



Cobb Property

Parcels 533-12.00-21.00 & 21.03

Subdivision # 2021-15

Public Hearing Information Packet

OCTOBER 2021



GMB Project No. 200145-A

GMB

GEORGE, MILES & BUHR, LLC

ARCHITECTS/ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
410.742.3115

SALISBURY/BALTIMORE/SEAFORD



**COBB PROPERTY
TAX MAP 533-12.00-21.00 & 21.03
Subdivision #2021-15**

**INFORMATION FOR PUBLIC RECORD
OCTOBER 2021**

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EXECUTIVE SUMMARY

Cobb Property
Subdivision # 2021-15
EXECUTIVE SUMMARY

Beazer Homes wishes to develop 54.38 acres, Tax Map Parcels 533-12.00-21.00 and 533-12.00-21.03 as a cluster subdivision (Cobb Property). The parcels are zoned AR and lie in the Coastal Area. The project is bounded on the south by Route 20, on the north by Waters Run, and to the east by Ashley Manor and Old Mill Bridge Road. Sixty-Eight (68) lots are proposed in the subdivision with the existing owner also retaining one out parcel that will front Old Mill Bridge Road. Cobb subdivision area is 52.4 acres with a proposed density of 1.3 units/acre.

Subdivision entrance will be off of Route 20. Central sewer will be provided by Sussex County. Public water will be provided by Artesian Water Company.

Stormwater management will meet the requirements of Sussex Conservation District.

Development is generally contained to the existing open area on site. Of the 29.6 existing acres of woods on site, approximately 25 acres are being retained. A 30-foot buffer is provided around the entire project.

Of the 52.4 acres of the proposed subdivision, approximately 34.6 acres will remain in open space (65%).

A pool with bathrooms/changing rooms is proposed as the main amenity.

A Chapter 99 Subdivision of Land Report, Environmental Assessment and Public Facility Evaluation Report, and responses to the PLUS, Staff Review and TAC Review comments are included in the project binder.

G:\Projects\2020\200145-A_Cobb_Property_Preliminary_Site_Plan\Drawings\Working\Set\Primary_Site_Plan_Proposed_Site_Plan_Rendering_200145.dwg, 11/17/2019, Lamon Myrick

PEN: RED	0.08 INCHES (2.0mm)
PEN: YELLOW	0.07 INCHES (1.8mm)
PEN: GREEN	0.10 INCHES (2.5mm)
PEN: BLUE	0.08 INCHES (2.0mm)
PEN: MAGENTA	0.07 INCHES (1.8mm)
PEN: WHITE	0.09 INCHES (2.3mm)



SITE DATA:

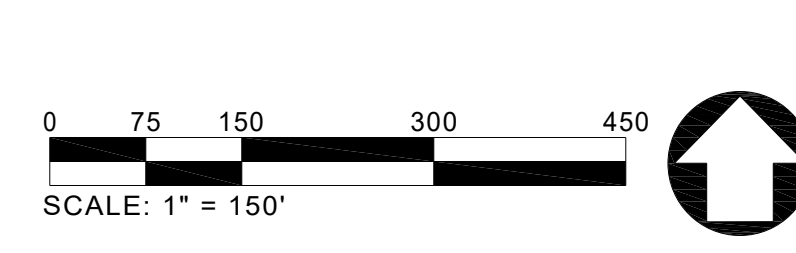
OWNER:	PEGGY JEAN TIMMONS REVOCABLE TRUST & JESSE SAMUEL COBB 10038 W HOLLAND CIRCLE BERLIN, MD 21111 TM 533-12.00-21.00 DB 3058 PG 293		
APPLICANT:	BEAZER HOMES CORP. 6085 MARSHALEE DR. SUITE 350 ELKRIDGE, MD 21075 PHONE: (410)-539-9249 CONTACT: BRIAN A. KNAUFF		
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH, P.E.		
EXISTING ZONING:	AR-1 AGRICULTURAL RESIDENTIAL		
PROPOSED ZONING:	AR-CLUSTER - DEVELOPMENT OPTION FOR LOTS USING A CENTRAL SEWER SYSTEM		
COMPREHENSIVE PLAN MAP:	COASTAL AREA		
EX. TOTAL SITE AREA COMBINED:	54.38 ACRES		
EX. SITE AREA PARCEL 21.00	51.47 ACRES		
EX. SITE AREA PARCEL 21.03	02.91 ACRES		
COBB PROPERTY SUBDIVISION	±52.40 ACRES	RESIDUAL LANDS LOT	1.98 ACRES
TOTAL SITE AREA:	0 ACRES	TOTAL SITE AREA:	0 ACRES
DNREC WETLANDS:	±18.42 ACRES	FEDERAL WETLANDS:	±0.37 ACRES
FEDERAL WETLANDS:	±52.40 ACRES	GROSS DEVELOPMENT AREA:	1.98 ACRES
GROSS DEVELOPMENT AREA:	104 LOTS	GROSS AREA/21,780 SF:	3 LOTS
GROSS AREA/21,780 SF:	68 LOTS	LOTS PROPOSED:	1 LOT
LOTS PROPOSED:	7,500 SF	MINIMUM ALLOWABLE LOT SIZE:	20,000 SF
MINIMUM ALLOWABLE LOT SIZE:	7,500 SF	LOT SIZE PROPOSED:	1.98 ACRES
TOTAL OPEN SPACE PROPOSED:	34.64 (66%)		
OPEN SPACE A:	34.35		
OPEN SPACE B:	0.29		
UNIT COUNT PARCEL 21.00	68	UNIT COUNT RESIDUAL LANDS	1
SINGLE FAMILY LOTS:	136	SINGLE FAMILY LOTS:	2
REQUIRED PARKING: (2/UNIT)	141	REQUIRED PARKING: (2/UNIT)	2
PROVIDED PARKING:		PROVIDED PARKING:	
BUILDING SETBACKS LOT 21.00:		BUILDING SETBACKS RESIDUAL LANDS:	
FRONT:	25'	FRONT:	40'
SIDE:	10' (15' AT CORNER LOTS)	SIDE:	15'
REAR:	10'	REAR:	20'
MIN LOT WIDTH:	60'	MIN LOT WIDTH:	150'
MAX BUILDING HEIGHT:	42'	MAX BUILDING HEIGHT:	42'
FLOOD ZONE:	SPECIAL FLOOD HAZARD AREA ZONE X, PER FEMA MAP 100050651K DATED MARCH 16, 2015		
SOURCEWATER PROTECTION:	THIS SITE IS NOT LOCATED WITHIN A WELLHEAD PROTECTION AREA.		
	THIS SITE IS LOCATED WITHIN AN AREA OF FAIR GROUNDWATER RECHARGE POTENTIAL.		
UTILITIES:			
CENTRAL WATER:	ARTESIAN		
PUBLIC SEWER:	SUSSEX COUNTY		
AMENITIES:			
POOL, BATHHOUSE, GAMES LAWN, PASSIVE OPEN SPACE			
WOODED AREA EXISTING:	29.64 ACRES		
WOODED AREA TO REMAIN:	24.91 ACRES		

PRINTS ISSUED FOR:	
DRAWINGS STAGE	
DATE	REVISIONS
NO.	

GMB
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COBB PROPERTY
 SUSSEX COUNTY, DELAWARE

PROPOSED SITE
PLAN RENDERING



SCALE: 1" = 150'	SHEET NO.
DESIGN BY: OTHERS	PSP5.0
DRAWN BY: RLM	
CHECKED BY:	
GMB FILE: 200145	
DATE: SEPT 2021	

PLANNING & ZONING



GEORGE, MILES & BUHR, LLC

■ ■ ■ ■

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■ ■ ■ ■

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PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
CHARLES M. O'DONNELL, III, P.E.
W. BRICE FOXWELL, P.E.
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JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
W. MARK GARDOCKY, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
ANDREW J. LYONS, JR., P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. WILLIS
CHRISTOPHER J. PFEIFER, P.E.

April 8, 2021

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

Attn: Ms. Lauren DeVore

Re: Cobb Property
Tax Map Parcel Number: 533-12.00-21.00 & 21.03
Subdivision Application
GMB Job No: 200145

Dear Lauren:

Please find enclosed a subdivision application, rendering, and Preliminary Subdivision plans for the referenced property. Beazer Homes wishes to develop the property with sixty-eight (68) single family lots in a cluster subdivision.

GMB submitted a PLUS application on October 2, 2020 and had the PLUS meeting on November 18, 2020. A Level of Service Application was submitted to Sussex County on November 16, 2020 and a response was received on December 23, 2020. A pre-application meeting was held at the Sussex Conservation District office on December 9, 2020. A Sewer Concept Evaluation request was submitted to Sussex County Engineering Department on September 1, 2020, and response received on September 14, 2020.

Please place the project on the first available agenda for the Planning Commission public hearing.

Thank you for your time and attention in this matter. As always, we appreciate your help.

If you should have any questions, please feel free to contact me at 410-742-3115.

Sincerely,

Stephen L. Marsh, P.E.
Sr. Vice President

Enclosures

- One (1) copy of the Preliminary Site Plan Check Print
- One (1) copy of the Subdivision Application
- One (1) GMB Check - \$500 – Application Fee

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:
Coastal Area:

Location of Subdivision:

North side of Zion Church Road, approximately 0.47 miles from the intersection of Zion Church Road and Route 54 (Lighthouse Road) between Selbyville and Fenwick Island.

Proposed Name of Subdivision:

Cobb

Tax Map #: 533-12.00-21.00 & 21.03

Total Acreage: 54.38

Zoning: AR-1 **Density:** 1.21 **Minimum Lot Size:** 7500 sf **Number of Lots:**

Open Space Acres: 29.91

Water Provider: Artesian Water Company **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: Beazer Homes, LLC - Attn: Brian Knauff
Applicant Address: 6085 Marshalee Drive, Suite 350
City: Elkridge **State:** MD **Zip Code:** 21075
Phone #: 443-539-9249 **E-mail:** brian.knauff@beazer.com

Owner Information

Owner Name: Peggy Jean Timmons Cobb
Owner Address: 36341 Zion Church Road
City: Selbyville **State:** DE **Zip Code:** 19975
Phone #: **E-mail:**

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: George, Miles & Buhr, LLC - Stephen L. Marsh, P.E.
Agent/Attorney/Engineer Address: 206 West Main Street
City: Salisbury **State:** MD **Zip Code:** 21801
Phone #: 410-742-3115 **E-mail:** smarsh@gmbnet.com



Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

- X **Completed Application**
- X **Provide ten (10) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**
 - o 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**
 - o Provide compliance with Section 99-9.
 - o Deed or Legal description, copy of proposed deed restrictions, soil feasibility study
- X **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.
- X **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) X **Environmental Assessment & Public Facility Evaluation Report** (if within Coastal Area)

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:

Signature of Owner

_____ Date:

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: _____



GEORGE, MILES & BUHR, LLC



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AUTUMN J. WILLIS
CHRISTOPHER J. PFEIFER, P.E.

September 27, 2021

Sussex County
Department of Planning and Zoning
2 The Circle
Georgetown, DE 19947

Attn: Ms. Christin Scott
Planner I

RE: Cobb Property
Preliminary Subdivision Plan
Subdivision # 2021-15
Responses to Staff and TAC Comments
GMB # 200145.00

Dear Ms. Scott:

Please accept this letter as the formal response to your Staff Review Letter, dated July 1, 2021. At this time, we will provide point by point responses to only the Preliminary Subdivision Plan comments as highlighted below. We look forward to further comments your staff may have and plan to submit the informational binders prior to the Public Hearing.

Please note we have also received TAC comments from Delaware Electric Cooperative, Delaware Department of Agriculture, State Fire Marshal's Office, DNREC State Drainage Program, and Delaware Health and Social Services. We acknowledge the comments presented and will work through the final design phase to address specific items.

Check Print Review

Comment 1: The proposal consists of 50 or more dwelling units. Therefore, copies of an Environmental Assessment (EA) and public facility evaluation report will need to be submitted to the Department. The EA should address the criteria listed in §115-194.3(2) (a-l) of the Sussex County Code.

Response 1: *The Environmental Assessment and Public Facility Report will be submitted under separate cover.*

Comment 2: Please provide the department with the responses to the criteria in §99-9(C).

Response 2: *The responses to the criteria in §99-9(C) will be submitted under separate cover.*

Comment 3: Please ensure that this proposal meets the provisions of the County's Superior Design Criteria for cluster subdivision as referenced in §115-25(E-F) of the Code.

Response 3: *We confirm that this project meets the provisions of the County's Superior Design Criteria for cluster subdivision as referenced in §115-25(E-F) of the Code. The proposed developed areas are concentrated in the non-wooded areas of the site, thus preserving the majority of the existing woods. Land disturbance is limited to approximately 23.4 acres of the 54.38-acre parcel. Density is only 1.3 units per acre. 34.64 acres remain in open space. A 25' buffer is maintained around the wetlands.*

Comment 4: Please include the County Project Reference Number for the project on the Cover Sheet. The County Project Reference Number for this project is 2021-15.

Response 4: *The County Project Reference Number (2021-15) has been added to the Cover Sheet.*

Comment 5: Please make a note that all lots will have access to internal subdivision streets only, no access will be granted for internal lots to Zion Church Road.

Response 5: *A note has been added that all subdivision lots will have access to internal subdivision streets only (see General Note #7). Per our conversation on Friday, September 24, 2021, we have carved out a residual lot for the existing owners that fronts Old Mill Bridge Road. This lot will have access off Old Mill Bridge Road.*

Comment 6: In the Site Data Column, please add the corner front setback requirement. It looks to me that the corner front setback is 25' being shown on the corner lots within the plan.

Response 6: *A note has been added to clarify that corner lots have a front setback and a 15' side yard setback vs the typical 10' side yard setback for interior lots.*

Comment 7: Please include the number of forested acres to remain and to be removed within the Site Data Column. Please note that the removal of healthy, mature trees shall be limited and that scenic views that can be seen from within the tract should be preserved to the greatest extent possible (§115-25(F)(6-7)).

Response 7: *The number of forested acres to remain and to be removed has been added to the Site Data Column*

Comment 8: Please note whether a trail system will be provided to link homes to destinations outside of the tract (§115-25(F)(8)(c)).

Response 8: *We have provided sidewalks on both sides of the street and will connect to a DeIDOT Multi-Use path. We will be*

investigating the possibility of a nature trail when the final wetland flags are picked up in the field.

Comment 9: Please add statements explaining how and when the subdivider proposes to provide for the perpetual maintenance of the forested buffer strips (or in this case, the existing vegetation and tree line to remain on site) (§99-24(F)).

Response 9: A statement explaining that the HOA is to provide for perpetual maintenance of the forested buffer strips has been added to the plan.

Comment 10: Please ensure that the 30-ft forested/landscape buffer that meets the provisions of §99-5 of the Sussex County Code is shown around the entire perimeter of the site to be developed. Please note that the 30-ft width shall be exclusive of any proposed stormwater management areas or facilities, open space, roads, lot area etc.

Response 10: The 30' forested / landscape buffer will be planted in those areas where the existing forest cannot serve as the buffer. The buffer is shown around the whole boundary.

Comment 11: Please add a general note that this project is not located within any Transportation Improvement District.

Response 11: A General Note has been added that this project is not located within any Transportation Improvement District.

Comment 12: Please include in the Site Data Column that this parcel is not located in a Wellhead Protection Area to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-6).

Response 12: A note was included in the Site Data Column stating that this parcel is not located in a Wellhead Protection Area to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-6).

Comment 13: Please include in the General Data Column that this parcel is located in an area of "fair" Groundwater Recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

Response 13: A note was included in the General Data Column that this parcel is located in an area of "fair" Groundwater Recharge potential in order to comply with Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

Comment 14: Staff notes that there is only one-way-in, one-way-out access into the proposed subdivision. Please note that the Planning and Zoning Commission do desire to see interconnectivity where feasible. The proposed subdivision does not appear to have an

opportunity for interconnectivity. However, if interconnectivity cannot be achieved, it is recommended that an easement be established and provided for purposes of emergency access to the subdivision. The easement should be established with the intent to improve it to Sussex County Engineering standards in the future.

Response 14: *We acknowledge that there are opportunities to expand the right-of-way at Lot 61 for the possibility of future connections. We will be happy to discuss further at the public hearing.*

Comment 15: Please provide the lot dimensions.

Response 15: *Typical Lot Dimensions are provided on Sheet PSP3.0*

Comment 16: Please show any utility and drainage easements to be proposed.

Response 16: *Easements will be shown as the Utility and SWM designs are further developed.*

Comment 17: Please show the location, size, and material of all subdivision signage.

Response 17: *The proposed location of an entrance monument sign is now included on the plans. The monument has not yet been designed.*

Comment 18: Please provide the location of a mail kiosk, if one will be provided.

Response 18: *A mail center will be included as part of the Clubhouse amenity complex.*

Comment 19: Please note the neighboring lands are used primarily for agricultural purposes and that should be recognized within the General Notes (§99-6(G)(12)).

Response 19: *A General Note was added stating that the neighboring lands are used primarily for agricultural purposes.*

Comment 20: Please clearly label the sidewalks provided.

Response 20: *The sidewalks have been labeled.*

Comment 21: Please provide the width of the street and street right-of-way.

Response 21: *The width of the street and street right-of-way has been added. A typical street section is shown on Sheet PSP3.0*

Comment 22: Please correct the setback line show on Lots 1, 2, 61, and 35.

Response 22: *The setback lines on Lots 1, 2, 61 and 35 have been corrected.*

Comment 23: Please remove the parts of the corners of Lots 57 and 58 from within the 30' buffer area from non-tidal wetlands.

Response 23: *The buffer from Non-Tidal Wetlands is 25'. The parts of the corners of Lots 57 and 58 have been removed from within the 25' buffer area from non-tidal wetlands.*

For Final Plan

Comment 24: Any Final Subdivision Plan will require a Landscaping Plan to be included.

Response 24: *A Landscaping Plan will be added to the Final Site Plan.*

Comment 25: Please show the location of any proposed lighting within the subdivision.

Response 25: *Proposed lighting will be added to the Final Site Plans.*

Comment 26: On any Final Site Plan, please included notes from DeIDOT.

Response 26: *All notes from DeIDOT will be included on the Final Site plan*

Comment 27: On any Final Site Plan, please include existing topography and a proposed grading plan.

Response 27: *The existing topography and a proposed grading plan will be added to the Final Site Plan.*

Comment 28: Please add the names of all streets as approved by the Sussex County Mapping and Addressing Department (§99-26(A)(7)).

