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





# PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



**PLANNING & ZONING COMMISSION** 

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



Sussex County

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

## PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date: August 25<sup>th</sup>, 2022

- Application: C/U 2356 Sun Massey's, LLC
- Applicant: Sun Massey's, LLC 9919 Stephen Decatur Highway Ocean City, MD 21842
- Owner: Sun Massey's Landing RV LLC 27777 Franklin Road, Suite No. 200 Southfield, MI 21842
- Site Location: 20628 Long Beach Drive, Millsboro. Lying on the north side and south side of Vines Creek Road (Rt. 26), approximately 0.5 miles east of Armory Road (Rt. 382).
- Current Zoning: AR-1 Agricultural Residential District
- Proposed Zoning: AR-1 Agricultural Residential District
- Comprehensive Land Use Plan Reference: Coastal Area
- Councilmanic<br/>District:Mr. SchaefferSchool District:Indian River School DistrictFire District:Indian River Fire CompanySewer:Sussex CountyWater:Long Neck Water CompanySite Area:54.33 acres +/-
- Tax Map ID.: 234-25.00-31.02 & 31.05





C/U 2356 Sun Massey's, LLC

**Aerial Map** 





TaxParcels		Name	Owner Name	Mailing Address	City	State	Description	Description 2	Description 3
TaxParcels	selection	234-25.00-31.05	SUN MASSEYS	PO BOX 2440	SPOKANE	WA	S/LONG NECK RD	560' W/END LONG	RD
Streets			LANDING RV LLC				APPR	NECK	
County Bou	undaries	234-25.00-31.02	SUN MASSEYS LANDING RV LLC	PO BOX 2440	SPOKANE	WA	N/RT 22	S/ROMAN POND	

# C/U 2356 Sun Massey's, LLC

**Streets Map** 





TaxPa	Parcels	Name	Owner Name	Mailing Address	City	State	Description	Description 2	Description 3
			SUN MASSEYS LANDING RV LLC	PO BOX 2440	SPOKANE		s/long neck rd Appr	560' W/END LONG NECK	RD
Stree	nty Boundaries		SUN MASSEYS LANDING RV LLC	PO BOX 2440	SPOKANE	WA	N/RT 22	S/ROMAN POND	

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## C/U 2356 Sun Massey's, LLC







SPOKANE

WA

N/RT 22

S/ROMAN POND

 Streets
County Boundaries

234-25.00-31.02

SUN MASSEYS

LANDING RV LLC

PO BOX 2440

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





# Memorandum

To: Sussex County Planning and Zoning Commission Members From: Mx. Jesse Lindenberg, Planner I CC: Mr. Vince Robertson, Assistant County Attorney, and Applicant Date: August 18<sup>th</sup>, 2022 RE: Staff Analysis for C/U 2356 Sun Massey's LLC

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application C/U 2356 Sun Massey's LLC to be reviewed during the August 25<sup>th</sup>, 2022, Planning and Zoning 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 234-25.00-31.02 & 31.05, to allow for an amendment to Condition No. 9 in Ordinance No. 2378 (Conditional Use No. 1963). to amend the requirement that no campers or RVs shall be stored on the campground during the period that the campground is closed. The property lies on the north side and south side of Vines Creek Road (Rt. 26), approximately 0.5 miles east of Armory Road (Rt. 382). The property consists of 54.33 acres +/-.

The applicant is requesting to amend Condition #9 to state "The campground/RV park shall remain vacant and no campers or RV's except "Park Model RV's" on approved Park Model campsites shall be stored on the campground during the period that the campground is closed. Park Model RV's in special flood hazard areas shall meet the requirements of 115-141.5B (3) for manufactured homes."

Condition No. 9 currently states "The campground/RV park shall remain vacant and no campers or RVs shall be stored on the campground during the period that the campground is closed."

The approved site plan allows for a maximum of 70 Park Model Sites.

## Comprehensive Plan Analysis

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 parcels to the south, east, and west also have a Future Land Use Map designation of "Coastal Area."

As outlined in 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, townhouses,



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 all be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas. (Sussex County Comprehensive Plan, 4-15).

## Zoning Information

The subject property is zoned Agricultural Residential (AR-1) District. All adjacent properties to the south, east, and west of the subject property are also zoned Agricultural Residential (AR-1) District.

## Existing Conditional Uses within the Vicinity of the Subject Property

Since 2011, there have been four (4) Conditional Use application within a one (1) mile radius of the application site. The first application was Conditional Use No. 1963 for Ida C. Faucett, Faucett Heirs, LLC, and Massey's Landing Park, Inc. to allow for campgrounds. This application was approved by the Sussex County Council on Tuesday, December 9<sup>th</sup>, 2014, and this change was adopted through Ordinance No. 2378. The second application was Conditional Use No. 2089 for Massey's Landing Property, LLC to allow for an amendment to the conditions of approval from CU 1963. This application was denied by the Sussex County Council on Tuesday, September 19<sup>th</sup>, 2017. The third application is Conditional Use No. 2191 for Al Tortella to allow for a Restaurant and Bar expansion. This application is awaiting introduction to council. The fourth application was Conditional Use No. 2332 for Blue Water Hospitality to allow for year rentals for rental cottages. This application was withdrawn and replaced with Conditional Use No. 2356.

Based on the analysis provided, a Conditional Use to allow for an amendment to Condition No. 9 in Ordinance No. 2378 (Conditional Use No. 1963) could be considered as being consistent with the surrounding land uses and zoning subject to considerations of scale and impact.

## **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 🖌 Amendment

Zoning Map Amendment \_\_\_\_

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

20628 Long Beach Drive, Millsboro, Delaware 19966

#### Type of Conditional Use Requested:

The applicant and owner request that Condition No. 9 in Ordinance No. 2378 (Conditional Use No. 1963) be modified as shown on the attached Exhibit A. For ready reference a copy of Ordinance No. 2378 is attached as Exhibit B.

Tax Map #: 234-25.00-31.02, .05

Size of Parcel(s): 54.33

Current Zoning: AR-1/CU	Proposed Zoning: AR-1/CU	Size of Building:	not applicable
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Land Use Classification: 2045 FLUM -- Coastal Area

 Water Provider:
 Long Neck Water Company
 Sewer Provider:
 Sussex County

#### Applicant Information

Applicant Name: <u>Sun Massey's, LLC</u>		
Applicant Address: 9919 Stephen Decatur Hwy.		
City: Ocean City	State: MD	ZipCode: <u>21842</u>
Phone #: (410) 213-1900	E-mail: rcorrea@bwde.co	m

#### **Owner Information**

Owner Name: Sun Massey's Landing RV LLC			
Owner Address: 27777 Franklin Road, Suite No. 2	.00		
City: Southfield	State: MI	Zip Code: <u>48034</u>	
Phone #:	E-mail:		

## Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David	C. Hutt, Esquire   Morr	is James LLP	
Agent/Attorney/Engineer Address: 107	W. Market Street		
City: Georgetown	State: DE	Zip Code: <u>19947</u>	i.
Phone #: <u>(302) 856-0018</u>	E-mail: <u>dhutt@m</u>	orrisjames.com	





## **Check List for Sussex County Planning & Zoning Applications**

The following shall be submitted with the application

✓ Completed Application
<ul> <li>Provide eight (8) copies of the Site Plan or Survey of the property</li> <li>Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.</li> <li>Provide a PDF of Plans (may be e-mailed to a staff member)</li> <li>Deed or Legal description</li> </ul>
✓ Provide Fee \$500.00
<b>Optional - Additional information for the Commission/Council to consider</b> (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 by 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	
Signature of Owner	Date: <u>Manh 4, 2022</u>
1 If for Sun Mossi, i lle	Date: March 4. 2022
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:

1

# **Exhibit** A

Current Condition No. 9

The campground/RV park shall remain vacant and no campers or RV's shall be stored on the campground during the period that the campground is closed.

Proposed Condition No. 9

The campground/RV park shall remain vacant and no campers or RV's <u>except "Park Model RV's"</u> <u>on approved Park Model campsites</u> shall be stored on the campground during the period that the campground is closed. <u>Park Model RV's in special flood hazard areas shall meet the requirements of 115-141.5B (3) for manufactured homes</u>.

# EXHIBIT "B"

#### **ORDINANCE NO. 2378**

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CAMPGROUND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 50.83 ACRES, MORE OR LESS (Tax Map I.D. 2-34-25.00-31.00, 31.02, 31.04)

WHEREAS, on the 19th day of March 2013, a conditional use application, denominated Conditional Use No. 1963 was filed on behalf of Ida C. Faucett, Faucett Heirs, LLC and Massey's Landing Park, Inc.; and

WHEREAS, on the 23rd day of May 2013, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 27th day of June, 2013, said Planning and Zoning Commission recommended that Conditional Use No. 1963 be approved with conditions; and

WHEREAS, on the 18th day of June 2013, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

#### NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1963 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 Indian River Hundred, Sussex County, Delaware, and lying on both sides of the eastern end of Long Neck Road (State Route 23, a.k.a. Route 22) and being more particularly described in the attached legal descriptions, and containing 50.83 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 campground/RV sites shall be three hundred twenty-two (322).
- 2. All entrance and roadway improvements and any other DelDOT requirements shall be completed as required by DelDOT. This includes the Developer's agreement to comply with DelDOT's request to enter into an agreement with DelDOT to fund an equitable portion of the installation of a single-lane roundabout at the intersection of Route 23 and Pot-Nets Road, and other similar improvements.
- 3. The Development shall be served by the County's Long Neck Sanitary Sewer District. The Applicant shall comply with all Sussex County Engineering Department requirements regarding connection to, and service by, the District.
- The Development shall be served water for domestic use and fire protection by the Long Neck Water Company.
- 5. Stormwater management and sediment and erosion control facilities shall be constructed in accordance with applicable State and County requirements and maintained using Best Management Practices. The Final Site Plan shall contain the approval of the Sussex Conservation District.
- 6. The Applicant shall cooperate and coordinate with the State and County emergency preparedness offices to develop and implement an emergency evacuation plan.
- 7. The Development shall be surrounded by a 50 foot landscaped buffer. This shall be installed as part of the 1st phase of the development's construction.
- he entire facility may open no earlier than April 1st each year and shall close no later than the first Sunday of November of each year.
- 9. The campground/RV park shall remain vacant and no campers or RVs shall be stored on the campground during the period that the campground is closed.
- 10. There shall be no accessory buildings located on individual campsites.
- 11. Campground restrictions shall be submitted as part of the site plan review.
- 12. All units to be used for the purpose of human habitation on campsites shall be tents, travel trailers, recreational vehicles and equipment manufactured specifically for camping purposes.

