

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



**Sussex County**

DELAWARE  
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.



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

## PLANNING & ZONING COMMISSION

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



## Sussex County

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

### PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date November 4, 2021

Application: CZ 1937 Double DB, LP (Wil King Station)

Applicant: Double DB, LP  
507 North York Street, Suite 2D  
Mechanicsburg, PA 17055

Owners: See Attached Document for Multiple Owners

Site Location: The property is lying on the west side of Wil King Rd. (Route 288)  
approximately 0.89 miles north of Conleys Chapel Road (Route 280)

Current Zoning: Split-zoned General Residential (GR) and Agricultural Residential (AR-1)  
Zoning Districts

Proposed Zoning: AR-1/MR-RPC Agricultural Residential and Medium Density Residential –  
Residential Planned Community

Proposed Use: 76 Single Family Lots

Comprehensive Land  
Use Plan Reference: Coastal Area and Low Density

Councilmanic  
District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Sussex County Sewer District

Water: Artesian

Site Area: 29.07 +/- acres

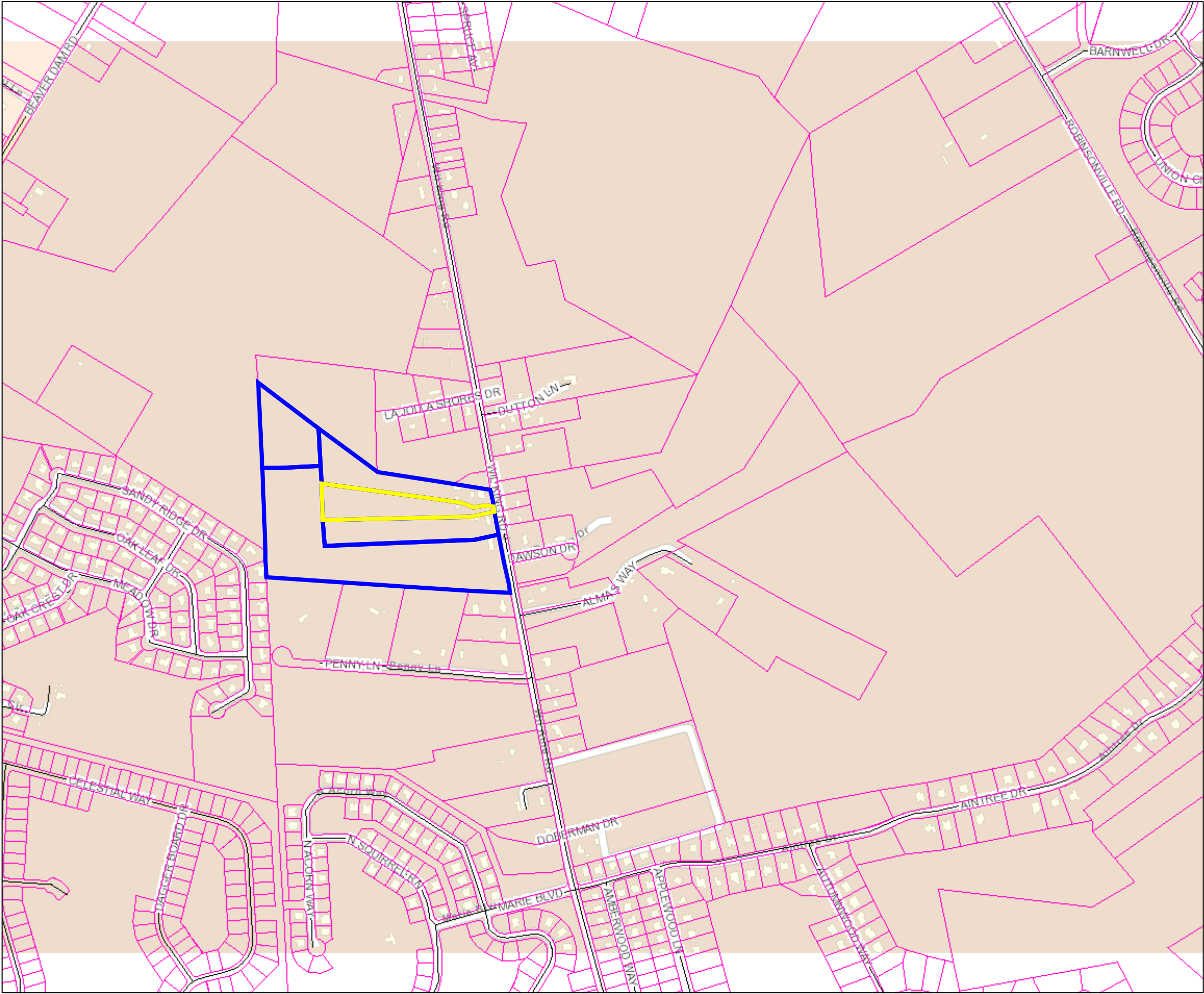
Tax Map ID.: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19







Sussex County

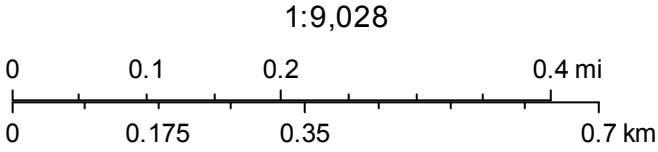


PIN:	234-6.00-26.00	
Owner Name	SNIPES MARION LEON HARMON	SARAH HARMON
Book	427	
Mailing Address	20464 WIL KING RD	
City	LEWES	
State	DE	
Description	SW/RT 288	
Description 2	0.87 NW/RT 280B	
Description 3	LOT 1 W/IMPS	
Land Code		

- polygonLayer

Override 1
- polygonLayer

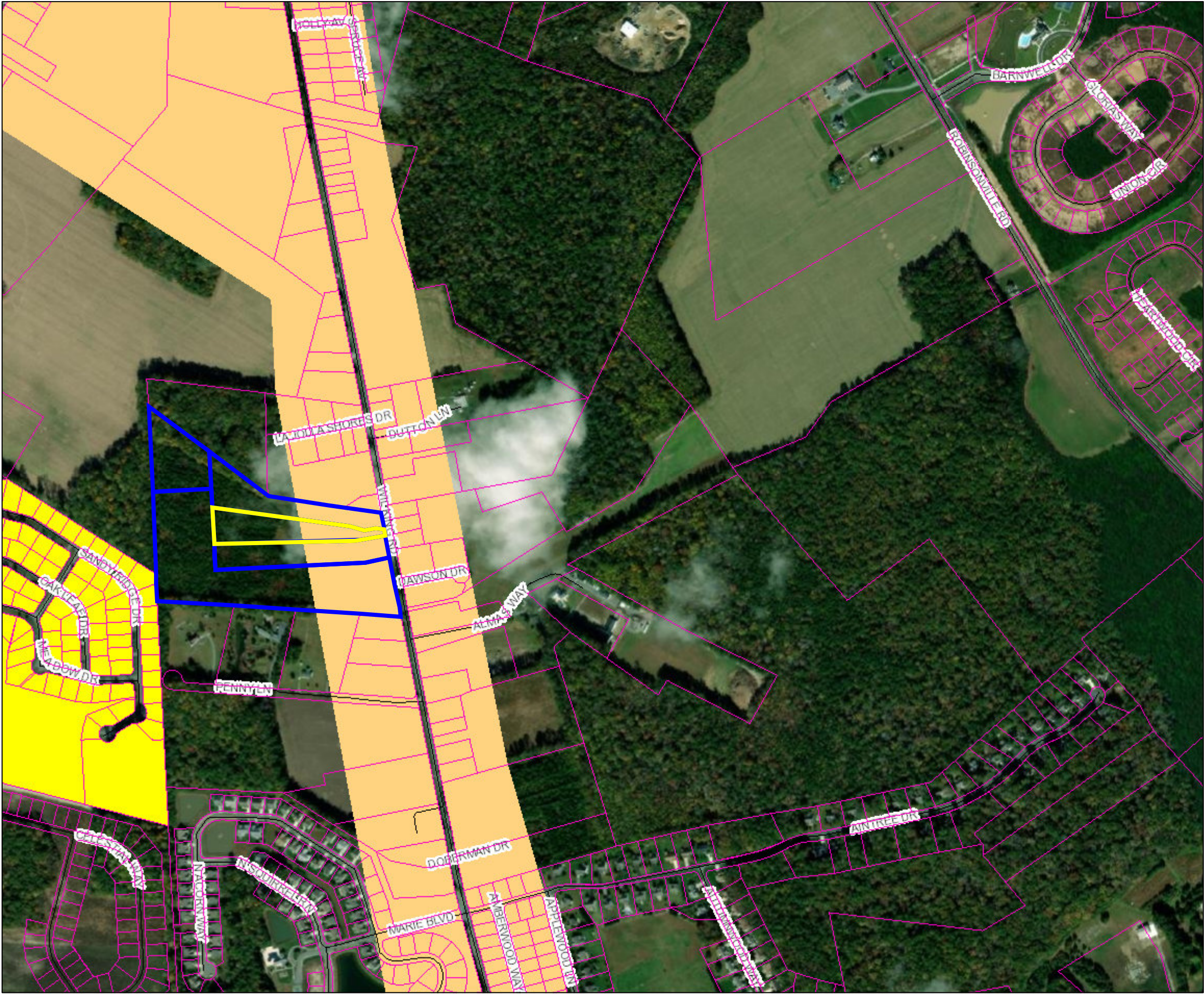
Override 1
- Tax Parcels
- Streets
- County Boundaries
- Extent of Right-of-Way
- Municipal Boundaries







Sussex County



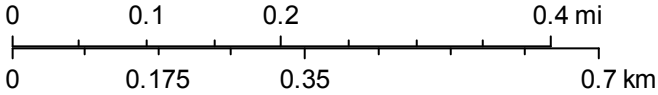
PIN:	234-6.00-26.00	
Owner Name	SNIPES MARION LEON HARMON	SARAH HARMON
Book	427	
Mailing Address	20464 WIL KING RD	
City	LEWES	
State	DE	
Description	SW/RT 288	
Description 2	0.87 NW/RT 280B	
Description 3	LOT 1 W/IMPS	
Land Code		

- polygonLayer

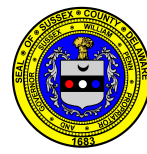
Override 1
- polygonLayer

Override 1
- Tax Parcels
- Streets

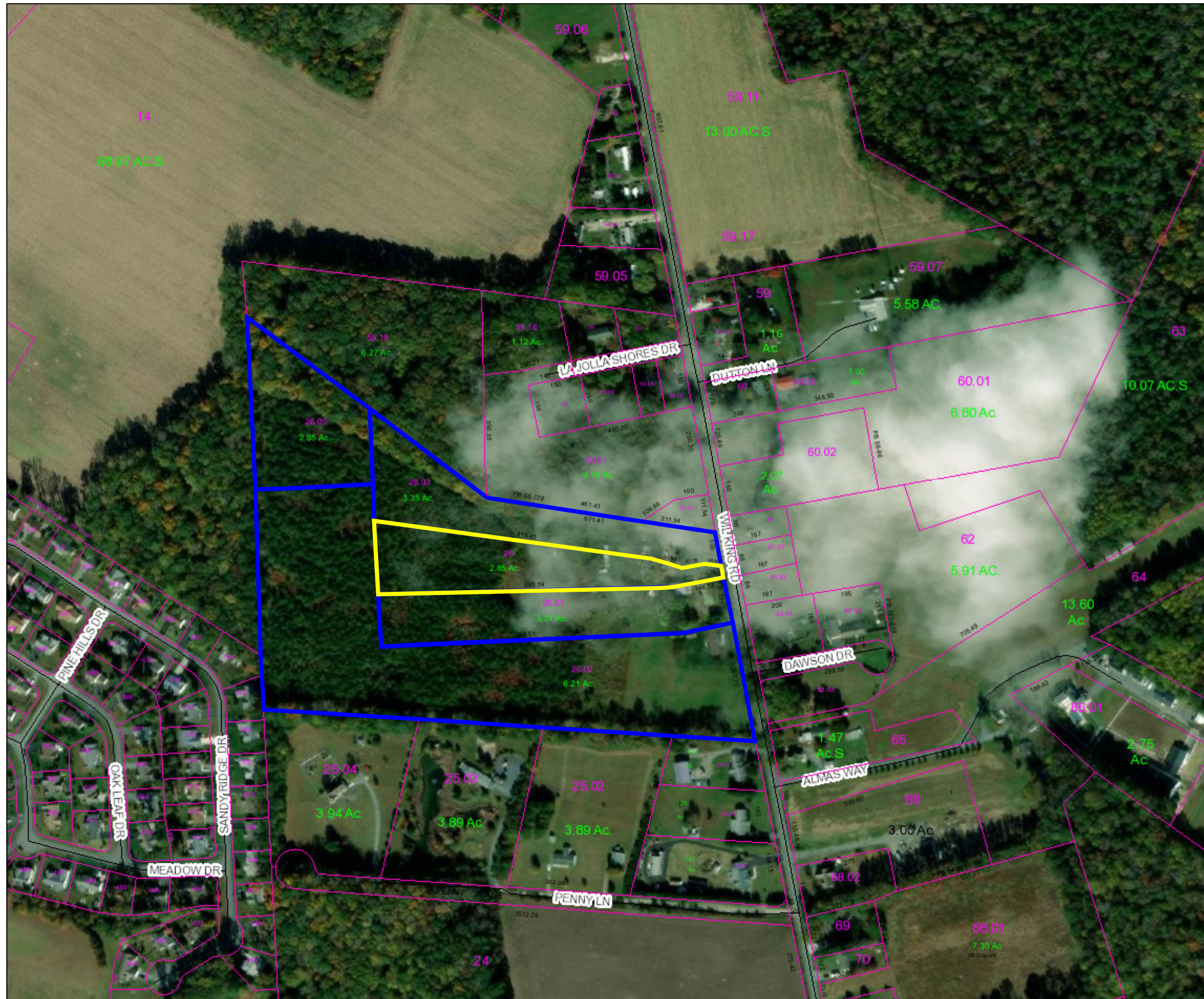
1:9,028







# Sussex County



<b>PIN:</b>	234-6.00-26.00	
<b>Owner Name</b>	SNIPES MARION LEON HARMON	SARAH HARMON
<b>Book</b>	427	
<b>Mailing Address</b>	20464 WIL KING RD	
<b>City</b>	LEWES	
<b>State</b>	DE	
<b>Description</b>	SW/RT 288	
<b>Description 2</b>	0.87 NW/RT 280B	
<b>Description 3</b>	LOT 1 W/IMPS	
<b>Land Code</b>		

## polygonLayer

Override 1

## polygonLayer

Override 1

--- Tax Parcels

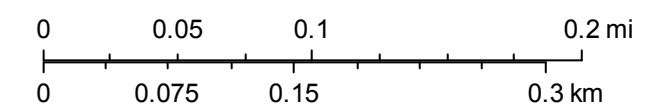
— Streets

--- County Boundaries

--- Extent of Right-of-Way

--- Municipal Boundaries

1:4,514





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



**Sussex County**

DELAWARE  
sussexcountye.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Nick Torrance, Planner I  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: October 26<sup>th</sup>, 2021  
RE: Staff Analysis for CZ 1937 Double DB, LP

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1937 Double DB, LP to be reviewed during the November 4, 2021, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcels 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19 to allow for a change of zone from General Residential Zoning District (GR) and Agricultural Residential Zoning District (AR-1) to an Agricultural Residential and Medium Density Residential – Residential Planned Community (AR-1/MR-RPC). The property is lying on the west side of Wil King Rd. (Route 288) approximately 0.89 miles north of Conleys Chapel Road (Route 280). The parcel to be rezoned contains 29.07 acres +/-.

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 subject property has a land use designation of “Coastal Area” and “Low Density.” The properties to the north, south, east and west also have the land use designation of Coastal Area. The properties to the northwest have a land use designation of Low Density.

As outlined in the 2018 Sussex County Comprehensive Plan, the 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.

The property is split-zoned with the property being zoned General Residential (GR) Zoning district along the frontage of Wil King Road and Agricultural Residential (AR-1) Zoning District in the rear of the property. The adjacent parcels to the east along Wil King Road are also zoned General Residential (GR). At the rear of the property to the west is the Oak Crest Farms Subdivision zoned Medium Density Residential (MR). All other surrounding parcels are zoned Agricultural Residential Zoning District (AR-1).

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 “Zoning Districts Applicable to Future Land



Use Categories,” the Medium Density Residential (MR) Zoning District is listed as an applicable zoning district in the “Coastal Area.” The portion of the property with the land use designation of “Low Density” is not seeking a change in zoning, therefore it would also be consistent with the Comprehensive Plan.

Since 2011, there have been no Change of Zone applications within a 1-mile radius of the application site.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from a General Residential Zoning District (GR) and Agricultural Residential Zoning District (AR-1) to an Agricultural Residential and Medium Density Residential - Residential Planned Community (AR-1/MR-RPC) could be considered as being consistent with the land use, based on size and scale, with area zoning and surrounding uses.

File #: C/21937

**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

202016351  
202016352  
202016353  
202016354  
202016355  
202016356

Type of Application: (please check applicable)

Conditional Use ☐

Zoning Map Amendment ☒

Site Address of Conditional Use/Zoning Map Amendment

West side of Wil King Road +/- 1 mile south of Kendale Road intersection

Type of Conditional Use Requested:

Tax Map #: see attached Size of Parcel(s): 29.07 Total Site

22.83 Acres MR (Proposed CZ from AR-1 & GR)  
6.24 Acres AR-1 (Existing to Remain)

Current Zoning: AR, GR Proposed Zoning: AR-1 & MR Size of Building:

Land Use Classification: Residential

Water Provider: Tidewater Utilities Sewer Provider: Sussex County

**Applicant Information**

Applicant Name: Double DB, LP

Applicant Address: 507 North York Street, Suite 2D

City: Mechanicsburg State: PA Zip Code: 17055

Phone #: (717) 461-2401 E-mail: webster.gray@yahoo.com

**Owner Information**

Owner Name: see attached

Owner Address:

City:  State:  Zip Code:

Phone #:  E-mail:

**Agent/Attorney/Engineer Information**

Landscape Architect

Agent/Attorney/Engineer Name: Jeff Clark, RLA - Land Tech Land Planning, LLC

Agent/Attorney/Engineer Address: Taggart Professional Center, 32895 S. Coastal Highway

City: Bethany Beach State: DE Zip Code: 19930

Phone #: (302) 539-2366 E-mail: jeffc@landtechllc.com



## Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ☒ Completed Application
- ☒ Provide eight (8) copies of the Site Plan or Survey of the property
  - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
  - Provide a PDF of Plans (may be e-mailed to a staff member)
  - Deed or Legal description
- ☒ Provide Fee \$500.00
- ☐ Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- ☐ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.
- ☒ DelDOT Service Level Evaluation Request Response
- ☒ PLUS Response Letter (if required)

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

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

Signature of Applicant/Agent/Attorney

Date: 11/25/2020

Signature of Owner

Date: 11/25/2020

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: \_\_\_\_\_

## Wil King Station Property Owners

TM# 234-6.00-26.00  
Sara and Leon Harmon  
20464 Wil King Road  
Lewes, DE

TM# 234-6.00-26.01  
Mildred Harmon  
20454 Wil King Road  
Lewes, DE

TM# 234-6.00-26.02  
Daniel and Sara Snipes  
20464 Wil King Road  
Lewes, DE

TM# 234-6.00-26.03  
Rodney Harmon  
20440 Wil King Road  
Lewes, DE

TM# 234-6.00-26.05  
Sara and Leon Harmon  
20464 Wil King Road  
Lewes, DE

TM# 234-6.00-59.19  
Kenneth Linton  
10933 Fox Mill Lane  
Charlotte, NC





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

December 2, 2020

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Double DB, LP – Wil King Road** rezoning application, which we received on October 30, 2020. This application is for an approximately 24.84-acre assemblage of parcels (Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19). The subject land is located on the west side of Wil King Road (Sussex Road 288), approximately 4,700 feet south of Kendale Road (Sussex Road 287). The subject land is currently split-zoned as AR-1 (Agricultural Residential) and GR (General Residential), and the applicant is seeking to rezone the GR portion to MR (Medium-Density Residential) with a residential planned community (RPC) overlay to develop 75 single-family detached houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Wil King Road where the subject land is located is 1,455 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per weekly peak hour and 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 weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per weekly peak hour and 2,000 vehicle trips per day. These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

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



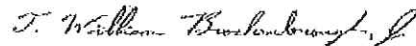
Mr. Jamie Whitehouse  
Page 2 of 2  
December 2, 2020

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

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits.

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Double DB, LP, Applicant  
Russell Warrington, Sussex County Planning & Zoning  
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance & Operations  
Sarah Coakley, Principal Planner, Regional Systems Planning  
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

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



**Sussex County**  
DELAWARE  
sussexcountype.gov

## Service Level Evaluation Request Form

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

Date: 10/30/20

Site Information:

Site Address/Location: West side of Wil King Road +/- 1 mile south of Kendale Road intersection

Tax Parcel Number: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, 59.19

Current Zoning: \_\_\_\_\_ AR and GR

Proposed Zoning: AR and MR RPC

Land Use Classification: Residential Coastal Zone

Proposed Use(s): Single family lots subdivision w/ central water and sewer

Square footage of any proposed buildings or number of units:

15 lots minimum 13,333 sf  
60 lots minimum 7,500 sf  
TOTAL DENSITY = 75

Applicant Information:

Applicant's Name: Double DB, LP

Applicant's Address: 507 North York Street, Suite 2D

City: Mechanicsburg State: PA Zip Code: 17055

Applicant's Phone Number: (717) 461-2401

Applicant's e-mail address: webster.gray@yahoo.com



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

Last updated 3-12-20





STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION

December 18, 2020

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

RE: PLUS review 2020-11-06; Wil King Station

Dear Mr. Clark:

Thank you for meeting with State agency planners on November 18, 2020 to discuss the proposed plans for the Inland Bays Community project. According to the information received you are seeking review of a proposed 75 unit subdivision on 29.1 acres along Wil King Road in Sussex County

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

**Strategies for State Policies and Spending**

- This project is located in Investment Levels 3 and 4 according to the *Strategies for State Policies and Spending* with the majority of the parcel within the Level 3 area. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and/or environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

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

The Office of State Planning cannot support development in the Level 4 area. Therefore, we ask that the applicant consider pulling the housing within the Level 4 areas and concentrate building within the Level 3 section of this parcel.

### **Code Requirements/Agency Permitting Requirements**

#### **Department of Transportation – Contact Bill Brockenbrough 760-2109**

- The site access on Wil King Road (Sussex Road 288) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at [https://www.deldot.gov/Business/subdivisions/pdfs/Meeting\\_Request\\_Form.pdf?08022017](https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017).
- In accordance with Sections 1.6.7 and 7.2.3.2 of the Manual, DelDOT may require that some or all of the lots along Wil King Road, portions of which would apparently be retained by their current owners, be accessed by way of the subdivision street system rather than by Wil King Road. To the extent that those lots are already developed and the homes would remain, their access should be discussed at or before the Pre-Submittal Meeting. The applicant's engineer may contact Mr. Brian Yates, a Subdivision Reviewer in DelDOT's Development Coordination Section, to initiate that discussion. Mr. Yates may be reached at [Brian.Yates@delaware.gov](mailto:Brian.Yates@delaware.gov) or (302) 760-2151.
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 798 vehicle trip ends per day. Using the 10<sup>th</sup> edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT confirms this number and estimates the weekday morning and evening peak hour trip ends at 58 and 77, respectively. Therefore, a TIS would normally be required.

However, the subject development is located in the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. For that reason, the developer will be required to pay a fee per dwelling in lieu of doing a TIS and making



off-site improvements in accordance therewith. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The developer should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at [Sarah.Coakley@delaware.gov](mailto:Sarah.Coakley@delaware.gov) or (302) 760-2236.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Wil King Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, **"An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."**
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Wil King Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat."**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 450 feet of the entrance on Wil King Road.
  - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.4 of the Manual addresses requirements for accessways. Accessways are paths that connect subdivision streets to a sidewalk or SUP. DelDOT anticipates requiring an accessway from Wil King Road to the development streets near Lot 4.
- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along both Wil King Road.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

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

**Stormwater Management**

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

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. The plan review agency is the Sussex Conservation District.
- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.state.de.us/eNOI/default.aspx>) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.
- Schedule a project application meeting with the appropriate agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

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

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

**Water Quality (Pollution Control Strategies)**

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



- This site lies within the Rehoboth Bay of the Inland Bays Watershed. Consult with the appropriate plan review agency (Sussex Conservation District) to determine if stricter stormwater management standards may apply for development projects in this area.

### **Hydrologic Soils Group**

While some of the site contains moderately well drained soils (Hydrologic Soils Group C), most of the site contains poorly drained soils (Hydrologic Soils Group C/D). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

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

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

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

### **Wetlands**

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of freshwater wetlands located toward the center of the site.

- If the project proposes to disturb (dredge or fill) wetlands under the jurisdiction of the U.S. Army Corps of Engineers, a delineation of waterways and wetlands is required, as well as associated authorizations and permits. In certain circumstances, additional certifications from DNREC Wetlands & Subaqueous Lands Section will be required as part of the U.S. Army Corps of Engineers permit process.
- For a list of consultants and engineers who can conduct wetland delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link:  
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>

Contact: U.S. Army Corps of Engineers (Dover Office) at  
[DoverRegulatoryFieldOffice@usace.army.mil](mailto:DoverRegulatoryFieldOffice@usace.army.mil) or (267) 240-5278.

Website: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>

### **Wildlife Displacement**

Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (approximately 300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.



**Wastewater Permitting – Large Systems**

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

- It is the responsibility of the permittee to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.

Contact: DNREC Large Systems Branch at (302) 739-9948.

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

**State Historic Preservation Office – Contact Carlton Hall 736-7400**

- The Delaware SHPO does not recommend developing in Level 4 areas. Prehistoric archaeological potential is low. Mostly poorly drained soils and not close enough to any water sources. However, it's on/close to Nanticoke Land, so it is recommended that the owner/developer check with the tribe prior to work.
- Historic potential is moderate. No buildings on Beers, but historic maps indicate that a building was on that parcel in the early 20<sup>th</sup> century. Context may have been destroyed by more modern farm complex. There also appears to be a road that cuts through the parcel on the 1918 topographic maps.

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

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

**Fire Protection Water Requirements:**

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

**Accessibility:**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where

traffic circles (roundabouts) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

#### **Gas Piping and System Information:**

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

#### **Required Notes:**

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

#### **Sussex County Engineering Department – Contact Chris Calio 855-1299**

- The proposed project is located within a Tier 1 and Tier 2 area within the Sussex County Unified Sanitary Sewer District, Chapel Branch area and connection to the sewer system is mandatory. A "Use of Existing Infrastructure Agreement" is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm



capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served. The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

### **Recommendations/Additional Information**

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

#### **Department of Transportation – Contact Bill Brockenbrough 760-2109**

- From the discussion at the PLUS meeting, DelDOT understands that the County is encouraging the developer to extend the stub streets proposed near Lots 24 and 59 to the property line to allow for interconnections to the lands to the west. DelDOT supports such interconnections as being consistent with Section 3.5 of the Manual.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Wil King Road.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>.

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

##### **Forest Removal (Mature Forest)**

The preliminary plan proposes the elimination of 18 of 21 acres of the forest on the site. An analysis of historical data indicates that the forest area located on the northern portion of the site has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. These areas provide habitat for wildlife, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, which reduces carbon that contributes to climate change.
- A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife. If mature forests are found, these areas should be conserved to the maximum extent practicable.
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1<sup>st</sup> to July 31<sup>st</sup>. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

### **Delaware Ecological Network**

The mature forest located at the northern portion of the site provides a connection route for wildlife migration between forested lands (within the Delaware Ecological Network) situated off-site, both to the east and to the west of the project site. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on this site could jeopardize habitat beyond the parcel boundary.

- Conserve these lands as community open space. Removing forested areas connecting lands within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

### **Stormwater Management**

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

For improved stormwater management, preserve existing trees, wetlands, and passive open space.



### **General Drainage Recommendations**

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project. Environmental permits or exemptions may be required by the County Conservation District, U.S. Army Corp of Engineers, or the DNREC Sediment and Stormwater Program prior to clearing and/or excavating ditch channels.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.
- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

Contact: DNREC Drainage Program at (302) 855-1930.

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

### **Wetlands**

- A wetland Jurisdictional Determination (JD) is recommended to be completed by a consultant or a representative of the DNREC Wetlands and Subaqueous Lands Section to be sure there are no impacts to wetlands. Please contact the DNREC Wetlands and Subaqueous Lands Section for more information.

Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

### **Wildlife Displacement**

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

#### **Additional Sustainable Practices**

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.
- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.
- DNREC reviewers recommend incorporating additional open space, planting open space with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

#### **Delaware State Fire Marshal's Office – Contact Duane Fox 259-7037**

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

#### **State Housing Authority – Contact: Jonathan Taswell 739-4263**

- DSHA supports the site plan for 75-unit family subdivision on 29.1 acres along Wil King road in Sussex County. This is a decent location for a more affordable housing product. As a result, DSHA recommends that Sussex county embrace the opportunity to approve this proposal permitting residents to live close to their jobs, as well as, access the resources and benefits this area provides.
- DSHA encourages a site layout and quality design measures that creates desirable housing units which are vital to any well-balanced community, the intensity of the proposal warrants design measures to create human-scaled, and pedestrian-oriented community. Incorporating attractive streetscapes, community recreation areas, visually



appealing façade treatments, significant landscaping and pedestrian-oriented measures will help the proposal to integrate well into the larger community plan for Sussex County.

- This Proposal provides Sussex County an excellent opportunity to facilitate a more affordable housing product in the Coastal Resort Area. The need for housing affordable to the many county residents who work in this resort economy is acute and well documented. This proposal is located in a great location with high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help household succeed. Unfortunately, these same areas contain little affordable housing. DSHA encourages the County and developer to work together, perhaps through participation in the County's Moderately Priced Housing Unit program, to insure an affordable housing price, so that more Sussex County residents can benefit from the many resources and benefits this area provides.

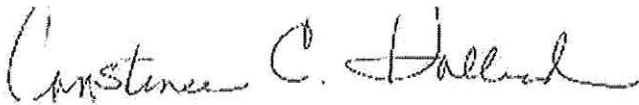
**Sussex County Housing – Contact: Brandy Nauman 855-7779**

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

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

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

Sincerely,

A handwritten signature in cursive script, reading "Constance C. Holland". The signature is written in dark ink on a white background.

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

CC: Sussex County Planning



# **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

## **WIL KING STATION SUBDIVISION**

### **ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITY EVALUATION REPORT**

**Sussex Code Article XXV – Section 115-194.3**

---

#### **BACKGROUND AND PROJECT DESCRIPTION**

- The Wil King Station site is a 29.07-acre assemblage of parcels (Sussex Tax Parcels: 2-34-6.00-26.00, 2-34-6.00-26.01, 2-34-6.00-26.02, 2-34-6.00-26.03, 2-34-6.00-26.05, 2-34-6.00-59.19). The subject land is located on the east side of Wil King Road approximately one mile south of the Kendale Road Intersection. The subject land is currently split-zoned both AR-1 (Agricultural Residential) and GR (General Residential). The AR-1 acreage is +/- 23.38 acres and the Wil King Road frontage GR acreage is +/- 5.69 acres. The AR -1 acreage lies in two Comprehensive Map zones with +/- 6.24 acres lying within the Low-Density area and +/- 17.14 acres lying within the Coastal area. The Wil King Station application proposes an MR & AR-1 RPC Subdivision seeking approval to develop 76 single-family detached home sites. The existing AR-1 and GR acreage within the Coastal area as mapped within the current Comprehensive Plan will be proposed for a zoning change to MR, which is consistent with the neighboring developed subdivision to the east. The balance of the RPC application will remain zoned AR-1 in the Low-Density area as mapped in the Comprehensive Plan.
- A single subdivision entrance is planned at the intersection with Wil King Road with a long straight roadway segment affording Wil King Station residents and their guests good site distance when exiting the proposed new community.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment and disposal Unified District facilities and public water by Tidewater Utilities for both potable and fire protection use.
- A professionally designed landscaped buffer with a minimum width of 20' will extend along the entire perimeter of the site. The gateway to the community as planned will present a view into the site from Wil King Road that is a tree lined gently curved street and no lots/homes for +/- 300 feet when viewing into the new community.

### **STORMWATER & DRAINAGE DESIGN**

- Stormwater management design for the Wil King Station site will be done in accordance with Delaware's Sediment and Stormwater Regulations and approved by the Sussex Conservation District. The design will incorporate wet ponds, swales, and where appropriate, infiltration basins.

### **COMMUNITY POTABLE AND FIRE PROTECTION WATER SUPPLY**

- The Wil King Station site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use and also supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

#### **WASTEWATER TREATMENT AND DISPOSAL**

- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020, the subject tract lies in a Tier 1 area of the sewer district. The SSCE report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed. No capacity is guaranteed until System Connection Fees are paid.
- The recommended sanitary sewer connection point will be located at the intersection of Wil King Road and Dawson Drive via a proposed manhole.

#### **TRAFFIC ANALYSIS**

- The Wil King Station developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application on October 30, 2020. The December 2, 2020 DelDOT response to the SLER notes that the subject development is located in the Henlopen Transportation Improvement District, recently adopted by DelDOT and Sussex County. For that reason, the applicant will be required to pay a fee per dwelling unit in lieu of doing a Traffic Impact Study (TIS) and making offsite improvements therewith. Any improvements required by DelDOT beyond the site entrance will be creditable toward the fee.

#### **THREATENED AND ENDANGERED SPECIES**

- Watershed Eco, LLC has conducted a Rare, Threatened and Endangered (RTE) Species study in November of 2020. Based

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

upon written comments from both the U. S. Fish and Wildlife Service and the National Marine Fisheries Service, it was concluded there are no concerns for any RTE species at this location.

#### **WETLANDS**

- The Wil King Station site has been evaluated for the existence of regulated wetlands in September 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). Mr. McCulley has concluded that there are no DNREC or Federal jurisdictional wetlands present on this property.
- The conclusions reached in the full wetland delineation report by Watershed Eco shall be made a part of the RPC application and contained within the Supplementary Data Book.

#### **OPEN SPACE MANAGEMENT**

- The Wil King Station site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- The passive open space areas within Wil King Station are associated with the storm water wet ponds and perimeter buffers. An active open space area for playground equipment is situated in the interior of the community separated from the entrance and more heavily trafficked streets for child safety purposes.
- The management of the existing passive open space areas will be to preserve native trees and shrubs in the current condition. No clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to public safety of adjacent private property.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The landscape buffer areas will either remain in their natural state or be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will be under the direction of qualified arborists under contract to the Wil King Station home owner's association

### **PUBLIC AND PRIVATE INFRASTRUCTURE**

- The Wil King Station subdivision will be served by both public water from Tidewater Utilities Water Company and public sanitary sewer from Sussex County.
- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020 the subject tract lies in Tier 1 of the sewer planning areas. The SCED report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed.
- The sanitary sewer infrastructure will include an on-site pump station with a direct connection to existing Sussex County force main transmission piping and a complete gravity collection system to serve each new residence. All pumping station components and gravity piping and appurtenances will be installed at the expense of the developer following Sussex County Ordinance 38 and other utility standards and operating agreements, inspected by Sussex County staff and dedicated to Sussex County upon acceptance of in-place construction.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The stormwater management facilities will be subject to an operation and maintenance agreement between the Home Owner's Association (HOA) and the Sussex Conservation District. The operation and maintenance agreements, along with pertinent deed covenants and restrictions, will be provided as these arrangements are made final.

### **ECONOMIC, RECREATIONAL & OTHER BENEFITS**

- Multiple economic benefits accrue to the local economy from salaries and purchase of materials during the construction of both site and building improvements. Additional benefits accrue from increased property taxes, permit fees, utility impact fees and the like.
- As stated elsewhere in this report, there are both active and passive recreational opportunities designed into the Wil King Station land use plan. For a subdivision of seventy-six (76) individual residences, there is a limited Home Owner's Association capability of sustaining expensive amenities. Based upon discussions with homebuilders interested in purchasing lots within Wil King Station, the price point for this community is targeted at young working age families with children. An area dedicated to children's play equipment is an adequate economic burden to maintain for a community of this size. This active recreation amenity together with the required professional maintenance of the extensive landscape buffer areas, interior walking trails and common area grass cutting, fertilizing and weed/pest control should be sustainable for a community of this size. A balanced amenity offering with manageable upkeep expense will insure that the fit and finish of Wil King Station common areas remain in a good state of repair and appearance.

## DESIGN SUMMARY AND SUPPLEMENTAL DATA

---

### WIL KING STATION SUBDIVISION

#### CONFORMANCE WITH COMPREHENSIVE PLAN

- The Wil King Station subdivision site has been planned in accordance with the new updated 2018 Comprehensive Plan approved by Sussex County Council.
- The Future Land Use component of the 2018 Plan has established Growth Areas where the County has signaled future growth is expected. Eighty percent (80%) of the entire Wil King Station site is mapped as **Coastal Areas** on the 2045 Future Land Use Map. Coastal Areas are one of seven (7) Growth areas defined and described in the 2018 Plan. The 2018 plan seeks to encourage the County's most concentrated forms of new development to Growth Areas. The Low-Density portion of the Wil King Station development will maintain the prescribed low density for those areas served by central sanitary sewer and public water.
- The 2018 Plan recognizes that the Coastal Growth Area is in a region among the most desirable locations in Sussex County for new housing. Coastal Areas can accommodate development provided special environmental concerns are addressed and a range of housing types should be permitted including single family detached which Wil King Station proposes. Coastal Areas development densities proposed in the 2018 Plan range from 2-12 homes per acre. Wil King Station subdivision proposes 2.6 dwellings per acre. Cluster development is encouraged that results in the permanent preservation of a substantial percentage of the tract or area being developed. Wil King Station subdivision as planned preserves 28 percent (28%) open space as that term is defined in the Sussex County Code. Wil King Station land use planning involves Best Management Practices (BMP's) in storm water management design, preserves much of the existing woodlands on site, and proposes extensive buffers for wildlife habitat and nutrient (nitrogen and phosphorous) management.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The Wil King Station subdivision will be connected to the Sussex County regional wastewater collection, transmission and treatment facilities and the Tidewater Utilities regional potable and fire protection water system.

### **HISTORICAL AND CULTURAL RESOURCES**

- The Wil King Station site was reviewed in November of 2018 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.

### **ACTIONS TO MITIGATE DETRIMENTAL IMPACTS**

- The Wil King Station subdivision plan is based upon the principals of sound land use planning and landscape architecture. Open space corridors are located to promote and encourage pedestrian access between homes in the neighborhood.
- Wooded and open space pathways into and through the community via the landscaped perimeter buffers allow the linking of off-site natural areas for wildlife surrounding the site to remain connected. Perimeter landscaped buffers also provide important esthetics for views into the site from neighboring properties and from within the subdivision.
- No wetland impacts, crossings or other intrusions are planned in Wil King Station.
- The use of a qualified professional site maintenance company by the home-owners association to manage plant and animal communities in both the native and more manicured areas of Wil King Station will serve to mitigate the effects of development on this site. Plant pest management, fertilizer application management and invasive species plant management will all serve



## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

to mitigate the effects of a low-density land use.