Response 28: *The approved street names have been added to the plans.*

Comment 29: Please add a General Note to the plans which clarifies that any additional signage will require the issuance of a separate permit from the County.

Response 29: *A General Note was added which clarifies that any additional signage will require the issuance of a separate permit from the County.*

Comment 30: Please show the location or placeholder for a proposed bus stop, if one will be provided.

Response 30: *The location of the proposed bus stop will be provided on the Final Site Plan.*

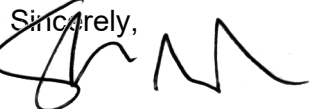
Comment 31: **Prior to approval of any Final Subdivision Plan**, approval letters or 'no-objection' letters from the following agencies shall

be submitted to the Sussex County Planning and Zoning Department (All items in which a check mark appear have been received by the Department. All bolded items still require submittal to the Department before consideration for final approval can be received):

- a. **Sussex Conservation District**
- b. **Office of the State Fire Marshal**
- c. **Sussex County Engineering Department**
- d. **Sussex County Mapping and Addressing Department – Approval for the Subdivision name and all street names.**
- e. **Delaware Department of Transportation**
- f. **Office of Drinking Water (Public Health)**
- g. **Artesian Water**
- h. **The local school district regarding bus stop provisions.**
- i. **Copies of all HOA documents/restrictive covenants.**

Response 31: ***Final agency approvals will be submitted with the Final Site Plan submittal.***

If you have any questions or comments, please feel free to contact me by telephone at (410) 742-3115 or by e-mail at smarsh@gmbnet.com.

Sincerely,


Stephen L. Marsh, P.E.
Senior Vice President

Enclosures

- One (1) copy of the Revised Preliminary Subdivision Plan (24x36)
- One (1) copy of the Revised Preliminary Subdivision Plan (electronic via email)

cc: Beazer Homes
 Attn: Mr. Brian Knauff (w/encl.)

GENERAL NOTES:

- ALL ON-SITE STREETS ARE PRIVATE AND SHALL BE MAINTAINED BY THE OWNER UNTIL DEDICATION TO THE HOMEOWNER'S ASSOCIATION. THE PERPETUAL MAINTENANCE OF THE STREETS SHALL BE BY THE RESPECTIVE ORGANIZATION.
- STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS, MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNERS.
- ALL OPEN SPACE, INCLUDING FORESTED AREAS AND PLANTED BUFFERS, SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- TOPOGRAPHY SHOWN HEREIN PER LIDAR DATA, DELAWARE STATE PLAN COORDINATE SYSTEM NAD 83/91 AND NAVD88 VERTICAL DATUM.
- BOUNDARY SHOWN HEREIN PER ALTA/ASCM LAND TITLE SURVEY PROVIDED BY MORRIS & RITCHE ASSOCIATES, INC. DATED SEPTEMBER 17, 2020.
- THIS SITE CONTAINS FEDERAL JURISDICTIONAL WETLANDS.
- ALL LOTS IN THE SUBDIVISION WILL HAVE ACCESS TO INTERNAL SUBDIVISION STREETS ONLY. NO ACCESS WILL BE GRANTED FOR INTERNAL LOTS TO ZION CHURCH ROAD. A RESIDUAL LOT WILL HAVE FRONTAGE ON OLD MILL BRIDGE ROAD.
- THIS PROJECT IS NOT LOCATED WITHIN A TRANSPORTATION IMPROVEMENT DISTRICT.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODOORS, THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
- FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN 50 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES, NO IMPROVEMENT REQUIRING AN OCCUPANCY APPROVAL FOR A RESIDENTIAL TYPE USE SHALL BE CONSTRUCTED WITHIN 50 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES.
- ANY ADDITIONAL SIGNAGE WILL REQUIRE THE ISSUANCE OF A SEPARATE PERMIT FROM THE COUNTY.

COBB PROPERTY

TM 533-12.00-21.00 & 21.03 PRELIMINARY SUBDIVISION PLAN - 2021-15 SUSSEX COUNTY, DELAWARE GMB File No. 200145-A

SITE DATA:

OWNER: PEGGY JEAN TIMMONS REVOCABLE TRUST & JESSE SAMUEL COBB
10038 W HOLLAND CIRCLE
BERLIN, MD 21811
TM 533-12.00-21.00
DB 3058 PG 293

PEGGY JEAN TIMMONS TRUSTEE
35341 ZION CHURCH RD
SELBYVILLE, DE 19975
TM 533-12.00-21.03
DB 2975 PG 74

APPLICANT: BEAZER HOMES CORP.
6085 MARSHALEE DR.
SUITE 350
ELKBRIDGE, MD 21075
PHONE: (410)-539-9249
CONTACT: BRIAN A. KNAUFF

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

EXISTING ZONING: AR-1 AGRICULTURAL RESIDENTIAL

PROPOSED ZONING: AR - CLUSTER - DEVELOPMENT OPTION FOR LOTS USING A CENTRAL SEWER SYSTEM

COMPREHENSIVE PLAN MAP: COASTAL AREA

EX. TOTAL SITE AREA COMBINED: 54.38 ACRES
EX. SITE AREA PARCEL 21.00: 51.47 ACRES
EX. SITE AREA PARCEL 21.03: 02.91 ACRES

COBB PROPERTY SUBDIVISION	±52.40 ACRES	RESIDUAL LANDS LOT	1.98 ACRES
TOTAL SITE AREA:	±52.40 ACRES	TOTAL SITE AREA:	0 ACRES
DNREC WETLANDS:	±18.42 ACRES	DNREC WETLANDS:	±0.37 ACRES
FEDERAL WETLANDS:	±52.40 ACRES	FEDERAL WETLANDS:	1.98 ACRES
GROSS DEVELOPMENT AREA:	104 LOTS	GROSS DEVELOPMENT AREA:	3 LOTS
GROSS AREA/21,780 SF:	68 LOTS	GROSS AREA/21,780 SF:	1 LOT
LOTS PROPOSED:	7,500 SF	LOTS PROPOSED:	20,000 SF
MINIMUM ALLOWABLE LOT SIZE:	7,500 SF	MINIMUM ALLOWABLE LOT SIZE:	1.98 ACRES
MINIMUM LOT SIZE PROPOSED:	34.64 (66%)	LOT SIZE PROPOSED:	
TOTAL OPEN SPACE PROPOSED:	34.35		
OPEN SPACE A:	0.29		
OPEN SPACE B:			

UNIT COUNT PARCEL 21.00	68	UNIT COUNT RESIDUAL LANDS	1
SINGLE FAMILY LOTS:	136	SINGLE FAMILY LOTS:	2
REQUIRED PARKING: (2/UNIT)	141	REQUIRED PARKING: (2/UNIT)	
PROVIDED PARKING:		PROVIDED PARKING:	

BUILDING SETBACKS LOT 21.00:		BUILDING SETBACKS RESIDUAL LANDS:	
FRONT:	25'	FRONT:	40'
SIDE:	10' (15' AT CORNER LOTS)	SIDE:	15'
REAR:	10'	REAR:	20'
MIN LOT WIDTH:	60'	MIN LOT WIDTH:	150'
MAX BUILDING HEIGHT:	42'	MAX BUILDING HEIGHT:	42'

FLOOD ZONE:	SPECIAL FLOOD HAZARD AREA ZONE X, PER FEMA MAP 100050651K DATED MARCH 16, 2015
SOURCEWATER PROTECTION:	THIS SITE IS NOT LOCATED WITHIN A WELLHEAD PROTECTION AREA. THIS SITE IS LOCATED WITHIN AN AREA OF FAIR GROUNDWATER RECHARGE POTENTIAL.
UTILITIES:	
CENTRAL WATER:	ARTESIAN
PUBLIC SEWER:	SUSSEX COUNTY
AMENITIES:	
POOL, BATHHOUSE, GAMES LAWN, PASSIVE OPEN SPACE	
WOODED AREA EXISTING:	29.64 ACRES
WOODED AREA TO REMAIN:	24.91 ACRES

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

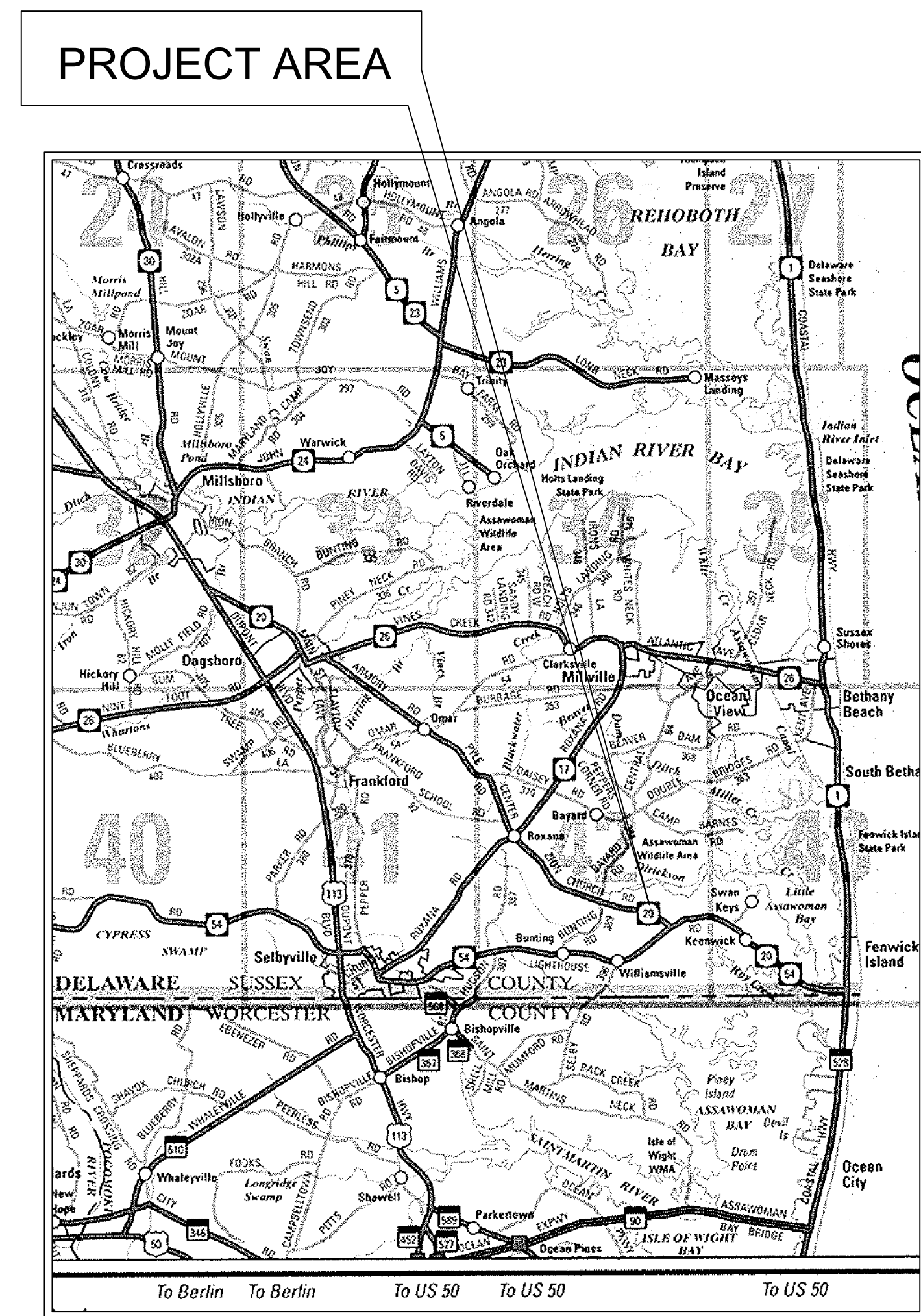
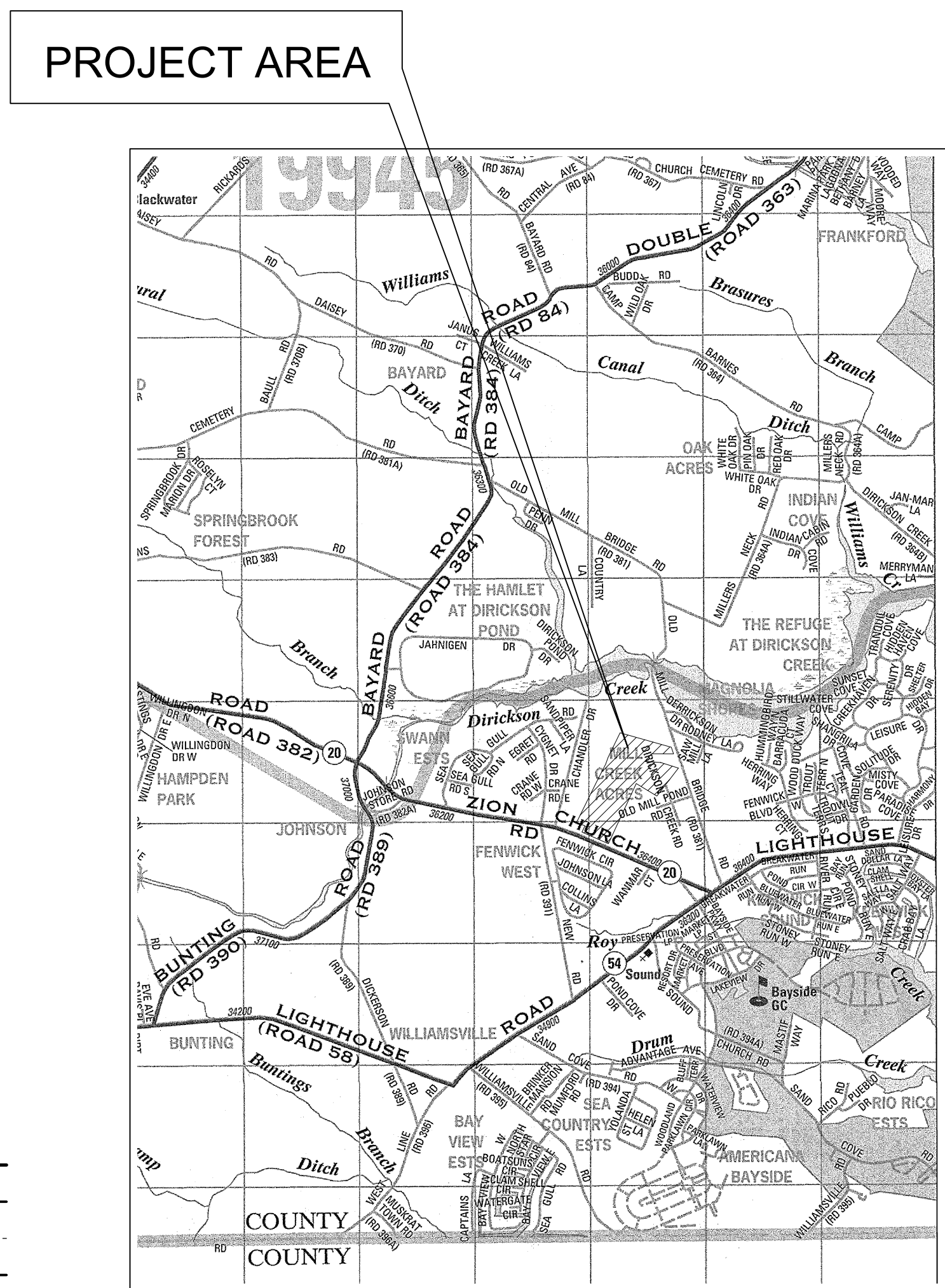
BRIAN A. KNAUFF
VICE PRESIDENT, LAND DEVELOPMENT
BEAZER HOMES - MARYLAND/DELAWARE

DATE _____

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

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

DATE _____



- PSP1.0 COVER SHEET
- PSP2.0 EXISTING CONDITIONS
- PSP3.0 KEY SHEET
- PSP4.0 PRELIMINARY SITE PLAN
- PSP4.1 PRELIMINARY SITE PLAN
- PSP5.0 PRELIMINARY SITE PLAN RENDERING

APPROVED _____ BY _____
SUSSEX COUNTY COUNCIL
PRESIDENT

APPROVED _____ BY _____
SUSSEX COUNTY
PLANNING AND ZONING COMMISSION

APPROVED _____ BY _____
SUSSEX COUNTY
SOIL CONSERVATION DISTRICT

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

PRINTS ISSUED FOR:
REVIEW

DATE	REVISIONS	NO.