- 13. The Developer shall plan the entrance design to accommodate a DART bus stop and turnabout in consultation and cooperation with DART.
- 14. One sign, not exceeding thirty-two (32) square feet per side with lighting, shall be permitted. The lighting for the sign shall not shine on any neighboring properties or roadways.
- 15. All lighting shall be downward screened so that it does not shine on neighboring communities or roadways.
- 16. All wetlands on the site shall be clearly marked on the site to avoid disturbance. The location and type of these markers shall be shown on the Final Site Plan.
- 17. The Applicant shall determine, after consulting with the County, whether there are any "dwellings" in the vicinity of the property that require a 400 foot buffer pursuant to Section 115-172H.(3) of the Sussex County Code (in effect at the time of this application). As part of the Final Site Plan review, the Developer shall include a note on the Plan describing its efforts to make this determination and show the location of any dwelling that would trigger the application of the 400 foot buffer.
- 18. All campsites must be 2,000 square feet in size according to the Sussex County Code. It does not appear that the campsites at the "Remote Tenting Area" shown on the Preliminary Site Plan comply with this size requirement, and this must be corrected on the Final Site Plan along with any other campsites that do not meet the appropriate dimensional requirements.
- 19. There shall be a notice at the entrance to the campground stating that it is located within a Flood Prone Area and that certain evacuation and/or relocation procedures are in place and must be followed by all campground visitors in the event of a weather emergency.
- 20. There shall be a buffer of 200 feet from any structure used for living space on property of lands other than the Applicants; no activities or structures of this use shall be permitted in the 200 foot buffer.
- 21. The Planning and Zoning Commission shall determine the number of park models, RVs, travel trailers, and tent camping (sites) to be established on the site; the number of transient sites shall also be determined by the Commission.

- 22. There shall be no sales of campsites or camping units, i.e., park models, RVs, travel trailers or cabins.
- 23. There shall be no motorized watercraft for sale or lease from the site and there shall be no launching of motorized watercraft from the site.
- 24. The Final Site Plan shall be subject to the review and approval of the Planning and

Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2378 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 9TH DAY OF DECEMBER 2014.

**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:

- A. Based on the record, the site is located in the Long Neck Sanitary Sewer District; that wastewater capacity is available; that Ordinance 38 construction is required; that conformity to the North Coastal Planning Study will be required; that connection to the sewer system is mandatory; that the County reserves the right to alter or provide additional comments upon submittal of information regarding flood zones; that the County requires design and construction of an on-site collection system to meet County Engineering Department Standards and Procedures; that coordination of existing public sewer with the project's design is required; that the County Engineer must approve connection points, and requires that a Sewer Concept Plan be submitted for review and approval; and that System Connection Charges will apply.
- B. The record reflects that Delaware Department of Transportation (DelDOT) provided comments on January 28, 2013 in reference to the Traffic Impact Study (TIS), on April 10, 2013 on the Preliminary Site Plan, and on May 13, 2013 provided an Entrance Location Approval Only letter; that, while there were concerns expressed about traffic, DelDOT has not objected to the project or the traffic generated by it on area roadways; that a TIS was

completed in 2005 and has been reviewed and accepted by DelDOT subject to certain recommendations in terms of improvements that the Applicant will be responsible for; that DelDOT found that conditions in the study area have not changed substantially since the 2005 TIS was done, that the development now proposed will be similar in its trip generation and therefore "our findings and recommendations based on the TIS contained in a letter dated November 4, 2005, are applicable to the current development proposals as well and a new TIS is not necessary"; and that the State considered Long Neck Road to be a Major Collector Road, which is an appropriate location for this type of use.

- C. Based on the record, Applicant intends to develop the site with a campground/RV park; that the project is planned on both sides of Long Neck Road and is adjacent to State land, the boat ramp site, the existing Massey's Landing Manufactured Home Park and the existing Pot Nets Seaside Manufactured Home Park; and that the site contains 50.83 acres of land and does not include Mrs. Faucett's home.
- D. Based on the record, all of the lands around the site have AR-1 Agricultural Residential zoning and are improved with manufactured home communities or water bodies; that the project will have 322 campsites with sewer, water, and electric hookups, bathhouses, laundry, general store, café, snack bar, and recreational and maintenance facilities, pavilions, an aquatic rental center (no motorized watercraft), concierge, golf cart rental center, welcome center/ administrative offices, swimming pool, nature center/activity lodge, lodge meeting center/conference center, remote tenting area, DART bus stop, interior crabbing and fishing piers, and a dog park; that the recreational amenities support the use of the campground; that there will not be any lot sales; that employee parking will be provided; that Delaware Electric Cooperative will provide electricity; that the site is located in the Indian River Fire Company service area; that the streets within the project will be sized to accommodate the largest emergency vehicle of the Indian River Volunteer Fire Company; that they are proposing to install pervious pavement with filter strips, rather than impervious pavement; that they plan on utilizing green technologies and Best Management Practices; that there are no threatened/endangered species on site; and that the project will have controlled and gated access.
- E. The use as a campground is consistent with the other existing residential uses, campgrounds and manufactured housing communities that currently exist in the Long

Neck Road and Massey's Landing areas; that campers and RVs are not something new in this neighborhood, so there is a reasonable expectation that RV and campground uses could be developed in the vicinity; and that the use is adjacent to developed Manufactured Home Parks on the west and south, and the bay and the State of Delaware boat launch on the north and east.

- F. Under the current Sussex County Comprehensive Plan, the site is located in the Environmentally Sensitive Developing Area, which is recognized as a development or growth area on the Future Land Use Map; that the area is almost fully developed and this project could be considered infill; that the development is consistent with the purposes and goals of the Sussex County Comprehensive Plan Update and is beneficial and desirable for the general convenience and welfare of Sussex County and its residents because it promotes tourism and related services, economic growth in a designated development area, full and part-time employment opportunities, significant economic benefits to area businesses, and is consistent with the character of the zoning and development in the area; that the site is an appropriate location for the proposed development since recreational and commercial uses exist in the Long Neck area; and that there will be no negative impact on schools or other similar public facilities since the development will operate only seasonally.
- G. The Applicant has created a sufficient record in support of the Conditional Use application.
- H. Based on the record and recommendation of the Planning & Zoning Commission and the record created before Council, the Conditional Use was approved subject to twenty-four (24) conditions which will serve to minimize any potential impacts on the surrounding area and adjoining properties.

Morris Jam Georgetown Attorney B		M&T Bank Wilmington, Delaware	10	7338
107 WEST MARKE P.O. BOX GEORGETOWN,	690	60-295/313	Date: Mar	rch 4, 2022
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			A/P Total:	\$500.00
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## LEGEND

APPROXIMATE MEAN LOW WATER LINE 50' BUFFER FROM TIDAL WETLANDS WITH WETLAND FLAG LOCATION

1.4

VICINITY MAP

50 LANDSCAPE SPACE / BUFFER ZONE

#### The Resort at Massey's Landing R/V Resort & Campground

#### Site Data:

	JILU Dava.
915	Massovy Landing Properties, LLC Masseys Landing Park, Inc Ida G. Faucett (* 36625 Long Meck Road Millsboro, DE 19966
ibers	2-34-25-00-31-00, 234-25-00-31-02 4 234-25-00-31-04
оор Маро	10005C0363K # 10005C0501K Dated 3/16/2015
	AR - Campground Conditional Use
r	Sussex County - Long Neck Sanitary Sewer District
gmt	To Sussex Conservation District Standards
	Long Neck Water Company
	Delware Electric Co-Op
	Verizon / Mediacom
	Mediacom
a: ireal Id Area: Iecus Lands	54.33 acres +\- 17.68 acres +\- 10.79 acres +\- 13.07 acres +\- 3.50 acres +I-
landscaped sp	ace along all properly boundaries
ipground:	29 Extension Composition Stress 216 R.V. Company Stress (Minimum 2,000 sf - 40' width) 70 (nia) Park Model Stress (Minimum 2,000 sf - 40' width 5 Remote Tent Stress (Minimum 2,000 sf) Access from Long Yeak Road - 60 R.O.W No Direct Camposite Access to Long Nock Road Private Intenor Campground Drives = 30' wide (20' maintained) Electric Connections - Each R.V. Site Public Water Supply - Each R.V. Site Public Water Supply - Each R.V. Site Toilet # Bathing Facilities - Bathhouses in Campground Laundry Facilities - Bathhouses in Campground Laundry Facilities - Bathhouses in Campground Relives Collection and Storage Provision- Daily Campisite Pickup 4 Dumpsters On Site.
of abiv vegetatio	on within existing forested unlands shall be selective and minimized

Clearing of any vegetation within axisting forested uptands shall be selective and minimized to the extent possible Campground area shall be 400 ft from any permanent dwelling on other lands and 100 lt

front any public road

If on any pure reach, and the constructed in a single phase. Shared Maintenance Facility: The maintenance building situated on fands of Ida Faucett will be operated as a shared facility ennumbed but the Maneg's Linding Park (mobile home community) and the Resort at Massey's Landing (campground) properties. The easting

Community) and the Report at waskeys tanking transported proported in the Co Massey's Landing Park maintenance facility will be demolished. A permit is required from DNREC and/or the Army Corps of Engineers for any work proposed within the Federal or State of Delaware mind to build withind