- Using “state of the art” best management stormwater quality and quantity controls via bio-filters and bio-retention structures with native plant species will ensure that the impacts of the land development are minimized.

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **9/3/2021**

APPLICATION: **CZ 1937 Double DB, LP (Wil King Station)**

APPLICANT: **Double DB, LP**

FILE NO: **CB-1.07**

TAX MAP &  
PARCEL(S): **234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, 59.19**

LOCATION: **Lying on the west side of Wil King Road (SCR 288),  
approximately 0.89 mile north of Conley's Chapel Road (SCR  
280)**

NO. OF UNITS: **76 single-family lots**

GROSS  
ACREAGE: **29.07**

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

**SEWER:**

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

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- ☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **It appears that there are several parcel lines that need to be clarified for this project.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

Xc: Hans M. Medlarz, P.E.  
Lisa Walls  
Noell Warren

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



**Sussex County**  
DELAWARE  
sussexcountye.gov

## Memorandum

To: Sussex County Technical Advisory  
Committee From: Nick Torrance, Planner I  
Date: December 30<sup>th</sup>, 2020  
RE: Major Subdivision

---

**PLEASE NOTE:** As a new shared email system has been put in place; if emailing your response, please send to the following email: [PANDZ@SUSSEXCOUNTYDE.GOV](mailto:PANDZ@SUSSEXCOUNTYDE.GOV)

The Sussex County Planning and Zoning Office has received five (5) applications for major subdivisions that requires review by the Sussex County Technical Advisory Committee. Please review the application and provide comments back to the Planning and Zoning Office on or before **March 5<sup>th</sup>, 2021**.

**2021-06 – Coral Crossing-** This is a cluster subdivision. The cluster subdivision is for the creation of three-hundred and fifteen (315) single family lots. The property is located on the southwest side of Robinsonville (S.C.R 277) approximately 0.65 mile south of Kendale Rd (S.C.R. 287) Tax Parcels: 234-6.00-67.00 & 84.00. Zoning: AR-1 (Agricultural Residential District). Owner: Double DB, LP

**2021-08– The Knoll-** This is a cluster subdivision. The cluster subdivision is for the creation of thirty-three (33) single family lots. The property is located on the east side of Irons Ln. (S.C.R. 348) approximately 0.44 mile north of Holts Landing Road (S.C.R 346). Tax Parcel: 134-7.00-163.00. Zoning: AR-1 (Agricultural Residential District). Owner: Irons Knoll, LLC

**2021-09– Brookland Farm-** This is a cluster subdivision. The cluster subdivision is for the creation of ninety-two (92) single family lots. The property is located on the southeast corner of Bayard Rd (S.C.R 384) and Evans Rd (S.C.R 383). Tax Parcel: 533-11.00-87.00. Zoning: AR-1 (Agricultural Residential District). Owner: Brookland Farm Properties, LLC

**2021-10– Graywood Springs-** This is a cluster subdivision. The cluster subdivision is for the creation of thirty-eight (38) single family lots. The property is located on the east side of Oyster Rocks Road (S.C.R 264) approximately 0.5 mile north of Coastal Highway (Route 1) . Tax Parcel: 235-16.00-40.00. Zoning: AR-1 (Agricultural Residential District). Owner: Nancy M. Richards Heirs

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



**Sussex County**  
DELAWARE  
[sussexcountye.gov](http://sussexcountye.gov)

**CZ 1937– Wil King Station** - This is an RPC subdivision. The subdivision is for the creation of seventy-six (76) single family lots. The property is located directly north of the Oyster Rock Subdivision with a proposed connection from Sandbar Ct. Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19. Zoning: AR-1 & GR (Agricultural and General Residential Districts). Proposed Zoning: MR-RPC (Medium Density Residential District – Residential Planned Community. Owners: Sarah and Leon Harmon, Mildred Harmon, Daniel and Sara Snipes, Rodney Harmon & Kenneth Linton

Please feel free to contact the office with any questions at (302) 855-7878 during normal business hours 8:30am-4:30pm Monday through Friday.



## Nick Torrance

---

**From:** Terri Dukes  
**Sent:** Thursday, December 31, 2020 3:23 PM  
**To:** Nick Torrance  
**Subject:** RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Nick, All but Brookland Farm has been approved.

---

**From:** Nick Torrance <nicholas.torrance@sussexcountyde.gov>  
**Sent:** Thursday, December 31, 2020 1:07 PM  
**To:** Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaac@sussexcountyde.gov>; susanne.laws@delaware.gov; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>  
**Subject:** TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5<sup>th</sup>, 2021.

Please feel free to contact me with any questions.

Thanks,

**PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV**

*Nick Torrance*

Planner I  
Department of Planning and Zoning  
(302) 855-7878  
2 The Circle  
P.O. Box 417  
Georgetown, DE 19947

Sussex County, Delaware  
Technical Advisory Committee

Comment Sheet

\*\*\*\*\*



DATE OF REVIEW: January 6, 2021

REVIEWING AGENCY: Delaware State Fire Marshal's Office, Sussex Office

INDIVIDUAL REVIEWERS: Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services  
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist  
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist  
Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: WIL KING STATION (CZ 1937)

*The reasons and conditions applied to this project and their sources are itemized below:*

\*\*\*\*\*

- ❖ ***The DE State Fire Marshal's Office has no objection to the conditional RPC zoning for the aforementioned project. Formal submittal is required for final site plan approval.***

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

a. **Fire Protection Water Requirements:**

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

b. **Fire Protection Features:**



c. **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This

means that the access road to the subdivision from Wil King Road must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**

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

e. **Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website:

[www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.

***THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE***



## Nick Torrance

---

**From:** Dickerson, Troy <TDickerson@delaware.coop>  
**Sent:** Thursday, January 7, 2021 3:37 PM  
**To:** Planning and Zoning  
**Subject:** RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

**Categories:** Nick

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

Good Afternoon,

Everyone one of the subdivisions that were sent are within DEC's service territory. We have adequate facilities in the area to serve the proposed subdivisions.

Thanks!!!

**Troy W. Dickerson, P.E.**  
Assistant V.P. of Engineering  
Voice: (302) 349-3125  
Cell: (302) 535-9048  
Fax: (302) 349-5891  
[tdickerson@delaware.coop](mailto:tdickerson@delaware.coop)



---

**From:** Nick Torrance  
**Sent:** Thursday, December 31, 2020 1:07 PM  
**To:** Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; Dickerson, Troy <TDickerson@delaware.coop>; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>  
**Subject:** TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5<sup>th</sup>, 2021.

Please feel free to contact me with any questions.

Thanks,

**PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV**

*Nick Torrance*

Planner I

Department of Planning and Zoning

(302) 855-7878

2 The Circle

P.O. Box 417

Georgetown, DE 19947



**DELAWARE HEALTH AND SOCIAL SERVICES**  
**Division of Public Health**

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

January 14, 2021

Mr. Nick Torrance  
Sussex County Planning & Zoning Commission  
PO Box 417  
Georgetown, DE 19947

**Re:** Sussex County Technical Advisory Committee

Dear Mr. Torrance:

The Division of Public Health Office of Engineering is in receipt of the following applications:

1. **Applications:**     *2021-06 – Coral Crossing*  
                              *2021-08– The Knoll*  
                              *2021-09- Brookland Farm*  
                              *2021-10- Graywood Springs*  
                              *CZ 1937- Will King Station*

These applications indicate central water will be supplied by Tidewater Utilities, Inc. *These projects require an Approval to Construct and an Approval to Operate from the Office of Engineering when constructing a new water system or altering an existing water system.* In order to obtain an Approval to Construct, plans and specifications must be prepared by a registered Delaware professional engineer. Plans for the system, including water mains or extensions thereto, storage facilities, treatment works, and all related appurtenances, must be approved by the Office of Engineering prior to construction. It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction.

Prior to receiving an Approval to Operate for these projects, the Office of Engineering requires one set of as-built drawings, including profile markups, for all plans approved for construction. Approvals to Operate will be issued after all applicable requirements are met.

Please do not hesitate to contact me at 302-741-8646 with questions or comments.

Sincerely,

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

## Nick Torrance

---

**From:** Cullen, Kathleen M <kathleen\_cullen@fws.gov>  
**Sent:** Monday, March 8, 2021 11:11 AM  
**To:** Planning and Zoning  
**Subject:** FWS review of multiple subdivisions

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

Hi-

This email is regarding the following subdivisions: Coral Crossing, The Knoll, Brookland Farm, Graywood Springs, and Wil King Station. There are no federally listed species at any of these locations, so no further Section 7 consultation is needed. You can fill out the Online Certification Letter if further documentation is needed: <https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/online-certification-letter.html>

Our office is currently teleworking for the foreseeable future, so there may be delays in mail pick up. For future projects, the fastest way to get a response is to submit through IPaC: <https://ecos.fws.gov/ipac/>. Please let me know if you have any questions!

Thank you,  
Kathleen

Kathleen Cullen  
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office  
177 Admiral Cochrane Dr., Annapolis MD, 21401  
410-573-4579 - [kathleen\\_cullen@fws.gov](mailto:kathleen_cullen@fws.gov)





DELAWARE DEPARTMENT OF  
**AGRICULTURE**

2320 SOUTH DUPONT HIGHWAY  
DOVER, DELAWARE 19901  
AGRICULTURE.DELAWARE.GOV

TELEPHONE: (302) 698-4500  
TOLL FREE: (800) 282-8685  
FAX: (302) 697-6287

March 5, 2021

Nick Torrance, Planner I  
Planning & Zoning Commission  
P.O. Box 417  
Georgetown, Delaware 19947

Subject: **Preliminary Plans for Wil King Station**

Dear Mr. Torrance,

Thank you for providing preliminary plans for Wil King Station subdivision submitted by George, Miles & Buhr, LLC Architects & Engineers to our section dated December, 2020.

The Delaware Forest Service recommends the plans reflect tree planting specifications and that the ISA ANSI A300 best management practices are followed for newly installed trees. DFS recommends planting a 70/30 mix of hardwood and evergreen tree species. There are several tree species that are not recommended for planting in the state due to their invasive nature or the susceptibility to pests and diseases. These species are listed on our department website. The Delaware Forest Service requests planting details and tree species to be added to the preliminary plans before being approved. Please resubmit the preliminary plans to Delaware Forest Service once the updates are completed.

The Delaware Forest Service will await resubmission of plans.

If you have any questions please feel free to contact me at [taryn.davidson@delaware.gov](mailto:taryn.davidson@delaware.gov).

Sincerely,

Taryn Davidson  
Urban Forestry Program  
Delaware Forest Service

## Nick Torrance

---

**From:** Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>  
**Sent:** Wednesday, March 3, 2021 10:36 AM  
**To:** Planning and Zoning  
**Subject:** FW: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station  
**Attachments:** 2021-09 Brookland Farm Subdivision Plan.pdf; 2021-10 Graywood Springs Subdivision Plan.pdf; CZ 1937 Double DB, LP (Wil King Station) Subdivision Plan.pdf

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

Good morning,

DNREC's Division of Waste and Hazardous Substances has reviewed the applications for Project #s 2021-06, 2021-08, 2021-09, 2021-10 and CZ 1937 and has no comments on any of them.

Thank you,

Mindy Anthony  
Planner IV  
DNREC-Div. of Waste & Hazardous Substances  
89 Kings Hwy  
Dover, DE 19901  
Phone: 302-739-9466  
Fax: 302-739-5060  
[Mindy.Anthony@delaware.gov](mailto:Mindy.Anthony@delaware.gov)

Integrity. Respect. Openness. Customer Focus. Quality.



<https://de.gov/recycling>  
[www.facebook.com/delawarerecycles](https://www.facebook.com/delawarerecycles)

---

**From:** Nick Torrance <nicholas.torrance@sussexcountyde.gov>  
**Sent:** Monday, January 04, 2021 10:44 AM  
**To:** Krumrine, Beth (DNREC) <Beth.Krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Fox, Duane T. (FireMarshal) <Duane.Fox@delaware.gov>; Butler, Eileen M. (DNREC) <Eileen.Butler@delaware.gov>; Sullivan, James C. (DNREC) <James.Sullivan@delaware.gov>; Cinelli, Jennifer (DelDOT) <jennifer.cinelli@delaware.gov>; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; Crystall, Meghan (DNREC) <Meghan.Crystall@delaware.gov>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@delaware.gov>; Mike Brady <MBRADY@sussexcountyde.gov>; Melendez, Milton (DDA) <milton.melendez@delaware.gov>; Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>; Subdivision (MailBox Resources) <Subdivision@delaware.gov>; Susan Isaacs <sisaacs@sussexcountyde.gov>; Laws, Susanne K (DelDOT) <Susanne.Laws@delaware.gov>; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>  
**Subject:** TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5<sup>th</sup>, 2021. This may be a duplicate email to some, but I received quite a few returned emails for the size being too large to send. So I will be sending out 2 separate emails. Please look for both.

Please feel free to contact me with any questions.

Thanks,

**PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV**

*Nick Torrance*

*Nick Torrance*

Planner I  
Department of Planning and Zoning  
(302) 855-7878  
2 The Circle  
P.O. Box 417  
Georgetown, DE 19947



Sussex County, Delaware  
Technical Advisory Committee

Comment Sheet

\*\*\*\*\*



DATE OF REVIEW: February 15, 2021

REVIEWING AGENCY: Delaware State Fire Marshal's Office, Sussex Office

INDIVIDUAL REVIEWERS: Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services  
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist  
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist  
Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: LANDS OF LIGHTPIPE, LLC (CZ 1931)

*The reasons and conditions applied to this project and their sources are itemized below:*

\*\*\*\*\*

- ❖ ***The DE State Fire Marshal's Office has no objection to the conditional RPC zoning for the aforementioned project. Formal submittal is required for final site plan approval.***

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

a. **Fire Protection Water Requirements:**

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Townhouses)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

c. **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This

means that the access road to the subdivision from Muddy Neck Road must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**

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

e. **Required Notes:**

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Townhouse 2-hr separation wall details shall be shown on site plans
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website:

[www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.

***THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE***



United States Department of Agriculture

Natural Resources  
Conservation  
Service

February 15, 2021

Georgetown  
Service Center

Jamie Whitehouse, Director  
Sussex County Planning & Zoning  
Sussex County Courthouse  
Georgetown, DE 19947

21315 Berlin Road  
Unit 3  
Georgetown, DE  
19947

**RE: Wil King Station  
76 single family lots**

Voice 302.856.3990  
Fax 855.306.8272

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

FgA Fallsington loam, 0 to 2 percent slopes  
PyA Pineyneck loam, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
FgA	R2	Very limited	Very limited	Very limited
PyA	Y2	Very limited	Somewhat limited	Very limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

**"Not limited"** indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

**"Somewhat limited"** indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.



**"Very limited"** indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

**R2:**

The soils in this classification are nearly or gently sloping, very poorly, poorly, and somewhat poorly drained. Seasonal high water tables, local ponding, and high potential frost action severely limit these soils for residential developments. The principal soil limitations are: 1) soil is highly susceptible to frost action, 2) excavations are likely to fill with water in late winter or early spring, 3) wet foundations or basements probable, and 4) hazard of temporary ponding of water in areas lacking outlets. Loose running sand commonly encountered in deep excavations.

**Y2:**

The soils in this classification are nearly level or gently sloping, moderately well drained or well drained with ground water between four to six feet from the surface, and are subject to seasonal high water tables. Seasonal wetness and seepage around foundations moderately limits these soils for residential use. The principal soil limitations are: 1) lateral seepage in subsoil causes concentration of water around foundations, 2) soil is highly susceptible to frost action, 3) excavations are likely to fill with water in late winter or early spring, and 4) wet basements or foundations are probable.

The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

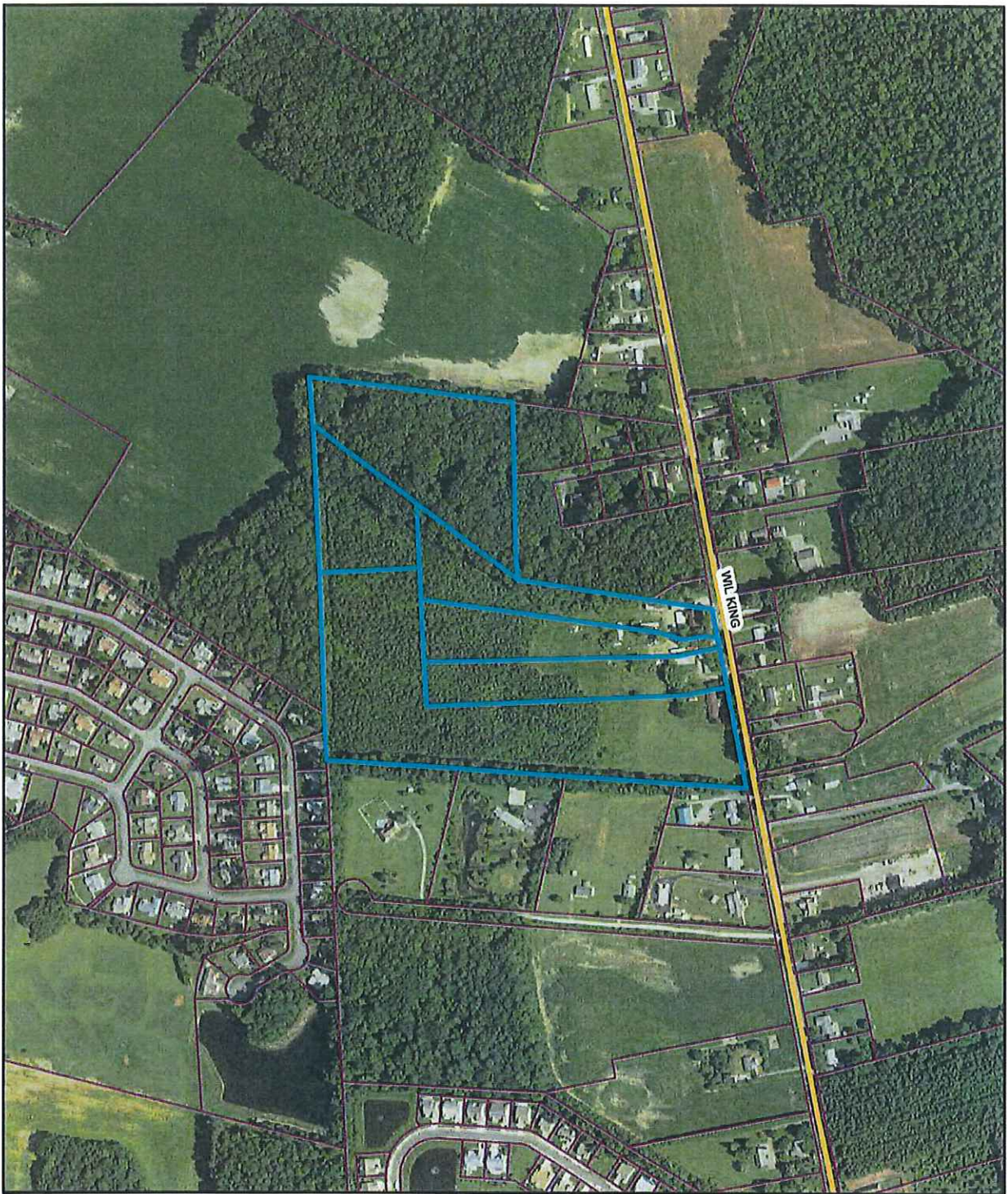
Sincerely,



Thelton D. Savage  
District Conservationist  
USDA, Natural Resources Conservation Service

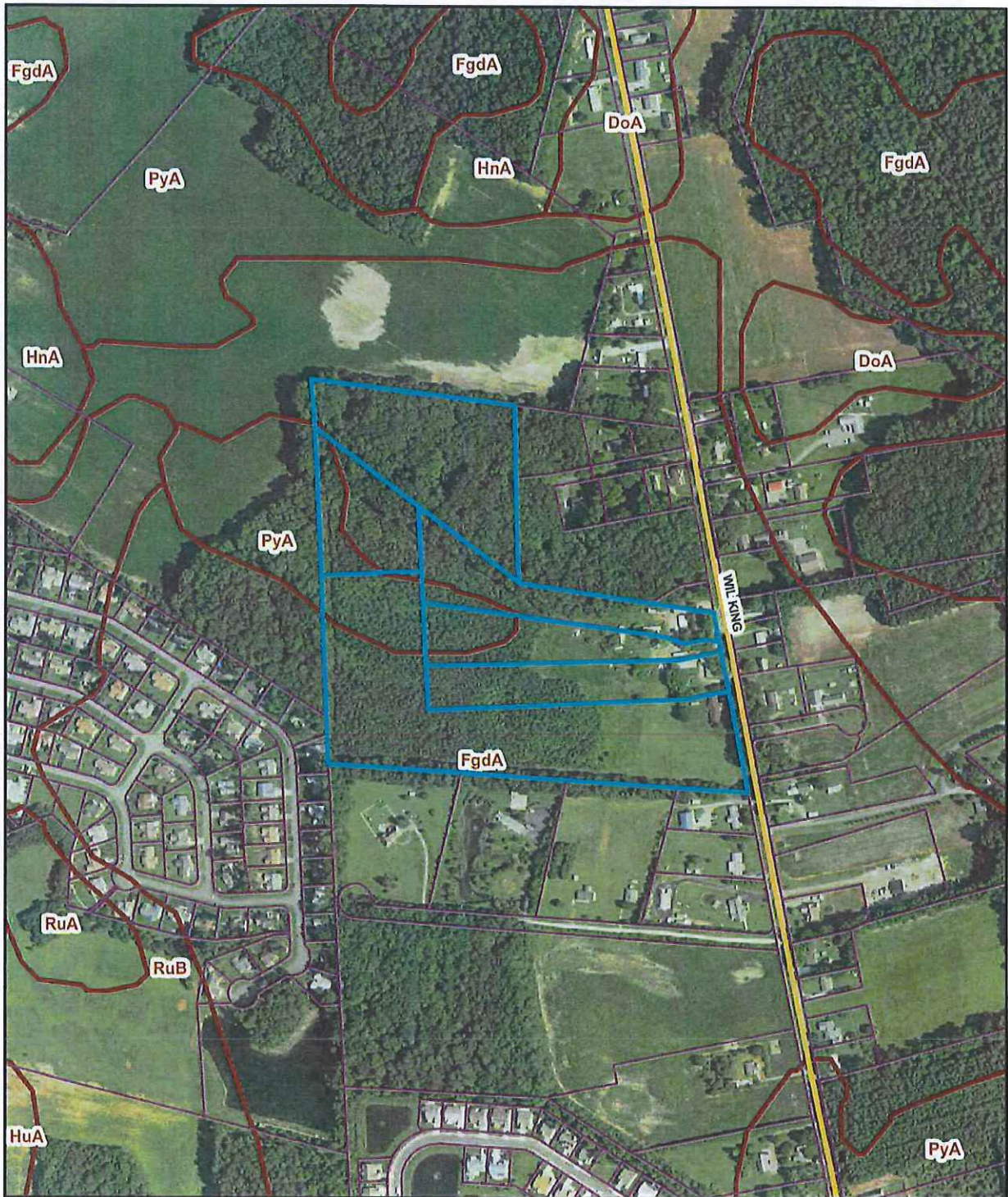
TDS/bh





**CZ 1937**  
**TM #234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19**  
**Wil King Station**





CZ 1937  
TM #234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19  
Wil King Station



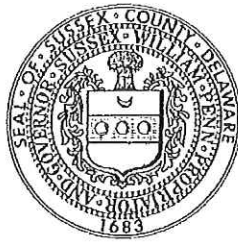
CZ 1937 Wil King Station

Comments from the DNREC Drainage Program

- Tax Ditch Comments:
  - The proposed project is not located within a tax ditch watershed. There are no tax ditch channels or rights-of-way (ROW) located on or near the project location.
- General Drainage Comments:
  - There are multiple reported drainage concerns near the proposed project area. A number of these concerns involve private landowners seeking guidance on ways to increase drainage on their properties. There are also multiple concerns from 2010-2012 regarding flooding along Wil King Road just south of the proposed project area. The ditch was put on a list for cleanout. No resolution has been reported. There was an additional concern reported in 2020 about flooding along Wil King Road. The project will be proposed as an addition on the RC&D list.

## ENGINEERING DEPARTMENT

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



## Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

MICHAEL E. BRADY  
DIRECTOR OF PUBLIC WORKS

January 8, 2021

REF: T. A. C. COMMENTS  
WIL KING STATION  
SEWER TIER 1  
SUSSEX COUNTY ENGINEERING DEPARTMENT  
SUSSEX COUNTY TAX MAP NUMBER  
234-6.00 PARCEL 26.00,26.01,26.02,26.03,26.05 & 59.19  
PROJECT CLASS-1  
AGREEMENT NO. 1163

The following comments are the result of the Sussex County Engineering Department's review of the preliminary site plan for the above referenced project:

### PUBLIC WORKS DIVISION COMMENTS

1. Proposed developments with private roads or projects required to meet or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
  - a. Private road needs to meet or exceed road pavement design as specified in Chapter 99-18 H.
2. This project is not located within the limits of a Ground Water Management Zone (GMZ). Projects located within a GMZ must be forwarded to the County Engineer for review and comment.
3. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
4. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.
5. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
6. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.

The plans shall show and address the following items at minimum:



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



7. The project requires professional land surveying services to accurately delineate, and show the following items but is not limited to the following: all property and right-of-way lines, established at a minimum, two (2) horizontal and vertical control concrete project benchmarks, survey monuments, easements, existing and proposed topographic contours at 1-foot vertical intervals and spot elevations as necessary to establish grades, the locations of all existing structures, highway and roadway pavements, shoulders, curbs, driveways, sidewalks, lighting structures, traffic control signs, and all public and private utilities, including, but not limited to, electric power and telephone lines, poles and boxes, underground electric, telephone, and communication lines, potable water lines, fire hydrants and valve boxes, gas lines, wells, sanitary sewers including septic systems, rim and invert elevations of manholes and cleanouts, and the rims and invert elevations and type of storm water structures, drainage ditches, ponds, streams and waterways, flood zones and flood zone boundaries and elevations, and State and Federal wetlands, trees, cemeteries and historic features, and the finished floor elevations of buildings.
8. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer.
9. The plan requires a Certification Signature and/or a Certification Block for the Delaware Professional Engineer or Delaware Land Surveyor.
10. The plan requires a Certification Signature and/or a Certification Block for the Owner or Representative of the Owner.
11. The plan requires a Certification Signature and/or a Certification Block for the Professional Wetlands Delineator.
12. The name, address, phone number and contact person's name of the Owner of Record, the Developer and the Engineer or Surveyor preparing the plan.
13. Indicate the location of all wetlands (both state and federal), in order to facilitate compliance with County, State and Federal requirements.
14. Define the courses and distances of the property perimeter and the approximate acreage contained therein. Establish and set in the field two (2) CONCRETE MONUMENT project benchmarks, preferably at property perimeter corners, geo-referenced to the Delaware State Plane Coordinate system NAD 83 and show the location including the North and East coordinates of the marks on the plans.
15. Indicate the development construction phases proposed showing the boundaries of each phase. Phasing boundaries shall include buildings, residential units, amenities, roads, storm water management facilities, wastewater systems and all other improvements and utilities required to service each phase.
16. Show the layout, width and names of all streets, alleys, crosswalks and easements proposed to be dedicated for private or public use. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets.
17. When on site individual septic tank systems are to be used and the lot topography is to be modified by cuts and fills it is required that the Design Engineer contact the



Delaware Department of Natural Resources and Environmental Control, Division of Groundwater Water Discharge Section, 20653 DuPont Boulevard, Unit 5, Georgetown, DE 19947 phone number 302-856-4561 subject to mass grading operations for documented approval.

18. Provide the limits and elevations of the one hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood.
19. The pavement radius for all cul-de-sacs shall be no less than 38 feet in diameter or as otherwise required by the State Fire Marshall's office or the County Engineering Department.
20. False berms shall not be utilized to create roadside drainage swale back slopes.
21. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.
22. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.
23. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.
24. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.
25. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.
26. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
27. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.
28. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.

29. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

**UTILITY PLANNING DIVISION COMMENTS**

REVIEWER: **Chris Calio**

APPLICATION: **CZ 1937 – Wil King Station**

APPLICANT: **Double DB LP**

FILE NO: **CB-1.09**

TAX MAP &  
PARCEL(S): **234-6.00-26.00, 26.01, 26.02, 26.03, 26.05 & 59.19**

LOCATION: **Located on the west side of Wil King Road.**

NO. OF UNITS: **76**

GROSS  
ACREAGE: **29.07**

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

**SEWER:**

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

If yes, the current System Connection Charge Rate is \$6,360.00 per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

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

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

- (7). Is project adjacent to the Unified Sewer District? **N/A**

- (8). Comments: **The attached SSCE addresses several projects. The comments pertaining to this project are defined as Site A.**

- (9). Is a Sewer System Concept Evaluation required? **Already Completed, See Attached**

- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

If the above items, as applicable, are incorporated into the development plans, then preliminary approval is recommended. However, final plan approval should be withheld pending the approval of the construction plans by the Sussex County Engineering Department.





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

September 13, 2021

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

RE: Wil King Station – Change of Zone No. 1937  
Supplemental Data Book

Jamie,

Land Tech Land Planning, LLC represents the owner/applicant for the above referenced proposed subdivision. As required, enclosed please find a Supplemental Data Book prepared in connection with the above referenced application. A digital PDF version of this book will be forwarded to your email. Please advise if Planning and Zoning Department staff require any further application clarifications or additions in advance of the scheduled public hearing before the Planning and Zoning Commission.

Thank you and please contact me with any questions.

Sincerely,  
Land Tech Land Planning, LLC

Jeffrey A. Clark, RLA  
[jeff@landtechllc.com](mailto:jeff@landtechllc.com)

file: wilkingstation.ltr  
enclosures: noted  
cc: Josh and Web Gray via email  
David Hutt, Esq. via email

# Wil King Station

## Proposed AR-1/MR RPC Single-Family Lot Subdivision

Tax Parcels 234-6.00-26.00 and 59.19

## Change of Zone Application C/Z 1937

**Double DB, LP  
507 North York Street, Suite 2D  
Mechanicsburg, PA 17055**

With

Preliminary Land Use Service Comments and Response

&

Supporting Documents

September 9, 2021

PREPARED BY:

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

# Consulting Team

## **Legal**

MORRIS JAMES LLP  
107 W MARKET STREET  
GEORGETOWN, DELAWARE 19947  
302-856-0018

## **Landscape Architecture**

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

## **Land Surveying**

VISTA DESIGN, INC.  
11634 WORCESTER HIGHWAY  
SHOWELL, MARYLAND 21862  
410-352-5604

## **Environmental**

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

## **Civil Engineering**

GEORGE, MILES & BUHR, LLC  
206 W MAIN ST  
SALISBURY, MARYLAND 21801  
410-742-3115

## **Geotechnical Engineering**

GEO-TECHNOLOGY ASSOCIATES, INC.  
21133 STERLING AVENUE, SUITE 7  
GEORGETOWN, DELAWARE 19947  
302-855-9761



# TABLE OF CONTENTS

TAB 1.	Application transmittal, P&Z Change of Zoning application form, fee.
TAB 2.	Mapping & Addressing Project and Street Names Approvals
TAB 3.	Amended Preliminary Site Plan – C/Z 1937
TAB 4.	Environmental Assessment & Public Facility Evaluation Report and Plan.
TAB 5.	Subdivision Considerations (Chapter 99-9)
TAB 6.	Preliminary Land Use Service (PLUS) comments and applicant response. TAC Agency Comments and applicant response
TAB 7.	DelDOT Service Level Evaluation Request /DelDOT Response
TAB 8.	Wetlands - Corps AJD Response & Wetlands Delineation Plan Rare, Threatened & Endangered Species – Watershed Eco Report Preliminary Site Assessment – Debris on Site
TAB 9.	Water Company Ability to Serve Letter. Sewer Service Concept Evaluation Report

**DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

**WIL KING STATION SUBDIVISION**

---

# **C/Z APPLICATION**

---



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

December 29, 2020

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

**Re: Wil King Station  
AR-1 & GR Proposed CZ and CU to AR-1 & MR RPC  
Sussex TM#s 2-34-6.00-26.00, 26.01, 26.02, 26.03, 26.05 & 59.19**

Dear Jamie,

Land Tech Land Planning, LLC represents Double DB, LP, the developer/applicant for the above referenced proposed Zoning Change (AR-1 & GR to MR) and Conditional Use (RPC) subdivision. Enclosed, please find two applications filed on behalf of Double DP, LP which includes the following:

Zoning Map Amendment

- Completed and signed Application
- Eight (8) copies of a Preliminary Site Plan
- Deeds (6)
- The required \$ 500.00 application fee.
- PLUS response letter.
- DelDOT Service Level Evaluation Request Form (response not received from P&Z)

Conditional Use

- Completed and signed Application
- Deeds (6)
- The required \$ 500.00 application fee.
- PLUS response letter.
- DelDOT Service Level Evaluation Request Form (response not received from P&Z)

We have not included an additional eight (8) sets of plans for the second application. Please advise if additional plan copies are needed. Please contact our office if there are any questions or need for additional information in order to confirm this application is complete. A complete PDF copy of the above referenced documents will be forwarded to your attention.

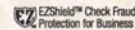
Thank you.

Sincerely,  
Land Tech Land Planning, LLC

Jeffrey A. Clark, RLA  
[jeffc@landtechllc.com](mailto:jeffc@landtechllc.com)

file: wilkingstation.ltr  
enclosures: noted  
cc: Josh Gray via PDF





1013

**DOUBLE DB LP**  
507 N YORK ST SUITE 2D  
MECHANICSBURG, PA 17055-2778

**S&T BANK**  
60-685/433

11/25/2020

PAY TO THE  
ORDER OF

Sussex County Council

\$ \*\*500.00

Five Hundred and 00/100\*\*\*\*\*

DOLLARS

Sussex County Council



*Josh Drang*  
AUTHORIZED SIGNATURE

MEMO

Planning &amp; Zoning Application - Wil King

⑈001013⑈ ⑆043306855⑆ 3002665028⑈

**DOUBLE DB LP**

1013

Sussex County Council					11/25/2020	
Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/25/2020	Bill	Zoning App. - Wil K	500.00	500.00		500.00
					Check Amount	500.00

S&amp;T Bank - Wil King      Planning &amp; Zoning Application - Wil King

500.00

File #: \_\_\_\_\_

## Planning & Zoning Commission Application Sussex County, Delaware

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

Type of Application: (please check applicable)

Conditional Use \_\_\_\_\_

Zoning Map Amendment ☒

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

West side of Wil King Road +/- 1 mile south of Kendale Road intersection

### Type of Conditional Use Requested:

Tax Map #: see attached Size of Parcel(s): 29.07 Total Site

22.83 Acres MR (Proposed CZ from AR-1 & GR)  
6.24 Acres AR-1 (Existing to Remain)

Current Zoning: AR, GR Proposed Zoning: AR-1 & MR Size of Building: \_\_\_\_\_

Land Use Classification: Residential

Water Provider: Tidewater Utilities Sewer Provider: Sussex County

### Applicant Information

Applicant Name: Double DB, LP

Applicant Address: 507 North York Street, Suite 2D

City: Mechanicsburg State: PA Zip Code: 17055

Phone #: (717) 461-9995 E-mail: admin@DBLPRE.com

### Owner Information

Owner Name: see attached

Owner Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Agent/Attorney/Engineer Information

Landscape Architect

Agent/Attorney/Engineer Name: Jeff Clark, RLA - Land Tech Land Planning, LLC

Agent/Attorney/Engineer Address: Taggart Professional Center, 32895 S. Coastal Highway

City: Bethany Beach State: DE Zip Code: 19930

Phone #: (302) 539-2366 E-mail: jeffc@landtechllc.com



## Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

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

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

✓ **Provide Fee \$500.00**

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

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

✓ **DeIDOT Service Level Evaluation Request Response**

✓ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

Date: 11/25/2020

Signature of Owner

Date: 11/25/2020

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: \_\_\_\_\_



## Wil King Station Property Owners

TM# 234-6.00-26.00  
Sara and Leon Harmon  
20464 Wil King Road  
Lewes, DE

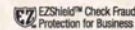
TM# 234-6.00-26.01  
Mildred Harmon  
20454 Wil King Road  
Lewes, DE

TM# 234-6.00-26.02  
Daniel and Sara Snipes  
20464 Wil King Road  
Lewes, DE

TM# 234-6.00-26.03  
Rodney Harmon  
20440 Wil King Road  
Lewes, DE

TM# 234-6.00-26.05  
Sara and Leon Harmon  
20464 Wil King Road  
Lewes, DE

TM# 234-6.00-59.19  
Kenneth Linton  
10933 Fox Mill Lane  
Charlotte, NC



1013

**DOUBLE DB LP**  
507 N YORK ST SUITE 2D  
MECHANICSBURG, PA 17055-2778

**S&T BANK**  
60-685/433

11/25/2020

PAY TO THE  
ORDER OF

Sussex County Council

\$ \*\*500.00

Five Hundred and 00/100\*\*\*\*\*

DOLLARS

Sussex County Council



*Josh Drang*  
AUTHORIZED SIGNATURE

MEMO

Planning &amp; Zoning Application - Wil King

⑈001013⑈ ⑈043306855⑈ 3002665028⑈

**DOUBLE DB LP**

1013

Sussex County Council					11/25/2020	
Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/25/2020	Bill	Zoning App. - Wil K	500.00	500.00		500.00
					Check Amount	500.00

S&amp;T Bank - Wil King      Planning &amp; Zoning Application - Wil King

500.00

File #: \_\_\_\_\_

## 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 X

Zoning Map Amendment \_\_\_\_\_

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

West side of Wil King Road +/- 1 mile south of Kendale Road intersection

### Type of Conditional Use Requested:

AR-1 & MR RPC

Tax Map #: see attached Size of Parcel(s): 29.07

6.24 Acres AR-1 RPC  
22.83 Acres MR RPC

Current Zoning: AR, GR Proposed Zoning: \_\_\_\_\_ Size of Building: \_\_\_\_\_

AR-1 & MR RPC

Land Use Classification: Residential

Water Provider: Tidewater Utilities Sewer Provider: Sussex County

### Applicant Information

Applicant Name: Double DB, LP

Applicant Address: 507 North York Street, Suite 2D

City: Mechanicsburg State: PA Zip Code: 17055

Phone #: (717) 461-9995 E-mail: admin@DBLPRE.com

### Owner Information

Owner Name: see attached

Owner Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Agent/Attorney/Engineer Information

Landscape Architect

Agent/Attorney/Engineer Name: Jeff Clark, RLA - Land Tech Land Planning, LLC

Agent/Attorney/Engineer Address: Taggart Professional Center, 32895 S. Coastal Highway

City: Bethany Beach State: DE Zip Code: 19930

Phone #: (302) 539-2366 E-mail: jeffc@landtechllc.com





## Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

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

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

✓ **Provide Fee \$500.00**

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

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

✓ **DeIDOT Service Level Evaluation Request Response**

✓ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

Date: 11/25/2020

Signature of Owner

Date: 11/25/2020

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: \_\_\_\_\_

## Wil King Station Property Owners

TM# 234-6.00-26.00  
Sara and Leon Harmon  
20464 Wil King Road  
Lewes, DE

TM# 234-6.00-26.01  
Mildred Harmon  
20454 Wil King Road  
Lewes, DE

TM# 234-6.00-26.02  
Daniel and Sara Snipes  
20464 Wil King Road  
Lewes, DE

TM# 234-6.00-26.03  
Rodney Harmon  
20440 Wil King Road  
Lewes, DE

TM# 234-6.00-26.05  
Sara and Leon Harmon  
20464 Wil King Road  
Lewes, DE

TM# 234-6.00-59.19  
Kenneth Linton  
10933 Fox Mill Lane  
Charlotte, NC

2346.00 26.01  
19940.00 39 ft

371

BOOK 851 PAGE 338

INDIVIDUAL DEED—Typewritten  
and by TOWN & MEYER, Inc., Notaries  
MILFORD, DELAWARE**This Deed, MADE THE**

16th day of July in the year of our LORD,  
one thousand nine hundred and seventy-seven.

