

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



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
(302) 854-5079 F  
sussexcountyde.gov

# Sussex County Planning & Zoning Commission

## AGENDA

April 25, 2019

6:00 P.M

### Call to Order

### Approval of Agenda

Approval of Minutes – March 28, 2019

### Old Business

#### 2018-33 Overbrook Meadows West – Overbrook Acres, LLC

KS

An ESDDOZ/cluster subdivision to divide 43.50 acres +/- into 82 single family lots to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County. The property is lying on the northeast side of Coastal Hwy. (Route 1) opposite of Cave Neck Rd. Tax Parcel: 235-23.00-1.00 (portion of). Zoning District. AR-1 (Agricultural Residential District).

#### C/U 2167 Karen Ann Mueller

BM

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for open outdoor sales (yard sale) to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 1.073 acres, more or less. The property is lying on the southwest corner of Eagle Ln. and John J. Williams Hwy. (Rt. 24), approximately 914 ft. northeast of Indian Mission Rd. (Rt. 5). 911 Address: 31977 Eagle Ln., Millsboro. Tax Parcel: 234-23.00-10.00.

#### C/Z 1875 L.W. & J.T. Mitchell Family, L.P.

KS

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-3 Heavy Commercial District for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 1.317 acres, more or less. The property is lying on the southeast side of Kings Hwy., approximately 0.3 miles northeast of Gills Neck Rd. 911 Address: N/A Tax Parcel: 335-8.00-37.00 (portion of).

### Public Hearings

#### 2019-3 Lands of Betty Staats

KH

A standard subdivision to divide 6.52 acres +/- into 2 single family lots to be located on a certain parcel of land lying and being in Dagsboro Hundred, Sussex County. The property is lying on



the southwest side of Godwin School Rd., approximately 375 ft. northwest of Country Living Rd. Tax Parcel: 133-16.00-77.01. Zoning District. AR-1 (Agricultural Residential District).

**2019-4 Sloan Family Properties**

BM

A standard subdivision to divide 7.92 acres +/- into 11 single family lots to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County. The property is lying on the northeast side of Pinewater Dr., approximately 663 ft. northwest of Multiflora Dr. Tax Parcels: 234-17.12-5.00, 5.01, and 5.02. Zoning District. AR-1 (Agricultural Residential District).

**C/Z 1881 Norman Stephen Price Revocable Trust (Lakelynn)**

HW

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a GR General Residential District to a GR-RPC General Residential District – Residential Planned Community for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 71.754 acres, more or less.** The property is lying on the northeast corner of Peppers Corner Rd. and Lizard Hill Rd., and also being on the north side of Lizard Hill Rd., approximately 823 ft. southeast of Peppers Corner Rd. 911 Address: 34703 Cider Ln., Frankford. Tax Parcels: 134-19.00-13.03 and 134-18.00-38.00.

**C/U 2171 Lisa St. Clair**

KS

**An Ordinance to grant a Conditional Use of land in a GR General Residential District for a dog bakery with storage and warehouse to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 5.3981 acres, more or less.** The property is lying on the northwest side of Hollyville Rd., approximately 91 ft. northwest of Harmony Cemetery Rd. 911 Address: 24500 Hollyville Rd., Millsboro. Tax Parcel: 234-21.00-213.00.

**Ord. 19-5**

**AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 62, ARTICLE III, SECTION 62-7, CHAPTER 72, ARTICLE I, SECTIONS 72-4 AND 72-5, CHAPTER 115, ARTICLES IV, XXV AND TABLE 1 BY AMENDING SECTION 115-22, 115-25, 115-182, 115-183 AND 115-194.3 TO REPLACE ALL REFERENCES TO THE “ENVIRONMENTAL SENSITIVE DEVELOPMENT DISTRICT,” “ENVIRONEMTNAL SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE,” “ESDDOZ” AND “ENVIRONMENTALLY SENSITIVE DEVELOPING AREA,” WITH “COASTAL AREA.”**

**Other Business**

**2018-25 Kalel Properties**

HW

Final Subdivision Plan

**S-17-36 Oyster House Village (CU 1642)**

BM

Final Site Plan

**S-19-12 Fred Hudson Properties (CU 2130)**

BM

Preliminary Site Plan

**S-19-17 RE-MAX John Ford (CU 2137)**

KS

Preliminary Site Plan

**S-19-10 Bellisa, LLC (CU 2153)**

KH

Preliminary Site Plan

\*\*\*\*\*

Planning and Zoning Commission meetings can be monitored on the internet at

[www.sussexcountyde.gov](http://www.sussexcountyde.gov).

\*\*\*\*\*

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on April 17, 2019, at 1:35 p.m., and at least seven (7) days in advance of the meeting.

This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

####

ROBERT C. WHEATLEY, CHAIRMAN  
KIM HOEY STEVENSON, VICE CHAIRMAN  
R. KELLER HOPKINS  
HOLLY WINGATE  
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# Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET  
Planning Commission Public Hearing Date April 25, 2019.

Application: 2019-3 Lands of Betty B. Staats

Applicant: Betty B. Staats  
6605 Scarlet Lane  
Federalsburg, MD 21632

Owner: Betty B. Staats  
6605 Scarlet Lane  
Federalsburg, MD 21632

Site Location: On the south side of Godwin School Road (SCR. 410) at Country Living Road (SCR. 433).

Zoning: AR-1 (Agricultural Residential Zoning District)

Current Use: Agricultural/Residential Land

Proposed Use: 2 Single-Family Lots (Standard Subdivision)

Comprehensive Land  
Use Plan Reference: Low Density Area

Councilmatic  
District: Mr. Wilson

School District: Indian River School District

Fire District: Millsboro Fire District

Sewer: Private (Septic)

Water: Private (Well)

Site Area: 6.52 acres

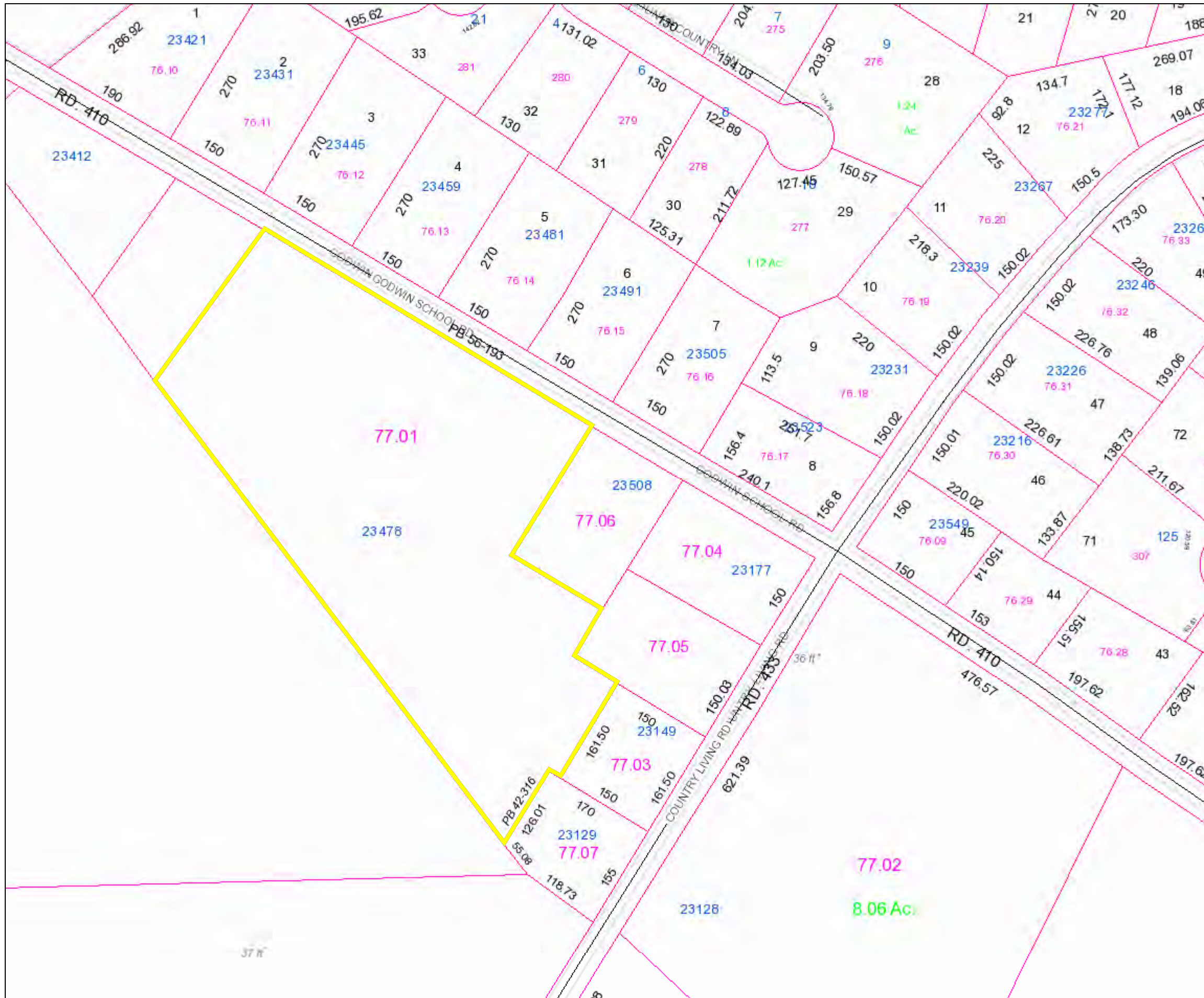
Tax Map ID.: 133-16.00-77.01



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



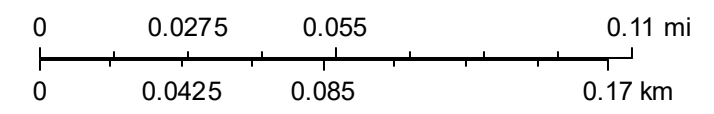
# Sussex County



<b>PIN:</b>	133-16.00-77.01
<b>Owner Name</b>	STAATS BETTY B
<b>Book</b>	1052
<b>Mailing Address</b>	6605 SCARLET LN
<b>City</b>	FEDERALSBURG
<b>State</b>	MD
<b>Description</b>	SW/RD 410
<b>Description 2</b>	375'NW/RD 433
<b>Description 3</b>	LOT 1
<b>Land Code</b>	

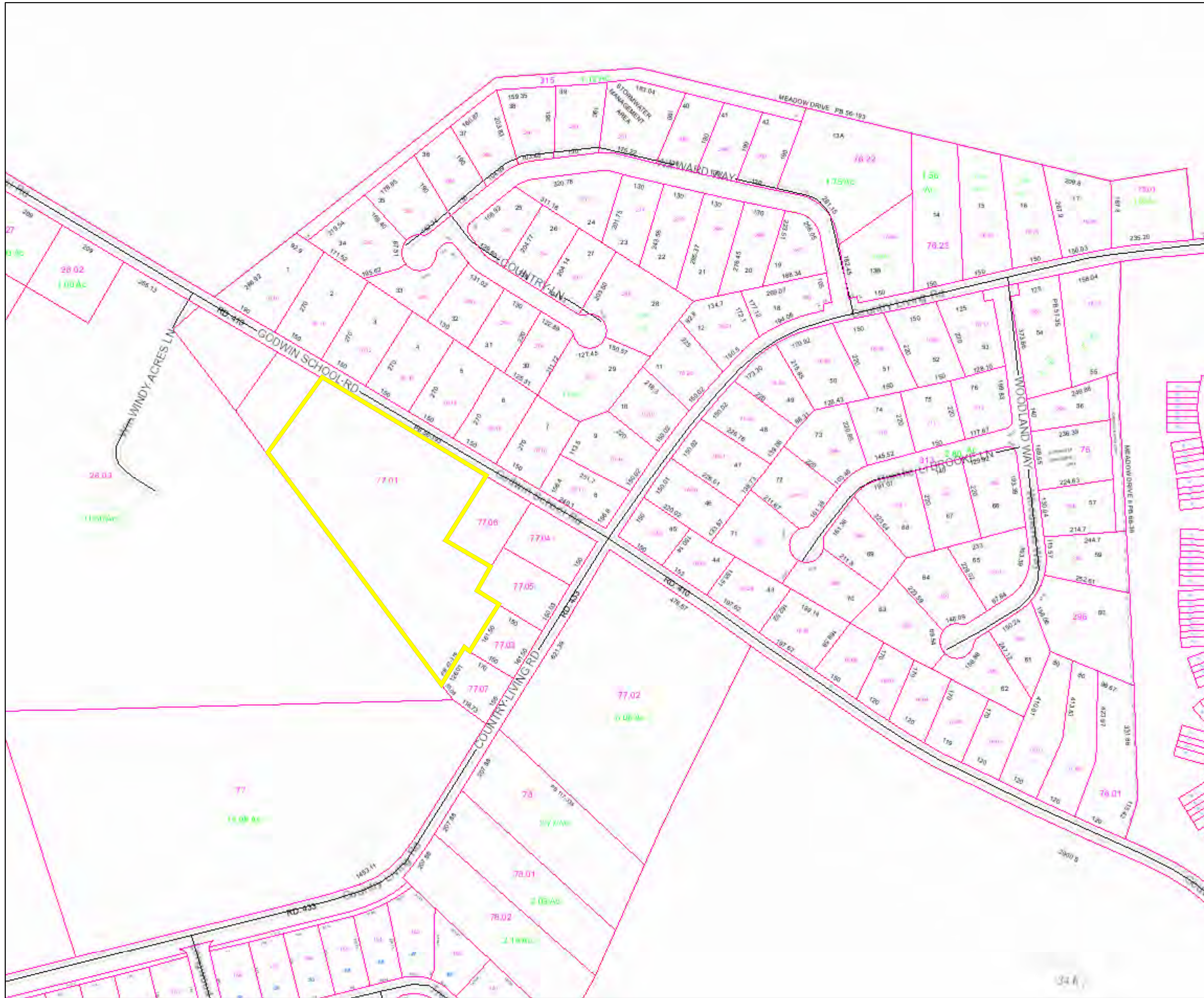
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  - Override 1
- polygonLayer**
  - Override 1
- Tax Parcels
- 911 Address
- Streets

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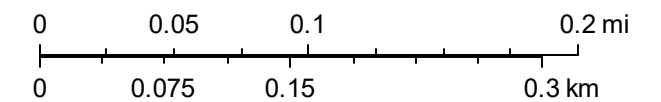
# Sussex County



<b>PIN:</b>	133-16.00-77.01
<b>Owner Name</b>	STAATS BETTY B
<b>Book</b>	1052
<b>Mailing Address</b>	6605 SCARLET LN
<b>City</b>	FEDERALSBURG
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<b>Description</b>	SW/RD 410
<b>Description 2</b>	375'NW/RD 433
<b>Description 3</b>	LOT 1
<b>Land Code</b>	

- polygonLayer**  
Override 1
- polygonLayer**  
Override 1
- Tax Parcels
  - Streets
- Zoning**
- Agricultural Residential - AR-1
  - Agricultural Residential - AR-2
  - Medium Residential - MR
  - General Residential - GR
  - High Density Residential - HR-1
  - High Density Residential - HR-2
  - Vacation, Retire, Resident - VRP
  - Neighborhood Business - B-1
  - General Commercial - C-1
  - Commercial Residential - CR-1
  - Marine - M
  - Limited Industrial - LI-1
  - Limited Industrial - LI-2
  - Heavy Industrial - HI-1

1:4,514



Mailing List Exhibit Map  
Planning Commission  
Lands of Betty Staats 2019-3  
133-16.00-77.01  
Betty B. Staats  
South side of Godwin School Road (SCR. 410) at Country Living Road (SCR. 433).



Sussex County, Sussex County Government, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community, Sussex County Mapping and Addressing, DelDOT Planning, Surdex Corp, 2017



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

JENNIFER COHAN  
SECRETARY

January 04, 2019

Ms. Janelle Cornwell, 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**  
**BETTY STAATS**  
**Tax Parcel # 133-16.00-77.01**  
**SCR410-GODWIN SCHOOL ROAD**  
**SCR433-COUNTRY LIVING ROAD**  
**Dagsboro Hundred, Sussex County**

Dear Ms. Cornwell:

The Department of Transportation has reviewed the Minor Subdivision Plan dated October 26, 2018 (last revised December 17, 2018), 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 reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction





BETTY STAATS  
Ms. Janelle Cornwell  
Page 2  
January 04, 2019

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,



Joshua Schwartz  
Kent County Reviewer  
Development Coordination

cc: Peter Lowenstein, Atlantic Surveying and Mapping, LLC  
Rusty Warrington, Sussex County Planning & Zoning  
Jessica L. Watson, Sussex Conservation District  
William Kirsch, South District Entrance Permit Supervisor  
Shannon Anderson, South District Public Work Admin Specialist  
Todd Sammons, Subdivision Engineer  
Steve Sisson, Sussex County Review Coordinator  
Nana Nyarko-Appiah, Sussex County Reviewer

560155

SITE EVALUATION  
DELMARVA SOIL SERVICES  
APPROVAL PAGE

RECEIVED  
MAR 07 2019  
GROUNDWATER  
SUSSEX COUNTY  
Regulations Governing The

The soils on this site are approved when the following is completed in full and signed by the approving authority. The information contained in this site evaluation reflects Delaware Department of Natural Resources and Environmental Control (DNREC) policies and procedures at the time of the review. Exhibits and Regulations cited in this report refer to DNREC "Regulations Governing The Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems." Isolation distance requirements, limited area of suitable soils, filling, removal, and/or compaction of the soil may negate construction permit approval or modify the type of system that can be permitted. All information should be verified by interested parties prior to design and installation of the septic system. This is not a construction permit.

Owners' Name: *Betty Staats*

Tax Map #: *133-16.00-77.01*

lot # *B*

Initial Disposal System: *Full Depth Gravity treatment and disposal system*

Location of Initial System: As shaded on the plot drawing in the immediate vicinity of Soil Borings #1, 2, and 3

Depth to Limiting Zone: *>72 inches to indications of the seasonal high water table*

Design Considerations and Comments: See exhibit (K). A 100 ft. Isolation distance is required from all domestic and commercial wells and 150 ft. from all public and industrial wells. A lesser well isolation distance may be approved for domestic wells, contact the Water Supply Branch at (302) 739-9945.

This evaluation is to site a wastewater disposal system for new construction. At the time of investigation the proposed disposal area was in (*hardwood forest*). Care should be taken during lot clearing in the proposed disposal area to minimize soil disturbance, loss, and compaction. Placing a substantial barrier around the proposed disposal area prior to beginning any site development will help avoid accidental soil compaction. Soils boring were located from (*found iron rod and survey stake*).

Slopes in the potential disposal area are *0 to 2 percent*. See the plot drawing for slope direction and topographic breaks. *All I/A permit applications for this property must incorporate advance treatment meeting PSN3. I/A system include, but are not limited to, peat biofilter and mirco-irrigation. All permit application for this property submitted on or after 1/1/2015 must incorporated advanced treatment meeting PSN3.*

Replacement Disposal System Type: Same as above if space allows or a sand-lined upgrade in area of initial system

Location of Replacement System: Adjacent to initial system

Limiting Zone Depth(Replacement System): Same as above

Tax Ditch Right of Way on Property: *NO*

Inland Bay Watershed: *YES*

Chesapeake Bay Watershed: *NO*

HUC12: *20403030202 Shoals Branch*

Instructions to Property Owner

- 1 Contact a Class C System Designer.
- 2 A permeability rate of *30* minutes per inch has been assigned to the soils on your site based upon rates as provided in Section 6, Design and Construction, of the regulations. You may use the assigned percolation rate or, at your expense, have a percolation test conducted. If you do not choose to use the assigned percolation rate, contact a Licensed Class A Percolation Tester to have 3 tests conducted in the immediate area of Soil Boring # 1, 2, and 3.
- 3 If you have questions, call the evaluator at (302) 628-8290 or DNREC Sussex Co. (302) 856-4561 Kent Co. (302)739-9947

This report has been prepared by or under the supervision of: *PS King*, License # D4159

Phillip S. King

DELMARVA SOIL SERVICES, 10912 Old Furnace Road, DE 19973

**Disclaimer:** Approval of this site evaluation indicates only that the site evaluation, based on information presented to us, was conducted in compliance with these regulations. It is not an indication of the correctness or quality of the evaluation nor does it guarantee the evaluation is free of omissions.

Field Checked \_\_\_\_\_

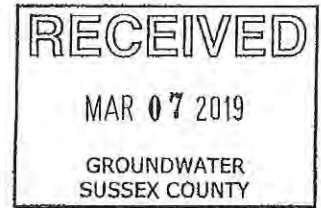
For office use only

Date *3/7/19*

Expiration Date *3/7/24*

DNREC Reviewing Soil Scientist

SITE EVALUATION REPORT



**Owner's Name:** *Betty Staats*      **Tax Map #:** *133-16.00-77.01*      **lot #** *B*  
**Owner's Address:** *6605 Scarlet Ln Federalsburg, MD 21632*  
**Phone #:** *443-521-0094*  
**Property Location:** *23478 Godwin School Rd Millsboro, DE 19966*  
**Property Size:** *+ 6.4 ac*  
**Evaluators Name:** *Phillip S. King*      **License Number:** *D-4159*      **Evaluation Date:** *2/27/19*

Flood Plain: Unknown  
Central Sewer: NA  
Central Water: NA  
Depth to and Type of Limiting Zones Encountered:

- Soil Boring #1: >72 inches to indications of the seasonal high water table  
>72 inches to free water; (*GrossArenic Hapludult*)
- Soil Boring #2: >72 inches to indications of the seasonal high water table  
>72 inches to free water; (*GrossArenic Hapludult*)
- Soil Boring #3: >72 inches to indications of the seasonal high water table  
>72 inches to free water; (*Lamellic Hapludult*)

**Summary of Evaluation:** Soils in the evaluated area are *well drained* with (30 MPI) permeabilities. Site conditions are suited for a *Full Depth Gravity treatment and disposal system* in the vicinity of Soil Borings # 1, 2, and 3.

The proposed disposal area is positioned on a *Broad Inter-stream Divide*. Slopes were measured at 0 to 0.5 percent in the evaluated area. Field apparent topographic boundaries were delineated on the plot drawing (see attached). The limiting zone was assigned at 72 inches based on the redoximorphic features identified from 0 to 60 inches. For design purposes, the permeability rate was assigned at 30 minutes per inches. The proposed disposal area is mapped within an area of the *Fort Mott-Henlopen complex 0 to 2 percent slopes (FhA)* mapping unit on Web Soil Survey (NRCS).

- For replacement systems, if an additional 12 inches of suitable soil exists below the required separation distance the well isolation distance can be reduced from 100 to 50 feet (Exhibit C (h))
- For replacement systems on lots created by plat or deed prior to 4/8/84 and isolation distance of 50 feet between domestic and commercial wells and drain fields might be considered if the well is cased to 40 feet exclusive of the screen and pressure-grouted w/ either concrete or bentonite to a minimum depth of 40 feet (Exhibit C(e)).
- Advanced treatment can reduce well isolation distance from 100 to 50 feet.
- Properly abandon existing well and locate new well greater than 100 feet from drain field.
- Properly abandon existing well and install new well in confined aquifer greater than 50 feet from drain field

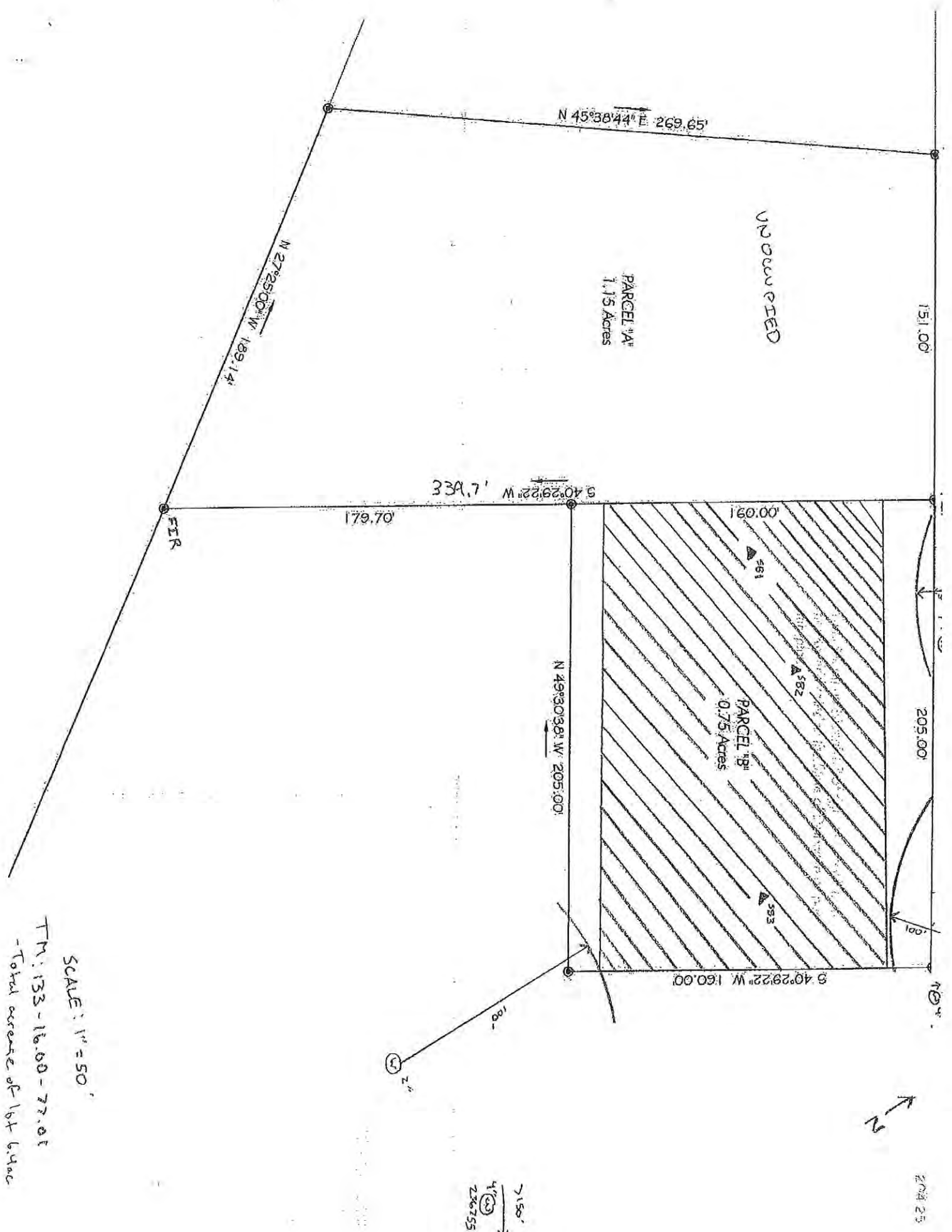
Date *3/7/19*

*PS King*  
Evaluator's Signature

Date *3/7/19*

*Phillip S. King*  
Evaluator's Signature

**Note:** Site evaluation information was collected for on-site wastewater disposal interpretations only. The information in this site evaluation and plot plan has been compiled from any of the following sources: tax map, deed, survey, recorded plot, or field located property corners, and may include anecdotal information supplied by property owners, adjacent residents, and/or other interested parties. Locations of wells and septic systems are by direct observation where possible, but are often based on information provided by permits, property owners, adjacent residents, and/or other interested parties. This plot plan represents the site conditions at the time of evaluation but it is not a survey. No title search has been conducted; any easements shown are from subdivision record plans or deed. Subsequent alteration of the site or adjacent properties may negate approval by the regulatory agency(ies) involved in permitting. All information should be reverified prior to purchase or use.



SCALE: 1" = 50'  
 TM: 133-16.00-77.01  
 -Total acreage of lot 6.9ac

7150'  
 41(2)  
 206755

20425

Delmarva Soil Services 10912 Old Furnace Road Seaford, DE 19973 301-606-8000  
 Landowner Betty Staats TM# 133-16.00-77.01 lot B Date 2/27/2019  
 SB-1 Lat 38.597071 Long -75.339996  
 Landscape/Landform BID- rise Slope 0.50%  
 Taxonomic Class Gross Arenic Paleudult LZ >72" MPI 30

Observed Water Table >72"

Horizon	Depth ('	Color Matrix	Redox color % size dist	Texture	Structure	Consis
Ap	0-5	10YR 3/2	N/A	LS	1,m,GR	VFR
E	5-43	10YR 6/4	N/A	LS	SG	L
Bt1	43-55	10YR 5/6	N/A	SL+	2,m,SBK	VFR
Bt2	55-66	10YR 6/3	N/A	SCL	2,m,SBK	FR
C	66-72	10YR 7/4	N/A	LcS	SG	L

SB-2 Lat 38.597095 Long -75.339776

Landscape/Landform BID-rise Slope 0.50%  
 Taxonomic Class Gross Arenic Hapludult LZ >72" MPI 20

Observed Water Table >72"

Horizon	Depth ('	Color Matrix	Redox color % size dist	Texture	Structure	Consis
Ap	0-6	10YR 3/2	N/A	LS+	1,m,GR	VFR
EA	6-13	10YR 5/6	N/A	LS	SG	L
EA	13-50	10YR 6/4	N/A	LS	SG	L
Bt	50-57	10YR 6/6	N/A	SL	2,m,SBK	VFR
C	57-72	10YR 6/4	N/A	LS	SG	L

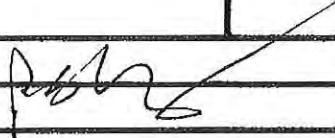
Phillip S. King #4159 

SB-	Lat					Long		
Landscape/Landform						Slope		
Taxonomic Class						LZ	MPI	
Observed Water Table								
Horizon	Depth (")	Color Matrix	Redox color % size dist	Texture	Structure	Consis		

SB-3	Lat	38.596884				Long	-75.339524	
Landscape/Landform						Slope		
Taxonomic Class						LZ >72"		
Observed Water Table						>72"		
Horizon	Depth (")	Color Matrix	Redox color % size dist	Texture	Structure	Consis		
Ap	0-4	10YR 3/2	N/A	LS	2,f,GR	VFR		
Bs	4-7	7.5YR 4/4	N/A	LS	1,co,SBK	FR		
E	7-40	10YR 6/4	N/A	LS	1,co,SBK	FR		
EnBt	40-46	10YR 6/6	N/A	LS	SG	L		
EnBt	40-46	7.5YR 5/6	N/A	SL	SG	L		
Bt	46-51	7.5YR 5/6	N/A	fSL+	2,m,SBK	FR		
2C	51-72	7.5YR 6/3	N/A	fSL	M	FR		

spodic not thick enough to be diagnostic.

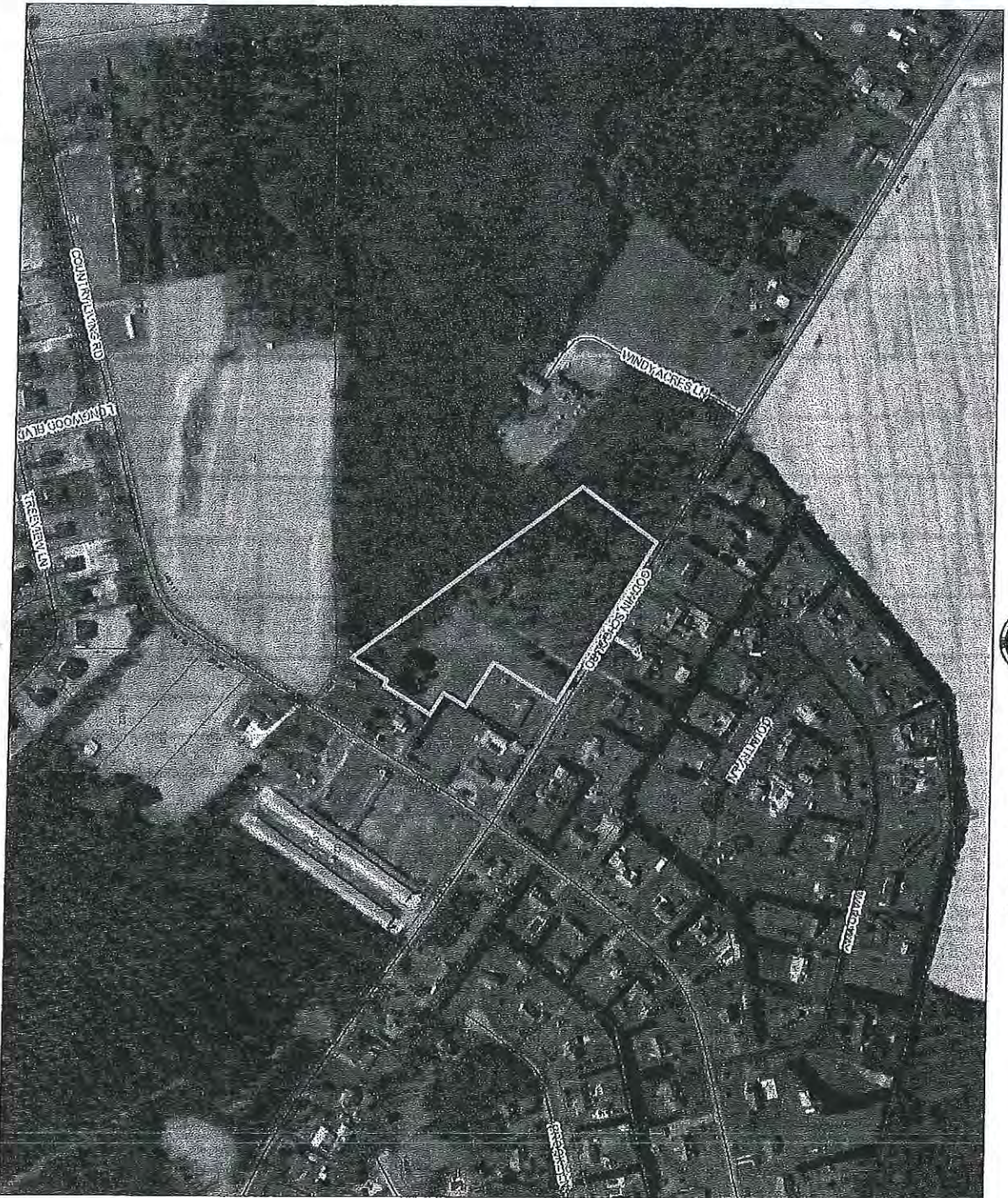
Phillip S. King #4159





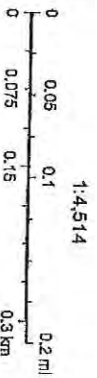
Sussex County

133-16.00-77.01



PIN	Text
Owner Name	Text
Book	Text
Mailing Address	Text
City	Text
State	Text
Description	Text
Description 2	Text
Description 3	Text
Land Code	Text

- polygon:layer
- Override 1
- polygon:layer
- Override 1
- Tax Parcels
- Streets
- County Boundaries



# sc002



**Address Candidates**

- Watersheds
- Elevation Sussex
- INDEX
- INDEX-DEPRESSION
- INTER
- INTER-DEPRESSION
- Tax Ditch Maximum ROWs
- Extent of Right-of-Way

**State Wetlands 2007**

- Agriculture
- Estuarine Non-Vegetated
- Estuarine Vegetated
- Lacustrine
- Marine Non-vegetated
- Palustrine Emergent
- Palustrine Forested
- Palustrine Forested Deciduous
- Palustrine Forested Evergreen
- Palustrine Open Water/ Flats

**State Wetlands 2007 (continued)**

- Palustrine Open Water/Flats
- Palustrine Scrub/Shrub
- Palustrine Scrub/shrub
- Palustrine Tidal Emergent
- Palustrine Tidal Forested
- Palustrine Tidal Forested
- Palustrine Tidal Scrub/Shrub
- Riverine Non-Vegetated
- Riverine Vegetated

**23412 Godwin School Rd, Millsboro, DE (1)**

**Address Candidates (1)**

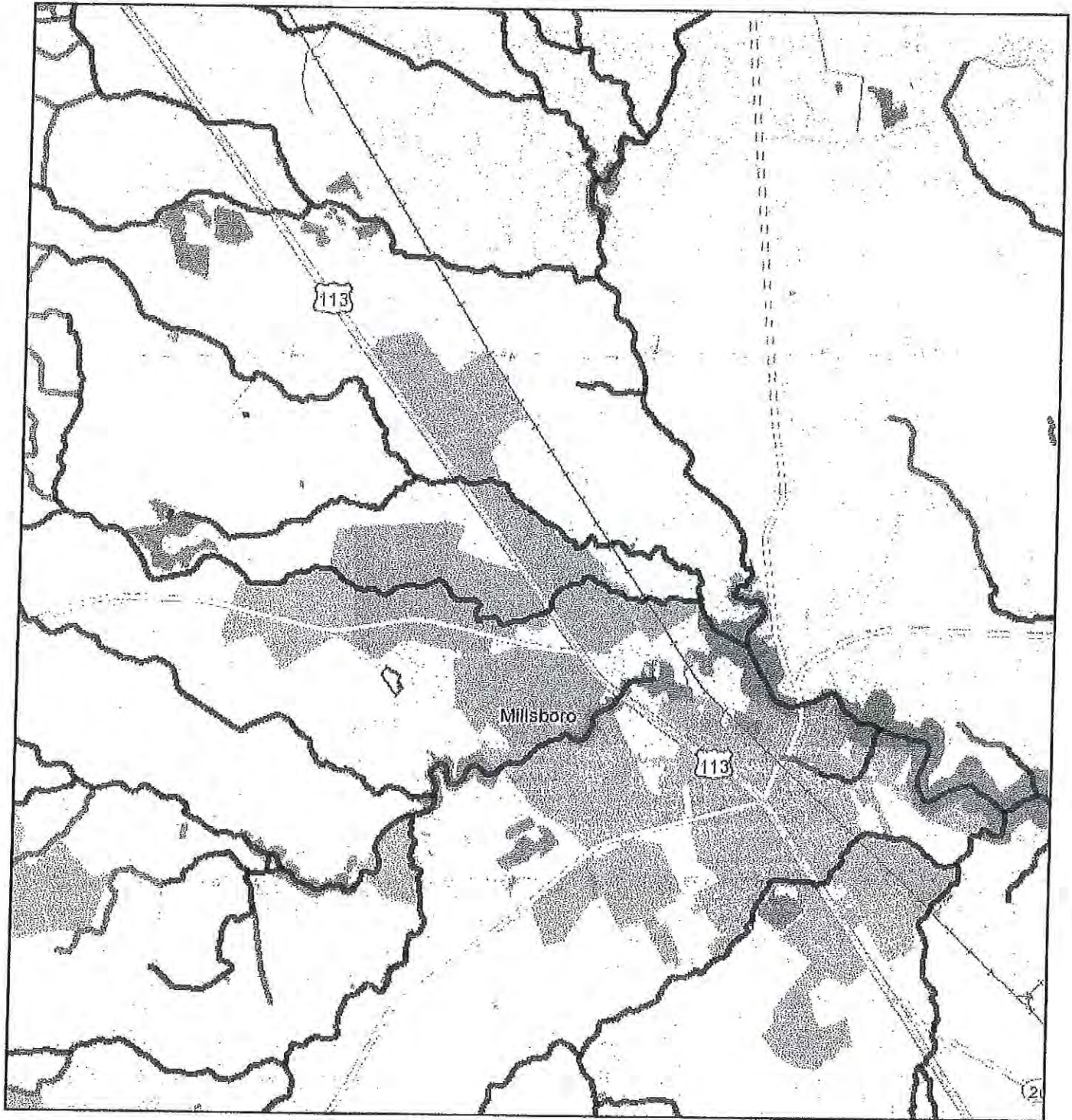
Score	Side	X	Y	LeftFrom	LeftTo	RightFrom	RightTo	PreDir	PreType	StreetName	StreetType	SufDir	LeftZone	RightZone	Match_addr
66	L	206580.74305897675	66375.69631230795	23498	23400	23535	23301			GODWIN SCHOOL	RD		19966	19966	23412 GODWIN SCHOOL RD, 19966

Copyright DNREC 2009

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# Inland Bays Pollution Control Strategies

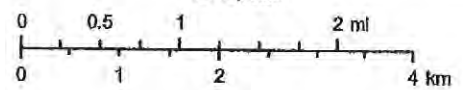


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## Stream Buffer

-  Stream - Primary Buffer
-  Stream - Secondary Buffer
-  Forested Ditches - Secondary Buffer
-  Watershed Boundary

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DNREC  
FirstMap 2017

Soil Map—Sussex County, Delaware








































Map data may not be valid at this scale.

Map Scale: 1:2,760 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 18N WGS84

## MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Area of Interest (AOI)	 Stony Spot
<b>Soils</b>	 Very Stony Spot
 Soil Map Unit Polygons	 Wet Spot
 Soil Map Unit Lines	 Other
 Soil Map Unit Points	 Special Line Features
<b>Special Point Features</b>	<b>Water Features</b>
 Blowout	 Streams and Canals
 Borrow Pit	<b>Transportation</b>
 Clay Spot	 Rails
 Closed Depression	 Interstate Highways
 Gravel Pit	 US Routes
 Gravelly Spot	 Major Roads
 Landfill	 Local Roads
 Lava Flow	<b>Background</b>
 Marsh or swamp	 Aerial Photography
 Mine or Quarry	
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

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Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

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 Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

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## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
FhA	Fort Mott-Henlopen complex, 0 to 2 percent slopes	30.8	82.2%
PsA	Pepperbox-Rosedale complex, 0 to 2 percent slopes	6.7	17.8%
<b>Totals for Area of Interest</b>		<b>37.5</b>	<b>100.0%</b>

PARID: 133-16.00-77.01  
STAATS BETTY B

ROLL: RP  
23478 GODWIN SCHOOL RD

**Property Information**

---

Property Location: 23478 GODWIN SCHOOL RD  
 Unit:  
 City: MILLSBORO  
 State: DE  
 Zip: 19966

Class: RES-Residential  
 Use Code (LUC): RS-RESIDENTIAL SINGLE FAMILY  
 Town: 00-None  
 Tax District: 133 - DAGSBORO  
 School District: 1 - INDIAN RIVER  
 Council District: 2-Wilson  
 Fire District: 83-Millsboro  
 Deeded Acres: 6.4600  
 Frontage: 0  
 Depth: .000  
 In Lot:  
 Zoning 1: AR-1-AGRICULTURAL/RESIDEINTIAL  
 Zoning 2: -  
 Plot Book Page: 116 20/PB

100% Land Value: \$9,700  
 100% Improvement Value: \$33,100  
 100% Total Value: \$42,800

**Legal**

---

Legal Description: SW/RD 410  
 375'NW/RD 433  
 LOT 1

**Owners**

---

Owner	Co-owner	Address	City	State	Zip
STAATS BETTY B		6605 SCARLET LN	FEDERALSBURG	MD	21692

560156

**SITE EVALUATION  
DELMARVA SOIL SERVICES  
APPROVAL PAGE**

RECEIVED  
MAR 07 2019  
GROUNDWATER

The soils on this site are approved when the following is completed in full and signed by the approving authority. The information contained in this site evaluation reflects Delaware Department of Natural Resources and Environmental Control (DNREC) policies and procedures at the time of the review. Exhibits and Regulations cited in this report refer to DNREC "Regulations Governing The Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems." Isolation distance requirements, limited area of suitable soils, filling, removal, and/or compaction of the soil may negate construction permit approval or modify the type of system that can be permitted. All information should be verified by interested parties prior to design and installation of the septic system. This is not a construction permit.

**Owners' Name:** *Betty Staats*

**Tax Map #:** *133-16.00-77.01*

**lot #** *A*

**Initial Disposal System:** *Full Depth Gravity treatment and disposal system*

**Location of Initial System:** As shaded on the plot drawing in the immediate vicinity of Soil Borings #1, 2, 3 and 4

**Depth to Limiting Zone:** *61* inches to indications of the seasonal high water table

**Design Considerations and Comments:** See exhibit (K). A 100 ft. Isolation distance is required from all domestic and commercial wells and 150 ft. from all public and industrial wells. A lesser well isolation distance may be approved for domestic wells, contact the Water Supply Branch at (302) 739-9945.

This evaluation is to site a wastewater disposal system for new construction. At the time of investigation the proposed disposal area was in (*hardwood forest*). Care should be taken during lot clearing in the proposed disposal area to minimize soil disturbance, loss, and compaction. Placing a substantial barrier around the proposed disposal area prior to beginning any site development will help avoid accidental soil compaction. Soils boring were located from (*found iron rods and pipe*).

Slopes in the potential disposal area are *0 to 2 percent*. See the plot drawing for slope direction and topographic breaks. *All I/A permit applications for this property must incorporate advance treatment meeting PSN3. I/A system include, but are not limited to, peat biofilter and micro-irrigation. All permit application for this property submitted on or after 1/1/2015 must incorporate advanced treatment meeting PSN3.*

**Replacement Disposal System Type:** Same as above if space allows or a sand-lined upgrade in area of initial system

**Location of Replacement System:** Adjacent to initial system

**Limiting Zone Depth(Replacement System):** Same as above

**Tax Ditch Right of Way on Property:** *NO*

**Inland Bay Watershed:** *YES*

**Chesapeake Bay Watershed:** *NO*

**HUC12:** *20403030202, Shoals Branch*

**Instructions to Property Owner**

- 1 Contact a Class C System Designer.
- 2 A permeability rate of 25 minutes per inch has been assigned to the soils on your site based upon rates as provided in Section 6, Design and Construction, of the regulations. You may use the assigned percolation rate or, at your expense, have a percolation test conducted. If you do not choose to use the assigned percolation rate, contact a Licensed Class A Percolation Tester to have 3 tests conducted in the immediate area of Soil Boring # 1, 2, 3, and 4.
- 3 If you have questions, call the evaluator at (302) 628-8290 or DNREC Sussex Co. (302) 856-4561 Kent Co. (302)739-9947

This report has been prepared by or under the supervision of: *Phillip S. King*, License # D4159  
Phillip-S. King

DELMARVA SOIL SERVICES, 10912 Old Furnace Road, DE 19973

**Disclaimer:** Approval of this site evaluation indicates only that the site evaluation, based on information presented to us, was conducted in compliance with these regulations. It is not an indication of the correctness or quality of the evaluation nor does it guarantee the evaluation is free of omissions.

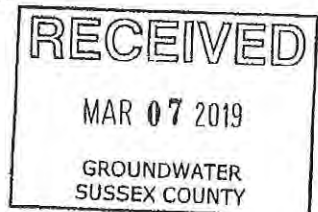
Field Checked \_\_\_\_\_

For office use only Date *3/7/19*

*[Signature]*  
DNREC Reviewing Soil Scientist

Expiration Date *3/7/24*

SITE EVALUATION REPORT



**Owner's Name:** Betty Staats      **Tax Map #:** 133-16.00-77.01      **lot #** A  
**Owner's Address:** 6605 Scarlet Ln Federalsburg, MD 21632  
**Phone #:** 443-521-0094  
**Property Location:** 23478 Godwin School Rd Millsboro, DE 19966  
**Property Size:** +- 6.4 ac  
**Evaluators Name:** Phillip S. King      **License Number:** D-4159      **Evaluation Date:** 2/27/19

Flood Plain: Unknown  
Central Sewer: NA  
Central Water: NA  
Depth to and Type of Limiting Zones Encountered:

- Soil Boring #1: >72 inches to indications of the seasonal high water table  
>72 inches to free water; (*Typic Hapludult*)
- Soil Boring #2: 61 inches to indications of the seasonal high water table  
>72 inches to free water; (*Lamellic Hapludult*)
- Soil Boring #3: >72 inches to indications of the seasonal high water table  
>72 inches to free water; (*Lamellic Hapludult*)
- Soil Boring #4: >72 inches to indications of the seasonal high water table  
>72 inches to free water; (*Arenic Hapludult*)

**Summary of Evaluation:** Soils in the evaluated area are *well drained* with (25 MPI) permeabilities. Site conditions are suited for a *Full Depth Gravity treatment and disposal system* in the vicinity of Soil Borings # 1, 2, 3, and 4.

The proposed disposal area is positioned on a *Broad Inter-stream Divide*. Slopes were measured at 0 to 2 percent in the evaluated area. Field apparent topographic boundaries were delineated on the plot drawing (see attached). The limiting zone was assigned at 61 inches based on the redoximorphic features identified from 0 to 60 inches. For design purposes, the permeability rate was assigned at 25 minutes per inches. The proposed disposal area is mapped within an area of the *Fort Mott-Henlopen complex 0 to 2 percent slopes (FhA)* mapping unit on Web Soil Survey (NRCS).

- For replacement systems, if an additional 12 inches of suitable soil exists below the required separation distance the well isolation distance can be reduced from 100 to 50 feet (Exhibit C (h))
- For replacement systems on lots created by plat or deed prior to 4/8/84 and isolation distance of 50 feet between domestic and commercial wells and drain fields might be considered if the well is cased to 40 feet exclusive of the screen and pressure-grouted w/ either concrete or bentonite to a minimum depth of 40 feet (Exhibit C(o)).
- Advanced treatment can reduce well isolation distance from 100 to 50 feet.
- Properly abandon existing well and locate new well greater than 100 feet from drain field.
- Properly abandon existing well and install new well in confined aquifer greater than 50 feet from drain field

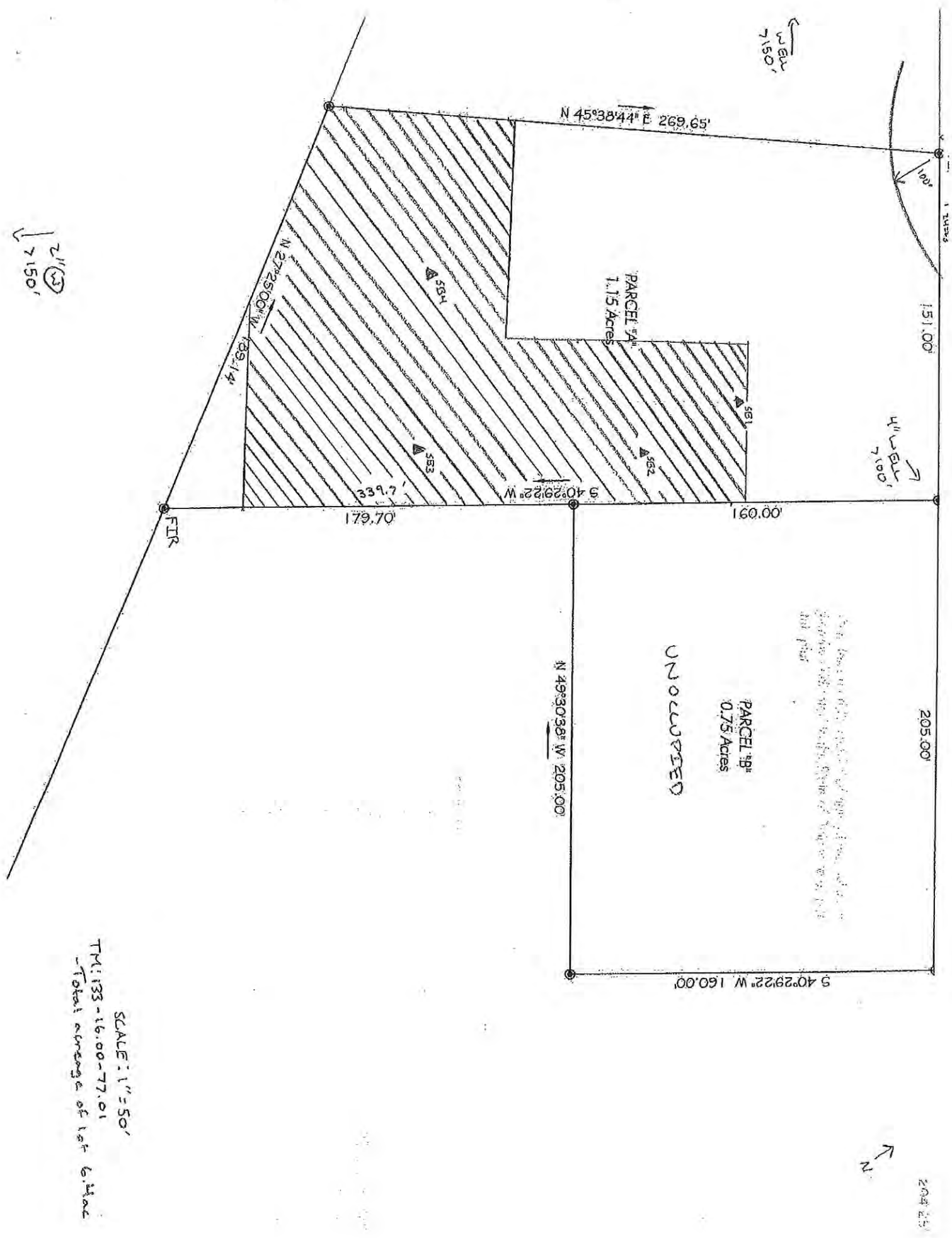
Date 3/7/19

Evaluator's Signature

Date 3/7/19

Evaluator's Signature

**Note:** Site evaluation information was collected for on-site wastewater disposal interpretations only. The information in this site evaluation and plot plan has been compiled from any of the following sources: tax map, deed, survey, recorded plot, or field located property corners, and may include anecdotal information supplied by property owners, adjacent residents, and/or other interested parties. Locations of wells and septic systems are by direct observation where possible, but are often based on information provided by permits, property owners, adjacent residents, and/or other interested parties. This plot plan represents the site conditions at the time of evaluation but it is not a survey. No title search has been conducted; any easements shown are from subdivision record plans or deed. Subsequent alteration of the site or adjacent properties may negate approval by the regulatory agency(ies) involved in permitting. All information should be reverified prior to purchase or use.



SCALE: 1" = 50'  
 TM: 133-16.00-77.01  
 - Total acreage of lot 6.44ac

2" (3)  
 7150'

4" (6)  
 7150'

4" (6)  
 7100'

204.25'



**Delmarva Soil Services**      **10912 Old Furnace Road Seaford, DE 19973**      **301-606-8000**  
**Landowner**    **Betty Staats**    **TM# 133-16.00-77.01 lot A**      **Date**      **2/27/2019**  
**SB-1**    **Lat**      **38.597162**    **Long -75.340404**  
**Landscape/Landform**      **BID-Rise**      **Slope**      **0.50%**  
**Taxonomic Class** **Typic Hapludult**      **LZ >72"**      **MPI 25**  
**Observed Water Table**      **>72"**

Horizon	Depth ('	Color Matrix	Redox color % size dist	Texture	Structure	Consis
Ap	0-5	10YR 3/2, 2.5Y 2.5/	N/A	SL	2,m,GR	VFR
EA	5_14	10YR 5/6	N/A	SL-	1,m,SBK	VFR
E	14-30	10YR 6/4	N/A	LS	SG	L
Bt	30-56	10YR 6/6	N/A	SL+	2,m,SBK	VFR
BC	56-72	10YR 6/6, 10YR 6	N/A	SL	1,m,SBK	VFR

56-72" Lamellea present

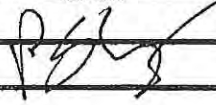
**SB-2**    **Lat**      **38.597001**    **Long -75.340396**  
**Landscape/Landform**      **BID-Rise**      **Slope**      **0-2%**  
**Taxonomic Class** **Typic Hapludult**      **LZ 61"**      **MPI 20**  
**Observed Water Table**      **>72"**

Horizon	Depth ('	Color Matrix	Redox color % size dist	Texture	Structure	Consis
Ap	0-6	10YR 3/2	N/A	SL	1,f,GR	VFR
EA	6_10	10YR 5/6	N/A	SL	2,m,SBK	FR/FI
E	10_39	10YR 6/4	N/A	LS	SG	L
EB	39-46	10YR 5/6	N/A	SL-	1,m,SBK	VFR
Bt	46-61	10YR 6/6, 10YR 6	N/A	SL/LS	2,m,SBK/SG	VFR/L
BC	61-68	10YR 6/4	10YR 6/1 f,2,D 7.5YR c,2,D	SL-	1,m,SBK	VFR
C	68-72	10YR 6/4	N/A	SL	M	VFR

Phillip S. King #4159 *PKS*

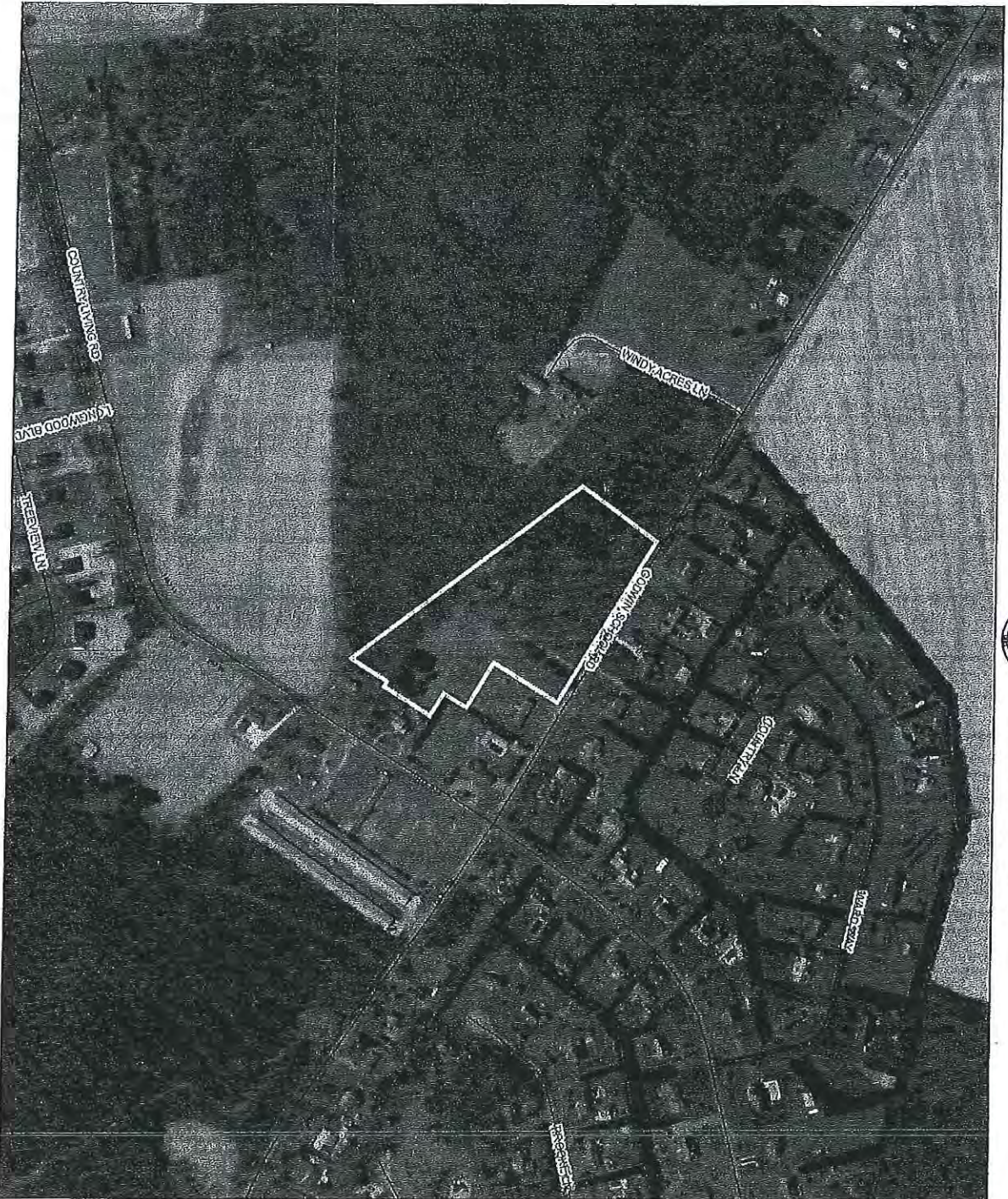
<b>SB-3</b>	<b>Lat</b>	<b>38.596866</b>	<b>Long</b>	<b>-75.340543</b>		
<b>Landscape/Landform</b>			<b>BID-Rise</b>	<b>Slope</b>	<b>0.00%</b>	
<b>Taxonomic Class</b>				<b>Lamellic Quartzipsamment</b>	<b>LZ &gt;72"</b>	<b>MPI 20</b>
<b>Observed Water Table</b>			<b>&gt;72"</b>			
<b>Horizon</b>	<b>Depth ('</b>	<b>Color Matrix</b>	<b>Redox color % size dist</b>	<b>Texture</b>	<b>Structure</b>	<b>Consis</b>
A	0-4	10YR 3/2	N/A	LS	3,f,GR	VFR
Bs	4-7	7.5YR 4/4	N/A	LS	1,co,SBK	VFR
E1	7-19	10YR 6/4	N/A	LS	SG	L
E2	19-22	10YR 6/6	N/A	coS	SG	L
E3	22-40	10YR 6/6	N/A	LS	SG	L
EnBt	40-72	10YR 7/4	N/A	LS/SL	SG	L

<b>SB-4</b>	<b>Lat</b>	<b>38.596957</b>	<b>Long</b>	<b>-75.340747</b>		
<b>Landscape/Landform</b>			<b>BID-Rise</b>	<b>Slope</b>	<b>0%</b>	
<b>Taxonomic Class</b>				<b>arenic hapludult</b>	<b>LZ &gt;72"</b>	<b>MPI 20</b>
<b>Observed Water Table</b>			<b>&gt;72"</b>			
<b>Horizon</b>	<b>Depth ('</b>	<b>Color Matrix</b>	<b>Redox color % size dist</b>	<b>Texture</b>	<b>Structure</b>	<b>Consis</b>
A	0-4	10YR 2/1	N/A	LS	2,f,GR	VFR
EA	4-8	10YR 5/4	N/A	LS	1,co,SBK	VFR
E	8-36	10YR 6/4	N/A	LS	1,co,SBK	VFR
Bt	36-51	7.5YR 5/6	N/A	SL	2,m,SBK	FR
BCt	51-65	7.5YR 5/8	N/A	coLS+	1,vco,SBK	VFR
C	65-72	10YR 7/4	N/A	coS	SG	L





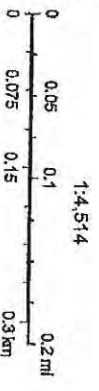
# Sussex County



PIN:	Text
Owner Name	Text
Book	Text
Mailing Address	Text
City	Text
State	Text
Description	
Description 2	
Description 3	
Land Code	

- polygonL-ayer
- Override 1
- polygonL-ayer
- Override 1
- Tax Parcels
- Streets
- County Boundaries

TM: 133-16,00-77.01



# sc002



**Address Candidates**

- Watersheds
- Elevation Sussex
- INDEX
- INDEX-DEPRESSION
- INTER
- INTER-DEPRESSION
- Tax Ditch Maximum ROWs
- Extent of Right-of-Way

**State Wetlands 2007**

- Agriculture
- Estuarine Non-Vegetated
- Estuarine Vegetated
- Lacustrine
- Marine Non-vegetated
- Palustrine Emergent
- Palustrine Forested
- Palustrine Forested Deciduous
- Palustrine Forested Evergreen
- Palustrine Open Water/ Flats

**State Wetlands 2007 (continued)**

- Palustrine Open Water/Flats
- Palustrine Scrub/Shrub
- Palustrine Scrub/shrub
- Palustrine Tidal Emergent
- Palustrine Tidal Forested
- Palustrine Tidal Forested
- Palustrine Tidal Scrub/Shrub
- Riverine Non-vegetated
- Riverine Vegetated

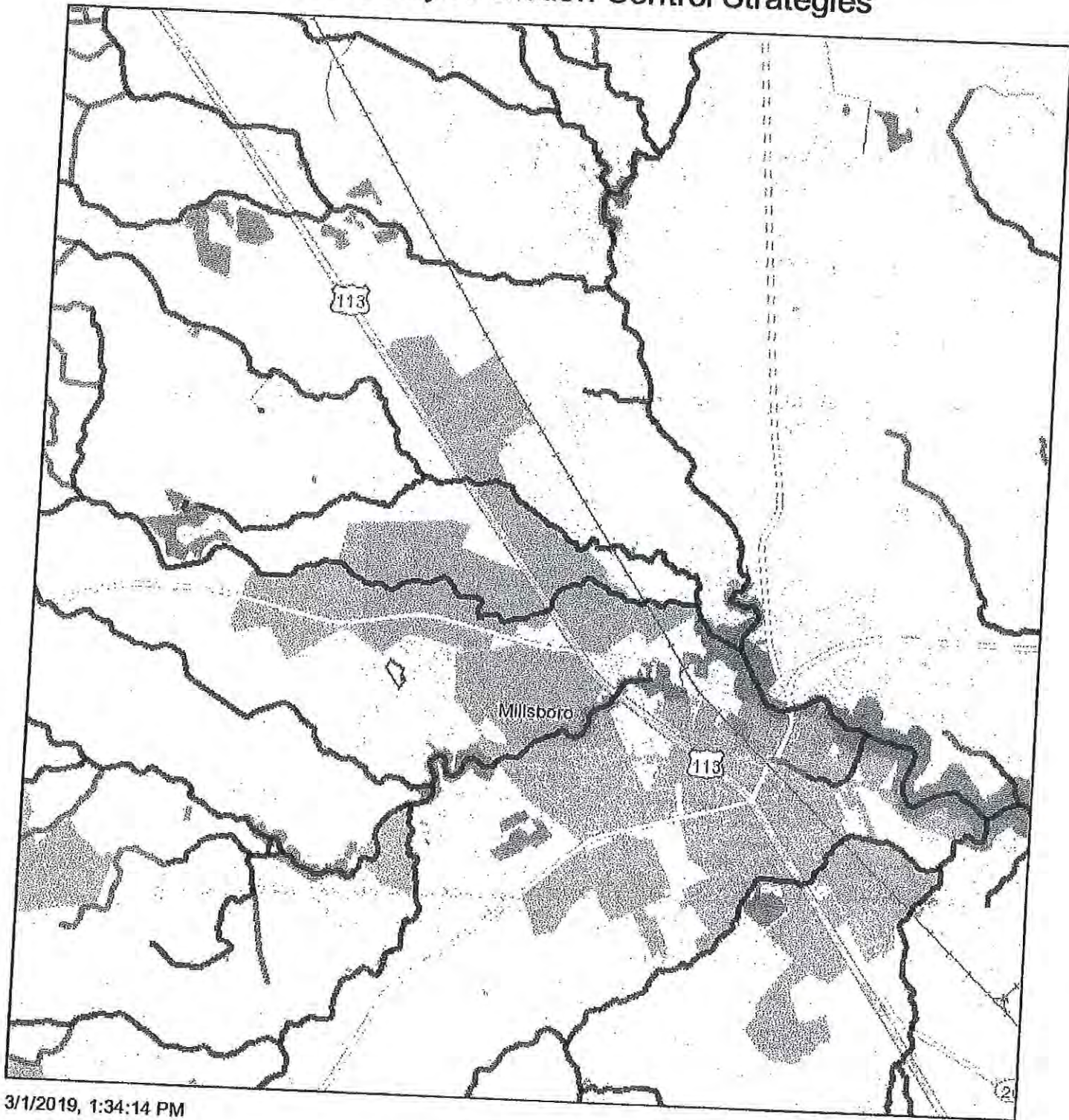
**23412 Godwin School Rd, Millsboro, DE (1)**

Address Candidates (1)		X		Y		LeftFrom	LeftTo	RightFrom	RightTo	PreDir	PreType	StreetName	StreetType	SurfDir	LeftZone	RightZone	Match_addr
66	L	206580.74305897675	66375.69631230795	23498	23400	23535	23301					GODWIN SCHOOL	RD		19966	19966	23412 GODWIN SCHOOL RD, 19966

Copyright DNREC 2009





Copyright Delaware Department of Natural Resources and Environmental Control, 2009

# Inland Bays Pollution Control Strategies

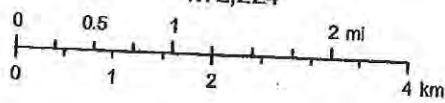


3/1/2019, 1:34:14 PM

## Stream Buffer

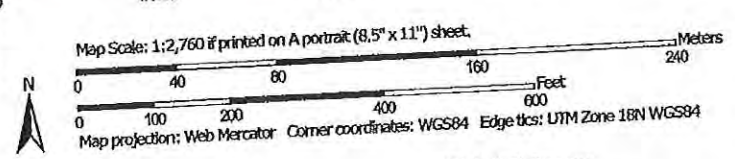
-  Stream - Primary Buffer
-  Stream - Secondary Buffer
-  Forested Ditches - Secondary Buffer
-  Watershed Boundary

1:72,224













































DNREC  
FirstMap 2017

Soil Map—Sussex County, Delaware



### MAP LEGEND

	Area of Interest (AOI)		Spill Area
	Area of Interest (AOI)		Stony Spot
	Soils		Vary Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
	Special Point Features		Water Features
	Blowout		Streams and Canals
	Borrow Pit		Transportation
	Clay Spot		++ Rails
	Closed Depression		Interstate Highways
	Gravel Pit		US Routes
	Gravelly Spot		Major Roads
	Landfill		Local Roads
	Lava Flow		Background
	Marsh or swamp		Aerial Photography
	Marsh or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

### MAP INFORMATION

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Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: [www.nrcs.usda.gov/wss](http://www.nrcs.usda.gov/wss)  
 Coordinate System: Web Mercator (EPSG:3857)

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Date(s) aerial images were photographed: Sep 5, 2016—Sep 24, 2017

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### Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
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PsA	Pepperbox-Rosedale complex, 0 to 2 percent slopes	6.7	17.8%
<b>Totals for Area of Interest</b>		<b>37.5</b>	<b>100.0%</b>



3/3/2019

Property Search

PARID: 133-16.00-77.01  
STAATS BETTY B

ROLL: RP  
23478 GODWIN SCHOOL RD

Property Information

Property Location:	23478 GODWIN SCHOOL RD
Unit:	
City:	MILLSBORO
State:	DE
Zip:	19966
Class:	RES-Residential
Use Code (LUC):	RS-RESIDENTIAL SINGLE FAMILY
Town:	00-None
Tax District:	133 - DAGSBORO
School District:	1 - INDIAN RIVER
Council District:	2-Wilson
Fire District:	83-Millsboro
Deeded Acres:	6.4600
Frontage:	0
Depth:	.000
Irr Lot:	
Zoning 1:	AR-1-AGRICULTURAL/RESIDEINTIAL
Zoning 2:	-
Plot Book Page:	116 20/PB
100% Land Value:	\$9,700
100% Improvement Value:	\$33,100
100% Total Value:	\$42,800

Legal

Legal Description	SW/RD 410 375'NW/RD 433 LOT 1
-------------------	-------------------------------------

Owners

Owner	Co-owner	Address	City	State	Zip
STAATS BETTY B		6605 SCARLET LN	FEDERALSBURG	MD	21632

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

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **4/4/2019**

APPLICATION: **2019-3 Lands of Betty B. Staats**

APPLICANT: **Betty B. Staats**

FILE NO: **WSPA-5.02**

TAX MAP &  
PARCEL(S): **133-16.00-77.01**

LOCATION: **On the south side of Godwin School Road (SCR 410) at  
Country Living Road (SCR 433)**

NO. OF UNITS: **2 single-family lots**

GROSS  
ACREAGE: **6.52**

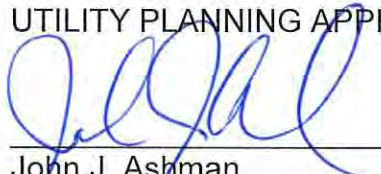
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

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

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: The proposed subdivision is not in an area where the Sussex County Engineering Department has a plan or schedule to provide sanitary sewer service.
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:

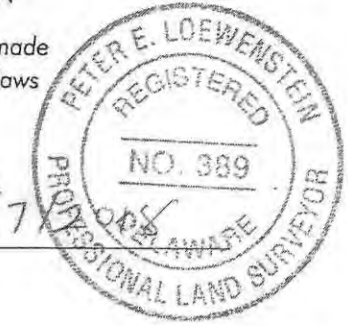
  
\_\_\_\_\_  
John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
No Permit Tech Assigned

**SURVEYORS CERTIFICATION**

I hereby certify that this plan and survey has been made under my supervision and that it complies with the laws of Sussex County and the State of Delaware.

Peter E. Loewenstein, Delaware PLS 389  
P.O. Box 247, Harbeson, DE 19951

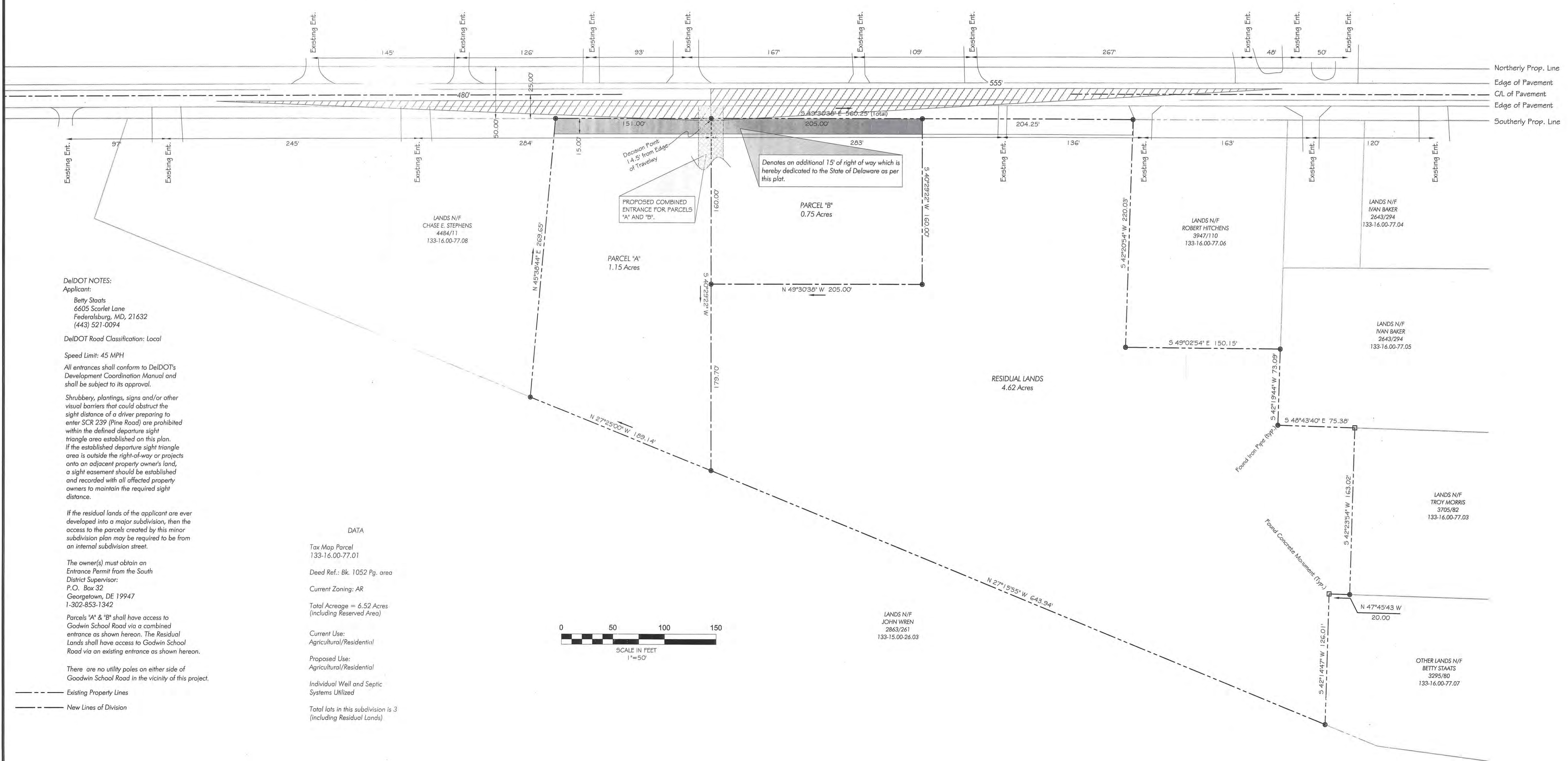


**OWNERS APPROVAL**

I, the undersigned, hereby certify to the ownership 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 that I desire the plan to be recorded according to law.

Betty Staats 12-17-18  
date

6405 Scarlet Lane  
Federalsburg MD 21632  
(443) 521-0094



**De/IDOT NOTES:**  
Applicant:  
Betty Staats  
6405 Scarlet Lane  
Federalsburg, MD, 21632  
(443) 521-0094

De/IDOT Road Classification: Local

Speed Limit: 45 MPH

All entrances shall conform to De/IDOT's Development Coordination Manual and shall be subject to its approval.

Shrubbery, plantings, signs and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter SCR 239 (Pine Road) 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.

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.

**DATA**

Tax Map Parcel  
133-16.00-77.01

Deed Ref.: Bk. 1052 Pg. area

Current Zoning: AR

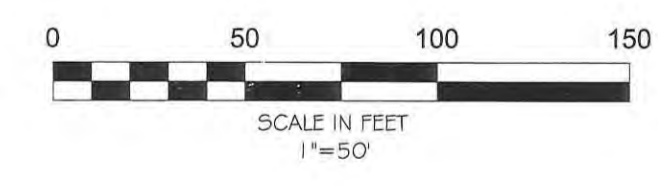
Total Acreage = 6.52 Acres  
(including Reserved Area)

Current Use:  
Agricultural/Residential

Proposed Use:  
Agricultural/Residential

Individual Well and Septic  
Systems Utilized

Total lots in this subdivision is 3  
(including Residual Lands)



LANDS N/F  
JOHN WREN  
2863/261  
133-15.00-26.03

OTHER LANDS N/F  
BETTY STAATS  
3295/80  
133-16.00-77.07

**COMPASS POINT ASSOCIATES**

SURVEYING  
LAND PLANNING  
P.O. Box 246  
Harbeson, DE 19951  
(302) 684-2980  
fax (302) 684-2983  
cpa@comcast.net

professional seal

**SUBDIVISION PLAN: LANDS OF BETTY STAATS  
DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE**  
Deed Ref: 1052/113  
TM: 133-16.00-77.01

Project:

Revisions
12/17/2018 - to revise owner's certification
1/11/2019 - Address De/IDOT Comments

Surveyed By: v. Waich, PLS  
Prepared By: P.E.L.  
Checked By: H.F.J.  
Project #: 180710  
Client: Betty Staats

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

Date:  
10/26/2018

Scale:  
As Shown

Sheet 1 of 1

**FILE COPY ORIGINAL**

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



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
(302) 854-5079 F

sussexcountyde.gov

# Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET  
Planning Commission Public Hearing Date April 25, 2019.

Application: 2019-4 Sloan Family Property

Applicant: Sam Sloan Jr. – Power of Attorney  
1099 Broadview Drive  
Annapolis, MD 21409

Owner: Samuel M. Sloan, Sara Sloan Campbell, Henry H. Sloan and John M. Sloan Irrevocable Trust  
1099 Broadview Drive  
Annapolis, MD 21409

Site Location: On the north side of Pinewater Drive, 663 feet NW of Multiflora Drive in the Pinewater Farm Subdivision.

Zoning: AR-1 (Agricultural Residential Zoning District)

Current Use: Agricultural/Residential Land

Proposed Use: 11 Single-Family Lots

Comprehensive Land Use Plan Reference: Environmentally Sensitive Developing Areas & Conservation Zone

Councilmatic District: Mr. Hudson

School District: Cape Henlopen School District

Fire District: Indian River Fire District

Sewer: Sussex County

Water: Private (Well)

Site Area: 7.92 acres

Tax Map ID.: 234-17.12-5.00 & 5.01, 5.02



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



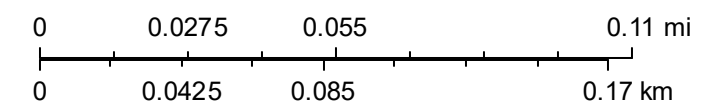
# Sussex County



<b>PIN:</b>	234-17.12-5.00
<b>Owner Name</b>	SLOAN JULIET L SUCC TTEE OF THE JOHN M
<b>Book</b>	680
<b>Mailing Address</b>	16567 HOWARD MILLMAN
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	NE/PINEWATER DR APPR
<b>Description 2</b>	663' NW/MULFLORA
<b>Description 3</b>	
<b>Land Code</b>	

- polygonLayer**  
Override 1
- polygonLayer**  
Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Major Routes**
- Interstate
- State
- United States

1:2,257



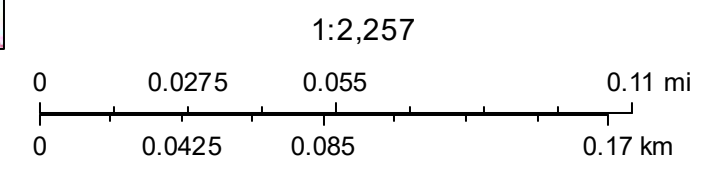


# Sussex County



<b>PIN:</b>	234-17.12-5.00
<b>Owner Name</b>	SLOAN JULIET L SUCC TTEE OF THE JOHN M
<b>Book</b>	680
<b>Mailing Address</b>	16567 HOWARD MILLMAN
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	NE/PINEWATER DR APPR
<b>Description 2</b>	663' NW/MULTIFLORA
<b>Description 3</b>	
<b>Land Code</b>	

- polygonLayer**  
Override 1
- polygonLayer**  
Override 1
- Tax Parcels
- 911 Address
- Streets



Mailing List Exhibit Map  
 Planning Commission  
 2019-4 Sloan Property  
 234-17.12-5.00, 5.01 & 5.02  
 Sam Sloan, JR - Power of Attorney  
 North side of Pinewater Drive, 663 feet NW of Multiflora Drive.



7-26-2018



Sussex County, Sussex County Government, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community, Sussex County Mapping and Addressing, DelDOT Planning, Surdex Corp, 2017



March 1, 2019

Mr. Jamie Whitehouse  
Planning Manager  
Sussex County Planning and Zoning Department  
2 The Circle (P.O. Box 417)  
Georgetown, Del 19947

RECEIVED  
MAR 06 2019  
SUSSEX COUNTY  
PLANNING & ZONING

Dear Mr. Whitehouse,

Thank you for returning my call yesterday.

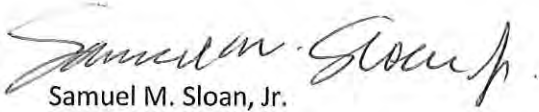
Enclosed you will find 41 originally signed consent forms for the proposed Sloan Family Subdivision.

Per agreement with you in December, 37 consent forms are required to reach the county requirement of 51% of the interior lot owners in Pinewater Farm consenting to this subdivision application.

In addition, enclosed is the approved road name of Hawthorn Drive for the Sloan Family Subdivision.

We look forward to working with Sussex County to achieve final approval of the Sloan Family Subdivision.