## PLANTING SPECIFICATIONS

#### REFERENCES AND QUALITY CONTROL

- A Ali plants shall be nursery grown within a U.S.D.A plant hardiness zone which is the same as, or colder than, the zone in which the project is located.
   B. Do not make substitutions: if specified material is unavailable, landscape architect will make final selection of substitutions.
   C. Size: Provide trees and shrubs of sizes shown or specified. Trees and shrubs of sizes shown or specified. Trees and shrubs of sizes usay be used if acceptable to the landscape architect.
- inoposition: Landscape architect reserves the right to impression: Landscape architect reserves the right to impress trees and shubs before planting, other at place of growth or at one, compliance with requirements of rume, vanety, size and quality. Landscape architect has ruph to regist any plant material for any reason, including, but not limited to those listed above. All registed plant naterial shall be immediately removed from the site

#### PRODUCT5

- Mulch: Material shall be well aged, finely shredded hardwood bark, dark brown in color, or approved equal Material shall be mulching grade: uniform in size and
- Iree of foreign matter and weed seeds. Guying Materials Double reinforced rubber hose and 10 gauge
- metal wire
- Fertilizer: For new plant material provide packet, tablet or pellet forms of slow release fertilizers conforming to Fed. Spec. O-F-241, bearing the manufacturer's guaranteed statement of analysis. S celease tertilizers shall contain a minimum percentage by weight o five nitrogen (of which 50% will be organic), 10 available phosphonic

For bed preparation and costing trees, provide granular fertilizer conforming to feed. Spec. O.F.241, Type 1, Glass 2 which shall bear the manufacturer's guaranteed statement of analysis. Granular fertilizer shall contain a minimum percentage by weight of 10 introgem (of which 50% shall be organic), six available phosphonic acid and four potash

#### SOIL EXCAVATIONS

acid and five potashi

- A: The excavation must not be less than 12 inches wider or deeper than necessary to accommodate the ball of the plant.
- the plant. When conditions detrimental to plant growth are encountered: such as rubble fill or adverse dramage conditions, notify landscape architect before proceeding with elaithea contrations.
- wan parameter operations. Output completion of planning of trees, cultivate a ring five times the diameter of the ball or 48°, which ever in greater, 15° deep around tree; or an directed by landscape architect. Restore disturbed areas.

#### PREPARATION OF PLANTING AREAS

- A. All manting antias shall be brought to proposed The planting topical mix as specified. No existing on-site soil shall be incorporated mix the topical mix, unless directed by the landscape architect.
   B. The planting field shall be loosened prior to planting.
- B. The planting the shall be stoomed prior to planting try one of the following methods: stoob-tilling or with pick and shovel. Soil shall be loosened to a depth of 8' to 10'. C. Organic matter shall be opened over the lead to a depth of 2' for lead mod and other organics, or 1' deep for sludge, (2 dutic yards of composed sludge/1000 square feet), after the soil has been loosened. The organic matter shall have beneficial with the feet with a critical feet of other. then be worked into the bed with a roto-tilier or other ved method
- D. Fertilizer shall be incorporated into the top 4-6" of bed at manufacturer's specified rate. E. The entire bed shall be mulched to minimum
- depth of 3° with mulch as specified.
- F Soil shall be tested for Ph and amended as required to maintain an optimum Ph of 6.5 to 7.0 or as directed.

PLANTING PROCEDURES FOR TREES AND SHRUBS

- A Trees and shrubs shall bear same relationship to
- grade as they did in the nursery row B. Before placing shrubs in priss, place a G layer of soil mix instenal into bottom of pit and tamp. C. All trees shall be placed directly on the scanlied subgrade
- D. The plant pit shall be filled with soil mix materia
- The plant pit shall be filled with sol mix material as specified and placed in G<sup>2</sup> layers around the ball. Each layer which be carefully tamped in place in a manner to avoid inject to the roots or kall, or disturbing the rootstom of the plant. When approximately two there layers of the plant has been back-filled, the patishill be filled with water and the poll allowed to settle amount the roots. The sector shull be all the layers were and burged cut avaity. plants shall have all the twine wire and burlap cut away parts shall have an the twine will be buildy buildy on the set or folded back from the top 1/3 of the ball and trunis before appying water. After the water has been absorbed, the plant hole shall be filled with som mix and
- All concainerized stock shall be removed from containerized stock shall be removed from containers and the root mass should either be physically
- observed or sliced to prevent strangulation F. Failure to comply with planting procedures outlined above is basis for rejection of plant material by
- landscape architect C. Transit trunk auard shall be removed only alter
- ispection at site by landscape architect

#### PRUNING

- A. Trees and shrubs shall be pruned to remove broken branches only and/or to preserve their natural character and shape. Pruning shall be restricted in general to the secondary branches and soft, sucker growth. Never cut
- B ALL PLANTS DISFIGURED BY FOOR PRUNING PRACTICES WILL BE REJECTED BY THE LANDSCAPE ARCHITECTS. C All pruning cuts shall remain unpainted

#### MULCHIN

- A. All planting beds shown on the plans shall e mulched with 3° of mulch over entire area B Before mulch is installed, a pply pre-emergence weed killer and incorporate into soil according to
- manufacturer's directions C All surfaces to receive mulch shall be raked smooth and be free of all rocks, debris and large bark pieces Mulch shall not be mounded up around

#### base of tree STAKING AND GUYING

- A. All trees to be staked and guyed within 48 liours of
- Planting B. Methods and materials for staking and guying are
- illustrated in individual planting details
- C. Neatly flag all guy wres with rot resistant yellow tree marking ribbon.
   D. Staking may not be required dependent on plant
- location as directed by landscape architect E Brace plants upright in position by guy wires and public loss arcsection and states

nupper nuse protect	ION AND SCARES
Tree Caliper	Tree Support Method
1 - 3 inches	2 guy wires (2 strand wire
3 - 6 inches	3 guy wires (2 strand wire
over 6 inches	4 guy wires (4 strand wire

- All The planting holes shall be excavated through the mulch with hand trowel or shovel.
- B. Before planting, biodegradable pots shall be split and non-biodegradable pots shall be removed. C. The perennals shall be planted as follows:
- (i) Roots of the plant shall be surrounded by soil below the nulkh. The plants shall be set so that the top of the root system is even with existing soil grade.
  2. At and equal distance apart (plans and specifications
- Specify the distance on center, (O.C.) for the perennials. The entire bed shall be edged per detail. Treat the mulched and planted perennai bed with soil applied, pre-emergent herbicade appropriate for use
- with the plant material specified. The entire perennial bed shall be thoroughly watered to a depth of  $6-8^{\circ}$

#### REMOVAL AND CLEANUP

- A. Removal of debns is required. The property must be left in a neat and orderly condition in accordance with
- good and accepted planting practices. Protect all finished surfaces during planting operations
- C Repair and restore all damaged or distuibed surfaces related to planting operations

#### SUBSTANTIAL COMPLETION

he point when plant materials have been installed and the Landscape Architect completes a punch list.

#### MAINTENANCE PERIOD

Begins from point when plants are installed to end of the guarantee period For lawns, after a minimum of 3 (three) mowings.

#### FINAL ACCEPTANCE

After all items on the punch list have been completed to the Landscape Architect's satisfaction

#### GUARANTEE & GUARANTEE PERIOD

- A Guarantee Period commences after final acceptance. B Plant materials shall be guaranteed for two growing seasons from date of acceptance by the owner or his representative. The trees are to be alive and in satisfactory growing condition as determined by the owner or his epresentative during final inspection at the end of the quarantee
- C Replacement will be made according to these same expectituations and during the normal planting period. Replacements shall be subject to the same guarantee and replacement as the original material. The replacements shall be made within 60 days following written notification from the owner or his representative.
- D In the event of questions regarding the condition and satisfactory establishment of a rejected plant, the contractor may, if approved by the owner, allow such a plant to remain through another growing season at which time the rejected plant, if found to be dead or in an uneatity or badly impared condition, shall be replaced. E. The contractor is not responsible for theft or damage to plants
- by non-contractor vehicles or vandalism once plants are installed and approved. F. Remove all guys and stakes from trees after one year

#### PLANTING PROCEDURE FOR GROUNDCOVERS, PERENNIALS AND ANNUALS INSPECTION AND ACCEPTANCE

A) Inspection: Inspection of work will be made by Landscape Architect at conclusion of maintenance period to determine if proper completion and maintenance has been effected. Sub contractor shall give written notice to Architect requesting such inspection at least ten days prior to anticipated date Condition of work will be noted and determination made by Landscape Architect whether maintenance shall continue

PREFARATION

SPREADING TOPSOIL

applied

WARRAUTY

UTILITIES

Landscape Architect writerier immittained will be notified in Acceptance: Alter inspection, Subcontractor will be notified in writing by Landscape Architect of acceptance of work, or if there are deficiencies or requirements for completion of work. Maintenance or other work remaining to be done shall be subject to re-inspection prior to final acceptance

#### FRODUCTS

## GROWING MEDIA

- All Imported Topsoil: natural, Tertile, apportunal soil typical of Inclusive representation, tertule, agreement of the representation of the form well drained site, free of flooding, not in frozen or muddy condition, not less than 6% organic matter, and pH value of 5,3 to 7,0. Soil shall be free from subtioil, slag, clay, stories, lumps, live plants, roots, sticks, crabgrass, couch grass, noxious weeds and foreign: matter B Existing Topsoil: Natural fertile agricultural soil capable of
- sustaining vigorous plant growth, not in frozen or muddy condition, containing not less than 6% organic matter, and corrected to pH value of 5.9 to 7.0. Free from subsoil, slag, clay, stones, lumps, lume plants, roots, slucks, crabgrass, couch grass, noxous weeds and loreign matter. C Sand: Hard, granular natural beach sand, washed, free of
- impunties, chemical or organic matter. D. Limestone: Dolomitic linestone with minimum 85% carbonates and 50% calcium oxides. Bags shall show weights and analysis. E. Fertilizer: Commercial type conforming to FS 0-F-241, Type 1.
- Grade A recommended toyet combining of 50 of the elements derived from organic sources; of proportion necessary to eliminate any deliciencies of topsoil as indicated in analysis to the following proportions: nitrogen 10%, phosphone acid 6%, soluble potash 4%.

