

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, MRTPI, AICP  
DIRECTOR OF PLANNING & ZONING

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date: March 10<sup>th</sup>, 2022

Application: CZ 1967 Henlopen Properties, LLC

Applicant: Henlopen Properties, LLC  
4750 Owing Mills Boulevard  
Owing Mills, MD 21117

Owner: Mitchell Family, LLC  
1019 Kings Highway  
Lewes, DE 19958

Site Location: Lying on the southeast side of Kings Hwy. (Rt. 9) and on the north side of Gills Neck Rd. (S.C.R. 267)

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Zoning: Medium Residential (MR) Zoning District

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Lewes Fire Department

Sewer: Sussex County

Water: Tidewater

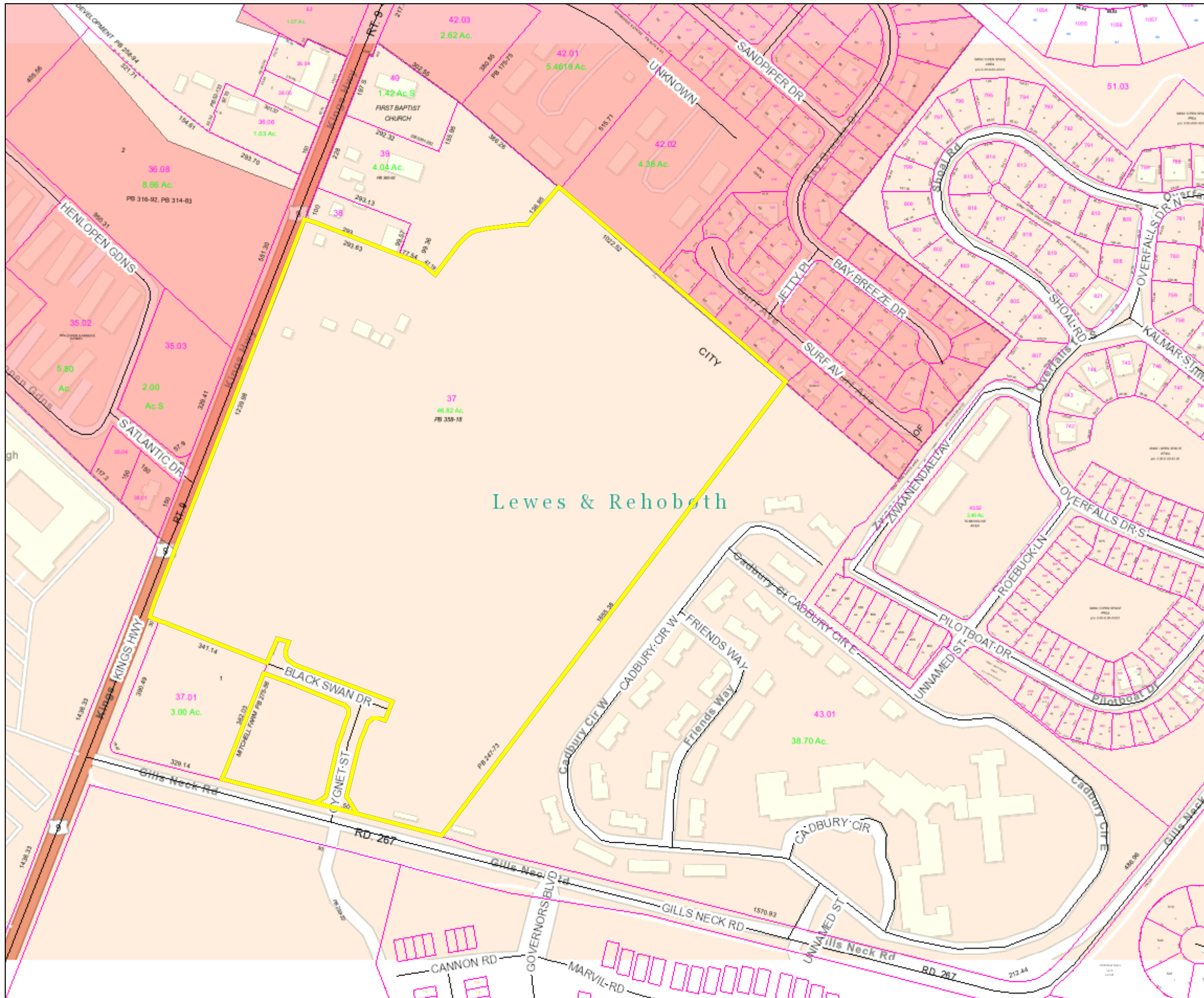
Site Area: 43.777 acres +/-

Tax Map ID.: 335-8.00-37.00 (portion of)





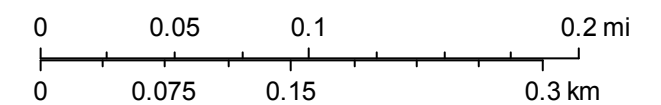
# Sussex County



<b>PIN:</b>	335-8.00-37.00
<b>Owner Name</b>	JEFF-KAT LLC
<b>Book</b>	5613
<b>Mailing Address</b>	1007 KINGS HWY
<b>City</b>	LEWES
<b>State</b>	DE
<b>Description</b>	SE/KINGS HWY
<b>Description 2</b>	RESIDUAL LANDS
<b>Description 3</b>	N/A
<b>Land Code</b>	

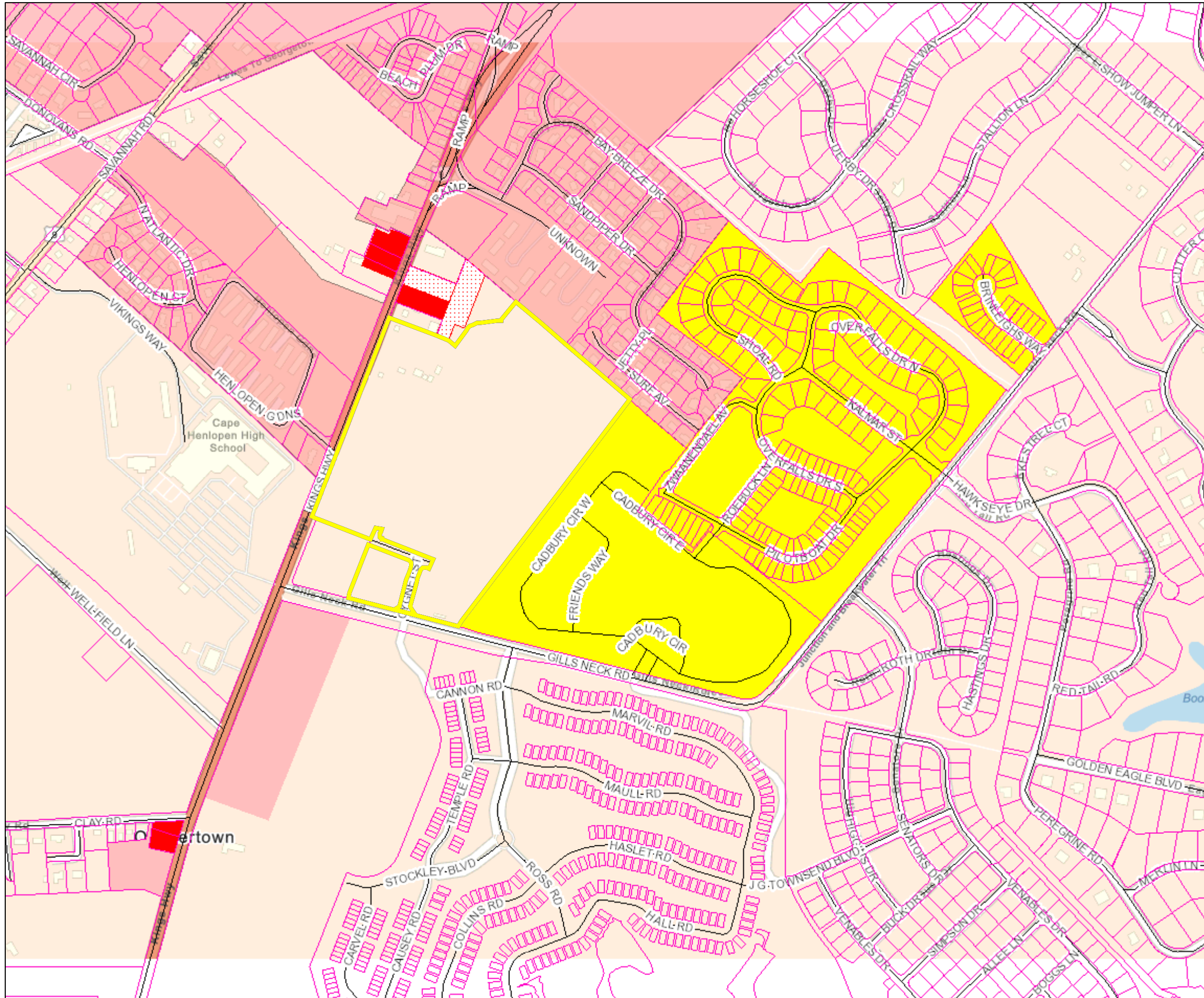
- polygonLayer**
  - Override 1
- polygonLayer**
  - Override 1
  - Tax Parcels
  - Streets
  - Hundred Boundaries
  - County Boundaries
- Tax Ditch Segments**
  - Tax Ditch Channel
  - Pond Feature
  - Special Access ROW
  - Extent of Right-of-Way
  - Municipal Boundaries
  - TID

1:4,514





# Sussex County



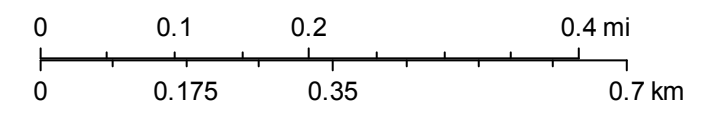
<b>PIN:</b>	335-8.00-37.00
<b>Owner Name</b>	JEFF-KAT LLC
<b>Book</b>	5613
<b>Mailing Address</b>	1007 KINGS HWY
<b>City</b>	LEWES
<b>State</b>	DE
<b>Description</b>	SE/KINGS HWY
<b>Description 2</b>	RESIDUAL LANDS
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer**

  - Override 1
- polygonLayer**

  - Override 1
- Tax Parcels
- Streets

1:9,028





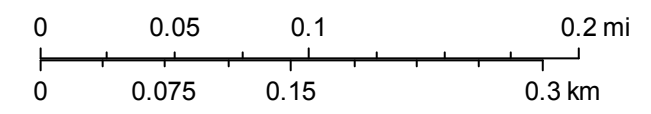
# Sussex County



<b>PIN:</b>	335-8.00-37.00
<b>Owner Name</b>	JEFF-KAT LLC
<b>Book</b>	5613
<b>Mailing Address</b>	1007 KINGS HWY
<b>City</b>	LEWES
<b>State</b>	DE
<b>Description</b>	SE/KINGS HWY
<b>Description 2</b>	RESIDUAL LANDS
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer**
  - Override 1
- polygonLayer**
  - Override 1
  - Tax Parcels
  - Streets
  - Hundred Boundaries
  - County Boundaries
- Tax Ditch Segments**
  - Tax Ditch Channel
  - Pond Feature
  - Special Access ROW
  - Extent of Right-of-Way
  - Municipal Boundaries
  - TID

1:4,514



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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Christin Scott, Planner I  
CC: Vince Robertson, Assistant County Attorney, and applicant  
Date: March 2, 2022  
RE: Staff Analysis for CZ 1967 Henlopen Properties, LLC

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1967 Henlopen Properties, LLC to be reviewed during the March 10, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for part of Tax Parcel 335-8.00-37.00 (portion of) to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Medium Residential (MR) Zoning District. The property is lying on the southeast side of Kings Highway (Rt. 9), approximately 390 feet northeast of Gills Neck Road (S.C.R. 267) and on the north side of Gills Neck Road (S.C.R. 267) approximately 329 southeast of Kings Highway (Rt. 9). The portion of the parcel to be rezoned consists of 43.777 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." The properties to the south, east and west of the subject property also contain the Future Land Use Designation of "Coastal Area." Properties further to the north and across Kings Highway to the west are located within the municipality of Lewes.

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided 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 also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas.

The portion of this property is zoned Agricultural Residential (AR-1) Zoning District. Adjacent parcels to the north are also zoned Agricultural Residential (AR-1) Zoning District, as well as General Commercial (C-1) and Heavy Commercial (C-3). The properties to the north are zoned Medium Residential (MR) and the properties across Kings Highway and Gills Neck Road to the west and south are zoned Agricultural Residential (AR-1) Zoning District and Neighborhood Business (B-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 Residential (MR) Zoning District is listed as an applicable zoning district in the Coastal Area.

Since 2011, there have been nine (9) Change of Zone applications within a 2-mile radius of the application site. The Change of Zone applications approved include Medium Residential (MR), Neighborhood Business (B-1), Heavy Commercial (C-3) and Medium Commercial (C-2) Zoning Districts.

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



### Addresses / Parcels

TaxParcels

### Council Districts

Fire Districts

County District 01

County District 02

County District 03

County District 04

County District 05

County Boundaries

### Schools/Libraries

School Buildings (Various)

School Library

Public Library

Special Library

DOE School Districts

DOE VoTech School Districts

### Hydrology

Streams / Rivers

Lakes, Ponds, Bays

### Flood Zones

0.2% Annual Chance Flood Hazard

A

AE

AO

Open Water

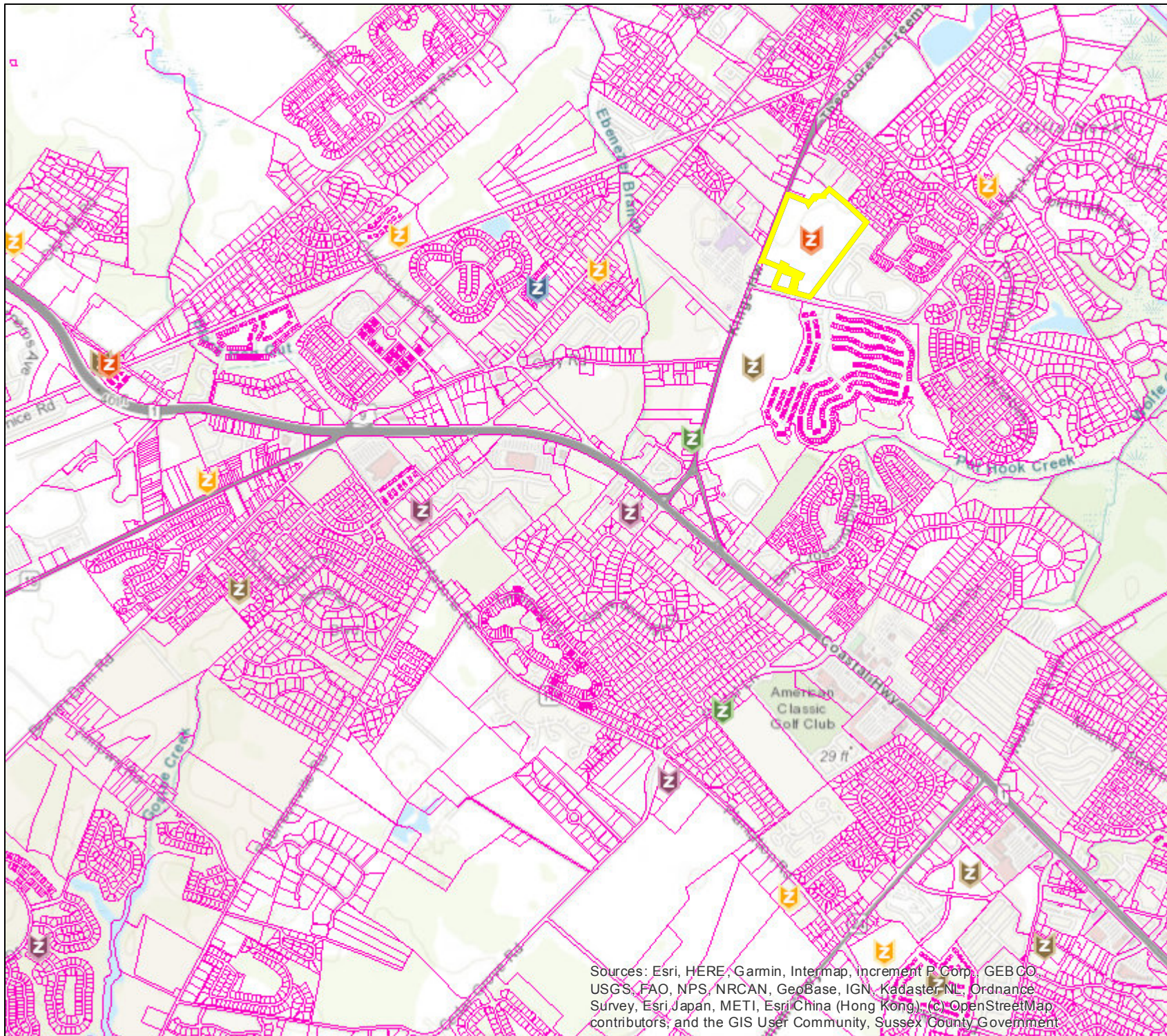
VE

Public Protected Lands

Municipalities

Communities

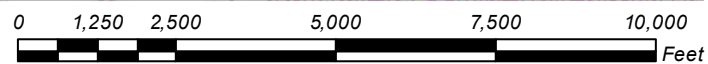
Boundaries State County



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



## Sussex County Map





File #: C21967  
202200008

**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

RECEIVED

JAN 05 2022

SUSSEX COUNTY  
PLANNING & ZONING

**Type of Application: (please check applicable)**

Conditional Use   
Zoning Map Amendment

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

Northeast quadrant of Kings Highway and Gills Neck Road, Lewes

**Type of Conditional Use Requested:**

N/A

**Tax Map #:** 335-8.00-37.00 (portion) **Size of Parcel(s):** 43.777 +/- acres

**Current Zoning:** AR-1 **Proposed Zoning:** MR **Size of Building:** TBD

**Land Use Classification:** Agricultural

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

**Applicant Information**

**Applicant Name:** Henlopen Properties, LLC

**Applicant Address:** 4750 Owing Mills Blvd

**City:** Owing Mills **State:** MD **Zip Code:** 21117

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

**Owner Information**

**Owner Name:** Mitchell Family, LLC

**Owner Address:** 1019 Kings Highway

**City:** Lewes **State:** DE **Zip Code:** 19958

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

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Davis, Bowen & Friedel, Inc.

**Agent/Attorney/Engineer Address:** 1 Park Avenue

**City:** Milford **State:** DE **Zip Code:** 19963

**Phone #:** (302) 424-1441 **E-mail:** rwl@dbfinc.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: 12/22/2021

Signature of Owner



Date: 12/22/21

For office use only:

Date Submitted: 1/5/22

Fee: \$500.00 Check #: 100250244

Staff accepting application: car

Application & Case #: 202200008

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

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

Date of PC Hearing: \_\_\_\_\_

Recommendation of PC Commission: \_\_\_\_\_

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

Decision of CC: \_\_\_\_\_

RECEIVED

JAN 05 2022

SUSSEX COUNTY  
PLANNING & ZONING



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

NICOLE MAJESKI  
SECRETARY

December 20, 2021

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 **Henlopen Properties, LLC (Jon Mayers)** proposed land use application, which we received on December 10, 2021. This application is for an approximately 42-acre portion of a 48.01-acre parcel (Tax Parcel: 335-8.00-37.00). The subject land is located on the north side of Gills Neck Road (Sussex Road 267) and the east side of Kings Highway (US Route 9). The subject land is currently zoned AR (Agriculture Residential), with a proposed zoning of MR (Medium Density Residential) for 267 multifamily houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Gills Neck Road from Red Tail Road to Kings Highway, is 4,186 vehicles per day. The annual average daily traffic volumes along Kings Highway from Kings Highway (Sussex Road 268) to Gills Neck Road, is 12,019 vehicles per day.

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

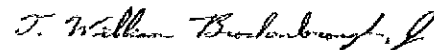


Mr. Jamie Whitehouse  
Page 2 of 2  
December 20, 2021

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

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Henlopen Properties, LLC (Jon Mayers), Applicant  
Sussex Reviewer, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furmato, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/21/2022**

APPLICATION: **CZ 1967 Henlopen Properties, LLC**

APPLICANT: **Henlopen Properties, LLC**

FILE NO: **OM-9.04**

TAX MAP &  
PARCEL(S): **335-8.00-37.00 (p/o)**

LOCATION: **Lying on the southeast side of Kings Highway (Rt. 9) and on  
the north side of Gills Neck Road (SCR 267).**

NO. OF UNITS: **Change of Zone from AR-1 to MR**

GROSS  
ACREAGE: **43.777**

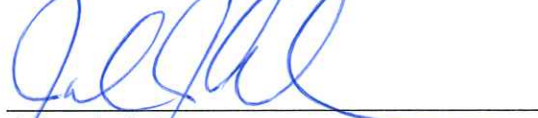
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

**SEWER:**

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

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **Click or tap here to enter text.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

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



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

NICOLE MAJESKI  
SECRETARY

February 28, 2022

Mr. Ring Lardner  
Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, DE 19963

Dear Mr. Lardner:

The enclosed Traffic Impact Study (TIS) review letter for the **Mitchell Farm (Zwaanendael Farm)** (Tax Parcel: 335-8.00-37.00) development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TIS to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville  
Project Engineer

CJ:km

Enclosures

cc with enclosures: Mr. Robert Mitchell, The Mitchell Family Ltd. Partnership  
Mr. Paul Townsend, Owner  
Mr. David Hutt, Morris, James, Wilson, Halbrook & Bayard, LLP  
Mr. DJ Hughes, Davis, Bowen & Friedel, Inc.  
Ms. Ann Marie Townshend, City Manager, City of Lewes  
Mr. David Edgell, Office of State Planning Coordination  
Mr. Jamie Whitehouse, Sussex County Planning and Zoning  
Ms. Joanne Arellano, Johnson, Mirmiran, & Thompson, Inc.  
DelDOT Distribution

## DelDOT Distribution

Brad Eaby, Deputy Attorney General  
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)  
Pamela Steinebach, Director, Planning  
Mark Luszcz, Deputy Director, Traffic, DOTS  
Peter Haag, Chief Traffic Engineer, Traffic, DOTS  
Michael Simmons, Assistant Director, Project Development South, DOTS  
Todd Sammons, Assistant Director, Development Coordination  
T. William Brockenbrough, Jr., County Coordinator, Development Coordination  
Chris Sylvester, Traffic Studies Manager, Traffic, DOTS  
Alistair Probert, South District Engineer, South District  
Matthew Schlitter, South District Public Works Engineer, South District  
Jared Kauffman, Service Development Planner, Delaware Transit Corporation  
Tremica Cherry, Service Development Planner, Delaware Transit Corporation  
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning  
Wendy Polasko, Subdivision Engineer, Development Coordination  
Steve McCabe, Sussex Review Coordinator, Development Coordination  
Mark Galipo, Traffic Engineer, Traffic, DOTS  
Brian Yates, Subdivision Manager, Development Coordination  
Annamaria Fumato, Project Engineer, Development Coordination





**Revised February 28, 2022**

October 7, 2021

Mr. Claudy Joinville  
Project Engineer  
Development Coordination  
DelDOT Division of Planning  
800 Bay Road  
P O Box 778  
Dover, DE 19903

RE: Agreement No. 1945F  
Project Number T202069012  
Traffic Impact Study Services  
**Task 4A-Mitchell Farm (Zwaanendael Farm)**

Dear Mr. Joinville:

In October 2021, Johnson, Mirmiran and Thompson (JMT) completed the review of the Traffic Impact Study (TIS) for Mitchell Farm (Zwaanendael Farm), prepared by Davis, Bowen & Friedel, Inc. dated November 2019 and the TIS Addendum prepared by Davis, Bowen & Friedel, Inc. dated April 2020. The task was assigned as Task Number 4A and the report was prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

Since that review, the developer has proposed land use changes and this letter has been revised to summarize the modifications. In addition, changes have been made to the DelDOT *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* (DelDOT Contract No. T202212901) project as well as to the interim improvements proposed by the developer. This letter summarizes the recommendations based on what is now planned and proposed. A copy of the October 7, 2021 TIS review letter is attached for reference.

The TIS evaluates the impacts of a proposed mixed-use development in Sussex County, Delaware. The current site plan proposes 14,400 square feet of shopping center, 28,800 square feet of medical/dental office, and 267 multi-family homes. This plan represents a trip generation reduction of approximately 50%. Construction is anticipated to be complete in 2027. The existing 39,000 square foot medical/dental office building on Lot 1 would remain with the land use changes.

Table 1 summarizes the updated full build out of the site. The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the *Trip Generation, 10<sup>th</sup> Edition: An ITE Informational Report*, published by the Institute of Transportation Engineers (ITE).



**Table 1**  
Mitchell Farm (Zwaanendael Farm) Trip Generation – Updated Full Build Out

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
267 Multifamily Low-Rise Houses (ITE Code 220)	1,978	28	93	121	90	52	142	101	86	187
67,800 SF Medical-Dental Office Building (ITE Code 720)*	2,517	123	35	158	65	167	232	120	90	210
14,400 SF Shopping Center (ITE Code 820)	1,610	9	5	14	62	68	130	70	64	134
<b>Total Trips</b>	<b>6,105</b>	<b>160</b>	<b>133</b>	<b>293</b>	<b>217</b>	<b>287</b>	<b>504</b>	<b>291</b>	<b>240</b>	<b>531</b>
Internal Capture	-	8	8	16	35	35	70	36	36	72
<b>New Trips</b>	<b>6,105</b>	<b>152</b>	<b>125</b>	<b>277</b>	<b>182</b>	<b>252</b>	<b>434</b>	<b>255</b>	<b>204</b>	<b>459</b>

\*The existing 39,000 square-feet of medical-dental office building on Lot 1 would be maintained as part of the proposed development and is included in this calculation.

A comparison of the new trips between the updated land use changes and the TIS/TIS Addendum was conducted. As depicted in Table 2, the proposed updated land use changes is expected to generate significantly less traffic for the full build out of the site.

**Table 2**  
Mitchell Farm (Zwaanendael Farm) Trip Generation Comparison – Full Build Out

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Updated Land Uses – New Trips	6,105	152	125	277	182	252	434	255	204	459
November 2019 TIS/April 2020 TIS Addendum – New Trips	9,268	356	166	522	271	548	819	617	478	1,095
<b>Difference</b>	<b>- 3,163</b>	<b>-204</b>	<b>-41</b>	<b>-245</b>	<b>-89</b>	<b>-296</b>	<b>-385</b>	<b>-362</b>	<b>-274</b>	<b>-636</b>



The site is located on the northeast corner of the intersection of Kings Highway (Sussex Road 268) and Gills Neck Road (Sussex Road 267). Two access points are proposed: one along Kings Highway directly opposite the proposed site access for the Beebe Medical development and one along Gills Neck Road opposite the site access for the proposed Gills Neck Village Center commercial project.

The site consists of two tax parcels, a 3-acre parcel known as Lot 1 and the remainder of the original parcel consisting of approximately 48 acres. Both parcels are zoned AR-1 (Agricultural Residential). Lot 1 is subject to a conditional use for a 39,000 square foot medical/dental office building which has been constructed. The remaining parcel (48 acres) is the subject of the following applications pending with Sussex County: a subdivision application, 2 change of zone applications (C-2 and MR), and a conditional use (MR parcel).

It should be noted that the 39,000 square foot medical/dental office building on Lot 1 that has been approved and constructed provides a Site Entrance along Gills Neck Road. The Site Entrance is constructed as a two-way stop-controlled intersection with one shared left turn/through lane and one right turn lane along the southbound Site Entrance approach (stop-controlled). One left turn lane and one through lane are provided along the eastbound Gills Neck Road approach and one through lane and one right turn lane are provided along the westbound Gills Neck Road approach. As part of the Lot 1 construction, sidewalks and bike lanes have been added along the Gills Neck Road site frontage and the Site Entrance along Gills Neck Road contains ADA compliant curb ramps.

DelDOT has several relevant and ongoing improvement projects and plans within the study area including the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project; a signal at the Kings Highway and Clay Road intersection which was recently installed; the *Corridor Management Plan* for the Lewes Scenic and Historic Byway (October 2015); the *Kings Highway and Gills Neck Road Master Plan* dated September 2016; and the Delaware River and Bay Authority (DRBA) *Freeman Highway Rehabilitation* project (DelDOT Contract No. 20191619-00). Detailed information regarding these projects can be found in the October 7, 2021 TIS review letter.

As part of the DelDOT *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* (DelDOT Contract No. T202212901) project, Kings Highway is proposed to be widened to provide two through lanes in each direction. DelDOT held a public workshop on February 23, 2022 to discuss the proposed improvements which include widening Kings Highway to provide two 11-foot lanes in each direction with 5-foot shoulders, and a curbed median would be provided to separate each direction of travel. Additionally, the following intersections along Kings Highway are proposed to be converted to roundabouts: Dartmouth Drive, Clay Road, Gills Neck Road, Beebe Medical Center/Mitchell Farm site entrance, and Freeman Highway. Pedestrian and transit improvements are also proposed. The project is in the design and planning stage with construction anticipated to start in Fiscal Year 2026. More information about the project can be found here: <https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T202212901>



The October 7, 2021 TIS review evaluated cases with dualization of Kings Highway as it was then envisioned. DelDOT's current plan of the project is different.

Although the projected trip generation associated with the site has reduced significantly, the developer has agreed to the interim improvements similar to those identified in the October 2021 TIS review. The interim improvements would add a second left turn lane from Gills Neck Road onto southbound Kings Highway and a second through lane along southbound Kings Highway starting north of Gills Neck Road and ending at Clay Road. These improvements would potentially be replaced as part of the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project. Details follow in the itemized list of recommendations.

Should Sussex County approve the proposed development, the following items should be incorporated into the site design and reflected on the record plan. All applicable agreements (i.e. letter agreements for off-site improvements and traffic signal agreements) should be executed prior to entrance plan approval for the proposed development. The following items should be implemented at the same time as site construction once all agency approvals and permits are secured and completed in accordance with DelDOT's Standards and Specifications.

1. The developer should provide a bituminous concrete overlay to the existing travel lanes along Kings Highway from north of Gills Neck Road to south of Clay Road in the area affected by the improvements discussed below in Item Number 4, including any auxiliary lanes, at DelDOT's discretion. DelDOT should analyze the existing lanes' pavement section and recommend an overlay thickness to the developer's engineer, if necessary.
2. The developer should construct a rights-in/rights-out site entrance for the proposed Mitchell Farm/Zwaanendael Farm development on Kings Highway directly across from the Beebe Medical entrance, approximately 1,550 feet north of the northeast tangent point of the Gills Neck Road/Cape Henlopen High School Entrance. The design of the entrance, including lengths of turn lanes, will be determined during the Entrance Plan review process.
3. The developer should maintain the existing site entrance for the proposed Mitchell Farm/Zwaanendael Farm development, approximately 650 feet east of the northeast tangent point of the Kings Highway intersection and directly across from the proposed Gills Neck Village Center Entrance to be consistent with the lane configurations shown in the table below:



Approach	Current Configuration	Proposed Configuration
Eastbound Gills Neck Road	One left turn lane and one through lane	One left turn lane, one through lane, and one right turn lane*
Westbound Gills Neck Road	One through lane and one right turn lane	One left turn lane**, one through lane, and one right turn lane
Northbound Gills Neck Village Center Entrance	Approach does not exist	One left turn/through lane and one right turn lane***
Southbound Site Entrance	One shared left turn/through lane and one right turn lane	No change

\*Right turn lane to be built by others

\*\*Left turn lane to be built by others

\*\*\*Approach to be built by others

Based on DelDOT’s *Development Coordination Manual*, the recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Gills Neck Road are listed below. The calculated queue lengths from the HCS analysis can be accommodated within the recommended storage length.

Approach	Left Turn Lane	Right Turn Lane
Eastbound Gills Neck Road	120 feet*	190 feet**
Westbound Gills Neck Road	120 feet**	120 feet*

\*This storage length is the existing storage length per the June 2018 Zwaanendael Farm Rezoning Sketch Plan and it should be maintained.

\*\*To be built by others

As a TOA/TIS will be performed for the Gills Neck Village Center, the recommended lane configurations and storage lengths for the Gills Neck Village Center entrance may be modified based on those results.

- The developer should improve the Kings Highway and Gills Neck Road/Cape Henlopen High School Entrance intersection to be consistent with the lane configurations shown in the table below:



<b>Approach</b>	<b>Current Configuration</b>	<b>Proposed Configuration</b>
Eastbound Cape Henlopen High School	One shared left turn/through lane and one right turn lane	No change
Westbound Gills Neck Road	One left turn lane, one through lane, and one right turn lane	Two left turn lanes and one shared through/right turn lane
Northbound Kings Highway	One left turn lane, one through lane, and one right turn lane	No change
Southbound Kings Highway	One left turn lane, one through lane, and one right turn lane	One left turn lane, two through lanes, and one right turn lane

The recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Kings Highway and Gills Neck Road are listed below.

<b>Approach</b>	<b>Left Turn Lane</b>	<b>Through/Right Turn Lane</b>	<b>Right Turn Lane</b>
Northbound Kings Highway	250 feet*	-	180 feet*
Southbound Kings Highway	340 feet*	-	280 feet*
Westbound Gills Neck Road	420 feet	570 feet**	-

\*Storage lengths match the existing storage lengths per field conditions and should be maintained.

\*\*Storage length does not match the existing storage length and requires lengthening.

The developer would reconstruct Kings Highway south of the Gills Neck Road intersection to provide two through lanes and the rightmost through lane should transition to a right turn only lane at the Clay Road intersection. An SUP should be constructed along Kings Highway from Cape Henlopen High School to Clay Road.

The developer should donate any temporary construction easements needed to build and remove the interim improvements.

The developer should enter into a traffic signal agreement with DeIDOT for the intersection of Kings Highway with Gills Neck Road to address the changes necessitated in the above improvements. The traffic signal agreement should include pedestrian signals, crosswalks, interconnection, and ITS equipment such as CCTV cameras at DeIDOT's discretion. Prior to Entrance Plan approval, the developer should submit a plan to the DeIDOT Development Coordination section depicting the design of Kings Highway from Gills Neck Road to Clay Road. The final design should be determined during the Entrance Plan review process.



5. The developer should enter into an agreement with DelDOT to fund an equitable portion of improvements to the intersections of Kings Highway with Dartmouth Drive, Clay Road, Gills Neck Road/Cape Henlopen High School Entrance, Atlantic Drive, Freeman Highway, Bay Breeze Drive, and the Site Entrance/Beebe Medical Center Entrance as part of the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project. The developer should coordinate with DelDOT on the implementation and equitable cost sharing of the improvements.
6. The development should dedicate right-of-way along Kings Highway and Gills Neck Road in accordance with the functional classification of both roads to provide 50 feet from centerline on Kings Highway and 30 feet from centerline on Gills Neck Road. In addition, on Kings Highway, the development should reserve 30 feet parallel to Kings Highway to accommodate the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project. Beyond these right-of-way dedications/reservations both roads should have a 15-foot-wide permanent easement.
7. The developer should enter into an agreement with DelDOT to fund an equitable portion of improvements to the intersection of Clay Road and Marsh Road as part of the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project. The project will improve the intersection of Marsh Road and Clay Road to eliminate the existing skewed angle of the intersection. The developer should coordinate with DelDOT on the implementation and equitable cost sharing of the Clay Road and Marsh Road intersection improvements.
8. Vehicular interconnections or cross access easements between the on-site lots should be provided. The developer should coordinate with DelDOT's Development Coordination Section to determine the locations and feasibilities of the interconnections.
9. The following bicycle, pedestrian, and transit improvements should be included:
  - a. A minimum fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the Kings Highway site frontage. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP) to meet the shared-use path recently constructed for Lot 1. The developer should coordinate with DelDOT's Development Coordination and Project Development South sections during the plan review process to identify the exact location of the SUP.
  - b. One or more accessways should be provided from the SUP into the site at locations to be defined during the Plan review process.



- c. Where internal sidewalks are located alongside of parking spaces, a buffer, physical barrier or signage should be added to eliminate vehicular overhang onto the sidewalk.
- d. The tie-in installed for Lot 1 should be removed once the SUP is extended along the entire property frontage.
- e. ADA compliant curb ramps and marked crosswalks should be provided along the Kings Highway Site Entrance approach to Kings Highway. The use of diagonal curb ramps is discouraged.
- f. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the northbound Kings Highway approach to the Kings Highway Site Entrance.
- g. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/shared-use paths or should be flush with the pavement.
- h. Bike parking should be provided near the building entrances. Where the building architecture provides for an awning or other overhang, the bike parking should be covered.
- i. A Type 2 bus stop should be installed at the Kings Highway Site Entrance intersection. The developer should coordinate with DART and DeIDOT on the location, design, as well as the amenities to provide.

Please note that this review generally focuses on capacity and level of service issues; additional safety and operational issues will be further addressed through DeIDOT's Plan Review process.

Improvements in this TIS may be considered "significant" under DeIDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DeIDOT's website at [https://www.deldot.gov//Publications/manuals/de\\_mutcd/index.shtml](https://www.deldot.gov//Publications/manuals/de_mutcd/index.shtml). For any additional information regarding the work zone impact and mitigation procedures during construction please contact Mr. Jeff VanHorn, Assistant Director for Traffic Operations and Management. Mr. VanHorn can be reached at (302) 659-4606 or by email at [Jeffrey.VanHorn@delaware.gov](mailto:Jeffrey.VanHorn@delaware.gov).





Additional details on our review of the TIS are attached. Please contact me at (302) 266-9600 if you have any questions concerning this review.

Sincerely,  
Johnson, Mirmiran, and Thompson, Inc.

A handwritten signature in black ink, appearing to read 'Joanne M. Arellano'.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE  
Janna Brown, E.I.T.  
Enclosure

**October 7, 2021 TIS Review Letter**



October 7, 2021

Mr. Troy Brestel  
Project Engineer  
Development Coordination  
DelDOT Division of Planning  
800 Bay Road  
P O Box 778  
Dover, DE 19903

RE: Agreement No. 1945F  
Project Number T202069012  
Traffic Impact Study Services  
**Task 4A-Mitchell Farm (Zwaanendael Farm)**

Dear Mr. Brestel:

Johnson, Mirmiran and Thompson (JMT) has completed the review of the Traffic Impact Study (TIS) for Mitchell Farm (Zwaanendael Farm), prepared by Davis, Bowen & Friedel, Inc. dated November 2019 and the TIS Addendum prepared by Davis, Bowen & Friedel, Inc. dated April 2020. This task was assigned as Task Number 4A. The report is prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The TIS evaluates the impacts of a proposed mixed-use development in Sussex County, Delaware. The development would be comprised of 206,500 square feet of medical/office buildings, 60 single-family homes, and 150 multi-family (mid-rise) homes. Construction is anticipated to be complete in 2027.

The site is located on the northeast corner of the intersection of Kings Highway (Sussex Road 268) and Gills Neck Road (Sussex Road 267). Two full access points are proposed: one along Kings Highway directly opposite the proposed site access for the Beebe Medical development and one along Gills Neck Road opposite the site access for the proposed Gills Neck Village Center commercial project.

The site consists of two tax parcels, a 3-acre parcel known as Lot 1 and the remainder of the original parcel consisting of approximately 48 acres. Both parcels are zoned AR-1 (Agricultural Residential). Lot 1 is subject to a conditional use for a 39,000 square foot medical/office building which has been constructed. The remaining parcel (48 acres) is the subject of the following applications pending with Sussex County: a subdivision application, 3 change of zone applications (B-2, C-3, and MR), and a conditional use (MR parcel).

It should be noted that the 39,000 square foot medical/office building on Lot 1 that has been approved and constructed provides a Site Entrance along Gills Neck Road. The Site Entrance is constructed as a two-way stop-controlled intersection with one shared left turn/through lane and one right turn lane along the southbound Site Entrance approach (stop-controlled). One left turn



lane and one through lane are provided along the eastbound Gills Neck Road approach and one through lane and one right turn lane are provided along the westbound Gills Neck Road approach. As part of the Lot 1 construction, sidewalks and bike lanes have been added along the Gills Neck Road site frontage and the Site Entrance along Gills Neck Road contains ADA compliant curb ramps.

DelDOT has several relevant and ongoing improvement projects and plans within the study area including the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project; a signal at the Kings Highway and Clay Road intersection which was recently installed; the *Corridor Management Plan* for the Lewes Scenic and Historic Byway (October 2015); the *Kings Highway and Gills Neck Road Master Plan* dated September 2016; the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project; and the Delaware River and Bay Authority (DRBA) *Freeman Highway Rehabilitation* project (DelDOT Contract No. 20191619-00). Detailed information regarding these projects can be found later in this letter.

As part of the DelDOT *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project, Kings Highway is proposed to be widened to provide two through lanes in each direction. For the purposes of this letter, this DelDOT project will also be referred to as the Kings Highway Dual Lane project. At each intersection within the DelDOT project limits, improvement alternatives to achieve acceptable LOS in addition to dual lanes will be evaluated and subject to the typical DelDOT process, which includes public workshops.

While the specific alternatives to be examined in developing the DelDOT project have not been determined, improvement alternatives have been previously identified in several documents, including the 2007 DelDOT Planning *Kings Highway Corridor Study*, 2008 DelDOT TIS Review Letters, 2009 Letter Agreement, 2009 DelDOT Planning document *Kings Highway/Gills Neck Road Planned Area Improvements*, 2015 Lewes Scenic and Historic Byway *Corridor Management Plan*, and the 2016 DelDOT *Kings Highway/Gills Neck Road Master Plan* completed as part of the Lewes Scenic and Historic Byway.

The TIS evaluates the following future 2027 scenarios:

- Case 2a – Future 2027 without development and without Kings Highway Dual Lane project
- Case 3a – Future 2027 with development and without Kings Highway Dual Lane project
- Case 3b – Future 2027 with development and with Kings Highway Dual Lane project
- Case 3c – Future 2027 with development, with no site entrance along Kings Highway and without the completion of the Kings Highway Dual Lane project

JMT also included a future 2027 without development scenario with the completion of the Kings Highway Dual Lane project (Case 2b). Intersections outside the limits of the Kings Highway Dual Lane project were addressed as part of Case 2a, without development; and 3a with the development.



As part of the TIS Addendum, the following scenarios were evaluated and included in JMT's review:

- Case 2d – Future 2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without Kings Highway Dual Lane project
- Case 3d – Future 2023 with 117,000 square feet of medical/dental office space, including 39,000 square feet medical/dental office space from Lot 1, and without Kings Highway Dual Lane project and a rights-in site entrance along Kings Highway
- Case 3b – Future 2027 with development and with Kings Highway Dual Lane Project and Bay Breeze Drive left turn out restriction

Only intersections impacted by volume modifications during Cases 2d, 3d, and 3b were analyzed as part of the TIS Addendum. Specifically, for Cases 2d and 3d the following intersections were analyzed as part of JMT's review:

- Kings Highway (Sussex Road 268)/Site Entrance
- Gills Neck Road (Sussex Road 267)/Site Entrance
- Kings Highway/Atlantic Drive
- Kings Highway/Gills Neck Road/Cape Henlopen High School Entrance
- Kings Highway/Clay Road (Sussex Road 269)

For Case 3b, the following intersections were analyzed as part of JMT's review:

- Kings Highway/Bay Breeze Drive
- Kings Highway/Freeman Highway (Sussex Road 23)

The TIS Addendum also included an additional scenario for a Future 2021 condition with development of Lot 1 (39,000 square feet of medical/dental office space) and without Kings Highway Dual Lane project. However, per direction from DelDOT this scenario was not included in this review.

In addition to the TIS Addendum, analyses were conducted for the additional "Case 4 – Future 2027 with development and Kings Highway Dual Lane Project with Additional Improvements" scenario at intersections along Kings Highway which operated under constrained conditions despite the widening of the roadway (Case 3b). These Case 4 analyses were conducted for planning purposes only. The actual intersection improvements will be determined as part of the DelDOT project.

Based on our review of the TIS and assuming the DelDOT Kings Highway Dual Lane project will be completed by 2027 per the DelDOT CTP and discussions with DelDOT, we have the following comments and recommendations:

With the Kings Highway Dual Lane Project and individual intersection improvements alternatives to be evaluated as part of the DelDOT Project process that includes public workshops,



improvement alternatives to achieve acceptable LOS will be identified. The following intersections (signalized) or intersection approaches (unsignalized) exhibit level of service (LOS) deficiencies without the implementation of physical roadway and/or traffic control improvements. Any location and scenario shown with an “X” in the following tables indicates a LOS deficiency. Further details are provided later in this letter.

Intersection	Intersection Control	LOS Deficiencies Occur			Year	Case
		AM	PM	Saturday		
Kings Highway (Sussex Road 268)/Site Entrance/Beebe Medical Entrance	Unsignalized		X	X	2027	2a
					2027	2b
					2023	2d
		X	X	X	2027	3a
		X	X	X	2027	3b
			X	X	2027	3c
				X	2023	3d
	Roundabout				2027	2a
					2027	2b
			X	X	2027	3a
					2027	3b
			X	X	2027	3c
	Signalized				2027	2a
			X	X	2027	3a
					2027	3b
					2027	3c
					2027	3d
Gills Neck Road (Sussex Road 267)/Site Entrance/Gills Neck Village Center Entrance	Unsignalized				2027	2a
					2023	2d
		X*	X*	X*	2027	3a
		X*	X*	X*	2027	3b
		X*	X	X	2027	3c
			X*	X*	2023	3d

\*LOS deficiency occurs along the Gills Neck Village Center Entrance approach which is to be built by others.



Intersection	Intersection Control	LOS Deficiencies Occur			Year	Case
		AM	PM	Saturday		
Kings Highway (Sussex Road 268)/Bay Breeze Drive	Unsignalized			X	2018	1
			X	X	2027	2a
			X	X	2027	2b
			X	X	2027	3a
					2027	3b
	Roundabout				2027	2a
					2027	2b
				X	2027	3a
					2027	3b
	Signalized				2027	2a
					2027	2b
					2027	3a
					2027	3b
Kings Highway/Freeman Highway (Sussex Road 23)	Unsignalized				2018	1
			X	X	2027	2a
			X	X	2027	3a
			X	X	2027	3b
	Signalized				2027	2
					2027	3
Kings Highway (Sussex Road 268)/Savannah Road (Sussex Road 18)	Unsignalized			X	2018	1
			X	X	2027	2a
			X	X	2027	3a
	Single Lane Roundabout				2027	2a
					2027	3a
	Signalized				2027	2a
					2027	3a



Intersection	Intersection Control	LOS Deficiencies Occur			Year	Case
		AM	PM	Saturday		
Savannah Road/Gills Neck Road/Front Street (Sussex Road 267)	Signalized			X	2018	1
				X	2027	2a
					2027	2a*
				X	2027	3a
					2027	3a*
	Single Lane Roundabout				2027	2a
					2027	3a
Kings Highway (Sussex Road 268)/Atlantic Drive	Unsignalized				2018	1
			X	X	2027	2a
				X	2027	2b
			X	X	2023	2d
			X	X	2027	3a
					2027	3b*
			X	X	2027	3c
			X	X	2023	3d
	Signalized				2027	2a
					2027	2b
					2023	2d
			X		2027	3a
					2027	3b*
					2027	3c
			2023	3d		

Notes:

<sup>1</sup>At the intersection of Savannah Road/Gills Neck Road/Front Street, Case 2a\* and 3a\* are scenarios which include implementing an additional through lane along northbound and southbound Savannah Road.

<sup>2</sup>Atlantic Drive would provide only rights-in/rights-out movements along Kings Highway during Case 3b\*.





Intersection	Intersection Control	LOS Deficiencies Occur			Year	Case
		AM	PM	Saturday		
Kings Highway/Gills Neck Road/Cape Henlopen High School	Signalized	X	X	X	2018	1
		X	X	X	2027	2a
		X			2027	2b
		X		X	2023	2d
		X	X	X	2027	3a
		X	X	X	2027	3b
		X	X	X	2027	3c
		X		X	2023	3d
			2027	4		
Kings Highway/Clay Road (Sussex Road 269)	Unsignalized	X	X	X	2018	1
	Signalized	X	X	X	2027	2a
					2027	2b
			X		2023	2d
		X	X	X	2027	3a
			X		2027	3b
		X	X	X	2027	3c
			X	X	2023	3d
				4		
Kings Highway (Sussex Road 268)/Dartmouth Drive (Sussex Road 268A)	Unsignalized		X	X	2018	1
		X	X	X	2027	2a
		X	X	X	2027	3a
	Single Lane Roundabout				2027	2a
					2027	3a
	Signalized				2027	2a
			X	2027	3a	

As shown in the above table, ten study intersections are identified to exhibit LOS deficiencies. To minimize the impact of the deficiencies without the completion of the Kings Highway Dual Lane Project, interim condition improvements have been identified. The following section separates the analysis results based on the full build out of the site and the interim condition.



## Interim Condition

As part of the TIS report, interim improvements without the implementation of the Kings Highway Dual Lane project were recommended at the Gills Neck Road/Cape Henlopen High School Entrance intersection. One scenario of the interim improvements included the modification of the westbound Gills Neck Road approach to provide two left turn lanes and a shared through/right turn lane and providing split phase signal operation along the eastbound and westbound approaches. In addition, the southbound Kings Highway approach would be modified to provide one left turn lane, one through lane, and one shared through/right turn lane.

Per a meeting between DelDOT and the developer on February 26, 2020, the interim improvements were further refined from those mentioned in the TIS and were identified to contain the following:

- Restripe the westbound Gills Neck Road approach to Kings Highway to provide two left turn lanes, and one shared through/right turn lane
- Lengthen the westbound Gills Neck Road shared through/right turn lane to provide 570 feet of storage.
- Restripe the southbound Kings Highway approach to Gills Neck Road to provide one left turn lane, one through lane, and one shared through/right turn lane
- Restripe southbound Kings Highway south of Gills Neck Road to provide two through lanes, the rightmost through lane would become a right-turn only lane onto Clay Road
- Construct a shared-use path along the western side of Kings Highway from the Gills Neck Road/Cape Henlopen High School Entrance intersection to the Clay Road intersection
- Provide a rights-in only entrance along Kings Highway across from the proposed Beebe Medical Center development
- Maintain the full movement entrance along Gills Neck Road across from the proposed Gills Neck Village Center access

The TIS Addendum analyzed these interim conditions based on a partial build of the site (117,000 square feet of medical/office space in 2023) without the Kings Highway Dual Lane project and with a rights-in access along Kings Highway (Case 3d). At the unsignalized Kings Highway/Site Entrance/Beebe Medical Site Entrance intersection, the eastbound Beebe Medical Site Entrance would experience capacity constraints during the Case 3d Saturday peak period (LOS F with 50.6 seconds of delay per vehicle). However, the projected 95<sup>th</sup> percentile queue length would be approximately 20 feet, which would have minimal impacts to the Beebe Medical Site Entrance.

At the unsignalized Gills Neck Road/Site Entrance/Gills Neck Village Center Entrance, the northbound Gills Neck Village Center Entrance would experience capacity constraints during the Case 3d weekday PM and Saturday peak periods (LOS F with 76.3 seconds of delay per vehicle). The projected 95<sup>th</sup> percentile queue length would be approximately 105 feet. As the design of this entrance would be the responsibility of the Gills Neck Village Center, additional improvements to mitigate the LOS deficiencies at this intersection during the Case 3d conditions would be unreasonable to assign to the Mitchell Farm developer.



At the unsignalized Kings Highway/Atlantic Drive intersection, the eastbound Atlantic Drive approach would experience capacity constraints during the Case 3d weekday PM and Saturday peak periods (LOS F with 164.8 seconds of delay per vehicle). However, the projected 95<sup>th</sup> percentile queue length would be approximately 80 feet, which could be accommodated within Atlantic Drive and not impact adjacent intersections.

At the signalized Kings Highway/Gills Neck Road/Cape Henlopen High School intersection, LOS deficiencies would continue to occur during the weekday AM, weekday PM, and Saturday peak periods under Case 3d conditions. However, the delays would reduce when compared to 2018 Existing Case 1 conditions during all peak periods. Specifically, during the Saturday peak period, the Case 1 delay is calculated to be 832.0 seconds per vehicle and under Case 3d conditions the delay would decrease to 366.8 seconds per vehicle. For the Saturday peak period, it should be noted that the proposed site entrance along Gills Neck Road is approximately 650 feet east of the Gills Neck Road/Kings Highway intersection. The projected 95<sup>th</sup> percentile queue length under Case 3d conditions during the Saturday peak period would be approximately 770 feet which would spillback past the Gills Neck Road site entrance. DBF analysis calculated a shorter 95<sup>th</sup> percentile queue length along westbound Gills Neck Road. However, the DBF analysis incorporated a longer signal cycle length and did not account for the signalization of Clay Road at Kings Highway.

With the future signalization of the Kings Highway/Clay Road intersection and the addition of an access on the easterly leg for the Gills Neck Village Center, the Kings Highway/Clay Road intersection would experience capacity constraints under Case 3d weekday PM and Saturday peak period conditions (LOS F with 165.2 seconds of delay per vehicle). The calculated 95<sup>th</sup> percentile queue length along the southbound Kings Highway approach to Clay Road would be approximately 2,300 feet during the weekday PM peak period and would impact operations at intersections upstream including the Kings Highway/Gills Neck Road intersection.

As interim improvements would reduce the delay at the Kings Highway and Gills Neck Road intersection prior to the completion of the Kings Highway Dual Lane project and improve operations along Kings Highway between the Beebe Medical Site Entrance and Clay Road compared to existing conditions, it is recommended that the developer implement the interim improvements as part of the partial build of the site (117,000 square feet of medical/office space).

#### Full Build Out of Site

The unsignalized Site Entrance along Kings Highway is proposed approximately 1,550 feet north of the northeast tangent point of the Gills Neck Road/Cape Henlopen High School Entrance intersection and exhibits LOS deficiencies during the AM, PM, and Saturday peak hours under future conditions with or without the proposed development and without completion of the Kings Highway Dual Lane project. These deficiencies occur along the eastbound Beebe Medical Entrance and the westbound Site Entrance approaches.



The provision of a signal and the completion of the Kings Highway Dual Lane project would improve the intersection to operate at LOS C (25.0 seconds of delay per vehicle) or better during all peak hours under future conditions, with or without the proposed development. However, these improvements should be part of the larger long-term improvement Kings Highway Dual Lane project. Therefore, we do not recommend the developer implement any improvements at this intersection. It is recommended that the developer coordinate with DelDOT on the implementation and equitable cost sharing of the Kings Highway Dual Lane project including the installation of a signal at this intersection.

The unsignalized Atlantic Drive intersection with Kings Highway exhibits LOS deficiencies during the PM and Saturday peak hours under future conditions, with or without the proposed development and without the completion of the Kings Highway Dual Lane project. These deficiencies can be mitigated through the completion of the Kings Highway Dual Lane project or signalization of the intersection. However, due to the proximity of the Atlantic Drive intersection to the proposed Kings Highway Site Entrance intersection and the Kings Highway/Gills Neck Road intersection, it is suggested that the Atlantic Drive approach to Kings Highway be modified to rights-in/rights-out only and remain unsignalized. The intersection will operate at acceptable LOS C (18.1 seconds of delay per vehicle) or better with a rights-in/rights out only restriction.

Additionally, interconnection should be provided between Henlopen Gardens and the proposed Beebe Medical development to minimize the number of U-turn movements at the adjacent signalized intersections. If interconnection is not feasible, U-turn movements could be provided at the adjacent signalized intersections as part of the Kings Highway Dual Lane project. These improvements should be part of the larger long-term improvement Kings Highway Dual Lane project. Therefore, we do not recommend the developer implement any improvements at this intersection. It is recommended that the developer coordinate with DelDOT on the implementation and equitable cost sharing of the Kings Highway Dual Lane project.

The signalized Gills Neck Road/Cape Henlopen High School Entrance intersection with Kings Highway exhibits LOS deficiencies during the AM, PM, and Saturday peak hours under existing and future conditions, with or without the proposed development and without the completion of the Kings Highway Dual Lane project. These deficiencies could be mitigated by the provision of one left turn lane, one shared left turn/through lane, and one right turn lane along westbound Gills Neck Road, the provision of one left turn lane, one through lane, and one right turn lane along the eastbound Cape Henlopen High School Entrance approach, the modification of the signal phasing along the eastbound and westbound approaches to split phase, and the completion of the Kings Highway Dual Lane project. These improvements would improve the intersection to operate at LOS D (54.9 seconds of delay per vehicle). The improvements that require widening of the roadway should be part of the larger long-term improvement Kings Highway Dual Lane project. Therefore, we recommend the developer implement only the interim improvements at this intersection and coordinate with DelDOT on the equitable cost sharing of the Kings Highway Dual Lane project.



The unsignalized Site Entrance along Gills Neck Road is proposed approximately 650 feet east of the northeast tangent point of the Kings Highway intersection and exhibits LOS deficiencies during the AM, PM, and Saturday peak hours under future conditions with the proposed development and with or without the completion of the Kings Highway Dual Lane project. Specifically, these deficiencies are only projected along the northbound Gills Neck Village Center Entrance with delays during the PM peak of 201.4 seconds per vehicle under Cases 3a and 3b conditions, and the calculated 95<sup>th</sup> percentile queue length would be approximately 113 feet. Although long delays are expected, they would occur at the Gills Neck Village Center Entrance and should not be the responsibility of the Mitchell Farm developer to mitigate as the Site Entrance for the Mitchell Farm (Zwaanendael Farm) site has already been constructed. As such, it is recommended that the Mitchell Farm developer maintain the full access at the Site Entrance.

The formerly unsignalized intersection of Clay Road with Kings Highway exhibited LOS deficiencies during the AM, PM, and Saturday peak hours under existing and future conditions, with or without the proposed development and with or without the completion of the Kings Highway Dual Lane project. DelDOT recently converted the intersection to a signalized intersection consistent with the recommendations from DelDOT's *Signal Justification Study US9 – Kings Highway (S268) & Clay Road (S269)*. The study also recommended a long-term improvement to determine the feasibility of converting the intersection to a roundabout or installing appropriate turn lanes as part of a larger project such as the Kings Highway Dual Lane project. Additionally, the Gills Neck Village Center development will construct a westbound approach to the intersection.

A TIS/TOA has not been completed for the Gills Neck Village Center development as previously contemplated. However, per the January 15, 2008, TIS review letter performed by McCormick Taylor for the original development proposed at the site (the Gills Neck Road Subdivision, Townsend Property), the westbound approach was recommended to provide two left turn lanes, one through lane, and one right turn lane opposite Clay Road. With the signalization of the intersection, the completion of the Kings Highway Dual Lane project, and the addition of auxiliary lanes along all approaches, the intersection would operate at acceptable LOS. Therefore, we recommend the Mitchell Farm developer only implement the interim improvements at the intersection. However, it is recommended that the Mitchell Farm developer coordinate with DelDOT on the implementation and equitable cost sharing of the improvements at this intersection as part of the Gills Neck Village Center development and the Kings Highway Dual Lane project. The improvements should include the provision of two left turn lanes along the westbound Gills Neck Village Center approach.

The unsignalized intersection of Kings Highway and Dartmouth Drive exhibits LOS deficiencies during the AM, PM, and Saturday peak hours under existing and future conditions with or without the development and with or without the Kings Highway Dual Lane project. The deficiencies at this intersection could be mitigated through the provision of a roundabout or a signal.

Per the January 15, 2008, TIS review letter for the Gills Neck Road Subdivision, improvements were recommended to modify the intersection to a single-lane roundabout with a bypass lane for



the southbound Kings Highway right-turn movement and a bypass lane for the northbound Kings Highway through movement. Should a roundabout be determined to be infeasible at this location, the January 15, 2008, TIS review letter also recommended the eastbound Dartmouth Drive approach be modified to provide an exclusive left-turn lane and a shared left turn/right turn lane as well provide a second receiving lane along northbound Kings Highway. However, these improvements are outside the scope of this TIS, as any extensive improvements to this intersection should be part of a larger long-term improvement project (such as the Kings Highway Dual Lane project). Therefore, we do not recommend the developer implement any improvements at this intersection. It is recommended that the developer coordinate with DelDOT on the equitable cost sharing of the Kings Highway Dual Lane project including either the installation of a roundabout or a signal at this intersection.

The unsignalized Bay Breeze Drive intersection with Kings Highway exhibits LOS deficiencies during the PM and Saturday peak hours under existing and future conditions, with or without the proposed development and with or without the completion of the Kings Highway Dual Lane project. These deficiencies could be mitigated through the provision of a signal or by restricting left-out movements from Bay Breeze Drive. However, these improvements are outside the scope of this TIS, as any extensive improvements to this intersection should be part of a larger long-term improvement project (such as the Kings Highway Dual Lane project). Therefore, we do not recommend the developer implement any improvements at this intersection.

The unsignalized Freeman Highway intersection with Kings Highway exhibits LOS deficiencies during the PM and Saturday peak hours under future conditions, with or without the proposed development and with or without the completion of the Kings Highway Dual Lane project. These deficiencies could be mitigated through the provision of a signal. However, these improvements are outside the scope of this TIS, as any extensive improvements to this intersection should be part of a larger long-term improvement project (such as the Kings Highway Dual Lane project). Therefore, we do not recommend the developer implement any improvements at this intersection.

It should be noted that the TIS analyzed the Freeman Highway intersection with Kings Highway with a different methodology from that used by JMT. Based on coordination with DelDOT's Planning and Traffic Studies Sections, it was agreed that JMT's approach to analyzing this intersection was more appropriate. However, the TIS methodology could be deemed the more appropriate approach if a gap study was conducted to further validate this method.

The unsignalized Savannah Road intersection with Kings Highway exhibits LOS deficiencies during the PM and Saturday peak hours under existing and future conditions with or without the proposed development. These deficiencies could be mitigated through the provision of a single lane roundabout or a signal. However, a roundabout is not feasible at this location due to the existing buildings adjacent to the intersection. Additionally, the deficiencies occur along the eastbound 3<sup>rd</sup> Street approach and the 95<sup>th</sup> percentile queue length along this approach under Case 3 conditions during the Saturday peak hour is approximately 255 feet which would not extend into the adjacent Chestnut Street intersection. Therefore, we do not recommend the developer implement any improvements at this intersection.



The signalized Front Street/Gills Neck Road intersection with Savannah Road exhibits LOS deficiencies during the Saturday peak hour under existing and future condition with or without the proposed development. These deficiencies could be mitigated through the provision of a single lane roundabout or an additional through lane along northbound and southbound Savannah Road. However, a roundabout is not feasible at this location due to the existing buildings adjacent to the intersection and widening Savannah Road may not be feasible at this location due to the existing draw bridge located along the northerly leg. Therefore, we do not recommend the developer implement any improvements at this intersection.

Should Sussex County approve the proposed development, the following items should be incorporated into the site design and reflected on the record plan. All applicable agreements (i.e. letter agreements for off-site improvements and traffic signal agreements) should be executed prior to entrance plan approval for the proposed development.

Interim Improvements

The following items should be incorporated as part of the partial build out of the site (117,000 square feet of medical/office space) or any land use not projected to exceed the daily or peak hour site traffic based on the partial build out of the site.

1. The developer should provide a bituminous concrete overlay to the existing travel lanes along the northbound Kings Highway site frontage in the area affected by entrance plan construction, including any auxiliary lanes, at DelDOT’s discretion. DelDOT should analyze the existing lanes’ pavement section and recommend an overlay thickness to the developer’s engineer, if necessary.
  
2. The developer should construct a rights-in only site entrance for the proposed Mitchell Farm/Zwaanendael Farm development on Kings Highway, approximately 1,550 feet north of the northeast tangent point of the Gills Neck Road/Cape Henlopen High School Entrance intersection to be consistent with the lane configurations shown in the table below:

<b>Approach</b>	<b>Current Configuration</b>	<b>Proposed Configuration</b>
Eastbound Beebe Medical Entrance	Approach does not exist	One left turn lane and one right turn lane*
Westbound Site Entrance	Approach does not exist	One receiving lane for the rights-in movements**
Northbound Kings Highway	One through lane	One shared left turn/through lane and one right turn lane**
Southbound Kings Highway	One through lane	One through lane and one right turn lane*

\*To be built by others



\*\*To be built by developer by 2023 before the completion of the Mitchell Farm/Zwaanendael Farm medical/office space.

Based on DelDOT’s *Development Coordination Manual*, the recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Kings Highway are listed below. The calculated queue lengths from the HCS analysis can be accommodated within the recommended storage length.

Approach	Right Turn Lane
Northbound Kings Highway	290 feet
Southbound Kings Highway	115 feet*

\*This storage length is the proposed storage length on the October 4, 2019, plans for the Beebe Medical Center and it should be built by the developer of that project.

The developer should submit a plan to DelDOT’s Development Coordination section depicting the design of the signalized intersection as it could exist in 2027 and show the interim improvements in that context. The final design of the site entrance should be determined during the Entrance Plan review process.

- The developer should maintain the existing site entrance for the proposed Mitchell Farm/Zwaanendael Farm development, approximately 650 feet east of the northeast tangent point of the Kings Highway intersection and directly across from the proposed Gills Neck Village Center Entrance to be consistent with the lane configurations shown in the table below:

Approach	Current Configuration	Proposed Configuration
Eastbound Gills Neck Road	One left turn lane and one through lane	One left turn lane, one through lane, and one right turn lane*
Westbound Gills Neck Road	One through lane and one right turn lane	One left turn lane**, one through lane, and one right turn lane
Northbound Gills Neck Village Center Entrance	Approach does not exist	One left turn/through lane and one right turn lane***
Southbound Site Entrance	One shared left turn/through lane and one right turn lane	No change

\*Right turn lane to be built by others

\*\*Left turn lane to be built by others

\*\*\*Approach to be built by others





Based on DelDOT’s *Development Coordination Manual*, the recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Gills Neck Road are listed below. The calculated queue lengths from the HCS analysis can be accommodated within the recommended storage length.

<b>Approach</b>	<b>Left Turn Lane</b>	<b>Right Turn Lane</b>
Eastbound Gills Neck Road	120 feet*	190 feet**
Westbound Gills Neck Road	120 feet**	120 feet*

\*This storage length is the existing storage length per the June 2018 Zwaanendael Farm Rezoning Sketch Plan and it should be maintained.

\*\*To be built by others

As a TOA/TIS will be performed for the Gills Neck Village Center, the recommended lane configurations and storage lengths for the Gills Neck Village Center entrance may be modified based on those results.

- The developer should restripe the Kings Highway and Gills Neck Road/Cape Henlopen High School Entrance intersection to be consistent with the lane configurations shown in the table below:

<b>Approach</b>	<b>Current Configuration</b>	<b>Proposed Configuration</b>
Eastbound Cape Henlopen High School	One shared left turn/through lane and one right turn lane	No change
Westbound Gills Neck Road	One left turn lane, one through lane, and one right turn lane	Two left turn lanes and one shared through/right turn lane
Northbound Kings Highway	One left turn lane, one through lane, and one right turn lane	No change
Southbound Kings Highway	One left turn lane, one through lane, and one right turn lane	One left turn lane, one through lane, and one shared through/right turn lane

The recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Kings Highway and Gills Neck Road are listed below.



Approach	Left Turn Lane	Through/Right Turn Lane	Right Turn Lane
Northbound Kings Highway	250 feet*	-	180 feet*
Southbound Kings Highway	340 feet*	550 feet	-
Westbound Gills Neck Road	420 feet	570 feet**	-

\*Storage lengths match the existing storage lengths per field conditions and should be maintained.

\*\*Storage length does not match the existing storage length and requires lengthening.

The developer should restripe Kings Highway south of the Gills Neck Road intersection to provide two through lanes and the rightmost through lane should transition to a right turn only lane at the Clay Road intersection. The SUP should be constructed along Kings Highway to connect to Clay Road and the shoulder along Kings Highway should be eliminated.

The developer should enter into a traffic signal agreement with DelDOT for the intersection of Kings Highway with Gills Neck Road. The traffic signal agreement should include pedestrian signals, crosswalks, interconnection, and ITS equipment such as CCTV cameras at DelDOT's discretion. Prior to Entrance Plan approval, the developer should submit a plan to DelDOT Development Coordination section depicting the design of Kings Highway from Gills Neck Road to Clay Road. The final design should be determined during the Entrance Plan review process.

### Full Build Out Improvements

The following items should be incorporated as part of the full build out of the site.

5. The developer should enter into an agreement with DelDOT to fund an equitable portion of improvements to the intersections of Kings Highway with Dartmouth Drive, Clay Road, Gills Neck Road/Cape Henlopen High School Entrance, Atlantic Drive, Freeman Highway, Bay Breeze Drive, and the Site Entrance/Beebe Medical Center Entrance as part of the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project. The developer should coordinate with DelDOT on the implementation and equitable cost sharing of the improvements. The amount of right-of-way dedicated by the property owner for the DelDOT Project in excess of 50 feet from the centerline on Kings Highway and 40 feet from the centerline on Gills Neck Road that otherwise would have been purchased as part of the DelDOT project would be considered as part of the contribution towards the DelDOT project.



6. The developer should enter into an agreement with DelDOT to fund an equitable portion of improvements to the intersection of Clay Road and Marsh Road as part of the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project. The project will improve the intersection of Marsh Road and Clay Road to eliminate the existing skewed angle of the intersection. The developer should coordinate with DelDOT on the implementation and equitable cost sharing of the Clay Road and Marsh Road intersection improvements.
7. Vehicular interconnections or cross access easements between the on-site lots should be provided. The developer should coordinate with DelDOT's Development Coordination Section to determine the locations and feasibilities of the interconnections.
8. The following bicycle, pedestrian, and transit improvements should be included:
  - a. A minimum fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the Kings Highway site frontage. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP) to meet the shared-use path recently constructed for Lot 1. The developer should coordinate with DelDOT's Development Coordination section during the plan review process to identify the exact location of the SUP.
  - b. An accessway should be provided from the SUP into the site for Lots 1 through 5.
  - c. Where internal sidewalks are located alongside of parking spaces, a buffer, physical barrier or signage should be added to eliminate vehicular overhang onto the sidewalk.
  - d. The tie-in installed for Lot 1 should be removed once the SUP is extended along the entire property frontage.
  - e. ADA compliant curb ramps and marked crosswalks should be provided along the Kings Highway Site Entrance approach to Kings Highway. The use of diagonal curb ramps is discouraged.
  - f. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the northbound Kings Highway approach to the Kings Highway Site Entrance.
  - g. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/shared-use paths or should be flush with the pavement.



- h. Bike parking should be provided near the building entrances. Where the building architecture provides for an awning or other overhang, the bike parking should be covered.
- i. A Type 2 bus stop should be installed at the Kings Highway Site Entrance intersection. The developer should coordinate with DART and DelDOT on the location, design, as well as the amenities to provide.

Please note that this review generally focuses on capacity and level of service issues; additional safety and operational issues will be further addressed through DelDOT's Plan Review process.

Improvements in this TIS may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at [https://www.deldot.gov//Publications/manuals/de\\_mutcd/index.shtml](https://www.deldot.gov//Publications/manuals/de_mutcd/index.shtml). For any additional information regarding the work zone impact and mitigation procedures during construction please contact Mr. Jeff VanHorn, Assistant Director for Traffic Operations and Management. Mr. VanHorn can be reached at (302) 659-4606 or by email at [Jeffrey.VanHorn@delaware.gov](mailto:Jeffrey.VanHorn@delaware.gov).

Additional details on our review of the TIS are attached. Please contact me at (302) 266-9600 if you have any questions concerning this review.

Sincerely,  
Johnson, Mirmiran, and Thompson, Inc.

A handwritten signature in black ink, appearing to read 'Joanne M. Arellano', written in a cursive style.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE  
Janna Brown, E.I.T.

Enclosure

## **General Information**

**Report date:** November 2019

**Prepared by:** Davis, Bowen & Friedel, Inc.

**Prepared for:** The Mitchell Family Ltd. Partnership

**Tax Parcel:** 335-8.00-37.00

**Generally consistent with DelDOT's *Development Coordination Manual (DCM)*:** Yes

## **Project Description and Background**

**Description:** The developer seeks to develop 206,500 square feet of medical-dental office space, 60 single-family detached houses, and 150 multi-family mid-rise dwelling units.

**Location:** The subject site is located on the northeast corner of the intersection of Kings Highway (Sussex Road 268) and Gills Neck Road (Sussex Road 267) in Sussex County, Delaware.

**Amount of Land to be developed:** An approximately 52.71-acre parcel.

**Land Use approval(s) needed:** Rezoning and Entrance Plan.

**Proposed completion date:** 2027.

**Proposed access location:** Two full access points are proposed: one along Kings Highway directly opposite the proposed site access for the Beebe Medical development and one along Gills Neck Road opposite the site access for the proposed Gills Neck Village Center commercial project.

### **Daily Traffic Volumes:**

- 2018 Average Annual Daily Traffic on Kings Highway: 13,019 vehicles per day (non-Summer)
- 2018 Average Annual Daily Traffic on Gills Neck Road: 4,995 vehicles per day (non-Summer)

## Site Map



\*Graphic is an approximation based on the Rezoning Sketch Plan prepared by Davis, Bowen & Friedel, Inc. dated June 2018.

## Relevant and On-going Projects

DelDOT has several relevant and ongoing improvement projects within the study area including the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project. The project will realign Old Orchard Road to intersect Savannah Road at its intersection with Wescoats Road. Additionally, the project will improve the intersection of Marsh Road and Clay Road to eliminate the existing skewed angle of the intersection. Construction is anticipated to begin in 2023.

Per direction from the DelDOT Traffic Section, a signal at the Kings Highway and Clay Road intersection was recently installed. DelDOT completed the *Signal Justification Study US9 – Kings Highway (S268) & Clay Road (S269)* in February 2020. As part of the study, field observations were conducted, existing sight distances were assessed, crashes were reviewed, intersection analyses were performed, and warrant analyses based on the DE MUTCD were evaluated. The

crash evaluation reviewed data from August 7, 2014 to January 23, 2020 which identified one fatal angle crash. Four of the DE MUTCD Traffic Signal Warrants were met which included the eight-hour, four-hour, and peak-hour vehicular warrants as well as the Alternative Crash Experience Warrant (IA-19.3). Various improvement options were evaluated as part of the study, including the implementation of all-way-stop-control and installation of a roundabout or signal. The study recommended the short-term improvement to install a traffic signal. A long-term improvement to determine the feasibility of converting the intersection to a roundabout or installing appropriate turn lanes was recommended.

In October 2015 a collaborative effort by DelDOT, Delaware Greenways, and other groups developed the *Corridor Management Plan* for the Lewes Scenic and Historic Byway. This was done as part of the *Delaware Byways Program*. The *Delaware Byways Program* includes the identification, promotion, preservation, and enhancement of Delaware roadways with at least one of the following qualities: scenic, historic, natural, cultural, recreational, and archaeological. The Lewes Scenic and Historic Byway traverses through the City of Lewes and extends into Sussex County on the following roads: New Road, Pilot Town Road, Savannah Road, Cape Henlopen Drive, Gills Neck Road, and Kings Highway. Recommendations from the plan for Kings Highway include considering options for narrow or wide medians and opportunities for linking together isolated parcels in a gridded circulation network. Additionally, at the Kings Highway/Gills Neck Road intersection, the plan recommends the consideration of options that accommodate planned pedestrian and bicycle pathways and movements. More information about the Corridor Management Plan can be found here: <https://deldot.gov/Programs/byways/index.shtml?dc=cmp>

The *Kings Highway and Gills Neck Road Master Plan* dated September 2016 is an early action project of the Lewes Scenic and Historic Byway Corridor Management Plan. The purpose of the Master Plan is to establish a vision for Kings Highway and Gills Neck Road. The Master Plan recommends two travel lanes per direction and a boulevard design along Kings Highway. From north of Gills Neck Road to Freeman Highway, the Master Plan recommends one travel lane per direction with a center turn lane along Kings Highway. Additionally, a roundabout and a signal are recommended at the Dartmouth Drive and Clay Road intersections, respectively. Along Gills Neck Road, one travel lane per direction with a boulevard design is recommended. More information about the Master Plan can be found here: [https://deldot.gov/Programs/byways/pdfs/lewes\\_cmp/KHGN\\_MasterPlan\\_092616finalrx.pdf?cache=1582120567909](https://deldot.gov/Programs/byways/pdfs/lewes_cmp/KHGN_MasterPlan_092616finalrx.pdf?cache=1582120567909)

The *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project is planned to implement the improvements recommended by the Master Plan. A DelDOT Contract Number does not exist for the recommended improvements yet. Based on the proposed CTP FY 20 thru FY 26 Spending Plan, design is projected to start Fiscal Year 2022 and construction is projected to start Fiscal Year 2026.

Additionally, the Delaware River and Bay Authority (DRBA) *Freeman Highway Rehabilitation* project (Contract No. 20191619-00) includes the repaving of Freeman Highway from south of the intersection with Bay Breeze Drive to the intersection with Cape Henlopen Drive.

## **Livable Delaware**

*(Source: Delaware Strategies for State Policies and Spending, 2015)*

### **Location with respect to the Strategies for State Policies and Spending Map of Delaware:**

The proposed development is located within the Investment Level 1 area.

### **Investment Level 1**

These areas are often municipalities, towns, or urban/urbanizing places in counties where density is generally higher than in surrounding areas. In Investment Level 1 Areas, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity. Overall, it is the state's intent to use its spending and management tools to maintain and enhance community character, to promote well-designed and efficient new growth, and to facilitate redevelopment in Investment Level 1 Areas.

In Level 1 Areas the state's first priority will be for preserving existing facilities and making safety improvements. Level 1 areas will also be the highest priority for context sensitive transportation system capacity enhancements, transit-system enhancements, ADA accessibility, and for closing gaps in the pedestrian system, including the Safe Routes to School projects. Further, Level 1 areas are the first priority for planning projects and studies, bicycle facilities, signal-system enhancements, and the promotion of interconnectivity between neighborhoods and public facilities.

### **Proposed Development's Compatibility with Livable Delaware:**

The proposed development is located in the Investment Level 1 area. According to Livable Delaware, Level 1 areas support and encourage a wide range of uses and enhance community identity and integrity. The proposed project is a mixed-use development that will support the ongoing development in the surrounding area. Therefore, the proposed development is generally consistent with the 2015 update of the Livable Delaware "Strategies for State Policies and Spending."

## **Comprehensive Plans**

*(Source: Sussex County March 2019 Comprehensive Plan)*

### **Sussex County Comprehensive Plan:**

Per the *Sussex County Comprehensive Plan Future Land Use Map*, the proposed development is in an area designated as Coastal Area.

### **Proposed Development's Compatibility with the Sussex County Comprehensive Plan:**

Per the *Sussex County Comprehensive Plan Future Land Use Map*, the proposed development is in an area designated as Coastal Area. A range of housing types are appropriate in Coastal Areas, including single-family homes and multifamily units, as well as office and mixed-use developments. Therefore, the proposed development is generally consistent with the *Sussex County March 2019 Comprehensive Plan*.



**Trip Generation**

The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the *Trip Generation, 10<sup>th</sup> Edition: An ITE Informational Report*, published by the Institute of Transportation Engineers (ITE) for ITE Land Use Code 210 (Single-Family Detached Housing), Land Use Code 221 (Multifamily Mid-Rise Housing), and Land Use Code 720 (Medical-Dental Office Building). The trip generation was approved by DelDOT during the PTIS review as well as the review of the TIS Addendum.

**Table 1**  
Mitchell Farm (Zwaanendael Farm) Trip Generation – Full Build Out

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
60 Single-Family Detached Houses (ITE Code 210)	650	12	35	47	39	23	62	37	31	68
150 Multifamily Mid-Rise Houses (ITE Code 221)	816	13	38	51	40	25	65	34	36	70
206,500 SF Medical-Dental Office Building (ITE Code 720)	7,846	332	94	426	197	505	702	552	417	969
<b>Total Trips</b>	<b>9,312</b>	<b>357</b>	<b>167</b>	<b>524</b>	<b>276</b>	<b>553</b>	<b>829</b>	<b>623</b>	<b>484</b>	<b>1,107</b>
Internal Capture	44	1	1	2	5	5	10	6	6	12
<b>New Trips</b>	<b>9,268</b>	<b>356</b>	<b>166</b>	<b>522</b>	<b>271</b>	<b>548</b>	<b>819</b>	<b>617</b>	<b>478</b>	<b>1,095</b>

Mitchell Farm (Zwaanendael Farm) Trip Generation – Partial Build Out (Case 3d)

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
117,000 SF Medical-Dental Office Building (ITE Code 720)	1,003	200	57	257	112	287	399	300	227	527

## **Overview of TIS**

### **Intersections examined:**

1. Kings Highway (Sussex Road 268)/Site Entrance/Beebe Medical Site Entrance
2. Gills Neck Road (Sussex Road 267)/Site Entrance/Gills Neck Village Center Site Entrance
3. Kings Highway/Bay Breeze Drive
4. Kings Highway/Freeman Highway (Sussex Road 23)
5. Kings Highway/Savannah Road (Sussex Road 18)
6. Savannah Road/Gills Neck Road/Front Street (Sussex Road 267)
7. Kings Highway/Atlantic Drive (*City of Lewes*)
8. Kings Highway/Gills Neck Road/Cape Henlopen High School Entrance
9. Kings Highway/Clay Road (Sussex Road 269)
10. Clay Road/Marsh Road (Sussex Road 269B)
11. Kings Highway/Dartmouth Drive (Sussex Road 268A)

### **Conditions examined:**

#### **TIS**

1. Case 1 – Existing (2018)
2. Case 2a – 2027 without development and without the Kings Highway dual lanes project  
Case 2b – 2027 without development and with the Kings Highway dual lanes project
3. Case 3a – 2027 with development and without the Kings Highway dual lanes project  
Case 3b – 2027 with development and with the Kings Highway dual lanes project  
Case 3c – 2027 with development, without the Kings Highway dual lanes project, and without an entrance along Kings Highway
4. Case 4 – 2027 with development and with the Kings Highway dual lanes project with additional improvements

#### **TIS Addendum**

1. Case 2d – Future 2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project
2. Case 3d – Future 2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway

### **Committed Developments considered:**

1. Gills Neck Village Center (75,000 square foot shopping center, 213 single family homes on the residual lands)
2. Governors (287 single-family detached houses, 136 multi-family low-rise dwelling units)

3. Beebe Medical (175-unit continuing care retirement, 140 multi-family low-rise dwelling units)
4. Showfield (252 single-family detached houses: 86 units proposed in the City of Lewes, 166 units recorded in Sussex County)
5. White's Pond Meadow-Gills Neck Road (79 single-family detached homes)
6. Admirals Chase (26 semi-detached houses)
7. Cape Henlopen High School Expansion (400 students)
8. The Moorings at Lewes, formerly known as Cadbury, expansion (32-unit Continuing Care Retirement Center)

\*Note: Committed development information provided in the TIS supersedes the information provided in the July 3, 2018 DelDOT Scoping Meeting Memorandum. DelDOT provided future year 2027 Case 2 projections based on the DelDOT Travel Demand Model that includes background growth as well as traffic from the eight committed developments.

**Peak hours evaluated:** Weekday morning, Weekday evening, and Summer Saturday midday peak hours.

### **Intersection Descriptions**

#### **1. Kings Highway (Sussex Road 268)/Site Entrance/Beebe Medical Site Entrance**

**Type of Control:** Proposed two-way stop-controlled intersection (four-legged intersection)

**Eastbound Approach:** (Beebe Site Access) Proposed one shared left turn/through lane and one right turn lane, stop-controlled

**Westbound Approach:** (Site Entrance) Proposed one shared left turn/through lane and one right turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) Existing one through lane; proposed one left turn lane, one through lane, and one right turn lane

**Southbound Approach:** (Kings Highway) Existing one through lane; proposed one left turn lane, one through lane, and one right turn lane

#### **2. Gills Neck Road (Sussex Road 267)/Site Entrance/Gills Neck Village Center Site Entrance**

**Type of Control:** Proposed two-way stop-controlled intersection (four-legged intersection)

**Eastbound Approach:** (Gills Neck Road) Existing one through lane; proposed one left turn lane, one through lane, and one right turn lane

**Westbound Approach:** (Gills Neck Road) Existing one through lane; proposed one left turn lane, one through lane, and one right turn lane

**Northbound Approach:** (Gills Neck Village Center Entrance) Proposed one shared left turn/through lane and one right turn lane, stop-controlled

**Southbound Approach:** (Site Entrance) Proposed one shared left turn/through lane and one right turn lane, stop-controlled

**3. Kings Highway/Bay Breeze Drive**

**Type of Control:** Existing stop-controlled intersection

**Westbound Approach:** (Bay Breeze Drive) Existing one left-turn lane and one right-turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) Existing one shared through lane/channelized right-turn lane

**Southbound Approach:** (Kings Highway) Existing two through lanes and one left-turn lane (stop-controlled)

**4. Kings Highway/Freeman Highway (Sussex Road 23)**

**Type of Control:** Existing stop-controlled intersection

**Northbound Approach:** (Kings Highway) Existing one left-turn lane (stop-controlled) and one through lane

**Southbound Approach:** (Freeman Highway) Existing one through lane and one channelized right-turn lane (stop-controlled)

**5. Kings Highway/Savannah Road (Sussex Road 18)**

**Type of Control:** Existing two-way stop-controlled intersection (four-legged intersection)

**Eastbound Approach:** (3<sup>rd</sup> Street) Existing one shared through/left-turn lane and one right-turn lane, stop controlled

**Westbound Approach:** (Kings Highway) Existing one shared through/left-turn lane and one right-turn lane, stop controlled

**Northbound Approach:** (Savannah Road) Existing one left-tun lane and one shared through/right-turn lane

**Southbound Approach:** (Savannah Road) Existing one left-tun lane and one shared through/right-turn lane

**6. Savannah Road/Gills Neck Road/Front Street (Sussex Road 267)**

**Type of Control:** Existing signalized intersection (four-legged)

**Eastbound Approach:** (Front Street) Existing one left turn lane and one shared through/right turn lane

**Westbound Approach:** (Gills Neck Road) Existing one shared left turn/through/right turn lane

**Northbound Approach:** (Savannah Road) Existing one left turn lane and one shared through/right turn lane

**Southbound Approach:** (Savannah Road) Existing on left turn lane and one shared through/right turn lane

**7. Kings Highway/Atlantic Drive**

**Type of Control:** Existing two-way stop-controlled intersection (T-intersection)

**Eastbound Approach:** (Atlantic Drive) Existing one shared left-turn/right-turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) Existing one shared left-turn/through lane

**Southbound Approach:** (Kings Highway) Existing one shared through/right-turn lane

**8. Kings Highway/Gills Neck Road/Cape Henlopen High School Entrance**

**Type of Control:** Existing signalized intersection (four-legged)

**Eastbound Approach:** (Cape Henlopen High School Entrance) Existing one shared left turn/through lane and one right turn lane

**Westbound Approach:** (Gills Neck Road) Existing one left turn lane, one through lane, and one right turn lane

**Northbound Approach:** (Kings Highway) Existing one left turn lane, one through lane, and one right turn lane

**Southbound Approach:** (Kings Highway) Existing one left turn lane, one through lane, and one right turn lane

**9. Kings Highway/Clay Road (Sussex Road 269)**

**Type of Control:** Existing two-way stop-controlled intersection (T-intersection)

**Eastbound Approach:** (Clay Road) Existing one shared left turn/right turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) Existing one shared left turn/through lane

**Southbound Approach:** (Kings Highway) Existing one shared through/right turn lane

**10. Clay Road (Sussex Road 269) and Marsh Road (Sussex Road 269B)**

**Type of Control:** Existing two-way stop-controlled intersection (T-intersection)

**Eastbound Approach:** (Clay Road) Existing one shared through/right turn lane

**Westbound Approach:** (Clay Road) Existing one shared through/left turn lane

**Northbound Approach:** (Marsh Road) Existing one left-turn lane and one right-turn lane, stop-controlled.

**11. Kings Highway (Sussex Road 268) and Dartmouth Drive (Sussex Road 268A)**

**Type of Control:** Existing two-way stop-controlled intersection

**Eastbound Approach:** (Dartmouth Drive) Existing one shared left turn/right turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) One left-turn lane and one through lane

**Southbound Approach:** (Kings Highway) One through lane and one channelized right-turn lane

### **Transit, Pedestrian, and Bicycle Facilities**

**Existing transit service:** Per DelDOT Gateway, Delaware Transit Corporation (DTC) currently does not provide existing services within the study area.

**Planned transit service:** Per email correspondence on February 11, 2020 with Mr. Jared Kauffman, Fixed-Route Planner at the DTC, a Type 2 bus stop has been installed at the intersection of Kings Highway and Gills Neck Road/Cape Henlopen High School Entrance. An additional Type 2 bus stop should be installed along northbound Kings Highway at the intersection with the site entrance. Additionally, a sidewalk/SUP interconnection should be provided between the site and the adjacent Bay Breeze Estates.

**Existing bicycle and pedestrian facilities:** According to DelDOT's *Lewes & Rehoboth Beach Area Bicycle Map*, two Connector Bicycle Routes and one Regional Bicycle Route exist within the study area. One Connector Bicycle Route travels along Gills Neck Road, beginning at the study intersection with Savannah Road, traversing through one study intersection (Site Entrance) intersecting with another Connector Bicycle Route at the study intersection of Kings Highway. The other Connector Bicycle Route exists along Kings Highway and traverses through seven of the study intersections (Freeman Highway, Bay Breeze Drive, Site Entrance, Atlantic Drive, Gills Neck Road/Cape Henlopen High School Entrance, Clay Road, and Dartmouth Drive). The Regional Bicycle Route exists along Savannah Road and traverses through one study intersection (Gills Neck Road/Front Street). Pedestrian facilities currently exist at four of the study intersections: Savannah Road/Gills Neck Road/Front Street, Kings Highway/Savannah Road, Kings Highway/Gills Neck Road/Cape Henlopen High School Entrance, and Gills Neck Road/Site Entrance.

**Planned bicycle and pedestrian facilities:** Per email correspondence on February 12, 2020 from Mr. John Fiori, DelDOT's Bicycle Coordinator, the following improvements were recommended:

- The existing 10-foot wide shared-use path (SUP) should be extended along the Kings Highway site frontage. Once the SUP is extended, the existing tie-in installed for Minor Subdivision Lot 1 shall be removed (including pipe), top soiled, seeding, mulched, and re-graded to assure positive drainage.
- An internal sidewalk/SUP connection is required from the SUP into the site for Lots 1 thru 5.
- Internal bicycle racks should be provided at all Lots.
- Revise design of SUP from Type 2 ramp on the egress side to Type 1 ramp.
- Per the DCM, the site shall dedicate right-of-way per the roadway classification and establish a 15-foot wide permanent easement along the property frontage.
- All entrance, roadway and/or intersection improvements required shall incorporate bicycle and pedestrian facilities. Per the DCM, if the right turn lane is warranted, then a bike lane

shall be incorporated along the right turn lane; if a left turn lane is required any roadway improvements shall include a shoulder matching the roadway classification or existing conditions.

**Bicycle Level of Traffic Stress in Delaware:** Researchers with the Mineta Transportation Institute developed a framework to measure low-stress connectivity, which can be used to evaluate and guide bicycle network planning. Bicycle LTS analysis uses factors such as the speed of traffic, volume of traffic, and the number of lanes to rate each roadway segment on a scale of 1 to 4, where 1 is a low-stress place to ride and 4 is a high-stress place to ride. It analyzes the total connectivity of a network to evaluate how many destinations can be accessed using low-stress routes. Developed by planners at the Delaware Department of Transportation (DelDOT), the bicycle Level of Traffic Stress (LTS) model will be applied to bicycle system planning and evaluation throughout the state. The Bicycle LTS for the roadways under existing conditions along the site frontage are summarized below. The Bicycle LTS was determined utilizing the map on the DelDOT Gateway.

- Kings Highway – LTS: 3 and 4
- Gills Neck Road – LTS: 4

### **Crash Evaluation**

Per the crash data included in the TIS from July 25, 2015 to July 25, 2018 and provided by the Delaware Crash Analysis Reporting System, a total of 166 crashes were reported within the study area. The TIS reports that 89 of these crashes are relevant within the study area and intersections. 19 of these crashes occurred within the functional area of the intersection of Kings Highway and Clay Road, 18 occurred within the functional area of the intersection of Kings Highway and Gills Neck Road/Cape Henlopen High School Access, 17 occurred within the functional area of Savannah Road/Kings Highway/3<sup>rd</sup> Street, and 11 occurred within the function area of Savannah Road/Front Street/Gills Neck Road. No fatalities occurred within the study area over the 3-year period.

A crash evaluation was also completed as part of DelDOT's *Signal Justification Study US9 – Kings Highway (S268) & Clay Road (S269)* in February 2020. As part of the study, a crash evaluation reviewed data from August 7, 2014 to January 23, 2020 which identified one fatal angle crash at the Kings Highway and Clay Road intersection. The installation of a traffic signal was identified in the study as a short-term improvement which is expected to be implemented prior to Summer of 2021.

### **Previous Comments**

Comments from DelDOT from the Preliminary Traffic Impact Study (PTIS) were addressed in the final TIS.

## **General HCS Analysis Comments**

*(See table footnotes on the following pages for specific comments)*

1. For the intersection analyses, the TIS used HCS7 version 7.8, whereas JMT used HCS7 version 7.8.5. The TIS Addendum did utilize HCS7 version 7.8.5.
2. Per DelDOT's *Development Coordination Manual*, JMT used a heavy vehicle percentage of 3% for each movement greater than 100 vph in the Case 2 and Case 3 future scenario analyses, unless the existing heavy vehicle percentage was greater than 3% and there was no significant increase of vehicles along that movement, in which case the existing heavy vehicle percentage was used for analysis of future scenarios. The TIS utilized various heavy vehicle percentages.
3. Per DelDOT's *Development Coordination Manual* and coordination with DelDOT Planning, JMT used a heavy vehicle percentage of 5% for each movement less than 100 vph along roadways and site entrances, whereas the TIS did in some locations.
4. Per DelDOT's *Development Coordination Manual*, both the TIS and JMT utilized the existing PHF for the Case 1 scenario and a future PHF for Cases 2 and 3 scenarios of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph or the existing PHF, whichever was higher, unless DelDOT-approved calibrated PHFs were provided by the TIS. JMT did not alter any PHFs for cases without widening, whereas the TIS utilized altered PHFs.
5. Per DelDOT's *Development Coordination Manual*, JMT and the TIS utilized a base saturation flow rate of 1,750 pc/h/ln at all intersections.
6. JMT utilized bicycle and pedestrian counts consistent with the existing turning movement counts whereas the TIS did not.
7. At the signalized intersections, JMT increased right turn on red volumes proportionally with volume increases, whereas the TIS maintained existing right turn on red volumes.
8. At the unsignalized intersections, differences in critical headways and follow-up headways were noticed between the TIS and JMT's analysis. JMT utilized the HCS7 Version 7.8.5 default values.
9. At the unsignalized intersections, the TIS utilized proportion of time spent blocked at the intersections based on field views. The TIS utilized the highest proportion of time spent blocked that would be able to provide an HCS output, which resulted in inconsistent values being used. It is recognized that existing delays may be longer than what is calculated in the JMT analysis due to blocked side streets especially during Cape May-Lewes Ferry arrival/departure times. However, JMT analyzed the intersections with no proportion of



time spent blocked input in order to provide a comparable baseline between cases and peaks.

10. The analysis includes scenarios with or without the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* DeIDOT project. As part of the project, Kings Highway is proposed to be widened to provide two through lanes in each direction.
11. Three separate Case 3 scenarios were included in the analysis:
  - Case 3a – Future 2027 with development and without the Kings Highway Dual Lane project.
  - Case 3b – Future 2027 with development and with the Kings Highway Dual Lane project. As part of this scenario, Atlantic Drive is assumed to only provide rights-in/rights-out movements along Kings Highway and an interconnection would exist between Atlantic Drive and the Beebe Medical Center.
  - Case 3c – Future 2027 with development and without the Kings Highway Dual Lane project and without a site entrance along Kings Highway.
12. The analysis also includes the TIS Addendum which reviewed the following scenarios:
  - Case 2d – Future 2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project
  - Case 3d – Future 2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway
13. The analyses highlighted in gray represent the JMT interim recommendations as part of the TIS Review letter.
14. The analyses highlighted in blue represent the JMT suggested improvements with the full build of the proposed development.

Table 2  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.7)	F (90.3)	F (58.2)	A (8.7)	B (12.0)	B (11.1)
Eastbound Beebe Medical Entrance	B (14.9)	F (*)	F (*)	B (14.2)	E (42.9)	E (45.0)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3</sup>						
Northbound Kings Highway Left Turn	-	-	-	A (8.7)	B (12.1)	B (11.2)
Eastbound Beebe Medical Entrance	-	-	-	B (11.5)	D (25.8)	C (23.7)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.6)	F (136.9)	F (74.3)	A (8.6)	B (10.3)	B (10.6)
Eastbound Beebe Medical Entrance	B (14.4)	F (*)	F (*)	B (13.8)	D (26.5)	D (32.0)

\*HCS reported delay greater than 1000 seconds per vehicle

<sup>1</sup> For signalized and unsignalized analysis, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

<sup>2</sup> For the PM and Saturday peak periods, the TIS utilized various values for proportion of time blocked whereas JMT utilized the default value of 0.

<sup>3</sup> For this scenario, JMT incorporated two through lanes in each direction along Kings Highway.

Table 2  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.7)	F (259.0)	F (162.7)	A (8.7)	B (12.0)	B (11.1)
Southbound Kings Highway Left Turn	B (10.3)	B (10.9)	C (16.5)	B (10.3)	B (10.9)	C (16.5)
Eastbound Beebe Medical Entrance	C (19.5)	F (*)	F (*)	C (17.9)	F (130.8)	F (358.0)
Westbound Site Entrance	F (78.6)	F (*)	F (*)	F (59.4)	F (*)	F (*)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>3</sup>						
Northbound Kings Highway Left Turn	A (8.9)	B (12.6)	B (11.4)	A (8.9)	B (12.6)	B (11.4)
Southbound Kings Highway Left Turn	B (10.3)	B (10.9)	C (16.5)	B (10.3)	B (10.9)	C (16.5)
Eastbound Beebe Medical Entrance	C (20.8)	F (144.8)	F (468.9)	C (19.1)	F (78.9)	F (340.4)
Westbound Site Entrance	F (55.5)	F (*)	F (*)	E (44.7)	F (*)	F (*)
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.9)	F (90.3)	E (48.1)	A (8.9)	B (12.4)	B (11.9)
Eastbound Beebe Medical Site Entrance	C (16.3)	F (*)	F (*)	C (15.4)	F (53.3)	F (67.4)

\*HCS reported delay greater than 1000 seconds per vehicle

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.7)	B (10.4)	B (10.8)	A (8.7)	B (10.4)	B (10.8)
Eastbound Beebe Medical Site Entrance	C (16.1)	E (40.9)	F (64.4)	C (15.2)	D (34.7)	F (50.6)

\*HCS reported delay greater than 1000 seconds per vehicle

Note: Analysis highlighted in gray represents the JMT interim recommendations

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>4</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (5.3)	B (11.5)	A (10.0)
Northbound Kings Highway	-	-	-	A (8.9)	B (12.5)	D (32.7)
Southbound Kings Highway	-	-	-	A (7.0)	E (39.2)	C (21.5)
Overall Intersection	-	-	-	A (8.0)	D (27.7)	D (27.2)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3,5</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (4.6)	A (8.8)	A (7.8)
Northbound Kings Highway	-	-	-	A (5.1)	A (5.9)	A (7.5)
Southbound Kings Highway	-	-	-	A (4.5)	A (7.8)	A (7.0)
Overall Intersection	-	-	-	A (4.9)	A (7.0)	A (7.2)

\*HCS reported delay greater than 1000 seconds per vehicle

<sup>4</sup> JMT modeled the intersection as a single-lane roundabout.

<sup>5</sup> JMT modeled the intersection as a dual-lane roundabout.

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>4</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (6.1)	C (15.0)	B (14.0)
Westbound Site Entrance	-	-	-	A (7.7)	C (20.5)	E (37.8)
Northbound Kings Highway	-	-	-	B (13.9)	C (20.1)	F (163.0)
Southbound Kings Highway	-	-	-	A (8.6)	F (131.9)	F (90.8)
Overall Intersection	-	-	-	B (11.4)	F (75.5)	F (121.1)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>3,5</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (5.3)	B (11.2)	B (11.0)
Westbound Site Entrance	-	-	-	A (6.7)	B (14.8)	C (21.8)
Northbound Kings Highway	-	-	-	A (6.5)	A (7.1)	B (12.1)
Southbound Kings Highway	-	-	-	A (5.4)	B (11.7)	B (10.1)
Overall Intersection	-	-	-	A (6.1)	B (10.2)	B (12.1)

\*HCS reported delay greater than 1000 seconds per vehicle

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) <sup>4</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (5.7)	B (12.3)	B (11.7)
Northbound Kings Highway	-	-	-	A (9.5)	C (16.3)	F (51.5)
Southbound Kings Highway	-	-	-	A (7.8)	F (51.2)	E (36.3)
Overall Intersection	-	-	-	A (8.7)	E (35.6)	E (43.8)

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance<sup>6</sup></b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>7</sup>	-	-	-	A (4.7)	A (10.0)	B (13.8)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3,7</sup>	-	-	-	A (3.3)	A (3.2)	A (4.2)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d) <sup>7</sup>	-	-	-	A (4.7)	A (5.6)	A (8.9)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>8,9</sup>	A (9.5)	D (51.5)	F (105.4)	B (18.7)	F (81.3)	F (114.0)

<sup>6</sup> JMT used a signal cycle length of 100 seconds during the AM and Saturday peak periods, and a cycle length of 130 seconds during the PM peak period for all Cases. The TIS used various signal cycle lengths for each period and case analyzed.

<sup>7</sup> JMT modeled the intersection as split phase with one shared left turn/through lane along the northbound Kings Highway approach, one through lane and one right turn lane along the southbound Kings Highway approach, and one left turn lane and one right turn lane along the eastbound Beebe Medical Center approach. The signal would operate with two phases.

<sup>8</sup> Both the TIS and JMT modeled the intersection with one left turn lane, one through lane, and one right turn lane along northbound and southbound Kings Highway, and one shared left turn/through lane and one right turn lane along eastbound Beebe Medical Center and the westbound Site Entrance.

<sup>9</sup> Both the TIS and JMT modeled the northbound and southbound approaches with protected and permissive left turn phasing. The TIS modeled the eastbound and westbound approaches as concurrent phases with permitted left turns, whereas JMT modeled as split phase operation.



Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance<sup>6</sup></b>						
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>9,10</sup>	B (12.1)	B (16.2)	B (16.2)	B (13.3)	C (23.7)	C (23.0)
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) <sup>11</sup>	-	-	-	A (5.0)	B (15.0)	D (49.7)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>11</sup>	-	-	-	A (4.6)	A (5.7)	A (9.4)

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>10</sup> Both the TIS and JMT modeled the intersection with one shared left turn/through lane and one right turn lane along eastbound Beebe Medical Center and the westbound Site Entrance. The TIS modeled the northbound and southbound Kings Highway approaches with one left turn lane, one through lane, and one shared through/right turn lane. JMT modeled the northbound and southbound Kings Highway approaches with one left turn lane, two through lanes, and one right turn lane.

<sup>11</sup> Reduction in delay when compared to Case 3a is due to the removal of the easterly leg Site Entrance on Kings Highway from this intersection.

<sup>11</sup> JMT modeled the northbound Kings Highway approach with a shared left turn/through lane and a separate right turn lane, the southbound Kings Highway approach with a through lane and a right turn lane, and the eastbound Beebe Medical Center approach with a separate left turn lane and a right turn lane.

Table 3  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Gills Neck Road (Sussex Road 267)/Site Entrance</b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>2, 12</sup>						
Westbound Gills Neck Road Left Turn	F (434.6)	A (8.9)	A (8.5)	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	F (*)	F (*)	F (*)	C (16.4)	C (22.5)	C (16.5)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d) <sup>2, 13</sup>						
Eastbound Gills Neck Road Left Turn	F (130.7)	D (34.2)	F (102.7)	A (8.4)	A (8.1)	A (8.1)
Westbound Gills Neck Road Left Turn	E (47.0)	D (30.9)	F (55.2)	A (7.9)	A (8.5)	A (8.2)
Northbound Gills Neck Village Center Entrance	F (*)	F (*)	F (*)	C (20.6)	D (28.5)	C (24.0)
Southbound Site Entrance	F (95.3)	F (133.4)	F (166.8)	B (11.3)	B (11.8)	B (10.9)

\*HCS reported delay greater than 1000 seconds per vehicle

<sup>12</sup> Both the TIS and JMT modeled the intersection with one through lane and one right turn lane along eastbound Gills Neck Road, one left turn lane and one through lane along westbound Gills Neck Road, and one left turn lane and one through lane along the northbound Gills Neck Village Center entrance.

<sup>13</sup> Both the TIS and JMT modeled the intersection with one left turn lane, one through lane, and one right turn lane along the eastbound and westbound Gills Neck Road approaches, and one shared left turn/through lane and one right turn lane along the northbound Gills Neck Village Center entrance and the southbound Site Entrance.

Table 3 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Gills Neck Road (Sussex Road 267)/Site Entrance</b>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>2,13</sup>						
Eastbound Gills Neck Road Left Turn	F (104.1)	C (16.6)	D (27.7)	A (9.1)	A (8.7)	A (9.0)
Westbound Gills Neck Road Left Turn	A (8.1)	B (14.1)	A (8.4)	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	F (*)	F (*)	F (*)	E (44.7)	F (201.4)	F (261.6)
Southbound Site Entrance	F (120.2)	F (88.1)	F (120.9)	B (14.2)	C (18.6)	C (17.8)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>13,14</sup>						
Eastbound Gills Neck Road Left Turn	A (9.1)	A (8.7)	A (9.0)	A (9.1)	A (8.7)	A (9.0)
Westbound Gills Neck Road Left Turn	A (8.1)	A (8.9)	A (8.4)	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	F (54.9)	F (280.9)	F (351.9)	E (44.7)	F (201.4)	F (266.1)
Southbound Site Access	B (14.8)	C (19.8)	C (19.3)	B (14.2)	C (18.6)	C (17.8)

\*HCS reported delay greater than 1000 seconds per vehicle

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>14</sup> The Gills Neck Village Center Entrance improvements will be determined as part of the Gills Neck Village Center TOA.

Table 3 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Gills Neck Road (Sussex Road 267)/Site Access</b>						
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) <sup>2,14</sup>						
Eastbound Gills Neck Road Left Turn	F (77.7)	B (11.2)	D (31.8)	B (10.4)	A (9.5)	B (11.9)
Westbound Gills Neck Road Left Turn	A (8.1)	A (8.9)	A (8.4)	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	F (*)	F (*)	F (*)	F (344.7)	F (*)	F (*)
Southbound Site Entrance	F (871.5)	F (90.5)	F (*)	C (17.1)	F (54.4)	F (56.5)
2027 with Development, without Kings Highway Dual Lane Project and a rights- in only entrance on Kings Highway (Case 3c)						
Eastbound Gills Neck Road Left Turn	-	-	-	A (9.5)	A (8.9)	A (9.7)
Westbound Gills Neck Road Left Turn	-	-	-	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	-	-	-	F (117.5)	F (*)	F (*)
Southbound Site Entrance	-	-	-	C (15.5)	F (52.0)	D (28.7)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

Table 3 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Gills Neck Road (Sussex Road 267)/Site Entrance</b>						
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>15</sup>						
Eastbound Gills Neck Road Left Turn	A (8.5)	A (8.2)	A (8.4)	A (8.5)	A (8.2)	A (8.4)
Westbound Gills Neck Road Left Turn	A (7.9)	A (8.5)	A (8.2)	A (7.9)	A (8.5)	A (8.2)
Northbound Gills Neck Village Center Entrance	D (27.9)	F (97.4)	F (101.2)	C (24.9)	F (75.5)	F (76.3)
Southbound Site Access	B (11.9)	C (15.4)	B (13.2)	B (11.6)	B (14.9)	B (12.8)

Note: Analysis highlighted in gray represents the JMT interim recommendations

Table 4  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive</b> <sup>2, 15</sup>						
2018 Existing (Case 1)						
Southbound Kings Highway Left Turn	A (8.6)	F (289.8)	F (458.6)	-	-	-
Westbound Bay Breeze Drive Approach	C (19.8)	F (*)	F (*)	-	-	-
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Southbound Kings Highway Left Turn	A (9.1)	F (286.0)	B (12.0)	-	-	-
Westbound Bay Breeze Drive Approach	D (25.7)	F (*)	F (144.1)	-	-	-
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3, 16</sup>						
Southbound Kings Highway Left Turn	-	A (9.9)	B (12.0)	A (9.2)	B (10.2)	B (12.3)
Westbound Bay Breeze Drive Approach	-	F (128.2)	F (144.1)	C (18.9)	E (39.3)	F (52.0)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Southbound Kings Highway Left Turn	A (9.2)	F (286.0)	F (447.6)	-	-	-
Westbound Bay Breeze Drive Approach	D (30.2)	F (*)	F (*)	-	-	-

\*HCS reported excessive delay greater than 1000 seconds per vehicle

<sup>15</sup> Due to the unique configuration of the Kings Highway/Bay Breeze Drive intersection, JMT analyzed the intersection as two separate intersections. The TIS analyzed it as a single T-intersection.

<sup>16</sup> JMT assumed the intersection would be modified to a traditional T-intersection as part of the Kings Highway Dual Lane project.

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive <sup>2,17</sup></b>						
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>18</sup>						
Southbound Kings Highway Left Turn	A (9.2)	B (10.5)	B (12.8)	A (9.4)	A (10.8)	B (13.1)
Westbound Bay Breeze Drive Approach	C (22.5)	F (65.6)	F (93.7)	C (20.8)	F (52.6)	F (72.3)
2027 with Development and with Kings Highway Dual Lane Project and Bay Breeze Drive left turn out restriction (Case 3b)						
Southbound Kings Highway Left Turn	A (9.2)	B (10.5)	B (12.8)	A (9.4)	B (10.8)	B (13.1)
Westbound Bay Breeze Drive Right Turn	B (11.4)	B (13.0)	C (15.9)	B (11.3)	B (12.9)	C (15.6)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive <sup>2,17</sup></b>						
2018 Existing (Case 1)						
Westbound Bay Breeze Drive Left Turn	-	-	-	C (19.6)	D (25.8)	E (45.5)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Westbound Bay Breeze Drive Left Turn	-	-	-	D (25.2)	F (106.4)	F (153.2)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Westbound Bay Breeze Drive Left Turn	-	-	-	D (29.6)	F (164.0)	F (261.0)

<sup>17</sup> Due to the unique configuration of the Kings Highway/Bay Breeze Drive intersection, JMT analyzed the intersection as two separate intersections. This table summarized the results of the analysis conducted at the location where the westbound Bay Breeze Drive approach is a stop-controlled left-turn lane, the northbound Kings Highway approach is a through lane and a right turn lane, and the southbound Kings Highway approach is a through lane.



Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive <sup>2,18,19</sup></b>						
2018 Existing (Case 1)						
Southbound Kings Highway Left Turn	-	-	-	B (13.5)	B (14.0)	C (21.7)
Westbound Bay Breeze Drive Right Turn	-	-	-	B (12.1)	B (12.2)	C (18.8)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Southbound Kings Highway Left Turn	-	-	-	C (15.3)	C (19.1)	D (29.6)
Westbound Bay Breeze Drive Right Turn	-	-	-	B (13.5)	C (16.1)	D (25.2)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Southbound Kings Highway Left Turn	-	-	-	C (15.8)	C (21.9)	D (33.8)
Westbound Bay Breeze Drive Right Turn	-	-	-	B (13.9)	C (18.1)	D (28.6)

<sup>18</sup> JMT analyzed the southbound left-turn movement as an eastbound through movement as the movement is stop-controlled.

<sup>19</sup> Due to the unique configuration of the Kings Highway/Bay Breeze Drive intersection, JMT analyzed the intersection as two separate intersections. This table summarizes the results of the analysis conducted at the location where the westbound Bay Breeze Drive approach is a yield-controlled channelized right-turn lane, the northbound Kings Highway approach is a through lane, and the southbound Kings Highway approach is a left-turn lane.

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive<sup>2</sup></b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>4</sup>						
Westbound Bay Breeze Drive Approach	-	-	-	A (6.7)	A (8.2)	B (12.4)
Northbound Kings Highway Approach	-	-	-	A (8.9)	B (12.5)	E (42.9)
Southbound Kings Highway Approach	-	-	-	A (6.4)	C (22.1)	C (15.7)
Overall Intersection	-	-	-	A (7.9)	C (17.6)	C (30.8)
2027 with Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3, 5</sup>						
Westbound Bay Breeze Drive Approach	-	-	-	A (5.7)	A (6.7)	A (9.4)
Northbound Kings Highway Approach	-	-	-	A (5.2)	A (6.0)	A (7.9)
Southbound Kings Highway Approach	-	-	-	A (4.4)	A (7.0)	A (6.4)
Overall Intersection	-	-	-	A (4.9)	A (6.5)	A (7.2)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>4</sup>						
Westbound Bay Breeze Drive Approach	-	-	-	A (7.0)	A (9.4)	B (14.1)
Northbound Kings Highway Approach	-	-	-	A (9.5)	C (16.4)	F (66.6)
Southbound Kings Highway Approach	-	-	-	A (7.2)	D (27.4)	C (23.3)
Overall Intersection				A (8.5)	C (22.0)	E (46.8)

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive<sup>2</sup></b>						
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>3, 5</sup>						
Westbound Bay Breeze Drive Approach	-	-	-	A (5.9)	A (7.5)	B (10.4)
Northbound Kings Highway Approach	-	-	-	A (5.4)	A (6.5)	A (8.5)
Southbound Kings Highway Approach	-	-	-	A (4.7)	A (7.3)	A (7.1)
Overall Intersection	-	-	-	A (5.1)	A (6.9)	A (7.9)

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive</b> <sup>20,21</sup>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)	-	-	-	A (8.3)	A (9.3)	D (38.0)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3</sup>	-	-	-	A (6.0)	A (4.9)	A (6.2)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)	-	-	-	A (8.5)	B (10.9)	D (52.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>3</sup>	-	-	-	A (5.9)	A (5.0)	A (6.6)

<sup>20</sup> JMT used a signal cycle length of 100 seconds during the AM and Saturday peak periods, and a cycle length of 130 seconds during the PM peak period.

<sup>21</sup> JMT modeled the signal as a three-phase signal with protected-permissive left turn phasing along the southbound Kings Highway approach.

Table 5  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Freeman Highway (Sussex Road 23) <sup>22</sup></b>						
2018 Existing (Case 1) <sup>23</sup>						
Northbound Kings Highway Left Turn	A (8.4)	B (12.4)	A (9.1)	C (15.0)	C (18.4)	C (19.6)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>23</sup>						
Northbound Kings Highway Left Turn	A (8.7)	C (17.6)	B (11.0)	C (17.2)	F (109.6)	F (68.4)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>23</sup>						
Northbound Kings Highway Left Turn	A (8.9)	C (23.5)	B (12.2)	C (19.1)	F (199.4)	F (140.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b)						
Northbound Kings Highway Left Turn	-	B (13.4)	-	C (19.1)	F (199.4)	F (140.6)
2027 with Development and with Kings Highway Dual Lane Project and Bay Breeze Drive left turn out restriction (Case 3b) <sup>24</sup>						
Northbound Kings Highway Left Turn	A (9.0)	B (14.1)	B (12.5)	C (17.2)	F (231.7)	F (151.3)

<sup>22</sup> The TIS modeled the northbound movement as a left-turn lane and a through lane. JMT did not include the through movement in the analysis, because it is a free-flow movement with no conflicts. JMT modeled the northbound left-turn movement as a westbound through as it is stop-controlled.

<sup>23</sup> For the PM peak period, the TIS utilized various values for proportion of time blocked whereas JMT utilized the default value of 0.

<sup>24</sup> For this scenario, Bay Breeze Drive left turn outs would be restricted and those movements would be U-turns at the Kings Highway/Freeman Highway intersection.

Table 5 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Freeman Highway (Sussex Road 23)</b> <sup>25</sup>						
2027 without Development (Case 2)	-	-	-	B (14.9)	D (36.9)	C (25.0)
2027 with Development (Case 3)	-	-	-	B (17.6)	D (38.0)	C (27.5)

<sup>25</sup> JMT analyzed the intersection as signalized. The AM and Saturday signal cycle lengths are 100 seconds and the PM signal cycle length is 130 seconds.

Table 6  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Savannah Road (Sussex Road 18)</b> <sup>26</sup>						
2018 Existing (Case 1)						
Eastbound 3 <sup>rd</sup> Street Approach	B (11.5)	B (14.8)	D (28.5)	B (11.6)	C (16.5)	E (35.1)
Westbound Kings Highway Approach	B (10.4)	B (12.7)	C (16.2)	B (10.3)	B (13.3)	C (16.9)
Northbound Savannah Road Left Turn	A (7.5)	A (7.8)	A (7.8)	A (7.5)	A (7.9)	A (7.9)
Southbound Savannah Road Left Turn	A (7.7)	A (7.9)	A (8.7)	A (7.7)	A (8.0)	A (8.9)
2027 without Development (Case 2)						
Eastbound 3 <sup>rd</sup> Street Approach	B (13.8)	F (55.7)	F (99.6)	B (14.7)	F (165.4)	F (171.0)
Westbound Kings Highway Approach	B (11.5)	E (35.3)	C (21.8)	B (11.5)	E (46.5)	C (23.6)
Northbound Savannah Road Left Turn	A (7.6)	A (7.9)	A (7.8)	A (7.6)	A (8.0)	A (8.0)
Southbound Savannah Road Left Turn	A (7.8)	A (8.5)	A (9.1)	A (7.8)	A (8.6)	A (9.3)
2027 with Development (Case 3) <sup>27</sup>						
Eastbound 3 <sup>rd</sup> Street Approach	C (15.5)	F (96.7)	F (277.0)	C (17.2)	F (357.6)	F (565.9)
Westbound Kings Highway Approach	B (12.1)	F (56.7)	D (30.6)	B (12.0)	F (89.8)	E (39.5)
Northbound Savannah Road Left Turn	A (7.6)	A (8.0)	A (7.8)	A (7.6)	A (8.0)	A (8.0)
Southbound Savannah Road Left Turn	A (7.9)	A (8.6)	A (9.3)	A (7.9)	A (8.7)	A (9.5)

<sup>26</sup> For the analysis, the TIS used HCS7 version 7.8, whereas JMT used HCS7 version 7.8.5 resulting in delay differences.

<sup>27</sup> During the weekday AM, the TIS used a westbound through volume of 24, and JMT used a volume of 23 consistent with the volume diagrams.

Table 6 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Savannah Road (Sussex Road 18)<sup>28</sup></b>						
2027 without Development (Case 2)						
Eastbound 3 <sup>rd</sup> Street	-	-	-	A (4.3)	A (7.4)	A (5.6)
Westbound Kings Highway	-	-	-	A (4.9)	A (7.6)	B (10.0)
Northbound Savannah Road	-	-	-	A (5.1)	A (7.5)	B (10.0)
Southbound Savannah Road	-	-	-	A (4.8)	A (7.7)	A (5.8)
Overall Intersection	-	-	-	A (4.9)	A (7.6)	A (8.4)
2027 with Development (Case 3)						
Eastbound 3 <sup>rd</sup> Street	-	-	-	A (4.5)	A (7.8)	A (6.2)
Westbound Kings Highway	-	-	-	A (5.1)	A (8.5)	B (11.4)
Northbound Savannah Road	-	-	-	A (5.3)	A (7.8)	B (11.4)
Southbound Savannah Road	-	-	-	A (5.0)	A (8.3)	A (6.4)
Overall Intersection	-	-	-	A (5.1)	A (8.2)	A (9.4)

<sup>28</sup> JMT modeled the intersection as a single-lane roundabout.



Table 6 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Savannah Road (Sussex Road 18)<sup>29</sup></b>						
2027 without Development (Case 2)	-	-	-	C (26.6)	C (33.7)	C (31.3)
2027 with Development (Case 3)	-	-	-	C (29.3)	D (37.5)	D (36.3)

<sup>29</sup> JMT modeled the intersection as a signalized with split phases along the 3<sup>rd</sup> Street and Kings Highway approaches. A cycle length of 120 seconds was utilized for all peak periods.

Table 7  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
Savannah Road/Gills Neck Road/Front Street (Sussex Road 267) <sup>30</sup>						
2018 Existing (Case 1) <sup>31</sup>	B (15.9)	B (19.1)	F (136.7)	C (29.8)	C (31.3)	F (166.2)
2027 without Development (Case 2) <sup>31</sup>				C (32.1)	D (36.3)	F (240.1)
2027 without Development (Case 2) with signal timing optimization <sup>34</sup>	B (14.1)	B (17.7)	F (154.6)	B (15.2)	B (19.7)	F (160.5)
2027 without Development (Case 2) with improvement <sup>33</sup>				B (14.2)	B (17.2)	D (44.6)
2027 with Development (Case 3) <sup>33</sup>				C (32.4)	D (36.9)	F (263.7)
2027 with Development (Case 3) with signal timing optimization <sup>32</sup>	B (14.5)	B (17.8)	F (158.2)	B (18.3)	C (22.0)	F (176.7)
2027 with Development (Case 3) with improvement <sup>33</sup>				B (16.8)	B (17.8)	D (48.2)

<sup>30</sup> JMT did not incorporate RTOR because the movement is restricted, whereas the TIS did.

<sup>31</sup> JMT used MAX 1 Timers, whereas the TIS utilized observed signal timing splits for existing cases and optimized signal timing splits for future cases.

<sup>32</sup> For optimized signal timing scenarios, JMT utilized cycle lengths of 60, 90, and 120 seconds for the AM, PM, and Saturday peak hours, respectively.

<sup>33</sup> JMT improvement scenario includes providing an additional through lane along northbound and southbound Savannah Road with signal timing optimization. Cycle lengths of 60, 90, and 120 seconds were utilized for the AM, PM, and Saturday peak hours, respectively.

Table 7 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Savannah Road/Gills Neck Road/Front Street (Sussex Road 267)</b>						
2027 without Development (Case 2) <sup>34</sup>						
Eastbound Front Street Approach	-	-	-	A (4.1)	A (5.7)	C (15.0)
Westbound Gills Neck Road Approach	-	-	-	A (4.7)	A (5.2)	B (14.8)
Northbound Savannah Road Approach	-	-	-	A (5.2)	A (5.7)	E (39.8)
Southbound Savannah Road Approach	-	-	-	A (4.7)	A (7.8)	C (16.9)
Overall				A (4.8)	A (6.6)	C (24.4)
2027 with Development (Case 3) <sup>34</sup>						
Eastbound Front Street Approach	-	-	-	A (4.2)	A (5.9)	B (15.9)
Westbound Gills Neck Road Approach	-	-	-	A (4.7)	A (5.4)	C (16.1)
Northbound Savannah Road Approach	-	-	-	A (5.3)	A (6.1)	F (54.1)
Southbound Savannah Road Approach	-	-	-	A (4.8)	A (8.2)	C (20.8)
Overall				A (4.9)	A (6.9)	D (31.3)

<sup>34</sup> JMT modeled the intersection as a single-lane roundabout with a right turn bypass lane along the eastbound Front Street and the northbound Savannah Road approaches.

Table 8  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Atlantic Drive</b> <sup>2</sup>						
2018 Existing (Case 1)						
Northbound Kings Highway Left Turn	A (8.3)	F (112.3)	F (126.5)	A (8.3)	B (10.4)	A (9.7)
Eastbound Atlantic Drive Approach	B (13.7)	F (*)	F (*)	B (13.2)	C (24.7)	D (31.1)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Northbound Kings Highway Left Turn	A (8.8)	F (78.2)	F (84.5)	A (8.9)	B (12.4)	B (10.9)
Eastbound Atlantic Drive Approach	C (17.7)	F (*)	F (*)	C (16.6)	F (57.1)	F (93.4)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3</sup>						
Northbound Kings Highway Left Turn	-	-	-	A (8.9)	B (12.5)	B (11.0)
Eastbound Atlantic Drive Approach	-	-	-	B (12.9)	C (24.1)	E (38.0)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d)						
Northbound Kings Highway Left Turn	A (8.6)	F (110.0)	F (125.1)	A (8.7)	B (11.3)	B (10.4)
Eastbound Atlantic Drive Approach	C (15.8)	F (*)	F (*)	C (15.0)	E (35.8)	F (52.4)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

Table 8 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Atlantic Drive <sup>2</sup></b>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Northbound Kings Highway Left Turn	A (9.0)	F (73.4)	E (43.7)	A (9.1)	B (13.7)	B (11.7)
Eastbound Atlantic Drive Approach	C (20.7)	F (*)	F (*)	C (19.0)	F (107.4)	F (261.9)
2027 with Development and with Kings Highway Dual Lane Project and Atlantic Drive as Rights-In/Rights-Out Only (Case 3b) <sup>3</sup>						
Eastbound Atlantic Drive Right Turn	B (10.7)	C (17.8)	B (14.1)	B (10.6)	C (17.7)	B (14.3)
2027 with Development, only access along Gills Neck Road and without Kings Highway Dual Lane Project (Case 3c)						
Northbound Kings Highway Left Turn	A (9.1)	F (60.7)	F (64.0)	A (9.2)	B (12.8)	B (11.6)
Eastbound Atlantic Drive Approach	C (19.9)	F (*)	F (*)	C (18.4)	F (76.5)	F (168.9)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

Note:

Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

Table 8 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Atlantic Drive<sup>2</sup></b>						
2027 with Development, without Kings Highway Dual Lane Project and rights-in only along Kings Highway (Case 3c) <sup>35</sup>						
Northbound Kings Highway Left Turn	-	-	-	A (9.2)	B (12.8)	B (11.6)
Eastbound Atlantic Drive Approach	-	-	-	C (20.1)	F (89.6)	F (351.4)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d)						
Northbound Kings Highway Left Turn	A (8.7)	B (11.3)	B (11.6)	A (8.7)	B (11.4)	B (11.2)
Eastbound Atlantic Drive Approach	C (17.1)	E (44.9)	F (397.7)	C (16.1)	E (39.0)	F (164.8)

Note: Analysis highlighted in gray represents the JMT interim recommendations

<sup>35</sup> The additional northbound Kings Highway through traffic as a result of a rights-in only site access along Kings Highway increases the delay for vehicles exiting Atlantic Drive.

Table 8 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Atlantic Drive</b> <sup>36,37</sup>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)	-	-	-	A (8.1)	C (32.3)	B (19.8)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b)	-	-	-	A (5.6)	B (14.2)	A (6.6)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d)	-	-	-	A (7.5)	C (22.9)	B (13.8)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)	-	-	-	A (8.9)	E (56.7)	D (45.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>38</sup>	-	-	-	A (5.6)	B (13.8)	A (7.1)
2027 with Development, only access along Gills Neck Road, and without Kings Highway Dual Lane Project (Case 3c)	-	-	-	A (8.7)	D (40.2)	C (34.1)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d)	-	-	-	A (7.9)	C (22.9)	C (30.4)

<sup>36</sup> JMT modeled the intersection as signalized with a cycle length of 100 seconds during the AM and Saturday peak periods, and 130 seconds during the PM peak period. The signal would operate with protected-permissive left turn phasing along the northbound Kings Highway approach.

<sup>37</sup> JMT modeled the intersection with one left turn lane and one through lane along northbound Kings Highway, one through lane and one right turn lane along southbound Kings Highway, and one left turn lane and one right turn lane along Atlantic Drive. For the scenarios with the Kings Highway Dual Lane Project, the number of through lanes along Kings Highway would increase to two.

<sup>38</sup> JMT assumed Atlantic Drive would not have turning restrictions with the provision of a traffic signal and the Kings Highway Dual Lane Project.

**Table 9**  
**Peak Hour Levels Of Service (LOS)**  
**Based on Traffic Impact Study for Mitchell Farm**  
**Report Dated: September 2019**  
**Prepared by Davis, Bowen & Friedel, INC.**

<b>Signalized Intersection <sup>1</sup></b>	<b>LOS per TIS</b>			<b>LOS per JMT</b>		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Gills Neck Road/Cape Henlopen High School <sup>39,40,41</sup></b>						
2018 Existing (Case 1) <sup>42</sup>	F (160.3)	F (343.7)	F (412.7)	F (226.2)	F (359.7)	F (832.0)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>43</sup>	F (202.3)	F (112.9)	F (433.5)	F (436.3)	F (160.6)	F (574.0)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>44</sup>	D (46.2)	C (32.2)	C (26.4)	E (78.7)	D (50.5)	D (51.0)
2027 without Development, with Kings Highway Dual Lane Project (Case 2b) <i>with improvements</i> <sup>45</sup>	D (48.0)	D (53.2)	C (28.7)	C (31.8)	D (45.2)	C (33.2)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d) <sup>46</sup>	F (209.3)	F (111.4)	F (314.9)	F (152.8)	D (46.6)	F (307.5)

<sup>39</sup> For future Cases, JMT analyzed the intersection as a coordinated intersection with Clay Road, whereas the TIS analyzed the intersection as an uncoordinated intersection.

<sup>40</sup> For future Cases with the Kings Highway Dual Lane Project (Cases 2b and 3b), both the TIS and JMT increased the peak hour factor to 0.92 and set all initial queue lengths to zero.

<sup>41</sup> For future Cases, JMT utilized signal cycle lengths consistent with the DelDOT Timing Plan whereas the TIS utilized various cycle lengths.

<sup>42</sup> JMT utilized timing splits provided on the DelDOT Timing Plan, whereas the TIS did not. Both the TIS and JMT utilized signal cycle lengths consistent with the DelDOT Timing Plan.

<sup>43</sup> For the AM, PM, and Saturday peak hours, JMT maintained the calibrated peak hour factor, whereas the TIS increased the peak hour factor to various values.

<sup>44</sup> Both the TIS and JMT modeled the intersection with two through lanes along Kings Highway and the Gills Neck Road and Cape Henlopen High School Entrance approaches maintained the existing lane configurations.

<sup>45</sup> Both the TIS and JMT modeled the intersection with two through lanes along Kings Highway, one left turn lane, one left turn/through lane, and one right turn lane along Gills Neck Road, and the Cape Henlopen High School Entrance approach would maintain the existing lane configurations. The signal phasing along Gills Neck Road and the Cape Henlopen High School would be modified to split phase.

<sup>46</sup> Both the TIS and JMT utilized weighted peak hour factors to conduct the analysis.



Table 9 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Gills Neck Road/Cape Henlopen High School</b> <sup>41,42,43</sup>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)	F (248.5)	F (202.4)	F (448.3)	F (443.4)	F (251.2)	F (754.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>44</sup>	D (51.9)	E (67.5)	D (51.4)	F (87.8)	F (117.2)	F (111.5)
2027 with Development and with Kings Highway Dual Lane Project (Case 4) <sup>47</sup>	D (47.7)	E (61.2)	D (39.1)	D (54.5)	D (54.1)	D (54.9)

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>47</sup> Both the TIS and JMT modeled the intersection with two through lanes along Kings Highway, one left turn lane, one shared left turn/through lane, and one right turn lane along Gills Neck Road and one left turn lane, one through lane, and one right turn lane along the Cape Henlopen High School Entrance approach. The signal phasing along Gills Neck Road and the Cape Henlopen High School would be modified to split phase.

Table 9 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Gills Neck Road/Cape Henlopen High School</b> <sup>41,42,43</sup>						
2027 with Development without Kings Highway Dual Lane Project (Case 3c)	F (230.0)	F (197.4)	F (425.1)	F (451.9)	F (279.7)	F (686.7)
2027 with Development and without Kings Highway Dual Lane Project (Case 3c) <i>with TIS improvements</i> <sup>48</sup>	F (200.2)	F (143.4)	F (363.1)	F (356.2)	F (167.6)	F (571.2)
2027 with Development without Kings Highway Dual Lane Project and with rights-in only entrance along Kings Highway (Case 3c) <sup>49</sup>	-	-	-	F (327.8)	F (135.0)	F (582.6)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>50,51</sup>	F (139.6)	E (62.6)	F (317.3)	F (161.2)	D (54.7)	F (366.8)

Note: Analysis highlighted in gray represents the JMT interim recommendations

<sup>48</sup> TIS improvements scenario incorporates two left turn lanes and a shared through/right turn lane along the westbound Gills Neck Road approach and split phase operation along the eastbound and westbound approaches.

<sup>49</sup> This scenario models the westbound Gills Neck Road approach with one left turn lane, one shared left turn/through lane, and one right turn lane and the southbound approach with one left turn lane, one through lane, and one shared through/right turn lane.

<sup>50</sup> Both the TIS and JMT modeled the intersection with one left turn lane, one through lane, and one right turn lane along northbound Kings Highway, one left turn lane, one through lane, and one shared through/right turn lane along southbound Kings Highway, and two left turn lanes, and one shared through/right turn lane along Gills Neck Road. The TIS and JMT maintained the existing lane configurations along the Cape Henlopen High School Entrance approach. The signal phasing along Gills Neck Road and the Cape Henlopen High School would be modified to split phase.

<sup>51</sup> During the PM peak hour, JMT optimized the signal timing splits and modified the signal cycle length to 150 seconds.

Table 10  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Clay Road (Sussex Road 269) <sup>2, 52</sup></b>						
2018 Existing (Case 1)						
Northbound Kings Highway Left Turn	F (168.4)	B (13.4)	F (64.3)	A (9.0)	B (14.1)	A (9.7)
Eastbound Clay Road Approach	F (*)	F (*)	F (*)	F (160.1)	F (*)	F (400.9)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Northbound Kings Highway Left Turn	F (110.1)	C (16.1)	F (69.4)	-	-	-
Southbound Kings Highway Left Turn	F (177.7)	B (13.0)	F (152.6)	-	-	-
Eastbound Clay Road Approach	F (*)	F (103.4)	F (735.5)	-	-	-
Westbound Gills Neck Village Center Access	F (*)	D (25.4)	F (863.8)	-	-	-
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Northbound Kings Highway Left Turn	F (110.1)	C (22.8)	D (29.5)	-	-	-
Southbound Kings Highway Left Turn	F (177.7)	B (14.4)	F (163.9)	-	-	-
Eastbound Clay Road Approach	F (*)	F (319.8)	F (430.2)	-	-	-
Westbound Gills Neck Village Center Access	F (*)	E (37.3)	F (*)	-	-	-

<sup>52</sup> For all future Cases, JMT modeled the intersection as a signalized intersection per direction from DelDOT, whereas the TIS only modeled the intersection as signalized for Cases that only incorporated the widening project.

Table 10 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Clay Road (Sussex Road 269)</b> <sup>53, 54</sup>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)	-	-	-	E (55.8)	F (107.9)	E (71.1)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>55</sup>	C (26.9)	C (30.1)	C (23.4)	D (36.9)	C (28.3)	C (23.5)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <i>with improvements</i> <sup>56</sup>	-	-	-	D (37.0)	C (28.6)	C (23.3)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d)	-	-	-	C (34.2)	F (94.9)	D (46.5)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)	-	-	-	F (103.0)	F (191.3)	F (151.1)

<sup>53</sup> For future Cases, JMT analyzed the intersection as a signalized intersection coordinated with Gills Neck Road, whereas the TIS analyzed the intersection as an uncoordinated signalized intersection. JMT utilized signal cycle lengths consistent with the signal cycle lengths at the Kings Highway/Gills Neck Road intersection whereas the TIS utilized various signal cycle lengths.

<sup>54</sup> JMT modeled the intersection with one left turn lane, one through lane, and one right turn lane along the northbound and southbound Kings Highway approaches, one left turn lane, one through lane, and one right turn lane along the eastbound Clay Road approach, and two left turn lanes, one through lane and one right turn lane along the Gills Neck Village Center Entrance. Protected-permissive left turn phasing was utilized along the northbound and southbound approaches, and split phase was utilized along the eastbound and westbound approaches.

<sup>55</sup> JMT and the TIS modeled the intersection with two through lanes along Kings Highway. The TIS modeled the side street approaches with one left turn lane, one through lane, and one right turn lane.

<sup>56</sup> JMT incorporated a scenario with improvements proposed at the Kings Highway/Gills Neck Road intersection. Specifically, the improvements include the intersection with two through lanes along Kings Highway, one left turn lane, one left turn/through lane, and one right turn lane along Gills Neck Road, and the Cape Henlopen High School Entrance approach would maintain the existing lane configurations. The signal phasing along Gills Neck Road and the Cape Henlopen High School would be modified to split phase.

Table 10 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Clay Road (Sussex Road 269) <sup>57, 58</sup></b>						
2027 with Development and with Kings Highway Dual Lane Project (Case 3b)	-	-	-	D (50.8)	E (58.0)	D (36.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 4) <sup>57,58</sup>	C (30.1)	D (37.0)	C (33.3)	D (39.4)	D (46.5)	D (43.0)

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>57</sup> Both the TIS and JMT modeled the intersection with two through lanes along Kings Highway, one left turn lane, one through lane, and one right turn lane along Clay Road.

<sup>58</sup> Along the westbound Gills Neck Village Center Entrance approach, JMT provided two left turn lanes, one through lanes, and one right turn lane whereas the TIS provided one left turn lane, one through lane, and one right turn lane. The TIS used protected and permissive phasing along the eastbound and westbound approaches whereas JMT utilized split phase operation.

Table 10 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Clay Road (Sussex Road 269) <sup>57, 58</sup></b>						
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c)	-	-	-	F (87.0)	F (196.3)	F (158.6)
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) with TIS improvements <sup>59</sup>	-	-	-	F (131.9)	F (193.6)	F (168.3)
2027 with Development, without Kings Highway Dual Lane Project and rights-in only entrance on Kings Highway (Case 3c) <sup>60</sup>	-	-	-	F (95.6)	F (189.3)	F (156.6)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>55</sup>	-	-	-	D (40.7)	F (165.2)	E (69.7)

Note: Analysis highlighted in gray represents the JMT interim recommendations

<sup>59</sup> The TIS improvements scenario incorporates two left turn lanes and a shared through/right turn lane along the westbound Gills Neck Road approach to Kings Highway and split phase operation along the eastbound and westbound approaches at the Gills Neck Road/Kings Highway intersection.

<sup>60</sup> JMT modeled the southbound Kings Highway approach with one right turn lane and one through lane.

Table 11  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
<b>Clay Road (Sussex Road 269) / Marsh Road (Sussex Road 269A)</b>						
2018 Existing (Case 1) <sup>61</sup>						
Westbound Clay Road Left	A (7.5)	A (7.6)	A (7.6)	-	-	-
Northbound Marsh Road Approach	A (9.3)	A (9.5)	A (9.4)	-	-	-

<sup>61</sup> Due to the unique configuration of the Clay Road/Marsh Road intersection in Case 1, JMT analyzed the intersection as three separate intersections. The TIS analyzed it as a single standard T-intersection and the results are summarized in this table.

Table 11 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
<b>Clay Road (Sussex Road 269) / Marsh Road (Sussex Road 269A)</b> <sup>62</sup>						
2018 Existing (Case 1) – a <sup>63</sup>						
Eastbound Clay Road Right Turn	-	-	-	A (8.5)	A (8.9)	A (8.5)
Northbound Marsh Road Left Turn	-	-	-	A (7.3)	A (7.6)	A (7.3)
2018 Existing (Case 1) – b <sup>64</sup>						
Eastbound U-turn <sup>65</sup>	-	-	-	-	A (7.5)	-
Northbound Marsh Road Left Turn	-	-	-	A (9.4)	B (10.1)	B (10.4)
2018 Existing (Case 1) – c <sup>66</sup>						
Westbound Clay Road Left Turn	-	-	-	A (7.5)	A (7.5)	A (7.6)
Northbound Marsh Road Right Turn	-	-	-	A (9.1)	A (8.8)	A (9.3)

<sup>62</sup> Due to the unique configuration of the Clay Road/Marsh Road intersection, JMT analyzed the intersection as three separate intersections.

<sup>63</sup> Intersection ‘a’ depicts the analysis conducted at the location where the eastbound Clay Road approach is a stop-controlled right turn lane, the northbound Marsh Road approach is a shared through/left turn lane, and the southbound Marsh Road approach is a through lane.

<sup>64</sup> Intersection ‘b’ depicts the analysis conducted at the location where the eastbound Clay Road approach is a shared through/right turn lane, the westbound Clay Road approach is a through lane, and the northbound Marsh Road approach is a stop-controlled left turn lane.

<sup>65</sup> JMT modeled the U-turn as a left turn due to limitations of the HCS software.

<sup>66</sup> Intersection ‘c’ depicts the analysis conducted at the location where the eastbound Clay Road approach is a through lane, the westbound Clay Road approach is a shared through/left turn lane and the northbound Marsh Road approach is a stop-controlled right turn lane.



Table 11 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
<b>Clay Road (Sussex Road 269) / Marsh Road (Sussex Road 269A)</b> <sup>67</sup>						
2027 without Development and without Kings Highway Dual Lane project (Case 2a)						
Eastbound Clay Road Approach	B (13.3)	B (13.1)	B (13.5)	B (13.3)	B (12.8)	B (13.0)
Northbound Marsh Road Left Turn	A (8.1)	A (8.2)	A (8.1)	A (8.1)	A (8.2)	A (8.0)
2027 with Development (Case 3)						
Eastbound Clay Road Approach	C (15.2)	C (16.5)	C (18.3)	B (14.4)	C (15.5)	C (15.9)
Northbound Marsh Road Left Turn	A (8.2)	A (8.6)	A (8.4)	A (8.3)	A (8.6)	A (8.3)

<sup>67</sup> The intersection will be reconfigured as part of the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project. The existing westbound Clay Road left-turn onto Marsh Road will be a major street through movement. The existing right-turn from Marsh Road onto Clay Road will be a major street through movement. The existing eastbound through movement on Clay Road will be a stop-controlled minor street left-turn onto Clay Road.

Table 12  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Dartmouth Drive (Sussex Road 268A)</b> <sup>2,68,69</sup>						
2018 Existing (Case 1)						
Northbound Kings Highway Left Turn	A (9.7)	A (7.7)	F (133.7)	A (7.4)	A (7.7)	A (7.5)
Eastbound Dartmouth Drive Approach	D (28.7)	F (145.0)	F (*)	D (29.5)	F (86.3)	F (180.7)
2027 without Development (Case 2)						
Northbound Kings Highway Left Turn	A (9.7)	A (7.8)	F (142.5)	A (7.4)	A (7.8)	A (7.6)
Eastbound Dartmouth Drive Approach	F (330.2)	F (*)	F (*)	F (199.0)	F (840.3)	F (831.0)
2027 with Development (Case 3)						
Northbound Kings Highway Left Turn	A (9.7)	A (7.8)	F (142.5)	A (7.4)	A (7.8)	A (7.6)
Eastbound Dartmouth Drive Approach	F (944.9)	F (*)	F (*)	F (477.8)	F (*)	F (*)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

<sup>68</sup> The TIS utilized various values for proportion of time blocked whereas JMT utilized the default value of 0.

<sup>69</sup> Results represent the eastbound Dartmouth Drive Approach to have one shared left turn/right turn lane. JMT also incorporated the right turn lane to have a flared right turn with a 5-vehicle storage.

Table 12 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
<b>Kings Highway (Sussex Road 268) / Dartmouth Drive (Sussex Road 268A)</b> <sup>70</sup>						
2027 without Development and with or without Kings Highway Dual Lane Project (Case 2a) <sup>71</sup>						
Eastbound Dartmouth Drive Approach	A (5.7)	A (6.3)	A (5.9)	A (5.7)	A (6.4)	A (6.0)
Northbound Kings Highway Approach	A (0.2)	A (0.9)	A (0.6)	A (0.2)	A (0.9)	A (0.6)
Southbound Kings Highway Approach	A (0.2)	A (0.4)	A (0.2)	A (0.2)	A (0.4)	A (0.2)
Overall Intersection	A (1.1)	A (1.5)	A (1.2)	A (1.1)	A (1.5)	A (1.3)
2027 with Development and with or without Kings Highway Dual Lane Project (Case 3) <sup>71</sup>						
Eastbound Dartmouth Drive Approach	A (6.3)	A (6.9)	A (7.0)	A (6.2)	A (6.9)	A (7.2)
Northbound Kings Highway Approach	A (0.2)	A (0.9)	A (0.5)	A (0.2)	A (0.9)	A (0.5)
Southbound Kings Highway Approach	A (0.2)	A (0.3)	A (0.2)	A (0.2)	A (0.3)	A (0.2)
Overall Intersection	A (1.2)	A (1.5)	A (1.4)	A (1.2)	A (1.5)	A (1.5)

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>70</sup> Both the TIS and JMT modeled the northbound approach with a right turn bypass lane to represent a northbound bypass lane.

<sup>71</sup> Both the TIS and JMT modeled the intersection as a single-lane roundabout.

Table 12 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Dartmouth Drive (Sussex Road 268A)</b> <sup>72</sup>						
2027 without Development and with or without Kings Highway Dual Lane Project (Case 2a)	-	-	-	C (27.3)	C (26.3)	D (41.4)
2027 with Development and with or without Kings Highway Dual Lane Project (Case 3)	-	-	-	D (54.1)	D (41.9)	F (112.1)

<sup>72</sup> JMT analyzed the intersection as a signalized intersection with a 60 second cycle length during all peak periods. The eastbound Dartmouth Drive approach would provide one left turn lane and one shared left turn/right turn lane, the northbound Kings Highway approach would provide one left turn lane and one through lane, and the southbound Kings Highway approach would provide one through lane.