Sincerely,

  
Samuel M. Sloan, Jr.  
Power of Attorney

cc: GMB Engineers

Consent for Application for Pinewater Farm Subdivision

I, Helen Abrams and Carol Wells, as the lawful owner(s) of

4 Blackberry Lane, Harbeson, DE 19951, known as lot #A-6 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Helen Abrams - Carol A Wells

Dated Dec 29, 2015

Print Name HELEN M ABRAMS CAROL A WELLS

Consent for Application for Pinewater Farm Subdivision

I, Jeffrey and Jennifer Anemone, as the lawful owner(s) of

10 Dogwood Drive, Harbeson, DE 19951, known as lot #A-28 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Jennifer Anemone JHG

Dated 12/30/18 12/30/18

Print Name Jennifer Anemone Jeffrey Anemone

Consent for Application for Pinewater Farm Subdivision

I, Jack and Betty Boettger, as the lawful owner(s) of

19 Dogwood Drive, DE 19951, known as lot #G22 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed John Boettger Elizabeth P. Boettger

Dated 12/9/18

Print Name JOHN S Boettger ELIZABETH P. BOETTGER

Consent for Application for Pinewater Farm Subdivision

I, Eric and Sue Boving, as the lawful owner(s) of

6 Virden Lane, DE 19951, known as lot #\_\_ as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Susan W. Boving

Dated 12/9/2018

Print Name Susan W. Boving

*Eric R. Boving*

12/9/2018

ERIC R. BOVING

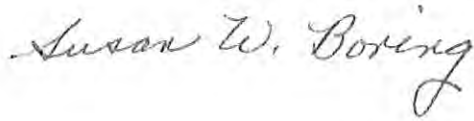
Consent for Application for Pinewater Farm Subdivision

I, Eric and Sue Boving, as the lawful owner(s) of

4 Virden Lane, DE 19951, known as lot #E-3 as

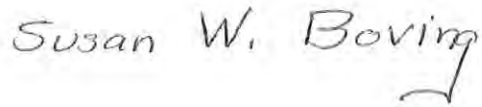
shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed 



Dated 9 DEC 2018

Print Name ERIC R. BOVING



Consent for Application for Pinewater Farm Subdivision

I, Arthur Brown and Lila Goodman-Brown, as the lawful owner(s) of

32 Pinewater Drive, DE 19951, known as lot #G1 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Arthur Brown Lila Goodman

Dated 12/9/2018

Print Name ARTHUR D BROWN, Lila P. Goodman

Consent for Application for Pinewater Farm Subdivision

I, Rose Mary Burdette, as the lawful owner(s) of

1 Mulberry Lane, Harbeson, DE 19951, known as lot #A-23 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Rosemary W. Burdette

Dated December 29, 2018

Print Name Rosemary W. Burdette



Consent for Application for Pinewater Farm Subdivision

I, Mark Clark, as the lawful owner(s) of

2 Blackberry Lane, Harbeson, DE 19951, known as lot #A-17 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Mark W Clark

Dated 2-26-19

Print Name MARK W CLARK

Consent for Application for Pinewater Farm Subdivision

I, Anthony and Margie Donatich, as the lawful owners of

5 Sloan Road, Harbeson, DE 19951, known as lot #A-8 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Anthony & Margaret Donatich

Dated 1/6/2019

Print Name ANTHONY & MARGARET DONATICH

Consent for Application for Pinewater Farm Subdivision

I, Margaret Goodwin and Carl Skeen, as the lawful owner(s) of

15 Dogwood Drive, DE 19951, known as lot #G24 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Margaret Goodwin & Carl Skeen

Dated Jan. 5, 2019

Print Name Margaret Goodwin & Carl Skeen

Consent for Application for Pinewater Farm Subdivision

I, Kathy Greene, as the lawful owner(s) of

5 Virden Lane, DE 19951, known as lot # <sup>E7</sup> \_\_\_ as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Kathleen M. Greene

Dated 12/29/18

Print Name KATHLEEN M. GREENE

Consent for Application for Pinewater Farm Subdivision

I, Kathy Greene, as the lawful owner(s) of

106 Pinewater Drive, DE 19951, known as lot #E8 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Kathleen M. Greene

Dated 12/29/18

Print Name KATHLEEN M. GREENE

Consent for Application for Pinewater Farm Subdivision

I, Steve and Susan Gum, as the lawful owners of

17 Sloan Road, Harbeson, DE 19951, known as lot #A-14 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed 

Dated January 21, 2019



Print Name Steve Gum & Susan Gum

Consent for Application for Pinewater Farm Subdivision

I, Walter W Haass Jr and Kate Donlon, as the lawful owner(s) of

18 Dogwood Drive, DE 19951, known as lot #A-39 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed    
Dated 12/9/2018  
Print Name WALTER Haass Kate Donlon

Consent for Application for Pinewater Farm Subdivision

I, George and Kathleen Lehman, as the lawful owners of

2 Dogwood Drive, Harbeson, DE 19951, known as lot #A-16 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed *George M Sloan (Trustee)*

Dated *2/10/2019*

Print Name *George R Lehman*

*Kathleen M Lehman*

*1099 Broadview Dr.  
Annapolis, MD  
21409*

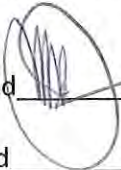



Consent for Application for Pinewater Farm Subdivision

I, Jay Haddock and Hector Torres, as the lawful owner(s) of

4 Huckleberry Lane, Harbeson, DE 19951, known as lot #A-21 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed  J. Haddock  H. Torres

Dated 1/7/18

Print Name J. Haddock - H. Torres

Consent for Application for Pinewater Farm Subdivision

I, Bill Harding and Joe Parker, as the lawful owners of

11 Sloan Road, Harbeson, DE 19951, known as lot #A-11 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Joseph Parker

Dated 12/28/18

Print Name JOSEPH PARKER



William Harding  
12/28/18  
WILLIAM HARDING

Consent for Application for Pinewater Farm Subdivision

I, Charles and Holly Heilner, as the lawful owner(s) of

14 Pinewater Drive, DE 19951, known as lot #G10 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed  

Dated 12-9-18

Print Name Charles Heilner + Holly M. Heilner

Consent for Application for Pinewater Farm Subdivision

I, Mike and JoAnn Hennessy, as the lawful owner(s) of

5 Mulberry Lane, Harbeson, DE 19951, known as lot #A-25 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Jo Ann Hennessy

Dated 4/12/19

Print Name JO ANN HENNESSY

Consent for Application for Pinewater Farm Subdivision

I, Edward and Beth Joyner, as the lawful owner(s) of

1 Virden Lane, DE 19951, known as lot # 5 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Edward H. Joyner III

Dated December 31st 2018

Print Name Edward H. Joyner III

Consent for Application for Pinewater Farm Subdivision

I, Edwin and Evelyn MacDonald, as the lawful owners of

13 Sloan Road, Harbeson, DE 19951, known as lot #A-12 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Edwin MacDonald

Dated 3/Jan/2019

Print Name Edwin MacDonald

Consent for Application for Pinewater Farm Subdivision

I, William and Joanne Manley, as the lawful owner(s) of

6 Huckleberry Lane, Harbeson, DE 19951, known as lot #A-20 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

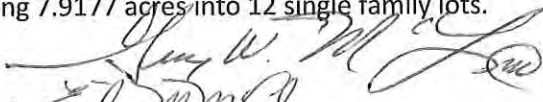

Signed William F. Manley Joanne T. Manley  
Dated 12/29/18 12/29/18  
Print Name William F. Manley Joanne T. Manley

Consent for Application for Pinewater Farm Subdivision

I, Guy and Eileen McLaughlin, as the lawful owner(s) of

6 Multiflora Drive, DE 19951, known as lot # \_\_\_ as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed   


Dated 12/9/18

Print Name Eileen M McLaughlin

Guy W. McLaughlin III



Consent for Application for Pinewater Farm Subdivision

I, Patrick and Johanna O'Neill, as the lawful owners of

19 Sloan Road, Harbeson, DE 19951, known as lot #A-15 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Patrick + Johanna O'Neill  
Dated 12/27/2018  
Print Name PATRICK + JOHANNA ONEILL

Consent for Application for Pinewater Farm Subdivision

I, Randle and Norma Parks, as the lawful owner(s) of

26 Pinewater Drive, DE 19951, known as lot #G4 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed  

Dated 12/9/18

Print Name Randle Parks Norma J Parks

Consent for Application for Pinewater Farm Subdivision

I, Wilson and Joyce Platt, as the lawful owners of

15 Sloan Road, Harbeson, DE 19951, known as lot #A-13 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Wilson T. Platt

Dated 12-31-18

Print Name WILSON T. PLATT

Consent for Application for Pinewater Farm Subdivision

I, Patricia Quill, as the lawful owner(s) of

16 Pinewater Drive, DE 19951, known as lot #G9 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Patricia A. Quill

Dated 12/9/18

Print Name Patricia A. Quill

Consent for Application for Pinewater Farm Subdivision

I, David and Myra Rankin, as the lawful owner(s) of

20 Pinewater Drive, DE 19951, known as lot #G7 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Myra Rankin R. David Rankin  
Dated 12/9/18 12-9-2018  
Print Name Myra Rankin R. DAVID RANKIN

Consent for Application for Pinewater Farm Subdivision

I, Don and Linda Rooney, as the lawful owner(s) of

8 Sassafras Lane, DE 19951, known as lot #G20 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Linda Rooney & Don Rooney

Dated 2-14-2019

Print Name LINDA ROONEY & DON ROONEY

Consent for Application for Pinewater Farm Subdivision

I, Joe and Sharon Schiavone, as the lawful owner(s) of

3 Mulberry Lane, Harbeson, DE 19951, known as lot #A-24 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Sharon Schiavone Joseph Schiavone

Dated 12-16-18

Print Name Sharon Schiavone  
Joseph Schiavone

Consent for Application for Pinewater Farm Subdivision

I, Dan and Barbara Schimek, as the lawful owner(s) of

8 Persimmon, Harbeson, DE 19951, known as lot #A-31 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Barbara Schimek

D. Q. Sloan

Dated

12/9/18

12-15-18

Print Name

Barbara Schimek

DANIEL SCHIMEK



Consent for Application for Pinewater Farm Subdivision

I, Russell and Mary Ann Scott, as the lawful owner(s) of

3 Huckleberry Lane, Harbeson, DE 19951, known as lot #A-19 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Mary Ann Scott

Dated 12-9-18

Print Name \_\_\_\_\_

MARY ANN SCOTT

Consent for Application for Pinewater Farm Subdivision

I, Juliet Sloan, Trustee of John M Sloan Irrevocable Trust, as the lawful owner(s) of

4 Persimmon Lane, Harbeson, DE 19951, known as lot #A-35 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Juliet L. Sloan

Dated

January 18, 2019

Print Name

Juliet L. Sloan

Consent for Application for Pinewater Farm Subdivision

I, Juliet Sloan, Trustee for John M Sloan Irrevocable Trust, as the lawful owner of

7 Blackberry Lane, Harbeson, DE 19951, known as lot #A-5 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Juliet L. Sloan  
Dated January 18, 2019  
Print Name Juliet L Sloan

Consent for Application for Pinewater Farm Subdivision

I, Samuel M, Jr and Linda J Sloan, as the lawful owner(s) of

111 Pinewater Drive, DE 19951, known as lot #C-12 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Samuel M. Sloan Jr  
Linda J Sloan  
Dated 12/25/18  
Print Name Samuel M. Sloan, Jr.  
LINDA J Sloan

Consent for Application for Pinewater Farm Subdivision

I, Samuel M Sloan Jr, as the lawful owner(s) of

12 Dogwood Drive, Harbeson, DE 19951, known as lot #A-29 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Samuel M. Sloan Jr.

Dated 12/25/8

Print Name Samuel M. Sloan, Jr.

Consent for Application for Pinewater Farm Subdivision

I, Ron L and Karin Snoots, as the lawful owner(s) of

4 Sassafras Lane, DE 19951, known as lot #G18 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Ronald L. Snoots / Karin E Snoots

Dated 12/09/18

Print Name RONALD L. SNOOTS / KARIN E SNOOTS

Consent for Application for Pinewater Farm Subdivision

I, Jane Taylor, as the lawful owner(s) of

24 Pinewater Drive, DE 19951, known as lot #G5 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Jane E. Taylor

Dated 12/31/2018

Print Name JANE E. TAYLOR

Consent for Application for Pinewater Farm Subdivision

I, Cynthia Sloan Thompson, as the lawful owner(s) of

6 Mulberry Lane, Harbeson, DE 19951, known as lot #A-26 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Cynthia Sloan Thompson

Dated 12/10/18

Print Name CYNTHIA SLOAN THOMPSON



Consent for Application for Pinewater Farm Subdivision

I, Betsey Von Dreele, as the lawful owner(s) of

11 Dogwood Drive, DE 19951, known as lot #G16 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Elizabeth A. VonDreele

Dated 1/1/19


Print Name ELIZABETH A. VONDREELE (BETSEY)

Consent for Application for Pinewater Farm Subdivision

I, Walter and Pamela Walowen , as the lawful owner(s) of

3 Dogwood Drive, Harbeson, DE 19951, known as lot #G-12` as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed  Pamela E. Walowen

Dated 2-21-19

Print Name Walter Walowen Pam Walowen



2019-4  
TM #234-17.12-5.00, 5.01, & 5.02  
Sloan Family Property

RECEIVED  
MAR 22 2019  
SUSSEX COUNTY  
PLANNING & ZONING



2019-4  
TM #234-17.12-5.00, 5.01, & 5.02  
Sloan Family Property



Natural Resources  
Conservation Service

March 25, 2019

Georgetown  
Service Center

Janelle M. Cornwell, Director  
Sussex County Planning & Zoning  
Sussex County Courthouse  
Georgetown, DE 19947

21315 Berlin Road  
Unit 3  
Georgetown, DE  
19947

**RE: Sloan Family Property  
11 single family lots**

Voice 302.856.3990  
Fax 855.306.8272

Dear Ms. Cornwell:

Soils within the delineated area on the enclosed map are:

- DnA Downer loamy sand, 0 to 2 percent slopes
- FmA Fort Mott loamy sand, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
DnA	G1	Not limited	Not limited	Not limited
FmA	G1	Not limited	Not limited	Somewhat limited

Definition of soil limitation ratings classes:

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

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

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

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

**G1:**

These soils are on nearly level to strongly sloping (0-10% slopes), well drained, mostly permeable soils. As sites for large commercial, industrial, institutional, and residential developments, these soils have fewer limitations than any other soils in the state. Slopes are favorable, and grading can be done without difficulty. Foundation conditions are generally good. Grasses, trees, and do well. Principal soil limitations: No apparent soil limitations for conventional uses.

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

Sincerely,



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

TDS/bh

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

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **4/4/2019**

APPLICATION: **2019-04 Sloan Family Property**

APPLICANT: **Sam Sloan Jr. – Power of Attorney**

FILE NO: **HC-1.08**

TAX MAP &  
PARCEL(S): **234-17.12-5.00, 5.01 & 5.02**

LOCATION: **On the north side of Pinewater Drive, 663 feet NW of Multiflora Drive in the Pinewater Farm subdivision**

NO. OF UNITS: **11 single-family lots**

GROSS  
ACREAGE: **7.92**

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 1**
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **Blair Lutz** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The Sussex County Engineering Department anticipates service to this area by the end of the third quarter in 2021.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



---

John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
Blair Lutz





January 29, 2019

Ms. Christin Headley  
Sussex County Planning & Zoning Commission  
PO Box 417  
Georgetown, DE 19947

**Re:** Sussex County Technical Advisory Committee

Dear Ms. Headley:

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

1. **Application:**      **2019-4 Sloan Family Property**

This application indicates that individual wells will supply water. Plan review is not required by the Office of Engineering. *Routine plumbing permits will be required.*

2. **Application:**      **2019-5 Chase Oaks**

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

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "William J. Milliken, Jr.", written over a light blue horizontal line.

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

## Christin Headley

---

**From:** Dickerson, Troy <TDickerson@delaware.coop>  
**Sent:** Wednesday, January 30, 2019 8:23 AM  
**To:** Christin Headley  
**Subject:** RE: TAC Review for 2019-4 Sloan Family Property & 2019-5 Chase Oaks

Christin,

Both of these subdivisions are located within DEC's service territory. We have facilities in the area to serve both of them as well.

Thanks!

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



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**From:** Christin Headley <christin.headley@sussexcountyde.gov>  
**Sent:** Friday, January 25, 2019 3:08 PM  
**To:** Brad Hawkes <bhawkes@sussexcountyde.gov>; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Dean Holden - Chesapeake Electric <dholden@chpk.com>; Duane T. Fox <Duane.Fox@state.de.us>; Eileen M. Butler <Eileen.Butler@state.de.us>; Jennifer Cinelli <jennifer.cinelli@state.de.us>; Jessica Watson - Sussex Conservation <Jessica.watson@state.de.us>; John J. Ashman <jashman@sussexcountyde.gov>; John Hayes - Groundwater Discharge <john.hayes@state.de.us>; John Kennel - DE Coastal Programs <john.kennel@state.de.us>; John Martin - Watershed Stewardship <john.martin@state.de.us>; Kate Fleming - DNREC Fish & Wildlife <kate.fleming@state.de.us>; Kelley Gabbard <kgabbard@chpk.com>; Lauren Devore <Lauren.Devore@state.de.us>; Meghan Crystall - DNREC <Meghan.Crystall@state.de.us>; Michael Tholstrup - Energy & Climate <Michael.Tholstrup@state.de.us>; Mike Brady <MBRADY@sussexcountyde.gov>; Milton Melendez - Dept. of Ag <Milton.melendez@state.de.us>; Rob Davis <rdavis@sussexcountyde.gov>; Steven Sisson - DelDOT <steven.sisson@state.de.us>; Subdivision mailbox email - DelDOT <Subdivision@state.de.us>; Susan Isaacs <sisaac@sussexcountyde.gov>; Terri Dukes <tdukes@sussexcountyde.gov>; Dickerson, Troy <TDickerson@delaware.coop>; Vince Robertson <vrobertson@pgslegal.com>  
**Subject:** TAC Review for 2019-4 Sloan Family Property & 2019-5 Chase Oaks

All,

Sussex County Planning Office has received two (2) applications that require TAC review. Attached is a memo regarding each application and a PDF of the plans submitted.

Agency Name: DNREC

Project Name: 2019-4 Sloan Family Property

Date: 3/11/2019

Division: Waste and Hazardous Substances/ SIRS  
[Meghan.Crystal@state.de.us](mailto:Meghan.Crystal@state.de.us) (302)-395-2600

Contact Person: Meghan Crystall

## **Regulations/Code Requirements**

DNREC's Site Investigation and Restoration Section (SIRS) has reviewed the proposed project.

- If it is determined by the Department that there was a release of a hazardous substance on the property in question and the Department requires remediation pursuant to the Hazardous Substance Cleanup Act, the provisions of 7 Del.C. Chapter 91, Delaware Hazardous Substance Cleanup Act and the Delaware Regulations Governing Hazardous Substance Cleanup shall be followed.”
- There are no SIRS sites found within a ½-mile radius of the proposed project.

## **Suggestions**

- SIRS strongly recommends that the land owner performs appropriate environmental due diligence as necessary of the property.
- Additional remediation may be required if the project property or site is re-zoned by the county or state.
- Should a release or imminent threat of a release of hazardous substances be discovered during the course of development (e.g., contaminated water or soil), construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). SIRS should also be contacted as soon as possible at 302-395-2600 for further instructions.

## Christin Headley

---

**From:** Hayes, John G. (DNREC) <John.Hayes@delaware.gov>  
**Sent:** Monday, January 28, 2019 8:59 AM  
**To:** Christin Headley  
**Cc:** Tholstrup, Michael S. (DNREC)  
**Subject:** RE: TAC Review for 2019-4 Sloan Family Property

Good morning Christin,

The Groundwater Discharges Section has no comment on Sloan Family Property (2019-4) since it is proposed to utilize public sewer. Thank you.

Jack

John G. "Jack" Hayes, Jr.  
Environmental Program Manager  
Delaware Department of Natural Resources and Environmental Control  
Groundwater Discharges Section  
89 Kings Highway  
Dover, DE 19901  
[John.hayes@state.de.us](mailto:John.hayes@state.de.us)  
(302) 739-9327  
(302) 739-7764 Fax

**From:** Christin Headley [mailto:[christin.headley@sussexcountyde.gov](mailto:christin.headley@sussexcountyde.gov)]  
**Sent:** Friday, January 25, 2019 3:12 PM  
**To:** Brad Hawkes <[bhawkes@sussexcountyde.gov](mailto:bhawkes@sussexcountyde.gov)>; C. Daniel Parsons <[dparsons@sussexcountyde.gov](mailto:dparsons@sussexcountyde.gov)>; Dean Holden - Chesapeake Electric <[dholden@chpk.com](mailto:dholden@chpk.com)>; Fox, Duane T. (FireMarshal) <[Duane.Fox@state.de.us](mailto:Duane.Fox@state.de.us)>; Butler, Eileen M. (DNREC) <[Eileen.Butler@state.de.us](mailto:Eileen.Butler@state.de.us)>; Cinelli, Jennifer (DeIDOT) <[jennifer.cinelli@state.de.us](mailto:jennifer.cinelli@state.de.us)>; Jessica Watson – Sussex Conservation <[Jessica.watson@state.de.us](mailto:Jessica.watson@state.de.us)>; John J. Ashman <[jashman@sussexcountyde.gov](mailto:jashman@sussexcountyde.gov)>; Hayes, John G. (DNREC) <[John.Hayes@state.de.us](mailto:John.Hayes@state.de.us)>; Kennel, John M. (DNREC) <[John.Kennel@state.de.us](mailto:John.Kennel@state.de.us)>; Martin, John (DNREC) <[John.Martin@state.de.us](mailto:John.Martin@state.de.us)>; Fleming, Kate M. (DNREC) <[Kate.Fleming@state.de.us](mailto:Kate.Fleming@state.de.us)>; Kelley Gabbard <[kgabbard@chpk.com](mailto:kgabbard@chpk.com)>; Lauren.Devore@state.de.us; Crystall, Meghan (DNREC) <[Meghan.Crystall@state.de.us](mailto:Meghan.Crystall@state.de.us)>; Tholstrup, Michael S. (DNREC) <[Michael.Tholstrup@state.de.us](mailto:Michael.Tholstrup@state.de.us)>; Mike Brady <[MBRADY@sussexcountyde.gov](mailto:MBRADY@sussexcountyde.gov)>; Melendez, Milton (DDA) <[milton.melendez@state.de.us](mailto:milton.melendez@state.de.us)>; Rob Davis <[rdavis@sussexcountyde.gov](mailto:rdavis@sussexcountyde.gov)>; Sisson, Steven (DeIDOT) <[Steven.Sisson@state.de.us](mailto:Steven.Sisson@state.de.us)>; Subdivision (MailBox Resources) <[Subdivision@state.de.us](mailto:Subdivision@state.de.us)>; Susan Isaacs <[sisaacs@sussexcountyde.gov](mailto:sisaacs@sussexcountyde.gov)>; Terri Dukes <[tdukes@sussexcountyde.gov](mailto:tdukes@sussexcountyde.gov)>; Troy Dickerson <[TDickerson@decoop.com](mailto:TDickerson@decoop.com)>; Vince Robertson <[vrobertson@pgslegal.com](mailto:vrobertson@pgslegal.com)>  
**Subject:** TAC Review for 2019-4 Sloan Family Property

All,

Sussex County Planning Office has received two (2) applications that require TAC review. Attached is a memo regarding each application and a PDF of the plans submitted. The second email will follow.

Please provide comments on or before Friday, March 25, 2019.

Please feel free to contact me with any questions.

Sussex County, Delaware  
Technical Advisory Committee

Comment Sheet

\*\*\*\*\*



DATE OF REVIEW: January 30, 2019

REVIEWING AGENCY: **Delaware State Fire Marshals Office, Sussex Office**

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

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

RE: SLOAN FAMILY PROPERTY (2019-4)

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

\*\*\*\*\*

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

a. **Fire Protection Water Requirements:**

- Since the dwellings of the subdivision are proposed to be served by individual on-site wells (No Central or Public Water System within 1000' of property), set back and separation requirements will apply.

b. **Fire Protection Features:**



c. **Accessibility:**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road (entrance) to the subdivision from Pine Water Dr must be constructed so all fire department apparatus may negotiate it. If a median or boulevard is to be used it must be designed so that fire apparatus can make left and right hand turns into the subdivision.

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

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

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

e. **Required Notes:**

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

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

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

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



**MAPPING & ADDRESSING**

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



**Sussex County**

DELAWARE  
sussexcountyde.gov

**January 2, 2019**

Attn: Sam & *Linda Sloan*  
*1098 Broadview Dr*  
*Annapolis, Md. 21409*  
*717-880-9681*

**RE : Sloan Family Subdivision (Located within Pinewater Farm)**

I have received proposed street name(s) for the new subdivision, **Sloan Family Subdivision (Located within Pinewater Farm)**, located in Harbeson. In reviewing the proposed street name(s) the following have been approved:

<b>Hawthorn Dr</b>		

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

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

Sincerely,

*Terri L Dukes*

Terri L Dukes  
Addressing Technician II

CC: Christin Headley  
Planning & Zoning





Workman. Motion carried 5 – 0.

The vote by roll call; Mr. Workman – yea, Ms. Magee – yea, Mr. Mears – yea, Mr. Mills – yea, and Mr. Callaway – yea.

### PUBLIC HEARINGS

**Case No. 12218 – Sam & Lyn Sloan** seek variances from the minimum lot width requirement and minimum lot area for existing and proposed lots (Sections 115-25, 115-194 and 115-211 of the Sussex County Zoning Code). The property is located on the northeast side of Pinewater Dr., approximately 700 ft north of Multiflora Dr. in the Pinewater Farm Development. 911 Address: N/A. Zoning District: AR-1. Tax Parcels: 234-17.12-5.00, 234-17.12-5.01, and 234-17.12-5.02

Mr. Whitehouse presented the case and stated that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and one mail return. The Applicant is seeking variances from the 150 ft. minimum road frontage requirement for 11 single family lots in a conservation zone and variances from the lot area requirement to allow single family lots of approximately 20,000 ft. The specific variances requested are as follows:

- ✓ A variance of 42.07 feet from the 150 feet minimum lot width requirement for proposed Lot 1;
- ✓ A variance of 22,283 square feet from the 43,460 square foot lot size requirement for proposed Lot 1;
- ✓ A variance of 41.44 feet from the 150 feet minimum lot width requirement for proposed Lot 2;
- ✓ A variance of 22,307 square feet from the 43,460 square foot lot size requirement for proposed Lot 2;
- ✓ A variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 3;
- ✓ A variance of 20,878 square feet from the 43,460 square foot lot size requirement for proposed Lot 3;
- ✓ A variance of 41 feet from the 150 feet minimum lot width requirement for proposed Lot 4;
- ✓ A variance of 22,742 square feet from the 43,460 square foot lot size requirement for proposed Lot 4;
- ✓ A variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 5;
- ✓ A variance of 21,910 square feet from the 43,460 square foot lot size requirement for proposed Lot 5;
- ✓ A variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 6;

- / A variance of 21,910 square feet from the 43,460 square foot lot size requirement for proposed Lot 6;
- / A variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 7;
- / A variance of 22,000 square feet from the 43,460 square foot lot size requirement for proposed Lot 7;
- / A variance of 53 feet from the 150 feet minimum lot width requirement for proposed Lot 8;
- / A variance of 23,273 square feet from the 43,460 square foot lot size requirement for proposed Lot 8;
- \* - A variance of 50.33 feet from the 150 feet minimum lot width requirement for proposed Lot 9;
- / A variance of 19,193 square feet from the 43,460 square foot lot size requirement for proposed Lot 9;
- / A variance of 54.91 feet from the 150 feet minimum lot width requirement for proposed Lot 10;
- / A variance of 19,266 square feet from the 43,460 square foot lot size requirement for proposed Lot 10;
- / A variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 11; and
- / A variance of 18,651 square feet from the 43,460 square foot lot size requirement for proposed Lot 11.

The Application was also sent to the County Administrator pursuant to §115-194(c)(4). Mr. Sharp reminded the Board that there are additional standards for this Application because the Property is in a Conservation Zone.

Sam Sloan and Lawton Myrick were sworn in to give testimony about the Application.

Mr. Sloan testified that the Property has been in his family since 1894; that the Property is owned by he and his siblings; that the Property was previously a farm; that Sussex County planned to bring sewer to the area; that they propose to subdivide the parcel to provide homesites with two lots per family member; that there is water and sewer in the area; that the Property is located between 2 subdivisions; that Herring Creek Estates lots consist of ½ acre; that he met with homeowners in Pinewater Farms and he has collected twenty letters of support and is in the process of obtaining more support letters from neighbors in Pinewater Farms about this property being annexed into that subdivision; that bringing public water to the site is not feasible; that public sewer will be coming to the area and there is an easement on this site and a pump station to be placed on the west side of the property.

Mr. Myrick testified that the land is unique as it is a 7.9 acres parcel of land sandwiched between two subdivisions – Pinewater Farms and Herring Creek Estates; that the lots in the two

subdivisions are between  $\frac{1}{2}$  and  $\frac{3}{4}$  acre; that the proposed subdivision will be consistent with the neighboring communities; that this property is a geographical oddity; that there is a large depressed area in the center of the site; that the Property cannot otherwise be developed without the variance because per Sussex County Code §115-194 (B)(1) any lot created after the adoption of this section shall contain a minimum lot with size of 150 ft. and be at least 1 acre in size unless central water and sewer are provided; that public sewer is being brought to the area but public water is unavailable; that it would be cost prohibitive to bring water to the site; that this was not created by the applicants, but by the easements for Sussex County Sewer system bisecting the property; that it will not alter the essential character of the neighborhood but will blend in as the neighboring subdivisions have lot sizes between 0.5 acres to 0.75 acres; that the proposed lots will measure .47 acres to .56 acres; that the variances requested are the minimum variances necessary to allow relief; that all 11 lots will have a minimum lot size of 20,000 sf and minimum lot width of 100 ft; ; that the cost to bring public water to the site would be in excess of \$300,000 and would be a hardship for the land owners; that Sussex County contacted the Applicants about public sewer easements on the Property and these easements have been recorded; that water quality will not be adversely impacted by the creation of this subdivision; and that providing public sewer will result in the removal of existing septic tanks and fields and will ecologically benefit ground water in the area.

Mr. Sloan testified that there is no public water in the neighboring subdivisions and that the Property was previously used as a borrow pit.

Mr. Myrick testified that the depressed area of the Property will likely be used for a stormwater management area and that Tidewater Utilities provides service in the area and the Applicants would have to apply to be part of Tidewater's service area.

Hans Medlarz, Sussex County Engineer, was sworn in to give testimony in support of the Application.

Mr. Medlarz testified that the Property will be part of the Herring Creek Sewer District; that there was no support for public water in the area except for Winding Creek Village; that Sussex County went to neighboring communities and did not receive enough petitions to run a referendum on public water; that the situation was created by Sussex County when they asked for two easements bisecting the property for the placement of the pump station; that Sussex County purchased adjacent land for a pump station; that the Applicant was cooperative even though it created an unfavorable situation for them; that public water is about 7,000 ft away from site; that there were not enough petitions from the subdivisions to even hold a referendum to consider bringing public water to the area; and that he confirms the granting of the variances will not adversely affect water quality or adversely impact tidal water bodies adjacent to the conservation zone.

Ms. Cornwell advised the Board that, if the Applicants obtain the variances, they will have to obtain permission from Pinewater Farms to be annexed into that community; and that site plan approval will also be required.

The Board found that no parties appeared in support of or in opposition to the Application.

Mr. Mears moved, seconded by Ms. Magee, and carried unanimously to **table Case No. 12218 until December 17, 2018**. Motion carried 5 – 0.

The vote by roll call; Mr. Workman – yea, Mr. Mears – yea, Ms. Magee – yea, Mr. Mills – yea, and Mr. Callaway – yea.

**Case No. 12236 – Kelly Conway** seeks variances from the side yard setback and separation distance requirement for existing structures (Section 115-172 of the Sussex County Zoning Code). The property is located on the east side of Seafarer Rd., approximately 519 ft. south of W. Harbor Dr. 911 Address: 27339 Seafarer Rd., Millsboro. Zoning District: AR-1. Tax Parcel: 234-30.00-6.00-5735

Mr. Whitehouse presented the case and stated that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and zero mail returns. The Applicant seeks the following variances: a variance of 4.1 feet from the five (5) feet side yard setback requirement on the side adjacent to Lot 78 for an existing shed, a variance of 4.0 feet from the five (5) feet side yard setback requirement on the side adjacent to Lot 78 for an existing shed, a variance of 5.7 feet from the twenty (20) feet separation distance requirement between accessory structures and other manufactured homes within a manufactured home park for an existing shed and an existing dwelling on Lot 78, a variance of 12.1 feet from the twenty (20) feet separation distance requirement between accessory structures and other manufactured homes within a manufactured home park for an existing shed and an existing dwelling on Lot 78, a variance of 9.3 feet from the twenty (20) feet separation distance requirement between accessory structures and other manufactured homes within a manufactured home park for an existing deck and an existing dwelling on Lot 78, a variance of 7.1 feet from the twenty (20) feet separation distance requirement between accessory structures and other manufactured homes within a manufactured home park for an existing deck and handicap ramp and an existing dwelling on Lot 78, and a variance of 4.9 feet from the twenty (20) feet separation distance requirement between accessory structures and other manufactured homes within a manufactured home park for an existing handicap ramp and an existing dwelling on Lot 78.

Kelly Conway was sworn in to give testimony. Ms. Conway testified that the requests for variance are for a shed and for a handicap ramp to allow her mother access to the house; that her mother had a stroke; that the property is unique because it is narrow; that the position of the door does not allow for the ramp to be placed elsewhere on the property and, therefore, the property could not otherwise be developed; that this was not created by the Applicant as the shed was already on the property when the current owner bought it and the ramp is necessary for her mother who suffered a stroke; that the variances will not alter the character of the neighborhood and are consistent with surrounding properties; that the variances are the minimum variances requested to meet ADA requirements for the ramp and are minimum variance requests to allow shed to remain in its current location; that the structures do not affect the water views of neighbors; that the dwelling has been on

# SLOAN FAMILY SUBDIVISION

## SUSSEX COUNTY, DELAWARE PRELIMINARY SUBDIVISION PLAN TAX MAP 234-17.12-5.00, 5.01 & 5.02

### LIST OF DRAWINGS

PSP-1.0	COVER SHEET
PSP-2.0	EXISTING CONDITIONS
PSP-3.0	PROPOSED SITE PLAN
PSP-4.0	PROPOSED SITE PLAN RENDERING

GMB FILE NO. 180222

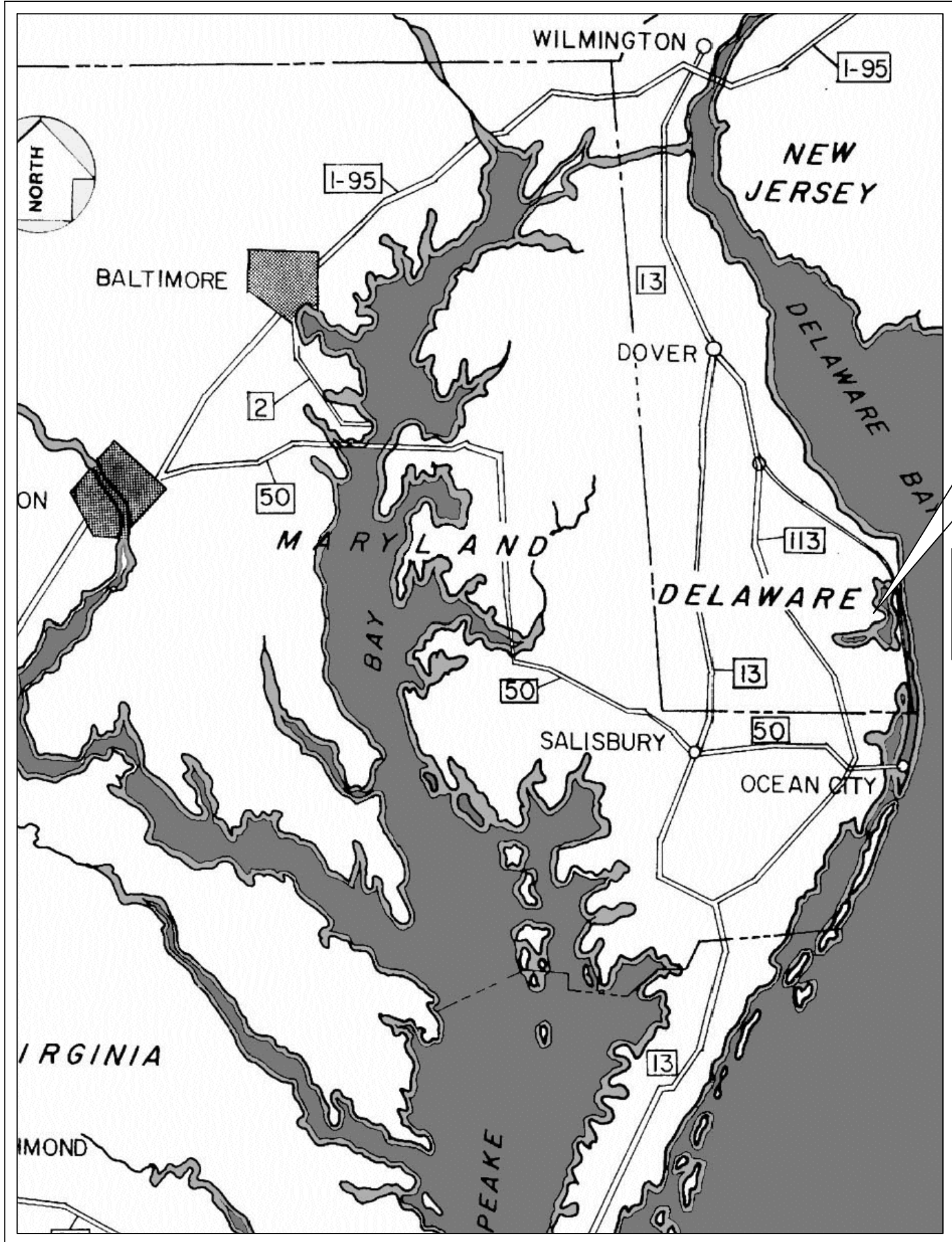
- NOTES:
- ALL INTERIOR SIDE LOT LINES ARE RESERVED FOR THE CENTERLINE OF A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT. A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT IS RESERVED ON EACH LOT ALONG THE FRONT AND REAR PROPERTY LINES. THIS PLAN AND SURVEY DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT-OF-WAYS OR EASEMENTS PERTAINING TO THIS PROPERTY.
  - MAINTENANCE OF THE STREETS WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF DELDOT. THE STATE ASSUMES RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF STREETS WITHIN DEDICATED DELDOT RIGHT-OF-WAYS ONLY.
  - MAINTENANCE OF STORM DRAIN AND STORMWATER MANagements FACILITIES WILL BE THE RESPONSIBILITY OF THE DEVELOPERS, THE PROPERTY OWNERS WITHIN THE SUBDIVISION, OR BOTH. THE STATE ASSUMES RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF STORM DRAIN WITHIN DEDICATED DELDOT RIGHT-OF-WAYS ONLY.
  - WATER SERVICE WILL BE PROVIDED BY PRIVATE WELLS ON INDIVIDUAL LOTS.
  - WASTEWATER TREATMENT AND DISPOSAL WILL BE PROVIDED BY CONNECTION TO AN EXISTING PUBLIC SYSTEM OWNED, OPERATED AND MAINTAINED BY SUSSEX COUNTY PUBLIC WORKS. THE COLLECTION AND TRANSMISSION SYSTEM WILL CONSIST OF VARIOUS DIAMETER GRAVITY SEWERS. THE COLLECTION AND TRANSMISSION SYSTEM WILL BE SUBJECT TO REVIEW AND APPROVAL BY SUSSEX COUNTY PUBLIC WORKS AND DNREC.
  - THERE IS ACTIVE AGRICULTURAL-RESIDENTIAL PROPERTY GREATER THAN 10 ACRES DIRECTLY ABUTTING THE PROPOSED DEVELOPMENT.
  - NO REGULATED WETLANDS EXIST ON THE PROPERTY.
  - STORMWATER MANAGEMENT PRACTICES WILL BE DESIGNED TO MEET STORMWATER QUALITY AND QUANTITY MANAGEMENT REQUIREMENTS. ALL STORMWATER MANAGEMENT DESIGN WILL BE IN ACCORDANCE WITH DELAWARE STORMWATER DESIGN MANUAL STANDARDS.
  - EASEMENTS HAVE BEEN PROVIDED WHERE NECESSARY TO MEET PUBLIC UTILITY REQUIREMENTS. NECESSARY EASEMENTS ALONG PERIMETER BOUNDARIES OF THE DEVELOPMENT SHALL BE NO LESS THAN TEN (10) FEET IN WIDTH ON THE INTERIOR SIDE OF THE BOUNDARY.
  - BOUNDARY SURVEY SHOWN HEREIN PROVIDED BY ADAMS-KEMP ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS AND PLANNERS DATED MAY 24, 2018.
  - PROJECT WILL BE CONSTRUCTED IN ONE PHASE.
  - ALL WOODED BUFFERS AND OPEN SPACES WILL BE MAINTAINED IN PERPETUITY BY THE PINEWATER CIVIC ASSOCIATION.
  - BOARD OF ADJUSTMENTS CASE NUMBER 12218 APPROVED DECEMBER 17, 2018 FOR A VARIANCE FOR ALL LOTS FROM THE REQUIRED WIDTH AND AREA.
  - PROPOSED LOTS TO BE EXTENSION OF THE PINEWATER FARM SUBDIVISION.
  - THE PRIMARY USE OF PARCEL 234-17.00-31.03 IS FOR AGRICULTURAL PURPOSES. ANY STRUCTURE REQUIRING A CERTIFICATE OF OCCUPANCY SHALL BE 50' FROM ADJACENT PROPERTY.

### SITE DATA:

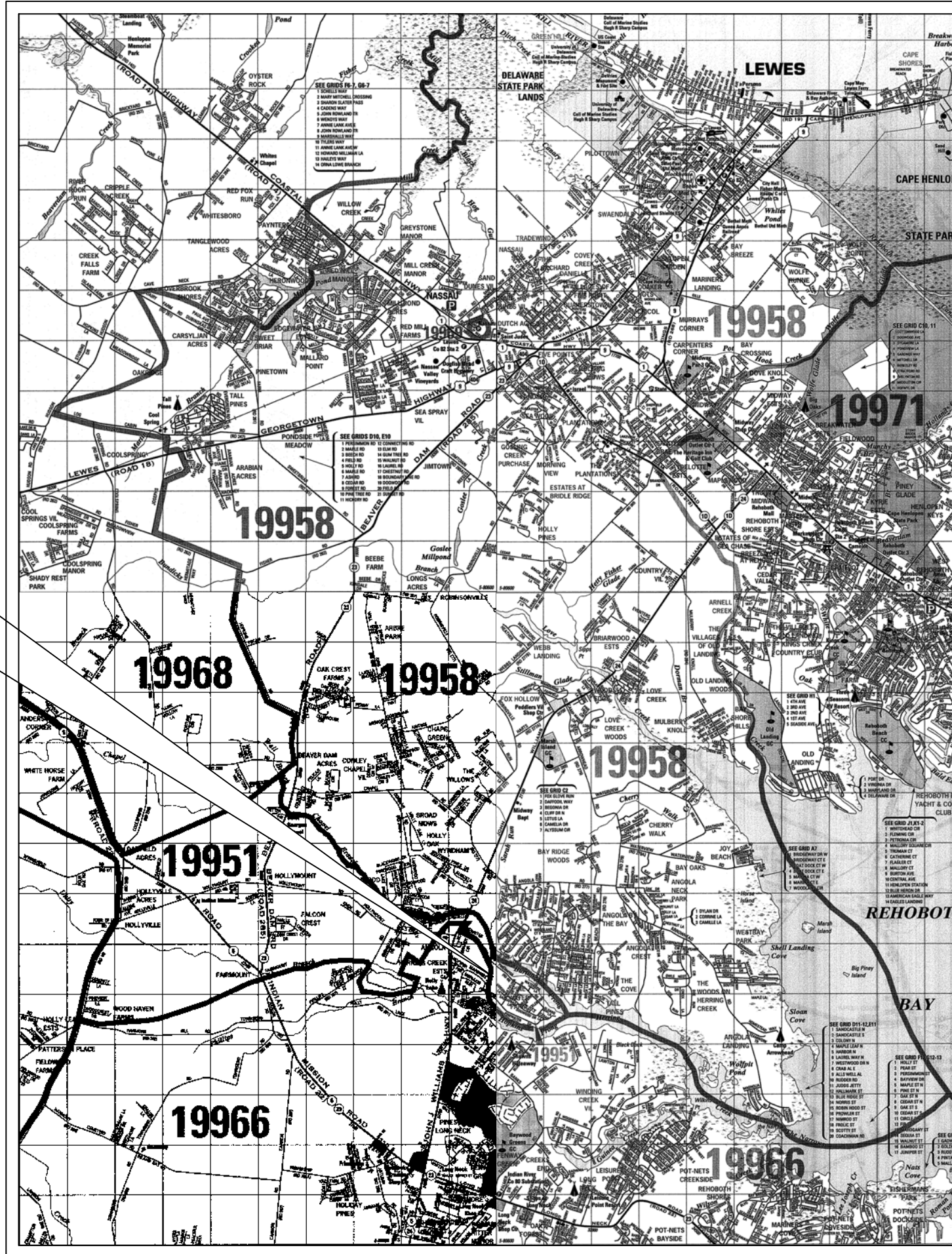
APPLICANT (OWNER):	SLOAN FAMILY 1099 BROADVIEW DRIVE ANNAPOLIS, MD 22409 PHONE: 717-890-9881 CONTACT: MR. SAM SLOAN, JR
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH
TAX MAP:	234-17.12-5.00, 5.01, 5.02
DEED REFERENCE:	680/276 & PLOT BOOK 201 PAGE 2
EXISTING ZONING:	AR-1 ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE & CONSERVATION ZONE
SITE AREA:	±7.749 ACRES
LOTS ALLOWED:	15 SINGLE FAMILY LOTS (2 LOTS/ACRE)
LOTS PROPOSED:	11 SINGLE FAMILY LOTS (1.42 LOTS/ACRE)
EXISTING LOT AREA:	234-17.12-5.00 = 6.24 ACRES 234-17.12-5.01 = 0.75 ACRES 234-17.12-5.02 = 0.75 ACRES

### BUILDING SETBACKS:

FRONT:	40'
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH:	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
UTILITIES:	
CENTRAL WATER:	NOT AVAILABLE
PUBLIC SEWER:	SUSSEX COUNTY



VICINITY MAP  
SCALE: 1" = 20 MILES



LOCATION MAP  
SCALE: 1" = 1 MILE

### 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 BELIEF 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



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

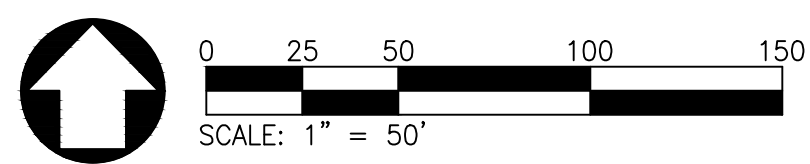
DECEMBER 2018

### OWNER'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.

SAM SLOAN, JR - POWER OF ATTORNEY DATE  
SLOAN FAMILY LIMITED PARTNERSHIP  
1099 BROADVIEW DR  
ANNAPOLIS, MD 22409

C:\Projects\2018\180222 Sloan Family Subdivision\Drawings\Working\_Sets\Plan\Site Plan\Sloan Family - Existing Conditions.dwg, 4/11/2019 10:15 AM, Lenton Myrick  
 PLOT CODE  
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 .007 INCHES (0.18mm) PENN-BLUE  
 .020 INCHES (5.0mm) PENN-GREEN  
 .020 INCHES (5.0mm) PENN-ORANGE  
 .027 INCHES (7.0mm) PENN-RED  
 .039 INCHES (1.0mm) PENN-WHITE



PRINTS ISSUED FOR REVIEW	
DATE	
REVISIONS	
NO.	

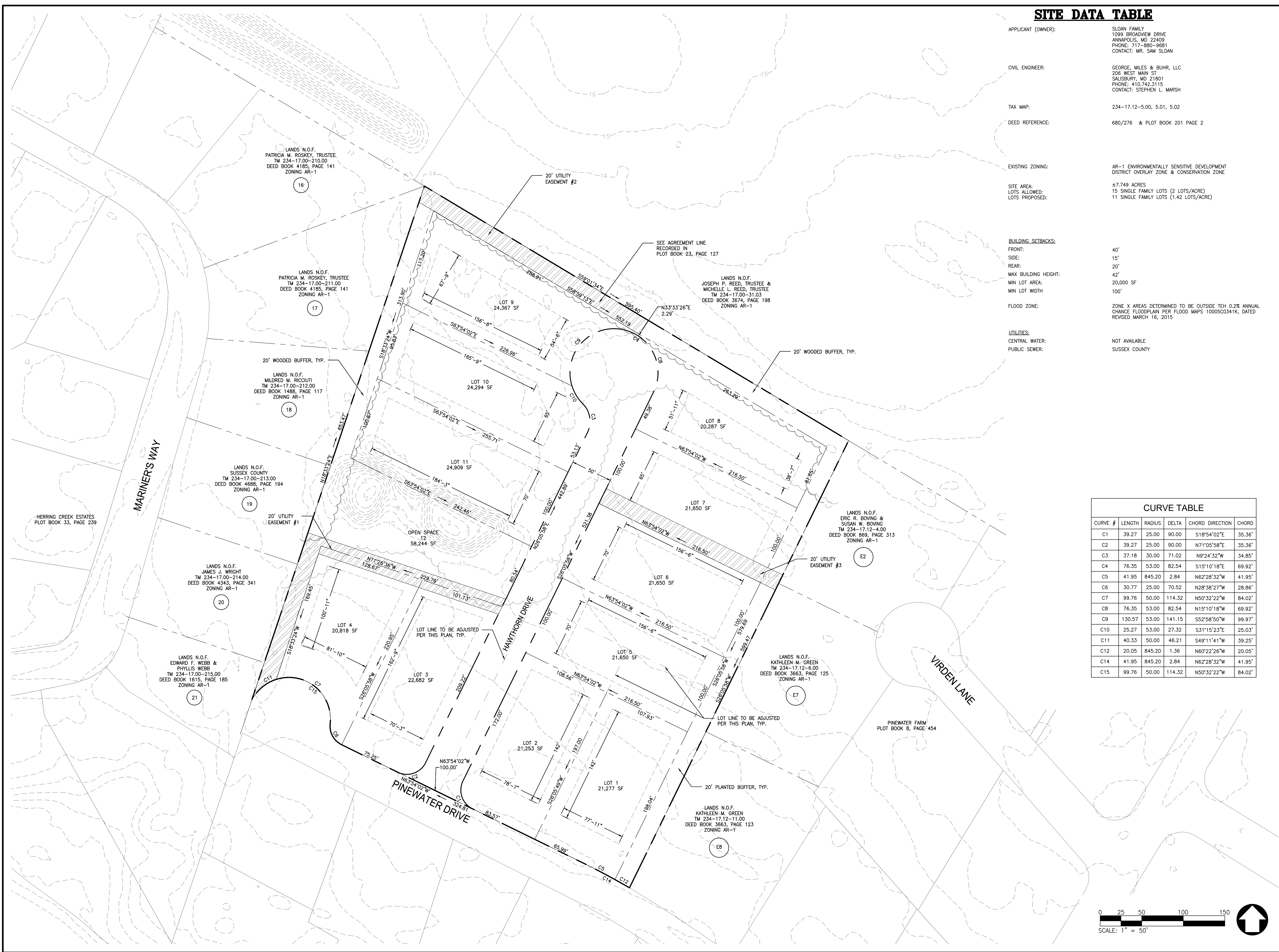
SLOAN FAMILY PROPERTY SUSSEX COUNTY, DELAWARE	
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**GMB**  
 GEORGE, MILES & BUHR, LLC  
 ARCHITECTS & ENGINEERS  
 SALISBURY • BALTIMORE • SEAFORD  
 206 WEST MAIN STREET  
 SALISBURY, MARYLAND 21801  
 410-742-3115, FAX 410-548-5790  
 www.gmbnet.com

EXISTING CONDITIONS	
SCALE : 1" = 50'	SHEET NO.
DESIGN BY : OTHERS	PSP-2.0
DRAWN BY : RLM	
CHECKED BY :	
GMB FILE : 180222	
DATE : DEC 2018	

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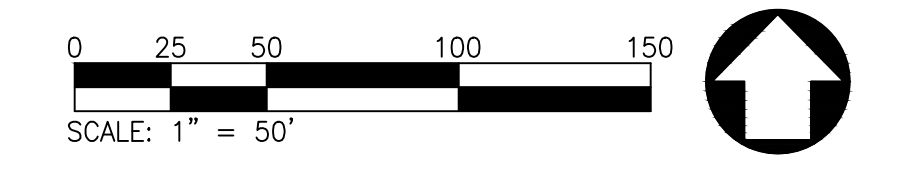
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 PLOT CODE  
 PEN=RED 0.01 INCHES (0.25mm) 200 INCHES (50mm)  
 PEN=GREEN 0.01 INCHES (0.25mm) 200 INCHES (50mm)  
 PEN=BLUE 0.01 INCHES (0.25mm) 200 INCHES (50mm)  
 PEN=WHITE 0.01 INCHES (0.25mm) 200 INCHES (50mm)



### SITE DATA TABLE

APPLICANT (OWNER):	SLOAN FAMILY 1099 BROOKVIEW DRIVE ANNAPOLIS, MD 22409 PHONE: 717-880-9681 CONTACT: MR. SAM SLOAN
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH
TAX MAP:	234-17.12-5.00, 5.01, 5.02
DEED REFERENCE:	680/276 & PLOT BOOK 201 PAGE 2
EXISTING ZONING:	AR-1 ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE & CONSERVATION ZONE
SITE AREA:	±7.749 ACRES
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LOTS PROPOSED:	11 SINGLE FAMILY LOTS (1.42 LOTS/ACRE)
BUILDING SETBACKS:	
FRONT:	40'
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH:	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
UTILITIES:	
CENTRAL WATER:	NOT AVAILABLE
PUBLIC SEWER:	SUSSEX COUNTY

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD
C1	39.27	25.00	90.00	S18°54'02"E	35.36'
C2	39.27	25.00	90.00	N71°05'58"E	35.36'
C3	37.18	30.00	71.02	N9°24'32"W	34.85'
C4	76.35	53.00	82.54	S15°10'18"E	69.92'
C5	41.95	845.20	2.84	N62°28'32"W	41.95'
C6	30.77	25.00	70.52	N28°38'27"W	28.86'
C7	99.76	50.00	114.32	N50°32'22"W	84.02'
C8	76.35	53.00	82.54	N15°10'18"W	69.92'
C9	130.57	53.00	141.15	S52°58'50"W	99.97'
C10	25.27	53.00	27.32	S31°15'23"E	25.03'
C11	40.33	50.00	46.21	S49°11'41"W	39.25'
C12	20.05	845.20	1.36	N60°22'26"W	20.05'
C14	41.95	845.20	2.84	N62°28'32"W	41.95'
C15	99.76	50.00	114.32	N50°32'22"W	84.02'



PRINTS ISSUED FOR:	REVIEW
DATE	
REVISIONS	
NO.	

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

**SLOAN FAMILY PROPERTY**  
**SUSSEX COUNTY, DELAWARE**

### PROPOSED SITE PLAN

SCALE	#####	SHEET NO.
DESIGN BY	OTHERS	
DRAWN BY	RLM	<b>PSP-3.0</b>
CHECKED BY		
GMB FILE	180222	
DATE	DEC 2018	

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C:\Projects\2018\180222 Sloan Family Subdivision\Drawings\Working\_SitePlan\Sloan Family - Proposed Site Plan Rendering.dwg, 9/24/2018 8:49 AM, Lenora Myrick  
 PEN: WHITE 0/28 INCHES (0.0mm)  
 PEN: MAGENTA 0/27 INCHES (0.0mm)  
 PEN: BLUE 0/24 INCHES (0.0mm)  
 PEN: GREEN 0/20 INCHES (0.0mm)  
 PEN: YELLOW 0/17 INCHES (0.0mm)  
 PEN: RED 0/13 INCHES (0.0mm)



**SITE DATA TABLE**

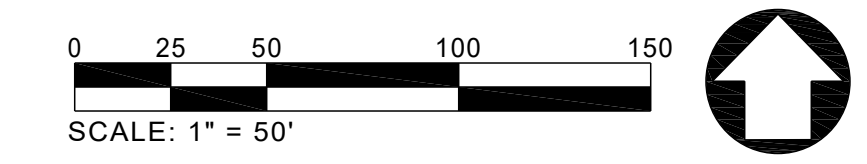
APPLICANT (OWNER):	SLOAN FAMILY 1059 BROADVIEW DRIVE ANNAPOLIS, MD 22409 PHONE: 717-860-9681 CONTACT: MR. SAM SLOAN
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH
TAX MAP:	234-17.12-5.00, 5.01, 5.02
DEED REFERENCE:	680/276 & PLOT BOOK 201 PAGE 2
EXISTING ZONING:	AR-1 ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE & CONSERVATION ZONE
SITE AREA:	47.749 ACRES
LOTS ALLOWED:	15 SINGLE FAMILY LOTS (2 LOTS/ACRE)
LOTS PROPOSED:	11 SINGLE FAMILY LOTS (1.42 LOTS/ACRE)
<b>BUILDING SETBACKS:</b>	
FRONT:	40'
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH:	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
<b>UTILITIES:</b>	
CENTRAL WATER:	NOT AVAILABLE
PUBLIC SEWER:	SUSSEX COUNTY

PRINTS ISSUED FOR: REVIEW	
DATE	
REVISIONS	
NO.	

**GMB**  
 GEORGE, MILES & BUHR, LLC  
 ARCHITECTS & ENGINEERS  
 SALISBURY, MARYLAND 21801  
 206 WEST MAIN STREET  
 410.742.3115 FAX 410.644.0790  
 WWW.GMBLLC.COM

SLOAN FAMILY PROPERTY  
 HARBESON, DELAWARE

PROPOSED  
 SITE PLAN  
 RENDERING



SCALE : 1" = 50'	SHEET NO.
DESIGN BY : OTHERS	<b>PSP-4.0</b>
DRAWN BY : RLM	
CHECKED BY :	
GMB FILE : 180222	
DATE : DEC 2018	

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# Sloan Family Subdivision

## Parcel 234-17.12-5.00, 5.01 & 5.02

### Subdivision # 2019-4

## Public Hearing Information Packet

April 25, 2019



GMB Project No. 180222

# GMB

GEORGE, MILES & BUHR, LLC

**ARCHITECTS/ENGINEERS**

206 WEST MAIN STREET  
SALISBURY, MD 21801  
410.742.3115

SALISBURY/BALTIMORE/SEAFORD



**SLOAN FAMILY SUBDIVISION**  
**Subdivision # 2019-4**  
**TAX MAP 234-17.12 PARCEL 5.00, 5.01 & 5.02**

**INFORMATION FOR PUBLIC RECORD**  
**April 2019**

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- *Letter to Planning Commission Attorney*
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- Sussex County Comprehensive Plan County Wastewater Service Areas-2007
- Sussex County Comprehensive Plan Wastewater Service Areas that have Received Certificates of Public Convenience and Necessity
- Sussex County Comprehensive Plan – Floodplains & Wetlands Map
- Sussex County Comprehensive Plan – Woodlands & Natural Areas

## **EXECUTIVE SUMMARY**

## **Sloan Family Subdivision Subdivision # 2019-4**

### **Executive Summary**

The Sloan family wishes to develop tax map parcels 234-17.12-5.00, 5.01, and 5.02 into eleven (11) single family lots, as an extension of the existing Pinewater Farm Subdivision, which was originally developed by Sam and Amelie Sloan. Eight (8) of the lots will go to family members. The build out will be slow, over many years. The total project area is approximately 7.75 acres. Parcels 5.02 and 5.01 require lot line adjustments. Parcel 5.00 will be subdivided into nine (9) single family lots with a residual open space area. Proposed density is approximately 1.42 units/acre.

The parcels are zoned AR (Agricultural Residential) and are in the ESDDOZ (Environmentally Sensitive Development District Overlay Zone) and in the Conservation Zone.

The Board of Adjustment approved a variance from the Conservation Zone lot width and lot area requirements in December of 2018 (Case # 12218). A variance was required because a central water system is not available.

A new road, Hawthorn Drive, will be extended off existing Pinewater Drive. The intention is to dedicate the proposed road to DeIDOT, consistent with the existing road network. A preapplication meeting has already been held with DeIDOT.

Central sewer will be provided by Sussex County. The Sloan family has worked with the Sussex County Engineering Department over the last several years to provide easements across Parcel 5.00. No central water system is available. Homes will be on individual wells.

Stormwater management and erosion and sediment control design will meet the requirements of the Sussex Conservation District. Due to soil types on site, infiltration practices are encouraged and will be incorporated into the design where appropriate. A preapplication meeting has already been held with the Sussex Conservation District. Since the proposed road will be turned over to DeIDOT, DeIDOT will also review the stormwater management and drainage computations.

A 20' buffer is provided around the property adjacent to other residential uses. The buffer will be a combination of existing woods and a planted buffer. The site has 3.28 acres of wooded areas on site. Approximately 1.5 acres will be retained. Approximately 1.34 acres of the total site will remain in open space. There are no regulated wetlands on site.

# SLOAN FAMILY SUBDIVISION

## SUSSEX COUNTY, DELAWARE PRELIMINARY SUBDIVISION PLAN TAX MAP 234-17.12-5.00, 5.01 & 5.02

### LIST OF DRAWINGS

PSP-1.0	COVER SHEET
PSP-2.0	EXISTING CONDITIONS
PSP-3.0	PROPOSED SITE PLAN
PSP-4.0	PROPOSED SITE PLAN RENDERING

GMB FILE NO. 180222

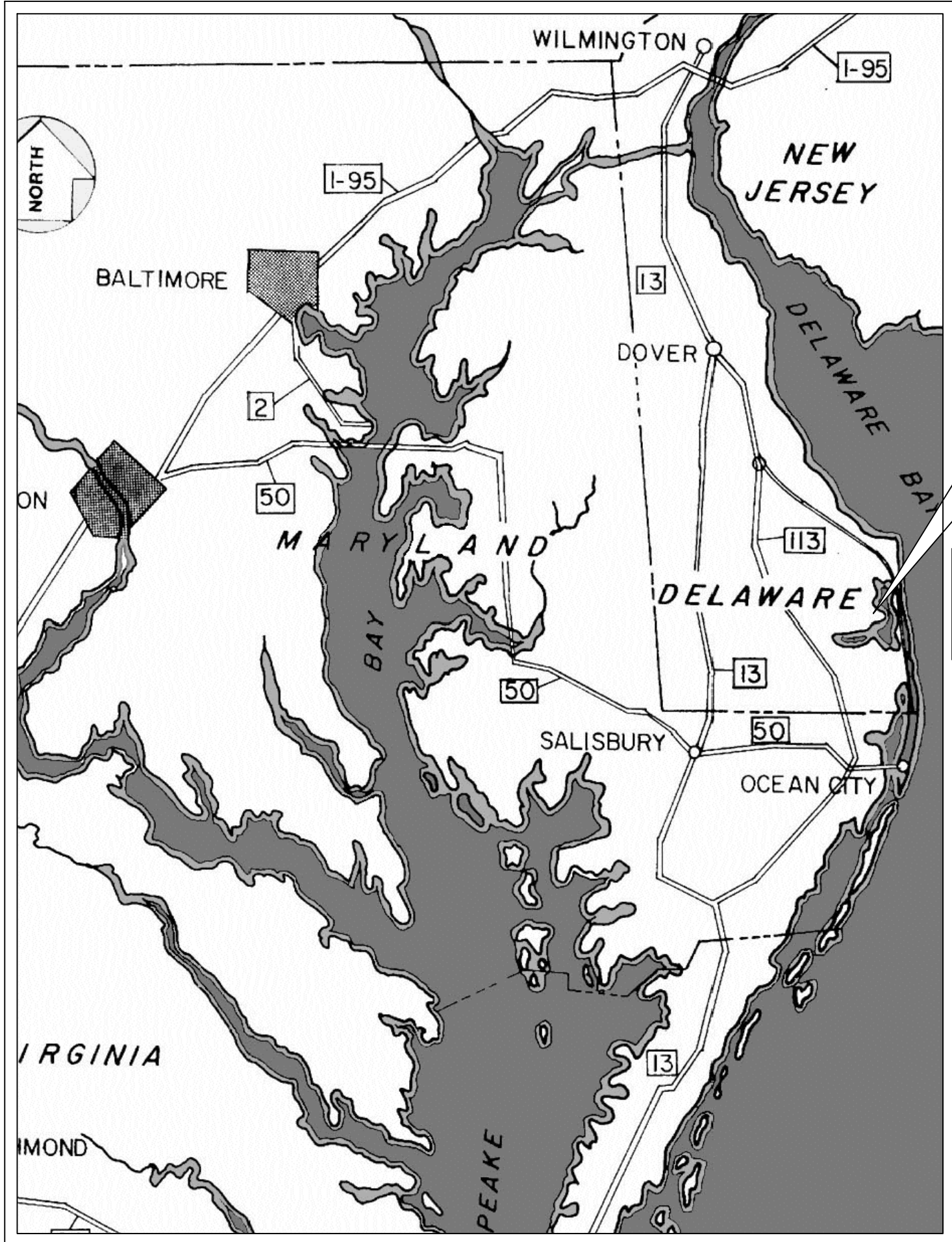
- NOTES:
- ALL INTERIOR SIDE LOT LINES ARE RESERVED FOR THE CENTERLINE OF A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT. A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT IS RESERVED ON EACH LOT ALONG THE FRONT AND REAR PROPERTY LINES. THIS PLAN AND SURVEY DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT-OF-WAYS OR EASEMENTS PERTAINING TO THIS PROPERTY.
  - MAINTENANCE OF THE STREETS WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF DELDOT. THE STATE ASSUMES RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF STREETS WITHIN DEDICATED DELDOT RIGHT-OF-WAYS ONLY.
  - MAINTENANCE OF STORM DRAIN AND STORMWATER MANagements FACILITIES WILL BE THE RESPONSIBILITY OF THE DEVELOPERS, THE PROPERTY OWNERS WITHIN THE SUBDIVISION, OR BOTH. THE STATE ASSUMES RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF STORM DRAIN WITHIN DEDICATED DELDOT RIGHT-OF-WAYS ONLY.
  - WATER SERVICE WILL BE PROVIDED BY PRIVATE WELLS ON INDIVIDUAL LOTS.
  - WASTEWATER TREATMENT AND DISPOSAL WILL BE PROVIDED BY CONNECTION TO AN EXISTING PUBLIC SYSTEM OWNED, OPERATED AND MAINTAINED BY SUSSEX COUNTY PUBLIC WORKS. THE COLLECTION AND TRANSMISSION SYSTEM WILL CONSIST OF VARIOUS DIAMETER GRAVITY SEWERS. THE COLLECTION AND TRANSMISSION SYSTEM WILL BE SUBJECT TO REVIEW AND APPROVAL BY SUSSEX COUNTY PUBLIC WORKS AND DNREC.
  - THERE IS ACTIVE AGRICULTURAL-RESIDENTIAL PROPERTY GREATER THAN 10 ACRES DIRECTLY ABUTTING THE PROPOSED DEVELOPMENT.
  - NO REGULATED WETLANDS EXIST ON THE PROPERTY.
  - STORMWATER MANAGEMENT PRACTICES WILL BE DESIGNED TO MEET STORMWATER QUALITY AND QUANTITY MANAGEMENT REQUIREMENTS. ALL STORMWATER MANAGEMENT DESIGN WILL BE IN ACCORDANCE WITH DELAWARE STORMWATER DESIGN MANUAL STANDARDS.
  - EASEMENTS HAVE BEEN PROVIDED WHERE NECESSARY TO MEET PUBLIC UTILITY REQUIREMENTS. NECESSARY EASEMENTS ALONG PERIMETER BOUNDARIES OF THE DEVELOPMENT SHALL BE NO LESS THAN TEN (10) FEET IN WIDTH ON THE INTERIOR SIDE OF THE BOUNDARY.
  - BOUNDARY SURVEY SHOWN HEREIN PROVIDED BY ADAMS-KEMP ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS AND PLANNERS DATED MAY 24, 2018.
  - PROJECT WILL BE CONSTRUCTED IN ONE PHASE.
  - ALL WOODED BUFFERS AND OPEN SPACES WILL BE MAINTAINED IN PERPETUITY BY THE PINEWATER CIVIC ASSOCIATION.
  - BOARD OF ADJUSTMENTS CASE NUMBER 12218 APPROVED DECEMBER 17, 2018 FOR A VARIANCE FOR ALL LOTS FROM THE REQUIRED WIDTH AND AREA.
  - PROPOSED LOTS TO BE EXTENSION OF THE PINEWATER FARM SUBDIVISION.
  - THE PRIMARY USE OF PARCEL 234-17.00-31.03 IS FOR AGRICULTURAL PURPOSES. ANY STRUCTURE REQUIRING A CERTIFICATE OF OCCUPANCY SHALL BE 50' FROM ADJACENT PROPERTY.

### SITE DATA:

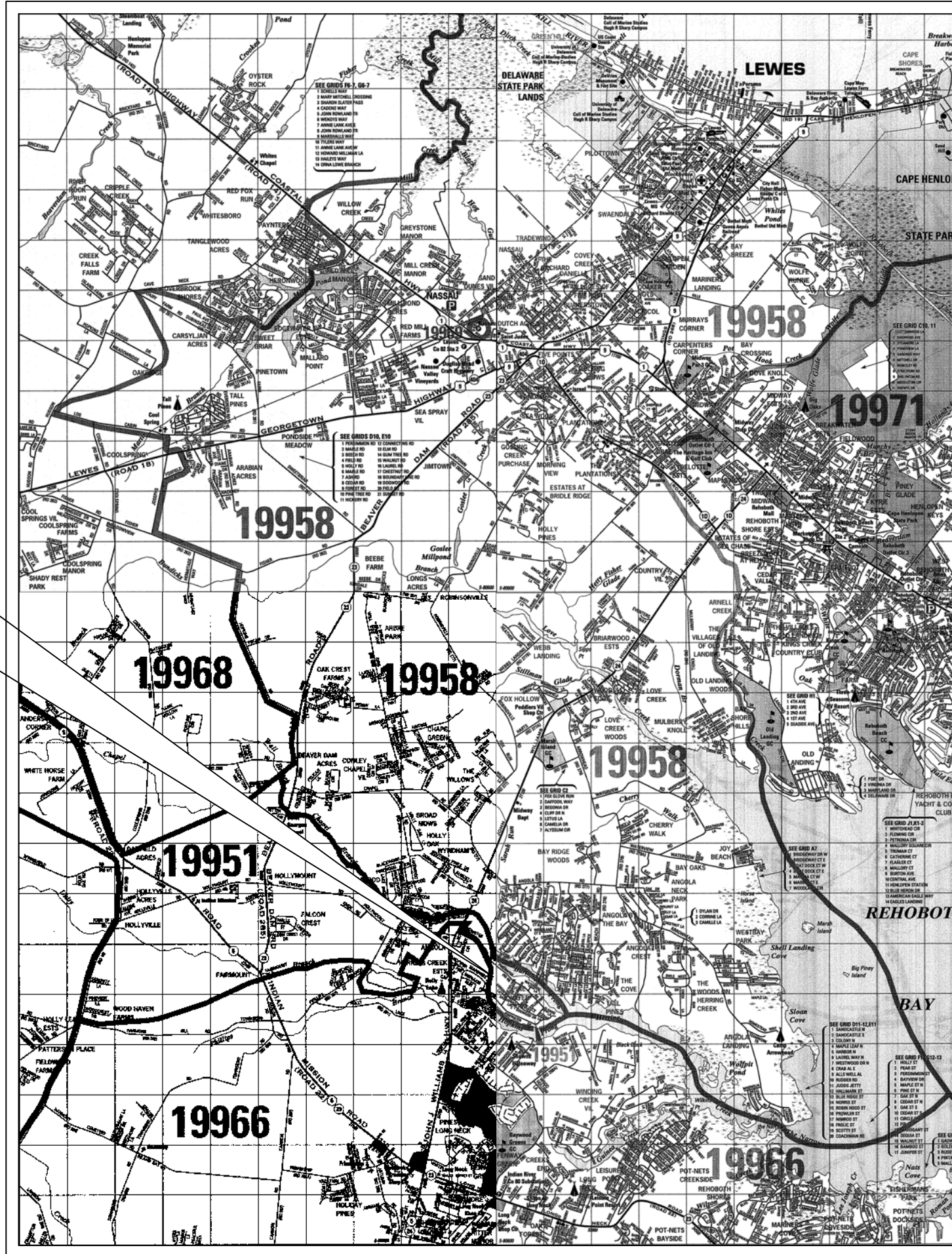
APPLICANT (OWNER):	SLOAN FAMILY 1099 BROADVIEW DRIVE ANNAPOLIS, MD 22409 PHONE: 717-890-9881 CONTACT: MR. SAM SLOAN, JR
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH
TAX MAP:	234-17.12-5.00, 5.01, 5.02
DEED REFERENCE:	680/276 & PLOT BOOK 201 PAGE 2
EXISTING ZONING:	AR-1 ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE & CONSERVATION ZONE
SITE AREA:	±7.749 ACRES
LOTS ALLOWED:	15 SINGLE FAMILY LOTS (2 LOTS/ACRE)
LOTS PROPOSED:	11 SINGLE FAMILY LOTS (1.42 LOTS/ACRE)
EXISTING LOT AREA:	234-17.12-5.00 = 6.24 ACRES 234-17.12-5.01 = 0.75 ACRES 234-17.12-5.02 = 0.75 ACRES

### BUILDING SETBACKS:

FRONT:	40'
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH:	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
UTILITIES:	
CENTRAL WATER:	NOT AVAILABLE
PUBLIC SEWER:	SUSSEX COUNTY



VICINITY MAP  
SCALE: 1" = 20 MILES



LOCATION MAP  
SCALE: 1" = 1 MILE

### 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 BELIEF 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



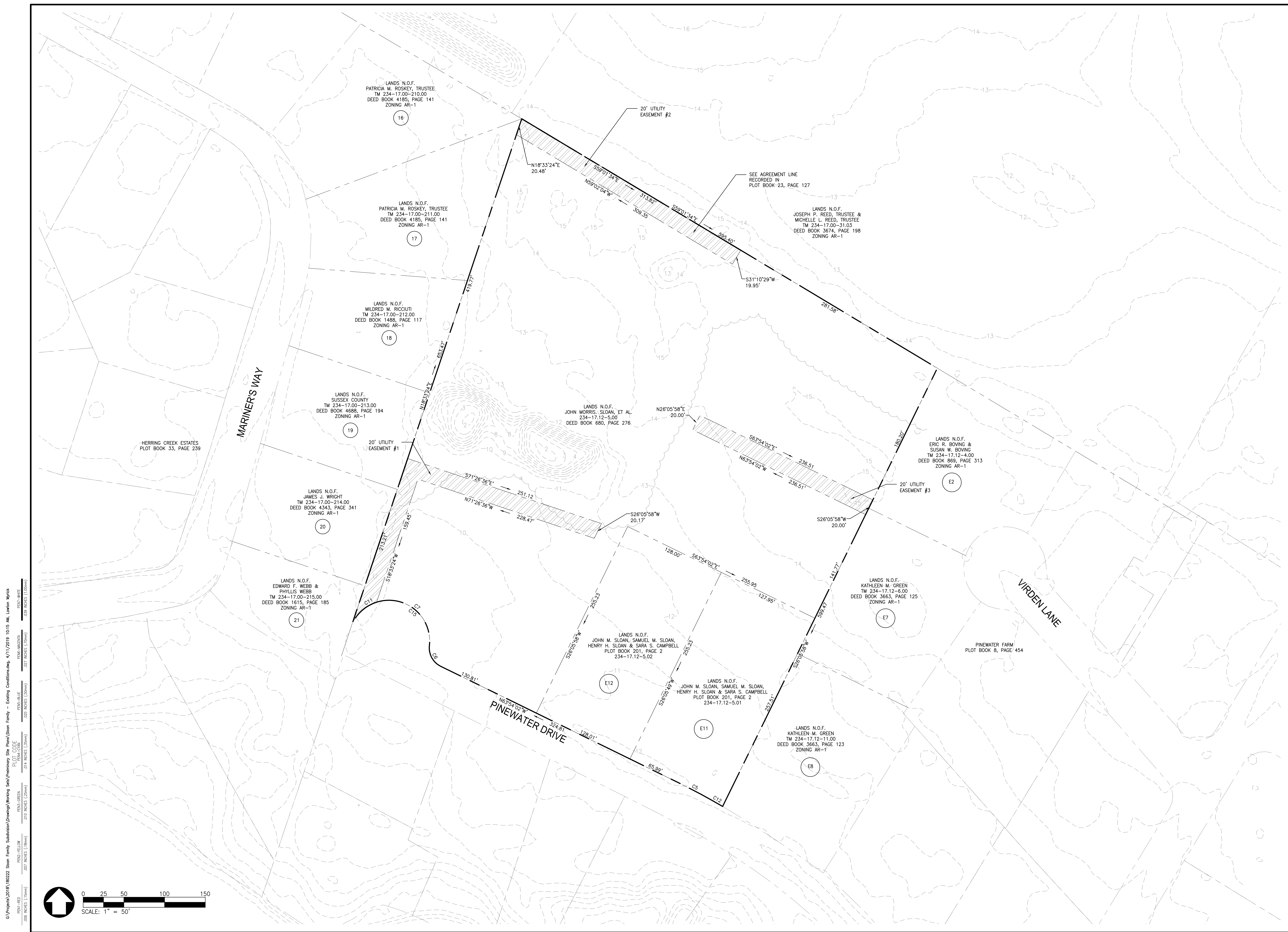
GEORGE, MILES & BUHR, LLC  
ARCHITECTS & ENGINEERS  
SALISBURY • BALTIMORE • SEAFORD  
206 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
410-742-3115, FAX 410-548-5790  
www.gmbnet.com

DECEMBER 2018

### OWNER'S CERTIFICATION:

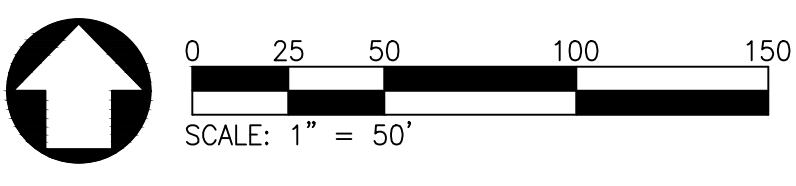
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION.

SAM SLOAN, JR - POWER OF ATTORNEY DATE  
SLOAN FAMILY LIMITED PARTNERSHIP  
1099 BROADVIEW DR  
ANNAPOLIS, MD 22409



C:\Projects\2018\180222\_Sloan\_Family\_Subdivision\Drawings\Working\_Sets\Plan\Sheet\_Sloans\180222\_Sloan\_Family\_Subdivision.dwg, 4/11/2019 10:15 AM, Lenton Wyrick

PEN1=RED  
 PEN2=GREEN  
 PEN3=YELLOW  
 PEN4=BLUE  
 PEN5=GREEN  
 PEN6=RED  
 PEN7=WHITE  
 0.01 INCHES (1.25mm)  
 0.02 INCHES (2.5mm)  
 0.03 INCHES (3.75mm)  
 0.04 INCHES (5.0mm)  
 0.05 INCHES (6.25mm)  
 0.07 INCHES (8.75mm)  
 0.08 INCHES (10.0mm)  
 0.10 INCHES (12.5mm)  
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 0.15 INCHES (18.75mm)  
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 0.25 INCHES (31.25mm)  
 0.31 INCHES (38.75mm)  
 0.39 INCHES (48.75mm)  
 0.50 INCHES (62.5mm)



PRINTS ISSUED FOR:  
REVIEW

DATE	
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REVISIONS	
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NO.	
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**GMB**  
 GEORGE, MILES & BUHR, LLC  
 ARCHITECTS & ENGINEERS  
 SALISBURY • BALTIMORE • SEAFORD  
 206 WEST MAIN STREET  
 SALISBURY, MARYLAND 21801  
 410-742-3115, FAX 410-348-5790  
[www.gmbnet.com](http://www.gmbnet.com)

**SLOAN FAMILY PROPERTY  
SUSSEX COUNTY, DELAWARE**

**EXISTING  
CONDITIONS**

SCALE : 1" = 50'	SHEET NO.
DESIGN BY : OTHERS	
DRAWN BY : RLM	PSP-2.0
CHECKED BY :	
GMB FILE : 180222	
DATE : DEC 2018	

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**SITE DATA TABLE**

APPLICANT (OWNER): SLOAN FAMILY  
1099 BROOKVIEW DRIVE  
ANNAPOLIS, MD 22409  
PHONE: 717-880-9681  
CONTACT: MR. SAM SLOAN

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

TAX MAP: 234-17.12-5.00, 5.01, 5.02

DEED REFERENCE: 680/276 & PLOT BOOK 201 PAGE 2

EXISTING ZONING: AR-1 ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE & CONSERVATION ZONE

SITE AREA: 37.749 ACRES  
LOTS ALLOWED: 15 SINGLE FAMILY LOTS (2 LOTS/ACRE)  
LOTS PROPOSED: 11 SINGLE FAMILY LOTS (1.42 LOTS/ACRE)

BUILDING SETBACKS:  
FRONT: 40'  
SIDE: 15'  
REAR: 20'  
MAX BUILDING HEIGHT: 42'  
MIN LOT AREA: 20,000 SF  
MIN LOT WIDTH: 100'

FLOOD ZONE: ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISION MARCH 16, 2015

UTILITIES:  
CENTRAL WATER: NOT AVAILABLE  
PUBLIC SEWER: SUSSEX COUNTY

PRINTS ISSUED FOR:  
REVIEW

DATE

REVISIONS

NO.