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

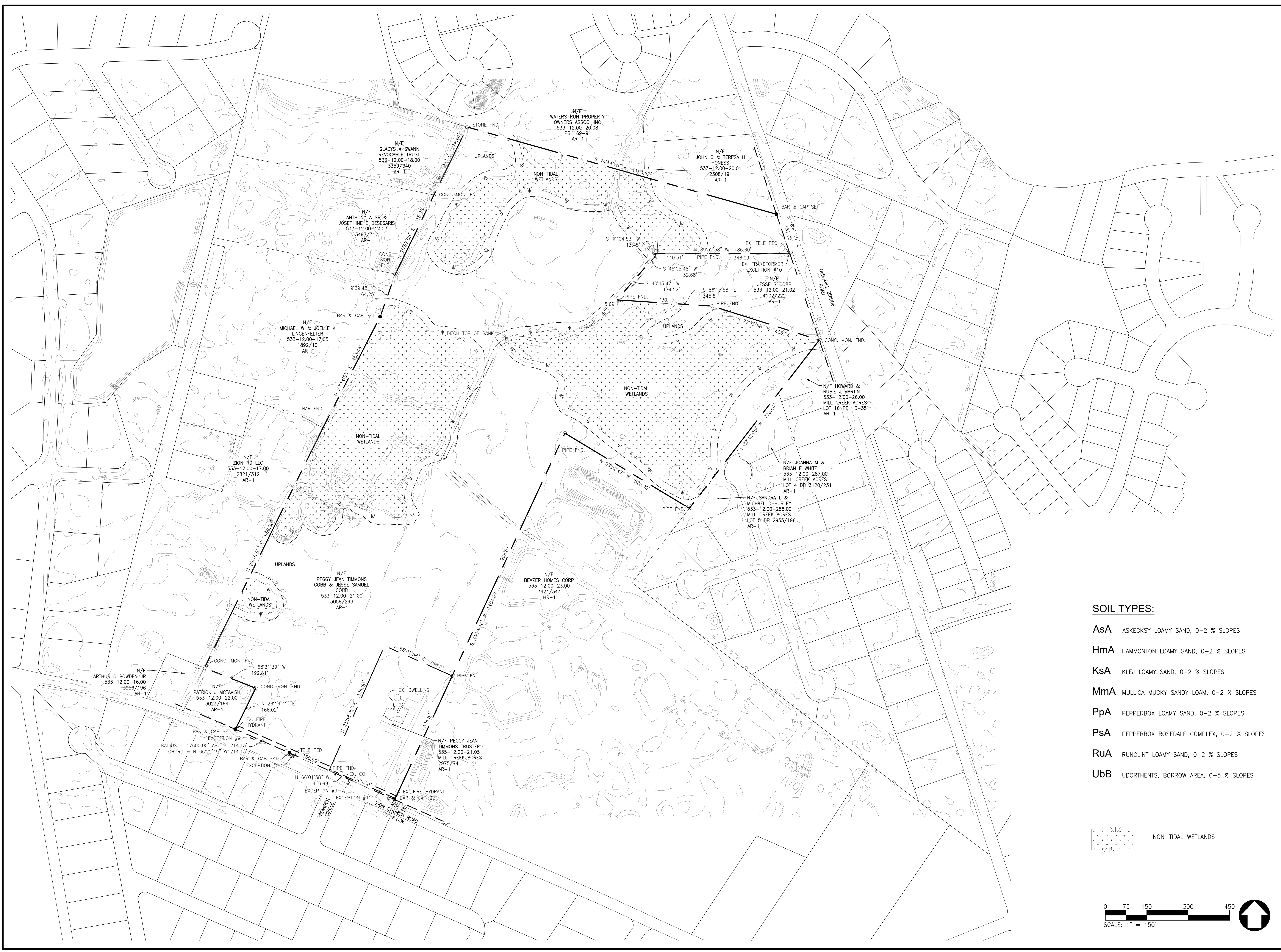
COBB PROPERTY
SUSSEX COUNTY, DELAWARE

COVER SHEET

SCALE: AS SHOWN	SHEET NO.
DESIGN BY: OTHERS	PSP1.0
DRAWN BY: RLM	
CHECKED BY:	
GMB FILE: 200145-A	
DATE: JAN 2021	

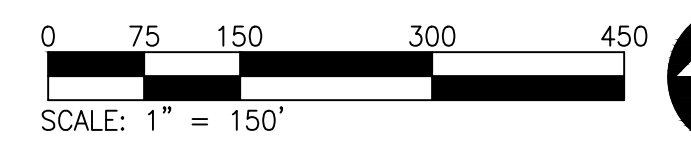
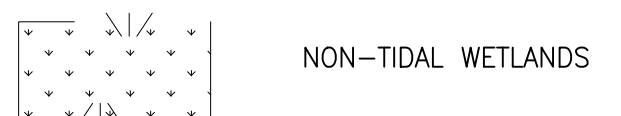
© COPYRIGHT 2021 GEORGE MILES & BUHR, LLC

PEN=RED	0.01 INCHES (1.0mm)	PEN=WHITE	0.01 INCHES (1.0mm)
PEN=GREEN	0.01 INCHES (1.0mm)	PEN=WHITE	0.01 INCHES (1.0mm)
PEN=BLUE	0.01 INCHES (1.0mm)	PEN=WHITE	0.01 INCHES (1.0mm)
PEN=BLACK	0.01 INCHES (1.0mm)	PEN=WHITE	0.01 INCHES (1.0mm)



SOIL TYPES:

- AsA** ASKECKSY LOAMY SAND, 0-2 % SLOPES
- HmA** HAMMONTON LOAMY SAND, 0-2 % SLOPES
- KsA** KLEJ LOAMY SAND, 0-2 % SLOPES
- MmA** MULLICA MUCKY SANDY LOAM, 0-2 % SLOPES
- PpA** PEPPERBOX LOAMY SAND, 0-2 % SLOPES
- PsA** PEPPERBOX ROSEDALE COMPLEX, 0-2 % SLOPES
- RuA** RUNCLINT LOAMY SAND, 0-2 % SLOPES
- Ubb** UDORTENTS, BORROW AREA, 0-5 % SLOPES



PRINTS ISSUED FOR: REVIEW
DATE
REVISIONS
NO.

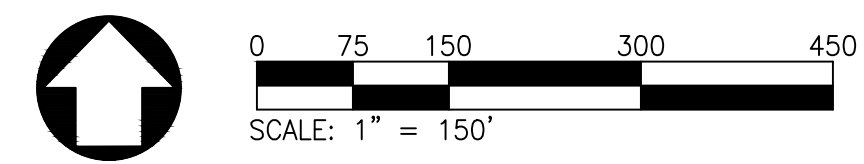
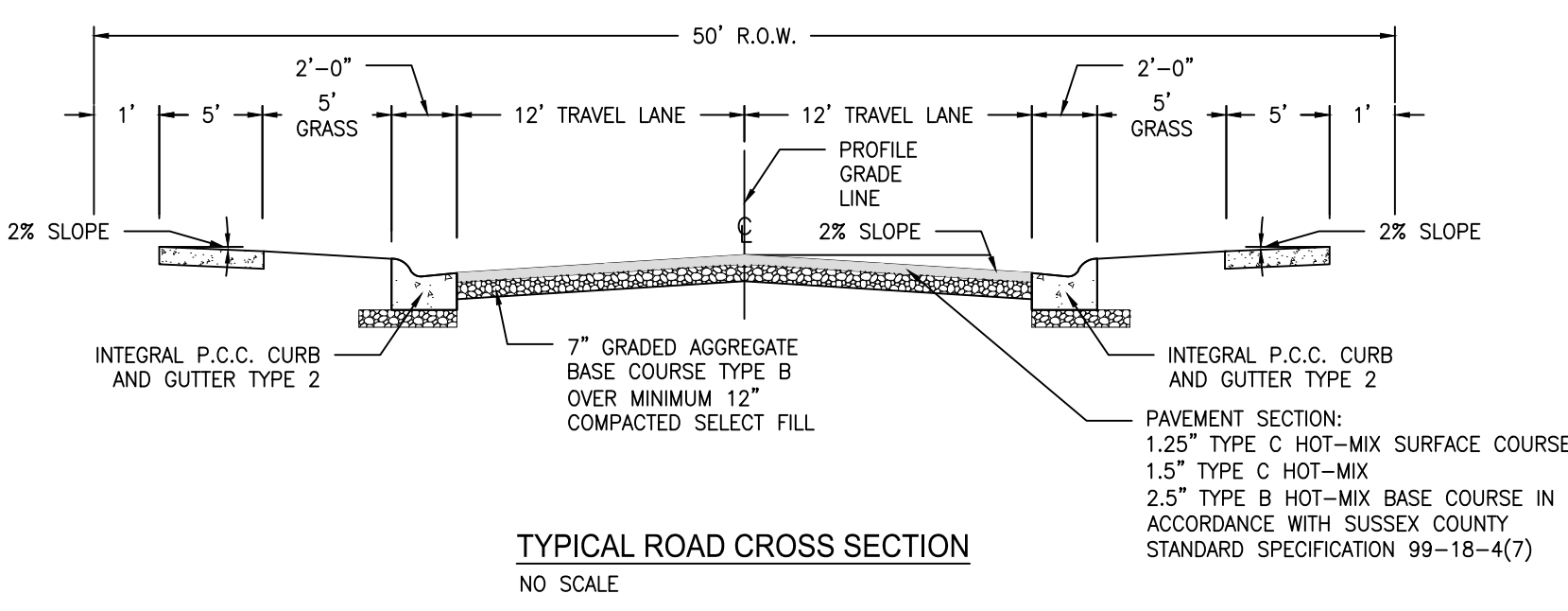
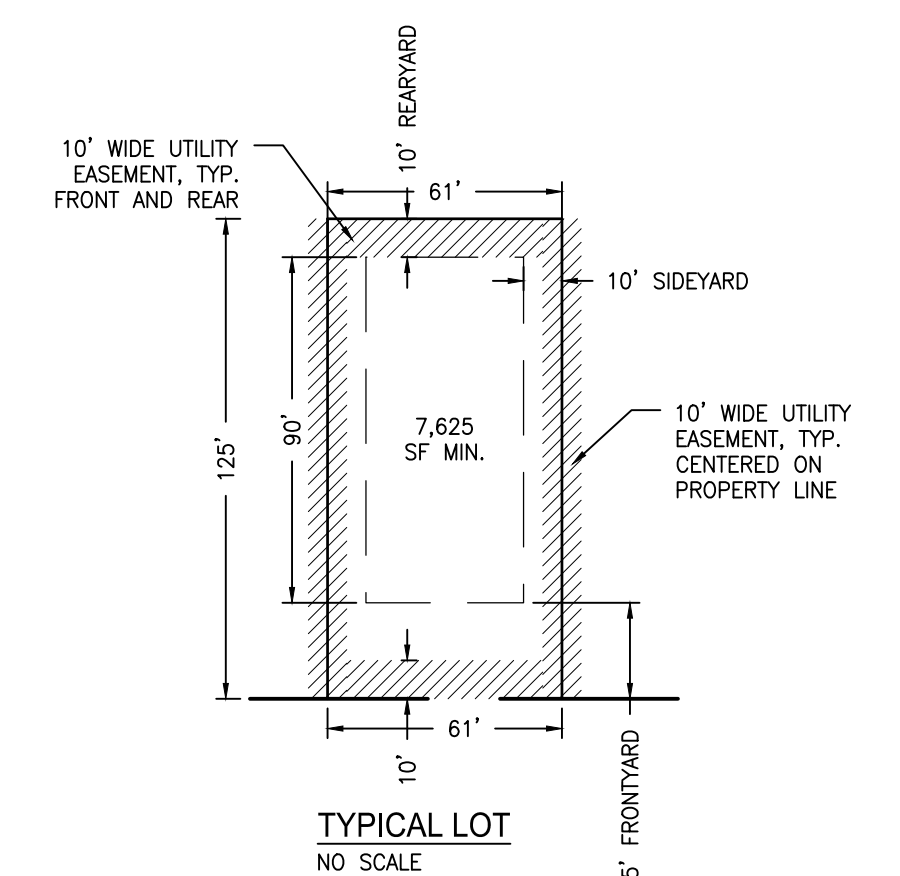
GMB
 GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SALISBURY • BALTIMORE • SEAFORD
 206 WEST MAIN STREET
 SALISBURY, MARYLAND 21801
 410-742-3115, FAX 410-548-5790
 www.gmbnet.com

COBB PROPERTY
 SUSSEX COUNTY, DELAWARE

EXISTING CONDITIONS

SCALE: 1" = 150'	SHEET NO.
DESIGN BY: OTHERS	PSP2.0
DRAWN BY: RLM	
CHECKED BY:	
GMB FILE: 200145-A	
DATE: JAN 2021	

© Project 2020/2014-4 Cobb Property Preliminary Site Plan/PSp-3 Preliminary Site Plan/ps. 10/17/2021 8:42 AM Landon
 PLOT CODE
 PSM=CON 204 INCHES (52mm)
 PSM=GRN 200 INCHES (51mm)
 PSM=BLU 200 INCHES (51mm)
 PSM=WHI 207 INCHES (53mm)
 PSM=MDY 207 INCHES (53mm)
 PSM=RD 204 INCHES (52mm)



PRINTS ISSUED FOR REVIEW	
NO.	REVISIONS

GMB

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 ARCHITECTS & ENGINEERS
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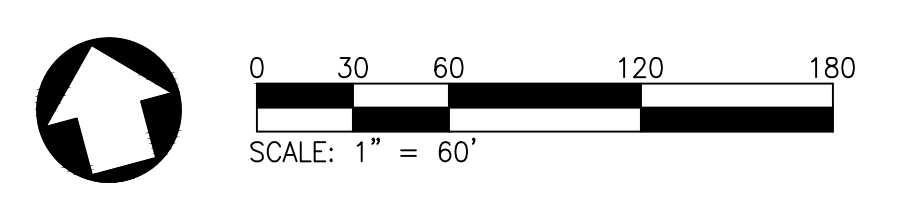
COBB PROPERTY
 SUSSEX COUNTY, DELAWARE

KEY SHEET

SCALE : 1" = 150'	SHEET NO.
DESIGN BY : OTHERS	PSP3.0
DRAWN BY : RLM	
CHECKED BY :	
GMB FILE : 200145-A	
DATE : JAN 2021	

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PLOT CODE: PENN-RED (200 INCHES (50mm))
 PENN-ORANGE (200 INCHES (50mm))
 PENN-YELLOW (200 INCHES (50mm))
 PENN-GREEN (200 INCHES (50mm))
 PENN-BLUE (200 INCHES (50mm))
 PENN-MAGENTA (200 INCHES (50mm))
 PENN-WHITE (200 INCHES (50mm))



PRINTS ISSUED FOR REVIEW	
DATE	
REVISIONS	
NO.	
GEORGE, MILES & BUHR, LLC ARCHITECTS & ENGINEERS <small>SALISBURY • BALTIMORE • SEAFORD</small> 206 WEST MAIN STREET SALISBURY, MARYLAND 21801 <small>410-742-3115, FAX 410-548-5790</small> <small>www.gmbnet.com</small>	
COBB PROPERTY SUSSEX COUNTY, DELAWARE	
SITE PLAN	
SCALE: 1" = 60" DESIGN BY: OTHERS DRAWN BY: RLM CHECKED BY: GMB FILE: 200145-A DATE: JAN 2021	SHEET NO. PSP4.1
© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC	

G:\Projects\2020\20145-A_Cobb_Property_Preliminary_Site_Plan\Proposed_Site_Plan_Rendering\Working_Sets\Preliminary_Site_Plan_Rendering\20145.dwg, 11/17/2019, Lamon Myrick

PEN/RED	018 INCHES (1:8mm)
PEN/YELLOW	007 INCHES (1:8mm)
PEN/BLACK	010 INCHES (1:25mm)
PEN/BLUE	020 INCHES (5:0mm)
PEN/MAGENTA	027 INCHES (7:0mm)
PEN/WHITE	039 INCHES (1:0mm)



SITE DATA:

OWNER:	PEGGY JEAN TIMMONS REVOCABLE TRUST & JESSE SAMUEL COBB 10038 W HOLLAND CIRCLE BERLIN, MD 21111 TM 533-12-00-21.00 DB 3058 PG 293	
	PEGGY JEAN TIMMONS TRUSTEE 36341 ZION CHURCH RD SELBYVILLE, DE 19975 TM 533-12-00-21.03 DB 2975 PG 74	
APPLICANT:	BEAZER HOMES CORP. 6085 MARSHALEE DR. SUITE 350 ELKRIDGE, MD 21075 PHONE: (410)-539-9249 CONTACT: BRIAN A. KNAUFF	
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH, P.E.	
EXISTING ZONING:	AR-1 AGRICULTURAL RESIDENTIAL	
PROPOSED ZONING:	AR-CLUSTER - DEVELOPMENT OPTION FOR LOTS USING A CENTRAL SEWER SYSTEM	
COMPREHENSIVE PLAN MAP:	COASTAL AREA	
EX. TOTAL SITE AREA COMBINED:	54.38 ACRES	
EX. SITE AREA PARCEL 21.00	51.47 ACRES	
EX. SITE AREA PARCEL 21.03	02.91 ACRES	
COBB PROPERTY SUBDIVISION	RESIDUAL LANDS LOT	
TOTAL SITE AREA: ±52.40 ACRES	TOTAL SITE AREA: 1.98 ACRES	
DNREC WETLANDS: 0 ACRES	DNREC WETLANDS: 0 ACRES	
FEDERAL WETLANDS: ±18.42 ACRES	FEDERAL WETLANDS: ±0.37 ACRES	
GROSS DEVELOPMENT AREA: ±52.40 ACRES	GROSS DEVELOPMENT AREA: 1.98 ACRES	
GROSS AREA/21,780 SF: 104 LOTS	GROSS AREA/21,780 SF: 3 LOTS	
LOTS PROPOSED: 68 LOTS	LOTS PROPOSED: 1 LOT	
MINIMUM ALLOWABLE LOT SIZE: 7,500 SF	MINIMUM ALLOWABLE LOT SIZE: 20,000 SF	
MINIMUM LOT SIZE PROPOSED: 7,500 SF	LOT SIZE PROPOSED: 1.98 ACRES	
TOTAL OPEN SPACE PROPOSED: 34.64 (66%)		
OPEN SPACE A: 34.35		
OPEN SPACE B: 0.29		
UNIT COUNT PARCEL 21.00	UNIT COUNT RESIDUAL LANDS	
SINGLE FAMILY LOTS: 68	SINGLE FAMILY LOTS: 1	
REQUIRED PARKING: (2/UNIT) 136	REQUIRED PARKING: (2/UNIT) 2	
PROVIDED PARKING: 141	PROVIDED PARKING: 2	
BUILDING SETBACKS LOT 21.00:	BUILDING SETBACKS RESIDUAL LANDS:	
FRONT: 25'	FRONT: 40'	
SIDE: 10' (15' AT CORNER LOTS)	SIDE: 15'	
REAR: 10'	REAR: 20'	
MIN LOT WIDTH: 60'	MIN LOT WIDTH: 150'	
MAX BUILDING HEIGHT: 42'	MAX BUILDING HEIGHT: 42'	
FLOOD ZONE:	SPECIAL FLOOD HAZARD AREA ZONE X, PER FEMA MAP 10005C0651K DATED MARCH 16, 2015	
SOURCEWATER PROTECTION:	THIS SITE IS NOT LOCATED WITHIN A WELLHEAD PROTECTION AREA.	
	THIS SITE IS LOCATED WITHIN AN AREA OF FAIR GROUNDWATER RECHARGE POTENTIAL.	
UTILITIES:		
CENTRAL WATER:	ARTESIAN	
PUBLIC SEWER:	SUSSEX COUNTY	
AMENITIES:	POOL, BATHHOUSE, GAMES LAWN, PASSIVE OPEN SPACE	
WOODED AREA EXISTING:	29.64 ACRES	
WOODED AREA TO REMAIN:	24.91 ACRES	

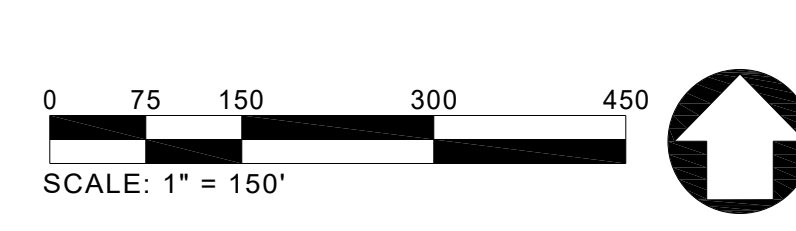
PRINTS ISSUED FOR:
DRAWINGS STAGE

DATE	REVISIONS	NO.

