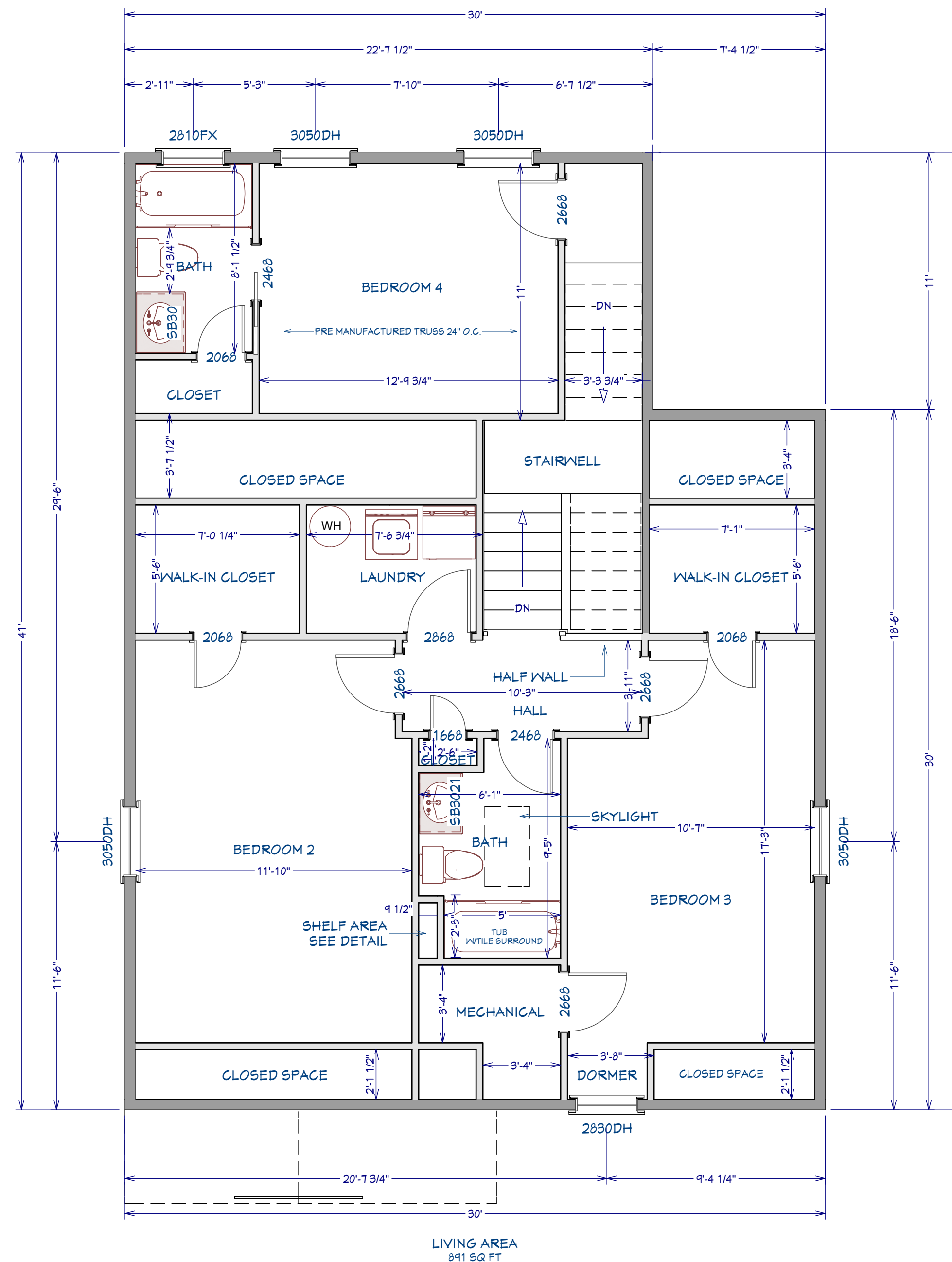
SCALE: 1/4"

SHEET:

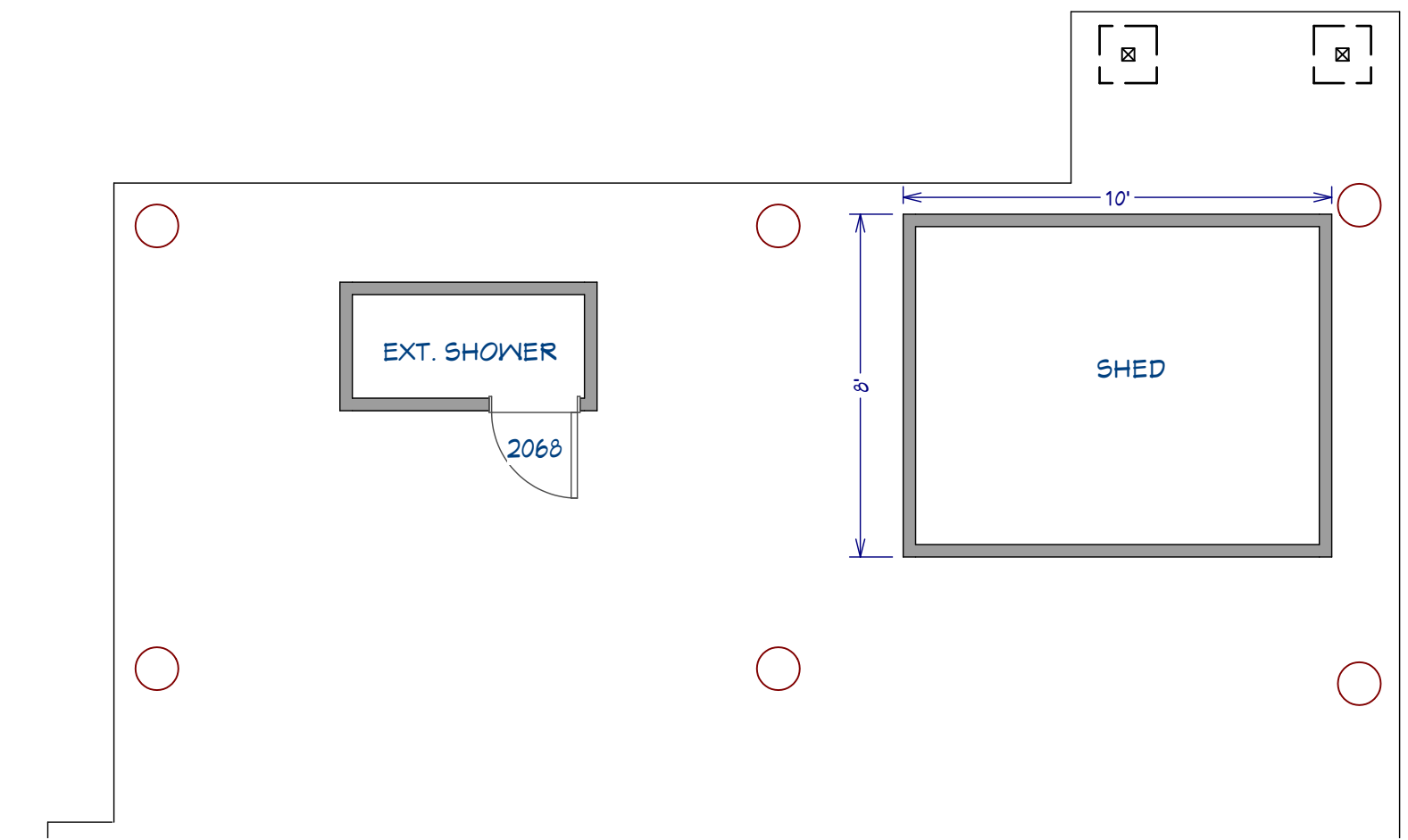
2



FIRST FLOOR
1/4" SCALE



SECOND FLOOR
1/4" SCALE



GROUND LEVEL
1/4" SCALE

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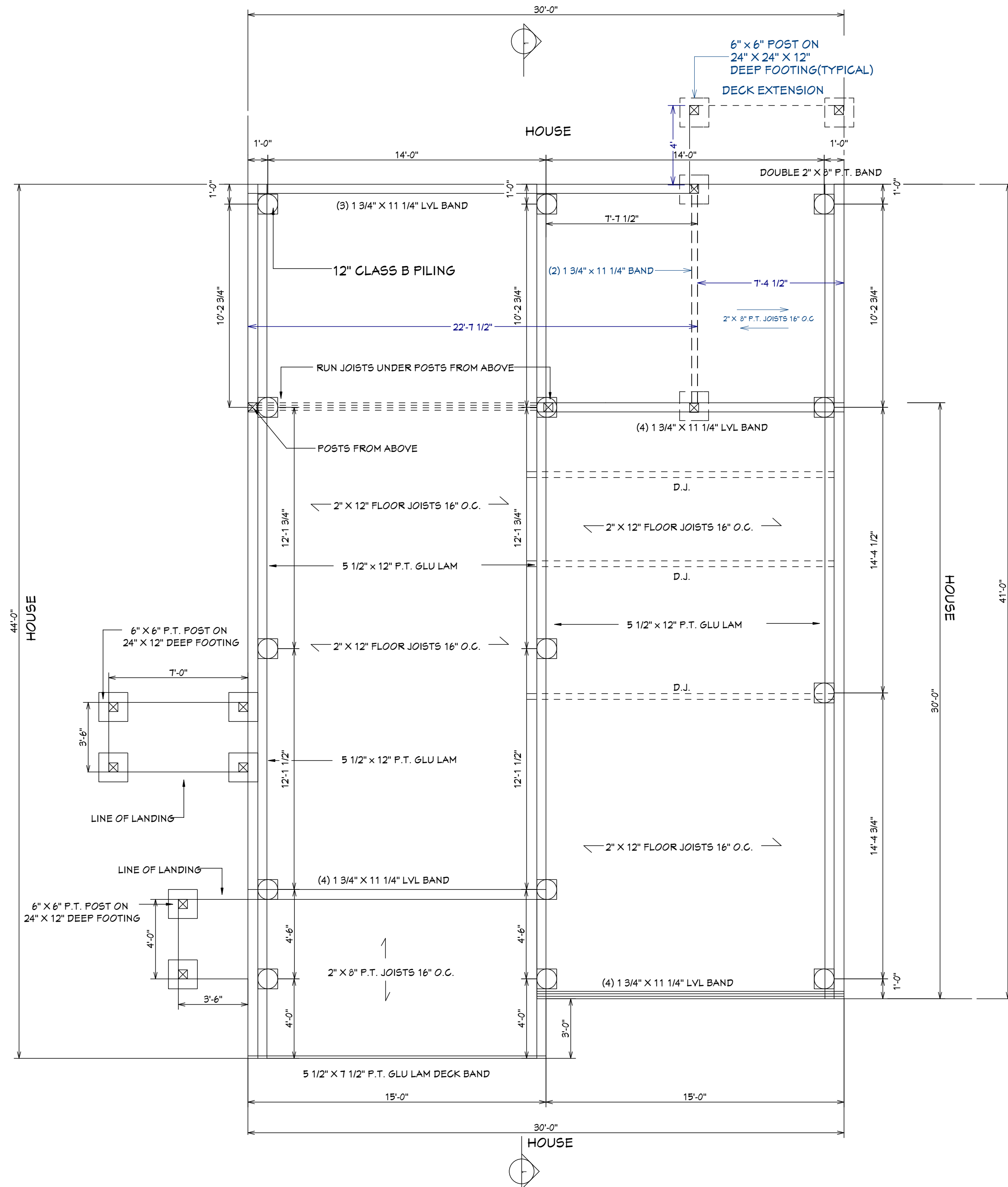
DATE:

9/9/2020

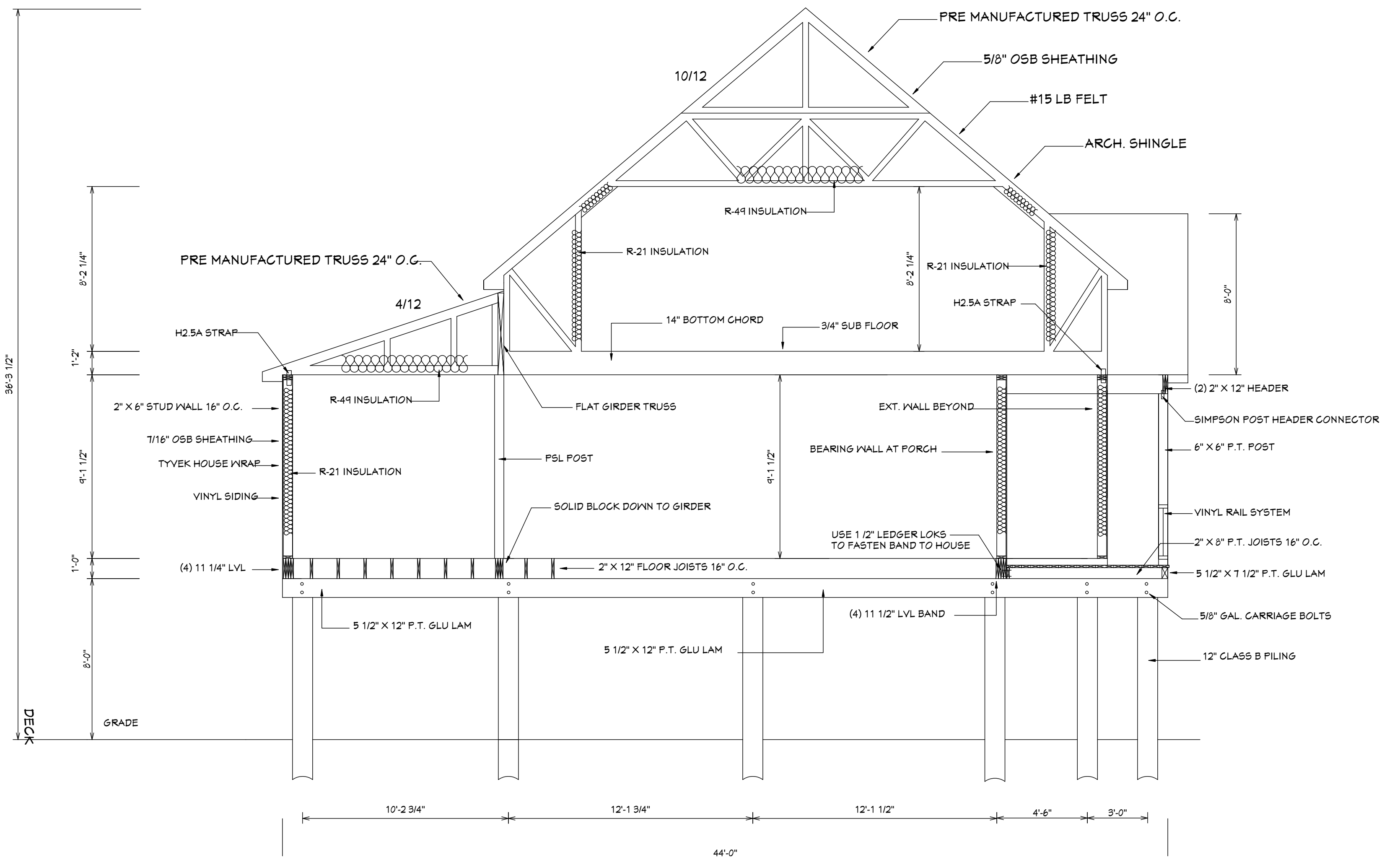
SCALE: 1/4"

SHEET:

3



Foundation
1/4" Scale



SECTION
1/4" SCALE

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Decks	60 lb/sq. ft.

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302-462-6438

DATE:

9/9/2020

SCALE: 1/4"

SHEET:

4



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

October 21, 2020

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

RE: PLUS review 2020-09-01; Kent Village

Dear Mr. Clark:

Thank you for meeting with State agency planners on September 23, 2020 to discuss the Kent Village project. According to the information received, you are seeking review of a proposed site plan for a 19-unit conditional use development on 3.93 acres along Parker House Road in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County has governing authority over this land the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

- This project is located in Investment Levels 1 and 2 according to the *Strategies for State Policies and Spending*. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. State investments will support growth in this area.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Muddy Neck Road (Sussex Road 361) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.
- Section P.5 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 226 vehicle trip ends per day, 20 in the morning peak hour of the Muddy Neck Road and 22 in the evening peak hour of Muddy Neck Road. DelDOT confirms the number of daily trips, finds slightly lower peak hour numbers, 18 and 21 respectively, and finds that the warrant for a TIS is not met.

The primary purpose of a TIS is to determine the need for off-site transportation improvements. DelDOT anticipates requiring the applicant to improve Muddy Neck Road and Parker House Road (Sussex Road 362) within the limits of their frontage to provide 11-foot lanes and 8-foot shoulders.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Muddy Neck Road and Parker House Road. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline on both roads. The following right-of-way dedication note is required, **“An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.”**
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Muddy Neck Road and Parker House Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **“A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.”**

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 300 feet of the entrance.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5 of the Manual provides DelDOT's requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT maintained public streets for subdivisions. If a pedestrian connection between the proposed subdivision street near Lot 6 and Shady Dell Park can be negotiated, an access easement and a paved path should be provided.
- Section 3.5.4.2 of the Manual addresses requirements for Shared-Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required. DelDOT will require a SUP across the parcel's frontage on Muddy Neck Road and Parker House Road. The internal sidewalk should be connected to the SUP.
- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Muddy Neck Road and Parker House Road.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Wetlands

Statewide Wetlands Mapping Project maps indicate the potential presence of riverine wetlands specifically in the area near the ditch at the northern edge of the property.

- If the project proposes to disturb (dredge or fill) federally regulated wetlands, a delineation of waterways and wetlands is required by the U.S. Army Corps of Engineers. In certain circumstances, additional certifications from DNREC Wetlands & Subaqueous Lands Section will be required as part of the U.S. Army Corps of Engineers permit process.
- For a list of consultants and engineers who can conduct delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link:
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>
- Contact: U.S. Army Corps of Engineers (Dover Office) at
DoverRegulatoryFieldOffice@usace.army.mil or (267) 240-5278.
Website: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>

Vegetated Buffer Zones

Vegetated buffer zones placed adjacent to waterways and wetlands help to improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Please note that vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

Excellent Groundwater Recharge Area

The southwest corner of the parcel is considered to be within Excellent Groundwater Recharge Area. These areas have soils that are conducive to water infiltrating downward from surface water into groundwater.

- The applicant must comply with all County and municipal codes that affect Excellent Groundwater Recharge Areas.
- Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.
Website: <https://dnrec.alpha.delaware.gov/water/supply/ground-water-protection/>

Stormwater Management

This project/site has met the minimum threshold of 5000 square feet of land disturbing activity under the Delaware Sediment and Stormwater Program.

- A Sediment and Stormwater Plan must be developed and approved prior to any land disturbing activity taking place on the site. This plan approval agency will vary, depending on the location of the project, or whether it is operated by a state agency or school district. The appropriate agency for this project is identified below.
- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.state.de.us/eNOI/default.aspx>) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.
- Schedule a project application meeting with the appropriate agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.
- Appropriate plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>
- General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

Water Quality (Pollution Control Strategies)

Pollution Control Strategies have been developed for the following watersheds in Delaware: Appoquinimink, Broadkill, Christina Basin, Inland Bays, Mispillion and Cedar, Murderkill, Nanticoke, St. Jones, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- This site lies within the Indian River Bay, which is part of the Inland Bays Watershed. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.
- Contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.
Website: <https://www.sussexconservation.org/>

Hydric Soils

Hydric Soil Group A/ D (poorly drained) soils have been identified on the site. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.
- Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>.

Wastewater Permitting – Large Systems

Sussex County holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch.

- It is the responsibility of Sussex County to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.
- Contact: DNREC Large Systems Branch at (302) 739-9948.
Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

State Historic Preservation Office – Contact Carlton Hall 736-7400

- Prehistoric archaeological potential is low to moderate. Poor soils are not favorable for prehistoric sites, but the parcel is within distance to remnant/relic waterways that are now part of the canals (shown on Beers). No comparable sites nearby.
- Historic potential is low. The land appears vacant prior to 1954, used for agricultural fields. Beers shows that it may have belonged to Capt. Daisy, but houses were located further away on the land.

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

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

Fire Protection Water Requirements:

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.
- The infrastructure for fire protection water shall be provided, including the size of water mains.