BOUNDARY CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
BC-1	70.00'	23.47'	23.36'	N 87°09'28" W	19°12'44"
BC-2	120.00'	96.50'	93.92'	N 60°11'57" E	46°04'26"

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
BL-1	N 12°26'54" E	7.06'

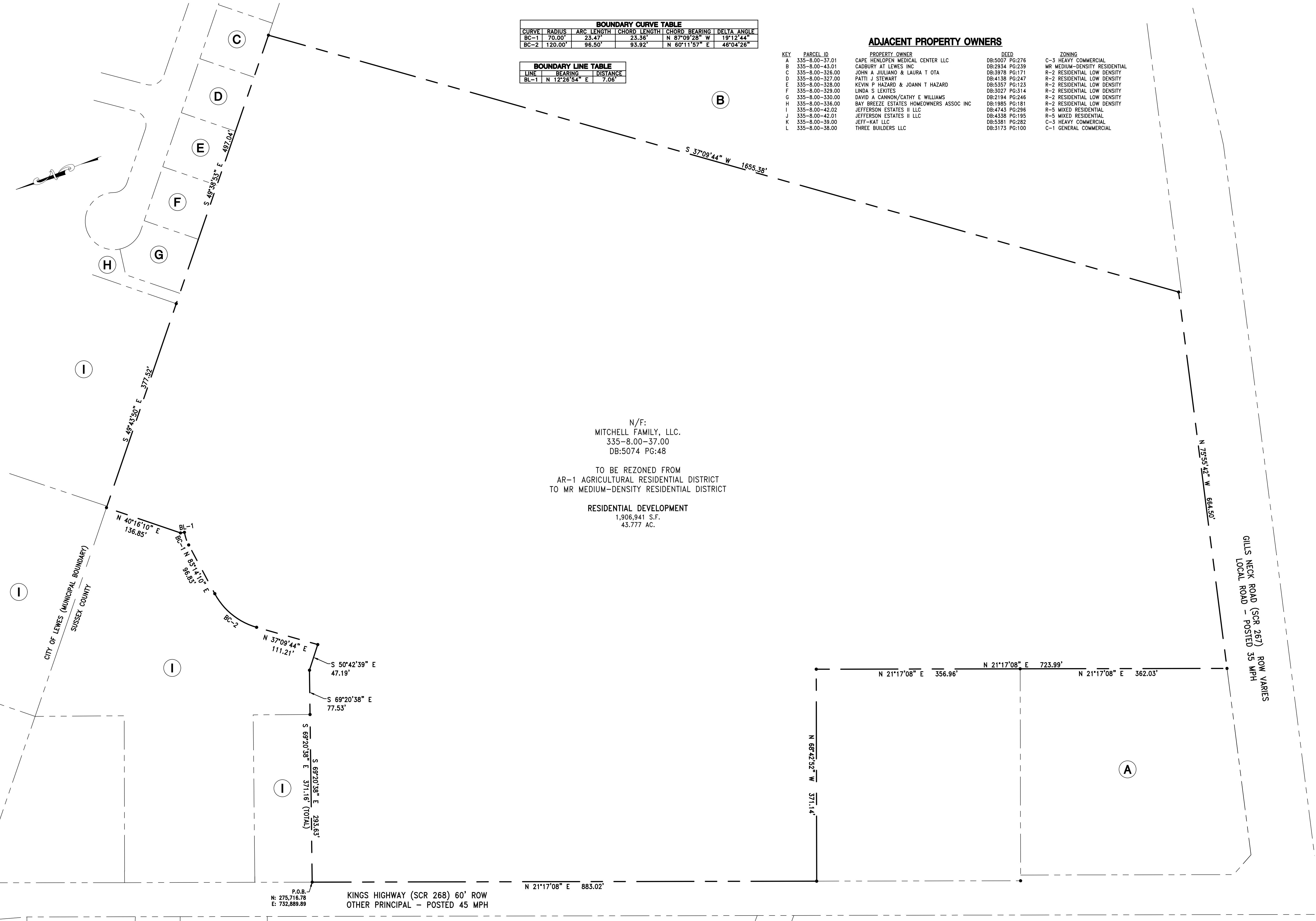
**ADJACENT PROPERTY OWNERS**

KEY	PARCEL ID	PROPERTY OWNER	DEED	ZONING
A	335-8.00-37.01	CAPE HENLOPEN MEDICAL CENTER LLC	DB:5007 PG:276	C-3 HEAVY COMMERCIAL
B	335-8.00-43.01	CADBURY AT LEWES INC	DB:2934 PG:239	MR MEDIUM-DENSITY RESIDENTIAL
C	335-8.00-326.00	JOHN A JULIANO & LAURA T OTA	DB:3978 PG:171	R-2 RESIDENTIAL LOW DENSITY
D	335-8.00-327.00	PATTI J STEWART	DB:4198 PG:247	R-2 RESIDENTIAL LOW DENSITY
E	335-8.00-328.00	KEVIN P HAZARD & JOANN T HAZARD	DB:5357 PG:123	R-2 RESIDENTIAL LOW DENSITY
F	335-8.00-329.00	LINDA S LEKITES	DB:3027 PG:314	R-2 RESIDENTIAL LOW DENSITY
G	335-8.00-330.00	DAVID A CANNON/CATHY E WILLIAMS	DB:2194 PG:246	R-2 RESIDENTIAL LOW DENSITY
H	335-8.00-336.00	BAY BREEZE ESTATES HOMEOWNERS ASSOC INC	DB:1985 PG:181	R-2 RESIDENTIAL LOW DENSITY
I	335-8.00-42.02	JEFFERSON ESTATES II LLC	DB:4743 PG:296	R-5 MIXED RESIDENTIAL
J	335-8.00-42.01	JEFFERSON ESTATES II LLC	DB:4338 PG:195	R-5 MIXED RESIDENTIAL
K	335-8.00-39.00	JEFF-KAT LLC	DB:5381 PG:282	C-3 HEAVY COMMERCIAL
L	335-8.00-38.00	THREE BUILDERS LLC	DB:3173 PG:100	C-1 GENERAL COMMERCIAL

N/F:  
MITCHELL FAMILY, LLC.  
335-8.00-37.00  
DB:5074 PG:48

TO BE REZONED FROM  
AR-1 AGRICULTURAL RESIDENTIAL DISTRICT  
TO MR MEDIUM-DENSITY RESIDENTIAL DISTRICT

RESIDENTIAL DEVELOPMENT  
1,906,941 S.F.  
43.777 AC.



**ARCHITECTS ENGINEERS SURVEYORS**

**DAVIS, BOWEN & FRIEDEL, INC.**

1000 W. MARKET ST. SUITE 200  
MILFORD, DELAWARE 19967  
(302) 424-1441  
FAX: (302) 424-1441  
EASTON, MARYLAND (410) 770-4744

**MITCHELL FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

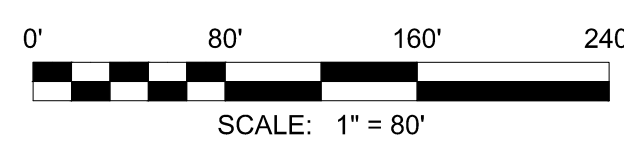
Date: **DECEMBER 2021**

Scale: **1" = 80'**

Drawn By: **DEG**

Proj.No.: **3808A001**

Dwg.No.: **RZ-01**





# MITCHELLS CORNER LEWES & REHOBOTH HUNDRED

SUBDIVISION NUMBER 2022-01

CZ #1967: AR-1 TO C2

CZ #1968: AR-1 TO MR

CU #2334

Sussex County, Delaware

3808A001

FEBRUARY 2022

## Table of Contents

### A. Executive Summary

### B. Data Column

1. Major Subdivision/Conditional Use & MR Change of Zone
2. C-2 Change of Zone

### C. Maps

1. Surrounding Communities
2. Firmette from FEMA
3. 2020 State Strategies Map
4. 2045 Future Land Use Map
5. Current Sussex County and City of Lewes Zoning Map
6. 1992 Aerial Map
7. Current Aerial Map
8. Environmental Map
9. Source Water Protection Areas Map
10. NRCS Soils Map

### D. Site Rendering

### E. Deed & Plats

1. Deed Book 4143, Page 136 – Agricultural Preservation Termination
2. Plot Book 235, Page 18 – Minor Subdivision -
3. Deed Book 4583 Page 327 – The Moorings
4. Plot Book 247, Page 73 – Minor Subdivision
5. Plot Book 271, Page 47 – Minor Subdivision
6. Plot Book 275, Page 56 – Record Plan - RED
7. Deed Book 5007, Page 276 – CHMC
8. Plot Book 281, Page 40 - Boundary Easement
9. Plot Book 290, Page 23 – Big Oyster Lot Line Adjustment
10. Deed Book 5112, Page 76 – Big Oyster (Transfer 1)
11. Plot Book 358, Page 18 – Big Oyster (Transfer 2)
12. Deed Book 5613, Page 209 – Big Oyster (Transfer 2)
13. Deed Book 327, Page 427 – Mitchell Family Acquisition
14. Deed Book 5074, Page 48 – Mitchell Family LLC

### F. Major Subdivision Application & Plan: 2022-01

### G. C-2 Rezoning Application & Plan: CZ 1968

### H. MR Rezoning Application & Plan: CZ 1967

- I. Conditional Use Application & Sketch Plan: CU 2334
- J. 2022-01: Chapter 99-9C Response
- K. Environmental Assessment and Public Facilities Report
- L. Chapter 89 Response
- M. PLUS Response 2021-12-05
- N. Surrounding Densities and Building Scale
- O. Major Subdivision Landscape Buffer Waiver
- P. SCD Approval Letter & Drainage Map
- Q. Traffic
  - 1. DelDOT Traffic Impact Study Review Letter (Current Application)
  - 2. Response to Service Level Evaluation Requests (SLER)
  - 3. Generation Diagram Gills Neck Entrance
  - 4. LT Associates Letter Agreement with DelDOT
  - 5. FY21 – FY26 CTP Approved (Excerpt)
  - 6. FY23 – FY28 CTP Development Plan (COT Review on 2/24/2022)
- R. Edward Otter, Inc Report
- S. Verdantas Letter Regarding Wellhead Protection
- T. Letter of Architectural Appropriateness
- U. Peer Review Letter by Pennoni



A

## A. Land Use & Zoning

1. The property is located northeast of the intersection of Kings Highway and Gills Neck Road.
2. The Owner of the property is Mitchell Family, LLC.
3. The Developer of the property is Henlopen Properties, LLC.
4. The property is currently zoned AR-1 (Agricultural / Residential).
5. The property is adjacent to land zoned Neighborhood Business (B-1, Townsend Village Center, Medium-Density Residential (MR, The Moorings) (R-5, Jefferson Apartments, City of Lewes), Residential Low Density (R-2, Bay Breeze Estates, City of Lewes) Agricultural-Residential (AR-1, Lane Builders), Heavy Commercial (C-3, Big Oyster), and Agricultural-Residential with Conditional Use (AR-1, CU 2112 for a 39,000 square foot medical / professional office, Cape Henlopen Medical Center).
6. The property is located in the Level 1 Area of the 2020 State Strategies Map.
7. The property is located within the Coastal Area on the Future Land Use Map.

## B. Land Utilization

1. The total acreage of land to be utilized for this project is approximately 46.818 acres.
2. The proposed project will include a 267 unit mixed residential development and a commercial pad site for professional or medical office use.
3. The commercial building will be set back from the front property line similar to the existing Cape Henlopen Medical Center.
4. The project will include the use of Best Management Practices (BMPs) and Green Technology for stormwater management.

### C. Environmental

1. The property does not contain federal wetlands as indicated on the National Wetland Inventory Map (see map C8)
2. The project is not located in the floodplain per FEMA map 1005C0194K, dated March 16, 2015.
3. The project is located within a Sourcewater Protection Area and the development of the site will be in compliance with Chapter 89 of the Sussex County Code.
4. An Environmental Assessment Report was prepared by Verdantas to demonstrate the project will provide recharge to mitigate the impact on the project. A copy of the report can be found in Appendix S.

### D. Traffic

1. A Support Facilities Report has been completed for all four applications.
2. A Traffic Impact Study has been completed for this project.
3. An addendum to the Traffic Impact Study has been completed for this project.
4. A Traffic Impact Study Review Letter from DelDOT has been received.
5. The Developer as part of the Traffic Impact Study shall install interim improvements and will be finalized, approved and installed with the entrance plan review, approval and construction process.

### E. Civil Engineering

1. The site's sanitary sewer needs will be served by Sussex County in the Unified Sewer District.
2. Drinking water and fire protection will be provided by Tidewater Utilities, Inc. or the City of Lewes Board of Public Works.
3. Electric service for this site will be provided by the City of Lewes Board of Public Works and Delaware Electric Coop.

**B**

## Major Subdivision/Conditional Use & MR Data Sheet

**Owner:** Mitchell Family, LLC  
**Developer:** Henlopen Properties, LLC  
**Engineer:** Davis, Bowen & Friedel, Inc.  
**Attorney:** Morris James, LLP

### **Project Description**

Physical Location: Northeast of the intersection of Kings Highway and Gills Neck Rd.  
Tax Parcel #: 3-35-8.00-37.00 (part of)  
Site Acreage: 43.77 acres +/-

Current Zoning: AR-1 (Agricultural / Residential)  
Proposed Zoning: MR (Medium-Density Residential)

Current Use: Agriculture  
Proposed Use: Multi-Family Residential

Dwelling Units: 114 Duplexes  
153 Townhomes  
267 Total Units

Density: 6.10 units/acre

### **Minimum Zoning Requirements**

MR:	Required	Proposed
Minimum Lot Area:	1,600 SF	2,400 SF
Average Lot Area:	3,630 SF	3,904 SF
Minimum Lot Width:	16 FT	24 FT
Minimum Lot Depth	100 FT	100 FT
Front Yard Setback:	30 FT	30 FT
Side Yard Setback:	10 FT	10 FT
Rear Yard Setback:	10 FT	10 FT
Maximum Building Height:	42 FT	42 FT

## C-2 Change of Zone Data Sheet

**Owner:** Mitchell Family, LLC  
**Developer:** Henlopen Properties, LLC  
**Engineer:** Davis, Bowen & Friedel, Inc.  
**Attorney:** Morris James, LLP

### **Project Description**

Physical Location: Northeast of the intersection of Kings Highway and Gills Neck Rd.

Tax Parcel #: 3-35-8.00-37.00 (part of)

Site Acreage: 46.818 acres +/-

Rezoning Acreage: 3.041 acres +/-

Current Zoning: AR-1 (Agricultural / Residential)

Proposed Zoning: C-2 (Medium Commercial)

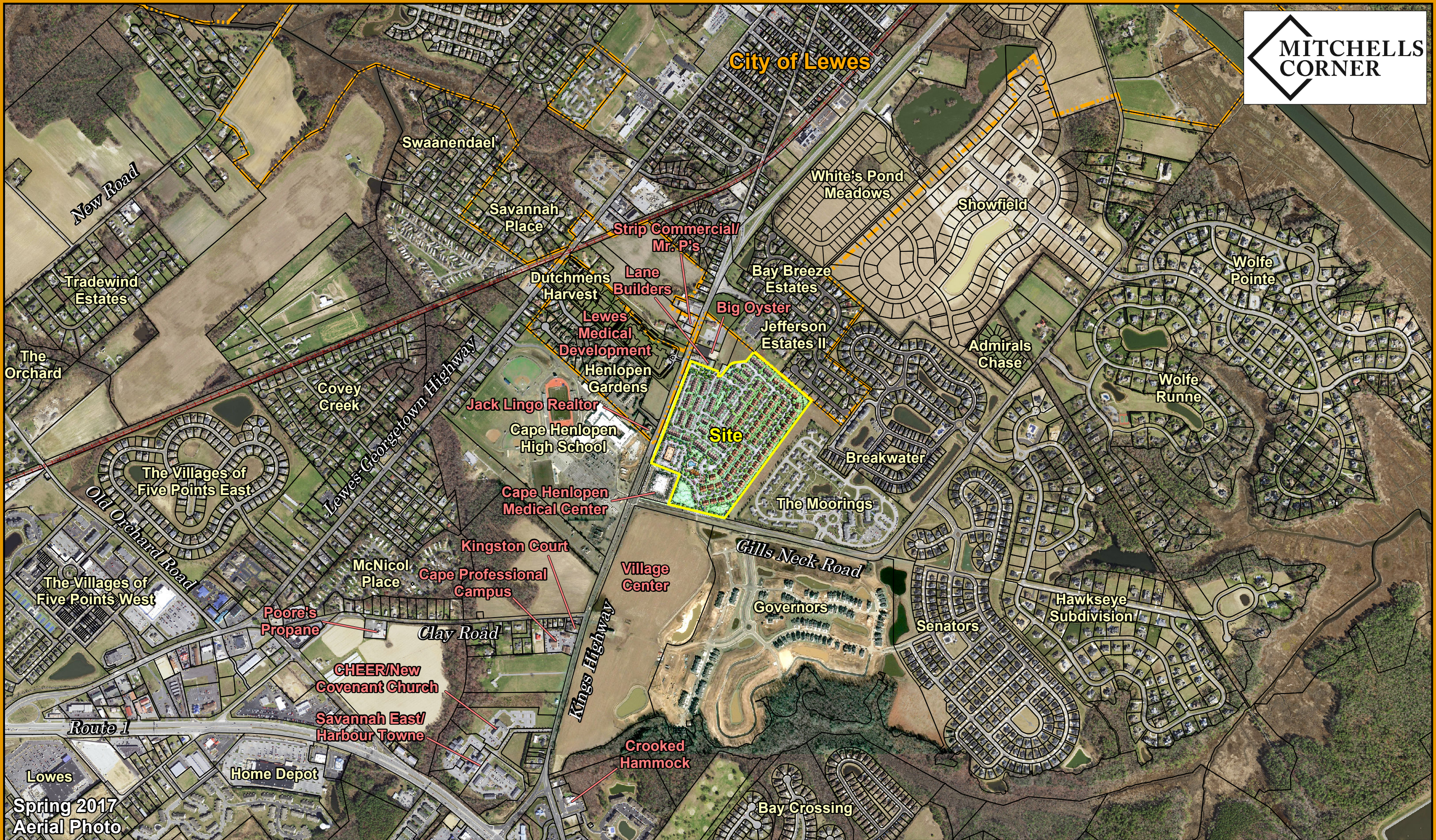
Current Use: Agricultural

Proposed Use: Commercial (Professional or Medical Office)

### **Zoning Requirements**

C-2:	Required	Proposed
Minimum Lot Area:	15,000 SF	3.014 Acres
Minimum Lot Width:	75 FT	356 FT
Minimum Lot Depth:	100 FT	341 FT
Maximum Floor Area:	75,000 SF	43,200 SF
Minimum Front Yard Setback:	60 FT	60 FT
Minimum Side Yard Setback:	5 FT	5 FT
(Adj Residential):	20 FT	20 FT
Minimum Rear Yard Setback:	5 FT	5 FT
(Adj Residential):	30 FT	20 FT
Maximum Building Height:	42 FT	42 FT

C



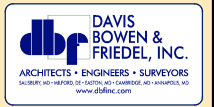
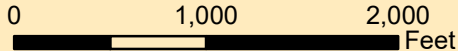
Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County

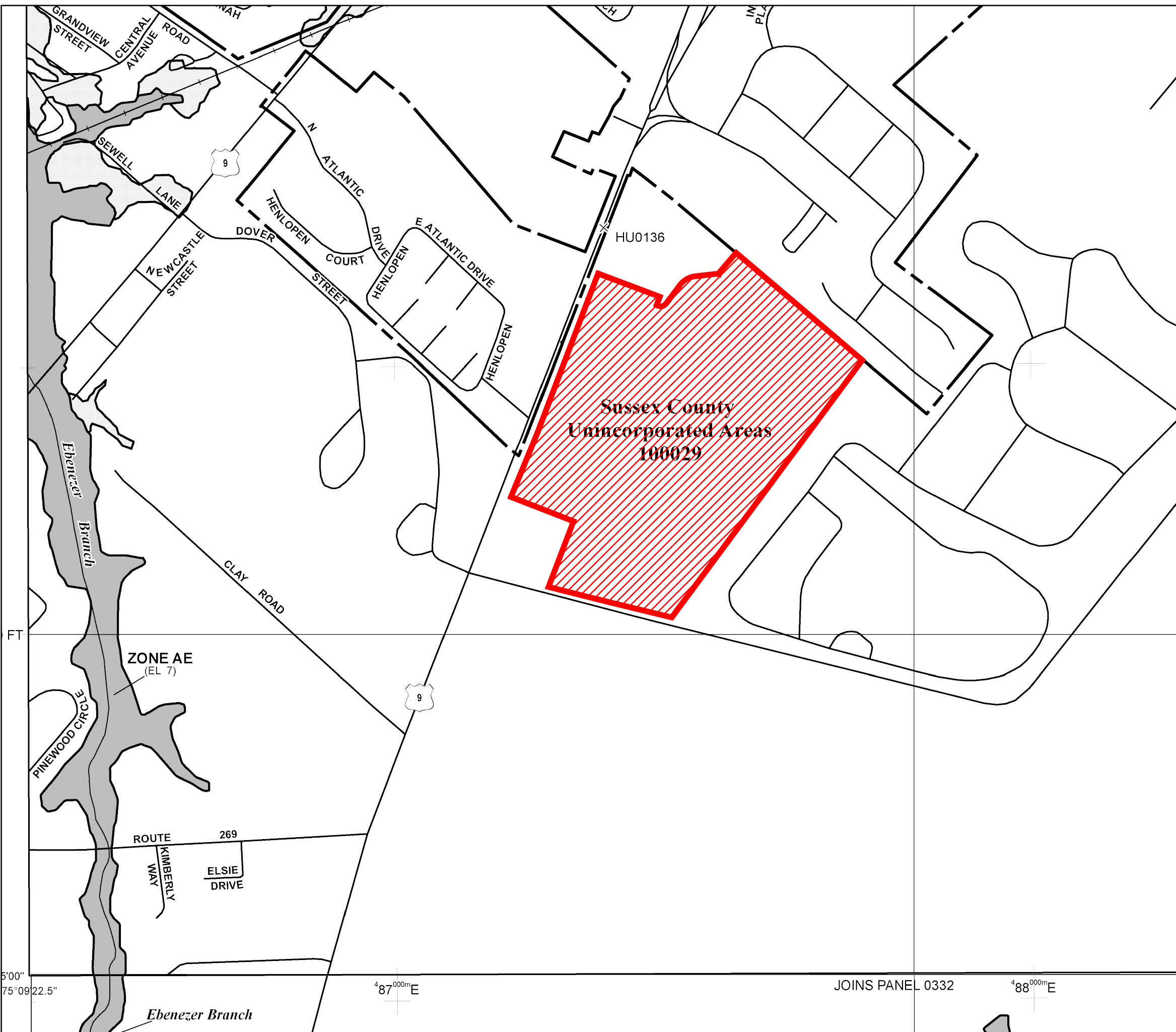


### Surrounding Communities Map

Mitchells Corner  
Sussex County, Delaware







**NFIP**  
**NATIONAL FLOOD INSURANCE PROGRAM**

PANEL 0194K

**FIRM**  
**FLOOD INSURANCE RATE MAP**

**SUSSEX COUNTY,  
 DELAWARE  
 AND INCORPORATED AREAS**

**PANEL 194 OF 660**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
LEWES, CITY OF	100041	0194	K
SUSSEX COUNTY	100029	0194	K

- NOTE -  
 THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT ENABLING LEGISLATION.

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



**MAP NUMBER  
 10005C0194K**

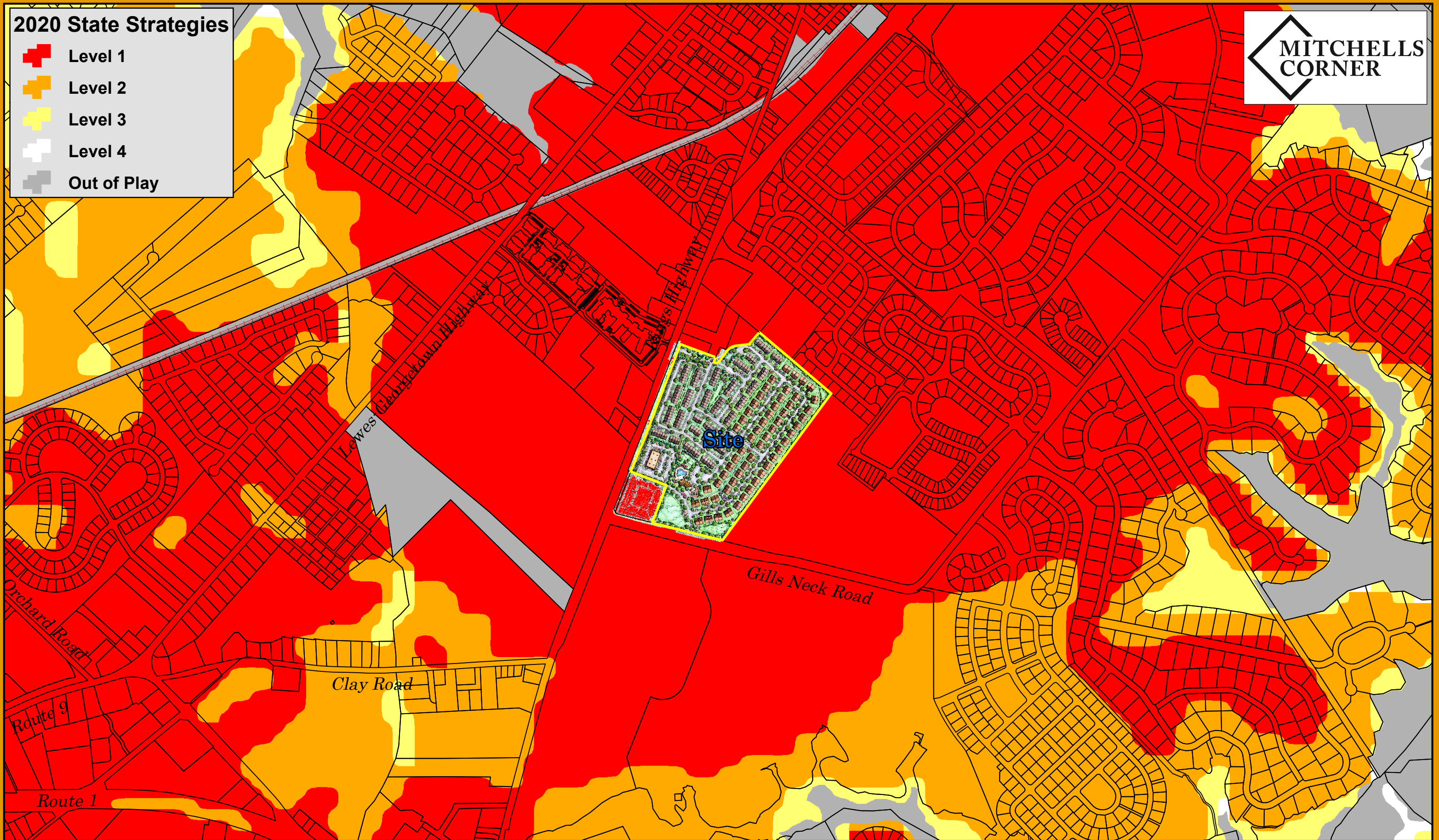
**MAP REVISED  
 MARCH 16, 2015**

Federal Emergency Management Agency

5'00" 75°09'22.5" 487'000m E JOINS PANEL 0332 488'000m E

# 2020 State Strategies

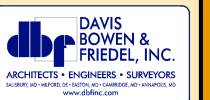
- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play



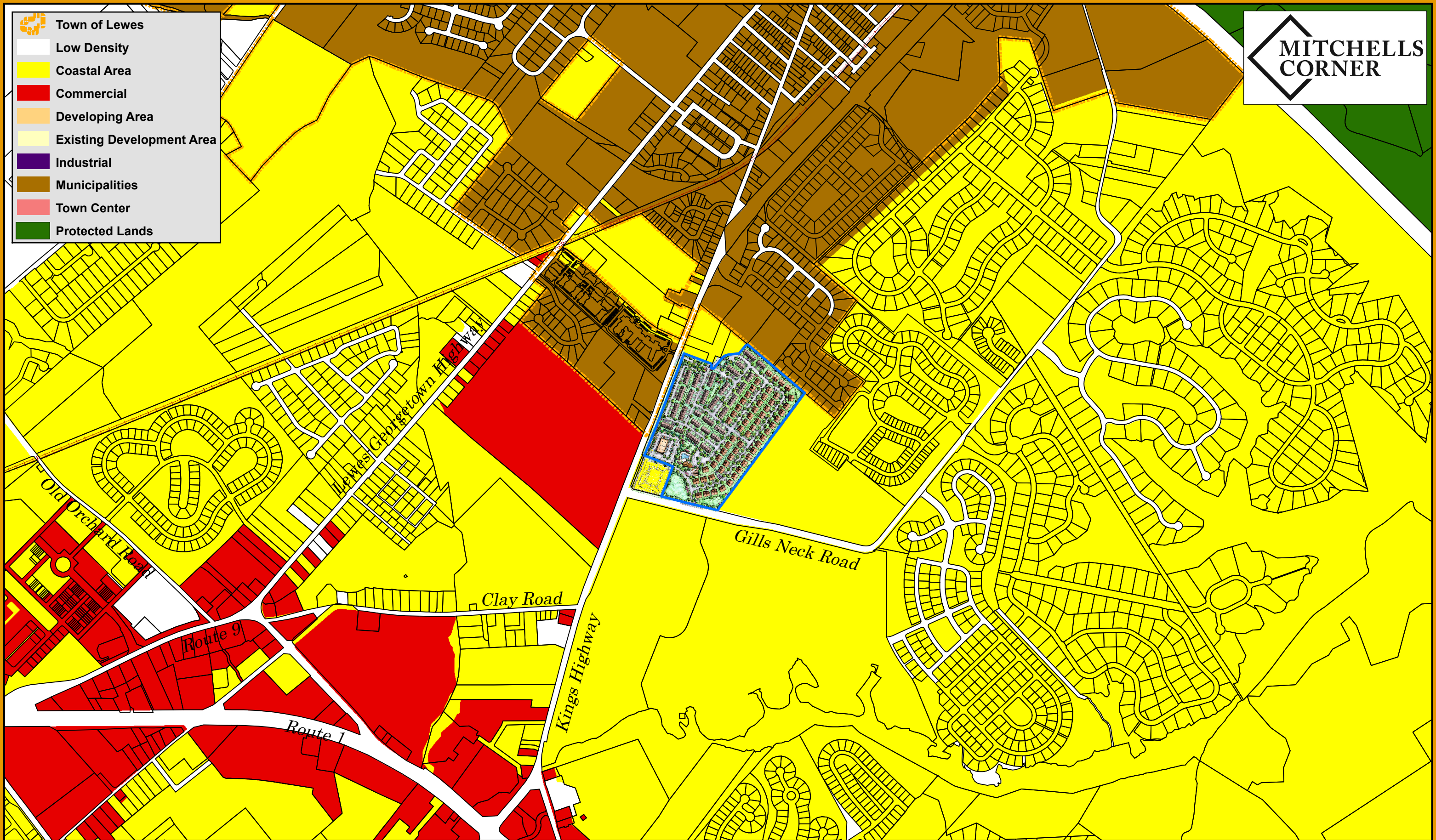
Sources:  
Tax Parcels per Sussex County



## 2020 State Strategies Mitchells Corner Sussex County, Delaware



-  Town of Lewes
-  Low Density
-  Coastal Area
-  Commercial
-  Developing Area
-  Existing Development Area
-  Industrial
-  Municipalities
-  Town Center
-  Protected Lands



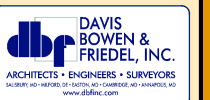
Sources:  
Tax Parcels per Sussex County



February 2022

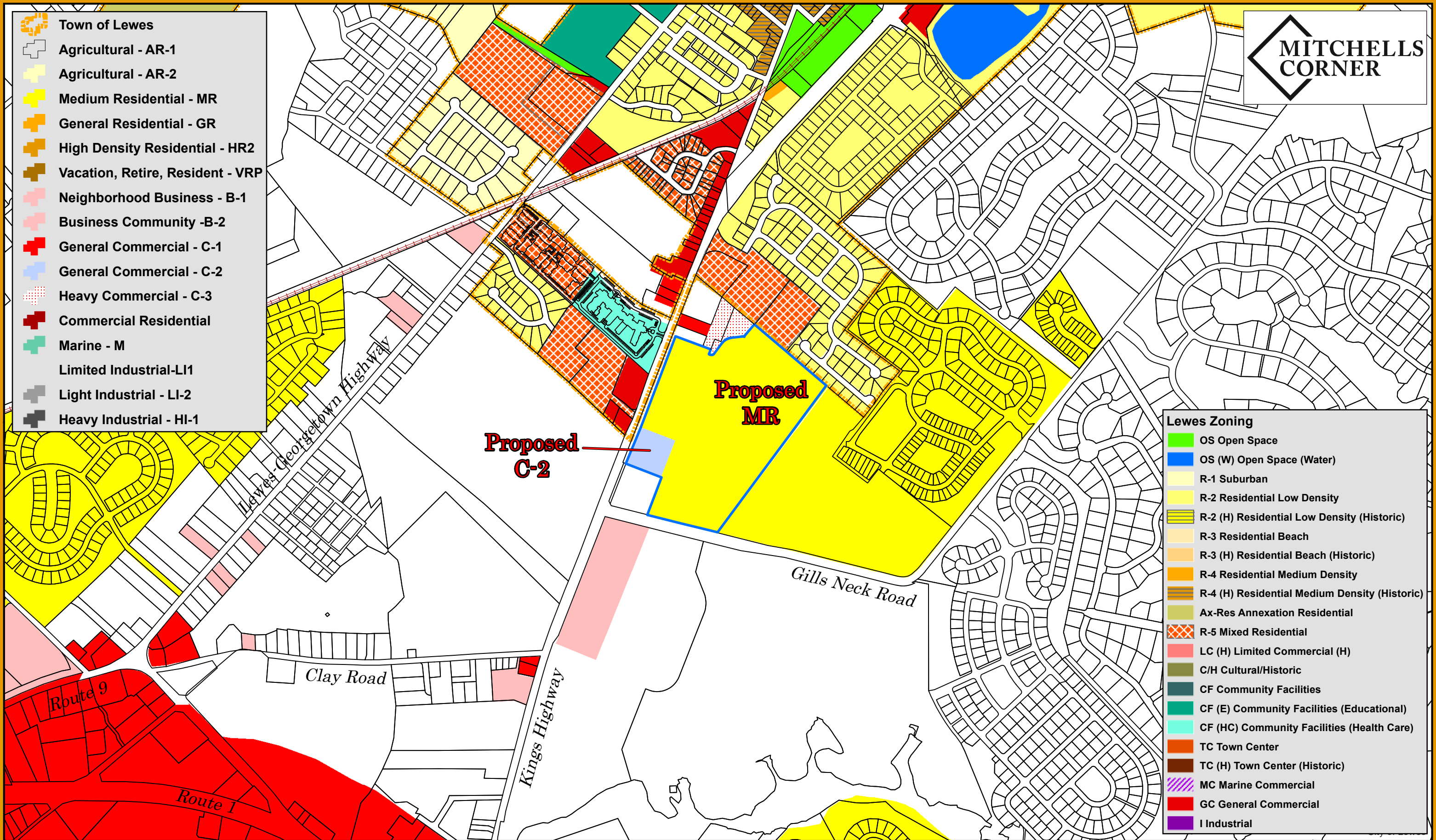
# Sussex County 2045 Future Land Use Map

Mitchells Corner  
Sussex County, Delaware





- Town of Lewes
- Agricultural - AR-1
- Agricultural - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR2
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- Business Community - B-2
- General Commercial - C-1
- General Commercial - C-2
- Heavy Commercial - C-3
- Commercial Residential
- Marine - M
- Limited Industrial-LI1
- Light Industrial - LI-2
- Heavy Industrial - HI-1



- Lewes Zoning**
- OS Open Space
  - OS (W) Open Space (Water)
  - R-1 Suburban
  - R-2 Residential Low Density
  - R-2 (H) Residential Low Density (Historic)
  - R-3 Residential Beach
  - R-3 (H) Residential Beach (Historic)
  - R-4 Residential Medium Density
  - R-4 (H) Residential Medium Density (Historic)
  - Ax-Res Annexation Residential
  - R-5 Mixed Residential
  - LC (H) Limited Commercial (H)
  - C/H Cultural/Historic
  - CF Community Facilities
  - CF (E) Community Facilities (Educational)
  - CF (HC) Community Facilities (Health Care)
  - TC Town Center
  - TC (H) Town Center (Historic)
  - MC Marine Commercial
  - GC General Commercial
  - I Industrial

Sources:  
Tax Parcels per Sussex County



February 2022

**Sussex County Zoning Map**  
**Mitchells Corner**  
 Sussex County, Delaware

0 800 1,600  
 Feet



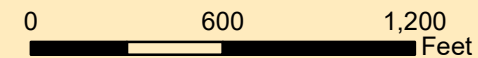


Spring 1992  
Aerial Photo

Sources:  
Tax Parcels per Sussex County



**1992 Aerial Photo**  
**Mitchells Corner**  
Sussex County, Delaware





Spring 2017  
Aerial Photo



**2017 Aerial Photo**  
**Mitchells Corner**  
Sussex County, Delaware

Sources:  
Tax Parcels per Sussex County



-  100-YR Flood Plain
-  NWI Wetlands
-  State 2' Contours

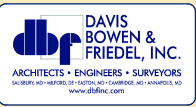




Spring 2017  
Aerial Photo

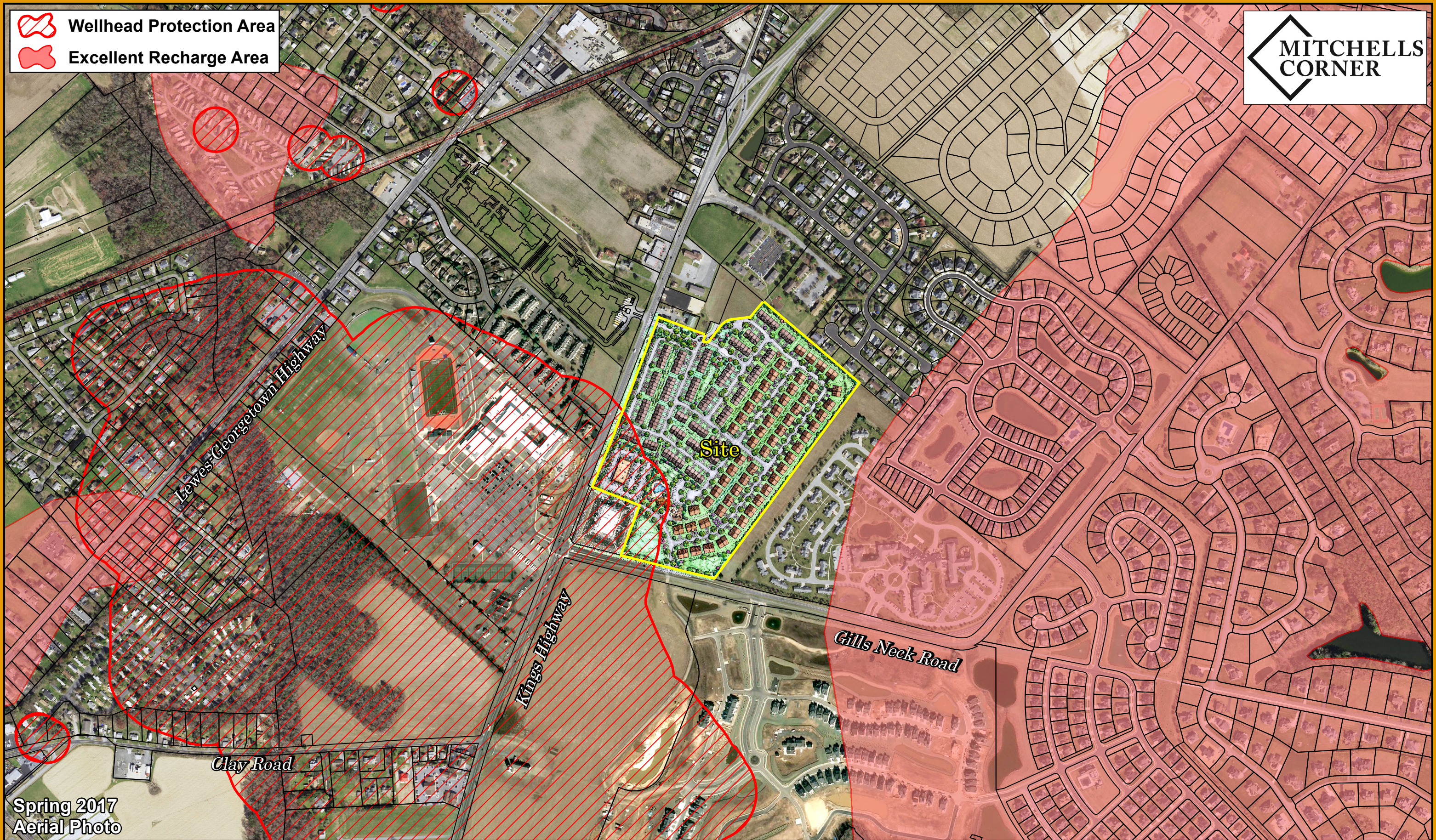


Sources:  
Tax Parcels per Sussex County

**Environmental Map**  
Mitchells Corner  
Sussex County, Delaware



-  Wellhead Protection Area
-  Excellent Recharge Area

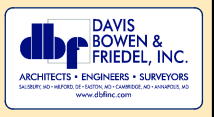
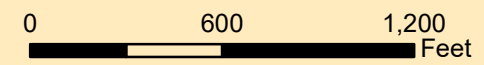


Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County

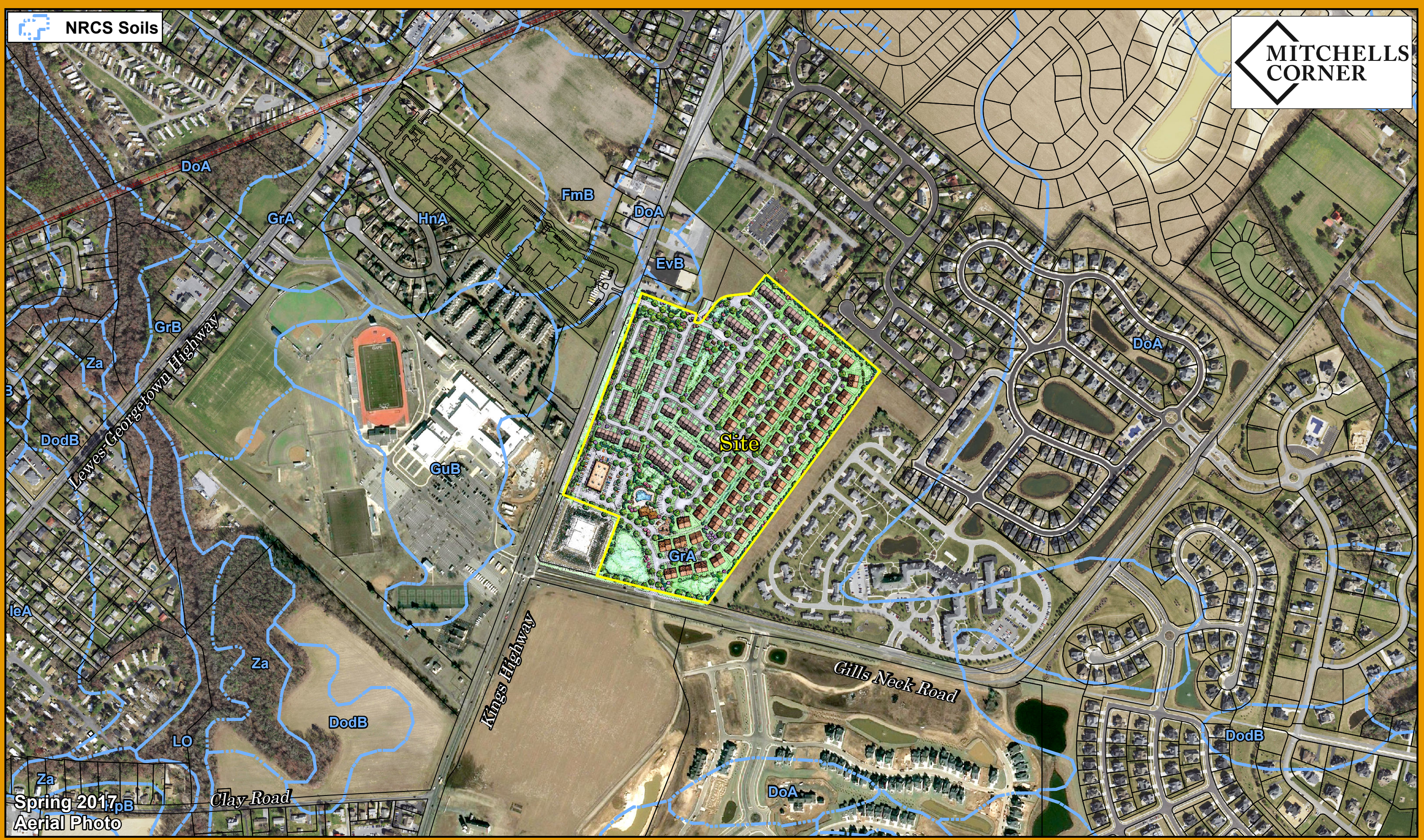
February 2022

**Source Water Protection Areas**  
**Mitchells Corner**  
 Sussex County, Delaware



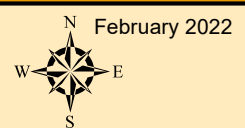


 NRCS Soils



Spring 2017<sub>pB</sub>  
Aerial Photo

Sources:  
Tax Parcels per Sussex County



### NCRS Soil Survey

Mitchells Corner  
Sussex County, Delaware



D



**E**

LAW OFFICES  
**PARKOWSKI, GUERKE & SWAYZE**

PROFESSIONAL ASSOCIATION

116 WEST WATER STREET  
P.O. BOX 598  
DOVER, DELAWARE 19903  
302-678-3262  
FAX: 302-678-9415  
[www.pgslegal.com](http://www.pgslegal.com)

F. MICHAEL PARKOWSKI  
I. BARRY GUERKE  
DAVID S. SWAYZE  
CLAY T. JESTER  
JEREMY W. HOMER  
JOHN C. ANDRADE  
MARK F. DUNKLE (also GA & PA)  
WILLIAM A. DENMAN  
MICHAEL W. ARRINGTON (also MD & DC)  
CHRISTINE P. SCHILTZ  
MICHAEL W. TEICHMAN  
KASHIF I. CHOWDHRY (also PA)  
JAMES D. NUTTER  
ELIO BATTISTA JR.

CAROLYN M. MCNEICE  
OF COUNSEL

WILMINGTON OFFICE  
800 KING STREET, SUITE 203  
WILMINGTON, DE 19801  
302-654-3300  
FAX: 302-654-3033

---

GEORGETOWN OFFICE  
16 S. FRONT STREET  
GEORGETOWN, DE 19947  
302-855-9090  
FAX: 302-855-1113

August 29, 2013

**VIA HAND DELIVERY**

Ashley Spangler  
Delaware Agricultural Lands  
Preservation Foundation  
2320 S. DuPont Highway  
Dover, Delaware 19901

RE: Recorded Termination Agreement

Dear Ashley:

Enclosed please find the following original signed Termination Agreement, which has been filed and indexed with the Office of the Recorder of Deeds:

1. Mitchell S-98-02-042F

Sincerely yours,



G. Erin Wright, DCP  
Delaware Certified Paralegal

Tax Map #3-35-8.00-37.00  
Prepared By: Delaware Agricultural  
Lands Preservation Foundation (S-98-02-042F)  
2320 S. DuPont Highway, Dover, DE 19901  
Return to: Parkowski, Guerke & Swayze, P.A.  
116 W. Water Street, Dover, DE 19903

BK: 4143 PG: 136

**TERMINATION OF DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION  
AGRICULTURAL PRESERVATION DISTRICT AGREEMENT**

THIS termination document is made and recorded for the purpose of giving record notice of the termination of the Agricultural Preservation District Agreement described herein. The District Agreement dated April 22, 1998, by and between LOWDER W. MITCHELL, JR. AND JANE T. MITCHELL, husband and wife, and Delaware Agricultural Lands Preservation Foundation, recorded in the Office of the Recorder of Deeds for SUSSEX County, Delaware, in Deed Book 02293, Page 010, affected the parcel of land identified on the SUSSEX County Tax Map as 3-35-8.00-37.00, consisting of 57.89 acres with improvements.

Pursuant to instructions from the Delaware Agricultural Lands Preservation Foundation, timely notice was given to the Foundation that the above-described property was to be withdrawn from the District. The Foundation acknowledged receipt of the said notice, which was made six (6) months prior to the expiration date of the Agreement. By his execution of this document, an authorized representative of the Delaware Agricultural Lands Preservation Foundation does confirm the withdrawal of the above-described lands from the Delaware Agricultural Lands Preservation Agricultural Preservation District Agreement effective April 22, 2013.

IN WITNESS WHEREOF, the undersigned has set its Hand and Seal this 27th day of June, 2013.

WITNESS:

DELAWARE AGRICULTURAL LANDS  
PRESERVATION FOUNDATION

Ashley Spangler

By: Robin West

Authorized Designee

STATE OF DELAWARE :  
COUNTY OF Kent : SS.

BE IT REMEMBERED, that on this 27th day of June, 2013, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Robin West, known to me or satisfactorily proved to be the person who executed the foregoing instrument, and he acknowledged he is an authorized designee of DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION, party to this instrument, he is authorized to execute the instrument, and he did execute the instrument for and on behalf of the said Foundation as its act and deed.

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



Cathy M. Mesick  
*expires 9/11/2016*  
Notary Public

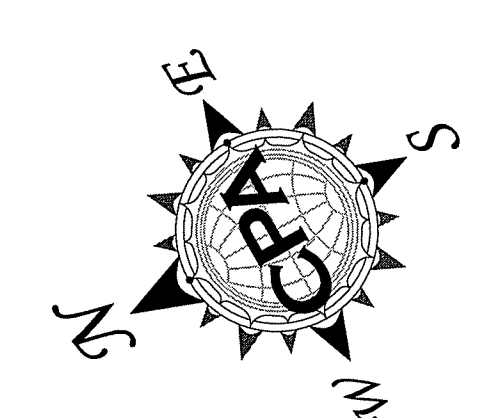
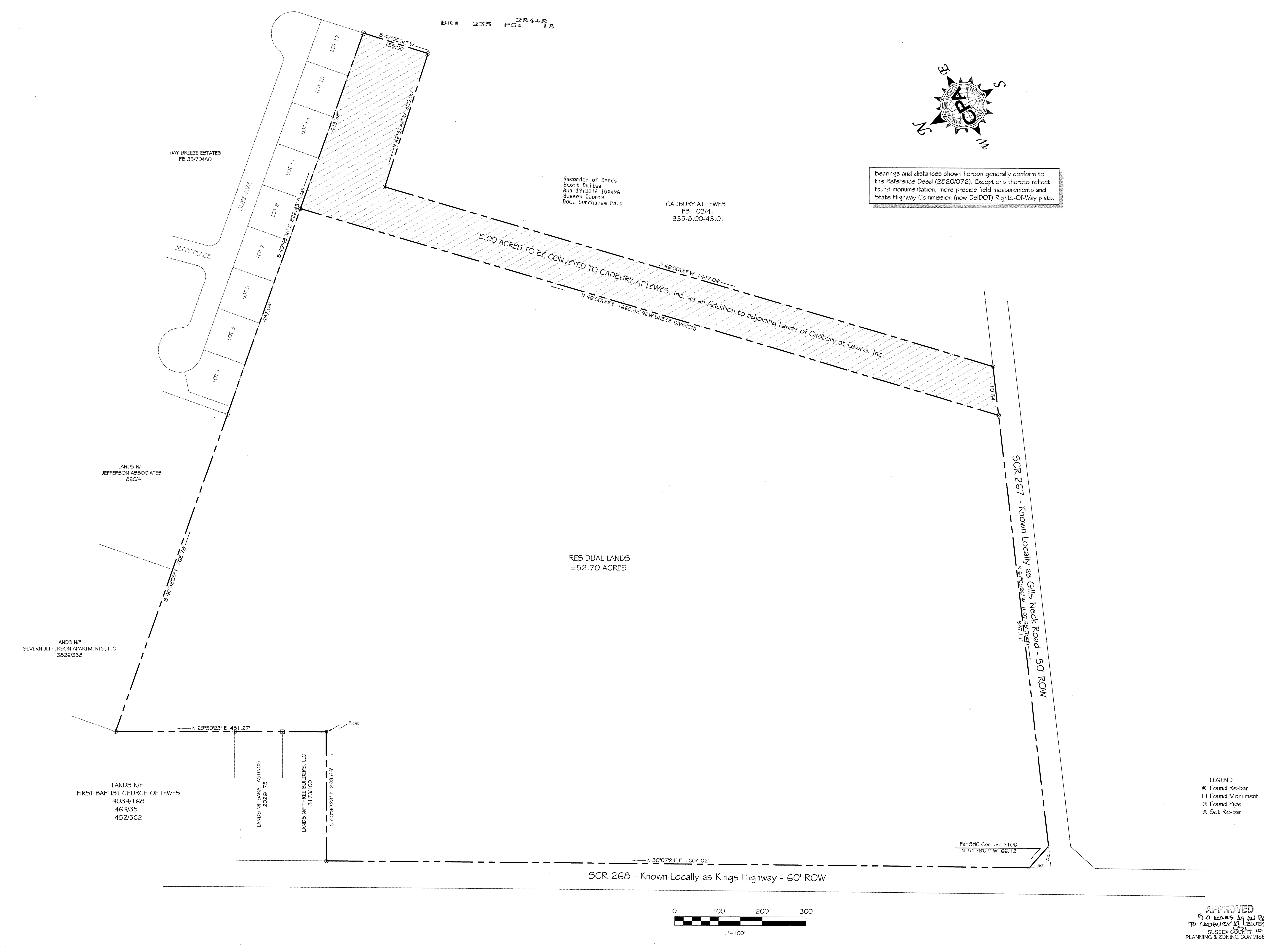
RECEIVED

JUL 01 2013

ASSESSMENT DIVISION  
OF SUSSEX COUNTY

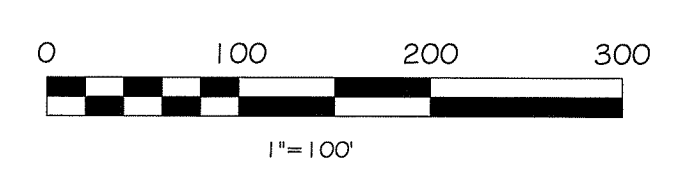
Recorder of Deeds  
Scott Dailey  
Jul 01, 2013 09:03A  
Sussex County  
Doc. Surcharge Paid

*Handwritten initials*



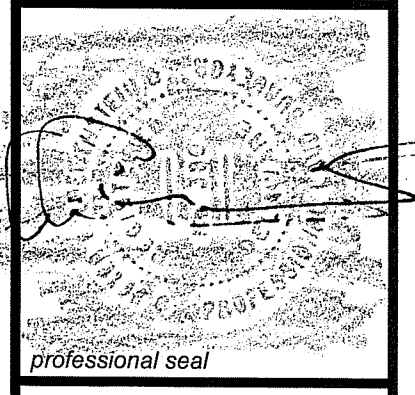
Bearings and distances shown hereon generally conform to the Reference Deed (2820/072). Exceptions thereto reflect found monumentation, more precise field measurements and State Highway Commission (now DelDOT) Rights-Of-Way plats.

- LEGEND
- Found Re-bar
  - Found Monument
  - ⊙ Found Pipe
  - ⊙ Set Re-bar



**APPROVED**  
 5.0 ACRES BY AN EXTENSION  
 TO CADBURY AT LEWES, INC.  
 SUSSEX COUNTY 10-11-14  
 PLANNING & ZONING COMMISSION

**COMPASS POINT ASSOCIATES**  
 SURVEYING  
 LAND PLANNING  
 P.O. Box 246  
 Harbeson, DE 19951  
 (302) 684-2980  
 fax (302) 684-2983  
 cpall@comcast.net



Project: **BOUNDARY SURVEY PLAN - MINOR SUBDIVISION PLAN:  
 LANDS OF THE L.W. & J.T. MITCHELL FAMILY LIMITED PARTNERSHIP**  
 near Lewes, in Lewes & Rehoboth Hundred  
 Sussex County, Delaware  
 TM 335-8.00-37.00

Revisions  
 10/08/2014 to address MJWTHB email commitments of 10/07/2014

Surveyed By: V. Welch, PLS  
 Prepared By: P.E.L.  
 Checked By: H.F.J., PLS/M.W.  
 Project #: 131114  
 Class: "B" Survey  
 Client: Robert Mitchell

No recorded rights-of-way, easements or other encumbrances affecting these lands have been provided to the Surveyor by the Client. No warranty as to title to any lands depicted hereon is explicitly or implicitly provided.

Date: Jan. 2014

Scale: As Shown

Sheet 1 of 1

22  
 22

28450

TAX MAP AND PARCEL #: 3-35 8.00 37.00 p/o

PREPARED BY & RETURN TO:

BK: 4583 PG: 327

Morris James Wilson Halbrook & Bayard, LLP

107 West Market Street

P.O. Box 690

Georgetown, DE 19947

File No. 201487/RGG

Consideration: 1,250,000.00

-----	
County	18,750.00
State	18,750.00
Town	Total 37,500.00
Received: Teresa C Aug 19, 2016	

**THIS DEED**, made this 19<sup>th</sup> day of August, 2016,

- BETWEEN -

**L.W. & J.T. MITCHELL FAMILY LIMITED PARTNERSHIP**, a Delaware Limited Partnership, of 1019 Kings Highway, Lewes, DE 19958, party of the first part,

- AND -

**CADBURY AT LEWES, INC., A DELAWARE NOT-FOR-PROFIT CORPORATION**, of 17028 Cadbury Circle, 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 **TEN and 00/100 Dollars (\$10.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its successors and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

**ALL** that certain tract of land situate on the northerly side of Sussex County Route 267 – known locally as, and hereafter referred to as, Gills Neck Road - near Lewes, in Lewes and Rehoboth Hundred, Sussex County, Delaware, being more particularly described according to a recent Boundary Survey Plan-Minor Subdivision Lands of L.W. & J.T. Mitchell Family Limited Partnership, prepared by Compass Point Associates, dated January, 2014 and of record in the Office of the Recorder of Deeds in and for Sussex County in Plot Book 235, Page 18.

**BEGINNING**, for the purpose of this Description at a point on the northerly right of way line of Gills Neck Road, abovementioned, said Beginning Point being on the common boundary corner of these lands and said lands of Cadbury at Lewes, Inc.; thence by and with the said northerly right of way line of Gills Neck Road North 67 degrees 05 minutes 26 seconds West 110.54 feet; thence by and with a new line separating and dividing these lands from the remaining lands of the said L. W. and J. T. Mitchell Family Partnership North 46 degrees 00 minutes 00 seconds East 1660.82 feet to a point on the common boundary line between the said lands of the L. W. and J. T. Mitchell Family Partnership and the Bay Breeze Estates subdivision; thence by and with the common boundary line between these lands and the said Bay Breeze Estates subdivision South 40 degrees 48 minutes 38 seconds East 425.39 feet to a point on the line of Cadbury at Lewes, Inc., abovementioned; thence by and with the common boundary line between these lands and said lands of Cadbury at Lewes, Inc. the following three courses and

*AMS*

*AMS*



distances, to wit: 1) South 47 degrees 09 minutes 56 seconds West 155.00 feet; 2) North 42 degrees 31 minutes 46 seconds West 320.00 feet; 3) South 46 degrees 00 minutes 00 seconds West 1447.04 feet to the Beginning and containing 5.00 acres of land, be the same more or less

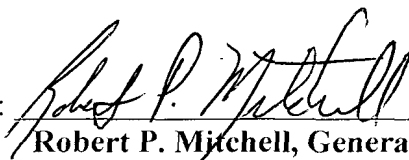
**BEING** part of the same lands conveyed to L.W. & J.T. Mitchell Family Partnership, a Delaware Limited Partnership by Deed of Lowder W. Mitchell, Jr., and Jane T. Mitchell dated March 31, 2003 and recorded in the Office of the Recorder of Deeds in and for Sussex County in Deed Book 2820, Page 72.

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

**IN WITNESS WHEREOF**, the said L.W. & J.T. Mitchell Family Limited Partnership, a Delaware Limited Partnership, has caused its name to be hereunto set under seal by Robert P. Mitchell, General Partner, of L.W. & J.T. Mitchell Family Limited Partnership, the day and year first above written.

**L.W. & J.T. MITCHELL FAMILY LIMITED PARTNERSHIP**, a Delaware Limited Partnership

\_\_\_\_\_  
Witness

By:  (SEAL)  
**Robert P. Mitchell, General Partner**

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

**BE IT REMEMBERED**, that on this 19<sup>th</sup> day of August, A.D. 2016, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Robert P. Mitchell, General Partner of L.W. & J.T. Mitchell Family Limited Partnership, a Delaware Limited Partnership, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said partnership; that the signature of the General Partner is in his own proper handwriting and by his authority to act; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by a resolution of the partnership.

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

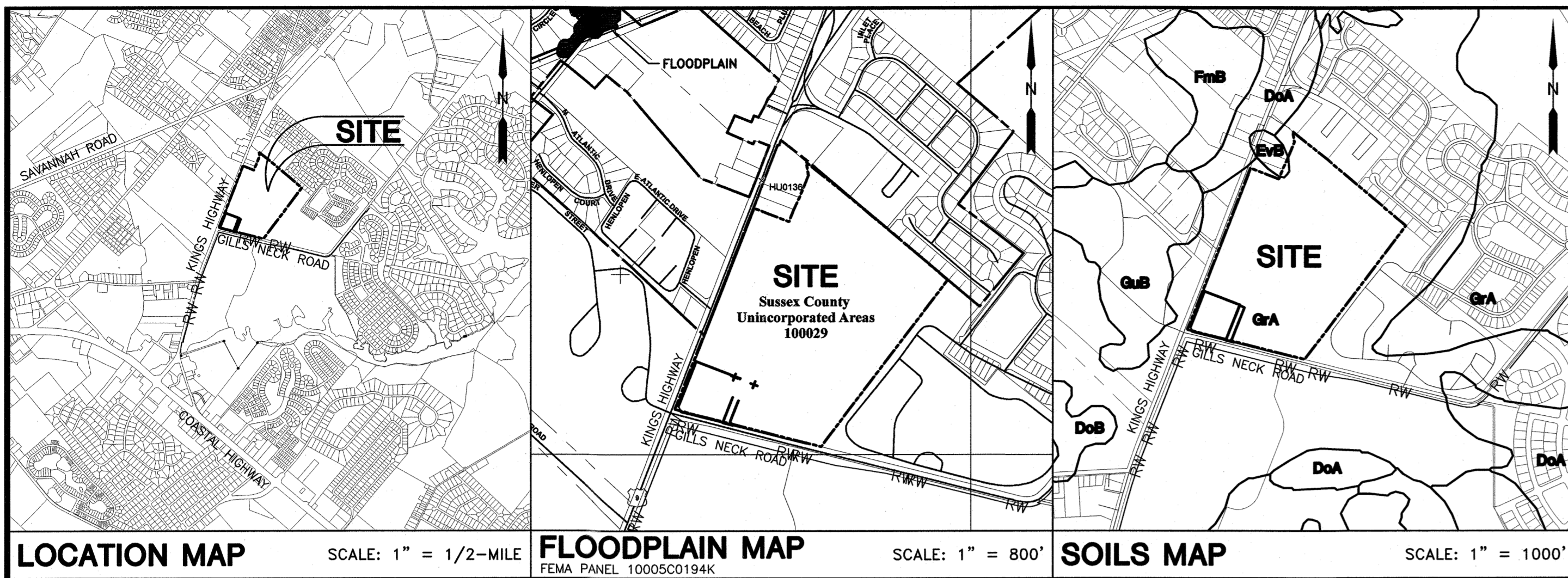
\_\_\_\_\_  
Notary Public

My Commission Expires:

**ROBERT G. GIBBS**  
NOTARIAL OFFICER PURSUANT TO  
29 DEL. CODE SECT. 4323  
ATTORNEY AT LAW - DELAWARE

RECEIVED  
AUG 19, 2016  
ASSESSMENT DIVISION  
OF SUSSEX COUNTY

Recorder of Deeds  
Scott Dailey  
Aug 19, 2016 10:56A  
Sussex County  
Doc. Surcharge Paid



LOCATION MAP

SCALE: 1" = 1/2-MILE

FLOODPLAIN MAP

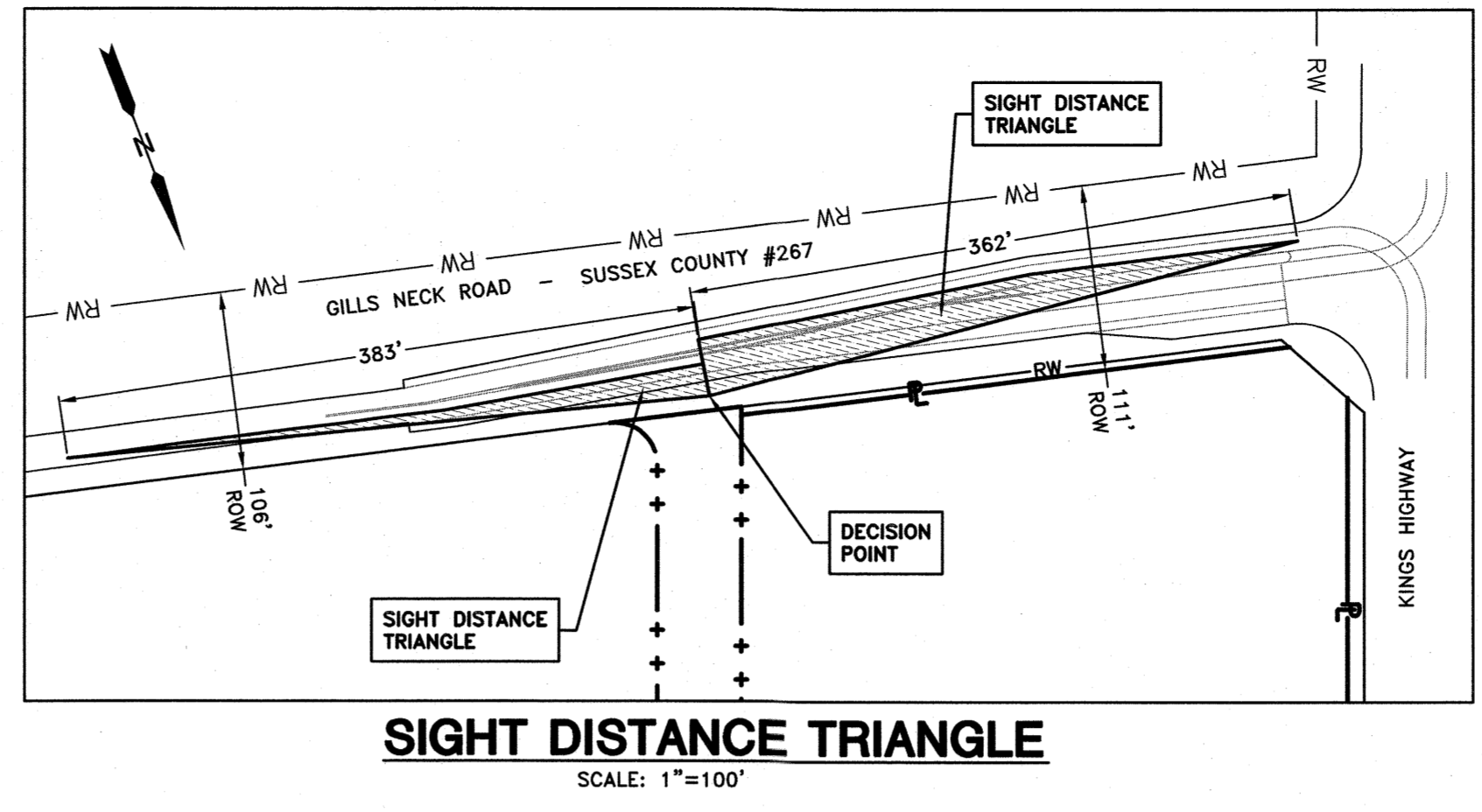
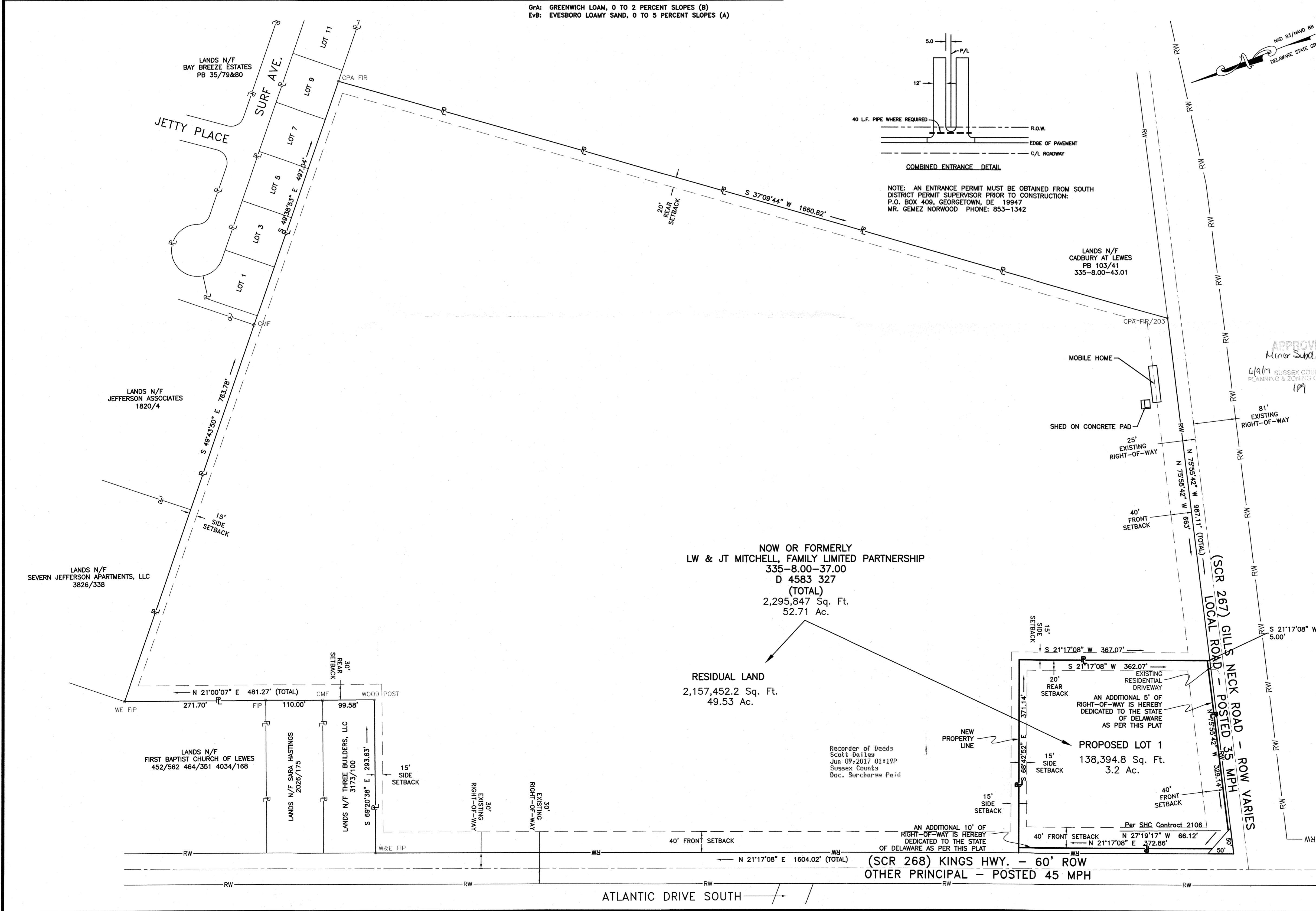
FEMA PANEL 10005C0194K

SCALE: 1" = 800'

SOILS MAP

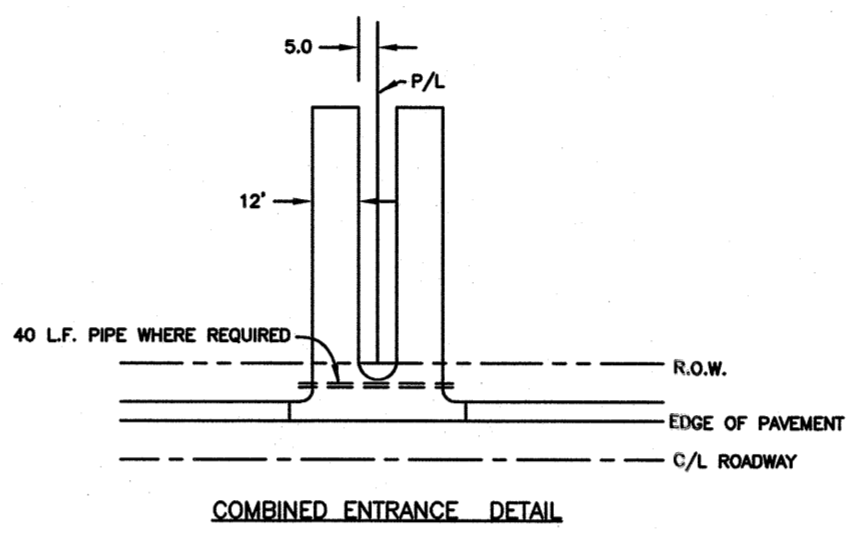
SCALE: 1" = 1000'

G: GREENWICH LOAM, 0 TO 2 PERCENT SLOPES (B)  
 E: EVESBORO LOAMY SAND, 0 TO 5 PERCENT SLOPES (A)



SIGHT DISTANCE TRIANGLE

SCALE: 1"=100'



NOTE: AN ENTRANCE PERMIT MUST BE OBTAINED FROM SOUTH DISTRICT PERMIT SUPERVISOR PRIOR TO CONSTRUCTION:  
 P.O. BOX 409, GEORGETOWN, DE 19947  
 MR. GEMEZ NORWOOD PHONE: 653-1342

DATA COLUMN

TAX MAP ID	:335-8.00-37.00
EXISTING ZONING	:AR-1
TOTAL SITE AREA	:52.71 ±AC.
AREA OF LOT 1	:3.20 ±AC.
AREA OF RESIDUAL LAND	:49.53 ±AC.
SETBACKS	
MINIMUM LOT WIDTH	:150'
FRONT YARD SETBACK	:40'
SIDE YARD SETBACK	:15'
REAR YARD SETBACK	:20'
NUMBER OF LOTS CREATED	:1
LOT 1 ROAD FRONTAGE	:735 FEET
IMPERVIOUS COVERAGE PERMITTED	:80%
PRESENT USE OF LOT 1	:FARMING
PROPOSED USE OF RESIDUAL	:FARMING
PROPOSED SEWER	:WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT
PROPOSED WATER	:TIDEWATER UTILITIES
VERTICAL DATUM	:NAVD 88

LEGEND

- PL — PROPERTY BOUNDARY LINE
- PL — PROPOSED PROPERTY LINE
- RW — PROPERTY RIGHT-OF-WAY LINE
- PL — EXISTING ADJOINING PROPERTY LINE
- RW — EXISTING RIGHT-OF-WAY LINE
- RW — PROPOSED BUILDING SETBACK LINE
- UTILITY/ ACCESS EASEMENT AREA
- RIGHT-OF-WAY CENTERLINE

NOTES

1. THIS PLAT DOES NOT VERIFY THE EXISTENCE OR THE ABSENCE OF EASEMENTS AND/OR RIGHT-OF-WAYS.
2. NO TITLE REPORT FURNISHED.
3. NO WETLANDS EXIST ON SITE.
4. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE OF THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
5. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
6. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.

BEARINGS AND DISTANCES SHOWN HEREON GENERALLY CONFORM TO THE DELAWARE STATE PLANE COORDINATE SYSTEM. EXCEPTIONS THERETO REFLECT FOUND MONUMENTATION, MORE PRECISE FIELD MEASUREMENTS AND STATE HIGHWAY COMMISSION (NOW DELDOT) RIGHTS-OF-WAY PLATS. HORIZONTAL AND VERTICAL COORDINATE VALUES CONFORM TO THE DELAWARE STATE PLANE COORDINATE SYSTEM.

OWNERS CERTIFICATION

WE, MITCHELL FARM LTD, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT ALL PROPOSED MONUMENTS AND MARKERS SHOWN HEREON WILL BE SET AT THE LOCATION INDICATED, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

*Robert P. Mitchell* 5/24/17  
 SIGNATURE DATE  
 Robert P. Mitchell  
 PRINTED NAME

SURVEYORS CERTIFICATION

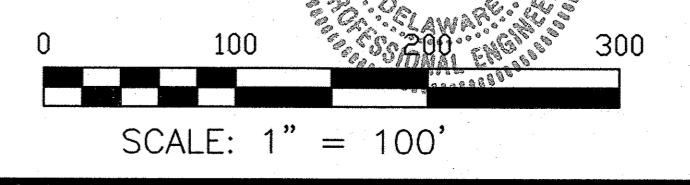
I, PETER E. LOEWENSTEIN, PLS HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, AND THAT THE PLAN SHOWN AND DESCRIBED HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED STANDARDS AND PRACTICES AND BY THE SUSSEX COUNTY ZONING AND SUBDIVISION REGULATIONS.

*Peter E. Loewenstein* 5/30/17  
 SIGNATURE DATE  
 PETER E. LOEWENSTEIN  
 P.O. BOX 247  
 HARBESON, DE 19951  
 (302) 684-2980

ENGINEER'S STATEMENT

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

*Ring W. Lardner* 5-25-2017  
 SIGNATURE DATE  
 DAVIS, BOWEN & FRIEDEL, INC.  
 RING LARDNER, P.E.



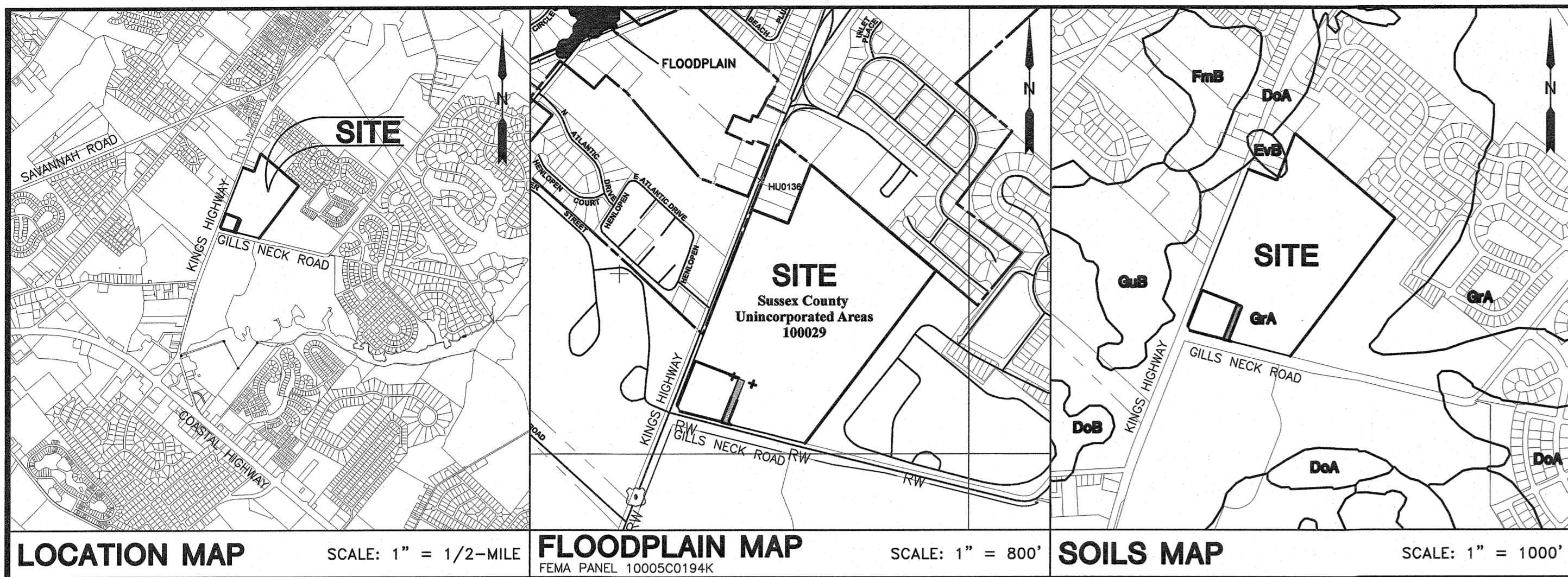
DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS, ENGINEERS & SURVEYORS  
 SALISBURY, MARYLAND (410) 543-9091  
 MILFORD, DELAWARE (302) 484-1441

RECORD MINOR SUBDIVISION PLAN  
 MITCHELL FARM  
 CITY OF LEWES  
 LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

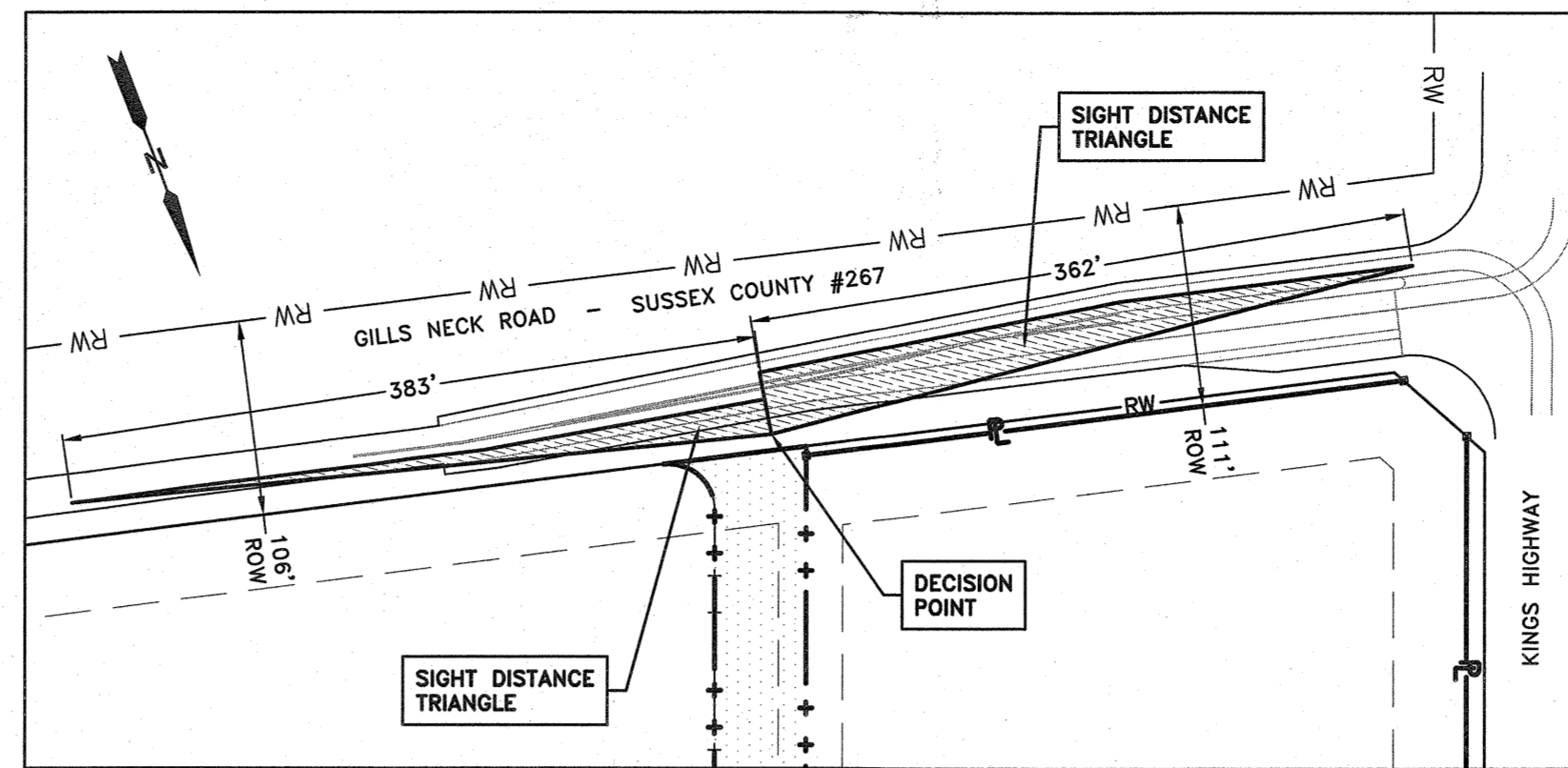
REVISION: 2017-04-25  
 DELDOT COMMENTS  
 2017-05-18  
 DELDOT REDLINE

Date: MARCH, 2017  
 Scale: AS SHOWN  
 Dwn.By: ACM  
 Proj.No.: 2640A001  
 Dwg.No.:

MS-1



GrA: GREENWICH LOAM, 0 TO 2 PERCENT SLOPES (B)  
 EvB: EYEBORO LOAMY SAND, 0 TO 5 PERCENT SLOPES (A)



CONFORMED COPY  
 Document # 201800036859 BK: 271 PG: 47  
 On 10/9/2018 at 12:40:52 PM  
 RECORDER OF DEEDS Scott Dailey  
 Sussex County  
 Consideration: \$0.00

**DATA COLUMN**

TAX MAP ID	:335-8.00-37.00
EXISTING ZONING	:AR-1
TOTAL SITE AREA	:52.705 ±AC.
AREA OF LOT 1	:3.177 ±AC.
AREA OF RESIDUAL LAND	:49.528 ±AC.
<b>SETBACKS</b>	
MINIMUM LOT WIDTH	:150'
FRONT YARD SETBACK	:40'
SIDE YARD SETBACK	:15'
REAR YARD SETBACK	:20'
NUMBER OF LOTS CREATED	:1
LOT 1 ROAD FRONTAGE	:748 FEET
<b>IMPERVIOUS COVERAGE PERMITTED</b>	
PROPOSED USE OF LOT 1	:FARMING
PROPOSED USE OF RESIDUAL	:WEST REHOBOTH EXPANSION OF THE DEWEY BEACH
PROPOSED SEWER	:SANITARY SEWER DISTRICT
PROPOSED WATER	:TIDewater UTILITIES

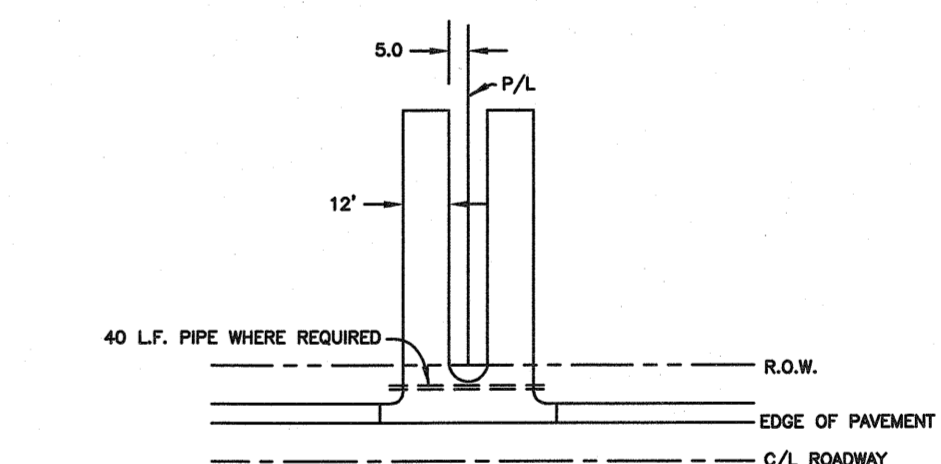
**LEGEND**

— PL —	PROPERTY BOUNDARY LINE
— PL —	PROPOSED PROPERTY LINE
— RW —	PROPERTY RIGHT-OF-WAY LINE
— PL —	EXISTING ADJOINING PROPERTY LINE
— RW —	EXISTING RIGHT-OF-WAY LINE
— RW —	PROPOSED BUILDING SETBACK LINE
++	UTILITY/ ACCESS EASEMENT AREA
— + — + —	RIGHT-OF-WAY CENTERLINE

**NOTES**

- THIS PLAN DOES NOT VERIFY THE EXISTENCE OR THE ABSENCE OF EASEMENTS AND/OR RIGHT-OF-WAYS.
- NO TITLE REPORT FURNISHED.
- NO WETLANDS EXIST ON SITE.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE OF THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.

BEARINGS AND DISTANCES SHOWN HEREON GENERALLY CONFORM TO THE DELAWARE STATE PLANE COORDINATE SYSTEM. EXCEPTIONS THERETO REFLECT FOUND MONUMENTATION, MORE PRECISE FIELD MEASUREMENTS AND STATE HIGHWAY COMMISSION (NOW DELDOT) RIGHTS-OF-WAY PLATS. HORIZONTAL AND VERTICAL COORDINATE VALUES CONFORM TO THE DELAWARE STATE PLANE COORDINATE SYSTEM.



**OWNERS CERTIFICATION**

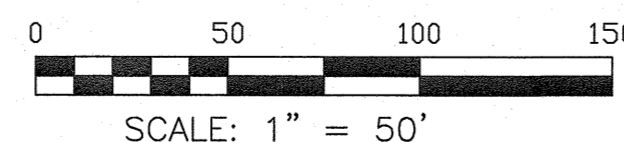
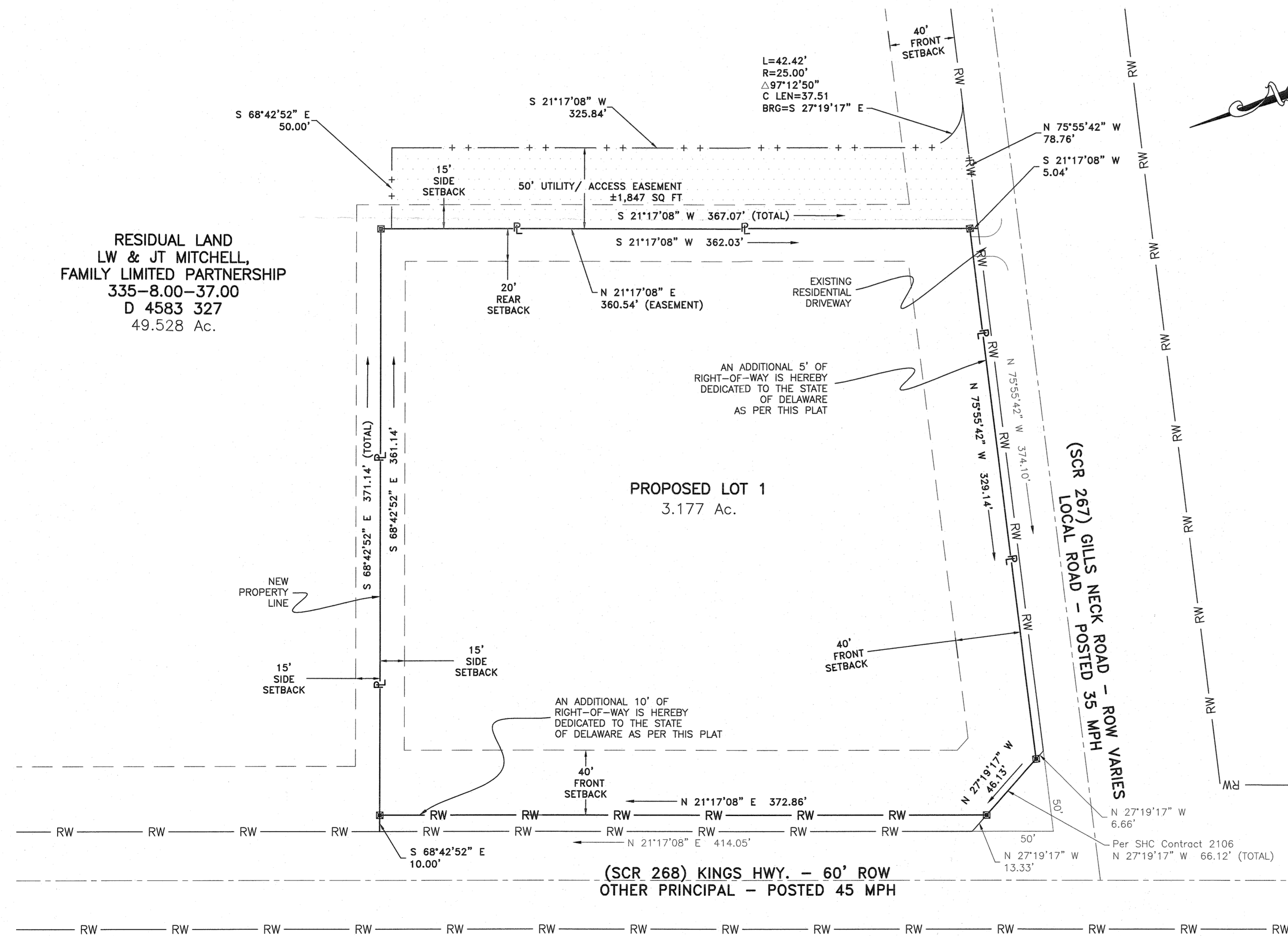
WE, MITCHELL FARM LTD, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT ALL PROPOSED MONUMENTS AND MARKERS SHOWN HEREON WILL BE SET AT THE LOCATION INDICATED, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

Signature: *Robert P. Mitchell* Date: 10-08-18  
 Signature: *Robert P. Mitchell*  
 PRINTED NAME: Robert P. Mitchell

**ENGINEER'S STATEMENT**

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

Signature: *Ring Lardner* Date: 10/5/2018  
 DAVIS, BOWEN & FRIEDEL, INC.  
 RING LARDNER, P.E.



PURPOSE: THE PURPOSE OF THIS PLAN IS TO CORRECT BEARINGS AND DISTANCES OF LOT 1.  
 SUPERCEDE: THIS PLAN SUPERCEDES IN ITS ENTIRETY THE PLAN RECORDED IN SUSSEX COUNTY RECORDER OF DEEDS PLAT BOOK 247, PAGE 73 ON JUNE 9, 2017.

DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS, ENGINEERS & SURVEYORS  
 SALISBURY, MARYLAND 410-543-9091  
 MILFORD, DELAWARE (302) 424-1441

**MITCHELL FARM**  
**CITY OF LEWES**  
 LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

REVISION:  
 2017-04-25  
 DELDOT COMMENTS

2017-05-18  
 DELDOT REDLINE

2018-09-27  
 PLAT CORRECTION

Date: MARCH, 2017  
 Scale: AS SHOWN  
 Dwn.By: ACM  
 Proj.No.: 2640A001  
 Dwg.No.:

**MS-1**

**DATA COLUMN**

TAX MAP ID: 335-8.00-37.01  
 DEED REFERENCE: DEED BOOK 2820, PAGE 72  
 FB 247, PAGE 73

DATUM  
 VERTICAL: NAVD 88  
 HORIZONTAL: NAD 83 (DE STATE PLANE)  
 BENCHMARK: CONCRETE MONUMENT  
 LOCATION: SE PROPERTY CORNER  
 (38.754941, -75.144259)  
 LAT/LON:

LAND USE  
 EXISTING: AGRICULTURAL  
 PROPOSED: 39,000 S.F. MEDICAL BUILDING (CONDITIONAL USE)  
 ZONING: AR-1 (AGRICULTURAL RESIDENTIAL), CU #2112

MINIMUM REQUIREMENTS  
 FRONT SETBACK: 40 FT. PARKING  
 60 FT. BUILDING (KINGS HIGHWAY)  
 SIDE SETBACK: 15 FT.  
 REAR SETBACK: 20 FT.

MAXIMUM REQUIREMENTS  
 BUILDING HEIGHT: 42 FT.

AREAS  
 EXISTING SITE: 3.18± AC.  
 GROSS SITE AREA: (-) 0.18± AC.  
 DEDICATED RIGHT-OF-WAY: 3.00± AC.  
 NET SITE AREA:

PROPOSED:  
 IMPERVIOUS AREA: 2.15± AC. (71%)

TOTAL PARKING CALCULATION:  
 4 PER EACH PROVIDER  
 1 PER 2 EMPLOYEES  
 12 PROVIDERS = 48 SPACES  
 30 EMPLOYEES = 15 SPACES  
 63 REQUIRED SPACES

PROPOSED PARKING:  
 LOADING SPACES: 1 SPACE (DROP-OFF AREA)  
 REQUIRED LOADING SPACES: 2 SPACES (WAIVER REQUEST FOR 1 SPACE)

ACCESSIBLE PARKING:  
 REGULAR PARKING: 12 SPACES (8%)  
 TOTAL PARKING: 149 SPACES

POSTED SPEED LIMIT:  
 GILLS NECK ROAD - 35 MPH  
 KINGS HIGHWAY - 45 MPH

UTILITIES  
 SEWER PROVIDER: SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT-  
 WEST REHOBOTH EXPANSION AREA

WATER PROVIDER: CITY OF LEWES - BOARD OF PUBLIC WORKS

PROPOSED CONSTRUCTION: STRUCTURAL STEEL

PROPOSED BUILDING HEIGHT: 35'-11"

FLOODPLAIN - THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0194K.

THE PROPERTY IS LOCATED IN A SOURCE WATER PROTECTION AREA.

THIS SITE IS NOT LOCATED IN OR ADJACENT TO A TRANSPORTATION IMPROVEMENT DISTRICT (TID).

THIS SITE IS LOCATED IN AN INVESTMENT LEVEL 1 AREA PER THE 2015 DELAWARE STRATEGIES FOR STATE POLICIES AND SPENDING MAP.

OWNER/DEVELOPER  
 L.W. & J.T. MITCHELL FAMILY L.P.  
 1019 KINGS HWY  
 LEWES, DE 19958

ENGINEER:  
 DAVIS, BOWEN, & FRIEDEL, INC.  
 RING W. LARDNER, P.E.  
 1 PARK AVE.  
 MILFORD, DE 19963  
 PHONE: 302-424-1441  
 FAX: 302-424-0430

**GENERAL NOTES**

- THIS RECORD PLAN - RED SATISFIES THE DEPARTMENT'S RECORDATION REQUIREMENTS AND ARE BASED ON THE PARCEL'S LOCATION. NO COMMITMENTS ARE STATED OR IMPLIED BY DELDOT THROUGH THE ISSUANCE OF THIS LETTER WITH RESPECT TO: ENTRANCE LOCATION(S), ACCESS CONFIGURATIONS, AUXILIARY LANES AND/OR ROADWAY IMPROVEMENTS WHICH WILL BE EVALUATED AND REQUIRED AS NECESSARY AT THE TIME OF ENTRANCE CONSTRUCTION PLAN REVIEW OR APPROVAL FOR THE SITE.
- NO LANDSCAPING SHALL BE ALLOWED WITHIN RIGHT OF WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
- A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAN.
- THIS COMMERCIAL PARCEL HAS DIRECT FRONTAGE ALONG KINGS HIGHWAY (SCR 268), WHICH HAS A FUNCTIONAL CLASSIFICATION OF OTHER PRINCIPLE ARTERIAL AS DEFINED BY THE STATE OF DELAWARE'S DEPARTMENT OF TRANSPORTATION. PER SECTION 3.6.1 OF THE DELDOT DEVELOPMENT COORDINATION MANUAL (DCM): IT IS THE DEVELOPER'S RESPONSIBILITY TO EVALUATE NOISE LEVELS AND THEIR IMPACTS ON PROPOSED DEVELOPMENT. FOR PROJECTS ADJACENT TO EXISTING TRANSPORTATION FACILITIES WITH THIS FUNCTIONAL CLASSIFICATION, ROADWAYS WITH THIS CLASSIFICATION CAN BE EXPECTED TO GENERATE ELEVATED LEVELS OF ROAD AND TRAFFIC RELATED NOISE, SIMILAR TO WHAT CAN BE EXPECTED IN URBAN AREAS. A DETAILED NOISE ANALYSIS PER DCM 3.6 IS TYPICALLY RECOMMENDED TO HELP GAUGE THE ACTUAL IMPACTS THAT ROADWAY RELATED NOISE MAY HAVE ON VARIOUS POTENTIAL LAND-USES (SUCH AS THOSE DESCRIBED IN DCM FIGURE 3.6.3-A: NOISE ABATEMENT CRITERIA). WITH THE INCLUSION OF THIS NOTE, THE DEVELOPER IS ACKNOWLEDGING THAT THE PROPOSED SITE AND/OR BUILDING LOCATION CAN BE EXPECTED TO EXCEED THE SPECIFIC MAXIMUM NOISE LEVELS FOR CERTAIN COMMERCIAL AND NON-RESIDENTIAL USES AS SHOWN IN DCM FIGURE 3.6.3-A. THE DEVELOPER'S WAIVER OF THE NOISE ANALYSIS AND REVIEW OF POTENTIAL NOISE MITIGATION MEASURES ARE SUPPORTED BY THE INFESIBILITY OF APPLYING NOISE MITIGATION MEASURES, BASED ON ENGINEERING CONSIDERATIONS AND FACTORS THAT WOULD LIMIT THE ABILITY TO ACHIEVE SUBSTANTIAL NOISE REDUCTION, RELATED TO THE COMMERCIAL USE OF THE SITE AND/OR BUILDINGS. THIS WAIVER ACKNOWLEDGES THAT THE DECIBEL LEVEL FOR THIS PARCEL MAY EXCEED THE APPLICABLE LIMITS FOR SOME CURRENT OR FUTURE PROPOSED USES. THE USE OF THIS NOTE SIGNIFIES THE SUBDIVISION ENGINEER'S CONCURRENCE WITH WAIVING THE DEVELOPER'S COMPLETION OF A DETAILED NOISE STUDY AND SUBSEQUENT REVIEW OF RESULTING NOISE ABATEMENT FINDINGS OR MITIGATION MEASURES. ANY FUTURE COMPLAINTS RELATING TO EXISTING OR FUTURE NOISE LEVELS IMPACTING PROPOSED USES ON THIS SITE AND ALONG THIS EXISTING TRANSPORTATION FACILITY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER OR LAND OWNER OR BOTH.

**OWNER'S CERTIFICATION**

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

*[Signature]*  
 L.W. & J.T. MITCHELL FAMILY L.P.  
 1019 KINGS HWY.  
 LEWES, DE 19958  
 DATE: 12/10/18

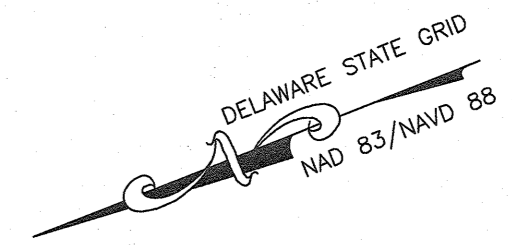
**ENGINEER'S STATEMENT**

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

*[Signature]*  
 DAVIS, BOWEN & FRIEDEL, INC.  
 BY RING W. LARDNER, P.E.  
 DATE: 12/7/2018

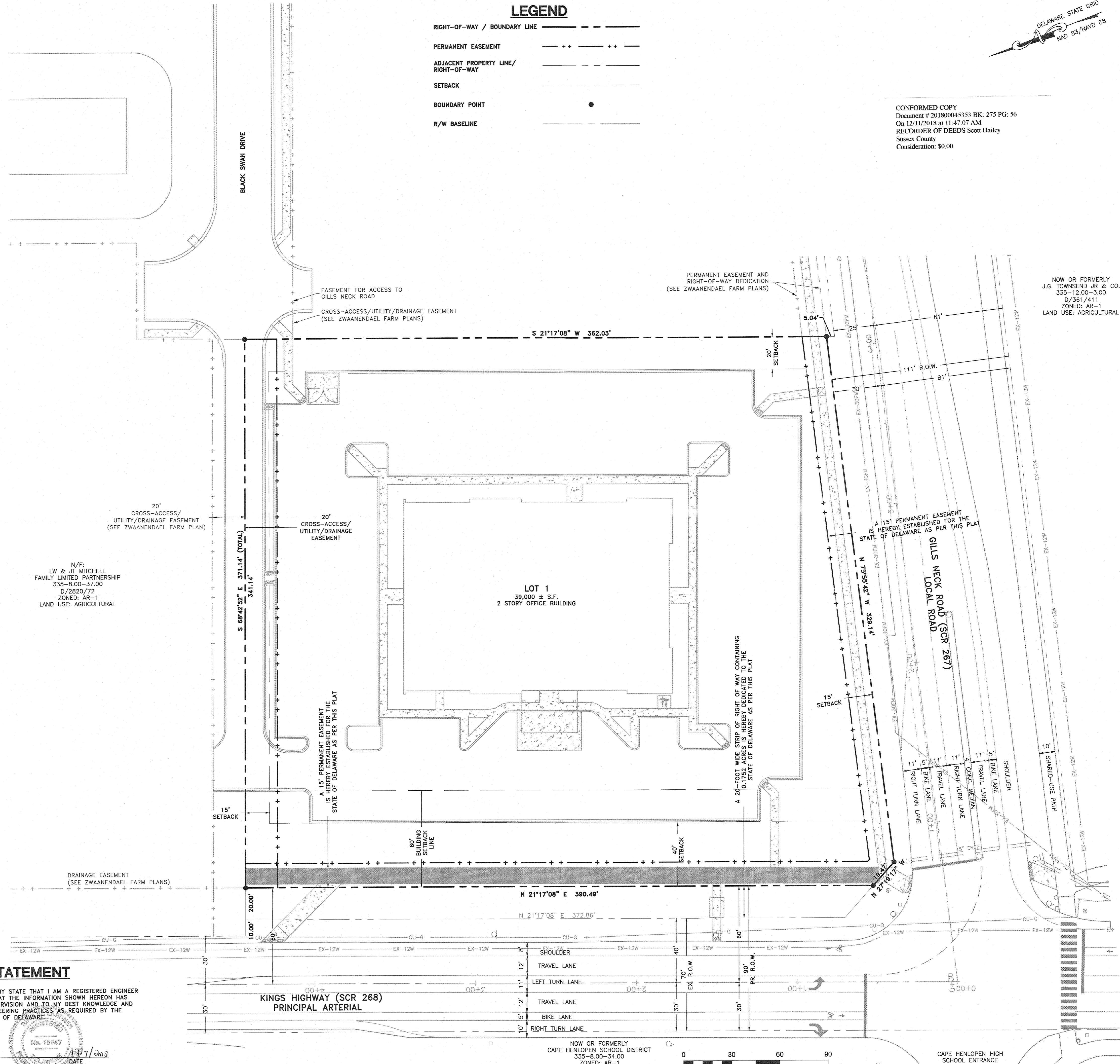
**LEGEND**

- RIGHT-OF-WAY / BOUNDARY LINE: - - - - -
- PERMANENT EASEMENT: - + + - + + -
- ADJACENT PROPERTY LINE/ RIGHT-OF-WAY: - - - - -
- SETBACK: - - - - -
- BOUNDARY POINT: ●
- R/W BASELINE: - - - - -



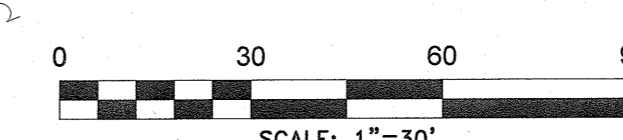
CONFORMED COPY  
 Document # 30180045353 BK: 275 PG: 56  
 On 12/11/2018 at 11:47:07 AM  
 RECORDER OF DEEDS Scott Dailey  
 Sussex County  
 Consideration: \$0.00

NOW OR FORMERLY  
 J.G. TOWNSEND JR & CO.  
 335-12.00-3.00  
 D/361/411  
 ZONED: AR-1  
 LAND USE: AGRICULTURAL



N/F:  
 LW & J.T. MITCHELL  
 FAMILY LIMITED PARTNERSHIP  
 335-8.00-37.00  
 D/2820/72  
 ZONED: AR-1  
 LAND USE: AGRICULTURAL

NOW OR FORMERLY  
 CAPE HENLOPEN SCHOOL DISTRICT  
 335-8.00-34.00  
 ZONED: AR-1  
 LAND USE: SCHOOL



ARCHITECTS ENGINEERS SURVEYORS  
 DAVIS, BOWEN & FRIEDEL, INC.  
 1019 KINGS HWY.  
 LEWES, DE 19958  
 (302) 424-1441  
 (302) 424-1441  
 (410) 770-7744

**dbf**  
 DAVIS, BOWEN & FRIEDEL, INC.

**MITCHELL FARM - LOT 1**  
**GILLS NECK ROAD (SCR 267)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:  
 2018-10-10: SCD FM  
 2018-10-22: DELDOT  
 2018-10-30: FM  
 2018-11-02: SCD  
 2018-11-07: DELDOT

Record Plan Only  
 Date: AUGUST, 2018  
 Scale: 1" = 30'  
 Dwn.By: TAJ/SHF  
 Proj.No.: 2916A002  
 Dwg.No.:

**V-101**

**TAX MAP AND PARCEL NO.:** 3-35 8.00 37.01

PREPARED BY:  
Morris James, LLP  
107 West Market Street  
P.O. Box 690  
Georgetown, DE 19947

RETURN TO:  
Baird Mandalas Brockstedt, LLC  
1413 Savannah Road, Suite 1  
Lewes, DE 19958

**THIS DEED**, made this 16 day of January, 2019,

- BETWEEN -

**L.W. & J.T. MITCHELL FAMILY LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP**, of 1019 Kings Highway, Lewes, DE 19958, party of the first part,

- AND -

**CAPE HENLOPEN MEDICAL CENTER, LLC, A DELAWARE LIMITED LIABILITY COMPANY**, in care of Baird Mandalas & Brockstedt, LLC, 1413 Savannah Road, Suite 1, 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 **TEN and 00/100 Dollars (\$10.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its successors and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

**ALL** that piece or parcel of land, hereinafter described, situate, lying and being at the northeasterly intersection of Kings Highway and Gills Neck Road; said piece or parcel of land being located in Lewes-Rehoboth Hundred, Sussex County, Delaware; being as shown on a plot entitled, "Record Plan – Red, Mitchell Farm – Lot 1" prepared by Davis, Bowen & Friedel, Inc., dated August 2018, last revision November 7, 2018, and recorded on December 11, 2018 in the Office of the Recorder of Deeds in and for Sussex County, Delaware in Plot Book 275, Page 56; said piece or parcel of land being more particularly described as follows:

**BEGINNING** for the same at a point formed by the intersection of the northerly right-of-way line of Gills Neck Road with the westerly line of the lands of, now or formerly, LW

& JT Mitchell Family Limited Partnership, as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware in Deed Book 2820, Page 72, thence;

1) leaving said Mitchell Family lands and running by and with said Gills Neck Road, North 75 degrees 55 minutes 42 seconds West 329.14 feet to a point on the easterly right-of-way line of said Kings Highway, thence;

2) leaving said Gills Neck Road and running by and with said Kings Highway, the following two courses and distances, North 27 degrees 19 minutes 17 seconds West 19.47 feet to a point, thence running;

3) North 21 degrees 17 minutes 08 seconds East 390.49 feet to a point on the southerly line of the aforesaid Mitchell Family lands, thence;

4) leaving said Kings Highway and running by and with said Mitchell lands, the following two courses and distances, South 68 degrees 42 minutes 52 seconds East 341.14 feet to a point, thence running;

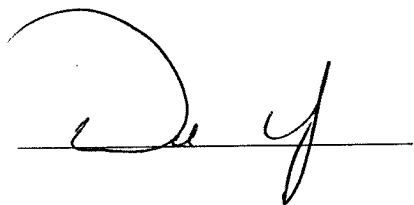
5) South 21 degrees 17 minutes 08 seconds West 362.03 feet to the point and place of beginning; **CONTAINING** 3.00 acres of land, more or less.

**SUBJECT** to any and all restrictions, reservations, covenants, conditions, plans, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware, this reference to which shall not be construed to re-impose any such restrictions, reservations, covenants, conditions, plans, easements and agreements which have otherwise been terminated in accordance with their terms or otherwise as applicable.

**BEING** part of the same lands conveyed to L.W. & J.T. Mitchell Family Limited Partnership, a Delaware Limited Partnership by deed of Lowder W. Mitchell, Jr. and Jane T. Mitchell, husband and wife, dated March 31, 2003 and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on April 3, 2003, in Deed Book 2820, Page 72.

IN WITNESS WHEREOF, the said L.W. & J.T. Mitchell Family Limited Partnership, a Delaware Limited Partnership, has caused its name to be hereunto set under seal by Robert P. Mitchell, General Partner, of L.W. & J.T. Mitchell Family Limited Partnership, the day and year first above written.

**L.W. & J.T. MITCHELL FAMILY LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP**

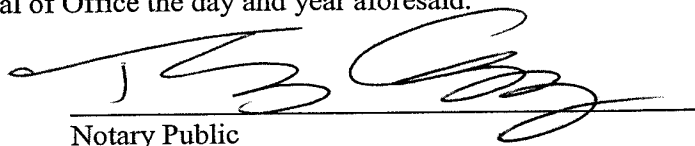


By: Robert P. Mitchell General Partner {SEAL}  
Robert P. Mitchell, General Partner

STATE OF DELAWARE :  
: ss.  
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 18<sup>th</sup> day of January, A.D. 2019, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Robert P. Mitchell, General Partner of L.W. & J.T. Mitchell Family Limited Partnership, a Delaware Limited Partnership, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said partnership; that the signature of the General Partner is in his own proper handwriting and by his authority to act; and that the act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the partnership.

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

  
\_\_\_\_\_  
Notary Public

**THOMAS P. CARNEY**  
Delaware Attorney at Law with  
Power to act as Notary Public  
per 29 Del. C. § 4323(a)(3)  
My Commission Has No Expiration

My Commission Expires: \_\_\_\_\_

LEGEND

- RIGHT-OF-WAY / BOUNDARY LINE
ADJACENT PROPERTY LINE
EXISTING EASEMENT
PROPOSED EASEMENT
SETBACK LINE
EASEMENT POINT
BOUNDARY POINT

ADJACENT PROPERTY OWNERS

Table with columns: PARCEL #, OWNER, DEED, LAND USE. Lists various adjacent property owners including Cape Henlopen School District, Jack Lingo Realtor, Inc., and others.

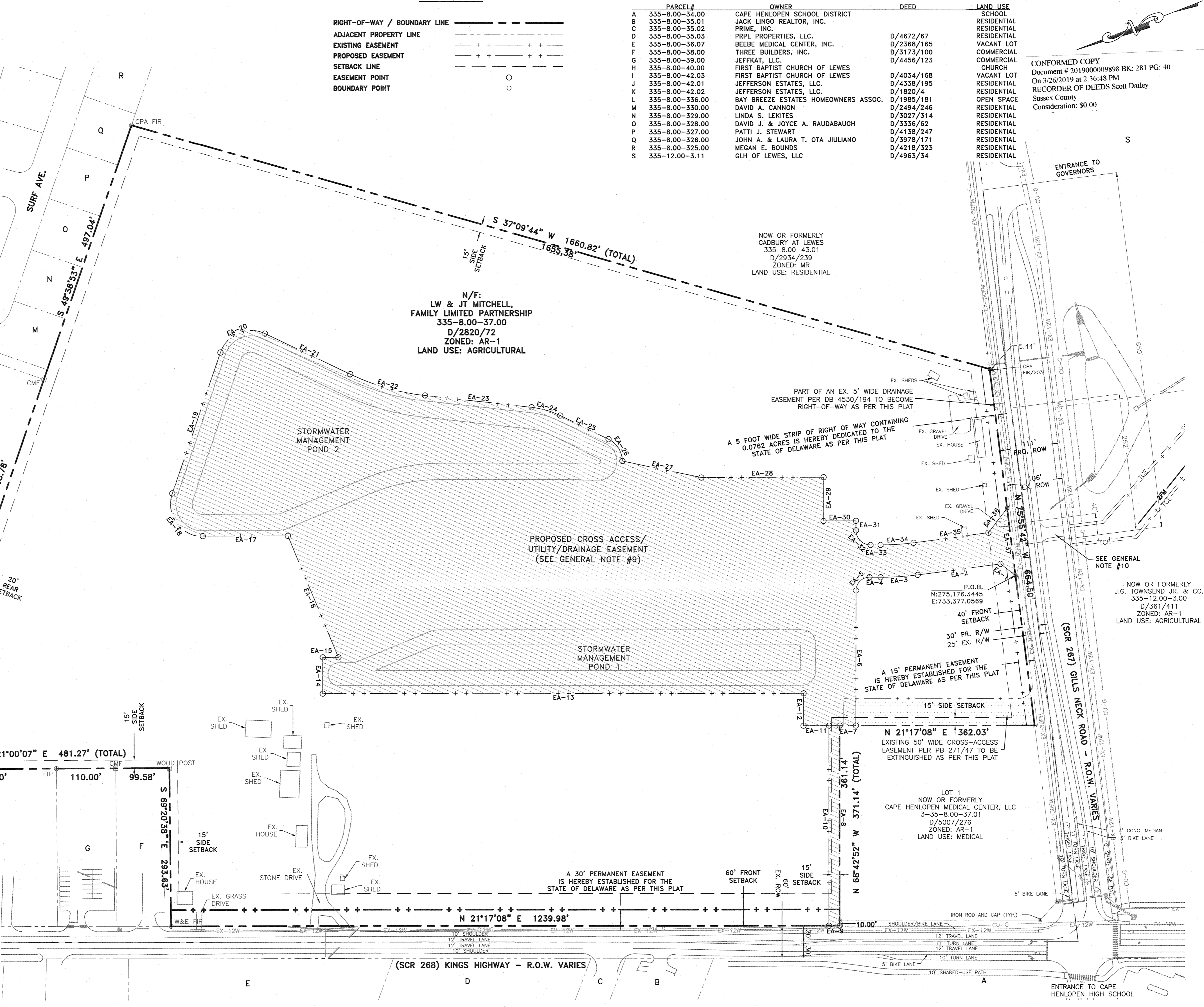
PERMANENT UTILITY EASEMENT (A) - 593,377 S.F. Table with columns: CURVE, ARC LENGTH, RADIUS, DELTA ANGLE, CHORD BEARING, CHORD LENGTH. Lists 37 curve segments (EA-1 to EA-37).

DATA COLUMN

TAX MAP ID: 335-8.00-37.00
DEED REFERENCE: DEED BOOK 2820, PAGE 72
DATUM: NAVD 88
VERTICAL: NAD 83 (DE STATE PLANE)
BENCHMARK: CONCRETE MONUMENT
LOCATION: SE PROPERTY CORNER (38.754941, -75.144259)
LAND USE: EXISTING: AGRICULTURAL; PROPOSED: FUTURE DEVELOPMENT - COMMERCIAL/RESIDENTIAL
ZONING: AR-1 (AGRICULTURAL RESIDENTIAL)
AREAS: PARCEL 37.00: TOTAL AREA: 49.406± AC.
SWM DISCHARGE LOCATIONS: POND 1 & 2: HEADWATERS OF POT HOOK CREEK/WOLFE GLADE (N: 272,747 E: 732,540)
UTILITIES: SEWER PROVIDER: SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
WATER PROVIDER: CITY OF LEWES
FLOODPLAIN: THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0194K.
WETLANDS: THERE ARE NO WETLANDS LOCATED ON THE SITE.
OWNER/DEVELOPER: L.W. & J.T. MITCHELL FAMILY L.P.
ENGINEER: DAVIS, BOWEN & FRIEDEL, INC.

GENERAL NOTES

- 1. THIS RECORD PLAN - RED SATISFIES THE DEPARTMENT'S RECORDATION REQUIREMENTS AND ARE BASED ON THE PARCEL'S LOCATION. NO COMMITMENTS ARE STATED OR IMPLIED BY DELDOT THROUGH THE ISSUANCE OF THIS LETTER WITH RESPECT TO: ENTRANCE LOCATION(S), ACCESS CONFIGURATIONS, AUXILIARY LANES AND/OR ROADWAY IMPROVEMENTS WHICH WILL BE EVALUATED AND REQUIRED AS NECESSARY AT THE TIME OF ENTRANCE CONSTRUCTION PLAN REVIEW OR APPROVAL FOR THE SITE.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN RIGHT OF WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN.
4. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
5. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS.
6. A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAN.
7. A BLANKET EASEMENT IS GRANTED TO THE STATE OF DELAWARE TO PERFORM EMERGENCY MAINTENANCE ON ANY STORM DRAIN PIPES, STRUCTURES, AND STORMWATER MANAGEMENT FACILITIES CONVEYING RUNOFF FROM THE STATE OF DELAWARE RIGHT-OF-WAY. SAID EASEMENT SHALL BE 20' WIDE CENTERED ON AFOREMENTIONED DRAINAGE PIPES AND STRUCTURES.
8. KINGS HIGHWAY AND GILLS NECK ROAD ARE SCENIC AND HISTORIC BYWAYS, WITH KINGS HIGHWAY ALSO DESIGNATED AS A FEDERAL AID PRIMARY ROAD. THERE WILL BE NO ON OR OFF PREMISE ADVERTISING OF OTHER PARTIES/VENUES AND VARIABLE OR ELECTRONIC MESSAGING BOARDS ARE NOT PERMITTED. NO BILLBOARDS ARE PERMITTED EITHER. PLEASE CONTACT THE DEPARTMENT OF TRANSPORTATION BYWAYS COORDINATOR OR DESIGNER AT 302-760-2131 FOR MORE INFORMATION.
9. A VARIABLE WIDTH PERMANENT EASEMENT CONTAINING 593,377 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAN, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROAD AND/OR RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.
10. THE PORTIONS OF THE DRAINAGE SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPT PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.



OWNER'S CERTIFICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED ON THIS PLAN, THAT THE PLAN WAS MADE BY MY DIRECTION AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.
L.W. & J.T. MITCHELL, FAMILY L.P. DATE 3-19-19
1019 KINGS HWY. LEWES, DE 19958

ENGINEER'S STATEMENT

I, RING W. LARDNER, P.E., HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.
DAVIS, BOWEN & FRIEDEL, INC. DATE 3/18/19



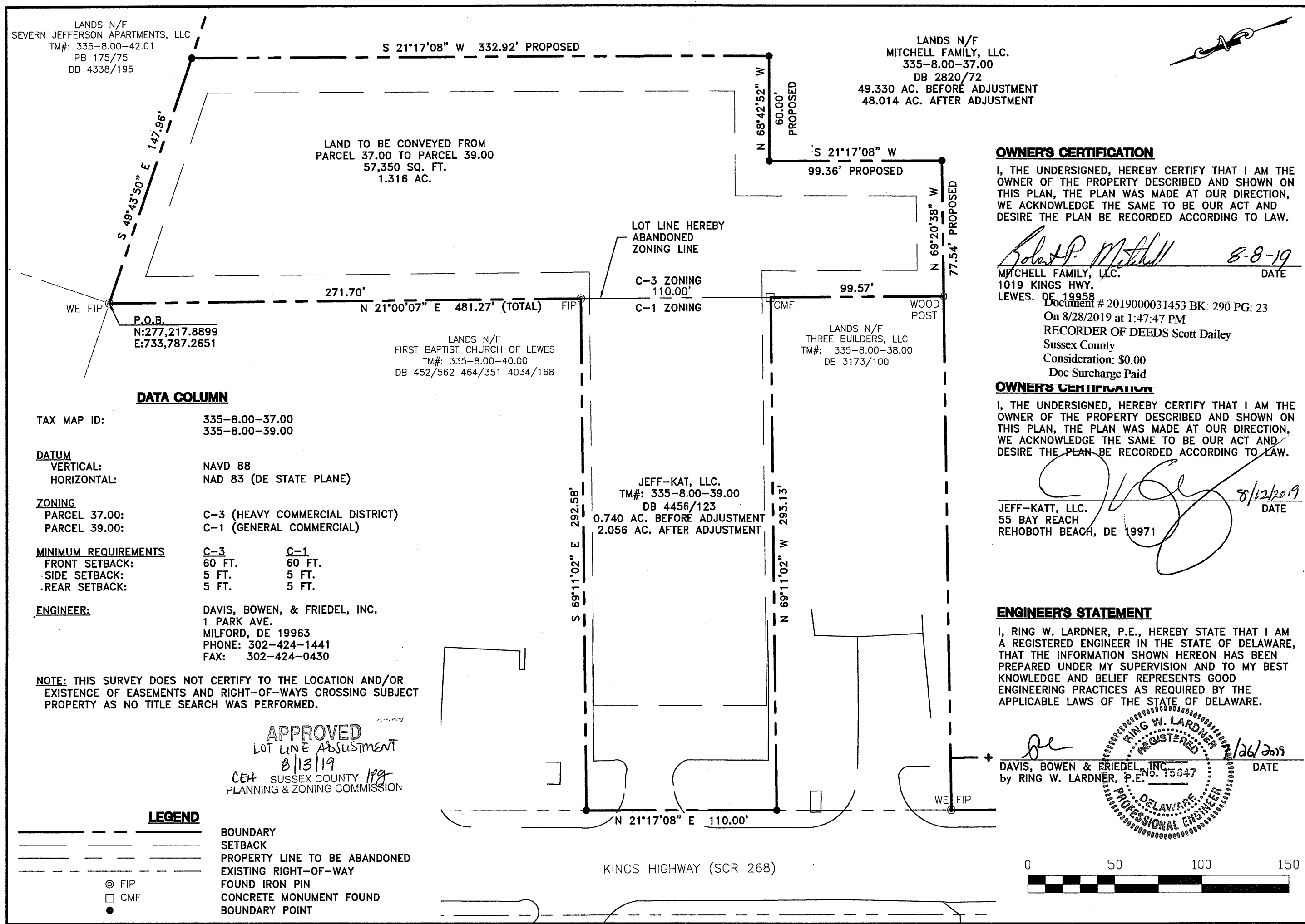
ZWAANENDAEL FARM LEWES & REHOBOTH HUNDRED SUSSEX COUNTY, DELAWARE

DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS
GILLS NECK ROAD SCR 267

Revisions: 2018-10-11: FC
2018-10-23: SCE
2018-10-25: DELDOT
2018-11-05: LSPW
2018-11-19: SCD
2019-01-18: DELDOT
2019-02-14: DELDOT
Date: AUGUST, 2018
Scale: 1" = 100'
Dwn.By: TAJ/SHF
Proj.No.: 2640A002
Dwg.No.: V-101



P:\Mitchell Family Ltd Partnership\Mitchell Farm\DESIGN\Lot Exhibits\Zwaanendaal-Farm\_Lot-Exhibits.dwg Jul 26 , 2019 - 8:50am



LAND TO BE CONVEYED FROM  
 PARCEL 37.00 TO PARCEL 39.00  
 57,350 SQ. FT.  
 1.316 AC.

LANDS N/F  
 MITCHELL FAMILY, LLC.  
 335-8.00-37.00  
 DB 2820/72  
 49.330 AC. BEFORE ADJUSTMENT  
 48.014 AC. AFTER ADJUSTMENT

LANDS N/F  
 FIRST BAPTIST CHURCH OF LEWES  
 TM#: 335-8.00-40.00  
 DB 452/562 464/351 4034/168

LANDS N/F  
 THREE BUILDERS, LLC  
 TM#: 335-8.00-38.00  
 DB 3173/100

JEFF-KAT, LLC.  
 TM#: 335-8.00-39.00  
 DB 4456/123  
 0.740 AC. BEFORE ADJUSTMENT  
 2.056 AC. AFTER ADJUSTMENT

**OWNER'S CERTIFICATION**

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

*Robert P. Mitchell* 8-8-19  
 MITCHELL FAMILY, LLC. DATE  
 1019 KINGS HWY.  
 LEWES, DE 19958

Document # 201900031453 BK: 290 PG: 23  
 On 8/28/2019 at 1:47:47 PM  
 RECORDER OF DEEDS Scott Dailey  
 Sussex County  
 Consideration: \$0.00  
 Doc Surcharge Paid

**OWNER'S CERTIFICATION**

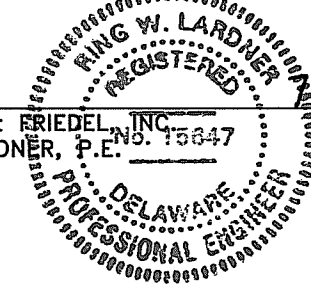
I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THE PLAN WAS MADE AT OUR DIRECTION, WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.

*[Signature]* 8/12/2019  
 JEFF-KATT, LLC. DATE  
 55 BAY REACH  
 REHOBOTH BEACH, DE 19971

**ENGINEER'S STATEMENT**

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

*[Signature]* 8/26/2019  
 DAVIS, BOWEN & FRIEDEL, INC. DATE  
 by RING W. LARDNER, P.E. No. 15847



**DATA COLUMN**

TAX MAP ID:	335-8.00-37.00 335-8.00-39.00
<b>DATUM</b>	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83 (DE STATE PLANE)
<b>ZONING</b>	
PARCEL 37.00:	C-3 (HEAVY COMMERCIAL DISTRICT)
PARCEL 39.00:	C-1 (GENERAL COMMERCIAL)
<b>MINIMUM REQUIREMENTS</b>	
	<b>C-3</b> <b>C-1</b>
FRONT SETBACK:	60 FT.                      60 FT.
SIDE SETBACK:	5 FT.                        5 FT.
REAR SETBACK:	5 FT.                        5 FT.
<b>ENGINEER:</b>	DAVIS, BOWEN, & FRIEDEL, INC. 1 PARK AVE. MILFORD, DE 19963 PHONE: 302-424-1441 FAX: 302-424-0430

NOTE: THIS SURVEY DOES NOT CERTIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS AND RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PERFORMED.

APPROVED  
 LOT LINE ADJUSTMENT  
 8/13/19  
 CEH SUSSEX COUNTY  
 PLANNING & ZONING COMMISSION

**LEGEND**

- BOUNDARY
- SETBACK
- PROPERTY LINE TO BE ABANDONED
- EXISTING RIGHT-OF-WAY
- FIP
- CMF
- BOUNDARY POINT
- FOUND IRON PIN
- CONCRETE MONUMENT FOUND



DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS, ENGINEERS & SURVEYORS  
 SALISBURY, MARYLAND (410) 543-9091  
 MILFORD, DELAWARE (302) 424-1441

**LOT LINE ADJUSTMENT**  
**PARCEL 37.00 & PARCEL 39.00**  
**LEWES & REHOBOTH HUNDRED**  
**SUSSEX COUNTY, DELAWARE**

Date: SEPT. 2018  
 Scale: 1" = 50'  
 Dwn.By: TAJ  
 Proj.No.:  
 Dwg.No.:  
**1**

TAX PARCEL NOS.: 3-35-8.00-39.00 and  
p/o 3-35-8.00-37.00

PREPARED BY & RETURN TO:  
Parkowski, Guerke & Swayze, P.A.  
19354C Miller Road  
Rehoboth Beach, DE 19971  
File No. 087-19/VGR

**THIS DEED**, made this 27th day of August, 2019,

- BETWEEN -

**JEFF-KAT, LLC**, a Delaware limited liability company, of 1007 Kings Highway,  
Lewes, DE 19958, party of the first part,

- AND -

**JEFF-KAT, LLC**, a Delaware limited liability company, of 1007 Kings Highway,  
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 Ten Dollars and 00/100 (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

**ALL** that piece or parcel of land, hereinafter described, situate, lying and being on the easterly side of Kings Highway (Road 268); being located in Lewes and Rehoboth I-hundred, Sussex County, Delaware; said piece or parcel of land being more particularly described as follows:

**BEGINNING** at a point along the easterly right-of-way line of Kings Highway; said point being the northwestern boundary corner for lands now or formerly of Jeff-Kat, LLC, as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware in Deed Book D-4456, Page 123; thence, leaving said Point of Beginning and running by and with said Jeff-Kat lands, North 69 degrees 11 minutes 02 seconds East 292.58 feet to a found iron pipe; thence, running by and with lands now or formerly of First Baptist Church of Lewes, as recorded in said Office of the Recorder of Deeds in Deed Book 4034, Page 168, North 21 degrees 00 minutes 07 seconds East 271.70 feet to a found iron pin at a point on the southerly line of lands of, now or formerly, Severn Jefferson Apartments, LLC, as recorded in said Office

of the Recorder of Deeds in Deed Book 4338, Page 195; thence, leaving said Baptist Church lands and running by and with said Severn lands, South 49 degrees 43 minutes 50 seconds East 147.96 feet to a point; thence, leaving said Severn lands and running through lands of, now or formerly, Mitchell Family, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book 2820, Page 72, being a new property line, the following four courses and distances: ( 1 ) South 21 degrees 17 minutes 08 seconds West 332.92 feet to a point, thence, (2) North 68 degrees 42 minutes 52 seconds West 60.00 feet to a point, thence, (3) South 21 degrees 17 minutes 08 seconds West 99.36 feet to a point, thence, (4) North 69 degrees 20 minutes 38 seconds West 77.54 feet to a wooden post found at a point on the southeasterly line of lands of, now or formerly', Three Builders, Inc., as recorded in said Office of the Recorder of Deeds in Deed Book 31 73, Page 100; thence, leaving said Mitchell lands and running by and with said Three Builders lands, North 21 degrees 00 minutes 07 seconds East 99.57 feet to a concrete monument found at a point, thence North 69 degrees 11 minutes 02 seconds West 293.13 feet to a point along the easterly right-of-way line of Kings Highway, said point being the southwestern boundary corner of these lands; thence, by and with the said right-of-way line of Kings Highway North 21 degrees 17 minutes 08 seconds East 110.00 feet to the point and place of beginning, said to contain 2.056 acres, as depicted on a survey prepared by Davis, Bowen & Friedel, Inc. dated July 26, 2019 and entitled "Lot Line Adjustment" recorded in the Office of the Recorder of Deeds in and for Sussex County at Plot Book \_290 Page \_23


**BEING** the same lands conveyed to JEFF-KAT, LLC, by deed from Robert R. Hastings, Trustee of the Robert R. Hastings Revocable Trust dated September 26, 2001, as amended, dated October 8, 2015, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 4456, Page 123.

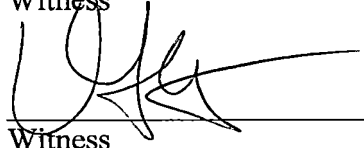
**ALSO BEING** the same lands conveyed to JEFF-KAT, LLC, a Delaware limited liability company, by deed from L.W. & J.T. Mitchell Family, L.P., a Delaware limited partnership, now known as Mitchell Family, LLC, a Delaware limited liability company, by conversion in an Agreement dated March 4, 2019, dated August 27, 2019, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book \_5112 Page 73

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


*[Signature page to immediately follow]*


**IN WITNESS WHEREOF**, the said limited liability company, has caused its name to be hereunto set under seal by Jeffrey A. Hamer and Kimberly A. Hamer, as Members of the JEFF-KAT, LLC, a Delaware limited liability company, the day and year first above written.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness

**JEFF-KAT, LLC**

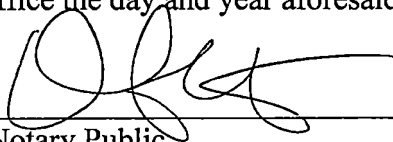
By:  (SEAL)  
**Jeffrey A. Hamer, Member**

By:  (SEAL)  
**Kimberly A. Hamer, Member**

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

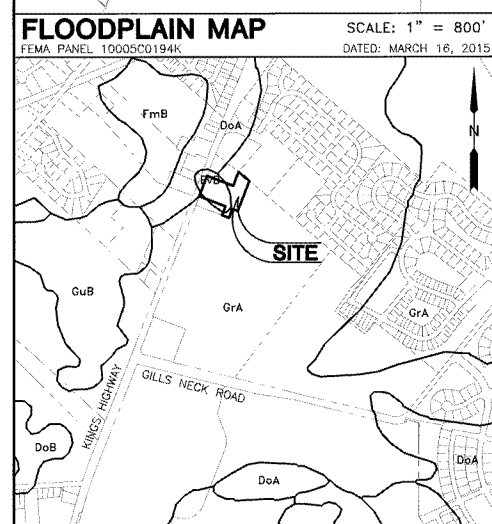
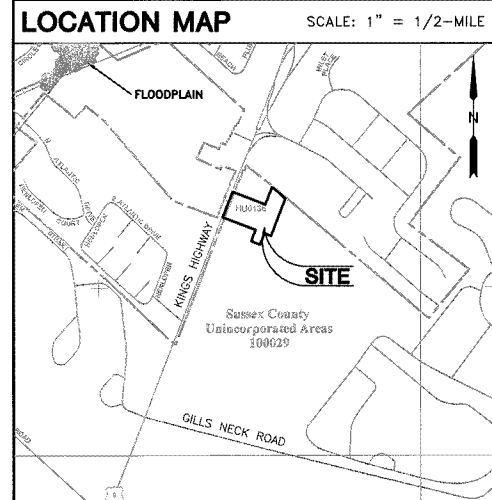
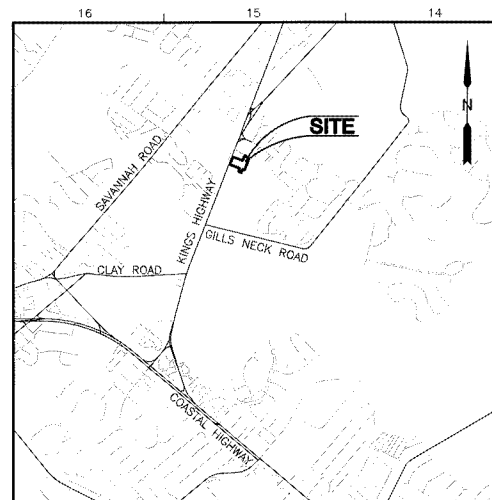
**BE IT REMEMBERED**, that on this 27th day of August, 2019, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Jeffrey A. Hamer and Kimberly A. Hamer, Members of JEFF-KAT, LLC, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed and the act and deed of said limited liability company.

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

  
\_\_\_\_\_  
Notary Public

My Commission Expires:   N/A  

ADMITTED TO DELAWARE BAR 12/15/94  
ATTORNEY  
VINCENT G. ROBERTSON  
NOTARY  
UNIFORM LAW ON NOTARIAL ACTS  
PURSUANT TO 29 DEL C. SEC 4323 (3)



**DATA COLUMN**

TAX MAP ID: 335-8.00-37.00  
 335-8.00-39.00

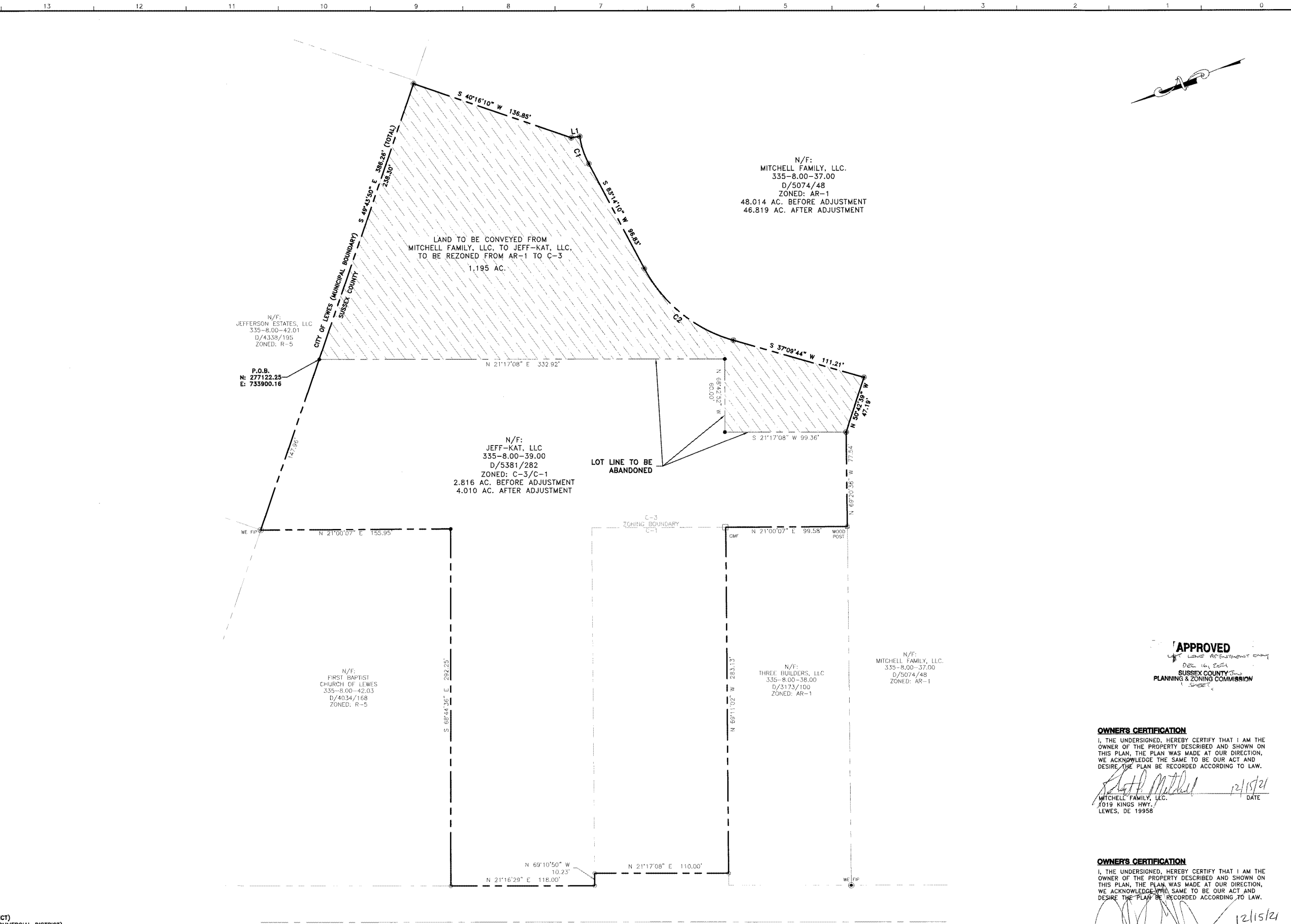
DATUM HORIZONTAL: NAD 83 (DE STATE PLANE)

ZONING PARCEL 37.00: AR-1 (AGRICULTURE RESIDENTIAL DISTRICT)  
 PARCEL 39.00: C-1/C-3 (GENERAL COMMERCIAL/HEAVY COMMERCIAL DISTRICT)

MINIMUM REQUIREMENTS  
 FRONT SETBACK: AR-1 30 FT, C-1 60 FT, C-3 30 FT  
 SIDE SETBACK: AR-1 15 FT, C-1 5 FT, C-3 20 FT. MIN WITH COMBINED MIN AGG. OF 50 FT  
 REAR SETBACK: AR-1 20 FT, C-1 5 FT, C-3 50 FT

ENGINEER: DAVIS, BOWEN & FRIEDEL, INC.  
 1 PARK AVE.  
 MILFORD, DE 19963  
 PHONE: 302-424-1441  
 FAX: 302-424-0430

NOTE: THIS SURVEY DOES NOT CERTIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS AND RIGHTS-OF-WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PERFORMED.



**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	70.00'	23.47'	23.36'	N 87°09'28" W	19°12'44"
C2	120.00'	96.50'	93.92'	S 60°11'57" W	46°04'26"

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 12°26'54" W	7.06'

**LEGEND**

- BOUNDARY PROPERTY LINE TO BE ABANDONED
- - - ADJACENT PROPERTY LINE
- FOUND IRON PIN
- CONCRETE MONUMENT FOUND
- BOUNDARY POINT
- IRON ROD WITH CAP SET

**APPROVED**  
 SUSSEX COUNTY PLANNING & ZONING COMMISSION  
 DATE: 12/15/21

**OWNER'S CERTIFICATION**  
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THE PLAN WAS MADE AT OUR DIRECTION, WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.  
 DATE: 12/15/21

**OWNER'S CERTIFICATION**  
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THE PLAN WAS MADE AT OUR DIRECTION, WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.  
 DATE: 12/15/21

**ENGINEER'S STATEMENT**  
 I, CLIFTON D. MUMFORD, P.E., HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE. THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.  
 DATE: 12-14-21

DAVIS, BOWEN & FRIEDEL, INC.  
 by CLIFTON D. MUMFORD, P.E.  
 PROFESSIONAL ENGINEER  
 No. 198628  
 DATE: 12-14-21

ARCHITECTS ENGINEERS SURVEYORS  
 DAVIS, BOWEN & FRIEDEL, INC.  
 LOT LINE ADJUSTMENT AND REZONING PLAN

**LANDS OF MITCHELL FAMILY, LLC  
 LEWES & REHOBOTH HUNDRED  
 SUSSEX COUNTY, DELAWARE**

Date: JUNE, 2021  
 Scale: 1" = 40'  
 Dwn. By: TCB  
 Proj. No.: 3007A002  
 Dwg. No.: LLA-RZ

TAX PARCEL NO.: P/O 3-35-8.00-37.00  
as extension of 3-35-8.00-39.00

PREPARED BY & RETURN TO:

Parkowski, Guerke & Swayze, P.A.  
19354C Miller Road  
Rehoboth Beach, DE 19971  
File No. 228-21/VGR

**THIS DEED**, made this 15<sup>th</sup> day of December, 2021,

- BETWEEN -

**MITCHELL FAMILY, LLC**, a Delaware limited liability company, of 20773 Atlanta Road, Seaford, DE 19973, party of the first part,

- AND -

**JEFF-KAT, LLC**, a Delaware limited liability company, of 1007 Kings Highway, 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 Ten Dollars and 00/100 (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

**ALL** that piece or parcel of land, hereinafter described, situate, lying and being on the southeasterly side of Lands now or formerly of Jeff-Kat, LLC, and being located in Lewes & Rehoboth Hundred, Sussex County, Delaware, being part of the northerly corner of Parcel 37.00, as shown on a plat entitled "Lot Line Adjustment and Rezoning Plan", completed by Davis Bowen & Friedel, Inc., dated June 2021, recorded in Plot Book 358 , Page 18 , and being particularly described as follows:

**BEGINNING** at point formed by northerly corner of lands now or formerly of Mitchell Family LLC., and said point is the easterly corner of lands now or formerly of Jeff-Kat LLC., as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware; said beginning point being coordinated on the Delaware State Grid System as North: 277,122.25 feet, East: 733,900.16 feet; thence; (1) leaving said lands of Jeff-Kat LLC., and running by and with lands now or formerly of Jefferson Estates LLC., South 49 degrees 43 minutes 50 seconds East 238.30 feet to a point, thence running; (2) through subject property the following 8 courses, South 40 degrees 16 minutes 10 seconds West 136.85 feet to a point, thence running; (3) South 12 degrees 26 minutes 54 seconds West 7.06 feet to a point, thence running;

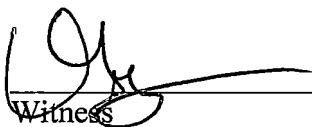
(4) by and with a curve to the left having a radius of 70.00 feet, and arc length of 23.47 feet, a chord bearing of North 87 degrees 09 minutes 28 seconds West, and a chord length of 23.36 feet to a point, thence running; (5) South 83 degrees 14 minutes 10 seconds West 96.83 feet to a point, thence running; (6) by and with a curve to the left having a radius of 120.00 feet, and arc length of 96.50 feet, a chord bearing of South 60 degrees 11 minutes 57 seconds West, and a chord length of 93.92 feet to a point, thence running; (7) South 37 degrees 09 minutes 44 seconds West 111.21 feet to a point, thence running; (8) North 50 degrees 42 minutes 39 seconds West 47.19 feet to a point at lands now or formerly of Jeff-Kat LLC., thence running; (9) by and with said lands of Jeff-Kat LLC. the following 3 courses, North 21 degrees 17 minutes 08 seconds East 99.36 feet to a point, thence running; (10) South 68 degrees 42 minutes 52 seconds East 60.00 feet to a point, thence running; (11) North 21 degrees 17 minutes 08 seconds East 332.92 feet to the point and place of beginning; CONTAINING 1.195 acres of land, more or less.