GMB
GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SALISBURY - BALTIMORE - BEAUFORD
 206 WEST MAIN STREET
 SALISBURY, MARYLAND 21801
 410-742-3115, FAX 410-648-9790
 www.gmbnet.com

COBB PROPERTY
 SUSSEX COUNTY, DELAWARE

PROPOSED SITE PLAN RENDERING



SCALE: 1" = 150'	SHEET NO.
DESIGN BY: OTHERS	PSP5.0
DRAWN BY: RLM	
CHECKED BY:	
GMB FILE: 200145	
DATE: SEPT 2021	



GEORGE, MILES & BUHR, LLC



ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com



September 22, 2021

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

Attn: Ms. Christin Scott
Planner I

Re: Cobb Property
Proposed Subdivision # 2021-15
Tax Map Number 533-12.00-21.00 & 21.03
GMB Project # 200145.A

Dear Ms. Scott:

On behalf of Beazer Homes, please accept this Environmental Assessment and Public Facility Evaluation Report for Tax Map Number 533-12.00-21.00 and 21.03 (Cobb Property). This letter is in support of the Proposed Subdivision and Preliminary Site Plan submittal as encouraged by Sussex Code 115-194.3. A copy of this letter report will also be included in the project binders.

The Preliminary Site Plan and supporting documentation was previously submitted to Sussex County Department of Planning and Zoning on April 8, 2021. Comments were received from Planning Staff on July 6, 2021 and have been addressed.

Summary

It is the intention of Beazer Homes to develop this site with 68 lots in a cluster subdivision. The property is zoned AR and is located in the Coastal Area. The site is bounded on the north by Waters Run subdivision, to the east by Old Mill Bridge Road and Ashley Manor, to the south by Route 20 and to the west by several large single-family style lots. The total project area is 54.38 acres. A residual lot of 1.98 acres will be carved out of the proposed subdivision for the existing owners to retain. As such, the total subdivision area is 52.4 acres. Sixty-eight (68) lots are proposed at a density of 1.3 lots/acre.

Stormwater Management (SWM) and Erosion and Sediment Control (ESC)

The stormwater management design will meet all current regulatory requirements. A pre-application meeting was held at the Sussex Conservation District on December 9, 2020. A proposed stormwater management and erosion and sediment control plan is under development for review at the Sussex Conservation District. The developer will incorporate swales, wet ponds, and some constructed wetlands into the final drainage and landscape plans. We anticipate incorporating green technology into the final design as much as possible. Where ditches may be re-routed, enhanced flood plains will be incorporated.

JAMES H. WILLEY, JR., P.E.
PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
CHARLES M. O'DONNELL, III, P.E.
W. BRICE FOXWELL, P.E.
A. REGGIE MARINER, JR., P.E.
JAMES C. HOAGESON, P.E.
STEPHEN L. MARSH, P.E.
DAVID A. VANDERBEEK, P.E.
ROLAND E. HOLLAND, P.E.
JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
W. MARK GARDOCKY, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
ANDREW J. LYONS, JR., P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. WILLIS
CHRISTOPHER J. PFEIFER, P.E.

Public Water Supply

Public water service will be supplied by Artesian Water Company. Artesian has confirmed water availability and has reviewed the preliminary water service design.

Public Wastewater Collection, Treatment and Disposal

The project is located within the County's Unified Sanitary Sewer District. A Sewer System Concept Evaluation was received by Sussex County Engineering Department on 9/14/2020, with follow up email correspondence through 1/21/2021. A preliminary layout was reviewed and approved by the County in concept.

Traffic

A pre-application meeting was held on November 2, 2021, with DeIDOT personnel. GMB is currently working through the Letter of No Objection to Recordation (LONO) process with DeIDOT. Final entrance design at Route 20 will be coordinated within DeIDOT rules and regulations and will be reviewed and approved by DeIDOT.

Threatened/Endangered Species

Environmental Resources, Inc. has confirmed in writing that the U.S. Fish & Wildlife Service (USFWS) has no records of any federally listed threatened or endangered species or their critical habitats on this property (ERI letter dated, 9/9/2021, and accompanying documentation).

Tidal/Non-tidal Wetlands

Environmental Resources, Inc. (ERI) performed a delineation of Waters of the United States including wetlands subject to the Corps of Engineers' Regulation Program. The investigation was in accordance with the three-parameter approach evaluating soils, hydrology, and vegetation outlined in the 1987 Corps of Engineers Wetlands Delineation Manual and associated guidance. Wetland boundaries are still being field located and entered into CAD. The wetlands shown on the plans at this time are conservative. There are no State regulated wetlands or tidal wetlands on this property.

A wetland report and plan will be submitted to the Philadelphia District Corps of Engineers, who is expected to issue a Jurisdictional Determination approval in the near future. The project does not anticipate any impact to federally regulated wetlands. Accordingly, development with areas of hydric soils associated with these wetlands will also be avoided.

Non-tidal Waters & Drainage Features

The western border of the property contains old borrow pits that drain into an existing agricultural ditch. A ditch through uplands also traverses the site and receives outfall from the existing Ashley Manor development. The ditches converge and travel north towards the existing Waters Run development and run under Old Mill Bridge Road to Dirickson Creek. Some of the upland ditches may be slightly re-routed but at this time there is no plan to impact any non-tidal wetlands or waters of the U.S.

Provision of Open Space

Approximately 65% of the existing site's 54.38 acres will remain as open space. All areas not included in the individual fee simple lots or right-of-way will be included in

open spaces. These community open spaces will be developed as an amenity area, stormwater management ponds, buffers, or woods/wooded wetlands.

A multimodal path along the project frontage at Route 20 will be provided. A Community Pool complex is proposed at the center of the neighborhood.

The stormwater management facilities will be integrated into the natural environment with native plantings and will be used to further enhance the open areas of the development. Natural trails will be investigated once the final wetland flagging has been field verified.

Provisions for Public and Private Infrastructure

Public infrastructure will include public water, public sewer, and private “dry” utilities (telephone, electric, cable television, data lines, etc.). The streets will be private infrastructure. The Homeowner’s Association (HOA) will be responsible for the operation and maintenance of the streets, curbs, sidewalks, and any landscaping in the street right-of-ways. A “blanket” easement over the proposed roads will allow utility access. The open space infrastructure will also be maintained and operated by the HOA. The stormwater management facilities will also be subject to an operation and maintenance agreement between the HOA and the Sussex Conservation District. The operation and maintenance agreements, along with pertinent deed covenants and restrictions, will be provided as these arrangements are made final.

Economic and Recreational Benefits

The area around this property is heavily developed. The economic benefits of in-fill development are well documented. A relatively small investment is needed in the public infrastructure to accommodate this project. The additional real estate taxes generated by the 68 homes will far exceed the current real estate tax revenue generated by approximately 54.38 acres of land and existing single-family home. In addition, these homes will generate significant permit and inspection fees for the Ordinance 38 extension of sewer, the Ordinance 99 road construction, and the building permit fees.

In addition, the 68 proposed residential units will provide significant construction jobs during both the infrastructure (roads, sidewalks, trails, water, sewer, dry utilities) and vertical construction phases, as well as professional service jobs for engineers, surveyors, architects, and interior decorators. Once the residential units are complete, landscaping maintenance jobs will be created in order for the HOA to maintain lawns, opens space, landscape areas, and stormwater management facilities. The initial sale of the units will create jobs for local realtors, attorneys, and surveyors, as will subsequent re-sales in the years to follow. The vast majority of the above-mentioned jobs, or increased workload opportunities, will be performed by local companies or individuals.

The addition of the 68 homes will also maintain or increase the workload for the current population employed by, or ancillary to, the proposed development. Since this is in an area with established, viable communities, the certainty of these increased opportunities is greater than for a previously developed area.

Historic or Cultural Resources

If any unmarked graves or human remains are found during construction, the developer will stop work and contact the State's Historic Preservation Office (SHPO) immediately. SHPO comments note in the PLUS comments that historic archaeological potential is low.

In the event any other unknown historic or archeological resource should be found on the site located within a Section 106 permit area as determined by the Corps of Engineers or other federal permitting agency, the developer will conduct all necessary investigations as required by the Natural Historic Preservation Act of 1966, Section 106 Provisions.

Conformance with Current Sussex County Comprehensive Plan

The project is located within the State Level 3 Investment Area and falls within the Coastal Area, which is designated as a growth area per the Sussex County Comprehensive Plan. A range of allowable housing types and densities is recommended. The proposed project falls below the referenced base density of 2 units/acre, primarily because 65% of the project will remain in open space. Coincidentally, preservation of natural resources is strongly encouraged on in the Coastal Area. As such, the proposed subdivision is consistent with the Comprehensive Plan.

Conclusion

The proposed subdivision is consistent with the County's Comprehensive Land Use Plan. The site's proximity to existing infrastructure and other development in the area makes it appropriate for the proposed development.

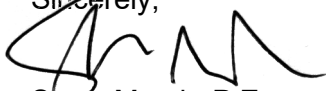
Environmental impacts will be minimized by the use of best management practices for stormwater treatment, conservation of existing wetlands and wooded areas, establishment of and preservation of wooded buffer areas, aquatic enhancement of drainage channels and the provision of central water and sewer. The economic benefits of the construction jobs, the permit fees, increased tax revenue, and long-term jobs associated with this community addition are well documented. The chances for a successful project, ensuring these jobs and economic benefits, are increased due to the success of the existing communities in the area and the minimal infrastructure investment required.

Beazer Homes looks forward to working with Sussex County to implement the proposed development, which will be integrated into the surrounding community and existing natural environment.

As requested in the Planning & Zoning Staff Review Letter, dated July 6, 2021, an electronic copy of this Environmental Assessment and Public Facility Evaluation Report and Preliminary Site Plan will be emailed to your office this date.

Please feel free to contact me with any questions.

Sincerely,



Steve Marsh, P.E.
Sr. Vice President

SLM/cl

Enclosures:

- One (1) copy of the Preliminary Site Plan

cc: Beazer Homes
Attn: Brian Knauff

Cobb Property Subdivision
Tax Map Parcels 533-17.00-21.00 and 21.03
Chapter 99 – Subdivision of Land
Report

With regard to Section 99-9 .C of the Sussex County Code, we offer the following comments:

1) Integration of the proposed subdivision into existing terrain and surrounding landscape.

The proposed subdivision will sit immediately adjacent to several existing developments, including Ashley Manor and Waters Run, and is in an area that is already significantly developed. The bulk of the development is in the existing open area, which sits on a relatively flat open field, well above the 100-year floodplain in elevation. There will be limited clearing of existing wooded areas and a minimum 30' buffer serves to retain existing wooded areas along the site boundary with adjacent communities. Of the 29.64 acres of existing wooded area on site, approximately 25 acres will be retained. Large swaths of woods remain and will surround the developed area, allowing for a green corridor around the site.

2) Minimal use of wetlands and floodplains.

At this time, there are no proposed impacts to wetlands or regulated waters on site. Some of the existing ditches on site may be relocated and reconstructed, but drainage for offsite areas will be maintained. There is no development proposed within the 100-year floodplain.

3) Preservation of natural and historical features.

A wooded buffer is retained on site around the project. In the PLUS comments, DNREC made reference to the fact that the wooded areas on site appeared to be there for a long time. Of the existing 29.64 acres of existing woods on site, approximately 25 acres will remain. There are no known historical features on site.

4) Preservation of open space and scenic views.

Development is limited to existing open areas. Of the entire 54.38 acres of the proposed subdivision, 34.64 acres (approximately 65%) will remain in open space. Because the existing tree canopy is extensive and being retained, the scenic views will be of the existing tree line rather than open view corridors.

5) Minimization of tree, vegetation and soil removal and grade changes.

Of the 29.6 acres of existing woods on site, approximately 25 acres are being retained. We will endeavor to balance the site, so minimal soil will be removed from the site. The site is relatively high in relation to the existing Base Flood Elevation of the area. The site is relatively flat with no real steep or noticeable grade change on site. The proposed conditions will be relatively consistent with the existing conditions.

6) Screening of objectionable features from neighboring properties and roadways.

A minimum 30' buffer is provided around the property and the existing woods line provides buffer for other properties in the area and provides a softening of the viewshed from Route 20.

7) Provision for water supply.

Water supply is being provided by Artesian Water Company. Capacity is available, the water main will be looped to connect water infrastructure on Route 20 and with Old Mill Bridge Road.

8) Provision for sewage disposal.

Sewer will be provided by Sussex County. Capacity is available, and a Sanitary Sewer System Concept Evaluation request was submitted, and the results returned by SCED.

9) Prevention of pollution of surface and groundwater.

Stormwater management will meet the requirements of the Sussex Conservation District (SCD) and by default, the goals of the Inland Bays Pollution Control Strategies. We will endeavor to include enhanced flood plains in all ditch relocations. Central sewer is being provided.

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.

Stormwater management will meet SCD requirements. Ponds will be unlined to allow for infiltration. While the ditch system is being relocated and enhanced, ditch inverts will remain the same, so impact on groundwater elevation should be minimal. Good soils on site exist, so the design team will endeavor to explore the use of infiltration practices, where appropriate.

11) Provision for safe vehicular and pedestrian movement within the site and to adjacent ways.

The main entrance of the site and accompanying auxiliary lanes are being designed in conjunction with DeIDOT review. Approval for the site will also be required from the Office of the State Fire Marshal. Sidewalks are proposed along both sides of the street and will connect with DeIDOT's shared use path requirements.

12) Effect on area property values.

This project is located in a developing area with a mix of home types. We believe the project will have a positive impact on area properties based on the proposed product type, the subdivision layout, and proposed amenities.

13) Preservation and conservation of farmland.

There is no preservation of farmland, however this area is zoned AR and lies in the Coastal Area. This is a developing area, and the proposed development is consistent with the Comprehensive Plan. The project is surrounded by development in the area.

14) Effect on schools, public buildings and community facilities.

Regarding schools, the existing area demographic involves fewer families with school age children, so there should be minimal impact on the school system, other than the increase of revenue, as a result of 68 new assessments and taxes.

15) Effect on area roadways and public transportation.

We anticipate minimal overall impacts to external traffic patterns since only 68 lots are proposed.

16) Compatibility with other area land uses.

The project site is zoned AR and lies in the Coastal Area, and the proposed development is consistent with the Comprehensive Plan. We would categorize this area as developing with a mix of housing prices. The proposed development will be consistent with that characterization.

17) Effect on area waterways.

The proposed development will meet the requirements of the Sussex Conservation District and Inland Bays Pollution Control Strategies. Additional storage capacity for runoff, as well as additional water quality treatment, will be provided by utilizing the existing old borrow ponds on site for "spillover" capacity.

PRELIMINARY LAND USE SERVICE

Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered.** If a question is unknown at this time or not applicable, please explain. Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): _____

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): _____

1. Project Title/Name: **Cobb Property**

2. Location (please be specific): **Zion Church Road (RD 382), Selbyville, DE 19975**

3. Parcel Identification #: **533-12.00-21.00 & 21.03** 4. County or Local Jurisdiction Name: where project is located: **County**

5. If contiguous to a municipality, are you seeking annexation:

6. Owner's Name: **Peggy Jean Timmons Cobb**

Address: **36341 Zion Church Road**

City: **Selbyville** State: **DE** Zip: **19975**

Phone: Fax: Email:

7. Equitable Owner/Developer (This Person is required to attend the PLUS meeting): **Beazer Homes, LLC**
Attn: **Brian Knauff**

Address: **6085 Marshalee Drive, Suite 350**

City: **Elkridge** State: **MD** Zip: **21075**

Phone: **443-539-9249** Fax: Email: **brian.knauff@beazer.com**

8. Project Designer/Engineer: **George, Miles & Buhr, LLC Attn: Steve Marsh**

Address: **206 West Main Street**

City: **Salisbury** State: **MD** Zip: **21801**

Phone: **410-742-3115** Fax: **410-548-5790** Email: **smarsh@gmbnet.com**

9. Please Designate a Contact Person, including phone number, for this Project: **Lawton Myrick**
410-742-3115

Information Regarding Site:	
10. Type of Review: <input type="checkbox"/> Rezoning, if not in compliance with certified comprehensive plan <input type="checkbox"/> Site Plan Review <input checked="" type="checkbox"/> Subdivision	
11. Brief Explanation of Project being reviewed: proposed subdivision consisting of 66 single family lots. If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications.	
12. Area of Project (Acres +/-): 54.60 Number of Residential Units: 66 Commercial square footage:	
13. Present Zoning: AR-1	14. Proposed Zoning: AR-1 Cluster - Coastal Area Overlay
15. Present Use: Residential, Open Area & Maintained Vacant Land	16. Proposed Use: Residential
17. Water: <input type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input checked="" type="checkbox"/> Public (Utility) Service Provider Name: Artesian Water Company Will a new public well be located on the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
18. Wastewater: <input type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input checked="" type="checkbox"/> Public (Utility) Service Provider Name: Sussex County Will a new community wastewater system be located on this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
19. If residential, describe style and market segment you plan to target (Example- Age restricted):	
20. Environmental impacts: How many forested acres are presently on-site? 28.65 How many forested acres will be removed? 4.60 To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the wetlands: <input type="checkbox"/> Tidal Acres: <input checked="" type="checkbox"/> Non-tidal Acres: 19.10 If "Yes", have the wetlands been delineated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Has the Army Corps of Engineers signed off on the delineation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", describe the impacts: How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? <u> ±25' </u>	
21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
22. List the proposed method(s) of stormwater management for the site: Bioswales and wet ponds	
23. Is open space proposed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," how much? Acres: 29.91 What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? Active and passive recreation, stormwater management and wildlife habitat.	
24. Are you considering dedicating any land for community use (e.g., police, fire, school)? <input type="checkbox"/> Yes <input type="checkbox"/> No	

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: **700 trips**

What percentage of those trips will be trucks, excluding vans and pick-up trucks? **8%**

26. Will the project connect to state maintained roads? Yes No

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections.

28. Are there existing sidewalks? Yes No; bike paths Yes No
Are there proposed sidewalks? Yes No; bike paths Yes No

Is there an opportunity to connect to a larger bike, pedestrian, or transit network? Yes No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? Yes No

Has this site been evaluated for historic and/or cultural resources? Yes No

Would you be open to a site evaluation by the State Historic Preservation Office? Yes No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? Yes No

Person to contact to arrange visit: _____ phone number: _____

31. Are any federal permits, licensing, or funding anticipated? Yes No

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

Levon Jesse Newman POA

OCT 1, 2020

Signature of property owner

Date

[Signature]

10/01/2020

Signature of Person completing form

Date

(If different than property owner)

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning electronically at plus@state.de.us along with an electronic copy of any site plans and development plans for this site. Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. **If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions.** A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.



