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Sussex County

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



Memorandum

To: Sussex County Planning Commission Members

From: Jamie Whitehouse, AICP, Director, Department of Planning & Zoning; Jenny Norwood, Planning and Zoning Manager; Lauren DeVore, AICP, Planner III; Michael Lowrey, Planner III; Christin Scott, Planner II; Elliott Young Planner I, & Ann Lepore, Planner I

CC: Vince Robertson, Assistant County Attorney

Date: October 19th, 2023

RE: Other Business for the October 26th, 2023, Planning Commission Meeting

This memo provides background for the Planning Commission to consider as a part of the Other Business to be reviewed during the October 26th, 2023, Meeting of the Planning & Zoning Commission.

(2021-24) Fishers Point

HW

Final Subdivision Plan

This is a Final Subdivision Plan for the Fishers Point Subdivision, a standard subdivision consisting of forty-five (45) single-family lots, private roads, stormwater management facilities, grassed islands, sidewalks, and open space. The Preliminary Subdivision Plan was approved by the Planning and Zoning Commission at their meeting of Thursday, November 17th, 2022, subject to eighteen (18) Conditions. The property is located on the west side of Revel Road (S.C.R. 410), approximately 0.23 mile north of the intersection of Revel Road (S.C.R. 410) and Lewis Road (S.C.R. 409). Zoning District: AR-1 (Agricultural Residential District). Tax Parcels: 133-16.00-81.00, 81.03, 81.04, 81.05, 81.06, 81.10 & 81.13. Staff are in receipt of all agency approvals.

(2019-30) Pelican Point (Phase 4-5)

HW

Final Subdivision Plan

This is a Final Subdivision Plan for the Pelican Point (Phase 4-5) Subdivision, a cluster subdivision consisting of two-hundred and nineteen (219) single-family lots, private roads, stormwater management facilities and open space. The Preliminary Subdivision Plan for Phases 4-5 of the Subdivision was approved by the Planning and Zoning Commission at their meeting of Thursday, March 11th, 2021 subject to nineteen (19) Conditions, which proposed an addition of 30 lots to the previously approved 189-lot Subdivision, yielding the 219 total single-family lots, and amenities to include a passive recreation area, dog park and seven (7) parking spaces. The property is located on the south and east sides of Townsend Road (S.C.R. 303), approximately 750-ft south of Harmons Hill Road (S.C.R. 302). The Final Subdivision Plan complies with the Zoning and Subdivision Codes and all Conditions of Approval. Tax Parcels: 234-16.00-21.03, 21.07, 23.01 and 234-16.00-1509.00 through 1697.00. Zoning District: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals.

(2021-34) Suncrest (F.K.A. Marsh Homestead)

SC

Final Subdivision Plan

This is a Final Subdivision Plan for the Suncrest Subdivision (F.K.A. Marsh Homestead), a cluster subdivision consisting of thirty-six (36) single-family lots, private roads, stormwater management facilities and open space. The Preliminary Subdivision Plan was approved by the Planning and Zoning



Commission at their meeting of Thursday, January 12th, 2023, subject to nineteen (19) Conditions, while a Revised Preliminary Subdivision Plan was approved by the Planning and Zoning Commission at their meeting of Thursday, April 27th, 2023. The property is located on the south side of Waterview Road (S.C.R. 279A) and Camp Arrowhead Road (S.C.R. 279A), approximately 0.17 mile east of the intersection of Camp Arrowhead Road (S.C.R. 279) and Waterview Road (S.C.R. 279A). The Final Subdivision Plan complies with the Zoning and Subdivision Codes and all Conditions of Approval. Tax Parcel: 234-12.00-22.31. Zoning District: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals.

Lands of Martin Property Development, LLC - (Frankford Business Park - Phase 2) BM
Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for Frankford Business Park - Phase 2 for the construction of three (3) office buildings. Each of the three (3) structures are proposed to contain four (4) units each hosting both office and warehouse uses. The total square footage proposed at the site includes (7,935) square feet of office space and (90,675) square feet of warehouse use, and (18,890) square feet of Indoor Recreation with parking and other site improvements. The previous Preliminary Plan was approved by the Planning & Zoning Commission on Thursday, March 23rd, 2023. The primary revision to the Plan is the addition of the indoor recreation use and additional parking. Staff are requesting the Planning & Zoning Commission provide clarification regarding the application of the Parking Use Matrix in §115-162(A) of the Sussex County Code as it applies to the proposed uses in the Revised Preliminary Site Plan. The property is located off DuPont Boulevard (Route 113) and Delaware Avenue (S.C.R. 54A). Tax Parcel: 433-11.00-21.00. Zoning: LI-2 (Light Industrial District). Staff are awaiting agency approvals. If the Commission desire to act favorably on this proposal, staff are requesting that final approval be made subject to staff upon the receipt of all agency approvals.

(S-23-36) Silverleaf (F.K.A. MRBP, LLC) BM
Preliminary Site Plan

This is a Preliminary Site Plan for the establishment of a large farm pond to consist of 14.32 acres +/- with access off a 40-ft ingress/egress access easement over a 20-ft wide stabilized dirt drive and other related site improvements. The Plans are being submitted under §115-219(A) of the Sussex County Code, which requires Site Plan review for certain uses to include proposed farm ponds. The Commission last reviewed the Plans at their meeting of Thursday, September 14th, 2023, where it was requested that further information regarding the future use of the site including information on the soil via soil feasibility study be provided. In response to this request, the Applicant has supplied an explanatory Memo which explains that the eastern side of the site is being preserved due to having the greatest potential for septic drain fields. Additionally, the Applicant has supplied a Soils Report from Atlantic Resource Management, Inc. and a Conceptual Plan which details the entire Plan for the Site to include a Minor Subdivision Plan proposal to facilitate five (5) proposed single-family cottages on fee-simple lots bordering the proposed farm pond amenity use. A Minor Subdivision Plan for these elements will be submitted for consideration as a separate item of "Other Business" on a future Agenda of the Commission. Lastly, the Applicant has supplied written correspondence from the Delaware Department of Agriculture indicating no objection to the proposed use. The Preliminary Site Plan complies with the Sussex County Zoning Code. The proposal is located on a 56.93-acre +/- parcel of land on the southwest side of McCary Road (S.C.R. 385), approximately 857 feet south of Frankford School Road (S.C.R. 92). Tax Parcels: 533-5.00-38.00 & 41.04. Zoning: AR-1 (Agricultural Residential District). Staff are awaiting agency approvals. Should the Commission desire to act

favorably on this proposal, staff are requesting final approvals be made by staff upon the receipt of all agency approvals.

Justice Property (Old Mill Ventures, LLC)

HW

Preliminary Site Plan

This is a Preliminary Site Plan for Justice Property (Old Mill Ventures, LLC) for the construction of fourteen (14) multifamily structures ranging from (7,820-8,800) square feet each for a total of one-hundred and twenty-eight (128) residential units. The Plan's residential breakdown includes fifty-six (56) townhouse units across ten buildings, seventy-two (72) multifamily apartments units across four (4) buildings, parking, internal roads, and stormwater management. The total square footage proposed at the site includes approximately (115,000) square feet of multifamily residential use structures. The Preliminary Plan complies with the Sussex County Zoning Code. The property is located on the southwest side of Old Mill Road (S.C.R. 349) approximately (0.3) miles east of Whites Neck Road (S.C.R. 347). Tax Parcel: 134-12.00-72.01. Zoning: C-1 (General Commercial District). Staff are awaiting agency approvals. If the Commission desire to act favorably on this proposal, staff are requesting that final approval be made subject to staff upon the receipt of all agency approvals.

(S-19-49) Cattail Villas (F.K.A. Warrington Family Townhomes)

SC

Final Amenities Plan

This is an Amenities Plan for the creation of a proposed 610 square foot +/- pool area, 1,915 square foot +/- deck area and small pool house building containing restroom facilities and related pool equipment to be located within the existing Cattail Villas development. At their meeting of Thursday, February 7th, 2020, the Planning and Zoning Commission approved the Preliminary Site Plan for the construction of twenty-two (22) duplexes (multifamily units) on the property, with Final Site Plan approvals made subject to staff upon the receipt of all required agency approvals. The Amenities Plan complies with the Sussex County Zoning Code and all Conditions of Approval for the original Conditional Use Application (Conditional Use No. 2151) for the property. The property is located on the east side of Old Landing Road (S.C.R. 274) in Rehoboth Beach, Delaware. Tax Parcel: 334-19.00-1.00. Zoning: MR (Medium Residential District). Staff are in receipt of all agency approvals. Therefore, the Plan is eligible for both preliminary and final approvals.

Lands of BAR LR3, LLC

HW

Minor Subdivision off of a 100-ft Easement

This is a Minor Subdivision for the subdivision of a 17.08-acre +/- parcel into two (2) proposed lots including residual lands with access from an existing 100-ft. ingress/egress access easement. Proposed Lot 1 will consist of 3.00-acres +/- and the residual land shall contain 14.80-acres +/- . A shared use and maintenance agreement has been established for the proposed and existing parcel already using the easement for access. The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. The parcel is located on the east side of Beaver Dam Road (S.C.R. 285/Route 23), approximately 0.21-mile north of the intersection of Beaver Dam Road and Indian Mission Road (S.C.R. 22/Route 5). Tax Parcel: 234-16.00-14.01. Zoning: AR-1 (Agricultural Residential) District. Staff are awaiting agency approvals. If the Commission desire to act favorably on this proposal, staff are requesting that final approval be made subject to staff upon the receipt of all agency approvals.

Lands of Michael & Jennifer Moutzalias

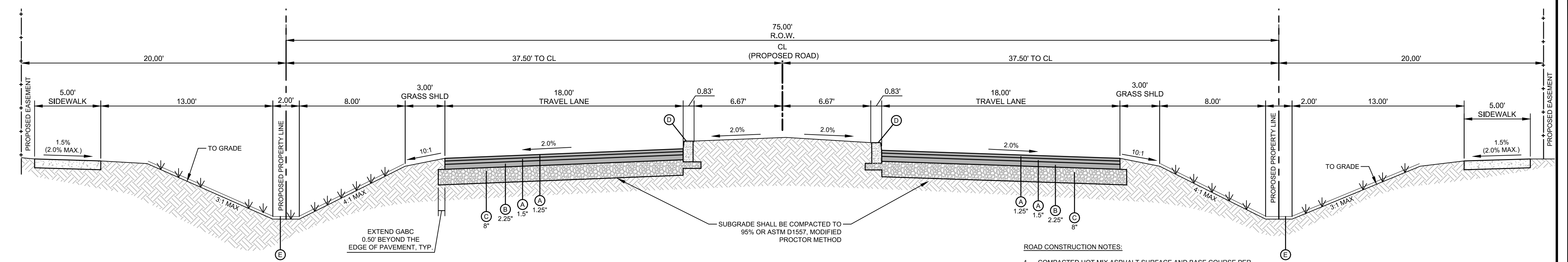
BM

Minor Subdivision & Lot Consolidation off of a 50-ft Easement

This is a Minor Subdivision Plan for the subdivision of a 6.00-acre +/- parcel into four (4) Lots plus the residual lands with access off 50-ft ingress/egress access easement over an existing private road known as Retreat Lane. Proposed Lot 1 will contain 1.388 acres +/-, proposed Lot 2 will contain 1.505 acres +/-, proposed Lot 3 will contain 1.491 acres +/-, proposed Lot 4 will contain 1.027 acres +/- and the residual lands will contain 1.766 acres +/- . A shared use maintenance agreement has been established for the use and maintenance of the shared access road. The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. The Parcel is located on the east side of Irons Lane (S.C.R. 348) approximately 100 feet south of Old Mill Road (S.C.R. 349). Tax Parcel: 134-11.00-166.01. Zoning: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals. Therefore, this Application is eligible for both preliminary and final approvals.

LEGEND

EXISTING	PROPOSED
PROPERTY LINE / RIGHT OF WAY	---
PROPOSED PROPERTY LINE CONTIGUOUS WITH WETLANDS	---
ADJOINING PROPERTY LINE	---
BUILDING RESTRICTION LINE	---
EASEMENT	---
CENTER LINE OF ROAD	---
EDGE OF PAVING	---
CURB	---
DRIVEWAY	---
CONTOURS	---
SWALE	---
LIMIT OF CONSTRUCTION	---
WETLANDS LINE AND FLAG	---
FLOODPLAIN	---
SOILS/DESIGNATION	MmA
SOIL BORING	⊕
WOODS	---
FENCE	---
SIDEWALK	---
SHARED USE PATH	---
BUILDING	---
UTILITY POLE/GUY WIRE	---
OVERHEAD ELECTRIC	OHE
CABLE TV, PEDESTAL OR HAND HOLE	Ⓛ
TRAFFIC SIGN	Ⓛ
SINGLE & TWIN HEAD SITE LIGHT	Ⓛ
ELECTRICAL HAND HOLE AND TRANSFORMER	Ⓛ
FIBER OPTIC HAND HOLE	Ⓛ
WATER MAIN, FIRE HYDRANT, VALVE, SERVICE ASSEMBLY, AND METER PIT	W, FH, V, W
SEWER MAIN, MAHNOLE, & CLEANOUT	S, S, MH, C.O.
SANITARY SEWER FORCEMAIN	FM
UNDERGROUND ELECTRIC	E
UNDERGROUND GAS	GAS
UNDERGROUND FIBER OPTIC	FO
TELEPHONE LINE	T
STORM WATER PIPE, MH, AND CB	---



TYPICAL BOULEVARD SECTION

SCALE: H 1"=5'
V 1"=2'
FISHER POINT (STA 0+61.00 - 3+03.60)

- ROAD CONSTRUCTION NOTES:**
1. COMPACTED HOT MIX ASPHALT SURFACE AND BASE COURSE PER DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS.
 2. SUB BASE COURSE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.
 3. SUBGRADE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.

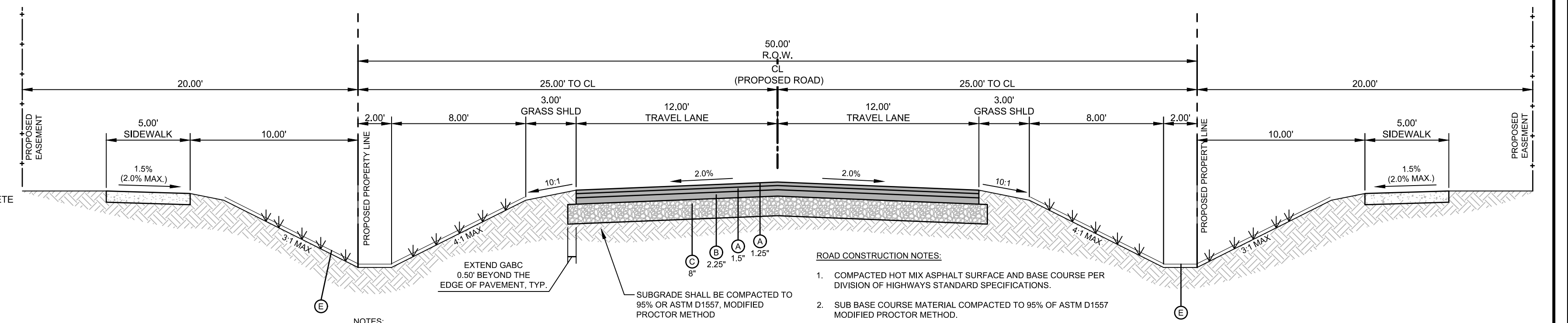
- NOTES:**
1. ALL CURBING SHALL BE AS PER CURRENT DELDOT STANDARDS.
 2. 6" TOPSOIL, SEED AND MULCH.
 3. SN = 3.12, SN PRIOR TO TOP COAT = 2.62 (84% OF TOTAL)

TYPICAL SECTION LEGEND

- (A) ITEM 401005 - SUPERPAVE TYPE C, PG 64-22, CARBONATE STONE
- (B) ITEM 401014 - SUPERPAVE TYPE B, PG 64-22
- (C) ITEM 301001 - GRADED AGGREGATE BASE COURSE, TYPE B OR CRUSHED CONCRETE
- (D) ITEM 701012 - PCC CURB, TYPE 1-6
- (E) ITEM 938020 - EROSION CONTROL BLANKET MULCH, TYPE 3 FOR 1 ROLL WITH MINIMUM 6' OF WIDTH

NOTE: SUBGRADE SHALL BE PREPARED IN ACCORDANCE WITH DELDOT STANDARD SPECIFICATIONS.

- NOTES:**
1. 6" TOPSOIL, SEED AND MULCH.
 2. SN = 3.12, SN PRIOR TO TOP COAT = 2.62 (84% OF TOTAL)

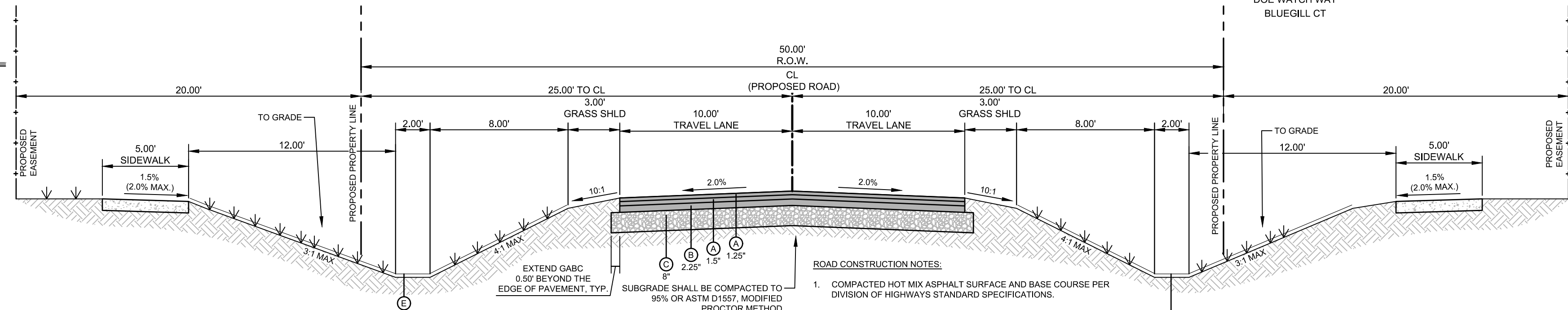


TYPICAL TYPE 1 STREET SECTION

SCALE: H 1"=5'
V 1"=2'
FISHER POINT (STA 3+03.60 - 15+59.15)
DOE WATCH WAY
BLUEGILL CT

- ROAD CONSTRUCTION NOTES:**
1. COMPACTED HOT MIX ASPHALT SURFACE AND BASE COURSE PER DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS.
 2. SUB BASE COURSE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.
 3. SUBGRADE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.

- NOTES:**
1. 6" TOPSOIL, SEED AND MULCH.
 2. SN = 3.12, SN PRIOR TO TOP COAT = 2.62 (84% OF TOTAL)

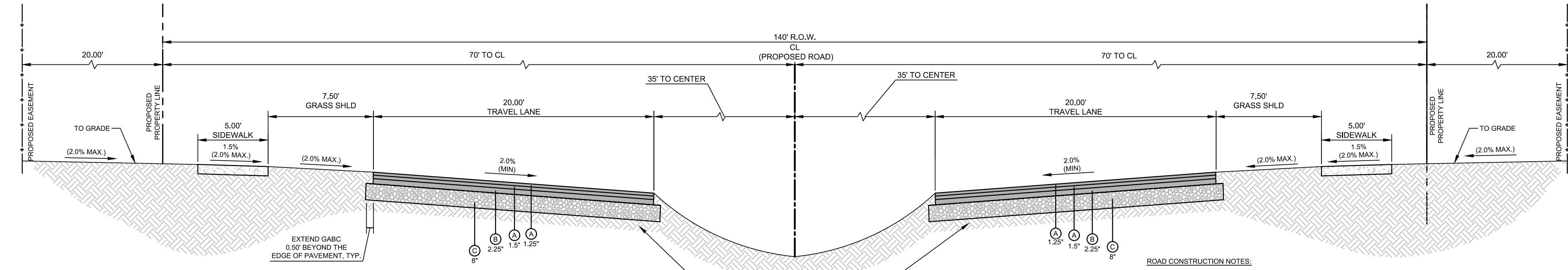


TYPICAL TYPE 1 (20') STREET SECTION

SCALE: H 1"=5'
V 1"=2'
FISHER POINT (STA 15+59.15 - END)

- ROAD CONSTRUCTION NOTES:**
1. COMPACTED HOT MIX ASPHALT SURFACE AND BASE COURSE PER DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS.
 2. SUB BASE COURSE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.
 3. SUBGRADE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.

- NOTES:**
1. 6" TOPSOIL, SEED AND MULCH.
 2. SN = 3.12, SN PRIOR TO TOP COAT = 2.62 (84% OF TOTAL)



TYPICAL CUL-DE-SAC SECTION

SCALE: H 1"=5'
V 1"=2'

- ROAD CONSTRUCTION NOTES:**
1. COMPACTED HOT MIX ASPHALT SURFACE AND BASE COURSE PER DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS.
 2. SUB BASE COURSE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.
 3. SUBGRADE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.

- NOTES:**
1. 6" TOPSOIL, SEED AND MULCH.
 2. SN = 3.12, SN PRIOR TO TOP COAT = 2.62 (84% OF TOTAL)

DELDOT RECORD PLAN NOTES

- REVISED MARCH 21, 2019
1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOTS) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
 2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
 3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
 4. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
 5. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
 6. PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER. THE PROPERTY OWNERS WITHIN THIS SUBDIVISION, OR BOTH, (TITLE 17 §311). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
 7. THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION, THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
 8. ALL LOTS SHALL HAVE ACCESS FROM INTERNAL STREETS.
 9. TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.



ISSUE / REVISION BLOCK

7/30/21 - SUSSEX COUNTY P&Z - PRELIMINARY
12/7/21 - SUSSEX COUNTY P&Z
4/4/22 - FIRE MARSHAL
8/5/22 - SUSSEX COUNTY P&Z
9/30/22 - SUSSEX COUNTY P&Z
4/21/23 - DELDOT
5/8/23 - SC
5/12/23 - SC
7/26/23 - SC
7/28/23 - SC
8/23/23 - SC
8/23/23 - SC
8/28/23 - SC
9/26/23 - SC, SCED, DELDOT & SUSSEX COUNTY PLANNING AND ZONING

SCALE	PROJECT #	DRAWN BY
AS NOTED	2171-JBR	DMH
DRAWING NUMBER		

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LINE #	BEARING & DISTANCE	LENGTH
L1	N47°18'49"E	32.27'
L2	N10°53'18"E	76.65'
L3	N28°27'48"W	120.15'
L4	N08°45'14"W	55.87'
L5	N08°45'14"W	36.80'
L6	N01°55'17"E	68.72'
L7	N07°59'53"W	89.42'
L8	N11°47'24"W	64.11'
L9	N05°10'13"E	43.73'
L10	N13°53'31"W	126.38'
L11	N21°30'52"W	92.18'
L12	N11°19'40"W	108.98'
L13	N43°56'04"W	33.33'
L14	N39°08'20"W	25.32'
L15	S86°07'40"E	21.48'
L16	S65°08'02"E	36.07'
L17	N88°27'45"E	25.09'
L18	S28°42'42"E	19.01'
L19	N76°14'14"E	16.31'
L20	N04°32'52"E	34.87'

LINE #	BEARING & DISTANCE	LENGTH
L21	N69°56'16"W	34.44'
L22	N50°07'48"W	27.68'
L23	N41°55'18"E	14.31'
L24	S73°37'32"E	18.35'
L25	S49°42'04"E	45.53'
L26	S31°10'00"E	145.17'
L27	S21°03'53"E	78.03'
L28	S16°14'48"E	53.49'
L29	S03°12'30"W	36.06'
L30	S09°46'09"E	62.57'
L31	S18°17'25"E	63.96'
L32	S42°02'08"E	44.12'
L33	S66°48'57"E	40.87'
L34	S61°46'51"E	45.04'
L35	S58°53'56"E	26.28'
L36	S56°19'37"E	18.14'
L37	S76°49'32"E	27.43'
L38	S64°59'09"E	61.05'
L39	S71°14'09"E	33.48'
L40	S79°10'18"E	47.25'

LINE #	BEARING & DISTANCE	LENGTH
L41	N89°55'39"E	35.91'
L42	N74°43'46"E	52.91'
L43	N83°47'57"E	46.96'
L44	N88°04'54"E	38.21'
L45	N59°38'46"E	35.38'
L46	N49°25'05"E	26.72'
L47	N29°18'22"E	69.53'
L48	N45°33'57"E	40.95'
L49	N43°48'27"E	53.28'
L50	N62°28'21"E	45.67'
L51	N64°08'41"E	47.73'
L52	N42°53'48"E	31.94'
L53	N24°28'56"E	48.97'
L54	N28°52'14"E	29.98'
L55	N21°55'46"E	17.26'
L56	N51°00'39"E	31.09'
L57	N60°28'07"E	37.79'
L58	N56°06'08"E	38.18'
L59	N49°35'25"E	47.28'
L60	N40°47'59"E	92.67'

LINE #	BEARING & DISTANCE	LENGTH
L61	N44°26'01"E	68.54'
L62	N46°48'59"E	28.98'
L63	S23°24'36"E	33.11'
L64	S18°41'26"E	31.81'
L65	S10°24'54"E	64.99'
L66	S27°59'11"E	45.22'
L67	S29°31'23"E	43.29'
L68	S46°13'48"E	43.48'
L69	S38°22'59"E	66.73'
L70	S48°28'21"E	40.62'
L71	S58°51'40"E	74.38'
L72	S74°57'23"E	52.89'
L73	S70°46'28"E	82.85'
L74	S64°31'04"E	52.66'
L75	S60°13'05"E	68.95'
L76	S59°20'05"E	43.65'
L77	S70°30'04"E	27.80'
L78	S84°10'11"E	37.66'
L79	S69°09'00"E	42.14'

CURVE #	LENGTH	RADIUS	DELTA	CORD DIST.	CORD BEARING
C1	39.33'	24.86'	090°37'52"	35.36'	N21°19'28"W

Z:\PROJECTS\Bureau\0171-BL\0171-Fishers Point\Design\0171-Sub\Record\Plan\Building.dwg
 PLOTTED: 2/20/2023 10:58 AM BY: Dave Hinkley
 PLOTSTYLE: S:\work\ENG.dwg

FISHERS POINT SUBDIVISION
SCR 410 (REVEL ROAD)
 DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE

- ISSUE / REVISION BLOCK
- 7/30/21 - SUSSEX COUNTY P&Z - PRELIMINARY
 - 12/7/21 - SUSSEX COUNTY P&Z
 - 4/4/22 - FIRE MARSHAL
 - 8/5/22 - SUSSEX COUNTY P&Z
 - 9/30/22 - SUSSEX COUNTY P&Z
 - 4/21/23 - DELDOT
 - 5/8/23 - SCD
 - 5/12/23 - SCED
 - 7/28/23 - SCD
 - 7/28/23 - SCED
 - 8/23/23 - SCD
 - 8/23/23 - SCED
 - 8/28/23 - SCED
 - 9/26/23 - SCD, SCED, DELDOT & SUSSEX COUNTY PLANNING AND ZONING

SCALE	PROJECT #	DRAWN BY
1" = 100'	2171-JBUR	DMH
DRAWING NUMBER		

R-3

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FISHERS POINT SUBDIVISION
SCR 410 (REVEL ROAD)
DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE

ISSUE / REVISION BLOCK

7/30/21	- SUSSEX COUNTY P&Z - PRELIMINARY
12/7/21	- SUSSEX COUNTY P&Z
4/4/22	- FIRE MARSHAL
8/5/22	- SUSSEX COUNTY P&Z
9/30/22	- SUSSEX COUNTY P&Z
4/21/23	- DELDOT
5/8/23	- SCD
5/12/23	- SCED
7/28/23	- SCD
7/28/23	- SCED
8/23/23	- SCD
8/23/23	- SCED
9/28/23	- SCD, SCED, DELDOT & SUSSEX COUNTY PLANNING AND ZONING

SCALE	PROJECT #	DRAWN BY
1" = 100'	2171-JBUR	DMH
DRAWING NUMBER		

R-4

SECTION

PLAN

EXPANSION JOINT

NOTES

- CONCRETE SIDEWALKS SHALL BE CONTINUOUS AND SHALL NOT BREAK OR STOP AT PROPERTY ACCESS POINTS.
- STANDARD SIDEWALK WIDTH IS 5 FEET. IN AREAS WHERE A 5-FOOT SIDEWALK CANNOT BE ACCOMMODATED DUE TO SITE CONSTRAINTS, THE WIDTH MAY BE REDUCED TO 4 FEET WITH PASSING AREAS INCORPORATED AT 200' MAXIMUM INTERVALS PER THE ABOVE DETAIL.
- JOINTS SHALL BE INCORPORATED ACROSS FULL WIDTH OF A CONTIGUOUS RUN OF CONCRETE SIDEWALK AS FOLLOWS:
- CONSTRUCTION JOINTS BY SAW OR TOOL CUTTING AT 5-FOOT INTERVALS AT A DEPTH OF 1-INCH AND A MAXIMUM WIDTH OF ONE-HALF INCH
- EXPANSION JOINTS PER THE ABOVE DETAIL AT 20-FOOT MAXIMUM INTERVALS
- WHITE CURING COMPOUND SHALL BE APPLIED TO CONCRETE SIDEWALK INCLUDING EXPOSED EDGES PER DELDOT SPECIFICATIONS IMMEDIATELY FOLLOWING SURFACE TEXTURING.
- WHEN CONCRETE SIDEWALK IS SITUATED ALONG THE BACKSIDE OF CONCRETE CURBING, TYPE IV POLYURETHANE RUBBER EXPANSION POINT SHALL BE INSTALLED BETWEEN SIDEWALK AND CURBING.
- FOR SIDEWALKS ADJACENT TO OR AT ENTRANCES OF BUILDINGS, REFER TO THE LATEST VERSION OF THE AMERICANS WITH DISABILITIES ACCESSIBILITY GUIDELINES.
- FOR SIDEWALKS WITHIN OR ADJACENT TO CURB RAMPS, REFER TO THE LATEST VERSION OF DELDOT'S PEDESTRIAN ACCESSIBILITY STANDARDS AND/OR STANDARD CONSTRUCTION DETAILS.

SUSSEX COUNTY
ENGINEERING DEPARTMENT

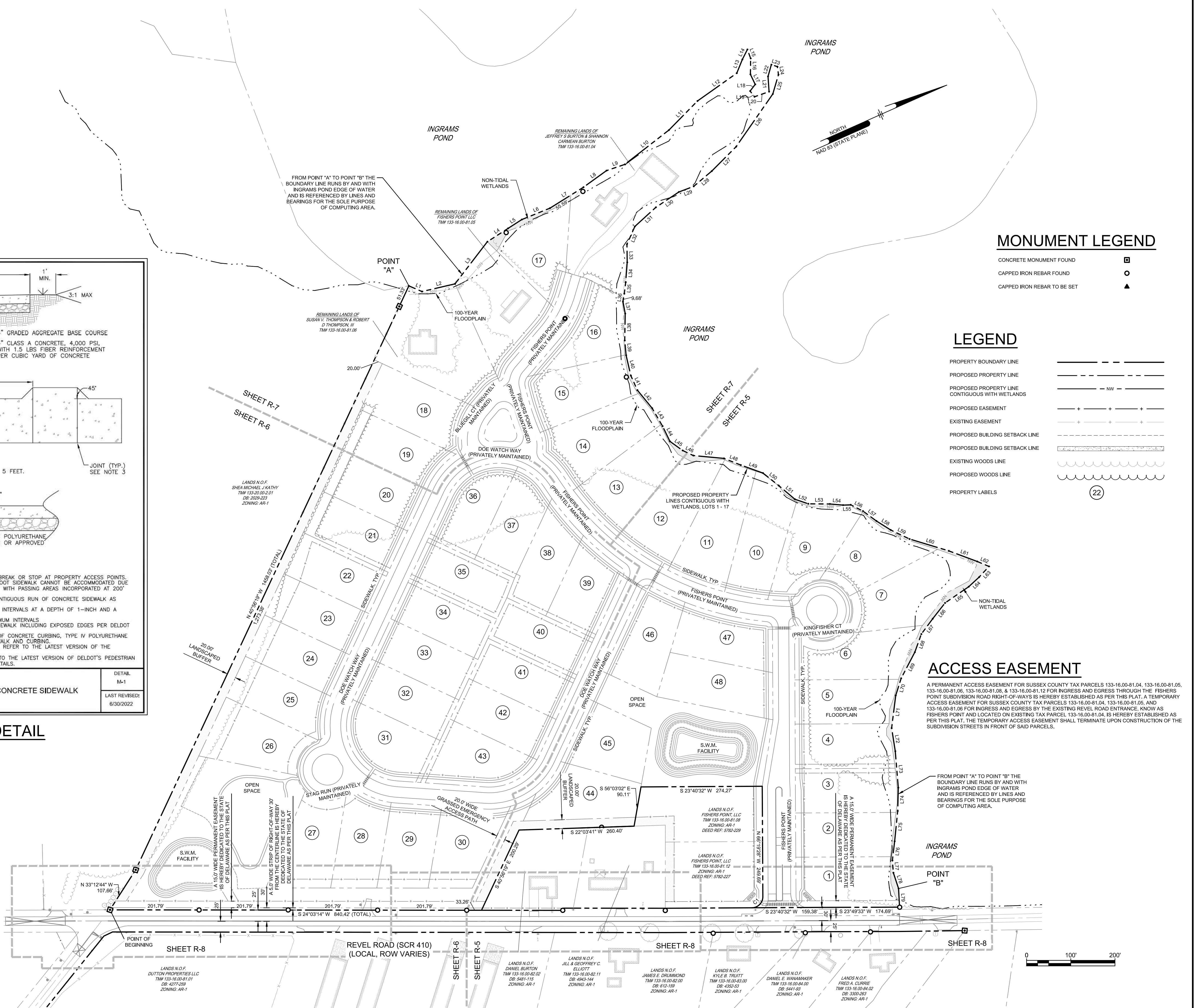
APPROVED: *[Signature]*
SUSSEX COUNTY ENGINEER

CONCRETE SIDEWALK

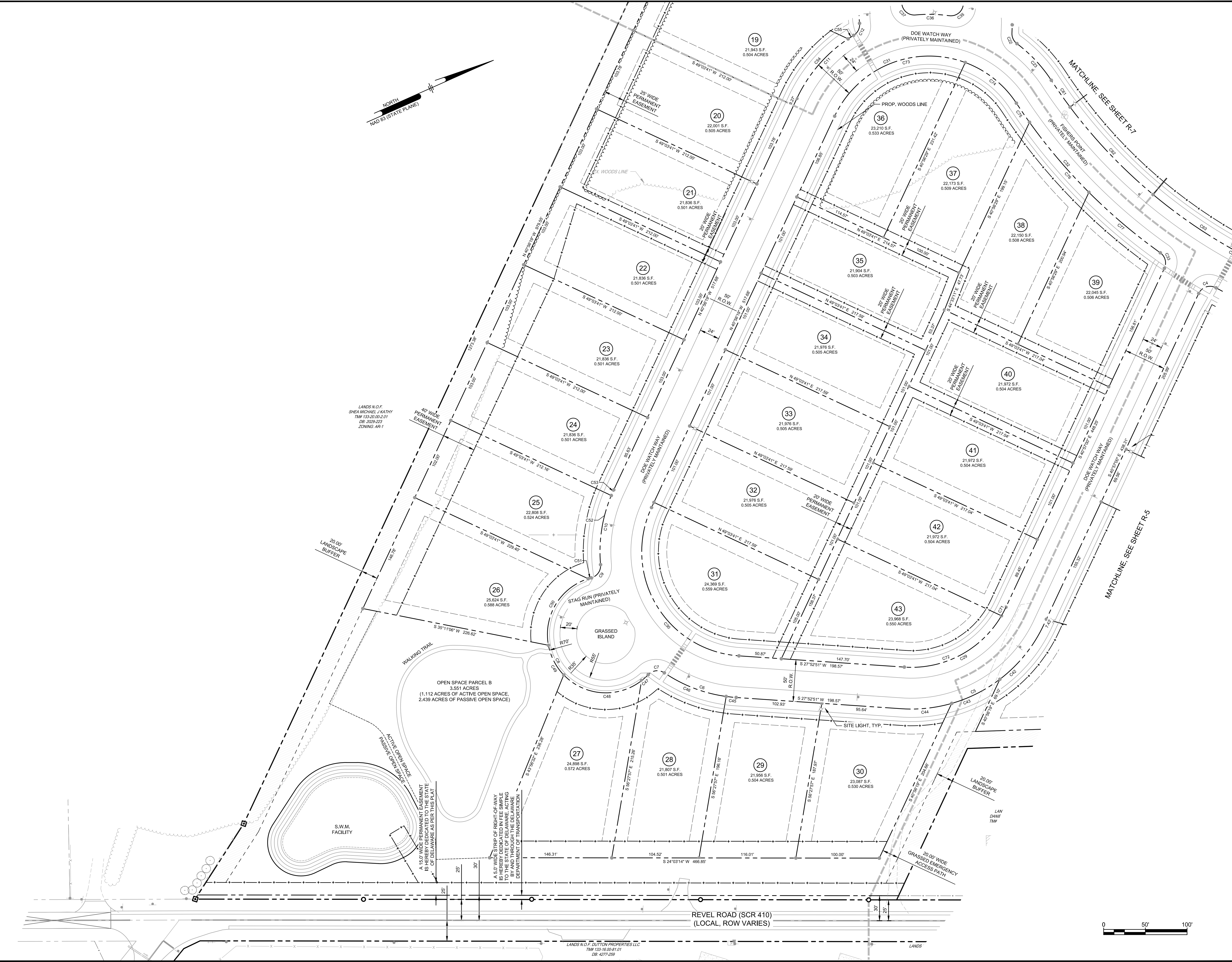
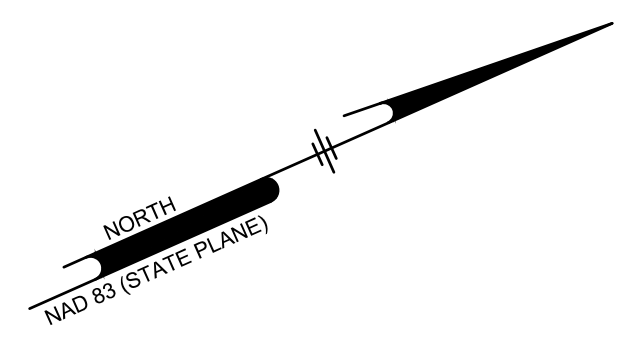
DETAIL
M-1

LAST REVISED:
6/30/2022

SIDEWALK DETAIL
NOT TO SCALE



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FISHERS POINT SUBDIVISION
SCR 410 (REVEL ROAD)
 DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE

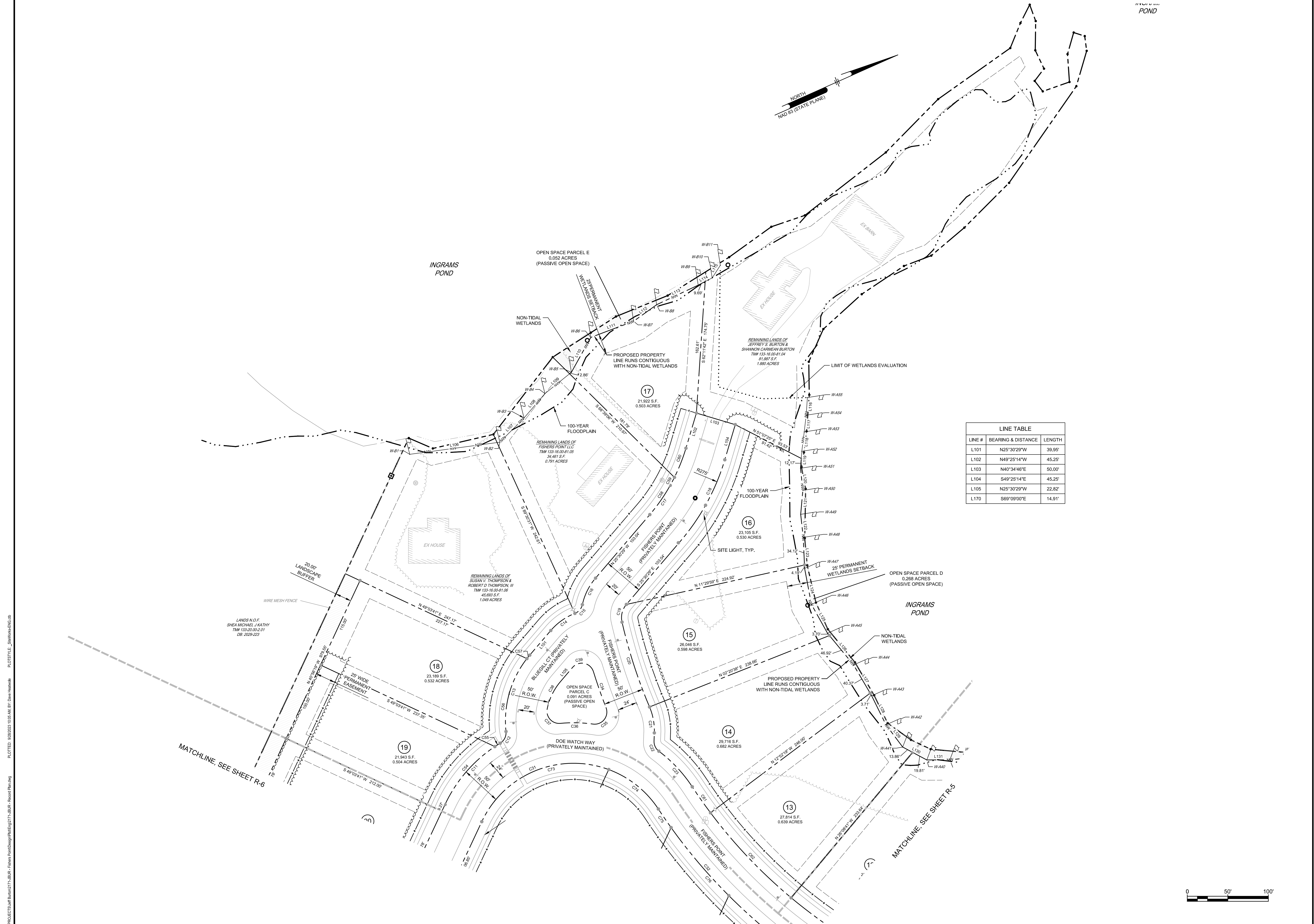
ISSUE / REVISION BLOCK

7/30/21 - SUSSEX COUNTY P&Z - PRELIMINARY
12/7/21 - SUSSEX COUNTY P&Z
4/4/22 - FIRE MARSHAL
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9/26/23 - SCD, SCED, DELDOT & SUSSEX COUNTY PLANNING AND ZONING

SCALE	PROJECT #	DRAWN BY
1" = 50'	2171-JBUR	DMH
DRAWING NUMBER		

R-6

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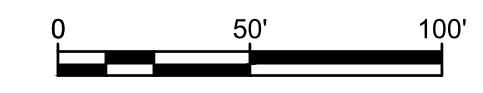
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FISHERS POINT SUBDIVISION
SCR 410 (REVEL ROAD)
 DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE

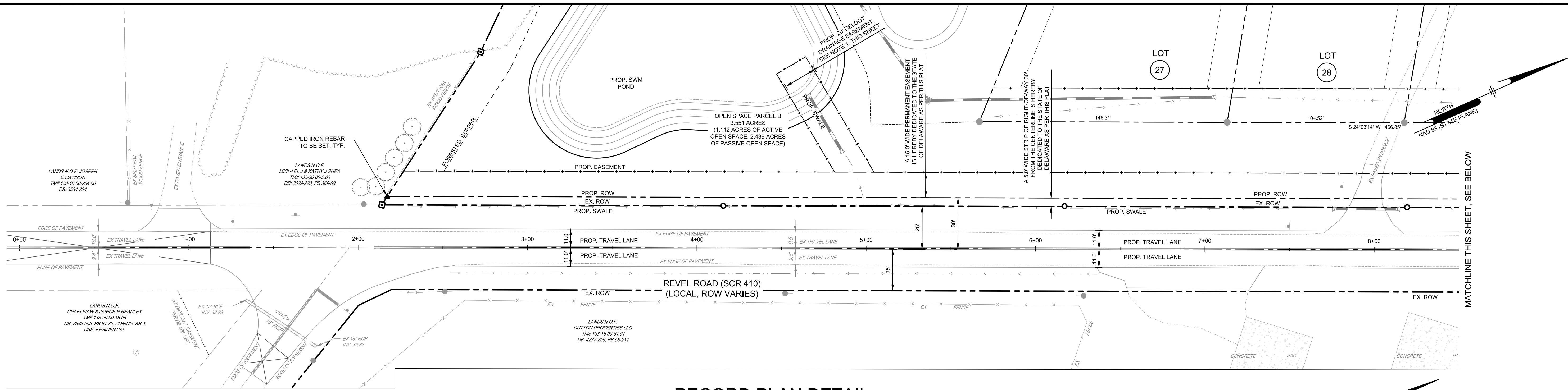
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SCALE	PROJECT #	DRAWN BY
1" = 50'	2171-JBUR	DMH
DRAWING NUMBER		

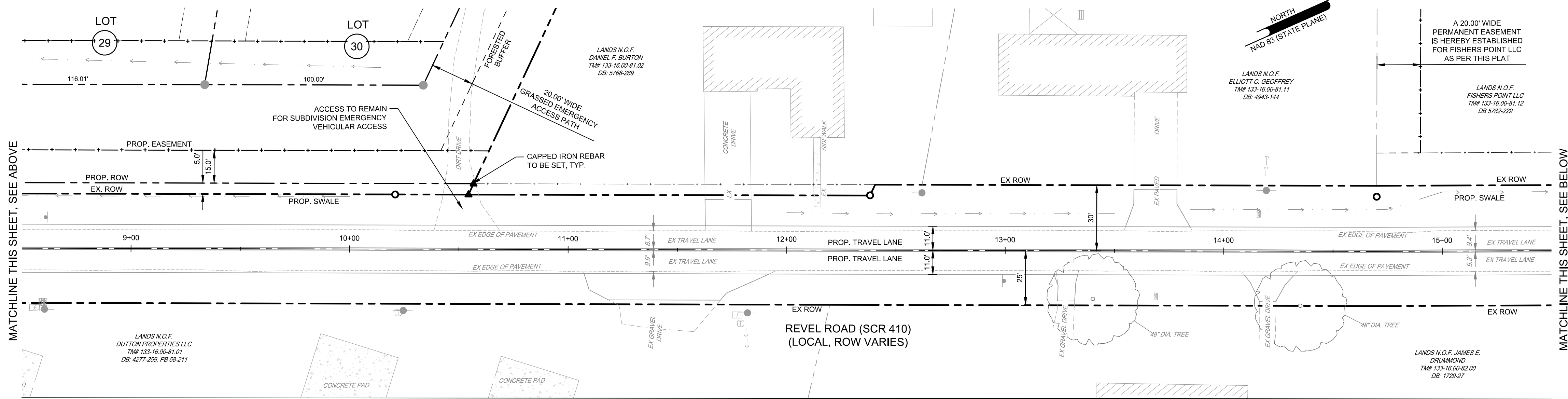
R-7



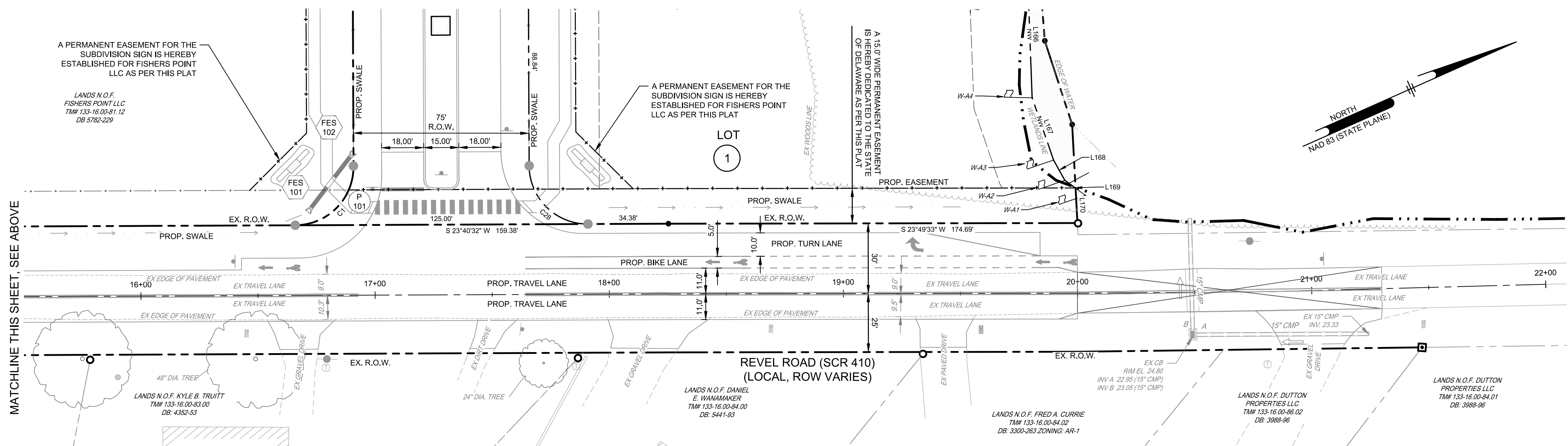
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RECORD PLAN DETAIL
SCALE: 1" = 30'



RECORD PLAN DETAIL
SCALE: 1" = 30'



RECORD PLAN DETAIL
SCALE: 1" = 30'

GENERAL NOTES:

1. A 20.0' WIDE PERMANENT EASEMENT CENTERED ON THE SWALE BOTTOM AND STORMWATER MANAGEMENT PIPE CONVEYING STORMWATER RUNOFF FROM SCR 431 TO POND 1P IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT. FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY, THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.

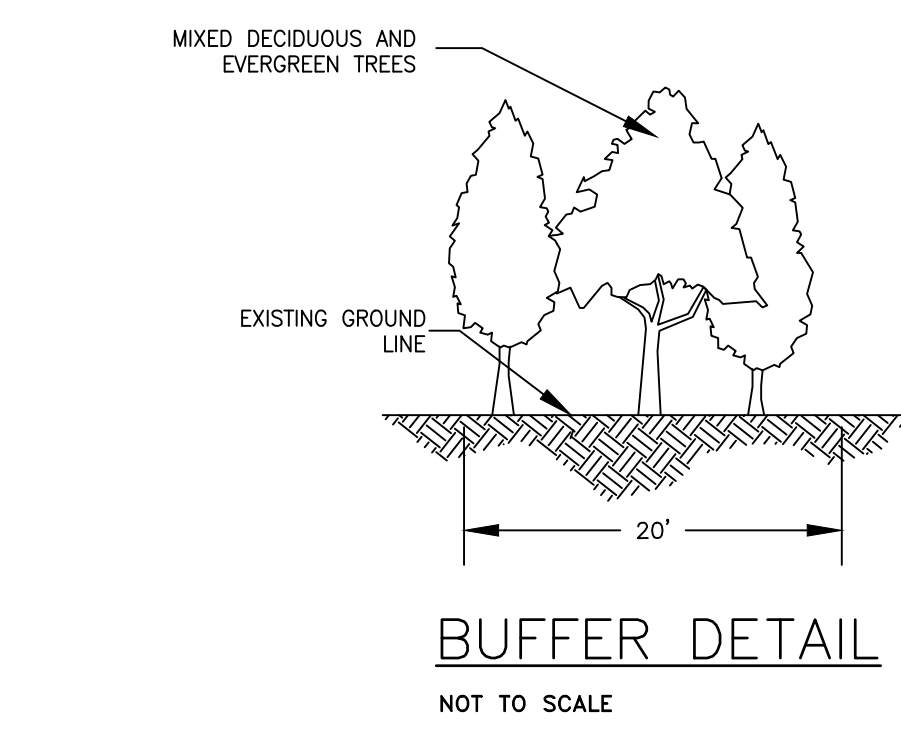
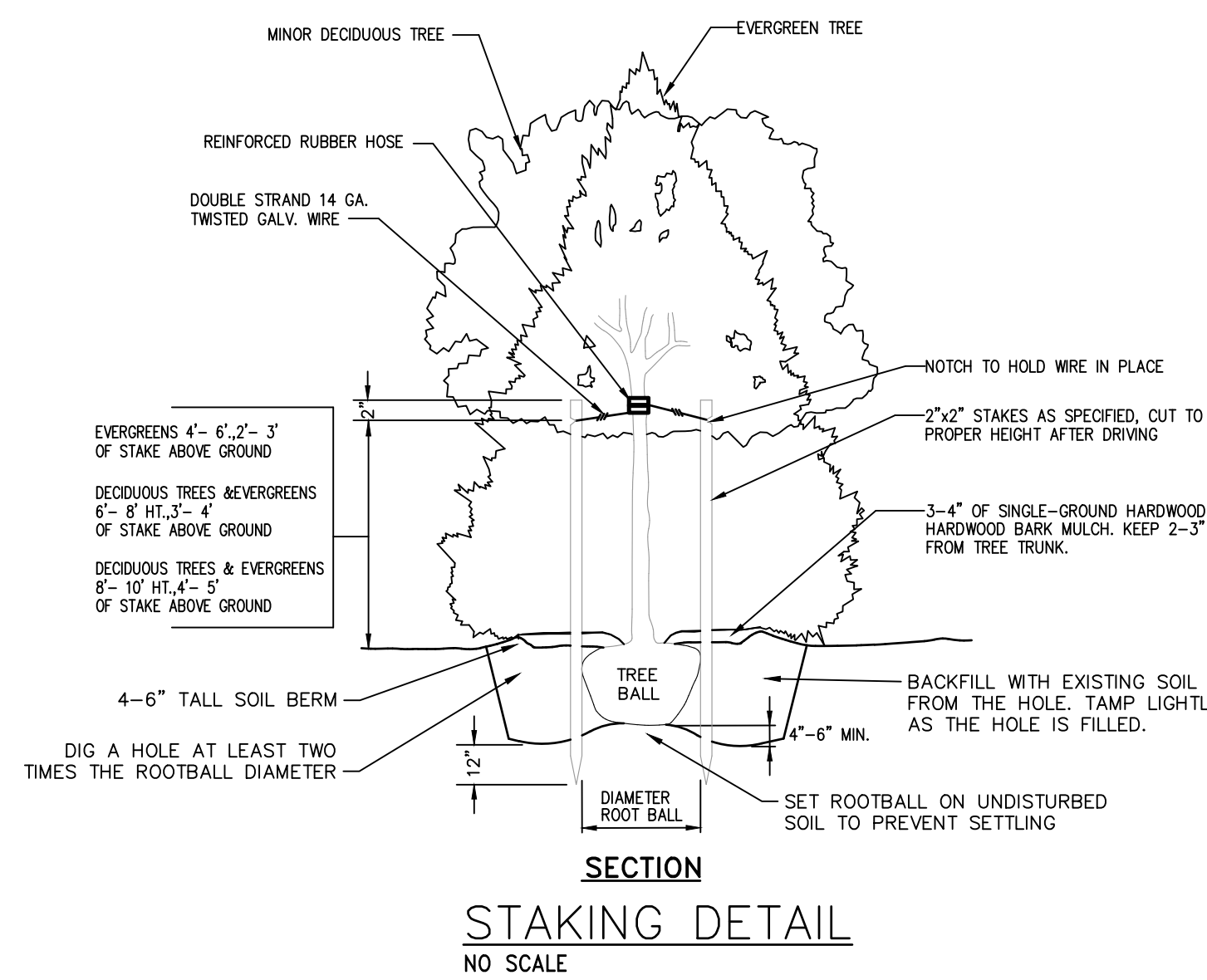
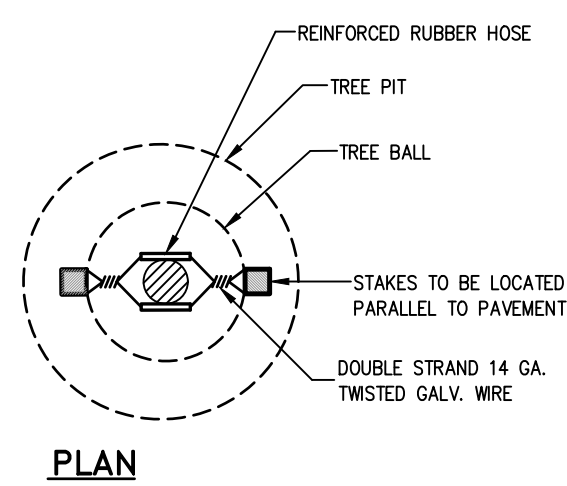
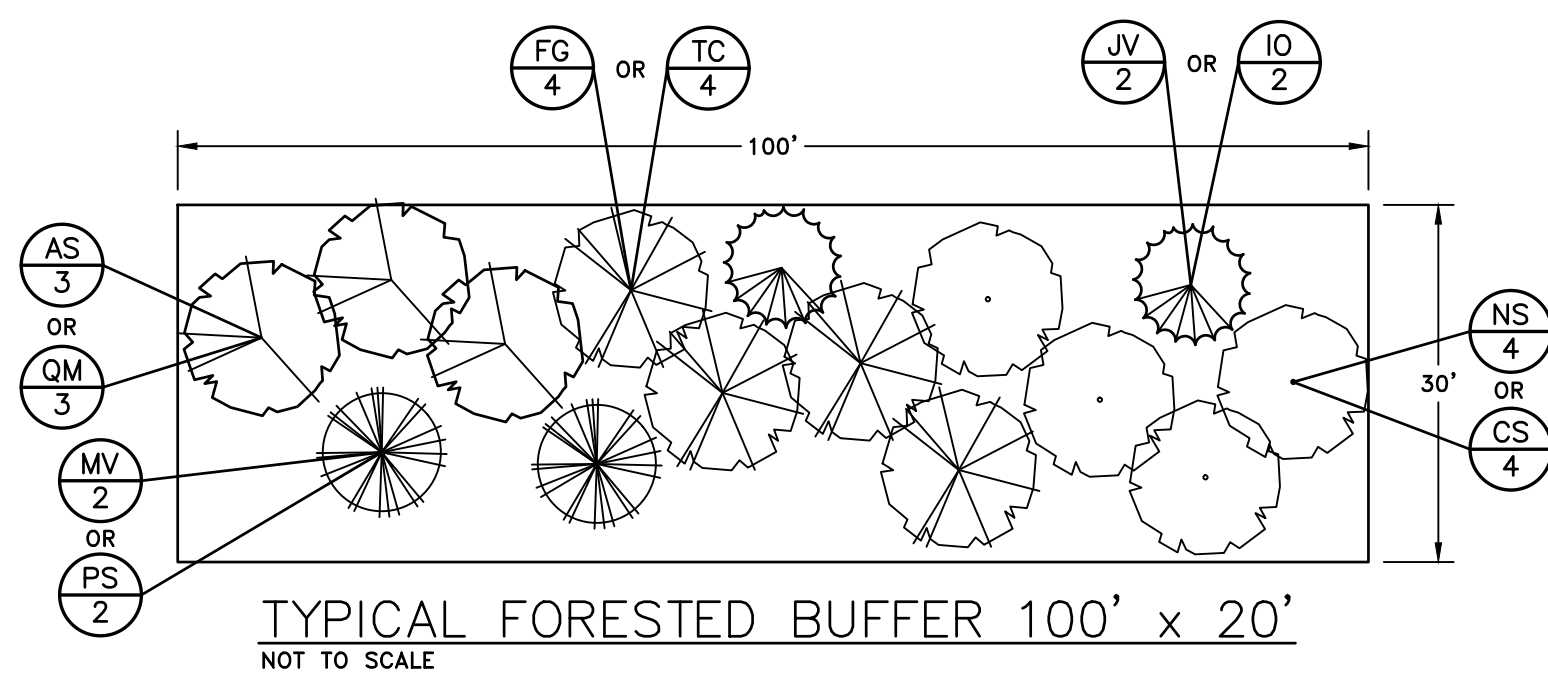
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LANDSCAPE PLANT SCHEDULE						
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	QUANTITY
DECIDUOUS TREE						
	AS	Acer saccharum Green Mountain'	SUGAR MAPLE	1 1/2 - 2" Cal., B&B	10-15'	8
	QM	Quercus phellos	WILLOW OAK	1 1/2 - 2" Cal., B&B	10-15'	9
	FG	Fagus grandifolia	AMERICAN BEECH	1 1/2 - 2" Cal., B&B	10-15'	11
	TC	Tilia cordata	LITTLELEAF LINDEN	1 1/2 - 2" Cal., B&B	10-15'	11
	NS	Nyssa sylvatica	BLACK TUPELO	1 1/2 - 2" Cal., B&B	10-15'	11
	CS	Carya ovata	SHAGBARK HICKORY	1 1/2 - 2" Cal., B&B	10-15'	11
EVERGREEN TREE						
	MV	Magnolia virginiana	SWEETBAY MAGNOLIA	5'6" Ht., B&B		5
	PS	Pinus strobus	EASTERN WHITE PINE	5'6" Ht., B&B		6
	JV	Juniperus virginiana	EASTERN RED CEDAR	5'6" Ht., B&B		6
	IO	Ilex opaca	AMERICAN HOLLY	5'6" Ht., B&B		6
TOTAL						84



GENERAL LANDSCAPE NOTES

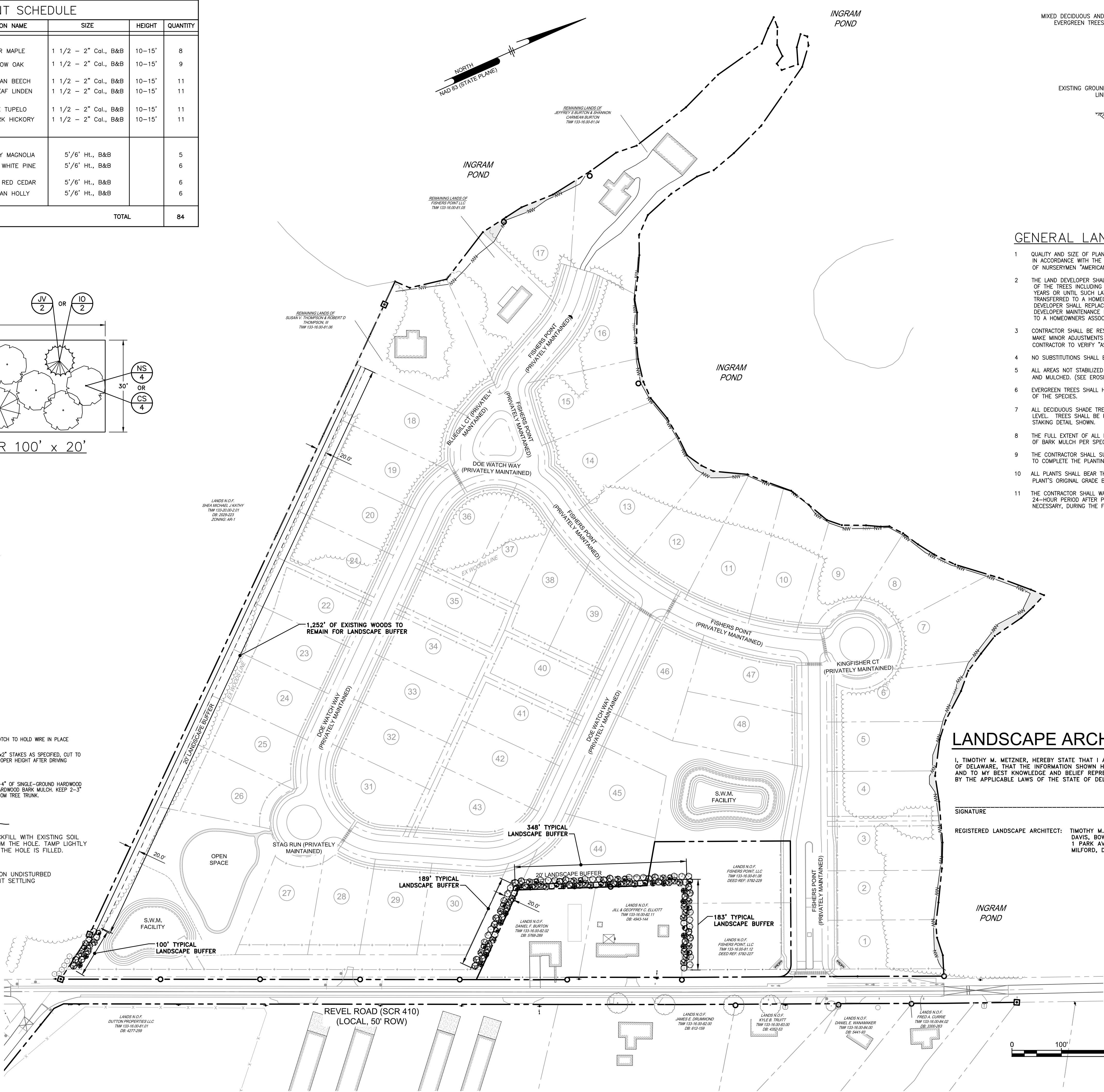
- QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK".
- THE LAND DEVELOPER SHALL BE HELD RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF TWO YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO A HOMEOWNERS ASSOCIATION, PROVIDED HOWEVER THAT THE DEVELOPER SHALL REPLACE ANY TREES THAT DIE DURING THE MINIMUM TWO YEAR DEVELOPER MAINTENANCE PERIOD PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO A HOMEOWNERS ASSOCIATION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
- NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER.
- ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN.)
- EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
- ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 6'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE STAKING DETAIL SHOWN.
- THE FULL EXTENT OF ALL PLANTING BEDS SHALL RECEIVE 4" OF TOPSOIL AND 3" OF BARK MULCH PER SPECIFICATIONS.
- THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THIS DRAWING AND AS SPECIFIED.
- ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANT'S ORIGINAL GRADE BEFORE DIGGING.
- THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON.

LANDSCAPE ARCHITECT'S STATEMENT

I, TIMOTHY M. METZNER, HEREBY STATE THAT I AM A REGISTERED LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ARCHITECTURAL PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE _____ DATE _____

REGISTERED LANDSCAPE ARCHITECT: TIMOTHY M. METZNER
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE 19963



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ENGINEERING DEPARTMENT

JOHN J. ASHMAN
SR. MANAGER OF UTILITY PLANNING
& DESIGN REVIEW

(302) 855-7370 T
(302) 854-5391 F
jashman@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

October 10, 2023

Mr. Dave Heatwole, P.E.
Siteworks Engineering
19 Commerce St.
Harrington, DE 19966

REF: **FISHERS POINT
WESTERN SUSSEX PLANNING AREA 5
SUBDIVISION NO. 2021-24
SUSSEX COUNTY TAX MAP NUMBERS 1-33-16.00-81.00 – CLASS-5
AGREEMENT No. 1197**

Dear Mr. Heatwole:

The above referenced project was approved on October 9, 2023 and two (2) sets of the approved plans are enclosed. This approval is valid for three (3) years, unless prior to expiration of that three (3) year period, a time extension is requested and approved by the Department. Plans granted an extension beyond the three (3) period will be required to meet updated standards and specifications.