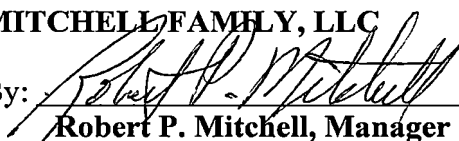
Said lands to be combined with and become part of existing lands of Jeff-Kat, LLC, known as Sussex County Tax Parcel No. 3-35-8.00-39.00.

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

**BEING** a part of the same lands conveyed unto Mitchell Family, LLC, a Delaware limited liability company, by deed from L.W. & J.T. Mitchell Family Limited Partnership, dated June 11, 2019, and recorded June 12, 2019, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 5074, Page 48.

**IN WITNESS WHEREOF**, the said Mitchell Family, LLC, a Delaware limited liability company, has caused its name to be hereunto set under seal by Robert P. Mitchell, Manager of Mitchell Family, LLC, the day and year first above written.

  
\_\_\_\_\_  
Witness

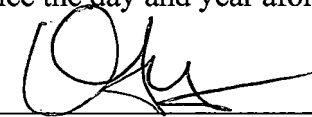
**MITCHELL FAMILY, LLC**  
By:  (SEAL)  
**Robert P. Mitchell, Manager**

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

**BE IT REMEMBERED**, that on this 15<sup>th</sup> day of December, 2021, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Robert P. Mitchell, Manager of Mitchell Family, LLC, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said limited liability company.

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

ADMITTED TO DELAWARE BAR 12/15/94  
ATTORNEY  
VINCENT G. ROBERTSON  
NOTARY  
UNIFORM LAW ON NOTARIAL ACTS  
PURSUANT TO 29 DEL. C. SEC 4323 (3)

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: N/A

State of Michigan } s.s. Be It Remembered, That  
 Genesee County } on this, 14 day of December  
 in the year of our Lord, one thousand  
 nine hundred and forty, personally came  
 before me, the subscriber a Notary Public  
 in and for the State and County aforesaid,  
 Harry M. Parker and Bernice M. Parker, his wife,  
 parties to this Indenture known to me personally to be  
 such, and they acknowledged this Indenture to be  
 their deed. And the said Bernice M. Parker being  
 at the same time privately examined by me apart  
 from her husband acknowledged that she executed the  
 said Indenture willingly without compulsion or threats  
 or fear of her husband's displeasure given under  
 my hand and seal of office the day and date aforesaid.

Received for Record  
 December 23, AD 1940  
 D. Lester Ormes  
 Notary Public

Mixed to  
 People's Laundry  
 Co., Inc. 1723/10

Charles H. Hurley, Recorder  
 Purchasers Report Made This 23 day Dec 1940. Books  
 of Assessment of Sussex Co. Ch. Harold J. Wolfe, Clerk.

deed - George H. Robinson to Lawder H. Mitchell etur  
 This deed, made the twenty-third day of  
 December, in the year of our Lord one thousand nine  
 hundred and forty, Between George H. Robinson  
 widower of Lewis and Rehoboth Hundred, Sussex  
 County and State of Delaware, party of the first part  
 and Lawder H. Mitchell and Lawrd A. Mitchell, his wife  
 of the Hundred County and State aforesaid, 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  
 consideration, lawful money of the United States of  
 America, they receipt whereof is hereby acknowledged  
 hereby grants and conveys unto the said parties of the  
 second part, their heirs and assigns, as tenants by  
 the entirety, All that certain tract of land situate  
 lying and being in Lewis and Rehoboth Hundred, Sussex  
 County, State of Delaware, and more particularly  
 described as follows, to wit: Beginning at a point on  
 the east side of the state Road leading from Murreys  
 Corner to Lewis and a corner for lands of Eugene  
 Maull; thence with the same south Sixty-one degrees  
 east three hundred feet to a post; thence with the  
 same and lands of Fred Marshall, Virgil Dennis and  
 other lands of George H. Robinson, North Twenty-  
 nine and one-half degrees East four hundred and  
 eighty-one feet to a stone in the line of lands  
 of The Sussex Trust Company; thence with the  
 same south forty-one degrees and fifteen minutes  
 east sixteen hundred and eighty six feet to a



stone; thence with three lines of Mrs. Reggin's  
 lands South forty five degrees west one hundred  
 and fifty feet to a stone, thence North forty  
 three degrees west three hundred and twenty feet  
 to a stone; thence South forty six degrees West  
 fourteen hundred and sixty feet to a stone on the  
 North side of Book Hammer Road; thence with the  
 North side of the same North sixty seven and one  
 half degrees west eleven hundred and forty six  
 feet to a stone at the intersection of this road  
 with the first named State Road; thence with the  
 same North twenty nine and three fourths degrees East  
 sixteen hundred and sixty three feet to the place of  
 beginning containing fifty seven and ninety eight  
 hundredths (57.98) Acres more or less. These being a  
 portion of the same lands and premises which were  
 conveyed to the said George W. Robinson, his Grantor  
 by Indenture of Ebe V. Merrill and Bertha R. Hickman  
 Administrators of Dr. Harrison Hickman, dated the  
 seventh day of April A.D. 1897, and recorded in the  
 office of the Recorder of Deeds at Georgetown, Delaware,  
 in and for Sussex County, in said Book G.C.B. No. 127,  
 Page 42 etc. Together with the tenements, hereditaments,  
 franchises, waters, watercourses, rights, liberties,  
 privileges, and appurtenances thereto belonging, and  
 the reversions and remainders, rents, issues and  
 profits thereof, and all the estate, right title, interest  
 property, claim and demand whatsoever, of the said  
 parties of the first part, at law, equity or otherwise  
 in and to the same and every part and parcel thereof.  
 I, Have and Do Hold, the said lands, premises  
 hereditaments hereby granted or mentioned, or intended  
 to be, with the Appurtenances, unto the said  
 parties of the second part, their heirs and assigns  
 to and for their only proper use and behoof forever  
 in fee simple. And the said George W. Robinson  
 for himself, his heirs, executors and Administrators  
 do hereby covenant, grant, promise and agree to and  
 with the said parties of the second part their heirs  
 and assigns, that the said George W. Robinson at the  
 execution hereof is seized of an indefeasible estate  
 in fee simple in the said property; that the said  
 George W. Robinson has good right, full power and  
 lawful authority to grant, bargain, sell and convey  
 the same in the manner aforesaid; that the said  
 parties of the second part, their heirs and assigns  
 may forever hereafter have, hold, possess and quietly  
 enjoy the same, without any suit, Molestation,  
 or interruption, by any person whatsoever,  
 lawfully claiming any right therein; that the  
 said premises are, at the time of the execution  
 hereof, free from all encumbrances; that the said

Received: 2.  
 George W. Robinson  
 4/27/90

George W. Robinson and all persons hereafter claiming under him, with at any time hereafter, at the request and expense of the said parties of the second part, their heirs or assigns, make all such further assurance for the more effectual conveying of the said premises, with the appurtenances, and may be reasonably required by him, and that said George W. Robinson will forever warrant and defend the said property under the said parties of the second part their heirs, executors administrators and assigns, against the claims and demands of all persons whatsoever. In witness whereof, the said party of the first part has hereunto set his hand and seal, the day and year first above written.

Signed, Sealed and Delivered in the Presence of

558 278 R  
12/23/40

Oliver D. Adams

George W. Robinson (and)

State of Delaware } s.s. Be It Remembered, That  
 County of Sussex } on this 23 day of  
 December in the year of our Lord one  
 thousand nine hundred and forty, personally  
 came before me, the subscriber, a Notary  
 Public in and for the State and County  
 aforesaid, George W. Robinson, widower, party to this  
 Indenture, known to me personally to be such, and  
 acknowledged this Indenture to be his Act.  
 Given under my hand and seal of office, the day  
 and year aforesaid.

Received for Record  
 December 23, 1940

Oliver D. Adams  
 Notary Public

My Commission Expires 9 day March 1941

Charles H. Hurley, Recorder  
 Purchaser Report Made This 23<sup>rd</sup> day of December  
 1940 Board of Assessment of Sussex County.  
 Per. Harvey B. Wolfe, Clerk.

Received  
 December 23, 1940  
 H.W. del.

And: Clara B. Pusy Admrs To C. V. Townsend, Jr. Inc.  
 This Indenture, made the twenty first day of  
 December in the year of our Lord one thousand nine  
 hundred and forty, between Clara B. Pusy, Administratrix  
 of George W. Pusy late of the County of Sussex and State  
 of Delaware, deceased, party of the first part, and C. V.  
 Townsend Jr. Inc. a Corporation of the State of  
 Delaware party of the second part, whereas, as an  
 Orphans Court of the State of Delaware in and for Sussex  
 County, held at Georgetown on the sixteenth day of  
 November A.D. one thousand nine hundred forty, upon the application  
 of Clara B. Pusy, Administratrix of George W. Pusy,  
 deceased, as aforesaid, it was ordered by the Court  
 that the said Clara B. Pusy, Administratrix of George

TAX MAP AND PARCEL #: 3-35 8.00 37.00  
PREPARED BY & RETURN TO:  
Morris James LLP  
107 West Market Street  
P.O. Box 690  
Georgetown, DE 19947  
File No. 20193/RGG

**THIS CONFIRMATORY DEED**, made this 11th day of June, 2019,

- BETWEEN -

**L.W. & J.T. MITCHELL FAMILY LIMITED PARTNERSHIP**, of 1019 Kings Highway, Lewes, DE 19958, party of the first part,

- AND -

**MITCHELL FAMILY, LLC, a Delaware limited liability company**, of 1019 Kings Highway, 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 **TEN and 00/100 Dollars (\$10.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its successors and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

**ALL** that piece or parcel of land, hereinafter described, situate, lying and being on the northerly side of Gills Neck Road (Road 267) and the easterly side of Kings Highway (Road 268); being located in Lewes and Rehoboth Hundred, Sussex County, Delaware; designated as "Residual Land" as shown on Plot entitled Record Minor Subdivision Plan, prepared by Davis, Bowen & Friedel, Inc., dated March, 2017, and recorded October 9, 2018, in the Office of the Recorder of Deeds, in and for Sussex County in Plot Book 271, Page 47; said piece or parcel of land being more particularly described as follows:

**COMMENCING** at a Wingate and Eschenbach found iron pipe along the easterly right-of-way line of Kings Highway; said point being located 30' from the centerline of Kings Highway and being the southwestern boundary corner for lands now or formerly of Three Builders, Inc., as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware in Deed Book D-3173, Page 100; coordinated on the Delaware State Grid System as North 276,872.17, East 733,340.02, thence,

1) leaving said point of beginning and running by and with lands now or formerly of Three Builders, Inc., South 69 degrees 20 minutes 38 seconds East 293.63 feet to wooden post at a point on the westerly line of lands of now or formerly of JeffKat, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book D-4456, Page 123, thence,

2) running by and with said Three Builders lands, and in part with said JeffKat lands and in part with lands of, now or formerly, First Baptist Church of Lewes, North 21 degrees 00 minutes 07 seconds East 481.27 feet to an iron pipe found at a point on the easterly line of lands of, now or formerly, Jefferson Estate, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book D-4338, Page 195, thence,

3) leaving said First Baptist Church lands and running by and with said Jefferson Estates lands, South 49 degrees 43 minutes 50 seconds East 763.78 feet to a concrete monument found at a point on the southerly line of Baybreeze Subdivision, thence,

4) leaving said Jefferson Estates and running by and with said Baybreeze Subdivision, South 49 degrees 38 minutes 53 seconds East 497.04 feet to a found iron rod at a point on the westerly line of lands of, now or formerly, Cadbury at Lewes as recorded in said Office of the Recorder of Deeds in Deed Book D-2934, Page 239, thence,

5) leaving said Baybreeze lands and running by and with said Cadbury lands, South 37 degrees 09 minutes 44 seconds West 1,655.38 feet to a point on the northerly right-of-way line o Gills Neck Road, width varies, thence,

6) leaving said Cadbury lands and running by and with said right-of-way line of Gills Neck Road, North 75 degrees 55 minutes 42 seconds West 664.50 feet to a point on the easterly line of lands of, now or formerly, Cape Henlopen Medical Center, LLC, thence,

7) running by and with said Cape Henlopen Medical lands, the following 2 courses and distances, North 21 degrees 17 minutes 08 seconds East 362.03 feet to a point, thence,

8) North 68 degrees 42 minutes 52 seconds West 371.14 feet to a point on the aforementioned right-of-way line of Kings Highway, thence,

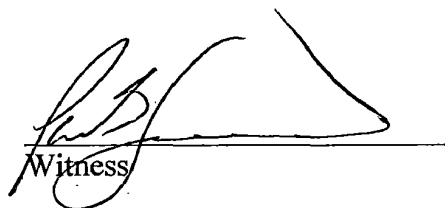
9) leaving said Cape Henlopen lands and running by and with said right-of-way line of Kings Highway, North 21 degrees 17 minutes 08 seconds East 1239.98 feet to the point and place of beginning; **CONTAINING** 49.330 acres of land, more or less.

**BEING** a part of the same lands conveyed unto L.W. & J.T. Mitchell Family Limited Partnership by Deed of Louder W. Mitchell, Jr. and Jane T. Mitchell, his wife, dated March 31, 2003 and recorded April 3, 2003 in the Office the Recorder of Deeds in and for Sussex County in Deed Book 2820, Page 72.

**THIS CONFIRMATORY DEED** is being executed and recorded to confirm the record owner of the property as Mitchell Farm, LLC which is the same entity as L.W. & J.T. Mitchell Family Limited Partnership, as L.W. & J.T. Mitchell Family Limited Partnership was converted from a limited partnership to a limited liability company pursuant to a Certificate of Conversion filed with the State of Delaware, Secretary of State Division of Corporations on March 4, 2019, File Number 3638808, pursuant to 6 *Del. C.* §17-219 & 6 *Del. C.* §18-214.

**SUBJECT** to all easements, agreements, covenants, and plans of record, this reference to which shall not be construed to reimpose any such easements, agreement, covenants and plans that have otherwise lapsed, expired, or have otherwise been terminated in accordance with their terms or otherwise, as applicable, but not subject to any mortgages, judgments or other liens of record or otherwise.

**IN WITNESS WHEREOF**, the said L.W. & J.T. Mitchell Family Limited Partnership, a Delaware general partnership, has caused its name to be hereunto set under seal by Robert P. Mitchell, General Partner of L.W. & J.T. Mitchell Family Limited Partnership, the day and year first above written.

  
\_\_\_\_\_  
Witness

**L.W. & J. T. MITCHELL FAMILY LIMITED PARTNERSHIP**

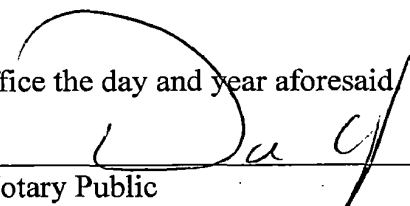
By:  (SEAL)  
\_\_\_\_\_  
**Robert P. Mitchell, General Partner**

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

**BE IT REMEMBERED**, that on this 11<sup>th</sup> day of June, A.D. 2019, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Robert P. Mitchell, General Partner of L.W. & J.T. Mitchell Family Limited Partnership, a Delaware partnership, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said partnership; that the signature of the General Partner is in his/her own proper handwriting and by his authority to act; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by a resolution of the partnership.

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

**DAVID C. HUTT, ESQ. #4037**  
Notarial Officer pursuant to  
29 Del. Code §4323  
**ATTORNEY AT LAW**  
Delaware

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

**F**

December 30, 2021

**BY HAND DELIVERY & EMAIL TO: [jamie.whitehouse@sussexcountyde.gov](mailto:jamie.whitehouse@sussexcountyde.gov)**

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

**RE: Substitution of Applications  
Mitchell Farm a/k/a Zwaanendael Farm, now Mitchells Corner  
SCTP No. 335-8.00-37.00**

Dear Mr. Whitehouse:

In follow-up to our conversations regarding the applications relating to the above-referenced tax parcel, rather than amending each of the pending applications, it is more efficient to withdraw them and substitute applications in their place. Mitchell Family, LLC requests that the pending applications be withdrawn and the new applications described hereinafter be substituted in their place. It is our understanding that the replacement applications will be considered at future public hearings for which the prior applications were scheduled (tentatively March 10, 2022 (Planning & Zoning) and April 26, 2022 (County Council)). If this understanding is not correct, please advise me immediately as I will need to seek further direction from my client.

The applications to be withdrawn, are the following applications that were filed on April 15, 2019:

- Subdivision Application 2019-11, Zwaanendael Farm, 5 lots, 48.01± acres;
- CZ 1886, Mitchell Family, LLC; AR-1 to C-3, 11.58± acres;
- CZ 1887, Mitchell Family, LLC; AR-1 to MR, 30.15± acres;
- CZ 1888, Mitchell Family, LLC; AR-1 to B-2, 5.43± acres; and
- CU 2181, Mitchell Family, LLC; 209 Multifamily Units, 30.15± acres

The applications to be substituted in place of these applications as they relate to the same property are as follows:

- Subdivision Application, Mitchells Corner, 43.777± acres;
- Change of Zone from AR-1 to C-2, 3.041± acres;
- Change of Zone from AR-1 to MR, 43.777± acres; and

**Jamie Whitehouse, Director**  
**December 30, 2021**  
**Page 2**

- Conditional Use, 267 Multifamily Units, 43.777± acres.

For each application, Ring W. Lardner, P.E., the engineer for the project, has put together a cover page describing the application being filed and the attachments included with the application. In addition to the paper copies being filed today, electronic copies of these applications will be available in Davis Bowen & Friedel, Inc.'s Dropbox project share to ensure the applications are available in both paper and electronic format.

If you have any questions, please do not hesitate to contact me.

Very Truly Yours,

MORRIS JAMES LLP

  
David C. Hutt, Esquire

Enclosures

cc: Ring W. Lardner, P.E.



December 21, 2021

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Zwaanendael Farm – Major Subdivision Application  
Tax Parcel No: 3-35-8.00-37.00 (partial)  
DBF #3808A001

Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are pleased to submit the Major Subdivision application and plans to be considered by the Sussex County Planning and Zoning Commission for the above parcel. We have enclosed the following:

- Application for Major Subdivision with \$500 fee
- (10) Copies of the “Major Subdivision Site Plan”
- (1) Copies of the Legal Description for the Major Subdivision
- (1) Deed Book 2820 Page 72
- (1) Electronic Copy uploaded to Dropbox project share

We respectfully request to be placed on the earliest available Planning and Zoning Commission Agenda. If you have any questions or need additional information, please contact me at (302) 424-1441 or via e-mail at [rwf@dbfinc.com](mailto:rwf@dbfinc.com).

Sincerely,  
*DAVIS, BOWEN & FRIEDEL, INC.*

Ring W. Ladner, P.E.  
Principal

*P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2021-12-21 Major Subdivision\Cover Letter.doc*

CC: Henlopen Properties, LLC.

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

## Sussex County Major Subdivision 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)**

Standard:   
Cluster:   
ESDDOZ:

**Location of Subdivision:**

Northeast quadrant of Kings Highway and Gills Neck Road, Lewes

**Proposed Name of Subdivision:**

\_\_\_\_\_

**Tax Map #:** 335-8.00-37.00 **Total Acreage:** 43.777 +/- acres

**Zoning:** AR-1 **Density:** 6.10 **Minimum Lot Size:** 2,400 **Number of Lots:** 267

**Open Space Acres:** 11.794

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

**Applicant Information**

**Applicant Name:** Henlopen Properties, LLC  
**Applicant Address:** 4750 Owing Mills Blvd  
**City:** Owing Mills **State:** MD **ZipCode:** 21117  
**Phone #:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Owner Information**

**Owner Name:** Mitchell Family, LLC  
**Owner Address:** 1019 Kings Highway  
**City:** Lewes **State:** DE **Zip Code:** 19958  
**Phone #:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Davis, Bowen & Friedel, Inc.  
**Agent/Attorney/Engineer Address:** 1 Park Avenue  
**City:** Milford **State:** DE **Zip Code:** 19963  
**Phone #:** (302) 424-1441 **E-mail:** rwl@dbfinc.com



# Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

- Completed Application**
- Provide fifteen (15) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**
  - Plan shall show the existing conditions, setbacks, roads, floodplain, wetlands, topography, proposed lots, landscape plan, etc. **Per Subdivision Code 99-22, 99-23 & 99-24**
  - Provide compliance with Section 99-9.
  - Deed or Legal description, copy of proposed deed restrictions, soil feasibility study
- Provide Fee \$500.00**
- Optional - Additional information for the Commission to consider** (ex. photos, exhibit books, etc.) If provided submit seven (7) 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.**
- PLUS Response Letter** (if required)
- 51% of property owners consent if applicable**

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 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: 12/22/2024

Signature of Owner



Date: 12/22/21

For office use only:

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

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

Staff accepting application: \_\_\_\_\_

Application & Case #: \_\_\_\_\_

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

Date of PC Hearing: \_\_\_\_\_

Recommendation of PC Commission: \_\_\_\_\_

LEGAL DESCRIPTION

RESIDUAL LANDS

MITCHELL FAMILY, LLC

PORTION OF TAX PARCEL #3-35-8.00-37.00

December 10, 2021

**ALL** that piece or parcels of land, hereinafter described, situate, lying and being on the northerly side of Gills Neck Road (Road 267) and the easterly side of Kings Highway (Road 268); being located in Lewes and Rehoboth Hundred, Sussex County, Delaware; said piece or parcels of land being a portion of the lands of Mitchell Family, LLC; said piece or parcels of land being more particularly described as follows:

**BEGINNING** at a Wingate and Eschenbach found iron pipe along the easterly right-of-way line of Kings Highway; said point being located 30' from the centerline of Kings Highway and being the southwestern boundary corner for lands now or formerly of Three Builders, Inc., as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware in Deed Book D-3173, Page 100; coordinated on the Delaware State Grid System as North 276,872.17, East 733,340.02, thence,

- 1) leaving said point of beginning and running by and with lands now or formerly of Three Builders, Inc., South 69 degrees 20 minutes 38 seconds East 293.63 feet to wooden post at a point on the westerly line of lands of now or formerly of Jeff-Kat, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book D-4456, Page 123, thence,
- 2) running by and with said Jeff-Kat lands, the following four (7) courses and distances, South 69 degrees 20 minutes 38 seconds East 77.54 feet to a point, thence running,
- 3) South 50 degrees 42 minutes 39 seconds East 47.19 feet to a point, thence running,
- 4) North 37 degrees 09 minutes 44 seconds East 111.21 feet to a point, thence running,
- 5) along a curve to the right, having a radius of 120.00 feet, an arc length of 96.50 feet and a chord bearing and distance of North 60 degrees 11 minutes 57 seconds East 93.92 feet to a point, thence running,
- 6) North 83 degrees 14 minutes 10 seconds East 96.83 feet to a point, thence running,
- 7) along a curve to the right, having a radius of 70.00 feet, an arc length of 23.47 feet and a chord bearing and distance of North 87 degrees 09 minutes 28 seconds West 23.36 feet to a point, thence running,

- 8) North 12 degrees 26 minutes 54 seconds East 7.06 feet to a point, thence running,
- 9) North 40 degrees 16 minutes 10 seconds East 136.85 feet to a point on the easterly line of lands of, now or formerly, Jefferson Estate, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book D-4338, Page 195, thence,
- 10) leaving said Jeff-Kat lands and running by and with said Jefferson Estates lands, South 49 degrees 43 minutes 50 seconds East 377.52 feet to a concrete monument found at a point on the southerly line of Baybreeze Subdivision, thence,
- 11) leaving said Jefferson Estates and running by and with said Baybreeze Subdivision, South 49 degrees 38 minutes 53 seconds East 497.04 feet to a found iron rod at a point on the westerly line of lands of, now or formerly, Cadbury at Lewes as recorded in said Office of the Recorder of Deeds in Deed Book D-2934, Page 239, thence,
- 12) leaving said Baybreeze lands and running by and with said Cadbury lands, South 37 degrees 09 minutes 44 seconds West 1,655.38 feet to a point on the northerly right-of-way line of Gills Neck Road, width varies, thence,
- 13) leaving said Cadbury lands and running by and with said right-of-way line of Gills Neck Road, North 75 degrees 55 minutes 42 seconds West 664.50 feet to a point on the easterly line of lands of, now or formerly, Cape Henlopen Medical Center, LLC, thence,
- 14) running by and with said Cape Henlopen Medical lands, North 21 degrees 17 minutes 08 seconds East 362.03 feet to a point on the easterly line of Commercial Lot, thence,
- 15) leaving Cape Henlopen Medical lands and running by and with said Commercial Lot, the following two (2) courses and distances, North 21 degrees 17 minutes 08 seconds East 356.96 feet to a point, thence running,
- 16) North 68 degrees 42 minutes 52 seconds West 371.14 feet to a point on the aforementioned right-of-way line of Kings Highway, thence,
- 17) leaving said Cape Henlopen lands and running by and with said right-of-way line of Kings Highway, North 21 degrees 17 minutes 08 seconds East 883.02 feet to the point and place of beginning; **CONTAINING** 43.777 acres of land, more or less.

Tax Parcel #3-35-8.00-37.00  
 Prepared by: David W. Baker, Esq., P.A.  
 P O Box 551, 109 S. Race St.  
 Georgetown, Delaware 19947  
 Return to: LOWDER W. MITCHELL, JR.  
 JANE T. MITCHELL  
 1019 Kings Highway  
 Lewes, Delaware 19958

NO LIEN OR TITLE SEARCH  
PERFORMED - NONE REQUESTED

**This Deed, made this**

**31** day of March

in the year of our Lord Two Thousand Three.

**BETWEEN** LOWDER W. MITCHELL, JR. and JANE T. MITCHELL,  
 husband and wife, of 1019 Kings Highway, Lewes, Delaware 19958,  
 parties of the first part,

-and-

L. W. & J. T. MITCHELL FAMILY LIMITED PARTNERSHIP, a Delaware  
 Limited Partnership, of 1019 Kings Highway, Lewes, Delaware, party  
 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 grants and conveys unto the party of the  
 second part, its Heirs and Assigns,

**ALL** that certain tract of land, situate, lying and being in  
 Lewes and Rehoboth Hundred, Sussex County, Delaware, and more  
 particularly described as follows to wit:

BEGINNING at a post on the east side of the State Road  
 leading from Murray's Corner to Lewes, and a corner for lands now  
 or formerly of EUGENE MAULL; thence with the same South 61° East  
 300 feet to a post; thence with same and lands now or formerly of  
 FRED MARSHALL, VIRGIL DENNIS and GEORGE W. ROBINSON, North 29-1/2°  
 East 481 feet to a stone in line of lands now or formerly of THE



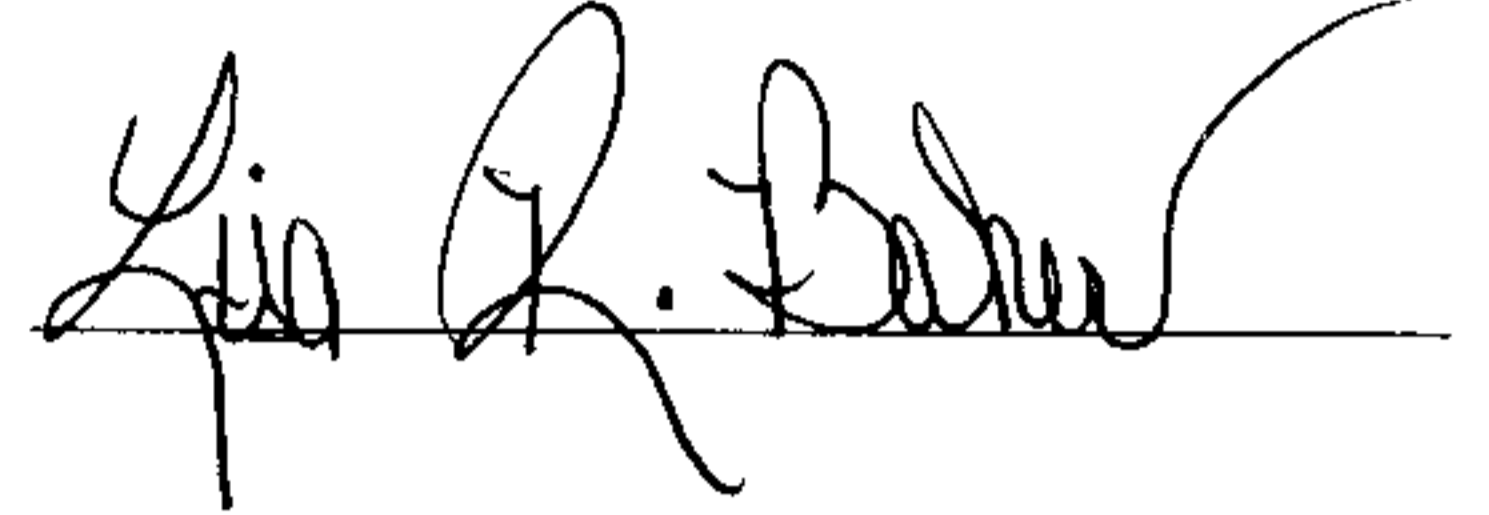

1	Consideration:	\$0.00	Exempt Code: A
	County	State	Total
	0.00	0.00	0.00
	counter	Date: 04/03/2003	

SUSSEX TRUST COMPANY; thence with the same South 41°15' East 1686 feet to a stone; thence with three lines of lands now or formerly of MRS. RIGGIN'S lands, South 45° West 155 to a stone; thence North 43° West 320 feet to a stone; thence South 46° West 1460 feet to a stone on the north side of Bookhammer Road; thence with the north side of the same North 67-1/2° West 1146 feet to a stone at the intersection of this road with the first named State Road; thence with the same North 29-3/4° East 1663 feet to the place of beginning, containing 57.98 acres of land, more or less.

BEING the same lands conveyed unto LOWDER W. MITCHELL, JR. and JANE T. MITCHELL by deed of LOWDER W. MITCHELL, JR. and JANE T. MICHELL dated the 19<sup>th</sup> day of February, A.D. 1998, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 2267 at Page 209.

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

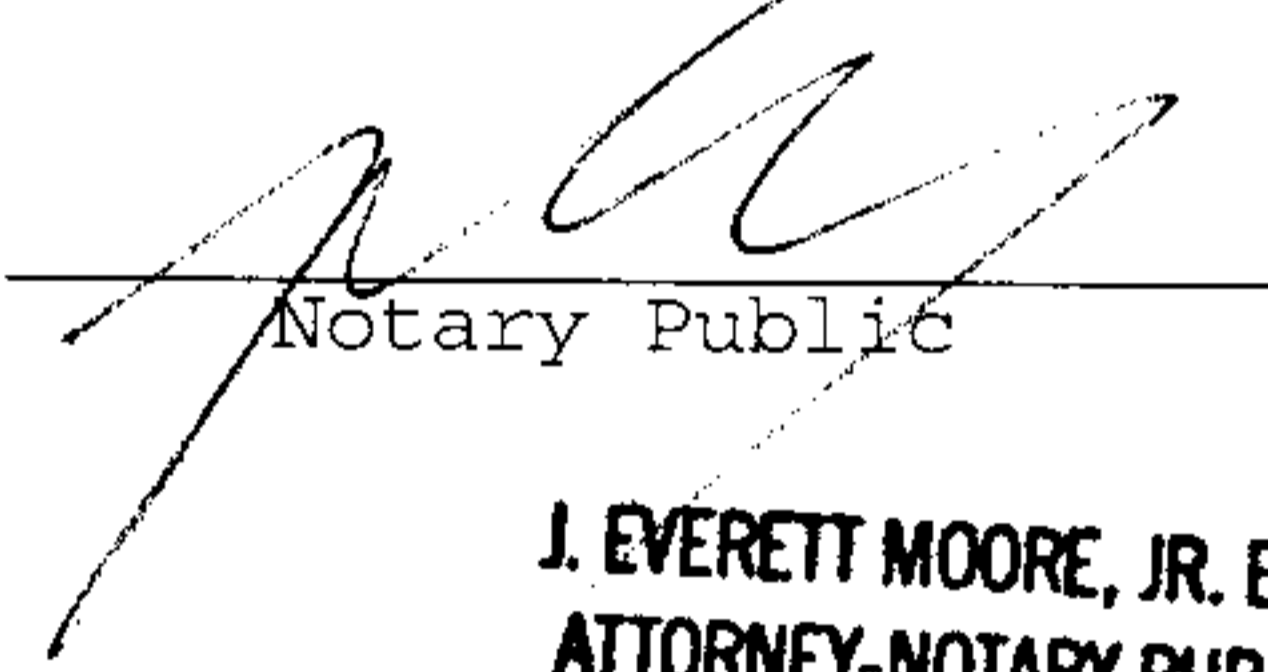
SIGNED, SEALED, DELIVERED,  
and Witnessed in the presence of

	 (SEAL) LOWDER W. MITCHELL, JR.
	 (SEAL) JANE T. MITCHELL

STATE OF DELAWARE :  
                                  : SS.  
SUSSEX COUNTY      :

BE IT REMEMBERED, that on this 3<sup>rd</sup> day of March in the year of our Lord Two Thousand Three personally came before me, a Notary Public in and for the State and County aforesaid, LOWDER W. MITCHELL, JR., TRUSTEE and JANE T. MITCHELL, TRUSTEE, parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

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

 (Seal)  
Notary Public

J. EVERETT MOORE, JR. ESQ.  
ATTORNEY-NOTARY PUBLIC  
Unif. Notarial Act 10 Del. C. 4323(a)(3)  
Non Expiring Commission

RECORDER OF DEEDS  
JOHN F BRADY

03 APR -3 AM 9:24

SUSSEX COUNTY  
CO. SURCHARGE PAID

**Received**

APR 04 2003

ASSESSMENT DIVISION  
OF SUSSEX CTY





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

NICOLE MAJESKI  
SECRETARY

December 20, 2021

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 **Henlopen Properties, LLC (Jon Mayers)** proposed land use application, which we received on December 10, 2021. This application is for an approximately 42-acre portion of a 48.01-acre parcel (Tax Parcel: 335-8.00-37.00). The subject land is located on the north side of Gills Neck Road (Sussex Road 267) and the east side of Kings Highway (US Route 9). The subject land is currently zoned AR (Agriculture Residential), and the applicant seeks a conditional use approval to build 267 multifamily houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Gills Neck Road from Red Tail Road to Kings Highway, is 4,186 vehicles per day. The annual average daily traffic volumes along Kings Highway from Kings Highway (Sussex Road 268) to Gills Neck Road, is 12,019 vehicles per day.

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



Mr. Jamie Whitehouse

Page 2 of 2

December 20, 2021

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

Please contact Ms. Annamaria Furfato, at Annamaria.Furfato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Henlopen Properties, LLC (Jon Mayers), Applicant  
Sussex Reviewer, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furfato, Project Engineer, Development Coordination

December 21, 2021

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheelleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Mitchells Corner  
Tax Parcel No: 3-35-8.00-37.00  
DBF #3808A001

Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are submitting an Environmental Assessment and Public Facility Evaluation Report in accordance with §115-194.3. Coastal Area, Subparagraph B (2). We offer the following information that comprises our report:

- (a) *Proposed Drainage design and the effect on stormwater quality and quantity leaving the site, including methods for reducing the amount of phosphorous and nitrogen in the stormwater runoff and the control of any other pollutants such as petroleum hydrocarbons or metals.* The proposed improvements will meet or exceed the state regulations for quality and quantity control of stormwater. We intend to use an infiltration pond as well as other Green Technology to meet the quantity requirement. The proposed site through the use of Green Technology and other Best Management Practices and Best Available Technologies will reduce the nitrogen and phosphorus loading by 40%. Minimizing impervious area and preservation of trees will further reduce nitrogen and phosphorous loadings. The project will not develop or produce other pollutants such as petroleum hydrocarbons or metals.
- (b) *Proposed method of providing potable and, where appropriate, irrigation water and the effect on public or private water systems and groundwater, including an estimate of average and peak demands.* The proposed project is adjacent to two public water providers. The estimated average for the project is 69,750 GPD and estimated peak use of 209,250 GPD.
- (c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on-site septic systems.* The proposed project will discharge wastewater to an existing gravity sewer manhole constructed during phase 1 that connects to the pump station within the Governors development.

- (d) *Analysis of the increase in traffic and the effect on the surrounding roadway system.* A Traffic Impact Study (TIS) has been submitted to DelDOT and interim improvements will be completed by the Developer.
- (e) *The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.* There are no records of federally listed endangered or threatened species or their critical habitats listed on this site.
- (f) *The preservation and protection from loss of any tidal or nontidal wetlands on the site.* There are no wetlands on this site.
- (g) *Provisions for open space as defined in §115-4.* The proposed project incorporates active and passive open space amenities. Some passive open space amenities include ponds and associated landscape buffers. Active open space amenities include walking paths and an active amenity area.
- (h) *A description of provisions for public and private infrastructure.* The Developer will improve Kings Highway in accordance with DelDOT's rules and regulations. The Developer will also construct the water mains internally in the project that will be owned and maintained by a public utility. Besides the water system, all other internal utilities and roadways will be constructed by the Developer and privately maintained.
- (i) *Economic, recreational or other benefits.* The proposed project will create a considerable number of jobs during construction. In addition, the project will generate transfer taxes as well other economic impacts in the beach community. There are numerous recreational activities provided within the site. In addition, part of the proposed project includes a commercial rezoning which will provide employment opportunities.
- (j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places.* The site does not contain any historic or cultural resources that are listed on the National Register of Historic Places.
- (k) *An affirmation that the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan.* The proposed application and mitigation measures comply with the current Sussex County Comprehensive Plan.
- (l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.* All mitigation measures, where required, have been discussed in their respective section. All mitigation measures as well as the application are consistent with the Comprehensive Plan.

Mr. Jamie Whitehouse  
December 21, 2021  
Page 3

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

A handwritten signature in cursive script, appearing to read "Ring W. Lardner".

Ring W. Lardner, P.E.  
Principal

P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2021-12-21 Major Subdivision\2021-12-21 Public Facilities Report.docx

Cc: David Hutt, Morris James LLP  
Henlopen Properties, LLC

# Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

## Application Information:

Site Address:

Parcel #:

Site Address:

Parcel #:

Applicant Name:

Owner Name:

## Type of Application:

Conditional Use:

Change of Zone:

Subdivision:

Board of Adjustment:

Date Submitted:

## For office use only:

Date of Public Hearing: \_\_\_\_\_

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

Date list created: \_\_\_\_\_ List created by: \_\_\_\_\_

Date letters mailed: \_\_\_\_\_ Letters sent by: \_\_\_\_\_



Table with 4 columns: LOT, SQ. FT., ACRES, and AREA. Contains lot data for DUPEX LOT AREA TABLE and TOWNHOUSE LOT AREA TABLE.

Table with 4 columns: LOT, SQ. FT., ACRES, and AREA. Contains lot data for TOWNHOUSE LOT AREA TABLE.

Table with 4 columns: LINE, BEARING, DISTANCE, and AREA. Contains lot data for LOT LINE TABLE.

Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for RIGHT-OF-WAY CURVE TABLE.

Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for LOT CURVE TABLE.

Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for RIGHT-OF-WAY CURVE TABLE.

Table with 4 columns: LINE, BEARING, DISTANCE. Contains data for RIGHT-OF-WAY LINE TABLE.

Table with 4 columns: LINE, BEARING, DISTANCE. Contains data for BOUNDARY LINE TABLE.

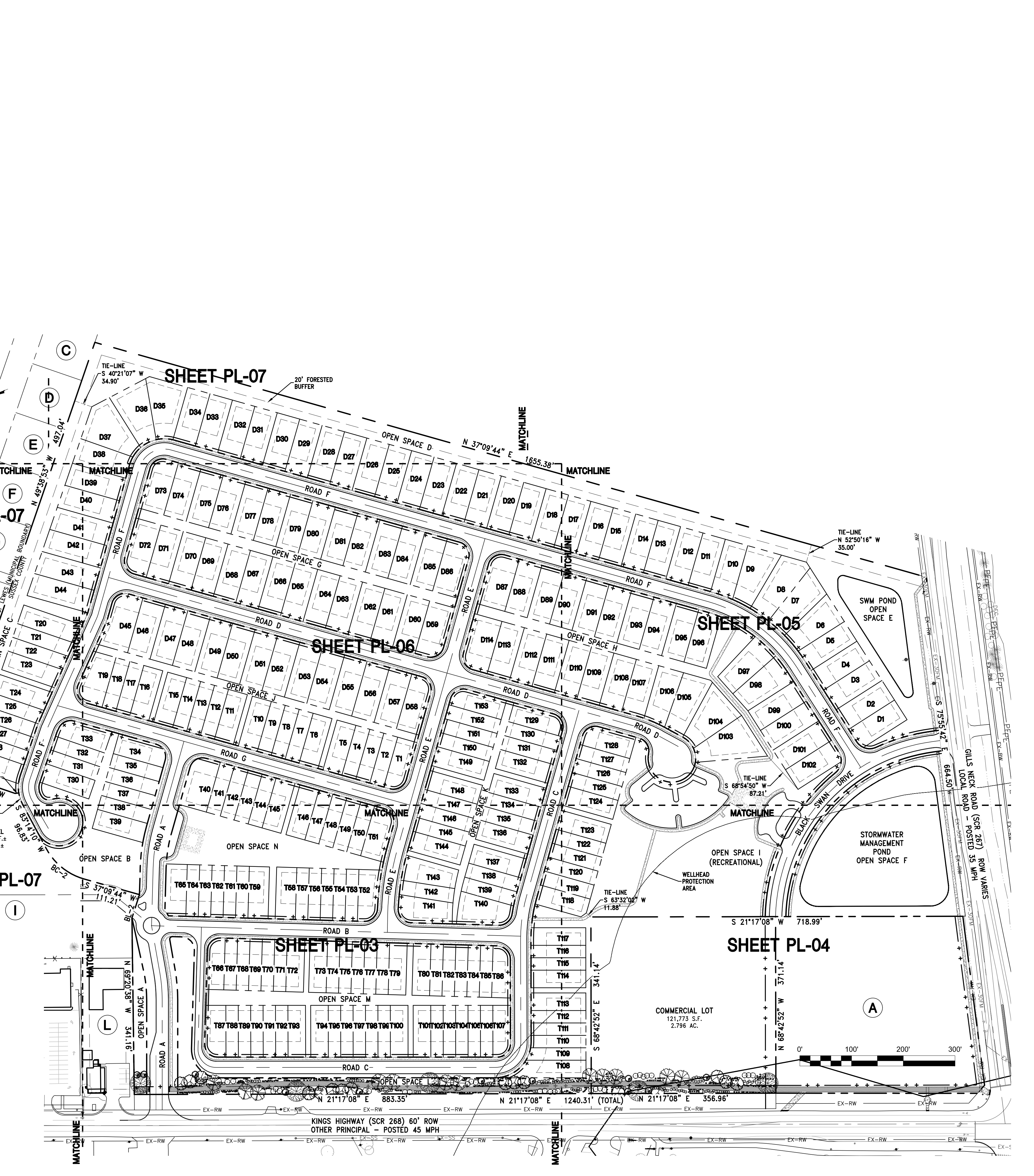
Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for BOUNDARY CURVE TABLE.

Table with 4 columns: DESCRIPTION, SQ. FT., ACRES. Contains data for RIGHT-OF-WAY AREA TABLE.

Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for BOUNDARY CURVE TABLE.

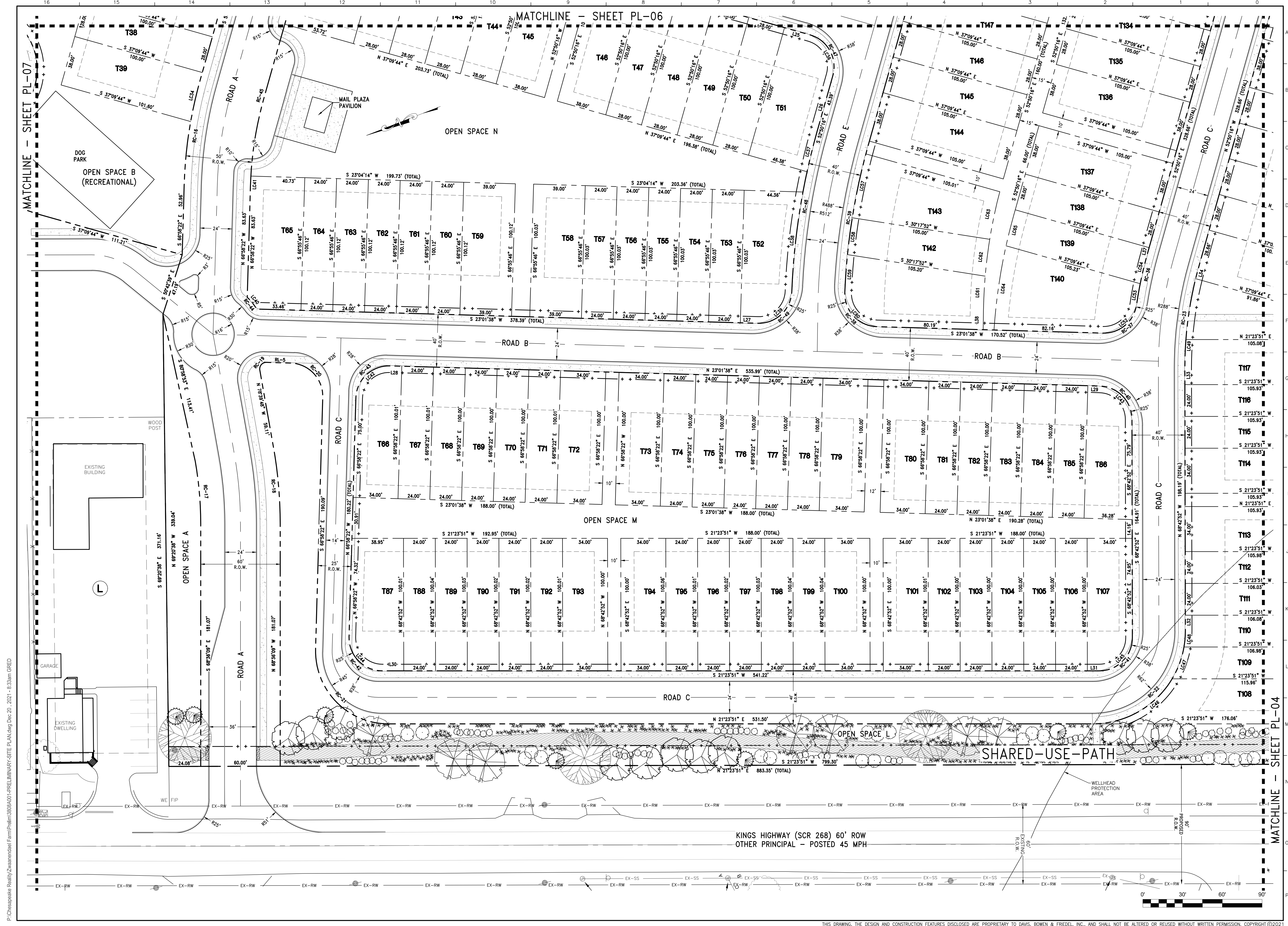
Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for BOUNDARY CURVE TABLE.

Table with 4 columns: KEY, PARCEL ID, PROPERTY OWNER, DEED. Contains data for ADJACENT PROPERTY OWNERS.



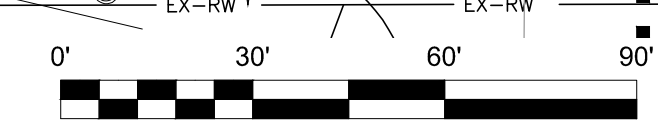
Project information including: DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS; PRELIMINARY SITE PLAN OVERVIEW; MITCHELL FAMILY FARM LEWES & REHOBOTH HUNDRED CITY OF LEWES, SUSSEX COUNTY, DELAWARE; Date: DECEMBER 2021; Scale: 1" = 100'; Project No.: 3808A001; Dwg. No.: PL-02.





P:\Chesapeake Realty\Zwanenbaal Farm\Plan\03808A001-PR Preliminary-Site Plan.dwg, Dec 20, 2021 - 8:33am GRED

KINGS HIGHWAY (SCR 268) 60' ROW  
OTHER PRINCIPAL - POSTED 45 MPH



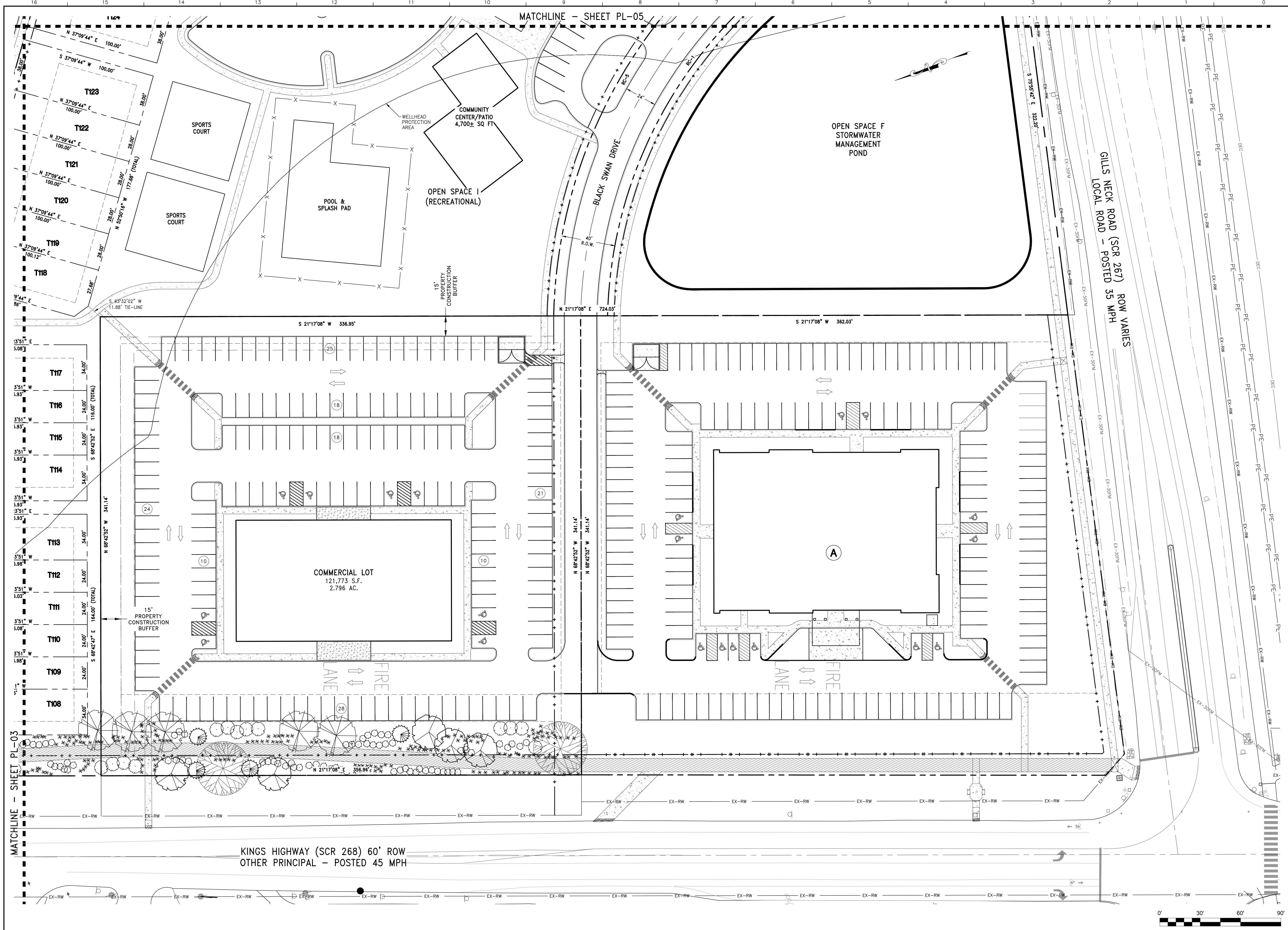
**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
SUSSEX COUNTY, DELAWARE  
1000 MARKET STREET, SUITE 200  
MILFORD, DELAWARE 19966  
(302) 424-1441  
FAX (302) 424-1441  
WWW.DBFRIEDEL.COM

**MITCHELL FAMILY FARM**  
KINGS HIGHWAY (SCR 268)  
LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:  
Date: DECEMBER 2021  
Scale: 1" = 30'  
Dwn. By: DEG  
Proj. No.: 3808A001  
Dwg. No.: **PL-03**

PRELIMINARY SITE PLAN

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zhuannendall\Farm\Pre\03808A001-PR Preliminary-Site Plan.dwg, Dec 20, 2021 - 8:34am GRED

MATCHLINE - SHEET PL-03

MATCHLINE - SHEET PL-05

KINGS HIGHWAY (SCR 268) 60' ROW  
OTHER PRINCIPAL - POSTED 45 MPH

**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
SUSSEX COUNTY, DELAWARE  
1000 MARKET STREET, SUITE 200  
DOVER, DELAWARE 19901  
(302) 424-1441  
(410) 770-4744

PRELIMINARY SITE PLAN

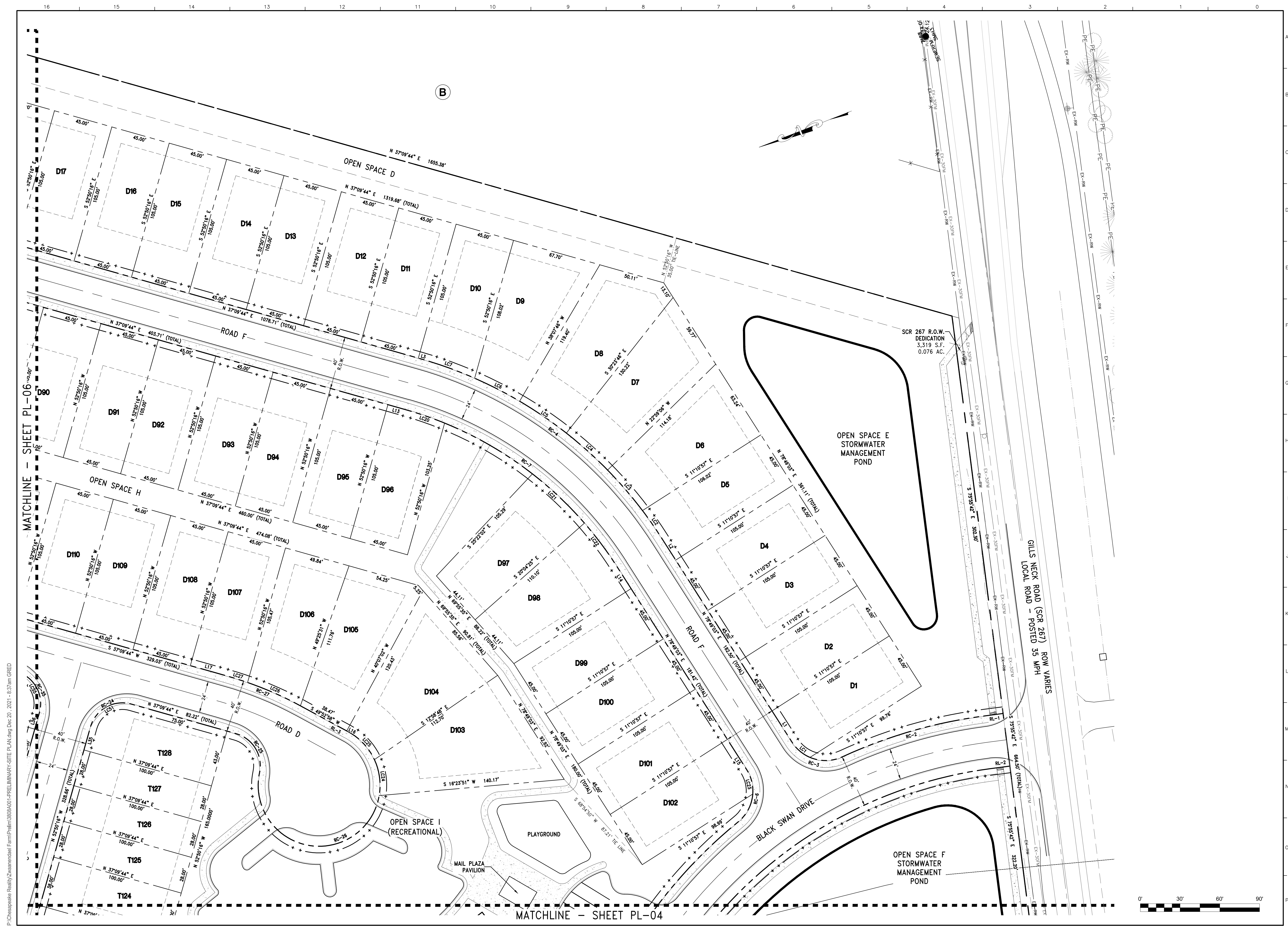
**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date: **DECEMBER 2021**  
Scale: **1" = 30'**  
Dwn. By: **DEG**  
Proj. No.: **3808A001**  
Dwg. No.:

**PL-04**

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zwanenbaal Farm\Plan\3808A001-PR Preliminary-Site Plan.dwg, Dec. 20, 2021 - 8:37am GRED

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 (302) 424-1441  
 (410) 770-4744

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date: DECEMBER 2021  
 Scale: 1" = 30'  
 Dwn. By: DEG  
 Proj. No.: 3808A001  
 Dwg. No.: **PL-05**

PRELIMINARY SITE PLAN

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zhuannandall Farm\Plan\0808A001-PR Preliminary-Site Plan.dwg, Dec. 20, 2021 - 8:37am, GRED

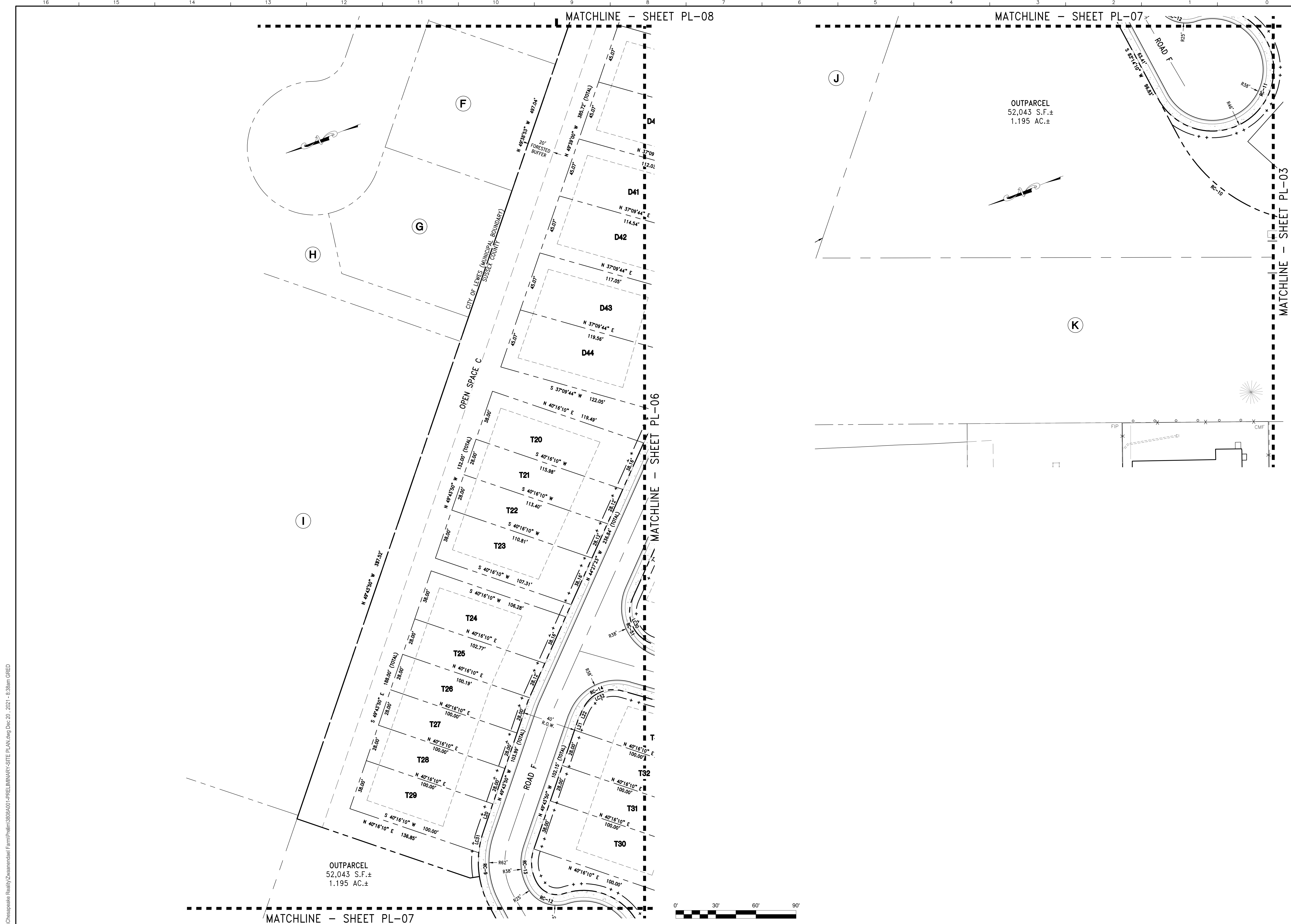
**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 FAX (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:  
 Date: DECEMBER 2021  
 Scale: 1" = 30'  
 Dwn. By: DEG  
 Proj. No.: 3808A001  
 Dwg. No.: **PL-06**

PRELIMINARY SITE PLAN

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zwanenbaal Farm\Plan\3808A001-PREREVIEW-SITE PLAN.dwg, Dec. 20, 2021 - 8:38am GRED

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 CALVERT, MARYLAND (410) 543-2888  
 MILFORD, DELAWARE (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

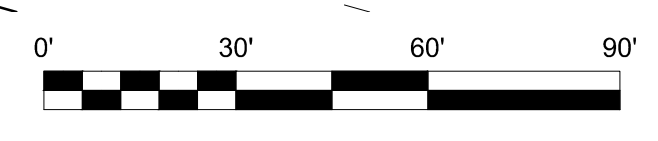
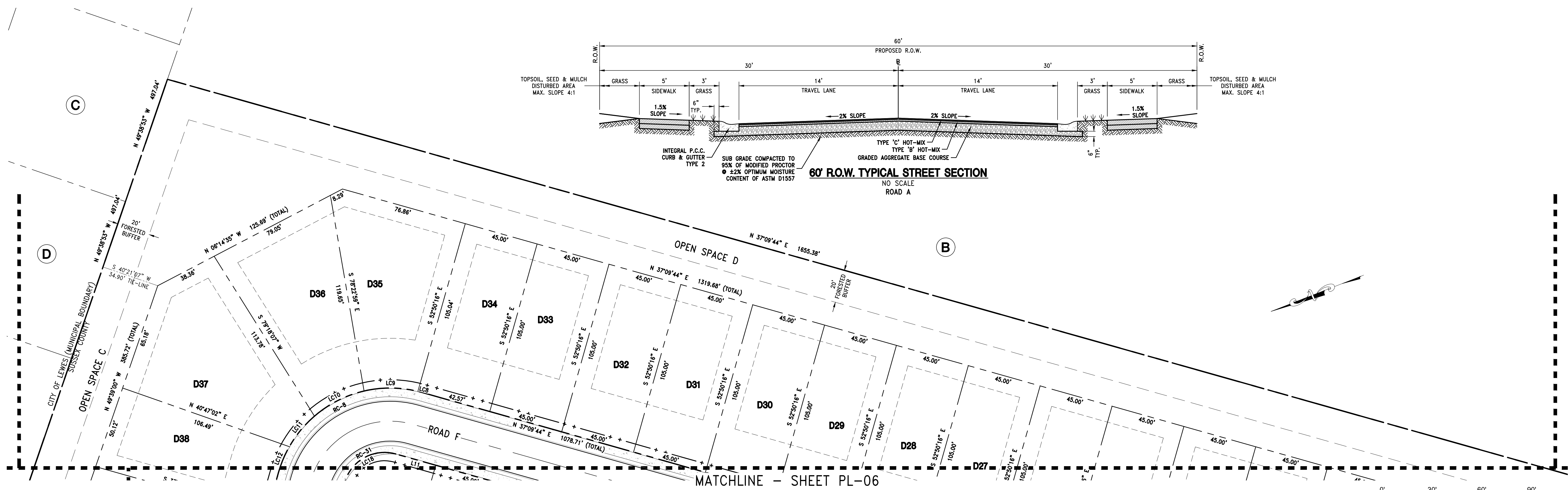
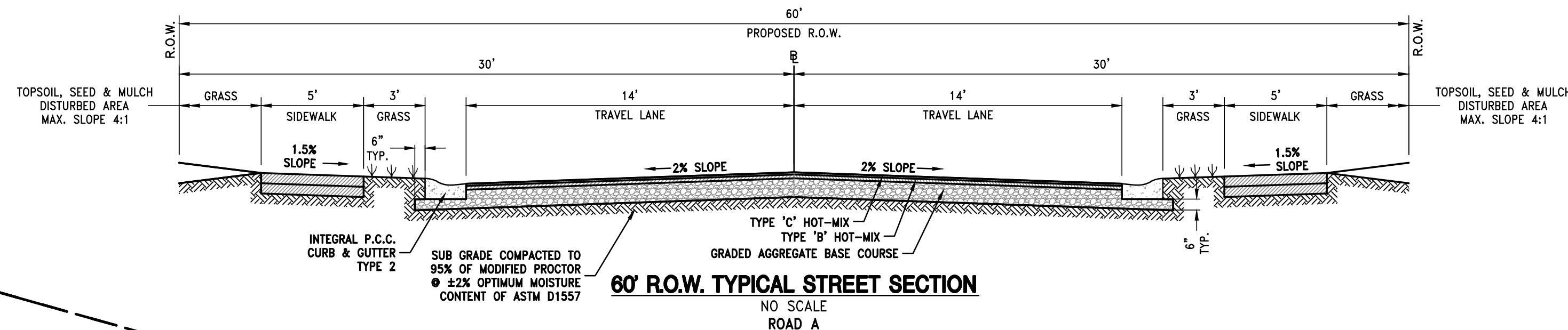
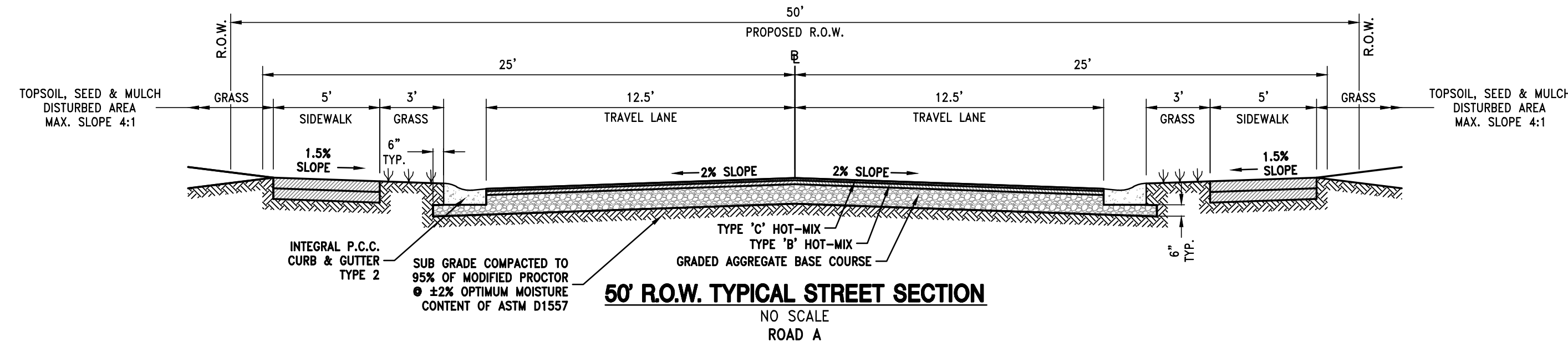
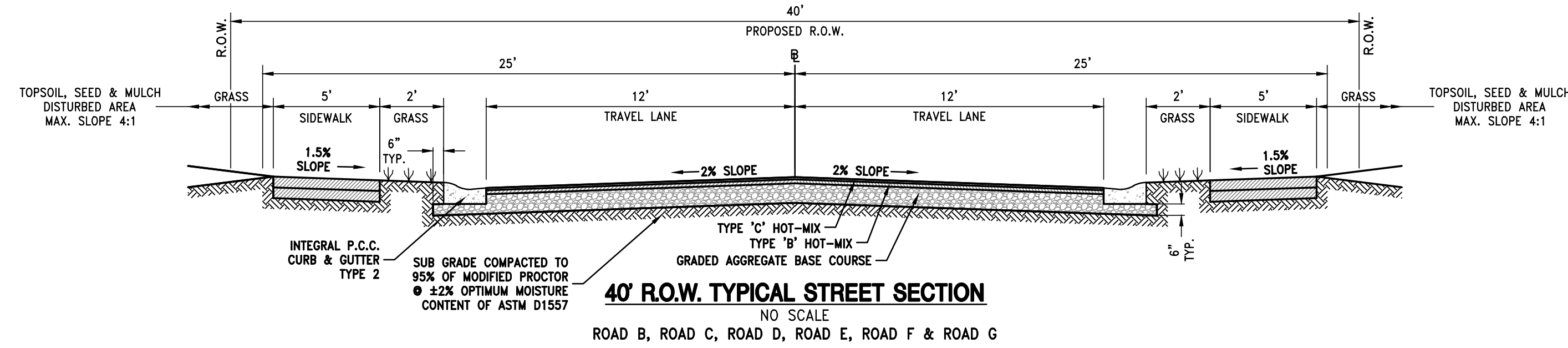
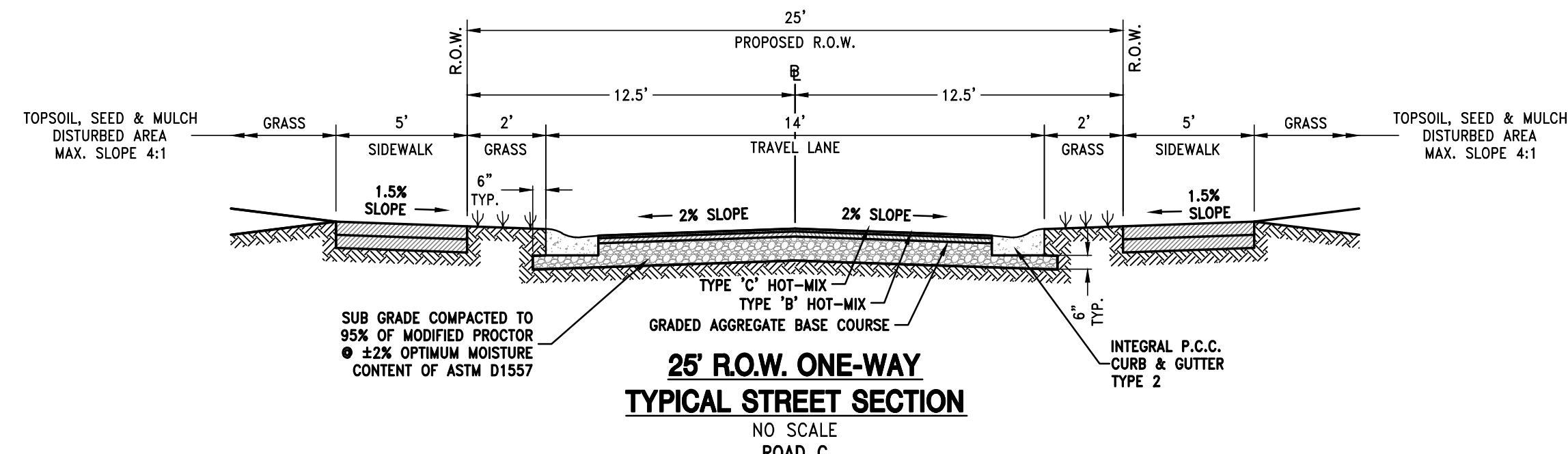
**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date: **DECEMBER 2021**  
 Scale: **1" = 30'**  
 Dwn. By: **DEG**  
 Proj. No.: **3808A001**  
 Dwg. No.: **PL-07**

PRELIMINARY SITE PLAN

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
SUSSEX COUNTY, DELAWARE  
1000 MARKET STREET  
MILFORD, DELAWARE 19967  
(302) 424-1441  
(302) 424-1441  
(410) 770-4744

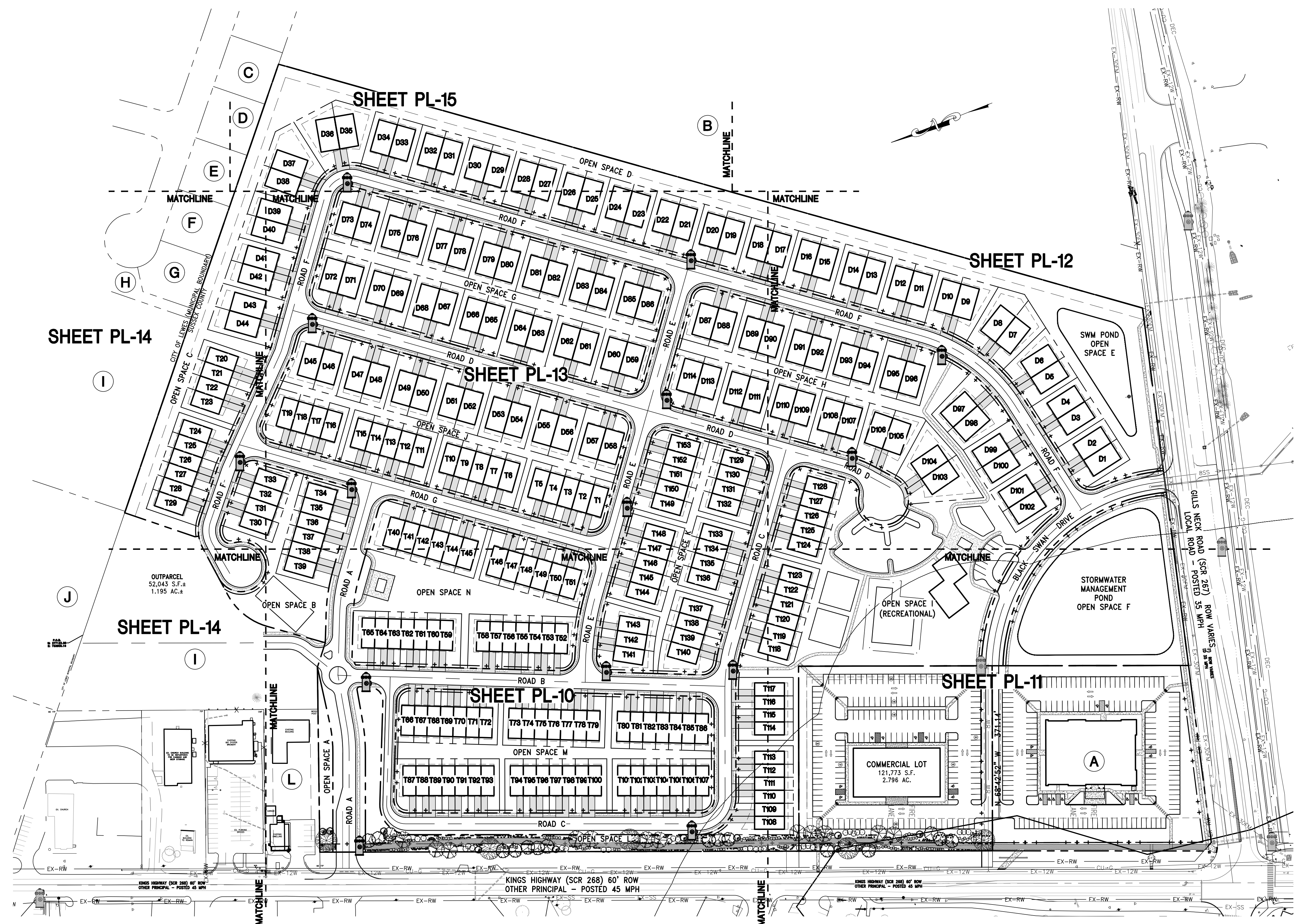
PRELIMINARY SITE PLAN

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:
Date: DECEMBER 2021
Scale: 1" = 30'
Own. By: DEG
Proj. No.: 3808A001
Dwg. No.:

**PL-08**

P:\Chesapeake Realty\Zwaanendael Farm\PL-08A001-PR Preliminary-Site Plan.dwg, Dec 20, 2021 - 8:46am GRED



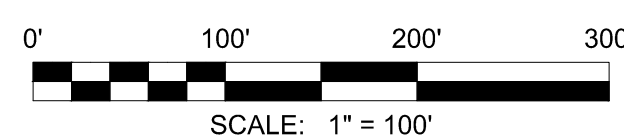
OUTPARCEL  
52,045 S.F. ±  
1.195 AC. ±

COMMERCIAL LOT  
121,773 S.F.  
2.796 AC.

KINGS HIGHWAY (SCR 268) 60' ROW  
OTHER PRINCIPAL - POSTED 45 MPH

STORMWATER  
MANAGEMENT  
POND  
OPEN SPACE F

SWM POND  
OPEN  
SPACE E



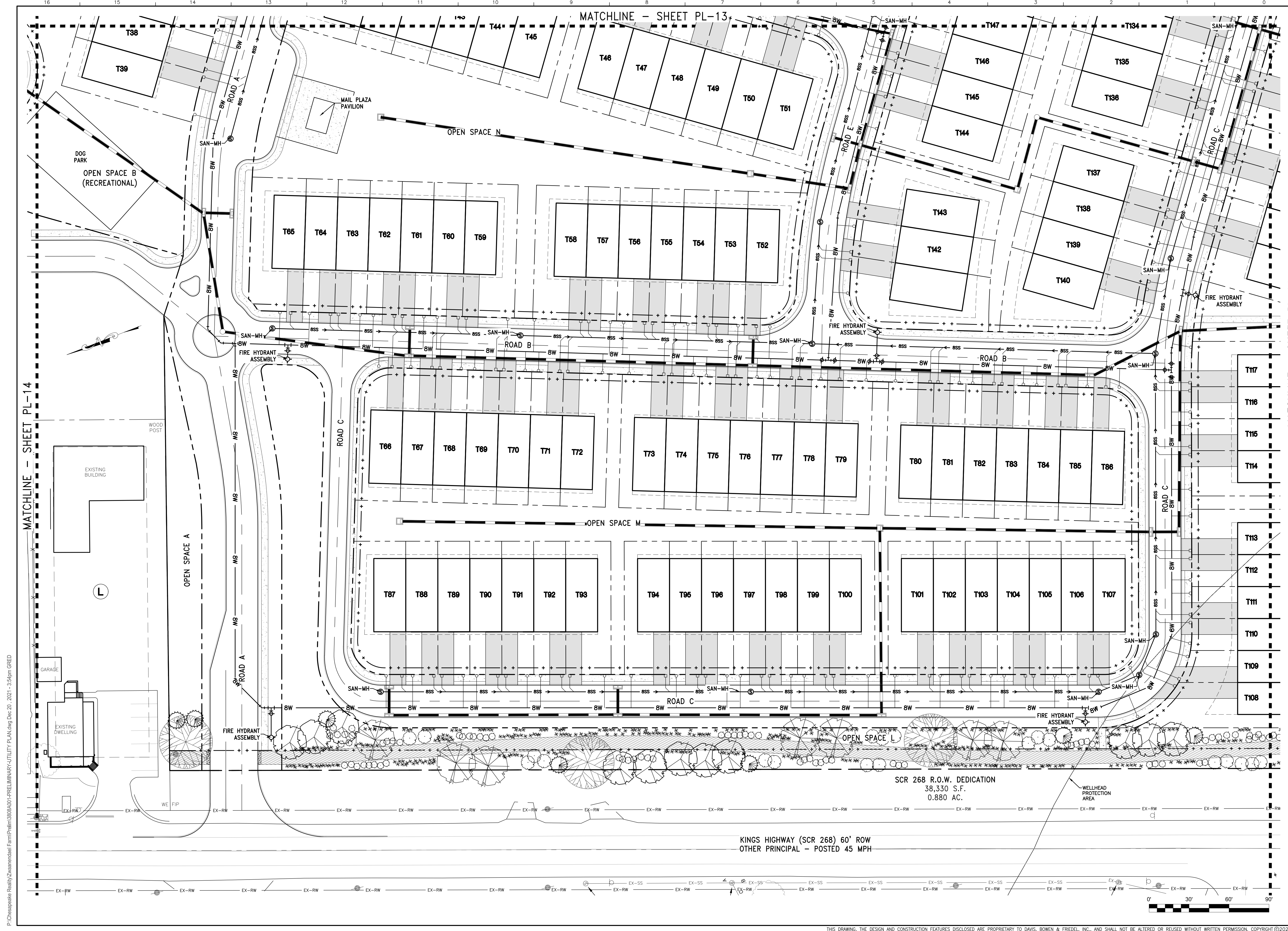
**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
CALVERT, MARYLAND (301) 443-2000  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:  
Date: **DECEMBER 2021**  
Scale: **1" = 100'**  
Dwn. By: **DEG**  
Proj. No.: **3808A001**  
Dwg. No.:

**PL-09**

PRELIMINARY UTILITY PLAN OVERVIEW



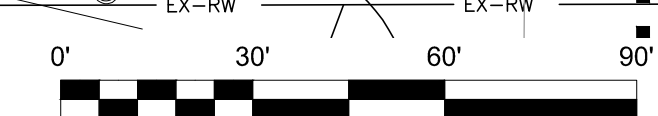
MATCHLINE - SHEET PL-13

MATCHLINE - SHEET PL-14

MATCHLINE - SHEET PL-11

SCR 268 R.O.W. DEDICATION  
38,330 S.F.  
0.880 AC.

KINGS HIGHWAY (SCR 268) 60' ROW  
OTHER PRINCIPAL - POSTED 45 MPH



DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS ENGINEERS SURVEYORS  
1000 W. MARKET ST. SUITE 200  
MILFORD, DELAWARE 19967  
(302) 424-1441  
FAX (302) 424-1442  
EASTON, MARYLAND (410) 770-4744

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:  
  
Date: DECEMBER 2021  
Scale: 1" = 30'  
Dwn. By: DEG  
Proj. No.: 3808A001  
Dwg. No.:

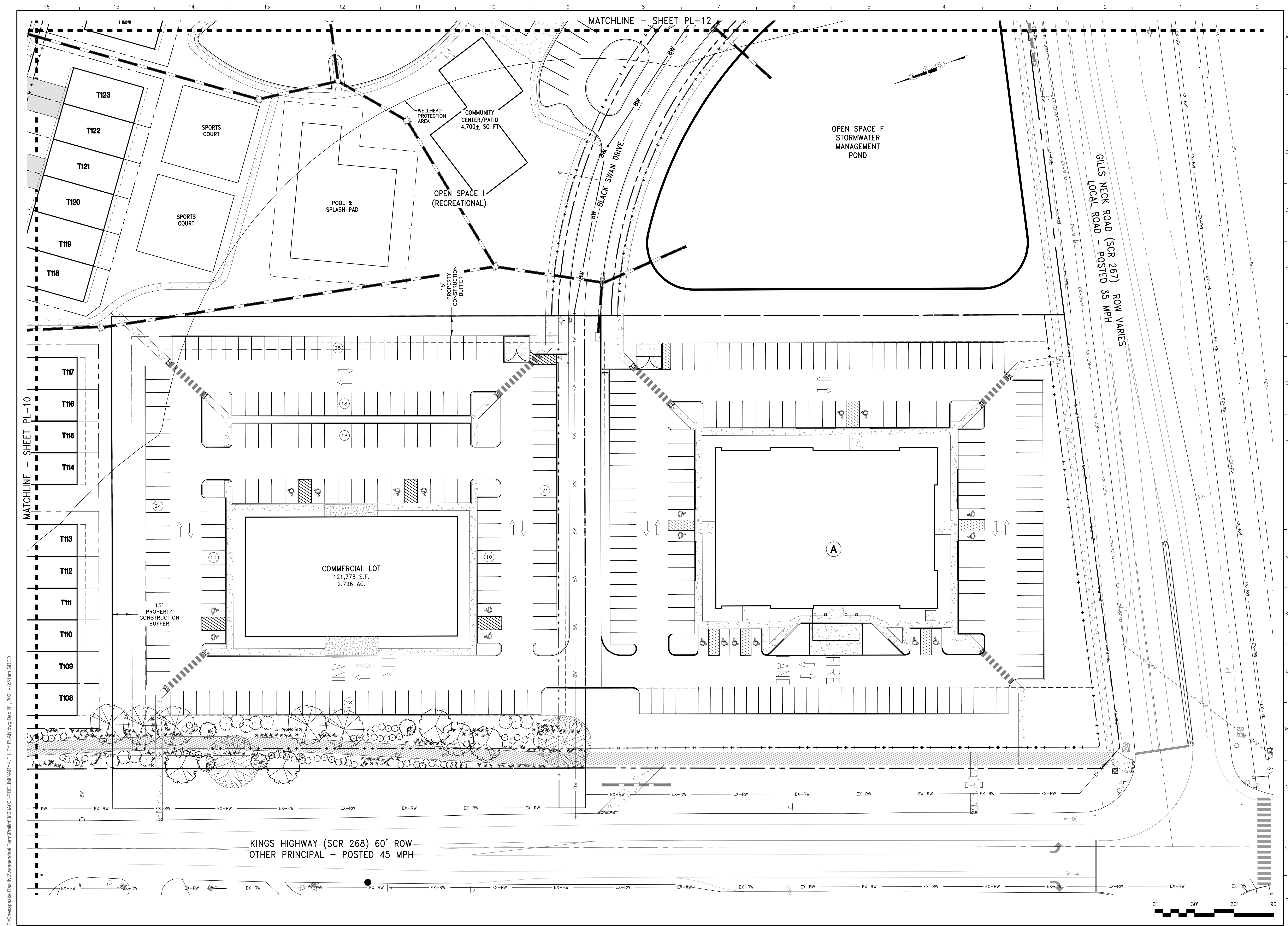
**PL-10**

PRELIMINARY UTILITY PLAN

P:\Chesapeake Realty\Zhuandeadall\Farm\Plan\3808A001-PR Preliminary-Utility Plan.dwg, Dec 20, 2021, 3:54pm GRED

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021





P:\Chesapeake Realty\Zwanenbaal\Farm\PL-11 PRELIMINARY UTILITY PLAN.dwg Dec 20, 2021 - 8:51am GREED

**dbf** DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

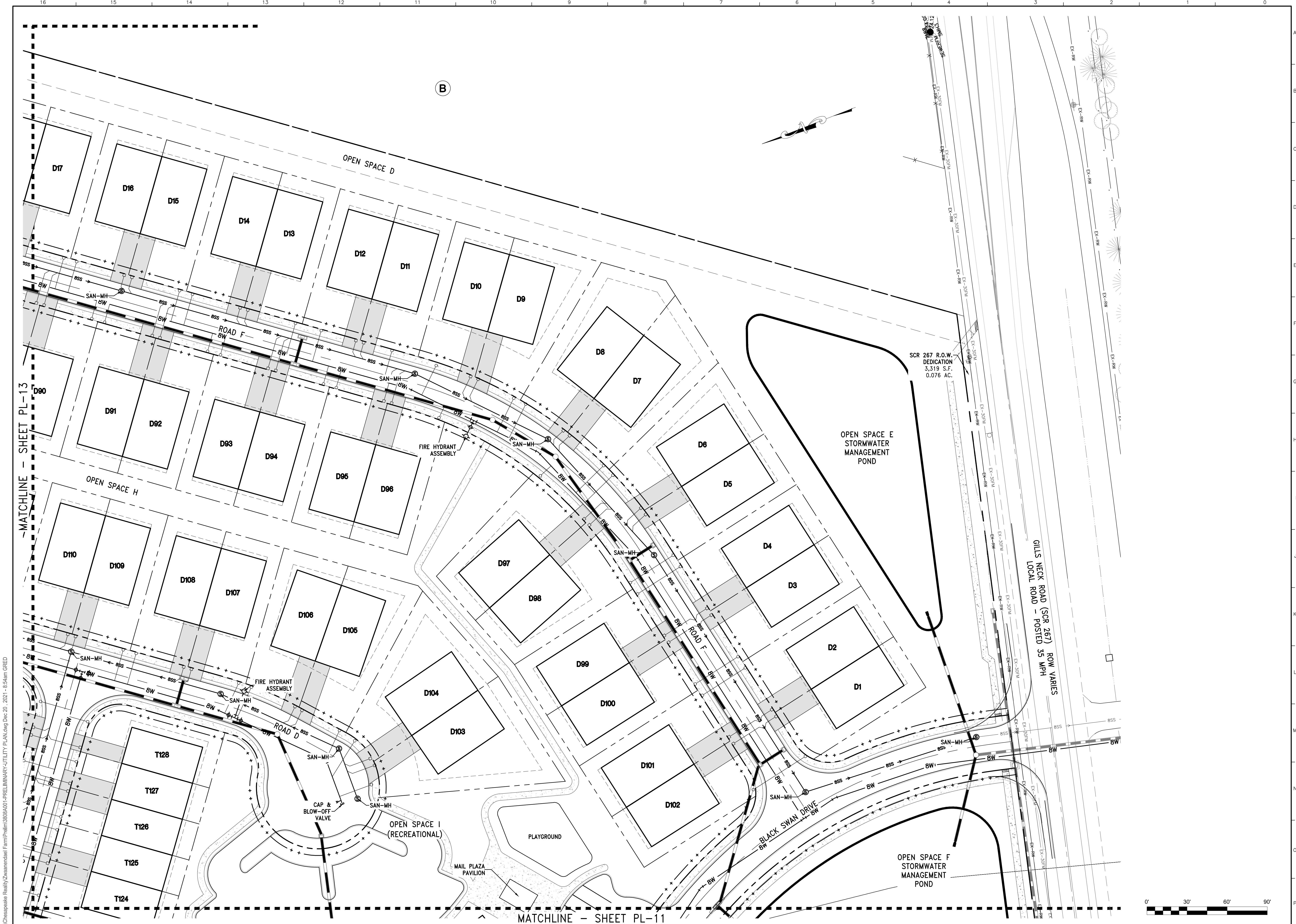
**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	DECEMBER 2021
Scale:	1" = 30'
Drawn By:	DEG
Proj. No.:	3808A001
Dwg. No.:	<b>PL-11</b>

PRELIMINARY UTILITY PLAN

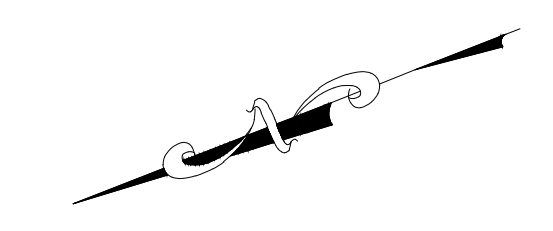
THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021

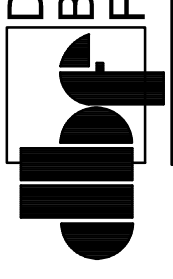


MATCHLINE - SHEET PL-13

MATCHLINE - SHEET PL-11

(B)




**DAVIS,  
BOWEN &  
FRIEDEL, INC.** ARCHITECTS ENGINEERS SURVEYORS  
 1000 W. MARKET ST. SUITE 200  
 WILMINGTON, DELAWARE 19804  
 (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	DECEMBER 2021
Scale:	1" = 30'
Drawn By:	DEG
Proj. No.:	3808A001
Dwg. No.:	PL-12

**PL-12**



P:\Chesapeake Realty\Zwanenbaal Farm\Plan\3808A001-PR Preliminary-Utility Plan.dwg, Dec 20, 2021, 8:55am GRED

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET, SUITE 200  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 (410) 770-4714

PRELIMINARY UTILITY PLAN

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

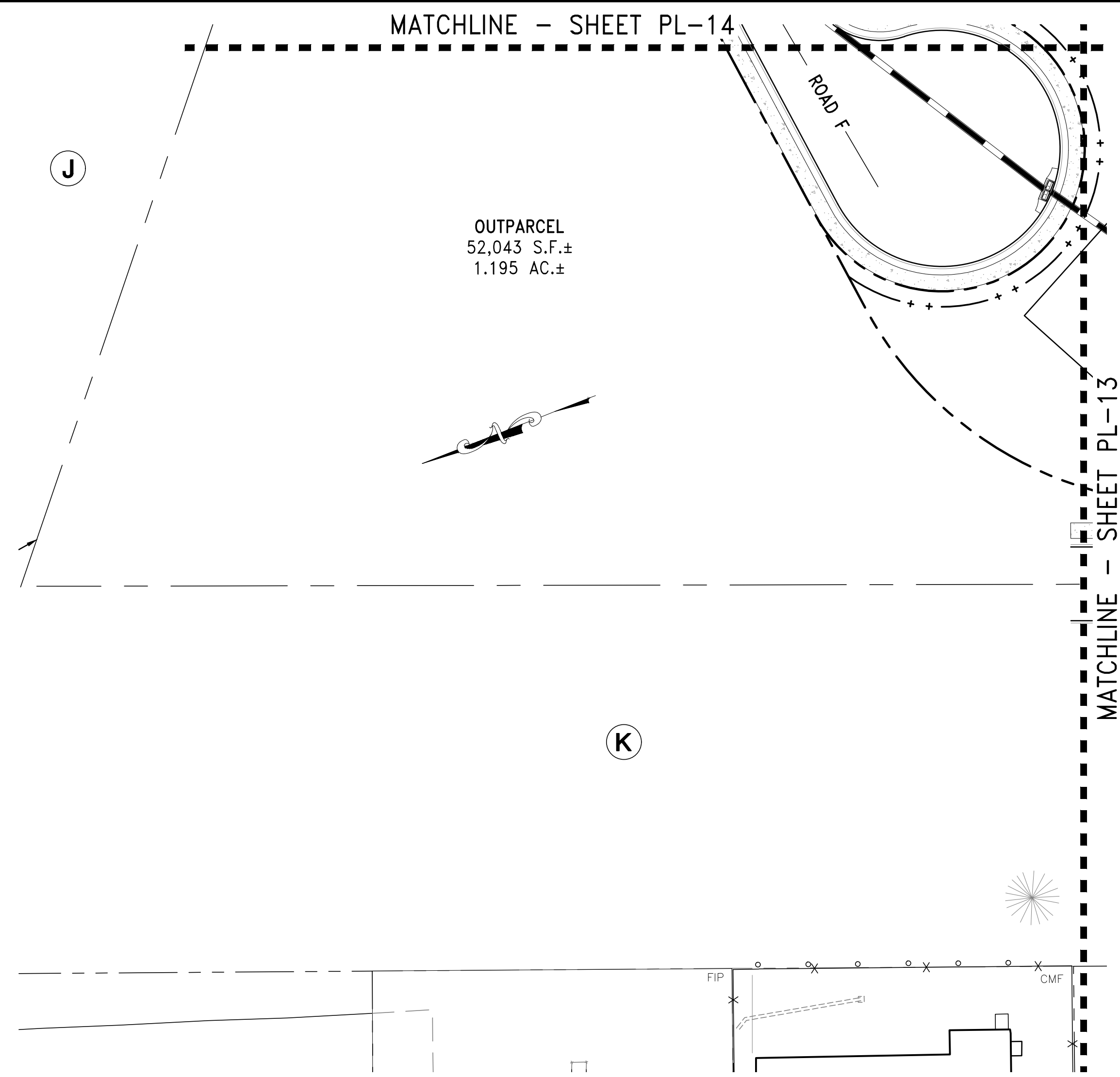
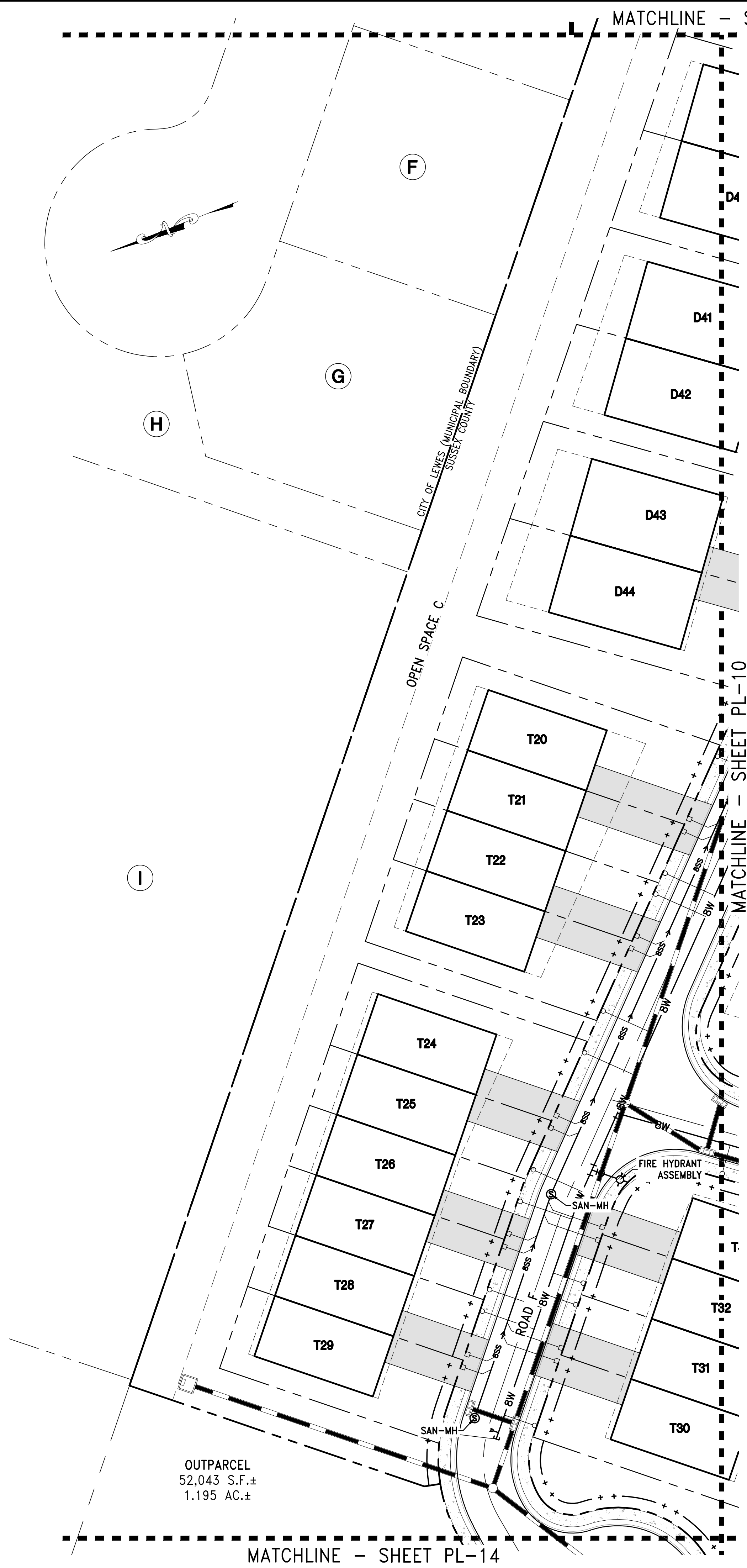
Revisions:

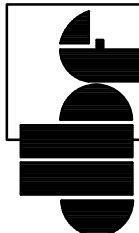
Date:	DECEMBER 2021
Scale:	1" = 30'
Own. By:	DEG
Proj. No.:	3808A001
Dwg. No.:	

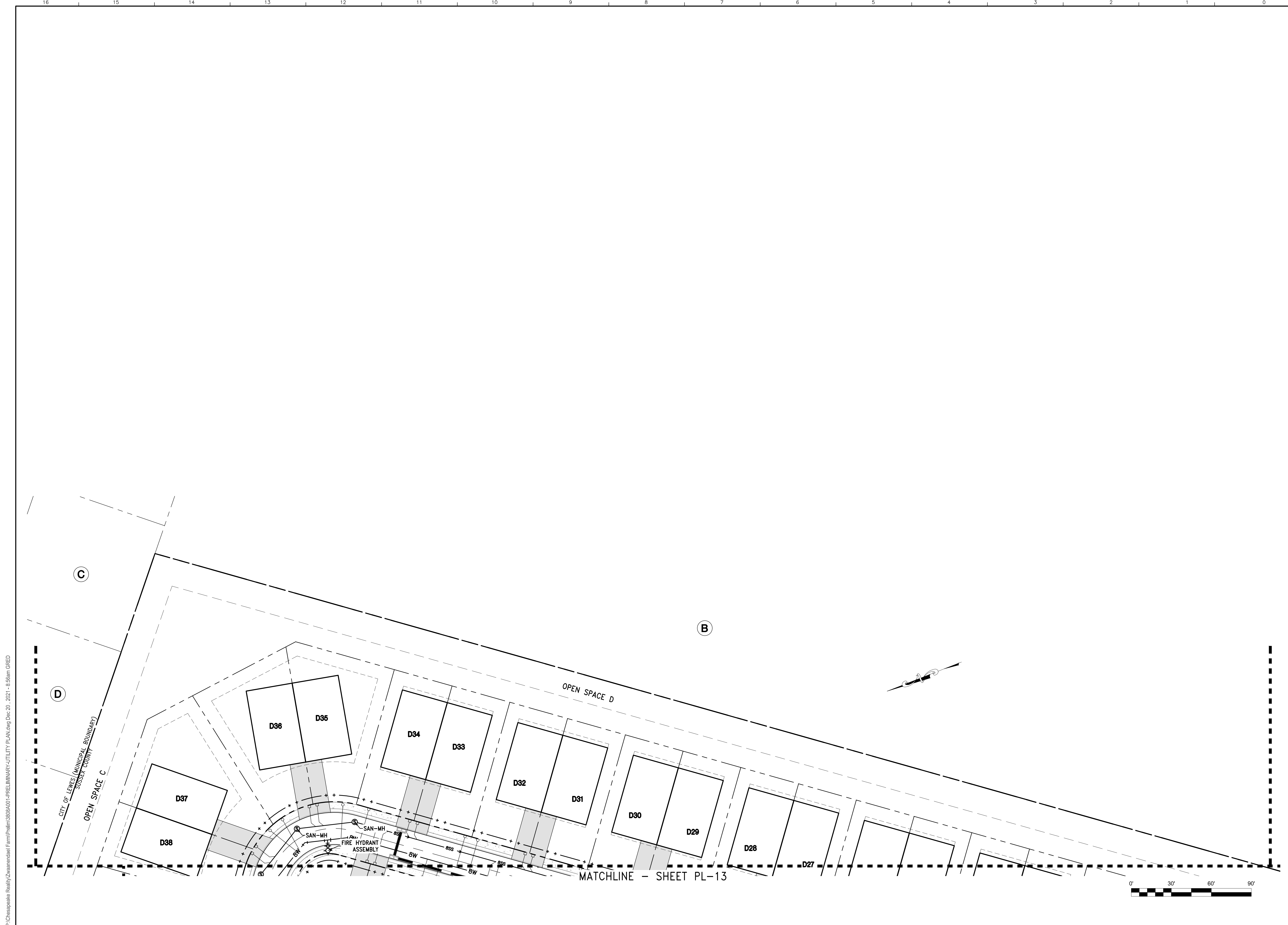
**PL-13**

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021

P:\Chesapeake Realty\Zwanenbaal Farm\Plan\3808A001-PREREVISED-UTILITY PLAN.dwg, Dec 20, 2021 - 8:56am GRED



 <b>DAVIS, BOWEN &amp; FRIEDEL, INC.</b> ARCHITECTS ENGINEERS SURVEYORS <small>           GREENSBORO, NORTH CAROLINA (336) 853-9999            MILFORD, DELAWARE (302) 424-1441            EASTON, MARYLAND (410) 770-4744         </small>	
<b>MITCHELL FAMILY FARM</b> <b>KINGS HIGHWAY (SCR 268)</b> <b>LEWES &amp; REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE</b>	
PRELIMINARY UTILITY PLAN	
Revisions:	
Date:	DECEMBER 2021
Scale:	1" = 30'
Drawn By:	DEG
Proj. No.:	3808A001
Dwg. No.:	<b>PL-14</b>



P:\Chesapeake Realty\Zwanenbaal Farm\Plan\3808A001-PR Preliminary-Utility Plan.dwg, Dec 20, 2021 - 8:56am GRED

**dbf** DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET, SUITE 200  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 (410) 770-4744

PRELIMINARY UTILITY PLAN

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:
Date: DECEMBER 2021
Scale: 1" = 30'
Drawn By: DEG
Proj.No.: 3808A001
Dwg.No.: <b>PL-15</b>

G

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Looar, P.E.  
Ring W. Lordner, P.E.  
Jamie L. Sechler, P.E.

December 21, 2021

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Mitchell Farm – C-2 Rezoning Application  
Tax Parcel No: 3-35-8.00-37.00 (partial)  
DBF #3808A001

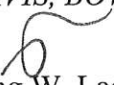
Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are pleased to submit the Change of Zoning application and plans to be considered by the Sussex County Planning and Zoning Commission for the above parcel. We have enclosed the following:

- Application for Zoning Amendment with \$500 fee
- (2) Copies of the “C2 Rezoning Plan”
- (1) Copies of the Legal Description for the C2 rezoning
- (1) Deed Book 2820 Page 72
- (1) DelDOT SFR (SLER Response)
- (1) Electronic Copy uploaded to Dropbox project share

We respectfully request to be placed on the earliest available Planning and Zoning Commission Agenda. If you have any questions or need additional information, please contact me at (302) 424-1441 or via e-mail at [rw1@dbfinc.com](mailto:rw1@dbfinc.com).

Sincerely,  
*DAVIS, BOWEN & FRIEDEL, INC.*

  
Ring W. Ladner, P.E.  
Principal

*P:\Chesapeake Reality\Zwaanendaal Farm\Documents\P&Z\2021-12-21 C-2 Re zoning\C-2 Rezoning Cover.doc*

CC: Henlopen Properties, LLC.

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**

Northeast quadrant of Kings Highway and Gills Neck Road, Lewes

**Type of Conditional Use Requested:**

N/A

**Tax Map #:** 335-8.00-37.00 (portion) **Size of Parcel(s):** 3.041 +/- acres

**Current Zoning:** AR-1 **Proposed Zoning:** C2 **Size of Building:** TBD

**Land Use Classification:** Agricultural

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

**Applicant Information**

**Applicant Name:** Henlopen Properties, LLC

**Applicant Address:** 4750 Owing Mills Blvd

**City:** Owing Mills **State:** MD **Zip Code:** 21117

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

**Owner Information**

**Owner Name:** Mitchell Family, LLC

**Owner Address:** 1019 Kings Highway

**City:** Lewes **State:** DE **Zip Code:** 19958

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

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Davis, Bowen & Friedel, Inc.

**Agent/Attorney/Engineer Address:** 1 Park Avenue

**City:** Milford **State:** DE **Zip Code:** 19963

**Phone #:** (302) 424-1441 **E-mail:** rwl@dbfinc.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.**

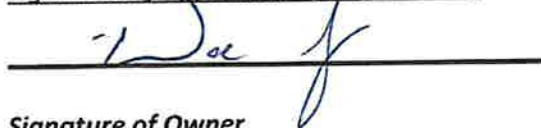
**DeIDOT Service Level Evaluation Request Response**

**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.

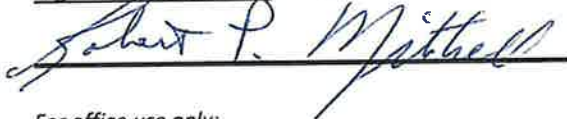
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future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

Signature of Applicant/Agent/Attorney



Date: 12/22/2021

Signature of Owner



Date: 12/22/21

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: \_\_\_\_\_

LEGAL DESCRIPTION

COMMERCIAL LOT

MITCHELL FAMILY, LLC

PORTION OF TAX PARCEL #3-35-8.00-37.00

December 10, 2021

**ALL** that piece or parcels of land, hereinafter described, situate, lying and being on the easterly side of Kings Highway (Road 268); being located in Lewes and Rehoboth Hundred, Sussex County, Delaware; said piece or parcels of land being a portion of the lands of Mitchell Family, LLC; said piece or parcels of land being more particularly described as follows:

**BEGINNING** at an iron rod and cap set at a point on the easterly right-of-way line of Kings Highway, 60 feet wide, with the northerly line of, lands now or formerly, Cape Henlopen Medical Center, LLC., as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware in Plat Book 271, Page 47; thence,

1) leaving said point of beginning and running by and with right-of-way line of Kings Highway, North 21 degrees 17 minutes 08 seconds East 356.96 feet to a point, thence,

2) leaving said right-of-way line of Kings Highway and running with Residual Lands of Mitchell Family, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book 5074, Page 48, the following two (2) courses and distances, South 68 degrees 42 minutes 52 seconds East 371.14 feet to a point, thence running,

3) South 21 degrees 17 minutes 08 seconds West 356.96 feet to a point on the northerly line of said Cape Henlopen Medical lands, thence,

4) leaving said Mitchell lands and running by and with Cape Henlopen Medical lands, North 68 degrees 42 minutes 52 seconds West 371.14 feet to the point and place of beginning; **CONTAINING** 3.041 acres of land, more or less.

Tax Parcel #3-35-8.00-37.00  
 Prepared by: David W. Baker, Esq., P.A.  
 P O Box 551, 109 S. Race St.  
 Georgetown, Delaware 19947  
 Return to: LOWDER W. MITCHELL, JR.  
 JANE T. MITCHELL  
 1019 Kings Highway  
 Lewes, Delaware 19958

NO LIEN OR TITLE SEARCH  
PERFORMED - NONE REQUESTED

**This Deed, made this**

**31<sup>st</sup>** day of March

in the year of our Lord Two Thousand Three.

**BETWEEN** LOWDER W. MITCHELL, JR. and JANE T. MITCHELL,  
 husband and wife, of 1019 Kings Highway, Lewes, Delaware 19958,  
 parties of the first part,

-and-

L. W. & J. T. MITCHELL FAMILY LIMITED PARTNERSHIP, a Delaware  
 Limited Partnership, of 1019 Kings Highway, Lewes, Delaware, party  
 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 grants and conveys unto the party of the  
 second part, its Heirs and Assigns,

**ALL** that certain tract of land, situate, lying and being in  
 Lewes and Rehoboth Hundred, Sussex County, Delaware, and more  
 particularly described as follows to wit:

BEGINNING at a post on the east side of the State Road  
 leading from Murray's Corner to Lewes, and a corner for lands now  
 or formerly of EUGENE MAULL; thence with the same South 61° East  
 300 feet to a post; thence with same and lands now or formerly of  
 FRED MARSHALL, VIRGIL DENNIS and GEORGE W. ROBINSON, North 29-1/2°  
 East 481 feet to a stone in line of lands now or formerly of THE

1	Consideration:	\$0.00	Exempt Code: A
	County	State	Total
	0.00	0.00	0.00
	counter	Date: 04/03/2003	

28

SUSSEX TRUST COMPANY; thence with the same South 41°15' East 1686 feet to a stone; thence with three lines of lands now or formerly of MRS. RIGGIN'S lands, South 45° West 155 to a stone; thence North 43° West 320 feet to a stone; thence South 46° West 1460 feet to a stone on the north side of Bookhammer Road; thence with the north side of the same North 67-1/2° West 1146 feet to a stone at the intersection of this road with the first named State Road; thence with the same North 29-3/4° East 1663 feet to the place of beginning, containing 57.98 acres of land, more or less.

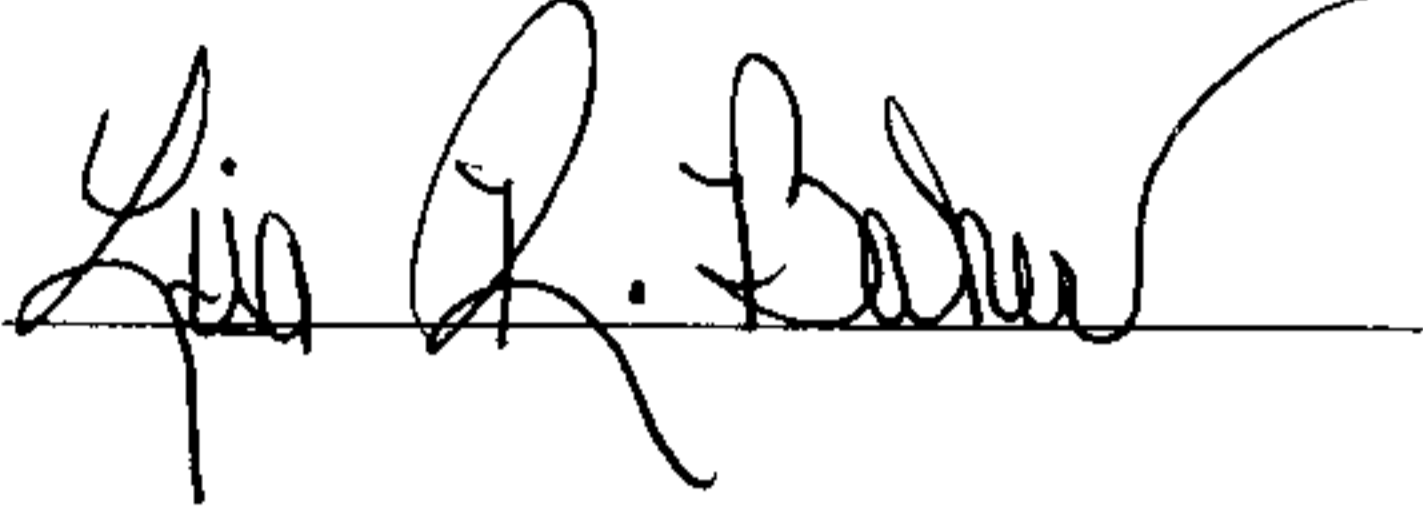
BEING the same lands conveyed unto LOWDER W. MITCHELL, JR. and JANE T. MITCHELL by deed of LOWDER W. MITCHELL, JR. and JANE T. MICHELL dated the 19<sup>th</sup> day of February, A.D. 1998, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 2267 at Page 209.

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

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



 (SEAL)  
LOWDER W. MITCHELL, JR.

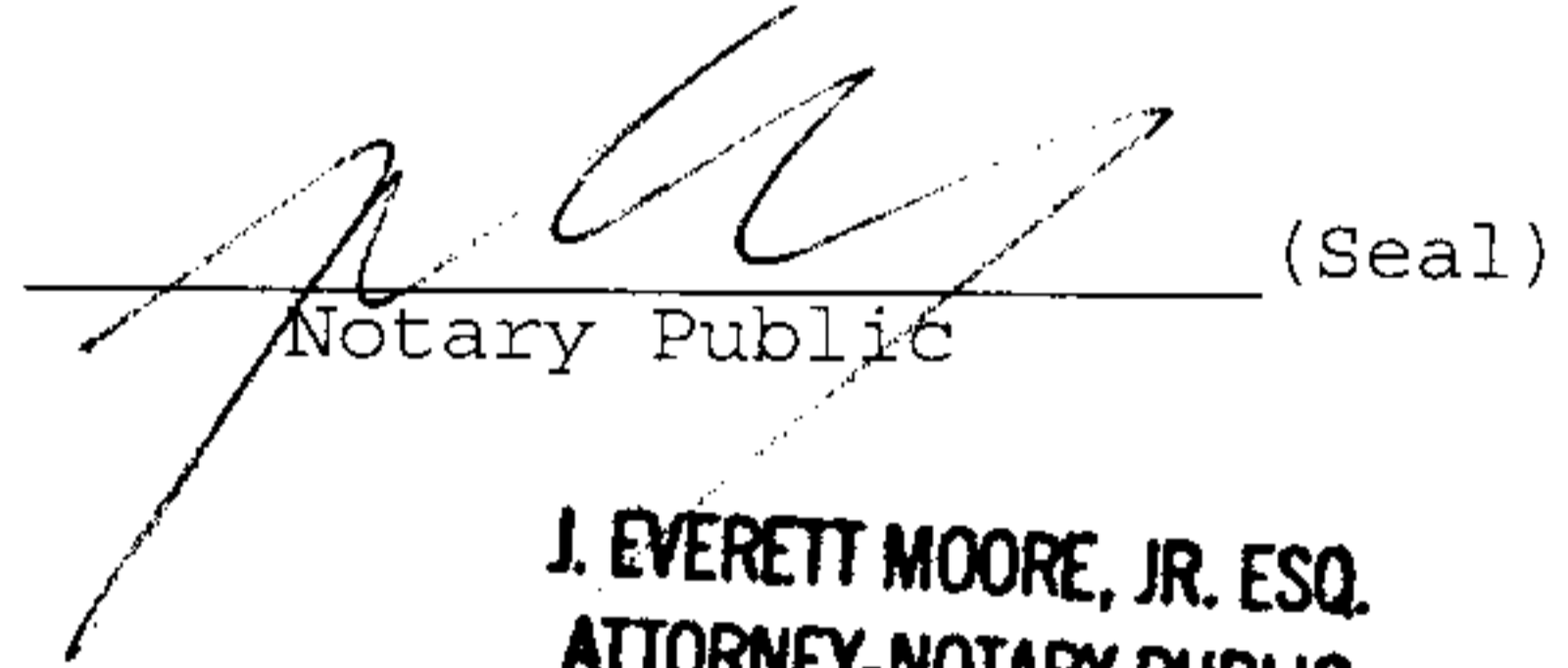


 (SEAL)  
JANE T. MITCHELL

STATE OF DELAWARE :  
: SS.  
SUSSEX COUNTY :

BE IT REMEMBERED, that on this 3<sup>rd</sup> day of March in the year of our Lord Two Thousand Three personally came before me, a Notary Public in and for the State and County aforesaid, LOWDER W. MITCHELL, JR., TRUSTEE and JANE T. MITCHELL, TRUSTEE, parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

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

 (Seal)  
Notary Public

J. EVERETT MOORE, JR. ESQ.  
ATTORNEY-NOTARY PUBLIC  
Unif. Notarial Act 10 Del. C. 4323(a)(3)  
Non Expiring Commission

RECORDER OF DEEDS  
JOHN F BRADY

03 APR -3 AM 9:24

SUSSEX COUNTY  
CO. SURCHARGE PAID

**Received**

APR 04 2003

ASSESSMENT DIVISION  
OF SUSSEX CTY

December 21, 2021

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheelleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Mitchells Corner  
Tax Parcel No: 3-35-8.00-37.00  
DBF #3808A001

Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are submitting an Environmental Assessment and Public Facility Evaluation Report in accordance with §115-194.3. Coastal Area, Subparagraph B (2). We offer the following information that comprises our report:

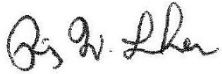
- (a) *Proposed Drainage design and the effect on stormwater quality and quantity leaving the site, including methods for reducing the amount of phosphorous and nitrogen in the stormwater runoff and the control of any other pollutants such as petroleum hydrocarbons or metals.* The proposed improvements will meet or exceed the state regulations for quality and quantity control of stormwater. We intend to use an infiltration pond as well as other Green Technology to meet the quantity requirement. The proposed site through the use of Green Technology and other Best Management Practices and Best Available Technologies will reduce the nitrogen and phosphorus loading by 40%. Minimizing impervious area and preservation of trees will further reduce nitrogen and phosphorous loadings. The project will not develop or produce other pollutants such as petroleum hydrocarbons or metals.
- (b) *Proposed method of providing potable and, where appropriate, irrigation water and the effect on public or private water systems and groundwater, including an estimate of average and peak demands.* The proposed project is adjacent to two public water providers. The estimated average for the project is 69,750 GPD and estimated peak use of 209,250 GPD.
- (c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on-site septic systems.* The proposed project will discharge wastewater to an existing gravity sewer manhole constructed during phase 1 that connects to the pump station within the Governors development.

- (d) *Analysis of the increase in traffic and the effect on the surrounding roadway system.* A Traffic Impact Study (TIS) has been submitted to DelDOT and interim improvements will be completed by the Developer.
- (e) *The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.* There are no records of federally listed endangered or threatened species or their critical habitats listed on this site.
- (f) *The preservation and protection from loss of any tidal or nontidal wetlands on the site.* There are no wetlands on this site.
- (g) *Provisions for open space as defined in §115-4.* The proposed project incorporates active and passive open space amenities. Some passive open space amenities include ponds and associated landscape buffers. Active open space amenities include walking paths and an active amenity area.
- (h) *A description of provisions for public and private infrastructure.* The Developer will improve Kings Highway in accordance with DelDOT's rules and regulations. The Developer will also construct the water mains internally in the project that will be owned and maintained by a public utility. Besides the water system, all other internal utilities and roadways will be constructed by the Developer and privately maintained.
- (i) *Economic, recreational or other benefits.* The proposed project will create a considerable number of jobs during construction. In addition, the project will generate transfer taxes as well other economic impacts in the beach community. There are numerous recreational activities provided within the site. In addition, part of the proposed project includes a commercial rezoning which will provide employment opportunities.
- (j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places.* The site does not contain any historic or cultural resources that are listed on the National Register of Historic Places.
- (k) *An affirmation that the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan.* The proposed application and mitigation measures comply with the current Sussex County Comprehensive Plan.
- (l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.* All mitigation measures, where required, have been discussed in their respective section. All mitigation measures as well as the application are consistent with the Comprehensive Plan.

Mr. Jamie Whitehouse  
December 21, 2021  
Page 3

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

A handwritten signature in cursive script, appearing to read "Ring W. Lardner".

Ring W. Lardner, P.E.  
Principal

P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2021-12-21 C-2 Re zoning\2021-12-21 Public Facilities Report.docx

Cc: David Hutt, Morris James LLP  
Henlopen Properties, LLC





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

NICOLE MAJESKI  
SECRETARY

December 20, 2021

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 **Henlopen Properties, LLC (Jon Mayers)** proposed land use application, which we received on December 10, 2021. This application is for an approximately 3-acre portion of a 48.01-acre parcel (Tax Parcel: 335-8.00-37.00). The subject land is located on the north side of Gills Neck Road (Sussex Road 267) and the east side of Kings Highway (US Route 9). The subject land is currently zoned AR (Agriculture Residential), with a proposed zoning of C-2 (Medium Commercial) for retail and medical offices.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Gills Neck Road from Red Tail Road to Kings Highway, is 4,186 vehicles per day. The annual average daily traffic volumes along Kings Highway from Kings Highway (Sussex Road 268) to Gills Neck Road, is 12,019 vehicles per day.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) [Trip Generation Manual](#), (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

Mr. Jamie Whitehouse  
Page 2 of 2  
December 20, 2021

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

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Henlopen Properties, LLC (Jon Mayers), Applicant  
Sussex Reviewer, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furmato, Project Engineer, Development Coordination

# Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

## Application Information:

Site Address:

Parcel #:

Site Address:

Parcel #:

Applicant Name:

Owner Name:

## Type of Application:

Conditional Use:

Change of Zone:

Subdivision:

Board of Adjustment:

Date Submitted:

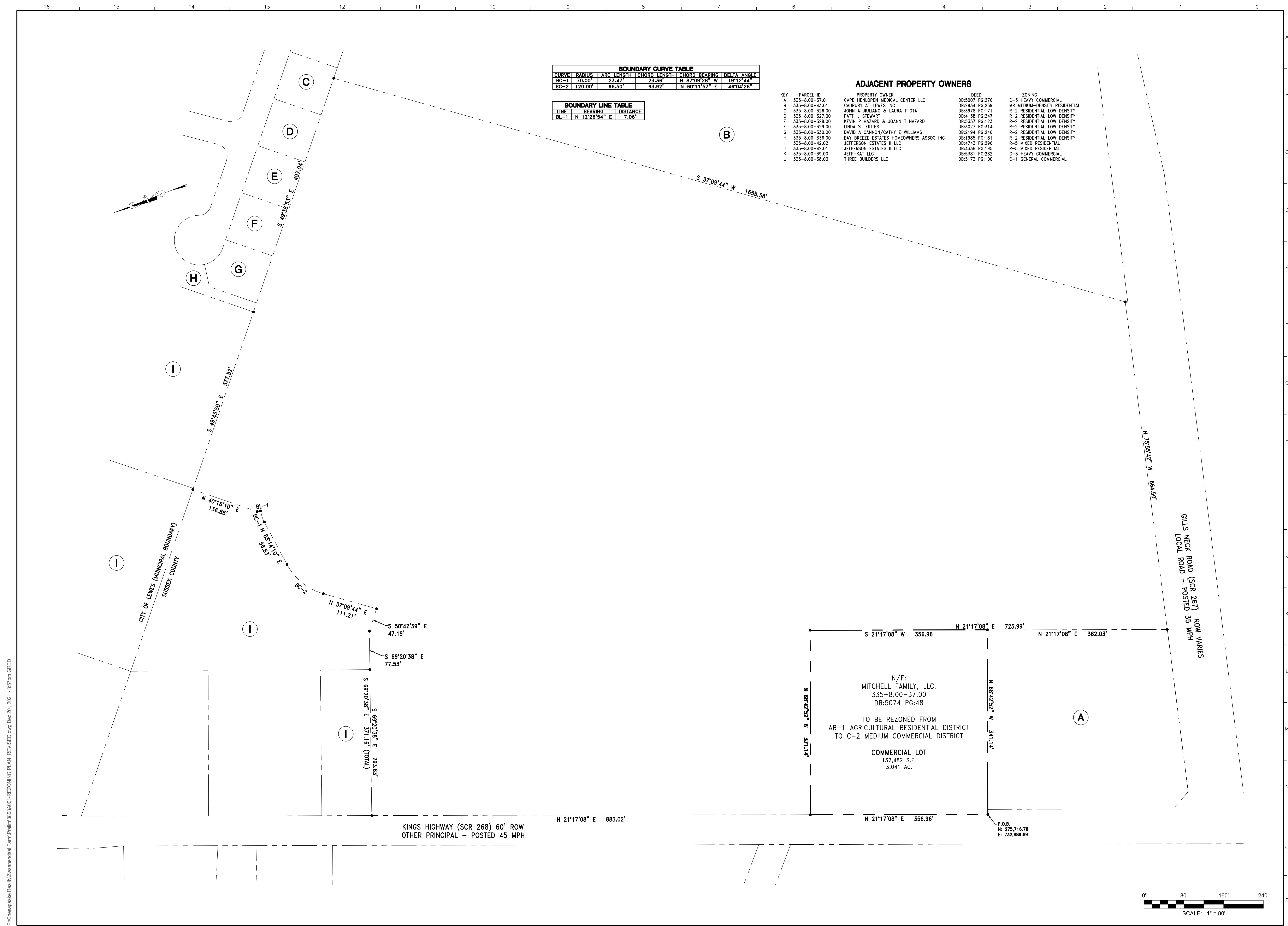
## For office use only:

Date of Public Hearing: \_\_\_\_\_

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

Date list created: \_\_\_\_\_ List created by: \_\_\_\_\_

Date letters mailed: \_\_\_\_\_ Letters sent by: \_\_\_\_\_



BOUNDARY CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
BC-1	70.00'	23.47'	23.36'	N 87°09'28" W	19°12'44"
BC-2	120.00'	96.50'	93.92'	N 60°11'57" E	46°04'26"

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
BL-1	N 12°26'54" E	7.06'

**ADJACENT PROPERTY OWNERS**

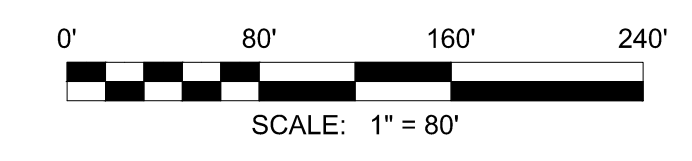
KEY	PARCEL ID	PROPERTY OWNER	DEED	ZONING
A	335-8.00-37.01	CAPE HENLOPEN MEDICAL CENTER LLC	DB:5007 PG:276	C-3 HEAVY COMMERCIAL
B	335-8.00-43.01	CADBURY AT LEWES INC	DB:2934 PG:239	MR MEDIUM-DENSITY RESIDENTIAL
C	335-8.00-326.00	JOHN A JULIANO & LAURA T OTA	DB:3978 PG:171	R-2 RESIDENTIAL LOW DENSITY
D	335-8.00-327.00	PATTI J STEWART	DB:4138 PG:247	R-2 RESIDENTIAL LOW DENSITY
E	335-8.00-328.00	KEVIN P HAZARD & JOANN T HAZARD	DB:5357 PG:123	R-2 RESIDENTIAL LOW DENSITY
F	335-8.00-329.00	LINDA S LEKITES	DB:5027 PG:314	R-2 RESIDENTIAL LOW DENSITY
G	335-8.00-330.00	DAVID A CANNON/CATHY E WILLIAMS	DB:2194 PG:246	R-2 RESIDENTIAL LOW DENSITY
H	335-8.00-336.00	BAY BREEZE ESTATES HOMEOWNERS ASSOC INC	DB:1985 PG:181	R-2 RESIDENTIAL LOW DENSITY
I	335-8.00-42.02	JEFFERSON ESTATES II LLC	DB:4743 PG:296	R-5 MIXED RESIDENTIAL
J	335-8.00-42.01	JEFFERSON ESTATES II LLC	DB:4338 PG:195	R-5 MIXED RESIDENTIAL
K	335-8.00-39.00	JEFF-KAT LLC	DB:5381 PG:282	C-3 HEAVY COMMERCIAL
L	335-8.00-38.00	THREE BUILDERS LLC	DB:3173 PG:100	C-1 GENERAL COMMERCIAL

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET, SUITE 200  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 FAX (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

**MITCHELL FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date: **DECEMBER 2021**  
 Scale: **1" = 80'**  
 Dwn. By: **DEG**  
 Proj. No.: **3808A001**  
 Dwg. No.: **RZ-02**



THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021

P:\Chesapeake Realty\Zwanenbaal Farm\3808A001-REZONING PLAN\_REVISED.dwg Dec 20, 2021 - 3:57pm GRED

H

*Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.*

December 21, 2021

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Zwaanendael Farm – MR Rezoning Application  
Tax Parcel No: 3-35-8.00-37.00 (partial)  
DBF #3808A001

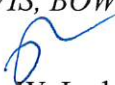
Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are pleased to submit the Change of Zoning application and plans to be considered by the Sussex County Planning and Zoning Commission for the above parcel. We have enclosed the following:

- Application for Zoning Amendment with \$500 fee
- (2) Copies of the “MR Rezoning Plan”
- (1) Copies of the Legal Description for the MR rezoning
- (1) Deed Book 2820 Page 72
- (1) DelDOT SFR (SLER Response)
- (1) Electronic copy uploaded to Dropbox project share folder

We respectfully request to be placed on the earliest available Planning and Zoning Commission Agenda. If you have any questions or need additional information, please contact me at (302) 424-1441 or via e-mail at [rw1@dbfinc.com](mailto:rw1@dbfinc.com).

Sincerely,  
*DAVIS, BOWEN & FRIEDEL, INC.*



Ring W. Ladner, P.E.  
Principal

*P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2021-12-21 MR Re zoning\MR Re-zoning Cover.doc*

CC: Henlopen Properties, LLC.

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**

Northeast quadrant of Kings Highway and Gills Neck Road, Lewes

**Type of Conditional Use Requested:**

N/A

**Tax Map #:** 335-8.00-37.00 (portion) **Size of Parcel(s):** 43.777 +/- acres

**Current Zoning:** AR-1 **Proposed Zoning:** MR **Size of Building:** TBD

**Land Use Classification:** Agricultural

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

**Applicant Information**

**Applicant Name:** Henlopen Properties, LLC

**Applicant Address:** 4750 Owing Mills Blvd

**City:** Owing Mills **State:** MD **Zip Code:** 21117

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

**Owner Information**

**Owner Name:** Mitchell Family, LLC

**Owner Address:** 1019 Kings Highway

**City:** Lewes **State:** DE **Zip Code:** 19958

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

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Davis, Bowen & Friedel, Inc.

**Agent/Attorney/Engineer Address:** 1 Park Avenue

**City:** Milford **State:** DE **Zip Code:** 19963

**Phone #:** (302) 424-1441 **E-mail:** rw1@dbfinc.com



# Check List for Sussex County Planning & Zoning Applications

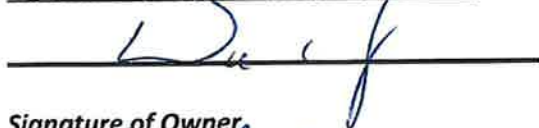
The following shall be submitted with the application

- 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: 12/22/2021

Signature of Owner



Date: 12/22/21

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: \_\_\_\_\_



LEGAL DESCRIPTION

RESIDUAL LANDS

MITCHELL FAMILY, LLC

PORTION OF TAX PARCEL #3-35-8.00-37.00

December 10, 2021

**ALL** that piece or parcels of land, hereinafter described, situate, lying and being on the northerly side of Gills Neck Road (Road 267) and the easterly side of Kings Highway (Road 268); being located in Lewes and Rehoboth Hundred, Sussex County, Delaware; said piece or parcels of land being a portion of the lands of Mitchell Family, LLC; said piece or parcels of land being more particularly described as follows:

**BEGINNING** at a Wingate and Eschenbach found iron pipe along the easterly right-of-way line of Kings Highway; said point being located 30' from the centerline of Kings Highway and being the southwestern boundary corner for lands now or formerly of Three Builders, Inc., as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware in Deed Book D-3173, Page 100; coordinated on the Delaware State Grid System as North 276,872.17, East 733,340.02, thence,

- 1) leaving said point of beginning and running by and with lands now or formerly of Three Builders, Inc., South 69 degrees 20 minutes 38 seconds East 293.63 feet to wooden post at a point on the westerly line of lands of now or formerly of Jeff-Kat, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book D-4456, Page 123, thence,
- 2) running by and with said Jeff-Kat lands, the following four (7) courses and distances, South 69 degrees 20 minutes 38 seconds East 77.54 feet to a point, thence running,
- 3) South 50 degrees 42 minutes 39 seconds East 47.19 feet to a point, thence running,
- 4) North 37 degrees 09 minutes 44 seconds East 111.21 feet to a point, thence running,
- 5) along a curve to the right, having a radius of 120.00 feet, an arc length of 96.50 feet and a chord bearing and distance of North 60 degrees 11 minutes 57 seconds East 93.92 feet to a point, thence running,
- 6) North 83 degrees 14 minutes 10 seconds East 96.83 feet to a point, thence running,
- 7) along a curve to the right, having a radius of 70.00 feet, an arc length of 23.47 feet and a chord bearing and distance of North 87 degrees 09 minutes 28 seconds West 23.36 feet to a point, thence running,

- 8) North 12 degrees 26 minutes 54 seconds East 7.06 feet to a point, thence running,
- 9) North 40 degrees 16 minutes 10 seconds East 136.85 feet to a point on the easterly line of lands of, now or formerly, Jefferson Estate, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book D-4338, Page 195, thence,
- 10) leaving said Jeff-Kat lands and running by and with said Jefferson Estates lands, South 49 degrees 43 minutes 50 seconds East 377.52 feet to a concrete monument found at a point on the southerly line of Baybreeze Subdivision, thence,
- 11) leaving said Jefferson Estates and running by and with said Baybreeze Subdivision, South 49 degrees 38 minutes 53 seconds East 497.04 feet to a found iron rod at a point on the westerly line of lands of, now or formerly, Cadbury at Lewes as recorded in said Office of the Recorder of Deeds in Deed Book D-2934, Page 239, thence,
- 12) leaving said Baybreeze lands and running by and with said Cadbury lands, South 37 degrees 09 minutes 44 seconds West 1,655.38 feet to a point on the northerly right-of-way line of Gills Neck Road, width varies, thence,
- 13) leaving said Cadbury lands and running by and with said right-of-way line of Gills Neck Road, North 75 degrees 55 minutes 42 seconds West 664.50 feet to a point on the easterly line of lands of, now or formerly, Cape Henlopen Medical Center, LLC, thence,
- 14) running by and with said Cape Henlopen Medical lands, North 21 degrees 17 minutes 08 seconds East 362.03 feet to a point on the easterly line of Commercial Lot, thence,
- 15) leaving Cape Henlopen Medical lands and running by and with said Commercial Lot, the following two (2) courses and distances, North 21 degrees 17 minutes 08 seconds East 356.96 feet to a point, thence running,
- 16) North 68 degrees 42 minutes 52 seconds West 371.14 feet to a point on the aforementioned right-of-way line of Kings Highway, thence,
- 17) leaving said Cape Henlopen lands and running by and with said right-of-way line of Kings Highway, North 21 degrees 17 minutes 08 seconds East 883.02 feet to the point and place of beginning; **CONTAINING** 43.777 acres of land, more or less.

Tax Parcel #3-35-8.00-37.00  
 Prepared by: David W. Baker, Esq., P.A.  
 P O Box 551, 109 S. Race St.  
 Georgetown, Delaware 19947  
 Return to: LOWDER W. MITCHELL, JR.  
 JANE T. MITCHELL  
 1019 Kings Highway  
 Lewes, Delaware 19958

NO LIEN OR TITLE SEARCH  
PERFORMED - NONE REQUESTED

**This Deed, made this**

**31** day of March

in the year of our Lord Two Thousand Three.

**BETWEEN** LOWDER W. MITCHELL, JR. and JANE T. MITCHELL,  
 husband and wife, of 1019 Kings Highway, Lewes, Delaware 19958,  
 parties of the first part,

-and-

L. W. & J. T. MITCHELL FAMILY LIMITED PARTNERSHIP, a Delaware  
 Limited Partnership, of 1019 Kings Highway, Lewes, Delaware, party  
 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 grants and conveys unto the party of the  
 second part, its Heirs and Assigns,

**ALL** that certain tract of land, situate, lying and being in  
 Lewes and Rehoboth Hundred, Sussex County, Delaware, and more  
 particularly described as follows to wit:

BEGINNING at a post on the east side of the State Road  
 leading from Murray's Corner to Lewes, and a corner for lands now  
 or formerly of EUGENE MAULL; thence with the same South 61° East  
 300 feet to a post; thence with same and lands now or formerly of  
 FRED MARSHALL, VIRGIL DENNIS and GEORGE W. ROBINSON, North 29-1/2°  
 East 481 feet to a stone in line of lands now or formerly of THE

1	Consideration:	\$0.00	Exempt Code: A
	County	State	Total
	0.00	0.00	0.00
	counter	Date: 04/03/2003	

SUSSEX TRUST COMPANY; thence with the same South 41°15' East 1686 feet to a stone; thence with three lines of lands now or formerly of MRS. RIGGIN'S lands, South 45° West 155 to a stone; thence North 43° West 320 feet to a stone; thence South 46° West 1460 feet to a stone on the north side of Bookhammer Road; thence with the north side of the same North 67-1/2° West 1146 feet to a stone at the intersection of this road with the first named State Road; thence with the same North 29-3/4° East 1663 feet to the place of beginning, containing 57.98 acres of land, more or less.

BEING the same lands conveyed unto LOWDER W. MITCHELL, JR. and JANE T. MITCHELL by deed of LOWDER W. MITCHELL, JR. and JANE T. MICHELL dated the 19<sup>th</sup> day of February, A.D. 1998, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 2267 at Page 209.

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

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



 (SEAL)  
LOWDER W. MITCHELL, JR.

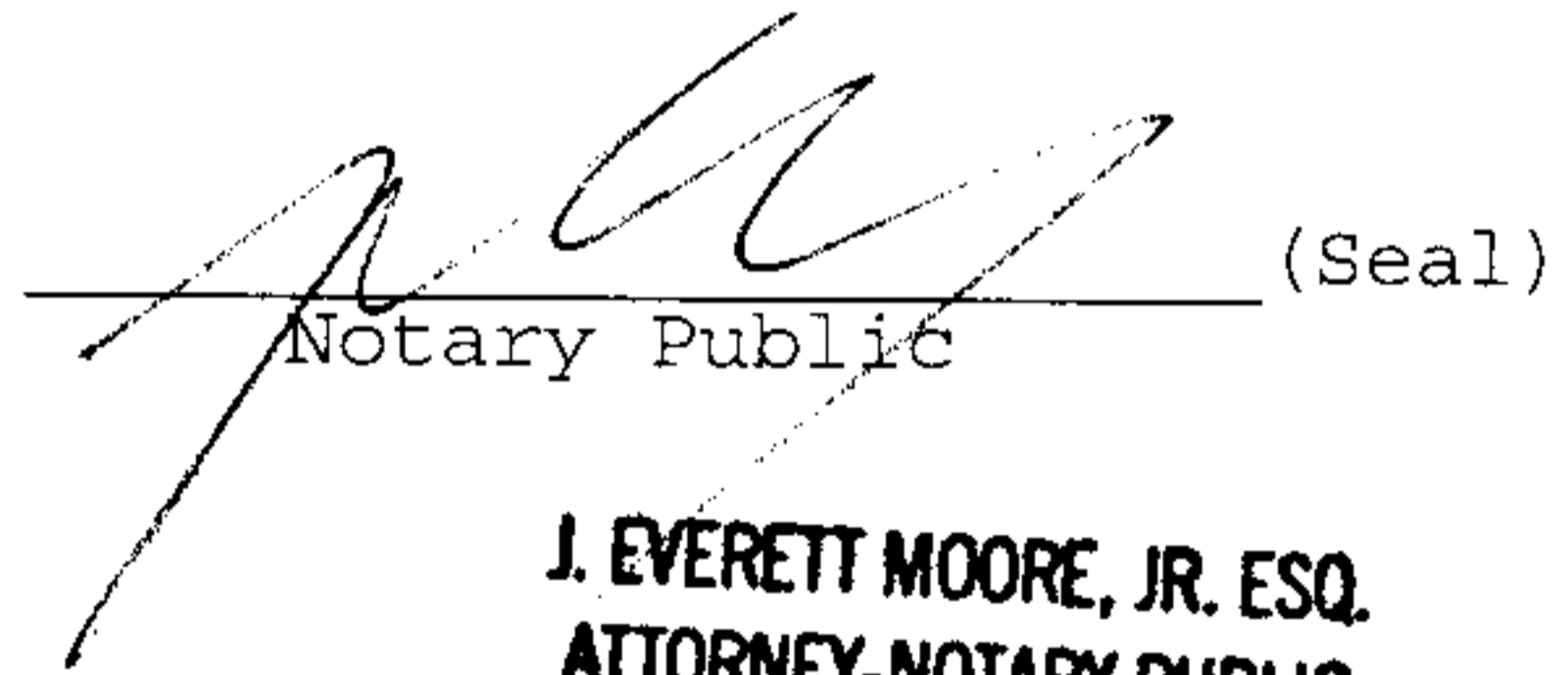


 (SEAL)  
JANE T. MITCHELL

STATE OF DELAWARE :  
  : SS.  
SUSSEX COUNTY      :

BE IT REMEMBERED, that on this 3<sup>rd</sup> day of March in the year of our Lord Two Thousand Three personally came before me, a Notary Public in and for the State and County aforesaid, LOWDER W. MITCHELL, JR., TRUSTEE and JANE T. MITCHELL, TRUSTEE, parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

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

 (Seal)  
Notary Public

J. EVERETT MOORE, JR. ESQ.  
ATTORNEY-NOTARY PUBLIC  
Unif. Notarial Act 10 Del. C. 4323(a)(3)  
Non Expiring Commission

RECORDER OF DEEDS  
JOHN F BRADY

03 APR -3 AM 9:24

CO. SURCHARGE PAID

**Received**

APR 04 2003

ASSESSMENT DIVISION  
OF SUSSEX CTY

December 21, 2021

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Mitchells Corner  
Tax Parcel No: 3-35-8.00-37.00  
DBF #3808A001

Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are submitting an Environmental Assessment and Public Facility Evaluation Report in accordance with §115-194.3. Coastal Area, Subparagraph B (2). We offer the following information that comprises our report:

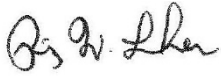
- (a) *Proposed Drainage design and the effect on stormwater quality and quantity leaving the site, including methods for reducing the amount of phosphorous and nitrogen in the stormwater runoff and the control of any other pollutants such as petroleum hydrocarbons or metals.* The proposed improvements will meet or exceed the state regulations for quality and quantity control of stormwater. We intend to use an infiltration pond as well as other Green Technology to meet the quantity requirement. The proposed site through the use of Green Technology and other Best Management Practices and Best Available Technologies will reduce the nitrogen and phosphorus loading by 40%. Minimizing impervious area and preservation of trees will further reduce nitrogen and phosphorous loadings. The project will not develop or produce other pollutants such as petroleum hydrocarbons or metals.
- (b) *Proposed method of providing potable and, where appropriate, irrigation water and the effect on public or private water systems and groundwater, including an estimate of average and peak demands.* The proposed project is adjacent to two public water providers. The estimated average for the project is 69,750 GPD and estimated peak use of 209,250 GPD.
- (c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on-site septic systems.* The proposed project will discharge wastewater to an existing gravity sewer manhole constructed during phase 1 that connects to the pump station within the Governors development.