Accessibility:

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates

and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus.

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

Gas Piping and System Information:

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

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Name of Water Supplier
- Proposed Use
- National Fire Protection Association (NFPA) Construction Type
- Townhouse 2-hr separation wall details shall be shown on site plans
- Maximum Height of Buildings (including number of stories)
- Provide Road Names, even for County Roads

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- Please note that since the development lies within the Coastal Area, an environmental assessment (EA) and public facility evaluation report would have to be submitted with the preliminary plans (§115-194.3(B)(2)).
- There was a former Conditional Use application (CU 2195) on this site for the Kent Apartments for 45 apartments units which was approved for only 16 units by the County Council on 12/17/19 and adopted through Ordinance No. 2695.
- Since this is a Conditional Use application, the applicant will have to submit a Service Level Evaluation Request form to the Department of Planning and Zoning to obtain DelDOT’s approval prior to the submittal of a formal application.

- The applicant is required to participate in a pre-application meeting with the County. Please contact the Planning and Zoning Department to schedule a pre-application meeting with staff to discuss the proposed project by calling (302)855-7878 or you may reach out to Lauren DeVore at lauren.devore@sussexcountype.gov.
- Following submission to the County, staff would undertake review of the Preliminary Site Plan, where more detailed comments would be provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.
- 4.83 dwelling units per acre appears to comply with Code requirements for the GR Zoning District for a Conditional Use, which allows a total of up to 12 dwelling units per acre.
- The proposed plan includes 0.75 acres +/- (out of a total of 3.93 acres) of open space. Additional open space and sidewalks are encouraged for the community as well as connections to existing trails or bike paths. Interconnectivity is encouraged so that there is not only one way in, one way out access in the event of an emergency.
- The application notes that there is a tax ditch on the property, but staff have confirmed that there are no tax ditches currently on the property according to the County's Online Mapping System. There are no Wellhead Protection Areas on site and the site is located within an area of "good" Groundwater Recharge according to GIS records. Please note these items on the plans to accord with Chapter 89 "Source Water Protection" of the Sussex County Code.
- Please note that these are informal staff comments, and do not prejudice any decisions that the Sussex County Planning & Zoning Commission may wish to make as part of the formal review process.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District, South Ocean View area and connection to the sewer system is mandatory.
- A "Use of Existing Infrastructure Agreement" is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The

Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

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

Recommendations/Additional Information

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

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Muddy Neck Road or Parker House Road.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480 **Vegetated Buffer Zones**

- Incorporate a 100-foot vegetated buffer zone from the edge of wetlands to protect water quality.
- Vegetated buffer zones should be deeded as community open space. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance (LOD) on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.

- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change. In general, grass cutting for vegetated buffer zones should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.
- Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Stormwater Management

- Where site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce overall runoff including pollutant runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

General Drainage Recommendations

- All existing ditches on the property should be checked for function and cleaned, if needed, prior to the construction of homes. Wetland permits may be required before cleaning ditches.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.
- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.
- Contact: DNREC Drainage Program at (302) 855-1930. Website: <http://www.dnrec.delaware.gov/swc/Drainage/Pages/TaxDitches.aspx>

Tax Ditches

- The application states that tax ditches are present on the site, however, according to the most recent GIS data, tax ditches were not found on the site. Rather, the on-site ditch on the northern portion of the parcel drains into an off-site tax ditch to the northwest.

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- Although not a requirement of the State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in dwellings. The Office of the State Fire Marshal also reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website: <http://delcode.delaware.gov/title6/c036/sc03/index.shtml>
- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.
- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.
- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.
- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

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

CC: Sussex County

GULFSTREAM DEVELOPMENT, LLC
Kent Village
Conditional Use Application CU 2248

FILE COPY

**Applicant
Exhibit**

*Received at Public Hearing
07.22.2021*

PROPOSED CONDITIONS OF APPROVAL

1. The maximum number of residential units shall be 19.
2. The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment and disposal Unified District facilities which has adequate capacity. The applicant shall comply with all requirements and specifications of the County Engineering Department.
3. The site will be served with public water for both potable and fire protection use via connection to the Tidewater Utilities Water Company existing infrastructure which has adequate capacity.
4. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with all applicable State and County requirements. These facilities shall be operated in a manner that is consistent with Best Management Practices.
5. All entrances, intersections, interconnections, roadways and multi-modal improvements required by DelDOT shall be completed in accordance with DelDOT requirements.
6. Road naming and addressing shall be subject to the review and approval of Sussex County Mapping and Addressing Departments.
7. If requested by the local school district, a school bus stop shall be provided. The location of the bus stop shall be shown on the Final Site Plan.
8. Clearing, disturbance or altering of existing vegetation shall be limited as needed to accommodate proposed construction and for removal of dead and dying trees which pose a threat to public safety on adjacent private property.
9. The applicant shall submit as part of the Final Site Plan, a landscape plan showing the proposed tree and shrub landscape design.
10. Construction activities, including sitework and deliveries, shall occur only between 7:30 am and 7:00 pm Monday through Friday and 8:00 am through 5:00 pm on Saturdays.
11. The applicant shall form a homeowner's condominium association to be responsible for the perpetual maintenance of the driveways, landscaping, buffers, stormwater facilities, erosion and sediment control facilities and other common elements.
12. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.
13. The Final Site Plan shall contain the approval of the Sussex County Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.

Jamie Whitehouse

From: Sam Stinson <Sam@kimsimpsonrealtygroup.com>
Sent: Monday, July 12, 2021 9:04 AM
To: Jamie Whitehouse
Subject: C/U 2248 Kent Village

SUPPORT EXHIBIT

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.

Hello!

I am an owner in **Salt Aire**, a community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am pleased to support this project. The Salt Aire community has exceeded our expectations and when it is completed will be a credit to the neighborhood. I am sure that the new community will be the same.

Please make this email of support part of the record for C/U 2248.

Thank you!

Samantha Stinson, Realtor & Home Owner in Salt Aire Community

Samantha Stinson
Thyme Real Estate
104 W Main St Suite B
Middletown, DE 19709
302-449-1422
302-545-9872

Jamie Whitehouse

From: apr2085@aol.com
Sent: Tuesday, July 13, 2021 9:45 AM
To: Jamie Whitehouse
Subject: C/U 2248 Kent Village

SUPPORT EXHIBIT

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Dear Mr. Whitehouse,

I am writing in support of Mr. Bob Harris and his proposed community on Muddy Neck Road, near Ocean View.

As a homeowner in the Salt Aire community, which I'm sure you're aware Mr. Harris built on Sandy Cove Road in Ocean View, I have direct experience with Bob and his company. The Salt Aire community has been beautifully managed throughout the construction. Bob's workforce have all been conscientious regarding cleanliness, environmental concerns, and even noise. The overall project has become, because of Bob's constant attention to the project and his original vision, a beautiful neighborhood and an asset to the Ocean View community.

Please make our support of Mr. Harris' new community of Kent Village and specifically this e-mail, a part of the record for CU 2248.

Thank you very much for your attention to this matter.

Robert T. Carney
31117 Fisher Landing Road
Ocean View, DE 19970

Jamie Whitehouse

From: apr2085@aol.com
Sent: Tuesday, July 13, 2021 9:45 AM
To: Jamie Whitehouse
Subject: C/U 2248 Kent Village

SUPPORT EXHIBIT

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

Dear Mr. Whitehouse,

I am writing in support of Mr. Bob Harris and his proposed community on Muddy Neck Road, near Ocean View.

As a homeowner in the Salt Aire community, which I'm sure you're aware Mr. Harris built on Sandy Cove Road in Ocean View, I have direct experience with Bob and his company. The Salt Aire community has been beautifully managed throughout the construction. Bob's workforce have all been conscientious regarding cleanliness, environmental concerns, and even noise. The overall project has become, because of Bob's constant attention to the project and his original vision, a beautiful neighborhood and an asset to the Ocean View community.

Please make our support of Mr. Harris' new community of Kent Village and specifically this e-mail, a part of the record for CU 2248.

Thank you very much for your attention to this matter.

Robert T. Carney
31117 Fisher Landing Road
Ocean View, DE 19970

Jamie Whitehouse

From: Mark Lawrence <mrence24@gmail.com>
Sent: Wednesday, July 7, 2021 4:39 PM
To: Jamie Whitehouse
Cc: Emmalee Stranick Redstone
Subject: C/U 2248 Kent Village

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Hi Jamie -

I am an owner in **Salt Aire**, a community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am pleased to support this project. The Salt Aire community has exceeded our expectations and when it is completed will be a credit to the neighborhood. I am sure that the new community will be the same.

Please make this email of support part of the record for C/U 2248.

Sincerely,
Mark and Emmalee Lawrence

Sent from my iPhone

SUPPORT EXHIBIT

Jamie Whitehouse

From: Marcie Smith <mleesmith58@gmail.com>
Sent: Wednesday, July 7, 2021 2:25 PM
To: Jamie Whitehouse
Subject: New community

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Subject: C/U 2248 Kent Village

"I am an owner in **Salt Aire**, a community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am pleased to support this project. The Salt Aire community has exceeded our expectations and when it is completed will be a credit to the neighborhood. I am sure that the new community will be the same.

Marcie Smith lot 2 owner

Sent from my iPhone

SUPPORT EXHIBIT

Jamie Whitehouse

From: Robert Evans <robert.christian.evans@gmail.com>
Sent: Thursday, July 8, 2021 10:15 AM
To: Jamie Whitehouse
Subject: C/U 2248 Kent Village

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Mr. Whitehouse -

I am an owner in **Salt Aire**, a community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am pleased to support this project. The Salt Aire community has exceeded our expectations and when it is completed will be a credit to the neighborhood. I am sure that the new community will be the same.

Please make this email of support part of the record for C/U 2248.

Thanks,
Robert Evans

SUPPORT EXHIBIT

--
Robert C. Evans
Adjunct Professor
Image Scientist
443-875-2906

Jamie Whitehouse

From: Linda <lfmeliani@gmail.com>
Sent: Wednesday, July 7, 2021 10:30 PM
To: Jamie Whitehouse
Subject: C/U 2248 Kent Village

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Dear Mr. Whitehouse:

I am an owner in Salt Aire, a community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am pleased to support this project. The Salt Aire community has exceeded our expectations and when it is completed, it will be a credit to the neighborhood. I am sure that the new community will be the same.