Also, it is your responsibility to secure approvals and/or permits that may be required by other regulatory agencies.

Please contact Mr. Keith Bryan of this Division to initiate pre-construction procedures for sanitary sewer.

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

Sincerely,

SUSSEX COUNTY ENGINEERING DEPARTMENT

Scott A. Thornton
Engineering Technician IV

cc: Mr. Keith Bryan, w/1 enclosures
SCED Field File, w/1 enclosures
Owner/Developer: Jeff Burton, Fisher Point LLC, without enclosures



**GEOGRAPHIC INFORMATION
OFFICE**

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



Sussex County

DELAWARE
sussexcountyde.gov

May 5, 2022

Dave Heatwole, PE | Principal
Siteworks Engineering
19 Commerce St.
Harrington, DE 19952
Dave.Heatwole@siteworkseng.com

RE: Fishers Point Approved Street Names

Our office has received proposed street name(s) for the approved subdivision(s), **Fishers Point**, located on parcel 133-16.00-81.00, 81.02, 81.04, 8105, 81.06, 81.08, 81.10, 81.12, 81.13, & 81.14 in Millsboro, DE 19966. Based on our review the following proposed street name(s) have been **approved**:

Fishers Pt	Kingfisher Ct	Bluegill Ct
Doe Watch Way	Stag Run Ct	

Use only road names **approved** and issued by this office on letterhead or you will be required to rerecord. Each street name is to be used only once.

Upon final approval of **Fishers Point** please forward a digital copy of the recorded site plan to my attention for the purpose of addressing. Should you have any questions, please contact the **Geographic Information Office** at 302-855-1176.

Sincerely,

Brian L. Tolley
GIS Specialist II

CC: Christin Scott, Office of Planning & Zoning



MAPPING & ADDRESSING

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



Sussex County

DELAWARE
sussexcountyde.gov

November 18, 2021

Siteworks Engineering
PO Box 2
19 Commerce St.
Harrington, DE 19952

Attn: Dave Heatwole, PE, Principal

RE: Proposed Subdivision Name(s)

Dear Mr. Heatwole,

Sussex County Emergency Operations Center (EOC) examined the appeal submitted on behalf of Mr. Jeff Burton to use of the name of Fishers Point. Said subdivision is located in Millsboro, DE and includes parcels 133-16.00-81.00, 81.02, 81.03, 81.04, 81.05, 81.06, 81.08, 81.10, 81.12, 81.13, & 81.14.

Based on the granted appeal the proposed name(s) below has been approved for this subdivision:

FISHERS POINT

Should you have any questions please contact the Sussex County Geographic Information Office at 302-853-5888 or 302-855-1176.

Sincerely,

Brian L. Tolley
GIS Specialist II

CC: Christin Scott, Planning & Zoning





October 06, 2023

Mr. Jeff Burton
Double R Holdings LLC.
jeff@lanebuilders.com

RE: Fishers Point Subdivision

Dear Mr. Burton:

A Sediment and Stormwater Management Plan has been reviewed for compliance with the Sediment and Stormwater Regulations and is approved with conditions (see attached). Enclosed herein please find a copy of the approved application form and approved plan sets. Please retain a copy for your use, and provide the contractor with a copy to be retained onsite at all times. Failure to keep an approved plan onsite is a violation of the approved plan.

Approval of a Sediment and Stormwater Plan does not grant or imply a right to discharge stormwater runoff. The owner/developer is responsible for acquiring any and all agreements, easements, etc., necessary to comply with State drainage and other applicable laws.

This plan approval pertains to compliance with the Delaware Sediment and Stormwater Regulations. Please understand that the approval of this plan does not relieve you from complying with any and all federal, state, county, or municipal laws and regulations.

As of January 1, 2014, the Sussex Conservation District began collecting financial guarantees to ensure the construction of stormwater management practices is accomplished in accordance with the approved sediment and stormwater plan. Please refer to the SCD Policy on Bonds located on our website at Sussexconservation.org. If you have any questions concerning the aforementioned, please do not hesitate to call 302 856-7219.

Sincerely,

Jessica Watson

Jessica Watson
Program Manager



CONDITIONS OF APPROVAL

NOTIFICATION

1. This approved plan will remain valid for 5 years from the date of this approval. If construction does not begin within five years, the approved plan will be considered to have expired and must be resubmitted to the District for a new review. In addition, if work is not completed within the five-year timeframe, the District must be contacted and a request for an extension submitted. Depending on regulation changes, a new plan may need to be submitted to ensure that all stormwater management facilities are constructed to the most recent standards.
2. Submittal of the Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activities together with this approval of the detailed Sediment and Stormwater Plan provide this project with Federal permit coverage to be authorized to discharge stormwater associated with construction activities. It is the owner's responsibility to ensure that permit coverage remains valid throughout construction by submitting the NOI fee annually as requested. The developer is responsible for weekly self-inspection reporting to be retained onsite.
3. Notify the Sussex Conservation District Sediment and Stormwater Management Section of your intent to begin construction in writing five (5) days prior to commencing. Failure to do so constitutes a violation of the approved plan.

CHANGES

1. This project is to be undertaken in accordance with the plans submitted and as approved. If changes are necessary at any time during the completion of the project, submit revised plans, prior to further construction, to the Sussex Conservation District Sediment and Stormwater Program for review and approval of the revision.
2. Should ownership change during the construction period, a revised plan must be submitted for approval showing the new owner's signature on the owner's certification. In addition, a Transfer of Authorization form must be submitted to DNREC to transfer Federal permit coverage to the new owner.

CONSTRUCTION AND CLOSEOUT

1. A pre-construction meeting must take place before any land disturbing activity begins. The meeting may take place on site and be attended by the owner, contractor, design consultant, Certified Construction Reviewer, and Sussex Conservation District Sediment and Stormwater Program Construction Reviewer. The owner or the owner's designee shall contact the Sussex Conservation Construction Reviewer to schedule the pre-construction meeting.
2. Keep available onsite, during all phases of construction, a copy of the approved Sediment and Stormwater Management Plan.
3. Keep available onsite, during all phases of construction, copies of the Developers weekly self-inspection reports and/or the CCR Reports.
4. Any sediment transported off-site to roads or road rights-of-way including ditches shall be removed. Any damage to ditches shall be repaired and stabilized to original condition.
5. Grading shall not impair surface drainage, create an erosion hazard, or create a source of sediment to any



adjacent watercourse or property owner.

6. Failure to implement the permanent stormwater management practices as mentioned herein constitutes a violation of the conditions of this plan approval; it may result in the suspension or revocation of building permits or grading permits issued by the local jurisdiction, and it may result in legal action by the DNREC to bring the site into compliance with the approved Sediment and Stormwater Management Plan and the Delaware Sediment and Stormwater Regulations.
7. The permanent stormwater management facility or facilities must be constructed and accepted by the Sussex Conservation District Sediment and Stormwater Program prior to final closeout of the project site. Post-construction verification documentation of the stormwater management facility or facilities must be completed as soon as construction of the facility or facilities is complete so that any necessary modifications may be made during the construction period.



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

NICOLE MAJESKI
SECRETARY

October 05, 2023

Dave Heatwole
SiteWorks Engineering, LLC.
34 John Andrews Dr.
Harrington, Delaware 19952

**SUBJECT: Entrance Plan Approval Letter
Fishers Point Subdivision**

Tax Parcel #133-16.00-81.12, 133-16.00-81.00, 133-16.00-81.08, 133-16.00-81.14, 133-16.00-81.02, 133-16.00-81.03, 133-16.00-81.04, 133-16.00-81.05, 133-16.00-81.06, 133-16.00-81.10
REVEL ROAD (SCR 410)
Dagsboro Hundred, Sussex County

Dear Mr. Heatwole:

The Department of Transportation has reviewed the Commercial Entrance Plans dated April 21, 2023 (last revised September 21, 2023) for the referenced project and determined that they are in general conformance with the Department's current regulations, specifications and standard details. By signing and sealing the plan set, the developer's engineer is responsible for accuracy of content. Any errors, omissions or required field changes will be the responsibility of the developer. This plan approval shall be valid a period of **three (3) years**. If an entrance permit has not been obtained within three years, then the plans must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. The following items will be required prior to the permit being issued. A pre-construction meeting may be required as determined by the South District Public Works office.

1. A copy of the recorded Site Plan which is consistent with the DeIDOT "No Objection to Recordation" stamped plan and all appropriate signatures, seals, plot book and page number.
2. Three (3) copies of the approved entrance plans.
3. Completed permit application.
4. Executed agreements (i.e. construction, signal, letter).
5. An itemized construction cost estimate.

6. A 150% security based upon an approved itemized construction cost estimate and W-9 form (if providing escrow).
7. A letter of source of materials, work schedule, list of subcontractors, emergency telephone numbers and names of contact persons.

Please contact the South District Public Works office (302) 853-1340 concerning any questions you may have relative to the aforementioned required items.

Sincerely,



Wendy L. Polasko, P.E.
Subdivision Engineer
Development Coordination

cc: Jeff Burton, Owner
Jamie Whitehouse, Sussex County Planning & Zoning Commission
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
Richard Larkin, South District Subdivision Manager
Jerry Nagyiski, Safety Officer Supervisor
Jennifer Pinkerton, Chief Materials & Research Engineer
Linda Osiecki, Pedestrian Coordinator
John Fiori, Bicycle Coordinator
Sean Humphrey, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Jared Kauffman, DTC Planner
Shiny Mathew, JMT
Kevin Hickman, Sussex County Review Coordinator
José Quixtan, Sussex County Reviewer



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

NICOLE MAJESKI
SECRETARY

October 05, 2023

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

**SUBJECT: Letter of No Objection to Recordation
Fishers Point Subdivision**

Tax Parcel # 133-16.00-81.12, 133-16.00-81.00, 133-16.00-81.08, 133-16.00-81.14, 133-16.00-81.02, 133-16.00-81.03, 133-16.00-81.04, 133-16.00-81.05, 133-16.00-81.06, 133-16.00-81.10
REVEL ROAD (SCR 410)
Dagsboro Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Site Plan, dated April 21, 2023 (last revised September 26, 2023), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawings. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Site Plan is not recorded prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. Entrance plans shall be developed in accordance with DelDOT's [Development Coordination Manual](#) and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to



Fishers Point Subdivision
Mr. Jamie Whitehouse
Page 2
October 05, 2023

DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

If I can be of any further assistance, please call me at (302) 760-2266.

Very truly yours,



Wendy L. Polasko, P.E.
Subdivision Engineer
Development Coordination

cc: Jeff Burton, Owner
Dave Heatwole, SiteWorks Engineering, LLC.
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
Richard Larkin, South District Subdivision Manager
Jennifer Pinkerton, Chief Materials & Research Engineer
Linda Osiecki, Pedestrian Coordinator
John Fiori, Bicycle Coordinator
Sean Humphrey, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Jared Kauffman, DTC Planner
Shiny Mathew, JMT
Kevin Hickman, Sussex County Review Coordinator
José Quixtan, Sussex County Reviewer



**OFFICE OF THE STATE FIRE MARSHAL
Technical Services**

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2022-04-210223-MJS-01

Tax Parcel Number: 133-16.00-81.00

Status: Approved as Submitted

Date: 04/19/2022

Project

Fishers Point
, Unit #: 50 Lots
Fishers Point

29254 Revel Road
Millsboro DE 19966

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 83 - Millsboro Fire Co Inc

Occupant Load Inside:
Occupancy Code: 9601

Applicant

David Heatwole
PO Box 2
Harrington, DE 19952

This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

A final inspection is required.

This Plan Review Project was prepared by:



John Colpo
Fire Protection Specialist

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2022-04-210223-MJS-01

Tax Parcel Number: 133-16.00-81.00

Status: Approved as Submitted

Date: 04/19/2022

PROJECT COMMENTS

- 1002 A** This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
- 1010 A** The following water for fire protection requirements apply: NONE. On-Site Wells Proposed. this site meets Water Flow Table 1. therefore the provisions of NFPA 1142 shall apply to this site (DSFPR Regulation 702, Chapter 6, Section 3). Since wells are proposed for this site, no additional requirements will be made by this Agency for water for fire protection.
- 1180 A** This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
- 1501 A** If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.

INDIAN RIVER SCHOOL DISTRICT

“A Model of Excellence”



Jay F. Owens, Jr. Ed.D.
Superintendent

Karen T. Blannard
Assistant Superintendent

Dave Heatwole, PE
Siteworks Engineering
RE: Fishers Point

The Indian River School District recommends the entrance to the development on Revel Road as the pick-up and drop-off location for students that will require district bus transportation. The design of the development does not allow for a stop location within the development. The IRSD requires no further action in regards to a bus stop within the development.

A handwritten signature in black ink, appearing to read "Shawn Tidwell".

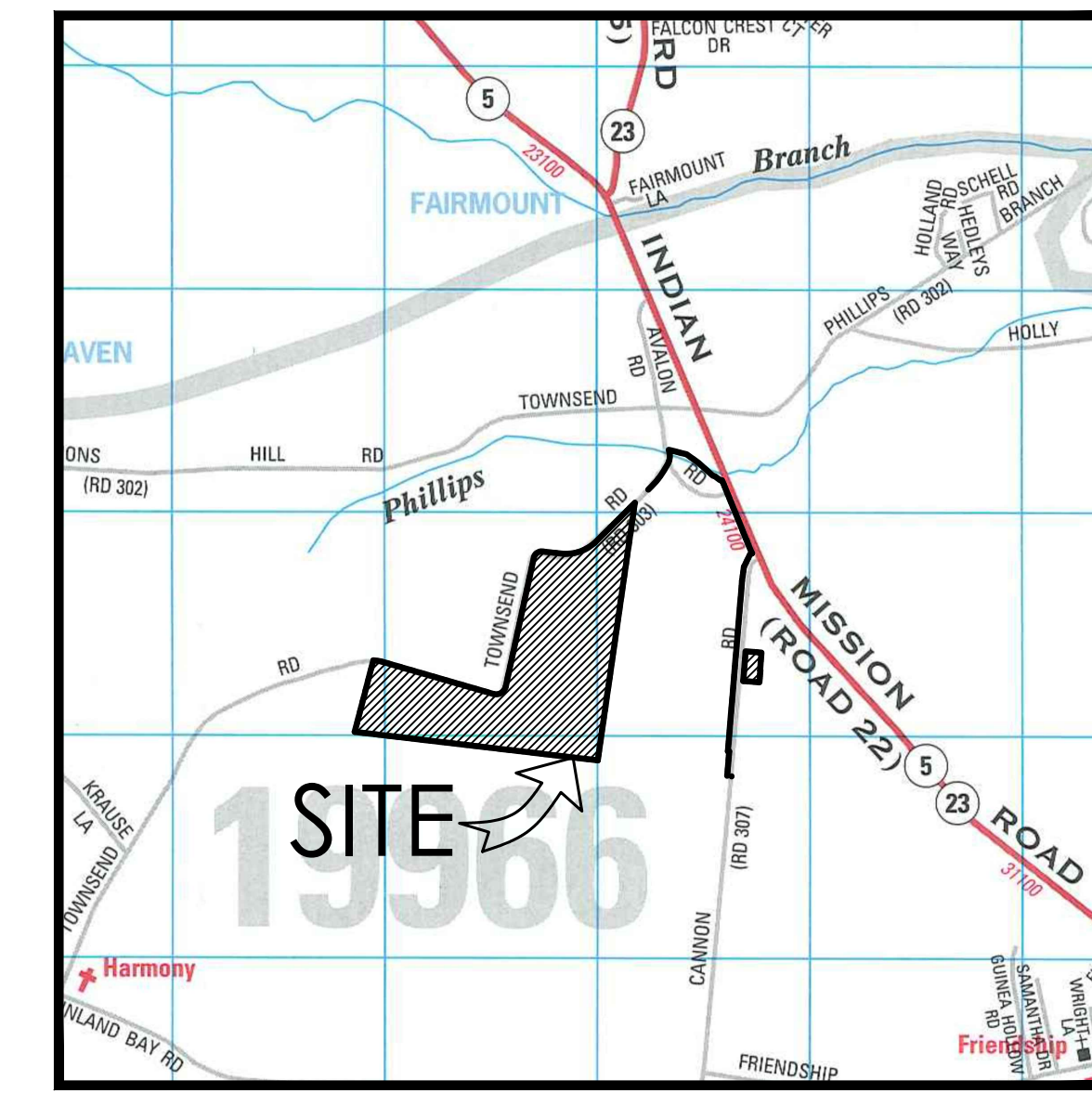
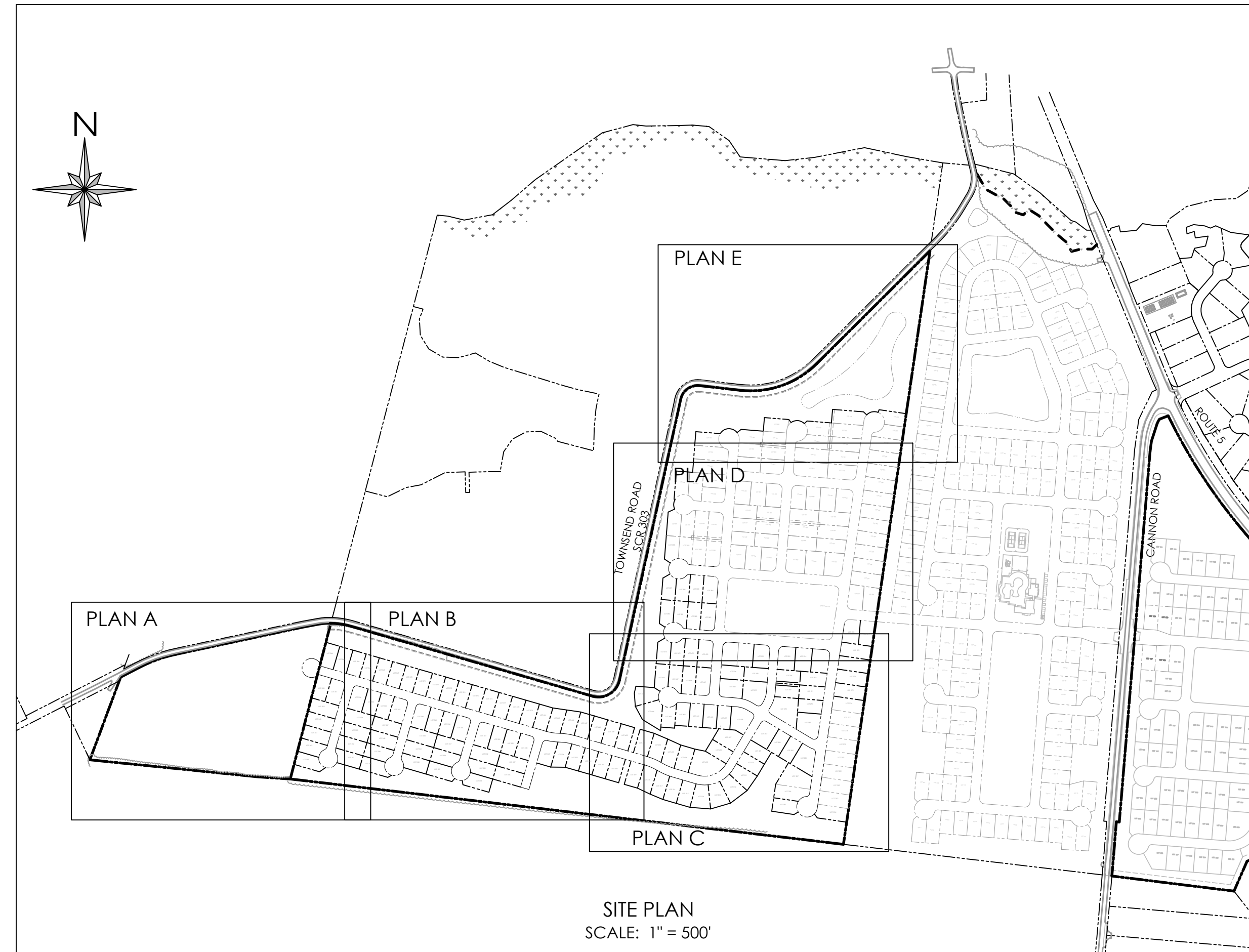
Shawn Tidwell
Transportation Supervisor

31 Hosier Street, Selbyville, Delaware 19975 • (302) 436-1000 • Fax (302) 436-1034

The Indian River School District is an Equal Opportunity Employer and does not discriminate or deny services on the basis of race, color, national origin, sex, gender, creed, religion, veteran status, sexual orientation, marital status, citizenship status, pregnancy, age, ancestry, disability, gender identity, genetic information, military status or any other characteristic protected by law.

FINAL SUBDIVISION PLAT

FOR
PELICAN POINT PHASE 4 & 5
 INDIAN RIVER HUNDRED
 SUSSEX COUNTY, DELAWARE
 SUBDIVISION # 2019-30



SITE DATA:

- OWNER/DEVELOPER: CANNON ROAD INVESTMENT, LLC
 5169 WEST WOODMILL DRIVE, SUITE 10
 WILMINGTON, DE 19808
 CONTACT: ROB ALLEN
- ENGINEER/SURVEYOR: SOLUTIONS IPEM
 303 NORTH BEDFORD STREET
 GEORGETOWN, DE 19947
 PHONE: 302-297-9215
 CONTACT: JIM ERIKSEN, PE
- TAX PARCEL NUMBER: TAX MAP 2-34-16.00, PARCELS 21.03, 23.01, 1524-1526, 1528, 1539, 1542-1546, 1548-1555, 1558-1649 & P/O 19.07

RECORD PLAN

- COVER SHEET
- TYPICAL ROAD SECTIONS - NOTICE OF DECISION
- RECORD PLAN A
- RECORD PLAN B
- RECORD PLAN C
- RECORD PLAN D
- RECORD PLAN E
- CURVE AND LINE TABLES
- RECORD LANDSCAPE PLAN
- DELDOT DRAINAGE EASEMENTS 1
- DELDOT DRAINAGE EASEMENTS 2

LEGEND

	EXISTING	PROPOSED
CONCRETE MOUMENT SET	N/A	□ CMS
CAPPED PIN SET	N/A	•
PROPERTY LINE	---	---
EASEMENT LINE	---	---
EASEMENT	N/A	▨
SETBACK LINE	N/A	---
IRON PIPE FOUND	○ IFF	N/A
CONCRETE MONUMENT FOUND	□ CMF	N/A
CAPPED IRON ROD FOUND	○ IRCF	N/A
WOODLINE (APPROXIMATE LIMITS OF CLEARING)	N/A	~
SIDEWALK	N/A	▨
PRESERVED FORESTED LANDSCAPE BUFFER	N/A	▨
AREAS OF NO CHANGE	█	N/A
STORMWATER MANAGEMENT POND	N/A	---
FENCE	N/A	---
EDGE OF PAVE	---	N/A
WOODSLINE	~	N/A

PURPOSE STATEMENT:

THIS SUBDIVISION PLAT IS TO REVISE A PORTION OF PLAT 218/70, AS IN THE ADDITION OF TAX MAP 234-16.00/23.01 TO PHASES 4 AND 5, REVISIONS TO LOTS 270-272, 274, 275, 285, 288-292, 294-301, 304-387, OPEN SPACE C AND RIGHT-OF-WAYS FOR SEAWATCH DRIVE, MAKO COURT, TOPSAIL COURT, EVERGLADE COURT, BANYON COURT, PART OF FLAMINGO DRIVE AN PART OF OCEAN ISLE DRIVE, AND THE ADDITION OF LOTS 444-473.

APPROVED BY:

SECRETARY OF PLANNING COMMISSION _____ DATE _____

PRESIDENT OF COUNTY COUNCIL _____ DATE _____

WETLAND STATEMENT

I, Edward M. Launay, PWS, STATES THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, ATLANTIC GULF COAST REGIONAL SUPPLEMENT, REGULATIONS AND SUPPLEMENTAL GUIDANCE (33 CFR 328.3(a)(8), Waters of the U.S. Definition/CECW-OR, 10-7-1991, Questions and Answers on the 1987 COE Manual/CECW-OR, 9-26-1990, RGL 90-7/CECW-OR, 3-6-1992, Clarification and Interpretation of the 1987 Manual). THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

NO FEDERALLY REGULATED WETLANDS OR WATERS ARE PRESENT ON THE SUBJECT PARCEL(S). NO STATE-REGULATED WETLANDS OR WATERS OCCUR ON THE SUBJECT PARCEL(S).

EDWARD M. LAUNAY, PWS No. 875 _____ DATE _____
 SOCIETY OF WETLANDS SCIENTISTS
 CORPS OF ENGINEERS
 CERTIFIED WETLAND DELINEATOR WDCP93MD0510036B)

OWNER'S CERTIFICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION AND I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. I FURTHERMORE UNDERSTAND AND ACKNOWLEDGE THAT IT IS THE RIGHT OF THE SUSSEX CONSERVATION DISTRICT AND/OR ITS DELEGATED INSPECTION AGENCIES TO CONDUCT ON-SITE INSPECTIONS.

ROB ALLEN, AUTHORIZED SIGNER _____ DATE _____

SURVEYOR'S CERTIFICATION

THIS PLAT AND SURVEY WERE PERFORMED, UNDER MY SUPERVISION, TO THE LOCAL STANDARD OF CARE, AND SUBSTANTIALLY MEET THE "MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING" AS PROMULGATED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS FOR A SUBURBAN CLASS SURVEY.

SOLUTIONS INTEGRATED PLANNING, ENGINEERING & MANAGEMENT, LLC
 by STEVEN W. FULLER, AGENT

STEVEN W. FULLER, _____ DATE _____
 PROFESSIONAL LAND SURVEYOR
 DELAWARE NO. 823

solutions
 INTEGRATED PLANNING, ENGINEERING & MANAGEMENT, LLC
 303 North Bedford Street
 Georgetown, DE 19947
 T. 302-297-9215
 3033 Manhatt Hill Road
 Solisbury, MD 21804
 T. 410-572-8833
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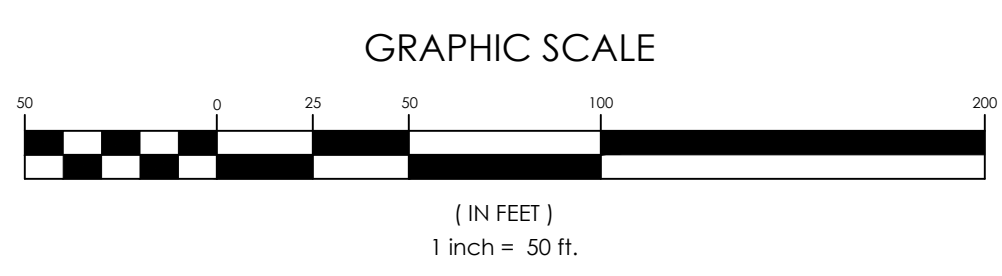
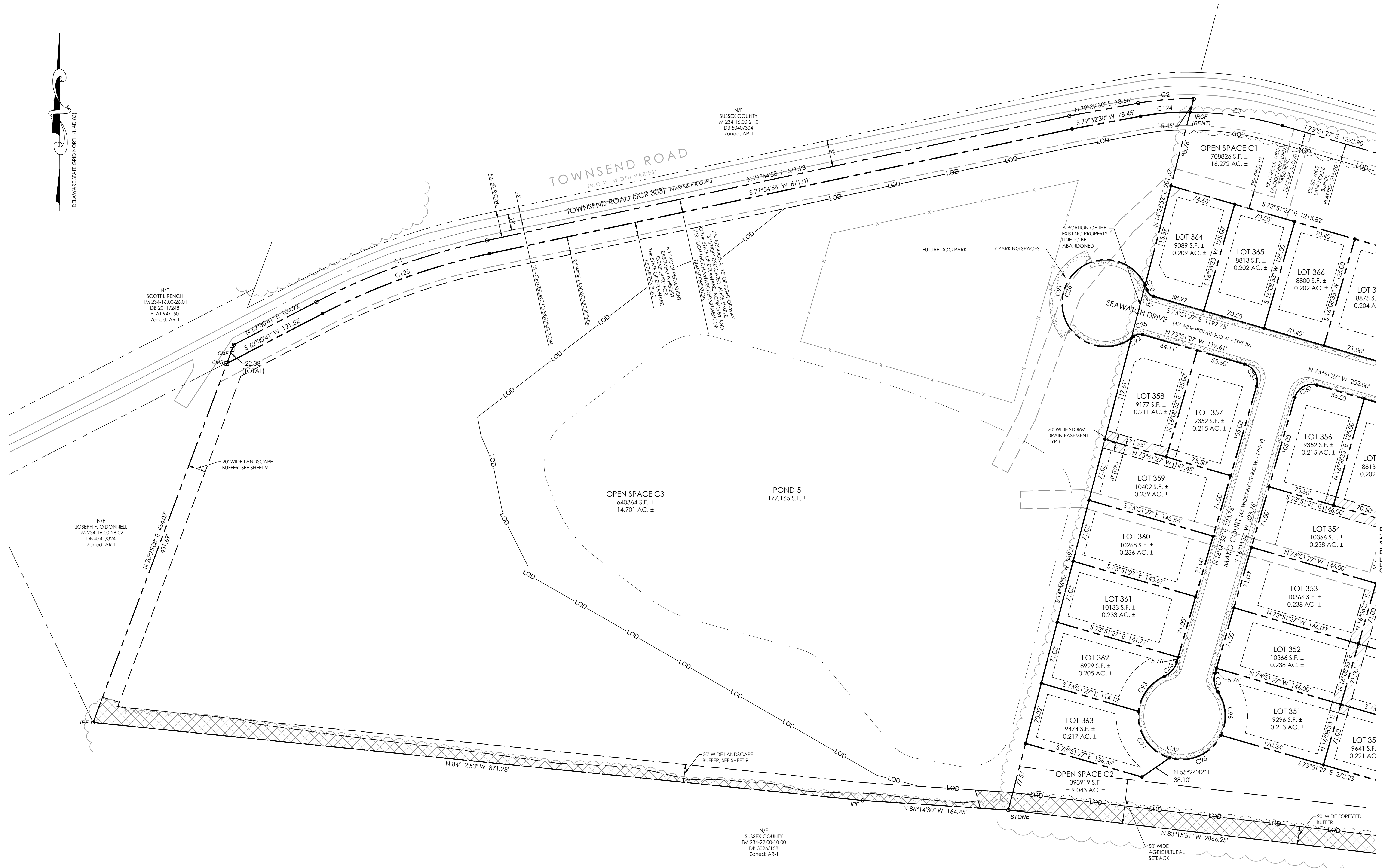
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2	1/30/23	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	3/17/23	GENERAL REVISIONS

RECORD COVER SHEET
 for
PELICAN POINT - PHASE 4 & 5
 INDIAN RIVER HUNDRED
 SUSSEX COUNTY, DELAWARE
 SCR 307

Date: 6/13/22
 Job Number: C19069
 Scale: AS SHOWN
 Drawn By: ML
 Designed By: JRE
 Approved By: SWF

Sheet No.: 1

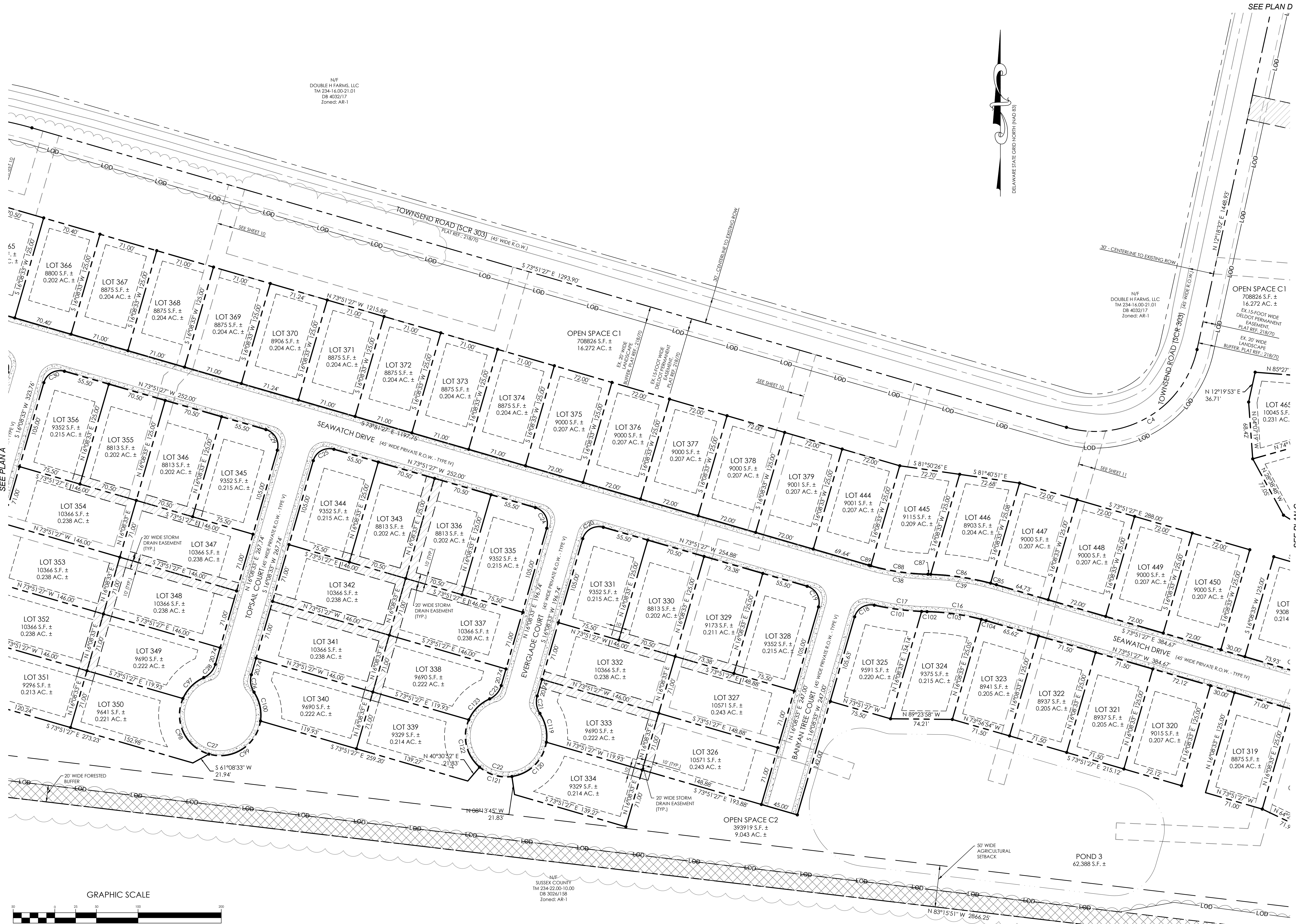
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NO.	DESCRIPTION
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2	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	GENERAL REVISIONS

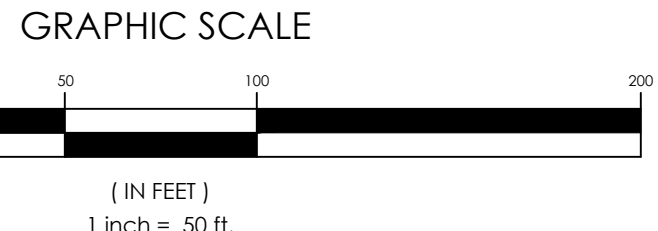
RECORD PLAN A
 for
PELICAN POINT - PHASE 4 & 5
 INDIAN RIVER HUNDRED
 SUSSEX COUNTY, DELAWARE
 SCR 307

Date:	6/13/22
Job Number:	C17069
Scale:	1"=50'
Drawn By:	ML
Designed By:	JRE
Approved By:	SWF



N/F
DOUBLE H FARMS, LLC
TM 234-16.00-21.01
DB 4032/17
Zoned: AR-1

N/F
SUSSEX COUNTY
TM 234-22.00-10.00
DB 3026/158
Zoned: AR-1



SEE PLAN D

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1	11/8/22	REVISIONS PER AGENCY COMMENTS DATED 11/3/22
2	1/30/23	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	3/17/23	GENERAL REVISIONS

RECORD PLAN B
for
PELICAN POINT - PHASE 4 & 5
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE
SCR 307

Date:	6/13/22
Job Number:	C17069
Scale:	1"=50'
Drawn By:	JRE
Designed By:	JRE
Approved By:	SWF

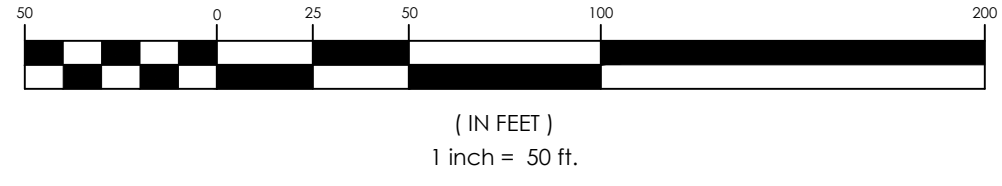
Sheet No.: **4**

File Name:
19069-record-plans



SEE PLAN D

GRAPHIC SCALE



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LAND MANAGEMENT
PLANNING & DESIGN

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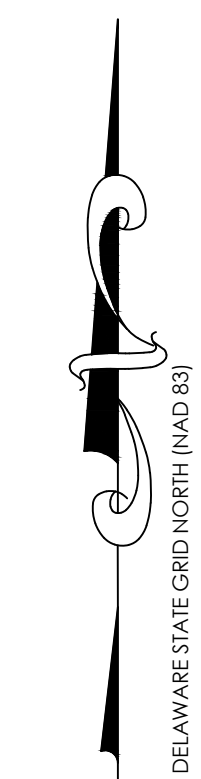
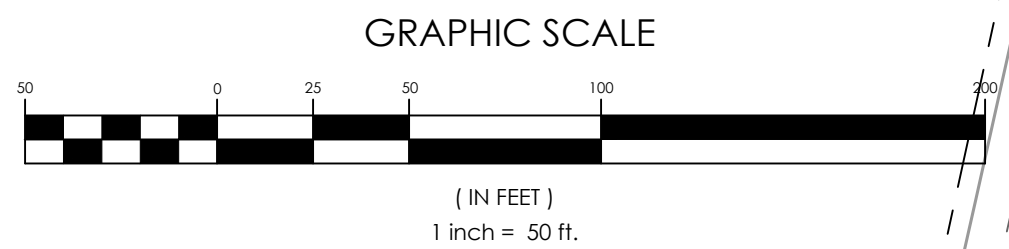
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2	1/30/23	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	3/17/23	GENERAL REVISIONS

RECORD PLAN C
for
PELICAN POINT - PHASE 4 & 5
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE
SCR 307

Date:	6/13/22
Job Number:	C17069
Scale:	1"=50'
Drawn By:	JRE
Designed By:	JRE
Approved By:	SF

Sheet No.: **5**
File Name: 19069-record-plans

SEE PLAN E



N/F
DOUBLE H FARMS, LLC
TM 234-16.00-21.01
DB 4032/17
Zoned: AR-1



SEE PLAN C

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LAND MANAGEMENT
CONSULTANTS

303 North Bedford Street
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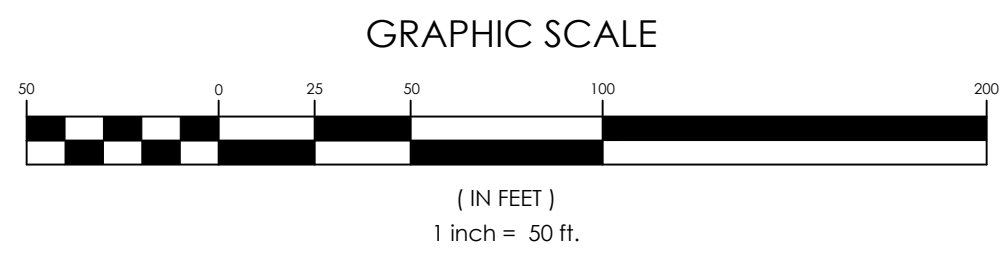
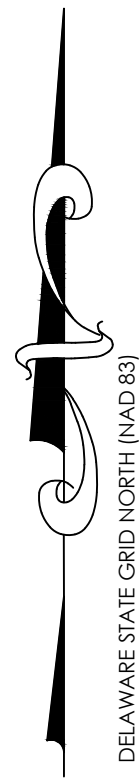
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REVISIONS		DESCRIPTION
NO.	DATE	DESCRIPTION
1	11/8/22	REVISIONS PER AGENCY COMMENTS DATED 11/3/22
2	1/30/23	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	3/17/23	GENERAL REVISIONS

RECORD PLAN D
for
PELICAN POINT - PHASE 4 & 5
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE
SCR 307

Date:	6/13/22
Job Number:	G17069
Scale:	1"=50'
Drawn By:	JRE
Designed By:	JRE
Approved By:	SWF
Sheet No.:	6
File Name:	19069-record-plans



SEE PLAN D



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NO.	DATE	DESCRIPTION
1	11/8/22	REVISIONS PER AGENCY COMMENTS DATED 11/3/22
2	1/30/23	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	3/17/23	GENERAL REVISIONS

RECORD PLAN E
for
PELICAN POINT - PHASE 4 & 5
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE
SCR 307

Date:	6/13/22
Job Number:	C17069
Scale:	1"=50'
Drawn By:	ML
Designed By:	JRE
Approved By:	SWF

Sheet No.: **7**

File Name: 19069-record-plans

CURVE TABLE

Table with columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains 131 rows of curve data (C1-C131).

LINE TABLE

Table with columns: LINE, BEARING, DISTANCE. Contains 4 rows of line data (L1-L4).



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REVISIONS

Table with columns: NO., DATE, DESCRIPTION. Contains 3 rows of revision information.

RECORD CURVE AND LINE TABLES

for
PELICAN POINT - PHASE 4 & 5
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE
SCR 307

Date: 6/13/22
Job Number: C17069
Scale: N.T.S.
Drawn By: JRE
Designed By: JRE
Approved By: SWF

Sheet No.:

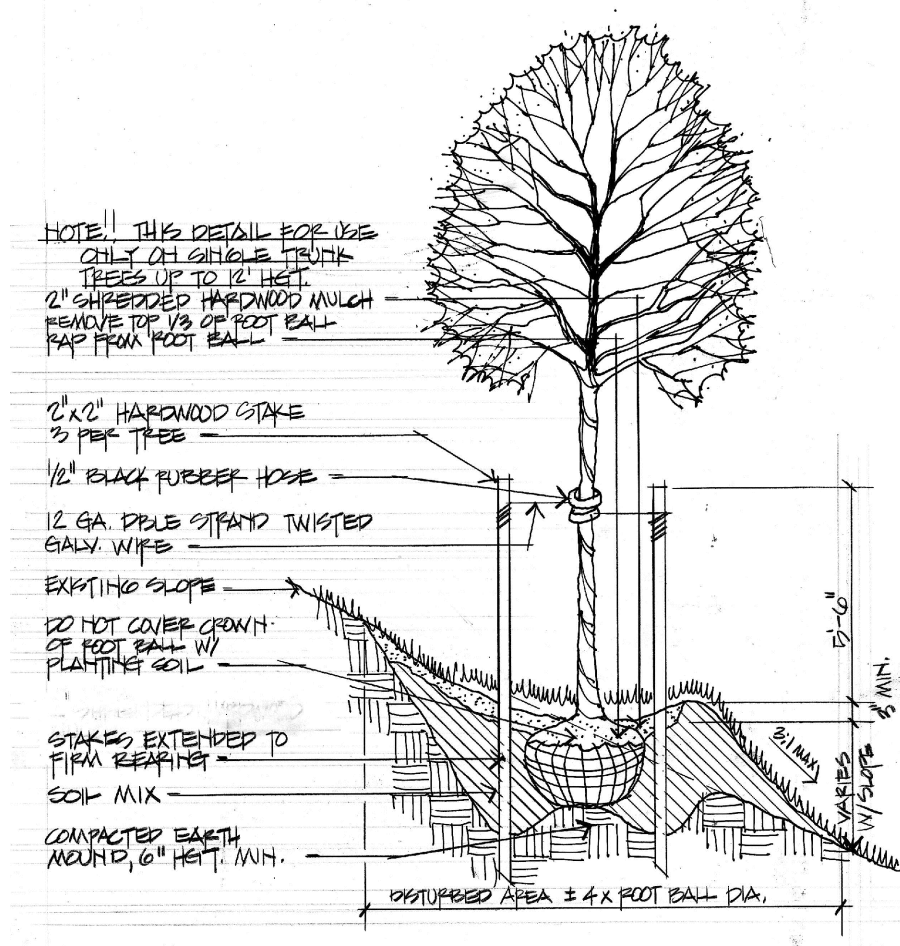
8
File Name:
19069-record-plans

DELAWARE STATE GRID (NAD 83)

LANDSCAPE SCHEDULE					
QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATION	TREE TYPE
28	#1	Acer rubrum	RED MAPLE	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
30	#2	Quercus phellos	WILLOW OAK	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
18	#3	Quercus rubra	RED OAK	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
20	#4	Ilex opaca	AMERICAN HOLLY	5' HGT. MIN.	EVERGREEN
8	#5	Picea abies	NORWAY SPRUCE	5' HGT. MIN.	EVERGREEN
5	#6	Pinus virginiana	VIRGINIA PINE	5' HGT. MIN.	EVERGREEN

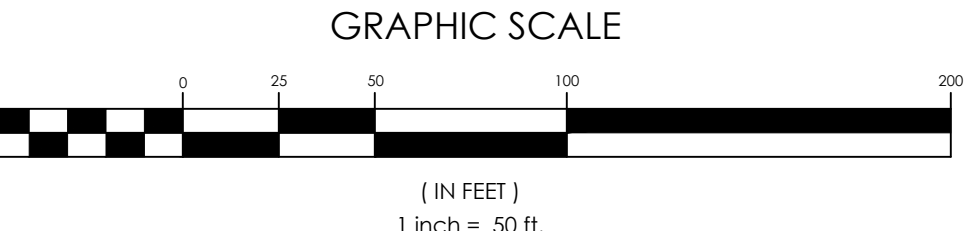
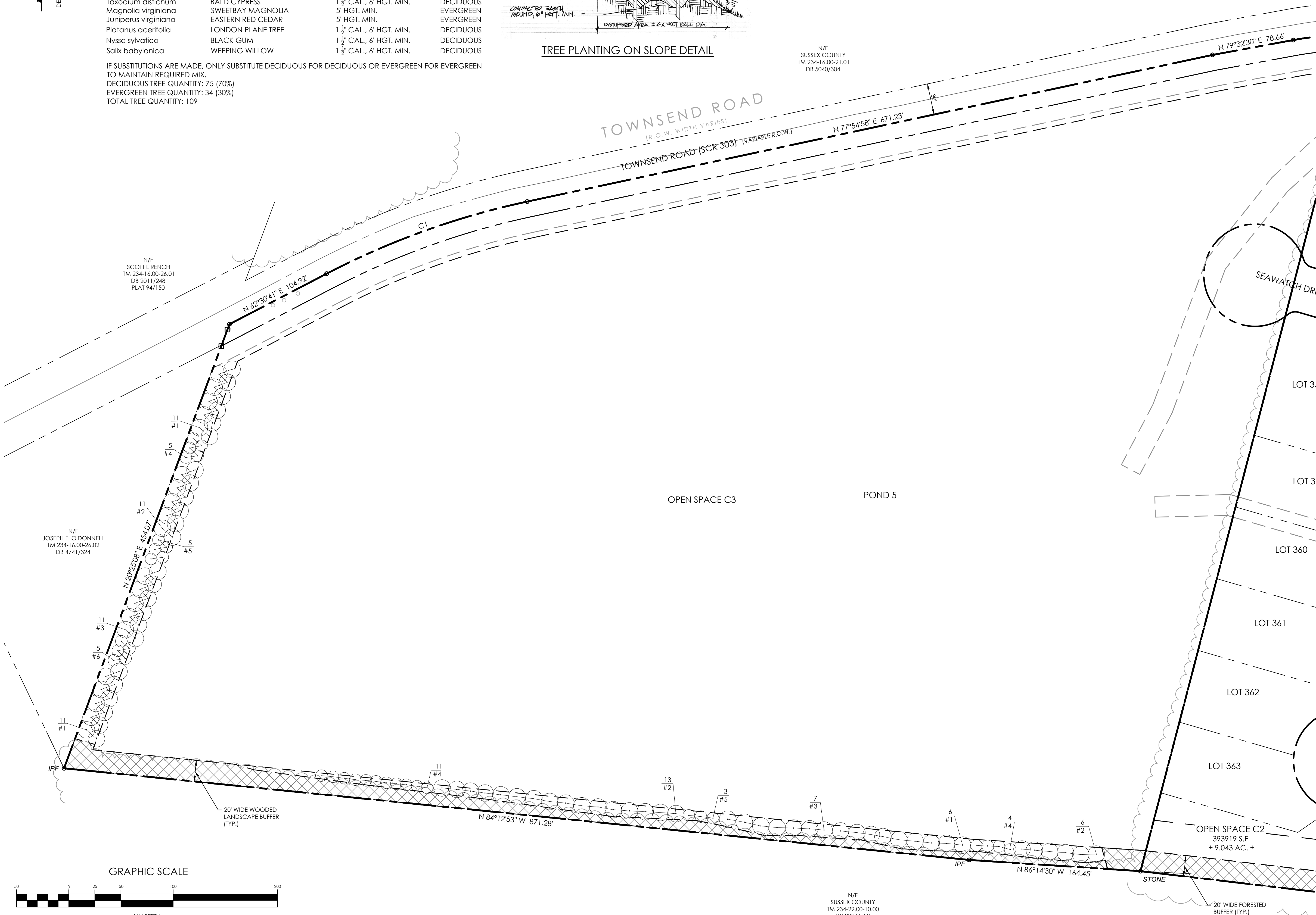
BOTANICAL NAME	COMMON NAME	SPECIFICATION	TREE TYPE
Acer saccharum	SUGAR MAPLE	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
Chamaecyparis thuyoides	ATLANTIC WHITECEDAR	5' HGT. MIN.	EVERGREEN
Crataegus viridis 'Winter King'	WINTER KING GREEN HAWTHORN	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
Liriodendron tulipifera	TULIP TREE	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
Pinus strobus	WHITE PINE	5' HGT. MIN.	EVERGREEN
Pinus taeda	LOBLOLLY PINE	5' HGT. MIN.	EVERGREEN
Quercus alba	WHITE PINE	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
Quercus coccinea	SCARLET OAK	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
Taxodium distichum	BALD CYPRESS	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
Magnolia virginiana	SWEETBAY MAGNOLIA	5' HGT. MIN.	EVERGREEN
Juniperus virginiana	EASTERN RED CEDAR	5' HGT. MIN.	EVERGREEN
Platanus acerifolia	LONDON PLANE TREE	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
Nyssa sylvatica	BLACK GUM	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS
Salix babylonica	WEeping WILLOW	1 1/2" CAL., 6' HGT. MIN.	DECIDUOUS

IF SUBSTITUTIONS ARE MADE, ONLY SUBSTITUTE DECIDUOUS FOR DECIDUOUS OR EVERGREEN FOR EVERGREEN TO MAINTAIN REQUIRED MIX.
 DECIDUOUS TREE QUANTITY: 75 (70%)
 EVERGREEN TREE QUANTITY: 34 (30%)
 TOTAL TREE QUANTITY: 109



TREE PLANTING ON SLOPE DETAIL

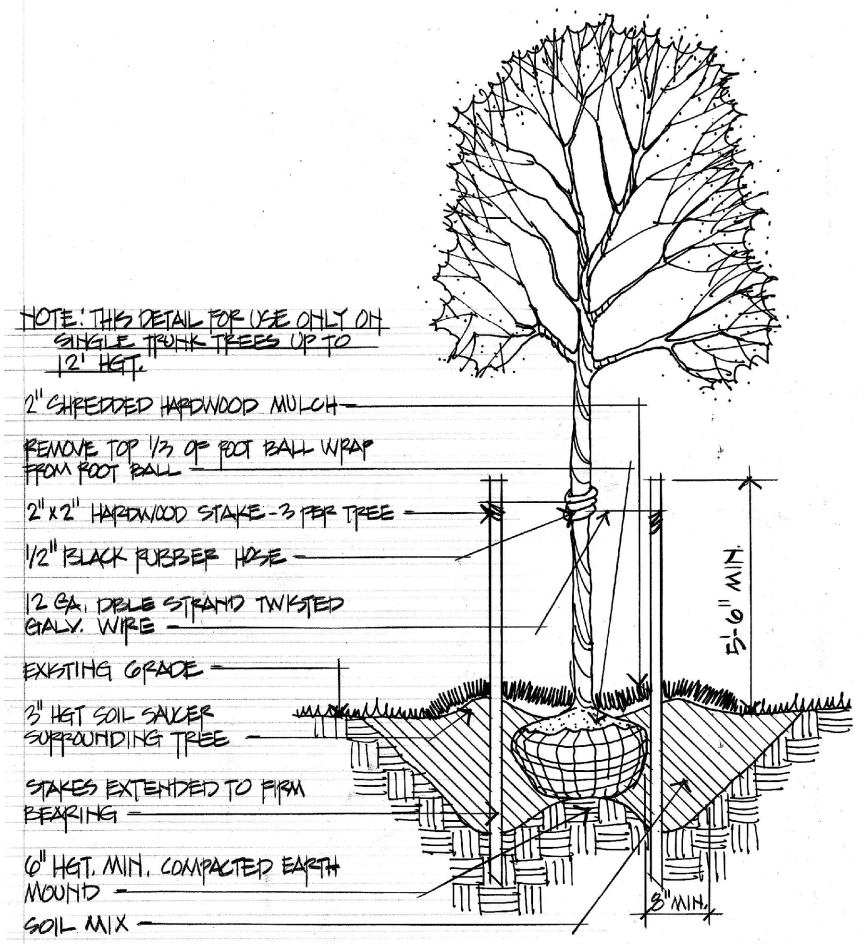
N/F
 SUSSEX COUNTY
 TM 234-16.00-21.01
 DB 5040/504



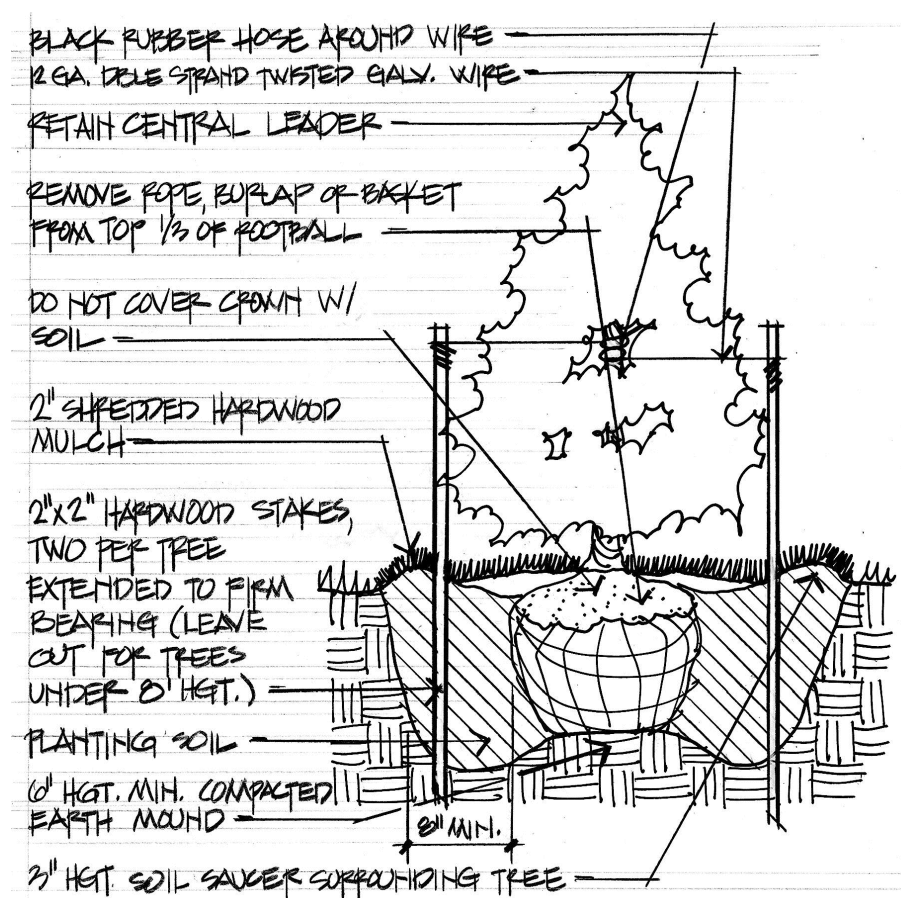
N/F
 SUSSEX COUNTY
 TM 234-22.00-10.00
 DB 3026/158

LANDSCAPE BUFFER

- NOTES:
- THE LANDSCAPE AND/OR FOREST BUFFERS SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE, AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE COMMISSION.
 - THE LAND DEVELOPER SHALL BE RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES, INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF 2 YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO A HOMEOWNER'S ASSOCIATION; PROVIDED, HOWEVER THAT THE DEVELOPER SHALL REPLACE AND TREES THAT DIE DURING THE MINIMUM 2 YEAR DEVELOPER MAINTENANCE PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO A CONDOMINIUM ASSOCIATION.
 - ADDITIONAL INFORMATION AS TO HOW THE LANDSCAPE / FORESTED BUFFERS ARE TO BE MAINTAINED IN PERPETUITY, SHALL BE INCLUDED IN THE RESTRICTIVE COVENANTS AND/OR HOMEOWNER'S ASSOCIATION DOCUMENTS.
 - PURSUANT WITH SUSSEX COUNTY CODE SECTION 99-5, THE 20' WIDE LANDSCAPE BUFFER SHOWN IN THIS PLAN MUST BE PLANTED WITH A MIX OF 70% DECIDUOUS AND 30% EVERGREEN TREES, THE MAJORITY OF WHICH SHALL BE SUITABLE TREES OF COMMON LOCAL SPECIES. EVERY 100' OF BUFFER SHALL INCLUDE A MINIMUM OF 15 TREES.
 - ALL DECIDUOUS TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AND A MINIMUM HEIGHT OF SIX FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THE TREES WILL BE CAPABLE OF OBTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.
 - ALL EVERGREEN TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF FIVE FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THEY ARE REASONABLY CAPABLE OF ATTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.
 - THE TREES SHALL BE PLANTED IN A STAGGERED NATURAL MANNER. THE PROCEDURES AND DETAILS FOR PLANTING NEW TREES SHALL BE SPECIFIED BY THE LANDSCAPE ARCHITECT ON THE PLAN SUBMITTED TO AND APPROVED BY THE COMMISSION AND SHALL INCLUDE THE REQUIREMENT THAT THE BUFFER AREA SHALL HAVE A FINAL GRADE THAT CONTAINS A MINIMUM OF FOUR INCHES OF TOPSOIL AND A SUITABLE GRASS MIX PLANTED AS SACRIFICIAL COVER BETWEEN THE BUFFER TREES FOR SOIL STABILIZATION UNTIL THE NEWLY PLANTED TREES BECOME LARGER. THE PLAN MAY SUBSTITUTE WOODCHIPS FOR PLANTED GRASS BETWEEN THE BUFFER TREES IN RESPECT TO BOTH NEWLY PLANTED AND EXISTING TREES, AS DETERMINED BY THE LANDSCAPE ARCHITECT



DECIDUOUS TREE PLANTING DETAIL



EVERGREEN TREE PLANTING DETAIL

LANDSCAPE ARCHITECT'S CERTIFICATION
 I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION.

LEE ANN SCHNAPPIER BRIDGMAN, RLA
 BRIDGMAN LANDSCAPE ARCHITECTURE, LLC

Date: 6/13/22

NO.	DATE	DESCRIPTION
1	11/8/22	REVISIONS PER AGENCY COMMENTS DATED 11/3/22
2	1/30/23	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	3/17/23	GENERAL REVISIONS

RECORD LANDSCAPE PLAN for
PELICAN POINT - PHASE 4 & 5
 INDIAN RIVER HUNDRED
 SUSSEX COUNTY, DELAWARE
 SCR 307

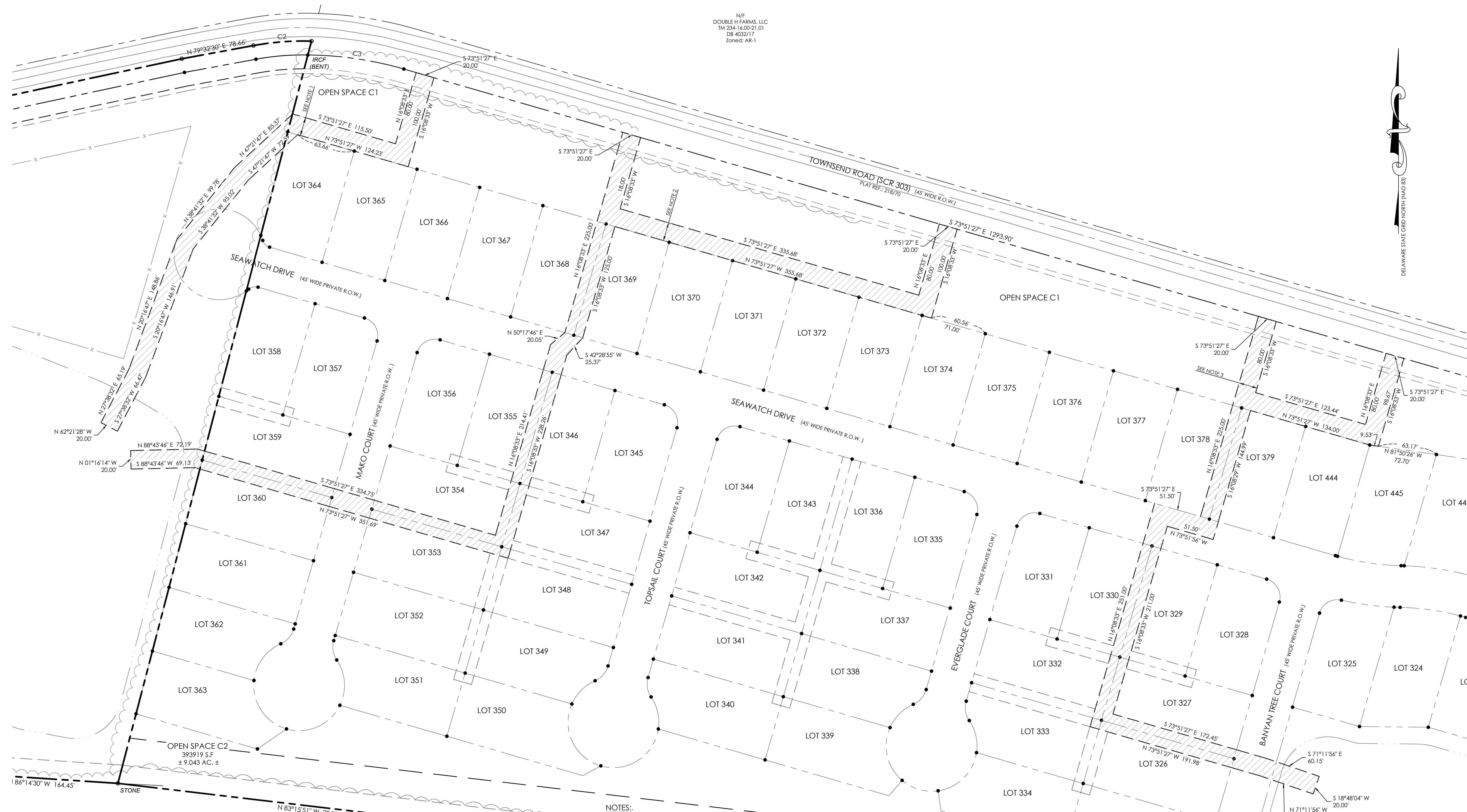
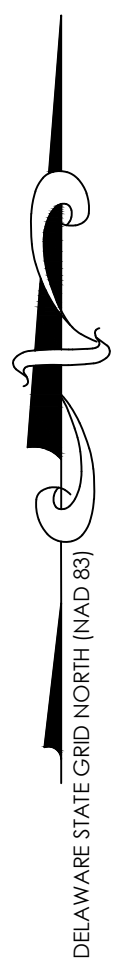
Date: 6/13/22
 Job Number: G19069
 Scale: 1"=50'
 Drawn By: JRE
 Designed By: JRE
 Approved By: SWF

Sheet No.: 9

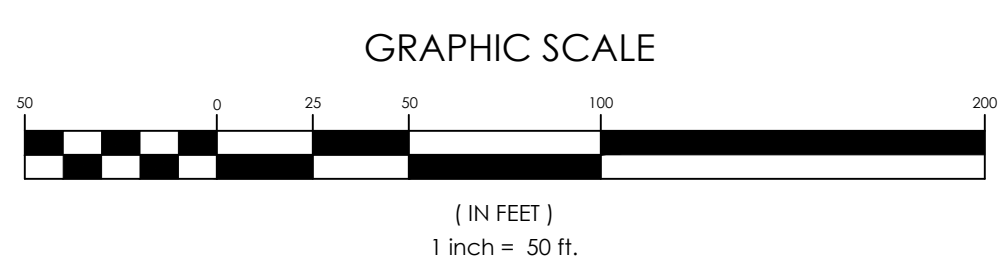
File Name: 19069-record-landscape

solutions
 LANDSCAPE ARCHITECTS
 303 North Bedford Street
 Georgetown, DE 19942
 T. 302.297.9218
 3033 Manett Hill Road
 Solisbury, MD 21804
 T. 410.572.8833
 www.solutionsperm.com Copyright © 2022

N/F
DOUBLE H FARMS, LLC
TM 234-16.00-21.01
DB 4032/17
Zoned: AR-1



- NOTES:**
1. A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 11,999.22 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.
 2. A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 26,345.80 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.
 3. A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 19,655.00 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.



solutions
LAND SURVEYING & ENGINEERING, LLC

303 North Bedford Street
Georgetown, DE 19842
T. 302-271-9215
3003 Manhill Mill Road
Salisbury, MD 21804
T. 410-572-8833
www.solutionsipem.com Copyright © 2022

REVISIONS	
NO.	DESCRIPTION
1	REVISIONS PER AGENCY COMMENTS DATED 11/13/22
2	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	GENERAL REVISIONS

DELDOT DRAINAGE EASEMENTS 1
for
PELICAN POINT - PHASE 4 & 5
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE
SCR 307

Date:	6/13/22
Job Number:	G17069
Scale:	1"=50'
Drawn By:	ML
Designed By:	JRE
Approved By:	SWF

Sheet No.: **10**
File Name: 19069-record-plans

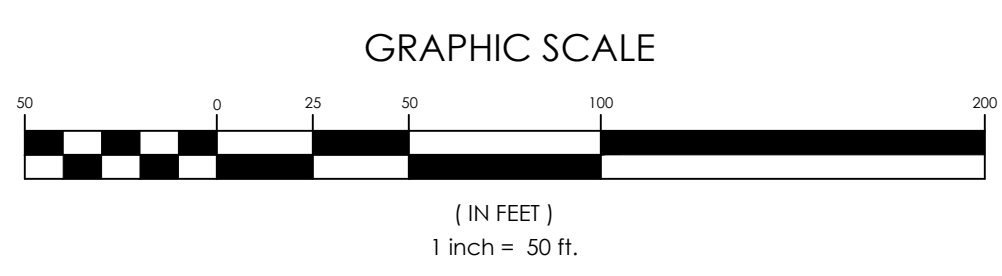
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C501	125.00'	20.94'	20.92'	N 89°07'40" E	9°33'53"

N/F
DOUBLE H FARMS, LLC
TM 234-16.00-21.01
DB 4032/17
Zoned: AR-1



NOTES:
 4. A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 8,778.30 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.
 5. A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 37,143.15 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.