- (d) *Analysis of the increase in traffic and the effect on the surrounding roadway system.* A Traffic Impact Study (TIS) has been submitted to DelDOT and interim improvements will be completed by the Developer.
- (e) *The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.* There are no records of federally listed endangered or threatened species or their critical habitats listed on this site.
- (f) *The preservation and protection from loss of any tidal or nontidal wetlands on the site.* There are no wetlands on this site.
- (g) *Provisions for open space as defined in §115-4.* The proposed project incorporates active and passive open space amenities. Some passive open space amenities include ponds and associated landscape buffers. Active open space amenities include walking paths and an active amenity area.
- (h) *A description of provisions for public and private infrastructure.* The Developer will improve Kings Highway in accordance with DelDOT's rules and regulations. The Developer will also construct the water mains internally in the project that will be owned and maintained by a public utility. Besides the water system, all other internal utilities and roadways will be constructed by the Developer and privately maintained.
- (i) *Economic, recreational or other benefits.* The proposed project will create a considerable number of jobs during construction. In addition, the project will generate transfer taxes as well other economic impacts in the beach community. There are numerous recreational activities provided within the site. In addition, part of the proposed project includes a commercial rezoning which will provide employment opportunities.
- (j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places.* The site does not contain any historic or cultural resources that are listed on the National Register of Historic Places.
- (k) *An affirmation that the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan.* The proposed application and mitigation measures comply with the current Sussex County Comprehensive Plan.
- (l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.* All mitigation measures, where required, have been discussed in their respective section. All mitigation measures as well as the application are consistent with the Comprehensive Plan.

Mr. Jamie Whitehouse  
December 21, 2021  
Page 3

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

A handwritten signature in cursive script, appearing to read "Ring W. Lardner".

Ring W. Lardner, P.E.  
Principal

P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2021-12-21 MR Re zoning\2021-12-21 Public Facilities Report.docx

Cc: David Hutt, Morris James LLP  
Henlopen Properties, LLC





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

NICOLE MAJESKI  
SECRETARY

December 20, 2021

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 **Henlopen Properties, LLC (Jon Mayers)** proposed land use application, which we received on December 10, 2021. This application is for an approximately 42-acre portion of a 48.01-acre parcel (Tax Parcel: 335-8.00-37.00). The subject land is located on the north side of Gills Neck Road (Sussex Road 267) and the east side of Kings Highway (US Route 9). The subject land is currently zoned AR (Agriculture Residential), with a proposed zoning of MR (Medium Density Residential) for 267 multifamily houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Gills Neck Road from Red Tail Road to Kings Highway, is 4,186 vehicles per day. The annual average daily traffic volumes along Kings Highway from Kings Highway (Sussex Road 268) to Gills Neck Road, is 12,019 vehicles per day.

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



Mr. Jamie Whitehouse  
Page 2 of 2  
December 20, 2021

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

Please contact Ms. Annamaria Furrato, at Annamaria.Furrato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Henlopen Properties, LLC (Jon Mayers), Applicant  
Sussex Reviewer, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furrato, Project Engineer, Development Coordination

# Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

## Application Information:

Site Address:

Parcel #:

Site Address:

Parcel #:

Applicant Name:

Owner Name:

## Type of Application:

Conditional Use:

Change of Zone:

Subdivision:

Board of Adjustment:

Date Submitted:

## For office use only:

Date of Public Hearing: \_\_\_\_\_

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

Date list created: \_\_\_\_\_ List created by: \_\_\_\_\_

Date letters mailed: \_\_\_\_\_ Letters sent by: \_\_\_\_\_

BOUNDARY CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
BC-1	70.00'	23.47'	23.36'	N 87°09'28" W	19°12'44"
BC-2	120.00'	96.50'	93.92'	N 60°11'57" E	46°04'26"

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
BL-1	N 12°26'54" E	7.06'

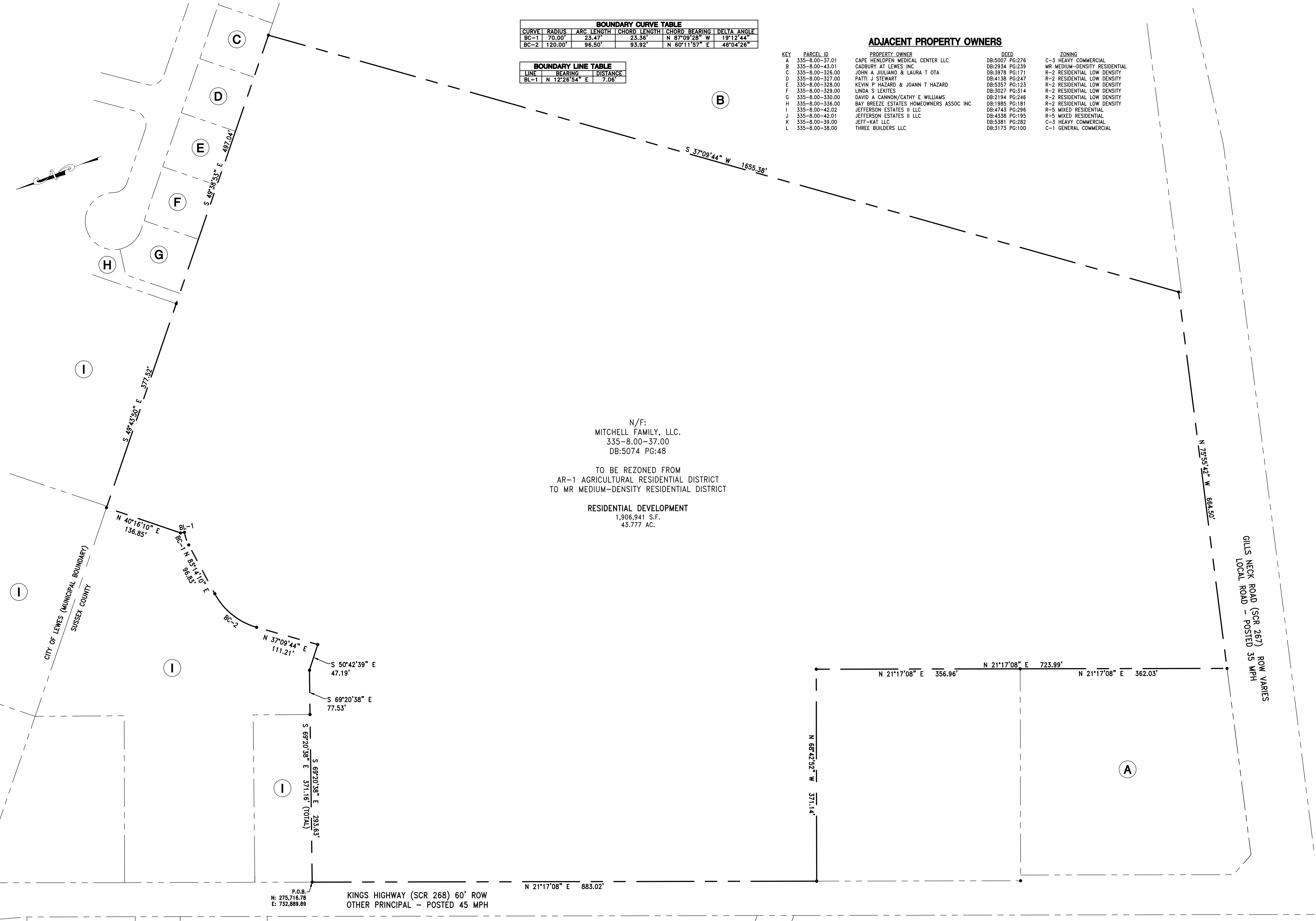
**ADJACENT PROPERTY OWNERS**

KEY	PARCEL ID	PROPERTY OWNER	DEED	ZONING
A	335-8.00-37.01	CAPE HENLOPEN MEDICAL CENTER LLC	DB:5007 PG:276	C-3 HEAVY COMMERCIAL
B	335-8.00-43.01	CADBURY AT LEWES INC	DB:2934 PG:239	MR MEDIUM-DENSITY RESIDENTIAL
C	335-8.00-326.00	JOHN A JULIANO & LAURA T OTA	DB:3978 PG:171	R-2 RESIDENTIAL LOW DENSITY
D	335-8.00-327.00	PATTI J STEWART	DB:4198 PG:247	R-2 RESIDENTIAL LOW DENSITY
E	335-8.00-328.00	KEVIN P HAZARD & JOANN T HAZARD	DB:5357 PG:123	R-2 RESIDENTIAL LOW DENSITY
F	335-8.00-329.00	LINDA S LEKITES	DB:3027 PG:314	R-2 RESIDENTIAL LOW DENSITY
G	335-8.00-330.00	DAVID A CANNON/CATHY E WILLIAMS	DB:2194 PG:246	R-2 RESIDENTIAL LOW DENSITY
H	335-8.00-336.00	BAY BREEZE ESTATES HOMEOWNERS ASSOC INC	DB:1985 PG:181	R-2 RESIDENTIAL LOW DENSITY
I	335-8.00-42.02	JEFFERSON ESTATES II LLC	DB:4743 PG:296	R-5 MIXED RESIDENTIAL
J	335-8.00-42.01	JEFFERSON ESTATES II LLC	DB:4338 PG:195	R-5 MIXED RESIDENTIAL
K	335-8.00-39.00	JEFF-KAT LLC	DB:5381 PG:282	C-3 HEAVY COMMERCIAL
L	335-8.00-38.00	THREE BUILDERS LLC	DB:3173 PG:100	C-1 GENERAL COMMERCIAL

N/F:  
MITCHELL FAMILY, LLC.  
335-8.00-37.00  
DB:5074 PG:48

TO BE REZONED FROM  
AR-1 AGRICULTURAL RESIDENTIAL DISTRICT  
TO MR MEDIUM-DENSITY RESIDENTIAL DISTRICT

RESIDENTIAL DEVELOPMENT  
1,906,941 S.F.  
43.777 AC.



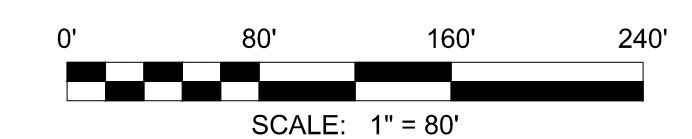
**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS

1000 W. MARKET ST.  
MILFORD, DELAWARE 19966  
(302) 424-1441  
FAX: (302) 424-1441  
EASTON, MARYLAND (410) 770-4744

**MITCHELL FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date: **DECEMBER 2021**  
Scale: **1" = 80'**  
Dwn. By: **DEG**  
Proj. No.: **3808A001**  
Dwg. No.: **RZ-01**



1

December 21, 2021

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Ladner, P.E.  
Jamie L. Sechler, P.E.

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Zwaanendael Farm – Conditional Use Application  
Tax Parcel No: 3-35-8.00-37.00 (partial)  
DBF #3808A001

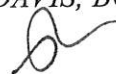
Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are pleased to submit the Conditional Use application and plans to be considered by the Sussex County Planning and Zoning Commission for the above parcel. We have enclosed the following:

- Application for Zoning Amendment with \$500 fee
- (2) Copies of the “Conditional Use”
- (1) Copies of the Legal Description for the Conditional Use
- (1) Deed Book 2820 Page 72
- (1) DelDOT SFR (SLER Response)
- (1) Electronic copy uploaded to Dropbox project share

We respectfully request to be placed on the earliest available Planning and Zoning Commission Agenda. If you have any questions or need additional information, please contact me at (302) 424-1441 or via e-mail at [rw1@dbfinc.com](mailto:rw1@dbfinc.com).

Sincerely,  
*DAVIS, BOWEN & FRIEDEL, INC.*



Ring W. Ladner, P.E.  
Principal

*P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2021-12-21 Conditional Use\Conditional Use Cover. doc.doc*

CC: Henlopen Properties, LLC.

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**

Northeast quadrant of Kings Highway and Gills Neck Road, Lewes

**Type of Conditional Use Requested:**

**Tax Map #:** 335-8.00-37.00 (portion) **Size of Parcel(s):** 43.777 +/- acres

**Current Zoning:** AR-1 **Proposed Zoning:** MR **Size of Building:** TBD

**Land Use Classification:** Agricultural

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

**Applicant Information**

**Applicant Name:** Henlopen Properties, LLC

**Applicant Address:** 4750 Owing Mills Blvd

**City:** Owing Mills **State:** MD **Zip Code:** 21117

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

**Owner Information**

**Owner Name:** Mitchell Family, LLC

**Owner Address:** 1019 Kings Highway

**City:** Lewes **State:** DE **Zip Code:** 19958

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

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Davis, Bowen & Friedel, Inc.

**Agent/Attorney/Engineer Address:** 1 Park Avenue

**City:** Milford **State:** DE **Zip Code:** 19963

**Phone #:** (302) 424-1441 **E-mail:** rwl@dbfinc.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: 12/22/2021

Signature of Owner

  
\_\_\_\_\_

Date: 12/22/21

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: \_\_\_\_\_



LEGAL DESCRIPTION

RESIDUAL LANDS

MITCHELL FAMILY, LLC

PORTION OF TAX PARCEL #3-35-8.00-37.00

December 10, 2021

**ALL** that piece or parcels of land, hereinafter described, situate, lying and being on the northerly side of Gills Neck Road (Road 267) and the easterly side of Kings Highway (Road 268); being located in Lewes and Rehoboth Hundred, Sussex County, Delaware; said piece or parcels of land being a portion of the lands of Mitchell Family, LLC; said piece or parcels of land being more particularly described as follows:

**BEGINNING** at a Wingate and Eschenbach found iron pipe along the easterly right-of-way line of Kings Highway; said point being located 30' from the centerline of Kings Highway and being the southwestern boundary corner for lands now or formerly of Three Builders, Inc., as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware in Deed Book D-3173, Page 100; coordinated on the Delaware State Grid System as North 276,872.17, East 733,340.02, thence,

- 1) leaving said point of beginning and running by and with lands now or formerly of Three Builders, Inc., South 69 degrees 20 minutes 38 seconds East 293.63 feet to wooden post at a point on the westerly line of lands of now or formerly of Jeff-Kat, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book D-4456, Page 123, thence,
- 2) running by and with said Jeff-Kat lands, the following four (7) courses and distances, South 69 degrees 20 minutes 38 seconds East 77.54 feet to a point, thence running,
- 3) South 50 degrees 42 minutes 39 seconds East 47.19 feet to a point, thence running,
- 4) North 37 degrees 09 minutes 44 seconds East 111.21 feet to a point, thence running,
- 5) along a curve to the right, having a radius of 120.00 feet, an arc length of 96.50 feet and a chord bearing and distance of North 60 degrees 11 minutes 57 seconds East 93.92 feet to a point, thence running,
- 6) North 83 degrees 14 minutes 10 seconds East 96.83 feet to a point, thence running,
- 7) along a curve to the right, having a radius of 70.00 feet, an arc length of 23.47 feet and a chord bearing and distance of North 87 degrees 09 minutes 28 seconds West 23.36 feet to a point, thence running,

- 8) North 12 degrees 26 minutes 54 seconds East 7.06 feet to a point, thence running,
- 9) North 40 degrees 16 minutes 10 seconds East 136.85 feet to a point on the easterly line of lands of, now or formerly, Jefferson Estate, LLC, as recorded in said Office of the Recorder of Deeds in Deed Book D-4338, Page 195, thence,
- 10) leaving said Jeff-Kat lands and running by and with said Jefferson Estates lands, South 49 degrees 43 minutes 50 seconds East 377.52 feet to a concrete monument found at a point on the southerly line of Baybreeze Subdivision, thence,
- 11) leaving said Jefferson Estates and running by and with said Baybreeze Subdivision, South 49 degrees 38 minutes 53 seconds East 497.04 feet to a found iron rod at a point on the westerly line of lands of, now or formerly, Cadbury at Lewes as recorded in said Office of the Recorder of Deeds in Deed Book D-2934, Page 239, thence,
- 12) leaving said Baybreeze lands and running by and with said Cadbury lands, South 37 degrees 09 minutes 44 seconds West 1,655.38 feet to a point on the northerly right-of-way line of Gills Neck Road, width varies, thence,
- 13) leaving said Cadbury lands and running by and with said right-of-way line of Gills Neck Road, North 75 degrees 55 minutes 42 seconds West 664.50 feet to a point on the easterly line of lands of, now or formerly, Cape Henlopen Medical Center, LLC, thence,
- 14) running by and with said Cape Henlopen Medical lands, North 21 degrees 17 minutes 08 seconds East 362.03 feet to a point on the easterly line of Commercial Lot, thence,
- 15) leaving Cape Henlopen Medical lands and running by and with said Commercial Lot, the following two (2) courses and distances, North 21 degrees 17 minutes 08 seconds East 356.96 feet to a point, thence running,
- 16) North 68 degrees 42 minutes 52 seconds West 371.14 feet to a point on the aforementioned right-of-way line of Kings Highway, thence,
- 17) leaving said Cape Henlopen lands and running by and with said right-of-way line of Kings Highway, North 21 degrees 17 minutes 08 seconds East 883.02 feet to the point and place of beginning; **CONTAINING** 43.777 acres of land, more or less.

Tax Parcel #3-35-8.00-37.00  
 Prepared by: David W. Baker, Esq., P.A.  
 P O Box 551, 109 S. Race St.  
 Georgetown, Delaware 19947  
 Return to: LOWDER W. MITCHELL, JR.  
 JANE T. MITCHELL  
 1019 Kings Highway  
 Lewes, Delaware 19958

NO LIEN OR TITLE SEARCH  
PERFORMED - NONE REQUESTED

**This Deed, made this**

**31<sup>st</sup>** day of March

in the year of our Lord Two Thousand Three.

**BETWEEN** LOWDER W. MITCHELL, JR. and JANE T. MITCHELL,  
 husband and wife, of 1019 Kings Highway, Lewes, Delaware 19958,  
 parties of the first part,

-and-

L. W. & J. T. MITCHELL FAMILY LIMITED PARTNERSHIP, a Delaware  
 Limited Partnership, of 1019 Kings Highway, Lewes, Delaware, party  
 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 grants and conveys unto the party of the  
 second part, its Heirs and Assigns,

**ALL** that certain tract of land, situate, lying and being in  
 Lewes and Rehoboth Hundred, Sussex County, Delaware, and more  
 particularly described as follows to wit:

BEGINNING at a post on the east side of the State Road  
 leading from Murray's Corner to Lewes, and a corner for lands now  
 or formerly of EUGENE MAULL; thence with the same South 61° East  
 300 feet to a post; thence with same and lands now or formerly of  
 FRED MARSHALL, VIRGIL DENNIS and GEORGE W. ROBINSON, North 29-1/2°  
 East 481 feet to a stone in line of lands now or formerly of THE

1	Consideration:	\$0.00	Exempt Code: A
	County	State	Total
	0.00	0.00	0.00
	counter	Date: 04/03/2003	

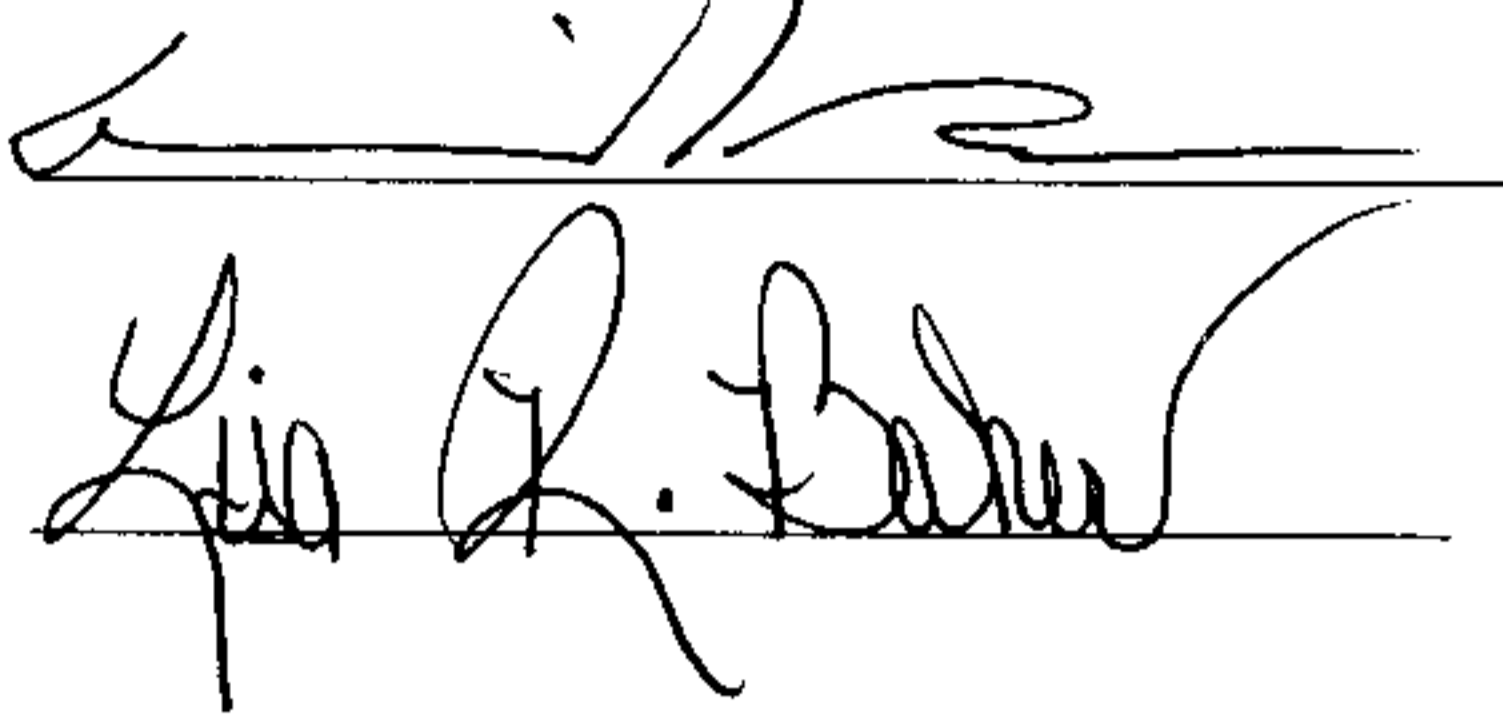
28

SUSSEX TRUST COMPANY; thence with the same South 41°15' East 1686 feet to a stone; thence with three lines of lands now or formerly of MRS. RIGGIN'S lands, South 45° West 155 to a stone; thence North 43° West 320 feet to a stone; thence South 46° West 1460 feet to a stone on the north side of Bookhammer Road; thence with the north side of the same North 67-1/2° West 1146 feet to a stone at the intersection of this road with the first named State Road; thence with the same North 29-3/4° East 1663 feet to the place of beginning, containing 57.98 acres of land, more or less.

BEING the same lands conveyed unto LOWDER W. MITCHELL, JR. and JANE T. MITCHELL by deed of LOWDER W. MITCHELL, JR. and JANE T. MITCHELL dated the 19<sup>th</sup> day of February, A.D. 1998, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 2267 at Page 209.

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

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



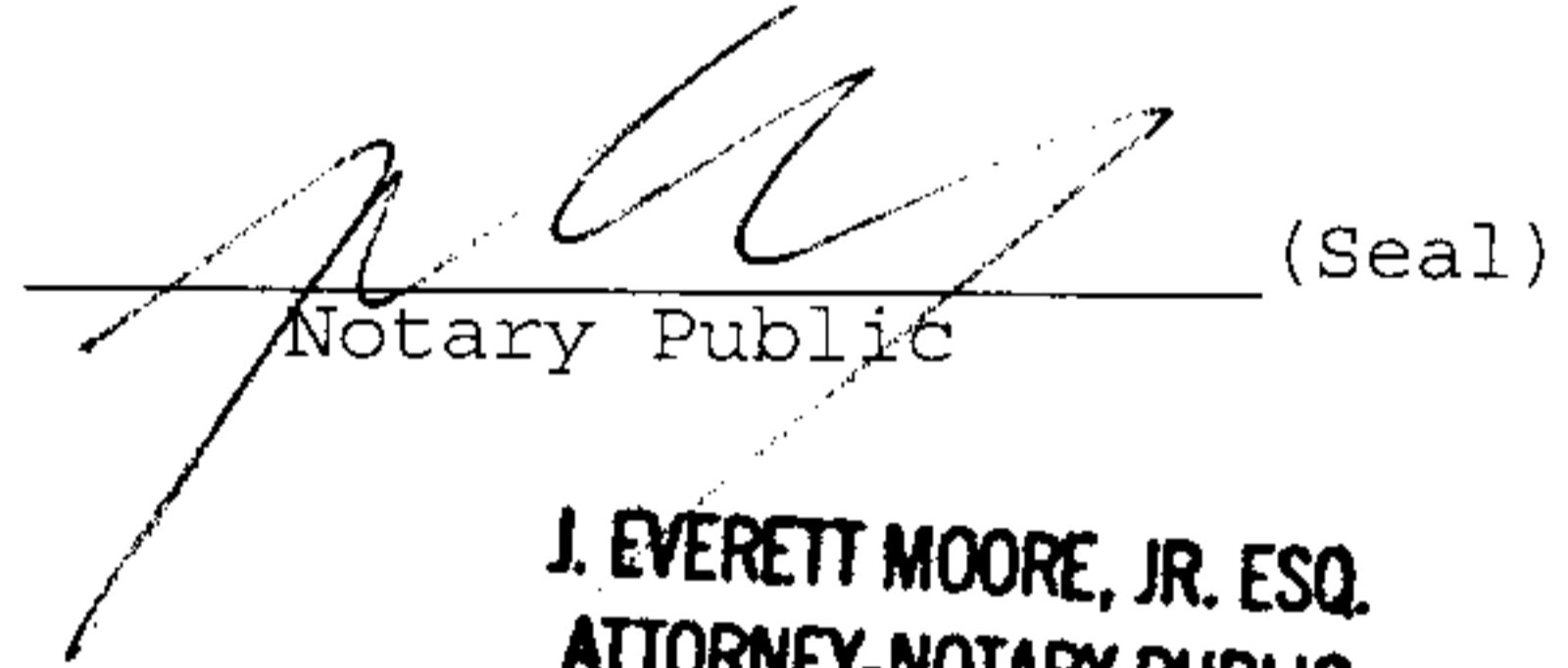
 (SEAL)  
LOWDER W. MITCHELL, JR.

 (SEAL)  
JANE T. MITCHELL

STATE OF DELAWARE :  
: SS.  
SUSSEX COUNTY :

BE IT REMEMBERED, that on this 3<sup>rd</sup> day of March in the year of our Lord Two Thousand Three personally came before me, a Notary Public in and for the State and County aforesaid, LOWDER W. MITCHELL, JR., TRUSTEE and JANE T. MITCHELL, TRUSTEE, parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

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

 (Seal)  
Notary Public

J. EVERETT MOORE, JR. ESQ.  
ATTORNEY-NOTARY PUBLIC  
Unif. Notarial Act 10 Del. C. 4323(a)(3)  
Non Expiring Commission

RECORDER OF DEEDS  
JOHN F BRADY

03 APR -3 AM 9:24

CO. SURCHARGE PAID

**Received**

APR 04 2003

ASSESSMENT DIVISION  
OF SUSSEX CTY

December 21, 2021

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheelleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Mitchells Corner  
Tax Parcel No: 3-35-8.00-37.00  
DBF #3808A001

Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are submitting an Environmental Assessment and Public Facility Evaluation Report in accordance with §115-194.3. Coastal Area, Subparagraph B (2). We offer the following information that comprises our report:

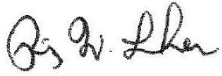
- (a) *Proposed Drainage design and the effect on stormwater quality and quantity leaving the site, including methods for reducing the amount of phosphorous and nitrogen in the stormwater runoff and the control of any other pollutants such as petroleum hydrocarbons or metals.* The proposed improvements will meet or exceed the state regulations for quality and quantity control of stormwater. We intend to use an infiltration pond as well as other Green Technology to meet the quantity requirement. The proposed site through the use of Green Technology and other Best Management Practices and Best Available Technologies will reduce the nitrogen and phosphorus loading by 40%. Minimizing impervious area and preservation of trees will further reduce nitrogen and phosphorous loadings. The project will not develop or produce other pollutants such as petroleum hydrocarbons or metals.
- (b) *Proposed method of providing potable and, where appropriate, irrigation water and the effect on public or private water systems and groundwater, including an estimate of average and peak demands.* The proposed project is adjacent to two public water providers. The estimated average for the project is 69,750 GPD and estimated peak use of 209,250 GPD.
- (c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on-site septic systems.* The proposed project will discharge wastewater to an existing gravity sewer manhole constructed during phase 1 that connects to the pump station within the Governors development.

- (d) *Analysis of the increase in traffic and the effect on the surrounding roadway system.* A Traffic Impact Study (TIS) has been submitted to DelDOT and interim improvements will be completed by the Developer.
- (e) *The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.* There are no records of federally listed endangered or threatened species or their critical habitats listed on this site.
- (f) *The preservation and protection from loss of any tidal or nontidal wetlands on the site.* There are no wetlands on this site.
- (g) *Provisions for open space as defined in §115-4.* The proposed project incorporates active and passive open space amenities. Some passive open space amenities include ponds and associated landscape buffers. Active open space amenities include walking paths and an active amenity area.
- (h) *A description of provisions for public and private infrastructure.* The Developer will improve Kings Highway in accordance with DelDOT's rules and regulations. The Developer will also construct the water mains internally in the project that will be owned and maintained by a public utility. Besides the water system, all other internal utilities and roadways will be constructed by the Developer and privately maintained.
- (i) *Economic, recreational or other benefits.* The proposed project will create a considerable number of jobs during construction. In addition, the project will generate transfer taxes as well other economic impacts in the beach community. There are numerous recreational activities provided within the site. In addition, part of the proposed project includes a commercial rezoning which will provide employment opportunities.
- (j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places.* The site does not contain any historic or cultural resources that are listed on the National Register of Historic Places.
- (k) *An affirmation that the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan.* The proposed application and mitigation measures comply with the current Sussex County Comprehensive Plan.
- (l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.* All mitigation measures, where required, have been discussed in their respective section. All mitigation measures as well as the application are consistent with the Comprehensive Plan.

Mr. Jamie Whitehouse  
December 21, 2021  
Page 3

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

A handwritten signature in cursive script, appearing to read "Ring W. Lardner".

Ring W. Lardner, P.E.  
Principal

P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2021-12-21 Conditional Use\2021-12-21 Public Facilities Report.docx

Cc: David Hutt, Morris James LLP  
Henlopen Properties, LLC





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

NICOLE MAJESKI  
SECRETARY

December 20, 2021

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 **Henlopen Properties, LLC (Jon Mayers)** proposed land use application, which we received on December 10, 2021. This application is for an approximately 42-acre portion of a 48.01-acre parcel (Tax Parcel: 335-8.00-37.00). The subject land is located on the north side of Gills Neck Road (Sussex Road 267) and the east side of Kings Highway (US Route 9). The subject land is currently zoned AR (Agriculture Residential), and the applicant seeks a conditional use approval to build 267 multifamily houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Gills Neck Road from Red Tail Road to Kings Highway, is 4,186 vehicles per day. The annual average daily traffic volumes along Kings Highway from Kings Highway (Sussex Road 268) to Gills Neck Road, is 12,019 vehicles per day.

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



Mr. Jamie Whitehouse

Page 2 of 2

December 20, 2021

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

Please contact Ms. Annamaria Furfato, at Annamaria.Furfato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Henlopen Properties, LLC (Jon Mayers), Applicant  
Sussex Reviewer, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furfato, Project Engineer, Development Coordination

# Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

## Application Information:

Site Address:

Parcel #:

Site Address:

Parcel #:

Applicant Name:

Owner Name:

## Type of Application:

Conditional Use:

Change of Zone:

Subdivision:

Board of Adjustment:

Date Submitted:

## For office use only:

Date of Public Hearing: \_\_\_\_\_

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

Date list created: \_\_\_\_\_ List created by: \_\_\_\_\_

Date letters mailed: \_\_\_\_\_ Letters sent by: \_\_\_\_\_



Table with 4 columns: LOT, SO. FT., ACRES, and AREA. Contains lot data for DUPEX LOT AREA TABLE and TOWNHOUSE LOT AREA TABLE.

Table with 4 columns: LOT, SO. FT., ACRES, and AREA. Contains lot data for TOWNHOUSE LOT AREA TABLE.

Table with 4 columns: LINE, BEARING, DISTANCE, and AREA. Contains lot data for LOT LINE TABLE.

Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for RIGHT-OF-WAY CURVE TABLE.

Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for LOT CURVE TABLE.

Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for RIGHT-OF-WAY CURVE TABLE.

Table with 4 columns: LINE, BEARING, DISTANCE. Contains data for RIGHT-OF-WAY LINE TABLE.

Table with 4 columns: LINE, BEARING, DISTANCE. Contains data for BOUNDARY LINE TABLE.

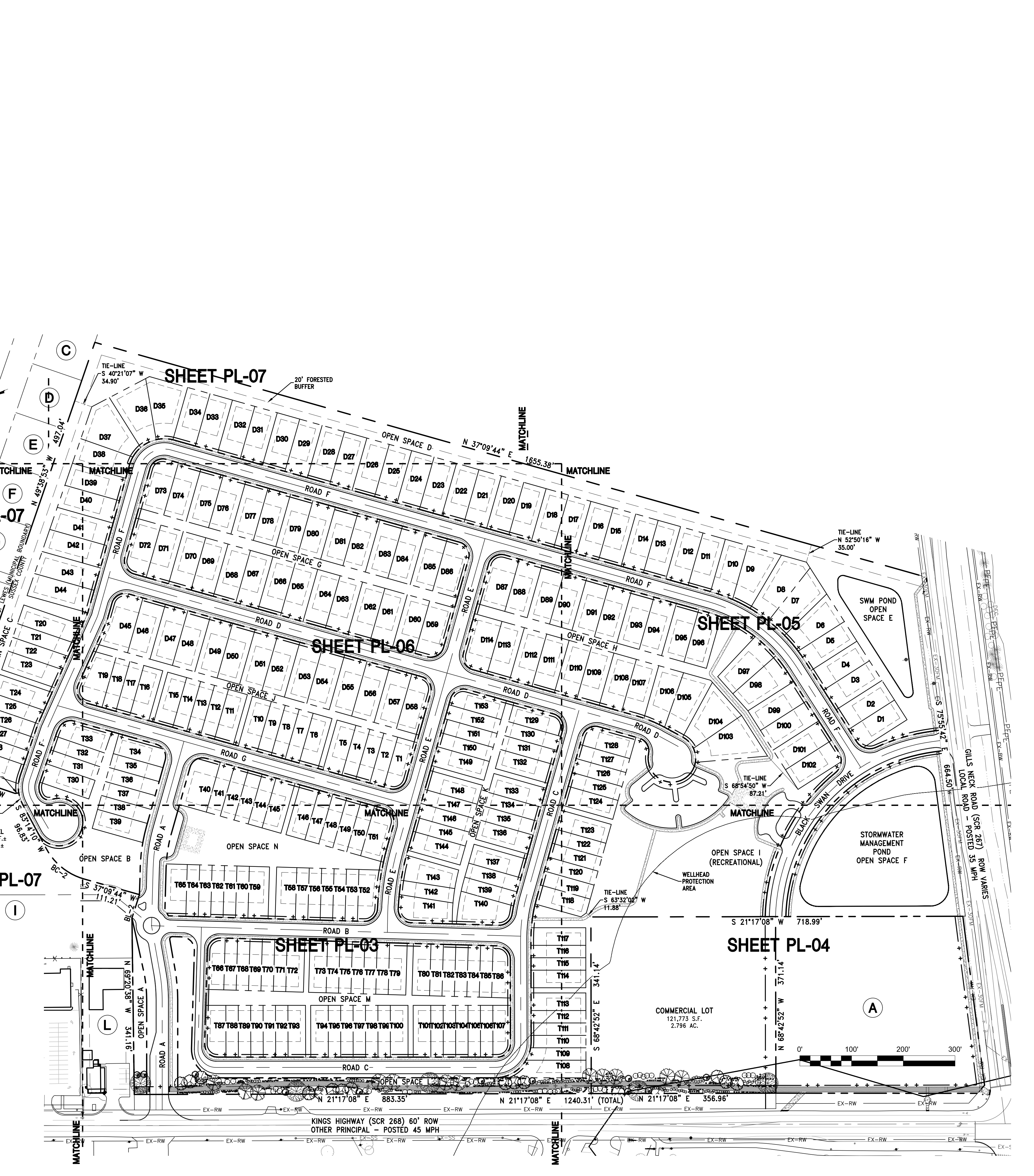
Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for BOUNDARY CURVE TABLE.

Table with 4 columns: DESCRIPTION, SO. FT., ACRES. Contains data for RIGHT-OF-WAY AREA TABLE.

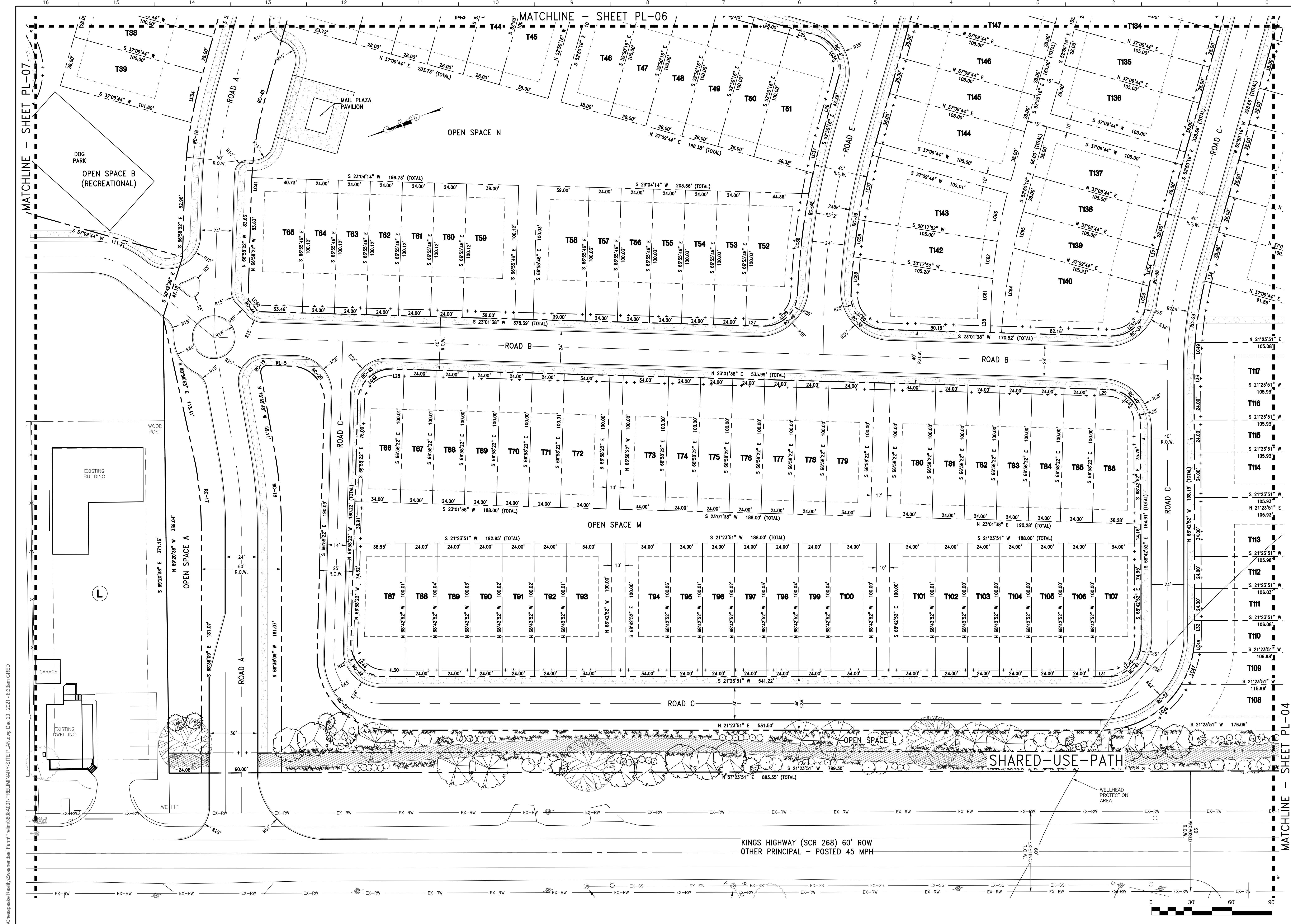
Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for BOUNDARY CURVE TABLE.

Table with 4 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains data for BOUNDARY CURVE TABLE.

Table with 4 columns: KEY, PARCEL ID, PROPERTY OWNER, DEED. Contains data for ADJACENT PROPERTY OWNERS.



Vertical text block containing project information: MITCHELL FAMILY FARM, LEWES & REHOBOTH HUNDRED, CITY OF LEWES, SUSSEX COUNTY, DELAWARE. Includes logos for DAVIS, BOWEN & FRIEDEL, INC. and ARCHITECTS ENGINEERS SURVEYORS. Also contains a 'PRELIMINARY SITE PLAN OVERVIEW' label and a 'PL-02' label at the bottom.



MATCHLINE - SHEET PL-07

MATCHLINE - SHEET PL-04

PL-03

DATE: DECEMBER 2021  
SCALE: 1" = 30'  
DWN. BY: DEG  
PROJ. NO.: 3808A001  
DWG. NO.: PL-03

**MITCHELL FAMILY FARM**  
KINGS HIGHWAY (SCR 268)  
LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:

Date: DECEMBER 2021

Scale: 1" = 30'

Dwn. By: DEG

Proj. No.: 3808A001

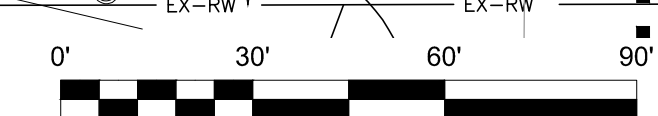
Dwg. No.: PL-03

PL-03

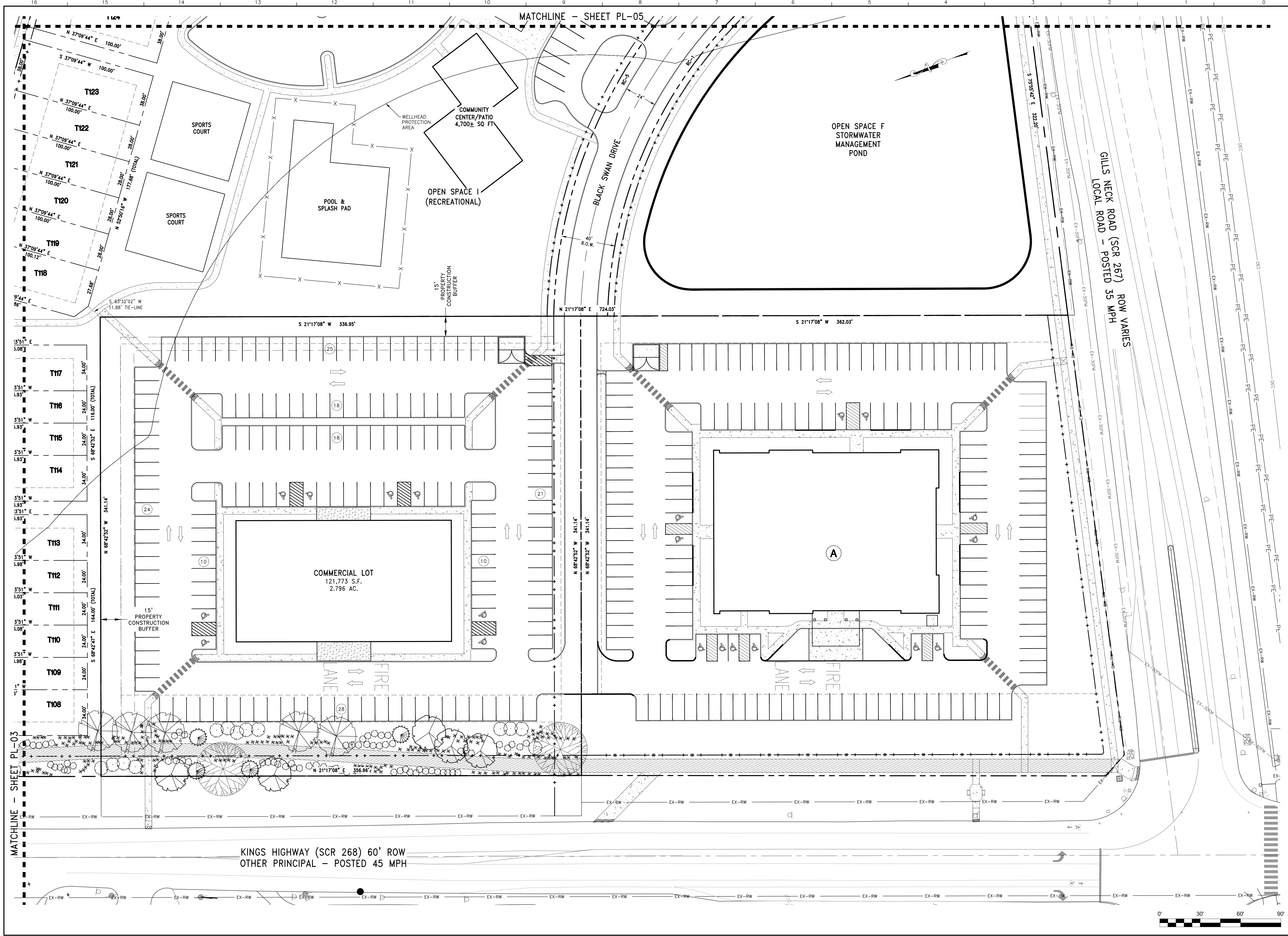
PRELIMINARY SITE PLAN

ARCHITECTS ENGINEERS SURVEYORS  
DAVIS, BOWEN & FRIEDEL, INC.  
1200 MARKET STREET, SUITE 200  
MILFORD, DELAWARE 19968  
(302) 424-1441  
FAX (302) 424-1442  
WWW.DBFRIEDEL.COM  
EASTON, MARYLAND (410) 770-4744

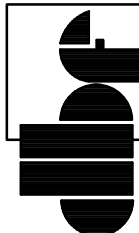
KINGS HIGHWAY (SCR 268) 60' ROW  
OTHER PRINCIPAL - POSTED 45 MPH



THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zhuannendall\Farm\PL-03-04-05\PRELIMINARY-SITE PLAN.dwg, Dec 20, 2021 - 8:34am GRED


**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 W. MARKET ST., SUITE 200  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

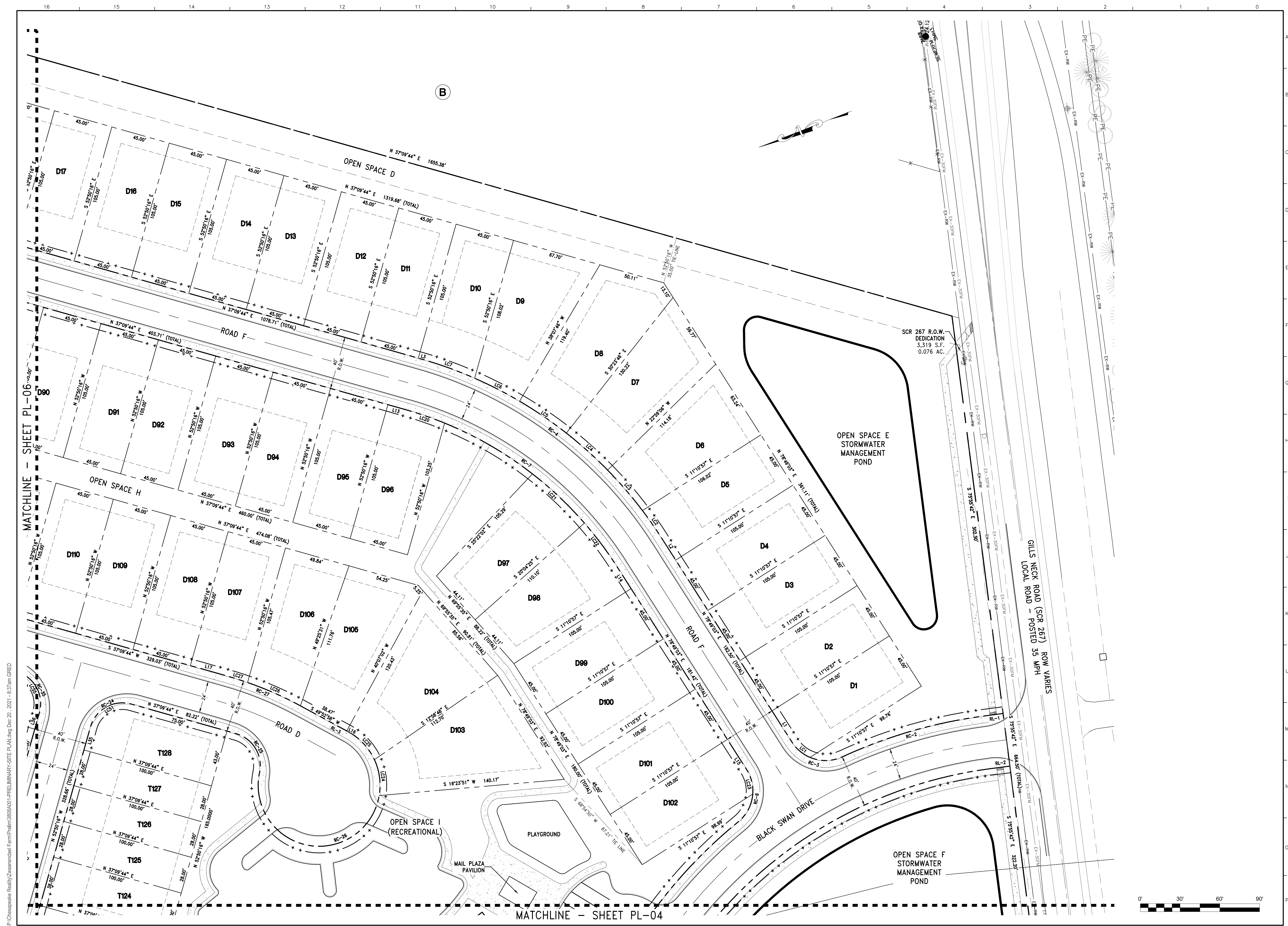
**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

PRELIMINARY SITE PLAN

---

Revisions: \_\_\_\_\_  
 Date: **DECEMBER 2021**  
 Scale: **1" = 30'**  
 Dwn. By: **DEG**  
 Proj. No.: **3808A001**  
 Dwg. No.: **PL-04**

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zwanenbaal Farm\Plan\3808A001-PR Preliminary-Site Plan.dwg, Dec 20, 2021 - 8:37am GRED

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 (302) 424-1441  
 (410) 770-4744

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	DECEMBER 2021
Scale:	1" = 30'
Dwn. By:	DEG
Proj. No.:	3808A001
Dwg. No.:	PL-05

PRELIMINARY SITE PLAN

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021





P:\Chesapeake Realty\Zhuannandall\Farm\Plan\3808A001-PR Preliminary-Site Plan.dwg, Dec. 20, 2021 - 8:37am, GRED

MATCHLINE - SHEET PL-07

MATCHLINE - SHEET PL-08

MATCHLINE - SHEET PL-05

MATCHLINE - SHEET PL-03

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET, SUITE 200  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 FAX (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

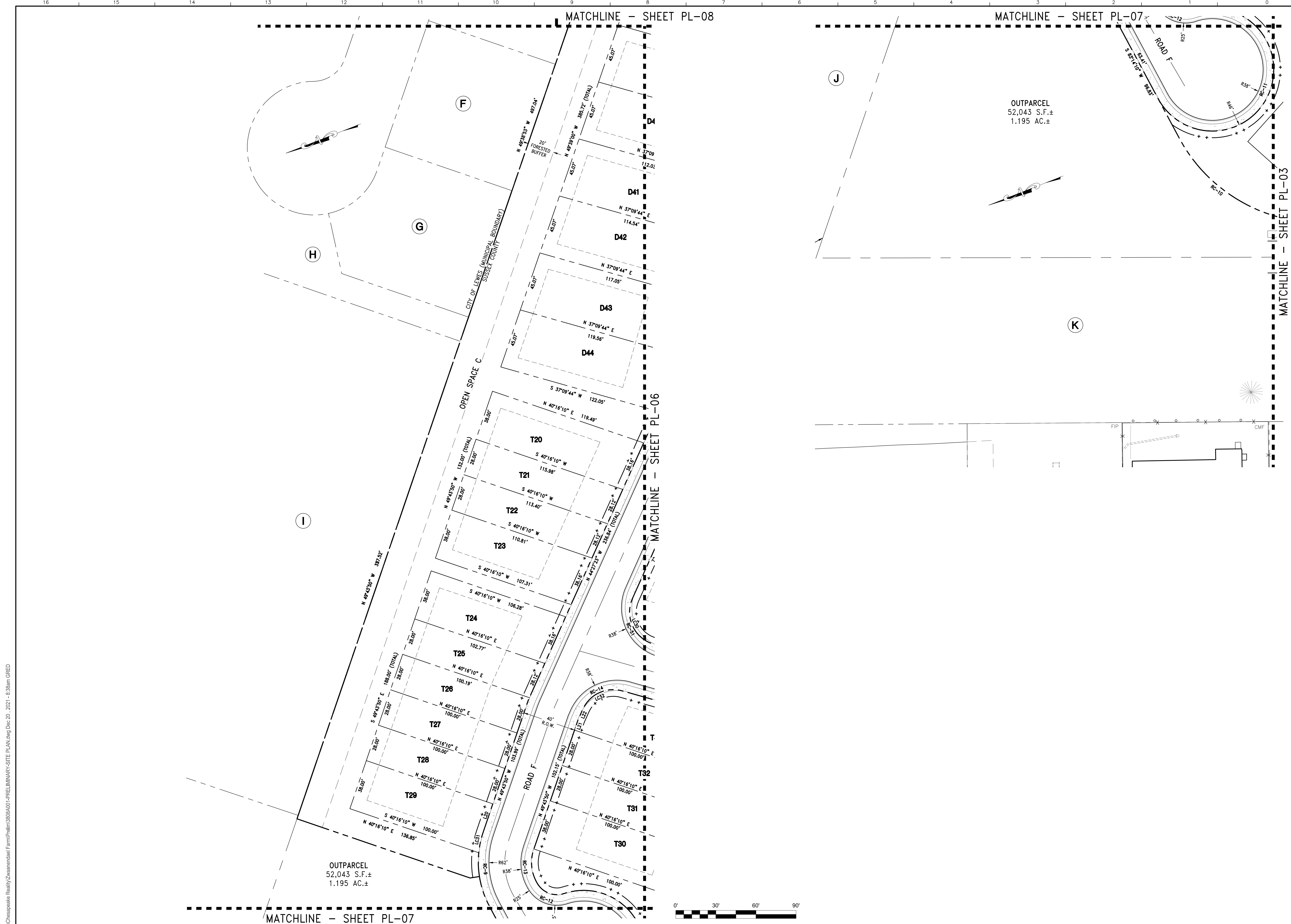
**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	DECEMBER 2021
Scale:	1" = 30'
Drawn By:	DEG
Proj. No.:	3808A001
Dwg. No.:	PL-06

PRELIMINARY SITE PLAN

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zwanenbaal Farm\Plan\3808A001-PREREVIEW-SITE PLAN.dwg, Dec. 20, 2021 - 8:38am GRED

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 CALVERT, MARYLAND (410) 543-2000  
 MILFORD, DELAWARE (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

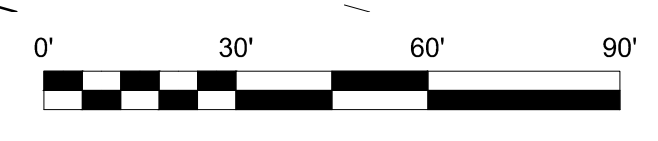
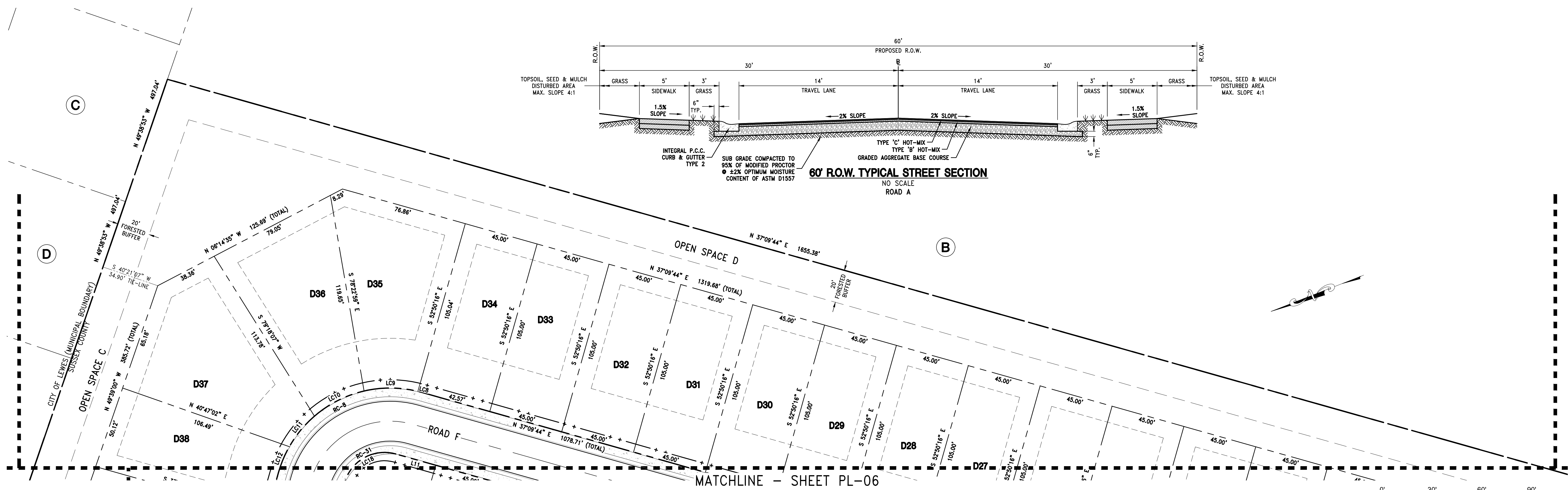
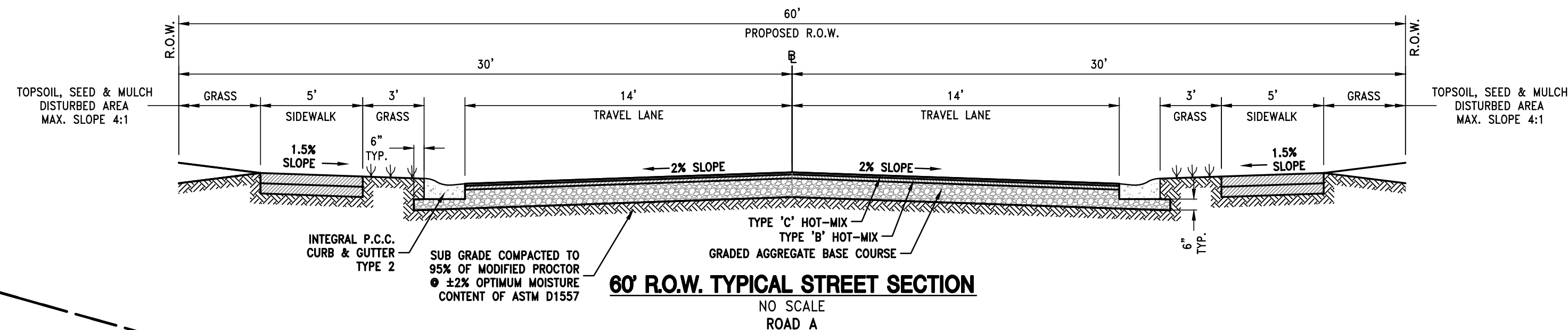
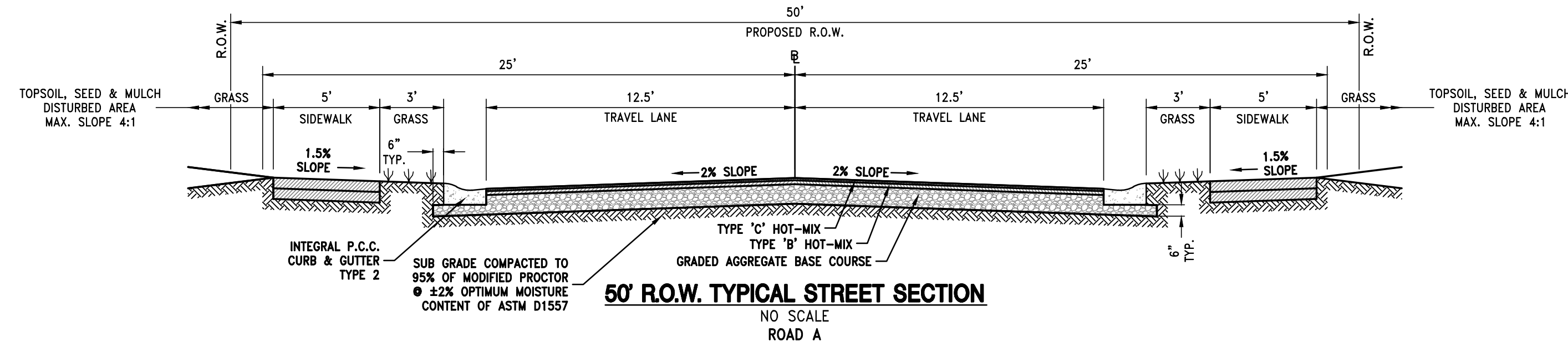
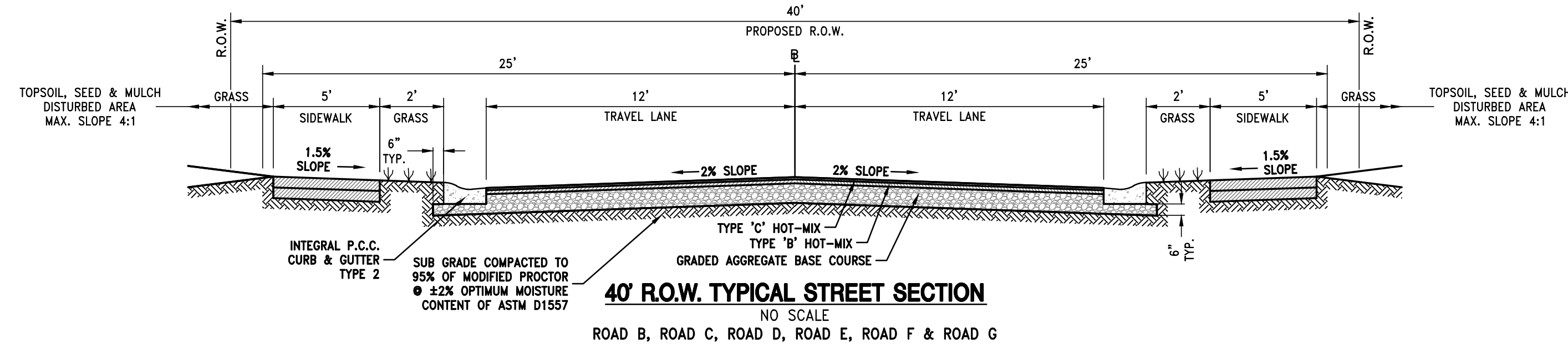
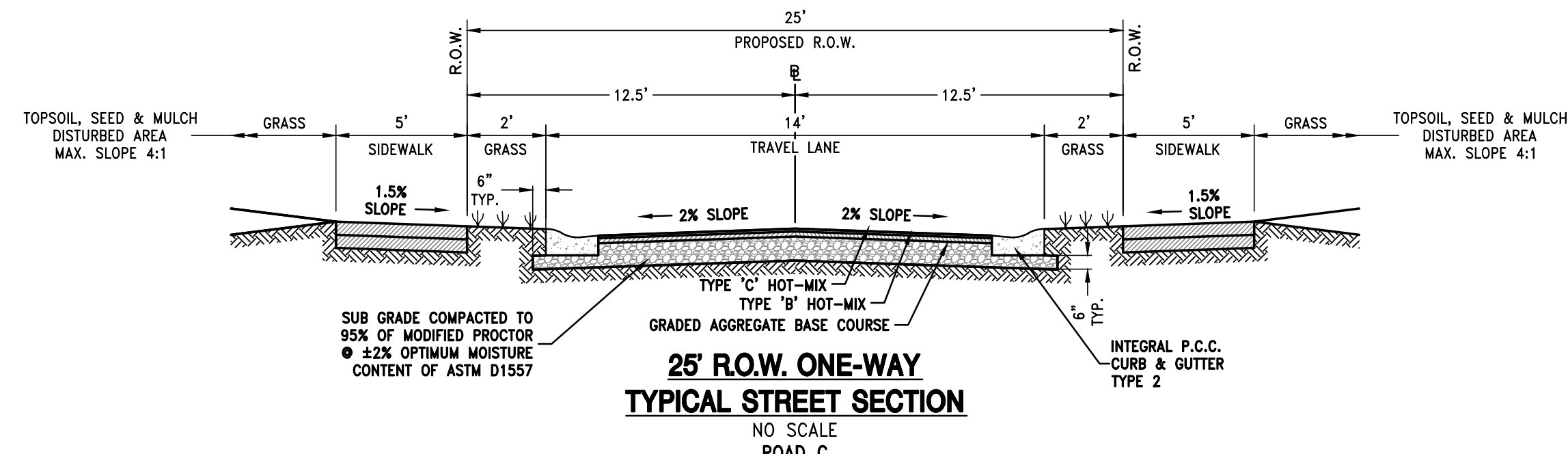
**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	DECEMBER 2021
Scale:	1" = 30'
Dwn. By:	DEG
Proj. No.:	3808A001
Dwg. No.:	PL-07

PRELIMINARY SITE PLAN

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



ARCHITECTS ENGINEERS SURVEYORS  
**DAVIS, BOWEN & FRIEDEL, INC.**  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 (410) 770-4744

PRELIMINARY SITE PLAN

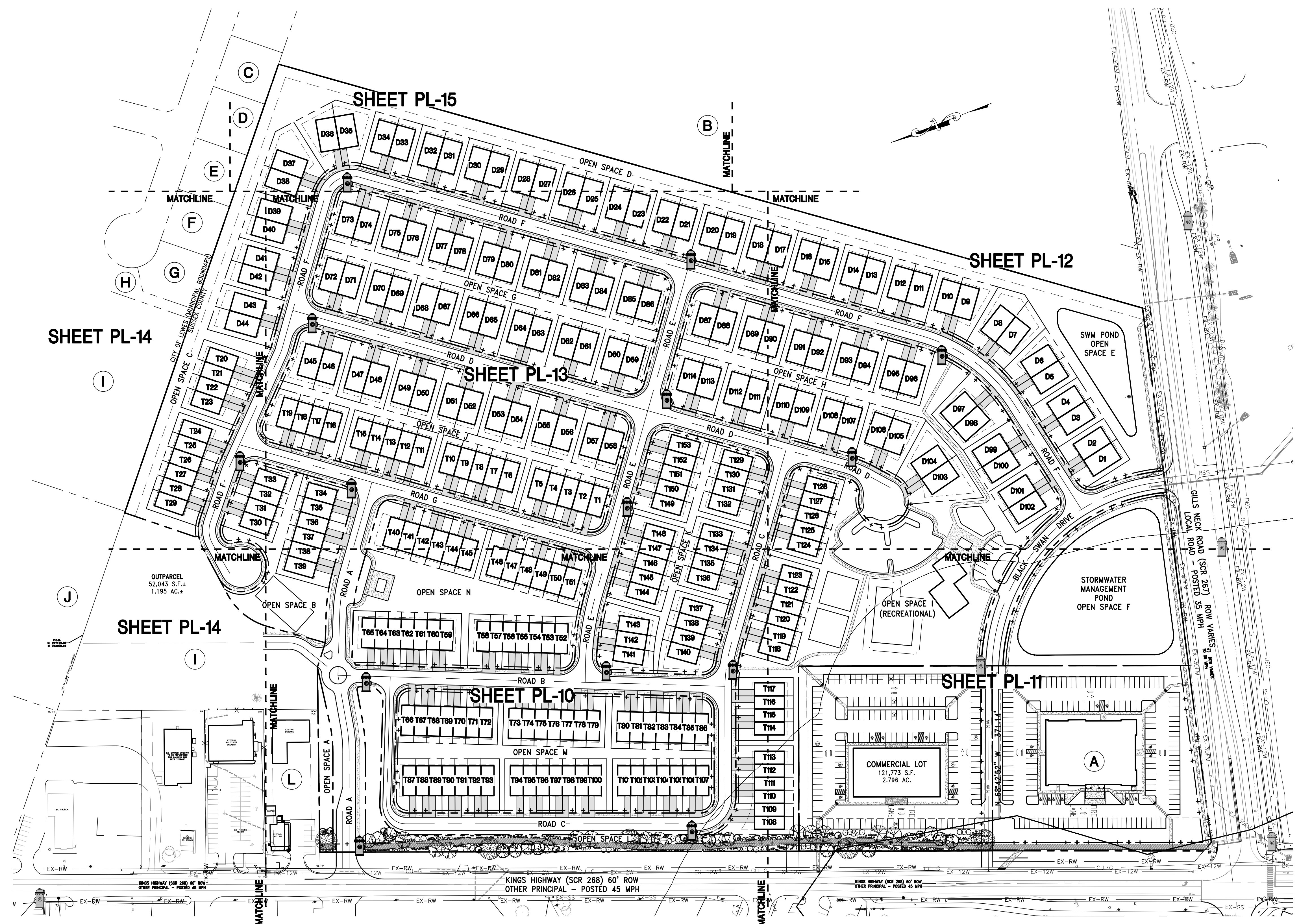
**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:
Date: DECEMBER 2021
Scale: 1" = 30'
Own. By: DEG
Proj. No.: 3808A001
Dwg. No.:

**PL-08**

P:\Chesapeake Realty\Zwaanendael Farm\PL-08\001-PR-01\PRELIMINARY-SITE PLAN.dwg, Dec 20, 2021 - 8:46am GRED

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



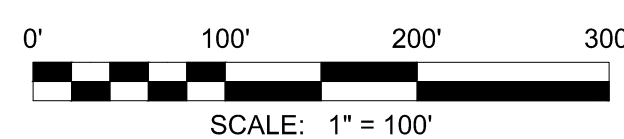
OUTPARCEL  
52,045 S.F. ±  
1.195 AC. ±

COMMERCIAL LOT  
121,773 S.F.  
2.796 AC.

KINGS HIGHWAY (SCR 268) 60' ROW  
OTHER PRINCIPAL - POSTED 45 MPH

STORMWATER  
MANAGEMENT  
POND  
OPEN SPACE F

SWM POND  
OPEN  
SPACE E



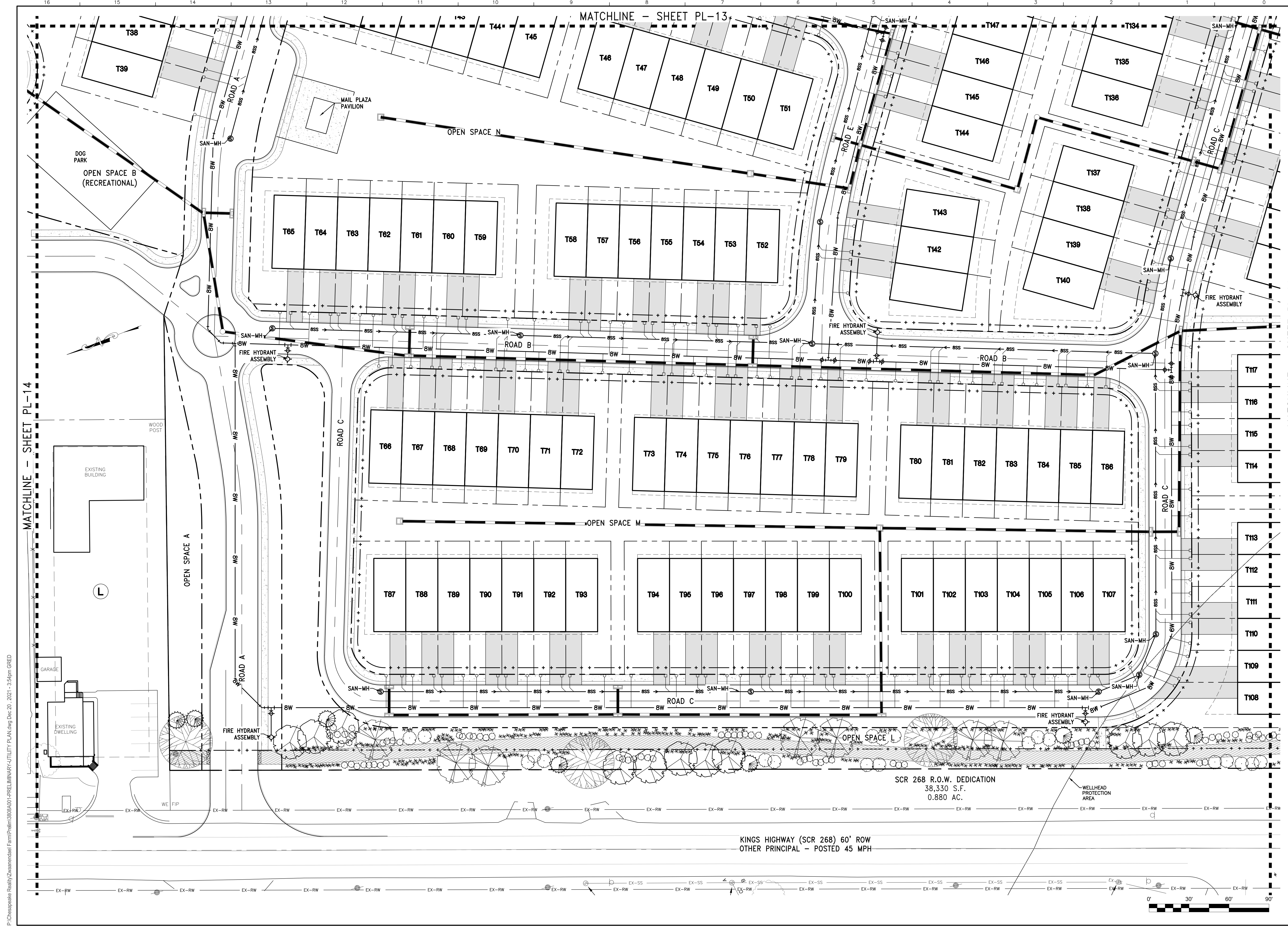
**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
CALVERT, MARYLAND (301) 443-2000  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:  
Date: **DECEMBER 2021**  
Scale: **1" = 100'**  
Dwn. By: **DEG**  
Proj. No.: **3808A001**  
Dwg. No.:

**PL-09**

PRELIMINARY UTILITY PLAN OVERVIEW



MATCHLINE - SHEET PL-13

MATCHLINE - SHEET PL-14

MATCHLINE - SHEET PL-11

SCR 268 R.O.W. DEDICATION  
38,330 S.F.  
0.880 AC.

KINGS HIGHWAY (SCR 268) 60' ROW  
OTHER PRINCIPAL - POSTED 45 MPH



DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS ENGINEERS SURVEYORS  
1000 W. MARKET ST. SUITE 200  
MILFORD, DELAWARE 19966  
(302) 424-1441  
FAX (302) 424-1442  
EASTON, MARYLAND (410) 770-4744

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

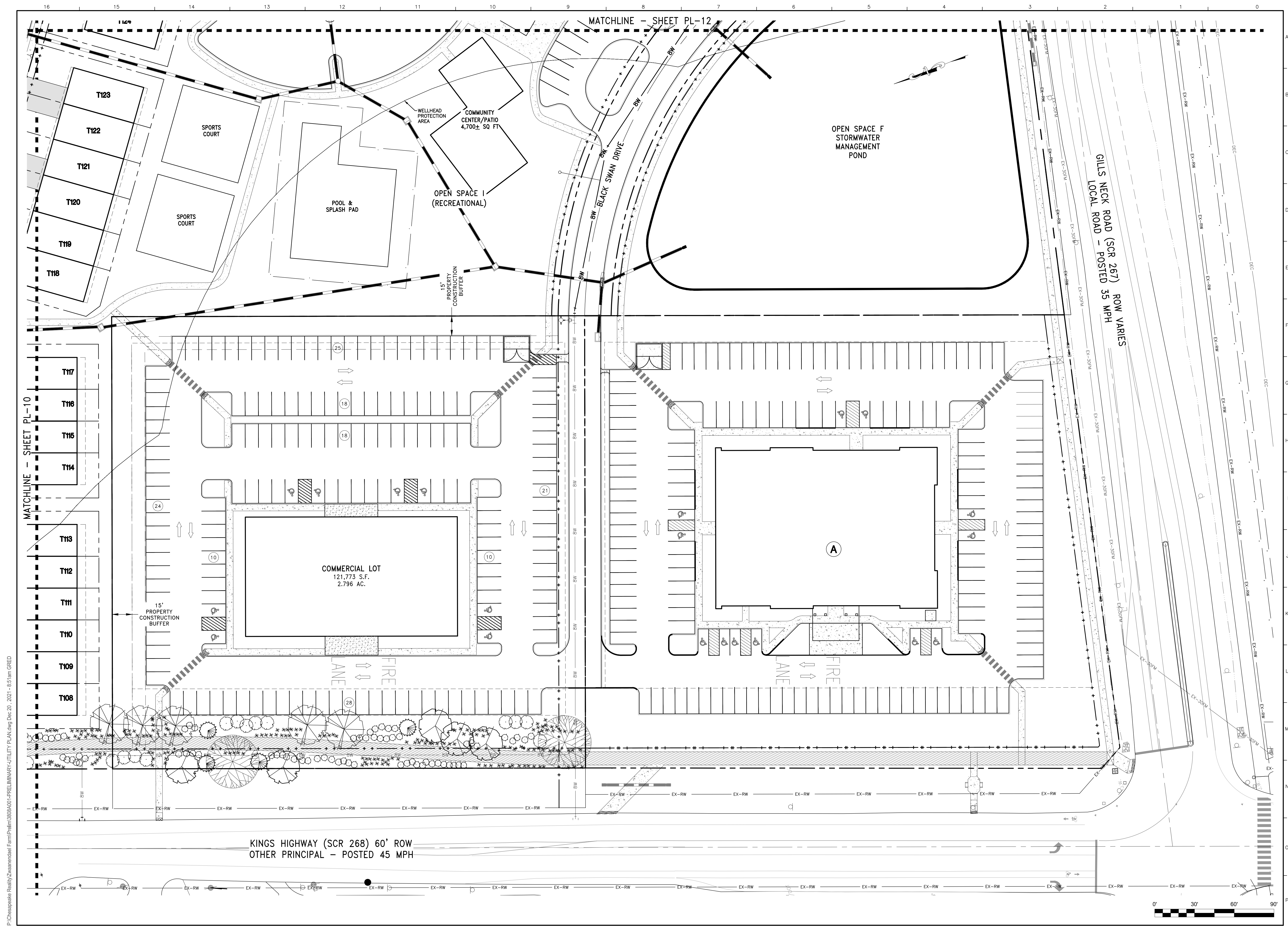
Revisions:  
  
Date: DECEMBER 2021  
Scale: 1" = 30'  
Dwn. By: DEG  
Proj. No.: 3808A001  
Dwg. No.:

**PL-10**

PRELIMINARY UTILITY PLAN

P:\Chesapeake Realty\Zhuandeadall\Farm\Plan\3808A001-PR Preliminary-Utility Plan.dwg, Dec 20, 2021, 3:54pm GRED

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zwanenbaal\Farm\PL-11 PRELIMINARY UTILITY PLAN.dwg, Dec 20, 2021 - 8:51am GRED

**dbf** DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

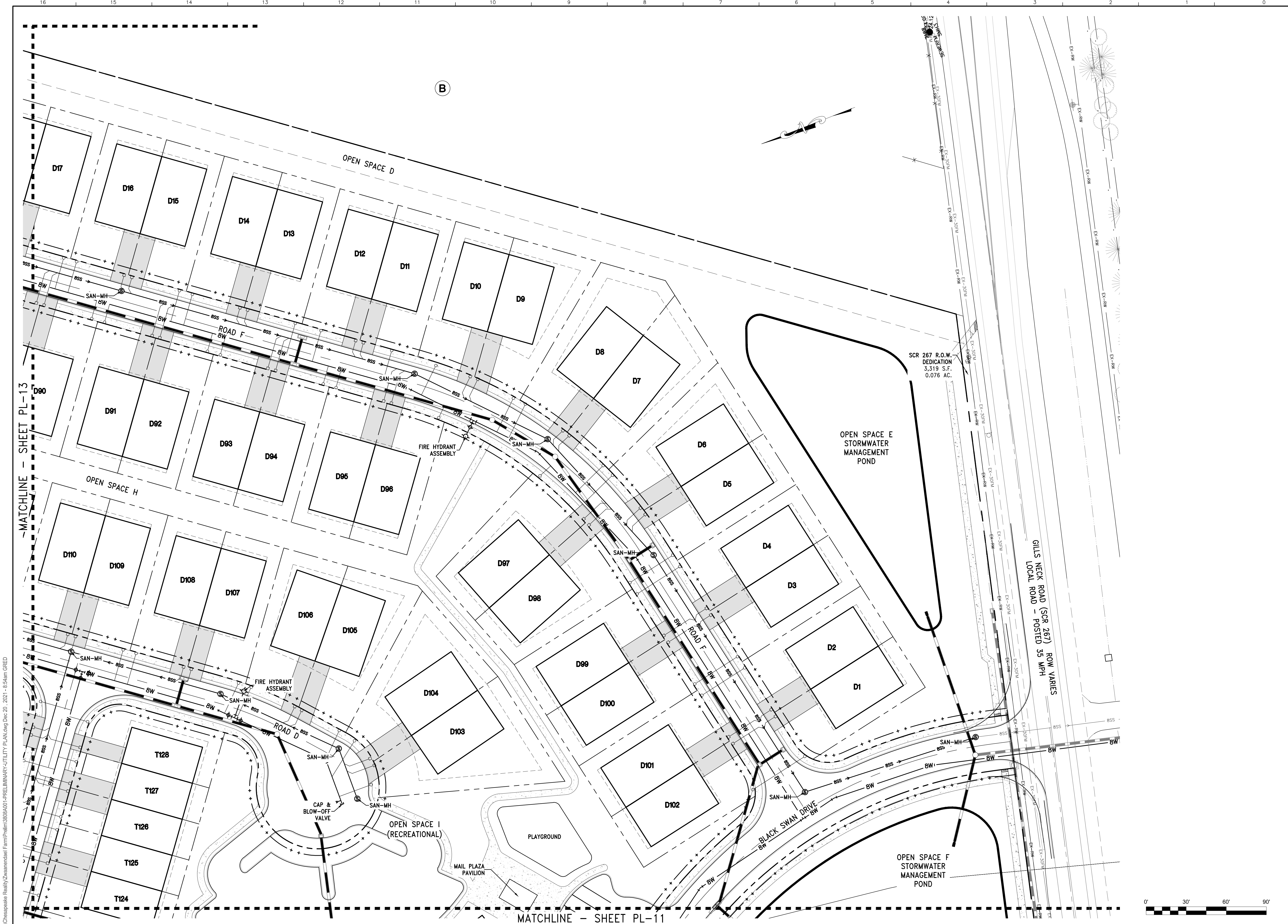
**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	DECEMBER 2021
Scale:	1" = 30'
Drawn By:	DEG
Proj. No.:	3808A001
Dwg. No.:	<b>PL-11</b>

PRELIMINARY UTILITY PLAN

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zwanenbaal Farm\Plan\808A001-PR Preliminary-Utility Plan.dwg Dec 20, 2021 - 8:54am GRED

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1500 W. MARKET ST.  
 MILFORD, DELAWARE 19968  
 (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

PRELIMINARY UTILITY PLAN

# MITCHELL FAMILY FARM

## KINGS HIGHWAY (SCR 268)

### LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

Revisions:	
Date:	DECEMBER 2021
Scale:	1" = 30'
Drawn By:	DEG
Proj. No.:	3808A001
Dwg. No.:	PL-12

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



MATCHLINE - SHEET PL-14

MATCHLINE - SHEET PL-15

MATCHLINE - SHEET PL-12

MATCHLINE - SHEET PL-10

P:\Chesapeake Realty\Zwanenbaal Farm\Plan\0808A001-PR Preliminary-Utility Plan.dwg, Dec 20, 2021, 8:55am GRED

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

PRELIMINARY UTILITY PLAN

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

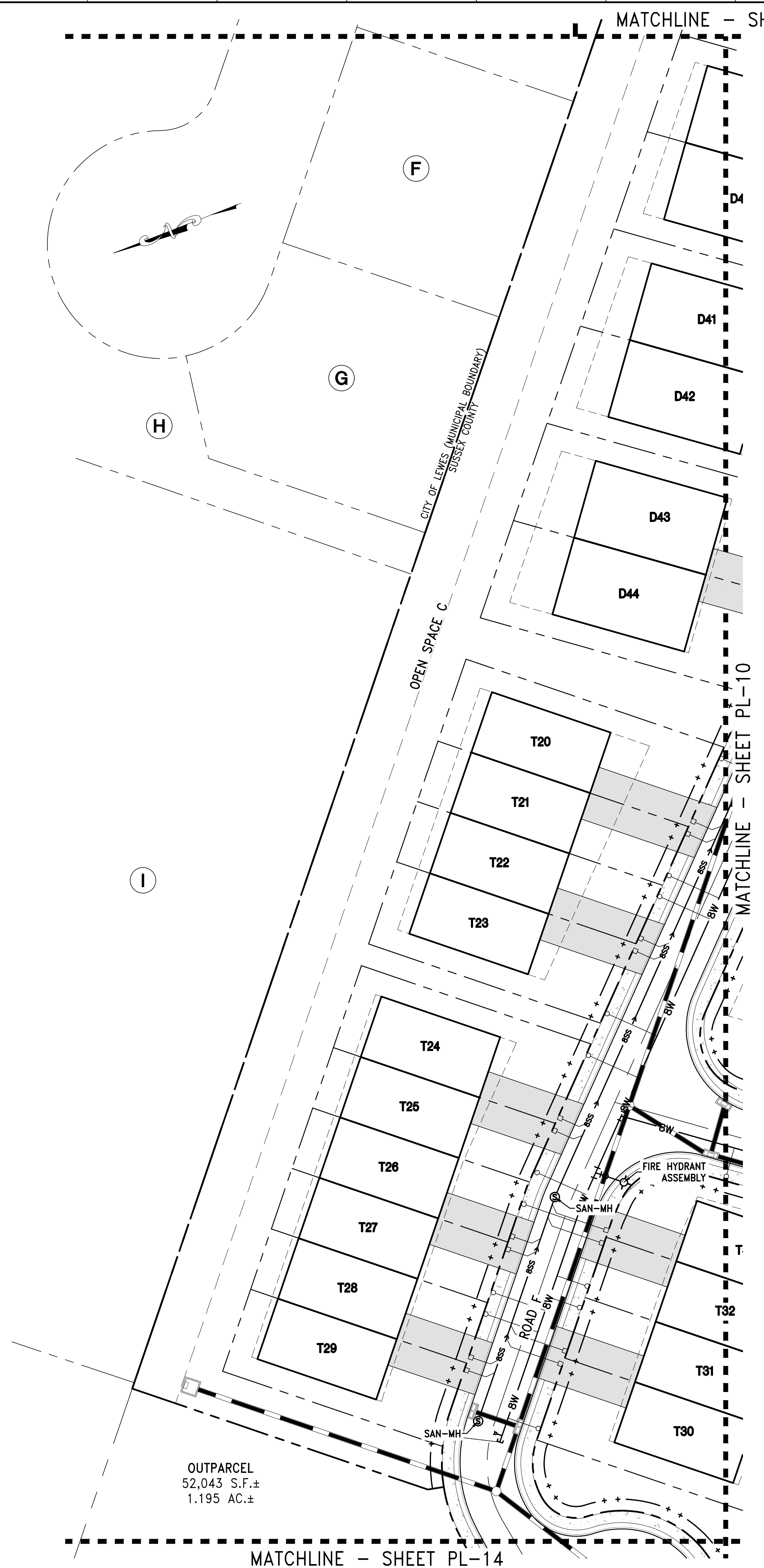
Date:	DECEMBER 2021
Scale:	1" = 30'
Own. By:	DEG
Proj. No.:	3808A001
Dwg. No.:	

**PL-13**

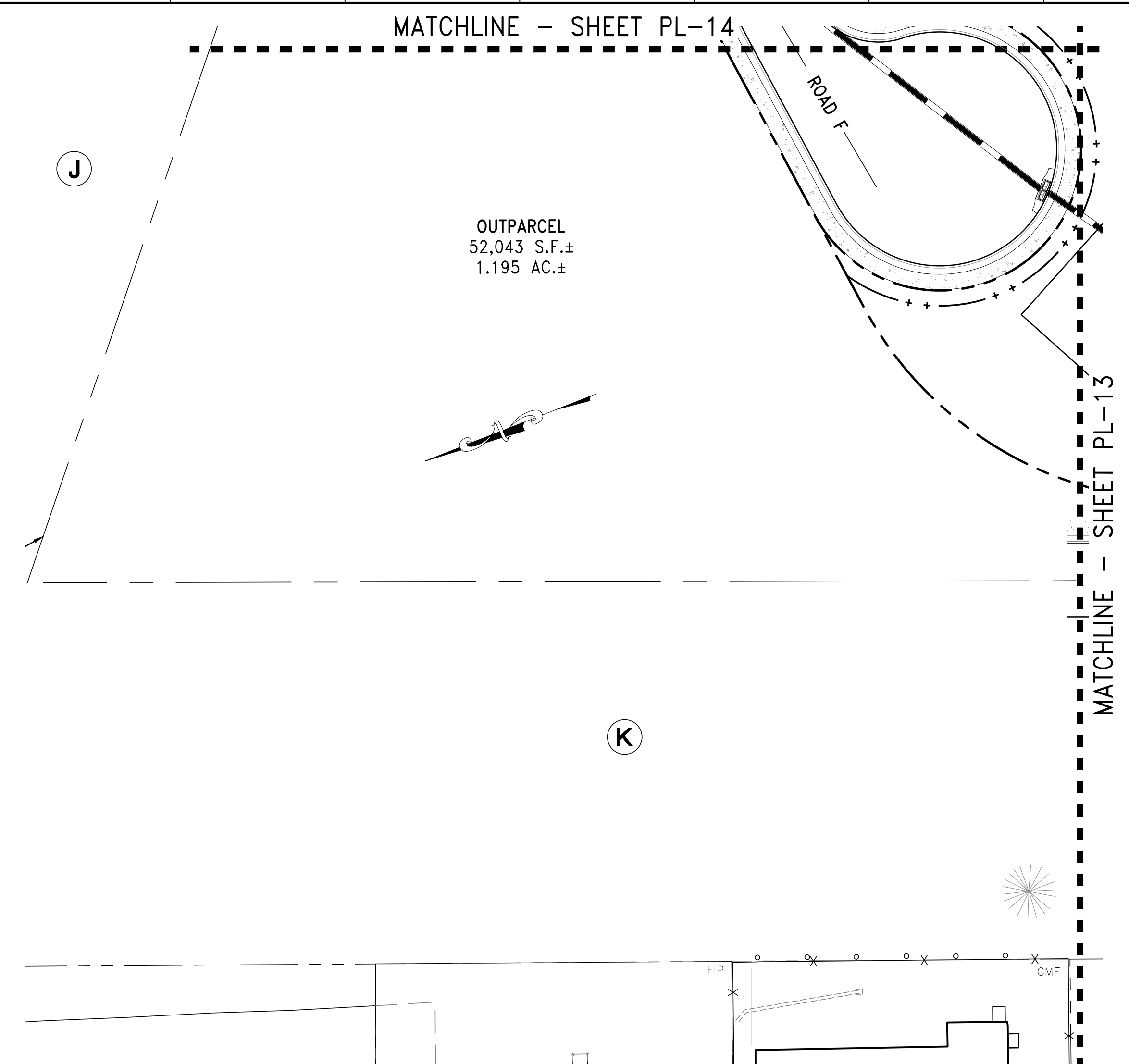
THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2021



P:\Chesapeake Realty\Zwanenbaal Farm\Plan\3808A001-PRERELEASED-UTILITY PLAN.dwg, Dec 20, 2021 - 8:56am GRED



OUTPARCEL  
52,043 S.F.±  
1.195 AC.±



OUTPARCEL  
52,043 S.F.±  
1.195 AC.±

**dbf** DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS ENGINEERS SURVEYORS  
COLUMBIA, MARYLAND (410) 653-9999  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744

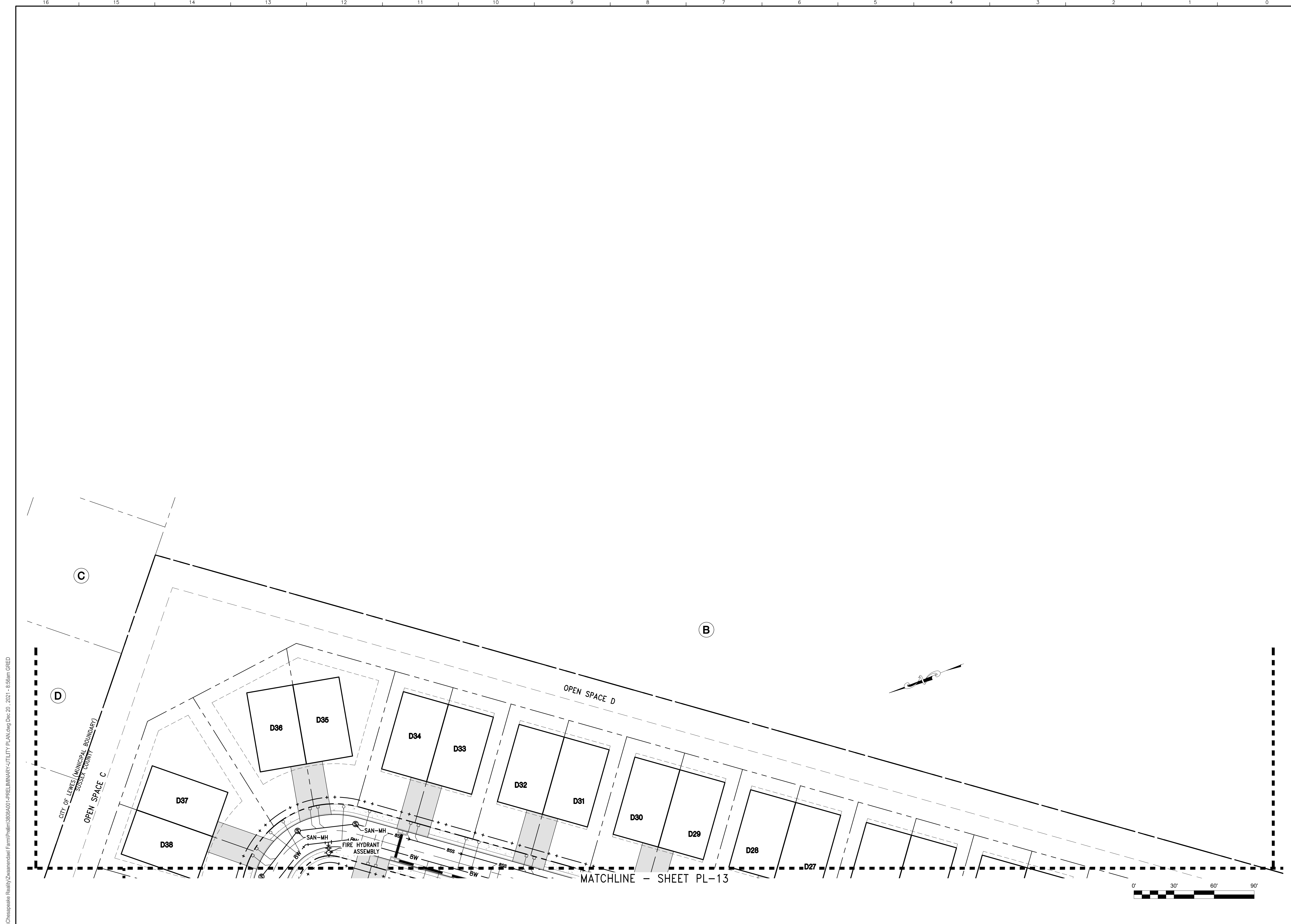
PRELIMINARY UTILITY PLAN

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	DECEMBER 2021
Scale:	1" = 30'
Dwn. By:	DEG
Proj. No.:	3808A001
Dwg. No.:	PL-14

**PL-14**



P:\Chesapeake Realty\Zwanenbaal Farm\PL-15 PRELIMINARY UTILITY PLAN.dwg, Dec 20, 2021 - 8:56am GRED

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

CALVERT, MARYLAND (410) 424-2800  
 WILMINGTON, DELAWARE (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

PRELIMINARY UTILITY PLAN

**MITCHELL FAMILY FARM**  
**KINGS HIGHWAY (SCR 268)**  
**LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

Revisions:	
Date:	DECEMBER 2021
Scale:	1" = 30'
Dwn. By:	DEG
Proj. No.:	3808A001
Dwg. No.:	<b>PL-15</b>

**J**

February 28, 2022

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, AICP, MRTPI  
Planning and Zoning Director

Re: Mitchells Corner  
Chapter 99-9C Response  
Tax Map # 3-35-8.00-37.00 (Part Of)  
DBF# 3808A001

*Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.*

Dear Chairman Wheatley and Members of the Commission,

On behalf of our client, Henlopen Properties, LLC, we are pleased to provide you with our written response to the items listed in Chapter 99-9C.

The proposed subdivision, Mitchells Corner provides a careful consideration of the following items in Sussex County Chapter 99-9C:

- 1. Integration of the proposed subdivision into the existing terrain and surrounding landscape.**
  - a. The subdivision is adjacent to Jefferson Apartments to the north, Bay Breeze to the north, and the Moorings to the east, all of which include multi-family dwellings.
  - b. The subdivision strives to minimize grading as much as possible.
  - c. The proposed subdivision is located within a transition area between residential and commercial uses.
  
- 2. Minimal use of wetlands and floodplains.**
  - a. The property does not contain wetlands.
  - b. The property is not located within the 100-year floodplain.

**3. Preservation of natural and historical features.**

- a. A wellhead protection area overlaps a small part of the site near the southwest corner of the property. The impact of the development on the wellhead protection area will be mitigated through the use of Best Management practices including, grass swales, infiltration ponds, and 48-hour wet extended detention ponds.
- b. Edward Otter, Inc. performed a review of the project and the existing farmhouse will be documented prior to its demolition and removal from the site.

**4. Preservation of open space and scenic views.**

- a. Active open space is provided in the form of gazebos, walking trails, and an active amenity area.
- b. A portion of the subdivision will front King's Highway similar to other residential units along the highway.
- c. The Developer will continue to cooperate with the Lewes Scenic By-Ways Committee for an appropriate streetscape.

**5. Minimization of tree, vegetation, and soil removal and grade changes.**

- a. There are no wooded areas on the site, trees will be added in the buffer areas and throughout the site.
- b. Grade changes will be minimized to the extent necessary to provide road construction to meet design requirements and to ensure proper lot drainage.
- c. The site will be "balanced," which will minimize the need for soil to be removed or hauled to the site.

**6. Screening of objectionable features from neighboring properties and roadways.**

- a. The site will not contain objectionable features and will provide a 20' forested buffer along the northern and eastern boundary line adjacent to the existing residential developments.

**7. Provision for water supply.**

- a. Tidewater Utilities, Inc. or Lewes Board of Public Works will supply all homes with central water and provide water for fire protection. The Owner will apply for the respective CPCN once the provider has been chosen.

**8. Provision for sewage disposal.**

- a. Sussex County Council will provide sanitary sewer conveyance and treatment for the proposed subdivision. The property is located within a Tier One area of the Unified Sanitary Sewer District.

**9. Prevention of pollution of surface and groundwater.**

- a. Best Available Technologies (BATs) will be used during the design and construction of the property.
- b. Best Management Practices (BMPs) will be used during the design and construction of the property.
- c. The site will utilize Green Technology where feasible for the project.
- d. A water climatic budget will be prepared and followed to comply with the Chapter 89 regulations for a wellhead protection area.

**10. Minimization of erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding, and design of drainage so that groundwater recharge is maximized.**

- a. The stormwater management areas will be designed to meet all local, state, and federal guidelines for sediment and nutrient removal.
- b. An Erosion and Sediment Control Plan will be developed and implemented as required by the Sussex Conservation District and DNREC. The plan will specify in detail how the project is to be constructed to limit the amount of sediment and other pollutants leaving the site during construction.

**11. Provision for safe vehicular and pedestrian movement within the site and to adjacent roadways.**

- a. The interior of the subdivision contains sidewalks on both sides of the street providing pedestrian connection throughout the site.
- b. The road design will conform to Sussex County standards and specifications and will be turned over to the property owner's association(s) for maintenance upon acceptance by the County.
- c. Street lighting will be provided for this project and designed by the electric provider.

- d. The Developer will install a multi-modal path along Kings Highway and Gills Neck Road.
- e. The Developer will dedicate 50 feet of right-of-way measured from the centerline for King's Highway. In addition, the developer will reserve an additional 30 feet of right-of-way in support of the King's Highway improvements.
- f. The Developer will dedicate 30 feet of right-of-way measured from the centerline of the road for Gills Neck Road.

**12. Effect on area property values.**

- a. Based on historical land trends in Sussex County, the property values around the proposed subdivision will increase with the development of Mitchells Corner.

**13. Preservation and conservation of farmland.**

- a. This property is in a Level 1 investment area that is designated for growth. The size and location of the parcel does not make it viable to be maintained in agricultural use as this area continues to develop.

**14. Effect on schools, public buildings, and community facilities.**

- a. The increase in tax revenue to the school district will assist in the maintenance and operations of the public school system.
- b. The project is completing interim improvements that will include extending the shared use path from the high school to Clay Road.
- c. The project, based on historic trends of residential development in the area, will most likely be occupied by retirees and/or used for second homes and thus will minimally affect the school district.

**15. Effect on area roadways and public transportation.**

- a. A Traffic Impact Study (TIS) and an addendum was prepared by the Developer and reviewed by DeIDOT. A final letter has been received by the Developer.
- b. The project will use the existing entrance off of Gills Neck Road and additional improvements are not required.
- c. A right-in / right-out entrance will be designed and installed on King's Highway to meet DeIDOT standards.

- d. The Developer will install interim improvements that will consist of the following:
  - i Add a second southbound through lane that will begin approximately 1,100 feet north of the intersection of King's Highway / Gills Neck Road and Cape Henlopen High School. The second through lane will transition to a right turn lane at the intersection of Clay Road and Kings Highway.
  - ii Install a shared-use path from Cape Henlopen High School to Clay Road.
  - iii Install a second left turn lane from Gills Neck Road onto King's Highway.
- e. The interior streets will be designed to Sussex County standards and specifications.

**16. Compatibility with other area land uses.**

- a. The subdivision conforms to the designated zoning for the property and is consistent with the surrounding land uses as mentioned above.
- b. The proposed gross density of the residential portion of the project is 6.10 dwelling units per acre of land.
- c. The density of the Jefferson Apartments is 9.75 units per acre and the density of the Moorings at Lewes is 6.42 units per acre.

**17. Effect on area waterways.**

- a. The subdivision will provide water quality treatment in accordance with the Sediment and Stormwater Regulations.
- b. The site will comply with all TMDLs and PCS's as adopted by the State.



On behalf of our client, we thank you for your review and consideration of this response. If you should have any questions or concerns, please contact me at 424-1441

Sincerely,  
*Davis, Bowen & Friedel, Inc.*



Ring W. Lardner, P.E.  
Principal

*P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2022-02-28 Final P&Z Booklet\J - MF\_Chapter 99-9C Response.docx*

cc: Jon Mayers, Henlopen Properties, LLC  
David Hutt, Morris James, LLP

**K**

December 21, 2021  
Updated: February 28, 2022

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheelleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse, Director of Planning

Re: Mitchells Corner  
Tax Parcel No: 3-35-8.00-37.00  
DBF #3808A001

Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties, LLC, we are submitting an Environmental Assessment and Public Facility Evaluation Report in accordance with §115-194.3. Coastal Area, Subparagraph B (2). We offer the following information that comprises our report:

- (a) *Proposed Drainage design and the effect on stormwater quality and quantity leaving the site, including methods for reducing the amount of phosphorous and nitrogen in the stormwater runoff and the control of any other pollutants such as petroleum hydrocarbons or metals. **The proposed improvements will meet or exceed the state regulations for quality and quantity control of stormwater. We intend to use an infiltration pond as well as other Green Technology to meet the quality and quantity requirements. The proposed site through the use of Green Technology and other Best Management Practices and Best Available Technologies will reduce the nitrogen and phosphorus loading by 40%. The project will provide pre-treatment for hydrobarbons or metals generated from automotive traffic within the site.***
- (b) *Proposed method of providing potable and, where appropriate, irrigation water and the effect on public or private water systems and groundwater, including an estimate of average and peak demands. **The proposed project is adjacent to two public water providers. The estimated average for the project is 80,000 GPD and estimated peak use of 240,000 GPD.***
- (c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on-site septic systems. **The proposed project will discharge wastewater to an existing gravity sewer manhole constructed during phase 1 that connects to the pump station within***

**the Governors development.**

- (d) *Analysis of the increase in traffic and the effect on the surrounding roadway system. A Traffic Impact Study (TIS) and an addendum was submitted to DelDOT. The Developer has received the review letter and interim improvements will be completed by the Developer.***
- (e) *The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas. There are no records of federally listed endangered or threatened species or their critical habitats listed on this site.***
- (f) *The preservation and protection from loss of any tidal or nontidal wetlands on the site. There are no wetlands on this site.***
- (g) *Provisions for open space as defined in §115-4. The proposed project incorporates active and passive open space amenities. Some passive open space amenities include ponds and associated landscape buffers. Active open space amenities include walking paths and an active amenity area.***
- (h) *A description of provisions for public and private infrastructure. The Developer will improve Kings Highway in accordance with DelDOT's rules and regulations. The Developer will also construct the water and sewer mains internally in the project that will be owned and maintained by a public utility. Besides the water and sewer system, all other internal utilities and roadways will be constructed by the Developer and privately maintained.***
- (i) *Economic, recreational, or other benefits. The proposed project will create a considerable number of jobs during construction. In addition, the project will generate transfer taxes as well as other economic impacts in the beach community. There are numerous recreational activities provided within the site. In addition, part of the proposed project includes a commercial rezoning which will provide employment opportunities.***
- (j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places. The site does not contain any historic or cultural resources that are listed on the National Register of Historic Places.***
- (k) *An affirmation that the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan. The proposed application and mitigation measures comply with the current Sussex County Comprehensive Plan.***
- (l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan. All mitigation measures, where required, have been discussed***

Mr. Jamie Whitehouse  
February 28, 2022  
Page 3

**in their respective section. All mitigation measures as well as the application are consistent with the Comprehensive Plan.**

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

A handwritten signature in cursive script, appearing to read "Ring W. Lardner".

Ring W. Lardner, P.E.  
Principal

K - Public Facilities Report.docx

Cc: David Hutt, Morris James LLP  
Henlopen Properties, LLC

L

February 28, 2022

*Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.*

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, AICP, MRTPI  
Planning and Zoning Director

Re: Mitchells Corner  
Chapter 89-6F Wellhead Protection Area Response  
Tax Map # 3-35-8.00-37.00  
DBF# 2640A002

Dear Chairman Wheatley and Members of the Commission,

On behalf of our client, Henlopen Properties, LLC, we are pleased to demonstrate that the proposed subdivision, Mitchells Corner provides a careful consideration of the following items in Sussex County Chapter 89-6F:

F. The following conditions shall apply to all areas within a wellhead protection area that falls between the edge of the safe zone and the outer boundary of the wellhead protection area:

- 1. The requirements of this chapter do not impose any limitations upon land development, provided the impervious cover of any portion of the tax parcel located within the wellhead protection area is 35% or less.**
  - a. The impervious cover of the proposed development that falls within the wellhead protection area will be greater than 35%.
- 2. Impervious cover of that portion of a tax parcel within the wellhead protection area which is greater than 35% but no more than 60% is allowed, provided the applicant demonstrates through an environmental assessment report prepared by a registered professional geologist or registered professional engineer familiar with the hydrogeologic characteristics of Sussex County and using a climatic water budget that will ensure that post-development recharge quantity will meet or exceed the existing (predevelopment) recharge quantity. Beneficial efforts to mitigate discharges to impervious surfaces shall count towards the formula used to compute post-development mitigation of any discharges.**

- a. The impervious coverage of the proposed development that falls within the wellhead protection area for this project is 44% and when combined with the existing Cape Henlopen Medical Center is 52%. A preliminary water climatic budget has been prepared identifying the amount of recharge required. The project as proposed requires additional recharge.
- 3. For all new construction where the impervious surfaces exceed 60% or where the level of post-development recharge is less than predevelopment recharge, all structures shall be required to discharge roof drains into underground recharge systems or into permeable surfaces that allow the discharges to infiltrate into the ground. Efforts to mitigate discharges to impervious surfaces shall count towards the formula used to compute post-development mitigation of any discharges.**
  - a. The project, per the preliminary water climatic budget, needs to provide an additional 64,347 gallons (2,646 roof top square footage) of annual supplemental recharge. The project has 452,580 square feet of additional rooftop to balance the deficit.
- 4. Notwithstanding provisions of § 89-6A (nonconforming uses) in Commercial, Industrial and Business Districts, including, but not limited to, Urban Business (UB), Neighborhood Business (B-1), General Commercial (C-1), Commercial Residential (CR-1), Marine, Light Industrial (LI-1), Light Industrial (LI-2), and Heavy Industrial (HI), within designated development zones where the impervious cover of property exists prior to the effective date of this chapter and the applicant desires to re-develop the property, the gross impervious cover shall be equal to or less than the original impervious cover percentage of the original site.**
  - a. This requirement does not apply to this project.
- 5. Discharge from roof drains, containment areas, or impoundments that receive runoff from an area that may contain contaminants from mechanical systems shall be disposed of using best management practices, such as grass swales.**
  - a. Best management practices will be utilized within the wellhead protection area as well as throughout the site.
- 6. Aboveground and underground storage tanks (USTs) containing petroleum or any hazardous substances listed in 40 CFR 116 in an aggregate quantity equal to or greater than a reportable quantity as defined in 40 CFR 117 shall not be permitted in a designated wellhead protection area unless such facilities meet the aboveground and underground storage tank regulations as applicable to the State of Delaware.**
  - a. The above requirement will be added to the Record plan notes for this project.



On behalf of our client, we thank you for your review and consideration of this response. If you should have any questions or concerns, please contact me at 424-1441

Sincerely,  
*Davis, Bowen & Friedel, Inc.*

A handwritten signature in black ink, appearing to read "Ring W. Lardner". The signature is written in a cursive style with a large initial "R".

Ring W. Lardner, P.E.  
Principal

L- MC\_Chapter 89-6F Response.docx

Cc: Jon Mayers, Henlopen Properties, LLC  
David Hutt, Morris James, LLP

M

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheelleton, AIA, LEED GA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

February 28, 2022

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse, AICP, MRTPI  
Planning and Zoning Director

Re: Mitchells Corner  
Response to 2021-12-05 PLUS Comments  
Tax Map # 3-35-8.00-37.00  
DBF# 3808A001

Dear Mr. Whitehouse,

On behalf of the Developer, Henlopen Properties, LLC, we are pleased to provide a written response to the PLUS comments. We offer the following in response to those comments:

**Strategies for State Policies and Spending**

- *This project is located in Investment Level 1 according to the Strategies for State Policies and Spending. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. The Office of State Planning has no objections to the rezoning of this portion of the parcel from AR-1 to MR-RPC provided it meets the requirements of the County.*
- *This is on the border of the City of Lewes, which will provide the water to this property and we encourage the owner/developer to either annex into the city or to work with the County and the City to ensure any future development complements the surrounding neighborhoods.*

**We have read the above comments and plan revisions are not required.**

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

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

- *Because the site fronts on a road that is part of the Federal-Aid Primary Road System, that is Kings Highway (US Route 9), it is subject to outdoor advertising regulations found in CFR 23 §131 and 17 Del. C. §1101-1120. Accordingly, the applicant should expect the following requirements:*
  - *No new billboards, variable message boards, or electronic changing message sign(s) anywhere on or off Kings Highway. Any such structure or fixture shall be 660 feet away, i.e., any closest byway right-of-way edge.*
  - *No off-premises advertising on the property for others within 660 feet of Kings Highway, e.g., displaying on-site the bank/financial institution funding the project or the contractor building the project.*
  - *Along Kings Highway, the applicant would not be permitted to advertise or direct information about themselves on other private property.*
- *The site access on Kings Highway (US Route 9) and Gills Neck Road (Sussex Road 267) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.*
- *Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at [https://www.deldot.gov/Business/subdivisions/pdfs/Meeting\\_Request\\_Form.pdf?08022017](https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017).*
- *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.*
- *Section 1.2 of the Manual provides DelDOT's general policy on the location of entrances, with additional, detailed criteria provided in subsequent chapters and sections. Road A, the site entrance proposed on Kings Highway, should be aligned*

*opposite the planned entrance to the Beebe Medical Center property (aka The Lodge at Historic Lewes, Tax Parcel 335-8.00-39.00). The applicant should expect the DelDOT will not permit left turns out onto Kings Highway from either the subject parcel or the Beebe Medical Center property.*

- *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. On the PLUS applications, the combined daily trips for the commercial and residential developments are estimated at 4,914 vehicle trip ends per day, respectively. Therefore, the development warrants a TIS. On October 8, 2021, DelDOT commented on TIS, and an addendum prepared for a different plan for this same site. DelDOT anticipates issuing a revised letter reflecting the changed site plan. Because the location and the access points are the same and the proposed trip generation is reduced, the applicant should expect a similar letter for the new plan*
- *As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require the dedication of right-of-way along the site's frontage on Kings Highway and Gills Neck Road. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline of Kings Highway and 30 feet of right-of-way from the physical centerline of Gills Neck Road. 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.**" These are minimum standard widths. Coordination with DelDOT's Division of Transportation Solutions will be needed regarding the specific rights-of-way needed to accommodate DelDOT's planned widening of Kings Highway.*
- *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 Kings Highway and Gills Neck 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 Kings Highway entrance and within 300 feet of the Gills Neck Road entrance.*

- *Notes identifying the type of off-site improvements, agreements (signal, letter) contributions, and when the off-site improvements are warranted.*
- *Section 3.5 of the Manual provides DelDOT's requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT maintained public road for subdivisions. If possible, an interconnection should be negotiated with Jeffkat, LLC (Tax Parcel 335-8.00-39.00) and, again if possible, through that parcel to the First Baptist Church (Tax Parcel 335-8.00-40.00) and Lane Builders (Tax Parcel 335-8.00-38.00). Doing so would have the benefits of better managing left turns along Kings Highway and affording those parcels access to Gills Neck Road. The plan presented addresses this comment.*
- *Section 3.5.4.2 of the Development Coordination Manual addresses requirements for shared-use paths and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required. DelDOT anticipates requiring a Shared Use Path (SUP) along Kings Highway and a sidewalk along Gills Neck Road. Coordination with DelDOT's Division of Transportation Solutions will be needed regarding the SUP along Kings Highway.*
- *Section 3.5.4.4 of the Manual addresses accessways, paved pathways connecting a sidewalk or path along a road frontage to an internal sidewalk or path. DelDOT anticipates requiring three accessways to the SUP on Kings Highway:*
  - *One at the end of the existing SUP to serve the existing and proposed commercial building and provide a connection to the bus stop there. As an aside, the developer should anticipate a requirement from Delaware Transit Corporation to provide curbing at that stop.*
  - *One to the front of the townhouses that would adjoin the proposed commercial building.*
  - *One to the townhouses closest to the proposed entrance on Kings Highway to serve an anticipated bus stop at that location. DelDOT will defer to Delaware Transit Corporation regarding their requirements for the design of the bus stop.*
- *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 Kings Highway and Gills Neck 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 5.14 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.*

**We have read all of the above comments. The TIS is complete and we have received the final letter from the Department. All other comments will be incorporated into the entrance plans and/or record plans at the appropriate time in the land use process.**

**Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480**  
**Concerns Identified Within the Development Footprint**

***Stormwater Management***

*This application proposes greater than 5000 square feet of land-disturbing activities, therefore, this project will be subject to Delaware’s Sediment and Stormwater Regulations.*

- *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. For this project, the plan review agency is the Sussex Conservation District.*
- *Additionally, to address federal requirements, 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.delaware.gov/enoi/>, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.*
- *Schedule a project application meeting with the appropriate plan review 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: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

We have read the above comments and will meet the DNREC regulations and will coordinate with the Sussex Conservation District at the appropriate time.

### **Wellhead Protection Area**

*A Wellhead Protection Area is located on the southwest portion of the site. Wellhead Protection Areas are the surface and subsurface areas surrounding a water well, or a public water supply wellfield. Contaminants leaching into the soil have the potential to reach the water supplies in these areas.*

- *The applicant must comply with all county and municipal codes that affect public drinking water supply Wellhead Protection Areas.*

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.

Website: <https://dnrec.alpha.delaware.gov/water/supply/ground-water-protection/>

The project will comply with Sussex County Chapter 89 regarding development within a wellhead protection area.

### **Wastewater permits – Large Systems**

*Sussex County holds existing permits with the DNREC Groundwater Discharges Section’s Large Systems Branch for wastewater disposal.*

- *If additional flows to Sussex County’s system will require capacity updates, it is the responsibility of the permittee (Sussex County) to notify the Large Systems Branch.*

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

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

The project will not require a capacity update as the flows were already accounted for in the previous update.

### **Nutrient Management Plan**

*This project proposes open space. According to the application, the exact acreage of open space is yet to be determined.*

- *A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.*

Contact: Delaware Department of Agriculture’s Nutrient Management Program at (302)

698-4558. Website: <https://agriculture.delaware.gov/nutrient-management/>

The project does include open space and a nutrient management plan will be prepared if nutrients



are applied.

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

- *There is a known archaeological site S00799 on the southern part of the parcel.*
- *There is high potential for both prehistoric and historic archaeological resources on this parcel. There is a known prehistoric site on the parcel (S00799) near the intersection of Kings Highway and Gills Neck Road. The parcel is near the Ebenezer Branch, a tributary of Canary Creek. Soils on the parcel are well drained. There is high potential for prehistoric and early historic resources to be affected by the proposed undertaking due to the known site on the parcel, the concentration of sites in the area, and favorable environmental conditions.*
- *There are also high potential historic archaeological resources will be impacted by the proposed undertaking due to known historic structures on the parcel. Historic aerials and topographic maps show two historic dwellings at the northwest corner of the parcel, along Kings Highway. One of the dwellings has been moved by the owner since the prior review of the project in 2019. The Delaware SHPO recommends an archaeological survey prior to any ground disturbance.*
- *If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).*
- *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)*

The Developer has hired Edwater Otter, Inc. to assist with the above comments and will coordinate with SHPO as needed.

**Delaware State Fire Marshall's Office – Contact John Rudd 323-5365**

*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:**

- *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 foot spacing on center.*

- *Where a water distribution system is proposed for townhouse type dwelling sites, the infrastructure for fire protection water shall be provided, including the size of water mains.*

*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*

*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 Gills Neck Road 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.*
- *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”*

- *Proposed Use*
- *Square footage of each structure (Total of all Floors)*
- *National Fire Protection Association (NFPA) Construction Type*
- *Maximum Height of Buildings (including number of stories)*
- *Name of Water Provider*
- *Letter from Water Provider approving the system layout*
- *Townhouse 2-hr separation wall details shall be shown on site plans*
- *Provide Road Names, even for County Roads.*

**We have read all of the Fire Marshal comments and will comply with all requirements of the Fire Prevention Regulations.**

### **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 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**

- *Because both of the roads on which the site fronts are part of the Historic Lewes Byway, the applicant should expect the following requirements:*
  - *Byways signs may be required along both roads as part of the plan review process.*
  - *There is an adopted Kings Highway and Gills Neck Road Master Plan for future roadway and right-of-way improvements. This plan can be viewed at [https://www.delDOT.gov/Programs/byways/pdfs/lewes\\_cmp/KHGN\\_MasterPlan\\_092616finalrx.pdf](https://www.delDOT.gov/Programs/byways/pdfs/lewes_cmp/KHGN_MasterPlan_092616finalrx.pdf). The Master Plan was undertaken in consideration of implementation with DelDOT, the Historic Lewes Byway Committee, City of Lewes, Sussex County, and other key stakeholders.*
  - *Improvements to Kings Highway, from Dartmouth Drive to Freeman Highway, to be designed and built consistent with that Master Plan, are funded in DelDOT's*

*Capital Transportation Program for Fiscal Years 2021 through 2026 for Preliminary Engineering in Fiscal Years 2022 and 2023, Right-of-Way Acquisition in Fiscal Years 2024 and 2025 and Construction beginning in Fiscal Year 2026. Depending on the project schedule, the applicant may be required to undertake part of the Master Plan construction and/or reserve greater or additional rights-of-way.*

- *A typical cross section for future roadway and right-of-way improvements in consideration of context sensitive design solutions for Byway Transportation Corridors has been conceptually recommended for future implementation. The applicant has already coordinated with DelDOT on how to best achieve this cross section as well as any private landscaping, screening, and the provisions of multi-modal elements (sidewalk or shared use path). It appears that early coordination and land dedication provisions have been considered or are illustrated on the current PLUS submission. Adjustments may be needed when detailed plans are submitted.*
- *Landscaping or landscaping buffers and/or vegetation screening is strongly encouraged with the project along both Kings Highway and Gills Neck Road. DelDOT has a suggested list of native and low maintenance vegetation plantings and will require its use for plantings in the right-of-way. Landscaping efforts undertaken or partially undertaken in State right of way will require written agreements with DelDOT regarding maintenance responsibility.*
- *The applicant may be asked to work with or provide updates to the Lewes Byway Committee and per implementation of the Master Plan and byways coordination. The applicant may contact the Byways Chair, Ms. Mary Roth at [mroth@delawaregreenways.org](mailto:mroth@delawaregreenways.org) or (302) 545-2881.*
- *The plan presented does not provide for a hierarchy of streets internal to the site. Distinguishing better between minor and collector streets would assist visitors in finding their way through the site.*
- *The proposed outparcel has a slightly different acreage from that shown on the plan presented by Jeff-Kat, LLC. DelDOT understands that this difference has since been resolved. DelDOT further understands that the rectangular structure shown on the outparcel has been removed. If it is added back, DelDOT would recommend labeling it with regard to its use.*

- *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 Kings Highway or Gills Neck 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 16, 2021. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>*

**We have read all of DelDOT's comments and are familiar with the various submission requirements and by-ways. The Developer has met with members of the Lewes By-Way Committee to prepare a streetscape along Kings Highway.**

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

- *Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bio-retention (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.*

*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: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>*

**Drainage**

- *All existing drainage 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 (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section 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 stormwater.*

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

Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

**The project will utilize infiltration practices as the primary means of stormwater management.**

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

- *This site lies within the Broadkill River Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.*
- *Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.*
- *Reduce stormwater runoff by integrating infiltration basins, bio-retention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.*
- *Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.*

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. <https://dnrec.alpha.delaware.gov/watershed-stewardship/>

**The project will utilize infiltration practices as the primary means of stormwater management.**

### ***Wastewater Disposal Systems – Small Systems***

- *An expired permit (permit # 219598) exists for this site in the Small System Branch database.*
- *Contact the DNREC Groundwater Discharges Section to properly abandon this system.*

Contact: DNREC Groundwater Discharges Section at (302) 856-4561

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

**We thank the section for this information and will coordinate with the land owner.**

### ***Additional Sustainable Practices***

- *Build garages and parking spaces to be “EV-ready.” Many manufacturers have pledged to sell only electric vehicles in the next 10-15 years. Installing a 240-volt outlet in one or two locations in a garage will enable a resident to easily (and cheaply) install a level 2 electric vehicle charger. This will increasingly be a selling point for homes.*
- *Offer the option to install solar or geothermal systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. For community facilities such as the proposed community center, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state’s major electric utilities (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).*
- *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. Energy-efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.*
- *Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.*
- *Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.*

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.  
Website: <https://dnrec.alpha.delaware.gov/climate-coastal-energy/>

The above information will be shared with perspective homebuilders and EV stations will be incorporated into the commercial parcel.

### **Delaware State Fire Marshall’s Office – Contact John Rudd 323-5365**

- *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 an 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.*

**We have read the above comments and will coordinate with a Fire Protection Specialist as needed.**

**State Housing Authority – Contact: Karen Horton 739-4263**

- *DSHA strongly supports the proposal to rezone 52 acres on the corner of Kings Highway and Gills Neck Road from AR-1 (Agriculture-Residential) to MR-RPC (Medium Density Residential, Residential Planned Community) and C-3 (Commercial) in anticipation of a 267-unit residential subdivision. While the rezoning will result in a relatively low density of 6 units per acre, duplexes and townhomes are often more affordable to the many county residents who work in the coastal resort economy.*
- *This site is also located within a DSHA-defined “Area of Opportunity” which are strong, high-value markets, with close job proximity and economic opportunity, high-performing schools, amenities, and supportive infrastructure that help households succeed. Unfortunately, these same areas contain little affordable housing. The need for housing affordable, particularly in the coastal resort area, is acute and well documented. For well over 10 years, the gap between the highest earners and the average wage group has grown. Compounded with wages not increasing proportionally to housing costs, many residents were already experiencing housing insecurity by the beginning of 2020. The onset of the COVID pandemic then exposed the inequity of those hardest hit, increased the number of residents experiencing housing insecurity, and placed those already struggling into dire housing circumstances.*
- *It is important to note that developing this parcel in recent years has been challenging due to community opposition, lawsuits, and internal battles within the adjacent City of Lewes and its Board of Public Works. Community opposition has been particularly aggressive in the Lewes-Rehoboth area which has often delayed the availability of more affordable housing options or prevented them from being built altogether – which has exacerbated the housing insecurity experienced by so many county households. Approving this rezoning application will permit residents to affordably live close to their jobs, gain access to the resources and*



*benefits this area provides, and begin to mitigate the housing insecurity experienced by so many county residents.*

**We thank the State Housing Authority for their support.**

**Delaware Emergency Management Agency – Contact Philip Cane 659-2325**

- *The parcel is located within an area of minimal flood concern (1000 year or greater); however, this is expected to increase over the next 30 years. First Street Foundation rates the community risk level of 3, which suggests a major risk from flooding, combining risks associated between residential properties, commercial properties, critical infrastructure facilities, social infrastructure facilities and roads, between now and the next 30 years.*


*The county has a population density of 265.20 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile. The specific census block has a total population of 57 people, though with development, this will certainly change. Adjacent blocks brings the area to a total population of 1837, primarily adults.*

*The parcel is located within the County's evacuation zone D; directly across the street from Zones A & B. According to FEMA's National Risk Index, the parcel is considered relatively moderate for natural hazards with its community resilience also at relatively moderate. It's social vulnerability however, is currently rated as relatively high. In terms of energy use and consumption, the region utilizes electricity as the predominant fuel type, with liquid propane coming in second. As such, the parcel has a photovoltaic power potential of 1508 kWh per kWp. DEMA strongly encourages the use of renewable energies and high efficiency appliances and utilities. As such, should solar panels be utilized, DEMA recommends an optimum tilt of the photovoltaic modules to be at approximately 35 degrees. In terms of utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems, the closer to 99% the better as well as A/C units of 20 Seer or greater. DEMA recommends using tankless hot water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure. Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roof where applicable and allowable, and the like.*

**We thank DEMA for their comments.**

If you have any questions or need additional information, please contact me at (302) 424-1441 or via email at [rw1@dbfinc.com](mailto:rw1@dbfinc.com).

Sincerely,  
DAVIS, BOWEN & FRIEDEL, INC.

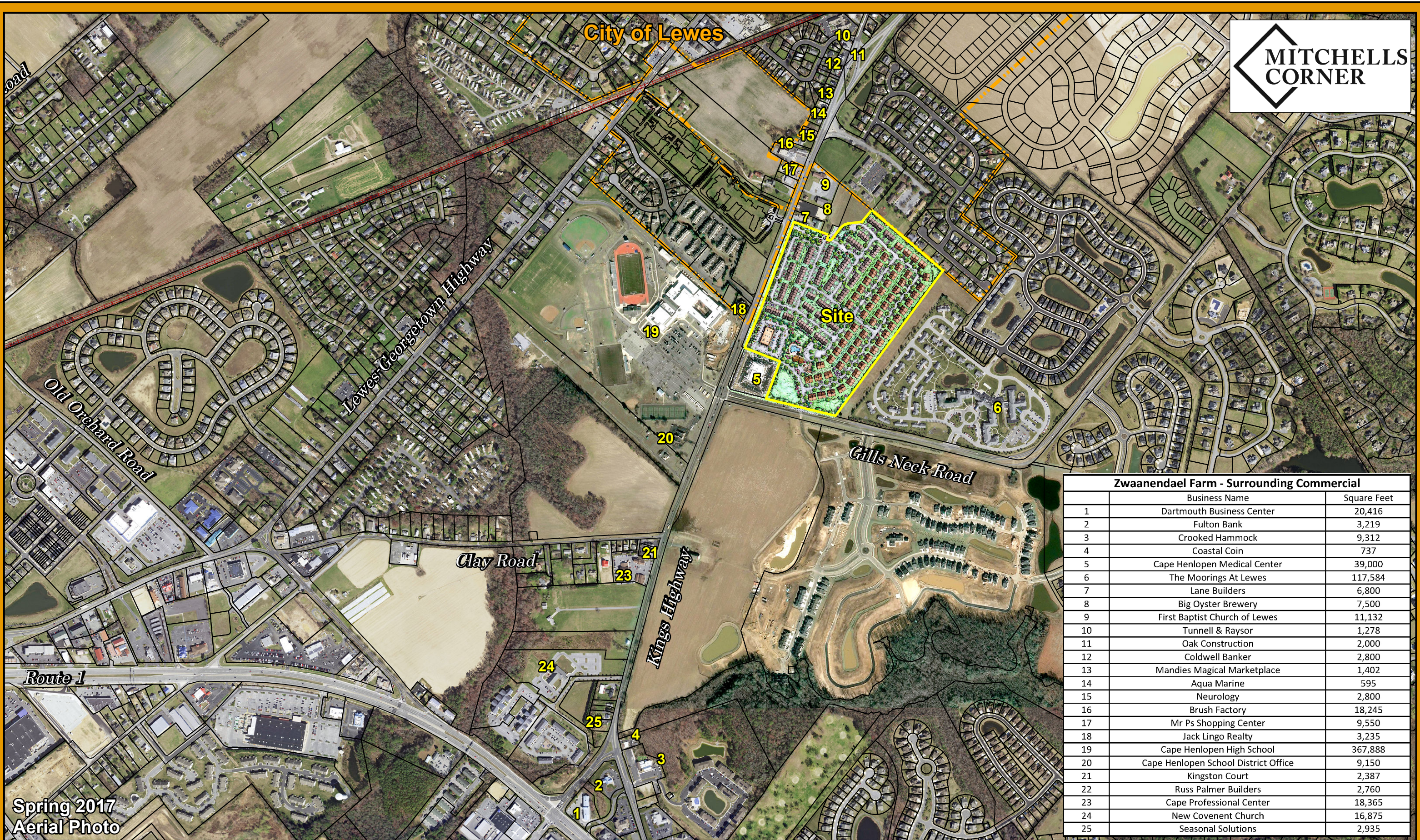
A handwritten signature in black ink, appearing to read "Ring W. Lardner". The signature is cursive and somewhat stylized.

Ring W. Lardner, P.E.  
Principal

M - MC\_PLUS Response\_2021-12-05.docx

CC: Jon Mayers, Henlopen Properties, LLC  
David Hutt, Morris James LLP  
David Edgell, Office of State Planning

**N**



Zwaanendael Farm - Surrounding Commercial		
	Business Name	Square Feet
1	Dartmouth Business Center	20,416
2	Fulton Bank	3,219
3	Crooked Hammock	9,312
4	Coastal Coin	737
5	Cape Henlopen Medical Center	39,000
6	The Moorings At Lewes	117,584
7	Lane Builders	6,800
8	Big Oyster Brewery	7,500
9	First Baptist Church of Lewes	11,132
10	Tunnell & Raysor	1,278
11	Oak Construction	2,000
12	Coldwell Banker	2,800
13	Mandies Magical Marketplace	1,402
14	Aqua Marine	595
15	Neurology	2,800
16	Brush Factory	18,245
17	Mr Ps Shopping Center	9,550
18	Jack Lingo Realty	3,235
19	Cape Henlopen High School	367,888
20	Cape Henlopen School District Office	9,150
21	Kingston Court	2,387
22	Russ Palmer Builders	2,760
23	Cape Professional Center	18,365
24	New Covenant Church	16,875
25	Seasonal Solutions	2,935

Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County



February 2022

## Surrounding Commercial

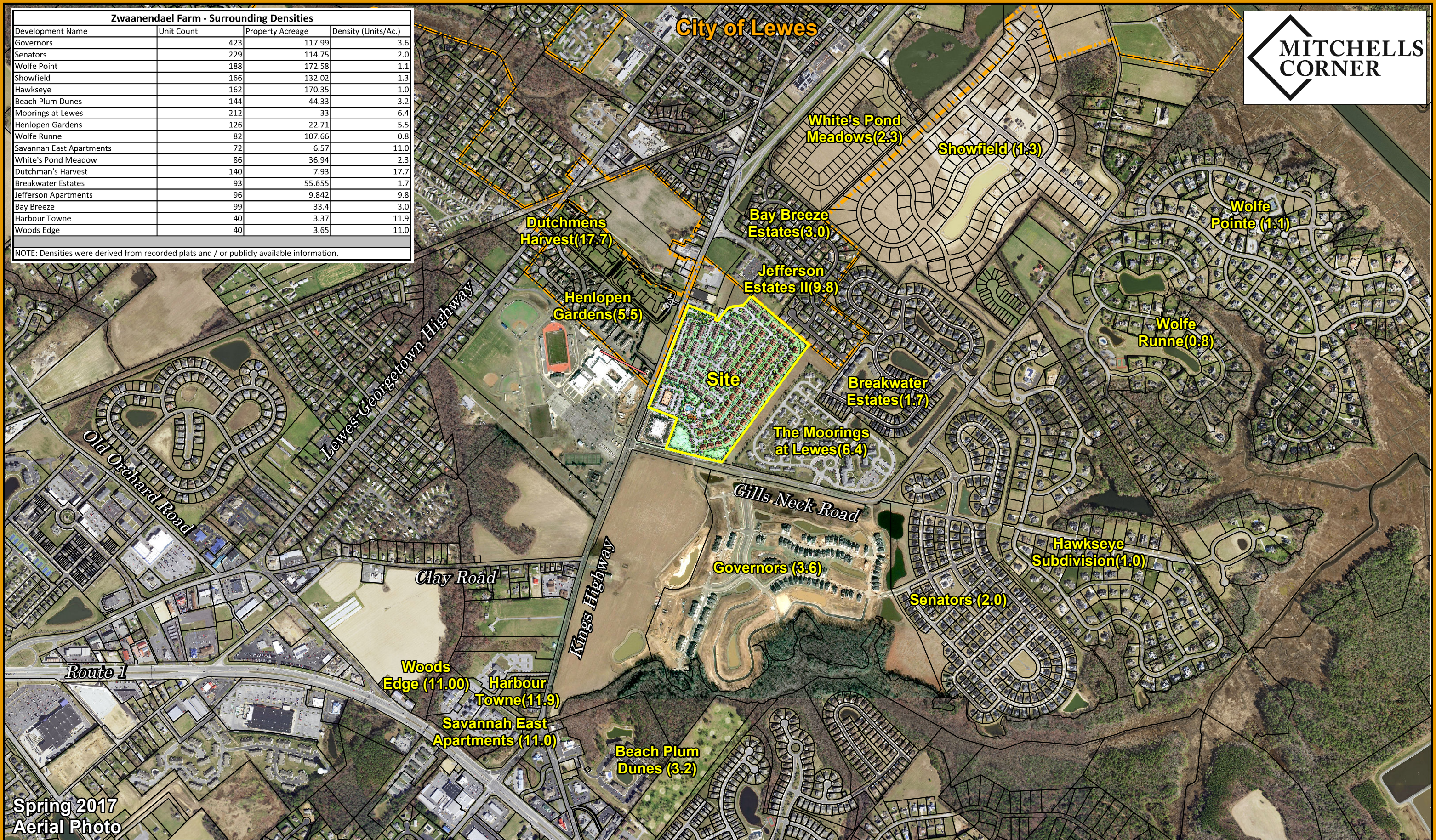
### Mitchells Corner

Sussex County, Delaware



Zwaanendael Farm - Surrounding Densities			
Development Name	Unit Count	Property Acreage	Density (Units/Ac.)
Governors	423	117.99	3.6
Senators	229	114.75	2.0
Wolfe Point	188	172.58	1.1
Showfield	166	132.02	1.3
Hawkseye	162	170.35	1.0
Beach Plum Dunes	144	44.33	3.2
Moorings at Lewes	212	33	6.4
Henlopen Gardens	126	22.71	5.5
Wolfe Runne	82	107.66	0.8
Savannah East Apartments	72	6.57	11.0
White's Pond Meadow	86	36.94	2.3
Dutchman's Harvest	140	7.93	17.7
Breakwater Estates	93	55.655	1.7
Jefferson Apartments	96	9.842	9.8
Bay Breeze	99	33.4	3.0
Harbour Towne	40	3.37	11.9
Woods Edge	40	3.65	11.0

NOTE: Densities were derived from recorded plats and / or publicly available information.

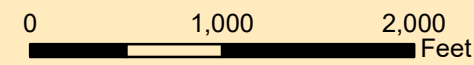


Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County



**Surrounding Densities Map**  
Mitchells Corner  
Sussex County, Delaware



0

February 28, 2022

Sussex County Administrative Building  
Planning and Zoning Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

Attn: Mr. Jamie Whitehouse  
Director of Planning

Re: **Mitchells Corner**  
**Major Subdivision Landscape Buffer Waiver**  
Tax Parcel No: 3-35-8.00-37.00  
DBF #3808A001

*Michael R. Wigley, AIA, LEED AP*  
*W. Zachary Crouch, P.E.*  
*Michael E. Wheelleton, AIA*  
*Jason P. Loar, P.E.*  
*Ring W. Lardner, P.E.*  
*Jamie L. Sechler, P.E.*

Dear Mr. Whitehouse,

On behalf of our client, Henlopen Properties LLC, we respectfully request a landscape buffer waiver for areas of the subdivision boundary that are adjacent to the Big Oyster Brewery, Proposed Commercial Lot, Cape Henlopen Medical Center, and road frontages. A buffer will be provided for areas of the subdivision that are adjacent to Jefferson Apartments, Bay Breeze, and The Moorings at Lewes.

If you have any questions or require additional information, please do not hesitate to contact me at (302) 424-1441, or via e-mail at [rwf@dbfinc.com](mailto:rwf@dbfinc.com).

Sincerely,  
*DAVIS, BOWEN & FRIEDEL, INC.*



Ring W. Lardner, P.E.  
Principal

P:\Chesapeake Reality\Zwaanendael Farm\Documents\P&Z\2022-02-28 Final P&Z Booklet\O - MC\_ Buffer Waiver.docx

CC: Jon Mayers, Henlopen Properties, LLC  
David Hutt, Morris James LLP

P





January 31, 2019

Mr. Robert Mitchell  
c/o Davis, Bowen, & Friedel, Inc.  
1 Park Avenue  
Milford, DE 19963

**RE: Zwaanendael Farm Phase 1**

Dear Mitchell:

A Sediment and Stormwater Management Plan has been reviewed for compliance with the Sediment and Stormwater Regulations and is approved with conditions (see attached). Enclosed herein please find a copy of the approved application form and approved plan sets. Please retain a copy for your use, and provide the contractor with a copy to be retained onsite at all times. Failure to keep an approved plan onsite is a violation of the approved plan.

Approval of a Sediment and Stormwater Plan does not grant or imply a right to discharge stormwater runoff. The owner/developer is responsible for acquiring any and all agreements, easements, etc., necessary to comply with State drainage and other applicable laws.

This plan approval pertains to compliance with the *Delaware Sediment and Stormwater Regulations*. Please understand that the approval of this plan does not relieve you from complying with any and all federal, state, county, or municipal laws and regulations.

As of January 1, 2014, the Sussex Conservation District began collecting financial guarantees to ensure the construction of stormwater management practices is accomplished in accordance with the approved sediment and stormwater plan. Please refer to the SCD Policy on Bonds located on our website at [Sussexconservation.org](http://Sussexconservation.org). If you have any questions concerning the aforementioned, please do not hesitate to call 302 856-7219.

Sincerely,

*Jessica Watson*

Jessica Watson  
Program Manager

JW/jmg

cc: Janelle Cornwell

## CONDITIONS OF APPROVAL

### NOTIFICATION

1. This approved plan will remain valid for 5 years from the date of this approval. If construction does not begin within three years, the approved plan will be considered to have expired, and must be resubmitted to the District for a new review. In addition, if work is not completed within the five-year timeframe, the District must be contacted and a request for an extension submitted. Depending on regulation changes, a new plan may need to be submitted to ensure that all stormwater management facilities are constructed to the most recent standards.
2. Submittal of the Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activities together with this approval of the detailed Sediment and Stormwater Plan provide this project with Federal permit coverage to be authorized to discharge storm water associated with construction activities. It is the owner's responsibility to ensure that permit coverage remains valid throughout construction by submitting the NOI fee annually as requested. The developer is responsible for weekly self-inspection reporting to be retained onsite.
3. Notify the Sussex Conservation District Sediment and Stormwater Management Section of your intent to begin construction in writing five (5) days prior to commencing. Failure to do so constitutes a violation of the approved plan.

### CHANGES

4. This project is to be undertaken in accordance with the plans submitted and as approved. If changes are necessary at any time during the completion of the project, submit revised plans, prior to further construction, to the Sussex Conservation District Sediment and Stormwater Program for review and approval of the revision.
5. Should ownership change during the construction period, a revised plan must be submitted for approval showing the new owner's signature on the owner's certification. In addition, a Transfer of Authorization form must be submitted to DNREC to transfer Federal permit coverage to the new owner.

### CONSTRUCTION AND CLOSEOUT

6. A pre-construction meeting must take place before any land disturbing activity begins. The meeting may take place on site and be attended by the owner, contractor, design consultant, Certified Construction Reviewer and Sussex Conservation District Sediment and Stormwater Program Construction Reviewer. The owner or the owner's designee shall contact the Sussex Conservation Construction Reviewer to schedule the pre-construction meeting.
7. Keep available onsite, during all phases of construction, a copy of the approved Sediment and Stormwater Management Plan.
8. Keep available onsite, during all phases of construction, copies of the Developers weekly self-inspection reports and/or the CCR Reports.
9. Any sediment transported off-site to roads or road rights-of-way including ditches shall be removed. Any damage to ditches shall be repaired and stabilized to original condition.
10. Grading shall not impair surface drainage, create an erosion hazard, or create a source of sediment to any adjacent watercourse or property owner.
11. Failure to implement the permanent stormwater management practices as mentioned herein constitutes a violation of the conditions of this plan approval; it may result in the suspension or revocation of building permits or grading permits issued by the local jurisdiction; and it may result in legal action by the DNREC to bring the site into compliance with the approved Sediment and Stormwater Management Plan and the *Delaware Sediment and Stormwater Regulations*.
12. The permanent stormwater management facility or facilities must be constructed and accepted by the Sussex Conservation District Sediment and Stormwater Program prior to final closeout of the project site. Post construction verification documentation of the stormwater management facility or facilities must be completed as soon as construction of the facility or facilities is complete so that any necessary modifications may be made during the construction period.