Please make this email of support part of the record of C/U 2248.

Thank you.

Linda Meliani

SUPPORT EXHIBIT

Sent from my iPhone

Jamie Whitehouse

From: Libby Foester <foesterfamily@yahoo.com>
Sent: Thursday, July 8, 2021 4:10 PM
To: Jamie Whitehouse
Cc: Terry Foester
Subject: C/U 2248 Kent Village

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We are owners in Salt Aire, a community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am pleased to support this project. The Salt Aire community has exceeded our expectations and when it is completed will be a credit to the neighborhood. I am sure that the new community will be the same.

Please make this email of support part of the record for C/U 2248.

Terry & Elisabeth Foester

Jamie Whitehouse

From: Meg Alexander <alexandermargaret@gmail.com>
Sent: Saturday, July 10, 2021 11:56 PM
To: Jamie Whitehouse
Subject: C/U 2248 Kent Village

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.

To Whom It May Concern,

I am an owner in Salt Aire, a community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am pleased to support this project. The Salt Aire community has exceeded our expectations and when it is completed will be a credit to the neighborhood. I am sure that the new community will be the same.

Please make this email of support part of the record for C/U 2248.

Thanks so much and take care!

Kind regards,
Meg Alexander

SUPPORT EXHIBIT

Jamie Whitehouse

From: German Paraud <gparaud@gmail.com>
Sent: Friday, July 9, 2021 4:38 PM
To: Jamie Whitehouse
Cc: German Paraud
Subject: C/U 2248 Kent Village

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.

I am an owner in **Salt Aire at 31312 Point Reyes Lane, Ocean View, DE 19970**, a fantastic community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am more than pleased to wholeheartedly support this project. The Salt Aire community has exceeded my expectations and when it is completed will be a credit to the neighborhood. Great and beautiful quality homes, and great neighbors. I am sure that the new community will be the same.

Please make this email of support part of the record for C/U 2248.

German Paraud
31312 Point Reyes Lane
Ocean View, DE 19970
301-651-1791

SUPPORT EXHIBIT

Nick Torrance

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, July 20, 2021 6:11 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

**Opposition
Exhibit**

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, July 20, 2021 - 6:11pm

Name: Thomas J Salonick
Email address: salonick@gmail.com
Phone number: 717-433-4006
Subject: CU 2248 Gulfstream Development, LLC Application
Message:
Thomas J. Salonick
5 Reeping Way
Ocean View, DE 19970
(717) 433-4006
salonick@gmail.com

Sussex County Planning and Zoning
ATTN: JAMIE WHITEHOUSE, DIRECTOR OF PLANNING & ZONING Planning & Zoning Office PO Box 417 Georgetown, DE 19947

Dear Jamie/Planning and Zoning Commission Members,

In the consideration of CU 2248 Gulfstream Development, LLC, I respectfully request the following adopted motions from the December 17, 2019 County Council Meeting minutes be applied:

M 619 19

"...The application seeks the approval of 45 multi-family structures with three buildings on approximately 3.93 acres, but is being amended as set forth below (in the conditions), which is "16 units on the entire property."

Motion Adopted: 5 Yeas.

The 2019 45 unit Kent Apartment project has now morphed into a 19 unit stilted project. Even to a novice, such a change proves that even the developer is concerned about draining and flooding on this property.

M 620 19

Commission's Finding No. 4 (for Conditional Use No. 2195) to read as follows: "The proposed development will not have an adverse impact on the neighboring properties or communities with the conditions attached."

Motion Adopted: 5 Yeas.

Given the drainage issues mentioned in 2019, this new Kent Village Project could certainly create an adverse impact on the neighboring properties and communities. This was addressed again in M 623 19 cited below.

M 621 19

A Motion was made by Mr. Hudson, seconded by Mr. Burton, to strike the Planning and Zoning Commission's Finding No. 5 (for Conditional Use No. 2195).

Motion Adopted: 5 Yeas.

The Planning and Zoning Commission's Finding No. 5 reads:

"5. The project will not have an adverse impact on traffic or roadways. DeIDOT has stated it will generate less than 50 vehicle trips per hour and less than 500 trips per day, leading that agency to conclude that the traffic impact will be negligible."

As described by that 2019 County Council, "this property is basically an infill development and it is consistent with these nearby uses."

While seemingly at first blush this may be true, this property has become the epicenter of increased traffic since this property was last considered by the Planning and Zoning Commission in October 2019. The stop sign at the east end of Parker House Road, during daytime business hours, more times than not, causes more than a five minute delay making a turn in the northeast direction. The same is true from cross traffic turns other developments immediately bordering this Gulfstream property. Any additional traffic created by this proposed Gulfstream Development, Kent Village Project would only create a substantial traffic safety concern at this intersection.

M 622 19

"A maximum number of residential units shall be 16."

Motion Adopted: 5 Yeas.

County Council once again reiterated the maximum number of residential units shall be 16.

M 623 19

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that Condition No. 10b (recommended by the Planning and Zoning Commission for Conditional Use No. 2195) be amended to read as follows: "The Applicant or its successor, as landlord shall be responsible for perpetual maintenance of the development roadway, buffers, stormwater management, facilities, erosion and sediment control facilities, and other common areas. The ditch on the property shall be cleaned and maintained and not be filled in. If it is relocated, it must be with the approval of the Sussex County Soil Conservation District and maintained pursuant to their requirements."

Motion Adopted: 5 Yeas.

The only reasonable approach to perpetual maintenance is the requirement of the developer to post a security bond in the amount to ensure perpetual compliance with this ordinance. Perpetual could last a long time and any successor agreement must include the transfer of said security bond.

This approval process should include provisions assuring that perpetual maintenance not be transferred in the future to adjacent property owners, including DelDot.

In consideration of the above, it is only within the realm of reasonableness that the Planning and Zoning Commission as well as County Council apply their own 2019 motions to this current Gulfstream Development Kent Village application.

Respectfully submitted,

Tom Salonick
5 Reeping Way
Ocean View, DE 19970
(717) 433-4006
salonick@gmail.com

Ashley Paugh

From: PATRICK EMLET <57providence@verizon.net>
Sent: Wednesday, July 21, 2021 1:40 PM
To: Ashley Paugh
Subject: Letter of Opposition to CU2248
Attachments: July 12, 2013 Calvert Flooding.JPG

Opposition
Exhibit

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Dear Planning and Zoning Commissioners,

I am a property owner in the Providence community, that borders Gulf Stream Development's CU2248. This letter is to inform you of my opposition to this conditional use request for the following reasons:

1. CU2248 states 19 units, which does not abide by the Sussex County Council's decision for setting the maximum at 16 units.

This property has current conditional use under CU2195 which was granted during December 17, 2019 meeting with the following amendment, specifically M 62219 Condition No 10a. The motion was presented as "a maximum number of residential units shall be 16". This motion was adopted in the December 2019 meeting (with 5 year votes) by the Sussex County Council. Now CU2248 is requesting to place 19 units, which is in direct conflict with the Sussex County Council's decision. The rationale for going to 19 units is unfounded given that nothing has changed in our area to grant additional units beyond the 16 already approved.

2. CU2248 does not clearly abide by the Sussex County Council's decision for maintaining the drainage ditch.

This property has current conditional use under CU2195 which was granted during December 17, 2019 meeting with the following amendment, specifically M 622319 Condition No 10b. The motion was presented as "The ditch on the property shall be cleaned and maintained and not filled in." This motion was adopted in the December 2019 meeting (with 5 year votes) by the Sussex County Council. Now CU2248 is requesting to place 19 units, with gravel below each unit, making it unclear as to how CU2248 will in fact respect the decision regarding the maintenance of the ditch. This ditch is critical in managing water, thereby preventing flooding of Providence and other neighboring communities. Providence has experienced severe flooding, as evident by the attached photo. This photo was taken July 12, 2013.

In summary I oppose CU2248.

Sincerely,

Patrick Emlet

484-241-9942
19 John Hall Drive
Ocean View, DE 19970



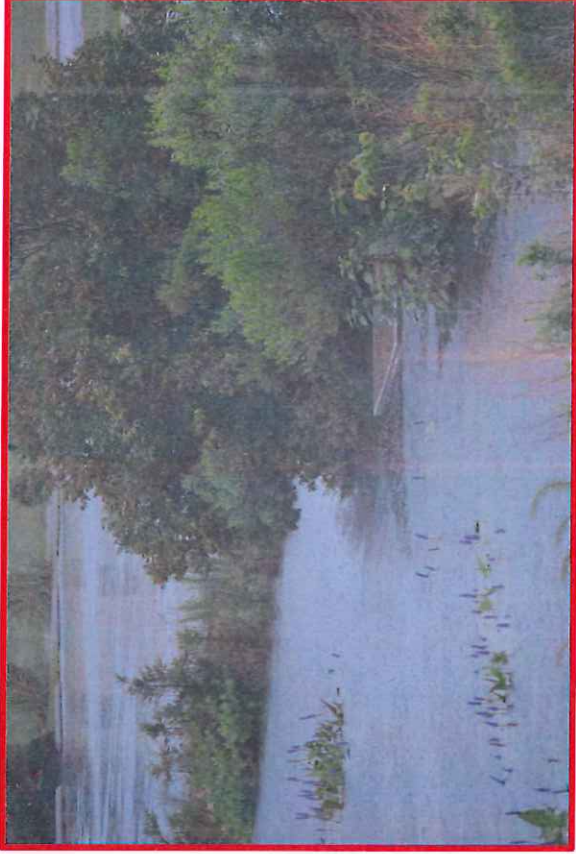
July 12, 2013 – Flooding in Providence

(highlighting the flooding of Calvert Street)