DELAWARE STATE GRID NORTH (NAD 83)



REVISIONS		DESCRIPTION
NO.	DATE	DESCRIPTION
1	11/8/22	REVISIONS PER AGENCY COMMENTS DATED 11/3/22
2	1/30/23	REVISIONS PER AGENCY COMMENTS DATED 1/11/23
3	3/17/23	GENERAL REVISIONS

DELDOT DRAINAGE EASEMENTS 2
 for
PELICAN POINT - PHASE 4 & 5
 INDIAN RIVER HUNDRED
 SUSSEX COUNTY, DELAWARE
 SCR 307

Date:	6/13/22
Job Number:	C17069
Scale:	1"=50'
Drawn By:	ML
Designed By:	JRE
Approved By:	SWF



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

89 Kings Highway
Dover, DE 19901
(302) 739-9000
dnrec.delaware.gov

October 20,2022

Mr. Rob Allen
Cannon Rd Investments, LLC
5169 West Woodmill Drive, Suite 10
Wilmington, DE 19808

Ref: Pelican Point Expansion
State Wastewater Construction Permit No. WPCC 3087/22

Dear Mr. Allen:

Please find enclosed a copy of the construction permit that was issued for the referenced project.

We expect the permitted construction to be completed within the permit term. If the construction cannot be completed by the permit expiration date, a one-time, no-cost two-year permit extension is available, as long as the request is received in writing prior to the expiration date and as long as the scope of the project has not changed significantly, as determined by the Department.

Per Part II.A.2.a of the enclosed permit, notify the Department of any changes to the construction authorized therein. Per Part II.B.1, submit a set of "as-built" plans of the constructed wastewater facilities within ninety (90) days of construction completion. The as-built plans must be signed and sealed by a Professional Engineer licensed in Delaware.

If you have any questions, please contact me at (302) 739-9941 or via email at davison.mwale@delaware.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Mwale".

Dr. Davison Mwale, (PhD)
Environmental Finance

Enclosures

Email: Mr. Jim Erickson, Solutions IPEM
Ms. Katherine E. Garrison of Artesian Wastewater Management, Inc



**AUTHORIZATION TO CONSTRUCT UNDER THE
LAWS OF THE STATE OF DELAWARE**

PART I

1. **In compliance with the provisions of 7 Del. C., §6003,**

**Artesian Wastewater Management, Inc.
664 Churchmans Road
Newark, DE 19702**

and

**Cannon Road Investments, LLC.
5169 West Woodmill Drive, Suite 10
Wilmington, DE 19808**

are authorized, jointly and individually, to construct facilities consisting of the following:


Approximately, seven thousand, three hundred and sixty five linear feet of eight inch (7,365 LF of 8") gravity sewer, thirty two (32) interconnecting manholes, laterals, cleanouts, and related facilities to serve the proposed Pelican Point Expansion residential subdivision, located at the intersection of Tradewinds Drive and Pelican Point Blvd, in the Pelican Point Subdivision, Sussex County, Delaware.

The subject construction shall be in accordance with plans and specifications as described below and limitations, requirements and other conditions set forth in Parts I, II and III hereof.

2. The plans and specifications consist of the following:

Ten (10) drawings* prepared by Solutions IPEM, titled "Roadway, Storm Drain, Sewer, Water and ESC Plans for Pelican Point Phase 5", dated 06/15/2021, revised through 09/2/2022, the current Artesian Wastewater Management Standard and Specifications and a letter dated May 13, 2022, from Ms. Katherine E. Garrison of Artesian Wastewater Management, Inc., addressed to Mr. Jim Erickson of Solutions IPEM.

*Sheet Nos. 29 through 38
Sheet No. 29, titled "Sanitary Sewer Index", Sheet No. 30, titled "Sanitary Sewer Plan A", Sheet No. 31 titled "Sanitary Sewer Plan B", Sheet No. 32 titled "Sanitary Sewer Plan C", Sheet No. 33 titled "Sanitary Sewer Plan D", Sheet No. 34 titled "Sanitary Sewer Profiles 1", Sheet No. 35 titled "Sanitary Sewer Profiles 2", Sheet No. 36 titled "Sanitary Sewer Profiles 3", Sheet No. 37 titled "Sanitary Sewer Details 1", Sheet No. 38 titled "Sanitary Sewer Details 2"



Greg Pope, Engineer VI
By Agreement with Surface Water Discharges Section
Division of Water
State of Delaware Department of Natural Resources
and Environmental Control

10/20/2022

Date Signed

3. The liquid waste will be discharged through existing wastewater collection and transmission facilities to the Stonewater Creek Regional Wastewater Treatment Facility, which discharges treated wastewater, in accordance with Permit No. DE 202221-02.

A. Effluent Limitations on Pollutants Attributable to Industrial Users

The use of the constructed facility is conditioned on meeting all applicable pretreatment standards under 40 CFR, Part 403, or toxic pollutant discharge limitations under Section 307(a) of the Clean Water Act of 1977, PL 95-217.

B. Flow and Usage Limitations

This permit authorizes a daily average discharge of N/A gallons*. The flow in the system shall be measured at least every N/A.

* This permit authorizes only the construction of the wastewater collection and conveyance facilities referenced herein.

C. Monitoring and Reporting (When Required)

1. Representative sampling of the volume and nature of the monitored discharge shall be conducted at the request of the Division of Water.

2. Reporting

Monitoring results shall be reported to the:
Delaware Department of Natural Resources and Environmental Control
Division of Water, Surface Water Discharges Section
89 Kings Highway
Dover, DE 19901
302-739-9946

3. Definitions

- a. "Daily average flow" means the total flow during a calendar month divided by the number of days in the month that the facility was operating.
- b. "Daily maximum flow" means the highest total flow during any calendar day.
- c. "Daily Peak Flow" means the flow which can be safely transported within the sewage system without causing an overflow or a backup into the building(s) or residence(s).
- d. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
- e. "Measured flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.
- f. "Estimate" means a value to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump

capabilities, water meters and batch discharge volumes.

4. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The date, exact place and time of sampling or measurement;
- b. The person(s) who performed the sampling and/or measurement;
- c. The date(s) and time(s) analysis was performed;
- d. The individual(s) who performed each analysis;
- e. The analytical technique(s) or method(s) used;
- f. The results of each analysis; and
- g. Appropriate quality assurance information.

5. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, all records of instrument calibration and maintenance and all charts from continuous monitoring instruments, shall be retained for three (3) years. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Department.

6. Test Procedures

Test procedures for the analysis of pollutants shall conform to the applicable test procedures identified in 40 CFR, Part 136, unless otherwise specified in this permit.

END OF PART I

PART II

A. Management Requirements

1. Duty to Comply

The permittee must comply with the terms and conditions of this permit. Failure to do so constitutes a violation of this permit, which is grounds for enforcement and the imposition of penalties as provided in 7 Del.C., Chapter 60, grounds for permit termination or loss of authorization to discharge or operate pursuant to this permit, grounds for permit

revocation and reissuance or permit modification, or denial of a permit renewal application.

2. Notification

a. Changes in Authorized Activities

The permittee shall notify the Department of any proposed change in the activity authorized herein, of any proposed substantive change in the operation of the facility or facilities authorized herein, or of any anticipated facility expansions, production increases, or process modifications. Notification is required only when such alteration, addition or change may justify the inclusion of conditions that are absent or different from those specified in this permit. This includes, for example, the construction of additional wastewater collection, transmission or treatment facilities and changes which will result in new, different, or increased discharges of pollutants. Following such notice, the Department may require the submission of a new permit application and this permit may be reopened and modified to address the proposed changes.

b. Noncompliance

If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this permit, the permittee shall provide the Department with the following information, in writing, within five (5) days of becoming aware of such condition:

A description of the discharge and cause of noncompliance; and

The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall, at all times, maintain in good working order and operate as efficiently as possible all collection and treatment facilities and systems (and related appurtenances) installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective management, adequate operator staffing and training and adequate laboratory process controls, including appropriate quality assurance procedures.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and extent of the noncomplying discharge.

5. Bypassing

Any bypass or intentional diversion of waste streams from the facilities authorized by this permit, or any portion thereof, is prohibited, except (i) where unavoidable to prevent loss of human life, personal injury or severe property damage, or (ii) where excessive storm drainage or run-off would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the

Department, in writing, of each such diversion or bypass.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a manner such as to prevent any pollutant from such materials from entering the surface water or groundwater.

B. Responsibilities

1. Within 90 days following the completion of construction, the permittee shall submit to the Department an "as-built" set of plans of the facility or facilities constructed, bearing the seal and signature of a licensed Professional Engineer registered in the State of Delaware.

2. Right of Entry

The permittee shall allow the Secretary of the Department of Natural Resources and Environmental Control, or his authorized representative(s), upon the presentation of credentials:

- a. To enter upon the permittee's premises for inspection of any records, flow measurements, construction or other activity authorized by this permit or any condition required under the terms of this permit; and
- b. At reasonable times, to have access to and to copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and
- c. To sample any discharge.

3. Transferability

This permit is transferable with the Department's consent, provided that an intention to transfer accompanied by a copy of the permit is provided to the Department, signed by both the transferor and the transferee at least ten (10) days prior to the actual transfer.

4. Availability of Reports

All reports submitted with the application and those reports required under the terms of this permit shall be available for public inspection at the offices of the Department of Natural Resources and Environmental Control. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in 7 Del. C., §6013. Any person who causes or contributes to the discharge of a pollutant into State waters either in excess of any conditions specified in this permit or in absence of a specific permit condition shall report such an incident to the Department required under 7 Del. C. §6028.

5. Permit Modification

This permit may be modified, suspended or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any term or condition of this permit;
- b. Obtaining this permit by misrepresentation or failure to fully disclose all relevant facts;

- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized activity; or
- d. Information that the permitted activity poses a threat to human health or welfare, or to the environment.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under 7 Del. C., Chapter 60.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation.

8. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

9. Severability

The provisions of this permit are severable. If any provision of this permit is held invalid, or if the application of any provision of this permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

END OF PART II

PART III

A. Special Conditions

1. This permit authorizes only the construction of the wastewater facilities and related work referenced herein.
2. If well pointing is required during construction, the wells must be installed by a licensed well driller, and a permit to construct such wells must first be obtained from the Well Permits Branch of the Water Supply Section.
3. All construction shall be in agreement with plans and specifications submitted under this project and approved by the Department of Natural Resources and Environmental Control.
4. All construction shall be in accordance with Ten States Standards and other applicable local utility construction specifications and standards.
5. Connections or additions to the proposed system, other than those proposed on the plans, will not be allowed without prior approval from the Department.

END OF PART III



October 17, 2022

ARTESIAN WATER COMPANY, INC.

***APPROVAL TO CONSTRUCT
Artesian Northern Sussex Regional
Pelican Point Phase 5 Connection
PWS #DE0020003
Approval #22W173***

Mr. Rob Allen
Cannon Road Investments, LLC
5169 West Woodmill Drive, Suite 10
Wilmington, DE 19808

Dear Mr. Allen:

As provided by Section 2.11 of the *State of Delaware Regulations Governing Public Drinking Water Systems*, you are granted approval to connect Pelican Point Phase 5 to the existing main in accordance with the plans submitted by Solutions, IPEM. The plans consist of:

1. A transmittal letter dated October 12, 2022.
2. Three copies of the plans entitled "Pelican Point Phase 5" dated June 15, 2021 and revised September 2, 2022.

These plans, as noted, are made a part of this approval. This approval is granted subject to the enclosed list of conditions and the following addition:

- An additional valve is required. Valve interval exceeds 800 feet on Water Line F from the valve at station 6+94.3 on sheet 41 to the valve at station 20+63.44 on sheet 42.

It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction. Prior to receiving an Approval to Operate, the Office of Engineering requires one set of as-built drawings, including profile markups.

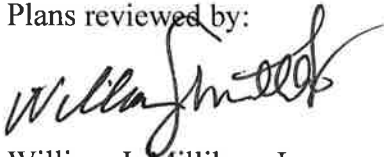
The Office of Engineering recommends detectable tracer tape that is three inches wide and blue in color to be installed directly above all water mains larger than two inches in diameter.

I am sending one set of plans with a copy of this approval to Solutions, IPEM that is signed and dated by the Office of Engineering.

Mr. Rob Allen
Cannon Road Investments, LLC
October 17, 2022
Page 2

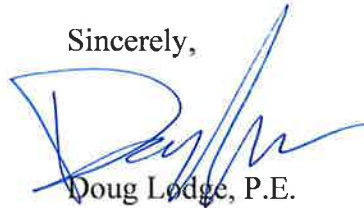
Should you have any questions regarding this matter, please feel free to contact Bill Milliken at (302) 741-8646.

Plans reviewed by:



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

Sincerely,



Doug Lodge, P.E.
Supervisor of Engineering
Office of Engineering

cc: Patrick Rohlich, EIT, Solutions, IPEM
Ben Wolf, Artesian Water Company, Inc.
Virginia Eisenbrey, Artesian Water Company, Inc.
Ashley Kunder, Office of Drinking Water

1. The approval is void if construction has not been started by October 17, 2023.
2. The project shall be constructed in accordance with the approved plans and all required conditions listed in this Approval to Construct. If any changes are necessary, revised plans shall be submitted and a supplemental approval issued prior to the start of construction. As-built plans including profile mark-ups must be submitted to the Office of Engineering after construction has been completed.
3. Representatives of the Division of Public Health may inspect this project at any time during the construction.
4. This approval does not cover the structural stability of any units or parts of this project.
5. The water system shall be operated in conformance with the *State of Delaware Regulations Governing Public Drinking Water Systems*.
6. All potable water lines and appurtenances shall be disinfected using one of the methods in the American Water Works Association Standard C651, current edition.
7. Water mains crossing sanitary and storm sewers should be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer, and the water main should be above the sewer. At crossings, one full length of water pipe should be located so both joints will be as far from the sewer as possible. Special structural support for the water and sewer pipes may be required. In cases where it is not practical to maintain an 18-inch separation, the Division may allow deviation on a case-by-case basis if supported by data from the design engineer.
8. Water mains should be laid 10 feet horizontally from any existing or proposed sanitary or storm sewers. The distance should be measured edge to edge. In cases where it is not practical to maintain a 10-foot separation, the Division may allow deviation on a case-by-case basis if supported by data from the design engineer.
9. All chemicals, materials, mechanical devices, and coatings in contact with potable water shall comply with National Sanitation Foundation/American National Standards Institute Standards (NSF/ANSI) 60 and 61 and shall be inert, nontoxic, and shall not impart any taste, odor, or color to the water.
10. Sufficient valves should be provided so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than 500-foot intervals in commercial districts and at not more than one block or 800-foot intervals in other districts.
11. There shall be no connection between the distribution system and any pipes, pumps, hydrants, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into the system.

12. Fire hydrant drains shall not be connected to or located within 10 feet of sanitary sewers, storm sewers, or storm drains.
13. Prior to usage of water from this new well, water plant, storage plant, or distribution system, approval for the water quality must be obtained from the Division of Public Health.
14. The water system should be capable of providing at least 25 psi at ground level at all times throughout the distribution system.
15. All plastic pipe utilized in this drinking water system shall be approved for potable water use (NSF-pw). If any piping is joined with solder or flux, the solder and flux shall be lead free (less than or equal to 0.2 percent lead).
16. All water lines should be buried to a depth of at least 3 feet.
17. This approval is for the distribution system only. Plans and specifications for all well plumbing, pumps, storage (including any interior coatings), and treatment must be submitted to and approved by this office prior to their installation.
18. The approval is subject to immediate revocation upon violation of any of the preceding conditions.
19. A Certificate of Public Conveniences and Necessity should be acquired from the Public Service Commission, (302) 739-4247.
20. All other local (county/city/town) approvals or permits needed must be obtained prior to beginning construction.
21. Upon completion of construction and before the system is placed into operation, a "Notice of Completion" must be submitted to the Office of Engineering. Before placing the system into operation, the following must be adhered to:
 - a. Submit a set of as-built plans with profile markups to the Office of Engineering.
 - b. Obtain an Approval to Operate from the Office of Engineering.



February 14, 2023

Mr. Rob Allen
Cannon Road Investments, LLC
delawaredevelopment1@gmail.com

RE: Pelican Point Ph. 5

Dear Mr. Allen:

A Sediment and Stormwater Management Plan has been reviewed for compliance with the Sediment and Stormwater Regulations and is approved with conditions (see attached). Enclosed herein please find a copy of the approved application form and approved plan sets. Please retain a copy for your use, and provide the contractor with a copy to be retained onsite at all times. Failure to keep an approved plan onsite is a violation of the approved plan.

Approval of a Sediment and Stormwater Plan does not grant or imply a right to discharge stormwater runoff. The owner/developer is responsible for acquiring any and all agreements, easements, etc., necessary to comply with State drainage and other applicable laws.

This plan approval pertains to compliance with the Delaware Sediment and Stormwater Regulations. Please understand that the approval of this plan does not relieve you from complying with any and all federal, state, county, or municipal laws and regulations.

As of January 1, 2014, the Sussex Conservation District began collecting financial guarantees to ensure the construction of stormwater management practices is accomplished in accordance with the approved sediment and stormwater plan. Please refer to the SCD Policy on Bonds located on our website at Sussexconservation.org. If you have any questions concerning the aforementioned, please do not hesitate to call 302 856-7219.

Sincerely,

Jessica Watson

Jessica Watson
Program Manager



CONDITIONS OF APPROVAL

NOTIFICATION

1. This approved plan will remain valid for 5 years from the date of this approval. If construction does not begin within five years, the approved plan will be considered to have expired and must be resubmitted to the District for a new review. In addition, if work is not completed within the five-year timeframe, the District must be contacted and a request for an extension submitted. Depending on regulation changes, a new plan may need to be submitted to ensure that all stormwater management facilities are constructed to the most recent standards.
2. Submittal of the Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activities together with this approval of the detailed Sediment and Stormwater Plan provide this project with Federal permit coverage to be authorized to discharge stormwater associated with construction activities. It is the owner's responsibility to ensure that permit coverage remains valid throughout construction by submitting the NOI fee annually as requested. The developer is responsible for weekly self-inspection reporting to be retained onsite.
3. Notify the Sussex Conservation District Sediment and Stormwater Management Section of your intent to begin construction in writing five (5) days prior to commencing. Failure to do so constitutes a violation of the approved plan.

CHANGES

1. This project is to be undertaken in accordance with the plans submitted and as approved. If changes are necessary at any time during the completion of the project, submit revised plans, prior to further construction, to the Sussex Conservation District Sediment and Stormwater Program for review and approval of the revision.
2. Should ownership change during the construction period, a revised plan must be submitted for approval showing the new owner's signature on the owner's certification. In addition, a Transfer of Authorization form must be submitted to DNREC to transfer Federal permit coverage to the new owner.

CONSTRUCTION AND CLOSEOUT

1. A pre-construction meeting must take place before any land disturbing activity begins. The meeting may take place on site and be attended by the owner, contractor, design consultant, Certified Construction Reviewer, and Sussex Conservation District Sediment and Stormwater Program Construction Reviewer. The owner or the owner's designee shall contact the Sussex Conservation Construction Reviewer to schedule the pre-construction meeting.
2. Keep available onsite, during all phases of construction, a copy of the approved Sediment and Stormwater Management Plan.
3. Keep available onsite, during all phases of construction, copies of the Developers weekly self-inspection reports and/or the CCR Reports.
4. Any sediment transported off-site to roads or road rights-of-way including ditches shall be removed. Any damage to ditches shall be repaired and stabilized to original condition.
5. Grading shall not impair surface drainage, create an erosion hazard, or create a source of sediment to any



adjacent watercourse or property owner.

6. Failure to implement the permanent stormwater management practices as mentioned herein constitutes a violation of the conditions of this plan approval; it may result in the suspension or revocation of building permits or grading permits issued by the local jurisdiction, and it may result in legal action by the DNREC to bring the site into compliance with the approved Sediment and Stormwater Management Plan and the Delaware Sediment and Stormwater Regulations.
7. The permanent stormwater management facility or facilities must be constructed and accepted by the Sussex Conservation District Sediment and Stormwater Program prior to final closeout of the project site. Post-construction verification documentation of the stormwater management facility or facilities must be completed as soon as construction of the facility or facilities is complete so that any necessary modifications may be made during the construction period.



FORM 1
DATE RECEIVED: <u>4/28/2022</u>
ID #: <u>6926</u>

**Notice of Intent (NOI) for Stormwater Discharges Associated With
CONSTRUCTION ACTIVITY Under a NPDES General Permit**

I. Applicant Information

Owner/Operator: Cannon Road Investments, LLC

Owner Last Name: Allen

Owner First Name: Rob MI: Prefix: Suffix:

Mailing Address 1: 5169 West Woodmill Drive

Mailing Address 2: Suite 10

City: Wilmington State: DE Zip: 19808

Telephone: (302) 999-9200 Mobile:

Email Address: delawaredevelopment1@gmail.com

II. Contact Information

Owner/Operator: Cannon Road Investments, LLC

Owner Last Name: Allen

Owner First Name: Rob MI: Prefix: Suffix:

Mailing Address 1: 5169 West Woodmill Drive

Mailing Address 2: Suite 10

City: Wilmington State: DE Zip: 19808

Telephone: (302) 999-9200 Mobile:

Email Address: delawaredevelopment1@gmail.com



Notice of Intent (NOI) for Stormwater Discharges Associated With CONSTRUCTION ACTIVITY Under a NPDES General Permit

III. Billee Information

Owner/Operator: Cannon Road Investments, LLC

Owner Last Name: Allen

Owner First Name: Rob MI: Prefix: Suffix:

Mailing Address 1: 5169 West Woodmill Drive

Mailing Address 2: Suite 10

City: Wilmington State: DE Zip: 19808

Telephone: (302) 999-9200 Mobile:

Email Address: delawaredevelopment1@gmail.com

IV. Project Information

Project Name: Pelican Point Phase 5

Project Location/Address: 21864 Surf Board Blvd

City: Millsboro State: DE Zip: 19966

County: Sussex Municipality: N/A

Does this project include a roadway improvement occurring outside of the project parcel(s) limits?
 Yes No

DelDot Approval Number:

Tax Parcel ID Number: 2-34-16.00-0021.03, 2-34-16.00-0023.01, 2-34-16.00-0021.07

Project Type: Residential

Center of Site

Latitude: 38.648026 Longitude: -75.224202

Name of Receiving Waters/Watershed: Love Creek-Rehoboth Bay

Has the Sediment & Stormwater / Stormwater Pollution Prevention Plan (SWPPP) been prepared?
 Yes
 No



Notice of Intent (NOI) for Stormwater Discharges Associated With CONSTRUCTION ACTIVITY Under a NPDES General Permit

IV. Project Information (continued)

Stormwater Management Practices Proposed: (Indicate quantity of each)

Plan Approval Agency: Sussex Conservation District

Plan Approval Number: _____

Total Land Area of Site (tenths of acres): 110.40

Estimated Area to be Disturbed (tenths of acres): 109.90

Estimated Construction Start Date: 9/1/2022

Estimated Construction Completion Date: 9/1/2025

V. Permittee Certification

NOTE: SEE INSTRUCTIONS FOR SIGNATURE REQUIREMENTS

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage this system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I certify under penalty of law that I understand the terms of and conditions of the Delaware National Pollutant Discharge Elimination System (NPDES) Special Conditions for Stormwater Discharges Associated with Construction Activities.

I certify under penalty of law that I will comply with the requirements of the current Delaware NPDES Construction General Permit.

Print Name: Allen, Rob

Signature: _____ Date: _____

PLANNING & ZONING COMMISSION

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



Sussex County

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

March 12, 2021

Mr. Jim Eriksen, P.E.
Solutions, IPEM, LLC
303 North Bedford Street
Georgetown, DE 19947

By email to: jeriksen@solutionsipem.com

Re: Notice of Decision letter for the Revised Preliminary Subdivision Plan for Pelican Point (Phases 4-5) (2019-30) for the creation of a proposed cluster subdivision to consist of a total of 219 single-family lots, private roads, open space, a dog park and passive recreation area to be located within the existing Pelican Point (2013-7) Subdivision
Tax Parcels: 234-16.00-21.03, 21.07, part of 23.00 & 1509-1697

Dear Mr. Eriksen,

At their meeting of **Thursday, March 11, 2021** the Planning & Zoning Commission **approved** the **Revised Preliminary Subdivision Plan for Pelican Point (Phases 4-5) (2019-30)** for the creation of a proposed cluster subdivision to consist of a total of 219 single-family lots, private roads, open space, a dog park and passive recreation area to be located within the existing Pelican Point (2013-7) Subdivision. The property is located in the Agricultural Residential (AR-1) Zoning District.

The Preliminary Subdivision Plan is valid for three (3) years from the date of Planning Commission decision. A Final Subdivision Plan shall be approved within three (3) years of the date of approval of the Preliminary Plan or the action of the Planning Commission shall be deemed canceled. Unless an extension is granted, approval shall be rendered null and void if substantial construction is not commenced within five (5) years of the date of recordation of the final plat.

As part of their motion, the Planning Commission acted to approve the development subject to the following conditions (which shall be clearly annotated on the Revised Preliminary and Final Subdivision Plans):

- A. There shall be no more than 219 lots within Pelican Point Phases 4 & 5.
- B. The development shall be served with water and sewer by Artesian Resources providing a central sewer system and a central water system for drinking water and fire protection, as required by applicable regulations.
- C. The applicant, its successors and/or assigns, shall submit Phases 4 and 5 to the existing restrictive covenants for Pelican Point so that these lots are part of the existing Pelican Point Property Owners Association, Inc., which shall be responsible for the maintenance of the streets, buffers, stormwater management facilities and other common areas.
- D. The stormwater management system and erosion and sediment control facilities shall meet or exceed the requirements of the State and County. The Final Site Plan shall



- contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- E. The Final Site Plan shall include a landscape plan for all of the buffer areas, showing all of the landscaping and vegetation to be included in the buffer areas.
 - F. There shall be a fenced in dog park for use by members of the Pelican Point subdivision and parking shall be provided adjacent to the dog park.
 - G. There shall be a 20-foot buffer installed along the perimeter of this subdivision. This buffer shall utilize existing forest or similar vegetation as much as possible with limited disturbance.
 - H. The development shall comply with all DelDOT entrance, intersection, roadway, and multimodal improvement requirements.
 - I. The Applicant shall use its best efforts to obtain a construction entrance for Phases 4 and 5 so that construction vehicles do not have to use the existing roads in the Pelican Point subdivision.
 - J. Street design shall meet or exceed Sussex County standards.
 - K. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
 - L. Construction, site work, and deliveries shall only occur on the site between the hours of 7:00 a.m. through 6:00 p.m., Monday through Saturday.
 - M. The Applicant shall coordinate with the local school district regarding the location of a school bus stop. The location and details of this area shall be shown on the Final Site Plan.
 - N. Phase 4 & 5 shall be served by the amenities for Pelican Point.
 - O. The Final Site Plan shall include a landscape plan for all of the buffer areas, showing all of the landscaping and vegetation to be included in the buffer areas.
 - P. As proffered by the Applicant, there shall be sidewalks on both sides of all streets and the sidewalk system shall connect with the sidewalk system in Pelican Point Phases 1-3.
 - Q. The Final Site Plan and the recorded Restrictive Covenants for this development shall include the Agricultural Use Protection Notice.
 - R. A revised Preliminary Site Plan either depicting or noting these conditions must be submitted to the Office of Planning and Zoning.
 - S. The Preliminary Site Plan and Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

The Final Subdivision Plan must comply with the County's Subdivision Code, including submission of agency approval letters to the Planning and Zoning Office. The agency approvals required for Final Subdivision Plan approval include but are not limited to: the Sussex Conservation District, Office of the State Fire Marshal, Sussex County Engineering Department, Sussex County Mapping and Addressing Department, Office of Drinking Water (Public Health), Delaware Department of Transportation (DelDOT) and copies of all updated HOA documents/restrictive covenants.

Once all agency approvals have been obtained, please submit a minimum of **one (1) full-size (24 " x 36")** and **one (1) electronic PDF copy** of a Final Subdivision Plan to the Planning and Zoning Office for consideration on the next available agenda for Planning Commission. It is recommended that **two (2) copies** of a check print are first submitted to staff for review.

Please note that a \$10.00 per lot fee will be required to be paid prior to the approval of any Final Subdivision Plan. For 219 lots, the fee is \$2,190.00.

Please feel free to contact me during business hours with any question from 8:30 AM – 4:30 PM, Monday through Friday, at 302-855-7878.

Sincerely,

A handwritten signature in black ink that reads "Lauren DeVore". The signature is written in a cursive, flowing style.

Ms. Lauren DeVore
Planner III

CC: Andy Wright, Chief Code Official – Building Code
John Ashman, Director of Utility Planning & Design – Engineering – Utility Planning
Susan Isaacs, Engineering Project Coordinator – Engineering – Public Works



FORM 1
DATE RECEIVED: <u>4/28/2022</u>
ID #: <u>6926</u>

**Notice of Intent (NOI) for Stormwater Discharges Associated With
CONSTRUCTION ACTIVITY Under a NPDES General Permit**

I. Applicant Information

Owner/Operator: Cannon Road Investments, LLC

Owner Last Name: Allen

Owner First Name: Rob MI: Prefix: Suffix:

Mailing Address 1: 5169 West Woodmill Drive

Mailing Address 2: Suite 10

City: Wilmington State: DE Zip: 19808

Telephone: (302) 999-9200 Mobile:

Email Address: delawaredevelopment1@gmail.com

II. Contact Information

Owner/Operator: Cannon Road Investments, LLC

Owner Last Name: Allen

Owner First Name: Rob MI: Prefix: Suffix:

Mailing Address 1: 5169 West Woodmill Drive

Mailing Address 2: Suite 10

City: Wilmington State: DE Zip: 19808

Telephone: (302) 999-9200 Mobile:

Email Address: delawaredevelopment1@gmail.com



Notice of Intent (NOI) for Stormwater Discharges Associated With CONSTRUCTION ACTIVITY Under a NPDES General Permit

III. Billee Information

Owner/Operator: Cannon Road Investments, LLC

Owner Last Name: Allen

Owner First Name: Rob MI: Prefix: Suffix:

Mailing Address 1: 5169 West Woodmill Drive

Mailing Address 2: Suite 10

City: Wilmington State: DE Zip: 19808

Telephone: (302) 999-9200 Mobile:

Email Address: delawaredevelopment1@gmail.com

IV. Project Information

Project Name: Pelican Point Phase 5

Project Location/Address: 21864 Surf Board Blvd

City: Millsboro State: DE Zip: 19966

County: Sussex Municipality: N/A

Does this project include a roadway improvement occurring outside of the project parcel(s) limits?
 Yes No

DelDot Approval Number:

Tax Parcel ID Number: 2-34-16.00-0021.03, 2-34-16.00-0023.01, 2-34-16.00-0021.07

Project Type: Residential

Center of Site

Latitude: 38.648026 Longitude: -75.224202

Name of Receiving Waters/Watershed: Love Creek-Rehoboth Bay

Has the Sediment & Stormwater / Stormwater Pollution Prevention Plan (SWPPP) been prepared?
 Yes
 No



Notice of Intent (NOI) for Stormwater Discharges Associated With CONSTRUCTION ACTIVITY Under a NPDES General Permit

IV. Project Information (continued)

Stormwater Management Practices Proposed: (Indicate quantity of each)

Plan Approval Agency: Sussex Conservation District

Plan Approval Number: _____

Total Land Area of Site (tenths of acres): 110.40

Estimated Area to be Disturbed (tenths of acres): 109.90

Estimated Construction Start Date: 9/1/2022

Estimated Construction Completion Date: 9/1/2025

V. Permittee Certification

NOTE: SEE INSTRUCTIONS FOR SIGNATURE REQUIREMENTS

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage this system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I certify under penalty of law that I understand the terms of and conditions of the Delaware National Pollutant Discharge Elimination System (NPDES) Special Conditions for Stormwater Discharges Associated with Construction Activities.

I certify under penalty of law that I will comply with the requirements of the current Delaware NPDES Construction General Permit.

Print Name: Allen, Rob

Signature: _____ Date: _____



OVER 100 YEARS OF SUPERIOR SERVICE

Artesian Water Company ▲ Artesian Wastewater Management ▲ Artesian Utility Development ▲ Artesian Water Pennsylvania
Artesian Water Maryland ▲ Artesian Wastewater Maryland ▲ Artesian Consulting Engineers

May 13, 2022

Mr. Jim Eriksen, P.E.
Solutions IPEM
303 North Bedford Street
Georgetown, Delaware 19947

RE: Ability to Serve and Plan Approval Letter for Pelican Point Phase 5 Subdivision

Dear Mr. Eriksen:

With reference to your request concerning water service to Pelican Point Phase 5 Project on Pelican Point Boulevard, Indian River Hundred, Sussex County, DE, please be advised as follows:

The proposed project consisting of approximately 152 single family homes is within Artesian Wastewater Management's service territory. A Certificate of Public Convenience and Necessity (CPCN) for wastewater has been granted to Artesian by the Delaware Public Service Commission for this property. The developer and Artesian Wastewater Management, Inc. shall enter into a Wastewater Service Agreement that addresses the financial terms of the provision of wastewater service in accordance with Artesian's tariff as approved by the Delaware Public Service Commission.

Based on current conditions and projections of growth within the Company's service area, Artesian is willing and able to provide the required wastewater service to this project. An anticipated construction schedule is required in order for Artesian to assess the impact of service requests upon its ability to meet projected wastewater demands.

Furthermore, we have reviewed and approved the Gravity Sewer Plans prepared by Solutions IPEM dated June 15, 2021 last revised May 11, 2022.

This letter shall expire if Agreements are not executed within one year of the date of this letter.

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

Yours very truly,

Katherine E. Garrison

Katherine E. Garrison
Senior Planning Designer



OVER 100 YEARS OF SUPERIOR SERVICE

Artesian Water Company ▲ Artesian Wastewater Management ▲ Artesian Utility Development ▲ Artesian Water Pennsylvania
Artesian Water Maryland ▲ Artesian Wastewater Maryland ▲ Artesian Consulting Engineers

October 20, 2022

Mr. Jim Eriksen, P.E.
Solutions IPEM
303 North Bedford Street
Georgetown, Delaware 19947

RE: Ability to Serve and Plan Approval Letter for Pelican Point Phase 5 Subdivision

Dear Mr. Eriksen:

With reference to your request concerning water service to Pelican Point Phase 5 Project on Pelican Point Boulevard, Indian River Hundred, Sussex County, DE, please be advised as follows:

The proposed project consisting of approximately 152 single family homes is within Artesian Water Company Inc's service territory. A Certificate of Public Convenience and Necessity (CPCN) for water has been granted to Artesian by the Delaware Public Service Commission for this property. The developer and Artesian Water Company, Inc. shall enter into a Water Service Agreement that addresses the financial terms of the provision of water service in accordance with Artesian's tariff as approved by the Delaware Public Service Commission.

Based on current conditions and projections of growth within the Company's service area, Artesian is willing and able to provide the required water service to this project. An anticipated construction schedule is required in order for Artesian to assess the impact of service requests upon its ability to meet projected water demands.

Furthermore, we have reviewed and approved the Fire Marshal and Water Plans prepared by Solutions IPEM dated June 15, 2021 last revised September 2, 2022.

This letter shall expire if Agreements are not executed within one year of the date of this letter.

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

Yours very truly,

Katherine E. Garrison

Katherine E. Garrison
Senior Planning Designer

Jim Eriksen

From: Terri Dukes <tdukes@sussexcountyde.gov>
Sent: Wednesday, January 27, 2021 12:22 PM
To: Lindsey Stubbs; Jim Eriksen
Subject: RE: Pelican Point

Jim, all of these roads names have been on reserve for Pelican Point since 2013.

Best Regards,
Terri

From: Lindsey Stubbs <lstubbs@sussexcountyde.gov>
Sent: Wednesday, January 27, 2021 8:22 AM
To: Jim Eriksen <jeriksen@solutionsipem.com>
Cc: Terri Dukes <tdukes@sussexcountyde.gov>
Subject: RE: Pelican Point

Jim,

Hi there. I no longer handle the road name approvals. My team member Terri Dukes does that now, I have cc'd her on my reply and she will reach out to you in regard to your request. If you need anything else please let me know.

Thanks,

Lindsey D. Stubbs

Cadastral Mapping Specialist

Mapping, Addressing & GIS Dept.
Sussex County Government
2 The Cir.
Georgetown, DE 19947
302-855-7827

From: Jim Eriksen <jeriksen@solutionsipem.com>
Sent: Tuesday, January 26, 2021 4:31 PM
To: Lindsey Stubbs <lstubbs@sussexcountyde.gov>
Subject: FW: Pelican Point

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

Hi Lindsey,

We are updating the preliminary plat for Pelican Point to include an expansion and are again in need of road names. Jason forwarded me some emails that show a few names that ultimately did not get used the last time we reached out to you. Can you confirm if the following names are available? We only will need 3 additional road names, but figured I would ask for them all in case some are taken.

Logger Head
Topsail
Flamingo
Black Tip Shark
Mahi Mahi
Mako
Octopus
Stargazer

Please let me know if you have any questions.

Thanks,

Jim Eriksen, PE | Principal of Engineering |

Solutions IPEM | 303 N. Bedford Street | Georgetown, DE 19947 | ph 302.297.9215 |

From: Jason Palkewicz <jpalkewicz@solutionsipem.com>
Sent: Tuesday, January 26, 2021 2:47 PM
To: Jim Eriksen <jeriksen@solutionsipem.com>
Cc: Hollis Bartkovich <hbartkovich@solutionsipem.com>
Subject: FW: Pelican Point

From: Lindsey Stubbs <lstubbs@sussexcountyde.gov>
Sent: Wednesday, April 24, 2013 9:45 AM
To: Jason Palkewicz <JPalkewicz@solutionsipem.com>
Subject: RE: Pelican Point

Jason,

Attached is the list. I will look into The Estuary and get back to you.

Thanks,

Lindsey

From: Jason Palkewicz [<mailto:JPalkewicz@solutionsipem.com>]
Sent: Wednesday, April 24, 2013 9:37 AM
To: Lindsey Stubbs
Subject: RE: Pelican Point

Lindsey,

Thanks a lot. Can you email me the list, as we don't have a fax?

Also, on a separate matter, does "The Estuary" have a list of approved names?

Thanks
Jason

From: Lindsey Stubbs [<mailto:lstubbs@sussexcountyde.gov>]
Sent: Wednesday, April 24, 2013 9:34 AM
To: Jason Palkewicz
Subject: RE: Pelican Point

Jason,

Hi there. I have reviewed the road names suggested and the following have been **denied**:

Horse Shoe Bay
Yellow Fin
Pelican Eel

The rest have been approved and put on the reserved list. Would you like me to fax you a list of approved thoroughfares?

Thanks,

Lindsey D. Stubbs

Addressing Dept.
302-855-1176 (p)
302-853-5889 (f)

From: Jason Palkewicz [<mailto:JPalkewicz@solutionsipem.com>]
Sent: Friday, April 19, 2013 2:03 PM
To: Lindsey Stubbs
Subject: Pelican Point

Lindsey,

Good afternoon. We have revised the preliminary plat of Pelican Point located on Route 5 and Townsend Road. As such there are more roads than originally approved. Can you review the below list of road names for acceptability?

Logger Head
Sea Otter
Topsail
Flamingo
Horse Shoe Bay
Barricuda
Black Tip Shark
Tarpin
Mahi Mahi
Amberjack
Yellow Fin
Mako
Giant Squid
Octopus
Stargazer

Pelican Eel

Once we get through engineering and final plat we will send cad files for the updates.

Thanks

Jason Palkewicz | PE, LEED AP | Vice President |

Solutions IPEM | 132B East Market Street | P.O. Box 416 | Georgetown, DE 19947 | ph
302.297.9215 |

ENGINEERING DEPARTMENT

JOHN J. ASHMAN
SR. MANAGER OF UTILITY PLANNING
& DESIGN REVIEW

(302) 855-7370 T
(302) 854-5391 F
jashman@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

March 01, 2023

Mr. Jim Eriksen, P.E.
Solutions, IPEM
303 N. Bedford Street
Georgetown, DE 19947

REF: **PELICAN POINT - REVISED PHASE 5 (PLAN REVIEW)**
SUBDIVISION NO. 2019-30
SUSSEX COUNTY TAX MAP NUMBER
234-16.00-PARCEL 21.03
AGREEMENT NO. 893 - 14

Dear Mr. Eriksen:

The above referenced project was approved on March 1, 2023, and two (2) sets of the approved plan is enclosed. This approval is valid for three (3) years, unless prior to expiration of that three (3) year period, a time extension is requested and approved by the Department. Plans granted an extension beyond the three (3) period will be required to meet updated standards and specifications.

Also, it is your responsibility to secure approvals and/or permits that may be required by other regulatory agencies.

Please contact Mrs. Susan Isaacs of this Utility Construction Division to initiate pre-construction procedures for private roads.

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

Sincerely,

SUSSEX COUNTY ENGINEERING DEPARTMENT

Jordan T. Dickerson
Public Works Technician IV

cc: Public Works Field File, w/enclosure





**OFFICE OF THE STATE FIRE MARSHAL
Technical Services**

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2022-04-212118-MJS-02

Tax Parcel Number: 234-16.00-21.05

Status: Approved as Submitted

Date: 11/17/2022

Project

Pelican Point

Pelican Point Property - Millsboro
Phase #: 5

Pelican Point Boulevard Cannon Road
Millsboro DE 19966

Scope of Project

Number of Stories:

Square Footage:

Construction Class:

Fire District: 80 - Indian River Volunteer Fire Co.,
Inc.

Occupant Load Inside:

Occupancy Code:

Applicant

Jim Eriksen
303 North Bedford Street
Georgetown, DE 19947

This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

A final inspection is required.

This Plan Review Project was prepared by:

Jefferson Cerri
Fire Protection Specialist II

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2022-04-212118-MJS-02

Tax Parcel Number: 234-16.00-21.05

Status: Approved as Submitted

Date: 11/17/2022

PROJECT COMMENTS

- 1002 A** This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
- 1030 A** This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 500 gpm @ 20 psi residual for 1 hour duration. Hydrant Spacing: 800' on center.
- 1180 A** This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
- 1032 A** Additional hydrants and/or relocation of proposed hydrants are required for this project (DSFPR Reg 702 Chapter 6). Contact this Agency for location information.
- 1132 A** Fire hydrants shall be color coded in accordance with the DSFPR, Reg 703, Chap 3. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange.
- 1232 A** All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located. DSFPR Reg 703, Chap 1
- 1332 A** The distance between a fire hydrant and the nearest edge of the street shall not be greater than ten feet (10') unless an alternate distance is approved by the State Fire Marshal. DSFPR Reg 705, Chap 6, Section 2.6

1432 A The steamer connection of all fire hydrants shall be so positioned so as to be facing the street or fire lane. (DSFPR Regulation 705, Chapter 5, Section 10). The center of all hose outlet(s) on fire hydrants shall be not less than 18 inches above finalgrade (NFPA 24)

1501 A If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.



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

NICOLE MAJESKI
SECRETARY

June 16, 2023

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

**SUBJECT: Letter of No Objection to Recordation
Pelican Point – Phase 4 & 5**

Tax Parcel #: 234-16.00-19.07, 21.03, 23.01, 1524-1526, 1528, 1539, 1542-1546,
1548-1555, & 1558-1649
Townsend Road (SCR 303)
Cannon Road (SCR 307)
Indian River Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Site Plan, dated June 13, 2022 (signed and sealed January 5, 2023), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawings. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Site Plan is not recorded prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. Entrance plans shall be developed in accordance with DelDOT's [Development Coordination Manual](#) and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of

Pelican Point – Phase 4 & 5
Mr. Jamie Whitehouse
Page 2
June 16, 2023

any project rests with the local government in which the land use decisions are authorized. There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

If I can be of any further assistance, please call me at (302) 760-2266.

Very truly yours,



Wendy L. Polasko, P.E.
Subdivision Engineer
Development Coordination

cc: Robert P. Allen, Jr., Pelican Landing – Route 24, LLC
Jason Palkewicz, Solutions IPEM
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
Richard Larkin, South District Subdivision Manager
Jennifer Pinkerton, Chief Materials & Research Engineer
Linda Osiecki, Pedestrian Coordinator
John Fiori, Bicycle Coordinator
Sean Humphrey, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Jared Kauffman, DTC Planner
Shiny Mathew, JMT
Kevin Hickman, Sussex County Review Coordinator
Brian Yates, Sussex County Reviewer

ENGINEERING DEPARTMENT

JOHN J. ASHMAN
SR. MANAGER OF UTILITY PLANNING
& DESIGN REVIEW

(302) 855-7370 T
(302) 854-5391 F
jashman@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

November 21, 2022

Solutions IPEM
303 N. Bedford St.
Georgetown, DE 19947

RE: Pelican Point - Revised Phase 5 (Plan Review)
North Coastal Planning Area
Sussex County Tax Map Number 234-16.00- 21.03
Agreement No. 893 - 14

Mr. Jim Eriksen, P.E.

The Sussex County Engineering Department has concluded its final review of agreement number 893-14.

For FINAL approval please provide the following:

- Four (4) sets of 24" x 36"
- One soft copy set. Include all scanned signatures. Provide this in PDF format.
- All sheets signed and sealed by the Engineer or Consultant.
- Cover sheet complete with all required signatures.

After approval, one set of County approved plans will be returned for your files.

If the plans are not received within one (1) year of the date of this letter, a new review process and review fee will be required.

If you have questions, my direct number is listed below.

Sincerely,

Ken Briggs
Sussex County Engineering
302-855-7820

PLANNING & ZONING COMMISSION

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



Sussex County

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

January 11, 2023

Mr. Jim Eriksen, P.E.
Principal of Engineering
Solutions IPem, LLC
303 North Bedford Street
Georgetown, DE 19947

By email to: jeriksen@solutionsipem.com

RE: Staff Review of the Final Subdivision Plan for Pelican Point (Phases 4-5) (2019-30) for the creation of a proposed cluster subdivision to consist of a total of 219 single-family lots, private roads, open space, a dog park and passive recreation area to be located within the existing Pelican Point (2013-07) Subdivision

Tax Parcels: 234-16.00-21.03, 21.07, 23.01, 1524-1526, 1528, 1539, 1542-1546, 1548-1555, 1558-1649 & p/o 19.07

Dear Mr. Eriksen,

Further to your submission of January 6th, 2023, Planning and Zoning Department has reviewed the Final Subdivision Plan for Pelican Point (Phases 4-5) (2019-30) for the creation of a proposed cluster subdivision to consist of a total of two-hundred and nineteen (219) single-family lots, private roads, open space, a dog park and passive recreation area to be located within the existing Pelican Point (2013-07) Subdivision. The properties are lying on the south and east sides of Townsend Road (S.C.R. 303), approximately 750-ft. south of Harmons Hill Road (S.C.R. 302) and accessed off of Pelican Point Boulevard, approximately 380-ft west of Cannon Road (S.C.R. 307). The subject properties also have a Future Land Use Map designation of "Low Density Area" per Sussex County's 2019 Comprehensive Plan Update. The subject property is not located within the Henlopen Transportation Improvement District (TID).

Please note that the Superior Design Ordinance (Ordinance No. 2764) was adopted 2/2/21, which was after the Application was filed with the Department of Planning and Zoning (12/5/19). Therefore, the Superior Design Criteria are not a requirement of this subdivision. However, it should be mentioned that while not a requirement of this subdivision, the provision of elements which contribute to a subdivision design which is superior are strongly encouraged.

Staff have reviewed the submitted subdivision plan for compliance with the Zoning Code, Subdivision Code, and all Conditions of Approval. Staff have the following comments for your consideration with regard to the Final Subdivision Plan:



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

Compliance w/Conditions of Approval

1. Please verify on the Plans that with the proposed amended lots and originally approved lots which are to remain unchanged that the total number of Lots for Phases 4-5 is not in excess of the 219 Lots permitted under Condition of Approval "A." The total number of lots proposed appears to equal 98 lots, which does not exceed this number, but staff wish to verify this total in light of the existing approved lots which are not changing for this proposal.
2. Please ensure that Phases 4 and 5 are submitted into the restrictive covenants for Pelican Point so that these lots are part of the existing Pelican Point Property Owners Association, Inc. which shall be responsible for the maintenance of the streets, buffers, stormwater management facilities and other common areas per Condition "C" of the Conditions of Approval.
3. Please ensure that the Final Subdivision Plan includes a Landscape Plan for all of the buffer areas. Staff note that a Landscape Plan which shows the nature, species and location of all plantings to be provided has been included with the submittal. However, please ensure that the Plans provide a clarity and a clear distinction between those areas which are to be planted and those that are to consist of existing vegetation. It is requested that any areas of existing vegetation to be preserved for the 20-ft landscape buffer include hatching and relevant text annotation and that this hatching is also included within the Legend on the Plans.
4. Condition "F" of the Conditions of Approval requires that a dog park is included on the Plans for use of members of the Pelican Point Subdivision. It is noted that a placeholder showing the general location of a fence has been shown on the Plans. However, no parking has been provided/included on the Plans. Please show the location and nature of any parking to be provided on the Plans.
5. Condition "G" requires a 20-ft buffer to be installed along the perimeter of the Subdivision. The buffer appears to be included on the Plans. Please also include the Limit of Disturbance (LOD) line on the Plans.
6. Condition "I" requires a construction entrance for Phases 4 and 5, so that construction vehicles do not have to use the existing roads in the Pelican Point Subdivision. Please show the location of this entrance on the Plans and include text for further clarification.
7. Please ensure that the Subdivision Name and all proposed street names for this Phase are approved by the Geographic Information Office (formerly known as the Sussex County Mapping and Addressing Department) to accord with Condition "K" of the Conditions of Approval.
8. Please coordinate with the local school district regarding the provision of a bus stop/shelter within the Subdivision in order to comply with Condition "M." The school district will determine if further provisions are necessary given the expansion of the Subdivision, or whether existing infrastructure/provisions are sufficient.

9. **Please ensure that the Landscape Plan to be submitted with the Final Subdivision Plan shows all landscaping and vegetation to be included in the buffer areas per Condition “O” of the Conditions of Approval.**
10. **Please ensure that the Restrictive Covenants for this development include the Agricultural Use Protection Notice. Staff note that the Notice has been included on the Plans, which complies with Condition “Q” of the Conditions of Approval.**
11. Staff note that the development is to be served by Artesian Resources through a central sewer and a central water system per Condition “B” of the Conditions of Approval.
12. Staff note that the Final Subdivision Plan features a panel for the approval of the Sussex Conservation District for the design and implementation of all stormwater management, grading work and erosion and sedimentation control facilities, which accords with Condition “D” of the Conditions of Approval.
13. Staff note that sidewalks are proposed and have been included on both sides of all streets within the subdivision and connect with the sidewalk system in Pelican Point Phases 1-3 as required under Condition “P” of the Conditions of Approval.
14. Staff note that the Revised Preliminary Subdivision Plan includes the Conditions of approval as required under Condition “R” of the Conditions of Approval.

Final Subdivision Plan

1. **Please clarify how many lots of the 219 Lots permitted are proposed and how many were previously approved and are to be reconfigured. Please include a breakdown of this information within the Site Data Column which carefully distinguishes from this new proposed Phase 4-5 and the previously approved Phases 4-5. If the Applicant could provide a separate Plan sheet which reflects the changes between the previously approved proposal for Phases 4-5 (2013-7) and the current proposal, this would be appreciated. Doing so would provide further clarification to staff and the Commission with regard to the changes 2019-30 has made to 2013-7.**
2. **Please include on the Cover Sheet within the Site Data Column that Parcel 21.07 is also included within this proposal/Phase of the Subdivision.**
3. **Please note on the plans that Tax Parcel ID 234-22.00-10.00 appears to be actively farmed. Please show a 50-ft buffer from the adjacent agricultural lands and add corresponding annotation on the plans. 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 (§99-6(G)(2)).**
4. **Please include a Sheet reflecting Existing Site Conditions within the Plan set (§99-22(B)).**
5. **Please include a Grading Plan for the site with the Final Subdivision Plan submittal.**

6. **Please include on the Plans, a space for the signature of the Chairman of the Secretary of the Commission. Staff notes that a signature line for the President of the Sussex County Council has been supplied (§99-26(A)(13)).**
7. **Please include on the Plans, an owner's statement of dedication of streets and other public ways for dedication to public use or an owner's statement providing perpetual maintenance of private streets and other common areas (§99-26(A)(15)).**
8. **Please include the locations, bearings, dimensions and area of any land set aside for forested buffer strips, if required (§99-26(A)(16)).**
9. Please ensure that no stormwater management ponds encroach within the required 20-ft Landscape Buffer. The only exception to this requirement is that a stormwater management outfall is permitted to be placed in these areas to drain surface or stormwater outside the perimeter of the subdivision (§99-5(I)).
10. Please include the Agricultural Protection Notice in any restrictive covenants for this Phase of the Subdivision. The owner of the development shall provide in the deed restrictions and any leases or agreements of sale for any residential lot or dwelling unit the following notice: "This property is located in the vicinity of land used primarily for agricultural purposes on which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals and nighttime 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" (§99-6(G)(1)).
11. Please include the locations, dimensions and purposes of all crosswalkways, easements and other public ways (§99-26(A)(10)).
12. Please include on the plans any property offered to be reserved by deed covenant for the common use of property owners in the subdivision (§99-26(A)(11)). This area shall include the proposed dog park and related parking area.
13. Please add to the plans a breakdown of the organization having jurisdiction over the wetlands present on the property (ie: Army Corps of Engineers or Delaware Department of Natural Resources and Environmental Control (DNREC) or specify whether the wetlands are ephemeral in nature and therefore non-jurisdictional), the type of wetlands (tidal or non-tidal) and the acreage of wetlands by type (§99-26(A)(17)). The Plans do note that there are 0 acres of non-tidal wetlands on the Site but remain silent as to the presence of tidal wetlands.
14. Please add to the plans the percentage of impervious cover area to be proposed (§99-26(A)(19)).
15. Please ensure that the plat contains the seal and signature of the surveyor, which shall serve as the surveyors certification that the final plat, as shown, is a correct representation of the survey as made, that all monuments indicated thereon exist and are correctly shown and that the plat complies with all requirements of this chapter and other applicable laws and regulations (§99-26(B)).

16. Please include on the plans a summary of deed restrictions application within the subdivision, including agreements for the operation and maintenance by the property owners or agency in the subdivision of street and road improvements, surface drainage facilities, erosion and sedimentation control facilities, water supply facilities, sanitary sewer facilities, forested buffer strips, all areas approved as open space as defined in §99-5 and other improvements deemed necessary by the Commission (§99-27(A)).
17. Please provide evidence on the Final Subdivision Plan that all conditions related to the preliminary plat approval have been satisfied (§99-27(B)).
18. Please include the size and location of all stormwater management ponds on the plans.
19. Please include a General Note which indicates that any signage to be proposed is subject to a separate Application and permit to be issued by the County.
20. Please show the location of all proposed street lighting on the plans. Please also include a General Note that all lighting to be provided shall be downward screened to minimize glare on adjacent residential properties or traffic traveling on Townsend Road.
21. Please include a General Note which clarifies that this proposal is not located within the Henlopen Transportation Improvement District (TID).
22. 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 **bold** still require submittal to the Department and all items in which a check mark ✓ appear have been submitted to and received by the Department):
 - a. **Office of the State Fire Marshal**
 - b. **Delaware Department of Transportation**
 - i. **Letter of No Objection (LONO)**
 - ii. **Entrance Permit**
 - c. **Sussex County Engineering Department**
 - d. **Sussex Conservation District**
 - e. **Delaware Department of Public Health – Office of Drinking Water**
 - f. **Geographic Information Office (Formerly known as the Sussex County Mapping and Addressing Department.)**
 - i. **Approval for proposed Subdivision Name.**
 - ii. **Approval for proposed street names.**
 - g. **Approval from the local school district in relation to any bus stop provisions.**
 - h. **Copies of all draft or final HOA documents for the file.**
 - i. **Please note that to comply with Conditions “C” and “Q” of the Conditions of Approval that the Declaration of Restrictions/Restrictive Covenants/HOA Documents include this new Phase for Phases 4 and 5 and also include the Agricultural Use Protection Notice and corresponding language previously outlined.**

Staff encourage the use of the following elements within the proposed Final Subdivision Plan where practicable:

- **Provision of a bike rack adjacent to or near the front of any existing or proposed amenities areas to encourage multimodal travel within the Subdivision.**
- **Provision of an electric vehicle charging station near the parking areas in front of any existing or amenities. If there is an existing clubhouse, this would be a suitable location for this station. If no room presently exists within this location, these could be provided in the parking area for the proposed dog park. The Delaware Department of Natural Resources and Environmental Control provides an Electric Vehicle Charging Equipment Rebate Program for public areas. The rebate amounts are \$3,500 for single port and \$7,000 for dual port. Please contact DNREC's Division of Climate, Coastal and Energy for further information if interested (302)735-3480.**
- **Provision of further aesthetic improvements such as Complete Streets which foster a shared sense of place and community to include items such as walking trails, pocket parks, fountains, further outdoor seating, pavilions, pergolas, gardens, or communal gathering areas.**

Please also note that a per lot fee of \$10.00 per lot is required to be paid prior to approval of any Final Subdivision Plan. For 219 lots, the fee is \$2,190.00. It should be further noted that if only 98 new lots are to be added, the required per lot fee would then be \$980.00.

Please note that the Final Subdivision Plan, once approved by the Commission and stamped by staff, must be recorded with the Recorder of Deeds Office within a period of 60 days after the Final Subdivision Plans have been approved.

Once all required agency approvals have been submitted, please submit **two (2) full sized (24" x 36") copies** of a **Final Subdivision Plan** which address the matters listed above for scheduling at a future meeting of the Planning and Zoning Commission as an item of "Other Business" **10 days prior** to the meeting you wish for your project to be scheduled at. If you wish for your project to be considered at the **Thursday, January 26th, 2023**, Planning and Zoning Commission Meeting, please submit all items no later than close of business on **Tuesday, January 17th, 2023 (as the County will be closed on Monday, January 16th, 2023, in observance of Martin Luther King Jr. Day).**

Please feel free to contact me with any questions during business hours 8:30 AM – 4:30 PM, Monday through Friday, at 302-855-7878.

Sincerely,



Ms. Lauren DeVore, AICP
Planner III

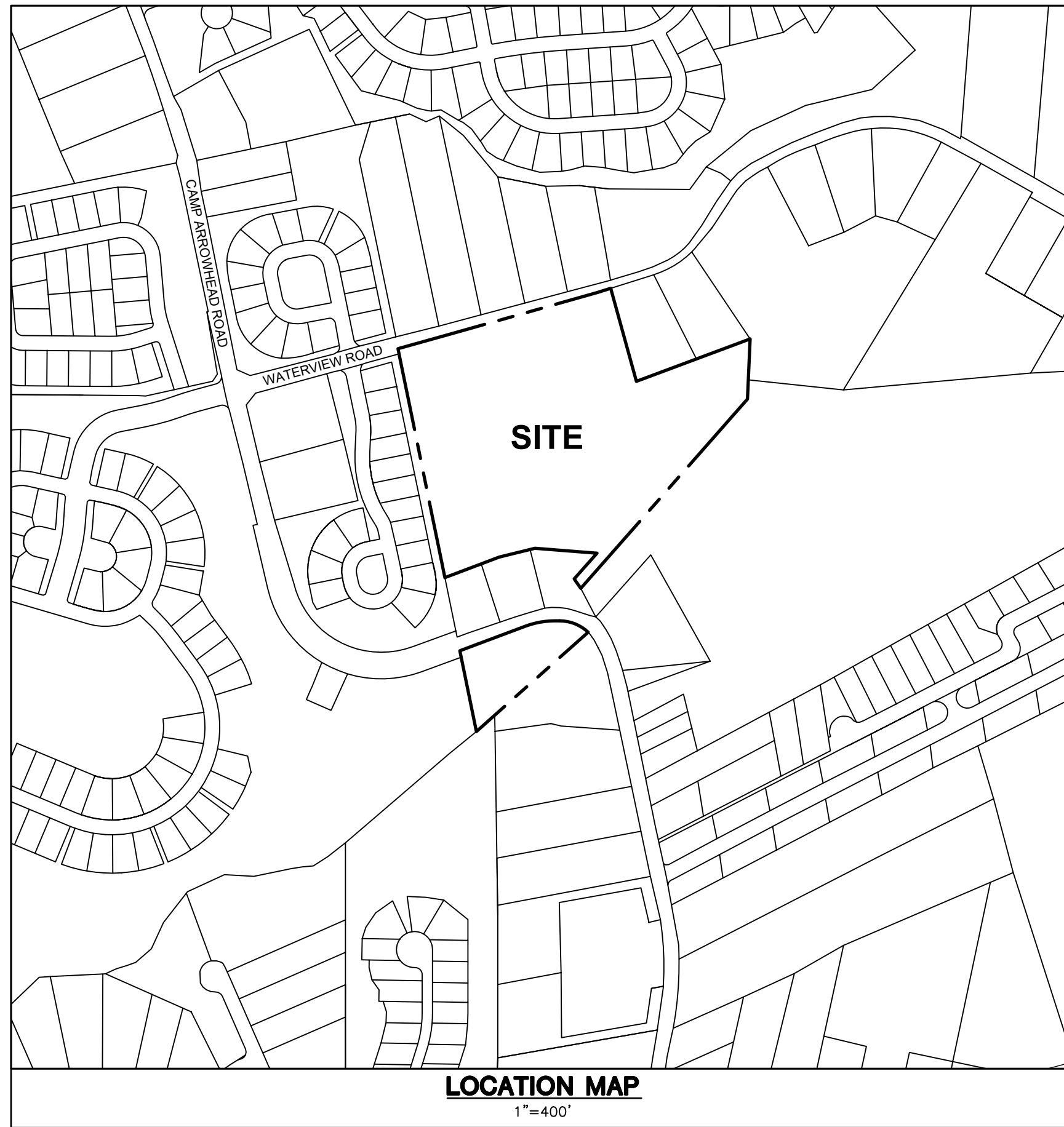
SUNCREST

(FKA MARSH HOMESTEAD)

INDIAN RIVER HUNDRED

SUSSEX COUNTY, DELAWARE

MAJOR CLUSTER SUBDIVISION
RECORD PLAN
COUNTY PROJECT #2021-34
PLUS # 2022-06-01
APRIL, 2023
DBF # 4056B001



CONDITIONS OF APPROVAL:

AT THEIR MEETING ON THURSDAY, JANUARY 12TH, 2023, THE PLANNING & ZONING COMMISSION APPROVED THE PRELIMINARY SUBDIVISION PLAN FOR SUNCREST (2021-34) FOR THE ESTABLISHMENT OF A CLUSTER SUBDIVISION TO CONSIST OF 36 SINGLE-FAMILY LOTS TO BE LOCATED ON THE SOUTH SIDE OF WATERVIEW ROAD (S.C.R. 279A), APPROXIMATELY 0.19 MILE EAST OF THE INTERSECTIONS OF CAMP ARROWHEAD ROAD (S.C.R. 279) AND WATERVIEW ROAD (S.C.R. 279A). THE PROPERTY LIES WITHIN THE COASTAL AREA PER SUSSEX COUNTY'S 2018 COMPREHENSIVE PLAN. THE PARCEL IS ALSO LOCATED WITHIN THE HENLOPEN TRANSPORTATION IMPROVEMENT DISTRICT (TID). THE PARCEL IS ZONED AGRICULTURAL RESIDENTIAL (AR-1) ZONING DISTRICT. AS PART OF THEIR MOTION, THE PLANNING COMMISSION ACTED TO APPROVE THE SUBDIVISION SUBJECT TO THE FOLLOWING CONDITIONS (WHICH SHALL BE CLEARLY ANNOTATED ON THE REVISED PRELIMINARY AND FINAL SITE PLANS):

- THERE SHALL BE NO MORE THAN 36 LOTS WITHIN THE SUBDIVISION.
- THE FINAL SITE PLAN SHALL CONFIRM THAT APPROXIMATELY 43% OF THE SITE REMAINS AS OPEN SPACE.
- THE DEVELOPER SHALL ESTABLISH A HOMEOWNER'S ASSOCIATION RESPONSIBLE FOR THE MAINTENANCE OF STREETS, ROADS, BUFFERS, STORM WATER MANAGEMENT FACILITIES, AND OTHER COMMON AREAS.
- THE STORM WATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED REQUIREMENTS OF THE STATE AND COUNTY. THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORM WATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
- THERE SHALL BE A VEGETATED OR FORESTED BUFFER THAT IS AT LEAST 30 FEET WIDE INSTALLED ALONG THE PERIMETER OF THIS SUBDIVISION ADJACENT TO LANDS OF OTHER OWNERSHIP. THE VEGETATION IN THIS BUFFER SHALL COMPLY WITH THE PLANTING AND SPACING REQUIREMENTS OF SECTION 99-5 OF THE SUBDIVISION CODE.
- THE LAND AREA THAT IS SEPARATED FROM THE REMAINDER OF THIS PROPERTY AND LOCATED ON THE SOUTH SIDE OF CAMP ARROWHEAD ROAD SHALL REMAIN IN ITS UNDISTURBED STATE AS OPEN SPACE.
- THE DEVELOPMENT SHALL COMPLY WITH ALL DELDOT ENTRANCE AND ROADWAY IMPROVEMENT REQUIREMENTS.
- SIDEWALKS SHALL BE INSTALLED ON ALL INTERNAL STREETS WITH A CONNECTION TO THE DELDOT MULTI-MODAL PATH. A SYSTEM OF DOWNWARD SCREENED STREET LIGHTING SHALL ALSO BE PROVIDED.
- AMENITIES INCLUDING BOCCIE BALL COURTS, A PICKLE BALL COURT, A PAVILION, A FIRE PIT, AND WALKING PATH SHALL BE CONSTRUCTED AND OPEN TO USE BY RESIDENTS OF THIS DEVELOPMENT ON OR BEFORE THE ISSUANCE OF THE 30TH RESIDENTIAL BUILDING PERMIT. THE FINAL SITE PLAN SHALL CONTAIN DETAILS AS TO THE SIZE AND LOCATION OF THESE AMENITIES.
- THE SUBDIVISION SHALL BE SERVED BY PUBLICLY REGULATED CENTRAL WATER SYSTEM PROVIDING DRINKING WATER AND FIRE PROTECTION.
- STREET DESIGN SHALL MEET OR EXCEED SUSSEX COUNTY STANDARDS.
- ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
- CONSTRUCTION SITE WORK AND DELIVERIES SHALL ONLY OCCUR ON THE SITE BETWEEN THE HOURS OF 7:00AM THROUGH 5:00PM, MONDAY THROUGH FRIDAY AND 8:00AM THROUGH 2:00PM ON SATURDAY. NO SUNDAY HOURS SHALL BE PERMITTED. A 24-INCH BY 36-INCH "NOTICE" SIGN CONFIRMING THESE HOURS IN ENGLISH AND SPANISH SHALL BE PROMINENTLY DISPLAYED AT THE SITE ENTRANCE DURING CONSTRUCTION.
- THE APPLICANT SHALL COORDINATE WITH THE LOCAL SCHOOL DISTRICT REGARDING THE LOCATION OF A SCHOOL BUS STOP WITHIN THE SUBDIVISION. IF REQUIRED BY THE SCHOOL DISTRICT, THE LOCATION OF THE BUS STOP AREA SHALL BE SHOWN ON THE FINAL SITE PLAN.
- THE FINAL SITE PLAN SHALL INCLUDE A LANDSCAPING PLAN DEPICTING ALL LANDSCAPING TO BE PROVIDED OR PRESERVED IN ALL OF THE BUFFER AREAS.
- THE FINAL SITE PLAN SHALL INCLUDE A GRADING PLAN FOR THE SITE. NO BUILDING PERMIT SHALL BE ISSUED FOR INDIVIDUAL LOTS UNTIL AN INDIVIDUAL LOT GRADING PLAN HAS BEEN SUPPLIED TO AND APPROVED BY SUSSEX COUNTY. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNTIL A GRADING CERTIFICATE IS SUBMITTED TO THE BUILDING CODE DEPARTMENT DEMONSTRATING GENERAL CONFORMITY WITH THE INDIVIDUAL SITE GRADING PLAN.
- THERE SHALL NOT BE ANY CROSSWALKS OR PATHWAYS TO THE OPEN SPACE SEPARATED FROM THE LOT AREAS BY CAMP ARROWHEAD ROAD.
- A REVISED PRELIMINARY SITE PLAN EITHER DEPICTING OR NOTING THESE CONDITIONS MUST BE SUBMITTED TO THE OFFICE AND PLANNING AND ZONING.
- THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

ENGINEER'S STATEMENT

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

CLIFTON D. MUMFORD, P.E. DATE
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE, 19963

OWNER'S STATEMENT

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

WV3, LLC. DATE
2028B ASPHALT ALLEY
GEORGETOWN, DE. 19947
PHONE: 302-226-7283

WETLANDS STATEMENT

THIS PROPERTY HAS BEEN EXAMINED BY ATLANTIC RESOURCE MANAGEMENT, INC. (ARM, INC.) FOR THE PRESENCE OF WATERS OF THE UNITED STATES INCLUDING WETLANDS (SECTION 404 AND SECTION 10), STATE SUBAQUEOUS LANDS AND STATE TIDAL WETLANDS BASED ON THE CRITERIA SET FORTH BY THE REVIEWING AGENCIES IN THE FORM OF MANUALS, POLICIES AND PROCEDURES IN PLACE AT THE TIME THAT THE INVESTIGATION WAS CONDUCTED. IN ACCORDANCE WITH OUR FIELD INVESTIGATION USING BEST PROFESSIONAL JUDGEMENT, THERE ARE NO REGULATED WETLANDS OR WATERS OF THE U.S. LOCATED WITHIN THE AREA INDICATED AS "PROJECT AREA" AS SHOWN ON THIS PLAN.

