

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



Sussex County

DELAWARE
sussexcountyde.gov

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

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: May 26th, 2022

Application: CU 2352 CB Lewes, LLC

Applicant: CB Lewes, LLC
20408 Silver Lake Drive
Rehoboth Beach, DE 19971

Owner: CB Lewes, LLC
20408 Silver Lake Drive
Rehoboth Beach, DE 19971

Site Location: Lying on the northeast side of Plantations Road (Rt. 1D), approximately 900-feet southeast of Shady Road (S.C.R. 276).

Current Zoning: Medium Density Residential (MR) Zoning District

Proposed Use: 30 additional Work Force Housing Units.

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Lewes Fire Department

Sewer: Sussex County

Water: Tidewater

Site Area: 18.08 acres +/-

Tax Map IDs.: 334-6.00-504.02, 504.08, 504.09, & 504.10





Sussex County



| | |
|------------------------|-------------------------|
| PIN: | 334-6.00-504.02 |
| Owner Name | CB LEWES LLC |
| Book | 4175 |
| Mailing Address | PO BOX 310 |
| City | NASSAU |
| State | DE |
| Description | COASTAL TIDE |
| Description 2 | F/K/A ARBORS OF COTTAGE |
| Description 3 | FUTURE CONDOS |
| Land Code | |

polygonLayer

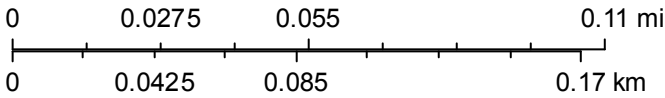
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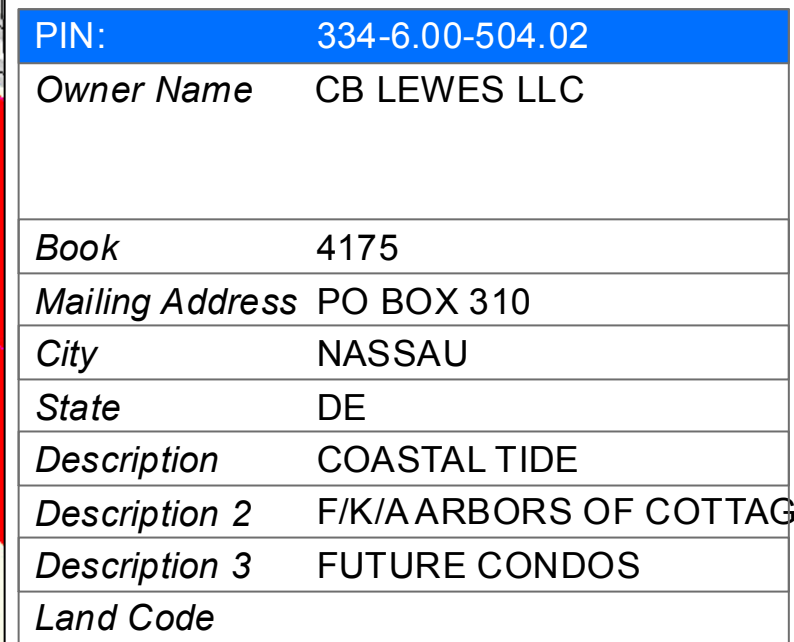
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Override 1

- ⋮ Tax Parcels
- ⋮ 911 Address
- Streets
- ⋮ County Boundaries

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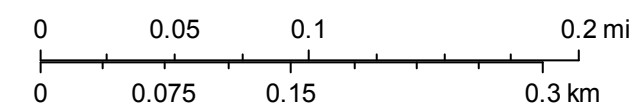
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polygonLayer Override 1

⋮ Tax Parcels

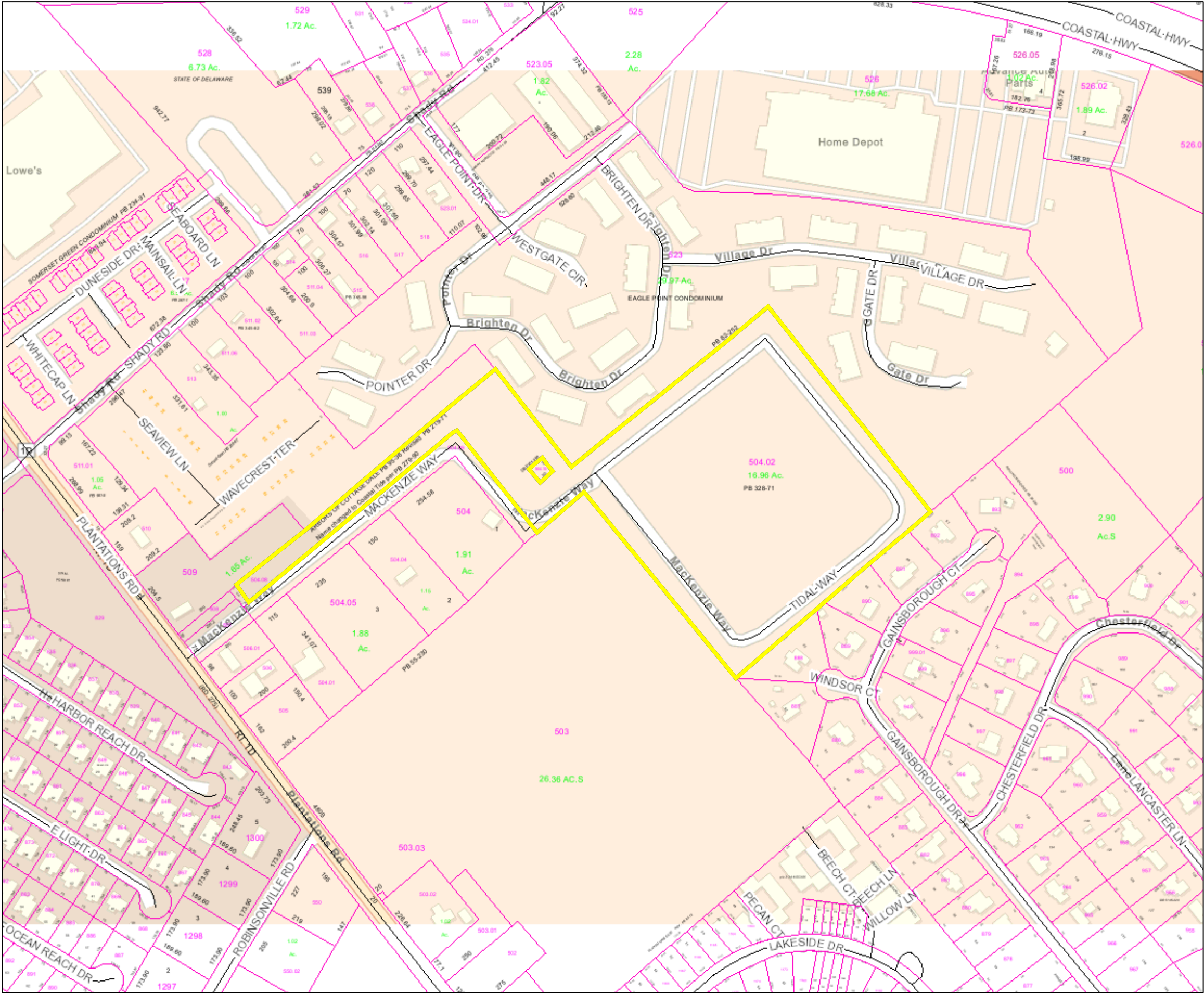
— Streets

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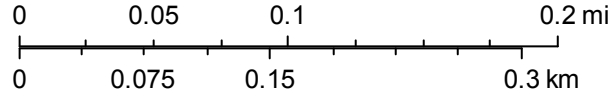
Sussex County



| | |
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| State | DE |
| Description | COASTAL TIDE |
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| Land Code | |

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

1:4,514



JAMIE WHITEHOUSE, AICP MRTPI
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jamie.whitehouse@sussexcountyde.gov



Sussex County

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Memorandum

To: Sussex County Planning Commission Members
From: Elliott Young, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: May 18, 2022
RE: Staff Analysis for CU 2352 CB Lewes, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2352 CB Lewes, LLC to be reviewed during the May 26, 2022 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 334-6.00-504.02 to amend Conditional Use No. 1845 (Ordinance No. 2106), condition "A" relating to total number of allowable units. The parcel is lying on the northeast side of Plantations Road (Rt. 1D), approximately 900-feet southeast of Shady Road (S.C.R. 276). The parcel consists of 16.96 acres +/-.

The parcel has a previously approved Conditional Use Application. The parcel is subject to a Conditional Use Application (Conditional Use No. 1845) to allow for 168 multi-family units. The Conditional Use was approved by the Sussex County Council at their meeting of Tuesday, February 23, 2010 and the change was adopted through Ordinance No. 2106.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the parcel has a designation of "Coastal Area." The surrounding and adjacent properties located to the north, south, east, and west of the subject property also lie within the "Coastal Area" Future Land Use Map designation. There is also a sole parcel adjoining to the west of the property designated as "Commercial Area".

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhomes, and multi-family 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.

The subject property is zoned Medium Residential (MR). The adjacent properties to the north, south, east, and west of the subject sites are zoned Agricultural Residential (AR-1). One adjacent property to the west is also zoned Medium Residential (MR).

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to amend Conditional Use No. 1845 (Ordinance No. 2106) to allow for increased number of units, subject



Staff Analysis

CU 2352 CB Lewes, LLC

Planning and Zoning Commission for May 26, 2022

to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

RECEIVED

File #: C/u 2352
2022 02 738

FEB 17 2022

SUSSEX COUNTY
PLANNING & ZONING

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

Tidal Way off MacKenzie Way in the subdivision of Coastal Tide

Type of Conditional Use Requested:

To construct a multi-family building containing 30 units in MR zoning. 6 of the units will be included in the Sussex County Affordably Priced Rental Unit Program

Tax Map #: 3-34-6.00-504.02 **Size of Parcel(s):** 18.08 Acres

Current Zoning: MR **Proposed Zoning:** MR **Size of Building:** 3 stories

Land Use Classification: Coastal

Water Provider: Tidewater **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: CB Lewes, LLC

Applicant Address: 20408 Silver Lake Drive

City: Rehoboth Beach **State:** DE **Zip Code:** 19971

Phone #: (302) 287-3045 **E-mail:** JCalabro@apenninedev.com

Owner Information

Owner Name: as above

Owner Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Phone #: _____ **E-mail:** _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Hillcrest Associates, Inc

Agent/Attorney/Engineer Address: PO Box 1180

City: Hockessin **State:** DE **Zip Code:** 19707

Phone #: (302) 455-9873 **E-mail:** ahill@hillcrestassoc.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: 2/16/22

Signature of Owner



Date: 2/17/2022

For office use only:

Date Submitted: 2/13/22

Staff accepting application: AL

Location of property: _____

Fee: \$500.00 Check #: 1582

Application & Case #: 202202 738

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **4/28/2022**

APPLICATION: **CU 2352 CB Lewes, LLC**

APPLICANT: **CB Lewes, LLC**

FILE NO: **OM9.04**

TAX MAP &
PARCEL(S): **334-6.00-504.02, 504.08, 504.09 & 504.10**

LOCATION: **Lying on the northeast side of Plantations Road (Rt. 1D),
approximately 900 feet southeast of Shady Road (SCR 276).**

NO. OF UNITS: **adding 30 Work Force Housing units**

GROSS
ACREAGE: **18.08**

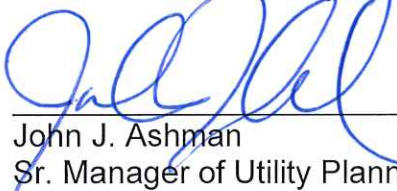
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

SEWER:

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

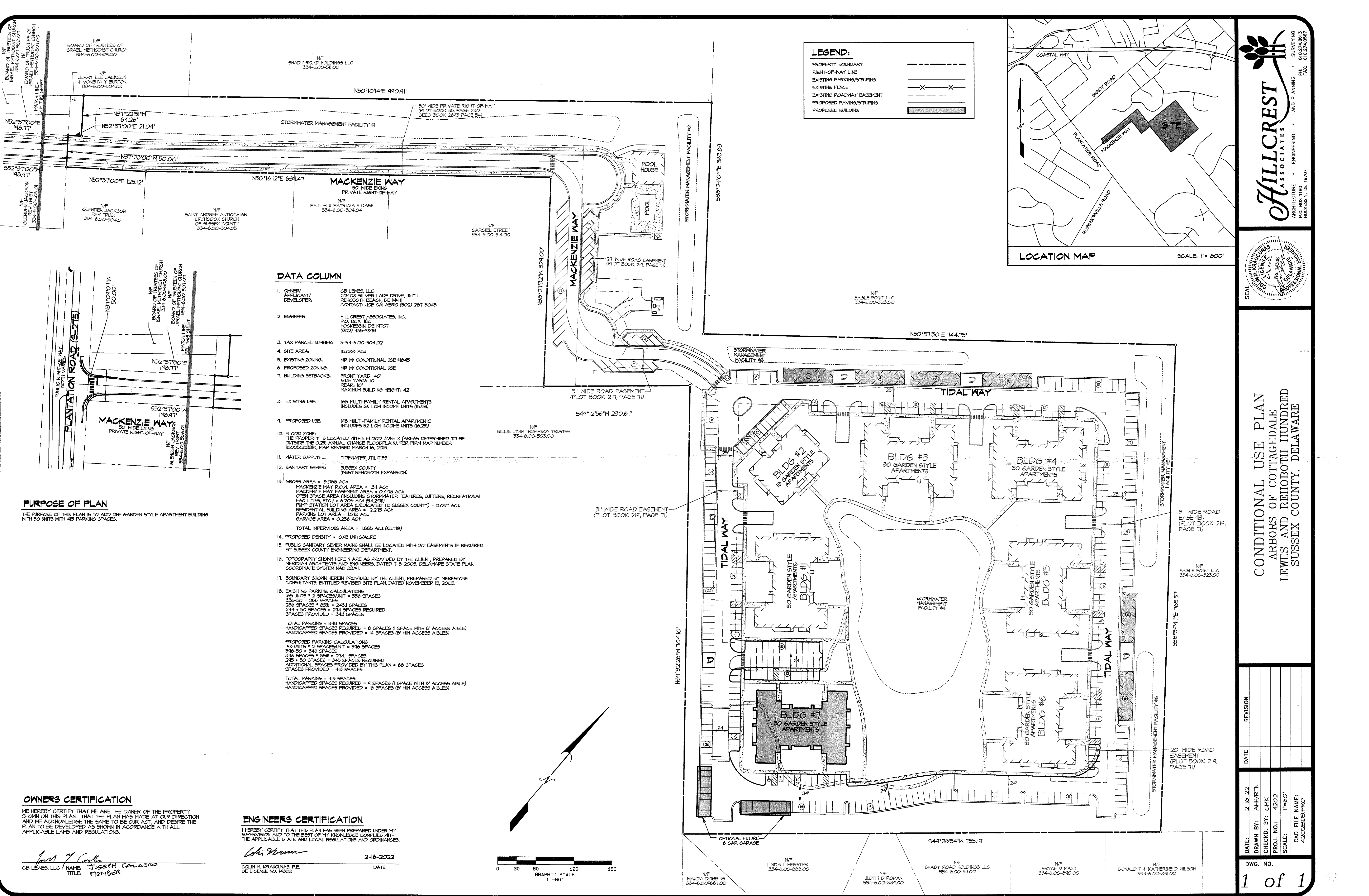
- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- ☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **There are currently 168 units on the 18.08 acres, and this Conditional Use requests to build an additional 30 Work Force Housing units. This will result in a total of 198 units on 18.08 for a density of 10.95 units per acre.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 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



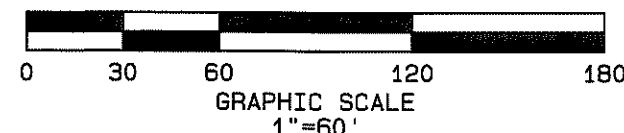
PURPOSE OF PLAN
THE PURPOSE OF THIS PLAN IS TO ADD ONE GARDEN STYLE APARTMENT BUILDING WITH 30 UNITS WITH 413 PARKING SPACES.

OWNERS CERTIFICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN. THAT THE PLAN WAS MADE AT OUR DIRECTION AND WE ACKNOWLEDGE THE SAME TO BE OUR ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

Joseph Calabro
CB LEWES, LLC NAME: JOSEPH CALABRO
TITLE: MEMBER

ENGINEERS CERTIFICATION
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

Colin M. Kraucunas, P.E.
COLIN M. KRAUCUNAS, P.E. DATE: 2-16-2022
DE LICENSE NO. 14308

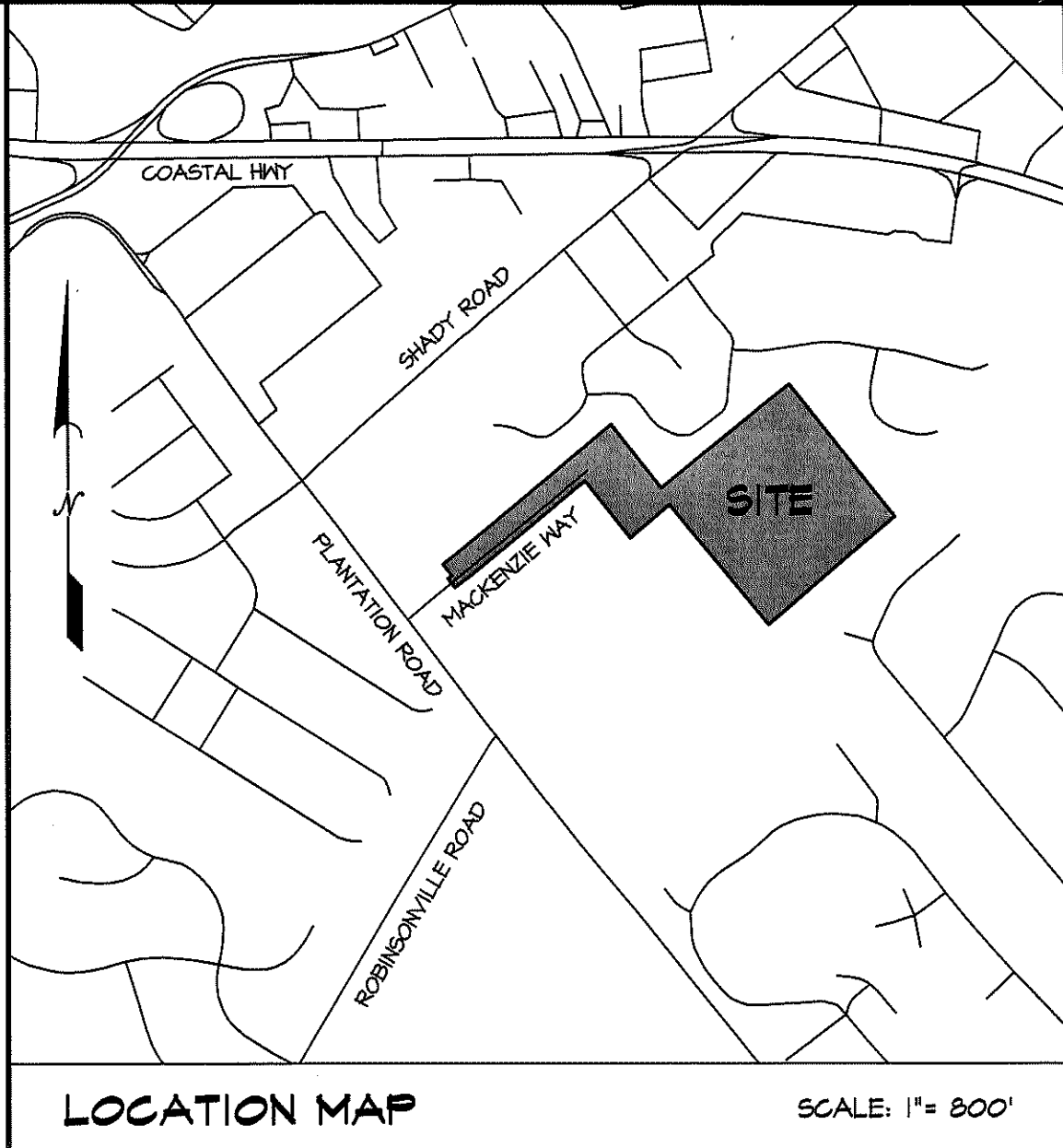


DATA COLUMN

- OWNER/APPLICANT/DEVELOPER: CB LEWES, LLC 20408 SILVER LAKE DRIVE, UNIT 1 REHOBOTH BEACH, DE 19101 CONTACT: JOE CALABRO (302) 281-3045
- ENGINEER: HILLCREST ASSOCIATES, INC. P.O. BOX 1180 HOCKESSIN, DE 19101 (302) 455-4815
- TAX PARCEL NUMBER: 3-34-6.00-504.02
- SITE AREA: 18,089 AC±
- EXISTING ZONING: MR W/ CONDITIONAL USE #B45
- PROPOSED ZONING: MR W/ CONDITIONAL USE
- BUILDING SETBACKS: FRONT YARD: 40' SIDE YARD: 10' REAR: 10' MAXIMUM BUILDING HEIGHT: 42'
- EXISTING USE: 169 MULTI-FAMILY RENTAL APARTMENTS INCLUDES 26 LOW INCOME UNITS (15.3%)
- PROPOSED USE: 190 MULTI-FAMILY RENTAL APARTMENTS INCLUDES 32 LOW INCOME UNITS (16.2%)
- FLOOD ZONE: THE PROPERTY IS LOCATED WITHIN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP NUMBER 100050391K, MAP REVISED MARCH 16, 2015).
- WATER SUPPLY: TIDEWATER UTILITIES
- SANITARY SEWER: SUSSEX COUNTY (WEST REHOBOTH EXPANSION)
- GROSS AREA = 18,089 AC±
MACKENZIE WAY R.O.W. AREA = 1,311 AC±
MACKENZIE WAY EASEMENT AREA = 0.408 AC±
OPEN SPACE AREA (INCLUDING STORMWATER FEATURES, BUFFERS, RECREATIONAL FACILITIES, ETC.) = 6,223 AC± (34.28%)
PUMP STATION LOT AREA (DEDICATED TO SUSSEX COUNTY) = 0.051 AC±
RESIDENTIAL BUILDING AREA = 2,279 AC±
PARKING LOT AREA = 1,579 AC±
GARAGE AREA = 0.296 AC±
TOTAL IMPERVIOUS AREA = 11,885 AC± (65.11%)
- PROPOSED DENSITY = 10.45 UNITS/ACRE
- PUBLIC SANITARY SEWER MAINS SHALL BE LOCATED WITH 20' EASEMENTS IF REQUIRED BY SUSSEX COUNTY ENGINEERING DEPARTMENT.
- TOPOGRAPHY SHOWN HEREIN ARE AS PROVIDED BY THE CLIENT, PREPARED BY MERIDIAN ARCHITECTS AND ENGINEERS, DATED 1-8-2005, DELAWARE STATE PLAN COORDINATE SYSTEM NAD 83/11.
- BOUNDARY SHOWN HEREIN PROVIDED BY THE CLIENT, PREPARED BY MERESTONE CONSULTANTS, ENTITLED REVISED SITE PLAN, DATED NOVEMBER 15, 2005.
- EXISTING PARKING CALCULATIONS
169 UNITS * 2 SPACES/UNIT = 338 SPACES
338-50 = 286 SPACES
286 SPACES * 85% = 243 SPACES
244 + 50 SPACES = 294 SPACES REQUIRED
SPACES PROVIDED = 343 SPACES
TOTAL PARKING = 343 SPACES
HANDICAPPED SPACES REQUIRED = 8 SPACES (1 SPACE WITH 8' ACCESS AISLE)
HANDICAPPED SPACES PROVIDED = 14 SPACES (8' MIN ACCESS AISLES)
PROPOSED PARKING CALCULATIONS
190 UNITS * 2 SPACES/UNIT = 380 SPACES
380-50 = 330 SPACES
330 SPACES * 85% = 281 SPACES
281 + 50 SPACES = 331 SPACES REQUIRED
ADDITIONAL SPACES PROVIDED BY THIS PLAN = 68 SPACES
SPACES PROVIDED = 413 SPACES
TOTAL PARKING = 413 SPACES
HANDICAPPED SPACES REQUIRED = 9 SPACES (1 SPACE WITH 8' ACCESS AISLE)
HANDICAPPED SPACES PROVIDED = 16 SPACES (8' MIN ACCESS AISLES)

LEGEND:

| | |
|---------------------------|-------|
| PROPERTY BOUNDARY | --- |
| RIGHT-OF-WAY LINE | --- |
| EXISTING PARKING/STRIPING | -X-X- |
| EXISTING FENCE | --- |
| EXISTING ROADWAY EASEMENT | --- |
| PROPOSED PAVING/STRIPING | --- |
| PROPOSED BUILDING | --- |



HILLCREST ASSOCIATES
ARCHITECTURE • ENGINEERING • LAND PLANNING
610.274.8613
P.O. BOX 1180
HOCKESSIN, DE 19107
FAX: 610.274.0587

SEAL
STATE OF DELAWARE
PROFESSIONAL LAND PLANNER
No. 1008
J. CALABRO

CONDITIONAL USE PLAN
ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

| DATE: | 2-16-22 | REVISION | |
|----------------|-------------|----------|--|
| DRAWN BY: | AH/RTN | | |
| CHECKED BY: | CMK | | |
| PROJ. NO.: | 4202 | | |
| SCALE: | 1"=60' | | |
| CAD FILE NAME: | 4202B03.PRO | | |

DWG. NO.

PROJECT DEVELOPMENT BOOK

Coastal Tide Apartments

Formerly known as "Arbors of Cottagedale"



Planning Commission: May 26, 2022

County Council: June 14, 2022



PREPARED BY:
Hillcrest Associates, INC.
PO Box 1180
Hockessin, DE 19707

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1.0 EXECUTIVE SUMMARY

1.1 PROJECT TEAM

Applicant / Developer:

CB Lewes, LLC

Contact: Joe Calabro
20408 Silver Lake Drive, Unit 1
Rehoboth Beach, DE 19971
Telephone: (302)287-3045
E-mail: jcalabro@apenninedev.com

Attorney:

Morris James, LLP

Contact: David C. Hutt
19339 Coastal Highway, Suite 300
Rehoboth Beach, DE 19971
Telephone: (302) 856-0018
E-mail: Dhutt@morrisjames.com

Civil Engineer:

Hillcrest Associates, INC.

Contact: Alan Hill
PO Box 1180
Hockessin, DE 19707
Telephone: (610)274-8613
Email: AHill@Hillcrestassoc.com

1.2 GENERAL PROJECT INFORMATION

Coastal Tide Apartments, formerly known as Arbors of Cottagedale is a multifamily development of 168 units within 6 buildings, of which 26 units have been reserved for the Sussex County Rental Program (“SCRIP”). The development provides a host of various on-site amenities, including but not limited to a pool, fitness and wellness center, walking trail, garage rentals and on-site management. The project is located on Tax Parcel No. 3-34-6.00-504.02, containing approximately 18.088-acres. The parcel is located on the northeast side of Plantations Road (Rt. 1D), approximately 900 feet southeast of Shady Road (SCR 276). The site is currently zoned MR (Medium Residential) and classified on the 2045 Future Land Use Map within the 2018 Sussex County Comprehensive Plan as part of the Coastal Area, one of the County’s growth areas. The site is located within Investment Level 1 of the State Strategies for State Policies and Spending. The existing site is bounded by Sunset Glen, Eagle Point and Rolling Meadows to the North, West and East. There are various tracts of land abutting the property along the south including some single-family residences, a church and a 26-acre piece of ground used for agricultural purposes .

The conditional use application consists of a request to add one (1) additional 3-story multi-family building containing 30 dwelling units of which 6 units will be available under the Sussex County Rental Program. If approved, the project would consist of 198 units on 18.088 acres which results in a density of 10.95 units per acre. The table below summarizes the project data.

Conditional Use Table

| Site Area (Acres) | Density | | Number of Units | |
|-------------------|----------------|----------|-----------------|----------|
| | Prior Approval | Proposed | Prior Approval | Proposed |
| 18.088 | 9.29 | 10.95 | 168 | 198 |

No formal submission for construction document approval has been completed at this time. The applicant understands that approvals from all agencies including, but not limited to, the Sussex Conservation District, Sussex Engineering, Sussex Planning and Zoning, DelDOT, Fire Marshal and Department of Public Health – Office of Drinking Water are required before construction can begin.

Public utilities have been discussed with Sussex Utility Planning. The property is located within the Sussex County Unified Sanitary Sewer District Tier 1 and is currently served by public water (Tidewater Utilities, Inc.) and sewer (Sussex County).

1.3 HSITORY OF SITE



Prior to the 1960s, the Site was reportedly used as a borrow pit from which native material was excavated. After ceasing to be used as a borrow pit, until the early 1980s, the Site was used as a dump for municipal or household waste. In the 1990s, the DNREC Solid and Hazardous Waste Branch permitted the disposal of tree stumps, lumber, and masonry materials on the Site. Subsequently, the Site was graded with sand and gravel. For many years, access to the Site was unrestricted, and was subject to illegal dumping. Multiple environmental investigations were conducted on the Site between 1986 and 2014. The most comprehensive evaluation, the Brownfield Investigation (BFI), was initiated in 2010 on behalf of a previous property owner. The BFI concluded in 2014 on behalf of the current property owner, CB Lewes, LLC. Since then, DNREC approved the Contaminated Materials Management Plan (CMMP) in September 2015, an Environmental Covenant was recorded in the Office of the Recorder of Deeds for Sussex County on July 6, 2015, in Deed Book 4416, Page 160, DNREC approved the Remedial Action Work Plan (RAWP) in September 2015, and on November 8, 2019 issued a Certification of Completion of Remedy recorded in Deed Book 5156, Page 90.

1.4 PROJECT DATA

| | |
|----------------------------------|--|
| Total Site Area: | 18.088 ± Acres |
| Existing Zoning District: | MR (Medium Residential) W/ Conditional Use #1845 |
| Proposed Zoning District: | MR (Medium Residential) |
| Proposed Conditional Use: | Multi-family Dwellings |
| Tax parcels: | 3-34-6.00-504.02 |
| Owners: | CB Lewes, LLC 20408 Silver Lake Drive, Unit 1 Rehoboth Beach, DE 19971 Book: 4175 Page: 182 |
| Area and Bulk Requirements: (MR) | |
| Minimum Lot Area: | 10,000 SQ. Ft. |
| Minimum Lot Width: | 75 Ft. |
| Minimum Depth: | 100 Ft. |
| Maximum Building Height: | 42 Ft. |
| Front Yard Setback: | 40 Ft. |
| Rear Yard Setback: | 10 Ft. |
| Side Yard Setback: | 10 Ft. (Two Required) |
| Utilities: | |
| Sewer: | Sussex County (Sussex County Unified Sanitary Sewer District Tier 1) |
| Water: | Tidewater Utilities |
| Electric: | Delaware Electric Coop |
| Telephone: | Comcast |
| Proposed Project Size: | 198 Units |
| Project Density: | 10.95 units per acre |
| Streets: | Private |

Parking:

| Requirements: | Required | Provided |
|---|------------|---|
| Multifamily | 324 Spaces | 418 Spaces including 14 van accessible spaces |
| 2 spaces per 2-3-bedroom dwelling units (162) | | |
| 1.5 spaces per 1-bedroom dwelling units (36) | 54 Spaces | |
| Total Required | 378 Spaces | |
| *Total Required with 15% reduction | 337 Spaces | |

* Section 115-162.b.(2) multifamily dwellings in excess of 50 units, the required number of parking spaces shall be reduced by 15% from the required number set forth in subsection b(1) after those spaces required for the first 50 units have been provided.

$50 \times 2 = 100$ spaces

378 total required spaces - 100 spaces for first 50 units = 278 spaces

15% reduction in remaining required = $41 - 278 = 237$

$100 + 237 = 337$ spaces required

Loading:

| Requirements: | Required | Provided |
|--|--------------------------|-------------------|
| Multifamily | 6 Bldgs @ 13,081 Sq. Ft. | 10 loading spaces |
| 1 loading space for up to 25,000 Sq. Ft. | 1 Bldg @ 8,224 Sq. Ft. | |
| | 7 Loading spaces | |

1.5 ENVIRONMENTAL ANALYSIS

Sussex County Code Section 115-194.3., and land classified as a Coastal Area seeking a conditional use and proposing development containing 50 or more dwelling units is to provide an environmental assessment and public facility evaluation report.

While this application is only proposing 30 units, the overall project has more than 50 dwelling units. Therefore, the applicant intends to comply with this Section.

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

The previous approvals consisted of 6 stormwater management facilities throughout the site. As part of this application, the applicant intends to comply with all Sussex Conservation District requirements for stormwater management and will be proposing an additional facility to handle the proposed run-off from the rooftops and additional parking area.

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

The site is currently served by public water. As part of this application, the applicant intends to extend the existing water main to serve the proposed building. Any increased water usage associated with project will not create an adverse effect on public or private water systems.

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

The subject parcel is located within an existing Sussex County Sanitary Sewer District; Sussex County Unified Sanitary Sewer District Tier 1. As the site is currently served by public sewer, the applicant intends to extend the existing sewer main to serve the proposed building.

(d) Analysis of the increase in traffic and the effect on the surrounding roadway system:

The increase of 30 units according to the Institute of Transportation Engineers (ITE) Trip Generation Manual will generate approximately 163 vehicle trips per day, 10 vehicle trips during the morning peak hour, and 13 vehicle trips during afternoon peak hour. As a whole, the entire 198 units will generate approximately 1,077 vehicle trips per day, 67 vehicle trips during the morning peak hour, and 86 vehicle trips during afternoon peak hour. Because this application is not anticipated to generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day a Traffic Impact Study (TIS) is not warranted.

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

There are no known Endangered or threatened species or habitat areas on the site.

(f) The preservation and protection from loss of any tidal or non-tidal wetlands on the site.

There are no known wetlands located on the site.

(g) Provisions for open space.

This application proposed 10.816 acres of open space area. Within that open space area there is stormwater management, buffers, recreational facilities which include, but are not limited to, a pool and walking trail.

(h) A description of provisions for public and private infrastructure

All infrastructure, including private drives and utilities have already been installed as part of the construction of the 168 units previously approved. As part of this application the applicant intends to extend that infrastructure to serve the proposed building.

(i) Economic, recreational or other benefits.

The project will benefit the local economy by providing construction employment opportunities for local contractors and suppliers. It is the applicant's intention to utilize local contractors and suppliers to the extent possible. In addition to the benefits to the local economy, Sussex County will see increased property tax revenues because of the development. There are also recreational benefits as a result of the construction of an active recreation area within the development. Most importantly, the proposed building provides additional, alternative and affordable housing opportunities to those living and working in Sussex County.

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

Based on an online review of the website “National Register of Historic Places” maintained by the U.S. Department of Interior, National Park Service, neither the property nor nearby properties are listed on the National Register of Historic Places.

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

The conditional use application is in accordance with the Sussex County Comprehensive Plan. The project is in one of the County’s seven growth area, the Coastal Area according to the Sussex County Comprehensive Plan. Based on the Comprehensive Plan, the permitted uses include “...a range of housing types are permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units.” In addition, the Comprehensive Plan states that “medium and higher density (4-12 units per acre) can be appropriate in certain locations. Medium and higher density 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.” This application meets all of the requirements for higher density.

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

As outlined in items (a) through (k) above, there are no anticipated detrimental impacts generated by this development.



ARCHITECTURE
CIVIL ENGINEERING
LAND PLANNING
SURVEYING

February 16, 2022

Sussex County Planning and Zoning
Attn: Jamie Whitehouse, Director
2 The Circle
Georgetown, DE 19947

RE: Coastal Tide N/F Arbors of Cottagedale
Tax parcels: 334-6.00-50.02
Conditional Use Application

Dear Jamie,

Please find enclosed the following as the Conditional Use Application for the above referenced project:

- Completed Conditional Use Application
- Eight (8) copies of the Conditional Use Plan
- Check for \$500.00 payable to Sussex County

The purpose of this Conditional Use Application is to allow one (1) additional 3 story multi-family building containing 30 dwelling units of which 6 units will be available under the Sussex County Affordably Priced Rental Unit Program.

If you have any questions or need additional information, please feel free to contact me by phone at (302) 690-1640 or by email at ahill@hillcrestassoc.com.

Sincerely,

Alan Hill
President

C. HC# 4202

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

Type of Conditional Use Requested:

Tax Map #:

Size of Parcel(s):

Current Zoning:

Proposed Zoning:

Size of Building:

Land Use Classification:

Water Provider:

Sewer Provider:

Applicant Information

Applicant Name:

Applicant Address:

City:

State:

ZipCode:

Phone #:

E-mail:

Owner Information

Owner Name:

Owner Address:

City:

State:

Zip Code:

Phone #:

E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name:

Agent/Attorney/Engineer Address:

City:

State:

Zip Code:

Phone #:

E-mail:



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

Completed Application

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

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

Provide Fee \$500.00

Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

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

DeIDOT Service Level Evaluation Request Response

PLUS Response Letter (if required)

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

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

Signature of Applicant/Agent/Attorney

Date: _____

Signature of Owner

Date: _____

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

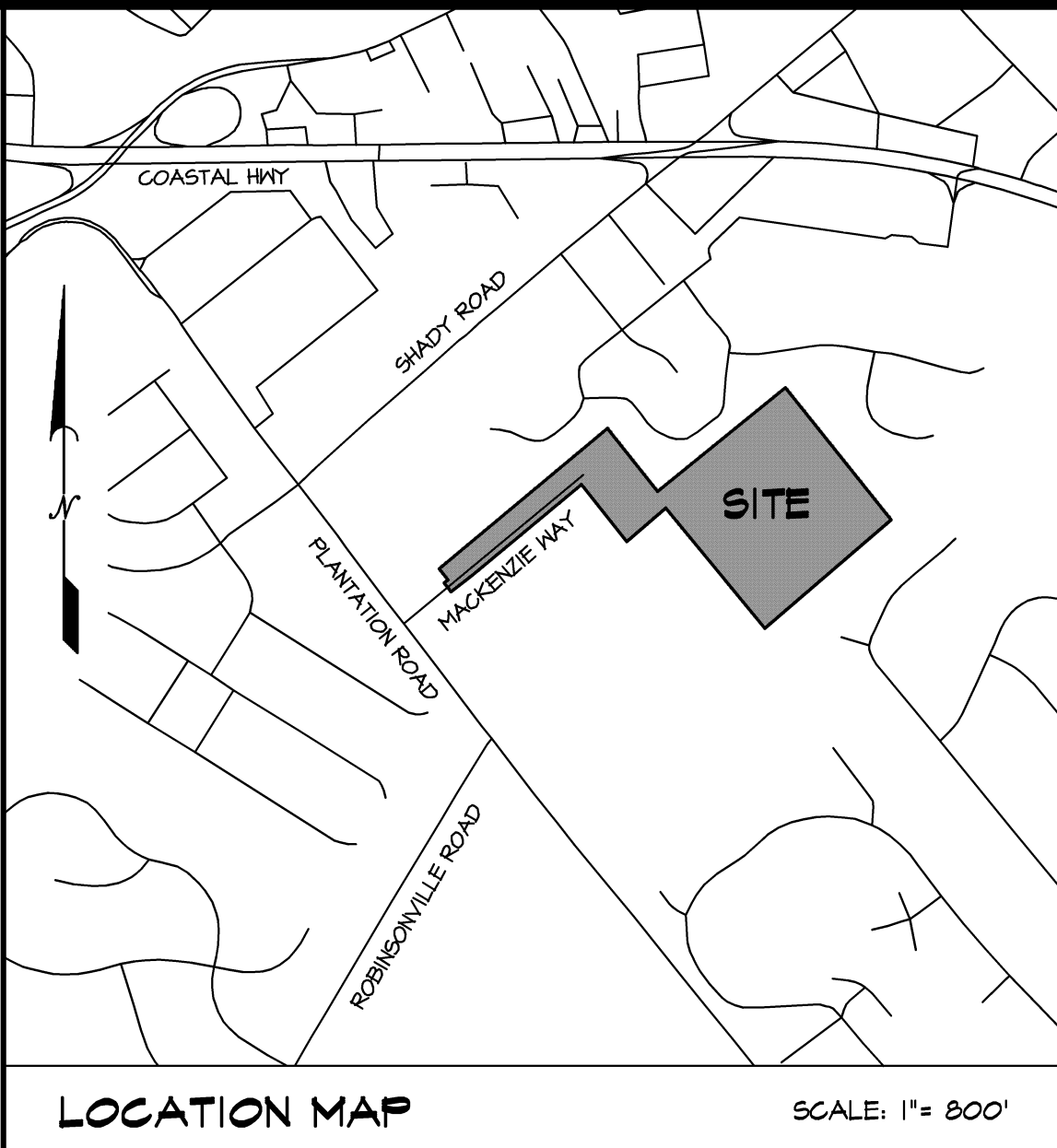
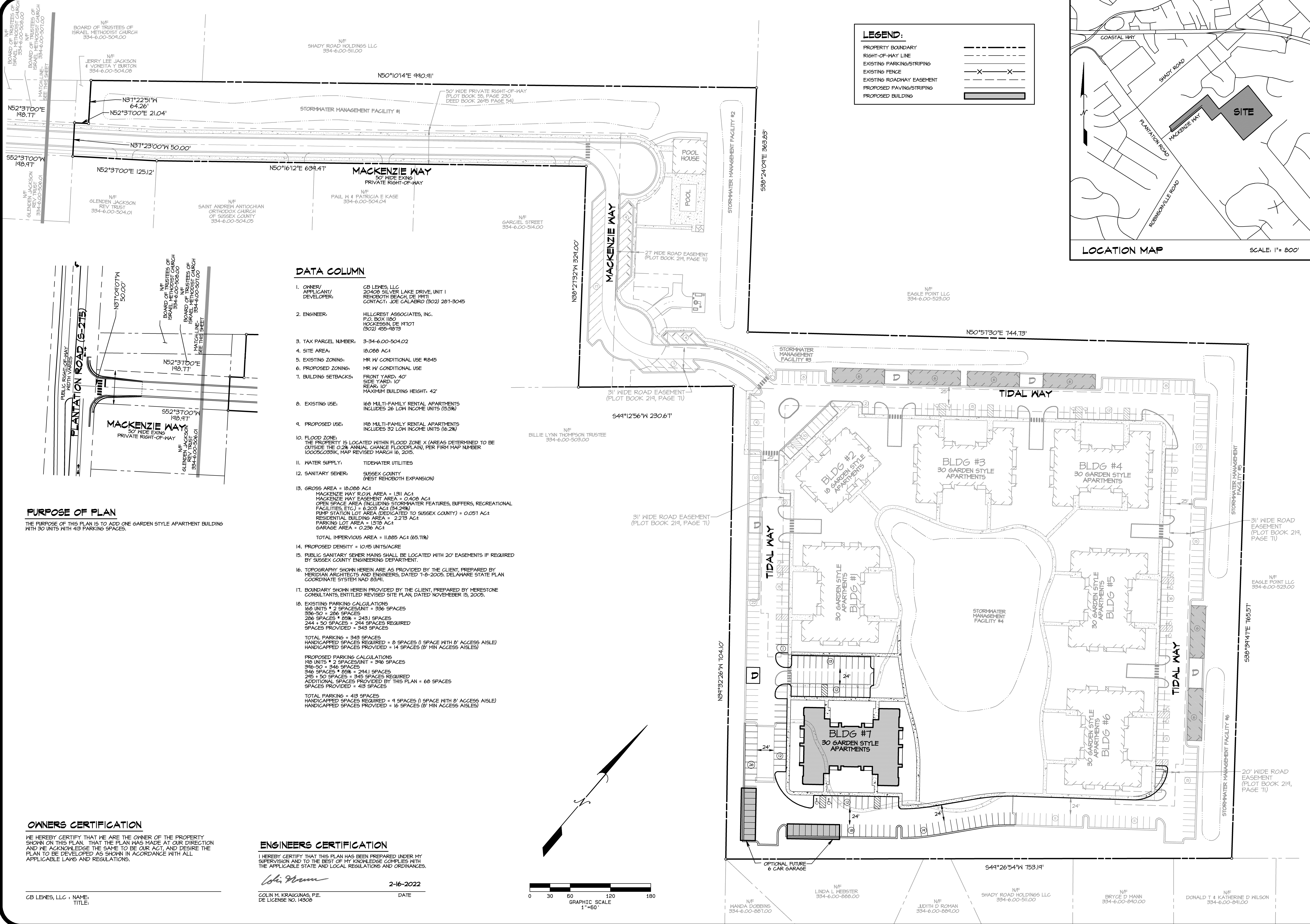
Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____



DATA COLUMN

- OWNER/APPLICANT/DEVELOPER: CB LEMES, LLC, 20408 SILVER REHOBOTH BEACH, DE 19411, CONTACT: JOE CALABRO (302) 281-3045
- ENGINEER: HILLCREST ASSOCIATES, INC., P.O. BOX 1180, HOCKESSIN, DE 19107, (302) 455-4873
- TAX PARCEL NUMBER: 3-34-6.00-504.02
- SITE AREA: 18.088 AC±
- EXISTING ZONING: MR IV CONDITIONAL USE #1845
- PROPOSED ZONING: MR IV CONDITIONAL USE
- BUILDING SETBACKS: FRONT YARD: 40', SIDE YARD: 10', REAR: 10', MAXIMUM BUILDING HEIGHT: 42'
- EXISTING USE: 168 MULTI-FAMILY RENTAL APARTMENTS INCLUDES 26 LOW INCOME UNITS (15.5%)
- PROPOSED USE: 148 MULTI-FAMILY RENTAL APARTMENTS INCLUDES 32 LOW INCOME UNITS (16.2%)
- FLOOD ZONE: THE PROPERTY IS LOCATED WITHIN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP NUMBER 1000500391K, MAP REVISED MARCH 16, 2015).
- WATER SUPPLY: TIDEWATER UTILITIES
- SANITARY SEWER: SUSSEX COUNTY (WEST REHOBOTH EXPANSION)
- GROSS AREA = 18.088 AC±: MACKENZIE WAY R.O.W. AREA = 1311 AC±, MACKENZIE WAY EASEMENT AREA = 0.408 AC±, OPEN SPACE AREA (INCLUDING STORMWATER FEATURES, BUFFERS, RECREATIONAL FACILITIES, ETC.) = 6.203 AC± (34.28%), PUMP STATION LOT AREA (DEDICATED TO SUSSEX COUNTY) = 0.051 AC±, RESIDENTIAL BUILDING AREA = 2.278 AC±, PARKING LOT AREA = 1578 AC±, GARAGE AREA = 0.236 AC±, TOTAL IMPERVIOUS AREA = 11.885 AC± (65.71%)
- PROPOSED DENSITY = 10.45 UNITS/ACRE
- PUBLIC SANITARY SEWER MAINS SHALL BE LOCATED WITH 20' EASEMENTS IF REQUIRED BY SUSSEX COUNTY ENGINEERING DEPARTMENT.
- TOPOGRAPHY SHOWN HEREIN ARE AS PROVIDED BY THE CLIENT, PREPARED BY MERIDIAN ARCHITECTS AND ENGINEERS, DATED 7-8-2005, DELAWARE STATE PLAN COORDINATE SYSTEM NAD 83/11.
- BOUNDARY SHOWN HEREIN PROVIDED BY THE CLIENT, PREPARED BY MERESTONE CONSULTANTS, ENTITLED REVISED SITE PLAN, DATED NOVEMBER 15, 2005.
- EXISTING PARKING CALCULATIONS: 168 UNITS * 2 SPACES/UNIT = 336 SPACES, 336-50 = 286 SPACES, 286 SPACES * 85% = 243 SPACES, 244 + 50 SPACES = 294 SPACES REQUIRED, SPACES PROVIDED = 343 SPACES, TOTAL PARKING = 343 SPACES, HANDICAPPED SPACES REQUIRED = 8 SPACES (1 SPACE WITH 8' ACCESS AISLE), HANDICAPPED SPACES PROVIDED = 14 SPACES (8' MIN ACCESS AISLES), PROPOSED PARKING CALCULATIONS: 148 UNITS * 2 SPACES/UNIT = 296 SPACES, 296-50 = 246 SPACES, 246 SPACES * 85% = 211 SPACES, 215 + 50 SPACES = 265 SPACES REQUIRED, ADDITIONAL SPACES PROVIDED BY THIS PLAN = 68 SPACES, SPACES PROVIDED = 413 SPACES, TOTAL PARKING = 413 SPACES, HANDICAPPED SPACES REQUIRED = 9 SPACES (1 SPACE WITH 8' ACCESS AISLE), HANDICAPPED SPACES PROVIDED = 16 SPACES (8' MIN ACCESS AISLES)

PURPOSE OF PLAN

THE PURPOSE OF THIS PLAN IS TO ADD ONE GARDEN STYLE APARTMENT BUILDING WITH 30 UNITS WITH 413 PARKING SPACES.