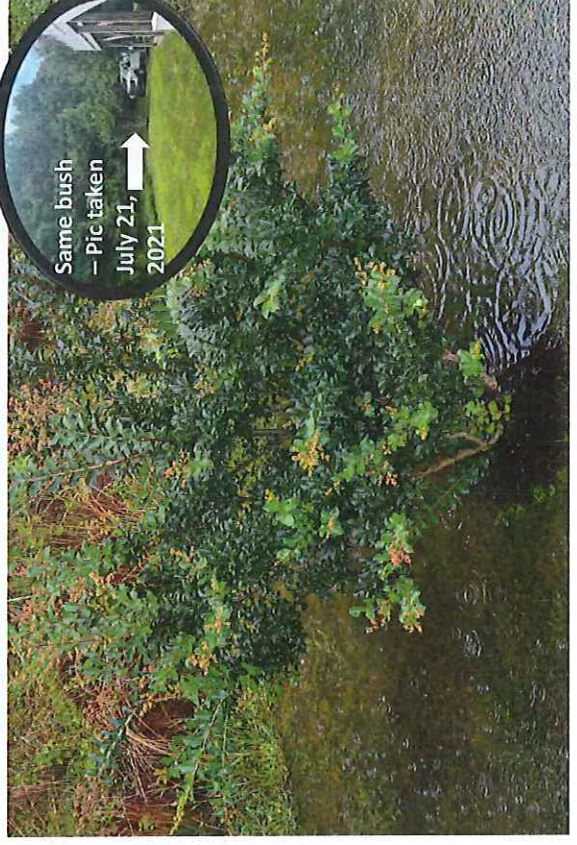
July 11, 2013 – Flooding in Providence

(highlighting the overflow of the retention pond)



July 11, 2013 – Flooding in Providence

(highlighting the flooding behind the townhomes units and adjacent to CU2248)



Feb 23, 2021 – Drainage ditch on CU2248



Feb 23, 2021 – Drainage ditch on CU2248



Mr. Jamie Whitehouse, Director
Sussex County Planning and Zoning
P.O. Box 417
Georgetown, DE 19947
CU 2248

Dear Commissioners,

I am an owner in the Providence Community adjacent to Kent Village proposal C/U 2248. I am opposed to the conditional use for 19 units on this 3.93 acre parcel at the corner of Muddy Neck and Parker House Roads.

I attended the meeting on December 10, 2019 for C/U 2195. The decision given by the Sussex County Council which is recorded in the minutes on December 17, 2019, pages 10 to 13 are as follows:

M 622 19 Amend conditions/ CU 2195

Condition 10a be amended as follows "A maximum number of residential units shall be 16."

Motion Adopted: 5 Yeas

M 623 19 Amend condition CU 2195

Ditch on the property must be cleaned and maintained and not be filled in. If it is relocated, it must be with the approval of the Sussex County Soil Conservation District and maintained pursuant to their requirements. Pp

Motion Adopted: 5 Yeas

With the decision that was made by the Sussex County Council at this December 2019 meeting, it is unclear why Gulfstream Development would then submit a proposal for 19 units. Again, 16 units was the max allowed.

The "ephemeral ditch" has water after each rainstorm. I am submitting pictures showing significant amounts of water in this ditch. These pics were taken in February of 2021. I am also showing pics of the flooded ground after a storm in July 2013. Any plans submitted are supposed to consider a 100 year flood. This area floods often.

Please make this email of opposition part of the record for CU 2248.

See attachments

Diana Emler
19 John Hall Drive
Ocean View, DE 19970

July 21, 2021 - Providence (behind the townhomes units and adjacent to CU2248)



July 18, 2021 - Salt Aire

The 20 feet distance between end of building & the property line is consumed by a deck. This is essentially on-top of the property line



Is it possible for the builder to install fencing like this along the board of Providence?

Jamie Whitehouse

From: Dick Kittle <richard.w.kittle@gmail.com>
Sent: Monday, July 19, 2021 9:59 AM
To: Jamie Whitehouse
Subject: CU 2248 Gulfstream Development

SUPPORT EXHIBIT

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Mr. Whitehouse
Planning Director
Sussex County,

Mr. Whitehouse,

I am a property owner in Providence, the adjacent development. I am writing to support the development of the adjacent property with the limit of 16 units. It is my understanding that the Sussex County Council agreed to this number at an earlier meeting.

thank you for your consideration,

Richard Kittle
10 John Hall Drive
Providence
302-252-6689

Jamie Whitehouse

From: Eric Smith <ericrsmith1@gmail.com>
Sent: Friday, July 16, 2021 9:49 PM
To: Jamie Whitehouse
Subject: C/U 2248 Kent Village

SUPPORT EXHIBIT

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I am an owner in **Salt Aire**, a community of 19 homes on 4 acres in the Cedar Neck area of Sussex County. I understand that my builder, Robert Harris, is planning a similar community of 19 homes on Muddy Neck Road near Ocean View. I am pleased to support this project. The Salt Aire community has exceeded our expectations and when it is completed will be a credit to the neighborhood. I am sure that the new community will be the same.

Please make this email of support part of the record for C/U 2248.

Eric & Jeanine Smith
31033 Boatyard Rd. (LOT #1 Salt Aire)
Ocean View, DE 19970

Jamie Whitehouse

From: beth hirst <bhirsty@gmail.com>
Sent: Wednesday, July 21, 2021 6:02 AM
To: Jamie Whitehouse
Cc: Dennis Quinn
Subject: Hearing this Thursday

**Opposition
Exhibit**

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Hi Jamie - We are aware of a hearing this Thursday for a new conditional use application from Gulfstream Developers for the parcel of land that borders Providence at the corner of Muddy Neck Road and Parker House Road.

We are opposed to the 19 and do not support.

I am an owner in the community of Providence.

Thank you -
Beth Ann Hirst

RECEIVED

JUL 21 2021

SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: Dennis Quinn <dmquinn243@gmail.com>
Sent: Wednesday, July 21, 2021 6:21 AM
To: Jamie Whitehouse
Subject: Gulfstream variance

**Opposition
Exhibit**

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I am Dennis Quinn, Providence property owner. I am opposed to the changes in land use by Gulfstream.

Sent from my iPhone

RECEIVED

JUL 21 2021

SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: mcharmartz@aol.com
Sent: Tuesday, July 20, 2021 8:29 PM
To: Jamie Whitehouse
Subject: RE: No to new apartments

Opposition
Exhibit

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To: Jamie Whitehouse

From: Betty and Marc Charmatz

We are residents of 42 John Hall Drive and we write in opposition to both the 16 and 19 apartment units on the corner of Muddy Neck Road and Parker House Road. We understand that you may have already approved the 16 unit apartments but we ask that you reconsider this decision.

First, you have already determined that there is a ground water issue regarding these apartments. On this point, you may know more than we do but the issue of ground water is critical to maintaining the community at large.

Second, the area on what I call West has been heavily developed in recent years. You have already approved Ocean View Beach Club which has many units still to be developed. Also, you approved Evergreen Homes at Tidal Walk. Finally, you approved Ryan Homes next to the Beach Club. In addition, the homes from Bear Trap and the Reserves feeds into West. With all of this extensive development in our area, there is no need for 16 or 19 apartment units.

Third, the traffic in our area has dramatically increased this past year, especially at the corner of the Muddy Neck and Parker House. As we drive this area all the time, all we can say is that it now often takes a good amount of time for us to even get out of John Hall Drive because of the traffic.

Fourth, there simply is not enough room for apartments, whether 16 or 19, and parking that goes with the apartments. In other words, there is no need for this development at this time.

Betty and Marc Charmatz

Jamie Whitehouse

From: Lisa Donahue <paullisadonahue@gmail.com>
Sent: Friday, July 16, 2021 6:53 PM
To: Jamie Whitehouse
Subject: Kent Village

Opposition
Exhibit

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Good evening Jamie,

We are sending this letter to voice our objections to the Gulfstream Developers changing their plans for this site from 16 units to 19 units. It is our understanding that the Sussex County Council approved a maximum of 16 units for this parcel. We are full time residents and registered voters whose property is greatly affected by this construction.

Please take note of our objections prior to next Thursday's public hearing in Georgetown.

Regards,

Paul and Elizabeth Donahue
21 John Hall Drive
Ocean View, De 19970

Sent from my iPad

Jamie Whitehouse

From: diana emlet <emletd@verizon.net>
Sent: Saturday, July 17, 2021 3:00 PM
To: Jamie Whitehouse
Subject: Opposition letter for Kent Village C/U 2248
Attachments: IMG_0682.jpg; letter to P & Z 7.17.21.docx; IMG_0684.jpg; July 2013 100.JPG

Opposition
Exhibit

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

Dear Mr. Whitehouse,

Attached is a letter of opposition for Kent Village C/U 2248.

Please make this attached letter a part of the record opposing C/U 2248.

Also I have attached a few pictures of the flooding on this property last February 2021 in the ditch and a picture of flooding along the property on July 2013. Please include them as part of the record as well.

Thank you,

Diana Emlet
19 John Hall Drive
Ocean View, DE 19970







Mr. Jamie Whitehouse, Director
Sussex County Planning and Zoning
P.O. Box 417
Georgetown, DE 19947
CU 2248

Opposition
Exhibit

Dear Commissioners,

I am an owner in the Providence Community adjacent to Kent Village proposal C/U 2248. I am opposed to the conditional use for 19 units on this 3.93 acre parcel at the corner of Muddy Neck and Parker House Roads.

I attended the meeting on December 10, 2019 for C/U 2195. The decision given by the Sussex County Council which is recorded in the minutes on December 17, 2019, pages 10 to 13 are as follows:

M 622 19 Amend conditions/ CU 2195

Condition 10a be amended as follows "A maximum number of residential units shall be 16."

Motion Adopted: 5 Years

M 623 19 Amend condition CU 2195

Ditch on the property must be cleaned and maintained and not be filled in. If it is relocated, it must be with the approval of the Sussex County Soil Conservation District and maintained pursuant to their requirements. Pp

Motion Adopted: 5 Years

With the decision that was made by the Sussex County Council at this December 2019 meeting, it is unclear why Gulfstream Development would then submit a proposal for 19 units. Again, 16 units was the max allowed.

The "ephemeral ditch" has water after each rainstorm. I am submitting pictures showing significant amounts of water in this ditch. These pics were taken in February of 2021. I am also showing pics of the flooded ground after a storm in July 2013. Any plans submitted are supposed to consider a 100 year flood. This area floods often.

Please make this email of opposition part of the record for CU 2248.

See attachments

Diana Emlet
19 John Hall Drive
Ocean View, DE 19970

Jamie Whitehouse

From: Henry Zeglen <dodgemanhz@gmail.com>
Sent: Monday, July 19, 2021 10:24 AM
To: Jamie Whitehouse
Subject: Muddy Neck

Opposition
Exhibit

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To all,

I appose the increase in units on this parcel at muddy neck and parker house roads. Water drainage issues and over congestion of this space also traffic and EV access as well as easements.