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD
C1	39.27	25.00	90.00	S18°54'02"E	35.36'
C2	39.27	25.00	90.00	N71°05'58"E	35.36'
C3	37.18	30.00	71.02	N9°24'32"W	34.85'
C4	76.35	53.00	82.54	S15°10'18"E	69.92'
C5	41.95	845.20	2.84	N62°28'32"W	41.95'
C6	30.77	25.00	70.52	N28°38'27"W	28.86'
C7	99.76	50.00	114.32	N50°32'22"W	84.02'
C8	76.35	53.00	82.54	N15°10'18"W	69.92'
C9	130.57	53.00	141.15	S52°58'50"W	99.97'
C10	25.27	53.00	27.32	S31°15'23"E	25.03'
C11	40.33	50.00	46.21	S49°11'41"W	39.25'
C12	20.05	845.20	1.36	N60°22'26"W	20.05'
C14	41.95	845.20	2.84	N62°28'32"W	41.95'
C15	99.76	50.00	114.32	N50°32'22"W	84.02'

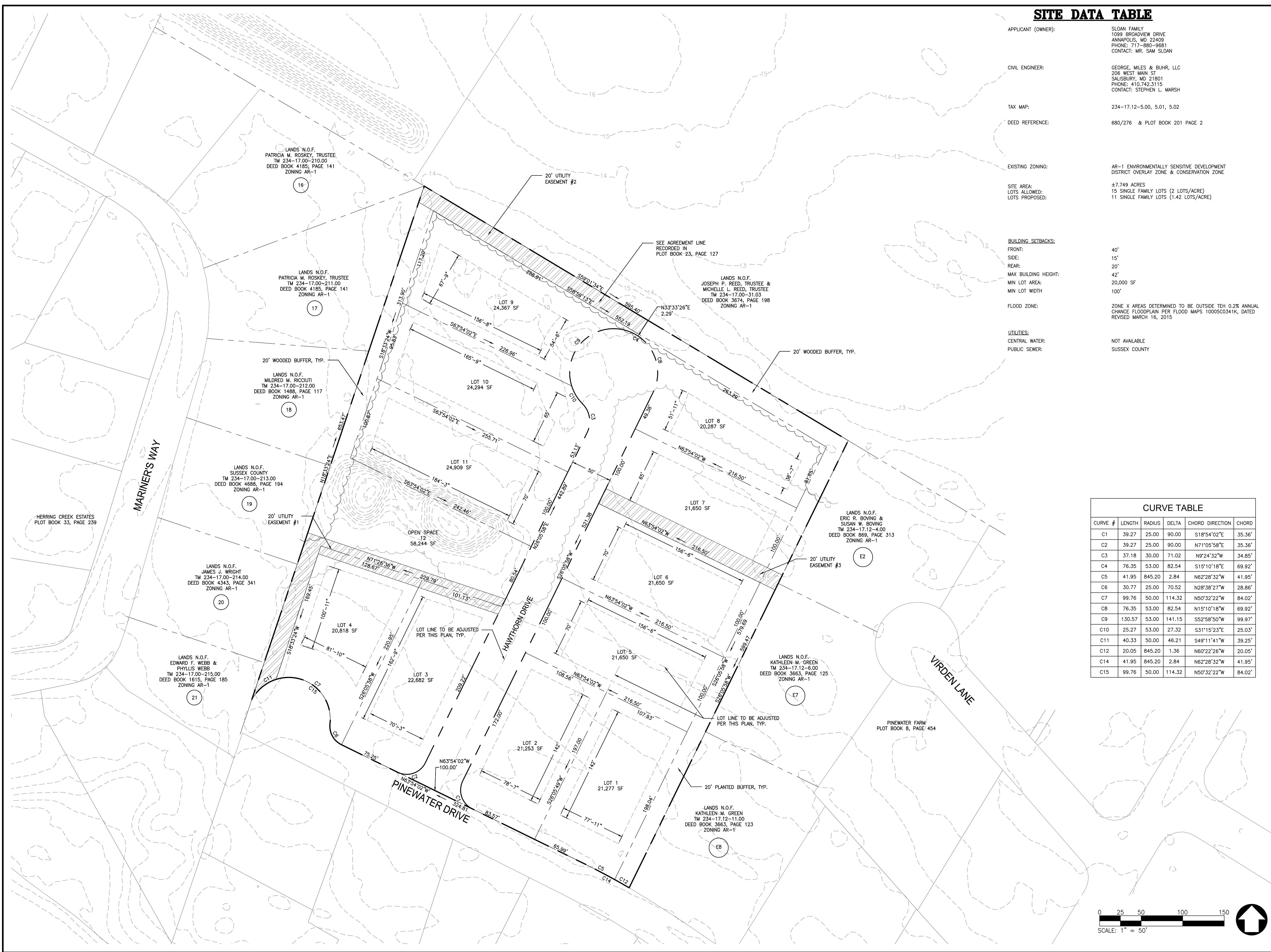
SLOAN FAMILY PROPERTY  
SUSSEX COUNTY, DELAWARE

PROPOSED SITE  
PLAN

SCALE : ##### SHEET NO.  
DESIGN BY : OTHERS  
DRAWN BY : RLM  
CHECKED BY :  
GMB FILE : 180222  
DATE : DEC 2018

PSP-3.0

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C:\Projects\2018\180222 Sloan Family Subdivision\Drawings\Working\_Sets\Plan\Site Plan\Sloan Family - Proposed Site Plan.dwg, 4/17/2019 10:15 AM, London Myrick  
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PLOT DATE  
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PLOT MACHINE  
PLOT PLOTTER  
PLOT SCALE  
PLOT SHEETS  
PLOT TOTAL SHEETS  
PLOT STATUS





PRINTS ISSUED FOR REVIEW

NO.	REVISIONS	DATE

**GMB**  
**GEORGE, MILES & BUHR, LLC**  
 ARCHITECTS & ENGINEERS  
 SALISBURY, BALTIMORE, SEAFORD  
 206 WEST MAIN STREET  
 SALISBURY, MARYLAND 21801  
 410-742-3115 FAX 410-644-0790  
 www.gmbnet.com

**SLOAN FAMILY PROPERTY**  
**HARBESON, DELAWARE**

**PROXIMITY MAP**

SCALE : 1" = 600'  
 DESIGN BY : OTHERS  
 DRAWN BY : RLM  
 CHECKED BY :  
 GMB FILE : 180222  
 DATE : APR 2019

SHEET NO.  
**PM-2**

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 PEN: MASHBURN 0/28 INCHES (0.0mm)  
 PEN: MASHBURN 0/27 INCHES (0.0mm)  
 PEN: BLUE 0/27 INCHES (0.0mm)  
 PEN: GREEN 0/20 INCHES (0.0mm)  
 PEN: YELLOW 0/20 INCHES (0.0mm)  
 PEN: RED 0/20 INCHES (0.0mm)



**SITE DATA TABLE**

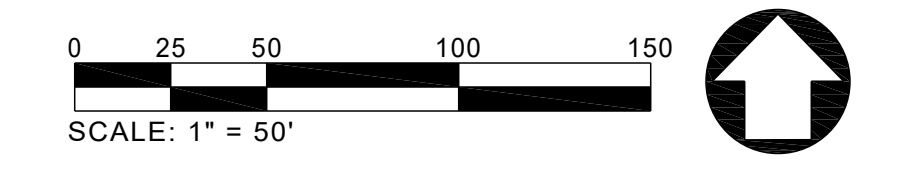
APPLICANT (OWNER):	SLOAN FAMILY 1059 BROADVIEW DRIVE ANNAPOLIS, MD 22409 PHONE: 717-860-9681 CONTACT: MR. SAM SLOAN
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH
TAX MAP:	234-17.12-5.00, 5.01, 5.02
DEED REFERENCE:	680/276 & PLOT BOOK 201 PAGE 2
EXISTING ZONING:	AR-1 ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE & CONSERVATION ZONE
SITE AREA:	47.749 ACRES
LOTS ALLOWED:	15 SINGLE FAMILY LOTS (2 LOTS/ACRE)
LOTS PROPOSED:	11 SINGLE FAMILY LOTS (1.42 LOTS/ACRE)
<b>BUILDING SETBACKS:</b>	
FRONT:	40'
SIDE:	15'
REAR:	20'
MAX BUILDING HEIGHT:	42'
MIN LOT AREA:	20,000 SF
MIN LOT WIDTH:	100'
FLOOD ZONE:	ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD MAPS 10005C0341K, DATED REVISED MARCH 16, 2015
<b>UTILITIES:</b>	
CENTRAL WATER:	NOT AVAILABLE
PUBLIC SEWER:	SUSSEX COUNTY

PRINTS ISSUED FOR REVIEW	
DATE	
REVISIONS	
NO.	

**GMB**  
 GEORGE, MILES & BUHR, LLC  
 ARCHITECTS & ENGINEERS  
 SALISBURY, MARYLAND 21801  
 206 WEST MAIN STREET  
 410.742.3115 FAX 410.644.0790  
 www.gmbnet.com

SLOAN FAMILY PROPERTY  
 HARBESON, DELAWARE

PROPOSED  
 SITE PLAN  
 RENDERING



SCALE	1" = 50'	SHEET NO.	
DESIGN BY	OTHERS		
DRAWN BY	RLM		PSP-4.0
CHECKED BY			
GMB FILE	180222		
DATE	DEC 2018		

# **PLANNING & ZONING**



GEORGE, MILES & BUHR, LLC



ARCHITECTS  
ENGINEERS

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

SALISBURY  
BALTIMORE  
SEAFORD

www.gmbnet.com



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

JOHN E. BURNSWORTH, PE  
MICHAEL G. KOBIN, PE  
VINCENT A. LUCIANI, PE  
ANDREW J. LYONS, JR., PE  
W. NICHOLAS LLOYD  
AUTUMN J. WILLIS

January 11, 2019

Ms. Janelle M. Cornwell, AICP  
Sussex County Planning & Zoning Director  
P.O. Box 417  
Georgetown, DE 19947

RE: Sloan Family Property  
Tax Map Parcel: 234-17.12-5.00, 5.01, and 5.02  
GMB Project: R180222

Dear Ms. Cornwell,

Enclosed please find the Subdivision Application and supporting documents for the Preliminary Subdivision Plan for the Sloan Family Property, located on the northeast side of Pinewater Drive, 663' northwest of Multiflora Drive, Harbeson, Delaware.

Our client wishes to develop the property as a subdivision. The site is located in the Agricultural Residential (AR-1) Zoning district and in the Conservation Zone and will consist of twelve (12) single family lots, situated on 7.92± acres with open space lots. There is a chance one of the lots will be required for stormwater management.

The Sloan Family Property subdivision was recently approved for a variance from the minimum lot area for existing and proposed lots (Sections 115-23 & 115-210 of the Sussex County Code) at the Board of Adjustment Public Hearing of December 10, 2018. The variance was from the minimum lot size in the Conservation Zone, which requires one-acre lots because central sewer is not available.

The lots will still meet the minimum lot size requirement for the AR-1 zone.

Please place the project on the next available Planning & Zoning Commission agenda for Public Hearing.

The following documents are enclosed to support this application:

- One (1) copy of the Planning & Zoning Major Subdivision Application
- Fifteen (15) full size copies of the Preliminary Subdivision Plan
- Fifteen (15) full size copies of the Site Plan Rendering
- One (1) copy of the Deed, dated April 1, 1907
- One (1) GMB Check - \$500.00 –Subdivision Application Fee

We have emailed the above noted Site Plan to your attention on this date.

We will provide the Project Exhibit Books prior to the Public Hearing date.

Ms. Janelle Cornwell  
Sloan Family Property  
January 11, 2019  
Page 2 of 2

Please note, it is intended to develop this parcel as an extension of the existing Pinewater Farm subdivision. The owners are securing the necessary signatures to show greater than 50% of the homeowners of the existing subdivision support the expansion. This documentation will be forwarded prior to the public hearing.

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

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

Sincerely,



R. Lawton Myrick  
Planner

Enclosures

cc: Mr. Sam Sloan, Jr. (w/encl.)

## Sussex County Major Subdivision Application

### Sussex County, Delaware

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

**Type of Application: (please check applicable)**Standard: Cluster: ESDDOZ: **Location of Subdivision:**

Northeast side of Pinewater Dr, 663' NW of Multifloral Dr, Harbeson DE

**Proposed Name of Subdivision:**

Sloan Family Property

Tax Map #: 234-17.12-5.00, 5.01, 5.02 Total Acreage: 7.92 acresZoning: AR-1 Density: 1.39 Minimum Lot Size: 20,000 SF Number of Lots: 11Open Space Acres: ±1.34Water Provider: NA Private Wells Sewer Provider: Sussex County**Applicant Information**Applicant Name: Sam Sloan, JR - Power of AttorneyApplicant Address: 1099 Broadview DriveCity: Annapolis State: MD Zip Code: 21409Phone #: (717) 880-9681 E-mail: sandlsloan@verizon.net**Owner Information**Owner Name: Samuel M Sloan, Jr., Sara Sloan Campbell, Henry H. Sloan and John M. Sloan Irrevocable TrustOwner Address: 1099 Broadview DriveCity: Annapolis State: MD Zip Code: 21409Phone #: (717) 880-9681 E-mail: sandlsloan@verizon.net**Agent/Attorney/Engineer Information**Agent/Attorney/Engineer Name: Stephen L. Marsh, P.E. - George, Miles & Buhr, LLCAgent/Attorney/Engineer Address: 206 West Main StreetCity: Salisbury State: MD Zip Code: 21801Phone #: (410) 742-3115 E-mail: smarsh@gmbnet.com

# Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

- Completed Application**
- Provide fifteen (15) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**
  - Plan shall show the existing conditions, setbacks, roads, floodplain, wetlands, topography, proposed lots, landscape plan, etc. **Per Subdivision Code 99-22, 99-23 & 99-24**
  - Provide compliance with Section 99-9.
  - Deed or Legal description, copy of proposed deed restrictions, soil feasibility study
- Provide Fee \$500.00**
- Optional - Additional information for the Commission to consider** (ex. photos, exhibit books, etc.) If provided submit seven (7) copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting. Project Books will be submitted prior to meeting
- Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- PLUS Response Letter** (if required)
- 51% of property owners consent if applicable**

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

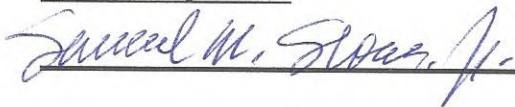
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety,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

### Signature of Applicant/Agent/Attorney

  
\_\_\_\_\_

Date: 12/21/18

### Signature of Owner

  
\_\_\_\_\_

Date: 1/2/2019

### For office use only:

Date Submitted: \_\_\_\_\_ Fee: \$500.00 Check #: \_\_\_\_\_

Staff accepting application: \_\_\_\_\_ Application & Case #: \_\_\_\_\_

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

Date of PC Hearing: \_\_\_\_\_ Recommendation of PC Commission: \_\_\_\_\_



GEORGE, MILES & BUHR, LLC



ARCHITECTS  
ENGINEERS

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

SALISBURY  
BALTIMORE  
SEAFORD

www.gmbnet.com



March 26, 2019

Sussex County Administrative Offices  
Planning & Zoning  
2 The Circle  
PO Box 417  
Georgetown, DE 19947

Attn: Ms. Sam Bulkivish  
Planner I

Re: Sloan Family Property  
Subdivision #2019-4  
Staff Review Response Letter  
Preliminary Subdivision Plan  
GMB Project #180222

Dear Ms. Bulkivish,

Please accept this letter as the formal response to your Staff Review Letter, dated March 25, 2019. We have provided point by point responses to the comments as highlighted below. We look forward to further comments your staff may have and plan to submit the informational binders prior to the Public Hearing.

**Preliminary Subdivision Plan**

Comment 1: Please include in the General Notes “Board of Adjustment Case number 12218 approved December 17, 2018 for a variance for all lots from the required width and area.”

**Response 1:** *The General Note above has been added to the plans.*

Comment 2: Please add a note explaining that the new lots are to be an extension of the existing Pinewater Farm Subdivision.

**Response 2:** *A note has been added stating that the new lots are an extension of the existing Pinewater Farm Subdivision.*

Comment 3: Please edit the location map to show at a scale of 1” = 1 mile.

**Response 3:** *The location map has been edited to show at a scale of 1” = 1 mile.*

Comment 4: On the Existing Conditions Plan please include the existing forested areas.

**Response 4:** *The existing forested areas have been added to the Existing Conditions Plan.*

Comment 5: On the Existing Conditions Plan please indicate the zoning of the subject parcels and the immediately surrounding parcels.

**Response 5:** *The zoning of the subject parcels and the immediately surrounding parcels have been added to the Existing Conditions Plan.*

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

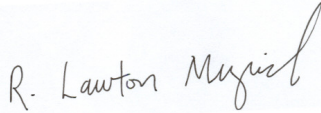
JOHN E. BURNSWORTH, PE  
MICHAEL G. KOBIN, PE  
VINCENT A. LUCIANI, PE  
ANDREW J. LYONS, JR., PE  
W. NICHOLAS LLOYD  
AUTUMN J. WILLIS



- Comment 6: On the Proposed Subdivision Plan please show the forested areas to remain as part of the 20' forested buffer.
- Response 6:** *The forested areas are shown on the Proposed Subdivision Plan.*
- Comment 7: Please add the intended landscaping to be planted for the remainder of the forested buffer.
- Response 7:** *The intended landscaping to be planted for the remainder of the forested buffer has been added.*
- Comment 8: The lot width for Lot 9 does not meet the required width with the variance granted. Please revise so the lot width is at least 99.67'.
- Response 8:** *The lot width is based on the chord distance from corner to corner at the cul-de-sac. The curve length is 130.57'.*
- Comment 9: Please include a note that the primary use of parcel 234-17.00-31.03 is for agricultural purposes and that any structure requiring a certificate of occupancy shall be 50' from any adjacent property line.
- Response 9:** *We have allocated a 50' setback on the site plan, for now. However, we do not concur that the primary use on Parcel 234-17.00-31.03 is agricultural. We welcome the opportunity to discuss this with Staff in more detail.*
- Comment 10: Please include the name of the new proposed road. The approved road name on the record is Hawthorne Drive.
- Response 10:** *The approved name "Hawthorn Drive" of the new proposed road has been added.*
- Comment 11: On any Final Subdivision Plan please include the area breakdown of open space, impervious cover area, etc in accordance with §99-26A (19) of the Sussex County Subdivision Code.
- Response 11:** *The site data will be added to the Final Subdivision Plan.*
- Comment 12: Prior to the approval of any Subdivision Plan, "Letters of no objection" or agency approvals will be required from the following agencies:
- a. Delaware Department of Transportation
  - b. Office of the State Fire Marshal
  - c. Sussex County Engineering
  - d. Sussex Conservation District
- Response 12:** *The appropriate approvals will be submitted prior to Final Site Plan approval.*

If you have any questions or concerns, please feel free to contact me at (410) 742- 3115.

Sincerely,



R. Lawton Myrick  
Site Sustainable

Enclosures

- Seven (7) copies of the Preliminary Subdivision Plan (11x17)
- One (1) copies of the Preliminary Subdivision Plan (24x36)
- One (1) copies of the Preliminary Subdivision Plan (CD)

Cc: Mr. Sam Sloan Jr.  
(w/electronic encl.)

## **Sloan Family Subdivision**

### **Subdivision # 2019-4**

#### **Chapter 99 – Subdivision of Land Report**

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

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

The proposed subdivision will be an extension of the existing Pinewater Farm subdivision, originally developed by Sam and Amelie Sloan. Two (2) lots are existing but will require lot line adjustments. An additional nine (9) lots are proposed. As such, the total proposed project is eleven (11) single family lots. The site is bordered to the south by Pinewater Drive and is completely surrounded by single family lots. The lot to the north is a large lot with a large single family home, and outbuildings. The bulk of the development is in an existing open area, which sits on a relatively flat open field, above the 100-year floodplain in elevation. There will be some clearing of existing wooded areas, but a minimum 20' buffer serves to retain existing wooded areas along the site boundary with adjacent properties. The buffer will be planted where no woods exist.

**2) Minimal use of wetlands and floodplains.**

There are no regulated wetlands on site. The existing site sits well above the 100 year floodplain.

**3) Preservation of natural and historical features.**

A wooded buffer is retained on site where there are woods. The site has 3.28 acres of existing wooded area. There will be some clearing for three of the proposed lots. We estimate 1.5 acres of wooded area will remain.

**4) Preservation of open space and scenic views.**

Approximately 1.34 acres of the 7.75 acres will remain as open space. The combination of existing woods line and proposed buffer will provide screening from the adjacent existing residential properties.

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

Of the 3.28 acres of existing woods on site, approximately 1.5 acres are being retained. The site will balance, so minimal soil will be removed off site. The site is relatively high in relation to the existing Base Flood Elevation. There are some isolated steep existing grade changes along the westerly side of the site, where the existing grade drops to an old borrow area. This area will likely be integrated into the stormwater management design. The proposed grade relationships will remain consistent with the existing conditions.

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

A minimum 20' buffer is provided around the property, which will be a combination of the existing woods line and a planted buffer. The proposed home types will be consistent with the existing homes in Pinewater Farm.

**7) Provision for water supply.**

There is no public water supply available. Homes will be on individual wells.

**8) Provision for sewage disposal.**

The project will be served by the extension of County sewer from the Herring Creek Sewer District. The Sloan family has worked with the Sussex County Engineering Department for several years to provide easements for sewer extension through the property to the proposed pump station site. We have received a Sewer System Concept Evaluation from the Sussex County Engineering Department indicating capacity is available.

**9) Prevention of pollution of surface and groundwater.**

Stormwater management will meet the requirements of the Sussex Conservation District (SCD), and the goals of the Inland Bay Pollution Control Strategies. Soil types on site are hydrologic soil group type A with high infiltration rates, so infiltration practices will be integrated into the stormwater management design as appropriate.

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

Stormwater management will meet SCD requirements. Sussex Conservation District staff has recommended infiltration practices. Soil types on site are hydrologic soil group type A with high infiltration capacity, so infiltration practices will be integrated into the stormwater management design as appropriate.

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

The street layout is a continuation of the existing Pinewater Farm street network, with Pinewater Drive being extended slightly, and a new road being constructed off of existing Pinewater Drive. The plan is to turn the new road over to DelDOT, to be consistent with the remainder of the community.

**12) Effect on area property values.**

This project is located in a developing area with a mix of home types, predominately low-density single-family homes. The project will be consistent with, and blend seamlessly into, the surrounding community. As such, we anticipate negligible impact on area property values.

**13) Preservation and conservation of farmland.**

There is no preservation of farmland, however there is no current agriculture use on site.

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

Many of the home buyers in the area are retirees and active adults, however there are children in the neighborhood as well. We don't anticipate a negative impact on area schools. Only eleven (11) lots total are proposed for development. Eight (8) of the lots will be deeded to family members. The proposed lots are an extension of the approved Pinewater Farm community and will be developed slowly over the next decade or so.

**15) Effect on area roadways and public transportation.**

It is not anticipated that public transportation will be impacted by the construction of these 11 single family lots. Local traffic will only increase by an average of 110 daily trips (11 homes x 10 average daily trips).

**16) Compatibility with other area land uses.**

The project site is zoned AR, is within the Environmentally Sensitive Developing District and the proposed development is consistent with the Comprehensive Plan. We would categorize this area as developing low density with moderate to high priced homes. The proposed development will be consistent with that characterization.

**17) Effect on area waterways.**

Water quality leaving the site will meet or exceed the levels required by Sussex Conservation District. Central sewer is being provided by Sussex County so there will be no impact to the local water quality from septic systems.

251-101  
Keep <sup>only</sup> complete copy

# PINEWATER FARM DEVELOPMENT

## Easements And Restrictive Covenants

---

PROVIDED, HOWEVER, and it is hereby expressly stipulated and understood that the lands and premises above described, as well as the title to the property hereby conveyed therein, shall enjoy the following easements and shall be subject to the following restrictive covenants and remedial clauses, viz:

(1) All lot owners in this DEVELOPMENT, their heirs, successors and assigns, as the case may be, shall have and enjoy an easement or access-way of ingress, egress, and regress, to be enjoyed in common with all others who may be authorized and empowered by the Subdividers, their heirs and assigns, to use and enjoy the same, from and to their respective lots and the Public Highway formerly designated as County Route 48A, but now designated and known as County Route 49, by way of Pinewater Drive and Multiflora Drive, as laid out and shown but which are unnamed upon the aforesaid Plan of Lots of this DEVELOPMENT.

(2) The lands and premises herein and hereby conveyed shall be limited and restricted to single-family, residential uses and purposes only.

(3) No more than one, single-family, detached dwelling house shall be erected or maintained upon the lands and premises herein and hereby conveyed.

(4) No garage or other auxiliary building which is detached from, and does not form an integral part of, the main dwelling house served thereby shall be erected upon the lands and premises herein and hereby conveyed.

(5) No garage or other auxiliary building shall be used or occupied as a place of human abode at any time in this DEVELOPMENT.

(6) The first floor of each dwelling house erected upon any given lot in this DEVELOPMENT, exclusive of all porches, breezeways, stoops, car-ports, garages, terraces, and the like, shall have no less than the following number of square feet of floor area:

- (a) One thousand two hundred (1,200) square feet as to Lots 2, 3, and 4, fronting upon County Route 49;
- (b) One thousand (1,000) square feet as to Lots 1, 5, 6, and 7, fronting upon County Route 49; and
- (c) Eight hundred (800) square feet as to Lots 1 to 12, both inclusive, fronting upon Hopkin's Prong of Herring Creek.

(7) The following building set-back lines are hereby established for this DEVELOPMENT, and front yards, side yards and rear yards of each Lot shall be maintained free of any building or structure, or part thereof, in accord therewith, excepting as hereinafter provided:

- (a) Upon that side of any Lot which fronts upon Burton's Prong of Herring Creek, County Route 49, Pinewater Drive and Multiflora Drive, the building set-back line shall be fifty (50) feet from the adjacent water's edge and/or road-way line, as the case may be;
- (b) Upon that side of any Lot which fronts upon Hopkin's Prong of Herring Creek, the building set-back line shall be thirty (30) feet from the water's edge of said Prong;
- (c) In the case of each side-yard, the building set-back line shall be twenty-five (25) feet back from the common side boundary line between said Lot and the adjoining Lot or Property line, as to all Lots fronting on County Route 49, and the same shall be ten (10) feet back from the common side boundary line between said Lot and any adjoining Lot or property line, as to any Lot fronting on Hopkin's Prong of Herring Creek;

(d) In the case of each interior rear-yard, the building set-back line of each Lot shall be fifteen (15) feet back from the common rear boundary line between such Lot and the adjoining Lot or property line; and

(e) Whenever two or more adjoining Lots are acquired as a single building site, the side-yard building set-back line or lines thereof shall refer only to the Lot line bordering the adjoining property owners.

(8) No toilet, sewerage disposal system, or cesspool shall be constructed, maintained, or used upon any Lot in this DEVELOPMENT except where the same is used in combination with a septic tank and an approved tile field or leaching tank constructed and maintained in accord with the rules and regulations established by those public health authorities having jurisdiction over the same. All garbage shall be disposed of by means of a power garbage disposal unit attached to the drain. All trash shall be disposed of by means of an incinerator approved by the Subdividers, their heirs and assigns, to be erected by the Lot owner upon his Lot. No sewer or other drain shall empty into Burton's Prong or Hopkin's Prong of Herring Creek.

(9) Nothing shall be done or maintained upon any Lot in this DEVELOPMENT which may be or become an annoyance or a nuisance to the neighborhood. No horses, cattle, goats, swine, or other livestock, and no poultry or fowl, shall be kept or maintained upon any Lot in this DEVELOPMENT.

(10) Each Lot in this DEVELOPMENT shall be kept and maintained free and clear of all trash, rubbish, garbage, wild under-growth, and dead wood and trees at all times. All grass and hedges growing upon any such Lot shall be kept cut and trimmed at all reasonable times. No live tree may be cut, killed or otherwise destroyed upon any Lot in this DEVELOPMENT: Excepting, However, those live trees necessary to be cleared off of any Lot in order to erect and construct thereon a dwelling house and sanitary facilities used in connection therewith.

(11) No clothes drying line or lines shall be erected, used or maintained upon any Lot in this DEVELOPMENT.

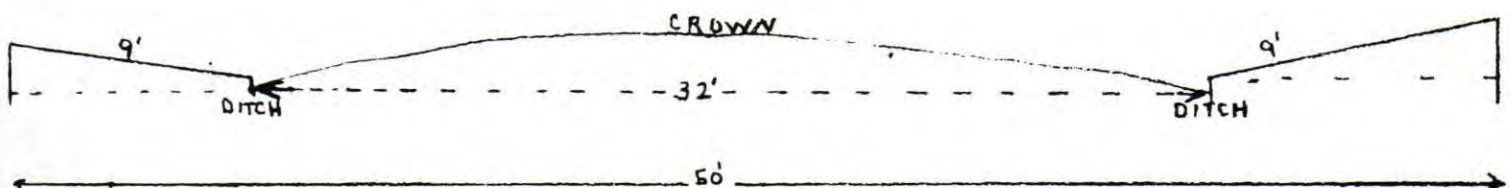
(12) For the purpose of further insuring the development of the lands comprehended in this DEVELOPMENT as a residential area of high standards, the Subdividers, their heirs and assigns, reserve the power to control the buildings, structures or improvements, including sanitary facilities, walks, wharfs and piers, placed on each Lot or given land area. Whether or not provision therefor is specifically stated in any conveyance of a Lot made by the Subdividers, their heirs or assigns, the owner or occupier of each and every Lot, by acceptance of title thereto, or by taking possession thereof, covenants and agrees that no building, sanitary facility, pier, wharf, wall, or other structure shall be placed upon any such Lot unless and until the plans and specifications therefor, and the plot plan thereof have been approved, in writing, by the Subdividers, or their heirs and assigns, as the case may be. Each building, sanitary facility, wharf, pier, wall, or other structure, shall be placed on the premises only in accord with the plans and specifications therefor and the plot plan thereof, as so approved. Refusal to approve any such plans and specifications, or plot plan, by the Subdividers, their heirs and assigns, may be based on any grounds, including purely aesthetic grounds which in the sole and uncontrolled discretion of the Subdividers shall seem sufficient. No alteration in the exterior appearance of any such building, sanitary facility, wall, wharf, pier, or structure shall be made without first obtaining like approval. If the Subdivider, or their heirs or assigns, as the case may be, shall fail to disapprove the plans or specifications or plot plan within thirty (30) days after written request therefor, then no such approval shall be required: Provided, However, that no building, sanitary facility, pier, wall, wharf, or other structure shall be erected which violates any of the covenants, reservations and restrictions herein contained.

(13) Before the grantees, aforementioned, or their heirs, as the case may be, shall convey the Lot or Lots hereinabove described, or any part thereof, or any interest therein, to any subsequent party, they shall first submit, in writing, the name of their prospective grantee, or grantees, together with his or their address or addresses and the amount of any bona-fide sale price offered therefor, to the Subdividers, being the parties of the first part hereto, their heirs and assigns, and if the said Subdividers, their heirs and assigns, should not approve such prospective grantee or grantees, as the owner or owners of property or an interest in property in this DEVELOPMENT, said Subdividers, their heirs and assigns, shall have the option of exercising the right to purchase said property, or interest therein, so proposed to be conveyed at the same price offered by such prospective grantee or grantees, upon condition, nevertheless, that if such option to purchase is not exercised by the Subdividers, their heirs and assigns, in writing, within thirty (30) days after the delivery of such notice, the hereinbefore named grantee, or their heirs, shall then have the right and power to sell said property, or interest therein, to said prospective purchaser or purchasers at the price offered by him or them; and this condition or restriction shall be a covenant running with the land and the Lot or Lots hereby conveyed, and the same shall apply to the grantee or grantees named herein, their heirs and assigns, as well as to any future owner or owners of said Lot or Lots herein and hereby conveyed.

(14) In the event of any violation, or attempted violation, of any of the foregoing restrictive covenants, it shall be lawful for the Subdividers, or their heirs or assigns, or any person or persons adversely affected thereby to bring any proceeding or take any action, either at law or in equity, against the violator thereof as may be appropriate to either prevent or abate the violation thereof, or to recover damages resulting therefrom, or both.

### Pinewater Farm Road

--- RIGHT OF WAY ---



## PINEWATER FARM CONTINGENCIES

We have added the following supplements to be included in any contract for the sale of all lots on Pinewater Farm beginning in 1970. The original restrictions, developed in 1958, did not cover some important items which are listed below:

House Plans - Pinewater Farm (Sloans) want approval of plans before breaking ground, in addition, a complete set of plans to be in hands of developer before starting construction.

Square foot requirement for all interior lots

1200 sq. ft. of living floor space for single story house.

700 sq. ft. of living floor space on first floor of multiple story house.

Percolation test - Copy for Sloans before breaking ground.

Prospective buyer - to meet Sloans and be approved.

Questionnaire - We ask each interested buyer to fill out our questionnaire.

Restrictions - It is advisable to go over the restrictions to make sure they are understood.



PINEWATER FARM

INFORMATION REQUESTED FROM PROSPECTIVE LOT OWNERS:

1. Name and Address: \_\_\_\_\_  
\_\_\_\_\_
2. References: Personal \_\_\_\_\_  
Bank \_\_\_\_\_
3. Business: \_\_\_\_\_ Retired \_\_\_\_\_
4. Year round \_\_\_\_\_ Summer Home \_\_\_\_\_
5. Type of House \_\_\_\_\_ Size (sq.ft.) \_\_\_\_\_  
Plans \_\_\_\_\_ Cost \_\_\_\_\_  
Term \_\_\_\_\_ Cash \_\_\_\_\_ Mortgage \_\_\_\_\_  
Architect \_\_\_\_\_ When planning to build \_\_\_\_\_
6. Willingness to join Association of Lot Owners \_\_\_\_\_
7. Community Interests:  

<u>Existing</u>		<u>Planned</u>	
a. Trash Disposal	_____	a. Tennis Court	_____
b. Boat Ramp	_____	b. Putting Green	_____
c. Boat Storage	_____	c. Horseback Riding	_____
d. Baseball	_____	d. Community Pool	_____
		e. Picnic Area	_____
8. Dogs \_\_\_\_\_
9. Restrictions (Please read thoroughly) Questions:  
\_\_\_\_\_  
\_\_\_\_\_
10. Questions, Comments, Suggestions:  
\_\_\_\_\_  
\_\_\_\_\_

SCHEDULE A

IT IS HEREBY EXPRESSLY STIPULATED AND UNDERSTOOD that the lands and premises abovedescribed in the foregoing Instrument, as well as the title to the property hereby conveyed therein, shall enjoy the following easements and shall be subject to the following restrictive covenants and remedial clauses, viz:

(1) All lot owners in this DEVELOPMENT, their heirs, successors and assigns, as the case may be, shall have and enjoy an easement or access-way of ingress, egress, and regress, as laid out by the Subdividers, to be enjoyed in common with all others who may be authorized and empowered by the Subdividers, their heirs and assigns, to use and enjoy the same, from and to their respective lots and the Public Highway, formerly designated as County Route 48-A, but now designated and known as County Route 49, by way of Pinewater Drive, Multiflora Drive, or as otherwise named, laid out, and shown upon the aforesaid Plot of PINEWATER FARM.

(2) The lands and premises herein and hereby conveyed shall be limited and restricted to single-family, residential uses and purposes only.

(3) No more than one, single-family, detached dwelling house shall be erected or maintained upon the lands and premises herein and hereby conveyed.

(4) No garage or other auxiliary building which is detached from, and does not form an integral part of, the main dwelling house served thereby shall be erected upon the lands and premises herein and hereby conveyed.

(5) No garage or other auxiliary building shall be used or occupied as a place of human abode at any time in this DEVELOPMENT.

(6) The floor area of the dwelling house erected upon that lot in this DEVELOPMENT which is hereby conveyed, exclusive of all porches, breezeways, stoops, car-ports, garages, terraces, and the like, shall have no less than the following number of square feet of floor area:

(a) 1,200 square feet minimum living floor space in any single-story dwelling house;

(b) 700 square feet minimum living floor space per floor in any multi-story dwelling house; and

(c) The Subdividers, their heirs or assigns, must be furnished with a copy of the plans and specifications for any dwelling house, and the same must be approved by them before construction is commenced.

(7) The following building set-back lines are hereby established for this DEVELOPMENT, and front yards, side yards and rear yards of each Lot shall be maintained free of any building or structure, or part thereof, in accord therewith, excepting as hereinafter provided:

(a) Upon that side of any Lot designated by the letter \_\_\_\_\_, which fronts upon either Burton's Prong of Herring Creek or Hopkins' Prong of Herring Creek, or County Route 49, or Pinewater Drive, or Multiflora Drive, or Lake Drive, or any other interior Drive of such DEVELOPMENT, the building set-back line shall be sixty (60) feet from the adjacent water's edge and/or Driveway line, as the case may be;

(b) In the case of each side-yard, the building set-back line shall be twenty-five (25) feet back from the common side boundary line between said Lot and the adjoining Lot or Property line;

(c) In the case of each interior rear-yard the building set-back line of each Lot shall be fifteen (15) feet back from the common rear boundary line between such Lot and the adjoining Lot or Property line; and

(d) Whenever two or more adjoining Lots are acquired as a single building site, the side-yard building set-back line or lines thereof shall refer only to the Lot line bordering the adjoining property owners.

(8) No toilet, sewerage disposal system, or cess-pool shall be constructed, maintained, or used upon any Lot in this DEVELOPMENT except where the same is used in combination with a septic tank and an approved tile field or leaching tank constructed and maintained in accord with the rules and regulations established by those public health authorities having jurisdiction over the same. All garbage shall be disposed of by means of a power garbage disposal unit attached to the drain. All trash shall be disposed of by means of an incinerator approved by the Subdividers, their heirs and assigns, to be erected by the Lot owner upon his Lot. No sewer or other drain shall empty into Burton's Prong or Hopkins' Prong of Herring Creek.

(9) Nothing shall be done or maintained upon any Lot in this DEVELOPMENT which may be or become an annoyance or a nuisance to the neighborhood. No horses, cattle, goats, swine, or other livestock, and no poultry or fowl, shall be kept or maintained upon any Lot in this DEVELOPMENT.

(10) Each Lot in this DEVELOPMENT shall be kept and maintained free and clear of all trash, rubbish, garbage, wild under-growth, and dead wood and trees at all times. All grass and hedges growing upon any such Lot shall be kept cut and trimmed at all reasonable times. No live tree may be cut, killed or otherwise destroyed upon any Lot in this DEVELOPMENT; Excepting, however, those live trees necessary to be cleared

off of any Lot in order to erect and construct thereon a dwelling house and sanitary facilities used in connection therewith.

(11) No clothes drying line or lines shall be erected, used or maintained upon any Lot in this DEVELOPMENT.

(12) For the purpose of further insuring the development of the lands comprehended in this DEVELOPMENT as a residential area of high standards, the Subdividers, their heirs and assigns, reserve the power to control the buildings, structures or improvements, including sanitary facilities, walks, wharfs and piers, placed on each Lot or given land area. Whether or not provision therefor is specifically stated in any conveyance of a Lot made by the Subdividers, or their heirs or assigns, the owner or occupier of each and every Lot, by acceptance of title thereto, or by taking possession thereof, covenants and agrees that no building, sanitary facility, pier, wharf, wall, or other structure shall be placed upon any such Lot unless and until the plans and specifications therefor, and the plot plan thereof have been approved, in writing, by the Subdividers, or their heirs and assigns, as the case may be. Each building, sanitary facility, wharf, pier, wall, or other structure, shall be placed on the premises only in accord with the plans and specifications therefor and the plot plan thereof, as so approved. Refusal to approve any such plans, and specifications, or plot plan by the Subdividers, their heirs and assigns, may be based on any grounds, including purely aesthetic grounds which in the sole and uncontrolled discretion of the Subdividers shall seem sufficient. No alteration in the exterior appearance of any such building, sanitary facility, wall, wharf, pier, or structure shall be made without first obtaining like approval. If the Subdividers, or their heirs or assigns, as the case may be, shall fail to disapprove the plans or specifications or plot plan within thirty (30) days after written request therefor, then no such approval shall be required; PROVIDED, HOWEVER, that no building, sanitary facility, pier, wall, wharf, or other structure shall be erected which violates any of the covenants, reservations and restrictions herein contained.

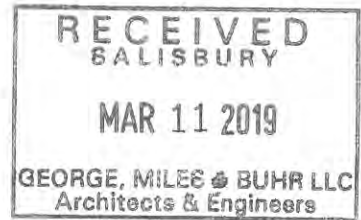
(13) Before the grantees, aforementioned, or their heirs, as the case may be, shall convey the Lot or Lots hereinabove described, or any part thereof, or any interest therein, to any subsequent party, they shall first submit, in writing, the name of their prospective grantee, or grantees, together with his or their address or addresses and the amount of any bona-fide sale price offered therefor, to the Subdividers, being the parties of the first part hereto, their heirs and assigns, and if the said Subdividers, their heirs and assigns, should not approve such prospective grantee or grantees, as the owner or owners of property or an interest in property in this DEVELOPMENT, said Subdividers, their heirs and assigns, shall have the option of exercising the right to purchase said property, or interest therein, so proposed to be conveyed at the same price offered by such prospective grantee or grantees, upon condition, nevertheless, that if such option to purchase is not exercised by the Subdividers, their heirs and assigns, in writing,

within thirty (30) days after the delivery of such notice, the hereinbefore named grantees, or their heirs, shall then have the right and power to sell said property, or interest therein, to said prospective purchaser or purchasers at the price offered by him or them; and this condition or restriction shall be a covenant running with the land and the Lot or Lots hereby conveyed, and the same shall apply to the grantee or grantees herein named, their heirs and assigns, as well as to any future owner or owners of said Lot or Lots herein and hereby conveyed.

(14) In the event of any violation, or attempted violation, of any of the foregoing restrictive covenants, it shall be lawful for the Subdividers, or their heirs or assigns, or any person or persons adversely affected thereby to bring any proceeding or take any action, either at law or in equity, against the violator thereof as may be appropriate to either prevent or abate the violation thereof, or to recover damages resulting therefrom, or both.

RECEIVED  
MARY ANN M. LEASE  
APR 26 2 23 PM '79  
RECORDER OF DEEDS  
SUSSEX COUNTY

W, J, B + D  
5-9-79



March 1, 2019

Mr. Jamie Whitehouse  
Planning Manager  
Sussex County Planning and Zoning Department  
2 The Circle (P.O. Box 417)  
Georgetown, Del 19947

Dear Mr. Whitehouse,

Thank you for returning my call yesterday.

Enclosed you will find 41 originally signed consent forms for the proposed Sloan Family Subdivision.

Per agreement with you in December, 37 consent forms are required to reach the county requirement of 51% of the interior lot owners in Pinewater Farm consenting to this subdivision application.

In addition, enclosed is the approved road name of Hawthorn Drive for the Sloan Family Subdivision.

We look forward to working with Sussex County to achieve final approval of the Sloan Family Subdivision.

Sincerely,

A handwritten signature in cursive script that reads "Samuel M. Sloan, Jr.".

Samuel M. Sloan, Jr.  
Power of Attorney

✓ cc: GMB Engineers

Consent for Application for Pinewater Farm Subdivision

I, Helen Abrams and Carol Wells, as the lawful owner(s) of

4 Blackberry Lane, Harbeson, DE 19951, known as lot #A-6 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Helen M Abrams - Carol A Wells

Dated Dec 29, 2018

Print Name HELEN M ABRAMS CAROL A WELLS

Consent for Application for Pinewater Farm Subdivision

I, Jeffrey and Jennifer Anemone, as the lawful owner(s) of

10 Dogwood Drive, Harbeson, DE 19951, known as lot #A-28 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Jennifer Anemone Jeffrey Anemone

Dated 12/30/18 12/30/18

Print Name Jennifer Anemone Jeffrey Anemone



Consent for Application for Pinewater Farm Subdivision

I, Jack and Betty Boettger, as the lawful owner(s) of

19 Dogwood Drive, DE 19951, known as lot #G22 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed John J Boettger Elizabeth P Boettger

Dated 12/9/18

Print Name John J Boettger ELIZABETH P. BOETTGER

Consent for Application for Pinewater Farm Subdivision

I, Eric and Sue Boving, as the lawful owner(s) of


6 Virden Lane, DE 19951, known as lot #\_\_ as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Susan W. Boving

Dated 12/9/2018

Print Name Susan W. Boving

  
12/9/2018  
ERIC R. BOVING

Consent for Application for Pinewater Farm Subdivision

I, Eric and Sue Boving, as the lawful owner(s) of

4 Virden Lane, DE 19951, known as lot #E-3 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Eric R. Boving

Susan W. Boving

Dated

9 DEC 2018

Print Name

ERIC R. BOVING

Susan W. Boving

Consent for Application for Pinewater Farm Subdivision

I, Arthur Brown and Lila Goodman-Brown, as the lawful owner(s) of

32 Pinewater Drive, DE 19951, known as lot #G1 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Arthur Brown Lila Goodman

Dated

12/19/2018

Print Name

ARTHUR D BROWN, Lila P. Goodman

Consent for Application for Pinewater Farm Subdivision

I, Rose Mary Burdette, as the lawful owner(s) of

1 Mulberry Lane, Harbeson, DE 19951, known as lot #A-23 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Rosemary W. Burdette

Dated December 29, 2018

Print Name Rosemary W. Burdette

Consent for Application for Pinewater Farm Subdivision

I, Mark Clark, as the lawful owner(s) of

2 Blackberry Lane, Harbeson, DE 19951, known as lot #A-17 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Mark W Clark

Dated

2-26-19

Print Name

MARK W CLARK

Consent for Application for Pinewater Farm Subdivision

I, Anthony and Margie Donatich, as the lawful owners of

5 Sloan Road, Harbeson, DE 19951, known as lot #A-8 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Anthony & Margaret Donatich

Dated 1/6/2019

Print Name ANTHONY & MARGARET DONATICH

Consent for Application for Pinewater Farm Subdivision

I, Margaret Goodwin and Carl Skeen, as the lawful owner(s) of

15 Dogwood Drive, DE 19951, known as lot #G24 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Margaret Goodwin & Carl Skeen

Dated Jan. 5, 2019

Print Name Margaret Goodwin & Carl Skeen



Consent for Application for Pinewater Farm Subdivision

I, Kathy Greene, as the lawful owner(s) of  
5 Virden Lane, DE 19951, known as lot # <sup>E7</sup> \_\_\_ as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Kathleen M. Greene

Dated 12/29/18

Print Name KATHLEEN M. GREENE

Consent for Application for Pinewater Farm Subdivision

I, Kathy Greene, as the lawful owner(s) of

106 Pinewater Drive, DE 19951, known as lot #E8 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Kathleen M. Greene

Dated 12/29/18


Print Name KATHLEEN M. GREENE

Consent for Application for Pinewater Farm Subdivision

I, Steve and Susan Gum, as the lawful owners of

17 Sloan Road, Harbeson, DE 19951, known as lot #A-14 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed 

Dated January 21, 2019

Print Name Steve Gum & Susan Gum

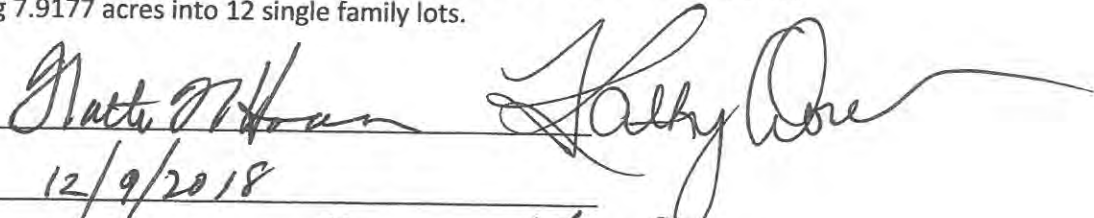
Consent for Application for Pinewater Farm Subdivision

I, Walter W Haass Jr and Kate Donlon, as the lawful owner(s) of

18 Dogwood Drive, DE 19951, known as lot #A-39 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed



Dated

12/9/2018

Print Name

WALTER Haass Kate Donlon

Consent for Application for Pinewater Farm Subdivision

I, George and Kathleen Lehman, as the lawful owners of

2 Dogwood Drive, Harbeson, DE 19951, known as lot #A-16 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

*George R Lehman (Trustee)*

Dated

*2/10/2019*

Print Name

*George R Lehman  
Kathleen M Lehman*

*1099 Broadview Dr.  
Annapolis, Md  
21409*

Consent for Application for Pinewater Farm Subdivision

I, Jay Haddock and Hector Torres, as the lawful owner(s) of

4 Huckleberry Lane, Harbeson, DE 19951, known as lot #A-21 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed



J. Haddock



H. Torres

Dated

1/7/18

Print Name

J. Haddock - H. Torres

Consent for Application for Pinewater Farm Subdivision

I, Bill Harding and Joe Parker, as the lawful owners of

11 Sloan Road, Harbeson, DE 19951, known as lot #A-11 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Joseph Parker

Dated 12/28/18

Print Name JOSEPH PARKER


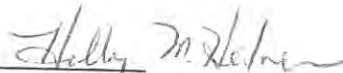
William Harding  
12/28/18  
WILLIAM HARDING

Consent for Application for Pinewater Farm Subdivision

I, Charles and Holly Heilner, as the lawful owner(s) of

14 Pinewater Drive, DE 19951, known as lot #G10 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed  

Dated 12-9-18

Print Name Charles Heilner + Holly M. Heilner



Consent for Application for Pinewater Farm Subdivision

I, Mike and JoAnn Hennessy, as the lawful owner(s) of

5 Mulberry Lane, Harbeson, DE 19951, known as lot #A-25 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Jo Ann Hennessy

Dated 1/12/19

Print Name JOANN HENNESSY

Consent for Application for Pinewater Farm Subdivision

I, Edward and Beth Joyner, as the lawful owner(s) of

1 Virden Lane, DE 19951, known as lot # 5 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Edward H. Joyner III

Dated DECEMBER 31<sup>ST</sup> 2018

Print Name EDWARD H. JOYNER III

Consent for Application for Pinewater Farm Subdivision

I, Edwin and Evelyn MacDonald, as the lawful owners of

13 Sloan Road, Harbeson, DE 19951, known as lot #A-12 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Edwin MacDonald

Dated 3/Jan/2019

Print Name Edwin MacDonald

Consent for Application for Pinewater Farm Subdivision

I, William and Joanne Manley, as the lawful owner(s) of

6 Huckleberry Lane, Harbeson, DE 19951, known as lot #A-20 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed William F. Manley Joanne T. Manley

Dated 12/29/18 12/29/18

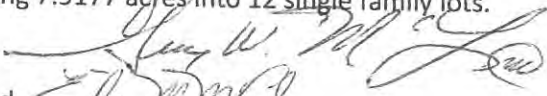

Print Name William F. MANLEY Joanne T. Manley

Consent for Application for Pinewater Farm Subdivision

I, Guy and Eileen McLaughlin, as the lawful owner(s) of

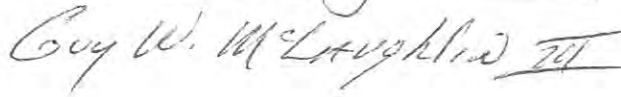
6 Multiflora Drive, DE 19951, known as lot # \_\_\_ as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed   


Dated 12/9/18

Print Name Eileen M McLaughlin



Consent for Application for Pinewater Farm Subdivision

I, Patrick and Johanna O'Neill, as the lawful owners of

19 Sloan Road, Harbeson, DE 19951, known as lot #A-15 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Patrick + Johanna O'Neill

Dated 12/27/2018

Print Name PATRICK + JOHANNA ONEILL

Consent for Application for Pinewater Farm Subdivision

I, Randle and Norma Parks, as the lawful owner(s) of

26 Pinewater Drive, DE 19951, known as lot #G4 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Randle Parks Norma Parks

Dated 12/9/18

Print Name Randle Parks Norma J Parks

Consent for Application for Pinewater Farm Subdivision

I, Wilson and Joyce Platt, as the lawful owners of

15 Sloan Road, Harbeson, DE 19951, known as lot #A-13 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Wilson T. Platt

Dated 12-31-18

Print Name WILSON T. PLATT



Consent for Application for Pinewater Farm Subdivision

I, Patricia Quill, as the lawful owner(s) of

16 Pinewater Drive, DE 19951, known as lot #G9 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Patricia A. Quill

Dated 12/9/18

Print Name Patricia A. Quill

Consent for Application for Pinewater Farm Subdivision

I, David and Myra Rankin, as the lawful owner(s) of

20 Pinewater Drive, DE 19951, known as lot #G7 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Myra Rankin

R. David Rankin

Dated 12/9/18 12-9-2018

Print Name Myra Rankin

R. DAVID RANKIN

Consent for Application for Pinewater Farm Subdivision

I, Don and Linda Rooney, as the lawful owner(s) of

8 Sassafras Lane, DE 19951, known as lot #G20 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Linda Rooney & Don Rooney

Dated 2-14-2019

Print Name LINDA ROONEY & DON ROONEY

Consent for Application for Pinewater Farm Subdivision

I, Joe and Sharon Schiavone, as the lawful owner(s) of

3 Mulberry Lane, Harbeson, DE 19951, known as lot #A-24 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Sharon Schiavone Joseph Schiavone

Dated 12-16-18

Print Name Sharon Schiavone  
Joseph Schiavone

Consent for Application for Pinewater Farm Subdivision

I, Dan and Barbara Schimek, as the lawful owner(s) of

8 Persimmon, Harbeson, DE 19951, known as lot #A-31 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Barbara Schimek

Dan Schimek

Dated

12/9/18

12-15-18

Print Name

Barbara Schimek

DAN & BARBARA SCHIMEK

Consent for Application for Pinewater Farm Subdivision

I, Russell and Mary Ann Scott, as the lawful owner(s) of

3 Huckleberry Lane, Harbeson, DE 19951, known as lot #A-19 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Mary Ann Scott

Dated 12-9-18

Print Name \_\_\_\_\_

MARY ANN SCOTT

Consent for Application for Pinewater Farm Subdivision

I, Juliet Sloan, Trustee of John M Sloan Irrevocable Trust, as the lawful owner(s) of

4 Persimmon Lane, Harbeson, DE 19951, known as lot #A-35 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Juliet L. Sloan

Dated

January 18, 2019

Print Name

Juliet L. Sloan

Consent for Application for Pinewater Farm Subdivision

I, Juliet Sloan, Trustee for John M Sloan Irrevocable Trust, as the lawful owner of

7 Blackberry Lane, Harbeson, DE 19951, known as lot #A-5 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

*Juliet L. Sloan*

Dated

*January 18, 2019*

Print Name

*Juliet L Sloan*



Consent for Application for Pinewater Farm Subdivision

I, Samuel M, Jr and Linda J Sloan, as the lawful owner(s) of

111 Pinewater Drive, DE 19951, known as lot #C-12 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Samuel M. Sloan, Jr.  
Linda J Sloan

Dated 12/25/18

Print Name Samuel M. Sloan, Jr.  
LINDA J Sloan

Consent for Application for Pinewater Farm Subdivision

I, Samuel M Sloan Jr, as the lawful owner(s) of

12 Dogwood Drive, Harbeson, DE 19951, known as lot #A-29 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Samuel M. Sloan Jr

Dated 12/25/8

Print Name Samuel M. Sloan Jr

Consent for Application for Pinewater Farm Subdivision

I, Ron L and Karin Snoots, as the lawful owner(s) of

4 Sassafras Lane, DE 19951, known as lot #G18 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Ronald L. Snoots / Karin E Snoots

Dated

12/09/18

Print Name

RONALD L. SNOOTS / KARIN E SNOOTS

Consent for Application for Pinewater Farm Subdivision

I, Jane Taylor, as the lawful owner(s) of

24 Pinewater Drive, DE 19951, known as lot #G5 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed

Jane E. Taylor

Dated

12/31/2018

Print Name

JANE E. TAYLOR

Consent for Application for Pinewater Farm Subdivision

I, Cynthia Sloan Thompson, as the lawful owner(s) of

6 Mulberry Lane, Harbeson, DE 19951, known as lot #A-26 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Cynthia Sloan Thompson

Dated 12/10/18

Print Name CYNTHIA SLOAN THOMPSON

Consent for Application for Pinewater Farm Subdivision

I, Betsey Von Dreele, as the lawful owner(s) of

11 Dogwood Drive, DE 19951, known as lot #G16 as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed Elizabeth A. VonDreele

Dated 1/1/19

Print Name ELIZABETH A. VON DREELE (BETSEY)

Consent for Application for Pinewater Farm Subdivision

I, Walter and Pamela Walowen , as the lawful owner(s) of

3 Dogwood Drive, Harbeson, DE 19951, known as lot #G-12' as

shown on the approved Subdivision Plat for Pinewater Farm Subdivision dated 04/04/1972 hereby consents to an application by Samuel M Sloan, Jr, Sara Sloan Campbell, Henry H Sloan, John M Sloan Irrevocable Trust for the subdivision of parcels 234-17.12-5.00, 234-17.12-5.01 and 234-17.12-5.02, totaling 7.9177 acres into 12 single family lots.

Signed



Pamela E. Walowen

Dated

2-21-19

Print Name

Walter Walowen

Pam Walowen

**BOARD OF ADJUSTMENT**

JOHN M. MILLS, CHAIRMAN  
DALE A. CALLAWAY  
ELLEN MAGEE  
BRUCE MEARS  
E. BRENT WORKMAN



**Sussex County**

DELAWARE  
sussexcountyde.gov  
(302) 855-7878 T  
(302) 845-5079 F

March 5, 2019

George, Miles & Buhr, LLC  
206 West Main Street  
Salisbury, MD 21801

Dear George, Miles & Buhr, LLC:

Attached please find the formal written decision on Case No. 12218, the application of Sam and Lyn Sloan as filed by the Board of Adjustment on December 10, 2018. Please remember that although the decision is now final, an appeal is possible up to thirty days following the date of filing.

Any work done prior to the expiration of the appeal period or during an appeal, is at risk. Nevertheless, if you wish, you may now begin the process of obtaining permits, if any are needed. Obtaining those permits may require payment of fees. Please call the Permit Department at 302-855-7720 prior to applying for any permits, in order to make certain that you have all necessary documentation. It is important that you inform the counter clerk of the above-referenced case number when you apply for a permit.

If the Board has ruled against you, you must comply with the Board's decision within thirty days of the date of filing. In order to avoid enforcement action, you should notify the office once you are in compliance.

Should you have any questions about your legal rights, you are advised to contact an attorney, as this office cannot provide legal advice.

Sincerely,

Ann Lepore  
Recording Secretary



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





**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: SAM SLOAN & LYN SLOAN**

**(Case No. 12218)**

A hearing was held after due notice on December 10, 2018. The Board members present were: Mr. Dale Callaway, Ms. Ellen Magee, Mr. Bruce Mears, Mr. John Mills, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for variances from the minimum lot width requirement and minimum lot area for existing and proposed lots.

Findings of Fact

The Board found that the Applicants are seeking variances from the minimum lot width and lot size requirements. The variances requested are as follows: 1) a variance of 42.07 feet from the 150 feet minimum lot width requirement for proposed Lot 1; 2) a variance of 22,283 square feet from the 43,460 square foot lot size requirement for proposed Lot 1; 3) a variance of 41.44 feet from the 150 feet minimum lot width requirement for proposed Lot 2; 4) a variance of 22,307 square feet from the 43,460 square foot lot size requirement for proposed Lot 2; 5) a variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 3; 6) a variance of 20,878 square feet from the 43,460 square foot lot size requirement for proposed Lot 3; 7) a variance of 41 feet from the 150 feet minimum lot width requirement for proposed Lot 4; 8) a variance of 22,742 square feet from the 43,460 square foot lot size requirement for proposed Lot 4; 9) a variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 5; 10) a variance of 21,910 square feet from the 43,460 square foot lot size requirement for proposed Lot 5; 11) a variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 6; 12) a variance of 21,910 square feet from the 43,460 square foot lot size requirement for proposed Lot 6; 13) a variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 7; 14) a variance of 22,000 square feet from the 43,460 square foot lot size requirement for proposed Lot 7; 15) a variance of 53 feet from the 150 feet minimum lot width requirement for proposed Lot 8; 16) a variance of 23,273 square feet from the 43,460 square foot lot size requirement for proposed Lot 8; 17) a variance of 50.33 feet from the 150 feet minimum lot width requirement for proposed Lot 9; 18) a variance of 19,193 square feet from the 43,460 square foot lot size requirement for proposed Lot 9; 19) a variance of 54.91 feet from the 150 feet minimum lot width requirement for proposed Lot 10; 20) a variance of 19,266 square feet from the 43,460 square foot lot size requirement for proposed Lot 10; 21) a variance of 50 feet from the 150 feet minimum lot width requirement for proposed Lot 11; and 22) a variance of 18,651 square feet from the 43,460 square foot lot size requirement for proposed Lot 11.

This certain real property is located on the northeast side of Pinewater Drive, approximately 700 feet north of Multiflora Drive in the Pinewater Farm Development (911 Address: Not Available); said property being identified as Sussex County Tax Map Parcel Number 2-34-17.12-5.00, 2-34-17.12-5.01, and 2-34-17.12-5.02.

1. The Board was given copies of the Application, a portion of the tax map of the area, an aerial photograph of the Property, a survey dated May 24, 2018, a proposed site plan dated August 2018, a proposed site plan dated September 2018, and a proposed site plan rendering dated October 2018.
2. The Board found that the Office of Planning & Zoning received no correspondence in support of or in opposition to the Application.

3. The Applicants propose to subdivide the Property into 11 lots with other portions of the Property being used for common area, stormwater management, and a road.
4. The Board found that Sam Sloan, Lawton Myrick, and Hans Medlarz were sworn in to testify about the Application.
5. The Board found that Mr. Sloan testified that the Property has been in his family since 1894 and he currently owns the Property with his siblings. They intend to subdivide the Property and need the variances in order to subdivide the Property.
6. The Board found that Mr. Sloan testified that the Property is located between 2 subdivisions (Herring Creek Estates and Pinewater Farms). Herring Creek Estates lots consist of ½ acre. He met with homeowners in Pinewater Farms and he has collected twenty letters of support. He is in the process of obtaining more support letters from neighbors in Pinewater Farms about this property being annexed into that subdivision.
7. The Board found that Mr. Sloan testified that there is water and sewer in the area but bringing public water to the site is not feasible. There is no public water in the neighboring subdivisions. Public sewer will be coming to the area and there is an easement on this site and a pump station to be placed on the west side of the Property.
8. The Board found that Mr. Myrick testified that the land is unique as it is a 7.9 acre parcel of land sandwiched between two subdivisions – Pinewater Farms and Herring Creek Estates. The lots in the two subdivisions are between ½ and ¾ acre and the proposed subdivision will be consistent with the neighboring communities. He argued that this property is a geographical oddity as there is a large depressed area in the center of the site which was formally used as a borrow pit.
9. The Board found that Mr. Myrick testified that the Property cannot otherwise be developed without the variance because, per Sussex County Code §115-194 (B)1, any lot created after the adoption of this section shall contain a minimum lot with size of 150 feet and be at least 1 acre in size unless central water and sewer are provided.
10. The Board found that Mr. Myrick testified that public sewer is being brought to the area but public water is unavailable and it would be cost prohibitive to bring water to the site.
11. The Board found that Mr. Myrick testified that the exceptional practical difficulty was not created by the Applicants, but by the easements for Sussex County Sewer system bisecting the property.
12. The Board found that Mr. Myrick testified that the variances will not alter the essential character of the neighborhood but will blend in as the neighboring subdivisions have lot sizes between 0.5 acres to 0.75 acres. The proposed lots will measure .47 acres to .56 acres.
13. The Board found that Mr. Myrick testified that the variances requested are the minimum variances necessary to allow relief.
14. The Board found that Mr. Myrick testified that all 11 lots will have a minimum lot size of 20,000 square feet and minimum lot width of 100 feet.
15. The Board found that Mr. Myrick testified that the cost to bring public water to the site would be in excess of \$300,000 and would be a hardship for the land owners.
16. The Board found that Mr. Myrick testified that Sussex County contacted the Applicants about public sewer easements on the Property and these easements have been recorded.
17. The Board found that Mr. Myrick testified that water quality will not be adversely impacted by the creation of this subdivision. Rather, by providing public sewer, the subdivision will result in the removal of existing septic tanks and fields and will ecologically benefit ground water in the area.
18. The Board found that Mr. Myrick testified that the depressed area of the Property will likely be used for a stormwater management area.

19. The Board found that Mr. Myrick testified that Tidewater Utilities provides service in the area and the Applicants would have to apply to be part of Tidewater's service area.
20. The Board found that Mr. Medlarz testified that the Property will be part of the Herring Creek Sewer District.
21. The Board found that Mr. Medlarz testified that there was no support for public water in the area except for Winding Creek Village. Sussex County went to neighboring communities and did not receive enough petitions to hold a referendum on public water.
22. The Board found that Mr. Medlarz testified that the situation was created by Sussex County when they asked for two easements bisecting the property for the placement of the pump station.
23. The Board found that Mr. Medlarz testified that Sussex County purchased adjacent land for a pump station and the Applicants were cooperative even though it created an unfavorable situation for them.
24. The Board found that Mr. Medlarz testified that public water is about 7,000 feet away from site.
25. The Board found that Mr. Medlarz testified that the granting of the variances will not adversely affect water quality or adversely impact tidal water bodies adjacent to the conservation zone.
26. The Board found that no parties appeared in support of or in opposition to the Application.
27. The Board tabled its decision on the Application until December 17, 2018, at which time it voted on the Application.
28. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board found credible, persuasive, and unrebutted, the Board determined that the application met the standards for granting a variance. The findings below further support the Board's decision to approve the Application.
  - a. The Property, which consists of 7.749 acres as shown on the survey, is unique as it a large lot in the conservation zone and is located between two other subdivisions. Since the Property is in a conservation zone, if the Property were subdivided, the lots would be required to be larger than otherwise required by the Code. If the Property was serviced by public water and public sewer, however, the lots could be smaller. The Property is unique because it will be served by public sewer but not public water. While the proposed lots are smaller and narrower than allowed in a conservation zone, the lots in the neighboring subdivisions typically consist of lots under 1 acre in size. The Property is also unique because it is burdened by sewer easements which limit its developable area. Likewise, the developable area is further limited by a depressed area on the site. These unique characteristics of the Property have created an exceptional practical difficulty for the Applicants who seek to subdivide the lot.
  - b. Due to the Property's unique conditions, the Property cannot be subdivided in strict conformity with the Sussex County Zoning Code. The Applicants seek to subdivide the Property into 11 lots but are unable to do so without violating the Sussex County Zoning Code due to the unique conditions of the lot. The Board is convinced that the proposed subdivision of the Property is reasonable and that the variances requested are necessary to enable the reasonable use of the Property as the variances will allow the Applicants to reasonably subdivide the Property. The survey attached to the Application confirms that the subdivision is reasonable.
  - c. The exceptional practical difficulty was not created by the Applicants. The Applicants did not create the unique size and shape of the Property. No

evidence was presented that the lot's size and shape has changed since the implementation of the lot width requirement in the Sussex County Zoning Code for conservation zone district properties. Development of the Property is also limited due to the sewer easements and depressed area which limit the areas where the lots can be subdivided. The Applicants seek to annex the Property into the adjacent community, which has lots of a similar size and shape as the lots proposed by the Applicants. The unique characteristics of the Property are clear when reviewing the survey. The Board is convinced that these unique conditions have created an exceptional practical difficulty for the Applicants.

- d. The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare. The Property will be subdivided into 11 lots. The un rebutted evidence confirms that there are other lots in the surrounding communities which are similar in size and shape and no evidence was presented that the proposed subdivision of the Property would somehow alter the essential character of the neighborhood or be detrimental to the public welfare. Rather, neighbors have expressed support to the Applicants.
- e. The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. The Applicants have demonstrated the variances will allow the Property to be subdivided as proposed. These lots are consistent with lots in neighboring communities.
- f. The Applicants have demonstrated that special conditions or circumstances exist in that the Property is subject to sewer easements and has a depressed area which cannot be developed. The nature of the divided lots is similar to the size and characteristics of neighboring properties. These conditions are peculiar to the land within the County and a literal enforcement of provisions within the conservation zone, as designated by this section would result in unwarranted hardship.
- g. The variances requested are not based upon conditions or circumstances which are a result of actions by the Applicants, other than the filing of the referenced subdivision application. The 7.749 acre parcel is otherwise appropriate for subdivision and the resulting lots shall be similar in conformation and in size to the surrounding community of subdivided lots. The variance request does not arise from any condition relating to the land use, either permitted or nonconforming, on any neighboring property.
- h. The granting of the variances will not adversely affect water quality or adversely impact the tidal water bodies adjacent to the Conservation Zone. The testimony of the Sussex County Engineer verified that the subdivision meets this standard. The subdivision of the Property will also result in the lots connecting to a public sewer and the abandonment of existing septic systems. Variances will be in harmony with the general spirit and intent of the section and any subsequent regulations.
- i. The application for a variance has, in fact, been made, in writing to, the Board of Adjustment on forms provided by the County, with a copy to the County Administrator.

The Board granted the variance application finding that it met the standards for granting a variance.

#### Decision of the Board

Upon motion duly made and seconded, the variance application was approved. The Board Members in favor were Mr. Dale Callaway, Ms. Ellen Magee, Mr. Bruce Mears, Mr. John Mills, and Mr. Brent Workman. No Board Members voted against the Motion to approve the variance application.

BOARD OF ADJUSTMENT  
OF SUSSEX COUNTY



John Mills  
Chairman

If the use is not established within two (2) years from the date below the application becomes void.

Date March 5, 2019.

**SITE SPECIFIC MAPS, PLANS  
AND DOCUMENTATION**

# Sussex County, Delaware

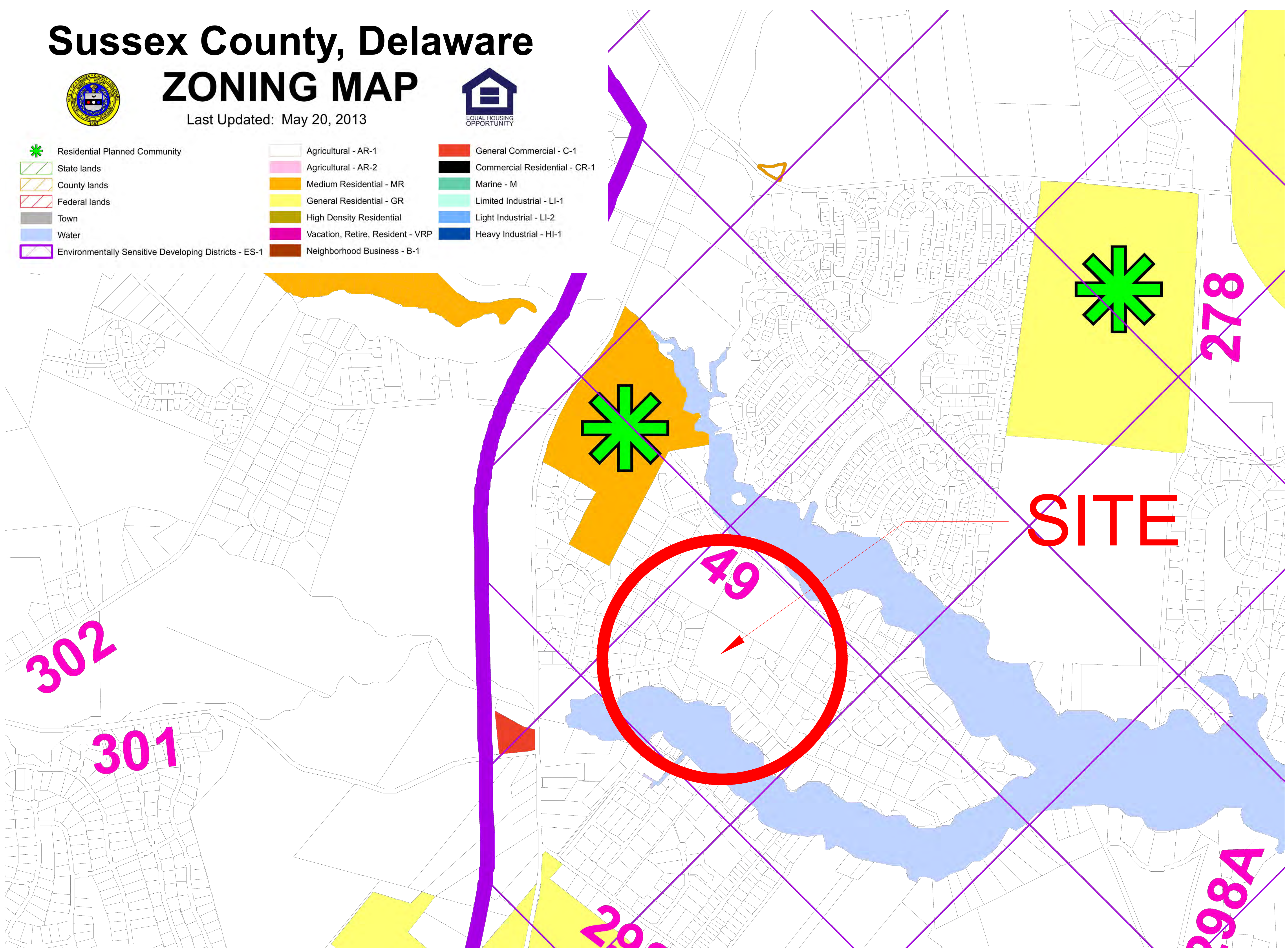
## ZONING MAP



Last Updated: May 20, 2013



- Residential Planned Community
- State lands
- County lands
- Federal lands
- Town
- Water
- Environmentally Sensitive Developing Districts - ES-1
- Agricultural - AR-1
- Agricultural - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- General Commercial - C-1
- Commercial Residential - CR-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1

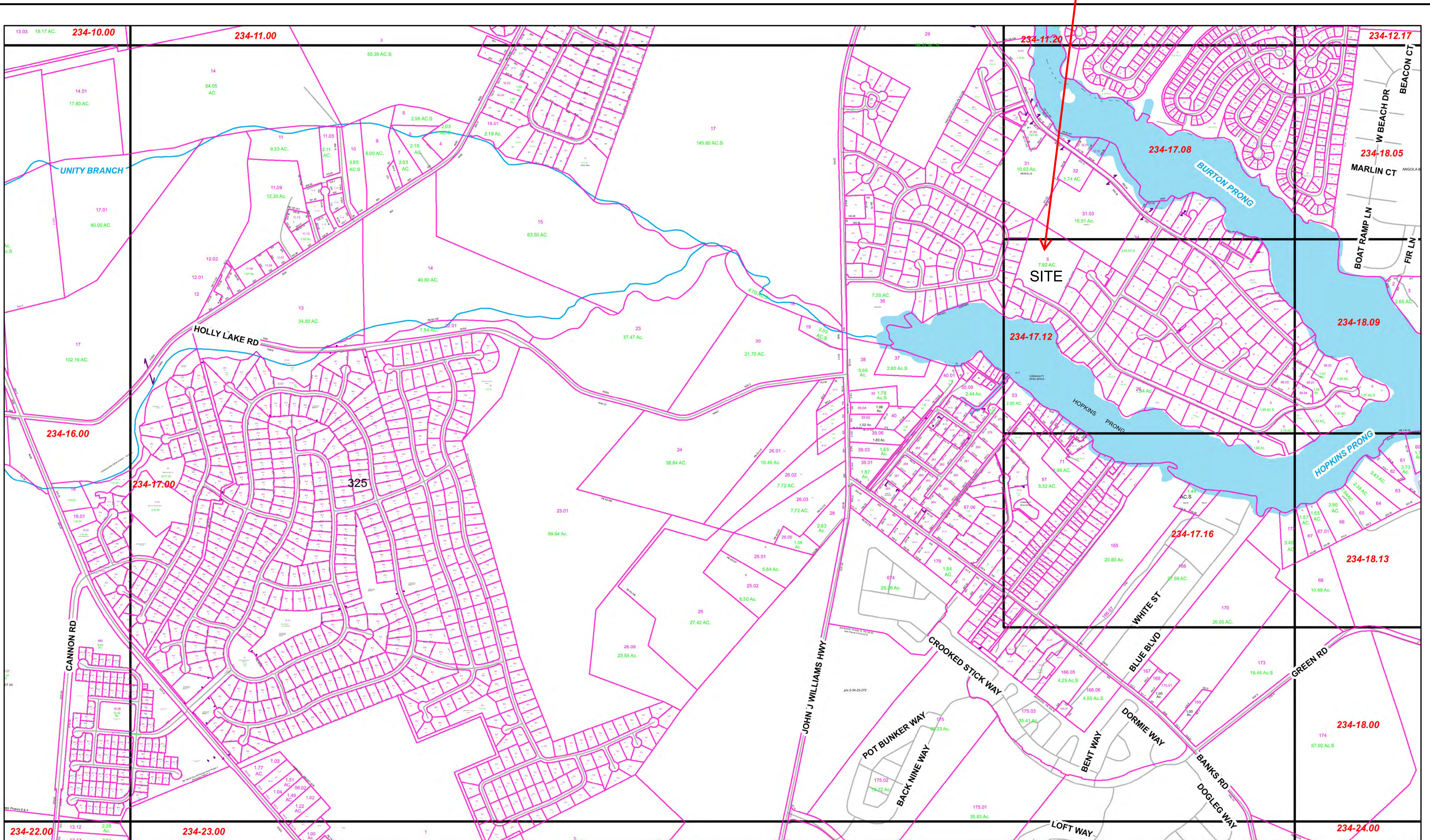


PRINTS ISSUED FOR: DRAWINGS STAGE	
DATE	
REVISIONS	
NO.	
 <b>GMB</b> GEORGE, MILES & BUHR, LLC ARCHITECTS & ENGINEERS <small>SALISBURY • BALTIMORE • SEAFORD</small> 206 WEST MAIN STREET SALISBURY, MARYLAND 21801 <small>410-742-3115, FAX 410-548-5790</small> <small>www.gmbnet.com</small>	
<b>SLOAN PROPERTY</b> SUSSEX COUNTY, DELAWARE	
<b>ZONING MAP</b>	
SCALE : NO SCALE	SHEET NO.
DESIGN BY :	-
DRAWN BY :	
CHECKED BY :	
GMB FILE : 180222	
DATE : JAN 2019	
© COPYRIGHT 2019 GEORGE, MILES & BUHR, LLC	

G:\Projects\2018\180222 Sloans Family Subdivision\Drawings\GMB\Map\Map - Sloans Family Zoning Map.dwg - 1/2/2019 2:53 PM, London Myrick  
 PENN-RED : 0.06 INCHES (1.5mm) PENN-YELLOW : 0.07 INCHES (1.8mm) PENN-GREEN : 0.10 INCHES (2.5mm) PENN-BLUE : 0.20 INCHES (5.0mm) PENN-ORANGE : 0.24 INCHES (6.1mm) PENN-MASTODA : 0.27 INCHES (7.0mm) PENN-WHITE : 0.29 INCHES (7.6mm)

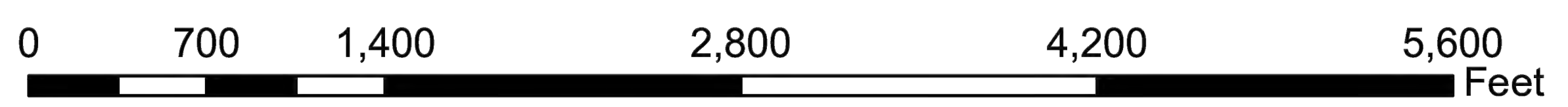
C:\Projects\2019\180222\_Sloan\_Property\_Subdivision\Drawings\Layouts\Bldg - Sloan\_Property\Tax Map 134-18.dwg, 1/7/2019 2:12 PM, London Myrick  
 PLOT DATE  
 PLOT SCALE  
 PLOT SIZE (1/4" = 100')

PRINT-WHITE  
 PLOT-WHITE  
 PLOT-SCALE  
 PLOT-DATE  
 PLOT-SIZE (1/4" = 100')



**SITE**

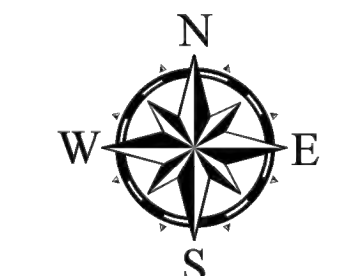
**SITE**



Printed October 16, 2014

**Sussex County Delaware**  
**234-17.00**

**Legend**  
 [Line] Map Line  
 [Shaded Area] Municipal Boundaries



PRINTS ISSUED FOR:  
 DRAWINGS STAGE

DATE	REVISIONS	NO.

**GMB**  
 GEORGE, MILES & BUHR, LLC  
 ARCHITECTS & ENGINEERS  
 SALISBURY - BALTIMORE - SEAFORD  
 206 WEST MAIN STREET  
 SALISBURY, MARYLAND 21801  
 410-742-3115, FAX 410-548-5799  
 www.gmbnet.com

**SLOAN PROPERTY**  
 SUSSEX COUNTY, DELAWARE

TAX MAP 234-17.12

SCALE	SHEET NO.
NO SCALE	1
DESIGN BY :	
DRAWN BY :	
CHECKED BY :	
GMB FILE : 180222	
DATE : JAN 2019	

© COPYRIGHT 2019 GEORGE, MILES & BUHR, LLC



**SITE DATA**  
 OWNERS: JOHN MORRIS SLOAN,  
 SAMUEL M. SLOAN, JR.,  
 HENRY HALL SLOAN &  
 SARA SLOAN CAMPBELL  
 1099 BROADVIEW DRIVE  
 ANNAPOLIS, MD 21409

SURVEYOR: STEVEN M ADKINS LAND SURVEYING, LLC  
 28734 SEAFORD ROAD  
 LAUREL, DE 19956

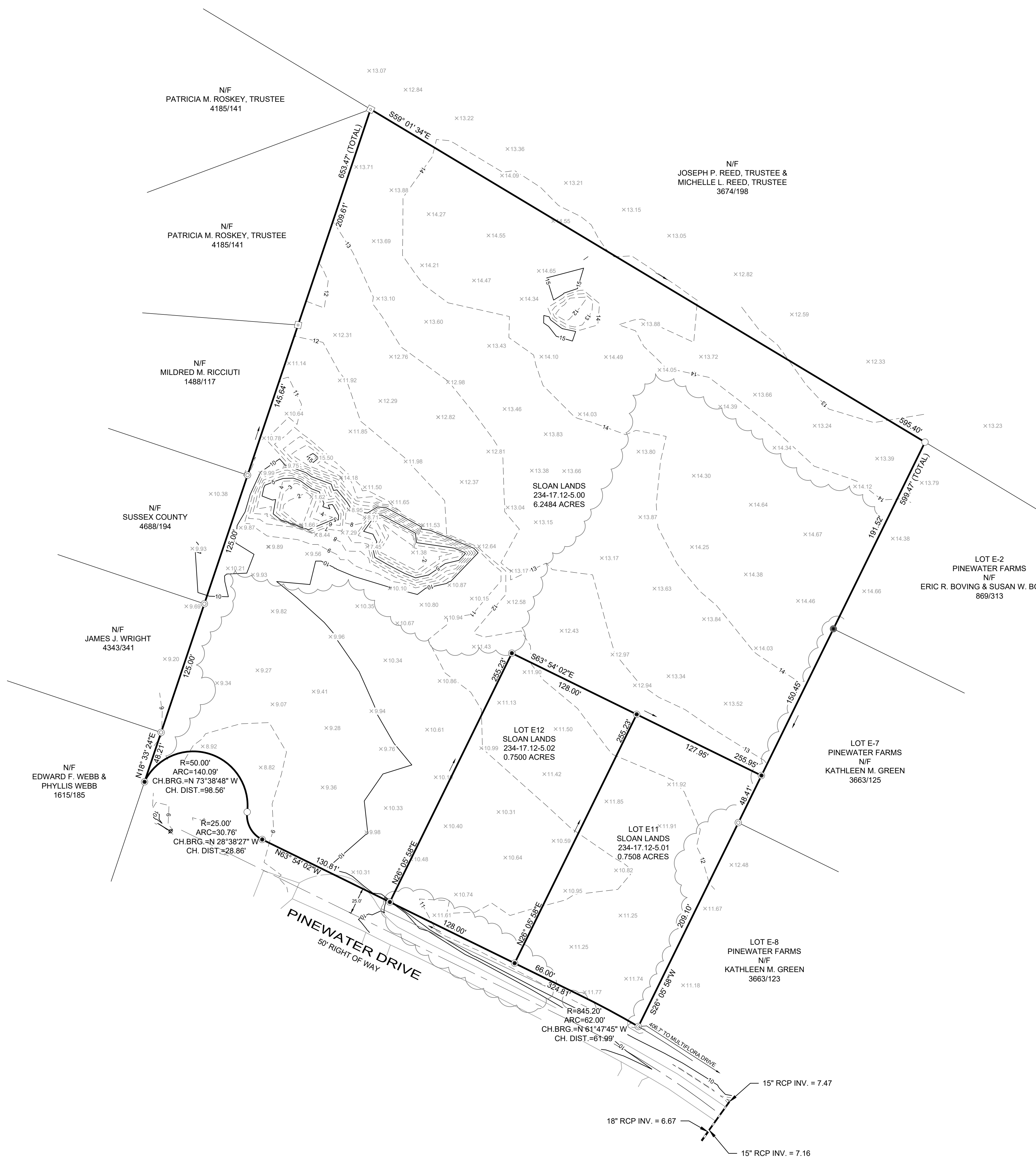
TAX MAP: 2-34-17-12-5-00  
 2-34-17-12-50-01  
 2-34-17-12-50-02

DEED REF: BOOK 680, PAGE 276

**NOTES**  
 BEARINGS SHOWN HEREON BASE ON A PLAT BY ADAMS AND KEMP.

**LEGEND**

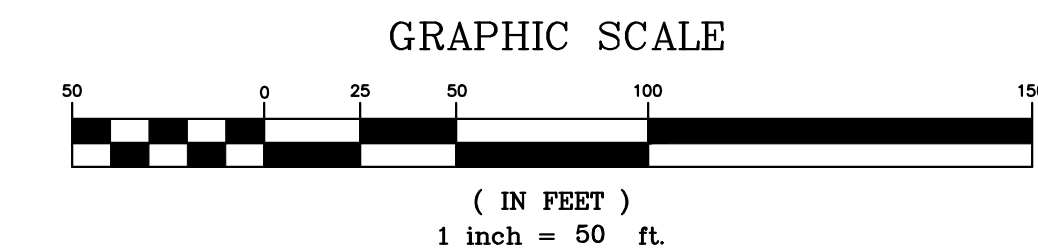
- ☐ CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- IRON ROD FOUND
- CAPPED IRON PIPE/ROD FOUND
- SURVEY POINT
- PROPERTY LINE
- - - ADJACENT PROPERTY LINE



**SURVEYOR'S CERTIFICATION**  
 I, STEVEN M. ADKINS, HEREBY ATTEST THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE AND THAT THE INFORMATION SHOWN HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION AND ADHERES TO THE LAND SURVEYING STANDARDS ESTABLISHED BY THE STATE OF DELAWARE.