Between LEON HARMON and SARAH C. HARMON, his wife, of Lewes and Rehoboth Hundred, Sussex County, Delaware, parties of the first part,

- AND -

GEORGE I. HARMON and MILDRED F. HARMON, his wife, of R. D. 1, Box E-99, Lewes, Sussex County, Delaware, parties of the second part.

Witnesseth. That the said part 1st of the first part, for and in consideration of the sum of ONE DOLLAR (\$1.00)

lawful money of the United States of America,

the receipt whereof is hereby acknowledged, hereby grant and convey unto the said part 1st of the second part,

All that certain tract, piece and parcel of land, lying and being situate in Indian River Hundred, Sussex County, Delaware, and more particularly described as follows, to wit:

BEGINNING at a point on the westerly right-of-way line of State Road 288 and being a corner for these lands and lands now or formerly of Leon Harmon and Sarah C. Harmon, his wife; thence and with said right-of-way line, South 01° 50' East 105.00 feet to a pipe; thence South 88° 10' West 148.00 feet to a pipe; thence North 01° 50' West 105.00 feet to a point; thence North 88° 10' East 148.00 feet to a nail, being the place of beginning, said to contain 15,540 square feet, be the same more or less, and as more particularly shown on a survey attached hereto, prepared by J. Curtis Pritchman, dated June 7, 1977.

BEING a portion of those lands conveyed unto Leon Harmon and Sarah C. Harmon, his wife, by deed of Albert R. Johnson, dated December 3, 1953, and of record in the Office of the Recorder of Deeds, in and for Sussex County, in Deed Book 427, page 100.





BOOK 851 PAGE 339

In Witness Whereof, The said parties of the first part have hereunto set hand and seal, the day and year aforesaid.

SEALED AND DELIVERED  
in the presence of

Barton Wall

Barton Wall

Leon Harmon (Seal)  
Leon Harmon

Sarah C. Harmon (Seal)  
Sarah C. Harmon

\_\_\_\_ (Seal)

\_\_\_\_ (Seal)

State of Delaware,

SUSSEX

County. } ss.

Be It Remembered, that on this 16 day of July in the year of our Lord one thousand nine hundred and seventy-seven, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Leon Harmon and Sarah C. Harmon, his wife,

Part 108 to this Indenture, known to me personally to be such, and they acknowledge this Indenture to be their Deed.

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

RECEIVED  
MARY ANN McCABE  
JUL 19 1 09 PM '77  
RECORDER OF DEEDS  
SUSSEX COUNTY

PURCHASERS 270.1 11-77  
DAY OF July 1977  
ASSESSMENT DIVISION SUSSEX COUNTY  
WILFRED E. SAVAGE

Gay S. Wall  
Notary Public



*George L. Harmon  
P.O. Box F-99  
Greenville, Del.  
7-29-77*

5418

BOOK 947 PAGE 315

**This Deed, made this**

29th day of April, in the year of  
our LORD one thousand nine hundred and seventy-nine,

**BETWEEN,** LEON HARMON and SARAH C. HARMON, his wife, of R. D. 1, Box E99, Lewes, Sussex County, Delaware, 19958, parties of the first part,

AND

GEORGE I. HARMON and MILDRED F. HARMON, his wife, of R. D. 1, Lewes, Sussex County, Delaware, 19958, parties of the second part,

**Witnesseth,** That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said parties of the second part,

**ALL** that certain lot, piece or parcel of land situate, lying and being in Indian River Hundred, Sussex County and State of Delaware, and being more particularly described as follows, to wit: BEGINNING at a pipe located on the Western right-of-way line of State Road 288, said pipe being a corner for this land and other land now or formerly of George I. Harmon, at ux.; thence along the Western right-of-way line of the said State Road 288, South 1° 50' East 30.00 feet to a pipe, being a corner for lands now or formerly of Daniel L. Snipes, at ux.; thence along lands now or formerly of Snipes South 88° 10' West 148.00 feet to a pipe and lands now or formerly of Leon Harmon, at ux.; thence along lands now or formerly of Harmon North 1° 50' West 30.00 feet to a pipe, being a corner for lands now or formerly of the aforesaid George I. Harmon, at ux.; thence along lands now or formerly of Harmon North 88° 10' East 148.00 feet back to the place of beginning, said to contain 4,440 square feet of land, be the same more or less, as shown on a survey prepared by J. Curtis Fritchman, Registered Surveyor, dated March 5, 1979.

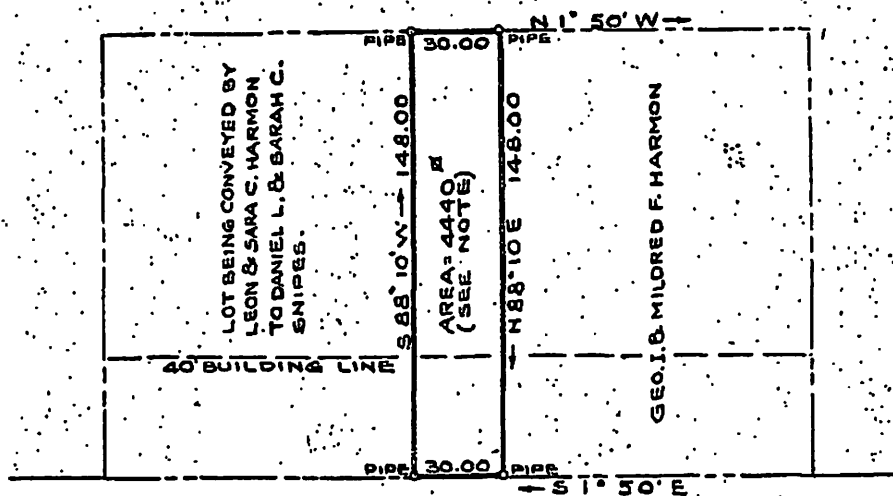
BEING a part of the same land conveyed to Leon Harmon and Sarah C. Harmon, his wife, by deed of Albert R. Johnson, a divorced man, dated December 3, 1953 and of record in the Office of the Recorder of Deeds at Georgetown, Sussex County, Delaware, in Deed Record Vol. 427, page 100.



**BETTS & SCHRADER**  
ATTORNEYS AT LAW  
15 SOUTH RACE STREET  
GEORGETOWN, DELAWARE 19947

BOOK 947 PAGE 316

LEON & SARAH C. HARMON



STATE ROAD 288  
18' BITUMINOUS

**NOTE:**

ABOVE AREA NOT TO BE CONSIDERED AS  
A BUILDING LOT BUT AS AN ADDITION TO  
LOT OF GEORGE I. & MILDRED F. HARMON.

**APPROVED**  
as an extension  
to lands of George I  
& Mildred F. Harmon,  
not to be considered a  
separate building lot.

4/19/79

COUNTY PLANNING & ZONING COMMISSION  
OF SUSSEX COUNTY



PLAN OF SURVEY  
MADE FOR  
GEORGE I. & MILDRED F. HARMON  
INDIAN RIVER HUND., SUSSEX CO., DEL.  
SCALE: 1" = 40' MAR. 5, 1979.  
J. Curtis Fritchman  
J. CURTIS FRITCHMAN REG. SURVEYOR  
REHOBOTH BEACH, DEL.



BOOK 947 PAGE 317

In Witness Whereof, The said parties of the first part have here-  
unto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED,  
and Witnessed in the presence of

*[Signature]*

*[Signature]*

*Leon Harmon*  
Leon Harmon

(Seal)

Sarah C. Harmon

(Seal)

*Sarah C. Harmon*

(Seal)

(Seal)

STATE OF DELAWARE,

SUSSEX

County, ss.

BE IT REMEMBERED, that on this 29<sup>TH</sup> day of  
*April* in the year of our Lord one thousand nine hundred and  
seventy-nine, personally came before me, a Notary Public in and for the State and  
County aforesaid, LEON HARMON and SARAH C. HARMON, his wife,

Parties to this Indenture, known to me personally to be such, and they  
acknowledge this Indenture to be their Deed.

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

RECEIVED  
HART ANN ESCAPE

MAY 1 10 13 AM '79

RECORDER OF DEEDS  
SUSSEX COUNTY

*[Signature]*  
Notary Public



THIS 2<sup>nd</sup> PURCHASERS REPORT MADE  
DAY OF *May* 1979  
ASSESSMENT DIVISION OF SUSSEX COUNTY

BETTS & SCHRADER  
ATTORNEYS AT LAW  
15 SOUTH RACE STREET  
GEORGETOWN, DELAWARE 19047

*George C. Harmon*  
*4001 Bar 599*  
*Lewes, Del. 19958*  
*5.14.79*

21,837 sq ft

69725 03082 135

MAP No.: 2-34-6-26.02 &amp; 26.04

Prepared By:

Brown, Shiels, Beauregard & Chasanov  
10 East Pine Street, P.O. Box 742  
Georgetown, Delaware 19947**NO TITLE SEARCH REQUESTED**  
**NONE WAS MADE.**THIS DEED made this 2<sup>nd</sup> day of December, 2004.**BETWEEN**

Sarah C. Harmon of 20420 Wilking Road, Lewes DE 19958 and Daniel L. Snipes and Sarah Catherine Snipes, of 20462 Wilking Road, Lewes DE 19958, parties of the first part,

**- AND -**

Daniel L. Snipes and Sarah Catherine Snipes, of 20462 Wilking Road, Lewes DE 19958, parties of the second part,

**WITNESSETH** that the said parties of the first part for and in consideration of the sum of ONE DOLLAR (\$1.00) current lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said parties of the second part.**ALL** that certain piece, parcel and tract of land lying and being situate in Indian River Hundred, Sussex County and State of Delaware being described more particularly:**BEGINNING** at an iron pipe (set) on the westerly right-of-way line of Sussex County Road #288 (50' R/W); said pipe being situate a distance of .87 miles, more or less, from Sussex County Road #280B; thence through the lands of Sarah C. Harmon, now or formerly, the following three courses and distances: 1) North 77 degrees 14 minutes 12 seconds West, a distance of 152.94 feet to an iron pipe (set); 2) North 76 degrees 14 minutes 51 seconds West a distance of 21.20 feet to an iron pipe (set); 3) North 08 degrees 17 minutes 40 seconds East a distance of 116.11 feet to an iron pipe (set); thence with the lands of George I. & Mildred F. Harmon, now or formerly, North 88 degrees 10 minutes 00 seconds East a distance of 148.00 feet to an iron pipe (set); thence with Sussex County Road #288, South 01 degree 50 minutes 00 seconds East a distance of 158.54 feet home to the point and place of beginning said to contain 21,837 square feet of land, be the same more or less. A copy of the survey attached hereto.**BEING** a part of the same lands and premises conveyed unto Leon Harmon and Sarah C. Harmon, his wife, by deed of Albert R. Johnson dated December 3, 1953 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, Georgetown, Delaware in Deed Book 427 Page 100. Said Leon Harmon having since departed this life on July 28, 1982.

Consideration: \$0.00 Exempt Code: A

County	State	Total
0.00	0.00	0.00
counter	Date: 12/30/2004	

1

**MAC. 1987**



LANDS N/F  
-SARAH C. HARMON-

1,225 SQ. FT. ±

N 09°17'40" E 120.00'

N 01°50'00" W 120.00'

17,760 SQ. FT. ±

DECK 8.1' 16.5'

DWELLING

PAVED DRIVE 24.8' 24.0'

COV. POR. 28.0' 28.1'

CONC. WALK 14.1' 24.0'

47.5'

S 88°10'00" E 158.54'

S 01°50'00" E 120.00'

S 88°10'00" W 148.00'

2,852 SQ. FT. ±

N 77°14'12" W 152.94'

N 76°14'51" W 21.20'

0.87 MI. ± TO CO. RD. 1240B

86.5' ±

P.O.B. 38.54'

REMAINING FRONTAGE

LANDS N/F GEORGE I. & MILDRED F. HARMON

SUSSEX COUNTY ROAD #288 (50' R/W)

# ADDITION TO LANDS OF DANIEL SNIPES

2, 852  $\phi$  as an extension to lands of Snipes and not as a separate l.t. III  
12/30/04 JH

INDIAN RIVER HUNDRED SUSSEX COUNTY  
STATE OF DELAWARE  
SURVEYED/PREPARED BY: MILLER-LEWIS, INC.  
24459 SUSSEX HWY.  
NOVEMBER 9, 2004  
SEAFOORD, DE 19973  
SCALE 1" = 40'

**CLASS "B" SURVEY**

*Dust Mule*



03082 137

BEING the same lands and premises conveyed unto Daniel L. Snipes and Sarah Catherine Snipes by deed of Leon Harmon and Sarah C. Harmon dated March 18, 1979 and of record in the office of the Recorder of Deeds in and for Sussex County in Deed Book 941 page 137, and by deed of Sarah C. Harmon unto Daniel L. Snipes and Sarah C. Snipes, dated March 31, 1989, and of record in the office of the Recorder of Deeds in and for Sussex County in Deed Book 1639 page 110.

IN WITNESS WHEREOF, the said parties of the first part has hereunto set their hands and seals the day and year aforesaid.

SEALED AND DELIVERED  
in the presence of

Mary Etta Jones

Sarah C. Harmon (SEAL)  
Sarah C. Harmon

as to all

Daniel L. Snipes (SEAL)  
Daniel L. Snipes

\_\_\_\_\_

Sarah C. Snipes (SEAL)  
Sarah C. Snipes

STATE OF DELAWARE :  
: SS.  
COUNTY OF SUSSEX :

BE IT REMEMBERED that on this 2nd day of December, in the year of our LORD Two Thousand and Four, personally came before me, a Notary Public for the State and County aforesaid, Sarah C. Harmon, Daniel L. Snipes and Sarah C. Snipes, parties to this Indenture, known to me personally to be such, and has acknowledged this Indenture to be their act and deed.

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

Mary Etta Jones  
NOTARY PUBLIC

Return To:  
Daniel L. Snipes and  
Sarah C. Snipes  
20464 Wilking Road  
Lewes DE 19958

Mary Etta Jones  
Delaware, Qualified in Kent County  
My Commission Expires June 24, 2008

RECORDER OF DEEDS  
JOHN F. BRADY

04 DEC 30 PM 3:46

SUSSEX COUNTY  
DOC. SURCHARGE PAID

2

Received

JAN 03 2005

ASSESSMENT DIVISION  
OF SUSSEX CTY

6271

BOOK 1639 PAGE 110

(No. 44-B)

DEED-TYPEWRITER

Printed and Sold by Hugh George Co., Spotswood

**This Deed, Made this**31<sup>st</sup> day of March in the year of

our LORD one thousand nine hundred and Eighty-Nine

BETWEEN, Sarah C. Harmon, widow, of Sussex County, Delaware,  
party of the first part,

-AND-

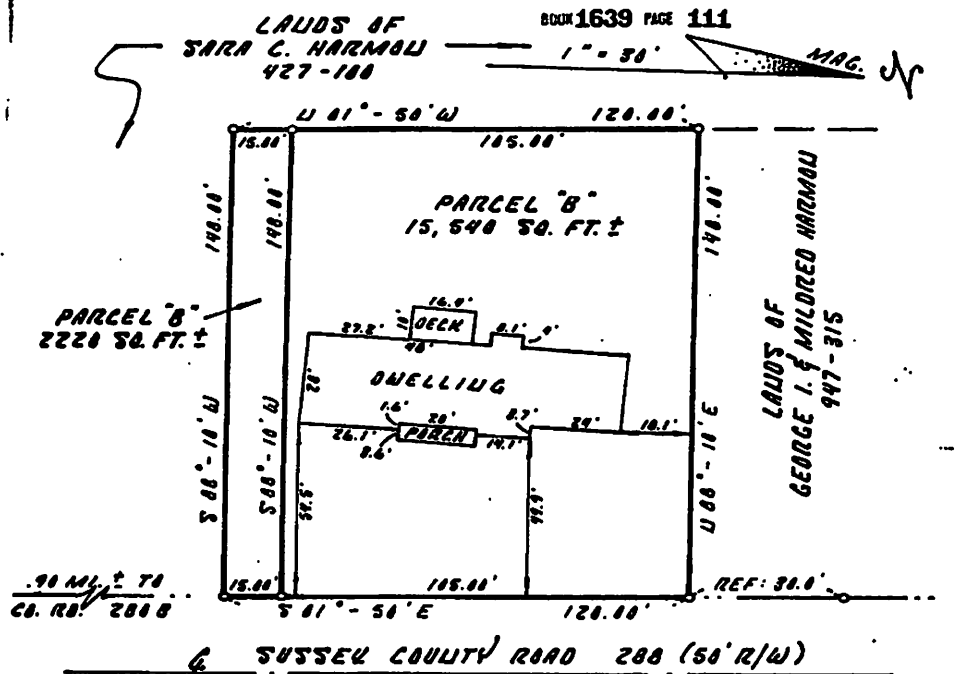
Daniel L. Snipes and Sarah C. Snipes, his wife, of Sussex  
county, Delaware parties of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the sum of  
\$1.00 (ONE DOLLAR) ..... lawful money of the United States of America,  
the receipt whereof is hereby acknowledged, hereby grant and conveys unto the said  
parties of the second part,

AND that certain lot, piece or  
parcel of land situate, lying and being in Indian River Hundred,  
Sussex County and State of Delaware, and being more particularly  
described as follows, to wit: BEGINNING at a point on the Westerly  
side of Road No. 228, said point being a corner for this land and  
lands now owned by Daniel L. and Sarah C. Snipes, his wife, thence  
along the Western right-of-way line of the said State Road No. 228,  
South 1° 50' East 13 feet to a pipe; thence turning and running  
along the lands now owned by Sarah C. Harmon, widow, the following  
three courses and distances; South 88° 10' West 148.00 feet to a  
pipe; thence North 1° 50' West .5 feet to a point; thence North 88°  
10' East 148.00 feet, to the said point of beginning, as shown on  
a Survey prepared by Miller Lewis, Inc. registered surveyor, dated  
October 13, 1987.

BEING, a part of the same lands conveyed unto Leon  
Harmon and Sarah C. Harmon, his wife, by Deed of Albert R. Johnson,  
divorced man, on December 3, 1953, and recorded in the Office of  
Recorder of Deeds for Sussex County, Delaware, in Deed Book 427,  
Page 100. Said Leon Harmon having departed this life on July 28,  
1982.

2344 333 4/ 7/89 TX-EX CD .00



- PIPE
- PAINT

APPROVED

PARCEL "A" LAUDS OF

DANIEL L. &amp; SARA C. SUIPES

PARCEL "B" ADDITION TO LAUDS OF

DANIEL L. &amp; SARA C. SUIPES

COUNTY PLANNING & ZONING COMMISSION  
OF SUSSEX COUNTY

INDIAN RIVER NO. SUSSEX COUNTY

STATE OF DELAWARE

SURVEYED BY: MILLER, INC.

OCT. 13, 1997 SEAFORD, DE.

DRAWN BY: D. A. MORRIS

2-34-6-26.2





4667

BOOK 941 PAGE 137

**This Deed, made this**

eighteenth day of March in the year of  
our LORD one thousand nine hundred and seventy-nine,

**BETWEEN,** LEON HARMON and SARAH C. HARMON, his wife, of R. D. 1,  
Box E99, Lewes, Sussex County, Delaware, 19958, parties of the first  
part,

AND

DANIEL L. SNIPES and SARAH CATHERINE SNIPES, his wife;  
of R. D. 1, Box E99, Lewes, Sussex County, Delaware, 19958, parties of  
the second part,

**Witnesseth,** That the said parties of the first part, for and in consideration of  
the sum of One Dollar (\$1.00), lawful money of the United  
States of America, the receipt whereof is hereby acknowledged, hereby grant  
and convey unto the said part of the second part,

**ALL** that certain lot, piece or  
parcel of land situate, lying and being in Indian River Hundred,  
Sussex County and State of Delaware, and being more particularly  
described as follows, to wit: BEGINNING at a pipe located on the  
Western right-of-way line of State Road 288, said pipe being a corner  
for this land and lands now or formerly of Leon Harmon, et ux.; thence  
along the Western right-of-way line of the said State Road 288, South  
1° 50' East 105.00 feet to a pipe; thence turning and running along  
lands now or formerly of the said Leon Harmon, et ux., the following  
three courses and distances: South 88° 10' West 148.00 feet to a pipe;  
thence North 1° 50' West 105.00 feet to a pipe; thence North 88° 10'  
East 148.00 feet back to the place of beginning, said to contain 15,540  
square feet of land, be the same more or less, as shown on a survey  
prepared by J. Curtis Fritchman, Registered Surveyor, dated March 5,  
1979.

BEING a part of the same land conveyed to Leon Harmon and Sarah  
C. Harmon, his wife, by deed of Albert R. Johnson, a divorced man,  
dated December 3, 1953 and of record in the Office of the Recorder of  
Deeds at Georgetown, Sussex County, Delaware, in Deed Record Vol. 427,  
page 100.

**BETTS & SCHRADER**  
ATTORNEYS AT LAW  
15 SOUTH RACE STREET  
GEORGETOWN, DELAWARE 19947





BOOK 941 PAGE 139

In Witness Whereof, The said parties of the first part have here-  
unto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED,  
and Witnessed in the presence of

*James A. Harmon*  
*both*

*Leon Harmon* (Seal)  
Leon Harmon

*Sarah C. Harmon* (Seal)  
Sarah C. Harmon

(Seal)

(Seal)



STATE OF DELAWARE,

SUSSEX

County, ss.

BE IT REMEMBERED, that on this eighteenth day of  
March in the year of our Lord one thousand nine hundred and  
seventy-nine, personally came before me, a Notary Public in and for the State and  
County aforesaid, LEON HARMON and SARAH C. HARMON, his wife,

Parties to this Indenture, known to me personally to be such, and they  
acknowledge this Indenture to be their Deed.

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

RECEIVED  
MARY ANN MCARE  
MAR 19 11 23 AM '79  
RECORDER OF DEEDS  
SUSSEX COUNTY

*James A. Harmon*  
Notary Public



PURCHASERS REPORT MADE  
DAY OF March 1979  
ASSIGNMENT DIVISION OF SUSSEX COUNTY

BETTS & SCHRADER  
ATTORNEYS AT LAW  
15 SOUTH RACE STREET  
GEORGETOWN, DELAWARE 19047

*James A. Harmon*  
RD # 1 Box E99  
Lewes, Del. 4-4-79

21802 Sgft

05742

BK 2798 PG 66

TP NO. 2-34 6.00 26.03  
 PREPARED BY and  
 RETURN TO:  
 James B. Tyler, III, Esq.  
 211 E. Market Street  
 Georgetown DE 19947

*This Deed,* MADE THE 28<sup>th</sup> day of January in the year  
 of our LORD two thousand three,

*Between*

SARAH C. HARMON, OF  
 20420 WILL KING ROAD, LEWES, DELAWARE 19958,  
 PARTY OF THE FIRST PART,

-AND-

RODNEY E. HARMON, OF  
 20440 WILL KING ROAD, LEWES, DELAWARE 19958,  
 PARTY OF THE SECOND PART,

*Witnesseth, that the said party of the first part, for and in consideration of the sum of One dollar (\$1.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said party of the second part, his heirs and assigns,*

*All* that certain tract, piece and parcel of land, situate, lying and being in Indian River Hundred, Sussex County, Delaware, on the Westerly side of County Route 288, and more particularly described in accordance with that certain survey of L. Franklin Beers, Jr., Delaware Registered Professional Land Surveyor, dated September, 1987, as follows:

*Beginning* at an iron pipe set in the Westerly right of way of County Route 288 (at 50' wide), a corner for this lands herein conveyed and lands now or formerly of L. Lucas; thence, by and with the said right of way, South 01° 48' East 100.00 feet to an iron pipe set in the said right of way; thence, by and with a new division line between the lands herein conveyed and other lands of Sarah C. Harmon, North 72° 51' 48" West 150 feet to an iron pipe set; thence, still with the lands

NO TITLE SEARCH PERFORMED; NONE REQUESTED

Consideration:	90.00	Exempt Code: A
County	State	Total
0.00	0.00	0.00
counter	Date: 01/30/2003	

02798 067

of the said Sarah C. Harmon, North 46° 48' 26" West 215.34 feet to an iron pipe set in the line of the lands now or formerly of L. Lucas; thence, by and with the said Lucas lands, South 72° 51' 48" East 311.00 feet to the point and place of Beginning, containing 21,802 square feet of land, more or less, and any improvements located thereon.

*Being* all of the land conveyed to Sarah C. Harmon by August 11, 1993 Deed of Rodney E. Harmon recorded in the Office of the Recorder of Deeds in and for Sussex County, at Georgetown, DE in Deed Book 1932, Page 298.

*In Witness Whereof, the said party of the first part has hereunto set her hand and seal the day and year aforesaid.*

SEALED AND DELIVERED  
in the presence of

Gingelb Andersen  
WITNESS

Sarah C Harmon (SEAL)  
Sarah C. Harmon

State of Delaware )  
                                  ) ss.  
County of Sussex )

**Be it Remembered,** that on this <sup>28<sup>th</sup></sup> day of January in the year of our Lord two thousand three, personally came before me, **Sarah C. Harmon**, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her Deed.

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

D. Gail Cooke  
Notary Public

RECORDED OF DEEDS  
JAN 15 2003

03 JAN 30 AM 10:06

SUSSEX COUNTY  
DOC. SURCHARGE PAID

**D. GAIL COOKE**  
Notary Public, State of Delaware  
No. 2002086247  
My Commission Expires April 18, 2004

**Received**

JAN 31 2003

ASSESSMENT DIVISION  
OF SUSSEX CTY

19370

#01932 #298

Tax Parcel No. 2-34 6.00 26.3

THIS DEED, Made this 11th day of August, in the year of our Lord one thousand nine hundred and ninety-three.

BETWEEN,

RODNEY E. HARMON, RD 1, Box E99, Lewes, Delaware 19958,  
party of the first part,

AND

SARAH C. HARMON, Widow, RD 1, Box E99, Lewes, Delaware 19958, her heirs and assigns,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of SEVEN THOUSAND DOLLARS (\$7,000.00), lawful money of United States of America, the receipt whereof on April 20, 1993 is hereby acknowledged, hereby grants and conveys unto the said party of the second part, their heirs and assigns,

ALL that certain tract, piece and parcel of land situate, lying and being in Indian River Hundred, Sussex County, Delaware, on the westerly side of County Route 288, and more particularly described in accordance with that certain survey of L. Franklin Beers, Jr., Delaware Registered Professional Land Surveyor, dated September, 1987,

BEGINNING at an iron pipe set in the westerly right of way of County Route 288 (at 50' wide), a corner for the lands herein conveyed and lands now or formerly of L. Lucas; thence, by and with the said right of way South 01 degrees 48 minutes East 100.00 feet to an iron pipe set in the said right of way; thence, by and with a new division line between the lands herein conveyed and other lands of by Sarah C. Harmon, North 72 degrees 51 minutes 48 seconds West 150 feet to an iron pipe set; thence, still with the lands of the said Sarah C. Harmon, North 46 degrees 48 minutes 26 seconds West 215.34 feet to an iron pipe set in the line of the lands now or formerly of L. Lucas; thence, by and with the said lands, South 72 degrees 51 minutes 48 seconds East 311.00 feet to the point and place of beginning, containing 21,802 square feet of land, more or less.

NO TITLE SEARCH PERFORMED AS NONE WAS REQUESTED

Prepared by:  
James B. Tyler, III  
100 W. Market Street.  
P.O. Box 555  
Georgetown, DE 19947  
(302) 856-6397

7275 111 9/ 1/93 CTX-EX 50 .00

DUM



#01932 #299

Being part of the lands conveyed to Rodney E. Harmon by Sarah C. Harmon, widow, by deed dated October 1, 1987 and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Georgetown, Delaware in Deed Book 1522, Page 161.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year aforesaid.

*Rodney E. Harmon*  
RODNEY E. HARMON

STATE OF DELAWARE :  
COUNTY OF SUSSEX : SS.

BE IT REMEMBERED, that on this 14th day of July, 1993, personally came before me, a Notary Public for the State of Delaware, known to me personally to be such, and acknowledged this Indenture to be his act and deed

GIVEN under my hand and seal of office.

*James B. Tyler, Jr.*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

JAMES B. TYLER, JR.  
Delaware Attorney At Law  
Notarial Acts Authorized  
By 28 Del. C. §4323

VALERIE HALEN  
DOC. SURCHARGE PAID

93 SEP -1 AM 11:15

PURCHASERS REPORT  
MADE THIS DATE

SEP 2 1993

RECORDER OF DEEDS  
SUSSEX COUNTY

ASSESSMENT DIVISION  
OF SUSSEX COUNTY

*James Tyler, Jr. atty.*  
*9/27/93*

15512

.1522 PAGE 161

**This Deed, MADE THE**

1st day of October

in the year of our LORD,

one thousand nine hundred and eighty-seven

**Between**

SARAH C. HARMON, Widow, R.D. 1, Box E99, Lewes, DE 19958, party of the first part,

-AND-

RODNEY E. HARMON, R.D. 1, Box E99, Lewes, DE 19958, party of the second part,

**Witnesseth.** That the said party of the first part, for and in consideration

of the sum of One dollar (\$1.00) and other good and valuable considerations

lawful money of the United States of America,

the receipt whereof is hereby acknowledged, hereby grant, and convey unto

the said party of the second part, his heirs and assigns,

**All**

that certain tract, piece and parcel of land situate, lying and being in Indian River Hundred, Sussex County, Delaware, on the westerly side of County Route 288, and more particularly described in accordance with that certain survey of L. Franklin Beers, Jr., Delaware Registered Professional Land Surveyor, dated Sept. 1987, attached hereto and made a part hereof as follows:

BEGINNING at an iron pipe set in the westerly right of way of County Route 288 (at 50' wide), a corner for the lands herein conveyed and lands now or formerly of L. Lucas; thence, by and with the said right of way South 01° 48' East 100.00 feet to an iron pipe set in the said right of way; thence, by and with a new division line between the lands herein conveyed and the lands retained by Sarah C. Harmon, North 72° 51' 48" West 150 feet to an iron pipe set; thence, still with the lands of the said Sarah C. Harmon, North 46° 48' 26" West 215.34 feet to an iron pipe set in the line of the lands now or formerly of L. Lucas; thence, by and with the said lands South 72° 51' 48" East 311.00 feet to the point and place of beginning, containing 21,802 square feet of land, more or less.

BEING part of the lands conveyed to Leon Harmon and Sarah C. Harmon, his wife, by December 3, 1953 deed of Albert R. Johnson, recorded in the Office of the Recorder of Deeds in and for Sussex County at Georgetown, Delaware in Deed Book 427, Page 100, at seq. Leon Harmon died July 28, 1982 leaving the said Sarah C. Harmon as his surviving tenant by the entirety.

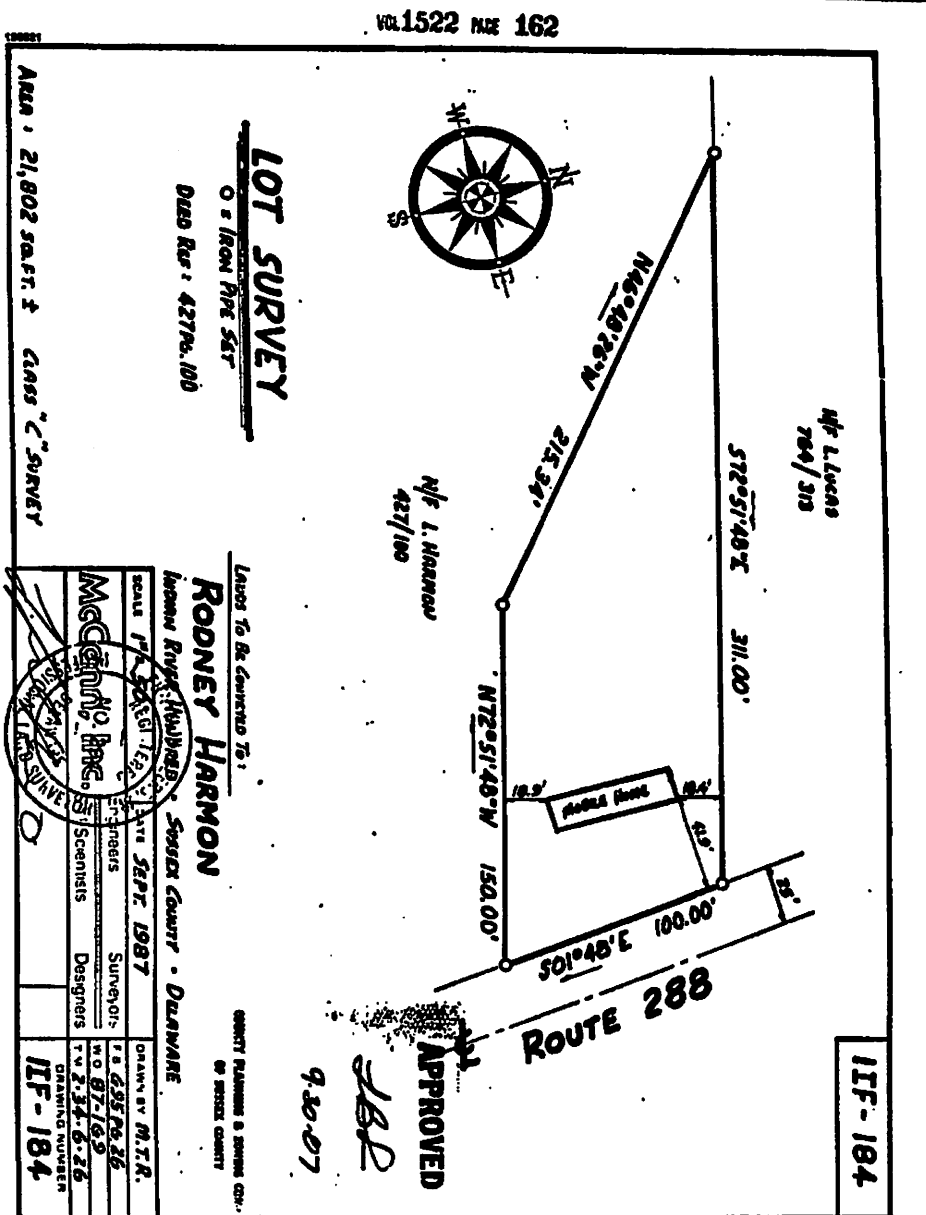
NO TITLE SEARCH -- NONE REQUESTED

0324 333

10/ 6/87

TX-EX CD

.00



VOL. 1522 PAGE 163

In Witness Whereof, The said party of the first part has hereunto set her hand and seal, this day and year aforesaid.

SEALED AND DELIVERED  
in the presence of

D. J. Cook

Sarah C. Harmon (Seal)  
SARAH C. HARMON

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

State of Delaware,

SUSSEX

County. } ss.

Be It Remembered, that on this 1st day of  
October in the year of our Lord one thousand nine hundred and  
eighty-seven personally came before me, a Notary Public in and for  
the County and State aforesaid, SARAH C. HARMON,

Party to this Indenture, known to me personally to be such, and she did  
acknowledge this Indenture to be her Deed.

GIVEN under my hand and Seal of Office, this day and year aforesaid

RUSSELL WECABE  
Notary Public

OCT -6 AM 11:28

SUSSEX COUNTY

James B. Tyler, III  
Notary Public

JAMES B. TYLER, III  
Notary Public  
County of Sussex  
State of Delaware  
My Commission Expires Oct. 20 1997

7th PURCHASER'S RECORD BOOK  
DAY OF October 1987  
ASSESSMENT DIVISION OF SUSSEX COUNTY

James B. Tyler, III, Atty.  
(Silo) 10-23-87



(No. 44-B)

DEED-TYPEWRITER  
Printed and Sold by Hugh A. George Co., Stationers, 905 Shipley B., Wilmington, Del.

# This Deed, Made this

*3rd.* day of *December* in the year of  
our LORD one thousand nine hundred and fifty-three.

BETWEEN, ALBERT R. JOHNSON, a divorced man, of Lewes and Rehoboth Hundred, Sussex County, Delaware, party of the first part, and LEON HARMON and SARAH C. HARMON, his wife, of Lewes and Rehoboth Hundred, Sussex County, Delaware, parties of the second part;

**Witnesseth,** That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations  
lawful money of the United States of America,  
the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said parties of the second part,

## ALL

That certain tract, piece and parcel of land, situate, lying and being in Indian River Hundred, County of Sussex and State of Delaware, fronting on the West side of the Public Road leading from the Homestead of Ernest Hazzard to the homestead of Gardner Drain, and bounded on the North by lands of John L. Johnson, on the West by lands of James H. King and on the South by lands of David H. Hazzard, and on the East by the aforesaid Public Road, and being all the lands formerly belonging to Harry R. Hazzard lying on the West side of the aforesaid Public Road, containing twenty-four and one half (24½) acres, be the same more or less; conveyed to this grantor by deed from James E. Hazzard and Dulcina C. Hazzard, his wife, by deed dated November 13, 1929 and of record in the office of the Recorder of Deeds in and for Sussex County, Delaware in Deed Record D.H.U., Vol. 277, page 452, the sixth day of December 1929.

In Witness Whereof, the said part y of the first part has hereunto set his hand and seal the day and year aforesaid.

Sealed and Delivered in the Presence of

*Florence G. King*

*Albert R. Johnson*



State of Delaware

SUSSEX

County

ss.

3rd. day of December  
nine hundred and Fifty-three

Be it Remembered, That on this  
in the year of our LORD one thousand  
personally came before me

ALBERT R. JOHNSON, a divorced man

part y to this Indenture, known to me personally to be such, and he  
acknowledged this Indenture to be his Deed.