#### ACCESSORIES

- A. Mulching Material Oat or wheat straw, reasonably free from
- of growth or germination inhibiting ingrédients Weed Killer: "Weed B Gone" or equal Establishment Blanket: Uniform, open weave jute matting
- E Wooden Pegs: Of sufficient size and length to ensure satisfactory
- anchorage of sod on slope in excess of 2:1. F. Water: Clean, Iresh and free of substances of matter which
- would inhibit vigorous growth of grass

EXECUTION

Modeling Material: Out of which stress they receive weeks, fore-an matter detrimental to plant Met, and in dry conduction. Hay or chapped comstalls is not acceptable.
 Mitching Materia/Tack Coat: Wood or wood collulose horr, free





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

NICOLE MAJESKI SECRETARY

March 8, 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 **Bluewater Hospitality** proposed land use application, which we received on February 14, 2022. This application is for an approximately 46.94- acre parcel (Tax Parcel: 234-25.00-31.02). The subject land is located on the north side of Long Neck Road (State Route 23) about 400 feet from the east end of the road. The subject land is currently zoned AR-1 (Agriculture Residential), and the applicant seeks a conditional use approval for an amendment of the site plan to permit year-round installation of rental cottages consisting of 6 permanent buildings and 63 park models.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the section of Long Neck Road from John J Williams Highway (State Route 24) to the end of the road is 11,726 and 15,078 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 500 vehicle trips per day, and would be considered to have a **Minor** impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our <u>Development Coordination Manual</u> provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be fewer than 200 vehicle trips per a weekly peak hour and fewer than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.



Mr. Jamie Whitehouse Page 2 of 2 March 7, 2022

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 Famile

Claudy Joinville Project Engineer Development Coordination

CJ:afm

- cc: Bluewater Hospitality, Applicant
  - Elliott Young, Sussex County Planning & Zoning
    Sussex Reviewer, Sussex County Planning & Zoning
    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
    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

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

TO: Jamie Whitehouse **REVIEWER**: **Chris Calio** DATE: 7/29/2022 APPLICATION: CU 2356 Sun Massey's LLC Sun Massey's LLC APPLICANT: FILE NO: OM-7.12 TAX MAP & PARCEL(S): 234-25.00-31.02 & 31.05 LOCATION: 20628 Long Beach Drive, Millsboro. Lying on the north and south side of Long Neck Road (Rt. 23), within the Massey's Landing RV Park

NO. OF UNITS: Amend requirement that no campers or RV's shall be stored on the campground during the period that the campground is closed.

GROSS ACREAGE: **54.33** 

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? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? N/A If yes, how many? N/A. Is it likely that additional SCCs will be required? N/A

If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Nicole Messeck** at **302-855-7719** for additional information on charges.

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

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

- (7). Is project adjacent to the Unified Sewer District? No
- (8). Comments: The Engineering Department will require that all units be disconnected from the County sewer and caps secured when the campground is closed for the season. Based on past history we will require notification upon completion so that the Department can verify all inlets are secured.
- (9). Is a Sewer System Concept Evaluation required? Not at this time
- (10). Is a Use of Existing Infrastructure Agreement Required? Not at this time
- (11). <u>All residential roads must meet or exceed Sussex County minimum design</u> <u>standards.</u>

UTILITY PLANNING & DESIGN REVIEW APPROVAL:

Jeval

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

Xc: Hans M. Medlarz, P.E. Lisa Walls Nicole Messeck



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	C-001



The maximum number of comparison/RV sites shall be three hundred livenly-two [322]. All entrance and roadway improvements and any other DelDOI requirements shall be completed as required by DelDOI, this includes the Develope's agreement to comply with DelDOI request to enter into an agreement with DelDOT to fund an equitable portion of the installation of a single-lane roundabout at the intersection of Route 23 and single-lane roundabaut at the intersection of Routle 23 and Pol Nets Road, and other similar improvements. Development shall be served by the County's long Nack Sanitary Sever District. The Applicant shall comply with all Sussex Count Engineering Department requirements regarding connection to, and service by, the District. The Development shall be served water for domestic use and free protection by the Long Neck Water Company. Stomwater management and sediment and readion control facilities shall be constructed in accordance with applicable State and County requirements and maintained with applicable State and County requirements and maintained with applicable approval of the Sussex Conservation District. The Applicant shall cooperate and coardinate with the State and County engineery preparedness offices to develop and implement an emergency evacuation plan. The Development shall be sumanded by a 30 tool landscaped buffer, This shall be instated as parts of the 1st Pot Nets Road, and other similar improvements

andscaped buffer. This shall be installed as part of the 1st phase of the development's construction. ne enfire facility may be open no earlier than April 1st each or and shall close no later than the first Sunday of

## mber of each year.

tere shall be no accessory buildings located on individual

- Campground restrictions shall be submitted as part of the
- site plan review. All units to be used for the purpose of human habitation on compsites shall be tents, travel trailers, recreational vehicles and equipment manufactured specifically for camping
- purposes. The Developer shall plan the entrance design to accommodate a DARI bus stop and humabout in consultation and cooperation with DARI. One sign, not exceeding thity-two (32) square feet per side with sphing shall be permitted. The lighting for the sign shall not thine on any neighboring properties or road ways. All lighting shall be downward screened so that it does not shine on neighboring communities or readways.

- shine on neighboring communities or roadways. All weltands on the site shall be clearly marked on the site to avoid disturbance. The location and type of these markers shall be shown on the find Site Plan. The Applicant shall determine, after consulting with the County, whether there are any "dwellings" in the vicinity of the property that require a 400 toot buffer porsuant to Section 115-172H. (3) of the Sussex County Code (in effect at the time of this application). As part of the Find Site Plan review, the Developer shall include a note on the Plan decretion is after to marke this determination and show iescribing its efforts to make this dete e location of any dwelling that would trigger the applicant of the 400 foot buffer

#### Condition 17 Note:

After consulting with the Planning and Zoning Department Director, it was determined that a single 'dwelling' exists that will require the application of a 400 foot buffer pursuant to Section 115-172H (3) of the Sussex County Code in effect at the time of C/U 1963 zoning approval. That single dwelling exists within the Pot Nets Dockside community as illustrated on the Final Site Plan in the immediate vicinity of campsite number 1.

- In the minimum events of cumpater humans. It is a concerning to the subset of the subs nsional requirement
- There shall be a notice of the entrance to the campground stating that it is located within a Flood Prone Area and that stating that it is located within a Hood Yrano Area and mon certain exacutation and/or relocation proceedures are in place and must be followed by all campground visitors in the event of a weather emergency. There that be a buffer of 200 from any structure used for Fining space on the property of hands other than the Applicants; no activities or structures of this provide the available and the 200 for buffer of the structure set.
- use shall be permitted in the 200 foot buffer. let The Planning and Zoning Com ission shall determine the number of park models, RV's.
- travel trailers and tent camping to be established on the site; the number of > M transient sites shall also be determined by
- the Commission
- There shall be no soles of campsite or camping units, i.e. park models, RV's, travel trailers or cabins.
- There shall be no motorized watercraft for sale or lease from site and there shall be no launching
- of motorized watercraft from the site.
- The Final Site Plan shall be subject
- to the review and approval at the Planning
- and Zoning Commission



- FINAL SITE PLAN (OVERVIEW) FSP-1
- FSP-2 WETLAND SIGN LOCATION PLAN
- BOUNDARY LINE ADJUSTMENT PLAN
- WETLANDS MARKER LOCATION PLAN
- BUFFER LANDSCAPE PLANS Shts 1-3 of 3
- SITE UTILITIES COVER SHEET & OVERALL LAYOUT PLAN
- 301-305 SITE UTILITIES PLAN



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	PFFER ZONE Port at Massey's Landing Resort & Campground	FEMBIONS 1/22/15 2/23/15 2/23/15 9/18/15 9/23/15 10/2/15
tro:	Site Data: Masseys Landing Properties LLC Masseys Landing Park, Inc Ida C. Faucett 4 36625 Long Neck Road	
ibers: ood Maps i'	Millsboro, DE 19966 2-34-25.00-31.00, 234-25.00-31.02 4 234-25.00-31.04 10005C0363K 4 10005C0501K. Dated 3/16/2015 AR Campground Conditional Use Sussex County - Long Neck Sanitary Sewer District	DRAWNEDY         WPW           ORECK RW         JAC           ORECK RW         JAC           ORECK RME         AAC           FLE KANE Reserve TWARNAYS         F.           F. A.N.         F. ANG Reserve TWARNAYS           F. A.N.         F. ANG RESERVE TWARNAYS           F. A.N.         F. ANG RESERVE TWARNAYS           F. A.N.         F. A.N.           A.N.         F. A.N.           F. A.N.         F. A.N.           F. A.N.         F. A.N.           F. A.N.         F. A.N.           F. A.N.         <
gmt.:	To Sussex Conservation District Standards Long Neck Water Company Delware Electric Co-Op Venzon / Mediacom	PROJECT NG. FSP-1 SHEET NG.
a: irea: lecois Lands Landscaped sp ipground:	Mediacom 54.33 acres +\- 17.68 acres +\- 10.79 acres +\- 13.07 acres +\- 3.50 acres +\- 3.50 acres +\- 291 Total Transient Camp Sites 291 Total Transient Camp Sites 216 R.V. Camping Sites (Minimum 2,000 sf - 40' width) 70 (max) Park Model Sites (Minimum 2,000 sf - 40' width) 5 Remote Tent Sites (Minimum 2,000 sf - 40'	-PREPARED BY - -PREPARED BY - 
tent possible ind area shall b public road. ements shall b laintenance Fac ied as a shared y) and The Res Landing Park n is required from	Laundry Facilities - Baltihouses in Camperound Refuse Collection and Storage Provision- Daily Campsite Pickup 4 Dumpsters On Site on within existing forested uplands shall be selective and minimized be 400 ft from any permanent dwelling on other lands and 100 ft e constructed in a single phase. aldy: The maintenance building situated on lands of Ida Faucett will thacility serving both the Massey's Landing Fark (mobile home ort at Massey's Landing (campground) properties. The existing autenance facility will be demolished. In DNREC and/or the Army Corps of Engineers for any work leral or State of Delaware jurisdictional wettinds.	FINAL SITE PLAN SITE PLAN INDIAN RIVER HUNDRED SUSSEX COUNTY DELAWARE The Resort at Massey's Landing RV Retreat and Campground