# Zwaanendael-Farm-POST

Prepared by Microsoft

HydroCAD® 10.00-14 s/n 02647 © 2015 HydroCAD Software Solutions LLC

Type II 24-hr RPv Rainfall=2.70", Ia/S=0.05

Printed 11/27/2018

Page 4

## Summary for Subcatchment 1S:

Commercial Lots 1, 2, 3, p/o 4, 7 & 8  
 Future Single Family and Townhouse areas along SE boundary line and between Pond 1 and 2  
 Off-site cultivated land along SE boundary  
 DelDOT ROW along Gills Neck Road (DA 3S and 4S are included in the area but are separated out for H&H calcs)

Runoff = 47.97 cfs @ 12.09 hrs, Volume= 4.729 af, Depth= 1.80"

Runoff by SCS TR-20 method, UH=Delmarva, Weighted-CN, Time Span= 0.00-72.00 hrs, dt= 0.05 hrs  
Type II 24-hr RPv Rainfall=2.70", Ia/S=0.05

Area (ac)	CN	Description
15.702	92	Urban commercial, 85% imp, HSG B
1.959	98	Water Surface, HSG B
10.641	85	1/8 acre lots, 65% imp, HSG B
* 0.548	98	Paved roads (DD-ROW)
* 0.299	61	>75% Grass cover, Good, HSG B (DD-ROW)
2.439	78	Row crops, straight row, Good, HSG B
<b>31.588</b>	<b>89</b>	Weighted Average
8.818		27.91% Pervious Area
22.770		72.09% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
12.3	72	0.0140	0.10		<b>Sheet Flow,</b> Grass: Dense n= 0.240 P2= 3.40"
2.6	225	0.0050	1.44		<b>Shallow Concentrated Flow,</b> Paved Kv= 20.3 fps
14.9	297	Total			

## Summary for Subcatchment 2S:

Commercial Lots p/o 4, 5 & 6  
 Residential single family and townhouses  
 Off-site cultivated land along the eastern boundary  
 1/4 acre lots from Bay Breeze

Runoff = 28.87 cfs @ 12.15 hrs, Volume= 3.479 af, Depth= 1.67"

Runoff by SCS TR-20 method, UH=Delmarva, Weighted-CN, Time Span= 0.00-72.00 hrs, dt= 0.05 hrs  
Type II 24-hr RPv Rainfall=2.70", Ia/S=0.05

**Zwaanendael-Farm-POST**Type II 24-hr R<sub>Pv</sub> Rainfall=2.70", I<sub>a</sub>/S=0.05

Prepared by Microsoft

Printed 11/27/2018

HydroCAD® 10.00-14 s/n 02647 © 2015 HydroCAD Software Solutions LLC

Page 5

Area (ac)	CN	Description
3.610	92	Urban commercial, 85% imp, HSG B
0.167	89	Urban commercial, 85% imp, HSG A
3.558	98	Water Surface, HSG B
15.301	85	1/8 acre lots, 65% imp, HSG B
1.645	78	Row crops, straight row, Good, HSG B
0.671	75	1/4 acre lots, 38% imp, HSG B
<b>24.952</b>	<b>87</b>	Weighted Average
7.983		31.99% Pervious Area
16.969		68.01% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
18.3	100	0.0050	0.09		<b>Sheet Flow,</b> Cultivated: Residue>20% n= 0.170 P2= 3.40"
2.1	244	0.0150	1.97		<b>Shallow Concentrated Flow,</b> Unpaved K <sub>v</sub> = 16.1 fps
20.4	344	Total			

**Summary for Subcatchment 3S: GILLS STA. 3+00 - 7+00 LEFT**

Included in area for DA-1S but separated out for DeIDOT H&amp;H calcs

[49] Hint: T<sub>c</sub><2dt may require smaller dt

Runoff = 0.92 cfs @ 11.98 hrs, Volume= 0.054 af, Depth= 1.40"

Runoff by SCS TR-20 method, UH=Delmarva, Weighted-CN, Time Span= 0.00-72.00 hrs, dt= 0.05 hrs  
Type II 24-hr R<sub>Pv</sub> Rainfall=2.70", I<sub>a</sub>/S=0.05

Area (ac)	CN	Description
0.197	61	>75% Grass cover, Good, HSG B
* 0.220	98	Gills Neck Road
* 0.047	98	Sidewalk
0.464	82	Weighted Average
0.197		42.46% Pervious Area
0.267		57.54% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					<b>Direct Entry,</b>

**Summary for Subcatchment 4S: GILLS STA. 8+00 - 10+50 LEFT**

Included in area for DA-1S but separated out for DeIDOT H&amp;H calcs

[49] Hint: T<sub>c</sub><2dt may require smaller dt

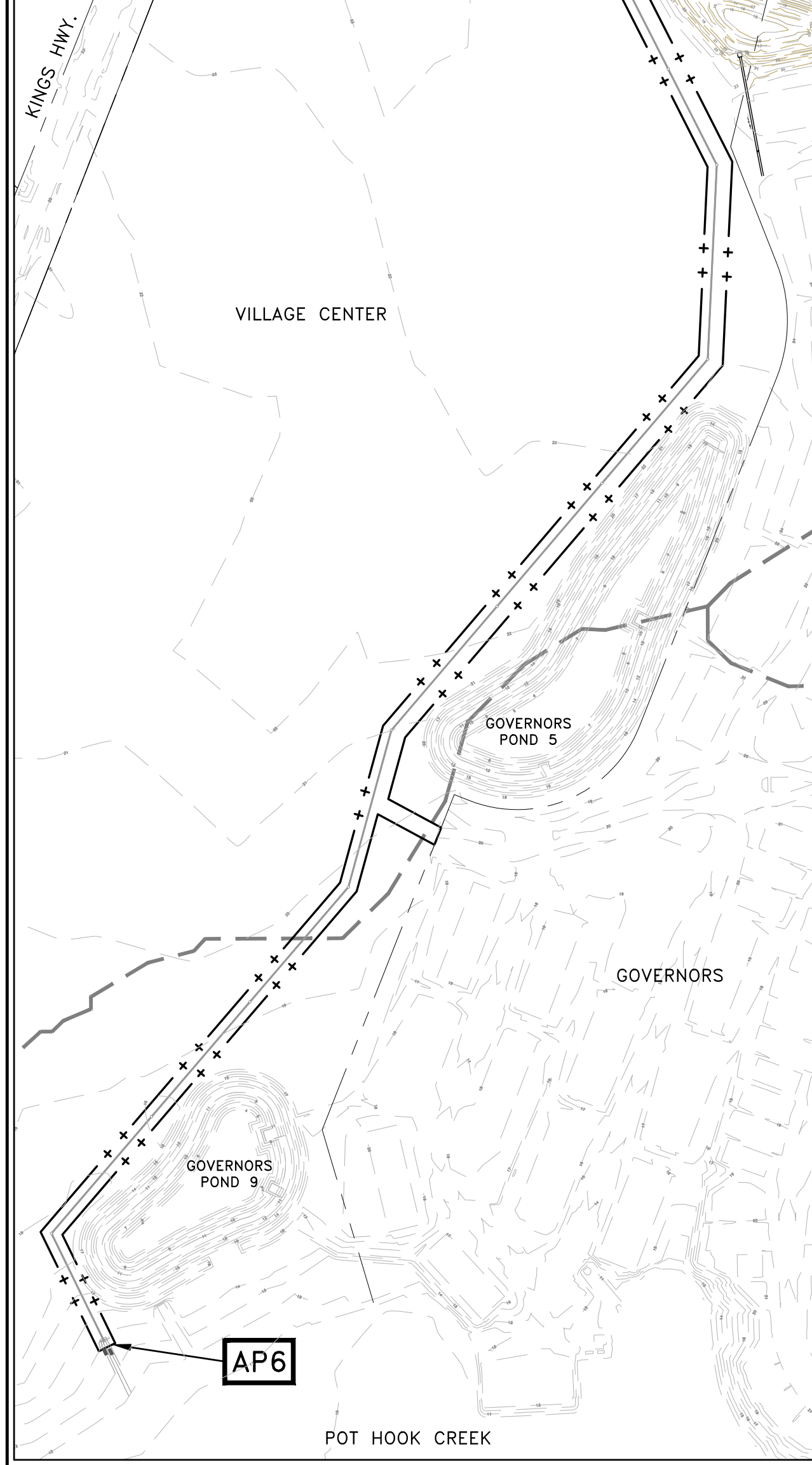
Runoff = 0.51 cfs @ 11.98 hrs, Volume= 0.030 af, Depth= 1.45"

SOIL SURVEY LEGEND		
SYMBOL	DESCRIPTION	HSG
<i>EvB</i>	EVESBORO LOAMY SAND, 0 TO 5 PERCENT SLOPES	A
<i>GrA</i>	GREENWICH LOAM, 0 TO 2 PERCENT SLOPES	B

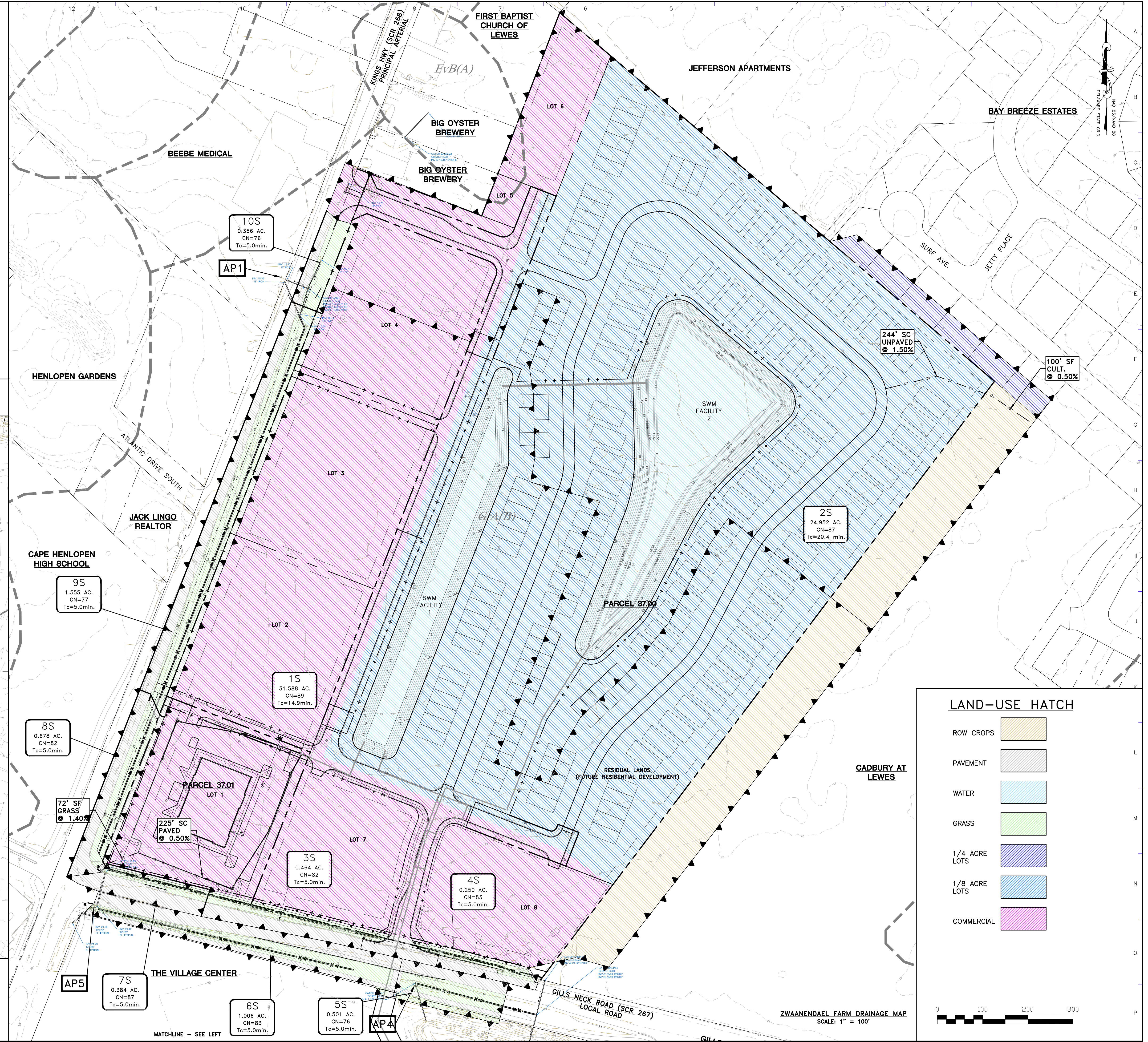
**LEGEND**

- DRAINAGE BOUNDARY & LABEL
- EXISTING CONTOUR & ELEVATION
- EXISTING LIDAR CONTOUR
- SOIL BOUNDARY & TYPE
- ANALYSIS POINT
- TC PATH
- Tc LABEL
- 100'SF  
CR>20%  
0.19%

MATCHLINE - SEE RIGHT



POND OUTFALL PIPE TO POT HOOK CREEK (ANALYSIS POINT 2)  
SCALE: 1" = 200'



**LAND-USE HATCH**

- ROW CROPS
- PAVEMENT
- WATER
- GRASS
- 1/4 ACRE LOTS
- 1/8 ACRE LOTS
- COMMERCIAL



ZWAANENDAEL FARM DRAINAGE MAP  
SCALE: 1" = 100'

P:\Mitchell Family Ltd Partnership\Mitchell Farm\DESIGN\SSM\2460A001-POST.dwg Nov 19, 2018 - 1:38pm munc

**DAVIS, BOWEN & FRIEDEL, INC.** ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET, SUITE 200  
 WILMINGTON, DELAWARE 19801  
 (302) 422-1441  
 (410) 770-4744

**ZWAANENDAEL FARM  
LEWES & REHOBOTH HUNDRED  
SUSSEX COUNTY, DELAWARE**

Revisions:  
 2018-10-12 SCD  
 2018-11-19 SCD

Date: AUGUST, 2018  
 Scale: AS NOTED  
 Dwn.By: CDM  
 Proj.No.: 2460A001  
 Dwg.No.:

**SWM-02**

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2018

Q



**Revised February 28, 2022**

October 7, 2021

Mr. Claudy Joinville  
Project Engineer  
Development Coordination  
DelDOT Division of Planning  
800 Bay Road  
P O Box 778  
Dover, DE 19903

RE: Agreement No. 1945F  
Project Number T202069012  
Traffic Impact Study Services  
**Task 4A-Mitchell Farm (Zwaanendael Farm)**

Dear Mr. Joinville:

In October 2021, Johnson, Mirmiran and Thompson (JMT) completed the review of the Traffic Impact Study (TIS) for Mitchell Farm (Zwaanendael Farm), prepared by Davis, Bowen & Friedel, Inc. dated November 2019 and the TIS Addendum prepared by Davis, Bowen & Friedel, Inc. dated April 2020. The task was assigned as Task Number 4A and the report was prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

Since that review, the developer has proposed land use changes and this letter has been revised to summarize the modifications. In addition, changes have been made to the DelDOT *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* (DelDOT Contract No. T202212901) project as well as to the interim improvements proposed by the developer. This letter summarizes the recommendations based on what is now planned and proposed. A copy of the October 7, 2021 TIS review letter is attached for reference.

The TIS evaluates the impacts of a proposed mixed-use development in Sussex County, Delaware. The current site plan proposes 14,400 square feet of shopping center, 28,800 square feet of medical/dental office, and 267 multi-family homes. This plan represents a trip generation reduction of approximately 50%. Construction is anticipated to be complete in 2027. The existing 39,000 square foot medical/dental office building on Lot 1 would remain with the land use changes.

Table 1 summarizes the updated full build out of the site. The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the *Trip Generation, 10<sup>th</sup> Edition: An ITE Informational Report*, published by the Institute of Transportation Engineers (ITE).



**Table 1**  
Mitchell Farm (Zwaanendael Farm) Trip Generation – Updated Full Build Out

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
267 Multifamily Low-Rise Houses (ITE Code 220)	1,978	28	93	121	90	52	142	101	86	187
67,800 SF Medical-Dental Office Building (ITE Code 720)*	2,517	123	35	158	65	167	232	120	90	210
14,400 SF Shopping Center (ITE Code 820)	1,610	9	5	14	62	68	130	70	64	134
<b>Total Trips</b>	<b>6,105</b>	<b>160</b>	<b>133</b>	<b>293</b>	<b>217</b>	<b>287</b>	<b>504</b>	<b>291</b>	<b>240</b>	<b>531</b>
Internal Capture	-	8	8	16	35	35	70	36	36	72
<b>New Trips</b>	<b>6,105</b>	<b>152</b>	<b>125</b>	<b>277</b>	<b>182</b>	<b>252</b>	<b>434</b>	<b>255</b>	<b>204</b>	<b>459</b>

\*The existing 39,000 square-feet of medical-dental office building on Lot 1 would be maintained as part of the proposed development and is included in this calculation.

A comparison of the new trips between the updated land use changes and the TIS/TIS Addendum was conducted. As depicted in Table 2, the proposed updated land use changes is expected to generate significantly less traffic for the full build out of the site.

**Table 2**  
Mitchell Farm (Zwaanendael Farm) Trip Generation Comparison – Full Build Out

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Updated Land Uses – New Trips	6,105	152	125	277	182	252	434	255	204	459
November 2019 TIS/April 2020 TIS Addendum – New Trips	9,268	356	166	522	271	548	819	617	478	1,095
<b>Difference</b>	<b>- 3,163</b>	<b>-204</b>	<b>-41</b>	<b>-245</b>	<b>-89</b>	<b>-296</b>	<b>-385</b>	<b>-362</b>	<b>-274</b>	<b>-636</b>





The site is located on the northeast corner of the intersection of Kings Highway (Sussex Road 268) and Gills Neck Road (Sussex Road 267). Two access points are proposed: one along Kings Highway directly opposite the proposed site access for the Beebe Medical development and one along Gills Neck Road opposite the site access for the proposed Gills Neck Village Center commercial project.

The site consists of two tax parcels, a 3-acre parcel known as Lot 1 and the remainder of the original parcel consisting of approximately 48 acres. Both parcels are zoned AR-1 (Agricultural Residential). Lot 1 is subject to a conditional use for a 39,000 square foot medical/dental office building which has been constructed. The remaining parcel (48 acres) is the subject of the following applications pending with Sussex County: a subdivision application, 2 change of zone applications (C-2 and MR), and a conditional use (MR parcel).

It should be noted that the 39,000 square foot medical/dental office building on Lot 1 that has been approved and constructed provides a Site Entrance along Gills Neck Road. The Site Entrance is constructed as a two-way stop-controlled intersection with one shared left turn/through lane and one right turn lane along the southbound Site Entrance approach (stop-controlled). One left turn lane and one through lane are provided along the eastbound Gills Neck Road approach and one through lane and one right turn lane are provided along the westbound Gills Neck Road approach. As part of the Lot 1 construction, sidewalks and bike lanes have been added along the Gills Neck Road site frontage and the Site Entrance along Gills Neck Road contains ADA compliant curb ramps.

DelDOT has several relevant and ongoing improvement projects and plans within the study area including the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project; a signal at the Kings Highway and Clay Road intersection which was recently installed; the *Corridor Management Plan* for the Lewes Scenic and Historic Byway (October 2015); the *Kings Highway and Gills Neck Road Master Plan* dated September 2016; and the Delaware River and Bay Authority (DRBA) *Freeman Highway Rehabilitation* project (DelDOT Contract No. 20191619-00). Detailed information regarding these projects can be found in the October 7, 2021 TIS review letter.

As part of the DelDOT *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* (DelDOT Contract No. T202212901) project, Kings Highway is proposed to be widened to provide two through lanes in each direction. DelDOT held a public workshop on February 23, 2022 to discuss the proposed improvements which include widening Kings Highway to provide two 11-foot lanes in each direction with 5-foot shoulders, and a curbed median would be provided to separate each direction of travel. Additionally, the following intersections along Kings Highway are proposed to be converted to roundabouts: Dartmouth Drive, Clay Road, Gills Neck Road, Beebe Medical Center/Mitchell Farm site entrance, and Freeman Highway. Pedestrian and transit improvements are also proposed. The project is in the design and planning stage with construction anticipated to start in Fiscal Year 2026. More information about the project can be found here: <https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T202212901>



The October 7, 2021 TIS review evaluated cases with dualization of Kings Highway as it was then envisioned. DelDOT's current plan of the project is different.

Although the projected trip generation associated with the site has reduced significantly, the developer has agreed to the interim improvements similar to those identified in the October 2021 TIS review. The interim improvements would add a second left turn lane from Gills Neck Road onto southbound Kings Highway and a second through lane along southbound Kings Highway starting north of Gills Neck Road and ending at Clay Road. These improvements would potentially be replaced as part of the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project. Details follow in the itemized list of recommendations.

Should Sussex County approve the proposed development, the following items should be incorporated into the site design and reflected on the record plan. All applicable agreements (i.e. letter agreements for off-site improvements and traffic signal agreements) should be executed prior to entrance plan approval for the proposed development. The following items should be implemented at the same time as site construction once all agency approvals and permits are secured and completed in accordance with DelDOT's Standards and Specifications.

1. The developer should provide a bituminous concrete overlay to the existing travel lanes along Kings Highway from north of Gills Neck Road to south of Clay Road in the area affected by the improvements discussed below in Item Number 4, including any auxiliary lanes, at DelDOT's discretion. DelDOT should analyze the existing lanes' pavement section and recommend an overlay thickness to the developer's engineer, if necessary.
2. The developer should construct a rights-in/rights-out site entrance for the proposed Mitchell Farm/Zwaanendael Farm development on Kings Highway directly across from the Beebe Medical entrance, approximately 1,550 feet north of the northeast tangent point of the Gills Neck Road/Cape Henlopen High School Entrance. The design of the entrance, including lengths of turn lanes, will be determined during the Entrance Plan review process.
3. The developer should maintain the existing site entrance for the proposed Mitchell Farm/Zwaanendael Farm development, approximately 650 feet east of the northeast tangent point of the Kings Highway intersection and directly across from the proposed Gills Neck Village Center Entrance to be consistent with the lane configurations shown in the table below:



Approach	Current Configuration	Proposed Configuration
Eastbound Gills Neck Road	One left turn lane and one through lane	One left turn lane, one through lane, and one right turn lane*
Westbound Gills Neck Road	One through lane and one right turn lane	One left turn lane**, one through lane, and one right turn lane
Northbound Gills Neck Village Center Entrance	Approach does not exist	One left turn/through lane and one right turn lane***
Southbound Site Entrance	One shared left turn/through lane and one right turn lane	No change

\*Right turn lane to be built by others

\*\*Left turn lane to be built by others

\*\*\*Approach to be built by others

Based on DelDOT’s *Development Coordination Manual*, the recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Gills Neck Road are listed below. The calculated queue lengths from the HCS analysis can be accommodated within the recommended storage length.

Approach	Left Turn Lane	Right Turn Lane
Eastbound Gills Neck Road	120 feet*	190 feet**
Westbound Gills Neck Road	120 feet**	120 feet*

\*This storage length is the existing storage length per the June 2018 Zwaanendael Farm Rezoning Sketch Plan and it should be maintained.

\*\*To be built by others

As a TOA/TIS will be performed for the Gills Neck Village Center, the recommended lane configurations and storage lengths for the Gills Neck Village Center entrance may be modified based on those results.

- The developer should improve the Kings Highway and Gills Neck Road/Cape Henlopen High School Entrance intersection to be consistent with the lane configurations shown in the table below:



Approach	Current Configuration	Proposed Configuration
Eastbound Cape Henlopen High School	One shared left turn/through lane and one right turn lane	No change
Westbound Gills Neck Road	One left turn lane, one through lane, and one right turn lane	Two left turn lanes and one shared through/right turn lane
Northbound Kings Highway	One left turn lane, one through lane, and one right turn lane	No change
Southbound Kings Highway	One left turn lane, one through lane, and one right turn lane	One left turn lane, two through lanes, and one right turn lane

The recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Kings Highway and Gills Neck Road are listed below.

Approach	Left Turn Lane	Through/Right Turn Lane	Right Turn Lane
Northbound Kings Highway	250 feet*	-	180 feet*
Southbound Kings Highway	340 feet*	-	280 feet*
Westbound Gills Neck Road	420 feet	570 feet**	-

\*Storage lengths match the existing storage lengths per field conditions and should be maintained.

\*\*Storage length does not match the existing storage length and requires lengthening.

The developer would reconstruct Kings Highway south of the Gills Neck Road intersection to provide two through lanes and the rightmost through lane should transition to a right turn only lane at the Clay Road intersection. An SUP should be constructed along Kings Highway from Cape Henlopen High School to Clay Road.

The developer should donate any temporary construction easements needed to build and remove the interim improvements.

The developer should enter into a traffic signal agreement with DeIDOT for the intersection of Kings Highway with Gills Neck Road to address the changes necessitated in the above improvements. The traffic signal agreement should include pedestrian signals, crosswalks, interconnection, and ITS equipment such as CCTV cameras at DeIDOT's discretion. Prior to Entrance Plan approval, the developer should submit a plan to the DeIDOT Development Coordination section depicting the design of Kings Highway from Gills Neck Road to Clay Road. The final design should be determined during the Entrance Plan review process.



5. The developer should enter into an agreement with DelDOT to fund an equitable portion of improvements to the intersections of Kings Highway with Dartmouth Drive, Clay Road, Gills Neck Road/Cape Henlopen High School Entrance, Atlantic Drive, Freeman Highway, Bay Breeze Drive, and the Site Entrance/Beebe Medical Center Entrance as part of the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project. The developer should coordinate with DelDOT on the implementation and equitable cost sharing of the improvements.
6. The development should dedicate right-of-way along Kings Highway and Gills Neck Road in accordance with the functional classification of both roads to provide 50 feet from centerline on Kings Highway and 30 feet from centerline on Gills Neck Road. In addition, on Kings Highway, the development should reserve 30 feet parallel to Kings Highway to accommodate the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project. Beyond these right-of-way dedications/reservations both roads should have a 15-foot-wide permanent easement.
7. The developer should enter into an agreement with DelDOT to fund an equitable portion of improvements to the intersection of Clay Road and Marsh Road as part of the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project. The project will improve the intersection of Marsh Road and Clay Road to eliminate the existing skewed angle of the intersection. The developer should coordinate with DelDOT on the implementation and equitable cost sharing of the Clay Road and Marsh Road intersection improvements.
8. Vehicular interconnections or cross access easements between the on-site lots should be provided. The developer should coordinate with DelDOT's Development Coordination Section to determine the locations and feasibilities of the interconnections.
9. The following bicycle, pedestrian, and transit improvements should be included:
  - a. A minimum fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the Kings Highway site frontage. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP) to meet the shared-use path recently constructed for Lot 1. The developer should coordinate with DelDOT's Development Coordination and Project Development South sections during the plan review process to identify the exact location of the SUP.
  - b. One or more accessways should be provided from the SUP into the site at locations to be defined during the Plan review process.



- c. Where internal sidewalks are located alongside of parking spaces, a buffer, physical barrier or signage should be added to eliminate vehicular overhang onto the sidewalk.
- d. The tie-in installed for Lot 1 should be removed once the SUP is extended along the entire property frontage.
- e. ADA compliant curb ramps and marked crosswalks should be provided along the Kings Highway Site Entrance approach to Kings Highway. The use of diagonal curb ramps is discouraged.
- f. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the northbound Kings Highway approach to the Kings Highway Site Entrance.
- g. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/shared-use paths or should be flush with the pavement.
- h. Bike parking should be provided near the building entrances. Where the building architecture provides for an awning or other overhang, the bike parking should be covered.
- i. A Type 2 bus stop should be installed at the Kings Highway Site Entrance intersection. The developer should coordinate with DART and DeIDOT on the location, design, as well as the amenities to provide.

Please note that this review generally focuses on capacity and level of service issues; additional safety and operational issues will be further addressed through DeIDOT's Plan Review process.

Improvements in this TIS may be considered "significant" under DeIDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DeIDOT's website at [https://www.deldot.gov//Publications/manuals/de\\_mutcd/index.shtml](https://www.deldot.gov//Publications/manuals/de_mutcd/index.shtml). For any additional information regarding the work zone impact and mitigation procedures during construction please contact Mr. Jeff VanHorn, Assistant Director for Traffic Operations and Management. Mr. VanHorn can be reached at (302) 659-4606 or by email at [Jeffrey.VanHorn@delaware.gov](mailto:Jeffrey.VanHorn@delaware.gov).



Additional details on our review of the TIS are attached. Please contact me at (302) 266-9600 if you have any questions concerning this review.

Sincerely,  
Johnson, Mirmiran, and Thompson, Inc.

A handwritten signature in black ink, appearing to read 'Joanne M. Arellano'.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE  
Janna Brown, E.I.T.  
Enclosure

**October 7, 2021 TIS Review Letter**





October 7, 2021

Mr. Troy Brestel  
Project Engineer  
Development Coordination  
DelDOT Division of Planning  
800 Bay Road  
P O Box 778  
Dover, DE 19903

RE: Agreement No. 1945F  
Project Number T202069012  
Traffic Impact Study Services  
**Task 4A-Mitchell Farm (Zwaanendael Farm)**

Dear Mr. Brestel:

Johnson, Mirmiran and Thompson (JMT) has completed the review of the Traffic Impact Study (TIS) for Mitchell Farm (Zwaanendael Farm), prepared by Davis, Bowen & Friedel, Inc. dated November 2019 and the TIS Addendum prepared by Davis, Bowen & Friedel, Inc. dated April 2020. This task was assigned as Task Number 4A. The report is prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The TIS evaluates the impacts of a proposed mixed-use development in Sussex County, Delaware. The development would be comprised of 206,500 square feet of medical/office buildings, 60 single-family homes, and 150 multi-family (mid-rise) homes. Construction is anticipated to be complete in 2027.

The site is located on the northeast corner of the intersection of Kings Highway (Sussex Road 268) and Gills Neck Road (Sussex Road 267). Two full access points are proposed: one along Kings Highway directly opposite the proposed site access for the Beebe Medical development and one along Gills Neck Road opposite the site access for the proposed Gills Neck Village Center commercial project.

The site consists of two tax parcels, a 3-acre parcel known as Lot 1 and the remainder of the original parcel consisting of approximately 48 acres. Both parcels are zoned AR-1 (Agricultural Residential). Lot 1 is subject to a conditional use for a 39,000 square foot medical/office building which has been constructed. The remaining parcel (48 acres) is the subject of the following applications pending with Sussex County: a subdivision application, 3 change of zone applications (B-2, C-3, and MR), and a conditional use (MR parcel).

It should be noted that the 39,000 square foot medical/office building on Lot 1 that has been approved and constructed provides a Site Entrance along Gills Neck Road. The Site Entrance is constructed as a two-way stop-controlled intersection with one shared left turn/through lane and one right turn lane along the southbound Site Entrance approach (stop-controlled). One left turn



lane and one through lane are provided along the eastbound Gills Neck Road approach and one through lane and one right turn lane are provided along the westbound Gills Neck Road approach. As part of the Lot 1 construction, sidewalks and bike lanes have been added along the Gills Neck Road site frontage and the Site Entrance along Gills Neck Road contains ADA compliant curb ramps.

DelDOT has several relevant and ongoing improvement projects and plans within the study area including the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project; a signal at the Kings Highway and Clay Road intersection which was recently installed; the *Corridor Management Plan* for the Lewes Scenic and Historic Byway (October 2015); the *Kings Highway and Gills Neck Road Master Plan* dated September 2016; the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project; and the Delaware River and Bay Authority (DRBA) *Freeman Highway Rehabilitation* project (DelDOT Contract No. 20191619-00). Detailed information regarding these projects can be found later in this letter.

As part of the DelDOT *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project, Kings Highway is proposed to be widened to provide two through lanes in each direction. For the purposes of this letter, this DelDOT project will also be referred to as the Kings Highway Dual Lane project. At each intersection within the DelDOT project limits, improvement alternatives to achieve acceptable LOS in addition to dual lanes will be evaluated and subject to the typical DelDOT process, which includes public workshops.

While the specific alternatives to be examined in developing the DelDOT project have not been determined, improvement alternatives have been previously identified in several documents, including the 2007 DelDOT Planning *Kings Highway Corridor Study*, 2008 DelDOT TIS Review Letters, 2009 Letter Agreement, 2009 DelDOT Planning document *Kings Highway/Gills Neck Road Planned Area Improvements*, 2015 Lewes Scenic and Historic Byway *Corridor Management Plan*, and the 2016 DelDOT *Kings Highway/Gills Neck Road Master Plan* completed as part of the Lewes Scenic and Historic Byway.

The TIS evaluates the following future 2027 scenarios:

- Case 2a – Future 2027 without development and without Kings Highway Dual Lane project
- Case 3a – Future 2027 with development and without Kings Highway Dual Lane project
- Case 3b – Future 2027 with development and with Kings Highway Dual Lane project
- Case 3c – Future 2027 with development, with no site entrance along Kings Highway and without the completion of the Kings Highway Dual Lane project

JMT also included a future 2027 without development scenario with the completion of the Kings Highway Dual Lane project (Case 2b). Intersections outside the limits of the Kings Highway Dual Lane project were addressed as part of Case 2a, without development; and 3a with the development.



As part of the TIS Addendum, the following scenarios were evaluated and included in JMT's review:

- Case 2d – Future 2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without Kings Highway Dual Lane project
- Case 3d – Future 2023 with 117,000 square feet of medical/dental office space, including 39,000 square feet medical/dental office space from Lot 1, and without Kings Highway Dual Lane project and a rights-in site entrance along Kings Highway
- Case 3b – Future 2027 with development and with Kings Highway Dual Lane Project and Bay Breeze Drive left turn out restriction

Only intersections impacted by volume modifications during Cases 2d, 3d, and 3b were analyzed as part of the TIS Addendum. Specifically, for Cases 2d and 3d the following intersections were analyzed as part of JMT's review:

- Kings Highway (Sussex Road 268)/Site Entrance
- Gills Neck Road (Sussex Road 267)/Site Entrance
- Kings Highway/Atlantic Drive
- Kings Highway/Gills Neck Road/Cape Henlopen High School Entrance
- Kings Highway/Clay Road (Sussex Road 269)

For Case 3b, the following intersections were analyzed as part of JMT's review:

- Kings Highway/Bay Breeze Drive
- Kings Highway/Freeman Highway (Sussex Road 23)

The TIS Addendum also included an additional scenario for a Future 2021 condition with development of Lot 1 (39,000 square feet of medical/dental office space) and without Kings Highway Dual Lane project. However, per direction from DelDOT this scenario was not included in this review.

In addition to the TIS Addendum, analyses were conducted for the additional "Case 4 – Future 2027 with development and Kings Highway Dual Lane Project with Additional Improvements" scenario at intersections along Kings Highway which operated under constrained conditions despite the widening of the roadway (Case 3b). These Case 4 analyses were conducted for planning purposes only. The actual intersection improvements will be determined as part of the DelDOT project.

Based on our review of the TIS and assuming the DelDOT Kings Highway Dual Lane project will be completed by 2027 per the DelDOT CTP and discussions with DelDOT, we have the following comments and recommendations:

With the Kings Highway Dual Lane Project and individual intersection improvements alternatives to be evaluated as part of the DelDOT Project process that includes public workshops,



improvement alternatives to achieve acceptable LOS will be identified. The following intersections (signalized) or intersection approaches (unsignalized) exhibit level of service (LOS) deficiencies without the implementation of physical roadway and/or traffic control improvements. Any location and scenario shown with an “X” in the following tables indicates a LOS deficiency. Further details are provided later in this letter.

Intersection	Intersection Control	LOS Deficiencies Occur			Year	Case
		AM	PM	Saturday		
Kings Highway (Sussex Road 268)/Site Entrance/Beebe Medical Entrance	Unsignalized		X	X	2027	2a
					2027	2b
					2023	2d
		X	X	X	2027	3a
		X	X	X	2027	3b
			X	X	2027	3c
				X	2023	3d
	Roundabout				2027	2a
					2027	2b
			X	X	2027	3a
					2027	3b
			X	X	2027	3c
	Signalized				2027	2a
			X	X	2027	3a
					2027	3b
					2027	3c
					2027	3d
Gills Neck Road (Sussex Road 267)/Site Entrance/Gills Neck Village Center Entrance	Unsignalized				2027	2a
					2023	2d
		X*	X*	X*	2027	3a
		X*	X*	X*	2027	3b
		X*	X	X	2027	3c
			X*	X*	2023	3d

\*LOS deficiency occurs along the Gills Neck Village Center Entrance approach which is to be built by others.



Intersection	Intersection Control	LOS Deficiencies Occur			Year	Case
		AM	PM	Saturday		
Kings Highway (Sussex Road 268)/Bay Breeze Drive	Unsignalized			X	2018	1
			X	X	2027	2a
			X	X	2027	2b
			X	X	2027	3a
					2027	3b
	Roundabout				2027	2a
					2027	2b
				X	2027	3a
					2027	3b
	Signalized				2027	2a
					2027	2b
					2027	3a
					2027	3b
Kings Highway/Freeman Highway (Sussex Road 23)	Unsignalized				2018	1
			X	X	2027	2a
			X	X	2027	3a
			X	X	2027	3b
	Signalized				2027	2
					2027	3
Kings Highway (Sussex Road 268)/Savannah Road (Sussex Road 18)	Unsignalized			X	2018	1
			X	X	2027	2a
			X	X	2027	3a
	Single Lane Roundabout				2027	2a
					2027	3a
	Signalized				2027	2a
					2027	3a



Intersection	Intersection Control	LOS Deficiencies Occur			Year	Case
		AM	PM	Saturday		
Savannah Road/Gills Neck Road/Front Street (Sussex Road 267)	Signalized			X	2018	1
				X	2027	2a
					2027	2a*
				X	2027	3a
					2027	3a*
	Single Lane Roundabout				2027	2a
					2027	3a
Kings Highway (Sussex Road 268)/Atlantic Drive	Unsignalized				2018	1
			X	X	2027	2a
				X	2027	2b
			X	X	2023	2d
			X	X	2027	3a
					2027	3b*
			X	X	2027	3c
			X	X	2023	3d
	Signalized				2027	2a
					2027	2b
					2023	2d
			X		2027	3a
					2027	3b*
					2027	3c
			2023	3d		

Notes:

<sup>1</sup>At the intersection of Savannah Road/Gills Neck Road/Front Street, Case 2a\* and 3a\* are scenarios which include implementing an additional through lane along northbound and southbound Savannah Road.

<sup>2</sup>Atlantic Drive would provide only rights-in/rights-out movements along Kings Highway during Case 3b\*.



Intersection	Intersection Control	LOS Deficiencies Occur			Year	Case
		AM	PM	Saturday		
Kings Highway/Gills Neck Road/Cape Henlopen High School	Signalized	X	X	X	2018	1
		X	X	X	2027	2a
		X			2027	2b
		X		X	2023	2d
		X	X	X	2027	3a
		X	X	X	2027	3b
		X	X	X	2027	3c
		X		X	2023	3d
Kings Highway/Clay Road (Sussex Road 269)	Unsignalized	X	X	X	2018	1
	Signalized	X	X	X	2027	2a
					2027	2b
			X		2023	2d
		X	X	X	2027	3a
			X		2027	3b
		X	X	X	2027	3c
			X	X	2023	3d
				4		
Kings Highway (Sussex Road 268)/Dartmouth Drive (Sussex Road 268A)	Unsignalized		X	X	2018	1
		X	X	X	2027	2a
		X	X	X	2027	3a
	Single Lane Roundabout				2027	2a
					2027	3a
	Signalized				2027	2a
			X	2027	3a	

As shown in the above table, ten study intersections are identified to exhibit LOS deficiencies. To minimize the impact of the deficiencies without the completion of the Kings Highway Dual Lane Project, interim condition improvements have been identified. The following section separates the analysis results based on the full build out of the site and the interim condition.



## Interim Condition

As part of the TIS report, interim improvements without the implementation of the Kings Highway Dual Lane project were recommended at the Gills Neck Road/Cape Henlopen High School Entrance intersection. One scenario of the interim improvements included the modification of the westbound Gills Neck Road approach to provide two left turn lanes and a shared through/right turn lane and providing split phase signal operation along the eastbound and westbound approaches. In addition, the southbound Kings Highway approach would be modified to provide one left turn lane, one through lane, and one shared through/right turn lane.

Per a meeting between DelDOT and the developer on February 26, 2020, the interim improvements were further refined from those mentioned in the TIS and were identified to contain the following:

- Restripe the westbound Gills Neck Road approach to Kings Highway to provide two left turn lanes, and one shared through/right turn lane
- Lengthen the westbound Gills Neck Road shared through/right turn lane to provide 570 feet of storage.
- Restripe the southbound Kings Highway approach to Gills Neck Road to provide one left turn lane, one through lane, and one shared through/right turn lane
- Restripe southbound Kings Highway south of Gills Neck Road to provide two through lanes, the rightmost through lane would become a right-turn only lane onto Clay Road
- Construct a shared-use path along the western side of Kings Highway from the Gills Neck Road/Cape Henlopen High School Entrance intersection to the Clay Road intersection
- Provide a rights-in only entrance along Kings Highway across from the proposed Beebe Medical Center development
- Maintain the full movement entrance along Gills Neck Road across from the proposed Gills Neck Village Center access

The TIS Addendum analyzed these interim conditions based on a partial build of the site (117,000 square feet of medical/office space in 2023) without the Kings Highway Dual Lane project and with a rights-in access along Kings Highway (Case 3d). At the unsignalized Kings Highway/Site Entrance/Beebe Medical Site Entrance intersection, the eastbound Beebe Medical Site Entrance would experience capacity constraints during the Case 3d Saturday peak period (LOS F with 50.6 seconds of delay per vehicle). However, the projected 95<sup>th</sup> percentile queue length would be approximately 20 feet, which would have minimal impacts to the Beebe Medical Site Entrance.

At the unsignalized Gills Neck Road/Site Entrance/Gills Neck Village Center Entrance, the northbound Gills Neck Village Center Entrance would experience capacity constraints during the Case 3d weekday PM and Saturday peak periods (LOS F with 76.3 seconds of delay per vehicle). The projected 95<sup>th</sup> percentile queue length would be approximately 105 feet. As the design of this entrance would be the responsibility of the Gills Neck Village Center, additional improvements to mitigate the LOS deficiencies at this intersection during the Case 3d conditions would be unreasonable to assign to the Mitchell Farm developer.





At the unsignalized Kings Highway/Atlantic Drive intersection, the eastbound Atlantic Drive approach would experience capacity constraints during the Case 3d weekday PM and Saturday peak periods (LOS F with 164.8 seconds of delay per vehicle). However, the projected 95<sup>th</sup> percentile queue length would be approximately 80 feet, which could be accommodated within Atlantic Drive and not impact adjacent intersections.

At the signalized Kings Highway/Gills Neck Road/Cape Henlopen High School intersection, LOS deficiencies would continue to occur during the weekday AM, weekday PM, and Saturday peak periods under Case 3d conditions. However, the delays would reduce when compared to 2018 Existing Case 1 conditions during all peak periods. Specifically, during the Saturday peak period, the Case 1 delay is calculated to be 832.0 seconds per vehicle and under Case 3d conditions the delay would decrease to 366.8 seconds per vehicle. For the Saturday peak period, it should be noted that the proposed site entrance along Gills Neck Road is approximately 650 feet east of the Gills Neck Road/Kings Highway intersection. The projected 95<sup>th</sup> percentile queue length under Case 3d conditions during the Saturday peak period would be approximately 770 feet which would spillback past the Gills Neck Road site entrance. DBF analysis calculated a shorter 95<sup>th</sup> percentile queue length along westbound Gills Neck Road. However, the DBF analysis incorporated a longer signal cycle length and did not account for the signalization of Clay Road at Kings Highway.

With the future signalization of the Kings Highway/Clay Road intersection and the addition of an access on the easterly leg for the Gills Neck Village Center, the Kings Highway/Clay Road intersection would experience capacity constraints under Case 3d weekday PM and Saturday peak period conditions (LOS F with 165.2 seconds of delay per vehicle). The calculated 95<sup>th</sup> percentile queue length along the southbound Kings Highway approach to Clay Road would be approximately 2,300 feet during the weekday PM peak period and would impact operations at intersections upstream including the Kings Highway/Gills Neck Road intersection.

As interim improvements would reduce the delay at the Kings Highway and Gills Neck Road intersection prior to the completion of the Kings Highway Dual Lane project and improve operations along Kings Highway between the Beebe Medical Site Entrance and Clay Road compared to existing conditions, it is recommended that the developer implement the interim improvements as part of the partial build of the site (117,000 square feet of medical/office space).

#### Full Build Out of Site

The unsignalized Site Entrance along Kings Highway is proposed approximately 1,550 feet north of the northeast tangent point of the Gills Neck Road/Cape Henlopen High School Entrance intersection and exhibits LOS deficiencies during the AM, PM, and Saturday peak hours under future conditions with or without the proposed development and without completion of the Kings Highway Dual Lane project. These deficiencies occur along the eastbound Beebe Medical Entrance and the westbound Site Entrance approaches.



The provision of a signal and the completion of the Kings Highway Dual Lane project would improve the intersection to operate at LOS C (25.0 seconds of delay per vehicle) or better during all peak hours under future conditions, with or without the proposed development. However, these improvements should be part of the larger long-term improvement Kings Highway Dual Lane project. Therefore, we do not recommend the developer implement any improvements at this intersection. It is recommended that the developer coordinate with DelDOT on the implementation and equitable cost sharing of the Kings Highway Dual Lane project including the installation of a signal at this intersection.

The unsignalized Atlantic Drive intersection with Kings Highway exhibits LOS deficiencies during the PM and Saturday peak hours under future conditions, with or without the proposed development and without the completion of the Kings Highway Dual Lane project. These deficiencies can be mitigated through the completion of the Kings Highway Dual Lane project or signalization of the intersection. However, due to the proximity of the Atlantic Drive intersection to the proposed Kings Highway Site Entrance intersection and the Kings Highway/Gills Neck Road intersection, it is suggested that the Atlantic Drive approach to Kings Highway be modified to rights-in/rights-out only and remain unsignalized. The intersection will operate at acceptable LOS C (18.1 seconds of delay per vehicle) or better with a rights-in/rights out only restriction.

Additionally, interconnection should be provided between Henlopen Gardens and the proposed Beebe Medical development to minimize the number of U-turn movements at the adjacent signalized intersections. If interconnection is not feasible, U-turn movements could be provided at the adjacent signalized intersections as part of the Kings Highway Dual Lane project. These improvements should be part of the larger long-term improvement Kings Highway Dual Lane project. Therefore, we do not recommend the developer implement any improvements at this intersection. It is recommended that the developer coordinate with DelDOT on the implementation and equitable cost sharing of the Kings Highway Dual Lane project.

The signalized Gills Neck Road/Cape Henlopen High School Entrance intersection with Kings Highway exhibits LOS deficiencies during the AM, PM, and Saturday peak hours under existing and future conditions, with or without the proposed development and without the completion of the Kings Highway Dual Lane project. These deficiencies could be mitigated by the provision of one left turn lane, one shared left turn/through lane, and one right turn lane along westbound Gills Neck Road, the provision of one left turn lane, one through lane, and one right turn lane along the eastbound Cape Henlopen High School Entrance approach, the modification of the signal phasing along the eastbound and westbound approaches to split phase, and the completion of the Kings Highway Dual Lane project. These improvements would improve the intersection to operate at LOS D (54.9 seconds of delay per vehicle). The improvements that require widening of the roadway should be part of the larger long-term improvement Kings Highway Dual Lane project. Therefore, we recommend the developer implement only the interim improvements at this intersection and coordinate with DelDOT on the equitable cost sharing of the Kings Highway Dual Lane project.



The unsignalized Site Entrance along Gills Neck Road is proposed approximately 650 feet east of the northeast tangent point of the Kings Highway intersection and exhibits LOS deficiencies during the AM, PM, and Saturday peak hours under future conditions with the proposed development and with or without the completion of the Kings Highway Dual Lane project. Specifically, these deficiencies are only projected along the northbound Gills Neck Village Center Entrance with delays during the PM peak of 201.4 seconds per vehicle under Cases 3a and 3b conditions, and the calculated 95<sup>th</sup> percentile queue length would be approximately 113 feet. Although long delays are expected, they would occur at the Gills Neck Village Center Entrance and should not be the responsibility of the Mitchell Farm developer to mitigate as the Site Entrance for the Mitchell Farm (Zwaanendael Farm) site has already been constructed. As such, it is recommended that the Mitchell Farm developer maintain the full access at the Site Entrance.

The formerly unsignalized intersection of Clay Road with Kings Highway exhibited LOS deficiencies during the AM, PM, and Saturday peak hours under existing and future conditions, with or without the proposed development and with or without the completion of the Kings Highway Dual Lane project. DelDOT recently converted the intersection to a signalized intersection consistent with the recommendations from DelDOT's *Signal Justification Study US9 – Kings Highway (S268) & Clay Road (S269)*. The study also recommended a long-term improvement to determine the feasibility of converting the intersection to a roundabout or installing appropriate turn lanes as part of a larger project such as the Kings Highway Dual Lane project. Additionally, the Gills Neck Village Center development will construct a westbound approach to the intersection.

A TIS/TOA has not been completed for the Gills Neck Village Center development as previously contemplated. However, per the January 15, 2008, TIS review letter performed by McCormick Taylor for the original development proposed at the site (the Gills Neck Road Subdivision, Townsend Property), the westbound approach was recommended to provide two left turn lanes, one through lane, and one right turn lane opposite Clay Road. With the signalization of the intersection, the completion of the Kings Highway Dual Lane project, and the addition of auxiliary lanes along all approaches, the intersection would operate at acceptable LOS. Therefore, we recommend the Mitchell Farm developer only implement the interim improvements at the intersection. However, it is recommended that the Mitchell Farm developer coordinate with DelDOT on the implementation and equitable cost sharing of the improvements at this intersection as part of the Gills Neck Village Center development and the Kings Highway Dual Lane project. The improvements should include the provision of two left turn lanes along the westbound Gills Neck Village Center approach.

The unsignalized intersection of Kings Highway and Dartmouth Drive exhibits LOS deficiencies during the AM, PM, and Saturday peak hours under existing and future conditions with or without the development and with or without the Kings Highway Dual Lane project. The deficiencies at this intersection could be mitigated through the provision of a roundabout or a signal.

Per the January 15, 2008, TIS review letter for the Gills Neck Road Subdivision, improvements were recommended to modify the intersection to a single-lane roundabout with a bypass lane for



the southbound Kings Highway right-turn movement and a bypass lane for the northbound Kings Highway through movement. Should a roundabout be determined to be infeasible at this location, the January 15, 2008, TIS review letter also recommended the eastbound Dartmouth Drive approach be modified to provide an exclusive left-turn lane and a shared left turn/right turn lane as well provide a second receiving lane along northbound Kings Highway. However, these improvements are outside the scope of this TIS, as any extensive improvements to this intersection should be part of a larger long-term improvement project (such as the Kings Highway Dual Lane project). Therefore, we do not recommend the developer implement any improvements at this intersection. It is recommended that the developer coordinate with DelDOT on the equitable cost sharing of the Kings Highway Dual Lane project including either the installation of a roundabout or a signal at this intersection.

The unsignalized Bay Breeze Drive intersection with Kings Highway exhibits LOS deficiencies during the PM and Saturday peak hours under existing and future conditions, with or without the proposed development and with or without the completion of the Kings Highway Dual Lane project. These deficiencies could be mitigated through the provision of a signal or by restricting left-out movements from Bay Breeze Drive. However, these improvements are outside the scope of this TIS, as any extensive improvements to this intersection should be part of a larger long-term improvement project (such as the Kings Highway Dual Lane project). Therefore, we do not recommend the developer implement any improvements at this intersection.

The unsignalized Freeman Highway intersection with Kings Highway exhibits LOS deficiencies during the PM and Saturday peak hours under future conditions, with or without the proposed development and with or without the completion of the Kings Highway Dual Lane project. These deficiencies could be mitigated through the provision of a signal. However, these improvements are outside the scope of this TIS, as any extensive improvements to this intersection should be part of a larger long-term improvement project (such as the Kings Highway Dual Lane project). Therefore, we do not recommend the developer implement any improvements at this intersection.

It should be noted that the TIS analyzed the Freeman Highway intersection with Kings Highway with a different methodology from that used by JMT. Based on coordination with DelDOT's Planning and Traffic Studies Sections, it was agreed that JMT's approach to analyzing this intersection was more appropriate. However, the TIS methodology could be deemed the more appropriate approach if a gap study was conducted to further validate this method.

The unsignalized Savannah Road intersection with Kings Highway exhibits LOS deficiencies during the PM and Saturday peak hours under existing and future conditions with or without the proposed development. These deficiencies could be mitigated through the provision of a single lane roundabout or a signal. However, a roundabout is not feasible at this location due to the existing buildings adjacent to the intersection. Additionally, the deficiencies occur along the eastbound 3<sup>rd</sup> Street approach and the 95<sup>th</sup> percentile queue length along this approach under Case 3 conditions during the Saturday peak hour is approximately 255 feet which would not extend into the adjacent Chestnut Street intersection. Therefore, we do not recommend the developer implement any improvements at this intersection.



The signalized Front Street/Gills Neck Road intersection with Savannah Road exhibits LOS deficiencies during the Saturday peak hour under existing and future condition with or without the proposed development. These deficiencies could be mitigated through the provision of a single lane roundabout or an additional through lane along northbound and southbound Savannah Road. However, a roundabout is not feasible at this location due to the existing buildings adjacent to the intersection and widening Savannah Road may not be feasible at this location due to the existing draw bridge located along the northerly leg. Therefore, we do not recommend the developer implement any improvements at this intersection.

Should Sussex County approve the proposed development, the following items should be incorporated into the site design and reflected on the record plan. All applicable agreements (i.e. letter agreements for off-site improvements and traffic signal agreements) should be executed prior to entrance plan approval for the proposed development.

Interim Improvements

The following items should be incorporated as part of the partial build out of the site (117,000 square feet of medical/office space) or any land use not projected to exceed the daily or peak hour site traffic based on the partial build out of the site.

1. The developer should provide a bituminous concrete overlay to the existing travel lanes along the northbound Kings Highway site frontage in the area affected by entrance plan construction, including any auxiliary lanes, at DelDOT’s discretion. DelDOT should analyze the existing lanes’ pavement section and recommend an overlay thickness to the developer’s engineer, if necessary.
  
2. The developer should construct a rights-in only site entrance for the proposed Mitchell Farm/Zwaanendael Farm development on Kings Highway, approximately 1,550 feet north of the northeast tangent point of the Gills Neck Road/Cape Henlopen High School Entrance intersection to be consistent with the lane configurations shown in the table below:

<b>Approach</b>	<b>Current Configuration</b>	<b>Proposed Configuration</b>
Eastbound Beebe Medical Entrance	Approach does not exist	One left turn lane and one right turn lane*
Westbound Site Entrance	Approach does not exist	One receiving lane for the rights-in movements**
Northbound Kings Highway	One through lane	One shared left turn/through lane and one right turn lane**
Southbound Kings Highway	One through lane	One through lane and one right turn lane*

\*To be built by others



\*\*To be built by developer by 2023 before the completion of the Mitchell Farm/Zwaanendael Farm medical/office space.

Based on DelDOT’s *Development Coordination Manual*, the recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Kings Highway are listed below. The calculated queue lengths from the HCS analysis can be accommodated within the recommended storage length.

Approach	Right Turn Lane
Northbound Kings Highway	290 feet
Southbound Kings Highway	115 feet*

\*This storage length is the proposed storage length on the October 4, 2019, plans for the Beebe Medical Center and it should be built by the developer of that project.

The developer should submit a plan to DelDOT’s Development Coordination section depicting the design of the signalized intersection as it could exist in 2027 and show the interim improvements in that context. The final design of the site entrance should be determined during the Entrance Plan review process.

- The developer should maintain the existing site entrance for the proposed Mitchell Farm/Zwaanendael Farm development, approximately 650 feet east of the northeast tangent point of the Kings Highway intersection and directly across from the proposed Gills Neck Village Center Entrance to be consistent with the lane configurations shown in the table below:

Approach	Current Configuration	Proposed Configuration
Eastbound Gills Neck Road	One left turn lane and one through lane	One left turn lane, one through lane, and one right turn lane*
Westbound Gills Neck Road	One through lane and one right turn lane	One left turn lane**, one through lane, and one right turn lane
Northbound Gills Neck Village Center Entrance	Approach does not exist	One left turn/through lane and one right turn lane***
Southbound Site Entrance	One shared left turn/through lane and one right turn lane	No change

\*Right turn lane to be built by others

\*\*Left turn lane to be built by others

\*\*\*Approach to be built by others



Based on DelDOT’s *Development Coordination Manual*, the recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Gills Neck Road are listed below. The calculated queue lengths from the HCS analysis can be accommodated within the recommended storage length.

<b>Approach</b>	<b>Left Turn Lane</b>	<b>Right Turn Lane</b>
Eastbound Gills Neck Road	120 feet*	190 feet**
Westbound Gills Neck Road	120 feet**	120 feet*

\*This storage length is the existing storage length per the June 2018 Zwaanendael Farm Rezoning Sketch Plan and it should be maintained.

\*\*To be built by others

As a TOA/TIS will be performed for the Gills Neck Village Center, the recommended lane configurations and storage lengths for the Gills Neck Village Center entrance may be modified based on those results.

- The developer should restripe the Kings Highway and Gills Neck Road/Cape Henlopen High School Entrance intersection to be consistent with the lane configurations shown in the table below:

<b>Approach</b>	<b>Current Configuration</b>	<b>Proposed Configuration</b>
Eastbound Cape Henlopen High School	One shared left turn/through lane and one right turn lane	No change
Westbound Gills Neck Road	One left turn lane, one through lane, and one right turn lane	Two left turn lanes and one shared through/right turn lane
Northbound Kings Highway	One left turn lane, one through lane, and one right turn lane	No change
Southbound Kings Highway	One left turn lane, one through lane, and one right turn lane	One left turn lane, one through lane, and one shared through/right turn lane

The recommended minimum storage lengths (excluding taper) of the separate left turn and right turn lanes along Kings Highway and Gills Neck Road are listed below.



Approach	Left Turn Lane	Through/Right Turn Lane	Right Turn Lane
Northbound Kings Highway	250 feet*	-	180 feet*
Southbound Kings Highway	340 feet*	550 feet	-
Westbound Gills Neck Road	420 feet	570 feet**	-

\*Storage lengths match the existing storage lengths per field conditions and should be maintained.

\*\*Storage length does not match the existing storage length and requires lengthening.

The developer should restripe Kings Highway south of the Gills Neck Road intersection to provide two through lanes and the rightmost through lane should transition to a right turn only lane at the Clay Road intersection. The SUP should be constructed along Kings Highway to connect to Clay Road and the shoulder along Kings Highway should be eliminated.

The developer should enter into a traffic signal agreement with DelDOT for the intersection of Kings Highway with Gills Neck Road. The traffic signal agreement should include pedestrian signals, crosswalks, interconnection, and ITS equipment such as CCTV cameras at DelDOT's discretion. Prior to Entrance Plan approval, the developer should submit a plan to DelDOT Development Coordination section depicting the design of Kings Highway from Gills Neck Road to Clay Road. The final design should be determined during the Entrance Plan review process.

### Full Build Out Improvements

The following items should be incorporated as part of the full build out of the site.

5. The developer should enter into an agreement with DelDOT to fund an equitable portion of improvements to the intersections of Kings Highway with Dartmouth Drive, Clay Road, Gills Neck Road/Cape Henlopen High School Entrance, Atlantic Drive, Freeman Highway, Bay Breeze Drive, and the Site Entrance/Beebe Medical Center Entrance as part of the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project. The developer should coordinate with DelDOT on the implementation and equitable cost sharing of the improvements. The amount of right-of-way dedicated by the property owner for the DelDOT Project in excess of 50 feet from the centerline on Kings Highway and 40 feet from the centerline on Gills Neck Road that otherwise would have been purchased as part of the DelDOT project would be considered as part of the contribution towards the DelDOT project.





6. The developer should enter into an agreement with DelDOT to fund an equitable portion of improvements to the intersection of Clay Road and Marsh Road as part of the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project. The project will improve the intersection of Marsh Road and Clay Road to eliminate the existing skewed angle of the intersection. The developer should coordinate with DelDOT on the implementation and equitable cost sharing of the Clay Road and Marsh Road intersection improvements.
7. Vehicular interconnections or cross access easements between the on-site lots should be provided. The developer should coordinate with DelDOT's Development Coordination Section to determine the locations and feasibilities of the interconnections.
8. The following bicycle, pedestrian, and transit improvements should be included:
  - a. A minimum fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the Kings Highway site frontage. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP) to meet the shared-use path recently constructed for Lot 1. The developer should coordinate with DelDOT's Development Coordination section during the plan review process to identify the exact location of the SUP.
  - b. An accessway should be provided from the SUP into the site for Lots 1 through 5.
  - c. Where internal sidewalks are located alongside of parking spaces, a buffer, physical barrier or signage should be added to eliminate vehicular overhang onto the sidewalk.
  - d. The tie-in installed for Lot 1 should be removed once the SUP is extended along the entire property frontage.
  - e. ADA compliant curb ramps and marked crosswalks should be provided along the Kings Highway Site Entrance approach to Kings Highway. The use of diagonal curb ramps is discouraged.
  - f. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the northbound Kings Highway approach to the Kings Highway Site Entrance.
  - g. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/shared-use paths or should be flush with the pavement.



- h. Bike parking should be provided near the building entrances. Where the building architecture provides for an awning or other overhang, the bike parking should be covered.
- i. A Type 2 bus stop should be installed at the Kings Highway Site Entrance intersection. The developer should coordinate with DART and DelDOT on the location, design, as well as the amenities to provide.

Please note that this review generally focuses on capacity and level of service issues; additional safety and operational issues will be further addressed through DelDOT's Plan Review process.

Improvements in this TIS may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at [https://www.deldot.gov//Publications/manuals/de\\_mutcd/index.shtml](https://www.deldot.gov//Publications/manuals/de_mutcd/index.shtml). For any additional information regarding the work zone impact and mitigation procedures during construction please contact Mr. Jeff VanHorn, Assistant Director for Traffic Operations and Management. Mr. VanHorn can be reached at (302) 659-4606 or by email at [Jeffrey.VanHorn@delaware.gov](mailto:Jeffrey.VanHorn@delaware.gov).

Additional details on our review of the TIS are attached. Please contact me at (302) 266-9600 if you have any questions concerning this review.

Sincerely,  
Johnson, Mirmiran, and Thompson, Inc.

A handwritten signature in black ink, appearing to read 'Joanne M. Arellano'.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE  
Janna Brown, E.I.T.

Enclosure

## **General Information**

**Report date:** November 2019

**Prepared by:** Davis, Bowen & Friedel, Inc.

**Prepared for:** The Mitchell Family Ltd. Partnership

**Tax Parcel:** 335-8.00-37.00

**Generally consistent with DelDOT's *Development Coordination Manual (DCM)*:** Yes

## **Project Description and Background**

**Description:** The developer seeks to develop 206,500 square feet of medical-dental office space, 60 single-family detached houses, and 150 multi-family mid-rise dwelling units.

**Location:** The subject site is located on the northeast corner of the intersection of Kings Highway (Sussex Road 268) and Gills Neck Road (Sussex Road 267) in Sussex County, Delaware.

**Amount of Land to be developed:** An approximately 52.71-acre parcel.

**Land Use approval(s) needed:** Rezoning and Entrance Plan.

**Proposed completion date:** 2027.

**Proposed access location:** Two full access points are proposed: one along Kings Highway directly opposite the proposed site access for the Beebe Medical development and one along Gills Neck Road opposite the site access for the proposed Gills Neck Village Center commercial project.

### **Daily Traffic Volumes:**

- 2018 Average Annual Daily Traffic on Kings Highway: 13,019 vehicles per day (non-Summer)
- 2018 Average Annual Daily Traffic on Gills Neck Road: 4,995 vehicles per day (non-Summer)

## Site Map



\*Graphic is an approximation based on the Rezoning Sketch Plan prepared by Davis, Bowen & Friedel, Inc. dated June 2018.

## Relevant and On-going Projects

DelDOT has several relevant and ongoing improvement projects within the study area including the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project. The project will realign Old Orchard Road to intersect Savannah Road at its intersection with Wescoats Road. Additionally, the project will improve the intersection of Marsh Road and Clay Road to eliminate the existing skewed angle of the intersection. Construction is anticipated to begin in 2023.

Per direction from the DelDOT Traffic Section, a signal at the Kings Highway and Clay Road intersection was recently installed. DelDOT completed the *Signal Justification Study US9 – Kings Highway (S268) & Clay Road (S269)* in February 2020. As part of the study, field observations were conducted, existing sight distances were assessed, crashes were reviewed, intersection analyses were performed, and warrant analyses based on the DE MUTCD were evaluated. The

crash evaluation reviewed data from August 7, 2014 to January 23, 2020 which identified one fatal angle crash. Four of the DE MUTCD Traffic Signal Warrants were met which included the eight-hour, four-hour, and peak-hour vehicular warrants as well as the Alternative Crash Experience Warrant (IA-19.3). Various improvement options were evaluated as part of the study, including the implementation of all-way-stop-control and installation of a roundabout or signal. The study recommended the short-term improvement to install a traffic signal. A long-term improvement to determine the feasibility of converting the intersection to a roundabout or installing appropriate turn lanes was recommended.

In October 2015 a collaborative effort by DelDOT, Delaware Greenways, and other groups developed the *Corridor Management Plan* for the Lewes Scenic and Historic Byway. This was done as part of the *Delaware Byways Program*. The *Delaware Byways Program* includes the identification, promotion, preservation, and enhancement of Delaware roadways with at least one of the following qualities: scenic, historic, natural, cultural, recreational, and archaeological. The Lewes Scenic and Historic Byway traverses through the City of Lewes and extends into Sussex County on the following roads: New Road, Pilot Town Road, Savannah Road, Cape Henlopen Drive, Gills Neck Road, and Kings Highway. Recommendations from the plan for Kings Highway include considering options for narrow or wide medians and opportunities for linking together isolated parcels in a gridded circulation network. Additionally, at the Kings Highway/Gills Neck Road intersection, the plan recommends the consideration of options that accommodate planned pedestrian and bicycle pathways and movements. More information about the Corridor Management Plan can be found here: <https://deldot.gov/Programs/byways/index.shtml?dc=cmp>

The *Kings Highway and Gills Neck Road Master Plan* dated September 2016 is an early action project of the Lewes Scenic and Historic Byway Corridor Management Plan. The purpose of the Master Plan is to establish a vision for Kings Highway and Gills Neck Road. The Master Plan recommends two travel lanes per direction and a boulevard design along Kings Highway. From north of Gills Neck Road to Freeman Highway, the Master Plan recommends one travel lane per direction with a center turn lane along Kings Highway. Additionally, a roundabout and a signal are recommended at the Dartmouth Drive and Clay Road intersections, respectively. Along Gills Neck Road, one travel lane per direction with a boulevard design is recommended. More information about the Master Plan can be found here: [https://deldot.gov/Programs/byways/pdfs/lewes\\_cmp/KHGN\\_MasterPlan\\_092616finalrx.pdf?cache=1582120567909](https://deldot.gov/Programs/byways/pdfs/lewes_cmp/KHGN_MasterPlan_092616finalrx.pdf?cache=1582120567909)

The *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* project is planned to implement the improvements recommended by the Master Plan. A DelDOT Contract Number does not exist for the recommended improvements yet. Based on the proposed CTP FY 20 thru FY 26 Spending Plan, design is projected to start Fiscal Year 2022 and construction is projected to start Fiscal Year 2026.

Additionally, the Delaware River and Bay Authority (DRBA) *Freeman Highway Rehabilitation* project (Contract No. 20191619-00) includes the repaving of Freeman Highway from south of the intersection with Bay Breeze Drive to the intersection with Cape Henlopen Drive.

## **Livable Delaware**

*(Source: Delaware Strategies for State Policies and Spending, 2015)*

### **Location with respect to the Strategies for State Policies and Spending Map of Delaware:**

The proposed development is located within the Investment Level 1 area.

### **Investment Level 1**

These areas are often municipalities, towns, or urban/urbanizing places in counties where density is generally higher than in surrounding areas. In Investment Level 1 Areas, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity. Overall, it is the state's intent to use its spending and management tools to maintain and enhance community character, to promote well-designed and efficient new growth, and to facilitate redevelopment in Investment Level 1 Areas.

In Level 1 Areas the state's first priority will be for preserving existing facilities and making safety improvements. Level 1 areas will also be the highest priority for context sensitive transportation system capacity enhancements, transit-system enhancements, ADA accessibility, and for closing gaps in the pedestrian system, including the Safe Routes to School projects. Further, Level 1 areas are the first priority for planning projects and studies, bicycle facilities, signal-system enhancements, and the promotion of interconnectivity between neighborhoods and public facilities.

### **Proposed Development's Compatibility with Livable Delaware:**

The proposed development is located in the Investment Level 1 area. According to Livable Delaware, Level 1 areas support and encourage a wide range of uses and enhance community identity and integrity. The proposed project is a mixed-use development that will support the ongoing development in the surrounding area. Therefore, the proposed development is generally consistent with the 2015 update of the Livable Delaware "Strategies for State Policies and Spending."

## **Comprehensive Plans**

*(Source: Sussex County March 2019 Comprehensive Plan)*

### **Sussex County Comprehensive Plan:**

Per the *Sussex County Comprehensive Plan Future Land Use Map*, the proposed development is in an area designated as Coastal Area.

### **Proposed Development's Compatibility with the Sussex County Comprehensive Plan:**

Per the *Sussex County Comprehensive Plan Future Land Use Map*, the proposed development is in an area designated as Coastal Area. A range of housing types are appropriate in Coastal Areas, including single-family homes and multifamily units, as well as office and mixed-use developments. Therefore, the proposed development is generally consistent with the *Sussex County March 2019 Comprehensive Plan*.

**Trip Generation**

The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the *Trip Generation, 10<sup>th</sup> Edition: An ITE Informational Report*, published by the Institute of Transportation Engineers (ITE) for ITE Land Use Code 210 (Single-Family Detached Housing), Land Use Code 221 (Multifamily Mid-Rise Housing), and Land Use Code 720 (Medical-Dental Office Building). The trip generation was approved by DelDOT during the PTIS review as well as the review of the TIS Addendum.

**Table 1**  
Mitchell Farm (Zwaanendael Farm) Trip Generation – Full Build Out

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
60 Single-Family Detached Houses (ITE Code 210)	650	12	35	47	39	23	62	37	31	68
150 Multifamily Mid-Rise Houses (ITE Code 221)	816	13	38	51	40	25	65	34	36	70
206,500 SF Medical-Dental Office Building (ITE Code 720)	7,846	332	94	426	197	505	702	552	417	969
<b>Total Trips</b>	<b>9,312</b>	<b>357</b>	<b>167</b>	<b>524</b>	<b>276</b>	<b>553</b>	<b>829</b>	<b>623</b>	<b>484</b>	<b>1,107</b>
Internal Capture	44	1	1	2	5	5	10	6	6	12
<b>New Trips</b>	<b>9,268</b>	<b>356</b>	<b>166</b>	<b>522</b>	<b>271</b>	<b>548</b>	<b>819</b>	<b>617</b>	<b>478</b>	<b>1,095</b>

Mitchell Farm (Zwaanendael Farm) Trip Generation – Partial Build Out (Case 3d)

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
117,000 SF Medical-Dental Office Building (ITE Code 720)	1,003	200	57	257	112	287	399	300	227	527

## **Overview of TIS**

### **Intersections examined:**

1. Kings Highway (Sussex Road 268)/Site Entrance/Beebe Medical Site Entrance
2. Gills Neck Road (Sussex Road 267)/Site Entrance/Gills Neck Village Center Site Entrance
3. Kings Highway/Bay Breeze Drive
4. Kings Highway/Freeman Highway (Sussex Road 23)
5. Kings Highway/Savannah Road (Sussex Road 18)
6. Savannah Road/Gills Neck Road/Front Street (Sussex Road 267)
7. Kings Highway/Atlantic Drive (*City of Lewes*)
8. Kings Highway/Gills Neck Road/Cape Henlopen High School Entrance
9. Kings Highway/Clay Road (Sussex Road 269)
10. Clay Road/Marsh Road (Sussex Road 269B)
11. Kings Highway/Dartmouth Drive (Sussex Road 268A)

### **Conditions examined:**

#### **TIS**

1. Case 1 – Existing (2018)
2. Case 2a – 2027 without development and without the Kings Highway dual lanes project  
Case 2b – 2027 without development and with the Kings Highway dual lanes project
3. Case 3a – 2027 with development and without the Kings Highway dual lanes project  
Case 3b – 2027 with development and with the Kings Highway dual lanes project  
Case 3c – 2027 with development, without the Kings Highway dual lanes project, and without an entrance along Kings Highway
4. Case 4 – 2027 with development and with the Kings Highway dual lanes project with additional improvements

#### **TIS Addendum**

1. Case 2d – Future 2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project
2. Case 3d – Future 2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway

### **Committed Developments considered:**

1. Gills Neck Village Center (75,000 square foot shopping center, 213 single family homes on the residual lands)
2. Governors (287 single-family detached houses, 136 multi-family low-rise dwelling units)



3. Beebe Medical (175-unit continuing care retirement, 140 multi-family low-rise dwelling units)
4. Showfield (252 single-family detached houses: 86 units proposed in the City of Lewes, 166 units recorded in Sussex County)
5. White's Pond Meadow-Gills Neck Road (79 single-family detached homes)
6. Admirals Chase (26 semi-detached houses)
7. Cape Henlopen High School Expansion (400 students)
8. The Moorings at Lewes, formerly known as Cadbury, expansion (32-unit Continuing Care Retirement Center)

\*Note: Committed development information provided in the TIS supersedes the information provided in the July 3, 2018 DelDOT Scoping Meeting Memorandum. DelDOT provided future year 2027 Case 2 projections based on the DelDOT Travel Demand Model that includes background growth as well as traffic from the eight committed developments.

**Peak hours evaluated:** Weekday morning, Weekday evening, and Summer Saturday midday peak hours.

### **Intersection Descriptions**

#### **1. Kings Highway (Sussex Road 268)/Site Entrance/Beebe Medical Site Entrance**

**Type of Control:** Proposed two-way stop-controlled intersection (four-legged intersection)

**Eastbound Approach:** (Beebe Site Access) Proposed one shared left turn/through lane and one right turn lane, stop-controlled

**Westbound Approach:** (Site Entrance) Proposed one shared left turn/through lane and one right turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) Existing one through lane; proposed one left turn lane, one through lane, and one right turn lane

**Southbound Approach:** (Kings Highway) Existing one through lane; proposed one left turn lane, one through lane, and one right turn lane

#### **2. Gills Neck Road (Sussex Road 267)/Site Entrance/Gills Neck Village Center Site Entrance**

**Type of Control:** Proposed two-way stop-controlled intersection (four-legged intersection)

**Eastbound Approach:** (Gills Neck Road) Existing one through lane; proposed one left turn lane, one through lane, and one right turn lane

**Westbound Approach:** (Gills Neck Road) Existing one through lane; proposed one left turn lane, one through lane, and one right turn lane

**Northbound Approach:** (Gills Neck Village Center Entrance) Proposed one shared left turn/through lane and one right turn lane, stop-controlled

**Southbound Approach:** (Site Entrance) Proposed one shared left turn/through lane and one right turn lane, stop-controlled

**3. Kings Highway/Bay Breeze Drive**

**Type of Control:** Existing stop-controlled intersection

**Westbound Approach:** (Bay Breeze Drive) Existing one left-turn lane and one right-turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) Existing one shared through lane/channelized right-turn lane

**Southbound Approach:** (Kings Highway) Existing two through lanes and one left-turn lane (stop-controlled)

**4. Kings Highway/Freeman Highway (Sussex Road 23)**

**Type of Control:** Existing stop-controlled intersection

**Northbound Approach:** (Kings Highway) Existing one left-turn lane (stop-controlled) and one through lane

**Southbound Approach:** (Freeman Highway) Existing one through lane and one channelized right-turn lane (stop-controlled)

**5. Kings Highway/Savannah Road (Sussex Road 18)**

**Type of Control:** Existing two-way stop-controlled intersection (four-legged intersection)

**Eastbound Approach:** (3<sup>rd</sup> Street) Existing one shared through/left-turn lane and one right-turn lane, stop controlled

**Westbound Approach:** (Kings Highway) Existing one shared through/left-turn lane and one right-turn lane, stop controlled

**Northbound Approach:** (Savannah Road) Existing one left-tun lane and one shared through/right-turn lane

**Southbound Approach:** (Savannah Road) Existing one left-tun lane and one shared through/right-turn lane

**6. Savannah Road/Gills Neck Road/Front Street (Sussex Road 267)**

**Type of Control:** Existing signalized intersection (four-legged)

**Eastbound Approach:** (Front Street) Existing one left turn lane and one shared through/right turn lane

**Westbound Approach:** (Gills Neck Road) Existing one shared left turn/through/right turn lane

**Northbound Approach:** (Savannah Road) Existing one left turn lane and one shared through/right turn lane

**Southbound Approach:** (Savannah Road) Existing on left turn lane and one shared through/right turn lane

**7. Kings Highway/Atlantic Drive**

**Type of Control:** Existing two-way stop-controlled intersection (T-intersection)

**Eastbound Approach:** (Atlantic Drive) Existing one shared left-turn/right-turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) Existing one shared left-turn/through lane

**Southbound Approach:** (Kings Highway) Existing one shared through/right-turn lane

**8. Kings Highway/Gills Neck Road/Cape Henlopen High School Entrance**

**Type of Control:** Existing signalized intersection (four-legged)

**Eastbound Approach:** (Cape Henlopen High School Entrance) Existing one shared left turn/through lane and one right turn lane

**Westbound Approach:** (Gills Neck Road) Existing one left turn lane, one through lane, and one right turn lane

**Northbound Approach:** (Kings Highway) Existing one left turn lane, one through lane, and one right turn lane

**Southbound Approach:** (Kings Highway) Existing one left turn lane, one through lane, and one right turn lane

**9. Kings Highway/Clay Road (Sussex Road 269)**

**Type of Control:** Existing two-way stop-controlled intersection (T-intersection)

**Eastbound Approach:** (Clay Road) Existing one shared left turn/right turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) Existing one shared left turn/through lane

**Southbound Approach:** (Kings Highway) Existing one shared through/right turn lane

**10. Clay Road (Sussex Road 269) and Marsh Road (Sussex Road 269B)**

**Type of Control:** Existing two-way stop-controlled intersection (T-intersection)

**Eastbound Approach:** (Clay Road) Existing one shared through/right turn lane

**Westbound Approach:** (Clay Road) Existing one shared through/left turn lane

**Northbound Approach:** (Marsh Road) Existing one left-turn lane and one right-turn lane, stop-controlled.

**11. Kings Highway (Sussex Road 268) and Dartmouth Drive (Sussex Road 268A)**

**Type of Control:** Existing two-way stop-controlled intersection

**Eastbound Approach:** (Dartmouth Drive) Existing one shared left turn/right turn lane, stop-controlled

**Northbound Approach:** (Kings Highway) One left-turn lane and one through lane

**Southbound Approach:** (Kings Highway) One through lane and one channelized right-turn lane

### **Transit, Pedestrian, and Bicycle Facilities**

**Existing transit service:** Per DelDOT Gateway, Delaware Transit Corporation (DTC) currently does not provide existing services within the study area.

**Planned transit service:** Per email correspondence on February 11, 2020 with Mr. Jared Kauffman, Fixed-Route Planner at the DTC, a Type 2 bus stop has been installed at the intersection of Kings Highway and Gills Neck Road/Cape Henlopen High School Entrance. An additional Type 2 bus stop should be installed along northbound Kings Highway at the intersection with the site entrance. Additionally, a sidewalk/SUP interconnection should be provided between the site and the adjacent Bay Breeze Estates.

**Existing bicycle and pedestrian facilities:** According to DelDOT's *Lewes & Rehoboth Beach Area Bicycle Map*, two Connector Bicycle Routes and one Regional Bicycle Route exist within the study area. One Connector Bicycle Route travels along Gills Neck Road, beginning at the study intersection with Savannah Road, traversing through one study intersection (Site Entrance) intersecting with another Connector Bicycle Route at the study intersection of Kings Highway. The other Connector Bicycle Route exists along Kings Highway and traverses through seven of the study intersections (Freeman Highway, Bay Breeze Drive, Site Entrance, Atlantic Drive, Gills Neck Road/Cape Henlopen High School Entrance, Clay Road, and Dartmouth Drive). The Regional Bicycle Route exists along Savannah Road and traverses through one study intersection (Gills Neck Road/Front Street) Pedestrian facilities currently exist at four of the study intersections: Savannah Road/Gills Neck Road/Front Street, Kings Highway/Savannah Road, Kings Highway/Gills Neck Road/Cape Henlopen High School Entrance, and Gills Neck Road/Site Entrance.

**Planned bicycle and pedestrian facilities:** Per email correspondence on February 12, 2020 from Mr. John Fiori, DelDOT's Bicycle Coordinator, the following improvements were recommended:

- The existing 10-foot wide shared-use path (SUP) should be extended along the Kings Highway site frontage. Once the SUP is extended, the existing tie-in installed for Minor Subdivision Lot 1 shall be removed (including pipe), top soiled, seeding, mulched, and re-graded to assure positive drainage.
- An internal sidewalk/SUP connection is required from the SUP into the site for Lots 1 thru 5.
- Internal bicycle racks should be provided at all Lots.
- Revise design of SUP from Type 2 ramp on the egress side to Type 1 ramp.
- Per the DCM, the site shall dedicate right-of-way per the roadway classification and establish a 15-foot wide permanent easement along the property frontage.
- All entrance, roadway and/or intersection improvements required shall incorporate bicycle and pedestrian facilities. Per the DCM, if the right turn lane is warranted, then a bike lane

shall be incorporated along the right turn lane; if a left turn lane is required any roadway improvements shall include a shoulder matching the roadway classification or existing conditions.

**Bicycle Level of Traffic Stress in Delaware:** Researchers with the Mineta Transportation Institute developed a framework to measure low-stress connectivity, which can be used to evaluate and guide bicycle network planning. Bicycle LTS analysis uses factors such as the speed of traffic, volume of traffic, and the number of lanes to rate each roadway segment on a scale of 1 to 4, where 1 is a low-stress place to ride and 4 is a high-stress place to ride. It analyzes the total connectivity of a network to evaluate how many destinations can be accessed using low-stress routes. Developed by planners at the Delaware Department of Transportation (DelDOT), the bicycle Level of Traffic Stress (LTS) model will be applied to bicycle system planning and evaluation throughout the state. The Bicycle LTS for the roadways under existing conditions along the site frontage are summarized below. The Bicycle LTS was determined utilizing the map on the DelDOT Gateway.

- Kings Highway – LTS: 3 and 4
- Gills Neck Road – LTS: 4

### **Crash Evaluation**

Per the crash data included in the TIS from July 25, 2015 to July 25, 2018 and provided by the Delaware Crash Analysis Reporting System, a total of 166 crashes were reported within the study area. The TIS reports that 89 of these crashes are relevant within the study area and intersections. 19 of these crashes occurred within the functional area of the intersection of Kings Highway and Clay Road, 18 occurred within the functional area of the intersection of Kings Highway and Gills Neck Road/Cape Henlopen High School Access, 17 occurred within the functional area of Savannah Road/Kings Highway/3<sup>rd</sup> Street, and 11 occurred within the function area of Savannah Road/Front Street/Gills Neck Road. No fatalities occurred within the study area over the 3-year period.

A crash evaluation was also completed as part of DelDOT's *Signal Justification Study US9 – Kings Highway (S268) & Clay Road (S269)* in February 2020. As part of the study, a crash evaluation reviewed data from August 7, 2014 to January 23, 2020 which identified one fatal angle crash at the Kings Highway and Clay Road intersection. The installation of a traffic signal was identified in the study as a short-term improvement which is expected to be implemented prior to Summer of 2021.

### **Previous Comments**

Comments from DelDOT from the Preliminary Traffic Impact Study (PTIS) were addressed in the final TIS.

## **General HCS Analysis Comments**

*(See table footnotes on the following pages for specific comments)*

1. For the intersection analyses, the TIS used HCS7 version 7.8, whereas JMT used HCS7 version 7.8.5. The TIS Addendum did utilize HCS7 version 7.8.5.
2. Per DelDOT's *Development Coordination Manual*, JMT used a heavy vehicle percentage of 3% for each movement greater than 100 vph in the Case 2 and Case 3 future scenario analyses, unless the existing heavy vehicle percentage was greater than 3% and there was no significant increase of vehicles along that movement, in which case the existing heavy vehicle percentage was used for analysis of future scenarios. The TIS utilized various heavy vehicle percentages.
3. Per DelDOT's *Development Coordination Manual* and coordination with DelDOT Planning, JMT used a heavy vehicle percentage of 5% for each movement less than 100 vph along roadways and site entrances, whereas the TIS did in some locations.
4. Per DelDOT's *Development Coordination Manual*, both the TIS and JMT utilized the existing PHF for the Case 1 scenario and a future PHF for Cases 2 and 3 scenarios of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph or the existing PHF, whichever was higher, unless DelDOT-approved calibrated PHFs were provided by the TIS. JMT did not alter any PHFs for cases without widening, whereas the TIS utilized altered PHFs.
5. Per DelDOT's *Development Coordination Manual*, JMT and the TIS utilized a base saturation flow rate of 1,750 pc/h/ln at all intersections.
6. JMT utilized bicycle and pedestrian counts consistent with the existing turning movement counts whereas the TIS did not.
7. At the signalized intersections, JMT increased right turn on red volumes proportionally with volume increases, whereas the TIS maintained existing right turn on red volumes.
8. At the unsignalized intersections, differences in critical headways and follow-up headways were noticed between the TIS and JMT's analysis. JMT utilized the HCS7 Version 7.8.5 default values.
9. At the unsignalized intersections, the TIS utilized proportion of time spent blocked at the intersections based on field views. The TIS utilized the highest proportion of time spent blocked that would be able to provide an HCS output, which resulted in inconsistent values being used. It is recognized that existing delays may be longer than what is calculated in the JMT analysis due to blocked side streets especially during Cape May-Lewes Ferry arrival/departure times. However, JMT analyzed the intersections with no proportion of

time spent blocked input in order to provide a comparable baseline between cases and peaks.

10. The analysis includes scenarios with or without the *US 9, Kings Highway, Dartmouth Drive to Freeman Highway* DeIDOT project. As part of the project, Kings Highway is proposed to be widened to provide two through lanes in each direction.
11. Three separate Case 3 scenarios were included in the analysis:
  - Case 3a – Future 2027 with development and without the Kings Highway Dual Lane project.
  - Case 3b – Future 2027 with development and with the Kings Highway Dual Lane project. As part of this scenario, Atlantic Drive is assumed to only provide rights-in/rights-out movements along Kings Highway and an interconnection would exist between Atlantic Drive and the Beebe Medical Center.
  - Case 3c – Future 2027 with development and without the Kings Highway Dual Lane project and without a site entrance along Kings Highway.
12. The analysis also includes the TIS Addendum which reviewed the following scenarios:
  - Case 2d – Future 2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project
  - Case 3d – Future 2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway
13. The analyses highlighted in gray represent the JMT interim recommendations as part of the TIS Review letter.
14. The analyses highlighted in blue represent the JMT suggested improvements with the full build of the proposed development.

Table 2  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.7)	F (90.3)	F (58.2)	A (8.7)	B (12.0)	B (11.1)
Eastbound Beebe Medical Entrance	B (14.9)	F (*)	F (*)	B (14.2)	E (42.9)	E (45.0)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3</sup>						
Northbound Kings Highway Left Turn	-	-	-	A (8.7)	B (12.1)	B (11.2)
Eastbound Beebe Medical Entrance	-	-	-	B (11.5)	D (25.8)	C (23.7)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.6)	F (136.9)	F (74.3)	A (8.6)	B (10.3)	B (10.6)
Eastbound Beebe Medical Entrance	B (14.4)	F (*)	F (*)	B (13.8)	D (26.5)	D (32.0)

\*HCS reported delay greater than 1000 seconds per vehicle

<sup>1</sup> For signalized and unsignalized analysis, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

<sup>2</sup> For the PM and Saturday peak periods, the TIS utilized various values for proportion of time blocked whereas JMT utilized the default value of 0.

<sup>3</sup> For this scenario, JMT incorporated two through lanes in each direction along Kings Highway.



Table 2  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.7)	F (259.0)	F (162.7)	A (8.7)	B (12.0)	B (11.1)
Southbound Kings Highway Left Turn	B (10.3)	B (10.9)	C (16.5)	B (10.3)	B (10.9)	C (16.5)
Eastbound Beebe Medical Entrance	C (19.5)	F (*)	F (*)	C (17.9)	F (130.8)	F (358.0)
Westbound Site Entrance	F (78.6)	F (*)	F (*)	F (59.4)	F (*)	F (*)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>3</sup>						
Northbound Kings Highway Left Turn	A (8.9)	B (12.6)	B (11.4)	A (8.9)	B (12.6)	B (11.4)
Southbound Kings Highway Left Turn	B (10.3)	B (10.9)	C (16.5)	B (10.3)	B (10.9)	C (16.5)
Eastbound Beebe Medical Entrance	C (20.8)	F (144.8)	F (468.9)	C (19.1)	F (78.9)	F (340.4)
Westbound Site Entrance	F (55.5)	F (*)	F (*)	E (44.7)	F (*)	F (*)
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.9)	F (90.3)	E (48.1)	A (8.9)	B (12.4)	B (11.9)
Eastbound Beebe Medical Site Entrance	C (16.3)	F (*)	F (*)	C (15.4)	F (53.3)	F (67.4)

\*HCS reported delay greater than 1000 seconds per vehicle

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>2</sup>						
Northbound Kings Highway Left Turn	A (8.7)	B (10.4)	B (10.8)	A (8.7)	B (10.4)	B (10.8)
Eastbound Beebe Medical Site Entrance	C (16.1)	E (40.9)	F (64.4)	C (15.2)	D (34.7)	F (50.6)

\*HCS reported delay greater than 1000 seconds per vehicle

Note: Analysis highlighted in gray represents the JMT interim recommendations

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>4</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (5.3)	B (11.5)	A (10.0)
Northbound Kings Highway	-	-	-	A (8.9)	B (12.5)	D (32.7)
Southbound Kings Highway	-	-	-	A (7.0)	E (39.2)	C (21.5)
Overall Intersection	-	-	-	A (8.0)	D (27.7)	D (27.2)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3,5</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (4.6)	A (8.8)	A (7.8)
Northbound Kings Highway	-	-	-	A (5.1)	A (5.9)	A (7.5)
Southbound Kings Highway	-	-	-	A (4.5)	A (7.8)	A (7.0)
Overall Intersection	-	-	-	A (4.9)	A (7.0)	A (7.2)

\*HCS reported delay greater than 1000 seconds per vehicle

<sup>4</sup> JMT modeled the intersection as a single-lane roundabout.

<sup>5</sup> JMT modeled the intersection as a dual-lane roundabout.

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>4</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (6.1)	C (15.0)	B (14.0)
Westbound Site Entrance	-	-	-	A (7.7)	C (20.5)	E (37.8)
Northbound Kings Highway	-	-	-	B (13.9)	C (20.1)	F (163.0)
Southbound Kings Highway	-	-	-	A (8.6)	F (131.9)	F (90.8)
Overall Intersection	-	-	-	B (11.4)	F (75.5)	F (121.1)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>3,5</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (5.3)	B (11.2)	B (11.0)
Westbound Site Entrance	-	-	-	A (6.7)	B (14.8)	C (21.8)
Northbound Kings Highway	-	-	-	A (6.5)	A (7.1)	B (12.1)
Southbound Kings Highway	-	-	-	A (5.4)	B (11.7)	B (10.1)
Overall Intersection	-	-	-	A (6.1)	B (10.2)	B (12.1)

\*HCS reported delay greater than 1000 seconds per vehicle

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance</b>						
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) <sup>4</sup>						
Eastbound Beebe Medical Entrance	-	-	-	A (5.7)	B (12.3)	B (11.7)
Northbound Kings Highway	-	-	-	A (9.5)	C (16.3)	F (51.5)
Southbound Kings Highway	-	-	-	A (7.8)	F (51.2)	E (36.3)
Overall Intersection	-	-	-	A (8.7)	E (35.6)	E (43.8)

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance<sup>6</sup></b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>7</sup>	-	-	-	A (4.7)	A (10.0)	B (13.8)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3,7</sup>	-	-	-	A (3.3)	A (3.2)	A (4.2)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d) <sup>7</sup>	-	-	-	A (4.7)	A (5.6)	A (8.9)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>8,9</sup>	A (9.5)	D (51.5)	F (105.4)	B (18.7)	F (81.3)	F (114.0)

<sup>6</sup> JMT used a signal cycle length of 100 seconds during the AM and Saturday peak periods, and a cycle length of 130 seconds during the PM peak period for all Cases. The TIS used various signal cycle lengths for each period and case analyzed.

<sup>7</sup> JMT modeled the intersection as split phase with one shared left turn/through lane along the northbound Kings Highway approach, one through lane and one right turn lane along the southbound Kings Highway approach, and one left turn lane and one right turn lane along the eastbound Beebe Medical Center approach. The signal would operate with two phases.

<sup>8</sup> Both the TIS and JMT modeled the intersection with one left turn lane, one through lane, and one right turn lane along northbound and southbound Kings Highway, and one shared left turn/through lane and one right turn lane along eastbound Beebe Medical Center and the westbound Site Entrance.

<sup>9</sup> Both the TIS and JMT modeled the northbound and southbound approaches with protected and permissive left turn phasing. The TIS modeled the eastbound and westbound approaches as concurrent phases with permitted left turns, whereas JMT modeled as split phase operation.

Table 2 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/Site Entrance<sup>6</sup></b>						
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>9,10</sup>	B (12.1)	B (16.2)	B (16.2)	B (13.3)	C (23.7)	C (23.0)
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) <sup>11</sup>	-	-	-	A (5.0)	B (15.0)	D (49.7)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>11</sup>	-	-	-	A (4.6)	A (5.7)	A (9.4)

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>10</sup> Both the TIS and JMT modeled the intersection with one shared left turn/through lane and one right turn lane along eastbound Beebe Medical Center and the westbound Site Entrance. The TIS modeled the northbound and southbound Kings Highway approaches with one left turn lane, one through lane, and one shared through/right turn lane. JMT modeled the northbound and southbound Kings Highway approaches with one left turn lane, two through lanes, and one right turn lane.

<sup>11</sup> Reduction in delay when compared to Case 3a is due to the removal of the easterly leg Site Entrance on Kings Highway from this intersection.

<sup>11</sup> JMT modeled the northbound Kings Highway approach with a shared left turn/through lane and a separate right turn lane, the southbound Kings Highway approach with a through lane and a right turn lane, and the eastbound Beebe Medical Center approach with a separate left turn lane and a right turn lane.

Table 3  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Gills Neck Road (Sussex Road 267)/Site Entrance</b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>2, 12</sup>						
Westbound Gills Neck Road Left Turn	F (434.6)	A (8.9)	A (8.5)	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	F (*)	F (*)	F (*)	C (16.4)	C (22.5)	C (16.5)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d) <sup>2, 13</sup>						
Eastbound Gills Neck Road Left Turn	F (130.7)	D (34.2)	F (102.7)	A (8.4)	A (8.1)	A (8.1)
Westbound Gills Neck Road Left Turn	E (47.0)	D (30.9)	F (55.2)	A (7.9)	A (8.5)	A (8.2)
Northbound Gills Neck Village Center Entrance	F (*)	F (*)	F (*)	C (20.6)	D (28.5)	C (24.0)
Southbound Site Entrance	F (95.3)	F (133.4)	F (166.8)	B (11.3)	B (11.8)	B (10.9)

\*HCS reported delay greater than 1000 seconds per vehicle

<sup>12</sup> Both the TIS and JMT modeled the intersection with one through lane and one right turn lane along eastbound Gills Neck Road, one left turn lane and one through lane along westbound Gills Neck Road, and one left turn lane and one through lane along the northbound Gills Neck Village Center entrance.

<sup>13</sup> Both the TIS and JMT modeled the intersection with one left turn lane, one through lane, and one right turn lane along the eastbound and westbound Gills Neck Road approaches, and one shared left turn/through lane and one right turn lane along the northbound Gills Neck Village Center entrance and the southbound Site Entrance.



Table 3 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Gills Neck Road (Sussex Road 267)/Site Entrance</b>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>2,13</sup>						
Eastbound Gills Neck Road Left Turn	F (104.1)	C (16.6)	D (27.7)	A (9.1)	A (8.7)	A (9.0)
Westbound Gills Neck Road Left Turn	A (8.1)	B (14.1)	A (8.4)	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	F (*)	F (*)	F (*)	E (44.7)	F (201.4)	F (261.6)
Southbound Site Entrance	F (120.2)	F (88.1)	F (120.9)	B (14.2)	C (18.6)	C (17.8)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>13,14</sup>						
Eastbound Gills Neck Road Left Turn	A (9.1)	A (8.7)	A (9.0)	A (9.1)	A (8.7)	A (9.0)
Westbound Gills Neck Road Left Turn	A (8.1)	A (8.9)	A (8.4)	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	F (54.9)	F (280.9)	F (351.9)	E (44.7)	F (201.4)	F (266.1)
Southbound Site Access	B (14.8)	C (19.8)	C (19.3)	B (14.2)	C (18.6)	C (17.8)

\*HCS reported delay greater than 1000 seconds per vehicle

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>14</sup> The Gills Neck Village Center Entrance improvements will be determined as part of the Gills Neck Village Center TOA.

Table 3 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Gills Neck Road (Sussex Road 267)/Site Access</b>						
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) <sup>2,14</sup>						
Eastbound Gills Neck Road Left Turn	F (77.7)	B (11.2)	D (31.8)	B (10.4)	A (9.5)	B (11.9)
Westbound Gills Neck Road Left Turn	A (8.1)	A (8.9)	A (8.4)	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	F (*)	F (*)	F (*)	F (344.7)	F (*)	F (*)
Southbound Site Entrance	F (871.5)	F (90.5)	F (*)	C (17.1)	F (54.4)	F (56.5)
2027 with Development, without Kings Highway Dual Lane Project and a rights- in only entrance on Kings Highway (Case 3c)						
Eastbound Gills Neck Road Left Turn	-	-	-	A (9.5)	A (8.9)	A (9.7)
Westbound Gills Neck Road Left Turn	-	-	-	A (8.1)	A (8.9)	A (8.4)
Northbound Gills Neck Village Center Entrance	-	-	-	F (117.5)	F (*)	F (*)
Southbound Site Entrance	-	-	-	C (15.5)	F (52.0)	D (28.7)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

Table 3 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Gills Neck Road (Sussex Road 267)/Site Entrance</b>						
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>15</sup>						
Eastbound Gills Neck Road Left Turn	A (8.5)	A (8.2)	A (8.4)	A (8.5)	A (8.2)	A (8.4)
Westbound Gills Neck Road Left Turn	A (7.9)	A (8.5)	A (8.2)	A (7.9)	A (8.5)	A (8.2)
Northbound Gills Neck Village Center Entrance	D (27.9)	F (97.4)	F (101.2)	C (24.9)	F (75.5)	F (76.3)
Southbound Site Access	B (11.9)	C (15.4)	B (13.2)	B (11.6)	B (14.9)	B (12.8)

Note: Analysis highlighted in gray represents the JMT interim recommendations

Table 4  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive</b> <sup>2, 15</sup>						
2018 Existing (Case 1)						
Southbound Kings Highway Left Turn	A (8.6)	F (289.8)	F (458.6)	-	-	-
Westbound Bay Breeze Drive Approach	C (19.8)	F (*)	F (*)	-	-	-
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Southbound Kings Highway Left Turn	A (9.1)	F (286.0)	B (12.0)	-	-	-
Westbound Bay Breeze Drive Approach	D (25.7)	F (*)	F (144.1)	-	-	-
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3, 16</sup>						
Southbound Kings Highway Left Turn	-	A (9.9)	B (12.0)	A (9.2)	B (10.2)	B (12.3)
Westbound Bay Breeze Drive Approach	-	F (128.2)	F (144.1)	C (18.9)	E (39.3)	F (52.0)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Southbound Kings Highway Left Turn	A (9.2)	F (286.0)	F (447.6)	-	-	-
Westbound Bay Breeze Drive Approach	D (30.2)	F (*)	F (*)	-	-	-

\*HCS reported excessive delay greater than 1000 seconds per vehicle

<sup>15</sup> Due to the unique configuration of the Kings Highway/Bay Breeze Drive intersection, JMT analyzed the intersection as two separate intersections. The TIS analyzed it as a single T-intersection.

<sup>16</sup> JMT assumed the intersection would be modified to a traditional T-intersection as part of the Kings Highway Dual Lane project.

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive <sup>2,17</sup></b>						
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>18</sup>						
Southbound Kings Highway Left Turn	A (9.2)	B (10.5)	B (12.8)	A (9.4)	A (10.8)	B (13.1)
Westbound Bay Breeze Drive Approach	C (22.5)	F (65.6)	F (93.7)	C (20.8)	F (52.6)	F (72.3)
2027 with Development and with Kings Highway Dual Lane Project and Bay Breeze Drive left turn out restriction (Case 3b)						
Southbound Kings Highway Left Turn	A (9.2)	B (10.5)	B (12.8)	A (9.4)	B (10.8)	B (13.1)
Westbound Bay Breeze Drive Right Turn	B (11.4)	B (13.0)	C (15.9)	B (11.3)	B (12.9)	C (15.6)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

<b>Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup></b>	<b>LOS per TIS</b>			<b>LOS per JMT</b>		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive <sup>2,17</sup></b>						
2018 Existing (Case 1)						
Westbound Bay Breeze Drive Left Turn	-	-	-	C (19.6)	D (25.8)	E (45.5)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Westbound Bay Breeze Drive Left Turn	-	-	-	D (25.2)	F (106.4)	F (153.2)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Westbound Bay Breeze Drive Left Turn	-	-	-	D (29.6)	F (164.0)	F (261.0)

<sup>17</sup> Due to the unique configuration of the Kings Highway/Bay Breeze Drive intersection, JMT analyzed the intersection as two separate intersections. This table summarized the results of the analysis conducted at the location where the westbound Bay Breeze Drive approach is a stop-controlled left-turn lane, the northbound Kings Highway approach is a through lane and a right turn lane, and the southbound Kings Highway approach is a through lane.

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive <sup>2,18,19</sup></b>						
2018 Existing (Case 1)						
Southbound Kings Highway Left Turn	-	-	-	B (13.5)	B (14.0)	C (21.7)
Westbound Bay Breeze Drive Right Turn	-	-	-	B (12.1)	B (12.2)	C (18.8)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Southbound Kings Highway Left Turn	-	-	-	C (15.3)	C (19.1)	D (29.6)
Westbound Bay Breeze Drive Right Turn	-	-	-	B (13.5)	C (16.1)	D (25.2)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Southbound Kings Highway Left Turn	-	-	-	C (15.8)	C (21.9)	D (33.8)
Westbound Bay Breeze Drive Right Turn	-	-	-	B (13.9)	C (18.1)	D (28.6)

<sup>18</sup> JMT analyzed the southbound left-turn movement as an eastbound through movement as the movement is stop-controlled.

<sup>19</sup> Due to the unique configuration of the Kings Highway/Bay Breeze Drive intersection, JMT analyzed the intersection as two separate intersections. This table summarizes the results of the analysis conducted at the location where the westbound Bay Breeze Drive approach is a yield-controlled channelized right-turn lane, the northbound Kings Highway approach is a through lane, and the southbound Kings Highway approach is a left-turn lane.

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive<sup>2</sup></b>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>4</sup>						
Westbound Bay Breeze Drive Approach	-	-	-	A (6.7)	A (8.2)	B (12.4)
Northbound Kings Highway Approach	-	-	-	A (8.9)	B (12.5)	E (42.9)
Southbound Kings Highway Approach	-	-	-	A (6.4)	C (22.1)	C (15.7)
Overall Intersection	-	-	-	A (7.9)	C (17.6)	C (30.8)
2027 with Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3, 5</sup>						
Westbound Bay Breeze Drive Approach	-	-	-	A (5.7)	A (6.7)	A (9.4)
Northbound Kings Highway Approach	-	-	-	A (5.2)	A (6.0)	A (7.9)
Southbound Kings Highway Approach	-	-	-	A (4.4)	A (7.0)	A (6.4)
Overall Intersection	-	-	-	A (4.9)	A (6.5)	A (7.2)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>4</sup>						
Westbound Bay Breeze Drive Approach	-	-	-	A (7.0)	A (9.4)	B (14.1)
Northbound Kings Highway Approach	-	-	-	A (9.5)	C (16.4)	F (66.6)
Southbound Kings Highway Approach	-	-	-	A (7.2)	D (27.4)	C (23.3)
Overall Intersection				A (8.5)	C (22.0)	E (46.8)



Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive<sup>2</sup></b>						
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>3, 5</sup>						
Westbound Bay Breeze Drive Approach	-	-	-	A (5.9)	A (7.5)	B (10.4)
Northbound Kings Highway Approach	-	-	-	A (5.4)	A (6.5)	A (8.5)
Southbound Kings Highway Approach	-	-	-	A (4.7)	A (7.3)	A (7.1)
Overall Intersection	-	-	-	A (5.1)	A (6.9)	A (7.9)

Table 4 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Bay Breeze Drive</b> <sup>20,21</sup>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)	-	-	-	A (8.3)	A (9.3)	D (38.0)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3</sup>	-	-	-	A (6.0)	A (4.9)	A (6.2)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)	-	-	-	A (8.5)	B (10.9)	D (52.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>3</sup>	-	-	-	A (5.9)	A (5.0)	A (6.6)

<sup>20</sup> JMT used a signal cycle length of 100 seconds during the AM and Saturday peak periods, and a cycle length of 130 seconds during the PM peak period.

<sup>21</sup> JMT modeled the signal as a three-phase signal with protected-permissive left turn phasing along the southbound Kings Highway approach.

Table 5  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Freeman Highway (Sussex Road 23) <sup>22</sup></b>						
2018 Existing (Case 1) <sup>23</sup>						
Northbound Kings Highway Left Turn	A (8.4)	B (12.4)	A (9.1)	C (15.0)	C (18.4)	C (19.6)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>23</sup>						
Northbound Kings Highway Left Turn	A (8.7)	C (17.6)	B (11.0)	C (17.2)	F (109.6)	F (68.4)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a) <sup>23</sup>						
Northbound Kings Highway Left Turn	A (8.9)	C (23.5)	B (12.2)	C (19.1)	F (199.4)	F (140.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b)						
Northbound Kings Highway Left Turn	-	B (13.4)	-	C (19.1)	F (199.4)	F (140.6)
2027 with Development and with Kings Highway Dual Lane Project and Bay Breeze Drive left turn out restriction (Case 3b) <sup>24</sup>						
Northbound Kings Highway Left Turn	A (9.0)	B (14.1)	B (12.5)	C (17.2)	F (231.7)	F (151.3)

<sup>22</sup> The TIS modeled the northbound movement as a left-turn lane and a through lane. JMT did not include the through movement in the analysis, because it is a free-flow movement with no conflicts. JMT modeled the northbound left-turn movement as a westbound through as it is stop-controlled.

<sup>23</sup> For the PM peak period, the TIS utilized various values for proportion of time blocked whereas JMT utilized the default value of 0.

<sup>24</sup> For this scenario, Bay Breeze Drive left turn outs would be restricted and those movements would be U-turns at the Kings Highway/Freeman Highway intersection.

Table 5 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Freeman Highway (Sussex Road 23)</b> <sup>25</sup>						
2027 without Development (Case 2)	-	-	-	B (14.9)	D (36.9)	C (25.0)
2027 with Development (Case 3)	-	-	-	B (17.6)	D (38.0)	C (27.5)

<sup>25</sup> JMT analyzed the intersection as signalized. The AM and Saturday signal cycle lengths are 100 seconds and the PM signal cycle length is 130 seconds.

Table 6  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Savannah Road (Sussex Road 18)</b> <sup>26</sup>						
2018 Existing (Case 1)						
Eastbound 3 <sup>rd</sup> Street Approach	B (11.5)	B (14.8)	D (28.5)	B (11.6)	C (16.5)	E (35.1)
Westbound Kings Highway Approach	B (10.4)	B (12.7)	C (16.2)	B (10.3)	B (13.3)	C (16.9)
Northbound Savannah Road Left Turn	A (7.5)	A (7.8)	A (7.8)	A (7.5)	A (7.9)	A (7.9)
Southbound Savannah Road Left Turn	A (7.7)	A (7.9)	A (8.7)	A (7.7)	A (8.0)	A (8.9)
2027 without Development (Case 2)						
Eastbound 3 <sup>rd</sup> Street Approach	B (13.8)	F (55.7)	F (99.6)	B (14.7)	F (165.4)	F (171.0)
Westbound Kings Highway Approach	B (11.5)	E (35.3)	C (21.8)	B (11.5)	E (46.5)	C (23.6)
Northbound Savannah Road Left Turn	A (7.6)	A (7.9)	A (7.8)	A (7.6)	A (8.0)	A (8.0)
Southbound Savannah Road Left Turn	A (7.8)	A (8.5)	A (9.1)	A (7.8)	A (8.6)	A (9.3)
2027 with Development (Case 3) <sup>27</sup>						
Eastbound 3 <sup>rd</sup> Street Approach	C (15.5)	F (96.7)	F (277.0)	C (17.2)	F (357.6)	F (565.9)
Westbound Kings Highway Approach	B (12.1)	F (56.7)	D (30.6)	B (12.0)	F (89.8)	E (39.5)
Northbound Savannah Road Left Turn	A (7.6)	A (8.0)	A (7.8)	A (7.6)	A (8.0)	A (8.0)
Southbound Savannah Road Left Turn	A (7.9)	A (8.6)	A (9.3)	A (7.9)	A (8.7)	A (9.5)

<sup>26</sup> For the analysis, the TIS used HCS7 version 7.8, whereas JMT used HCS7 version 7.8.5 resulting in delay differences.

<sup>27</sup> During the weekday AM, the TIS used a westbound through volume of 24, and JMT used a volume of 23 consistent with the volume diagrams.

Table 6 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Savannah Road (Sussex Road 18)<sup>28</sup></b>						
2027 without Development (Case 2)						
Eastbound 3 <sup>rd</sup> Street	-	-	-	A (4.3)	A (7.4)	A (5.6)
Westbound Kings Highway	-	-	-	A (4.9)	A (7.6)	B (10.0)
Northbound Savannah Road	-	-	-	A (5.1)	A (7.5)	B (10.0)
Southbound Savannah Road	-	-	-	A (4.8)	A (7.7)	A (5.8)
Overall Intersection	-	-	-	A (4.9)	A (7.6)	A (8.4)
2027 with Development (Case 3)						
Eastbound 3 <sup>rd</sup> Street	-	-	-	A (4.5)	A (7.8)	A (6.2)
Westbound Kings Highway	-	-	-	A (5.1)	A (8.5)	B (11.4)
Northbound Savannah Road	-	-	-	A (5.3)	A (7.8)	B (11.4)
Southbound Savannah Road	-	-	-	A (5.0)	A (8.3)	A (6.4)
Overall Intersection	-	-	-	A (5.1)	A (8.2)	A (9.4)

<sup>28</sup> JMT modeled the intersection as a single-lane roundabout.

Table 6 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Savannah Road (Sussex Road 18)<sup>29</sup></b>						
2027 without Development (Case 2)	-	-	-	C (26.6)	C (33.7)	C (31.3)
2027 with Development (Case 3)	-	-	-	C (29.3)	D (37.5)	D (36.3)

<sup>29</sup> JMT modeled the intersection as a signalized with split phases along the 3<sup>rd</sup> Street and Kings Highway approaches. A cycle length of 120 seconds was utilized for all peak periods.

Table 7  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
Savannah Road/Gills Neck Road/Front Street (Sussex Road 267) <sup>30</sup>						
2018 Existing (Case 1) <sup>31</sup>	B (15.9)	B (19.1)	F (136.7)	C (29.8)	C (31.3)	F (166.2)
2027 without Development (Case 2) <sup>31</sup>				C (32.1)	D (36.3)	F (240.1)
2027 without Development (Case 2) with signal timing optimization <sup>34</sup>	B (14.1)	B (17.7)	F (154.6)	B (15.2)	B (19.7)	F (160.5)
2027 without Development (Case 2) with improvement <sup>33</sup>				B (14.2)	B (17.2)	D (44.6)
2027 with Development (Case 3) <sup>33</sup>				C (32.4)	D (36.9)	F (263.7)
2027 with Development (Case 3) with signal timing optimization <sup>32</sup>	B (14.5)	B (17.8)	F (158.2)	B (18.3)	C (22.0)	F (176.7)
2027 with Development (Case 3) with improvement <sup>33</sup>				B (16.8)	B (17.8)	D (48.2)

<sup>30</sup> JMT did not incorporate RTOR because the movement is restricted, whereas the TIS did.

<sup>31</sup> JMT used MAX 1 Timers, whereas the TIS utilized observed signal timing splits for existing cases and optimized signal timing splits for future cases.

<sup>32</sup> For optimized signal timing scenarios, JMT utilized cycle lengths of 60, 90, and 120 seconds for the AM, PM, and Saturday peak hours, respectively.

<sup>33</sup> JMT improvement scenario includes providing an additional through lane along northbound and southbound Savannah Road with signal timing optimization. Cycle lengths of 60, 90, and 120 seconds were utilized for the AM, PM, and Saturday peak hours, respectively.



Table 7 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Savannah Road/Gills Neck Road/Front Street (Sussex Road 267)</b>						
2027 without Development (Case 2) <sup>34</sup>						
Eastbound Front Street Approach	-	-	-	A (4.1)	A (5.7)	C (15.0)
Westbound Gills Neck Road Approach	-	-	-	A (4.7)	A (5.2)	B (14.8)
Northbound Savannah Road Approach	-	-	-	A (5.2)	A (5.7)	E (39.8)
Southbound Savannah Road Approach	-	-	-	A (4.7)	A (7.8)	C (16.9)
Overall				A (4.8)	A (6.6)	C (24.4)
2027 with Development (Case 3) <sup>34</sup>						
Eastbound Front Street Approach	-	-	-	A (4.2)	A (5.9)	B (15.9)
Westbound Gills Neck Road Approach	-	-	-	A (4.7)	A (5.4)	C (16.1)
Northbound Savannah Road Approach	-	-	-	A (5.3)	A (6.1)	F (54.1)
Southbound Savannah Road Approach	-	-	-	A (4.8)	A (8.2)	C (20.8)
Overall				A (4.9)	A (6.9)	D (31.3)

<sup>34</sup> JMT modeled the intersection as a single-lane roundabout with a right turn bypass lane along the eastbound Front Street and the northbound Savannah Road approaches.

Table 8  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Atlantic Drive</b> <sup>2</sup>						
2018 Existing (Case 1)						
Northbound Kings Highway Left Turn	A (8.3)	F (112.3)	F (126.5)	A (8.3)	B (10.4)	A (9.7)
Eastbound Atlantic Drive Approach	B (13.7)	F (*)	F (*)	B (13.2)	C (24.7)	D (31.1)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Northbound Kings Highway Left Turn	A (8.8)	F (78.2)	F (84.5)	A (8.9)	B (12.4)	B (10.9)
Eastbound Atlantic Drive Approach	C (17.7)	F (*)	F (*)	C (16.6)	F (57.1)	F (93.4)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>3</sup>						
Northbound Kings Highway Left Turn	-	-	-	A (8.9)	B (12.5)	B (11.0)
Eastbound Atlantic Drive Approach	-	-	-	B (12.9)	C (24.1)	E (38.0)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d)						
Northbound Kings Highway Left Turn	A (8.6)	F (110.0)	F (125.1)	A (8.7)	B (11.3)	B (10.4)
Eastbound Atlantic Drive Approach	C (15.8)	F (*)	F (*)	C (15.0)	E (35.8)	F (52.4)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

Table 8 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Atlantic Drive <sup>2</sup></b>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Northbound Kings Highway Left Turn	A (9.0)	F (73.4)	E (43.7)	A (9.1)	B (13.7)	B (11.7)
Eastbound Atlantic Drive Approach	C (20.7)	F (*)	F (*)	C (19.0)	F (107.4)	F (261.9)
2027 with Development and with Kings Highway Dual Lane Project and Atlantic Drive as Rights-In/Rights-Out Only (Case 3b) <sup>3</sup>						
Eastbound Atlantic Drive Right Turn	B (10.7)	C (17.8)	B (14.1)	B (10.6)	C (17.7)	B (14.3)
2027 with Development, only access along Gills Neck Road and without Kings Highway Dual Lane Project (Case 3c)						
Northbound Kings Highway Left Turn	A (9.1)	F (60.7)	F (64.0)	A (9.2)	B (12.8)	B (11.6)
Eastbound Atlantic Drive Approach	C (19.9)	F (*)	F (*)	C (18.4)	F (76.5)	F (168.9)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

Note:

Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

Table 8 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Atlantic Drive<sup>2</sup></b>						
2027 with Development, without Kings Highway Dual Lane Project and rights-in only along Kings Highway (Case 3c) <sup>35</sup>						
Northbound Kings Highway Left Turn	-	-	-	A (9.2)	B (12.8)	B (11.6)
Eastbound Atlantic Drive Approach	-	-	-	C (20.1)	F (89.6)	F (351.4)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d)						
Northbound Kings Highway Left Turn	A (8.7)	B (11.3)	B (11.6)	A (8.7)	B (11.4)	B (11.2)
Eastbound Atlantic Drive Approach	C (17.1)	E (44.9)	F (397.7)	C (16.1)	E (39.0)	F (164.8)

Note: Analysis highlighted in gray represents the JMT interim recommendations

<sup>35</sup> The additional northbound Kings Highway through traffic as a result of a rights-in only site access along Kings Highway increases the delay for vehicles exiting Atlantic Drive.

Table 8 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268)/ Atlantic Drive</b> <sup>36,37</sup>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)	-	-	-	A (8.1)	C (32.3)	B (19.8)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b)	-	-	-	A (5.6)	B (14.2)	A (6.6)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d)	-	-	-	A (7.5)	C (22.9)	B (13.8)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)	-	-	-	A (8.9)	E (56.7)	D (45.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>38</sup>	-	-	-	A (5.6)	B (13.8)	A (7.1)
2027 with Development, only access along Gills Neck Road, and without Kings Highway Dual Lane Project (Case 3c)	-	-	-	A (8.7)	D (40.2)	C (34.1)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d)	-	-	-	A (7.9)	C (22.9)	C (30.4)

<sup>36</sup> JMT modeled the intersection as signalized with a cycle length of 100 seconds during the AM and Saturday peak periods, and 130 seconds during the PM peak period. The signal would operate with protected-permissive left turn phasing along the northbound Kings Highway approach.

<sup>37</sup> JMT modeled the intersection with one left turn lane and one through lane along northbound Kings Highway, one through lane and one right turn lane along southbound Kings Highway, and one left turn lane and one right turn lane along Atlantic Drive. For the scenarios with the Kings Highway Dual Lane Project, the number of through lanes along Kings Highway would increase to two.

<sup>38</sup> JMT assumed Atlantic Drive would not have turning restrictions with the provision of a traffic signal and the Kings Highway Dual Lane Project.

Table 9  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Gills Neck Road/Cape Henlopen High School</b> <sup>39,40,41</sup>						
2018 Existing (Case 1) <sup>42</sup>	F (160.3)	F (343.7)	F (412.7)	F (226.2)	F (359.7)	F (832.0)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a) <sup>43</sup>	F (202.3)	F (112.9)	F (433.5)	F (436.3)	F (160.6)	F (574.0)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>44</sup>	D (46.2)	C (32.2)	C (26.4)	E (78.7)	D (50.5)	D (51.0)
2027 without Development, with Kings Highway Dual Lane Project (Case 2b) with improvements <sup>45</sup>	D (48.0)	D (53.2)	C (28.7)	C (31.8)	D (45.2)	C (33.2)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d) <sup>46</sup>	F (209.3)	F (111.4)	F (314.9)	F (152.8)	D (46.6)	F (307.5)

<sup>39</sup> For future Cases, JMT analyzed the intersection as a coordinated intersection with Clay Road, whereas the TIS analyzed the intersection as an uncoordinated intersection.

<sup>40</sup> For future Cases with the Kings Highway Dual Lane Project (Cases 2b and 3b), both the TIS and JMT increased the peak hour factor to 0.92 and set all initial queue lengths to zero.

<sup>41</sup> For future Cases, JMT utilized signal cycle lengths consistent with the DelDOT Timing Plan whereas the TIS utilized various cycle lengths.

<sup>42</sup> JMT utilized timing splits provided on the DelDOT Timing Plan, whereas the TIS did not. Both the TIS and JMT utilized signal cycle lengths consistent with the DelDOT Timing Plan.

<sup>43</sup> For the AM, PM, and Saturday peak hours, JMT maintained the calibrated peak hour factor, whereas the TIS increased the peak hour factor to various values.

<sup>44</sup> Both the TIS and JMT modeled the intersection with two through lanes along Kings Highway and the Gills Neck Road and Cape Henlopen High School Entrance approaches maintained the existing lane configurations.

<sup>45</sup> Both the TIS and JMT modeled the intersection with two through lanes along Kings Highway, one left turn lane, one left turn/through lane, and one right turn lane along Gills Neck Road, and the Cape Henlopen High School Entrance approach would maintain the existing lane configurations. The signal phasing along Gills Neck Road and the Cape Henlopen High School would be modified to split phase.

<sup>46</sup> Both the TIS and JMT utilized weighted peak hour factors to conduct the analysis.

Table 9 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Gills Neck Road/Cape Henlopen High School</b> <sup>41,42,43</sup>						
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)	F (248.5)	F (202.4)	F (448.3)	F (443.4)	F (251.2)	F (754.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 3b) <sup>44</sup>	D (51.9)	E (67.5)	D (51.4)	F (87.8)	F (117.2)	F (111.5)
2027 with Development and with Kings Highway Dual Lane Project (Case 4) <sup>47</sup>	D (47.7)	E (61.2)	D (39.1)	D (54.5)	D (54.1)	D (54.9)

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>47</sup> Both the TIS and JMT modeled the intersection with two through lanes along Kings Highway, one left turn lane, one shared left turn/through lane, and one right turn lane along Gills Neck Road and one left turn lane, one through lane, and one right turn lane along the Cape Henlopen High School Entrance approach. The signal phasing along Gills Neck Road and the Cape Henlopen High School would be modified to split phase.

Table 9 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Gills Neck Road/Cape Henlopen High School</b> <sup>41,42,43</sup>						
2027 with Development without Kings Highway Dual Lane Project (Case 3c)	F (230.0)	F (197.4)	F (425.1)	F (451.9)	F (279.7)	F (686.7)
2027 with Development and without Kings Highway Dual Lane Project (Case 3c) <i>with TIS improvements</i> <sup>48</sup>	F (200.2)	F (143.4)	F (363.1)	F (356.2)	F (167.6)	F (571.2)
2027 with Development without Kings Highway Dual Lane Project and with rights-in only entrance along Kings Highway (Case 3c) <sup>49</sup>	-	-	-	F (327.8)	F (135.0)	F (582.6)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>50,51</sup>	F (139.6)	E (62.6)	F (317.3)	F (161.2)	D (54.7)	F (366.8)

Note: Analysis highlighted in gray represents the JMT interim recommendations

<sup>48</sup> TIS improvements scenario incorporates two left turn lanes and a shared through/right turn lane along the westbound Gills Neck Road approach and split phase operation along the eastbound and westbound approaches.

<sup>49</sup> This scenario models the westbound Gills Neck Road approach with one left turn lane, one shared left turn/through lane, and one right turn lane and the southbound approach with one left turn lane, one through lane, and one shared through/right turn lane.

<sup>50</sup> Both the TIS and JMT modeled the intersection with one left turn lane, one through lane, and one right turn lane along northbound Kings Highway, one left turn lane, one through lane, and one shared through/right turn lane along southbound Kings Highway, and two left turn lanes, and one shared through/right turn lane along Gills Neck Road. The TIS and JMT maintained the existing lane configurations along the Cape Henlopen High School Entrance approach. The signal phasing along Gills Neck Road and the Cape Henlopen High School would be modified to split phase.

<sup>51</sup> During the PM peak hour, JMT optimized the signal timing splits and modified the signal cycle length to 150 seconds.



Table 10  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Clay Road (Sussex Road 269) <sup>2, 52</sup></b>						
2018 Existing (Case 1)						
Northbound Kings Highway Left Turn	F (168.4)	B (13.4)	F (64.3)	A (9.0)	B (14.1)	A (9.7)
Eastbound Clay Road Approach	F (*)	F (*)	F (*)	F (160.1)	F (*)	F (400.9)
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)						
Northbound Kings Highway Left Turn	F (110.1)	C (16.1)	F (69.4)	-	-	-
Southbound Kings Highway Left Turn	F (177.7)	B (13.0)	F (152.6)	-	-	-
Eastbound Clay Road Approach	F (*)	F (103.4)	F (735.5)	-	-	-
Westbound Gills Neck Village Center Access	F (*)	D (25.4)	F (863.8)	-	-	-
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)						
Northbound Kings Highway Left Turn	F (110.1)	C (22.8)	D (29.5)	-	-	-
Southbound Kings Highway Left Turn	F (177.7)	B (14.4)	F (163.9)	-	-	-
Eastbound Clay Road Approach	F (*)	F (319.8)	F (430.2)	-	-	-
Westbound Gills Neck Village Center Access	F (*)	E (37.3)	F (*)	-	-	-

<sup>52</sup> For all future Cases, JMT modeled the intersection as a signalized intersection per direction from DelDOT, whereas the TIS only modeled the intersection as signalized for Cases that only incorporated the widening project.

Table 10 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Clay Road (Sussex Road 269)</b> <sup>53, 54</sup>						
2027 without Development and without Kings Highway Dual Lane Project (Case 2a)	-	-	-	E (55.8)	F (107.9)	E (71.1)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <sup>55</sup>	C (26.9)	C (30.1)	C (23.4)	D (36.9)	C (28.3)	C (23.5)
2027 without Development and with Kings Highway Dual Lane Project (Case 2b) <i>with improvements</i> <sup>56</sup>	-	-	-	D (37.0)	C (28.6)	C (23.3)
2023 with development of Lot 1 (39,000 square feet of medical/dental office space) and without the Kings Highway Dual Lane Project (Case 2d)	-	-	-	C (34.2)	F (94.9)	D (46.5)
2027 with Development and without Kings Highway Dual Lane Project (Case 3a)	-	-	-	F (103.0)	F (191.3)	F (151.1)

<sup>53</sup> For future Cases, JMT analyzed the intersection as a signalized intersection coordinated with Gills Neck Road, whereas the TIS analyzed the intersection as an uncoordinated signalized intersection. JMT utilized signal cycle lengths consistent with the signal cycle lengths at the Kings Highway/Gills Neck Road intersection whereas the TIS utilized various signal cycle lengths.

<sup>54</sup> JMT modeled the intersection with one left turn lane, one through lane, and one right turn lane along the northbound and southbound Kings Highway approaches, one left turn lane, one through lane, and one right turn lane along the eastbound Clay Road approach, and two left turn lanes, one through lane and one right turn lane along the Gills Neck Village Center Entrance. Protected-permissive left turn phasing was utilized along the northbound and southbound approaches, and split phase was utilized along the eastbound and westbound approaches.

<sup>55</sup> JMT and the TIS modeled the intersection with two through lanes along Kings Highway. The TIS modeled the side street approaches with one left turn lane, one through lane, and one right turn lane.

<sup>56</sup> JMT incorporated a scenario with improvements proposed at the Kings Highway/Gills Neck Road intersection. Specifically, the improvements include the intersection with two through lanes along Kings Highway, one left turn lane, one left turn/through lane, and one right turn lane along Gills Neck Road, and the Cape Henlopen High School Entrance approach would maintain the existing lane configurations. The signal phasing along Gills Neck Road and the Cape Henlopen High School would be modified to split phase.

Table 10 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Clay Road (Sussex Road 269) <sup>57, 58</sup></b>						
2027 with Development and with Kings Highway Dual Lane Project (Case 3b)	-	-	-	D (50.8)	E (58.0)	D (36.6)
2027 with Development and with Kings Highway Dual Lane Project (Case 4) <sup>57,58</sup>	C (30.1)	D (37.0)	C (33.3)	D (39.4)	D (46.5)	D (43.0)

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>57</sup> Both the TIS and JMT modeled the intersection with two through lanes along Kings Highway, one left turn lane, one through lane, and one right turn lane along Clay Road.

<sup>58</sup> Along the westbound Gills Neck Village Center Entrance approach, JMT provided two left turn lanes, one through lanes, and one right turn lane whereas the TIS provided one left turn lane, one through lane, and one right turn lane. The TIS used protected and permissive phasing along the eastbound and westbound approaches whereas JMT utilized split phase operation.

Table 10 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway/Clay Road (Sussex Road 269) <sup>57, 58</sup></b>						
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c)	-	-	-	F (87.0)	F (196.3)	F (158.6)
2027 with Development, without Kings Highway Dual Lane Project and no site entrance on Kings Highway (Case 3c) with TIS improvements <sup>59</sup>	-	-	-	F (131.9)	F (193.6)	F (168.3)
2027 with Development, without Kings Highway Dual Lane Project and rights-in only entrance on Kings Highway (Case 3c) <sup>60</sup>	-	-	-	F (95.6)	F (189.3)	F (156.6)
2023 with 117,000 square feet of medical/dental office space, without the Kings Highway Dual Lane Project, and rights-in site entrance on Kings Highway (Case 3d) <sup>55</sup>	-	-	-	D (40.7)	F (165.2)	E (69.7)

Note: Analysis highlighted in gray represents the JMT interim recommendations

<sup>59</sup> The TIS improvements scenario incorporates two left turn lanes and a shared through/right turn lane along the westbound Gills Neck Road approach to Kings Highway and split phase operation along the eastbound and westbound approaches at the Gills Neck Road/Kings Highway intersection.

<sup>60</sup> JMT modeled the southbound Kings Highway approach with one right turn lane and one through lane.

Table 11  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
<b>Clay Road (Sussex Road 269) / Marsh Road (Sussex Road 269A)</b>						
2018 Existing (Case 1) <sup>61</sup>						
Westbound Clay Road Left	A (7.5)	A (7.6)	A (7.6)	-	-	-
Northbound Marsh Road Approach	A (9.3)	A (9.5)	A (9.4)	-	-	-

<sup>61</sup> Due to the unique configuration of the Clay Road/Marsh Road intersection in Case 1, JMT analyzed the intersection as three separate intersections. The TIS analyzed it as a single standard T-intersection and the results are summarized in this table.

Table 11 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
<b>Clay Road (Sussex Road 269) / Marsh Road (Sussex Road 269A)</b> <sup>62</sup>						
2018 Existing (Case 1) – a <sup>63</sup>						
Eastbound Clay Road Right Turn	-	-	-	A (8.5)	A (8.9)	A (8.5)
Northbound Marsh Road Left Turn	-	-	-	A (7.3)	A (7.6)	A (7.3)
2018 Existing (Case 1) – b <sup>64</sup>						
Eastbound U-turn <sup>65</sup>	-	-	-	-	A (7.5)	-
Northbound Marsh Road Left Turn	-	-	-	A (9.4)	B (10.1)	B (10.4)
2018 Existing (Case 1) – c <sup>66</sup>						
Westbound Clay Road Left Turn	-	-	-	A (7.5)	A (7.5)	A (7.6)
Northbound Marsh Road Right Turn	-	-	-	A (9.1)	A (8.8)	A (9.3)

<sup>62</sup> Due to the unique configuration of the Clay Road/Marsh Road intersection, JMT analyzed the intersection as three separate intersections.

<sup>63</sup> Intersection ‘a’ depicts the analysis conducted at the location where the eastbound Clay Road approach is a stop-controlled right turn lane, the northbound Marsh Road approach is a shared through/left turn lane, and the southbound Marsh Road approach is a through lane.

<sup>64</sup> Intersection ‘b’ depicts the analysis conducted at the location where the eastbound Clay Road approach is a shared through/right turn lane, the westbound Clay Road approach is a through lane, and the northbound Marsh Road approach is a stop-controlled left turn lane.

<sup>65</sup> JMT modeled the U-turn as a left turn due to limitations of the HCS software.

<sup>66</sup> Intersection ‘c’ depicts the analysis conducted at the location where the eastbound Clay Road approach is a through lane, the westbound Clay Road approach is a shared through/left turn lane and the northbound Marsh Road approach is a stop-controlled right turn lane.

Table 11 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
<b>Clay Road (Sussex Road 269) / Marsh Road (Sussex Road 269A)</b> <sup>67</sup>						
2027 without Development and without Kings Highway Dual Lane project (Case 2a)						
Eastbound Clay Road Approach	B (13.3)	B (13.1)	B (13.5)	B (13.3)	B (12.8)	B (13.0)
Northbound Marsh Road Left Turn	A (8.1)	A (8.2)	A (8.1)	A (8.1)	A (8.2)	A (8.0)
2027 with Development (Case 3)						
Eastbound Clay Road Approach	C (15.2)	C (16.5)	C (18.3)	B (14.4)	C (15.5)	C (15.9)
Northbound Marsh Road Left Turn	A (8.2)	A (8.6)	A (8.4)	A (8.3)	A (8.6)	A (8.3)

<sup>67</sup> The intersection will be reconfigured as part of the *Realignment of Old Orchard Road/Savannah Road/Wescoats Road* (DelDOT Contract No. T201609601) project. The existing westbound Clay Road left-turn onto Marsh Road will be a major street through movement. The existing right-turn from Marsh Road onto Clay Road will be a major street through movement. The existing eastbound through movement on Clay Road will be a stop-controlled minor street left-turn onto Clay Road.

Table 12  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, INC.

Unsignalized Intersection Two-Way Stop Control (T-intersection) <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Dartmouth Drive (Sussex Road 268A)</b> <sup>2,68,69</sup>						
2018 Existing (Case 1)						
Northbound Kings Highway Left Turn	A (9.7)	A (7.7)	F (133.7)	A (7.4)	A (7.7)	A (7.5)
Eastbound Dartmouth Drive Approach	D (28.7)	F (145.0)	F (*)	D (29.5)	F (86.3)	F (180.7)
2027 without Development (Case 2)						
Northbound Kings Highway Left Turn	A (9.7)	A (7.8)	F (142.5)	A (7.4)	A (7.8)	A (7.6)
Eastbound Dartmouth Drive Approach	F (330.2)	F (*)	F (*)	F (199.0)	F (840.3)	F (831.0)
2027 with Development (Case 3)						
Northbound Kings Highway Left Turn	A (9.7)	A (7.8)	F (142.5)	A (7.4)	A (7.8)	A (7.6)
Eastbound Dartmouth Drive Approach	F (944.9)	F (*)	F (*)	F (477.8)	F (*)	F (*)

\*HCS reported excessive delay greater than 1000 seconds per vehicle

<sup>68</sup> The TIS utilized various values for proportion of time blocked whereas JMT utilized the default value of 0.

<sup>69</sup> Results represent the eastbound Dartmouth Drive Approach to have one shared left turn/right turn lane. JMT also incorporated the right turn lane to have a flared right turn with a 5-vehicle storage.



Table 12 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Roundabout <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
<b>Kings Highway (Sussex Road 268) / Dartmouth Drive (Sussex Road 268A)</b> <sup>70</sup>						
2027 without Development and with or without Kings Highway Dual Lane Project (Case 2a) <sup>71</sup>						
Eastbound Dartmouth Drive Approach	A (5.7)	A (6.3)	A (5.9)	A (5.7)	A (6.4)	A (6.0)
Northbound Kings Highway Approach	A (0.2)	A (0.9)	A (0.6)	A (0.2)	A (0.9)	A (0.6)
Southbound Kings Highway Approach	A (0.2)	A (0.4)	A (0.2)	A (0.2)	A (0.4)	A (0.2)
Overall Intersection	A (1.1)	A (1.5)	A (1.2)	A (1.1)	A (1.5)	A (1.3)
2027 with Development and with or without Kings Highway Dual Lane Project (Case 3) <sup>71</sup>						
Eastbound Dartmouth Drive Approach	A (6.3)	A (6.9)	A (7.0)	A (6.2)	A (6.9)	A (7.2)
Northbound Kings Highway Approach	A (0.2)	A (0.9)	A (0.5)	A (0.2)	A (0.9)	A (0.5)
Southbound Kings Highway Approach	A (0.2)	A (0.3)	A (0.2)	A (0.2)	A (0.3)	A (0.2)
Overall Intersection	A (1.2)	A (1.5)	A (1.4)	A (1.2)	A (1.5)	A (1.5)

Note: Analysis highlighted in blue represents JMT suggested improvements with the full build of the proposed development

<sup>70</sup> Both the TIS and JMT modeled the northbound approach with a right turn bypass lane to represent a northbound bypass lane.

<sup>71</sup> Both the TIS and JMT modeled the intersection as a single-lane roundabout.

Table 12 (continued)  
Peak Hour Levels Of Service (LOS)  
Based on Traffic Impact Study for Mitchell Farm  
Report Dated: September 2019  
Prepared by Davis, Bowen & Friedel, Inc.

Signalized Intersection <sup>1</sup>	LOS per TIS			LOS per JMT		
	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
<b>Kings Highway (Sussex Road 268) / Dartmouth Drive (Sussex Road 268A)</b> <sup>72</sup>						
2027 without Development and with or without Kings Highway Dual Lane Project (Case 2a)	-	-	-	C (27.3)	C (26.3)	D (41.4)
2027 with Development and with or without Kings Highway Dual Lane Project (Case 3)	-	-	-	D (54.1)	D (41.9)	F (112.1)

<sup>72</sup> JMT analyzed the intersection as a signalized intersection with a 60 second cycle length during all peak periods. The eastbound Dartmouth Drive approach would provide one left turn lane and one shared left turn/right turn lane, the northbound Kings Highway approach would provide one left turn lane and one through lane, and the southbound Kings Highway approach would provide one through lane.



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

NICOLE MAJESKI  
SECRETARY

December 20, 2021

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 **Henlopen Properties, LLC (Jon Mayers)** proposed land use application, which we received on December 10, 2021. This application is for an approximately 42-acre portion of a 48.01-acre parcel (Tax Parcel: 335-8.00-37.00). The subject land is located on the north side of Gills Neck Road (Sussex Road 267) and the east side of Kings Highway (US Route 9). The subject land is currently zoned AR (Agriculture Residential), and the applicant seeks a conditional use approval to build 267 multifamily houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Gills Neck Road from Red Tail Road to Kings Highway, is 4,186 vehicles per day. The annual average daily traffic volumes along Kings Highway from Kings Highway (Sussex Road 268) to Gills Neck Road, is 12,019 vehicles per day.

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



Mr. Jamie Whitehouse

Page 2 of 2

December 20, 2021

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

Please contact Ms. Annamaria Furfato, at Annamaria.Furfato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Henlopen Properties, LLC (Jon Mayers), Applicant  
Sussex Reviewer, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furfato, Project Engineer, Development Coordination



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

NICOLE MAJESKI  
SECRETARY

December 20, 2021

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 **Henlopen Properties, LLC (Jon Mayers)** proposed land use application, which we received on December 10, 2021. This application is for an approximately 3-acre portion of a 48.01- acre parcel (Tax Parcel: 335-8.00-37.00). The subject land is located on the north side of Gills Neck Road (Sussex Road 267) and the east side of Kings Highway (US Route 9). The subject land is currently zoned AR (Agriculture Residential), with a proposed zoning of C-2 (Medium Commercial) for retail and medical offices.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Gills Neck Road from Red Tail Road to Kings Highway, is 4,186 vehicles per day. The annual average daily traffic volumes along Kings Highway from Kings Highway (Sussex Road 268) to Gills Neck Road, is 12,019 vehicles per day.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) [Trip Generation Manual](#), (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).



Mr. Jamie Whitehouse  
Page 2 of 2  
December 20, 2021

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

Please contact Ms. Annamaria Fumato, at Annamaria.Fumato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Henlopen Properties, LLC (Jon Mayers), Applicant  
Sussex Reviewer, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Fumato, Project Engineer, Development Coordination



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

NICOLE MAJESKI  
SECRETARY

December 20, 2021

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 **Henlopen Properties, LLC (Jon Mayers)** proposed land use application, which we received on December 10, 2021. This application is for an approximately 42-acre portion of a 48.01-acre parcel (Tax Parcel: 335-8.00-37.00). The subject land is located on the north side of Gills Neck Road (Sussex Road 267) and the east side of Kings Highway (US Route 9). The subject land is currently zoned AR (Agriculture Residential), with a proposed zoning of MR (Medium Density Residential) for 267 multifamily houses.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Gills Neck Road from Red Tail Road to Kings Highway, is 4,186 vehicles per day. The annual average daily traffic volumes along Kings Highway from Kings Highway (Sussex Road 268) to Gills Neck Road, is 12,019 vehicles per day.

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



Mr. Jamie Whitehouse  
Page 2 of 2  
December 20, 2021

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

Please contact Ms. Annamaria Furrato, at Annamaria.Furrato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Henlopen Properties, LLC (Jon Mayers), Applicant  
Sussex Reviewer, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furrato, Project Engineer, Development Coordination



**DELDOT CONSTRUCTION PLAN GENERAL NOTES**

REVISED: DECEMBER 8, 2017

- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- ALL MATERIALS AND WORKMANSHIP WITHIN THE STATE OF DELAWARE RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH CURRENT STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, SUPPLEMENTAL SPECIFICATIONS, STANDARD CONSTRUCTION DETAILS, SPECIAL PROVISIONS AND DESIGN GUIDANCE MEMORANDUMS.
- ALL DISTURBED AREAS WITHIN THE STATE RIGHT-OF-WAY, BUT NOT IN THE PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM), FERTILIZED, SEEDED AND MULCHED. IF SOD IS USED NEXT TO SIDEWALK OR SHARED-USE PATH, CONTRACTOR SHALL GRADE TOPSOIL ADJACENT TO THE SIDEWALK OR SHARED-USE PATH PRIOR TO PLACEMENT OF SOD TO ENSURE THAT SOD IS PLACED FLUSH OR JUST BELOW EDGE OF SIDEWALK OR SHARED-USE PATH TO AVOID WATER PONDING ON THE SIDEWALK OR SHARED-USE PATH.
- A 72-HOUR (MINIMUM) NOTICE SHALL BE GIVEN TO THE DELDOT DISTRICT PERMIT SUPERVISOR PRIOR TO STARTING ENTRANCE CONSTRUCTION.
- MISS UTILITY OF DELAWARE SHALL BE NOTIFIED THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO EXCAVATION, AT 1-800-282-8555.
- ALL SIGNING, STRIPING AND MAINTENANCE OF TRAFFIC IS THE CONTRACTOR'S RESPONSIBILITY AND SHALL FOLLOW THE GUIDELINES SHOWN IN THE DELAWARE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (DE MUTCD) FOR STREETS AND HIGHWAYS (LATEST EDITION). THE OWNER OR MAINTENANCE CORPORATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL SIGNS INSTALLED AS PART OF THIS PROJECT.
- PLAN LOCATION AND DIMENSIONS SHALL BE STRICTLY ADHERED TO UNLESS OTHERWISE DIRECTED BY THE DELDOT INSPECTOR.
- A COPY OF THE UP TO DATE APPROVED CONSTRUCTION DOCUMENTS AND DELDOT APPROVAL LETTERS SHALL BE MAINTAINED ON THE PROJECT SITE AT ALL TIMES AND BE AVAILABLE FOR INSPECTION BY DELDOT PERSONNEL.
- EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. COMPLETENESS OR CORRECTNESS THEREOF IS NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES INVOLVED IN ORDER TO SECURE THE MOST ACCURATE INFORMATION AVAILABLE AS TO UTILITY LOCATION AND ELEVATION. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST 48-HOURS IN ADVANCE. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTOR'S EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELAWARE (SEE NOTE #5).
- SHOULD UTILITY RELOCATION BE REQUIRED, THE DEVELOPER MUST SUBMIT A UTILITY RELOCATION PLAN FOR DELDOT REVIEW, ALONG WITH CORRESPONDENCE FROM THE UTILITY COMPANIES STATING PRELIMINARY APPROVAL TO THE RELOCATION AND DESIGN OF THE UTILITIES PRIOR TO THE DELDOT PRE-CONSTRUCTION MEETING. NO PHYSICAL CONSTRUCTION CAN OCCUR UNTIL THE UTILITY PLANS ARE APPROVED, THE INDIVIDUAL UTILITY COMPANIES ISSUE FINAL APPROVAL, AND A DELDOT UTILITY PERMIT IS ISSUED TO THE UTILITY COMPANY.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. THESE DISTURBED AREAS SHALL BE TOP-SOILED (6" MINIMUM), FERTILIZED, SEEDED AND MULCHED. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
- DELDOT WILL NOT PROVIDE THE RESPECTIVE LOCAL LAND USE AGENCY WITH A "NO OBJECTION TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY NOTICE" UNTIL THE ENTRANCE(S) ARE COMPLETED TO THE SATISFACTION OF THE DEPARTMENT.
- DESIGN, FABRICATION AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD.
- DESIGN AND INSTALLATION OF ALL PAVEMENT MARKINGS AND STRIPING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD. FOR FINAL PERMANENT PAVEMENT MARKINGS:
  - EPOXY RESIN PAINT SHALL BE REQUIRED FOR LONG LINE STRIPING.
  - THERMO PLASTIC (EXTRUDED OR PREFORMED MATERIAL) WILL BE REQUIRED ON ASPHALT SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
- REMOVAL OF LONG LINE PAVEMENT STRIPING SHALL BE PERFORMED USING: SHOT, SAND OR HYDRO-BLASTING. FOG SEAL ERADICATED STRIPING WITH CSS-1H.
- BREAKAWAY POSTS SHALL BE USED WHEN INSTALLING ALL SIGNS. REFERENCE DELDOT STANDARD CONSTRUCTION DETAIL T-15.
- THE ENDS OF ALL CURBS SHALL BE TRANSITIONED TO BE FLUSH WITH THE PAVEMENT AT A RATIO OF TWELVE TO ONE (12:1).
- A DOUBLE YELLOW CENTERLINE WILL BE REQUIRED ALONG THE PAVED PORTION OF GILLS NECK ROAD (ROUTE SCR 267). STRIPING OF THE CENTERLINE SHALL BE 5-INCH WIDE LINE SEPARATED BY A 6-INCH SPACE.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSURE THAT PAVING WITHIN THE STATE OF DELAWARE RIGHT-OF-WAY IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER EXISTS AFTER PAVING IS COMPLETE.
- MAINTENANCE OF THE STREETS WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- ALL STORM DRAIN PIPING DESIGNATED AS RCP IS TO BE REINFORCED CONCRETE PIPE, MEETING AASHTO M-170 SPECIFICATIONS. SEE PLANS FOR SPECIFIC CLASS OF PIPE.
- BITUMINOUS CONCRETE SHALL BE PLACED IN ACCORDANCE WITH DELDOT SPECIAL PROVISION(S) 401011, 401020 & 4001034 - BITUMINOUS CONCRETE SUPERPAVE. CRACK SEAL ALL LONG & BUTT JOINTS.
- CRACK SEAL ALL HOT-MIX TO CONCRETE INTERFACES.
- CORRUGATED POLYETHYLENE PIPE SHALL BE INSTALLED IN ACCORDANCE WITH DELDOT SPECIAL PROVISION(S) 601213.
- VERIFY IF ANY UTILITIES WILL NEED TO BE RELOCATED DUE TO THE ADDITION OF THE SHOULDER. FOR CLEAR ZONE PURPOSES, ALL UTILITIES ARE TO BE A MINIMUM OF 10 FEET FROM THE EDGE OF TRAVEL LANE AND 5 FEET FROM THE EDGE OF PAVEMENT. ANY UTILITY THAT DOES NOT MEET THIS REQUIREMENT SHALL BE RELOCATED.
- ALL PROPOSED CLOSED STORMDRAIN SYSTEMS SHALL BE VIDEO INSPECTED, REPAIRED AS NECESSARY AND APPROVED PRIOR TO THE INSTALLATION OF FINAL PAVING. IF REPAIRS ARE NEEDED, THE REPAIRED PIPE SECTIONS WILL NEED TO BE VIDEO INSPECTED AGAIN BEFORE THE REPAIR CAN BE APPROVED.
- DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT DRAINAGE INLET LOCATIONS.
- ALL SUBGRADE SHALL BE COMPACTED TO 95% OF THE MAXIMUM STANDARD T-99 DRY DENSITY.
- THE DEVELOPER AND EXISTING/FUTURE OWNER OF NON-STATE-MAINTAINED ROADWAYS SHALL ENSURE THAT THE TRAFFIC CONTROL DEVICES ON SAID ROADWAYS OPEN TO PUBLIC TRAVEL ARE IN COMPLIANCE WITH THE LATEST VERSION OF THE DELAWARE MUTCD.
- FOR INFORMATION ON OBTAINING A UTILITY PERMIT IN SUSSEX COUNTY, CONTACT M&O-SOUTH DISTRICT-PUBLIC WORKS AT (302) 853-1340.
- FOR INFORMATION ON GETTING APPROVAL FOR PROPOSED OUTDOOR ADVERTISING IN SUSSEX COUNTY, CONTACT M&O-SOUTH DISTRICT-PUBLIC WORKS AT (302) 853-1340.
- BOTH ROADWAYS (KINGS HIGHWAY AND GILLS NECK ROAD) ARE SCENIC AND HISTORIC BYWAY ROADS WITH KINGS HIGHWAY ALSO DESIGNATED AS A FEDERAL AID PRIMARY ROAD. THERE WILL BE NO ON OR OFF PREMISE ADVERTISING OF OTHER PARTIES/VENUES AND VARIABLE OR ELECTRONIC MESSAGING BOARDS ARE NOT PERMITTED. NO BILLBOARDS ARE PERMITTED EITHER. PLEASE CONTACT MIKE HAHN, BYWAYS COORDINATOR, 302-760-2131 FOR MORE INFORMATION.
- A LEVEL II INSPECTION AGREEMENT WILL BE REQUIRED FOR THIS PROJECT.