GEORGE, MILES & BUHR, LLC

■ ■ ■ ■

ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

■ ■ ■ ■

September 10, 2021

Delaware Office of State Planning
122 William Street
Dover, DE 19901

Attn: Ms. Constance C. Holland, AICP
Director

Re: Response to PLUS Review Comments
Cobb Property
PLUS Review – 2020-11-07

Dear Ms. Holland:

Please accept this letter as the formal response to the Office of State Planning Coordination PLUS review comments dated, December 18, 2020, for the above referenced project. The original State Agency comments are included below with our responses highlighted in red and italicized.

Sincerely,



Stephen L. Marsh, P. E.
Sr. Vice President

SLM/cl

cc: Beazer Homes, LLC
Attn: David Jacques

JAMES H. WILLEY, JR., P.E.
PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
CHARLES M. O'DONNELL, III, P.E.
W. BRICE FOXWELL, P.E.
A. REGGIE MARINER, JR., P.E.
JAMES C. HOAGESON, P.E.
STEPHEN L. MARSH, P.E.
DAVID A. VANDERBEEK, P.E.
ROLAND E. HOLLAND, P.E.
JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
W. MARK GARDOCKY, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
ANDREW J. LYONS, JR., P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. WILLIS
CHRISTOPHER J. PFEIFER, P.E.

Strategies for State Policies and Spending

This project is located in Investment Levels 3 according to the Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas but may have priorities for the near future. Level 3 areas may mean that there may be environmental concerns on or near the parcel and we would encourage you to design the site with respect for the environmental features which are present. Because of the environmental features on the site, we ask that you consider the DNREC comments below and incorporate suggestions that will help protect these valuable resources.

Comment Noted. We do not agree with the State Policy and Spending Level 3 designation. We note that there is significant development in the area and there has already been investment in infrastructure.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Zion Church Road (Delaware Route 20) must be designed in accordance with DeIDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017. The November 2, 2020, meeting was sufficient in this regard.
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DeIDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 700 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DeIDOT calculates this number as 709 and estimates the weekday morning and evening peak hour trip ends at 52 and 68, respectively.

Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DeIDOT may accept an Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as \$10 per daily trip or, in this case, \$7,090. AWS Fees are used to fund traffic studies, not to build improvements.

DeIDOT anticipates requiring the developer to improve Zion Church Road, within the limits of their frontage, to meet DeIDOT's Major Collector Road standards, which include 12-foot lanes and 8-foot shoulders. Presently, DeIDOT has begun work on an area study, tentatively named the Southeast Sussex Circulator Study, from which it anticipates identifying transportation improvements needed near this development. DeIDOT expects to require participation in some of those improvements. The developer may contact Ms. Jennifer Cinelli, a planner in DeIDOT's Statewide and Regional Planning Section for more information on the Southeast Sussex Circulator Study as needed. Ms. Cinelli may be reached at (302) 760-2549 or Jennifer.Cinelli@delaware.gov.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DeIDOT will require dedication of right-of-way along the site's frontage on Zion Church Road and Old Mill Bridge Road (Sussex Road 381). By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline on each 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."**
- In accordance with Section 3.2.5.1.2 of the Manual, DeIDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on both roads. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat."**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 300 feet of the entrance on Zion Church Road.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is at DeIDOT's discretion. DeIDOT anticipates requiring the developer to build an SUP along their frontage on both Zion Church Road and Old Mill Bridge Road. On Zion Church Road, the SUP should connect to the path in front of Ashley Manor.
- Section 3.5.4.4 of the Manual addresses access-ways, essentially shared-use paths connecting subdivision streets either to each other or to the road on which the property fronts. DeIDOT anticipates requiring the developer to provide an accessway to Old Mill Bridge Road if possible.

- Referring to Section 3.5.5 of the Manual, existing and proposed transit stops and associated facilities as required by the Delaware Transit Corporation (DTC) or DeIDOT shall be shown on the Record Plan. DTC anticipates requiring provision for a future bus stop on Zion Church Road. Specifically, a 5-foot by 8-foot bus stop pad is needed on the far side of the entrance, placed at least 50 feet away from the entrance.
- Section 3.5.7.1 of the Manual addresses interconnections where there is no existing stub street on the adjacent property. DeIDOT anticipates requiring the developer to provide street connections to Shearwater Drive and Albatross Drive in Ashley Manor if that can be negotiated with the condominium association there.
- 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 Zion Church Road or Old Mill Bridge 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>.

The site entrance on Zion Church Road is proposed to be opposite the entrance to Fenwick West and would likely require a left turn lane on Zion Church Road. DeIDOT anticipates requiring that the widening be extended to provide a left turn lane into Fenwick West as well.

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

Comments Noted. We will work within DeIDOT guidelines and standards to design an appropriate and safe vehicular entrance for the subdivision. A pre-application meeting was held on 11/2/2020 and the entrance plans are currently in development.

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

Concerns Identified Within the Development Footprint

Water Quality (Pollution Control Strategies)

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

- A perennial stream exists on the site, which drains to Dirickson Creek. This site lies within the Rehoboth Bay of the Inland Bays Watershed. Consult with the appropriate plan review agency (Sussex Conservation District) to determine if stricter stormwater management standards may apply for development projects in this area.

We are aware of man-made agricultural ditches present on the property which serve to drain this site and some adjacent properties. One of these ditches does drain to Dirickson Creek. Our environmental consultant, Environmental Resources, Inc. (ERI) has field verified the fact that this channel is not a perennial stream. We will work with Sussex Conservation District to comply with stormwater management requirements, and by default, Pollution Control Strategies.

Stormwater Management

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

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

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

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

Comments noted. We will work with Sussex Conservation District to implement Best Management Practices for Stormwater Management.

Hydrologic Soils Group

This site is unique in that it contains multiple soil types in a relatively small area. Moderately well drained soils (Hydrologic Soils Group A) exist on the western portion of the site, intermixed with Hydrologic Soils Group C, also moderately well drained. The forested area to the east, proposed to be kept intact, contains poorly drained soils (Hydrologic Soils Group A/D), intermixed with soils considered to be excessively drained (Hydrologic Soils Group A /D). Moderately well drained B soils exist on the southeast

corner of the site. Hydrologic Soil Group C and/or D soils are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

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

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

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

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

Comments noted. We will work with DNREC and Sussex Conservation District so that all designs consider the limitations of the Hydrologic Soils Groups present on the site.

Wetlands

Maps from the Statewide Wetlands Mapping Project indicate the presence of both freshwater forested wetlands and several ponds (open water). According to the application, a wetland delineation has not yet been completed for the site.

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

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

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

ERI has completed a final wetland delineation on the entire property. A location survey is underway, and we are finalizing a Wetland Delineation Map. The final delineation results are in conformance with ERI's preliminary estimates. Furthermore, we are not anticipating any wetlands impact at this time.

Vegetated Buffer Zones

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

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

We will endeavor to maintain vegetated buffers adjacent to waterways where feasible and appropriate. A 25' buffer has been maintained around the wetlands.

Nutrient Management Plan

This project proposes open space of 29.9 acres, exceeding the threshold of 10 acres for nutrient management requirements.

- 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/>

A Nutrient Management Plan for the proposed open space area will be prepared at the time of development.

Wildlife Displacement

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

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

Comment noted.

Wastewater Permitting

The application indicated that the wastewater disposal system for this proposed project will be via public utility through Sussex County. A small wastewater disposal system (Low Pressured Pipe septic) has been located on the site under Tax Parcel 533-12.00 21.00.

Requirements for Proper Closure of Small Systems:

- Ensure that the current wastewater disposal system on site is properly abandoned and that the Abandonment Report is filed to the Small Systems Branch in Sussex County.

Contact: DNREC Groundwater Discharges Section at Sussex County at (302) 856-4561.

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

Requirements for Large Systems:

- After abandonment report has been filed, the Permittee (Sussex County), holds existing permits with the Groundwater Discharges Section's Large Systems Branch. It is the responsibility of Sussex County to notify the Large Systems Branch, if the capacity of the rate of wastewater disposal is to be updated.

Contact: DNREC Groundwater Discharges Section at (302) 739-9948.
Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

Requirements:

- A Site Evaluation must be performed by a Delaware licensed Class D Soil Scientist to determine the type of disposal system allowed under current regulations and site conditions.
- A list of licensed Class D soil scientists can be found at the following website: <http://www.dnrec.delaware.gov/wr/Information/GWDInfo/Documents/Class%20D%20list.pdf>

Contact: DNREC Groundwater Discharges Section for proposed projects in Kent and New Castle Counties at (302) 739-9947 and for projects proposed in Sussex County at (302) 856-4561.
Website: <https://dnrec.alpha.delaware.gov/water/groundwater/septic-systems/>

We will work with DNREC and Sussex County Engineering in regard to Sanitary Sewer Design, which will include appropriate provisions for abandonment of the existing on-site system.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- Prehistoric archaeological potential is low to moderate. The soils on the parcels are 50/50 well-drained and poorly drained. The vicinity of the northern part of the parcel to Dirickson Creek is favorable, and a smaller creek runs through the parcel that off-shoots from Dirickson, but can't confirm if this is historic or artificial.
- Historic archaeological potential is low. The parcel doesn't seem to have changed much through historic topos and aeriels- mostly agricultural fields and woodland. One cultural resource (house) at the southernmost border of the parcel has since been demolished, but it appears to have first appeared after 1937. Otherwise, Beers does not show any buildings or cemeteries on the parcel.

Comments noted.

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

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

Fire Protection Water Requirements:

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

Accessibility:

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a “center island” is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where traffic circles (roundabouts) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information:

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

Required Notes:

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

We will work with the State Fire Marshal's Office to comply with all Fire Safety regulations.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District, Johnson’s Corner area and connection to the sewer system is mandatory. A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served. The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

We will continue to work with Sussex County Public Works and the Engineering Department staff to comply with Water / Wastewater regulations and design standards.

A Sewer System Concept Evaluation Report was received by Sussex County Engineering Department on 9/14/2020. There has been ongoing design coordination with County staff since that time.

Recommendations/Additional Information

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

Department of Transportation – Contact Bill Brockenbrough 760-2109

- From the discussion at the PLUS meeting, DelDOT understands that the County is encouraging the developer to extend the stub street proposed near Lot 35 to the property line to allow for an interconnection to the lands to the west. DelDOT supports such interconnections as being consistent with Section 3.5 of the Manual.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Zion Church Road or Old Mill Bridge Road.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019, and March 25, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>.

Comments noted.

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

Concerns Identified Within the Development Footprint

Stormwater Management

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

Comments noted.

General Drainage Recommendations

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

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

Comments noted.

Wetlands

- Schedule a meeting through the DNREC Joint Permit Processing (JPP), which are held on the 3rd Thursday of every month. In order for your project to be seen through the JPP, you must submit the request through the following website: http://www.dnrec.delaware.gov/wr/Services/OtherServices/Documents/Jurisdictional_Determination_and_Map_Change_Request_Form.pdf
- Recommendations for buffers are prescribed below under the heading, Vegetated Buffer Zones.

Comments noted. However, there are no state regulated wetlands on this property. Little, if any, impacts to federally regulated wetlands are expected. Attending a JPP meeting is not necessary at this time. We will continue to work with our Wetlands Consultant, Ed Launay of ERI, to eliminate or minimize impacts to wetlands and/or waterways and comply with all environmental regulations.

Vegetated Buffer Zones

- The plan appears to incorporate a 25-foot vegetated buffer zone from wetlands, open water, and the perennial stream onsite. Incorporate a 100-foot vegetated buffer zone from the edge of wetlands and all waterways (rivers, streams, ditches, ponds etc.) to protect water quality.
- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance (LOD) on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.
- Vegetated buffer zones should be deeded as community open space. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.
- In general, grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

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

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

Comments noted. However, based on field survey and reconnaissance by Ed Launay of ERI, the ditches on site are not perennial. Per the plans, we are maintaining a 25' buffer around non-tidal wetlands. We will endeavor to maintain buffers adjacent to existing or re-routed ditches.

Old Growth Forest

Approximately 4.6 out of 28.7 acres of forest is proposed to be removed on the site. An analysis of historical data indicates that forest lands on the site has likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- The area containing mature forest has been designated as community open space. DNREC Reviewers recommend that signage is installed to limit encroachment on these sensitive environmental areas.
- For more information, please contact the DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Comments noted.

Wildlife Displacement

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

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

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

Comments noted.

Mosquitoes

The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of freshwater and estuarine wetlands.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9917.

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

Comments noted.

Additional Sustainable Practices

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.
- Incorporate nonmotorized connectivity by introducing a walking trail/bicycle path.
- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.

Comments noted.

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

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

Comments noted.

Delaware Transit Corporation (DTC) – Contact: Jared Kauffman 576-6062

- A 5'x8' bus stop pad is needed far-side of the entrance, placed at least 50' away from the entrance.
- To encourage connectivity and non-motorized travel, it is suggested to connect the proposed development to Ashley Manor via pedestrian pathways to Albatross Dr and Shearwater Dr.

Comments noted. We will plan for the bus stop and investigate pedestrian connectivity with Ashley Manor.

Delaware Emergency Management Agency – Contact Philip Cane 659-2325

- Depending on the location along Zion Church Road, the construction could fall within the 7 ft coastal inundation zone, caution is advised depending on location.

Comments noted.

Sussex County Housing – Contact: Brandy Nauman 855-7779

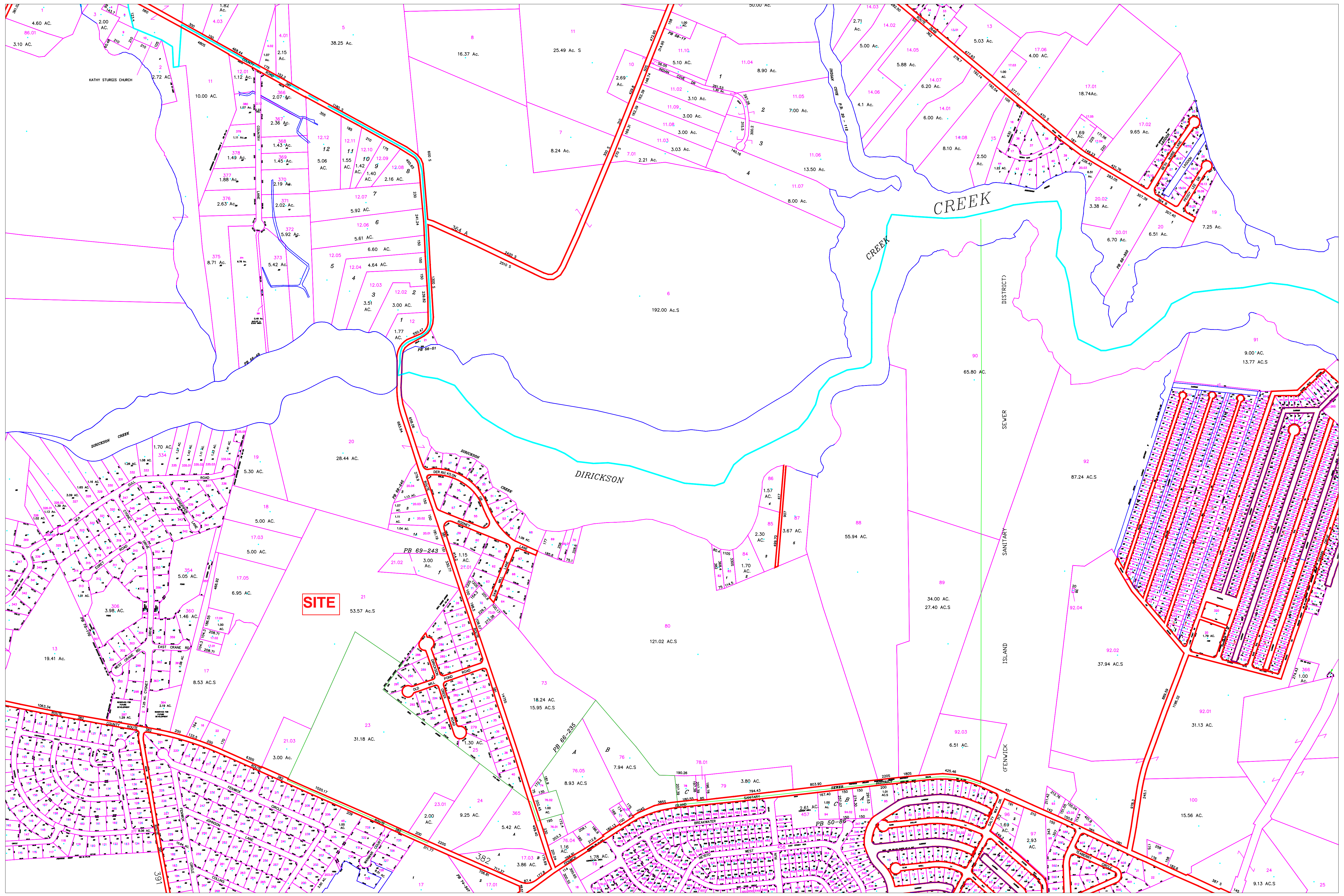
- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments,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

Comments noted.

SITE SPECIFIC MAPS, PLANS & DOCUMENTATION

COBB PROPERTY TAX MAP

N 179400



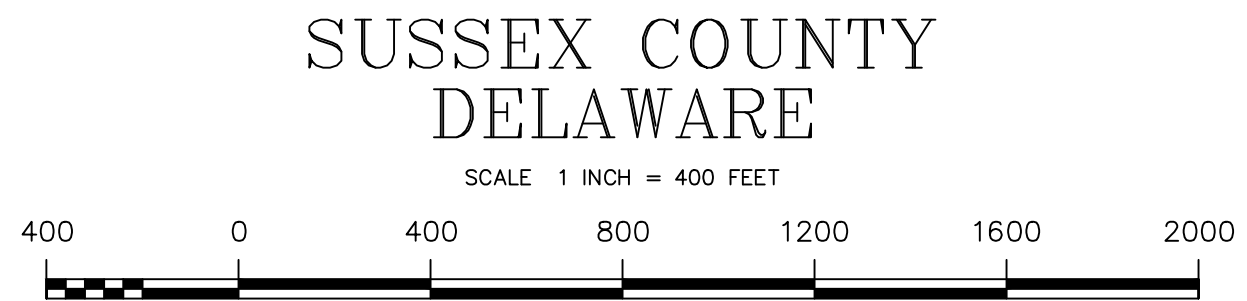
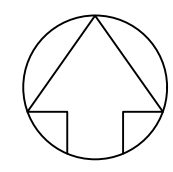
N 171400

E 581600

E 593607

DATE OF REVISION: 08-18-03
 DATE OF COMPILATION: 08-18-03
 SHEET LAYOUT BASED ON THE DELAWARE
 STATE PLANE COORDINATE SYSTEM.