*Steven M. Adkins* 04/10/19

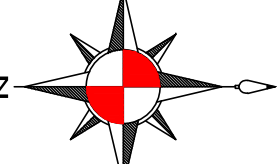
STEVEN M. ADKINS LS-700 DATE



PROJECT #:	DATE:	4/10/19
2018022.00	DRAWN BY:	
SCALE:	1" = 50'	TOPOGRAPHIC SURVEY
	DRAWING NUMBER:	A

TOPOGRAPHIC SURVEY FOR THE LANDS OF SLOAN PINEWATER DRIVE INDIAN RIVER HUNDRED SUSSEX COUNTY, DELAWARE

STEVEN M. ADKINS Land Surveying, LLC  
 28734 Seaford Road  
 Laurel, DE 19956  
 (302) 875-3555 - Office



## Adjoining Property Owners

**234-17.00-211.00**

ROSKY PATRICIA M REVOCABLE  
TRUST  
32426 MARINERS WAY  
MILLSBORO, DE 19966

**234-17.00-212.00**

RICCIUTI MILDRED M  
32420 MARINERS WAY  
MILLSBORO, DE 19966

**234-17.00-213.00**

SUSSEX COUNTY  
PO BOX 589  
GEORGETOWN, DE 19947

**234-17.00-214.00**

WRIGHT JAMES J  
209 ODESSA AVE  
WILMINGTON, DE 19809

**234-17.00-215.00**

WEBB EDWARD F PHYLLIS  
32384 MARINERS WAY  
MILLSBORO, DE 19966

**234-17.12-5.02**

SLOAN JULIET L SUCC TTEE OF THE JOHN M  
SLOAN REV TR SAMUEL M SLOAN JR ETAL  
16567 HOWARD MILLMAN LN  
MILTON, DE 19968

**234-17.12-5.01**

SLOAN JULIET L SUCC TTEE OF THE JOHN M  
SLOAN REV TR SAMUEL M SLOAN JR ETAL  
16567 HOWARD MILLMAN LN  
MILTON, DE 19968

**234-17.12-11.00**

GREENE KATHLEEN M  
5 VIRDEN LN  
HARBESON, DE 19951

**234-17.12-6.00**

GREENE KATHLEEN M  
5 VIRDEN LN  
HARBESON, DE 19951

**234-17.12-4.00**  
BOVING ERIC R  
4 VIRDEN LN  
HARBESON, DE 19951

**234-17.12-4.00**  
BOVING ERIC R  
SUSAN W  
4 VIRDEN LN  
HARBESON, DE 19951

**234-17.00-31.03**  
REED JOSEPH P TRUST &  
MICHELE L REED TRUST  
23556 SLOAN RD  
HARBESON, DE 19951

**234-17.00-31.00**  
MORGAN MATTHEW K TTEE REV TR  
LISA M MORGAN TTEE REV TR  
23484 SLOAN RD  
HARBESON, DE 19951

07096

BOOK 680 PAGE 276

**This Deed, Made this**

<sup>1-11</sup> day of March, In the year of  
our LORD one thousand nine hundred and seventy-two,

BETWEEN, SAMUEL M. SLOAN and AMELIE A. SLOAN, his wife, of Star  
Route, Harbeson, Delaware, parties of the first part, and JOHN MORRIS  
SLOAN, of 4840 Riverhill Road, Marietta, Georgia; SAMUEL M. SLOAN, JR.,  
of 122 Oakwood Drive, State College, Pennsylvania; SARA WISTAR SLOAN,  
single woman, of Box 61, Star Route, Harbeson, Delaware; and HENRY  
HALL SLOAN, single man, of Box 61, Star Route, Harbeson, Delaware,  
parties of the second part,

**Witnesseth,** That the said parties of the first part, for and in consideration of the  
sum of ONE (\$1.00) DOLLAR, and other valuable and lawful considera-  
tions, lawful money of the United States  
of America, the receipt whereof is hereby acknowledged, hereby grant and convey  
unto the said parties of the second part, as tenants in common, in equal shares,  
their heirs and assigns forever,

**ALL** THAT certain lot, piece or  
parcel of land, situate, lying and being in Indian River Hundred,  
Sussex County, Delaware, the courses and distances, metes and  
bounds of which are as follows, according to a survey made by D. L.  
Jefferson, Land Surveyor, February 10, 1972, viz: BEGINNING at a  
point on the northerly edge of Pinewater Drive West, said point lying  
N. 27° 31' 40" E., a distance of 22.72 feet from a point on tangent  
centerline of said Pinewater Drive, said centerline point lying  
N. 40° 43' 20" W., 418.88 feet and N. 62° 28' 20" W., 95.57 feet,  
along said centerline tangent from an intersection with the centerline  
tangent of Multiflora Drive and running thence (1) By a curve to the  
left, having a radius of 845.19 feet, an arc distance of 62 feet,  
along said Pinewater Drive, to a point of tangent; thence (2) N. 62°  
28' 20" W., a distance of 325.25 feet, along said Pinewater Drive to

LAW OFFICES  
Houston Wilson  
WILMINGTON TRUST BUILDING  
1 WEST MARKET STREET  
GEORGETOWN, DELAWARE  
19617

a point of curve; thence (3) By a curve to the right, having a radius of 25 feet, an arc distance of 30.77 feet, along a Turnaround, to a point of reverse curve; thence (4) By a curve to the left, having a radius of 50 feet, an arc distance of 140.09 feet, still along said turnaround, to a point in the line of William Jenkins for a corner; thence (5) N. 20° 00' E., a distance of 670.31 feet, along said Jenkins, to a corner fence post, for a corner of William Jenkins and this land, in the line of lands of Harlan Knowles; thence (6) S. 56° 43' 13" E., a distance of 598.74 feet, along said Knowles, to a point for a corner; thence (7) S. 27° 31' 40" W., a distance of 606.79 feet, along "E" Lots of Pinewater Farm, to the place of beginning, containing 7.9177 acres of land, to be the same, more or less.

BEING a part of the same lands and premises heretofore acquired by Samuel M. Sloan from Rehoboth Bay Development Company, a Delaware corporation, by deed dated May 16, 1930, and now of record in the Office of the Recorder of Deeds, aforesaid, in Deed Book 280, Page 161, &c.

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

SIGNED, SEALED AND DELIVERED

In the presence of

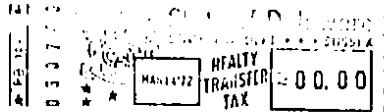
*Samuel M. Sloan*  
as to him

*Samuel M. Sloan* (Seal)  
Samuel M. Sloan

*Amelie A. Sloan* (Seal)  
Amelie A. Sloan

(Seal)

(Seal)



State of Delaware,  
SUSSEX

County, ) ss.

He is Remembered, that on this *1st* day of *March* in the year of our Lord one thousand nine hundred and seventy-two, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, SAMUEL M. SLOAN and AMELIE A. SLOAN, his wife,

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

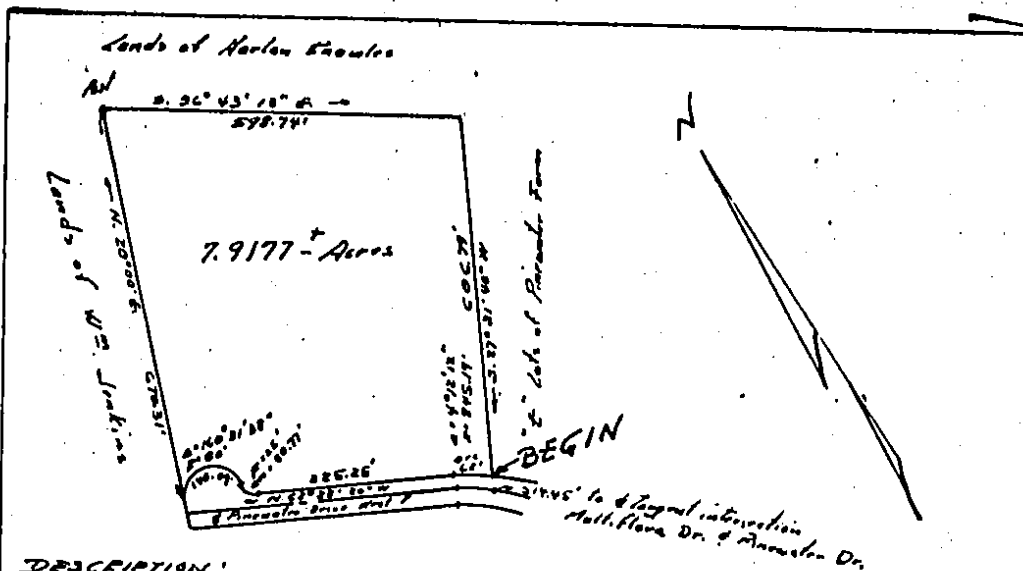
Given under my hand and Seal of Office, the day and year aforesaid

PURCHASERS REPORT MADE  
the *16th* day of *March* 1972  
Board of Assessment of Sussex County

By *Simon Beach, Clerk*

*Samuel M. Sloan*  
Notary Public

LAW OFFICES  
Houston Wilson  
WILMINGTON TRUST BUILDING  
1 WEST MARKET STREET  
GEORGETOWN, DELAWARE  
1961



**DESCRIPTION:**

Beginning at a point on the northerly edge of Pinewater Drive West, said point lying N. 27° 31' 40" E, a distance of 26.72 feet from a point on tangent centerline of said Pinewater Drive, said centerline point lying N. 90° 43' 20" W, 418.88 feet and N. 62° 28' 20" W, 95.57 feet, along said centerline tangent line and intersection with the centerline tangent of Math. Flora Drive and running thence (1) by a curve to the left, having a radius of 845.19 feet, an arc distance of 62 feet, along said Pinewater Drive, to a point of tangency; thence (2) N. 62° 28' 20" W, a distance of 325.25 feet, along said Pinewater Drive to a point of curve; thence (3) by a curve to the right, having a radius of 25 feet, an arc distance of 30.77 feet, along a turnaround, to a point of reverse curve; thence (4) by a curve to the left, having a radius of 50 feet, an arc distance of 140.09 feet, still along said turnaround, to a point in the line of Wm Jenkins for a corner; thence (5) N. 20° 00' E, a distance of 670.31 feet, along said Jenkins, to a corner fence post, for a corner of Wm Jenkins and this land, in the line of lands of Harlan Knowles; thence (6) S. 56° 43' 13" E, a distance of 598.74 feet, along said Knowles, to a point for a corner; thence (7) S. 27° 31' 40" W, a distance of 606.88 feet, along "E. Lots of Pinewater Farm, to the place of beginning. Containing 7.9177 acres of land, to be the same, more or less.

*[Signature]*  
 J. L. Jefferson  
 Prof. Land Surveyor No. 267  
 Sycamore, Del.



A PORTION OF LANDS OF  
 RECEIVED **SAMUEL SLOAN**  
 JAMES H. BAXTER JR.  
 MAR 14 2 53 PM '72 **AMELIA SLOAN**  
 RECORDED OF DEEDS  
 SUSSEX COUNTY, DELAWARE  
 Scale: 1" = 200' FEB. 14 1972

DATE	REVISIONS	NO.

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  
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**SLOAN PROPERTY**  
 SUSSEX COUNTY, DELAWARE

**FEMA FIRM MAP**

SCALE	NO SCALE	SHEET NO.
DESIGN BY :		
DRAWN BY :		
CHECKED BY :		
GMB FILE :	180222	
DATE :	JAN 2019	

### LEGEND

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

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

**ZONE A** No Base Flood Elevations determined.

**ZONE AE** Base Flood Elevations determined.

**ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

**ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of structural fan flooding, velocities also determined.

**ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decommissioned. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

**ZONE AP** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

**ZONE AV** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

**ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

**FLOODWAY AREAS IN ZONE AE**

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

**OTHER FLOOD AREAS**

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

**OTHER AREAS**

**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.

**ZONE D** Areas in which flood hazards are undetermined, but possible.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**

**OTHERWISE PROTECTED AREAS (OPAs)**

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

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Limit of Moderate Wave Action
- Advisory line estimating flooding extents if dunes are breached during a 0.2% annual chance flood event
- Base Flood Elevation line and value; elevation in feet (EL 987)
- Base Flood Elevation value where uniform within zone; elevation in feet
- Referenced to the North American Vertical Datum of 1988
- Cross section line
- Transect line
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 100-meter Universal Transverse Mercator grid values, zone
- 500-foot grid values; Delaware State Plane coordinate system (FIPSZONE 0700), Transverse Mercator projection
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- River mile

**MAP REPOSITORY**  
 Refer to listing of Map Repositories on Map Index

**EFFECTIVE DATE OF COUNTY-WIDE FLOOD INSURANCE RATE MAP**  
 June 16, 1995

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

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

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

**MAP SCALE 1" = 500'**

250 0 500 1000 FEET  
 150 0 150 300 METERS

**NATIONAL FLOOD INSURANCE PROGRAM**

PANEL 0341K

**FIRM**  
 FLOOD INSURANCE RATE MAP

SUSSEX COUNTY,  
 DELAWARE  
 AND INCORPORATED AREAS

PANEL 341 OF 660  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY	10020	0341K	X

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

**MAP NUMBER**  
 10005C0341K

**MAP REVISED**  
 MARCH 16, 2015

Federal Emergency Management Agency



**SITE**

### NOTES TO USERS

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

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

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

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

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

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

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

NGS Information Services  
 NOAA, NIMS12  
 National Geodetic Survey  
 SSMC-3, #9202  
 1315 East-West Highway  
 Silver Spring, Maryland 20910-3282  
 (301) 713-3242

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

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

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

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

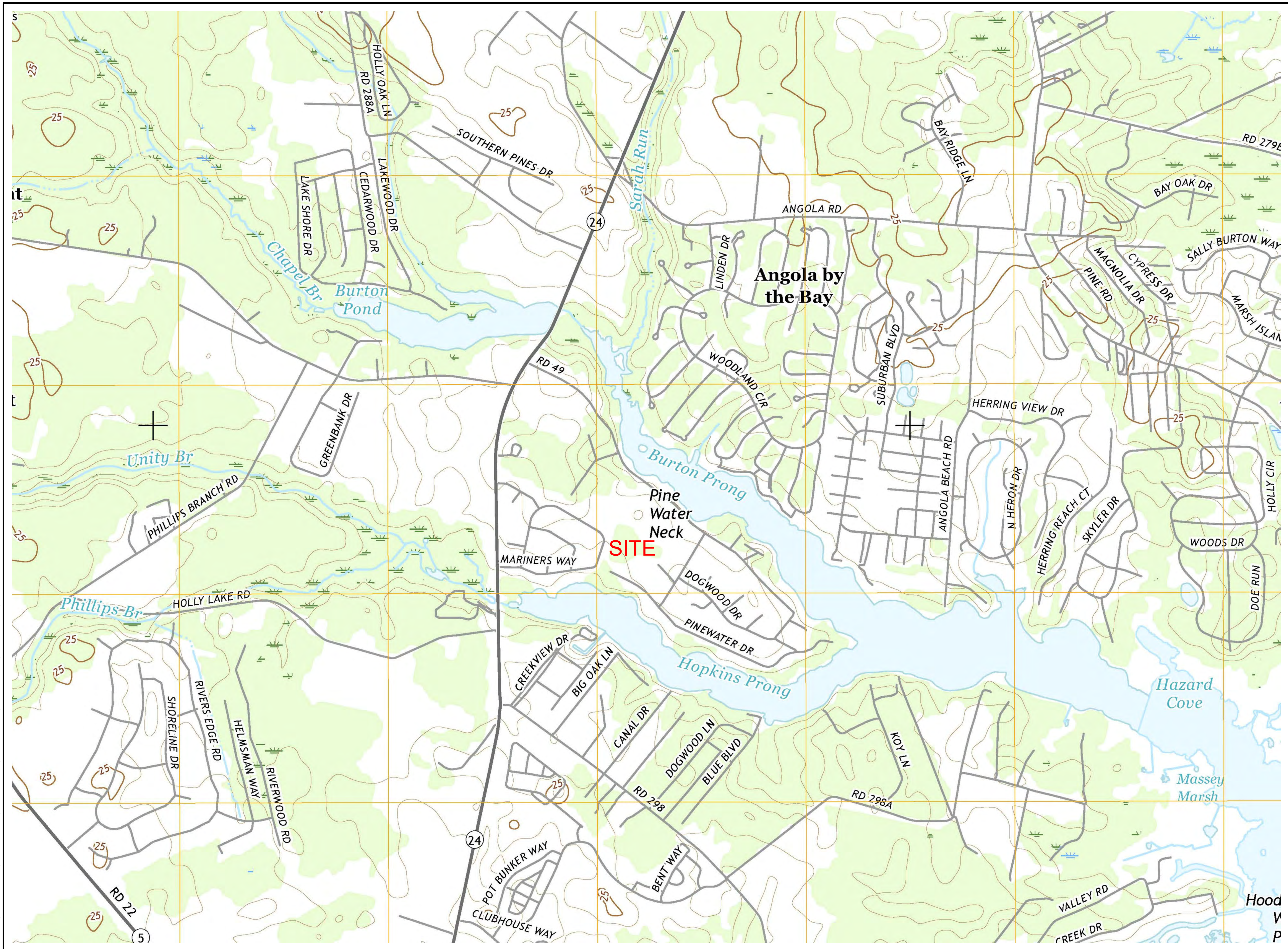
Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which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

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

Contact the **FEMA Map Information eXchange** at 1-877-336-2627 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Information eXchange may also be reached by Fax at 1-800-355-9620 and their website at <http://www.mis.fema.gov/>.

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





© Project 10/18/180222 Stone Family Subdivision (Ownership) (Cadastral) (Vendor) - Stone Family 1/26/2019 2:24 PM, London Myrick  
 PENN-RED 1/32 INCHES (10mm) PENN-YELLOW 1/32 INCHES (10mm) PENN-BLUE 1/32 INCHES (10mm) PENN-WHITE 1/32 INCHES (10mm)  
 PENN-ORANGE 1/32 INCHES (10mm) PENN-GRAY 1/32 INCHES (10mm) PENN-GREEN 1/32 INCHES (10mm) PENN-BROWN 1/32 INCHES (10mm)  
 PENN-RED 1/32 INCHES (10mm) PENN-YELLOW 1/32 INCHES (10mm) PENN-BLUE 1/32 INCHES (10mm) PENN-WHITE 1/32 INCHES (10mm)

PRINTS ISSUED FOR:  
DRAWINGS STAGE

DATE	
REVISIONS	
NO.	

**GMB**  
 GEORGE, MILES & BUHR, LLC  
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**ZINSZER PROPERTY**  
 SUSSEX COUNTY, DELAWARE

USGS TOPO  
 MAP

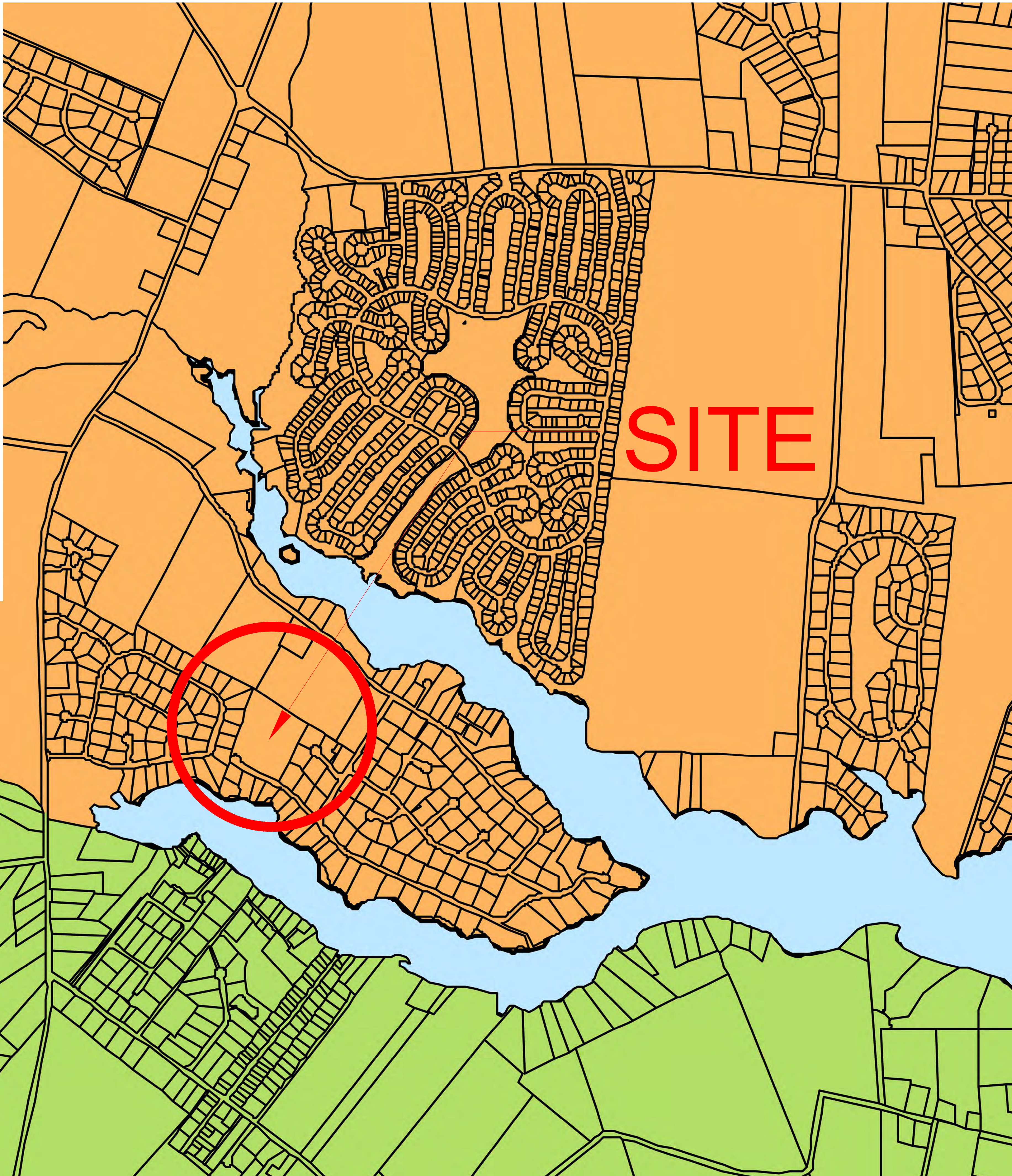
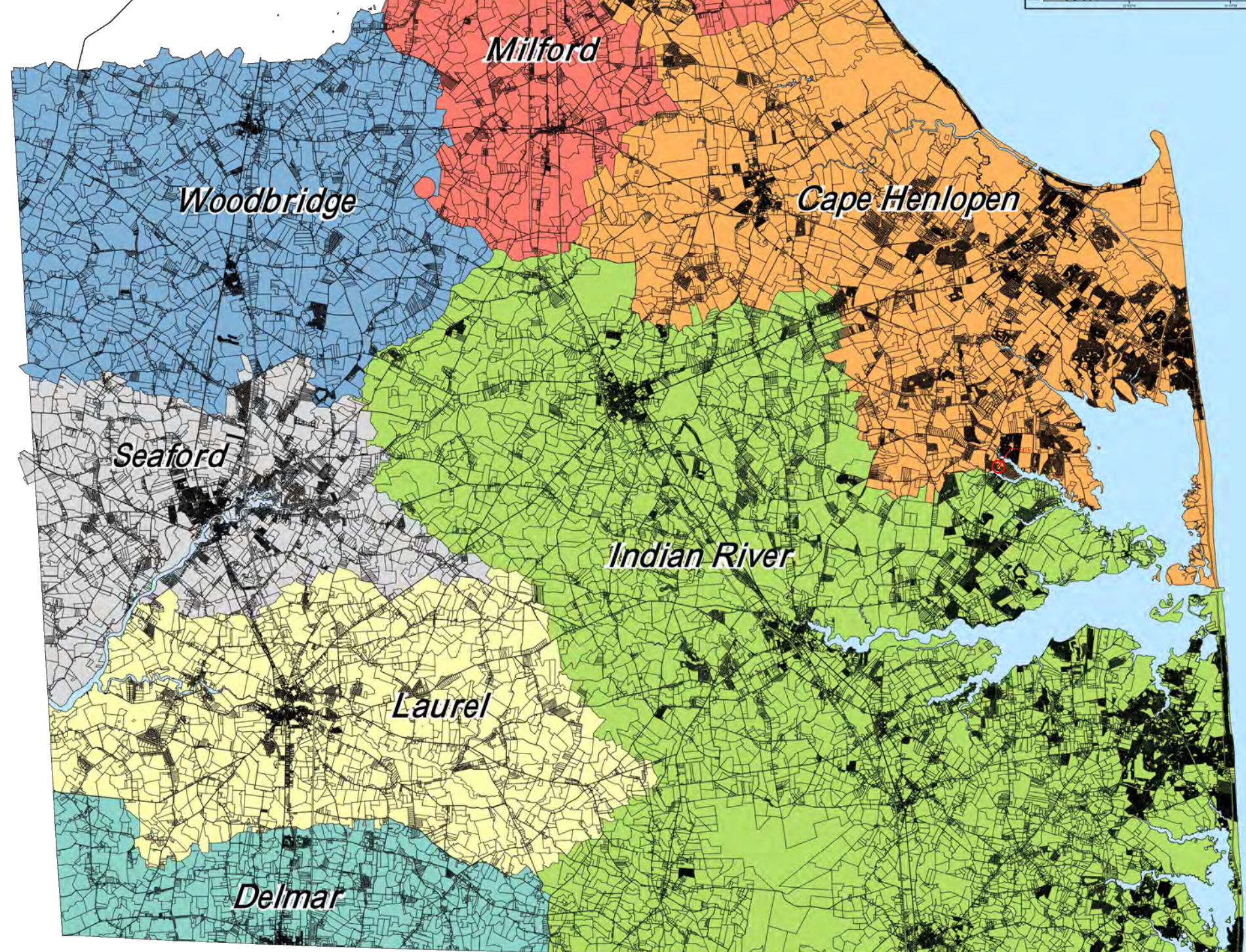
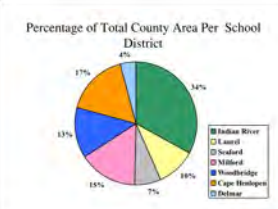
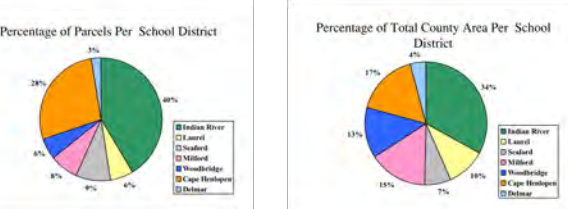
SCALE : NO SCALE	SHEET NO.
DESIGN BY :	XX
DRAWN BY :	
CHECKED BY :	
GMB FILE : 180235	
DATE : APR 2019	



DnA Downer loamy sand, 0-2% slopes  
 FmA Fort Mott-Henlopen complex, 0-2% slopes

PRINTS ISSUED FOR: DRAWINGS STAGE	
DATE	
REVISIONS	
NO.	
GEORGE, MILES & BUHR, LLC ARCHITECTS & ENGINEERS SALISBURY • BALTIMORE • SEAFORD 206 WEST MAIN STREET SALISBURY, MARYLAND 21801 410-742-3115, FAX 410-348-5790 www.gmbnet.com	
SLOAN PROPERTY SUSSEX COUNTY, DELAWARE	
SOILS MAP	
SCALE : 1" = 40'	SHEET NO.
DESIGN BY :	--
DRAWN BY :	
CHECKED BY :	
GMB FILE : 180222	
DATE : JAN 2019	
© COPYRIGHT 2019 GEORGE, MILES & BUHR, LLC	

# Sussex County School Districts



**SITE**

© Project 10/18/180222 Sloon Family Subdivision Drawings (Cadastral) (Bolder) - Sloon Family School Districts Map, 1/2/2019 2:03 PM, Landon Myrick  
 PENN-RED .006 INCHES (15mm)  
 PENN-YELLOW .007 INCHES (18mm)  
 PENN-GREEN .010 INCHES (25mm)  
 PENN-BLUE .020 INCHES (50mm)  
 PENN-MASTODON .027 INCHES (70mm)  
 PENN-BRICK .030 INCHES (75mm)

PRINTS ISSUED FOR:  
DRAWINGS STAGE

NO.	REVISIONS	DATE

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 SALISBURY, MARYLAND 21801  
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 www.gmbnet.com

SLOAN PROPERTY  
 SUSSEX COUNTY, DELAWARE

## SCHOOL DISTRICTS MAP

SCALE : NO SCALE	SHEET NO. : -
DESIGN BY :	
DRAWN BY :	
CHECKED BY :	
GMB FILE : 180222	
DATE : JAN 2019	

**MAPPING & ADDRESSING**

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



**Sussex County**  
DELAWARE  
sussexcountyde.gov

**January 2, 2019**

Attn: Sam & Linda Sloan  
1098 Broadview Dr  
Annapolis, Md. 21409  
717-880-9681

**RE : Sloan Family Subdivision (Located within Pinewater Farm)**

I have received proposed street name(s) for the new subdivision, **Sloan Family Subdivision (Located within Pinewater Farm)**, located in Harbeson. In reviewing the proposed street name(s) the following have been approved:

<b>Hawthorn Dr</b>		

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

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

Sincerely,

*Terri L Dukes*

Terri L Dukes  
Addressing Technician II

CC: Christin Headley  
Planning & Zoning



# TRANSPORTATION



ARCHITECTS  
ENGINEERS

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

SALISBURY  
BALTIMORE  
SEAFORD

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## MEETING MINUTES

### Sloan Property

A DeIDOT Pre-submittal Meeting took place on Monday March 11, 2019 at 9 am. The meeting occurred via conference call and was specifically in reference to the Sloan Property Development in Harbeson, Delaware.

#### Those in attendance were:

Suzanne Laws	DeIDOT Planning
Brian Yates	DeIDOT Planning
John Andrescavage	DeIDOT
James Argo	DeIDOT South District
Mike Kobin	George, Miles, and Buhr, LLC. (GMB)
Chris Pfeifer	GMB
DJ White	GMB

#### Items of discussion were:

1. GMB gave an overview of the Sloan Property Project, a twelve (12) lot subdivision with eleven (11) single family homes and one (1) open space lot for stormwater management located in Harbeson, Delaware.
2. The site will be accessed via an entrance off Pinewater Drive, which is a DeIDOT maintained subdivision road. Pinewater Drive dead ends just west of the Sloan Property.
3. The developer would like for the road within the Sloan Property to be taken over and maintained by DeIDOT (all surrounding roads within the community are currently DeIDOT maintained).
4. There are improvements planned at the intersection of Sloan Road and Route 24. It is not expected that the ADTs generated from this project will warrant contribution to these improvements.
  - a. Upon further inspection the traffic group will provide a contribution amount for the Sloan Property with the first set of comments.
5. The submission for a subdivision road is very similar to that of an entrance plan
  - a. There is a separate checklist for subdivision streets and a separate selection to make when submitting on the PDCA.
6. The road on the Sloan Property will be a type 1 subdivision street with 24 feet pavement width. Curbing will not be provided within the roadway section (Figure 5.5.2-c of the DeIDOT Development Coordination Manual).
7. The maximum tangent length for a cul-de-sac is 200 linear feet, therefore a design deviation will be required for the length of the proposed subdivision road.
8. The minimum ROW for the subdivision road will be 50 feet wide.
9. Pinewater Drive will need to be extended to provide access to proposed lots 3 and 4 on the Sloan Property (these lots will be accessed directly from Pinewater Drive and not from the proposed subdivision road).
10. The required pavement design can be found on Figure 5.6.1-a of the DeIDOT Development Coordination Manual (ADT 1-500).
11. The requirement of sidewalks within the subdivision was discussed during the meeting.
  - a. GMB stated that they wanted to exclude sidewalks from the subdivision, noting that none of the existing roads within the community contain sidewalks and therefore there would be nowhere to connect.

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

JOHN E. BURNSWORTH, PE  
MICHAEL G. KOBIN, PE  
VINCENT A. LUCIANI, PE  
ANDREW J. LYONS, JR., PE  
W. NICHOLAS LLOYD  
AUTUMN J. WILLIS

- b. DeIDOT stated that GMB could ask for a waiver of sidewalks and suggested that this be submitted first.
- c. A follow up email from John Andrescavage referencing Development Coordination Manual 3.5.4.2.B.2 stated that a waiver would not be accepted for this project. The density (less than 3 lots per acre) allows for a sidewalk on only one side of the road, however DeIDOT feels it would make sense to construct the sidewalk on both sides.

Please respond to GMB with any additions or modifications to the above items.

Respectfully submitted,



Christopher Pfeifer, P.E.  
Project Engineer

cc: All Attendees

**STORMWATER  
CONCEPTUAL  
APPROACH**





ARCHITECTS  
ENGINEERS

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

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W. BRICE FOXWELL, PE  
A. REGGIE MARINER, JR., PE  
JAMES C. HOAGESON, PE  
STEPHEN L. MARSH, PE  
DAVID A. VANDERBEEK, PE  
ROLAND E. HOLLAND, PE  
JASON M. LYTLE, PE  
CHRIS B. DERBYSHIRE, PE  
W. MARK GARDOCKY, PE  
MORGAN H. HELFRICH, AIA  
KATHERINE J. MCALLISTER, PE

JOHN E. BURNSWORTH, PE  
MICHAEL G. KOBIN, PE  
VINCENT A. LUCIANI, PE  
ANDREW J. LYONS, JR., PE  
W. NICHOLAS LLOYD  
AUTUMN J. WILLIS

## MEETING MINUTES

### Sloan Family Subdivision

A Pre-Application Meeting for the Sloan Family Subdivision took place on Friday March 15, 2019 at the Sussex Conservation District office in Georgetown Delaware.

#### Those in attendance were:

Jessica Watson	Sussex Conservation District (SCD)
Valerie Thompson	SCD
Chris Pfeifer	George, Miles, and Buhr, LLC. (GMB)
Jon Soistman	GMB
Sean Kennedy	GMB

#### Items of discussion were:

1. GMB gave an overview of the Sloan Family Subdivision Project, specifically the location of the stormwater management facility and the location of the existing drainage swales along the property frontage.
  - a. Property will consist of 12- ½ acre lots (11 will be developed into single family residences and one (1) will be the stormwater management facility). The site will be accessed via a single road off Pinewater Drive.
2. The lots will be annexed into the existing Pinewater Farm Development.
3. Maintenance of the subdivision road will be taken over by DeIDOT.
  - a. All other roads in the subdivision are DeIDOT maintained.
4. Conveyance of stormwater will occur via roadside swales.
5. Runoff currently drains to the frontage of the property and is collected via a swale that runs from West to East parallel to Pinewater Drive.
  - a. The swale crosses Pinewater Drive via a culvert and discharges to Burton Prong via a second culvert. Burton Prong is tidally influenced.
6. A portion of the existing site drains to a borrow pit located on the East side of the property.
7. Should a tidal discharge (no quantity management) be requested the existing outfall pipe to Burton Prong would need to be upgraded to accommodate for the additional flow.
8. GMB stated that they would most likely want to match the existing flowrates in the proposed condition rather than seek a tidal discharge.
9. After discussion during the meeting it was determined that the existing landcover will be classified as woods and meadow.
10. The proposed stormwater management facility will be located in the general area of the existing borrow pit.
  - a. The proposed facility will either be a 48-hour extended detention basin or an infiltration basin. This will be determined upon further soil investigation and testing.
  - b. A minimum of one boring to determine seasonal high water table (per the new soil investigation procedures) will be required in the pond regardless of the type of facility chosen.
11. There will be county sewer and well water. The necessary setbacks from wells will need to be followed should an infiltration basin be proposed.

12. If an infiltration basin is designed confirmatory infiltration testing will be required after construction is complete. Additionally, a geo-tech will need to be present during any infiltration basin construction.
13. Biodegradable matting should be used for the pond.
  - i. A type of matting needs to be specified within the plans.
14. All riprap shall have fabric underneath
  - a. This needs to be specified in all notes that show the riprap (plan view and profile view)
15. If a pond liner is needed the liner shall be shown in the pond profile.
16. A 15' maintenance buffer around all stormwater ponds is required.
17. Pretreatment is required for all stormwater management facilities.

# UTILITY PROVIDERS

## ENGINEERING DEPARTMENT

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



# Sussex County

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

JOHN J. ASHMAN  
DIRECTOR OF UTILITY PLANNING

## SEWER SERVICE CONCEPT EVALUATION (SSCE) UTILITY PLANNING DIVISION

Applicant: **GMB**

Date: 3/13/2019

Reviewed by: **Chris Calio**

Agreement #: **1123**

Project Name: **Sloan Family Property**

Tax Map & Parcel(s): **234-17.12-5.00, 5.01 & 5.02**

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

Proposed EDUs: **11**

Pump Station(s) Impacted: **PS-425**

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

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

Connection Point(s): **Future sanitary sewer line in Pinewater Drive.**

Use of Existing Infrastructure Agreement required? Yes  or No

Annexation Required? Yes  or No

Easements Required? Yes  or No

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

Current Zoning: **AR-1** Zoning Proposed: **AR-1**

Acreage: **7.749 +/-**



**Additional Information: The proposed pipeline for connection is still in the design phase with construction to occur in the future. Infrastructure will be installed on the parcel as part of Sussex County's Herring Creek Area Expansion Project.**

**\* No capacity is guaranteed until System Connection Fees are paid**

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

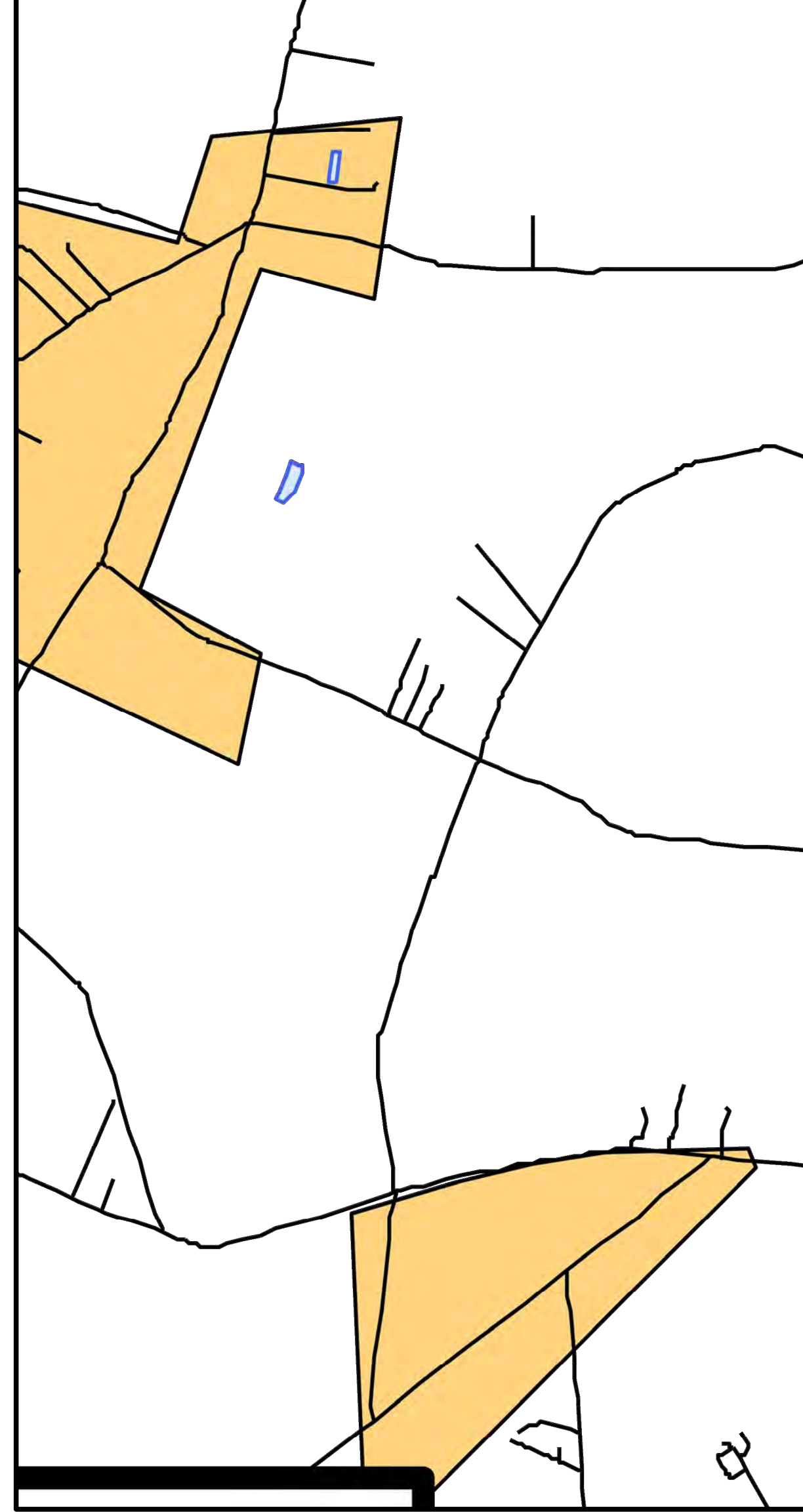
**Once Construction Drawings are completed with all of the above information satisfied, please submit to:**

Sussex County Public Works Department  
22215 Dupont Blvd.  
P.O. Box 589  
Georgetown DE 19947

CC: John Ashman  
Jayne Dickerson  
Michael Brady  
Blair Lutz

**SUSSEX COUNTY  
COMPREHENSIVE MAPS**



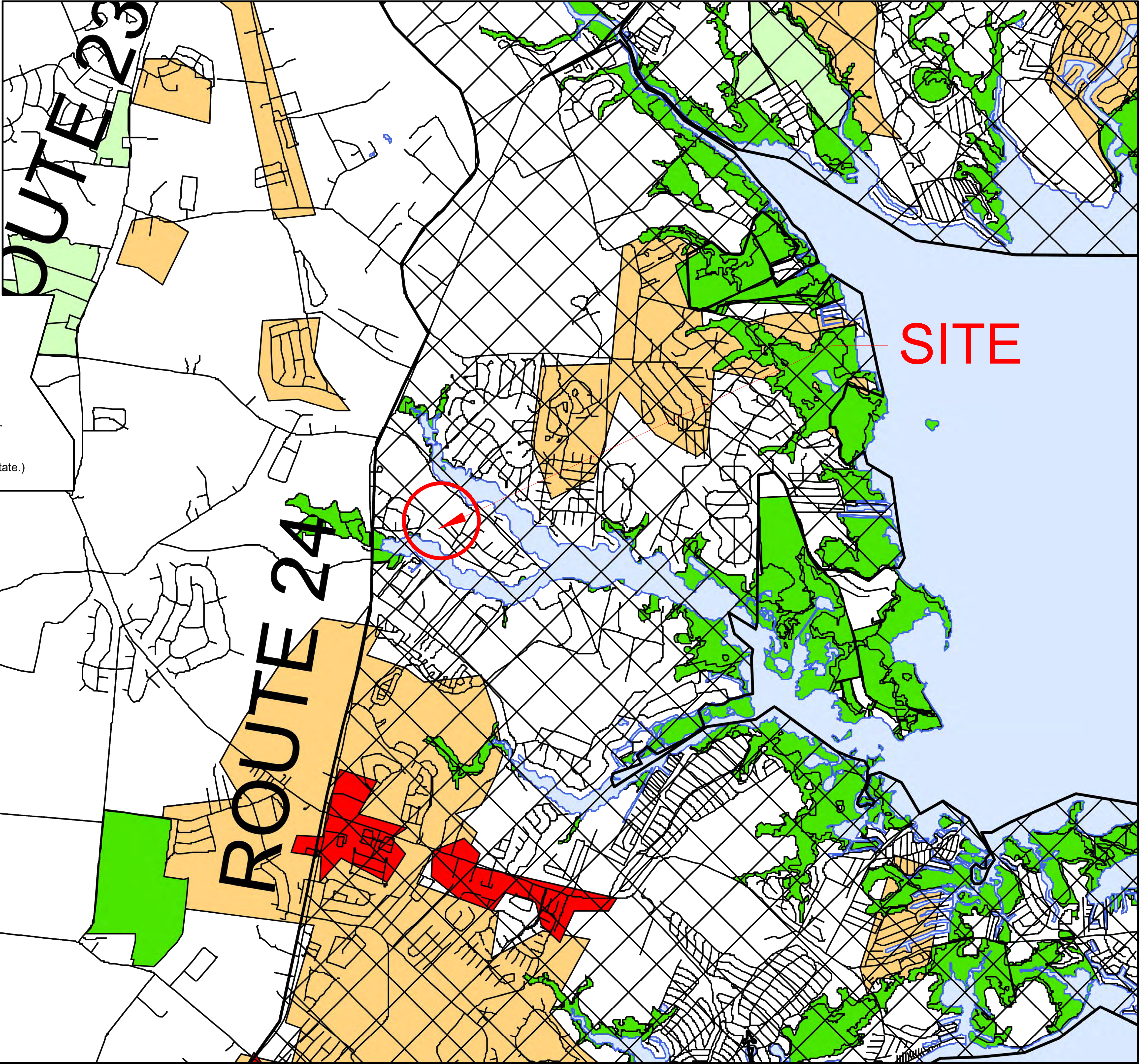


**Growth Areas**

- Municipality
- Town Center
- Developing Area
- Environmentally Sensitive Developing Area
- Mixed Residential Areas
- Highway Commercial Areas
- Planned Industrial Areas

**Rural Areas**

- Low Density Area
- Protected Lands  
 (All Federal lands, State lands, agricultural easements, private conservancy lands, major wetlands and lands preserved by other conservation easements)
- Agricultural Preservation Districts Under the State Program  
 (A voluntary program. Only a very limited number of homes allowed on a tract under State regulations during the time of an agreement. Participating landowners are eligible to sell development rights to the State.)



**SITE**

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DRAWINGS STAGE

NO.	REVISIONS	DATE

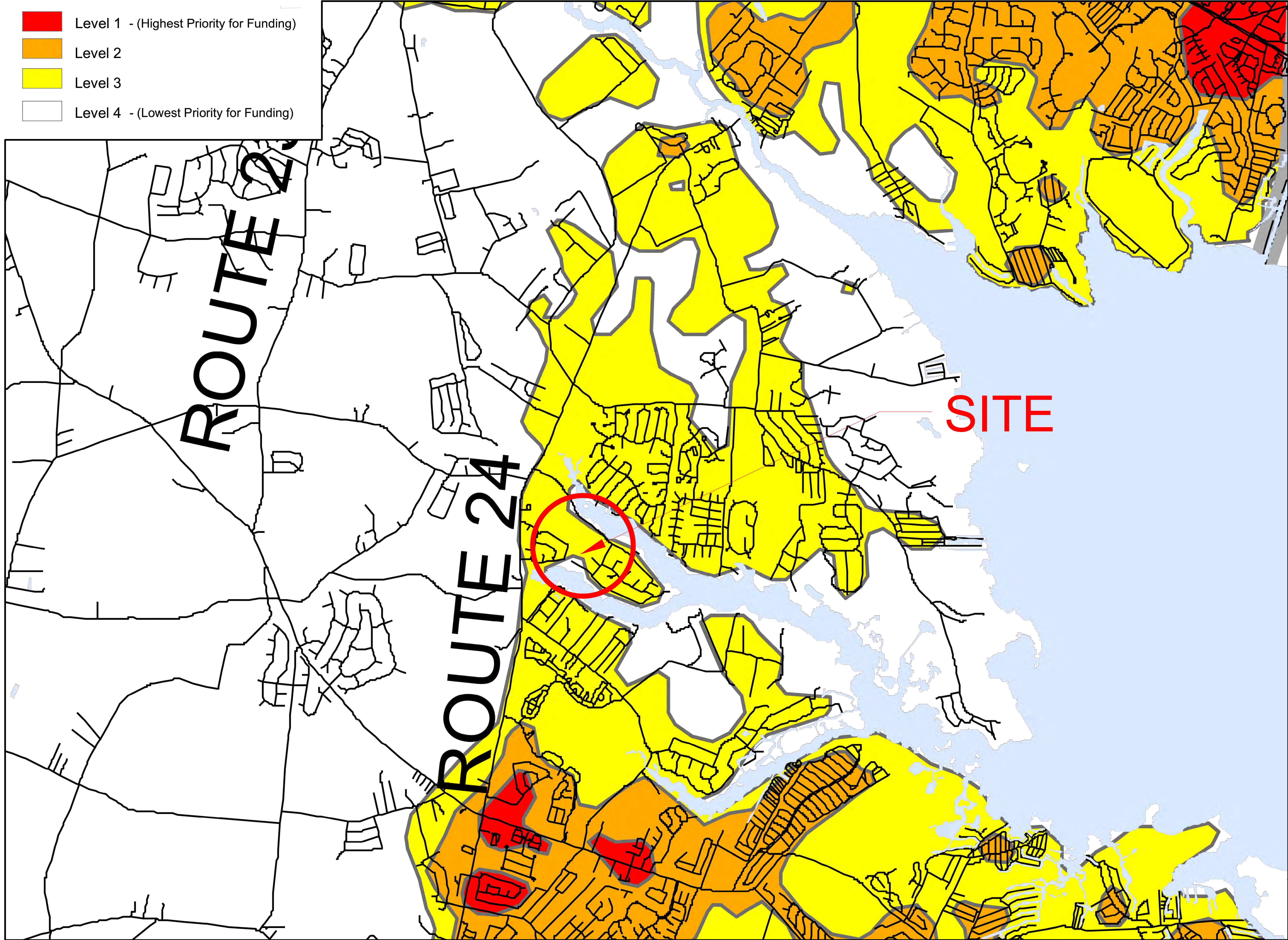
**GMB**  
 GEORGE, MILES & BUHR, LLC  
 ARCHITECTS & ENGINEERS  
 SALISBURY • BALTIMORE • SEAFORD  
 206 WEST MAIN STREET  
 SALISBURY, MARYLAND 21801  
 410-742-3115, FAX 410-548-5790  
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**FUTURE  
LAND USE  
MAP**



- Level 1 - (Highest Priority for Funding)
- Level 2
- Level 3
- Level 4 - (Lowest Priority for Funding)



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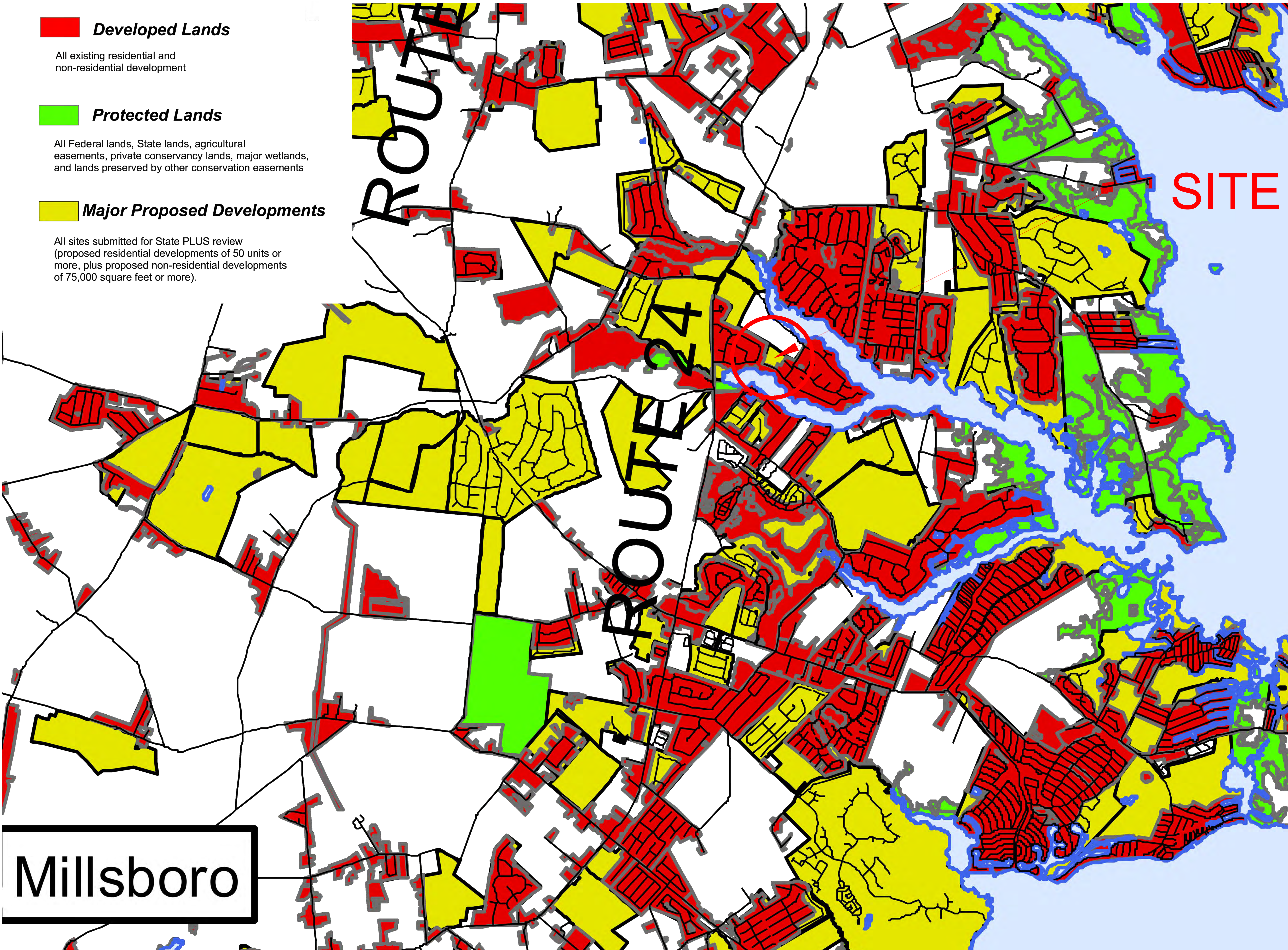
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STRATEGIES FOR  
 STATE SPENDING  
 MAP

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 DESIGN BY :  
 DRAWN BY :  
 CHECKED BY :  
 GMB FILE : 180222  
 DATE : JAN 2019  
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- Developed Lands**  
All existing residential and non-residential development
  
- Protected Lands**  
All Federal lands, State lands, agricultural easements, private conservancy lands, major wetlands, and lands preserved by other conservation easements
  
- Major Proposed Developments**  
All sites submitted for State PLUS review (proposed residential developments of 50 units or more, plus proposed non-residential developments of 75,000 square feet or more).



**Millsboro**

© Project 2018 180222 Sloo Family Subdivision (Ownership) (Cadastral) (Bldg) - Sloo Family Developed and Protected Lands.dwg, 1/7/2019 1:22 PM, Landon Myrick  
 PENN-RED : 006 INCHES (1:50mm) PENN-YELLOW : 007 INCHES (1:50mm) PENN-BLUE : 007 INCHES (1:50mm) PENN-AMAZONIA : 007 INCHES (1:50mm) PENN-WHITE : 009 INCHES (1:00mm)

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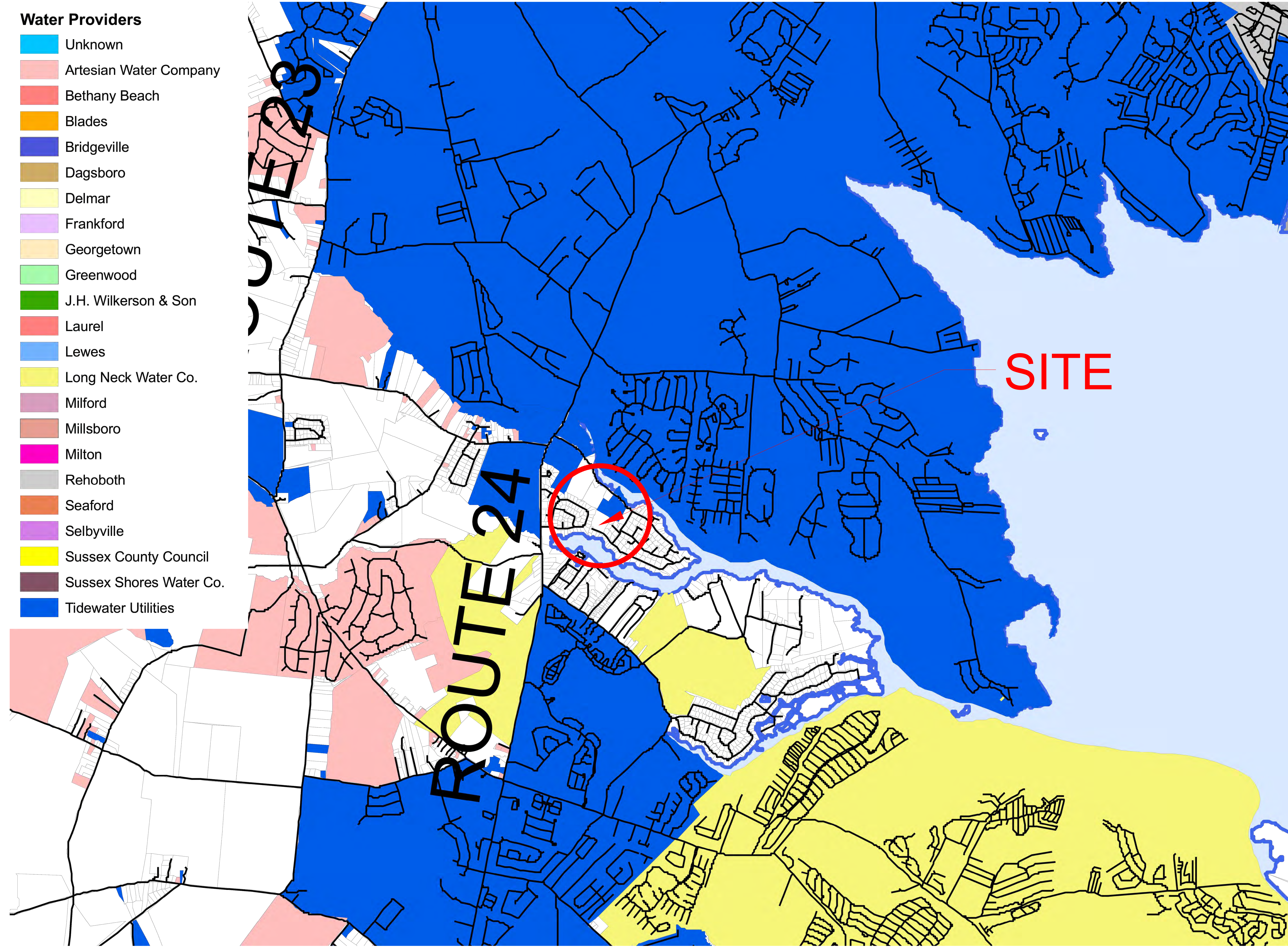
DEVELOPED AND  
 PROTECTED LANDS

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**Water Providers**

- Unknown
- Artesian Water Company
- Bethany Beach
- Blades
- Bridgeville
- Dagsboro
- Delmar
- Frankford
- Georgetown
- Greenwood
- J.H. Wilkerson & Son
- Laurel
- Lewes
- Long Neck Water Co.
- Milford
- Millsboro
- Milton
- Rehoboth
- Seaford
- Selbyville
- Sussex County Council
- Sussex Shores Water Co.
- Tidewater Utilities



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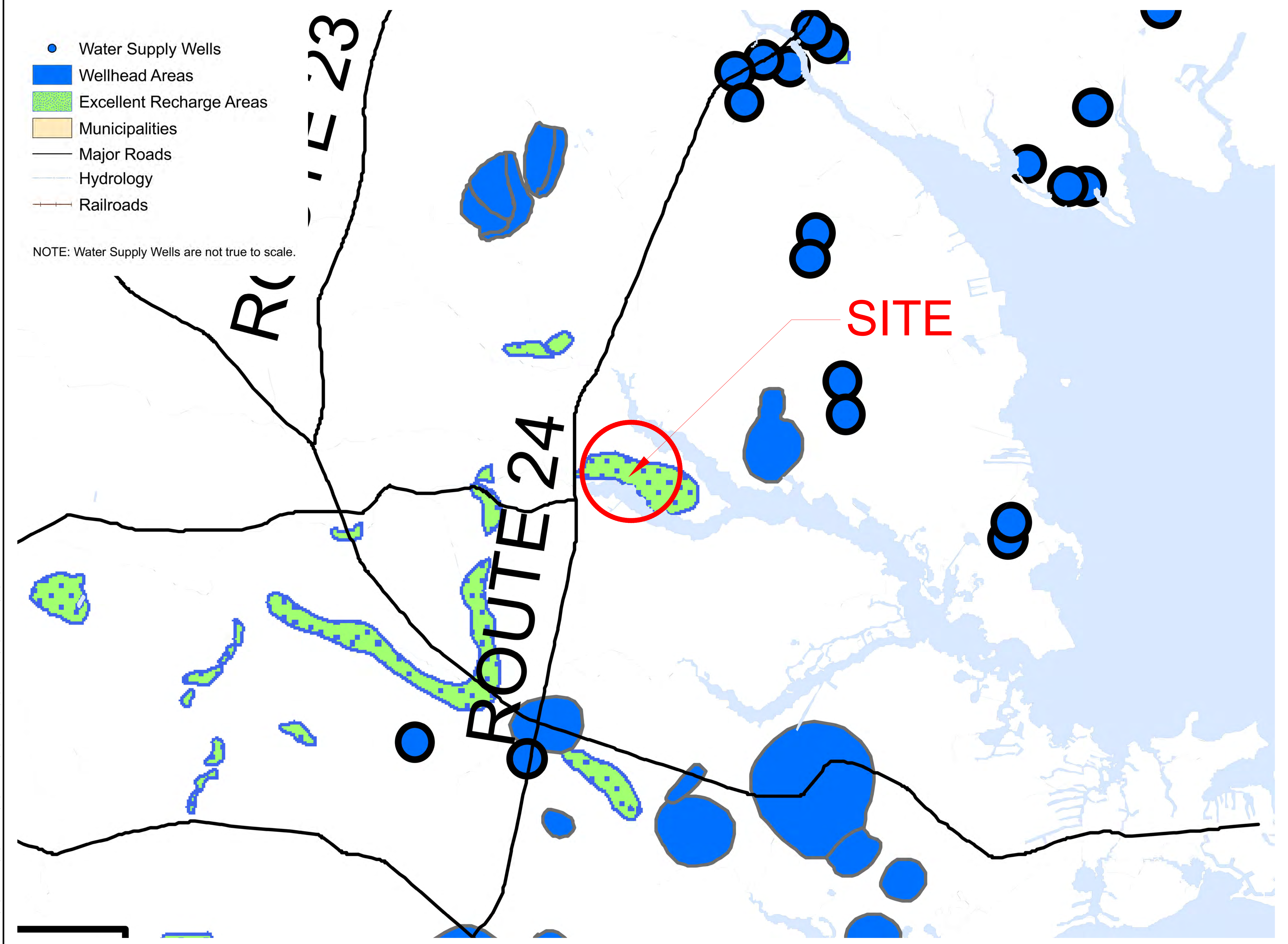
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**WATER SERVICE  
 AREAS MAP**










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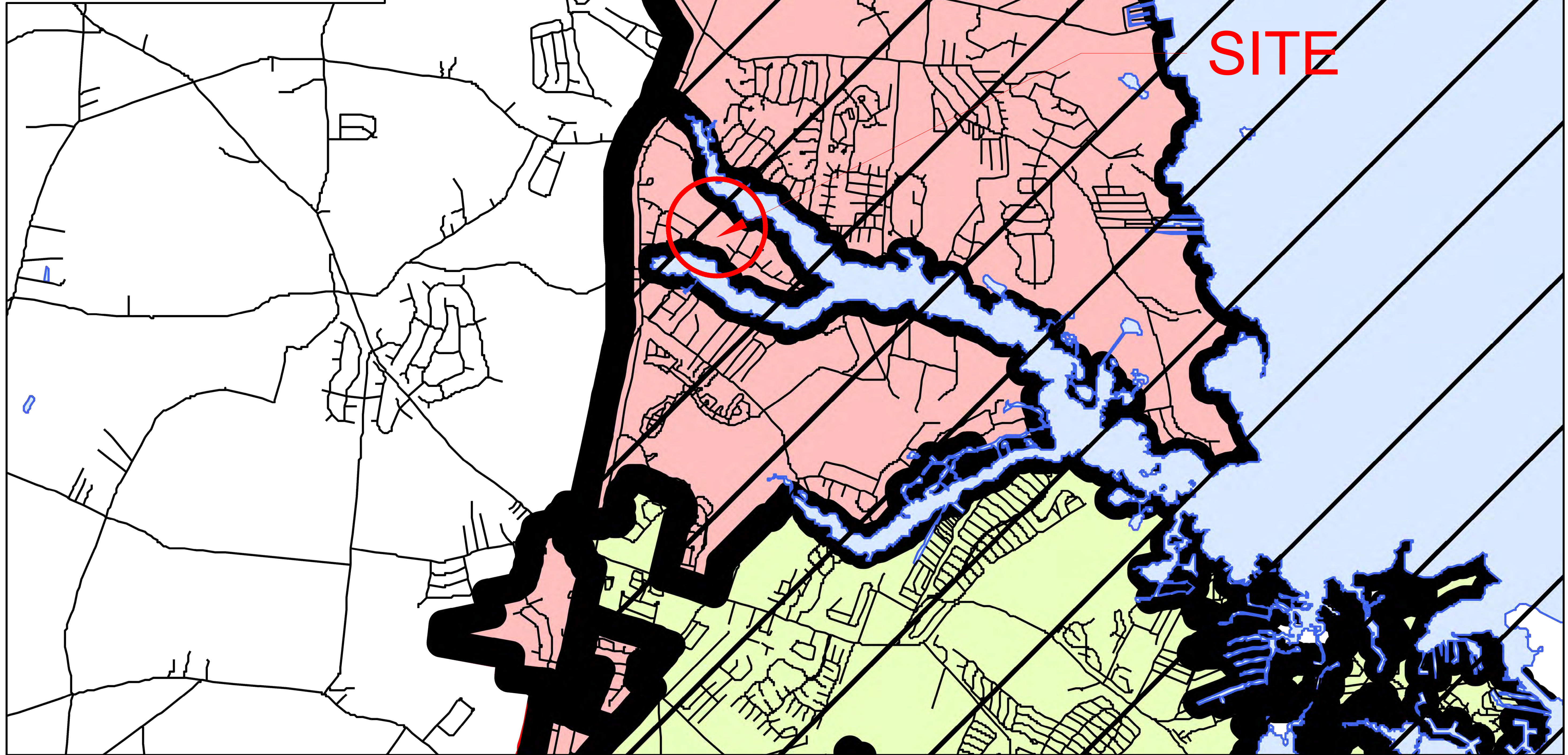
- Water Supply Wells
- Wellhead Areas
- Excellent Recharge Areas
- Municipalities
- Major Roads
- Hydrology
- Railroads

NOTE: Water Supply Wells are not true to scale.

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<p style="font-size: 8px; margin: 0;">                 GEORGE, MILES &amp; BUHR, LLC                  ARCHITECTS &amp; ENGINEERS                  SALISBURY • BALTIMORE • SEAFORD                  206 WEST MAIN STREET                  SALISBURY, MARYLAND 21801                  410-742-3115, FAX 410-548-5790                  www.gmbnet.com             </p>	
<p style="font-weight: bold; font-size: 12px;">SLOAN PROPERTY</p> <p style="font-size: 10px;">SUSSEX COUNTY, DELAWARE</p>	
<p style="font-weight: bold; font-size: 12px;">WELLHEAD PROTECTION AREAS MAP</p>	
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-  Environmentally Sensitive Development Area (ESDA)
-  Roads
-  Boundaries of Sewer Planning Areas
-  Existing County Sewer Districts
-  Primary County Service Areas
-  Secondary County Service Areas
-  Unclassified Service Areas
-  Town/City Potential Annexation Areas (intended to be eventually served by Town/City in most cases.)
-  Municipal Boundaries

Please see text for planning area and service area definitions.



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WASTEWATER  
 SERVICE AREAS

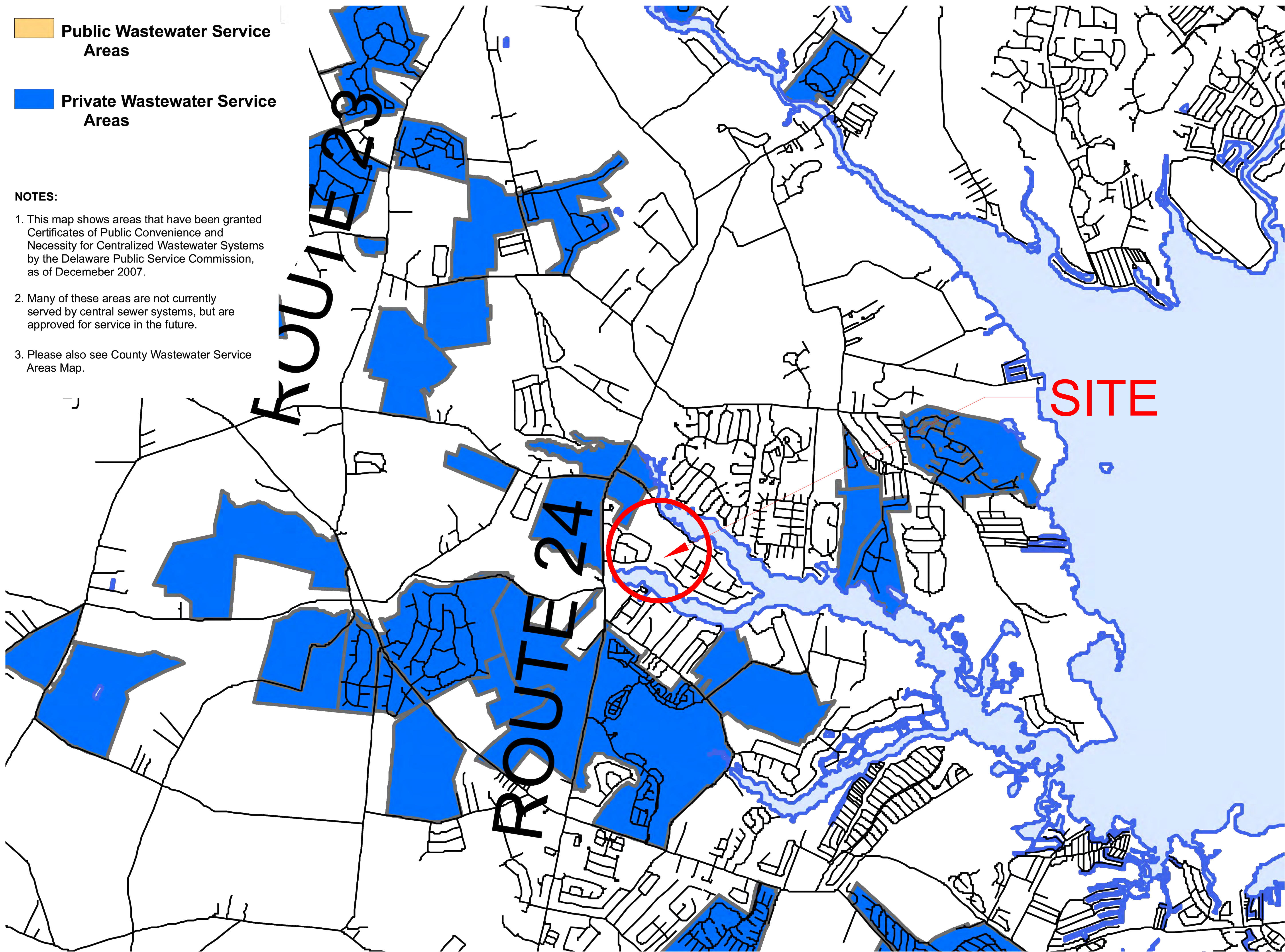
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 **Public Wastewater Service Areas**

 **Private Wastewater Service Areas**

**NOTES:**

1. This map shows areas that have been granted Certificates of Public Convenience and Necessity for Centralized Wastewater Systems by the Delaware Public Service Commission, as of December 2007.
2. Many of these areas are not currently served by central sewer systems, but are approved for service in the future.
3. Please also see County Wastewater Service Areas Map.



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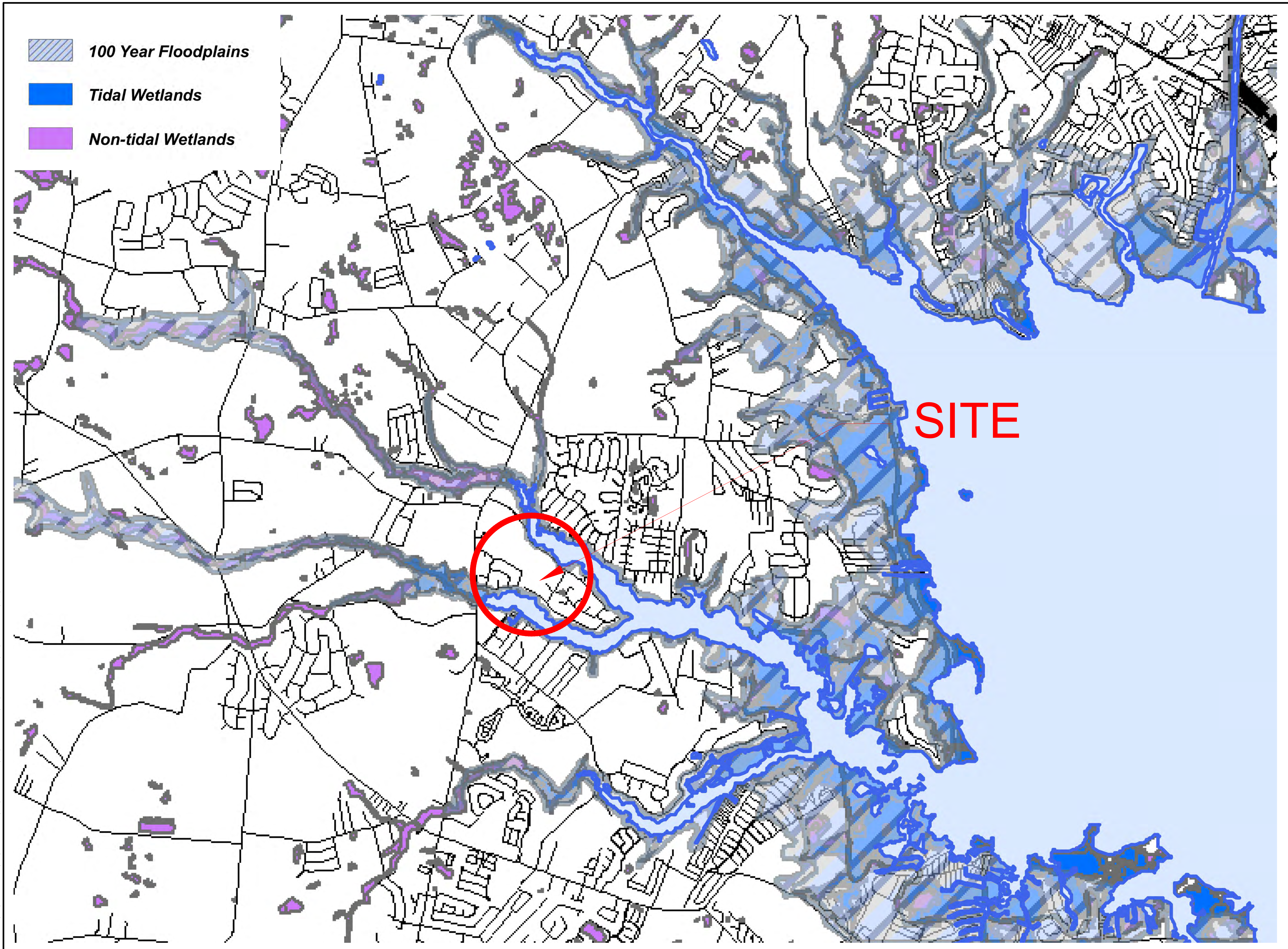
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WASTEWATER  
CPCN MAP

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-  100 Year Floodplains
-  Tidal Wetlands
-  Non-tidal Wetlands

**SITE**

© Project 2018 180222 Sloo Family Subdivision (various) (various) (various) 1/7/2019 10:38 PM London Myrick  
 PENN-RED 006 INCHES (1:600) PENN-YELLOW 007 INCHES (1:800) PENN-BLUE 010 INCHES (1:200) PENN-ORANGE 014 INCHES (1:300) PENN-GRAY 014 INCHES (1:300) PENN-BLACK 014 INCHES (1:300) PENN-WHITE 014 INCHES (1:300) PENN-GRAY 014 INCHES (1:300) PENN-BLACK 014 INCHES (1:300) PENN-WHITE 014 INCHES (1:300) PENN-GRAY 014 INCHES (1:300) PENN-BLACK 014 INCHES (1:300) PENN-WHITE 014 INCHES (1:300)

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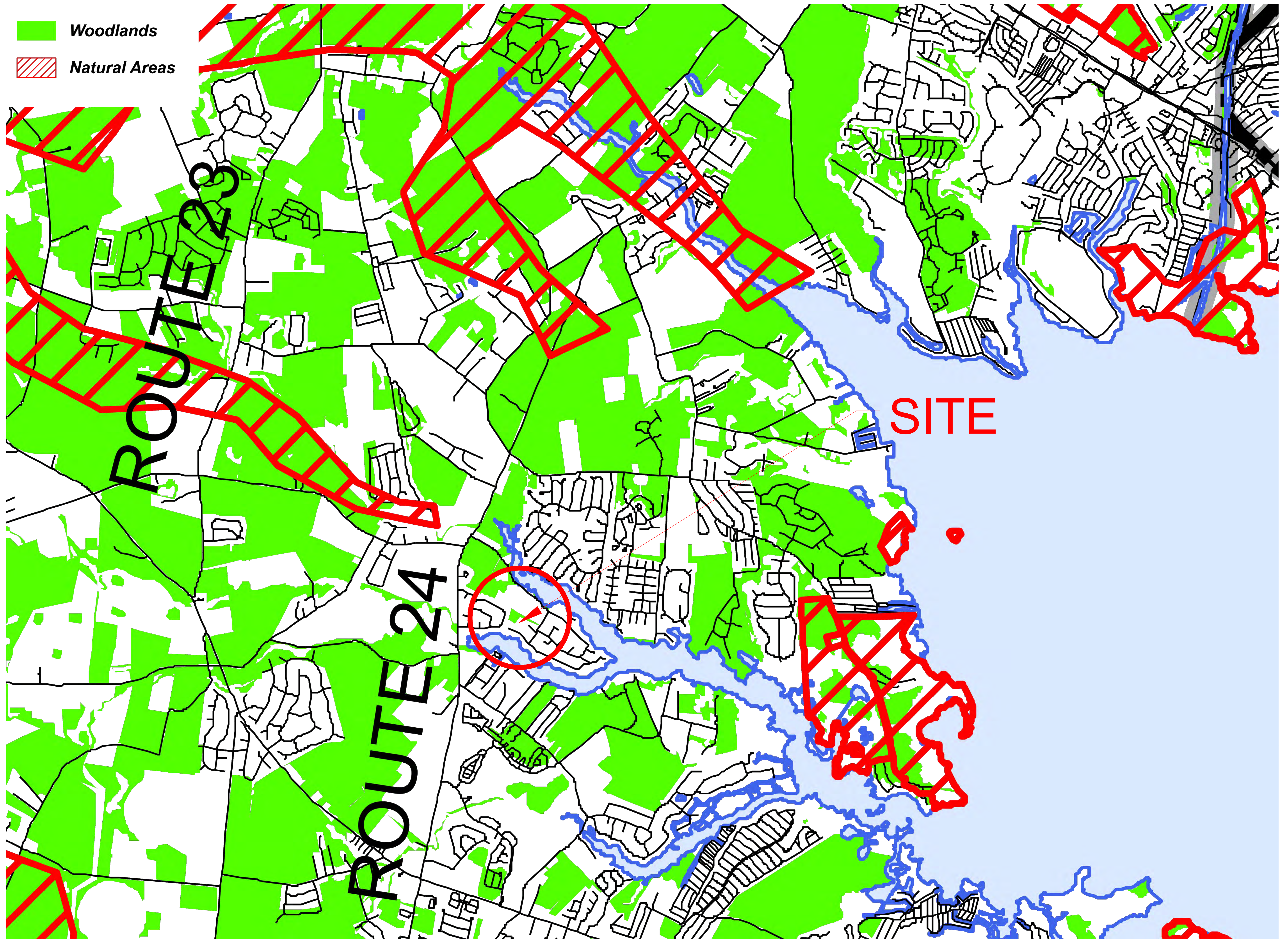
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FLOODPLAINS &  
 WETLANDS

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**Woodlands**  
 Woodlands  
 Natural Areas

**ROUTE 23**

**ROUTE 24**

**SITE**

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**WOODLANDS & NATURAL AREAS MAP**

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**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  
JANELLE CORNWELL, AICP  
DIRECTOR

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date April 25, 2019

Application: CU 2171 Lisa St. Clair

Applicant/Owner: Lisa M. St. Clair  
24500 Hollyville Rd.  
Millsboro, DE 19966

Site Location: 24500 Hollyville Rd, Millsboro. Northwest side of Hollyville Road,  
approximately 91 feet northwest of Harmony Cemetery Road.