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DRAVAN BY W.D.W.	CHECK BY: JAC	FILE NAME: Resort at Massey's Final Site 9-9-15	T.M. No. 2-34-25-P/O 31	4-25-1	SCALE 1" = 100"	
	PROJECT No.	FSP-2				
- PREPARED BY -				LAND PLANNING, LLC	118 ATLANTIC AVENUE, OCEAN VIEW, DELAWARE 19970 PHONE: (302) 539-2366 FAX: (302) 539-2499	
WETLANDS MARKER	LOCATION PLAN	INDIAN RIVER HUNDRED	SUSSEX COUNTY, DELAWARE	The Resort at Massey's Landing	RV Retreat and Campground	











#### PLANTING SPECIFICATIONS

REFERENCES AND QUALITY CONTROL

- A All plants shall be nursery grown within a U.S.D.A. ant hardiness zone which is the same as, or colder than,
- b) the zone in which the project is located.
  c) Do not make substitutions: If specified material is unavailable, landscape architect will make final selection of substitutions.
- C. Size: Provide trees and shrubs of sizes shown or specified. Trees and shrubs of larger sue may be used if acceptable to the landscape architect. acceptapie to the landscape architect. D. Inspection: Landscape architect reserves the nght to inspect trees and shrubs before planting, either at place of growth or at site, compliance with requirements of name, vanety, size and quality. Landscape architect has nght be rejecting in that material to any constant withing
- name, variety, but and pairs a constraint of any reason, including, but not limited to those listed above. All rejected plant material shall be immediately removed from the site.

#### PRODUCTS

- Mulch: Material shall be well aged, finely shredded hardwood bark, dark brown in color, or approved equal. Material shall be mulching grade: uniform in size and
- free of foreign matter and weed seeds. Guying Materials: Double reinforced rubber hose and 10 gauge metal wire.
- Fertilizer: (cluzer: For new plant material provide packet, tablet or pellet forms of slow release fertilizers conforming to Fed. Spec. O:F-241, bearing the manufacturer's guaranteed statement of analysis. Slow release fertilizers shall contain a minimum percentage by weight of
- five ntroaen (of which 50% will be organic), 10 available phosphoric acid and five potash. For bed preparation and existing trees, provide granular fertil

conforming to Fed. Spec. O.F. 241, Type 1, Class 2 which shall bear the manufacturer's guaranteed statement of analysis. Granular fertilizer shall contain a minimum percentage by weight of 10 nitrogen (of which 50% shall be organic), six available phosphone acid and four potash.

#### SOIL EXCAVATIONS

- A. The excavation must not be less than 12 inches wider or deeper than necessary to accommodate the ball of the plant.
- the plant.
  B. When conditions detrimental to plant growth are encountered; such as rubble fill or adverse drainage conditions, notify landscape architect before proceeding with planting operations.
- With paining operations is the second second

#### PREPARATION OF PLANTING AREAS

- A. All planting areas shall be brought to proposed an pairing areas shall be storing to proposed grade using topsoil mix as specified. No easting on-site soil shall be incorporated into the topsoil mix, unless directed by the landscape architect.
   B. The planting bed shall be loosened prior to planting
- are of the following methods: roto-tilling or with pick
- by one of the tollowing methods: Cr0o-timing or with pack and shovel. Soil shall be loosened to a depth of & to 10°.
  C. Organic matter shall be spread over the bed to a depth of 2° tor leat mold and other organics, or 1° deep for sludge, (2 cubic yards of composed sludge/1000 square teet), after the soil has been loosened. The organic matter shall then be worked into the bed with a roto-tiller or other approved method.
- approved method.
   D. Fertilizer shall be incorporated into the top 4-6° of bed at manufacturer's specified rate.
   E. The entire bed shall be mulched to minimum
- depth of 3' with mulch as specified.
- F. Soil shall be tested for Ph and amended as required to maintain an optimum Ph of 6.5 to 7.0 or as directed.

PLANTING PROCEDURES FOR TREES AND SHRUBS

- A Trees and shrubs shall bear same relationship to
- A. Trees and simular simulations read and constraints of the simulation of
- C. All trees shall be placed directly on the scanned
- D. The plant pit shall be filled with soil mix material
- The plant pt shall be filled with soil mix material as specified and placed in G<sup>2</sup> layers should be latter arefully tamped in place in a manner to avoid injury to the roots or bail, or disturbing the position of the plant. When approximately two-thirds (2/3) of the plant has been back-fulled, the pit shall be filled with water and the soil allowed to settle around the roots. BHD plants shall have all the twine, wire and burdp cut away or tolsked back from the top 1/3 of the ball and trunks before applying water. After the water has been absorbed, the plant hole shall be filled with soil mix and tameed half by the root. tamped hahtly to grade.
- All containers of global shall be removed from containers and the root mass should either be physically loosened or sliced to prevent strangulation.
- F. Failure to comply with planting procedures ned above is basis for rejection of plant material by
- landscape architect. G. Transit trunk guard shall be removed only after respection at site by landscape architect.

#### FRUNING

- A. Trees and shrubs shall be pruned to remove broken branches only and/or to preserve their natural character and shape. Pruning shall be restricted in general to the secondary branches and soft, sucker growth. Never out
- a leader. B. ALL PLANTS DISFIGURED BY POOR FRUNING PRACTICES WILL BE REJECTED BY THE LANDSCAPE ARCHITECTS
- C. All pruning cuts shall remain unpainted.

#### MULCHING

- A. All planting beds shown on the plans shall be mulched with 3° of mulch over entire area. B. Before mulch is installed, apply pre-emergence weed killer and incorporate into soil according to
- manufacturer's directions. C. All surfaces to receive mulch shall be raked smooth and be free of all rocks, debris and large
- bark pieces. Mulch shall not be mounded up around base of tree.

#### STAKING AND GLYING

- A. All trees to be staked and guyed within 48 hours of
- B. Methods and materials for staking and guying are
- illustrated in individual planting details
- C. Neatly hag all guy wres with rot resistant yellow tree marking nobon.
   D. Staking may not be required dependent on plant
- location as directed by landscape architect E. Brace plants upright in position by guy wires and rubber hose protection and stakes:
  - Tree Support Method Tree Calipe 2 guy wires (2 strand wire) 3 guy wires (2 strand wire) 4 guy wires (4 strand wire) 1 - 3 mohes 3 - 6 inches over G inches

PLANTING FROCEDURE FOR GROUNDCOVERS, PERENNIALS AND ANNUALS INSPECTION AND ACCEPTANCE

- A. The planting holes shall be excavated through the mulch with hand
- B. Before planting, biodegradable pots shall be split and non-biodegradable pots shall be removed.
  C. The perennals shall be planted as follows:
- Roots of the plant shall be surrounded by soil below the mulch. The plants shall be set so that the top of the root system is even with easting soil grade. 2. At and equal distance apart (plans and specifications
- At and equila distance apart (pulls and specifications specify the distance on center. (O.C.) for the perennuls.
   D. The entire bed shall be edged per detail.
   E. Treat the mulched and planted perennula bed with soil applied, pre-emergent herbicide appropriate for use with the plant material specified.
   F. The entire perennual bed shall be thoroughly watered to a depth of G-8<sup>s</sup>.

#### REMOVAL AND CLEANUP

- A. Removal of debris is required. The property must be left in a neat and orderly condition in accordance with good and accepted planting practices. B. Protect all hinshed surfaces during planting
- C. Repair and restore all damaged or disturbed surfaces related to planting operations

For lawns, after a minimum of 3 (three) mowings.

#### SUBSTANTIAL COMPLETION

The point when plant materials have been installed and the Landscape Architect completes a punch list.

#### MAINTENANCE PERIOD

FINAL ACCEPTANCE After all items on the punch list have been completed to the Landscape Architect's satisfaction

Begins from point when plants are installed to end of the guarantee period.

#### GUARANTEE & GUARANTEE PERIOD

- A. Guarantee Period commences after final acceptance. B. Plant materials shall be guaranteed for two growing seasons from date of acceptance by the owner or his representative. The trees are to be alive and in satisfactory
- owing condition as determined by the owner or his epresentative during final inspection at the end of the guarantee
- C. Replacement will be made according to these same Replacements and during the normal planting period. Replacements shall be subject to the same guarantee and replacement as the original material. The replacements shall be made within 60 days following written notification
- shall be made within 60 days following written notification from the owner or his representative.
  D. In the event of questions regarding the condition and satisfactory establishment of a rejected plant, the contractor may, if approved by the owner, allow such a plant to remain through another growing season at which time the rejected plant, if found to be dead or in an unhealthy or badly impaired condition, shall be replaced.
  The contractor construction of construction of the provided by the owner, allow such a construction of the replaced by the owner, allow such a substruction of the replaced by the owner.
- E. The contractor is or responsible for theft or damage to plants by non-contractor vehicles or vandalism once plants are installed and approved.
- F. Remove all guys and stakes from trees after one year.

- A. Inspection: Inspection of work will be made by Landscape Architect at conclusion of maintenance period to determine if Proper completion and maintenance has been effected. Sub-contractor shall give written notice to Architect requestion such inspection at least ten days prior to anticipated date. Condition of work will be noted and determination made by
- Here are deficiencies or requirements for completion of work. Maintenance or other work remaining to be done shall be subject to re-inspection prior to final acceptance.