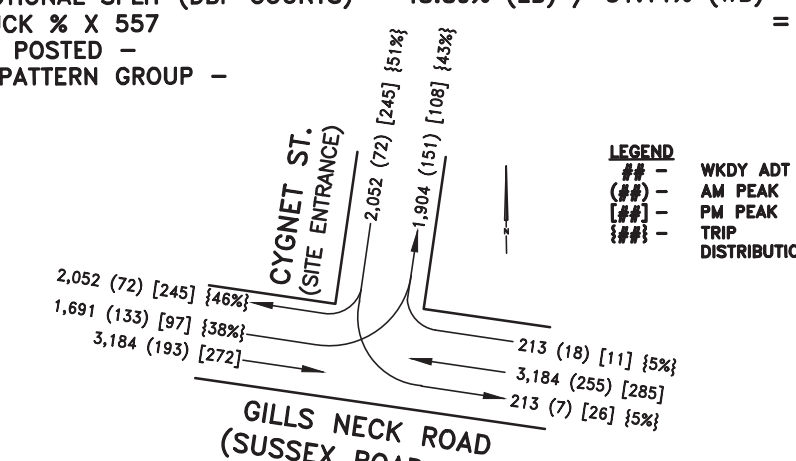
GENERAL NOTES,  
SIGHT DISTANCE TRIANGLES AND  
TRAFFIC GENERATION DIAGRAMS  
GILLS NECK ROAD (SCR 267)

CONTRACT NUMBER	COUNTY	FAP NUMBER	SHEET NUMBER	TOTAL SHEETS
N/A	SUSSEX		3	23

**DeIDOT**  
**REVIEWED FOR**  
**GENERAL**  
**CONFORMITY**  
**Mar. 19, 2019**

**ROAD**  
**GILLS NECK ROAD (SUSSEX ROAD 267)**  
**FUNCTIONAL CLASSIFICATION - LOCAL**  
**DESIGN VEHICLE - SU-30**

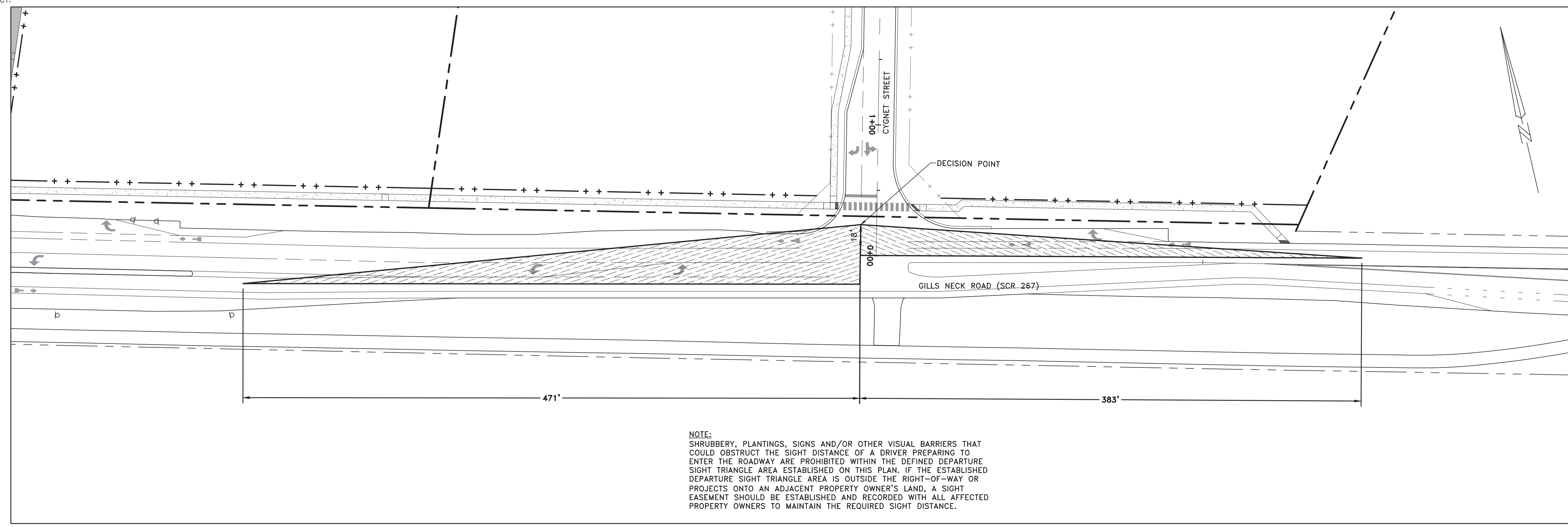
2018 ADT (2018 DBF ATR COUNT)	=	5,242
2018 AADT (2018 DBF ATR COUNT)	=	5,011
2018 WEEKDAY ADT (2018 DBF ATR COUNT TUES-THURS)	=	5,742
2018 WEEKDAY AADT (2018 DBF ATR COUNT TUES-THURS)	=	5,490
10 YR PROJECTED ADT - 1.16 X 5,490	=	6,368
10 YR PROJECTED AADT + SITE ADT EAST OF SITE (212)	=	6,580
10 YR PROJECTED AADT + SITE ADT WEST OF SITE (1,199)	=	7,567
10 YR PROJECTED AADT + ENTERING SITE ADT AT SITE ACCESS (705)	=	7,073
AM PEAK HOUR = 6,368 X 7.04%	=	448
AM DIRECTIONAL SPLIT (DBF COUNTS) = 43.07% (EB) / 56.93% (WB)	=	193/255
PM PEAK HOUR = 6,368 X 8.75%	=	557
PM DIRECTIONAL SPLIT (DBF COUNTS) = 48.89% (EB) / 51.11% (WB)	=	272/285
9.43 TRUCK % X 557	=	53
SPEED - POSTED -	=	35
TRAFFIC PATTERN GROUP -	=	7



**SITE TRIPS GENERATED - PROPOSED**

TYPE OF DEV	ITE	SQ FT	WWDY	
			AM	PM
SINGLE FAMILY UNITS	210	74	57	76
MULTIFAMILY MID-RISE UNITS	221	72	25	32
MEDICAL-DENTAL OFFICE	720	206,500	428	702
<b>TOTAL</b>			<b>508</b>	<b>810</b>
INTERNAL CAPTURE			-2	-10
EXTERNAL TRIPS			<b>506</b>	<b>800</b>

**NOTES:**  
 SITE WILL ALSO HAVE ACCESS ALONG KINGS HIGHWAY AND WILL BE INTERCONNECTED WITH THAT ACCESS.  
 TRIP GENERATION IS BASED ON ITE TRIP GENERATION MANUAL 10TH EDITION.  
 DAILY INTERNAL CAPTURE CALCULATIONS ARE CONSISTENT WITH 2ND EDITION OF ITE HANDBOOK. AM AND PM PEAK HOUR INTERNAL CAPTURE CALCULATIONS ARE CONSISTENT WITH 3RD EDITION OF ITE HANDBOOK.



**NOTE:**  
 SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.

**GILLS NECK ROAD (SCR 267) SIGHT DISTANCE**

SCALE: 1" = 50'



DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS, ENGINEERS & SURVEYORS  
 SALISBURY, MARYLAND (410) 543-9091  
 MILFORD, DELAWARE (302) 424-1441



GENERAL NOTES, SIGHT DISTANCE AND T.G.D.

**ZWAANENDAEL FARM**  
**GILLS NECK ROAD (SCR 267) IMPROVEMENTS**  
**LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE**

**REVISIONS:**  
 2018-10-25: DELDOT  
 2019-01-10: DELDOT  
 2019-02-14: DELDOT

Date: **AUGUST, 2018**  
 Scale: **NTS**  
 Dwn.By: **SHF**  
 Proj.No.: **2640A001**  
 Dwg.No.:

**DD-03**

**LT Associates, LLC**

PO Box 430  
Georgetown, Delaware 19947

September 24, 2009

Todd Sammons  
Project Engineer, Planning  
Delaware Department of Transportation  
800 Bay Road  
P.O. Box 778  
Dover, Delaware 19903

**Re: Kings Highway/Gills Neck Road, Proposed Area Improvements**

Dear Mr. Sammons:

This Letter Agreement ("Letter Agreement") shall set forth the terms and conditions pursuant to which the Delaware Department of Transportation ("DelDOT") will administer and manage the offsite improvements associated with Governors, Senators and The Village Centre projects (collectively "Projects" or "Properties").

INTRODUCTION

Whereas a Traffic Impact Study was conducted by Orth-Rodgers & Associates dated May 18, 2006 wherein the scope of work was agreed upon on July 7, 2005 and

Whereas a traffic impact study was reviewed by McCormick Taylor, Inc. on behalf of DelDOT wherein certain transportation improvements were recommended in a final traffic impact study letter, dated January 15, 2008, as the proportionate responsibility of LT Associates, LLC ("LT Associates") should the Projects listed proceed and

Whereas DelDOT produced a document entitled "Kings Highway/Gills Neck Road Proposed Area Improvements" and a related Estimate of Cost for such improvements and

Whereas in a meeting held on July 21, 2009, DelDOT agreed that LT Associates', responsibility for transportation improvements related to the Projects was proportionate to vehicular trips generated by the Projects, background traffic being DelDOT's responsibility, and that LT Associates would take full financial and construction responsibility for certain transportation improvements and that all other transportation improvements other than those listed in this Agreement are the sole responsibility of DelDOT and/or other developers, and

Whereas in the meeting dated July 21, 2009, LT Associates agreed with DelDOT that the dedication of land to DelDOT for use as right of way for related transportation improvements was necessary and desirable and that, together with transportation improvement costs, the total contribution from LT Associates was in excess of the total contribution estimated by DelDOT to be LT Associates' responsibility and

Whereas DelDOT recognized that the dedication of land for rights of way and all transportation improvements would be triggered by certain project related events, then,

## TERMS

In consideration of the mutual covenants and agreements set forth in this Letter Agreement, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereby covenant and agree as follows:

1. Letters of No Objection. DelDOT will expedite its issuance of one Letter of No Objection for each of the above-referenced projects to LT Associates subject to the customary record plan submission and review process.
2. Governors and The Village Centre Highway Permits. LT Associates, will submit Applications for the Permits to DelDOT (collectively "Applications"). The plans for the Projects (collectively "Plans") will substantially conform to the concept plans referenced in item #3 below and be consistent with the Letters of No Objection based on the current *Standards and Regulations for Subdivision Streets and State Highway Access* manual. DelDOT hereby agrees to expedite the processing of the Applications and issuance of the required Permits when Applications are received.
3. LT Associates, LLC's Responsibility for Transportation Improvements. LT Associates shall be solely responsible for the cost of final engineering and construction of the following transportation improvements, as well as underground signal infrastructure (excluding footings and wiring), conceptually depicted in the Delaware Department of Transportation Kings Highway/Gills Neck Road Proposed Area Improvements attached hereto as "Exhibits A#2, A#4, A#5", and as depicted in Gills Neck Road/Cadbury Entrance to Hawkseye Entrance attached hereto as "Exhibit A#10", and as depicted in Right in/Right out Village Centre Entrance onto Gills Neck Road attached hereto as "Exhibit A#12" with the exception of the cost of and installation of all traffic signals which shall be the sole responsibility of DelDOT. Such improvements shall begin by the time of the event listed below and be consistent with the Letters of No Objection. **Note: All intersection plans shall be reviewed by DelDOT's Traffic Section for location of signalization equipment and conduit placement. LT Associates is responsible for conduit installation.**
  - A#2 Gills Neck Road/Kings Highway/Cape Henlopen High Intersection.  
The intersection shall be improved to include: (i) one left-turn lane and one shared through/right-turn lane at the eastbound Cape Henlopen High School entrance; (ii) one left-turn lane, one through lane, and one right-turn lane at the westbound Gills Neck Road approach; (iii) one left-turn lane, one through lane, and one right-turn lane at the northbound Kings Highway approach; and (iv) one left-turn lane, one through lane, and one right-turn lane at the southbound Kings Highway approach.  
The start of construction shall be prior to the issuance by Sussex County of the 112<sup>th</sup> building permit for Senators.
  - A#4 Clay Road/Town Centre site entrance.  
The start of construction shall be at the commencement of Phase 1 of The Village Centre.
  - A#5 Gills Neck Road/Kings Highway to Cadbury entrance including Town Centre site entrance.

The start of construction shall be either at the commencement of Phase 1 of Governors or Phase 1 of The Village Centre, whichever begins first.

A#10 Gills Neck Road/Cadbury entrance to Hawkseye entrance.

The start of construction shall be prior to the issuance by Sussex County of the 112<sup>th</sup> building permit in Senators.

A#12 Right in/Right out Village Centre Entrance onto Gills Neck Road

The start of construction shall be at the commencement of Phase 1 of The Village Centre.

4. LT Associates' Responsibility for Other Transportation Improvements. LT Associates shall be solely responsible for the cost of final engineering and construction of the following transportation improvements as conceptually depicted in the Senators Phase 1 Road Plans, Sheets C8.3 and C8.4 attached hereto as "Exhibit B" and The Village Centre Overall Site Plan, Sheet C2.0 attached hereto as "Exhibit C". Such improvements shall begin by the time of the event listed below:

- Bike Trail through Senators. (Exhibit B)  
The start of construction shall be the beginning of the Last Phase of Senators.
- 25 space vehicular parking area dedicated to bike users in The Village Centre. (Exhibit C)  
The start of construction shall be at the commencement of Phase 1 of The Village Centre.
- 100 space parking area in The Village Centre for a potential Park & Ride shuttle. (Exhibit C)  
The start of construction shall be at the commencement of the Last Phase of The Village Centre.
- \$50,000 lump sum contribution to the improvement of the Rt. 1 and Dartmouth Drive intersection as depicted in DelDOT's Kings Highway/Gills Neck Road Proposed Area Improvements, Map Reference #3 attached hereto as "Exhibit D".  
The contribution shall be at the commencement of Phase 1 of The Village Centre.

5. LT Associates' Responsibility for Right of Way Dedication. LT Associates shall be solely responsible for the following dedication of rights of way and/or easements at its cost:

- Gills Neck Road right of way dedication– The Village Centre, Governors, and Senators
- Kings Highway right of way dedication - Village Centre property
- Kings Highway right of way dedication - Jones Farm property

- Clay Road right of way dedication - Jones Farm property
- Bike Trail easement through Senators and Hawkseye

These right of way dedications shall be sufficient to accommodate the improvements in Item #3 above and improvements by DelDOT or others to Kings Highway, Clay Road and Gills Neck Road more or less as indicated on the Senators, Governors, Village Centre Right of Way Dedication Plan attached hereto as "Exhibit E".

6. DelDOT's Responsibility for Transportation Improvements. DelDOT shall be solely responsible for the cost and installation of traffic signals (excluding the underground infrastructure, which shall be placed during intersection construction) when warranted at all intersections constructed by LT Associates. DelDOT shall also be responsible for the collection of funds from other developers or land owners who have a proportionate responsibility for any transportation improvement undertaken by LT Associates up to the time of acceptance of the construction of said improvement. DelDOT shall also be solely responsible for all other transportation improvements listed in The McCormick Taylor, Inc. traffic impact study letter dated January 15, 2008 or in the DelDOT produced document entitled "Kings Highway/Gills Neck Road Proposed Area Improvements" and a related Estimate of Cost for such improvements.

7. Condition of the Property to be Dedicated to DelDOT for Rights of Way. LT Associates applicant hereby specifically disclaims any warranty, guaranty or representation, oral or written, past, present or future concerning (i) the nature or physical condition of the property, as designated on the plan to be recorded as being dedicated to DelDOT, including, without limitation, the water, soil and geology, and the suitability thereof and of the purposes for any and all activities and uses which purchaser may elect to conduct thereon; and (ii) the compliance of the property with any law, ordinance or regulation of any government or other body.

DelDOT shall inspect the property and rely solely upon its own investigations and not on any information provided by LT Associates. The transfer of the property as provided for in this letter agreement is made on an "as is" basis.

DelDOT expressly acknowledges that, in consideration of the agreements made herein, LT Associates, its agents or contractors make no warranty or representation, express or implied, or arising by operation of law, including but not limited to, any warranty of condition, habitability, merchantability or fitness for a particular purpose, in respect of the properties.

Notwithstanding the prior paragraphs of Paragraph 7, LT Associates expressly represents and warrants to DelDOT that LT Associates, its agents or contractors have no actual knowledge have not themselves or have not authorized any other party to dump or bury any hazardous or toxic materials or any form of fungi on or beneath the surface of the Properties. In addition, LT Associates, its agents or contractors have no actual knowledge of the existence of any underground tank under the Properties.

Except as provided in this Paragraph 7, LT Associates its agents or contractors make no representation, warranty or guaranty, and hereby specifically disclaim any warranty, guaranty or representation, with respect to the presence, removal or disposal on or beneath the property (or any parcel in proximity thereto) of hazardous materials, toxic materials and fungi of all forms and types, and shall have no liability to DelDOT thereof or therefor.

DelDOT hereby releases LT Associates its agents or contractors from, and waives any right to proceed against LT Associates, agents or contractors its agents or contractors for, any and all costs, expenses, claims, liabilities and demands (including attorney's and other fees), at law or in equity, whether known or unknown, arising out of the physical, developmental, environmental, economic, legal or other condition of the property.

The provisions of this section 7 shall specifically survive closing or transfer of the property.

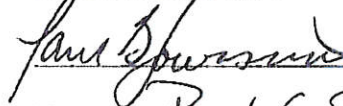
8. **Miscellaneous.** This Letter Agreement shall be governed by and construed according to the laws of the State of Delaware. This Letter Agreement constitutes the entire agreement between the parties and supersedes all previous communications, written or oral. This Letter Agreement may be modified only by a written instrument executed by both the parties. Time is of the essence of this Letter Agreement. If any provision of this Letter Agreement, as applied to either party or to any circumstance, shall be adjudged by a court to be void or unenforceable, the same shall in no way affect any other provision of this Letter Agreement, the application of any such provision in any other circumstances, or the validity or enforceability of this Letter Agreement as a whole. This Letter Agreement may be executed in one or more counterparts (or with counterpart signature pages), each of which shall be deemed an original and part of one and the same document. Telefax signatures shall be deemed as originals.

The captions used in this Letter Agreement are inserted for convenience of reference only and in no way define, describe or limit the scope or intent of any of the provisions hereof.

Very truly yours,

**LT Associates, LLC**

By:



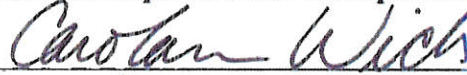
Name: Paul G. Townsend

Title: Manager, Member LTA, LLC

Accepted and Agreed to on this 24 day of September, 2009.

**Delaware Department of Transportation**

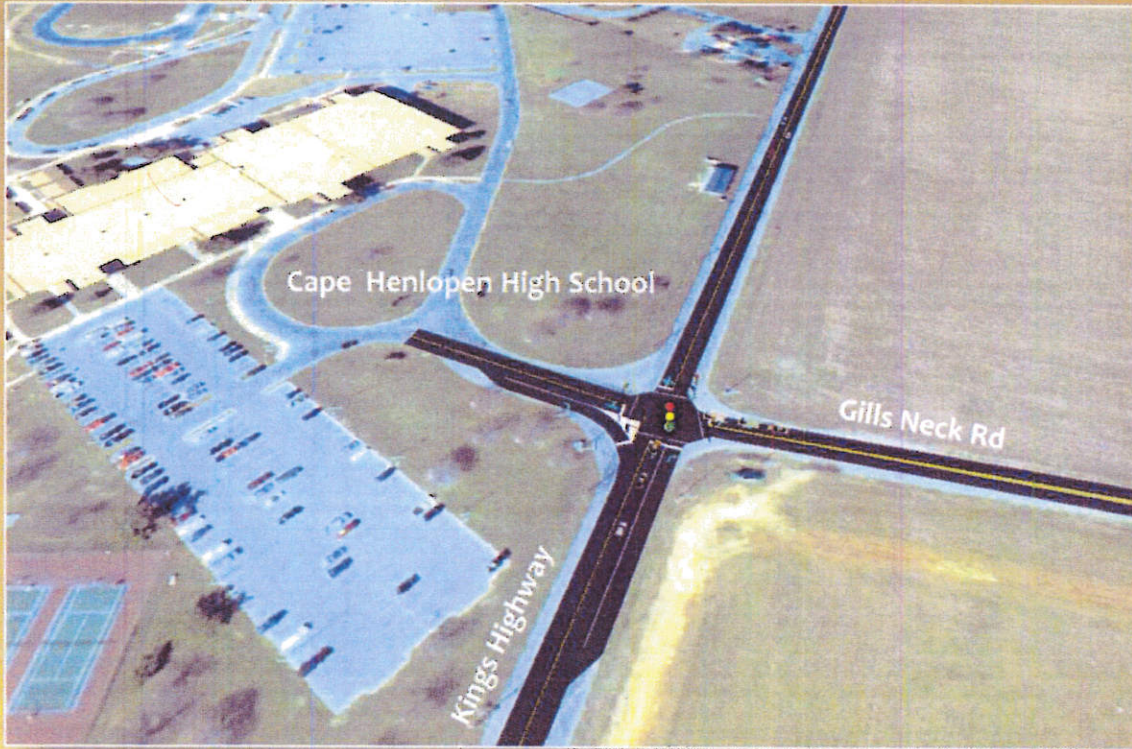
By:



Name: Carolann Wicks

Title: Secretary

## High School / Kings Hwy / Gills Neck Rd (Before)



## High School / Kings Hwy / Gills Neck Rd (After)



### Clay Rd & Kings Highway (Before)



### Clay Rd & Kings Highway (After)





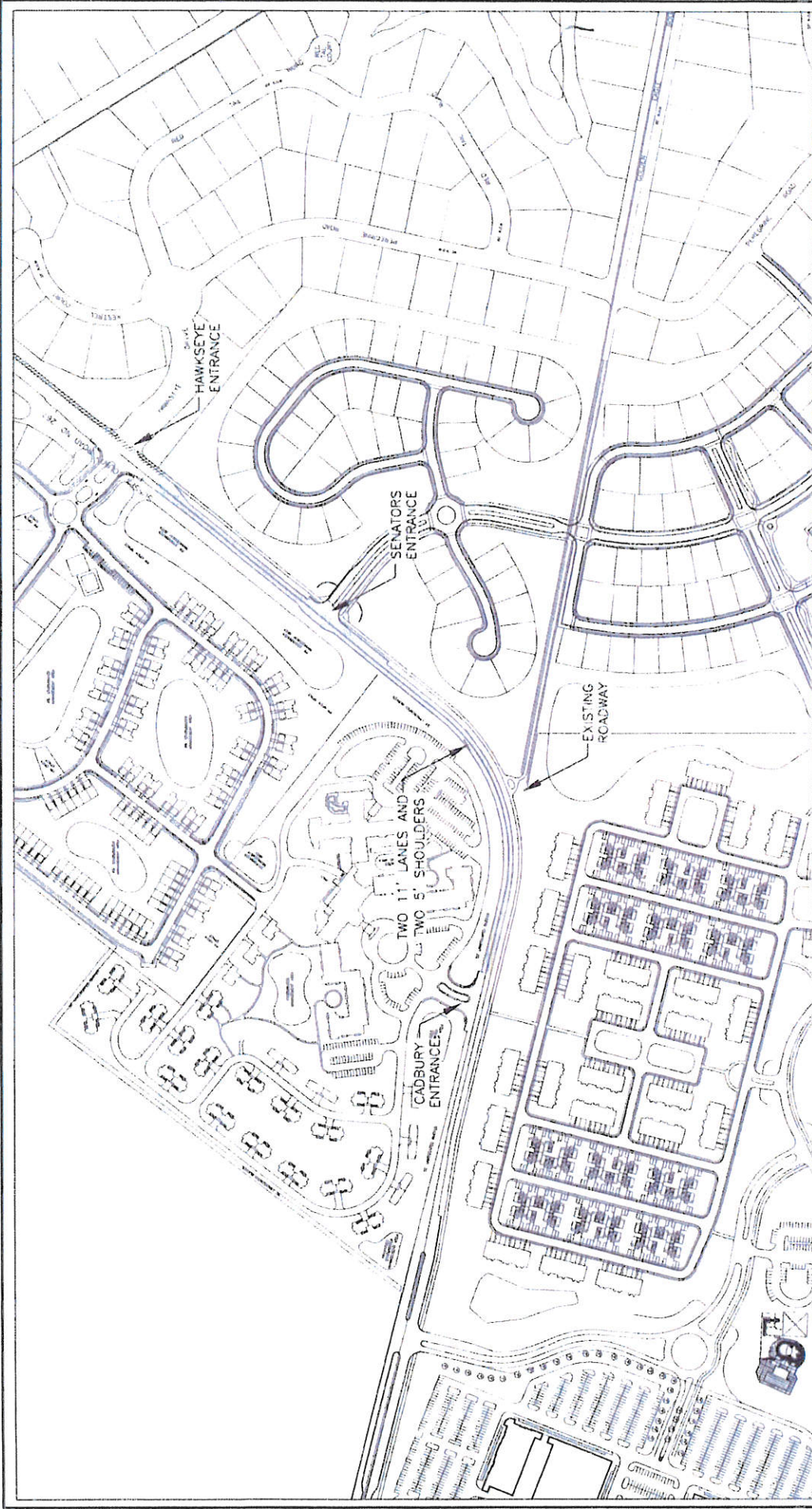
### Gills Neck Rd & Commercial Site Entrance (Before)



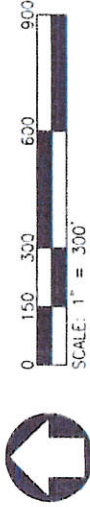
### Gills Neck Rd\* & Commercial Site Entrance (After)

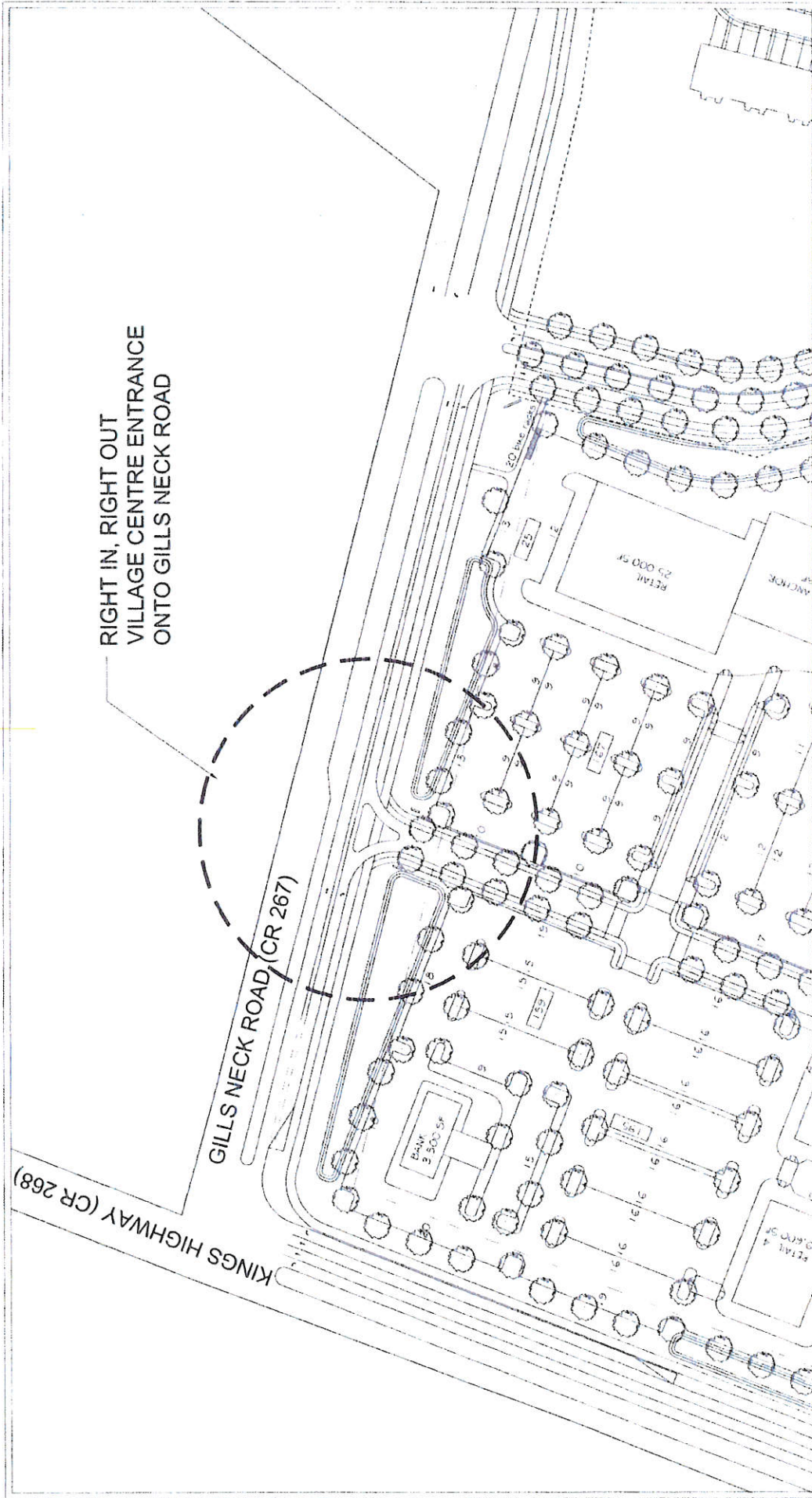


\* Gills Neck road to be improved consistent with LT Associates, dated May 10, 2005 or to two eleven foot travel lanes and two five foot shoulders from Kings Highway to Cadbury site entrance



<p><b>EXHIBIT A #10</b>          GILLS NECK ROAD/CADBURY          ENTRANCE TO HAWKSEYE ENTRANCE.</p>	
<p><b>GMB</b>          GEORGE, MILES &amp; BURR, LLP          ENGINEERS, ARCHITECTS &amp; PLANNERS          10000 W. HUNTERS BLVD., SUITE 100          FORT WORTH, TEXAS 76137          WWW.GMB-LLP.COM</p>	
<p>DESIGN BY: DLB</p>	<p>DATE: 7-31-09</p>
<p>CHK. BY:</p>	
<p>JOB NO.: 2004127.E</p>	
<p>SCALE: 1" = 300'</p>	





RIGHT IN, RIGHT OUT  
 VILLAGE CENTRE ENTRANCE  
 ONTO GILLS NECK ROAD

KINGS HIGHWAY (CR 268)

GILLS NECK ROAD (CR 267)

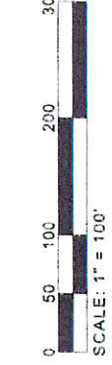
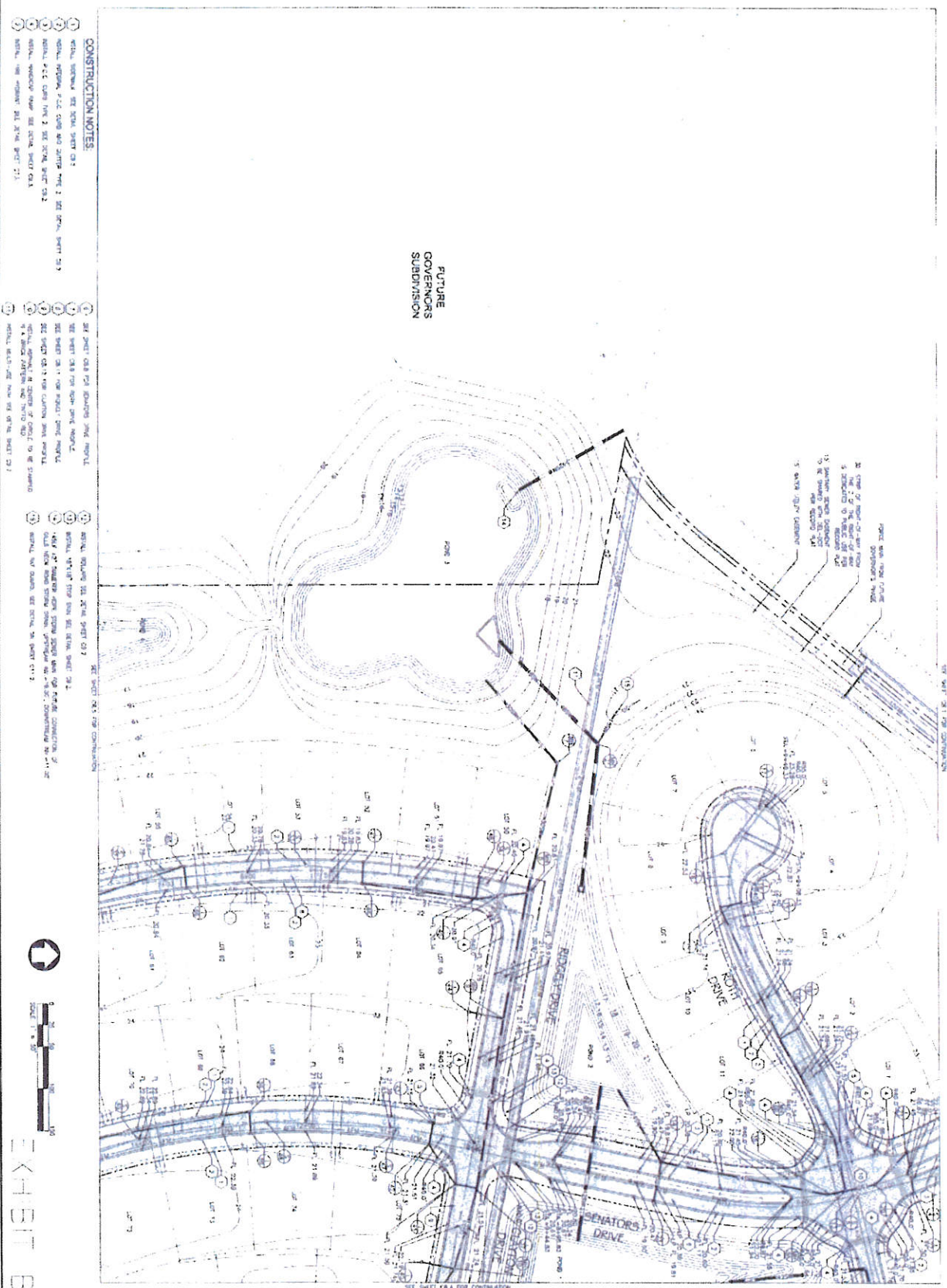


EXHIBIT A #12  
 RIGHT IN, RIGHT OUT  
 THE VILLAGE CENTRE ENTRANCE  
 ONTO GILLS NECK ROAD

**GMB**  
 GEORGE MILES & BURR LLP  
 ARCHITECTS & ENGINEERS  
 1000 ...  
 ...

DRAWN BY: DLS
CK BY:
JOB NO: 2004127 E
SCALE: 1" = 100'
DATE: 9-02-09




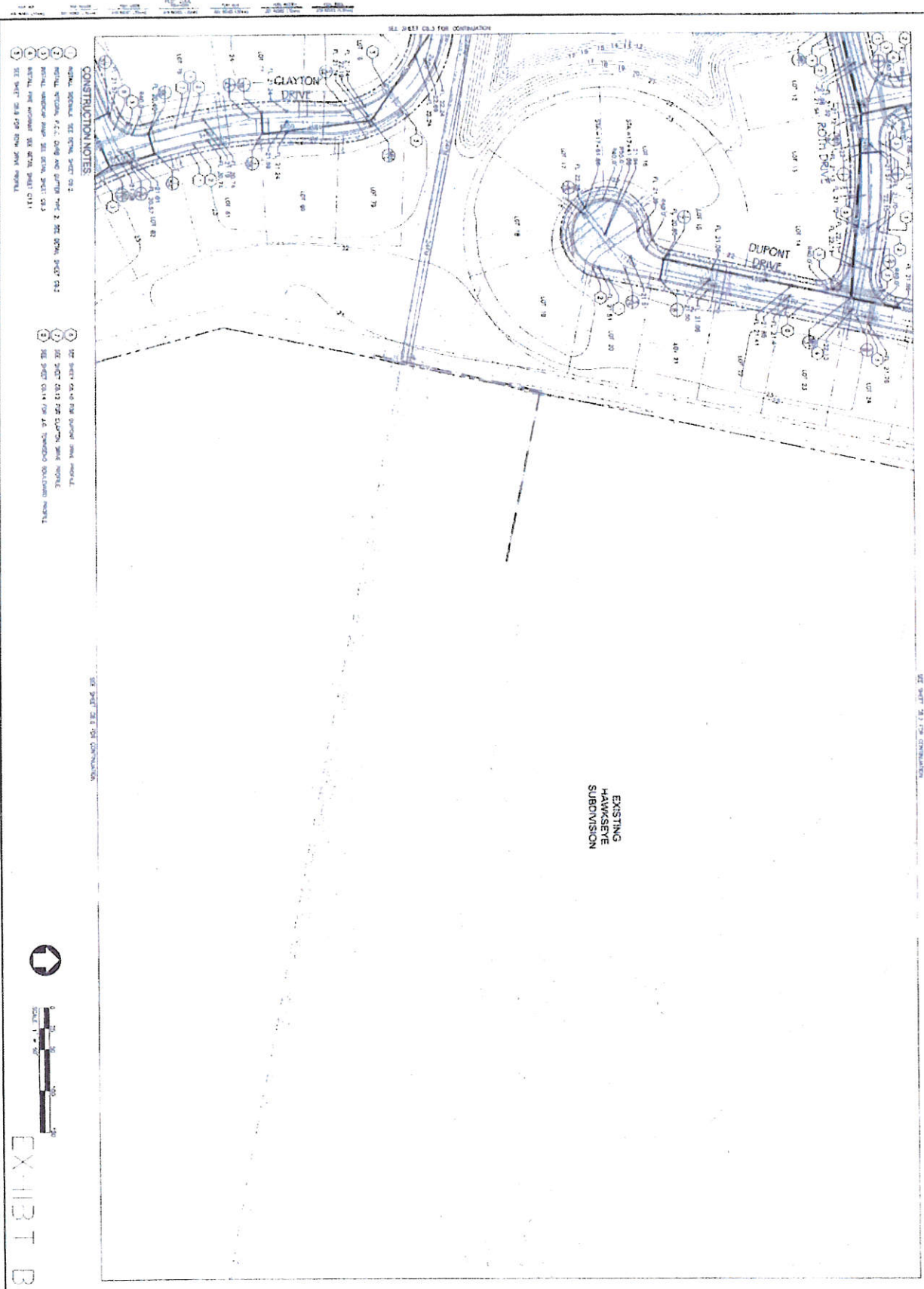
FUTURE  
GOVERNORS  
SUBDIVISION

- CONSTRUCTION NOTES:**
- 1. SEE SHEET C8.2 FOR SHEDS AND DRIVE.
  - 2. SEE SHEET C8.3 FOR DRIVE AND DRIVE.
  - 3. SEE SHEET C8.4 FOR DRIVE AND DRIVE.
  - 4. SEE SHEET C8.5 FOR DRIVE AND DRIVE.
  - 5. SEE SHEET C8.6 FOR DRIVE AND DRIVE.
  - 6. SEE SHEET C8.7 FOR DRIVE AND DRIVE.
  - 7. SEE SHEET C8.8 FOR DRIVE AND DRIVE.
  - 8. SEE SHEET C8.9 FOR DRIVE AND DRIVE.
  - 9. SEE SHEET C8.10 FOR DRIVE AND DRIVE.
  - 10. SEE SHEET C8.11 FOR DRIVE AND DRIVE.
  - 11. SEE SHEET C8.12 FOR DRIVE AND DRIVE.
  - 12. SEE SHEET C8.13 FOR DRIVE AND DRIVE.
  - 13. SEE SHEET C8.14 FOR DRIVE AND DRIVE.
  - 14. SEE SHEET C8.15 FOR DRIVE AND DRIVE.
  - 15. SEE SHEET C8.16 FOR DRIVE AND DRIVE.
  - 16. SEE SHEET C8.17 FOR DRIVE AND DRIVE.
  - 17. SEE SHEET C8.18 FOR DRIVE AND DRIVE.
  - 18. SEE SHEET C8.19 FOR DRIVE AND DRIVE.
  - 19. SEE SHEET C8.20 FOR DRIVE AND DRIVE.
  - 20. SEE SHEET C8.21 FOR DRIVE AND DRIVE.
  - 21. SEE SHEET C8.22 FOR DRIVE AND DRIVE.
  - 22. SEE SHEET C8.23 FOR DRIVE AND DRIVE.
  - 23. SEE SHEET C8.24 FOR DRIVE AND DRIVE.
  - 24. SEE SHEET C8.25 FOR DRIVE AND DRIVE.
  - 25. SEE SHEET C8.26 FOR DRIVE AND DRIVE.
  - 26. SEE SHEET C8.27 FOR DRIVE AND DRIVE.
  - 27. SEE SHEET C8.28 FOR DRIVE AND DRIVE.
  - 28. SEE SHEET C8.29 FOR DRIVE AND DRIVE.
  - 29. SEE SHEET C8.30 FOR DRIVE AND DRIVE.
  - 30. SEE SHEET C8.31 FOR DRIVE AND DRIVE.
  - 31. SEE SHEET C8.32 FOR DRIVE AND DRIVE.
  - 32. SEE SHEET C8.33 FOR DRIVE AND DRIVE.
  - 33. SEE SHEET C8.34 FOR DRIVE AND DRIVE.
  - 34. SEE SHEET C8.35 FOR DRIVE AND DRIVE.
  - 35. SEE SHEET C8.36 FOR DRIVE AND DRIVE.
  - 36. SEE SHEET C8.37 FOR DRIVE AND DRIVE.
  - 37. SEE SHEET C8.38 FOR DRIVE AND DRIVE.
  - 38. SEE SHEET C8.39 FOR DRIVE AND DRIVE.
  - 39. SEE SHEET C8.40 FOR DRIVE AND DRIVE.
  - 40. SEE SHEET C8.41 FOR DRIVE AND DRIVE.
  - 41. SEE SHEET C8.42 FOR DRIVE AND DRIVE.
  - 42. SEE SHEET C8.43 FOR DRIVE AND DRIVE.
  - 43. SEE SHEET C8.44 FOR DRIVE AND DRIVE.
  - 44. SEE SHEET C8.45 FOR DRIVE AND DRIVE.
  - 45. SEE SHEET C8.46 FOR DRIVE AND DRIVE.
  - 46. SEE SHEET C8.47 FOR DRIVE AND DRIVE.
  - 47. SEE SHEET C8.48 FOR DRIVE AND DRIVE.
  - 48. SEE SHEET C8.49 FOR DRIVE AND DRIVE.
  - 49. SEE SHEET C8.50 FOR DRIVE AND DRIVE.
  - 50. SEE SHEET C8.51 FOR DRIVE AND DRIVE.
  - 51. SEE SHEET C8.52 FOR DRIVE AND DRIVE.
  - 52. SEE SHEET C8.53 FOR DRIVE AND DRIVE.
  - 53. SEE SHEET C8.54 FOR DRIVE AND DRIVE.
  - 54. SEE SHEET C8.55 FOR DRIVE AND DRIVE.
  - 55. SEE SHEET C8.56 FOR DRIVE AND DRIVE.
  - 56. SEE SHEET C8.57 FOR DRIVE AND DRIVE.
  - 57. SEE SHEET C8.58 FOR DRIVE AND DRIVE.
  - 58. SEE SHEET C8.59 FOR DRIVE AND DRIVE.
  - 59. SEE SHEET C8.60 FOR DRIVE AND DRIVE.
  - 60. SEE SHEET C8.61 FOR DRIVE AND DRIVE.
  - 61. SEE SHEET C8.62 FOR DRIVE AND DRIVE.
  - 62. SEE SHEET C8.63 FOR DRIVE AND DRIVE.
  - 63. SEE SHEET C8.64 FOR DRIVE AND DRIVE.
  - 64. SEE SHEET C8.65 FOR DRIVE AND DRIVE.
  - 65. SEE SHEET C8.66 FOR DRIVE AND DRIVE.
  - 66. SEE SHEET C8.67 FOR DRIVE AND DRIVE.
  - 67. SEE SHEET C8.68 FOR DRIVE AND DRIVE.
  - 68. SEE SHEET C8.69 FOR DRIVE AND DRIVE.
  - 69. SEE SHEET C8.70 FOR DRIVE AND DRIVE.
  - 70. SEE SHEET C8.71 FOR DRIVE AND DRIVE.
  - 71. SEE SHEET C8.72 FOR DRIVE AND DRIVE.
  - 72. SEE SHEET C8.73 FOR DRIVE AND DRIVE.
  - 73. SEE SHEET C8.74 FOR DRIVE AND DRIVE.
  - 74. SEE SHEET C8.75 FOR DRIVE AND DRIVE.
  - 75. SEE SHEET C8.76 FOR DRIVE AND DRIVE.
  - 76. SEE SHEET C8.77 FOR DRIVE AND DRIVE.
  - 77. SEE SHEET C8.78 FOR DRIVE AND DRIVE.
  - 78. SEE SHEET C8.79 FOR DRIVE AND DRIVE.
  - 79. SEE SHEET C8.80 FOR DRIVE AND DRIVE.
  - 80. SEE SHEET C8.81 FOR DRIVE AND DRIVE.
  - 81. SEE SHEET C8.82 FOR DRIVE AND DRIVE.
  - 82. SEE SHEET C8.83 FOR DRIVE AND DRIVE.
  - 83. SEE SHEET C8.84 FOR DRIVE AND DRIVE.
  - 84. SEE SHEET C8.85 FOR DRIVE AND DRIVE.
  - 85. SEE SHEET C8.86 FOR DRIVE AND DRIVE.
  - 86. SEE SHEET C8.87 FOR DRIVE AND DRIVE.
  - 87. SEE SHEET C8.88 FOR DRIVE AND DRIVE.
  - 88. SEE SHEET C8.89 FOR DRIVE AND DRIVE.
  - 89. SEE SHEET C8.90 FOR DRIVE AND DRIVE.
  - 90. SEE SHEET C8.91 FOR DRIVE AND DRIVE.
  - 91. SEE SHEET C8.92 FOR DRIVE AND DRIVE.
  - 92. SEE SHEET C8.93 FOR DRIVE AND DRIVE.
  - 93. SEE SHEET C8.94 FOR DRIVE AND DRIVE.
  - 94. SEE SHEET C8.95 FOR DRIVE AND DRIVE.
  - 95. SEE SHEET C8.96 FOR DRIVE AND DRIVE.
  - 96. SEE SHEET C8.97 FOR DRIVE AND DRIVE.
  - 97. SEE SHEET C8.98 FOR DRIVE AND DRIVE.
  - 98. SEE SHEET C8.99 FOR DRIVE AND DRIVE.
  - 99. SEE SHEET C8.100 FOR DRIVE AND DRIVE.



EXHIBIT B

	<p><b>SENATORS PHASE 1 LEWES &amp; REHOBOTH HUNDRED SUSSEX COUNTY, DELAWARE</b></p>	<p><b>GMB</b> GEORGE MIRES &amp; BURR, LLC ARCHITECTS &amp; ENGINEERS 1000 W. MARKET STREET, SUITE 200 LEWES, DELAWARE 19558 TEL: 302.645.1234 WWW.GMB-LLC.COM</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PER S&amp;B REVIEW</td> <td>2/13/09</td> </tr> <tr> <td>2</td> <td>PER S&amp;B REVIEW</td> <td>7/21/09</td> </tr> </tbody> </table>	NO.	REVISIONS	DATE	1	PER S&B REVIEW	2/13/09	2	PER S&B REVIEW	7/21/09	<p>ROAD PLANS</p> <p><b>C8.3</b></p>
NO.	REVISIONS	DATE											
1	PER S&B REVIEW	2/13/09											
2	PER S&B REVIEW	7/21/09											



- CONSTRUCTION NOTES:**
- 1. SEE SHEET C8.3 FOR CONTINUATION.
  - 2. SEE SHEET C8.4 FOR CONTINUATION.
  - 3. SEE SHEET C8.5 FOR CONTINUATION.
  - 4. SEE SHEET C8.6 FOR CONTINUATION.
  - 5. SEE SHEET C8.7 FOR CONTINUATION.
  - 6. SEE SHEET C8.8 FOR CONTINUATION.
  - 7. SEE SHEET C8.9 FOR CONTINUATION.
  - 8. SEE SHEET C8.10 FOR CONTINUATION.
  - 9. SEE SHEET C8.11 FOR CONTINUATION.
  - 10. SEE SHEET C8.12 FOR CONTINUATION.
  - 11. SEE SHEET C8.13 FOR CONTINUATION.
  - 12. SEE SHEET C8.14 FOR CONTINUATION.
  - 13. SEE SHEET C8.15 FOR CONTINUATION.
  - 14. SEE SHEET C8.16 FOR CONTINUATION.
  - 15. SEE SHEET C8.17 FOR CONTINUATION.
  - 16. SEE SHEET C8.18 FOR CONTINUATION.
  - 17. SEE SHEET C8.19 FOR CONTINUATION.
  - 18. SEE SHEET C8.20 FOR CONTINUATION.
  - 19. SEE SHEET C8.21 FOR CONTINUATION.
  - 20. SEE SHEET C8.22 FOR CONTINUATION.
  - 21. SEE SHEET C8.23 FOR CONTINUATION.
  - 22. SEE SHEET C8.24 FOR CONTINUATION.
  - 23. SEE SHEET C8.25 FOR CONTINUATION.
  - 24. SEE SHEET C8.26 FOR CONTINUATION.
  - 25. SEE SHEET C8.27 FOR CONTINUATION.
  - 26. SEE SHEET C8.28 FOR CONTINUATION.
  - 27. SEE SHEET C8.29 FOR CONTINUATION.
  - 28. SEE SHEET C8.30 FOR CONTINUATION.
  - 29. SEE SHEET C8.31 FOR CONTINUATION.
  - 30. SEE SHEET C8.32 FOR CONTINUATION.

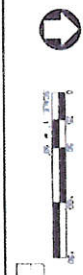


EXHIBIT B

PROJECT NO.	C8.4
DATE	
SCALE	
DRAWN BY	
CHECKED BY	
APPROVED BY	



**SENATORS  
PHASE 1  
LEWES & RENOBOTH HUNDRED  
SUSSEX COUNTY, DELAWARE**

**GMB**  
 GEORGE, MILES & SMITH, LLC  
 ARCHITECTS & ENGINEERS  
 200 WEST MAIN STREET  
 SALISBURY, MARYLAND 21801  
 410-546-2516 FAX 410-546-2517  
 WWW.GMBCON.COM

NO.	REVISIONS	DATE
1	PER SED REVIEW	5/22/09

EX COUNTY ROAD 268  
 HIGHWAY DEPT. CONTRACT NO.: 64-09-002  
 CONTRACT NO. 1078  
 VARYING WIDTH R.O.W.

2 (CR 269)

(KINGS HIGHWAY)

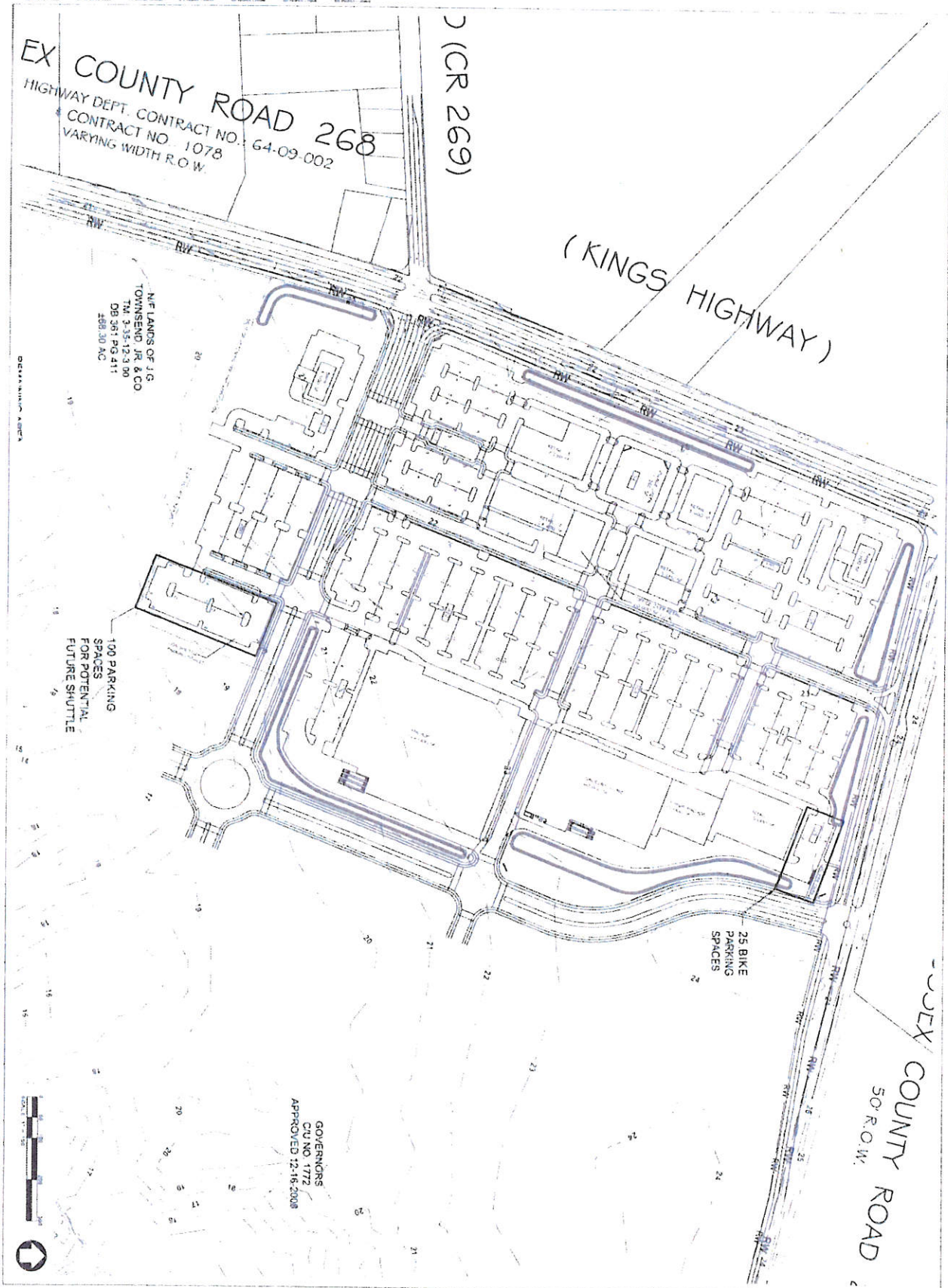
N.F. LANDS OF J.G.  
 TOWNSEND JR. & CO.  
 TM. 3-35-12.3.90  
 DB 261 PG 411  
 489.30 AC

100 PARKING  
 SPACES  
 FOR POTENTIAL  
 FUTURE SHUTTLE

25 BIKE  
 PARKING  
 SPACES

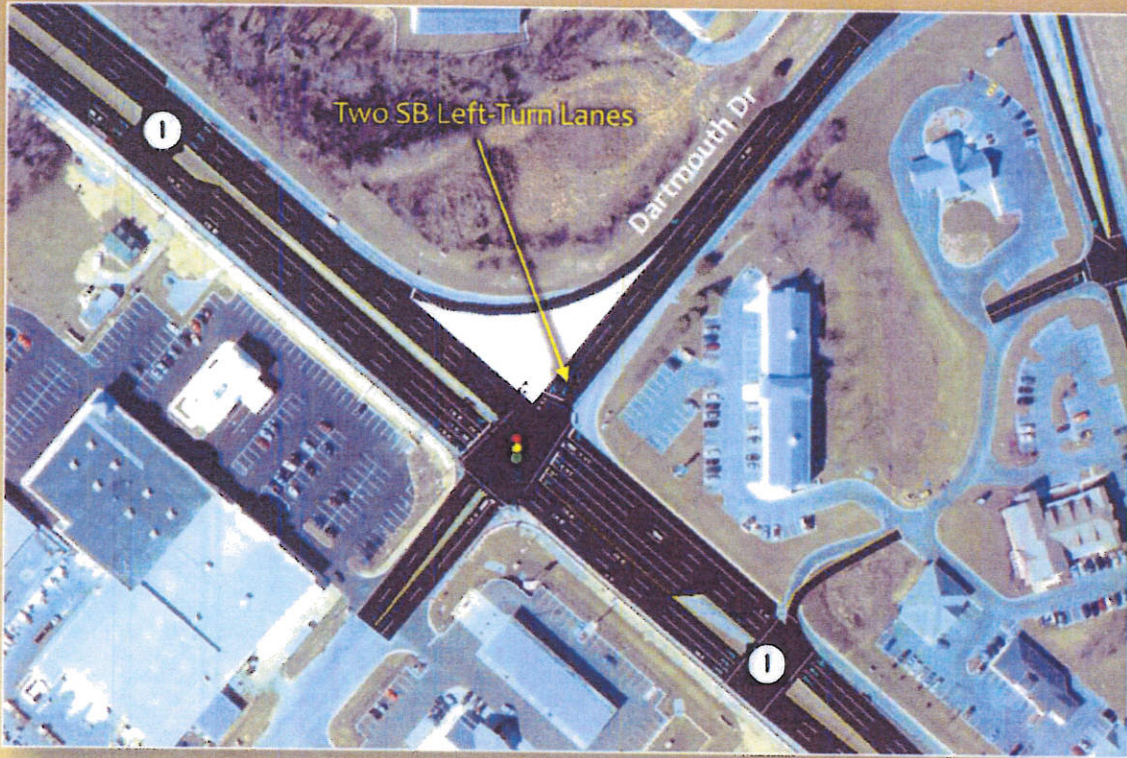
GOVERNORS  
 C.U. NO. 1772  
 APPROVED 12-16-2008

EX COUNTY ROAD  
 50' R.O.W.

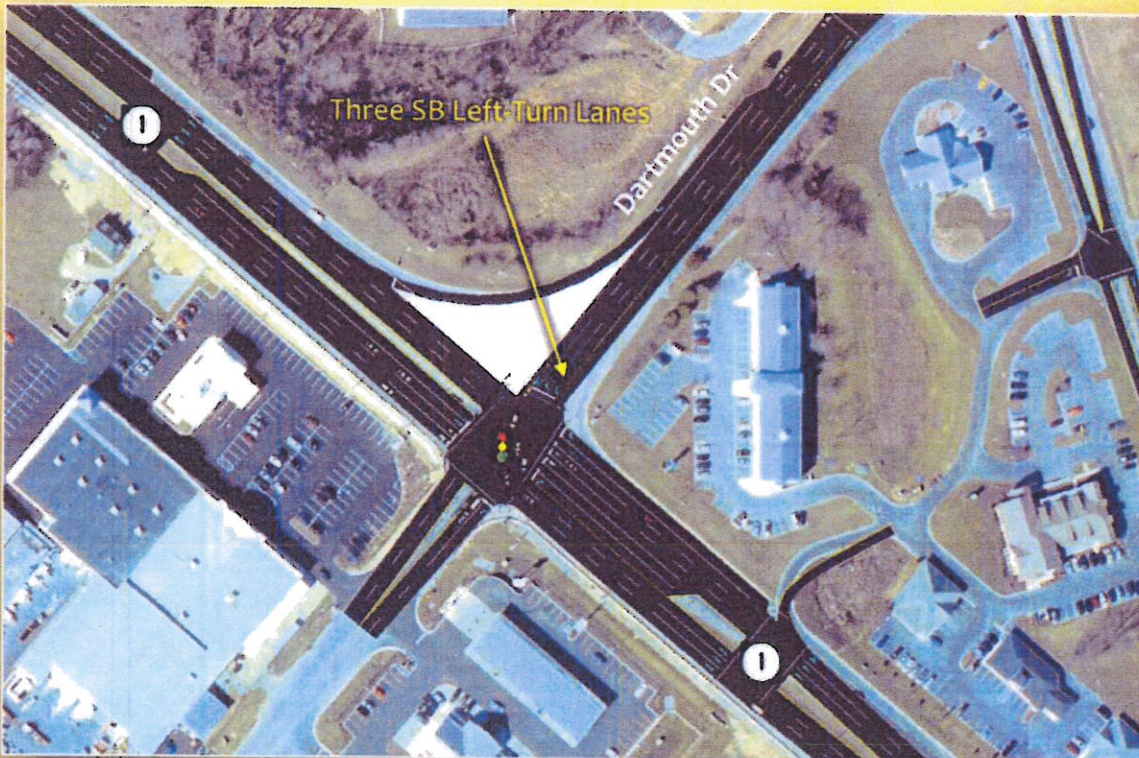


<p>EXHIBIT C          THE VILLAGE          CENTRE OVERALL          SITE PLAN</p> <p>C2.0</p>	<p>THE VILLAGE CENTRE          LEWES &amp; REHOBOTH HUNDRED          SUSSEX COUNTY, DELAWARE</p>	<p><b>GMB</b>          GEORGE MILES &amp; BURR, LLC          ARCHITECTS &amp; ENGINEERS          2100 WEST BROAD STREET, 5TH          FLOOR, WILMINGTON, DE 19806          WWW.GMBLLC.COM</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISION	DATE									
NO.	REVISION	DATE													

### Dartmouth Dr & SR 1 (Before)



### Dartmouth Dr & SR 1 (After)



s, LLC  
, Governors,  
howfield)  
**Costs**

**LT Associates, LLC**

**DeIDOT**

**Per Agreement**

**Per Agreement**

\$0	\$757,500
\$443,500	\$200,000
\$50,000	\$115,000
\$365,590	\$200,000
	\$200,000
\$420,000	\$0
\$840,000	\$0
	\$200,000
	\$0
\$726,400	\$0
\$2,845,490	\$1,672,500



JS	Map Reference #10				
Developer	Cost Shares	Gills Neck Road (Kings Highway to the beginning of the curve)			
Site Entrance					
Development	PM Peak Hour Volumes	Trip %			
Home Center	332	27.88	\$202,489		Roadway \$417,600
	1191				\$62,640
	PM Peak Hour Volumes	Trip %			\$0
	63	5.29	\$38,424		Utilities (\$10k/pole)
	1191				Telephone Pole
					Relocations
	PM Peak Hour Volumes	Trip %			MOT (10%)
	164	13.77	\$100,025		Contingency Cost
	1191				(15%)
	PM Peak Hour Volumes	Trip %			Drainage (10%)
	142	11.92	\$86,607		Total Estimate
	1191				
	Total Development Contribution	58.86			
	eIDOT Percentage	41.14	\$298,855		
			\$726,400		

TJS	Map Reference #9		
7/13/2009			
<b>Developer Cost Shares Gills Neck Road/Showfield Site Entrance Roundabout</b>			
**Note: Costs are solely associated with Showfield site entrance			
Site Entrance Improvements Roundabout			

TJS	Map Reference #8	
7/13/2009		4
<b>Developer Cost Shares Monroe Avenue/Showfield Site Entrance</b>		
**Note: Costs are solely associated with Showfield site entrance		
Site Entrance Improvements and Signal Agreement		

TJS	Map Reference #7	
7/13/2009		
<b>Developer Cost Shares ROW Dedication along Freeman Highway and Overlay</b>		
**Note: 20 foot dedication along 4,200 ft at \$10/ft^2		
Development		Frontage ROW
Showfield	<b>Costs</b>	\$840,000
**Note: \$350,000/mile, 2" overlay with milling for 4,200 feet at 40 foot width		
Development		Frontage Overlay
Showfield	<b>Costs</b>	\$278,409
		\$1,118,409

TJS	Map Reference #6		
7/13/2009			
<b>Developer Cost Shares ROW Dedication along Kings Highway and Overlay</b>			
**Note: 20 foot dedication along 2,100 ft at \$10/ft^2			
Development		<u>Costs</u>	Frontage ROW
Towne Center			\$420,000
**Note: \$350,000/mile, 2"overlay with milling for 2,100 feet at 40 foot width			
Development		<u>Costs</u>	Frontage Overlay
Towne Center			\$139,205
			\$559,205
			<u>Total</u>
*Check ROW width			

TJS	Map Reference #5		
7/13/2009			
<b>Developer Cost Shares Gills Neck Road/Towne Center Site Entrance</b>			
**Note: Costs are solely associated with Towne Center site entrance			
Site Entrance Improvements and Signal Agreement			

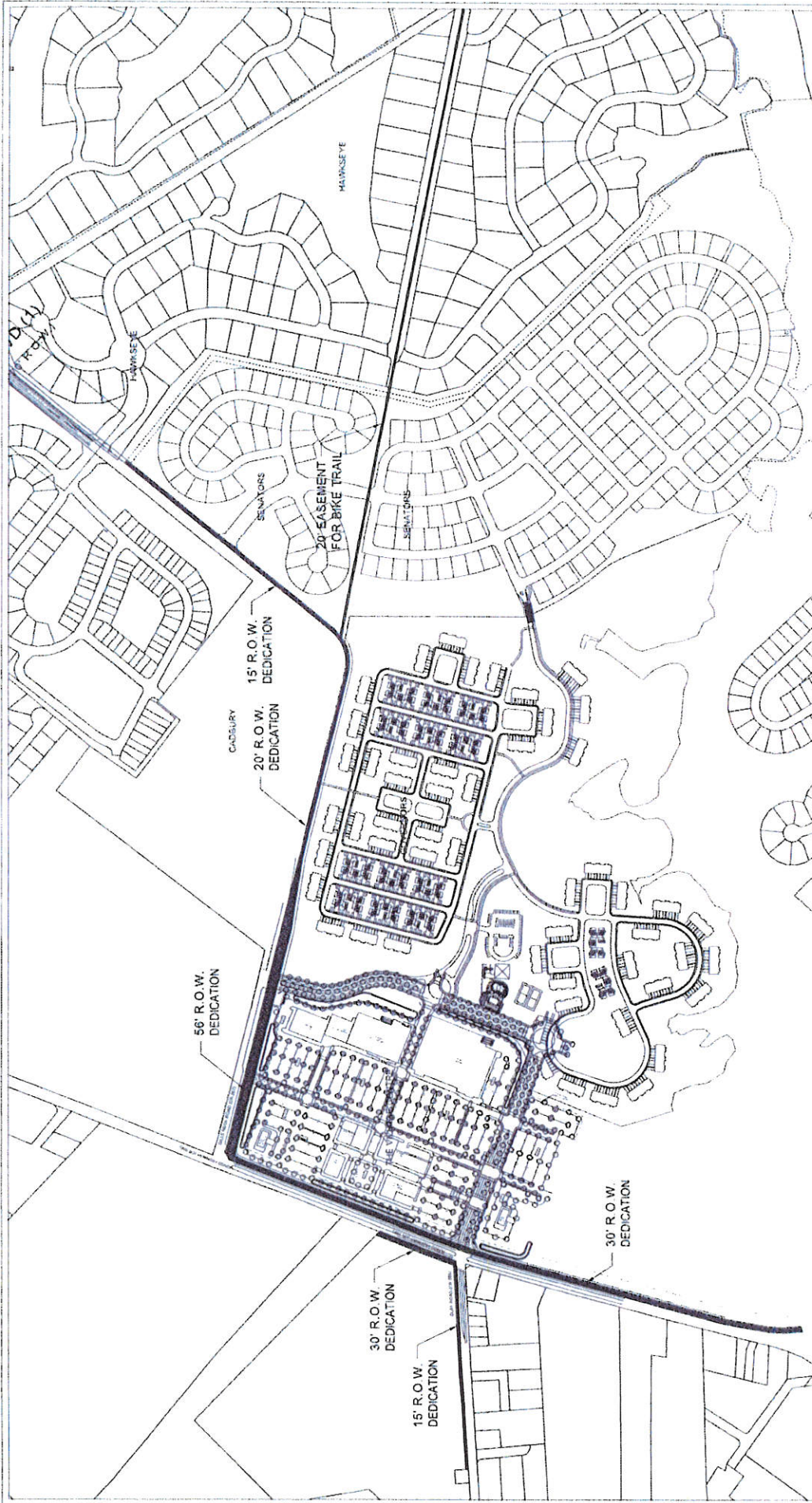
TJS	Map Reference #4					
7/13/2009						
<b>Developer Cost Shares Clay Road/Towne Center Site Entrance/Kings Highway</b>						
**Note: Did not include Towne Center specific entrance improvements						
Development	PM Peak Hour Volumes	Trip %				Intersection
Towne Center	879	24.95	\$141,117			\$276,800
	3523					\$41,520
	PM Peak Hour Volumes	Trip %				\$56,550
Governors	137	3.89	\$21,994			
	3523					\$80,000
						\$27,680
	PM Peak Hour Volumes	Trip %				
Senators	128	3.63	\$20,549			\$41,520
	3523					\$41,520
	PM Peak Hour Volumes	Trip %				\$565,590
Showfield	272	7.72	\$43,667			
	3523					
Jones Property	126	3.58	\$20,228			
	3523					
	Total Development Contribution	43.77				
DeIDOT Percentage		56.23	\$318,034			
			\$565,590			

TJS	Map Reference #3					
7/13/2009						
Developer Cost Shares Route 1 and Dartmouth Drive						
Development	PM Peak Hour Volumes	Trip %				Intersection
Towne Center	263	4.57	\$7,547			\$70,000
	5750					\$10,500
	PM Peak Hour Volumes	Trip %				\$60,000
Governors	35	0.61	\$1,004			
	5750					
	PM Peak Hour Volumes	Trip %				
Senators	42	0.73	\$1,205			
	5750					
Showfield	PM Peak Hour Volumes	Trip %				
	86	1.50	\$2,468			
	5750					
Jones Property	PM Peak Hour Volumes	Trip %				
	70	1.22	\$2,009			
	5750					
	Total Development Contribution	8.63				
DeIDOT Percentage		91.37	\$150,767			
			\$165,000			



TJS	Map Reference #2					
7/13/2009						
<b>Developer Cost Shares Gills Neck Road/Kings Highway/Cape Henlopen High School</b>						
**Note: Included a one time \$60,000 contribution from Cape Henlopen High School						
Development	PM Peak Hour Volumes	Trip %				Intersection
Towne Center	276	9.55	\$61,477			\$363,000
	2889					\$54,450
	PM Peak Hour Volumes	Trip %				\$99,000
Governors	81	2.80	\$18,042			
	2889					\$60,000
						\$36,300
	PM Peak Hour Volumes	Trip %				
Senators	164	5.68	\$36,530			\$54,450
	2889					\$36,300
Showfield	279	9.66	\$62,145			\$643,500
	2889					**Reduced by \$60,000
Jones Property	68	2.35	\$15,146			
	2889					
	PM Peak Hour Volumes	Trip %				
*Cape Henlopen	N/A					
High School one	N/A					
time \$60,000	Total Development	30.04				
contribution	Contribution					
DeIDOT Percentage		69.96	\$450,160			
			\$643,500			

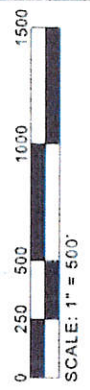
TJS	Map Reference #1						
7/13/2009							
<b>Developer Cost Shares Intersection of Kings Highway and Dartmouth Drive Roundabout</b>							
Two By-pass lanes at 12 feet and two 10 foot shoulders							
Development	PM Peak Hour Volumes	Trip %					Intersection
Towne Center	216	7.70	\$58,311				\$465,000
	2806						\$69,750
	PM Peak Hour Volumes	Trip %					\$0
Governors	82	2.92	\$22,136				
	2806						
	PM Peak Hour Volumes	Trip %					
Senators	82	2.92	\$22,136				\$60,000
	2806						\$46,500
	PM Peak Hour Volumes	Trip %					
Showfield	175	6.24	\$47,243				
	2806						
Jones Property	229	8.16	\$61,820				
	2806						
	Total Development Contribution	27.94					
DeIDOT Percentage		72.06	\$545,854				
			\$757,500				



DRAWN BY: DLB  
 CK BY:  
 JOB NO: 2004-27-E  
 SCALE: 1" = 500'  
 DATE: 9-22-09

**GMB**  
 GEORGE MILES & BURR LLP  
 ARCHITECTS & ENGINEERS  
 10000 W. 16th Avenue, Suite 1000  
 Golden, Colorado 80401

**EXHIBIT E**  
 SENATORS, GOVERNORS,  
 THE VILLAGE CENTRE RIGHT  
 OF WAY DEDICATION PLAN





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

JENNIFER COHAN  
SECRETARY

To: Members of the Council on Transportation and All Delaware Residents

I am pleased to enclose the Delaware Department of Transportation's (DeIDOT) Capital Transportation Program (CTP) for Fiscal Years 2021-2026. This program is consistent with DeIDOT's mission to provide a safe, reliable, and convenient option to access the transportation network that offers travelers cost-effective choices for the movement of people and goods.

As part of DeIDOT's efforts to provide information that is easily understood by the residents of Delaware, the program is grouped into four major funding categories:

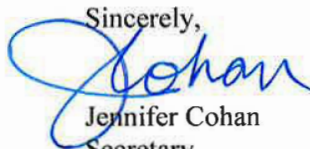
- **Road Systems** – Improvements to the state's roads and bridges;
- **Grants and Allocations** – Includes the Community Transportation Fund, which is allocated by legislators for various projects in their districts;
- **Transit Systems** – Investments in transit services including buses, maintenance and other facilities, transit shelters, and other assets supporting all modes of operation;
- **Support Systems** – All other investments to the transportation network including facilities, equipment, information systems, etc.

The first four years of DeIDOT's CTP constitute Delaware's State Transportation Improvement Program (STIP). The CTP lists projects and services we are already working on and has been developed with the assistance of the Wilmington Area Planning Council (WILMAPCO), Dover/Kent County Metropolitan Planning Organization, Salisbury/Wicomico Metropolitan Planning Organization, and Sussex County. It recognizes the priorities they have set in their respective four-year Transportation Improvement Programs (TIP). In addition, we held public hearings in August and September to gather public comment and to get a better sense of local and statewide multi-modal priorities.

In June the General Assembly authorized DeIDOT to proceed with the Fiscal Year 2021 elements of the program.

The Department looks forward to working on this exciting program which will improve the transportation system throughout the state. Additional information on the proposal is available on the DeIDOT web site, [www.deldot.gov](http://www.deldot.gov).

**APPROVED**

Sincerely,  
  
Jennifer Cohan  
Secretary



**Project Title**

**Primavera #**

**Project #**

**US9, Kings Highway, Dartmouth Drive to Freeman Highway**

**19-10005**

**Project Description** The proposed improvements of this project include additional capacity improvements, sidewalks and multi-use paths, intersection improvements.

**Project Justification** This project was identified by Sussex County and through the Lewes Byway Committee. This project is needed to support economic development along the corridor.

Senatorial District(s): 6

Representative District(s): 14

**PROJECT AUTHORIZATION SCHEDULE  
IN (\$000)**

PROJECT NUMBER	PHASE	FUNDING SOURCE	CURRENT ESTIMATE	FY 2021			FY 2022			FY 2023			FY 2024			STATE TOTAL	FEDERAL TOTAL
				STATE	FEDERAL	FUND TYPE	STATE	FEDERAL	FUND TYPE	STATE	FEDERAL	FUND TYPE	STATE	FEDERAL	FUND TYPE		
	PE	100% STATE	1,500.0				1,500.0								1,500.0		
	ROW	100% STATE	2,000.0										2,000.0		2,000.0		
	C	80% FHWA	11,000.0														
<b>Total</b>			<b>14,500.0</b>				<b>1,500.0</b>						<b>2,000.0</b>		<b>3,500.0</b>		

**PROJECT FUNDING SCHEDULE  
IN (\$000)**

PROJECT NUMBER	PHASE	FUNDING SOURCE	BALANCE AS OF JULY 1, (State Only)	CURRENT ESTIMATE	FY 2021			FY 2022			FY 2023			FY 2024			FY 2025	FY 2026
					STATE	FEDERAL	OTHER	STATE	FEDERAL	OTHER	STATE	FEDERAL	OTHER	STATE	FEDERAL	OTHER	TOTAL	TOTAL
	PE	100% STATE		1,500.0				750.0			750.0							
	ROW	100% STATE		2,000.0									1,000.0			1,000.0		
	C	80% FHWA		11,000.0													5,500.0	
<b>Total</b>				<b>14,500.0</b>				<b>750.0</b>			<b>750.0</b>			<b>1,000.0</b>		<b>1,000.0</b>	<b>5,500.0</b>	



FY23 to FY28 Capital Transportation Program											
Proposed Project Implementation For Prioritized Projects											
Denotes Projects in construction or going to advertisement in the next 6 months		PE ROW C	Preliminary Engineering Right-of-Way Acquisition Construction							County	Score
New Projects added to FY23 - FY28 CTP											
Applied Enhanced Project Prioritization Method for Score											
Changes in projects from December meeting											
Fast Track Fund Program w/ Sussex County											
Rank	Project Name	FY23	FY24	FY25	FY26	FY27	FY28	County	Score		
1	US 40 Salem Church Road to Walther Road	PE/ROW	C	C	C			New Castle	0.711		
2	S. College Ave. Gateway	PE	PE	PE	ROW	C	C	New Castle	0.703		
3	West Camden Bypass	PE/ROW	C	C				Kent	0.701		
4	<b>US 13, US 40 to Memorial Drive Pedestrian Improvements</b>	PE/ROW/C	C	C				New Castle	0.697		
5	US 9, Kings Highway, Dartmouth Dr to Freeman Highway	PE/ROW	PE/ROW	PE/ROW	C	C	C	Sussex	0.697		
6	<b>SR 299, SR1 to Catherine Street</b>	C	C					New Castle	0.681		
7	US 9 Widening (Ward Ave. to Old Vine Blvd.)	PE	PE	ROW	ROW	C	C	Sussex	0.677		
8	US 113 and US 9 Grade Separated Intersection	PE	PE	PE/ROW	PE/ROW	C	C	Sussex	0.626		
9	Glasgow Avenue, SR 896 to US 40	PE	PE/ROW	PE/ROW	C			New Castle	0.592		
10	US 113 Widening, Dagsboro Road to Hardscrabble Road	PE	PE	PE/ROW	PE/ROW	PE/ROW	PE/ROW	Sussex	0.589		
11	East Camden Bypass	PE/ROW/C	C	C				Kent	0.588		
12	SR 896 Widening, US 40 to I-95							New Castle	0.583		
13	SR 4, Harmony Road Intersection Improvements	PE	ROW	ROW	C	C		New Castle	0.571		
14	SR 9, New Castle Ave, Landers Lane to A Street	PE	PE/ROW	ROW/C	C			New Castle	0.565		
15	<b>HSIP SC, 24 at Mount Joy Road and SR 24 at Bay Farm Road Intersection Improvements</b>	C						Sussex	0.558		
16	Walnut Shade Road, US 13 to Peachtree Run Road	ROW	C	C				Kent	0.557		
17	US 113 and Shortly Road/Bedford Road GSI					PE	PE	Sussex	0.555		
18	US 113 at SR18/SR404 (Georgetown) Grade Separated Intersection	PE/ROW	PE/C	C	C	C		Sussex	0.546		
19	US 113 and Redden Road/E. Redden Road GSI					PE	PE	Sussex	0.539		
20	<b>SR 2 and Red Mill Road Intersection Improvement</b>	C	C					New Castle	0.539		
21	Dewey Beach Pedestrian and ADA Improvements (Anchors Way to Bayard Ave.)		PE	PE	ROW	ROW		Sussex	0.533		
22	HEP KC, US 13, Lochmeath Way to Puncheon Run Connector	PE	PE	C	C	C		Kent	0.527		
23	HEP KC, US 13, Walnut Shade Road to Lochmeath Way	PE/ROW	PE		C	C	C	Kent	0.526		
24	SR 1 Fenwick Island Sidewalk (Lighthouse Rd. to Lewes St.)		PE	PE	ROW	ROW		Sussex	0.522		
25	NE Front Street, Rehoboth Blvd to SR1	PE	ROW	ROW/C	C			Kent	0.519		
26	US 113 and Avenue of Honor/E. Piney Grove Road GSI					PE	PE	Sussex	0.512		
27	SR 4 and Churchmans Rd Intersection Improvement		PE	PE	ROW	C	C	New Castle	0.504		
28	Wilmington Initiatives, King and Orange Streets, MLK to 10th street	C						New Castle	0.501		
29	I-95 and SR 896 Interchange	PE/ROW	PE/ROW/C	C	C			New Castle	0.499		
30	US 40 (Pulaski Hwy) and SR 7 (Bear Christiana Rd) Intersection Improvements	PE	PE	PE	ROW	ROW		New Castle	0.497		
31	<b>HSIP SC, 24 at SR 5 / SR 23 Intersection Improvements</b>	C						Sussex	0.496		

FY23 to FY28 Capital Transportation Program											
Proposed Project Implementation For Prioritized Projects											
Denotes Projects in construction or going to advertisement in the next 6 months		PE ROW C	Preliminary Engineering Right-of-Way Acquisition Construction							County	Score
New Projects added to FY23 - FY28 CTP											
Applied Enhanced Project Prioritization Method for Score											
Changes in projects from December meeting											
Fast Track Fund Program w/ Sussex County											
Rank	Project Name	FY23	FY24	FY25	FY26	FY27	FY28	County	Score		
32	<b>HEP SC, SR 1 and SR 16 Grade Separated Intersection</b>	PE/C	PE/C	C				Sussex	0.494		
33	SR 1 and Cave Neck Road Grade Separated Intersection	PE/ROW	ROW/C	C	C			Sussex	0.488		
34	US 9 and Minos Conaway Intersection Improvement		PE	PE	ROW	C	C	Sussex	0.488		
35	<b>Newark Regional Transportation Center</b>	C	C					New Castle	0.484		
36	SR 1 Widening, SR 273 to Tybouts Corner	PE	PE	PE/ROW	PE/ROW	ROW		New Castle	0.483		
37	<b>SR 273 and Chapman Road Intersection Improvements</b>	C						New Castle	0.480		
38	US 40 & SR 896 Grade Separated Intersection	PE/ROW	PE/C	C	C			New Castle	0.479		
39	N427, Cedar Lane Road, Marl Pit Road, to Boyds Corner Road			ROW	C	C		New Castle	0.479		
40	Old Capital Trail, Newport Road to Stanton Road	PE	PE/ROW	PE/ROW/C	C	C		New Castle	0.476		
41	NCC Transit Center	PE	PE/ROW	ROW				New Castle	0.473		
42	<b>SR 72, McCoy Road to SR 71</b>	C	C					New Castle	0.465		
43	12 St. Connector		PE	PE	ROW	C	C	New Castle	0.463		
44	<b>HSIP SC, 24 at Camp Arrow Head Rd &amp; SR 24 at Robinsonville Rd/Angola Rd Intersection Improvements</b>	C	C					Sussex	0.449		
45	<b>Brenford Road (SR 13 to DE 42: Lynnbury Woods Road)</b>					PE	PE	Kent	0.449		
46	Realignment of Old Orchard Road at Westcoats Corner	PE/C	C	C	C			Sussex	0.449		
47	SR 8, Connector from Commerce Way to SR 8	PE	ROW	ROW/C	C			Kent	0.441		
48	Tyler McConnell Bridge, SR 141, Montchanin Rd. to Alapocas Dr.						PE	New Castle	0.439		
49	N15, Boyds Corner Road, Cedar Lane Road to US 13	PE	PE/ROW	ROW			C	New Castle	0.438		
50	North Millsboro Bypass, US113 to SR24	PE/ROW/C	C	C				Sussex	0.437		
51	HSIP NCC, Old Baltimore Pike and Salem Church Road			PE	PE	PE/ROW	C	New Castle	0.428		
52	SR 54 Multi-modal Improvements (Blue Beard Trail to Monroe Ave.)			PE	PE	ROW	ROW	Sussex	0.426		
53	SR 1, Minos Conaway Grade Separated Intersection	ROW	C	C	C			Sussex	0.425		
54	Walnut Street, 3rd Street to 16th Street	PE/ROW	PE/C	C				New Castle	0.423		
55	SR 2 (Kirkwood Hwy) and Harmony Rd Intersection Improvements		PE	PE	ROW	C		New Castle	0.423		
56	<b>Plantations Road Improvements, SR 24 to US 9</b>	PE/C	PE/C	PE/C				Sussex	0.421		
57	US 13: I-495 to PA Line			PE	PE	ROW	ROW	New Castle	0.421		
58	SR 4, Ogetown Stanton Road/SR 7, Christiana Stanton Road Phase I, Stanton Split	PE	PE/ROW	PE/ROW	ROW/C	C	C	New Castle	0.419		
59	South State Street/Plaindealing Road/Woodytown Road Intersection Improvements			PE	PE	ROW	ROW	Kent	0.415		
60	<b>Irish Hill Road Upgrade (US 13 to Glen Forest Road)</b>					PE	PE	Kent	0.415		
61	<b>SR 24, Love Creek to Mulberry Knoll</b>	C	C					Sussex	0.414		
62	4th Street, Walnut Street to Adams Street	PE/ROW	PE	C	C			New Castle	0.405		



FY23 to FY28 Capital Transportation Program									
Proposed Project Implementation For Prioritized Projects									
Denotes Projects in construction or going to advertisement in the next 6 months		PE ROW C	Preliminary Engineering Right-of-Way Acquisition Construction						
New Projects added to FY23 - FY28 CTP									
Applied Enhanced Project Prioritization Method for Score									
Changes in projects from December meeting									
Fast Track Fund Program w/ Sussex County									
Rank	Project Name	FY23	FY24	FY25	FY26	FY27	FY28	County	Score
63	SR 4, Christina Parkway from SR 2, Elkton Road to SR 896, South College Avenue, Newark	PE	PE/ROW	PE	C	C	C	New Castle	0.397
64	<b>Kenton Road, SR8 to Chestnut Grove Road</b>	PE/C	C					Kent	0.394
65	Southbridge Local Street Network		PE	PE	ROW	ROW		New Castle	0.393
66	West Street, New Burton Road to North Street			PE	ROW	C	C	Kent	0.389
67	Cave Neck Road, Hudson Road and Sweetbriar Road	PE/ROW	PE/ROW	C	C			Sussex	0.381
68	Peachtree Run Rd. (Voshells Mill Rd. to Irish Hill Rd.)			PE	PE	PE	ROW	Kent	0.378
69	Discount Land Road, US 13A to US 13	PE/ROW	PE/ROW	C	C			Sussex	0.369
70	Churchman's Crossing Fairplay Station Parking Expansion	PE/C	C					New Castle	0.368
71	Canterbury Road - SR 12 to US 13			PE	PE	ROW	ROW	Kent	0.363
72	Postal Lane (Linden Lane to SR 1) Improvements						PE	Sussex	0.359
73	Duck Creek Parkway (Bassett St. to Main St.)				PE	PE	ROW	Kent	0.351
74	Irish Hill Road, Fox Chase Road to McGinnis Pond Road	PE	ROW	ROW/C	ROW/C			Kent	0.350
75	College Road, Kenton Road to McKee Road	PE	PE	ROW	ROW	C		Kent	0.338
76	Garasches Lane Sidewalk, Wilmington	PE/ROW	PE/C					New Castle	0.337
77	East 7th Street				PE	PE	PE	New Castle	0.336
78	N. Main St. Smyrna - Shoulders (Duck Creek Parkway to Glenwood Ave.)				PE	PE	ROW	Kent	0.329
79	Mulberry Knoll Road (Cedar Grove Road to US 9 at Old Vine Road) Extension						PE	Sussex	0.329
80	US 113, North / South Improvements							Sussex	0.325
81	I-295 Northbound, SR141 to US13	PE	ROW	C	C			New Castle	0.325
82	Maryland Ave. and Monroe St. (Maryland Ave./Monroe St./MLK Area)				PE	PE	ROW	New Castle	0.324
83	HSIP KC, SR 15 and SR 42 Intersection Improvements	PE/ROW	PE/ROW	C				Kent	0.322
84	Beaver Dam Rd Widening (SR 1 to Dairy Farm Rd.)				PE	PE	PE	Sussex	0.293
85	SR 896 at Bethel Church Road Interchange	PE	PE	PE				New Castle	0.286
86	Old Landing Road and Warrington Road Intersection Improvement	PE	PE	ROW	C			Sussex	0.277
87	<b>Park Avenue Relocation</b>	PE/C	C	C	C			Sussex	0.273
88	Shady Road (Plantation Road to SR 1) Improvements						PE	Sussex	0.272
89	New Road, Nassau Road to Old Orchard Road			PE	PE	ROW	C	Sussex	0.271
90	US 13, Duck Creek to SR1	PE	PE					New Castle	0.268
91	<b>HEP KC, SR 8 &amp; SR 15 Intersection Improvements</b>	C	C					Kent	0.268
92	SR 9, River Road Area Improvements, Flood Remediation	PE	PE/ROW	ROW			C	New Castle	0.266
93	Airport Road Extension, Old Landing Rd to SR 24	PE	PE	ROW	C			Sussex	0.265

FY23 to FY28 Capital Transportation Program											
Proposed Project Implementation For Prioritized Projects											
Denotes Projects in construction or going to advertisement in the next 6 months		PE ROW C	Preliminary Engineering Right-of-Way Acquisition Construction							County	Score
New Projects added to FY23 - FY28 CTP											
Applied Enhanced Project Prioritization Method for Score											
Changes in projects from December meeting											
Fast Track Fund Program w/ Sussex County											
Rank	Project Name	FY23	FY24	FY25	FY26	FY27	FY28	County	Score		
94	Port Area Truck Parking Facility Near Wilmington							New Castle	0.263		
95	Dairy Farm Road and Beaver Dam Road/Fisher Road Intersection Improvement							Sussex	0.259		
96	Possum Park Road and Old Possum Park Road Intersection Improvements	PE/ROW	PE/ROW/C	C				New Castle	0.255		
97	Garrison Oak Connector Road (SR 1 via White Oak Road)			PE	PE			Kent	0.251		
98	Redden Road (Oak Rd to Kings Crossroads) Improvements						PE	Sussex	0.249		
99	W. Line Road and SR 54 (Lighthouse Road) Intersection Improvement						PE	Sussex	0.245		
100	Falling Point Road and Vines Creek Road (SR 26) Intersection Improvement						PE	Sussex	0.240		
101	N412, Lorewood Grove Road, Jamison Corner Rd to SR 1	PE	PE/ROW	PE/ROW	C	C	C	New Castle	0.236		
102	<b>Denny Road and Lexington Parkway Intersection Improvement</b>	C						New Castle	0.226		
103	<b>Claymont Regional Transportation Center</b>	C	C					New Castle	0.194		
104	US 113 at SR 16 (Ellendale) Grade Separated Intersection	PE	PE	PE				Sussex	0.154		
105	SR 1, Scarborough Road C-D Roads							Kent	0.154		
106	Otts Chapel Road and Welsh Track Road Intersection Improvements	PE	ROW	C				New Castle	0.148		
TOTAL	PRELIMINARY ENGINEERING (PE)	52	43	30	16	13	15				
	RIGHT OF WAY ACQUISITION (ROW)	20	22	21	17	12	9				
	CONSTRUCTION (C)	22	28	29	28	19	16				

CTP DEVELOPMENT PLAN

Printed: 2/18/2022 1:59 PM

Table with columns: Priority, County, Project Title, P6, Category, Class, Family, Phase, Current Estimate, FY23 State Spend, FY23 Fed Spend, FY23 Other Spend, FY24 State Spend, FY24 Fed Spend, FY24 Other Spend, FY25 State Spend, FY25 Fed Spend, FY25 Other Spend, FY26 State Spend, FY26 Fed Spend, FY26 Other Spend, FY27 State Spend, FY27 Fed Spend, FY27 Other Spend, FY28 State Spend, FY28 Fed Spend, FY28 Other Spend.

R

Cultural Resource Assessment  
Mitchell Farm,  
Route 9 and Gills Neck Road,  
Lewes, Delaware

February 23, 2022

By  
Edward Otter, Ph.D.  
Edward Otter, Inc.  
1704 Camden Avenue  
Salisbury, Md. 21801

Prepared for:  
Davis, Bowen & Friedel  
1 Park Avenue  
Milford, Delaware 19963

## TABLE OF CONTENTS

INTRODUCTION.....	1
Goals.....	1
Location and Setting.....	1
PREVIOUS RESEARCH.....	1
METHODS.....	7
CULTURAL HISTORY .....	7
Prehistoric Era.....	8
Historic Era .....	16
RESULTS .....	19
Prehistoric Site Potential.....	19
Archival Research .....	20
CONCLUSION.....	27
REFERENCES.....	27

## LIST OF FIGURES

Figure 1. Project Location .....	2
Figure 2. 2020 Aerial Photograph .....	3
Figure 3. Reported Prehistoric Sites within One Mile.....	4
Figure 4. Above Ground Historic Resources within One Mile .....	5
Figure 5. CHRIS points on Mitchell Farm.....	6
Figure 6. Mitchell House (From De CHRIS File) .....	7
Figure 7. 1822 Orphans Court Plat, Land of Whittington Clifton.....	21
Figure 8. 1868 Pomeroy & Beers Atlas.....	23
Figure 9. 1897 Orphan's Court Plat, Land of Harbeson Hickman .....	24
Figure 10. 1926 Aerial Photograph .....	25
Figure 11. 2020 Aerial with Sites Located.....	26

## INTRODUCTION

Edward Otter, Inc. was contracted by Davis, Bowen & Friedel to conduct an archaeological assessment of Sussex tax parcel 335-8.00-37.00, also known as the Mitchell Farm. The subject parcel is being proposed as a new mixed-use commercial and residential subdivision.

### Goals

An archaeological assessment seeks to determine the archaeological potential of a particular piece of land. This work does not include survey level archaeological field work but instead is dependent on archival research and the use of site predictive models. The goal is to determine areas that have archaeological sites or have a potential to have archeological sites. This information can then be used for planning purposes.

### Location and Setting

Located on the northeast side of the intersection of King's Highway and Gill's Neck Road, the property is just outside the town limits of Lewes, Sussex County, Delaware (Figure 1). The tract consists of 52.17 acres of land which has been agricultural field. (Figure 2). Currently on the property is a house, garage, and agricultural out buildings.

Soils on the property consist of Greenwich loam. This is a well-drained loam. Topography is nearly level with elevation ranging from 17 to 21 feet above mean sea level. There are no streams on the property and none are immediately adjacent. Ebenezer branch is the closest water way and it is over 600 meters to the west/southwest.

## PREVIOUS RESEARCH

The area around the Mitchell farm is well known for containing prehistoric archaeological resources (Figure 3). The Townsend site is a National Register listed site that contains nearly 100 prehistoric features including burials and an early colonial site. Prehistoric sites tend to be along waterways (Figure 3). Also within a mile of the project area are several historic structure resources including a portion of the Lewes Historic District (Figure 4).

On the property itself, is one recorded above-ground historic resource, S01046 (Figure 5). This was the Mitchell farm complex which includes a house (Figure 6) and agricultural outbuildings. The current CHRIS map also indicates S01047 is on the property but this is an error. That structure is located on a separate parcel. It has been heavily modified and is now occupied by Lane Builders. Also shown on the property is an archaeological site 7S-D-40 (S00799).

Prior archaeological study on this parcel is limited to work conducted in association with the sewer line that runs along King's Highway (Thomas 1977). Prior to the construction of the sewer, the treatment facility sites and the main lines were subject to archaeological survey. Pedestrian reconnaissance was done within the plowed fields along King's Highway and this resulted in the identification of archaeological site 7-S-D-40 (CRS 00799). Thomas stated there was "a scattering of early historic items indicative of a field dumping area" (Thomas 1977:4-1). The artifact inventory suggests a late 18<sup>th</sup> through early 19<sup>th</sup> century site with redware, pearlware, whiteware and Chinese porcelain (Thomas 1977:5-2).

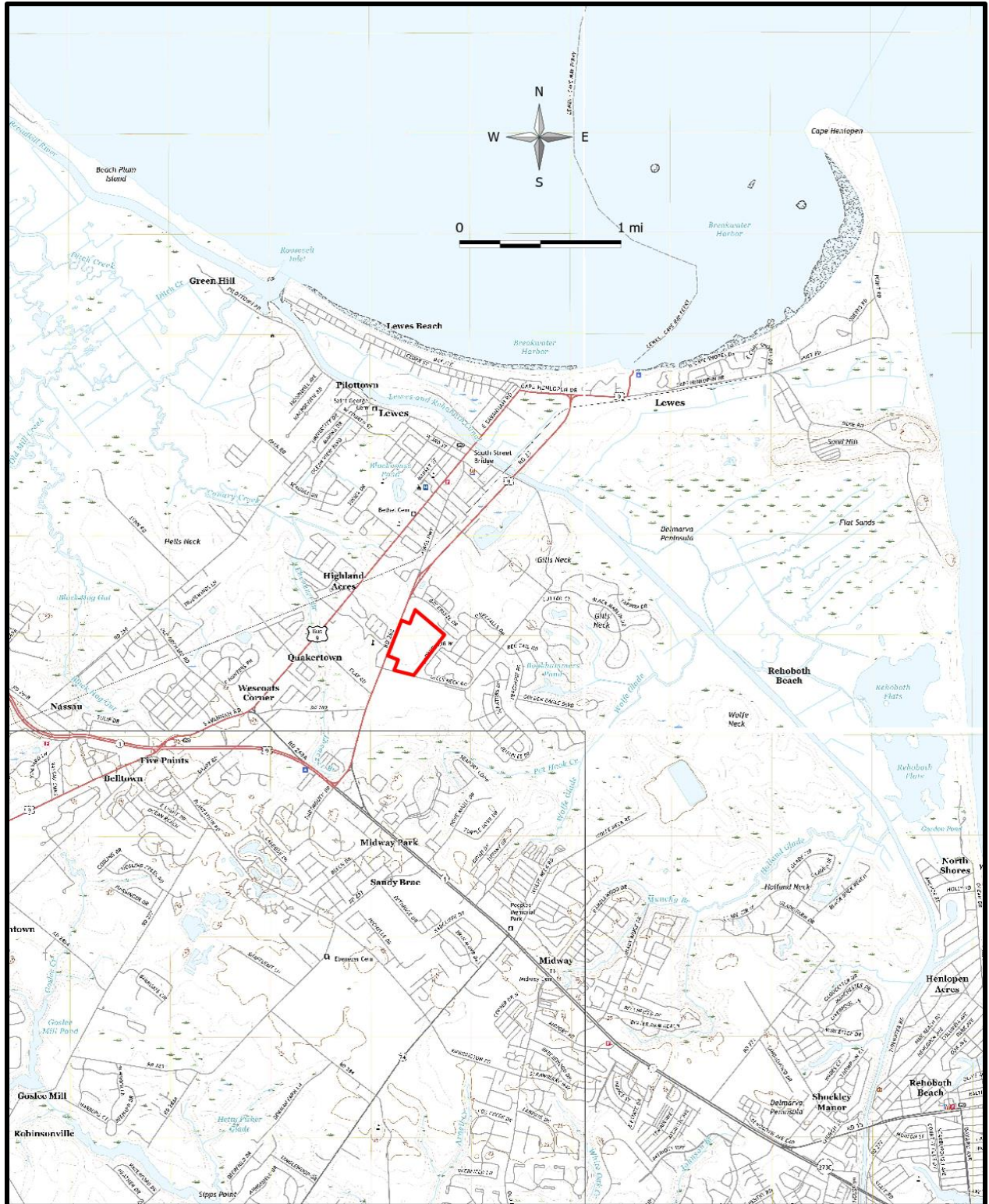


Figure 1. Project Location





Figure 2. 2020 Aerial Photograph

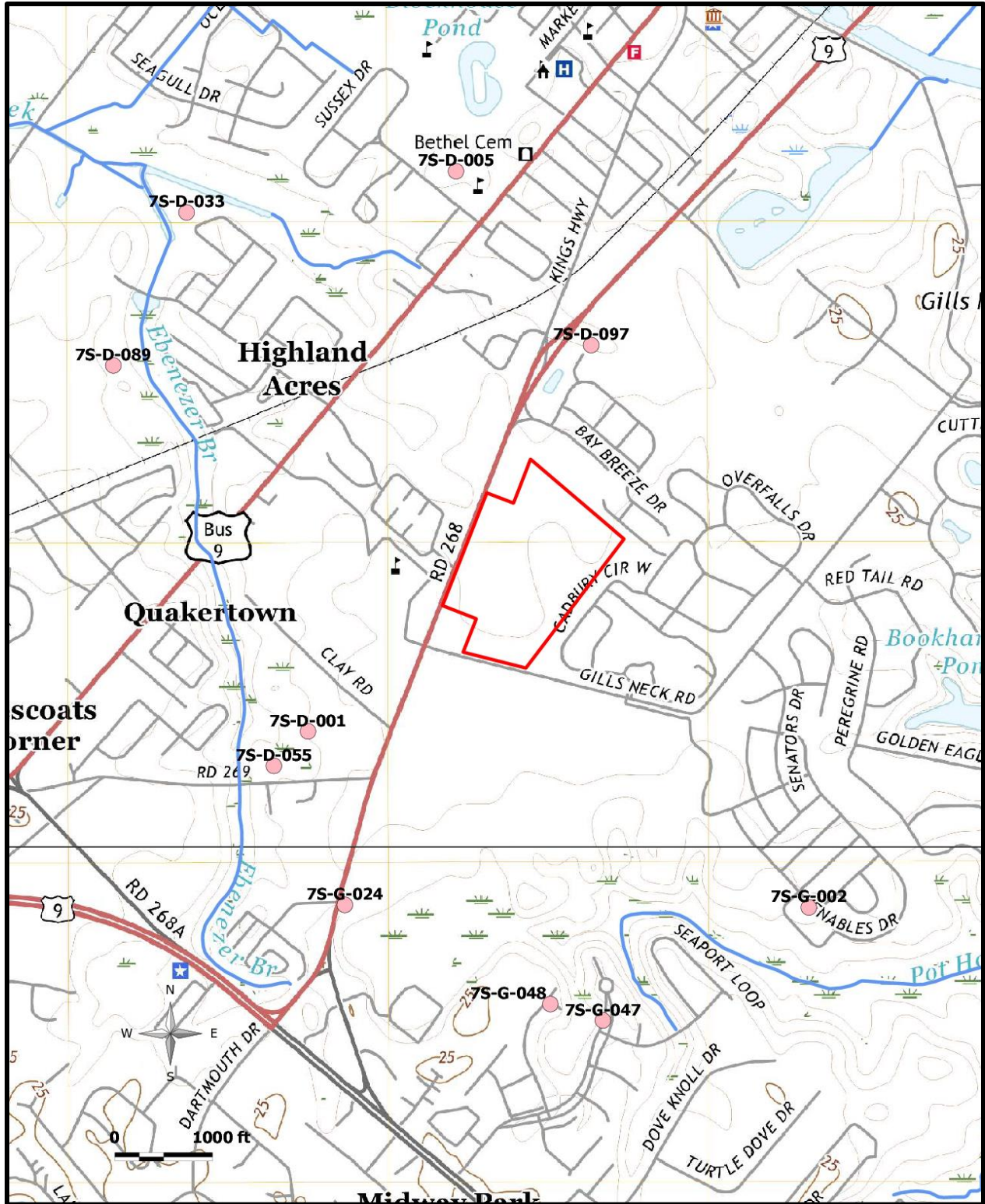


Figure 3. Reported Prehistoric Sites within One Mile

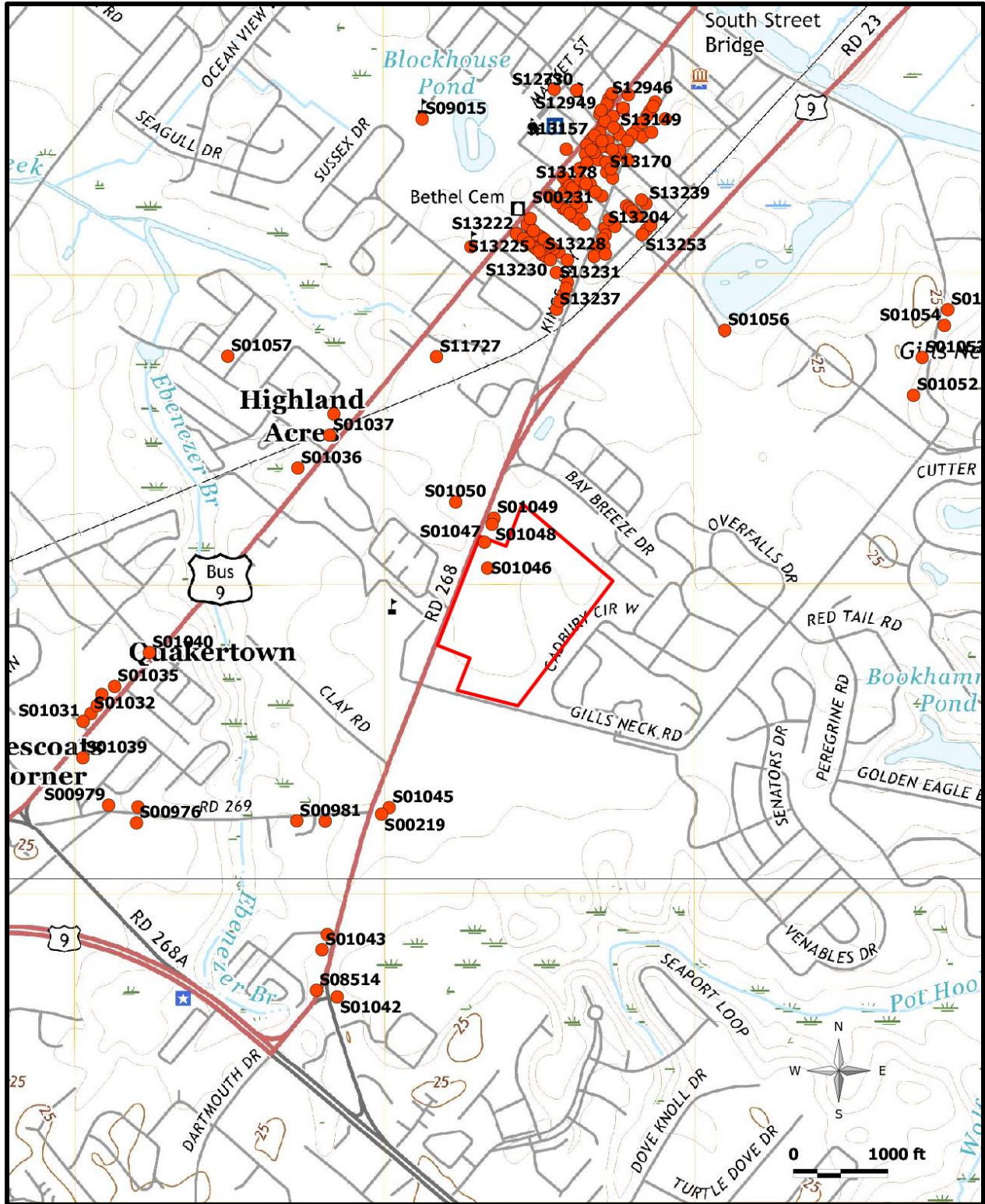


Figure 4. Above Ground Historic Resources within One Mile

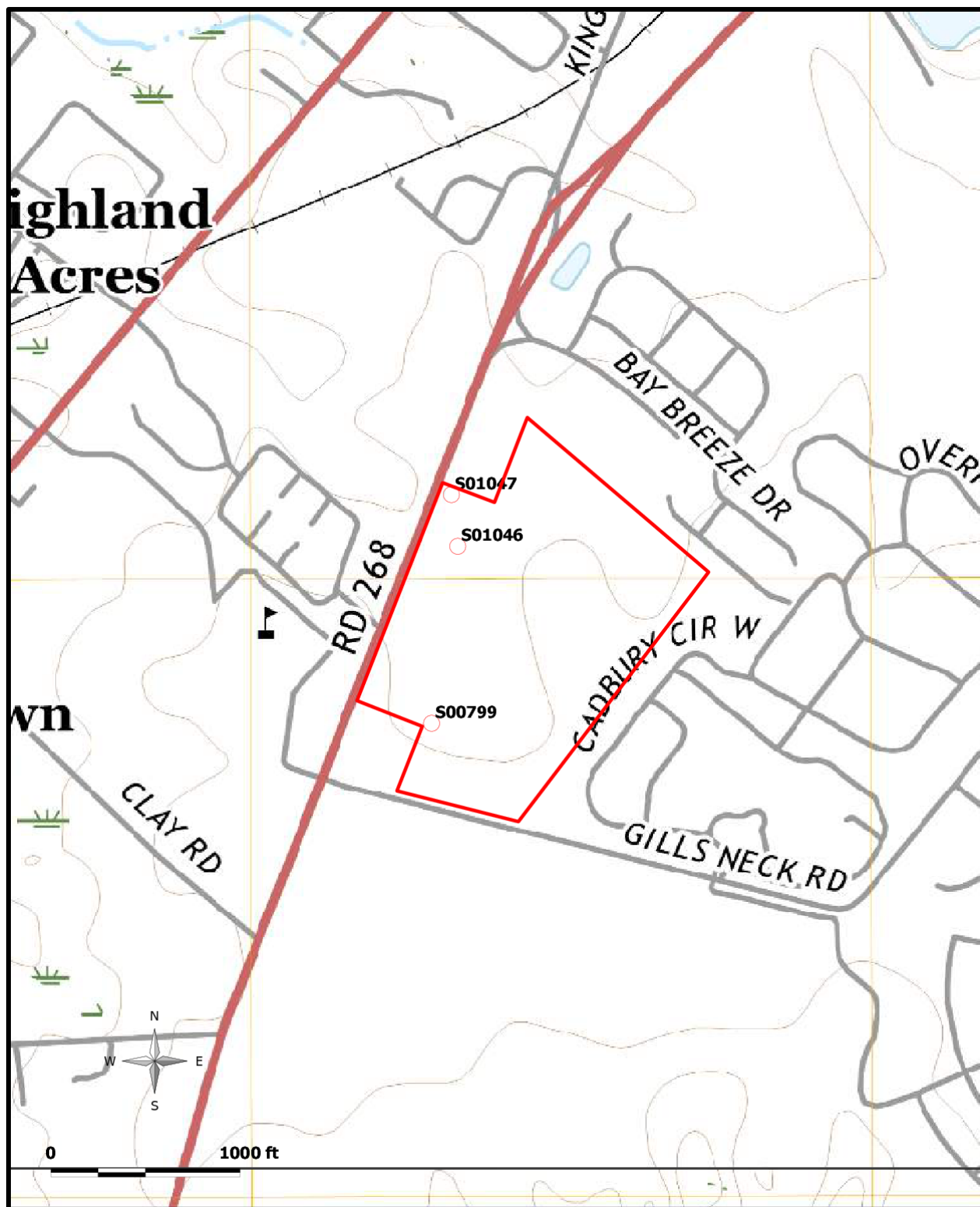


Figure 5. CHRIS points on Mitchell Farm



Figure 6. Mitchell House (From De CHRIS File)

## METHODS

In order to accomplish the objectives set forth for this project, archival research was conducted. Two forms of information were sought. Historic documents, mostly courthouse records were sought to understand past ownership, habitation and use of the property. This form of research often provides information about the location of archaeological sites and also provides a context for those sites.

The other form of information was environmental. Environmental variables are used in models that predict the locations for Prehistoric archaeological sites. Since the 1980s much research has been done to determine correlations between landforms, soils, and hydrology to the locations of Prehistoric sites. Such modeling is used here to suggest areas most likely to contain Prehistoric archaeological resources.

## CULTURAL HISTORY

Humans have occupied the North American continent for at least 15,000 years. The span of human existence is divided into two eras, prehistoric and historic. The historic era is equivalent to the time of Euro-American occupation. The prehistoric period is divided into periods and sub-periods. Delaware and Maryland use different names and dates for these divisions. Presented here is a sort of hybrid of these.

## Prehistoric Era

Extensive research has been conducted over the last half-century providing information about the people living in the Middle Atlantic region for the last 15000 years. Recent work has raised the possibility of pushing the earliest occupation date back as far as 20,000 years ago.

### Paleo I (Pre-Clovis 20000+ - 13500 B.C.)

While there was some evidence for human occupation in North America prior to 12,000 B.C., the notion was not widely accepted. More recently, sites such as Cactus Hill in Virginia (McAvoy & McAvoy 1997) and Miles River in Talbot County, Maryland (Lowery et al 2010) provide strong evidence for the sites with these early dates. This period is called pre-Clovis and sites are still controversial. Little is known of the culture of these people including their origin (Stanford & Bradley 2012).

The closest thing to a temporally diagnostic artifact for this period is the bi-point. At least eight sites from Delmarva have produced bi-points. Most of these have been from submerged contexts (Stanford et al 2014). Associated with bi-points is a tool kit including choppers, scrapers, and prismatic blades. The Miles Point site in Talbot County produced prismatic blades (Lowery 2007; Lowery et al 2010). These artifacts were recovered from a loess deposit dated between 40,000 and 20,000 years bp (Wah, Lowery & Wagner 2012).

### Paleo II (13500 - 8000 BC)

On Delmarva the Paleo II can be subdivided into three periods based on projectile point forms. The oldest is Clovis, followed by mid-paleo points, and lastly Hardaway and Dalton points. Clovis and mid-paleo points are characteristically fluted and are distinguished by their size and thickness. Mid-paleo points are smaller and thinner than Clovis and at least some fit the definition of the Crowfield type. Dalton points have well defined shoulders and a deep notch in their base.

Geomorphologic analysis indicates the Clovis period is at or before the onset of the Younger Dryas. The Younger Dryas was a period in which global temperatures abruptly dropped after a period of warming. Clovis aged sites have been associated with the Tilghman paleosol (Wah, Lowery & Wagner 2012:39). This paleosol is buried under a significant loess deposit (Paw Paw Loess). The Paw Paw Loess covers a large portion of the Maryland section of Delmarva and part of Delaware with the greatest thickness on the western shoreline of the Peninsula. The source for the sediment is thought to be the ancestral Susquehanna Channel (Wah, Lowery & Wagner 2012: 37). Sediment thickness is greatest near the source and generally less than 1.8 meters. Exceptions to this are locations on the east side of confluences and major waterways. Presumably these bodies contributed sediment that settled locally.

Across Delmarva, the different types of paleo points are found together on the same sites. This suggests a similarity in subsistence/settlement patterns. Geographic settings have changed significantly since Paleo II times with large amounts of aeolian deposition and stream modifications so that present conditions may not reflect what the setting once was. Many of these sites are found eroding from the shoreline and it is likely that the Paw Paw loess deposits conceal a number of these sites.

Paleoindian points have been found in many places along the shoreline where erosion has cut through the loess deposits. Paleo points have been near Eldorado and another on the Nanticoke near Riverton. In Delaware, there is a cluster on the upper portion of the Marshyhope west of Greenwood (Custer 1989:94). The numbers of points found in the interior of the peninsula may be related to the lack of Paw Paw loess leaving Paleoindian age soils closer to the surface.

Most stone tools found from the Paleo-Indian Period are associated with the processing of foods and other raw materials acquired through these activities. The tool kit typically contained projectile points for the killing and butchering of animals, biface blades for butchering and for the manufacture of other multi-purpose bifacial tools, and flaked tools for various purposes such as working bone, antler, or hide (Raber 1985; Custer 1989, 1996).

Paleo-Indian culture is interpreted as consisting of small mobile groups subsisting through hunting, fishing, and gathering. A correlation has been noted between Paleoindian site locations and specific resource areas, notably quarries (Gardner 1974, 1977; Raber 1985; Kraft 1986; Ritchie 1969). There are no primary outcrops of lithics on Delmarva only cobble deposits. These include high quality material and are peppered across the region. On Delmarva, there appears to be a correlation with spring heads and streams (Lowery 2002: 67). These, too, are spread across Delmarva. The low relief of much of Delmarva results in a uniform mosaic of environmental niches. Small changes in elevation result in differences between dry and wet soils and this factor, in conjunction with proximity to flowing surface water are seen as the major predictors of site locations for this and subsequent periods.

#### Archaic Period (8000 - 1000 BC)

Around 7,000 B.C., evolving Holocene environments continued to change with a gradual warming of the climate melting ice caps and raising the sea level. Spruce woodland gave way to mixed coniferous/deciduous forests establishing essentially modern floral and faunal patterns (Carbone 1976; Custer 1989). These environmental changes spurred a shift in human adaptation hunter-gatherer strategies producing new settlement-subsistence patterns based around exploitation of new seasonally rich environments including acorns, nuts, berries, and tubers with abundant fauna resources of fish, shellfish, deer, elk, bear, and a variety of small mammals.

#### Early Archaic Period (7000 BC – 5000 BC)

The most commonly found points of this period are Kirk and Palmer types. Amos and Charleston are less frequently found. The Early Archaic tool kit is much like that from the Paleo-Indian period (Dent, 1995; Raber et al 1998). The most notable change was in the form of scrapers which changed at this time. The remainder of the tools appear the same as those from the Paleo-Indian period.

Early Archaic site locations are generally the same as for Paleo-Indian sites, based on the current databases for site locations on Delmarva. The Crane Site assemblage from Dorchester County is characteristic of this with Dalton/Hardaway points and Kirk/Palmers. Local stone resources, such as quartz and rhyolite, were preferred for tool manufacture instead of exotic mineral types formerly obtained from distant sources.

The Archaic people are interpreted living in small, egalitarian and mobile hunter-gatherer groups. Their economy was based on hunting, fishing, and gathering utilizing a wide range of plants.

The flora and fauna became much more like that we see today although sea level was still significantly lower than the present.

#### The Middle Archaic Period (5000 B.C. - 3000 B.C.)

The Middle Archaic Period is poorly documented and understood. This period is marked archaeologically by the appearance of bifurcated projectile points in the earlier portion. In the later part of the period Stanly and Morrow Mountain points are found. A significant change at this time is the appearance of ground stone objects. Plant processing tools, axes and mortars appear during this period suggesting more use of plant resources. Pollen studies indicate an increase in nut producing trees, including oaks. Pollen studies also indicate a warming period across the middle Atlantic with a continued rise in sea level resulting in the inland expansion of tides and saline water.

Archaeological work has been done on relatively few sites of this period. Middle archaic sites tend to not be where early archaic sites, are suggesting a shift in either environmental setting or settlement preference. The interpretation is that settlement changes are related to environmental factors. Settlements that have been recognized are small and contain few artifacts. Only stone artifacts have been found, mostly waste flakes. The size of the sites and the relatively few artifacts suggest these were short-term camps with a small number of inhabitants (Barse & Marston 2007).

#### Late Archaic Period (3,000 B.C. - 800 B.C.)

In Delaware's chronology, this portion of prehistory is identified as the earlier portion of the Woodland I (Custer 1984). Two complexes are recognized, the Clyde Farm complex to the north and Barkers Landing to the south. The sites in lower Delaware and adjacent areas of Maryland fall into the Barkers Landing Complex (Custer 1989).

Projectile points characteristic of the Late Archaic period include the Otter Creek, Lamoka, Brewerton, Savannah River, Halifax, and Susquehanna and Perkiomen broadspear types. Soapstone bowls were manufactured and used during this period and are a good temporal diagnostic for the later part of the period. Lithic materials were procured locally and from distant sources. Rhyolite and argillite from piedmont areas is common and nearly all ground stone objects are produced of foreign stone such as slate or basalt.

Climatic changes, about 2,600 B.C., produced the warmest and driest conditions of the current post-glacial period, with oak and hickory emerging as the dominant tree species in the Middle Atlantic region. These nuts provide important food sources for many species including deer and turkey. Sea level rise was slowing and the Chesapeake and Delaware estuaries were becoming more stable. This allowed for an increase in estuarine resources, shellfish in particular.

Increases in population and sedentism (and decreased foraging territory) are suggested by the new archaeological visibility of sites (Dent 1995). Sites are found in a variety of locations with larger sites found along major waterways. Areas with well drained soils along bodies of water, especially in association with freshwater springs or freshettes and bay basin features are good locations for small sites of this period.



During the beginning of the Late Archaic, there is evidence for long-distance trade/exchange, exploitation of local nuts and seeds, a wide variety of lithic resources, and new riverine focus giving rise to large settlements along fertile major waterways (possibly in response to dryer climate).

At the end of the Late Archaic period pottery technology developed with the continuation of some projectile point types. Traditionally, pottery is used to mark the beginning of the Woodland Period. Over the years research has revealed that except for the introduction of pottery the Late Archaic and the earliest part of the Woodland Period are very much alike. In Pennsylvania the term Transitional is used to refer to this period. The first pottery vessels (Marcey Creek ware) were tempered with steatite. The shape of these vessels, with flat bottoms and lug handles, suggests an imitation of earlier steatite bowls. Steatite bowl fragments have been recovered from sites on the lower shore and adjacent areas of Delaware. For this reason, the earliest ceramic wares are here included as part of the Late Archaic.

On the lower shore, Marcey Creek is found as are other recognized types of similar form. Dames Quarter is probably the second most common. It is tempered with crushed black rock, probably gneiss making it distinctive. Marcey Creek pottery is flat bottomed as are some of the Dames Quarter vessels. Ware plain, another early type is also flat bottomed.

Late Archaic site locations on Delmarva are more often not where Middle Archaic sites are found although sites of the Late Archaic are more numerous than any of the previous periods. While this is at least partly attributable to environmental change, fundamental changes in subsistence were occurring at this time. Small wild seeds, roots, and squash, were likely important components of the diet.

In Delaware, and the greater Middle Atlantic region, early varieties of cultigens and cultivars have been found in archaeological context (Adavasio & Johnson 1981; Hart & Scarry 1999; Gremillion 1997). Cultivation appears to have started during the later part of the Late Archaic as cultivars have been found in terminal Archaic contexts elsewhere in the Eastern United States (Purrington 1983). Tobacco may have been cultivated at this time. The presence of pipes during this cultural period suggests the use of tobacco at this time. However, there is no evidence for beans or maize at this period.

A species of setaria, *S. parviflora*, has been found in dated contexts 4000 – 3500 B.C. in the southwest (Austin, 2006) and within a similar time frame from southwestern Mexico (Callen 1963:237). Other relatives in this family have been domesticated in Asia. Austin claims that *Setaria* was the dominant grain prior to maize domestication (Austin 2006:149) noting that setaria has been recovered from sites across the United States (Austin 2006:151).

Analysis of residue on Marcey Creek ceramics recovered from the Gray Farm (7K-F-11 & 7K-F-169) resulted in the identification of plant starch grains and phytoliths. Bristlegrass (*Setaria* sp) and little barley grass (*Hordeum* sp), were recovered as was arrowhead, sometimes called indian potato or duck potato (*sagittaria* sp) and sedge (*scirpus* sp). Arrowhead and sedge are both aquatic plants. Both have been found in prehistoric contexts (Hart 2008) and there is a claim from British Columbia of a purposefully built potato garden (Wade 2016). Given the emphasis often given to *Chenopodium* and Knotweed (Smith 1995), it is perhaps surprising these plants were not identified.

Squash may have been the first truly domesticated plants in North America (Smith & Yarnall 2009). Squash remains have been identified on sites of this time frame from across the eastern United States including New York, Michigan, and elsewhere (Hart 2008). Squash remains have been dated in Pennsylvania to about 5400 B.C. (McConaughy 2008). The hard-skinned winter varieties of squash can be stored for months. Leaves and flowers, available in the early spring can be eaten and fruit can be harvested green or mature. These plants can provide food for over six months of a year. They are versatile and easy to grow.

The development of horticulture and agriculture from this time to contact is poorly understood. True farming may not have taken place but simple encouragement of key plants can have an impact on plant communities. For example, removing competing plants or burning may have been used to encourage wild plant growth.

Two technological advances are seen as indicators of more sedentary lives and the use of storable surplus food supplies. These are pottery and pits. Pits appear first and are occasionally reported from non-ceramic sites such as 18TA424 near Easton, Maryland (Otter 2012). Pits are believed to have been used to store surplus foods for later use. Pottery provided a new means of preparing and storing food and, because of their fragile nature, suggest a more sedentary life. These changes continued into the Woodland Period.

#### Woodland Period (800 BC - A.D. 1550)

About 2,000 years before present the shorelines and landforms similar to those of today began to emerge as warm and dry climatic conditions gave way to a cooler, moister modern climate. The dominant oak-hickory forest was also superseded by oak and chestnut vegetation. The Woodland period is marked by the introduction of agriculture, intensive pottery production, and transition from spear to hunting with a bow concurrent with the progression from hunting and gathering to horticulture and eventually full agricultural-based societies with complex social structures.

Shifts in settlement pattern, and the creation of long-distance trade networks begin at this time and continue through the Early Woodland. The intensive trade and exchange network noted during the Late Archaic fades from the archaeological record, although increasing evidence of sedentism is manifested in the expanded use of storage facilities and the development of long-term residential architecture and permanent villages. Increased harvesting of plants reflects an intensification of food procurement, generally acknowledged as being spurred by population growth. Material culture of the Woodland period is typified by distinctive ceramic forms, small triangular projectile points reflective of bow-and-arrow technology.

#### Early Woodland Period (800 B.C. - A. D. 100)

Across the Middle Atlantic conoidal shaped ceramics with sand or crushed quartz temper spread quickly. These appear to derive possibly from Vinette I centered in lower New York and northern Pennsylvania. On Delmarva the wares are crushed quartz tempered Wolf Neck ceramics and sand tempered Accokeek ware. Analogous ceramic types spread across the eastern United States by about 500 B.C. forming a good horizon marker. In Delaware, this period is termed the Wolfe Neck complex. Radiocarbon dates on Wolfe Neck associated features range from around 800 BC to 100 BC (Bastian 1975; Griffith 2010).

Wolfe Neck pottery is a recognized pottery type found across the Delmarva Peninsula at this time. This ware is seen as homologous to other pottery types across the Middle Atlantic region including Popes Creek in southern Maryland, Bushkill in Pennsylvania, and Prince George ware in Virginia. A riverain or maritime orientation is indicated by site settings along waterways. Numerous shell middens exist along the bay shores and brackish waterways. Settlement patterns seem very similar to the Late Archaic.

Wolfe neck pottery is often found on sites with stemmed points with Rossville being the most recognized (Custer 1989:250). Sites of this period might also contain Accokeek pottery which similarly contains crushed quartz temper and cord or net marked exteriors. Sites of the Early Woodland often coincide with sites of the Late Archaic.

With the more fully developed estuaries, shellfish are used more often. Shell deposits are found in coastal areas beginning at this period. Some are many feet thick. These are often described as trash deposits but little effort has been given to alternative explanations. In the American southeast shell deposits have been recognized as ceremonial sites.

The use of wild plants and some domesticated, or semi-domesticated plants continued. Squash almost certainly was grown at this time.

During this period a distinctive projectile point type known as Meadowood is found. This is associated with the Meadowood culture from New York. These points are not common and do not appear on all sites of this period. They are not as rare as once thought with a distribution that covers the entire Delmarva Peninsula.

One of the characteristics associated with Meadowood in New York are elaborate burials with exotic goods referred to as Middlesex (Ritchie 1969). Tubular stone pipes, birdstones, and other exotic artifacts are found in these burials. Similar items have been found on Delmarva (Lowery 2005). Materials for these items cannot be procured locally and there can be no doubt long distance trade was taking place.

However, the presence of these items might indicate something more than trade. It is possible this represents an influx of people from the north. Another possible explanation is that this material represents a stratification of society where elites possessed these exotic goods (Tache 2011). Such a society is often cited as being based on food surplus. Historically archaeologists have claimed abundant fish resources were involved. It is possible that this interpretation reflects a bias toward protein sources in the diet, on the part of archaeologists, and that the surpluses could have come from other resources such as agricultural surplus. The presence of these items spread sparsely across the region without the ceremonial burial sites found in New York suggests that whatever was going on here wasn't quite the same.

Slightly later than Meadowood, is the Delmarva Adena. Like Meadowood, there are exotic artifacts produced from materials obtained in Ohio and New York. Elaborate burials with these exotic artifacts have been found in Delaware and the Maryland coastal plain. Besides the exotic materials, other artifacts associated with Adena are Coulbourn ceramics (Custer 1984: 89; Wise, Clark & Dunn 1989:45) and Adena points. Sites such as Sandy Hill in Dorchester County, Maryland and the Frederica Site in Kent County, Delaware have produced spectacular artifacts.

Unlike the Meadowood, these are more closely associated with burial sites. Using Tache's (2011) approach, these would be more ceremonial items than trade goods. This remains a poorly understood aspect of Delmarva archaeology with no sites identifiable as Adena habitations. The major sites that have been identified mostly were found by accident and artifacts collected without the benefit of scientific archaeology.

#### Middle Woodland Period (A.D. 100 - A.D. 1000)

Around A.D. 100 Mockley ceramics became dominant on Delmarva and continued until about 1000 A.D (Griffith 2010). This ceramic contains crushed shell temper. Vessels are either cord marked or net marked. Sites are often defined by the presence of large amounts of oyster shell refuse. Selby Bay/Fox Creek projectiles are typically found with Mockley pottery. These are frequently made from rhyolite which must be imported from the piedmont.

Middle Woodland sites indicate the most intense maritime exploitation of all prehistoric cultures. Sites are usually located along streams and include oyster or mussel shells, fish bones, and terrestrial animals. Reptile bones are common. Sites seem to be associated with marsh areas and are generally located in settings which would provide food throughout the year including seed crops such as amaranth and chenopodium (Custer, Stiner & Watson 1983:28). Evidence exists, in the form of more numerous pit features, for increased sedentism over the Early Woodland period.

Economic changes are possibly related to environmental conditions. The period was warmer and dryer. Oyster bearing sites are found further upstream than at any other time possibly indicating an intrusion of salt water. The Taft Site in Fairfax County Virginia has a Middle Woodland component with oyster shells and a Late Woodland component of fresh water mussel. Such an intrusion would have affected all of the major streams on Delmarva.

The drastic change in pottery technology is seen as an indication of an abrupt social transformation. Site locations change with an increased focus on estuarine resources. A majority of Middle Woodland sites do not overlay Early Woodland sites. It has been proposed that changes seen in the archaeological record indicate Algonquian speakers entering the area (Luckenbach, Clark & Levy 1987).

Jacks Reef points are another type found during this time frame and are a trait of the Webb Phase (Thomas & Warren 1970; Custer 1984). These points are widely spread over Delmarva and have a date range between 500 AD and 1000 AD. They are sometimes found in association with Hell Island pottery which is tempered with finely crushed quartz. Hell Island Pottery appears to be more northerly with only minor amounts found in the lower Delaware and adjacent Maryland. Jacks Reef points are more widespread and have been found across Delmarva (Lowery 2013).

The most studied Webb Phase site in Delaware is the Island Field Site which contained a large cemetery. Exotic goods such as platform pipes were recovered. Similarities have been noted with Kipp Island sites of New England in the types of artifacts recovered (Custer et al 1990:58). Similar pipes and Jacks Reef points have been recovered from the Riverton site in Wicomico County which was destroyed by sand mining.

## Late Woodland Period (1000 AD -1650 AD)

The last prehistoric period, known as the Late Woodland Period (1000 AD -1650 AD), lasted until the first contacts with European cultures. The Late Woodland was marked by settled life supported by agriculture although much of the diet continued to be drawn from wild food resources. Site locations are often the same as Middle Woodland sites suggesting a continuation of lifeways. There are more Late Woodland sites than Middle Woodland suggesting a population increase.

This is the first period where maize agriculture is known through archaeological samples in the Middle Atlantic. Maize has been reported from the Thomas Point Site in St. Marys County, at the Ritter site and Kea I and II sites in Lewes (Otter nd). Ethnographic data from the eastern shore indicate corn was grown at the time of European contact (Smith 1844). However, recent studies at Gray Farm found bristleglass (*Setaria* sp), little barley (*Hordeum* sp) and possibly wild rye (*Elymus* sp) and maize remains on late woodland pottery shards (Hay et al 2012). The presence of these starch grains and phytoliths indicates the diet of Native Americans during the Late Woodland was not focused on the “three sisters” corn, beans, and squash. Likely these were components of the diet but a variety of native plants would have also been consumed.

Soil type would be an important factor in site location with sites located at the most productive soil. The cooler conditions during the Little Ice Age may have increased the availability of surface water by reducing evaporation rates. Thus, sites might be found in places that presently do not have reliable water sources.

Late Woodland settlements were not dense concentrations of houses but were more dispersed. John Smith’s description seems appropriate: “Their houses are in the midst of their fields or gardens, which are small plots of ground. Some 20 acres, some 40, some 100, some 200. Some more, some less. In some places from 2 to 5 houses together, or but a little separated by groves of trees” (Smith 1608). It seems that the prehistoric village at Lewes included a number of dwellings that were spread along the courses of Canary Creek, Black Hog Gut, and Pothook’s creek where fresh water was available.

An account by Henry Norwood in 1649 provides a glimpse of dispersed housing on the lower portion of Delmarva. Individual houses were spread across the landscape (Norwood 1649). In his travels, Norwood visits a fisherman’s house, then a Queen’s house and a King’s house a half mile away. Work at the Chicone Reservation in Dorchester County seems to show a similar pattern with house sites along Chicone Creek and a King’s house identified as having more material (Busby 2010). This explains the lack of an easily identifiable Indian town at the reservation sites. Palisaded villages are not found on Delmarva except in the far north western portion. Those villages were in areas of conflict with groups from the north.

In general, Late Woodland sites yield fewer flaked and ground stone tools than earlier periods but now include more artifacts of pottery, bone, and shell. Triangular, un-stemmed, projectile points of various shapes are characteristic of the Late Woodland Period throughout the Middle Atlantic States. Townsend/Rappahannock pottery and Killens pottery are typical for this period.

During the Late Woodland, there is a greater use of local stone material (cobbles). There is also regionalization of ceramic technology. Across the Middle Atlantic regional ceramic types such as

Minquanan, Killens, Moyoane, Yeowicomico, and others have been identified. These factors suggest populations with more established territories and a reduction in long distance trade.

This is not to say trade or contact with outside groups ceased. Small amounts of non-local ceramics have been found on sites along the Nanticoke. Clemson Island pottery has been noted at sites on the Nanticoke drainage at Middleford (Mellin personal communication), at Prickly Pear Island (Archaeological files, Delaware State Museums) and near Portsville at site 7S-H-104 (Custer & Mellin 1989). This pottery type dates to the early part of the Late Woodland.

Early ethnographic reports record contact between Delmarva groups and those in Pennsylvania and New York. It is uncertain how much of that contact is a result of the impact of European contact and trade.

Ossuary burials are known from this period but single burials are also known. The reason for the two styles is unknown. Dog burials have also been found. Burials have been found in and near habitation sites and lack exotic goods seen in the earlier Adena and Webb Phase burials. True ossuary burials appear to be a late manifestation, after c. 1450 AD, with some containing European goods (Curry 1999).

## Historic Era

Native lifeways of the Late Woodland continued as Europeans made their presence felt. As time went on the European disruptions increased, forever changing how the Native Americans lived. Changes came about through disease, importation of new goods and foods, alterations in trade networks and inter-group relations. As the Dutch in New York and the French in Canada expanded their trade networks and conducted war with the English, the natives were drawn into these conflicts.

European settlement of Delmarva has four origins, Cape Charles Virginia, Lewes and New Castle Delaware, and Kent Island, Maryland. Cape Charles was firmly established in the 1630's as was Kent Island. Lewes was permanently settled in 1657. The settlements expanded from their initial points. Virginians expanded north up the peninsula into what is now southern Maryland and lower Delaware. Marylanders from Kent Island moved south, north, and east up the Nanticoke, Choptank, and Chester rivers spreading into what is now Delaware. Lewes and New Castle settlers expanded westward. These movements pushed the native populations toward the center of the Peninsula.

## European Disruption

In June 1608 Captain John Smith sailed from Jamestown to explore the Chesapeake Bay. Others were exploring the Atlantic coast and by 1614 the Dutch had a year-round presence on Manhattan. From this base the Dutch expanded up the Hudson and Delaware Rivers and into Connecticut. In 1632 the Dutch attempted a settlement on the Hoornkil (Lewes Creek). Relations with the Native Americans there, the Siconese (various spellings) did not go well and the fort was destroyed along with all of its inhabitants.

Other European settlements on Delmarva were Virginians on the lower end of the peninsula and Maryland on Kent Island in 1634. As Virginian settlements moved north those from Maryland spread south and east. The Maryland government declared war on the Nanticokes, and others in 1642 and 1647 although little fighting occurred. European settlement reached the Nanticoke in the 1670s.

By 1670 Maryland claimed all of the Nanticoke drainage and issued land patents. A series of reservations were created in 1678 including Tundotank, Askiminikansen, Parahawkin, Puckamee and Chicone. The latter two were opposite each other across the Nanticoke River and were established for the Nanticoke nation. Chicone became known as the residence of the Chief of the Nanticoke and trade with Europeans took place here. Mentions of Puckamee are short-lived in the records (Roundtree & Davidson 1997). The Chicone reservation was along the north side of the Nanticoke from Chicacone Creek to the Marshyhope (Figure 4).

By an act of General Assembly in Maryland, the Broad Creek Reservation was set aside for the Nanticoke in 1711 (Maryland Archives Online). The reservation was created near an existing Nanticoke town that had been occupied for at least one hundred years (Roundtree and Davidson 1997). The three-thousand-acre reservation included land on the north and south sides of Broad Creek including where the town of Laurel is now located (Figure 4). Although the Nanticoke now had land set aside for their sole use, the English continued to disregard boundaries and tensions escalated (Busby 2010). At this same time a roughly one-thousand-acre reservation, Askekesky, was created on the south side of Shiles Branch of the Indian River west of present-day Millsboro.

In 1742 Maryland's Lord Proprietor entered into new treaties with the lower Eastern Shore tribes. Indian people would not be allowed to possess hunting rifles unless they were licensed. No relatives or groups from outside of the reservation were permitted to visit. Native people were not permitted to enter an English town without a prior appointment or announcement. Separate treaties were made with the groups across the shore including the Chicone and Broad Creek groups (Maryland Archives 1883A). These treaties forbade the groups from combining their leadership (Maryland Archives 1883A).

After 1742 there was a continued disintegration of the native communities (Roundtree & Davidson 1997:155). There was continual encroachment and harassment by European settlers and individuals were moving between reservations. Many reservation inhabitants went to live with the Susquehannas. Some removed to the Six Nations area where they were assimilated into the Iroquois. Others left the reservation and acculturated within English society. Because of the depopulation of the Native groups, the reservations of Chicone and Broad Creek were reclaimed by Maryland and sold off between 1768 and 1785 (Roundtree & Davidson 1997:159). Native inhabitants apparently sold off the last of the Askekesky lands by 1741 (Roundtree & Davidson 1997:156).

Those Native Americans that did not leave Delmarva bought land, and adopted European style living. They maintained their social ties and developed closed communities. In 1881 the Indian River Nanticoke incorporated and were recognized by the state of Delaware as a legal entity after the Nanticoke were recognized by social scientists as a remnant population worthy of study (Babcock 1899; Speck 1915). There exists today a tribal organization and there is a conscious effort to rebuild the tribe's identity.

The largest groups are currently on the north side of the Indian River and in the Cheswold area of Kent County. In historical perspective, native groups from the lower Nanticoke moved up-river as Europeans encroached on their land. A reservation was established in the Laurel area in 1711 that persisted until 1768 (Roundtree & Davidson 1997).

European expansion in southwestern Sussex County came largely from Maryland. Until 1776 the boundary was not established but seems to have been generally conceded to be the Nanticoke

River. Early land patents on the west side were filed in Dorchester County. Agriculture appears to have been the major economic endeavor in the region.

#### Exploration and Frontier Settlement (1630 - 1730) (Contact Period)

European settlement of the Delmarva Peninsula began in Virginia about 1628, at Lewes (Swanandael) about 1630 and along the upper Chesapeake Bay about 1633. The Delaware settlements were contested between the Swedes, Dutch, and English. In 1659 the Dutch re-settled the Whorekil with the establishment of a new fort. It appears there were no civilians until 1663 when a group guided by Cornelius Plockhoy establish a utopian colony. This colony was attached by Maryland the following year to exert English control over the region.

This same year, 1665, the Duke of York was given control of the area and it remained under English control except for a brief time in 1673 when the Dutch seized control. By 1674 the English had gained complete control of the region. After William Penn was granted the Delaware counties in 1682 the economic focus became centered around Philadelphia. Maryland contested ownership of portions of Delaware and were actively issuing land patents south of the Indian River and along the Nanticoke and Choptank rivers.

#### Intensified and Durable Occupation (1730 - 1770)

The population of lower Delmarva grew steadily during this period. Life was centered around agrarian pursuits. Farm products reached foreign markets through Philadelphia or Baltimore with the Nanticoke River being an important avenue to the Chesapeake. Iron forges came into existence along the Nanticoke, and presumably along other waterways, about 1760 and were largely gone by the Revolution. Road networks were developed and settlers moved further inland. Small hamlets like Cannon's Ferry developed at this time, mostly along river crossings (DeCunzo & Catts 1990:44).

#### Transformation from Colony to State (1770 - 1830)

The Revolution altered foreign markets. Food produced on Delmarva was sold in Baltimore and Philadelphia instead of Europe or the West Indies. These economic ties continued until the Civil War. Rapid population growth after the Revolution led to the clearing and tilling of marginal lands (DeCunzo & Catts 1990:53). In 1776 the Maryland/Delaware boundary was established in its present location and the lands on the west side of the Nanticoke were re-patented in Delaware.

In 1810 more than 70% of the textile mills of Delaware were in Sussex County. Flax and wool were major crops in the county. Diversified farming of grains and potatoes along with various life stock existed in the rural areas.

#### Industrialization and Capitalization (1830 - 1880)

The rise of Baltimore as an important overseas port siphoned Delmarva goods away from Philadelphia. Railroads reached the lower peninsula around 1850 and Seaford in 1868. This allowed farmers to raise more perishable, and lucrative, crops such as peaches. Canning also developed after the Civil War and became an important industry. Corn and wheat remained the major crops. At the same time, it shifted the main commercial routes from water to the rail lines with new railroad towns springing up.



## Urbanization and Sub-urbanization (1880 - 1940)

The term for this period is somewhat misleading for central and southern Delaware. Little urbanization occurred. The most significant changes of this period in southern Delaware were improvements in transportation and a shift to truck crops and poultry as major farm products. Some industry related to the wars, in particular the establishment of airfields, did occur. The modern poultry industry that quickly raises and markets chickens was developed in Sussex County. The need to satisfy feeding requirements of the birds shifted crops from truck items to feed crops.

## RESULTS

### Prehistoric Site Potential

Generalized predictive models for Native American site locations vary depending on the views of the creators of those models. Commonalities in the models are environmental variables used as predictors for site locations. These include soil slope, soil drainage, and distance to surface water. Slopes greater than 8 percent are generally seen as not likely to contain Native American sites except for specialty sites such as rock-shelters or quarries. Well drained soils are more likely to contain sites than poorly drained soils.