Henryzeglen

Sent from my iPhone

Jamie Whitehouse

From: swedishlinda@aol.com
Sent: Monday, July 19, 2021 9:49 AM
To: Jamie Whitehouse
Cc: carpegusto@aol.com
Subject: Proposed development in Ocean View, DE

Opposition
Exhibit

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Jamie Whitehouse, Sussex County Planning Director

As owners of a townhouse in Providence, we are opposed to the proposed development of 19 units at the corner of Parker House and Muddy Neck roads in Ocean View, DE.

In a unanimous decision by the Sussex County Council in December 2019, the number of units to be built on this property was restricted to sixteen.

We are concerned that allowing the construction of 19 units would adversely affect the ground water runoff, as the proposal includes building over the current drainage ditch. This would adversely impact the drainage of the area and cause a great potential for flooding which would affect the homes in Providence that are adjacent to the property.

In this era of increasingly severe weather events caused by climate change it is foolhardy to ignore the effects that allowing additional units to be built would cause.

Thank you for your consideration of our concerns.

Sincerely,
Kenneth & Linda Wadlin
14 John Hall Drive
Ocean View, DE 19770

Jamie Whitehouse

From: Zarek, John F. (GSFC-444.0)[KBRwyle] <john.f.zarek@nasa.gov>
Sent: Tuesday, July 20, 2021 12:05 PM
To: Jamie Whitehouse
Subject: Kent Village 7/22/21 Meeting

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Jamie,

Hello. I hope you and your family are well. My name is John Zarek and I live at 10 Calvert Street in the Providence subdivision in Ocean View. I'd like to voice my objection to the present plan being proposed by Gulfstream developers for Kent village. This development came up some time ago and all interested parties had an opportunity to voice their pros and cons. The county listened patiently to everyone for hours and came to a decision that 16 homes was appropriate for this location, based on flooding and traffic and child safety issues. Now it appears the developer wants to ignore the well thought out county decision and build 19 homes in this location. Did the previous decision by the county not have any meaning to him? Are all county decisions more like just guidelines to him? I understand the developer wants to maximize his profits, but 16 homes should compensate him very well. Do we really have to rehash hours of testimony every time someone is unhappy with a county decision? Yes, I understand that some development (Salt Aire) located miles and miles away was allowed 19 homes on 4 acres. However, that development has completely different flooding conditions, completely different traffic safety conditions, and completely different child safety conditions. This is a housing development, not a pair of socks. Contrary to what the developer might believe, ONE SIZE DOES NOT FIT ALL.

Please inform the Gulfstream developer that the county did its proper due diligence the first time around and came to the correct and proper decision of 16 houses and maintenance of the drainage ditch for the property on Muddy Neck road. When it comes to development decisions, the location matters, and Kent Village is not Salt Aire.

Thank you for letting me voice my opinion once again. Hopefully, the developer will accept the county's original decision and we won't have to go through this a 3rd time.

Thanks,
John Zarek
410-446-2105

Ms Robin Griffith, Clerk of the Council
Sussex County Council
2 The Circle, P.O. Box 589
Georgetown, DE 19947
August 22, 2021

Re: C/U 2248

Dear County Council Members,

I am an owner in the Providence Community adjacent to parcel of land located at the corner of Muddy Neck and Parker House Roads (Tax Parcel 1-34-16.00-382.00). I am opposed to this conditional use C/U 2248 for Kent Village as proposed by Gulfstream Developers.

My first reason for opposition is density of units on this parcel. **I ask Sussex County Council to uphold your decision to maintain the maximum of 16 residential units on this entire property** Simply stated, the Sussex County Council already ruled that the maximum number of residential units shall be 16.⁽¹⁾ This proposal does not respect that decision by exceeding 4 units per acre.

Furthermore, it is not clear what exactly is Gulfstreams proposing to be developed on this parcel of land? **I ask Sussex County Council to please seek clarification for the number of structures that will house the residential units.** This proposal is fraught with inconsistencies.⁽²⁾ and Planning and Zoning Committee stated *"The application seeks approval for 19 multifamily structures on approximately 3.93 acres. Although the units will be condominiums they will have the appearance of single family dwellings"*⁽³⁾ Directly speaking, are they one residential unit per structure (typically called a single family home) or is it 2 or more residential units per structure (typically called a condominium or multi-family dwelling)?

I ask Sussex County Council to please clarify the parking situation. The proposal states 51 parking spaces, as per the site plan, which showed 2 parking spaces per structure plus an additional 13 spaces. However, the testimony given during the Planning and Zoning meeting stated a total of 89 parking spaces. What is the actual number of parking spaces? Does the number of residential units require that number in this environmentally sensitive area?

The second reason for opposition is specific to the placement and maintenance of the to-be-relocated ditch. There is currently a ditch, classified as a riverine per the National Wetlands Inventory, and included in the CU 2248 on page 101. Yet the proposal indicates that structures will be built upon that riverine. This ditch is critical to preventing flooding of neighboring communities, as evidenced by pictures provided.

I ask the Sussex County Council to please clarify the location of the relocated ditch. During the Planning and Zoning Public Hearing held on July 22, 2021, the Gulfstream representative verbally stated that the ditch would be relocated along the Providence border. The ditch cannot be located on Providence property. Given that the purpose of the ditch is to manage water, it cannot be placed within the vegetated and forested buffer area.

I ask the Sussex County Council to also please uphold the decision⁽⁴⁾ to require the ditch on the property to be cleaned and maintained and not be filled in.



The third reason for opposition is specific to the fencing and buffer area that separates Kent Village and Providence. C/U 2248 proposal provides a 10 ft buffer area and no fence. Planning and Zoning meeting mostly addressed this reason for opposition by approving Condition F on August 12, 2021, that states *“There shall be a vegetated or forested buffer of at least 20 ft in width along the perimeter of this development. This buffer shall utilize existing forest or similar vegetation if it exists in the buffer area. For trees currently exist in this buffer area, stump removal, or construction activities that disturb the existing grade of the area within the buffer shall not be prohibited. Also fencing shall be located along the interior limit of buffer area, the edge of the buffer nearest the interior of the development. And the final site plan shall identify the limit of disturbance to prevent disturbance of the buffer area”* - as transcribed from audio file https://sussexcountynj.gov/sites/default/files/audio/Old%20Business_49.mp3

I ask the Sussex County Council to please support Planning and Zoning Condition F and build on this adding the following condition: The fencing shall be an 8 foot high wood shadow fence. This condition reflects the verbal statements made by representatives for C/U 2248 during the Planning and Zoning Public Hearing held on July 22, 2021. Multiple times, Gulfstream representative’s stated that Kent Village will look exactly the same as Salt Aire community. Salt Aire community has an installed 8 foot wood shadow fence, per the pictures below. In addition to providing privacy, this type of fence will block headlights from affecting neighboring communities.



The forth reason for opposition is specific to the removal of trees on Providence Private Property I ask **Sussex County Council please revise Planning and Zoning Condition G approved on August 12, 2021, so that no trees located on Providence Private Property shall be removed without written consent and approval by Providence Homeowner’s Association.** Any trees deemed unsafe shall be marked to facilitate community approval of Gulfstream’s removal of marked trees.

The fifth reason for opposition is specific to the easement on Lot 6 of the Shady Dell community. I ask **Sussex County Council to support Shady Dell as it relates to not allowing for an easement path.** Page 56 and page 121 section 3 of C/U 2248 is asking for easement and a paved path near lot 6 in Shady Dell Park. Shady Dell Park Homeowners do not want such an easement into their private neighborhood.

Please make this email of opposition part of the record for C/U 2248.

See following enclosures containing references.

Sincerely,

Diana Emlet

Enclosures: References indicated within letter above.

- (1) The decision given by the Sussex County Council, which is recorded in the minutes on December 17, 2019, pages 12-13, clearly states 16 units on the entire property.

M 624 19
Adopt
Ordinance
No. 2695/
CU 2195
(continued)

DISTRICT FOR MULTI-FAMILY (45 APARTMENT UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.93 ACRES, MORE OR LESS" (Conditional Use No. 2195) filed on behalf of Gulfstream Development, LLC (Kent Apartments), with the Findings and Conditions, as amended:

1. The application seeks the approval of 45 multi-family structures with three buildings on approximately 3.93 acres, but is being amended as set forth below, which is "16 units on the entire property".
2. The property is in an area where a variety of development has occurred. Lands to the north of this property are zoned HR-1 RPC with a multi-family residential development. Lands to the west and south are developed under GR zoning and there is a nearby B-1 zoning and other lands with commercial uses. This property is basically an infill development and it is consistent with these nearby uses.
3. The site is in the Coastal Area according to the Sussex County Comprehensive Plan. This type of development is appropriate in this area according to the plan which states that a range of housing types are acceptable here including medium and high density with a site near commercial uses is served by central water and sewer where the key use is in keeping with the character of the area and other similar factors. These types of considerations exist with regard to this site.
4. The proposed development will not have an adverse impact on the neighboring properties or communities with the conditions attached.
5. The project is located in an area of opportunity as defined by the Delaware State Housing Opportunity Maps. The Delaware State Housing Authority has strongly recommended this application.
6. The development will be served by central sewer provided by Sussex County.
7. This application is essentially an infill development that is consistent with adjacent residential development in the area.
8. The development will be served by central water.
9. This recommendation is subject to the following conditions.
 - a. A maximum number of residential units shall be 16.
 - b. The Applicant or its successor, as landlord shall be responsible for perpetual maintenance of the development roadway, buffers, stormwater management facilities, erosion and sediment control

- (2) Inconsistencies found within C/U 2248 Packet - Entitled CU 2248 Gulfstream Development, LLC Paperless Packet.pdf found on <https://sussexcountyde.gov/planning-zoning-meeting-1523>

- a. Page 1 and 5 of the packet proposed use is for 19 Single-Family Condominiums
- b. Page 9 Land use classification Multifamily Residential
- c. Page 13 Proposed Use: Twenty (20) single family detached homes each measuring 34' x 59'
- d. Page 13 The number of units is Twenty (20)
- e. Page 23: Proposed GR – Multifamily Dwelling Structures
- f. Page 34: Site Data – 47 Dwelling Units Allowed / 19 Dwelling Units Proposed
- g. Page 46 develop the site with 19 multifamily dwellings within 19 buildings
- h. Page 50: Multifamily development
- i. Page 70 Proposed use Twenty (20) single family detached homes each measuring 34' x 50'

- (3) On August 12, 2021, the Planning and Zoning Committee Motion recommended approval of CU 2248 with the first reason stated as "The application seeks approval for 19 multifamily structures on approximately 3.93 acres. Although the units will be condominiums, they will have the appearance of single family dwellings." As transcribed from audio file https://sussexcountyde.gov/sites/default/files/audio/Old%20Business_49.mp3

- (4) M 623 19 Amend Condition/ CU 2195 A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that Condition No. 10b (recommended by the Planning and Zoning Commission for Conditional Use No. 2195) be amended to read as follows: "The Applicant or its successor, as landlord shall be responsible for perpetual maintenance of the development roadway, buffers, stormwater management, facilities, erosion and sediment control facilities, and other common areas. The ditch on the property shall be cleaned and maintained and not be filled in. If it is relocated, it must be with the approval of the Sussex County Soil Conservation District and maintained pursuant to their requirements."