#### FRODUCTS

#### GROWING MEDIA

- A. Imported Topsoil: natural, fertile, agricultural soil typical of Ideality, capable of sustaining vigorous plant growth, from well drained site, free of flooding, not in frozen or middy condition, not less thin 6% organic matter, and plt value of 5.9 to 7.0. Soil shall be free from subject, slag, clay, stones, lumps, live plants, exclusion from subject, slag, clay, stones, lumps, live plants, roots, sticks, crabgrass, couch grass, noxious weeds and foreign
- B. Existing Topsoil: Natural, fertile agricultural soil capable of sustaining vigorous plant growth, not in frozen or muddy condition, containing not less than 6% organic matter, and corrected to pH value of 5.9 to 7.0. Free from subsol, stag, clay, stones, lumps, live plants, roots, sticks, crabgrass, couch grass.
- Stores, and social matter.
   Sand: Hard, granular natural beach sand, washed, free of impunties, chemical or organic matter.
- carbonates and 50% calcium oxides. Bags shall show weights and
- Grade A recommended for grass, with 50% of the elements denved from organic sources; of proportion necessary to eliminate any deficiencies of topsoil as indicated in analysis to the following proportions: introgen 10%, phosphone acid 6%, solide potash 4%.

#### ACCESSORIES

- A. Mulching Material: Oat or wheat straw, reasonably free from weeds, foreian matter detrimental to plant life, and in dry

- Keta Nilei Weed Double of Equal.
   Establishment Blanket: Uniform, open weave jute matting.
   Wooden Pegs: Of sufficient size and length to ensure satisfactory anchorage of sod on slope in excess of 2:1.
- F. Water: Clean, Iresh and free of substances or matter which would inhibit vigorous growth of grass.

#### EXECUTION

- B. Acceptance: Alter inspection, Subcontractor will be notlined in writing by Landscape Architect of acceptance of work, or if

- D. Limestone: Dolomitic limestone with minimum 85%
- analysis. E. Ferblizer: Commercial type conforming to FS 0-F-241, Type 1.

#### UTILITIES -800-282-8555.

PREPARATION

Regulations

SPREADING TOPSOIL

applied.

WARRANTY

Condition Match Declining of Dynamic Matching and Conditional Con


## Sun Massey's Landing RV, LLC

Conditional Use No. 2356 Amendment of Ordinance





David C. Hutt, Esquire Morris James LLP Public Hearings: Planning Commision County Council

08/25/2022 09/27/2022

## **TABLE OF CONTENTS**

- Planning & Zoning Application

   A. Proposed Revision to Condition 9
   B. Ordinance No. 2378
- 2. Final Site Plan (Resort at Massey's Landing)
- 3. Annual Process & Cost
- 4. Cottage Pictures

# TAB "1"

## **Planning & Zoning Commission Application** Sussex County, Delaware

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

Type of Application: (please check applicable)

Conditional Use 🖌 Amendment

Zoning Map Amendment \_\_\_\_

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

20628 Long Beach Drive, Millsboro, Delaware 19966

### Type of Conditional Use Requested:

The applicant and owner request that Condition No. 9 in Ordinance No. 2378 (Conditional Use No. 1963) be modified as shown on the attached Exhibit A. For ready reference a copy of Ordinance No. 2378 is attached as Exhibit B.

Tax Map #: 234-25.00-31.02, .05

Size of Parcel(s): 54.33

Current Zoning: AR-1/CU	Proposed Zoning: AR-1/CU	Size of Building:	not applicable
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Land Use Classification: 2045 FLUM -- Coastal Area

 Water Provider:
 Long Neck Water Company
 Sewer Provider:
 Sussex County

### Applicant Information

Applicant Name: <u>Sun Massey's, LLC</u>		
Applicant Address: 9919 Stephen Decatur Hwy.		
City: Ocean City	State: MD	ZipCode: <u>21842</u>
Phone #: (410) 213-1900	E-mail: rcorrea@bwde.co	m

### **Owner Information**

Owner Name: Sun Massey's Landing RV LLC			
Owner Address: 27777 Franklin Road, Suite No. 2	.00		
City: Southfield	State: MI	Zip Code: <u>48034</u>	
Phone #:	E-mail:		

## Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David	C. Hutt, Esquire   Morr	is James LLP	
Agent/Attorney/Engineer Address: 107	W. Market Street		
City: Georgetown	State: DE	Zip Code: <u>19947</u>	
Phone #: <u>(302) 856-0018</u>	E-mail: <u>dhutt@m</u>	orrisjames.com	





## **Check List for Sussex County Planning & Zoning Applications**

The following shall be submitted with the application

✓ Completed Application		
<ul> <li>Provide eight (8) copies of the Site Plan or Survey of the property</li> <li>Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.</li> <li>Provide a PDF of Plans (may be e-mailed to a staff member)</li> <li>Deed or Legal description</li> </ul>		
✓ Provide Fee \$500.00		
<b>Optional - Additional information for the Commission/Council to consider</b> (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 by 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	
Signature of Owner	Date: <u>Manh 4, 2022</u>
1 If for Sun Mossi, i lle	Date: March 4. 2022
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:

1

## **Exhibit** A

Current Condition No. 9

The campground/RV park shall remain vacant and no campers or RV's shall be stored on the campground during the period that the campground is closed.

Proposed Condition No. 9

The campground/RV park shall remain vacant and no campers or RV's <u>except "Park Model RV's"</u> <u>on approved Park Model campsites</u> shall be stored on the campground during the period that the campground is closed. <u>Park Model RV's in special flood hazard areas shall meet the requirements of 115-141.5B (3) for manufactured homes</u>.

## EXHIBIT "B"

#### **ORDINANCE NO. 2378**

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CAMPGROUND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 50.83 ACRES, MORE OR LESS (Tax Map I.D. 2-34-25.00-31.00, 31.02, 31.04)

WHEREAS, on the 19th day of March 2013, a conditional use application, denominated Conditional Use No. 1963 was filed on behalf of Ida C. Faucett, Faucett Heirs, LLC and Massey's Landing Park, Inc.; and

WHEREAS, on the 23rd day of May 2013, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 27th day of June, 2013, said Planning and Zoning Commission recommended that Conditional Use No. 1963 be approved with conditions; and

WHEREAS, on the 18th day of June 2013, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

#### NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1963 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 Indian River Hundred, Sussex County, Delaware, and lying on both sides of the eastern end of Long Neck Road (State Route 23, a.k.a. Route 22) and being more particularly described in the attached legal descriptions, and containing 50.83 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 campground/RV sites shall be three hundred twenty-two (322).
- 2. All entrance and roadway improvements and any other DelDOT requirements shall be completed as required by DelDOT. This includes the Developer's agreement to comply with DelDOT's request to enter into an agreement with DelDOT to fund an equitable portion of the installation of a single-lane roundabout at the intersection of Route 23 and Pot-Nets Road, and other similar improvements.
- 3. The Development shall be served by the County's Long Neck Sanitary Sewer District. The Applicant shall comply with all Sussex County Engineering Department requirements regarding connection to, and service by, the District.
- The Development shall be served water for domestic use and fire protection by the Long Neck Water Company.
- 5. Stormwater management and sediment and erosion control facilities shall be constructed in accordance with applicable State and County requirements and maintained using Best Management Practices. The Final Site Plan shall contain the approval of the Sussex Conservation District.
- 6. The Applicant shall cooperate and coordinate with the State and County emergency preparedness offices to develop and implement an emergency evacuation plan.
- 7. The Development shall be surrounded by a 50 foot landscaped buffer. This shall be installed as part of the 1st phase of the development's construction.
- he entire facility may open no earlier than April 1st each year and shall close no later than the first Sunday of November of each year.
- 9. The campground/RV park shall remain vacant and no campers or RVs shall be stored on the campground during the period that the campground is closed.
- 10. There shall be no accessory buildings located on individual campsites.
- 11. Campground restrictions shall be submitted as part of the site plan review.
- 12. All units to be used for the purpose of human habitation on campsites shall be tents, travel trailers, recreational vehicles and equipment manufactured specifically for camping purposes.

- 13. The Developer shall plan the entrance design to accommodate a DART bus stop and turnabout in consultation and cooperation with DART.
- 14. One sign, not exceeding thirty-two (32) square feet per side with lighting, shall be permitted. The lighting for the sign shall not shine on any neighboring properties or roadways.
- 15. All lighting shall be downward screened so that it does not shine on neighboring communities or roadways.
- 16. All wetlands on the site shall be clearly marked on the site to avoid disturbance. The location and type of these markers shall be shown on the Final Site Plan.
- 17. The Applicant shall determine, after consulting with the County, whether there are any "dwellings" in the vicinity of the property that require a 400 foot buffer pursuant to Section 115-172H.(3) of the Sussex County Code (in effect at the time of this application). As part of the Final Site Plan review, the Developer shall include a note on the Plan describing its efforts to make this determination and show the location of any dwelling that would trigger the application of the 400 foot buffer.
- 18. All campsites must be 2,000 square feet in size according to the Sussex County Code. It does not appear that the campsites at the "Remote Tenting Area" shown on the Preliminary Site Plan comply with this size requirement, and this must be corrected on the Final Site Plan along with any other campsites that do not meet the appropriate dimensional requirements.
- 19. There shall be a notice at the entrance to the campground stating that it is located within a Flood Prone Area and that certain evacuation and/or relocation procedures are in place and must be followed by all campground visitors in the event of a weather emergency.
- 20. There shall be a buffer of 200 feet from any structure used for living space on property of lands other than the Applicants; no activities or structures of this use shall be permitted in the 200 foot buffer.
- 21. The Planning and Zoning Commission shall determine the number of park models, RVs, travel trailers, and tent camping (sites) to be established on the site; the number of transient sites shall also be determined by the Commission.

- 22. There shall be no sales of campsites or camping units, i.e., park models, RVs, travel trailers or cabins.
- 23. There shall be no motorized watercraft for sale or lease from the site and there shall be no launching of motorized watercraft from the site.
- 24. The Final Site Plan shall be subject to the review and approval of the Planning and

Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2378 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 9TH DAY OF DECEMBER 2014.