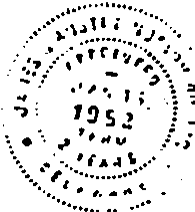
PURCHASERS REPORT MADE

This 4th Day of Dec. 1953

Board of Assessment of Sussex County

By *H. Ernest Conwell, clerk*

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



RECEIVED FOR RECORD

*Dec. 4th A.D. 1953*

CHARLES F. HUDSON, Recorder

*James B. Austin*  
Notary Public.

My Commission expires January 1, 1954

BOOK 427 PAGE 100

(No. 44-B)

DEED-TYPEWRITER  
Printed and Sold by Hugh A. George Co., Stationers, 925 Ebbett St., Wilmington, Del.**This Deed, Made this***3rd* day of *December* in the year of  
our LORD one thousand nine hundred and fifty-three.

BETWEEN, ALBERT R. JOHNSON, a divorced man, of Lewes and Rehoboth Hundred,  
Sussex County, Delaware; party of the first part, and LEON HARMON and SARAH C.  
HARMON, his wife, of Lewes and Rehoboth Hundred, Sussex County, Delaware, parties  
of the second part;

**Witnesseth,** That the said party of the first part, for and in consideration of the sum of  
One Dollar (\$1.00) and other good and valuable considerations  
lawful money of the United States of America,  
the receipt whereof is hereby acknowledged, hereby grant and convey unto the said  
parties of the second part,

**ALL**

That certain tract, piece and parcel of land, situate, lying and being in Indian  
River Hundred, County of Sussex and State of Delaware, fronting on the West side  
of the Public Road leading from the Homestead of Ernest Hazzard to the homestead  
of Gardner Drain, and bounded on the North by lands of John L. Johnson, on the  
West by lands of James R. King and on the South by lands of David H. Hazzard, and  
on the East by the aforesaid Public Road, and being all the lands formerly belong-  
ing to Harry R. Hazzard lying on the West side of the aforesaid Public Road, con-  
taining twenty-four and one half ( $24\frac{1}{2}$ ) acres, be the same more or less; conveyed  
to this grantor by deed from James E. Hazzard and Dalcina C. Hazzard, his wife,  
by deed dated November 13, 1929 and of record in the office of the Recorder of  
Deeds in and for Sussex County, Delaware in Deed Record D.H.U., Vol. 277, page 452,  
the sixth day of December 1929.

BOOK 427 PAGE 101

In Witness Whereof, the said part y of the first part ha a hereunto set his  
hand and seal the day and year aforesaid.

Deeded and Delivered in the Presence of

Florence G. May Jr

Albert R. Johnson



State of Delaware

SUSSEX

County } ss.

3rd. day of December  
nine hundred and Fifty-three

Be It Remembered, That on this  
in the year of our LORD one thousand  
personally came before me

ALBERT R. JOHNSON, a divorced man

part y to this Indenture, known to me personally to be such, and he  
acknowledged this Indenture to be his Deed.

PURCHASERS REPORT MADE

This 4th. day of Dec. 1953

Board of Assessment of Sussex County

By J. Ernest Cowell, clerk

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



RECEIVED FOR RECORD

Dec. 4th. A. D. 1953  
CHARLES F. HUDSON, Recorder

James B. Austin  
Notary Public.

By Charles F. Hudson  
Recorder



11469

03108 2197

Parcel P/O 2-34 6.00 59.01  
*Ret to:* Prepared by:  
 Hudson, Jones, Jaywork & Fisher  
 309 Rehoboth Avenue  
 P.O. Box P  
 Rehoboth Beach, DE 19971

THIS DEED made this 29 day of November, in the year of our Lord 2004,

BETWEEN Kenneth A. Linton (A/K/A K. Ashley Linton) of 23 Reba Road, Millville, Delaware 19967 and Janet N. Linton (F/K/A Janet M. Regan) of 31418 La Jolla Shores Drive, Lewes, Delaware 19958 parties of the first part

and

Kenneth A. Linton of 23 Reba Road, Millville, Delaware 19967 party of the second part;

**WITNESSETH:** That the said party of the first part, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, Current Lawful Money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part, in fee simple the following described lands, situate, lying and being in Sussex County, State of Delaware;

**ALL** that certain lot, piece or parcel of land, situate, lying and being in Indian River Hundred, Sussex County, Delaware and shown and designated as lot C on a certain survey or plot prepared for Janet Linton and Ashley Linton by Charles L. Kauffman II Surveying Engineering and Planning dated July 6, 2004 and of record in the Office of Recorder of Deeds in and for Sussex County Delaware in Plot Book 86, Page 229 and more particularly described as follows, to wit:

Beginning at an iron pipe found at the intersection found at the southeasterly corner of this lot where it intersects the southwesterly corner of lot A along the dividing lines of lands now or formerly of Harmon; thence from said point and place of beginning along said Harmon dividing line North 44 degrees 38 minutes 30 seconds West 878.23 feet to a found concrete monument; thence turning and running North 13 degrees 06 minutes 20 East 176.56 feet to a found concrete monument; thence turning and running South 72 degrees 45 minutes 40 seconds East 703.55 feet to a found iron pipe; thence turning and running along the dividing line between this lot, lot B and lot A South 09 degrees 09 minutes 40 seconds West 595.95 feet home to the point and place beginning.

**Together with**, however, to the following easements(North Easement and South Easement) for ingress, egress and utilities for the benefit of Lot C as shown on the above described plot, which easements shall benefit the current and future owners of lot C, their

Consideration: 90.00 Exempt Code: A

County	State	Total
0.00	0.00	0.00

counter Date: 03/03/2005

*Deu*

**#03108 2198**

respective heirs successors and assigns, said easements shown on the aforesaid plot and more particularly described as follows:

**NORTH EASEMENT**

Beginning at an iron pipe found at the intersection of lot B, lands now or formerly of Wood, and existing 50 foot wide road and lot A; thence from said point and place of beginning turning and running along the existing 50 foot wide road South 01 degrees 44 minutes 20 seconds East 50.00 feet to an iron pipe found on lands now or formerly of Morris; thence turning and running along lands of Morris South 88 degrees 05 minutes 10 seconds West 140.00 feet to a concrete monument; thence continuing across lot A South 88 degrees 05 minutes 10 seconds West a distance necessary to reach the dividing line between lot A and lot C; thence turning and running along said dividing line North 9 degrees 09 minutes 40 seconds East 50.00 feet to an iron pipe; thence turning and running along the dividing line between lot A and lot B South 88 degrees 05 minutes 10 seconds West 260.27 feet home to the point and place of beginning be the contents what they may.

**SOUTH EASEMENT**

Beginning at a concrete monument found on the right-of-way line of County Road 288 at the dividing line between these lands and those now or formerly of Larosa Corp beginning at a concrete monument located on the southwesterly right-of-way line of County Road 288, said concrete monument being found on the dividing line between this lot and lands now or formerly of Larosa Corp; thence from said point and place of beginning leaving said right-of-way line and running along lands now or formerly of Larosa Corp. South 88 degrees 09 minutes 45 seconds West, 100.00 feet to a concrete monument; thence continuing South 65 degrees 02 minutes 40 seconds West 108.86 feet to a set iron pipe on lands now or formerly of Harmon; thence turning and running North 72 degrees 55 minutes 30 seconds West 461.43 feet to a found iron pipe; thence turning and running along the dividing line between this lot and lot C North 09 degrees 09 minutes 40 seconds East 50.00 feet; thence turning and running in a Northeasterly direction along a line parallel to the southerly boundary of lot A (on the dividing line between lot A, lands now of formerly of Greenfields, Harmon and Larosa Corp.) and said parallel line being a distance of 50 feet from the southerly boundary of lot A and running a distance necessary to reach the southwesterly right-of-way line of County Road 288; thence turning and running along said right-of-way line South 01 degrees 46 minutes 30 seconds East 50.00 feet home to the point and place of beginning be the contents what they may.

**SUBJECT**, however, to the reservations, restrictions, conditions and covenants of record and subject to such state of facts as an accurate survey and/or inspection of the lands and premises will disclose, the operation and effect of any zoning laws, and building restrictions imposed by public authority; and easements and public utility grants of record;

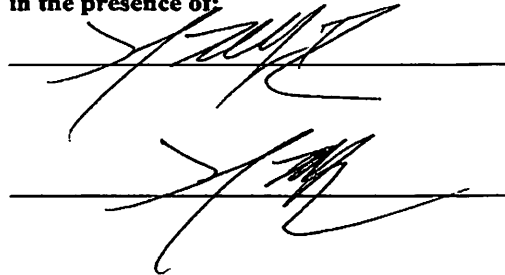
#03108 2199


BEING part of the same lands conveyed unto Kenneth A. Linton (A/K/A K. Ashley Linton) and Janet M. Regan (N/K/A Janet N. Linton) by deed of Shirley A. Ricketts and Markci D. Metcalf (A/K/A Markci D. Metchalf) dated November 27, 2000 and of record in the Office of Recorder of Deeds in and for Sussex County, Delaware in Deed Book 2543, Page 228.

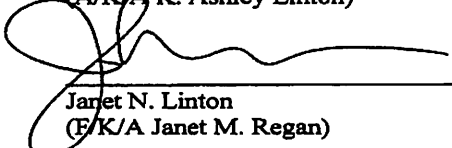
**SUBJECT**, however, to the following right of first refusal in favor of Janet N. Linton. In the event that Kenneth A. Linton should desire to sell Lot C as described herein and as more fully shown on the Plot, of record, aforesaid, in Plot Book 86, page 229 during such time that Janet N. Linton is still the owner of Lot A or Lot B, as shown on the Plot, then upon receipt by Kenneth A. Linton of a bona fide offer to purchase Lot C, then said offer shall be presented to Janet N. Linton, who shall have the option to purchase the property subject to the offer upon the same terms and conditions contained within said offer. Janet N. Linton shall have thirty (30) days within which to elect to purchase the property as set forth in the offer. The thirty (30) days shall commence upon the mailing by certified mail, return receipt requested, and regular mail of a copy of the offer to Janet N. Linton at the address listed for Janet N. Linton on the Sussex County, Delaware tax records for Parcel A and Parcel B. If Janet N. Linton shall elect to purchase the property upon the terms and conditions contained within the offer, a written notice of her intention to do so must be sent within said thirty (30) day period by certified mail, return receipt requested. The terms of the purchase will be those as set forth in the offer with the exception of the settlement date, which shall be extended by the number of days from the date that the contract was ratified until the date of the mailing of the election to purchase. In the event that no election to purchase is made within said thirty (30) day period, then Kenneth A. Linton shall be free to sell the property to the purchaser as set forth in the offer. This right of first refusal shall expire upon the earlier of the death of Janet N. Linton or the date upon which she no longer owns either Lot A or Lot B.

**IN WITNESS WHEREOF**, the party of the first part has hereunto set their hands and seals the day and year aforesaid.

Signed, Sealed and Delivered  
in the presence of:



  
Kenneth A. Linton  
(A/K/A K. Ashley Linton)

  
Janet N. Linton  
(F/K/A Janet M. Regan)

03108 200

State of Delaware )  
 : S.S.  
 County of Sussex )

BE IT REMEMBERED, that on the 29 day of November, A.D. 2004 personally came before me, a Notary Public for the State and County aforesaid, Kenneth A. Linton (A/K/A K. Ashley Linton) party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

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

DANIEL P. MYERS, II  
 NOTARIAL OFFICER PURSUANT TO  
 29 DEL. CODE SECT. 4323 (3)  
 ATTORNEY AT LAW - DELAWARE  
 ID # 2685

Notary Public  
 Printed Name: \_\_\_\_\_  
 My Commission Expires: \_\_\_\_\_

State of Delaware )  
 : S.S.  
 County of Sussex )

BE IT REMEMBERED, that on the 29 day of November, A.D. 2004 personally came before me, a Notary Public for the State and County aforesaid, Janet M. Linton (F/K/A Janet M. Regan) party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed.

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

DANIEL P. MYERS, II  
 NOTARIAL OFFICER PURSUANT TO  
 29 DEL. CODE SECT. 4323 (3)  
 ATTORNEY AT LAW - DELAWARE  
 ID # 2685

Notary Public  
 Printed Name: \_\_\_\_\_  
 My Commission Expires: \_\_\_\_\_

RECORDER OF DEEDS  
 JOHN F. BRADY  
 05 MAR -3 PM 2:41  
 SUSSEX COUNTY  
 DOC. SURCHARGE PAID

Received  
 MAR 04 2005  
 ASSESSMENT DIVISION  
 OF SUSSEX COUNTY



**DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

**WIL KING STATION SUBDIVISION**

---

**SUBDIVISION/STREET NAME  
APPROVALS**

---

## MAPPING & ADDRESSING

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



**Sussex County**  
DELAWARE  
sussexcountyde.gov

December 3, 2020

LAND TECH LLC.

*Attn: Jeffrey A. Clark, RLA & Webster Gray*

RE: Proposed Subdivision Name(s)

I have reviewed the name(s) submitted for your proposed subdivision which is located in Lewes (234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19). In reviewing the proposed name(s) the following has been approved for this subdivision:

## WIL KING STATION

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

Sincerely,

*Terri L. Dukes*

Terri L. Dukes  
Addressing Technician II

CC: Christin Headley  
Planning & Zoning



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

## MAPPING & ADDRESSING

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



**Sussex County**  
DELAWARE  
sussexcountye.gov

**December 3, 2020**

LAND TECH LLC.

*Attn: Jeffrey A. Clark, RLA & Webster Gray*

RE: **Wil King Station**

I have received proposed street name(s) for the proposed subdivision, **Wil King Station**, located in **Lewes**. In reviewing the proposed street name(s) the following have been approved:

Kensington Blvd	Cambridge Ct	Squire Ln
Duke Dr		

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

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

Sincerely,

*Terri L. Dukes*

Terri L. Dukes  
Addressing Technician II

CC: Christin Headley  
Planning & Zoning



**DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

**WIL KING STATION SUBDIVISION**

---

**AMENDED  
PRELIMINARY SITE PLAN  
BOUNDARY SURVEY  
&  
WRITTEN LEGAL  
DESCRIPTION**

---



Legal Description  
Lands N/F  
Sarah Marion Snipes Harmon, Leon Harmon  
& Mildred F. Harmon for Life  
& G. Harmon Jr.  
Tax Map 2-34-6.00 Parcel 26.00 & Parcel 59.19

ALL that certain piece, parcel and tract of land lying and being situate in Indian River Hundred, Sussex County, State of Delaware and shown on a certain survey or plot titled "Corrective Boundary and Reinstatement Plat", prepared for Leon J. Harmon and Sarah C. Snipes by Vista Design, Inc. dated August 17, 2021, and of record in the Office of Recorder of Deeds in and for Sussex County, Delaware in Plot Book 349, Page 43 and being described more particularly as follows:

**BEGINNING** at an iron pipe found on the westerly right-of-way line of Sussex County Road #288 (50 feet wide right-of-way), also known as Wil-King Road; said pipe marking northeast corner of land now or formerly of Ernest J. Fessenbecker, Tax Map 2-34-6.00, Parcel 25.01, Deed Book 2474, Page 242, being situate a distance of 0.88 miles, more or less, from Sussex County Road #280B;

From the **POINT OF BEGINNING**; thence departing from westerly right-of way line of said Sussex County Road #288 and along northern boundary of said Parcel 25.01;

N 85 degrees 49 minutes 31 seconds W for a distance of 1,435.10 feet, passing over an iron pipe found at 1,430.46 feet to a point on a line marking northwest corner of land now or formerly of Gary C. and Kathryn L. Kaier, Tax Map #2-34-6.00, Parcel 25.04, Deed Book 2488, Page 67 and eastern boundary line of land now or formerly of Kenneth W. Denham, Tax Map #2-34-6.00, Parcel 503.00, Deed Book 4267, Page 116, thence turning and running along eastern boundary of said Denham Parcel 503.00;

N 02 degrees 50 minutes 10 seconds W for a distance of 157.17 feet to an iron rod with cap found, marking northeastern corner of said Denham Parcel 503.00 and southeastern corner of land now or formerly of Anthony C. and Kay M. Dibuo, Tax Map # 2-34-6.00, Parcel 504.00, Deed Book 3531, Page 5, thence running along eastern boundary of said Parcel 504.00;

N 03 degrees 19 minutes 38 seconds W for a distance of 974.69 feet to a concrete monument found, marking eastern boundary of land now or formerly of Jacqueline Renae McGrellis, Trustee, Tax Map #2-34-6.00, Parcel 14.00, Deed Book 4064, Page 41, thence continuing with eastern boundary of said McGrellis Parcel 14.00;

North 03 degrees 34 minutes 23 East for a distance of 176.10 feet to a found concrete monument along the eastern boundary line and corner of said McGrellis land, thence turning and continue running along southern boundary of said McGrellis land;

South 82 degrees 02 minutes 39 seconds East for a distance of 703.55 feet to an iron rod with cap found marking a point along the southern boundary of McGrellis land and the northwest corner of lands now or formerly of Janet N. Linton, Tax Map #2-34-6.00, Parcel 59.18, Deed Book 3108, Page 201, thence turning and running along western boundary of said Linton Parcel 59.18;

South 00 degrees 07 minutes 25 seconds West for a distance of 595.98 feet to an iron pipe found, marking the southwest corner of other lands now or formerly of Janet N. Linton, Tax Map 2-34-6.00, Parcel 59.01,

Deed Book 3108, Page 201, thence turning and running along southern boundary of said Linton Parcel 59.01;

S 82 degrees 09 minutes 15 seconds E for a distance of 360.37 feet to an iron pipe found, marking new line of division of Parcel 26.03, Tax Map #2-34-6.00, reverting back to original lot lines prior to the creation of Plat Book 212, Page 95, thence the following two courses along the new line of division of said Parcel 26.03;

S 56 degrees 01 minutes 26 seconds E for a distance of 215.34 feet to a point on a line, thence;

S 82 degrees 13 minutes 45 seconds E for a distance of 150.00 feet to an iron pipe found, marking southeastern corner of said Parcel 26.03 and western right-of-way line of said Sussex County Road #288, thence running along and with western right-of way line;

S 10 degrees 59 minutes 41 seconds E for a distance of 34.21 feet to a point marking the northwest corner of land now or formerly of Mildred F. Harmon, Tax Map 2-34-6.00, Parcel 26.01, thence departing from said right-of way line and running with northern boundary of said Parcel 26.01, and the new line of division reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 78 degrees 54 minutes 47 seconds W for a distance of 146.53 feet to an iron pipe found, marking northwest corner of said Parcel 26.01, thence turning and running with new line of division reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 11 degrees 05 minutes 13 seconds E for a distance of 135.00 feet to an iron pipe found, marking southwest corner of said Parcel 26.01 and northwest corner of land now or formerly of Daniel L. and Sarah C. Snipes, Tax Map #2-34-6.00, Parcel 26.02, Deed Book 3082, Page 135, thence the following the next three courses on a new line of division of said Parcel 26.02, reverting back to original lot lines prior to creation of Plat Book 212, page 95;

S 00 degrees 57 minutes 27 seconds E for a distance of 116.11 feet to an iron pipe found, thence;

S 85 degrees 30 minutes 04 seconds E for a distance of 21.20 feet to a point on a line, thence;

S 86 degrees 29 minutes 25 seconds E for a distance of 150.93 feet to a point on a line of westerly right-of way line of said Sussex County Road #288, thence turning and running along said westerly right-of way line;

S 10 degrees 59 minutes 41 seconds E for a distance of 157.89 feet to a point on said westerly right-of-way line, thence continuing with said right-of way line;

S 10 degrees 59 minutes 41 seconds E for a distance of 51.81 feet to an iron pipe found marking the place and POINT OF BEGINNING, containing 1,267,253 square feet or 29.10 acres of land more or less.



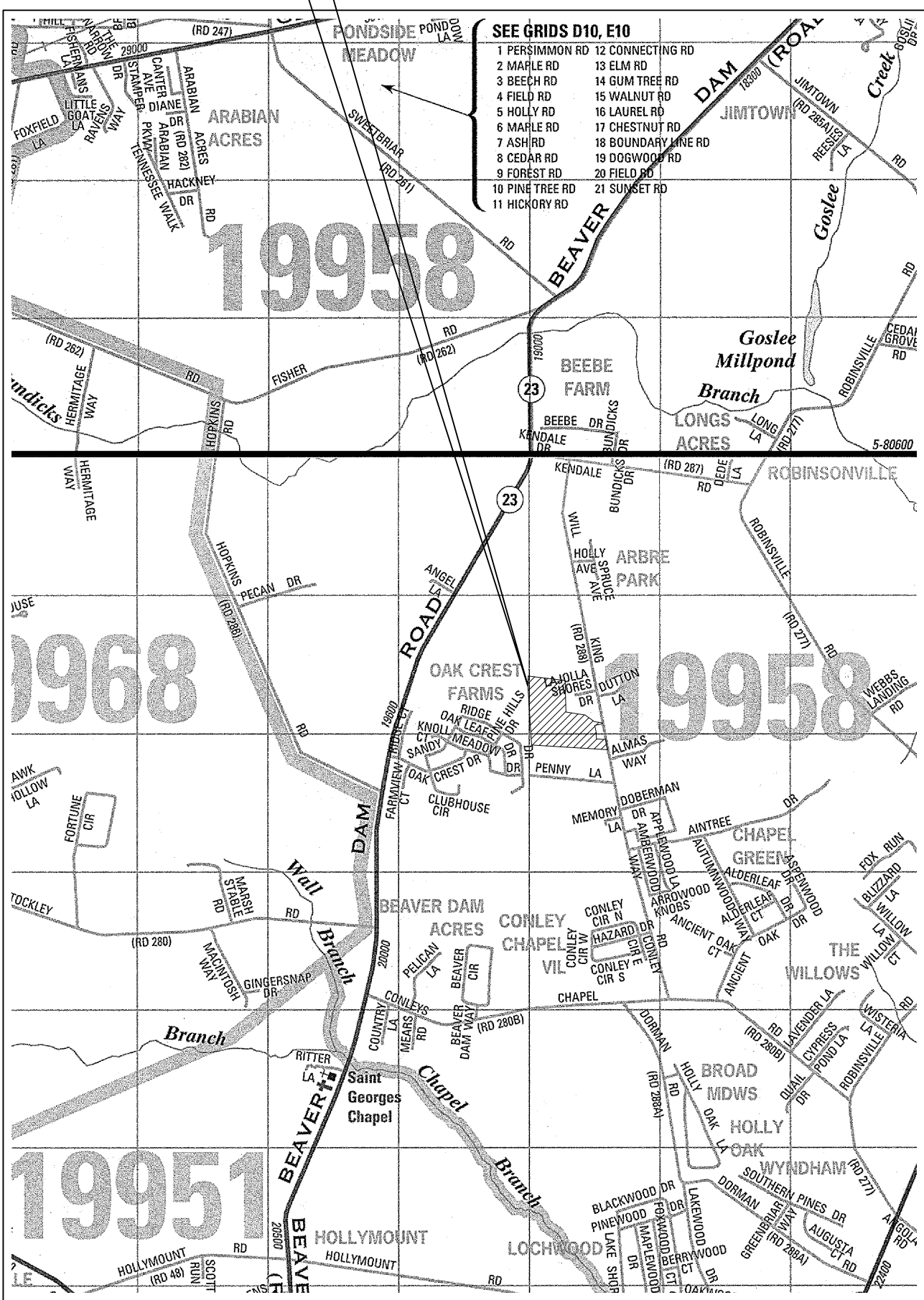
My License Expires 06/30/2023



WIL KING STATION  
PRELIMINARY SITE PLAN  
RESIDENTIAL PLANNED COMMUNITY  
SUSSEX COUNTY, DELAWARE

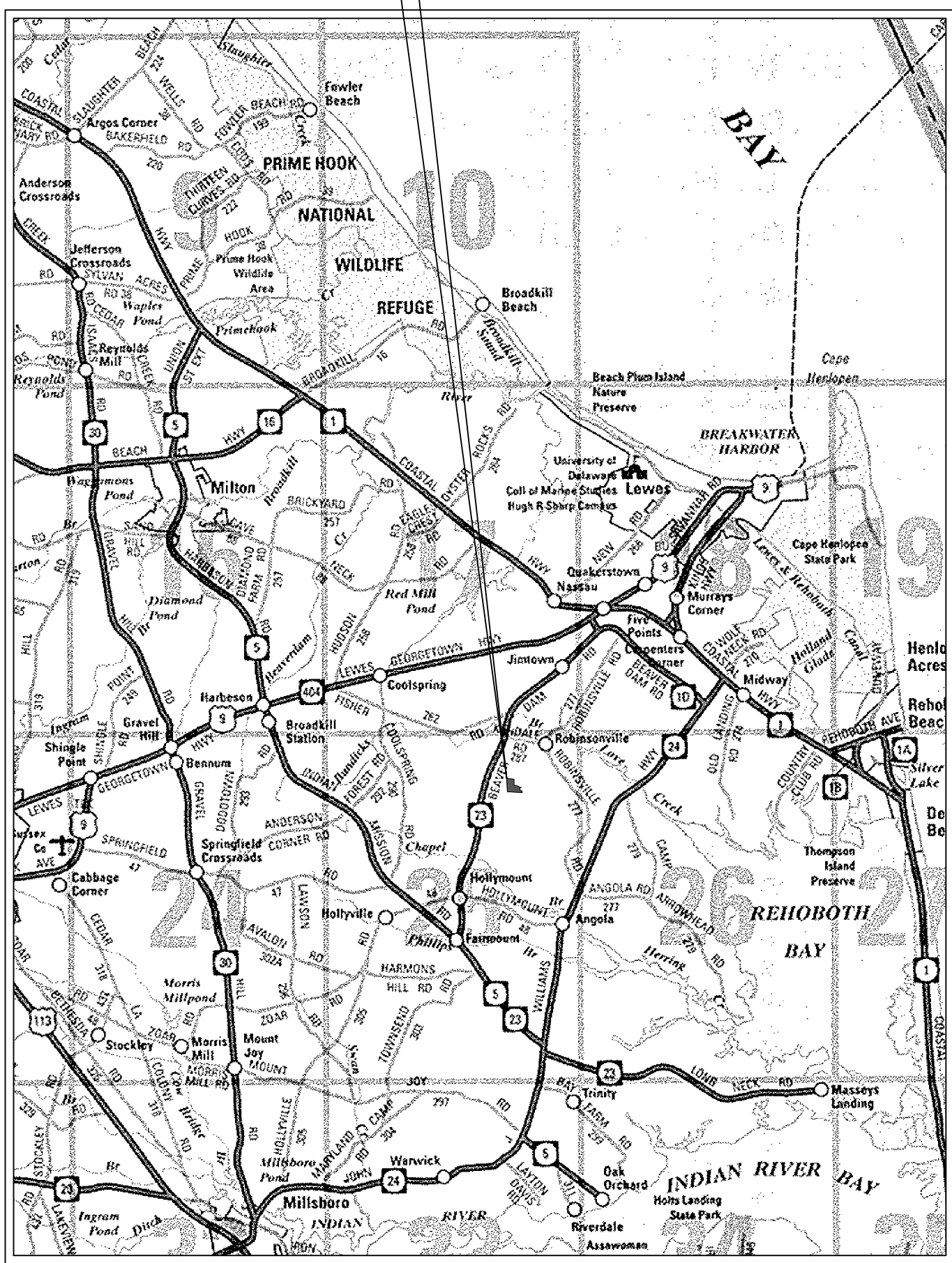
GMB File No. 200143

PROJECT AREA



LOCATION MAP  
SCALE: 1" = 1,000'

PROJECT AREA



VICINITY MAP  
SCALE: 1" = 1 MILE

GENERAL NOTES:

1. STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS, MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNERS.
2. ALL OPEN SPACE SHALL BE MAINTAINED BY THE RESIDENTS OF WIL KING STATION.
3. TOPOGRAPHY AND BOUNDARY SHOWN HEREIN PER SURVEY FROM VISTA DESIGN, DELAWARE STATE PLANE COORDINATE SYSTEM NAD 83/91 AND NAVD88 VERTICAL DATUM.
4. THIS SITE CONTAINS NO FEDERAL OR STATE OF DELAWARE JURISDICTIONAL WETLANDS.

SITE DATA:

OWNERS:

TM 234-6.00-26.00

SARA MARION SNIPES HARMON  
LEON HARMON & MILDRED F. HARMON FOR LIFE  
G. HARMON JR.  
20464 WIL KING ROAD  
LEWES, DE

TM 234-6.00-59.19

KENNETH LINTON  
10933 FOX MILL LANE  
CHARLOTTE, NC

APPLICANT:

DOUBLE DB, LP  
507 NORTH YORK ST.  
SUITE 20  
MECHANICSBURG, PA 17055

LANDSCAPE ARCHITECT:

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

CIVIL ENGINEER:

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

TAX MAPS:

234-6.00-26.00 & 59.19

EXISTING ZONING:

AR-1 AGRICULTURE RESIDENTIAL (23.38 ACRES)  
GR (5.69 ACRES)

PROPOSED ZONING:

AR-1 AND MR RPC

COMPREHENSIVE PLAN MAP:

LOW DENSITY AND COASTAL AREA

PROPOSED SITE DATA

TOTAL SITE AREA: ±29.10 AC.  
AR-1 LOW DENSITY AREA: ±6.26 AC.  
AR-1 LOW DENSITY STREET ROW: ±0.91 AC.  
AR-1 LOW DENSITY RPC NET DEVELOPMENT AREA: ±5.35 AC.  
AR-1 LOW DENSITY DWELLINGS PERMITTED: 11.65 LOTS (5.35 AC/20,000 SF)  
AR-1 LOW DENSITY DWELLINGS PROPOSED: 11 LOTS  
AR-1 MINIMUM LOT SIZE: 13,333 SF  
AR-1 MINIMUM LOT WIDTH: 67'  
MR-RPC COASTAL SITE AREA: ±22.84 AC.  
MR-RPC COASTAL STREET ROW: ±3.65 AC.  
MR-RPC COASTAL NET DEVELOPMENT AREA: ±19.19 AC.  
MR-RPC DWELLINGS PERMITTED: 83.5 LOTS (19.18 AC/10,000 SF)  
MR-RPC COASTAL AREA DWELLINGS PROPOSED: 65 LOTS  
MR-RPC MINIMUM LOT SIZE: 7,500 SF  
MR-RPC MINIMUM LOT WIDTH: 60'

OVERALL DENSITY:

2.61 LOTS/ACRE

FEDERAL WETLANDS:

0 ACRES

DNREC WETLANDS:

0 ACRES

OPEN SPACE PROPOSED

±9.08 AC (31%)

UNIT COUNT

SINGLE FAMILY LOTS:

76

REQUIRED PARKING:

152

PROVIDED PARKING:

152

BUILDING SETBACKS

MAX BUILDING HEIGHT:

42'

FRONT:

25'

SIDE:

10'

REAR:

10'

PROPOSED AMENITIES:

PLAYGROUND, TOT LOT EQUIPMENT, SCHOOL BUS STOP

FLOOD ZONE:

FLOOD INFORMATION: SPECIAL HAZARD AREA ZONE X  
(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL  
CHANCE FLOODPLAIN) PER FIRM MAP 10005C0330J DATED  
MARCH 16, 2015.

UTILITIES

CENTRAL WATER:

TIDEWATER UTILITIES, INC.

PUBLIC SEWER:

SUSSEX COUNTY

OWNER'S CERTIFICATION:

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

OWNER

DATE

LANDSCAPE ARCHITECT'S CERTIFICATION:

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

JEFFREY A. CLARK, RLA,

OWNER, LAND TECH LAND PLANNING, LLC.

DATE

ENGINEER'S CERTIFICATION:

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

ENGINEER

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

DATE

APPROVED

BY

SUSSEX COUNTY  
SOIL CONSERVATION DISTRICT

PRINTS ISSUED FOR:

DATE

REVISIONS

NO.

\* PREPARED BY \*

LAND TECH  
LAND PLANNING, LLC

32895 SOUTH COASTAL HWY, SUITE 202  
BETHANY BEACH, DELAWARE 19803  
PHONE: (302) 539-2366

GMB

GEORGE, MILES & BUHR, LLC  
ARCHITECTS & ENGINEERS  
SALISBURY • BALTIMORE • SEAFORD  
206 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
410-742-3115, FAX 410-548-5790  
www.gmbnet.com

WIL KING STATION  
SUSSEX COUNTY, DELAWARE

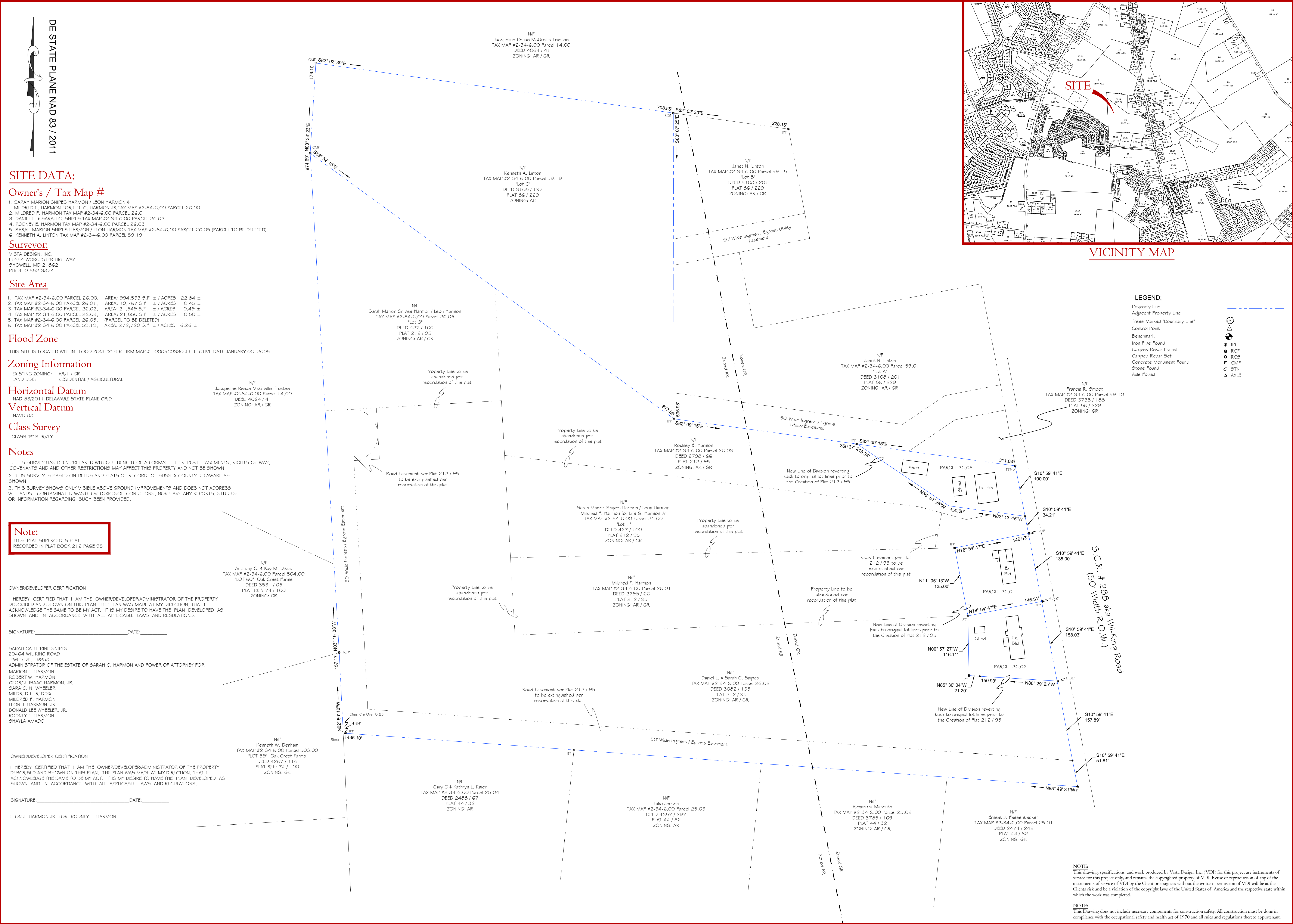
COVER SHEET

SCALE : AS SHOWN SHEET NO.  
DESIGN BY : JAC  
DRAWN BY : KK  
CHECKED BY : KK  
GMB FILE : 200143  
DATE : AUG 2021

PSP1.0

© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC





REVISIONS						
1.	Revised Per Comments 06/10/21					
2.						
3.						
4.						
5.						
6.						
7.						