Current Zoning: GR (General Residential District)

Proposed Use: Dog Bakery with Storage and Warehouse

Comprehensive Land  
Use Plan Reference: Mixed Residential Area

Councilmatic  
District: Mr. Burton

School District: Indian River School District

Fire District: Millsboro Fire District

Sewer: Private, On-Site Septic

Water: Private, On-Site Well

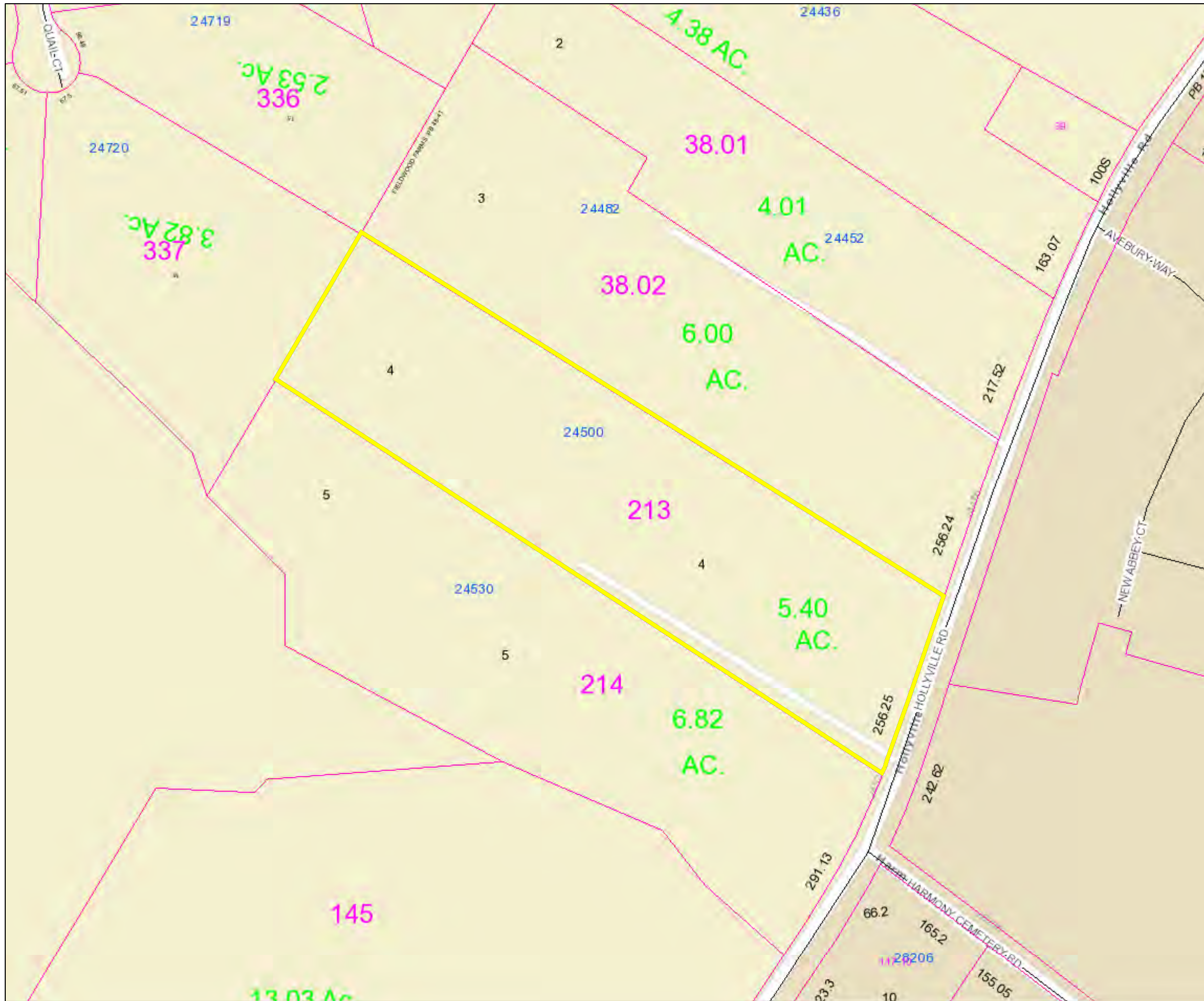
Site Area: 5.40 ac. +/-

Tax Map ID.: 234-21.00-213.00





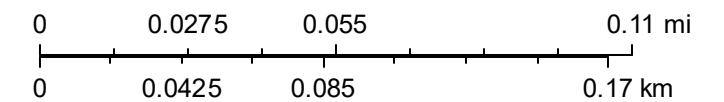
# Sussex County



<b>PIN:</b>	234-21.00-213.00
<b>Owner Name</b>	ST CLAIR LISA M TTEE
<b>Book</b>	4779
<b>Mailing Address</b>	24500 HOLLYVILLE RD
<b>City</b>	MILLSBORO
<b>State</b>	DE
<b>Description</b>	NW/RD 305
<b>Description 2</b>	3966' S/RT 48
<b>Description 3</b>	LOT 4
<b>Land Code</b>	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

1:2,257





# Sussex County



<b>PIN:</b>	234-21.00-213.00
<b>Owner Name</b>	ST CLAIR LISA M TTEE
<b>Book</b>	4779
<b>Mailing Address</b>	24500 HOLLYVILLE RD
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<b>Description</b>	NW/RD 305
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<b>Land Code</b>	

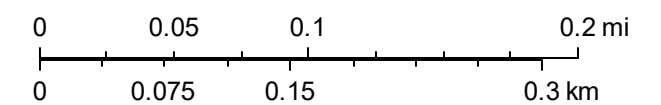
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Tax Parcels  
 Streets

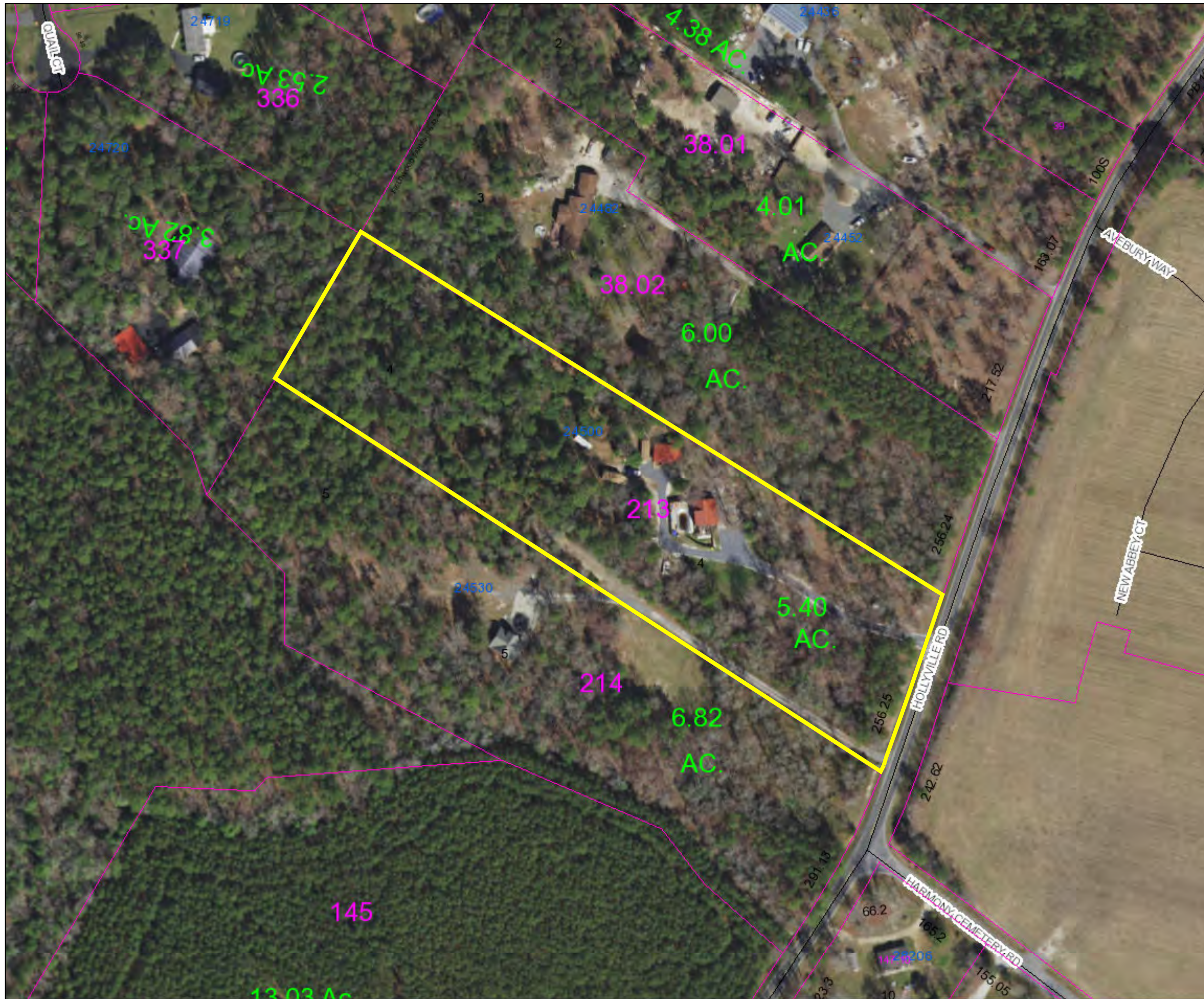
- Zoning**
- Agricultural Residential - AR-1
  - Agricultural Residential - AR-2
  - Medium Residential - MR
  - General Residential - GR
  - High Density Residential - HR-1
  - High Density Residential - HR-2
  - Vacation, Retire, Resident - VRP
  - Neighborhood Business - B-1
  - General Commercial - C-1
  - Commercial Residential - CR-1
  - Marine - M
  - Limited Industrial - LI-1
  - Limited Industrial - LI-2
  - Heavy Industrial - HI-1

1:4,514





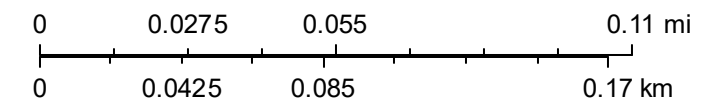
# Sussex County



<b>PIN:</b>	234-21.00-213.00
<b>Owner Name</b>	ST CLAIR LISA M TTEE
<b>Book</b>	4779
<b>Mailing Address</b>	24500 HOLLYVILLE RD
<b>City</b>	MILLSBORO
<b>State</b>	DE
<b>Description</b>	NW/RD 305
<b>Description 2</b>	3966' S/RT 48
<b>Description 3</b>	LOT 4
<b>Land Code</b>	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

1:2,257



## PLANNING & ZONING

JANELLE M. CORNWELL, AICP  
DIRECTOR

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



# Sussex County

DELAWARE  
sussexcountype.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Jamie Whitehouse, AICP MRTPI, Planning & Zoning Manager  
CC: Vince Robertson, Assistant County Attorney, and applicant  
Date: April 12, 2019  
RE: Staff Analysis for CU 2171 Lisa St. Clair

---

This memo is to provide background and analysis for the Planning Commission to consider as part of application CU 2171 Lisa St. Clair to be reviewed during the April 25, 2019, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 234-21.00-213.00 to allow for a dog bakery with storage and warehouse to be located at 24500 Hollyville Rd, Millsboro. The size of the property to be used as the Conditional Use is 5.4 ac. +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the properties have the land use designations of Coastal Area.

The site and the surrounding lands are designated on the Future Land Use Map (2018) as Existing Developed Areas.

Existing Development Areas consists primarily of existing residential development under the current General Residential and Medium Density Residential zoning districts, as well as some commercial uses. These areas are scattered throughout the County. These areas are typically surrounded by Low-Density Areas. In relation to permitted uses within the Existing Development Area, the full range of housing types allowed in the existing underlying zoning districts is appropriate in these residential areas, including single-family homes, townhouses, and multi-family units. Non-residential development should consist of uses found in the neighborhood business districts and commercial districts. There is no intention within the Comprehensive Plan to expand this land use classification.

The property is zoned GR (General Residential District). All of the surrounding lands are zoned GR (General Residential District). There is one Conditional Use within a 1-mile radius of the site for an electricity substation (CU 2057).

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow a dog bakery with storage and warehouse could be considered consistent with the Existing Developed Areas designation.





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

JENNIFER COHAN  
SECRETARY

December 5, 2017

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Lisa St. Clair** conditional use application, which we received on November 6, 2017. This application is for a 5.40-acre parcel (Tax Parcel: 234-21.00-213.00). The subject land is located on the west side Hollyville Road (Sussex Road 305), approximately 150 feet north of the intersection of Hollyville Road and Harmony Cemetery Road (Sussex Road 306). The subject land is currently zoned GR (General Residential), and the applicant is seeking a conditional use approval to utilize the facility for warehousing.

Per the 2016 Delaware Vehicle Volume Summary, the annual average daily traffic volume on an average day along the segment of Hollyville Road where the subject land is located, which is from Mount Joy Road (Sussex Road 297) to Harmons Hill Road (Sussex Road 302), is 2,928 vehicles per day.

Based on our review, we estimate that the proposed land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

Ms. Janelle M. Cornwell  
Page 2 of 2  
December 5, 2017

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Lisa St. Clair, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance and  
Operations  
Steven Sisson, Sussex County Subdivision Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Scott Johnson, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

File Edit Tools Insert Help

From mobile - KELLY PASSWATERS - 11/29/2018 10:41:34

11/29/18- VISITED SITE BUT COULD NOT GET OUT AND GET PICTURES AS THERE WERE 4 LARGE DOGS ON THE PROPERTY. OWNER DID COME OUT AND HER NAME IS LISA. SHE OWNER TAIL BANGE! SHE IS USING HER GARAGE AS STORAGE UNTIL HER NEW BUILDING IS BUILT ON BETTS POND ROAD WHICH SHE HAS RECEIVED APPROVAL FOR. THERE ARE OTHER BUSINESS THAT HAVE BE APPI SHE RELAYED THAT HER BUILDING ON THE PROPERTY IS ONLY USED FOR STORAGE AS SHE HAD RUN OUT OF ROOM UNTIL THE NEW BUILDING IS BUILT. I RELAYED THAT IT WOULD BE BEST FOI CONDITION USE FOR STORAGE ONLY ON THE PROPERTY. SHE RELAYED THAT SHE WILL APPLY. CALLED THE RP AND EXPLAINED THAT SHE WILL BE APPLYING FOR A CONDITIONAL USE.

LISA # 302-519-0752- CELL

Display as HTML



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

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **4/4/2019**

APPLICATION: **CU 2171 Lisa St. Clair**

APPLICANT: **Lisa M. St. Clair**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **234-21.00-213.00**

LOCATION: **24500 Hollyville Road, Millsboro. Northwest side of Hollyville Road, approximately 91 feet northwest of Harmony Cemetary Road.**

NO. OF UNITS: **Dog Bakery with storage and warehouse**

GROSS  
ACREAGE: **5.40**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

(1). Is the project in a County operated and maintained sanitary sewer and/or water district?

Yes

No

a. If yes, see question (2).

b. If no, see question (7).

(2). Which County Tier Area is project in? **Tier 3**

(3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

(4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **N/A** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Click or tap to enter a fee** per EDU. Please contact **Choose an item.** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Conditional Use is not in an area where the Sussex County Engineering Department has a plan/schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



---

John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
No Permit Tech Assigned



**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  
JANELLE CORNWELL, AICP  
DIRECTOR

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date April 25, 2019

Application: CZ 1881 Stephen P. Norman

Applicant/Owner: Norman Stephen Price Revocable Trust  
34026 Coastal Highway  
Bethany, DE 19930

Site Location: Northeast corner of Peppers Corner Road and Lizard Hill Road and also being on the north side of Lizard Hill Road, approximately 823 feet southeast of Peppers Corner Road.

Current Zoning: GR (General Residential District)

Proposed Zoning: GR-RPC (General Residential – Residential Planned Community)

Comprehensive Land  
Use Plan Reference: Environmentally Sensitive Developing Area

Councilmatic  
District: Mr. Rieley

School District: Indian River School District

Fire District: Millville Fire District

Sewer: Sussex County

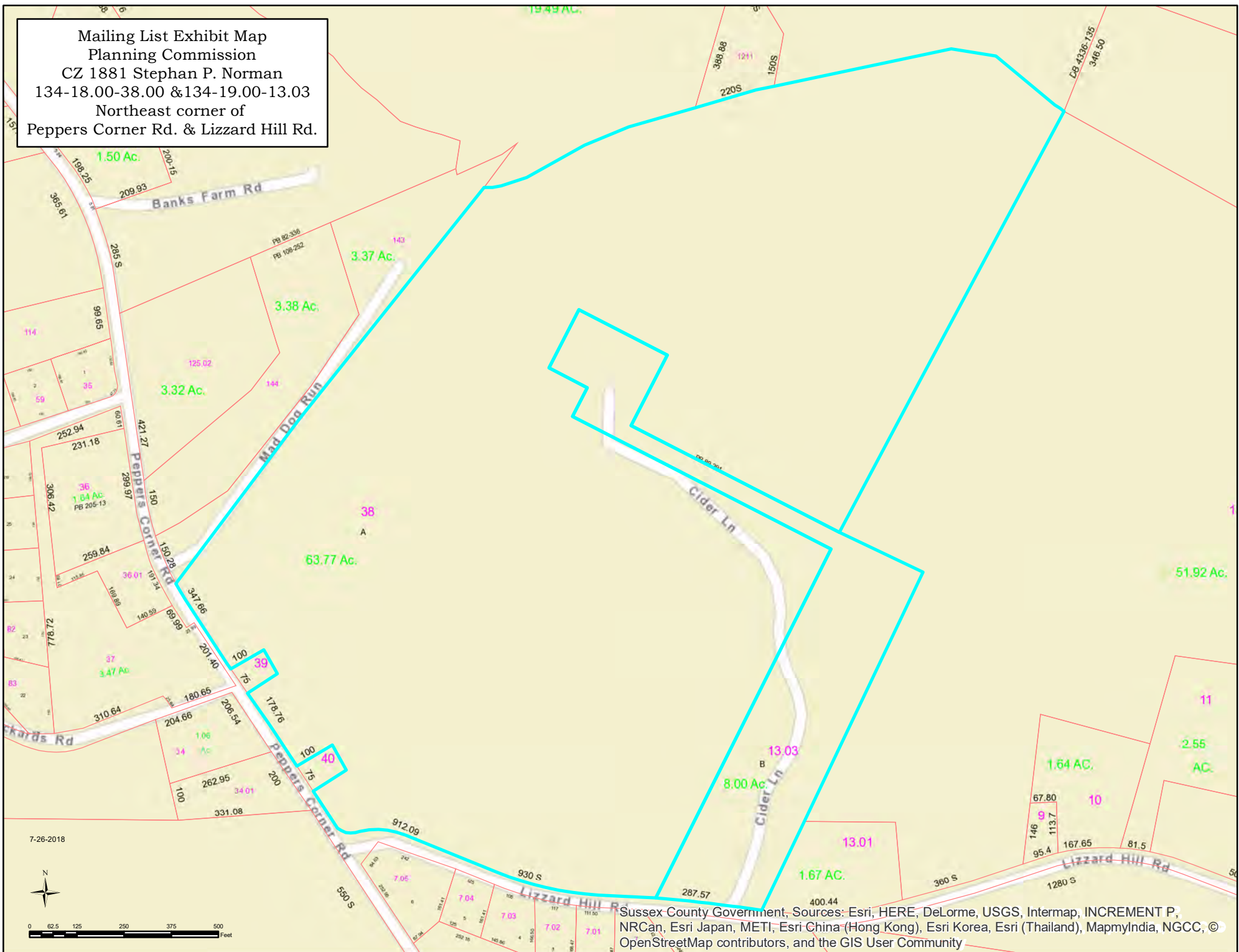
Water: Artesian Water Company, Inc.

Site Area: 71.754 ac. +/-

Tax Map ID.: 134-18.00-38.00 & 134-19.00-13.03

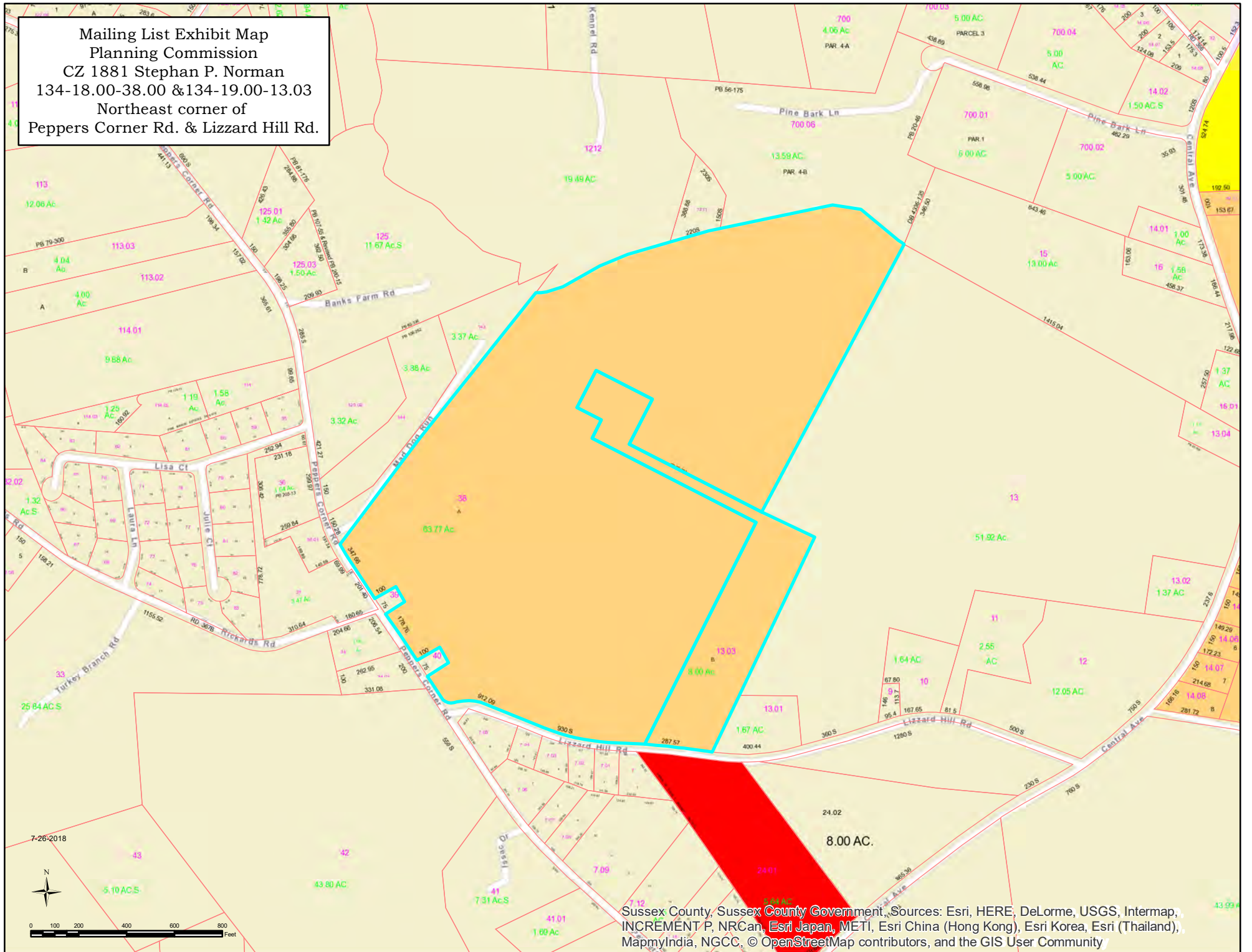


Mailing List Exhibit Map  
 Planning Commission  
 CZ 1881 Stephan P. Norman  
 134-18.00-38.00 & 134-19.00-13.03  
 Northeast corner of  
 Peppers Corner Rd. & Lizzard Hill Rd.

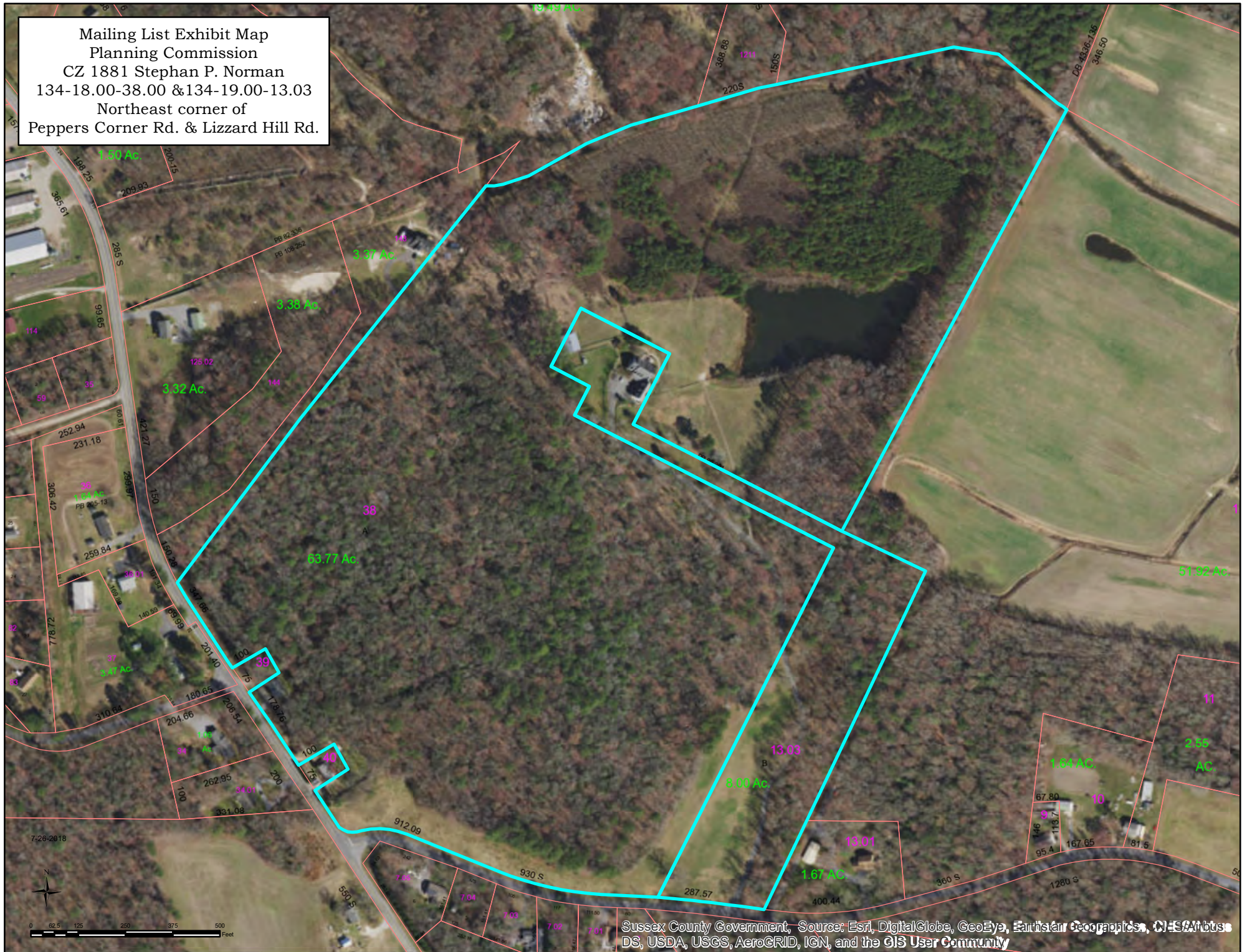


Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Mailing List Exhibit Map  
Planning Commission  
CZ 1881 Stephan P. Norman  
134-18.00-38.00 & 134-19.00-13.03  
Northeast corner of  
Peppers Corner Rd. & Lizzard Hill Rd.



Mailing List Exhibit Map  
 Planning Commission  
 CZ 1881 Stephan P. Norman  
 134-18.00-38.00 & 134-19.00-13.03  
 Northeast corner of  
 Peppers Corner Rd. & Lizzard Hill Rd.





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

JENNIFER COHAN  
SECRETARY

November 15, 2018

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Stephen Norman, Cider Hill Development Corporation, LLC** conditional use application, which we received on October 25, 2018. This application is for a 71.77-acre assemblage of parcels (Tax Parcels: 134-18.00-38.00 & 134-19.00-13.03). The subject land is located on the northeast corner of the intersection of Peppers Corner Road (Sussex Road 365) and Lizzard Hill Road (Sussex Road 367A). The subject land is currently zoned as GR (General Residential) and the applicant is seeking a conditional use approval to develop 45 single-family detached dwelling units and 142 multi-family dwelling units.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Peppers Corner Road where the subject land is located, which is from Bayard Road (Sussex Road 84) / Double Bridges Road (Sussex Road 363) to Beaver Dam Road (Sussex Road 368), is 1,790 vehicles per day. As the subject land also has frontage along Lizzard Hill Road, the annual average daily traffic volume along that road segment is 484 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per a weekly peak hour or 500 vehicle trips per day, and would be considered to have a Minor impact to the local area roadways. The Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and / or 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.

DelDOT's 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.





Ms. Janelle M. Cornwell

Page 2 of 2

November 15, 2018

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, a development of 45 single-family detached dwelling units and 142 multi-family dwelling units would generate 1,532 vehicle trips per day, 104 vehicle trips during the morning peak hour, and 128 vehicle trips during the afternoon peak hour. The Area-Wide Study Fee for the proposed development would be \$15,320.00. Payment of the Area-Wide Study Fee does not relieve a developer from having to make or participate in off-site improvements.

Perhaps for that reason, the applicant has chosen to proceed with the TIS. The applicant's engineer submitted the TIS to DelDOT on October 26, 2018, and DelDOT has it under review.

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Stephen Norman, Cider Hill Development Corporation, LLC, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance and Operations  
Steven Sisson, Sussex County Subdivision Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
Susanne Laws, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination



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

JENNIFER COHAN  
SECRETARY

February 12, 2019

Ms. Betty Tustin  
The Traffic Group, Inc.  
104 Kenwood Court  
Berlin, MD 21236

Dear Ms. Tustin:

The Department has completed its review of the TIS for the proposed **Lakelynn** residential development. The TIS was prepared by The Traffic Group (TTG), and is dated October, 2018. TTG prepared the report in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The analysis evaluates the traffic impacts of the proposed development, which would be located on the north side of Lizzard Hill Road (Sussex Road 367A), east of Peppers Corner Road (Sussex Road 365) in Sussex County.

The proposed development would consist of 45 single-family detached houses and 142 multi-family houses on an approximately 71.77-acre assemblage of parcels (Tax Parcels 134-18.00-38.00 & 134-19.00-13.03). One full access is proposed on Lizzard Hill Road. Construction is expected to be complete in 2023.

The subject property is currently zoned as GR (General Residential) and the developer does not plan to rezone the land.

Based on our review, we find that the intersections of the Site Entrance / Lizzard Hill Road and Peppers Corner Road / Lizzard Hill Road would operate at level of service (LOS) D or better during the a.m. and p.m. peak hours for both present and future conditions, and would meet the LOS criteria listed in Chapter 2 of the Development Coordination Manual.



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

1. The developer should reconstruct Lizzard Hill Road from Peppers Corner Road to the eastern limit of the site frontage to provide for eleven-foot travel lanes and five-foot shoulders. The developer should provide a bituminous concrete overlay to the existing travel lanes, at DelDOT's discretion. DelDOT should analyze the existing lanes' pavement section and recommend an overlay thickness to the developer's engineer if necessary.
2. The developer should construct the full site access on Lizzard Hill Road; the proposed configuration is shown in the table below:

<b>Approach</b>	<b>Existing Configuration</b>	<b>Proposed Configuration</b>
Southbound Site Entrance	Approach does not exist	One shared left-turn / right-turn lane
Eastbound Lizzard Hill Road	One through lane	One left-turn lane, one through lane
Westbound Lizzard Hill Road	One through lane	One through lane, one right-turn lane

Initial recommended minimum turn-lane lengths (excluding tapers) of the separate turn lanes are listed below. These lengths were based on DelDOT's *Auxiliary Lane Worksheet* (version 5.1). The developer should coordinate with DelDOT's Development Coordination Section to determine final turn-lane lengths during the site plan review.

<b>Approach</b>	<b>Left-Turn Lane</b>	<b>Right-Turn Lane</b>
Southbound Site Entrance	N/A	N/A
Eastbound Lizzard Hill Road	185 feet	N/A
Westbound Lizzard Hill Road	N/A	190 feet

3. The following bicycle, pedestrian, and transit improvements should be included:
  - a. Where the right-turn lane is added at the site entrance, a minimum of a five-foot bicycle lane should be dedicated and striped with appropriate markings for bicyclists through the turn-lane in order to facilitate safe and unimpeded bicycle travel. A right-turn yield to bikes sign should be added at the start of the lane.
  - b. Appropriate bicycle symbols, directional arrows, pavement markings, and signing should be included along bicycle facilities and turn lanes within the project limits.

- c. A fifteen-foot wide easement from the edge of the right-of-way should be dedicated to DelDOT within the site frontage along Lizzard Hill Road.
- d. ADA compliant curb ramps and crosswalks should be provided at all pedestrian crossings, including the site entrance. Type 3 curb ramps are discouraged.

Improvements in this TIS may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at [http://www.deldot.gov/information/pubs\\_forms/manuals/de\\_mutcd/index.shtml](http://www.deldot.gov/information/pubs_forms/manuals/de_mutcd/index.shtml). For any additional information regarding the work zone impact and mitigation procedures during construction please contact Mr. Mark Buckalew of DelDOT's Traffic Section. Mr. Buckalew can be reached at (302) 894-6353 or by email at [Mark.Buckalew@state.de.us](mailto:Mark.Buckalew@state.de.us).

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

Level of service (LOS) tables are attached. If you have any questions concerning this review, please contact me at (302) 760-2167. My email is [Troy.Brestel@state.de.us](mailto:Troy.Brestel@state.de.us).

Sincerely,



Troy Brestel  
Project Engineer

TWB:tbm  
Enclosures

cc with enclosures: Ms. Janelle Cornwell, Sussex County Planning & Zoning  
Mr. Robert McCleary, Director, Transportation Solutions (DOTS)  
Mr. Drew Boyce, Director, Planning  
Mr. Mark Luszcz, Chief Traffic Engineer, Traffic, DOTS  
Mr. Michael Simmons, Assistant Director, Project Development South,  
DOTS  
Mr. Alastair Probert, South District Engineer, DOTS  
Mr. J. Marc Coté, Assistant Director, Development Coordination  
Mr. T. William Brockenbrough, Jr., County Coordinator, Development  
Coordination  
Mr. Peter Haag, Traffic Studies Manager, Traffic, DOTS  
Mr. David Dooley, Service Development Planner, Delaware Transit  
Corporation  
Mr. Anthony Aglio, Planning Supervisor, Statewide & Regional Planning  
Ms. Susanne Laws, Sussex County Subdivision Coordinator,  
Development Coordination  
Mr. Mark Buckalew, Traffic Safety Engineer, DelDOT Traffic, DOTS  
Mr. Claudy Joinville, Project Engineer, Development Coordination  
Mr. Brian Yates, Johnson, Mirmiran & Thompson, Inc.

Table 1  
 PEAK HOUR LEVELS OF SERVICE (LOS)  
 Lakelynn – TIS

Unsignalized Intersection <sup>1</sup>	LOS per TIS		LOS per DeIDOT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Lizzard Hill Road / Site Entrance				
2023 with development				
Southbound Site Entrance	A (9.0)	A (9.1)	A (8.9)	A (8.9)
Eastbound Lizzard Hill Road Left-Turn	A (7.3)	A (7.4)	A (7.3)	A (7.4)

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<sup>1</sup> The numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

Table 2  
 PEAK HOUR LEVELS OF SERVICE (LOS)  
 Lakelynn – TIS

Unsignalized Intersection <sup>1</sup>	LOS per TIS		LOS per DelDOT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Peppers Corner Road / Lizzard Hill Road				
2018 Existing				
Southbound Peppers Corner Road Left-Turn	A (7.4)	A (7.4)	A (7.4)	A (7.4)
Westbound Lizzard Hill Road	A (8.7)	A (8.7)	A (8.7)	A (8.7)
2023 without development				
Southbound Peppers Corner Road Left-Turn	A (7.5)	A (7.5)	A (7.5)	A (7.5)
Westbound Lizzard Hill Road	A (9.0)	A (8.9)	A (8.9)	A (8.9)
2023 with development				
Southbound Peppers Corner Road Left-Turn	A (7.6)	A (7.6)	A (7.5)	A (7.6)
Westbound Lizzard Hill Road	A (9.8)	A (9.8)	A (9.5)	A (9.7)

<sup>1</sup>The numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.



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

December 2, 2018

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

Attn: Janelle Cornwell, Director of Planning

RE: **PLUS review 2018-09-08; Lakelynn**  
Response to PLUS Review-2017-09-08  
Tax Map No.: 1-34-18.00-38.00 & 1-34-19.00-13.03  
DBF #3131A001.E01

Dear Ms. Cornwell:

We have read and reviewed the comments provided during the PLUS Review of the Project on September 28, 2018, and received from the Office of State Planning dated October 24, 2018. We offer the following item-by-item response narrative for your review:

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

This project represents land development that will result in 187 residential units in an Investment Levels 3 and 4 areas according to the *2015 Strategies for State Policies and Spending*.

Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. We encourage you to design the site with respect for the environmental features which are present. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

Because the development is inconsistent with the *Strategies for State Policies and Spending*, the State cannot support any development within Level 4 areas and recommends the site plan be changed to take out the houses currently proposed in the Level 4 area.

***We recognize that the project is located within Investment Levels 3 & Level 4. With the growth in the area, development of nearby parcels to the north & south, we believe this project to be a good fit to the surrounding community. The project falls within the***



*Counties' sanitary sewer planning areas and is in line with the Counties investment in infrastructure. The site will be designed with respect to the environmental features located on the parcel. Wetlands will be protected by a 25' buffer.*

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

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

- The site access on Lizzard Hill Road (Sussex Road 367A) 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 standards.**
- Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The July 24, 2018, Traffic Impact Study (TIS) Scoping Meeting is not sufficient in this regard.  
**Developer will schedule a Pre-Submittal meeting.**
- Section P.5 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 to determine improvements needed, the required initial stage fee and construction fees.**
- Per Section 2.2.2.1 of the Development Coordination 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. The PLUS application states that the proposed development would generate 1,436 vehicle trip ends per day. DelDOT calculates that the development would generate 1,532 vehicle trip ends per day and 138 vehicle trip ends per hour during the evening peak hour of Lizzard Hill Road. Therefore a TIS is warranted.
  - DelDOT met with the applicant on July 24, 2018, to establish a scope of work for the TIS. A memorandum detailing that scope is attached.
  - The purpose of a TIS is to identify needed off-site improvements. Required improvements that DelDOT can identify without a TIS include the following:
    - Improvement of Lizzard Hill Road to meet DelDOT local road standards, including 11-foot lanes and 5-foot shoulders in both directions within the limits of the site frontage;

- A minor realignment of Lizzard Hill Road at Peppers Corner Road (Sussex Road 365) to improve the intersection's geometry; and
- An overlay and minor widening of Lizzard Hill Road from the east limits of the site frontage to Central Avenue (Sussex Road 84) to provide 11-foot lanes and preserve the road's structural integrity.

***Developer will work with DelDOT in regards to a Traffic Impact Study and the improvements needed. Schematic drawings to the realignment of Lizzard Hill Rd. @ Peppers Corner Rd. have been discussed with DelDOT. A reduction in the number of Total units from 187 to 179 should bring the total trips down slightly***

- Section 3.2.4.2 of the Manual addresses the placement of right-of-way monuments (markers) along the roads on which a property fronts, in this case Lizzard Hill Road and Peppers Corner Road. Monuments sufficient to re-establish the permanent rights-of-way after the dedication discussed below should be shown on the plan and provided in the field in accordance with this section.

***Monuments will be provided on the plans to show the re-established rights-of-way.***

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

***Sufficient right-of-way exists along Peppers Corner Road. A 5' dedication along Lizzard Hill Road will be required and noted on the plans.***

- In accordance with Section 3.2.5.1.1 of the Manual, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the site entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.

***Development sign will be located outside of any existing and/or proposed right-of-way areas. The sign will be in accordance to county standard and will not provide a safety hazard.***

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Lizzard Hill Road and Peppers Corner Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site.

The following note is required, **“A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.”**  
**Developer will provide the required 15' wide permanent easement across the frontage**

- In accordance with Section 3.4 of the Manual, a record plan shall be prepared prior to issuing “Letter of No Objection”. The record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document available on the DelDOT website at <https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items-Record-Subdivision.pdf?09222017>.

**Developer will provide the required items prior to receiving DelDOT's Letter of No Objection to record.**

- 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 600 feet of the proposed entrance on Lizzard Hill Road.
  - Notes identifying the type of any off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

**A Traffic Generation Diagram will be provided. Existing entrances have been added to the plans.**

- Section 3.5 of the Manual provides DelDOT's requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT-maintained public streets for subdivisions. Private or municipal streets should follow the County's requirements for connectivity.

**Connectivity will be provided when feasible.**

- Section 3.5.4.2 of the Development Coordination Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, the requirement for installation of a sidewalk or Shared Use Path along the development's road frontage is at DelDOT's discretion if the development is in a Level 3 or 4 Area relative to the Strategies for State Policies and Spending and would generate less than 2,000 vehicle trip ends per day. Because of the rapidly developing nature of the area, DelDOT finds that installation of a sidewalk or Shared Use Path would be appropriate, but the proximity of wetlands to Lizzard Hill Road and Peppers Corner Road may make such facilities impractical. This matter will need to be discussed further at the Pre-Submittal Meeting.

**Developer will work with DelDOT to determine which improvements will be necessary.**

- Referring to Section 3.5.5 of the Manual, existing and proposed transit stops and associated facilities as required by the Delaware Transit Corporation (DTC) or DelDOT shall be shown on the Record Plan.  
**Should a need for a transit stop be warranted, it will be added to the Record Plan.**
- Section 3.5.4.4 of the Manual addresses access-ways, which are similar to Shared Use Paths (SUP) but are used to connect from an SUP or sidewalk along a road to an interior trail or subdivision street when the spacing between streets is inadequate to accommodate convenient pedestrian and bicycle travel. DelDOT anticipates requiring one access-way from Lizzard Hill Road to the end of Drive C and another from Peppers Corner Road to the end of Drive G.  
**Connections have been added to the plans.**
- Referring to Section 4.3 of the Manual, an entrance plan shall be prepared prior to issuing entrance approval. The entrance plan submittal shall include the items listed on the Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plan document available on the DelDOT website at [https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items\\_Entrance\\_Construction\\_Subdivision.pdf?09222017](https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items_Entrance_Construction_Subdivision.pdf?09222017).  
**Entrance plan will be submitted for DelDOT review and approval.**
- In accordance with Section 5.2.5.6 of the Manual, a separate turning template plan shall be provided to verify vehicles can safely enter and exit the site entrances. As per Section 5.2.3 of the Manual, the entrances shall be designed for the largest vehicle using the entrance.  
**Turning templates will be provided to Deldot along with the entrance plans.**
- 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>.  
**Developer will provide the required lane width's and distance as required by DelDOT.**
- 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 the plans.**
- 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 relocated a utility relocation plan will be provided.**
- Because the proposed development would not have State-maintained streets, Section 6.4.3 of the Manual, which pertains to the inspection and acceptance of commercial entrances,

applies. Construction inspection responsibilities shall be in accordance with Figure 6.4.3-a. DelDOT's preliminary reading of this figure is that the project requires Level I inspection and that a construction inspection agreement will not be needed.

***The subdivision entrance and roads will be designed to meet DelDOT and/or county standards.***

- Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.  
***Required easement will be provided.***

**Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352**

- The Department of Natural Resources and Environmental Control did not submit comments regarding this application. If the development of this property requires permits from a DNREC section, please contact the DNREC regulatory agency directly.

**State Historic Preservation Office – Contact Carlton Hall 736-7404**

- Our office does not support development in a Level 4 area.  
***The majority of the single family homes are located in level 3 area. The proximity of the property to other areas of level 3 areas in the vicinity and the availability of central utilities, we believe, makes this project to be a good fit to the surrounding community.***
- There is no known archaeological site or National Register-listed or eligible property on the parcel. However, there is potential for very early historic occupation to be present in the area. In looking at the Beers' Atlas map of 1868, there was a school house and a residence just to the north noted as owned by D. Godwin. The Delaware SHPO would be happy to work with the developer to locate any sites within the areas to be disturbed by construction and perhaps look at ways to preserve important sites found within open space.  
***Thank you for researching known archaeological sites and National Registers listings.***
- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54)  
***Should Human remains be found, the Developer will follow all State and Federal laws.***
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. Owners and developers who may plan to

apply for an Army Corps of Engineers permit or for federal funding, such as HUD or USDA grants, should be aware of the National Historic Preservation Act of 1966 (as amended). If you need further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: [www.achp.gov](http://www.achp.gov)

***We do not anticipate any federal funding. Army Corps will approve the wetland delineations. The Developer will follow the National Historic Preservation Act of 1966.***

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

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

**Fire Protection Water Requirements:**

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.
- Where a water distribution system is proposed for townhouse type dwellings it shall be capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 800 feet spacing on centers are required.
- The infrastructure for fire protection water shall be provided, including the size of water mains.

***Water will be provided by Artesian Water Company and will meet or exceed pressure and duration requirements.***

**Accessibility:**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where traffic circles (roundabouts) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- 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. ***The development will work with and meet all accessibility requirements the Fire Marshall's office may have.***

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

- Provide type of fuel proposed, and show locations of bulk containers on plan. ***The type of fuel is unknown at this time. Should gas be proposed, locations will be shown on the plan.***

#### **Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
  - Name of Water Supplier
  - Proposed Use
  - National Fire Protection Association (NFPA) Construction Type
  - Townhouse 2-hr separation wall details shall be shown on site plans
  - Maximum Height of Buildings (including number of stories)
  - Provide Road Names, even for County Roads
- Fire lane will be marked, Artesian Water company will provide the water service, Residential Planned Community is the proposed use, Construction Type is Wood/Concrete Block(Type V), Townhouse details will be submitted, max building height is 3.5 stories, road names have been added to the plans.***

#### **Recommendations/Additional Information**

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

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

- Section 3.2.4.1 of the Manual addresses the placement of right-of-way monuments (markers) along subdivision streets. DelDOT recommends that monuments be furnished and placed along the proposed streets in accordance with this section. ***Monuments will be provided.***
- Section 5.2.6 of the Manual addresses entrance length, meaning the distance from the road on which a development fronts and the first intersection internal to the site. While the specific guidance provided in Section 5.2.6 relates to commercial developments, DelDOT finds that

the Drive C intersection on Road A may be too close to Lizzard Hill Road. The TIS will provide helpful information in this regard.

***Developer will work with DelDOT to provide the required distances.***

- The applicant should expect a requirement that Drive C be screened from Lizzard Hill Road in a manner acceptable to DelDOT where the two roads would be adjacent and parallel. The concern is that drivers could be confused by seeing oncoming headlights on their right.  
***Developer will work with DelDOT to provide the required screening with landscaping or fencing.***
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal street or driveway with no direct access to Lizzard Hill Road or Peppers Corner Road.  
***The proposed pump station is located on Road F and will have access from an internal street.***
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.  
***Plus comments are being addressed as part of TAC submission. TAC comments will be address prior to DelDOT submission.***
- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall now be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available on our website at <http://www.deldot.gov/Business/subdivisions/index.shtml>.  
***Plans will be submitted electronically via the PDCA***
- 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 date of December 8, 2017. The notes can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.  
***Standard General Notes will be added to the plans.***

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

- Although not a requirement of the State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in single-family dwellings and townhouses. The Office of the State Fire Marshal also reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website: <http://delcode.delaware.gov/title6/c036/sc03/index.shtml>

***The developer will consider the benefits of providing sprinkler protection.***



Ms. Janelle Cornewell  
Sussex County Planning and Zoning  
December 1, 2017  
Page 10 of 10

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.  
***We look forward to working with your office throughout the approval process.***

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

On behalf of the Developer we thank the State for providing us with these comments. Please contact me at (302) 424-1441 if you have any questions or need additional information.

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



Joseph M Joachimowski, Jr.

*Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.*

December 3, 2018

Georgetown Administrative Building  
Planning and Zoning Department  
2 The Circle  
Georgetown, DE 19947

Attn: Janelle Cornwell

Re: Lakelynns  
Chapter 99-9 C Response  
Tax Parcel No.: 1-34-18.00-38.00 & 1-34-19.00-13.03  
DBF # 3131A001.E01

Dear Chairman and Members of the Commission,

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

The proposed Lakelynns subdivision provides careful consideration of the following items in Sussex County Chapter 99-9C:

- 1. Integration of the proposed subdivision into the existing terrain and surrounding landscape.**
  - a. The subdivision is designed to allow the maximum separation distance from adjacent properties. The nearest distance from townhome buildings and single family lots to adjoining properties is 70'. Along the property road frontage a 15' shared use path is provided.
- 2. Minimal use of wetlands and floodplains.**
  - a. A wetlands delineation was performed. The investigation found Federal and State Wetlands on site. (locations shown on site plan)
  - b. A 25' voluntary wetland buffer has been provided from the delineated federal wetlands boundary. A 50' wetland buffer has been provided from the delineated state wetlands boundary. We do not anticipate any disturbance to the wetland areas.
  - c. The entire property falls outside any 100-yr flood plain.

**3. Preservation of natural and historical features.**

- a. According to the National Register of Historical Places and the State Historic Preservation Office, there are no known archaeological sites or National Register-listed property on this parcel.

**4. Preservation of open space and scenic views.**

- a. There is a total of approximately 40.95 acres of open space provided for this project, which is 57.1% of the total site area. Those open space areas include wetlands, stormwater, a community club house/pool, vegetated buffers/shared use path, and other green areas.

**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. Existing wooded areas within wetlands will remain undisturbed(except utility crossings and stormwater discharge areas).

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

- a. The nearest building or lot line will be 70' from any adjoining property line. Existing trees will remain along the adjacent property lines to act as a buffer to screen the subdivision from neighboring properties.

**7. Provision for water supply.**

- a. Artesian Water Company will supply all homes with central water.

**8. Provision for sewage disposal.**

- a. A pump station and forcemain is proposed on the property in order to tie into Sussex Counties sewer system.

**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 Technology where feasible for the project.

**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 discharge 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 interior of the subdivision contains sidewalks providing pedestrian connection throughout the site as well as to adjoining properties.
- b. 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.

**12. Effect on area property values.**

- a. Based on historical land trends in Sussex County, the property values around the proposed subdivision will increase with the development.

**13. Preservation and conservation of farmland.**

- a. Developing this wooded parcel will not affect the preservation and conservation of farmland.

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

- a. The increase in tax revenue to the school district will assist in the maintenance and operations of the public school system.
- b. The trend towards seniors moving to Sussex County will provide tax revenue without adding large numbers of potential new students.

**15. Effect on area roadways and public transportation.**

- a. The subdivision streets will be designed to Sussex County standards and specifications. The development will pay into the Area Wide Study fee which will contribute to necessary improvements in the area.

**16. Compatibility with other area land uses.**

- a. The subdivision conforms to the designated zoning for the property and is consistent with the surrounding land use as mentioned above.

**17. Effect on area waterways.**

- a. The subdivision will be designed and constructed to comply with all sediment and stormwater regulations.
- b. The site will comply with all TMDLs and PCS's as adopted by the State.

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

Sincerely,  
DAVIS, BOWEN & FRIEDEL, INC.



W. Zachary Crouch  
Principal

## Christin Headley

---

**From:** Hayes, John G. (DNREC) <John.Hayes@state.de.us>  
**Sent:** Wednesday, December 12, 2018 12:21 PM  
**To:** Christin Headley  
**Subject:** RE: TAC Review for 2018-35 Lakelynnns

Christin,

The Groundwater Discharges Section has no comment on Lakelynnns (2018-35) since it is proposed to utilize public sewer. Thank you Christin and have a Merry Christmas and a Happy New Year!

Jack

John G. "Jack" Hayes, Jr.  
Environmental Program Manager  
Delaware Department of Natural Resources and Environmental Control  
Groundwater Discharges Section  
89 Kings Highway  
Dover, DE 19901  
[John.hayes@state.de.us](mailto:John.hayes@state.de.us)  
(302) 739-9327  
(302) 739-7764 Fax

**From:** Christin Headley [mailto:christin.headley@sussexcountycle.gov]  
**Sent:** Wednesday, December 12, 2018 10:49 AM  
**To:** Brad Hawkes <bhawkes@sussexcountycle.gov>; C. Daniel Parsons <dparsons@sussexcountycle.gov>; Dean Holden - Chesapeake Electric <dholden@chpk.com>; Fox, Duane T. (FireMarshal) <Duane.Fox@state.de.us>; Butler, Eileen M. (DNREC) <Eileen.Butler@state.de.us>; Watson, Jessica (DNREC) <Jessica.Watson@state.de.us>; John J. Ashman <jashman@sussexcountycle.gov>; Hayes, John G. (DNREC) <John.Hayes@state.de.us>; Kennel, John M. (DNREC) <John.Kennel@state.de.us>; Martin, John (DNREC) <John.Martin@state.de.us>; Fleming, Kate M. (DNREC) <Kate.Fleming@state.de.us>; Kelley Gabbard <kgabbard@chpk.com>; DeVore, Lauren (DNREC) <Lauren.Devore@state.de.us>; Crystall, Meghan (DNREC) <Meghan.Crystall@state.de.us>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@state.de.us>; Mike Brady <MBRADY@sussexcountycle.gov>; Melendez, Milton (DDA) <milton.melendez@state.de.us>; Rob Davis <rdavis@sussexcountycle.gov>; Sisson, Steven (DeIDOT) <Steven.Sisson@state.de.us>; Subdivision (MailBox Resources) <Subdivision@state.de.us>; Susan Isaacs <sisaaacs@sussexcountycle.gov>; Terri Dukes <tdukes@sussexcountycle.gov>; Troy Dickerson <TDickerson@decoop.com>; Vince Robertson <vrobertson@pgslegal.com>  
**Subject:** TAC Review for 2018-35 Lakelynnns

Good Afternoon,

Sussex County Planning Office has received three (3) applications that require TAC review. Attached is a memo regarding the applications and PDF's of the plans submitted for 2018-33 Overbrook Meadows West, 2018-34 Keastone Bay, & 2018-35 Lakelynnns. There will be THREE separate emails!

Please provide comments on or before Wednesday, January 16, 2019.

Please feel free to contact me with any questions.

Thanks,

*Christin Headley*

Christin Headley, Planning Technician  
Planning & Zoning Department  
2 The Circle  
PO Box 417  
Georgetown, DE 19947  
302-855-7878  
[christin.headley@sussexcountyde.gov](mailto:christin.headley@sussexcountyde.gov)

## Christin Headley

---

**From:** Hayes, John G. (DNREC) <John.Hayes@state.de.us>  
**Sent:** Wednesday, December 12, 2018 12:19 PM  
**To:** Christin Headley  
**Subject:** RE: TAC Review for 2018-34 Keastone Bay

Christin,

The Groundwater Discharges Section has no comment on Keastone Bay (2018-34) since it is proposed to utilize public sewer. Thank you.

Jack

John G. "Jack" Hayes, Jr.  
Environmental Program Manager  
Delaware Department of Natural Resources and Environmental Control  
Groundwater Discharges Section  
89 Kings Highway  
Dover, DE 19901  
[John.hayes@state.de.us](mailto:John.hayes@state.de.us)  
(302) 739-9327  
(302) 739-7764 Fax

**From:** Christin Headley [mailto:[christin.headley@sussexcountyde.gov](mailto:christin.headley@sussexcountyde.gov)]  
**Sent:** Wednesday, December 12, 2018 10:49 AM  
**To:** Brad Hawkes <[bhawkes@sussexcountyde.gov](mailto:bhawkes@sussexcountyde.gov)>; C. Daniel Parsons <[dparsons@sussexcountyde.gov](mailto:dparsons@sussexcountyde.gov)>; Dean Holden - Chesapeake Electric <[dholden@chpk.com](mailto:dholden@chpk.com)>; Fox, Duane T. (FireMarshal) <[Duane.Fox@state.de.us](mailto:Duane.Fox@state.de.us)>; Butler, Eileen M. (DNREC) <[Eileen.Butler@state.de.us](mailto:Eileen.Butler@state.de.us)>; Watson, Jessica (DNREC) <[Jessica.Watson@state.de.us](mailto:Jessica.Watson@state.de.us)>; John J. Ashman <[jashman@sussexcountyde.gov](mailto:jashman@sussexcountyde.gov)>; Hayes, John G. (DNREC) <[John.Hayes@state.de.us](mailto:John.Hayes@state.de.us)>; Kennel, John M. (DNREC) <[John.Kennel@state.de.us](mailto:John.Kennel@state.de.us)>; Martin, John (DNREC) <[John.Martin@state.de.us](mailto:John.Martin@state.de.us)>; Fleming, Kate M. (DNREC) <[Kate.Fleming@state.de.us](mailto:Kate.Fleming@state.de.us)>; Kelley Gabbard <[kgabbard@chpk.com](mailto:kgabbard@chpk.com)>; DeVore, Lauren (DNREC) <[Lauren.Devore@state.de.us](mailto:Lauren.Devore@state.de.us)>; Crystall, Meghan (DNREC) <[Meghan.Crystall@state.de.us](mailto:Meghan.Crystall@state.de.us)>; Tholstrup, Michael S. (DNREC) <[Michael.Tholstrup@state.de.us](mailto:Michael.Tholstrup@state.de.us)>; Mike Brady <[MBRADY@sussexcountyde.gov](mailto:MBRADY@sussexcountyde.gov)>; Melendez, Milton (DDA) <[milton.melendez@state.de.us](mailto:milton.melendez@state.de.us)>; Rob Davis <[rdavis@sussexcountyde.gov](mailto:rdavis@sussexcountyde.gov)>; Sisson, Steven (DelDOT) <[Steven.Sisson@state.de.us](mailto:Steven.Sisson@state.de.us)>; Subdivision (MailBox Resources) <[Subdivision@state.de.us](mailto:Subdivision@state.de.us)>; Susan Isaacs <[sisaac@sussexcountyde.gov](mailto:sisaac@sussexcountyde.gov)>; Terri Dukes <[tdukes@sussexcountyde.gov](mailto:tdukes@sussexcountyde.gov)>; Troy Dickerson <[TDickerson@decoop.com](mailto:TDickerson@decoop.com)>; Vince Robertson <[vrobertson@pgslegal.com](mailto:vrobertson@pgslegal.com)>  
**Subject:** TAC Review for 2018-34 Keastone Bay

Good Afternoon,

Sussex County Planning Office has received three (3) applications that require TAC review. Attached is a memo regarding the applications and PDF's of the plans submitted for 2018-33 Overbrook Meadows West, 2018-34 Keastone Bay, & 2018-35 Lakelynns. There will be THREE separate emails!

Please provide comments on or before Wednesday, January 16, 2019.

Please feel free to contact me with any questions.



Thanks,

*Christin Headley*

Christin Headley, Planning Technician  
Planning & Zoning Department  
2 The Circle  
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Georgetown, DE 19947  
302-855-7878  
[christin.headley@sussexcountyde.gov](mailto:christin.headley@sussexcountyde.gov)

Sussex County, Delaware  
Technical Advisory Committee

Comment Sheet

\*\*\*\*\*



DATE OF REVIEW: December 21, 2018

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

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

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

RE: LAKELYNNS (2018-35)

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

\*\*\*\*\*

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

a. **Fire Protection Water Requirements:**

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly and Townhouses)
- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

- All structures over 10,000 sqft aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sqft, 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 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.
- c. **Accessibility**
- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Lizzard Hill Road must be constructed so fire department apparatus may negotiate it.
  - Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
  - Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
  - The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
  - The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.
- d. **Gas Piping and System Information:**
- Provide type of fuel proposed, and show locations of bulk containers on plan.
- e. **Required Notes:**
- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
  - Proposed Use
  - Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
  - Square footage of each structure (Total of all Floors)
  - National Fire Protection Association (NFPA) Construction Type
  - Maximum Height of Buildings (including number of stories)
  - Townhouse 2-hr separation wall details shall be shown on site plans
  - Note indicating if building is to be sprinklered
  - Name of Water Provider
  - Letter from Water Provider approving the system layout
  - Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
  - Provide Road Names, even for County Roads

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

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

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

Agency Name: DNREC

Project Name: 2018-35 Lakelynns

Date: 1/4/2019

Division: Waste and Hazardous Substances/ SIRS  
[Meghan.Crystall@state.de.us](mailto:Meghan.Crystall@state.de.us) (302)-395-2600

Contact Person: Meghan Crystall

## **Regulations/Code Requirements**

DNREC's Site Investigation and Restoration Section (SIRS) has reviewed the proposed project.

- If it is determined by the Department that there was a release of a hazardous substance on the property in question and the Department requires remediation pursuant to the Hazardous Substance Cleanup Act, the provisions of 7 Del.C. Chapter 91, Delaware Hazardous Substance Cleanup Act and the Delaware Regulations Governing Hazardous Substance Cleanup shall be followed.”
- Only **one** Site Investigation & Restoration Section (SIRS) site was found within a half mile radius of the proposed development. The proposed property, Lakelynns, is located **within a ½ mile radius** of a SIRS Site known as the Estates of Fairway Village (DE-1443). The Estates at Fairway Village was a removal action site. Several drums containing residual waste oil and solvent were located at ground level during environmental due diligence. One drum had a minor leak. A soil removal action occurred to remove any released hazardous substances and the groundwater was tested and monitored to confirm that the removal was effective. The site has received a No Further Action from DNREC-SIRS.

## **Suggestions**

- SIRS strongly recommends that the land owner performs appropriate environmental due diligence as necessary of the property.
- Additional remediation may be required if the project property or site is re-zoned by the county or state.
- Should a release or imminent threat of a release of hazardous substances be discovered during the course of development (e.g., contaminated water or soil), construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). SIRS should also be contacted as soon as possible at 302-395-2600 for further instructions.



**STATE OF DELAWARE**

**DEPARTMENT OF TRANSPORTATION**

800 BAY ROAD  
P.O. BOX 778  
DOVER, DELAWARE 19903

JENNIFER COHAN  
SECRETARY

January 16, 2019

Ms. Jennifer Norwood  
Planning Technician, Sussex County Planning & Zoning Department  
Sussex County Administration Building  
P.O. Box 417  
Georgetown, DE 19947

**SUBJECT:                    January T.A.C. MEETING**

Dear Ms. Norwood:

The Department has reviewed the information for the above referenced meeting and offers these comments on the following sites:

1. Subd. #2018-34, Keystone Bay  
Tax Map # 234-17.00-170.00, 172.00, 173.00, 174.00, 234-18.00-68.00, 234-24.00-2.00 Review Mgr.: Steve Sisson, See attachment
2. Subd. #2018-35, Lakelynn's Subdivision  
Tax Map # 134-18.00-38.00 & 134-19.3.03 Review Mgr.: Steve Sisson, See attachment

As always, should you have any questions, please feel free to give me a call.

Sincerely,

Brian K. Yates, Jr.  
Sussex County Reviewer  
302-760-2151

Attachment

Cc: Hans Medlarz, Sussex County Engineer  
Joe Wright, Assistant Sussex County Engineer  
Gemez W. Norwood, South District Public Works Manager  
William C. Kirsch, South District Entrance Permit Supervisor  
James Argo, South District Subdivision Manager  
Stephen M. Sisson, Sussex County Review Coordinator

DEPARTMENT OF TRANSPORTATION  
COMMENTS FOR T.A.C.

**Lands of Baywood LLC & Sussex Realty Company**  
**Tax Map # 234-17.00-170.00, 172.00, 173.00, 174.00, 234-18.00-68.00, 234-24.00-2.00**  
**SCR 298A (Green Road) & SCR 298 (Banks Road)**  
**Sussex County**

**#2018-34, Keastone Bay Subdivision**

1. Please refer to the “*Development Coordination Manual*” manual for the design of the subdivision streets and/or entrance. The website for the manual is the following;  
  
<http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>
2. Referring to Section P.3 of the “*Development Coordination Manual*”, a Pre-Submittal meeting is required before plans are submitted for review. The September 6, 2018, Traffic Impact Study (TIS) Scoping Meeting is not sufficient in this regard.
3. The Pavement Core/Design Request form has been posted to the DelDOT website. Use this document to request pavement cores and pavement section design from the DelDOT Laboratory. The Pavement Core/Design Request form can be found at the following website under the *Forms* tab;  
  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
4. For all projects, any sub-station and/or wastewater facilities will be required to have access from the internal subdivision street with no direct access to the State maintained highway.
5. For all projects, a 20-foot wide buffer will be required from the edge of the stormwater management pond to the ultimate right-of-way of the County road. The ultimate right-of-way is based on the functional classification of the road.
6. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.5.1.2: Frontage Easements, a 15-foot wide permanent easement will need to be established across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way for this road. The following note is required, “**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**”
7. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.5: Dedication of Right-Of-Way and Easements, Figure 3.2.5-a Minimum Standards for Total Roadway Right-Of-Way, the project shall be subject to

dedicate right-of-way in accordance to the minimum standards. According to their functional classification, Green Road and Banks Road are both Local Roads and require 30 of Right-Of-Way to be dedicated from the physical centerline of road. The following right-of-way dedication note is required, **“An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.”**

8. Referring to the *“Development Coordination Manuals”*, Chapter 3 – Record Plan Design, Section 3.2.4.1: Subdivision Street Right-Of-Way Monuments, right-of-way monuments are recommended to be furnished and placed along the private subdivision street.
9. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.2.4.2; Frontage Road Right-of-Way Monumentation, concerning the right-of-way markers being placed to provide a permanent reference for re-establishing the right-of-way and property corners along frontage roads. Due to the right-of-way dedication, show and note the property corners markers that will need to be installed.
10. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.5.5: Transit Facilities, transit facilities requirements shall be followed as required by DTC or DelDOT.
11. Referring to the *“Development Coordination Manual”*, under Chapter 3; Record Plan Design, Section 3.2.5.1.1 – Easements, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.
12. Metes and bounds and total areas need to be shown for any drainage easements. A minimum 20-foot wide drainage easement must be provided for storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. These easements shall be shown and noted on record plan.
13. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.5: Connectivity, connectivity requirements shall be followed for all development projects having access to state roads or proposing DelDOT maintained public road for subdivisions. Private or municipal streets should follow the local land use agency’s requirements for connectivity.
14. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.4.2.1: Record Plan Content, the traffic generation diagram is required. See Figure 3-4-2-a: Traffic Generation Diagram for what is required.
15. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.4.2: Record Plan Submittal Requirements, adjacent existing

features are required to be shown in accordance with Figure 3.4.2-b.

16. It will need to be noted on the Record Plan the type of off-site improvements and when the off-site improvements are warranted for this project.
17. Per Section 2.2.2.1 of the Development Coordination 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. The PLUS application states that the proposed development would generate 6,566 vehicle trip ends per day. DelDOT calculates that the development would generate 6,041 vehicle trip ends per day on weekdays and 637 vehicle trip ends per hour during the evening peak hour on Green Road. Therefore a TIS is warranted.
  - a. A TIS was done for a previous, almost identically sized, development on this site in 2005. A copy of an October 2006 letter from one of DelDOT's consultants, reviewing that TIS, is provided as information. Off-site improvements identified in that letter, or similar ones, are still likely to be required. However enough has changed since 2005, both in DelDOT's regulations and in the area surrounding the project, which DelDOT intends to require a new TIS.
  - b. DelDOT met with the applicant on September 6, 2018 to establish a scope of work for the TIS. A memorandum detailing that scope is attached.
  - c. The purpose of a TIS is to identify needed off-site improvements. One such improvement that DelDOT can identify without a TIS is improvement of Green Road and Banks Road to meet DelDOT local road standards, including 11-foot lanes and 5-foot shoulders in both directions, for the length of the site frontage.
  - d. DelDOT has received and signed off on the TIS traffic counts as of January 9, 2019 and is anticipating a PTIS letter to be submitted.
18. Section 3.5.4.2 of the Development Coordination Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, developments installation of a sidewalk or Shared Use Path along the development's road frontage is required for developments generating more than 2,000 vehicle trip ends per day. DelDOT will require a Shared Use Path along the development frontage on both Green Road and Banks Road.
19. Section 3.5.4.4 of the Manual addresses access-ways, which are similar to Shared Use Paths (SUP) but are used to connect from an SUP or sidewalk along a road to an interior trail or subdivision street when the spacing between streets is inadequate to accommodate convenient pedestrian and bicycle travel. DelDOT anticipates requiring at least two access-ways. One would be from a cul de sac, proposed near the intersection of Green Road and Banks Road, out to that intersection. The other would



January 16, 2019

be from a subdivision street, proposed to run southwest from the intersection of Green Road and West Waters Edge Trail, out to Banks Road near the south limit of the site frontage.

20. Referring to the "*Development Coordination Manual*" under Chapter 5; Design Elements, Section 5.2.5 – Subdivision and Commercial Entrance Design Guidelines – Intersection Corner Radii, a separate turning template plan shall be provided to verify vehicles can safely enter/exit the entrance. The entrance shall be designed for the largest vehicle using the entrance.
21. Please check to determine if any utilities will need to be relocated as part of this project.
22. Standard General Notes have been updated and posted to the DeIDOT Website. Please begin using the new versions and look for the revision date of December 8, 2017. The notes can be found at the following website under the *Guidance* tab;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
23. All PLUS/TAC comments shall be addressed prior to submitting the plans for review.
24. Referring to the "*Development Coordination Manual*", Chapter 6 – Construction Administration, Section 6.4.3: Commercial Entrances – Inspection and Acceptance, Figure 6.4.3-a: Construction Inspection Responsibilities, determine if the project is a Level 1 or Level 2 project and if an inspection agreement will be required.
25. The Auxiliary Lane Spreadsheet has been posted to the DeIDOT website. Use this spreadsheet to determine if auxiliary lanes are warranted. The Auxiliary Lane Spreadsheet can be found at the following website under the *Forms* tab;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
26. Referring to the "*Development Coordination Manual*" under Chapter 5; Design Elements, Section 5.4 – Sight Distance, a sight distance triangle is required. A spreadsheet has been developed to assist with this task and can be found on the following website under the *Forms* tab;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
27. Please refer to the "*Development Coordination Manual*" Chapter 3; Record Plan Design, Section 3.4.1 Commercial or Major Residential Subdivisions – Record Plan Application Process, concerning if a pre-submittal meeting is required.
28. Effective August 1, 2015, all new and resubmittals shall be uploaded via the PDCA with any fees paid online via credit card or electronic check (ACH). The design firm making the submittal must create the project in the PDCA and upload all the required items to allow DeIDOT to start the review process. Our website offers more detailed

information, including links to guidance about creating PDCA submittals. This information can be found at the following website under the PDCA section;

<http://www.deldot.gov/Business/subdivisions/index.shtml>

29. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4.2: Record Plan Submittal Requirements, an Initial Stage review fee shall be assessed to this project.

30. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4: Commercial or Major Residential Subdivisions, a record plan shall be prepared prior to issuing “Letter of No Objection”. The Record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document that can be found at the following website under the *Guidance* tab;

<https://www.deldot.gov/Business/subdivisions/index.shtml>

31. Referring to the “*Development Coordination Manual*”, Chapter 4 – Construction Plans, Section 4.3: Subdivision Construction Plan Submittal Requirements, the Construction Stage review fee shall be assessed to this project.

32. Referring to the “*Development Coordination Manual*”, Chapter 4 – Construction Plans, a subdivision/entrance plan shall be prepared prior to issuing subdivision/entrance approval. The Entrance/Construction/Subdivision plan submittal shall include the items listed on the Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plans document that can be found at the following website under the *Guidance* tab;

<https://www.deldot.gov/Business/subdivisions/index.shtml>

Ms. Jennifer Norwood  
Page 7  
January 16, 2019

DEPARTMENT OF TRANSPORTATION  
COMMENTS FOR T.A.C.

**Lands of Norman Stephen Price Revocable Trust**  
**Tax Map # 134-18.00-38.00 & 134-19.00-13.03**  
**SCR 365 (Lizard Hill Road) & SCR 367A (Peppers Corner Road)**  
**Sussex County**

**#2018-35, Lakelynns Subdivision**

33. Please refer to the "*Development Coordination Manual*" manual for the design of the subdivision streets and/or entrance. The website for the manual is the following;

<http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>

34. Referring to Section P.3 of the "*Development Coordination Manual*", a Pre-Submittal meeting is required before plans are submitted for review. The July 24, 2018, Traffic Impact Study (TIS) Scoping Meeting is not sufficient in this regard.

35. The Pavement Core/Design Request form has been posted to the DelDOT website. Use this document to request pavement cores and pavement section design from the DelDOT Laboratory. The Pavement Core/Design Request form can be found at the following website under the *Forms* tab;

<http://www.deldot.gov/Business/subdivisions/index.shtml>

36. For all projects, any sub-station and/or wastewater facilities will be required to have access from the internal subdivision street with no direct access to the State maintained highway.

37. For all projects, a 20-foot wide buffer will be required from the edge of the stormwater management pond to the ultimate right-of-way of the County road. The ultimate right-of-way is based on the functional classification of the road.

38. Referring to the "*Development Coordination Manual*", Chapter 3 – Record Plan Design, Section 3.2.5.1.2: Frontage Easements, a 15-foot wide permanent easement will need to be established across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way for this road. The following note is required, "**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**"

39. Referring to the "*Development Coordination Manual*", Chapter 3 – Record Plan Design, Section 3.2.5: Dedication of Right-Of-Way and Easements, Figure 3.2.5-a Minimum Standards for Total Roadway Right-Of-Way, the project shall be subject to dedicate right-of-way in accordance to the minimum standards. According to their

functional classification, Peppers Corner Road and Lizzard Hill Road are both Local Roads and require 30 of Right-Of-Way to be dedicated from the physical centerline of road. The following right-of-way dedication note is required, **“An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.”**

40. Referring to the *“Development Coordination Manuals”*, Chapter 3 – Record Plan Design, Section 3.2.4.1: Subdivision Street Right-Of-Way Monuments, right-of-way monuments are recommended to be furnished and placed along the private subdivision street.
41. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.2.4.2; Frontage Road Right-of-Way Monumentation, concerning the right-of-way markers being placed to provide a permanent reference for re-establishing the right-of-way and property corners along frontage roads. Due to the right-of-way dedication, show and note the property corners markers that will need to be installed.
42. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.5.5: Transit Facilities, transit facilities requirements shall be followed as required by DTC or DelDOT.
43. Referring to the *“Development Coordination Manual”*, under Chapter 3; Record Plan Design, Section 3.2.5.1.1 – Easements, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.
44. Metes and bounds and total areas need to be shown for any drainage easements. A minimum 20-foot wide drainage easement must be provided for storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. These easements shall be shown and noted on record plan.
45. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.5: Connectivity, connectivity requirements shall be followed for all development projects having access to state roads or proposing DelDOT maintained public road for subdivisions. Private or municipal streets should follow the local land use agency’s requirements for connectivity.
46. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.4.2.1: Record Plan Content, the traffic generation diagram is required. See Figure 3-4-2-a: Traffic Generation Diagram for what is required.
47. Referring to the *“Development Coordination Manual”*, Chapter 3 – Record Plan Design, Section 3.4.2: Record Plan Submittal Requirements, adjacent existing

features are required to be shown in accordance with Figure 3.4.2-b.

48. It will need to be noted on the Record Plan the type of off-site improvements and when the off-site improvements are warranted for this project.
49. Per Section 2.2.2.1 of the Development Coordination 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. The PLUS application states that the proposed development would generate 1,436 vehicle trip ends per day and 138 vehicle trip ends per hour during the evening peak hour of Lizzard Hill Road. Therefore a TIS is warranted.
  - a. DelDOT met with the applicant on July 24, 2018 to establish a scope of work for the TIS.
  - b. The purpose of a TIS is to identify needed off-site improvements. Required improvements that DelDOT can identify without a TIS include the following:
    - i. Improvement of Lizzard Hill Road to meet DelDOT local road standards, include 11-foot lanes and 5-foot shoulders in both directions within the limits of the site frontage;
    - ii. A minor realignment of Lizzard Hill Road at Peppers Corner Road (SCR 365) to improve the intersection's geometry; and
    - iii. An overlay and minor widening of Lizzard Hill Road from the east limits of the site frontage to Central Avenue (SCR 84) to provide 11-foot lanes and preserve the road's structural integrity.
  - c. DelDOT has received the final TIS Recommendations letter on October 26, 2018 and is expecting to have a draft review letter complete this month.
50. As per the Delaware State Strategies for Policy and Spending Map, this project is located within Investment Level III or IV. Referring to the Departments Shared-Use Path/Sidewalk Policy a project in all Level III and Level IV areas are required to install a path/sidewalk along the property frontage if the project abuts to an existing facility. If the project does not abut an existing facility, it will be at the Subdivision Engineer's discretion. Because of the rapidly developing nature of the area, DelDOT find that installation of a sidewalk or Shared Use Path would be appropriate, but the proximity of wetlands to Lizzard Hill Road and Peppers Corner Road may make such facilities impractical. This matter will need to be discussed further at the Pre-Submittal Meeting.
51. Referring to the "*Development Coordination Manual*" under Chapter 5; Design Elements, Section 5.2.5 – Subdivision and Commercial Entrance Design Guidelines – Intersection Corner Radii, a separate turning template plan shall be provided to verify

January 16, 2019

vehicles can safely enter/exit the entrance. The entrance shall be designed for the largest vehicle using the entrance.

52. Please check to determine if any utilities will need to be relocated as part of this project.
53. Standard General Notes have been updated and posted to the DeIDOT Website. Please begin using the new versions and look for the revision date of December 8, 2017. The notes can be found at the following website under the *Guidance* tab;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
54. All PLUS/TAC comments shall be addressed prior to submitting the plans for review.
55. Referring to the “*Development Coordination Manual*”, Chapter 6 – Construction Administration, Section 6.4.3: Commercial Entrances – Inspection and Acceptance, Figure 6.4.3-a: Construction Inspection Responsibilities, determine if the project is a Level 1 or Level 2 project and if an inspection agreement will be required.
56. The Auxiliary Lane Spreadsheet has been posted to the DeIDOT website. Use this spreadsheet to determine if auxiliary lanes are warranted. The Auxiliary Lane Spreadsheet can be found at the following website under the *Forms* tab;  
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57. Referring to the “*Development Coordination Manual*” under Chapter 5; Design Elements, Section 5.4 – Sight Distance, a sight distance triangle is required. A spreadsheet has been developed to assist with this task and can be found on the following website under the *Forms* tab;  
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58. Please refer to the “*Development Coordination Manual*” Chapter 3; Record Plan Design, Section 3.4.1 Commercial or Major Residential Subdivisions – Record Plan Application Process, concerning if a pre-submittal meeting is required.
59. Effective August 1, 2015, all new and resubmittals shall be uploaded via the PDCA with any fees paid online via credit card or electronic check (ACH). The design firm making the submittal must create the project in the PDCA and upload all the required items to allow DeIDOT to start the review process. Our website offers more detailed information, including links to guidance about creating PDCA submittals. This information can be found at the following website under the PDCA section;  
<http://www.deldot.gov/Business/subdivisions/index.shtml>
60. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4.2: Record Plan Submittal Requirements, an Initial Stage review

fee shall be assessed to this project.

61. Referring to the "*Development Coordination Manual*", Chapter 3 – Record Plan Design, Section 3.4: Commercial or Major Residential Subdivisions, a record plan shall be prepared prior to issuing "Letter of No Objection". The Record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document that can be found at the following website under the *Guidance* tab;

<https://www.deldot.gov/Business/subdivisions/index.shtml>

62. Referring to the "*Development Coordination Manual*", Chapter 4 – Construction Plans, Section 4.3: Subdivision Construction Plan Submittal Requirements, the Construction Stage review fee shall be assessed to this project.

63. Referring to the "*Development Coordination Manual*", Chapter 4 – Construction Plans, a subdivision/entrance plan shall be prepared prior to issuing subdivision/entrance approval. The Entrance/Construction/Subdivision plan submittal shall include the items listed on the Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plans document that can be found at the following website under the *Guidance* tab;

<https://www.deldot.gov/Business/subdivisions/index.shtml>

## ENGINEERING DEPARTMENT

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




# Sussex County

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

JOHN J. ASHMAN  
DIRECTOR OF UTILITY PLANNING

### MEMORANDUM

TO: Jennifer Norwood  
Planning Technician for Planning and Zoning

FROM: John J. Ashman   
Director of Utility Planning

REF: T.A.C. COMMENTS FOR  
January 2019

DATE: January 16, 2019

RECEIVED

JAN 16 2019

SUSSEX COUNTY  
PLANNING & ZONING

Attached, please find the Engineering Department's comments for the Technical Advisory Committee for the TAC requests for the month. Any questions please feel free to call me at 856-6258.

### Attachments

cc: Jayne Ellen Dickerson with attachments  
Reviewer with attachments  
Planning Tech with attachments  
Applicant with attachments  
File with attachments





## ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718  
AIRPORT & INDUSTRIAL PARK (302) 855-7774  
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FAX (302) 855-7799



## Sussex County

DELAWARE  
sussexcountyde.gov  
HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER  
MICHAEL E. BRADY  
DIRECTOR OF PUBLIC WORKS

January 16, 2019

REF: T. A. C. COMMENTS  
LAKELYNNS  
TIER 2  
SUSSEX COUNTY ENGINEERING DEPARTMENT  
SUSSEX COUNTY TAX MAP NUMBER  
134-18.00 PARCEL 38.00 & 134-19.00 PARCEL 13.03  
PROJECT CLASS-1  
AGREEMENT NO. 884-1

RECEIVED

JAN 16 2019

SUSSEX COUNTY  
PLANNING & ZONING

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

### PUBLIC WORKS DIVISION COMMENTS

1. Proposed developments with private roads or projects required by the County to conform to or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
2. Provide turn-arounds on stub roads labeled 'C', 'D' and 'E'.
3. Extend the sidewalk along lot #11 to the termination of road 'B'.
4. The front yard building setbacks for the multi-family units may not provide sufficient depth for off-street parking, potentially resulting in vehicles parking across the sidewalk and/or extending into the street. This may impact public safety.
5. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
6. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.
7. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
8. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.



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

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

19. Provide the limits and elevations of the one-hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood. The design engineer must resolve discrepancies, if any, between surveyed topography and the FEMA Flood Insurance Rate Maps.
20. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.
21. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.
22. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.
23. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.
24. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.
25. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
26. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.
27. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.
28. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

UTILITY PLANNING DIVISION COMMENTS

REVIEWER: **Rob Davis**

APPLICATION: **2018 - 35 -- Lakelynnns**

APPLICANT: **Norman Stephen Price Revocable Trust**

FILE NO: **SCAPS-5.03.bl**

TAX MAP &  
PARCEL(S): **134-18.00 Parcel 38 and 134-19.00 Parcel 13.03**

LOCATION: **Northeast corner of the intersection of Peppers Corner  
Road and Lizard Hill Road**

NO. OF UNITS: **138**

GROSS  
ACREAGE: **71.754**

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? Tier 2
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **Click or tap here to enter text..**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **Click or tap here to enter text..** Is it likely that additional SCCs will be required? **Yes**  
If yes, the current System Connection Charge Rate is **\$6,360.00** per EDU. Please contact **Denise Burns** at **302-855-7719** for additional information on charges.

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

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

(7). Is project adjacent to the Unified Sewer District? **No**

(8). **Comments: The project proposes a cluster subdivision of 138 multi-family lots. The project is located outside of the boundary of the Sussex County Unified Sanitary Sewer District, Millville area and annexation into the sewer district is required. Connection to the sewer system is mandatory. The proposed project is within design assumptions for the sewer system and sewer capacity is available for the project. A potential connection point for the project will be defined with the Sewer System Concept Evaluation. Sussex County does not have a schedule to provide sanitary sewer service to the area of the proposed development. The proposed project is not within the Sussex County Unified Sanitary Sewer District and is not contiguous with the sewer district boundary. Additional parcels need to be included in an annexation and it is the developer's responsibility to obtain additional property owner participation in an annexation request. The developer must install infrastructure to an approved connection point to receive sewer service. Sussex County requires design and construction of the collection and transmission system to meet Sussex County sewer standards and specifications.**

(9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**

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

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



STATE OF DELAWARE  
DEPARTMENT OF AGRICULTURE

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

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

MICHAEL T. SCUSE  
SECRETARY  
E. AUSTIN SHORT  
DEPUTY SECRETARY  
KENNETH M. BOUNDS  
DEPUTY SECRETARY

January 02, 2019

Christin Headley  
Planning and Zoning Manager  
Planning and Zoning Commission  
2 The Circle PO Box 417  
Georgetown, Delaware 19947

Subject: **2018-35-Lakelynns**

Dear Mr. Headley,

Thank you for submitting the site plan for Lakelynns subdivision submitted by Davis, Brown and Friedel Inc. The Sussex County Planning and Zoning Forested Buffer Ordinance Number 1984 Section 99-5 requires a forested buffer of 20 feet, by agricultural lands, Lakelynns is not required to have a buffer for their plan.

Sussex County Planning and Zoning Forested Buffer Ordinance Number 1984 Section 99-5 also requires a planting list which is to follow 70% deciduous and 30% evergreens to be planted in the buffer strip which was not provided in the plans. A comprehensive display of plantings in the buffers should be included with species being used for review. We recommend a planting list and planting specifications be submitted once the project has advance to that stage.

If you have any more questions please feel free to contact me 302.659.6704 or email me at [Michael.Martini@state.de.us](mailto:Michael.Martini@state.de.us)

Sincerely,

A handwritten signature in cursive script that reads 'Michael Martini'.