The distance to surface water is the most variable criterion among models. In some models 200 meters (656 feet) is the limit for high potential (Lothrop, Custer & De Santis 1987). For Ranere and Hansell 100 meters is the limit of any site potential (Ranere & Hansell 1985).

The type of water, salt or fresh, also seems to play a factor in coastal plain site locations (Ranere & Hansell 1985) with salt water not having the same attraction as fresh water. Appropriate soils along salt water bodies are not likely to contain sites unless there is also a fresh water source nearby. However, in wetland settings small changes in topography can greatly enhance site potential (Cavallo & Mounier 1980).

Two facts must be considered, streams that are no longer flowing on the surface, and salt water intrusion further inland as a result of sea level rise. Another approach is to look at landform rather than distance to water (Siegel, Kellogg & Kingsley 2001). Stream benches hold the most sites followed by terraces, floodplains and upland flats. Ridgetops and slopes hold relatively few sites. While this approach was developed in the piedmont, it likely has utility in the coastal plain as well. In a breakdown of landform and temporal period of Pineland sites, smaller sites are found in areas further from water, such as drainage divides, and on areas of limited land area like hummocks (Cavallo & Mounier 1980). Larger sites tend to be on the larger bodies of fresh water where there is a broad area of well-drained soil.

Soils on the Mitchell farm are well drained. However, surface water is not present with the closest stream being over 600 meters away. Based on this distance to water, it is interpreted that there is a low potential for this property to contain significant prehistoric resources. In the 1950s when the Sussex Society for History and Archaeology was active the fields around Lewes were surveyed. If a site were present here it would likely have been noted. Likewise, no prehistoric sites were noted during survey for the Lecates Sewer project.

## Archival Research

An attempt was made to examine all records involving Parcel 335-8.00-37.00 back to the first Sussex County, Delaware land patents, granted in the last quarter of the 17th century. A chain of title was created (Appendix I) by working from present to past in the land records. To accomplish this, land deeds, wills and probates, Orphans' Court, census enumerations, tax assessments, and genealogical records, were studied for information about land ownership and habitation.

The initial land patent for this property, containing 800 acres, appears to have been made to Alexander Moleston in 1674. Likely he was already seated on the property and the record is a reaffirmation of his title under the new government under the Duke of York. Most of Alexander's land passed to his son, Alexander, and it was he who sold most of the original patent land.

Nathaniel Hall made at least two purchases of land from Alexander Moleston (4/207, 6/424). Nathaniel Hall was the father of Nathaniel Hall who died in 1732. His children include David Hall, Esquire who married Mary Kollock, Peter, Joseph, Bersheba, Lydia, and Mary. The son of David and Mary was Colonel David Hall who served in the Delaware Line during the Revolution. Dr. David Hall died intestate and his land was divided by the Orphans' Court in 1797. The mansion and two acres (at the intersection of King Street and Second Street) was given to daughter Jane and her husband Simon Kollock. Dr. Joseph Hall received a share of 70 acres (in 3 tracts) south of South Street. Colonel David Hall received 58 acres, part of Hall's Island and some smaller pieces. Son Simon Hall was given land on the north side of Lewes Road and Mary Hall received 21 acres on the south side and 128 acres between Peter White, Peter Hall, and James Wilson. Peter Hall received two small pieces.

The heirs of Colonel David Hall were Elizabeth, who married John White, Mary, wife of David Walker, Jane, wife of John Collins, Catherine who married Edward Huffington, and Lydia. Portions of the land passed through all of these lines. Jane re-married Simon Kollock. She passed land along to her brother's daughter Polly Houston who re-married a Walker, Mary Wilson and her children Lemuel and Samuel Wilson. Boundary descriptions, when they are present, are typically vague. The larger tract has been cut into several pieces that were merged and re-cut differently.

What can be determined is that the southern 16 acres abutting on Gill's Neck Road and Kings Highway was acquired in 1822 by Whittington Clifton. It was parts of three parcels owned by Col. David Hall, Reverend James Wilson, and William Coleman. The property was depicted in an orphan's court plat of the land of Whittington Clifton (Figure 7). George Hickman bought the land from the heirs in 1823 (35/452). This land apparently passed to Nathaniel Hickman, George's son. In 1870, as a result of a lawsuit against Nathaniel Hickman, the land was sold. The purchaser was Harbeson Hickman (81/412). The property consisted of 115 acres with a two-story.



Figure 7. 1822 Orphans Court Plat, Land of Whittington Clifton

The northern portion of the current tract was noted as owned by Thomas Coleman in 1822 (Figure 7). Apparently, the land was inherited from his father, William Coleman but how William acquired the land remains unknown. It is known that Jacob Herdsman purchased 90 acres, the land of John W. Walker at sheriffs' sale in 1861 (69/212). This is the same land he sold to Nathaniel Hickman in 1865 (75/81). It is believed that John Walker inherited the land from his father, David Walker who had inherited from David Hall through his mother, Mary.

The 1868 Pomeroy and Beers Atlas indicates a building on the property by 1868 (Figure 8). This is consistent with the mention of a house in the 1870 deed to Harbison Hickman. A map drawn for Harbison Hickman's Orphan's Court in 1897 also depicts the house (Figure 9).

After the death of Harbeson Hickman, his estate was sold off in pieces. George W. Robinson bought 109 acres in 1897 which included the current Mitchel Farm (127/42). Lowder and Laura Mitchell purchased 57.98 acres from Robinson (327/427). The land was owned by the Mitchells until 2019. The State of Delaware recorded a house and outbuildings on the property in 1997 and placed them on the state registry. That document indicates a construction date of c. 1905 indicating the house was likely built by George Robinson.

Based on this research, and prior archaeological work, it appears that there are two areas that contain historic deposits. The most obvious is the area around the Mitchell house. If that house was built in 1905, an earlier structure was removed since a house was present as early as 1868. The farm complex is clearly seen on the 1926 aerial photograph (Figure 10).

The second historic resource is indicated as an archaeological site, 7S-D-40. The site was identified during archaeological survey in 1977 for sewer mains along Kings Highway. The exact location is marked on the old SPO maps and the currently mapped location is well away from the sewer lines. It does appear the site was located towards the southwest corner of the property in an area that has been heavily disturbed with construction (Figure 11). The materials identified during the earlier survey suggest this might be the site of Whittington Clifton's early 19<sup>th</sup> century house.

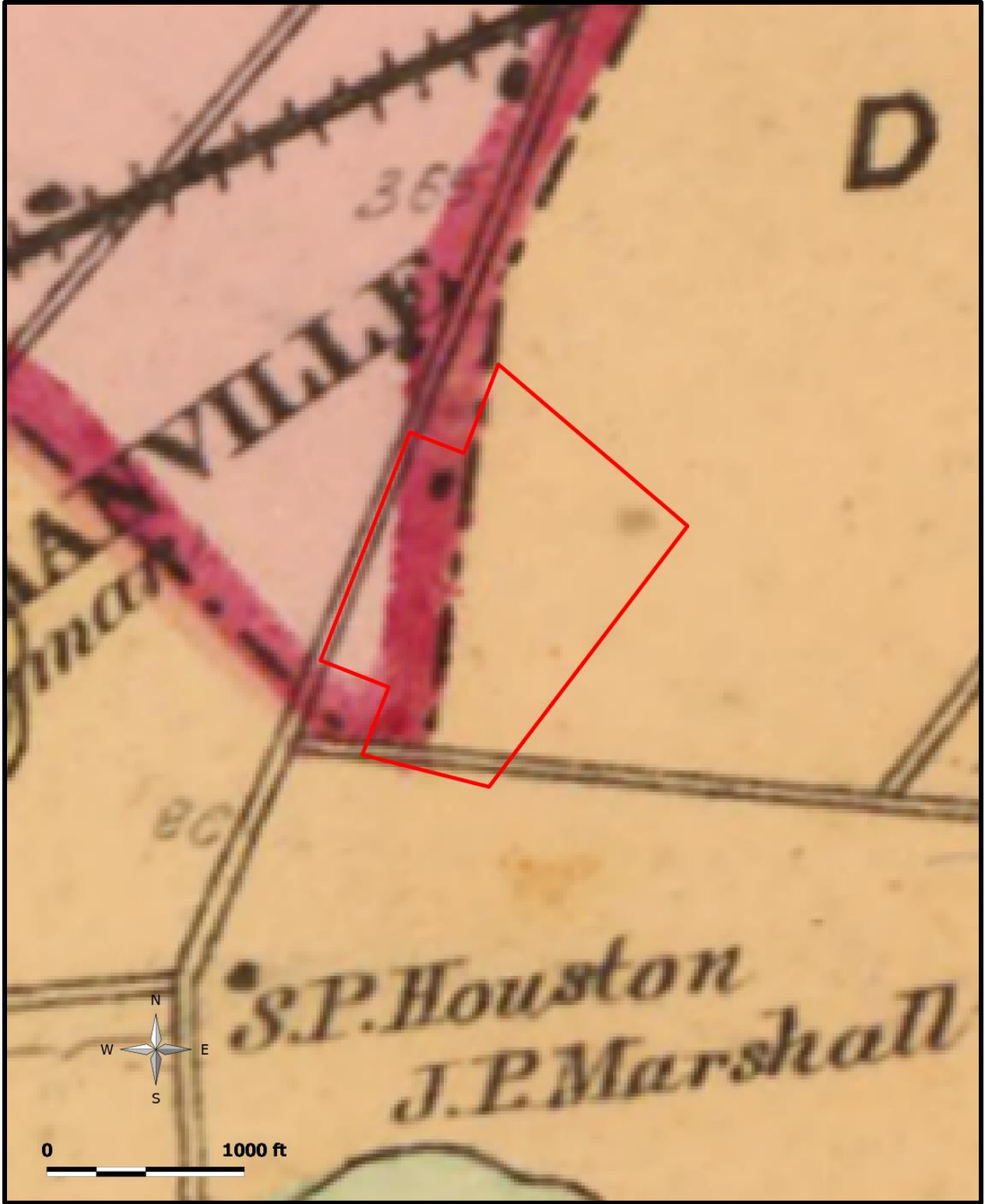


Figure 8. 1868 Pomeroy & Beers Atlas

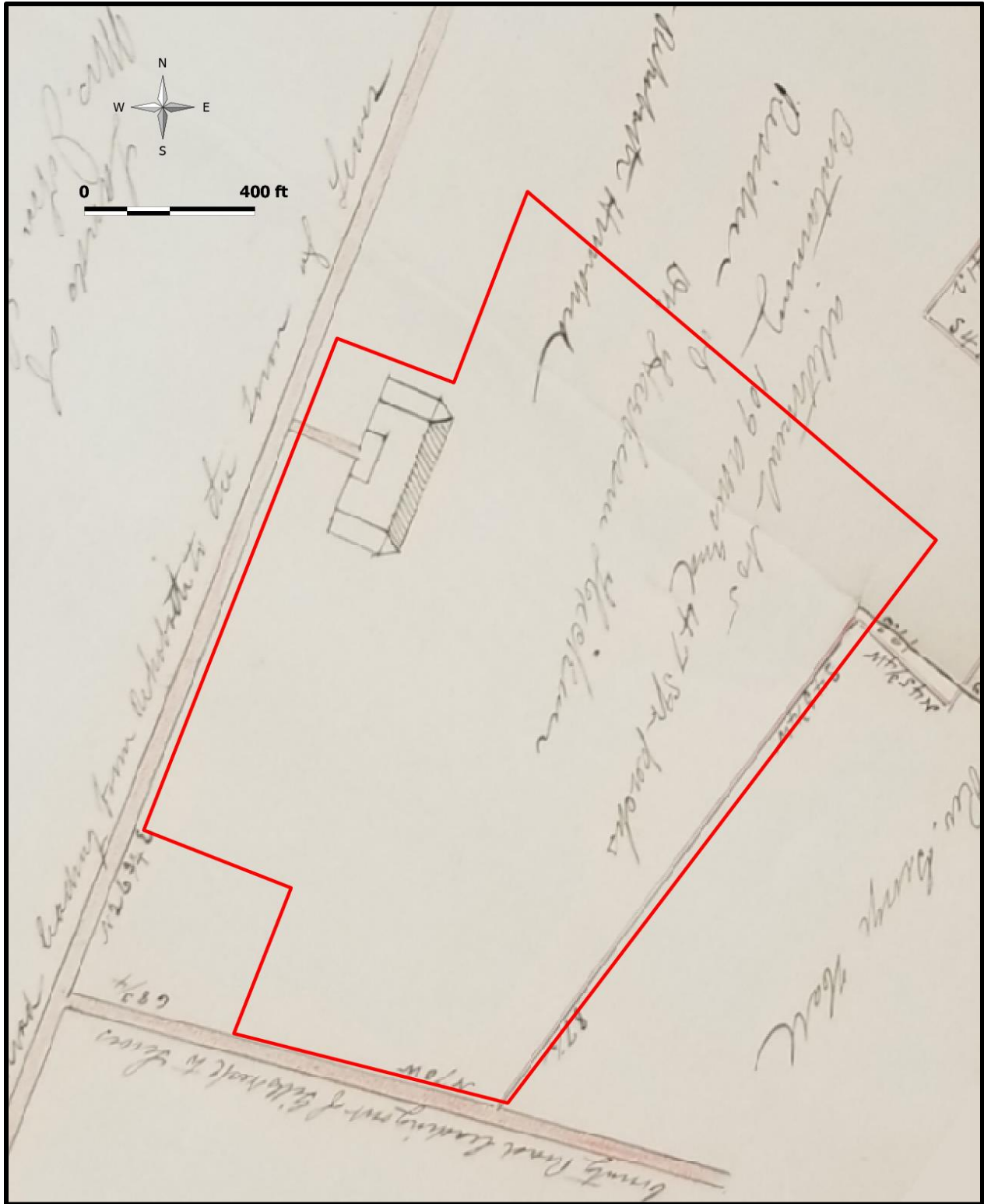


Figure 9. 1897 Orphan's Court Plat, Land of Harbeson Hickman

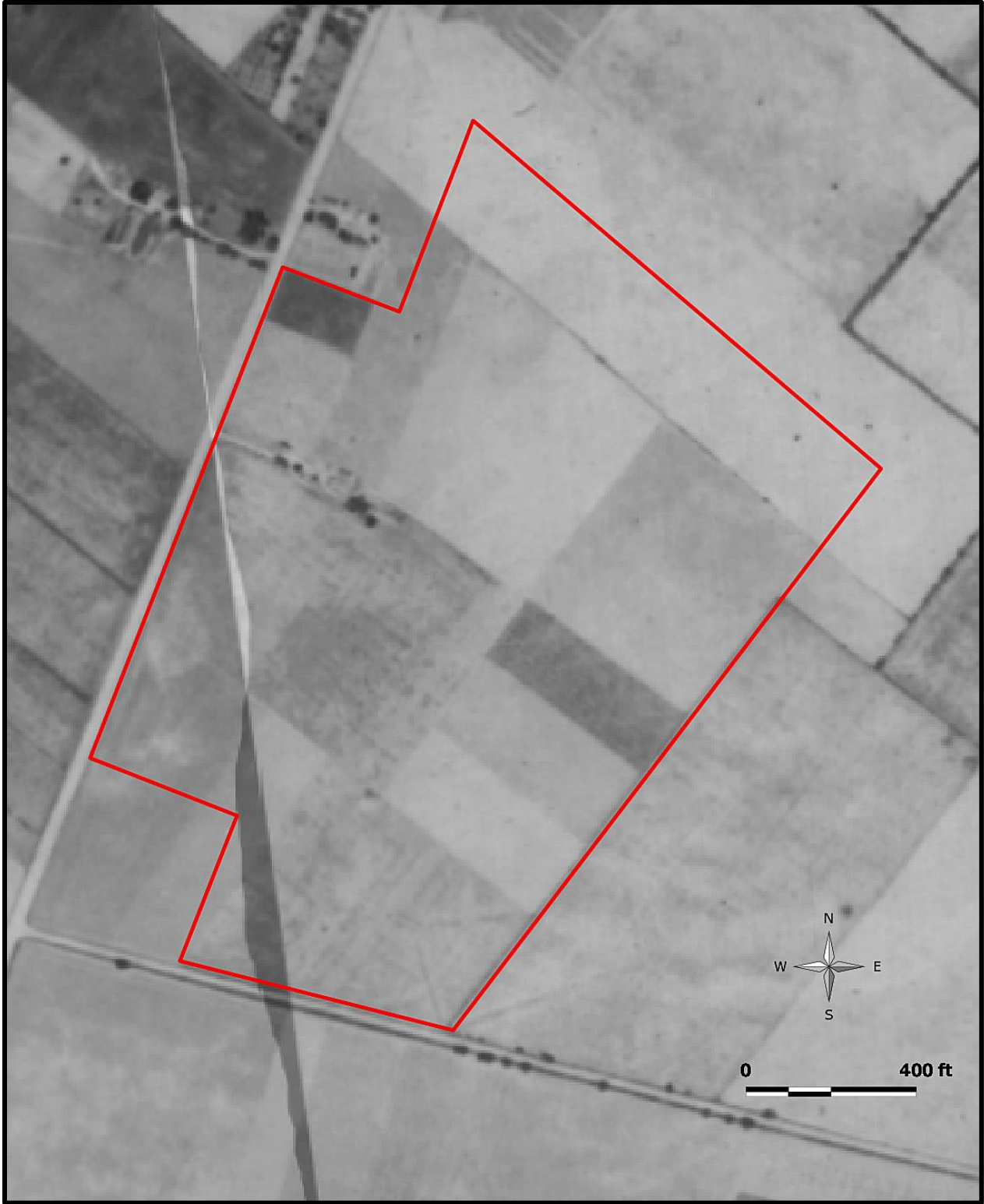


Figure 10. 1926 Aerial Photograph



Figure 11. 2020 Aerial with Sites Located



## CONCLUSION

Two historic period archaeological sites can be identified on the Mitchell Farm tract. One of these appears to be late 19<sup>th</sup> through 20<sup>th</sup> century in age and has a house still standing on it. Considering the continuous occupation of the site and reworking of the farmyard and buildings, the chance for finding intact cultural deposits is unlikely. The buildings, while listed on the state inventory of historic properties, have not been thoroughly examined. Since the buildings will not be preserved, they should be documented prior to demolition.

The second site is recorded near the southwest corner of the tract. This site appears to have been located on the land now occupied by the new medical building. This site was likely the home of Whittington Clifton during the late 18<sup>th</sup> and early 19<sup>th</sup> century as artifacts consistent with this period were recovered there.

The examined deeds, maps and aerial photographs suggest there is little potential for additional historic period archaeological resources although servant dwellings and barns cannot be ruled out without physical field survey. This portion of Lewes was historically farmland with few houses until development in the 21<sup>st</sup> century.

Prehistoric archaeological sites are not likely to be encountered on the property. Based on our current understanding of prehistoric land use, the tract is too far from surface water to have been occupied. A stray projectile point or so would not be unexpected considering the number of prehistoric sites in the area.

## REFERENCES

- Adavasio, James M. & William C. Johnson  
1981 The appearance of Cultigens in the Upper Ohio Valley: A view from Meadowcroft Rockshelter. Pennsylvania Archaeologist 41:63-80.
- Austin, Daniel F.  
2006 Fox-Tail Millets (Setaria: Poaceae) – Abandoned Food in Two Hemispheres. Economic Botany Vol 60 No. 2 pp143 - 158
- Babcock, William H.  
1899 The Nanticoke Indians of Indian River, Delaware  
American Anthropologist new series Vol 1 no. 2 pp 277-282
- Barse, William P. & Jennifer Marston  
2007 Phase III Investigations at the Beech Ridge Site for the Crawford Carrol Avenue Project.  
Prepared for Delaware Department of Transportation
- Bastian, Tyler  
1975 Preliminary Notes on the Results of the Fifth Annual Maryland Archaeological Field School.  
Archaeological Society of Maryland, Inc, Newsletter 21 (6): 2-4.

Busby, Virginia Roche

2010 Transformation and Persistence: The Nanticoke Indians and Chicone Indian Town in the Context of European Contact and Colonization. Ph.D. Dissertation, University of Virginia.

Carbone, Victor

1976 Environment and Prehistory in the Shenandoah Valley, Ph.D. Dissertation, Catholic University of America

Cavallo, John & R. Alan Mounier

1980 An Inventory and Assessment of Prehistoric Archaeological Resources in the New Jersey Pinelands: Phase 1 of a Regional Predictive Model

Curry, Dennis C.

1999 Feast of the Dead: Aboriginal Ossuaries in Maryland. Archaeological Society of Maryland.

Custer, Jay F.

1984 Delaware Prehistoric Archaeology. University of Delaware Press. Newark, Delaware.

1989 Prehistoric Cultures of the Delmarva Peninsula. University of Delaware Press. Newark, Delaware.

1996 *Prehistoric Cultures of Eastern Pennsylvania*. Harrisburg, Pennsylvania: Pennsylvania Historical and Museum Commission.

Custer, Jay F. & Glen R. Mellin

1989 Archaeological Survey in Southwestern Delaware 1987-1988. Bulletin of the Archaeological Society of Delaware Number 26 (new series).

Custer, Jay F., Karen R. Rosenberg, Glenn Mellin, & Arthur Washburn

1990 An Update on New Research at the Island Field Site (7F-K-17) Kent County, Delaware. Bulletin of the Archaeological Society of Delaware Number 27 (new series).

Custer, Jay F., Mary C. Stiner and Scott C. Watson

1983 Excavations at the Wilgus Site (7S-K-21), Sussex County, Delaware. Bulletin of the Archaeological Society of Maryland No. 15 (new series)

Dent, Richard J. Jr.

1995 Chesapeake Prehistory. Plenum Press, New York & London

Dent, Richard J. Jr. & B. E. Kaufman

1985 Aboriginal Subsistence and Site Ecology as Interpreted from Microfloral and Faunal Remains. In *Shawnee-Minisink: A Stratified Paleoindian-archaic Site in the Upper Delaware Valley of Pennsylvania*, edited by C.W. McNett, pp. 55-79. New York: Academic Press.

DeCunzo, LuAnne & Wade P. Catts

1990 Management Plan for Delawares Historical Archaeological Resources

Gardner, Williams M

1974 Flint Run Paleoindian Complex: Pattern and Process during the Paleo-Indian to Early Archaic. In: *The Flint Run Paleo-Indian Complex: A Preliminary Report 1971-1973*. Edited by William M. Gardner. *Occasional Publications No. 1, Catholic University Archaeological Laboratories, Washington, D.C.*

1977 Flint Run Paleo-Indian Complex and its implications for eastern North American prehistory. *Annals of the New York Academy of Sciences* 288:257-263.

Griffith Daniel R.

2010 Delaware American Indian Ceramics Radiocarbon Dates. *Bulletin of the Archaeological Society of Delaware*. No 47 (new series) pp. 1 – 38.

Hart, John P.

2008 Current Northeast Paleoethnobotany II. *New York State Museum Bulletin Series* 512.

Hart John P. & C. Margaret Scarry

1999 The Age of Common Beans (*Phaseolus vulgaris*) in the Northeastern United States. *American Antiquity* Vol 64, NO. 4 pp653-658

Hay, Conran A., Melissa Diamanti, & David Rue

2012 Gray Farm Site Phase II and III Excavations on the Murderkill River (Sites 7K-F-11 and 7F-K-169). Prepared for Delaware Department of Transportation

Lothrop, Jonathan C., Jay F. Custer & Collen De Santis

1987 Phase I & II Archaeological Investigations of Route 896 Corridor, Route 4-West Chestnut Hill Road to Summit Bridge Approach, New Castle County, Delaware. *DelDot Archaeological Series No. 52*.

Lowery, Darrin

2002 A Time of Dust: Archaeological and Geomorphological Investigations at the Paw Paw Cove Paleo-Indian Site Complex in Talbot County, Maryland.

2005 Archaeological Survey of the Fishing Bay and the Fairmount Wildlife Management Areas within Dorchester and Somerset Counties, Maryland

Lowery, Darrin L.

2013 Jacks Reef in the Chesapeake and Delmarva Region: Research into the Coastal Archaeology of the Era Between circa cal A.D. 480 and cal A. D. 900. *Archaeology of Eastern North America* Vol. 41 pp 5-30.

Lowery, Darin, Michael A. O'Neal, John S. Wah, Daniel P. Wagner, Dennis J. Stanford

2010 Late Pleistocene Upland Stratigraphy of the Western Delmarva Peninsula, USA. *Quaternary Science Reviews* 29:1472-1480.

- Luckenbach, Alvin H., Wayne E. Clark, and Richard S. Levy  
 1987 Rethinking Cultural Stability in Eastern North American Prehistory: Linguistic evidence from Eastern Algonquian. Journal of Middle Atlantic Archaeology 3:1-33.
- McConaughy, Mark A.  
 2008 Current Issues in Paleoethnobotanical Research from Pennsylvania and Vicinity. In: John Hart, ed. Current Paleoethnobotany II. New York State Museum Bulletin Series 512.
- Norwood, Henry  
 1649 A Voyage to Virginia. In: Tracts and Other Papers Vol III compiled by Peter Force 1844.
- Otter, Edward  
 2012 Phase II Archaeological Investigations 18TA420, 18TA424, 18TA425, and 18TA427, Between Route 662 and Hailam School Road, Easton, Talbot County, Maryland.
- Otter, Edward  
 Nd Report on Archaeological Investigations on the Groome Property, Lewes, Delaware. (In progress)
- Purrington, Burton L.  
 1983 Ancient Mountaineers: An Overview of Prehistoric Archaeology of North Carolina's Western Mountain Region. In The Prehistory of North Carolina, Mark A Mathis & Jeffrey J. Crow, ed. North Carolina Division of Archives and History.
- Ranere, Anthony J. & Patricia Hansell  
 1985 Archaeological Survey in the Drainage of the Lower Great Egg Harbor River. Manuscript on file Office of New Jersey Heritage, Department of Environmental Protection.
- Roundtree, Helen C. and Thomas E. Davidson  
 1997 Eastern Shore Indians of Virginia and Maryland
- Siegel, Peter E., Douglas C. Kellogg & Robert G. Kingsley  
 2001 Prehistoric Settlement Patterns in Upland Settings: An Analysis of Site Data In a Sample of Exempted Watersheds Brandywine Creek Watershed (Watershed H) Chester, Lancaster and Delaware Counties, Pennsylvania. Chapter 4 in: Prehistoric Settlement Patterns in Upland Settings: An Analysis of Site Data in a Sample of Exempted Watersheds.
- Smith, Bruce D.  
 1995 Rivers of Change. Smithsonian Institution.
- Smith, Bruce D and Richard A. Yarnell  
 2009 Initial Formation of an Indigenous Crop Complex in Eastern North America at 3800 B.P. Proceedings of the National Academy of Sciences of the United States. Vol 106 no 16 P6561-6566.
- Smith, Captain John  
 1982 The General History of Virginia, New England and the Summer Isles. Southern Classics Library (facsimile printing).

Smith, Peter

1844 Tracts and other Papers Relating Principally to the Origin, Settlement and Progress of the Colonies in North America. Collected by Peter Force Vol III.

Tache, Karine

2011 Structure and Regional Diversity of the Meadowood Interaction Sphere. University of Michigan Press, Museum of Anthropology Memoir 48.

Thomas, Ronald A

1977 A Cultural Resource Survey of the John M. Lecato Regional Wastewater Facilities.

Thomas, Ronald A. & Nancy H. Warren

1970 A Middle Woodland Cemetery in Central Delaware: Excavations at the Island Field Site. Bulletin of the Archaeological Society of Delaware Number 8 (new series).

Wade, Lizzie

2016 Ancient Underwater Garden Discovered in Canada. Sciencemag.org  
(doi:10.1126/science.aal0542)

Wah, John S., Darrin L. Lowery, & Daniel P. Wagner

2012 Loess, Landscape Evolution, and Pre-Clovis on the Delmarva Peninsula. In Pre-Clovis in the Americas: International Science Proceedings 9-10 November 2012 edited by Denis J. Stanford and A. T. Tenger. Smithsonian Institution. Washington D.C.

Wise, Cara L., Cherie Clark & Meril Dunn

1989 A Cultural Resources Management Plan for Trap Pond State Park. On file: Delaware Division of Historical and Cultural Affairs.

S

**ENVIRONMENTAL ASSESSMENT REPORT**

**TAX PARCEL 335-8.00-37.00  
LEWES, DELAWARE**

February 2022

Prepared for:

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Prepared by:

Verdantas  
1143 Savannah Road  
Lewes, Delaware 19958



---

Steven F. Cahill, P.G.  
Professional Geologist #692

Project No. 14447

**TABLE OF CONTENTS**

<u>SECTION</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
I	INTRODUCTION .....	1
II	PROJECT SITE AND AJACENT LANDS .....	2
III	CITY OF LEWES SUPPLY WELLS .....	4
IV	TOPOGRAPHY AND SURFACE WATER DRAINAGE.....	5
V	GEOLOGY & GROUNDWATER CHARACTERISTICS (PUBLISHED).....	5
VI	GEOLOGY & GROUNDWATER CHARACTERISTICS (SITE-SPECIFIC).....	6
VII	CLIMATIC WATER BUDGET AND BALANCE .....	7
VIII	ENVIRONMENTAL REGULATORY STATUS.....	9
IX	CONCLUSIONS AND RECOMMENDATIONS .....	9
X	REFERENCES .....	12

**PLANS**

Plan	Pre-Development Site Topography
Plan	Post-Development Site Topography

**APPENDICES**

Appendix 1	Property Boundaries (Sussex County Tax Map Image)
Appendix 2	Aerial Overlay with Wellhead Protection Area
Appendix 3	DNREC Source Water Assessment for Lewes Supply Wells
Appendix 4	Annual Water Quality Report for Lewes Water Supply System dated May 2021
Appendix 5	Report of Subsurface Exploration and Geotechnical Consulting Services
Appendix 6	John D. Hynes & Associates, Inc. Additional Infiltration Testing, March 2019.
Appendix 7	Climatic Water Budget Spreadsheets



## I. INTRODUCTION

Verdantas has prepared this Environmental Assessment Report (EAR) for tax parcel 335-8.00-37.00 in Sussex County, Delaware (the Property). The Property covers approximately 48± acres, including 6.34 acres located within a mapped Wellhead Protection Area (WPA) designated for the City of Lewes water supply well field.

An existing stormwater basin on the Property extends partly within the WPA and is designed to handle stormwater from both the Property and the adjacent Cape Henlopen Medical Center property (tax parcel 335-8.00-37.00). Accordingly, the water budget analysis for this assessment also considers the Medical Center. In addition, a stone dam structure was placed over the WPA boundary within the basin to divide the WPA portion from the remaining portion of the basin.

The Sussex County Code defines WPAs as “surface and subsurface areas surrounding public water supply wells or well fields where the quantity or quality of groundwater moving toward such wells or well fields may be affected by land use activity. Such activity may result in a reduction of recharge or may lead to introduction of contaminants to groundwater used for public supply (wellhead).”

The Property owner proposes to place 2.75 acres (120,000 square feet) of impervious cover within the 6.34 acres of Wellhead Area on the Property, equaling 44% impervious cover. The Cape Henlopen Medical Center parcel covers 3.00 acres with 2.14 acres of impervious cover, including 0.47 acres of rooftop. When considering the planned impervious cover for the Property and the existing impervious cover at the Cape Henlopen Medical Center parcel, the post-development impervious cover of the combined parcels will total 4.89 acres or 52% of the WPA.

Per Chapter 89, Section F, part 2 of the referenced code “Impervious cover of that portion of a tax parcel within the wellhead protection area which is greater than 35% but no more than 60% is allowed, provided the applicant demonstrates through an environmental assessment report prepared by a registered professional geologist or registered professional engineer familiar with the hydrogeologic characteristics of Sussex County and using a climatic water budget that will insure that post-development recharge quantity will meet or exceed the existing (predevelopment) recharge quantity.

For all new construction where the impervious surfaces exceed 60% or where the level of post-development recharge is less than predevelopment recharge, all structures shall be required to discharge roof drains into underground recharge systems or into permeable surfaces that allow the discharges to infiltrate into the ground. Efforts to mitigate discharges to impervious surfaces shall count towards the formula used to compute post-development mitigation of any discharges. Beneficial efforts to mitigate discharges to impervious surfaces shall count towards the formula used to compute post-development mitigation of any discharges”.

This EAR included the following:

1. Characterization of the Property in terms of location, topography, and surface water drainage.

2. Description of the geology and groundwater characteristics of the Property, and surrounding area based on published and publicly available documents.
3. A review of the Delaware Environmental Navigator website to determine if the site is regulated under any programs overseen by the Department of Natural Resources and Environmental Control.
4. A walking site reconnaissance to assess existing conditions.
5. Review of a site-specific geotechnical assessment report prepared for the Property.
6. Review of a site-specific infiltration testing assessment report prepared for the Property.
7. Preparation of a climatic water balance assessment to compare predevelopment and post development recharge within the WPA.

The EAR also includes an assessment of the potential impact of site development as planned, and recommendations for post development recharge to exceed the existing recharge levels within the WPA and maintaining the quality of recharge water.

## **II. PROJECT SITE AND ADJACENT LANDS**

The Property boundaries are shown on an aerial image derived from the Sussex County website (Appendix 1). The Property and mapped wellhead area are shown on the aerial photograph overlay in Appendix 2. The Property is located at the northeast corner of Kings Highway and Gills Neck Road, just east of the Lewes City limits in Sussex County, Delaware.

The Property has been historically utilized for agricultural purposes. A residence and farming support buildings are located on the northwest corner of the Property. The area of the Property within the WPA is undeveloped farm field, with a stormwater basin extending partially into the WPA from the main portion of the Property. The Property is bordered by the following lands:

- Single-family, multi-family, and assisted living homes to the east and northeast.
- Commercial properties to the north along Kings Highway
- Kings Highway to the west, beyond which is Cape Henlopen High School and Henlopen Garden Apartments.
- Gills Neck Road to the south beyond which is the residential community “Governors” under construction.

Land use west of Kings Highway near the Lewes well field can generally be characterized as residential with some mixed commercial properties and Cape Henlopen High School. Most of the residential properties, a number of commercial properties, and

Cape Henlopen High School were established prior to the Delaware Source Water Protection Law of 2001 and the Sussex County Ordinance of 2008 that established the wellhead protection area.

Approximately 200 developed residential lots and approximately a dozen commercial lots are located within the wellhead protection area. Most of the residential lots in the wellhead area are within the subdivisions of McNichol Place Mobil Home Park and Quaker Heights. Homes along the road frontages of these subdivisions can be observed in historical aerial photographs dating back to 1954, and Quaker Heights appeared to be completely developed by 1968. The residential subdivisions are currently served by the Sussex County sanitary sewage system but were previously served by individual on-site septic systems. According to officials from Sussex County, the main sanitary sewer line was installed in December 1995 and the homeowners were required to connect to the sanitary sewer system by December 1996. The Lewes supply wells were installed by 1984. Accordingly, septic systems were utilized within the 5-year modelled travel time used to define the wellhead area for a period of 12 years.

The Lewes supply well field is bordered to the northeast by Cape Henlopen High School and the Cape Henlopen School District office. The Cape Henlopen High School was built in 1976 and redeveloped in 2009-2010, during which the building was replaced, and additional parking areas and buildings were added to the parcel. Prior to 2005, the estimated impervious cover on the Cape Henlopen High School and the school district office covered a total area of approximately 370,000 square feet (SF). The high school was expanded again in 2021 by an additional 631,880 SF, resulting in a total of 1,001,880 SF impervious cover on the high school property.

The parking areas of the Cape Henlopen High School cover a total area of about 352,000 SF including a 14,000 SF bus parking area. Stormwater collected from the parking areas is conveyed into a dry infiltration stormwater basin on the north side of the school property. The basin is located within the 5-year wellhead protection zone and has no apparent pre-treatment structures with the exception of a fore bay. This basin also collects water from paved areas containing one 8,000 gallon above ground diesel-fuel storage tank and a greenhouse. The nearest point of parking lots for the Cape Henlopen High School is about 370 feet from the nearest Lewes supply wellhead.

The parking lot of the Cape Henlopen District office is located about 75 feet from the nearest Lewes wellhead and conveys stormwater directly to the ground surface without treatment.

The Lewes well field is bordered directly to the east by Kings Highway. Traffic studies by Davis, Bowen, & Friedel, Inc. (DBF) in 2019 recorded weekday average traffic at 12,048 vehicles per day and Saturday average trips totaling 10,650 vehicles per day. There is no treatment of stormwater conveyed into the wellhead area from the highway.

The areas east of the well field and Kings Highway can be characterized as agricultural (including the project site), and newer residential subdivisions.

### III. CITY OF LEWES WATER SUPPLY WELLS

Information provided for this section was primarily obtained from a report titled *Public Water Supply Assessment for Lewes Water PWS: DE0000602*, prepared by the State of Delaware, DNREC Source Water Assessment and Protection Program, dated December 31, 2003. A copy of the assessment report is included as Appendix 3.

The Lewes well field is comprised of five supply wells, two of which are classified as “deep unconfined wells” because they are greater than 100 feet deep. The three remaining wells are classified as “shallow unconfined” because the tops of the well screens are less than 100 feet deep. At the time of the report, the water supply system supplied an average daily population of 2,600 residential consumers and 6,400 transient consumers during summer months. The supply well details are summarized below.

Permit No.	Diameter (inches)	Screen Interval (feet below ground surface)	Well Capacity (gallons per minute)
36869	12	70-147	1,350
45267	16	118-148	800
50389	12	70-150	780
55832	16	100-150	1,450
55833	16	85-135	1,420

The State of Delaware, DNREC’s Source Water Assessment Plan includes designated wellhead protection areas around public wells. The wellhead protection areas are designed to protect the groundwater potentially flowing to the wells beneath these areas. The wellhead protection area for the Lewes supply wells was delineated using a computer model known as Visual MODFLOW. The MODFLOW model uses existing water level data, regional stream flows, recharge estimates and hydrologic characteristics of the local geology to create a computer-generated representation of the aquifer system. Simulations of pumping from the supply wells can then be completed to estimate how water flows to the wells over time.

The groundwater model for the Lewes and Rehoboth Beach supply wells is documented in a report produced by the Delaware Geological Survey-DGS (Andres, Duffy, and Costas) titled *Report of Investigations No. 65 Wellhead Protection Area Delineations For the Lewes-Rehoboth Beach Area, Delaware*, dated 2003. The model delineated a boundary around the well field in which a five-year travel time is estimated for the groundwater to reach the supply wells. The wellhead area was expanded by the DGS to include a 100-meter buffer zone added to the 5-year boundary to “provide means to protect the quality of water entering the wells under the full range of expected conditions”.

Verdantas reviewed the annual Water Quality Report for 2021 from the Lewes Board of Public Works. A copy of the report is included as Appendix 4. As indicated in the report, no contaminant exceedances were reported.

No records of Drinking Water Public Notices of Violation were reported by the State of Delaware Office of Drinking Water for the Lewes water supply for the period presented (2015-2021).

Verdantas reviewed historical water quality data for the Lewes water supply system for previous studies using the DNREC, Drinking Water Branch web site. Laboratory analysis completed for samples from the water system indicated that nitrates, sulfates, and chlorides are detected on a regular basis in the water system. The sulfates and chlorides may originate from a number of sources. However, it is likely that nitrates in the groundwater are a result of agricultural activities in the vicinity of the well field. The nitrate levels in samples collected from the Lewes water system have ranged from approximately 3.5 parts per million (ppm) to 7 ppm. The current EPA allowable maximum concentration limit (MCL) for nitrates in public water systems is 10 ppm.

Nitrates, herbicides, pesticides, and coliform bacteria can pose a threat to the supply wells from nearby agricultural land use, while metals and petroleum hydrocarbons may pose a concern with commercial land use and automobiles. However, the use of Green Technology, Best Management Practices (BMPs) for handling stormwater is required for the proposed commercial land cover.

#### **IV. TOPOGRAPHY AND SURFACE WATER DRAINAGE**

Existing topography of the Property and proposed post-development topography of the Property are presented on the attached plans prepared by Davis Bowen & Friedel, Inc. The predevelopment plan shows the Property as gently sloping from an elevation of approximately 23 feet above mean sea level (MSL) on the south end of the Property to approximately 17 feet above MSL in the north corner of the Property. Accordingly, surface water is expected to drain generally from south and the WPA to the north across the Property.

The DNREC Environmental Navigator website maps a drainage basin divide along Kings Highway with surface water drainage conveyed to the Red Mill Creek basin west of Kings Highway, and drainage conveyed into the North Rehoboth Bay drainage basin east of Kings Highway. The topography indicates that the Property and Lewes well field are in different drainage basins, and surface water drainage on the Property does not flow into the WPA under natural conditions.

#### **V. GEOLOGY AND GROUNDWATER CHARACTERISTICS (PUBLISHED INFO.)**

The project site is located within the Coastal Plain Physiographic Province which is characterized by flat to gently sloping land surfaces underlain by sedimentary deposits. The unconfined aquifer in the Lewes area is comprised of a number of sedimentary units

that were deposited in marine delta, fluvial, marsh, lagoonal, and estuarine environments. According to mapping by the DGS <sup>(1)</sup> the Beaverdam Formation is the predominant unit comprising the unconfined aquifer in the vicinity of the project site. The Beaverdam Formation is reported to range from about 80 to 130 feet in thickness and is capped with 10 to 20 feet of younger deposits. The DGS describes the Beaverdam Formation as containing three distinct facies:

- Facies 1            Medium to coarse sand with trace silt and gravel beds from less than one foot thick to 35 feet thick. Interpreted as being deposited in beach, channel and shallow near shore environments.
  
- Facies 2            Fine to coarse sand with trace silt and silty fine to medium sand with clayey beds not exceeding one foot in thickness. Interpreted as being deposited in tributary tidal channels, levees, tidal deltas, and tidal flats.
  
- Facies 3            Laminated silt, clay and fine to coarse silty sand. Interpreted as being deposited in low energy distal sub-tidal to inter-tidal flat, open water bay bottom and tidal creek.

The sediments in the Beaverdam Formation typically fine upward with Facies #3 more common in the upper half of the formation while Facies #1 is typically found in the lower half of the formation. Facies #1 and the coarser grained layers in Facies #2 function as water bearing aquifers and may be included as part of the unconfined aquifer.

Mapping by the United States Geological Survey <sup>(2)</sup> indicates that the top of the water table in the vicinity of the site is probably less than 10 feet above mean sea level (MSL) which would suggest a depth to the top of the water table exceeding 10 feet below ground surface elevation. Topography and surface water drainage patterns would suggest that groundwater beneath the Property would also flow to the north and east within the North Rehoboth Bay drainage basin. An exception would be potential drawdown of the water table aquifer as a result of substantial groundwater extraction.

## **VI. SITE-SPECIFIC GEOLOGY AND GROUNDWATER CHARACTERISTICS**

John D. Hynes & Associates, Inc. performed an assessment of subsurface and geotechnical conditions at the Property in May 2018. The assessment is summarized in a report titled “Report of Subsurface Exploration and Geotechnical Consulting Services, Mitchell Farm, Lewes, Delaware”. A copy of the report is included as Appendix 5.

The referenced assessment was based on the completion of 18 test borings and falling-head infiltration testing. As indicated on the soil boring logs in the report, the site soils beneath the organic topsoil horizon consists of fine to medium sand with trace silt. Groundwater was encountered approximately 13 to 15 feet below ground surface elevation. The time-weighted infiltration rates at the boring locations in the south corner near the WPA ranged from 1.20 inches per hour to 14.4 inches per hour.

John D. Hynes & Associates, Inc. performed additional infiltration testing at the Property in March 2019. The assessment is summarized in a letter report dated April 8, 2019. A copy of the report is included as Appendix 6. The assessment was performed to evaluate infiltration rates at the bottom of a stormwater management pond constructed on the Property. Six single-ring falling-head infiltration tests were performed in the bottom of the stormwater management pond, and the average infiltration rate was calculated to be 15.29 inches per hour.

The soil textures, depth to groundwater, and infiltration rates described in the site-specific assessment reports suggest suitable conditions for infiltration and stormwater treatment on the project site.

## VII. CLIMATIC WATER BUDGET AND BALANCE

Annual climatic water balances are used to estimate ground-water recharge for pre- and post-development land uses. The water balance computes recharge potential based on the following formula:  $P = I + R + ET + \Delta SM$ , where

- P = annual precipitation (inches)
- I = infiltration (inches)
- R = runoff (inches)
- ET = evapotranspiration (inches)
- $\Delta SM$  = change in soil moisture (inches)

Sources used to implement the water balance methods are listed as follows.

- Thornthwaite, C.W. and Mather, J. R. (1957). *Instructions and Tables for Computing Potential Evapotranspiration and Water Balance*.
- Kauffmann, Wazniak, and Vonk, *Delaware Ground-Water Recharge Design Manual "Supplement 1 to the Source Water Protection Guidance Manual for the Local Governments of Delaware"* March 2004, revised May 2005, and June 2017.
- United States Department of Agriculture, Natural Resources Conservation Service. (1986). *Technical Release 55. Urban Hydrology for Small Watersheds*.
- United States Department of Agriculture, Soil Conservation Service. (1970). *Soil Survey of New Castle County, Delaware; Soil Survey of Kent County, Delaware; and Soil Survey of Sussex County, Delaware*.

The climatic water budget prepared for this report incorporates the Property and the adjoining Cape Henlopen Medical Center property, as it also conveys stormwater to the existing stormwater facility on the Property. It should also be noted that as a conservative measure, the predevelopment land cover was considered 100% pervious agricultural land to reflect conditions before any development was performed on either parcel. Spreadsheets presenting the climatic water balance are included as Appendix 7.

Summaries of the pre-development and post-development surface cover and estimated recharge volumes are presented below.

<b>Pre-development</b>					
Cover Type	Soil Group	Area (acres)	Recharge (Inches)	Recharge Volume (acre-inches)	Recharge Volume (gallons)
Agricultural	B	9.34	11.02	103	2,796,891
Stormwater Basin	A	NA	NA	NA	NA
Impervious Cover (sidewalks/pavement)	NA	NA	NA	NA	NA
<b>Total</b>		9.34		103	<b>2,796,891</b>

<b>Post-development</b>					
Cover Type	Soil Group	Area (acres)	Recharge (Inches)	Recharge Volume (acre-inches)	Recharge Volume (gallons)
Grass/Landscape	B	4.12	12.93	53	1,439,177
Stormwater Basin	A	0.33	13.87	5	135,711
Impervious Cover (Buildings, etc.)	NA	4.89	NA	NA	NA
<b>Total</b>		9.52		44	<b>1,574,948</b>

The pre and post development calculations result in the following.

Annual deficit in post development recharge	1,221,943 gallons
Rooftop needed for supplemental recharge to balance the water budget	50,223 square feet
Rooftop available within the WPA for supplemental recharge	47,577 square feet
Additional rooftop needed from outside the WPA needed to balance the water budget	2,646 square feet
Rooftop outside the WPA potentially available for supplemental recharge to the WPA recharge basin	452,580 square feet

As indicated above, a deficit of 2,646 square feet of rooftop is needed to provide 64,367 gallons of annual supplemental recharge to balance the water budget. According to DBF, up to 452,580 square feet of rooftop will be constructed on the Property outside of the WPA. Verdantas understands that additional rooftop area from planned buildings outside



the WPA can be conveyed to the portion of the basin within the WPA to substantially exceed the deficit of 2,646 square feet of rooftop recharge needed to balance the climatic water budget.

Verdantas recommends conveying stormwater from paved impervious surfaces to other stormwater facilities outside of the WPA, or to the portion of the main existing stormwater basin located outside the WPA where practical. Where stormwater from paved surfaces needs to be conveyed directly into the portion of the stormwater structure within the WPA, Verdantas recommends installing pretreatment structures to contain debris and potential petroleum releases prior to discharge into the basin.

### **VIII. ENVIRONMENTAL REGULATORY STATUS OF PROPERTY**

Verdantas reviewed the DNREC Environmental Navigator (DEN) website to determine if the Property or nearby properties are listed on DNREC's database because of environmental issues. The review was completed on January 7, 2022, and neither the Property nor any contiguous properties were not included in the DEN database system. In addition, the DEN showed no wetlands, groundwater management zones, critical natural areas, or flood zones mapped on the Property. The DEN did confirm the mapped wellhead area for the Lewes supply wells.

### **IX. CONCLUSIONS AND RECOMMENDATIONS**

Based on a review of publicly available information and site-specific reports, it is the opinion of Verdantas that development of the Property as proposed can be done without adversely impacting the Lewes supply wells. This opinion is based on the following:

1. The site geology, depth to groundwater, and site-specific infiltration testing suggest that conditions are suitable for stormwater infiltration and recharge.
2. The Lewes supply wells have provided acceptable drinking water beginning in 1977, with the mapped wellhead protection area containing:
  - More than 200 homes, many of which were served by septic systems that functioned for 12 years within the 5-year capture zone.
  - A number of commercial properties.
  - A highway located directly adjacent to the wellfield with traffic totals exceeding 12,000 vehicles per day and no treatment of stormwater conveyed into the wellhead area.
  - A high school located directly adjacent to the well field since 1976 with no use of Green Technology BMPs until it was re-developed beginning in 2009.

These land uses, along with the water quality data for the Lewes supply wells,

suggest that the subsurface soils above the water table and the aquifer effectively renovate groundwater migrating to the supply wells.

Nitrates have been reported near EPA maximum allowable concentrations in the Lewes water system and are likely the result of agricultural land use in the vicinity of the well field. Nitrates, herbicides, pesticides, and coliform bacteria can pose a threat to the supply wells from nearby agricultural land use, while metals and petroleum hydrocarbons may pose a concern with commercial land cover and automobiles.

It is likely that the potential for impacting the water table from nitrates will be reduced if the project site is no longer used for agricultural purposes. In addition, Green Technology, Best Management Practices will be used to handle post development stormwater on the Property. Studies have shown that properly designed basins with favorable subsurface soil conditions can adequately infiltrate stormwater and reduce pollutants <sup>(4)</sup>.

Per Sussex County Code (Chapter 89 Source Water Protection) and recommendations offered by Verdantas, the following practices should be applied to developing the Property.

- The post development impervious cover for the planned Property development coupled with the existing Cape Henlopen Medical Center will be 52%. Assuming that all rooftop water within the WPA from both parcels will be conveyed to the recharge basin, a total of 2,646 square feet of additional rooftop is needed to balance the climatic water budget using rooftop area only. This can be accomplished by conveying water to the WPA recharge basin from rooftop surfaces of the Property planned outside of the WPA.
- Verdantas recommends installing pre-treatment structures for inflows to the recharge basin where water from paved surfaces will be conveyed into the portion of the recharge basin within the WPA. Pre-treatment structures typically function to control debris and potential petroleum releases.
- Discharge from roof drains, containment areas or structures that contain mechanical systems should be discharged using best management practices, such as the use of bio-swales.
- Aboveground and underground storage tanks (USTs) containing petroleum or hazardous substances listed in 40 CFR 116 in an aggregate quantity equal to or greater than a reportable quantity as defined in 40 CFR 117 are not permitted in a designated wellhead protection area unless such facilities meet the aboveground and underground storage tank regulations as applicable to the State of Delaware.
- Stormwater management oversight shall be referred to and governed by the Sussex County Conservation District within wellhead protection areas.
- Structures used to recharge stormwater should be inspected on a regular basis to ensure that the structures are adequately infiltrating water and not becoming fouled by sediment, debris, or bio-matter.

This report is based on our professional judgement of site conditions represented by available maps, plans, reports, and correspondence. While this evaluation was performed to generally characterize the hydrogeology of the project site, subsurface conditions are in fact unknown. It is important to note that latent conditions and other contingencies bearing upon the results of this study may become evident in the future. Calculations prepared by Verdantas were based on areas of existing and planned impervious and pervious cover provided to Verdantas by DBF.

## **XII. REFERENCES**

1. Andres and Klingbeil, Thickness and Transmissivity of the Unconfined Aquifer of Eastern Sussex County, Delaware, Report of Investigations No. 70. Delaware Geological Survey, 2006.
2. Adams, Boggess, and Davis, Water-Table, Surface Drainage, and Engineering Soils Map of the Lewes and Rehoboth Beach Areas, United States Geological Survey, 1964.
3. Andres, Ground-Water Recharge Potential Mapping in Kent and Sussex Counties, Delaware, Delaware Geological Survey Report of Investigation No. 66.
4. Schueler, T., 1987. Controlling Urban Runoff: A Practical Manual for Planning and Designing Urban BMPs., Metropolitan Washington Council of Governments, Washington, DC.

SFC:  
14447\_EAR.DRAFT RPT

# **PRE DEVELOPMENT PLANS**

SOIL SURVEY LEGEND		
SYMBOL	DESCRIPTION	HSG
<i>EvB</i>	EVESBORO LOAMY SAND, 0 TO 5 PERCENT SLOPES	A
<i>GrA</i>	GREENWICH LOAM, 0 TO 2 PERCENT SLOPES	B

**LEGEND**

DRAINAGE BOUNDARY & LABEL

EXISTING CONTOUR & ELEVATION

EXISTING LIDAR CONTOUR

SOIL BOUNDARY & TYPE

ANALYSIS POINT

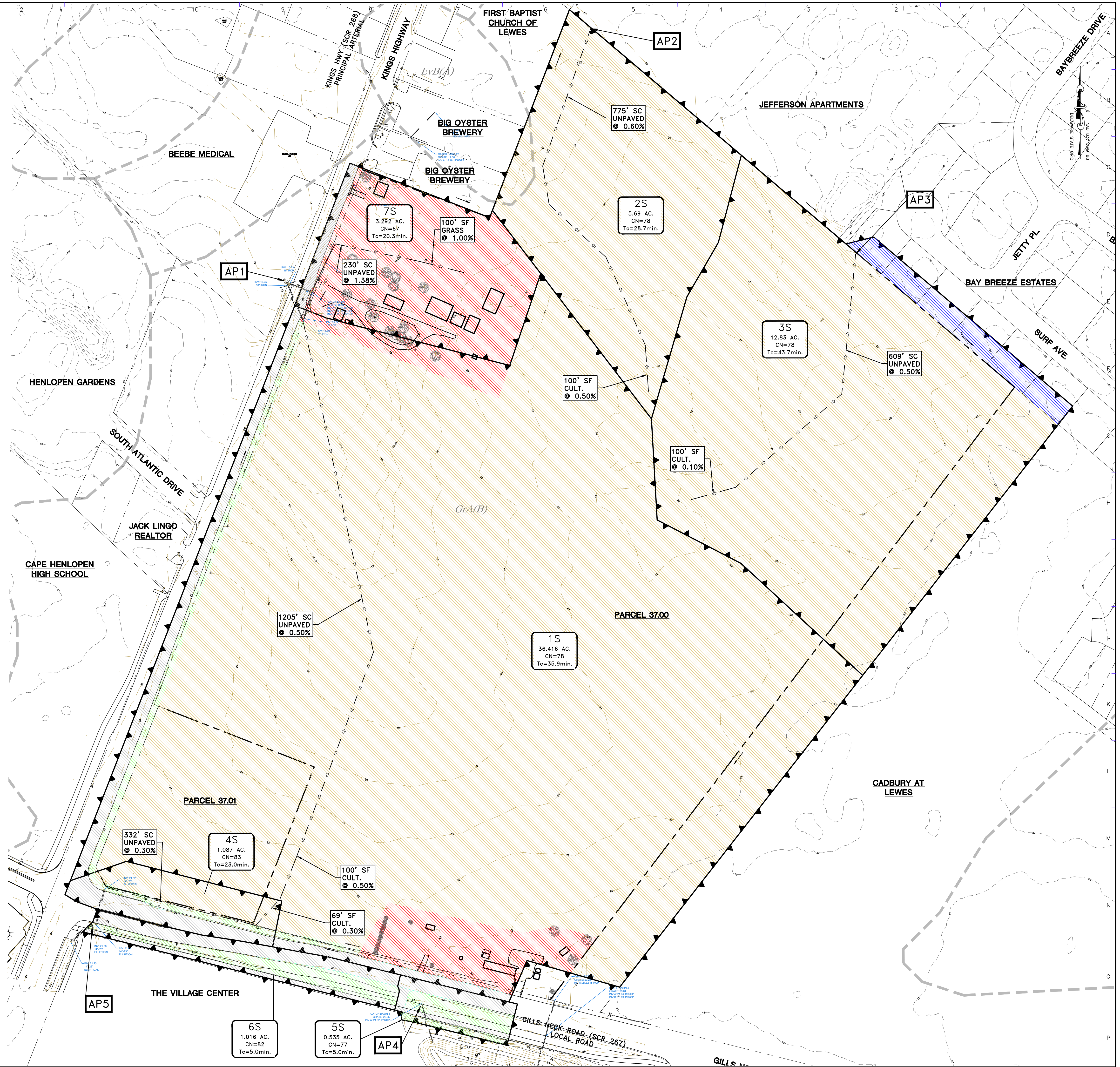
TC PATH

Tc LABEL

SF=SHEET FLOW  
SC=SHALLOW CONCENTRATED  
CH=CHANNEL  
(POINTS TO END OF SECTION)

**LAND-USE HATCH**

- ROW CROPS
- PAVEMENT
- GRASS
- 1/4 ACRE LOTS
- 2 AC. RES.



P:\Mitchell Family Ltd Partnership\Mitchell Farm\DESIGN\SSM\2460A002 - PRE.dwg Nov 19, 2018 - 1:23pm nunc

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS, ENGINEERS, SURVEYORS  
 1000 MARKET STREET, SUITE 200  
 MILFORD, DELAWARE 19968  
 EASTON, MARYLAND (410) 770-4744

**ZWAANENDAEL FARM  
 LEWES & REHOBOTH HUNDRED  
 SUSSEX COUNTY, DELAWARE**

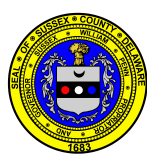
Revisions:  
 2018-10-12 SCD  
 2018-11-19 SCD

Date: AUGUST, 2018  
 Scale: AS NOTED  
 Dwn.By: CDM  
 Proj.No.: 2460A002  
 Dwg.No.:

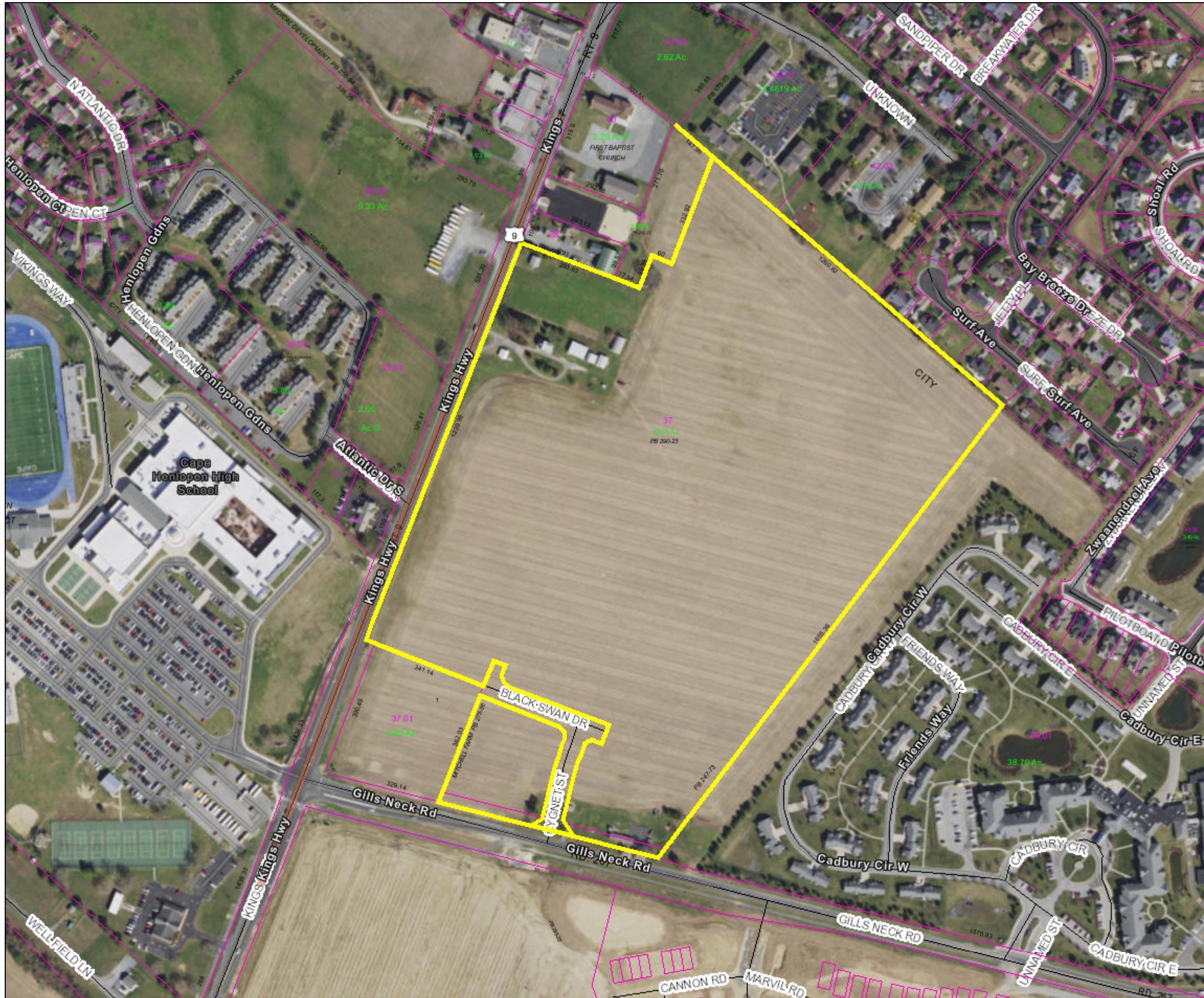
**SWM-01**

# **APPENDIX 1**

## **COUNTY TAX MAP SHOWING PROPERTY BOUNDARIES**



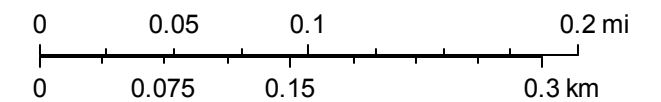
# Sussex County



<b>PIN:</b>	335-8.00-37.00	
<b>Owner Name</b>	MITCHELL	FAMILY LLC
<b>Book</b>	5074	
<b>Mailing Address</b>	1019 KINGS HWY	
<b>City</b>	LEWES	
<b>State</b>	DE	
<b>Description</b>	SE/RD 268 APPROX 391' NE	
<b>Description 2</b>	ALSO HAS FRONT FTG NE	
<b>Description 3</b>		
<b>Land Code</b>		

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

1:4,514

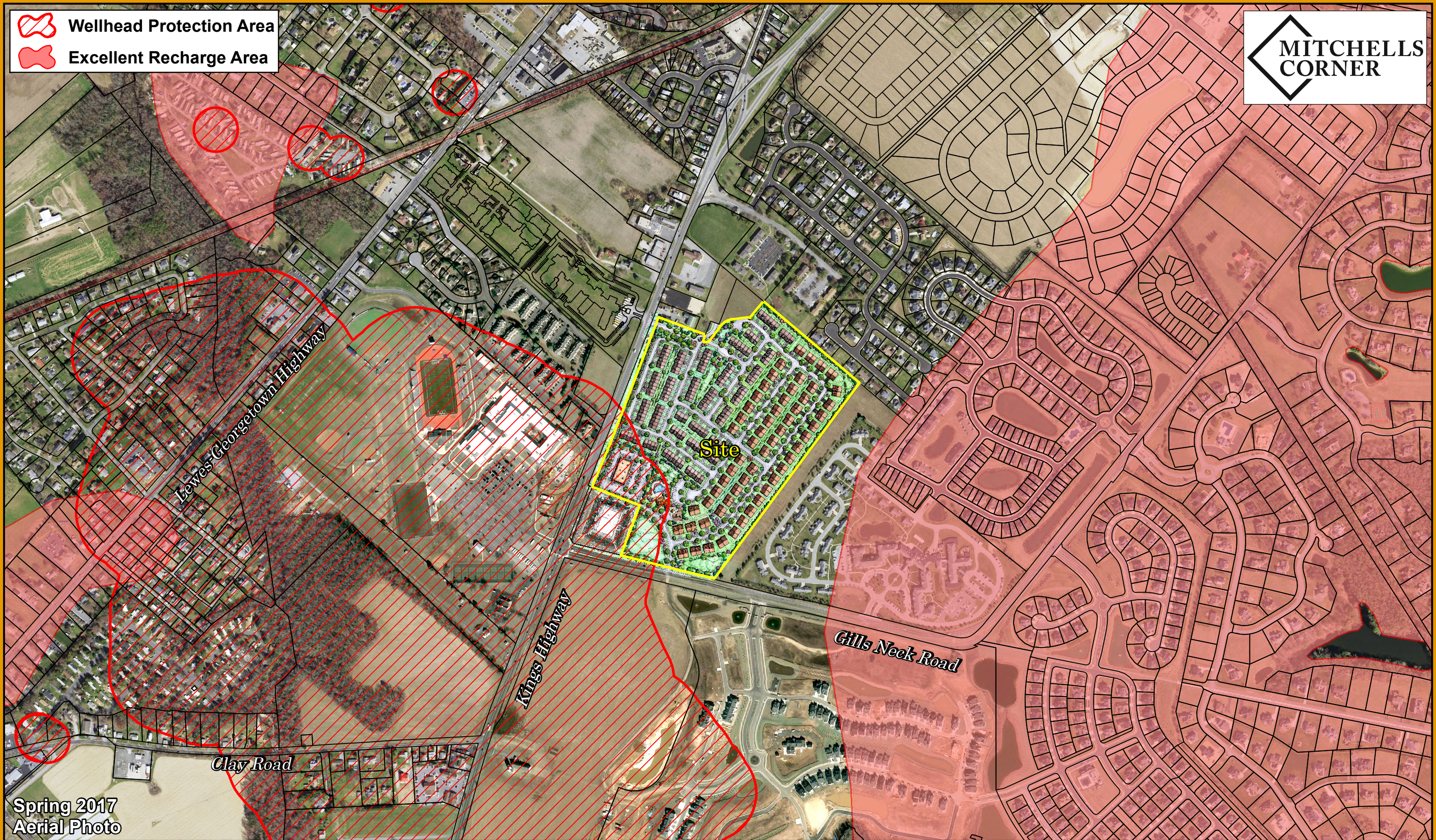




## **APPENDIX 2**

### **AERIAL OVERLAY WITH WELLHEAD PROTECTION AREA**

-  Wellhead Protection Area
-  Excellent Recharge Area



Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County

February 2022



## Source Water Protection Areas

Mitchell's Corner  
Sussex County, Delaware



## **APPENDIX 3**

### **DNREC SOURCE WATER ASSESSMENT REPORT**

Public Water Supply  
Source Water Assessment  
for  
**Lewes Water**

**PWS ID: DE0000602**

Sussex County, Delaware



**Final Report: December 31, 2003**

State of Delaware  
Department of Natural Resources and Environmental Control  
Division of Water Resources  
Source Water Assessment and Protection Program  
89 Kings Highway  
Dover, Delaware 19901

Phone: (302) 739-4793      fax: (302) 739-2296

## **Table of Contents**

Table of Contents.....	i
List of Figures.....	i
List of Tables.....	ii
Summary.....	1
Introduction .....	3
Study Area .....	4
Public Water Supply Well Data .....	4
Geology and Hydrogeology.....	5
Source Water Protection Area Delineation .....	5
Vulnerability Determination .....	8
Existing and Potential Sources of Contamination .....	9
Discrete Sources.....	10
Land Use / Land Cover .....	11
Roads and Railroads.....	11
Water Quality Data .....	12
Naturally Occurring Contaminants .....	12
Analytical Data.....	13
Water Treatment Methods.....	13
Susceptibility Determination .....	13
Vulnerability .....	13
Contaminant Inventory.....	14
Water Quality .....	14
Individual Source Susceptibility .....	14
System Wide Susceptibility .....	15
References .....	17
Appendix A: Maps.....	A-19
Appendix B: Tables.....	B-25
Appendix C: Analytical Data .....	C-31
Appendix D: Data Sources .....	D-35

## **List of Figures**

Figure 1: Vulnerability Determination process.....	9
Figure 2: System-Wide Land Use.....	11
Map 1: Base Map for Wellhead Areas .....	A-21
Map 2: Delineation Map for Wellhead Areas .....	A-22
Map 3: Discrete Sources Within Wellhead Areas .....	A-23
Map 4: Land Use Within Wellhead Areas.....	A-24

**List of Tables**

Table 1: Well Construction Data ..... 4  
Table 2a: Aquifer type and Delineation Method ..... 6  
Table 2b: Model Parameters and Settings ..... 7  
Table 2c: Delineated Source Water Areas ..... 8  
Table 3: Roads and Railways found within WHPA ..... 12  
Table 4: Overall Susceptibility Rating..... 16  
Table 5: Discrete Sources Within Wellhead Areas..... B-27  
Table 6: Land Use Within Wellhead Area..... B-28  
Table 7: Individual Well Susceptibility ..... B-29  
Table 8: Overall System Susceptibility..... B-30

## **Summary**

The Delaware Department of Natural Resources and Environmental Control's (DNREC) Division of Water Resources has completed the Source Water Assessment for the public water supply wells for Lewes Water as required under the 1996 amendments to the Safe Drinking Water Act. This assessment has been performed using the methods specified in the State of Delaware Source Water Assessment Plan (DNREC, 1999).

Lewes Water uses five wells to provide drinking water to the system. Of these, two wells withdraw water from the unconfined Columbia Group-Pocomoke aquifer. These wells are classified as 'Deep Unconfined' because they are greater than 100 feet deep and no significant clay layers exist between the ground surface and the well's screens. Because these wells are screened deep into the unconfined aquifer they have a medium vulnerability to contamination from processes at the ground surface. As unconfined wells capable of pumping over 50,000 gallons per day, the wellhead protection areas were delineated using a computer model that attempts to simulate ground-water flow. Additionally, three wells withdraw water from the unconfined Columbia Group-Pocomoke aquifer. These wells are classified as 'Shallow Unconfined' because they are less than 100 feet deep and no significant clay layers exist between the ground surface and the well screens. Because these wells are screened at shallower depths within the unconfined aquifer they have a high vulnerability to contamination from processes at the ground surface. As unconfined wells capable of pumping over 50,000 gallons per day, the wellhead protection areas were delineated using a computer model that attempts to simulate ground-water flow.

This public water supply system provides water to an average daily population of 2600 residential consumers from January 1 to December 31 and an average daily population of 6400 transient consumers from May 1 to September 30 through 2364 residential service connections.

There are three discrete sources of potential contamination in the wellhead protection area. These sites have substantial contaminant potentials that may pose a significant threat to the drinking water resources.

An analysis of land use activities in the area show almost 39 percent of the total wellhead protection area for the system contains various urban land uses. There are six other land uses covering the remaining portions percent of the wellfield.

Although water samples may have been taken from within the distribution system, no raw water (well tap) samples have been recorded for this Public Water Supply System.

Overall, Lewes Water has a **high** susceptibility to nutrients, a moderate susceptibility to pathogens, a **very high** susceptibility to petroleum hydrocarbons, a moderate susceptibility to pesticides, a low susceptibility to PCBs, a moderate susceptibility to

other organic compounds, a low susceptibility to metals and, a moderate susceptibility to other inorganic compounds.



## ***Introduction***

The 1996 amendments to the Safe Drinking Water Act (SDWA) require that source water assessments be performed for all sources of public drinking water in each state. Because of this, each state was required to develop a Source Water Assessment Plan (SWAP). The State of Delaware's SWAP was developed by a committee of scientists, water industry professionals, conservation groups, government agencies, and interested citizens in 1998 and approved by the United States Environmental Protection Agency in October, 1999.

This assessment for Lewes Water has been performed using the methods specified in the State of Delaware Source Water Assessment Plan (DNREC, 1999)

The assessment consists of these four critical steps:

- 1) Delineation of source water areas;
- 2) Determination of the vulnerability of a well or intake to contamination;
- 3) Identification of existing and potential sources of contamination; and
- 4) Determination of the susceptibility of the source water area to contamination.

Step 1 consists of mapping the land surface area that contributes to the water supply. For ground water systems, this is called the wellhead protection area. Lewes Water uses five wells to provide drinking water to the system. Of these, two wells withdraw water from the unconfined Columbia Group-Pocomoke aquifer. These wells are classified as 'Deep Unconfined' because they are greater than 100 feet deep and no significant clay layers exist between the ground surface and the well's screens. Because these wells are screened deep into the unconfined aquifer they have a medium vulnerability to contamination from processes at the ground surface. As unconfined wells capable of pumping over 50,000 gallons per day, the wellhead protection areas were delineated using a computer model that attempts to simulate ground-water flow. Additionally, three wells withdraw water from the unconfined Columbia Group-Pocomoke aquifer. These wells are classified as 'Shallow Unconfined' because they are less than 100 feet deep and no significant clay layers exist between the ground surface and the well screens. Because these wells are screened at shallower depths within the unconfined aquifer they have a high vulnerability to contamination from processes at the ground surface. As unconfined wells capable of pumping over 50,000 gallons per day, the wellhead protection areas were delineated using a computer model that attempts to simulate ground-water flow.

Step 2 uses a step-by-step decision making process by which each well or surface water intake for a particular system is examined to determine its vulnerability to contamination. Vulnerability is the relative ease with which contaminants, if released into a source water area, could move and enter a public water supply well or intake at concentrations of concern. Vulnerability includes consideration of such factors as aquifer characteristics, well or surface water intake integrity, and wellscreen depth. A series of questions about

the type of system (surface water or ground water), hydrologic setting, and well construction are used in the decision-making process.

Step 3 consists of creating an inventory of all existing and potential sources of contamination within the delineated source water protection areas. This was done utilizing DNREC's contaminant site inventories, 1997 land use maps, analytical data compiled by the Office of Drinking Water and through visual examination during site visits.

Step 4 consists of determining the susceptibility of the source water area to contamination. This process combines steps 1, 2, 3, water quality reports, and other information.

This information must be summarized into a report and made available to the public. It is the goal of the Division of Water Resources that the summaries provided from the source water assessment and protection program will help drinking-water systems better understand the potential threats to their drinking water supply and to work to protect these drinking water resources.

**Study Area**

Lewes Water is located east of Delaware Route 1 and between Savannah Road and Kings Highway. This location is shown on Map 1 Base Map for Lewes Water. This public water supply system provides water to an average daily population of 2600 residential consumers from January 1 to December 31 and an average daily population of 6400 transient consumers from May 1 to September 30 through 2364 residential service connections.

**Public Water Supply Well Data**

Information about the construction and operation of these wells is summarized in Table 1. This information was gathered from various sources (DNREC, Delaware Geological Survey, Department of Health and Social Services), and a letter requesting confirmation from the system.

**Table 1: Well Construction Data**

Well #	Permit #	Allocation #	Year Constructed	Well Capacity (Gpm)	Diameter (inches)	Screen Interval (fbgs)	Aquifer
1A	36869	95-0008	1977	1350	12	70-147	Columbia Group-Pocomoke
2A	45267	95-0008	1980	800	16	118-148	Columbia Group-Pocomoke
3A	50389	95-0008	1982	780	12	70-150	Columbia Group-Pocomoke
4A	55832	95-0008	1984	1450	16	100-150	Columbia Group-Pocomoke
5A	55833	95-0008	1984	1420	16	85-135	Columbia Group-Pocomoke

\* fbgs = feet below ground surface

## ***Geology and Hydrogeology***

### Unconfined Aquifers

#### Columbia Aquifer:

The Columbia Aquifer is a lithologically complex hydrologic unit generally comprised of 1 surficial and 2 subsurface geological formations (Fm.). These deposits were laid down in a number of depositional environments including marine delta, estuarine, fluvial, swamp, marsh, and lagoonal (Ramsey and Schenck, 1990). The major surficial units include the Pleistocene-aged Lynch Heights and Scotts Corner Formations, the Pleistocene to Holocene aged Cypress Swamp Fm. and modern day Holocene deposits (Ramsey, 2001; Andres and Howard, 2000; and Andres and Duffy 2003). These surficial units are very heterogeneous and are comprised of admixtures of sand, silt, and clay. Fine-grained beds within these formations can serve as leaky confining units which locally confine the Columbia Aquifer in some locations.

The major subsurface units of the Columbia Aquifer which subcrop the surficial units include the Pliocene- aged Beaverdam Fm. and the upper Miocene-aged Bethany Fm. (Ramsey and Schenck, 1990). The Beaverdam Fm. is predominantly a sand unit and generally forms the bulk of the Columbia Aquifer's saturated thickness. The underlying Bethany Fm. is predominantly a silty Fm. which contains interbedded fine to coarse sands (Ramsey and Schenck, 1990.) The silt beds of the Bethany Fm. generally form the base of the unconfined aquifer system.

Upper muddy silt beds at the top of the Bethany Fm. are missing over much of the study area. Where the silt beds are absent, sands of the Bethany Fm. are hydraulically connected with those of the Beaverdam Fm. and form a thick and highly productive unconfined aquifer system. According to Talley (1988), saturated thicknesses of over two hundred feet thick occur in the southeastern portion of the study area.

Cross-sections from Andres (1986), indicates that in the northern portion of the study area, where the Miocene Manokin Fm. is relatively close to the land surface, the Bethany Fm. has been eroded away. In this area, the sands of the underlying Manokin Fm. are in hydraulic connection with the Beaverdam Fm. and become part of the unconfined Columbia Aquifer System. A cross-section from Talley (1987) indicates that the Bethany Fm. clays are missing in the southern portion of the study area (in an area northeast of Roxana). In this area, sands of the Beaverdam, Bethany and Manokin Formations are hydraulically connected and comprise the extremely thick unconfined Columbia Aquifer System.

The Beaverdam Fm. is the primary unit comprising the Columbia Aquifer over most of the study area. Based on geological maps from Talley (1988) and Andres (1987), the Beaverdam Fm. ranges in thickness from approximately 80' to 130' across the study area. This unit is generally covered by at least 10' to 20' of the aforementioned surficial units. Andres (1987) and Ramsey (2001) generally describe the formation as a pale orange to yellowish brown, medium to coarse sand with beds of fine sandy silt and/or clay, fine sand, and gravelly coarse sand. Thin layers of dark colored clayey silt and silty clay are present throughout the formation (Andres and Duffy, 2003). According to Andres and

Howard (1995), the Beaverdam Fm. often has two dominant lithologies: an upper fine unit comprised of fine sands and muds and a lower unit consisting of a medium to coarse sand with discontinuous layers of gravel, fine sand, silt and clay. The upper fine-grained unit generally occurs within the upper 25' of the ground surface (Andres, 1994). According to Ramsey (2001), orange, brown and grey are characteristic colors of the Beaverdam Fm. Andres and Keyser (2002) state that the Fm.'s pale orange color, distinctive multicolored coarse sand grains, the weathered lithic fragments and the sticky clay matrix coating sand grains distinguish the Beaverdam Fm. from younger units. The bottom of the Beaverdam Fm. is an irregular surface with as much as 40' of relief (Ramsey, 2001).

Sands of the Bethany Fm. subcrop the Beaverdam Fm. and become a part of the Columbia Aquifer throughout most of the study area. Areas where sands of the Bethany Fm. subcrop the Beaverdam Fm. are often referred to as the Pocomoke Aquifer Subcrop Area (Pickett, 1976). Cross-sections from Talley (1988) and Andres (1987) indicate that sands of the Bethany Fm. range from approximately 10' to 100' thick in the area. Andres (1986) describes the Bethany Fm. sands as a "blue-gray or olive gray, fine to very coarse sand".

The thickness of the Columbia aquifer ranges from approximately 70' thick in the southwestern portion of the study area to well over 200' thick near Roxana (Denver, 1983; and Talley, 1987). The thickest portion of the aquifer occurs in the Pocomoke Aquifer Subcrop Area. Transmissivities derived from aquifer test data range from 7300 ft<sup>2</sup>/d to 22,590 ft<sup>2</sup>/d. Transmissivities are highly variable due to the different lithologies of the formations comprising the Columbia Aquifer and the various thicknesses of the aquifer (Johnston, 1973; and Talley and Andres, 1987).

### **Source Water Protection Area Delineation**

The State of Delaware's Source Water Assessment Plan describes the methods to be used for the delineation of the areas that contribute water to public drinking water supplies. These source water areas are delineated by applying the methodology described in section 3.5 of the Delaware SWAP to an understanding of the geologic and hydrologic setting of the area coupled with a review of well logs and well construction information. The wellhead areas for this system were delineated using a computer model (MODFLOW) that attempts to simulate ground-water flow. The modeling methods are summarized in Table 2a.

**Table 2a: Aquifer type and Delineation Method**

<b>Well #</b>	<b>Permit #</b>	<b>Aquifer</b>	<b>Aquifer Type</b>	<b>Delineation Method</b>
1A	36869	Columbia Group-Pocomoke	unconfined	MODFLOW Ground-Water Model
2A	45267	Columbia Group-Pocomoke	unconfined	MODFLOW Ground-Water Model
3A	50389	Columbia Group-Pocomoke	unconfined	MODFLOW Ground-Water Model
4A	55832	Columbia Group-Pocomoke	unconfined	MODFLOW Ground-Water Model
5A	55833	Columbia Group-Pocomoke	unconfined	MODFLOW Ground-Water Model

In order to have this model produce reasonable and accurate results the characteristics of both the wells and the geology must be determined and input into the model. A review of the well construction data provided the needed information for the wells, and a literature review provided the needed data to represent the various hydrogeologic factors. Table 2b below summarizes these data with references where appropriate. Using these data, the well locations, and some regional hydrology, it should be possible to recreate the model output using the same model (Visual MODFLOW, 2001).

**Table 2b: Model Parameters and Settings**

Well #	Pumping Rate (ft <sup>3</sup> /day)	Radius (feet)	# Particles	Release Depth (Elevation)
1A	71228.814	0.5	16-36	0 (Ground Surface)
2A	30992.232	0.6	16-36	0 (Ground Surface)
3A	30031.78	0.5	16-36	0 (Ground Surface)
4A	33305.085	0.6	16-36	0 (Ground Surface)
5A	41387.712	0.6	16-36	0 (Ground Surface)

Property	Value	Units	Reference
Duration	5	years	DNREC, 1999
Recharge	140-492	Millimeters / year	Andres and Duffy, 2003
Porosity	23 - 30	percent	Freeze and Cherry, 1979
Hydraulic Conductivity	0.000093-0.000347	Meters / second	Andres and Duffy, 2003
Base of Aquifer	60	Meters below sea level	Andres and Duffy, 2003
Aquifer Thickness	15 - 75	Meters	Andres and Duffy, 2003

Because of the differences between the complexity of the real-world and the simplifications necessary for the model, a brief discussion of the methodology for the source water area delineation is appropriate. This particular model uses available water level data from production wells and observation wells, and the regional stream flow to generate a representative water table surface. From this, the model then “pumps” the wells and calculates the changes to this surface caused by the water being withdrawn from the wells. During this time the model tracks “particles” over the duration of the model run to detail how water flows into the wells over that time period. Because of the lack of site-specific real world data across the entire modeled area assumptions have to be made and the results scrutinized. Some of the key assumption that were made are as follows:

- Although the hydrogeology varies with depth and distance, the exact details of the subsurface are not known. Therefore the model parameters that represent these features need to be varied (multiple model runs then make a composite of the results);

- This is a Steady-State Model, meaning that the wells must be pumping continuously over the model duration (yields a conservative, larger, wellhead area)
- The specifics of the interactions between the aquifer and the smaller streams are not well known. Therefore it is assumed that these streams are not significant sources of water to the aquifer (wellhead areas can extend across smaller streams)

More discussion on specific model assumptions can be found in the model documentation (USGS, 1983). Based upon this methodology, the resulting delineated Source Water Areas are conservative and are larger than the true capture zones for each well, as the WHPA for this wellfield includes a 300-foot buffer zone which allows for a margin of safety that is designed to provide means to protect the quality of water entering the wells under the full range of expected conditions (Andres et al, 2003). As more data and more time become available, it may be possible to further refine the areas and more closely simulate real-world conditions.

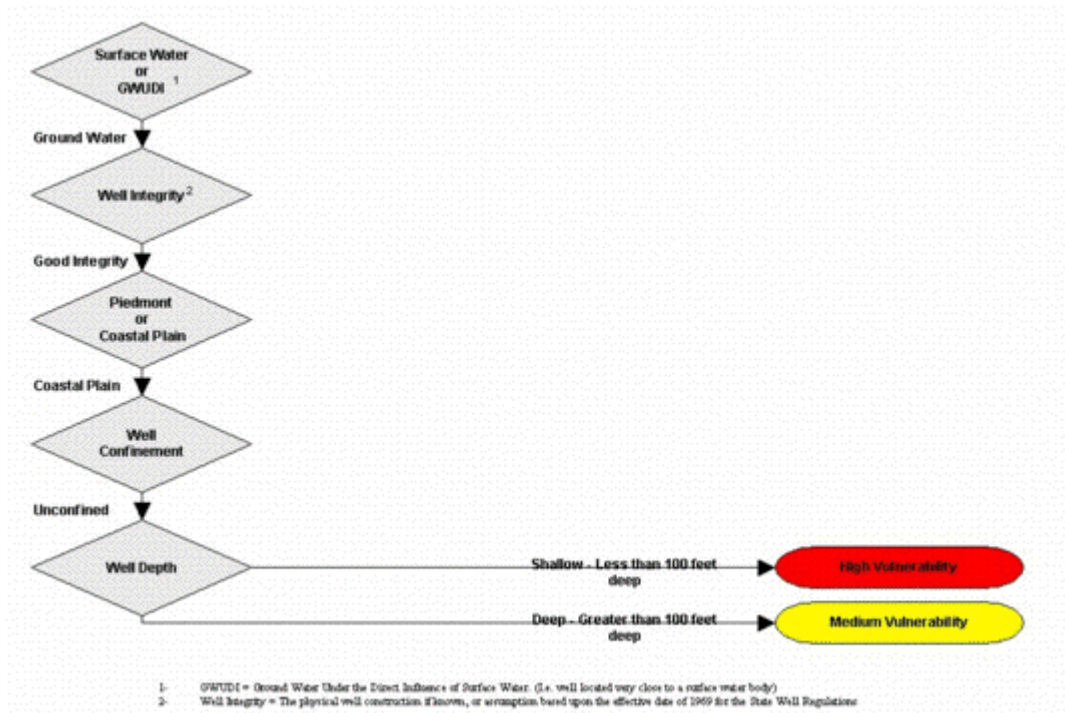
The areas delineated by this process are shown on Map 2 Delineation Map for Lewes Water. The Lewes wellfield contains five wells (1A - 36869, 2A - 45267, 3A - 50389, 4A - 55832, 5A - 55833). Table 2c below list any wellfields and their associated wells and acreages.

**Table 2c: Delineated Source Water Areas**

<b>Wellfield</b>	<b>Wells</b>	<b>Acreage</b>	<b>Vulnerability</b>
Lewes	Lewes	342.89	High

***Vulnerability Determination***

The vulnerability is the relative ease with which contaminants, if released into a source water area, could move and enter a public water supply well or surface water intake at concentrations of concern. Individual intakes or wells are ranked as having high, medium, or low vulnerability according to the process described in section 5.1 of the Delaware SWAP. The determination of this vulnerability is conducted through a series of questions about the type of intake (surface or ground water), hydrogeologic setting, and construction.



**Figure 1: Vulnerability Determination process**

Lewes Water uses five wells to provide drinking water to the system. Of these, two wells withdraw water from the unconfined Columbia Group-Pocomoke aquifer. These wells are classified as 'Deep Unconfined' because they are greater than 100 feet deep and no significant clay layers exist between the ground surface and the well's screens. Because these wells are screened deep into the unconfined aquifer they have a medium vulnerability to contamination from processes at the ground surface. As unconfined wells capable of pumping over 50,000 gallons per day, the wellhead protection areas were delineated using a computer model that attempts to simulate ground-water flow. Additionally, three wells withdraw water from the unconfined Columbia Group-Pocomoke aquifer. These wells are classified as 'Shallow Unconfined' because they are less than 100 feet deep and no significant clay layers exist between the ground surface and the well screens. Because these wells are screened at shallower depths within the unconfined aquifer they have a high vulnerability to contamination from processes at the ground surface. As unconfined wells capable of pumping over 50,000 gallons per day, the wellhead protection areas were delineated using a computer model that attempts to simulate ground-water flow.

***Existing and Potential Sources of Contamination***

There are a multitude of potential contaminant sources that, if present, could degrade drinking water quality. Most of these sources are anthropogenic, however, natural 'contaminants' such as salt water or iron deposits can also impact water supplies. Most human impacts occur at or just below the ground surface and therefore are much more of a concern for shallow water supplies that lack a protective confining layer.

## Discrete Sources

Discrete sources are defined as existing or potential sources of pollution to surface or ground water supplies at well defined, usually manufactured 'points' or locations. The Source Water Program has divided the discrete sources into the following categories:

Underground Storage Tanks	Large On-Site Septic
Landfills / Dumps	Wastewater Spray Irrigation
National Pollutant Discharge Elimination Sys.	Waste Sludge Application
Tire Piles	Animal Feedlot Operations
Hazardous Waste Generators	Combined Sewer Overflows
Toxic Release Inventory	Dredge Spoils
Salvage Yards	Golf Courses
Pesticide Loading, Mixing, & Storage Facility	Domestic Septic Systems
State and Federal Superfund Sites	

These discrete sources can contaminate source waters depending upon their location, the severity of a release, and other factors. For example, golf courses may contribute both pesticides and nutrients to the surface and ground waters by means of surface application for landscaping purposes, whereas tire piles generally do not pose a threat to the waters of the state unless they begin to burn. There are three discrete sources of potential contamination in the wellhead protection area. These sites have substantial contaminant potentials that may that these pose a significant threat to the drinking water resources. A brief description of each of these sites and their associated contaminant potentials follows.

### **Lewes Wellfield (wells 1A (ID # 36869), 2A (ID # 45267), 3A (ID # 50389), 4A (ID # 55832), and 5A (ID # 55833))**

#### Cape Henlopen High School (MAPID: UT6253)

This is an underground storage tank facility with a historic product release. This site has a **high** contaminant potential for petroleum hydrocarbons, and a negligible contaminant potential for nutrients, pathogens, pesticides, PCBs, other organic compounds, metals, and other inorganic compounds.

#### MCNICHOL Place Mobil Home (MAPID: UT5901)

This is an underground storage tank facility. This site has a medium contaminant potential for petroleum hydrocarbons, and a negligible contaminant potential for nutrients, pathogens, pesticides, PCBs, other organic compounds, metals, and other inorganic compounds.

#### Domestic Septic System (MAPID: 94 Systems - 0.27 per Acre)

Domestic septic systems may exist in the source water area. This site has a low contaminant potential for nutrients, and a negligible contaminant potential for pathogens, petroleum hydrocarbons, pesticides, PCBs, other organic compounds, metals, and other inorganic compounds.



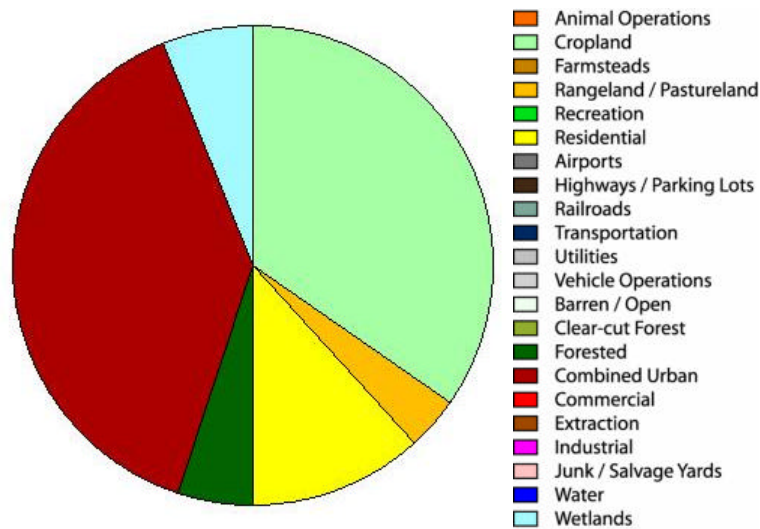
Additional information for other contaminant sources can be found on the state web site (<http://www.dnrec.state.de.us/>) using the Environmental Navigator. The inventory contains categorized data for multiple forms of media (surface water, ground water, etc).

**Land Use / Land Cover**

Anthropogenic activities associated with various land uses have the potential to contribute to ground-water quality problems, particularly when examining potential 'non-point' source contamination. There is, however, some overlap between discrete sources of contamination and some land use categories. For instance, individual domestic septic systems may be considered discrete sources, however, the regional impact of a number of systems in a large development might also be considered as 'non-point'.

Map 4 Land Use Map for Lewes Water shows the land use within the delineated area. The table on Map 4 summarizes the system-wide land use that is the percent of the entire system's source water area overlain by that particular land use. Based upon the SWAP, the contaminant potential could be adjusted depending on the percentage of land use within the WHPA, with land uses occupying the greatest portion of the wellhead areas having a more significant potential impact.

Using the most recent GIS information, almost 39 percent of the total wellhead protection area for the system contains various urban land uses. There are six other land uses covering the remaining portions percent of the wellfield.



**Figure 2: System-Wide Land Use**

**Roads and Railroads**

Roads and railroads represent potential conduits for the entry of contaminants into soils and ground water. The possibility exists that an accident, such as a spill, could impact water quality. Furthermore, certain upkeep and maintenance practices such as road salting, or pesticides applications could also introduce contaminants along these

transportation pathways. Table 3 summarizes the lengths and types of conduits that run through the various wellhead areas. These are the highlighted roads and railroads shown on Map 3 Discrete Sources Map for Lewes Water and Map 4 Land Use Map for Lewes Water. Smaller (tertiary) or private roads are not included in the assessment because of the lack of consistent data across the State.

**Table 3: Roads and Railways found within WHPA**

Wellfield	Conduit	Mileage	Type
Lewes	Road	1.2	Major

**Water Quality Data**

This portion of the source water assessment evaluates the water quality of raw water *before* it enters into any treatment process (i.e. filtration, disinfection, fluoridation, softening, etc.) and/or the distribution system. However, it should be noted that many water supply systems utilize certain treatment methods that remove contaminants or impurities from the drinking water before it is delivered to the public.

The Delaware SWAP classifies contaminants into eight (8) categories. Examples of contaminants within each of the eight categories are as follows:

- Other Inorganic: Fluoride, Chloride, pH, Sulfate, Radon, Radium, Strontium,
- Metals: Copper, Arsenic, Iron, Manganese
- Nutrients: Nitrate, Nitrite
- Other Organics: Vinyl Chloride, PCE, TCE
- Pathogens: Coliform Bacteria, Cryptosporidium, Giardia lamblia
- Pesticides: Alachlor, Atrazine, Glyphosate
- Petroleum Hydrocarbons: Gasoline, Heating Oil, Benzene, Toluene
- Polychlorinated Biphenyls: PCB

The Source Water Assessment and Protection Program has reviewed the available analytical data for this system for the previous five years. While this report may show that a drinking water standard was exceeded for a particular contaminant at one instance, the Department of Health and Social Services, Division of Public Health, Office of Drinking Water, which regulates drinking water quality, may not consider it a violation based upon more detailed procedures detailed within their regulations (DHSS, 2002). In the event that a contaminant, which is not naturally found in the source water, has been detected as a result of maintenance to the water distribution system, its results will be noted and explained within the text. These results may not be considered when determining the final susceptibility for a well and/or public water system.

**Naturally Occurring Contaminants**

There are several naturally occurring potential contaminants that will be identified as part of the assessments of public water supplies. These include iron, chloride, sodium, radon, radium, manganese, sulfate and others. These will be identified as part of the

susceptibility determination for each well and listed as being naturally occurring if detected.

### **Analytical Data**

Data from the Department of Health and Social Services' Division of Public Health's Office of Drinking Water's (DPH-ODW) analytical database was reviewed for raw/untreated water quality data for the past five years.

Although water samples may have been taken from within the distribution system, no raw water (well tap) samples have been recorded for this Public Water Supply System.

### **Water Treatment Methods**

No treatment process has been specified for this system.

For more information about the water treatment used please contact Lewes Water or the Division of Public Health's Office of Drinking Water at (302) 739-5410.

### **Susceptibility Determination**

The key part of a source water assessment is the determination of the likelihood that a particular public water supply system will capture contaminants at concentrations of concern. This analysis, termed susceptibility determination, combines the source water protection area delineation, the vulnerability determination for the wells, the contaminant source inventory, and the water quality information to yield a relative susceptibility for the public water system. Each individual water source is rated for each of the eight-contaminant categories on a scale ranging from no susceptibility to having been documented as having exceeded drinking-water standards.

### **Vulnerability**

Lewes Water uses five wells to provide drinking water to the system. Of these, two wells withdraw water from the unconfined Columbia Group-Pocomoke aquifer. These wells are classified as 'Deep Unconfined' because they are greater than 100 feet deep and no significant clay layers exist between the ground surface and the well's screens. Because these wells are screened deep into the unconfined aquifer they have a medium vulnerability to contamination from processes at the ground surface. As unconfined wells capable of pumping over 50,000 gallons per day, the wellhead protection areas were delineated using a computer model that attempts to simulate ground-water flow. Additionally, three wells withdraw water from the unconfined Columbia Group-Pocomoke aquifer. These wells are classified as 'Shallow Unconfined' because they are less than 100 feet deep and no significant clay layers exist between the ground surface and the well screens. Because these wells are screened at shallower depths within the unconfined aquifer they have a high vulnerability to contamination from processes at the ground surface. As unconfined wells capable of pumping over 50,000 gallons per day, the

wellhead protection areas were delineated using a computer model that attempts to simulate ground-water flow.

### **Contaminant Inventory**

There are three discrete sources of potential contamination in the wellhead protection area. These sites have substantial contaminant potentials that may that these pose a significant threat to the drinking water resources.

The contaminant potential from all discrete sources is as follows:

- Low Contaminant Potential for Nutrients
- Negligible Contaminant Potential for Pathogens
- High** Contaminant Potential for Petroleum
- Negligible Contaminant Potential for Pesticides
- Negligible Contaminant Potential for PCBs
- Negligible Contaminant Potential for Other Organic
- Negligible Contaminant Potential for Metals
- Negligible Contaminant Potential for Other Inorganic

As stated previously, almost 39 percent of the total wellhead protection area for the system contains various urban land uses. There are six other land uses covering the remaining portions percent of the wellfield.

The contaminant potential from all land uses is as follows:

- Medium Contaminant Potential for Nutrients
- Low Contaminant Potential for Pathogens
- Low Contaminant Potential for Petroleum
- Low Contaminant Potential for Pesticides
- Negligible Contaminant Potential for PCBs
- Low Contaminant Potential for Other Organic
- Negligible Contaminant Potential for Metals
- Low Contaminant Potential for Other Inorganic

### **Water Quality**

No analytical data were available to be used to adjust the susceptibility ratings for this system.

### **Individual Source Susceptibility**

All of the wells for Lewes Water have unique properties, such as depth, location, date drilled, and pumping rate. These influence the delineated area, the vulnerability determination, and the contaminant inventory. This water system has only one wellhead area for the entire system. A Susceptibility Assessment must be performed for each

individual wellhead area/wellfield. A brief discussion for each wellfield follows and the results are further summarized in Appendix B Table 7: Well Specific Susceptibility.

The Lewes wellfield has a **high** susceptibility to nutrients due to land use activities, a moderate susceptibility to pathogens due to land use activities, a **very high** susceptibility to petroleum hydrocarbons due to discrete sources, a moderate susceptibility to pesticides due to land use activities, a low susceptibility to PCBs due to both discrete sources and land use activities, a moderate susceptibility to other organic compounds due to land use activities, a low susceptibility to metals due to both discrete sources and land use activities and, a moderate susceptibility to other inorganic compounds due to land use activities.

### **System Wide Susceptibility**

The individual susceptibilities of each of this system's wells are detailed in the previous section. On a source-by-source basis these wells could have very different susceptibility ratings. When looked at as a group for the entire system some generalized, conservative statements can be made. For instance, if one assumes that the system is only as protected as it's weakest link, then the system-wide susceptibility to any given contaminant category is determined by the most susceptible water source. Using this methodology, a drinking water system with five wells that have a low susceptibility to metals, and one well that is highly susceptible to metals would be rated as having a high susceptibility to that contaminant category. In many instances this could mean that a particular land use overlying an unconfined well could drive the system-wide susceptibility higher. However, it is also possible that a confined-aquifer well that withdraws iron-rich water could dramatically raise this system's susceptibility rating for metals.

As stated, this system-wide susceptibility is a conservative rating that summarizes the most susceptible portions of any system. This susceptibility is the relative likelihood that a public water supply might draw water contaminated at concentrations of concern to public health. This Susceptibility Assessment is a summary of the vulnerability and contaminant potential to raw water supplies. The actual water quality delivered to the consumer is monitored by Public Health's Office of Drinking Water (and for community systems is reported in the Consumer Confidence Reports) and is not part of this assessment.

Overall, Lewes Water has a **high** susceptibility to nutrients, a moderate susceptibility to pathogens, a **very high** susceptibility to petroleum hydrocarbons, a moderate susceptibility to pesticides, a low susceptibility to PCBs, a moderate susceptibility to other organic compounds, a low susceptibility to metals and, a moderate susceptibility to other inorganic compounds. The individual well contributions to the system-wide susceptibility are explained below with a further summary provided in Appendix B Table8: Overall System Susceptibility.

**Table 4: Overall Susceptibility Rating**

<b>Susceptibility</b>	<b>Contaminant Category</b>
Very High	Petroleum Hydrocarbons
High	Nutrients
Moderate	Pathogens Pesticides Other Organics Other Inorganics
Low	PCBs Metals

## **References**

- Andres Scott A., 1994. Ground-Water Recharge Potential for the Laurel, Sharptown, and Trap Pond 7.5-Minute Quadrangles. Delaware Geological Survey.
- , 1994. Geohydrology of the Northern Coastal Area , Delaware. Delaware Geological Survey. Hydrologic Map Series No. 5, Sheet 2.
- , 1994. Stratigraphic and Depositional History of the Post-Choptank Chesapeake Group. Delaware Geological Survey, University of Delaware, ROI #42.
- Andres, Scott A. 1986. Geohydrology of the Northern Coastal Area, Delaware. Delaware Geological Survey, University of Delaware, Hydrologic Map Series No.5. Sheet 1 Basic Geohydrologic Data.
- Andres, Scott A. and Duffy, Cheryl A. 2003. Wellhead Protection Area Delineations for the Lewes-Rehoboth Beach Area, Delaware. Delaware Geological Survey, University of Delaware, Final Contract Report 03-01.
- Andres, Scott A. and Howard, C. Scott, 1995. Ground-Water Recharge Potential for the Millsboro and Harbeson 7.5-Minute Quadrangles. Delaware Geological Survey.
- Andres, Scott A. and Keyser, Todd A., March 2002. Ground-Water Recharge Potential for the Pittsville, Delmar, and Hebron 7.5-Minute Quadrangles. Delaware Geological Survey.
- Andres, Scott A., and Howard, Scott C. 2000. The Cypress Swamp Formation, Delaware. Delaware Geological Survey, University of Delaware, ROI #62.
- Configuration of the Base and Thickness of the Unconfined Aquifer in Southeastern Sussex County, Delaware. Delaware Geological Survey, Open File Report No. 20.
- Delaware Department of Health and Social Services, Division of Public Health, 2002 (Revised), State of Delaware Regulations Governing Public Drinking Water Systems.
- Groot, Johan J. and Jordan, Robert R. 1999. The Pliocene and Quaternary Deposits of Delaware: Palynology, Ages, and Paleoenvironments. Delaware Geological Survey, University of Delaware, ROI #58.
- Johnston, Richard H., June 1973. Hydrology of the Columbia (Pleistocene) Deposits of Delaware: An Appraisal of a Regional Water-Table Aquifer, Bulletin No. 14: Delaware Geological Survey (pg 46-48).
- Pickett, Thomas E. 1976. Generalized Geologic Map of Delaware. Delaware Geological Survey, University of Delaware.

Ramsey, Kelvin W. and William S. Schenck, June 1990. Geologic Map of Southern Delaware, Open File Report No. 32: Delaware Geological Survey.

Geologic Map of the Ellendale and Milton Quadrangles, Delaware, Geologic Map Series No. 11: Delaware Geological Survey.

Ramsey, Kelvin W. 1999. Cross-Section of the Pliocene and Quaternary Deposits along the Atlantic Coast of Delaware. Delaware Geological Survey, University of Delaware, Miscellaneous Map #6.

Talley, John H. 1987. Geohydrology of the Southern Coastal Area, Delaware. Delaware Geological Survey, University of Delaware, Hydrologic Map Series No. 7. Sheet 1 Basic Geohydrologic Data.

Talley, John H. 1988. Geohydrology of the Columbia Aquifer. Delaware Geological Survey, University of Delaware, Hydrologic Map Series No. 7. Sheet 2 Geohydrology of the Columbia Aquifer.

Talley, John H. and Andres, Scott A. 1987. Basic Hydrologic Data for Coastal Sussex County, Delaware. Delaware Geological Survey, University of Delaware, Special Publication No. 14.



## **Appendix A: Maps**

**Map 1: Base Map for Wellhead Areas**

## Map 1: Base Map

Has been temporarily removed from this document

Please contact the Source Water Assessment and Protection  
Program at Phone: (302) 739-4793 or Fax: (302) 739-2296  
to request more information regarding this map.

**Map 2: Delineation Map for Wellhead Areas**

## Map 2: Delineation Map

Has been temporarily removed from this document

Please contact the Source Water Assessment and Protection

Program at Phone: (302) 739-4793 or Fax: (302) 739-2296

to request more information regarding this map.

**Map 3: Discrete Sources Within Wellhead Areas**

### Map 3: Discrete Source Map

Has been temporarily removed from this document

Please contact the Source Water Assessment and Protection

Program at Phone: (302) 739-4793 or Fax: (302) 739-2296

to request more information regarding this map.

**Map 4: Land Use Within Wellhead Areas**



## Map 4: Land Use Map

Has been temporarily removed from this document

Please contact the Source Water Assessment and Protection

Program at Phone: (302) 739-4793 or Fax: (302) 739-2296

to request more information regarding this map.

## **Appendix B: Tables**

**Table 5: Discrete Sources Within Wellhead Areas**

Wellfield	SiteType	Site ID	Nutrients	Pathogens	Petroleum	Pesticides	PCBs	Other Organic	Metals	Other Inorganic
Lewes	Underground Storage Tanks	9000398	N	N	H	N	N	N	N	N
Lewes	Underground Storage Tanks	5000846	N	N	M	N	N	N	N	N
Lewes	Domestic Septic System		L	N	N	N	N	N	N	N

Wellfield Summary	SiteType	Site ID	Nutrients	Pathogens	Petroleum	Pesticides	PCBs	Other Organic	Metals	Other Inorganic
Lewes	All Site Types	All Sites	L	N	H	N	N	N	N	N

System Summary	Nutrients	Pathogens	Petroleum	Pesticides	PCBs	Other Organic	Metals	Other Inorganic
Overall	L	N	H	N	N	N	N	N

**Table 6: Land Use Within Wellhead Area**

Wellfield	Land Use	Area (acres)	Percent	Nutrients	Pathogens	Petroleum	Pesticides	PCBs	Other Organic	Metals	Other Inorganic
Lewes	Combined Urban	133.12	38.82	N	N	L	L	N	L	N	L
Lewes	Cropland	118.9	34.68	M	N	N	L	N	N	N	L
Lewes	Residential	40.09	11.69	L	L	L	L	N	N	N	N
Lewes	Wetlands	20.97	6.12	N	N	N	N	N	N	N	N
Lewes	Forested	17.52	5.11	N	N	N	L	N	N	N	N
Lewes	Rangeland / Pastureland	12.3	3.59	L	L	N	L	N	N	N	N

Wellfield Summary	Land Use	Area (acres)	Nutrients	Pathogens	Petroleum	Pesticides	PCBs	Other Organic	Metals	Other Inorganic
Lewes	All Land Uses	342.9	M	L	L	L	N	L	N	L

System Summary	Nutrients	Pathogens	Petroleum	Pesticides	PCBs	Other Organic	Metals	Other Inorganic
Overall	M	L	L	L	N	L	N	L

**Table 7: Individual Well Susceptibility**

Wellfield	DNREC ID	Based On	Vulnerability	Nutrients	Pathogens	Petroleum	Pesticides	PCBs	Other Organic	Metals	Other Inorganic
Lewes	36869	Discrete Sources	High	Moderate Susceptibility	Low Susceptibility	Very High Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility
Lewes	36869	Land Use	High	High Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility
Lewes	36869	Overall	High	High Susceptibility	Moderate Susceptibility	Very High Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility
Lewes	45267	Discrete Sources	Medium	Low Susceptibility	Very Low Susceptibility	High Susceptibility	Very Low Susceptibility	Very Low Susceptibility	Very Low Susceptibility	Very Low Susceptibility	Very Low Susceptibility
Lewes	45267	Land Use	Medium	Moderate Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Very Low Susceptibility	Low Susceptibility	Very Low Susceptibility	Low Susceptibility
Lewes	45267	Overall	Medium	Moderate Susceptibility	Low Susceptibility	High Susceptibility	Low Susceptibility	Very Low Susceptibility	Low Susceptibility	Very Low Susceptibility	Low Susceptibility
Lewes	50389	Discrete Sources	High	Moderate Susceptibility	Low Susceptibility	Very High Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility
Lewes	50389	Land Use	High	High Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility
Lewes	50389	Overall	High	High Susceptibility	Moderate Susceptibility	Very High Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility
Lewes	55832	Discrete Sources	Medium	Low Susceptibility	Very Low Susceptibility	High Susceptibility	Very Low Susceptibility	Very Low Susceptibility	Very Low Susceptibility	Very Low Susceptibility	Very Low Susceptibility
Lewes	55832	Land Use	Medium	Moderate Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Very Low Susceptibility	Low Susceptibility	Very Low Susceptibility	Low Susceptibility
Lewes	55832	Overall	Medium	Moderate Susceptibility	Low Susceptibility	High Susceptibility	Low Susceptibility	Very Low Susceptibility	Low Susceptibility	Very Low Susceptibility	Low Susceptibility
Lewes	55833	Discrete Sources	High	Moderate Susceptibility	Low Susceptibility	Very High Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility
Lewes	55833	Land Use	High	High Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility
Lewes	55833	Overall	High	High Susceptibility	Moderate Susceptibility	Very High Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility

Wellfield	Based On	Vulnerability	Nutrients	Pathogens	Petroleum	Pesticides	PCBs	Other Organic	Metals	Other Inorganic
Lewes	Discrete Sources	High	Moderate Susceptibility	Low Susceptibility	Very High Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility
Lewes	Land Use	High	High Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility
Lewes	Overall	High	High Susceptibility	Moderate Susceptibility	Very High Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility

**Table 8: Overall System Susceptibility**

<b>Based On</b>	<b>Vulnerability</b>	<b>Nutrients</b>	<b>Pathogens</b>	<b>Petroleum</b>	<b>Pesticides</b>	<b>PCBs</b>	<b>Other Organic</b>	<b>Metals</b>	<b>Other Inorganic</b>
Discrete Sources	High	Moderate Susceptibility	Low Susceptibility	Very High Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility	Low Susceptibility
Land Use	High	High Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility
Overall	High	High Susceptibility	Moderate Susceptibility	Very High Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility	Low Susceptibility	Moderate Susceptibility

## **Appendix C: Analytical Data**

No Available Analytical Data



## **Appendix D: Data Sources**

## Data Sources Used in Source Water Assessments

Type	Organization	Section	Phone Number
Public Water Supply Well Data	Department of Natural Resources and Environmental Control	Water Supply Section	(302) 739-4793
Public Water Supply Well Data	Delaware Geological Survey		(302) 831-2833
Water Quality Data	Department of Health and Social Services	Division of Public Health Office of Drinking Water	(302) 739-5410
Land Use / Land Cover GIS Coverage	Delaware Office of State Planning Coordination		(302) 739-3090
Animal Feedlot Operations	County Conservation Districts	Kent	(302) 697-2600
Animal Feedlot Operations	County Conservation Districts	New Castle	(302) 832-3100
Animal Feedlot Operations	County Conservation Districts	Sussex	(302) 856-3990
Combined Sewer Overflows (CSOs)	Department of Natural Resources and Environmental Control	Surface Water Discharges Section	(302) 739-5731
Dredge Spoil Disposal Areas	Department of Natural Resources and Environmental Control	Soil and Water Conservation	(302) 739-4411
Hazardous Waste Generator Sites	Department of Natural Resources and Environmental Control	Solid and Hazardous Waste Management Branch	(302) 739-3689
Landfills and Dumps	Department of Natural Resources and Environmental Control	Solid and Hazardous Waste Management Branch	(302) 739-3689
Large On-site Septic Systems	Department of Natural Resources and Environmental Control	Ground Water Discharges Section	(302) 739-4762
NPDES Wastewater Outfalls	Department of Natural Resources and Environmental Control	Surface Water Discharges Section	(302) 739-5731
Pesticide Loading, Mixing, and Storage Facilities	Delaware Department of Agriculture	Pesticide Management Section	(302) 739-4811
Salvage Yards	Department of Natural Resources and Environmental Control	Solid and Hazardous Waste Management Branch	(302) 739-3689
Site Investigation and Restoration Branch (SIRB) [Superfund] Sites	Department of Natural Resources and Environmental Control	Site Investigation and Restoration Branch	(302) 395-2600
Sludge Application Sites	Department of Natural Resources and Environmental Control	Surface Water Discharges Section	(302) 739-5731
Spray Irrigation Sites	Department of Natural Resources and Environmental Control	Ground Water Discharges Section	(302) 739-4762
Tire Piles	Department of Natural Resources and Environmental Control	Solid and Hazardous Waste Management Branch	(302) 739-3820
Toxic Release Inventory Sites	Department of Natural Resources and Environmental Control	Air Quality Management Section	(302) 739-4791
Underground Storage Tanks	Department of Natural Resources and Environmental Control	Underground Storage Tank Branch	(302) 395-2500

## **APPENDIX 4**

**ANNUAL WATER QUALITY REPORT FOR LEWES**

**2021 Water Quality Report**  
**LEWES BOARD OF PUBLIC WORKS**  
**107 Franklin Ave., Lewes, DE 19958**  
**PWS ID# DE0000602**  
**May 1, 2021**

We are pleased to present this year's Annual Water Quality Report (Consumer Confidence Report) as required by the Safe Drinking Water Act (SDWA). This report is designed to provide details about where your water comes from, what it contains, and how it compares to standards set by regulatory agencies. This report is a snapshot of last year's water quality. We are committed to providing you with this information because informed customers are our best allies.

**Spanish (Español):** Este informe contiene información muy importante sobre la calidad de su agua beber. Tradúscalo o hable con alguien que lo entienda bien.

**Do I need to take special precautions?**

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the Safe Water Drinking Hotline (800-426-4791).

**Where does my water come from?**

Your water is groundwater that comes from the unconfined Columbia Group – Pocomoke Aquifer.

**Source water assessment and availability**

Our source water assessment is available through: <http://delawaresourcewater.org/assessments/>

**The Source Water Assessment's Summary of Our System's Susceptibility to Contamination**

Lewes BPW is exceedingly susceptible to nutrients, metals and other inorganic compounds based on the analytical data. It has a very high susceptibility rating for petroleum hydrocarbons based on discrete sources and the analytical data. It has a high susceptibility for pathogens, pesticides, PCBs, and other organic compound land use activities.

**Why are there contaminants in my drinking water?**

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's (EPA) Safe Drinking Water Hotline, 800-426-4791.

The sources of drinking water, both tap water and bottled water, include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. In order to ensure that tap water is safe to drink, EPA prescribes regulations that limit the amount of certain contaminants in water provided by public water systems. Food and Drug Administration regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

Contaminants that may be present in source water include:

- Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- Inorganic contaminants, such as salts and metals, which can be naturally occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

- Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.
- Organic chemical contaminants, including synthetic and volatile organic chemicals, which are byproducts of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.
- Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

### **How can I get involved?**

If you have any questions about this report or concerning your water utility, please contact **Darrin Gordon at 302-645-6228**. We want our valued customers to be informed about their water utility. If you want to learn more, please attend the Lewes Board of Public Works meeting the 4<sup>th</sup> Wednesday of each month at 4:00 pm at City Hall in Lewes or as posted on the Lewes BPW website at: <https://lewesbpw.delaware.gov/>

### **Additional information about lead**

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Lewes Board of Public Works is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at: <http://www.epa.gov/safewater/lead>

### **For more information, contact:**

Darrin Gordon  
107 Franklin Ave.  
Lewes, DE 19958  
(302) 645-6228

## **Water Quality Data Tables**

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of contaminants in water provided by public water systems. The table below lists all of the drinking water contaminants that we detected during the calendar year of this report. Although many more contaminants were tested, only those substances listed below were found in your water. All sources of drinking water contain some naturally occurring contaminants. At low levels, these substances are generally not harmful in our drinking water. Removing all contaminants would be extremely expensive, and in most cases, would not provide increased protection of public health. A few naturally occurring minerals may actually improve the taste of drinking water and have nutritional value at low levels. Unless otherwise noted, the data presented in this table is from testing done in the calendar year of the report. The EPA or the State requires us to monitor for certain contaminants less than once per year because the concentrations of these contaminants do not vary significantly from year to year, or the system is not considered vulnerable to this type of contamination. As such, some of our data, though representative, may be more than one year old. In this table you will find terms and abbreviations that might not be familiar to you. To help you better understand these terms, we have provided the definitions in the tables below.

## Definitions

Unit Descriptions	
Term	Definition
ppm	ppm: parts per million, or milligrams per liter (mg/L)
ppb	ppb: parts per billion, or micrograms per liter (µg/L)
NA	NA: not applicable
ND	ND: Not detected
NR	NR: Monitoring not required, but recommended.

Important Drinking Water Definitions	
Term	Definition
MCLG	MCLG: Maximum Contaminant Level Goal: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
MCL	MCL: Maximum Contaminant Level: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.
SMCL	SMCL: Suggested Maximum Contaminant Level for aesthetic contaminants.
TT	TT: Treatment Technique: A required process intended to reduce the level of a contaminant in drinking water.
AL	AL: Action Level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.
MRDLG	MRDLG: Maximum residual disinfection level goal. The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.
MRDL	MRDL: Maximum residual disinfectant level. The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

## Table of Regulated Contaminants Utilizing 2020 Test Results

Lead and Copper	Units	MCLG	AL	90 <sup>th</sup> Percentile	# sites over AL	Sample Date	Violation	Typical Source of Contamination
Lead	ppb	n/a	15	1.3	0	2019	No	Corrosion of household plumbing systems; erosion of natural deposits
Copper	ppm	1.3	1.3	0.076	0	2019	No	Erosion of natural deposits; leaching from wood preservatives; corrosion of household plumbing system.
Regulated Contaminants	Units	MCLG	MCL	Highest Level	Range	Sample Date	Violation	Typical Source of Contamination
Total Trihalomethanes (TTHM)	ppb	n/a	80	27	27.2-27.2	2020	No	By-product of drinking water disinfection
Chlorine	ppm	MRDLG 4	MRDL 4	1.39	1.05-1.39	2020	No	Water additive to control microbes.
Fluoride	ppm	2	2	1	0.4014-0.9744	2020	No	Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories
Nitrate (measured as Nitrogen)	ppm	10	10	5	4.553-5.9462	2020	No	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits
Nitrite (measured as Nitrogen)	ppm	1	1	0.1223	0-0.1223	2020	No	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits
Atrazine	ppb	3	3	0.028	0.028-0.028	2018	No	Runoff from herbicide used on row crops

### Delaware Secondary Drinking Water Standards

Contaminants	Units	State SMCL	Average	Range
Alkalinity	ppm	n/a	56.9	0-56.9
Chloride	ppm	250	26.65	23.7347-30.3193
Sodium	ppm	n/a	39.461	0-39.461
Sulfate	ppm	250	17.20	14.3799-20.3509

Lewes BPW strives to provide continuous care and top-quality water to every tap. We ask that all our customers help us protect our water sources which are the heart of our community, our way of life, and our children's future.

This CCR Report was prepared in collaboration with Delaware Rural Water Association and the Lewes BPW.



# **APPENDIX 5**

## **REPORT OF SUBSURFACE EXPLORATION AND GEOTECHNICAL CONSULTING SERVICES**

**May 2018**

**John D. Hynes & Associates, Inc.**





# JOHN D. HYNES & ASSOCIATES, INC.

*Geotechnical and Environmental Consultants  
Monitoring Well Installation  
Construction Inspection and Materials Testing*

May 30, 2018

Mr. Clifford Mumford, P.E.  
Davis, Bowen, & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Re: Report of Subsurface Exploration and Geotechnical  
Consulting Services  
Mitchell Farm  
Lewes, Delaware  
Project No.: JDH-10/18/226

Dear Mr. Mumford:

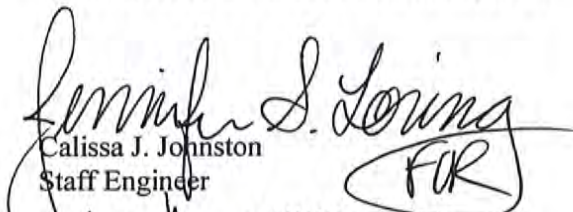
John D. Hynes & Associates, Inc. has completed the authorized infiltration testing, and geotechnical consulting services for the Mitchell Farm project located in Lewes, Delaware. Our services were performed, generally, in accordance with our contract dated April 24, 2018.

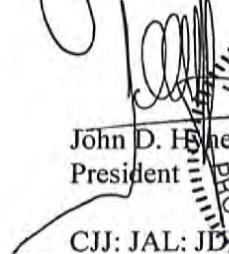
This report describes the exploration methods employed, and exhibits the data obtained. We include soil boring logs, and the field infiltration test data.

We appreciate the opportunity to be of service to you. If you have any questions regarding the contents of this report or if we may be of further assistance, please contact our office.

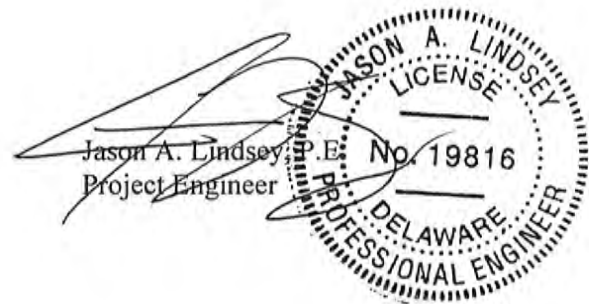
Respectfully,

JOHN D. HYNES & ASSOCIATES, INC.

  
Calissa J. Johnston  
Staff Engineer

  
John D. Hynes, P.E.  
President

CJJ: JAL: JDH





**REPORT OF  
SUBSURFACE EXPLORATION  
AND  
GEOTECHNICAL CONSULTING SERVICES**

**MITCHELL FARM  
LEWES, DELAWARE**

**PREPARED FOR  
DAVIS, BOWEN, & FRIEDEL, INC.**

**MAY 30, 2018  
PROJECT NO.: JDH-10/18/226**



## TABLE OF CONTENTS

	PAGE
PURPOSE AND SCOPE.....	1
EXISTING SITE CONDITIONS .....	1
PROJECT CHARACTERISTICS .....	1
FIELD EXPLORATION AND STUDY .....	1
SUBSURFACE CONDITIONS .....	2
INFILTRATION TESTING .....	2
REMARKS .....	3
APPENDIX .....	4



## **PURPOSE AND SCOPE**

The subsurface exploration study was performed to evaluate the subsurface conditions with respect to the following:

1. Soil and groundwater conditions at the boring locations selected by DBF;
2. Infiltration test results for boring locations B-1 through B-18; and
3. Estimated seasonal high groundwater levels at the test boring locations.

The boring logs present the estimated (visual) soil classifications in accordance with the USCS and USDA soil classification systems. Refer to the boring log sheets in the Appendix for the subsurface conditions at each boring location.

## **EXISTING SITE CONDITIONS**

As shown on the Project Location Map (Drawing JDH-10/18/226-A) in the Appendix, the project site is located near the northeast corner of the intersection of Kings Highway and Gills Neck Road in Lewes, Delaware. At the time of our field work, the project site was a fallow farmfield. The project is located in a suburban area and is generally surrounded by residential developments. Topographically, the project site is relatively flat. Ground surface elevations at the site from EL. 19.2 to El. 22.0. Elevations were provided by DBF, Inc.

## **PROJECT CHARACTERISTICS**

The proposed project includes the construction of a residential subdivision with stormwater management ponds at the locations shown on the Soil Boring Plan provided by DBF. Infiltration testing was requested. The boring locations are shown on the Boring Location Plan (JDH-10/18/226-B) in the Appendix. The Plan shows the subdivision streets, building lots and stormwater management structure locations.

## **FIELD EXPLORATION AND STUDY**

In order to determine the nature of the subsurface conditions at the site, 18 test borings, designated as B-1 through B-18, were drilled at the approximate locations shown on our Boring Location Plan (Drawing No.: JDH-10/18/226-B) in the Appendix. A track-mounted GeoProbe 7822 DT drill rig was used to drill test borings B-1 through B-6 and B-10 to B-15 to depths of 15.5 feet. A hand auger was used to drill test borings B-7 through B-9 and B-16 through B-18 to depths of 15 feet. Infiltration tests were completed at all boring locations as requested by DBF. Single ring, falling head, infiltration tests were completed in companion borings adjacent to borings B-1 through B-18.

Soil sampling and testing were carried out in accordance with ASTM Specification D-1586. A brief description of our field procedures is included in the Appendix. The results of all boring and sampling operations are shown on the boring logs.

Samples of the subsurface soils were examined by our engineering staff and were visually classified in accordance with the USDA Classification System (USDA) and the Unified Soil Classification System (USCS). The estimated USDA descriptions and symbols appear on the description column of the boring logs and keys to the system's nomenclature is provided in the Appendix of this report. The USCS system nomenclature (SP, SP-SM, SM and ML, etc.) is, also, noted on the log sheets. Also included are reference sheets, which define the USDA and USCS terms and symbols used on the boring logs. Additionally, the Munsell soil color and color code is provided for each stratum.



We note that the test boring records represent our interpretation of the field data based on visual examination and selected soil classification tests. Indicated interfaces between materials may be gradual.

The laboratory at Hynes & Associates performed five Sieve Analysis tests on selected boring samples. The test results are presented in the remarks column of the test boring logs.

### SUBSURFACE CONDITIONS

Referring to the boring logs, note that we encountered approximately 6 to 24 inches of organic bearing soil at the boring locations. Other thicknesses of organic bearing soils, or other materials may be located at other locations on site.

Below the organic bearing soil horizon, the soils layers were visually classified in accordance with the USCS and USDA classification systems. We encountered layers of Clayey SILTs (ML, Silty Clay Loam and Silt Loam), SANDS (SP, Sand), and Silty SANDs (SM, Sandy loam and Loamy sand) to boring termination depths.

Groundwater was encountered during drilling operations to approximately 14 feet. Groundwater elevations may vary at other times during the year depending upon the amount of local precipitation and the extent of local surface development.

### INFILTRATION TESTING

Single ring, falling head infiltration tests were performed at locations B-1 through B-18. The testing was completed in general accordance with DNREC guidelines. The test depths were assigned by DBF, Inc. The test location, infiltration test depth, average measured infiltration rates and last hour infiltration rates are summarized in the table below:

Table 1: Summary of Infiltration Test Results

Test Boring Location	Depth to Groundwater (ft.)	Ground Surface Elevation	Estimated Seasonal High Groundwater (ft.)	Elevation of Seasonal High Groundwater (ft.)	Infiltration Test Depth (ft.)	K <sub>m</sub> (in./hr.) Time Weighted Average	K <sub>m</sub> (in./hr.) Last Test Hour
SB-1	14	20.30	13	6.30	7.60	8.40	3.60
SB-2	14	21.41	13	7.41	7.70	20.25	18.36
SB-3	14	21.90	14	7.90	7.95	28.59	19.44
SB-4	14	21.36	13	7.36	8.40	5.91	1.20
SB-5	14	21.96	14	7.96	7.70	3.66	1.56
SB-6	14	20.09	13	6.09	7.70	8.34	6.60
SB-7	14	21.81	13	7.81	9.50	11.19	4.68
SB-8	14	22.04	14	8.04	9.60	7.47	3.48
SB-9	>15	20.72	14	6.72	7.80	5.40	1.80
SB-10	14	19.85	13	5.85	8.10	1.20	1.20
SB-11	14	20.41	13	7.41	8.00	4.35	2.40
SB-12	14	21.67	13	7.67	7.60	13.35	3.60



Test Boring Location	Depth to Groundwater (ft.)	Ground Surface Elevation	Estimated Seasonal High Groundwater (ft.)	Elevation of Seasonal High Groundwater (ft.)	Infiltration Test Depth (ft.)	K <sub>m</sub> (in./hr.) Time Weighted Average	K <sub>m</sub> (in./hr.) Last Test Hour
SB-13	14	20.83	13	6.83	7.35	10.47	2.16
SB-14	14	19.15	12	5.15	8.00	14.40	4.80
SB-15	14	19.20	12	5.20	8.00	10.65	4.80
SB-16	13	19.46	12	5.46	8.60	96.00	96.00
SB-17	13	18.50	12	5.50	7.80	11.13	6.24
SB-18	13	22.0	12	9.00	8.10	1.35	0.60

\*NE: Not Encountered

Refer to the "Infiltration Data Table" and "Single Ring Infiltration" test procedures in the Appendix for additional information regarding the infiltration tests.

#### REMARKS

This report has been prepared solely and exclusively for Davis, Bowen, & Friedel, Inc. to provide guidance to design professionals in developing stormwater management plans for the Mitchell Farm project located in Lewes, Delaware. It has not been developed to meet the needs of others, and application of this report for other than its intended purpose could result in substantial difficulties. The Consulting Engineer cannot be held accountable for any problems which occur due to the application of this report to other than its intended purpose. This report in its entirety should be attached to the project specifications.

These analyses are, of necessity, based on the concepts made available to us at the time of the writing of this report, and on-site conditions, surface and subsurface that existed at the time the exploratory borings were drilled. Further assumption has been made that the limited exploratory borings, in relation both to the areal extent of the site and to depth, are representative of conditions across the site.

Our professional services have been performed, our findings obtained and our recommendations prepared in accordance with generally accepted engineering principles and practices.



## **APPENDIX**

1. Investigative Procedures
2. Project Location Map
3. Infiltration Test Location Plan
4. Infiltration Test Results
5. Single Ring Falling Head Infiltration Test Procedures
6. Unified Soil Classification Sheet
7. USDA Soil Classification Sheet
8. Field Classification Sheet
9. Information Sheet



## **HAND AUGER SOIL TEST BORINGS**

Test borings were conducted using a hand auger. The auger is manually advanced by rotating the shaft of the auger. The auger is withdrawn at short intervals for inspection of soils collected in the auger head. Soil samples are taken when soil conditions are noted to change. The soil descriptions for each boring are presented on the boring logs in the Appendix.

## **SOIL CLASSIFICATION**

Soil classifications provide a general guide to the engineering properties of various soil types and enable the engineer to apply his past experience to current problems. In our investigation, jar samples obtained during drilling operations are examined in our laboratory and visually classified by the geotechnical engineer in accordance with ASTM Specification D-2488. The soils are classified according to the AASHTO or Unified Classification System (ASTM D-2487). Each of these classification systems and the in-place physical soil properties provides an index for estimating the soil's behavior.

## **SOIL TEST BORINGS**

Soil drilling and sampling operations were performed in accordance with ASTM Specification D-1586. The borings were advanced by mechanically turning continuous hollow stem auger flights into the ground. At regular intervals, samples were obtained with a standard 1.4 inch I.D., 2.0 inch O.D. splitspoon sampler. The sampler was first seated 6 inches to penetrate any loose cuttings and then driven an additional foot with blows of a 140-pound hammer falling 30 inches. The number of hammer blows required to drive the sampler the final foot is the "Standard Penetration Resistance". The penetration resistance, when properly evaluated, is an index to the soil's strength, density and behavior under applied loads. The soil descriptions and penetration resistances for each boring are presented on the Test Boring Records in the Appendix.

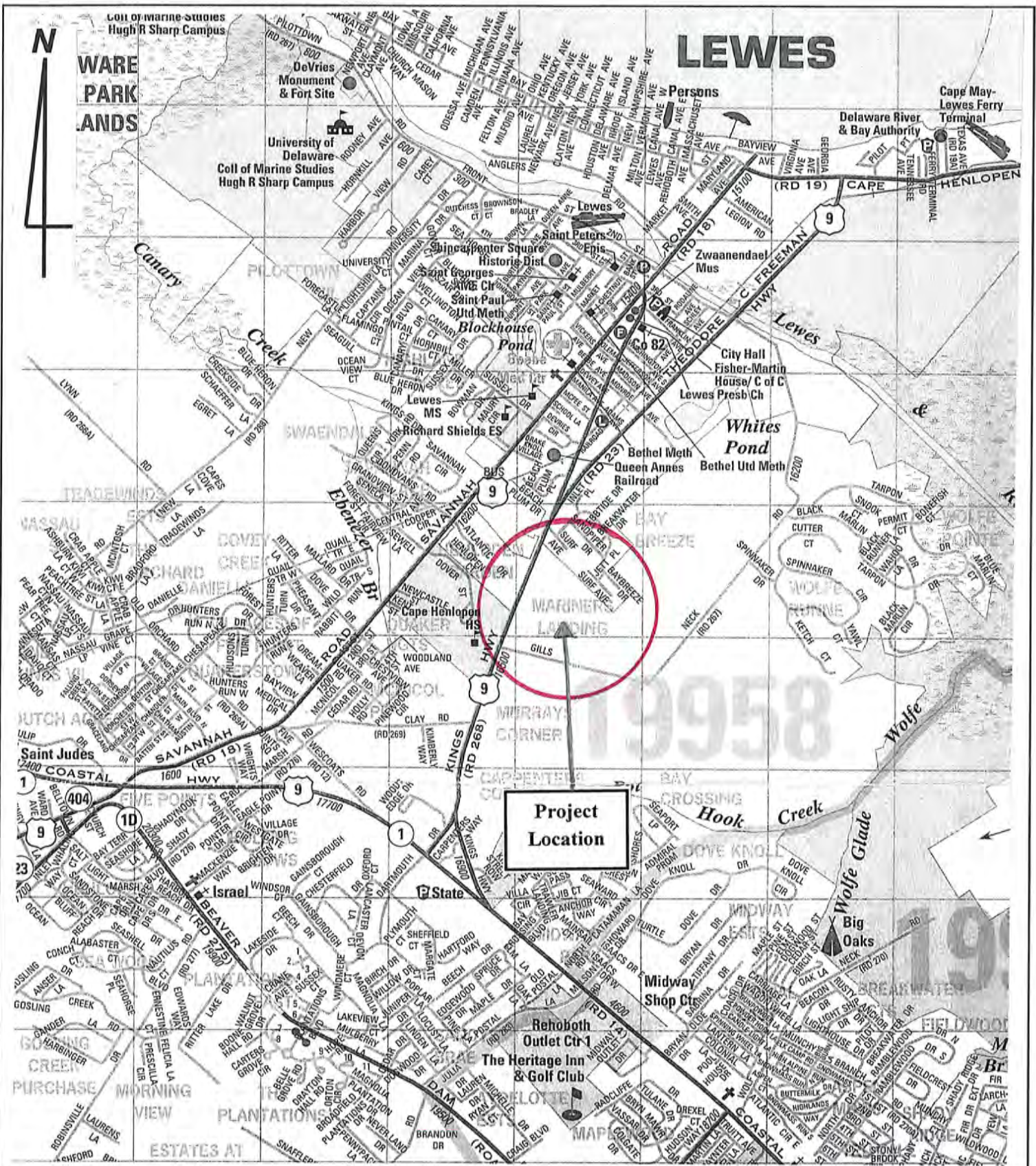
## **SIEVE ANALYSIS TEST**

Gradational analysis tests were performed to determine the particle size and distribution of the samples tested. The grain size distribution of soils coarser than a No. 200 sieve is determined by passing the sample through a standard set of nested sieves. The percentage of materials passing the No. 200 sieve is determined by washing the material over a No. 200 sieve. These tests are in accordance with ASTM D-421, D-422 and D-1140. The results are presented in the Appendix to our report.

## **NATURAL MOISTURE TEST**

Portions from representative soil samples obtained during drilling operations were selected for Natural Moisture Content testing. The Natural Moisture Content Test determines the moisture content of soils by drying the sample in an oven with a standard drying temperature of 110 °C. The loss of mass drying the sample, is used to determine the moisture content into the soil. The natural moisture content of the sample is calculated in percentage as the weight of water divided by the weight of dry soil times 100. The natural moisture content of soils is determined in accordance with ASTM Specification D-2216.





# JOHN D. HYNES & ASSOCIATES, INC.

32185 Beaver Run Drive • Salisbury, Maryland 21804  
410-546-6462 / Fax: 410-548-5346

Date: May 16, 2018

Scale: 1 in. = 2,000 ft.

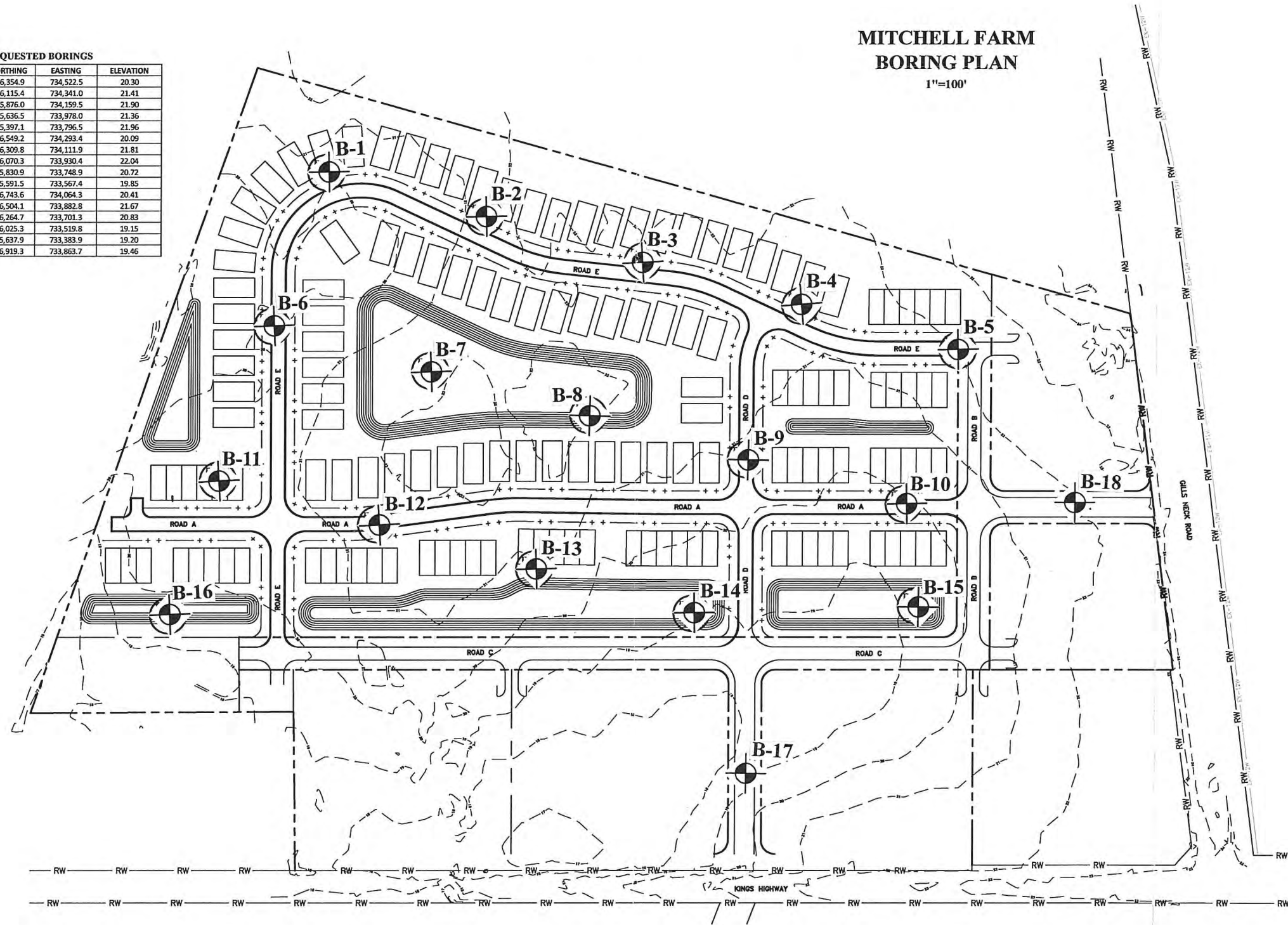
Drawn: ADC Maps

Project Location Map  
Mitchell Farm  
Lewes, Delaware

DWG. No.