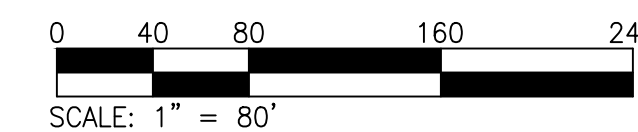

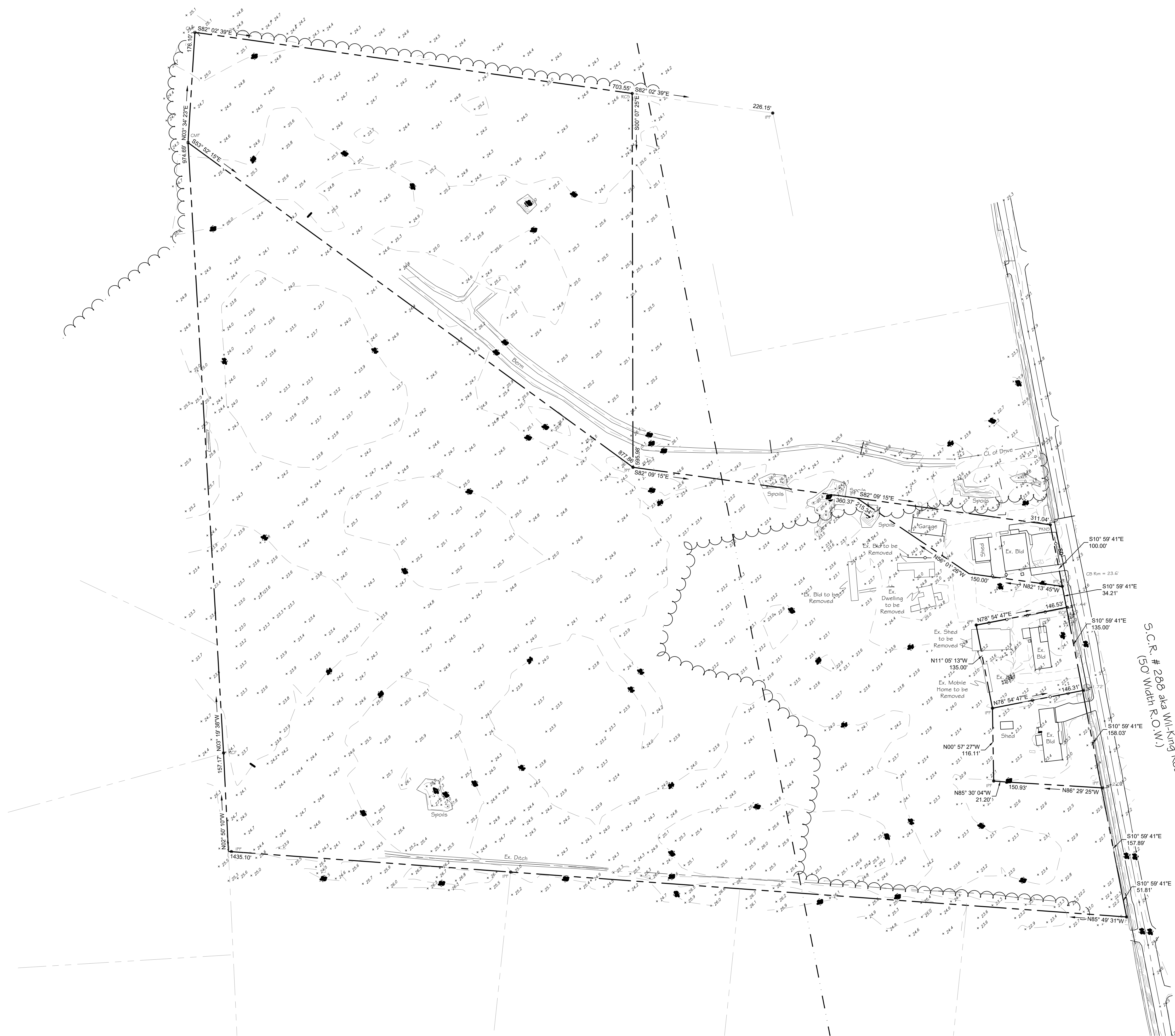
PROJECT DATA						
Project No.:	21-006					
File Name:	21-006 Subdividing					
Client Name:	INDIAN RIVER HUNDRED					
Location:	SUSSEX COUNTY, DELAWARE					
Date:	8/12/21					
Scale:	1" = 80'					

**CORRECTIVE BOUNDARY & REINSTATEMENT PLAT**

**WIL-KING ROAD**

**VISTA DESIGN, INC.**  
Landscape Architects, Land Planning Consultants, Engineers, and Surveyors  
11634 Worcester Hwy, Showell, MD 21862  
ph: 410-352-3874 fax: 410-352-3875 email: vsta@vstadesign.com



[illegible]

**GMB**

**GEORGE, MILES & BUHR, LLC**  
**ARCHITECTS & ENGINEERS**  
SAUSBURRY • BALTIMORE • SEAFORD  
206 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
410-742-3115, FAX 410-548-5790  
[www.gmbnet.com](http://www.gmbnet.com)

WIL KING STATION  
SUSSEX COUNTY, DELAWARE

## EXISTING CONDITIONS

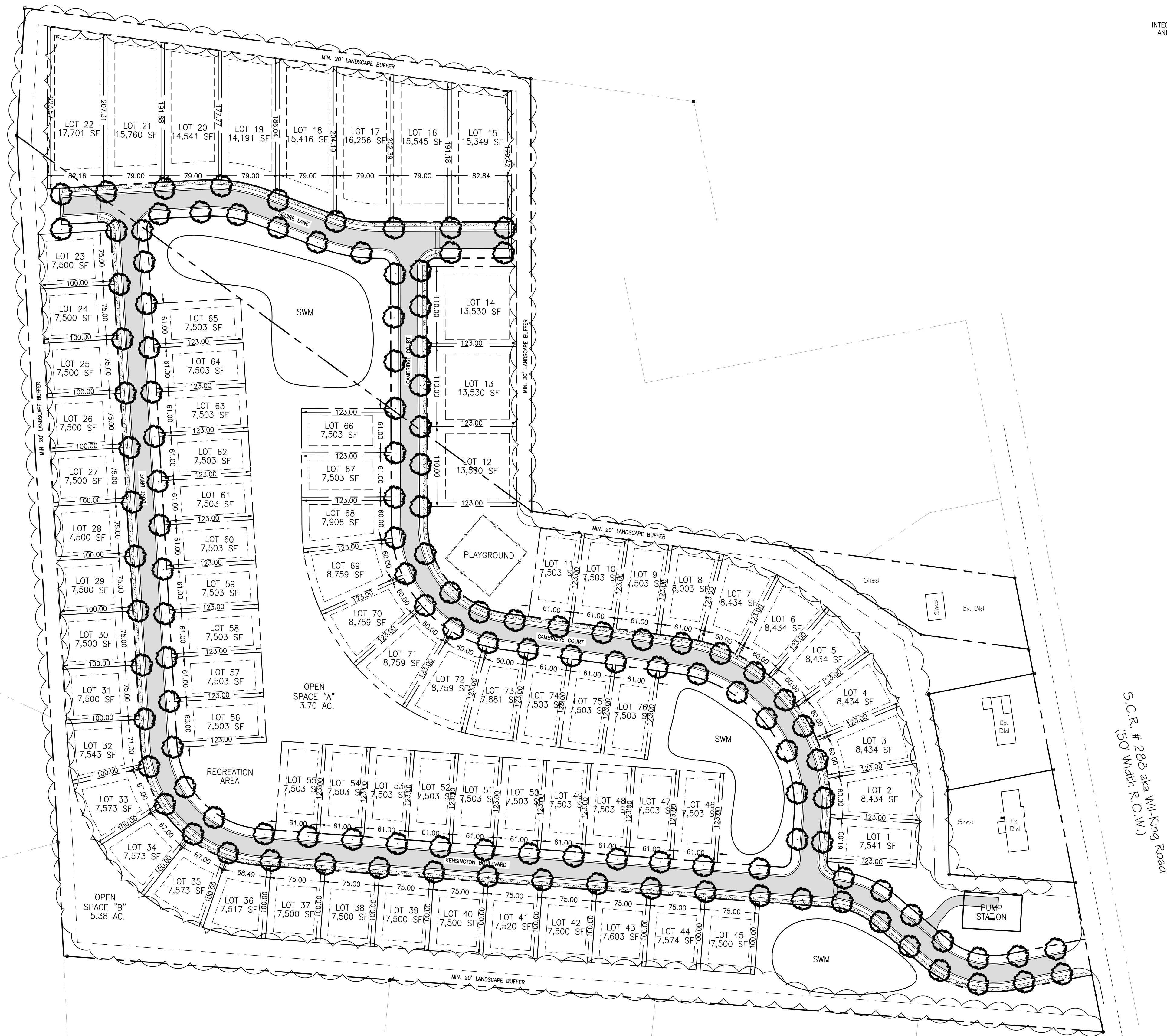
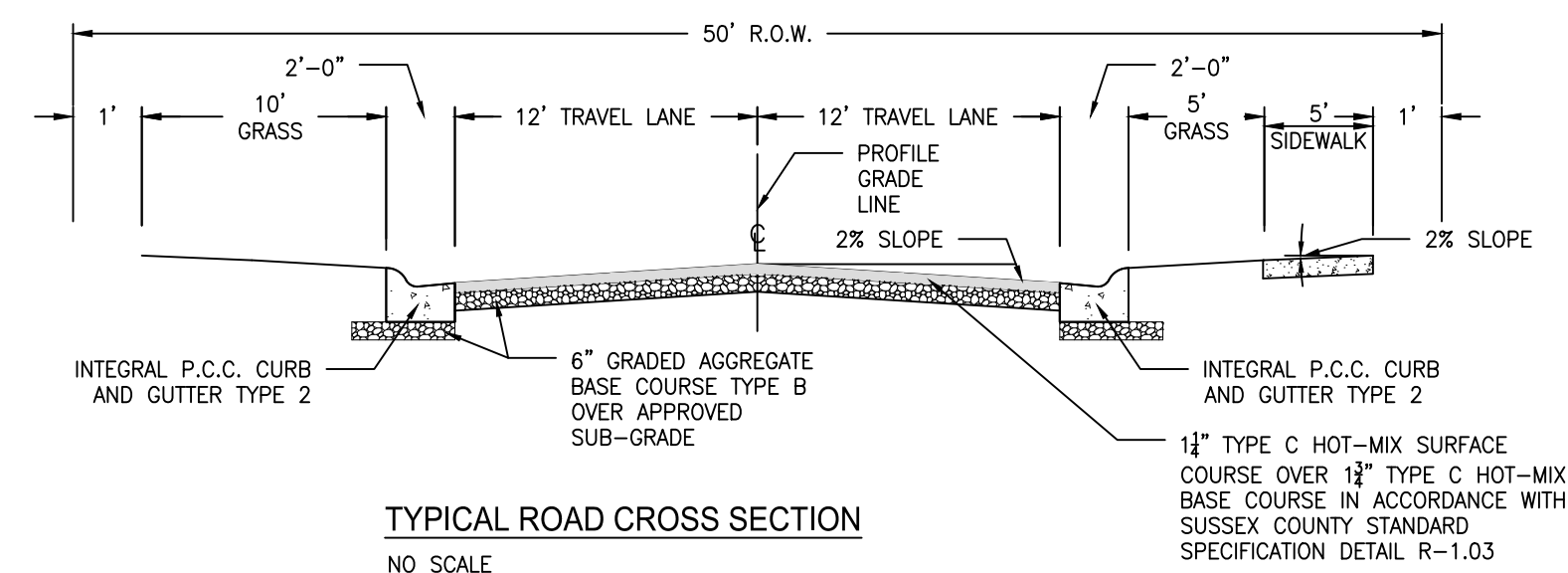
SCALE : 1" = 80'	SHEET NO.  <b>PSP3.0</b>
DESIGN BY : KK	
DRAWN BY : KK	
CHECKED BY :	
GMB FILE : 200143	
DATE : AUG 2021	

**GMB**  
GEORGE, MILES & BUHR, LLC  
ARCHITECTS & ENGINEERS  
SALISBURY • BALTIMORE • SPOKANE  
206 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
410-742-3115; FAX 410-548-5790  
[www.gmbnet.com](http://www.gmbnet.com)

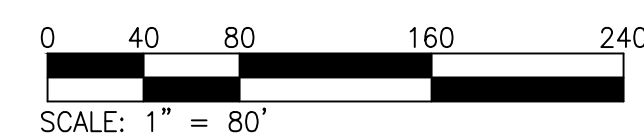
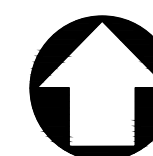
WIL KING STATION  
SUSSEX COUNTY, DELAWARE

# PRELIMINARY SITE PLAN

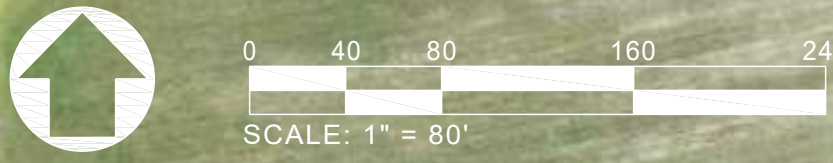
SCALE : 1" = 80'	SHEET NO.  <b>PSP4.0</b>
DESIGN BY : JAC	
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 200143	
DATE : AUG 2021	



S.C.R. # 288 aka Wil-King Road  
(50' Width R.O.W.)







**GMB**  
GEORGE, MILES & BUHR, LLC  
ARCHITECTS & ENGINEERS  
SALISBURY • BALTIMORE • SEAFORD  
206 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
410-742-3115; FAX 410-546-5790  
[www.gmbnet.com](http://www.gmbnet.com)

PRELIMINARY SITE  
PLAN RENDERING

SCALE : 1" = 80'	SHEET NO.  <b>PSP5.0</b>
DESIGN BY : JAC	
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 200143	
DATE : DEC 2020	

© COPYRIGHT 2020 GEORGE MILES & BUH



**DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

**WIL KING STATION SUBDIVISION**

---

**ENVIRONMENTAL  
ASSESSMENT  
&  
PUBLIC FACILITY  
EVALUATION REPORT**

---



# **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

## **WIL KING STATION SUBDIVISION**

### **ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITY EVALUATION REPORT**

**Sussex Code Article XXV – Section 115-194.3**

---

#### **BACKGROUND AND PROJECT DESCRIPTION**

- The Wil King Station site is a 29.10-acre assemblage of two tracts of land (Sussex Tax Parcels: 2-34-6.00-26.00 and 2-34-6.00-59.19). The subject land is located on the west side of Wil King Road approximately one mile south of the Kendale Road Intersection. The subject land is currently split-zoned both AR-1 (Agricultural Residential) and GR (General Residential). The AR-1 acreage is +/- 23.39 acres and the Wil King Road frontage GR acreage is +/- 5.71 acres. The AR-1 acreage lies in two Comprehensive Map zones with +/- 6.26 acres lying within the Low-Density area and +/- 17.13 acres lying within the Coastal area. The Wil King Station application proposes an MR & AR-1 RPC Subdivision seeking approval to develop 76 single-family detached home sites. The existing AR-1 and GR acreage within the Coastal area as mapped within the current Comprehensive Plan will be proposed for a zoning change to MR, which is consistent with the neighboring developed subdivision to the east. The balance of the RPC application will remain zoned AR-1 in the Low-Density area as mapped in the Comprehensive Plan.
- A single subdivision entrance is planned at the intersection with Wil King Road with a long straight roadway segment affording Wil King Station residents and their guests good site distance when exiting the proposed new community.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment and disposal Unified District facilities and public water by Tidewater Utilities for both potable and fire protection use.
- A professionally designed landscaped buffer with a minimum width of 20' will extend along the entire perimeter of the site. The gateway to the community as planned will present a view into the site from Wil King Road that is a tree lined gently curved street and no lots/homes for +/- 300 feet when viewing into the new community.

### **STORMWATER & DRAINAGE DESIGN**

- Stormwater management design for the Wil King Station site will be done in accordance with Delaware's Sediment and Stormwater Regulations and approved by the Sussex Conservation District. The design will incorporate wet ponds, swales, and where appropriate, infiltration basins.

### **COMMUNITY POTABLE AND FIRE PROTECTION WATER SUPPLY**

- The Wil King Station site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use and also supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

#### **WASTEWATER TREATMENT AND DISPOSAL**

- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020, the subject tract lies in a Tier 1 area of the sewer district. The SSCE report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed. No capacity is guaranteed until System Connection Fees are paid.
- The recommended sanitary sewer connection point will be located at the intersection of Wil King Road and Dawson Drive via a proposed manhole.

#### **TRAFFIC ANALYSIS**

- The Wil King Station developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application on October 30, 2020. The December 2, 2020 DelDOT response to the SLER notes that the subject development is located in the Henlopen Transportation Improvement District, recently adopted by DelDOT and Sussex County. For that reason, the applicant will be required to pay a fee per dwelling unit in lieu of doing a Traffic Impact Study (TIS) and making offsite improvements therewith. Any improvements required by DelDOT beyond the site entrance will be creditable toward the fee.

#### **THREATENED AND ENDANGERED SPECIES**

- Watershed Eco, LLC has conducted a Rare, Threatened and Endangered (RTE) Species study in November of 2020. Based



## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

upon written comments from both the U. S. Fish and Wildlife Service and the National Marine Fisheries Service, it was concluded there are no concerns for any RTE species at this location.

#### **WETLANDS**

- The Wil King Station site has been evaluated for the existence of regulated wetlands in September 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). Mr. McCulley has concluded that there are no DNREC or Federal jurisdictional wetlands present on this property.
- The conclusions reached in the full wetland delineation report by Watershed Eco shall be made a part of the RPC application and contained within the Supplementary Data Book.

#### **OPEN SPACE MANAGEMENT**

- The Wil King Station site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- The passive open space areas within Wil King Station are associated with the storm water wet ponds and perimeter buffers. An active open space area for playground equipment is situated in the interior of the community separated from the entrance and more heavily trafficked streets for child safety purposes.
- The management of the existing passive open space areas will be to preserve native trees and shrubs in the current condition. No clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to public safety of adjacent private property.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The landscape buffer areas will either remain in their natural state or be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will be under the direction of qualified arborists under contract to the Wil King Station home owner's association

### **PUBLIC AND PRIVATE INFRASTRUCTURE**

- The Wil King Station subdivision will be served by both public water from Tidewater Utilities Water Company and public sanitary sewer from Sussex County.
- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020 the subject tract lies in Tier 1 of the sewer planning areas. The SCED report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed.
- The sanitary sewer infrastructure will include an on-site pump station with a direct connection to existing Sussex County force main transmission piping and a complete gravity collection system to serve each new residence. All pumping station components and gravity piping and appurtenances will be installed at the expense of the developer following Sussex County Ordinance 38 and other utility standards and operating agreements, inspected by Sussex County staff and dedicated to Sussex County upon acceptance of in-place construction.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

#### **ECONOMIC, RECREATIONAL & OTHER BENEFITS**

- Multiple economic benefits accrue to the local economy from salaries and purchase of materials during the construction of both site and building improvements. Additional benefits accrue from increased property taxes, permit fees, utility impact fees and the like.
- As stated elsewhere in this report, there are both active and passive recreational opportunities designed into the Wil King Station land use plan. For a subdivision of seventy-six (76) individual residences, there is a limited Home Owner's Association capability of sustaining expensive amenities. Based upon discussions with homebuilders interested in purchasing lots within Wil King Station, the price point for this community is targeted at young working age families with children. An area dedicated to children's play equipment is an adequate economic burden to maintain for a community of this size. This active recreation amenity together with the required professional maintenance of the extensive landscape buffer areas, interior walking trails and common area grass cutting, fertilizing and weed/pest control should be sustainable for a community of this size. A balanced amenity offering with manageable upkeep expense will insure that the fit and finish of Wil King Station common areas remain in a good state of repair and appearance.



## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

#### **CONFORMANCE WITH COMPREHENSIVE PLAN**

- The Wil King Station subdivision site has been planned in accordance with the new updated 2018 Comprehensive Plan approved by Sussex County Council.
- The Future Land Use component of the 2018 Plan has established Growth Areas where the County has signaled future growth is expected. Eighty percent (80%) of the entire Wil King Station site is mapped as **Coastal Areas** on the 2045 Future Land Use Map. Coastal Areas are one of seven (7) Growth areas defined and described in the 2018 Plan. The 2018 plan seeks to encourage the County's most concentrated forms of new development to Growth Areas. The Low-Density portion of the Wil King Station development will maintain the prescribed low density for those areas served by central sanitary sewer and public water.
- The 2018 Plan recognizes that the Coastal Growth Area is in a region among the most desirable locations in Sussex County for new housing. Coastal Areas can accommodate development provided special environmental concerns are addressed and a range of housing types should be permitted including single family detached which Wil King Station proposes. Coastal Areas development densities proposed in the 2018 Plan range from 2-12 homes per acre. Wil King Station subdivision proposes 2.6 dwellings per acre. Cluster development is encouraged that results in the permanent preservation of a substantial percentage of the tract or area being developed. Wil King Station subdivision as planned preserves 31 percent (31%) open space as that term is defined in the Sussex County Code. Wil King Station land use planning involves Best Management Practices (BMP's) in storm water management design, preserves much of the existing woodlands on site, and proposes extensive buffers for wildlife habitat and nutrient (nitrogen and phosphorous) management.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The Wil King Station subdivision will be connected to the Sussex County regional wastewater collection, transmission and treatment facilities and the Tidewater Utilities regional potable and fire protection water system.

### **HISTORICAL AND CULTURAL RESOURCES**

- The Wil King Station site was reviewed in November of 2018 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.

### **ACTIONS TO MITIGATE DETRIMENTAL IMPACTS**

- The Wil King Station subdivision plan is based upon the principals of sound land use planning and landscape architecture. Open space corridors are located to promote and encourage pedestrian access between homes in the neighborhood.
- Wooded and open space pathways into and through the community via the landscaped perimeter buffers allow the linking of off-site natural areas for wildlife surrounding the site to remain connected. Perimeter landscaped buffers also provide important esthetics for views into the site from neighboring properties and from within the subdivision.
- No wetland impacts, crossings or other intrusions are planned in Wil King Station.
- The use of a qualified professional site maintenance company by the home-owners association to manage plant and animal communities in both the native and more manicured areas of Wil King Station will serve to mitigate the effects of development on this site. Plant pest management, fertilizer application management and invasive species plant management will all serve

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

to mitigate the effects of a low-density land use.

- Using “state of the art” best management stormwater quality and quantity controls via bio-filters and bio-retention structures with native plant species will ensure that the impacts of the land development are minimized.



**DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

**WIL KING STATION SUBDIVISION**

---

**SUBDIVISION  
CONSIDERATIONS  
(CHAPTER 99-9)**

---

# **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

## **WIL KING STATION SUBDIVISION**

### **SUBDIVISION CONSIDERATIONS**

#### **CHAPTER 99-9 ORDINANCE 1152**

---

#### **INTEGRATION OF PROPOSED SUBDIVISION INTO EXISTING TERRAIN AND SURROUNDING LANDSCAPE**

- The Wil King Station proposed subdivision property is bound on the north and northwest by open farmland that is tilled for row crops and some forested area immediately abutting the Wil King Station site.
- The western boundary of the Wil King Station site abuts the medium density residential Oak Crest Farms subdivision. Oak Crest Farms is a fully developed 175 single family lot community with lots averaging one quarter acre in size.
- To the south and abutting the Wil King Station site is a six-lot subdivision of fully developed farmsteads ranging in size from +/- 4 acres to 1 acre.
- The eastern boundary of Wil King Station abuts a number of subdivided lots ranging in size from just over an acre to approximately one-half acre and accessed by private right of ways or directly from Wil King Road. There is a single 4.2-acre tract that is presently undeveloped with Wil King Road frontage. We understand that this 4.2-acre site has recently become an application for further subdivision. The remaining Wil King Road fronting lots are presently occupied by many of the current owners of the property which is the subject of the proposed Wil King Station AR-MR-RPC subdivision.
- Required perimeter landscaped buffers along all Wil King Station site boundaries will be professionally designed and installed as a part of the subdivision construction process.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- This site has been evaluated for the presence of Federal or DNREC jurisdictional wetlands and none were found to be present. The wetlands evaluation was conducted by James C. McCulley, a recognized expert in the environmental consulting field.
- An Open Space Management Plan prepared by a qualified professional shall outline a detailed strategy to maintain the native trees and shrubs within existing natural forested areas as well as developer planted landscape buffer areas.
- The Open Space Management Plan will be implemented by landscape maintenance professionals under contract to the Wil King Station Home Owner's Association as required by the subdivision restrictive covenants.
- No lots within Wil King Station have direct access onto the road frontage of any State maintained routes or public roads.
- The limited Wil King Road frontage for the subject tract of land does not present any opportunity for more than a single subdivision entrance. However, this single entrance connects with a long straight segment of Wil King Road and will provide good visibility for future residents exiting the private subdivision street. Interior Wil King Station private subdivision streets dead end in several locations which could become connections with adjoining tracts of undeveloped land.
- The extension of public water and sanitary sewer into the Wil King Station site will present an opportunity for some adjoining land owners to connect to these two public utilities and abandon on-site septic systems and wells if they so choose.
- The Wil King Station subdivision design results in nearly 30 percent open space to be actively managed by professional maintenance companies under contract to the home-owners association.
- The low residential density planned for Wil King Station will result in 2.6 dwelling per acre, generally in keeping with the low-density character of the surrounding area.



## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- All streets, sidewalks, site grading and sanitary sewer system infrastructure will be designed, constructed and inspected for conformance to all Sussex County Engineering Department standards and specifications.
- All grading, drainage and storm water management facilities will be designed, constructed and inspected for conformance to Sussex Conservation District and DNREC standards and specifications.
- All water service infrastructure will be designed to Tidewater Utilities standards and specifications and inspected by the State Fire Marshal's Office for conformance to State Fire Prevention Regulations.

### **MINIMAL USE OF WETLANDS AND FLOODPLAINS**

- The Wil King Station site has been evaluated for the existence of regulated wetlands in October of 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified professional wetland scientist (# 000471). No Federal or DNREC wetlands were found on the property. A full copy of Mr. McCulley's wetland report will be included within the Supplemental Data Book.
- The entire Wil King Station site as mapped on Flood Insurance Rate Map (FIRM) Number 10005C0330J (Map Revised March 16, 2015) is in "Other Areas" Zone X. Zone X are areas determined to be outside the 0.2% annual chance of floodplain. A copy of the current FIRM will be included within the Supplemental Data Book.

### **PRESERVATION OF NATURAL AND HISTORIC FEATURES**

- The Wil King Station site was reviewed in November of 2020 by the State Historic Preservation Office as a part of the PLUS process. Their report indicates that prehistoric archeological potential is low and the historic potential is moderate.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The Wil King Station site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- The passive open space areas are confined to the proposed extensive perimeter landscape buffering system. The management of the existing passive open space areas will be to preserve native trees and shrubs in the current condition. No clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety of adjacent private property. The 20' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Wil King Station home owner's association.
- The balance of the open space in Wil King Station will be used more actively by the residents and their guests. These active open space areas are adjoining storm water ponds and a large centrally located playground area situated far away from the subdivision entrance and the more heavily travelled segments of the private streets.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Wil King Station home owner's association. The Wil King Station restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

#### **PRESERVATION OF OPEN SPACE AND SCENIC VIEWS**

- The Wil King Station site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- The passive open space areas are confined to the proposed extensive perimeter landscape buffering system. The management of the existing passive open space areas will be to preserve native trees and shrubs in the current condition. No clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety of adjacent private property. The 20' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Wil King Station home owner's association.
- The balance of the open space in Wil King Station will be used more actively by the residents and their guests. These active open space areas are adjoining storm water ponds and a large centrally located playground area situated far away from the subdivision entrance and the more heavily travelled segments of the private streets.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Wil King Station home owner's association. The Wil King Station restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- The Wil King Station land use plan will present a view into the site from Wil King Road that is a tree lined gently curved street and no lots/homes for +/- 300 feet into the site.

### **MINIMIZATION OF TREE, VEGETATION, AND SOIL REMOVAL AND GRADE CHANGES**

- Development of the Wil King Station site will result in no clearing, disturbance, or altering of vegetation within existing passive forested open space areas except the removal of dead and dying trees which pose a threat to public safety of adjacent private property.
- Existing forested active open space areas and areas set aside for stormwater management and community trails will be selectively cleared and disturbed only as needed to construct SWM facilities and play/community park equipment.
- The subdivision site grading and drainage design follows the general contour of the existing pre-developed site except areas that are proposed for excavation as wet ponds and open swales to convey stormwater across the site.
- To the maximum extent possible, site top soils will be stockpiled for re-use in lot areas around new residences and active open space areas and for the creation of earth berms.

### **SCREENING OF OBJECTIONABLE FEATURES FROM NEIGHBORING PROPERTIES AND ROADWAYS**

- The site perimeter landscape buffer areas will either be left in their natural condition or vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department. The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas



## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

will be under the direction of qualified arborists under contract to the Wil King Station home owner's association.

- The Wil King Station land use plan will present a view into the site from Wil King Road that is a tree lined gently curved street and no lots/homes for +/- 300 feet into the site.

### **PROVISION FOR WATER SUPPLY**

- The Wil King Station site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned.
- The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

### **PROVISION FOR SEWAGE DISPOSAL**

- The Wil King Station site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020, the subject tract lies in a Tier 1 area of the sewer district. The SSCE report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed. No capacity is guaranteed until System Connection Fees are paid.
- The connection point will be located at the intersection of Wil King Road and Dawson Drive via a proposed manhole.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

#### **PREVENTION OF POLLUTION OF SURFACE AND GROUNDWATER**

- Stormwater management design for the Wil King Station site will be done in accordance with DNREC's Sediment and Stormwater Regulations and approved by the Sussex Conservation District. The design will incorporate wet ponds, swales, and where appropriate, infiltration basins.

#### **MINIMIZATION OF EROSION AND SEDIMENTATION, CHANGES IN GROUNDWATER LEVELS, OF INCREASED RATES OF RUNOFF, OF POTENTIAL FOR FLOODING AND DESIGN OF DRAINAGE SO THAT GROUNDWATER RECHARGE IS MAXIMIZED**

- The storm water management design at Wil King Station will utilize a system of wet ponds, bio-filters, and waterways for the management of post development runoff volumes to address State of Delaware mandated water quality standards. As required by law, all drainage and storm water management design documents and computations will be scrutinized by the Sussex Conservation District prior to issuance of any permits for land disturbing activities.

#### **PROVISION FOR SAFE VEHICULAR AND PEDESTRIAN MOVEMENT WITHIN THE SITE AND TO ADJACENT WAYS**

- The Wil King Station site is not required by the Delaware Department of Transportation (DelDOT) to undertake a Traffic Impact Study (TIS) and assess the need for any off-site improvements to public roads.
- The Wil King Station development is located in the Henlopen Transportation Improvement District (TID), recently adopted by

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

DelDOT and Sussex County. For that reason, the applicant will be required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith.

- The commercial subdivision entrance permit will insure, to DelDOT standards, that safe auto and bicycle vehicular and pedestrian movements will occur as a part of this new subdivision construction.
- The Wil King Station subdivision design incorporates a continuous paved sidewalk network throughout the neighborhood connecting residents to each other and to site amenities including walking trails.

### **EFFECT ON AREA PROPERTY VALUES**

- The Wil King Station subdivision plan is based upon the principals of sound land use planning and landscape architecture.
- Open space corridors are located to promote and encourage pedestrian access between homes in the neighborhood and to connect to public pedestrian and bicycle systems.
- Wooded and open space pathways into and through the community and landscaped perimeter buffers allow the linking of off-site natural areas surrounding the site to remain connected. Perimeter landscaped buffers also provide important esthetics for views toward the site from neighboring properties and from within the subdivision.
- Home sites are configured by design resulting in future residential construction being viewed from off-site looking at the front and not rear of all proposed residences.
- The gateway to the community presents a gently curved tree lined street setting with no homesites for +/- 300 feet into the property.
- For the above reasons, this new well-planned community will command an above market home sale price and re-sale price which will serve as a positive effect on those properties in the immediate neighborhood.

## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

#### **PRESERVATION AND CONSERVATION OF FARMLAND**

- The Wil King Station site will neither preserve or conserve farmland.

#### **EFFECT ON SCHOOLS, PUBLIC BUILDINGS AND COMMUNITY FACILITIES**

- The Wil King Station site with new single family detached homes priced as workforce housing is likely to attract young families and first home buyers as residents. Therefore, the applicant will coordinate with the local school district to learn how best to design a school bus stop and bus turn-a-round inside the community. Provisions will be needed for parents to park cars while waiting with children for the school bus to arrive.
- During the commercial entrance permit process with DelDOT, the applicant will be required to coordinate this new development with the DART transportation staff to learn if a public service bus stop is appropriate and required at this location.
- The residents in this new neighborhood would be welcomed by local merchants, restaurants and faith-based organizations to contribute to the overall wellbeing of the community.

#### **EFFECT ON AREA ROADWAYS AND PUBLIC TRANSPORTATION**

- The Wil King Station developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application on October 30, 2020. The December 02, 2020 DelDOT response to the SLER points out that The Wil King Station development is located in the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County. For that reason, the applicant will be required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith.



## **DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

### **WIL KING STATION SUBDIVISION**

- All commercial subdivision entrance improvements within the public DelDOT right of way shall be constructed and inspected as directed and approved by DelDOT.

### **COMPATABILITY WITH OTHER AREA LAND USES**

- The residential density planned for Wil King Station will result in 2.6 dwellings per acre in keeping with the low-density character of the newly developed surrounding area.
- There are a number of existing residential communities in the immediate vicinity as well as several planned subdivisions that have recently started construction or are about to begin.

### **EFFECT ON AREA WATERWAYS**

- All construction activities within the Wil King Station site shall adhere to detailed plans and specifications prepared by Delaware licensed professional engineers contained within a Stormwater Management Plan with Sediments and Erosion Control provisions approved by the Sussex Conservation District. The Sussex Conservation District requires all site disturbances to be under inspection by DNREC staff to insure compliance with approved stormwater management designs and specifications. Therefore, the development of Wil King Station will have taken the necessary precautions to assure there are no negative water quality or quantity effect on area tax ditch waterways.
- An Open Space Management Plan prepared by a qualified professional under agreement with the Wil King Station homeowner's association will monitor the applications of fertilizers and pesticide treatments within the community.

**DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

**WIL KING STATION SUBDIVISION**

---

**PLUS SUBDIVISION COMMENTS**

**PLUS COMP PLAN AMENDMENT  
APPLICATION and PLUS RESPONSE**

**TAC COMMENTS  
with  
APPLICANT RESPONSE**

---



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

August 11, 2021

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

**RE: PLUS Response 2020-11-06; Wil King Station**

Dear Mr. Edgell,

Land Tech Land Planning, LLC represents the owner/developer of the above referenced proposed Change of Zone application. In response to the review comments within the December 18, 2020 PLUS report that follows, *we offer our answers highlighted in color.*

---

December 18, 2020

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

RE: PLUS review 2020-11-06; Wil King Station

Dear Mr. Clark:

Thank you for meeting with State agency planners on November 18, 2020 to discuss the proposed plans for the Inland Bays Community project. According to the information received you are seeking review of a proposed 75 unit subdivision on 29.1 acres along Wil King Road in Sussex County

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

## **Strategies for State Policies and Spending**

- This project is located in Investment Levels 3 and 4 according to the *Strategies for State Policies and Spending* with the majority of the parcel within the Level 3 area. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and/or environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

The Office of State Planning cannot support development in the Level 4 area. Therefore, we ask that the applicant consider pulling the housing within the Level 4 areas and concentrate building within the Level 3 section of this parcel.

*A review of the Future Land Use Map within the current Sussex County Comprehensive Plan shows that there is an unusual shape to the Coastal Area in this vicinity as it steps in-and-out with the unusual property lines of the various tax parcels. Stated a little differently, if one simply “squared off” the Coastal Area shown on the adjacent properties, the 6-acre Level 4 Property would be within a Coastal Area. Even beyond the boundaries of the immediately adjacent parcels, the area between Beaver Dam Road and Wil King Road is within the Coastal Area except for a few parcels including the 6-acre Level 4 Property. Thus, at both the micro and macro levels a Coastal Area designation is consistent with other properties in this part of the County.*

*The entire length of Wil King Road, from Kendale Road to Conley’s Chapel Road, is shown on the Comprehensive Zoning Map as being within the GR District. In addition, behind the assemblage of parcels for the proposed Wil King Station community is the Oak Crest Farms community which lies within an MR District.*

*The requested addition of the 6-acre Level 4 Property within the Wil King Station subdivision also demonstrates sound land use and planning. This is best-reflected by the current application which seeks a split AR-I/MR RPC rather than simply seeking an MR-RPC. As the applicant, Planning & Zoning staff and the public can appreciate, creating consistent zoning and future land use classifications throughout a project makes it much easier to apply the requirements of not only the Zoning Code but also all other approvals and documents related to a project. Public utilities, such as water and sewer (site lies within a Tier 1 & 2 sewer planning area), would be made available to the 6-acre Level 4 Property through the balance of the proposed Wil King Station community. Likewise, access to Wil King Road for the 6-acre Level 4 Property would be through the streets proposed for Wil King Station.*



*The proposed Wil King Station land use plan will allow for a homogenous zoning application both for a change of zoning classification as well as an RPC overlay.*

*The requested amendment is also consistent with the character and nature of the uses in this area and will not have an adverse effect on adjacent properties.*

## **Code Requirements/Agency Permitting Requirements**

### **Department of Transportation – Contact Bill Brockenbrough 760-2109**

- The site access on Wil King Road (Sussex Road 288) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.

#### ***Acknowledged***

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at [https://www.deldot.gov/Business/subdivisions/pdfs/Meeting\\_Request\\_Form.pdf?08022017](https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017).

#### ***Acknowledged***

- In accordance with Sections 1.6.7 and 7.2.3.2 of the Manual, DelDOT may require that some or all of the lots along Wil King Road, portions of which would apparently be retained by their current owners, be accessed by way of the subdivision street system rather than by Wil King Road. To the extent that those lots are already developed and the homes would remain, their access should be discussed at or before the Pre-Submittal Meeting. The applicant's engineer may contact Mr. Brian Yates, a Subdivision Reviewer in DelDOT's Development Coordination Section, to initiate that discussion. Mr. Yates may be reached at [Brian.Yates@delaware.gov](mailto:Brian.Yates@delaware.gov) or (302) 760-2151.

#### ***Acknowledged***

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

#### ***Acknowledged***

- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are

estimated at 798 vehicle trip ends per day. Using the 10<sup>th</sup> edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT confirms this number and estimates the weekday morning and evening peak hour trip ends at 58 and 77, respectively. Therefore, a TIS would normally be required.

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

The developer should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at [Sarah.Coakley@delaware.gov](mailto:Sarah.Coakley@delaware.gov) or (302) 760-2236.

#### *Acknowledged*

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Wil King Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, **"An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."**

#### *Acknowledged*

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

#### *Acknowledged*

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 450 feet of the entrance on Wil King Road.
  - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- *Acknowledged*

- Section 3.5.4.4 of the Manual addresses requirements for accessways. Accessways are paths that connect subdivision streets to a sidewalk or SUP. DeIDOT anticipates requiring an accessway from Wil King Road to the development streets near Lot 4.

*This matter was discussed during the pre-application meeting and was determined to be unnecessary.*

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

*Acknowledged*

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

*Acknowledged*

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

*Acknowledged*

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

*Acknowledged*

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

**Stormwater Management**

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

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. The plan review agency is the Sussex Conservation District.

*Acknowledged*

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

*Acknowledged*

- Schedule a project application meeting with the appropriate agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

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

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

*Acknowledged*

### **Water Quality (Pollution Control Strategies)**

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

- This site lies within the Rehoboth Bay of the Inland Bays Watershed. Consult with the appropriate plan review agency (Sussex Conservation District) to determine if stricter stormwater management standards may apply for development projects in this area.

*Acknowledged*

### **Hydrologic Soils Group**

While some of the site contains moderately well drained soils (Hydrologic Soils Group C), most of the site contains poorly drained soils (Hydrologic Soils Group C/D). These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

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



Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

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

*A comprehensive site soils investigation has been undertaken by Geo-Technology Associates, Inc. and will form the basis for all storm water management BMP's that will serve the Wil King Station site.*

## **Wetlands**

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of freshwater wetlands located toward the center of the site.

- If the project proposes to disturb (dredge or fill) wetlands under the jurisdiction of the U.S. Army Corps of Engineers, a delineation of waterways and wetlands is required, as well as associated authorizations and permits. In certain circumstances, additional certifications from DNREC Wetlands & Subaqueous Lands Section will be required as part of the U.S. Army Corps of Engineers permit process.
- For a list of consultants and engineers who can conduct wetland delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link:  
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>

Contact: U.S. Army Corps of Engineers (Dover Office) at

[DoverRegulatoryFieldOffice@usace.army.mil](mailto:DoverRegulatoryFieldOffice@usace.army.mil) or (267) 240-5278.

Website: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>

*A comprehensive site evaluation has been undertaken by Watershed Eco, LLC who has determined that no jurisdictional wetlands exist on this property proposed for development. Further, a letter of agreement with the findings of Watershed Eco, LLC has been issued by the U. S. Army Corps of Engineers.*

## **Wildlife Displacement**

Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (approximately 300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

*Acknowledged*

## **Wastewater Permitting – Large Systems**

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

- It is the responsibility of the permittee to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.