Michael Martini  
Urban Forestry Program  
Delaware Forest Service

**TO:** Christin Headley  
Sussex County Planning and Zoning  
Sussex County Courthouse  
P. O. Box 417  
Georgetown, DE 19947

**FROM:** John Martin

**DATE:** January 11, 2019

**SUBJECT:** TAC Review Comments

**Watershed:** Inland Bays (Low Reduction zone)  
**Subdivision/Applicant:** Lakelynn's (2018-35)  
**Tax Map#(s):** 134.00-18.00-38.00 et al.  
**Proposed waste disposal type:** Central Sewer

#### Regulatory Requirements

- The project is located in the *low nutrient reduction* zone of the greater Inland Bays watershed. In this watershed, Total Maximum Daily Load (TMDL) pollutant reduction targets have been developed by the State of Delaware (under the auspices of Section 303(d) of the 1972 Federal Clean Water Act) for nutrients (e.g., nitrogen, phosphorus), and bacteria. A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited waterbody" can assimilate and still meet State water quality standards (e.g., dissolved oxygen, nutrients, and bacteria; *State of Delaware Surface Water Quality Standards, as amended July 11, 2004*) to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. The TMDL for the *low reduction* zone of the Inland Bays watershed calls for 40 percent reduction in nitrogen and phosphorus from baseline conditions. The TMDL also calls for a 40 percent reduction (17 percent for marine waters) in bacteria from baseline conditions. Please view the following web link for further information on the regulatory requirements and technical analysis involved in the development of the specific TMDLs: <http://www.dnrec.delaware.gov/swc/wa/Pages/WatershedAssessmentTMDLs.aspx>
- The Inland Bays Pollution Control Strategy (PCS) and the accompanying regulations were finalized by order of the DNREC Secretary on October 2008. Following adoption of the PCS regulations, a legal challenge and appeal was mounted against DNREC on February 25, 2011 by Sussex County through the Delaware Superior Court; this appeal resulted in a court order declaring buffer components in the PCS as void and unenforceable (Section 4 and portions of Section 5). A subsequent appeal to the Delaware Supreme Court on December 2011 affirmed the Superior Court decision; however, the court decision did not invalidate or negate the remaining regulatory components, or the numerous voluntary components which still remain in effect. The PCS regulations can be reviewed at <http://regulations.delaware.gov/documents/November2008c.pdf>. Background information about the PCS with guidance documents and mapping tools can be retrieved from [http://www.dnrec.state.de.us/water2000/Sections/Watershed/ws/ib\\_pcs.htm](http://www.dnrec.state.de.us/water2000/Sections/Watershed/ws/ib_pcs.htm)

- A nutrient management plan is required under the *Delaware Nutrient Management law (3 Del. Chapter 22)* for all persons or entities who apply nutrients to lands or areas of open space in excess of 10 acres. This project's open space may exceed this 10-acre threshold. Please contact the Delaware Nutrient Management Program at 739-4811 for further information concerning compliance requirements – or, view the following web link for additional information: <http://dda.delaware.gov/nutrients/index.shtm>

## Recommendations

### Soils

- Based on soils survey mapping update (Figure 1), the primary soil mapping units of concern mapped in subject parcel are Hurlock (HuA) and Mullica (MmA). These soil mapping units consist of poorly to very poorly-drained wetland-associated hydric soils. Hydric soils have severe limitations for (considered unsuitable) for development due to the presence of a seasonal-high water table; therefore, avoidance of hydric soils is strongly suggested.
- We strongly discourage building on hydric soils because they are functionally important source of water storage (functions as a “natural sponge”); the loss of water storage through excavation, filling, or grading of intact native hydric soils increases the probability for more frequent and destructive flooding events (further compounded by sea-level rise due to climate change). The probability for flooding is further compounded by increases in surface imperviousness as building density in the area increases over time (and sea-level rise). Moreover, destruction of hydric soils increases the amount pollutant runoff (i.e., hydric soils sequester and detoxify pollutants) which contributes to lower observed water quality in regional waterbodies and wetlands. We strongly recommend the applicant contact a licensed (Delaware Class D) soil scientist to make a site specific assessment (i.e., soil survey mapping) of the soils on this site. A list of licensed Class D soil scientists can be obtained at the following web link: <http://www.dnrec.delaware.gov/wr/Information/GWDInfo/Pages/GroundWaterDischargesLicensesandLicensees.aspx>
- Given the project's mostly poorly-drained soils and the project's proximity to open water (further compounded by likely sea-level rise impacts in the not-too-distant future), the Division of Watershed Stewardship believes that most of the proposed project area is unsuitable for development and recommend that this project be tabled.



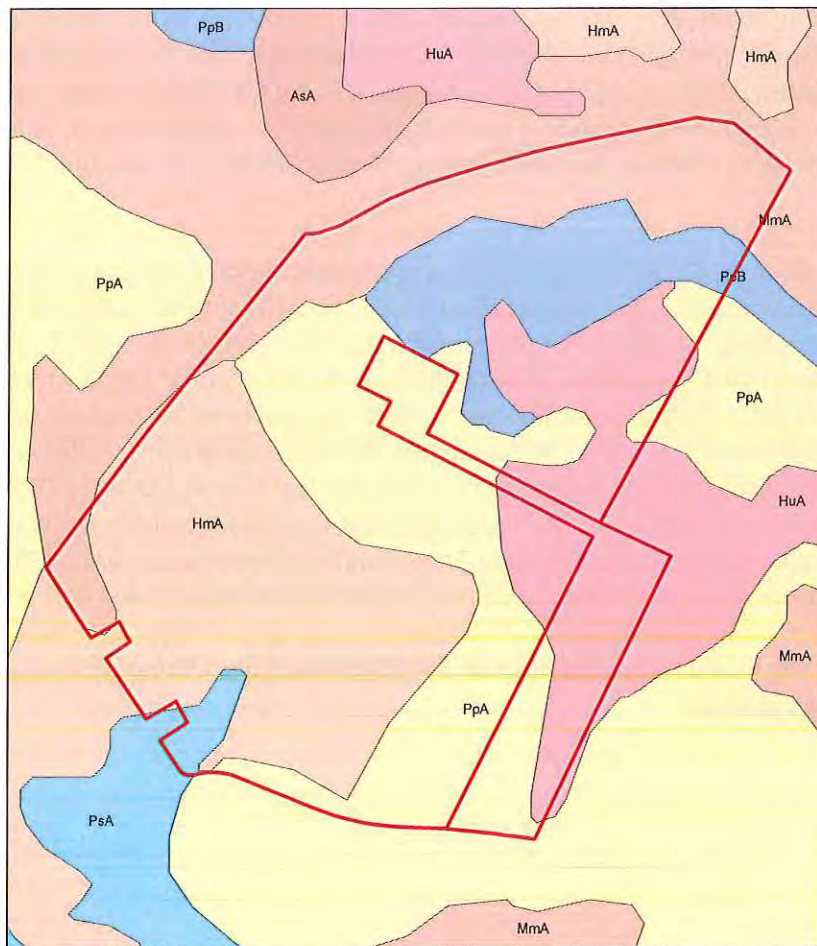
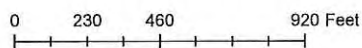


Figure 1: NRCS soil survey mapping update



■

### Compliance with TMDLs through the Pollution Control Strategy (PCS)

Compliance with the TMDL nutrient and bacterial reduction requirements specified for the Inland Bays watershed can be facilitated by adherence to the strategies and requirements described in the Inland Bays PCS, and the implementation of the following recommended BMPs, which would:

- Preserve and/or maintain as much of the existing forested area as possible. Given the environmental sensitivity (e.g., water quality and wildlife habitat) of the greater Inland Bays watershed, the Division of Watershed Stewardship strongly opposes the applicant's

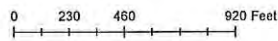
apparent plan to remove most (if not all) of the existing forestland to accommodate this development. We believe that that most of the existing forest land in this parcel should remain intact or undeveloped. We further suggest additional native tree, shrub and/or native herbaceous vegetation plantings in remaining areas of open space, wherever possible. Moreover, removing forest cover – as currently proposed - to accommodate an open-water- stormwater–management-structure(s) is not considered an environmentally acceptable practice by the Division of Watershed Stewardship. Further, much of the proposed project area contains forested wetlands (Figure 2) which are unsuitable for development.

- Conduct a United Army Corps of Engineers approved wetlands delineation (USACE) by a qualified soil scientist (Delaware licensed Class-D soil scientist) before commencing any construction activities. Statewide wetland mapping project (SWMP) and NRCS soil survey mapping suggests that hydric soils and wetlands (non-tidal) are present in much of subject parcel (Figures 1 &2). A field based site-specific wetlands delineation by a licensed soil scientist is recommended to more precisely assess the presence of hydric soils and wetlands in this parcel (prior to obtaining the recommended approval from the USACE). Based on the project submittal, no evidence has been provided by the applicant to TAC reviewer(s) showing evidence verifying that a USACE approved wetlands delineation has been conducted to date. A list of licensed Class D soil scientists can be obtained at the following web link:

<http://www.dnrec.delaware.gov/wr/Information/GWDInfo/Pages/GroundWaterDischargesLicensesandLicensees.aspx>



Figure 2: SWMP mapped wetlands



- Establish a vegetated buffer of at least 100 feet from the adjoining wetlands and waterbodies. Based on a review of existing buffer research by Castelle et al. (Castelle, A. J., A. W. Johnson and C. Conolly. 1994. Wetland and Stream Buffer Requirements – A Review. J. Environ. Qual. 23: 878-882.), an adequately-sized buffer that effectively protects wetlands and streams, in most circumstances, is about 100 feet in width. In recognition of this research and the need to protect water quality, the Watershed Assessment Section recommends that the applicant maintain/establish said 100-foot vegetated buffer (planted in native vegetation) from all waterbodies (including all ditches and ponds) and all non-tidal (USACE approved wetlands delineation) and tidal wetlands (State-approved wetlands delineation for State-regulated tidal wetlands, if and where applicable). It is apparent from the conceptual lot layout that the applicant intends to maintain/establish a buffer width considerably narrower than the 100-foot buffer width that we recommend.
- Calculate post-construction surface imperviousness with all forms of created (or constructed) surface imperviousness (e.g., rooftops, driveways, parking lots, sidewalks, open-water storm water management structures, ponds, and roads) included in the calculation for surface imperviousness. Omission of any of the above-stated forms of

surface imperviousness will result in an underestimate of the actual post-development surface imperviousness and the environmental impacts associated with this imperviousness.

- Employ green-technology storm water management and a rain garden(s) (in lieu of open-water management structures) as BMPs to mitigate or reduce nutrient and bacterial pollutant runoff. If open-water stormwater management is selected for use, they should be employed for their intended function - that is, the management of stormwater - not for the creation of additional pond acreage to enhance property/aesthetic values. It should also be noted that open-water stormwater ponds attract nuisance geese and nuisance algae that can contribute to the degradation of water quality of waters in the greater Inland Bays watershed. In the end, we strongly recommend that the applicant use green-technology stormwater management and refrain from use of open-water stormwater management ponds and/or open-water ponds of any kind or purpose for this project.
- Make use of pervious paving materials (when compatible with concerns for the protection of excellent recharge areas and/or well-head protection areas via assessment by a DNREC hydrogeologist(s)) instead of conventional paving materials (e.g., asphalt or concrete) to help reduce the amount of water and pollutant runoff draining to adjoining streams and wetlands. Pervious pavers are especially recommended for areas designated for parking.
- Assess nutrient and bacterial pollutant loading at the preliminary project design phase. To this end, the Watershed Assessment Section has developed a methodology known as the "Nutrient Load Assessment protocol." The protocol is a tool used to assess changes in nutrient loading (e.g., nitrogen and phosphorus) resulting from the conversion of individual or combined land parcels to a changed land use(s); thus providing applicants and governmental entities with quantitative information about the project's impact(s) on baseline water quality. We strongly encourage the applicant/developer use this protocol to help them design and implement the most effective BMPs. Please contact John Martin at (Division of Watershed Stewardship) 302-739-9939 for more information on the protocol.

## Christin Headley

---

**From:** Anthony, Mindy (DNREC) <Mindy.Anthony@state.de.us>  
**Sent:** Friday, January 11, 2019 12:57 PM  
**To:** Christin Headley  
**Cc:** Tholstrup, Michael S. (DNREC)  
**Subject:** Sussex County TAC Review- Request for comments  
**Attachments:** TAC Review for 2018-34 Keastone Bay; TAC Review for 2018-33 Overbrook Meadows West; TAC Review for 2018-35 Lakelynn

Good afternoon,

DNREC's Division of Waste and Hazardous Substances has reviewed the attached project proposals and has no site-specific concerns.

Thank you,

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



[www.recycling.delaware.gov](http://www.recycling.delaware.gov)  
[www.facebook.com/delawarerecycles](https://www.facebook.com/delawarerecycles)

**From:** Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@state.de.us>  
**Sent:** Thursday, December 20, 2018 11:34 AM  
**To:** DNREC\_Planners\_Technica\_Advisory\_Committee\_Grp <Advisory\_Committee\_Grp@state.de.us>  
**Subject:** Sussex County TAC Review- Request for comments

Good Morning PTAC,

Sussex County Planning has requested comments on three project proposals. If you have comments submit each project individually (via attached emails) to Christin Headley and a copy to me.

Comments are due on or before **January 16, 2019**, to:

Christin Headley, Planning Technician  
[christin.headley@sussexcountyde.gov](mailto:christin.headley@sussexcountyde.gov)

Thank You and Happy Holidays!!!  
Mike

***Michael Tholstrup***

Climate Adaptation & Sustainable Communities Planner

DNREC Division of Climate, Coastal, & Energy

100 West Water Street, Suite 5A

Dover, DE 19904

Phone (302) 735-3352

[www.De.gov/climatecoastalenergy](http://www.De.gov/climatecoastalenergy)

[Michael.Tholstrup@state.de.us](mailto:Michael.Tholstrup@state.de.us)

*~Clean Energy, Sustainable Communities, Livable Climate~*

## Christin Headley

---

**From:** Christin Headley <christin.headley@sussexcountyde.gov>  
**Sent:** Wednesday, December 12, 2018 10:49 AM  
**To:** Brad Hawkes; C. Daniel Parsons; Dean Holden - Chesapeake Electric; Fox, Duane T. (FireMarshal); Butler, Eileen M. (DNREC); Watson, Jessica (DNREC); John J. Ashman; Hayes, John G. (DNREC); Kennel, John M. (DNREC); Martin, John (DNREC); Fleming, Kate M. (DNREC); Kelley Gabbard; DeVore, Lauren (DNREC); Crystall, Meghan (DNREC); Tholstrup, Michael S. (DNREC); Mike Brady; Melendez, Milton (DDA); Rob Davis; Sisson, Steven (DeDOT); Subdivision (MailBox Resources); Susan Isaacs; Terri Dukes; Troy Dickerson; Vince Robertson  
**Subject:** TAC Review for 2018-34 Keastone Bay  
**Attachments:** TAC Memo 2018-33 Overbrook Meadows West, 2018-34 Keastone Bay, & 2018-35 Lakelynns.pdf; 2018-34 Keastone Bay Preliminary Site Plan.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon,

Sussex County Planning Office has received three (3) applications that require TAC review. Attached is a memo regarding the applications and PDF's of the plans submitted for 2018-33 Overbrook Meadows West, 2018-34 Keastone Bay, & 2018-35 Lakelynns. There will be THREE separate emails!

Please provide comments on or before Wednesday, January 16, 2019.

Please feel free to contact me with any questions.

Thanks,

*Christin Headley*

Christin Headley, Planning Technician  
Planning & Zoning Department  
2 The Circle  
PO Box 417  
Georgetown, DE 19947  
302-855-7878  
[christin.headley@sussexcountyde.gov](mailto:christin.headley@sussexcountyde.gov)

## Christin Headley

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**Subject:** TAC Review for 2018-33 Overbrook Meadows West  
**Attachments:** 2018-33 Overbrook Meadows West Prelim Site Plan.pdf; TAC Memo 2018-33 Overbrook Meadows West, 2018-34 Keastone Bay, & 2018-35 Lakelynns.pdf

**Follow Up Flag:** Follow up  
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Thanks,

*Christin Headley*

Christin Headley, Planning Technician  
Planning & Zoning Department  
2 The Circle  
PO Box 417  
Georgetown, DE 19947  
302-855-7878  
[christin.headley@sussexcountyde.gov](mailto:christin.headley@sussexcountyde.gov)



## Christin Headley

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**Sent:** Wednesday, December 12, 2018 10:49 AM  
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**Subject:** TAC Review for 2018-35 Lakelynns  
**Attachments:** TAC Memo 2018-33 Overbrook Meadows West, 2018-34 Keastone Bay, & 2018-35 Lakelynns.pdf; 2018-35 Lakelynns Preliminary Site Plan.pdf

**Follow Up Flag:** Follow up  
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Please provide comments on or before Wednesday, January 16, 2019.

Please feel free to contact me with any questions.

Thanks,

*Christin Headley*

Christin Headley, Planning Technician  
Planning & Zoning Department  
2 The Circle  
PO Box 417  
Georgetown, DE 19947  
302-855-7878  
[christin.headley@sussexcountyde.gov](mailto:christin.headley@sussexcountyde.gov)

## ENGINEERING DEPARTMENT

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



# Sussex County


DELAWARE  
sussexcountype.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOHN J. ASHMAN  
DIRECTOR OF UTILITY PLANNING

### MEMORANDUM

TO: Jennifer Norwood  
Planning Technician for Planning and Zoning

FROM: John J. Ashman   
Director of Utility Planning

REF: T.A.C. COMMENTS FOR  
January 2019

DATE: January 16, 2019

RECEIVED

JAN 16 2019

SUSSEX COUNTY  
PLANNING & ZONING

Attached, please find the Engineering Department's comments for the Technical Advisory Committee for the TAC requests for the month. Any questions please feel free to call me at 856-6258.

#### Attachments

cc: Jayne Ellen Dickerson with attachments  
Reviewer with attachments  
Planning Tech with attachments  
Applicant with attachments  
File with attachments



## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov  
HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER  
MICHAEL E. BRADY  
DIRECTOR OF PUBLIC WORKS

January 16, 2019

REF: **T. A. C. COMMENTS  
LAKELYNNS  
TIER 2  
SUSSEX COUNTY ENGINEERING DEPARTMENT  
SUSSEX COUNTY TAX MAP NUMBER  
134-18.00 PARCEL 38.00 & 134-19.00 PARCEL 13.03  
PROJECT CLASS-1  
AGREEMENT NO. 884-1**

RECEIVED

JAN 16 2019

SUSSEX COUNTY  
PLANNING & ZONING

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

### PUBLIC WORKS DIVISION COMMENTS

1. Proposed developments with private roads or projects required by the County to conform to or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
2. Provide turn-arounds on stub roads labeled 'C', 'D' and 'E'.
3. Extend the sidewalk along lot #11 to the termination of road 'B'.
4. The front yard building setbacks for the multi-family units may not provide sufficient depth for off-street parking, potentially resulting in vehicles parking across the sidewalk and/or extending into the street. This may impact public safety.
5. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
6. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.
7. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
8. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.



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

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

19. Provide the limits and elevations of the one-hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood. The design engineer must resolve discrepancies, if any, between surveyed topography and the FEMA Flood Insurance Rate Maps.
20. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.
21. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.
22. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.
23. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.
24. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.
25. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
26. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.
27. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.
28. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

UTILITY PLANNING DIVISION COMMENTS

REVIEWER: **Rob Davis**

APPLICATION: **2018 - 35 -- Lakelynnns**

APPLICANT: **Norman Stephen Price Revocable Trust**

FILE NO: **SCAPS-5.03.bl**

TAX MAP &  
PARCEL(S): **134-18.00 Parcel 38 and 134-19.00 Parcel 13.03**

LOCATION: **Northeast corner of the intersection of Peppers Corner  
Road and Lizard Hill Road**

NO. OF UNITS: **138**

GROSS  
ACREAGE: **71.754**

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).
- b. If no, see question (7).
- (2). Which County Tier Area is project in? Tier 2
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **Click or tap here to enter text..**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **Click or tap here to enter text..** Is it likely that additional SCCs will be required? **Yes**  
If yes, the current System Connection Charge Rate is **\$6,360.00** per EDU.  
Please contact **Denise Burns** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). **Comments: The project proposes a cluster subdivision of 138 multi-family lots. The project is located outside of the boundary of the Sussex County Unified Sanitary Sewer District, Millville area and annexation into the sewer district is required. Connection to the sewer system is mandatory. The proposed project is within design assumptions for the sewer system and sewer capacity is available for the project. A potential connection point for the project will be defined with the Sewer System Concept Evaluation. Sussex County does not have a schedule to provide sanitary sewer service to the area of the proposed development. The proposed project is not within the Sussex County Unified Sanitary Sewer District and is not contiguous with the sewer district boundary. Additional parcels need to be included in an annexation and it is the developer's responsibility to obtain additional property owner participation in an annexation request. The developer must install infrastructure to an approved connection point to receive sewer service. Sussex County requires design and construction of the collection and transmission system to meet Sussex County sewer standards and specifications.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

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



Natural Resources  
Conservation Service

January 7, 2019

Georgetown  
Service Center

Janelle M. Cornwell, Director  
Sussex County Planning & Zoning  
Sussex County Courthouse  
Georgetown, DE 19947

21315 Berlin Road  
Unit 3  
Georgetown, DE  
19947

**RE: Lakelynns  
41 single family lots**

Voice 302.856.3990  
Fax 855.306.8272

Dear Ms. Cornwell:

RECEIVED  
JAN 7 2019  
SUSSEX COUNTY  
PLANNING & ZONING

Soils within the delineated area on the enclosed map are:

- HmA Hammonton loamy sand, 0 to 2 percent slopes
- HuA Hurlock loamy sand, 0 to 2 percent slopes
- MmA Mullica mucky sandy loam, 0 to 2 percent slopes
- PpA Pepperbox loamy sand, 0 to 2 percent slopes
- PpB Pepperbox loamy sand, 2 to 5 percent slopes
- PsA Pepperbox-Rosedale complex, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
HmA	Y2	Very limited	Somewhat limited	Very limited
HuA	R2	Very limited	Very limited	Very limited
MmA	R2	Very limited	Very limited	Very limited
PpA	Y2	Very limited	Somewhat limited	Very limited
PpB	Y2	Very limited	Somewhat limited	Very limited
PsA	Y2	Very limited/Somewhat limited	Somewhat limited/Not limited	Very limited

Definition of soil limitation ratings classes:

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



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

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

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

**R2:**

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

**Y2:**

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

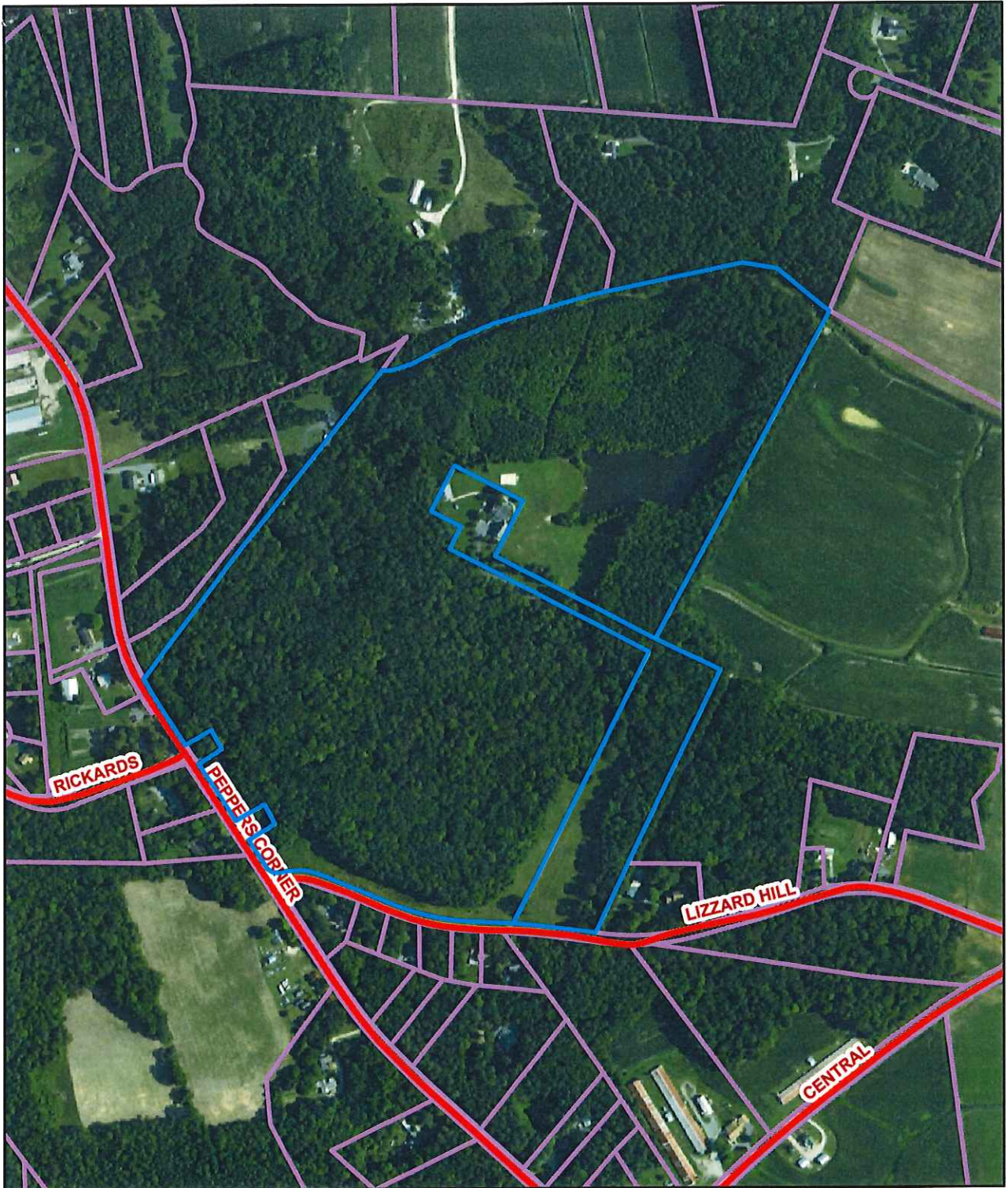
The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the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

Sincerely,



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

TDS/bh



2018-35  
TM #134-18.00-38.00 & 134-19.00-13.03  
Lakelynn's

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SUSSEX COUNTY  
PLANNING & ZONING



2018-35  
 TM #134-18.00-38.00 & 134-19.00-13.03  
 Lakelynns

RECEIVED  
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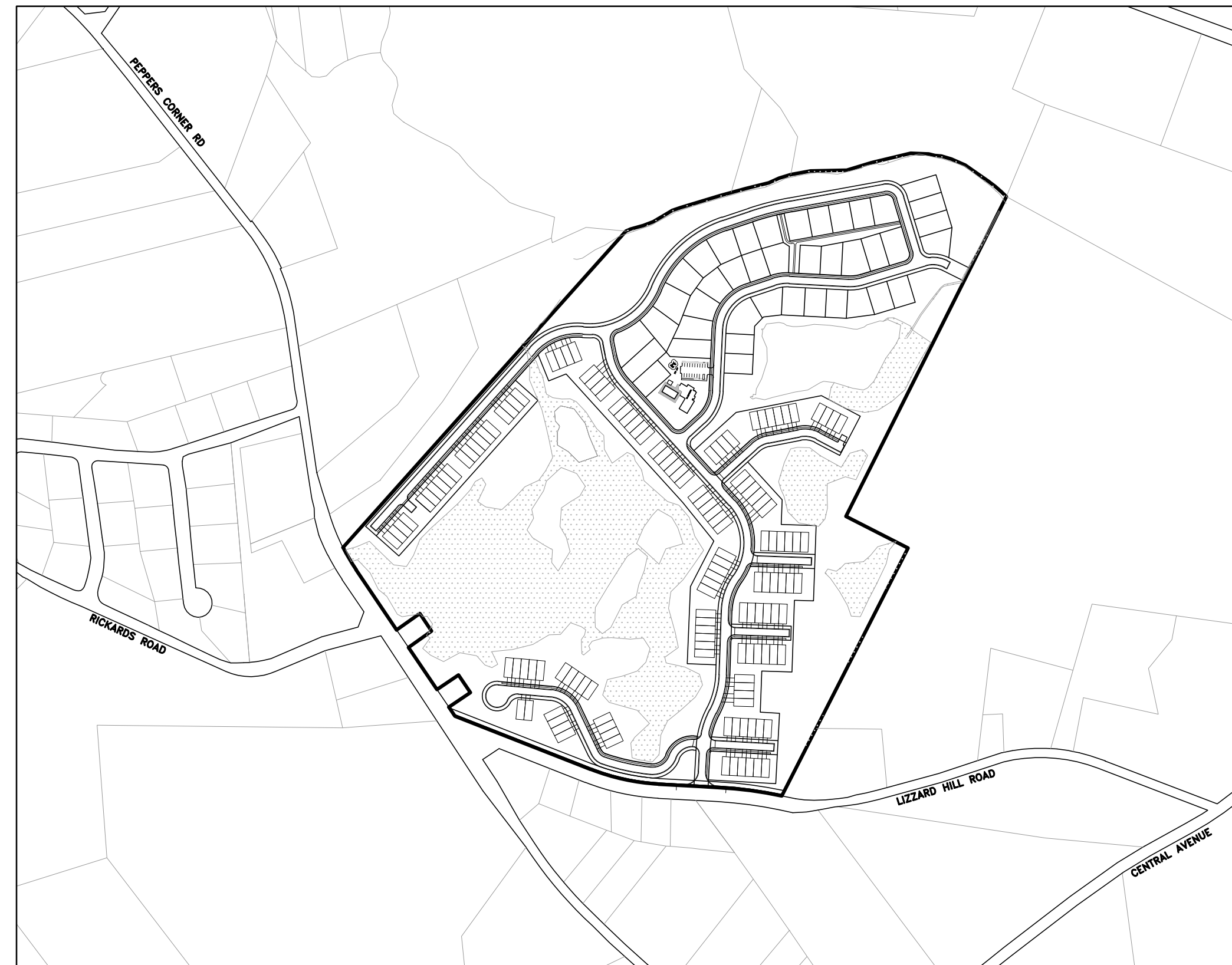
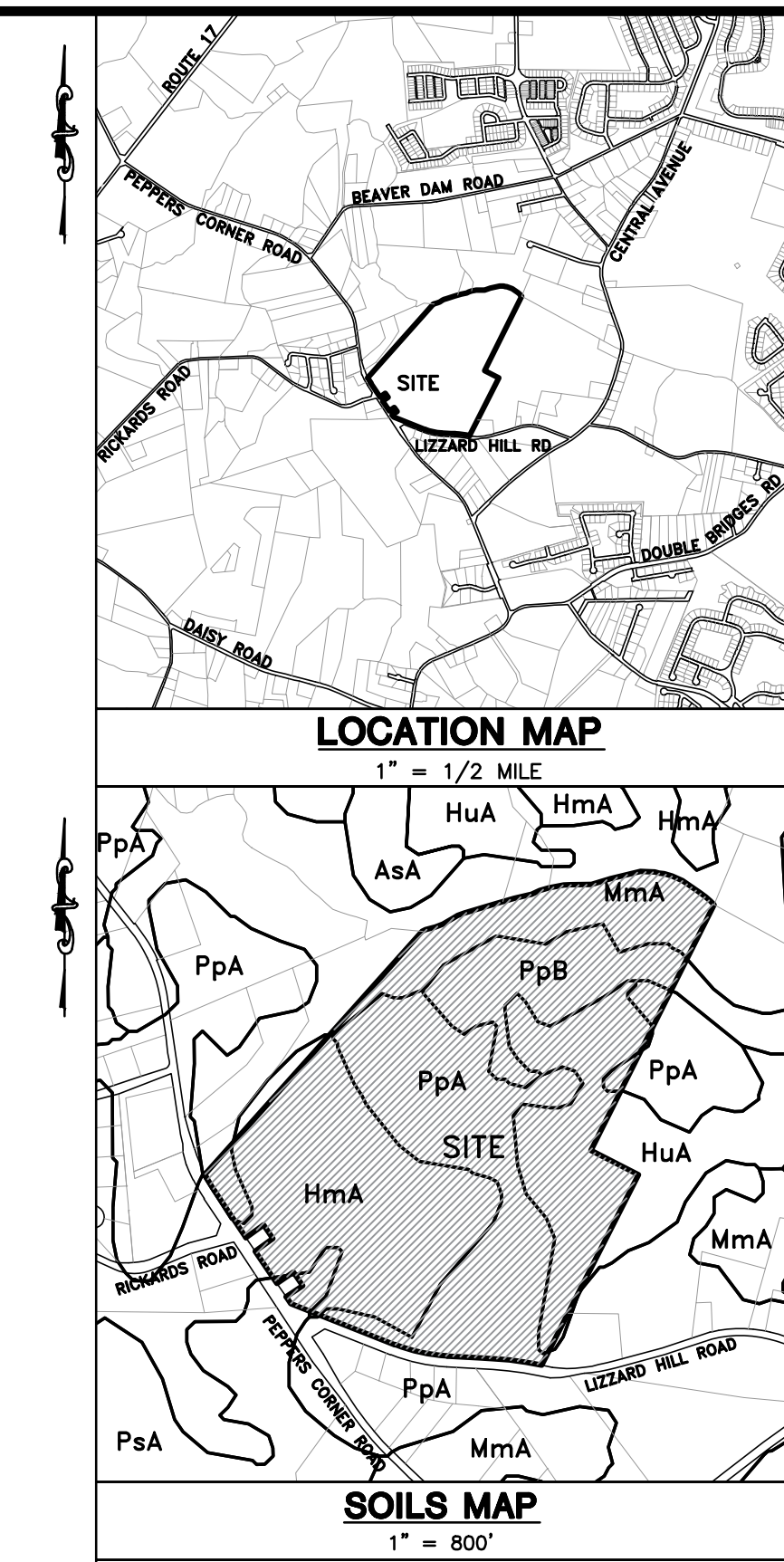
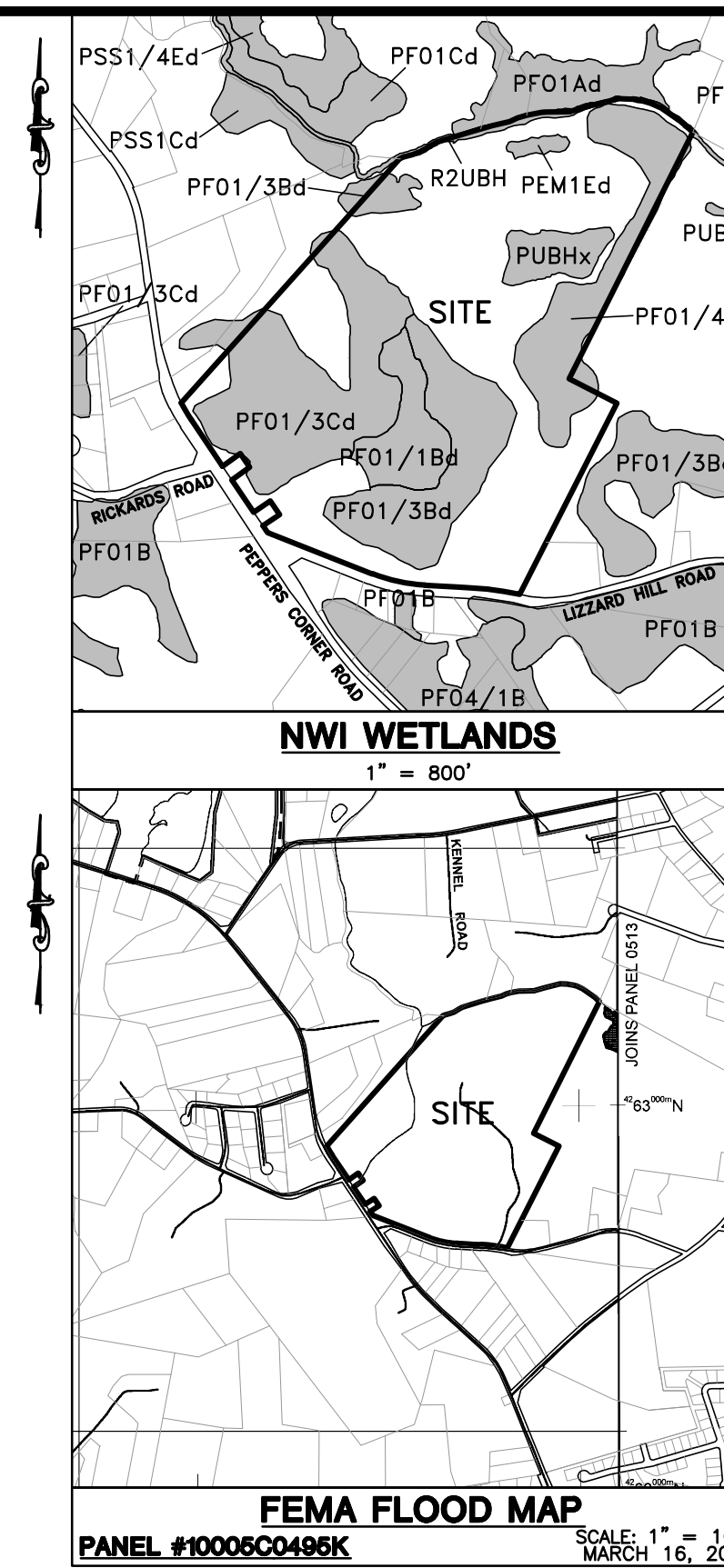
**GENERAL NOTES:**

- STREETS, STORMWATER MANAGEMENT FACILITIES 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.
- 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, IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
- BASED UPON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0495K, DATED MARCH 16, 2015; THE ENTIRE PROPERTY IS LOCATED OUTSIDE OF ANY AREA DESIGNATED AS ZONE "X" (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN IN THESE PLANS ARE BASED ON FIELD SURVEYS PERFORMED BY OTHERS.
- THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
- 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 REPRESENTS 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.
- STATE AND FEDERALLY(404 NON-TIDAL) REGULATED WETLANDS EXIST ON THESE PARCELS.
- NO BOUNDARY TREATMENT/FENCING IS PROPOSED.
- ANY ADDITIONAL ACCESSORY STRUCTURES ASSOCIATED WITH THE MULTIFAMILY DWELLINGS SHALL BE SUBJECT TO SITE PLAN REVIEW.
- EXISTING DWELLING TO REMAIN AND BE CONVERTED TO A FUTURE CLUBHOUSE.
- THE EXISTING CIDER LANE AND ENTRANCE TO BE REMOVED.
- 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.

# MILOS HAVEN

## PRELIMINARY PLANS FOR RESIDENTIAL PLANNED COMMUNITY PARCEL 134-18.00-38.00 & 134-19.00-13.03 SUSSEX COUNTY, DELAWARE

DBF PROJECT NO. 3131A001.E01 DECEMBER 2018



**DATA COLUMN**

TAX MAP ID:	1-34-18.00-38.00 & 1-34-19.00-13.03
DEED REF:	D4499/223 D4326/123
EXISTING ZONING:	GR - GENERAL RESIDENTIAL
PROPOSED ZONING:	GR/RPC
EXISTING USE:	RESIDENTIAL, AGRICULTURAL, VACANT
PROPOSED USE:	RESIDENTIAL PLANNED COMMUNITY
ESDDOZ:	SITE IS LOCATED ENTIRELY WITHIN THE ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE
GROUNDWATER RECHARGE POTENTIAL:	FAIR
PROPOSED UNITS:	41 SINGLE FAMILY LOTS 138 CONDO TOWNHOMES 179 TOTAL UNITS
PROPOSED CONSTRUCTION:	WOOD/CONCRETE BLOCK
PARKING REQUIREMENT(TOWNHOMES):	2 SPACES PER DWELLING UNIT = 276 SPACES(BEFORE REDUCTION) AFTER REDUCTION: 1-50 UNITS = 100 SPACES 51-138 = 176(15 REDUCTION) = 150 SPACES TOTAL REQUIRED = 250 SPACES
PARKING PROVIDED(TOWNHOMES):	2 SPACES PER DWELLING UNIT = 276
FLOOD HAZARD MAP:	THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA MAP 10005C0495K(MARCH 16, 2015).
WETLANDS:	THE PROPERTY AS SHOWN DOES CONTAIN FEDERALLY (404 NON-TIDAL) REGULATED WETLANDS.
TOTAL PROPOSED SITE AREA:	71.754 ACRES
NET DEVELOPABLE AREA:	(71.754 ACRES x .25 REDUCTION) - 0.507 ACRES WETLANDS= 53.309 ACRES
# UNITS PERMITTED:	53.309 ACRES x 43,560/10,000 = 232 UNITS
MAXIMUM DENSITY:	3.2 UNITS PER ACRE
PROPOSED DENSITY:	2.5 UNITS PER ACRES
EXISTING FORESTED ACRES:	58.41 ACRES
FORESTED ACRES TO BE REMOVED:	27.75 ACRES(47.5%)
PROPOSED LAND USE AREAS:	
SINGLE FAMILY LOTS:	8.07 ACRES
TOWNHOME/ACCESS EASEMENT:	16.68 ACRES
RIGHT OF WAY:	5.89 ACRES
CLUBHOUSE:	0.91 ACRES
PUMP STATION:	0.06 ACRES
STORMWATER:	2.42 ACRES
WETLANDS:	15.94 ACRES
OPEN SPACE:	21.68 ACRES
TOTAL:	71.75 ACRES
GR/RPC PROPOSED SETBACK REQUIREMENTS	
FRONT YARD:	20 FT.
CORNER:	15' (ONE SIDE)
SIDE YARD:	10 FT.
REAR YARD:	10 FT.
MIN LOT AREA:	7500 S.F.
MIN LOT WIDTH:	60 FT
MIN LOT DEPTH:	100 FT
VOLUNTARY NON-TIDAL WETLANDS BUFFER	25 FT
PROPOSED MAXIMUM BUILDING HEIGHT:	42 FT. (3-1/2 STORIES)
MINIMUM BUILDING SEPARATION:	40' BETWEEN TOWNHOMES
SANITARY SEWER:	SUSSEX COUNTY (BEAVER DAM PLANNING AREA)
WATER SUPPLY:	ARTESIAN WATER COMPANY
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83(DE STATE PLANE)

INDEX OF SHEETS	
P-1	PRELIMINARY TITLE
P-2	EXISTING CONDITIONS PLAN
P-3	OVERVIEW PLAN
P-4 - P-7	PRELIMINARY PLANS

OWNER/DEVELOPER:  
NORMAN STEPHEN PRICE REVOCABLE TRUST  
34026 COASTAL HIGHWAY  
BETHANY BEACH, DE 19930

PREPARED BY:  
DAVIS, BOWEN & FRIEDEL, INC.  
1 PARK AVENUE  
MILFORD, DE 19963  
PHONE: (302) 424-1441  
FAX: (302) 424-0430

**dbf** DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECTS, ENGINEERS & SURVEYORS  
MILFORD, DELAWARE (302) 424-1441

**APPROVED BY:**

CHAIRMAN OF PLANNING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_  
PRESIDENT OF SUSSEX COUNCIL \_\_\_\_\_ DATE \_\_\_\_\_

**OWNER'S STATEMENT**

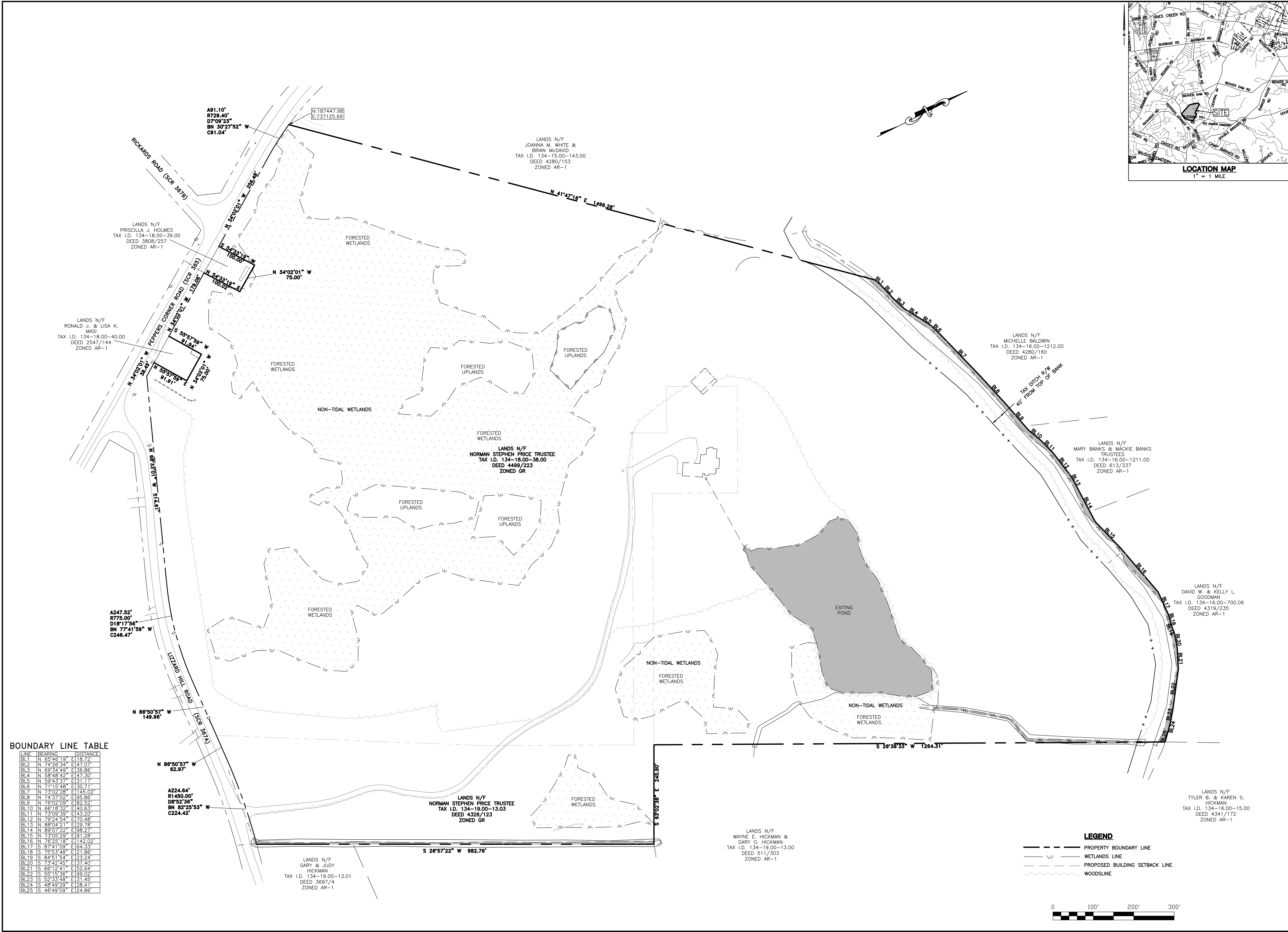
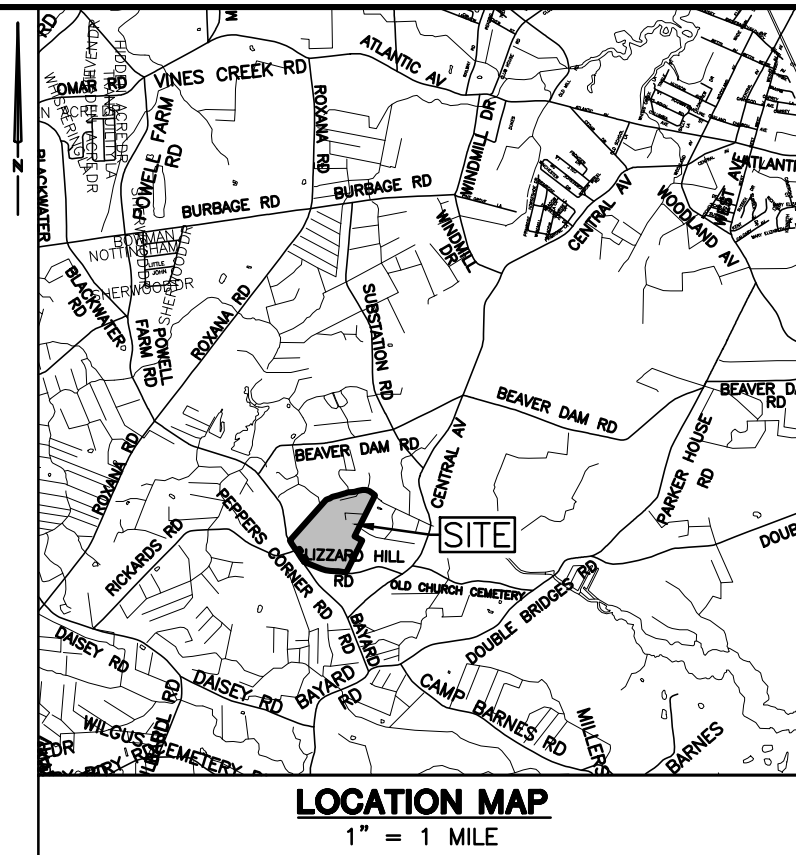
I, NORMAN STEPHEN PRICE REVOCABLE TRUST, HEREBY STATE THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.

NORMAN STEPHEN PRICE REVOCABLE TRUST \_\_\_\_\_ DATE \_\_\_\_\_  
34026 COASTAL HIGHWAY  
BETHANY BEACH, DE 19930

**ENGINEER'S STATEMENT**

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

by W. ZACHARY CROUCH, P.E. \_\_\_\_\_ DATE \_\_\_\_\_  
DAVIS, BOWEN & FRIEDEL, INC.  
1 PARK AVENUE  
MILFORD, DELAWARE, 19963



**BOUNDARY LINE TABLE**

LINE	BEARING	DISTANCE
BL1	N 65°46'19" E	118.72'
BL2	N 74°26'34" E	47.07'
BL3	N 69°34'43" E	36.88'
BL4	N 59°48'42" E	47.30'
BL5	N 59°43'37" E	31.17'
BL6	N 71°15'48" E	30.71'
BL7	N 73°02'28" E	1145.02'
BL8	N 74°37'02" E	95.86'
BL9	N 76°02'09" E	82.52'
BL10	N 66°18'32" E	40.63'
BL11	N 73°09'39" E	43.29'
BL12	N 79°24'54" E	70.48'
BL13	N 88°04'21" E	29.78'
BL14	N 89°07'22" E	98.27'
BL15	N 73°05'29" E	91.28'
BL16	N 76°25'18" E	1142.02'
BL17	S 87°41'09" E	64.33'
BL18	S 75°53'46" E	121.86'
BL19	S 84°51'54" E	23.24'
BL20	S 73°42'45" E	37.40'
BL21	S 66°12'41" E	56.64'
BL22	S 55°15'36" E	99.02'
BL23	S 52°33'48" E	31.45'
BL24	S 48°49'29" E	28.41'
BL25	S 46°49'09" E	124.86'

- LEGEND**
- PROPERTY BOUNDARY LINE
  - - - WETLANDS LINE
  - - - PROPOSED BUILDING SETBACK LINE
  - ~~~~~ WOODSLINE

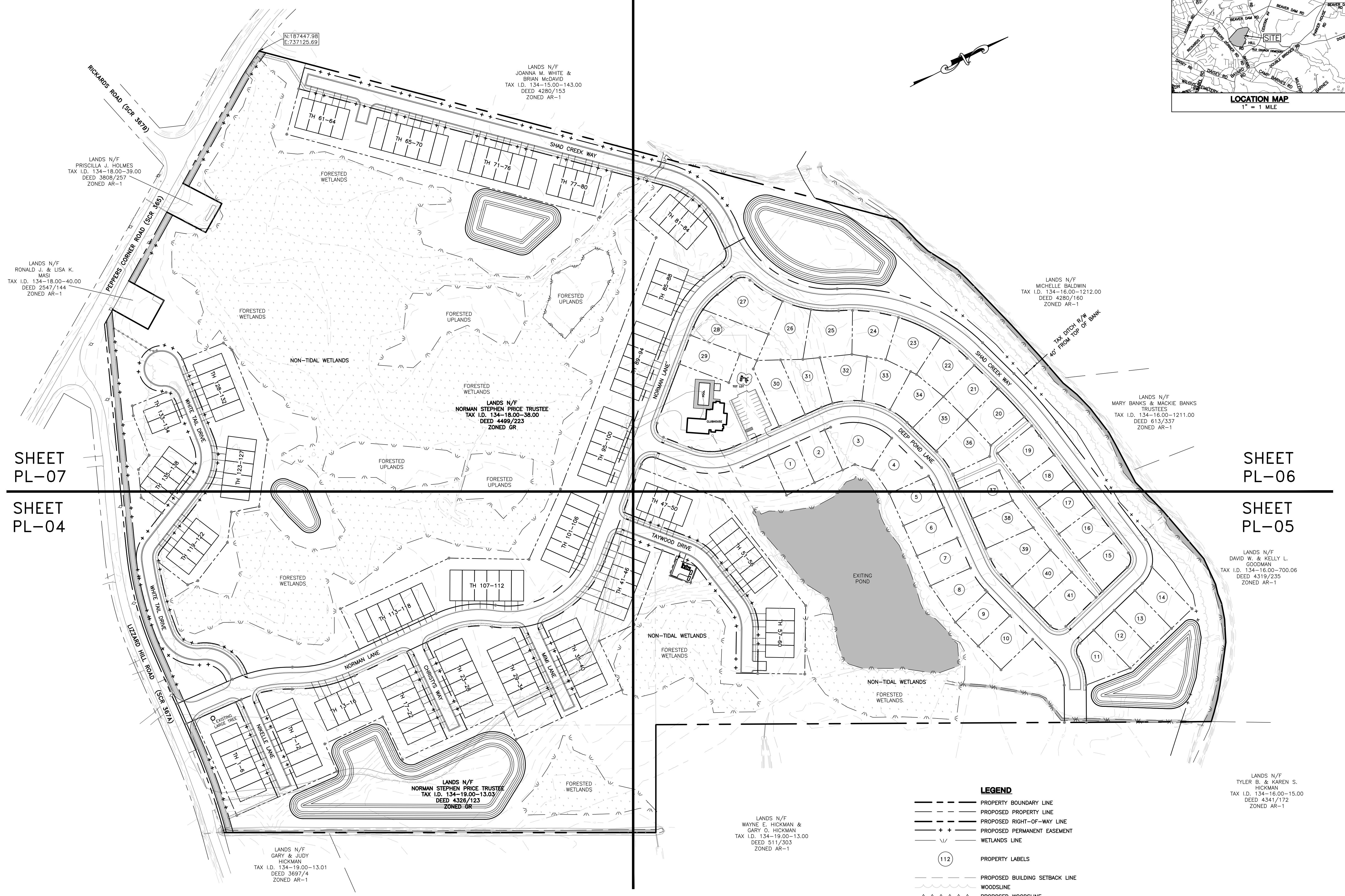
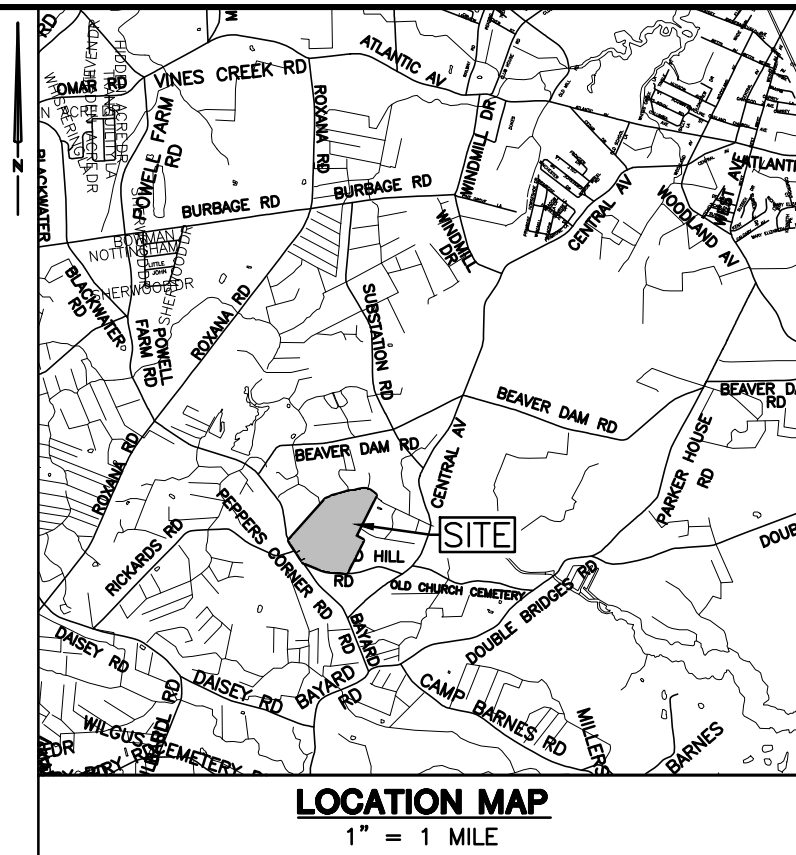


ARCHITECTS ENGINEERS SURVEYORS  
**DAVIS, BOWEN & FRIEDEL, INC.**  
 1000 W. MARKET STREET, SUITE 200  
 MILFORD, DELAWARE 19967  
 (302) 424-1441  
 (410) 770-4744

**MILOS HAVEN  
 RESIDENTIAL PLANNED COMMUNITY  
 SUSSEX COUNTY, DELAWARE**

Revisions:  
 Date: **DECEMBER 2018**  
 Scale: **1" = 100'**  
 Dwn. By: **TPS/JMJ**  
 Proj. No.: **313A001.C01**  
 Dwg. No.:

**PL-02**



SHEET PL-07  
SHEET PL-04

SHEET PL-06  
SHEET PL-05

- LEGEND**
- PROPERTY BOUNDARY LINE
  - - - PROPOSED PROPERTY LINE
  - - - PROPOSED RIGHT-OF-WAY LINE
  - + + + PROPOSED PERMANENT EASEMENT
  - W W W W WETLANDS LINE
  - (112) PROPERTY LABELS
  - - - PROPOSED BUILDING SETBACK LINE
  - W W W WOODSLINE
  - W W W W PROPOSED WOODSLINE



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**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 422-1441  
 (410) 770-4744

**MILOS HAVEN**  
**RESIDENTIAL PLANNED COMMUNITY**  
**SUSSEX COUNTY, DELAWARE**

Revisions:  
  
 Date: **DECEMBER 2018**  
 Scale: **1" = 100'**  
 Dwn. By: **TPS/JMJ**  
 Proj. No.: **3131A001.C01**  
 Dwg. No.:

**PL-03**



MATCHLINE (SEE SHEET PL-06)



MATCHLINE (SEE SHEET PL-04)

LANDS N/F  
WAYNE E. HICKMAN &  
GARY O. HICKMAN  
TAX I.D. 134-19.00-13.00  
DEED 511/303  
ZONED AR-1

LANDS N/F  
DAVID W. & KELLY L.  
GOODMAN  
TAX I.D. 134-16.00-700.06  
DEED 4319/235  
ZONED AR-1

LANDS N/F  
TYLER B. & KAREN S.  
HICKMAN  
TAX I.D. 134-16.00-15.00  
DEED 4341/172  
ZONED AR-1

- LEGEND**
- PROPERTY BOUNDARY LINE
  - - - PROPOSED PROPERTY LINE
  - PROPOSED RIGHT-OF-WAY LINE
  - + + PROPOSED PERMANENT EASEMENT
  - WETLANDS LINE
  - 112 PROPERTY LABELS
  - PROPOSED BUILDING SETBACK LINE
  - WOODSLINE
  - PROPOSED WOODSLINE



**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
SUSSEX COUNTY, DELAWARE  
EASTON, MARYLAND

PRELIMINARY PLAN

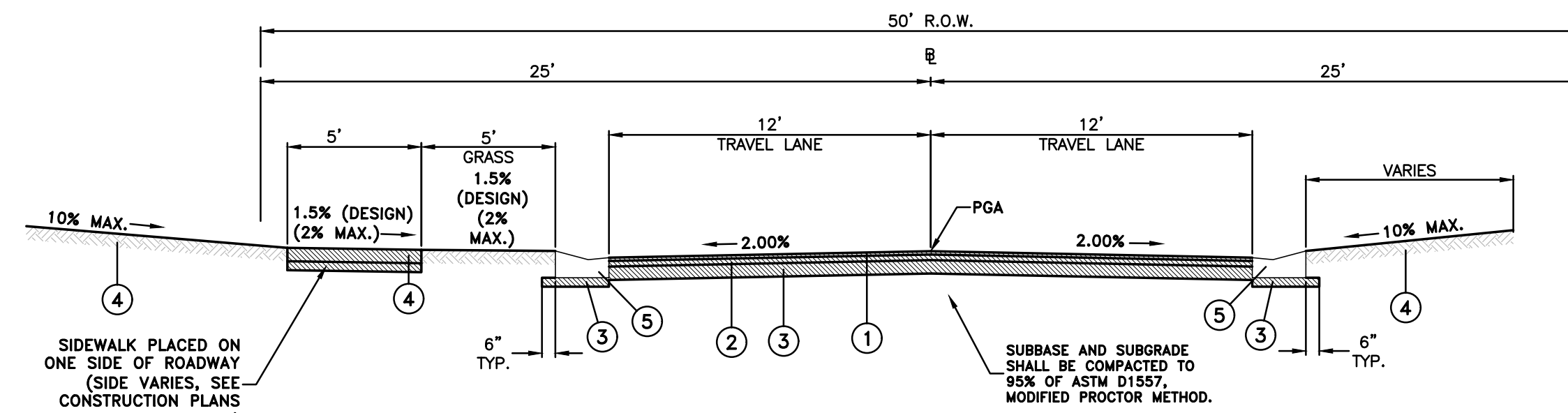
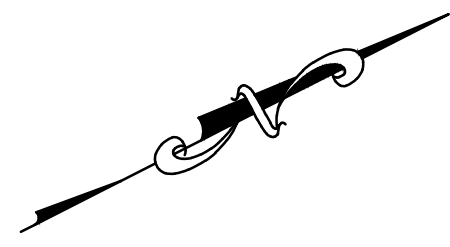
**MILOS HAVEN  
RESIDENTIAL PLANNED COMMUNITY  
SUSSEX COUNTY, DELAWARE**

Revisions:

Date: **DECEMBER 2018**  
Scale: **1" = 50'**  
Dwn. By: **TPS/JMJ**  
Proj. No.: **3131A001.C01**  
Dwg. No.:

**PL-05**





**TYPICAL TYPE I RESIDENTIAL SECTION**

SCALE: 1"=5'

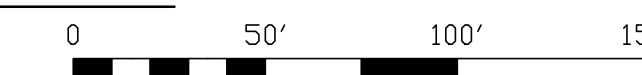
- ① SUPERPAVE, TYPE 'C' PG 64-22
- ② SUPERPAVE, TYPE 'C' PG 64-22
- ③ GRADED AGGREGATE BASE COURSE, TYPE 'B'
- ④ TOPSOIL (6" DEPTH), PERMANENT GRASS SEEDING, DRY GROUND
- ⑤ INTEGRAL P.C.C. CURB AND GUTTER, TYPE 2

MATCHLINE (SEE SHEET PL-07)



P:\Norman\3131A001\ Preliminary\3131A001 Layout\BASE.dwg, Apr 11, 2018, 4:56pm (tbl)

MATCHLINE (SEE SHEET PL-05)

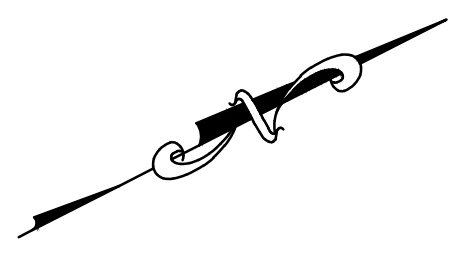


**LEGEND**

	PROPERTY BOUNDARY LINE
	PROPOSED PROPERTY LINE
	PROPOSED RIGHT-OF-WAY LINE
	PROPOSED PERMANENT EASEMENT
	WETLANDS LINE
	PROPERTY LABELS
	PROPOSED BUILDING SETBACK LINE
	WOODSLINE
	PROPOSED WOODSLINE

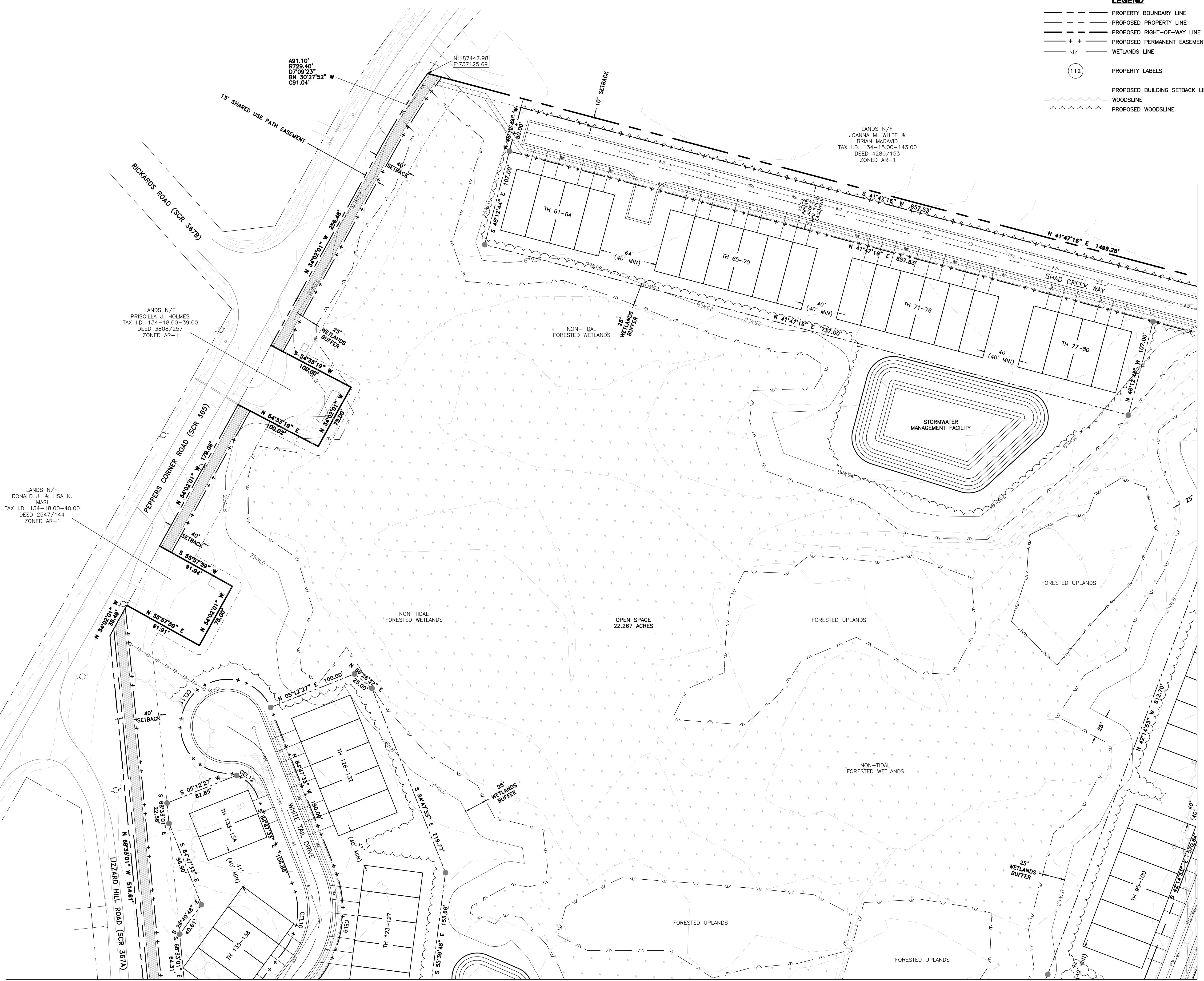
Revisions:

Date:	DECEMBER 2018
Scale:	1" = 50'
Dwn. By:	TPS/JMJ
Proj. No.:	3131A001.C01
Dwg. No.:	PL-06



**LEGEND**

---	PROPERTY BOUNDARY LINE
- - -	PROPOSED PROPERTY LINE
- . - . -	PROPOSED RIGHT-OF-WAY LINE
+ +	PROPOSED PERMANENT EASEMENT
~ ~ ~	WETLANDS LINE
(112)	PROPERTY LABELS
- - -	PROPOSED BUILDING SETBACK LINE
	WOODSLINE
~~~~~	PROPOSED WOODSLINE



MATCHLINE (SEE SHEET PL-06)

MATCHLINE (SEE SHEET PL-04)



ARCHITECTS ENGINEERS SURVEYORS

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


1401 MARKET STREET  
SUITE 200  
DELMAR, DELAWARE 19840  
TEL: (302) 424-1441  
FAX: (302) 424-1441  
WWW.DBFRIEDEL.COM

**MILOS HAVEN  
RESIDENTIAL PLANNED COMMUNITY  
SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	DECEMBER 2018
Scale:	1" = 50'
Dwn. By:	TPS/JMJ
Proj. No.:	3131A001.C01
Dwg. No.:	PL-07

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**MILOS HAVEN**  
PLANNED RESIDENTIAL COMMUNITY  
Sussex County, Delaware  
3131A001.C01  
APRIL 2019

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- F. Color Rendering on Aerial Photograph
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- H. Finding of Facts and Proposed Conditions

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  - c. 2015 State Strategies Map
  - d. Future Land Use Map
  - e. Sussex County Zoning Map
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  - i. Source Water Protection Areas
  - j. NRCS Soil Survey
  - k. Beers Atlas – Lewes and Rehoboth
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- 4. Environmental Assessment and Public Facility Evaluation Report
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12. Sussex County Planning and Zoning Staff Review

A

## Presentation Outline

### Executive Summary

This land use application involves the same lands that were the subject of CZ#1602, an application for a change of zone from AR-1 to GR/RPC, approved by Sussex County Council on December 5, 2007. Council's approval authorized 111 single-family lots and 154 residential duplex units. Largely as a result of the real estate recession, the project was never built.

This application involves significantly less density – 41 single-family lots and 138 townhomes – a density of 2.5 units per acre, as opposed to 3.7 units per acre in the prior application approved by Council. GR zoning permits 4 residential units per acre.

### A. Land Use & Zoning

1. The subdivision name, Milos Haven, has been approved by Sussex County 911.
2. The road names have been submitted and approved by Sussex County 911.
3. The property is located on the Northeast corner of Peppers Corner Road and Lizzard Hill Road.
4. The Owner of the property is Norman Stephen Price Revocable Trust.
5. The property is currently zoned GR (General Residential) in Sussex County.
6. The project will be developed under a Residential Planned Community and will be governed by a comprehensive set of restrictive covenants.
7. The property is located within the Level 3 & 4 Areas of the 2015 State Strategies Map.

### B. Land Utilization

1. The total acreage of the project is 71.754+/- acres of land.
2. The maximum number of units proposed is 138 condominium style townhomes and 41 single family lots. A total of 179 units for a total density of 2.5 units per acre.
3. The proposed subdivision will have one entrance off of Lizzard Hill Road.

4. The proposed subdivision incorporates a 50' minimum forested / landscaped buffer from the tidal wetlands located on site and a 25' building setback from non-tidal wetlands.
5. The proposed subdivision consists of active and passive open space.
  - a. The existing home will be convert to a community club house with a pool.
  - b. The passive open space area consists of stormwater management, buffers and other open areas.

### C. Environmental

1. The property contains state and federal wetlands as delineated by Environmental Resources, Inc. (ERI). The wetlands delineation and report has been submitted and signed off by the U.S. Army Corps of Engineers
2. There are no national historic listed properties within the project boundaries.
3. The internal roads will be dedicated to public use and privately maintained and will meet or exceed the Sussex County Private Road Standard Details.
4. The grading of the site will meet or exceed the requirements of the Code of Sussex County.
5. Drinking and fire protection water will be provided by Artesian Water Company.
6. Sanitary sewer transmission and treatment will be provided by Sussex County Council. A proposed pump station is located centrally on the property and will tie into the existing Sussex County infrastructure via a forcemain to the North of the Property.
7. The stormwater management system will meet all State, County and Conservation District requirements through combination of Best Management Practices (BMP) and Best Available Technologies (BAT).
8. Fire protection will be provided by Millville Volunteer Fire Company (Station 84).
9. Electricity will be provided by Delaware Electric Co-Op.



#### D. County Code Compliance

1. Chapter 99-9c Response Letter
2. Chapter 115 ES-1 Environmentally Sensitive Development District Overlay Zone (ESDDOZ) Compliance Letter

**B**

**Milos Haven Conditional Use  
Data Sheet**

**Owner/Developer:** Norman Stephen Price Revocable Trust  
**Engineer:** Davis, Bowen & Friedel, Inc.

**Project Description**

Physical Location: Located on the northeast corner of the intersection of Peppers  
Corner Road and Lizzard Hill Road  
Tax Parcel #: 1-34-18.00-38.00 & 1-34-19.00-13.03  
Acreage: 71.754 +/- Acres  
Current Zoning: GR – General Residential  
Proposed Zoning: GR-RPC General Residential Planned Community  
Current Land Use: Residential/Vacant Land  
Proposed Land Use: Residential Planned Community

**Proposed Units:**

Single Family Lots	41 Lots
Condo Townhomes	138 Townhomes
Total	179 Units

**GR-RPC Proposed Zoning Requirements**

Front Yard Setback:	20 FT
Corner	15 FT
Side Yard Setback:	10 FT
Rear Yard Setback:	10 FT
Minimum Lot Area:	7,500 SQFT.
Minimum Lot Width:	60 FT
Minimum Lot Depth:	100 FT
Maximum Building Height:	42 FT

**Proposed Land Use Areas**

Single Family Lots:	8.07 Acres
Townhome/Access Easement:	16.68 Acres
Right of Way:	5.99 Acres
Clubhouse:	0.91 Acres
Pump Station:	0.06 Acres
Stormwater:	2.42 Acres
Wetlands:	15.94 Acres
Open Space:	21.68 Acres

**Utility Provider**

Water	Artesian Water Company, Inc
Sewer	Sussex County (Beaver Dam Planning Area)

C

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

## Planning & Zoning Commission Application Sussex County, Delaware

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

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

Conditional Use

Zoning Map Amendment

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

Located on the Northeast corner of the intersection of Peppers Corner Road & Lizzard Hill Road

**Type of Conditional Use Requested:**

Proposed GR-RPC for 41 Single Family Lots & 138 Condo Style Townhouses

**Tax Map #:** 134-18-38.00 & 134-19-13.03 **Size of Parcel(s):** 71.754 Acres

**Current Zoning:** GR **Proposed Zoning:** GR-RPC **Size of Building:** \_\_\_\_\_

**Land Use Classification:** Residential Subdivision

**Water Provider:** Artesian Water Company, Inc. **Sewer Provider:** Sussex County(Beaver Dam Plannin

**Applicant Information**

**Applicant Name:** Stephen P. Norman

**Applicant Address:** 34026 Coastal Highway

**City:** Bethany **State:** DE **Zip Code:** 19930

**Phone #:** (302) 537-3799 **E-mail:** snorman@thenormanlawfirm.com

**Owner Information**

**Owner Name:** Norman Stephen Price Revocable Trust

**Owner Address:** 34026 Coastal Highway

**City:** Bethany Beach **State:** FL **Zip Code:** 19960

**Phone #:** (302) 537-3799 **E-mail:** snorman@thenormanlawfirm.com

**Agent/Attorney/Engineer Information**

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

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

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

**Phone #:** (302) 424-1441 **E-mail:** wzc@dbfinc.com



# Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

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

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

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

**Signature of Applicant/Agent/Attorney**



Date: 2-27-2019

**Signature of Owner**



Date: 2/27/19

**For office use only:**

Date Submitted: \_\_\_\_\_

Fee: \$500.00 Check #: \_\_\_\_\_

Staff accepting application: \_\_\_\_\_

Application & Case #: \_\_\_\_\_

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

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

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

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

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

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

D

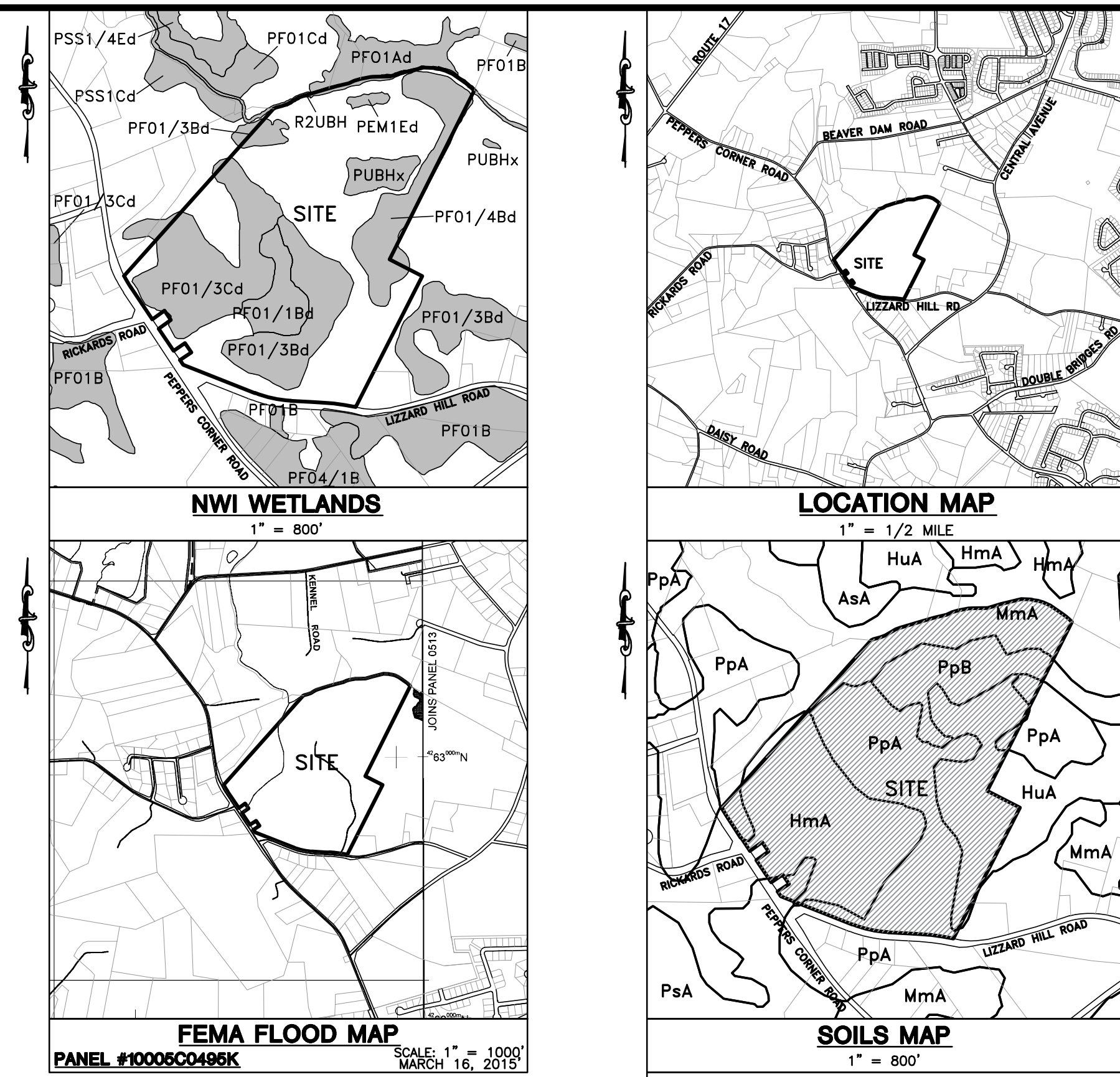
**GENERAL NOTES:**

- STREETS, STORMWATER MANAGEMENT FACILITIES 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.
- 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, IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
- BASED UPON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0495K, DATED MARCH 16, 2015; THE ENTIRE PROPERTY IS LOCATED OUTSIDE OF ANY AREA DESIGNATED AS ZONE "X" (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN IN THESE PLANS ARE BASED ON FIELD SURVEYS PERFORMED BY OTHERS.
- THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
- 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 REPRESENTS 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.
- STATE AND FEDERALLY(404 NON-TIDAL) REGULATED WETLANDS EXIST ON THESE PARCELS.
- NO BOUNDARY TREATMENT/FENCING IS PROPOSED.
- ANY ADDITIONAL ACCESSORY STRUCTURES ASSOCIATED WITH THE MULTIFAMILY DWELLINGS SHALL BE SUBJECT TO SITE PLAN REVIEW.
- EXISTING DWELLING TO REMAIN AND BE CONVERTED TO A FUTURE CLUBHOUSE.
- THE EXISTING CIDER LANE AND ENTRANCE TO BE REMOVED.
- 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.

# MILOS HAVEN

## PRELIMINARY PLANS FOR RESIDENTIAL PLANNED COMMUNITY PARCEL 134-18.00-38.00 & 134-19.00-13.03 SUSSEX COUNTY, DELAWARE

DBF PROJECT NO. 3131A001.E01 DECEMBER 2018



INDEX OF SHEETS	
P-1	PRELIMINARY TITLE
P-2	EXISTING CONDITIONS PLAN
P-3	OVERVIEW PLAN
P-4 - P-7	PRELIMINARY PLANS

**DATA COLUMN**

TAX MAP ID:	1-34-18.00-38.00 & 1-34-19.00-13.03
DEED REF:	D4499/223 D4326/123
EXISTING ZONING:	GR - GENERAL RESIDENTIAL
PROPOSED ZONING:	GR/RPC
EXISTING USE:	RESIDENTIAL, AGRICULTURAL, VACANT
PROPOSED USE:	RESIDENTIAL PLANNED COMMUNITY
ESDDOZ:	SITE IS LOCATED ENTIRELY WITHIN THE ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE
GROUNDWATER RECHARGE POTENTIAL:	FAIR
PROPOSED UNITS:	41 SINGLE FAMILY LOTS 138 CONDO TOWNHOMES 179 TOTAL UNITS
PROPOSED CONSTRUCTION:	WOOD/CONCRETE BLOCK
PARKING REQUIREMENT(TOWNHOMES):	2 SPACES PER DWELLING UNIT = 276 SPACES(BEFORE REDUCTION) AFTER REDUCTION: 1-50 UNITS = 100 SPACES 51-138 = 176(15 REDUCTION) = 150 SPACES TOTAL REQUIRED = 250 SPACES
PARKING PROVIDED(TOWNHOMES):	2 SPACES PER DWELLING UNIT = 276
FLOOD HAZARD MAP:	THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA MAP 10005C0495K(MARCH 16, 2015).
WETLANDS:	THE PROPERTY AS SHOWN DOES CONTAIN FEDERALLY (404 NON-TIDAL) REGULATED WETLANDS.
TOTAL PROPOSED SITE AREA:	71.754 ACRES
NET DEVELOPABLE AREA:	(71.754 ACRES x .25 REDUCTION) - 0.507 ACRES WETLANDS= 53.309 ACRES
# UNITS PERMITTED:	53.309 ACRES x 43,560/10,000 = 232 UNITS
MAXIMUM DENSITY:	3.2 UNITS PER ACRE
PROPOSED DENSITY:	2.5 UNITS PER ACRES
EXISTING FORESTED ACRES:	58.41 ACRES
FORESTED ACRES TO BE REMOVED:	27.75 ACRES(47.5%)
PROPOSED LAND USE AREAS:	
SINGLE FAMILY LOTS:	8.07 ACRES
TOWNHOME/ACCESS EASEMENT:	16.68 ACRES
RIGHT OF WAY:	5.89 ACRES
CLUBHOUSE:	0.91 ACRES
PUMP STATION:	0.06 ACRES
STORMWATER:	2.42 ACRES
WETLANDS:	15.94 ACRES
OPEN SPACE:	21.68 ACRES
TOTAL:	71.75 ACRES
GR/RPC PROPOSED SETBACK REQUIREMENTS	
FRONT YARD:	20 FT.
CORNER:	15' (ONE SIDE)
SIDE YARD:	10 FT.
REAR YARD:	10 FT.
MIN LOT AREA:	7500 S.F.
MIN LOT WIDTH:	60 FT
MIN LOT DEPTH:	100 FT
VOLUNTARY NON-TIDAL WETLANDS BUFFER	25 FT
PROPOSED MAXIMUM BUILDING HEIGHT:	42 FT. (3-1/2 STORIES)
MINIMUM BUILDING SEPARATION:	40' BETWEEN TOWNHOMES
SANITARY SEWER:	SUSSEX COUNTY (BEAVER DAM PLANNING AREA)
WATER SUPPLY:	ARTESIAN WATER COMPANY
DATUM:	
VERTICAL:	NAVD 88
HORIZONTAL:	NAD 83(DE STATE PLANE)

**OWNER/DEVELOPER:**  
NORMAN STEPHEN PRICE REVOCABLE TRUST  
34026 COASTAL HIGHWAY  
BETHANY BEACH, DE 19930

**PREPARED BY:**  
DAVIS, BOWEN & FRIEDEL, INC.  
1 PARK AVENUE  
MILFORD, DE 19963  
PHONE: (302) 424-1441  
FAX: (302) 424-0430

**APPROVED BY:**

CHAIRMAN OF PLANNING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_

PRESIDENT OF SUSSEX COUNCIL \_\_\_\_\_ DATE \_\_\_\_\_

**OWNER'S STATEMENT**

I, NORMAN STEPHEN PRICE REVOCABLE TRUST, HEREBY STATE THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.