JDH-10/18/226-A

REQUESTED BORINGS			
BORING	NORTHING	EASTING	ELEVATION
1	276,354.9	734,522.5	20.30
2	276,115.4	734,341.0	21.41
3	275,876.0	734,159.5	21.90
4	275,636.5	733,978.0	21.36
5	275,397.1	733,796.5	21.96
6	276,549.2	734,293.4	20.09
7	276,309.8	734,111.9	21.81
8	276,070.3	733,930.4	22.04
9	275,830.9	733,748.9	20.72
10	275,591.5	733,567.4	19.85
11	276,743.6	734,064.3	20.41
12	276,504.1	733,882.8	21.67
13	276,264.7	733,701.3	20.83
14	276,025.3	733,519.8	19.15
15	275,637.9	733,383.9	19.20
16	276,919.3	733,863.7	19.46



**MITCHELL FARM  
BORING PLAN**  
1"=100'



**JOHN D. HYNES & ASSOCIATES, INC.**  
32185 Beaver Run Drive • Salisbury, Maryland 21804  
410-546-6462 / Fax: 410-548-5346

Boring Location Plan  
Mitchell Farm  
Lewes, Delaware

Date: May 16, 2018  
Scale: 1 in. ≈ 250 ft.  
Drawn: DBF, Inc.  
DWG. No.  
JDH-10/18/226-B

DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS, ENGINEERS & SURVEYORS  
SALISBURY, MARYLAND (410) 543-9991  
MILFORD, DELAWARE (302) 424-1441



**HYNES  
&  
ASSOCIATES**

**LOG OF BORING B-1**

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS
0	20.3	Dark yellowish brown, wet, soft, clayey SILT, with trace fine to medium sand (10 YR 4/6, Silty clay loam)		ML	1	1-1-2-2	Scale 1" ~ 3 feet Approximately 6 inches of organic bearing soil was encountered at the ground surface.
2	18.3						
4	16.3	Brownish yellow, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	2	2-5-7	Groundwater was encountered at 14 feet during drilling operations. Boring caved in at 8.6 feet.
6	14.3	Very pale brown, wet to saturated, medium dense, fine to coarse SAND, with trace silt (10 YR 7/3)		SP	3	3-6-9	
8	12.3						
10	10.3						
12	8.3						
14	6.3				5	3-6-9	
16	4.3				6	4-5-8	
18	2.3	Boring terminated at 15 feet.					
20							



**HYNES  
&  
ASSOCIATES**

**LOG OF BORING B-2**

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev. 21.41	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS
0	21.41	Dark yellowish brown, wet, very soft clayey SILT, with trace fine to medium sand (10 YR 4/6, Silty clay loam)		ML	1	1-1-1-2	Scale 1" ~ 3 feet Approximately 12 inches of organic bearing soil was encountered at the ground surface.
2	19.41	Brownish yellow, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	2	4-5-7	Groundwater was encountered at 14 feet during drilling operations. Boring caved in at 9 feet.
6	15.41	Very pale brown, wet to saturated, medium dense, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)		SP	3	4-7-9	
8	13.41				4	4-4-8	
10	11.41				5	3-7-9	
12	9.41				6	3-6-8	
14	7.41						
16	5.41	Boring terminated at 15.5 feet.					
18	3.41						
20							



**HYNES  
&  
ASSOCIATES**

**LOG OF BORING B-3**

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev. 21.90	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS
0	21.9	Brown, wet, soft clayey SILT, with trace fine to medium sand (10 YR 4/3, Silt loam)		ML	1	1-1-2-2	Scale 1" ~ 3 feet Approximately 24 inches of organic bearing soil was encountered at the ground surface. Groundwater was encountered at 14 feet during drilling operations.
2	19.9				Brown, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 5/3)	SP	
4	17.9	Very pale brown, wet to saturated, medium dense, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)	SP	3			
6	15.9			4	4-5-8		
8	13.9			5	3-7-9		
10	11.9			6	3-7-8		
12	9.9	Boring terminated at 15.5 feet.					
14	7.9						
16	5.9						
18	3.9						
20							



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-4

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS	
0	21.36	Dark yellowish brown, wet, soft clayey SILT, with trace fine to medium sand (10 YR 4/6, Silt loam)		ML	1	1-1-2-2	Scale 1" ~ 3 feet Approximately 12 inches of organic bearing soil was encountered at the ground surface.	
2	19.36	Brownish yellow, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	2	2-4-8	Groundwater was encountered at 14 feet during drilling operations. Boring caved in at 8.8 feet.	
4	17.36						Laboratory Test Results	
6	15.36	Very pale brown, wet to saturated, medium dense, fine to coarse SAND, with trace silt (10 YR 8/3, Sand)		SP	3	4-5-8	Sample No. 4 From 9 to 10.5 feet Sieve Analysis	
8	13.36						Sieve      Passing Size        %	
10	11.36				4	3-6-9	3/8"      100 No. 4      99.4 No. 10     87.4 No. 20     70.3 No. 40     46.7 No. 60     19.6 No. 100    3.8 No. 200    2.2	
12	9.36				5	4-8-10	Natural Moisture = 3.6%	
14	7.36				6	5-5-7		
16	5.36	Boring terminated at 15.5 feet.						
18	3.36							
20								



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-5

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS
0	21.96	Dark yellowish brown, wet, soft clayey SILT, with trace fine to coarse sand (10 YR 4/4, Silt loam)		ML	1	1-1-2-2	Scale 1" ~ 3 feet Approximately 18 inches of organic bearing soil was encountered at the ground surface.
2	19.96	Brownish yellow, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	2	2-4-8	Groundwater was encountered at 14 feet during drilling operations. Boring caved in at 9 feet.
4	17.96	Light yellowish brown, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 6/4, Sand)		SP	3	3-5-7	Laboratory Test Results Sample No. 3 From 6 to 7.5 feet Sieve Analysis
6	15.96	White, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 8/1, Sand)		SP	4	3-7-9	Sieve      Passing Size        % 3/8"        100 No. 4        99.4 No. 10      94.5 No. 20      85.5 No. 40      72.2 No. 60      53.5 No. 100     8.9 No. 200     1.4
8	13.96						Natural Moisture = 6.7%
10	11.96	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)		SP	5	4-8-9	
12	9.96						
14	7.96				6	4-5-6	
16	5.96	Boring terminated at 15.5 feet.					
18	3.96						
20							



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-6

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS	
0	20.09	Dark yellowish brown, wet, soft clayey SILT, with trace fine to medium sand (10 YR 4/6, Silty clay loam)		ML	1	1-1-2-2	Scale 1" ~ 3 feet Approximately 18 inches of organic bearing soil was encountered at the ground surface.	
2	18.09	Light yellowish brown, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 6/3)		SP	2	4-5-7	Groundwater was encountered at 14 feet during drilling operations. Boring caved in at 9 feet.	
4	16.09							
6	14.09				3	4-7-9		
8	12.09							
10	10.09	Very pale brown, wet to saturated, medium dense, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)		SP	4	4-4-8		
12	8.09				5	3-7-9		
14	6.09				6	3-6-8		
16	4.09	Boring terminated at 15.5 feet.						
18	2.09							
20								





**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-7

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963  
Mitchell Farm  
Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
Logged By: : C. Johnston  
Drilled By: : B. Hynes  
Drilling Method: : Hand Auger  
Total Depth: : 15 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS	
0	21.81	Dark yellowish brown, wet, clayey SILT, with trace fine to medium sand (10 YR 4/6, Silty clay loam)		ML	1	Scale 1" ~ 3 feet Approximately 14 inches of organic bearing soil was encountered at the ground surface. Groundwater was encountered at 14 feet during augering operations.	
2	19.81						
4	17.81	Brownish yellow, wet, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	2		
6	15.81				3		
8	13.81				4		
10	11.81	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)		SP	5		
12	9.81						
14	7.81						
16	5.81	Boring terminated at 15 feet.					
18	3.81						
20							



**HYNES  
&  
ASSOCIATES**

**LOG OF BORING B-8**

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Hynes  
 Drilling Method: : Hand Auger  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	22.04	Brown, wet, fine to coarse SAND, with trace to little silt (10 YR 5/3, Loamy sand)		ML	1	Scale 1" ~ 3 feet Approximately 12 inches of organic bearing soil was encountered at the ground surface. Groundwater was encountered at 14 feet during augering operations.
2	20.04	Pale brown, wet, fine to coarse SAND, with trace silt (10 YR 6/3, Sand)		SP	2	Laboratory Test Results Sample No. 5 From 9 to 10 feet
4	18.04	Very pale brown, wet, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)		SP	3	Sieve Analysis Sieve Size      Passing % No. 10          100 No. 20          99.6 No. 40          98.8 No. 60          70.5 No. 100        11.1 No. 200        7.6
6	16.04	Light yellowish brown, wet, fine to coarse SAND, with trace silt (10/ YR 6/4, Sand)		SP	4	Natural Moisture = 11.3%
8	14.04	Brownish yellow, wet, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	5	
10	12.04	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 8/3, Sand)		SP	6	
12	10.04				7	
14	8.04	Boring terminated at 15.5 feet.				
16	6.04					
18	4.04					
20						



**HYNES  
&  
ASSOCIATES**

**LOG OF BORING B-9**

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Hynes  
 Drilling Method: : Hand Auger  
 Total Depth: : 15 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS			
0	20.72	Dark yellowish brown, wet, clayey SILT, with trace fine to medium sand (10 YR 4/6, Silt loam)		ML	1	Scale 1" ~ 3 feet  Approximately 14 inches of organic bearing soil was encountered at the ground surface.  Groundwater was not encountered during augering operations.			
2	18.72								
4	16.72						Brownish yellow, wet, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)	SP	2
6	14.72						Very pale brown, wet, fine to coarse SAND, with trace silt (10 YR 7/4, Sand)	SP	3
8	12.72						Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)	SP	4
10	10.72	Boring terminated at 15 feet.		SP	5				
12	8.72								
14	6.72								
16	4.72								
18	2.72								
20									



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-10

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS														
0	19.85	Yellowish brown, wet, soft clayey SILT, with trace fine to medium sand (10 YR 5/6, Silt loam)		ML	1	4-3-2-2	Scale 1" ~ 3 feet Approximately 12 inches of organic bearing soil was encountered at the ground surface.														
2	17.85	Yellow, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 7/6, Sand)		SP	2	1-4-8	Groundwater was encountered at 14 feet during drilling operations. Boring caved in at 10 feet.														
4	15.85	Very pale brown, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 7/4, Sand)		SP	3	4-10-9	Laboratory Test Results Sample No. 6 From 14 to 15.5 feet Sieve Analysis <table border="1"> <thead> <tr> <th>Sieve Size</th> <th>Passing %</th> </tr> </thead> <tbody> <tr><td>No. 10</td><td>100</td></tr> <tr><td>No. 20</td><td>99.2</td></tr> <tr><td>No. 40</td><td>98.5</td></tr> <tr><td>No. 60</td><td>88.4</td></tr> <tr><td>No. 100</td><td>11.3</td></tr> <tr><td>No. 200</td><td>2.6</td></tr> </tbody> </table>	Sieve Size	Passing %	No. 10	100	No. 20	99.2	No. 40	98.5	No. 60	88.4	No. 100	11.3	No. 200	2.6
Sieve Size	Passing %																				
No. 10	100																				
No. 20	99.2																				
No. 40	98.5																				
No. 60	88.4																				
No. 100	11.3																				
No. 200	2.6																				
6	13.85	4	3-8-8																		
8	11.85	Very pale brown, wet to saturated, medium dense, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)		SP	5	6-10-11	Natural Moisture = 8.3%														
10	9.85				6	7-7-6															
12	7.85	Boring terminated at 15.5 feet.																			
14	5.85																				
16	3.85																				
18	1.85																				
20																					



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-11

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS	
0	20.41	Dark yellowish brown, wet, soft clayey SILT, with trace fine to medium sand (10 YR 5/6, Silty clay loam)		ML	1	1-1-2-3	Scale 1" ~ 3 feet Approximately 12 inches of organic bearing soil was encountered at the ground surface.	
2	18.41							
4	16.41	Brownish yellow, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	2	4-6-6	Groundwater was encountered at 14 feet during drilling operations. Boring caved in at 8.8 feet.	
6	14.41							
8	12.41							
10	10.41	Very pale brown, wet to saturated, medium dense, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)		SP	4	3-5-8		
12	8.41							
14	6.41							
16	4.41	Boring terminated at 15.5 feet.						
18	2.41							
20								



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING SB-12

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Hynes  
 Drilling Method: : Hand Auger  
 Total Depth: : 15 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	21.67	Dark yellowish brown, wet, clayey SILT, with trace fine to medium sand (10 YR 4/6, Silty clay loam)		ML	1	Scale 1" ~ 3 feet  Approximately 16 inches of organic bearing soil was encountered at the ground surface.  Groundwater was encountered at 14 feet during augering operations.
2	19.67				2	
4	17.67	Yellowish brown, wet, fine to coarse SAND, with trace silt (10 YR 5/6, Sand)		SP	3	
6	15.67	Brownish yellow, wet, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	4	
8	13.67				5	
10	11.67	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 8/3, Sand)		SP	6	
12	9.67				7	
14	7.67					
16	5.67	Boring terminated at 15 feet.				
18	3.67					
20						



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-13

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Hynes  
 Drilling Method: : Hand Auger  
 Total Depth: : 15 feet

Depth in Feet	Surf. Elev. 20.83	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	20.83	Dark yellowish brown, wet, clayey SILT, with trace fine to medium sand (10 YR 4/6, Silty clay loam)		ML	1	Scale 1" ~ 3 feet  Approximately 12 inches of organic bearing soil was encountered at the ground surface.  Groundwater was encountered at 14 feet during augering operations.
2	18.83	Yellowish brown, wet, fine to coarse SAND, with trace silt (10 YR 5/6, Sand)		SP	2	
4	16.83	Brownish yellow, wet, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	3	
6	14.83	Very pale brown, wet, fine to coarse SAND, with trace silt (10 YR 8/2, Sand)		SP	4	
8	12.83				5	
10	10.83				6	
12	8.83	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 7/3)		SP		
14	6.83					
16	4.83	Boring terminated at 15 feet.				
18	2.83					
20						



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-14

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : Hand Auger  
 Total Depth: : 15 feet

Depth in Feet	Surf. Elev. 19.15	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	19.15	Dark yellowish brown, wet, clayey SILT, with trace fine to medium sand (10 YR 4/4, Silt loam)		ML	1	Scale 1" ~ 3 feet  Approximately 12 inches of organic bearing soil was encountered at the ground surface.  Groundwater was encountered at 14 feet during augering operations.
2	17.15	Dark yellowish brown, wet, fine to coarse SAND, with little silt, trace clay (10 YR 4/6, Sandy loam)		SM	2	
4	15.15	Brownish yellow, wet, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	3	
6	13.15				4	
8	11.15	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 7/3)		SP	5	
10	9.15				6	
12	7.15	Boring terminated at 15 feet.				
14	5.15					
16	3.15					
18	1.15					
20						





**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-15

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Jones  
 Drilling Method: : HSA (Geoprobe 7822 DT)  
 Total Depth: : 15.5 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	Blows per 6 inches	REMARKS	
0	19.2	Brown, wet, very loose, fine to coarse SAND, with trace silt (10 YR 5/3, Sand)		SP	1	2-2-3-2	Scale 1" ~ 3 feet Approximately 18 inches of organic bearing soil was encountered at the ground surface.	
2	17.2	Yellowish brown, wet, very loose, fine to coarse SAND, with trace silt (10 YR 5/6, Sand)		SP	2	2-2-3	Groundwater was encountered at 14 feet during drilling operations. Boring caved in at 9 feet. y	
4	15.2	Very pale brown, wet, medium dense, fine to coarse SAND, with trace silt (10 YR 8/3, Sand)		SP	3	4-7-8	Laboratory Test Results Sample No. 2 From 3 to 4.5 feet  Sieve Analysis	
6	13.2							
8	11.2	Very pale brown, wet to saturated, medium dense, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)		SP	4	7-8-10	Sieve Size	Passing %
10	9.2						No. 4	100
12	7.2		No. 10				98.7	
14	5.2	Boring terminated at 15.5 feet.		5	6-8-8	No. 20	92.3	
16	3.2					No. 40	78.2	
18	1.2			6	3-6-7	No. 60	51.6	
20						No. 100	3.4	
						No. 200	1.4	
						Natural Moisture = 5.3%		



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING SB-16

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 14, 2018  
 Logged By: : C. Johnston  
 Drilled By: : B. Hynes  
 Drilling Method: : Hand Auger  
 Total Depth: : 15 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	19.46	Dark yellowish brown, wet, clayey SILT, with trace fine to medium sand (10 YR 4/6, Silty clay loam)		ML	1	Scale 1" ~ 3 feet  Approximately 12 inches of organic bearing soil was encountered at the ground surface.  Groundwater was encountered at 13 feet during augering operations.
2	17.46				2	
4	15.46	Brown, wet, fine to coarse SAND, with trace silt (10 YR 5/3, Sand)		SP	3	
6	13.46	Light yellowish brown, wet, fine to coarse SAND, with trace silt (10 YR 6/4, Sand)		SP	4	
8	11.46	Brownish yellow, wet, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	5	
10	9.46				6	
12	7.46	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt		SP	7	
14	5.46				8	
16	3.46	Boring terminated at 15 feet.				
18	1.46					
20						



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-17

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 21, 2018  
 Logged By: : C. Johnston  
 Drilled By: : Z. Mitchell/B. Stimis  
 Drilling Method: : Hand Auger  
 Total Depth: : 15 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	18.5	Dark yellowish brown, wet, clayey SILT, with trace fine to medium sand (10 YR 4/4, Silty clay loam)		ML	1	Scale 1" ~ 3 feet  Approximately 12 inches of organic bearing soil was encountered at the ground surface.  Groundwater was encountered at 13 feet during augering operations.
2	16.5	Yellowish brown, wet, fine to coarse SAND, with trace silt (10 YR 5/6, Sand)		SP	2	
4	14.5					
6	12.5	Brownish yellow, wet, fine to coarse SAND, with trace silt (10 YR 6/6, Sand)		SP	3	
8	10.5	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 7/3, Sand)			4	
10	8.5			SP	5	
12	6.5				6	
14	4.5	Yellowish brown, saturated, fine to coarse SAND, with trace silt (10 YR 5/6, Sand)		SP	7	
16	2.5	Boring terminated at 15 feet.				
18	.5					
20						



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING B-18

(Page 1 of 1)

Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

Mitchell Farm

Project No.: JDH-10/18/226

Date Completed: : May 21, 2018  
 Logged By: : C. Johnston  
 Drilled By: : Z. Mitchell/B. Stimis  
 Drilling Method: : Hand Auger  
 Total Depth: : 15 feet

Depth in Feet	Surf. Elev.	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0 - 22	22.0	Dark yellowish brown, wet, clayey SILT, with trace fine to medium sand (10 YR 4/6, Silty clay loam)		ML	1	Scale 1" ~ 3 feet  Approximately 18 inches of organic bearing soil was encountered at the ground surface.  Groundwater was encountered at 13 feet during augering operations.
2 - 20	20	Yellowish brown, wet, fine to coarse SAND, with trace silt (10 YR 5/6, Sand)		SP	2	
4 - 18	18	Very pale brown, wet to saturated, fine to coarse SAND, with trace silt (10 YR 7/4)		SP	3	
6 - 16	16				4	
8 - 14	14				5	
10 - 12	12	Very pale brown, saturated, fine to coarse SAND, with trace silt (10 YR 7/4)		SP	6	
12 - 10	10				7	
14 - 8	8					
16 - 6	6	Boring terminated at 15 feet.				
18 - 4	4					
20						

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm

**PROJECT NUMBER:** JDH-10/18/226

**TEST DATE:** May 21, 2018

**TEST LOCATION:** B-1

**TEST DEPTH:** 7.60 ft



TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.60 ft	2.00 ft			
10:00	6.60 ft	1.00 ft	1.00 ft		
10:15	7.30 ft	0.30 ft	0.70 ft		Refill to 5.60 ft. BGS
10:30	6.60 ft	1.00 ft	1.00 ft		
10:45	7.10 ft	0.50 ft	0.50 ft	3.20 ft/hr	38.40 in/hr
11:00	7.35 ft	0.25 ft	0.25 ft		
11:15	7.60 ft	0.00 ft	0.25 ft		Refill to 5.60 ft. BGS
11:30	6.20 ft	1.40 ft	0.60 ft		
11:45	6.55 ft	1.05 ft	0.35 ft	1.45 ft/hr	17.40 in/hr
12:00	6.85 ft	0.75 ft	0.30 ft		
12:15	7.05 ft	0.55 ft	0.20 ft		Refill to 5.60 ft. to BGS
12:30	5.65 ft	1.95 ft	0.05 ft		
12:45	5.70 ft	1.90 ft	0.05 ft	0.60 ft/hr	7.20 in/hr
13:00	5.80 ft	1.80 ft	0.10 ft		
13:15	5.95 ft	1.65 ft	0.15 ft		Refill to 5.50 ft. BGS
13:30	5.60 ft	2.00 ft	0.10 ft		
13:45	5.70 ft	1.90 ft	0.10 ft	0.45 ft/hr	5.40 in/hr
14:00	5.80 ft	1.80 ft	0.10 ft		
14:15	5.90 ft	1.70 ft	0.10 ft		Refill to 5.60 ft. BGS
14:30	5.70 ft	1.90 ft	0.10 ft		
14:45	5.70 ft	1.90 ft	0.00 ft	0.30 ft/hr	3.60 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 8.40 in/hr
2. Final Test Hour Reading: 3.60 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-2

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 7.70 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	Δ HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.70 ft	2.00 ft			
10:00	7.25 ft	0.45 ft	1.55 ft		
10:15	5.70 ft	2.00 ft	0.00 ft		Refill to 5.70 ft. BGS
10:30	6.70 ft	1.00 ft	1.00 ft		
10:45	7.20 ft	0.50 ft	0.50 ft	3.05 ft/hr	Refill to 5.70 ft. BGS
11:00	6.31 ft	1.39 ft	0.61 ft		
11:15	6.85 ft	0.85 ft	0.54 ft		
11:30	7.41 ft	0.29 ft	0.56 ft		
11:45	7.68 ft	0.02 ft	0.27 ft	1.98 ft/hr	Refill to 5.70 ft. BGS
12:00	6.38 ft	1.32 ft	0.68 ft		
12:15	6.97 ft	0.73 ft	0.59 ft		
12:30	7.14 ft	0.56 ft	0.17 ft		
12:45	7.30 ft	0.40 ft	0.16 ft	1.60 ft/hr	Refill to 5.70 ft. BGS
13:00	6.14 ft	1.56 ft	0.44 ft		
13:15	6.60 ft	1.10 ft	0.46 ft		
13:30	7.05 ft	-0.65 ft	0.45 ft		
13:45	7.34 ft	0.36 ft	0.29 ft	1.64 ft/hr	Refill to 5.70 ft. BGS
14:00	6.08 ft	1.62 ft	0.38 ft		
14:15	6.51 ft	1.19 ft	0.43 ft		
14:30	6.93 ft	0.77 ft	0.42 ft		
14:45	7.23 ft	0.47 ft	0.30 ft	1.53 ft/hr	

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 20.25 in/hr
2. Final Test Hour Reading: 18.36 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-3

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 7.95 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.95 ft	2.00 ft			
10:00	7.55 ft	0.40 ft	1.60 ft		
10:15	5.95 ft	2.00 ft	0.00 ft		Refill to 5.95 ft. BGS
10:30	6.70 ft	1.25 ft	0.75 ft		
10:45	7.40 ft	0.55 ft	0.70 ft	3.05 ft/hr	Refill to 5.95 ft. BGS
11:00	6.79 ft	1.16 ft	0.84 ft		
11:15	7.37 ft	0.58 ft	0.58 ft		
11:30	7.83 ft	0.12 ft	0.46 ft		
11:45	7.95 ft	0.00 ft	0.12 ft	2.00 ft/hr	Refill to 5.95 ft. BGS
12:00	7.75 ft	0.20 ft	1.80 ft		
12:15	7.95 ft	0.00 ft	0.20 ft		Refill to 5.95 ft. BGS
12:30	7.75 ft	0.20 ft	1.80 ft		
12:45	7.95 ft	0.00 ft	0.20 ft	4.00 ft/hr	
13:00	6.57 ft	1.38 ft	0.62 ft		
13:15	6.97 ft	0.98 ft	0.40 ft		
13:30	7.35 ft	0.60 ft	0.38 ft		
13:45	7.86 ft	0.09 ft	0.51 ft	1.91 ft/hr	Refill to 5.95 ft. BGS
14:00	6.49 ft	1.46 ft	0.54 ft		
14:15	6.87 ft	1.08 ft	0.38 ft		
14:30	7.28 ft	0.67 ft	0.41 ft		
14:45	7.57 ft	0.38 ft	0.29 ft	1.62 ft/hr	19.44 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 28.59 in/hr
2. Final Test Hour Reading: 19.44 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-4

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 8.40 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	6.40 ft	2.00 ft			
10:00	8.21 ft	0.19 ft	1.81 ft		
10:15	6.40 ft	2.00 ft	0.00 ft		Refill to 6.40 ft. BGS
10:30	6.82 ft	1.58 ft	0.42 ft		
10:45	7.04 ft	1.36 ft	0.22 ft	2.45 ft/hr	Refill to 6.40 ft. BGS
11:00	6.55 ft	1.85 ft	0.15 ft		
11:15	6.70 ft	1.70 ft	0.15 ft		
11:30	7.53 ft	0.87 ft	0.83 ft		
11:45	7.70 ft	0.70 ft	0.17 ft	1.30 ft/hr	Refill to 6.40 ft. BGS
12:00	6.54 ft	1.86 ft	0.14 ft		
12:15	6.68 ft	1.72 ft	0.14 ft		
12:30	6.78 ft	1.62 ft	0.10 ft		
12:45	6.85 ft	1.55 ft	0.07 ft	0.45 ft/hr	Refill to 6.40 ft. BGS
13:00	6.40 ft	2.00 ft	0.00 ft		
13:15	6.45 ft	1.95 ft	0.05 ft		
13:30	6.48 ft	1.92 ft	0.03 ft		
13:45	6.52 ft	1.88 ft	0.04 ft	0.12 ft/hr	Refill to 6.40 ft. BGS
14:00	6.43 ft	1.97 ft	0.03 ft		
14:15	6.45 ft	1.95 ft	0.02 ft		
14:30	6.48 ft	1.92 ft	0.03 ft		
14:45	6.50 ft	1.90 ft	0.02 ft	0.10 ft/hr	1.20 in/hr

Test Hour 1

Test Hour 2

Test Hour 3

Test Hour 4

Test Hour 5

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 5.91 in/hr
2. Final Test Hour Reading: 1.20 in/hr



**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm

**PROJECT NUMBER:** JDH-10/18/226

**TEST DATE:** May 21, 2018

**TEST LOCATION:** B-5

**TEST DEPTH:** 7.70 ft



TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.70 ft	2.00 ft			
10:00	7.63 ft	0.07 ft	1.93 ft		
10:15	5.70 ft	2.00 ft	0.00 ft		Refill to 5.70 ft. BGS
10:30	6.30 ft	1.40 ft	0.60 ft		
10:45	7.00 ft	0.70 ft	0.70 ft	3.23 ft/hr	38.76 in/hr
11:00	5.85 ft	1.85 ft	0.15 ft		
11:15	5.90 ft	1.80 ft	0.05 ft		
11:30	6.00 ft	1.70 ft	0.10 ft		
11:45	6.20 ft	1.50 ft	0.20 ft	0.50 ft/hr	6.00 in/hr
12:00	5.83 ft	1.87 ft	0.13 ft		
12:15	5.91 ft	1.79 ft	0.08 ft		
12:30	6.00 ft	1.70 ft	0.09 ft		
12:45	6.10 ft	1.60 ft	0.10 ft	0.40 ft/hr	4.80 in/hr
13:00	5.78 ft	1.92 ft	0.08 ft		
13:15	5.83 ft	1.87 ft	0.05 ft		
13:30	5.87 ft	1.83 ft	0.04 ft		
13:45	5.89 ft	1.81 ft	0.02 ft	0.19 ft/hr	2.28 in/hr
14:00	5.75 ft	1.95 ft	0.05 ft		
14:15	5.78 ft	1.92 ft	0.03 ft		
14:30	5.81 ft	1.89 ft	0.03 ft		
14:45	5.83 ft	1.87 ft	0.02 ft	0.13 ft/hr	1.56 in/hr

Test Hour 1

Test Hour 2

Test Hour 3

Test Hour 4

Test Hour 5

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 3.66 in/hr
2. Final Test Hour Reading: 1.56 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-6

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 7.70 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.70 ft	2.00 ft			
10:00	7.70 ft	0.00 ft	2.00 ft		Refill to 5.70 ft. BGS
10:15	7.50 ft	0.20 ft	1.80 ft		Refill to 5.70 ft. BGS
10:30	7.00 ft	0.70 ft	1.30 ft		
10:45	7.40 ft	0.30 ft	0.40 ft	5.50 ft/hr	Refill to 5.70 ft. BGS
11:00	5.90 ft	1.80 ft	0.20 ft		
11:15	6.20 ft	1.50 ft	0.30 ft		
11:30	6.45 ft	1.25 ft	0.25 ft		
11:45	6.68 ft	1.02 ft	0.23 ft	0.98 ft/hr	Refill to 5.70 ft. BGS
12:00	5.85 ft	1.85 ft	0.15 ft		
12:15	6.00 ft	1.70 ft	0.15 ft		
12:30	6.10 ft	1.60 ft	0.10 ft		
12:45	6.25 ft	1.45 ft	0.15 ft	0.55 ft/hr	Refill to 5.70 ft. BGS
13:00	5.80 ft	1.90 ft	0.20 ft		
13:15	6.00 ft	1.70 ft	0.20 ft		
13:30	6.15 ft	1.55 ft	0.15 ft		
13:45	6.30 ft	1.40 ft	0.15 ft	0.70 ft/hr	Refill to 5.70 ft. BGS
14:00	5.75 ft	1.95 ft	0.15 ft		
14:15	5.90 ft	1.80 ft	0.15 ft		
14:30	6.05 ft	1.65 ft	0.15 ft		
14:45	6.15 ft	1.55 ft	0.10 ft	0.55 ft/hr	6.60 in/hr

Test Hour 1

Test Hour 2

Test Hour 3

Test Hour 4

Test Hour 5

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 8.34 in/hr
2. Final Test Hour Reading: 6.60 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-7

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 9.50 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	7.50 ft	2.00 ft			
10:00	9.50 ft	0.00 ft	2.00 ft		Refill to 7.50 ft. BGS
10:15	9.30 ft	0.20 ft	1.80 ft		
10:30	9.50 ft	0.00 ft	0.20 ft		Refill to 7.50 ft. BGS
10:45	8.55 ft	0.95 ft	1.05 ft	5.05 ft/hr	Refill to 7.50 ft. BGS
11:00	8.00 ft	1.50 ft	0.50 ft		
11:15	8.31 ft	1.19 ft	0.31 ft		
11:30	8.45 ft	1.05 ft	0.14 ft		
11:45	8.84 ft	0.66 ft	0.39 ft	1.34 ft/hr	Refill to 7.50 ft. BGS
12:00	8.18 ft	1.32 ft	0.68 ft		
12:15	8.34 ft	1.16 ft	0.16 ft		
12:30	8.64 ft	0.86 ft	0.30 ft		
12:45	8.90 ft	0.60 ft	0.26 ft	1.40 ft/hr	Refill to 7.50 ft. BGS
13:00	7.73 ft	1.77 ft	0.23 ft		
13:15	7.85 ft	1.65 ft	0.12 ft		
13:30	8.01 ft	1.49 ft	0.16 ft		
13:45	8.10 ft	1.40 ft	0.09 ft	0.60 ft/hr	Refill to 7.50 ft. BGS
14:00	7.51 ft	1.99 ft	0.01 ft		
14:15	7.52 ft	1.98 ft	0.01 ft		
14:30	7.78 ft	1.72 ft	0.26 ft		
14:45	7.89 ft	1.61 ft	0.11 ft	0.39 ft/hr	4.68 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 11.19 in/hr
2. Final Test Hour Reading: 4.68 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm

**PROJECT NUMBER:** JDH-10/18/226

**TEST DATE:** May 21, 2018

**TEST LOCATION:** B-8

**TEST DEPTH:** 9.60 ft



TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	Δ HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	7.60 ft	2.00 ft			
10:00	8.20 ft	1.40 ft	0.60 ft		
10:15	8.42 ft	1.18 ft	0.22 ft		
10:30	8.60 ft	1.00 ft	0.18 ft		
10:45	8.95 ft	0.65 ft	0.35 ft	1.35 ft/hr	Refill to 7.60 ft. BGS
11:00	8.23 ft	1.37 ft	0.63 ft		
11:15	8.40 ft	1.20 ft	0.17 ft		
11:30	8.58 ft	1.02 ft	0.18 ft		
11:45	8.72 ft	0.88 ft	0.14 ft	1.12 ft/hr	Refill to 7.60 ft. BGS
12:00	8.05 ft	1.55 ft	0.45 ft		
12:15	8.30 ft	1.30 ft	0.25 ft		
12:30	8.42 ft	1.18 ft	0.12 ft		
12:45	8.48 ft	1.12 ft	0.06 ft	0.88 ft/hr	Refill to 7.60 ft. BGS
13:00	7.62 ft	1.98 ft	0.02 ft		
13:15	7.63 ft	1.97 ft	0.01 ft		
13:30	7.73 ft	1.87 ft	0.10 ft		
13:45	7.80 ft	1.80 ft	0.07 ft	0.20 ft/hr	Refill to 7.60 ft. BGS
14:00	7.68 ft	1.92 ft	0.08 ft		
14:15	7.73 ft	1.87 ft	0.05 ft		
14:30	7.81 ft	1.79 ft	0.08 ft		
14:45	7.89 ft	1.71 ft	0.08 ft	0.29 ft/hr	3.48 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 7.47 in/hr
2. Final Test Hour Reading: 3.48 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-9

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 7.80 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.80 ft	2.00 ft			
10:00	7.50 ft	0.30 ft	1.70 ft		Refill to 5.80 ft. BGS
10:15	6.45 ft	1.35 ft	0.65 ft		
10:30	6.80 ft	1.00 ft	0.35 ft		
10:45	7.50 ft	0.30 ft	0.70 ft	3.40 ft/hr	Refill to 5.80 ft. BGS
11:00	6.00 ft	1.80 ft	0.20 ft		
11:15	6.15 ft	1.65 ft	0.15 ft		
11:30	6.45 ft	1.35 ft	0.30 ft		
11:45	6.65 ft	1.15 ft	0.20 ft	0.85 ft/hr	Refill to 5.80 ft. BGS
12:00	6.10 ft	1.70 ft	0.30 ft		
12:15	6.20 ft	1.60 ft	0.10 ft		
12:30	6.20 ft	1.60 ft	0.00 ft		
12:45	6.20 ft	1.60 ft	0.00 ft	0.40 ft/hr	Refill to 5.80 ft. BGS
13:00	6.00 ft	1.80 ft	0.20 ft		
13:15	6.10 ft	1.70 ft	0.10 ft		
13:30	6.20 ft	1.60 ft	0.10 ft		
13:45	6.20 ft	1.60 ft	0.00 ft	0.40 ft/hr	Refill to 5.80 ft. BGS
14:00	5.90 ft	1.90 ft	0.10 ft		
14:15	5.95 ft	1.85 ft	0.05 ft		
14:30	5.95 ft	1.85 ft	0.00 ft		
14:45	5.95 ft	1.85 ft	0.00 ft	0.15 ft/hr	1.80 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 5.40 in/hr
2. Final Test Hour Reading: 1.80 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226  
**TEST DATE:** May 21, 2018  
**TEST LOCATION:** B-10  
**TEST DEPTH:** 8.10 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	6.10 ft	2.00 ft			
10:00	8.10 ft	0.00 ft	2.00 ft		Refill to 6.10 ft. BGS
10:15	6.50 ft	1.60 ft	0.40 ft		
10:30	6.70 ft	1.40 ft	0.20 ft		
10:45	6.80 ft	1.30 ft	0.10 ft	2.70 ft/hr	Refill to 6.10 ft. BGS
11:00	6.10 ft	2.00 ft	0.00 ft		
11:15	6.20 ft	1.90 ft	0.10 ft		
11:30	6.30 ft	1.80 ft	0.10 ft		
11:45	6.30 ft	1.80 ft	0.00 ft	0.20 ft/hr	Refill to 6.10 ft. BGS
12:00	6.10 ft	2.00 ft	0.00 ft		
12:15	6.10 ft	2.00 ft	0.00 ft		
12:30	6.10 ft	2.00 ft	0.00 ft		
12:45	6.10 ft	2.00 ft	0.00 ft	0.00 ft/hr	Refill to 6.10 ft. BGS
13:00	6.15 ft	1.95 ft	0.05 ft		
13:15	6.20 ft	1.90 ft	0.05 ft		
13:30	6.20 ft	1.90 ft	0.00 ft		
13:45	6.20 ft	1.90 ft	0.00 ft	0.10 ft/hr	Refill to 6.10 ft. BGS
14:00	6.20 ft	1.90 ft	0.00 ft		
14:15	6.10 ft	2.00 ft	0.00 ft		
14:30	6.15 ft	1.95 ft	0.05 ft		
14:45	6.20 ft	1.90 ft	0.05 ft	0.10 ft/hr	1.20 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 1.20 in/hr
2. Final Test Hour Reading: 1.20 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-11

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 8.00 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	6.00 ft	2.00 ft			
10:00	7.10 ft	0.90 ft	1.10 ft		
10:15	7.70 ft	0.30 ft	0.60 ft		Refill to 6.00 ft. BGS
10:30	6.20 ft	1.80 ft	0.20 ft		
10:45	6.50 ft	1.50 ft	0.30 ft	2.20 ft/hr	26.40 in/hr
11:00	6.75 ft	1.25 ft	0.25 ft		
11:15	6.95 ft	1.05 ft	0.20 ft		Refill to 6.00 ft. BGS
11:30	6.10 ft	1.90 ft	0.10 ft		
11:45	6.20 ft	1.80 ft	0.10 ft	0.65 ft/hr	7.80 in/hr
12:00	6.30 ft	1.70 ft	0.10 ft		Refill to 6.00 ft. BGS
12:15	5.95 ft	2.05 ft	0.05 ft		
12:30	6.00 ft	2.00 ft	0.05 ft		
12:45	6.10 ft	1.90 ft	0.10 ft	0.30 ft/hr	3.60 in/hr
13:00	6.20 ft	1.80 ft	0.10 ft		Refill to 6.00 ft. BGS
13:15	6.00 ft	2.00 ft	0.10 ft		
13:30	6.05 ft	1.95 ft	0.05 ft		
13:45	6.10 ft	1.90 ft	0.05 ft	0.30 ft/hr	3.60 in/hr
14:00	6.15 ft	1.85 ft	0.05 ft		Refill to 6.00 ft. BGS
14:15	6.10 ft	1.90 ft	0.10 ft		
14:30	6.15 ft	1.85 ft	0.05 ft		
14:45	6.15 ft	1.85 ft	0.00 ft	0.20 ft/hr	2.40 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 4.35 in/hr
2. Final Test Hour Reading: 2.40 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-12

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 7.60 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.60 ft	2.00 ft			
10:00	5.60 ft	2.00 ft	0.00 ft		
10:15	7.20 ft	0.40 ft	1.60 ft		Refill to 5.60 ft. BGS
10:30	7.50 ft	0.10 ft	1.90 ft		Refill to 5.60 ft. BGS
10:45	6.00 ft	1.60 ft	0.40 ft	3.90 ft/hr	46.80 in/hr
11:00	6.60 ft	1.00 ft	0.60 ft		
11:15	6.95 ft	0.65 ft	0.35 ft		
11:30	7.20 ft	0.40 ft	0.25 ft		Refill to 5.60 ft. BGS
11:45	5.90 ft	1.70 ft	0.30 ft	1.50 ft/hr	18.00 in/hr
12:00	6.50 ft	1.10 ft	0.60 ft		
12:15	6.75 ft	0.85 ft	0.25 ft		
12:30	6.95 ft	0.65 ft	0.20 ft		Refill to 5.60 ft. BGS
12:45	6.15 ft	1.45 ft	0.55 ft	1.60 ft/hr	19.20 in/hr
13:00	6.50 ft	1.10 ft	0.35 ft		
13:15	6.80 ft	0.80 ft	0.30 ft		
13:30	5.85 ft	1.75 ft	0.25 ft		Refill to 5.60 ft. BGS
13:45	6.00 ft	1.60 ft	0.15 ft	1.05 ft/hr	12.60 in/hr
14:00	6.30 ft	1.30 ft	0.30 ft		
14:15	6.30 ft	1.30 ft	0.00 ft		
14:30	6.30 ft	1.30 ft	0.00 ft		
14:45	6.30 ft	1.30 ft	0.00 ft	0.30 ft/hr	3.60 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 13.35 in/hr
2. Final Test Hour Reading: 3.60 in/hr



**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-13

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 7.35 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.35 ft	2.00 ft			
10:00	6.96 ft	0.39 ft	1.61 ft		
10:15	7.17 ft	0.18 ft	0.21 ft		
10:30	7.24 ft	0.11 ft	0.07 ft		
10:45	7.28 ft	0.07 ft	0.04 ft	1.93 ft/hr	23.16 in/hr
11:00	5.90 ft	1.45 ft	0.55 ft		Refill to 5.35 ft. BGS
11:15	6.30 ft	1.05 ft	0.40 ft		
11:30	6.70 ft	0.65 ft	0.40 ft		
11:45	6.92 ft	0.43 ft	0.22 ft	1.57 ft/hr	18.84 in/hr
12:00	6.03 ft	1.32 ft	0.68 ft		Refill to 5.35 ft. BGS
12:15	6.44 ft	0.91 ft	0.41 ft		
12:30	6.65 ft	0.70 ft	0.21 ft		
12:45	6.80 ft	0.55 ft	0.15 ft	1.45 ft/hr	17.40 in/hr
13:00	5.47 ft	1.88 ft	0.12 ft		Refill to 5.35 ft. BGS
13:15	5.55 ft	1.80 ft	0.08 ft		
13:30	5.60 ft	1.75 ft	0.05 ft		
13:45	5.64 ft	1.71 ft	0.04 ft	0.29 ft/hr	3.48 in/hr
14:00	5.35 ft	2.00 ft	0.00 ft		Refill to 5.35 ft. BGS
14:15	5.35 ft	2.00 ft	0.00 ft		
14:30	5.45 ft	1.90 ft	0.10 ft		
14:45	5.53 ft	1.82 ft	0.08 ft	0.18 ft/hr	2.16 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 10.47 in/hr
2. Final Test Hour Reading: 2.16 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-14

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 8.00 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	6.00 ft	2.00 ft			
10:00	7.70 ft	0.30 ft	1.70 ft		Refill to 6.00 ft. BGS
10:15	7.00 ft	1.00 ft	1.00 ft		
10:30	7.50 ft	0.50 ft	0.50 ft		Refill to 6.00 ft. BGS
10:45	6.30 ft	1.70 ft	0.30 ft	3.50 ft/hr	42.00 in/hr
11:00	7.00 ft	1.00 ft	0.70 ft		
11:15	7.25 ft	0.75 ft	0.25 ft		
11:30	7.50 ft	0.50 ft	0.25 ft		Refill to 6.00 ft. BGS
11:45	6.70 ft	1.30 ft	0.70 ft	1.90 ft/hr	22.80 in/hr
12:00	7.25 ft	0.75 ft	0.55 ft		
12:15	7.60 ft	0.40 ft	0.35 ft		
12:30	8.00 ft	0.00 ft	0.40 ft		Refill to 6.00 ft. BGS
12:45	6.35 ft	1.65 ft	0.35 ft	1.65 ft/hr	19.80 in/hr
13:00	6.65 ft	1.35 ft	0.30 ft		
13:15	6.85 ft	1.15 ft	0.20 ft		
13:30	7.00 ft	1.00 ft	0.15 ft		Refill to 6.00 ft. BGS
13:45	6.20 ft	1.80 ft	0.20 ft	0.85 ft/hr	10.20 in/hr
14:00	6.35 ft	1.65 ft	0.15 ft		
14:15	6.50 ft	1.50 ft	0.15 ft		
14:30	6.50 ft	1.50 ft	0.00 ft		Refill to 6.00 ft. BGS
14:45	6.10 ft	1.90 ft	0.10 ft	0.40 ft/hr	4.80 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 14.40 in/hr
2. Final Test Hour Reading: 4.80 in/hr

**INFILTRATION TEST DATA SHEET**



**JOB NAME:** Mitchell Farm

**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-15

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 8.00 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	6.00 ft	2.00 ft			
10:00	7.35 ft	0.65 ft	1.35 ft		
10:15	7.95 ft	0.05 ft	0.60 ft		Refill to 6.00 ft. BGS
10:30	7.05 ft	0.95 ft	1.05 ft		
10:45	7.70 ft	0.30 ft	0.65 ft	3.65 ft/hr	43.80 in/hr
11:00	6.55 ft	1.45 ft	0.55 ft		
11:15	6.95 ft	1.05 ft	0.40 ft		
11:30	7.25 ft	0.75 ft	0.30 ft		
11:45	7.55 ft	0.45 ft	0.30 ft	1.55 ft/hr	18.60 in/hr
12:00	6.35 ft	1.65 ft	0.35 ft		
12:15	6.55 ft	1.45 ft	0.20 ft		
12:30	6.90 ft	1.10 ft	0.35 ft		
12:45	7.05 ft	0.95 ft	0.15 ft	1.05 ft/hr	12.60 in/hr
13:00	6.45 ft	1.55 ft	0.45 ft		
13:15	6.55 ft	1.45 ft	0.10 ft		
13:30	6.55 ft	1.45 ft	0.00 ft		
13:45	6.55 ft	1.45 ft	0.00 ft	0.55 ft/hr	6.60 in/hr
14:00	6.40 ft	1.60 ft	0.40 ft		
14:15	6.40 ft	1.60 ft	0.00 ft		
14:30	6.40 ft	1.60 ft	0.00 ft		
14:45	6.40 ft	1.60 ft	0.00 ft	0.40 ft/hr	4.80 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

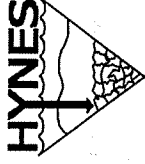
1. Time Weighted Average: 10.65 in/hr
2. Final Test Hour Reading: 4.80 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm

**PROJECT NUMBER:** JDH-10/18/226  
**TEST DATE:** May 21, 2018

**TEST LOCATION:** B-16  
**TEST DEPTH:** 8.60 ft



TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	Δ HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	6.60 ft	2.00 ft			
10:00	6.60 ft	2.00 ft	2.00 ft		Refilled to 6.60 ft. BGS
10:15	6.60 ft	2.00 ft	2.00 ft		
10:30	6.60 ft	2.00 ft	2.00 ft		
10:45	6.60 ft	2.00 ft	2.00 ft	8.00 ft/hr	96.00 in/hr
11:00	6.60 ft	2.00 ft	2.00 ft		
11:15	6.60 ft	2.00 ft	2.00 ft		
11:30	6.60 ft	2.00 ft	2.00 ft		
11:45	6.60 ft	2.00 ft	2.00 ft	8.00 ft/hr	96.00 in/hr
12:00	6.60 ft	2.00 ft	2.00 ft		
12:15					
12:30					
12:45				2.00 ft/hr	96.00 in/hr
13:00					
13:15					
13:30					
13:45				0.00 ft/hr	0.00 in/hr
14:00					
14:15					
14:30					
14:45				0.00 ft/hr	0.00 in/hr

\*Test canceled after 2 hours of constant readings.

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 96 in/hr
2. Final Test Hour Reading: 96 in/hr

**INFILTRATION TEST DATA SHEET**

**JOB NAME:** Mitchell Farm



**PROJECT NUMBER:** JDH-10/18/226

**TEST LOCATION:** B-17

**TEST DATE:** May 21, 2018

**TEST DEPTH:** 7.80 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	A HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	5.80 ft	2.00 ft			
10:00	7.35 ft	0.45 ft	1.55 ft		
10:15	7.70 ft	0.10 ft	0.35 ft		
10:30	7.80 ft	0.00 ft	0.10 ft		Refill to 5.80 ft. BGS
10:45	6.76 ft	1.04 ft	0.96 ft	2.96 ft/hr	Refill to 5.80 ft. BGS
11:00	6.30 ft	1.50 ft	0.50 ft		
11:15	6.32 ft	1.48 ft	0.02 ft		
11:30	6.33 ft	1.47 ft	0.01 ft		
11:45	6.60 ft	1.20 ft	0.27 ft	0.80 ft/hr	Refill to 5.80 ft. BGS
12:00	6.40 ft	1.40 ft	0.60 ft		
12:15	7.10 ft	0.70 ft	0.70 ft		
12:30	7.20 ft	0.60 ft	0.10 ft		
12:45	7.44 ft	0.36 ft	0.24 ft	1.64 ft/hr	Refill to 5.80 ft. BGS
13:00	5.98 ft	1.82 ft	0.18 ft		
13:15	6.15 ft	1.65 ft	0.17 ft		
13:30	6.38 ft	1.42 ft	0.23 ft		
13:45	6.55 ft	1.25 ft	0.17 ft	0.75 ft/hr	Refill to 5.80 ft. BGS
14:00	5.92 ft	1.88 ft	0.12 ft		
14:15	6.07 ft	1.73 ft	0.15 ft		
14:30	6.18 ft	1.62 ft	0.11 ft		
14:45	6.32 ft	1.48 ft	0.14 ft	0.52 ft/hr	6.24 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 11.13 in/hr
2. Final Test Hour Reading: 6.24 in/hr

INFILTRATION TEST DATA SHEET

JOB NAME: Mitchell Farm



PROJECT NUMBER: JDH-10/18/226  
 TEST DATE: May 21, 2018

TEST LOCATION: B-18  
 TEST DEPTH: 8.10 ft

TIME	DEPTH TO WATER BELOW GROUND SURFACE	HYDRAULIC HEAD	Δ HYDRAULIC HEAD	PERMEABILITY (K <sub>m</sub> )	COMMENTS
9:45	6.10 ft	2.00 ft			
10:00	7.20 ft	0.90 ft	1.10 ft		
10:15	7.40 ft	0.70 ft	0.20 ft		
10:30	7.50 ft	0.60 ft	0.10 ft		
10:45	7.63 ft	0.47 ft	0.13 ft	1.53 ft/hr	Refill to 6.10 ft. BGS
11:00	6.10 ft	2.00 ft	0.00 ft		
11:15	6.16 ft	1.94 ft	0.06 ft		
11:30	6.20 ft	1.90 ft	0.04 ft		
11:45	6.20 ft	1.90 ft	0.00 ft	0.10 ft/hr	Refill to 6.10 ft. BGS
12:00	6.20 ft	1.90 ft	0.10 ft		
12:15	6.25 ft	1.85 ft	0.05 ft		
12:30	6.28 ft	1.82 ft	0.03 ft		
12:45	6.30 ft	1.80 ft	0.02 ft	0.20 ft/hr	Refill to 6.10 ft. BGS
13:00	6.15 ft	1.95 ft	0.05 ft		
13:15	6.18 ft	1.92 ft	0.03 ft		
13:30	6.18 ft	1.92 ft	0.00 ft		
13:45	6.20 ft	1.90 ft	0.02 ft	0.10 ft/hr	Refill to 6.10 ft. BGS
14:00	6.10 ft	2.00 ft	0.00 ft		
14:15	6.13 ft	1.97 ft	0.03 ft		
14:30	6.15 ft	1.95 ft	0.02 ft		
14:45	6.15 ft	1.95 ft	0.00 ft	0.05 ft/hr	0.60 in/hr

There are generally two acceptable methods to calculate steady state infiltration rates:

1. Time Weighted Average: 1.35 in/hr
2. Final Test Hour Reading: 0.60 in/hr

**Falling Head  
Single Ring Infiltration Test**



**Tools and Supplies:**

- |   |   |
|---|---|
| <input type="checkbox"/> 15 gallons of clean water per test | <input type="checkbox"/> Hand Auger 4-inch bucket (with extensions) |
| <input type="checkbox"/> 4 inch diameter thin wall PVC pipe | <input type="checkbox"/> Driving Block                              |
| <input type="checkbox"/> Sledge Hammer                      | <input type="checkbox"/> 5 gallon buckets                           |
| <input type="checkbox"/> 3- inch hand auger bucket          | <input type="checkbox"/> Water level indicator                      |
| <input type="checkbox"/> Shovels Flat/Round                 | <input type="checkbox"/> Gator/ATV (as necessary)                   |

**Procedure:**

- A. Unless directed otherwise, advance one soil boring at each test location. The boring should extend to groundwater. Accurately measure depth to groundwater and depth of each soil change. Pay close attention to soils for mottling. Contact office to determine test depth. Note: This step can be omitted if test borings were advanced during a previous site visit.
- B. Advance a 4-inch diameter soil boring to the specified test depth. **Check boring log to ensure that soil at bottom of excavation is soil type to be tested.**
- C. Cut thin wall PVC to length (approximately 1 to 2' longer than desired test depth).
- D. Push/drive PVC to bottom of soil boring.
- E. Using 3-inch auger, clean out bottom of test hole to remove any soils that caved in during PVC placement. Drive PVC casing an additional 2 inches to ensure that bottom of test hole does not extend beyond the bottom of the PVC pipe.
- F. Collect initial test information using water level indicator
  1. Determine the total depth to the bottom of the hole from top of pipe and record.
  2. Determine riser height above ground and record.
  3. Subtract 2 feet from total depth (See F.1.) and record.
- G. Start Test
  1. Set up water level indicator at depth determined in F.3.
  2. Fill tube with water until water level indicator alarms. To minimize soil scouring, slowly pour water down the inside of the casing wall.
  3. Record exact depth to water with water level indicator.
- H. Run Test:
  1. Pre-soak (1 hour or less).
    - a. Record depth to water every 15 minutes for first hour (pre-soak).
    - b. At the end of first hour refill pipe with water to level determined in Step F.3.

## Falling Head Single Ring Infiltration Test



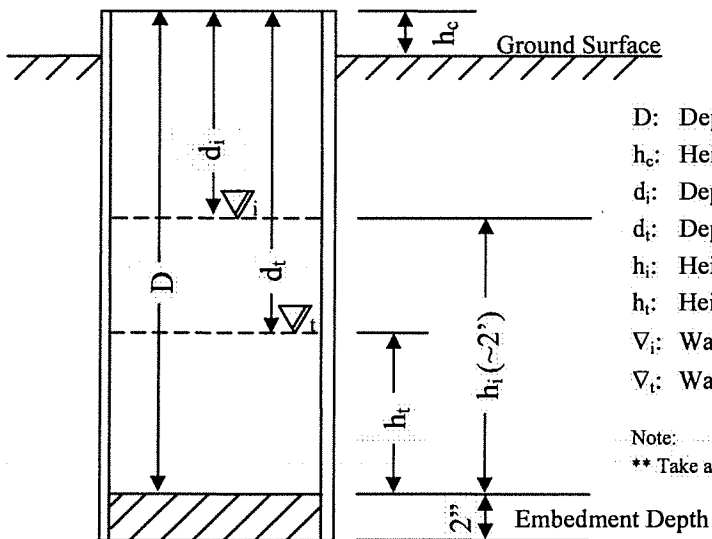
2. Infiltration testing (four, one hour tests)
  - a. Test starts after completing Step H.1.b.
  - b. Record depth of water every 15 minutes (or more frequently) for one hour, or until water drains from pipe (which ever occurs first).
  - c. Refill pipe with water to level determined in Step F.3.
  - d. Repeat steps H.2.b. and c. three additional times (four test runs).
  - e. Testing concludes after pre-soak and four test runs are completed.

### I. Calculations

Infiltration rate is calculated as inches per hour.

Determine the water level drop recorded during each one hour test (note that the water level indicator is marked in tenths of a foot. A conversion to inches is required). Multiply the water level drop recorded in tenths of a foot by 1.2 to get water level drop in inches.

All data should be recorded on pre-made forms.



- $D$ : Depth from top of casing to bottom of boring.
- $h_c$ : Height of casing above ground surface.
- $d_i$ : Depth to water at time  $t=0$ .
- $d_t$ : Depth to water at time  $t$ .
- $h_i$ : Height of water at time  $t=0$ .
- $h_t$ : Height of water at time  $t$ .
- $\nabla_i$ : Water level at time  $t=0$ .
- $\nabla_t$ : Water level at time  $t$ .

Note:  
\*\* Take all measurements to 1/100 inch





# JOHN D. HYNES & ASSOCIATES, INC.

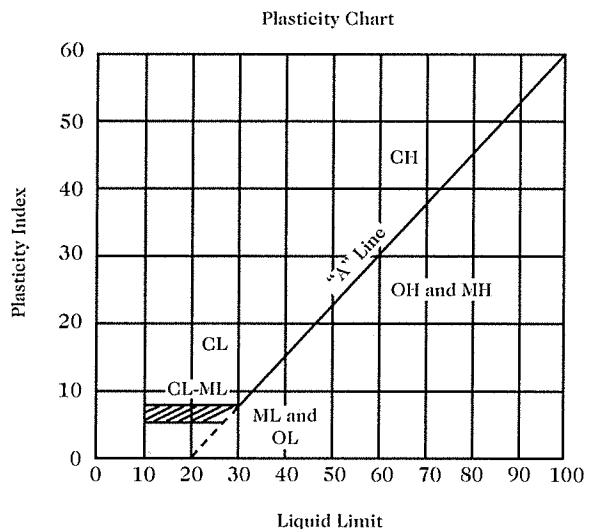
Geotechnical and Environmental Consultants  
 Monitoring Well Installation  
 Construction Inspection and Materials Testing

## UNIFIED SOIL CLASSIFICATION SYSTEM

Major Divisions		Group Symbols	Typical Names	Laboratory Classification Criteria			
Coarse-grained soils (More than half of material is larger than No. 200 sieve size)	Gravels (More than half of coarse fraction is larger than No. 4 sieve size)	Clean gravels (Little or no fines)	GW	Well-graded gravels, gravel-sand mixtures, little or no fines	$C_u = \frac{D_{60}}{D_{10}}$ greater than 4; $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ between 1 and 3		
			GP	Poorly graded gravels, gravel sand mixtures, little or no fines	Not meeting all gradation requirements for GW		
		Gravels with fines (Appreciable amount of fines)	GMA <sup>a</sup>	d	Silty gravels, gravel-sand-silt mixtures	Atterberg limits below "A" line or P.I. less than 4	Above "A" line with P.I. between 4 and 7 are <i>borderline</i> cases requiring use of dual symbols
			u				
	GC	Clayey gravels, gravel-sand-clay mixtures	Atterberg limits above "A" line with P.I. greater than 7				
	Sands (More than half of coarse fraction is smaller than No. 4 sieve size)	Clean sands (Little or no fines)	SW	Well-graded sands, gravelly sands,	$C_u = \frac{D_{60}}{D_{10}}$ greater than 6; $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ between 1 and 3		
			SP	Poorly graded sands, gravelly sands, little or no fines	Not meeting all gradation requirements for SW		
		Sands with fines (Appreciable amount of fines)	SMA <sup>a</sup>	d	Silty sands, sand-silt mixtures	Atterberg limits below "A" line or P.I. less than 4	Above "A" line with P.I. between 4 and 7 are <i>borderline</i> cases requiring use of dual symbols.
			u				
		SC	Clayey sands, sand-clay mixtures	Atterberg limits above "A" line with P.I. greater than 7			
Fine-grained soils (More than half material is smaller than No. 200 sieve)		Silt and clays (Liquid limit less than 50)	ML	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands, or clayey silts with slight plasticity	<p style="text-align: center;">Plasticity Chart</p>		
	CL		Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays				
	OL		Organic silts and organic silty clays of low plasticity				
	Silt and clays (Liquid limit greater than 50)	MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts				
		CH	Inorganic clays of high plasticity, fat clays				
		OH	Organic clays of medium to high plasticity, organic silts				
	Highly organic soils	Pt	Peat and other highly organic soils				

Determine percentages of sand and gravel from grain-size curve. Depending on percentage of fines (fraction smaller than No. 200 sieve size), coarse grained soils are classified as follows:  
 Less than 5 percent  
 More than 5 percent  
 5 to 12 percent

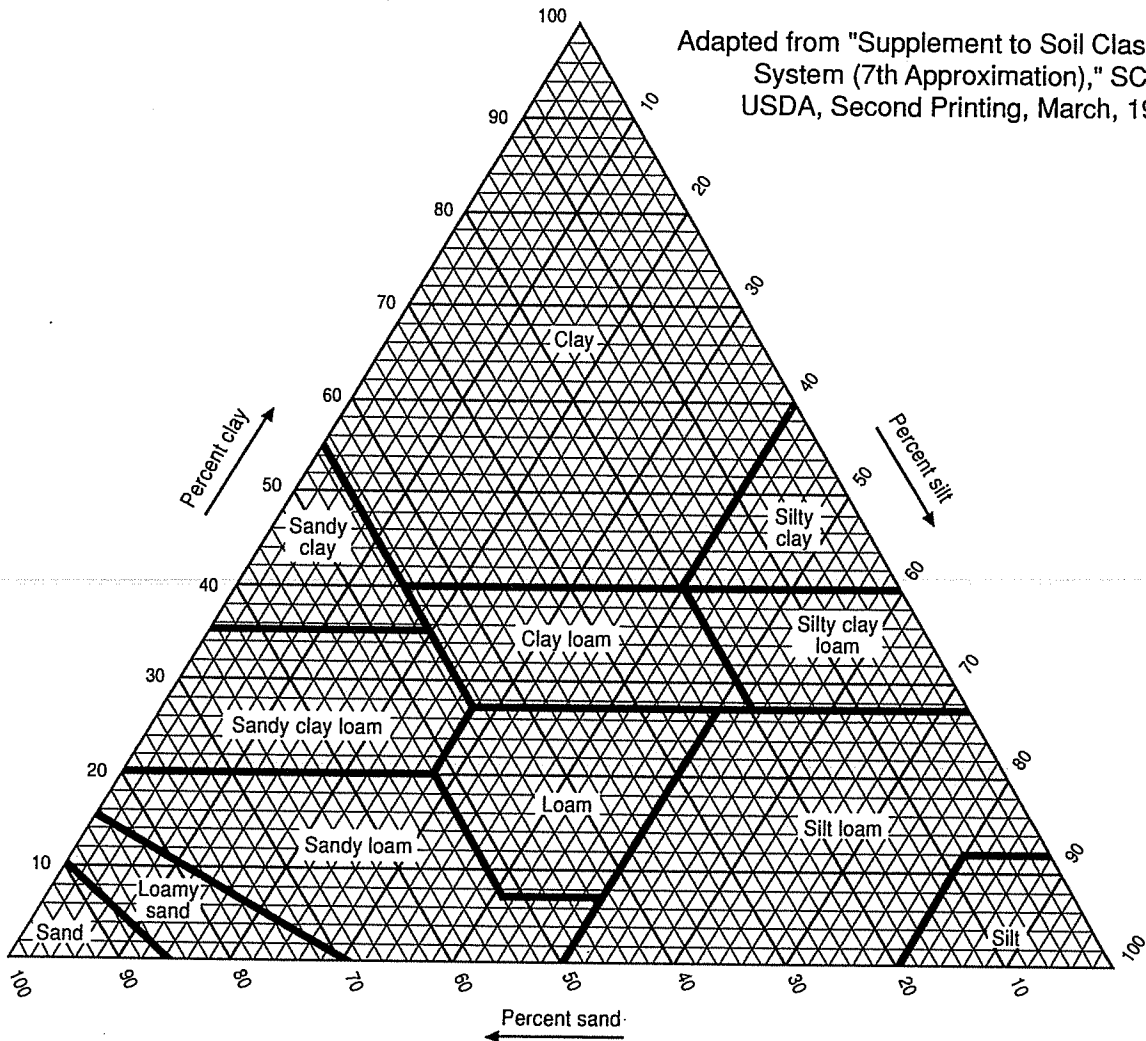
GW, GP, SW, SP  
 GM, GC, SM, SC  
*Borderline cases requiring dual symbols<sup>a</sup>*



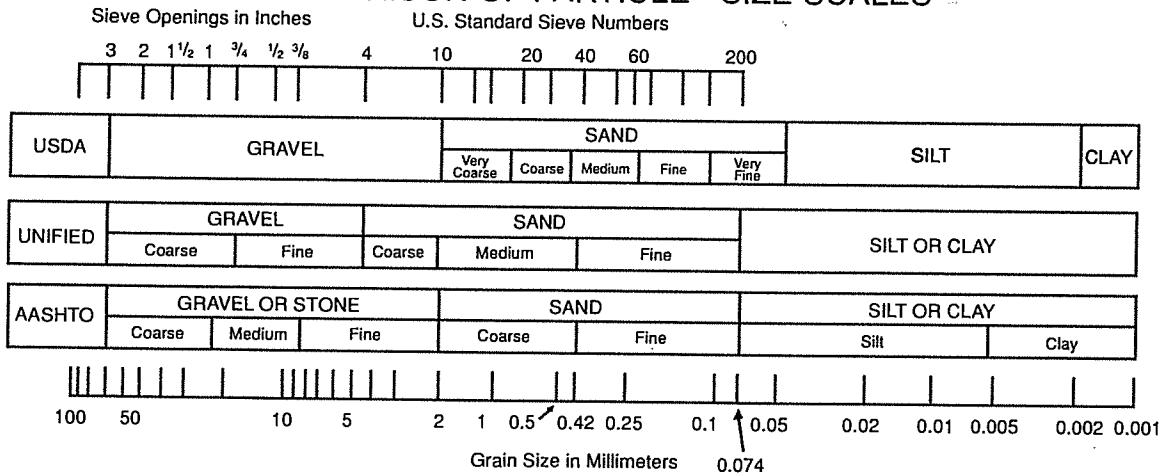


## USDA SOIL CLASSIFICATION SYSTEM

Adapted from "Supplement to Soil Classification System (7th Approximation)," SCS, USDA, Second Printing, March, 1967



### COMPARISON OF PARTICLE - SIZE SCALES



Soil triangle of the basic soil textural classes. (U.S. Soil Conservation Service.) 288-D-2782.

☐ Main Office - 32185 Beaver Run Drive • Salisbury, Maryland 21804 • 410-546-6462 • Fax 410-548-5346

☐ Dover Office - 1039 Fowler Court • Dover, Delaware 19901 • 302-678-9718 • Fax 302-678-9733

E-mail - Salisbury jdhynes@aol.com



## FIELD CLASSIFICATION SYSTEM FOR SOIL EXPLORATION

### NON-COHESIVE SOILS (Silt, Sand, Gravel and Combinations)

#### DENSITY

Very Loose	- 5 blows/ft. or less
Loose	- 6 to 10 blows/ft.
Medium Dense	- 11 to 30 blows/ft.
Dense	- 31 to 50 blows/ft.
Very Dense	- 51 blows/ft. or more

#### PARTICLE SIZE IDENTIFICATION

Boulders	- 8 inch diameter or more
Cobbles	- 3 to 8 inch diameter
Gravel	- Coarse - 1 to 3 inch - Medium - 1/2 to 1 inch - Fine - 4.75 mm to 1/2 inch
Sand	- Coarse - 2.0 mm to 4.75 mm - Medium - 0.425 mm to 2.0 mm - Fine - 0.075 mm to 0.425 mm
Silt	- 0.075 mm to 0.002 mm

#### RELATIVE PROPORTIONS

Descriptive Term	Percent
Trace	1 - 10
Little	11 - 20
Some	21 - 35
And	36 - 50

### COHESIVE SOILS (Clay, Silt and Combinations)

#### CONSISTENCY

Very Soft	- 3 blows/ft. or less
Soft	- 4 to 5 blows/ft.
Medium Stiff	- 6 to 10 blows/ft.
Stiff	- 11 to 15 blows/ft.
Very Stiff	- 16 to 30 blows/ft.
Hard	- 31 blows/ft. or more

#### PLASTICITY

Degree of Plasticity	Plasticity Index
None to Slight	0 - 4
Slight	5 - 7
Medium	8 - 22
High to Very High	over 22

Classification on logs are made by visual inspection of samples unless a sample has been subjected to laboratory classification testing.

Standard Penetration Test - Driving a 2.0" O.D., 1-3/8" I.D., splitspoon sampler a distance of 1.0 foot into undisturbed soil with a 140 pound hammer free falling a distance of 30.0 inches. It is customary to drive the spoon 6 inches to seat into undisturbed soil, then perform the test. The number of hammer blows for seating the spoon and making the test are recorded for each 6 inches of penetration on the drill log (Example - 6/8/9). The standard penetration test value (N - value) can be obtained by adding the last two figures (i.e. 8 + 9 = 17 blows/ft.). (ASTM D-1586)

Strata Changes - In the column "Soil Descriptions," on the drill log, the horizontal lines represent strata changes. A solid line (—) represents an actually observed change, a dashed line (----) represents an estimated change.

Groundwater - Observations were made at the times indicated. Porosity of soil strata, weather conditions, site topography, etc. may cause changes in the water levels indicated on the logs.

# Important Information about This

# Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

## Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical-engineering study conducted for a civil engineer may not fulfill the needs of a constructor — a construction contractor — or even another civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client. No one except you should rely on this geotechnical-engineering report without first conferring with the geotechnical engineer who prepared it. *And no one — not even you — should apply this report for any purpose or project except the one originally contemplated.*

## Read the Full Report

Serious problems have occurred because those relying on a geotechnical-engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

## Geotechnical Engineers Base Each Report on a Unique Set of Project-Specific Factors

Geotechnical engineers consider many unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk-management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical-engineering report that was:

- not prepared for you;
- not prepared for your project;
- not prepared for the specific site explored; or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical-engineering report include those that affect:

- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light-industrial plant to a refrigerated warehouse;
- the elevation, configuration, location, orientation, or weight of the proposed structure;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes—even minor ones—and request an

assessment of their impact. *Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.*

## Subsurface Conditions Can Change

A geotechnical-engineering report is based on conditions that existed at the time the geotechnical engineer performed the study. *Do not rely on a geotechnical-engineering report whose adequacy may have been affected by:* the passage of time; man-made events, such as construction on or adjacent to the site; or natural events, such as floods, droughts, earthquakes, or groundwater fluctuations. *Contact the geotechnical engineer before applying this report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.*

## Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ — sometimes significantly — from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide geotechnical-construction observation is the most effective method of managing the risks associated with unanticipated conditions.

## A Report's Recommendations Are Not Final

Do not overrely on the confirmation-dependent recommendations included in your report. *Confirmation-dependent recommendations are not final*, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations *only* by observing actual subsurface conditions revealed during construction. *The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's confirmation-dependent recommendations if that engineer does not perform the geotechnical-construction observation required to confirm the recommendations' applicability.*

## A Geotechnical-Engineering Report Is Subject to Misinterpretation

Other design-team members' misinterpretation of geotechnical-engineering reports has resulted in costly

problems. Confront that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Constructors can also misinterpret a geotechnical-engineering report. Confront that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing geotechnical construction observation.

### **Do Not Redraw the Engineer's Logs**

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical-engineering report should *never* be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, *but recognize that separating logs from the report can elevate risk.*

### **Give Constructors a Complete Report and Guidance**

Some owners and design professionals mistakenly believe they can make constructors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give constructors the complete geotechnical-engineering report, *but* preface it with a clearly written letter of transmittal. In that letter, advise constructors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. *Be sure constructors have sufficient time to perform additional study.* Only then might you be in a position to give constructors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

### **Read Responsibility Provisions Closely**

Some clients, design professionals, and constructors fail to recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help

others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

### **Environmental Concerns Are Not Covered**

The equipment, techniques, and personnel used to perform an *environmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical-engineering report does not usually relate any environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own environmental information, ask your geotechnical consultant for risk-management guidance. *Do not rely on an environmental report prepared for someone else.*

### **Obtain Professional Assistance To Deal with Mold**

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the *express purpose* of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold-prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, many mold-prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical-engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; *none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention. Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.*

### **Rely on Your GBC-Member Geotechnical Engineer for Additional Assistance**

Membership in the Geotechnical Business Council of the Geoprofessional Business Association exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project. Confer with your GBC-Member geotechnical engineer for more information.



8811 Colesville Road/Suite G106, Silver Spring, MD 20910

Telephone: 301/565-2733 Facsimile: 301/589-2017

e-mail: [info@geoprofessional.org](mailto:info@geoprofessional.org) [www.geoprofessional.org](http://www.geoprofessional.org)

Copyright 2015 by Geoprofessional Business Association (GBA). Duplication, reproduction, or copying of this document, or its contents, in whole or in part, by any means whatsoever, is strictly prohibited, except with GBA's specific written permission. Excerpting, quoting, or otherwise extracting wording from this document is permitted only with the express written permission of GBA, and only for purposes of scholarly research or book review. Only members of GBA may use this document as a complement to or as an element of a geotechnical-engineering report. Any other firm, individual, or other entity that so uses this document without being a GBA member could be committing negligent or intentional (fraudulent) misrepresentation.

# **APPENDIX 6**

## **RESULTS OF ADDITIONAL INFILTRATION TESTING, APRIL 2019**

**John D. Hynes & Associates, Inc.**



# JOHN D. HYNES & ASSOCIATES, INC.

*Geotechnical and Environmental Consultants  
Monitoring Well Installation  
Construction Inspection and Materials Testing*

April 8, 2019

LW & JT Mitchell Family LP  
c/o Robert Mitchell  
1019 Kings Highway  
Lewes, Delaware 19958

Re: Pond Bottom Infiltration Test Results  
Mitchell Farm  
Lewes, Delaware  
Project No.: JDH-10/19/172

Dear Mr. Mitchell:

John D. Hynes & Associates, Inc. completed additional subsurface evaluation services for the referenced Mitchell Farm project located in Lewes, Delaware. The work was completed in general accordance with our discussions with Davis, Bowen & Friedel, Inc.

The subsurface exploration study was performed to evaluate the subsurface conditions at the bottom of stormwater management (SWM) structure Pond 1. The SWM structure had been excavated prior to our site work. The purpose of the evaluation was to estimate the infiltration rates of the soils at the pond bottom and to evaluate the soils immediately below the pond bottom.

To determine the nature of the subsurface conditions at the site, six borings, designated as IT-1 through IT-6, were drilled. The borings were drilled on March 27, 2019 at the approximate locations shown on our Boring Location Sketch (Drawing No.: JDH-10/19/172-B). The borings were drilled to depths of approximately 3 feet using a hand auger. Single ring, falling head infiltration tests were performed in companion boreholes adjacent to the test boring locations at the bottom of Pond 1.

Soil sampling and testing were carried out in accordance with ASTM Specification D-1586. A brief description of our field procedures is included as an Attachment. The results of all boring and sampling operations are shown on the boring logs.

Samples of the subsurface soils were examined by our engineering staff and were visually classified in accordance with the Unified Soil Classification System (USCS) and ASTM Specification D-2488. The test boring samples were, also, classified in accordance with the United States Department of Agriculture (USDA) Classification System. The estimated USCS symbols and the USDA classifications are included on the boring logs. Keys to the systems' nomenclature are provided as an Attachment. Also included are reference sheets which define the terms and symbols used on the boring logs. The Munsell soil color and color code are, also, included for each stratum encountered in the test borings.

We note that the test boring records represent our interpretation of the field data based on visual examination and selected soil classification tests. Indicated interfaces between materials may be gradual. At the time of our exploration, no organic bearing soil was encountered at the surface at the boring locations. Varying thicknesses of organic bearing soils and other surficial materials may be present at other parts of the site.

Subsurface soils, visually classified in accordance with the USCS, consisted of layers of SAND (SP) and Low-Silt SAND (SM) to the boring termination depths. The test boring samples were, also, classified in accordance with the USDA classification system. The classifications consisted of Sand and Loamy sand.



LW & JT Mitchell Family LP  
April 8, 2019  
Page 2

Groundwater was not encountered. Groundwater elevations may vary at other times during the year depending upon the amount of local precipitation, and the extent of local surface development.

Infiltration tests were performed at each boring location. The infiltration tests were performed at bottom of existing SWM structure (Pond 1). The testing was completed in general accordance with DNREC guidelines. Testing was completed using the 12-inch standard falling head method. The test locations, infiltration test depth, and last test increment infiltration rates are summarized in the table below:

Table 1: Summary of Infiltration Test Results

<b>Test Boring Location</b>	<b>Ground Elevation At Boring Location (ft.)</b>	<b>Infiltration Test Depth<sup>(1)</sup> (ft.)</b>	<b>Estimated Infiltration Test Elevation (ft.)</b>	<b>K<sub>m</sub> (in./hr.) Last Test Increment</b>
IT-1	14.0	0.00	14.0	18.75
IT-2	14.0	0.00	14.0	12.50
IT-3	14.0	0.00	14.0	15.00
IT-4	14.0	0.00	14.0	30.00
IT-5	14.0	0.00	14.0	18.75
IT-6	14.0	0.00	14.0	3.00

<sup>(1)</sup>All tests completed at the bottom of the SWM structure.

Refer to the "Infiltration Data Table" and "Single Ring Infiltration" test procedures in the Appendix for additional information regarding the infiltration tests.

In summary, Hynes & Associates completed 6 falling head infiltration tests and hand augered 6 soil borings in the bottom of one stormwater management (SWM) structure at the site. Based on our testing, the average infiltration rate for all 6 tests was 15.29 inches per hour (in./hr.).

This report has been prepared solely and exclusively for L.W. & J.T. Mitchell Family LP to provide guidance to design professionals in developing plans for the proposed Mitchell Farm project located in Lewes, Delaware. It has not been developed to meet the needs of others, and application of this report for other than its intended purpose could result in substantial difficulties. The Consulting Engineer cannot be held accountable for any problems which occur due to the application of this report to other than its intended purpose. This report in its entirety should be attached to the project specifications.

These analyses and recommendations are, of necessity, based on the concepts made available to us at the time of the writing of this report, and on-site conditions, surface and subsurface that existed at the time the exploratory borings were drilled. Further assumption has been made that the limited exploratory borings, in relation both to the areal extent of the site and to depth, are representative of conditions across the site. It is also recommended that we be given the opportunity to review all plans for the project in order to comment on the interaction of soil conditions as described herein and the design requirements.





LW & JT Mitchell Family LP  
April 8, 2019  
Page 3

Our professional services have been performed, our findings obtained and our recommendations prepared in accordance with generally accepted engineering principles and practices.

We appreciate the opportunity to be of service to you. If you have any questions regarding the attached data, or if we may be of further assistance, please contact our office.

Respectfully,  
JOHN D. HYNES & ASSOCIATES, INC.

*Alycen Kus*

Alycen E. Kus  
Environmental Staff

Richard D. Rhoads  
Project Geologist

John D. Hynes, P.E.  
President  
AEK: RDR

c.c.: Cliff Mumford; Davis, Bowen & Friedel, Inc.; Via Email: [cdm@dbfinc.com](mailto:cdm@dbfinc.com)



## **ATTACHMENTS**

1. Investigative Procedures
2. Project Location Map
3. Boring Location Plan
4. Boring Logs
5. Table 1: Summary of Infiltration Test Results
6. Infiltration Test Results
7. Infiltration Test Procedures
8. Unified Soil Classification Sheet
9. USDA Soil Classification Sheet
10. Field Classification Sheet
11. Important Information Sheet



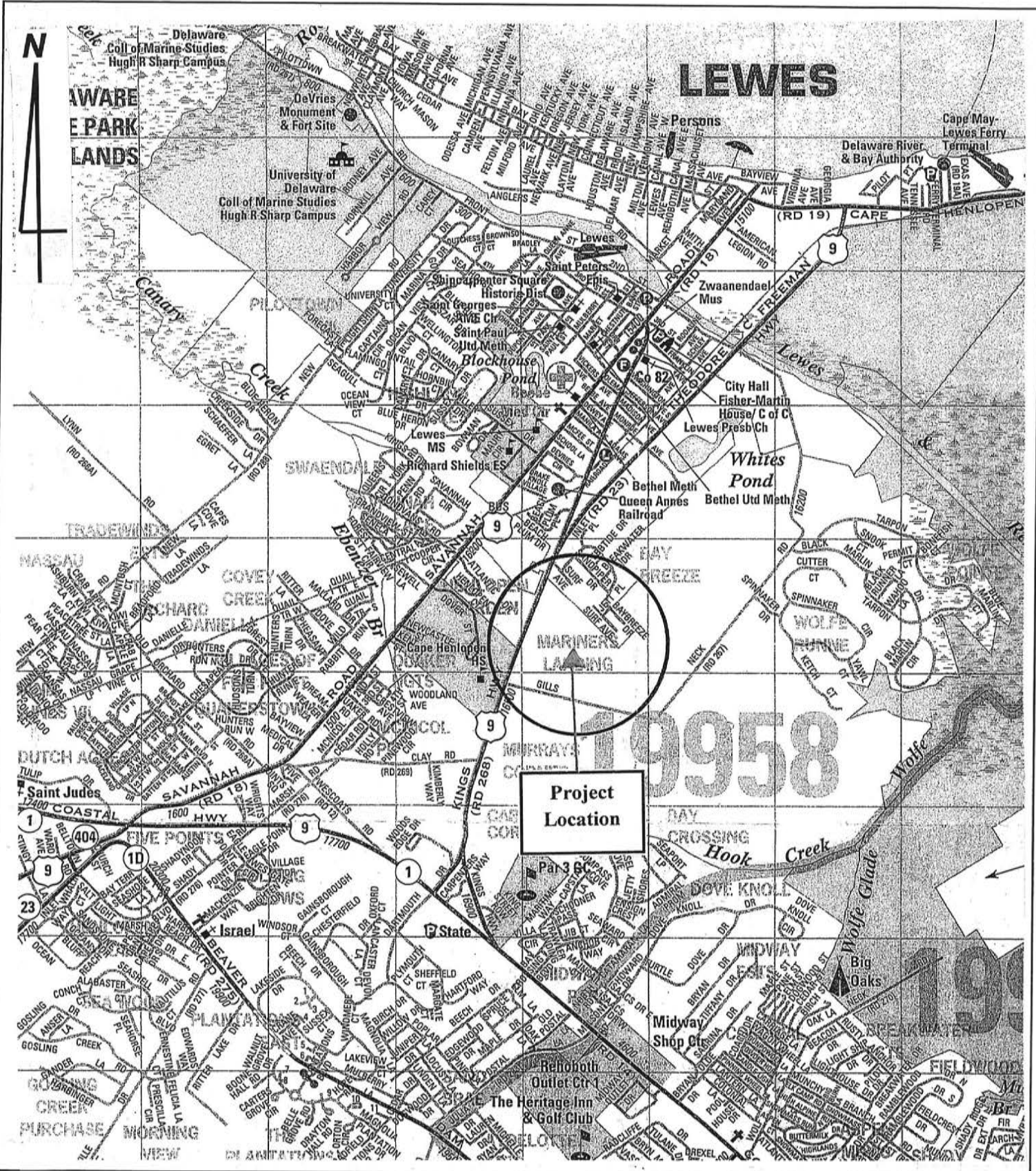
## **INVESTIGATIVE PROCEDURES**

### **HAND AUGER SOIL TEST BORINGS**

Test borings were performed using a hand auger. The auger is manually advanced by rotating the shaft of the auger. The auger is withdrawn at short intervals for inspection of soils collected in the auger head. Soil samples are taken when soil conditions are noted to change. The soil descriptions for each boring are presented on the boring logs in the Appendix.

### **SOIL CLASSIFICATION**

Soil classifications provide a general guide to the engineering properties of various soil types and enable the engineer to apply his past experience to current problems. In our investigation, jar samples obtained during drilling operations are examined in our laboratory and visually classified by the geotechnical engineer in accordance with ASTM Specification D-2488. The soils are classified according to the USDA or Unified Classification System (ASTM D-2487). Each of these classification systems and the in-place physical soil properties provides an index for estimating the soil's behavior.



**JOHN D. HYNES & ASSOCIATES, INC.**

32185 Beaver Run Drive • Salisbury, Maryland 21804  
410-546-6462 / Fax: 410-548-5346

Date: March 29, 2019

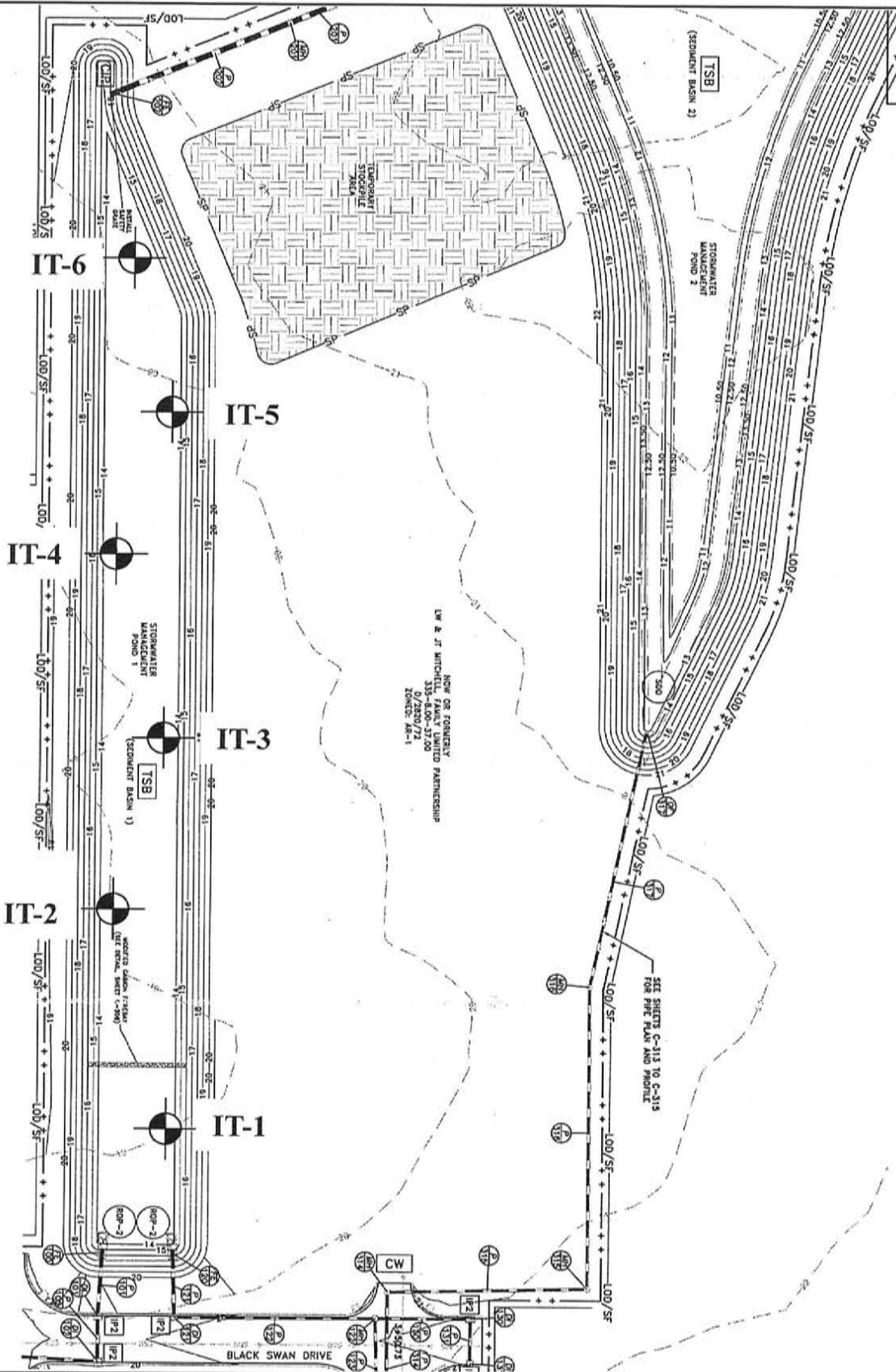
Scale: 1 in. = 2,000 ft.

Drawn: ADC Maps

Project Location Map  
Mitchell Farm  
Lewes, Delaware

DWG. No.

JDH-10/19/172-A



NOW OR FORMERLY  
LW & JT MITCHELL FARM, UNITED PARTNERSHIP  
350 W. WILSON AVE  
D/2820/72  
ZONING: AG-1

SEE SHEETS C-113 TO C-313  
FOR FINE PLAN AND PROFILE



# JOHN D. HYNES & ASSOCIATES, INC.

32185 Beaver Run Drive • Salisbury, Maryland 21804  
410-546-6462 / Fax: 410-548-5346

Date: March 29, 2019

Scale: 1 in.  $\approx$  125 feet

Drawn: DBF

Boring and Infiltration Test Location Plan  
Mitchell Farm  
Lewes, Delaware

DWG. No.

JDH-10/19/172-B



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING IT-1


(Page 1 of 1)

LW & JT Mitchell Family LP  
1019 Kings Highway  
Lewes, Delaware 19958

Mitchell Farm

Project No.: JDH-10/19/172

Date Completed: : March 27, 2019  
Logged By: : A. Kus  
Drilled By: : A. Vance  
Drilling Method: : Hand Auger  
Total Depth: : 3 feet

Depth in Feet	Surf. Elev. 14.0	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0 1 2 3	14 13 12 11	Very pale brown, wet, fine to medium SAND, with trace silt (10 YR 7/3, Sand)		SP	1 2 3	Scale 1" ~ 1.5 feet Boring excavated at bottom of infiltration stormwater management basin. Groundwater was not encountered during augering operations.
4 5 6 7 8 9 10	10 9 8 7 6 5 4	Boring terminated at 3 feet.				



**HYNES  
&  
ASSOCIATES**

## LOG OF BORING IT-2

(Page 1 of 1)

LW & JT Mitchell Family LP  
1019 Kings Highway  
Lewes, Delaware 19958

Mitchell Farm

Project No.: JDH-10/19/172

Date Completed: : March 27, 2019  
 Logged By: : A. Kus  
 Drilled By: : A. Vance  
 Drilling Method: : Hand Auger  
 Total Depth: : 3 feet

Depth in Feet	Surf. Elev. 14.0	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	14	Very pale brown, wet, fine to medium SAND, with trace silt (10 YR 7/3, Sand)		SP	1	Scale 1" ~ 1.5 feet
1	13				2	Boring excavated at bottom of infiltration stormwater management basin.
2	12				3	Groundwater was not encountered during augering operations.
3	11	Boring terminated at 3 feet.				
4	10					
5	9					
6	8					
7	7					
8	6					
9	5					
10						



**HYNES  
&  
ASSOCIATES**

# LOG OF BORING IT-3

(Page 1 of 1)

LW & JT Mitchell Family LP  
1019 Kings Highway  
Lewes, Delaware 19958

Mitchell Farm

Project No.: JDH-10/19/172

Date Completed: : March 27, 2019  
 Logged By: : A. Kus  
 Drilled By: : A. Vance  
 Drilling Method: : Hand Auger  
 Total Depth: : 3 feet

Depth in Feet	Surf. Elev. 14.0	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	14	Brownish yellow, wet, fine to medium SAND, with trace silt (10 YR 6/6, Sand)		SP	1	Scale 1" ~ 1.5 feet Boring excavated at bottom of infiltration stormwater management basin. Groundwater was not encountered during augering operations.
1	13				2	
2	12	Very pale brown, wet, fine to medium SAND, with trace silt (10 YR 7/3, Sand)		SP	3	
3	11	Boring terminated at 3 feet.				
4	10					
5	9					
6	8					
7	7					
8	6					
9	5					
10						





**HYNES  
&  
ASSOCIATES**

**LOG OF BORING IT-4**

(Page 1 of 1)

LW & JT Mitchell Family LP  
1019 Kings Highway  
Lewes, Delaware 19958

Mitchell Farm

Project No.: JDH-10/19/172

Date Completed: : March 27, 2019  
 Logged By: : A. Kus  
 Drilled By: : A. Vance  
 Drilling Method: : Hand Auger  
 Total Depth: : 3 feet

Depth in Feet	Surf. Elev. 14.0	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	14	Brownish yellow, wet, fine to medium SAND, with trace silt (10 YR 6/6, Sand)		SP	1	Scale 1" ~ 1.5 feet Boring excavated at bottom of infiltration stormwater management basin. Groundwater was not encountered during augering operations.
1	13				2	
2	12	Very pale brown, wet, fine to medium SAND, with trace silt (10 YR 7/3, Sand)		SP	3	
3	11	Boring terminated at 3 feet.				
4	10					
5	9					
6	8					
7	7					
8	6					
9	5					
10						



**HYNES  
&  
ASSOCIATES**

**LOG OF BORING IT-5**

(Page 1 of 1)

LW & JT Mitchell Family LP  
1019 Kings Highway  
Lewes, Delaware 19958

Mitchell Farm

Project No.: JDH-10/19/172

Date Completed: : March 27, 2019  
 Logged By: : A. Kus  
 Drilled By: : A. Vance  
 Drilling Method: : Hand Auger  
 Total Depth: : 3 feet

Depth in Feet	Surf. Elev. 14.0	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	14	Very pale brown, wet, fine to medium SAND, with trace silt (10 YR 7/3, Sand)		SP	1	Scale 1" ~ 1.5 feet
1	13				2	Boring excavated at bottom of infiltration stormwater management basin.
2	12				3	Groundwater was not encountered during augering operations.
3	11					
		Boring terminated at 3 feet.				
4	10					
5	9					
6	8					
7	7					
8	6					
9	5					
10						



**HYNES  
&  
ASSOCIATES**

## LOG OF BORING IT-6

(Page 1 of 1)

LW & JT Mitchell Family LP  
1019 Kings Highway  
Lewes, Delaware 19958

Mitchell Farm

Project No.: JDH-10/19/172

Date Completed: : March 27, 2019  
 Logged By: : A. Kus  
 Drilled By: : A. Vance  
 Drilling Method: : Hand Auger  
 Total Depth: : 3 feet

Depth in Feet	Surf. Elev. 14.0	DESCRIPTION	GRAPHIC	USCS	Sample No.	REMARKS
0	14	Yellowish brown, wet, fine to medium SAND, with little silt (10 YR 5/8, Loamy sand)		SM	1	Scale 1" ~ 1.5 feet  Boring excavated at bottom of infiltration stormwater management basin.  Groundwater was not encountered during augering operations.
1	13	Very pale brown, wet, fine to medium SAND, with trace silt (10 YR 7/3, Sand)		SP	2	
2	12				3	
3	11	Boring terminated at 3 feet.				
4	10					
5	9					
6	8					
7	7					
8	6					
9	5					
10						

**Falling Head  
Single Ring Infiltration Test**

Project: Mitchell Farm

Date: 3/27/2019

Project No.: 10/19/172

Test Location: IT-1

Depth from top of Casing to Bottom of Boring (D): N/A ft.

Height of Casing above Ground Surface (h<sub>c</sub>): N/A ft.

Test Depth: 6.00 ft.

Tester/ Technician Performing Test: Alycen

	Time (t)	Time Elapsed (min)	Hydraulic Head (h) (in)	Change (Δh) (in)	
Presoak	8:41	-	12.00	-	
	9:11	30	0.00	12.00	
Test 1	9:38	-	6.00	-	
	9:40	2	5.00	1.00	
	9:42	2	4.375	0.625	
	9:44	2	3.50	0.875	
	9:46	2	2.875	0.625	
	9:48	2	2.50	0.375	
	9:50	2	2.00	0.50	
	9:52	2	1.50	0.50	
	9:54	2	1.00	0.50	
	9:56	2	0.50	0.50	
	9:58	2	0.00	0.50	
		Test 1		<b>Infiltration Rate (in./hr.):</b>	<b>15.00</b>
	Test 2	9:59	-	6.00	-
10:01		2	5.125	0.875	
10:03		2	4.625	0.50	
10:05		2	3.875	0.750	
10:07		2	3.25	0.625	
10:09		2	2.50	0.75	
10:11		2	2.00	0.50	
10:13		2	1.375	0.625	
10:15		2	0.875	0.50	
10:17		2	0.25	0.625	
10:19		2	0.00	0.25	
	Test 2		<b>Infiltration Rate (in./hr.):</b>	<b>18.75</b>	

**Falling Head  
Single Ring Infiltration Test**

**Project:** Mitchell Farm

**Date:** 3/27/2019

**Project No.:** 10/19/172

**Test Location:** IT-2

**Depth from top of Casing to Bottom of Boring (D):** N/A ft.

**Height of Casing above Ground Surface (h<sub>c</sub>):** N/A ft.

**Test Depth:** 6.00 ft.

**Tester/ Technician Performing Test:** Alycen

	Time (t)	Time Elapsed (min)	Hydraulic Head (h) (in)	Change (Δh) (in)	
Presoak	8:58	-	12.00	-	
	9:28	30	3.00	9.00	
	9:38	40	0.00	12.00	
Test 1	10:24	-	6.00	-	
	10:27	3	5.00	1.00	
	10:30	3	4.00	1.00	
	10:33	3	3.375	0.625	
	10:36	3	2.75	0.625	
	10:39	3	2.00	0.75	
	10:42	3	1.50	0.50	
	10:45	3	0.875	0.625	
	10:48	3	0.25	0.625	
	10:51	3	0.00	0.25	
		Test 1		<b>Infiltration Rate (in./hr.):</b>	<b>12.50</b>
	Test 2	10:52	-	6.00	-
		10:55	3	5.125	0.875
		10:58	3	4.375	0.75
11:01		3	3.75	0.625	
11:04		3	3.00	0.75	
11:07		3	2.25	0.75	
11:10		3	1.625	0.625	
11:13		3	1.00	0.625	
11:16		3	0.375	0.625	
11:19		3	0.00	0.375	
		Test 2		<b>Infiltration Rate (in./hr.):</b>	<b>12.50</b>

**Falling Head  
Single Ring Infiltration Test**

Project: Mitchell Farm

Date: 3/27/2019

Project No.: 10/19/172

Test Location: IT-3

Depth from top of Casing to Bottom of Boring (D): N/A ft.

Height of Casing above Ground Surface ( $h_c$ ): N/A ft.

Test Depth: 6.00 ft.

Tester/ Technician Performing Test: Alycen

	Time (t)	Time Elapsed (min)	Hydraulic Head (h) (in)	Change ( $\Delta h$ ) (in)	
Presoak	9:07	-	12.00	-	
	9:28	21	0.00	12.00	
Test 1	11:35	-	6.00	-	
	11:37	2	4.50	1.50	
	11:39	2	3.375	1.125	
	11:41	2	2.50	0.875	
	11:43	2	1.50	1.00	
	11:45	2	0.625	0.875	
	11:47	2	0.00	0.625	
		Test 1		<b>Infiltration Rate (in./hr.):</b>	<b>30.00</b>
	11:47	-	6.00	-	
	11:49	2	5.00	1.00	
	11:51	2	3.75	1.25	
	11:53	2	2.25	1.50	
	11:55	2	1.500	0.75	
	11:57	2	0.75	0.75	
11:59	2	0.00	0.75		
	Test 2		<b>Infiltration Rate (in./hr.):</b>	<b>30.00</b>	
Test 3	12:00	2	6.00	-	
	12:02	2	5.00	1.00	
	12:04	2	3.875	1.125	
	12:06	2	2.75	1.125	
	12:08	2	1.875	0.875	
	12:10	2	1.125	0.75	
	12:12	2	0.625	0.50	
	12:14	2	0.00	0.625	
	Test 3		<b>Infiltration Rate (in./hr.):</b>	<b>15.00</b>	

**Falling Head  
Single Ring Infiltration Test**

Project: Mitchell Farm

Date: 3/27/2019

Project No.: 10/19/172

Test Location: IT-4

Depth from top of Casing to Bottom of Boring (D): N/A ft.

Height of Casing above Ground Surface (h<sub>c</sub>): N/A ft.

Test Depth: 6.00 ft.

Tester/ Technician Performing Test: Alycen

	Time (t)	Time Elapsed (min)	Hydraulic Head (h) (in)	Change (Δh) (in)	
Presoak	9:21	-	12.00	-	
	9:41	20	2.00	10.00	
	9:43	22	0.00	12.00	
Test 1	12:19	-	6.00	-	
	12:21	2	4.75	1.25	
	12:23	2	3.625	1.125	
	12:25	2	2.625	1.00	
	12:27	2	1.50	1.125	
	12:29	2	0.50	1.00	
	12:31	2	0.00	0.50	
		Test 1		<b>Infiltration Rate (in./hr.):</b>	<b>30.00</b>
	12:31	-	6.00	-	
	12:33	2	5.25	0.75	
	12:35	2	4.125	1.125	
12:37	2	3.00	0.75		
12:39	2	2.25	1.00		
12:41	2	1.25	1.00		
12:43	2	0.00	1.25		
	Test 2		<b>Infiltration Rate (in./hr.):</b>	<b>30.00</b>	
Test 3	12:43	2	6.00	-	
	12:45	2	5.00	1.00	
	12:47	2	4.00	1.00	
	12:49	2	3.00	1.00	
	12:51	2	2.00	1.00	
	12:53	2	1.00	1.00	
	12:55	2	0.00	1.00	
	Test 3		<b>Infiltration Rate (in./hr.):</b>	<b>30.00</b>	

**Falling Head  
Single Ring Infiltration Test**

Project: Mitchell Farm

Date: 3/27/2019

Project No.: 10/19/172

Test Location: IT-5

Depth from top of Casing to Bottom of Boring (D): N/A ft.

Height of Casing above Ground Surface (h<sub>c</sub>): N/A ft.

Test Depth: 6.00 ft.

Tester/ Technician Performing Test: Alycen

	Time (t)	Time Elapsed (min)	Hydraulic Head (h) (in)	Change (Δh) (in)	
Presoak	10:56	-	12.00	-	
	11:28	32	0.00	12.00	
Test 1	13:00	-	6.00	-	
	13:02	2	5.00	1.00	
	13:04	2	4.25	0.750	
	12:06	2	3.375	0.875	
	13:08	2	2.750	0.625	
	13:10	2	2.125	0.625	
	13:12	2	1.50	0.625	
	13:14	2	0.875	0.625	
	13:16	2	0.25	0.625	
	13:18	2	0.00	0.25	
		Test 1	<b>Infiltration Rate (in./hr.):</b>		<b>18.75</b>
	Test 2	13:19	-	6.00	-
		13:21	2	5.25	0.750
13:23		2	4.375	0.875	
13:25		2	3.75	0.625	
13:27		2	3.00	0.75	
13:29		2	2.25	0.75	
13:31		2	1.625	0.625	
13:33		2	1.00	0.625	
13:35		2	0.375	0.625	
13:37		2	0.00	0.375	
	Test 2	<b>Infiltration Rate (in./hr.):</b>		<b>18.75</b>	



**Falling Head  
Single Ring Infiltration Test**

Project: Mitchell Farm

Date: 3/27/2019

Project No.: 10/19/172

Test Location: IT-6

Depth from top of Casing to Bottom of Boring (D): N/A ft.

Height of Casing above Ground Surface (h<sub>c</sub>): N/A ft.

Test Depth: 6.00 ft.

Tester/ Technician Performing Test: Alycen

	Time (t)	Time Elapsed (min)	Hydraulic Head (h) (in)	Change (Δh) (in)	
Presoak	11:27	-	12.00	-	
	12:56		2.00	10.00	
Test 1	13:00	-	6.00	-	
	13:05	5	5.50	0.50	
	13:10	5	4.50	1.00	
	12:15	5	4.00	0.50	
	13:20	5	3.50	0.50	
	13:25	5	2.875	0.625	
	12:30	5	2.25	0.625	
	12:40	10	1.625	0.625	
	13:50	10	1.00	0.625	
	14:00	10	0.00	1.00	
		Test 1	<b>Infiltration Rate (in./hr.):</b>		<b>3.75</b>
	Test 2	14:00	-	6.00	-
14:10		10	5.00	1.000	
14:20		10	4.00	1.00	
14:30		10	3.25	0.75	
14:40		10	2.50	0.75	
14:50		10	2.00	0.50	
15:00		10	1.50	0.50	
		Test 2	<b>Infiltration Rate (in./hr.):</b>		<b>3.00</b>

**Falling Head  
Single Ring Infiltration Test  
(Delaware)**



**Tools and Supplies:**

- |   |  |
|---|--|
| <input type="checkbox"/> 50 gallons of clean water per test | <input type="checkbox"/> Driving Block and Cap   |
| <input type="checkbox"/> One 12" (or 4") ring per test      | <input type="checkbox"/> Purge Pump, tubing, and buckets                                 |
| <input type="checkbox"/> Well Sand                          | <input type="checkbox"/> Battery   |
| <input type="checkbox"/> Shovels Flat/Round                 | <input type="checkbox"/> Mini Excavator – Rental (pits deeper than 2 ft)                 |
| <input type="checkbox"/> Hand Rake                          | <input type="checkbox"/> Gator/ATV (as necessary)  |
| <input type="checkbox"/> Sledge Hammer                      | <input type="checkbox"/> Hand Auger (with extensions)                                    |
|   | <input type="checkbox"/> 4 inch thin wall PVC (at least one foot longer than test depth) |

Note: 1 test period equals 1 hour maximum or until water empties out of ring, or until infiltration rate equilibrates. Contact Project manager before stopping test for less than 4 test runs and with questions about testing.

**Procedure:**

- A. Advance one soil boring at each test location. The boring should extend to groundwater. Accurately measure depth to groundwater and depth of each soil change. Pay close attention to soils for mottling. Contact office for test depth if depth not provided.
- B. Excavate test pit to specified test depth. Test pit should be sloped or benched in accordance with OSHA standards. (For safety two people will be onsite for tests deeper than 4 feet).
- C. Use Flat point shovel or trowel to grade bottom of test pit. Bottom of excavation should be flat but not compacted. **Check boring log to ensure that soil at bottom of excavation is soil type to be tested.**
- D. Set up ring (permeameter)/Pre-soak
  1. Set ring at bottom of excavation.
  2. Using driving block drive (ring) approximately 2-3 inches into the ground.
  3. Lightly tamp disturbed soil along inside and outside edges of ring. **Do not compact soil at the bottom of the hole.**
  4. Use hand rake to scarify soils within test ring.
  5. Spread approximately ½" of well sand in bottom of ring.
  6. Fill ring with approximately 12 inches of water. Be careful not to erode soil at bottom
  7. Measure using tape measure distance from top of ring to to water surface. You may also use water level indicator device.
  8. Monitor water drop every 10-15 minutes for 1 hour or until ring runs dry (whichever occurs first).
  9. Contact project manager after pre-soak with infiltration data.

**Falling Head  
Single Ring Infiltration Test  
(Delaware)**



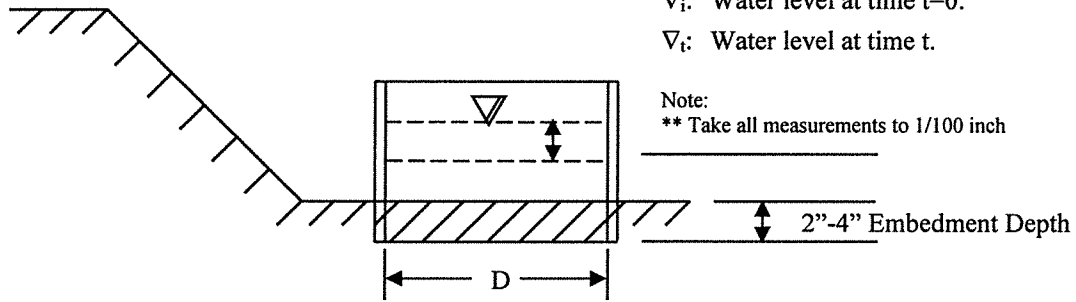
**E. Run Test (minimum 2 test periods)**

1. Readings should be no greater than 15 minutes apart. Reading interval to be based on pre-soak data. See attached data sheet.
2. For each test period, fill ring with 6 inches of water.
3. After pre-soak, run 2-4 test intervals, depending on test data.
4. Individual Test period can be terminated when four successive readings during a test period vary less than  $\frac{1}{4}$  inch for rates greater than 2 in/hr., or vary by  $\frac{1}{8}$  inch for rates less than 2 in/hr. Test period can also be terminated after 1 hour.
5. If test rates do not equilibrate after 4 test periods, contact project manager.
6. If ring runs dry within 7 minutes, contact project manager.

**Falling Head  
Single Ring Infiltration Test  
(Delaware)**



- D: Diameter of Ring.
- $H_c$ : Distance from bottom of Drop Tube to Soil.
- $\nabla$ : Water level in infiltration Ring.
- $\nabla_i$ : Water level at time  $t=0$ .
- $\nabla_t$ : Water level at time  $t$ .



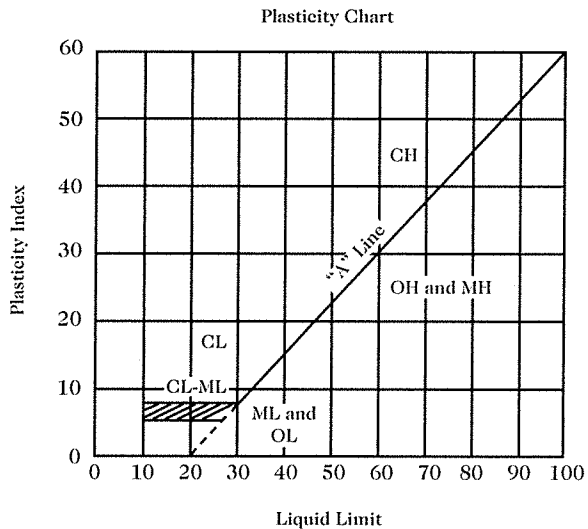


# JOHN D. HYNES & ASSOCIATES, INC.

Geotechnical and Environmental Consultants  
 Monitoring Well Installation  
 Construction Inspection and Materials Testing

## UNIFIED SOIL CLASSIFICATION SYSTEM

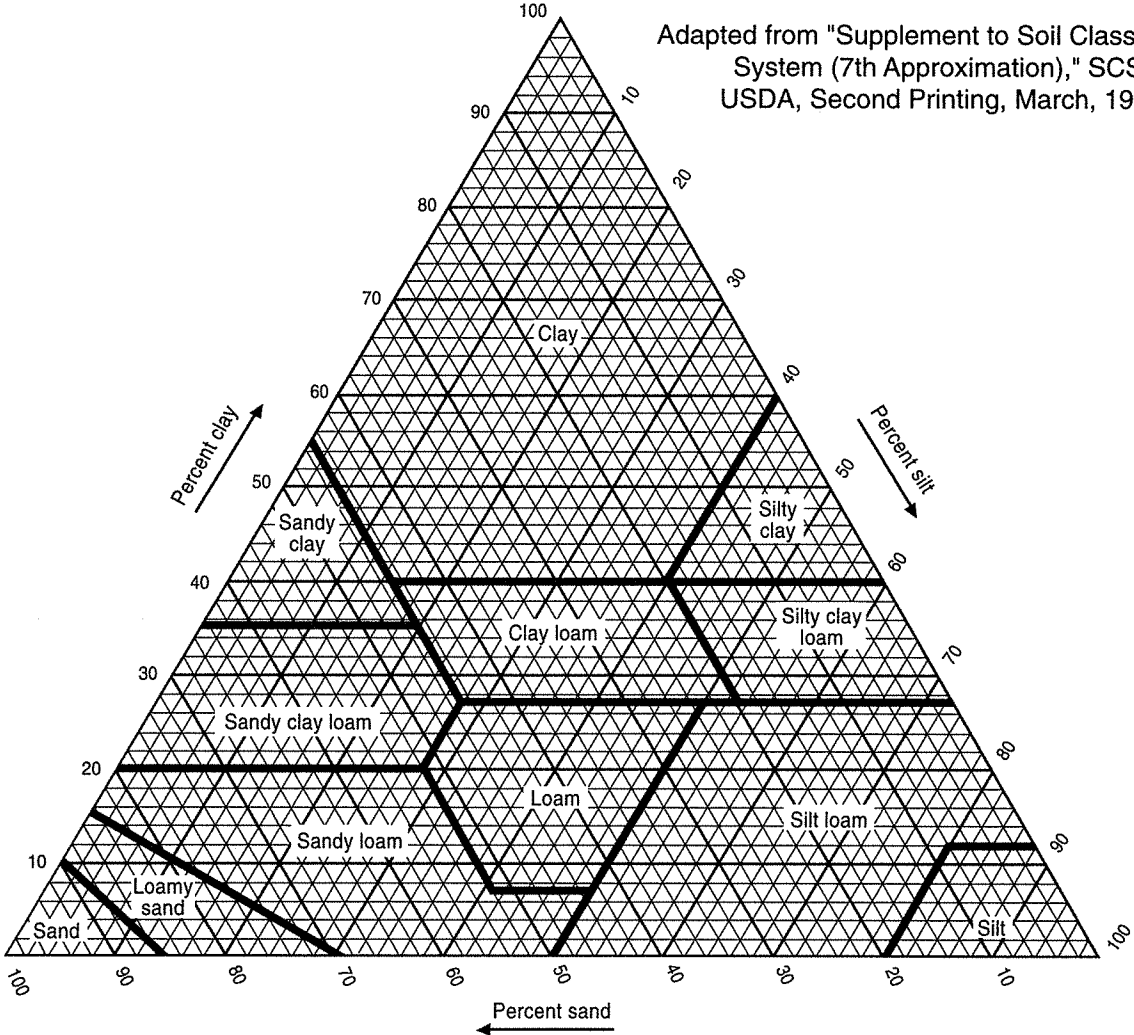
Major Divisions		Group Symbols	Typical Names	Laboratory Classification Criteria			
Coarse-grained soils (More than half of material is larger than No 200 sieve size)	Gravels (More than half of coarse fraction is larger than No 4 sieve size)	Clean gravels (Little or no fines)	GW	Well-graded gravels, gravel-sand mixtures, little or no fines	$C_u = \frac{D_{60}}{D_{10}}$ greater than 4; $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ between 1 and 3  Not meeting all gradation requirements for GW  Atterberg limits below "A" line or P.I. less than 4  Atterberg limits above "A" line with P.I. greater than 7  Above "A" line with P.I. between 4 and 7 are <i>border-line</i> cases requiring use of dual symbols		
			GP	Poorly graded gravels, gravel sand mixtures, little or no fines			
		Gravels with fines (Appreciable amount of fines)	GM <sup>d</sup> <sub>u</sub>	Silty gravels, gravel-sand-silt mixtures			
			GC	Clayey gravels, gravel-sand-clay mixtures			
	Sands (More than half of coarse fraction is smaller than No 4 sieve size)	Clean sands (Little or no fines)	SW	Well-graded sands, gravelly sands,	$C_u = \frac{D_{60}}{D_{10}}$ greater than 6; $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ between 1 and 3  Not meeting all gradation requirements for SW  Atterberg limits below "A" line or P.I. less than 4  Atterberg limits above "A" line with P.I. greater than 7  Above "A" line with P.I. between 4 and 7 are <i>border-line</i> cases requiring use of dual symbols.		
			SP	Poorly graded sands, gravelly sands, little or no fines			
		Sands with fines (Appreciable amount of fines)	SM <sup>d</sup> <sub>u</sub>	Silty sands, sand-silt mixtures			
			SC	Clayey sands, sand-clay mixtures			
		Fine-grained soils (More than half material is smaller than No 200 sieve)	Sils and clays (Liquid limit less than 50)	ML		Inorganic silts and very fine sands, rock flour, silty or clayey fine sands, or clayey silts with slight plasticity	Determine percentages of sand and gravel from grain-size curve. Depending on percentage of fines (fraction smaller than No 200 sieve size), coarse grained soils are classified as follows: Less than 5 percent More than 12 percent 5 to 12 percent
				CL		Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays	
OL	Organic silts and organic silty clays of low plasticity						
Sils and clays (Liquid limit greater than 50)	MH		Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts				
	CH		Inorganic clays of high plasticity, fat clays				
	OH		Organic clays of medium to high plasticity, organic silts				
Highly organic soils	Pt		Peat and other highly organic soils				



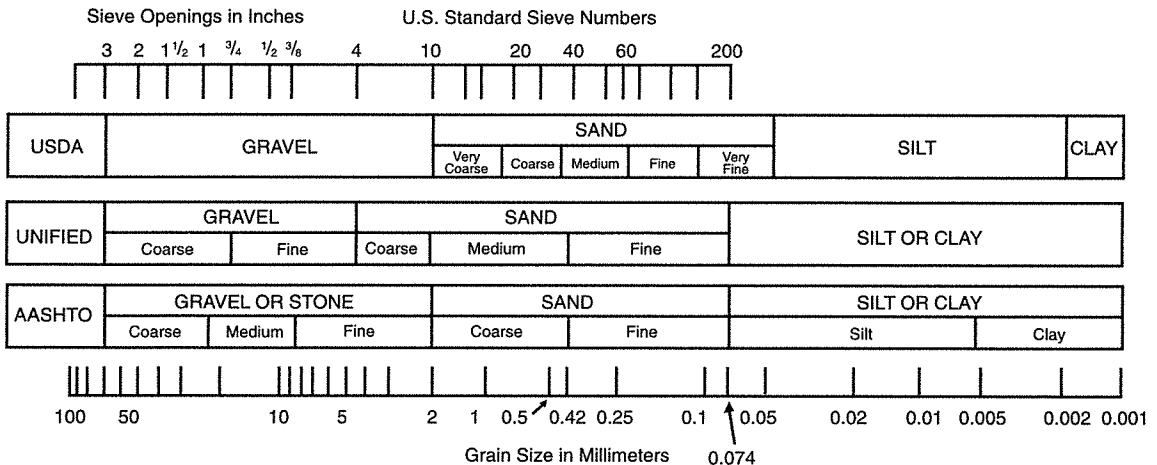


## USDA SOIL CLASSIFICATION SYSTEM

Adapted from "Supplement to Soil Classification System (7th Approximation)," SCS, USDA, Second Printing, March, 1967



### COMPARISON OF PARTICLE - SIZE SCALES



Soil triangle of the basic soil textural classes. (U.S. Soil Conservation Service.) 288-D-2782.



## FIELD CLASSIFICATION SYSTEM FOR SOIL EXPLORATION

### NON-COHESIVE SOILS

(Silt, Sand, Gravel and Combinations)

#### DENSITY

Very Loose	- 5 blows/ft. or less
Loose	- 6 to 10 blows/ft.
Medium Dense	- 11 to 30 blows/ft.
Dense	- 31 to 50 blows/ft.
Very Dense	- 51 blows/ft. or more

#### PARTICLE SIZE IDENTIFICATION

Boulders	- 8 inch diameter or more
Cobbles	- 3 to 8 inch diameter
Gravel	- Coarse - 1 to 3 inch - Medium - 1/2 to 1 inch - Fine - 4.75 mm to 1/2 inch
Sand	- Coarse - 2.0 mm to 4.75 mm - Medium - 0.425 mm to 2.0 mm - Fine - 0.075 mm to 0.425 mm
Silt	- 0.075 mm to 0.002 mm

#### RELATIVE PROPORTIONS

Descriptive Term	Percent
Trace	1 - 10
Little	11 - 20
Some	21 - 35
And	36 - 50

### COHESIVE SOILS

(Clay, Silt and Combinations)

#### CONSISTENCY

Very Soft	- 3 blows/ft. or less
Soft	- 4 to 5 blows/ft.
Medium Stiff	- 6 to 10 blows/ft.
Stiff	- 11 to 15 blows/ft.
Very Stiff	- 16 to 30 blows/ft.
Hard	- 31 blows/ft. or more

#### PLASTICITY

Degree of Plasticity	Plasticity Index
None to Slight	0 - 4
Slight	5 - 7
Medium	8 - 22
High to Very High	over 22

Classification on logs are made by visual inspection of samples unless a sample has been subjected to laboratory classification testing.

Standard Penetration Test - Driving a 2.0" O.D., 1-3/8" I.D., splitspoon sampler a distance of 1.0 foot into undisturbed soil with a 140 pound hammer free falling a distance of 30.0 inches. It is customary to drive the spoon 6 inches to seat into undisturbed soil, then perform the test. The number of hammer blows for seating the spoon and making the test are recorded for each 6 inches of penetration on the drill log (Example - 6/8/9). The standard penetration test value (N - value) can be obtained by adding the last two figures (i.e. 8 + 9 = 17 blows/ft.). (ASTM D-1586)

Strata Changes - In the column "Soil Descriptions," on the drill log, the horizontal lines represent strata changes. A solid line (—) represents an actually observed change, a dashed line (---) represents an estimated change.

Groundwater - Observations were made at the times indicated. Porosity of soil strata, weather conditions, site topography, etc. may cause changes in the water levels indicated on the logs.

## Important Information about This

# Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

### Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical-engineering study conducted for a civil engineer may not fulfill the needs of a constructor — a construction contractor — or even another civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client. No one except you should rely on this geotechnical-engineering report without first conferring with the geotechnical engineer who prepared it. *And no one — not even you — should apply this report for any purpose or project except the one originally contemplated.*

### Read the Full Report

Serious problems have occurred because those relying on a geotechnical-engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

### Geotechnical Engineers Base Each Report on a Unique Set of Project-Specific Factors

Geotechnical engineers consider many unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk-management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical-engineering report that was:

- not prepared for you;
- not prepared for your project;
- not prepared for the specific site explored; or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical-engineering report include those that affect:

- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light-industrial plant to a refrigerated warehouse;
- the elevation, configuration, location, orientation, or weight of the proposed structure;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes—even minor ones—and request an

assessment of their impact. *Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.*

### Subsurface Conditions Can Change

A geotechnical-engineering report is based on conditions that existed at the time the geotechnical engineer performed the study. *Do not rely on a geotechnical-engineering report whose adequacy may have been affected by:* the passage of time; man-made events, such as construction on or adjacent to the site; or natural events, such as floods, droughts, earthquakes, or groundwater fluctuations. *Contact the geotechnical engineer before applying this report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.*

### Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ — sometimes significantly — from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide geotechnical-construction observation is the most effective method of managing the risks associated with unanticipated conditions.

### A Report's Recommendations Are Not Final

Do not overrely on the confirmation-dependent recommendations included in your report. *Confirmation-dependent recommendations are not final*, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations *only* by observing actual subsurface conditions revealed during construction. *The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's confirmation-dependent recommendations if that engineer does not perform the geotechnical-construction observation required to confirm the recommendations' applicability.*

### A Geotechnical-Engineering Report Is Subject to Misinterpretation

Other design-team members' misinterpretation of geotechnical-engineering reports has resulted in costly



problems. Confront that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Constructors can also misinterpret a geotechnical-engineering report. Confront that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing geotechnical construction observation.

### **Do Not Redraw the Engineer's Logs**

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical-engineering report should *never* be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, *but recognize that separating logs from the report can elevate risk.*

### **Give Constructors a Complete Report and Guidance**

Some owners and design professionals mistakenly believe they can make constructors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give constructors the complete geotechnical-engineering report, *but* preface it with a clearly written letter of transmittal. In that letter, advise constructors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. *Be sure constructors have sufficient time* to perform additional study. Only then might you be in a position to give constructors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

### **Read Responsibility Provisions Closely**

Some clients, design professionals, and constructors fail to recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help

others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

### **Environmental Concerns Are Not Covered**

The equipment, techniques, and personnel used to perform an *environmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical-engineering report does not usually relate any environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own environmental information, ask your geotechnical consultant for risk-management guidance. *Do not rely on an environmental report prepared for someone else.*

### **Obtain Professional Assistance To Deal with Mold**

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the *express purpose* of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold-prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, many mold-prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical-engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; *none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention.* Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.

### **Rely, on Your GBC-Member Geotechnical Engineer for Additional Assistance**

Membership in the Geotechnical Business Council of the Geoprofessional Business Association exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project. Confer with you GBC-Member geotechnical engineer for more information.



8811 Colesville Road/Suite G106, Silver Spring, MD 20910  
Telephone: 301/565-2733 Facsimile: 301/589-2017  
e-mail: [info@geoprofessional.org](mailto:info@geoprofessional.org) [www.geoprofessional.org](http://www.geoprofessional.org)

Copyright 2015 by Geoprofessional Business Association (GBA). Duplication, reproduction, or copying of this document, or its contents, in whole or in part, by any means whatsoever, is strictly prohibited, except with GBA's specific written permission. Excerpting, quoting, or otherwise extracting wording from this document is permitted only with the express written permission of GBA, and only for purposes of scholarly research or book review. Only members of GBA may use this document as a complement to or as an element of a geotechnical-engineering report. Any other firm, individual, or other entity that so uses this document without being a GBA member could be committing negligent or intentional (fraudulent) misrepresentation.

# **APPENDIX 7**

## **CLIMATIC WATER BUDGET SPREADSHEETS**

**Table 1 - Site Description  
Mitchell Farm, Lewes, DElaware**

<b>Name of development:</b>	Mitchell/Zwaanandael Farm		
<b>Calculations by:</b>	Steve Cahill, P.G.		
<b>Name of watershed:</b>	North Rehoboth Bay		
<b>Landuse/landcover</b>			
<b>Existing site:</b>	Agricultural with Stormwater Basin Installed		
<b>Proposed site:</b>	Commercial and Residential Development		
<b>Type of WRPA:</b>	Wellhead Area per Sussex County Code		
<b>Project area</b>			
<b>Entire property:</b>	51.01	acres	
<b>Area within WRPA:</b>	9.34	acres	
<b>Impervious cover</b>			
<b>Existing within WRPA:</b>	2.48	acres	26.0%
<b>Proposed within WRPA:</b>	4.89	acres	52%
<b>Proposed Groundwater recharge facilities:</b>	Infiltration basin		

**\*Although the existing impervious cover = 26% within the WPA, calculations assume no predevelopment impervious cover to reflect all predevelopment conditions.**

## Climatic Water Balance Predevelopment, Agricultural Areas

CLIMATIC WATER BALANCE IN SOIL GROUP B FOR AGRICULTURAL USE  
SOIL MOISTURE STORAGE = 8 inches

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANNUAL
Precipitation (P)	3.03	3.16	3.44	3.09	3.42	3.69	4.83	4.87	3.93	4.37	2.47	3.07	43.37
Runoff Coeff. (RC)	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	
Runoff (RO=RC*P)	0.30	0.32	0.34	0.31	0.34	0.37	0.48	0.49	0.39	0.44	0.25	0.31	4.34
Infiltration (P-RO)	2.73	2.84	3.10	2.78	3.08	3.32	4.35	4.38	3.54	3.93	2.22	2.76	
PET	0.00	0.00	0.62	2.00	3.72	5.25	6.10	5.31	3.74	2.02	0.75	0.00	
Infiltration-PET	2.73	2.84	2.48	0.78	-0.64	-1.93	-1.75	-0.93	-0.20	1.91	1.47	2.76	
Cumulative Water Loss	0.00	0.00	0.00	0.00	-0.64	-2.57	-4.32	-5.25	-5.45	0.00	0.00	0.00	
Storage (ST)	8.00	8.00	8.00	8.00	7.38	5.79	4.66	4.14	4.04	5.95	7.42	8.00	
Change ST	0.00	0.00	0.00	0.00	-0.62	-1.59	-1.13	-0.52	-0.10	1.91	1.47	0.58	
AET	0.00	0.00	0.62	2.00	3.70	4.91	5.48	4.90	3.64	2.02	0.75	0.00	28.02
Percolation	2.73	2.84	2.48	0.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.18	11.02

Values are in inches except for RC, which is unitless.

Assume Corn and Grain Crop Use with Soil Group B

PET = Potential Evapotranspiration; AET = Actual Evapotranspiration

References:

Delaware Environmental Observing System, Historical Monthly Station Summary Retrieval

Georgetown-Delaware Coastal Airport, Weather Station, Mean Monthly Precipitation 2010 to 2021

Thornwaite, C.W. & J.R. Mather, 1957. "Instructions and Tables for Computing Potential Evapotranspiration and the Water Balance." Drexel Institute of Technology, Publications in Climatology, Centeron, New Jersey.

WRA, 2005. "Delaware Ground-Water Recharge Design Manual; Supplement 1 to the Source Water Protection Guidance Manual

for the Local Governments of Delaware." March 2004, revised May 2005, revised June 2017. University of Delaware, Water Resources Agency (WRA).

## Climatic Water Balance Predevelopment, Stormwater Basin

CLIMATIC WATER BALANCE IN SOIL GROUP A FOR SWM Basin  
SOIL MOISTURE STORAGE = 14 inches

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANNUAL
Precipitation (P)	3.03	3.16	3.44	3.09	3.42	3.69	4.83	4.87	3.93	4.37	2.47	3.07	43.37
Runoff Coeff. (RC)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	
Runoff (RO=RC*P)	0.03	0.03	0.03	0.03	0.03	0.04	0.05	0.05	0.04	0.04	0.02	0.03	0.43
Infiltration (P-RO)	3.00	3.13	3.41	3.06	3.39	3.65	4.78	4.82	3.89	4.33	2.45	3.04	
PET	0.00	0.00	0.62	2.00	3.72	5.25	6.10	5.31	3.74	2.02	0.75	0.00	
Infiltration-PET	3.00	3.13	2.79	1.06	-0.33	-1.60	-1.32	-0.49	0.15	2.31	1.70	3.04	
Cumulative Water Loss	0.00	0.00	0.00	0.00	-0.33	-1.93	-3.25	-3.74	0.00	0.00	0.00	0.00	
Storage (ST)	14.00	14.00	14.00	14.00	13.67	12.20	11.10	10.71	10.86	13.17	14.00	14.00	
Change ST	0.00	0.00	0.00	0.00	-0.33	-1.47	-1.10	-0.39	0.15	2.31	0.83	0.00	
AET	0.00	0.00	0.62	2.00	3.72	5.25	6.10	5.31	3.74	2.02	0.75	0.00	29.51
Percolation	3.00	3.13	2.79	1.06	0.00	0.00	0.00	0.00	0.00	0.00	0.87	3.04	13.87

Values are in inches except for RC, which is unitless.

Assume Soil Group A, Sandy Soils with Meadow-Type Vegetation

PET = Potential Evapotranspiration; AET = Actual Evapotranspiration

References:

Delaware Environmental Observing System, Historical Monthly Station Summary Retrieval

Georgetown-Delaware Coastal Airport, Weather Station, Mean Monthly Precipitation 2010 to 2021

Thornwaite, C.W. & J.R. Mather, 1957. "Instructions and Tables for Computing Potential Evapotranspiration and the Water Balance." Drexel Institute of Technology, Publications in Climatology, Centeron, New Jersey.

WRA, 2005. "Delaware Ground-Water Recharge Design Manual; Supplement 1 to the Source Water Protection Guidance Manual

for the Local Governments of Delaware." March 2004, revised May 2005, revised June 2017. University of Delaware, Water Resources Agency (WRA).

**Climatic Water Balance  
Post Development, Grass Landscape Areas**

CLIMATIC WATER BALANCE IN SOIL GROUP B FOR GRASS COVERED AREAS POST DEVELOPMENT  
SOIL MOISTURE STORAGE = 10 inches

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANNUAL
Precipitation (P)	3.03	3.16	3.44	3.09	3.42	3.69	4.83	4.87	3.93	4.37	2.47	3.07	43.37
Runoff Coeff. (RC)	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	
Runoff (RO=RC*P)	0.12	0.13	0.14	0.12	0.14	0.15	0.19	0.19	0.16	0.17	0.10	0.12	1.73
Infiltration (P-RO)	2.91	3.03	3.30	2.97	3.28	3.54	4.64	4.68	3.77	4.20	2.37	2.95	
PET	0.00	0.00	0.62	2.00	3.72	5.25	6.10	5.31	3.74	2.02	0.75	0.00	
Infiltration-PET	2.91	3.03	2.68	0.97	-0.44	-1.71	-1.46	-0.63	0.03	2.18	1.62	2.95	
Cumulative Water Loss	0.00	0.00	0.00	0.00	-0.44	-2.14	-3.61	-4.24	0.00	0.00	0.00	0.00	
Storage (ST)	10.00	10.00	10.00	10.00	9.57	8.10	7.01	6.57	6.60	8.78	10.00	10.00	
Change ST	0.00	0.00	0.00	0.00	-0.43	-1.47	-1.09	-0.44	0.03	2.18	1.22	0.00	
AET	0.00	0.00	0.62	2.00	3.71	5.01	5.73	5.12	3.74	2.02	0.75	0.00	28.70
Percolation	2.91	3.03	2.68	0.97	0.00	0.00	0.00	0.00	0.00	0.00	0.40	2.95	12.93

Values are in inches except for RC, which is unitless.

Assume Grass as Pervious Cover with Group B Soils

PET = Potential Evapotranspiration; AET = Actual Evapotranspiration

Assume Grass as Pervious Cover

References:

Delaware Environmental Observing System, Historical Monthly Station Summary Retrieval

Georgetown-Delaware Coastal Airport, Weather Station, Mean Monthly Precipitation 2010 to 2021

Thornwaite, C.W. & J.R. Mather, 1957. "Instructions and Tables for Computing Potential Evapotranspiration and the Water Balance." Drexel Institute of Technology, Publications in Climatology, Centeron, New Jersey.

WRA, 2005. "Delaware Ground-Water Recharge Design Manual; Supplement 1 to the Source Water Protection Guidance Manual

for the Local Governments of Delaware." March 2004, revised May 2005, revised June 2017. University of Delaware, Water Resources Agency (WRA).

**Recharge Volumes  
Mitchell/Zwaanendael Farm**

**PRE-DEVELOPMENT RECHARGE VOLUME**

(Includes allowable 20% impervious)

Cover Type	Soil Group	Surface Cover (percent)	Area (acres)	Recharge (inches)	Recharge Volume (acre-inches)	Recharge Volume (gallons)
Agricultural Land	B	100%	9.34	11.02	103	2,796,891
Stormwater Basin	A	0%	0.00	0.00	0	-
Impervious (sidewalks/pavement)	N/A	0%	0.00	N/A	N/A	N/A
<b>Total</b>		<b>100%</b>	<b>9.34</b>	<b>11.02</b>	<b>103</b>	<b>2,796,891</b>

**POST-DEVELOPMENT RECHARGE VOLUME**

Cover Type	Soil Group	Surface Cover (percent)	Area (acres)	Recharge (inches)	Recharge Volume (acre-inches)	Recharge Volume (gallons)
Pervious, Grass/Landscape Areas	B	44%	4.12	12.93	53	1,439,177
Stormwater Basin	A	4%	0.33	13.87	5	135,771
Building/other impervious	N/A	52%	4.89	N/A	N/A	N/A
<b>Total</b>		<b>100%</b>	<b>9.34</b>		<b>37</b>	<b>1,574,948</b>

**NET LOSS IN RECHARGE DUE TO DEVELOPMENT**

Status			Recharge Volume (acre-inches)	Recharge Volume (gallons)
Predevelopment	Impervious	0%	103	2,796,891
Postdevelopment	Impervious	52%	37	1,574,948
<b>Net Recharge Loss</b>				<b>1,221,943</b>

The recharge facility should be designed to infiltrate the Net Recharge Loss within the Wellhead Area. Pre-development calculations assume no starting impervious cover. All lands were originally agricultural.

**Table 5 - Required Rooftop Area  
Zwaanandael-Mitchell Farm**

**Required Rooftop Area (RFA) = Net Recharge Loss / (Annual Precipitation \* 90% Not Evaporated)**

Net Recharge Loss =	1,221,943	gallons per year
Annual Precipitation =	43.37	inches per year
Volume Not Evaporated =	90%	
<b>RFA =</b>	<b>50,223</b>	<b>square feet required for discharge</b>

**Surplus Rooftop Area = Proposed Building Area - RFA**

Proposed Building =	47,577	square feet
RFA =	50,223	square feet
Surplus or (Deficit) in Rooftop Area =	(2,646)	square feet

**Recharge Volume of Proposed Rooftop = Rooftop Area \* Precipitation \* 90% Not Evaporated**

Proposed Building =	47,577	square feet
Annual Precipitation =	43.37	inches per year
Volume Not Evaporated =	90%	
Recharge Volume of Proposed Rooftop =	1,157,576	gallons per year

**Surplus Recharge Volume = Recharge Volume of Proposed Rooftop - Net Recharge Loss**

Recharge Volume of Proposed Rooftop =	1,157,576	gallons per year
Net Recharge Loss =	1,221,943	gallons per year
Surplus or (Deficit) of Recharge Volume =	(64,367)	gallons per year

References Water Resource Agency, 2005. "Delaware Ground-Water Recharge Design Manual."



**T**

Mitchells Corner

Letter of Architectural Appropriateness:

Cape Henlopen High School and Cape Henlopen Medical Center currently frame the busy intersection of Kings Highway and Gills Neck Road. The Mitchells Corner Commercial Building is proposed for an approximately 3.0-acre parcel of land situated approximately 375 feet from the intersection. It is part of a proposed project that includes road improvements around the intersection, a section of greenway along Kings Highway and new townhome residences.

The school and the medical building are neither inhospitable to each other, nor do they directly complement each other in style, form or scale. The Medical building and the school are articulated with tower, shape and massing to draw attention to themselves. The proposed building foregoes articulated (scale) elements to serve as a link between the medical building and the residential buildings. The idea is to have the three parts, medical, office and residential, work as a group.

Architecturally, Cape Henlopen High School is a large, complex building designed as a combination of brick facades with punched openings and arched roof gables that alternate with light color bays. Important parts of the design, such as the entry, have volumetric curved forms. The school's entry drive is part of the intersection, while the building is physically set back with parking and open space in front.

Cape Henlopen Medical Center sits on the northeast corner of the intersection. The building has light colored tower-like blocks in various sizes, primarily used as a design element to provide verticality and to visually strengthen the building corners. The façade between the towers is brick with horizontal windows.

As one can see, there are numerous architectural motifs in the context that might be evoked to rationalize nearly any architectural style. The design challenge of the Mitchells Corner Commercial Building is, therefore, to 'fit' an amorphous architectural context. We choose to enhance the context by relating our materials, form and scale to this environment in a number of respects. The proposed building emulates the brick and punched openings of the Cape Henlopen High School. It is this motif that supports and ties together the various elements of the school building, and we use it for a similar design purpose. We use square punched openings to convey stability and calm. Brick is also the one material common to all the buildings around the intersection. Consequently, the brick facade will also provide a neutral transition from the Medical Building on one side to the proposed townhomes on the other. We added metal panels above the windows to provide a horizontal gesture that further links the adjacent medical and residential buildings. We also acknowledge the corner features of the Cape Henlopen Medical Center by reversing their assertiveness with small glass corners on the proposed building. What is solid on the Medical Center becomes transparent on the proposed building. Lastly, we designed a brick, rectangular frame to mark the entry. This reiterates the form of the Medical Center towers without verticality. Thus, the proposed building extends the context through scale, materials and form as a 'good neighbor', rather than drawing attention to itself as a 'statement building'.

Daryl Carrington, Ph.D.

U

February 28, 2022

Mr. Ring W. Lardner, P.E., Principal  
Davis, Bowen & Friedel, Inc.  
Milford, DE 19966

*Transmitted by Email: [rwf@dbfinc.com](mailto:rwf@dbfinc.com)*

**RE: MITCHELLS CORNER | C/U 2334 | C/Z 1967 | C/Z 1968 | S-2022-01  
HENLOPEN PROPERTIES, LLC  
KINGS HIGHWAY | TAX MAP 335-8.00-37.00  
LEWES REHOBOTH HUNDRED, SUSSEX COUNTY**

Dear Mr. Lardner:

Pursuant to your request, I have reviewed the preliminary subdivision plan, dated December 2021 for the above referenced project and applications. You requested a peer review of the property as it pertains to Land Planning in an area that is among the most desirable locations in Sussex County. My opinions below are based on my many years of land planning in Sussex County as well my knowledge of similar style projects while doing work for both the public and private sectors. Land Use Planning is based on social, economic, political, legal, physical and planning aspects of urban and rural land use. Our exchange of ideas and information from a diverse range of disciplines and individuals will hopefully help formulate effective land use decisions.

The overall purpose of this review is to demonstrate and promote the applicant's interest in the proposed development's compliance with the rules, regulations and standards of the County's Zoning regulations and districts as established and adopted and in accordance with 2019 Comprehensive Plan which promotes the health, safety, morals, convenience, order, prosperity and general welfare of the citizens of Sussex County, Delaware. We know that the regulations and ordinances ensure the lessening of congestion in the streets and roads reducing the waste of excessive amounts of roads; securing safety from fire, flood and other dangers; providing adequate light and air; preventing on the one hand excessive concentration of population and on the other hand excessive and wasteful scattering of population; promoting adequate provisions for public requirements, transportation, water supply, water- and air-pollution abatement, drainage, sanitation, education opportunities, recreation and protecting both urban and nonurban development. The regulations and ordinances are made with reasonable consideration, the character of the particular district involved, its particular suitability for particular uses, the conservation of property values and natural resources and the general and appropriate trend and character of land, building and population development.

By way of background, I reviewed the following:

Plan Reviewed: "PRELIMINARY SUBDIVISION PLANS" dated DECEMBER 2021  
Sheets PL-01 through PL - 15

Sussex County

Public Notice: C/U 2334 AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM RESIDENTIAL DISTRICT FOR MULTI-FAMILY (267 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 43.777 ACRES, MORE OR LESS.

C/Z 1967 AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 43.777 ACRES, MORE OR LESS.

C/Z 1968 AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3.041 ACRES, MORE OR LESS.

S-2022-01 A COASTAL AREA SUBDIVISION TO DIVIDE 43.777 ACRES +/- INTO TWO HUNDRED AND SIXTY-SEVEN (267) LOTS ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY. THE PROPERTY IS LOCATED ON THE SOUTHEAST SIDE OF KINGS HIGHWAY (RT. 9) AND ON THE NORTH SIDE OF GILLS NECK ROAD (S.C.R. 267). TAX PARCEL: 335-8.00-37.00 (PORTION OF). ZONING: MR (MEDIUM RESIDENTIAL DISTRICT).

Location: Kings Highway (Principal Arterial) and Gills Neck Road (Local Road)

Current Zoning: AR-1, Agricultural Residential

Proposed Zoning: MR Medium Residential  
C-2 Medium Commercial  
CU Conditional Use

Density: C-2 - 3.04 +/- Acres (Public Notice) - 2.796 +/- Acres Sheet PL-02 (exclusive of DelDOT dedication)  
MR/CU - 43.789 +/- Acres | 267 Units | 6.10 Units/Acre (Medium Density)

Total Gross Area: 46.829± Acres

Wetlands: 0.00± Acres

Source Water

Protection Area: Yes (portion of well-head protection area)

Flood Zone: Outside the 100-year Floodplain

Sanitary Sewer: Sussex County

Water: Tidewater Utilities, Inc./City of Lewes board of Public Works

2019 Sussex County  
Comprehensive Plan  
FLUM Growth Area: Coastal Area

#### 2020 State Strategy

Area: Level 1

Character of Area/

Adjacent Properties: City of Lewes – Apartments; Church; Single Family Detached Dwellings  
Sussex County – The Moorings (formerly Cadbury at Lewes); Single Family Attached Dwellings – Zoned MR/RPC  
Sussex County – Cape Henlopen Medical Center – Zoned AR-1/Conditional Use (CU#2112 – 39,000 SF Medical Office Building)  
Sussex County – Lane Builders Office – Zoned AR-1/CU  
Sussex County – Big Oyster Brewery – Zoned C-1/C-3 and AR-1 (pending rezoning to C-3 – CZ1962)

Additionally, in the immediate area are medium to high-density single-family developments, Cape Henlopen High School (Institutional) and other commercial and employment uses that have developed the scale and character of the community.

Sussex County has many strong cities and towns as well as healthy rural landscapes with a range of housing types including single family homes, townhouses and multi-family units ranging in medium and high densities that continue to be planned next to and near commercial and employment areas. One of the characterizations of sprawl is the segregation of land uses. Mitchells Corner applications provide for a project that is in keeping with the character of the neighborhood. In order to encourage carefully planned mixed-use developments as a means of creating a superior living environment through unified developments, one must provide for design ingenuity while protecting existing and future developments and achieving the goals of the Comprehensive Plan. The application reviewed for this project meets the goals and the criteria for providing a total environment and design that meets the combined traditional zoning and subdivision regulations as well as the desires of how development is occurring and avoids overlapping regulations.

The Comprehensive Plan is an adopted document that sets forth the County's goals and implementation strategies intended to direct present and future physical, social and economic development within the County. The plan is long range in nature and provides the framework for County residents and decision makers to conceptualize how the County should look and function – (Pg 1-6). While the Comprehensive Plan acts as a policy guide for future development and decision-making, the County Code regulates the use of land. The Zoning Ordinance is the primary legal tool to regulate the uses of land. The County's official zoning map must be consistent with the use and intensities of uses provided for in the Future Land Use Plan. Table 4.5-2 in the Comprehensive Plan provides a tool for assisting in determining which zoning districts are applicable to each future land use category. Sussex County has designated the Mitchell' Corner Properties as a Coastal Area. The Coastal Area is a Growth Area and is an area that can accommodate development provided special environmental concerns are addressed. Appropriate

mixed-use developments are permitted in the Coastal Area. The Comprehensive Plan discusses how a mixture of homes and light commercial *should* be allowed.

Table 4.5-2 Zoning Districts Applicable to Future Land Use Categories	
FUTURE LAND USE PLAN CATEGORY	APPLICABLE ZONING DISTRICT
<b>Coastal Area</b>	Agricultural Residential District (AR-1) Medium Density Residential District (MR) General Residential District (GR) High Density Residential District (HR-1 & HR-2) Business Community District (B-2) Business Research (B-3) Medium Commercial District (C-2) Heavy Commercial District (C-3) Planned Commercial District (C-4) Service/Limited Manufacturing District (C-5) Institutional District (I-1) Marine District (M) New Zoning Districts

MR and C-2 zoning districts are both applicable districts within the Coastal Area category of the Future Land Use Plan.

The MR District provides for medium-density residential development in areas which are expected to become generally urban in character and where sanitary sewers and public water supplies are available at the time of construction and accessory uses as may be necessary or are normally compatible with residential surroundings. With the Conditional Use added as an overlay, the MR District will allow for multifamily dwelling structures, subject to the provisions of Articles IV through XX, § 115-219 and Table 2. With 4-8 units per acre being supported for medium density in certain locations, Mitchel’s Corner at 6.10 units/acre is appropriate given its connection to central sewer and water; its proximity to commercial uses and employment centers; its connection to an Arterial roadway and its consistency with the character of the area.

The C-2 District provides primarily for uses that include retail sales and performance of consumer services. It permits a variety of retail, professional and services businesses. The district should be primarily located near arterial and collector streets. It accommodates community commercial uses that do not have outside storage or sales. In Ordinance 2550, Sussex County Council desired to create a more specific C-2 Medium Commercial zoning district with smaller, more related uses within the district to promote better planning and predictability within Sussex County.

Important to note is the architectural massing, composition, scale, and character of the neighboring properties to this project. They consist of a mixture of residential, commercial, and institutional buildings in a variety of sizes and shapes. Large, small, tall and short, single-family detached and attached homes and commercial and institutional use buildings on a variety of lot sizes, in multiple zoning districts, abutted by a Principal Arterial known as Kings Highway - in two different jurisdictions...all populate both nearby and contiguous neighborhoods. The subdivision plans reviewed provide for a careful mixture of homes with commercial zoning that are appropriate in this location. This is an area that can support the medium density being proposed along with a mixture of commercial zoning that is in keeping with the character of the area. The plan proposes connectivity to an Arterial Roadway as well as a Local Road with

interconnectivity to an adjacent parcel. Capital facilities and infrastructure (water, wastewater, gas and power) are already available and adequate to support the growth. The layout accommodates social interaction with connection to adjacent properties and uses with shared use paths and sidewalks which will offer opportunities for interaction between the different housing types as well as the commercial areas for fostering pride of ownership.

The Mitchells Corner development follows some widely accepted planning concepts as it proposes to infill the development where infrastructure already exists. The proposal also has a compact building design fronting narrow streets, which if applied properly, fosters walkability, allows for more common open space while minimizing impervious areas and makes more efficient use of the land than conventional subdivisions and land development. While providing for an evaluation and comparison of the Mitchells Corner Development per the County's ordinances and Comprehensive Plan, I offer the following review comments that focus on planning principles and design standards:

- A. The traffic circle at the intersection of Road A and Road B may need to be increased to handle the additional traffic that could be recognized for commercial traffic (if Road B does not interconnect with the commercial property), to the commercial parcels in a more efficient manner. It is recognized that the traffic circle is planned and sized for traffic calming and safety into the residential neighborhood, however, careful attention should be paid to the available lane width and turning radius used with the traffic circle if this becomes the secondary travel method to the commercial properties.
- B. Landscaping within the buffering around the perimeter of the property was not shown within the plans reviewed. However, it was shown along the multi-modal path adjacent to King's Highway. It is recommended that the buffers be shown with potential landscaping on the current plan.
- C. According to the Sussex County Tax Maps, the Outparcel at the end of Road F (1.195+/- Acres) is part of Tax Parcel 39.00, Zoned AR-1 and it is not known by the plans of what is intended for this parcel as a part of this application.
- D. As described in *Understanding the Basics of Land Use* (2010), there are several opportunities presented in the plans, suggested comments, and recommendations. These land planning elements, when done properly could provide a myriad of benefits: 1) save money and materials with more efficient use of land and infrastructure; 2) create a sense of place and reinforce a sense of community; 3) protect and enhance property values; 4) safeguard public health; 5) increase fairness and opportunity; 6) provide public facilities and infrastructure; 7) improve economic development and quality of life; 8) protect the environment and conserve resources; 9) provide a forum for resolving conflicts and reaching agreement; and 10) setting clear expectations that the owners, applicants, consultants, and designers vetted when preparing the applications for this project.



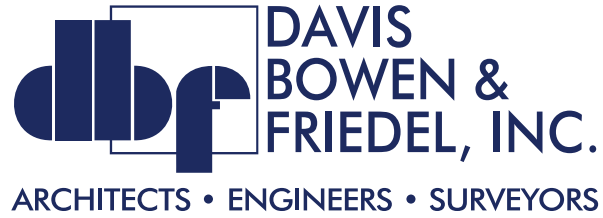
The Mitchells Corner project has the potential to bring positive impacts to the County and the City of Lewes's existing built environment. The location allows the community to integrate into an established residential and commercial area. As the City of Lewes and Sussex County continue to welcome more residents and visitors each year, development that connects with the land use regulations and sound land use planning principles is essential to the areas planned growth and development.

Respectfully Submitted,

**PENNONI**



Mark H. Davidson, VP  
Principal Land Planner



*IMPROVING OUR COMMUNITIES.  
SHAPING THE WORLD AROUND US.  
**CREATING VALUE BY DESIGN.***

1 Park Avenue  
Milford, DE 19963  
(302) 424-1441

601 East Main Street, Suite 100  
Salisbury, MD 21804  
(410) 543-9091

106 Washington Street, Suite 103  
Easton, MD 21601  
(410) 770-4744

[www.dbfinc.com](http://www.dbfinc.com)