THE INFORMATION SHOWN HEREON
 HAS BEEN COMPILED FROM DEED
 DESCRIPTIONS, IF AVAILABLE,
 TAX MAPS AND AERIAL PHOTOGRAPHS.
 THE ACTUAL BOUNDARIES CAN ONLY
 BE DETERMINED BY AN APPROPRIATE
 SURVEY.



LEGEND	
	County Line
	Hundred Line
	District Line
	City or Borough Line
	All Purpose Line
	Original Lot Line
	Property Line
	Map Parcel Number
	Original Lot Number
	Map Scaled Dimension
	Denotes Same Owner
All Dimensions Shown In Feet	

MAP: 5-33-12

Cobb Property – Adjacent Landowners

Beazer Homes Corp - 6085 Marshalee Drive Suite 350 - Elkridge, MD 21075

TM 533-12.00-23.00 - DB 3424 PG 343

Patrick J. McTavish - 4308 Sandy Spring Road - Burtonsville, MD 20866

TM 533-12.00-22.00 - DB 3023 PG 164

Arthur G. Bowden Jr. - 32129 West Road - Frankford, DE 19945

TM 533-12.00-16.00 - DB 3956 PG 196

Zion Rd. LLC - c/o James E. Swann III - 37124 Saw Mill Lane - Selbyville, DE 19975

TM 533-12.00-17.00 - DB 2821 PG 312

Michael W. & Joelle K. Lingefelter - 36892 Chandler Drive - Selbyville, DE 19975

TM 533-12.00-17.05 - DB 1892 PG 10

Anthony A, Sr. & Josephine E. Decasaris, Trustees – 1609 Coastal Highway – Fenwick Island, DE 19944

TM 533-12.00-17.03 – DB 3497 PG 312

Gladys A. Swann, Revocable Trust – 37124 Saw Mill Lane – Selbyville, DE 19975

TM 533-12.00-18.00 – DB 3359 PG 340

Waters Run Property Owners Association, Inc. – P. O. Box 1761 – Millsboro, DE 19966

TM 533-12.00-20.08 – Open Space A

John C. & Teresa H. Honess – 36760 Old Mill Bridge Road – Selbyville, DE 19975

TM 533-12.00-20.01 – DB 2308 PG 191

Jesse S. Cobb – 36794 Old Mill Bridge Road – Selbyville, DE 19975

TM 533-12.00-21.02 – DB 4102 PG 222

Howard & Rubie J. Martin – 11911 Coastal Highway – Ocean City, MD 21842

TM 533-12.00-26.00

Joanna M. White & Brian E. McDavid – 34478 Mad Dog Run – Frankford, DE 19945

TM 533-12.00-287.00 – DB 3120 PG 231

Sandra L. & Michael D. Hurley – 37268 Dirickson Creek Road – Selbyville, DE 19975

TM 533-12.00-288.00 – DB 2955 PG 196

NO LIEN OR TITLE SEARCH
REQUESTED OR PERFORMED

TAX MAP NO. 5-33-12.00-21.00
PREPARED BY:
Scott and Shuman, LLC
Route 6, Box 150
West Fenwick, DE 19975-9806

DEED

THIS DEED is made this 8th day of November, 2004, between **PEGGY JEAN TIMMONS (nee COBB) and JESSE SAMUEL COBB, SUCESSOR TRUSTEES UNDER REVOCABLE TRUST AGREEMENT OF GRACE J. COBB, dated June 23, 1993**, parties of the first part, ("GRANTOR") of Route 1, Box 305B, Selbyville, Delaware, 19975, and **PEGGY JEAN TIMMONS (nee COBB) and JESSE SAMUEL COBB, as tenants in common**, parties of the second part, ("GRANTEE"), of Route 1, Box 125 A, Selbyville, Delaware, 19975.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said party of the second part, their heirs and assigns, in fee simple, the following-described lands, situate, lying and being in **Sussex County**, State of Delaware:

All that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, State of Delaware, as shown on a plot titled "Survey: Estate Of Grace J. Cobb", prepared by Lawrence R. Long, Professional Land Surveyor, dated October 28, 1999, and filed of record in the Office of the Recorder of Deeds in Georgetown, Delaware, in Plat Book 89 at Page 37.

EXCEPTING AND RESERVING THEREFROM, the following three out conveyances:

1. A deed dated March 8, 2000, from Peggy J. Cobb and Jesse Samuel Cobb (Successor Trustees) to Jesse Samuel Cobb and Ronna M. Cobb, recorded in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Deed Book 2471, Page 107.
2. A deed dated January 3, 2001, from Peggy J. Cobb and Jesse Samuel Cobb (Successor Trustees) to Jesse Samuel Cobb and Ronna M. Cobb, recorded in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Deed Book 2555, Page 286.
3. A deed dated February 4, 2002, from Peggy Jean Cobb and Jesse Samuel Cobb (Successor Trustees) to Peggy Jean Cobb, recorded in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Deed Book 2675, Page 001.

KCB gm

Consideration:	\$0.00	Exempt Code: A
County	State	Total
0.00	0.00	0.00
counter	Date: 11/10/2004	

The said remainder lot, piece or parcel being more fully described as follows to wit:

Beginning at a concrete monument found on the westerly right-of-way of State Road 381, a corner for this property, a corner for the lands now or formerly of Jesse S. Cobb and Ronna M. Cobb and also being a corner for the Mill Creek Acres Subdivision; thence with the Mill Creek Acres Subdivision, South 44 degrees 33 minutes 12 seconds West, (passing through a iron pipe at 241.23 feet and passing through a concrete monument at 482.12 feet) 770.33 feet to an iron axle, said iron axle being a corner for this property, a corner for the Mill Creek Acres Subdivision and the lands now or formerly of Louis M. Vaughn and Idell R. Vaughn; thence with the lands now or formerly of Vaughn, North 52 degrees 00 minutes 49 seconds West, 527.05 feet to an iron axle; thence continuing with this property and the lands now or formerly of Vaughn, South 31 degrees 48 minutes 30 seconds West, 969.47 feet to a re-bar, said re-bar being on the line of the lands now or formerly of Vaughn, a corner for this property and being a corner for the lands now or formerly of Peggy Jean Cobb; thence with this property and the lands now or formerly of Peggy Jean Cobb the following two courses and distances: 1) North 59 degrees 08 minutes 31 seconds West, 268.21 feet to a re-bar, 2) South 30 degrees 51 minutes 29 seconds West, 494.81 feet to a re-bar, said rebar being a corner for this property, a corner for the lands now or formerly of Peggy Jean Cobb and being situate on the easterly right-of-way of State Route 20; thence with the easterly right-of-way of State Route 20, North 59 degrees 08 minutes 31 seconds West, 156.99 feet to an unmarked point; thence continuing with the easterly right-of-way of State Route 20, a curve to the left having an arc distance of 214.16 feet, radius of 17,600 feet, a chord distance of 214.16 feet and a chord bearing of North 59 degrees 29 minutes 22 seconds West, to a re-bar, said re-bar being a corner for this property and a corner for another parcel of land now or formerly of Peggy Jean Cobb; thence with the second parcel now or formerly of Peggy Jean Cobb the following two courses and distances: 1) North 33 degrees 08 minutes 28 seconds East, 165.89 feet to a concrete monument, 2) North 61 degrees 28 minutes 12 seconds West, 199.42 feet to a concrete monument, said monument being a corner for this property, a corner for the lands now or formerly of Peggy Jean Cobb and being on the line of the lands now or formerly of Wilbert T. Chandler; thence with the lands now or formerly of Chandler, North 33 degrees 08 minutes 14 seconds East, 969.80 feet to a T-Bar, said T-Bar being a corner for this property, the lands of Chandler and being a corner for the lands now or formerly Michael W. Lingenfelter and

Joelle K. Lingenfelter; thence with the lands now or formerly of Lingenfelter the following two courses and distances: 1) North 34 degrees 09 minutes 32 seconds East, 453.31 feet to an iron axle, 2) North 26 degrees 32 minutes 51 seconds East, 164.25 feet to a concrete monument, said monument being a corner for this property, a corner for the lands now or formerly of Lingenfelter and being a corner for the lands now or formerly of Anthony A. DeCesaris and Josephine E. DeCesaris; thence with the lands now or formerly of DeCesaris, North 32 degrees 50 minutes 59 seconds East, 318.94 feet to a concrete monument, said monument being a corner for this property, the lands now or formerly of DeCesaris and being a corner for lands now or formerly of Tammy J. Swann; thence with the lands now or formerly of Swann, North 33 degrees 07 minutes 45 seconds East, 274.34 feet to a stone, said stone being a corner for this property, the lands now or formerly of Swann and being a corner for the lands now or formerly of Terry W. Lynch and Barbara L. Lynch; thence with the lands now or formerly of Lynch, South 67 degrees 21 minutes 16 seconds East, 667.80 feet to a re-bar, said rebar being on the line of this property, a corner for the lands now of formerly of Lynch and being a corner for the Resubdivision Of Lot 1, Lands Of Terry W. & Barbara L. Lynch; thence with the said Resubdivision Of Lot 1, South 67 degrees 21 minutes 16 seconds East, 496.18 feet (making a total distance of 1,163.38 feet along this course) to an iron pipe, said iron pipe being a corner for this property, a corner for the Resubdivision Of Lot 1 and being situate on the westerly right-of-way State Road 381; thence with the right-of-way of State Road 381, South 11 degrees 54 minutes 21 seconds East, 151.00 feet to a re-bar, said rebar being a corner for this property and being a corner for the lands now or formerly of Jesse S. Cobb and Ronna M. Cobb; thence with the lands now or formerly of Jesse S. Cobb and Ronna M. Cobb the following six courses and distances: 1) North 83 degrees 00 minutes 00 seconds West, (passing through a re-bar at 476.02 feet) 486.59 feet to a point in the center of a ditch, 2) continuing with the center of said ditch, South 17 degrees 57 minutes 50 seconds West, 13.45 feet to a point in said ditch, 3) continuing with the center of said ditch, South 51 degrees 58 minutes 46 seconds West, 32.68 feet to a point in said ditch, 4) continuing with the center of said ditch, South 47 degrees 36 minutes 45 seconds West, 174.52 feet to a point in said ditch, 5) leaving said ditch, South 79 degrees 23 minutes 00 seconds East, (passing through a re-bar at 15.81 feet) 345.81 feet to a re-bar, 6) South 65 degrees 30 minutes 00 seconds East, 406.74 feet to the place of beginning, said to contain 51.597 acres more or less.

BEING a part of the same property conveyed unto Grace J. Cobb, Trustee Under a Revocable Trust Agreement Dated June 23, 1993 with Jesse W. Cobb, Settlor, As Amended, or Her Successors in Trust, from Jesse W. Cobb and Grace J. Cobb, dated June 23, 1993, said deed being of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware in Deed Book 1923, Page 302.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their Hands and Seals the day and year first above written.

WITNESS:

Jennifer K. Cutler

Peggy Jean Timmons (SEAL)
PEGGY JEAN TIMMONS, TRUSTEE, as GRANTOR

Jennifer K. Cutler

Jesse S. Cobb (SEAL)
JESSE S. COBB, TRUSTEE, as GRANTOR

State of Delaware :
: SS.
County of Sussex :

BE IT REMEMBERED, that on this 8th day of November, 2004, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, PEGGY JEAN TIMMONS (nee COBB) and JESSE S. COBB, SUCCESSOR TRUSTEES UNDER REVOCABLE TRUST AGREEMENT OF GRACE J. COBB, dated June 23, 1993, parties tot his indenture, known to me personally to be such, and acknowledged this indenture to be their act and deed.

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

Mary Elyn Rozell
Notary Public

My commission expires: 9/24/08

Return to:
Jesse S. Cobb
Route 1, Box 125 A
Selbyville, DE 19975

Mary Elyn Rozell
Notary Public
State of Delaware
My Commission Expires 9/24/2008

RECORDER OF DEEDS
JOHN F. BRADY

04 NOV 10 PM 3:41

SUSSEX COUNTY
DOC. SURCHARGE PAID

Received

NOV 12 2004

Tax Parcel #5-33-12.00-21.00
Prepared by: David W. Baker, Esq., P.A.
P O Box 551, 109 S. Race St.
Georgetown, Delaware 19947
Return to: PEGGY JEAN TIMMONS
Rt 6, Box 305
Selbyville, Delaware 19975

NO LIEN OR TITLE SEARCH
PERFORMED - NONE REQUESTED

This Deed, made this 6th day of May,

in the year of our Lord Two Thousand Four.

BETWEEN PEGGY JEAN TIMMONS (formerly known as PEGGY JEAN COBB), of Rt. 6, Box 305, Selbyville, Delaware 19975, party of the first part,

-and-

PEGGY JEAN TIMMONS, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF PEGGY JEAN TIMMONS DATED 7/24/01, of Rt 6, Box 305, Selbyville, Delaware 19975, party of the second part,

WITNESSETH, that for the sum of One Dollar (\$1.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, the said PEGGY JEAN TIMMONS, does hereby grant and convey the hereinafter described property unto PEGGY JEAN TIMMONS, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF PEGGY JEAN TIMMONS DATED 7/24/01 her successors and assigns,

ALL THAT CERTAIN Lot, piece or parcel of land, situate, lying and being in Baltimore Hundred, Sussex County, and State of Delaware, being known as LOT NO. 2 on a Minor Subdivision Plot of the Estate of Grace J. Cobb, as surveyed by Lawrence R. Long, Professional Land Surveyor, dated December 2001, and being more particularly described as follows, to-wit:

BEGINNING at a T-Bar Found on the Northerly side of Route 20 "Zion Church Road" (70' ROW), a corner for this lot and lots now or formerly of Louis M. and Idell Vaughn, said beginning point being 0.4 miles more or less West of the intersection of Route 20 and Route 54, North 31 degrees 48 minutes 30 seconds East 494.87 feet to a Re-Bar Set; thence turning and running North 59 degrees 08 minutes 31 seconds West 268.21 feet to a Re-Bar Set, being a comer of this lot and remaining lands of the Grace J. Cobb

1 Consideration: 90.00 Exempt Code: A

County	State	Total
0.00	0.00	0.00
counter	Date: 05/06/2004	

B. J. W.

Estate; thence turning and running South 30 degrees, 51 minutes 29 seconds West 494.81 feet to a Re-Bar Set; thence turning and running South 59 degrees 08 minutes 31 seconds East 260 feet, home to the place of beginning, and said to contain 3.00 Acres of land, be the same more or less. EXCEPTING AND RESERVING THEREFROM, a 5 foot Right-of-Way as shown on the aforesaid Subdivision Plot of the Estate of Grace J. Cobb.

BEING the same lands conveyed unto PEGGY JEAN COBB by Deed of PEGGY JEAN COBB and JESSE SAMUEL COBB, SUCCESSOR TRUSTEES UNDER REVOCABLE TRUST AGREEMENT OF GRACE J. COBB DATED JUNE 23, 1993, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 2675 at page 001.

Said Trustees shall have and hold the herein described property in fee simple and with full power and authority in said Trustees to sell, contract, exchange, convey, mortgage, encumber, lease, subdivide, or otherwise dispose of and deal with said property.

No party dealing with the Trustees in relation to said property in any manner whatsoever shall be obligated to (a) see to the application of any purchase money, rent or money borrowed or otherwise advanced on the property, (b) to see that the terms of this trust have been complied with, (c) to inquire into the authority, necessity or expediency of any act of the Trustees, or (d) be privileged to inquire into any of the terms of the trust agreement.

Every deed, mortgage, lease, or trust or other instrument executed by the Trustees in relation to the property shall be conclusive evidence in favor of every person claiming any right, title or interest thereunder (a) that at the time of the delivery thereof, this deed was in full force and effect, (b) that such instrument was executed in accordance with the trust, terms and conditions thereof and of the trust agreement and is binding upon all beneficiaries thereunder, (c) that the Trustees were duly authorized and empowered to execute and deliver every such instrument, and (d) if such conveyance has been made by a successor or successors in trust, or a Trustee or Trustees have been substituted, that such successor or successors have been properly and are fully vested with all the right, title, estate, powers and duties of his or her predecessor in trust. The Trustees shall have no individual liability or obligation whatsoever arising from their ownership as Trustees of the legal title to said property or with respect to any act done or contract entered into or indebtedness incurred by their dealing with said

property or in otherwise acting as such Trustees except only so far as said trust property and any trust funds in actual possession of the Trustees shall be applicable to the payment and discharge thereof.

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

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

David W. Baker
Heidi M. Jones

Peggy Jean Timmons (SEAL)
PEGGY JEAN TIMMONS

STATE OF DELAWARE :
: SS.
SUSSEX COUNTY :

BE IT REMEMBERED, that on this 6th day of MAY, in the year of our Lord Two Thousand Four personally came before me, a Notary Public in and for the State and County aforesaid, PEGGY JEAN TIMMONS, party to this Indenture, known to me personally to be such, and acknowledge this Indenture to be her Deed.

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

DAVID W. BAKER
ATTORNEY AT LAW
STATE OF DELAWARE
No Expiration Date

[Signature]
Notary Public

RECORDER OF DEEDS
JOHN F. BRADY

04MAY-6 PM 2:43

SUSSEX COUNTY
DOC. SURCHARGE PAID

Received

MAY 07 2004

**ASSESSMENT DIVISION
OF SUSSEX CTY**

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was State Plane Delaware zone (FIPSZONE 0700). The horizontal datum was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of information shown on this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NINGS12
National Geodetic Survey
SSHC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was provided in digital format by Delaware Geospatial Data Exchange. The base map features were compiled at a scale of 1:24,000 from aerial photography dated 2011.

This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

The AE Zone category has been divided by a Limit of Moderate Wave Action (LIMWA). The LIMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LIMWA (or between the shoreline and the LIMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

Contact the FEMA Map Information eXchange at 1-877-336-2627 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Information eXchange may also be reached by Fax at 1-800-358-9520 and their website at <http://www.msc.fema.gov/>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/nfip>.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) LEGEND

10-01-1983 CBRS Area
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER OCTOBER 1, 1983, IN DESIGNATED CBRS AREAS.