LAF ERICKSON DATE
ATLANTIC RESOURCE MANAGEMENT, INC.
PO BOX 269
OCEAN VIEW, DE. 19970
PHONE: 302-539-2029
FAX: 302-539-4601

PLANNING COMMISSION CERTIFICATE

RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF SUSSEX COUNTY ON THIS _____ DAY OF _____, 20____.

SECRETARY (ATTEST) _____

COUNTY COUNCIL PRESIDENT _____

SHEET INDEX

RECORD PLAN TITLE	V-100
RECORD PLAN	V-101 & V-102

GENERAL NOTES:

- THE PROJECT IS LOCATED ON THE SOUTH SIDE OF SUSSEX COUNTY ROAD #279A (a.k.a. WATERVIEW ROAD), ±530' EAST OF SUSSEX COUNTY ROAD #279 (a.k.a. CAMP ARROWHEAD ROAD) IN ANGOLA, DELAWARE.
- THE PROPERTY BOUNDS, EXISTING FEATURES AND TOPOGRAPHY INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY BY MILLER-LEWIS, INC., 18967 MIDDLEFORD ROAD, SEAFORD, DELAWARE 19973. TOPOGRAPHY IS BASED ON NAVD83 AND NORTH REFERENCE IS DELAWARE STATE PLANE COORDINATE SYSTEM NAD83. ADDITIONAL BOUNDARY AND TOPOGRAPHIC SURVEY WAS DONE BY DAVIS, BOWEN, AND FRIEDEL INC. FEBRUARY 2023.
- STREETS, STORMWATER MANAGEMENT FACILITIES, FORESTED BUFFER STRIPS, AND OTHER COMMON AREAS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNER'S ASSOCIATION CAN PROVIDE FOR REQUIRED MAINTENANCE. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE FACILITIES WITHIN THE SITE.
- SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY SHOWN ON THIS PLAN ARE DEDICATED TO PUBLIC USE AND ARE TO BE PRIVATELY MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- ALL SUBDIVISION LOTS SHALL BE ACCESSED FROM THE INTERIOR SUBDIVISION STREETS ONLY. NO DIRECT ACCESS TO SCR 279A SHALL BE PERMITTED.
- THE PLAN DOES NOT VERIFY THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
- THE CONTRACTOR SHALL ENSURE THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED PRIOR TO COMMENCEMENT OF ANY SITE CONSTRUCTION ACTIVITIES.
- ALL CONTRACTORS WORKING ON THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS OF THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK (LATEST EDITION).
- CONSTRUCTION MATERIALS AND PROCEDURES SHALL FOLLOW THE SUSSEX COUNTY ENGINEERING DEPARTMENT SPECIFICATIONS AND STANDARD DRAWINGS (LATEST EDITION).
- EXISTING SUBSURFACE UTILITY INFORMATION INDICATED IS BASED ON VISUAL FIELD INSPECTION BY MILLER-LEWIS, INC. SUCH INFORMATION CONCERNING THE SIZE, LOCATION, DEPTH, QUANTITY, ECT. OF SUBSURFACE UTILITIES IS APPROXIMATE IN NATURE AND HAS BEEN OBTAINED AS AN AID IN THE PROJECT DESIGN. THE INFORMATION PROVIDED IS REPRESENTATIVE OF SUBSURFACE CONDITIONS ONLY AT LOCATIONS AND DEPTHS WHERE SUCH INFORMATION WAS OBTAINED. THERE IS NO EXPRESSED OR IMPLIED AGREEMENT THE UTILITY SIZE, LOCATION, DEPTH, QUANTITY, ECT. AS SHOWN EXISTS BETWEEN EXPLORED LOCATIONS. ACCORDINGLY, UTILITY INFORMATION SHOWN SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES. IT IS INCUMBENT UPON THE CONTRACTOR TO VERIFY THE SIZE, LOCATION, DEPTH, QUANTITY, ECT. OF ALL UTILITIES BEFORE EXCAVATION.
- BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 100029 0333K, MAP NUMBER 100050333K, DATED MARCH 16, 2015 & 100029 0341 K, MAP NUMBER 10050341K, PORTIONS OF THIS PROPERTY ARE LOCATED IN A ZONE X (UNSHADED) AND AE (B).
- THE WETLANDS INVESTIGATION WAS COMPLETED BY ATLANTIC RESOURCE MANAGEMENT, INC. NO WETLANDS EXISTS WITHIN THE PROJECT SITE TO BE DEVELOPED.
- ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
- AUTOMATIC SPRINKLERS ARE NOT PROPOSED FOR ANY STRUCTURE.
- ALL PROPOSED BUILDING CONSTRUCTION SHALL BE WOOD FRAME, TYPE II (000), NFPA 101 OCCUPANCY SHALL BE STORAGE, LOW & ORDINARY HAZARD.
- ALL PROPOSED LOT LINES ARE SUBJECT TO EASEMENTS FOR UTILITY, STORMWATER CONSTRUCTION AND/OR MAINTENANCE. UNLESS OTHERWISE NOTED ON THE PLANS, EASEMENTS ARE AS FOLLOWS:
FRONT LOT LINES - 10 FEET
SIDE LOT LINES - 5 FEET
REAR LOT LINES - 10 FEET
- IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS, PART V, CHAPTER 4, SECTION 4-1-1, THE DEVELOPER SHALL PROVIDE, TO THE EMERGENCY DISPATCH CENTER HAVING JURISDICTION, A PLOT PLAN OF THE DEVELOPMENT SHOWING EACH LOT LOCATION. THE DEVELOPER SHALL ALSO ASSIGN NUMBERS TO ALL HOMES IN A CONSECUTIVE MANNER AND HAVE PLACED THE ASSIGNED NUMBER IN A READILY VISIBLE LOCATION ON EACH HOME TO ELIMINATE CONFUSION IN THE EVENT THAT AN EMERGENCY VEHICLE IS NEEDED.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF CHEMICALS AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY NOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
- ALL PROPOSED LANDSCAPE BUFFERS ARE TO BE MAINTAINED BY THE OWNER/DEVELOPER UNTIL SUCH TIME AS A HOMEOWNERS ASSOCIATION CAN PROVIDE FOR SAID MAINTENANCE. EXISTING TREES IN THE LANDSCAPE BUFFER ARE NOT TO BE DISTURBED.
- ALL ACTIVE OPEN SPACE AMENITIES ARE PRIVATE AND FOR THE USE OF RESIDENTS AND THEIR GUESTS AND ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- ALL COMMON AREAS COVERED WITH GRASS SHALL BE PERIODICALLY MAINTAINED ON A BASIS TO BE DETERMINED BY THE HOMEOWNER'S ASSOCIATION.
- OPEN SPACE AREAS MAY BE MAINTAINED AS TURF OR MEADOW/MOW AREA AS DEFINED BY SUSSEX CONSERVATION DISTRICT.
- SITE LIGHTING MUST BE SHIELDED AND DOWNWARD SCREENED. LIGHTPOLE LOCATIONS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE.
- ENTRANCE SIGNAGE OR ANY ADDITIONAL SIGNAGE WILL REQUIRE APPROVAL AND PERMITTING BY SUSSEX COUNTY.

DATA COLUMN

1 TAX MAP ID	234-12.00-22.31		
2 APPROXIMATE PROJECT CENTER	LATITUDE 38.8868	LONGITUDE -75.1607	
3 ENGINEER	OWNER/DEVELOPER		
DAVIS, BOWEN & FRIEDEL, INC.	WV3, LLC		
1 PARK AVENUE	2028B ASPHALT ALLEY		
MILFORD, DE 19963	GEORGETOWN, DE 19947		
CLIFTON D. MUMFORD, P.E.	FLETCHER KENTON		
PHONE: (302) 424-1441	PHONE: 302-226-7283		
EMAIL: cdm@dbflinc.com			
4 DATUM	HORIZONTAL NAVD 83 (DE STATE PLANE)	VERTICAL NAVD 88	
5 DEED REFERENCE	DB 5714 PG 347	PB 970 PG 71	
6 ZONING	EXISTING AR-1	PROPOSED AR-1 - CLUSTER	
7 LAND USE	EXISTING AGRICULTURAL	PROPOSED RESIDENTIAL	
8 TOTAL LOTS	EXISTING 1 LOT	PROPOSED SINGLE FAMILY 36 LOTS	
9 BUILDING CONSTRUCTION	IBC TYPE II, (000)	NFPA 101	
10 UTILITY PROVIDERS	SEWER SUSSEX COUNTY	WATER TIDEWATER	GAS CHESAPEAKE UTILITIES
11 STATE STRATEGIES MAP	INVESTMENT LEVEL AREA: 3		
12 POSTED SPEED LIMIT	WATERVIEW ROAD (SCR 297A) 40 MPH	CAMP ARROWHEAD ROAD (SCR 297) 50 MPH	
13 FLOODPLAIN	THE PROPERTY IS IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 100050333K & 100050341K, DATED MARCH 16, 2015.		
14 TRANSPORTATION IMPROVEMENT DISTRICT (TID)	THE PROPERTY IS LOCATED IN THE HENLOPEN TRANSPORTATION IMPROVEMENT DISTRICT (TID).		
15 GROUNDWATER RECHARGE	THE PROPERTY IS LOCATED IN AN AREA OF GOOD GROUNDWATER RECHARGE.		
16 WELLHEAD PROTECTION AREA	THE PROPERTY IS NOT LOCATED IN A WELLHEAD PROTECTION AREA.		
17 WETLANDS	THE PROPERTY IS NOT IMPACTED BY STATE AND/OR FEDERALLY REGULATED WETLANDS.		
18 COASTAL AREA	THE PROPERTY IS WITHIN THE COASTAL AREA.		
19 CODE COMPLIANCE	REQUIRED	PROPOSED	
FRONT SETBACK	25 FT	25 FT	
SIDE SETBACK	10 FT	10 FT	
REAR SETBACK	10 FT	10 FT	
CORNER SETBACK	15 FT	15 FT	
LOT AREA	7,500 SF.	7,500 SF.	
LOT WIDTH	60 FT.	60 FT.	
LOT DEPTH	100 FT.	100 FT.	
DWELLING UNITS PERMITTED	(18.017 AC. * 43,560 SF/AC) / 21,780 SF = 36 UNITS	36 UNITS	
MAXIMUM DENSITY	36 UNITS = 2.00 UNITS PER ACRE	36 UNITS = 2.00 UNITS PER ACRE	
MAXIMUM BUILDING HEIGHT	42 FT (3 STORIES)	42 FT (3 STORIES)	
OPEN SPACE	5.358 AC. (30%)	7.863 AC. (44%)	
20 AREAS			
NET DEVELOPMENT AREA	18.017 AC.		
	EXISTING	PROPOSED	
SITE AREA	18.017 AC.	18.017 AC.	
WOODS	0.756 AC.	0.313 AC.	
21 PROPOSED LAND USE AREAS			
234-12.00-22.31	18.017 AC. (100.00%)		
	LOTS		
RIGHT-OF-WAY	1.627 AC. (9%)		
OPEN SPACE TOTAL	7.863 AC. (44%)		
A - AMENITIES		1.477 AC.	
B - LSC BUFFER & SWM		4.629 AC.	
C - UNDEVELOPED		1.757 AC.	
TOTAL	18.017 AC.		

DELDOT GENERAL NOTES:

LAST REVISED: MARCH 21, 2019

- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
- NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER. THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 - 131), DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE FOR THE SIDEWALK.
- LOTS WILL BE PERMITTED TO HAVE ACCESS POINTS THAT COMPLY WITH THE DEVELOPMENT COORDINATION MANUAL (DCM) SPACING REQUIREMENTS OF CHAPTER 1 AND LIMITATIONS ON NUMBER OF ACCESS POINTS ESTABLISHED IN DCM CHAPTER 7. HORSESHOW DRIVEWAYS AND SECONDARY ENTRANCES REQUIRE ADDITIONAL DELDOT REVIEW AND SEPARATE PERMITTING. RESTRICTIONS AS DESCRIBED IN THE DCM CHAPTER 7 MAY PROHIBIT SOME SECONDARY ENTRANCE REQUESTS FROM BEING GRANTED.
- TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER FRONTAGE ROADS. RIGHT-OF-WAY AND PROPERTY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER WILL BE PARTICIPATING IN THE HENLOPEN TID. THE INFRASTRUCTURE RECUMPTION AGREEMENT IS RECORDED UNDER BOOK 5938 PAGE 262 IN THE OFFICE OF THE SUSSEX COUNTY RECORDER OF DEEDS.

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS - ENGINEERS - SURVEYORS
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BALTIMORE, MARYLAND
302.424.1441
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SUNCREST
WATERVIEW ROAD (SCR 279A)
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE

DATE	COMMENTS
05/19/2023	DELDOT
08/18/2023	DELDOT
09/06/2023	DELDOT

Date: APRIL, 2023

Scale: AS NOTED

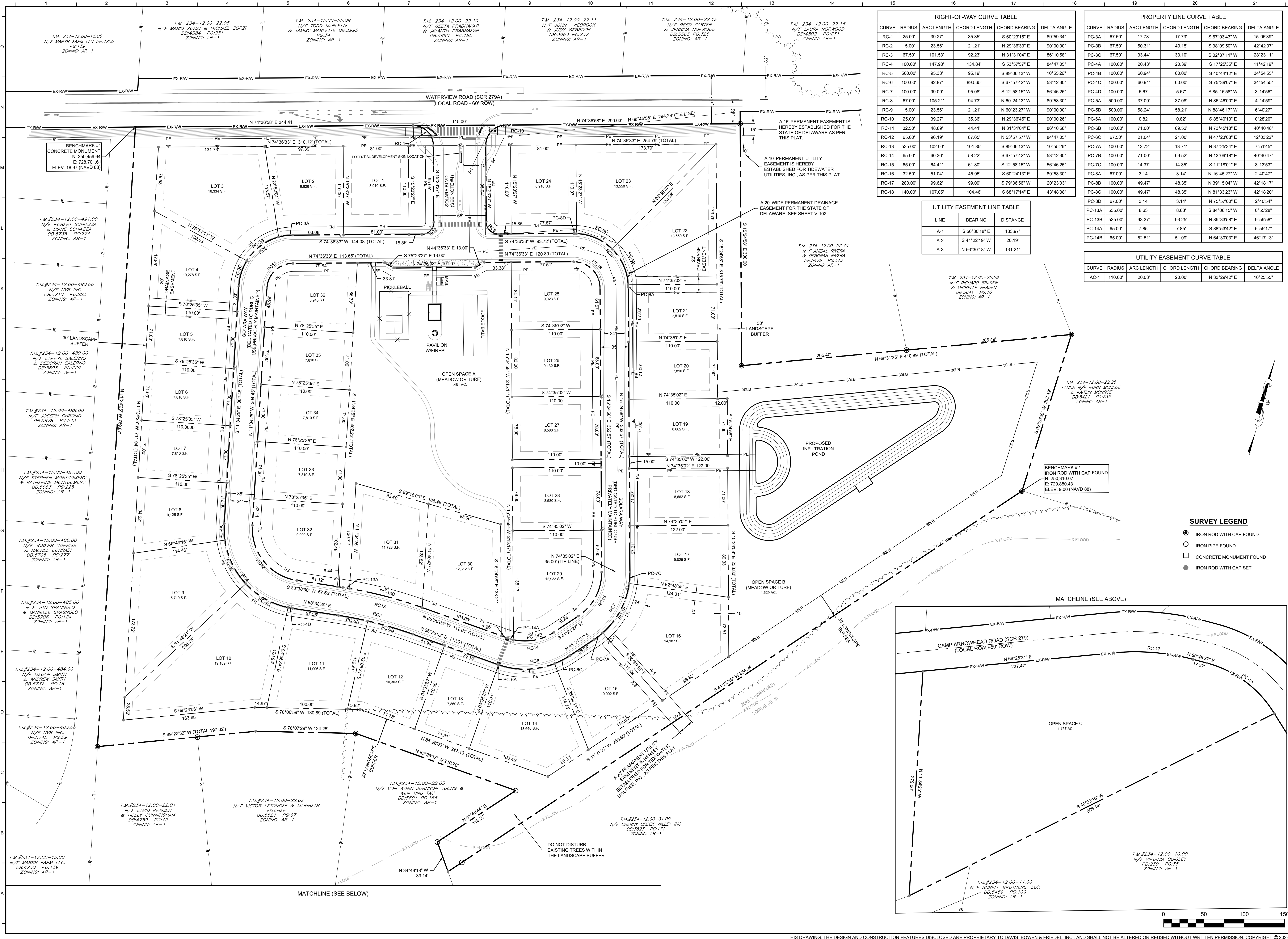
Drawn By: BJM

Proj. No.: 4056B001

RECORD PLAN
TITLE

Dwg. No.:

V-100



RIGHT-OF-WAY CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC-1	25.00'	39.27'	35.35'	S 60°23'15" E	89°59'34"
RC-2	15.00'	23.56'	21.21'	N 29°38'33" E	90°00'00"
RC-3	67.50'	101.53'	92.23'	N 31°31'04" E	86°10'58"
RC-4	100.00'	147.98'	134.84'	S 53°57'57" E	84°47'05"
RC-5	500.00'	95.33'	95.19'	S 89°06'13" W	10°55'26"
RC-6	100.00'	92.87'	86.565'	S 67°54'21" W	53°12'30"
RC-7	100.00'	99.09'	95.08'	S 12°58'15" W	56°46'25"
RC-8	67.00'	105.21'	94.73'	N 60°24'13" W	89°58'30"
RC-9	15.00'	23.56'	21.21'	N 60°23'27" W	90°00'00"
RC-10	25.00'	39.27'	35.36'	N 29°38'45" E	90°00'26"
RC-11	32.50'	48.89'	44.41'	N 31°31'04" E	86°10'58"
RC-12	65.00'	96.19'	87.65'	N 53°57'57" W	84°47'05"
RC-13	535.00'	102.00'	101.85'	S 89°06'13" W	10°55'26"
RC-14	65.00'	60.36'	58.22'	S 67°54'21" W	53°12'30"
RC-15	65.00'	64.41'	61.80'	S 12°58'15" W	56°46'25"
RC-16	32.50'	51.04'	45.95'	S 60°24'13" W	89°58'30"
RC-17	280.00'	99.62'	99.09'	S 79°36'56" W	20°23'03"
RC-18	140.00'	107.05'	104.46'	S 68°17'14" E	43°48'38"

PROPERTY LINE CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
PC-3A	67.50'	17.78'	17.73'	S 87°03'43" W	15°05'39"
PC-3B	67.50'	50.31'	49.15'	S 38°09'50" W	42°42'07"
PC-3C	67.50'	33.44'	33.10'	S 02°37'11" W	28°23'11"
PC-4A	100.00'	20.43'	20.39'	S 17°25'35" E	11°42'19"
PC-4B	100.00'	60.94'	60.00'	S 40°44'12" E	34°54'55"
PC-4C	100.00'	60.94'	60.00'	S 75°39'07" E	34°54'55"
PC-4D	100.00'	5.67'	5.67'	S 85°15'58" W	3°14'56"
PC-5A	500.00'	37.09'	37.08'	N 85°46'00" E	4°14'59"
PC-5B	500.00'	58.24'	58.21'	N 88°46'17" W	6°40'27"
PC-6A	100.00'	0.82'	0.82'	S 85°40'13" E	0°28'20"
PC-6B	100.00'	71.00'	69.52'	N 73°45'13" E	40°40'48"
PC-6C	67.50'	21.04'	21.00'	N 47°23'08" E	12°03'22"
PC-7A	100.00'	13.72'	13.71'	N 37°25'34" E	7°51'45"
PC-7B	100.00'	71.00'	69.52'	N 13°09'18" E	40°40'47"
PC-7C	100.00'	14.37'	14.35'	S 11°18'01" E	8°13'53"
PC-8A	67.00'	3.14'	3.14'	N 16°45'27" W	2°40'47"
PC-8B	100.00'	49.47'	48.35'	N 39°15'04" W	42°18'17"
PC-8C	100.00'	49.47'	48.35'	N 81°33'23" W	42°18'20"
PC-8D	67.00'	3.14'	3.14'	N 75°57'00" E	2°40'54"
PC-13A	535.00'	8.63'	8.63'	S 84°06'15" W	0°55'28"
PC-13B	535.00'	93.37'	93.25'	N 89°33'58" E	9°59'58"
PC-14A	65.00'	7.85'	7.85'	S 88°53'42" E	6°55'17"
PC-14B	65.00'	52.51'	51.09'	N 64°30'03" E	46°17'13"

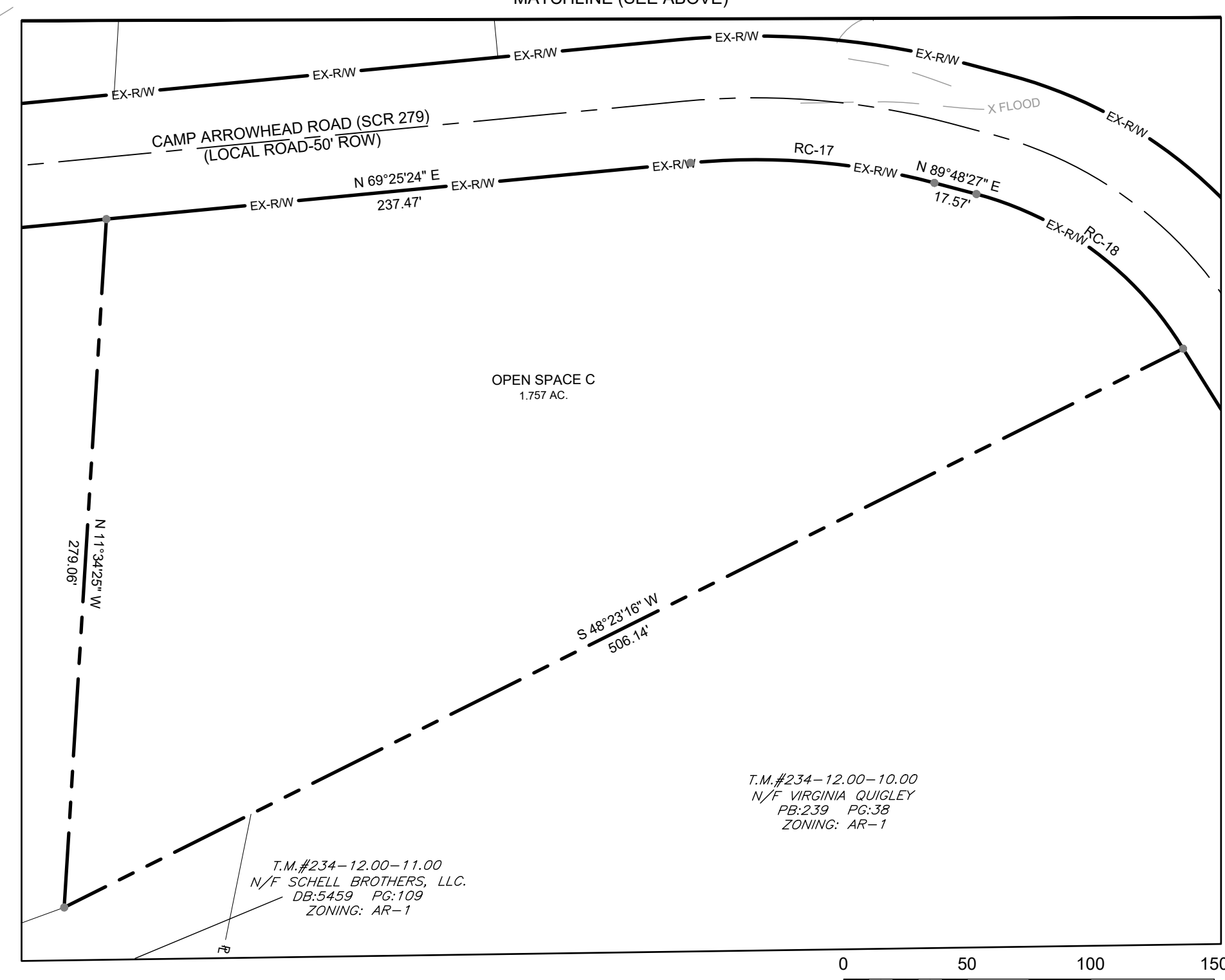
UTILITY EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
A-1	S 56°30'18" E	133.97'
A-2	S 41°22'19" W	20.19'
A-3	N 56°30'18" W	131.21'

UTILITY EASEMENT CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
AC-1	110.00'	20.03'	20.00'	N 33°29'42" E	10°25'55"

- SURVEY LEGEND**
- IRON ROD WITH CAP FOUND
 - IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - IRON ROD WITH CAP SET



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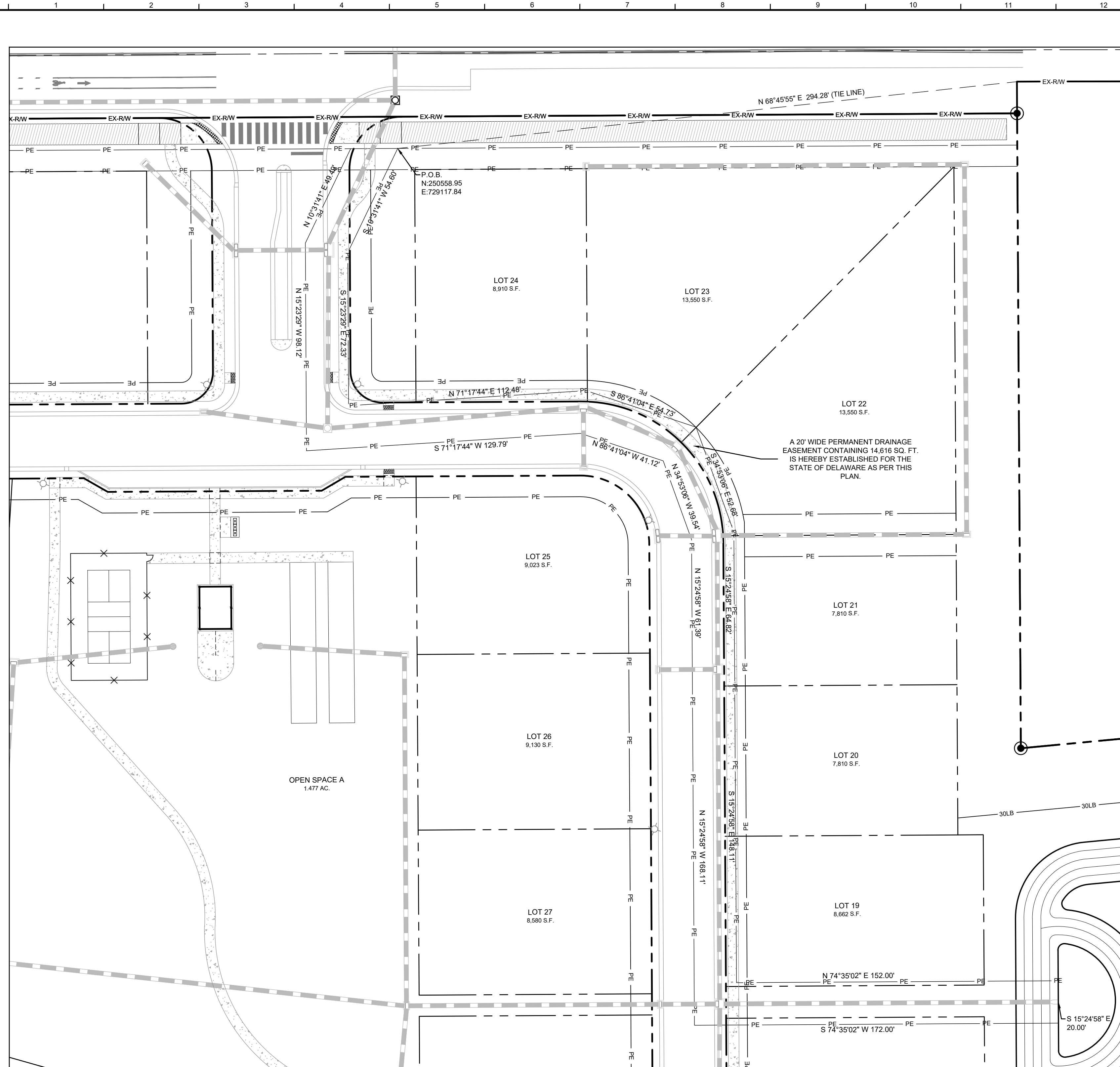
SUNCREST WATERVIEW ROAD (SCR 279A)
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DATE	COMMENTS
05/19/2023	DELDOT
08/18/2023	DELDOT
09/06/2023	DELDOT

Date: APRIL, 2023
 Scale: 1"=50'
 Dwn By: BJM
 Proj No.: 4056B001

RECORD PLAN

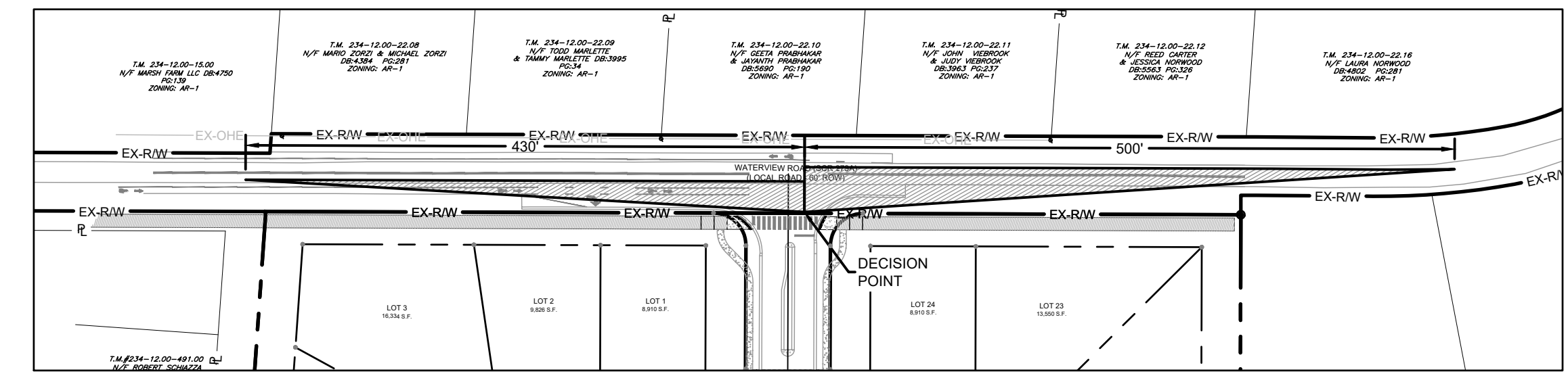
Dwg No.: **V-101**



DELDOT EASEMENT DETAIL

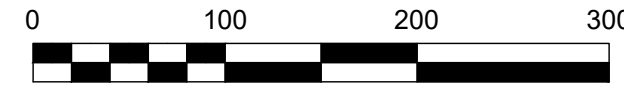
SCALE: 1" = 30'

- LEGEND**
- ① ITEM 401005 - SUPERPAVE, TYPE C, PG 64-22, (CARBONATE STONE)
 - ② ITEM 401014 - SUPERPAVE, TYPE B, PG 64-22
 - ③ ITEM 301001 - GRADED AGGREGATE BASE COURSE, TYPE B
 - ④ ITEM 401036 - SUPERPAVE, TYPE C, PG 64-22, WEDGE (0-3") (NOT USED WITH THESE TYPICALS)
 - ⑤ ITEM 401037 - SUPERPAVE, TYPE B, PG 64-22, WEDGE (3" & UP)
 - ⑥ ITEM 908004 - TOPSOIL (6" DEPTH)
 - ⑦ ITEM 908014 - PERMANENT GRASS SEEDING, DRY GROUND
 - ⑧ ITEM 701014 - P.C.C. CURB, TYPE 2
 - ⑨ ITEM 701019 - I.P.C.C. CURB & GUTTER, TYPE 2



SIGHT DISTANCE TRIANGLE

SCALE: 1" = 100'



- LEGEND**
- LIGHT POLE
 - EX-RW EXISTING RIGHT-OF-WAY LINE
 - PROPERTY BOUNDARY LINE
 - - - PROPOSED LOT LINE
 - - - PROPOSED RIGHT-OF-WAY LINE
 - - - PROPOSED PERMANENT UTILITY OR DRAINAGE EASEMENT
 - - - PROPOSED BUILDING SETBACK LINE
 - ~ TREELINE
 - 30LB 30 FT LANDSCAPE BUFFER

- SURVEY LEGEND**
- IRON ROD WITH CAP FOUND
 - IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - IRON ROD WITH CAP SET

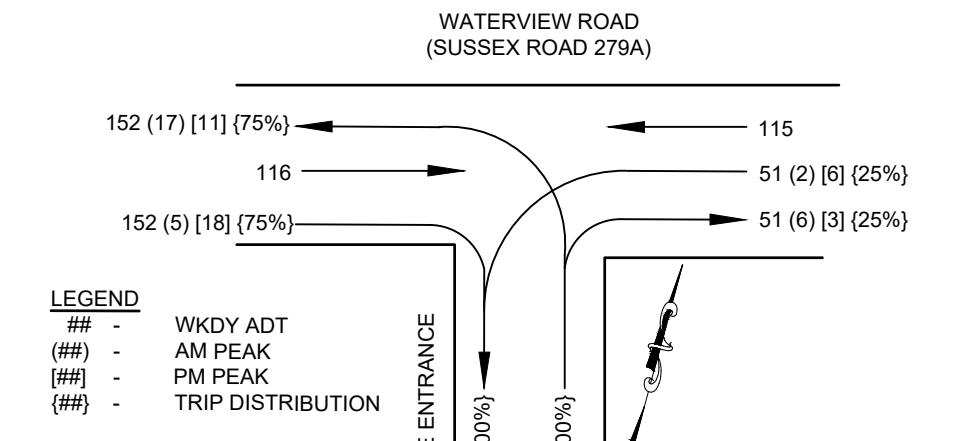
ROAD
WATERVIEW ROAD (SUSSEX ROAD 279A)
FUNCTIONAL CLASSIFICATION - LOCAL ROAD
AADT (2019 DELAWARE VEHICLE VOLUME SUMMARY)
10 YR PROJECTED AADT

ITE	= 199
K FACTOR	= 17.82%
D FACTOR	= 62.32%
TRUCK %	= 9.55%
SPEED - POSTED	40
TRAFFIC PATTERN GROUP	7

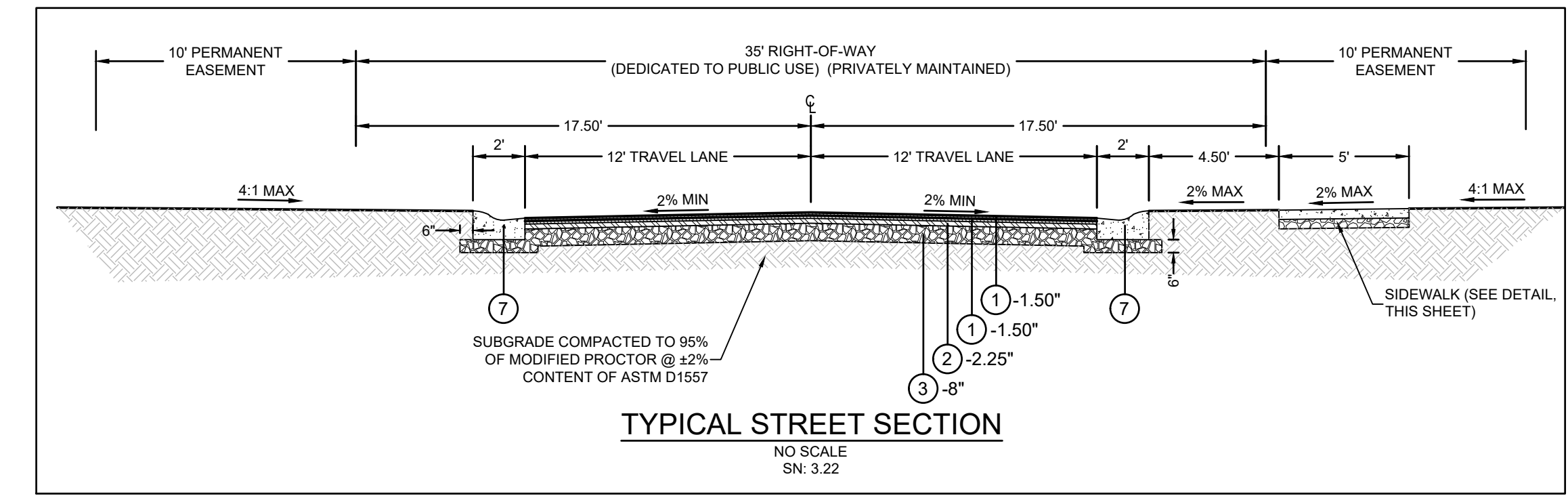
SITE TRIPS GENERATED - PROPOSED

TYPE OF DEV.	CODE#	UNITS	AM	PM	ADT
SINGLE-FAMILY	210	36	30	38	406

- NOTES:**
-TRIP GENERATION IS BASED ON ITE TRIP GENERATION MANUAL, 10TH EDITION.
-DESIGN VEHICLE: SU-30
-ONE (1) FULL SITE ACCESS PROPOSED
-PEAK HOUR HV% OF SITE = 5%



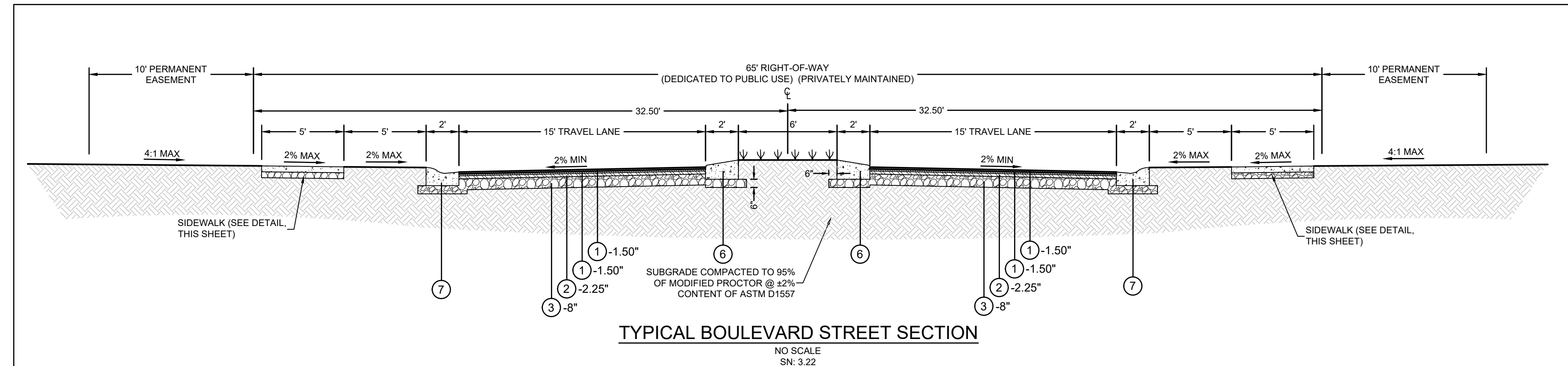
TRAFFIC GENERATION DIAGRAM



TYPICAL STREET SECTION

NO SCALE
SN: 3.22

- NOTES:**
- PROVIDE 6" OF TOPSOIL COVERED WITH SEED AND MULCH ON PROPOSED GRASS AREAS.
 - SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIES PROCTOR METHOD.
 - A 8" MAX SLOPE IS REQUIRED FOR 2' ON BOTH SIDES OF THE SIDEWALK.
 - MAINTAIN SIDEWALK CROSS SLOPE TO BACK OF CURB (TYP.).



TYPICAL BOULEVARD STREET SECTION

NO SCALE
SN: 3.22

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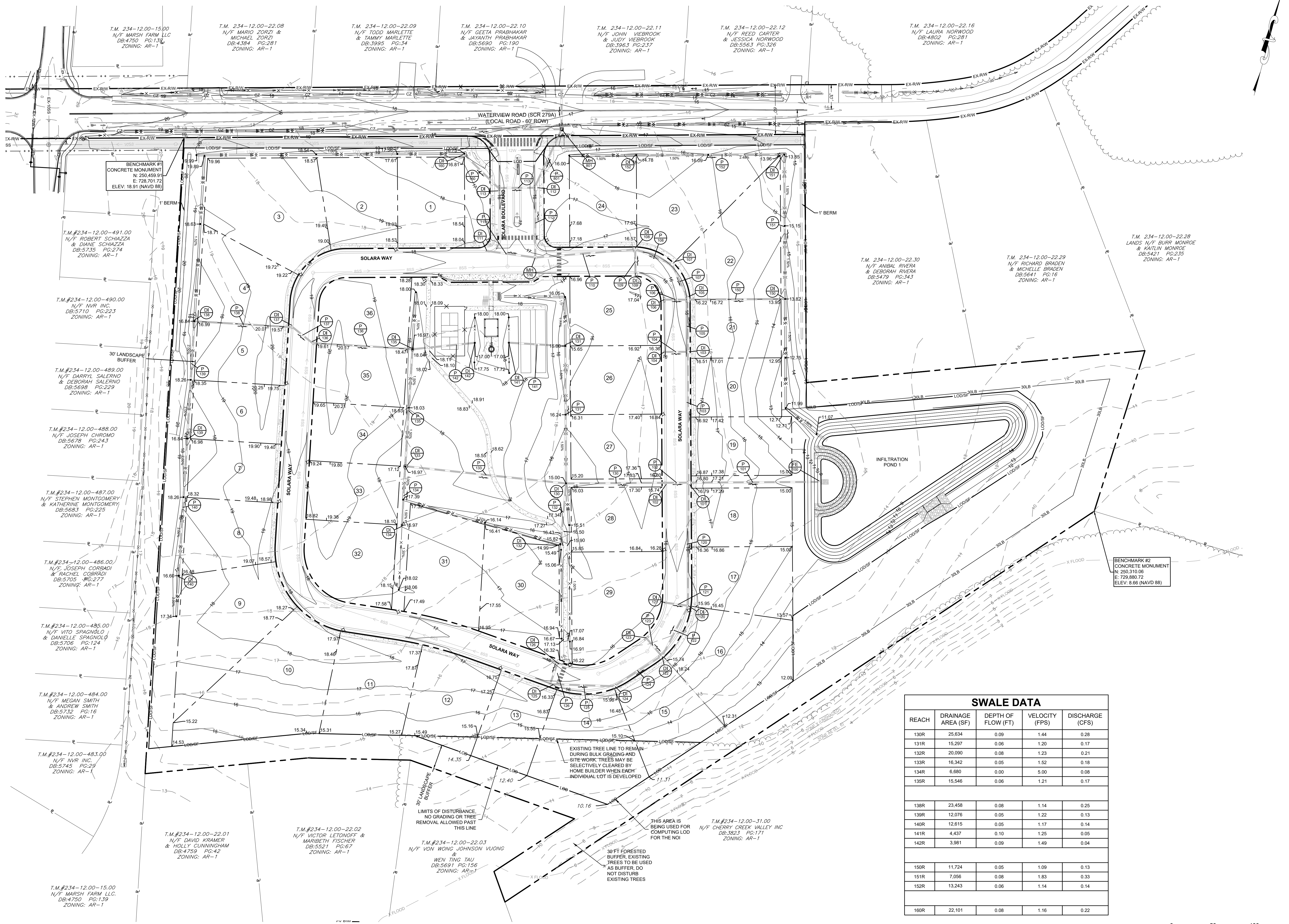
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Proj No.: 4056B001

RECORD PLAN

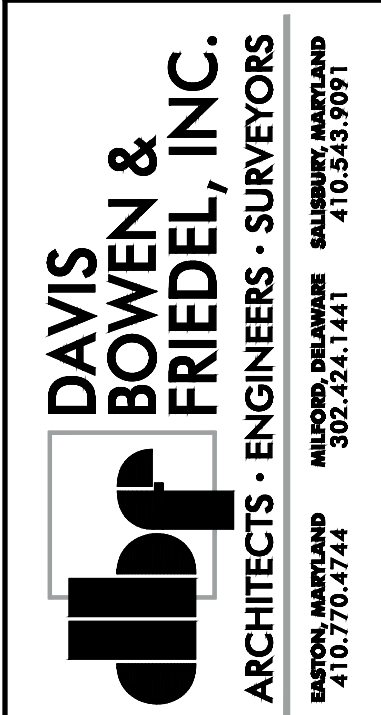
Dwg No.: **V-102**



BENCHMARK #1
CONCRETE MONUMENT
N: 250,459.91
E: 729,701.72
ELEV: 18.91 (NAVD 88)

BENCHMARK #2
CONCRETE MONUMENT
N: 250,310.06
E: 729,880.72
ELEV: 8.66 (NAVD 88)

SWALE DATA				
REACH	DRAINAGE AREA (SF)	DEPTH OF FLOW (FT)	VELOCITY (FPS)	DISCHARGE (CFS)
130R	25,634	0.09	1.44	0.28
131R	15,297	0.06	1.20	0.17
132R	20,090	0.08	1.23	0.21
133R	16,342	0.05	1.52	0.18
134R	6,680	0.00	5.00	0.08
135R	15,546	0.06	1.21	0.17
138R	23,458	0.08	1.14	0.25
139R	12,076	0.05	1.22	0.13
140R	12,615	0.05	1.17	0.14
141R	4,437	0.10	1.25	0.05
142R	3,981	0.09	1.49	0.04
150R	11,724	0.05	1.09	0.13
151R	7,056	0.08	1.83	0.33
152R	13,243	0.06	1.14	0.14
160R	22,101	0.08	1.16	0.22



SUNCREST
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE

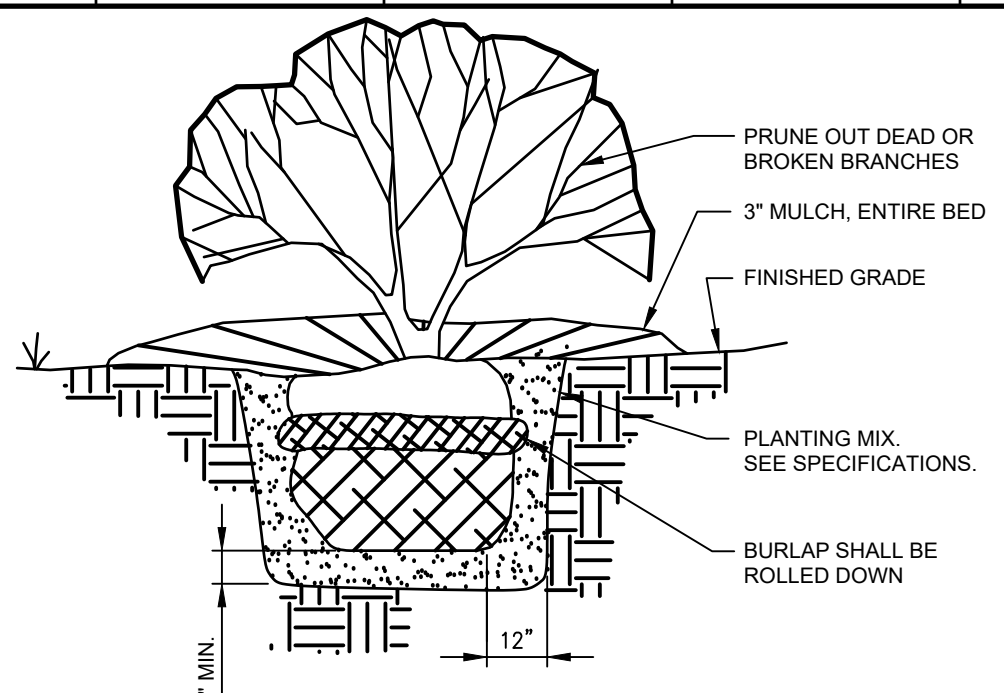
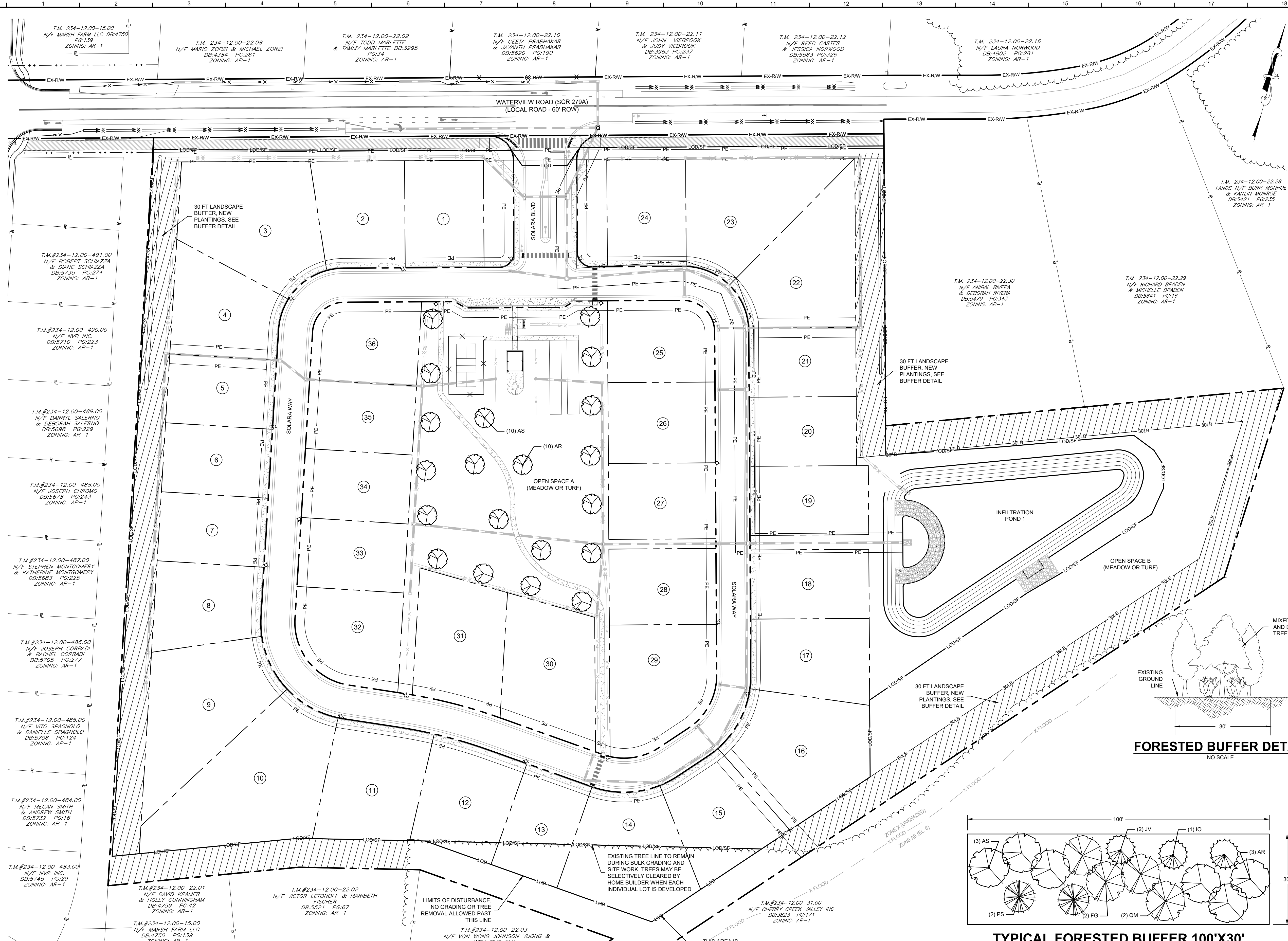
DATE	COMMENTS
09/01/2023	SCD, SCE
09/06/2023	TUI
09/26/2023	DNREC
09/26/2023	SCE
10/03/2023	DHSS
10/09/2023	TUI

Date: JUNE, 2023
Scale: 1"=50'
Dwn By: BJM
Proj No.: 4056B001

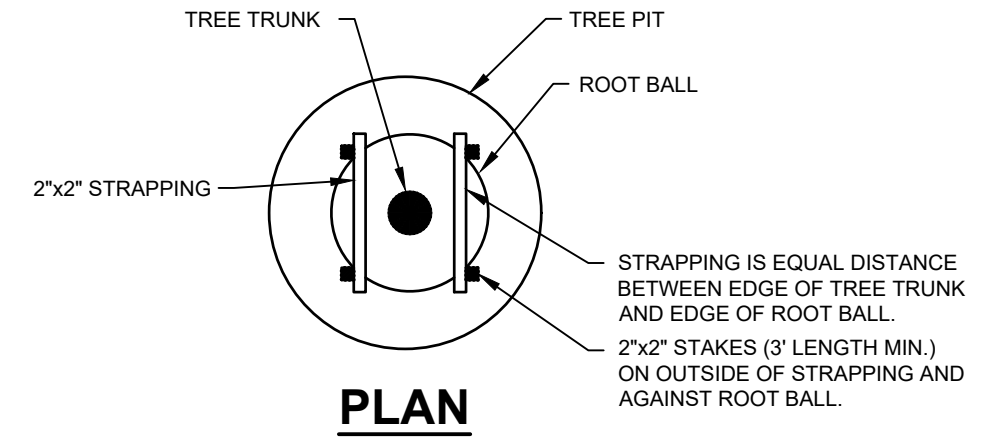
BULK GRADING PLAN

Dwg No.: **C-301**

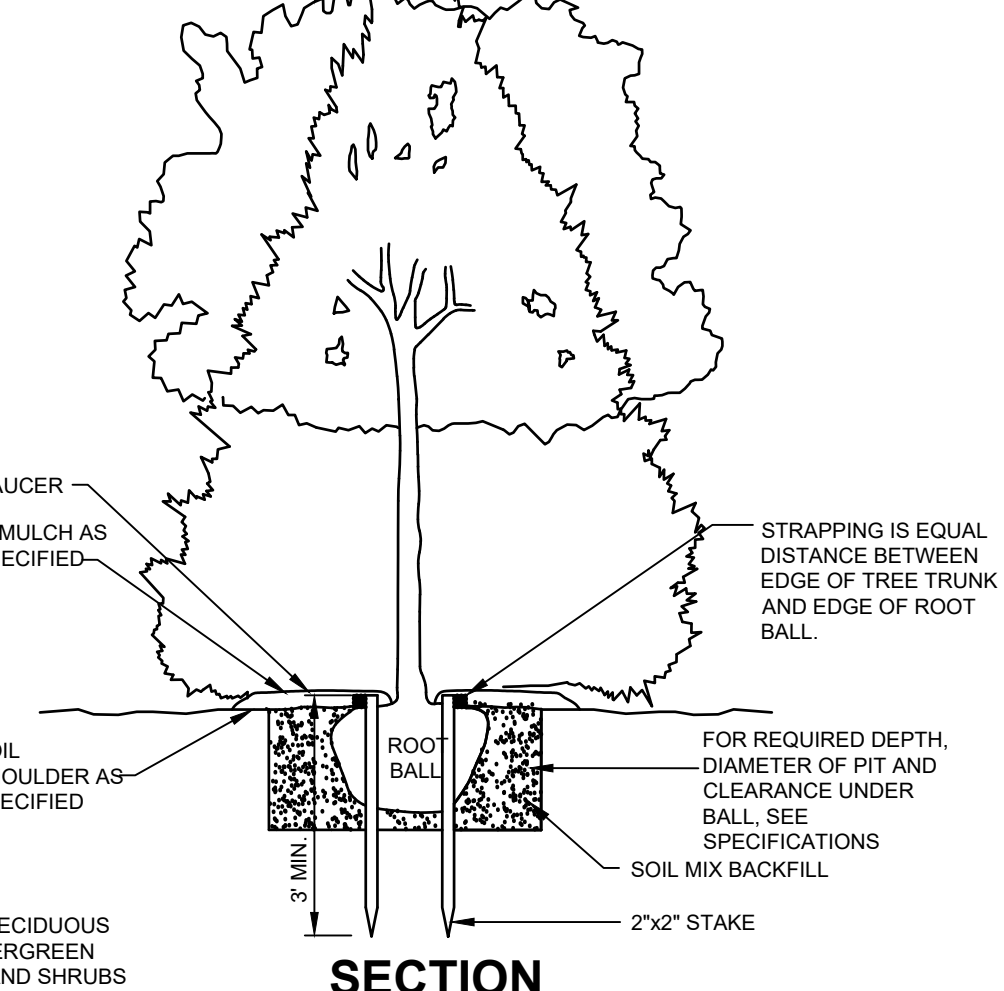




SHRUB PLANTING DETAIL
NOT TO SCALE



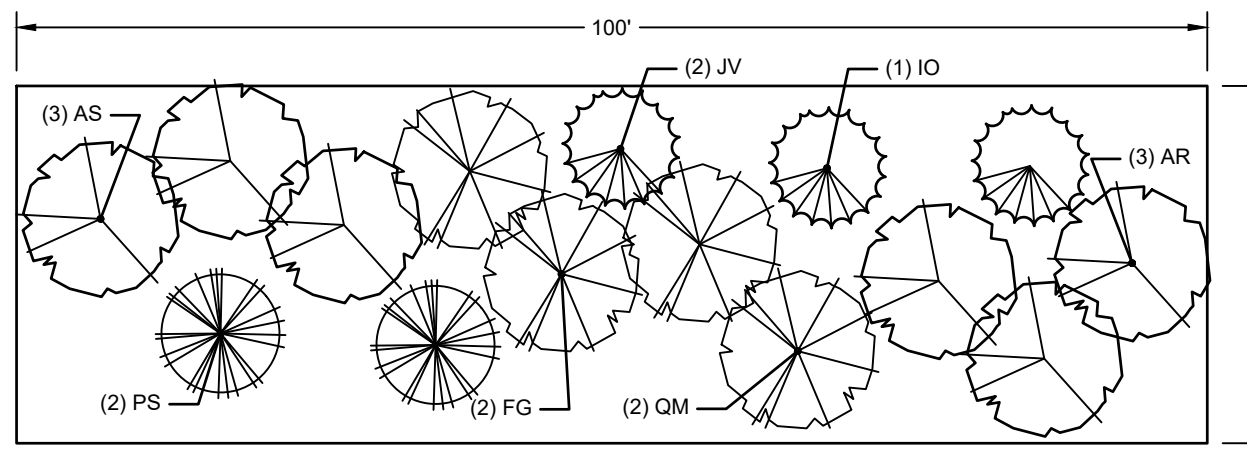
TREE STAKING DETAIL
NOT TO SCALE



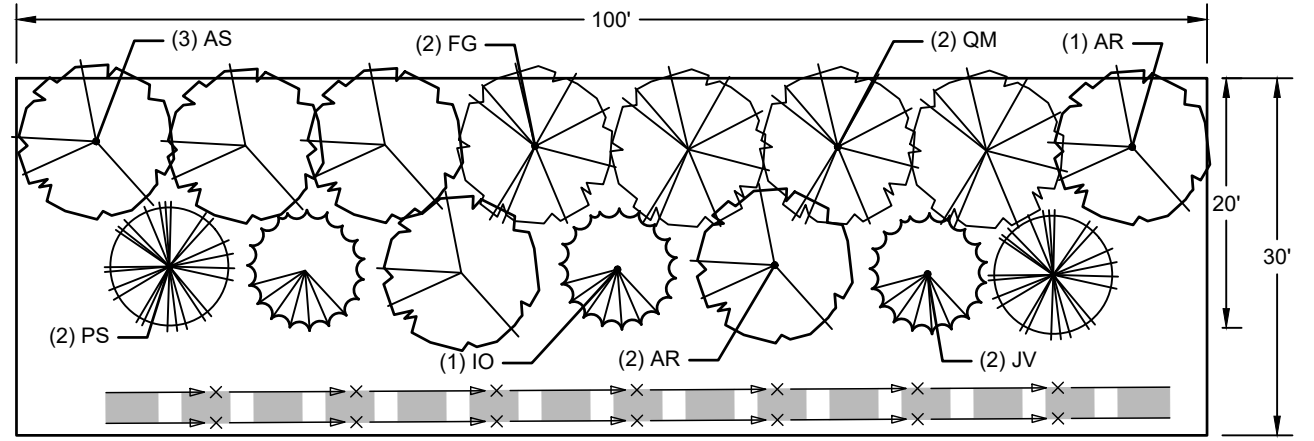
GENERAL LANDSCAPE NOTES

1. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK".
2. CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND FINAL ACCEPTANCE OF SITE WORK HAS BEEN GIVEN. AT THE END OF ONE YEAR ALL PLANT MATERIAL WHICH IS DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AS ORIGINALLY SPECIFIED.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
4. NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER.
5. ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN.)
6. EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
7. ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 6'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE STAKING DETAIL SHOWN.
8. THE FULL EXTENT OF ALL PLANTING BEDS SHALL RECEIVE 4" OF TOPSOIL AND 3" OF BARK MULCH PER SPECIFICATIONS.
9. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THIS DRAWING AND AS SPECIFIED.
10. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANTS ORIGINAL GRADE BEFORE DIGGING.
11. THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON.
12. THE PROPOSED FORESTED BUFFER CONSISTS OF 71,272 SQUARE FEET. NOT INCLUDING THE EXISTING TREELINE THE COMBINED LENGTH OF THE BUFFERS EQUALS 2,425 SQ FT. (2,425 SQ FT / 100 FT BUFFER = 24.25 BUFFERS ARE NEEDED.)

FORESTED BUFFER DETAIL
NO SCALE



TYPICAL FORESTED BUFFER 100'X30'
NOT TO SCALE



TYPICAL FORESTED BUFFER WITH DRAINAGE 100'X30'
NOT TO SCALE

FORESTED BUFFER PLANT SCHEDULE

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
DECIDUOUS TREE					
AR	ACER rubrum	RED MAPLE	1 3/4 - 2" Cal., B&B	73	
AS	ACER saccharum	SUGAR MAPLE	1 3/4 - 2" Cal., B&B	73	
OM	QUERCUS phellos	WILLOW OAK	1 3/4 - 2" Cal., B&B	49	
FG	FAGUS grandifolia	AMERICAN BEECH	1 3/4 - 2" Cal., B&B	49	
TOTAL					244
EVERGREEN TREE					
PS	PINUS strobus	EASTERN WHITE PINE	5'-6" HI., B&B	49	
JV	JUNIPERUS virginiana	EASTERN RED CEDAR	5'-6" HI., B&B	49	
IO	ILEX opaca	AMERICAN HOLLY	5'-6" HI., B&B	25	
TOTAL					123

AMENITY LANDSCAPE SCHEDULE

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
DECIDUOUS TREE					
AR	ACER rubrum	RED MAPLE	1 3/4 - 2" Cal., B&B	10	
AS	ACER saccharum	SUGAR MAPLE	1 3/4 - 2" Cal., B&B	10	

DAVIS BOWEN & FRIEDEL, INC.
ARCHITECTS • ENGINEERS • SURVEYORS
MILFORD, DELAWARE
BALTIMORE, MARYLAND
410.351.1411

SUNCREST
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE

DATE	COMMENTS
09/01/2023	SCD, SCE
09/04/2023	TUI
09/26/2023	DNREC
09/26/2023	SCE
10/03/2023	DHSS
10/09/2023	TUI

Date: JUNE, 2023
Scale: 1" = 50'
Dwn By: TCB
Proj No.: 4056B001

LANDSCAPE PLAN

L-101

ENGINEERING DEPARTMENT

JOHN J. ASHMAN
SR. MANAGER OF UTILITY PLANNING
& DESIGN REVIEW

(302) 855-7370 T
(302) 854-5391 F
jashman@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov
HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

October 11, 2023

Davis, Bowen & Friedel, Inc.
1 Park Ave.
Milford, DE 19963
Attn: Clifton D. Mumford, P.E.