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

From: diana emlet <emletd@verizon.net>
Sent: Sunday, August 22, 2021 10:01 AM
To: Robin Griffith <rgriffith@sussexcountyde.gov>
Subject: Letter of Opposition to C/U 2248

Hi Ms. Griffith,

Attached is my letter of opposition to C/U 2248 for the Gulfstream Development for Kent Village.

Please add this to the packet for the upcoming Sussex County Council public hearing scheduled for August 31, 2021.

If you have any questions or concerns, please feel free to reach out to me via email or phone call.

I look forward to seeing you at the public hearing.

Thank you very much for your time.

Warm Regards,

Diana Emlet
610-357-3177

Jamie Whitehouse

From: Diana Ziskay <ddieter76@gmail.com>
Sent: Wednesday, July 21, 2021 12:56 PM
To: Jamie Whitehouse
Subject: Gulf Stream development Ocean View

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To Whom It May Concern:

I just wanted to write in my opposition to the Gulf Stream development at Parker House Rd and Muddy Neck Rd in Ocean View. Our community is already busting at the seams and another development will just add negatively to the communities already established. Not only will it add to the ever increasing traffic issues in the area but it can have negative impact on our already fragile ecosystem.

Thank you,
Diana and William Ziskay
Providence
23 John Hall Dr
Ocean Biew

Opposition
Exhibit

From: cindy horst <noreply@forms.email>
Sent: Monday, August 16, 2021 2:51 PM
To: Doug Hudson
Subject: Contact Form: public hearing aug.31 2021 RE: Gulfstream Development, LLC

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Name: cindy horst
Email: lilcin@mchsi.com
Phone: 13025408584
Subject: public hearing aug.31 2021 RE: Gulfstream Development, LLC
Message: Sussex County Council

2 The Circle

P.O. Box 589

Georgetown, DE 19947

FAX 302-855-7749

RE: C/U 2248 Gulfstream Development, LLC

Ordinance Change

Dear Council Members:

This letter is in reference to the Sussex County Council meeting scheduled for August, 31, 2021 to hear the Ordinance to Grant a Conditional Use of the Land in a GR General Residential District for Multi-family (19 Units) to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 3.9 more, or less. The property is lying on the NW corner of Parkerhouse Road (S.C.R. 362) and Muddy Neck Road (S.C.R. 361).

911 Address: N/A Tax Parcel: 134-1600-382.00

I recently attended the July 22, 2021 Sussex County Planning and Zoning meeting pertaining to the Gulfstream Development, LLC's "hopeful" Ordinance Change from 16 to 19 units. As was agreed on July 22, this request by Gulfstream Development was deferred pending a review by the P & Z Board, that

took place on Thursday, August, 12, 2021.

It is my understanding the review committee determined that Gulfstream would be required to maintain a 10 foot setback, plus a 20 foot buffer to include a 8 foot high solid fence, for which I was satisfied to hear. However, this property is only 3.9 acres and there were several other issues that were in question when the council DECIDED only 16 units should be built on this parcel, on December 20, 2019. Drainage due to a problematic ditch, traffic patterns, and the density of that many single family homes on less, than 4 acre parcel were all taken into account when 16 units were recommended.

Based on GR Zoning which allows 4 UNITS per ACRE, Councilman Doug Hudson made the motion to reduce the number of units to 16 because the land in question is just UNDER 4 acres and it was PASSED.

At the recent public P & Z meeting on July, 22, 2021, Gulfstream Development tried to establish a precedence for "19 units" based on a Salt Air community they just completed off of Cedar Neck Road. Although, the Salt Air Community is also approximately 4 acres, there are several important distinctions between in the location and geography of these these (2) Very DIFFERENT (4 acre) parcels.

By comparison: The Salt Air community is NOT located on a main thoroughfare, with heavy traffic and a busy intersection, nor does it need to contend with an existing serious drainage issue it shares with The Provident Townhomes and the Shady Dell community (where I own two parcels bordering the NEW 19 Unit PROPOSAL.

Please DENY the C/U 2248 Ordinance to grant conditional use for multi-family 19 units.

Please honor the 16 unit limit that was decided upon in December of 2019, with the more appropriate and acceptable 10 foot setback, 20 foot buffer, and 8 foot, solid fence.

We all must try to accept new development, however, existing property owners truly count on, and appreciate representatives, like Mr. Hudson, who remind developers there are hundreds of neighbors whose quality of life, and life-long, earned equity are, also, important, and at risk.

I am optimistically hopeful the board will adhere to the 4 units, per acre, zoning recommendation, as is

customary, in Sussex County. My neighbors and I are extremely proud of the way Representative Hudson, spoke out, in the best interest of his constituents; the existing residents in the immediate area. We are also grateful the Sussex County P & Z board takes the time to look through a wide lens before agreeing to a developer's vision, because it is well documented, a quality and safe development plan, is not simply about maximum units, for maximum profitability.

Thank you,

Cindy Horst

37751 Willow Street

Ocean View, DE 19970

302-540-8584

lilcin@mchsi.com

From: diana emlet <emletd@verizon.net>

Sent: Sunday, August 22, 2021 10:09 AM

To: Doug Hudson

Subject: Letter of Opposition to C/U 2248

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

Hi Mr. Hudson,

Attached is my letter of opposition to C/U 2248 for the Gulfstream Development for Kent Village. Please review my letter because I am really not sure what Gulfstream Developers are intending to build. I am concerned they may be asking for much more than 19 residential units.

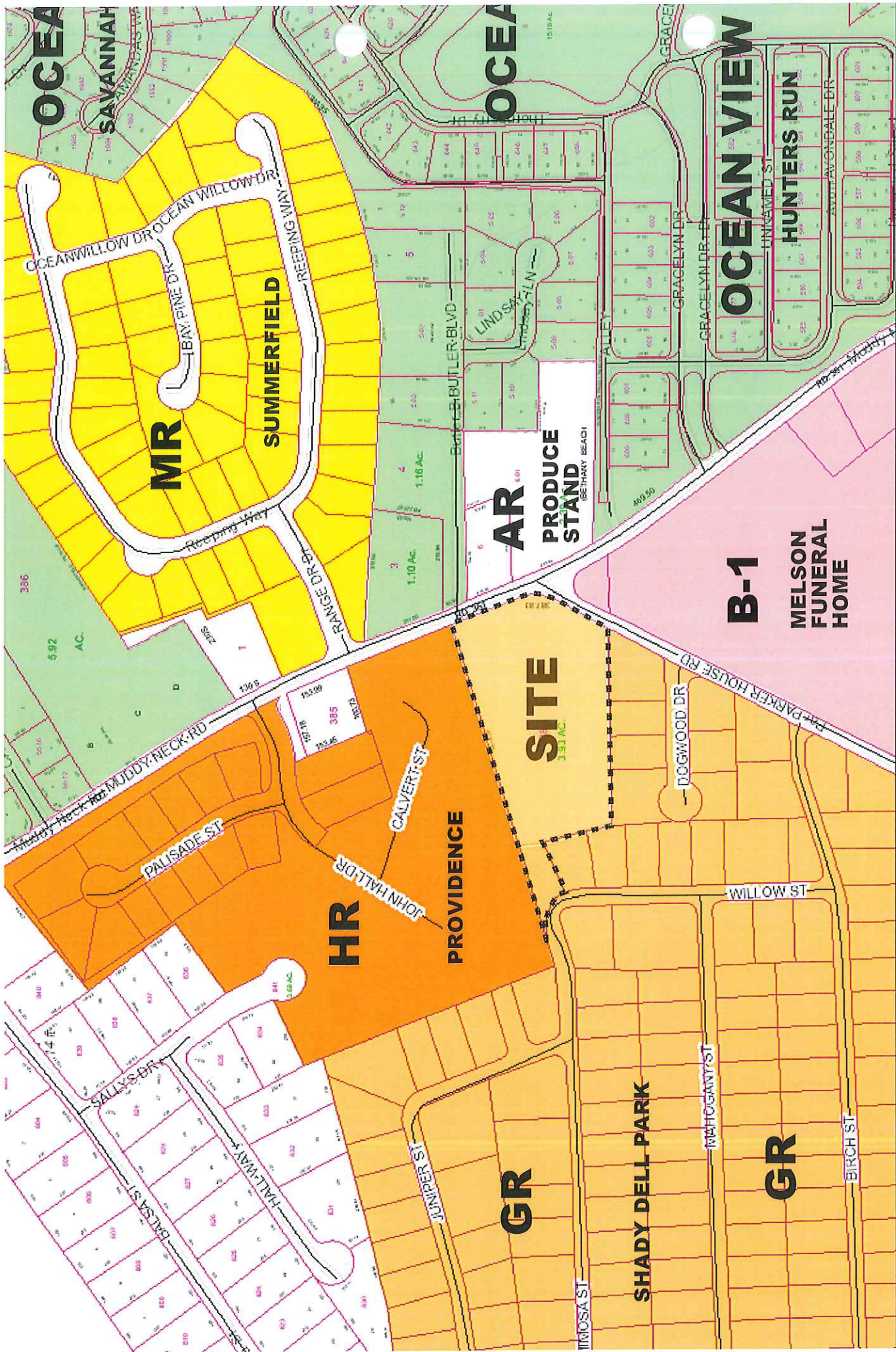
If you have any questions or concerns, please feel free to reach out to me via email or phone call. I look forward to seeing you at the public hearing.