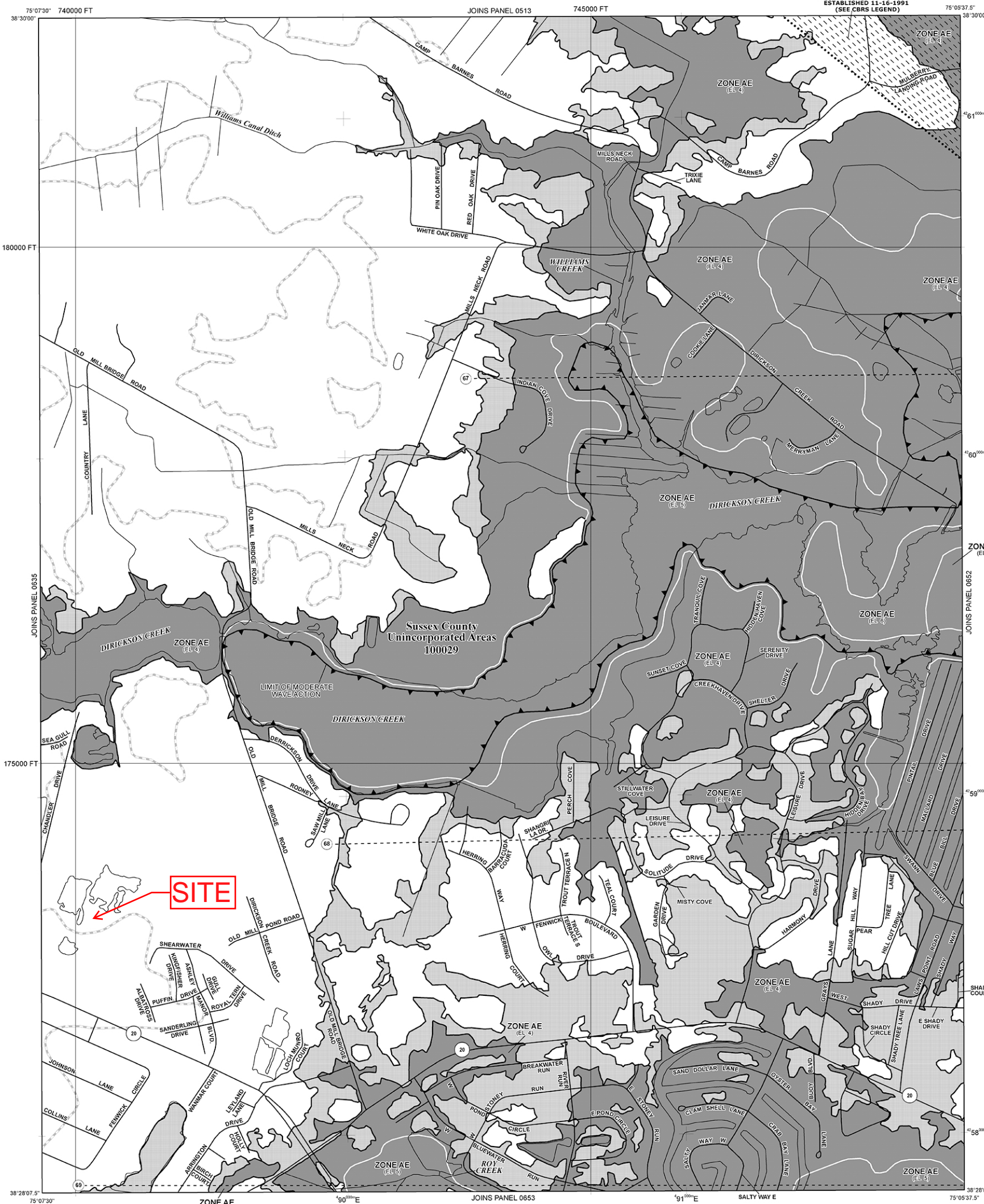
11-16-1990 CBRS Area
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER NOVEMBER 16, 1990, IN DESIGNATED CBRS AREAS.

10-01-1983 Otherwise Protected Area (OPA)
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER OCTOBER 1, 1983, IN DESIGNATED OPAs WITHIN THE CBRS.

11-16-1991 Otherwise Protected Area (OPA)
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER NOVEMBER 16, 1991, IN DESIGNATED OPAs WITHIN THE CBRS.

12-06-1999 Otherwise Protected Area (OPA)
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER DECEMBER 06, 1999, IN DESIGNATED OPAs WITHIN THE CBRS.

Boundaries of the John H. Chafee Coastal Barrier Resources System (CBRS) shown on this FIRM were transferred from the official CBRS source map(s) for this area and are depicted on this FIRM for informational purposes only. The official CBRS maps are enacted by Congress via the Coastal Barrier Resources Act, as amended, and maintained by the U.S. Fish and Wildlife Service (FWS). The official CBRS maps used to determine whether or not an area is located within the CBRS are available for download at <http://www.fws.gov>. For an official determination of whether or not an area is located within the CBRS, or for any questions regarding the CBRS, please contact the FWS field office for this area at (410) 573-4500.



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently de-certified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

- OTHER AREAS**
- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
- OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Limit of Moderate Wave Action
- Advisory line estimating flooding extents if dunes are breached during a 0.2% annual chance flood event

Base Flood Elevation line and value; elevation in feet*
Base Flood Elevation value where uniform within zone; elevation in feet*
* Referenced to the North American Vertical Datum of 1988

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
87°07'45", 32°22'30"

1000-meter Universal Transverse Mercator grid values, zone 18N
600000 FT
5000-foot grid values; Delaware State Plane coordinate system (FIPSZONE 0700), Transverse Mercator projection

Bench mark (see explanation in Notes to Users section of this FIRM panel)
M 1.5
River Mile

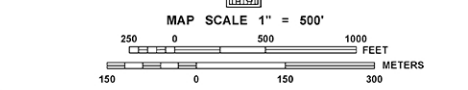
MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
June 16, 1995

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
See Notes to Users Page in FIS Report

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



PANEL 0651K

FIRM FLOOD INSURANCE RATE MAP

SUSSEX COUNTY, DELAWARE AND INCORPORATED AREAS

PANEL 651 OF 660
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY	100029	0651	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.

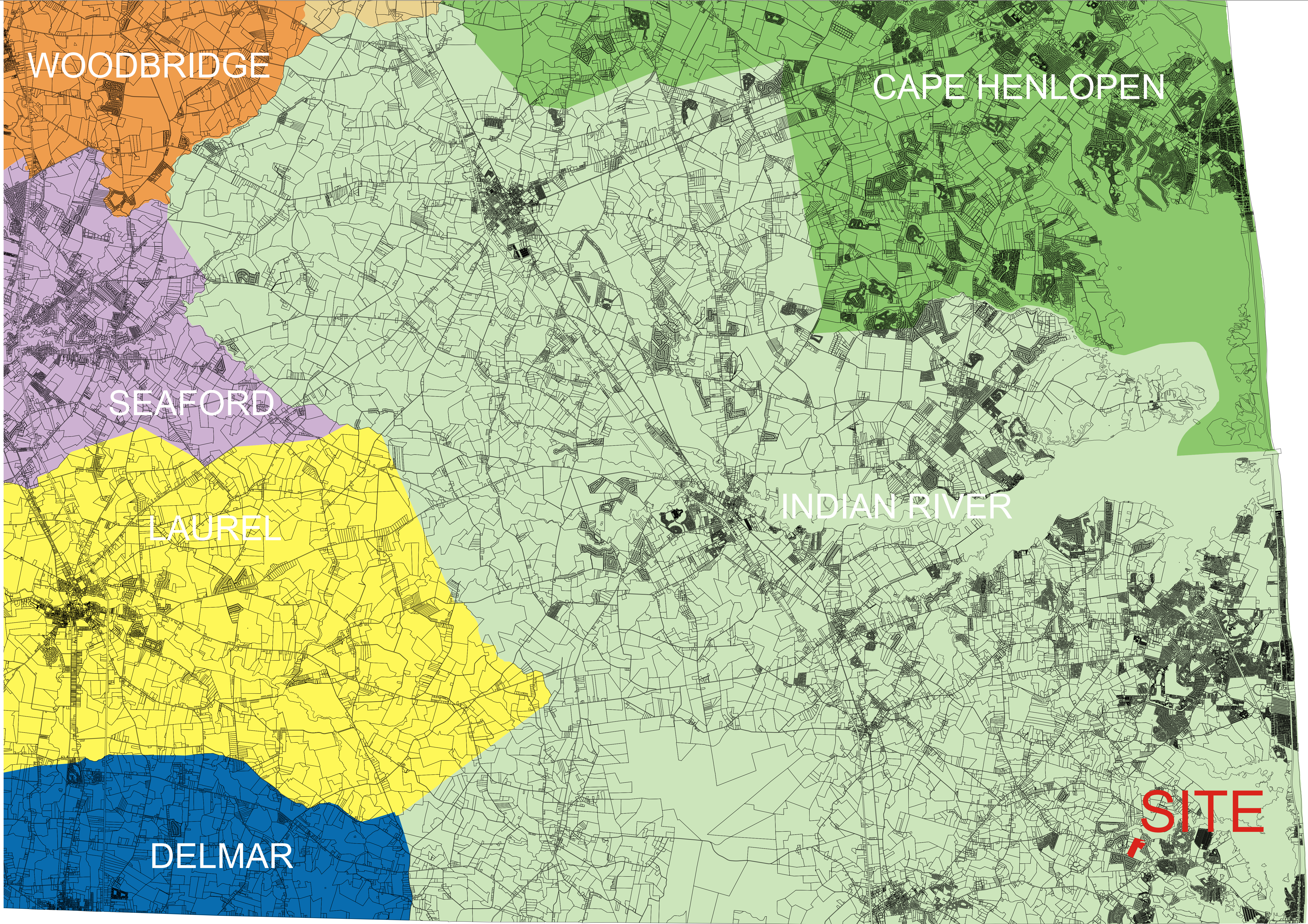
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
1005C0651K

MAP REVISED
MARCH 16, 2015

Federal Emergency Management Agency





C:\Projects\2020\20201454_Cobb Property Preliminary Site Plan\Drawings\Site\Binder - School Districts Map - Cobb.dwg, 7/10/2021 4:44 PM, Lenton Myrak
 PEN:RED 20 INCHES (15mm) PEN:YELLOW 20 INCHES (15mm) PEN:GREEN 20 INCHES (15mm) PEN:BLUE 20 INCHES (15mm) PEN:WHITE 20 INCHES (15mm)
 PLOT CODE PEN:CYAN 20 INCHES (15mm) PEN:MAGENTA 20 INCHES (15mm)

PRINTS ISSUED FOR:
DRAWINGS STAGE

NO.	REVISIONS	DATE

GMB

GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
SALISBURY BALTIMORE SEAFORD
 206 WEST MAIN STREET
 SALISBURY, MARYLAND 21801
410-742-3115 FAX 410-546-6796
www.gmbnet.com

COBB PROPERTY

SUSSEX COUNTY, DELAWARE

SCHOOL DISTRICTS MAP

<p style="font-size: 0.8em; margin: 0;">SCALE : NO SCALE</p> <p style="font-size: 0.8em; margin: 0;">DESIGN BY : RLM</p> <p style="font-size: 0.8em; margin: 0;">DRAWN BY : RLM</p> <p style="font-size: 0.8em; margin: 0;">CHECKED BY :</p> <p style="font-size: 0.8em; margin: 0;">GMB FILE : 200123</p> <p style="font-size: 0.8em; margin: 0;">DATE : JUL 2021</p>	<p style="font-size: 0.8em; margin: 0;">SHEET NO.</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">E-X</p>
--	--

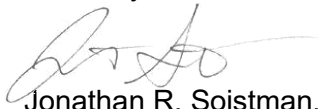
© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC

STORMWATER CONCEPTUAL APPROACH

- Procedural Notes
 - GMB to proceed to Step 2/3 Submittal.
 - Plan Submittal Checklist to be updated by SCD in coming weeks.
 - SCD Review Fees to be changed at end of year.

Please let GMB know if any changes are required to the minutes by contacting Jon Soistman at jsoistman@gmbnet.com.

Sincerely,



Jonathan R. Soistman, E.I.T.

Engineer

UTILITIES

Cathy Lyons

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Friday, August 28, 2020 5:31 PM
To: Cathy Lyons
Cc: Steve Brodbeck
Subject: RE: Ability to Serve - Cobb Property

Cathy,

Things are well with us, hopefully the same for you and your family. This project is within our service territory and will be served from our Dirickson substation. There is 3-phase along the road in needed for any loads inside of the development. For the improvements, the only thing that I can think of is possible distribution pole relocation due to the entrance or decel/accel lanes. Outside of that, there are no other off-site improvements that we would need to do.

Have a good weekend.

Thanks!

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



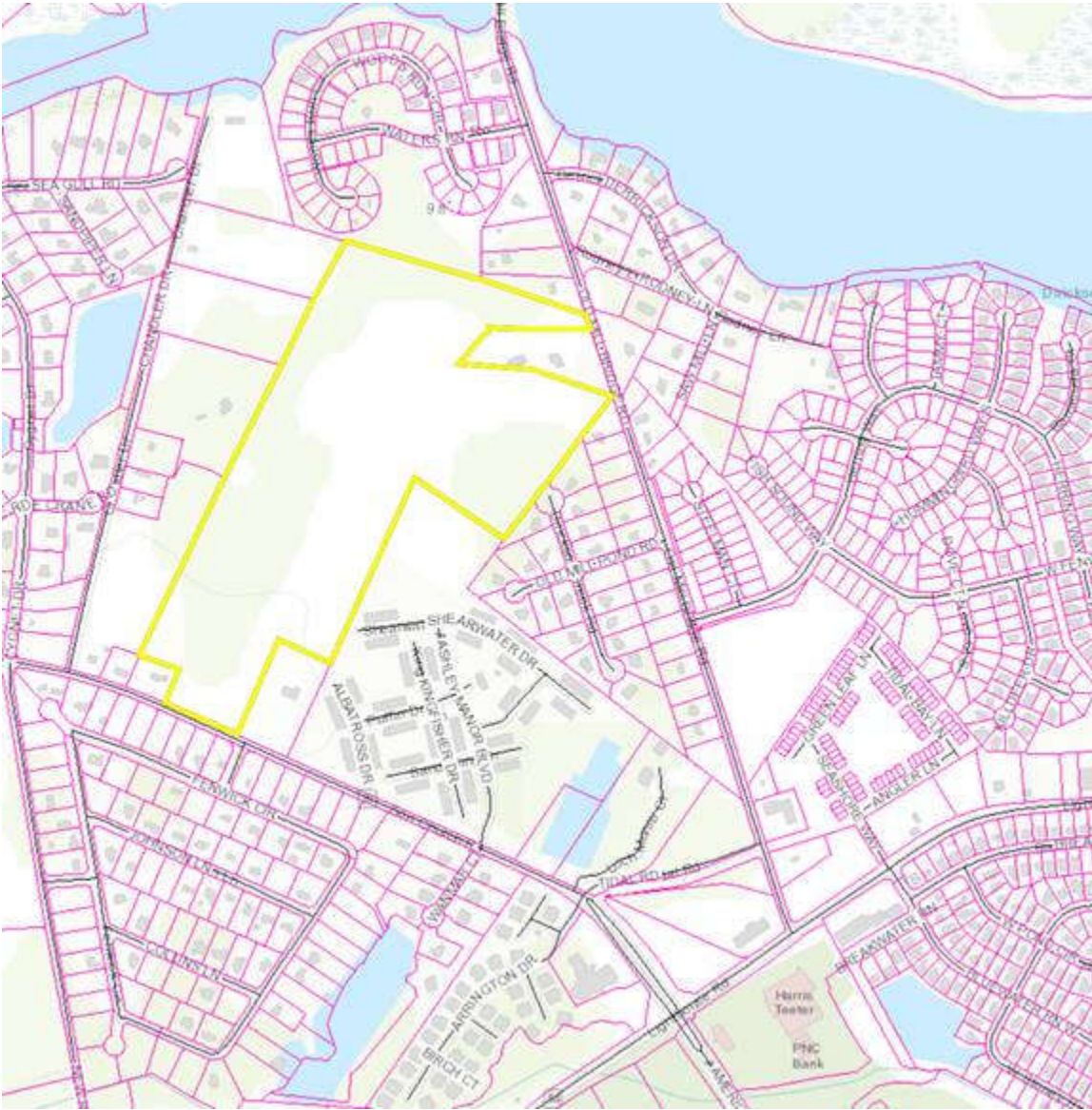
From: Cathy Lyons
Sent: Friday, August 28, 2020 11:02 AM
To: Dickerson, Troy <TDickerson@delaware.coop>
Cc: Steve Brodbeck <sbrodbeck@gmbnet.com>
Subject: Ability to Serve - Cobb Property

Troy,

I hope all is well with you and your family. I am working on due diligence for a project located on Zion Church Road in Selbyville, Delaware. We would like to confirm the ability to serve the project and ask if there are any offsite improvements required.

Please find enclosed a concept plan and the below details for your convenience.

TMP: 533-12.00-21.00 & 21.03
Location: 36341 Zion Church Road
Proposed: 66 lot subdivision



Please feel free to contact our office with any questions or comments.

Thank you!
Cathy



Cathy Lyons
Senior Project Coordinator
206 West Main Street | Salisbury, MD | 21801
410.742.3115 | www.gmbnet.com | [Find us on facebook](#)

Cathy Lyons

From: Adam Gould <AGould@artesianwater.com>
Sent: Sunday, August 30, 2020 11:11 AM
To: Cathy Lyons
Cc: Steve Brodbeck; Katherine Garrison
Subject: RE: EXTERNAL: Ability to Serve - Cobb Property

Hi Cathy,

It's good to hear from you. We're all fine here, hope you are too.

Yes, Artesian has 16-inch water main on Route 20, and a 12-inch water main on Old Mill Bridge Road. The development plan will require connections to both mains.

Artesian has the water CPCN for this property and we are willing and able to serve.

The cost outline for this project will fall under the Public Service Commission Docket 15 regulation.

I believe Steve is familiar with our costs, but a short summary is as follows:

On-site infrastructure is contributed to Artesian, labor and materials plus overhead and tax gross up.

Docket 15 fee per meter size, plus tax. 5/8" meters are most common...that's approximately \$2080 per 5/8" meter, including the tax.

Each lot requires a meter pit. Currently \$460 per lot.

Each lot requires a \$500 deposit.

All costs are due upon execution of an agreement.

Please let me know if you have any questions.