**RE: SUNCREST (FKA MARSH HOMESTEAD)
ANGOLA NECK PLANNING AREA
SUBDIVISION NO. 2021-34
SUSSEX COUNTY TAX MAP NUMBERS 2-34-12.00-22.31 – CLASS-1
AGREEMENT No. 1013-1**

Dear Mr. Mumford,

A review of the above referenced plans has been completed by the Sussex County Engineering Department. Please have a completed review, **with confirmation** from DNREC for this projects wastewater construction permit before submitting plans for Sussex County approval. Provide four (4) sets of plans in a size of 24" x 36", and one (1) CD or file transfer of PDFs for each sheet. One set of plans will be returned to the Engineer/Consultant for their record.

Each sheet must be signed and sealed by the Engineer and the cover sheet of the plan shall have the owner/developer's and wetland consultant signature, this includes PDFs being submitted prior to Sussex County Engineering Department approval.

If plans are not received within one (1) year of the date of this letter, a new review process and review fees will be required.

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

Sincerely,

SUSSEX COUNTY ENGINEERING DEPARTMENT

Scott A. Thornton
Engineering Technician IV





Cape Henlopen School District

Richard Crisci
Transportation Supervisor
Richard.Crisci@cape.k12.de.us

DISTRICT OFFICE
1270 KINGS HIGHWAY
LEWES, DE 19958
302-644-7900

October 5, 2023

To Whom It May Concern:

This letter is in response to a request that Cape Henlopen School District provide a bus stop for the proposed Suncrest residential subdivision on Waterview Rd. in the Lewes area. The district will create a bus stop for this new development with the intersection of Waterview Rd and Squara Blvd.

The district does not require a school bus shelter.

Please feel free to contact me if there are any further questions or concerns.

Cordially,

Richard Crisci
Transportation Supervisor



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

NICOLE MAJESKI
SECRETARY

September 11, 2023

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

**SUBJECT: Letter of No Objection to Recordation
Suncrest**
Tax Parcel # 234-12.00-22.31
Waterview Road (SCR 279A)
Indian River Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Site Plan, dated April, 2023 (last revised September 6, 2023), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawings. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Site Plan is not recorded prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. Entrance plans shall be developed in accordance with DeIDOT's [Development Coordination Manual](#) and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is not a DeIDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DeIDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There

Suncrest
Mr. Jamie Whitehouse
Page 2
September 11, 2023

may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

If I can be of any further assistance, please call me at (302) 760-2266.

Very truly yours,



Wendy L. Polasko, P.E.
Subdivision Engineer
Development Coordination

cc: David Green
Cliff Mumford, Davis, Bowen & Friedel, Inc.
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
Richard Larkin, South District Subdivision Manager
Jennifer Pinkerton, Chief Materials & Research Engineer
Linda Osiecki, Pedestrian Coordinator
John Fiori, Bicycle Coordinator
Sean Humphrey, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Jared Kauffman, DTC Planner
Shiny Mathew, JMT
Kevin Hickman, Sussex County Review Coordinator
Brian Yates, Sussex County Reviewer

MAPPING & ADDRESSING

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



Sussex County

DELAWARE
sussexcountyde.gov

August 17, 2022

John Murray
Land Development Manager
Foxlane Homes Delaware
32191 Nassau Rd. #2
Lewes, DE 199588

RE: **Proposed Subdivision Name(s)**

I have reviewed the name(s) submitted for your proposed subdivision, located in Lewes, DE (234-12.00-22.31). In reviewing the proposed name(s) the following has been **Approved** for this subdivision:

SUNCREST

Should you have any questions please contact the **Sussex Geographic Information Office at 302-855-1176.**

Sincerely,

Brian L. Tolley, CP, GISP
GIS Specialist II

CC: Christin Scott, Office of Planning & Zoning



**GEOGRAPHIC INFORMATION
OFFICE**

MEGAN NEHRBAS
SENIOR MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)

(302) 855-1176 T
(302) 853-5889 F



Sussex County

DELAWARE
sussexcountyde.gov

September 12, 2022

John Murray
Land Development Manager
Foxlane Homes Delaware
32191 Nassau Rd. #2
Lewes, DE 19958

RE: Suncrest Approved Streets

Our office has received proposed street name(s) for the approved subdivision(s), **Suncrest**, located on parcel(s) 234-12.00-22.31 in Lewes, DE 19958. Based on our review the following proposed street name(s) have been **approved**:

SOLARA WAY	IDALIA ST
------------	-----------

Use only road names **approved** and issued by this office on letterhead or you will be required to rerecord. Each street name is to be used only once.

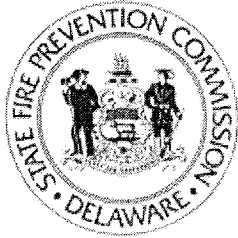
Upon final approval of **Suncrest** please forward a digital copy of the recorded site plan to my attention for the purpose of addressing. Should you have any questions, please contact the **Geographic Information Office** at 302-855-1176.

Sincerely,

Brian L. Tolley
GIS Specialist II

CC: Christin Scott, Office of Planning & Zoning





OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2023-04-214392-MJS-01

Tax Parcel Number: 234-12.00-22.31

Status: Approved as Submitted

Date: 07/12/2023

Project

Suncrest
Suncrest
Waterview Road
Lewes DE 19958

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 86 - Rehoboth Beach Vol Fire Co
Occupant Load Inside:
Occupancy Code: 9601

Applicant

Clifton Mumford
1 Park Avenue
Milford, DE 19963

This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

A final inspection is required.

This Plan Review Project was prepared by:

John Colpo
Fire Protection Specialist

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2023-04-214392-MJS-01

Tax Parcel Number: 234-12.00-22.31

Status: Approved as Submitted

Date: 07/12/2023

PROJECT COMMENTS

- 1002 A** This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes. The Office of the State Fire Marshal recommends the installation of fire sprinkler systems in all residential occupancies, including one- and two-family dwellings, duplexes, and townhomes. For additional information on residential sprinkler systems, please see here: https://statefiremarshal.delaware.gov/wp-content/uploads/sites/110/2017/07/Home_Sprinkler_Brochure.pdf
- 1040 A** This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 1,000 gpm @ 20 psi residual for 1 hour duration. Hydrant Spacing: 800' on center.
- 1180 A** This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
- 1130 A** Provide a water flow test on the subdivision hydrant(s) once they have been installed, and before they are placed into service (DSFPR Reg 701, Chap 4 and Reg 703, Chapter 3). Results are to be forwarded to this Agency for review.
- 1132 A** Fire hydrants shall be color coded in accordance with the DSFPR, Reg 703, Chap 3. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange.
- 1232 A** All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located. DSFPR Reg 703, Chap 1

- 1233 A** The fire department that responds to this location is using 5" storz fittings on the steamer.
- 1332 A** The distance between a fire hydrant and the nearest edge of the street shall not be greater than ten feet (10') unless an alternate distance is approved by the State Fire Marshal. DSFPR Reg 705, Chap 6, Section 2.6
- 1432 A** The steamer connection of all fire hydrants shall be so positioned so as to be facing the street or fire lane. (DSFPR Regulation 705, Chapter 5, Section 10). The center of all hose outlet(s) on fire hydrants shall be not less than 18 inches above finalgrade (NFPA 24)
- 1501 A** If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.



October 05, 2023

Mr. Cliff Mumford
Davis, Bowen, & Friedel, Inc.
cdm@dbfinc.com

**RE: Suncrest
Ready for Approval (supplemental) 2**

Mr. Mumford:

The Sussex Conservation District has reviewed the sediment and stormwater management plans submitted for the above referenced project. The District has found the submittal to be acceptable, please provide the District with the following:

- Submit 5 sets of plans for approval.
- Submit 1 set scaled 12 x 18 for approval.
- Submit an electronic copy (PDF) of the project's complete construction set.
- Submit an electronic copy (PDF) of the Stormwater Report (and all exhibits).
- Provide a check for inspection fee for \$5,750 and maintenance fee for \$850. (These fees can be combined on one check.)

Please note:

- Every plan sheet is to be signed and sealed by a qualified design professional. (Paper & Electronic copies)
- The SCD Owners Certification Statement is to be signed in ink on each set of plans.
- DelDOT Entrance Permit is required prior to scheduling a Pre-Construction meeting. (if applicable)
- DNREC Drainage Section approval is required prior to SCD final approval. (if applicable)

If plans are submitted with any of the above items missing, they will **not** be approved. Be advised if there are any deficiencies which cannot be addressed within 72 hours the plans will be considered withdrawn and therefore, you will need to entirely resubmit. We appreciate your cooperation in this matter as we are trying to maintain a professional and structured office to better serve you.

If ownership is going to change, the District will require a new application and two sets of plans with the new owner's information and signed certification statement. In addition, the authorization to discharge stormwater under the regulations *Part 2 Special Conditions for Storm Water Discharges Associated with Construction Activities*, must be transferred by the original owner to the new owner, please contact DNREC at 302-739-9921 for assistance.

If you have any questions or concerns regarding the aforementioned, please do not hesitate to contact the District at 302-856-2105.

Sincerely,

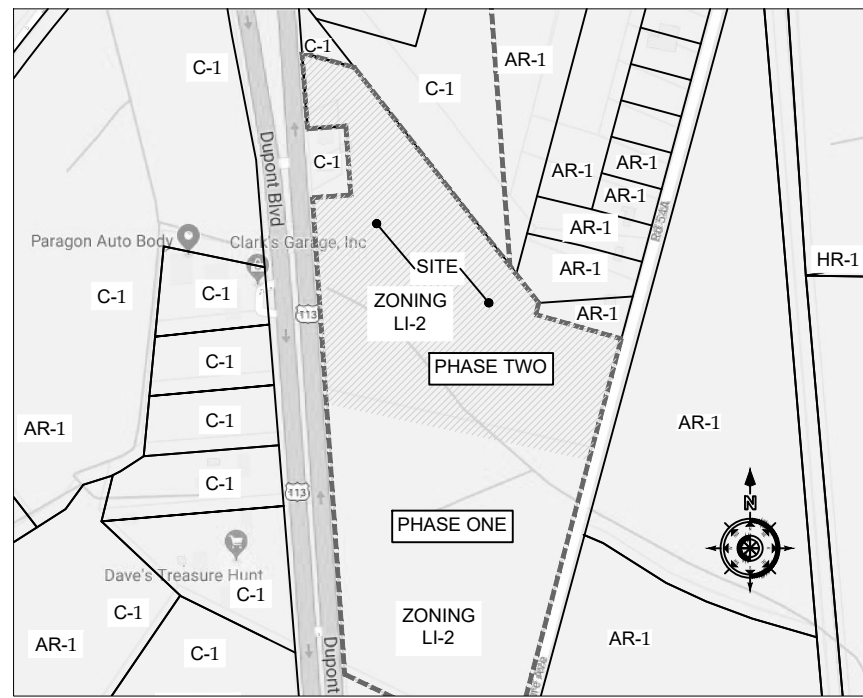
Michael White

Michael White
Stormwater Plan Reviewer

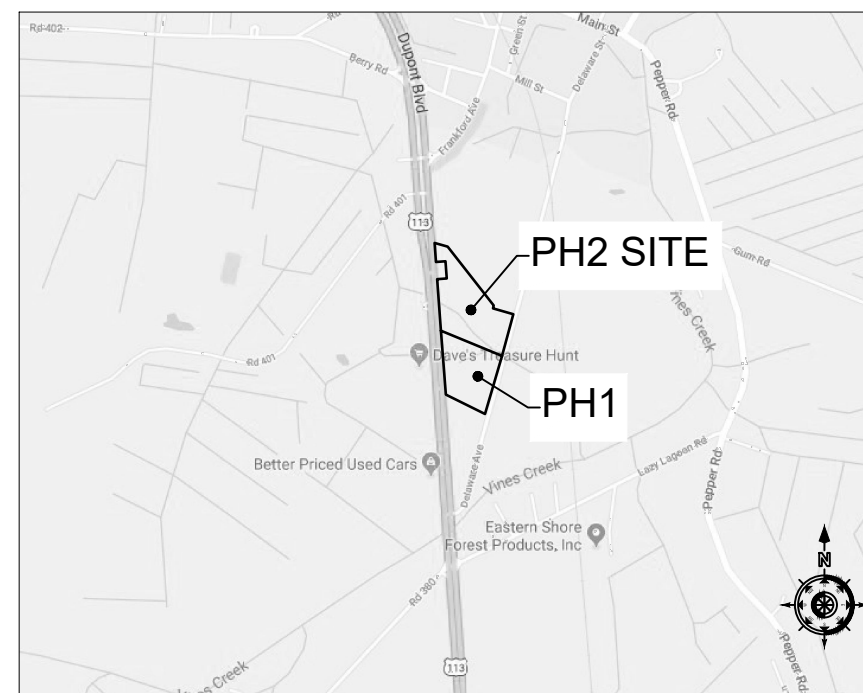
FRANKFORD BUSINESS PARK PHASE 2

SUSSEX COUNTY, DELAWARE
T.M.#433-11.00-21.00

FINAL SITE PLAN



Key Map:
Scale: 1"=500'

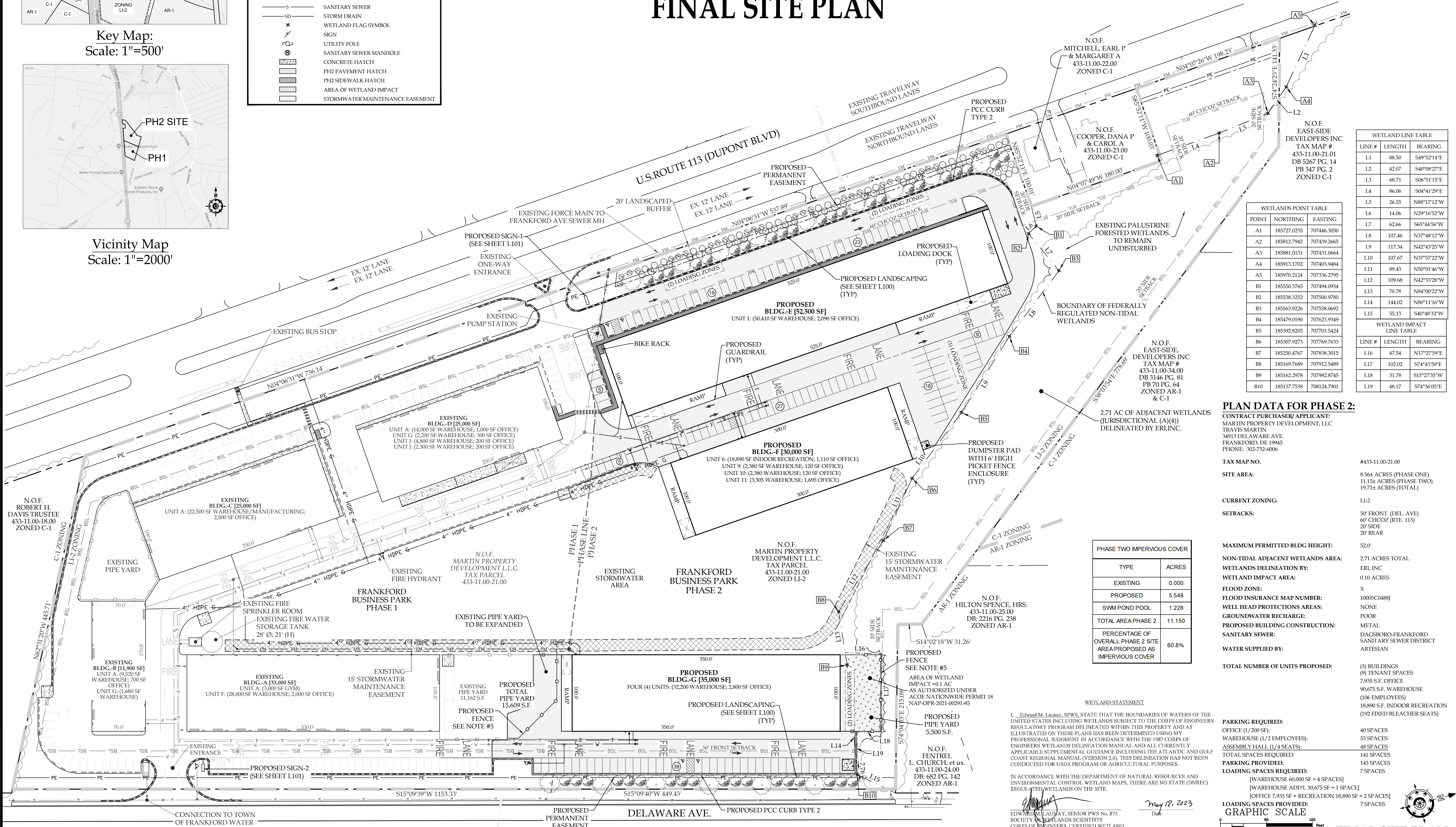


Vicinity Map
Scale: 1"=2000'

LEGEND	
---	PROPERTY LINE
---	BUILDING SETBACK LINE
---	PERMANENT EASEMENT (PE)
---	PHASE LINE
---	ZONING DISTRICT BOUNDARY
---	BOUNDARY OF FEDERALLY REGULATED WETLANDS
---	BOUNDARY CORP'S NWP#18
---	LANDSCAPED BUFFER
---	TREELINE
---	WATERLINE
---	GAS LINE
---	FIRELINE
---	SANITARY SEWER
---	STORM DRAIN
---	WETLAND FLAG SYMBOL
---	SIGN
---	UTILITY POLE
---	SANITARY SEWER MANHOLE
---	CONCRETE HATCH
---	PH2 PAVEMENT HATCH
---	PH2 SIDEWALK HATCH
---	AREA OF WETLAND IMPACT
---	STORMWATER MAINTENANCE EASEMENT

PHASE 2 PROJECT AREA TABULATION			
AREA CATEGORY	AREA (SF)	AREA (AC)	% TOTAL
OFFICE	7,935	0.182	2%
WAREHOUSE	90,675	2.082	19%
INDOOR RECREATION	18,890	0.434	4%
OFF-STREET PARKING	30,695	0.705	6%
INTERNAL ROADS	60,725	1.394	13%
SIDEWALKS	3,348	0.077	1%
LOADING AREAS	2,880	0.066	1%
OTHER	270,546	6.211	56%
TOTAL	485,694	11.150	100%

- NOTES:
- ANY PLAN APPROVAL IS LIMITED TO AREAS OUTSIDE OF THE WETLANDS AND THE NON-TIDAL WETLANDS LINE AS DRAWN ON THIS PLAN.
 - ANY CONSTRUCTION IN DELINEATED WETLAND AREAS MAY REQUIRE A PERMIT FROM THE ARMY CORPS OF ENGINEERS.
 - ANY SIGNS PROPOSED IN THE FUTURE WILL REQUIRE SEPARATE PERMITTING AND APPROVAL.
 - ALL OUTDOOR LIGHTING TO BE BUILDING MOUNTED AND WILL BE DIRECTED TO LESSEN THE IMPACT TO ADJOINING PARCELS.
 - ALL FENCING TO BE 6" BARBED WIRE CHAIN LINK WITH TAN PRIVACY SLATS.
 - NET DEVELOPMENT AREA PHASE 2=11.11 AC.



WETLAND LINE TABLE		
LINE #	LENGTH	BEARING
L1	88.50	S49°52'14"E
L2	42.07	S40°08'27"E
L3	68.71	S06°51'15"E
L4	86.06	S04°41'29"E
L5	26.55	N88°17'12"W
L6	14.06	N29°16'52"W
L7	62.66	S69°44'56"W
L8	107.46	N37°48'12"W
L9	117.34	N42°43'25"W
L10	107.67	N37°57'22"W
L11	89.43	N50°01'46"W
L12	109.68	N42°33'28"W
L13	70.78	N84°00'22"W
L14	144.02	N80°11'16"W
L15	55.13	S40°48'32"W

WETLANDS POINT TABLE		
POINT	NORTHING	EASTING
A1	185727.0235	707446.3050
A2	185812.7942	707439.2665
A3	185881.0131	707431.0664
A4	185913.1702	707403.9484
A5	185970.2124	707336.2795
B1	185550.3765	707494.0934
B2	185538.3252	707500.9780
B3	185563.9226	707538.0692
B4	185479.0190	707623.9349
B5	185392.8205	707703.5424
B6	185307.9273	707769.7633
B7	185250.4767	707838.3015
B8	185169.7689	707912.5489
B9	185162.2978	707982.8745
B10	185137.7538	708124.7901

WETLAND IMPACT LINE TABLE		
LINE #	LENGTH	BEARING
L16	47.54	N17°27'59"E
L17	102.02	S74°43'59"E
L18	31.78	S15°27'35"W
L19	48.17	S74°36'05"E

PLAN DATA FOR PHASE 2:
 CONTRACT PURCHASER/APPLICANT:
 MARTIN PROPERTY DEVELOPMENT, LLC
 TRAVIS MARTIN
 34913 DELAWARE AVE.
 FRANKFORD, DE 19945
 PHONE: 302-732-6006

PHASE TWO IMPERVIOUS COVER	
TYPE	ACRES
EXISTING	0.000
PROPOSED	5.548
SWM POND POOL	1.228
TOTAL AREA PHASE 2	11.150
PERCENTAGE OF OVERALL PHASE 2 SITE AREA PROPOSED AS IMPERVIOUS COVER	60.8%

WETLAND STATEMENT
 I, Edward M. Linnay, SPWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED WITHIN THIS PROPERTY AND AS ILLUSTRATED ON THESE PLANS HAS BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL AND ALL CURRENTLY APPLICABLE SUPPLEMENTAL GUIDANCE INCLUDING THE ATLANTIC AND GULF COAST REGIONAL MANUAL (VERSION 2.0). THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

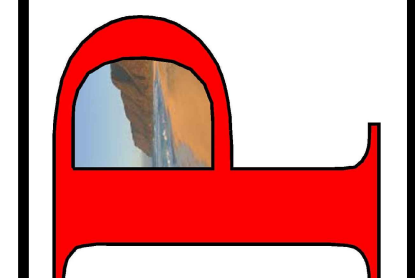
IN ACCORDANCE WITH THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL WETLAND MAPS, THERE ARE NO STATE (DNREC) REGULATED WETLANDS ON THE SITE.

EDWARD M. LINNAY, SENIOR PWS No. 875
 SOCIETY OF WETLANDS SCIENTISTS
 CORPUS OF ENGINEERS, CERTIFIED WETLAND DELINEATOR WDCP93M095100368

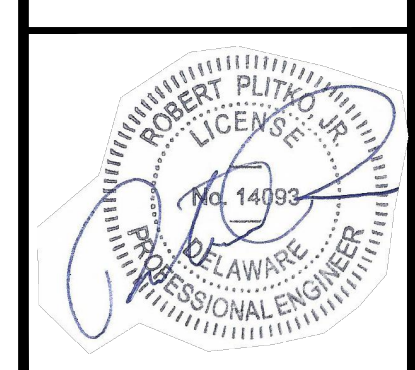
May 18, 2023
 Date

REVISION	DATE	DESCRIPTION
1	11/30/22	Site Plan Revisions
2	09/19/23	Increase Parking Spaces

PLITKO, LLC
 53 ATLANTIC AVE., SUITE #3
 OCEAN VIEW, DE 19970
 PHONE (302)-537-1919



FRANKFORD BUSINESS PARK
 PHASE 2
 FINAL SITE PLAN
 SUSSEX COUNTY, DELAWARE



Scale:
 Designed:
 Planned:
 Drawn: 2023-10-16
 Approved: RP

Michael Lowrey

From: Rob Plitko <rplitko@plitko.com>
Sent: Wednesday, October 18, 2023 8:58 AM
To: Michael Lowrey; Nicole Frank
Cc: Travis Martin - CTS; Jason Scarlavai
Subject: Re: Frankford Business Park Phase 2 Revised Site Plan

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

Thanks Mike, we will update the matrix and check with deldot. As far as parking, we will keep the 1 per 4 as that is more than enough parking based on the client's requirements.
Thanks, Rob

Get [Outlook for Android](#)

From: Michael Lowrey <michael.lowrey@sussexcountyde.gov>
Sent: Wednesday, October 18, 2023 8:53:47 AM
To: Rob Plitko <rplitko@plitko.com>; Nicole Frank <nfrank@coastaltradesupply.com>
Cc: Travis Martin - CTS <tmartin@coastaltradesupply.com>; Jason Scarlavai <jscarlavai@cpnhinc.com>
Subject: RE: Frankford Business Park Phase 2 Revised Site Plan

Good morning all.

Thank you for amending the uses and their respective square footages for BLDG-F.

Please also update the PROJECT AREA TABULATION matrix (Left of the Notes textbox) to include the percentage of "Indoor Recreation" use.

Please note, the Plan proposes the provision of parking as seen in the calculations based on [§162 §115-162](#) as follows:

Stadiums, assembly halls, theaters and community centers

1 per 4 fixed seats in the assembly area or for each 50 square feet of floor area for rooms having movable seats.

The Plan asserts parking provision under the 1 per "4 fixed seats in the assembly area" versus 1 per "50 square feet of floor area for rooms having movable seats."

Staff have concerns that this may not be the most appropriate application under the code standard given the nature of the proposed use. Staff are concerned that the sports training areas may be more appropriately applied under the 1 per 50 square feet of floor area. Staff will request the Planning & Zoning Commission provide clarification regarding the application of the Parking Use Matrix in §115-162 and the application of the ***Stadiums, assembly halls, theaters and community centers*** standard as it applies to the Revised Plan.

Additionally, Staff are requesting the Applicant also provide an updated Letter of Approval (LONO, LONOR, etc.) for this Revised Site Plan from DelDOT prior to Final Site Plan Approval given the inclusion of the indoor recreation use.

Please feel free to reach out if you have any questions.

Michael

Michael Lowrey
Planner III
Sussex County Planning and Zoning Department
2 The Circle
PO Box 417
Georgetown, DE 19947
302-855-7878
michael.lowrey@sussexcountyde.gov



The Planning Division has updated its fee schedule for applications and services as of July 1, 2022. The updated fee schedule can be found at:

https://sussexcountyde.gov/sites/default/files/PDFs/Planning_and_Zoning_Fees.pdf

Much of the County's Planning and Zoning Information can be found online at:

<https://sussexcountyde.gov/sussex-county-mapping-applications>

Information on the 2018 Sussex County Comprehensive Plan can be found at:

<https://sussexcountyde.gov/2018-comp-plan-documents>

From: Rob Plitko <rplitko@plitko.com>

Sent: Tuesday, October 17, 2023 1:17 PM

To: Michael Lowrey <michael.lowrey@sussexcountyde.gov>; Nicole Frank <nfrank@coastaltradesupply.com>

Cc: Travis Martin - CTS <tmartin@coastaltradesupply.com>; Jason Scarlavai <jscarlavai@cphinc.com>

Subject: Frankford Business Park Phase 2 Revised Site Plan

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

Hi Michael,

Please find the attached revised Frankford Business Park Phase 2 Site plan.
Let me know if you have any questions or require any additional information.

Thanks, Rob



ROB PLITKO, JR., PE
PLITKO LLC
ENGINEERING

Phone: 302-537-1919

Mobile: 302-222-2075

Email: rplitko@plitko.com

53 Atlantic Ave., Suite#3
Ocean View, DE 19970

From: Michael Lowrey <michael.lowrey@sussexcountyde.gov>
Sent: Tuesday, October 10, 2023 10:26 AM
To: Nicole Frank <nfrank@coastaltradesupply.com>
Cc: Rob Plitko <rplitko@plitko.com>; Travis Martin - CTS <tmartin@coastaltradesupply.com>; Jason Scarlavai <jscarlavai@cpnhinc.com>
Subject: RE: 10/26 meeting

Sussex County Administrative Office Building
Council Chambers
2 The Circle
Georgetown

Michael Lowrey
Planner III
Sussex County Planning and Zoning Department
2 The Circle
PO Box 417
Georgetown, DE 19947
302-855-7878
michael.lowrey@sussexcountyde.gov



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<https://sussexcountyde.gov/sussex-county-mapping-applications>

Information on the 2018 Sussex County Comprehensive Plan can be found at:

<https://sussexcountyde.gov/2018-comp-plan-documents>

From: Nicole Frank <nfrank@coastaltradesupply.com>
Sent: Tuesday, October 10, 2023 10:20 AM
To: Michael Lowrey <michael.lowrey@sussexcountyde.gov>
Cc: Rob Plitko <rplitko@plitko.com>; Travis Martin - CTS <tmartin@coastaltradesupply.com>; Jason Scarlavai <jscarlavai@cpnhinc.com>
Subject: RE: 10/26 meeting

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Rob, please make the changes to the site drawing and be sure to copy all of us when you send back to Michael.

Mike, the meeting is on 10/26 at 3pm, what is the location please, I will have Jason from our office attend.

Thank you!



Nicole Frank
Executive/Personal Assistant

Direct: 302-381-2008
Coastal Trade Supply, LLC
Office: 302-245-9323

Email: nfrank@coastaltradesupply.com
34752 Delaware Avenue, Union
www.coastaltradesupply.com

From: Michael Lowrey <michael.lowrey@sussexcountyde.gov>
Sent: Tuesday, October 10, 2023 9:55 AM
To: Nicole Frank <nfrank@coastaltradesupply.com>
Cc: Rob Plitko <rplitko@plitko.com>; Travis Martin - CTS <tmartin@coastaltradesupply.com>
Subject: RE: 10/26 meeting

CAUTION: This email originated from outside of Chesapeake Plumbing and Heating. Do not click links, open attachments or forward unless you recognize the sender and know the content is safe.

Ms. Frank,

It is not required. The Commissioners sometimes (not often) have a question and ask if anyone is present to represent the applicant for an answer, but its relatively rare.

The revisions to the Plan as we discussed are as follows.

- For BLDG F
 - For the label on the Building F symbology – please include the breakdown of **use** and square footage
 - Cabinet Shop – **Office/Warehouse** use
 - Sports facility – **Indoor Recreation** use
- For the parking breakdown schedule in the Data Column – provide use (best analogue) and calculation for provision of parking
 - Cabinet shop - **Office/Warehouse** [Parking Code §115-162](#)
 - Sports Facility – Assembly hall/Community center [Parking Code §115-162](#)

If there are any questions regarding the revisions, please contact me for any additional info.

Regards,
Michael

Michael Lowrey
Planner III
Sussex County Planning and Zoning Department
2 The Circle
PO Box 417
Georgetown, DE 19947
302-855-7878
michael.lowrey@sussexcountyde.gov



The Planning Division has updated it's fee schedule for applications and services as of July 1, 2022. The updated fee schedule can be found at:

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<https://sussexcountyde.gov/sussex-county-mapping-applications>

Information on the 2018 Sussex County Comprehensive Plan can be found at:

<https://sussexcountyde.gov/2018-comp-plan-documents>

From: Nicole Frank <nfrank@coastaltradesupply.com>
Sent: Tuesday, October 10, 2023 8:37 AM
To: Michael Lowrey <michael.lowrey@sussexcountyde.gov>
Cc: Jason Scarlavai <jscarlavai@cpnhinc.com>
Subject: 10/26 meeting

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

Mike,

Do we need a representative from Martin Properties to attend the meeting on 10/26 for the site plan approval?



Nicole Frank
Executive/Personal

Direct: 302-381-2000
Coastal Trade Supply
Office: 302-245-9320

Email: nfrank@coastaltradesupply.com
34752 Delaware Ave
www.coastaltradesupply.com



October 6th, 2023

It is the intent of Factory Sports, Inc to lease Building F Unit 6 in Frankford Business Park located at 34545 Delaware Avenue, Frankford, Delaware starting March 1st, 2023 for the following uses.

Playing Surfaces. Our facility will be home to two full hardwood athletic floors 100'x60' as well as a turf room 100'x50'. The hardwood floors will be used for youth and adult recreational sports such as basketball, volleyball, pickleball, and summer camps. Our athletic turf will be used for indoor baseball (batting cages), flag football, field hockey and lacrosse.

Non-Playing Area. The turf and hardwood floors will be separated by office space, storage and restrooms with a mezzanine area above. The mezzanine will be used for spectator seating and a lunch/meeting area consisting of tables and chairs, with an upstairs office space.

Expected Capacity. With each court and the turf area having a maximum capacity of 40 participants for a total of 120 participants at any given time, and assuming those participants each bring 2 parents with them, our maximum expected capacity is roughly 360 people, maybe 375 for staff members. With the same calculations we are looking at 135 vehicles/parking spaces required. Each of these estimates are on the high end. We expect daily operations to be closer to 100 participants at a time.

Pat Woods
Factory Sports



October 5, 2023

Travis Martin
Martin Property Development LLC
34910 Delaware Avenue
Frankford, DE 19945

Paul Manna
Artisan Interiors Group, LLC
P.O. Box 1597
Bethany Beach, DE 19930

To whom it may concern:

Artisan Interiors Group, LLC is engaged in the business of design & construction of cabinetry and concrete coatings for commercial and residential properties.

Our intended use will include but not limited to the storage of cabinetry materials, limited concrete coatings, showroom and office.

Should there be any additional questions, I can be reached at (302) 537-4811 extension 3.

Sincerely,

Paul Manna

Paul Manna
Artisan Interiors Group, LLC



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

NICOLE MAJESKI
SECRETARY

April 10, 2023

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

**SUBJECT: Letter of No Objection to Recordation
Frankford Business Park Phase 2**
Tax Parcel # 433-11.00-21.00
SCR00113-DUPONT BOULEVARD
SCR00054A-DELAWARE STREET
Dagsboro Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Site Plan, dated January 17, 2023 (last revised April 4, 2023), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawings. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Site Plan is not recorded prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. Entrance plans shall be developed in accordance with DelDOT's Development Coordination Manual and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project

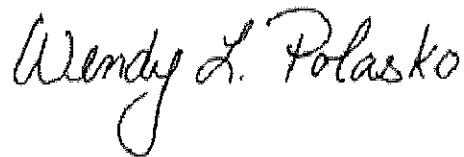


Frankford Business Park Phase 2
Mr. Jamie Whitehouse
Page 2
April 10, 2023

rests with the local government in which the land use decisions are authorized. There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DeIDOT has established that these enumerated transportation improvements are acceptable.

If I can be of any further assistance, please call me at (302) 760-2266.

Very truly yours,



Wendy L. Polasko, P.E.
Subdivision Engineer
Development Coordination

cc: Travis Martin, Chesapeake Plumbing and Heating, Inc.
Robert Plitko, PLITKO, LLC
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
Richard Larkin, South District Subdivision Manager
Jennifer Pinkerton, Chief Materials & Research Engineer
Linda Osiecki, Pedestrian Coordinator
John Fiori, Bicycle Coordinator
Sean Humphrey, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Jared Kauffman, DTC Planner
Danielle Notvest, JMT
Kevin Hickman, Sussex County Review Coordinator
Thomas Gagnon, Sussex County Reviewer



September 22, 2023

Mr. Rob Plitko
Plitko Engineering LLC
53 Atlantic Ave., Suite 3
Ocean View, DE 19970

**RE: Frankford Business Park Phase 2
Building F – Pond Maintenance Easement Revision**

Dear Mr. Plitko,

The Sussex Conservation District has reviewed the Sediment and Stormwater Management Plan revision for the above referenced development. The District has found the revision acceptable and to be within the standards and specification of the *Delaware Sediment and Stormwater Regulations*.

This revision approval is only for the items enumerated within the subject line and any changes not specifically indicated above are not considered approved by the District.

If you have any questions or comments, please contact the District at 302-856-7219.

Sincerely,

Jim Elliott

Jim Elliott,
Plan Reviewer

CC:



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 77B
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

July 27, 2021

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Travis Martin** proposed land use application, which we received on July 19, 2021. This application is for an approximately 19.71-acre assemblage of parcels (Tax Parcels: 433-11.00-21.00 and 21.02). The subject land is located on the west side of Delaware Street (Sussex Road 54A). The subject land is currently zoned C-1 (General Commercial) with a proposed zoning of LI-2 (Light Industrial) and the applicant seeks to build a warehouse/ storage and office.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Delaware Street from Dupont Boulevard (US 113) to S. Frankford Limit is 731 vehicles per day.

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

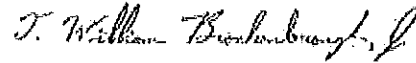


Mr. Jamie Whitehouse
Page 2 of 2
July 27, 2021

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

Please contact Ms. Annamaria Furrato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Travis Martin, Applicant
Russell Warrington, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Bréstel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furrato, Project Engineer, Development Coordination

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



Sussex County
DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

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

Date: 7-19-2021

Site Information:

Site Address/Location: EAST SIDE OF RT. 113, 0.3 mi. N OF DEL. AVE

Tax Parcel Number: 433-11.00-21.00; 433-11.00-21.02

Current Zoning: C-1

Proposed Zoning: LI-2

Land Use Classification: _____

Proposed Use(s):

WAREHOUSE / STORAGE & OFFICE

Square footage of any proposed buildings or number of units: 110,000 SF WAREHOUSE
2,000 SF OFFICE

Applicant Information:

Applicant's Name: Travis Martin

Applicant's Address: 34913 Delaware Ave.

City: Frankford State: DE Zip Code: 19945

Applicant's Phone Number: 443-880-8330

Applicant's e-mail address: Tmartin@cpnhinc.com



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

Last updated 3-12-20

GENERAL NOTES:

- TOPOGRAPHY SHOWN HEREIN PER SURVEY DATA, PROVIDED BY CYPRESS SURVEYS, LLC, DATED 07-11-21.
- BOUNDARY SHOWN HEREIN PROVIDED BY CYPRESS SURVEYS, LLC, DATED 07-11-21.
- THIS SITE CONTAINS APPROXIMATELY 14,344 SF (±0.33 ACRES) OF WATERS OF THE U.S. DRAINAGE CHANNEL (INTERMITTENT AND PERENNIAL FLOW).
- THIS SITE IS NOT WITHIN ANY TRANSPORTATION IMPROVEMENT DISTRICT (TID)
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME 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.
- ACCESS TO ALL LOTS WILL BE OFF PRIVATE INTERIOR ACCESS EASEMENT ONLY.
- NO CONSTRUCTION PHASING IS PLANNED FOR THIS PROJECT.

SILVERLEAF

PRELIMINARY SITE PLAN

PARCELS 533-5.00-38.00 & 41.04

(PROJECT # S-23-36)

SUSSEX COUNTY, DELAWARE

GMB NO. 210109-A

CONSULTANT TEAM

OWNER/APPLICANT: MRBP, LLC
5973 SMITH'S LANE
SALISBURY, MD 21801
CONTACT: R. LAWTON MYRICK
410-251-9568

CIVIL ENGINEER: GEORGE, MILES & BUHR, LLC
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
CONTACT: STEPHEN L. MARSH, P.E.
410-742-3115

SITE DATA:

TAX MAP #: TM ID 533-5.00-38.00
DEED REFERENCE: BOOK 5447 PAGE 327
PARCEL AREA: 41.265 ACRES
TAX MAP #: TM ID 533-5.00-41.04
DEED REFERENCE: BOOK 5447 PAGE 327
PARCEL AREA: 15.764 ACRES
PRESENT ZONING CLASSIFICATION: AR-1
PRESENT USE: AGRICULTURAL - VACANT
PROPOSED USE: AGRICULTURAL WITH FARM POND

LAND USE APPROVAL AUTHORITY: SUSSEX COUNTY

ACRES
TOTAL LAND AREA: ±57.029

BUILDING SETBACKS:
FRONT: 40'
SIDE: 15'
REAR: 20'

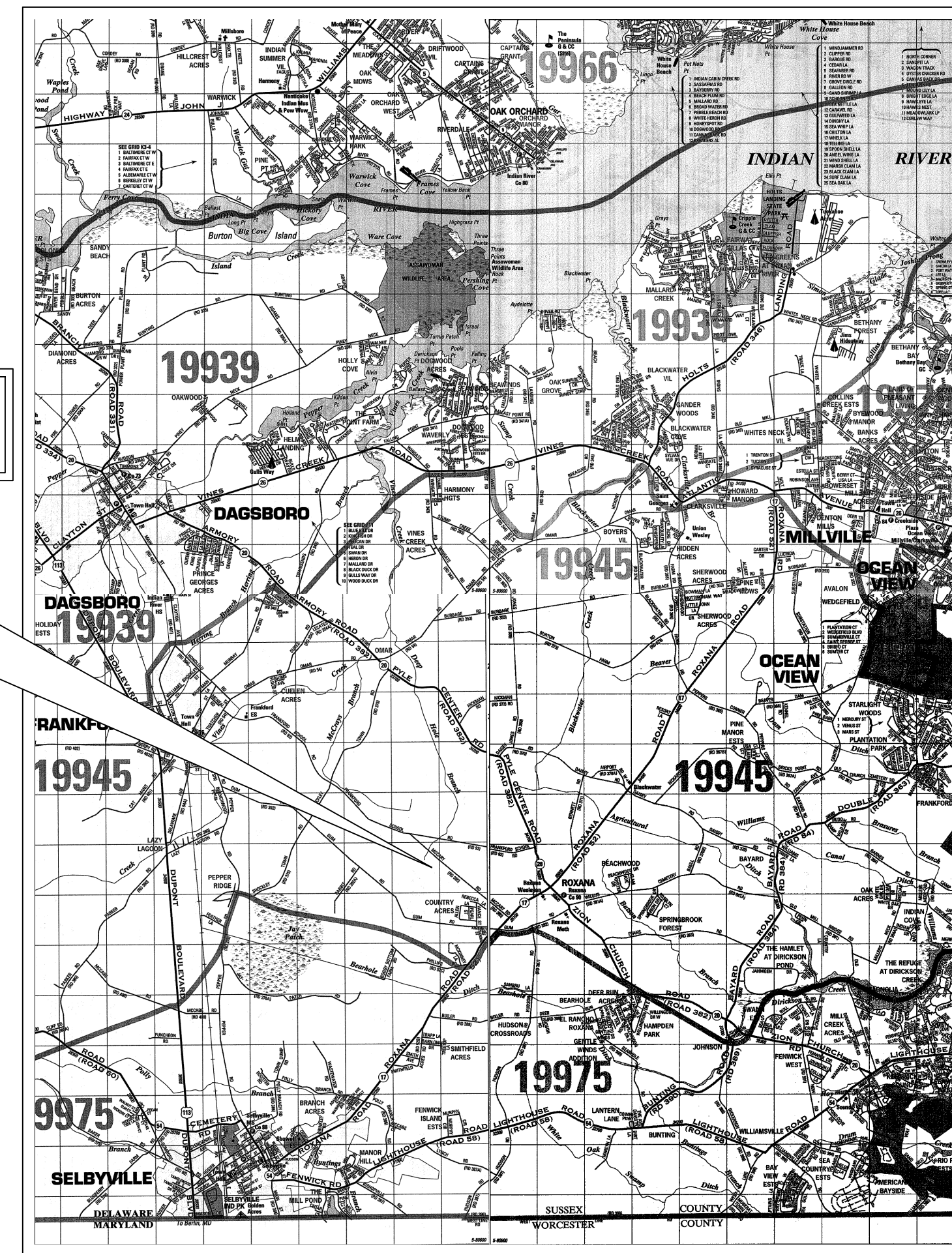
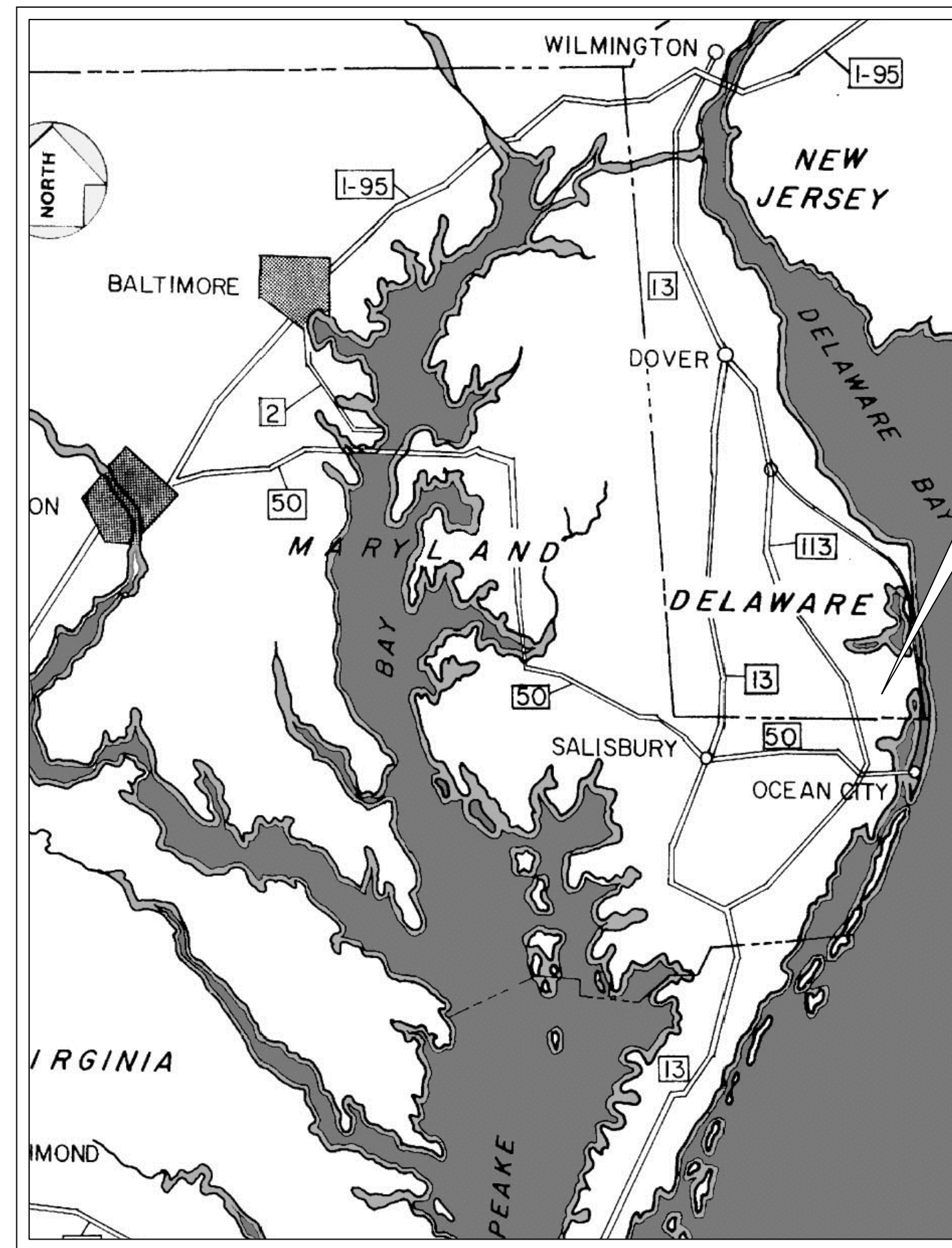
FLOOD INFORMATION:
SPECIAL FLOOD HAZARD AREA ZONE X PER FEMA MAPS:
10005C0630J DATED JANUARY 6, 2005 &
10005C0635K DATED MARCH 16, 2015.

REQUIRED VEGETATED BUFFER: N/A
PROVIDED VEGETATED BUFFER (NATURAL REGENERATION): 20'

WATER PROVIDER: PRIVATE WELL
SEWER PROVIDER: PRIVATE SEPTIC SYSTEM

ACREAGE TABLE:

UPLAND AGRICULTURAL FIELD (INCLUDES UPLAND MANMADE EPHEMERAL DRAINAGE CHANNEL) ±44.64 ACRES
UPLAND FOREST ±12.06 ACRES
WATERS OF THE U.S. DRAINAGE CHANNEL (INTERMITTENT AND PERENNIAL FLOW) ±0.33 ACRES (14,344 SF)
TOTAL SITE AREA ±57.03 ACRES



	EXISTING	PROPOSED
PROPERTY LINE	---	---
EASEMENT LINE	---	---
SETBACK LINE	---	---
R.O.W. LINE	---	---
PROPERTY CORNER (NOT SPECIFIED)	⊙	N/A
CONCRETE MONUMENT FOUND	⊙	⊙
IRON PIPE FOUND	⊙	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	---	---

LIST OF DRAWINGS

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



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

AUG 2023

WETLANDS CERTIFICATION:

"I EDWARD M. LAUNAY, PWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM Delineated WITHIN THIS PROPERTY AND AS ILLUSTRATED ON THESE PLANS HAS BEEN DETERMINED USING MY PROFESSIONAL JUDGEMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL AND ALL CURRENTLY APPLICABLE SUPPLEMENTAL GUIDANCE INCLUDING THE ATLANTIC AND GULF COAST REGIONAL MANUAL (VERSION 2.0). THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

IN ACCORDANCE WITH THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL WETLAND MAPS, THERE ARE NO STATE (DNREC) REGULATED WETLANDS ON THE SITE.

EDWARD M. LAUNAY, PWS NO. 875 DATE
SOCIETY OF WETLAND SCIENTISTS
CORPS OF ENGINEERS
CERTIFIED WETLAND DELINEATOR WDCP93MD05100368

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 HERE HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEVE REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

STEPHEN L. MARSH, P.E. DATE
GEORGE, MILES & BUHR, LLC.
206 W. MAIN STREET
SALISBURY, MD 21801

OWNER / DEVELOPER'S CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION. IT IS MY DESIRE TO HAVE THE PLAN DEVELOPED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

R. LAWTON MYRICK DATE
MRBP, LLC.

PRINTS ISSUED FOR: SUBMITTAL

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

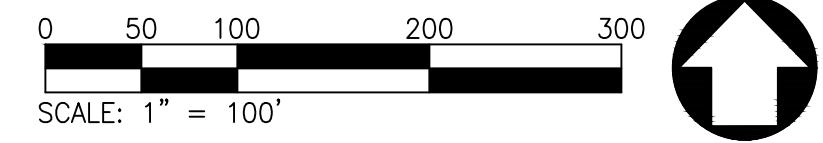
SILVERLEAF
SUSSEX COUNTY, DELAWARE

COVER SHEET

SCALE	AS SHOWN	SHEET NO.
DESIGN BY :	RLM	PSP1.0
DRAWN BY :	RLM	
CHECKED BY :		
GMB FILE :	2101019-A	
DATE :	AUG 2023	

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MINOR SUBDIVISION
CONCEPT ONLY - NOT FOR APPROVAL



N/F
CARLA E. RICKARDS, ET AL
TM 533-5.00-42.00
DB 5356 PG 207
ZONING: AR-1
USE: AGRICULTURAL
EASEMENT B. RICKARDS -
RICK CHICK EXPANSION

MCCARY ROAD (SCR 385)
30' WIDE PUBLIC RIGHT OF WAY (LOCAL)
PER PLOT 90/142 & DB 3090/38

40' WIDE ACCESS
EASEMENT, TYP.

20' WIDE BUFFER
NATURAL REGENERATION,
TYP.

20' WIDE STABILIZED
DIRT DRIVE, TYP.

N/F
NICKOLAS E & LINDSAY
M HARRINGTON
TM 533-5.00-41.03
DB 4667 PG 55
PB 90 PG 142
ZONING: AR-1
USE: RESIDENTIAL

20' WIDE BUFFER
NATURAL REGENERATION,
TYP.

N/F
BENNET S, TYLER H &
CHRISTIAN G WHITE
TM 533-5.00-84.00
DB 488 PG 81
ZONING: AR-1
USE: AGRICULTURAL

MCCARY ROAD (SCR 385)
45' WIDE PUBLIC RIGHT OF WAY (LOCAL)
PER PLOT 15/98, 37/210 & DB 658/630

40' WIDE ACCESS
EASEMENT, TYP.

N/F
CARLA E. RICKARDS, ET AL
TM 533-5.00-37.00
DB 5356 PG 207
ZONING: AR-1
USE: AGRICULTURAL
EASEMENT B. RICKARDS -
RICK CHICK EXPANSION

20' WIDE BUFFER
EXISTING VEGETATION
TO REMAIN, TYP.

POTENTIAL PRIVATE
WELL LOCATION,
100' RADIUS, TYP.

LOT 1
56,071 SF
±1.29 AC

LOT 2
43,700 SF
±1.00 AC

LOT 3
43,700 SF
±1.00 AC

LOT 4
43,700 SF
±1.00 AC

LOT 5
43,700 SF
±1.00 AC

RESIDUAL LANDS
1,566,632 SF
±35.96 AC

SITE # 7

SITE # 1

SITE # 3

N/F
HARVEY BLACK TRUSTEE
TM 533-5.00-83.00
DB 3535 PG 316
PB 658 PG 630
ZONING: AR-1
USE: RESIDENTIAL

N/F BENNET S, TYLER H
& CHRISTIAN G WHITE
TM 533-5.00-40.00
DB 488 PG 81
ZONING: AR-1
USE: AGRICULTURAL

N/F MARY M MARINO &
BARBARA J MORGAN
TM 533-5.00-82.04 LOT 4
DB 5366 PG 117
PB 37 PG 210
ZONING: AR-1
USE: RESIDENTIAL

N/F
KIMBERLY McCABE
GRIMES
TM 533-10.00-46.04
PB 9 PG 77 &
PB 8 PG 933
ZONING: AR-1
USE: ATHLETIC FIELDS

N/F
CARLA E. RICKARDS, ET AL
TM 533-5.00-44.00
DB 5356 PG 207
ZONING: AR-1
USE: AGRICULTURAL
EASEMENT B. RICKARDS -
RICK CHICK EXPANSION

MRBP, LLC

5973 SMITHYS LN, SALISBURY, MD 21801

October 16, 2023

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

Attn: Lauren DeVore
Planner III

Re: Silverleaf (2022-25)
Preliminary Site Plan – Clarification Letter
Job No: 210109.A0

Dear Lauren:

Please accept this letter in response to questions and comments made by the Planning Commission on September 14, 2023, concerning the reference project. You also shared an email stating that written explanation is warranted to help the Commission understand our vision for Silverleaf. I apologize for not being better prepared to speak at that meeting, but I mistakenly thought that I would not be allowed to speak during an “Other Business” discussion. Also, realizing that some of the Planning Commissioners were not present at the very first application for the Borrow Pit last year, I wanted to provide as much clarification as possible regarding that history.

There was some confusion regarding the status of the recent application reflecting multiple Farm Ponds. We attempted to withdraw this application, but coincidentally the plan was reviewed by some of the Commissioners, leading to their questioning why we were back before them so quickly. We had withdrawn the multiple pond application to make better use of the existing soils for potential septic drain fields on the eastern portion of the site and consolidated the pond area to the southern portion of the site. As such, we are asking for one large pond instead of multiple medium sized ponds. We thought that asking for one Farm Pond would be more palatable than asking for Farm Ponds (plural). The withdrawn submittal totaled 625,262 SF of proposed ponds and our current layout totals 624,000 SF of pond area.

After much consideration, we have altered the site plan to preserve the east side of the site, because this area has the greatest potential for future possible use as septic drain fields. We may pursue a Minor Subdivision in the future and will need septic areas to serve those future lots. We have included a Soils Report from Atlantic Resource Management, Inc., which outlines those areas that have potential septic capacity and those areas that have limiting factors, such as standing water. We are including a Conceptual Lot Layout for a Minor Subdivision that would

utilize E-1 Grinder Pumps and small diameter Force Main connecting to communal septic drain fields. We did not show the potential Minor Subdivision originally because that was not part of our application at this time. We have now provided a Conceptual Lot Layout in response to the question regarding location and so that it is clear how the possible future lots might live on the pond and take advantage of their views across the water. We are not seeking approval of the Minor Subdivision, but simply wanted to provide an exhibit that exemplifies one long-range vision for the site. We understand that a Minor Subdivision is allowed 4 lots plus the residual acreage. If that residual acreage is more than 10 acres, a bonus lot for every 10 acres is allowed, with a maximum of 4 per year.

For most of my adult life, I have been looking for a farm that contained or would accommodate a large, deep pond for personal use. When we submitted the Borrow Pit application, our goal was to create a large, deep pond that could serve as an amenity for ourselves and any future lots overlooking the pond, created via a Minor subdivision. The material being removed from the site and used in the construction industry is secondary to our goals, but I believed the designation of "Borrow Pit" was the best classification at the time. The Borrow Pit was unanimously approved by the Planning Commission at the time, prior to being denied by the County Council. As such, we have reduced the size and scope of the proposed pond by sixty percent (60%) of the original approved Borrow Pit, in response to concerns from neighbors and the County.

Regarding the size of the pond, since there is no definition of a Farm Pond in the Sussex County Zoning Code, no required dimensions were provided. Based on the Geotechnical Report, there is a clay layer approximately 32' below ground level. We do not want to pierce this clay layer as it will naturally hold water that feeds the pond. If this clay layer were deeper, we would seek a deeper pond, but as it stands, we would be happy to own a 30' deep pond for active and passive recreation. We are calling our body of water a "Farm Pond" simply because that is the best name for it and is a permitted use under the AR-1 Zoning classification and the site is actively being farmed.

We do not want to classify our pond as a Stormwater Management (SWM) Pond because this is not the current use proposed for the pond. SWM ponds also cannot have trees planted along their bank due to Maintenance Easement requirements. I disagree with this regulation at least once a month in my line of work. Maintenance equipment should be able to work around a free-standing tree every now and then, but that discussion is for another day. Farm Ponds can have trees planted along their banks, and we would like to plant Native Species, such as Bald Cypress and River Birch here. This would provide shade for fish species such as Large Mouth Bass, seeking structure for cover and make the pond seem more naturalized over time.

The Concern over the 'Future Use' is perplexing. The future use of a Borrow Pit or Farm Pond is similar. Both would yield a body of water that is available for active and passive recreation. When we applied as a Borrow Pit, I do not believe anyone had a problem with the future use of the body of water, rather I believe they had concerns about heavy truck traffic along McCary Road. It is worth noting that one of the closest neighbors, the Harringtons and I have spoken in the past and they have very little concern about a large pond being on land adjacent to their homestead.

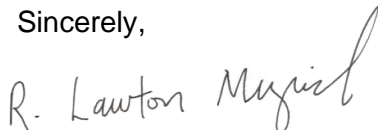
We can appreciate and understand the concerns laid out by the local residents regarding truck traffic. However, it is important to note again that there are several large poultry operations in the area with eighteen-wheeler trucks using McCary Road and the surrounding roads frequently and in perpetuity. The neighbors that were in opposition to our original Borrow Pit application failed to consider that agricultural uses such as hog, chicken or cattle farms are allowed on the property by right. These types of activities would include noise, odors, and truck traffic in perpetuity. In our opinion, there is a long-term negative effect associated with these by-right uses vs. the short-term impacts of the creation of a farm pond. Recognizing the neighbor's concerns, we would endeavor to create the farm pond as quickly as possible to reduce the timeline of trucks entering and exiting the site.

Regarding input from other agencies, I offer the following comments:

1. **DeIDOT** - Because we remain a Farm operation, I do not believe any DeIDOT regulation is required, but we will confirm this.
2. **SFMO** – Upon preliminary approval from P & Z, we will provide the State Fire Marshal's office with plans reflecting any diesel fuel storage, in confinement areas per their regulations.
3. **SCD** – We have included an email correspondence from Jessica Watson stating that they do not regulate the size and scope of a Farm Pond. If we garner approval from Planning & Zoning, we will provide SCD's approval of our standard construction plan for land disturbance.
4. **Ag Dept.** – We have included a letter from the Department of Agriculture stating that they have no objections to our proposed Farm Pond design.

We trust this provides the background explanation necessary to address any remaining concerns. Please feel free to call me at 410-251-9568 with any questions.

Sincerely,



R. Lawton Myrick
MRBP, LLC

Enclosures



GEORGE, MILES & BUHR, LLC



ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
salisbury@gmbnet.com

SALISBURY
BALTIMORE
SEAFORD
LEWES
OCEAN VIEW

www.gmbnet.com



August 25, 2023

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

Attn: Lauren DeVore
Planner III

Re: Silverleaf (2022-25)
Preliminary Site Plan
GMB Job No: 210109.A0

Dear Lauren:

Please accept this letter in response to comments made on July 25, 2023. We have made some revisions to the Proposed Site Plan, but many of the original comments and our responses will remain applicable.

After much consideration, we have altered the site plan to preserve the east side of the site, where the soils with the most septic potential are. This is in case we pursue a Minor Subdivision in the future and need areas for septic drain fields.

You will note that instead of several medium sized ponds, we are reflecting one larger pond to the south of the site. The original submittal totaled 625,262 SF of proposed ponds and our current layout totals 624,000 SF of pond area.

Revised Preliminary Site Plan

Comment 1: Please ensure that the correct acreage for the subject properties is reflected on the Plans. The Site Data Column indicates that Parcel 38.00 consists of 41.265 acres+/- . The County’s Online Mapping System and the latest Deed of record for the property indicate that this Parcel consists of 41.09 acres +/- . Similarly, the Site Data Column indicates that Parcel 41.04 consists of 15.764 acres +/- . The County’s Online Mapping System and the latest Deed of record for the property indicate that this Parcel consists of 15.84 acres+/- .

Response 1: **The Deed is not based on the latest survey by Cypress Surveys, LLC. There are errors in both parcel descriptions:**

Parcel 38.00 calls for the center of the ditch but fell short and the Deed line ran along the western top bank leaving a gap between the ditch and the adjoining landowners to the east. We found and held markers on that property which matched the existing ditch called for on the JJ McCann survey used in that Deed.

JAMES H. WILLEY, JR., P.E.
CHARLES M. O'DONNELL, III, 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.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
W. MARK GARDOCKY, P.E.
ANDREW J. LYONS, JR., P.E.

PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
W. BRICE FOXWELL, P.E.

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

Parcel 41.04 called for the southern property line to bind on parcel 38.00. There was a 13.4' linear error in the description of parcel 41.04 used in the Deed, which if held, would have created an overlap onto parcel 38.00

We are prepared to record a confirmatory Deed using the latest Survey, which we believe to be more accurate.

Comment 2: There appear to be two (2) farm ponds which are labeled "Farm Pond "A." Please ensure that one of these farm ponds is relabeled "Farm Pond "D" for further clarity.

Response 2: We have altered the site plan to reflect one pond instead of several. We have relabeled the pond to be more correct/clear.

Comment 3: Please include on the Plans that adjacent Parcels 42.00, 37.00 and 44.00 to the west and southwest of the subject site are within an Agricultural Easement (known as the "B. Rickards–Rick Chick Expansion."

Response 3: This information has been added to the exhibits.

Comment 4: Please show the 50-ft setback/buffer from active agriculture on the Plans as prescribed in §99-6(G)(2) of the Sussex County Code.

Response 4: The 50-ft setback has been included in the exhibits.

Comment 5: Please correct the Map number on the Plans for Tax Parcel IDs: 533-10.00-44.00, and 533-10.00-45.00 located immediately to the south of the proposal. The Plans appear to note that this is part of Map 5.00.

Response 5: We have corrected the parcel information accordingly.

Comment 6: Please ensure that all Parcels show 100-ft of frontage off of the proposed easement to ensure compliance with §115-25(A)(1) of the Sussex County Code.

Response 6: Parcel 41.04 has over 900 linear feet of frontage along McCary Road. Parcel 38.00 does not have 100 linear feet of road frontage, but the width of the parcel is well beyond the 100' and contained a former home site on the property. We feel the intent of the Code is to ensure that lots of record are at least 100' wide, which Parcel 38.00 is.

Comment 7: Please include the County Project Reference Number on the top center of the Cover Sheet. The County Project Reference Number for this project is S-23-36.

- Response 7:** **The County Project Reference number is now shown on the Cover Sheet.**
- Comment 8: Please amend the numbering of the General Notes on the Cover Sheet to ensure that they are in numerical order.
- Response 8:** **The numbering of the General Notes is now corrected.**
- Comment 9: Please amend the minor typographical error in General Note #10 (actually General Note # 7) on the Cover Sheet, "Access to all lots will be of private interior access easement only" to "Access to all lots will be off private interior access easement only."
- Response 9:** **The minor typo has been corrected.**
- Comment 10: Please amend the road reference on the Plans from "CR 385" to "SCR 385."
- Response 10:** **The road reference has been updated to SCR 385.**
- Comment 11: Please amend the minor typographical error on Sheet PSP3.0 "PB DB658" to "DB 658."
- Response 11:** **The minor typo has been corrected.**
- Comment 12: Please include the size of the farm ponds in acres as well on the Plans instead of square footage.
- Response 12:** **The acreage of the pond has been included as well as the square footage.**
- Comment 13: Please include the zoning of all surrounding and adjacent Parcels/properties on the Plans (§115-220(B)(3)).
- Response 13:** **We have included the zoning as well as the use of the adjacent properties.**
- Comment 14: Please ensure that all topographic contours are provided at 1-foot intervals where feasible (§115-220(B)(4)).
- Response 14:** **We now show existing and proposed contours at 1-foot intervals**
- Comment 15: Please include the nature of all proposed excavation on the Plans (§115-220(B)(5)).
- Response 15:** **The side slopes of the proposed ponds are shown now.**
- Comment 16: Please add as a General Note the number of construction phases to be proposed for this project, if any (§115-220(B)(12)).

Response 16: We have added a note stating that no construction phasing is planned at this time.

Final Site Plan

Comment 1: Please include the existing zoning district boundaries and of the property involved on the Plans (§115-221(B)(2)).

Response 1: We have included the zoning as well as the use of the adjacent properties.

Comment 2: Please ensure the location of all storm drainage facilities (if proposed) are reflected on the Plans (§115-221(B)(5)).

Response 2: The pond is self-contained and will only have emergency overflow / outfalls into the existing ditch system bisecting the site.

Comment 3: Please include the location of all proposed setback lines and easements on the Plans (§115-221(B)(6)).

Response 3: The building setbacks are indicated on the site plan.

Comment 4: Please add to the Plans any major proposed excavation work to be undertaken with this proposal (if any) (§115-221(B)(7)).