OWNERS CERTIFICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION AND WE ACKNOWLEDGE THE SAME TO BE OUR ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

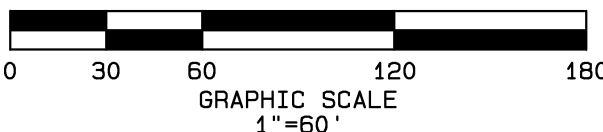
ENGINEERS CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

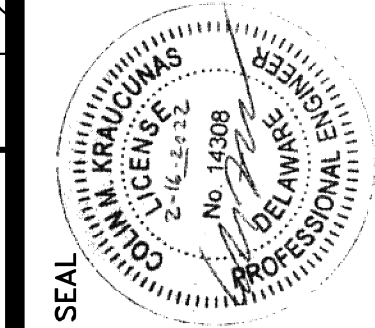
Colin M. Kraugas, P.E.

2-16-2022

DATE



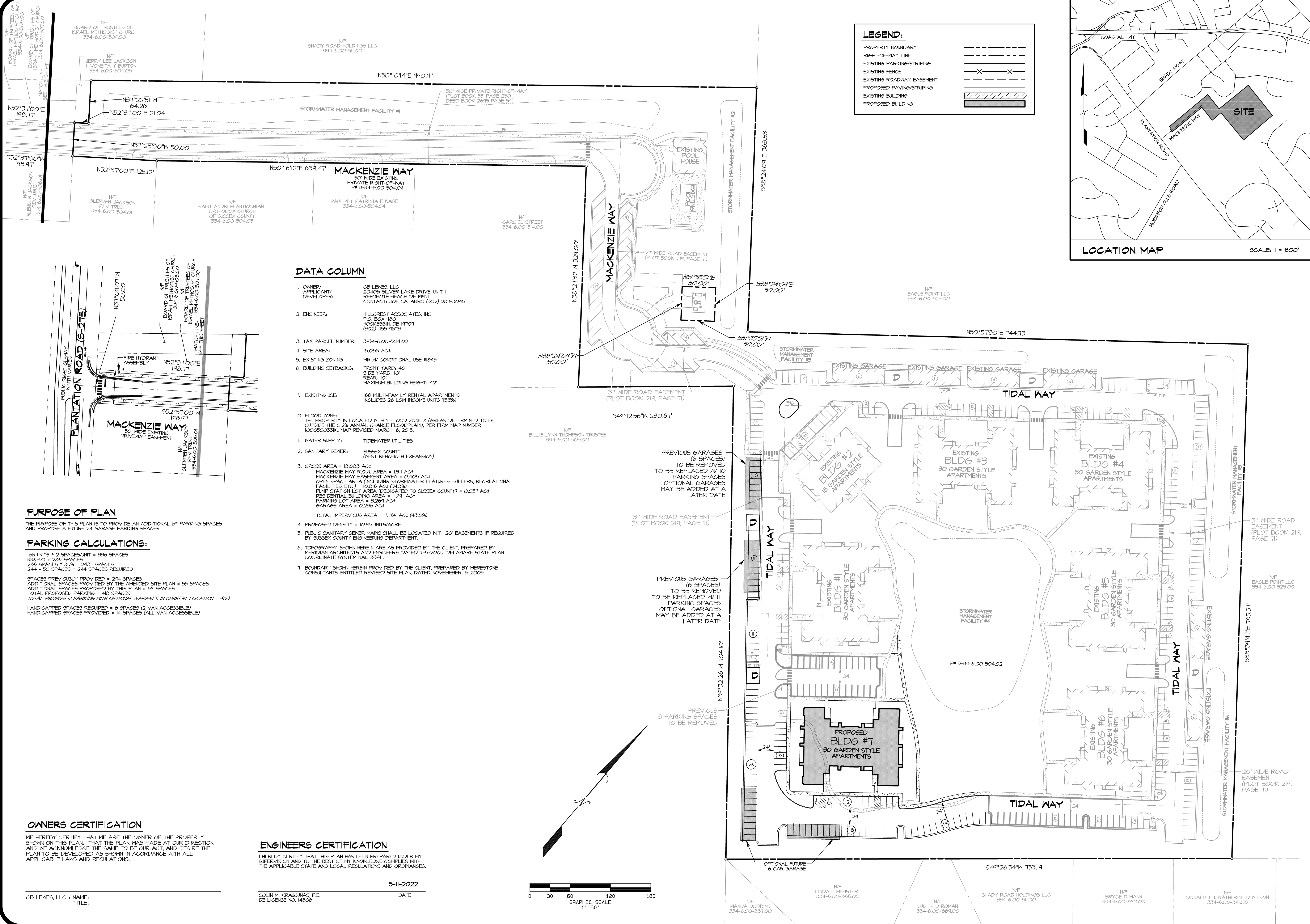
CB LEMES, LLC : NAME: TITLE:



CONDITIONAL USE PLAN
ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

| DATE: | 2-16-22 | REVISION | DATE |
|----------------|------------|----------|------|
| DRAWN BY: | AH/RTN | | |
| CHECKD. BY: | CMK | | |
| PROJ. NO.: | 4202 | | |
| SCALE: | 1"=60' | | |
| CAD FILE NAME: | 4202BD3PRO | | |

DWG. NO.

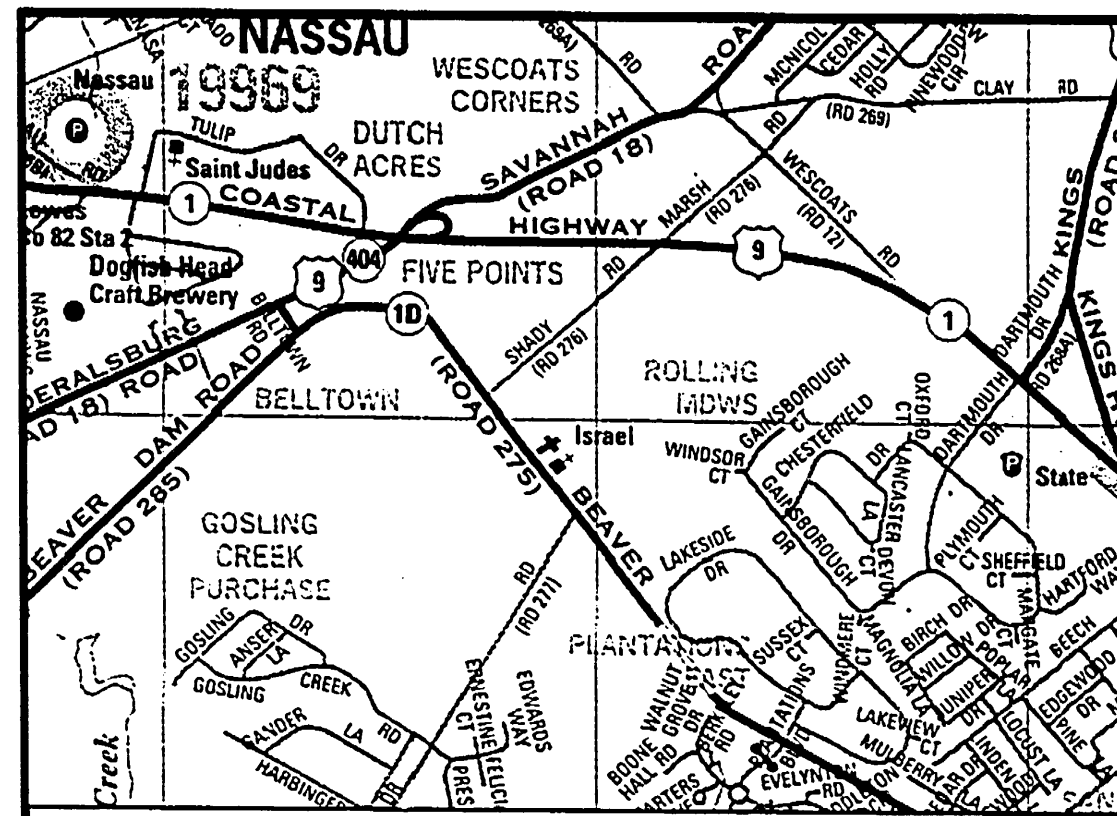


SEAL

CONDITIONAL USE PLAN
COASTAL TIDE (fka ARBORS OF COTTAGEDALE)
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

| DATE: | 2-16-22 | REVISION | REV. PARCEL LAYOUT | RTN |
|----------------|------------|----------|--------------------|-----|
| DRAWN BY: | AHH/RTN | | | |
| CHECKD. BY: | CMK | | | |
| PROJ. NO.: | 4202 | | | |
| SCALE: | 1"=60' | | | |
| CAD FILE NAME: | 4202BD3PRO | | | |

DWG. NO.



VICINITY MAP
SCALE: 1" = 1200'

ZONING MAP
SCALE: NOT TO SCALE

| PARCEL | LAND USE CODES | PLANNING & ZONING DESCRIPTION |
|--------|---------------------------------|---------------------------------|
| 504.03 | RESIDENTIAL TRAILER ON PROPERTY | A AGRICULTURAL |
| 511.00 | RESIDENTIAL VACANT LOT | A AGRICULTURAL |
| 511.02 | RESIDENTIAL TRAILER ON PROPERTY | A AGRICULTURAL |
| 511.03 | RESIDENTIAL TRAILER ON PROPERTY | A AGRICULTURAL |
| 511.04 | RESIDENTIAL VACANT LOT | A AGRICULTURAL |
| 516 | RESIDENTIAL SINGLE | A AGRICULTURAL |
| 517 | RESIDENTIAL SINGLE | A AGRICULTURAL |
| 523 | FARM | A AGRICULTURAL/RESIDENTIAL |
| 523.01 | RESIDENTIAL SINGLE | DA GENERAL BUSINESS/RESIDENTIAL |
| 523.02 | RESIDENTIAL SINGLE | AD AC /RESIDENTIAL/GENERAL |
| 523.03 | RESIDENTIAL SINGLE | DA GENERAL BUSINESS/AG. RESID. |
| 523.04 | RESIDENTIAL VACANT LOT | D GENERAL BUSINESS |
| 523.05 | RESIDENTIAL SINGLE | D GENERAL BUSINESS |
| 523.06 | MISCELLANEOUS EXEMPT | DA GENERAL BUSINESS/AG. RESID. |
| 523.07 | RESIDENTIAL VACANT LOT | D GENERAL BUSINESS |
| 524 | RESIDENTIAL SINGLE | D GENERAL BUSINESS |
| 524.01 | RESIDENTIAL SINGLE | D GENERAL BUSINESS |
| 525 | COMMERCIAL (FC) | DR GENERAL BUSINESS/RESIDENTIAL |

DATA COLUMN

MAP & PARCEL NUMBER: 3-34-6-523.00, 523.02, 523.03, & 523.06

DEED REFERENCES: 218/0425
NO TITLE REPORT FURNISHED

EXISTING ZONING: AGRICULTURAL

ALTA/ACSM SURVEY CLASSIFICATION: URBAN

OWNER: DALLAS TROY WRIGHT
17233 SHADY ROAD
NEWARK, DELAWARE 19702
(302) 737-3401

EQUITABLE OWNER: EAGLE POINT, L.L.C.
2444 SUNSET LAKE ROAD
NEWARK, DELAWARE 19702
(302) 737-3401

PREPARED BY: DAVIS, BOWEN & FRIEDEL, INC.
23 NORTH WALNUT STREET
MILFORD, DE 19963
(302) 424-1441

SITE AREA: 16.9760± ACRES
OPEN AREA: 9.6201± ACRES
IMPERVIOUS AREA (BUILDINGS): 3.3923± ACRES
IMPERVIOUS AREA (STREETS & DRIVEWAYS): 3.2399± ACRES
IMPERVIOUS AREA (SIDEWALKS): 0.7279± ACRES
IMPERVIOUS AREA (TOTAL): 7.3599± ACRES

TOTAL PARKING: 79 STD. PARKING
68 GARAGES / 1 PER
SPACES REQUIRED: 204
TOTAL SPACES PROVIDED: 215

UTILITIES:
TIDWATER UTILITIES (WATER)
SUSSEX COUNTY (SEWER)

SETBACK REQUIREMENTS:
ROAD FRONT SETBACK: 40'
SIDE SETBACK: 15'
REAR SETBACK: 20'

MAX. BUILDING HEIGHT: 42'
PROPOSED BUILDING HEIGHT: 32' ±

BUILDING SQUARE FOOTAGE: 3844± S.F. / PER UNIT (APPROXIMATE)

BUILDING COVERAGE: 7%
NO. OF PROPOSED UNITS: 68

PROPOSED BUILDINGS WILL NOT BE PROTECTED BY AUTOMATIC SPRINKLER SYSTEM.

TYPE OF CONSTRUCTION: WOOD/CONCRETE BLOCK

ALL FIRE LINES, FIRE HYDRANTS, EXITS AND STAIRWELLS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.

THE PROPERTY LIES WITHIN ZONE X FLOOD PLAIN: AS DETERMINED BY FLOOD MAP NO. FIRM 1000503335 F, DATED JUNE 16, 1995.

THE SITE AS SHOWN HEREON DOES NOT CONTAIN STATE OR FEDERALLY REGULATED SECTION 10 WETLANDS, BASED ON RYM AND DNRCC WETLAND MAPS.

EAGLE POINT DRIVE SHALL BE DEDICATED TO PUBLIC USE AND MAINTAINED BY THE STATE OF DELAWARE FOLLOWING THE COMPLETION OF THE STREET BY THE DEVELOPER TO THE SATISFACTION OF THE STATE. THE STATE ASSUMES NO MAINTENANCE RESPONSIBILITIES WITHIN THE DEDICATED STREET RIGHT-OF-WAY UNTIL THE STREETS HAVE BEEN ACCEPTED BY THE STATE.

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|--------|------------|--------------|----------------|-------------|
| C1 | 50.00 | 23.34 | 23.13 | N 52°44'34" W | 28°44'52" |
| C2 | 52.00 | 228.78 | 84.10 | N 59°50'23" E | 252°04'47" |
| C3 | 75.00 | 32.71 | 30.29 | S 30°04'57" E | 72°04'47" |
| C4 | 100.00 | 46.68 | 46.26 | S 52°44'34" E | 28°44'52" |
| C5 | 125.00 | 64.52 | 63.81 | N 25°53'40" W | 29°34'33" |
| C6 | 25.00 | 34.32 | 31.89 | N 48°53'07" E | 73°37'28" |
| C7 | 275.00 | 67.35 | 67.18 | S 88°15'13" W | 14°01'55" |
| C8 | 325.00 | 79.99 | 79.39 | N 86°15'13" E | 14°01'55" |
| C9 | 25.00 | 40.84 | 38.77 | N 50°18'10" E | 50°00'00" |
| C10 | 125.00 | 49.05 | 48.75 | N 16°30'51" E | 22°02'22" |
| C11 | 125.00 | 10.00 | 10.00 | N 30°03'09" E | 04°35'06" |
| C12 | 125.00 | 41.73 | 41.53 | N 41°54'28" E | 19°02'28" |
| C13 | 125.00 | 131.22 | 125.28 | N 81°32'40" E | 80°08'51" |
| C14 | 125.00 | 65.07 | 64.34 | S 53°28'10" E | 29°49'30" |
| C15 | 50.00 | 44.19 | 42.77 | S 63°53'33" E | 50°38'16" |
| C16 | 25.00 | 33.20 | 30.99 | N 54°13'39" E | 73°09'20" |
| C17 | 150.00 | 84.58 | 83.47 | N 33°48'14" E | 32°18'51" |
| C18 | 125.00 | 145.71 | 135.92 | N 85°23'37" E | 85°23'15" |
| C19 | 25.00 | 32.71 | 30.29 | N 79°41'21" E | 72°04'47" |
| C20 | 52.00 | 228.78 | 84.10 | N 101°12'39" W | 252°04'47" |
| C21 | 75.00 | 86.22 | 81.35 | S 85°23'37" W | 65°23'15" |
| C22 | 100.00 | 109.89 | 104.45 | S 18°28'35" W | 62°47'08" |
| C23 | 100.00 | 111.07 | 105.45 | S 18°48'46" W | 63°38'11" |
| C24 | 50.00 | 55.53 | 52.72 | N 18°48'46" E | 63°38'11" |
| C25 | 25.00 | 34.32 | 32.08 | N 51°08'00" E | 76°11'22" |
| C26 | 100.00 | 88.38 | 85.53 | N 63°52'33" W | 50°38'16" |
| C27 | 75.00 | 39.04 | 38.60 | N 53°28'10" W | 29°49'30" |
| C28 | 75.00 | 75.17 | 75.17 | S 61°34'01" W | 63°08'51" |
| C29 | 75.00 | 60.48 | 58.85 | S 28°22'12" W | 46°12'04" |

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 39°22'08" E | 9.58' |
| L2 | N 51°19'03" E | 10.00' |
| L3 | S 39°22'08" E | 13.86' |
| L4 | N 39°22'08" W | 13.26' |
| L5 | N 50°12'23" E | 14.42' |
| L6 | N 38°29'44" W | 10.00' |
| L7 | S 38°29'44" E | 10.00' |
| L8 | N 50°12'23" E | 12.89' |
| L9 | S 39°59'04" E | 10.90' |
| L10 | S 39°03'40" E | 20.57' |
| L11 | N 50°56'20" E | 39.70' |
| L12 | S 38°40'57" E | 31.00' |
| L13 | N 38°40'57" W | 31.00' |
| L14 | N 50°56'20" E | 21.50' |
| L15 | N 39°03'40" W | 20.57' |
| L16 | N 59°59'04" W | 10.91' |
| L17 | N 50°56'20" E | 10.00' |
| L18 | S 51°23'15" W | 13.69' |
| L19 | N 51°23'15" E | 10.98' |

LEGEND

- CONCRETE MONUMENT FOUND (5 EXISTING)
- IRON PIPE FOUND (7 EXISTING)
- PKF FOUND IN CONCRETE (1 EXISTING)
- PROPOSED MONUMENT (10 PROPOSED)

LAND AREAS

| | |
|------------------------|----------------|
| SITE AREA: | 16.9760± ACRES |
| ROAD AREA: | 4.4824± ACRES |
| GRAVE AREA: | 0.0562± ACRES |
| UTILITY EASEMENT AREA: | 0.0542± ACRES |
| WALKING EASEMENT AREA: | 0.0173± ACRES |
| PARCEL 'A' AREA: | 0.9565± ACRES |
| PARCEL 'B' AREA: | 2.1181± ACRES |
| PARCEL 'C' AREA: | 2.5855± ACRES |
| PARCEL 'D' AREA: | 1.4010± ACRES |
| PARCEL 'E' AREA: | 4.4778± ACRES |
| PARCEL 'F' AREA: | 0.9015± ACRES |

SURVEYOR'S STATEMENT

I, Barry M. Hall, hereby state that I am a registered surveyor in the State of Delaware, that the information shown herein has been prepared under my supervision and to my best knowledge and belief represents good surveying practices as required by the applicable laws of the State of Delaware.

DAVIS, BOWEN & FRIEDEL, INC.
by Barry M. Hall, AGENT

Barry M. Hall
PROFESSIONAL LAND SURVEYOR, DE NO. 618

DATE: 12-07-02

Barry M. Hall
PROFESSIONAL LAND SURVEYOR, DE NO. 618

OWNERS CERTIFICATION

WE, DALLAS TROY WRIGHT AND KANDI M. WRIGHT, CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THAT THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE: Dallas Troy Wright DATE: 12/6/02

SIGNATURE: Kandi M. Wright DATE: 12/6/02

Kandi M. Wright

EQUITABLE OWNERS CERTIFICATION

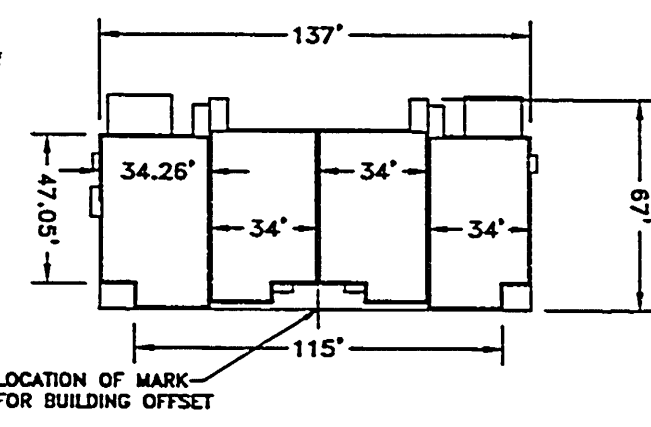
I, MARIO C. CAPANO, REPRESENTATIVE OF EAGLE POINT L.L.C., CERTIFY THAT EAGLE POINT L.L.C. IS THE EQUITABLE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THAT THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

DATE: DEC. 06 2002

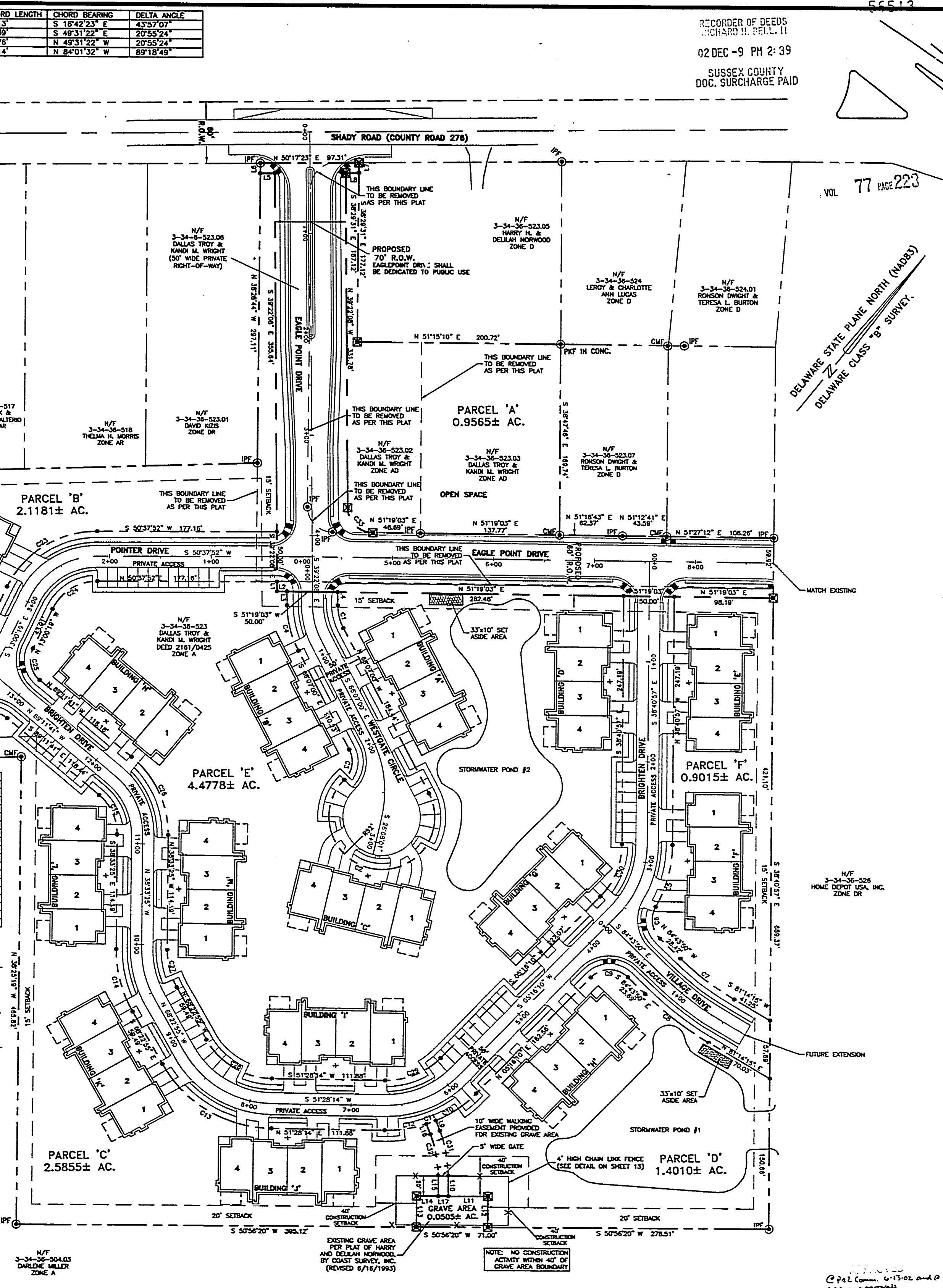
TITLE: MARIO C. CAPANO, (AUTHORIZED MEMBER)

(302) 737-3401

(302) 737-2854-FAX



TYPICAL 4 UNIT FOUNDATION PLAN
NO SCALE



ACS GOVERNMENT SERVICES

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RECORDED OF DEEDS
RICHARD H. PELL, II
02 DEC -9 PM 2:39
SUSSEX COUNTY
DOC. SURCHARGE PAID

VOL 77 PAGE 223

DELAWARE STATE PLANE NORTH (MDR35)
DELAWARE CLASS "B" SURVEY.

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND (410) 543-8091
MILFORD, DELAWARE (302) 424-1441



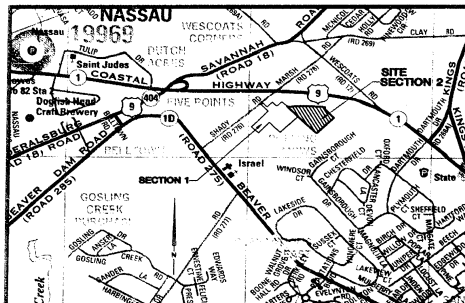
RECORD PLAN

**EAGLE POINT (SECTION 1)
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE**

REVISOR:
DELOOT
COMMENTS 9/15/02
COMMENTS 10/15/02
FIRE MARSHAL
COMMENTS 10/15/02
SUSSEX COUNTY
COMMENTS 10/15/02
COMMENTS 10/15/02
SUSSEX COORDINATION DISTRICT
COMMENTS 10/17/02

Date: MAY 2002
Scale: 1"=60'
Dwn.By: D. STUMP
Proj.No.: 1031A001B
Dwg.No.:

R-1



PARCEL LAND USE CODES

| PARCEL | LAND USE CODE | PLANNING & ZONING DESCRIPTION |
|--------|-------------------------|---------------------------------|
| 500.00 | RESIDENTIAL, VACANT LOT | A AGRICULTURAL |
| 504.02 | RESIDENTIAL, VACANT LOT | A AGRICULTURAL |
| 504.03 | RESIDENTIAL, TRAILER | A AGRICULTURAL |
| 504.04 | ON PROPERTY | A AGRICULTURAL |
| 523.00 | FARM | A AGRICULTURAL/RESIDENTIAL |
| 523.01 | MISCELLANEOUS EXEMPT | DA GENERAL BUSINESS/AG. RESID. |
| 524.01 | RESIDENTIAL, SINGLE | D GENERAL BUSINESS |
| 525.00 | COMMERCIAL | DR GENERAL BUSINESS/RESIDENTIAL |
| 526.01 | STATE GOVERNMENT | D GENERAL BUSINESS |
| 526.02 | COMMERCIAL | D GENERAL BUSINESS |
| 526.03 | MISCELLANEOUS EXEMPT | DA GENERAL BUSINESS/RESIDENTIAL |
| 526.04 | RESIDENTIAL, SINGLE | A AGRICULTURAL |
| 526.05 | RESIDENTIAL, SINGLE | A AGRICULTURAL |

ZONING MAP
SCALE: NOT TO SCALE

DATA COLUMN

MAP & PARCEL NUMBER: 3-34-6-526, C1
DEED REFERENCE: 2647/289 LOT 1 C OF PLAT 78/171
EXISTING ZONING: AR-1
ALTA/ACSM SURVEY CLASSIFICATION: URBAN
OWNER: EAGLE POINT II, L.L.C.
2044 SUNSET LAKE ROAD
NEWARK, DELAWARE 19702
(302) 737-3401
PREPARED BY: DAVIS, BOWEN & FRIEDEL, INC.
22 NORTH WALNUT STREET
MILFORD, DE 19963
(302) 424-1411
UTILITY: TIDEWATER UTILITIES, INC.
603 MAIN STREET
P.O. BOX 1000
ODESSA, DE 19720-1000
(302) 578-1000
SITE AREA: 13.08 ACRES
OPEN AREA: 1.38 ACRES
UTILITY EASEMENT (ELEVATED STORAGE TANK): 0.056 ACRES
WATERPLOT AREA (BUILDINGS): 3.74 ACRES
IMPERVIOUS AREA (STREETS): 2.19 ACRES
IMPERVIOUS AREA (TOTAL): 4.83 ACRES
VERTICAL DATUM: N.A.S.D. 1928, BASED ON 9-27, ELEV. = 24.64'
TOTAL PARKING: 53 STD. PARKING
52 UNITS / 1 PER
52 GARAGES / 1 PER
SPACES REQUIRED: 156
TOTAL SPACES PROVIDED: 157
UTILITIES: TIDEWATER UTILITIES (WATER)
SUSSEX COUNTY (SEWER)
SETBACK REQUIREMENTS:
FRONT SETBACK: 40'
SIDE SETBACK: 15'
REAR SETBACK: 20'
MAX. BUILDING HEIGHT: 42' 8"
PROPOSED BUILDING HEIGHT: 32' 8"
BUILDING SQUARE FOOTAGE: 38448 S.F. / PER UNIT
BUILDING COVERAGE: 31%
NO. OF PROPOSED UNITS: 52
PROPOSED BUILDINGS ARE NOT REQUIRED TO BE PROTECTED BY AUTOMATIC SPRINKLER SYSTEM.
TYPE OF CONSTRUCTION: WOOD/CONCRETE BLOCK
ALL FIRE LANCES, FIRE HYDRANTS, EXITS AND STAIRWAYS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
THE PROPERTY LIES WITHIN ZONE X FLOOD PLANE AS DETERMINED BY FLOOD MAP NO. 17M 1000033S.F. DATED JUNE 15, 1995.
THE SITE AS SHOWN HEREON DOES NOT CONTAIN STATE OR FEDERALLY REGULATED SECTION 10 WETLANDS, BASED ON RWT AND DNRRC WETLAND MAPS.
PERPETUAL MAINTENANCE OF STORMWATER FACILITIES SHALL BE THE RESPONSIBILITY OF THE EAGLE POINT CONDOMINIUM ASSOCIATION.
VEGETATION MUST BE MAINTAINED AT A HEIGHT OF 3 INCHES OR GREATER.

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| C1 | 335.00 | 98.41 | 126.08 | N 80°24'43" E | 172°02'59" |
| C2 | 1025.00 | 126.16 | 126.08 | S 77°50'11" E | 07°03'08" |
| C3 | 25.00 | 31.69 | 29.61 | N 69°19'48" E | 72°37'13" |
| C4 | 52.00 | 229.27 | 43.81 | S 20°40'14" E | 252°37'13" |
| C5 | 875.00 | 120.01 | 119.93 | N 77°50'11" E | 07°03'08" |
| C6 | 25.00 | 39.27 | 35.39 | S 53°35'13" W | 80°00'00" |
| C7 | 125.00 | 180.96 | 185.57 | S 32°53'11" E | 82°59'52" |
| C8 | 25.00 | 31.69 | 29.61 | N 69°19'48" E | 72°37'13" |
| C9 | 52.00 | 229.27 | 43.81 | S 20°40'14" E | 252°37'13" |
| C10 | 174.00 | 105.35 | 105.35 | N 32°53'11" E | 82°59'52" |
| C11 | 25.00 | 39.27 | 35.39 | N 32°24'45" W | 80°00'00" |
| C12 | 27.00 | 83.27 | 83.27 | S 60°00'00" E | 172°02'59" |
| C13 | 27.00 | 129.88 | 103.89 | S 60°00'00" E | 172°02'59" |
| C14 | 52.00 | 21.71 | 21.68 | S 38°50'09" W | 238°20'28" |
| C15 | 25.00 | 49.70 | 47.43 | N 78°11'10" E | 242°31'11" |
| C16 | 52.00 | 189.87 | 190.64 | S 42°29'31" E | 209°17'40" |
| C17 | 25.00 | 31.69 | 29.61 | S 32°53'11" E | 82°59'52" |
| C18 | 52.00 | 21.10 | 20.08 | N 60°59'13" W | 23°15'11" |
| C19 | 115.00 | 10.01 | 10.00 | S 59°58'53" E | 04°59'08" |
| C20 | 115.00 | 10.01 | 10.00 | S 59°58'53" E | 04°59'08" |
| C21 | 115.00 | 25.04 | 24.99 | S 68°39'43" E | 12°28'35" |

REGISTERED ENGINEER STATEMENT

I, RANDY DUFFLECHAIN, 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 MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DATE: 9/10/03
TITLE: Principal
SIGNATURE: [Signature]



OWNERS CERTIFICATION

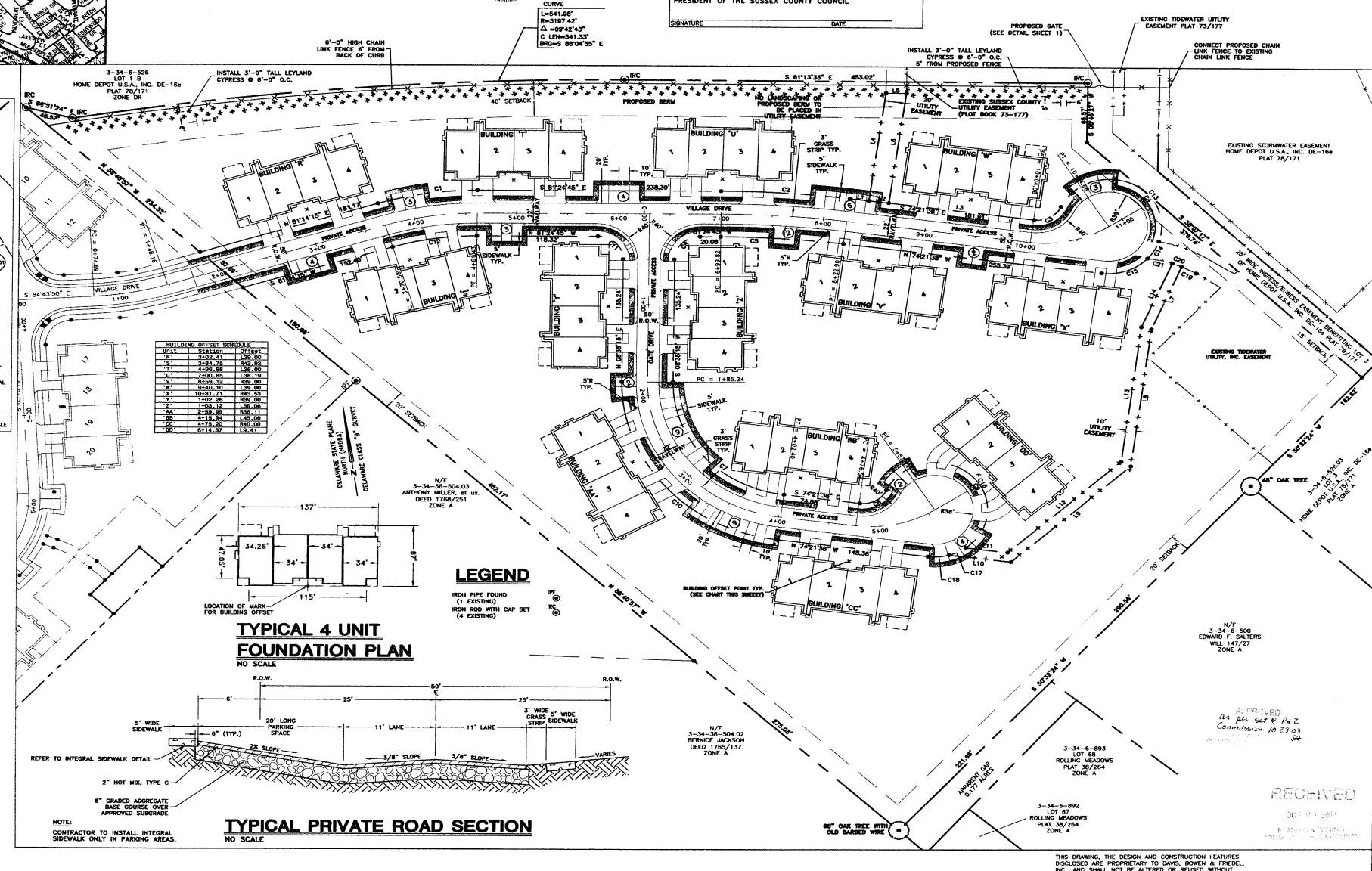
I, FRANK J. CAPANO, JR., REPRESENTATIVE OF EAGLE POINT II, L.L.C., CERTIFY THAT EAGLE POINT II, L.L.C. IS THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THAT THE SAME TO BE MY OWN AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

DATE: [Blank]
TITLE: FRANK J. CAPANO, JR. (PRESIDENT)
(302) 737-3401
(302) 737-2884-FAX
SIGNATURE: [Signature]

CHAIRMAN OR SECRETARY OF THE COMMISSION
SIGNATURE: [Blank]
DATE: [Blank]
PRESIDENT OF THE SUSSEX COUNTY COUNCIL
SIGNATURE: [Blank]
DATE: [Blank]

| LINE | BEARING | DISTANCE |
|------|----------------|----------|
| L1 | N 74°21'58" W | 18.35' |
| L2 | S 74°21'58" E | 18.94' |
| L3 | N 74°21'58" W | 143.56' |
| L4 | S 160°00'00" W | 118.90' |
| L5 | S 81°13'53" E | 26.00' |
| L6 | S 160°00'00" W | 122.37' |
| L7 | S 31°16'45" W | 75.24' |
| L8 | N 16°37'29" E | 155.55' |
| L9 | N 58°19'07" E | 19.43' |
| L10 | S 74°21'58" E | 61.38' |
| L11 | S 74°21'58" E | 1.58' |
| L12 | N 58°19'07" E | 149.13' |
| L13 | N 16°37'29" E | 150.21' |
| L14 | S 31°16'45" E | 76.00' |

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DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND (410) 543-9281
MILFORD, DELAWARE (302) 424-1411

RECORD PLAN

EAGLE POINT (SECTION II)
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

REVISIONS:
04/18/03 AGENCY COMMENTS
04/23/03 PLANNING
05/23/03 PLANNING
07/29/03 PLANNING

Date: APRIL 2003
Scale: 1"=50'
Drawn By: TFS/JUS
Proj. No.: 101-A0028
Drawn By: [Blank]

RECEIVED
OCT 1 2003
F. J. CAPANO, JR. (PRESIDENT)
EAGLE POINT II, L.L.C.