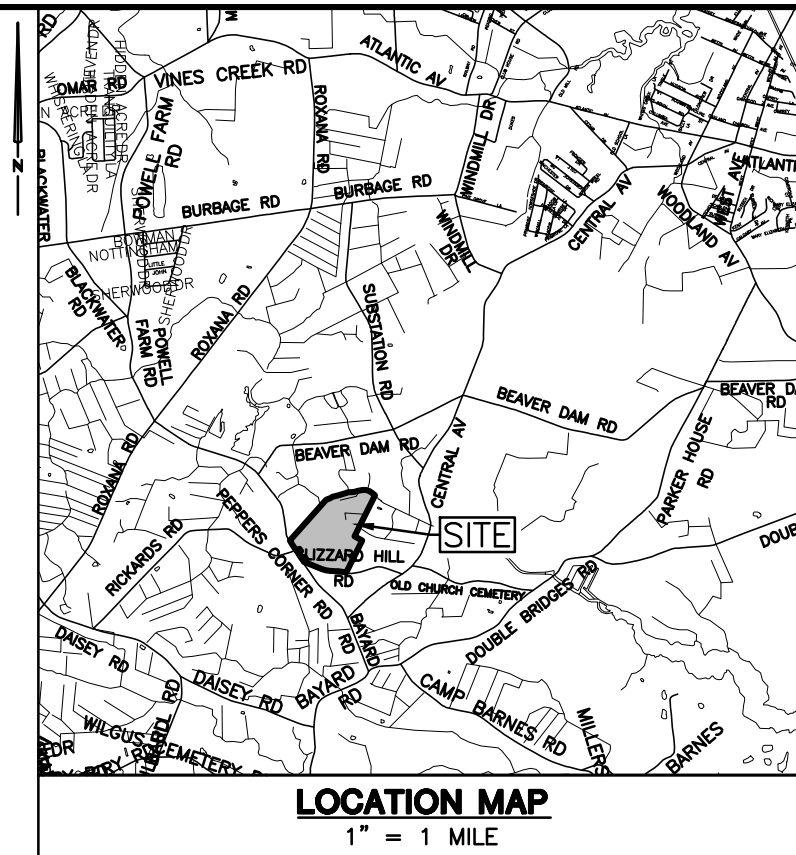
NORMAN STEPHEN PRICE REVOCABLE TRUST \_\_\_\_\_ DATE \_\_\_\_\_  
34026 COASTAL HIGHWAY  
BETHANY BEACH, DE 19930

**ENGINEER'S STATEMENT**

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

by W. ZACHARY CROUCH, P.E. \_\_\_\_\_ DATE \_\_\_\_\_  
DAVIS, BOWEN & FRIEDEL, INC.  
1 PARK AVENUE  
MILFORD, DELAWARE, 19963





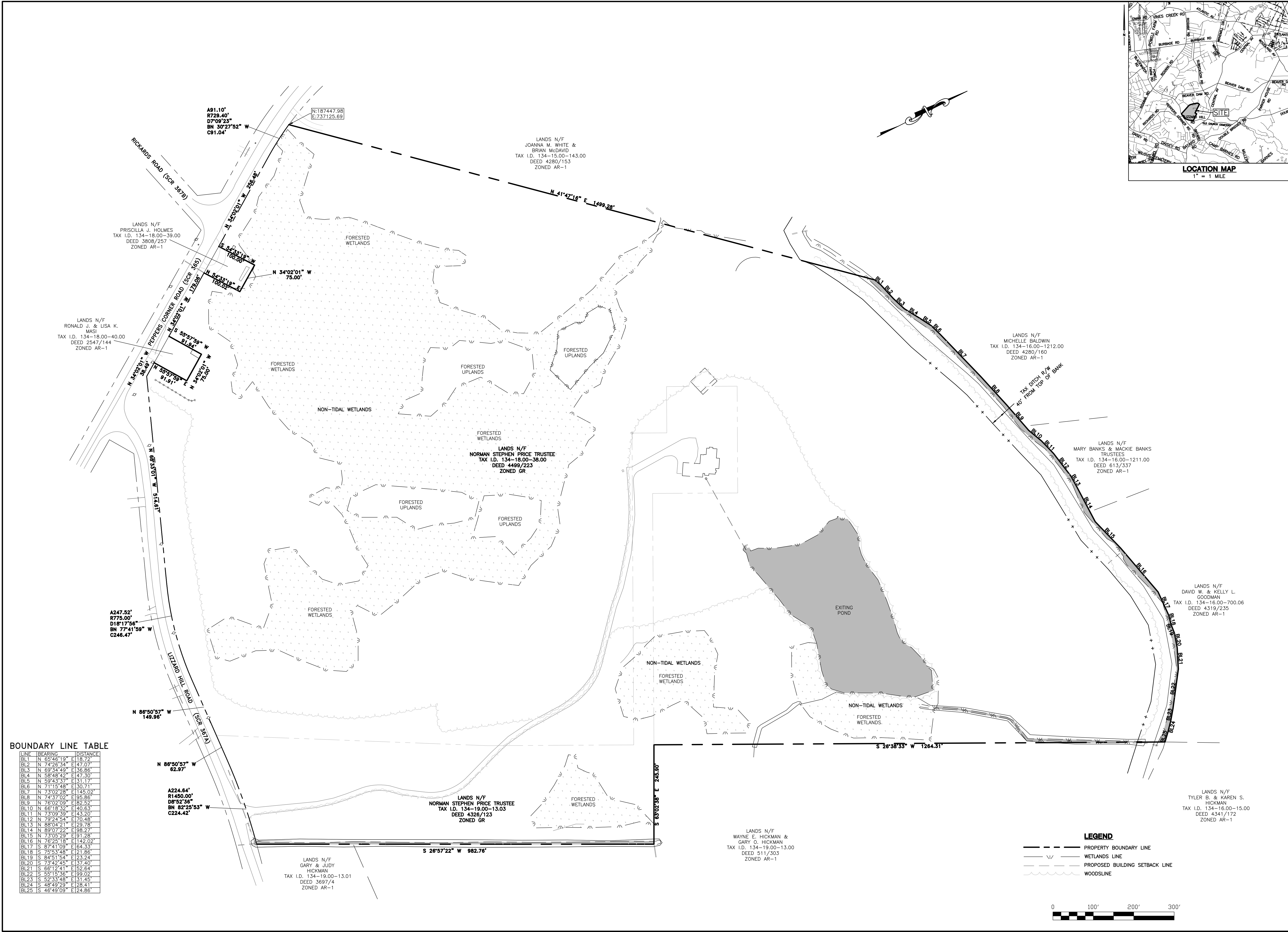
ARCHITECTS ENGINEERS SURVEYORS  
**DAVIS, BOWEN & FRIEDEL, INC.**  
 1000 MARKET STREET, SUITE 200  
 WILMINGTON, DELAWARE 19801  
 (302) 422-1441  
 EASTON, MARYLAND (410) 770-4744

EXISTING BOUNDARY PLAN

**MILOS HAVEN  
 RESIDENTIAL PLANNED COMMUNITY  
 SUSSEX COUNTY, DELAWARE**

Revisions:

Date: **DECEMBER 2018**  
 Scale: **1" = 100'**  
 Dwn. By: **TPS/JMJ**  
 Proj. No.: **313A001.C01**  
 Dwg. No.: **PL-02**

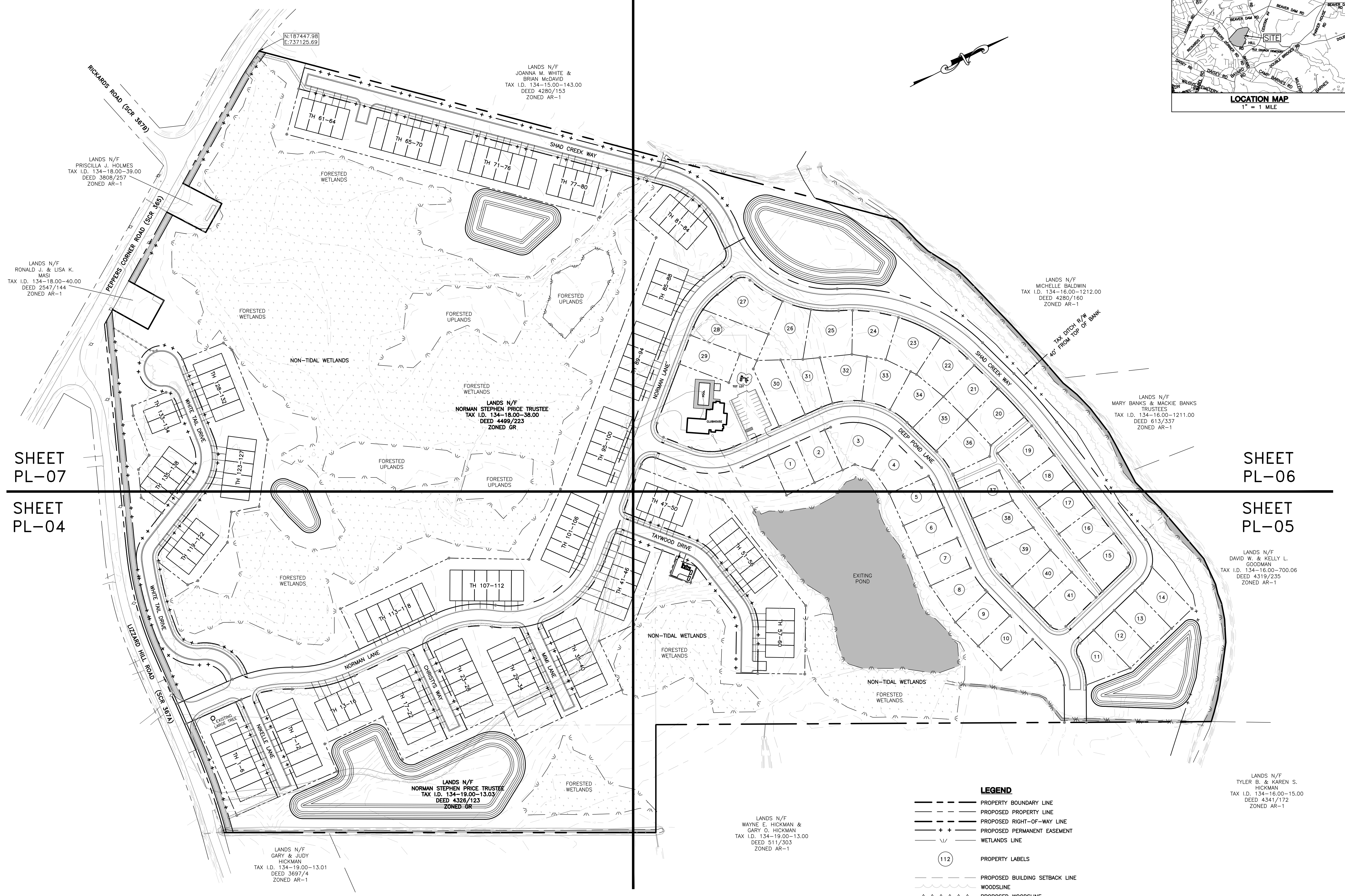
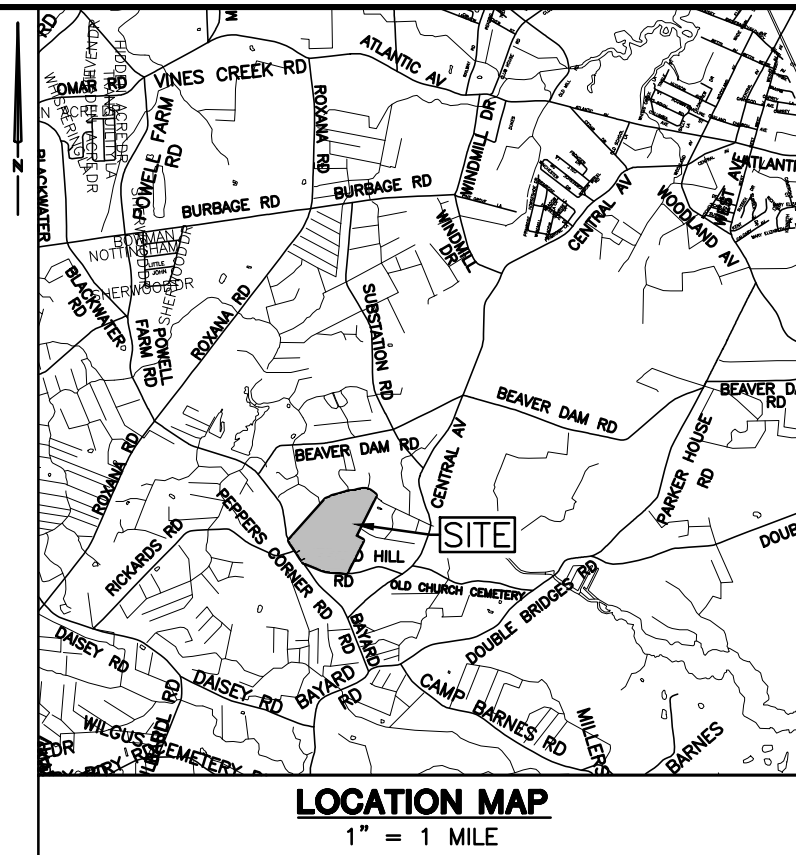


**BOUNDARY LINE TABLE**

LINE	BEARING	DISTANCE
BL1	N 65°46'19" E	118.72'
BL2	N 74°26'34" E	47.07'
BL3	N 69°34'43" E	36.88'
BL4	N 59°48'42" E	47.30'
BL5	N 59°43'37" E	31.17'
BL6	N 71°15'48" E	30.71'
BL7	N 73°02'28" E	1145.02'
BL8	N 74°37'02" E	95.86'
BL9	N 76°02'09" E	82.52'
BL10	N 66°18'32" E	40.63'
BL11	N 73°09'39" E	43.20'
BL12	N 79°24'54" E	70.48'
BL13	N 88°04'21" E	29.78'
BL14	N 89°07'22" E	98.27'
BL15	N 73°05'29" E	91.28'
BL16	N 76°25'18" E	1142.02'
BL17	S 87°41'09" E	64.33'
BL18	S 75°53'46" E	121.86'
BL19	S 84°51'54" E	23.24'
BL20	S 73°42'45" E	37.40'
BL21	S 66°12'41" E	56.64'
BL22	S 55°15'36" E	99.02'
BL23	S 52°33'48" E	31.45'
BL24	S 48°49'29" E	28.41'
BL25	S 46°49'09" E	124.86'

**LEGEND**  
 --- PROPERTY BOUNDARY LINE  
 --- WETLANDS LINE  
 --- PROPOSED BUILDING SETBACK LINE  
 --- WOODS LINE





SHEET PL-07  
SHEET PL-04

SHEET PL-06  
SHEET PL-05

- LEGEND**
- PROPERTY BOUNDARY LINE
  - - - PROPOSED PROPERTY LINE
  - - - PROPOSED RIGHT-OF-WAY LINE
  - + + + PROPOSED PERMANENT EASEMENT
  - W W W W WETLANDS LINE
  - (112) PROPERTY LABELS
  - - - PROPOSED BUILDING SETBACK LINE
  - W W W WOODSLINE
  - W W W W PROPOSED WOODSLINE



ARCHITECTS ENGINEERS SURVEYORS  
**DAVIS, BOWEN & FRIEDEL, INC.**  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 426-1441  
 (410) 770-4744

**MILOS HAVEN  
 RESIDENTIAL PLANNED COMMUNITY  
 SUSSEX COUNTY, DELAWARE**

Revisions:  
 Date: **DECEMBER 2018**  
 Scale: **1" = 100'**  
 Dwn. By: **TPS/JMJ**  
 Proj. No.: **313A001.C01**  
 Dwg. No.: **PL-03**

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MATCHLINE (SEE SHEET PL-06)



LANDS N/F  
DAVID W. & KELLY L.  
GOODMAN  
TAX I.D. 134-16.00-700.06  
DEED 4319/235  
ZONED AR-1

LANDS N/F  
TYLER B. & KAREN S.  
HICKMAN  
TAX I.D. 134-16.00-15.00  
DEED 4341/172  
ZONED AR-1

MATCHLINE (SEE SHEET PL-04)

LANDS N/F  
WAYNE E. HICKMAN &  
GARY O. HICKMAN  
TAX I.D. 134-19.00-13.00  
DEED 511/303  
ZONED AR-1

- LEGEND**
- PROPERTY BOUNDARY LINE
  - - - PROPOSED PROPERTY LINE
  - - - PROPOSED RIGHT-OF-WAY LINE
  - + + PROPOSED PERMANENT EASEMENT
  - WETLANDS LINE
  - 112 PROPERTY LABELS
  - PROPOSED BUILDING SETBACK LINE
  - WOODSLINE
  - PROPOSED WOODSLINE



**DAVIS, BOWEN & FRIEDEL, INC.**  
ARCHITECTS ENGINEERS SURVEYORS  
SUSSEX COUNTY, DELAWARE  
EASTON, MARYLAND

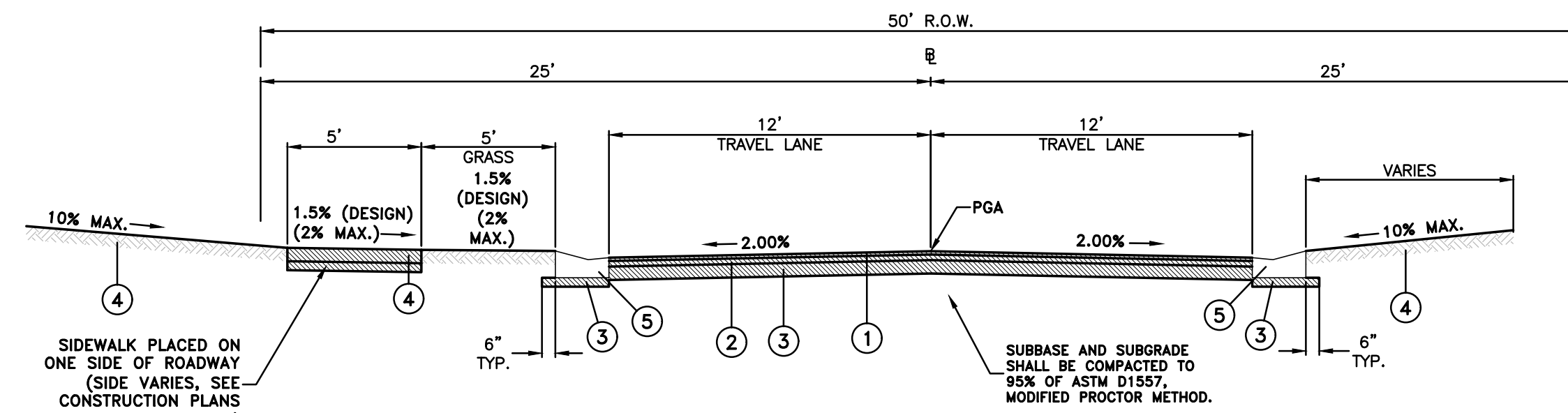
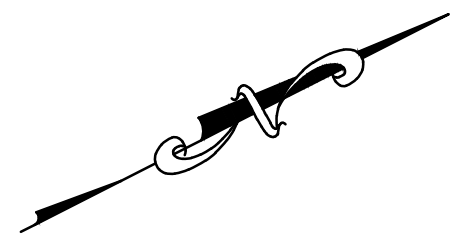
**MILOS HAVEN  
RESIDENTIAL PLANNED COMMUNITY  
SUSSEX COUNTY, DELAWARE**

Date: **DECEMBER 2018**  
Scale: **1" = 50'**  
Dwn. By: **TPS/JMJ**  
Proj. No.: **3131A001.C01**  
Dwg. No.:

**PL-05**

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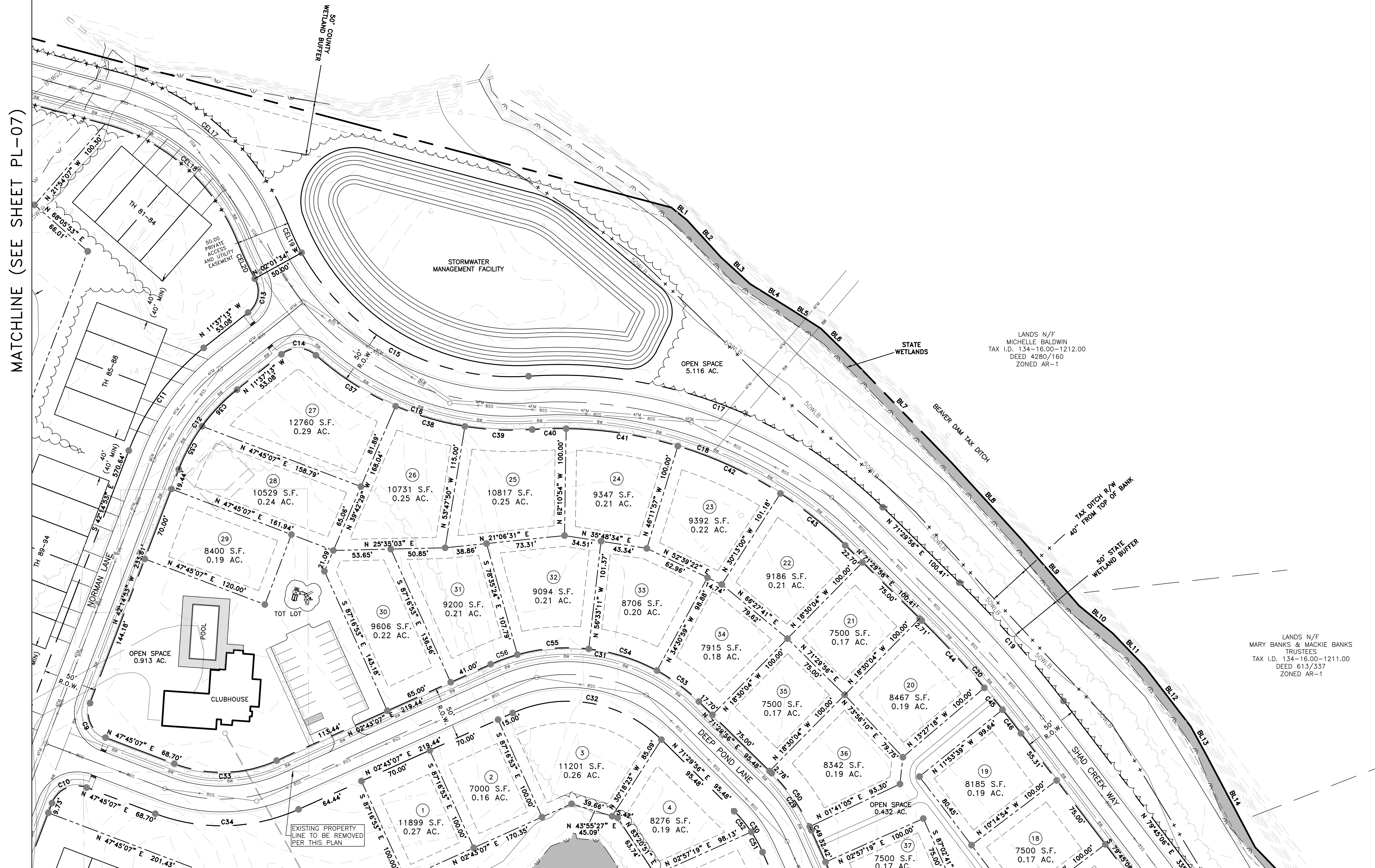


**TYPICAL TYPE I RESIDENTIAL SECTION**

SCALE: 1"=5'

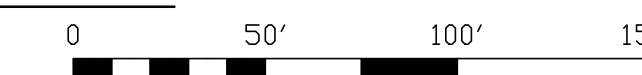
- ① SUPERPAVE, TYPE 'C' PG 64-22
- ② SUPERPAVE, TYPE 'C' PG 64-22
- ③ GRADED AGGREGATE BASE COURSE, TYPE 'B'
- ④ TOPSOIL (6" DEPTH), PERMANENT GRASS SEEDING, DRY GROUND
- ⑤ INTEGRAL P.C.C. CURB AND GUTTER, TYPE 2

MATCHLINE (SEE SHEET PL-07)



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MATCHLINE (SEE SHEET PL-05)

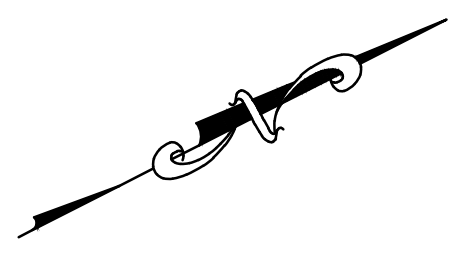


**LEGEND**

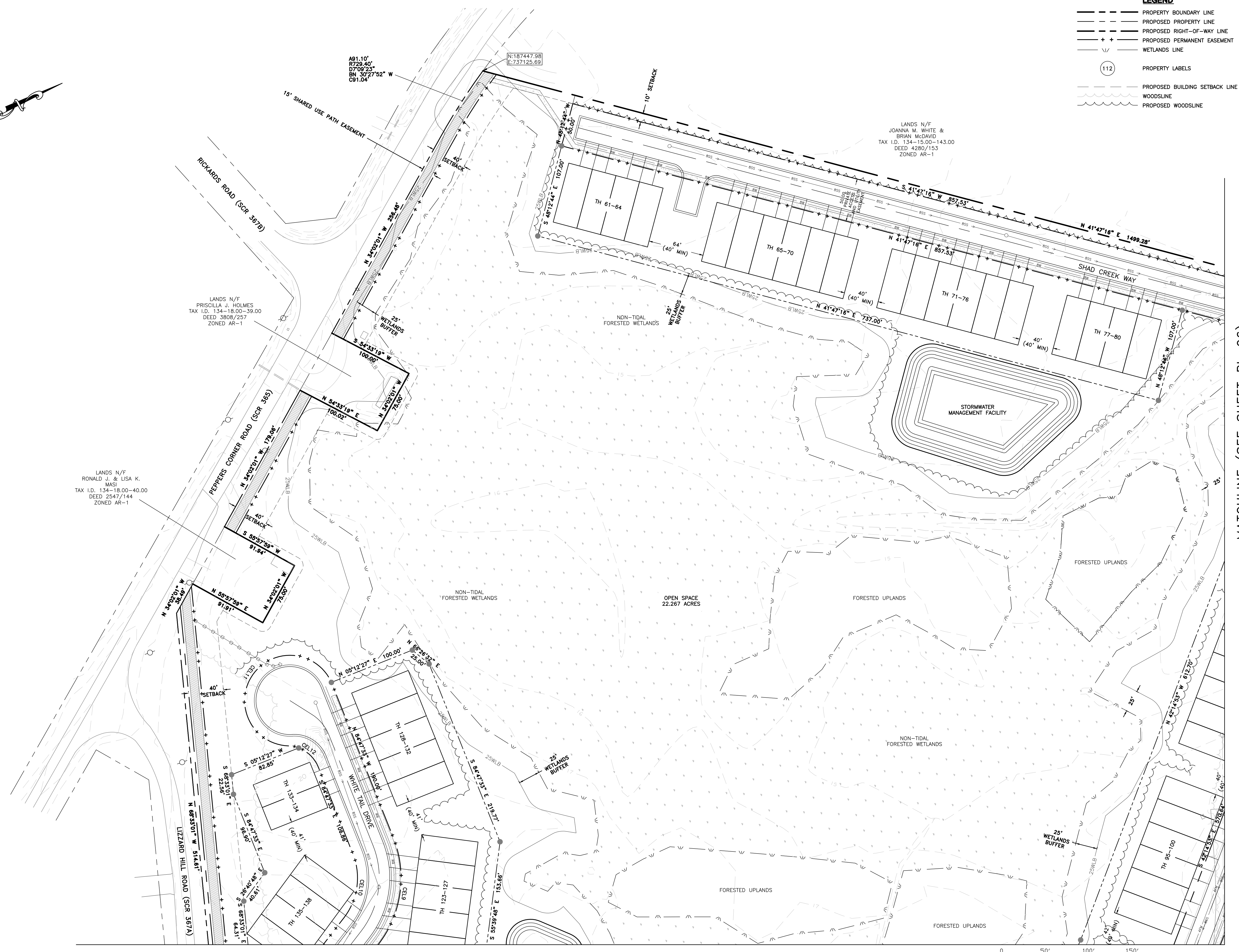
	PROPERTY BOUNDARY LINE
	PROPOSED PROPERTY LINE
	PROPOSED RIGHT-OF-WAY LINE
	PROPOSED PERMANENT EASEMENT
	WETLANDS LINE
	PROPERTY LABELS
	PROPOSED BUILDING SETBACK LINE
	WOODSLINE
	PROPOSED WOODSLINE

Revisions:

Date:	DECEMBER 2018
Scale:	1" = 50'
Dwn. By:	TPS/JMJ
Proj. No.:	3131A001.C01
Dwg. No.:	PL-06



LEGEND	
	PROPERTY BOUNDARY LINE
	PROPOSED PROPERTY LINE
	PROPOSED RIGHT-OF-WAY LINE
	PROPOSED PERMANENT EASEMENT
	WETLANDS LINE
	PROPERTY LABELS
	PROPOSED BUILDING SETBACK LINE
	WOODSLINE
	PROPOSED WOODSLINE

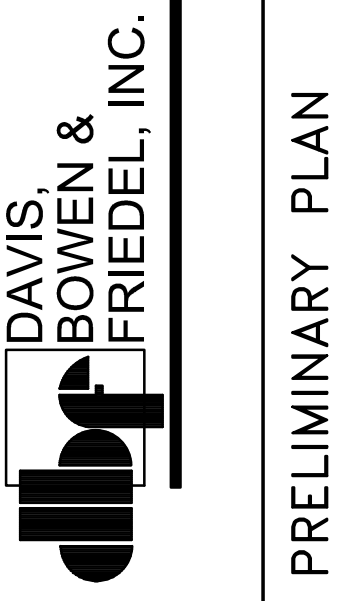


MATCHLINE (SEE SHEET PL-06)

MATCHLINE (SEE SHEET PL-04)



ARCHITECTS ENGINEERS SURVEYORS  
 DAVIS, BOWEN & FRIEDEL, INC.  
 1500 MARKET STREET  
 MILFORD, DELAWARE 19967  
 (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744



# MILOS HAVEN RESIDENTIAL PLANNED COMMUNITY SUSSEX COUNTY, DELAWARE

Revisions:

Date:	DECEMBER 2018
Scale:	1" = 50'
Dwn. By:	TPS/JMJ
Proj. No.:	313A001.C01
Dwg. No.:	PL-07

**PL-07**

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**E**

Tax Parcel No. 1-34-19.00-13.03

PREPARED BY AND RETURN TO:

Stephen W. Spence, Esquire  
Phillips, Goldman & Spence, P.A.  
1200 N. Broom Street  
Wilmington, DE 19806  
Our File: CTYBK-82

THIS DEED, delivered and effective this 30 day of Oct,  
2014;

BETWEEN

JEFF CHRISTOPHER, SHERIFF, of Sussex County, in the State of Delaware, party  
of the first part,

- AND -

STEPHEN PRICE NORMAN, TRUSTEE FOR THE STEPHEN PRICE NORMAN  
REVOCABLE LIVING TRUST DATED OCTOBER 16, 2014, of Sussex County, Delaware,  
party of the second part,

WHEREAS, County Bank, of 19927 Shuttle Road, Rehoboth Beach, DE 19971, filed  
a writ of *levari facias* in the Superior Court of the State of Delaware, at Georgetown,  
Sussex County, Delaware, requiring the said Sheriff to expose to public sale the lands of  
TRIPLE D DOUBLE S, LLC, seized and taken in execution by virtue of a writ of Sci. Fa.  
Sur Mortgage *In Rem*, C.A. S14L-02-010 ESB to recover a certain debt of \$1,498,619.63  
with interest, costs and attorney's fees. And thereafter Jeff Christopher, Sheriff on  
September 16, 2014, did expose the below described lands to public sale.

ALL that certain parcel of land situated in Baltimore Hundred, Sussex County,  
Delaware, located on the north side of the intersection of County Road 365 (Peppers  
Corner Road) and County Road 367-A (Lizzard Hill Road), and being part of a larger  
parcel of land owned by Teresa W. Croll (Deed Book 3006, pg 063) as shown and  
designated as LOT B AND LANDS TO BE CONVEYED FROM LOT A TO LOT B,  
on a Survey Plan entitled "Extension to Lands of Teresa W. Croll", prepared by  
Meridian Architects & Engineers, Jessica D. Nichols, PE, dated December 1, 2004  
and of record in the Office of the Recorder of Deeds, in and for Sussex County,  
Delaware, in Plot Book 89, Page 291, and being more particularly described as  
follows;

COMMENCING at a concrete monument found at the intersection point of the  
northerly side of County Road 365 (60 feet wide) and County Road 367-A (50 feet  
wide); thence along the northerly right of way of County Road 367-A South 71°22'07"  
East 514.61 feet to a concrete monument found; thence along the arc of a curve

*JS*

*DM*



deflecting to the left an arc distance of 247.52 feet (radius = 775.00 feet , delta = 18°17'57", chord = South 80°31'05" East 246.47 feet ) to a concrete monument found; thence South 89°40'03" East 149.96 feet to an iron pipe found, the POINT OF BEGINNING a corner for lot B lands of Teresa Croll recorded in Deed book 3006, page 061; thence with same North 26°19'08" East 672.43 feet to a concrete monument found; thence North 23°49'27" East 360.80 feet to a concrete monument found; thence across other lands of Teresa Croll North 66°10'33" West 771.23 feet to a concrete monument found; thence North 23°49'27" East 86.01 feet to a concrete monument found; thence North 66°10'33" West 114.55 feet to a concrete monument found; thence North 23°49'27" East 174.14 feet to a concrete monument found; thence South 66°10'33" East 264.05 feet to a concrete monument found; thence South 23°49'27" West 210.65 feet to a concrete monument found; thence South 66°10'33" East 621.23 feet to a concrete monument found; thence South 65°51'44" East 245.90 feet to a concrete monument found; thence South 24°08' 16" West 982.76 feet to a concrete monument found on the afore mentioned right of way of County Road 367-A; thence with same along the arc of a curve deflecting to the left an arc distance of 223.57 (radius = 1450.00 feet, delta = 08°50'03", chord = North 85°15'02" West 223.35 feet) to a concrete monument found; thence North 89°40'03" West 64.00 feet home to the POINT OF BEGINNING, containing 8.0 acres of land.

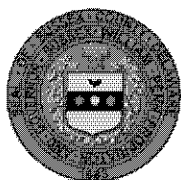
**BEING** the same lands and premises which Teresa W. Croll by deed dated December 22, 2004, and recorded in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, at Deed Book 3080, Page 139, did grant and convey unto Triple D Double S, LLC, in fee.

THIS INDENTURE WITNESSETH, that the said Jeff Christopher, Sheriff as aforesaid, for and in consideration of the sum of FIVE HUNDRED THOUSAND and 00/100 DOLLARS (\$500,000.00), lawful money bid and paid by the said County Bank for this property, the receipt whereof is hereby acknowledged;

AND the said County Bank having after the sale assigned its mortgage and the above-referenced judgment to the STEPHEN PRICE NORMAN, TRUSTEE FOR THE STEPHEN PRICE NORMAN REVOCABLE LIVING TRUST DATED OCTOBER 16, 2014, a Delaware Trust, by assignment to be recorded forthwith; and by virtue of the laws of the State of Delaware, and the assignment aforesaid, the said Jeff Christopher, Sheriff, hath granted, bargained and sold, and by these presents doth grant, bargain and sell to the said STEPHEN PRICE NORMAN, TRUSTEE FOR THE STEPHEN PRICE NORMAN REVOCABLE LIVING TRUST DATED OCTOBER 16, 2014, its successors and assigns forever, and all rights, title and claim whatsoever, in the law and equity of the said Triple D Double S, LLC, to all that certain tract or parcel of land above described.

TO HAVE AND TO HOLD, the above granted lands and premises to the party of the second part, its successors and assigns, to the only proper use of the said party of the second part, its successors and assigns forever.





# Sussex County

Scott Dailey  
Recorder of Deeds  
Georgetown, DE 19947

Instrument Number: 2016-2856

Parties:

Recorded As: EREC-DEED

Direct- CARSON TERESA W

Recorded On: January 27, 2016

Indirect- NORMAN STEPHEN PRICE TR

Recorded At: 11:03:30 am

Receipt Number: 552950

Number of Pages: 4

Processed By: Teresa C

Book-VI/Pg: Bk-D VI-4499 Pg-223

Total Rec Fee(s): \$21,283.00

\*\* Examined and Charged as Follows \*\*

RECEIVED ASSESSMENT DIVISION OF SUSSEX COUNTY

Erec-D					
	\$ 58.00				
	Tax Amount	Consid Amt	RS#/CS#		
STATE AND COUNTY OF SUSSEX	\$ 21225.00	\$ 707500.00		State of Delaware	\$ 10612.50
				Sussex County	\$ 10612.50
Tax Charge:	\$ 21225.00				

*I hereby certify that the within and foregoing was recorded in the Recorder's Office in Sussex County*

\*\*\* DO NOT REMOVE - THIS PAGE IS PART OF THE RECORDED DOCUMENT \*\*\*

NO TITLE EXAMINATION  
REQUESTED OR PERFORMED  
BY THE SMITH FIRM, LLC

TM #1-34-18.00-38.00  
PREPARED BY & RETURN TO:  
The Smith Firm, LLC  
8866 Riverside Drive  
Seaford, DE 19973  
File No. DEEDONLY/

*This Deed*, made this 23<sup>rd</sup> day of December, 2015,

- BETWEEN -

TERESA W. CROLL a/k/a TERESA W. CARSON, of 204 Market Street,  
Bridgeville, DE 19933, party of the first part,

- AND -

STEPHEN PRICE NORMAN, TRUSTEE OF THE STEPHEN PRICE NORMAN  
REVOCABLE LIVING TRUST DATED 10/16/2014, of 34702 Cider Lane, Frankford, DE  
19945, party of the second part.

**WITNESSETH:** That the said party of the first part, for and in consideration of the sum  
of **One and 00/100 Dollars (\$1.00)**, lawful money of the United States of America, the receipt  
whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part,  
and his heirs and assigns, in fee simple, the following described lands, situate, lying and being in  
Sussex County, State of Delaware:

ALL that certain lot, piece and parcel of land, situate, lying and being in  
Baltimore Hundred, Sussex County, State of Delaware, being known and  
designated as LOT A, RESIDUAL LANDS OF TERESA W. CROLL as will  
more fully and largely appear upon reference to a plot entitled "EXTENSION TO  
LANDS OF TERESA W. CROLL" prepared by Meridian Architects & Engineers

dated December 1, 2004 and filed for record in the Office of the Recorder of Deeds in and for Sussex County, Delaware in Plot Book 89, page 291.

**EXCEPTING AND RESERVING** any outconveyances therefrom.

**BEING** a portion of the same lands conveyed to Theresa W. Croll from Albert P. Croll, III and Theresa W. Croll by Deed dated June 29, 2004, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 3006, Page 63.

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

**IN WITNESS WHEREOF**, the party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered  
in the presence of:

[Handwritten Signature]

Theresa W. Croll aka. (SEAL)  
**Theresa W. Croll**

[Handwritten Signature]

Teresa W. Carson (SEAL)  
**Teresa W. Carson**

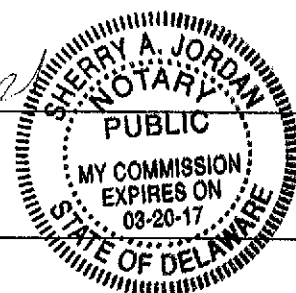
STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

**BE IT REMEMBERED**, that on December 23, 2015, personally came before me, the subscriber, Theresa W. Croll (a/k/a Teresa W. Carson), party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed.

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

[Handwritten Signature]  
Notary Public

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



**F**

# MILOS HAVEN

SUSSEX COUNTY, DELAWARE

March 22, 2019

Scale: 1" = 200'

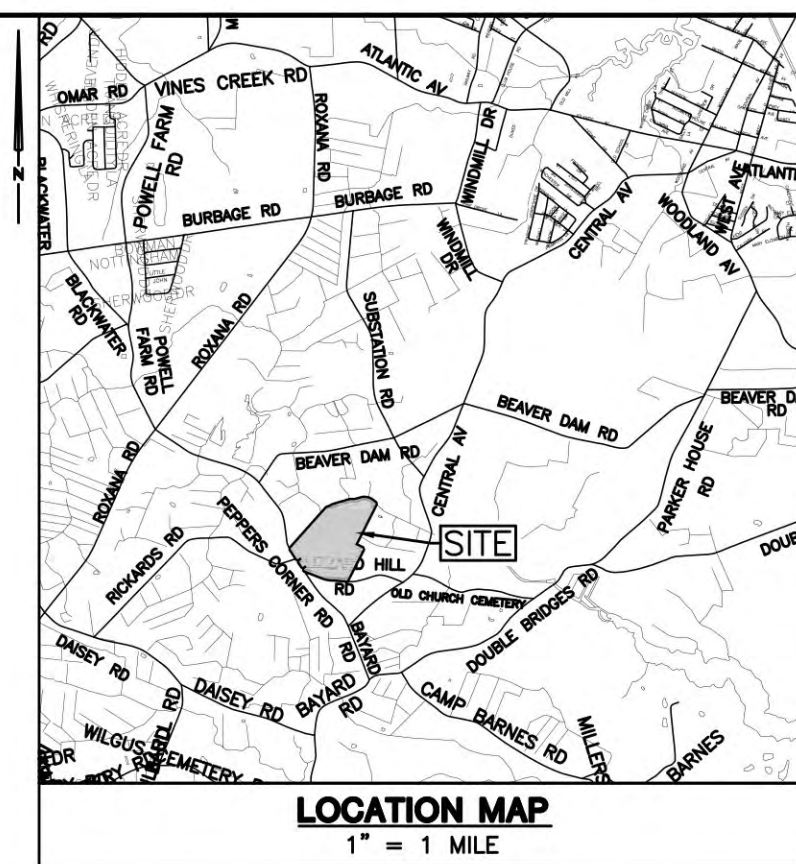
**dbf** DAVIS  
BOWEN &  
FRIEDEL, INC.  
ARCHITECTS • ENGINEERS • SURVEYORS



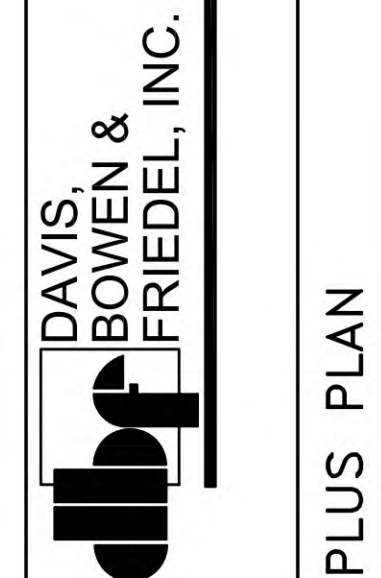


G

V:\Studio\_3D Modeling\Milos Haven (FKA Lakelyma)\_3131A001\3131A001.Lakelym BASE.rvt, Mar 22, 2019 - 5:22pm mccc



ARCHITECTS ENGINEERS SURVEYORS  
 DAVIS, BOWEN & FRIEDEL, INC.  
 1000 MARKET STREET  
 WILMINGTON, DELAWARE 19801  
 (302) 424-1411  
 (410) 770-4714



PLUS PLAN

**MILOS HAVEN  
 RESIDENTIAL PLANNED COMMUNITY  
 SUSSEX COUNTY, DELAWARE**

Revisions:

Date: MARCH 2019  
 Scale: 1" = 100'  
 Dwn. By: TPS/JMJ  
 Proj. No.: 3131A001.C01  
 Dwg. No.:

**R1**

H

## FINDINGS OF FACT

### LAKELYNNS

CZ#1833

1. This land use application involves the same lands that were the subject of CZ#1602, an application for a change of zone from AR-1 to GR/RPC, approved by Sussex County Council on December 5, 2007. Council's approval authorized 111 single-family lots and 154 residential duplex units. Largely as a result of the real estate recession, the project was never built.
2. This application involves significantly less density – 41 single-family lots and 138 townhomes – a density of 2.5 units per acre, as opposed to 3.7 units per acre in the prior application approved by Council. GR zoning permits 4 residential units per acre.
3. There are non-tidal wetlands on site, which have been delineated and the delineation has been approved by the U.S. Army Corps of Engineers. There will be no wetlands in lots or townhouse pad sites. Additionally, there will be a voluntary minimum 25-foot buffer from non-tidal wetlands and a minimum 40-foot buffer from the waters of the Beaver Dam tax ditch.
4. The Preliminary Land Use Service reviewed this application and the applicant has satisfactorily responded to all PLUS comments.
5. A traffic impact study has been prepared and submitted to DelDot and has been reviewed and accepted. The applicant will be obliged to meet all of DelDot's road improvement requirements.
6. Potable water will be supplied to the property by Artesian Resources. Public sewer will be provided by Sussex County as a part of the Beaver Dam planning area. The development will be governed by a set of homeowners documents compliant with the Delaware Uniform Common Ownership Interest Act.
7. The applicant has satisfactorily addressed County Ordinance 99-9(c) and County Ordinance §115-194.3. The applicant demonstrated that, consistent with the purposes of the ESDDOZ Ordinance, significantly more open space has been created by the new design and the reduction in density. Open space exclusive of wetlands is 21.6 acres. Non-tidal wetlands are 15.94 acres, which will remain undisturbed, thereby creating 37.6 acres or more than half of the site as open space.
8. As a result, this application, as Council found with respect to the earlier application, is consistent with the character and trend of development in the area and thereby consistent with the land use plan and will have no adverse impact on property values. With the reduction in density the development will have less impact than the earlier application, had that project been constructed.

## PROPOSED CONDITIONS

### LAKELYNNS

CZ#1833

1. The maximum number of units shall not exceed 179, of which 41 shall be single-family lots and 138 shall be townhomes. No wetlands shall be included in any lot areas or townhouse pad areas.
2. All entrance, intersection, road way and multi-modal improvements required by DelDot shall be completed by the applicant in accordance with DelDot's requirements, or in accordance with any further modifications required by DelDot based on its review of the Traffic Impact Study.
3. Recreational amenities and facilities shall be completed and open to use by the residents of the development upon the issuance of the 75<sup>th</sup> building permit.
4. If required by the Indian River School District, a protected school bus shelter shall be provided by the entrance to the development, with the location and any related parking to be approved by the school district's transportation supervisor.
5. The development shall be served as a part of the Sussex County Service Beaver Dam Sewer planning area and shall be constructed in accordance with County engineering specification and regulations. The development shall be served by Artesian Resources, providing a central water system for drinking water and fire protection, as required by applicable regulations.
6. Stormwater management facilities, erosion, and sediment control shall be constructed in accord with best management practices consistent with applicable State and County regulations.
7. The interior street design shall be in accordance with or exceed Sussex County street design requirements. Street design shall include sidewalks on one side of the streets and street lighting.
8. The applicant, its successors and/or assigns shall cause to be formed a homeowners association or condominium association to be responsible for the maintenance of the streets, roads, buffers, open spaces, stormwater management facilities and other common areas.
9. Non-tidal wetlands shall be maintained as non-disturbance areas with a minimum 25-foot voluntary buffer.
10. Deed restrictions and/or covenants and condominium documents shall reference that agriculture activities exist nearby and the Agriculture Protection Notice shall be included in the restrictions/covenants and other documents.

11. Road naming and addressing shall be subject to the approval of the Sussex County Mapping and Addressing Department.
12. Construction, site work, grading and deliveries of construction materials, landscaping materials and fill on and to the property shall only occur from Monday through Saturday and only between the hours of 7:00 a.m. to 6:00 p.m.
13. The preliminary site plan and the final site plan shall be subject to the review and approval of the Planning & Zoning Commission.

# Exhibit 1



Spring 2017  
Aerial Photo

Sources:  
Tax Parcels per Sussex County



## Surrounding Communities

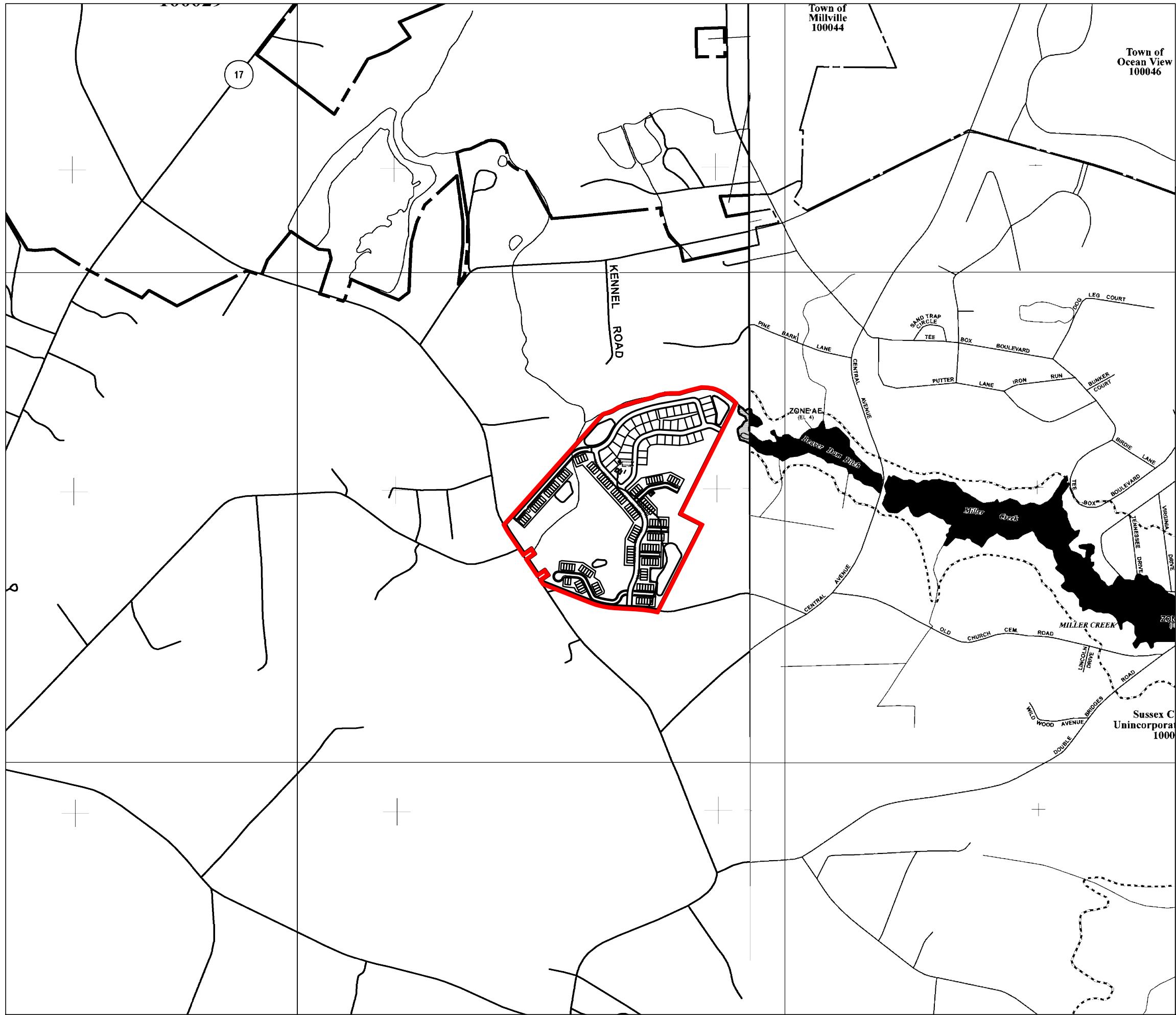
**Milos Haven**

Near Millville, Sussex County, Delaware

0 2,000 4,000  
Feet







For more information on flood insurance, visit [www.flood.gov](http://www.flood.gov). If you are a community, contact your insurance agent or the National Flood Insurance Administration at 1-800-638-6620.

**MAP SCALE 1" = 1000'**

500 0 1000 2000 FEET  
300 0 300 600 METERS

**NFIP**

**PANEL 0495K**

**FIRM**  
FLOOD INSURANCE RATE MAP

**SUSSEX COUNTY,  
DELAWARE  
AND INCORPORATED AREAS**

**PANEL 495 OF 660**  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
MILLVILLE, TOWN OF	100044	0495	K
SUSSEX COUNTY	100029	0495	K

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



**MAP NUMBER  
10005C0495K**

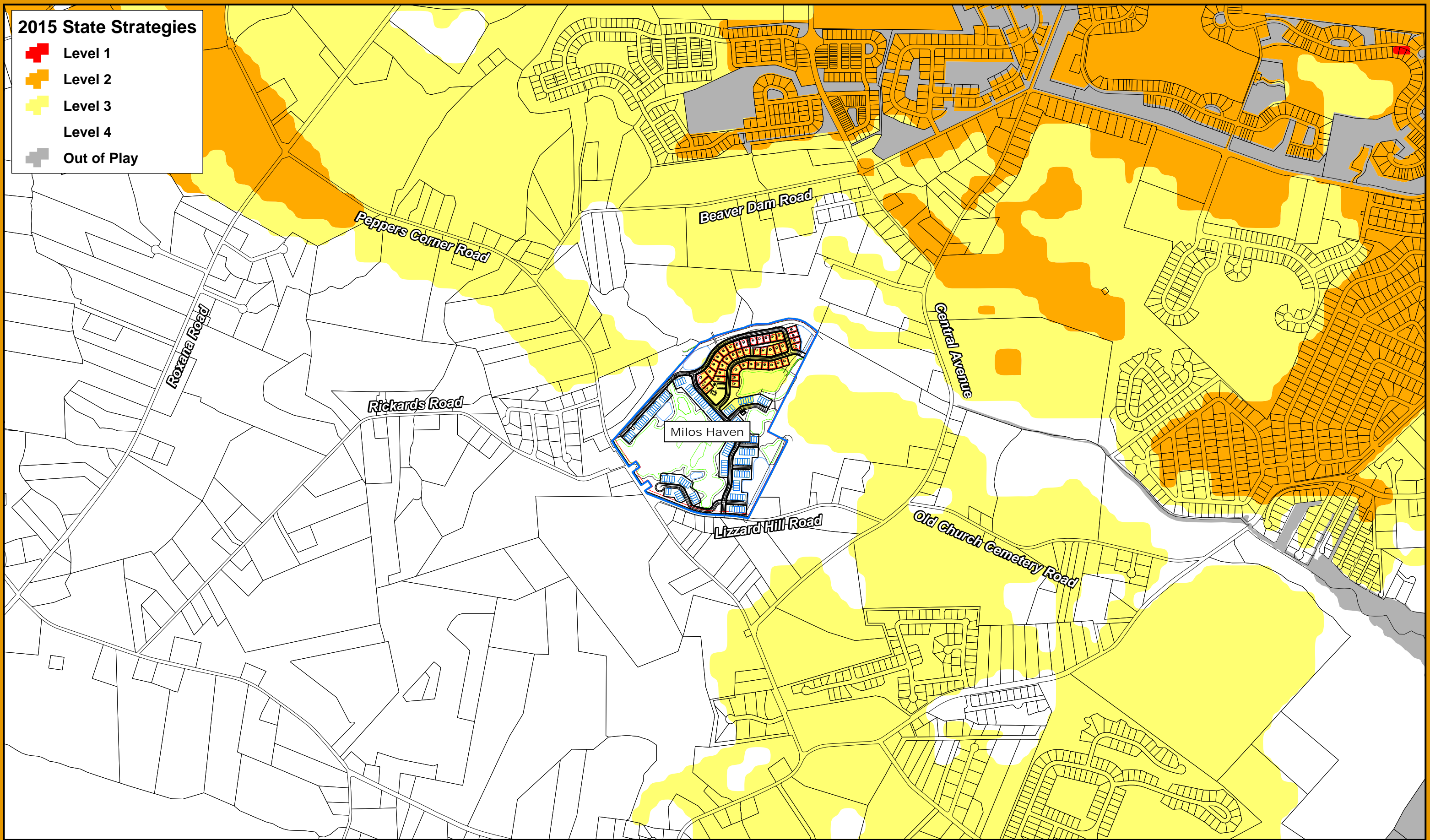
**MAP REVISED  
MARCH 16, 2015**

**Federal Emergency Management Agency**

**NATIONAL FLOOD INSURANCE PROGRAM**

**2015 State Strategies**

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








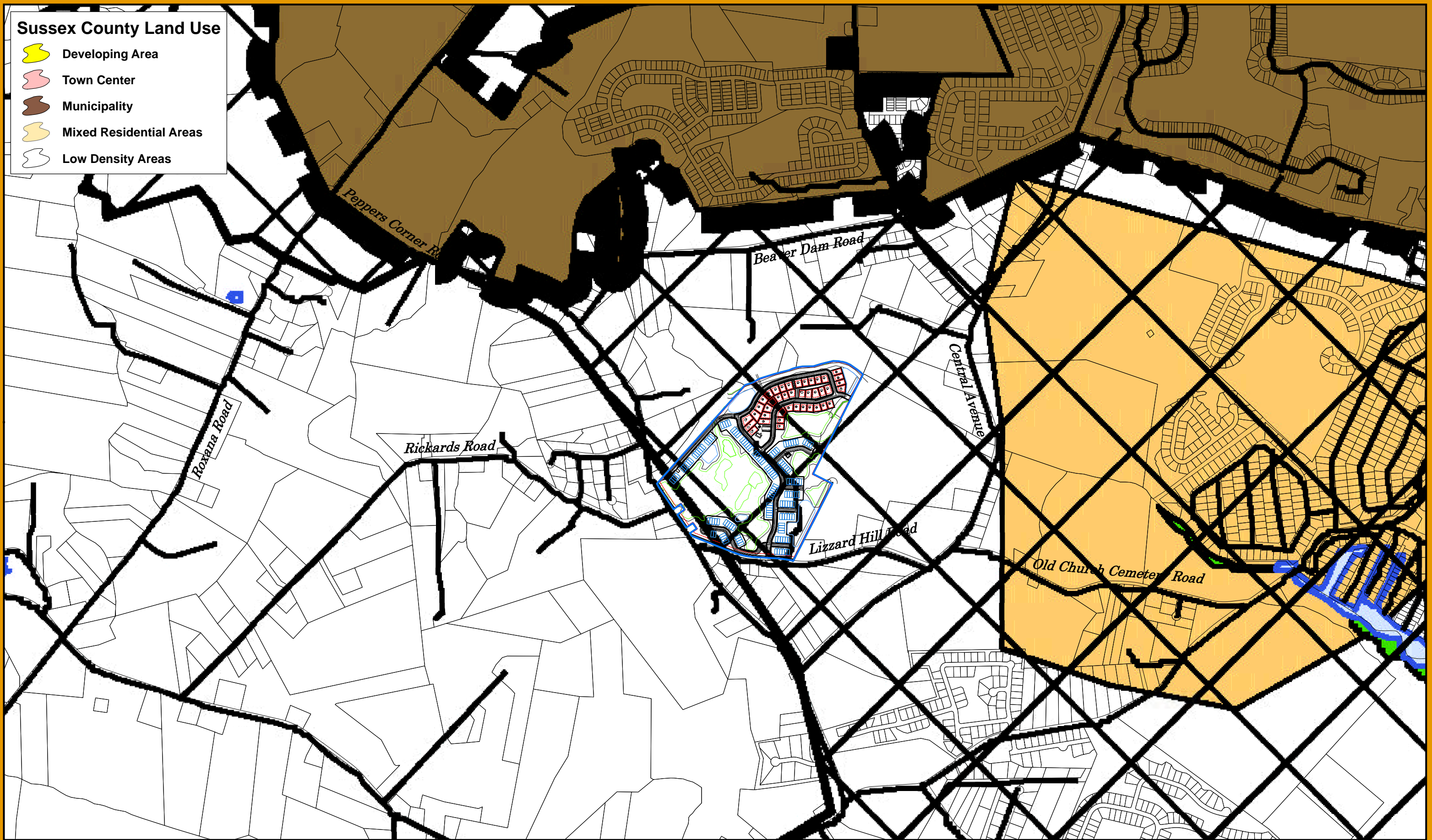
Sources:  
Tax Parcels per Sussex County

**2015 State Strategies Map**  
**Milos Haven**  
Near Millville, Sussex County, Delaware

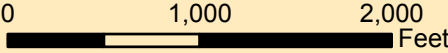








**Sussex County Land Use**

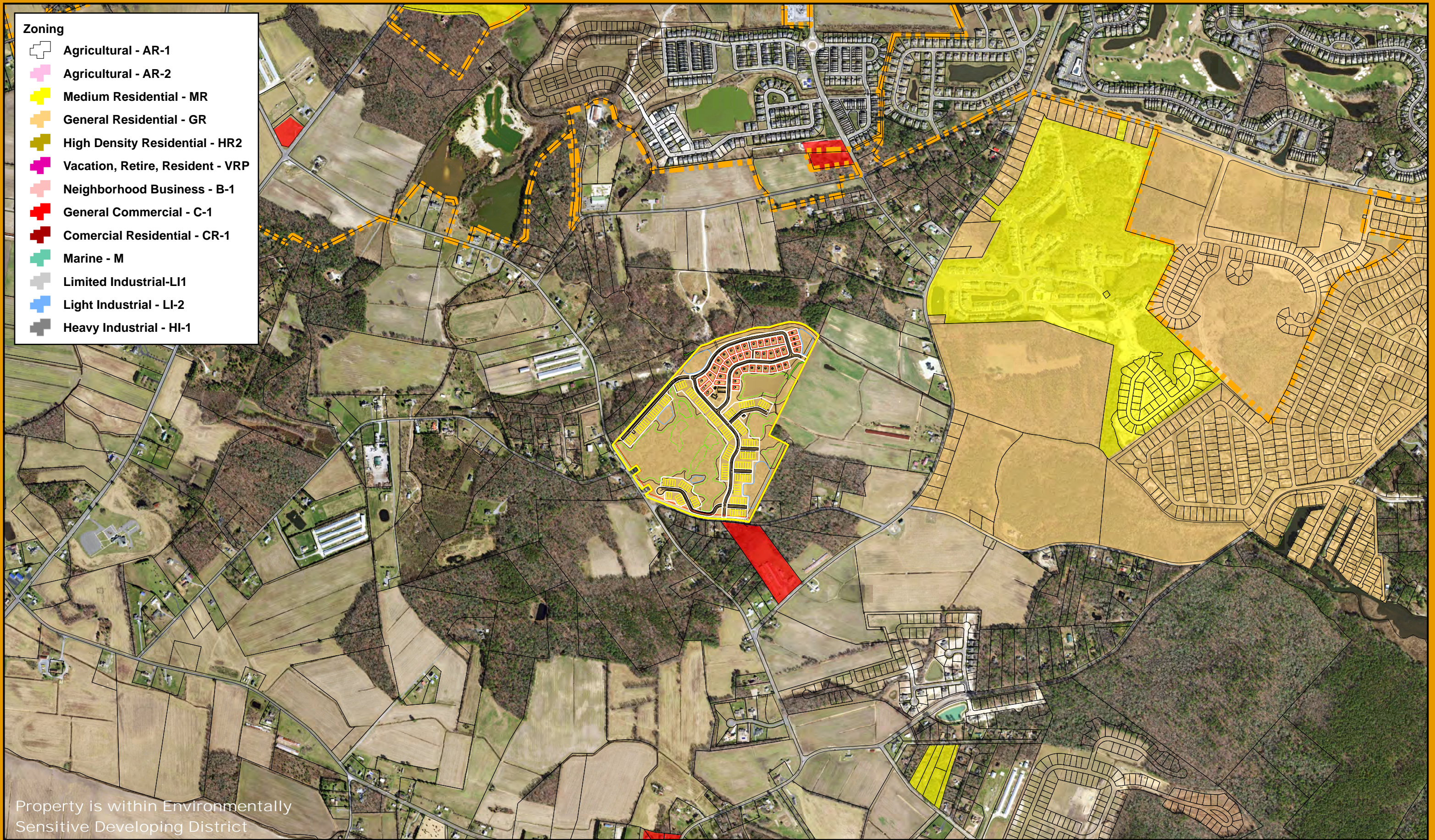
-  Developing Area
-  Town Center
-  Municipality
-  Mixed Residential Areas
-  Low Density Areas



**Future Land Use Map**  
**Milos Haven**  
Near Millville, Sussex County, Delaware



- Zoning**
-  Agricultural - AR-1
  -  Agricultural - AR-2
  -  Medium Residential - MR
  -  General Residential - GR
  -  High Density Residential - HR2
  -  Vacation, Retire, Resident - VRP
  -  Neighborhood Business - B-1
  -  General Commercial - C-1
  -  Comercial Residential - CR-1
  -  Marine - M
  -  Limited Industrial-LI1
  -  Light Industrial - LI-2
  -  Heavy Industrial - HI-1



Property is within Environmentally Sensitive Developing District



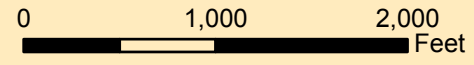
April 2019

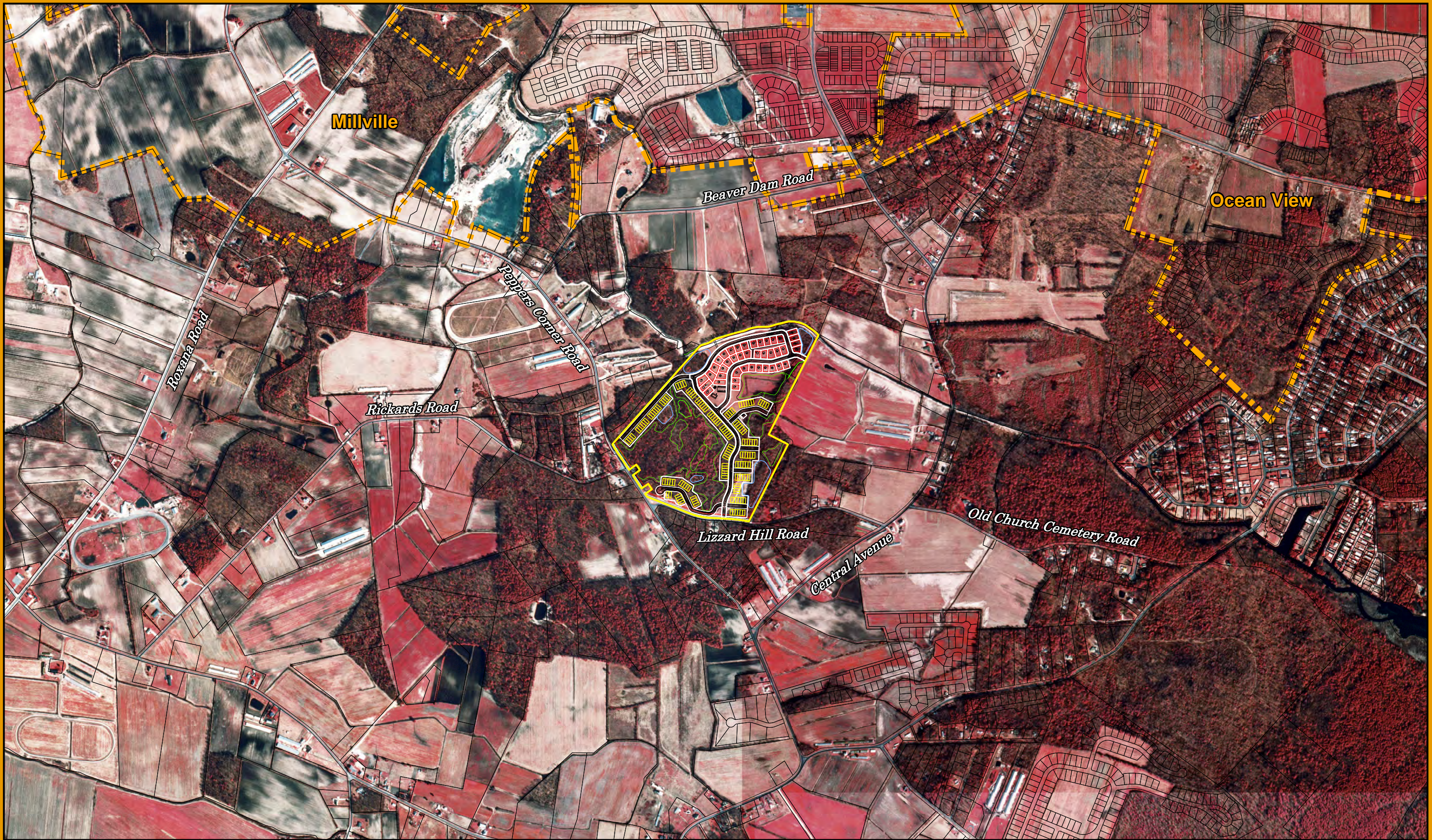
Sources:  
Tax Parcels per Sussex County

## Zoning Map

### Milos Haven

Near Millville, Sussex County, Delaware





Sources:  
Tax Parcels per Sussex County

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April 2019  
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S




### 1992 Aerial Map

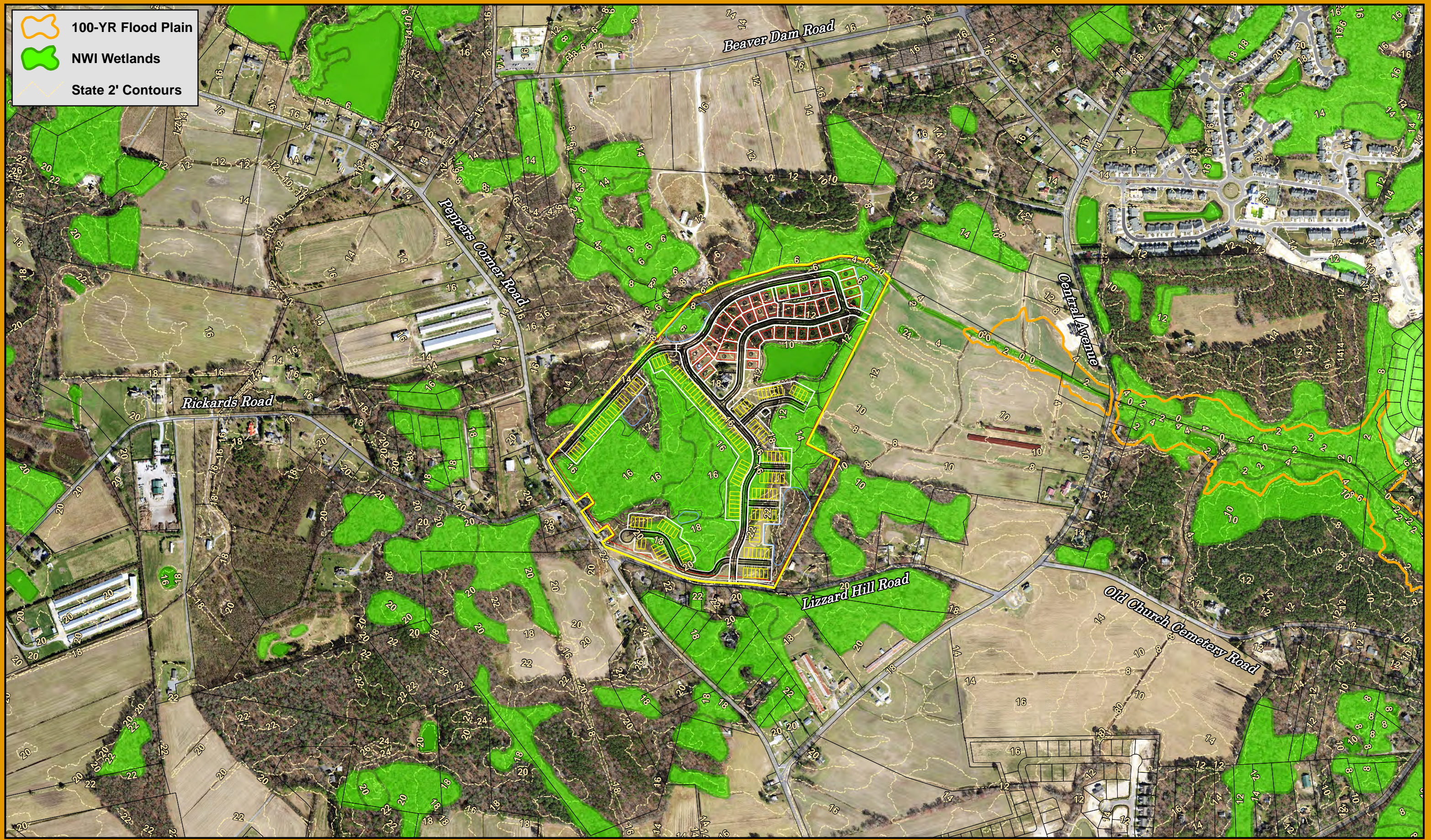
#### Milos Haven



Near Millville, Sussex County, Delaware





 100-YR Flood Plain  
 NWI Wetlands  
 State 2' Contours



-  Wellhead Protection Area
-  Excellent Recharge Area



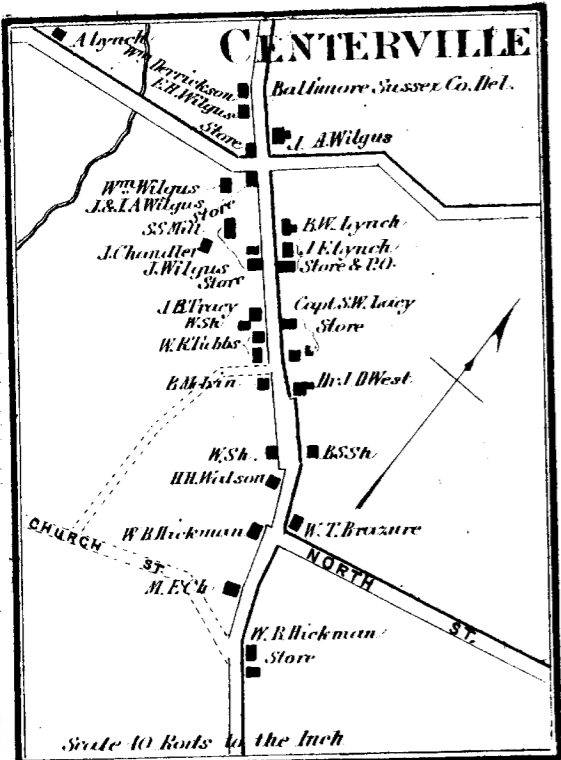




# BALTIMORE

Sussex Co.

Scale 1 Inch to the Mile



## Centerville Business Directory.

- J. D. West, M.D.
- J. A. Wilgus & Sons...Dealers in Dry Goods, Groceries, Queens-ware, Hardware, Boots, Shoes, Hats, Caps, Ready-made Clothing, &c.
- S. W. Lacey...Manufacturer and Dealer in Tin and Sheet Iron Ware, Fruit Canner, &c.
- H. H. Watson...Manufacturer and Repairer of Carriages, Wagons, Farming Implements, and Undertaker.
- Wm. R. Tubbs...Manufacturer and Repairer of Carriages, Wagons, and all kinds of Farming Implements.



# Exhibit 2

Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheelerton, AIA  
Jason P. Lodi, P.E.  
Ring W. Lardner, P.E.

December 2, 2018

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

Attn: Janelle Cornwell, Director of Planning

RE: **PLUS review 2018-09-08; Lakelynnns**  
Response to PLUS Review-2017-09-08  
Tax Map No.: 1-34-18.00-38.00 & 1-34-19.00-13.03  
DBF #3131A001.E01

Dear Ms. Cornwell:

We have read and reviewed the comments provided during the PLUS Review of the Project on September 28, 2018, and received from the Office of State Planning dated October 24, 2018. We offer the following item-by-item response narrative for your review:

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

This project represents land development that will result in 187 residential units in an Investment Levels 3 and 4 areas according to the *2015 Strategies for State Policies and Spending*.

Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. We encourage you to design the site with respect for the environmental features which are present. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

Because the development is inconsistent with the *Strategies for State Policies and Spending*, the State cannot support any development within Level 4 areas and recommends the site plan be changed to take out the houses currently proposed in the Level 4 area.

***We recognize that the project is located within Investment Levels 3 & Level 4. With the growth in the area, development of nearby parcels to the north & south, we believe this project to be a good fit to the surrounding community. The project falls within the***

***Counties' sanitary sewer planning areas and is in line with the Counties investment in infrastructure. The site will be designed with respect to the environmental features located on the parcel. Wetlands will be protected by a 25' buffer.***

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

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

- The site access on Lizzard Hill Road (Sussex Road 367A) 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 standards.***
- Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The July 24, 2018, Traffic Impact Study (TIS) Scoping Meeting is not sufficient in this regard.  
***Developer will schedule a Pre-Submittal meeting.***
- Section P.5 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 to determine improvements needed, the required initial stage fee and construction fees.***
- Per Section 2.2.2.1 of the Development Coordination 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. The PLUS application states that the proposed development would generate 1,436 vehicle trip ends per day. DelDOT calculates that the development would generate 1,532 vehicle trip ends per day and 138 vehicle trip ends per hour during the evening peak hour of Lizzard Hill Road. Therefore a TIS is warranted.
  - DelDOT met with the applicant on July 24, 2018, to establish a scope of work for the TIS. A memorandum detailing that scope is attached.
  - The purpose of a TIS is to identify needed off-site improvements. Required improvements that DelDOT can identify without a TIS include the following:
  - Improvement of Lizzard Hill Road to meet DelDOT local road standards, including 11-foot lanes and 5-foot shoulders in both directions within the limits of the site frontage;

- A minor realignment of Lizzard Hill Road at Peppers Corner Road (Sussex Road 365) to improve the intersection's geometry; and
- An overlay and minor widening of Lizzard Hill Road from the east limits of the site frontage to Central Avenue (Sussex Road 84) to provide 11-foot lanes and preserve the road's structural integrity.

***Developer will work with DelDOT in regards to a Traffic Impact Study and the improvements needed. Schematic drawings to the realignment of Lizzard Hill Rd. @ Peppers Corner Rd. have been discussed with DelDOT. A reduction in the number of Total units from 187 to 179 should bring the total trips down slightly***

- Section 3.2.4.2 of the Manual addresses the placement of right-of-way monuments (markers) along the roads on which a property fronts, in this case Lizzard Hill Road and Peppers Corner Road. Monuments sufficient to re-establish the permanent rights-of-way after the dedication discussed below should be shown on the plan and provided in the field in accordance with this section.

***Monuments will be provided on the plans to show the re-established rights-of-way.***

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

***Sufficient right-of-way exists along Peppers Corner Road. A 5' dedication along Lizzard Hill Road will be required and noted on the plans.***

- In accordance with Section 3.2.5.1.1 of the Manual, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the site entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.

***Development sign will be located outside of any existing and/or proposed right-of-way areas. The sign will be in accordance to county standard and will not provide a safety hazard.***

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Lizzard Hill Road and Peppers Corner Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site.

The following note is required, **“A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.”**

***Developer will provide the required 15' wide permanent easement across the frontage***

- In accordance with Section 3.4 of the Manual, a record plan shall be prepared prior to issuing “Letter of No Objection”. The record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document available on the DelDOT website at <https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items-Record-Subdivision.pdf?09222017>.

***Developer will provide the required items prior to receiving DelDOT's Letter of No Objection to record.***

- 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 600 feet of the proposed entrance on Lizzard Hill Road.
  - Notes identifying the type of any off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

***A Traffic Generation Diagram will be provided. Existing entrances have been added to the plans.***

- Section 3.5 of the Manual provides DelDOT's requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT-maintained public streets for subdivisions. Private or municipal streets should follow the County's requirements for connectivity.

***Connectivity will be provided when feasible.***

- Section 3.5.4.2 of the Development Coordination Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, the requirement for installation of a sidewalk or Shared Use Path along the development's road frontage is at DelDOT's discretion if the development is in a Level 3 or 4 Area relative to the Strategies for State Policies and Spending and would generate less than 2,000 vehicle trip ends per day. Because of the rapidly developing nature of the area, DelDOT finds that installation of a sidewalk or Shared Use Path would be appropriate, but the proximity of wetlands to Lizzard Hill Road and Peppers Corner Road may make such facilities impractical. This matter will need to be discussed further at the Pre-Submittal Meeting.

***Developer will work with DelDOT to determine which improvements will be necessary.***

- Referring to Section 3.5.5 of the Manual, existing and proposed transit stops and associated facilities as required by the Delaware Transit Corporation (DTC) or DelDOT shall be shown on the Record Plan.  
**Should a need for a transit stop be warranted, it will be added to the Record Plan.**
- Section 3.5.4.4 of the Manual addresses access-ways, which are similar to Shared Use Paths (SUP) but are used to connect from an SUP or sidewalk along a road to an interior trail or subdivision street when the spacing between streets is inadequate to accommodate convenient pedestrian and bicycle travel. DelDOT anticipates requiring one access-way from Lizzard Hill Road to the end of Drive C and another from Peppers Corner Road to the end of Drive G.  
**Connections have been added to the plans.**
- Referring to Section 4.3 of the Manual, an entrance plan shall be prepared prior to issuing entrance approval. The entrance plan submittal shall include the items listed on the Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plan document available on the DelDOT website at [https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items\\_Entrance\\_Construction\\_Subdivision.pdf?09222017](https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items_Entrance_Construction_Subdivision.pdf?09222017).  
**Entrance plan will be submitted for DelDOT review and approval.**
- In accordance with Section 5.2.5.6 of the Manual, a separate turning template plan shall be provided to verify vehicles can safely enter and exit the site entrances. As per Section 5.2.3 of the Manual, the entrances shall be designed for the largest vehicle using the entrance.  
**Turning templates will be provided to Deldot along with the entrance plans.**
- 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>.  
**Developer will provide the required lane width's and distance as required by DelDOT.**
- 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 the plans.**
- 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 relocated a utility relocation plan will be provided.**
- Because the proposed development would not have State-maintained streets, Section 6.4.3 of the Manual, which pertains to the inspection and acceptance of commercial entrances,



applies. Construction inspection responsibilities shall be in accordance with Figure 6.4.3-a. DelDOT's preliminary reading of this figure is that the project requires Level I inspection and that a construction inspection agreement will not be needed.

***The subdivision entrance and roads will be designed to meet DelDOT and/or county standards.***

- Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.

***Required easement will be provided.***

**Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352**

- The Department of Natural Resources and Environmental Control did not submit comments regarding this application. If the development of this property requires permits from a DNREC section, please contact the DNREC regulatory agency directly.

**State Historic Preservation Office – Contact Carlton Hall 736-7404**

- Our office does not support development in a Level 4 area.  
***The majority of the single family homes are located in level 3 area. The proximity of the property to other areas of level 3 areas in the vicinity and the availability of central utilities, we believe, makes this project to be a good fit to the surrounding community.***
- There is no known archaeological site or National Register-listed or eligible property on the parcel. However, there is potential for very early historic occupation to be present in the area. In looking at the Beers' Atlas map of 1868, there was a school house and a residence just to the north noted as owned by D. Godwin. The Delaware SHPO would be happy to work with the developer to locate any sites within the areas to be disturbed by construction and perhaps look at ways to preserve important sites found within open space.  
***Thank you for researching known archaeological sites and National Registers listings.***
- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54)  
***Should Human remains be found, the Developer will follow all State and Federal laws.***
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. Owners and developers who may plan to

apply for an Army Corps of Engineers permit or for federal funding, such as HUD or USDA grants, should be aware of the National Historic Preservation Act of 1966 (as amended). If you need further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: [www.achp.gov](http://www.achp.gov)

***We do not anticipate any federal funding. Army Corps will approve the wetland delineations. The Developer will follow the National Historic Preservation Act of 1966.***

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

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

**Fire Protection Water Requirements:**

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.
- Where a water distribution system is proposed for townhouse type dwellings it shall be capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 800 feet spacing on centers are required.
- The infrastructure for fire protection water shall be provided, including the size of water mains.