**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:

- A. Based on the record, the site is located in the Long Neck Sanitary Sewer District; that wastewater capacity is available; that Ordinance 38 construction is required; that conformity to the North Coastal Planning Study will be required; that connection to the sewer system is mandatory; that the County reserves the right to alter or provide additional comments upon submittal of information regarding flood zones; that the County requires design and construction of an on-site collection system to meet County Engineering Department Standards and Procedures; that coordination of existing public sewer with the project's design is required; that the County Engineer must approve connection points, and requires that a Sewer Concept Plan be submitted for review and approval; and that System Connection Charges will apply.
- B. The record reflects that Delaware Department of Transportation (DelDOT) provided comments on January 28, 2013 in reference to the Traffic Impact Study (TIS), on April 10, 2013 on the Preliminary Site Plan, and on May 13, 2013 provided an Entrance Location Approval Only letter; that, while there were concerns expressed about traffic, DelDOT has not objected to the project or the traffic generated by it on area roadways; that a TIS was

completed in 2005 and has been reviewed and accepted by DelDOT subject to certain recommendations in terms of improvements that the Applicant will be responsible for; that DelDOT found that conditions in the study area have not changed substantially since the 2005 TIS was done, that the development now proposed will be similar in its trip generation and therefore "our findings and recommendations based on the TIS contained in a letter dated November 4, 2005, are applicable to the current development proposals as well and a new TIS is not necessary"; and that the State considered Long Neck Road to be a Major Collector Road, which is an appropriate location for this type of use.

- C. Based on the record, Applicant intends to develop the site with a campground/RV park; that the project is planned on both sides of Long Neck Road and is adjacent to State land, the boat ramp site, the existing Massey's Landing Manufactured Home Park and the existing Pot Nets Seaside Manufactured Home Park; and that the site contains 50.83 acres of land and does not include Mrs. Faucett's home.
- D. Based on the record, all of the lands around the site have AR-1 Agricultural Residential zoning and are improved with manufactured home communities or water bodies; that the project will have 322 campsites with sewer, water, and electric hookups, bathhouses, laundry, general store, café, snack bar, and recreational and maintenance facilities, pavilions, an aquatic rental center (no motorized watercraft), concierge, golf cart rental center, welcome center/ administrative offices, swimming pool, nature center/activity lodge, lodge meeting center/conference center, remote tenting area, DART bus stop, interior crabbing and fishing piers, and a dog park; that the recreational amenities support the use of the campground; that there will not be any lot sales; that employee parking will be provided; that Delaware Electric Cooperative will provide electricity; that the site is located in the Indian River Fire Company service area; that the streets within the project will be sized to accommodate the largest emergency vehicle of the Indian River Volunteer Fire Company; that they are proposing to install pervious pavement with filter strips, rather than impervious pavement; that they plan on utilizing green technologies and Best Management Practices; that there are no threatened/endangered species on site; and that the project will have controlled and gated access.
- E. The use as a campground is consistent with the other existing residential uses, campgrounds and manufactured housing communities that currently exist in the Long

Neck Road and Massey's Landing areas; that campers and RVs are not something new in this neighborhood, so there is a reasonable expectation that RV and campground uses could be developed in the vicinity; and that the use is adjacent to developed Manufactured Home Parks on the west and south, and the bay and the State of Delaware boat launch on the north and east.

- F. Under the current Sussex County Comprehensive Plan, the site is located in the Environmentally Sensitive Developing Area, which is recognized as a development or growth area on the Future Land Use Map; that the area is almost fully developed and this project could be considered infill; that the development is consistent with the purposes and goals of the Sussex County Comprehensive Plan Update and is beneficial and desirable for the general convenience and welfare of Sussex County and its residents because it promotes tourism and related services, economic growth in a designated development area, full and part-time employment opportunities, significant economic benefits to area businesses, and is consistent with the character of the zoning and development in the area; that the site is an appropriate location for the proposed development since recreational and commercial uses exist in the Long Neck area; and that there will be no negative impact on schools or other similar public facilities since the development will operate only seasonally.
- G. The Applicant has created a sufficient record in support of the Conditional Use application.
- H. Based on the record and recommendation of the Planning & Zoning Commission and the record created before Council, the Conditional Use was approved subject to twenty-four (24) conditions which will serve to minimize any potential impacts on the surrounding area and adjoining properties.

## TAB "2"



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## LEGEND

APPROXIMATE MEAN LOW WATER LINE 50' BUFFER FROM TIDAL WETLANDS WITH WETLAND FLAG LOCATION

1.4

VICINITY MAP

50 LANDSCAPE SPACE / BUFFER ZONE

### The Resort at Massey's Landing R/V Resort & Campground

#### Site Data:

	JILU Dava.
915	Massovy Landing Properties, LLC Masseys Landing Park, Inc Ida G. Faucett (* 36625 Long Meck Road Millsboro, DE 19966
ibers	2-34-25-00-31-00, 234-25-00-31-02 4 234-25-00-31-04
оор Маро	10005C0363K # 10005C0501K Dated 3/16/2015
	AR - Campground Conditional Use
r	Sussex County - Long Neck Sanitary Sewer District
gmt	To Sussex Conservation District Standards
	Long Neck Water Company
	Delware Electric Co-Op
	Verizon / Mediacom
	Mediacom
a: irea   id Area: iecus Lands	54.33 acres +\- 17.68 acres +\- 10.79 acres +\- 13.07 acres +\- 3.50 acres +I-
landscaped sp	ace along all properly boundaries
ipground:	291 Total Transient Camp Sites 216 R.V. Camping Sites (Minimum 2,000 sf - 40' width) 70 (nau) Park Model Sites (Minimum 2,000 sf - 40' width 5 Remote Tent Sites (Minimum 2,000 sf) Access from Long Yeck Road - 60 R.O.W No Direct Campsite Access to Long Nock Road Private Intenor Campground Drives = 30' wide (20' maintained) Electric Connections - Each R.V. Site Public Water Supply - Each R.V. Site Toilet # Bathing Facilities - Bathhouses in Campground Laundry Fachtes - Bathhouses in Campground Laundry Fachtes - Bathhouses in Campground Relive Collection and Storage Provision- Daily Campsite Pickup 4 Dumpsters On Site
of any vegetation	or within existing forested unlands shall be selective and minimized

Clearing of any vegetation within axisting forested uptands shall be selective and minimized to the extent possible Campground area shall be 400 ft from any permanent dwelling on other lands and 100 lt

front any public road

If on any pure reach, the constructed in a single phase. Shared Maintenance Facility: The maintenance building situated on fands of Ida Faucett will be operated as a shared facility ennumbed but the Maneg's Linding Park (mobile home community) and the Resort at Massey's Landing (campground) properties. The easting

Community) and the Report at waskeys tanking transported proported in the Co Massey's Landing Park maintenance facility will be demolished. A permit is required from DNREC and/or the Army Corps of Engineers for any work proposed within the Federal or State of Delaware mind to build withind















## PLANTING SPECIFICATIONS

#### REFERENCES AND QUALITY CONTROL

- A Ali plants shall be nursery grown within a U.S.D.A plant hardiness zone which is the same as, or colder than, the zone in which the project is located.
   B. Do not make substitutions: if specified material is unavailable, landscape architect will make final selection of substitutions.
   C. Size: Provide trees and shrubs of sizes shown or specified. Trees and shrubs of sizes shown or specified. Trees and shrubs of sizes usay to used it acceptable to the landscape architect.
- inoposition: Landscape architect reserves the right to impression: Landscape architect reserves the right to impress trees and shubs before planting, other at place of growth or at one, compliance with requirements of rume, vanety, size and quality. Landscape architect has ruph to regist any plant material for any reason, including, but not limited to those listed above. All registed plant naterial shall be immediately removed from the site

#### PRODUCT5

- Mulch: Material shall be well aged, finely shredded hardwood bark, dark brown in color, or approved equal Material shall be mulching grade: uniform in size and
- Iree of foreign matter and weed seeds. Guying Materials Double reinforced rubber hose and 10 gauge
- metal wire
- Fertilizer: For new plant material provide packet, tablet or pellet forms of slow release fertilizers conforming to Fed. Spec. O-F-241, bearing the manufacturer's guaranteed statement of analysis. S celease tertilizers shall contain a minimum percentage by weight o five nitrogen (of which 50% will be organic), 10 available phosphonic

For bed preparation and costing trees, provide granular fertilizer conforming to feed. Spec. O.F.241, Type 1, Glass 2 which shall bear the manufacturer's guaranteed statement of analysis. Granular fertilizer shall contain a minimum percentage by weight of 10 introgem (of which 50% shall be organic), six available phosphonic acid and four potash

#### SOIL EXCAVATIONS

acid and five potashi

- A: The excavation must not be less than 12 inches wider or deeper than necessary to accommodate the ball of the plant.
- the plant. When conditions detrimental to plant growth are encountered: such as rubble fill or adverse dramage conditions, notify landscape architect before proceeding with elaithea contrations.
- with putting operations. C. Upon completion of pathing of trees, cultivate a ring fue times the dameter of the ball or 40°, which ever in greater, 15° deep around tree; or an directed by landscape architect. Restore disturbed areas.

#### PREPARATION OF PLANTING AREAS

- A. All manting antias shall be brought to proposed The planting topical mix as specified. No existing on-site soil shall be incorporated mix the topical mix, unless directed by the landscape architect.
   B. The planting field shall be loosened prior to planting.
- B. The planting the shall be stoomed prior to planting try one of the following methods: stoob-tilling or with pick and shovel. Soil shall be loosened to a depth of 8' to 10'. C. Organic matter shall be opened over the bed to a depth of 2' for leaf modil and other organics, or 1' deep for studie, (2 dutic yards of composed studie) I OOD settine feet), after the soil has been loosened. The organic matter shall have beneficial who have the bed with a criticality of other. then be worked into the bed with a roto-tilier or other ved method
- D. Fertilizer shall be incorporated into the top 4-6" of bed at manufacturer's specified rate. E. The entire bed shall be mulched to minimum
- depth of 3° with mulch as specified.
- F Soil shall be tested for Ph and amended as required to maintain an optimum Ph of 6.5 to 7.0 or as directed.