Contact: DNREC Large Systems Branch at (302) 739-9948.

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

*Acknowledged*

**State Historic Preservation Office – Contact Carlton Hall 736-7400**

- The Delaware SHPO does not recommend developing in Level 4 areas. Prehistoric archaeological potential is low. Mostly poorly drained soils and not close enough to any water sources. However, it's on/close to Nanticoke Land, so it is recommended that the owner/developer check with the tribe prior to work.
- Historic potential is moderate. No buildings on Beers, but historic maps indicate that a building was on that parcel in the early 20<sup>th</sup> century. Context may have been destroyed by more modern farm complex. There also appears to be a road that cuts through the parcel on the 1918 topographic maps.

*Acknowledged*

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

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

**Fire Protection Water Requirements:**

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

*Acknowledged*

**Accessibility:**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not

adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where traffic circles (roundabouts) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

*Acknowledged*

#### **Gas Piping and System Information:**

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

#### **Required Notes:**

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

*Acknowledged*

#### **Sussex County Engineering Department – Contact Chris Calio 855-1299**

- The proposed project is located within a Tier 1 and Tier 2 area within the Sussex County Unified Sanitary Sewer District, Chapel Branch area and connection to the sewer system is mandatory. A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for the

project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served. The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

### **Recommendations/Additional Information**

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

#### **Department of Transportation – Contact Bill Brockenbrough 760-2109**

- From the discussion at the PLUS meeting, DelDOT understands that the County is encouraging the developer to extend the stub streets proposed near Lots 24 and 59 to the property line to allow for interconnections to the lands to the west. DelDOT supports such interconnections as being consistent with Section 3.5 of the Manual.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Wil King Road.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>.

*Acknowledged*



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

### **Forest Removal (Mature Forest)**

The preliminary plan proposes the elimination of 18 of 21 acres of the forest on the site. An analysis of historical data indicates that the forest area located on the northern portion of the site has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. These areas provide habitat for wildlife, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, which reduces carbon that contributes to climate change.
- A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife. If mature forests are found, these areas should be conserved to the maximum extent practicable.
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1<sup>st</sup> to July 31<sup>st</sup>. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

*Acknowledged. Watershed Eco, LLC has conducted a thorough site inventory and prepared a Rare, Threatened & Endangered (RTE) Species Report. The Watershed Eco findings are that there are no concerns for any RTE species and further the site has been highly disturbed with roadways and dumping of household trash, debris and used tires.*

### **Delaware Ecological Network**

The mature forest located at the northern portion of the site provides a connection route for wildlife migration between forested lands (within the Delaware Ecological Network) situated off-site, both to the east and to the west of the project site. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on this site could jeopardize habitat beyond the parcel boundary.

- Conserve these lands as community open space. Removing forested areas connecting lands within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

*Acknowledged*

## **Stormwater Management**

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

For improved stormwater management, preserve existing trees, wetlands, and passive open space.

*Acknowledged*

## **General Drainage Recommendations**

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project. Environmental permits or exemptions may be required by the County Conservation District, U.S. Army Corp of Engineers, or the DNREC Sediment and Stormwater Program prior to clearing and/or excavating ditch channels.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.
- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

Contact: DNREC Drainage Program at (302) 855-1930.

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

*Acknowledged*

## **Wetlands**

- A wetland Jurisdictional Determination (JD) is recommended to be completed by a consultant or a representative of the DNREC Wetlands and Subaqueous Lands Section to be sure there are no impacts to wetlands. Please contact the DNREC Wetlands and Subaqueous Lands Section for more information.

Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

*A comprehensive site evaluation has been undertaken by Watershed Eco, LLC who has determined that no jurisdictional wetlands exist on this property proposed for development. Further, a letter of agreement with the findings of Watershed Eco, LLC has been issued by the U. S. Army Corps of Engineers.*

## **Wildlife Displacement**

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

## ***Acknowledged***

## **Additional Sustainable Practices**

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.
- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.
- DNREC reviewers recommend incorporating additional open space, planting open space with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

*Acknowledged*

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

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

*Acknowledged*

**State Housing Authority – Contact: Jonathan Taswell 739-4263**

- DSHA supports the site plan for 75-unit family subdivision on 29.1 acres along Wil King road in Sussex County. This is a decent location for a more affordable housing product. As a result, DSHA recommends that Sussex county embrace the opportunity to approve this proposal permitting residents to live close to their jobs, as well as, access the resources and benefits this area provides.
- DSHA encourages a site layout and quality design measures that creates desirable housing units which are vital to any well-balanced community, the intensity of the proposal warrants design measures to create human-scaled, and pedestrian-oriented community. Incorporating attractive streetscapes, community recreation areas, visually appealing façade treatments, significant landscaping and pedestrian-oriented measures will help the proposal to integrate well into the larger community plan for Sussex County.
- This Proposal provides Sussex County an excellent opportunity to facilitate a more affordable housing product in the Coastal Resort Area. The need for housing affordable to the many county residents who work in this resort economy is acute and well documented. This proposal is located in a great location with high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help household succeed. Unfortunately, these same areas contain little affordable housing. DSHA encourages the County and developer to work together, perhaps through participation in the County's Moderately Priced Housing Unit program, to insure an affordable housing price, so that more Sussex County residents can benefit from the many resources and benefits this area provides.

**Sussex County Housing – Contact: Brandy Nauman 855-7779**

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to



Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: [www.sussexcountynj.gov/affordable-and-fair-housing-resource-center](http://www.sussexcountynj.gov/affordable-and-fair-housing-resource-center). The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.
- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.
- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

### *Acknowledged*

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

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

Sincerely,

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

CC: Sussex County Planning

May 21, 2021

**Via: Email (jamie.whitehouse@sussexcountyde.gov)**

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

RE: 2045 Future Land Use Map Amendment Request  
Current: Low Density Area  
Requested: Coastal Area  
Sussex County Tax Parcel No. 234-6.00-59.19 (the "Property")

Dear Jamie,

This firm represents Double DB, LP, the contract purchaser and developer of the above-referenced Property situated near Wil King Road (Sussex Road 288). The property consists of a little more than six (6) acres and is presently unimproved.

On Sussex County's Comprehensive Zoning Map, the Property is within an Agricultural Residential District (AR-1 District). The 2045 Future Land Use Map found within Chapter 4 of the 2019 Sussex County Comprehensive Plan shows the Property as being within an area designated as a Low Density Area.

This request to modify the Future Land Use Map seeks to change the designation of the Property from being located within a Low Density Area to a Coastal Area.

By way of quick background regarding this request, my client contracted to purchase an assemblage of tax parcels which are proposed to comprise a community known as Wil King Station. The Property for which this Future Land Use Map Amendment is sought is one of the parcels involved in the proposed community. At the end of 2020, Double DB, LP filed two (2) applications with your office that included the Property. The first application sought to change the zoning classification of the adjacent properties from a combination of the AR-1 District and General Residential District (GR District) to the Medium Density Residential District (MR District). For reasons described hereinafter, there was not a change of zone requested for the 6-acre Property. The second application sought to create an AR-1/MR RPC for the assemblage of parcels. Thus, if both of those applications were granted by County Council, the assemblage of parcels would have both an AR-1 District area as well as an MR District area—with both zoning districts subject to an RPC overlay.

**Jamie Whitehouse**

**May 21, 2021**

**Page 2**

The change of zone application was designated as CZ No. 1937 – Wil King Station. The applications including the Office of State Planning Coordination's PLUS Letter and DelDOT's SFR are part of the file in your office. If you need any additional copies of the application, PLUS letter or SFR, please let me know. Through your staff review process, you questioned whether it would be a better application to seek to change the zoning classification of the Property from the AR-1 District to the MR District so that the end result would be an MR RPC rather than the unusual hybrid, AR-1/MR RPC.

The reason the application was not filed in this manner is because in addition to the assemblage of parcels having two (2) zoning classifications they also have two (2) designations on the Future Land Use Map. All of the parcels comprising Wil King Station are within a Coastal Area on the Future Land Use Map with the exception of the 6-acre Property, which is in a Low Density Area. Pursuant to Table 4.5-2 Zoning Districts Applicable to Future Land Use Categories found within the Comprehensive Plan, the MR District is not envisaged to be within a Low Density Area. Because of this inconsistency, my client did not pursue an amendment to the Future Land Use Map but instead was going to work around the difficulties in dealing with the split-zoning and the split-Future Land Use Map classifications, *i.e.*, the AR-1/MR RPC.

After our meeting earlier this week to discuss this project, my client has decided to request the amendment of the Future Land Use Map for the 6-acre Property from a Low Density Area to a Coastal Area. In the first instance, a review of the Future Land Use Map shows that there is an unusual shape to the Coastal Area in this vicinity as it steps in-and-out with the unusual property lines of the various tax parcels. Stated a little differently, if one simply "squared off" the Coastal Area shown on the adjacent properties, the 6-acre Property would be within a Coastal Area. Even beyond the boundaries of the immediately adjacent parcels, the area between Beaver Dam Road and Wil King Road is within the Coastal Area except for a few parcels including the 6-acre Property. Thus at both the micro and macro levels a Coastal Area designation is consistent with other properties in this part of the County.

The changing of this Property's designation on the Future Land Use Map will allow it to be used more consistently with the surrounding area. The entire length of Wil King Road, from Kendale Road to Conley's Chapel Road, is shown on the Comprehensive Zoning Map as being within the GR District. In addition, behind the assemblage of parcels for the proposed Wil King Station community is the Oak Crest Farms community which lies within an MR District. The proposal to include the 6-acre Property within a Coastal Area on the Future Land Use Map so that it can be the subject of a change of zoning classification to the MR District is consistent with both the existing MR District and GR District zoning classifications.

The requested change to the Future Land Use Map is not only consistent with the current configuration of both the County's Comprehensive Zoning Map and its Future Land Use Map but it also demonstrates sound land use and planning. This is best-reflected by the current application which seeks a split AR-1/MR RPC rather than simply seeking an MR-RPC. As the applicant,

**Jamie Whitehouse**  
**May 21, 2021**  
**Page 3**

Planning & Zoning staff and the public can appreciate, creating consistent zoning and future land use classifications throughout a project makes it much easier to apply the requirements of not only the Zoning Code but also all other approvals and documents related to a project.

Public utilities, such as water and sewer, would be made available to the 6-acre Property through the balance of the proposed Wil King Station community. Likewise, access to Wil King Road for the 6-acre Property would be through the streets proposed for Wil King Station.

The requested amendment of the Future Land Use Map will allow for a homogenous zoning application both for a change of zoning classification as well as an RPC overlay. The requested amendment is also consistent with the character and nature of the uses in this area and will not have an adverse effect on adjacent properties.

Please include this letter with the County's submission to the Office of State Planning Coordination seeking to amend the designation of this Property on the Future Land Use Map. In addition, please let me know if I can provide you with any further information to assist in this process.

Very Truly Yours,

MORRIS JAMES LLP

  
David C. Hutt, Esquire





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

July 22, 2021

Jamie Whitehouse, AICP  
Director, Department of Planning & Zoning  
Sussex County  
2 The Circle  
P.O. Box 417  
Georgetown, DE 19947

RE: PLUS review 2021-06-16; Sussex County Comprehensive Plan Amendment

Dear Mr. Whitehouse:

Thank you for meeting with State agency planners on June 23, 2021 to discuss the proposed Comprehensive Plan Amendment for Sussex County. This proposed amendment would amend the Future Land Use Map to move one parcel from the Low Density Area to the Coastal Area.

Please note that additional changes to the plan could result in additional comments from the State. Additionally, the comments below reflect only issues that are the responsibility of the agencies that were represented at the meeting.

**Office of State Planning Coordination – Contact Dorothy Morris 739-3090**

Parcel 234-6.00-59.19 was reviewed through PLUS as 2020-11-06 Wil King Station. At the time of that review state agencies asked that the developer pull the housing out of this parcel because of its location in Level 4 and concentrate the housing on the Level 3 areas of the plan which coincide with the Coastal Area of your map.

After reviewing the information, this office believes this site is within a Level 4 area because of the environmental features on and around the site. The site plan reviewed through PLUS proposed the elimination of 18 of 21 acres of the forest on the site. An analysis of historical data indicates that the forest area located on the northern portion (which is this parcel) of the site has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat. This forest provides a connection route for wildlife migration between forested lands (within the Delaware Ecological Network) situated off-site, both to the east and to the west of the project site. This network is

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

made up of interconnecting natural areas of significant ecological value. Forest disturbances on this site could jeopardize habitat beyond the parcel boundary.

The Office of State planning supports this as a Level 4 area and respectfully requests it remain in the Low Density area for environmental reasons. In addition, our PLUS comments on this site stand and any future development on this site should be designed with environmental protections.

**Department of Transportation – Contact Bill Brockenbrough 760-2109**

This amendment would facilitate the development of the Wil King Station (aka Will King Station) subdivision. This development was reviewed at PLUS in November 2020 and is currently starting through DelDOT's plan review process.

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

- DNREC reviewers are not in support of this change as increasing development intensity on this parcel is inconsistent with the Delaware Strategies for State Policy and Spending. This parcel lies within an area designated as Levels 3 and 4 lands of Delaware Strategies for State Policies and Spending and significant environmental features exist on this site.
- An analysis of historical data indicates that the entire parcel has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.
- This parcel is surrounded by lands contained within the Delaware Ecological Network. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances in these areas will jeopardize habitat on the parcel and possibly beyond the parcel's boundary.

**State Historic Preservation Office – Contact Carlton Hall 736-7400**

- The Delaware SHPO does not support development in Level 4 areas. There are no known archaeological sites or known National Register listed or eligible properties on the parcel.
- Prehistoric archaeological potential is low. Poorly drained soils and too far away from a historic water source.
- Historic archaeological potential is low. There is no evidence of structures until after 1997 and the parcel has remained wooded throughout the 20<sup>th</sup> century.
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section

106 process please review the Advisory Council on Historic Preservation's website at:  
[www.achp.gov](http://www.achp.gov)

Once a decision has been reached on this proposed comprehensive plan amendment, please notify the Office of State Planning Coordination for our records. If approved this notification should include a copy of the plan amendment as approved, the adopting resolution or ordinance, a revised version of any maps that were updated as well as any text that was approved in amending the comprehensive plan. If the amendment is not approved by the county, please include a copy of the minutes verifying this amendment was denied.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Edgell', written in a cursive style.

David L. Edgell, AICP  
Director, Office of State Planning Coordination

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



**Sussex County**  
DELAWARE  
sussexcountye.gov

## Memorandum

To: Sussex County Technical Advisory  
Committee From: Nick Torrance, Planner I  
Date: December 30<sup>th</sup>, 2020  
RE: Major Subdivision

---

**PLEASE NOTE:** As a new shared email system has been put in place; if emailing your response, please send to the following email: [PANDZ@SUSSEXCOUNTYDE.GOV](mailto:PANDZ@SUSSEXCOUNTYDE.GOV)

The Sussex County Planning and Zoning Office has received five (5) applications for major subdivisions that requires review by the Sussex County Technical Advisory Committee. Please review the application and provide comments back to the Planning and Zoning Office on or before **March 5<sup>th</sup>, 2021**.

**2021-06 – Coral Crossing-** This is a cluster subdivision. The cluster subdivision is for the creation of three-hundred and fifteen (315) single family lots. The property is located on the southwest side of Robinsonville (S.C.R 277) approximately 0.65 mile south of Kendale Rd (S.C.R. 287) Tax Parcels: 234-6.00-67.00 & 84.00. Zoning: AR-1 (Agricultural Residential District). Owner: Double DB, LP

**2021-08– The Knoll-** This is a cluster subdivision. The cluster subdivision is for the creation of thirty-three (33) single family lots. The property is located on the east side of Irons Ln. (S.C.R. 348) approximately 0.44 mile north of Holts Landing Road (S.C.R 346). Tax Parcel: 134-7.00-163.00. Zoning: AR-1 (Agricultural Residential District). Owner: Irons Knoll, LLC

**2021-09– Brookland Farm-** This is a cluster subdivision. The cluster subdivision is for the creation of ninety-two (92) single family lots. The property is located on the southeast corner of Bayard Rd (S.C.R 384) and Evans Rd (S.C.R 383). Tax Parcel: 533-11.00-87.00. Zoning: AR-1 (Agricultural Residential District). Owner: Brookland Farm Properties, LLC

**2021-10– Graywood Springs-** This is a cluster subdivision. The cluster subdivision is for the creation of thirty-eight (38) single family lots. The property is located on the east side of Oyster Rocks Road (S.C.R 264) approximately 0.5 mile north of Coastal Highway (Route 1) . Tax Parcel: 235-16.00-40.00. Zoning: AR-1 (Agricultural Residential District). Owner: Nancy M. Richards Heirs



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



**Sussex County**  
DELAWARE  
[sussexcountye.gov](http://sussexcountye.gov)

**CZ 1937– Wil King Station** - This is an RPC subdivision. The subdivision is for the creation of seventy-six (76) single family lots. The property is located directly north of the Oyster Rock Subdivision with a proposed connection from Sandbar Ct. Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19. Zoning: AR-1 & GR (Agricultural and General Residential Districts). Proposed Zoning: MR-RPC (Medium Density Residential District – Residential Planned Community. Owners: Sarah and Leon Harmon, Mildred Harmon, Daniel and Sara Snipes, Rodney Harmon & Kenneth Linton

Please feel free to contact the office with any questions at (302) 855-7878 during normal business hours 8:30am-4:30pm Monday through Friday.

## Nick Torrance

---

**From:** Terri Dukes  
**Sent:** Thursday, December 31, 2020 3:23 PM  
**To:** Nick Torrance  
**Subject:** RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Nick, All but Brookland Farm has been approved.

---

**From:** Nick Torrance <nicholas.torrance@sussexcountyde.gov>  
**Sent:** Thursday, December 31, 2020 1:07 PM  
**To:** Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>  
**Subject:** TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5<sup>th</sup>, 2021.

Please feel free to contact me with any questions.

Thanks,

**PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV**

*Nick Torrance*

Planner I  
Department of Planning and Zoning  
(302) 855-7878  
2 The Circle  
P.O. Box 417  
Georgetown, DE 19947

Sussex County, Delaware  
Technical Advisory Committee

Comment Sheet

\*\*\*\*\*



DATE OF REVIEW: January 6, 2021

REVIEWING AGENCY: Delaware State Fire Marshal's Office, Sussex Office

INDIVIDUAL REVIEWERS: Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services  
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist  
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist  
Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: WIL KING STATION (CZ 1937)

*The reasons and conditions applied to this project and their sources are itemized below:*

\*\*\*\*\*

- ❖ *The DE State Fire Marshal's Office has no objection to the conditional RPC zoning for the aforementioned project. Formal submittal is required for final site plan approval.*

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

a. **Fire Protection Water Requirements:**

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

b. **Fire Protection Features:**



c. **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This



means that the access road to the subdivision from Wil King Road must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**

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

e. **Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website:

[www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.

**All State Fire Marshal comments are acknowledged and will be complied with.**

***THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE***



## Nick Torrance

---

**From:** Dickerson, Troy <TDickerson@delaware.coop>  
**Sent:** Thursday, January 7, 2021 3:37 PM  
**To:** Planning and Zoning  
**Subject:** RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

**Categories:** Nick

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

Good Afternoon,

Everyone one of the subdivisions that were sent are within DEC's service territory. We have adequate facilities in the area to serve the proposed subdivisions.

Thanks!!!

**Troy W. Dickerson, P.E.**  
Assistant V.P. of Engineering  
Voice: (302) 349-3125  
Cell: (302) 535-9048  
Fax: (302) 349-5891  
[tdickerson@delaware.coop](mailto:tdickerson@delaware.coop)



---

**From:** Nick Torrance  
**Sent:** Thursday, December 31, 2020 1:07 PM  
**To:** Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountye.gov>; Chris Calio <ccalio@sussexcountye.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountye.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountye.gov>; kgabbard@chpk.com; megan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountye.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaaacs@sussexcountye.gov>; susanne.laws@delaware.gov; Dickerson, Troy <TDickerson@delaware.coop>; Terri Dukes <tdukes@sussexcountye.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>  
**Subject:** TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5<sup>th</sup>, 2021.

Please feel free to contact me with any questions.

Thanks,

**PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV**

*Nick Torrance*

Planner I

Department of Planning and Zoning

(302) 855-7878

2 The Circle

P.O. Box 417

Georgetown, DE 19947



**DELAWARE HEALTH AND SOCIAL SERVICES**

**Division of Public Health**

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

January 14, 2021

Mr. Nick Torrance  
Sussex County Planning & Zoning Commission  
PO Box 417  
Georgetown, DE 19947

**Re:** Sussex County Technical Advisory Committee

Dear Mr. Torrance:

The Division of Public Health Office of Engineering is in receipt of the following applications:

1. **Applications:**     *2021-06 – Coral Crossing*  
                              *2021-08– The Knoll*  
                              *2021-09- Brookland Farm*  
                              *2021-10- Graywood Springs*  
                              *CZ 1937- Will King Station*

These applications indicate central water will be supplied by Tidewater Utilities, Inc. *These projects require an Approval to Construct and an Approval to Operate from the Office of Engineering when constructing a new water system or altering an existing water system.* In order to obtain an Approval to Construct, plans and specifications must be prepared by a registered Delaware professional engineer. Plans for the system, including water mains or extensions thereto, storage facilities, treatment works, and all related appurtenances, must be approved by the Office of Engineering prior to construction. It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction.

Prior to receiving an Approval to Operate for these projects, the Office of Engineering requires one set of as-built drawings, including profile markups, for all plans approved for construction. Approvals to Operate will be issued after all applicable requirements are met.

**Acknowledged**

Please do not hesitate to contact me at 302-741-8646 with questions or comments.

Sincerely,

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

## Nick Torrance

---

**From:** Cullen, Kathleen M <kathleen\_cullen@fws.gov>  
**Sent:** Monday, March 8, 2021 11:11 AM  
**To:** Planning and Zoning  
**Subject:** FWS review of multiple subdivisions

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

Hi-

This email is regarding the following subdivisions: Coral Crossing, The Knoll, Brookland Farm, Graywood Springs, and **Wil King Station**. There are no federally listed species at any of these locations, so no further Section 7 consultation is needed. You can fill out the Online Certification Letter if further documentation is needed: <https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/online-certification-letter.html>

Our office is currently teleworking for the foreseeable future, so there may be delays in mail pick up. For future projects, the fastest way to get a response is to submit through IPaC: <https://ecos.fws.gov/ipac/>. Please let me know if you have any questions!

Thank you,  
Kathleen

Kathleen Cullen  
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office  
177 Admiral Cochrane Dr., Annapolis MD, 21401  
410-573-4579 - [kathleen\\_cullen@fws.gov](mailto:kathleen_cullen@fws.gov)





DELAWARE DEPARTMENT OF  
**AGRICULTURE**

2320 SOUTH DUPONT HIGHWAY  
DOVER, DELAWARE 19901  
AGRICULTURE.DELAWARE.GOV

TELEPHONE: (302) 698-4500  
TOLL FREE: (800) 282-8685  
FAX: (302) 697-6287

March 5, 2021

Nick Torrance, Planner I  
Planning & Zoning Commission  
P.O. Box 417  
Georgetown, Delaware 19947

Subject: **Preliminary Plans for Wil King Station**

Dear Mr. Torrance,

Thank you for providing preliminary plans for Wil King Station subdivision submitted by George, Miles & Buhr, LLC Architects & Engineers to our section dated December, 2020.

The Delaware Forest Service recommends the plans reflect tree planting specifications and that the ISA ANSI A300 best management practices are followed for newly installed trees. DFS recommends planting a 70/30 mix of hardwood and evergreen tree species. There are several tree species that are not recommended for planting in the state due to their invasive nature or the susceptibility to pests and diseases. These species are listed on our department website. The Delaware Forest Service requests planting details and tree species to be added to the preliminary plans before being approved. Please resubmit the preliminary plans to Delaware Forest Service once the updates are completed.

The Delaware Forest Service will await resubmission of plans.

If you have any questions please feel free to contact me at [taryn.davidson@delaware.gov](mailto:taryn.davidson@delaware.gov).

**Acknowledged**

Sincerely,

Taryn Davidson  
Urban Forestry Program  
Delaware Forest Service

## Nick Torrance

---

**From:** Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>  
**Sent:** Wednesday, March 3, 2021 10:36 AM  
**To:** Planning and Zoning  
**Subject:** FW: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station  
**Attachments:** 2021-09 Brookland Farm Subdivision Plan.pdf; 2021-10 Graywood Springs Subdivision Plan.pdf; CZ 1937 Double DB, LP (Wil King Station) Subdivision Plan.pdf

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

Good morning,

DNREC's Division of Waste and Hazardous Substances has reviewed the applications for Project #s 2021-06, 2021-08, 2021-09, 2021-10 and CZ 1937 and has no comments on any of them.

Thank you,

Mindy Anthony  
Planner IV  
DNREC-Div. of Waste & Hazardous Substances  
89 Kings Hwy  
Dover, DE 19901  
Phone: 302-739-9466  
Fax: 302-739-5060  
[Mindy.Anthony@delaware.gov](mailto:Mindy.Anthony@delaware.gov)

Integrity. Respect. Openness. Customer Focus. Quality.



<https://de.gov/recycling>  
[www.facebook.com/delawarerecycles](https://www.facebook.com/delawarerecycles)

---

**From:** Nick Torrance <nicholas.torrance@sussexcountyde.gov>  
**Sent:** Monday, January 04, 2021 10:44 AM  
**To:** Krumrine, Beth (DNREC) <Beth.Krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Fox, Duane T. (FireMarshal) <Duane.Fox@delaware.gov>; Butler, Eileen M. (DNREC) <Eileen.Butler@delaware.gov>; Sullivan, James C. (DNREC) <James.Sullivan@delaware.gov>; Cinelli, Jennifer (DelDOT) <jennifer.cinelli@delaware.gov>; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; Crystall, Meghan (DNREC) <Meghan.Crystall@delaware.gov>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@delaware.gov>; Mike Brady <MBRADY@sussexcountyde.gov>; Melendez, Milton (DDA) <milton.melendez@delaware.gov>; Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>; Subdivision (MailBox Resources) <Subdivision@delaware.gov>; Susan Isaacs <sisaacs@sussexcountyde.gov>; Laws, Susanne K (DelDOT) <Susanne.Laws@delaware.gov>; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgioux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>  
**Subject:** TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station



United States Department of Agriculture

Natural Resources  
Conservation  
Service

February 15, 2021

Georgetown  
Service Center

Jamie Whitehouse, Director  
Sussex County Planning & Zoning  
Sussex County Courthouse  
Georgetown, DE 19947

21315 Berlin Road  
Unit 3  
Georgetown, DE  
19947

**RE: Wil King Station  
76 single family lots**

Voice 302.856.3990  
Fax 855.306.8272

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

FgA Fallsington loam, 0 to 2 percent slopes  
PyA Pineyneck loam, 0 to 2 percent slopes

#### Soil Interpretation Guide

##### Soil Limitation Class

##### Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
FgA	R2	Very limited	Very limited	Very limited
PyA	Y2	Very limited	Somewhat limited	Very limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

**"Not limited"** indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

**"Somewhat limited"** indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.



**"Very limited"** indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

**R2:**

The soils in this classification are nearly or gently sloping, very poorly, poorly, and somewhat poorly drained. Seasonal high water tables, local ponding, and high potential frost action severely limit these soils for residential developments. The principal soil limitations are: 1) soil is highly susceptible to frost action, 2) excavations are likely to fill with water in late winter or early spring, 3) wet foundations or basements probable, and 4) hazard of temporary ponding of water in areas lacking outlets. Loose running sand commonly encountered in deep excavations.

**Y2:**

The soils in this classification are nearly level or gently sloping, moderately well drained or well drained with ground water between four to six feet from the surface, and are subject to seasonal high water tables. Seasonal wetness and seepage around foundations moderately limits these soils for residential use. The principal soil limitations are: 1) lateral seepage in subsoil causes concentration of water around foundations, 2) soil is highly susceptible to frost action, 3) excavations are likely to fill with water in late winter or early spring, and 4) wet basements or foundations are probable.

The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

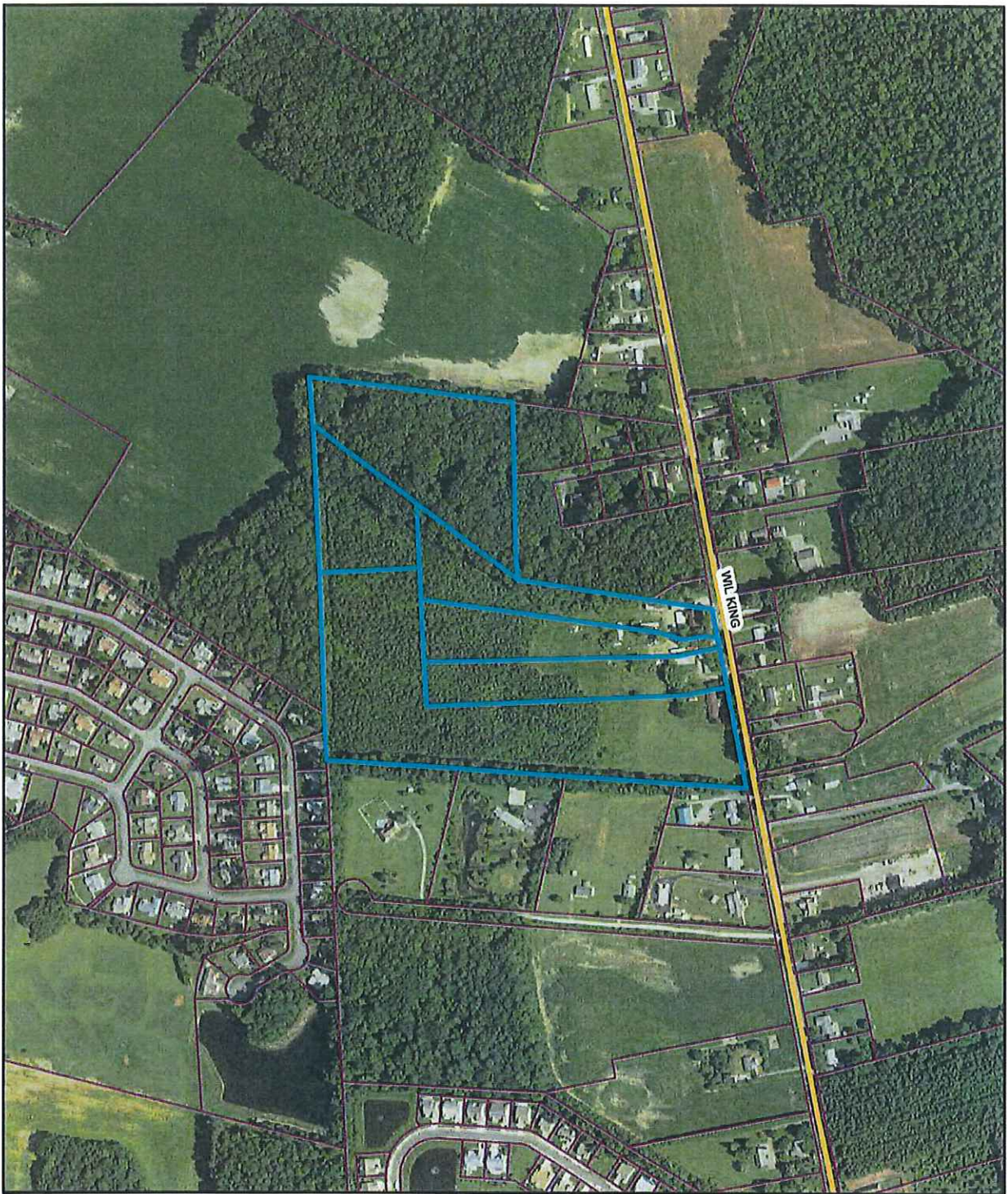
Sincerely,



Thelton D. Savage  
District Conservationist  
USDA, Natural Resources Conservation Service

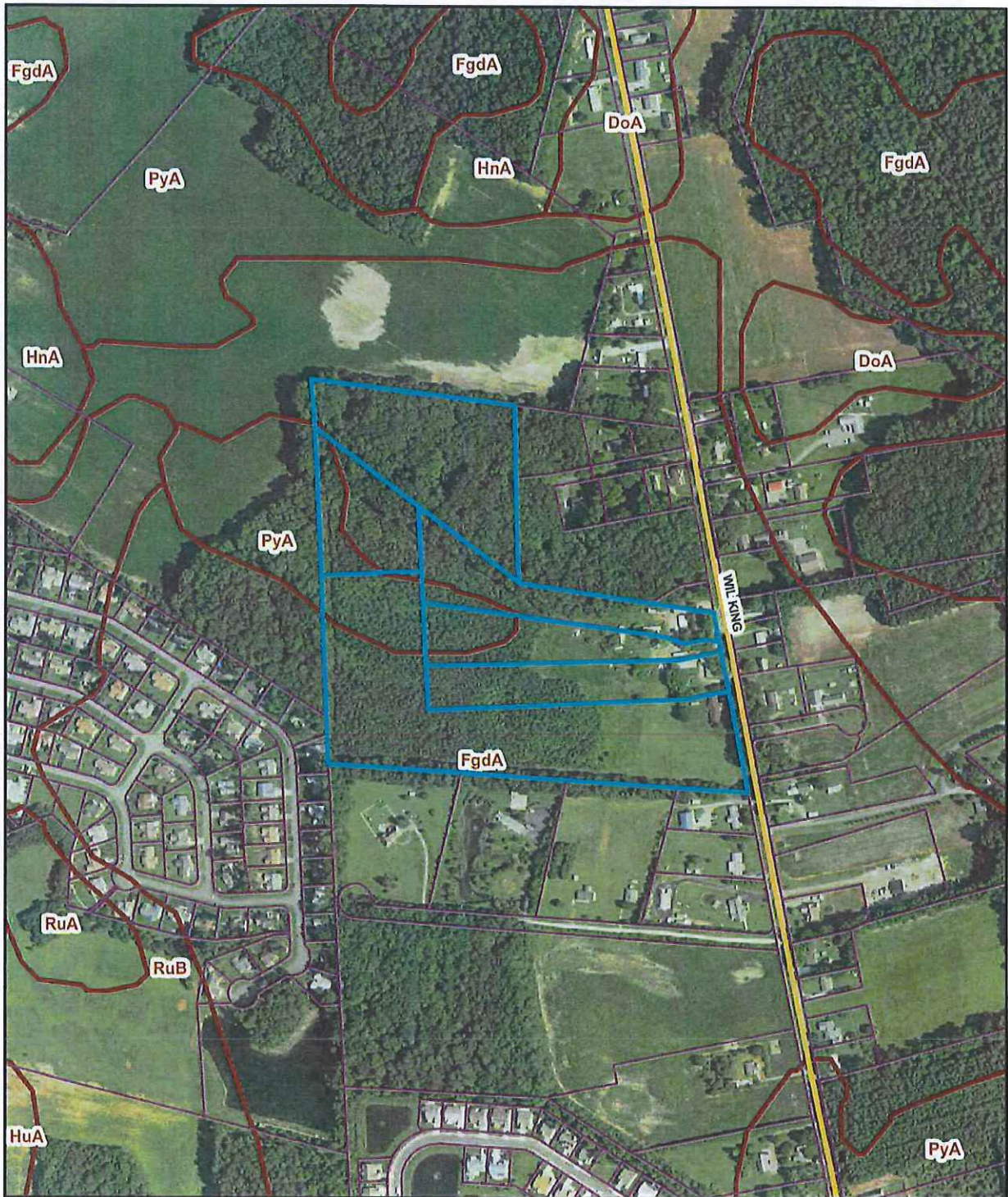
TDS/bh





**CZ 1937**  
**TM #234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19**  
**Wil King Station**





CZ 1937  
TM #234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, & 59.19  
Wil King Station

CZ 1937 Wil King Station

Comments from the DNREC Drainage Program

- Tax Ditch Comments:
  - The proposed project is not located within a tax ditch watershed. There are no tax ditch channels or rights-of-way (ROW) located on or near the project location.
- General Drainage Comments:
  - There are multiple reported drainage concerns near the proposed project area. A number of these concerns involve private landowners seeking guidance on ways to increase drainage on their properties. There are also multiple concerns from 2010-2012 regarding flooding along Wil King Road just south of the proposed project area. The ditch was put on a list for cleanout. No resolution has been reported. There was an additional concern reported in 2020 about flooding along Wil King Road. The project will be proposed as an addition on the RC&D list.



## ENGINEERING DEPARTMENT

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



## Sussex County

DELAWARE  
sussexcountyde.gov  
HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER  
MICHAEL E. BRADY  
DIRECTOR OF PUBLIC WORKS

January 8, 2021

REF:

**T. A. C. COMMENTS  
WIL KING STATION  
SEWER TIER 1  
SUSSEX COUNTY ENGINEERING DEPARTMENT  
SUSSEX COUNTY TAX MAP NUMBER  
234-6.00 PARCEL 26.00,26.01,26.02,26.03,26.05 & 59.19  
PROJECT CLASS-1  
AGREEMENT NO. 1163**

The following comments are the result of the Sussex County Engineering Department's review of the preliminary site plan for the above referenced project:

### PUBLIC WORKS DIVISION COMMENTS

1. Proposed developments with private roads or projects required to meet or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
  - a. Private road needs to meet or exceed road pavement design as specified in Chapter 99-18 H.
2. This project is not located within the limits of a Ground Water Management Zone (GMZ). Projects located within a GMZ must be forwarded to the County Engineer for review and comment.
3. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
4. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.
5. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
6. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.

The plans shall show and address the following items at minimum:



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



7. The project requires professional land surveying services to accurately delineate, and show the following items but is not limited to the following: all property and right-of-way lines, established at a minimum, two (2) horizontal and vertical control concrete project benchmarks, survey monuments, easements, existing and proposed topographic contours at 1-foot vertical intervals and spot elevations as necessary to establish grades, the locations of all existing structures, highway and roadway pavements, shoulders, curbs, driveways, sidewalks, lighting structures, traffic control signs, and all public and private utilities, including, but not limited to, electric power and telephone lines, poles and boxes, underground electric, telephone, and communication lines, potable water lines, fire hydrants and valve boxes, gas lines, wells, sanitary sewers including septic systems, rim and invert elevations of manholes and cleanouts, and the rims and invert elevations and type of storm water structures, drainage ditches, ponds, streams and waterways, flood zones and flood zone boundaries and elevations, and State and Federal wetlands, trees, cemeteries and historic features, and the finished floor elevations of buildings.
8. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer.
9. The plan requires a Certification Signature and/or a Certification Block for the Delaware Professional Engineer or Delaware Land Surveyor.
10. The plan requires a Certification Signature and/or a Certification Block for the Owner or Representative of the Owner.
11. The plan requires a Certification Signature and/or a Certification Block for the Professional Wetlands Delineator.
12. The name, address, phone number and contact person's name of the Owner of Record, the Developer and the Engineer or Surveyor preparing the plan.
13. Indicate the location of all wetlands (both state and federal), in order to facilitate compliance with County, State and Federal requirements.
14. Define the courses and distances of the property perimeter and the approximate acreage contained therein. Establish and set in the field two (2) CONCRETE MONUMENT project benchmarks, preferably at property perimeter corners, geo-referenced to the Delaware State Plane Coordinate system NAD 83 and show the location including the North and East coordinates of the marks on the plans.
15. Indicate the development construction phases proposed showing the boundaries of each phase. Phasing boundaries shall include buildings, residential units, amenities, roads, storm water management facilities, wastewater systems and all other improvements and utilities required to service each phase.
16. Show the layout, width and names of all streets, alleys, crosswalks and easements proposed to be dedicated for private or public use. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets.
17. When on site individual septic tank systems are to be used and the lot topography is to be modified by cuts and fills it is required that the Design Engineer contact the

Delaware Department of Natural Resources and Environmental Control, Division of Groundwater Water Discharge Section, 20653 DuPont Boulevard, Unit 5, Georgetown, DE 19947 phone number 302-856-4561 subject to mass grading operations for documented approval.