Thanks,

Adam Gould

Manager, Systems Planning & Design

302-453-6908

Artesian Water Company

664 Churchmans Road

Newark, DE 19702

From: Cathy Lyons <CLyons@gmbnet.com>
Sent: Friday, August 28, 2020 11:13 AM
To: Adam Gould <AGould@artesianwater.com>
Cc: Steve Brodbeck <sbrodbeck@gmbnet.com>
Subject: EXTERNAL: Ability to Serve - Cobb Property

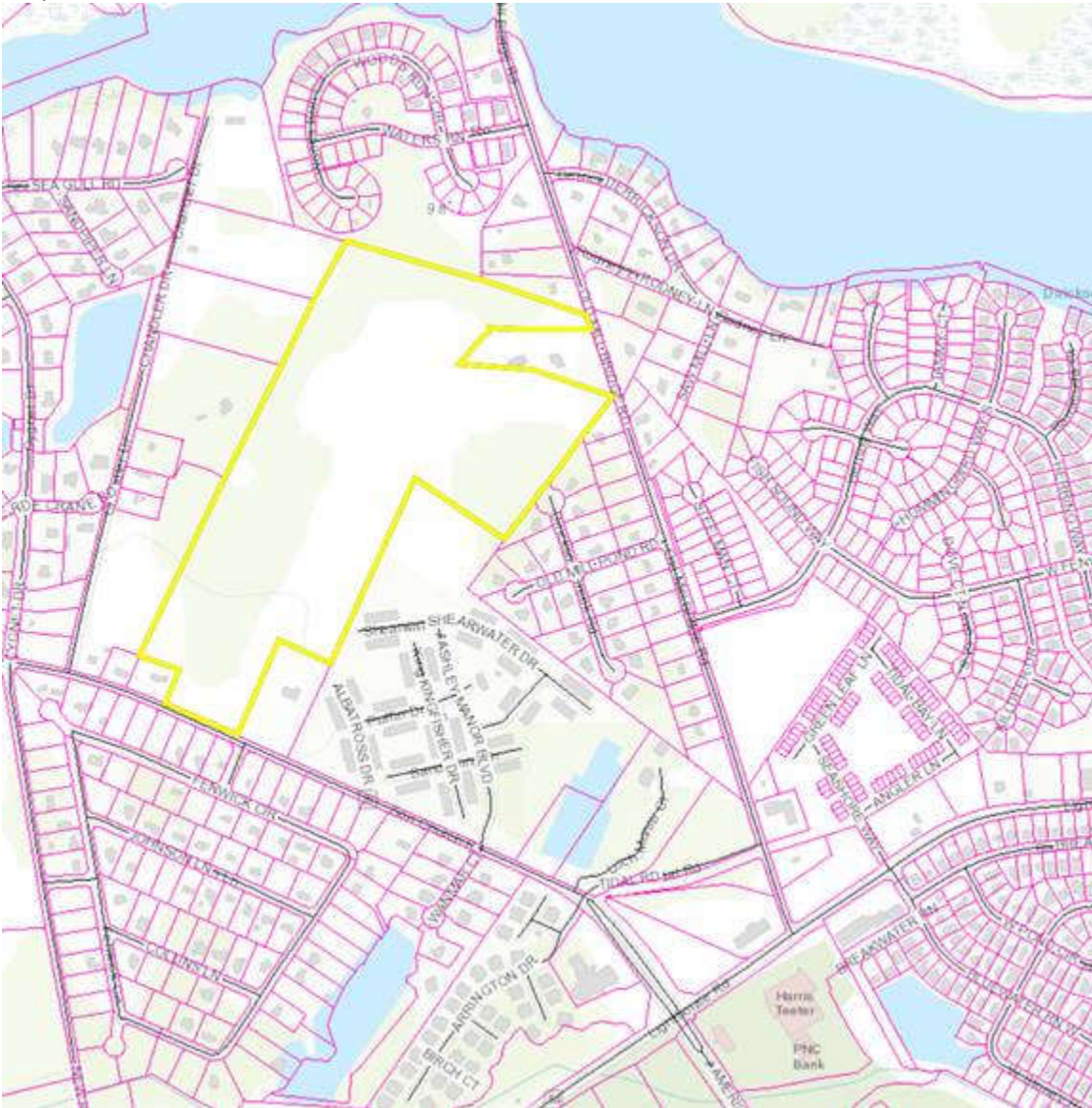
**This email originated from outside the organization.
Use caution when opening attachments or following links.**

Adam,

I hope this email finds you well. I am working on due diligence for a project located on Zion Church Road in Selbyville, Delaware. We would like to confirm the ability to serve the project and ask if there are any offsite improvements required.

Please find enclosed a concept plan and the below details for your convenience.

TMP: 533-12.00-21.00 & 21.03
Location: 36341 Zion Church Road
Proposed: 66 lot subdivision



Please feel free to contact our office with any questions or comments.

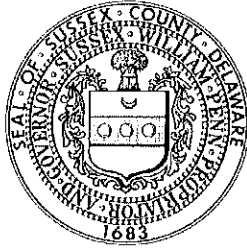
Thank you!
Cathy

GMB Cathy Lyons
Senior Project Coordinator
206 West Main Street | Salisbury, MD | 21801
60th ANNIVERSARY 410.742.3115 | www.gmbnet.com | [Find us on facebook](#)

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ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING

SEWER SERVICE CONCEPT EVALUATION (SSCE) UTILITY PLANNING DIVISION

Applicant: GMB, Stephen L. Marsh, P.E.

Date: 9/14/2020

Reviewed by: **Chris Calio**

Agreement #: **1152**

Project Name: **Cobb Property**

Tax Map & Parcel(s): **533-12.00-21.00 & 21.03**

Sewer Tier: Tier 1 - Sussex County Unified Sanitary Sewer District

Proposed EDUs: **70**

Pump Station(s) Impacted: PS 30

List of parcels to be served, created from the base parcel: **N/A**

List of additional parcels to be served (Parcels required for continuity must be served with infrastructure): **N/A**

Connection Point(s): **(1) 6-inch lateral that currently serves parcel 21.03 and (1) 8-inch lateral from MH JC-10 on Zion Church Road**

Use of Existing Infrastructure Agreement required? Yes or No

Annexation Required? Yes or No

Easements Required? Yes or No

Fee for annexation (based on acreage): **N/A**

Current Zoning: **AR-1** Zoning Proposed: **AR-1 Coastal overlay w/ conditional use**

Acreage: **54.60 +/-**



Additional Information: **Asbuilt attached.**

* No capacity is guaranteed until System Connection Fees are paid

All gravity sewers with three (3) or more minor branches shall be designed at minimum slope and maximum depth.

Once Construction Drawings are completed with all of the above information satisfied, please submit to:

Sussex County Public Works Department
2 The Circle
P.O. Box 589
Georgetown DE 19947

CC: John Ashman
Jayne Dickerson
Michael Brady
Noell Warren

TRAFFIC

NOTES OF MEETING

DATE: November 2, 2020

PROJECT: T.M.# 533-12.00-21.00 & 21.03
Cobb Property Entrance Improvements

ATTENDEES:

Kevin Hickman	DeIDOT
Suzanne Laws	DeIDOT
Claudy Joinville	DeIDOT
Linda Osiecki	DeIDOT
James Argo	DeIDOT
Tremica Cherry-Wall	DART
Danielle Notvest	JMT
Jesyl Silva	GMB
Doug Bolner	GMB
Katja Kalinski	GMB
Bill Conway	Century Engineering
Meghan Bartlett	Century Engineering

PREPARED BY: Century Engineering

This meeting was held with the DeIDOT Development Coordination Section to discuss the proposed subdivision on the Cobb Property and the required entrance improvements on Zion Church Road (SR20). The following is a summary of the discussion.

Discussion

- The background of the subdivision was discussed briefly.
 - GMB is the engineering firm for the subdivision.
 - Century is the engineering firm for the entrance improvements on Zion Church Road.
 - The proposed subdivision fronts on Zion Church Road, across from Fenwick West, and a small portion on Old Mill Bridge Road.
- The proposed subdivision consists of 66 Single Family homes.
 - This was reduced from the original PLUS submission of 197 Condo and Townhomes.
- The proposed entrance will be located on Zion Church Road, classified as a Major Collector.
 - It was recommended in the PLUS comments that the entrance be located on Old Mill Bridge Road, since it is classified as a Minor Collector; however, the entrance on Zion Church Road is the one being pursued due to the wetlands along Old Mill Bridge Road. DeIDOT agreed with this path forward.
- The project is not located within the Corridor Capacity Preservation Program.
- The design vehicles for the proposed entrance are SU30 and WB40.
- The trip generation for the proposed subdivision is 710 ADT. The existing roadway AADT is 6,635. It was agreed that the Developer could pay a fee in lieu of a TIS (Area Wide Study Fee) of \$10 per trip, due prior to final entrance plan approval.
- The design requirements were discussed:
 - Century will confirm design speed with DeIDOT Traffic and will follow up with Kevin Hickman and James Argo.
 - DeIDOT Gateway lists posted speed on Zion Church Road as 35mph.
 - Google Earth street view shows an existing 50mph speed limit sign within project limits.

- Entrance will require 40' Right-of-Way from centerline of road and a 15' Permanent Easement for a shared use path along Zion Church Road.
- Entrance improvements along Zion Church Road will include:
 - 220' dedicated left turn into subdivision.
 - 160' right turn lane.
 - Bike lanes
 - Lane widths shall be 12' and shoulders shall be 8'.
 - If Right-of-Way constraints will allow, a 12' wide left turn lane is preferred, but if not, an 11' wide left turn lane is acceptable. This will be taken into consideration with the design of the entrance improvements.
 - Roadway widening will be onto subdivision property.
 - Proposed entrance should align with existing Fenwick West entrance.
 - Utility pole relocations will be required.
 - Century will request the pavement section from DeIDOT M&R.
- Can interconnection between Cobb property and Ashley Manor be provided? GMB will look to incorporate, if possible.
- Project is within Investment Level 3 Area, so a shared use path(SUP) is required along frontage. SUP should connect with existing SUP at Ashley Manor. It should also extend to the western property line and include a 45° connection to the shoulder.
 - It was also noted that the Developer would pay a fee in lieu of sidewalk/SUP along the Old Mill Bridge Road frontage.
- No DOTS projects within the project area, so coordination not required.
- DART has requested a Type 2 bus pad (5'x8') be included in the entrance design, on the west side of the entrance and a curbed bus pull off area (8' min, 9' preferred) be included as well, if possible.
- Phasing of the site does not apply.
- A Level I inspection agreement will be required.
- A signal agreement will not be required.
- A noise analysis will not be required.
- A brief overview of the submission/review process was discussed.
 - The Engineer(s) will be invited to the comment review meeting.
- Action items:
 - Century will confirm design speed with DeIDOT Traffic and follow up with Kevin and James.
 - Century will request pavement section from DeIDOT M&R.
- The following disclaimer was read: While DeIDOT personnel intend to provide the best available direction at pre-submittal and project coordination meetings, all final decisions are contingent on the design details and pertinent facts as provided in a formal submission.

These notes represent the author's best recollection of the discussion. If there are any revisions, please notify the author in writing within seven days of receipt of these notes.

cc. attendees
Steve Marsh, GMB
Ed Gold, GMB
Cathy Lyons, GMB
file (g:\projects\205054.00 (cobb entrance design)\design project info\meeting notes\cobb pre-submittal 11.02.20.docx)



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

December 23, 2020

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **George, Miles & Buhr, LLC / Attn: Stephen L. Marsh, P.E.** conditional use application, which we received on November 23, 2020. This application is for an approximately 54.60-acre assemblage of parcels (Tax Parcels: 533-12.00-21.00 and 21.03). The subject land is located on the north side of Zion Church Road (Sussex Road 382), approximately 750 feet east of New Road (Sussex Road 391). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval with a cluster-coastal area overlay to develop 66 single-family detached units.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Zion Church Road where the subject land is located, which is from Lighthouse Road (Sussex Road 58) to Bayard Road (Sussex Road 384) / Bunting Road (Sussex Road 382A), are 6,635 and 8,539 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per a weekly peak hour and 500 vehicle trips per day, and would be considered to have a Minor impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per a weekly 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 23, 2020

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, a development of 66 single-family detached houses would generate 709 vehicle trips per day, 52 vehicle trips during the morning peak hour, and 68 vehicle trips during the afternoon peak hour. As stated above, because this development would generate fewer than 2,000 vehicle trips per day and fewer than 200 vehicle trips during a weekly peak hour, the applicant has the option to pay the Area-Wide Study Fee in lieu of doing a TIS. The Area-Wide Study Fee for the proposed development would be \$7,090.00. Payment of the Area-Wide Study Fee does not preclude a developer from having to make or participate in off-site improvements, including a traffic operational analysis (TOA) if one is found to be necessary during the plan review process.

A review of TIS completed in the last three years found that a TIS was completed for the Twin Cedars residential development. That TIS included the intersection of Zion Church Road and Bayard Road / Bunting Road. We are providing a copy of that TIS review letter; please find it enclosed with this letter.

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

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

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

Enclosure

cc: George, Miles & Buhr, LLC / Attn: Stephen L. Marsh, P.E., Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
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
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

THREATENED & ENDANGERED SPECIES

September 9, 2021

ERI Project No. 0354#1034

Mr. Steve Marsh, P.E.
George, Miles & Buhr, LLC.
206 West Main Street
Salisbury, MD 21801

**RE: Presence / Absence of Federal / State
Endangered, Threatened & Rare Species Review
Cobb-Timmons Property
Tax Map Parcels 533-12.00-21.00 (51.6 acres)
Baltimore Hundred, Sussex County, Delaware**

Dear Mr. Clark,

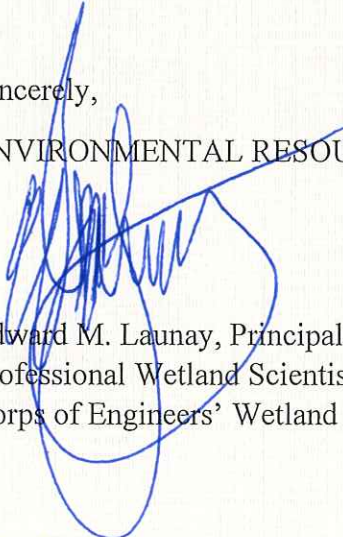
Environmental Resources, Inc. (ERI) is writing you regarding the 51.6 acre Cobb-Timmons property which is being proposed for a single family home residential development. I previously completed a consultation with the U.S. Fish & Wildlife Services (USFWS) with respect to the presence or absence of any federally listed threatened or endangered species or their critical habitats subject to the Endangered Species Act of 1970. The enclosed USFWS letter dated August 28, 2020, concluded that none are present on the property.

In regard to any state species of concern, I also contacted DNREC Division of Fish & Wildlife, Species Conservation and Research Program Office on August 28, 2020. I received a response dated September 9, 2020 which concluded that there were no state species of concern.

In addition, based upon my extensive review and numerous site inspections of the Cobb-Timmons property, I observed no federal or state threatened or endangered species or their critical habitats present. Should you have any questions, I am available at your convenience.

Sincerely,

ENVIRONMENTAL RESOURCES, INC.



Edward M. Launay, Principal
Professional Wetland Scientist No. 875, Society of Wetland Scientists
Corps of Engineers' Wetland Delineator Certification No. WDCP93MD0510036B



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

OFFICE OF THE
SECRETARY

PHONE
(302) 739-9000

9 September 2020

Ed Launay
ERI, Inc.
38173 DuPont Boulevard
Selbyville, DE 19975

Re: ERI 2020 Cobb Property; Tax Parcel # 533-12.00-21.00

Dear Mr. Launay,

Thank you for contacting the Species Conservation and Research Program (SCRIP) about information on rare, threatened and endangered species, unique natural communities, and other significant natural resources as they relate to the above referenced project.

State Natural Heritage Site

A review of our database indicates that there are currently no records of state-rare or federally listed plants, animals, or natural communities at this project site. As a result, this project does not presently lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve – two criteria that are used to identify “Designated Critical Resource Waters” in the Army Corps of Engineers (ACOE) Nationwide Permit General Condition No. 22. A copy of this letter shall be included in any permit application or pre-construction notification submitted to the Army Corps of Engineers for activities on this property.

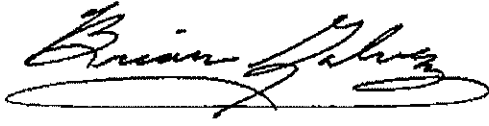
Fisheries

The Division of Fish and Wildlife does not have fish community data for the project location. However, it is unlikely that the project site occurs habitat that would support anadromous fish species. Therefore, no time of year restrictions or other measures are requested for these species or for resident gamefish species.

We are continually updating our records on Delaware’s rare, threatened and endangered species, unique natural communities, and other significant natural resources. If the start of the project is delayed more than a year past the date of this letter, please contact us again for the latest information.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Galvez", with a large, sweeping underline that extends across the width of the signature.

Brian Galvez
Environmental Review Coordinator
Phone: (302) 223-2446
6180 Hay Point Landing Road
Smyrna, DE 19977

(See invoice on next page)



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127

<http://www.fws.gov/chesapeakebay/>
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

August 28, 2020

Consultation Code: 05E2CB00-2020-SLI-1749

Event Code: 05E2CB00-2020-E-04849

Project Name: Cobb Property

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2020-SLI-1749

Event Code: 05E2CB00-2020-E-04849

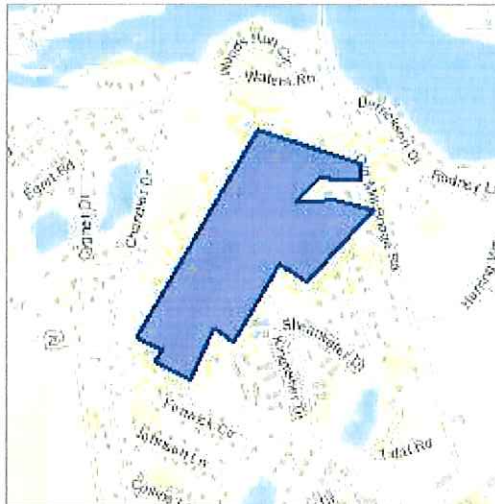
Project Name: Cobb Property

Project Type: DEVELOPMENT

Project Description: Proposed for residential development on upland portion of site

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.47679930135121N75.12090683377014W>



Counties: Sussex, DE

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1/4B](#)
- [PFO1E](#)

FRESHWATER POND

- [PUB/FO1Fx](#)
- [PUBHx](#)

RIVERINE

- [R2UBH](#)
 - [R5UBFx](#)
-