Response 4: The side slopes of the proposed pond are now shown.

Comment 5: Please clarify if any screen plantings or landscaping are to be provided with this proposal or whether the existing vegetation and forested areas are proposed to be retained (§115-221(B)(9)).

Response 5: We are leaving all existing vegetation along the perimeter of the site to serve as natural buffer / screening. There are no required screenings for Farm ponds.

Comment 6: Please include the location, character, size, height and orientation of all proposed signs on the Plans (§115-221(B)(11)).

Response 6: There are no signs planned for the site.

Comment 7: Please confirm the Gross Acreage of the proposal on the Plans. With the information outlined above under Comment #1 for the Revised Preliminary Site Plan, the Plans note a gross acreage of 57.029 acres +/-, but the County's Online Mapping System indicates that the gross acreage of the properties is 56.93 acres +/- . Please advise.

Response 7: **We feel confident that the survey data based on field located property corners and deed descriptions is more accurate than the County's website.**

Comment 8: Please include a Bulk Grading Plan for the proposal if any major earth moving/excavation work is to be under taken as part of this project in order to comply with the provisions of §115-221(B)(17) of Sussex County Code.

Response 8: **We have included proposed contours and contour labels to better reflect the depth of excavation for the proposed farm ponds and how they tie into the existing grade.**

Comment 9: Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Department of Planning and Zoning (All items in which a check mark appears have been received by the Department. All items in bold have not been received and still require submittal to the Department):

- A. Delaware Department of Transportation (DelDOT)
- B. Office of State Fire Marshal
- C. Sussex Conservation District—Please check to ensure what requirements/approvals may be necessary for this proposal.
- D. Delaware Department of Agriculture—Please check to ensure what requirements/approvals may be necessary for this proposal.

Response 9: **We have contacted the various agencies and are able to provide letters of no objection from each of them.**

Please feel free to contact our office at 410-742-3115 with any questions or concerns.

Sincerely,


R. Lawton Myrick
Landscape Designer

Enclosures

Lawton Myrick

From: jessica.watson@sussexconservation.org
Sent: Thursday, March 23, 2023 7:44 AM
To: Christopher J. Pfeifer
Subject: RE: Farm Pond Question

Hey Chris,

If it's a farm pond – and over 5,000 sq. ft – they can obtain a standard plan for the disturbance – and it is not regulated, so they can construct however they wish.

If a farm pond or non-stormwater pond – connects into a stormwater pond it will need to comply with stormwater regs. Any non-stormwater ponds – have to be independent (meaning their own outfall etc).

Hope this helps.



Jessica Watson

Program Manager

jessica.watson@sussexconservation.org

23818 Shortly Road

Georgetown, DE 19947

302-856-2105 ext. 107 (office)

302-381-6136 (cell)

sussexconservation.org

From: Christopher Pfeifer <CPfeifer@gmbnet.com>
Sent: Wednesday, March 22, 2023 4:45 PM
To: Jessica Watson (jessica.watson@sussexconservation.org) <jessica.watson@sussexconservation.org>
Subject: Farm Pond Question

Good Afternoon Jessica,

I have a potential project I'm working on that wants to include a farm pond, not to be used as a stormwater management facility. I wanted to see if SCD had any regulations that this use would need to follow regarding minimum and maximum depths.

Thanks,
Chris



Christopher J. Pfeifer, P.E.

Project Manager

206 West Main Street | Salisbury, MD | 21801

410.742.3115 | www.gmbnet.com | Find us on [facebook](#)



DELAWARE DEPARTMENT OF
AGRICULTURE

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

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

September 28, 2023

Cathy Lyons
Sr. Project Coordinator
GMB Architects/Engineers
206 West Main Street
Salisbury, MD 21801

Re: Proposed Pond on Parcels 533-5.00-38.00 and 533-5.00-41.04 Silverleaf Project # S-23-36.

Dear Ms. Lyons:

The Delaware Department of Agriculture has reviewed the provided information relating to the Silverleaf Project # S-23-36 on Parcel numbers 533-5.00-38.00 and 533-5.00-41.04. I am writing for inform you that the Department of Agriculture does not oppose the referenced project based on the information submitted for review.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Milton Melendez', is written over a horizontal line.

Milton Melendez - Planner
Delaware Department of Agriculture

**SOILS RECONNAISSANCE
FOR ONSITE WASTEWATER TREATMENT
AND DISPOSAL SYSTEMS (OWTDS)**

FOR

MRBP LLC

SUSSEX COUNTY, DELAWARE

TAX MAP PARCEL 5-33-5.00, PARCELS 38.00 & 41.04

MARCH 30, 2023

Prepared for:

**Rauch Inc.
Mr. Kyle Kowalczyk, P.E.
106 N. Harrison ST
Easton, MD 21601**

Submitted by:

**Lāf P. Erickson
Soil Scientist, CPSS/SC**

**Atlantic Resource Management, Inc.
32717 Lavender Lane
Frankford, DE 19945
(302) 539-2029**

ARM Project No. 206-DS22-SR

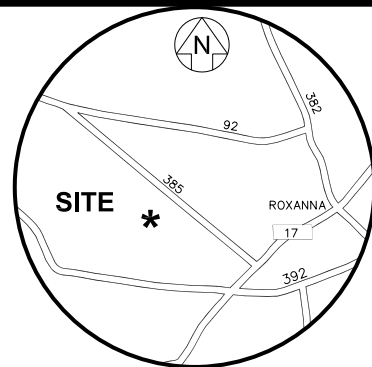
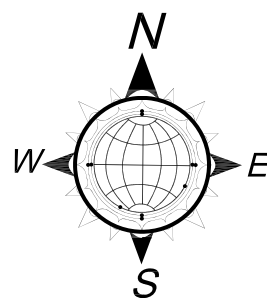


SITE # 1: SITE EVALUATION FOR I/A ESM, PEAT BIOFILTER, MICRO-IRRIGATION DRIP UNDER NEW CONSTRUCTION CRITERIA

SITE # 2: SITE EVALUATION FOR I/A ESM UNDER REPLACEMENT CRITERIA FOR 1 EDU

SITES # 3, 4, 5, 6, & 7: OBSERVATION WELLS RECOMMENDED OVER FUTURE WET SEASON

SITES # 8, 9, 10, 11, & 12: OBSERVATION WELLS MARGINAL/ RURAL AREA WAIVER



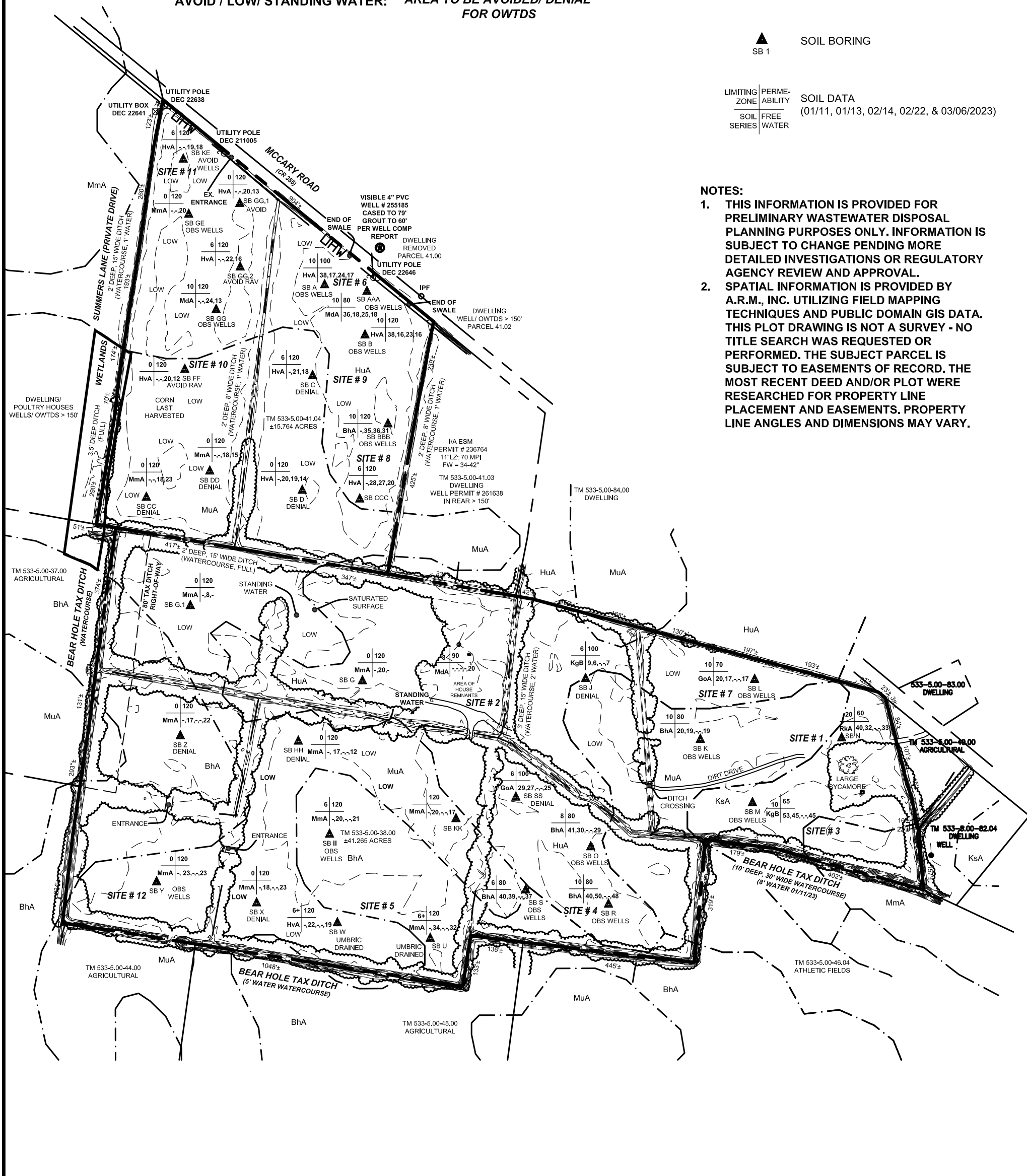
AVOID / LOW/ STANDING WATER: AREA TO BE AVOIDED/ DENIAL FOR OWTDS

▲ SOIL BORING
SB 1

LIMITING ZONE	PERMEABILITY	SOIL DATA
SOIL FREE SERIES	WATER	(01/11, 01/13, 02/14, 02/22, & 03/06/2023)

NOTES:

1. THIS INFORMATION IS PROVIDED FOR PRELIMINARY WASTEWATER DISPOSAL PLANNING PURPOSES ONLY. INFORMATION IS SUBJECT TO CHANGE PENDING MORE DETAILED INVESTIGATIONS OR REGULATORY AGENCY REVIEW AND APPROVAL.
2. SPATIAL INFORMATION IS PROVIDED BY A.R.M., INC. UTILIZING FIELD MAPPING TECHNIQUES AND PUBLIC DOMAIN GIS DATA. THIS PLOT DRAWING IS NOT A SURVEY - NO TITLE SEARCH WAS REQUESTED OR PERFORMED. THE SUBJECT PARCEL IS SUBJECT TO EASEMENTS OF RECORD. THE MOST RECENT DEED AND/OR PLOT WERE RESEARCHED FOR PROPERTY LINE PLACEMENT AND EASEMENTS. PROPERTY LINE ANGLES AND DIMENSIONS MAY VARY.



**TAX MAP # 5-33-5.00, PARCELS 38.00 & 41.04
SUSSEX COUNTY, DELAWARE**

ATLANTIC RESOURCE MANAGEMENT, INC.

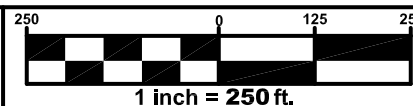
32717 Lavender Lane
Frankford, DE 19945

(302) 539-2029

Cell: (302) 381-3695

DE@atlanticresource.net

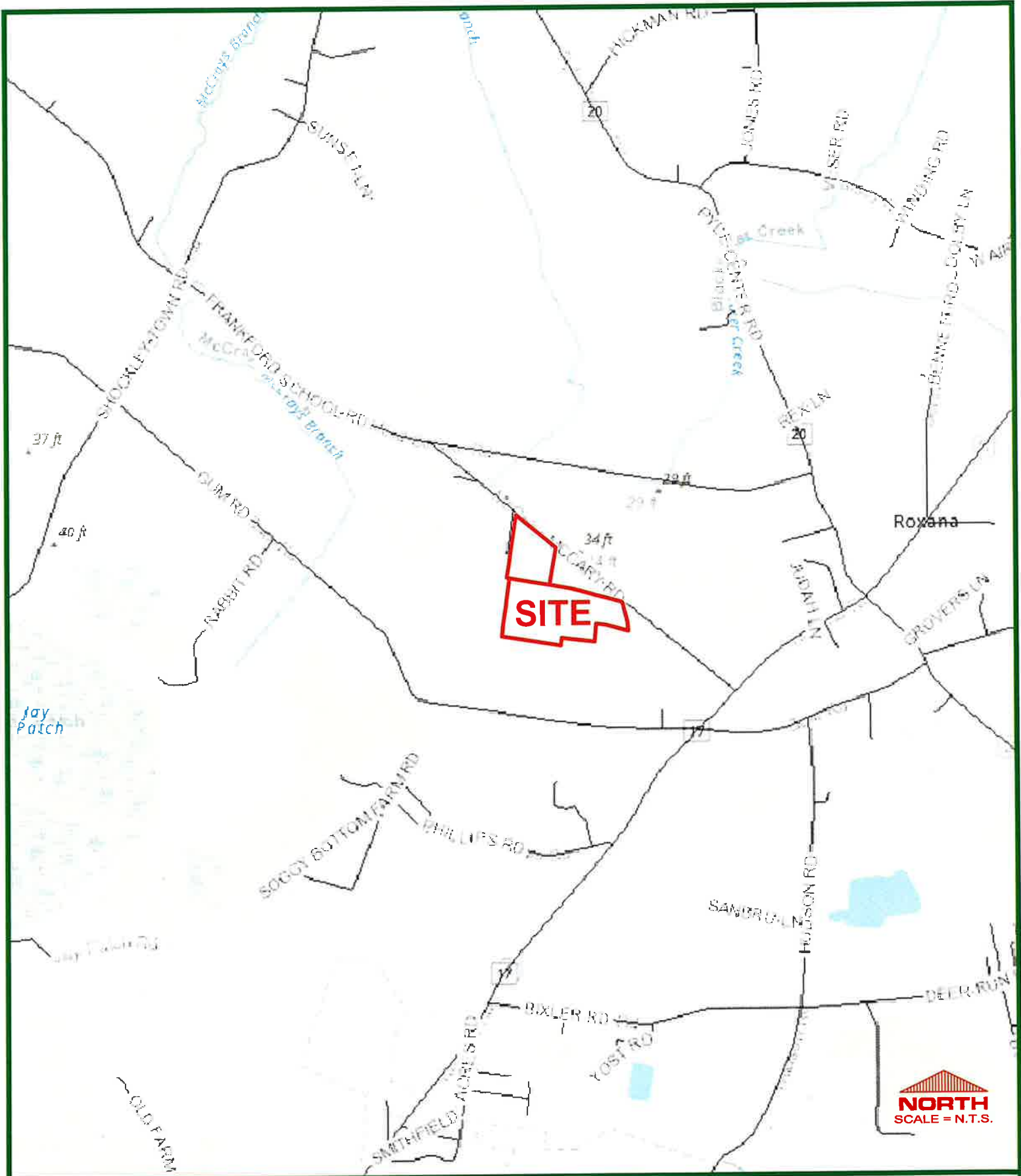
ENVIRONMENTAL CONSULTANTS



PROJECT: MRBP, LLC

TITLE: SOIL RECONNAISSANCE FOR OWTDS PLOT DRAWING

LOT SIZE:	57 ACRES ±
REF:	DB 5447, PG 327
DRAWN BY:	CLIENT PROVIDED SURVEY
CHECKED BY:	ARM, INC.
JOB #:	L. ERICKSON
TAX MAP:	206-DS22-SR
DATE:	SEE ABOVE
SHEET NO.:	MARCH 30, 2023
	1 OF 1



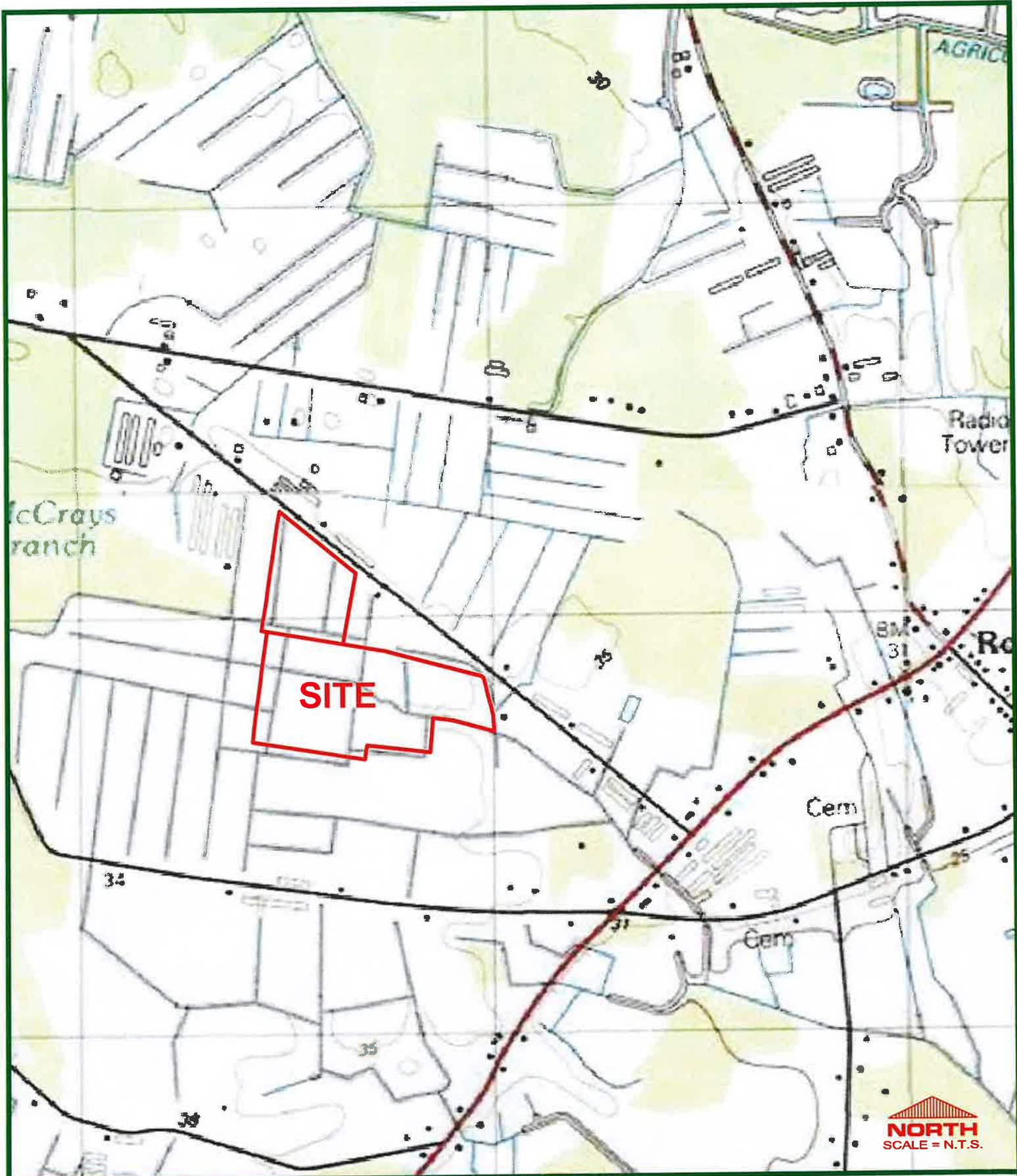
ATLANTIC RESOURCE MANAGEMENT, INC.

Post Office Box 869 (302) 539-2029
 Ocean View, DE 19970 Fax (302) 539-4601

DE@atlanticresource.net
 ENVIRONMENTAL CONSULTANTS

MRBP

LOCATION MAP



ATLANTIC RESOURCE MANAGEMENT, INC.

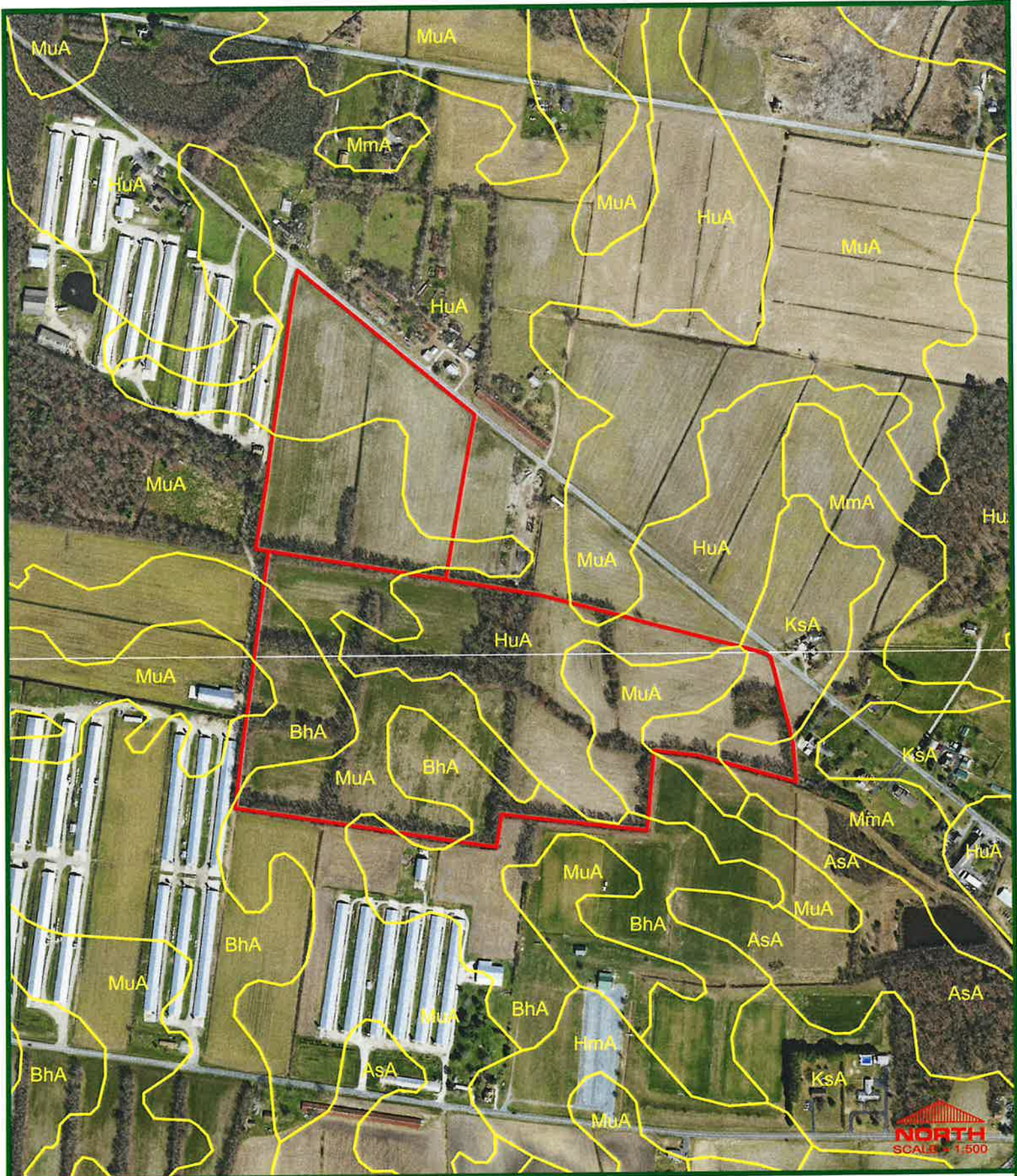
Post Office Box 869 (302) 539-2029
Ocean View, DE 19970 Fax (302) 539-4601

DE@atlanticresource.net

ENVIRONMENTAL CONSULTANTS

MRBP

USGS TOPOGRAPHICAL MAPS
FRANKFORD 2019



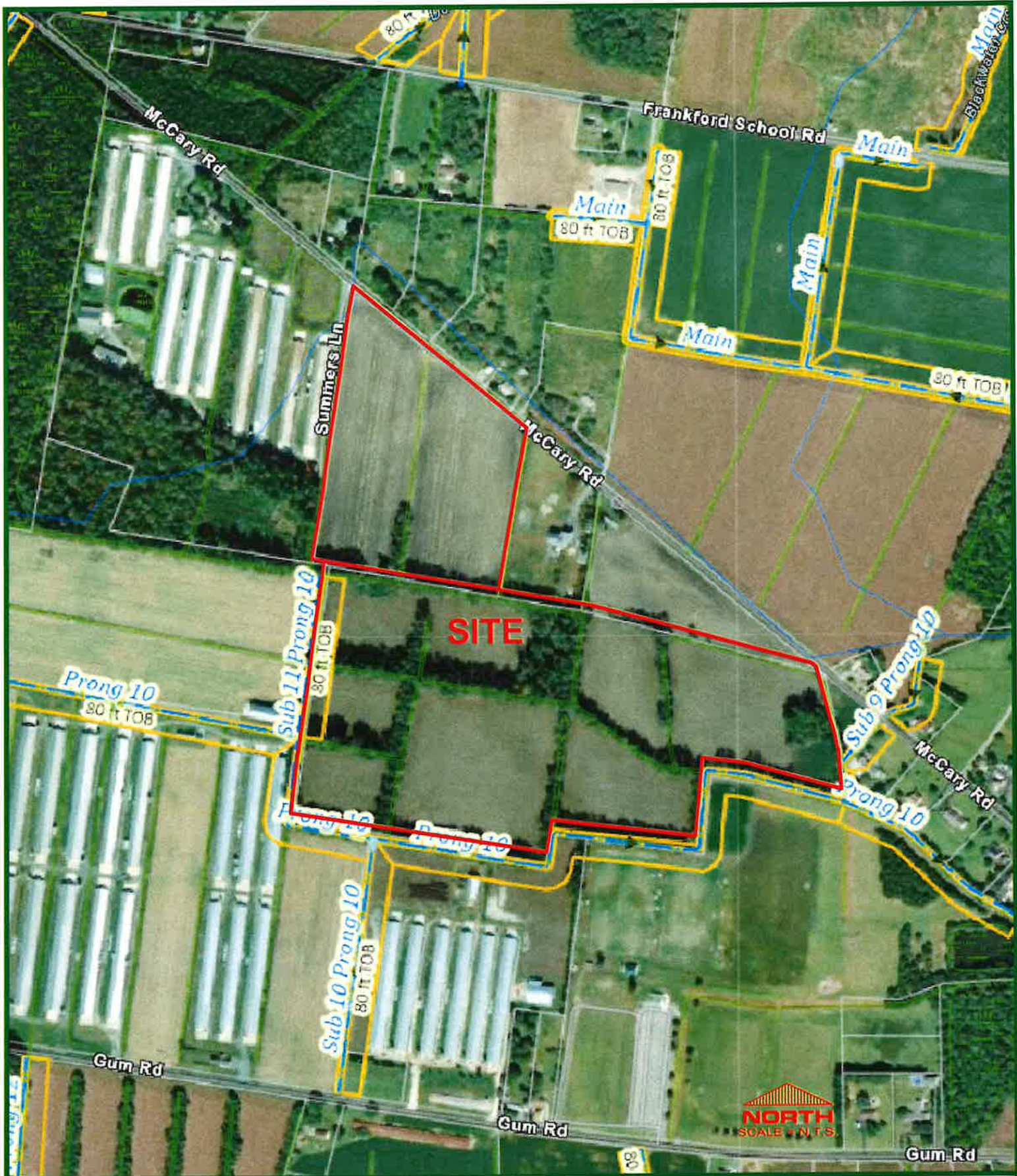
ATLANTIC RESOURCE MANAGEMENT, INC.

Post Office Box 869 (302) 539-2029
 Ocean View, DE 19970 Fax (302) 539-4601

DE@atlanticresource.net
 ENVIRONMENTAL CONSULTANTS

MRBP

U.S. DEPT. OF AGRICULTURE, NRCS
 SOIL SURVEY GEOGRAPHIC (SSURGO) - DE021



ATLANTIC RESOURCE MANAGEMENT, INC.

Post Office Box 869 (302) 539-2029
 Ocean View, DE 19970 Fax (302) 539-4601

DE@atlanticresource.net

ENVIRONMENTAL CONSULTANTS

MRBP

2017 WETLANDS AND TAX DITCH R.O.W.
 DELAWARE NAV MAP



State of Delaware

**Department of Natural Resources
And Environmental Control
Division of Watershed Stewardship**

21309 BERLIN ROAD, UNIT #6
GEORGETOWN, DE 19947

PHONE: (302) 855-1930
FAX: (302) 677-7059

DRAINAGE PROGRAM

December 22, 2022

Laf Erickson

ARM Inc.

32582 Omar Road, Frankford, DE 19945

RE: Parcel # 533-5.00-38.00

Inquiry # 30959

Dear Mr. Erickson

Per your right-of-way request we have researched the Tax Ditch rights-of-ways for the parcel above. The information is as follows:

- This parcel is located in the BEAR HOLE Tax Ditch and is affected by the following Tax Ditch rights-of-way:

BEAR HOLE Tax Ditch	
Prong 10	80 ft TOB
	Channel
Sub 11 Prong 10	80 ft TOB
Sub 9 Prong 10	25 ft TOB - COC #82
	Channel

Please note that the above rights-of-way are measured from either the centerline of the ditch (CL) or top of bank (TOB). In some cases a special access right-of-way (SAR) may be noted.

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

Sincerely,

Melissa Hubert
Drainage Program Manager



State of Delaware

**Department of Natural Resources
And Environmental Control
Division of Watershed Stewardship**

21309 BERLIN ROAD, UNIT #6
GEORGETOWN, DE 19947

PHONE: (302) 855-1930
FAX: (302) 677-7059

DRAINAGE PROGRAM

December 22, 2022

Laf Erickson

ARM Inc.

32582 Omar Road, Frankford, DE 19945

RE: Parcel # 533-5.00-41.04

Inquiry # 30960

Dear Mr. Erickson

Per your right-of-way request we have researched the Tax Ditch rights-of-ways for the parcel above. The information is as follows:

- This parcel is located in the BEAR HOLE Tax Ditch, however, it is not affected by Tax Ditch rights-of-way.

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

Sincerely,

Melissa Hubert
Drainage Program Manager

Delaware Tax Ditch Program



December 22, 2022

- Area of Interest
- Extent of Right-of-Way
- Tax Ditch Segments
- Tax Ditch Channel
- Pipe - DelDOT
- Pipe - Tax Ditch
- Pipe - Private
- State Parcels
- Approx. Watershed Boundary



PARID: 533-5.00-41.04
MRBP LLC

Property Information

Property Location:

Unit:

City:

State:

Zip:

Class:	AGR-Agriculture
Use Code (LUC):	AG0-AG A-I
Town	00-None
Tax District:	533 – BALTIMORE
School District:	1 - INDIAN RIVER
Fire District:	90-Roxana
Deeded Acres:	15.8400
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB

100% Land Value: \$3,900

100% Improvement Value

100% Total Value

Legal

Legal Description SW/RD 385

Owners

Owner	Co-owner	Address	City	State	Zip
MRBP LLC		5973 SMITHYS LN	SALISBURY	MD	21801

JUSTICE PROPERTY

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

DBF #4408A001.C01

AUGUST 25, 2023

PRELIMINARY PLANS

ENGINEER'S STATEMENT

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

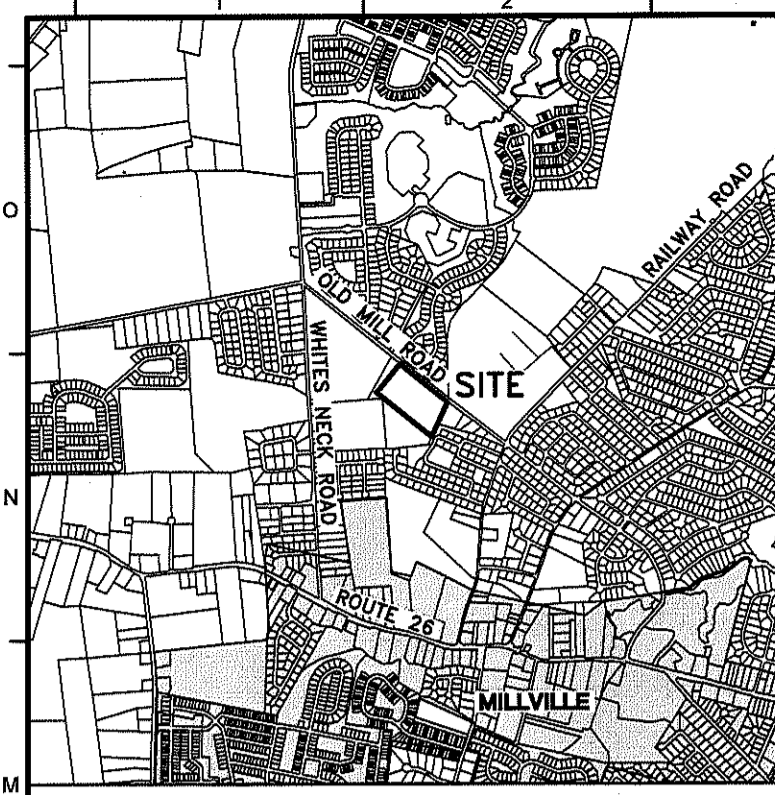
W. ZACHARY GROUCH, P.E. DATE
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE, 19963

OWNER STATEMENT

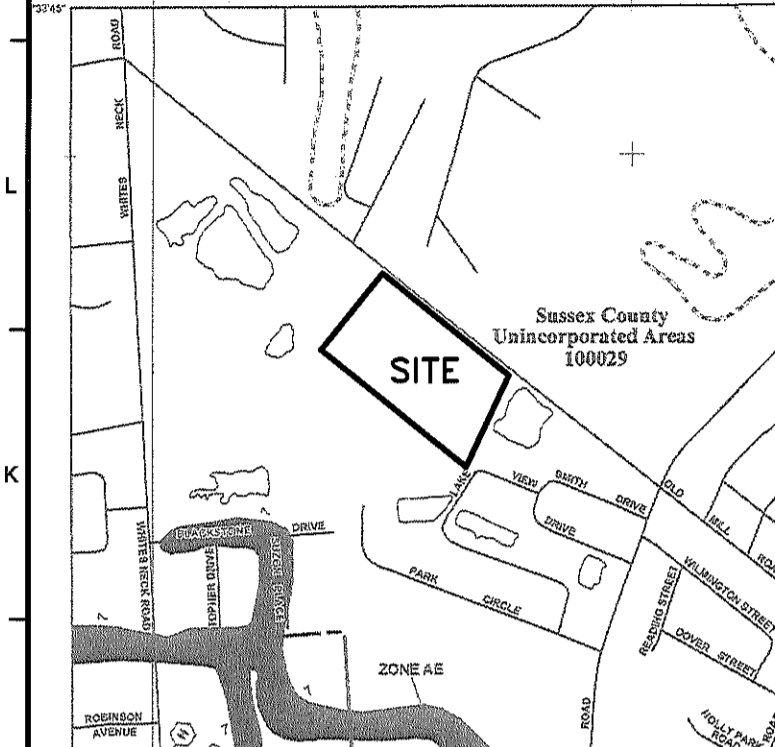
I, THE UNDERSIGNED, CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE ACT AND DESIRE THE PLAN TO BE RECORDED TO ORDINANCE.

OLD MILL ROAD LAND COMPANY, LLC. DATE
30560 HOLTS LANDING ROAD
DAGSBORO, DE 19939

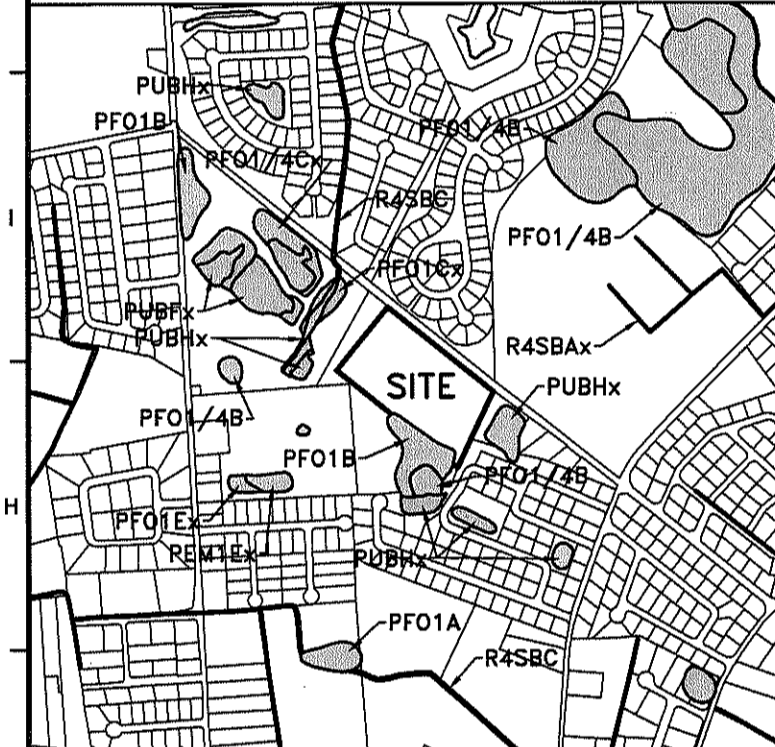
DAVIS
BOWEN &
FRIEDEL, INC.
ARCHITECTS • ENGINEERS • SURVEYORS
MILFORD, DELAWARE
SALISBURY, MARYLAND
410.343.7991
BARTON, MARYLAND
410.770.4744



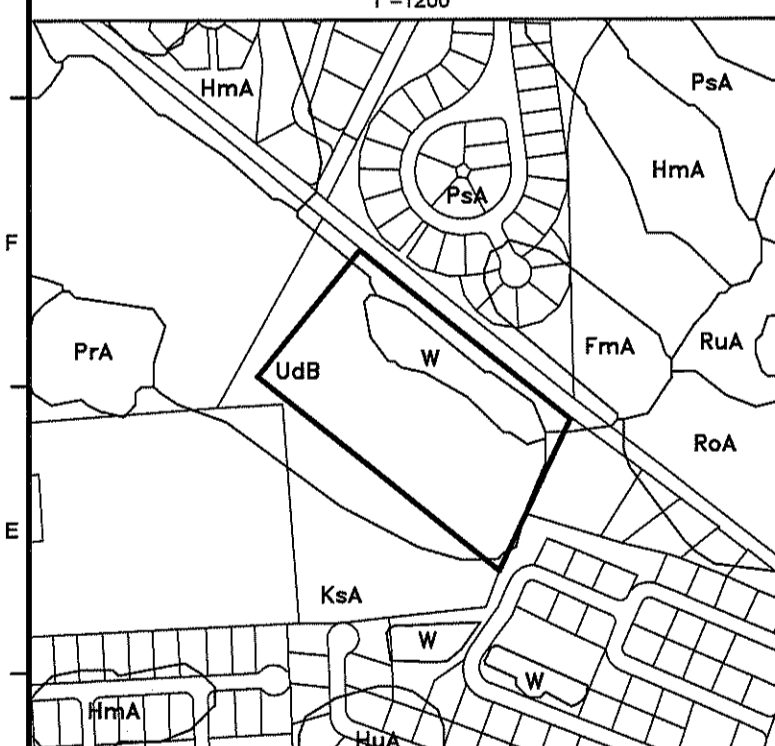
LOCATION MAP
1"=1/2 MILE



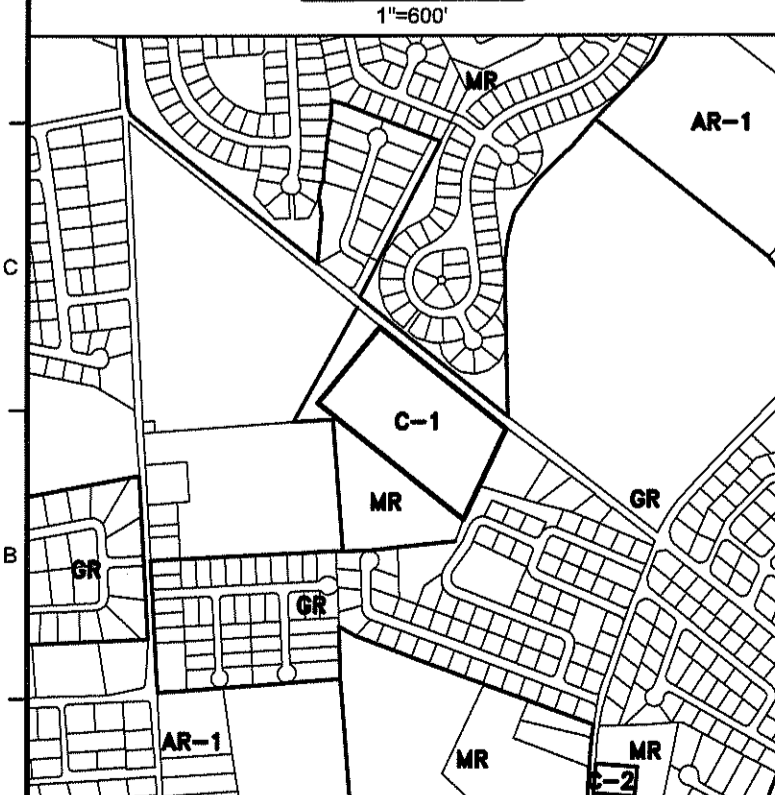
FEMA FLOOD MAP
PANEL#10005C0511K(3/16/2015) 1"=1000'



NW1/STATE WETLANDS MAP
1"=1200'

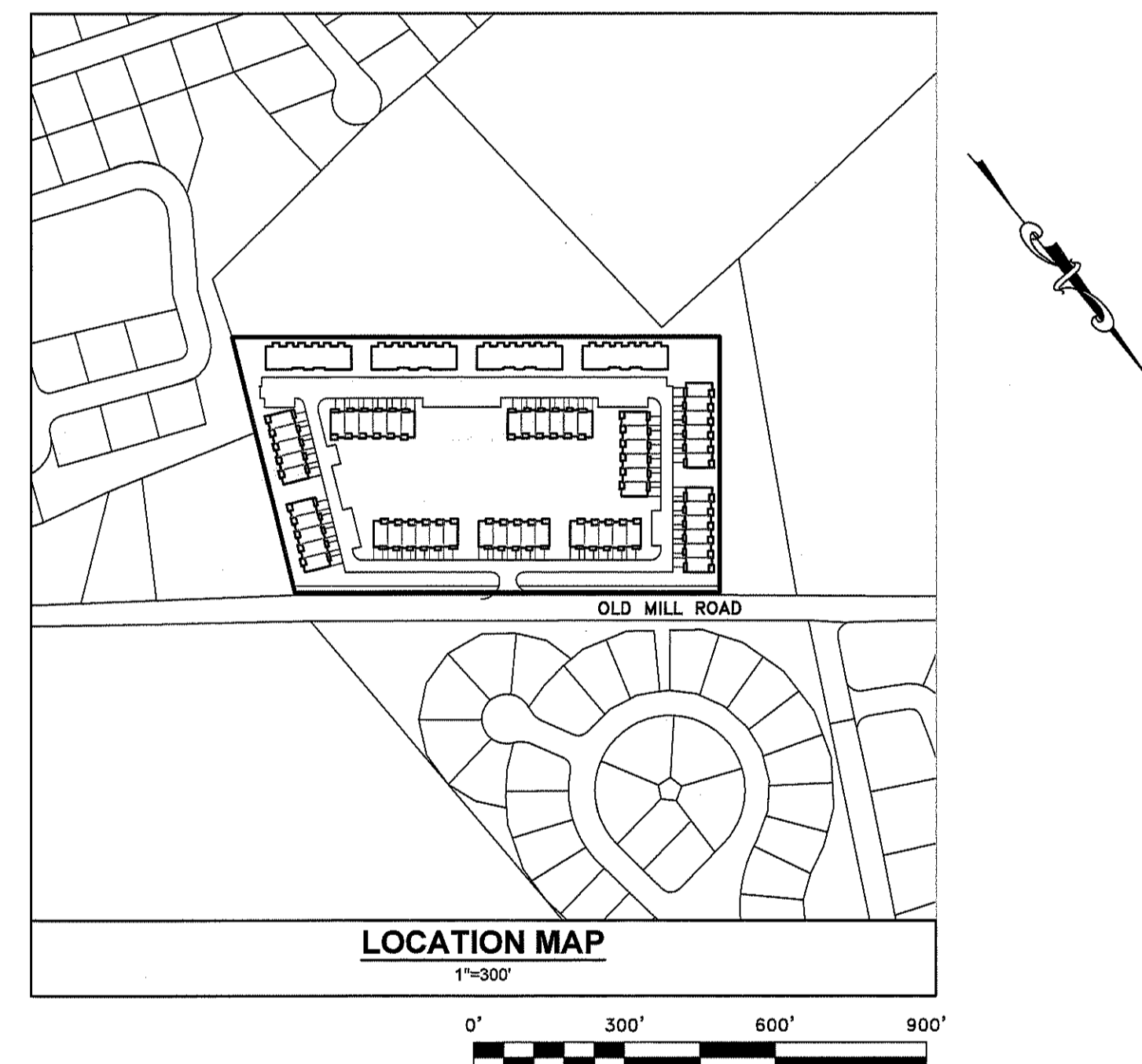


SOILS MAP
1"=600'



ZONING MAP
1"=1000'

DATA COLUMN			
1 TAX MAP ID	134-12.00-72.01		
DEED REFERENCE	BOOK 3517, PAGE: 91		
2 APPROXIMATE PROJECT CENTER	LATITUDE	LONGITUDE	
	38.597649	-75.119014	
3 ENGINEER	OWNER	DEVELOPER	
DAVIS, BOWEN & FRIEDEL, INC.	OLD MILL ROAD LAND COMPANY, LLC.	OLD MILL VENTURES, LLC.	
1 PARK AVENUE	30560 HOLTS LANDING ROAD	102 CENTRAL AVENUE, SUITE 3	
MILFORD, DE 19963	DAGSBORO, DE 19939	OCEAN VIEW, DE 19970	
CONTACT NAME			
PHONE: (302) 424-1441			
EMAIL: wzo@dbsfinc.com			
4 DATUM	HORIZONTAL	VERTICAL	
	NAVD 83 (DE STATE PLANE)	NAVD 88	
5 ZONING	EXISTING	PROPOSED	
	C-1	C-1	
6 LAND USE	EXISTING	PROPOSED	
	VACANT	RESIDENTIAL	
SUSSEX COUNTY			
FUTURE LAND USE	COASTAL ZONE		
7 TOTAL PROPOSED UNITS	TOWNHOMES	MULTIFAMILY	TOTAL
	56 UNITS	72 UNITS	128 UNITS
8 BUILDING CONSTRUCTION	IBC	NFPA	
		(FM)	
9 UTILITY PROVIDERS	SEWER	WATER	GAS
	SUSSEX COUNTY	WATER	
	(MILLVILLE SSD)	UTILITIES, INC.	
			ELECTRIC
			DELMARVA
			POWER & LIGHT
10 STATE STRATEGIES MAP	INVESTMENT LEVEL AREA: 2 & 3		
11 POSTED SPEED LIMIT	OLD MILL ROAD (SCR 349)		
	45 MPH		
12 FLOODPLAIN	THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C511K, DATED 3/16/2015.		
13 TRANSPORTATION IMPROVEMENT DISTRICT (TID)	THE PROPERTY IS NOT LOCATED IN A TRANSPORTATION IMPROVEMENT DISTRICT (TID).		
14 GROUNDWATER RECHARGE	THE PROPERTY IS NOT LOCATED IN AN AREA OF EXCELLENT GROUNDWATER RECHARGE.		
15 WELLHEAD PROTECTION AREA	ALL OF THE PROPERTY IS NOT LOCATED IN A WELLHEAD PROTECTION AREA.		
16 WETLANDS	THE PROPERTY IS NOT IMPACTED BY FEDERALLY REGULATED WETLANDS OR DNREC STATE WETLANDS.		
17 CODE COMPLIANCE	TOWNHOME	MULTIFAMILY	
FRONT SETBACK	40 FT	40 FT	
SIDE SETBACK	10 FT	10 FT	
REAR SETBACK	10 FT	10 FT	
MIN LOT AREA	10,000 SQFT	10,000 SQFT	
MIN LOT WIDTH	75 FT	75 FT	
MIN LOT DEPTH	100 FT	100 FT	
REQUIRED PARKING	2 SPACES PER UNIT	2 SPACES PER UNIT	
PERMITTED UNITS CALCULATION:	12 UNITS PER ACRE = 128 UNITS		
NET DEVELOPMENT AREA	10.678 ACRES		
PROPOSED DENSITY	11.98 UNITS PER ACRE		
MAXIMUM BUILDING HEIGHT	42 FT	42 FT	
19 AREAS			
IMPERVIOUS COVERAGE	5.353 AC. (50.1%)		
EXISTING WOODS	0.0 AC.		
20 PROPOSED LAND USE AREAS			
SITE			
BUILDINGS (TOWNHOME)	0.757 AC. (7.1%)		
BUILDINGS (MULTIFAMILY)	2.010 AC. (18.8%)		
ROADWAY	1.762 AC. (16.5%)		
SIDEWALK/DRIVEWAYS	0.824 AC. (7.7%)		
RIGHT-OF-WAY DEDICATION	0.097 AC. (0.9%)		
GREEN SPACE	5.228 AC. (49.0%)		
SWM	1.521 AC.		
REMAINING		3.707 AC.	
TOTAL	10.678 AC.		



LOCATION MAP
1"=300'



INDEX OF SHEETS	
PRELIMINARY PLANS	
PL-01	PRELIMINARY PLAN TITLE
PL-02	PRELIMINARY SITE PLAN

GENERAL NOTES:

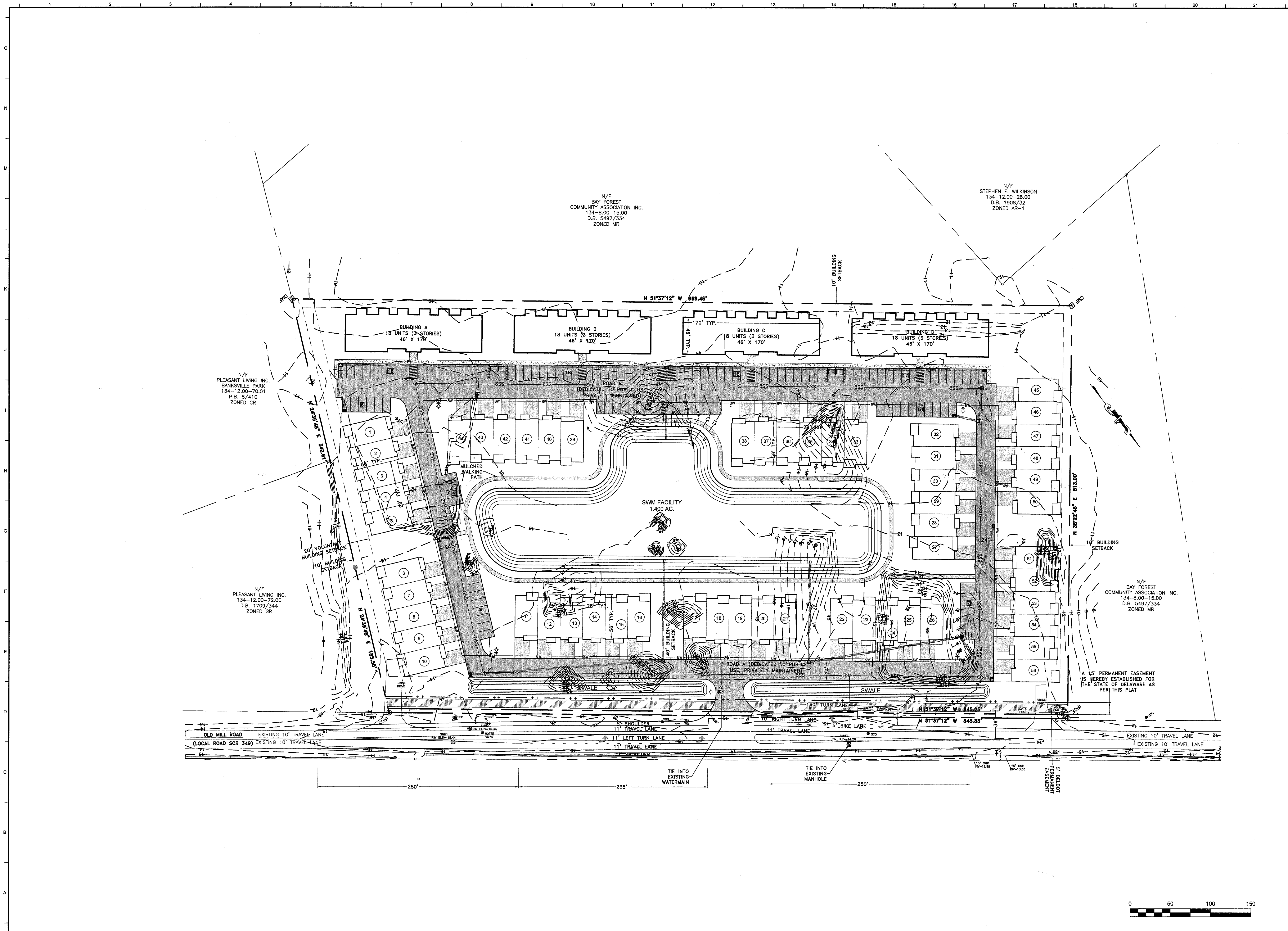
- STREETS, STORMWATER MANAGEMENT FACILITIES, FORESTED BUFFER STRIPS AND OTHER COMMON AREAS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNER'S ASSOCIATION CAN PROVIDE FOR REQUIRED MAINTENANCE. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE FACILITIES WITHIN THE SITE.
- SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY SHOWN ON THIS PLAN ARE PRIVATE AND ARE TO BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS OR BOTH. THE STATE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK.
- ACCESS TO ALL LOTS SHALL BE PROVIDED FROM THE PRIVATE SUBDIVISION STREETS PROPOSED WITH THIS PLAN. NO DIRECT ACCESS TO PUBLIC STREETS IS PROPOSED EXCEPT THE ENTRANCES SPECIFICALLY SHOWN ON THIS PLAN.
- THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN IN THESE PLANS ARE BASED ON FIELD SURVEYS PERFORMED BY DAVIS, BOWEN & FRIEDEL, INC.
- UTILITY EASEMENTS DEPICTED HEREON REPRESENT, TO THE GREATEST EXTENT PERMITTED BY LAW, PRIVATE EASEMENTS FOR THE EXCLUSIVE USE AND BENEFIT OF THOSE UTILITY COMPANIES AND/OR OTHER PROVIDERS OF SERVICES TO THE DEVELOPMENT AS MAY BE DESIGNED BY OWNER, OR ITS SUCCESSORS AND ASSIGNS, FROM TIME TO TIME BY AN INSTRUMENT IN WRITING, AND IN NO WAY GRANT, CONVEY OR CREATE ANY GENERAL PUBLIC UTILITY EASEMENT OR ANY GENERAL OR PUBLIC ACCESS RIGHTS.
- UNLESS OTHERWISE DESIGNATED BY OWNER, OR ITS SUCCESSORS AND ASSIGNS, FROM TIME TO TIME BY AN INSTRUMENT IN WRITING, STORM DRAIN EASEMENTS DEPICTED HEREON REPRESENT PRIVATE EASEMENTS TO ACCESS THE STORM DRAINS FOR THE SOLE PURPOSE OF MAINTAINING AND REPAIRING SUCH STORM DRAINS, AND IN NO WAY GRANT, CONVEY OR CREATE ANY GENERAL PUBLIC UTILITY EASEMENT OR ANY GENERAL OR PUBLIC ACCESS RIGHTS.
- WETLANDS DO NOT EXIST ON THIS PARCEL.
- THE HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE STORMWATER DRAINAGE AND MANAGEMENT FACILITIES RELATED TO THE RESIDENTIAL PROPERTIES, HOMEOWNERS' ASSOCIATION PROPERTIES AND ROAD RIGHT-OF-WAY WITHIN THE PROJECT. ALL STORMWATER MANAGEMENT FACILITIES SHALL BE MAINTAINED IN A SATISFACTORY CONDITION AS REQUIRED BY SUSSEX COUNTY, DELAWARE. SHOULD THE OWNER OR OWNERS OF THE PROPERTY DEFAULT IN THE MAINTENANCE OF THE STORMWATER DRAINAGE AND MANAGEMENT FACILITIES, THE HOMEOWNERS' ASSOCIATION SHALL HAVE THE RIGHT TO MAINTAIN THE FACILITIES SUBJECT TO THE TERMS AND CONDITIONS OF THE COVENANTS.
- EXISTING VEGETATION IN THE FORESTED BUFFER TO REMAIN, AND SUPPLEMENTED WITH ADDITIONAL PLANTINGS.
- THIS PROJECT IS NOT LOCATED WITHIN ANY TRANSPORTATION IMPROVEMENT DISTRICT.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, 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.
- ANY ADDITIONAL SIGNAGE WILL REQUIRE APPROVAL AND PERMITTING FROM SUSSEX COUNTY.

JUSTICE PROPERTY
RESIDENTIAL COMMUNITY
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date: AUGUST 25, 2023
Scale: AS SHOWN
Dwn. By: JMJ
Proj. No.: 4408A001.C01

PRELIMINARY
PLAN TITLE

Dwg. No.:
PL-01



DAVIS BOWEN & FRIEDEL, INC.
ARCHITECTS - ENGINEERS - SURVEYORS
 BALTIMORE, MARYLAND
 410.764.7474
 MILFORD, DELAWARE
 302.424.1441

**JUSTICE PROPERTY
 RESIDENTIAL COMMUNITY
 BALTIMORE HUNDRED
 SUSSEX COUNTY, DELAWARE**

DATE	COMMENTS

Date: AUGUST 25, 2023
 Scale: 1"=50'
 Dwn.By: JMJ
 Proj.No.: 4408A001.A01

**PRELIMINARY
 SITE PLAN**

Dwg.No.: **PL-02**



August 23, 2023

Sussex County Planning and Zoning Commission
County Administration Building
2 The Circle
Georgetown, DE 19947

Attn: Mr. Jamie Whitehouse
Director of Planning

RE: Justice Property
Chapter 99-9 C Response
Tax Parcel No.: 1-34-12.00-72.01
DBF #4408A001.C01

Dear Mr. Whitehouse,

On behalf of our client, Old Mill Ventures, LLC, we are pleased to provide you with our written response to the items listed in Chapter 99-9C.

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

- a. The proposed development is bordered by existing developments on all sides. Bay Forest Club subdivision is to the Northwest, Southwest and on the opposite side of Old Mill Road. Banksville park subdivision borders the Southeast property line.
- b. Townhomes are configured on the inside of the development road to allow greater distance between townhomes and Old Mill Road.
- c. All landscaping will use native species to aid in the proposed subdivisions fitting in and enhancing surrounding scenery.

2. Minimal use of wetlands and floodplains.

- a. A wetlands delineation and a site inspection were performed by the U.S. Environmental Protection Agency in 2012 and were found to be non-jurisdictional lands. A copy of the findings will be included with submittal.
- b. The site is not located within a flood zone according to FEMA Map 10005C0511K (dated March 16, 2015).

3. Preservation of natural and historical features.

- a. The site has been cleared for over 15 years with excavation and grading having taken place. Little natural or historical features exist on site.

Ring W. Lardner, P.E.
W. Zachary Crouch, P.E.
Michael E. Wheeldeker, AIA, LEED GA
Jason P. Loeir, P.E.
Jamie L. Sechler, P.E.

RECEIVED

AUG 28 2023

SUSSEX COUNTY
PLANNING & ZONING

4. Preservation of open space and scenic views.

- a. Scenic view will remain the same. Property to the rear and sides is dense vegetation and stormwater management from the Bay Forest Community. Across Old Mill Road is home in the Bay Forest Community.

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

- a. Grade changes will be minimized to the extent necessary to provide road construction to meet design requirements and to ensure proper lot drainage.
- b. The site will be “balanced,” which will minimize the need for soil to be removed or hauled to the site.
- c. The majority of the site has been cleared for the past 15 years. Few trees of value remain.

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

- a. The development is surrounded by existing development, open space and dense vegetation along the borders.

7. Provision for water supply.

- a. Tidewater Utilities, Inc. will supply all homes with central water.

8. Provision for sewage disposal.

- a. Sussex County will provide sanitary sewer conveyance and treatment for the proposed subdivision. The property is located within the Sussex County Millville Sanitary Sewer District.

9. Prevention of pollution of surface and groundwater.

- a. The storm drainage system will capture 100% of all drainage from the site.
- b. Best Available Technologies (BATs) will be used during the design and construction of the property.
- c. Best Management Practices (BMPs) will be used during the design and construction of the property.
- d. The site will utilize Green Technologies such as bio-retention areas, bio-swales or submerged gravel wetlands where feasible for the project.
- e. The development of the project will meet or exceed the requirements of the Water Resource Protection Area.

10. Minimization of erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding and design of drainage so that groundwater is maximized.

- a. The stormwater management areas will be designed to meet all local, state and federal guidelines for sediment and nutrient removal.
- b. An Erosion and Sediment Control Plan will be developed and implemented as required by the Sussex Conservation District and DNREC. The plan will specify in detail how the project is to be constructed to limit the amount of sediment and other pollutants from leaving the site during construction.
- c. All storms will be controlled and discharged at the pre-development rate. The 100-year storm will be safely routed through this site.

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

- a. The road design will conform to Sussex County standards and specifications and will be turned over to the homeowners association for maintenance upon acceptance by the County.
- b. Street lighting will be provided for this project.
- c. The Developer will provide multi-modal path for bike and pedestrian use as required by DelDOT.

12. Effect on area property values.

- a. The project's development should have no adverse effect on property values in the area.

13. Preservation and conservation of farmland.

- a. The land and all neighboring land is not currently farmed, with developments already surrounding the parcel of land, large cropland acreage no longer exists. Development of the land will increase the quality of runoff and aid in nutrient laden waters from entering adjacent waterways.

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

- a. The increase in tax revenue to the school district will assist in the maintenance and operations of the Indian River School District system.

15. Effect on area roadways and public transportation.

- a. The subdivision entrance will be designed to DelDOT standards and the streets will be designed to Sussex County standards and specifications. There will be one entrance along Old Mill Road.
- b. The developer will be required to provide a future multi-modal path for bike and pedestrian use.

16. Compatibility with other area land uses.

- a. The existing zone is C-1 commercial. The proposed residential use is more compatible with the surrounding residential subdivisions.

Letter: Mr. Jamie Whitehouse
August 23, 2023
Page 4

17. Effect on area waterways.

- a. The subdivision will be designed to discharge the same rate of runoff as the existing runoff from the site. In addition, the overall stormwater management design will improve the quality of runoff.
- b. The site will comply with all TMDLs and PCS's as adopted by the State.

On behalf of our client we thank you for your review and consideration of this response. If you should have any questions or concerns please contact me at 424-1441

Sincerely,
Davis, Bowen & Friedel, Inc.

W. Zachary Crouch, P.E.
Principal

Ring W. Lardner, P.E.
W. Zachary Crouch, P.E.
Michael E. Wheelleton, AIA, LEED GA
Jason P. Loar, P.E.
Jamie L. Sechler, P.E.

August 23, 2023

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

Attn: Mr. Jamie Whitehouse
Director of Planning

RE: Justice Property
Environmental Assessment and Public Facility Evaluation Report
Tax Parcel No.: 1-34-12.00-72.01
DBF #4408A001.C01

Dear Mr. Whitehouse:

On behalf of our client, Old Mill Ventures, LLC., we are submitting an Environmental Assessment and Public Facility Evaluation Report in accordance with §115-194.3. ES-1 Environmentally Sensitive Development District Overlay Zone (ESDDOZ), Subparagraph B (2). We offer the following information that comprises our report:

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

The proposed improvements will meet or exceed the state regulations for stormwater management. We intend to use infiltration basins as well as other Best Management Practices to meet these requirements.

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

The proposed project is located within Tidewater Utilities, Inc.'s franchise area and they hold the Certificate of Public Necessity (CPCN). Tidewater is currently serving the surrounding community and infrastructure is already in plan to serve the proposed development. Impacts to the groundwater and other systems have been evaluated as part of Tidewater's CPCN.

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

The proposed project is located within the Sussex County Millville Sanitary Sewer District and infrastructure is currently in place to serve the proposed subdivision.

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

The proposed units will be a minimal increase to local roads. The developer will follow all DelDOT requirements for road improvements and entrance design. The majority of traffic will be directed to Route 26 via Old Mill Road. The traffic signal at Old Mill Road & Route 26 will allow easy access to the surrounding areas.

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

There is no known state or federally listed endangered or threatened species on this site.

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

Wetlands do not exist on site.

(g) *Provisions for open space as defined in §115-4.*

The proposed project provides 5.228 acres (49%) of green space throughout the project. A centralized stormwater management with walking trail and green spaces for the enjoyment of the residents.

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

The Developer will construct gravity sewer lines to serve this parcel and will be maintained by Sussex County. The Developer will also construct the internal water mains in the project that will be owned and maintained by Tidewater Utilities, Inc. The internal roadways will be constructed by the Developer and privately maintained. Electricity will be provided by Delmarva Power & Light.

(i) *Economic, recreational or other benefits.*

The proposed project will create a considerable number of jobs during construction. The proposed townhome and multifamily unit provide more affordable housing options in the local community. Future residents of Sussex County will pay county taxes.

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

There are no known archaeological sites or National Register-listed property on this parcel.

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

The proposed application and mitigation measures comply with the current Sussex County Comprehensive Plan.

Mr. Jamie Whitehouse
Sussex County Planning and Zoning Commission
August 23, 2023

- (l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.*

All mitigation measures, where required, have been discussed in their respective section. All mitigation measures as well as the application are consistent with the Comprehensive Plan.

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,
Davis, Bowen & Friedel, Inc.

W. Zachary Crouch, P.E.
Principal



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Harvey R. Justice
Harjoco Construction
30332 Irons Lane
Dagsboro, Delaware 19939

NOV 29 2012

Re: Old Mill Road Dump, Old Mill Road – Tax Map Pin # 134-12.00-72.01, Dagsboro,
Sussex County, Delaware

Dear Mr. Justice,

The U.S. Environmental Protection Agency (EPA) completed a site inspection at a property located along Old Mill Road in Dagsboro, Sussex County on September 25, 2012. The subject property is identified on the Sussex County Tax Map as parcel 134-12.00-72.01 (see attached map). The parcel consists of approximately 10.66 acres and was formerly used as a borrow pit and dump. EPA was notified that the property owner may be causing impacts to a regulated aquatic resource and completed a site inspection to ensure that activities occurring on the site were not causing impacts to jurisdictional (regulated) aquatic resources.