PLANTING PROCEDURES FOR TREES AND SHRUBS

- A Trees and shrubs shall bear same relationship to
- grade as they did in the nursery row B. Before placing shrubs in priss, place a G layer of soil mix instenal into bottom of pit and tamp. C. All trees shall be placed directly on the scanlied
- subgrade D. The plant pit shall be filled with soil mix materia
- The plant pit shall be filled with sol mix material as specified and placed in G<sup>2</sup> layers around the ball. Each layer which be carefully tamped in place in a manner to avoid inject to the roots or kall, or disturbing the rootstom of the plant. When approximately two there layers of the plant has been back-filled, the patishill be filled with water and the poll allowed to settle amount the roots. The sector shull be all the layers were and burged cut avaity. plants shall have all the twine wire and burlap cut away parts shall have an the twine will be buildy buildy out only of the ball and trunis before appying water. After the water has been absorbed, the plant hole shall be filled with som mix and
- All concainerized stock shall be removed from containerized stock shall be removed from containers and the root mass should either be physically
- observed or sliced to prevent strangulation F. Failure to comply with planting procedures outlined above is basis for rejection of plant material by
- landscape architect C. Transit trunk auard shall be removed only alter
- ispection at site by landscape architect

#### PRUNING

- A. Trees and shrubs shall be pruned to remove broken branches only and/or to preserve their natural character and shape. Pruning shall be restricted in general to the secondary branches and soft, sucker growth. Never cut
- B ALL PLANTS DISFIGURED BY FOOR PRUNING PRACTICES WILL BE REJECTED BY THE LANDSCAPE ARCHITECTS. C All pruning cuts shall remain unpainted

#### MULCHIN

- A. All planting beds shown on the plans shall e mulched with 3° of mulch over entire area B Before mulch is installed, a pply pre-emergence weed killer and incorporate into soil according to
- manufacturer's directions C All surfaces to receive mulch shall be raked smooth and be free of all rocks, debris and large bark pieces Mulch shall not be mounded up around

#### base of tree STAKING AND GUYING

- A. All trees to be staked and guyed within 48 hours of
- Planting B. Methods and materials for staking and guying are
- illustrated in individual planting details
- C. Neatly flag all guy wres with rot resistant yellow tree marking ribbon.
   D. Staking may not be required dependent on plant
- location as directed by landscape architect E Brace plants upright in position by guy wires and

Nubber nose protect	ion and stakes
Tree Caliper	Tree Support Method
I - 3 inches	2 guy wires (2 strand wir
3 - 6 inches	3 guy wires (2 strand wir
over 6 inches	4 guy wires (4 strand wire

- All The planting holes shall be excavated through the mulch with hand trowel or shovel.
- B. Before planting, biodegradable pots shall be split and non-biodegradable pots shall be removed. C. The perennals shall be planted as follows:
- (i) Roots of the plant shall be surrounded by soil below the nulkh. The plants shall be set so that the top of the root system is even with existing soil grade.
  2. At and equal distance apart (plans and specifications
- Specify the distance on center, (O.C.) for the perennials. The entire bed shall be edged per detail. Treat the mulched and planted perennai bed with soil applied, pre-emergent herbicade appropriate for use
- with the plant material specified. The entire perennial bed shall be thoroughly watered to a depth of  $6-8^{\circ}$

#### REMOVAL AND CLEANUP

- A. Removal of debns is required. The property must be left in a neat and orderly condition in accordance with
- good and accepted planting practices. Protect all finished surfaces during planting operations
- C Repair and restore all damaged or distuibed surfaces related to planting operations

#### SUBSTANTIAL COMPLETION

he point when plant materials have been installed and the Landscape Architect completes a punch list.

#### MAINTENANCE PERIOD

Begins from point when plants are installed to end of the guarantee period For lawns, after a minimum of 3 (three) mowings.

#### FINAL ACCEPTANCE

After all items on the punch list have been completed to the Landscape Architect's satisfaction

#### GUARANTEE & GUARANTEE PERIOD

- A Guarantee Period commences after final acceptance. B Plant materials shall be guaranteed for two growing seasons from date of acceptance by the owner or his representative. The trees are to be alive and in satisfactory growing condition as determined by the owner or his epresentative during final inspection at the end of the quarantee
- C Replacement will be made according to these same expectituations and during the normal planting period. Replacements shall be subject to the same guarantee and replacement as the original material. The replacements shall be made within 60 days following written notification from the owner or his representative.
- D In the event of questions regarding the condition and satisfactory establishment of a rejected plant, the contractor may, if approved by the owner, allow such a plant to remain through another growing season at which time the rejected plant, if found to be dead or in an uneatity or badly impared condition, shall be replaced. E. The contractor is not responsible for theft or damage to plants
- by non-contractor vehicles or vandalism once plants are installed and approved. F. Remove all guys and stakes from trees after one year

#### PLANTING PROCEDURE FOR GROUNDCOVERS, PERENNIALS AND ANNUALS INSPECTION AND ACCEPTANCE

- A) Inspection: Inspection of work will be made by Landscape Architect at conclusion of maintenance period to determine if proper completion and maintenance has been effected. Sub contractor shall give written notice to Architect requesting such inspection at least ten days prior to anticipated date Condition of work will be noted and determination made by Landscape Architect whether maintenance shall continue
- Landscape Architect writerier immittained will be notified in Acceptance: Alter inspection, Subcontractor will be notified in writing by Landscape Architect of acceptance of work, or if there are deficiencies or requirements for completion of work. Maintenance or other work remaining to be done shall be subject to re-inspection prior to final acceptance

#### FRODUCTS

## GROWING MEDIA

- All Imported Topsoil: natural, Tertile, apportunal soil typical of Inclusive representation, tertule, agreement of the representation of the form well drained site, free of flooding, not in frozen or muddy condition, not less than 6% organic matter, and pH value of 5,3 to 7,0. Soil shall be free from subtioil, slag, clay, stories, lumps, live plants, roots, sticks, crabgrass, couch grass, noxious weeds and foreign: matter B Existing Topsoil: Natural fertile agricultural soil capable of
- sustaining vigorous plant growth, not in frozen or muddy condition, containing not less than 6% organic matter, and corrected to pH value of 5.9 to 7.0. Free from subsoil, slag, clay, stones, lumps, lume plants, roots, slucks, crabgrass, couch grass, noxous weeds and loreign matter. C Sand: Hard, granular natural beach sand, washed, free of
- impunties, chemical or organic matter. D. Limestone: Dolomitic linestone with minimum 85% carbonates and 50% calcium oxides. Bags shall show weights and analysis. E. Fertilizer: Commercial type conforming to FS 0-F-241, Type 1.
  - Grade A recommended toyet combining of 50 of the elements derived from organic sources; of proportion necessary to eliminate any deliciencies of topsoil as indicated in analysis to the following proportions: nitrogen 10%, phosphone acid 6%, soluble potash 4%.

## UTILITIES

PREFARATION

SPREADING TOPSOIL

applied

WARRAUTY

#### ACCESSORIES

- A. Mulching Material Oat or wheat straw, reasonably free from Modeling Material: Out of which stress they receive weeks, fore-an matter detrimental to plant Me, and in dry conduction. Hay or chapped comstalls is not acceptable.
   Mitching Materia/Tack Coat: Wood or wood collulose horr, free
- of growth or germination inhibiting ingrédients Weed Killer: "Weed B Gone" or equal Establishment Blanket: Uniform, open weave jute matting
- E Wooden Pegs: Of sufficient size and length to ensure satisfactory
- anchorage of sod on slope in excess of 2:1. F. Water: Clean, Iresh and free of substances of matter which would inhibit vigorous growth of grass

EXECUTION



# TAB "3"

## **ANNUAL PROCESS & COST**

## Winterizing and Storage procedures:

- Skirting removal
- Sewage, Water, and Electric must be unhooked from each cottage
- Stair removal (requires a minimum of 3 people)
- Skirting frame removal
- Lines must be blown out with air compressor
- Hitch framing removed
- Antifreeze must be applied
- All wiring from the breaker box must be disconnected and removed completely
- Company must be contacted for transportation of cottages
- Extra materials and hurricane straps must be applied/purchased
- Storage space will need to be acquired

## General Issues with cottage storage:

- Moving cottages in general takes about a quarter of the structural life span away every time we move a cottage
- Dry wall and HVAC systems integrity are compromised which in turn leads to constant repairs and more money. Constantly fixing cracks in dry wall and many, many issues arise with HVAC after cottages are transported
- With the cottages off site, it is difficult for our team to work on any maintenance issues from the removal due to the cottages not being on the grounds. Also, cottages won't have electric or water hookups at the storage lots which gives us little time for repairs and yearly maintenance. This is due to the storage process being extremely time consuming
- Takes a minimum of 4 of our staff to winterize and store, same amount is required to open cottages for the season once they are placed. This is difficult when we have several on-site issues that need to be addressed along with cottage prep
- Structural issues such as the skirting framework and stairs gets compromised. As we remove and reconnect, it takes a toll on the material, especially any lumber. You can only drill a hole in the same place so many times before it loses its integrity to hold the wood. This can cause us to have to purchase more lumber for framing which is added cost
- Furniture, appliances, and landscape takes on damage. Often equipment will fail after transportation and our sites will get ruts, take damage from the hook up, and break down of cottages

## ESTIMATED COST BASED ON 55 COTTAGES:

- \$70,000 for all skirting and materials
- \$70,000 Tear down, delivery, return set up
- \$10,000 4 people working for about 6 weeks on cottages
- ? Additional storage space, additional added cost due to damages from transportation and replacement of material
- \$150,000-\$200,000 Total Estimated cost for total storage and setup process



















# TAB "4"