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ACS GOVERNMENT SERVICES

GENERAL LANDSCAPE NOTES

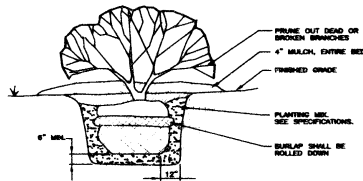
1. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK".
2. CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND FINAL ACCEPTANCE OF SITE WORK HAS BEEN GIVEN. IF THE END OF ONE YEAR ALL PLANT MATERIAL WHICH IS DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AS ORIGINALLY SPECIFIED.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
4. NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER.
5. ALL AREAS NOT STABILIZED IN PLANTING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN.)
6. EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
7. ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 7'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE STAKING DETAIL SHOWN.
8. THE FULL EXTENT OF ALL PLANTING BEDS SHALL RECEIVE 4" OF TOPSOIL AND 3" OF BARK MULCH PER SPECIFICATIONS.
9. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THIS DRAWING AND AS SPECIFIED.
10. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANT'S ORIGINAL GRADE BEFORE DIGGING.
11. THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON.
12. ALL AREAS BEYOND UTILITY BODIES WILL BE LANDSCAPED USING EVERGREEN SHRUBS OF SUFFICIENT HEIGHT AND SPREAD AT THE TIME OF PLANTING TO SCREEN THEM FROM VIEW.
13. LANDSCAPE BODIES NOT DEFINED BY CURBS, SIDEWALKS, WALLS OR OTHER STRUCTURES SHALL BE ENCLOSED BY ALUMINUM EDGING UNLESS OTHERWISE INDICATED. (SEE LANDSCAPE PLAN)

LANDSCAPE PLANT SCHEDULE

| SYMBOL | KEY | BOTANICAL NAME | COMMON NAME | SIZE | QUANTITY |
|--------|-----|-------------------------------------|-------------------------|---------------------|----------|
| AR | 1 | ASER rubrum "OCTOBER GLORY" | OCTOBER GLORY RED MAPLE | 1 3/4"-2" Cal. Ball | 1 |
| FP | 2 | FRAXINUS pennsylvanica "TOURNAMENT" | SEASIDE ASH | 1 3/4"-2" Cal. Ball | 3 |
| TS | 3 | TILIA cordata "TIDEBRUSH" | GREENSHIRE LINDEN | 1 3/4"-2" Cal. Ball | 4 |
| CL | 4 | CUPRESSOCYPRUS leylandii | LEYLAND CYPRESS | 3" H. Ball | 164 |
| TS | 5 | TRIFOLIUM pratense | CANADIAN REDBUD | 5-6" H. | 12 |

SHRUB PLANTING DETAIL

NOT TO SCALE



LANDSCAPE ARCHITECT'S CERTIFICATION

I, GORDON B. HEAD, 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 MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ARCHITECTURAL PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

Gordon B. Head
GORDON B. HEAD
REGISTERED LANDSCAPE ARCHITECT
9/27/03
DATE

ACS GOVERNMENT SERVICES

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES, SPECIFICATIONS AND PRELIMINARY DATA, DRAWINGS, AND NOTES, SHALL NOT BE ALTERED OR REPRODUCED WITHOUT WRITTEN PERMISSION.

EAGLE POINT (SECTION II)
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

DATE: APRIL 2003
SCALE: 1"=50'
DESIGN: TJS/DJS
PROJECT: 1031A0008
DRAWING: 13

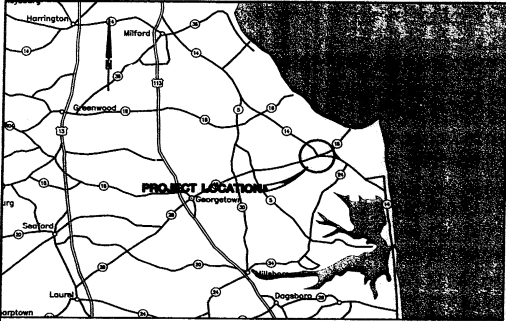
13



DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SUSSEX COUNTY, DELAWARE (110) 540-3050
WILMINGTON, DELAWARE (302) 455-1441



LANDSCAPING PLAN



VICINITY MAP

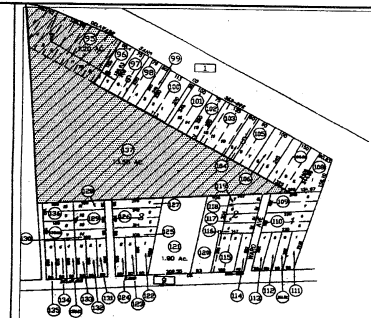
1" = 5.83 MILES

SANDBAR VILLAGE AT NASSAU BRIDGE

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY, DELAWARE

PROJECT NO. 1168A009
SEPTEMBER, 2004

VOL 94 PAGE 14

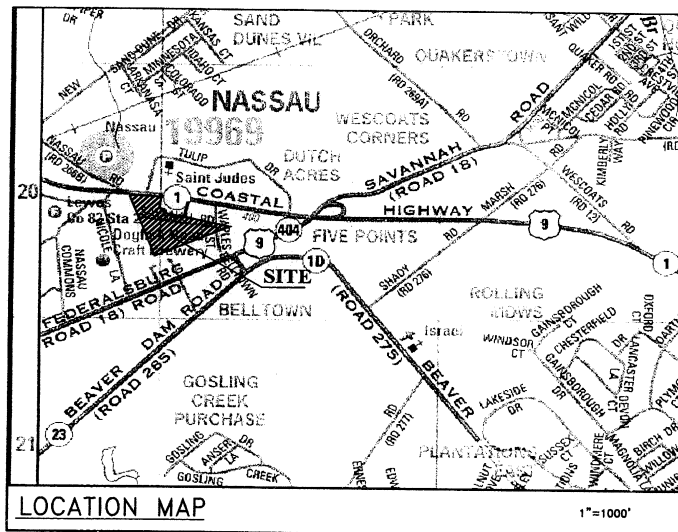


TAX MAP

3-34-5 PARCELS 95 & 137

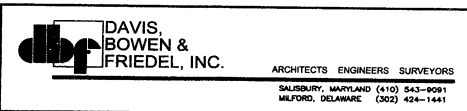
GENERAL NOTES

- CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT (1-800-282-8855) AT LEAST (3) WORKING DAYS PRIOR TO EXCAVATION, TO HAVE EXISTING UNDERGROUND UTILITIES LOCATED AND MARKED.
- ALL MATERIALS & WORKMANSHIP SHALL MEET THE STATE OF DELAWARE STANDARDS & SPECIFICATIONS.
- ALL STREETS, DRIVEWAYS, PARKING LOTS, AND TRAVEL WAYS WITHIN THE SITE ARE PRIVATELY OWNED AND SHALL BE MAINTAINED BY THE SANDBAR VILLAGE MAINTENANCE ASSOCIATION. ALL STORMWATER MANAGEMENT DEVICES SHALL BE MAINTAINED BY THE SANDBAR VILLAGE MAINTENANCE ASSOCIATION FOR THE LIFE OF THIS FACILITY.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL APPRISE AND COORDINATE DURING ALL PHASES OF CONSTRUCTION:
SUSSEX COUNTY ENGINEERING DEPARTMENT 302-855-7718 DEL D.O.T. 302-853-1342
DAVIS, BOWEN & FRIEDEL, INC. 410-543-9091 TIDEWATER UTILITIES 800-523-7224
SUSSEX CONSERVATION DISTRICT 302-856-2105
- CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ALL PROPOSED UTILITIES ARE TO BE CONSTRUCTED WITHIN THE ROADWAY OR EASEMENT RIGHT-OF-WAY. ANY DISTURBED AREAS BEYOND THE EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION.
- BOUNDARY INFORMATION PROVIDED BY SIMPLER SURVEYING & ASSOC., OCTOBER, 1998. TOPOGRAPHIC SURVEY BY DAVIS, BOWEN & FRIEDEL, INC., APRIL, 2004. WETLANDS INVESTIGATION BY ENVIRONMENTAL RESOURCES, INC., DECEMBER, 2003. VERTICAL DATUM IS NAVD 88 BASED ON NOS BENCH MARK "GPS 55", ELEV. 39.32.
- EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLANS ARE BASED UPON THE BEST AVAILABLE INFORMATION AND ARE SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. NO GUARANTEE IS MADE OR IMPLIED REGARDING THE ACCURACY OR COMPLETENESS THEREOF. CONTRACTOR IS RESPONSIBLE FOR THE VERIFICATION OF DEPTH, SIZE AND MATERIAL OF ALL UNDERGROUND UTILITIES TO HIS OWN SATISFACTION BEFORE BEGINNING ANY EXCAVATION OR UTILITY INSTALLATION. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF INFORMATION ON THE PLANS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL SHOWN OR NOT SHOWN EXISTING UTILITIES AND APPURTENANCES. SHOULD ANY EXISTING UTILITIES BE DAMAGED BY THE CONTRACTOR, THE CONTRACTOR SHALL REPAIR THE DAMAGE CAUSED TO THE UTILITY OWNER'S SATISFACTION, AT THE CONTRACTOR'S EXPENSE.
- DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE PERFORMED IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED, AND ALL RULES AND REGULATIONS THEREOF APPURTENANT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF TRAFFIC IN ALL WORK AREAS.
- ROUGH GRADING SHALL BE COMPLETE PRIOR TO THE CONSTRUCTION OF WATER & SEWER SYSTEMS.
- USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL FOR BACKFILLING TRENCHES.
- CONTRACTOR SHALL ADJUST TO FINISH GRADE AS NECESSARY ANY VALVE BOXES, MANHOLES, CATCH BASINS, ETC., PRIOR TO PLACING PAVING.
- CONTRACTOR SHALL PROVIDE STAKEOUT NECESSARY FOR THE INSTALLATION OF UTILITIES, STORM DRAINS, PAVING AND ALL OTHER SITE WORK INCLUDED IN THESE PLANS. ALL STAKEOUT WORK IS TO BE PERFORMED UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF DELAWARE.
- CONTRACTOR TO MAINTAIN MINIMUM OF 3.5 FEET OF COVER OVER ALL NEW WATER LINES AS MEASURED FROM TOP OF PIPE TO FINISHED GRADE, UNLESS OTHERWISE NOTED.
- SEWER LINES SHALL HAVE MINIMUM VERTICAL CLEARANCE OF 18 INCHES FROM WATER MAINS AT CROSSINGS. MAINTAIN A 10 FOOT MINIMUM PLAN SEPARATION BETWEEN SEWER AND WATER MAINS. SEWER LINES SHALL HAVE A MINIMUM VERTICAL CLEARANCE OF 12 INCHES FROM OTHER UTILITIES. IF THESE CLEARANCES CANNOT BE MAINTAINED, THEN PROVISIONS FOR PROPERLY ENCASED THE PIPE IN CONCRETE MUST BE PROVIDED.
- CONTRACTOR SHALL TOPSOIL, SEED AND MULCH ALL UNPAVED AREAS DISTURBED DURING CONSTRUCTION, ACCORDING TO THE EROSION AND SEDIMENT CONTROL NOTES.
- ALL GRAVITY SEWER PIPES SHALL BE PVC SDR 35. FOR PIPE SLOPES SEE SANITARY SEWER PROFILES.
- ALL SEWER LINES MUST BE SUCCESSFULLY TESTED, PRIOR TO FINAL ACCEPTANCE.
- ALL SANITARY SEWER SYSTEM CONSTRUCTION PERFORMED SHALL BE IN ACCORDANCE WITH SUSSEX COUNTY ORDINANCE 38, THESE PLANS AND ALL APPLICABLE CONSTRUCTION PERMITS.
- ALL DROP MANHOLES TO BE 5'-0" IN DIAMETER.
- FITTINGS SHOWN ON THE PLANS ILLUSTRATE ANTICIPATED ANGLE OF DEFLECTION. THIS INFORMATION IS SHOWN FOR GENERAL INFORMATION AND IS NOT GUARANTEED. ACTUAL ANGLE MAY VARY DUE TO FIELD CONDITIONS. USE OF ADDITIONAL FITTINGS SHALL BE AUTHORIZED BY THE ENGINEER.
- THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS UNLESS WRITTEN APPROVAL HAS BEEN PROVIDED BY THE ENGINEER.
- THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION OR SEDIMENT CONTROL MEASURES AS IT DEEMS NECESSARY.
- ALL FIRE LINES, FIRE HYDRANTS, STANDPIPES AND SPRINKLER SYSTEMS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
- A LOCKBOX WILL BE REQUIRED AT THE ENTRANCE GATES. CONTRACTOR SHALL CONTACT LOCAL FIRE CHIEF FOR ORDERING AND LOCATION INFORMATION.
- CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET, OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO MAIL BOXES, SIGNS, LANDSCAPING, DRIVEWAYS, FENCES, PROPERTY MARKERS, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS ENCOUNTERED. ALL ASSOCIATED COST SHALL BE INCLUDED IN THE PRICES BID.
- ALL PAVING, DRIVEWAYS, CURBS, GUTTERS, SIDEWALKS, ETC., REGARDLESS OF CONDITION, DAMAGED BY CONTRACTOR, SHALL BE REMOVED AND REPLACED IN-KIND. COST SHALL BE INCLUDED IN THE PRICES BID.
- PAVING DISTURBED SHALL BE RESTORED IN ACCORDANCE WITH THE DEL. D.O.T. UTILITY CONSTRUCTION PERMIT AND AS SHOWN ON THE DETAILS. WHERE DETAILS ARE PROVIDED IN ADDITION TO THE UTILITY CONSTRUCTION PERMITS. WHERE DISCREPANCIES BETWEEN THE PERMIT AND DETAILS EXIST, THE PERMIT SHALL SUPERSEDE DRAWINGS.
- ACCORDING TO FEMA FLOOD INVENTORY MAP #100050335F, THE SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOOD PLAIN.
- WHENEVER EXCAVATION DISRUPTS GUY WIRES OR ENDANGERS ANY EXISTING TELEPHONE, POWER OR LIGHT POLES, THE POLE SHALL BE BRACED AND/OR THE GUY WIRES SHALL BE RELOCATED IN ACCORDANCE WITH REQUIREMENTS OF THE OWNER OF THE POLE.
- PROVIDE CONCRETE BUTTRESSES FOR ALL BENDS, TEES, WYES, AND PLUGS ON PROPOSED WATER MAIN, PER DETAILS.
- MINIMUM PLAN VIEW SEPARATION BETWEEN WATER MAIN AND ALL UTILITIES EXCEPT SANITARY SEWER SHALL BE 3 FEET, UNLESS OTHERWISE NOTED.



LOCATION MAP

1"=1000'



CONSTRUCTION NOTES:

- ROADWAY STAKEOUTS:
 - RIGHT-OF-WAY STAKES TO BE SET AT A MINIMUM OF FIVE (5) FEET OUTSIDE THE RIGHT-OF-WAY.
 - STATION NUMBERS TO BE INDICATED ON EACH SIDE OF THE STAKE.
 - THE CENTERLINE ROADWAY CUT AND CUT-LINE SHALL BE LOCATED ON THE SIDE OF THE STAKE WHICH FACES THE CENTERLINE. ALSO, A "CL" DESIGNATION SHALL BE INCLUDED.
 - THE SHOULDER CUT AND CUT-LINE SHALL BE INDICATED ON THE OUTSIDE OF THE STAKE, WHILE ALSO CONTAINING A "SM" DESIGNATION.
- THE CONTRACTOR SHALL PROVIDE TWO (2) WORKING DAYS NOTICE TO THE COUNTY INSPECTOR PRIOR TO PAVING. AT THIS TIME, THE INSPECTOR MAY REQUIRE THAT THE CONTRACTOR COMPLETE RELATED OR UNRELATED WORK ITEMS BEFORE PAVING MAY BEGIN.
- SURFACE TREATMENT SHALL NOT BE APPLIED:
 - AFTER NOVEMBER 1 OR PRIOR TO APRIL 1; OR
 - WHEN THE TEMPERATURE IS BELOW 50°F; OR
 - ON ANY WET OR FROZEN SURFACE.
- HOT MIX SHALL NOT BE APPLIED:
 - WHEN TEMPERATURE IS BELOW 40 DEGREES -F; OR
 - ON ANY WET OR FROZEN SURFACE.
- FOR ALL WOODED AREAS, A SUFFICIENT AREA BEYOND THE RIGHT-OF-WAY LINE SHALL BE CLEARED AND GRUBBED, TO ALLOW PROPER GRADING OF THE ROADWAY SHALE BACKSLOPES.
- ALL DISTURBED AREAS MUST BE STABILIZED WITH 4-INCHES OF TOPSOIL, SEED AND MULCH.
- MINIMUM COVER OF ALL HOPE N.C. WITHIN STREET RIGHT-OF-WAY SHALL BE 24". PIPES WITH LESS THAN 24" OF COVER WITHIN STREET RIGHT-OF-WAY SHALL BE REINFORCED CONCRETE PIPE.

INDEX OF DRAWINGS

| | | | |
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| 2-5 | SITE PLAN | SWM 2 | POST-DEVELOPMENT S.W.M. PLAN |
| 6-7 | ROADWAY PROFILES | SWM 3 | S.W.M. BASIN DETAILS |
| 8 | STORM DRAIN PROFILES | SWM 4 | STORMWATER MANAGEMENT DETAILS |
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| EN-3 | ENTRANCE PLAN & DETAILS | U 1-4 | UTILITY PLANS AND PROFILES |
| | | U 5-6 | UTILITY DETAILS |

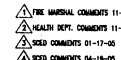
LEGEND

| EXISTING | PROPOSED |
|----------|----------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

COUNTY AGREEMENT #399

OWNER/DEVELOPER:
RUGGIERO DEVELOPMENT GROUP
77 WEST BALTIMORE PIKE
MEDIA, PA. 19063

SUSSEX COUNTY ENGINEERING DEPARTMENT
APPROVED BY:



NAME: *John J. Ruggiero* TITLE: *PRESIDENT*

NAME: _____ TITLE: _____

ENTRANCE PAVEMENT
STREET & PARKING
SIDEWALKS

NOTES:

1. VERTICAL DATUM IS NAVD 88 BASED ON NGS BM "GPS S5",
ELEV. 39.32'.

2. HORIZONTAL DATUM IS SPC DE MAD 83 (1981) BASED ON
NGS BM "GPS S1", N 281,814.018", E 737,237.387'.

Map-3-34-5 Parcel 95 & 137

| | | | |
|------------|--------------------------------|--------|------------------|
| Developer/ | Joseph Ruggiero | Owner: | Holiday Park LLC |
| Contract | Ruggiero Development Group LLC | | P.O. Box 478 |
| Purchaser: | 75 West Baltimore Pike | | Lewes, De. 19958 |
| | Media, Pa. 19063 | | |

| | |
|--|------------------|
| Total Land Area: | 14.78 Acres |
| Net Development Area: | 14.78 Acres |
| State Wetlands | 0.00 Acres |
| "404" Wetlands | 0.00 Acres |
| Proposed Residential Multi-Family Units: | 176 Units |
| | |
| Gross Density: | 11.91 Units/Acre |
| | |
| Proposed Office or Commercial: | 15,000 S.F. |
| | |
| Maximum height for all structures: 42' | |
| | |
| Minimum Multi-Family Lot Setbacks | |
| Front: 40' | |
| Side: 10' | |
| Rear: 10' | |
| | |
| Existing Zoning: C-1 | |

| | | |
|-------------------|-----------------------|-------------------------|
| Parking Required: | Commercial: 75 Spaces | Residential: 528 Spaces |
| Parking Provided: | Commercial: 75 Spaces | Residential: 528 Spaces |

ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441



DAVIS,
BOWEN &
FRIEDEL, INC.

SITE KEY PLAN

**SANDBAR VILLAGE AT NASSAU BRIDGE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE**

Revisions:
1 SCSD COMMENTS 04-19-05

Date: **SEPTEMBER, 2004**

Scale: $1'' = 60'$

Drawn By: **WDM**

Proj. No. 1168A009

2 OF 9

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

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| STRUCTURE SCHEDULE | | | | | | | | | | | | | | | | | | | |
|--------------------|-------------|-------------|------------|-------------|-------------|---------------------------|--------|--------|---------|-------------|-------------|-------------|------------|-------------|--------------|---------------------------|--------|--------|---------|
| Struct. No. | CB/WH. Size | Frame Elev. | Invert In. | Invert Out. | Invert Dia. | Drainage Pipe Size & Type | Pipe # | Length | Slope % | Struct. No. | CB/WH. Size | Frame Elev. | Invert In. | Invert Out. | Invert Dia. | Drainage Pipe Size & Type | Pipe # | Length | Slope % |
| CB1 | 72"x24" | 24.40 | | | 20.75 | 15" RCP | 1 | 50' | 0.20 | CB10 | 72"x24" | 24.35 | 20.15 | 20.10 | 18" RCP | 10 | 28' | 0.36 | |
| CB2 | 72"x48" | 25.21 | 21.75 | | 21.70 | 18" RCP | 2 | 63' | 0.24 | CB11 | 72"x24" | 24.06 | 20.30 | 20.25 | 18" RCP | 11 | 66' | 0.15 | |
| CB3 | 72"x24" | 25.40 | 22.70 | 22.30 | 22.05 | 18" RCP | 3 | 21' | 0.48 | CB12 | 72"x24" | 23.63 | 20.85 | 20.80 | 15" RCP | 12 | 89' | 0.17 | |
| CB4 | 72"x24" | 25.19 | 22.70 | | 22.85 | 15" RCP | 4 | 163' | 0.22 | CB13 | 72"x24" | 23.63 | 20.85 | 20.85 | 15" RCP | 13 | 40' | 0.20 | |
| CB5 | 72"x24" | 25.19 | | | 22.75 | 15" RCP | 5 | 23' | 0.22 | MH1 | 4' | 25.25 | 20.75 | 20.70 | 24" ADS N-12 | 101 | 32' | 0.31 | |
| CB6 | 72"x24" | 25.19 | | | 22.75 | 15" RCP | 6 | 23' | 0.22 | MH2 | 4' | 25.40 | 20.90 | 20.85 | 24" ADS N-12 | 102 | 59' | 0.17 | |
| CB7 | 72"x48" | 25.25 | 22.75 | | 22.70 | 15" RCP | 7 | 172' | 0.20 | MH3 | 4' | 25.51 | 21.95 | 21.90 | 18" RCP | 103 | 88' | 0.17 | |
| CB8 | 72"x24" | 25.31 | | | 22.85 | 15" RCP | 8 | 52' | 0.19 | MH4 | 4' | 25.98 | 20.85 | 20.80 | 18" RCP | 104 | 60' | 0.17 | |
| CB9 | 72"x24" | 24.05 | | | 21.05 | 15" RCP | 9 | 28' | 0.36 | MH5 | 4' | 25.85 | 22.35 | 21.95 | 24" ADS N-12 | 105 | 90' | 0.17 | |

- NOTES:
1. VERTICAL DATUM IS NAVD 83 BASED ON NGS BM "GPS 55", ELEV. 39.32'.
 2. HORIZONTAL DATUM IS SPC DE NAD 83 (1983) BASED ON NGS BM "GPS 51", N 201.814.016', E 731.237.307'.

VOL 94 PAGE 16

| CURVE DATA | | | | | | | | | |
|------------|----------|------------|-----------|---------------|-------------|---------|--|--|--|
| CURVE | RADIUS | ARC LENGTH | CHORD LEN | CHORD BEARING | DELTA ANGLE | TANGENT | | | |
| 1 | 115,000' | 36.377' | 36.222' | S 02°56'56" E | 18°07'25" | 18.342' | | | |
| 2 | 100,000' | 134.728' | 141.117' | S 02°56'56" E | 80°47'49" | 39.640' | | | |
| 4 | 100,000' | 58.717' | 57.877' | S 89°11'03" W | 33°58'35" | 30.232' | | | |
| 5 | 52,400' | 15.233' | 15.085' | N 02°14'20" E | 28°01'54" | 7.724' | | | |
| 6 | 100,000' | 18.622' | 18.485' | N 10°23'35" E | 10°58'44" | 9.287' | | | |
| 7 | 100,000' | 6.455' | 6.454' | N 86°45'44" W | 3°41'50" | 3.229' | | | |
| 8 | 150,000' | 52.243' | 51.892' | S 70°52'53" W | 27°41'52" | 26.479' | | | |

MATCH LINE DRAWING 5

MATCH LINE DRAWING 4



DAVID S. BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
1000 MARKET STREET, SUITE 200
LEWES, DELAWARE 19658-1441
TEL: 410-326-1441
FAX: 410-326-1442

SANDBAR VILLAGE AT NASSAU BRIDGE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

Revisions:
 1. SUSSEX 300 COMMENTS 11-20-04
 2. SUSSEX 300 COMMENTS 01-11-05
 3. SUSSEX 300 COMMENTS 04-19-05
 4. SUSSEX 300 COMMENTS 05-11-05

Date: SEPTEMBER, 2004
 Scale: 1"=30'
 Dwn. By: WDM
 Proj. No.: 1168A009
 Dwg. No.: 3 OF 9

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MATCH LINE DRAWING 3

VOL 94 PAGE 17

- NOTES:
1. VERTICAL DATUM IS NAVD 83 BASED ON NGS BM "GPS 53", ELEV. 39.32'.
 2. HORIZONTAL DATUM IS SPC DE MAD 83 (1981) BASED ON NGS BM "GPS 51", N 281.814.018', E 737.237.387'.

| STRUCTURE SCHEDULE | | | | | | | | | |
|--------------------|------------|-------------|-----------|-----------|------------|-----------------------------|--------|--------|---------|
| Struct. No. | CB/WH Size | Frame Elev. | Invert In | Invert In | Invert Out | Downstream Pipe Size & Type | Pipe # | Length | Slope % |
| CB13 | 72"x24" | 24.31 | | 20.90 | | 18" RCP | 23 | 92 | 0.11 |
| CB24 | 72"x48" | 24.04 | 20.80 | | 20.30 | 24" RCP | 24 | 128 | 0.12 |
| WH5 | 4' | 25.25 | 20.15 | | 20.10 | 24" ADS N-12 | 105 | 98 | 0.10 |
| WH25 | 72"x24" | 24.51 | | 20.90 | | 18" RCP | 25 | 92 | 0.11 |
| CB25 | 72"x48" | 24.05 | 20.80 | | 20.30 | 24" RCP | 26 | 156 | 0.10 |
| WH7 | 4' | 25.36 | 20.15 | | 22.10 | 24" ADS N-12 | 107 | 104 | 0.10 |

| CURVE DATA | | | | | | |
|------------|----------|------------|--------|-------------------|-------------|---------|
| CURVE | RADIUS | ARC LENGTH | CHORD | TEN CHORD BEARING | DELTA ANGLE | YANGSHY |
| 8 | 52,500' | 82.44' | 74.24' | S 68°58'13" E | 50°09'17" | 15,500' |
| 11 | 100,000' | 98.00' | 82.13' | S 49°17'08" W | 50°09'17" | 33,344' |

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MATCH LINE DRAWING 5

SANDBAR VILLAGE AT NASSAU BRIDGE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

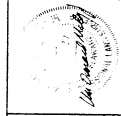
- Revisions:
- 1. REVISIONS 12-20-04
 - 2. REVISIONS 01-17-05
 - 3. REVISIONS 05-11-05

Date: SEPTEMBER, 2004
Scale: 1"=30'
Drawn By: WDM
Proj. No.: 1168A009
Dwg. No.:

4 OF 9

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
1000 W. MARKET STREET, SUITE 200
LEWES, DELAWARE 19658-1000
(302) 645-1000

SITE PLAN



ARCHITECT'S ENGINEERS SURVEYORS
DAVIS, BOWEN & FRIEDEL, INC.
SALESBURY, MARYLAND (410) 543-9091
BALTIMORE, MARYLAND (410) 543-9091
AUGUST, DELAWARE (302) 424-1441

SANDBAR VILLAGE AT NASSAU BRIDGE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

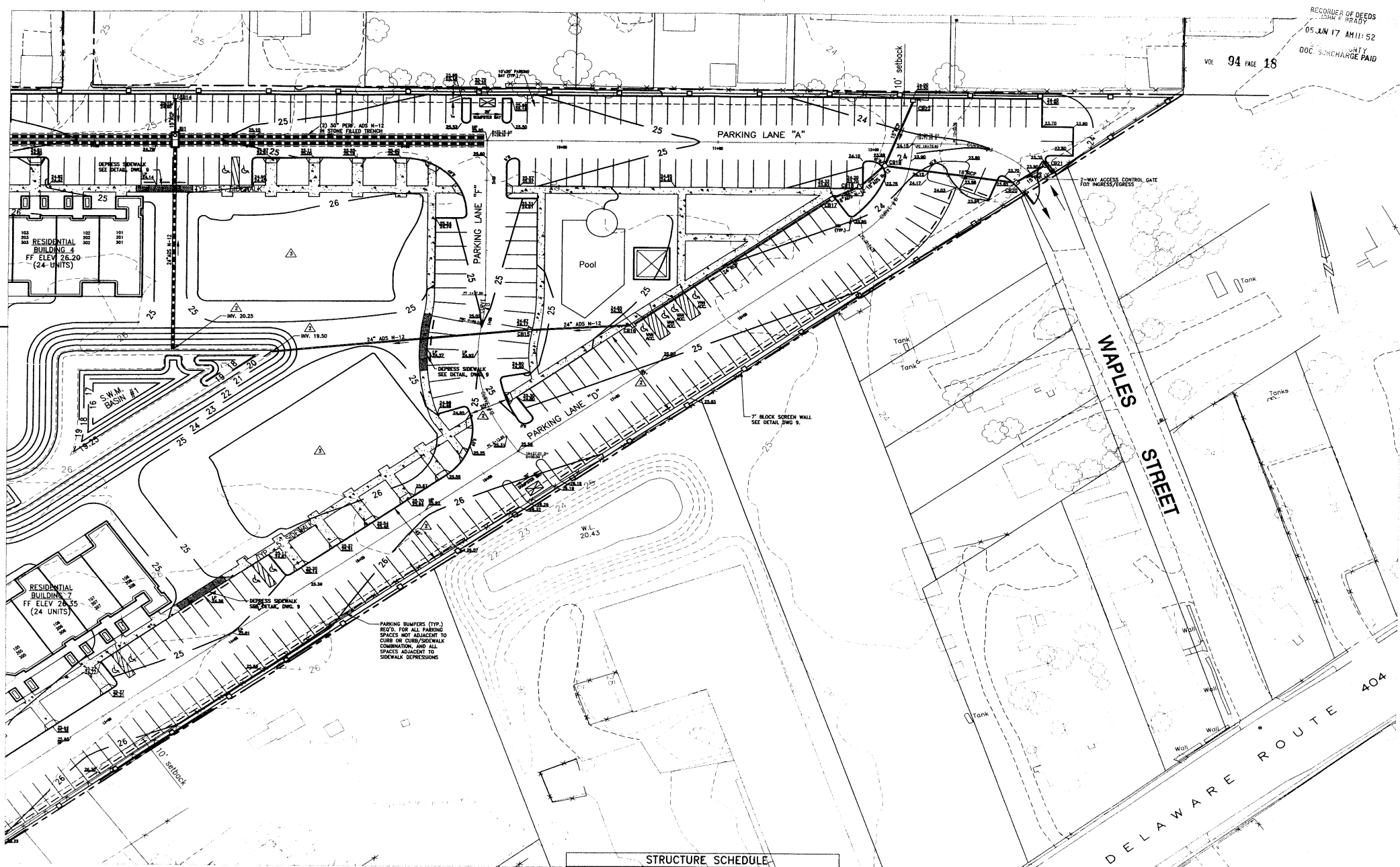
REVISIONS:
1. SUSSEX SEC COMMENTS 12-20-04
2. SEC COMMENTS 01-17-05
3. SEC COMMENTS 04-19-05

Date: SEPTEMBER, 2004
Scale: 1"=30'
Drawn By: WDM
Proj No: 1168A009
Dwg No:

5 OF 9

MATCH LINE DRAWING 3

MATCH LINE DRAWING 4



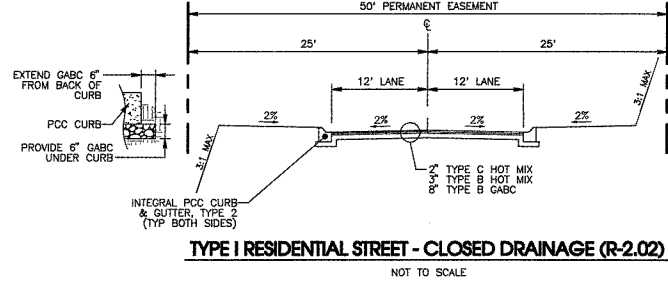
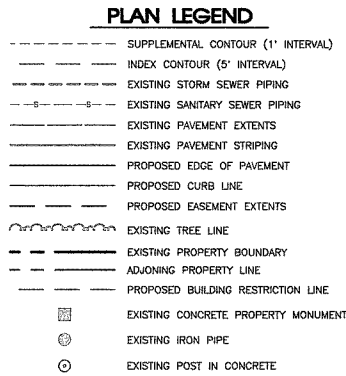
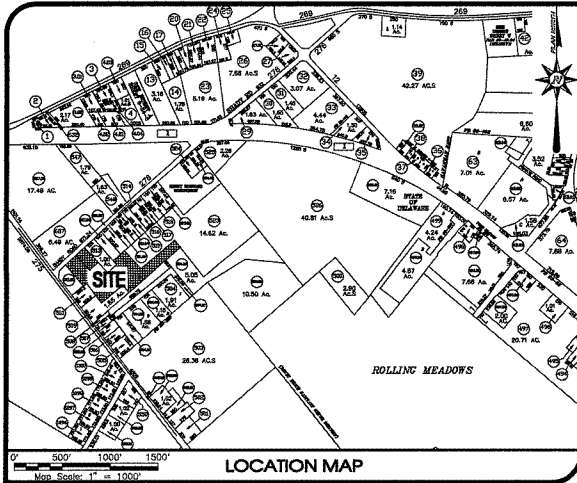
| CURVE | RADIUS | ARC LENGTH | CHORD LEN. | CHORD BEARING | DELTA ANGLE | TANGENT |
|-------|----------|------------|------------|---------------|-------------|---------|
| 1 | 65.000' | 61.632' | 59.348' | S 50°37'42" E | 54°19'57" | 33.353' |
| 10 | 80.000' | 75.654' | 73.644' | N 38°22'14" E | 54°19'57" | 41.080' |
| 12 | 100.000' | 83.630' | 81.214' | N 00°29'58" W | 47°24'58" | 44.435' |
| 13 | 100.000' | 21.368' | 21.328' | N 18°19'48" E | 12°14'55" | 10.725' |

| STRUCTURE SCHEDULE | | | | | | | | | |
|--------------------|------------|-------------|-----------|------------|-----------------------------|--------|--------|---------|--|
| Struct. No. | CB/MI Size | Frame Elev. | Invert In | Invert Out | Downstream Pipe Size & Type | Pipe # | Length | Slope % | |
| CB14 | 22"x24" | 24.65 | | 21.85 | 15" RCP | 14 | 28' | 0.36 | |
| CB15 | 22"x24" | 24.17 | 20.00 | 19.95 | 24" ADS N-12 | 15 | 168 | 0.27 | |
| CB16 | 48"x40" | 24.35 | 20.20 | 20.15 | 24" ADS N-12 | 16 | 88 | 0.23 | |
| CB17 | 48"x40" | 23.82 | 20.93 | 20.45 | 24" RCP | 17 | 150 | 0.16 | |
| CB18 | 48"x40" | 23.70 | 21.05 | 21.00 | 18" ADS N-12 | 18 | 20 | 0.25 | |
| CB19 | 22"x24" | 23.69 | 21.35 | 21.19 | 18" ADS N-12 | 19 | 22 | 0.23 | |
| CB20 | 22"x24" | 23.65 | 21.55 | 21.30 | 18" RCP | 20 | 80' | 0.18 | |
| CB21 | 72"x24" | 23.65 | | 21.85 | 15" RCP | 21 | 23' | 0.43 | |
| CB22 | 72"x24" | 23.50 | | 21.45 | 15" RCP | 22 | 50' | 0.20 | |

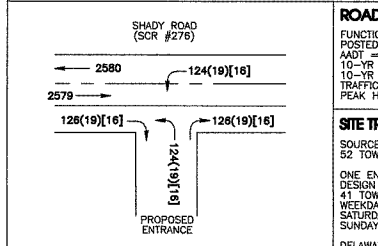
NOTES:
1. VERTICAL DATUM IS NAVD 88 BASED ON NGS BM "OPS 55", ELEV. 39.32'.
2. HORIZONTAL DATUM IS SPC. DE. NAD 83 (1983) BASED ON NGS BM "OPS 51", N 201.814.018, E 737.237.387.

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TRIP GENERATION - SHADY ROAD (SCR #276)
(FULL MOVEMENT)



ROAD TRAFFIC DATA:
FUNCTIONAL CLASSIFICATION: S-276 (SHADY ROAD) - LOCAL
POSTED SPEED LIMIT: 35 MPH
ADT = 5159 TRIPS (FROM 2017 DELDOT TRAFFIC SUMMARY)
10-YR PROJECTED ADT = 1,220 x 5159 TRIPS = 6191 TRIPS
10-YR PROJECTED ADT + SITE ADT = 6691 TRIPS
TRAFFIC PATTERN GROUP: 7 (FROM 2017 DELDOT TRAFFIC SUMMARY)
PEAK HOUR = 11% x 5159 = 568 TRIPS

SITE TRIPS GENERATED:
SOURCE: ITE TRIP GENERATION MANUAL 10th EDITION
52 TOWNHOUSE UNITS (230)
ONE ENTRANCE - FULL MOVEMENT
DESIGN VEHICLE: SU-30
41 TOWNHOUSE UNITS
WEEKDAY = 306 TRIPS
SATURDAY = 295 TRIPS
SUNDAY = 252
DELAWARE ARTHRITIS ADT = 194 (FROM DELDOT APPROVED PLANS)

TOTAL ADT FOR DEVELOPMENT (WEEKDAY) = 500 TRIPS
DIRECTIONAL DISTRIBUTION:
90% TO AND FROM THE WEST: 250 TRIPS
(38 A.M. PEAK) (32 P.M. PEAK)
10% TO AND FROM THE EAST: 250 TRIPS
(38 A.M. PEAK) (32 P.M. PEAK)
3.5% TRUCKS & BUSES x 500 = 27

SITE DATA and ZONING SCHEDULE

| | | |
|---|---|------------------|
| TAX PARCEL No.: | 334-6.00-511.00 & 512.00 | |
| PROPERTY ADDRESS: | SHADY ROAD, LEWES, DE (NONE YET GIVEN) | |
| EXISTING SITE USE: | AGRICULTURAL & DWELLING | |
| PROPOSED SITE USE: | 41-UNIT, MULTI-FAMILY DWELLING DEVELOPMENT | |
| EXISTING ZONING: | MR (MEDIUM RESIDENTIAL DISTRICT) - CZ 1832 | |
| ORDINANCE ITEM | REQUIRED: | PROVIDED: |
| MINIMUM LOT AREA | 10,000 Sq. Ft. | 298,821 Sq. Ft. |
| MINIMUM LOT WIDTH | 75 Ft. | 296 Ft. |
| MINIMUM LOT DEPTH | 100 Ft. | 669 Ft. |
| MINIMUM SETBACKS: | | |
| FRONT | 40 Ft. | 40 Ft. |
| SIDE | 10 Ft. | 10 Ft. |
| REAR | 10 Ft. | 10 Ft. |
| MAXIMUM BUILDING HEIGHT | 42 Ft./3 Stories | 42 Ft./3 Stories |
| MINIMUM BUILDING SEPARATION | 40 Ft. | 40 Ft. |
| PARKING SPACE QTY. (RESIDENTIAL USE) | 2 SPACES/DWELLING UNIT = 82 (INCL. GARAGE) | 82 Spaces |
| SEWER SERVICE | SUSSEX COUNTY | |
| WATER SERVICE | TIDewater UTILITIES | |
| PROPERTY OWNER | | |
| STAFFORD STREET CAPITAL, LLC 179 REHOBOTH AVE. REHOBOTH BEACH, DE 19971 202.302.5735 | | |

| | |
|----------------------------|------------------|
| PROPERTY AREA | 6.86 Ac. |
| ROADWAY AREA: | 0.72 Ac. (10.5%) |
| DRIVEWAY AREA: | 0.27 Ac. (3.9%) |
| DWELLING AREA: | 1.27 Ac. (18.5%) |
| STORMWATER MANAGEMENT AREA | 0.28 Ac. (4.1%) |
| OPEN SPACE AREA: | 4.32 Ac. (63.0%) |
| PROPOSED GROSS DENSITY: | 5.98 Units/Ac. |

CONDITIONS OF APPROVAL (CU 2106)

- THE MAXIMUM NUMBER OF RESIDENTIAL UNITS SHALL BE 41.
- ALL ENTRANCES, INTERSECTION, ROADWAY AND MULTI-MODAL IMPROVEMENTS SHALL BE COMPLETED BY THE DEVELOPER IN ACCORDANCE WITH ALL DELDOT REQUIREMENTS.
- THE PROJECT SHALL BE SERVED BY SUSSEX COUNTY SEWER. THE DEVELOPER SHALL COMPLY WITH ALL SUSSEX COUNTY ENGINEERING DEPARTMENT REQUIREMENTS INCLUDING ANY ON-SITE UPGRADES NECESSARY TO PROVIDE SERVICE TO THE PROJECT.
- THE PROJECT SHALL BE SERVED BY CENTRAL WATER TO PROVIDE DRINKING WATER AND FIRE PROTECTION.
- INTERIOR STREET DESIGN SHALL MEET OR EXCEED THE SUSSEX COUNTY STREET DESIGN REQUIREMENTS.
- ALL CONSTRUCTION AND SITE WORK ON THE PROPERTY, INCLUDING DELIVERIES OF MATERIALS TO OR FROM THE PROPERTY, SHALL ONLY OCCUR BETWEEN 7 AM AND 6 PM MONDAY THROUGH SATURDAY.
- STREET NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE COUNTY MAPING AND ADDRESSING DEPARTMENTS.
- THE APPLICANT SHALL FORM A CONDOMINIUM ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE, REPAIR AND REPLACEMENT OF THE ROADS, ANY BUFFERS AND LANDSCAPING, STORMWATER MANAGEMENT FACILITIES, EROSION AND SEDIMENT CONTROL FACILITIES AND OTHER COMMON ELEMENTS.
- THE STORMWATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. IT SHALL BE CONSTRUCTED AND MAINTAINED USING BEST MANAGEMENT PRACTICES.
- THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX COUNTY DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
- THE APPLICANT SHALL COORDINATE WITH THE LOCAL SCHOOL DISTRICT TO ESTABLISH A SCHOOL BUS STOP AREA, WHICH SHALL BE SHOWN ON THE FINAL SITE PLAN IF REQUIRED BY THE DISTRICT.
- AS STATED BY THE APPLICANT, THERE SHALL BE A SHARED ENTRANCE AND INTERCONNECTIVITY WITH THE ADJACENT WELLNESS CENTER PROPERTY.
- THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

Document # 2019000020282 BK: 285 PG: 67
On 6/10/2019 at 2:40:17 PM
RECORDER OF DEEDS Scott Dailey
Sussex County
Consideration: \$0.00
Doc Surcharge Paid

PLANNING COMMISSION CERTIFICATE

RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF SUSSEX COUNTY ON THE _____ DAY OF _____, 2019.