After completing the site inspection of the subject property, EPA concluded that the property contains an isolated wetlands/open water complex which has no significant nexus, and therefore, is non-jurisdiction. This non-jurisdictional determination is limited to the isolated wetlands/open water complex identified on the attached map. EPA has not evaluated the wetlands on the adjacent property for jurisdiction and any work completed should not negatively impact those wetlands. If any additional work is proposed that may impact regulated wetlands the property owner should request a Jurisdictional Determination from the U.S. Army Corps of Engineers, Philadelphia District. The property owner is also responsible to obtain any local, county, state, and/or federal permits that may be required for the proposed site work.

Should you have any questions please feel free to contact Mr. Michael Mansolino at 215-814-2794 or by email at mansolino.michael@epa.gov.

Sincerely,

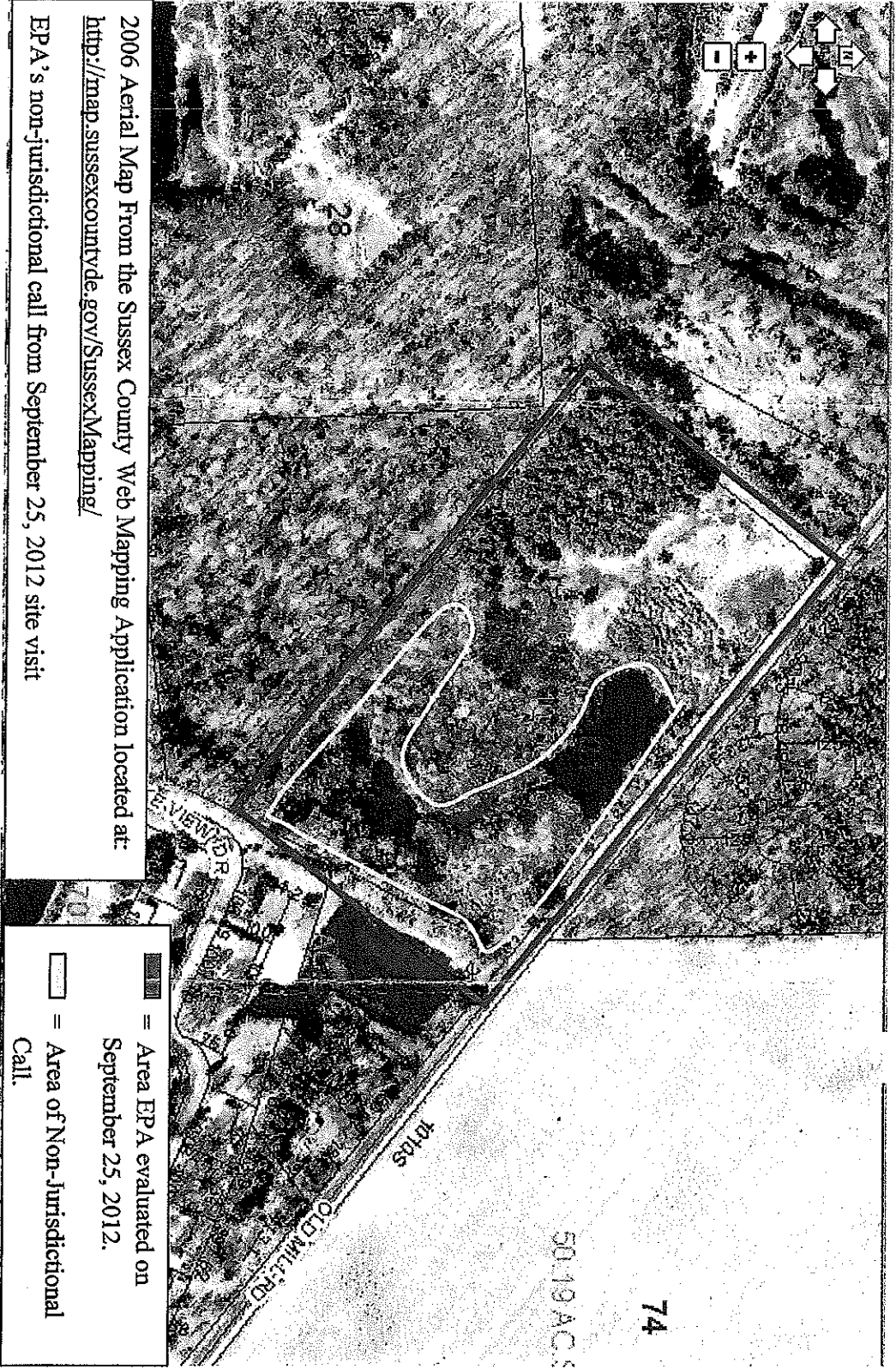
A handwritten signature in black ink, appearing to read "Todd Lutte", written over a horizontal line.

Todd Lutte
Enforcement Team Leader

Cc: William Jenkins (USACE-Philly)
Scott Figurski (DNREC)

Enclosure (EPA - Non-Jurisdictional Map)

EPA - Non-Jurisdictional Map



2006 Aerial Map From the Sussex County Web Mapping Application located at:
<http://map.sussexcountynj.gov/SussexMapping/>

EPA's non-jurisdictional call from September 25, 2012 site visit

August 23, 2023

Sussex County Planning Commission
2 The Circle
Georgetown, DE 19947

Attn: Jamie Whitehouse,
Planning Director

Re: Justice Property
PLUS Comment Response
Tax Map No.: 1-34-12.00-72.01
DBF Project Number: 4408A001

*Ring W. Lardner, P.E.
W. Zachary Crouch, P.E.
Michael E. Wheelleton, AIA, LEED GA
Jason P. Loar, P.E.
Jamie L. Sechler, P.E.*

Dear Mr. Whitehouse:

On behalf of our client, Oak Mill Road Land Company, LLC, we are pleased to submit written responses regarding the State agency PLUS comment letter dated March 22, 2023., regarding the above-referenced project. We offer the following item-by-item response and have retained the original numbering for ease of review:

Strategies for State Policies and Spending

This project is located primarily in a Level 2 investment area with a small area of Level 3 on the southern portion of the property. This project being primarily in level 2, is consistent with the 2020 Strategies for State Policies and Spending. This project is within the Coastal area according to the Sussex County Comprehensive Plan.

Based on its location in a Level 2 and Level 3 investment area, this project may be consistent with the 2020 Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and state plans in the near-term future. 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. If the presence of a Level 3 areas is based on environmental features in the area of the parcel, which would be noted in the State agency comments below, the State requests the applicant avoid building in the Level 3 areas or address any environmental concerns that may be present.

Thank you for the Level 2 & 3 description.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The site access on Old Mill Road (SCR 349) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
Site access will be designed in accordance with DelDOT regulations.
- 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.

A pre-submittal meeting will be set up prior to plans being submitted for review

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

Developer will work with DelDOT and provide the required fees when appropriate.

- 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. Using the 11th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development, consisting of 56 attached single family houses and 72 multifamily low rise housing units would generate 918 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 68 and 82, respectively. Therefore, a TIS would normally be required.
 - Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT 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, \$9,180. AWS Fees are used to fund traffic studies, not to build improvements.
 - The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. DelDOT anticipates requiring the developer to improve Old Mill Road, within the limits of their frontage, to meet DelDOT's standards associated with its

Functional Classification. Old Mill Road is a Local Road, for which the standard includes 11-foot lanes and 5-foot shoulders. Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway.

The developers engineers has had a pre-submittal meeting with DelDOT, the developer will contribute to the Area Wide Study fee in lieu of a TIS. The developers engineer will work with DelDOT in determining offsite improvement requirements.

As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of Old Mill Road. The following right-of-way dedication note is required, "An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."

The developer and engineer will work closely with DelDOT in determining the amount of dedication required.

In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. 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 dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."

A 15 foot wide will be provided along the entire frontage of Old Mill Road.

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

The final record plan will include the required Traffic Generation Diagram, existing entrances within 450 feet of the site entrance, and all notes regarding improvements/agreements.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or

sidewalks along the frontage on State-maintained roads is required. Referring to Section 3.5.4.2.F, sidewalk and SUP termination points and road tie-ins shall be designed to tie into the shoulder which will be added as part of the frontage improvements.

A proposed shared use path is shown on the plans.

- 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 Old Mill Road.

Stormwater will meet DelDOT's setback requirements.

- In accordance with Section 5.1.4 of the Manual, parking is not allowed on turnarounds and cul-de-sacs within subdivisions. No driveways or parking bays shall be located within 40 feet from the edge of radius return for the connecting street. This distance shall increase to 60 feet at the entrance to the subdivision. The driveways for labeled houses 17- 21 would need to be moved away from the subdivision entrance. **With the loop road, no turnarounds or cul-de-sacs are proposed. The developers engineer will work with relocating drives away from the subdivision entrance.**

- 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 auxiliary land worksheet will be used to determine auxiliary lanes

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>.

Sight distance triangles will be provided on plans submitted to DelDOT

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.

Existing and proposed utilities will be shown on the plans. Should utilities need to be relocated a utility relocation plan will be submitted to DelDOT.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Concerns Identified Within the Development Footprint

Current or Previous Contamination

According to the project applicant at the February 22nd, 2023 PLUS meeting, the project site is a former borrow pit. A Phase I Environmental Site Assessment (ESA) has been completed, and results are pending from a Phase II ESA. The applicant stated that they will be working with the DNREC Division of Waste and Hazardous Substances moving forward.

Requirements:

- Contact the DNREC Division of Waste and Hazardous Substances to discuss the project further.

Contact: Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.

Website: <https://dnrec.alpha.delaware.gov/waste-hazardous/remediation/>

Developers engineer will work with DNREC pending the results from the Environmental Site Assessment.

Stormwater Management

The project proposes greater than 5000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

Requirements:

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

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

A detailed sediment and stormwater plan will be prepared and submitted to the Sussex Conservation District for their review and approval. A Noi will be obtained prior to any site construction.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

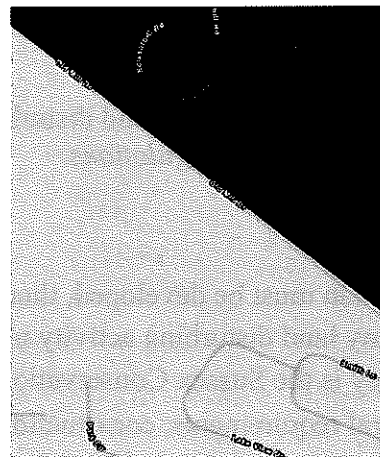
- This/These parcel(s) is/are located within an area of **Minimal Flood Concern of 1000 years or greater.**

Parcel Status within County Evacuation Zone Location

The parcel(s) is/are located within the **Sussex County** Evacuation Zone C.

DE_EvacuationZone

Zone



***DEMA recommends and encourages the *County Evacuation Zone Location* to be made publicly available to businesses and patrons through signs, pamphlets, or other means.

Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant

The parcel(s) **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.
Thank you for your risk assessment.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- There are no known archaeological sites or known National Register listed or eligible properties on the parcel.
- The area was some sort of a retention pond in the early to mid-20th century. The likelihood of archaeological materials being present with any level of sufficient integrity is unlikely.
- This office has no archaeological concerns.

Thank you for your archaeological assessment.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office

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 Regulations (DSFPR):

Fire Protection Water Requirements

- Water distribution system capable of delivering at least 1,000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for residential occupancy use sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Water service will be provided by Tidewater Utilities, Inc. with existing infrastructure in the area meeting flow and duration requirements. Site and utility plans will be submitted to the Fire Marshall's office for their review and approval.

Fire Protection Features

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection.

- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection.
- Buildings greater than 10,000 sq ft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show required Fire Lanes and Sign Detail as shown in DSFPR.
- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

Automatic sprinklers will be provided for multi-family buildings. All fire land markings, fire department connections, fire lands and sign details, and fire wall detailed will be shown on the site plans.

Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access roads to the subdivision must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Accessibility will be provided as required by the fire marshal.

Gas Piping and System Information

- Provide type of fuel proposed and show locations of bulk containers on plan.
The type of fuel will be shown on utility plans

Required Notes

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

The required information and notes will be provided on the plans and submitted to the Fire Marshal for their review and approval.

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 these suggestions can benefit the project.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- 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 Old Mill Road.
Access with only be through the proposed entrance on Adams Road.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
Plus and TAC comments are being addressed.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2022. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>
The latest standard notes will be used for final record plans.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

Soil Stability

Structures are proposed over what was standing water only 10 years ago, according to aerial photo analysis.

- DNREC reviewers highly recommended a soil stability and integrity analysis be conducted for the project since structures are proposed directly over what was recently standing water.

Adequate structural fill, borings and testing will be performed prior to building foundation.

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.

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: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

A detailed sediment and stormwater plan will be prepared and submitted to the Sussex Conservation District for their review and approval. A Noi will be obtained prior to any site construction

Drainage

- All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

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

Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

Drainage will be addressed as party of the detailed stormwater management plan.

Water Quality (Pollution Control Strategies)

This site lies within the Indian River Bay Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.
- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.

- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/>

Thank you for your suggestions on water quality improvement.

Additional Sustainable Practices

- Install electric vehicle (EV) charging stations for your residents. Residents will increasingly expect options for EV charging. Installation costs can vary significantly depending on the parking and electricity distribution at a given location, so it is often easier and cheaper to plan for the installation at construction, rather than doing costly retrofits later. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/>).
- Use renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities. (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).
- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.
- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.
- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.

- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.

Website: <https://dnrec.alpha.delaware.gov/climate-coastal-energy/>

Thank you for your suggestions on sustainable practices.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Population

- The county has a population density of **265.60** per square mile based on the US 2020 Census report: an increase from 2010 at **208.90** persons per square mile.
- The specific census block(s) the project is located on has a total population of **100**, though, with development, this will certainly change.
- The adjacent blocks aggregate brings the area to a total population of **1750**.

Thank you for your population information.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk of 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

$$\begin{array}{l} \text{Expected Annual Loss} \\ \times \text{ Social Vulnerability} \\ \div \text{ Community Resilience} \\ \hline = \text{ Risk Index} \end{array}$$

- According to FEMA's National Risk Index, the parcel(s) is considered **relatively moderate** for overall natural hazard risks.

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions, and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.
- Its community resilience and social vulnerability are rated as **relatively moderate**.

Thank you for your analysis of Flood risk.

Renewable Energy Commitment

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities.
- Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems: the closer to 99%, the better as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters and battery backup systems for sump pumps to reduce potential water damage from power failure.
- Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.

Thank you for your suggestions for renewable energies.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- Although not a requirement of the Delaware State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to install home fire sprinkler systems in all residential dwellings.

Sprinkler systems will be required for all Multi-family units. Sprinkler will be considered along with fire wall protections for Town home units.

- The Office of the State Fire Marshal 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>

All fire marshal requirements will be addressed prior to final recordation and obtaining building permits.

Letter: Justice Property
August 11, 2023
Page 15

- 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.
We look forward to setting up the preliminary meeting and working with the Fire Marshal's office.

Should you have any questions regarding this submission, please contact me at (302) 424-1441 or via e-mail at wzc@dbfinc.com.

Sincerely,
DAVIS, BOWEN AND FRIEDEL, INC.

W. Zachary Crouch, P.E.
Principal

Enclosures

WZC/CYJ
\\mil0\Civil\Ocean Atlantic\4408A001 Justice Property\PLUS\PLUS Comment Response.docx

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
HOLLY J. WINGATE, VICE-CHAIRMAN
J. BRUCE MEARS
GREGORY SCOTT COLLINS
BRIAN BUTLER



Sussex County

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

October 19, 2023

Mr. Zachary Crouch, P.E.
1 Park Avenue
Milford, DE 19963

By email to: wzc@dbfinc.com

RE: Staff Review of the Preliminary Site Plan for Justice Property (Old Mill Ventures, LLC) (S-23-41) for the creation of a community to consist of (128) multifamily units located on Old Mill Road (S.C.R. 349)
Tax Parcel: 134-12.00-72.01

Dear Mr. Crouch,

Further to your submission of August 28th, 2023, the Planning and Zoning Department has reviewed the submitted Preliminary Site Plan for the Justice Property (Old Mill Ventures, LLC) for the construction of fourteen (14) multifamily structures ranging from (7,820-8,800) square feet each for a total of (128) residential units. The Plan's residential breakdown includes (56) townhouse units across ten buildings, (72) multifamily apartments units across four buildings, parking, internal roads, and stormwater management. The total square footage proposed at the site includes approximately (115,000) square feet of multifamily residential use structures. The property is located on the southwest side of Old Mill Road (S.C.R. 349) approximately (0.3) miles east of Whites Neck Road (S.C.R. 347). The parcel is within the General Commercial (C-1) Zoning District and lie within the Coastal Area per Sussex County's 2018 Comprehensive Plan. Staff have reviewed the Preliminary Site Plan for compliance with the Sussex County Zoning Code and have the following comments:

Chapter 115 – Zoning

Preliminary Site Plan

1. Please provide a legend to reference the symbology on the Plan.
2. Please include topographic contours as required under (§115-220(B)(4)).
3. Please include parking calculations in the Data Column (§115-220(B)(9)).
4. Please include the number of unit types by bedroom to ensure the proposed 121 parking stalls meets the compliance with parking provision requirements for (72) multifamily apartment units. (§115-162(B)(1)&(2)).
5. Please indicate the breakdown of the proposed location/allocation of required parking for the townhouses (Garage, driveway).



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

6. Please include the distribution of 1-bedroom/efficiency units to ensure compliance with (§115-162(B)(2)&(4)).
7. Please include symbology for the Limited Common Element (LCE) area for townhouse units or townhouse buildings. Staff have concerns related to providing clear standards for the future location of accessory structures including sheds, fences, patios, or decks that residents may desire to located behind the townhouse units.
8. Please provide labels and dimensioning for the aggregate (40) foot front and rear yard as required under (§115-188(D)(4)) & (§115-220(B)(8)).
9. Please add labels and dimensioning for the (40) foot building separation (§115-188(E)(2)) & (§115-220(B)(8)).
10. Staff recommend the Applicant provide sidewalks for the safety of pedestrian access to parking areas for apartment units not immediately across from the proposed buildings.
11. Please include the method of separation for groups of parking areas proposed across from townhouse units as required under (§115-166(C)).
12. Staff recommend the Applicant consider sidewalks along the frontage of the townhouses as part of a revised design (§115-194.3(E)).
13. Please include the location and nature of any proposed required lighting on the Plan (§115-166(G)) & (§115-221(B)(5)).
14. Please include the parking screening for the parking area adjacent to TM# 134-12.00-70.01 on the Plan as required under (§115-166(H)).
15. Please label any ADA spaces on the Plan.
16. Please include the loading spaces (2) as required under (§115-167).
17. Please include the location and character of any proposed dumpsters to serve the apartment buildings on the Plan and ensure the design meets the screening, setback, and design requirements under (§115-170.1(C)).
18. Given the proximity of the rear of Units #s 1-10 to the adjacent stormwater pond, Staff Recommend the applicant consider the inclusion of a fence or similar barrier along the lot line boundary with Parcel # 134-12.00-72.00. This would increase the safety of residents in these units with rear yards adjacent to the water feature.
19. Please include the location and character of any proposed fencing, planting, or landscaping on the Plan (§115-221(B)(9)).
20. Please include a bulk grading plan as required under (§115-220(B)(5)) & (§115-221(B)(17)).
21. Please denote if any construction phases are proposed (§115-220(B)(12)).
22. Please include the net development area on the Plan (§115-220(B)(6)).
23. Please include the location and jurisdictional categorization of all wetlands on the Parcel (§115-220(B)(13)).
24. Please include a signature block for any wetland certification.

25. Please include an easement and color variation on the Plan extending the proposed stub adjacent to Building A and Unit #1 all the way to the Parcel boundary with TM# 134-12.00-70.01 - Banksville Park Community (§115-220(B)(16)).
26. Staff recommend the Applicant provide another stub/easement on the west side of the Parcel as well to provide for interconnectivity to future development on Parcel # 134-8.00-26.00 over the adjacent Parcel # 134-8.00-15.00 (§115-220(B)(16)).
27. Staff request details as to whether the Plan will include provision of a bus stop for the local school district within the community. Additionally, please include any proposed public transportation facilities on the Plan.
28. Please clarify and include the location and nature of any proposed postal areas/facilities for the community.

Final Site Plan

1. Please include the location and legal description with bearings, distances, and flags as required under (§115-221(B)(14)).
2. Staff have similar concerns as noted in Comment #18 above relating to proposed Units #5-6, 7, & #61-68 as future residents seeking to add decks, patios, or detached accessory structures could result in encroachments on the required frontage and perimeter buffers.
3. Please include symbology, detail, and dimensioning on the Plan showing any proposed limited common elements (§115-221(B)(6)).
4. Please include in the Data Column a breakdown of acreages, both gross and net, of open space, the percentage of impervious cover area, the percentage of open space to total gross acreage and the total acreage of proposed streets, roads, parking lots, alleys and ways used for vehicle access and multimodal paths located within state rights-of-way (§115-221(B)(15))
5. Please include an owner's statement of dedication of streets and other public ways for dedication to public use or an owner's statement providing perpetual maintenance of private streets and other common areas similar to what is required under (§99-26(A)(12)).
6. Please add to the plans, a certification panel and space for the stamp of and a space for the signature of an authorized representative of the Sussex Conservation District approving the location and design of all stormwater management areas and erosion and sediment control facilities which shall be shown on the Final Site Plan.
7. Please include the location of and dimensions of any proposed signs on the site (115-221(B)(11)).
8. Please include a General Note on the plans that all signage will require a separate permit from the County.
9. Please note, the Per Lot Fee (128 Units) is required to be paid prior to Final Approval (§62-7).

10. Prior to approval of the Final Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office: *(Items with a ✓ have already been received by Planning & Zoning)*

- a) Sussex Conservation District (SCD)
- b) Delaware Department of Transportation (DelDOT)(LONO)
- c) Office of the State Fire Marshal (OSFM)
- d) Environmental Assessment Public Facility Evaluation Report (EAPFR) ✓
- e) PLUS Response ✓
- f) Response to (§99-9(C)) ✓
- g) Geographic Information Office (Formerly known as the Sussex County Mapping and Addressing Department) (Street Names)
- h) Approval from the local school district in relation to any bus stop provisions
- i) Copies of all draft or final HOA or Condominium Owners Association documents for the file

Please provide **one (1) full-size copy** and **one (1) electronic copy** of a Revised Preliminary Site Plan at least ten (10) days prior to your scheduled Planning and Zoning Commission public hearing.

Please feel free to contact me with any questions during business hours 8:30 A.M. – 4:30 P.M., Monday through Friday at 302-855-7878.

Sincerely,



Mr. Michael Lowrey
Planner III

August 25, 2023

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

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

Re: Justice Property
Tax Map: 134-12.00-72.01
DBF Project Number: 4408A001.C01

RECEIVED

AUG 28 2023

SUSSEX COUNTY
PLANNING & ZONING

To whom it may concern:

On behalf of our client, Old Mill Ventures, LLC., we are pleased to submit a check print of the Preliminary Site Plan for the Justice Property. This commercial standard plan consists of 128 units including townhouse and multifamily use.

Once the plan is satisfactory, we will submit 10 copies with a request to be placed on the next available Planning and Zoning Commission Agenda.

Included with this submission, please find the following:

- 1-copy, Preliminary Site Plans
- 1-copy, Chapter 99-9C Response Letter
- 1-copy, PLUS Comment Response Letter
- 1-copy, Environmental Evaluation Report

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,
DAVIS, BOWEN AND FRIEDEL, INC.



Brandon P. Mace
Site Designer

Enclosures

P:\Sugme\VM-LLC\Docs\P&Z\3311A002 V&M_MKS Preliminary Plan Submission Letter.docx

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
HOLLY J. WINGATE, VICE-CHAIRMAN
GREGORY SCOTT COLLINS
J. BRUCE MEARS



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878
302-854-5079 F
JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR

October 2, 2023

Mr. Alan Decktor, P.E., ENV SP
Pennoni Associates, Inc.
18072 Davidson Drive
Milton, DE 19968

By email to: adecktor@pennoni.com

RE: Staff Review of the Preliminary Amenities Plan for Cattail Villas (S-19-49) (C/U 2151 & C/Z 1865) (F.K.A. Warrington Family Townhomes) for the creation of a proposed 610 square foot +/- pool area, 1,915 square foot +/- deck area, and small pool house building containing restroom facilities & related pool equipment to be located within the existing Cattail Villas Subdivision located on the east side of Old Landing Road (S.C.R. 274) in Rehoboth Beach, Delaware
Tax Parcel: 334-19.00-1.00

Dear Mr. Decktor,

Further to your submission of August 16th, 2023, the Planning and Zoning Department has reviewed the submitted Preliminary Amenities Plan for Cattail Villas (S-19-49) (C/U/ 2151 & C/Z 1865) (F.K.A. Warrington Family Townhomes) for the creation of a proposed 610 square foot +/- pool area, 1,915 square foot +/- deck area and small pool house building containing restroom facilities & related pool equipment to be located within the existing Cattail Villas Subdivision. The property is lying on the east side of Old Landing Road (S.C.R. 274) in Rehoboth Beach, Delaware. The parcel is zoned Medium Density Residential (MR) District. The parcel also lies within the "Coastal Area" per Sussex County's 2018 Comprehensive Plan. The property is not located within the Henlopen Transportation Improvement District.

The property was the subject of two (2) related Applications. The first was for Change of Zone No. 1865 Francis C. Warrington, III for a Change of Zone from an Agricultural Residential (AR-1) District to a Medium Density Residential (MR) District. The Application was approved by the Sussex County Council at their meeting of Tuesday, January 15th, 2019, and the change was adopted through Ordinance No. 2626.

The second was for Conditional Use No. 2151 Francis C. Warrington, III for a Conditional Use for property within a Medium Density Residential (MR) District to allow for the development of twenty-two (22) duplexes (multifamily units). The Application was also approved by the Sussex County Council at their meeting of Tuesday, January 15th, 2019, and the change was adopted through Ordinance No. 2627.



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

Staff have reviewed the proposed Preliminary Amenities Plan for compliance with the Sussex County Zoning Code and have the following comments:

Revised Preliminary Amenities Plan

1. **Staff note that Keyed Note “S1” notes a “Proposed clubhouse” but this may be better characterized in parallel with Condition “I” by calling it a “Pool House Facility.” Please amend this language on the Plans.**
2. **Please confirm whether the twelve (12) proposed parking spaces are in addition to the total 79 spaces or whether they are included within this total.**
3. Please include in the Site Data Panel that the project was formerly known as (F.K.A.) Warrington Family Townhomes for clarity purposes.
4. Please include the required corner front yard setback within the Site Data Column under Note #10. The Code requires a 15-ft front yard on the side street of a corner lot in any district (§115-182(B)).
5. Please amend the following minor typographical errors:
 - Under the “Conditions of Approval” header, please amend the language of the first sentence to state, “at their meeting of December 13, 2018 subject to the following conditions.”
 - Under Condition “I,” please amend the language from “8:0 A.M.” to “8:00 A.M.”
 - In the Site Data Column, please update the Deed/Plat Reference in Note #2 to Deed Book 5873, PG 308, which appears to be the latest Deed of record for the property.
 - In the Site Data Column, please amend the latest Plat Book Reference in Note #2 to PB 327, PG 40.
 - In the Site Data Column in Note #6, please amend the Section number to §115-31 from §155-31.
 - In the Site Data Column in Note #11, please amend the type of units to “multi-family.”
 - In the Site Data Column in Note #13, please amend the language of “Handicap Spaces” to “ADA Accessible Spaces.”
6. The Cover Sheet states that 2 ADA accessible spaces have been provided. According to International Building Code (IBC) standards, for a total of 76 to 100 parking spaces, the required minimum number of accessible spaces shall be 4 (IBC, 2012, Table 1106.1 “Accessible Parking Spaces,” 11-14) Please confirm whether any further spaces will be provided.

7. Please ensure that topography is shown on the Plans at one-foot intervals, unless waived by the Commission as clearly unnecessary to review the project or proposal (§115-220(B)(4)).
8. Please include on the Plans, the number of construction phases proposed, if any (§115-220(B)(12)).
9. Please include in the Site Data Column, the nature and type of wetlands present on the site (ie: tidal, non-tidal, ephemeral, etc.), if any are present for clarity purposes (§115-220(B)(13)).

Final Amenities Plan

1. **Please include a measurement for the planted buffer to be provided per Condition “G” of the Conditions of Approval for Change of Zone No. 1865 to ensure that the portion of the Buffer as shown on the Amenities Plan achieves the required 20-ft depth.**
2. **Please include the height at planting of all deciduous shade trees to be provided in the “Plant Schedule” on the Plans (§115-221(B)(9)). The caliper appears to be included, but the height appears to be missing from the Plans.**
3. **Please include a Bulk Grading Plan with the submittal as required by Code. It is understood that this information may have been approved and provided with the full Site Plan as submitted and approved. Staff request that a copy of this Plan be provided with any Final Amenities Plan submittal to ensure completeness and compliance with Code requirements (§115-221(B)(17)).**
4. Please include the character and nature of all proposed curb cuts, if any are to be provided on the Plans (§115-221(B)(5)).
5. Please show the 10-ft side yard/rear yard setback/BRL location on the Plans (§115-221(B)(6)).
6. Please include the nature and type of any wetlands on the site (ie: tidal, non-tidal, ephemeral, etc.) (§115-221(B)(14)).
7. Please add to the Plans, provisions for any mail circulation on the Site.
8. Please include on the Plans, the location, character and nature of any trash receptacles to be provided on the Site.

Prior to approval of the Final Amenities Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Department of Planning and Zoning (All items in which a check mark appears have been received by the Department. All items in **bold** have not been received and still require submittal to the Department):

- a. **Delaware Department of Transportation (DelDOT)**
- b. **Sussex Conservation District**
- c. **Office of State Fire Marshal**

Staff Review Letter
Cattail Villas (S-19-49) (C/U 2151 & C/Z 1865) (F.K.A. Warrington Family Townhomes)
Preliminary Amenities Plan
October 2, 2023
Page 4

Once all of the above matters have been addressed, please provide **one (1) full-size copy** and **one (1) electronic copy** of a Final Amenities Plan at least **ten (10) days prior** to the Planning and Zoning Commission meeting you wish for your application to be considered at. If you wish for your Application to be considered by the Planning and Zoning Commission as an “Other Business” item at the meeting scheduled for **Thursday, October 26th, 2023**, please submit all required materials later than close of business on **Monday, October 16th, 2023**.

Please feel free to contact me with any questions during business hours 8:30 A.M. – 4:30 P.M., Monday through Friday at 302-855-7878.

Sincerely,

A handwritten signature in black ink that reads "Lauren DeVore". The signature is written in a cursive, flowing style.

Ms. Lauren DeVore, AICP
Planner III

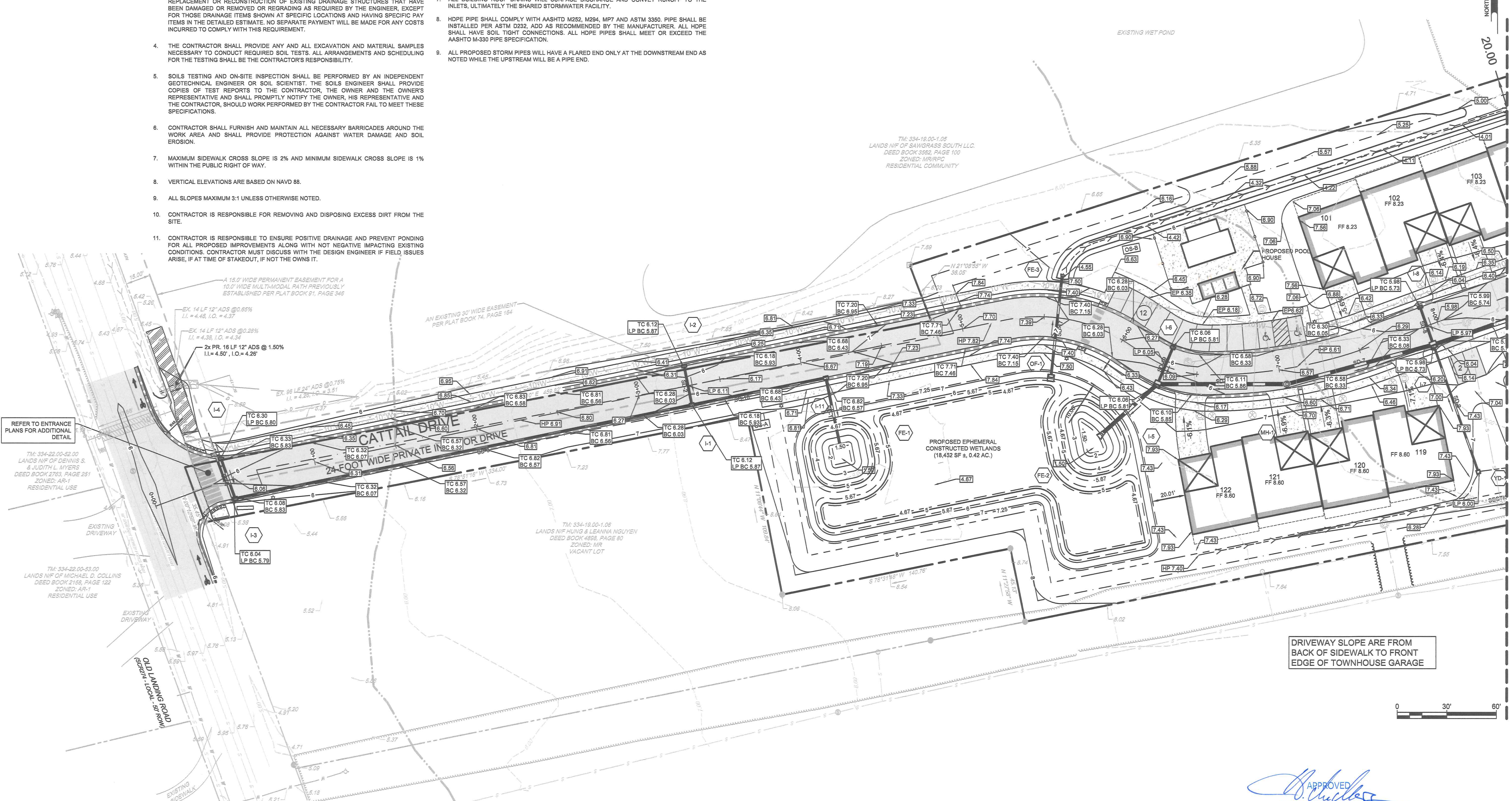
GRADING NOTES:

1. BEDDING REQUIREMENTS SPECIFIED HEREIN ARE TO BE CONSIDERED AS MINIMUMS FOR RELATIVELY DRY, STABLE EARTH CONDITIONS. ADDITIONAL BEDDING SHALL BE REQUIRED FOR ROCK TRENCHES AND WET AREAS. CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO PROVIDE SUCH ADDITIONAL BEDDING AS MAY BE REQUIRED TO PROPERLY CONSTRUCT THE WORK.
2. COMPACTION OF THE BACKFILL OF ALL TRENCHES SHALL BE COMPACTED TO THE DENSITY OF 95% OF THEORETICAL MAXIMUM DRY DENSITY (ASTM D898). BACKFILL MATERIAL SHALL BE FREE FROM ROOTS, STUMPS, OR OTHER FOREIGN DEBRIS AND SHALL BE PLACED IN LIFTS NOT TO EXCEED 8 INCHES IN COMPACTED FILL THICKNESS. CORRECTION OF ANY TRENCH SETTLEMENT WITHIN A YEAR FROM THE DATE OF APPROVAL WILL BE THE RESPONSIBILITY OF THE CONTRACTOR. MATERIAL THAT CANNOT BE COMPACTED AS REQUIRED SHALL BE BROUGHT TO THE ATTENTION OF THE GEOTECHNICAL ENGINEER, OVER EXCAVATED, AND THEN REPLACED WITH SUITABLE FILL. REFER TO THE EARTHWORK SPECIFICATIONS FOR ALLOWABLE SOIL.
3. THE CONTRACTOR WILL INSURE THAT POSITIVE AND ADEQUATE DRAINAGE IS MAINTAINED AT ALL TIMES WITHIN THE PROJECT LIMITS. THIS MAY INCLUDE, BUT NOT BE LIMITED TO, REPLACEMENT OR RECONSTRUCTION OF EXISTING DRAINAGE STRUCTURES THAT HAVE BEEN DAMAGED OR REMOVED OR REGRADING AS REQUIRED BY THE ENGINEER, EXCEPT FOR THOSE DRAINAGE ITEMS SHOWN AT SPECIFIC LOCATIONS AND HAVING SPECIFIC PAY ITEMS IN THE DETAILED ESTIMATE. NO SEPARATE PAYMENT WILL BE MADE FOR ANY COSTS INCURRED TO COMPLY WITH THIS REQUIREMENT.
4. THE CONTRACTOR SHALL PROVIDE ANY AND ALL EXCAVATION AND MATERIAL SAMPLES NECESSARY TO CONDUCT REQUIRED SOIL TESTS. ALL ARRANGEMENTS AND SCHEDULING FOR THE TESTING SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
5. SOILS TESTING AND ON-SITE INSPECTION SHALL BE PERFORMED BY AN INDEPENDENT GEOTECHNICAL ENGINEER OR SOIL SCIENTIST. THE SOILS ENGINEER SHALL PROVIDE COPIES OF TEST REPORTS TO THE CONTRACTOR, THE OWNER AND THE OWNER'S REPRESENTATIVE AND SHALL PROMPTLY NOTIFY THE OWNER, HIS REPRESENTATIVE AND THE CONTRACTOR, SHOULD WORK PERFORMED BY THE CONTRACTOR FAIL TO MEET THESE SPECIFICATIONS.
6. CONTRACTOR SHALL FURNISH AND MAINTAIN ALL NECESSARY BARRICADES AROUND THE WORK AREA AND SHALL PROVIDE PROTECTION AGAINST WATER DAMAGE AND SOIL EROSION.
7. MAXIMUM SIDEWALK CROSS SLOPE IS 2% AND MINIMUM SIDEWALK CROSS SLOPE IS 1% WITHIN THE PUBLIC RIGHT OF WAY.
8. VERTICAL ELEVATIONS ARE BASED ON NAVD 88.
9. ALL SLOPES MAXIMUM 3:1 UNLESS OTHERWISE NOTED.
10. CONTRACTOR IS RESPONSIBLE FOR REMOVING AND DISPOSING EXCESS DIRT FROM THE SITE.
11. CONTRACTOR IS RESPONSIBLE TO ENSURE POSITIVE DRAINAGE AND PREVENT PONDING FOR ALL PROPOSED IMPROVEMENTS ALONG WITH NOT NEGATIVE IMPACTING EXISTING CONDITIONS. CONTRACTOR MUST DISCUSS WITH THE DESIGN ENGINEER IF FIELD ISSUES ARISE, IF AT TIME OF STAKEOUT, IF NOT THE OWNERS IT.

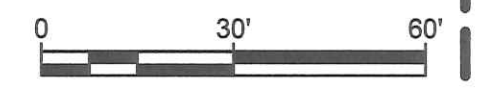
PROPOSED STORM UTILITY NOTES:

1. ALL WORK SHALL COMPLY WITH APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY THE OWNER.
2. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
3. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
4. THIS PROJECT IS SUBJECT TO INSPECTION AND APPROVAL BY REPRESENTATIVES OF THE SUSSEX COUNTY CONSERVATION DISTRICT AND SUSSEX COUNTY ENGINEERING DEPARTMENT.
5. UTILITIES ENTER THE PREMISES FROM PUBLIC STREETS OR RIGHTS OF WAY.
6. THE SUBJECT SITE HAS PUBLIC WATER AND SEWER SERVICES.
7. ALL BUILDING ROOF DRAINS WILL SURFACE DISCHARGE AND CONVEY RUNOFF TO THE INLETS, ULTIMATELY THE SHARED STORMWATER FACILITY.
8. HDPE PIPE SHALL COMPLY WITH AASHTO M282, M294, MP7 AND ASTM 3350. PIPE SHALL BE INSTALLED PER ASTM D232. ADD AS RECOMMENDED BY THE MANUFACTURER. ALL HDPE SHALL HAVE SOIL TIGHT CONNECTIONS. ALL HDPE PIPES SHALL MEET OR EXCEED THE AASHTO M-330 PIPE SPECIFICATION.
9. ALL PROPOSED STORM PIPES WILL HAVE A FLARED END ONLY AT THE DOWNSTREAM END AS NOTED WHILE THE UPSTREAM WILL BE A PIPE END.

LEGEND



DRIVEWAY SLOPE ARE FROM BACK OF SIDEWALK TO FRONT EDGE OF TOWNHOUSE GARAGE



APPROVED
 SEP 9 2023
 Sussex County
 Engineering Department
 #1140

Pennoni
 PENNONI ASSOCIATES INC.
 18072 Davidson Drive
 Milton, DE 19968
 T 302.664.8030 F 302.664.8054

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

CATTAIL VILLAS (CHRISTOPHER)
 TAX MAP: 334-19.00-1.00
 20072 OLD WINDING ROAD, SCR 974
 REHOBOTH BEACH, DELAWARE 19971
DETAIL GRADING PLAN
 CHRISTOPHER AT CATTAIL VILLAS LLC
 10461 WHITE GRANITE DRIVE SUITE 250
 OAKTON, VA 22124

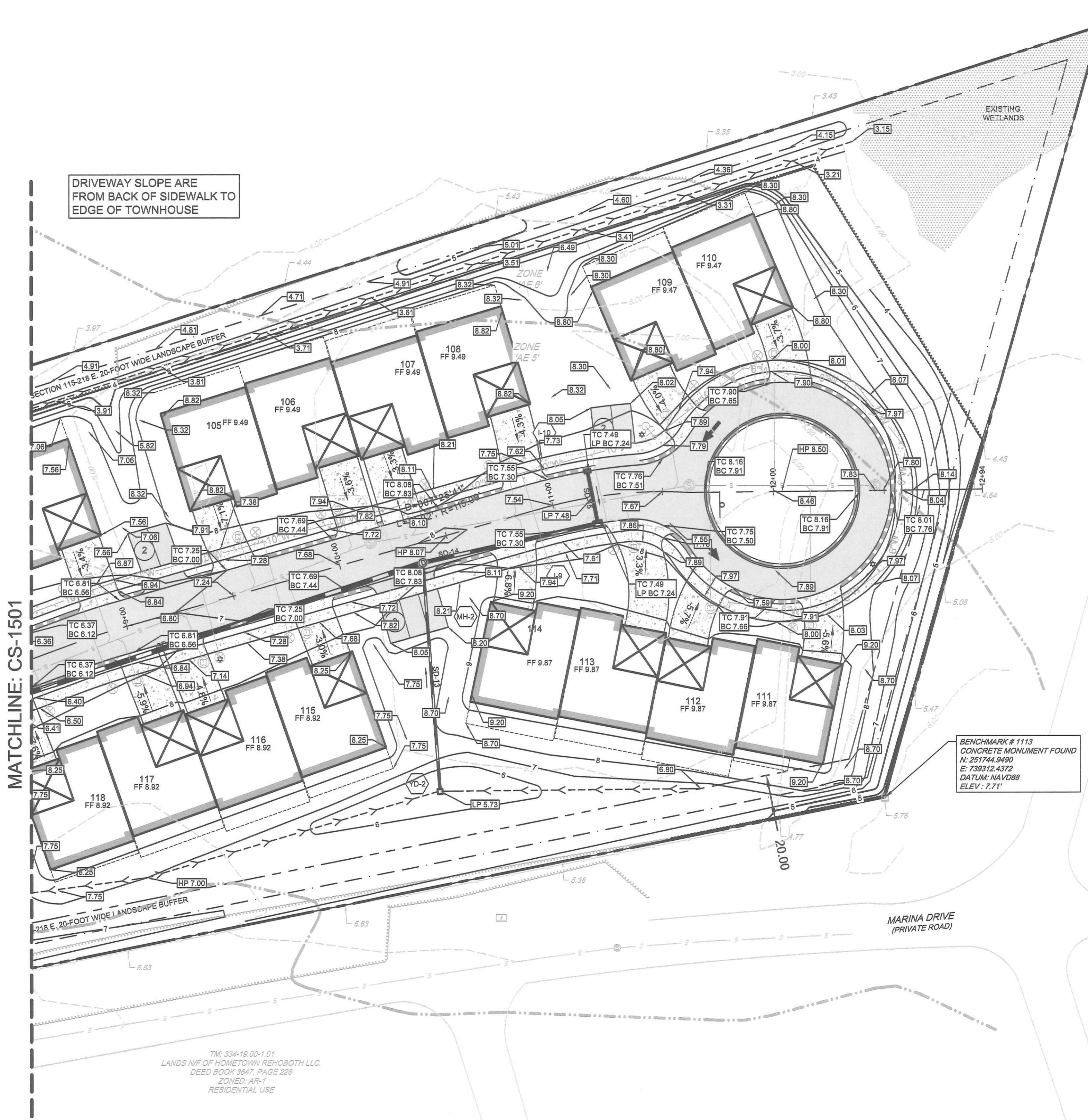
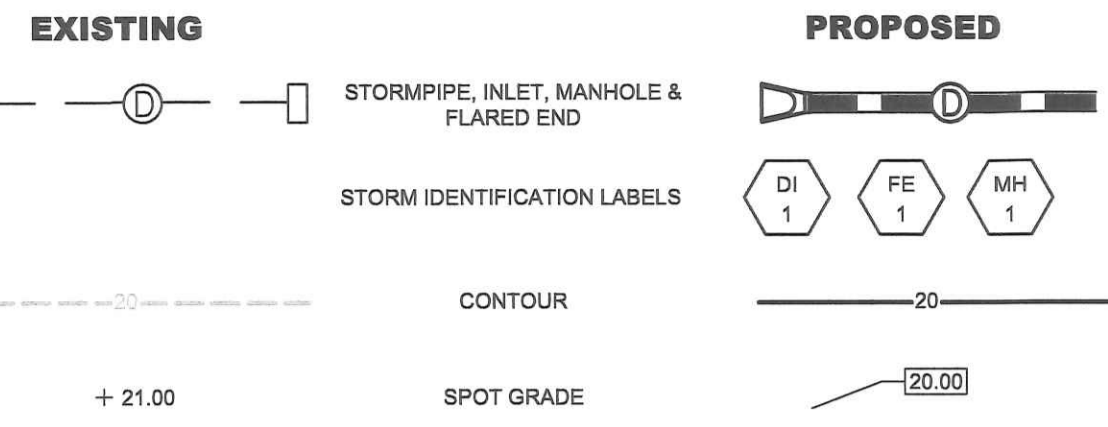
NO.	DATE	REVISIONS	BY

PROJECT: CHRSC22002
 DATE: 2023-08-15
 DRAWING SCALE: 1"=30'
 DRAWN BY: EOC
 APPROVED BY: AMD

FG-1001
 SHEET 1 OF 2

PLOTTED: 07/20/23 1:27 PM BY: Emmanuel Chelika PLOT STYLE: Pennon NC3.dwg
 PROJECT STATUS: ---
 U:\Account\CHRSC22002 - Cattel Villalacion, SHEETFG-1001.dwg

LEGEND



DRIVEWAY SLOPE ARE FROM BACK OF SIDEWALK TO EDGE OF TOWNHOUSE

BENCHMARK # 1113
CONCRETE MONUMENT FOUND
N: 251744.5492
E: 738312.4372
DATUM: NAVD88
ELEV: 7.71'

TM: 334-19.00-1.01
LANDS N/F OF HOMETOWN
REHOBOTH LLC.
DEED BOOK 3847, PAGE 228
ZONED: AR-1
RESIDENTIAL USE

TM: 334-19.00-1.01
LANDS N/F OF HOMETOWN REHOBOTH LLC.
DEED BOOK 3847, PAGE 228
ZONED: AR-1
RESIDENTIAL USE

MATCHLINE: CS-1501

UNACQUAINTED CHRS22002 - CATTAIL VILLAS (CHRISTOPHER) - PLOTTING: 8/8/2023 8:07 AM BY: Emmanuel Okhalu PROJECT STATUS: PLOTTING: 8/8/2023 8:07 AM BY: Emmanuel Okhalu PROJECT STATUS:

Pennoni

PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

CATTAIL VILLAS (CHRISTOPHER)
TAX MAP: 334-19.00-1.01
20873 OLD LANDING ROAD, SCR 274
REHOBOTH BEACH, DELAWARE 19871

DETAIL GRADING PLAN

CHRISTOPHER AT CATTAIL VILLAS LLC
10461 WHITE GRANITE DRIVE, SUITE 250
OAKTON, VA 22124

NO.	DATE	REVISIONS	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSION OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES. AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT: **CHRS22002**
DATE: **2023-08-15**
DRAWING SCALE: **1"=30'**
DRAWN BY: **EOC**
APPROVED BY: **AMD**

FG-1002
SHEET **2** OF **2**



18072 Davidson Drive
 Milton, DE 19968
 T: 302-684-8030
 F: 302-684-8054

www.pennoni.com

October 9, 2023
 CHRSC22002

Ms. Lauren DeVore
 Sussex County Planning and Zoning
 2 The Circle
 Georgetown, DE 19947

**RE: Revised Amenity Plan Submission
 Cattail Villas (S-19-49)
 Old Landing Road
 Tax Map # 334-19.00-1.00
 Lewes and Rehoboth Hundred**

Dear Ms. DeVore,

On behalf of Christopher Companies, Pennoni Associates Inc. (Pennoni) is pleased to submit the revised Preliminary Site Plan for your consideration of review and approval. We have addressed the following comments per your letter received on October 6, 2023.

We have enclosed one (1) copy of the following documents for review and approval of the project.

<i>Item</i>	<i>Description</i>	<i>Last Revised</i>
Drawings Prepared by Pennoni Associates Inc.		
SP0001	Revised Preliminary Amenity Site Plan	10/9/2023

Preliminary Amenities Plan

- 1. Staff note that Keyed Note "S1" notes a "Proposed clubhouse" but this may be better characterized in parallel with Condition "I" by calling it a "Pool House Facility." Please amend this language on the Plans.*

Pennoni Associates Response (October 9, 2023): We have corrected the name as it is better represented as a pool house.

- 2. Please confirm whether the twelve (12) proposed parking spaces are in addition to the total 79 spaces or whether they are included within this total.*

Pennoni Associates Response (October 9, 2023): We have corrected the site data table for the parking and only show the 12 spaces for the pool house. There is no required number of parking for a pool house and the total parking for the overall community is not changing.

- 3. Please include in the Site Data Panel that the project was formerly known as (F.K.A.) Warrington Family Townhomes for clarity purposes.*

Pennoni Associates Response (October 9, 2023): We have included this into the title block at top of sheet, thought it was better location than the site data table.

4. *Please include the required corner front yard setback within the Site Data Column under Note #10. The Code requires a 15-ft front yard on the side street of a corner lot in any district (§115-182(B)).*

Pennoni Associates Response (October 9, 2023): We did not add this, we do not see the relevance of it. There are no lot within this development and the review is for the amenity area within the open space of the development.

5. *Please amend the following minor typographical errors:*
- *Under the "Conditions of Approval" header, please amend the language of the first sentence to state, "at their meeting of December 13, 2018 subject to the following conditions."*
 - *Under Condition "I," please amend the language from "8:0 A.M." to "8:00 A.M."*
 - *In the Site Data Column, please update the Deed/Plat Reference in Note #2 to Deed Book 5873, PG 308, which appears to be the latest Deed of record for the property.*
 - *In the Site Data Column, please amend the latest Plat Book Reference in Note #2 to PB 327, PG 40.*
 - *In the Site Data Column in Note #6, please amend the Section number to §115-31 from §155-31.*
 - *In the Site Data Column in Note #11, please amend the type of units to "multi-family."*
 - *In the Site Data Column in Note #13, please amend the language of "Handicap Spaces" to "ADA Accessible Spaces."*

Pennoni Associates Response (October 9, 2023): We have corrected all the items identified above.

6. *The Cover Sheet states that 2 ADA accessible spaces have been provided. According to International Building Code (IBC) standards, for a total of 76 to 100 parking spaces, the required minimum number of accessible spaces shall be 4 (IBC, 2012, Table 1106.1 "Accessible Parking Spaces," 11-14) Please confirm whether any further spaces will be provided.*

Pennoni Associates Response (October 9, 2023): We have corrected the site data table for the parking and only show the 12 spaces for the pool house. There is no required number of parking for a pool house and the total parking for the overall community is not changing. We do not need to provide ADA spaces for residential driveways and garages that are considered parking spaces.

7. *Please ensure that topography is shown on the Plans at one-foot intervals, unless waived by the Commission as clearly unnecessary to review the project or proposal (§115-220(B)(4)).*

Pennoni Associates Response (October 9, 2023): We have submitted the approved detailed grading plan for your reference.

8. *Please include on the Plans, the number of construction phases proposed, if any (§115-220(B)(12)).*

Pennoni Associates Response (October 9, 2023): This project has no phase breakdown and the amenity area will be built at one time.

9. *Please include in the Site Data Column, the nature and type of wetlands present on the site (ie: tidal, non-tidal, ephemeral, etc.), if any are present for clarity purposes (§115-220(B)(13)).*

Pennoni Associates Response (October 9, 2023): There are no wetlands in the amenity area though we add an item in the site data table to reference the wetland area on the property.

Final Amenities Plan

1. *Please include a measurement for the planted buffer to be provided per Condition "G" of the Conditions of Approval for Change of Zone No. 1865 to ensure that the portion of the Buffer as shown on the Amenities Plan achieves the required 20-ft depth.*

Pennoni Associates Response (October 9, 2023): We have added dimensioning and labels for the buffer area.

2. *Please include the height at planting of all deciduous shade trees to be provided in the "Plant Schedule" on the Plans (§115-221(B)(9)). The caliper appears to be included, but the height appears to be missing from the Plans.*

Pennoni Associates Response (October 9, 2023): We have added the height of the trees.

3. *Please include a Bulk Grading Plan with the submittal as required by Code. It is understood that this information may have been approved and provided with the full Site Plan as submitted and approved. Staff request that a copy of this Plan be provided with any Final Amenities Plan submittal to ensure completeness and compliance with Code requirements (§115-221(B)(17)).*

Pennoni Associates Response (October 9, 2023): We have submitted the approved detailed grading plan for your reference.

4. *Please include the character and nature of all proposed curb cuts, if any are to be provided on the Plans (§115-221(B)(5)).*

Pennoni Associates Response (October 9, 2023): There is no curb cuts, the curbing is type 2 curb and gutter which is rolled curbing which you can drive over. We have added a key note to clarify the type of curbing.

5. *Please show the 10-ft side yard/rear yard setback/BRL location on the Plans (§115-221(B)(6)).*

Pennoni Associates Response (October 9, 2023): The 10 BRL behind the pool house area has been labeled and dimensioned for clarity.

6. *Please include the nature and type of any wetlands on the site (ie: tidal, non-tidal, ephemeral, etc.) (§115-221(B)(14)).*

Pennoni Associates Response (October 9, 2023): There are no wetlands in the amenity area though we add an item in the site data table to reference the wetland area on the property.

7. *Please add to the Plans, provisions for any mail circulation on the Site.*

Pennoni Associates Response (October 9, 2023): We have added a proposed cluster mailbox at the left end of the parking in front of the pool house. This parking area can be used for both. Refer to key note S10.

8. Please include on the Plans, the location, character and nature of any trash receptacles to be provided on the Site.

Pennoni Associates Response (October 9, 2023): The pool house area will utilize a residential trash bin same as the units within the development. We have identified an area inside the pool area, refer to key note S9.

*Prior to approval of the Final Amenities Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Department of Planning and Zoning (All items in which a check mark appears have been received by the Department. All items in **bold** have not been received and still require submittal to the Department):*

- a. Delaware Department of Transportation (DelDOT)*
- b. Sussex Conservation District*
- c. Office of State Fire Marshal*

Pennoni Associates Response (October 9, 2023): In discussing with P&Z reviewer, we do not need DelDOT approval. We have obtained FM approval, see attached. Also do not see the need for SCD approval as all of this was planned with the original approvals.

If you have any comments or need additional information, please call us at (302) 684-8030.

Sincerely,

PENNONI ASSOCIATES INC.



Alan Decktor, PE, ENV SP
Senior Engineer

CC.



**OFFICE OF THE STATE FIRE MARSHAL
Technical Services**

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2023-04-214829-MJS-02

Tax Parcel Number: 334-19.00-1.00

Status: Approved as Submitted

Date: 09/05/2023

Project

Cattail Villas Amenity Area
Cattail Villas

Old Landing Road
Rehoboth DE 19971

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 86 - Rehoboth Beach Vol Fire Co

Occupant Load Inside:
Occupancy Code: 9625

Applicant

Alan Decktor
18072 Davidson Drive
Milton, DE 19968

This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

A final inspection is required.

This Plan Review Project was prepared by:

Jefferson Cerri
Fire Protection Specialist II

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2023-04-214829-MJS-02

Tax Parcel Number: 334-19.00-1.00

Status: Approved as Submitted

Date: 09/05/2023

PROJECT COMMENTS

1002 A This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes. The Office of the State Fire Marshal recommends the installation of fire sprinkler systems in all residential occupancies, including one- and two-family dwellings, duplexes, and townhomes. For additional information on residential sprinkler systems, please see here: https://statefiremarshal.delaware.gov/wp-content/uploads/sites/110/2017/07/Home_Sprinkler_Brochure.pdf

1004 Plans are approved as submitted. Please email a PDF of the approved version to:

Send email to jefferson.cerri@delaware.gov

1180 A This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.

1190 A Separate plan submittal is required for the building(s) proposed for this project.

2447 A Outside open air assembly areas (decks, patio, etc.) where egress from the area can be accomplished without re entering the building will get an occupant load for just the outside open air assembly area. The occupant load is for the outside open air assembly area ONLY and is separate from the building's posted occupant load. Any alterations to the outside open air assembly area shall require formal plan submittal to the DE State Fire Marshal's Office.

OCCUPANT LOAD = 76

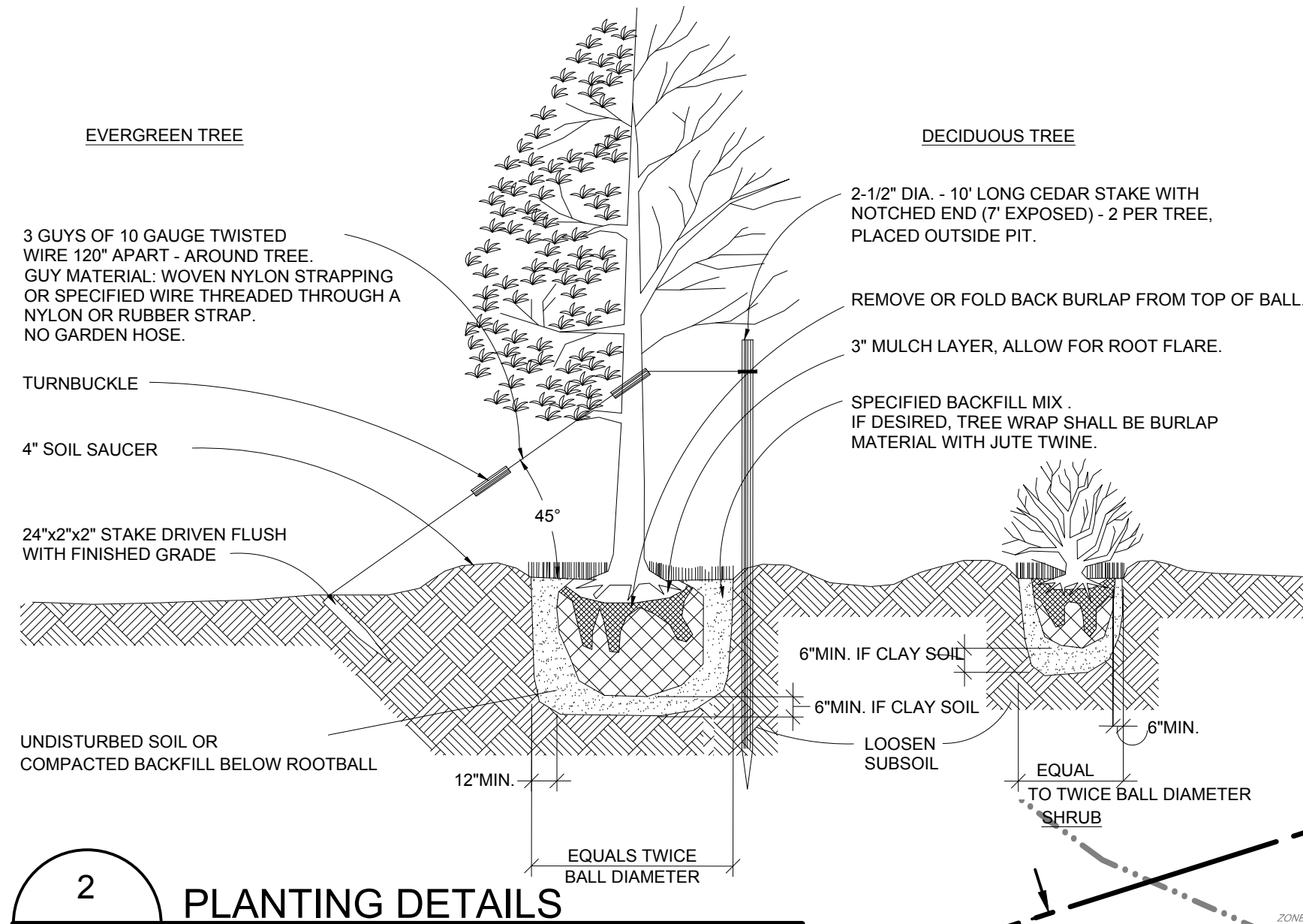
2052 A Doors shall swing in the direction of exit travel (outward) where serving a room or area with an occupant load of 50 or more. NFPA 101, Section 7.2.1.4.2 (2002 ed.).

1501 A If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.

SITE DATA TABLE

1. TAX MAP NUMBER:	334-19.00-1.00
2. DEED/PLAT REFERENCE:	DEED BOOK 5873, PAGE 308 PLAT BOOK 327, PAGE 40
3. OWNER / DEVELOPER NAME:	CHRISTOPHER AT CATTAIL VILLAS LLC
4. OWNER / DEVELOPER ADDRESS:	10461 WHITE GRANITE DRIVE, SUITE 250 OAKTON, VA 22124
5. SITE ADDRESS:	20873 OLD LANDING ROAD REHOBOTH, DELAWARE 19971 LEVES AND REHOBOTH HUNDRED
6. CURRENT ZONING:	MR/CONDITIONAL USE (ARTICLE V - § 115-31) (APPROVED ORDINANCE NO. 2626, CZ1885, DATED JANUARY 15, 2019)
7. PROPOSED ZONING:	MR - MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT
8. PRESENT USE:	CONTRACTOR YARD AND STORAGE
9. PROPOSED USE:	22 MULTI-FAMILY UNITS, SUBJECT TO THE PROVISIONS OF ARTICLES IV THROUGH XX, 115-219 AND TABLE 2 (APPROVED ORDINANCE NO. 2627, CU2151, DATED JANUARY 15TH, 2019)
10. ARTICLE XXV - PROVISIONS IN ACCORDANCE WITH § 115-34B:	FRONT - 40 FEET SIDE - 10 FEET REAR - 10 FEET (NO OVERALL OUTSIDE WALL DIMENSION OF A BUILDING EXCEEDS 165 FEET) IN SECTION § 195-188D TOWN HOME SEPARATION DISTANCE - AGGREGATE OF 40' MINIMUM FRONT AND REAR YARDS OF TOWN HOMES MUST HAVE AN AGGREGATE OF NO LESS THAN 40'
11. DENSITY:	22 SINGLE FAMILY ATTACHED UNITS (MULTI-FAMILY) 3.34 UNITS / ACRE MR ZONING MAXIMUM DENSITY 4.356 UNITS / ACRE CU ZONING MAXIMUM DENSITY FOR MULTIFAMILY 12
12. BUILDING HEIGHT:	42' MAX ALLOWED
13. PARKING (ARTICLE XXII: OFF-STREET PARKING, CODE SECTION § 115-162):	REQUIRED SPACES: 0 SPACES PROVIDED SPACES: 12 SPACES ADA SPACES: 2 SPACES INCLUDED
14. WATER SUPPLY:	PUBLIC WATER - TIDEWATER UTILITY, INC. SECTION 88
15. SOURCE WATER PROTECTION	A. SUBJECT PROPERTY IS WITHIN AN AREA OF "POOR" GROUND WATER RECHARGE
16. SEWER SUPPLY:	PUBLIC SEWER - SUSSEX COUNTY (WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT)
17. LATITUDE AND LONGITUDE:	LATITUDE: N038° 41' 27.67" LONGITUDE: W075° 07' 35.53"
18. NET DEVELOPMENT AREA:	5.59± AC.
19. SITE CALCULATIONS	
BUILDING AREA	EX. = 0.26 AC. PR. = 0.99 AC.
OPEN SPACE AREA	EX. = 3.89 AC. PR. = 2.93 AC.
PAVEMENT/STONE AREA	EX. = 1.17 AC. PR. = 1.40 AC.
WETLANDS AREA	EX. = 0.27 AC. PR. = 0.27 AC.
TOTAL	EX. = 5.59 AC. PR. = 5.59 AC.
PERCENTAGE OF IMPERVIOUS COVER:	2.39 AC. (42.75%)
20. OPEN SPACE AREA BREAKDOWN:	
LANDSCAPE BUFFER:	EX. = 0.00 AC. (0.00%) PR. = 0.88 AC. (30.03%)
ACTIVE OPEN SPACE:	EX. = 3.89 AC. (100.00%) PR. = 1.62 AC. (55.29%)
WOODED AREA:	EX. = 0.71 AC. (18.25%) PR. = 0.38 AC. (12.97%)
STORMWATER MANAGEMENT:	EX. = 0.00 AC. (0.00%) PR. = 0.43 AC. (14.58%)
TOTAL OPEN SPACE:	EX. = 3.89 AC. (100.00%) PR. = 2.93 AC. (100.00%)
NUMBER OF FORESTED ACRES TO BE REMOVED:	0.33 AC. (5.90%)

**PRELIMINARY AMENITIES PLAN WITHIN THE
CATTAIL VILLAS SUBDIVISION (FORMERLY
KNOWN AS "WARRINGTON FAMILY HOMES"
(S-19-49))**



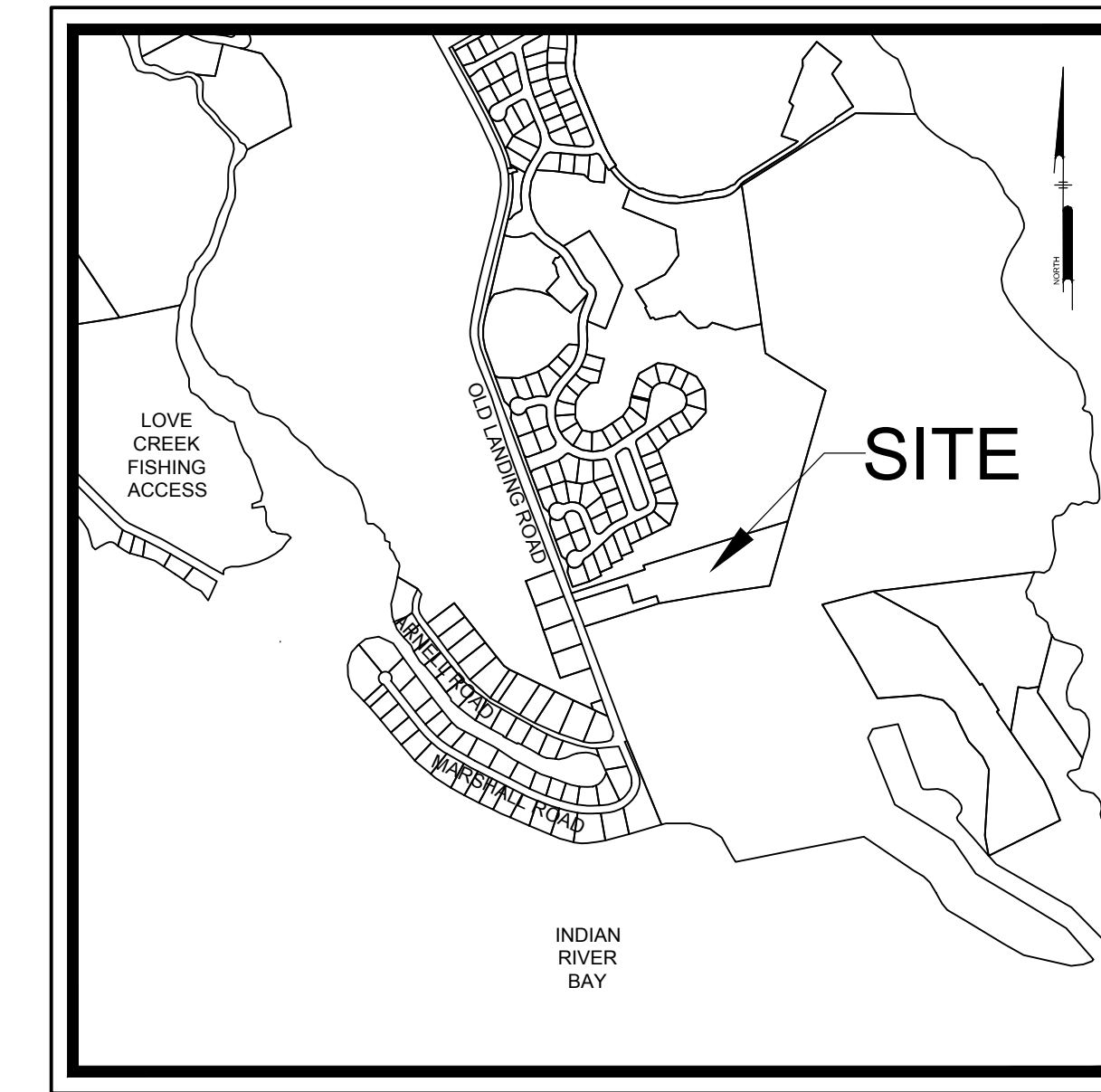
2 PLANTING DETAILS
SCALE: NTS
SP0001

**CONDITIONS OF APPROVAL, 2019-1-15
(CU-2151):**

- PRELIMINARY APPROVAL WAS GRANTED BY SUSSEX COUNTY PLANNING COMMISSION AT THEIR MEETING OF DECEMBER 13, 2018 SUBJECT TO THE FOLLOWING CONDITIONS:
- CONSTRUCTION AND SITE WORK ON THE PROPERTY, INCLUDING DELIVERIES OF MATERIALS TO OR FROM THE PROPERTY, SHALL ONLY OCCUR BETWEEN 8:00 A.M. AND 5:00 P.M., MONDAY THROUGH FRIDAY, AND BETWEEN 8:00 A.M. AND 2:00 P.M. ON SATURDAYS. THERE SHALL BE NO CONSTRUCTION ACTIVITIES AT THE SITE ON SUNDAYS.
 - AS STATED BY THE APPLICANT, THERE SHALL BE A SWIMMING POOL AND SMALL POOL HOUSE INSTALLED ON THE PREMISES. THE SWIMMING POOL SHALL BE AT LEAST 15-FEET BY 30-FEET IN SIZE.