Thank you very much for your support.

Warm Regards,

Diana Emlet
610-357-3177

PS: I emailed Robin Griffith to ensure this letter will be added to the packet CU 2248 for the upcoming public meeting on August 31, 2021.



- Medium Residential - MR
- General Residential - GR
- Neighborhood Business - B-1
- Neighborhood Business - B-2
- General Commercial - C-4
- General Commercial - C-5
- Limited Industrial - LI-1
- Limited Industrial - LI-2



N/F
KAREN & JAMES P.
MICELI
1-34-16.00-381.01
D.B. 4614 PG 66

N/F
JOHN R. & MARY
BURT
1-34-16.00-381.02
D.B. 3138 PG 132

N/F
MICHAEL T. ASHLEY
1-34-16.00-381.00
D.B. 3502 PG 99

PARKER HOUSE ROAD SCR 382
50' RIGHT OF WAY

DELICIOUS
DEDICATION

17

16

15

12

13

14

9

10

11

40'

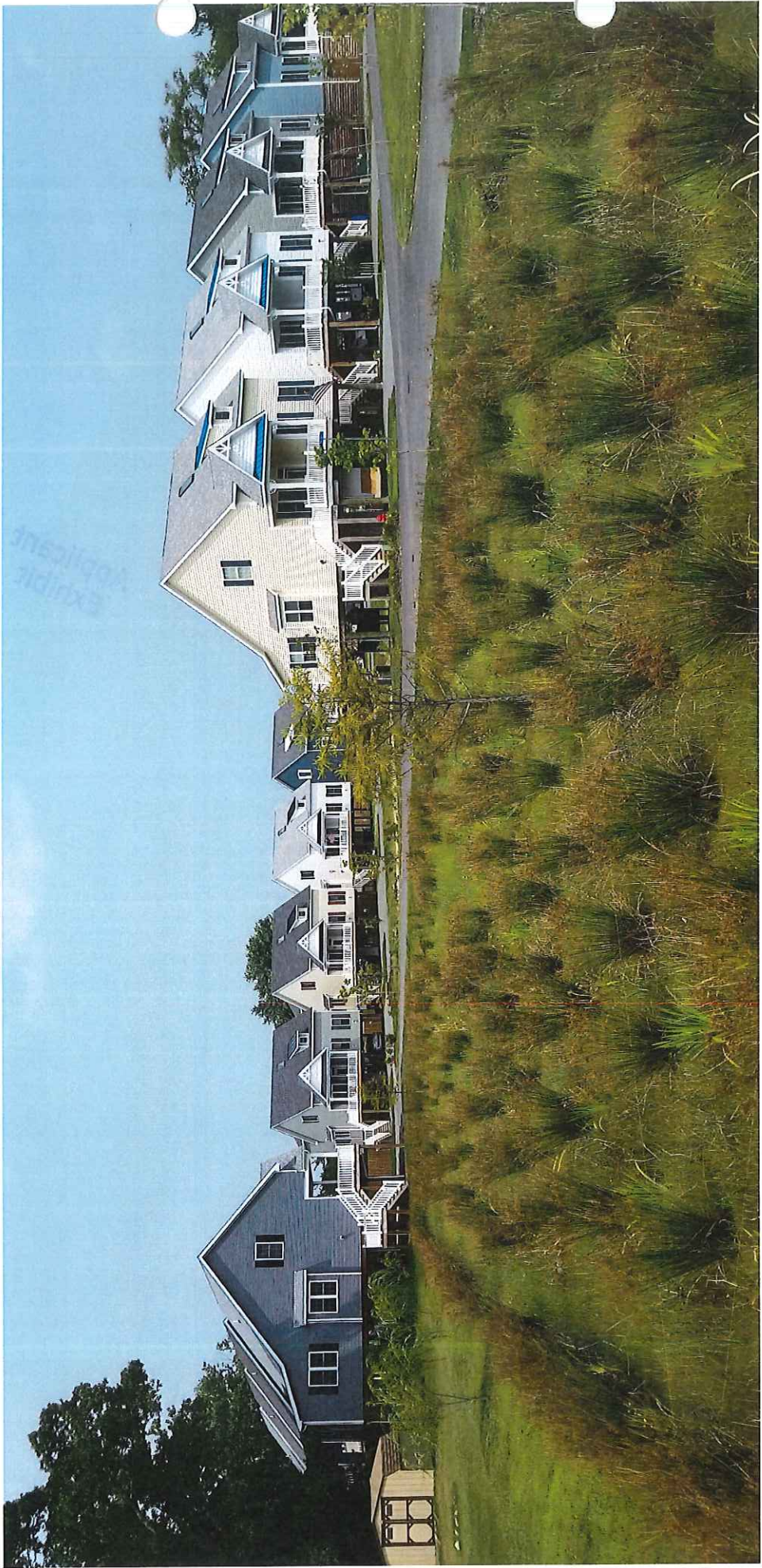
40'

10'

10'









Ashley Paugh

From: PATRICK EMLET <57providence@verizon.net>
Sent: Wednesday, July 21, 2021 1:40 PM
To: Ashley Paugh
Subject: Letter of Opposition to CU2248
Attachments: July 12, 2013 Calvert Flooding.JPG

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

Dear Planning and Zoning Commissioners,

I am a property owner in the Providence community, that borders Gulf Stream Development's CU2248. This letter is to inform you of my opposition to this conditional use request for the following reasons:

1. CU2248 states 19 units, which does not abide by the Sussex County Council's decision for setting the maximum at 16 units.

This property has current conditional use under CU2195 which was granted during December 17, 2019 meeting with the following amendment, specifically M 62219 Condition No 10a. The motion was presented as "a maximum number of residential units shall be 16". This motion was adopted in the December 2019 meeting (with 5 year votes) by the Sussex County Council. Now CU2248 is requesting to place 19 units, which is in direct conflict with the Sussex County Council's decision. The rationale for going to 19 units is unfounded given that nothing has changed in our area to grant additional units beyond the 16 already approved.

2. CU2248 does not clearly abide by the Sussex County Council's decision for maintaining the drainage ditch.

This property has current conditional use under CU2195 which was granted during December 17, 2019 meeting with the following amendment, specifically M 622319 Condition No 10b. The motion was presented as "The ditch on the property shall be cleaned and maintained and not filled in." This motion was adopted in the December 2019 meeting (with 5 year votes) by the Sussex County Council. Now CU2248 is requesting to place 19 units, with gravel below each unit, making it unclear as to how CU2248 will in fact respect the decision regarding the maintenance of the ditch. This ditch is critical in managing water, thereby preventing flooding of Providence and other neighboring communities. Providence has experienced severe flooding, as evident by the attached photo. This photo was taken July 12, 2013.

In summary I oppose CU2248.

Sincerely,

Patrick Emlet

484-241-9942
19 John Hall Drive
Ocean View, DE 19970



Mr. Jamie Whitehouse, Director
Sussex County Planning and Zoning
P.O. Box 417
Georgetown, DE 19947
CU 2248

Dear Commissioners,

I am an owner in the Providence Community adjacent to Kent Village proposal C/U 2248. I am opposed to the conditional use for 19 units on this 3.93 acre parcel at the corner of Muddy Neck and Parker House Roads.

I attended the meeting on December 10, 2019 for C/U 2195. The decision given by the Sussex County Council which is recorded in the minutes on December 17, 2019, pages 10 to 13 are as follows:

M 622 19 Amend conditions/ CU 2195

Condition 10a be amended as follows "A maximum number of residential units shall be 16."

Motion Adopted: 5 Years

M 623 19 Amend condition CU 2195

Ditch on the property must be cleaned and maintained and not be filled in. If it is relocated, it must be with the approval of the Sussex County Soil Conservation District and maintained pursuant to their requirements. Pp

Motion Adopted: 5 Years

With the decision that was made by the Sussex County Council at this December 2019 meeting, it is unclear why Gulfstream Development would then submit a proposal for 19 units. Again, 16 units was the max allowed.

The "ephemeral ditch" has water after each rainstorm. I am submitting pictures showing significant amounts of water in this ditch. These pics were taken in February of 2021. I am also showing pics of the flooded ground after a storm in July 2013. Any plans submitted are supposed to consider a 100 year flood. This area floods often.

Please make this email of opposition part of the record for CU 2248.

See attachments

Diana Emlet
19 John Hall Drive
Ocean View, DE 19970

Feb 23, 2021 – Drainage ditch on CU2248



Feb 23, 2021 – Drainage ditch on CU2248



July 11, 2013 – Flooding in Providence

(highlighting the flooding behind the townhomes units and adjacent to CU2248)



July 11, 2013 – Flooding in Providence (highlighting the overflow of the retention pond)



July 12, 2013 – Flooding in Providence

(highlighting the flooding of Calvert Street)



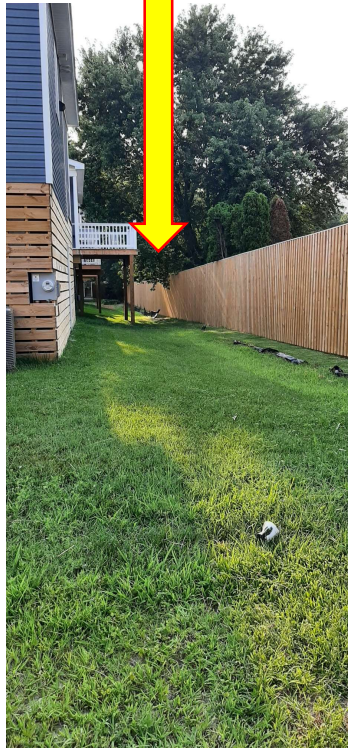
July 21, 2021 - Providence

(behind the townhomes units and adjacent to CU2248)



July 18, 2021 - Salt Aire

The 20 feet distance between end of building & the property line is consumed by a deck. This is essentially on-top of the property line



Is it possible for the builder to install fencing like this along the board of Providence?