SECRETARY (ATTEST) _____

OWNER CERTIFICATE

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

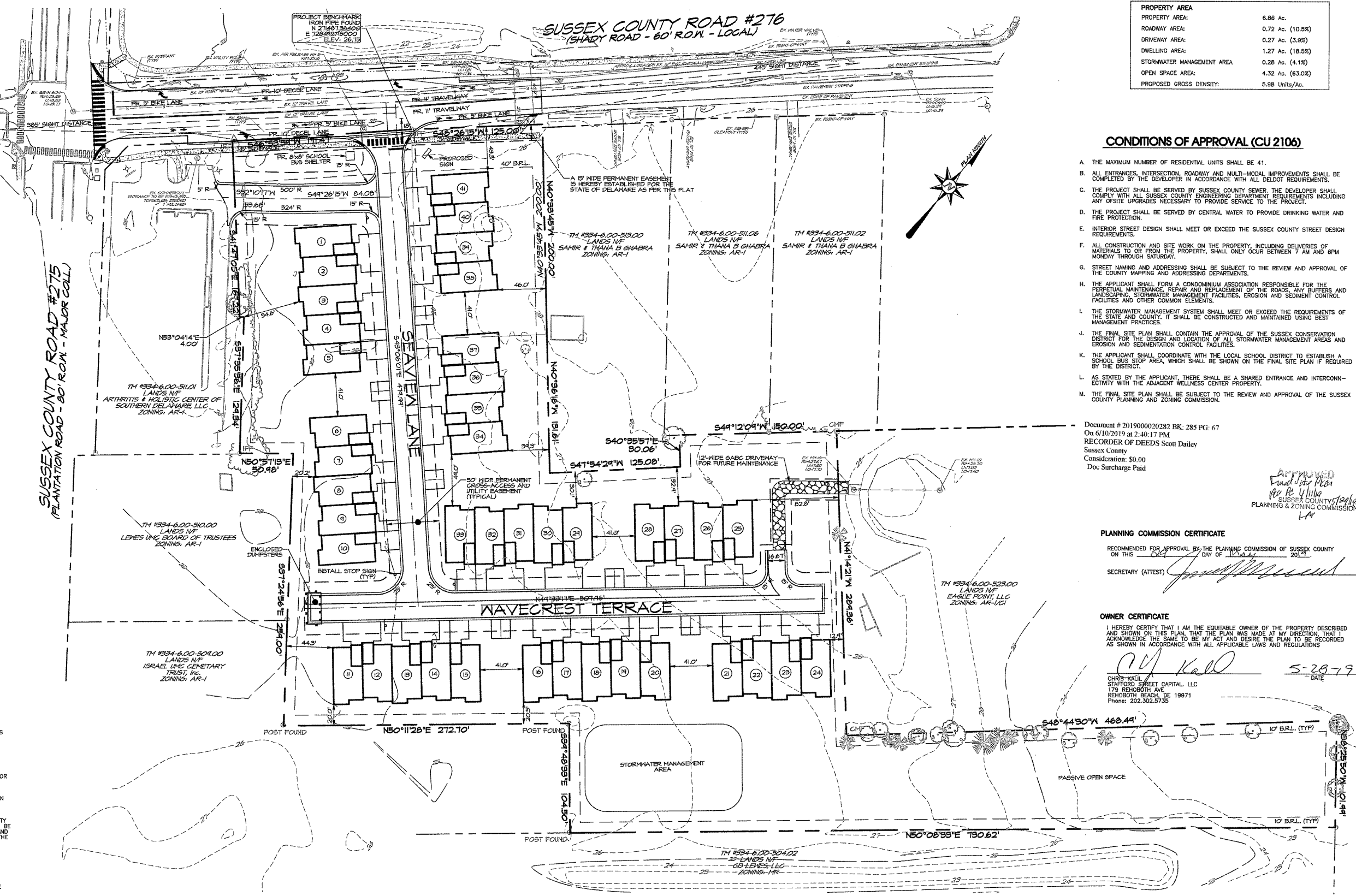
CHRIS KALL
STAFFORD STREET CAPITAL, LLC
179 REHOBOTH AVE.
REHOBOTH BEACH, DE 19971
Phone: 202.302.5735

GENERAL NOTES

- THE PROJECT SITE IS KNOWN AS SUNSET GLEN, (T.P. 334-6.00-511.00 & 512.00) AND IS LOCATED 180' NORTHWEST OF THE SHADY ROAD (SCR 276) AND PLANTATION ROAD (SCR 275) INTERSECTION IN LEWES, DE.
- THE PROPERTY BOUNDS, EXISTING FEATURES AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY THE KERCHER GROUP, INC. VERTICAL DATUM IS NAVD83 AND HORIZONTAL DATUM IS DELAWARE STATE PLANE COORDINATE SYSTEM NAD83.
- THE PROPOSED DEVELOPMENT STREETS ARE TO BE PRIVATE AND MAINTAINED BY THE DEVELOPER/PROPERTY OWNER UNTIL A HOMEOWNERS ASSOCIATION IS ESTABLISHED TO PROVIDE FOR SAID MAINTENANCE. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- ALL PROPOSED STORMWATER MANAGEMENT FACILITIES ARE TO BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNERS ASSOCIATION CAN PROVIDE FOR SAID MAINTENANCE.
- THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
- THE CONTRACTOR SHALL ENSURE THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED PRIOR TO COMMENCEMENT OF ANY SITE CONSTRUCTION ACTIVITIES.
- ALL CONTRACTORS WORKING ON THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS OF THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK (LATEST EDITION).
- CONSTRUCTION MATERIALS AND PROCEDURES SHALL FOLLOW THE SUSSEX COUNTY ENGINEERING DEPARTMENT SPECIFICATIONS AND STANDARD DRAWINGS (LATEST EDITION).
- EXISTING SUBSURFACE UTILITY INFORMATION INDICATED IS BASED UPON VISUAL FIELD INSPECTION BY THE KERCHER GROUP, INC. SUCH INFORMATION CONCERNING THE SIZE, LOCATION, DEPTH, QUANTITY, ETC. OF SUBSURFACE UTILITIES IS APPROXIMATE IN NATURE AND HAS BEEN OBTAINED AS AN AID IN THE PROJECT DESIGN. THERE IS NO EXPRESSED OR IMPLIED AGREEMENT THAT UTILITY SIZE, LOCATION, DEPTH, QUANTITY, ETC. AS SHOWN EXISTS BETWEEN EXPLORED LOCATIONS. ACCORDINGLY, UTILITY INFORMATION SHOWN SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES. IT IS INCUMBENT UPON THE CONTRACTOR TO VERIFY THE SIZE, LOCATION, DEPTH, QUANTITY, ETC. OF ALL UTILITIES BEFORE EXCAVATION.
- BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 100029 0331 K, MAP NUMBER 1000500331K, DATED MARCH 16, 2015, THE SUBJECT PROPERTY IS LOCATED IN AN UN-INSURED WHICH IS AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THE SUBJECT PROPERTY WAS EXAMINED BY COASTAL SOIL CONSULTANTS AND NEITHER STATE NOR FEDERAL JURISDICTIONAL WETLAND HABITATS WERE FOUND WITHIN ITS BOUNDS.
- ALL FIRE LINES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
- IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS PART V, CHAPTER 4, SECTION 4-1.1, THE DEVELOPER SHALL PROVIDE TO THE EMERGENCY DISPATCH CENTER HAVING JURISDICTION, A LOT PLAN OF THE DEVELOPMENT SHOWING EACH DWELLING LOCATION. THE DEVELOPER SHALL ALSO ASSIGN NUMBERS TO ALL DWELLINGS IN A CONSECUTIVE MANNER AND HAVE PLACED THE ASSIGNED NUMBER IN A READILY VISIBLE LOCATION ON EACH DWELLING TO ELIMINATE CONFUSION IN THE EVENT THAT AN EMERGENCY VEHICLE IS NEEDED.
- ALL PROPOSED LANDSCAPE BUFFERS ARE TO BE MAINTAINED BY THE PROPERTY OWNER/DEVELOPER UNTIL SUCH TIME AS A HOMEOWNERS ASSOCIATION CAN PROVIDE FOR SAID MAINTENANCE.
- PROPOSED BUILDING TYPE IS NFPA V0000.
- THE PROPOSED SIGNAGE DEPICTED ON THE PLAN IS INDICATIVE ONLY. SEPARATE APPLICATIONS SHALL BE REQUIRED FOR ALL SIGNAGE.

DELDOT SITE GENERAL NOTES

- NO LANDSCAPING SHALL BE ALLOWED WITHIN R/W UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL (DCM).
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA FALLS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THE PROPERTY FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THE PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
- THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE FOR THE SIDEWALK.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROAD RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
- THE ENDS OF ALL CURBS SHALL BE TRANSITIONED TO BE FLUSH WITH THE PAVEMENT AT A RATIO OF TWELVE TO ONE (12:1).
- ALL TOWNHOUSES SHALL BE ACCESSED FROM THE INTERIOR DEVELOPMENT STREETS ONLY. NO DIRECT ACCESS SCR 276 SHALL BE PERMITTED.
- A PERPETUAL CROSS-ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED FOR THE BENEFIT OF TM #334-6.00-511.01, AS SHOWN ON THIS PLAN.



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REVISIONS

DATE: 5/10/19



APPROVED BY: _____
DESIGNED BY: _____
CHECKED BY: _____
DATE: 5/10/19

Document # 2019000020282 BK: 285 PG: 67
On 6/10/2019 at 2:40:17 PM
RECORDER OF DEEDS Scott Dailey
Sussex County
Consideration: \$0.00
Doc Surcharge Paid

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DESIGNED BY: _____
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| INDEX OF SHEETS | |
|-----------------|----------|
| R-1 | TITLE |
| R-2 | OVERVIEW |
| R-3 | PLAN |

DATA COLUMN

TAX MAP ID: 3-34-5.00-152.06
OWNER: BAR-SGR, L.L.C.
32193 WINERY WAY
LEWES, DE 19958
DEVELOPER: FERNWOOD HOLDINGS AT VINEYARDS DE LIMITED LIABILITY COMPANY
1 KATHLEEN DRIVE, SUITE 1
JACKSON, NJ 08527
PREPARED BY: DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DE 19963
PHONE (302) 424-1441
FAX (302) 424-0430
DATUM:
VERTICAL: NAVD 88
HORIZONTAL: NAD 83 (DE STATE PLANE)
PROPOSED USE: RESIDENTIAL DEVELOPMENT
PROPOSED CONSTRUCTION: WOOD/CONCRETE BLOCK
ZONING:
EXISTING ZONING: C-1 GENERAL COMMERCIAL DISTRICT
PROPOSED ZONING: C-1 GENERAL COMMERCIAL DISTRICT
FLOOD HAZARD MAP: THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA MAP 10005C0330J (DATED JANUARY 6, 2005) AND FEMA MAP 10005C0331K (DATED MARCH 16, 2015).
WETLANDS: THE PROPERTY IS IMPACTED BY "A04" FEDERAL (NON-TIDAL) WETLANDS.
EXISTING SITE AREA: 77.809 ACRES
PROPOSED SITE AREA TOTALS:
TRACT 1 10.995 ACRES
TRACT 2 66.814 ACRES
TOTAL 77.809 ACRES
MAXIMUM DENSITY: 12 UNITS/ACRE
DENSITY CALCULATION: 77.809 ACES X 12 UNITS = 930 TOTAL UNITS ALLOWED
NET DENSITY: 929 UNITS / 77.809 = 11.94 UNITS/ACRE
C-1 MINIMUM ZONING REQUIREMENTS:
FRONT YARD: 40 FT. 30 FT. (NOT FRONTING ON A NUMBERED ROAD)
SIDE YARD: 20 FT. 10 FT. (NOT ADJOINING A RESIDENTIAL DISTRICT LOT)
REAR YARD: 30 FT. 10 FT. (NOT ADJOINING A RESIDENTIAL DISTRICT LOT)
FORESTED BUFFER REQUIREMENT: 20 FT. (SIDE AND REAR YARDS)
PROPOSED MAXIMUM BUILDING HEIGHT: 42 FT. (4 STORIES)
MINIMUM SINGLE FAMILY SEPARATION: 8 FT. (SIDE YARD)
SANITARY SEWER: WEST REHOBOTH SANITARY SEWER DISTRICT
WATER SUPPLY: TIDEWATER UTILITIES, INC.

THE VINEYARDS AT NASSAU VALLEY-SINGLE FAMILY

MINOR SUBDIVISION FOR RESIDENTIAL COMMUNITY LEWES AND REHOBOTH HUNDRED SUSSEX COUNTY, DELAWARE

DBF PROJECT NO. 2467A002 MAY, 2020



GENERAL NOTES:

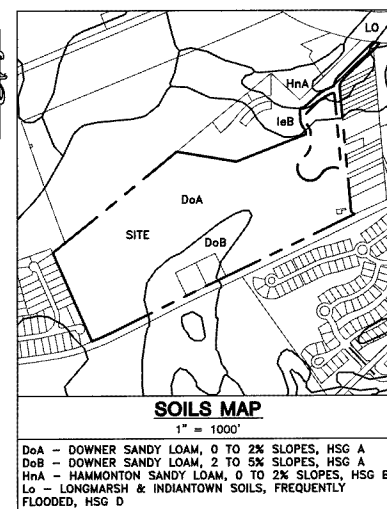
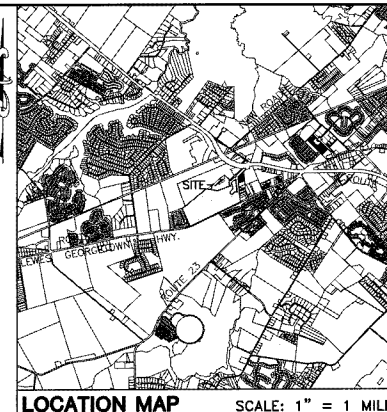
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
- SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO BE MAINTAINED BY THE DEVELOPER. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK.
- DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH LOCATIONS.
- TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
- A 72 HOUR (MINIMUM) NOTICE SHALL BE GIVEN TO THE DISTRICT PERMIT SUPERVISOR PRIOR TO STARTING ENTRANCE CONSTRUCTION.
- MISS UTILITY SHALL BE NOTIFIED THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO EXCAVATION, AT 1-800-282-8555.
- THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURES AS THEY DEEM NECESSARY.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS, AND NIGHTTIME FARMING OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
- NO BUILDING PERMIT WILL BE ISSUED UNTIL EITHER ALL REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED, CONSTRUCTED, OR PLACED FOR THE LOT FOR WHICH THE BUILDING PERMIT IS TO BE ISSUED IN A MANNER ACCEPTABLE TO THE COUNTY AND STATE, OR UNTIL THE DEVELOPER FILES A PERFORMANCE BOND OR OTHER GUARANTEE WITH THE COUNTY FOR ANY UNCOMPLETED PUBLIC OR PRIVATE STREET OR OTHER REQUIRED IMPROVEMENT.
- AFTER THE CREATION OF THE COMMUNITY'S HOMEOWNER'S ASSOCIATION ALL BUFFER AREAS, AND THE STORMWATER MANAGEMENT AREA, SHALL BE MAINTAINED BY THE COMMUNITY'S HOMEOWNER'S ASSOCIATION. THE DEVELOPER SHALL MAINTAIN THESE AREAS UNTIL THE COMMUNITY HOMEOWNER'S ASSOCIATION IS ESTABLISHED.
- THE FORESTED AND/OR LANDSCAPE BUFFER SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE, AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE PLANNING & ZONING COMMISSION OFFICE.
- THIS COMMERCIAL PARCEL HAS DIRECT FRONTAGE ALONG LEWES-GEORGETOWN HWY. (US RT. 9, SCR 018), WHICH HAS A FUNCTIONAL CLASSIFICATION OF PRINCIPLE ARTERIAL AS DEFINED BY THE STATE OF DELAWARE'S DEPARTMENT OF TRANSPORTATION. PER SECTION 3.6.1 OF THE DELDOT DEVELOPMENT COORDINATION MANUAL (DCM); IT IS THE DEVELOPER'S RESPONSIBILITY TO EVALUATE NOISE LEVELS AND THEIR IMPACTS ON PROPOSED DEVELOPMENT. FOR PROJECTS ADJACENT TO EXISTING TRANSPORTATION FACILITIES WITH THIS FUNCTIONAL CLASSIFICATION, ROADWAYS WITH THIS CLASSIFICATION CAN BE EXPECTED TO GENERATE ELEVATED LEVELS OF ROAD AND TRAFFIC RELATED NOISE, SIMILAR TO WHAT CAN BE EXPECTED IN URBAN AREAS. A DETAILED NOISE ANALYSIS PER DCM 3.6 IS TYPICALLY RECOMMENDED TO HELP GAUGE THE ACTUAL IMPACTS THAT ROADWAY RELATED NOISE MAY HAVE ON VARIOUS POTENTIAL LAND-USES (SUCH AS THOSE DESCRIBED IN DCM FIGURE 3.6.3-A: NOISE ABATEMENT CRITERIA). WITH THE INCLUSION OF THIS NOTE, THE DEVELOPER IS ACKNOWLEDGING THAT THE DECIBEL LEVEL FOR THIS PARCEL MAY EXCEED THE APPLICABLE LIMITS FOR SOME CURRENT OR FUTURE PROPOSED USES. THE USE OF THIS NOTE SIGNIFIES THE SUBDIVISION ENGINEER'S CONCURRENCE WITH WAIVING THE DEVELOPER'S COMPLETION OF A DETAILED NOISE STUDY AND SUBSEQUENT REVIEW OF RESULTING NOISE ABATEMENT FINDINGS OR MITIGATION MEASURES. ANY FUTURE COMPLAINTS RELATING TO EXISTING OR FUTURE NOISE LEVELS IMPACTING PROPOSED USES ON THIS SITE AND ALONG THIS EXISTING TRANSPORTATION FACILITY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER OR LAND OWNER OR BOTH.

Document # 202000019946 BK: 311 PG: 90
On 5/18/2020 at 8:40:22 AM
RECORDER OF DEEDS Scott Dailey
Sussex County
Consideration: \$0.00
Doc Surcharge Paid



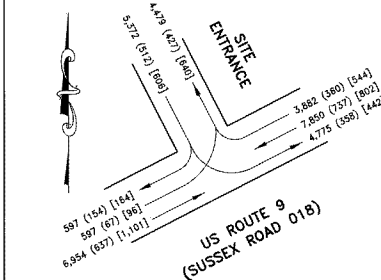
DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS

MILFORD, DELAWARE (302) 424-1441

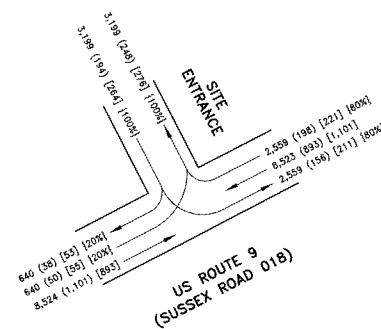


ROAD
US ROUTE 9 (SUSSEX COUNTY ROAD 018)
FUNCTIONAL CLASSIFICATION -- PRINCIPLE ARTERIAL
AADT (2017 DELAWARE VEHICLE VOLUME SUMMARY)
10 YR PROJECTED AADT = 14,696
10 YR PROJECTED AADT + SAT SITE ADT (6,398)
PEAK HOUR = 17,047 X 11.70%
DIRECTIONAL SPLIT = 55.24% / 44.76%
10.17% TRUCK % X 1,994
SPEED -- POSTED --
TRAFFIC PATTERN GROUP --

14,696
23,445
1,994
1,101/893
203
50
8



APPROVED
TRAFFIC



PHASES 1 - 3 TRAFFIC

SITE ACCESS & OFF-SITE IMPROVEMENTS TRIP GENERATION -- APPROVED SEPTEMBER 13, 2013
• PM PEAK HOUR TRIPS = 930
• SAT PEAK HOUR TRIPS = 1,246
• ADT = 9,851

| SITE TRIPS GENERATED -- PHASES 1 THROUGH 3 | | | | | |
|---|-----|--------|-----|-----|--------|
| PHASE 1/1A | | | | | |
| • 90 MULTIFAMILY MID-RISE UNITS (40 APARTMENTS BUILT & 50 CONDOMINIUMS BUILT) | | | | | |
| • 35,877 SQUARE FEET SHOPPING CENTER (BUILT) | | | | | |
| PHASE 2 | | | | | |
| • 33 SINGLE FAMILY | | | | | |
| • 278 MULTIFAMILY MID-RISE UNITS (192 APARTMENTS [63 APARTMENTS BUILT] & 86 CONDOMINIUMS) | | | | | |
| PHASE 3 | | | | | |
| • 25 SINGLE FAMILY | | | | | |
| • 164 MULTIFAMILY MID-RISE UNITS (164 CONDOMINIUMS) | | | | | |
| TYPE OF DEV. | ITE | UNITS | PM | SAT | SAT |
| SINGLE FAMILY | 210 | 58 | 60 | 67 | 588 |
| MULTIFAMILY MID-RISE | 221 | 532 | 220 | 230 | 2,034 |
| SHOPPING CENTER | 820 | 35,877 | 254 | 275 | 4,720 |
| TOTAL TRIPS | | | 534 | 372 | 7,342 |
| INTERNAL CAPTURE | | | -92 | -32 | -944 |
| TOTAL EXTERNAL TRIPS | | | 442 | 540 | 6,398 |
| PASS-BY TRIPS | | | -71 | -68 | -1,487 |
| TOTAL PRIMARY TRIPS | | | 371 | 472 | 4,911 |

REMAINDER OF MASTER PLAN
PHASE 4
• 25 SINGLE FAMILY
• 36 MULTIFAMILY MID-RISE UNITS (36 CONDOMINIUMS)
PHASE 5
• 278 MULTIFAMILY MID-RISE UNITS (64 APARTMENTS & 214 CONDOMINIUMS)
PHASE 6
• FUTURE COMMERCIAL (SIZE AND TYPE TO BE DETERMINED)

NOTES:
• TRIP GENERATION IS BASED ON ITE TRIP GENERATION MANUAL 10TH EDITION.
• WEEKDAY, SATURDAY, AND SATURDAY MIDDAY INTERNAL CAPTURE CALCULATIONS BASED ON TRIP GENERATION HANDBOOK, 2ND EDITION.
• WEEKDAY AM AND PM INTERNAL CAPTURE CALCULATIONS BASED ON TRIP GENERATION HANDBOOK, 3RD EDITION.
• DESIGN VEHICLE: WB-62.

TRAFFIC DIAGRAM
NO SCALE

OWNER'S STATEMENT

I HEREBY CERTIFY THAT BAR-SGR L.L.C. IS THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN AND THAT WE CONSENT TO THE PLAN'S PREPARATION. I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

Susan E. Hopton 5-8-20
BAR-SGR, L.L.C.
32193 WINERY WAY
LEWES, DE 19958

ENGINEER'S STATEMENT

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

Jamie L. Sechler, P.E.
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE, 19963

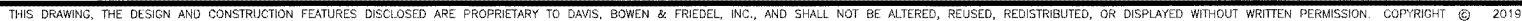
DEVELOPER'S STATEMENT

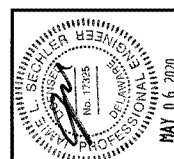
I, THE UNDERSIGNED, HEREBY STATE THAT I AM THE DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION. I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

Cathy Price 5/18/20
FERNWOOD HOLDINGS AT VINEYARDS
DE LIMITED LIABILITY COMPANY
1 KATHLEEN DRIVE, SUITE 1
JACKSON, NJ 08527

LEGEND

| | | |
|--|--|---------------------------------------|
| | | PROPERTY BOUNDARY LINE |
| | | PROPOSED PERMANENT EASEMENT |
| | | EXISTING PROPERTY LINE |
| | | EXISTING RIGHT-OF-WAY LINE |
| | | EXISTING PERMANENT EASEMENT (UTILITY) |
| | | EXISTING PERMANENT EASEMENT (DELOTT) |
| | | UNIT LABELS (PROPOSED) |
| | | PROPOSED BUILDING SETBACK LINE |
| | | WOODS LINE |
| | | PROPOSED 20' FORESTED BUFFER LINE |





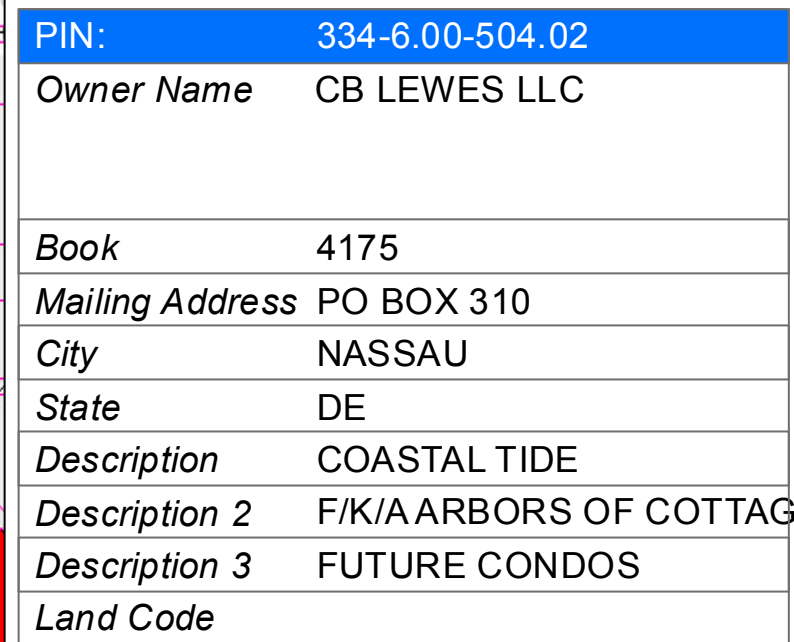
PLAN

**THE VINEYARDS AT NASSAU VALLEY-
SINGLE FAMILY MINOR SUBDIVISION**

REVISÉ:

| | |
|-----------|-------------|
| Date: | MAY, 2020 |
| Scale: | 1"=60' |
| Dwn.By: | DJS |
| Proj.No.: | 2467A002.A0 |
| Dwg.No.: | |

R-03



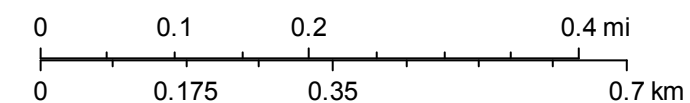
polygonLayer Override 1

polygonLayer Override 1

⋮ Tax Parcels

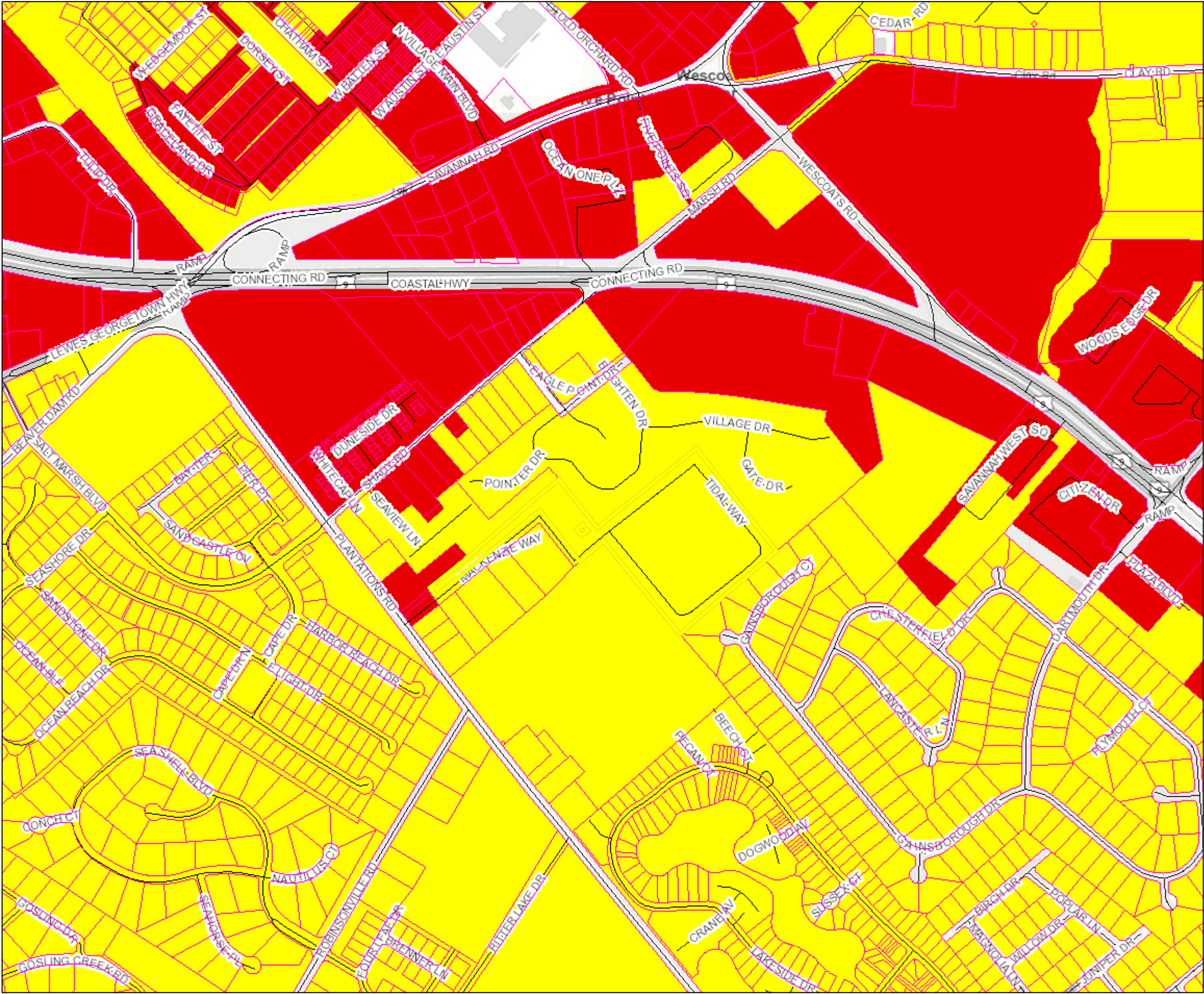
— Streets

1:9,028





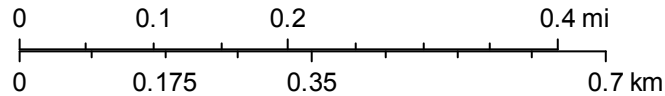
Sussex County



| | |
|-----------------|-------------------------|
| PIN: | 334-6.00-504.02 |
| Owner Name | CB LEWES LLC |
| Book | 4175 |
| Mailing Address | PO BOX 310 |
| City | NASSAU |
| State | DE |
| Description | COASTAL TIDE |
| Description 2 | F/K/A ARBORS OF COTTAGE |
| Description 3 | FUTURE CONDOS |
| Land Code | |

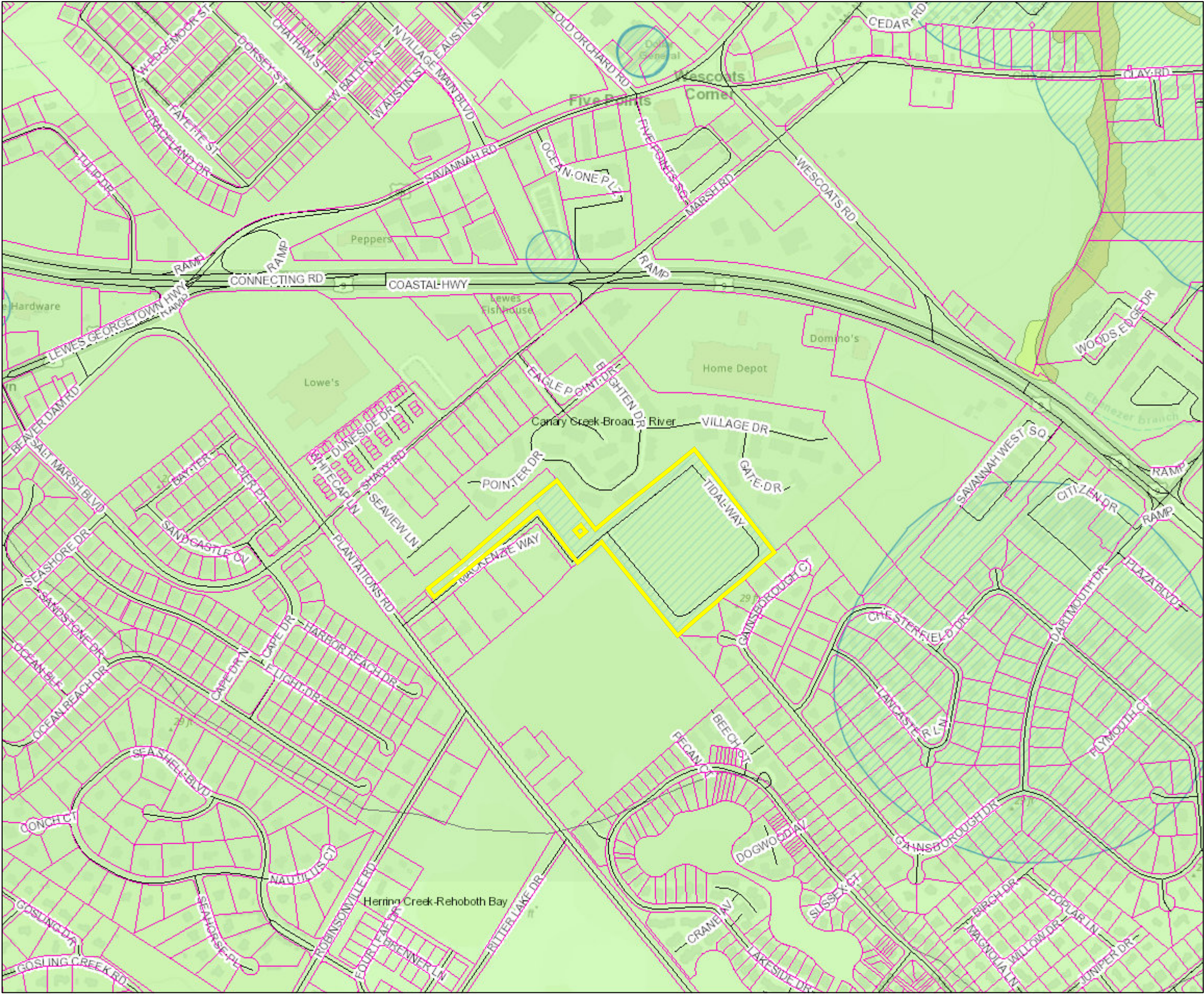
- 2019 Future Land Use
- Low Density
 - Coastal Area
 - Commercial
 - Developing Area
 - Existing Development Area
 - Industrial
 - Municipalities
 - Town Center
- polygonLayer
- Override 1
- polygonLayer
- Override 1
 - Tax Parcels
 - Streets
 - County Boundaries

1:9,028





Sussex County



| | |
|-----------------|-------------------------|
| PIN: | 334-6.00-504.02 |
| Owner Name | CB LEWES LLC |
| Book | 4175 |
| Mailing Address | PO BOX 310 |
| City | NASSAU |
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| Description 3 | FUTURE CONDOS |
| Land Code | |

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

Watersheds

County Boundaries

Flood Zones 2018

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

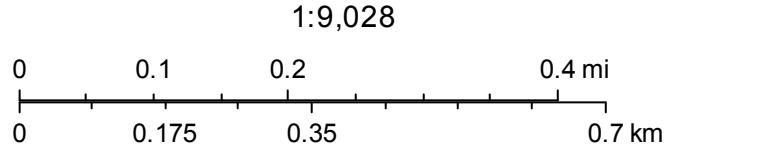
A

AE

AO

OPEN WATER

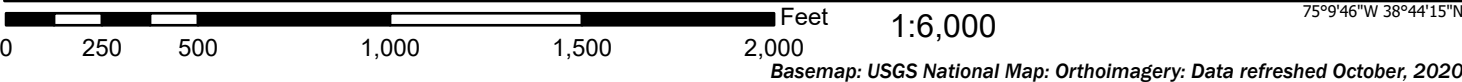
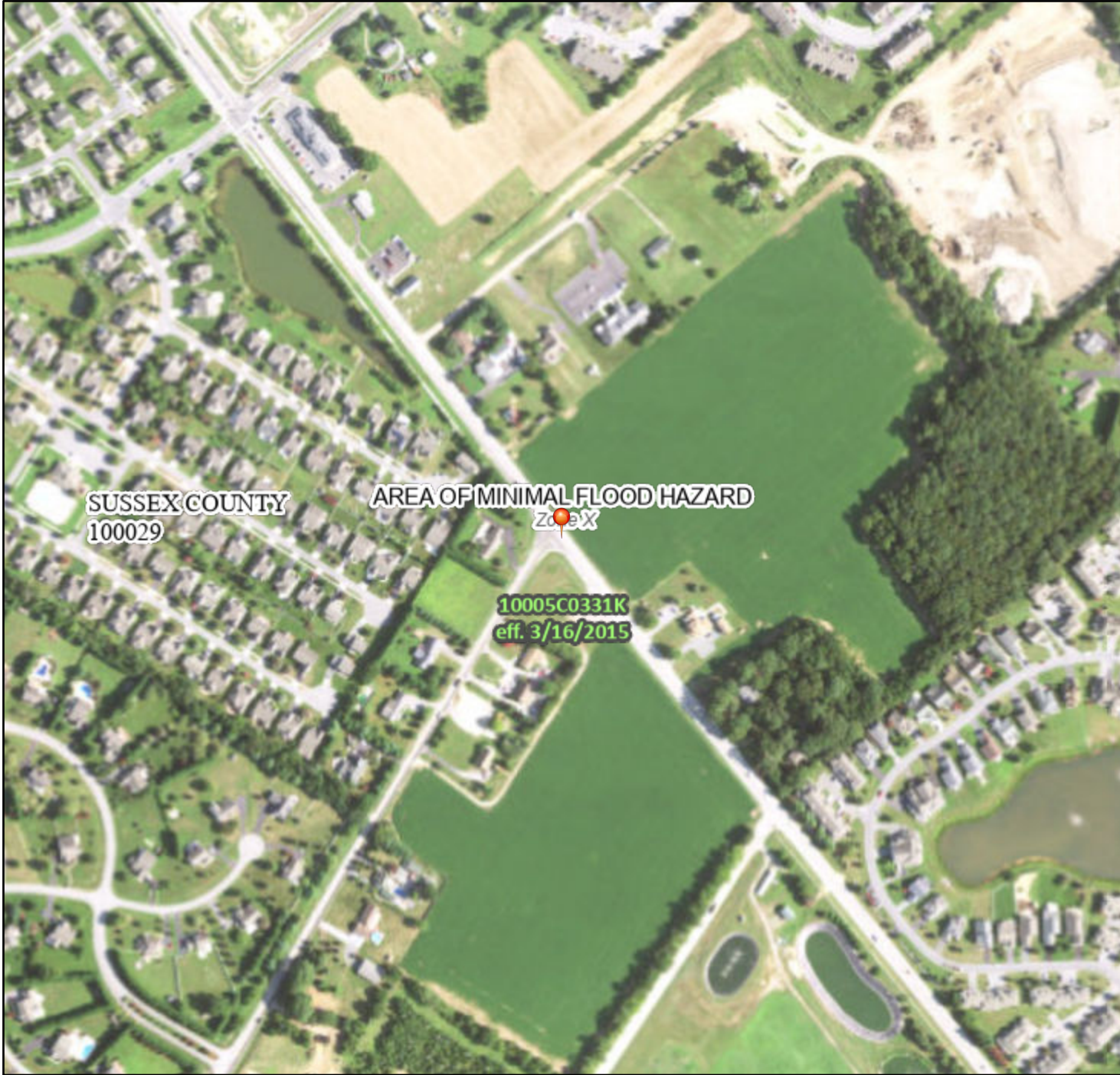
VE



National Flood Hazard Layer FIRMette



75°10'24"W 38°44'44"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

| | | |
|-----------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE) Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee. See Notes. Zone X |
| | | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard Zone X |
| | | Effective LOMRs |
| | | Area of Undetermined Flood Hazard Zone D |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/11/2022 at 4:14 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Delaware State Strategies 2020



The purpose of the Strategies for State Policies and Spending is to coordinate land-use decision-making with the provision of infrastructure and services in a manner that makes the best use of our natural and fiscal resources.