GENERAL NOTES

- PROPOSED BUILDING CONSTRUCTION TYPE: (NFPA TYPE V (000) WOOD FRAME).
- AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.
- WATER SUPPLY: PUBLIC - TIDEWATER
- CLUB HOUSE DETAILS.
- BUILDING SQUARE FOOTAGE = +/- 234 S.F.
- TOTAL STORIES = 1-STORY
- TOTAL HEIGHT = 42 FEET MAX.
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
- THE PROPOSED SIGN IS NOT APPROVED AS PART OF THIS SITE PLAN. A SEPARATE SUSSEX COUNTY PERMIT IS REQUIRED.



LOCATION MAP
Scale: 1" = 1000'

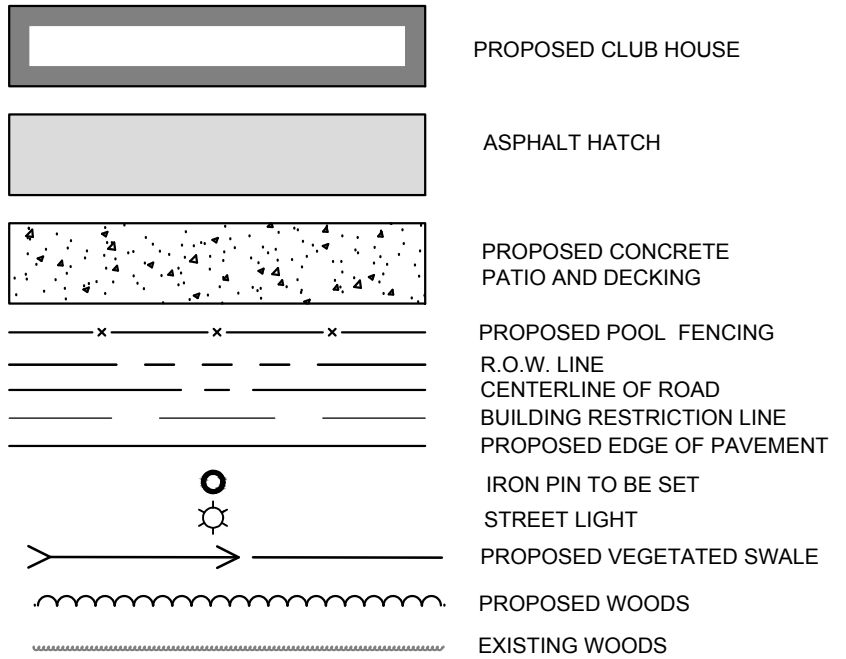
GENERAL LANDSCAPE PLAN NOTES:

- THE LANDSCAPE CONTRACTOR SHALL MAINTAIN INSURANCE REQUIRED BY THE OWNER OR GENERAL CONTRACTOR. IF NOT SPECIFICALLY CALLED OUT, THE CONTRACTOR SHALL ALSO HAVE "BUILDERS RISK" INSURANCE TO COVER LOSSES DURING CONSTRUCTION AND PLANT INSTALLATION AND THROUGH THE MAINTENANCE PERIOD UP TO SUBSTANTIAL COMPLETION. COVERAGE MINIMUM SHALL BE 200% OF CONTRACT VALUE.
- ALL UNDERGROUND UTILITIES SHALL BE VERIFIED IN THE FIELD WITH THE OWNER OR GENERAL CONTRACTOR PRIOR TO THE COMMENCEMENT OF ANY DIGGING OPERATIONS. IN THE EVENT THEY ARE UNCOVERED, THE LANDSCAPE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ALL DAMAGE TO UTILITIES AND SUCH DAMAGE SHALL NOT RESULT IN ANY ADDITIONAL EXPENSES TO THE OWNER.
- EVERY POSSIBLE SAFEGUARD SHALL BE TAKEN TO PROTECT BUILDING SURFACES, EQUIPMENT, AND FURNISHING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE OR INJURY TO PERSONNEL OR PROPERTY WHICH MAY OCCUR AS A RESULT OF HIS NEGLIGENCE IN THE EXECUTION OF THE WORK.
- IN THE EVENT OF VARIATION BETWEEN QUANTITIES SHOWN ON THE PLANT LIST AND THE PLANS, THE PLANS SHALL CONTROL. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES PRIOR TO THE COMMENCEMENT OF WORK. SOD QUANTITY TAKE-OFFS ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL FURNISH PLANT MATERIAL IN SIZES AS SPECIFIED IN PLANT LIST.
- PLANTS SHALL CONFORM TO CURRENT "AMERICAN STANDARDS FOR NURSERY STOCK" BY AMERICAN ASSOCIATION OF NURSERYMAN (AAN), PARTICULARLY WITH REGARD TO SIZE, GROWTH, SIZE OF BALL, AND DENSITY OF BRANCH STRUCTURE. REFERENCE "ANSI Z60.1-2004 (OR MOST CURRENT DOCUMENT AVAILABLE AT WWW.ANLA.ORG)
- ALL PLANTS (B&B OR CONTAINER) SHALL BE PROPERLY IDENTIFIED BY WEATHER-PROOF LABELS, SECURELY ATTACHED THERETO BEFORE DELIVERY TO PROTECT SITE. LABELS SHALL IDENTIFY PLANTS BY NAME, SPECIES, AND SIZE. LABELS SHALL NOT BE REMOVED UNTIL THE FINAL INSPECTION BY THE OWNER.
- ANY MATERIAL AND/OR WORK MAY BE REJECTED BY THE LANDSCAPE ARCHITECT OR OWNER IF IT DOES NOT MEET THE REQUIREMENTS OF THE SPECIFICATIONS. ALL REJECTED MATERIALS SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR.
- NO SUBSTITUTIONS SHALL BE MADE WITHOUT WRITTEN CONSENT OF THE OWNER OR LANDSCAPE ARCHITECT.
- NO INVASIVE SPECIES ALLOWED. NATIVE SPECIES PREFERRED.
- THE CONTRACTOR SHALL BE WHOLLY RESPONSIBLE FOR STABILITY AND CONDITIONS OF ALL TREES AND SHRUBS AND SHALL BE LEGALLY LIABLE FOR ANY DAMAGE CAUSED BY INSTABILITY OF ANY PLANT MATERIALS.
- ALL PLANTING BEDS SHALL BE MULCHED WITH HARDWOOD MULCH AS SPECIFIED, EXCEPT WHERE NOTED ON PLANS.
- UPON COMPLETION OF ALL LANDSCAPING FOR EACH PHASE OF WORK, AN INSPECTION OF THE WORK SHALL BE HELD. THE CONTRACTOR SHALL NOTIFY THE OWNER FOR SCHEDULING THE INSPECTION AT LEAST SEVEN (7) DAYS PRIOR TO THE ANTICIPATED INSPECTION DATE.
- ALL PLANT MATERIAL SHALL BE GUARANTEED FOR TWELVE MONTHS FROM THE DATE OF ACCEPTANCE. WATERING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR DURING CONSTRUCTION. UPON COMPLETION, THE CONTRACTOR SHALL INFORM THE OWNER OF WATERING REQUIREMENTS AND GENERAL MAINTENANCE OF THE INSTALLED LANDSCAPING IN ORDER TO REALIZE HIGHER ESTABLISHMENT RATES.
- PLANTING BEDS AND TREE PITS SHALL BE AMENDED AND TILLED TO A MINIMUM 6 INCH DEPTH. ALL PLANTING BEDS SHALL BE 1/2 PARENT MATERIAL, 1/2 ORGANIC MATERIAL, AND 1/2 TOP SOIL, FREE OF DEBRIS AND STONES LARGER THAN 2" DIA.

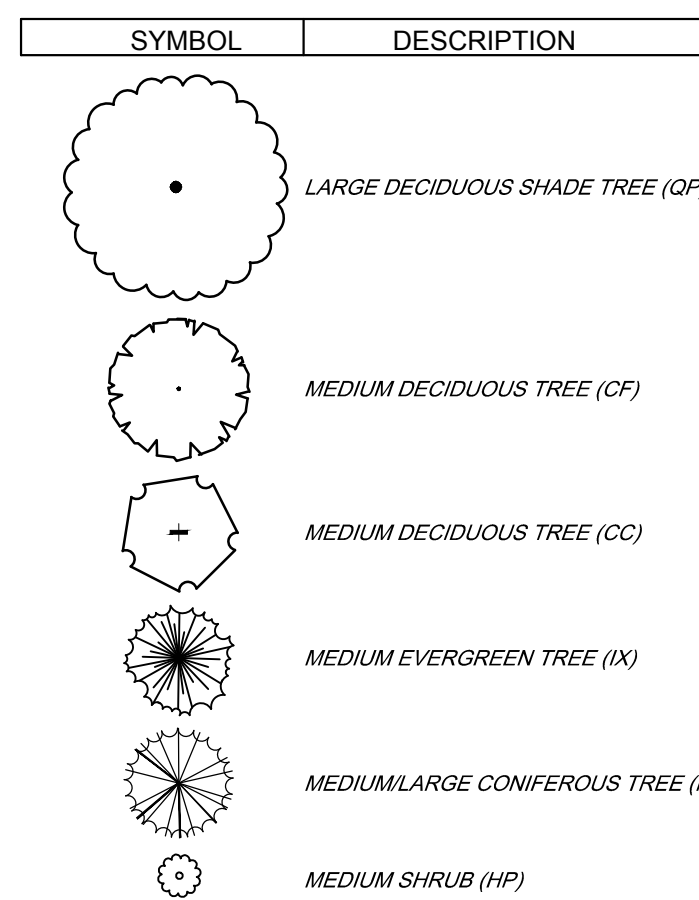
KEYED NOTES

- S1 PROPOSED POOL HOUSE
- S2 PROPOSED DECK AREA (+/- 1,915 SF)
- S2A PROPOSED POOL AREA (+/- 610 SF)
- S3 PROPOSED STREET LIGHT, TYP. (STREET LIGHT SYMBOLS ARE SHOWN GRAPHICALLY AND FINAL LAYOUT WILL BE COORDINATED WITH ELECTRIC SERVICE PROVIDER)
- S4 PROPOSED 5' WIDE CONCRETE SIDEWALK
- S5 PROPOSED 4' HIGH BLACK ALUMINUM FENCE
- S6 ADA ACCESSIBLE PARKING SPACE WITH SIGN MOUNTED ON POST
- S7 PROPOSED 3" WIDE SINGLE GATE WITH REQUIRED PANIC HARDWARE AND SELF CATCHING / SELF CLOSING CHILDPROOF HARDWARE
- S8 INTEGRAL PCC CURB AND GUTTER TYPE 2
- S9 4' X 4' RESIDENTIAL TRASH ENCLOSURE TO BE ENCLOSED WITH 4' HIGH PRIVACY FENCE AND ACCESS GATE
- S10 PROPOSED CLUSTER MAILBOX FOR COMMUNITY

LEGEND

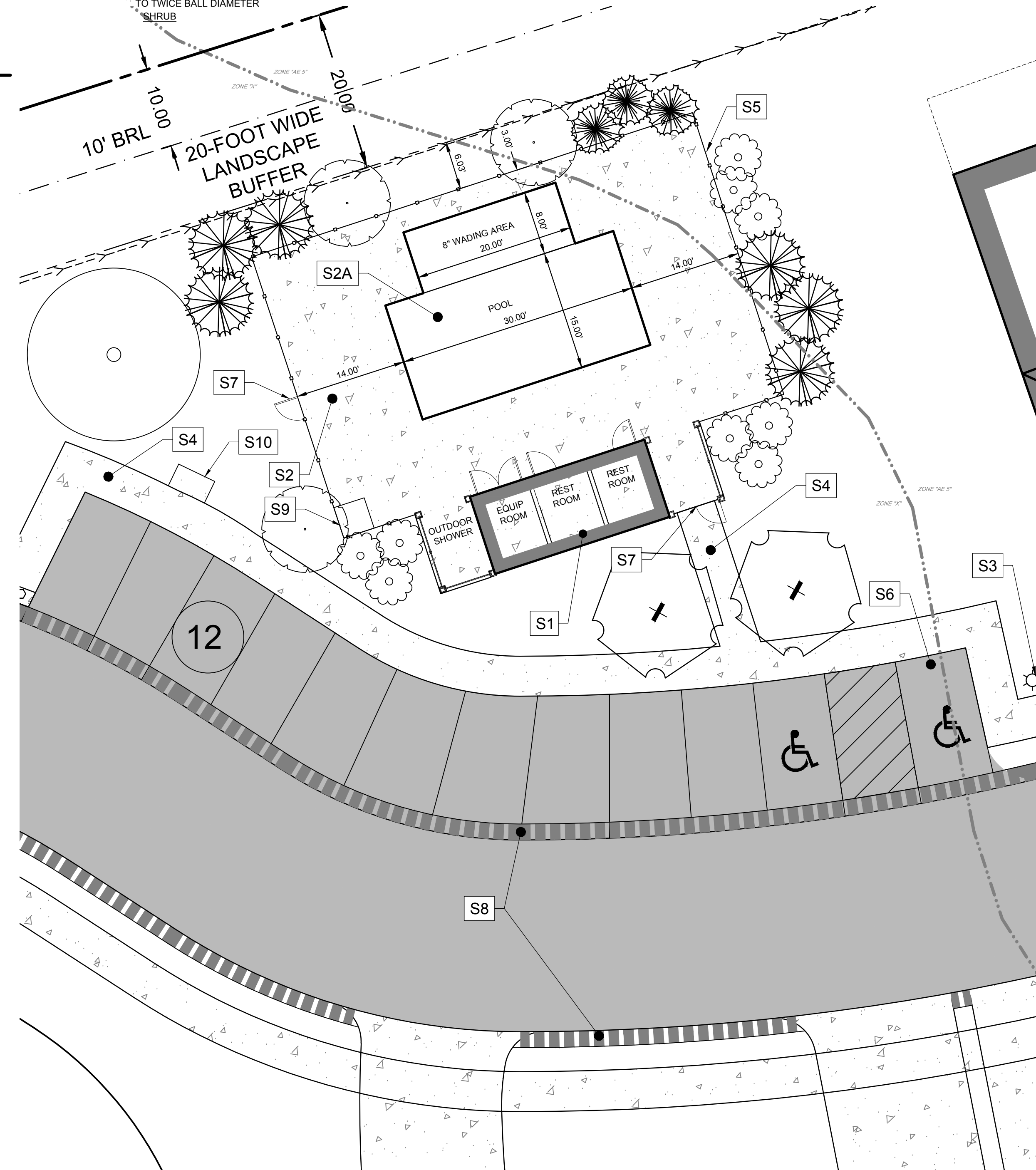


PLANT LEGEND



PLANT SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONT.	SPACING
QP	1	QUERCUS PALUSTRIS	PIN OAK	1.5" CAL., 6' HGT	B&B	AS SHOWN
CF	3	CORNUS FLORIDA	FLOWERING DOGWOOD	1.5" CAL., 6' HGT	B&B	AS SHOWN
CC	2	CERIS CANADENSIS	EASTERN REDBUD	1.5" CAL., 6' HGT	B&B	AS SHOWN
PS	6	PINUS STROBUS	EASTERN WHITE PINE	5' HGT	CONT.	AS SHOWN
IX	3	ILEX X CONAF	OAK LEAF RED HOLLY	5' HGT	CONT.	AS SHOWN
HP	9	H. PAN. STRAWBERRY SHAKE	STRAWBERRY HYD.	3' HGT	CONT.	AS SHOWN



PLAN VIEW: BLOWUP OF POOL AND CLUBHOUSE AREA
SCALE: 1" = 10'

1
SP0001

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

CHRISTOPHER AT CATTAIL VILLAS LLC
EUGENE J. REGAN, JR.
10461 WHITE GRANITE DRIVE SUITE 250
OAKTON, VA 22124
302-352-5960
JOHN@CHRISTOPHERCOMPANIES.COM

ENGINEER CERTIFICATION:
IT IS HEREBY CERTIFIED THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE COMPLIES WITH APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES. THE DESIGN REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE: ALAN DECKTOR, PE (DE PE#17771)
PENNONI ASSOCIATES, INC.
18072 DAVIDSON DRIVE
MILTON, DE 19968
OFFICE (302) 684-8030 - FAX (302) 684-8054
adecktor@pennoni.com

LANDSCAPE CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE REGULATIONS AND LAWS OF THE STATE OF DELAWARE.

ERIC W. WAHL, (DE# S1-0000409)
PENNONI ASSOCIATES INC.
18072 DAVIDSON DRIVE MILTON, DE 19968

Pennoni
PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

CATTAIL VILLAS
TAX MAP: 334-19.00-1.00
20873 OLD LANDING ROAD, SCR 274
REHOBOTH BEACH, DELAWARE 19971

PRELIMINARY AMENITIES PLAN

CHRISTOPHER AT CATTAIL VILLAS LLC
10461 WHITE GRANITE DRIVE SUITE 250
OAKTON, VA 22124

NO.	DATE	REVISIONS

NO.	DATE	REVISIONS
3	2023-10-9	REVISED PER R&Z COMMENTS
2	2023-10-6	REVISED PER R&Z COMMENTS
1	2023-08-30	REVISED PER FIRE MARSHAL COMMENTS

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES AND OWNER SHALL IDENTIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT: **CHRS22002**

DATE: 2023-08-09

DRAWING SCALE: AS SHOWN

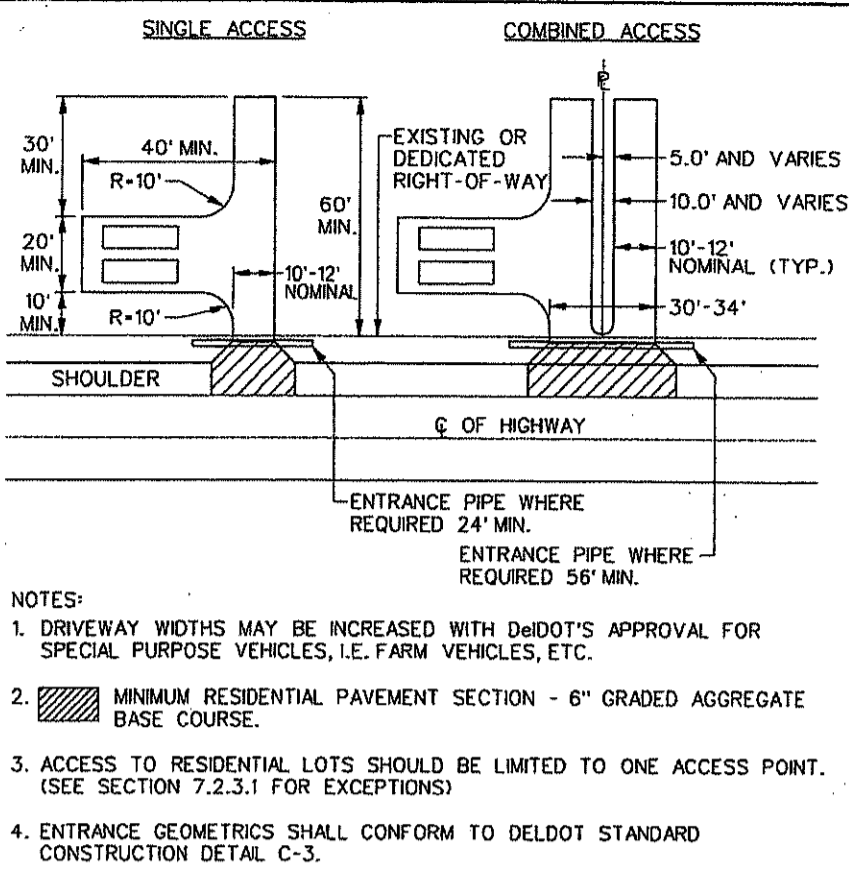
DRAWN BY: EWW

APPROVED BY: AMD

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SHEET 1 OF 1

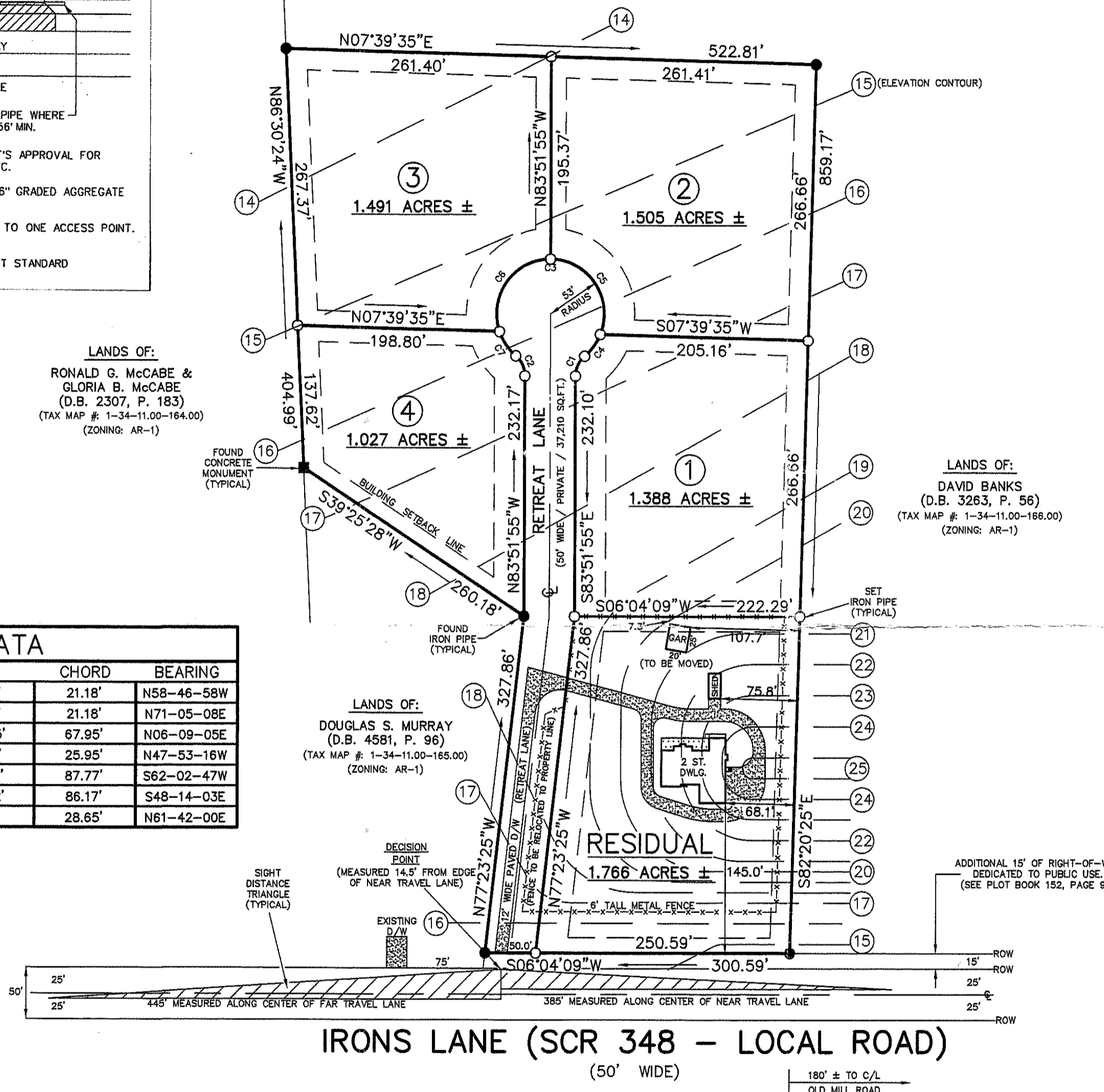
Figure 7.2.3.3-a Residential Access Design Requirements



LANDS OF:
 RONALD G. McCABE &
 GLORIA B. McCABE
 (D.B. 2307, P. 183)
 (TAX MAP # 1-34-11.00-164.00)
 (ZONING: AR-1)

LANDS OF:
 DAVID BANKS
 (D.B. 3263, P. 56)
 (TAX MAP # 1-34-11.00-166.00)
 (ZONING: AR-1)

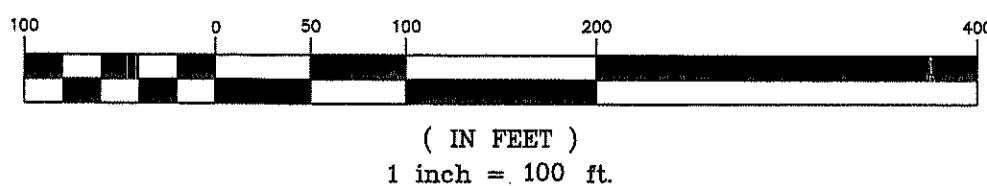
LANDS OF:
 DOUGLAS S. MURRAY
 (D.B. 4581, P. 96)
 (TAX MAP # 1-34-11.00-165.00)
 (ZONING: AR-1)



CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	BEARING
C1	50-07-54	25.00'	21.87'	21.18'	N58-46-58W
C2	50-07-54	25.00'	21.87'	21.18'	N71-05-08E
C3	280-15-48	53.00'	259.25'	67.95'	N06-09-05E
C4	28-20-30	53.00'	26.22'	25.95'	N47-53-16W
C5	111-47-24	53.00'	103.41'	87.77'	S62-02-47W
C6	108-46-16	53.00'	100.62'	86.17'	S48-14-03E
C7	31-21-38	53.00'	29.01'	28.65'	N61-42-00E

GRAPHIC SCALE



WETLANDS CERTIFICATION

I, KENNETH W. REDINGER, EVALUATED THE SUBJECT PROPERTY ON AUGUST 16, 2023 IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL IN CONJUNCTION WITH THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: ATLANTIC AND GULF COASTAL PLAIN REGION, VERSION 2.0 (NOVEMBER 2010) AND ASSOCIATED FEDERAL AND STATE REGULATORY GUIDANCE DOCUMENTS. NO FEDERAL OR STATE REGULATED WETLANDS OR WATERWAYS ARE PRESENT WITHIN THE SUBJECT PROPERTY.

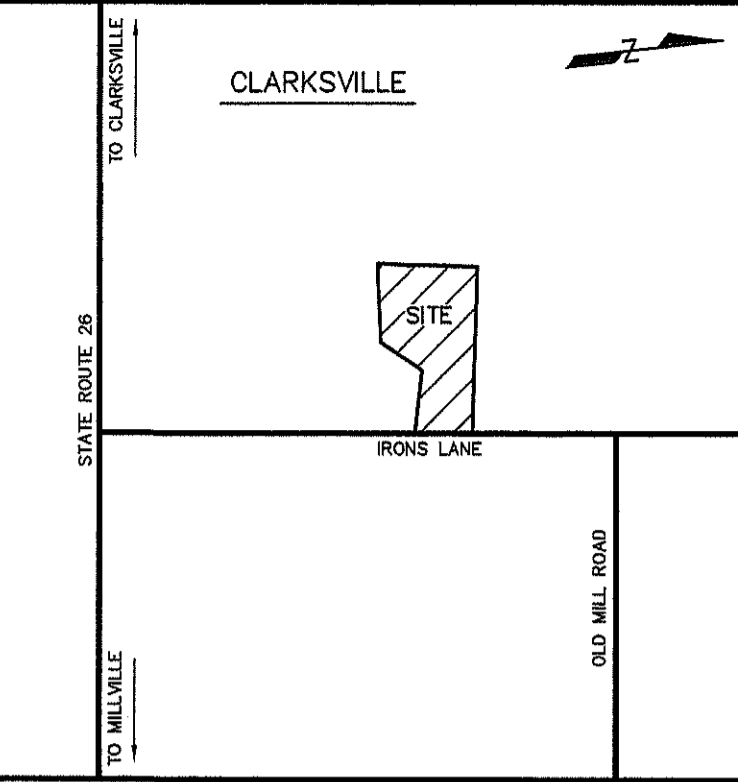
Kenneth W. Redinger 8/23/2023

KENNETH W. REDINGER, PROFESSIONAL WETLAND SCIENTIST #2126 DATE
 P.O. BOX 479 HORNTOWN, VA. 23395
 PHONE: (757) 894-7062 / EMAIL: kwredinger@yahoo.com

OWNERS STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN HEREON AND THAT THIS PLAN HAS BEEN MADE AT OUR DIRECTION AND WITH OUR FULL KNOWLEDGE AND CONSENT.

Michael L. Moutzalias 8/24/23
 MICHAEL L. MOUTZALIAS DATE
Jennifer E. Moutzalias 8/24/23
 JENNIFER E. MOUTZALIAS DATE



LOCATION MAP 1" = 1000'

DATA COLUMN

OWNER: MICHAEL & JENNIFER MOUTZALIAS
 34924 RETREAT LANE
 DAGSBORO, DE. 19939

DEED REFERENCE: D.B. 2897, P. 51
 PLOT REFERENCE: P.B. 152, P. 95
 TAX MAP PARCEL #: 1-34-11.00-166.01
 ZONING: AR-1

TOTAL AREA: 8.03 ACRES ±
 RESIDUAL AREA: 1.78 ACRES ±
 RESIDUAL FRONTAGE: 327.8'

EXISTING # OF LOTS: 1
 PROPOSED # OF LOTS: 5 (4 LOTS + RESIDUAL)

SEWER & WATER SERVICE: ONSITE SEPTICS & WELLS
 PRESENT USE: RESIDENTIAL
 PROPOSED USE: RESIDENTIAL

SETBACKS: FRONT - 30'; 40' ON CTY. ROAD
 SIDE - 15'
 REAR - 20'

MAX. BUILDING HEIGHT: 42'
 POSTED SPEED LIMIT: 35 MPH
 ELEVATION DATUM: NAVD 1988

NOTES:

- RETREAT LANE IS A 50' WIDE PRIVATE ROAD. MAINTENANCE OF RETREAT LANE WILL BE THE RESPONSIBILITY OF THE DEVELOPER, THE INDIVIDUAL LOT OWNERS OR BOTH. THE STATE OF DELAWARE AND SUSSEX COUNTY ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF RETREAT LANE.
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
- ACCORDING TO FIRM MAP 10005C0495K DATED 03/16/2015 THIS PROPERTY IS IN AN 'X' ZONE, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

DELDOT NOTES:

- ALL LOTS SHALL HAVE ACCESS FROM RETREAT LANE, A PRIVATE 50' WIDE ROAD, AS SHOWN HEREON. THE RESIDUAL LANDS SHALL HAVE ACCESS FROM RETREAT LANE, A PRIVATE 50' WIDE ROAD, AND NO DIRECT ACCESS TO IRONS LANE WILL BE ALLOWED.
- ENTRANCES MUST BE INSTALLED PRIOR TO THE SALE OF THE LOTS.
- ONCE A LOT HAS BEEN SOLD THE NEW OWNER(S) MUST OBTAIN A REVISED ENTRANCE PERMIT FROM THE SOUTH DISTRICT ENTRANCE PERMIT SUPERVISOR. (853-1340)
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- ALL ENTRANCES SHALL CONFORM TO DELDOTS STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO ITS APPROVAL.
- IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REVISED TO BE FROM AN INTERNAL SUBDIVISION STREET.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH & PLACE RIGHT-OF-WAY MONUMENTS ALONG THE FRONTAGE OF ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE OF RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH DELDOTS DEVELOPMENT COORDINATION MANUAL AND THE REQUIREMENTS OF THE LAND USE AGENCY.
- OTHER THAN SHOWN, THIS SURVEY PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS ON THIS PROPERTY. NO FIELD SEARCH WAS REQUESTED OR PERFORMED.

MAXWELL J. MORRIS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 No. 625
 DE PLS # 625

REVISIONS	BY
REVISED PER DELDOT COMMENTS	10/22
REVISED PER SUSSEX COUNTY P. & Z. COMMENTS	8/23

SUBDIVISION PLAN

LANDS OF:
MICHAEL & JENNIFER MOUTZALIAS
 BALTIMORE HUNDRED * SUSSEX COUNTY * DELAWARE

Delaware Surveying Services
 Surveying * Design * Consulting
 P.O. Box 88 * Bethany Beach, DE. * 19930
 Phone: (302) 537-7094

DATE: AUGUST 13, 2022
 SCALE: 1" = 100'
 TAX MAP #: 1-34-11.00-166.01
 DRAWING #: 21-057A

Next - Review logs 9/6/23

RECEIVED

JAN 06 2023

SUSSEX COUNTY
PLANNING & ZONING



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

NICOLE MAJESKI
SECRETARY

December 05, 2022

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

**SUBJECT: Minor Subdivision - Letter of No Objection to Recordation
Moutzalias**
Tax Parcel # 134-11.00-166.01
SCR00348-IRONS LANE
Baltimore Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated August 13, 2022 (last revised October 14, 2022), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

Entrances(s) must be installed prior to the sale of the lot(s). All entrances shall conform to DelDOT's Development Coordination Manual and shall be subject to its approval. **This letter does not authorize the commencement of entrance construction.**

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There may be other

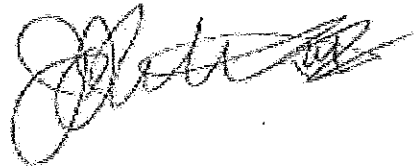


Moutzalias
Mr. Jamie Whitehouse
Page 2
December 05, 2022

reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DeIDOT has established that these enumerated transportation improvements are acceptable.

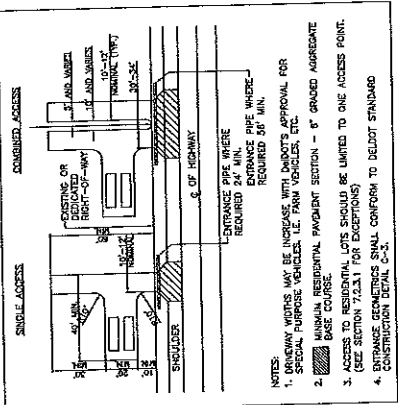
The owner shall be responsible to submit a copy of the **recorded Minor Subdivision Plan** showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,



John Pietrobono
New Castle County Review Coordinator
Development Coordination

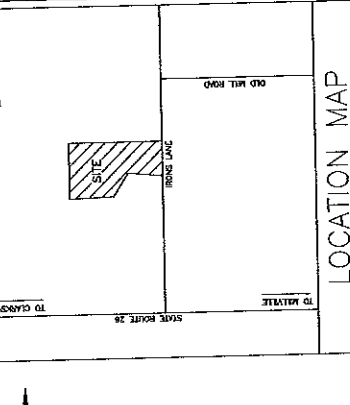
cc: Maxwell Morris, Delaware Surveying Services
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
James Smith, South District Entrance Permit Supervisor
Shannon Anderson, South District Public Work Admin Specialist
Wendy L. Polasko, P.E., Subdivision Engineer
Thomas Gagnon, Sussex County Reviewer



- NOTES:
1. DRIVEWAY WIDTHS MAY BE INCREASED WITH DELDOT'S APPROVAL FOR SPECIAL PURPOSE VEHICLES, I.E. TRAILER TRUCKS, ETC.
 2. MINIMUM RESIDENTIAL PAVEMENT SECTION - 8" GRADED AGGREGATE BASE COURSE.
 3. ACCESS TO RESIDENTIAL LOTS SHOULD BE LIMITED TO ONE ACCESS POINT. (SEE SECTION 713.1 FOR EXCEPTIONS)
 4. ENTRANCE GEOMETRICS SHALL CONFORM TO DELDOT STANDARD CONSTRUCTION DETAIL C-3.

RECEIVED
 JAN 06 2023
 SUSSEX COUNTY
 PLANNING & ZONING

NO OBJECTION TO RECORDATION
 December 05, 2022
 DATE



DATA COLUMN

OWNER: MICHAEL & JENNIFER MOUTZALIAS
 24924 RETREAT LANE
 DUGBORO, DE 19339
 PLOT REFERENCE: P. 152, P. 95
 TAX MAP PARCEL #: 1-34-11.00-166.01

TOTAL AREA: 4.78 ACRES ±
 RESIDUAL FRONTAGE: 377.8'
 DISTINGUISHING # OF LOTS: 4 (4 LOTS ± RESIDUAL)
 PRESENT USE: RESIDENTIAL
 SEWER & WATER SERVICE: ONITE SERVICES & WELLS
 PROPOSED USE: RESIDENTIAL
 SETBACKS: FRONT - 30'; 40' ON CITY ROAD
 SIDE - 15'
 MAX. BUILDING HEIGHT: REAR - 20'
 POSTED SPEED LIMIT: 35 MPH

NOTES:

- 1) RETREAT LANE IS A 50' WIDE PRIVATE ROAD. MAINTENANCE OF RETREAT LANE WILL BE THE RESPONSIBILITY OF THE DEVELOPER. THE INDIVIDUAL SUSSEX COUNTY ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF RETREAT LANE.
- 2) ALL FIRE LANCES, FIRE HYDRANTS AND FIRE DEPARTMENT TRUCKS MUST BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.

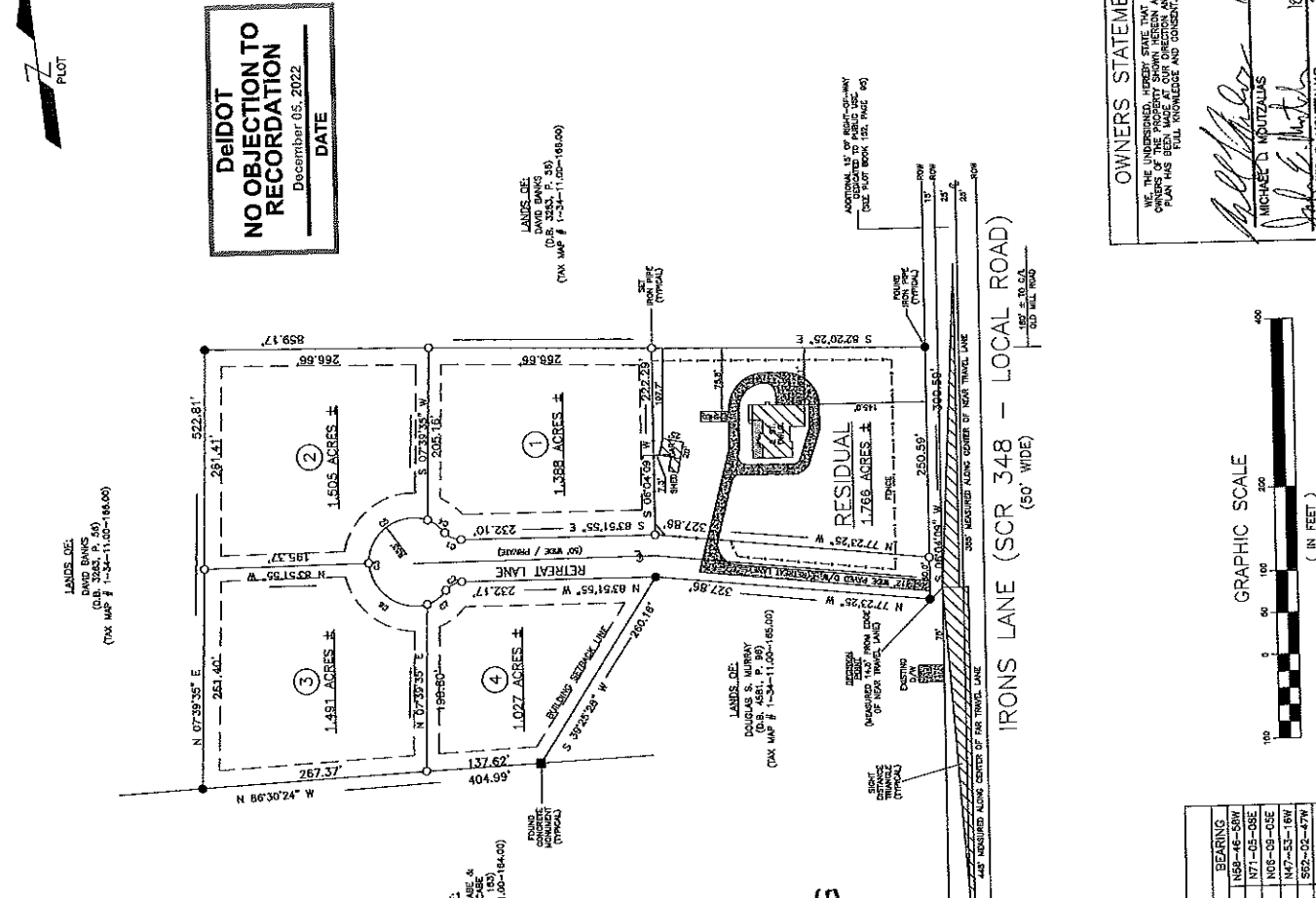
DELDOT NOTES:

- 1) ALL LOTS SHALL HAVE ACCESS FROM RETREAT LANE. A PRIVATE 30' WIDE ROAD, AS SHOWN HEREON, THE RESIDUAL LANDS SHALL HAVE ACCESS FROM RETREAT LANE. A PRIVATE 30' WIDE ROAD, AS SHOWN HEREON, THE RESIDUAL LANDS SHALL HAVE ACCESS TO IRONS LANE. ALL LOTS MUST BE INSTALLED PRIOR TO THE SALE OF THE LOTS.
- 2) ENTRANCES MUST BE INSTALLED PRIOR TO THE SALE OF THE LOTS.
- 3) ONCE A LOT HAS BEEN SOLD THE NEW OWNERS MUST OBTAIN DELDOT'S APPROVAL FOR THE INSTALLATION OF A DISTRICT ENTRANCE PERMIT SUPERVISOR (SEE 1540) SUPERVISOR, PLUMBING, SOILS AND LIGHT DISTANCE OF A DRIVEWAY PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DRIVEWAY FROM THE ESTABLISHED DRIVEWAY SHOT TRIANGLE IS OUTSIDE THE RIGHT-OF-WAY OR PROJECT CURB. ALL DRIVEWAYS SHALL BE CONSTRUCTED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- 4) ALL ENTRANCES SHALL CONFORM TO DELDOT STANDARDS AND REGULATIONS AND SHALL BE SUBJECT TO ITS APPROVAL.
- 5) IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THE APPLICANT SHALL BE RESPONSIBLE FOR THE SIGHT DISTANCE TO BE FROM AN INTERNAL SUBDIVISION STREET.
- 6) THE DEVELOPER SHALL BE REQUIRED TO FINISH & PLACE RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE OF RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND USE AGENCY.
- 7) OTHER THAN SHOWN, THIS SURVEY-PLAN DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY. THE APPLICANT SHALL BE RESPONSIBLE FOR REGISTERED OR CONFIRMED.

OWNERS STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN HEREON AND THAT THIS PLAN HAS BEEN MADE AT OUR DIRECTION AND WITH OUR FULL KNOWLEDGE AND CONSENT.

MICHAEL E. MOUTZALIAS 10/14/22 DATE
 JENNIFER E. MOUTZALIAS 10/14/22 DATE



CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	BEARING
C1	60-07-54	25.00'	21.18'	21.18'	N59-46-50W
C2	50-07-54	25.00'	21.87'	21.18'	N71-05-05E
C3	280-15-46	53.00'	259.25'	67.65'	N08-09-05E
C4	28-20-30	53.00'	26.22'	25.65'	N47-53-18W
C5	111-47-24	55.00'	103.41'	87.77'	S62-02-47W
C6	108-48-16	55.00'	100.82'	86.17'	S48-14-05E
C7	31-21-38	55.00'	28.91'	28.65'	N61-42-05E

Delaware Surveying Services
 Surveying * Design * Consulting
 P.O. Box 88 * Bethany Beach, DE * 19930
 Phone: (302) 537-7094

MICHAEL & JENNIFER MOUTZALIAS
 LANDS OF
 MINOR SUBDIVISION PLAN

REVISIONS BY: 10/22
 REVIEWED BY: 10/22

DATE: AUGUST 13, 2022
 SCALE: 1" = 100'
 TAX MAP #: 1-34-11.00-166.01

DRAWING #: 21-057A
 DE. PLS # 625



**OFFICE OF THE STATE FIRE MARSHAL
Technical Services**

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2022-04-211804-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 134-11.00-166.01
Date: 09/22/2022

Project

Moutzallas Minor Subdivision
Moutzallas Property

34924 Retreat Lane
Dagsboro DE 19939

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 84 - Millville Volunteer Fire Co

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Maxwell Morris

This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments. Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

A final inspection is required.

This Plan Review Project was prepared by:


John Colpo
Fire Protection Specialist

RECEIVED

JAN 06 2023

SUSSEX COUNTY
PLANNING & ZONING

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY

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FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2022-04-211804-MIS-01
Status: Approved as Submitted

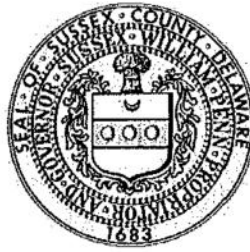
Tax Parcel Number: 134-11.00-166.01
Date: 09/22/2022

PROJECT COMMENTS

- 1002 A This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
- 1010 A The following water for fire protection requirements apply: NONE. On-Site Wells Proposed. this site meets Water Flow Table 1. therefore the provisions of NFPA 1142 shall apply to this site (DSFPR Regulation 702, Chapter 6, Section 3). Since wells are proposed for this site, no additional requirements will be made by this Agency for water for fire protection.
- 1180 A This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
- 1501 A If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.

PLANNING & ZONING COMMISSION

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



Unimex Count?

DELAWARE
SUSSEXCOUNTYDE.GOV
302-855-7878 T
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING AND ZONING

January 31, 2023

Maxwell J. Morris
Delaware Surveying Services
P.O. Box 88
Bethany Beach, DE 19930

By email to: maxmorris625@gmail.com

RE: Staff Review of the Preliminary Minor Subdivision Plan for Lands of Michael & Jennifer Moutzalias for the creation of four (4) lots and residual lands off a 50-ft ingress/egress access easement, to be located on the east side of Irons Lane (S.C.R. 348).
Tax Parcel: 134-11.00-166.01

Dear Mr. Morris,

Further to the submission of January 6, 2023, the Planning and Zoning Department has reviewed the submitted Preliminary Minor Subdivision Plan for Lands of Michael & Jennifer Moutzalias. This plan proposes the creation of four (4) lots and residual lands off of a 50-ft ingress/egress easement. The parcels are to be located on the west side of Irons Lane (S.C.R 348). The parcel is zoned Agricultural Residential (AR-1). Staff have reviewed the proposed minor subdivision plan for compliance with the Sussex County Zoning and Subdivision Codes and have the following comments:

Section 99 – Subdivision of Lands

1. Is the private road intended to be a separate parcel? If so, please include the acreage of the roadway parcel. Additionally, the fence located on the roadway parcel would not be permitted. Please include a note on the plan indicating that it will be removed or relocated.
2. The shed and garage on the residual lands do not comply with the setback requirement. Please adjust the dimensions of the lot to ensure compliance or include a note on the plan indicating that the structures will be removed or relocated.
3. Please illustrate the setbacks for the residual lands in the plan view.
4. Please amend the formatting for Note 1 so the last line does not overlap.
5. Please include a scale for the location map (§99-23(B)).
6. Please include the bearings and distances of all property lines, including those segments along the cul-de-sac (§99-23(E)).
7. Please include topographic contours at one-foot intervals on the plan (§99-23(G)).
8. Please include the height of the fence (§99-23(H)).
9. Please include the zoning districts with the parcel information for all adjacent properties (§99-23(I)).
10. Please include the location of all wetlands on the plan, along with a wetlands statement signed and sealed by a qualified professional. If the site contains no wetlands, please include a similar statement indicating this (§99-23(Q), §99-26(A)(17)).

11. Please include die location of the one-hundred-year floodplains based on current Flood Insurance Rate Maps (§99-23(R)).
12. Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office (All bolded items have been received by the department):
 - a. **Delaware Department of Transportation (DelDOT)**
 - b. **Office of the State Fire Marshal (SFMO)**

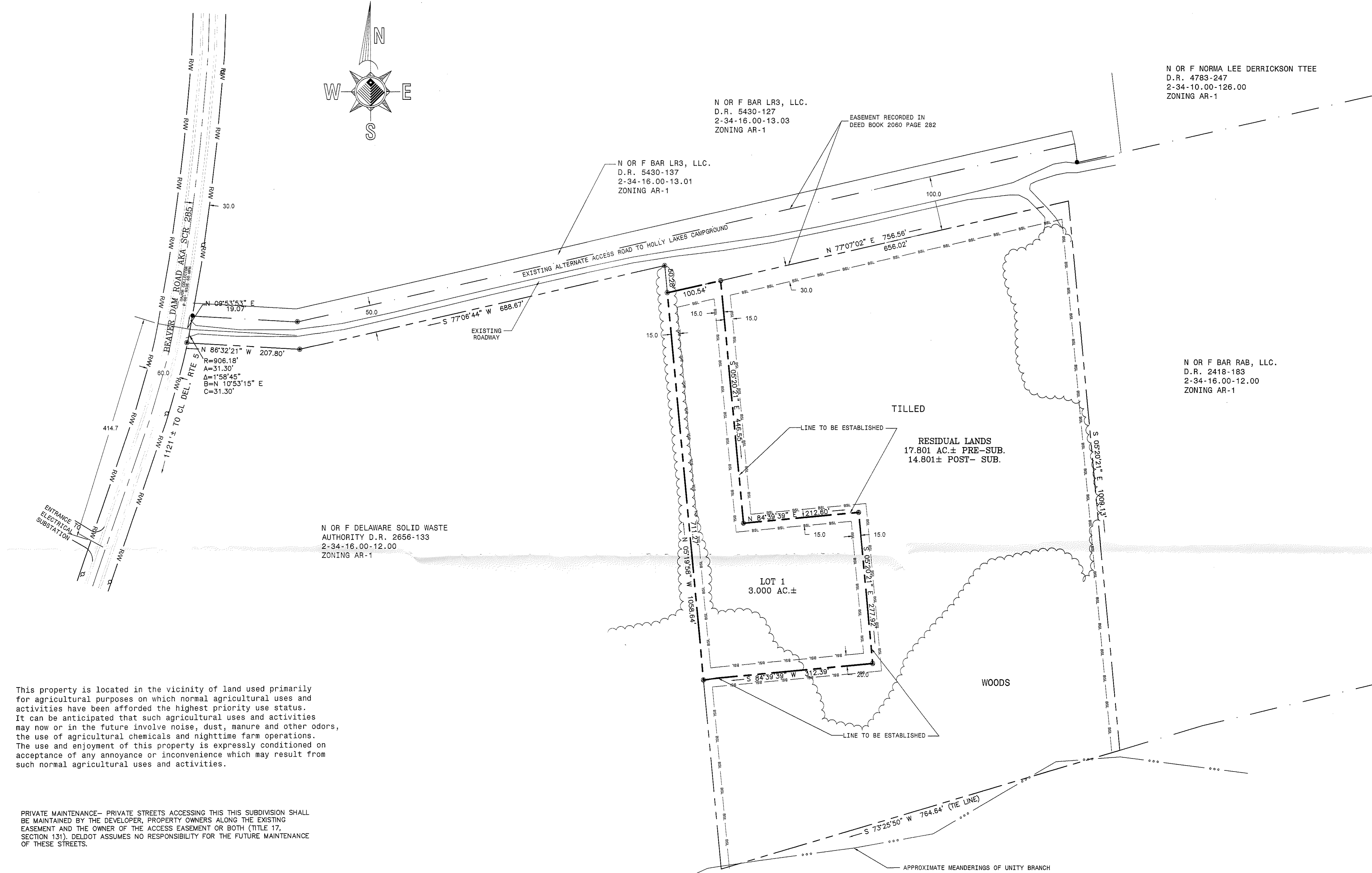
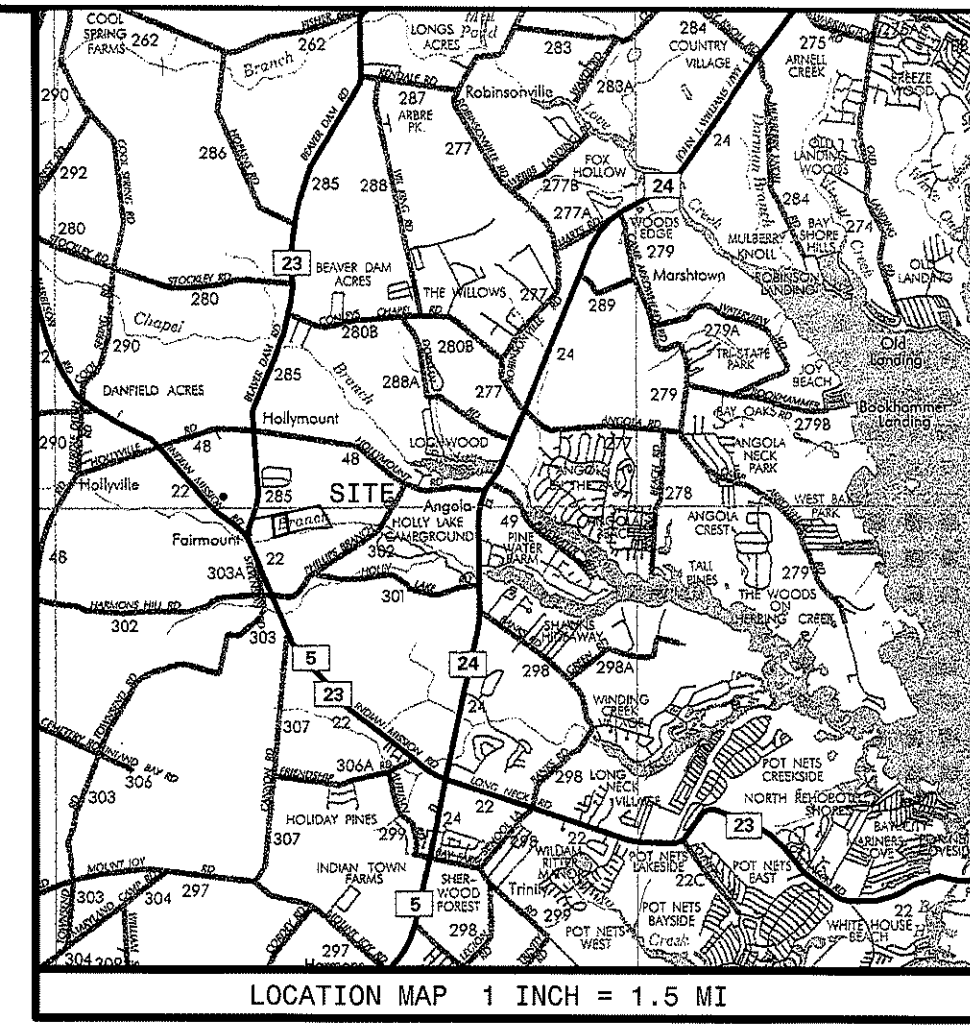
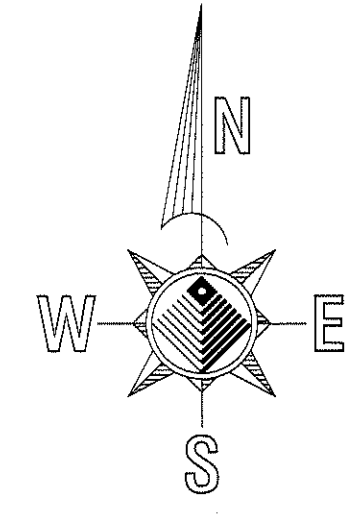
Please provide one (1) full-size copy and one (1) electronic copy of a Revised Preliminary Subdivision Plan once all comments have been addressed. The revised plan will then be scheduled for the next available Planning and Zoning Commission meeting.

Please feel free to contact me with any questions at 302-855-7878.

Sincerely,



Mx. Jesse Lindenberg
Planner I



This property is located in the vicinity of land used primarily for agricultural purposes on which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals and nighttime 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.

PRIVATE MAINTENANCE- PRIVATE STREETS ACCESSING THIS THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS ALONG THE EXISTING EASEMENT AND THE OWNER OF THE ACCESS EASEMENT OR BOTH (TITLE 17, SECTION 131). DELDOT ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.

BAR RAB, LLC	DATE
BAR LR3, LLC	DATE
SUSAN TAYLOR	DATE
DILLON TAYLOR	DATE

OWNER CERTIFICATION
 WE, BAR LR3, LLC, HEREBY CERTIFY THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.
 WE CERTIFY THAT 17 DEL. C. § 800 IS APPLICABLE TO THE PROPERTY BEING DESCRIBED AND SHOWN ON THIS PLAN BY VIRTUE OF THE SUBDIVIDED PARCEL WILL BE TRANSFERRED TO A FAMILY MEMBER OR MEMBERS FOR THE PURPOSE OF USE AS A FAMILY MEMBER'S PRINCIPLE RESIDENCE.
 AUTHORIZED SIGNATURE _____ DATE _____

OWNER CERTIFICATION
 WE, BAR RAB, LLC, HEREBY CERTIFY THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.
 AUTHORIZED SIGNATURE _____ DATE _____

SURVEYOR'S CERTIFICATION
 I, ROBERT W. NASH, PLS 551, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR 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 SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.
 ROBERT W. NASH, PLS 551 _____ DATE _____

N OR F NORMA LEE DERRICKSON TTEE
 D.R. 4783-247
 2-34-10.00-126.00
 ZONING AR-1

N OR F BAR LR3, LLC.
 D.R. 5430-127
 2-34-16.00-13.03
 ZONING AR-1

N OR F BAR LR3, LLC.
 D.R. 5430-137
 2-34-16.00-13.01
 ZONING AR-1

N OR F BAR RAB, LLC.
 D.R. 2418-183
 2-34-16.00-12.00
 ZONING AR-1

N OR F DELAWARE SOLID WASTE AUTHORITY D.R. 2656-133
 2-34-16.00-12.00
 ZONING AR-1

PRESENT ZONING.....AR-1
 TAX MAP NUMBER.....2-34-16.00-14.01 (PART)
 FRONT YARD SETBACK.....PRIVATE ROAD 30'
 SIDE YARD SETBACK.....15'
 REAR YARD SETBACK.....20'
 TOTAL NUMBER OF LOTS
 EXISTING.....1
 PROPOSED.....2
 MONUMENTS.....3 FOUND
 5 PROPOSED
 TOTAL ACREAGE WITHIN BOUNDARIES.....17.801 ACRES±
 TOTAL ACREAGE WITHIN LOT.....3.000 ACRES±
 RESIDUAL ACREAGE.....14.801 ACRES±
 TYPE OF UTILITIES.....INDIVIDUAL ON SITE WATER AND SEWER
 PRESENT USE.....AGRICULTURAL
 PROPOSED USE.....AGRICULTURAL/RESIDENTIAL
 ROADWAY CLASSIFICATION.....BEAVER DAM ROAD (MAJOR COLLECTOR)
 POSTED SPEED LIMIT.....50 MPH

PROXIMITY TO (TID).....THE PROPOSED MINOR SUBDIVISION IS NOT LOCATED WITHIN A TRANSPORTATION IMPROVEMENT DISTRICT (TID).
 LOT 1 LIES OUTSIDE THE FLOOD HAZARD ZONE, AS DEPICTED ON FIRM PANEL 10005C0340K, DATED 3/16/2015.

ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.

IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.

SHRUBBERY, PLANTINGS, SIGNS AND/ OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT DISTANCE TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE OF THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL THE AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.

LOT 1 SHALL HAVE ACCESS TO BEAVER DAM ROAD VIA THE EXISTING ACCESS ROAD AS DEPICTED HEREON.

PRIVATE MAINTENANCE- PRIVATE STREETS WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17, SECTION 131). DELDOT ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.

NO WETLANDS DELINEATED ON THE SUBJECT PROPERTY.

OWNER OF RECORD:
 BAR LR3, LLC
 32193 WINERY WAY
 LEWES, DE 19958
 302-381-0897

- LEGEND
- IRON PIPE FOUND
 - ⊙ IRON PIPE IN CONC. FOUND
 - CAPPED REBAR SET
 - R/W — R/W — EXISTING RIGHT OF WAY
 - EXISTING BOUNDARY
 - PROPOSED BOUNDARY
 - ~~~~~ WOODSLINE
 - ... UNITY BRANCH (APPROX.)



MINOR SUBDIVISION PLAN FOR:

Lands of:
 BAR LR3, LLC.



INDIAN RIVER HUNDRED
 SUSSEX COUNTY, DELAWARE

10/04/23	SCPZ COMMENTS	RWN
8/20/23	PDCA COMMENTS	RWN
8/16/23	PDCA COMMENTS	RWN
DATE	REVISIONS	CKD

5215 WEST WOODMILL DRIVE
 WILMINGTON, DE 19808
 PH: 302-992-7900

33516 CROSSING AVE.
 FIVE POINTS SQUARE UNIT 1
 LEWES, DE 19958
 PH: 302-228-8880

W.O.: 25768L
 SCALE: 1" = 100'
 F.B.: KEENEY
 DRAWN BY: RWN
 DISK: 25768L

Warning: Original paper plans contain a raised impression of a professional seal. Original mylar plans contain a red ink stamp of a professional seal. Unauthorized copies may contain fraudulent, incorrect, erroneous, or misleading information or omit important and relevant information. Do not use or rely on unauthorized copies.



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

NICOLE MAJESKI
SECRETARY

August 22, 2023

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

**SUBJECT: Minor Subdivision - Letter of No Objection to Recordation
Taylor Minor**
Tax Parcel # 234-16.00-14.01
Beaver Dam Road (SCR 285)
Indian River Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated May 22, 2023 (last revised August 20, 2023), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

Entrances(s) must be installed prior to the sale of the lot(s). All entrances shall conform to DelDOT's Development Coordination Manual and shall be subject to its approval. **This letter does not authorize the commencement of entrance construction.**

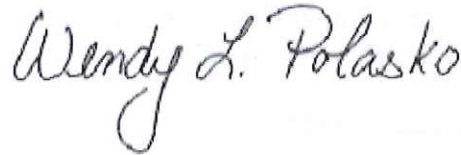
This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of

Taylor Minor
Mr. Jamie Whitehouse
Page 2
August 22, 2023

any project rests with the local government in which the land use decisions are authorized. There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

The owner shall be responsible to submit a copy of the **recorded Minor Subdivision Plan** showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,



Wendy L. Polasko, P.E.
Subdivision Engineer
Development Coordination

cc: Robert Nash, Merestone Consultants, Inc
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
James Smith, South District Entrance Permit Supervisor
Kevin Hickman, Sussex County Review Coordinator
Brian Yates, Sussex County Reviewer