18. Provide the limits and elevations of the one hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood.
19. The pavement radius for all cul-de-sacs shall be no less than 38 feet in diameter or as otherwise required by the State Fire Marshall's office or the County Engineering Department.
20. False berms shall not be utilized to create roadside drainage swale back slopes.
21. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.
22. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.
23. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.
24. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.
25. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.
26. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
27. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.
28. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.



29. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

**Acknowledge all SCED Comments and applicant will comply**

**UTILITY PLANNING DIVISION COMMENTS**

REVIEWER: Chris Calio

APPLICATION: CZ 1937 – Wil King Station

APPLICANT: Double DB LP

FILE NO: CB-1.09

TAX MAP &  
PARCEL(S): 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05 & 59.19

LOCATION: Located on the west side of Wil King Road.

NO. OF UNITS: 76

GROSS  
ACREAGE: 29.07

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

**SEWER:**

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

If yes, the current System Connection Charge Rate is \$6,360.00 per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

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

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

- (7). Is project adjacent to the Unified Sewer District? **N/A**

- (8). Comments: **The attached SSCE addresses several projects. The comments pertaining to this project are defined as Site A.**

- (9). Is a Sewer System Concept Evaluation required? **Already Completed, See Attached**

- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

If the above items, as applicable, are incorporated into the development plans, then preliminary approval is recommended. However, final plan approval should be withheld pending the approval of the construction plans by the Sussex County Engineering Department.



**DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

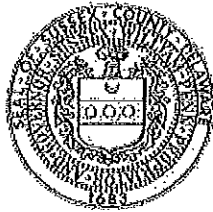
**WIL KING STATION SUBDIVISION**

---

**DELDOT SERVICE LEVEL  
EVALUATION REQUEST FORM  
AND  
DELDOT RESPONSE**

---

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



# Sussex County

DELAWARE  
sussexcountyde.gov

## Service Level Evaluation Request Form

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

Date: 10/30/20

**Site Information:**

Site Address/Location: West side of Wil King Road +/- 1 mile south of Kendale Road intersection

Tax Parcel Number: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, 59.19

Current Zoning:                      AR and GR

Proposed Zoning: AR and MR RPC

Land Use Classification: Residential Coastal Zone

Proposed Use(s): Single family lots subdivision w/ central water and sewer

Square footage of any proposed buildings or number of units:

15 lots minimum 13,333 sf  
60 lots minimum 7,500 sf  
TOTAL DENSITY = 75

**Applicant Information:**

Applicant's Name: Double DB, LP

Applicant's Address: 507 North York Street, Suite 2D

City: Mechanicsburg State: PA Zip Code: 17055

Applicant's Phone Number: (717) 461-2401

Applicant's e-mail address: webster.gray@yahoo.com



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

Last updated 3-12-20



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

December 2, 2020

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Double DB, LP – Wil King Road** rezoning application, which we received on October 30, 2020. This application is for an approximately 24.84-acre assemblage of parcels (Tax Parcels: 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19). The subject land is located on the west side of Wil King Road (Sussex Road 288), approximately 4,700 feet south of Kendale Road (Sussex Road 287). The subject land is currently split-zoned as AR-1 (Agricultural Residential) and GR (General Residential), and the applicant is seeking to rezone the GR portion to MR (Medium-Density Residential) with a residential planned community (RPC) overlay to develop 75 single-family detached houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Wil King Road where the subject land is located is 1,455 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per weekly peak hour and 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 weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per weekly peak hour and 2,000 vehicle trips per day. These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

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



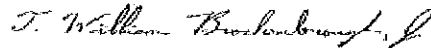
Mr. Jamie Whitehouse  
Page 2 of 2  
December 2, 2020

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

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits.

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Double DB, LP, Applicant  
Russell Warrington, Sussex County Planning & Zoning  
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance & Operations  
Sarah Coakley, Principal Planner, Regional Systems Planning  
Susanne K. Laws, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination



---

**WETLANDS  
CORPS AJD RESPONSE  
RTE SPECIES REPORT  
&  
PRELIMINARY  
ENVIRONMENTAL SITE  
ASSESSMENT**

---



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
PHILADELPHIA DISTRICT CORPS OF ENGINEERS  
WANAMAKER BUILDING, 100 PENN SQUARE EAST  
PHILADELPHIA, PENNSYLVANIA 19107-3390

Regulatory Branch

17 May 2021

SUBJECT: Approved Jurisdictional Determination NAP-OPR-2021-190-23  
Project Name: Wil King Station SX  
Coordinates: Lat. 38.702456°N/-75.204452°W

William Twupac  
Watershed Eco, LLC  
203 Clydia Court  
Middletown, Delaware 19709

Dear Mr. Twupac:

This approved jurisdictional determination (AJD) is provided in response to your request on behalf of Land Tech, LLC for a Corps of Engineers determination of federal jurisdiction as it relates to Tax Map Parcels 234-6.00-59.18, -26.00, -26.01, -26.02, -26.03, and -26.04. The property is located at 20464 Wil King Road, Lewes, Sussex County, Delaware.

The findings of this AJD are documented in the enclosed AJD Form. The findings are also depicted on a site plan prepared by GMB, LLC, dated March 2021, and titled: Wetlands Delineation Plan, Wil King Station, Sussex County, Delaware, one sheet.

A Department of the Army permit is required for work or structures in “navigable waters of the United States” pursuant to Section 10 the Rivers and Harbors Act (RHA) of 1899 and the discharge of dredged or fill material into “waters of the United States” pursuant to Section 404 of the Clean Water Act (CWA). Any proposal to perform such activities within areas of federal jurisdiction will require the prior approval of this office.

Food Security Act statement: The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

This AJD is valid for a period of five (5) years. This AJD is issued in accordance with current federal regulations and is based upon the existing site conditions and information

provided by you in your application. This office reserves the right to reevaluate and modify this AJD at any time should the existing site conditions or federal regulations change, or should the information provided by you prove to be false, incomplete, or inaccurate.

You may request an administrative appeal of this AJD if you do not accept this determination. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the North Atlantic Division Office at the following address:

Mr. James W. Haggerty  
Regulatory Program Manage (CENAD-PD-OR)  
United States Army Corps of Engineers, North Atlantic Division  
Fort Hamilton Military Community, Bldg. 301, General Lee Avenue  
Brooklyn, NY 11252-6700  
James.W.Haggerty@usace.army.mil

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 17 July 2021.

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

If you have any questions regarding this matter, please contact me at (302) 736-9764, or by email at [john.g.brundage@usace.army.mil](mailto:john.g.brundage@usace.army.mil).

Sincerely,

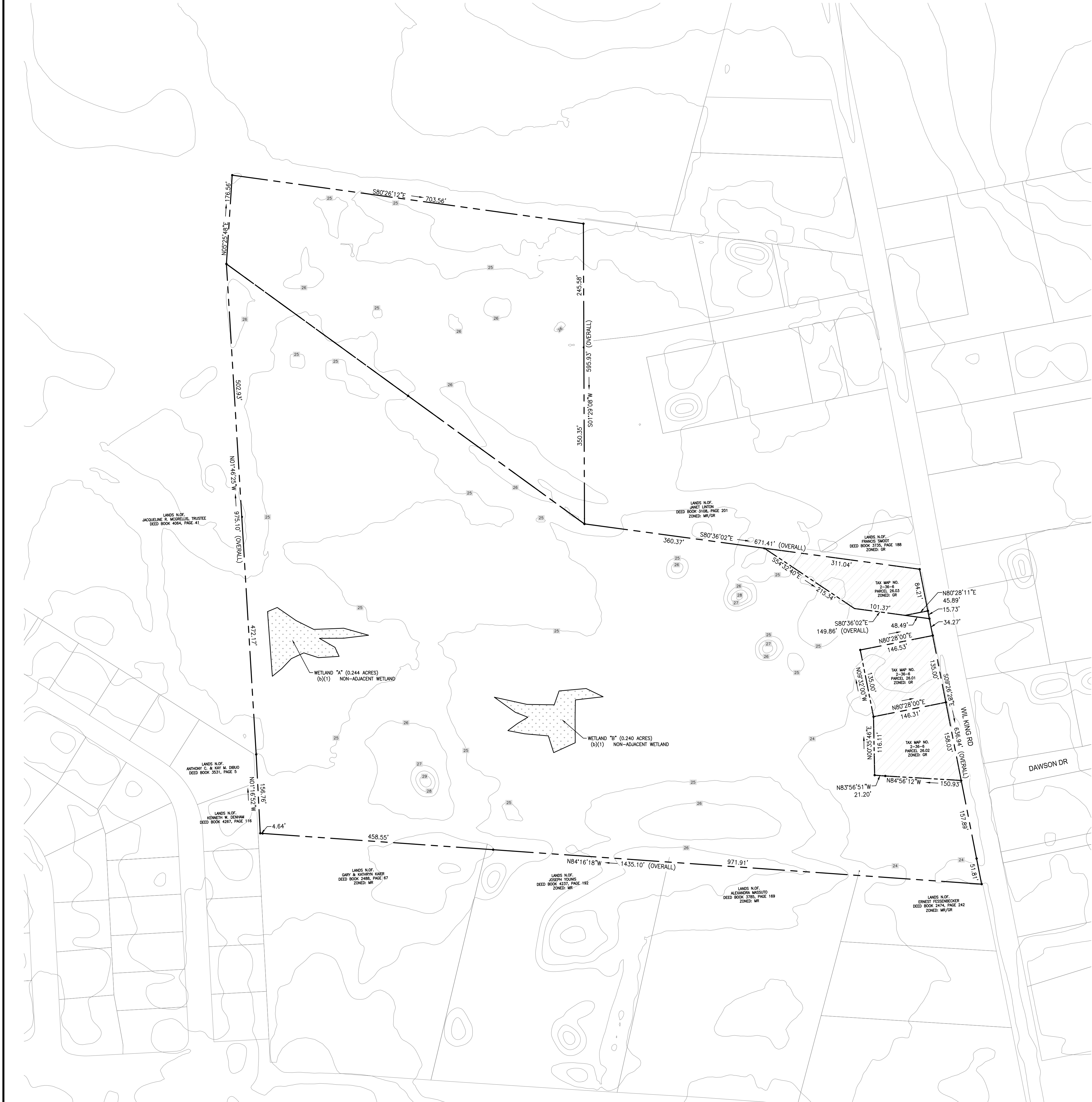
A handwritten signature in cursive script that reads "John G. Brundage".

John G. Brundage  
Senior Staff Biologist  
Regulatory Branch

Enclosures

PEN1-RED : 008 INCHES (1.0mm) PEN2-YELLOW : 007 INCHES (.9mm) PEN3-ORANGE : 014 INCHES (2.0mm) PEN4-GREEN : 010 INCHES (2.5mm) PEN5-BLUE : 007 INCHES (.9mm) PEN6-BROWN : 007 INCHES (.9mm) PEN7-WHITE : 009 INCHES (1.0mm)

PLOT CODE : PEN4-COLOR : 014 INCHES (2.0mm) PEN5-BLUE : 007 INCHES (.9mm) PEN6-BROWN : 007 INCHES (.9mm) PEN7-WHITE : 009 INCHES (1.0mm)



SITE DATA:

OWNERS:

TM 234-6.00-26.00; 26.05

TM 234-6.00-26.01

TM 234-6.00-26.02

TM 234-6.00-26.03

TM 234-6.00-59.19

APPLICANT:

SARA AND LEON HARMON  
20464 WIL KING ROAD  
LEWES, DE

MILDRED HARMON  
20454 WIL KING ROAD  
LEWES, DE

DANIEL AND SARA SNIPES  
20464 WIL KING ROAD  
LEWES, DE

RODNEY HARMON  
20440 WIL KING ROAD  
LEWES, DE

KENNETH LINTON  
10933 FOX MILL LANE  
CHARLOTTE, NC

LANDSCAPE ARCHITECT:

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

CIVIL ENGINEER:

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

TAX MAPS:

234-6.00-26.00, 01, 02, 03, 05 & 59.19

EXISTING ZONING:

AR-1 AGRICULTURE RESIDENTIAL (23.38 ACRES)  
GR (5.69 ACRES)

TOTAL SITE AREA:

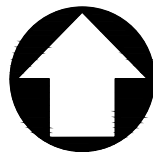
±29.07 AC.

TOTAL AREA OF WETLANDS:

±0.484 AC.

FLOOD ZONE:

FLOOD INFORMATION: SPECIAL HAZARD AREA ZONE X  
(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL  
CHANCE FLOODPLAIN) PER FIRM MAP 10005C0350J DATED  
MARCH 16, 2015.



0 50 100 200 300  
SCALE: 1" = 100'

PRINTS ISSUED FOR:  
PRELIMINARY  
APPROVAL

DATE

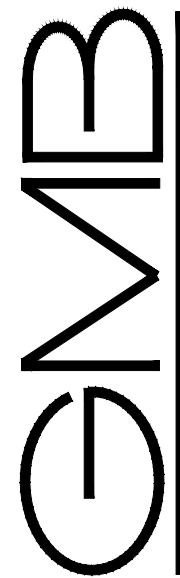
REVISIONS

NO.

\*PREPARED BY:



32895 SOUTH COASTAL HIGHWAY, SUITE 202  
BETHANY BEACH, DELAWARE 19803  
PHONE: (302) 539-2366



GEORGE, MILES & BUHR, LLC  
ARCHITECTS & ENGINEERS  
SALISBURY • BALTIMORE • SEAFORD  
206 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
410-742-3115, FAX 410-548-5790  
www.gmbnet.com

WIL KING STATION  
SUSSEX COUNTY, DELAWARE

WETLANDS  
DELINEATION PLAN

SCALE : 1" = 100'  
DESIGN BY : JAC  
DRAWN BY : KK  
CHECKED BY : KK  
GMB FILE : 200143  
DATE : MAR 2021

SHEET NO.  
W1.0





*www.WatershedEco.com*  
*Creating Value*

August 20, 2021

Land Tech LLC  
32895 South Coastal Highway, Suite 202  
Bethany Beach, Delaware 19930

Attention: Jeff Clark

Subject: Rare, Threatened and Endangered Species Research  
Will King Road Property  
Tax Parcels 234-6.00-26.00, -26.01, -26.02, -26.03, -26.05 and -59.19

Dear Jeff:

At your request, I have investigated the government databases related to Rare, Threatened and Endangered (RTE) Species for the above captioned property. This included a review of the United States, Fish and Wildlife Service (USFWS) database, the National Marine Fisheries Service (NMFS) database and a request to the State of Delaware, Natural Heritage Department for information from their files.

**USFWS –**

The Official Species List (see attached), indicates that there are no concerns related to RTE Species for this parcel.

**NMFS –**

This search (see attached) indicates that there are no concerns for any RTE species.

**DNREC –**

This search revealed no rare, threatened, or endangered species on the site. DNREC did express that the forest should be preserved to maximum extent practicable. DNREC does not know how extensive the forest disturbances are on the site.

302-464-0831  
*Jim@WatershedEco.com*

A review of the site indicates that the site is wooded with typical species for this area of the Outer Coastal Plain in Delaware. An old road bisects the property, and the site is highly disturbed with dumping of household trash, debris and used tires.

Based on the above information, there do not appear to be any concerns related to RTE Species associated with the site.

If you have any additional questions, please feel free to contact me.

Sincerely,



James C. McCulley IV, SPWS (#000471)  
Environmental Scientist





STATE OF DELAWARE  
**DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL**

DIVISION OF FISH & WILDLIFE  
RICHARDSON & ROBBINS BUILDING  
89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

**DIRECTOR'S  
OFFICE**

PHONE  
(302) 739-9910

December 10, 2020

Jim McCulley  
Watershed Eco  
203 Clydia Court  
Middletown, DE 19709

*Re: WAEC 2020 Wil King Road, Tax Parcel No. 533-11.00-87.00*

Dear Jim McCulley:

Thank you for contacting the Species Conservation and Research Program (SCRCP) about information on rare, threatened and endangered species, unique natural communities, and other significant natural resources as they relate to the above referenced project. Project details were not yet available at this stage, so the comments below are a response to a general inquiry and should not be used as a review for a specific design. Please contact SCRCP again for project specific recommendations when those details become available.

*State Natural Heritage Site*

A review of our database indicates that there are currently no records of state-rare or federally listed plants, animals or natural communities at this project site. As a result, at present, this project does not lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve which are two criteria used to identify "Designated Critical Resource Waters" in the Army Corps of Engineers (ACOE) Nationwide Permit General Condition No. 22. A copy of this letter shall be included in any permit application or pre-construction notification submitted to the Army Corps of Engineers for activities on this property.

*Fisheries*

As no project design detailing any impacts to waterways was available at the time of this review, there are no fisheries concerns at present.

***We Bring You Delaware's Great Outdoors  
through Science and Service***

Find us on Facebook <http://www.facebook.com/DelawareFishWildlife>

*Potential Old Growth Forest*

A visual analysis of our historical database indicates that the forest block proposed to be developed has likely maintained some degree of forest cover since 1937. This constitutes the potential for a mature forest and, as such, the potential for rare, threatened, or endangered species that rely on this type of habitat. In addition, part of the forest block is mapped within the Delaware Wetlands Inventory. Cumulative forest loss and forest fragmentation throughout the state is of utmost concern to the Division of Fish and Wildlife. While project plans were not yet available, we would recommend that any future development at this site avoid clearing the forests to the greatest extent possible. In addition, these forests serve as a buffer to the wetlands present on the parcel. Buffers are an integral component of aquatic and wetland habitats that serve to reduce the amount of sediments, pollutants, and other non-point source material that may affect the function and integrity of habitat and the condition and survivability of aquatic organisms.

We are continually updating our records on Delaware's rare, threatened and endangered species, unique natural communities and other significant natural resources. If the start of the project is delayed more than a year past the date of this letter, please contact us again for the latest information.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Katie Kadlubar".

Katie Kadlubar  
*Environmental Review Coordinator*  
Phone: (302) 735-8665  
6180 Hay Point Landing Road  
Smyrna, DE 19977

(See invoice on next page)





# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Chesapeake Bay Ecological Services Field Office  
177 Admiral Cochrane Drive  
Annapolis, MD 21401-7307  
Phone: (410) 573-4599 Fax: (410) 266-9127

<http://www.fws.gov/chesapeakebay/>  
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

November 20, 2020

Consultation Code: 05E2CB00-2021-SLI-0246

Event Code: 05E2CB00-2021-E-00599

Project Name: Will King Road Property

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
  - USFWS National Wildlife Refuges and Fish Hatcheries
  - Wetlands
-

# Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Chesapeake Bay Ecological Services Field Office**

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

---

## Project Summary

Consultation Code: 05E2CB00-2021-SLI-0246

Event Code: 05E2CB00-2021-E-00599

Project Name: Will King Road Property

Project Type: FILL

Project Description: Residential development west of Will King Road.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.702773858437276N75.20464846716513W>



Counties: Sussex, DE

---



## Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

---

# USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

---

# Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

## FRESHWATER EMERGENT WETLAND

- [PEM1C](#)

## FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1B](#)
-



[www.WatershedEco.com](http://www.WatershedEco.com)  
*Creating Value*

August 20, 2021

Landtech, LLC.  
118 Atlantic Avenue  
Ocean View, Delaware 19970

Attention: Jeff Clark

Subject: 20464 Will King Road  
Lewes, Delaware

Dear Jeff:

As you are aware, Watershed Eco, LLC., conducted a Phase I Environmental Site Assessment of the above referenced property in September 2020 as requested by Landtech. The Subject Property is located at 20464 Wil King Road Lewes, Delaware 19958, at Latitude and Longitude 38.702456 and -75.204452. The subject property is further identified as Sussex County Tax Parcel 234-6.00-59.19, 26.00, 26.01, 26.02, 26.03, and 26.04 totaling approximately 24.84 acres.

The subject property consisted of forested uplands, old field areas, and an abandoned dwelling in the east. While conducting the site investigation several dump piles were observed within the woodlands in the north-central portion of the property. These piles consisted of household waste, construction debris, and piles of used tires. Watershed Eco suggested conducting a limited environmental assessment to confirm the extent of the debris and that no buried trash existed within this area.

On October 22, 2020, Watershed Eco conducted a thorough investigation of the debris piles utilizing a skid steer to move the debris. Starting in the northwestern extent of the property and moving southeasterly, debris piles were pushed to verify the depth of the material. Photographs of the debris are attached. Based on the findings, all trash and debris piles appeared to have dumped on the soil surface. When debris piles were moved no evidence of buried debris or trash was observed below the surrounding soil grade. Composite soil samples were conducted at 4 random locations for laboratory analysis (see attached map).

Laboratory analysis was conducted by Mid-Atlantic Environmental Laboratories, Inc. in New Castle Delaware. One sample exceeded the HSCA Screening Level for Antimony. In Sample #3, the Antimony Level was 4.33 mg/Kg and the screening level is slightly lower at 3.1 mg/Kg. Antimony is a common component in the cells of lead acid batteries and is the likely source of the Antimony in surface soils in the area of Sample #3.

302-464-0831  
[Jim@WatershedEco.com](mailto:Jim@WatershedEco.com)



Watershed Eco suggests that the area around sample #3 be remediated through soil removal or homogenization. Additional sampling in the area will determine the area to be remediated and sample after remediation will confirm that the soils do not exceed the DNREC Screening Levels for Residential Soils.

If you have any additional questions, please feel free to contact me.

Sincerely,



James C. McCulley IV, SPWS (#000471)  
Environmental Scientist





Excavation of debris pile in the northwestern portion of the property.



Typical debris pile in the northwestern portion of the property.





Excavation of small debris pile in the north-central portion of the property.



Typical household waste pile in the north-central portion of the property.





Tires dumped in the north-central portion of the property.



Excavation of household waste pile in the north-central portion of the property.





Excavation of tire pile in the east-central portion of the property.



Undisturbed soils under tire pile in east-central portion of the property.



20464 Wil King Road

Soil Sampling Location Map

Legend

- Property Boundary
- SS1-Sampling Location





**DESIGN SUMMARY AND SUPPLEMENTAL DATA**

---

**WIL KING STATION SUBDIVISION**

---

**WATER COMPANY  
ABILITY TO SERVE LETTER  
&  
SEWER EVALUATION REPORT**

---



March 5, 2021

GMB

Attn: Ms. Cathy Lyons  
206 West Main Street  
Salisbury, MD 21801

**RE: Willing & Able Letter: Tax Parcel No. 234-6.00-26.00, 234-6.00-26.01, 234-6.00-26.02, 234-6.00-26.03, 234-6.00-26.05 and 234-6.00-59.19**  
**Wil King Station (Angola Water District)**

Dear Ms. Lyons:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, *including fire protection*, to the following parcel(s) identified as Tax Map & Parcel No. 234-6.00-26.00, 234-6.00-26.01, 234-6.00-26.02, 234-6.00-26.03, 234-6.00-26.05 and 234-6.00-59.19 Wil King Station (Angola Water District) . Water service is contingent on the terms and conditions of a Water Service Agreement by and between Tidewater and the Project Owner. This parcel is located within Tidewater's existing water Certificate of Public Convenience and Necessity franchise area.

Please send a site plan and construction schedule to Tidewater. Please feel free to contact me at 302-747-1325 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

*Kirsten E. Higgins*

Kirsten Higgins  
Vice President, Development & Contract  
Administration

cc: Brian Carbaugh, P.E., Tidewater Utilities, Inc.



## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOHN J. ASHMAN  
DIRECTOR OF UTILITY PLANNING

## SEWER SERVICE CONCEPT EVALUATION (SSCE) UTILITY PLANNING DIVISION

Applicant: **Land Tech**

Date: 8/20/2020

Reviewed by: **John Ashman**

Agreement #: **TBD**

Project Name: **Adkins, Novosel, Tanager & Harmon**

Tax Map & Parcel(s): **234-6.00-59.19, 26.00, 26.01, 26.02, 26.03, 26.05, 68.01, 67.00 & 84.00**

Sewer Tier: Tier 1 - Sussex County Unified Sanitary Sewer District

Proposed EDUs: **605 Total**

Pump Station(s) Impacted: **Proposed Chapel Branch & PS 404**

List of parcels to be served, created from the base parcel: **N/A**

List of additional parcels to be served (Parcels required for continuity must be served with infrastructure): **Click or tap here to enter text.**

Connection Point(s): **Parcels 59.19, 26.00, 26.01, 26.02, 26.03, & 26.05 (Site A) will require an on-site pumpstation and connect to the proposed manhole (MH7) in Wil King Road at the intersection with Dawson Dr. Parcel 68.01 and part of parcel 67.00 (Site "B") will connect to the proposed manhole (MH5) by gravity. Parcel 84.00 (Site "C") and the balance of parcel 67.00 (Site "B") will connect to TCO#3 across the street from Tidewater Landing or utilize a connection point thru Site "D" if developer moves forward with that project.**

Use of Existing Infrastructure Agreement required? Yes ☒ or No ☐

Annexation Required? Yes ☐ or No ☒

Easements Required? Yes ☒ or No ☐

Fee for annexation (based on acreage): **\$2,500 (Greater than 150.00 Acres)**



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

Current Zoning: AR-1 Zoning Proposed: MR

Acreage: 293.00

Additional Information: Site "D" 234-6.00-58.00 & 85.00 have had a SSCe previously completed and attached. Some parcels are located in a Tier 2 and will require annexation into the sewer district.

\* No capacity is guaranteed until System Connection Fees are paid

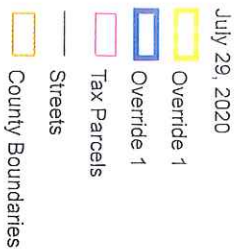
All gravity sewers with three (3) or more minor branches shall be designed at minimum slope and maximum depth.

Once Construction Drawings are completed with all of the above information satisfied, please submit to:

Sussex County Public Works Department  
2 The Circle  
P.O. Box 589  
Georgetown DE 19947

CC: John Ashman  
Jayne Dickerson  
Michael Brady  
Noell Warren

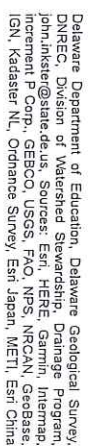
6" CO  
western  
pines  
TIN 6.30  
110. 584  
5" GRANITE



PROPERTIES

• Rim 24.2J  
19.13  
19.04

2  
+ Rim 24.01  
19.1  
16.3  
19.25  
19.1

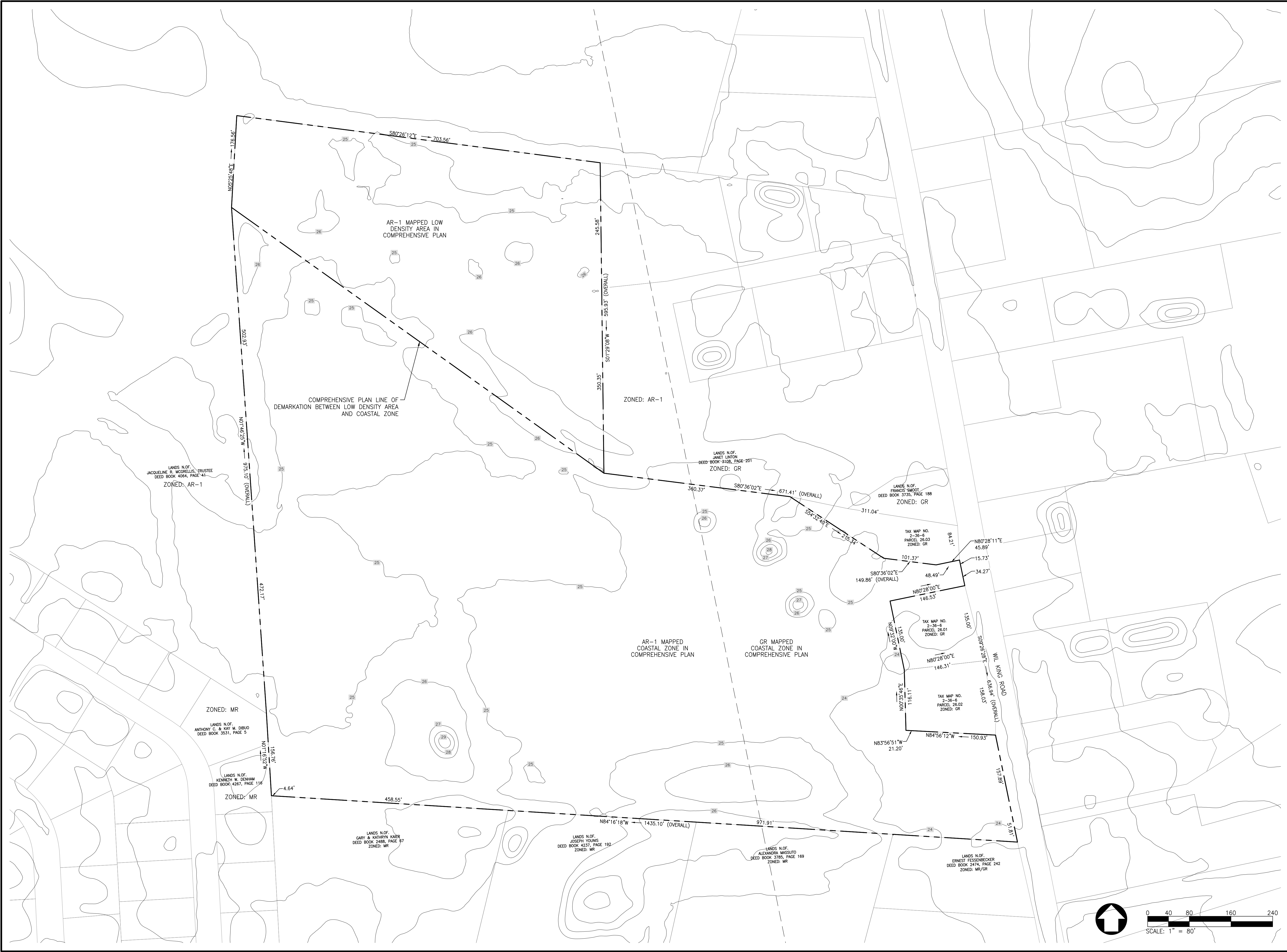








PEN1-RED (.001 INCHES (1.0mm))	PEN2-YELLOW (.007 INCHES (1.8mm))	PEN3-ORANGE (.014 INCHES (2.0mm))	PEN4-BLUE (.027 INCHES (5.0mm))	PEN5-BLUE (.027 INCHES (5.0mm))	PEN6-BLUE (.027 INCHES (5.0mm))	PEN7-WHITE (.029 INCHES (1.0mm))
PLOT CODE PEN4-BLUE	PLOT CODE PEN4-BLUE	PLOT CODE PEN4-BLUE	PLOT CODE PEN4-BLUE	PLOT CODE PEN4-BLUE	PLOT CODE PEN4-BLUE	PLOT CODE PEN4-BLUE



PRINTS ISSUED FOR: PRELIMINARY APPROVAL	
DATE	
REVISIONS	
NO.	



GEORGE, MILES & BUHR, LLC  
ARCHITECTS & ENGINEERS  
SALISBURY • BALTIMORE • SEAFORD  
206 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
410-742-3115, FAX 410-548-5790  
www.gmbnet.com

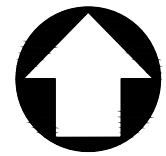
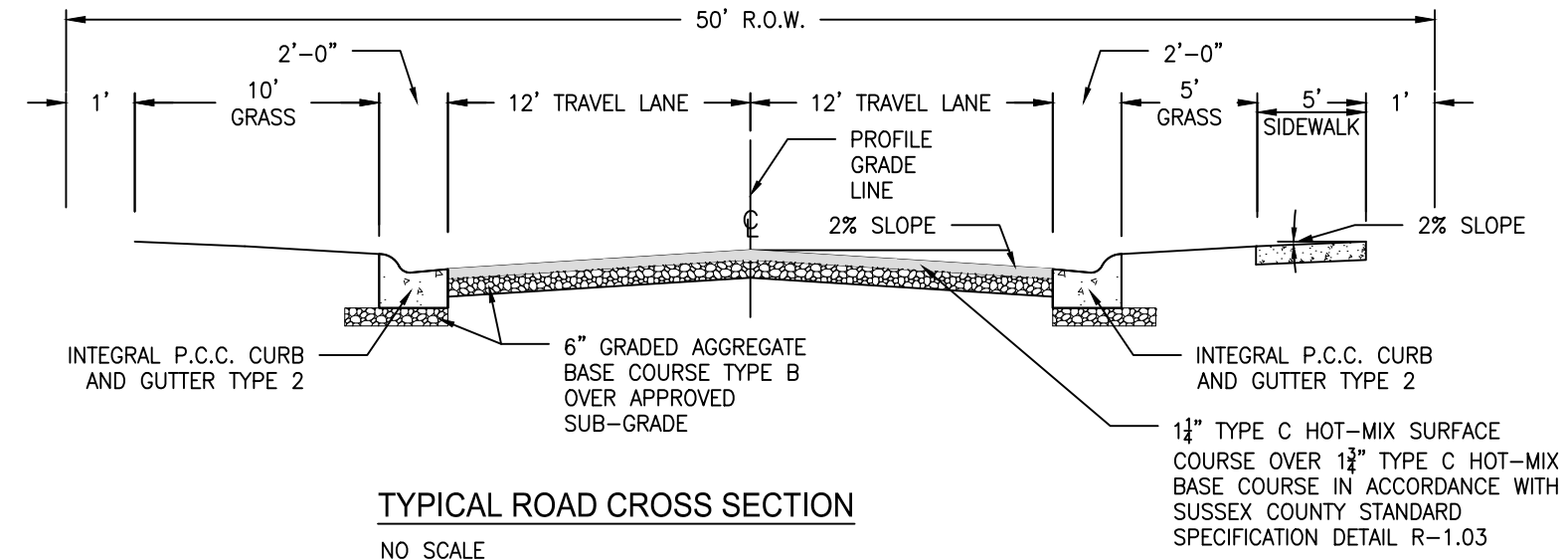
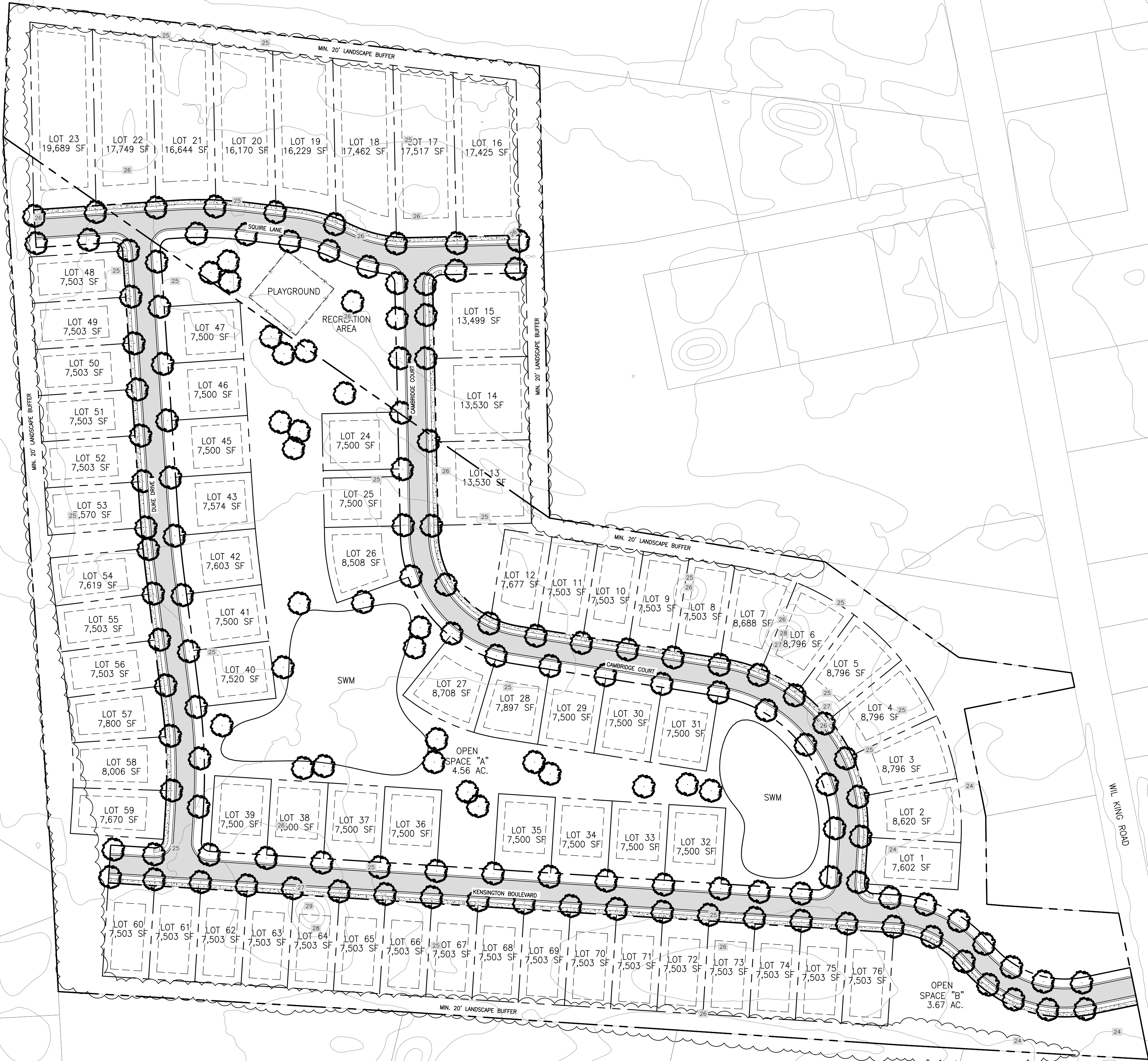
WIL KING STATION  
TOWN OR COUNTY, STATE

EXISTING  
CONDITIONS

SCALE : 1" = 80'	SHEET NO.
DESIGN BY : KK	PSP2.0
DRAWN BY : KK	
CHECKED BY :	
GMB FILE : 200143	
DATE : DEC 2020	

© COPYRIGHT 2019 GEORGE, MILES & BUHR, LLC

PLOT CODE	PLOT CODE	PLOT CODE	PLOT CODE	PLOT CODE
PEN1-RED	PEN1-RED	PEN1-RED	PEN1-RED	PEN1-RED
0.08 INCHES (2mm)	0.08 INCHES (2mm)	0.08 INCHES (2mm)	0.08 INCHES (2mm)	0.08 INCHES (2mm)
PEN2-YELLOW	PEN2-YELLOW	PEN2-YELLOW	PEN2-YELLOW	PEN2-YELLOW
0.07 INCHES (1.8mm)	0.07 INCHES (1.8mm)	0.07 INCHES (1.8mm)	0.07 INCHES (1.8mm)	0.07 INCHES (1.8mm)
PEN3-ORANGE	PEN3-ORANGE	PEN3-ORANGE	PEN3-ORANGE	PEN3-ORANGE
0.10 INCHES (2.5mm)	0.10 INCHES (2.5mm)	0.10 INCHES (2.5mm)	0.10 INCHES (2.5mm)	0.10 INCHES (2.5mm)
PEN4-BLUE	PEN4-BLUE	PEN4-BLUE	PEN4-BLUE	PEN4-BLUE
0.07 INCHES (2mm)	0.07 INCHES (2mm)	0.07 INCHES (2mm)	0.07 INCHES (2mm)	0.07 INCHES (2mm)
PEN5-BLACK	PEN5-BLACK	PEN5-BLACK	PEN5-BLACK	PEN5-BLACK
0.09 INCHES (2.3mm)	0.09 INCHES (2.3mm)	0.09 INCHES (2.3mm)	0.09 INCHES (2.3mm)	0.09 INCHES (2.3mm)



PRINTS ISSUED FOR:  
PRELIMINARY  
APPROVAL

DATE	
REVISIONS	
NO.	