600ft

Delaware Office of State Planning Coordination 122 Martin Luther King Blvd, South Dover, DE 19901 (302) 739-3090 | Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Costal Tide

1992

Legend



Google Earth

Image U.S. Geological Survey



1000 ft

Costal Tide

2005

Legend



Google Earth

Image © 2022 Maxar Technologies



1000 ft

Costal Tide

2011

Legend



1000 ft

Google Earth

Image USDA/FPAC/GEO

Costal Tide

2017

Legend



1000 ft

Google Earth

Costal Tide

2018

Legend



1000 ft

Google Earth









Sussex County

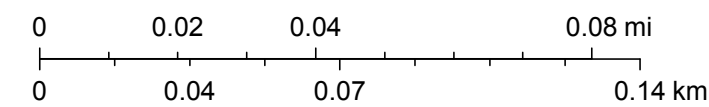


May 16, 2022

1:2,257

 Override 1
  Tax Parcels
  Streets

 Override 1
  911 Address
  County Boundaries



Delaware Department of Education, Wetland mapping is supported with funding provided by the Environmental Protection Agency., Delaware Geological Survey, Maxar, Microsoft, Delaware Public Service Commission, DNREC, Division of Watershed Stewardship, Drainage Program, john.inkster@state.de.us, Sussex County,

PLANNING & ZONING
Jamie Whitehouse, AICP, MRTPI
Director
(302) 855-7878 T
(302) 854-5079 F



Sussex County
DELAWARE
sussexcountysde.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
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

February 25, 2022

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 **CB Lewes, LLC** proposed land use application, which we received on February 21, 2022. This application is for an approximately 16.96- acre parcel (Tax Parcel: 334-6.00-504.02). The subject land is located on MacKenzie Way on the northeast side of Plantations Road (Sussex Road 275). The subject land is currently zoned MR (Medium Density Residential), and the applicant seeks a conditional use approval to build 30 multi-family apartment units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along the section of Plantations Road from Beaver Dam Road (State Route 23) to Cedar Grove Road (Sussex Road 283) is 10,907 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.

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. For that reason, the applicant will be required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.



Mr. Jamie Whitehouse

Page 2 of 2

February 25, 2022

The applicant should contact Ms. Sarah Coakley, Principal Planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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 Ms. Annamaria Furmato, at Annamaria.Furmato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



Claudy Joinville
Project Engineer
Development Coordination

CJ:afm

cc: CB Lewes LLC, Applicant
Ann Lepore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
T. William Brockenbrough, County Coordinator, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Sarah Coakley, Principal Planner, Regional Systems Planning
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
Annamaria Furmato, Project Engineer, Development Coordination

ORDINANCE NO. 2105

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 18.33 ACRES, MORE OR LESS

WHEREAS, on the 13th day of May 2009, a zoning application, denominated Change of Zone No. 1687 was filed on behalf of Rick Banning; and

WHEREAS, on the 27th day of August 2009, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 12th day of November 2009, said Planning and Zoning Commission recommended that Change of Zone No. 1687 be approved; and

WHEREAS, on the 22nd day of September 2009, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation MR Medium Density Residential District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying northeast of Plantation Road (Road 275) 710 feet southeast of Shady Road (Road 276) and being more particularly described as follows:

BEGINNING at a point on the northeasterly right-of-way of Plantation Road, a corner for these subject lands and lands of the Church of Israel Trustees; thence north 52° 34' 19" east 216.27 feet and north 37° 25' 33" west 64.26 feet along lands of the Church of Israel Trustees to a point; thence north 50° 10' 27" east 991.35 feet along lands, now or formerly, of the Church of Israel Trustees, and lands, now or formerly, of Morris Winston to a point; thence south 38° 26' 01" east 364.28 feet, north 50° 53' 45" east 744.21 feet and south 38° 47' 09" east 765.55 feet along said Winston lands to a point; thence south 49° 25' 32" west 754.98 feet along Rolling Meadows Subdivision to a point; thence north 39° 34' 15" west 703.83 feet and south 49° 14' 34" west 230.57 feet along lands, now or formerly, of Billie Lynn Thompson, Trustee, to a point; thence north 38° 26' 01" west 329.00 feet along lands, now or formerly, of Garciel Street to a point; thence south 50° 17' 41" west 639.58 feet along said Street lands, lands, now or formerly, of Paul W. and Patricia E. Kase, and lands, now or formerly, of Scott and Harold Lednum to a point; thence south 52° 34' 28" west 320.00 feet along lands, now or formerly, or Gertrude L. Jones to a point on the northeasterly right-of-way of Plantation Road; and thence north 37° 25' 06" west 50.00 feet along the northeasterly right-of-way of Plantation Road to the point and place of beginning and containing 18.33 acres, more or less.

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

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2105 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 23RD DAY OF FEBRUARY 2010.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

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

1. This is an application to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to an MR Medium Density Residential District for a parcel of land containing 18.33 acres, more or less, lying in Lewes and Rehoboth Hundred, Sussex County, Delaware, lying northeast of Plantation Road (Road 275), 710 feet southeast of Shady Road (Road 276).

2. The subject property is owned by Mid Atlantic Development Ventures, LLC, a Delaware limited liability company.
3. The project will be known as The Arbors of Cottagedale and is to be located on 18.83 acres, more or less, in Lewes and Rehoboth Hundred, lying northeast of Plantation Road and southeast of Shady Road.
4. There are 168 rental units approved for the project, a portion of which will be under the Affordably Priced Rental Unit Program of Sussex County.
5. In the Sussex County Comprehensive Plan, the area for The Arbors of Cottagedale project is identified for purposes of future land use as a growth zone and environmentally sensitive developing area. The recommended densities and uses set out in Table 8 of the Comprehensive Plan include MR Medium Density Residential Districts and the guidelines for future growth recommends a range of housing types, including multi-family dwelling units.
6. The Strategies for State Policies and Spending identify the area as Investment Level 2 which encourages departure from single family dwellings consistent with the character of the area with higher densities and compact mixed use development.
7. The Applicant has applied for and has been granted permission to participate in the Affordably Priced Rental Unit Program of Sussex County.
8. The Applicant has responded appropriately to the PLUS comments.
9. The project site has been previously used as a borrow pit for sand and gravel; it was known as the Jackson Pit. Later, it was used as an unpermitted landfill for domestic trash. The removal and disposal of solid waste from the Jackson Pit site has received Brownfield Certification and has been qualified by DNREC for grant funding. Cleaning up the Jackson Pit will benefit the environment and provide for the health and safety of the inhabitants of the project and the surrounding area.
10. With the conditions imposed, The Arbors of Cottagedale project will be designed in accordance with the County's zoning ordinance and will provide moderately and affordably priced rental units to the area.
11. The proposed project site is appropriate because the project is adjacent to and surrounded by growth areas, commercial sites and other residential developments.

- 12. The proposed project is in character with the nature of the area in that it will be a part of the larger Route One and Plantation Road communities and will provide affordably priced rental units adjacent to retail areas. The project is beneficial to the Affordably Priced Rental Unit Program and is a prominent part of Level 2 of the Strategies for State Policies and Spending.**
- 13. Public investment in infrastructure will be avoided because the proposed project will be served with wastewater treatment provided by Sussex County. The Applicant will bear its fair share of costs relating to this project.**
- 14. Water will be provided by Tidewater Utilities, Inc., which has been granted the Certificate of Public Convenience and Necessity (CPCN) for the proposed project.**
- 15. The approval of this project promotes and protects the health, safety, convenience, orderly growth and welfare of the inhabitants of Sussex County.**
- 16. Based on the record and recommendation of the Planning and Zoning Commission and the above Findings, the Council approved the application.**

ORDINANCE NO. 2106

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 18.33 ACRES, MORE OR LESS

WHEREAS, on the 13th day of May 2009, a conditional use application, denominated Conditional Use No. 1845 was filed on behalf of Rick Banning; and

WHEREAS, on the 27th day of August 2009, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 12th day of November 2009, said Planning and Zoning Commission recommended that Conditional Use No. 1845 be approved with conditions; and

WHEREAS, on the 22nd day of September 2009, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article V, Subsection 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1845 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying northeast of Plantation Road (Road 275) 710 feet southeast of Shady Road (Road 276) and being more particularly described as follows:

BEGINNING at a point on the northeasterly right-of-way of Plantation Road, a corner for these subject lands and lands of the Church of Israel Trustees; thence north 52° 34' 19" east 216.27 feet and north 37° 25' 33" west 64.26 feet along lands of the Church of Israel Trustees to a point; thence north 50° 10' 27" east 991.35 feet along lands, now or formerly, of the Church of Israel Trustees, and lands, now or formerly, of Morris Winston to a point; thence south 38° 26' 01" east 364.28 feet, north 50° 53' 45" east 744.21 feet and south 38° 47' 09" east 765.55 feet along said Winston lands to a point; thence south 49° 25' 32" west 754.98 feet along Rolling Meadows Subdivision to a point; thence north 39° 34' 15" west 703.83 feet and south 49° 14' 34" west 230.57 feet along lands, now or formerly, of Billie Lynn Thompson, Trustee, to a point; thence north 38° 26' 01" west 329.00 feet along lands, now or formerly, of Garciel Street to a point; thence south 50° 17' 41" west 639.58 feet along said Street lands, lands, now or formerly, of Paul W. and Patricia E. Kase, and lands, now or formerly, of Scott and Harold Lednum to a point; thence south 52° 34' 28" west 320.00 feet along lands, now or formerly, or Gertrude L. Jones to a point on the northeasterly right-of-way of Plantation Road; and thence north 37° 25' 06" west 50.00 feet along the northeasterly right-of-way of Plantation Road to the point and place of beginning and containing 18.33 acres, more or less.

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

This Ordinance was adopted subject to the following conditions:

1. The maximum number of residential rental units shall not exceed 168 units.
2. The removal, disposal and monitoring of waste from the Jackson Pit, located on the project site, shall be in compliance with all DNREC requirements.
3. All entrance, intersection, roadway and multi-modal improvements required by DelDOT shall be completed by the Applicant in accordance with DelDOT's requirements.
4. The swimming pool shall be constructed and open to use by residents within one year of issuance of the first building permit for the project.
5. The project shall be served by central sewer as part of a Sussex County Sanitary Sewer District.

6. The project shall be served by a public central water system providing adequate drinking water and fire protection as required by applicable regulations.
7. Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements, and the project shall utilize Best Management Practices to construct and maintain these fixtures.
8. The interior street design shall be in accordance with or exceed Sussex County street design requirements. Sidewalks shall be installed along both sides of all streets.
9. The Applicant shall submit as part of the site plan review, a landscape plan showing the proposed tree and shrub landscape plan and an architectural rendition.
10. Construction, site work, grading and deliveries of construction materials, landscaping materials and fill on, off or to the property shall only occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday.
11. Road naming and addressing shall be subject to the approval of the Sussex County Mapping and Addressing Department.
12. The Applicant shall cooperate with the local school district's transportation manager and DART to establish school bus stop areas and DART stop areas. The areas for school bus stops and/or DART stops shall be shown on the Final Site Plan.
13. The Applicant shall comply with all of the requirements of the Sussex County Affordably Priced Rental Unit Program, but participation in this program shall not exceed 30 percent of the total residential units available and a minimum of 70 percent market priced units.
14. The location of the cemetery shall be determined in cooperation with the Delaware State Historic Preservation Office and it shall be delineated on the Final Site Plan. There shall be a 40 foot landscaped buffer from the delineated boundary of the cemetery.
15. The recreation area shall either be relocated to the center of the project or there shall be speed bumps or some similar traffic calming devices and signs located in the vicinity of it.

16. Six (6) foot high fencing shall be installed between this project and the adjacent Eagle Point development and maintenance of it shall be included in the maintenance agreement. The location and type of fencing shall be shown on the Final Site Plan.
17. There shall be a 50 foot landscaped buffer from the delineated boundary of Eagle Point development.
18. The Final Site Plan for the development shall be subject to the approval of the Planning and Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2106 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 23RD DAY OF FEBRUARY 2010.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

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

1. This is an application for a Conditional Use of land in a MR Medium Density Residential District for multi-family dwelling structures to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, Delaware, containing 18.33 acres, more or less, lying northeast of Plantation Road (Road 275) and 710 feet southeast of Shady Road (Road 276).
2. The subject property is owned by Mid Atlantic Development Ventures, LLC, a Delaware limited liability company.
3. The project will be known as The Arbors of Cottagedale. The site is located on 18.83 acres, more or less, in Lewes and Rehoboth Hundred, lying northeast of Plantation Road and southeast of Shady Road.
4. There are 168 rental units approved, a portion of which will be under the Affordably Priced Rental Unit Program of Sussex County.

5. In the Sussex County Comprehensive Plan, the area for The Arbors of Cottagedale project is identified for purposes of future land use as a growth zone and environmentally sensitive developing area. The recommended densities and uses set out in Table 8 of the Comprehensive Plan include MR Medium Density Residential Districts and the guidelines for future growth recommends a range of housing types, including multi-family dwelling units.
6. The Strategies for State Policies and Spending identify the area as Investment Level 2 which encourages departure from single family dwellings and development consistent with the character of the area with higher densities and compact mixed use development.
7. The Applicant has applied for and has been granted permission to participate in the Affordably Priced Rental Unit Program of Sussex County.
8. The Applicant has responded appropriately to the PLUS comments.
9. The project site has been previously used as a borrow pit for sand and gravel; it was known as the Jackson Pit. Later, it was used as an unpermitted landfill for domestic trash. The removal and disposal of solid waste from the Jackson Pit site has received Brownfield Certification and has been qualified by DNREC for grant funding. Cleaning up the Jackson Pit will benefit the environment and provide for the health and safety of the inhabitants of the project and the surrounding area.
10. With the conditions imposed, the Arbors of Cottagedale project will be designed in accordance with the County's zoning ordinance and will provide affordably priced rental units to the area.
11. The proposed project site is appropriate because the project is adjacent to and surrounded by growth areas, commercial sites and other residential developments.
12. The proposed project is in character with the nature of the area in that it will be a part of the larger Route One and Plantation Road communities and will provide affordably priced rental units adjacent to retail areas. The project is beneficial to the Affordably Priced Rental Unit Program and is a prominent part of Level 2 of the Strategies for State Policies and Spending.

13. Public investment in infrastructure will be avoided because the proposed project will be served with wastewater treatment provided by Sussex County. The Applicant will bear its fair share of costs relating to this project.
14. Water will be provided by Tidewater Utilities, Inc., which has been granted the Certificate for Public Convenience and Necessity (CPCN) for the proposed project.
15. The approval of this project promotes and protects the health, safety, convenience, orderly growth and welfare of the inhabitants of Sussex County.
16. The use is of a public or semi public character in that it will provide additional housing and is desirable for the health, safety, convenience, order, prosperity, morals and general welfare of the residents of Sussex County.
17. Based on the records created before the Planning and Zoning Commission and the Council and based on the recommendation of the Planning and Zoning Commission, this Conditional Use was approved subject to eighteen (18) conditions, which will serve to minimize any potential impacts on the surrounding area and adjoining properties.

SITE DATA:

OWNER/
APPLICANT/
DEVELOPER:

STEVE & ROBERT CAMPBELL
19 RIDGEWOOD TURN
NEWARK, DE 19711
PHONE: 302.992.9210
CONTACT: STEVE CAMPBELL

ENGINEER:

SOLUTIONS IPEN
303 NORTH BEDFORD STREET
GEORGETOWN, DE 19947
PHONE: 302.297.9215
CONTACT: JASON PALKIEWICZ, PE

- TAX MAP:
3-34-6 PARCEL 504.02
SITE AREA = 18.33 ACRES
- PROPOSED USE:
MULTI-FAMILY RENTAL APARTMENTS
168 APARTMENT UNITS
(6 GARDEN-STYLE APARTMENT BUILDINGS)
- EXISTING ZONING:
MR W/ CONDITIONAL USE #1845
- BUILDING SETBACKS (MR):
FRONT: 40'
SIDE: 10'
REAR: 10'
MAXIMUM BUILDING HEIGHT: 42'
- FLOOD ZONE:
THE PROPERTY IS LOCATED WITHIN FLOOD ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), PER FIRM MAP NUMBER 10005C0331K, MAP REVISED MARCH 16, 2015.
- SOIL TYPES:
DoA - DOWNER SANDY LOAM, 0 TO 2 PERCENT SLOPES
DoB - DOWNER SANDY LOAM, 2 TO 5 PERCENT SLOPES
UBB - UDORTHENTS, BORROW AREA, 0 TO 5 PERCENT SLOPES
- WATER SUPPLY:
TIDEWATER UTILITIES
- SANITARY SEWER:
SUSSEX COUNTY (WEST REHOBOTH EXPANSION)

GROSS AREA = 18.08 AC.±
MACKENZIE WAY R.O.W. AREA = 1.310 AC.±
MACKENZIE WAY EASEMENT AREA = 0.389 AC.±
OPEN SPACE AREA (INCLUDING STORMWATER FEATURES, BUFFERS, RECREATIONAL FACILITIES, ETC.) = 11.433 AC.± (63.24%)
PUMP STATION LOT AREA (DEDICATED TO SUSSEX COUNTY) = 0.057 AC.±
RESIDENTIAL BUILDING AREA = 1.640 AC.±
PARKING LOT AREA = 2.938 AC.±
GARAGE AREA = 0.313

- TOTAL IMPERVIOUS AREA = 6.622 AC. ± (36.6%)
- PROPOSED DENSITY = 9.29 UNITS/ACRE
- PUBLIC SANITARY SEWER MAINS SHALL BE LOCATED WITH 20' EASEMENTS IF REQUIRED BY SUSSEX COUNTY ENGINEERING DEPARTMENT.
- TOPOGRAPHY SHOWN HEREIN ARE AS PROVIDED BY THE CLIENT, PREPARED BY MERIDIAN ARCHITECTS AND ENGINEERS, DATED 7-8-2005. DELAWARE STATE PLAN COORDINATE SYSTEM NAD 83/91.
- BOUNDARY SHOWN HEREIN PROVIDED BY THE CLIENT, PREPARED BY MERESTONE CONSULTANTS, ENTITLED REVISED SITE PLAN, DATED NOVEMBER 15, 2005.

PARKING CALCULATIONS:
168 UNITS * 2 SPACES/UNIT = 336 SPACES
336-50 = 286 SPACES
286 SPACES * 85% = 243.1 SPACES
244 + 50 SPACES = 294 SPACES REQUIRED
SPACES PROVIDED = 294 SPACES

HANDICAPPED SPACES REQUIRED = 7 SPACES (1 SPACE WITH 96" ACCESS AISLE)
HANDICAPPED SPACES PROVIDED = 7 SPACES (2 SPACES WITH 96" ACCESS AISLES)

DeIDOT NOTES:

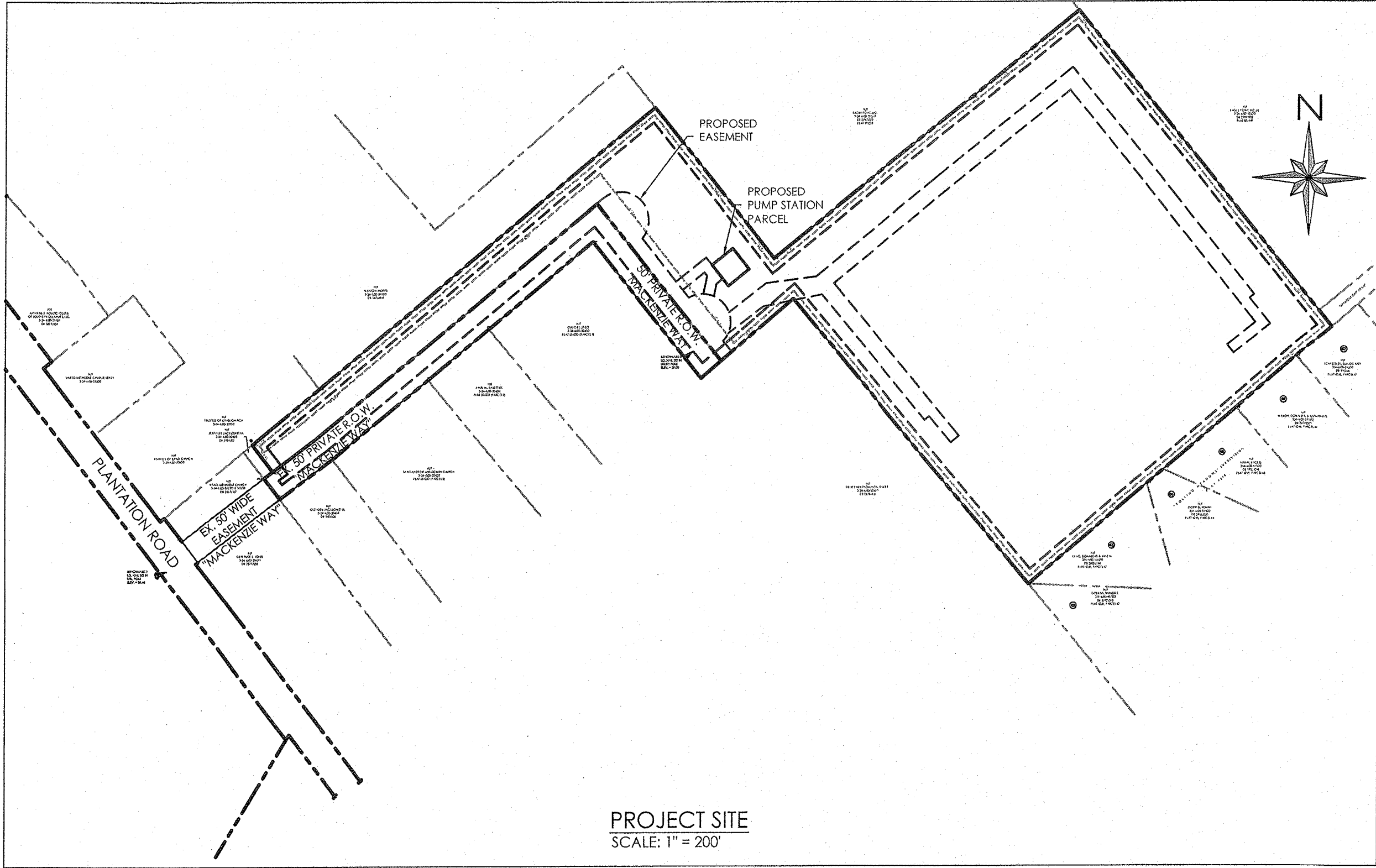
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOTS) CURRENT STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO ITS APPROVAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOTS' DISCRETION, AND IN CONFORMANCE WITH DELDOTS' "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
- SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS OR BOTH. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS
- THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE FOR THE SIDEWALK.
- ALL BMP MAINTENANCE SHALL BE RESPONSIBILITY OF THE DEVELOPER OR HOMEOWNERS ASSOCIATION.

NOTES:

- ALL ON-SITE STREETS ARE PRIVATE AND SHALL BE MAINTAINED BY THE OWNER.
- STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX COUNTY CONSERVATION DISTRICT AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY MULTIPLE WET PONDS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNER. THE PERPETUAL MAINTENANCE OF THE ABOVE PROACTIVE SHALL BE BY THE RESPECTIVE ORGANIZATION.
- ALL OPEN SPACE SHALL BE MAINTAINED BY THE OWNER.

FINAL SITE PLAN FOR THE ARBORS OF COTTAGEDALE

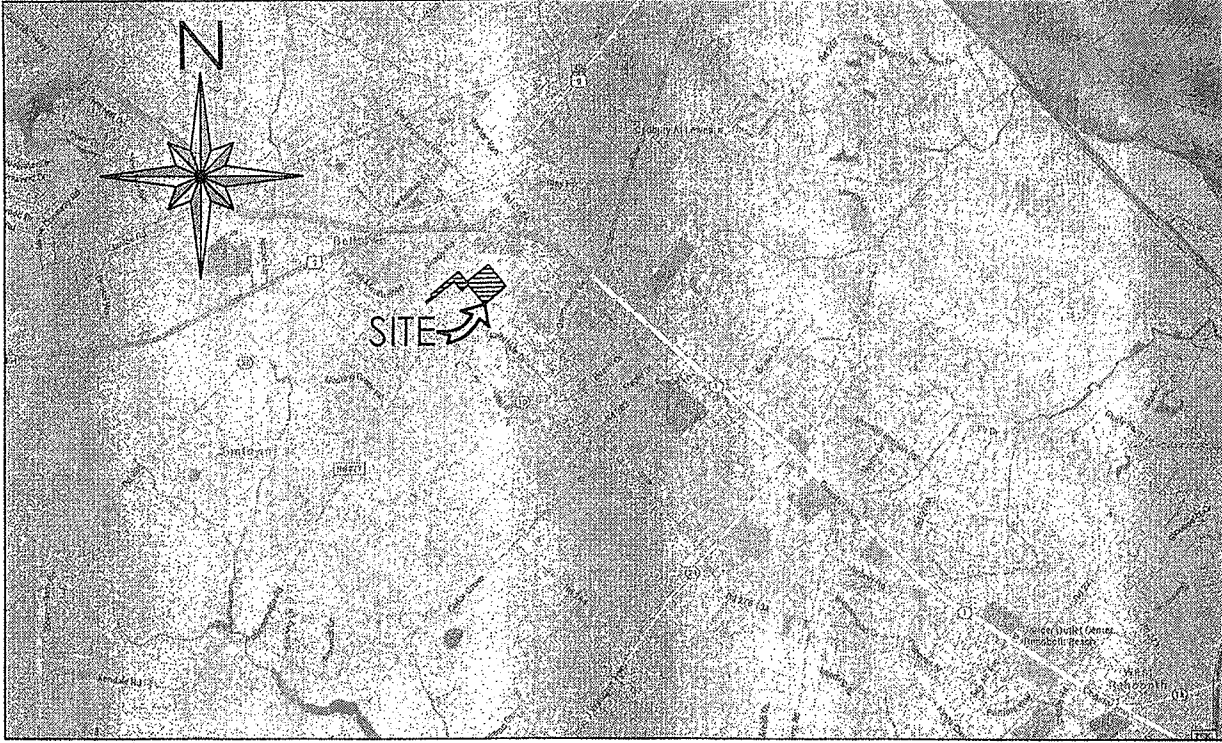
SUSSEX COUNTY, DELAWARE
FOR
STEVE AND ROBERT CAMPBELL



SHEET INDEX

- COVER SHEET
- CONDITIONS OF APPROVAL & CROSS SECTIONS
- EXISTING CONDITIONS
- FINAL SITE PLAN A
- FINAL SITE PLAN B
- SITE UTILITY PLAN A
- SITE UTILITY PLAN B
- LANDSCAPING PLAN A
- LANDSCAPING PLAN B

BK# 219 PG# 71

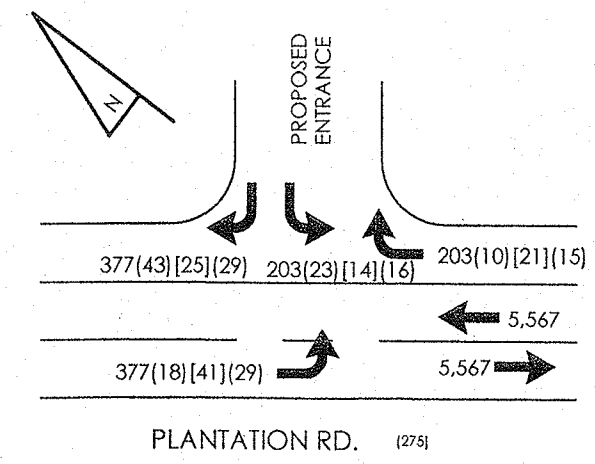


VICINITY MAP
SCALE: 1" = 5,280'
PERMITTED USE NO. 21003216

LEGEND

| | EXISTING | PROPOSED |
|---------------------------------|----------|----------|
| PROPERTY LINE | --- | --- |
| EASEMENT LINE | --- | --- |
| EASEMENT HATCH | /// | N/A |
| SETBACK LINE | --- | --- |
| R.O.W. LINE | --- | --- |
| PROPERTY CORNER (NOT SPECIFIED) | ○ | N/A |
| CONCRETE MONUMENT FOUND | CMF □ | CMS □ |
| IRON PIPE FOUND | IPF ● | N/A |
| SPOT ELEV. LABEL | N/A | 19.25 |
| MAJOR CONTOUR | --- | N/A |
| MINOR CONTOUR | --- | N/A |
| ROAD CENTERLINE | --- | --- |
| EDGE OF CONCRETE | --- | --- |
| EDGE OF PAVEMENT | --- | --- |
| PAINT STRIPE | --- | N/A |
| CURB | --- | --- |
| PAVEMENT HATCH | /// | --- |
| SIDEWALK | --- | --- |
| SIDEWALK HATCH | /// | --- |
| EDGE OF POND | --- | --- |
| STORM MANHOLE | ⊙ | ⊙ |
| CURB INLET | ⊙ | ⊙ |
| STORM PIPE | SD | SD |
| SANITARY MANHOLE | ⊙ | ⊙ |
| SANITARY PIPE | SS | SS |
| WATER PIPE | W | W |
| FIRE HYDRANT | ⊙ | ⊙ |
| OVERHEAD ELECTRIC | E | N/A |
| UTILITY POLE | ⊙ | N/A |
| TREE LINE | --- | --- |

TRIP GENERATION - PLANTATION ROAD - (S275)
(FULL MOVEMENT)



ROAD TRAFFIC DATA:

FUNCTIONAL CLASSIFICATION - S275 (PLANTATION RD.); MAJOR COLLECTOR ROAD
POSTED SPEED LIMIT - 45 mph
AADT = 11,134 TRIPS (FROM 2012 DeIDOT TRAFFIC SUMMARY)
10 YEAR PROJECTED AADT = 12,915 TRIPS
10 YEAR PROJECTED AADT + SITE ADT = 14,075 TRIPS
TRAFFIC PATTERN GROUP - 7 (FRPM 2012 DeIDOT TRAFFIC SUMMARY)
PEAK HOUR = 10% x 11,134 TRIPS = 1,113 TRIPS

SITE TRIPS GENERATED:

SOURCE: 7TH EDITION TRIP GENERATION MANUAL
168 UNIT APARTMENT BUILDINGS
ONE ENTRANCE - FULL MOVEMENT
TOTAL ADT = 1,160 TRIPS
DIRECTIONAL DISTRIBUTION:
35% TO AND FROM THE SOUTH = 406 ADT (46 AM PK) (59 PM PK) (31 SAT PK)
65% TO AND FROM THE NORTH = 754 ADT (61 AM PK) (66 PM PK) (58 SAT PK)
5% TRUCKS & BUSES x 1,160 = 58
NOTE: 2008 TIS WAS BASED ON 216 RESIDENTIAL UNITS. ADT AND PEAK HOUR DATA HAS BEEN RECALCULATED USING 168 APARTMENT UNITS.

TRAFFIC GENERATION DIAGRAM
ADT (A.M. PEAK HOUR) [P.M. PEAK HOUR] [SAT PEAK HOUR]



APPROVED
SEDIMENT CONTROL & STORMWATER MANAGEMENT

Reviewed by: *[Signature]* Date: *[Date]*

Approved by: *[Signature]* Date: *[Date]*

APPROVED
Final Site Plan Per County
Planning & Zoning Commission

APPROVED BY:

SECRETARY OF PLANNING COMMISSION

DATE

PRESIDENT OF COUNTY COUNCIL

DATE

DEVELOPER'S CERTIFICATION

WE HEREBY CERTIFY THAT WE ARE THE DEVELOPER OF THE PROPERTY SHOWN ON THIS PLAN. THAT THE PLAN WAS MADE AT OUR DIRECTION AND WE ACKNOWLEDGE THE SAME TO BE OUR ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. WE FURTHER MORE UNDERSTAND AND ACKNOWLEDGE THAT IT IS THE RIGHT OF THE SUSSEX CONSERVATION DISTRICT AND/OR ITS DELEGATED INSPECTION AGENCIES TO CONDUCT ON-SITE INSPECTIONS.

STEVEN J CAMPBELL

DATE

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Integrated Planning
Engineering & Management, LLC

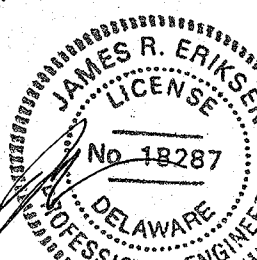
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T. 302.297.9215

3003 Meritt Mill Road
Salisbury, MD 21804
T. 410.572.8833

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Seal 8/14/15

Date

| NO. | DATE | DESCRIPTION |
|-----|-----------|------------------------------|
| 1 | 7/20/2015 | PLANNING OFFICE COMMENTS |
| 2 | 8/4/2015 | PLANNING AND ZONING COMMENTS |
| | | |
| | | |
| | | |
| | | |

COVER SHEET

for
ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DE
Prepared for: CAMPBELL

| | |
|--------------|------------|
| Date: | 01-17-2014 |
| Job Number: | 13050 |
| Scale: | 1" = 200' |
| Drawn By: | JRE |
| Designed By: | JRE |
| Approved By: | JP |

Sheet No.:

1

File Name:
FINAL SITE PLAN COVER.dwg

CONDITIONAL USE # 1845

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

This Ordinance was adopted subject to the following conditions:

- The maximum number of residential rental units shall not exceed 168 units.
- The removal, disposal and monitoring of waste from the Jackson Pit, located on the project site, shall be in compliance with all DNREC requirements.
- All entrance, intersection, roadway and multi-modal improvements required by DelDOT shall be completed by the Applicant in accordance with DelDOT's requirements.
- The swimming pool shall be constructed and open to use by residents within one year of issuance of the first building permit for the project.
- The project shall be served by central sewer as part of a Sussex County Sanitary Sewer District.
- The project shall be served by a public central water system providing adequate drinking water and fire protection as required by applicable regulations.
- Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements, and the project shall utilize Best Management Practices to construct and maintain these fixtures.
- ~~The interior street design shall be in accordance with or exceed Sussex County street design requirements. Sidewalks shall be installed along both sides of all streets.~~
- The Applicant shall submit as part of the site plan review, a landscape plan showing the proposed tree and shrub landscape plan and an architectural rendition.
- Construction, site work, grading and deliveries of construction materials, landscaping materials and fill on, off or to the property shall only occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday.
- Road naming and addressing shall be subject to the approval of the Sussex County Mapping and Addressing Department.
- ~~The Applicant shall cooperate with the local school district's transportation manager and DART to establish school bus stop areas and DART stop areas. The areas for school bus stops and/or DART stops shall be shown on the Final Site Plan.~~
- The Applicant shall comply with all of the requirements of the Sussex County Affordably Priced Rental Unit Program, but participation in this program shall not exceed 30 percent of the total residential units available and a minimum of 70 percent market priced units.
- The location of the cemetery shall be determined in cooperation with the Delaware State Historic Preservation Office and it shall be delineated on the Final Site Plan. There shall be a 40 foot landscaped buffer from the delineated boundary of the cemetery.
- The recreation area shall either be relocated to the center of the project or there shall be speed bumps or some similar traffic calming devices and signs located in the vicinity of it.
- Six (6) foot high fencing shall be installed between this project and the adjacent Eagle Point development and maintenance of it shall be included in the maintenance agreement. The location and type of fencing shall be shown on the Final Site Plan.
- There shall be a 50 foot landscaped buffer from the delineated boundary of Eagle Point development.
- The Final Site Plan for the development shall be subject to the approval of the Planning and Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2106 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 23RD DAY OF FEBRUARY 2010.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

REVISED CONDITION # 8

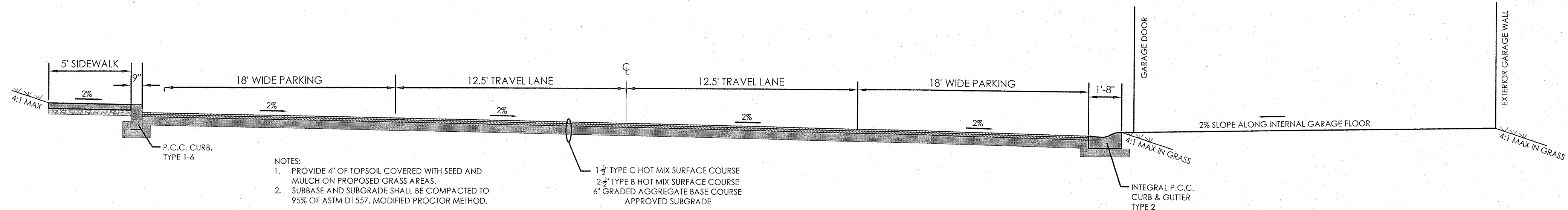
8. INTERIOR STREET DESIGN SHALL BE IN ACCORDANCE WITH OR EXCEED SUSSEX COUNTY STREET DESIGN REQUIREMENTS. SIDEWALKS SHALL BE INSTALLED ALONG BOTH SIDES OF THE ENTRANCE ROAD. SIDEWALKS SHALL BE INSTALLED ALONG ONE SIDE OF INTERIOR PARKING AREAS.

REMOVED CONDITION #12

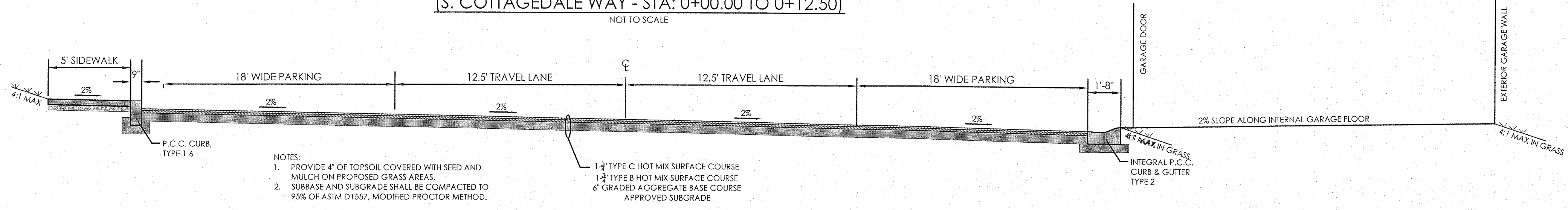
THE PLANNING COMMISSION REMOVED THE CONDITION TO PROVIDE A BUS STOP AREA AT THEIR MEETING ON AUGUST 13, 2015. DECISION WAS MADE BASED ON EMAIL CORRESPONDENCE INDICATING THAT THE SCHOOL DISTRICT WILL NOT COME ONTO THE PROPERTY FOR A BUS STOP.

GENERAL NOTE:

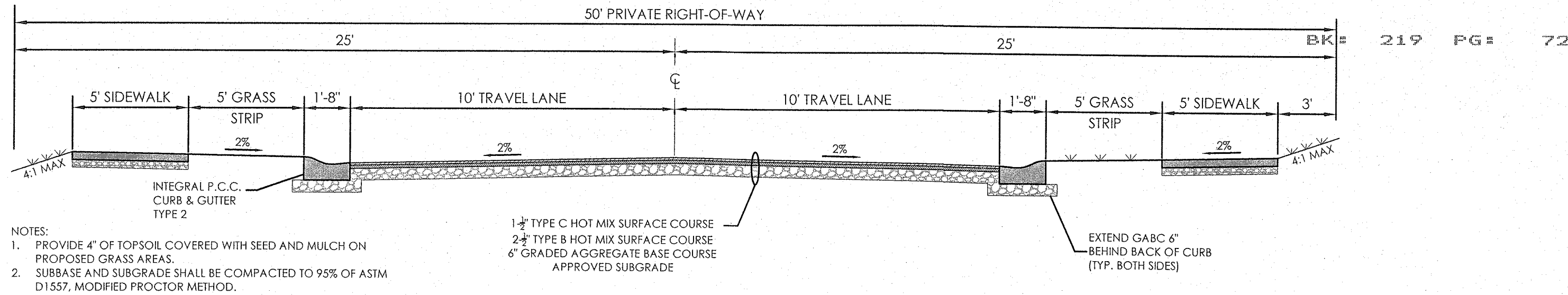
AS PER THE DISCUSSION DURING THE PLANNING COMMISSION MEETING ON AUGUST 13, 2015, STORMWATER MANAGEMENT STRUCTURES SHALL BE ALLOWED WITHIN THE 50' LANDSCAPED BUFFER ALONG THE EAGLE POINT SUBDIVISION (SEE CONDITION #17), BUT SHALL NOT BE ALLOWED WITHIN THE TYPICAL 20' LANDSCAPED BUFFER.



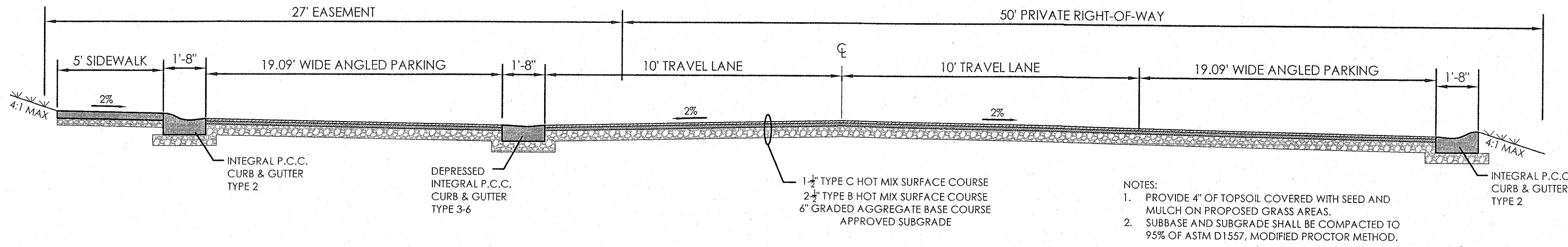
TYPE II RESIDENTIAL STREET W/ 90° PARKING SECTION
(N. COTTAGEDALE WAY - STA: 0+00.00 TO 6+35.00)
(S. COTTAGEDALE WAY - STA: 0+00.00 TO 0+12.50)
NOT TO SCALE



TYPE I RESIDENTIAL STREET W/ 90° PARKING SECTION
(N. COTTAGEDALE WAY - STA: 6+35.00 TO 12+75.81)
(S. COTTAGEDALE WAY - STA: 0+12.50 TO 4+97.97)
NOT TO SCALE



TYPE I RESIDENTIAL STREET
(MACKENZIE WAY - STA. 0+96.82 - 9+87.73)
NOT TO SCALE



TYPE I RESIDENTIAL STREET W/ 45° ANGLED PARKING SECTION
("EAST" MACKENZIE WAY)
NOT TO SCALE

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Salisbury, MD 21804
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JAMES R. ERIKSEN
LICENSE
No. 16287
DELAWARE
PROFESSIONAL ENGINEER
Seal
Date 6/14/15

| REVISIONS | |
|-----------|-------------|
| NO. | DESCRIPTION |
| | |
| | |
| | |
| | |
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| | |
| | |
| | |
| | |

| CONDITIONS OF APPROVAL & CROSS SECTIONS | |
|---|------------|
| for | |
| ARBORS OF COTTAGEDALE | |
| LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DE | |
| Prepared for: CAMPBELL | |
| Date: | 01-17-2014 |
| Job Number: | 13050 |
| Scale: | AS NOTED |
| Drawn By: | JRE |
| Designed By: | JRE |
| Approved By: | JP |

Sheet No.: 2

File Name:
FINAL SITE PLAN COVER.dwg

MATCHLINE - THIS SHEET

N/F
TRUSTEES OF ISRAEL CHURCH
3-34-6.00-509.00

N/F
JERRY LEE JACKSON ET UX.
3-34-6.00-504.08
DB 2754/52

EX. GRAVEL LOT SHALL BE
REMOVED AND RESEDED

EX. BUILDING
(TO BE REMOVED)

N/F
WINSTON MORRIS
3-34-6.00-511.00
DB 1876/111

EX. 8" SEWER
(TO REMAIN)

EX. SEWER MANHOLE
(TO REMAIN)

4" FM (TO BE
REMOVED)

EX. GRINDER
PUMP AND FM
(TO BE REMOVED)

RELOCATE EXISTING
ELECTRIC BOX

EX. DRIVEWAY
(TO BE REMOVED)

EXISTING MONITORING WELL
SHALL BE REMOVED AS PER
THE RECOMMENDATION
REPORT PREPARED BY
BRIGHTFIELDS, INC.

EXISTING SIDEWALK
(TO BE REMOVED)

EXISTING WALL
(TO BE REMOVED)

N/F
EAGLE POINT, LLC.
3-34-6.00-523.00
DB 2797/222
PLAT 17/223

EXISTING DRAINAGE
FROM EAGLE POINT

EXISTING MONITORING WELL
SHALL BE REMOVED AS PER
THE RECOMMENDATION
REPORT PREPARED BY
BRIGHTFIELDS, INC.

EX. GRAVE SITE AS DRAWN ON
REPORT (ORIENTED TO FENCE)

CREW SET STAKES WHERE
BURIAL SITES WERE FOUND IN FIELD

EXISTING MONITORING WELL
SHALL BE REMOVED AS PER
THE RECOMMENDATION
REPORT PREPARED BY
BRIGHTFIELDS, INC.

EXISTING MONITORING WELL
SHALL BE REMOVED AS PER
THE RECOMMENDATION
REPORT PREPARED BY
BRIGHTFIELDS, INC.

EXISTING MONITORING WELL
SHALL BE REMOVED AS PER
THE RECOMMENDATION
REPORT PREPARED BY
BRIGHTFIELDS, INC.

EXISTING MONITORING WELL
SHALL BE REMOVED AS PER
THE RECOMMENDATION
REPORT PREPARED BY
BRIGHTFIELDS, INC.

N/F
EAGLE POINT, LLC. (I)
3-34-6.00-523.00
DB 2797/222
PLAT 17/223

N/F
BILLIE LYNN THOMPSON, TRUSTEE
3-34-6.00-503.00
DB 2670/136

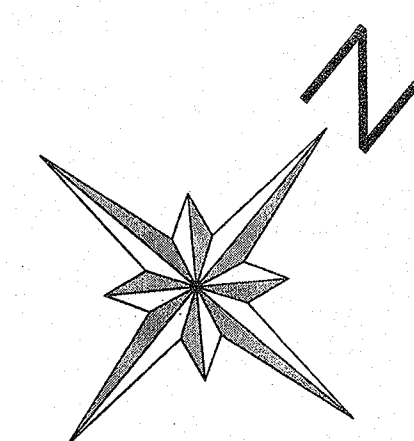
NOTE:
EXISTING CONTOURS AND ELEVATIONS SHOWN ARE
SUBJECT TO CHANGE AS PART OF A REMEDIATION
PLAN BY OTHERS. CONTRACTOR SHALL BE RESPONSIBLE
TO VERIFY EXISTING TOPOGRAPHY.

EX. FIRE HYDRANT SHALL BE
REMOVED AND RELOCATED
CONTRACTOR TO TEST PIT TO
LOCATE WATER MAIN.

N/F ISRAEL METHODIST CHURCH
3-34-6.00-507.00
DB 2037/187

N/F
GERTRUDE L. JONES
3-34-6.00-506.01
DB 2577/253

MATCHLINE - THIS SHEET



0' 60' 120' 180'

BK: 219 PG: 73

DEMO NOTES:

1. THE CONTRACTOR SHALL FOLLOW THE REMOVAL AND REMEDIATION PLAN
AS PREPARED BY BRIGHTFIELDS, INC. AND APPROVED BY DNREC AND THE
STATE OF DELAWARE.
2. ALL DEBRIS AND TRASH SHALL BE REMOVED AND DISPOSED OF IN A
APPROVED LOCATION BY DNREC.

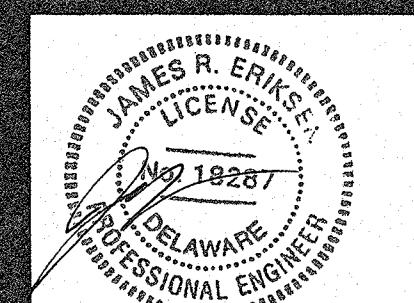
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Seal 8/4/15
Date

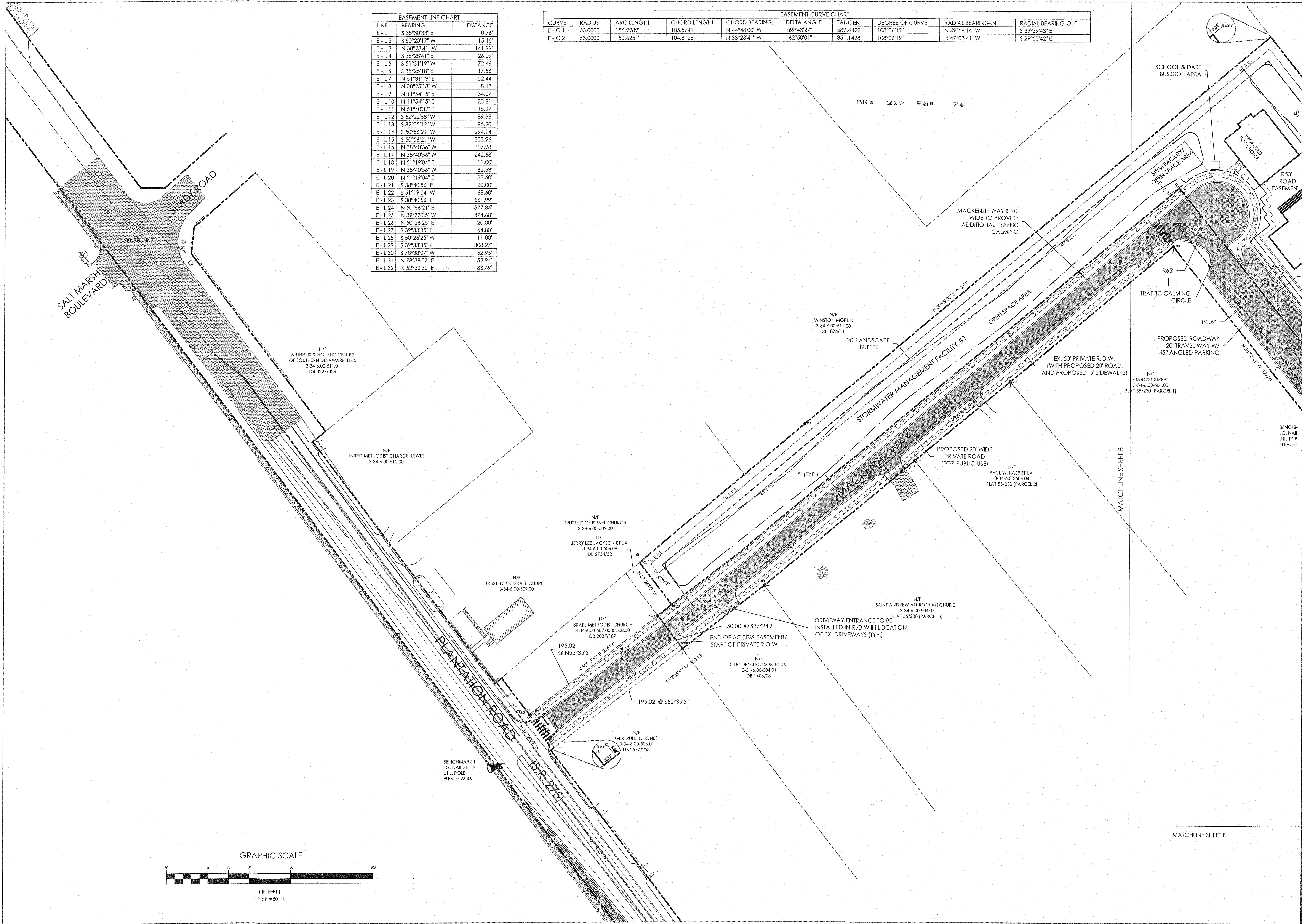
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EXISTING CONDITIONS PLAN
for
ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DE
Prepared for: CAMPBELL

| | | | | | | | | | | | |
|-------|------------|-------------|-------|--------|----------|-----------|-----|--------------|-----|--------------|----|
| Date: | 01-17-2014 | Job Number: | 13050 | Scale: | 1" = 40' | Drawn By: | TMM | Designed By: | TMM | Approved By: | JP |
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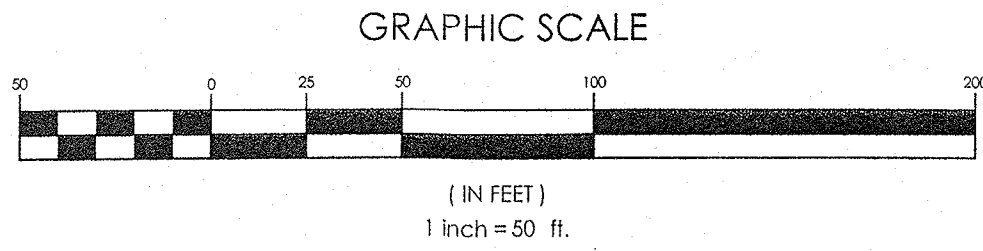
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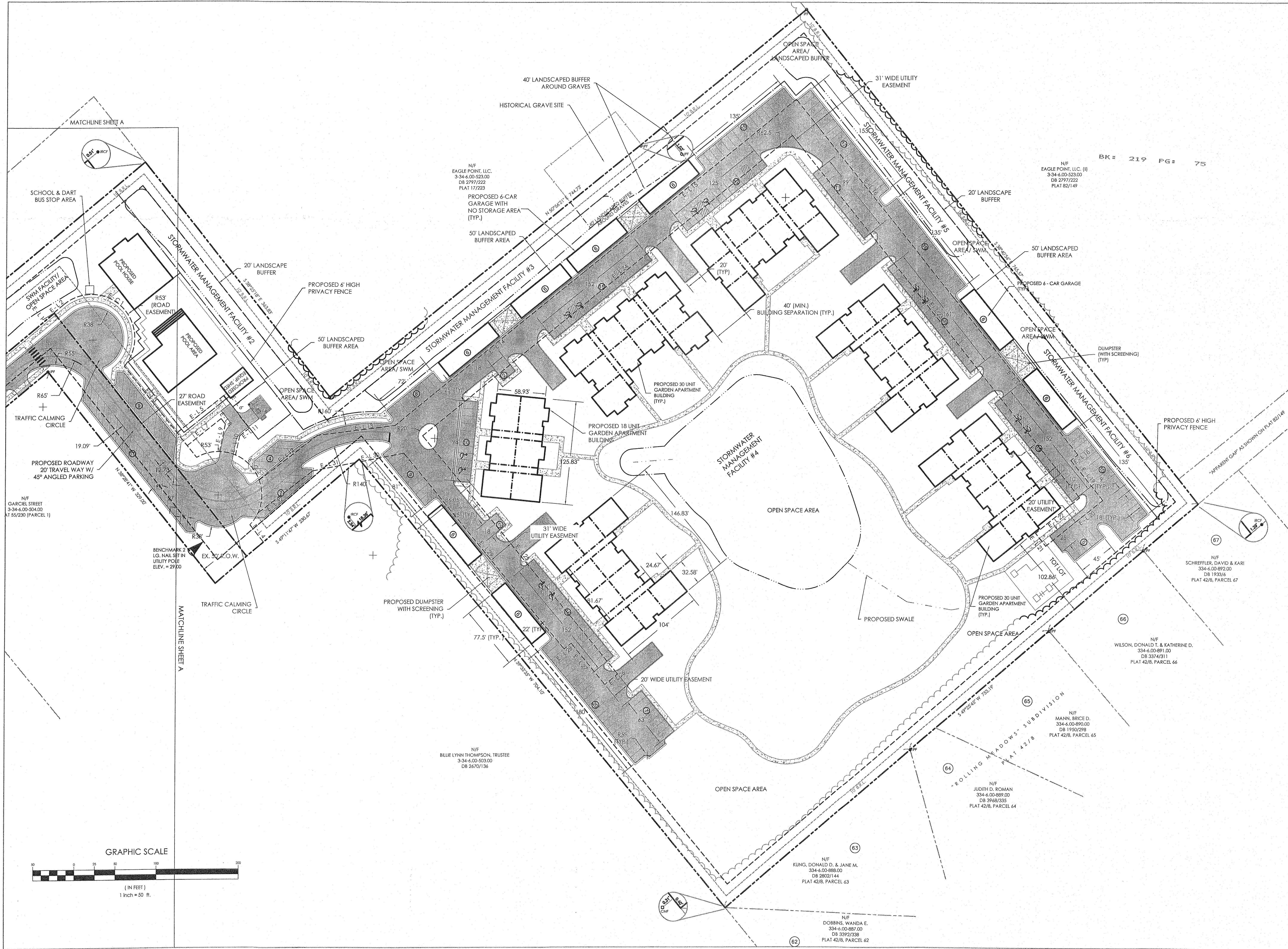
File Name: EX COND.dwg



| EASEMENT LINE CHART | | |
|---------------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| E-L1 | S 38°30'33" E | 0.76' |
| E-L2 | S 50°20'17" W | 15.15' |
| E-L3 | N 38°28'41" W | 141.99' |
| E-L4 | S 38°28'41" E | 26.09' |
| E-L5 | S 51°31'19" W | 72.46' |
| E-L6 | S 38°25'18" E | 17.56' |
| E-L7 | N 51°31'19" E | 52.44' |
| E-L8 | N 38°25'18" W | 8.43' |
| E-L9 | N 11°54'15" E | 34.07' |
| E-L10 | N 11°54'15" E | 23.81' |
| E-L11 | N 51°40'32" E | 15.27' |
| E-L12 | S 52°22'58" W | 89.33' |
| E-L13 | S 82°35'12" W | 95.20' |
| E-L14 | S 50°56'21" W | 294.14' |
| E-L15 | S 50°56'21" W | 333.26' |
| E-L16 | N 38°40'56" W | 307.98' |
| E-L17 | N 38°40'56" W | 242.68' |
| E-L18 | N 51°19'04" E | 11.00' |
| E-L19 | N 38°40'56" W | 62.53' |
| E-L20 | N 51°19'04" E | 88.60' |
| E-L21 | S 38°40'56" E | 20.00' |
| E-L22 | S 51°19'04" W | 48.60' |
| E-L23 | S 38°40'56" E | 561.99' |
| E-L24 | N 50°56'21" E | 577.84' |
| E-L25 | N 39°33'35" W | 374.68' |
| E-L26 | N 50°26'25" E | 20.00' |
| E-L27 | S 39°33'35" E | 64.80' |
| E-L28 | S 50°26'25" W | 11.00' |
| E-L29 | S 39°33'35" E | 308.27' |
| E-L30 | S 78°38'07" W | 52.95' |
| E-L31 | N 78°38'07" E | 52.94' |
| E-L32 | N 52°32'30" E | 83.49' |

| EASEMENT CURVE CHART | | | | | | | | | |
|----------------------|----------|------------|--------------|---------------|-------------|-----------|-----------------|-------------------|--------------------|
| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE | TANGENT | DEGREE OF CURVE | RADIAL BEARING-IN | RADIAL BEARING-OUT |
| E-C1 | 53.0000' | 156.9989' | 105.5741' | N 44°48'00" W | 169°43'27" | 589.4429' | 108°06'19" | N 49°56'16" W | S 39°39'43" E |
| E-C2 | 53.0000' | 150.6251' | 104.8128' | N 38°28'41" W | 162°50'01" | 351.1428' | 108°06'19" | N 47°03'41" W | S 29°53'42" E |





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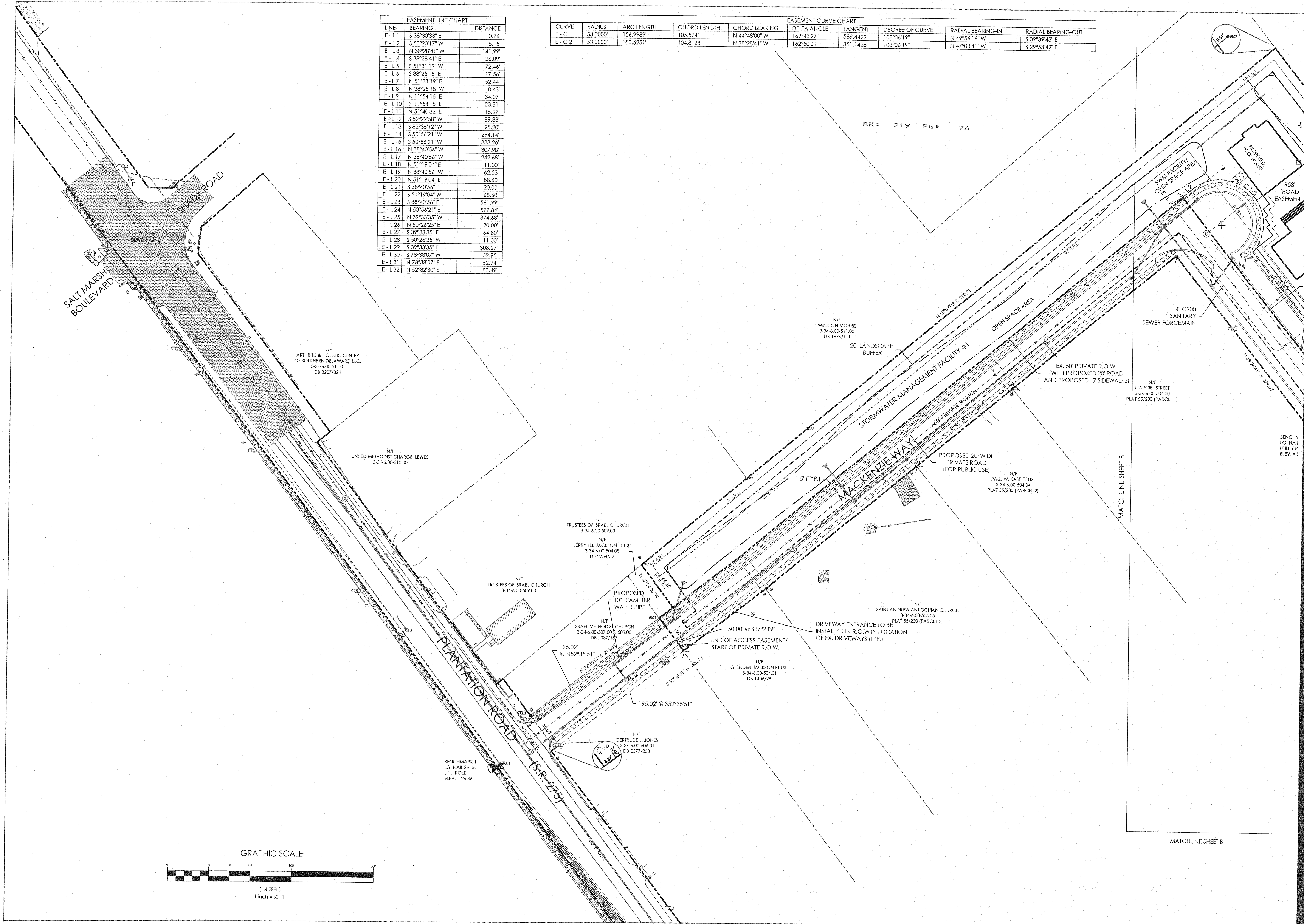
Seal 8/4/15
Date

NO. 1
DATE 7/20/2015
DESCRIPTION PLANNING OFFICE COMMENTS

FINAL SITE PLAN B
for
ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DE
Prepared for: CAMPBELL

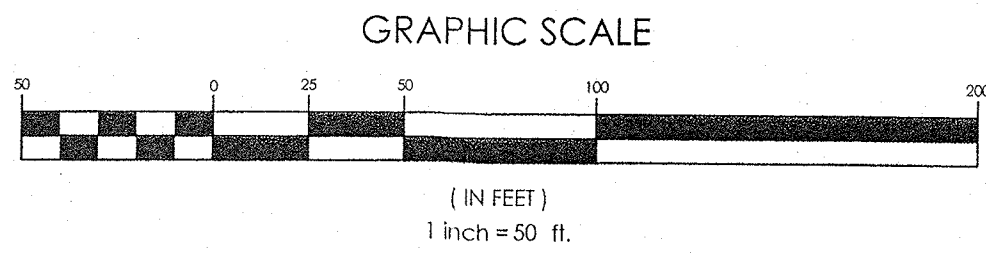
Date: 01-17-2014
Job Number: 13050
Scale: 1" = 50'
Drawn By: JRE
Designed By: JRE
Approved By: JF

Sheet No.: 5
File Name: FINAL SITE PLANS.dwg



| EASEMENT LINE CHART | | |
|---------------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| E-L1 | S 38°30'33" E | 0.76' |
| E-L2 | S 50°20'17" W | 15.15' |
| E-L3 | N 38°28'41" W | 141.99' |
| E-L4 | S 38°28'41" E | 26.09' |
| E-L5 | S 51°31'19" W | 72.46' |
| E-L6 | S 38°25'18" E | 17.56' |
| E-L7 | N 51°31'19" E | 52.44' |
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| E-L9 | N 11°54'15" E | 34.07' |
| E-L10 | N 11°54'15" E | 23.81' |
| E-L11 | N 51°40'32" E | 15.27' |
| E-L12 | S 52°22'58" W | 89.33' |
| E-L13 | S 82°35'12" W | 95.20' |
| E-L14 | S 50°56'21" W | 294.14' |
| E-L15 | S 50°56'21" W | 333.26' |
| E-L16 | N 38°40'56" W | 307.98' |
| E-L17 | N 38°40'56" W | 242.68' |
| E-L18 | N 51°19'04" E | 11.00' |
| E-L19 | N 38°40'56" W | 62.53' |
| E-L20 | N 51°19'04" E | 88.60' |
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| E-L22 | S 51°19'04" W | 68.60' |
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| E-L26 | N 50°26'25" E | 20.00' |
| E-L27 | S 39°33'35" E | 64.80' |
| E-L28 | S 50°26'25" W | 11.00' |
| E-L29 | S 39°33'35" E | 308.27' |
| E-L30 | S 78°38'07" W | 52.95' |
| E-L31 | N 78°38'07" E | 52.94' |
| E-L32 | N 52°32'30" E | 83.49' |

| EASEMENT CURVE CHART | | | | | | | | | |
|----------------------|----------|------------|--------------|---------------|-------------|-----------|-----------------|-------------------|--------------------|
| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE | TANGENT | DEGREE OF CURVE | RADIAL BEARING-IN | RADIAL BEARING-OUT |
| E-C1 | 53.0000' | 156.9989' | 105.5741' | N 44°48'00" W | 169°43'27" | 589.4429' | 108°06'19" | N 49°56'16" W | S 39°39'43" E |
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No. 8287
DELAWARE
PROFESSIONAL ENGINEER

Seal 8/14/15
Date

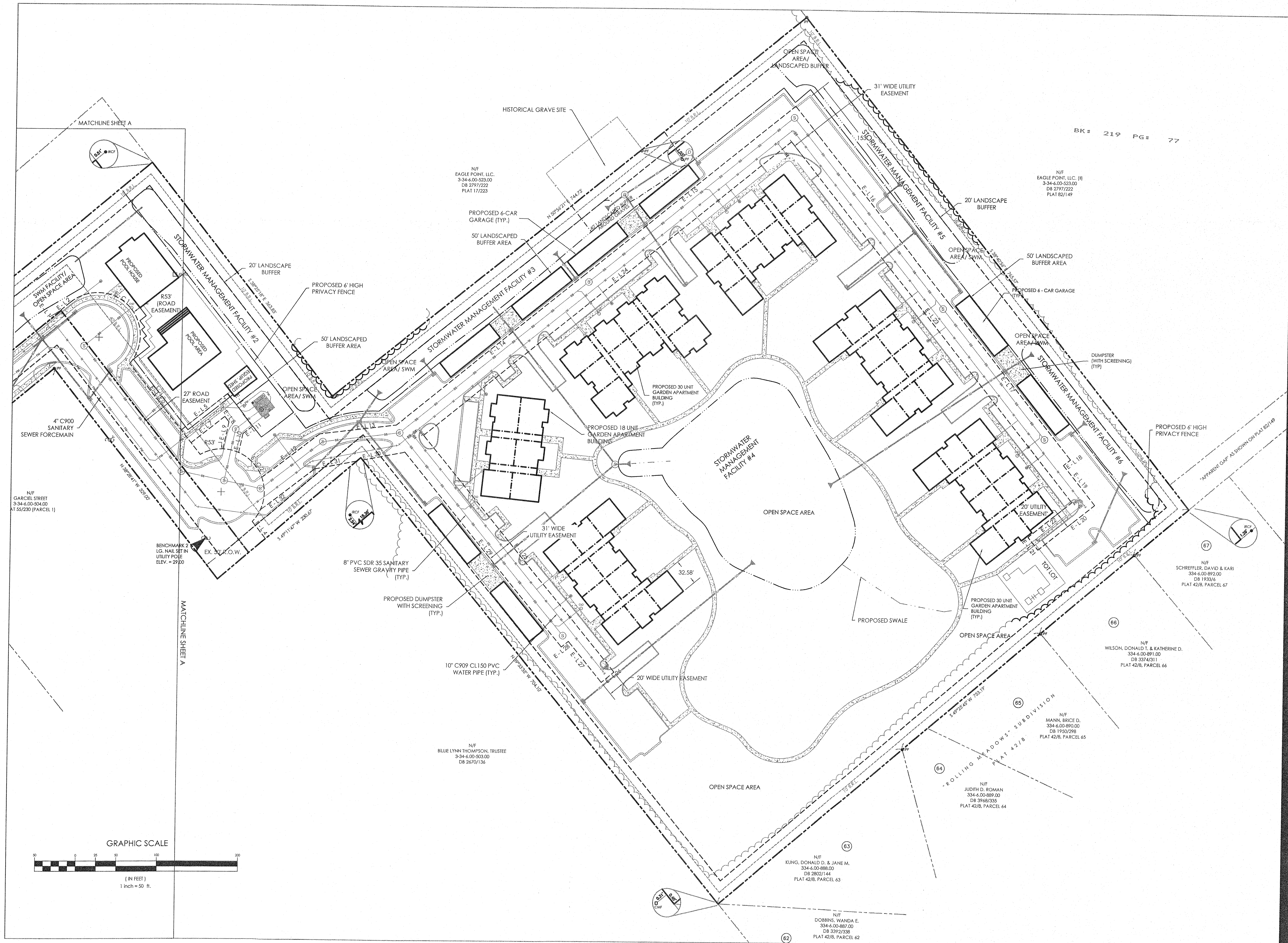
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SITE UTILITY PLAN A
for
ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DE
Prepared for: CAMPBELL

| | |
|--------------|------------|
| Date: | 01-17-2014 |
| Job Number: | 13050 |
| Scale: | 1" = 50' |
| Drawn By: | JRE |
| Designed By: | JRE |
| Approved By: | JP |

Sheet No.: 6

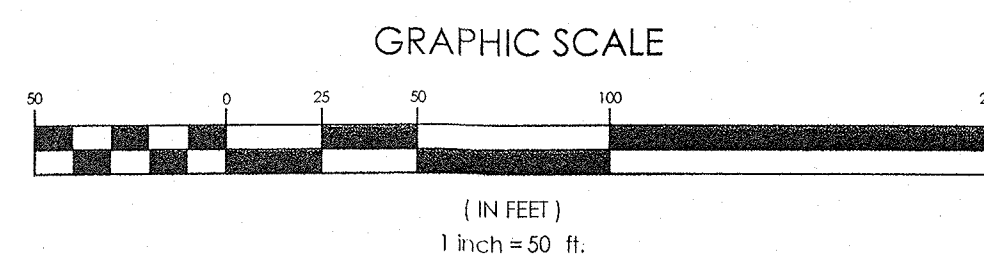
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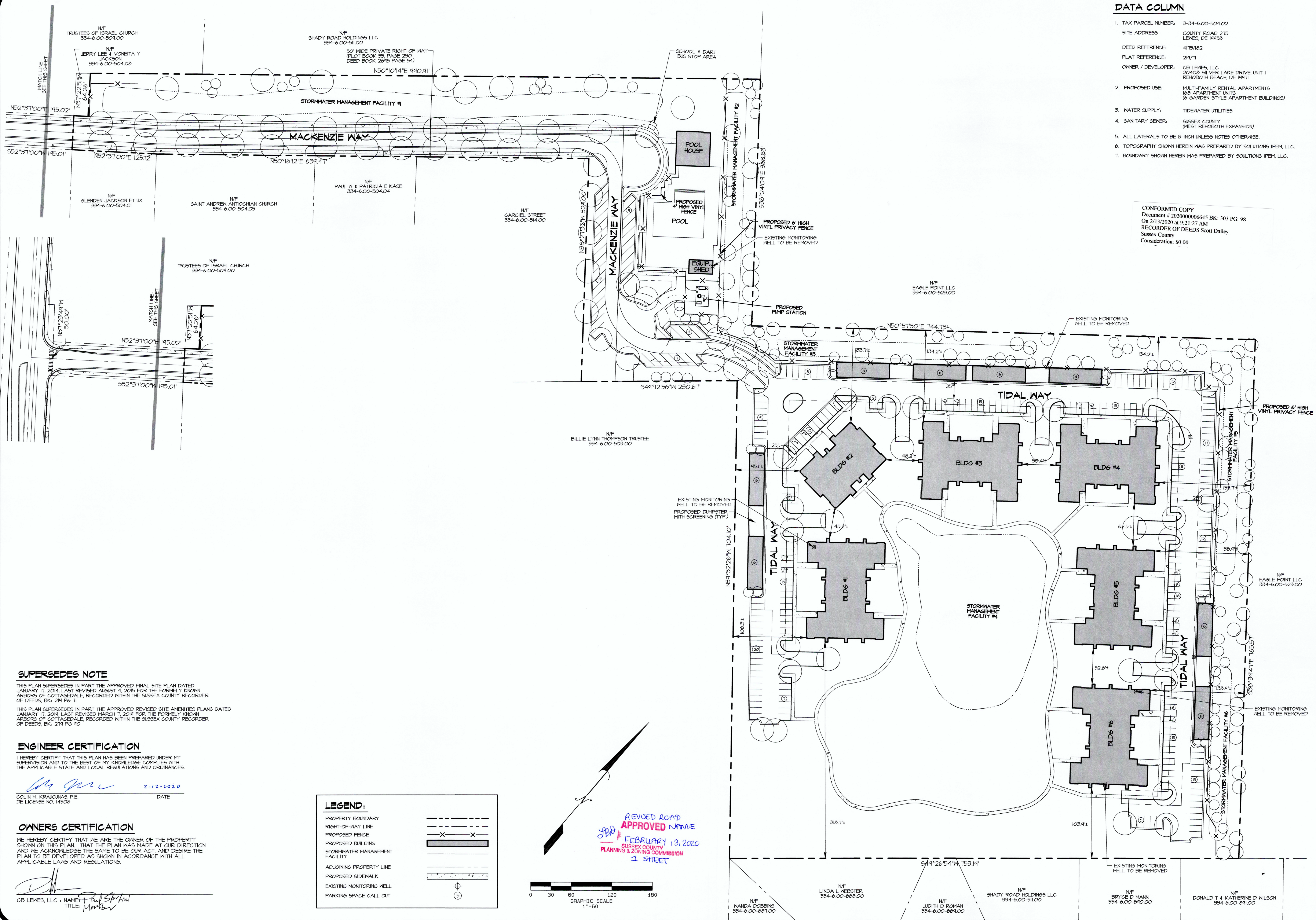
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SITE UTILITY PLAN B
for
ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DE
Prepared for: CAMPBELL

| | |
|--------------|------------|
| Date: | 01-17-2014 |
| Job Number: | 13050 |
| Scale: | 1" = 50' |
| Drawn By: | JRE |
| Designed By: | JRE |
| Approved By: | JF |

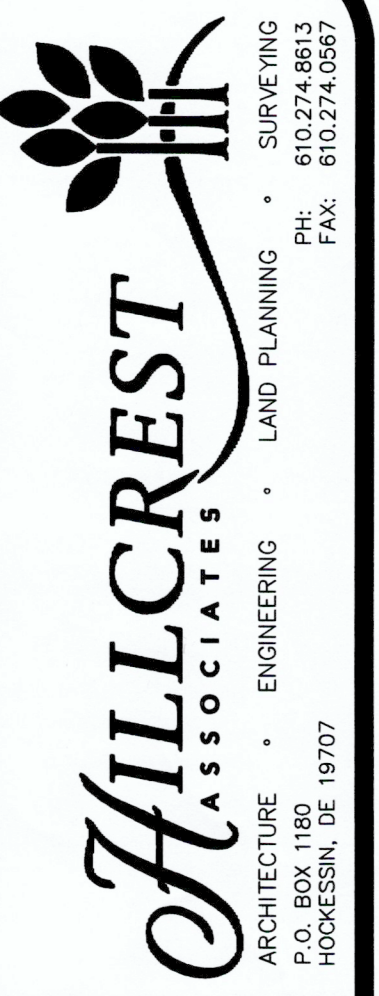


Name: LANDSCAPING PLAN.dwg



- DATA COLUMN**
- TAX PARCEL NUMBER: 3-34-6.00-504.02
 - SITE ADDRESS: COUNTY ROAD 275, LEWES, DE 19550
 - DEED REFERENCE: 4175/102
 - PLAT REFERENCE: 219/71
 - OWNER / DEVELOPER: CB LEWES, LLC, 20408 SILVER LAKE DRIVE, UNIT 1, REHOBOTH BEACH, DE 19411
 - PROPOSED USE: MULTI-FAMILY RENTAL APARTMENTS, 168 APARTMENT UNITS (6 GARDEN-STYLE APARTMENT BUILDINGS)
 - WATER SUPPLY: TIDEWATER UTILITIES
 - SANITARY SEWER: SUSSEX COUNTY (WEST REHOBOTH EXPANSION)
 - ALL LATERALS TO BE 8-INCH UNLESS NOTES OTHERWISE.
 - TOPOGRAPHY SHOWN HEREIN WAS PREPARED BY SOLUTIONS IPEN, LLC.
 - BOUNDARY SHOWN HEREIN WAS PREPARED BY SOLUTIONS IPEN, LLC.

CONFORMED COPY
Document # 202000006645 BK: 303 PG: 98
On 2/13/2020 at 9:21:27 AM
RECORDER OF DEEDS Scott Dailey
Sussex County
Consideration: \$0.00



REVISED ROAD NAME PLAN
COASTAL TIDE N/F ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

SUPERSEDES NOTE
THIS PLAN SUPERSEDES IN PART THE APPROVED FINAL SITE PLAN DATED JANUARY 17, 2014, LAST REVISED AUGUST 4, 2015 FOR THE FORMERLY KNOWN ARBORS OF COTTAGEDALE, RECORDED WITHIN THE SUSSEX COUNTY RECORDER OF DEEDS, BK: 214 PG: 71.
THIS PLAN SUPERSEDES IN PART THE APPROVED REVISED SITE AMENITIES PLANS DATED JANUARY 17, 2014, LAST REVISED MARCH 7, 2019 FOR THE FORMERLY KNOWN ARBORS OF COTTAGEDALE, RECORDED WITHIN THE SUSSEX COUNTY RECORDER OF DEEDS, BK: 274 PG: 40.

ENGINEER CERTIFICATION
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.
Colin M. Krauchunas
COLIN M. KRAUCHUNAS, P.E.
DE LICENSE NO. 14308
DATE: 2-12-2020

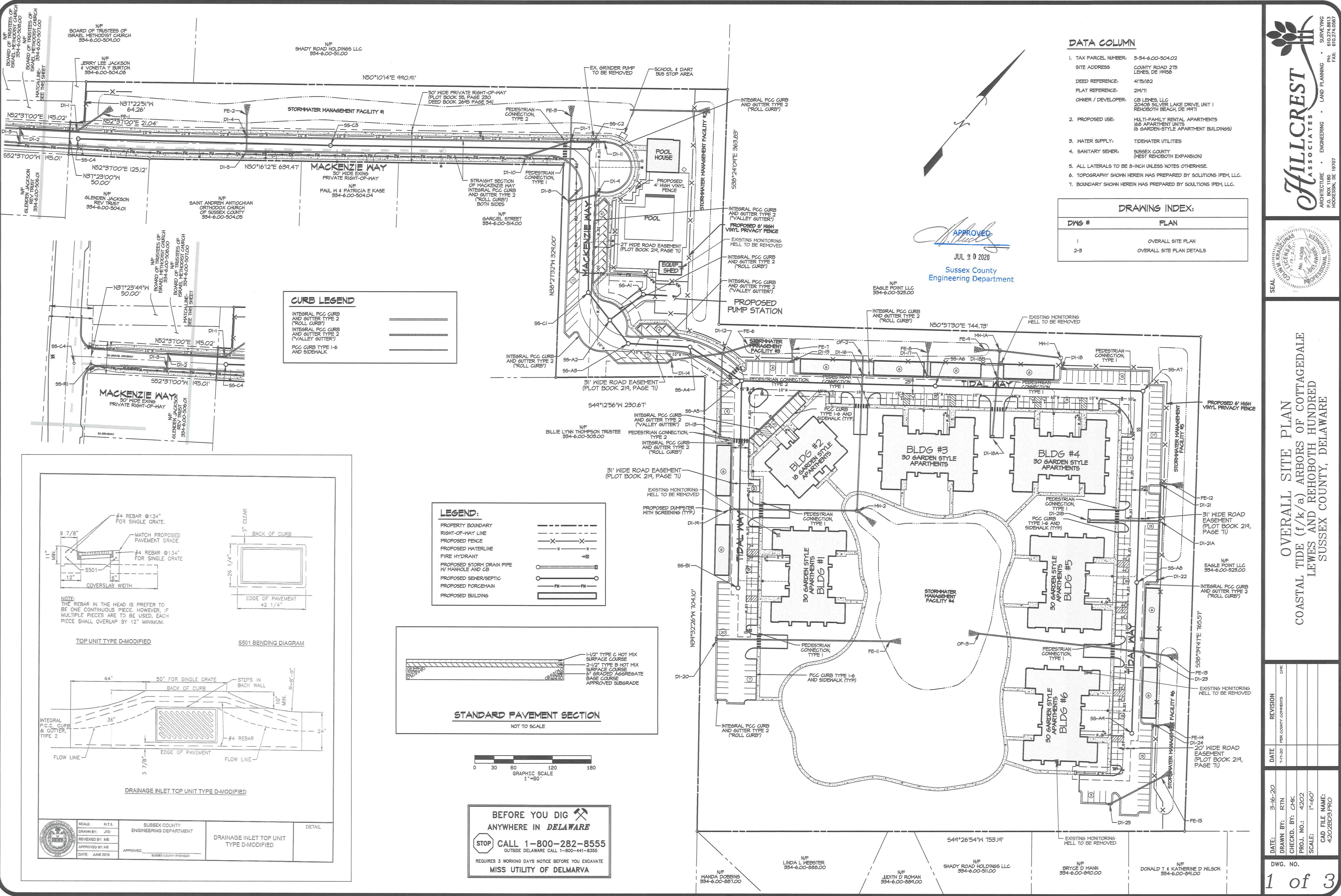
OWNERS CERTIFICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN. THAT THE PLAN WAS MADE AT OUR DIRECTION AND WE ACKNOWLEDGE THE SAME TO BE OUR ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.
Paul Strickland
CB LEWES, LLC : NAME: Paul Strickland
TITLE: Member

LEGEND:

- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- PROPOSED FENCE
- PROPOSED BUILDING
- STORMWATER MANAGEMENT FACILITY
- ADJOINING PROPERTY LINE
- PROPOSED SIDEWALK
- EXISTING MONITORING WELL
- PARKING SPACE CALL OUT

REVISED ROAD
APPROVED NAME
FEBRUARY 13, 2020
SUSSEX COUNTY
PLANNING & ZONING COMMISSION
1 STREET

| DATE: | 1-21-20 | REVISION | |
|----------------|------------------|----------|--|
| DRAWN BY: | TA5 | | |
| CHECKD. BY: | AJH | | |
| PROJ. NO.: | 4202 | | |
| SCALE: | 1"=60' | | |
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| DWG. NO. | 1 | | |



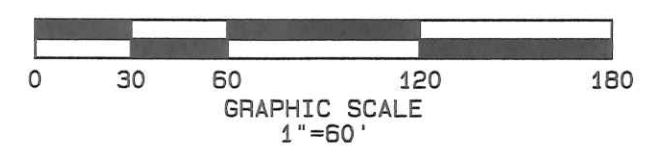
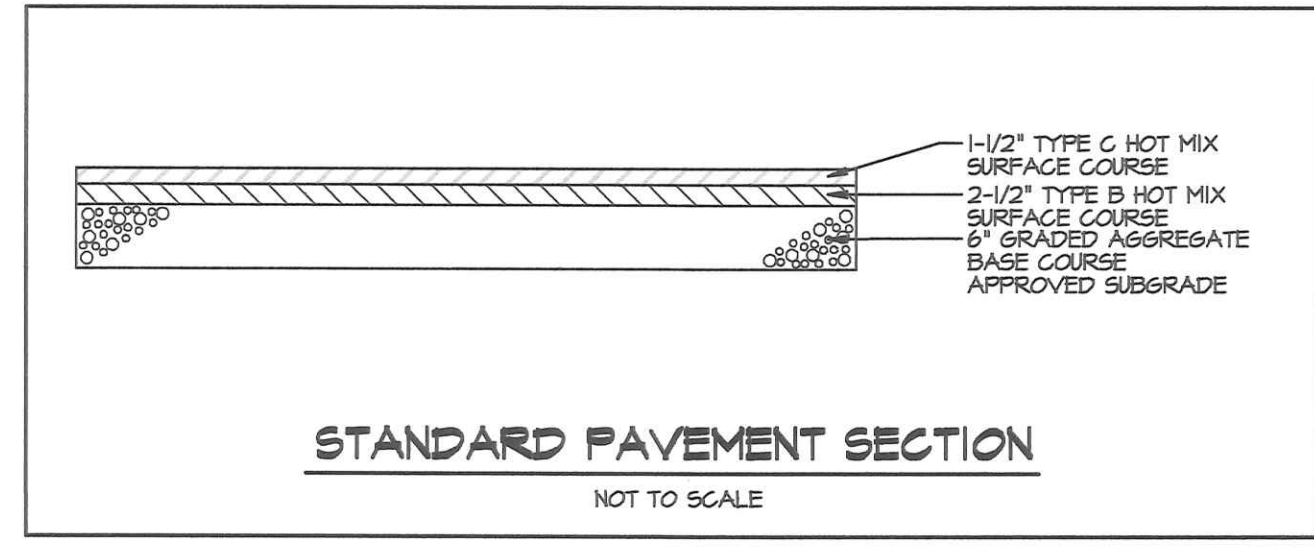
- DATA COLUMN**
- 1. TAX PARCEL NUMBER: 9-34-6.00-504.02
 - SITE ADDRESS: COUNTY ROAD 275 LEWES, DE 19458
 - DEED REFERENCE: 4175/182
 - PLAT REFERENCE: 214/71
 - OWNER / DEVELOPER: CB LEWES, LLC 20409 SILVER LAKE DRIVE, UNIT 1 REHOBOTH BEACH, DE 19451
 - 2. PROPOSED USE: MULTI-FAMILY RENTAL APARTMENTS 168 APARTMENT UNITS (6 GARDEN-STYLE APARTMENT BUILDINGS)
 - 3. WATER SUPPLY: TIDEWATER UTILITIES
 - 4. SANITARY SEWER: SUSSEX COUNTY (WEST REHOBOTH EXPANSION)
 - 5. ALL LATERALS TO BE 6-INCH UNLESS NOTES OTHERWISE.
 - 6. TOPOGRAPHY SHOWN HEREIN WAS PREPARED BY SOLUTIONS IFEM, LLC.
 - 7. BOUNDARY SHOWN HEREIN WAS PREPARED BY SOLUTIONS IFEM, LLC.