GMB

GEORGE, MILES & BUHR, LLC  
ARCHITECTS & ENGINEERS  
SALISBURY • BALTIMORE • SEAFORD  
206 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
410-742-3115, FAX 410-548-5790  
www.gmbnet.com

WIL KING STATION  
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE  
PLAN

SCALE : 1" = 80'	SHEET NO.
DESIGN BY : JAC	PSP3.0
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 200143	
DATE : DEC 2020	

© COPYRIGHT 2020 GEORGE, MILES & BUHR, LLC







## Nick Torrance

---

**From:** janet ledigabel <jreganlinton@hotmail.com>  
**Sent:** Tuesday, July 20, 2021 11:34 AM  
**To:** Planning and Zoning  
**Cc:** Michael.Reader@delaware.gov; alastair.probert@delaware.gov  
**Subject:** Asking for Deferment of Wil King Station Proposed Development Hearing on August 12th, 2021

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

Good Day Ladies and Gentleman of the Planning and Zoning Commission, Captain Reader of the Delaware State Police, and Mr. Probert of the Department of Transportation:

I own parcel 234-6-59.01. This will Border Wil King Station on 2 sides. I have a beautiful wooded property with a home in the middle, the address of that home being 31418 La Jolla Shores Drive, Lewes, De. I am asking for a 6ft high, wood on wood privacy fence to be installed by the developer, Webster, and Joshua Gray, and maintained at a cost to the Homeowners association if one exists or to the builder. I would also like to request that at least a 20ft buffer of mature trees be maintained on those 2 sides so that there is a privacy buffer between my property and this cluster development. I would also like the developer to inform the buyers of this 20ft buffer and that signs be posted that this buffer must remain intact. This will at least offer some area for the living animals in nature that this property maintains. This is a beautiful property, I lived here for 20 years on this beautiful slice of land in our beautiful Sussex County, and I am worried there will be no natural habitat left for the squirrels, birds, deer, rabbits, and the other animals this once this developer cuts all of the mature growth trees down as most developers do these days.

I would also like to see DelDOT do a traffic study before this cluster development is approved. In 2003, I write to the Dept of Transportation and had the speed limit reduced to 45 from 50 mph. However, there is no patrolling of this speed limit although I have complained to Troop 7 to patrol for speeders numerous times. It is a death trap to try and go out to the mailbox to retrieve the mail, since there is no shoulder at all, just a drop down into a ditch. There is nowhere to jump out of the way if 2 cars are traveling north and south at the same time while a resident is retrieving their mail. In fact, a Delaware St. Police officer resides on Wil King road and drives up and down coming and going to work. Wil King Road is similar to Hudson Road in width, 22ft, no shoulder, and homes close to the road and the speed limit on Hudson Road is 40mph with the electronic flashing speed limit signs. Wil King Road is a straight North/South shot as a cut-through from the Rt 9 area to the Rt 24 area, drivers regularly cut through Wil King Road to access both East/West arteries and do so at high speed because there is no patrolling for speed. I would like to see the speed limit reduced to 35mph and have the flashing speed limit signs. Perhaps a traffic study would show the number of vehicles and how there is no shoulder so that a reduced speed limit would be for the safety of all.

Also, as sent in another email, pictures of this area flooding with a copy to Alastair Probart. DelDOT has done nothing to remedy that lack of water flow on this road. Creating more cluster development in this area, I am concerned about how much more water will sit on homeowner's lawns, similarly as in Oak Orchard.



Thank you for considering my recommendations.

Sincerely,

Janet Le Digabel  
Owner of parcel 234-6-59.01  
Owner of 31418 La Jolla Shores Drive  
LEWES, De 19958

## Nick Torrance

---

**From:** janet ledigabel <jreganlinton@hotmail.com>  
**Sent:** Tuesday, July 20, 2021 10:46 AM  
**To:** Planning and Zoning  
**Subject:** Fw: Flooding Wil King Road - Near the Proposed Wil King Station Hearing Date August 12, 2021- Need DelDot Study before the development is approved  
**Attachments:** 20201217\_133358\_resized.jpg; 20201217\_133346\_resized.jpg; 20201217\_133330\_resized.jpg; 20201217\_133326\_resized.jpg; 20201217\_133144\_resized.jpg; 20201217\_133138\_resized.jpg; 20201217\_133109\_resized.jpg; 20201217\_133106\_resized.jpg; 20201217\_133053\_resized.jpg; 20201217\_133051\_resized.jpg; 20201217\_133048\_resized.jpg; 20201217\_132826\_resized.jpg; 20201217\_132813\_resized.jpg; 20201217\_133041\_resized.jpg

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

Good Day Ladies and Gentlemen of the Commission and Mr. Whitehouse:

Please see the above photo's of the Flooding on Wil King Road adjacent and across the road from the Proposed Wil King Station. These are Ron and Rachel Edwards, John Edwards, John Edwards horse pasture, and Rodney Harmon's properties.

This area floods after every rain. A DelDOT study should be performed not only for traffic impact but also, how the additional homes and drainage will affect the surrounding properties. I believe that no other cluster development including Wil King Station should be approved until this wet drainage issue has been corrected. I believe that Wil King Station should be deferred until a drainage study is completed as well as a traffic impact study which I spoke about in an additional email.

Sincerely,

Janet Le Digabel  
own home adjacent to Wil King Road  
302-344-3694

---

**From:** janet ledigabel <jreganlinton@hotmail.com>  
**Sent:** Tuesday, July 20, 2021 9:37 AM  
**To:** alastair.probert@delaware.gov <alastair.probert@delaware.gov>  
**Subject:** Fw: Flooding Wil King Road - Can you provide any guidance as to who to contact about this? Wil King Roads floods and nothing is being done about this:

---

**From:** janet ledigabel <jreganlinton@hotmail.com>  
**Sent:** Friday, December 18, 2020 11:13 AM

**To:** Alexis.F.Jamison@state.de.us <A Alexis.F.Jamison@state.de.us>

**Subject:** Fw: Flooding Wil King Road - Can you provide any guidance as to who to contact about this?

Hello Alexis \_

An additional problem in Lewes is that the Wil King Road area floods after every rainstorm. The problem is, Wil King Road is about 2 to 3 feet higher than the residences - I have been told by Jessica Watson of Sussex Conservation that DELDOT is aware of this and will do nothing. These were taken after this week's storm. This happens after every heavy rain. The photo's are on Wil King road between La Jolla Shores Drive and heading south to Alma's Way. Complete flooding of yards and pastures and driveways! In my opinion, there needs to be a drainage ditch dug all the way up and down Wil King Road.

Can Representative Smyck forward this to someone so that we can have a remedy?

Thanks,

Janet Le Digabel  
Property Owner Wil King Road

---

Sent from my Samsung Galaxy , an AT&T LTE smartphone



































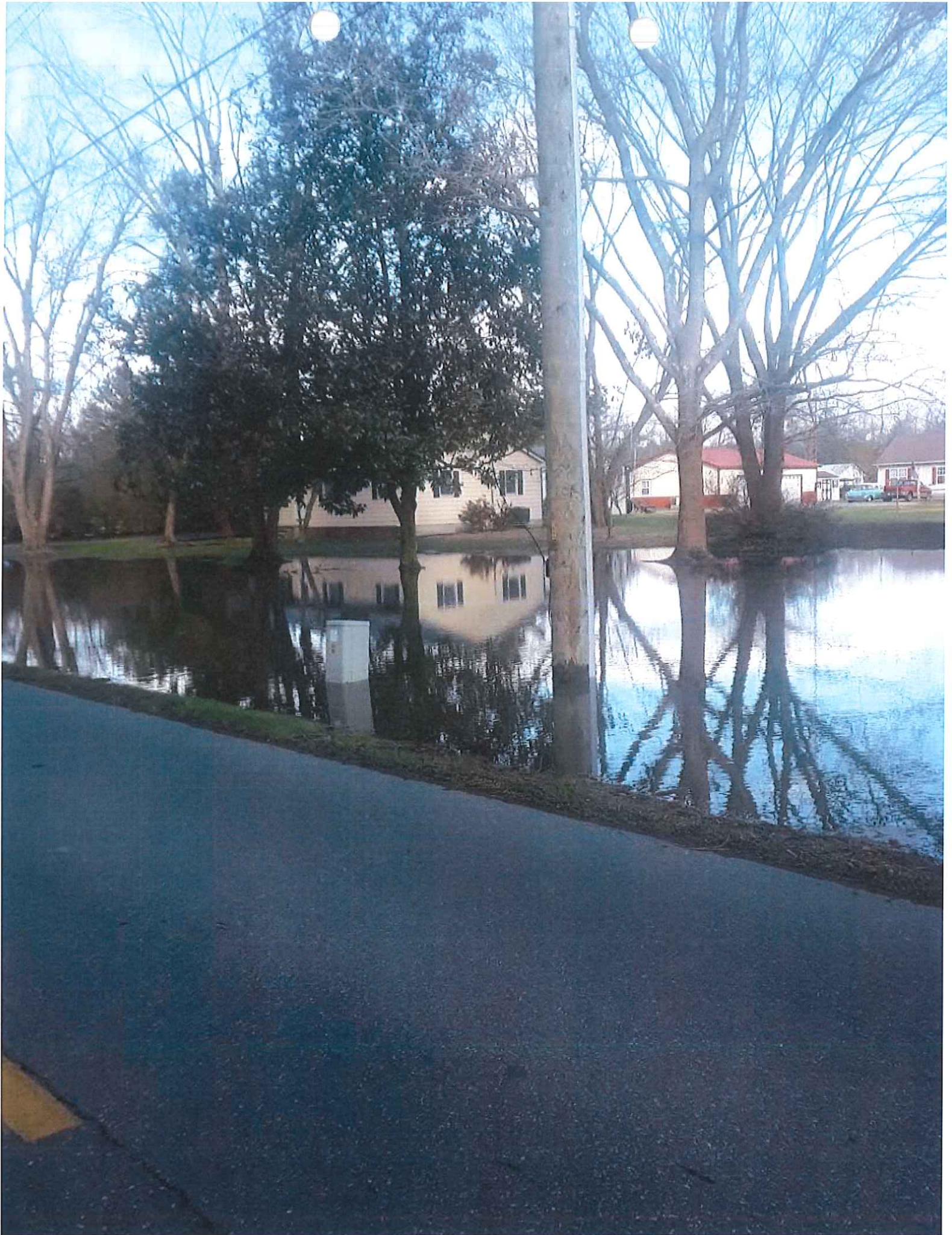












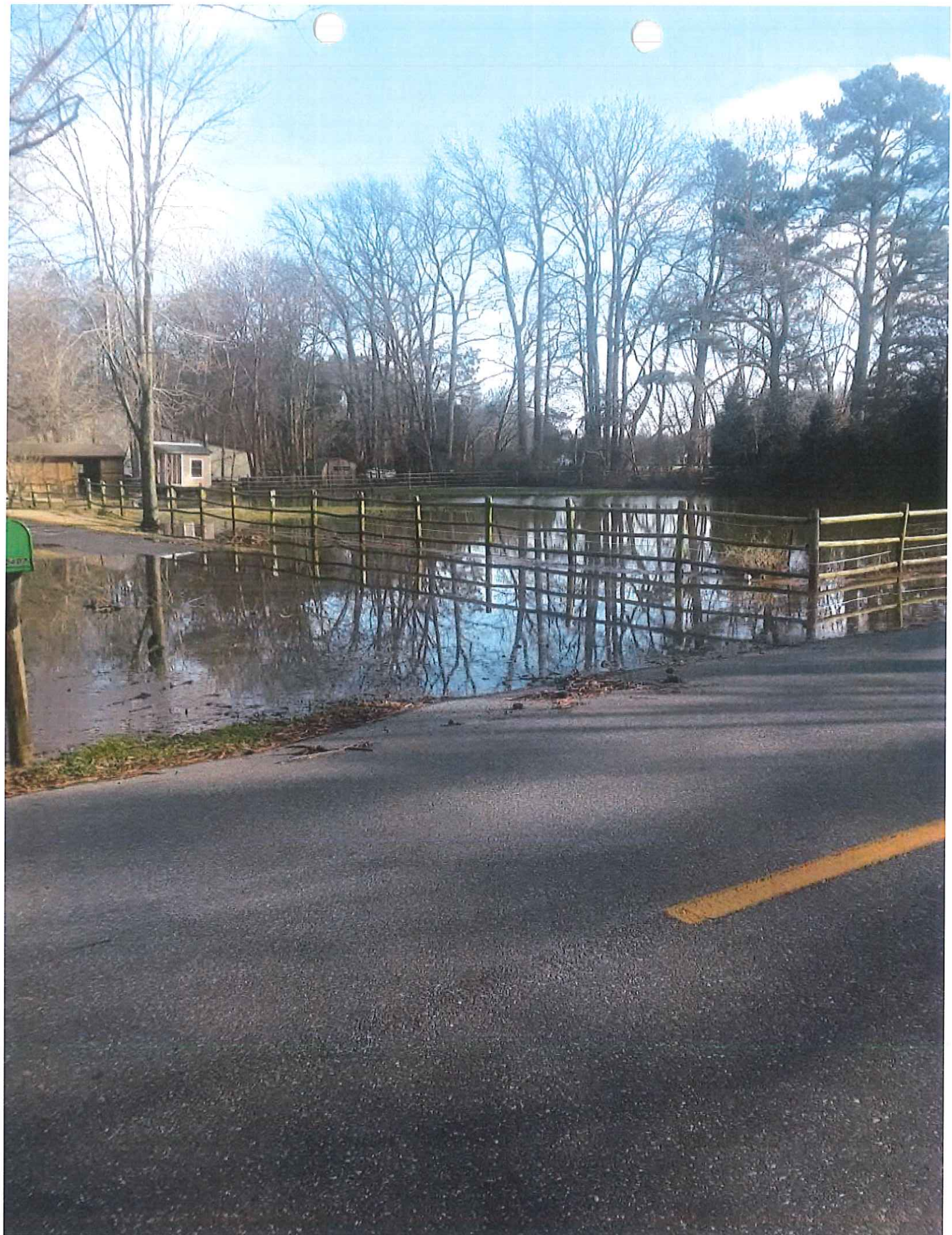












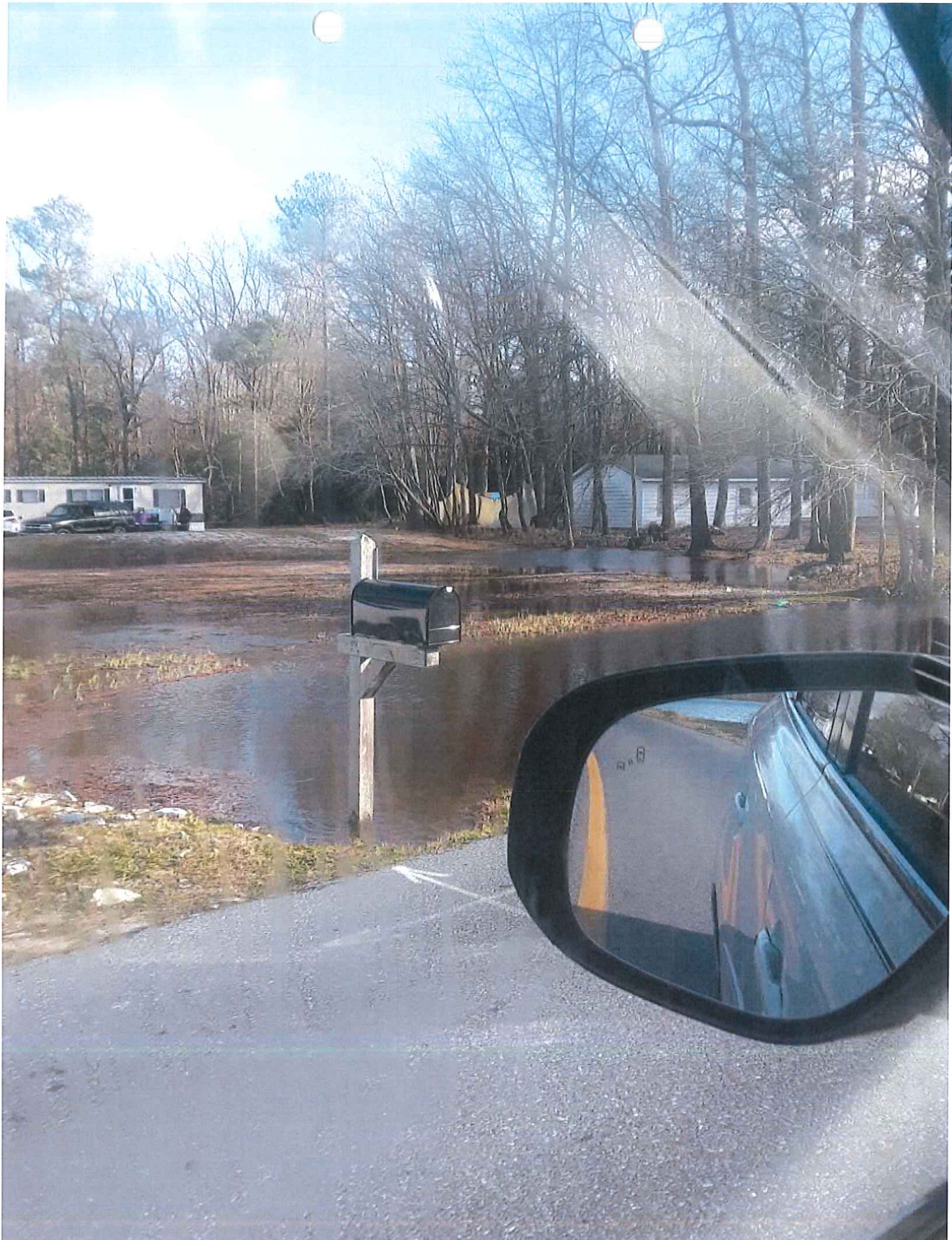






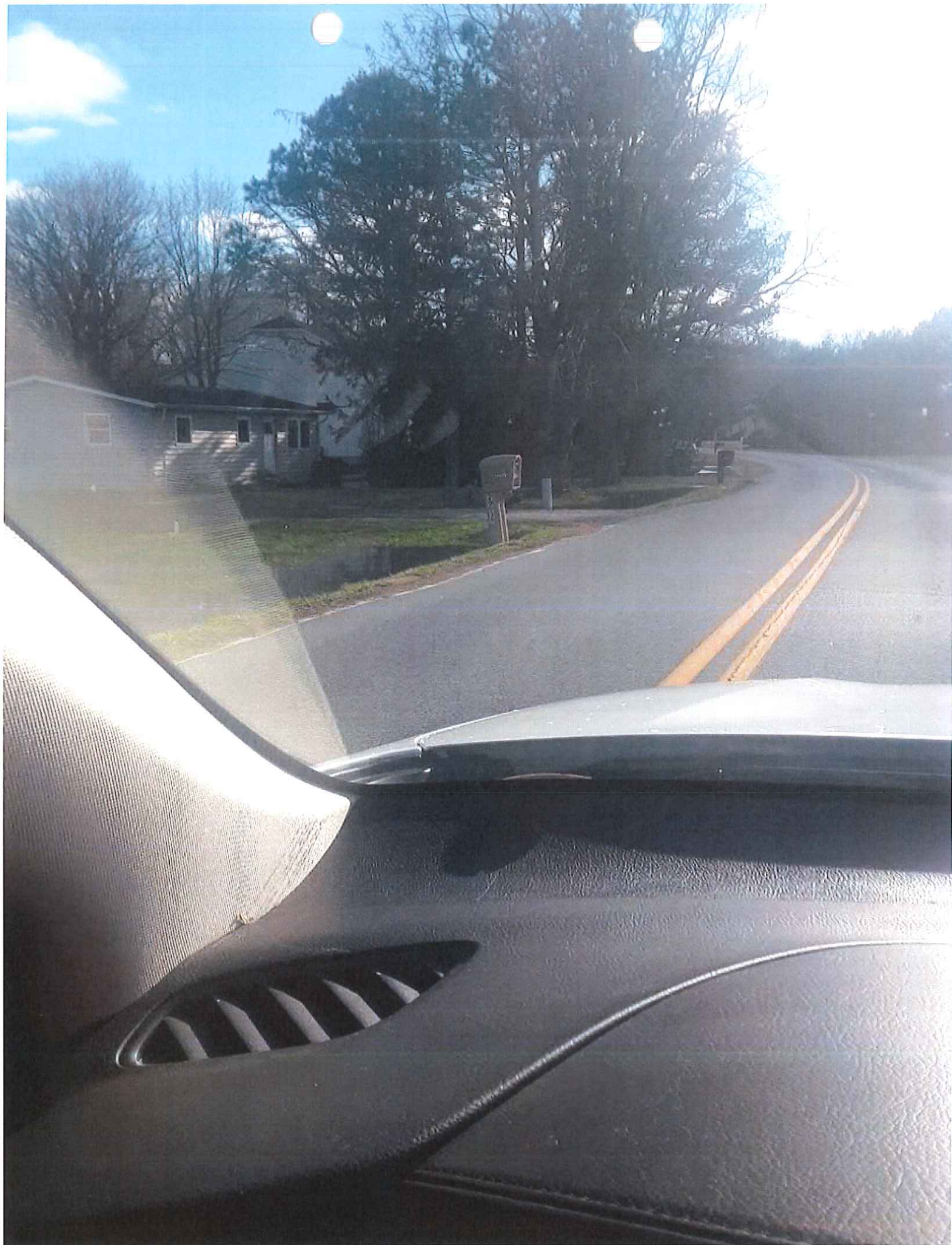






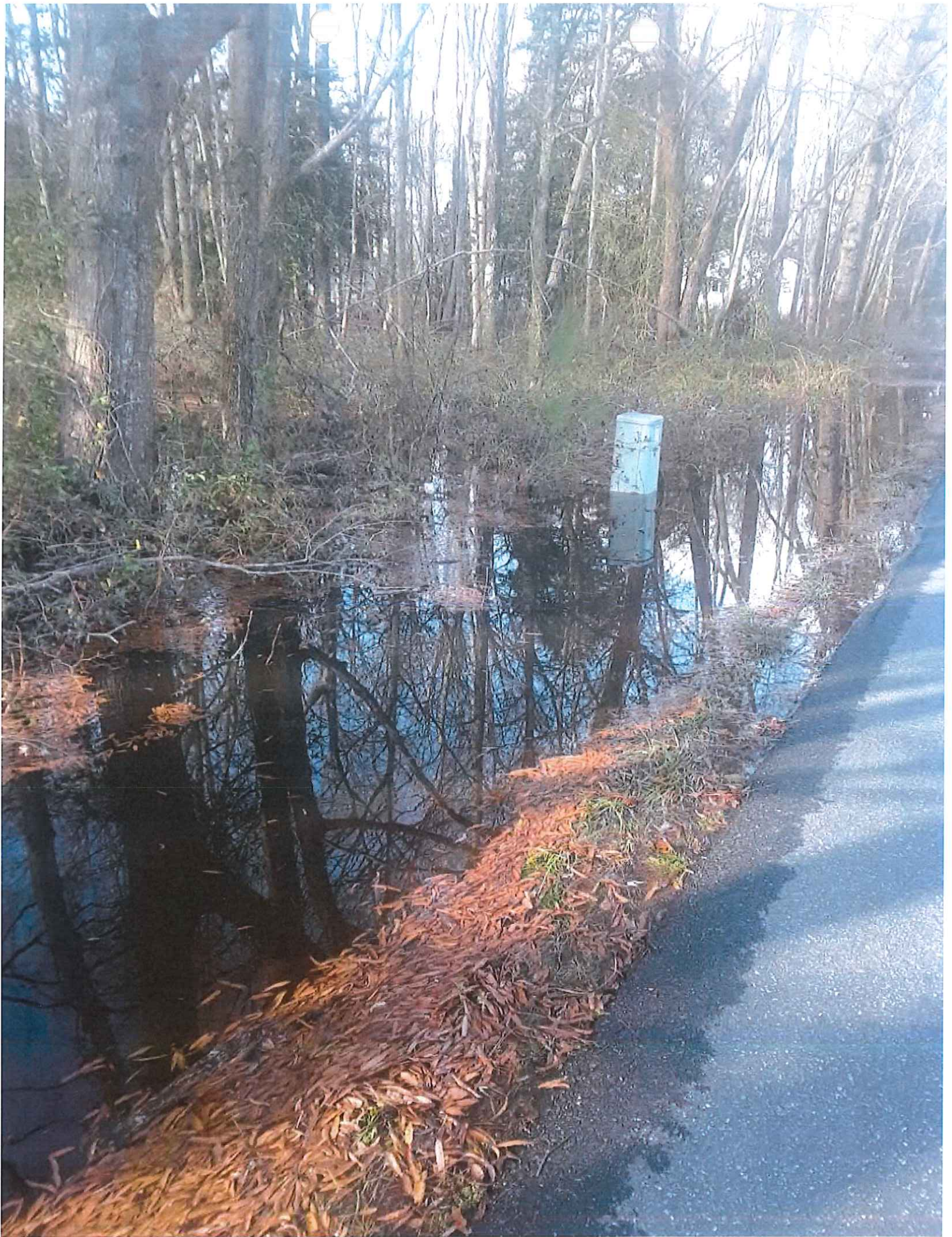
















**Lauren DeVore**

---

**From:** janet ledigabel <jreganlinton@hotmail.com>  
**Sent:** Wednesday, September 22, 2021 11:02 AM  
**To:** Planning and Zoning; Lauren DeVore  
**Subject:** Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

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

I will be presenting my case against Wil King Station tomorrow for the County Commission Meeting.

Sincerely,

Janet Le Digabel

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: janet ledigabel <jreganlinton@hotmail.com>  
Date: 9/22/21 9:43 AM (GMT-05:00)  
To: jreganlinton@hotmail.com  
Subject: Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

Good Day Lauren and the Sussex County Planning and Zoning Board-

The meeting agenda for tomorrow, 9/23 includes Wil King Station.

Please see the attached email thread from Webster Gray, a partner in the project.

Briefly, I own the parcel next to this proposed site. He had been emailing me for 2 years, with various low ball offers to buy my attached 4 acre parcel, promising to leave it as 'green space' at one point. It became a shell and nut game with his various offers. I only wonder how many farmers are not quick enough to see through this game, and get taken advantage of by this developer and others.

I will oppose this development tomorrow evening for various reasons and I ask that the commission defer until my items are reviewed:

1) I ask that the proposed playground to be left as green space NOT a PLAYGROUND. Leave the mature growth trees. As Mr. Constance Holland of the Office of State Planning and Coordination indicates in his report dated December 2, 2020, that the Wetlands Mapping Project indicates under Wetlands, quote 'the potential presence of freshwater wetlands located toward the center of the site'. Some of this proposed 24 acres are in Level 4 Wetlands. Saving this area from development will help save the wildlife from, as Mr. Holland's letter states, 'Development of this site is anticipated to displace local wildlife' and, quote 'wildlife displaced by encroaching development may become a nuisance for homeowners. I love the use of Mr. Hollands word, 'nuisance', who is the nuisance here? The cookie cutter developments that rape our natural resources, or the deer? Guess what, your auto insurance and mine will go up as there will be many more 'deer' accidents on Wil King Road, hopefully not killing a human being. This developer, as well as others, build right

upon Wetlands, destroying what natural sites can be left for the generations to come. And home buyers have no idea that they are purchasing a home on wet grounds. At Harts Landing on RT 24 in Lewes, not too far from this proposed plan, there is a beautiful natural area in the center, with mature growth trees, and a walking trail around it. I ask the commission to require the developer to change his plot plan to eliminate the playground, and keep the space as mature woodlands and wetlands. This is reasonable.

2) I ask that the developer must include a 20ft buffer around all property lines, leaving the mature growth trees and buyers of these lots must agree to this in writing when purchasing. This is reasonable.

3) I would like a 6 ft, wood on wood privacy fence along my property line to be installed by the developer and to be maintained by the HOA. This is also reasonable.

4) I would like Chief Natosha Carmine of the Nanticoke Indian Tribe or her appointee to be informed in writing of the potential for this to be a Historic Nanticoke site. I ask that an archaeological investigation to be completed, to be paid for by the developer, to find out if this land is a Native Burial Ground, and or a Historic Preservation site. I would like the findings be published to the County Commission and the Public BEFORE any building is started. You may remember Eagle Crest Townhomes off of Shady Road in Lewes. It was the Daisy Nanticoke burial ground. The site was bulldozed down and only after everything was built, a monument was installed. This is Sad. Very Sad. Don't let this happen.

4) As Sussex County population is growing by Leaps and Bounds, a 2019 traffic study on Wil King Road is outdated. Wil King Rd, is a cut through from Rt 1, Rt 9, and Rt 24. The US Census indicated that our County is growing by 2.02% per year. This is a 4% increase over the course of 2 years, over 10 years, 20%. . A new traffic study is in order and even though this shell game of paying the TID to DelDot instead of doing a traffic study, which the homebuyers end up paying back this TID in fees to the developer anyway, I ask for a traffic Impact Study to be done and paid for by the developer. I lived there for 20 years. I know how bad traffic is on Wil King Road. I also recommend to DelDot that the speed limit be reduced to 35mph, as Wil King Road has no shoulder, there is no where to stand when retrieving ones mail. One has to jump into the ditch as cars speed by. I would like DelDot to investigate the lack of shoulder on this road, safety hazards and lower the speed limit. I will write to Brian Yates and Sarah Coakley at DelDot to request this, however, I ask the commission defer until the study is completed.

5) I ask that the name of the project be changed to something more harmonious with Nature. Since most of this is Sara Harmons Land originally, and since she is deceased, and their heirs are all Harmon descendants, and they are all Registered Nanticoke, Perhaps Harmony Retreat.

6) This is very important. I own the land connected to this parcel, and in no way will I ever agree to extend La Jolla Shores drive to connect to a multi unit housing complex - ever. I am against cookie cutter developments and feel that they are ruining Sussex County. I have informed Mr. Webster Gray of this already and I have suggested to him in writing that he make a cul-de-sac where he has the dead end street. As per section 3.5.4.4 of the DelDot Manual as stated by Mr Holland, DelDot addresses requirements for accessways. According to Mr. Gray's plot plan, there is a dead end street connected to my property. With this existing plot plan, this could potentially disrupt my parcel if DelDot requires additional accessways to this parcel. Very tricky Mr. Gray. Therefore, I ask that the engineer re-design this to possibly connect to Beaver Dam acres or, eliminate this dead end completely so as to assure the safety and rights of keeping my parcel intact without a road going through it.

7) Make sure a qualified Delineator completes a wetlands study. Make no exceptions. If wetlands are found, they are to be maintained and left alone with the required buffer zones around all sides.

8) as Per Mr. HOLLANDS report, The State Historic Preservation Office does not recommend developing in Level 4 areas. I agree. Any level 4 areas should be left to nature. We need the commission to start following the state recommendations.



9) again, I do not wish to connect to this development through my parcel 234-6-59.01. Eliminate the STUB street near my parcel. I would ask that I have a say in protecting my asset.

10) Request that more than the proposed 2 acres of forest be preserved. Cutting down 18 of the 21 acres of forest will as Mr. Hollands report says will have impact on the rare, threatened, and endangered species that rely on this type of habitat.

Lastly, after reading Mr. Hollands reports, with so many factors such as a Native American historic site, Wetlands, Level 4 Wetlands, cutting down 18 of the 21 acres of mature growth trees that have been there since 1937, eliminating the natural habitat for many endangered species, the need for forests to provide habitat for wildlife, uptake nutrients, infiltrate stormwater, and improve water quality, reducing carbon, a forest assessment should be required and if conservation areas are found, these areas should be conserved to the maximum extent as possible.

In closing, this land is not prime development for a cookie cutter, zero lot line, 4 homes per acre development. This land would be better preserved if such parcels were sold as individuals and made into farmettes.

Respectfully,

Janet Le Digabel owner  
Parcel 234-6-59.01  
Owner 31428 La Jolla Shores Drive, Lewes, De 19958

Post script, I apologize for any typos as I was typing this on my phone on a flight after a business trip at 7am today.

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: janet ledigabel <jreganlinton@hotmail.com>  
Date: 9/21/21 10:03 PM (GMT-05:00)  
To: janet ledigabel <jreganlinton@hotmail.com>  
Subject: Fwd: Post Script -Re: Land Wil King Road Sussex County, DE

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>  
Date: 1/7/20 6:12 PM (GMT-05:00)  
To: janet ledigabel <jreganlinton@hotmail.com>  
Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Appreciate the feedback!

If we would contractually agree to preserve your 4 acre wooded property and not development it would that change your mind to sell as well?

Thanks,

Web

Sent from my iPhone

On Jan 7, 2020, at 5:58 PM, janet ledigabel <jreganlinton@hotmail.com> wrote:

I understand Webster. If you were more inclined to build a 'Walden' type development, I would be more inclined to sell. I'm more of a Julia Butterfly Hill type than a money motivated person.

We need more developments such as Bryn Gweled in Bucks County, PA, or Arden, in New Castle, Delaware.

Please check out those two utopian type developments and consider something different for Sussex County.

I am very much against the builders who build cheaply constructed housing units on 1/3 acre lots and ruin the beautiful Sussex County Landscape.

Good Luck with your project. There is a need and market for 1 acre lots and even 1/2 acre lots. Maybe you can start a new trend.

Cheers,

Janet Le Digabel

---

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 1/7/20 2:24 PM (GMT-05:00)

To: janet ledigabel <jreganlinton@hotmail.com>

Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Janet,

Not a problem. Within the next couple of weeks we will be starting to spend money and get our engineers, real estate attorney, surveyors, wetlands, etc involved to take the Wil King adjoining properties we have under contract and start coming up with a development plan.

So if you do have any interest at all in selling, it would be great if you can respond sooner than later so we can incorporate your property into the development design. As if we get too far down the road, it won't be cost effective for us to pay additional professional fees to rework the development plans just to add your small 4 acre property in the mix.

Thanks!

Web

On Tuesday, January 7, 2020, 2:17:44 PM EST, janet ledigabel <jreganlinton@hotmail.com> wrote:

Happy New Year Webster, and thank you kindly for all of your information and background on your development projects.

I am currently focusing on other projects that I have not thought very much about selling my acreage.

When the time is right, I'll contact you.

Best Regards,

Janet Le Digabel

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <webster.gray@yahoo.com>

Date: 1/7/20 1:54 PM (GMT-05:00)

To: janet ledigabel <jreganlinton@hotmail.com>

Subject: Re: Post Script -Re: Land Wil King Road Sussex County, DE

Hey Janet,

Hope you had a great holiday season and the new year is off to a great start for you.

Just wanted to check in and see if your stance changed on the purchase price per acre on your 4acre wooded property?

Thanks,  
Web

On Tuesday, December 10, 2019, 6:30:38 PM EST, Webster Gray <webster.gray@yahoo.com> wrote:

I can appreciate your sentiment...We grew up in a log house with 2 ponds we swam and fished in that dad built in a small town in northeast PA and grew up around woods, hills, mountains, our grandparents active farm that I own now.

You need to keep so much green space in a development project and if the engineers feel it would work nicely for the lot design plan, agree your 4 acre wooded property would be a great area to leave untouched and contribute to that green space.

Sent from my iPhone

On Dec 10, 2019, at 3:05 PM, janet ledigabel <[jreganlinton@hotmail.com](mailto:jreganlinton@hotmail.com)> wrote:

Webster-

Post Script - I am pretty much and environmentalist and would not want to bear to see the desecration of a beautiful wooded parcel to see Schell Brothers slap some cheaply built homes on 1/3 of an acre.

Just my thoughts.

Thanks,



Janet Le Digabel

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Webster Gray <[webster.gray@yahoo.com](mailto:webster.gray@yahoo.com)>  
Date: 12/10/19 12:24 PM (GMT-05:00)  
To: janet ledigabel <[jreganlinton@hotmail.com](mailto:jreganlinton@hotmail.com)>  
Subject: Re: Land Wil King Road Sussex County, DE

Hey Janet,

Hope you had a great thanksgiving holiday and you are ready for the winter holiday season ahead!

I appreciate the feedback you provided.

I think we could probably be agreeable to a lot of your terms, but the purchase price per acre is way too high for us. For the most part, we have not been paying more than \$25k per acre on Wil King. And we just recently got the 13k acre Wil King property across the street under contract and we should be able to treat it as one development project with the our other Wil King properties that surround your 4 acre wooded property per Planning and Zoning.

So either way it is fine if you want to keep your property for your own investment flip and/or long term rental purposes as we don't need it for our development project. But we would be interested in adding your property to our development, if you would reconsider the purchase price per acre.

Thanks!

Web

On Sunday, November 3, 2019, 11:08:50 AM EST, janet ledigabel <[jreganlinton@hotmail.com](mailto:jreganlinton@hotmail.com)> wrote:

Hi Webster -

At this time, the amount that I would be interested in is \$100,000 per acre for the parcel off of Wil King Road, with a non-refundable \$50,000 down payment, and full payment due at the time of settlement. I do not use a realtor, I would use the settlement services of attorney Susan Pittard Weidman, Rehoboth Beach, Delaware, for sales contract and settlement. I would want to settle within 60-90 days from the acceptance of your offer.

Regards,

Janet Le Digabel  
302-344-3694