| DRAWING INDEX: | |
|----------------|---------------------------|
| DWG # | PLAN |
| 1 | OVERALL SITE PLAN |
| 2-3 | OVERALL SITE PLAN DETAILS |

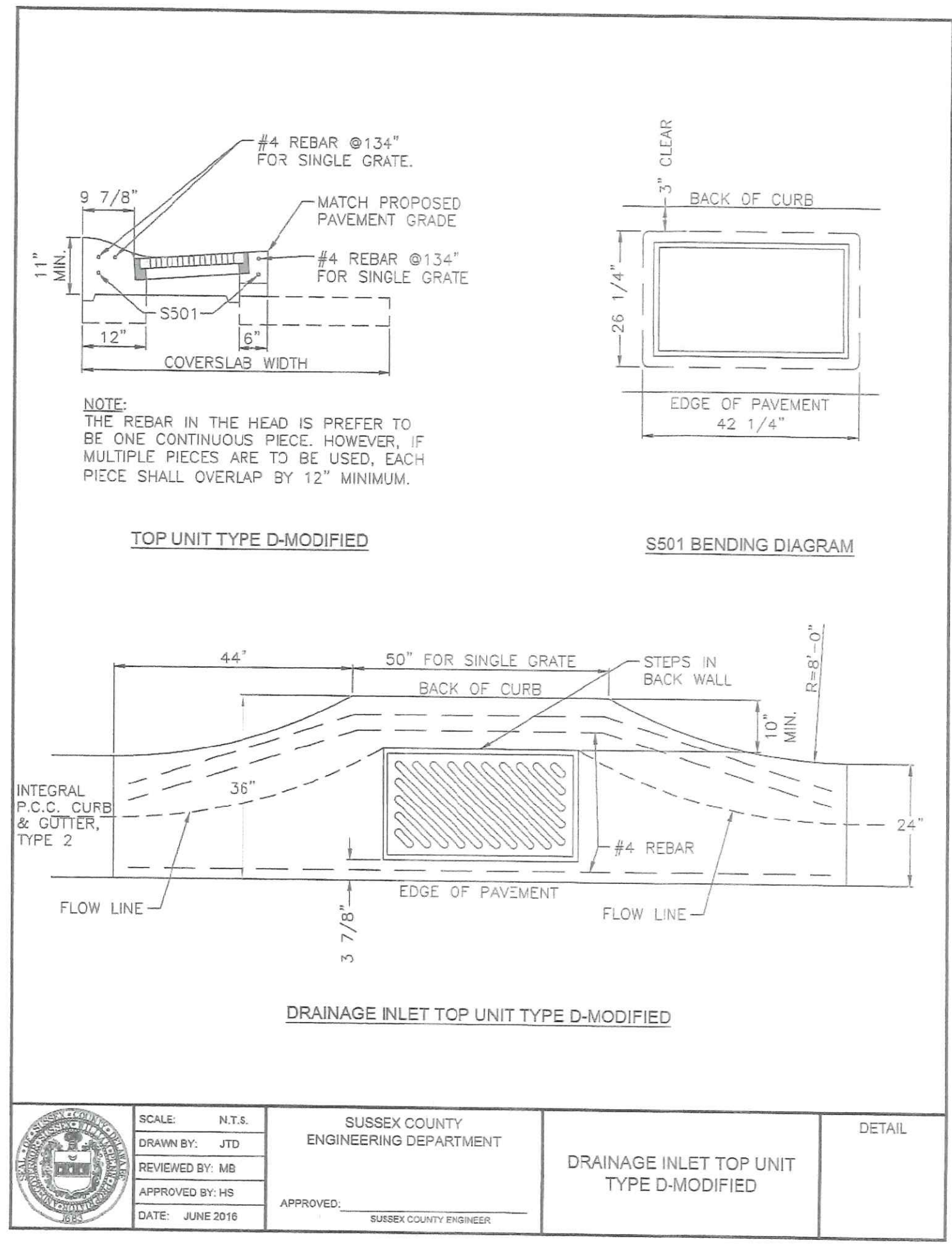
APPROVED
JUL 20 2020
Sussex County
Engineering Department

| CURB LEGEND | |
|---|-------|
| INTEGRAL PCC CURB AND GUTTER TYPE 2 ("ROLL CURB") | ===== |
| INTEGRAL PCC CURB AND GUTTER TYPE 2 ("VALLEY GUTTER") | ===== |
| PCC CURB TYPE 1-6 AND SIDEWALK | ===== |

| LEGEND: | |
|---|-------|
| PROPERTY BOUNDARY | ---- |
| RIGHT-OF-WAY LINE | ----- |
| PROPOSED FENCE | -X-X- |
| PROPOSED WATERLINE | W-W |
| FIRE HYDRANT | + |
| PROPOSED STORM DRAIN PIPE W/ MANHOLE AND CB | ----- |
| PROPOSED SEWER/SEPTIC | ----- |
| PROPOSED FORCEMAIN | ----- |
| PROPOSED BUILDING | ===== |



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OUTSIDE DELAWARE CALL 1-800-441-8355
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SURVEYING
PH: 610.271.8813
FAX: 610.271.0587

ARCHITECTURE
P.O. BOX 1180
HOCKESSIN, DE 19037

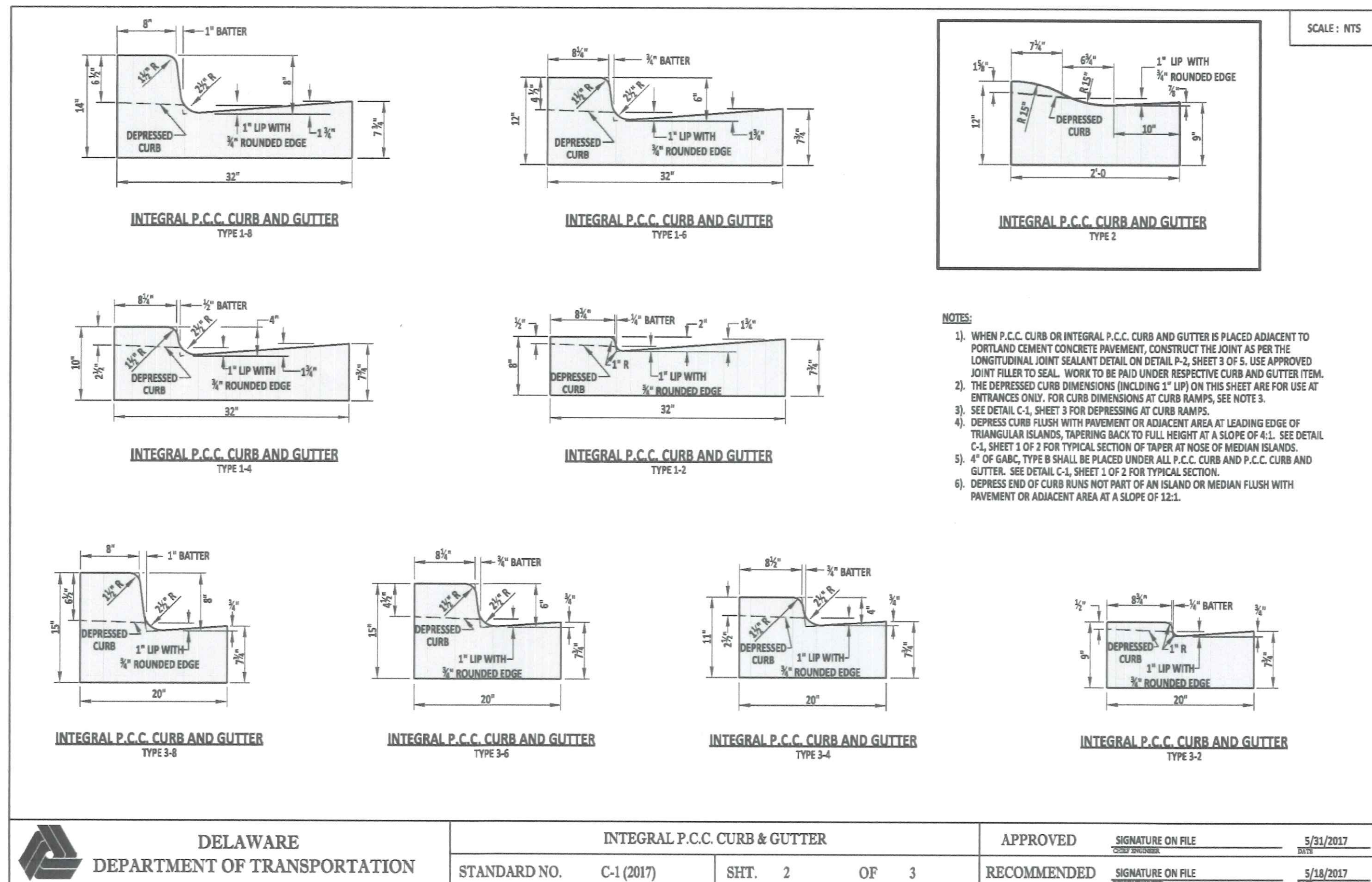
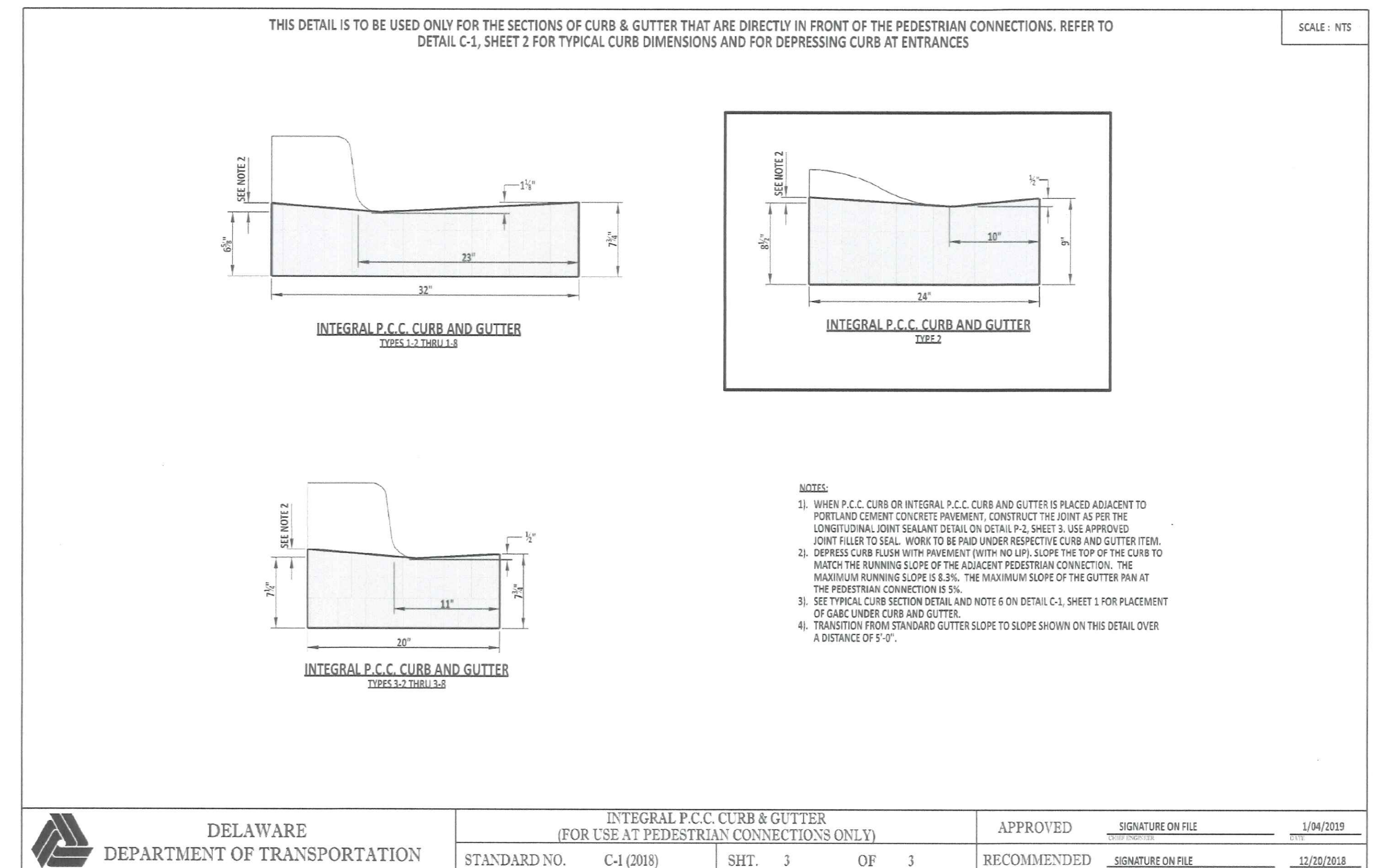
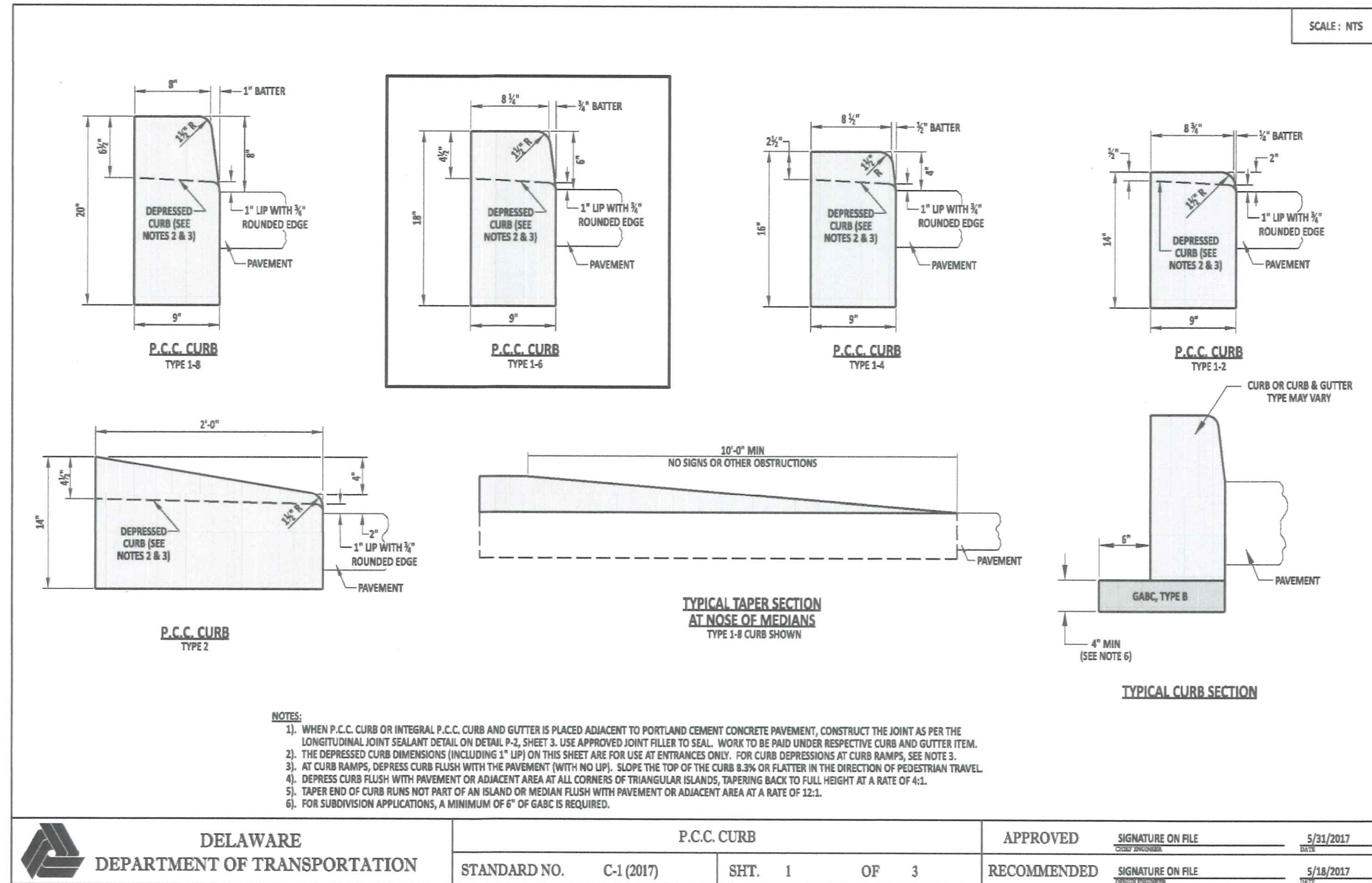
ENGINEERING
LAND PLANNING

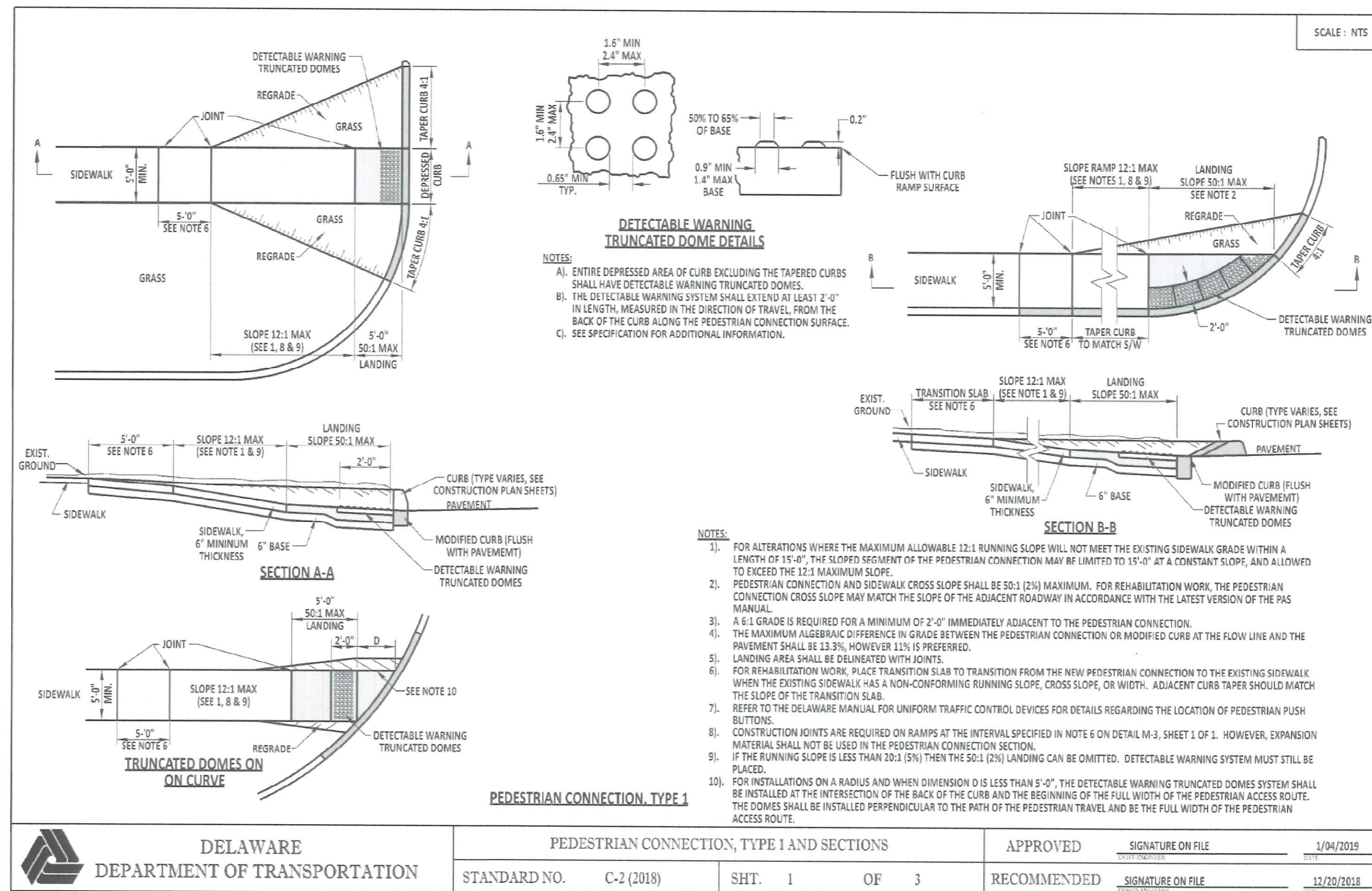
OVERALL SITE PLAN
COASTAL TIDE (f/k/a) ARBORS OF COTTAGEDALE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

| DATE | REVISION | CHK |
|---------|----------------------------|-----|
| 3-16-20 | RTN | |
| 7-17-20 | PER. CANTY. COMMENTS | |
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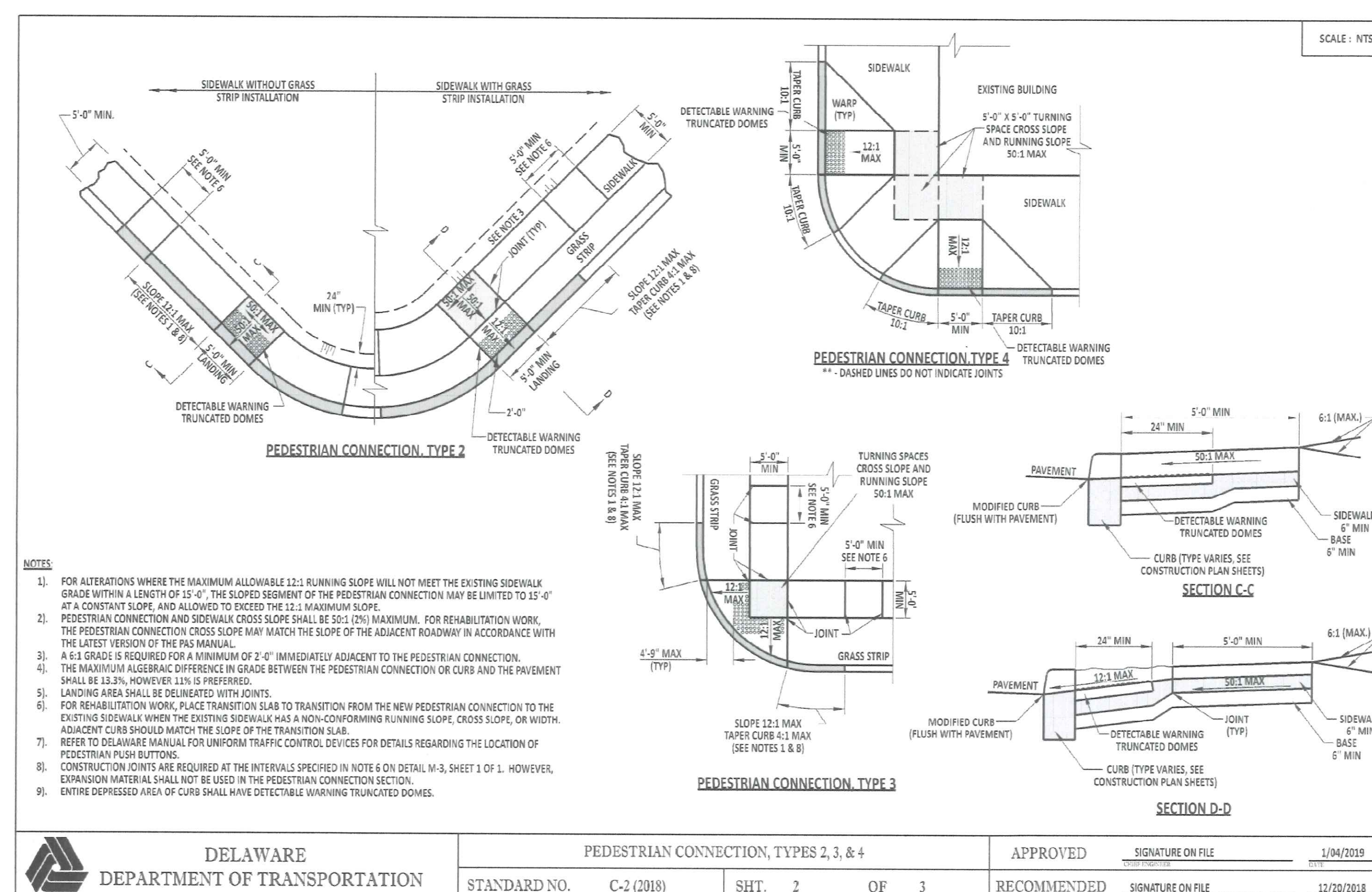
DWG. NO.

1 of 3





1/7/2019



1/7/2019

| DATE: | 3-16-20 | REVISION | DATE |
|----------------|-------------|----------|------|
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| CHECKED BY: | CHK | | |
| PROJ. NO.: | 4202 | | |
| SCALE: | 1"=60' | | |
| CAD FILE NAME: | 4202BD3.PRO | | |

DWG. NO.

Tax Parcel: 3-34 6.00 504.02

PREPARED BY AND RETURN TO

ENVIRONMENTAL PROGRAM ADMINISTRATOR

DNREC-RS

391 Lukens Drive,

New Castle, DE 19720

CERTIFICATION OF COMPLETION OF REMEDY



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
REMEDATION SECTION

391 LUKENS DRIVE
NEW CASTLE, DE 19720

TELEPHONE: (302) 395-2600
FAX: (302) 395-2601

Tax Parcel Number: 34.6.00-504.02

PREPARED BY AND RETURN TO:
Environmental Program Administrator
DNREC-RS
391 Lukens Drive
New Castle DE 19720

CERTIFICATION OF COMPLETION OF REMEDY

IMPORTANT NOTICE: Pursuant to 7 Del. C. § 9108, this Certification of Completion of Remedy ("COCR") includes conditions and/or limitations providing for the performance of additional remedial actions in accordance with the final plan of remedial action.

The Department of Natural Resources and Environmental Control ("DNREC") has reviewed a letter request, dated October 11, 2019, made on behalf of Mid-Atlantic Community Partners, Inc. ("Owner") for a COCR for the Jackson Pit Site (DE-0149), located southwest of the Town of Lewes, Delaware.

The Jackson Pit Site (the "Site") was originally 15.5 acres in size comprised of two tax parcel numbers: 3-34.6.00-504.02 and 34.6.00-504.03. In 2003, DNREC divided the Site into two operable units ("OUs"), OU-1 and OU-2, respectively. OU-1 was approximately 5.05 acres in size. OU-2 was the adjacent parcel to the west of OU-1 and consisted of 10.5 acres..

The current property owner of the Site, CB Lewes, LLC, added two more properties to the Site – tax parcels 3-34-6.00-504.06 and 3-34-6.00-504.07. The additional parcels were each approximately three acres in size. The consolidation of the four tax parcels enlarged the Site to approximately 18.3 acres in size. DNREC certified the Site as a Brownfield in January 2009. Subsequently, the four tax parcels were consolidated into one parcel, described on the tax maps of Sussex County as tax parcel number 3-34.6.00-504.02.

Prior to the 1960s, the Site was reportedly used as a borrow pit from which native material was excavated. Afterward ceasing to be used as a borrow pit, until the early 1980s, the Site was used as a dump for municipal or household waste. In the 1990s, the DNREC Solid and Hazardous Waste Branch permitted the disposal of tree stumps, lumber, and masonry materials on the Site. Subsequently, the Site was graded with sand and gravel. For many years, access to

the Site was unrestricted, and was subject to illegal dumping.

Multiple environmental investigations were conducted on the Site between 1986 and 2014. The most comprehensive evaluation, the Brownfield Investigation (BFI), was initiated in 2010 on behalf of a previous property owner. The BFI concluded in 2014 on behalf of the current property owner, CB Lewes, LLC. The results of the BFI indicated that long-term exposure to the subsurface soil (greater than 2 feet below ground surface) in the vicinity of soil sample location GP-07 could potentially pose an unacceptable risk to future site residents due to the concentration of semi-volatile organic compounds (SVOCs), specifically polycyclic aromatic hydrocarbons (PAHs) detected in the sample. The results of the BFI also led to the conclusion that long-term exposure to the maximum concentrations of the metals, arsenic, cobalt, iron, and manganese detected in on-site groundwater samples could potentially pose an unacceptable risk to construction workers and future site residents. Another result of the Site's past use as a dump is that the buried biodegradable debris has been naturally decomposing below the ground surface generating methane. While methane is a non-toxic gas, provided there is a viable pathway to a virtually enclosed structure, the potential exists for methane to create a fire or explosion hazard if it accumulates to certain levels and is ignited. Methane can also displace oxygen in an enclosed area. As a result, the removal of this buried debris from the Site will eliminate the potential threat posed by methane accumulation.

The BFI conformed to the requirements of the Delaware Hazardous Substance Cleanup Act, 7 Del. C. Chapter 91 ("HSCA"), the Regulations Governing Hazardous Substance Cleanup (the "Regulations") and all applicable guidance established thereunder.

In February 2003, DNREC issued a Final Plan for the OU-1 portion of the Site; however, in August 2003, DNREC issued a Second Amended Final Plan for the Site to address both OU-1 and OU-2. The remedial action requirements consisted of a deed restriction prohibiting the installation of any shallow water wells on, or groundwater usage at, the Site without the prior written approval of DNREC, and the creation of a Groundwater Management Zone (GMZ). The GMZ was created in October 2003 and the restriction to the deed for tax parcel numbers 3-34-6.00-504.02 and 3-34-6.00-504.03 was recorded on October 14, 2003 with the Sussex County Recorder of Deeds, at Deed Book 2896, page 100. After the GMZ was recorded DNREC issued a COCR; however, the COCR was never recorded in the Sussex County Recorder of Deeds office.

On March 27, 2015, DNREC issued the Third Amended Proposed Plan of Remedial Action for the Site based on the BFI, which concluded in 2014, and advertised the public comment period in the News Journal and the Delaware State News from March 29, 2019 through April 20, 2019. Since there were no public comments, DNREC adopted the Third Amended Proposed Plan as the Third Amended Final Plan of Remedial Action for the Site. The Third Amended Final Plan required the following remedial actions to be taken at the Site:

1. A Contaminated Materials Management Plan ("CMMP") must be submitted to DNREC within 90 days of the issuance of the Final Plan of Remedial Action and implemented upon its approval by DNREC. The CMMP will provide guidance to construction workers for the safe handling of any potentially contaminated groundwater at the Site.

DNREC approved the CMMP in September 2015.

2. An Environmental Covenant, consistent with Delaware's Uniform Environmental Covenants Act (7 Del. C. Chapter 79, Subchapter II) must be recorded in the Office of the Recorder of Deeds for Sussex County within 90 days of the issuance of the Third Final Plan of Remedial Action. The Environmental Covenant must include the following activity restrictions:
 - a. Limitation of Groundwater Withdrawal. No groundwater wells shall be installed and no groundwater shall be withdrawn from any well on the Property without the prior written approval of DNREC's Remediation Section and DNREC's Division of Water; and
 - b. Compliance with the Contaminated Materials Management Plan. All work required by the Contaminated Materials Management Plan must be performed to DNREC's satisfaction in accordance with the CMMP.

The Environmental Covenant, as described above, was recorded in the Office of the Recorder of Deeds for Sussex County on July 6, 2015 in Deed Book 4416, Page 160.

3. Subsurface soil in the vicinity of GP-07 must be excavated and properly disposed of at an off-site location. If it is required that off-site material be imported to backfill this excavation, it must meet residential use quality requirements. The excavation of soil must be performed pursuant to the requirements and schedule indicated in the DNREC approved Remedial Action Work Plan ("RAWP"). ***DNREC approved the RAWP in September 2015.***
4. Buried organic debris and biodegradable waste, e.g. tree stumps, paper products, must be excavated from the Site. If off-site material must be imported to backfill any excavations, the imported material must meet residential use quality requirements. This excavation must be performed pursuant to the requirements and schedule indicated in the DNREC approved Remedial Action Work Plan. ***DNREC approved the RAWP in September 2015.***

The conditions and/or limitations contained in this COCR identify portions of the Third Amended Final Plan of Remedial Action ("final plan") "which must continue to be performed, and which provide for the performance of additional remedies in the event that the remedial goals contained in the final plan are not achieved as required by the plan and the HSCA regulations." 7 Del. C. §9108.

If circumstances change or any new information becomes available relating to a prior or future release of a hazardous substance at the Site in excess of applicable risk levels, DNREC reserves the right to require additional remedial actions to be taken in order to protect human health and the environment.

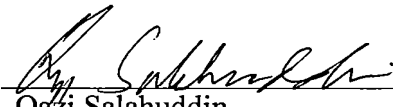
Any person who owns, operates or otherwise controls activities at the Site after the date of issuance of this COCR shall not, by virtue of that later ownership, operation or control, be

liable for any release or imminent threat of release addressed herein. Nor shall such person be liable for any future release or imminent threat of release attributable to conditions existing prior to the issuance of this COCR, provided such person does not interfere with, or permit any interference with, any aspect of the remedy or fail to comply with the requirements of the Third Amended Final Plan of Remedial Action. See 7 Del. C. § 9105(e).

Pursuant to 7 Del. C. § 9115(b), the Owner is required to promptly record this COCR in the Office of the Sussex County Recorder of Deeds.

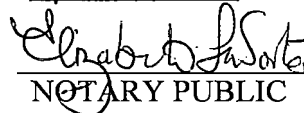
11/8/2019

Date of Issuance



Qazi Salahuddin,
Environmental Program
Administrator
DNREC, Remediation Section

SWORN TO AND SUBSCRIBED before me this 8th day of November, 2019.


NOTARY PUBLIC

Commission Expires
Upon Office.

ELIZABETH M. LASORTE
NOTARY PUBLIC
STATE OF DELAWARE
My commission expires upon office.

Tax Parcel No.: 3-34-6.00-504.02 and 504.09
Prepared By: Parkowski, Guerke & Swayze, P.A.
& Return To: 19354C Miller Road
Rehoboth Beach, DE 19971

COASTAL TIDE, F/K/A ARBORS OF COTTAGEDALE
AGREEMENT & RESTRICTIVE COVENANTS

This Agreement is made and entered into by and between **SUSSEX COUNTY**, hereafter referred to as "County";

-AND-

THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND HOUSING, hereafter referred to as "Department";

-AND-

CB LEWES, LLC, hereafter referred to as "Developer".

WHEREAS, Sussex County Council adopted Chapter 72 of the Code of Sussex County (hereinafter referred to as "Chapter 72"), relating to moderately priced housing units, to establish an affordably priced rental unit program known as the Sussex County Rental Program ("SCRP"); and

WHEREAS, MidAtlantic Development Ventures, LLC, hereafter referred to as "Applicant", entered into an "Agreement to Enter The Sussex County Affordably Priced Rental Unit Program (SCRP)" hereafter referred to as the "Original SCRП Agreement" dated 2009, a copy of which is attached hereto as Exhibit A; and

WHEREAS, Sussex County has previously approved Applicants' plan of a rental housing development that would provide for the development of at least 26 dwelling units on qualifying

land (as defined in Chapter 72) in a development formerly known as the Arbors at Cottagedale Apartments, and now known as "Coastal Tide"; and

WHEREAS, Developer has acquired all right, title and interest in Coastal Tide, and by operation of the Original SCRP Agreement and Chapter 72 is bound by the terms of both; and

WHEREAS, Coastal Tide consists of an 18.08 acre site situated in Lewes and Rehoboth Hundred, Sussex County and is further identified as Sussex County Tax Map and Parcel Numbers 3-34 6.00 504.02 and 504.09 (hereafter referred to as the "Development"). The legal description of the Development is attached hereto and incorporated herein as Exhibit B; and

WHEREAS, Both the original SCRP Agreement and Chapter 72 obligate the Developer to enter into an additional Agreement and to record certain Restrictive Covenants against the Development; and

WHEREAS, County and Developer execute this Agreement in order to comply with the requirements contained in the Original SCRP Agreement and Chapter 72 in order to obligate the Developer to construct the promised rental housing units within the Development in accordance with all of the terms and conditions of Chapter 72.

In consideration of the mutual covenants contained herein, the parties hereto covenant and agree as follows:

1. The parties incorporate by reference all of the terms and conditions of the Original SCRP Agreement (unless modified herein) and Chapter 72 establishing an affordably priced rental housing program.
2. A Final Site Plan for Coastal Tide was approved by the Sussex County Planning and Zoning Commission on August 13, 2015, with subsequent amendments approved in 2019 and

2020. The Final Site Plan is recorded in the Office of the Recorder of Deeds in and for Sussex County at Plot Book 219, Page 71. The Final Site Plan, as may be amended from time to time, is incorporated by reference herein as though fully set forth herein.

3. This Agreement governs the development of the property upon which Coastal Tide shall be developed, as shown on the Final Site Plan of the Development.

4. The Final Site Plan includes five (5) thirty (30) unit apartment buildings and one (1) eighteen (18) unit apartment building with a total of 168 apartments, consisting of a combination of 1, 2 and 3 bedroom units ranging in size from 784 square feet to 1,350 square feet. Within the Development there shall be 142 units set aside as market rate units and 26 units set aside as SCRP units. A schedule listing the proposed number of 1, 2 and 3 bedroom SCRP units at the time of lease-up and the square footage of each by building is attached hereto and incorporated herein as Exhibit C. The County and the Developer recognize that this schedule may be modified during initial lease-up as a result of factors including the family size of prospective eligible tenants at the time of initial lease-up. However, any modifications shall not affect the total number of SCRP units or their overall *pro rata* distribution throughout the entire development based on unit type. Exhibit C shall also include the schedule pursuant to which the units will be constructed, marketed and delivered and which explains the relationship between the delivery of market rate units and the delivery of SCRP units.

5. Like the Original SCRP Agreement, this Agreement applies to the entire Development, including both the market rate and SCRP units. If the Developer fails to build the SCRP units in accordance with the schedule set forth on Exhibit C, the County Administrator will withhold additional Building Permits and/or Certificates of Occupancy and refuse to release performance bonds and letters of credit required of the Developer until such time as the SCRP

units as proposed in the construction schedule are built and contributed to the SCRP rental inventory to the satisfaction of the Department.

6. In the event the Developer transfers all or part of the ownership, possession or control of the Development to a legal entity other than the Developer, the Developer shall be obligated to notify the County and the Department of such transfer and the transferee will be bound by the terms of this Agreement. Partnerships, associations, corporations and other legal entities may not evade the requirements of this Agreement through voluntary dissolution, bankruptcy or the sale or transfer of the project site or the obligation to construct the SCRP units.

7. All SCRP units must be fully integrated into the community as to location and shall not be substantially different in appearance from non-SCRP units. When they are part of a phased development, a proportionate number or percentage of said units shall be placed within each phase and/or constructed within each housing type appearing in the development. The planning and design of individual SCRP units must be consistent with the planning and design of market-rate units within the same project. Aside from the SCRP-specific terms, all leases for the SCRP units must be substantially the same as those for non-SCRP units.

8. SCRP unit rental rates shall be 25% of the household income for 50% of the Area Median Income for Sussex County, adjusted by household size and unit size. All utilities and similar charges shall be paid by the tenant, unless said charges are included in the rent for the non-SCRP units. Every SCRP unit constructed under this Agreement must be offered to all eligible tenants for lease as the eligible tenant's principal or primary residence and such lease agreement shall be for a minimum period of one year, with an option to renew provided that the Tenant is not in default and still qualifies to occupy an SCRP unit.

9. As required by Chapter 72 of the Code of Sussex County, the Developer's additional obligations as they relate to the SCRP units shall be as follows:

(1) The Developer shall abide by the requirements of the Sussex County Fair Housing Policy in its operation of the Development and its rental of both market-rate and SCRP units within the Development. A copy of the Sussex County Fair Housing Policy is attached hereto as Exhibit D.

(2) The Developer shall provide a copy of its form Lease Agreement for all SCRP units to the Department for review and approval. Any amendments to this Lease Agreement form shall be subject to the review and approval of the Department. No SCRP units shall be leased unless, and until, the Lease Agreement (or any modifications thereto) have been reviewed and approved by the Department.

(3) The Developer shall screen all eligible tenants in order from the randomized list of prequalified potential SCRP tenants generated by the County in accordance with Paragraph 10(3) below.

(4) The Initial Lease Agreement with any Tenant, or any Renewal Lease Agreement with any Tenant shall be provided to the Department within thirty (30) days of the Lease or a Renewal Lease being signed.

(5) The Developer shall provide the Department with regular information about SCRP Unit Availability for the Department's and County's website and advertise within sources including, but not limited to: DelawareHousingSearch.org. In addition, the Developer should affirmatively market the SCRP units to diverse populations.

(6) The Developer shall not refuse to rent to an eligible tenant without providing the Department with a written explanation of just cause for the refusal.

(7) A Certificate of Eligibility shall be issued to prospective tenants who qualify under the terms of this Agreement and Chapter. A copy of this Certificate of Eligibility shall be provided to the Department.

(8) The Developer shall ensure that the SCRP units are only occupied by tenants whose monthly income levels do not exceed the eligible income limit, as defined herein or in Chapter 72. Tenants shall not be permitted to sublet any SCRP unit.

(9) The Developer shall provide an Annual Report to the Department, which shall include (but is not limited to) the following:

- (a) A listing of all SCRP units, by bedroom count, within the Development during the prior year.
- (b) The monthly rents charged for each SCRP unit within the project during the prior year.
- (c) SCRP Unit Vacancy rates and any relevant supporting information for the Development during the prior year.
- (d) The tenant's name, household size and monthly income for SCRP Tenants in the Development during the prior year.
- (e) A statement that to the best of the Developer's information and knowledge, the tenants who are leasing the SCRP units meet the eligibility requirements.

(f) A copy of each new or revised Annual Income Recertification and Recertification of Primary Residence received since the last annual report.

(10) The Department shall be notified by the Developer of the filing of pleadings in Justice of the Peace Court for collection of rent or eviction of a tenant of an SCRP

Unit. This notice shall be provided to the Department within three (3) business days of the filing of the pleadings in Justice of the Peace Court.

10. As required by Chapter 72, the County's additional obligations as they relate to the SCRP units shall be as follows:

(1) The County shall continue to abide by the requirements of the Sussex County Fair Housing Policy in its coordination with the Developer about this Development. A copy of the Sussex County Fair Housing Policy is attached hereto as Exhibit D.

(2) The Department shall annually provide updated income guidelines (as determined by HUD's annual update to the Area Median Income Limits For Sussex County, which take into account inflation) and rent formulas to the Developer for use in leasing the SCRP Units.

(3) The County shall develop a dedicated page within its official website (sussexcountyde.gov) that will create a lottery for all potential SCRP tenants. A software program will generate a randomized list of prequalified potential tenants.

11. As required by Chapter 72, the Tenant's additional obligations as they relate to the SCRP units shall be as follows:

(1) All prospective Tenants shall provide proof of citizenship.

(2) All prospective Tenants shall provide proof income eligibility pursuant to this Agreement and Chapter 72 to the Developer.

(3) All prospective Tenants shall provide proof of employment and residence in Sussex County of at least 1 year prior to the application to the Developer.

(4) All prospective Tenants shall provide proof of no felony convictions (provided that this is a requirement of all Tenants in the Development) to the Developer and/or the Department.

(5) All prospective Tenants shall provide proof that the unit will be the Tenant's primary residence to the Developer. This obligation shall continue as an annual requirement for all SCRP tenants and shall be a requirement of the lease.

12. The parties agree that in accordance with §72-28.D of Chapter 72, the Department is authorized to pursue any available remedy, legal or equitable in nature, to enforce the requirements of Chapter 72 and this Agreement and/or to prevent or abate a violation of Chapter 72 and/or this Agreement. Further, the Department may take legal action to stop or cancel any lease of a SCRP unit if the Tenant does not comply with all requirements of the program and may recover any funds improperly obtained from the rental of a SCRP unit in violation of Chapter 72 in this Agreement.

13. In the event of litigation brought by the County, the Department or the Developer to enforce the terms and conditions of Chapter 72 and/or of this Agreement, the prevailing party shall be entitled to an award of legal costs and fees incurred in that litigation.

14. This Agreement is binding upon the parties, their heirs, successors and assigns.

15. If any portion of this Agreement is held to be invalid, the remaining portions shall survive and remain in full force and effect.

16. Any litigation which may be brought relating to this Agreement shall occur within the State of Delaware and in a Court located in Sussex County, Delaware.

17. This Agreement shall be recorded in the Office of the Recorder of Deeds in and for Sussex County as a Restrictive Covenant that shall run with and bind the land upon which the

Development is situated. In furtherance thereof, this Agreement, as a Restrictive Covenant, shall be binding upon the Developer, any assignees, mortgagees, purchasers (including buyers of individual units) and all other parties that shall receive title to the Development. In the event any mortgagee acquires the Property through foreclosure or acceptance of a deed-in-lieu of foreclosure, the terms of this Agreement as a Restrictive Covenant shall continue in full force and effect and remain binding upon the Development. This Agreement as a Restrictive Covenant shall be senior to all mortgages, liens or other instruments securing debts or financing and as necessary, Developer shall obtain and provide County with Subordination Agreements confirming this obligation.

18. The Developer acknowledges that its principal officers are required to execute this Agreement both individually and on behalf of the entity pursuant to a duly adopted resolution of the entity and that such resolution has been adopted.

19. The Developer, the Department, and the Developer's Rental Agent/Property Manager shall execute a Memorandum of Understanding setting forth the internal procedures for implementing the requirements of this Agreement.

20. This Agreement shall remain in effect for a period of thirty (30) years from the date the first SCRP unit lease agreement is executed by an eligible tenant.

IN WITNESS WHEREOF, the parties have set their hands and seals on the respective dates
as set forth below.


SUSSEX COUNTY

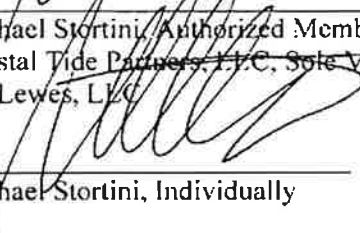
By:  (SEAL)
Michael Vincent, President

**DEPARTMENT OF COMMUNITY
DEVELOPMENT AND HOUSING**

By:  (SEAL)
Brad Whaley, Director

CB LEWES, LLC

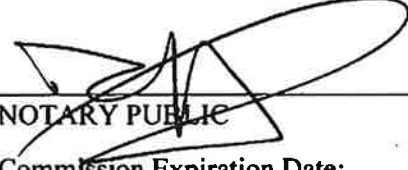
By:  (SEAL)
Michael Stortini, Authorized Member of
Coastal Tide Partners, LLC, Sole Member of
CB Lewes, LLC

By:  (SEAL)
Michael Stortini, Individually

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 2nd day of Feb., A.D. 2020, personally appeared before me, a Notary Public for the State and County aforesaid, **MICHAEL VINCENT**, President of Sussex County, party to this Agreement and Restrictive Covenants, the said undersigned being known to me personally to be such, and he did acknowledge this Indenture to be his act and deed and the act and deed of Sussex County; and that the signature of said President is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of Sussex County.

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




NOTARY PUBLIC
Commission Expiration Date: _____

ROBIN A. GRIFFITH
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires on May 6, 2021

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 2nd day of Feb., A.D. 2020, personally appeared before me, a Notary Public for the State and County aforesaid, **BRAD WHALEY**, Director of Department of Community Development and Housing, party to this Agreement and Restrictive Covenants, the said undersigned being known to me personally to be such, and he did acknowledge this Indenture to be his act and deed and the act and deed of Department of Community Development and Housing; and that the signature of said Director is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of Department of Community Development and Housing.

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



NOTARY PUBLIC
Commission Expiration Date: _____

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :
NEWCASTLE

BE IT REMEMBERED, that on this 14th day of DECEMBER, A.D. 2020, personally appeared before me, a Notary Public for the State and County aforesaid, **Michael Stortini**, Authorized Member of Coastal Tide Partners, LLC, sole member of CB Lewes, LLC, both being Delaware limited liability corporations, party to this Agreement and Restrictive Covenants, the said undersigned being known to me personally to be such, and he did acknowledge this Indenture to be his act and deed and the act and deed of CB Lewes, LLC; and that the signature of said Managing Member is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of CB Lewes, LLC.

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


NOTARY PUBLIC

Commission Expiration Date



STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :
NEWCASTLE

BE IT REMEMBERED, that on this 14th day of DECEMBER, A.D. 2020, personally appeared before me, a Notary Public for the State and County aforesaid, **Michael Stortini**, individually, party to this Agreement and Restrictive Covenants, the said undersigned being known to me personally to be such, and he did acknowledge this Indenture to be his act and deed.

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


NOTARY PUBLIC

Commission Expiration Date



**MEMORANDUM OF UNDERSTANDING
REGARDING IMPLEMENTATION AND COORDINATION
OF
SUSSEX COUNTY RENTAL PROGRAM
AT
COASTAL TIDE APARTMENT COMMUNITY**

This Memorandum of Understanding, or MOU, is agreed upon between Sussex County and its Department of Community Development and Housing (the “Department”) and CB Lewes, LLC, the developer of an apartment community known as Coastal Tide (the “Developer”).

Coastal Tide is a development located on Sussex County Tax Map and Parcel Numbers 3-34-6.00-504.02 and 504.09 (the “Development”). The Development was approved under Chapter 72 of the Code of Sussex County, known as the “Sussex County Rental Program” or “SCRIP”, and it contains 26 SCRIP Units.

Sussex County, the Department and the Developer have entered into an Agreement dated _____, _____, known as the “Coastal Tide, F/K/A Arbors of Cottagedale Agreement & Restrictive Covenants” (the “Agreement”). That Agreement identifies the legal requirements of the County, the Developer and the Department regarding the Development and the SCRIP units.

This MOU is intended to memorialize the day-to-day coordination between the Department and the Developer, and more particularly the Developer’s property

manager or rental agent (the “Agent”), as to the promotion of the SCRP units, the approval of SCRP tenants and other similar types of coordination.

This MOU is further intended to supplement, but not replace, any of the requirements of the Agreement. To the extent there are inconsistencies between this MOU and the Agreement, the Agreement shall govern.

In light of the foregoing, the parties hereto agree as follows:

1. The Developer’s property manager or rental agent is: Your Place Property Management LLC(the “Agent”). This MOU is binding upon the Developer and the Developer’s Agent.
2. The Agent and the Department shall coordinate the initial promotion of the SCRP units as each of the buildings in the Development are constructed and completed. This shall include promotion of the SCRP units within the development on the DelawareHousingSearch.org website. The Agent shall also distribute promotional materials to local employers, school districts, social service agencies and similar organizations so as to affirmatively market the SCRP units. The Agent shall maintain records of such marketing efforts, to be provided to the Department on an annual basis.
3. All potential SCRP tenants shall be directed to a dedicated page developed by the Department and Sussex County within Sussex County’s official website

(sussexcountyde.gov) to be placed in a lottery to determine potential tenants for prequalification. The Department and the Agent shall determine pre-screening, or pre-qualification criteria that must be supplied by all potential SCRP tenants. There shall be a deadline for submission to the lottery by prospective tenants that will provide sufficient time in advance of the completion of the Development for the Agent to review and approve prospective SCRP tenants in accordance with the Agreement and this MOU.

4. Once the lottery deadline passes, a software program will generate a randomized list of prequalified potential tenants. The Agent shall select prequalified potential tenants in order from the randomized list for further qualification in accordance with the Agreement. This shall be a random selection, provided that the Department and the Agent shall endeavor to equally distribute SCRP tenants requiring 1-, 2- and 3-bedroom units throughout each new building based upon household size.
5. There shall not be any fees charged to a potential SCRP tenant to join the lottery list described herein or to be prequalified. After a potential SCRP tenant satisfies the prequalification criteria, the initial application fees shall be \$35.00 for the first SCRP unit applicant and \$15.00 for each subsequent applicant to simultaneously occupy the same SCRP unit. These application

fees shall be paid to the Agent. They shall not be revised without the prior written approval of the County.

6. The Agent shall complete the final qualification of a potential SCRP tenant.

The Agent shall maintain a working, current spreadsheet or similar document that shall indicate whether each prequalified SCRP tenant was approved or denied. This spreadsheet shall be available at all times to the Department through a document sharing program such as google docs. The Agent shall not refuse to rent an SCRP unit to a qualified and eligible SCRP tenant without providing the Department with a written explanation of just cause for the refusal.

7. The Agent shall have the ability to determine the amount of the security deposit to be collected from each SCRP tenant. Provided, however, that in no event shall the Agent or the Developer collect more than one-months' SCRP rental amount as a security deposit.

8. The Agent shall provide the Department with copies of all executed SCRP leases, including any renewal leases (including Annual Income Recertification and a Recertification of Primary Residence) within thirty (30) days of the lease being signed by all parties.

9. The process outlined in Paragraphs 1 through 4 herein shall repeat as each new apartment building within the Development is under construction on an as-needed basis to maintain a sufficient list of potential tenants.
10. Once the list of potential SCRP tenants created through the initial lottery process is exhausted, the Department and the Agent shall renew the lottery process outlined in the preceding paragraphs to solicit and create a new list of potential SCRP tenants. The Department and the Agent shall continue to promote the SCRP units as set forth in Paragraph 2 herein, as needed, to ensure that all SCRP units are leased to qualified SCRP tenants, with all inquiries directed to Sussex County's official website (sussexcountysde.gov).
11. The Agreement identifies 1- 2- and 3- bedroom units within the Development, and the rental rates are determined based on the number of bedrooms as set forth in the Agreement. The parties recognize that while each type of unit will include the same number and type of rooms and fixtures, there may be minor variations in the layout and/or square footage of each type of unit based on the architectural requirements of the apartment buildings. These minor differences shall not affect the rent, and all 1-, 2- and 3- bedroom units shall have the same SCRP rental rate per type of unit, regardless of these minor differences in layout and/or size.

12. The Agent shall update and share with the Department a document identifying each SCRP unit by unit type and location in each building. The Department and the Agent agree that this is an internal working document, and while subject to the Delaware Freedom of Information Act, it shall not be unilaterally published or disclosed by the Department to any third party.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the respective dates as set forth below.

**THE SUSSEX COUNTY
DEPARTMENT OF
COMMUNITY DEVELOPMENT
AND HOUSING**

By: 
Brad Whaley, Director

CB LEWIS, LLC

By: 
_____, Managing Member

(AGENT) _____

By: _____

RECEIVED

EXHIBIT A

SEP 22 2009

Tax Parcel No. 3-34 6.00 504.2, 3-34 6.00 504.3,
3-34 6.00 504.6, 3-34 6.00 504.7

PLANNING & ZONING
COMM. OF SUSSEX COUNTY

Prepared By: Moore & Rutt, P.A.
122 West Market Street
Georgetown, DE 19947

Return to: Sussex County Council
2 The Circle
Georgetown, DE 19947

**AGREEMENT TO ENTER THE SUSSEX COUNTY AFFORDABLY PRICED
RENTAL UNIT (SCRP) PROGRAM**

This Agreement is made and entered into by and between SUSSEX COUNTY,
hereafter referred to as "County";

- AND -

THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND HOUSING, hereafter
referred to as "Department";

- AND -

MID ATLANTIC DEVELOPMENT VENTURES, LLC, hereafter referred to as "Applicant".

WHEREAS, Council adopted Chapter 62 of the Code of Sussex County, relating to
moderately priced housing units, to establish an affordably priced rental unit program
known as the Sussex County Rental Program ("SCRP") and/or as the "Ordinance"; and

WHEREAS, Applicant has submitted to the County a plan of rental housing
development that would provide for the development of at least 25 dwelling units on
qualifying land (as defined in the Ordinance) in a subdivision known as the Arbors at
Cottagedale Apartments; and

WHEREAS, applicant desires to participate in the SCRCP and utilize requests to any
incentives provided for therein; and

WHEREAS, County and Applicant execute this Agreement in order to comply with the requirements contained in § 72-23 of the Ordinance requiring an Applicant to execute a SCRP Agreement in order to obligate the Applicant to construct the promised rental housing units in accordance with all of the terms and conditions of the Ordinance.

In consideration of the mutual covenants contained herein and any benefits that may accrue to the Applicant as a result of being approved for participation in the program, the parties hereto covenant and agree as follows:

1. The Applicant agrees to construct a minimum of 25 SCRP units within the project to be located on 18.33 acres located on the east side of Plantation Road, 760 feet south of the intersection with Shady Road in Sussex County, Delaware.

2. If a preliminary or final site plan has not been approved when this Agreement is executed, this Agreement will be hereafter amended to incorporate the approved preliminary and final site plans.

3. If Applicant is approved and receives a density bonus of up to 20% as allowed by the SCRP Ordinance, it proposes to develop a total of nine 24 unit apartment buildings with a total of 216 apartments, consisting of a combination of 1, 2 and 3 bedroom units ranging in size from 750 square feet to 1,100 square feet with 184 of those units being proposed as market rate units and 32 being proposed as SCRP units.

4. The schedule pursuant to which the units will be constructed, marketed and delivered and which explains the relationship between the delivery of market rate units and the delivery of SCRP units and defines the relationship and frequency of the construction of SCRP units in relation to that of market rate units is attached as Exhibit A hereto and incorporated herein by reference.

5. Any economic risks created by changes, whether within or outside of the Applicant's control, in development and/or construction costs, interest rates, processing and construction schedules, permits and any other factors that may impact the Applicant's costs and development obligations will be borne solely by the Applicant and not by the County.

6. This Agreement applies to the entire subdivision, including both the market rate and SCRP units. If the Applicant fails to build the SCRP units in accordance with the construction schedule set forth on Exhibit A, the County Administrator will withhold building permits and refuse to release performance bonds and letters of credit required of the Applicant until such time as all of the SCRP units proposed in the construction schedule are built and contributed to the SCRP rental inventory to the satisfaction of the Department.

7. In the event the Applicant transfers ownership, possession or control of the project site to a legal entity other than the Applicant, the Applicant shall be obligated to notify the County and the Department of such transfer and the transferee will be required to become an additional party to this Agreement through amendment or, in the sole discretion of the County and Department, to execute a separate SCRP Agreement. Partnerships, associations, corporations and other legal entities may not evade the requirements of this Agreement through voluntary dissolution, bankruptcy or the sale or transfer of the project site or the obligation to construct the SCRP units. Further, this Agreement may only be assigned with the prior written approval of the Department and only if the proposed assignee demonstrates the financial ability to fulfill and agrees to accept all of the Applicant's obligations under this Agreement and the Ordinance. If the Applicant is not also the builder, the relationship between the Applicant and builder shall

be fully disclosed to the Department's satisfaction, prior to the relationship being legally established.

8. Applicant is solely responsible for marketing and leasing 'SCRIP units, although the Department agrees to screen eligible tenants and issue a certificate of eligibility to such tenants who qualify. Upon availability of a vacant SCRIP unit, the eligible tenant will be referred to the landlord to sign a lease agreement, which shall not be signed unless tenant has received a certificate of eligibility from the Department. A landlord shall not be permitted to refuse to rent to an eligible tenant without providing the Department with an explanation of just cause for the refusal, to the satisfaction of the Department. SCRIP units will only be occupied by tenants whose monthly income levels do not exceed the eligible income limit, as defined in the Ordinance and shall prohibit tenants from subletting or leasing SCRIP units. The Applicant shall submit an annual report to the director, which includes, but is not limited to, a listing of all affordable rental units within the project; the monthly rents charged; vacancy information for the prior years; the household size and monthly income for tenants for each affordable rental unit throughout the prior year. The Department shall audit the report and may require such additional information as needed to allow it to evaluate and approve the annual report.

9. All SCRIP units must be fully integrated into the community as to location and shall not be substantially different in appearance from non-SCRIP units. When they are part of a phased development, a proportionate number or percentage of said units shall be placed within each phase and/or constructed within each housing type appearing in the development. The planning and design of individual SCRIP units must be consistent with the planning and design of market-rate units within the same project.

10. A tenant of a SCRP unit must vacate the unit if the tenant's household income exceeds 80% of the area median income by 20%. The Applicant agrees to take such action as is necessary at its expense, including the prosecution of legal action, to require such a tenant to vacate the SCRP unit within 6 months of the date the Applicant receives information that the tenant's household income exceeds the eligible income limits.

11. SCRP unit rental rates shall be 25% of the total gross monthly income of the household and shall include trash services, parking, water and sewer utilities and any other charges to be paid by the tenant. Every SCRP unit constructed under this Agreement must be offered to all eligible tenants for lease as the eligible tenant's principal or primary residence and such lease agreement shall be for a minimum period of one year.

12. Following the execution of this Agreement and Applicant filing an appropriate zoning application, the Department shall notify the Planning and Zoning office that the Applicant is entitled to request the benefit of the bonus density and expedited review incentives contained in the Ordinance. The actual density granted to the Applicant shall be determined by the Commission and/or Council, as required, depending upon zoning approval required for the project.

13. The parties incorporate by reference all of the terms and conditions of Chapter 72 establishing an affordably priced rental housing program.

14. In compliance with § 72-23.K., Applicant agrees to execute and record the restrictive covenants required by Subsections a. and b. thereof. Specifically, the covenants will bind the Applicant, any assignees, mortgagee, or buyer and all other parties that receive title to the property. In the event the mortgagee acquires the property through a foreclosure or acceptance of deed-in-lieu of foreclosure, the SCRP agreement covenants will continue in effect. The covenants must be senior to all instruments securing financing.

In any deed or instrument conveying title by the Applicant, the property shall remain subject to all of the terms and conditions contained in the SCRP agreements by the Applicant required under the Ordinance during the Control Period. The source of the SCRP agreements and any deed restrictions related thereto must be included in the public land records so that they are readily identifiable in a routine title search.

15. The parties agree that in accordance with § 72-28.D. the director is authorized to pursue any available remedy, legal or equitable in nature, to enforce the requirements of the SCRP Ordinance and this Agreement and/or to prevent or abate a violation of the Ordinance and/or this Agreement. Further, the director may take legal action to stop or cancel any lease of a SCRP unit if the tenant does not comply with all requirements of the program and may recover any funds improperly obtained from the rental of a SCRP unit in violation of Chapter 72 in this Agreement.

16. In the event of litigation brought by the County and/or the Department to enforce the terms and conditions of the SCRP Ordinance and/or of this Agreement, County shall be entitled to an award of legal costs and fees to be collected from the Applicant if it is determined to be in violation of the Ordinance and/or this Agreement or the obligations created thereunder.

17. This Agreement is binding upon the parties, their heirs, successors and assigns.

18. If any portion of this Agreement is held to be invalid, the remaining portions shall survive and remain in full force and effect.

19. Any litigation which may be brought relating to this Agreement shall occur within the State of Delaware and in a Court located in Sussex County, Delaware.

20. The Applicant acknowledges that its principal officers are required to execute this agreement both individually and on behalf of the entity pursuant to a duly adopted resolution of the entity and that such resolution has been adopted. '

IN WITNESS WHEREOF, the parties have set their hands and seals on the respective dates set forth below.

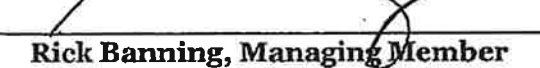
SUSSEX COUNTY

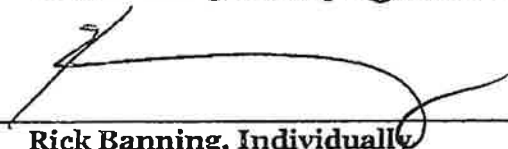
By:  (SEAL)
Vance Phillips, President

**DEPARTMENT OF COMMUNITY
DEVELOPMENT AND HOUSING**

By:  (SEAL)
William C. LeCates, Director

**MID ATLANTIC DEVELOPMENT VENTURES,
LLC**

By:  (SEAL)
Rick Banning, Managing Member

By:  (SEAL)
Rick Banning, Individually

STATE OF DELAWARE:

COUNTY OF SUSSEX : ss.

BE IT REMEMBERED, That on this 22nd day of September, A.D. 2009, personally came before me, a Notary Public for the State and County aforesaid, **Vance Phillips, President of Sussex County**, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed.

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

Jayne E. Dickerson
Printed Name: _____
Title: NOTARY PUBLIC
Commission Expires: _____
Jayne E. Dickerson
Notary Public
Commission Expires 4/7/2011

STATE OF DELAWARE:

COUNTY OF SUSSEX : ss.

BE IT REMEMBERED, That on this 22nd day of September, A.D. 2009, personally came before me, a Notary Public for the State and County aforesaid, **William C. LeCates, Director of Department of Community Development and Housing**, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed.

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

Jayne E. Dickerson
Printed Name: _____
Title: NOTARY PUBLIC
Commission Expires: _____
Jayne E. Dickerson
Notary Public
Commission Expires 4/7/2011

STATE OF DELAWARE;

COUNTY OF SUSSEX :

ss.

BE IT REMEMBERED, That on' this _____ day of September, A.D., 2009, personally came before me, a Notary Public for the State and County aforesaid, **Rick Banning, Individually and as Managing Member of Mid Atlantic Development Ventures, LLC**, a limited liability company existing under the laws of the State of Delaware, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said company; that the signature of the Member thereto is in his own proper handwriting and the seal affixed is the common and corporate seal of said company; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by said company.

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

Maureen Theresa White
Maureen Theresa White

Printed Name: _____

Title: NOTARY PUBLIC

Commission Expires: 10-6-2012



Exhibit B

All that certain tract of ground or parcel of land situate in Lewes and Rehoboth Hundred, County of Sussex, State of Delaware, as shown on a plan set prepared by Solutions Integrated Engineering & Management, I.L.C., entitled "Arbors of Cottagedale", dated January 17, 2014 and being more particularly described as follows to wit:

Beginning at a concrete monument at the southwestern most corner of the herein described tract of land, said monument being the northwest corner of Tax Parcel 3-34-6.00-504.01 and being further located North 52°35'51" East, a distance of 200.00 feet along Mackenzie Way from the eastern Right-of-Way of Plantation Road; thence crossing Mackenzie Way, North 37°24'09" West, a distance of 50.00 feet to a point in the Lands of Israel Methodist Church; thence along the lands of the Lands of Israel Methodist Church the following two courses and distances:

1. North 52°35'51" East, a distance of 21.04 feet to an iron rod with cap; thence
2. North 37°24'00" West, a distance of 64.26 feet to an iron rod w/cap; thence

along lands of Tax Parcel 3-34-6.00-511.00, North 50°09'05" East, a distance of 990.91 feet to a point, said point being located South 50°09'05" West, a distance of 0.51 feet of an iron rod w/cap; thence along lands now or formerly of Eagle Point, LLC as shown Plat Book 17, Page 223 the following 2 courses and distances:

1. South 38°25'18" East, a distance of 363.83 feet to an iron pipe; thence
2. North 50°56'21" East, a distance of 744.73 feet to an iron pipe; thence

along lands now or formerly of Eagle Point, LLC as shown Plat Book 82, Page 149 South 38°40'56" East, a distance of 765.57 feet to a point; thence along Lots 67, 66, 65, 64 & 63 of the Rolling Meadows Subdivision, (Plat Book 42, Page 8) South 49°25'45" West, a distance of 753.19 feet to a point, said point being located 0.40 feet East and 0.31' North of a concrete monument; thence along Tax Parcel 3-34-6.00-503.00 the following two courses and distances:

1. North 39°33'35" West, a distance of 704.10 feet to a point; thence
2. South 49°11'47" West, crossing the terminus of Mackenzie Way, a distance of 230.67 feet to an iron rod with cap; thence along Mackenzie Way the following 3 courses and distances:
 1. North 38°28'41" West, a distance of 329.00 feet to an iron pipe thence
 2. South 50°15'03" West, a distance of 639.47 feet, crossing iron rods at distances of 254.68 feet and 404.71 feet, to an iron rod; thence
 3. South 52°35'51" West, a distance of 125.11 feet to the Point of Beginning.

TOGETHER WITH AND SUBJECT TO that certain easement for ingress and egress as described in Deed dated May 18, 1979, from Harland Jackson and Bernice Jackson, husband and wife, and Glendon Jackson and Sonya Rudy Jackson, husband and wife, as contained in Deed Book 951, Page 165 and recorded May 11, 1979, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

Sussex County Rental Program**EXHIBIT C**

The County and the Developer recognize that this schedule may be modified during initial lease-up as a result of factors including the facility size at the time of initial lease-up.

Marketing for SCRP units will occur simultaneously with the market-rate units for each buildings and includes:

- ** Posting to the DSHA Affordable Housing Site
- ** Out Reach Marketing - Flyers and Brochure Packets to Local Employers
- ** Sussex County Web Site

| Building Delivery Sequence | | |
|-----------------------------------|----------------|-----------------------------|
| Delivery | Address | Number of SCRP Units |
| 1 | 33520 | 5 |
| 2 | 33526 | 5 |
| 3 | 33534 | 5 |
| 4 | 33514 | 3 |
| 5 | 33540 | 5 |
| 6 | 33562 | 3 |
| | | 26 |

** Building Delivery Sequence may be modified

| Coastal Tide Apartments Unit Mix | | | | | |
|---|-------------------|------------------|--------------|------------------|--------------|
| UNIT # | FLOOR PLAN | UNIT TYPE | SQ FT | UNIT TYPE | SQ FT |
| 514-101 | CORAL | 2/2 | 944 | 2/2 | 944 |
| 514-102 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 514-103 | TIDE | 1/1 | 791 | 1/1 | 791 |
| 514-104 | TIDE | 1/1 | 791 | 1/1 | 791 |
| 514-105 | CORAL | 2/2 | 944 | 2/2 | 944 |
| 514-106 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 514-201 SCRP | CORAL | 2/2 | 944 | 2/2 | 944 |
| 514-202 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 514-203 | TIDE | 1/1 | 791 | 1/1 | 791 |
| 514-204 | TIDE | 1/1 | 791 | 1/1 | 791 |
| 514-205 | CORAL | 2/2 | 944 | 2/2 | 944 |
| 514-206 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 514-301 | CORAL | 2/2 | 944 | 2/2 | 944 |
| 514-302 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 514-303 SCRP | TIDE | 1/1 | 791 | 1/1 | 791 |
| 514-304 | TIDE | 1/1 | 791 | 1/1 | 791 |
| 514-305 | CORAL | 2/2 | 944 | 2/2 | 944 |
| 514-306 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-101 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-102 | COVE | 1/1 | 784 | 1/1 | 784 |
| 520-103 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-104 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-105 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-106 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-107 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-108 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-109 | COVE | 1/1 | 784 | 1/1 | 784 |
| 520-110 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-201 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-202 SCRP | COVE | 1/1 | 784 | 1/1 | 784 |
| 520-203 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-204 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-205 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-206 SCRP | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-207 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-208 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-209 | COVE | 1/1 | 784 | 1/1 | 784 |
| 520-210 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-301 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-302 | COVE | 1/1 | 784 | 1/1 | 784 |

| | | | | | |
|--------------|------------|-----|------|-----|------|
| 520-303 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-304 SCRP | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-305 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-306 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-307 | FINN | 2/2 | 988 | 2/2 | 988 |
| 520-308 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 520-309 | COVE | 1/1 | 784 | 1/1 | 784 |
| 520-310 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-101 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-102 | COVE | 1/1 | 784 | 1/1 | 784 |
| 526-103 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-104 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-105 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-106 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-107 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-108 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-109 | COVE | 1/1 | 784 | 1/1 | 784 |
| 526-110 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-201 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-202 | COVE | 1/1 | 784 | 1/1 | 784 |
| 526-203 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-204 SCRP | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-205 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-206 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-207 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-208 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-209 | COVE | 1/1 | 784 | 1/1 | 784 |
| 526-210 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-301 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-302 SCRP | COVE | 1/1 | 784 | 1/1 | 784 |
| 526-303 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-304 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-305 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-306 SCRP | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-307 | FINN | 2/2 | 988 | 2/2 | 988 |
| 526-308 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 526-309 | COVE | 1/1 | 784 | 1/1 | 784 |
| 526-310 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-101 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-102 | COVE | 1/1 | 784 | 1/1 | 784 |
| 534-103 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-104 ADA | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-105 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-106 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-107 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-108 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-109 ADA | COVE | 1/1 | 784 | 1/1 | 784 |
| 534-110 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-201 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-202 | COVE | 1/1 | 784 | 1/1 | 784 |
| 534-203 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-204 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-205 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-206 SCRP | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-207 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-208 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-209 | COVE | 1/1 | 784 | 1/1 | 784 |
| 534-210 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-301 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-302 | COVE | 1/1 | 784 | 1/1 | 784 |
| 534-303 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |

| | | | | | |
|--------------|------------|-----|------|-----|------|
| 534-305 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-306 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-307 | FINN | 2/2 | 988 | 2/2 | 988 |
| 534-308 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 534-309 SCRP | COVE | 1/1 | 784 | 1/1 | 784 |
| 534-310 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-101 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-102 | COVE | 1/1 | 784 | 1/1 | 784 |
| 540-103 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-104 ADA | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-105 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-106 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-107 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-108 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-109 | COVE | 1/1 | 784 | 1/1 | 784 |
| 540-110 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-201 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-202 | COVE | 1/1 | 784 | 1/1 | 784 |
| 540-203 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-204 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-205 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-206 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-207 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-208 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-209 | COVE | 1/1 | 784 | 1/1 | 784 |
| 540-210 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-301 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-302 | COVE | 1/1 | 784 | 1/1 | 784 |
| 540-303 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-304 SCRP | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-305 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-306 SCRP | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-307 | FINN | 2/2 | 988 | 2/2 | 988 |
| 540-308 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 540-309 SCRP | COVE | 1/1 | 784 | 1/1 | 784 |
| 540-310 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-101 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-102 | COVE | 1/1 | 784 | 1/1 | 784 |
| 562-103 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-104 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-105 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-106 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-107 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-108 ADA | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-109 | COVE | 1/1 | 784 | 1/1 | 784 |
| 562-110 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-201 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-202 | COVE | 1/1 | 784 | 1/1 | 784 |
| 562-203 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-204 SCRP | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-205 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-206 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-207 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-208 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-209 SCRP | COVE | 1/1 | 784 | 1/1 | 784 |
| 562-210 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-301 SCRP | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-302 | COVE | 1/1 | 784 | 1/1 | 784 |
| 562-303 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-304 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-305 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-306 | FINN | 2/2 | 988 | 2/2 | 988 |

| | | | | | |
|---------|------------|-----|------|-----|------|
| 562-307 | FINN | 2/2 | 988 | 2/2 | 988 |
| 562-308 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |
| 562-309 | COVE | 1/1 | 784 | 1/1 | 784 |
| 562-310 | BAY BREEZE | 3/2 | 1350 | 3/2 | 1350 |

| Coastal Tide Apartments | | | | |
|-------------------------|----------|---------|-----------|--|
| Unit Mix | | | | |
| Type | Size | Sq. Ft. | No. Units | |
| Cove | 1 BR 1BA | 784 | 25 | |
| Cove AF | 1 BR 1BA | 784 | 5 | |
| Tide | 1BR 1 BA | 791 | 5 | |
| Tide AF | 1BR 1 BA | 791 | 1 | |
| Coral | 2BR 2 BA | 944 | 5 | |
| Coral AF | 2BR 2 BA | 944 | 1 | |
| Finn | 2BR 2 BA | 988 | 51 | |
| Finn AF | 2BR 2 BA | 988 | 9 | |
| Bay Breeze | 3BR 2 BA | 1350 | 56 | |
| Bay Breeze AF | 3BR 2 BA | 1350 | 10 | |
| Total | | 971 | 168 | |















TYESIA DUPONT-PALMER
COMMUNITY DEVELOPMENT
PROGRAM SPECIALIST

(302) 855-7777 T
(302) 854-5397 F

tyesia.dupontpalmer@sussexcountyde.gov



Sussex County
DELAWARE
sussexcountyde.gov

February 16, 2022

Linda Smith
Coastal Tide Apartments
33451 Mackenzie Way
Lewes, DE 19958

RE: Sussex County Rental Program Compliance Review

Dear Ms. Smith,

On February 7, and February 8, 2022, Sussex County Community Development & Housing conducted a compliance review of fourteen (14) tenant files, one (1) move out file and one (1) rejected application. We are pleased to advise that there were no Non-Compliance issues found. Please find attached a line-by-line list of observations and comments noted during the compliance review.

We would like to thank the staff who assisted with the compliance review. If you have any questions, please contact our office at (302) 855-7777.

Thank you,

Tyesia DuPont-Palmer
Community Development Program Specialist



COUNTY ADMINISTRATIVE OFFICES WEST COMPLEX
22215 DUPONT BOULEVARD | PO BOX 589
GEORGETOWN, DELAWARE 19947



May 16, 2022

Hillcrest Associates
Attn: Alan Hill
PO Box 1180
Hockessin, DE 19707

RE: Willing & Able Letter – The Arbors of Cottagedale (Tax Parcel Number: 334-6.00-504.02)

Dear Mr. Hill:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, *including fire protection*, to the following parcel(s) identified as Tax Map Parcel No. 334-6.00-504.02. Water service is contingent on the terms and conditions of a Water Service Agreement by and between Tidewater and the Project Owner. This parcel is located within Tidewater's existing water Certificate of Public Convenience and Necessity franchise area.

Please feel free to contact me at 302-747-1304 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

A handwritten signature in cursive script that reads "Kelly R. Bailey". The signature is written in dark ink and is positioned above the printed name and title.

Kelly Bailey
Manager of Contract Administration

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MAY 12 2022

SUSSEX COUNTY
PLANNING & ZONING

**Opposition
Exhibit**

May 9, 2022

TO: Sussex County Administration
P.O. Box 417
Georgetown, DE 19947

RE: C/U 2352 CB Lewes, LLC
The Arbors of Cottage Dale

Dear Reader:

I was appalled to learn about the request to increase the number of apartments being built in this development from 168 to 198. This obviously means that an additional structure would need be built on this property.

My home at 8 Windsor Court backs up to this site, and we have already suffered for over four years from the development of this project. First, there were approximately two years of soil remediation due to the property being designated as a brownfields site (an industrial or commercial dump site that is potentially contaminated). During that period, we were subjected daily to highly unpleasant odors and an oily mix of dust and debris that coated everything in the neighborhood, including our cars, our gardens, our swimming pool, our outdoor furniture, and our grills. Even after the remedial groundwork was completed, the dust from construction has continued to this day to coat everything outside. I constantly see large construction vehicles driving next to our property and causing clouds of dust to rise from the dirt construction roads, with no effort being made by the crews to alleviate the problem by watering the roadway.

Our outdoor activities have been accompanied by constant construction noise, including—but not limited to—hammering, yelling (including obscenities), workers' loud music, and loud banging from loading and unloading dump trucks. Objects in our homes vibrate and rattle from all the concussive activities. After four years of this we have to wonder if this constant vibration may have caused damage to our homes.

The work on this project began in January 2018 and is still ongoing, although we were finally anticipating (we thought) the completion of the last building from the original construction drawings. We were all relieved and looking forward to the first summer in five years without a backdrop of construction noise and airborne debris. And now we have been informed that the developer is looking to extend this project.

It is obvious from the locations of the existing buildings that an additional building can only be located right next to our backyard, making its construction even more of a concern to those of us in Rolling Meadows who are unfortunate enough to live adjacent to this site. Apartment buildings looming over our homes will not only detract from the enjoyment we rightfully expect as property owners but will also affect our property values. Conversely, leaving some green space to allow for grass, flowers, and trees will not only enhance the living conditions of the tenants of the existing apartments, but will also provide somewhat of a natural barrier to the noise that will inevitably result from so many people living in a densely populated area right next to our peaceful and spacious community.

Additional people crammed into this site also means additional cars and trucks and traffic on our roads. There is already great concern about overbuilding in Sussex County without the infrastructure to support it. This is just another example of a developer greedily trying to squeeze as much as possible out of acreage without any thought to the impact on the area. The loss of green space has been proven to undermine quality of life. Please do not approve this request, as it will negatively affect us all.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Judith D. Roman". The signature is written in dark ink and is positioned above the printed name and address.

Judith D. Roman
8 Windsor Court
Lewes DE 19958
703-851-2463

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MAY 04 2022

May 1, 2022

SUSSEX COUNTY
PLANNING & ZONING

Sussex County Planning and Zoning Office

Opposition
Exhibit

P.O. Box 417

Georgetown, Delaware 19947

C4 2352

ATTN: Jamie Whitehouse

Ref A: Sussex County Council Minutes, dated February 23, 2010

Ref B: Sussex County Council Memorandum, dated November 30,
2017

The clean-up of Jackson Pit in Lewes and the subsequent plans for development as the Arbors of Cottagedale, now called Coastal Tide Apartments, in Lewes have been going on for many years. On Saturday, we received a notice from the Sussex County Planning and Zoning Commission of a public hearing scheduled for May 26th at 5 p.m. The purpose of this hearing is that the developer would like to increase the number of apartments from the County-approved 168 units to 198 units. This would mean one additional 30-apartment building. This hearing will be followed by a Sussex County Council public hearing on June 14th at 1:30 p.m.

As a resident of the neighboring community of Eagle Point, my wife and I are very concerned about the expansion. First, the County Council approved this development with 18 conditions (Ref A). The first one is "the maximum number of residential rental units shall not exceed 168

units.” The proposal would exceed the Council’s approval by 30 residential units, ignoring its earlier due deliberation and consideration.

In addition, the Coastal Tide current residential density of 9.29 density (Ref B) would be increased with 30 additional units.

The only access road into Coastal Tide remains MacKenzie Way that joins Plantation Road at an uncontrolled point. The increase in traffic with the current 168 new apartments would increase yet again with another 30 family units.

The only place that could accommodate an additional 30-apartment building would be the far corner of the approved site plan. This would come very close to the property line between Coastal Tide and the neighboring community to the southeast, Rolling Meadows. This would require redesigning the previously approved 5-foot-wide concrete sidewalks in the green space on the site plan. These are identified as “walking trails” on Coastal Tide brochures.

The Coastal Tide Apartments have already had an impact on the area, but especially on the Eagle Point community. The construction of the six residential buildings, the pool and community building, with their infrastructure, roads, stormwater drainage, foundation work, exterior build-up, interior furnishing, and the moving in of the many new renters has been noisy and at times overwhelming. An additional building and its tenants would be unacceptable because it would violate previous approvals and be detrimental to the quality of life not only for the neighbors but also for the occupants of Coastal Tide itself.

We urge you to recommend disapproval of this request for “an ordinance to grant a conditional use of land in an MR medium-density residential district to amend the conditions of approval of C/U 1845 (Ordinance No. 2106) to increase the number of permitted multifamily

units from 168 to 198 for a certain parcel of land lying and being in
Lewes and Rehoboth Hundred, Sussex County, containing 18.08 acres,
more or less."

Marc R. Collard

Marc R. and Elizabeth V. Collard

17702 Brighten Drive Unit 1

Lewes, Delaware 19958

Jesse Lindenberg

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, May 2, 2022 5:48 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse



Submitted on Monday, May 2, 2022 - 5:48am

Name: Marc R. Collard
Email address: marccollard@comcast.net
Phone number: 302-645-4821
Subject: Letter on May 26 Public Hearing
Message:

Attached is a letter on the C/U 2352 CB Lewes LLC. This has also been sent by regular mail.

May 1, 2022

Sussex County Planning and Zoning Office P.O. Box 417 Georgetown, Delaware 19947
ATTN: Jamie Whitehouse

Ref A: Sussex County Council Minutes, dated February 23, 2010

Ref B: Sussex County Council Memorandum, dated November 30, 2017

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Marc R. and Elizabeth V. Collard
17702 Brighten Drive Unit 1
Lewes, Delaware 19958

ROLLING MEADOWS HOME OWNERS ASSOCIATION

2 DARTMOUTH DRIVE * LEWES, DE 19958 * 302-236-3181

May 15, 2022

Opposition
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MAY 18 2022

SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse
Director, Planning & Zoning Commission
2 The Circle P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse,

The Board of Directors of the Rolling Meadows Homeowners Association (RMHA), representing the 171 members of the Association, submits this letter in opposition to the pending application by C/U 2352 CB Lewes, LLC, The Arbors of Cottage Dale, to increase the number of apartments in their development from 168 to 198.

The application, if granted, would most directly impact the homeowners along our community's Northern boundary, and particularly those along the Western portion. They have been subjected to years of excessive construction noise, blowing dust and debris. This has been further exacerbated by unpleasant odors, glaring bright lights and concussive vibrations in the owner's homes. This has gone on now for 4 years. Our property owners should not be subjected to even more of this should construction of additional apartment buildings be approved.

The RMHA Board has been made aware of the multitude of problems experienced and voiced to you by occupants of the current apartments, the primary one being congestion and the lack of adequate parking. Additional apartments can only negatively enhance this flaw in the design of the overall development. Additional buildings will bring the congestion and accompanying parking problems ever closer to the backyards of our Rolling Meadows northern boundary homeowners. This will assuredly diminish our affected homeowner's property values. Therefore, we ask that before a final decision is made on the developer's application, the following conditions of approval, be considered. At a minimum, require the developer to pre-install and maintain a 30-foot-high row of evergreen trees along the development's southern and eastern border with Rolling Meadows. Leyland Cypress have been popular since the 1970's, because of their pyramidal shape. They are very fast growing and would establish a quick privacy screen, would block the noise, dust and lights during and following final construction, and offers an inexpensive solution to the problem.

We will very much appreciate your expeditious response to our request.

Regards,


Stephen B Hyle
President, RMHA