***Water will be provided by Artesian Water Company and will meet or exceed pressure and duration requirements.***

**Accessibility:**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where traffic circles (roundabouts) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- 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. ***The development will work with and meet all accessibility requirements the Fire Marshall's office may have.***

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

- Provide type of fuel proposed, and show locations of bulk containers on plan. ***The type of fuel is unknown at this time. Should gas be proposed, locations will be shown on the plan.***

#### **Required Notes:**

- Provide a note on the final plans submitted for review to read " All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
  - Name of Water Supplier
  - Proposed Use
  - National Fire Protection Association (NFPA) Construction Type
  - Townhouse 2-hr separation wall details shall be shown on site plans
  - Maximum Height of Buildings (including number of stories)
  - Provide Road Names, even for County Roads
- Fire lane will be marked, Artesian Water company will provide the water service, Residential Planned Community is the proposed use, Construction Type is Wood/Concrete Block(Type V), Townhouse details will be submitted, max building height is 3.5 stories, road names have been added to the plans.***

### **Recommendations/Additional Information**

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

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

- Section 3.2.4.1 of the Manual addresses the placement of right-of-way monuments (markers) along subdivision streets. DelDOT recommends that monuments be furnished and placed along the proposed streets in accordance with this section. ***Monuments will be provided.***
- Section 5.2.6 of the Manual addresses entrance length, meaning the distance from the road on which a development fronts and the first intersection internal to the site. While the specific guidance provided in Section 5.2.6 relates to commercial developments, DelDOT finds that

the Drive C intersection on Road A may be too close to Lizzard Hill Road. The TIS will provide helpful information in this regard.

**Developer will work with DelDOT to provide the required distances.**

- The applicant should expect a requirement that Drive C be screened from Lizzard Hill Road in a manner acceptable to DelDOT where the two roads would be adjacent and parallel. The concern is that drivers could be confused by seeing oncoming headlights on their right.  
**Developer will work with DelDOT to provide the required screening with landscaping or fencing.**
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal street or driveway with no direct access to Lizzard Hill Road or Peppers Corner Road.  
**The proposed pump station is located on Road F and will have access from an internal street.**
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.  
**Plus comments are being addressed as part of TAC submission. TAC comments will be address prior to DelDOT submission.**
- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall now be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available on our website at <http://www.deldot.gov/Business/subdivisions/index.shtml>.  
**Plans will be submitted electronically via the PDCA**
- 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 date of December 8, 2017. The notes can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.  
**Standard General Notes will be added to the plans.**

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

- Although not a requirement of the State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in single-family dwellings and townhouses. The Office of the State Fire Marshal also reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website: <http://delcode.delaware.gov/title6/c036/sc03/index.shtml>

**The developer will consider the benefits of providing sprinkler protection.**

Ms. Janelle Cornewell  
Sussex County Planning and Zoning  
December 1, 2017  
Page 10 of 10

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.

***We look forward to working with your office throughout the approval process.***

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

On behalf of the Developer we thank the State for providing us with these comments. Please contact me at (302) 424-1441 if you have any questions or need additional information.

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

Joseph M Joachimowski, Jr.

P:\Norman\3131A001\Documents\PLUS\PLUS Comment Response.docx

# Exhibit 3

*Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.*

March 11, 2019

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

Attn: Ms. Janelle Cornwell  
Director of Planning

RE: Lakelynns Subdivision  
Chapter 99-9 C Response  
Tax Parcel No.: 1-34-18.00-38.00 & 1-34-19.00-13.03  
DBF #3131A001.F01

Dear Ms. Cornwell:

On behalf of our client, Norman Stephen Price Revocable Trust, 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 Lakelynns Subdivision includes a 40' tax ditch buffer, 50' tidal wetlands buffer and 25' non-tidal building setback. The nearest building to an adjacent property line will be in excess of 70'. In many locations established vegetation exists along the edge of the property.
- b. 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 was performed by Environmental Resources, Inc and located by Miller Lewes, Inc. land surveying. The investigation found both State and Federal Wetlands. We have limited wetland impacts to one roadway ditch crossing of less than 600 sq. ft. Tidal wetlands will be protected by a 50' wetlands buffer. A building setback of 25' has been established along all non-tidal wetlands.

- b. The site is not located within a flood zone as depicted on FEMA Map 10005C0495K (dated March 16, 2015).

**3. Preservation of natural and historical features.**

- a. The proposed subdivision will be designed around natural features on-site including, tidal and non-tidal wetlands and the existing tax ditch buffer.
- b. Tidal wetlands will be protected by a 50' wetlands buffer, while a 25' building setback has been provided along all non-tidal wetland.
- c. According to PLUS comments from the State Historic Preservation Office, this side does not contain any known historical archaeological site or National Register listed properties.

**4. Preservation of open space and scenic views.**

- a. The GR-1 Residential Planned Community is providing 47.0 acres of open space within the development. The open space is provided in several areas throughout the community. The open space consists of landscaped areas, pond access, walking trails, wooded uplands and a community pool & clubhouse.

**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. During site construction on this project the wooded areas along our northerly property line tax ditch, the majority of the southeasterly property line and all wooded wetlands will remain undisturbed. During home construction of those homes backing up to open space and buffer areas, selective clearing will be used to minimize the removal of wooded areas.

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

- a. Existing vegetation along our shared property line with residential areas will be used to provide screening from neighboring properties. The nearest building to an adjacent property line will be in excess of 70'. Landscaping along Lizzard Hill Road will provide screening between the subdivision street and Lizzard Hill Road for the homes across the street.



**7. Provision for water supply.**

- a. Artesian Water Company, Inc. will supply all homes with central water.
- b. The developer will construct internal water mains within the project that will receive approval from, be owned by, and maintained by Artesian Water Company, Inc.

**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 Beaver Dam Planning Area. The development will be served by gravity sewer to a proposed pump station located centrally on site. Wastewater will then be pumped via forcemain through properties to the north and connect to the existing Sussex County system.

**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.

**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 interior of the subdivision contains sidewalks on one side of the street providing pedestrian connection throughout the site.
- b. The road design will conform to Sussex County standards and specifications and will be turned over to the homeowner's association for maintenance upon acceptance by the County.
- c. Street lighting will be provided for this project.
- d. 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 contains of a small amount of cleared land along Lizzard Hill Road. That land has not been farmed in many years and is currently pasture land and driveway access to the existing home. 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 system.

**15. Effect on area roadways and public transportation.**

- a. The Lakelynn's Subdivision entrance will be designed to DelDOT standards and the streets will be designed to Sussex County standards and specifications.
- b. Per the proposed TIS, the anticipated improvements for the Developer will be:
  - i. Be required to upgrade frontage of Lizzard Hill Road to 11' lanes and 5' shoulders.

- ii. Be required to provide a left-turn lane of 185' on eastbound Lizzard Hill Road and a right-turn lane of 190' on westbound Lizzard Hill Road.
- c. 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 Lakelynns Subdivision is compatible with its existing GR zoning. It is located in an area of the county where growth is encouraged and in close proximity to existing water and sewer infrastructure.
- b. Lakelynns is a short distance from several other residential neighborhoods, the Town of Millville, and the Fenwick Island area.

**17. Effect on area waterways.**

- a. The Lakelynns 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 (302) 424-1441

Sincerely,  
DAVIS, BOWEN & FRIEDEL, INC.



W. Zachary Crouch, P.E.  
Principal

# Exhibit 4

March 11, 2019

Sussex County Planning and Zoning Commission  
County Administrative Building  
2 The Circle  
Georgetown, Delaware 19947

Attn: Ms. Janelle Cornwell  
Director of Planning

RE: Lakelynns Subdivision  
Environmental Assessment and Public Facility Evaluation Report  
Tax Parcel No.: 1-34-18.00-38.00 & 1-34-19.00-13.03  
DBF #3131A001.F01

Dear Ms. Cornwell:

On behalf of our client, Norman Stephen Price Revocable Trust, 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 quantity control. We intend to use a combination of traditional wet basins as well as Green Technology to meet the quantity requirement. The proposed site through the use of Green Technology and other Best Management Practices and Best Available Technologies will reduce the nitrogen and phosphorus loading by 40%. Providing wetland buffers, minimizing impervious area and preservation of trees will further reduce nitrogen and phosphorous loadings. The subdivision will not develop or produce other pollutants such as petroleum hydrocarbons or metals.**

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

**The proposed project is located within Artesian Water Companies franchise area and they hold the Certificate of Public Necessity (CPCN). Impacts to the groundwater and other systems have been evaluated as part of Artesian Water Companies CPCN. The proposed project does not affect the irrigation of the remaining portions of the land.**

- (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 Beaver Dam Planning Area. Sewer will tie into the existing Sussex County wastewater infrastructure. The development will be served by gravity sewer to a proposed pump station located centrally on site. Wastewater will then be pumped via forcemain through properties to the north and connect to the existing Sussex County system.**

- (d) *Analysis of the increase in traffic and the effect on the surrounding roadway system.*

**The proposed project required the developer to conduct a TIS (Traffic Impact Study) for this project. The TIS was completed for this site in October 2018. The TIS review requires upgrades along the frontage of Lizzard Hill Road. Improvements include 11' travel lanes and 5' shoulders, entrance turn lanes, and appropriate bicycle and pedestrian improvements**

- (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 nontidal wetlands on the site.*

**The property is impacted by both Tidal and "404" Federal Non-tidal wetlands as delineated by ERI, Inc and located by Miller Lewis, Inc. land surveying. We have limited wetland impacts to one roadway ditch crossing of less than 600 sq. ft. Tidal wetlands will be protected by a 50' wetlands buffer. A building setback of 25' has been established along all non-tidal wetlands.**

- (g) *Provisions for open space as defined in §115-4.*

**The proposed project provides over 47.00 acres of open space out of the 71.75 acres**

**site. An active open space parcel contains a pool and clubhouse. The passive open space parcels contain buffers, stormwater management, wetlands, and wetlands buffers that are being preserved.**

- (h) *A description of provisions for public and private infrastructure.*

**The Developer will construct internal gravity sewer lines to serve this parcel. In addition, the Developer will provide a pump station and associated forcemain located on site. The pump station will discharge through properties to the north and connect to existing Sussex County infrastructure. The Developer will also construct the internal water mains in the project that will be approved, owned, and maintained by Artesian Water Company. The internal roadways will be constructed by the Developer and privately maintained. Electric will be provided by the Delaware Electric Cooperative.**

- (i) *Economic, recreational or other benefits.*

**The proposed project will create a considerable amount of jobs during construction. Future residents of Sussex County will pay county taxes and contribute to the local economy.**

- (j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places.*

**According to PLUS comments from the State Historic Preservation Office, this site does not contain any known archaeological sites or National Register-listed properties.**

- (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 existing GR zoning and the current Sussex County Comprehensive Plan.**

- (l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.*

**All mitigation measures, where required, have been discussed in their respective section. All mitigation measures as well as the application are consistent with the Comprehensive Plan.**

Ms. Janelle Cornwell  
Sussex County Planning and Zoning Commission  
March 11, 2019  
Page 4 of 4

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,  
DAVIS, BOWEN & FRIEDEL, INC.

A handwritten signature in black ink, appearing to read "W. Zachary Crouch". The signature is fluid and cursive, with a large initial "W" and a long, sweeping underline.

W. Zachary Crouch, P.E.  
Principal



# Exhibit 5



REPLY TO  
ATTENTION OF

## DEPARTMENT OF THE ARMY

PHILADELPHIA DISTRICT CORPS OF ENGINEERS  
WANAMAKER BUILDING, 100 PENN SQUARE EAST  
PHILADELPHIA, PENNSYLVANIA 19107-3390

AUG 22 2018

Regulatory Branch  
Application Section I

SUBJECT: CENAP-OP-R 2018-718-23 (Preliminary JD)  
Project Name: Stephen Norman SX  
Latitude/Longitude: 38.513420° N /-75.130256° W

Edward M. Launay  
Environmental Resources, Incorporated  
38173 DuPont Boulevard  
Post Office Box 169  
Selbyville, Delaware 19975

Dear Mr. Launay:

The plan identified on the following page depicts all delineated waterways and wetlands on the subject site that may be jurisdictional under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbor Act.

Pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, a Department of the Army permit is required for work or structures in navigable waters of the United States and the discharge of dredged or fill material into waters of the United States including adjacent wetlands. Any proposal to perform the above activities within any waters of the United States requires the prior approval of this office.

This preliminary determination has been conducted to identify the location(s) of wetlands and waters that may be waters of the United States for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participating in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

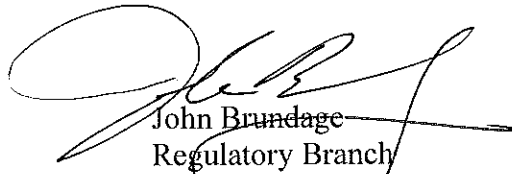
This preliminary jurisdictional determination is non-binding and indicates that there may be waters of the United States, including wetlands on the parcel. Pursuant to Federal Regulations at 33 C.F.R. 331.2, preliminary JDs are advisory in nature and may not be appealed (see attached Notification of Appeal Form - Enclosure 1). However, the applicant retains the right to request an approved jurisdictional determination, which may be appealed. Also enclosed (Enclosure 2) is a copy of the Preliminary Jurisdictional Determination Form signed by the applicant or his agent agreeing to accept a preliminary jurisdictional determination. Please be aware that for purposes of computation of impacts, compensatory mitigation requirements, and

other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity as if they are jurisdictional waters of the U.S.

This letter is valid for a period of five (5) years. However, this preliminary jurisdictional determination is issued in accordance with current Federal regulations and is based upon the existing site conditions and information provided by you in your application. This office reserves the right to reevaluate and modify the preliminary jurisdictional determination at any time should the existing site conditions or Federal regulations change, or should the information provided by you prove to be false, incomplete or inaccurate.

If you have any questions regarding this matter, please contact me at (302) 736-9763, by email at [john.g.brundage@usace.army.mil](mailto:john.g.brundage@usace.army.mil) or by writing to the above address.

Sincerely,



John Brundage  
Regulatory Branch

\*\*\*\*\*  
SUBJECT PROPERTY: A property of 71.76 acres located on Lizzard Hill Road, known as Tax Map Parcels 134-18.00-38.00 & 134-19.00-13.03, Baltimore Hundred, Sussex County, Delaware.

\*\*\*\*\*  
SURVEY DESCRIPTION: Plan prepared by Miller Lewis Inc., dated April 30, 2018, Titled: *Boundary of Waters of U.S. Including Wetlands Subject to the Corps of Engineers Regulatory Program, T.M. # 134-18.00-38.00 & 134-19.00-13.03*, one sheet.

\*\*\*\*\*  
Enclosures

Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

**BACKGROUND INFORMATION**

A. REPORT COMPLETION DATE FOR PJD: **AUG 22 2018**

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Edward M. Launay Environmental Resources, Inc.

C. DISTRICT OFFICE, FILE NAME, AND NUMBER:  
**CENAP-OP-R-2018-718**

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:  
(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: **DE** County/parish/borough: **Sussex Co.** City: **Frankford**

Center coordinates of site (lat/long in degree decimal format):

Lat.: **38.513420** Long.: **75.130256**

Universal Transverse Mercator:

Name of nearest waterbody: **Beaver Dam Tax Ditch**

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: **AUG 22 2018**

Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
A	38.514642	75.132759	13.16AC	PF01 1/3	Section 404
B	38.515722	75.127630	0.97AC	PFO 1/4	Section 404
C	38.513722	75.127514	0.61AC	PFO 1/4	Section 404
D	38.514653	75.127453	1.09AC	PFO 1/4	Section 404
Pond	38.516156	75.127762	2.30AC	PUBH X	Section 404
Waters Tax Ditch	38.518065	75.126343	0.47AC	R2UBH	Section 404

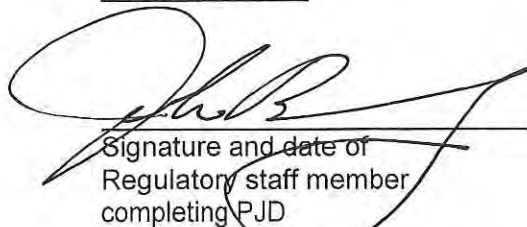
- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

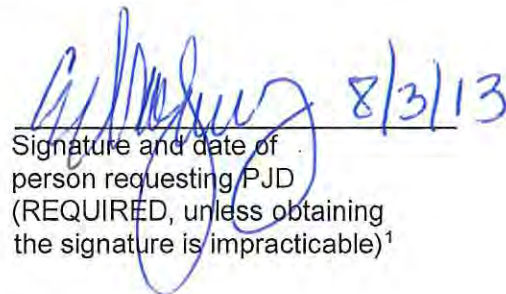
**SUPPORTING DATA. Data reviewed for PJD (check all that apply)**

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:  
Map: Boundary of Waters of U.S. Including Wetlands - Miller Lewis Inc.
- Data sheets prepared/submitted by or on behalf of the PJD requestor.
  - Office concurs with data sheets/delineation report.
  - Office does not concur with data sheets/delineation report. Rationale: \_\_\_\_\_
- Data sheets prepared by the Corps: \_\_\_\_\_
- Corps navigable waters' study: \_\_\_\_\_
- U.S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Frankford
- Natural Resources Conservation Service Soil Survey. Citation: Web Soil Survey 3.0
- National wetlands inventory map(s). Cite name: Frankford Quadrangle
- State/local wetland inventory map(s): Statewide Wetland Area Mapping Project
- FEMA/FIRM maps: \_\_\_\_\_
- 100-year Floodplain Elevation is: \_\_\_\_\_ (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): \_\_\_\_\_  
or  Other (Name & Date): \_\_\_\_\_
- Previous determination(s). File no. and date of response letter: \_\_\_\_\_
- Other information (please specify): \_\_\_\_\_

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

  
Signature and date of  
Regulatory staff member  
completing PJD  
  
**AUG 22 2018**

  
Signature and date of  
person requesting PJD  
(REQUIRED, unless obtaining  
the signature is impracticable)<sup>1</sup>  
**8/31/13**

<sup>1</sup> Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Stephen Norman	File Number: 2018-718	Date: 22 Aug 2018
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
XX	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Mr. Michael D. Yost  
U.S. Army Corps of Engineers, Philadelphia District  
ATTN: CENAP-OP-R  
Wanamaker Building, 100 Penn Square East  
Philadelphia, PA 19107-3390  
Telephone: (302) 736-9763  
Email: michael.d.yost@usace.army.mil

If you only have questions regarding the appeal process you may also contact:

Mr. James W. Haggerty  
Regulatory Program Manager (CENAD-PD-OR)  
U.S. Army Corps of Engineers  
Fort Hamilton Military Community  
301 General Lee Avenue  
Brooklyn, New York 11252-6700  
Telephone number: 347-370-4650

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:



# Exhibit 6



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

JENNIFER COHAN  
SECRETARY

November 15, 2018

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Stephen Norman, Cider Hill Development Corporation, LLC** conditional use application, which we received on October 25, 2018. This application is for a 71.77-acre assemblage of parcels (Tax Parcels: 134-18.00-38.00 & 134-19.00-13.03). The subject land is located on the northeast corner of the intersection of Peppers Corner Road (Sussex Road 365) and Lizzard Hill Road (Sussex Road 367A). The subject land is currently zoned as GR (General Residential) and the applicant is seeking a conditional use approval to develop 45 single-family detached dwelling units and 142 multi-family dwelling units.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Peppers Corner Road where the subject land is located, which is from Bayard Road (Sussex Road 84) / Double Bridges Road (Sussex Road 363) to Beaver Dam Road (Sussex Road 368), is 1,790 vehicles per day. As the subject land also has frontage along Lizzard Hill Road, the annual average daily traffic volume along that road segment is 484 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per a weekly peak hour or 500 vehicle trips per day, and would be considered to have a Minor impact to the local area roadways. The Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and / or 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.

DelDOT's 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.



Ms. Janelle M. Cornwell

Page 2 of 2

November 15, 2018

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, a development of 45 single-family detached dwelling units and 142 multi-family dwelling units would generate 1,532 vehicle trips per day, 104 vehicle trips during the morning peak hour, and 128 vehicle trips during the afternoon peak hour. The Area-Wide Study Fee for the proposed development would be \$15,320.00. Payment of the Area-Wide Study Fee does not relieve a developer from having to make or participate in off-site improvements.

Perhaps for that reason, the applicant has chosen to proceed with the TIS. The applicant's engineer submitted the TIS to DelDOT on October 26, 2018, and DelDOT has it under review.

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

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Stephen Norman, Cider Hill Development Corporation, LLC, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance and Operations  
Steven Sisson, Sussex County Subdivision Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
Susanne Laws, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

# Exhibit 7



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

JENNIFER COHAN  
SECRETARY

February 12, 2019

Ms. Betty Tustin  
The Traffic Group, Inc.  
104 Kenwood Court  
Berlin, MD 21236

Dear Ms. Tustin:

The Department has completed its review of the TIS for the proposed **Lakelynn** residential development. The TIS was prepared by The Traffic Group (TTG), and is dated October, 2018. TTG prepared the report in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The analysis evaluates the traffic impacts of the proposed development, which would be located on the north side of Lizzard Hill Road (Sussex Road 367A), east of Peppers Corner Road (Sussex Road 365) in Sussex County.

The proposed development would consist of 45 single-family detached houses and 142 multi-family houses on an approximately 71.77-acre assemblage of parcels (Tax Parcels 134-18.00-38.00 & 134-19.00-13.03). One full access is proposed on Lizzard Hill Road. Construction is expected to be complete in 2023.

The subject property is currently zoned as GR (General Residential) and the developer does not plan to rezone the land.

Based on our review, we find that the intersections of the Site Entrance / Lizzard Hill Road and Peppers Corner Road / Lizzard Hill Road would operate at level of service (LOS) D or better during the a.m. and p.m. peak hours for both present and future conditions, and would meet the LOS criteria listed in Chapter 2 of the Development Coordination Manual.



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

1. The developer should reconstruct Lizzard Hill Road from Peppers Corner Road to the eastern limit of the site frontage to provide for eleven-foot travel lanes and five-foot shoulders. The developer should provide a bituminous concrete overlay to the existing travel lanes, at DelDOT’s discretion. DelDOT should analyze the existing lanes’ pavement section and recommend an overlay thickness to the developer's engineer if necessary.
2. The developer should construct the full site access on Lizzard Hill Road; the proposed configuration is shown in the table below:

<b>Approach</b>	<b>Existing Configuration</b>	<b>Proposed Configuration</b>
Southbound Site Entrance	Approach does not exist	One shared left-turn / right-turn lane
Eastbound Lizzard Hill Road	One through lane	One left-turn lane, one through lane
Westbound Lizzard Hill Road	One through lane	One through lane, one right-turn lane

Initial recommended minimum turn-lane lengths (excluding tapers) of the separate turn lanes are listed below. These lengths were based on DelDOT’s *Auxiliary Lane Worksheet* (version 5.1). The developer should coordinate with DelDOT’s Development Coordination Section to determine final turn-lane lengths during the site plan review.

<b>Approach</b>	<b>Left-Turn Lane</b>	<b>Right-Turn Lane</b>
Southbound Site Entrance	N/A	N/A
Eastbound Lizzard Hill Road	185 feet	N/A
Westbound Lizzard Hill Road	N/A	190 feet

3. The following bicycle, pedestrian, and transit improvements should be included:
  - a. Where the right-turn lane is added at the site entrance, a minimum of a five-foot bicycle lane should be dedicated and striped with appropriate markings for bicyclists through the turn-lane in order to facilitate safe and unimpeded bicycle travel. A right-turn yield to bikes sign should be added at the start of the lane.
  - b. Appropriate bicycle symbols, directional arrows, pavement markings, and signing should be included along bicycle facilities and turn lanes within the project limits.

- c. A fifteen-foot wide easement from the edge of the right-of-way should be dedicated to DelDOT within the site frontage along Lizzard Hill Road.
- d. ADA compliant curb ramps and crosswalks should be provided at all pedestrian crossings, including the site entrance. Type 3 curb ramps are discouraged.

Improvements in this TIS may be considered “significant” under DelDOT’s *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT’s website at [http://www.deldot.gov/information/pubs\\_forms/manuals/de\\_mutcd/index.shtml](http://www.deldot.gov/information/pubs_forms/manuals/de_mutcd/index.shtml). For any additional information regarding the work zone impact and mitigation procedures during construction please contact Mr. Mark Buckalew of DelDOT’s Traffic Section. Mr. Buckalew can be reached at (302) 894-6353 or by email at [Mark.Buckalew@state.de.us](mailto:Mark.Buckalew@state.de.us).

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

Level of service (LOS) tables are attached. If you have any questions concerning this review, please contact me at (302) 760-2167. My email is [Troy.Brestel@state.de.us](mailto:Troy.Brestel@state.de.us).

Sincerely,



Troy Brestel  
Project Engineer

TWB:tbm  
Enclosures

cc with enclosures: Ms. Janelle Cornwell, Sussex County Planning & Zoning  
Mr. Robert McCleary, Director, Transportation Solutions (DOTS)  
Mr. Drew Boyce, Director, Planning  
Mr. Mark Luszcz, Chief Traffic Engineer, Traffic, DOTS  
Mr. Michael Simmons, Assistant Director, Project Development South, DOTS  
Mr. Alastair Probert, South District Engineer, DOTS  
Mr. J. Marc Coté, Assistant Director, Development Coordination  
Mr. T. William Brockenbrough, Jr., County Coordinator, Development Coordination  
Mr. Peter Haag, Traffic Studies Manager, Traffic, DOTS  
Mr. David Dooley, Service Development Planner, Delaware Transit Corporation  
Mr. Anthony Aglio, Planning Supervisor, Statewide & Regional Planning  
Ms. Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination  
Mr. Mark Buckalew, Traffic Safety Engineer, DelDOT Traffic, DOTS  
Mr. Claudy Joinville, Project Engineer, Development Coordination  
Mr. Brian Yates, Johnson, Mirmiran & Thompson, Inc.

Table 1  
 PEAK HOUR LEVELS OF SERVICE (LOS)  
 Lakelynn – TIS

Unsignalized Intersection <sup>1</sup>	LOS per TIS		LOS per DelDOT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Lizzard Hill Road / Site Entrance				
2023 with development				
Southbound Site Entrance	A (9.0)	A (9.1)	A (8.9)	A (8.9)
Eastbound Lizzard Hill Road Left-Turn	A (7.3)	A (7.4)	A (7.3)	A (7.4)

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<sup>1</sup> The numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.



Table 2  
 PEAK HOUR LEVELS OF SERVICE (LOS)  
 Lakelynn – TIS

Unsignalized Intersection <sup>1</sup>	LOS per TIS		LOS per DelDOT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Peppers Corner Road / Lizzard Hill Road				
2018 Existing				
Southbound Peppers Corner Road Left-Turn	A (7.4)	A (7.4)	A (7.4)	A (7.4)
Westbound Lizzard Hill Road	A (8.7)	A (8.7)	A (8.7)	A (8.7)
2023 without development				
Southbound Peppers Corner Road Left-Turn	A (7.5)	A (7.5)	A (7.5)	A (7.5)
Westbound Lizzard Hill Road	A (9.0)	A (8.9)	A (8.9)	A (8.9)
2023 with development				
Southbound Peppers Corner Road Left-Turn	A (7.6)	A (7.6)	A (7.5)	A (7.6)
Westbound Lizzard Hill Road	A (9.8)	A (9.8)	A (9.5)	A (9.7)

<sup>1</sup> The numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

# Exhibit 8

## MAPPING & ADDRESSING

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



# Sussex County

DELAWARE  
sussexcountyde.gov

**March 15, 2019**

Attn: **Stephen P. Norman, Esquire**

RE: **MILOS HAVEN**

I have received proposed street name(s) for the existing subdivision, **MILOS HAVEN**, located in the **FRANKFORD** zip code. In reviewing the proposed street name(s) the following have been approved:

Norman Ln	Shad Creek Way	White Tail Dr
Deep Pond Ln	Christys Way	Taywood Dr
Mimi Ln	Nikelle Ln	

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

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

Sincerely,

*Terri L. Dukes*

Terri L. Dukes  
Addressing Technician II

CC: Christin Headley  
Planning & Zoning



# Exhibit 9

March 26, 2019

ERI Project No 823#0744

Mr. Stephen Norman, Esq.  
30838 Vines Creek Road, Unit 3  
Dagsboro, DE 19939

**RE: Presence of Rare, Threatened of Endangered Species  
Cider Lane – Norman Properties  
Tax Map Parcel 134-18.00-38.00 & 134-19.00-13.03  
Baltimore Hundred, Sussex County Delaware**

Dear Mr. Norman,

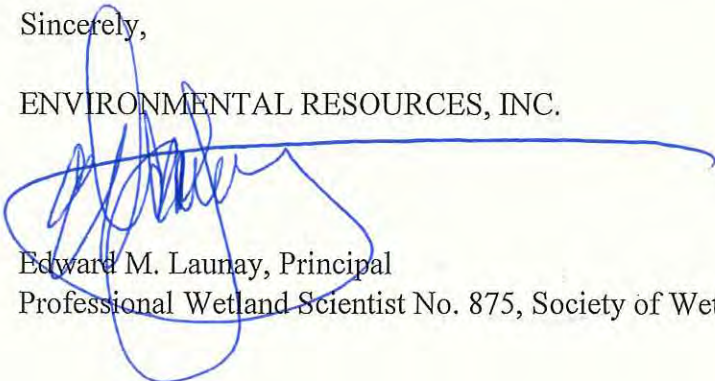
Environmental Resources, Inc. (ERI) has conducted a detailed investigation of Tax Map Parcels 134-18.00-38.00 and 134-19.00-13.03 also know as the Cider Lane – Norman Properties for the possible occurrence of any threatened or endangered species or their critical habitats or other species of concern such as the American Bald Eagle. Our investigations at the property began in November of 2017 and continued through August 2018. I understand a development plan for the property is being submitted to the Sussex County Planning & Zoning Department.

Based upon our reconnaissance of the property no threatened or endangered species, their critical habitats or other species of concern were found on this property. As part of our review, ERI also contacted the U.S. Fish & Wildlife Service (USFWS) about any records they may have for the site. On March 26, 2019 the USFWS provided a letter (attached) which confirmed ERI's findings that there are no records of any federally listed threatened or endangered species or their critical habitats on this property.

Upon your review of this information if you have any questions, I am available at your convenience.

Sincerely,

ENVIRONMENTAL RESOURCES, INC.



Edward M. Launay, Principal  
Professional Wetland Scientist No. 875, Society of Wetland Scientists



# United States Department of the Interior



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

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

In Reply Refer To:

March 26, 2019

Consultation Code: 05E2CB00-2019-SLI-1067

Event Code: 05E2CB00-2019-E-02530

Project Name: Cider Lane - Norman Properties

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

Attachment(s):

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

# Official Species List

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

This species list is provided by:

**Chesapeake Bay Ecological Services Field Office**

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

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## Project Summary

Consultation Code: 05E2CB00-2019-SLI-1067

Event Code: 05E2CB00-2019-E-02530

Project Name: Cider Lane - Norman Properties

Project Type: DEVELOPMENT

Project Description: Proposed residential subdivision located on upland portions of property as permitted by Sussex County zoning.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.51507259643885N75.13071246645093W>



Counties: Sussex, DE

---

## Endangered Species Act Species

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

## Critical habitats

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

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# USFWS National Wildlife Refuge Lands And Fish Hatcheries

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

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

---

# Wetlands

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

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

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

## FRESHWATER EMERGENT WETLAND

- [PEM1Ed](#)

## FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1/3Bd](#)
- [PFO1/3Cd](#)
- [PFO1/4Bd](#)
- [PFO4/1Bd](#)

## FRESHWATER POND

- [PUBHx](#)

## RIVERINE

- [R2UBH](#)
  - [R2UBHx](#)
-

# Exhibit 10

**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**UTILITY PLANNING DIVISION**  
**SEWER SERVICE CONCEPT EVALUATION (SSCE)**

Date 8/23/2018

Tax Map & Parcel(s) 134-19.00-13.03 & 134-18.00-38.00

Sewer Tier Tier 2 Sussex County Planning Area

Proposed EDUs 215

Pump Station(s) Impacted:

**PS 293 on Substation Road**

List of parcels to be served created from the base parcel:

**none**

List of additional parcels to be served: **Parcels required for continuity must be served with infrastructure.**

Connection Point(s): **intersection of Beaver Dam Rd & Substation Rd.**

Use of Existing Infrastructure Agreement required? Yes  or No

Maximum number of EDU's that can currently connect to existing infrastructure\* **Sufficient capacity for EDUs proposed at this time**

Annexation Required? Yes  or No

Easements Required? Yes  or No

Fee for annexation (based on acreage) **\$1,500 (10.00 - 150.00 Acres)**

Current Zoning **GR/RPC** Zoning Proposed **GR/RPC**

Acreage **72**

Additional Information: **project originally had an approved Concept Plan to install a pumpstation and forcemain across parcel 134-16.00-700.06, then install gravity across parcel 134-16.00-4.00 and along Beaver Dam Road to the connection point (a partial plan of the original proposed alignment is attached). Additional parcels required for annexation have already submitted request letters.**

\* **No capacity is guaranteed until System Connection Fees are paid**

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

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

Jordan Dickerson  
Sussex County Engineering Department  
22215 Dupont Blvd.  
P.O. Box 589  
Georgetown DE 19947

# CURTIS STEWART TULAIN





# Exhibit 11

## ENGINEERING DEPARTMENT

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




# Sussex County

DELAWARE  
sussexcountyde.gov  
HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER  
JOHN J. ASHMAN  
DIRECTOR OF UTILITY PLANNING

## MEMORANDUM

TO: Jennifer Norwood  
Planning Technician for Planning and Zoning

FROM: John J. Ashman   
Director of Utility Planning

REF: T.A.C. COMMENTS FOR  
January 2019

DATE: January 16, 2019

RECEIVED

JAN 16 2019

SUSSEX COUNTY  
PLANNING & ZONING

Attached, please find the Engineering Department's comments for the Technical Advisory Committee for the TAC requests for the month. Any questions please feel free to call me at 856-6258.

### Attachments

cc: Jayne Ellen Dickerson with attachments  
Reviewer with attachments  
Planning Tech with attachments  
Applicant with attachments  
File with attachments



## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

MICHAEL E. BRADY  
DIRECTOR OF PUBLIC WORKS

January 16, 2019

REF: **T. A. C. COMMENTS  
LAKELYNNS  
TIER 2  
SUSSEX COUNTY ENGINEERING DEPARTMENT  
SUSSEX COUNTY TAX MAP NUMBER  
134-18.00 PARCEL 38.00 & 134-19.00 PARCEL 13.03  
PROJECT CLASS-1  
AGREEMENT NO. 884-1**

RECEIVED

JAN 16 2019

SUSSEX COUNTY  
PLANNING & ZONING

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

### PUBLIC WORKS DIVISION COMMENTS

1. Proposed developments with private roads or projects required by the County to conform to or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
2. Provide turn-arounds on stub roads labeled 'C', 'D' and 'E'.
3. Extend the sidewalk along lot #11 to the termination of road 'B'.
4. The front yard building setbacks for the multi-family units may not provide sufficient depth for off-street parking, potentially resulting in vehicles parking across the sidewalk and/or extending into the street. This may impact public safety.
5. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.
6. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.
7. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.
8. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.



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

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

19. Provide the limits and elevations of the one-hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood. The design engineer must resolve discrepancies, if any, between surveyed topography and the FEMA Flood Insurance Rate Maps.
20. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.
21. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.
22. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.
23. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.
24. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.
25. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
26. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.
27. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.
28. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

UTILITY PLANNING DIVISION COMMENTS

REVIEWER: **Rob Davis**

APPLICATION: **2018 - 35 -- Lakelynnns**

APPLICANT: **Norman Stephen Price Revocable Trust**

FILE NO: **SCAPS-5.03.bl**

TAX MAP &  
PARCEL(S): **134-18.00 Parcel 38 and 134-19.00 Parcel 13.03**

LOCATION: **Northeast corner of the intersection of Peppers Corner Road and Lizard Hill Road**

NO. OF UNITS: **138**

GROSS  
ACREAGE: **71.754**

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

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).
- b. If no, see question (7).
- (2). Which County Tier Area is project in? Tier 2
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **Click or tap here to enter text..**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **Click or tap here to enter text..** Is it likely that additional SCCs will be required? **Yes**  
If yes, the current System Connection Charge Rate is **\$6,360.00** per EDU.  
Please contact **Denise Burns** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). **Comments: The project proposes a cluster subdivision of 138 multi-family lots. The project is located outside of the boundary of the Sussex County Unified Sanitary Sewer District, Millville area and annexation into the sewer district is required. Connection to the sewer system is mandatory. The proposed project is within design assumptions for the sewer system and sewer capacity is available for the project. A potential connection point for the project will be defined with the Sewer System Concept Evaluation. Sussex County does not have a schedule to provide sanitary sewer service to the area of the proposed development. The proposed project is not within the Sussex County Unified Sanitary Sewer District and is not contiguous with the sewer district boundary. Additional parcels need to be included in an annexation and it is the developer's responsibility to obtain additional property owner participation in an annexation request. The developer must install infrastructure to an approved connection point to receive sewer service. Sussex County requires design and construction of the collection and transmission system to meet Sussex County sewer standards and specifications.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-1299 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

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



MICHAEL T. SCUSE  
SECRETARY  
E. AUSTIN SHORT  
DEPUTY SECRETARY  
KENNETH M. BOUNDS  
DEPUTY SECRETARY

STATE OF DELAWARE  
**DEPARTMENT OF AGRICULTURE**

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

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

January 02, 2019

Christin Headley  
Planning and Zoning Manager  
Planning and Zoning Commission  
2 The Circle PO Box 417  
Georgetown, Delaware 19947

Subject: **2018-35-Lakelynns**

Dear Mr. Headley,

Thank you for submitting the site plan for Lakelynns subdivision submitted by Davis, Brown and Friedel Inc. The Sussex County Planning and Zoning Forested Buffer Ordinance Number 1984 Section 99-5 requires a forested buffer of 20 feet, by agricultural lands, Lakelynns is not required to have a buffer for their plan.

Sussex County Planning and Zoning Forested Buffer Ordinance Number 1984 Section 99-5 also requires a planting list which is to follow 70% deciduous and 30% evergreens to be planted in the buffer strip which was not provided in the plans. A comprehensive display of plantings in the buffers should be included with species being used for review. We recommend a planting list and planting specifications be submitted once the project has advance to that stage.

If you have any more questions please feel free to contact me 302.659.6704 or email me at [Michael.Martini@state.de.us](mailto:Michael.Martini@state.de.us)

Sincerely,

Michael Martini  
Urban Forestry Program  
Delaware Forest Service



## Janet Lardner

---

**From:** Rambo, Douglas E. (DNREC) <Douglas.Rambo@state.de.us>  
**Sent:** Thursday, January 03, 2019 2:43 PM  
**To:** Christin Headley  
**Cc:** Tholstrup, Michael S. (DNREC)  
**Subject:** Source Water Protection Reviews for Keastone Bay and Lakelynns (Sussex TAC)

Good Afternoon Christin,

I have reviewed the projects Keastone Bay and Lakelynns and saw that there are no Source Water Protection Areas located within either of the project areas.

Therefore my program has no comments related to either.

Have a great afternoon.

-Doug

-----  
Douglas E. Rambo, P.G.  
Hydrologist IV  
Delaware Dept. of Natural Resources and Environmental Control  
Division of Water  
Source Water Assessment and Protection Program  
89 Kings Hwy  
Dover, DE 19901

Phone: (302) 739-9945      Fax: (302) 739-2296

[Douglas.Rambo@state.de.us](mailto:Douglas.Rambo@state.de.us)

“We learn geology the morning after the earthquake.” Ralph Waldo Emerson

# Exhibit 12

## 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  
JANELLE CORNWELL, AICP  
DIRECTOR

March 18, 2019

Mr. Zachary Crouch, P.E.  
Davis, Bowen & Friedel, Inc.  
1 Park Avenue  
Milford, Delaware 19963

By email to: [wzc@dbfinc.com](mailto:wzc@dbfinc.com)

RE: Staff Review of Preliminary Site Plan for Lakelynn's (2018-35) (CZ 1881) for the creation of 179 units to be zoned as a General Residential - Residential Planned Community (GR-RPC) and located on the northeast side of the intersection of Peppers Corner Road (SCR 365) and Lizzard Hill Road (SCR 367A) in Frankford, Delaware.

Tax Parcels: 134-18.00-38.00 & 134-19.00-13.03

Dear Mr. Crouch,

Further to your submission of **December 4, 2018**, the Planning and Zoning Department has reviewed the **Preliminary Site Plan for Lakelynn's (2018-35) (CZ 1881)** for the creation of a **Residential Planned Community (RPC)** to consist of 179 proposed residential units (41 single-family homes and 138 condo townhomes) with amenities including a clubhouse, pool and tot lot. The property is located on the northeast side of the intersection of Peppers Corner Road (SCR 365) and Lizzard Hill Road (SCR 367A). The RPC is located in the General Residential (GR) Zoning District. Staff have reviewed the submitted Preliminary Site Plan for compliance with the Zoning and Subdivision Code and have the following comments:

### Preliminary Site Plan

1. **There appears to be an existing dwelling and accessory structure on Tax Parcel # 134-19.00-13.03. Please confirm if these are to be removed in the General Notes Column. It appears the footprint of the existing dwelling may be used as a future clubhouse. Please confirm if this understanding is correct.**
2. **Please confirm whether the existing lane bisecting both parcels, Cider Lane will be removed and if not, what entity will be responsible for its maintenance.**
3. **Additionally, there appears to be a dwelling on the adjacent tax parcel, 134-15.00-143.00 with what appear to be some accessory structures encroaching into tax parcel 134-18.00-38.00. Please confirm if these are to remain or whether they will be relocated.**
4. **Please include in the Site Data Column that the project is located within the Environmentally Sensitive Development District Overlay Zone (ESDDOZ). Since the project is in an Environmentally Sensitive Development District Overlay Zone**



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

**(ESDDOZ), an Environmental Assessment (EA) and public facility evaluation report will be required to be submitted (§115-194.3(B)(2)).**

5. The Site Data Column under "Wetlands" indicates that Federally (404-non-tidal) regulated wetlands exist on the parcel. Similarly, General Note Number 11 states that "State and Federal 404 non-tidal) regulated wetlands exist on [the] parcels." Please clarify whether both types of regulated wetlands exist on the parcels and indicate their location on the plans.
6. Please include the required 40-ft minimum separation distance between buildings in the Site Data Column.
7. Please provide a statement that clearly outlines, in tentative form, the proposed deed restrictions to be imposed (§99-24(B)).
8. Please include the Groundwater Recharge Potential of the project in the Site Data Column to comply with Chapter 89 of the Sussex County Code "Source Water Protection." The project is located in a "fair" groundwater recharge area.
9. Please add a Legend to each sheet to provide further context and clarity.
10. Please include the number of forested acres that currently exist on the parcel and the number of forested acres to be removed.
11. Please include the proposed names of all streets. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets (§99-23(J)). Please confirm that the road names shown are correct.
12. Please show the proposed locations and sizes for all utilities and drainage facilities (§99-23(M)).
13. Please include the designation of all areas proposed as open space (§99-23(S)).
14. Please show the location and height of the fence to be proposed for the community swimming pool. Per §115-185 (D) "Accessory buildings and structures" every swimming pool shall be protected by a safety fence or barrier at least four feet in height and constructed of chain-link, concrete, stockade-wood or equal.

Prior to the approval of any Final Site plan, "letters of no objection" or agency approvals will be required from the following agencies:

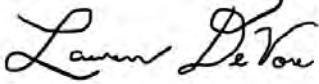
- a) Delaware Department of Transportation (DelDOT)
- b) Sussex Conservation District
- c) Office of the State Fire Marshall
- d) Sussex County Mapping and Addressing
- e) Sussex County Engineering

A lot fee of \$10 per lot will be required to be paid prior to the approval of any Final Site Plan. For 179 lots, the fee is \$1,790.00. Please note that the Final Site Plan, once approved, must be recorded with the Recorder of Deeds Office within a period of 60 days after the Final Site Plans have been approved.

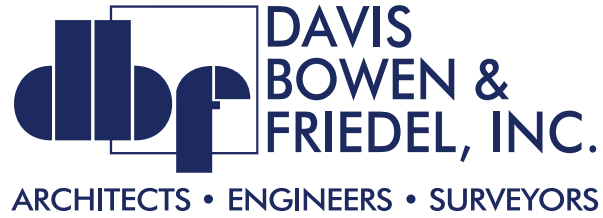
Your project has tentatively been scheduled for a public hearing at the **April 25, 2019** meeting of the Planning and Zoning Commission. Please submit **seven (7) copies (11" x 17")**, **one (1) full-size copy (24" x 36")**, and **one (1) electronic copy** of a Revised Preliminary Site Plan to the Planning and Zoning Office on or before the close of business on **April 15, 2019** for consideration for the **April 25, 2019** meeting agenda of the Planning and Zoning Commission.

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,

A handwritten signature in black ink that reads "Lauren DeVore". The signature is written in a cursive style with a large, stylized "L" and "D".

Ms. Lauren DeVore  
Planner III



*IMPROVING OUR COMMUNITIES.  
SHAPING THE WORLD AROUND US.  
**CREATING VALUE BY DESIGN.***

1 Park Avenue  
Milford, DE 19963  
(302) 424-1441

601 East Main Street, Suite 100  
Salisbury, MD 21804  
(410) 543-9091

106 Washington Street, Suite 103  
Easton, MD 21601  
(410) 770-4744

[www.dbfinc.com](http://www.dbfinc.com)

1 **AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY,**  
2 **CHAPTER 62, ARTICLE III, SECTION 62-7, CHAPTER 72, ARTICLE I,**  
3 **SECTIONS 72-4 AND 72-5, CHAPTER 115, ARTICLES IV, XXV AND**  
4 **TABLE 1 BY AMENDING SECTIONS 115-22, 115-25, 115-182, 115-183**  
5 **AND 115-194.3 TO REPLACE ALL REFERENCES TO THE**  
6 **“ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT”,**  
7 **“ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT**  
8 **OVERLAY ZONE”, “ESDDOZ” AND “ENVIRONMENTALLY**  
9 **SENSITIVE DEVELOPING AREA” WITH “COASTAL AREA”.**

10  
11 WHEREAS, Sussex County Council has adopted the **2018** Comprehensive Plan  
12 (the “Plan”); and

13  
14 WHEREAS, The Future Land Use Element of the Plan creates a new “Coastal  
15 Area” and eliminates the Environmentally Sensitive Developing Area as a land  
16 use area on the Future Land Use Map contained in the Plan; and

17  
18 WHEREAS, the Zoning Code must be updated to eliminate all references to the  
19 Environmentally Sensitive Developing Area since that Area no longer exists in  
20 the Plan; and

21  
22 WHEREAS, the Zoning Code must be amended to insert “Coastal Area” where  
23 the “Environmentally Sensitive Developing Area” was previously referenced.

24  
25 **NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY**  
26 **ORDNAINS:**

27  
28  
29 **Section 1. The Code of Sussex County, Chapter 62, Article III, §62-7**  
30 **“Building Fees” is hereby amended by deleting the language in brackets and**  
31 **inserting the italicized and underlined language:**

32  
33 **§62-7. Building Fees.**

34  
35 The schedule of fees for permits and applications for buildings and the like shall  
36 be as hereinafter indicated:

37  
38 . . .

40 I. Cluster fee [as required by § **115-25B(3)** and **F(3)**]. The Council will review  
41 the fees for a density bonus under the terms of this act on an annual basis and  
42 revise such fees as it deems necessary.

43

44 (1) For the town centers and developing areas around Greenwood, Bridgeville,  
45 Seaford, Blades, Laurel, and Delmar, \$15,000 per unit in excess of two  
46 dwelling units per acre.

47 (2) For the town centers and developing areas around Milford, Milton,  
48 Ellendale, Georgetown, Millsboro, Dagsboro, Frankford and Selbyville,  
49 \$15,000 per unit in excess of two dwelling units per acre.

50 (3) For the [environmentally sensitive developing area] Coastal Area, \$20,000  
51 per unit in excess of two dwelling units per acre.

52

53 . . .

54

55 **Section 2. The Code of Sussex County, Chapter 72, Article I, §72-4**  
56 **“Declaration of Public Policy” is hereby amended by deleting the language**  
57 **in brackets and inserting the italicized and underlined language:**

58

59 **§72-4. Declaration of Public Policy.**

60

61 The Sussex County Council hereby declares it to be the public policy of the  
62 County to:

63

64 . . .

65

66 E. Encourage developments in town centers, developing areas and  
67 [environmentally sensitive developing areas] coastal areas with 35 or more total  
68 dwelling units to include a minimum number of moderately priced units of  
69 varying sizes on public water and sewer systems.

70 . . .

71

72 **Section 3. The Code of Sussex County, Chapter 72, Article I, §72-5**  
73 **“Definitions” is hereby amended by deleting the language in brackets and**  
74 **inserting the italicized and underlined language in the definition of**  
75 **“Qualifying Land”:**

76

77 **§72-5 Definitions**

78 The following words and phrases have the following meanings:



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...

**QUALIFYING LAND**

All land:

...

B. In a Town Center, Developing Area or [Environmentally Sensitive Developing Area] Coastal Area and zoned for any type of residential development to which a density provision applies or land that is designated on town’s comprehensive plan as lying within the town’s growth and future annexation area; and that ...

...

**Section 4. The Code of Sussex County, Chapter 115, Article IV, §115-22 “Conditional Uses” is hereby amended by deleting the language in brackets and inserting the italicized and underlined language:**

**§115-22. Conditional Uses.**

The Following uses may be permitted as conditional uses when approved in accordance with the provisions of Article XXIV of this Chapter:

...

Multifamily dwelling structures and/or town homes, subject to the provisions of this chapter, when:

A. Said multifamily dwelling structures and/or town homes, the owners of which would share and own in common the surrounding grounds (which may also be referred to herein collectively as “units”) lie within a Town Center, a Developing Area, or an [Environmentally Sensitive Developing Area] Coastal Area as described within the Land Use Element and as shown on the Future Land Use Plan of the adopted Sussex County Comprehensive Plan; and

...

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**Section 5. The Code of Sussex County, Chapter 115, Article IV, §115-25 “Height, Area and Bulk Requirements”, Note “\*\*” under subsection B. thereof, is hereby amended by deleting the language in brackets and inserting the italicized and underlined language:**

**§115-25. Height, Area and Bulk Requirements.**

B. Minimum lot sizes, dimensions and open space for lots using a central sewer system as defined by §115-194A:

...

\*\*For lots located in the [Environmentally Sensitive Development District] Coastal Area, the Development Districts or the Town Center Districts, the overlay ordinance for that district shall determine the minimum lot size.

**Section 6. The Code of Sussex County, Chapter 115, Article XXV, §115-182 “Front Yards” is hereby amended by deleting the language in brackets and inserting the italicized and underlined language:**

**§ 115-182. Front yards.**

- A. On through lots, the required front yard shall be provided on each street.
- B. There shall be a front yard of at least 15 feet on the side street of a corner lot in any district.
- C. On a street or road with existing buildings having a front yard setback that is less than that required in the district, any building may have a front yard setback that is equal to the average setback of those existing buildings located on the same side of the street or road and being within 300 feet of the building. Any vacant lot shall be calculated as having the required setback for the district. No front yard setback reduced pursuant to this subsection shall be reduced to less than five feet. The provision of this subsection shall not apply to any lot in a cluster subdivision, [ESDDOZ] Coastal Area cluster subdivision or residential planned community.

153 D. Open unenclosed decks, porches, platforms or steps not covered by a  
154 roof or canopy and which do not extend above the level of the first floor  
155 of the building may extend or project into the front yard not more than  
156 five feet. This provision does not apply to manufactured home parks or  
157 campgrounds.

158  
159

160 **Section 7. The Code of Sussex County, Chapter 115, Article XXV, §115-183**  
161 **“Side and Rear Yards” is hereby amended by deleting the language in**  
162 **brackets and inserting the italicized and underlined language:**

163

164 **§ 115-183. Side and rear yards.**

165 A. Where a building in a commercial district is subject to the height,  
166 area and bulk requirements applicable to residential development under §  
167 115-178 of this article, the side yard requirements for residential  
168 development shall be applied only to the lowest floor (and all floors above  
169 it) which contains more than 25% of its area used for dwelling. All floors  
170 shall be subject to side yards required by these regulations for commercial  
171 buildings adjacent to residential districts.

172 B. For the purpose of the side yard regulations, a group of business or  
173 industrial buildings separated by common or party walls shall be  
174 considered as one building occupying one lot.

175

176 C. Open unenclosed decks, porches, platforms or steps not covered by  
177 a roof or canopy and which do not extend above the first floor of the  
178 building may be constructed in a side or rear yard no closer than five feet  
179 from a side lot line and five feet from a rear lot line. This provision does  
180 not apply to manufactured home parks or campgrounds.

181

182 D. For any existing approved lot that is less than 10,000 square feet in  
183 size, the side yard setbacks shall be reduced to five feet and the rear yard  
184 setback shall be reduced by five feet. For any lot with side or rear setbacks  
185 reduced by operation of this § 115-183D, no structures shall extend or  
186 project closer than five feet from the lot line. The provision of this  
187 subsection shall not apply to any lot in a cluster subdivision, [ESDDOZ]  
188 Coastal Area cluster subdivision or residential planned community.

189

190 **Section 8. The Code of Sussex County, Chapter 115, Article XXV, §115-**  
191 **194.3 “Environmentally Sensitive Development District Overlay Zone**

192 **(ESDDOZ)” is hereby amended by deleting the language in brackets and**  
193 **inserting the italicized and underlined language:**

194

195 **§ 115-194.3. ES-1 [Environmentally Sensitive Development**  
196 **District Overlay Zone (ESDDOZ)] Coastal Area.**

197 A. Delineation of the zoning district.

198 (1) The [Environmentally Sensitive Development District] Coastal  
199 Area shall include all lands designated as the "[Environmentally  
200 Sensitive Developing] Coastal Area" in the adopted Sussex County  
201 Comprehensive Plan dated [January 1, 2003] \_\_\_\_\_, or  
202 as subsequently amended.

203 (2) Where the boundary of the [ESDDOZ] Coastal Area is formed by a  
204 roadway, the overlay zone shall be deemed to include the contiguous  
205 property on the far side of the roadway, provided that depth of the  
206 [ESDDOZ] Coastal Area on contiguous property shall not exceed  
207 six hundred feet.

208 B. Application process.

209 (1) All rezoning, subdivision, business and industrial site plans and  
210 conditional use applications involving one or a combination of the  
211 following shall be subject to the process and performance  
212 requirements as described hereinafter:

213 (a) Any residential planned community application.

214 (b) Any development containing 50 or more dwelling units.

215 (c) Any development containing 75,000 square feet or more of  
216 floor area used for commercial or industrial uses.

217 (d) Any use or activity that requires a permit in the Coastal Zone.

218 (2) The applicant shall submit an environmental assessment and public  
219 facility evaluation report and sketch plan (report) to the Director of  
220 Planning and Zoning, a copy of which will be forwarded to the  
221 Office of State Planning Coordination and members of the Technical  
222 Advisory Committee for review and comment. The sketch plan shall  
223 address the following issues for the property to be developed and,  
224 where appropriate to the context, for the contiguous property.

- 225 Information submitted by the applicant shall at a minimum contain  
226 the following:
- 227 (a) Proposed drainage design and the effect on stormwater quality  
228 and quantity leaving the site, including methods for reducing  
229 the amount of phosphorous and nitrogen in the stormwater  
230 runoff and the control of any other pollutants such as petroleum  
231 hydrocarbons or metals.
  - 232 (b) Proposed method of providing potable and, where appropriate,  
233 irrigation water and the effect on public or private water  
234 systems and groundwater, including an estimate of average and  
235 peak demands.
  - 236 (c) Proposed means of wastewater treatment and disposal with an  
237 analysis of the effect on the quality of groundwater and surface  
238 waters, including alternative locations for on-site septic  
239 systems.
  - 240 (d) Analysis of the increase in traffic and the effect on the  
241 surrounding roadway system.
  - 242 (e) The presence of any endangered or threatened species listed on  
243 federal or state registers and proposed habitat protection areas.
  - 244 (f) The preservation and protection from loss of any tidal or  
245 nontidal wetlands on the site.
  - 246 (g) Provisions for open space as defined in § 115-4.
  - 247 (h) A description of provisions for public and private  
248 infrastructure.
  - 249 (i) Economic, recreational or other benefits.
  - 250 (j) The presence of any historic or cultural resources that are listed  
251 on the National Register of Historic Places.
  - 252 (k) An affirmation that the proposed application and  
253 proposed mitigation measures are in conformance with the  
254 current Sussex County Comprehensive Plan.
  - 255 (l) Actions to be taken by the applicant to mitigate the detrimental  
256 impacts identified relevant to Subsection B(2)(a) through (k)

257                   above and the manner by which they are consistent with the  
258                   Comprehensive Plan.

259           (3) The Director of Planning and Zoning shall prepare (with input  
260           from the County Administrator) guidelines describing the  
261           application process and the form and content of information to  
262           be submitted by the applicant and shall review all applications,  
263           plans, assessments and other information submitted and prepare  
264           a written report summarizing his findings and the comments of  
265           state agencies and other County offices. The Planning and  
266           Zoning Commission shall make a determination as to whether  
267           adequate information has been presented for the project to  
268           proceed. A completed report shall be required prior to any  
269           preliminary plan approval for a development subject to this  
270           section. Approval of the report does not constitute final approval  
271           of the commenting agencies.

272           c. Permitted uses and densities.

273           (1) Uses permitted in the [Environmentally Sensitive Development  
274           District Overlay Zone] *Coastal Area* will be those uses permitted in  
275           the underlying zoning category as established by the Sussex County  
276           Zoning Ordinance.

277           (2) Uses prohibited in the underlying zone are also prohibited in the  
278           overlay zone.

279           (3) The maximum density shall be the allowable density of the  
280           underlying zoning district for developments using a central water  
281           and wastewater collection and treatment system. "Central sewer  
282           system" means centralized treatment and disposal facilities as  
283           defined in § 115-194A. Within this Overlay District, clustering of  
284           single-family detached lots to a minimum lot size of 7,500 square  
285           feet is permitted in all residential zoning districts using a central  
286           water and sewer system. For dwelling units using on-site individual  
287           wastewater disposal systems, the allowable density shall be based  
288           on a minimum lot size of 3/4 of an acre. The applicant has the option  
289           of clustering the lots to a minimum lot size of 1/2 acre where soil  
290           conditions are suitable as determined by DNREC, provided,  
291           however, that the number of lots or dwelling units permitted shall  
292           not exceed the number permitted in the underlying district.

293 (4) For areas within the Conservation Zone, as currently defined in the  
294 Sussex County Zoning Ordinance, the minimum lot size and  
295 dimension requirements in the Conservation Zone shall apply.

296 D. Exemptions from the [Environmentally Sensitive Development  
297 District] Coastal Area. The following are exempted from the  
298 requirement of this section:

299 (1) Single-family residential lots of record as of the date of this section.

300 (2) Existing developments and developments which have filed for  
301 approval as of the date of this section.

302 E. Design consideration should be given by the applicant toward the  
303 establishment of a greenways system which utilizes schools, parks,  
304 wildlife habitat areas, river and stream corridors, wetlands,  
305 floodplains, historic sites, business parks, urban sidewalks,  
306 abandoned rail lines, roads, beach areas and vacant land.  
307 Greenways should provide benefits like safe pedestrian, bicycling  
308 and equestrian routes for recreationists and commuters; and natural  
309 wildlife corridors and biological reserves.

310  
311 **Section 9. The Code of Sussex County, Chapter 115, Table 1 “General Table**  
312 **of Height, Area and Bulk Requirements”, Note 16 thereof, is hereby**  
313 **amended by deleting the language in brackets and inserting the italicized**  
314 **and underlined language:**

315  
316 (16) For any existing approved lot which is not located in a cluster subdivision,  
317 [ESDDOZ] Coastal Area or residential planned community, and consists of less  
318 than 10,000 square feet, the following setbacks shall apply: the side yard setback  
319 shall be reduced to five feet and the rear yard setback shall be reduced by five  
320 feet. For any lot with side or rear yard setbacks reduced by operation of §115-  
321 183D, no structures shall extend or project closer than five feet from the lot line.  
322 The front yard setback may be reduced to the average front yard setback of the  
323 existing buildings located on the same side of the street or road and being within  
324 300 feet of the structure; provided, however, the front yard setback is not less  
325 than five feet. Any vacant lot within 300 feet of the structure shall be calculated  
326 as having the required setback for the district.

327  
328  
329 **Section 10. Effective Date.**

330

331 This ordinance shall take effect upon adoption by Sussex County Council. Any  
332 pending land use applications submitted prior to the date of adoption of this  
333 Ordinance shall be reviewed as though all references to the ESDDOZ,  
334 Environmentally Sensitive Developing District Overlay Zone, or  
335 Environmentally Sensitive Developing Area are to the “Coastal Area” as set  
336 forth in this Ordinance.

337



## PLANNING & ZONING

JAMIE WHITEHOUSE  
PLANNING & ZONING MANAGER

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



# Sussex County

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Jamie Whitehouse, Planning and Zoning Manager; Lauren DeVore, Planner III; Samantha Bulkilvish, Planner I and Jenny Norwood, Planner I  
CC: Vince Robertson, Assistant County Attorney  
Date: April 17, 2019  
RE: Other Business for April 25, 2019 Planning Commission Meeting

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This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the April 25, 2019 Planning Commission meeting.

### **2018-25 Kalel Properties**

HW

#### Final Subdivision Plan

This is a Final Subdivision Plan for the creation of two lots leaving a residual parcel of 10.97 ac.+/- located off Delmar Rd. Preliminary approval was given by Planning Commission at its meeting of December 20, 2018. The Final Subdivision Plan is in compliance with the Sussex County Zoning and Subdivision Codes and all conditions of approval. Tax Parcel: 532-18.00-28.00. Zoning: GR (General Residential Zoning District). Staff are in receipt of all agency approvals.

### **S-17-36 Oyster House Village (CU 1642)**

BM

#### Final Site Plan

This is a Final Site Plan for 30 condominium units with site improvements to be located off Oyster House Rd. Conditional Use 1642 was approved by County Council at its meeting of March 21, 2006. The Preliminary Site Plan was approved by the Planning and Zoning Commission on October 12, 2017. The Final Site Plan is in compliance with the Sussex County Zoning Code and all conditions of approval. Tax Parcels: 334-19.08-42.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are in receipt of all agency approvals.

### **S-19-12 Fred Hudson Properties (CU 2130)**

BM

#### Preliminary Site Plan

This is a Preliminary Site Plan for 16 duplex units, parking, and a pool with pool house to be located at the northeast corner of Cedar Neck Rd. and Fred Hudson Rd. Conditional Use 2130 was approved by County Council on October 20, 2018. The Preliminary Site Plan is in compliance with the Sussex County Zoning Code. Tax Parcels: 134-13.00-72.00 & 72.01. Zoning: MR (Medium Residential Zoning District). Staff are awaiting agency approvals.



**S-19-17 RE-MAX John Ford (CU 2137)**

KS

Preliminary Site Plan

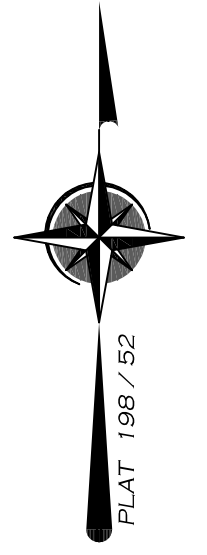
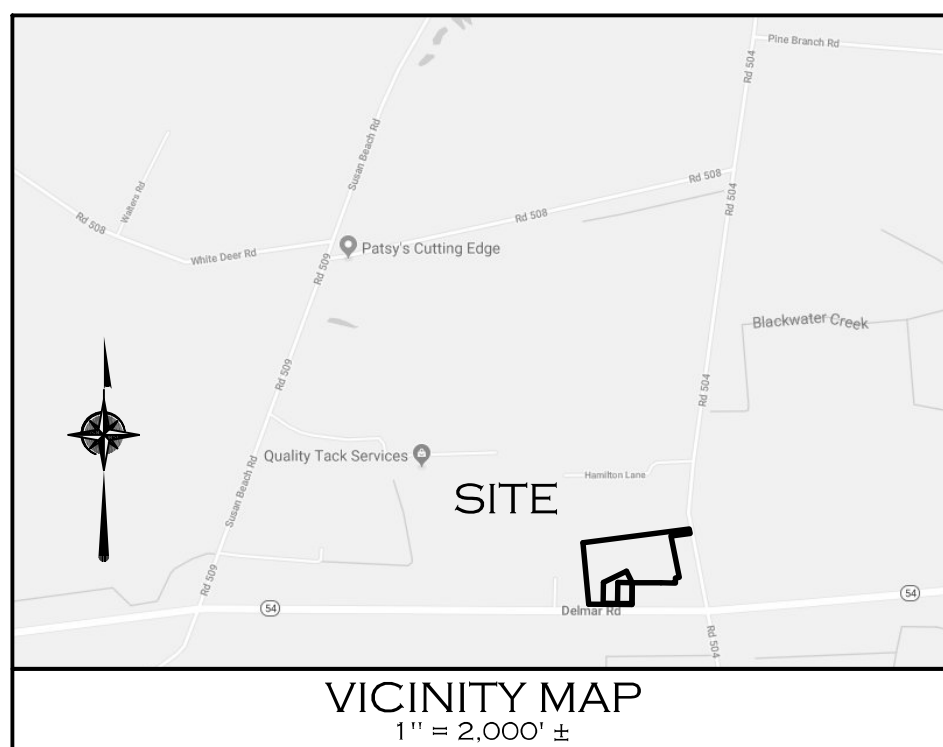
This is a Preliminary Site Plan for the establishment of a real estate office consisting of 1,800 square feet of gross floor area, 9 parking spaces and other site improvements located off Savannah Rd (Route 9B). Conditional Use 2137 was approved by the Planning and Zoning Commission on July 26, 2018 for the use of the existing residence as a REMAX realty office. Additionally, Ordinance #2592 was adopted by County Council on July 31, 2018. The Preliminary Site Plan is in compliance with the Sussex County Zoning Code and all conditions of approval. Tax Parcel: 335-12.06-50.00. Zoning: AR-1 (Agricultural Residential District). Staff are awaiting agency approvals.

**S-19-10 Bellisa, LLC (CU 2153)**

KH

Preliminary Site Plan

This is a Preliminary Site Plan for an existing dwelling to be used as a 1,560-sf. office with parking improvements located off Airport Rd. There are two parking spaces in the front yard setback, one of which is a handicapped space with the remainder of the parking behind the office. Conditional Use 2153 was approved by County Council at its meeting of February 5, 2019. The Preliminary Site Plan is in compliance with the Sussex County Zoning Code. Tax Parcel: 334-13.00-181.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are awaiting agency approvals.



**NOTES**

1. THE PROPERTY SHOWN HEREON IS CURRENTLY OWNED BY KALEL PROPERTIES, LLC, 118 ATLANTIC AVE., SUITE 202, OCEAN VIEW, DE. 19970
2. DEED BOOK REF. 4703 / 205
3. PLAT REF. 198 / 52, 248 / 72
4. NUMBER OF LOTS: 3 ( 2 + RESIDUAL LANDS )  
AREAS:  
LOT 6 0.75 ACRES ±  
LOT 7 1.16 ACRES ±  
RESIDUAL 10.97 ± ACRES  
DEDICATION 0.07 ± ACRES
5. ZONING: GR  
SETBACKS: FRONT: 40'  
SIDE: 10'  
REAR: 10'  
MAXIMUM BUILDING HEIGHT: 42'
6. PRESENT USE: AGRICULTURAL  
PROPOSED USE: AGRICULTURAL / RESIDENTIAL
7. PRIVATE WATER & SEWER WILL BE REQUIRED FOR PROPOSED LOTS
8. THIS BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
9. CLASSIFICATION OF SURVEY: SUBURBAN
10. ALL ENTRANCES SHALL CONFORM TO DELDOTS DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
11. LOTS 6 & LOT 7 SHALL HAVE COMBINED ACCESS TO SCR 76 PER THE PROPOSED ENTRANCES SHOWN HEREON. RESIDUAL LANDS SHALL HAVE SINGLE ACCESS TO SCR504 PER THE EXISTING ENTRANCE SHOWN HEREON.
12. 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.
13. 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 TO BE ESTABLISHED. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT OF WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A RIGHT CASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
14. THE SPEED LIMIT FOR SCR 76 (DELMAR ROAD) IS FIFTY-FIVE (55) M.P.H.
15. 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 STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODOORS. THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARMING 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.

**SUSSEX COUNTY COUNCIL**

PRESIDENT \_\_\_\_\_ DATE \_\_\_\_\_

**PLANNING COMMISSION**

CHAIRMAN OR SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_

**OWNER CERTIFICATION**

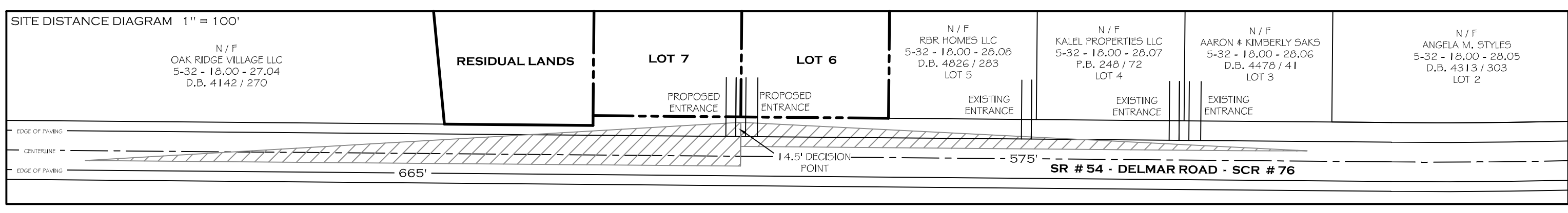
I, KALEL PROPERTIES, LLC, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION AND THAT ALL THE PROPOSED MONUMENTS AND MARKERS SHOWN HEREON WILL BE SET AT THE LOCATION INDICATED. I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

REPRESENTATIVE \_\_\_\_\_ DATE \_\_\_\_\_  
KALEL PROPERTIES, LLC

**LAND SURVEYOR CERTIFICATION**

I, BRADLEY A. ABSHER, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND IN MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

BRADLEY A. ABSHER \_\_\_\_\_ DATE \_\_\_\_\_  
PROFESSIONAL LAND SURVEYOR # 735



**LEGEND**

- CONCRETE POST FOUND
- IRON ROD & CAP FOUND
- IRON ROD & CAP TO BE SET
- ⊙ UTILITY POLE
- - - PROPERTY LINE CREATED PER THIS PLAT

0' 50' 100' 150'

**NOTE:**

THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODOORS. THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARM OPERATIONS, THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.

**SUSSEX CONSERVATION DISTRICT**

TAX MAP #	5-32 - 18.00 - 28.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	LITTLE CREEK
TOWN	---
SUBDIVISION	---
LOT	---
DEED REF.	4703 / 205
PLAT REF.	198 / 52
DRAWN BY	CJP
DATE	03 / 20 / 18
REVISED	---
SCALE	1" = 50'
SURVEY #	DE - 03587

**SUBDIVISION**

OF THE LANDS OF

**KALEL PROPERTIES, LLC**

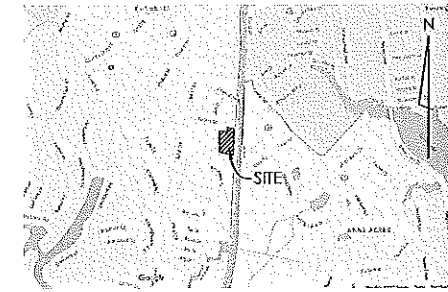
DELMAR ROAD, DELMAR, DE. 19940

**TRUE NORTH**

**LAND SURVEYING**

118 ATLANTIC AVENUE, SUITE 202  
OCEAN VIEW, DE. 19970  
DE. 302. 539. 5488  
MD. 410. 430. 5099  
FX. 302. 539. 2489  
WEB: TRUENORTHLS.COM

# FINAL SITE PLAN FOR OYSTER HOUSE VILLAGE



VICINITY MAP  
SCALE: 1" = 2,000'

solutions

303 North East 1st Street  
Georgetown, DE 19840  
T. 302.297.9215  
3033 Market Street  
Salisbury, MD 21804  
T. 410.572.8333  
www.solutionspe.com Copyright © 2017

Seal  
Date

NO.	DATE	DESCRIPTION
1	10/24/18	REVISIONS PER AGENCY COMMENTS/REVIEW

FINAL SITE PLAN COVER  
for  
**OYSTER HOUSE VILLAGE**  
REHOBOTH BEACH, SUSSEX COUNTY, DELAWARE  
Prepared for: OHV DE, LLC

Date:	05-11-2017	Scale:	1"=30'
Job Number:	G15049	Drawn By:	JHL
Scale:	1"=30'	Designed By:	JHL
Drawn By:	JHL	Approved By:	JHL

Sheet No.: 1 of 3  
File Name: G15049 final.sld

**DRAWING INDEX:**

- 1 FINAL SITE PLAN COVER
- 2 FINAL SITE PLAN
- 3 LANDSCAPE PLAN

**WETLAND STATEMENT**

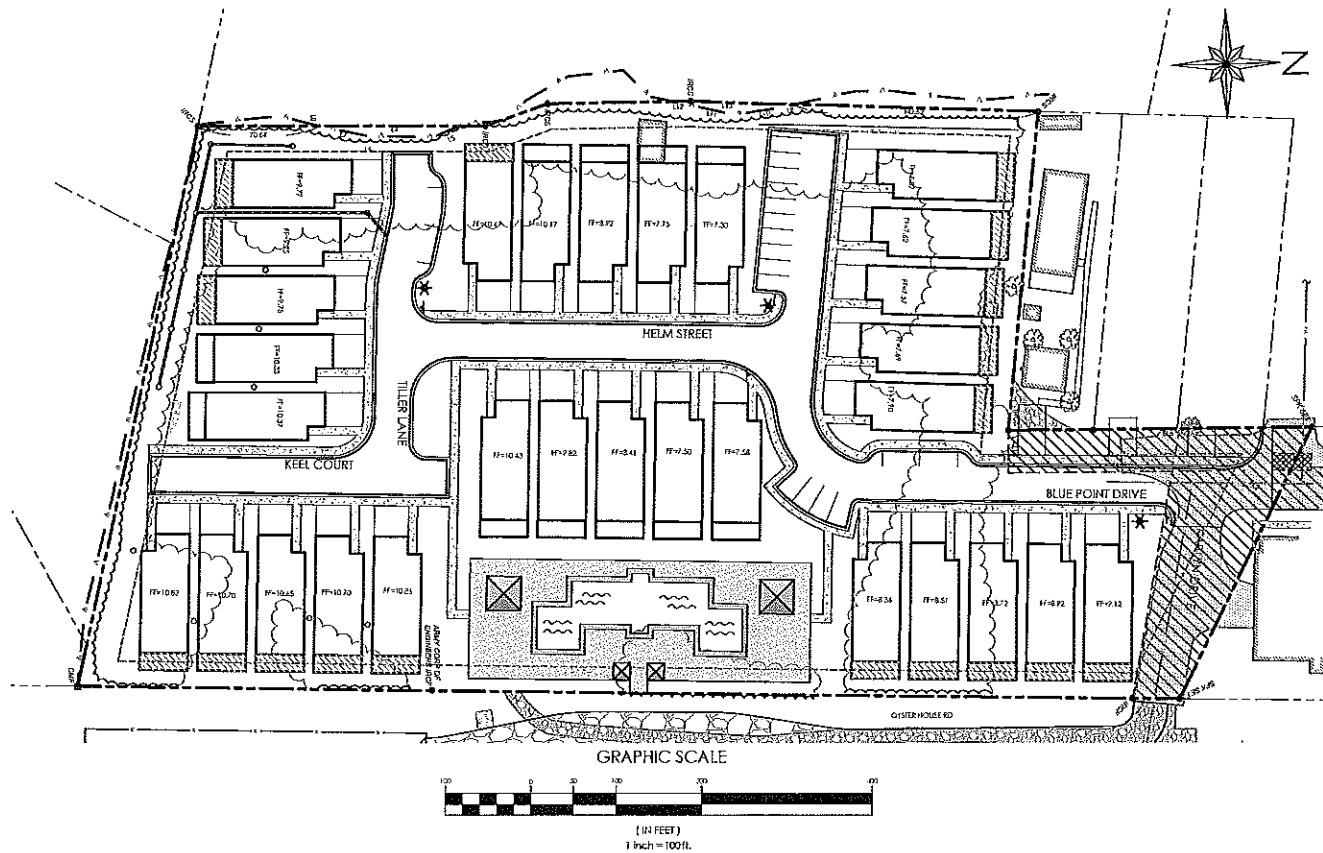
I, EDWARD M. LAUNAY, P.E., STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, REGULATIONS AND SUPPLEMENTAL GUIDANCE (33 CFR 328.3(c)(2)(b)), WATERS OF THE U.S. DEFINITION/CECW-OR, 10-7-1991, QUESTIONS AND ANSWERS ON THE 1987 COE MANUAL/CECW-OR, 9-26-1990, ROL 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.

IN ACCORDANCE WITH DNREC WETLANDS MAPS, NO STATE REGULATED WETLANDS OCCUR ON THIS SITE.

EDWARD M. LAUNAY, P.E. No. 875 DATE  
SOCIETY OF WETLANDS SCIENTISTS  
CORP OF ENGINEERS, CERTIFIED WETLAND DELINEATOR (WDCP93MD05100368)

**NOTES:**

1. ALL ON-SITE ACCESS DRIVES ARE PRIVATE AND SHALL BE MAINTAINED BY THE OWNER UNTIL DEDICATION TO THE HOMEOWNERS ASSOCIATION. THE PERPETUAL MAINTENANCE OF THE STREETS SHALL BE BY THE RESPECTIVE ORGANIZATION.
2. STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX COUNTY CONSERVATION DISTRICT AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNER UNTIL DEDICATION TO THE HOMEOWNERS ASSOCIATION. THE PERPETUAL MAINTENANCE OF THE ABOVE PROACTIVE SHALL BE BY THE RESPECTIVE ORGANIZATION.
3. ALL OPEN SPACE SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
4. ALL AMENITIES AND LANDSCAPE/FORREST BUFFERS SHALL BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.
5. STREET LIGHT FINAL LOCATIONS SHALL BE PER POWER COMPANY.
6. WASTE COLLECTION SHALL BE STORED AT INDIVIDUAL RESIDENCES.



**ORDINANCE NO. 1835**  
With Conditions

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES (60 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEVES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.51 ACRES, MORE OR LESS

WHEREAS, on the 28th day of April 2005, a conditional use application, described Conditional Use No. 1641, was filed on behalf of Sussex Ventures, L.L.C.; and

WHEREAS, on the 3rd day of November 2005, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 1641 be approved with conditions; and

WHEREAS, on the 29th day of November 2005, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County;

NOW, THEREFORE,  
THE COUNTY OF SUSSEX HEREBY ORDAINS:  
Section 1. That Chapter 115, Article IV, Subsection 115-27, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1641 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:  
ALL that certain tract, piece or parcel of land lying and being situate in Leves and Rehoboth Hundred, Sussex County, Delaware, and being west of the Leves and Rehoboth Canal, 450 feet southwest of Route One, and being more particularly described as follows:

BEGINNING at a point on the westerly right of way of Oyster House Road and lands of the United States of America (Leves and Rehoboth Canal) three north 77 degrees 11 minutes 49 seconds west 119.66 feet to a point; thence south 03 degrees 13 minutes 45 seconds west 124.21 feet to a point; thence north 78 degrees 09 minutes 51 seconds west 39.26 feet to a point; thence north 02 degrees 39 minutes 23 seconds east 24.31 feet to a point; thence north 81 degrees 35 minutes 37 seconds west 187.42 feet to a point; thence south 04 degrees 48 minutes 45 seconds west 204.55 feet to a point; thence south 01 degree 59 minutes 19 seconds west 83.74 feet to a point; thence south 16 degrees 27 minutes 48 seconds east 38.83 feet to a point; thence south 03 degrees 03 minutes 41 seconds west 108.67 feet to a point; thence north 75 degrees 11 minutes 15 seconds east 335.51 feet to a point on lands of the United States of America; thence north 03 degrees 44 minutes 05 seconds east 618.04 feet along lands of the United States of America to the point and place of beginning, said parcel containing 4.51 acres, more or less, as plotted by Mettitan Consulting Engineers, L.L.C.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

1. Any security lighting shall only be installed on the buildings and shall be screened so that they do not shine on any neighboring residential properties. The lights shall be downward directed.
2. The maximum number of residential units shall not exceed 60 units.
3. All entrance, intersection, roadway and multi-modal improvements required by DelDOT shall be completed by the Applicant in accordance with DelDOT's determination.
4. Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements.
5. Construction, site work, grading and delivery of construction materials, etc. to the property shall only occur between the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday.
6. The site plan shall be subject to review and approval by the Planning and Zoning Commission and shall include a landscaping plan.

7. Addressing shall be subject to the review and approval of the Sussex County Addressing Department.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1835 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 21ST DAY OF MARCH 2006.

ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. This is an application for a conditional use for multi-family dwelling structures in an AR-1 Agricultural Residential District on 4.51 acres of land lying along the west side of the Leves and Rehoboth Canal, 450 feet southwest of Route 1 in Leves and Rehoboth Hundred, Sussex County, Delaware.
2. A traffic impact study was not recommended and the present level of service on Road 273C would not change if this application is approved.
3. The applicant proposes to construct 39 townhome designed multi-family dwelling units with 3 parking spaces per unit, and 35% of the site is to remain in open space with a pool, playground, beach area and stormwater management ponds.
4. The development has obtained a maintenance easement from the Army Corps of Engineers for the area along the canal on which they will install new landscaping, a gasbar and picnic tables for use by residents of the development.
5. The applicant proposes a gross density of approximately 66 units per acre compared to Blue Point Villas which has a density of 14 units per acre, Oyster Bay Villas with a density of 8 units per acre, and the adjacent single family subdivision that has a density of 4 units per acre.
6. Central water will be provided by the City of Rehoboth Beach and application has been made to the County Engineering Department to be served by the County sewer system.

7. The project meets the purposes of the zoning ordinance and it promotes the orderly growth of the County because the project is located in a developing area on the Comprehensive Zoning Plan Update.
8. There are similar residential projects in the area and this project will not have an adverse impact on neighboring properties or the community.
9. This is a redevelopment of a property that was formerly used for outside storage of refuse and waste and was not properly maintained.
10. The conditional use is approved subject to the seven (7) conditions, which will serve to mitigate any potential impacts on the surrounding area.

**ENGINEER'S STATEMENT**

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

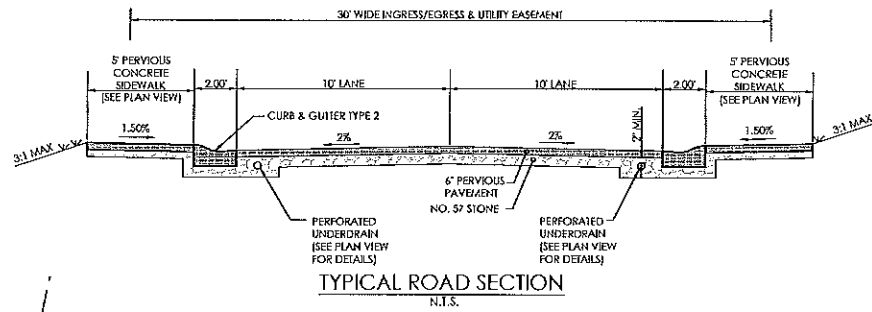
JASON PALKEWICZ, PE DATE

**DEVELOPER'S CERTIFICATION**

THE DEVELOPER, OHV DE, LLC, HEREBY CERTIFIES THAT THESE DRAWINGS HAVE BEEN APPROVED.

KEITH DELANEY

**FILE COPY**  
REVISED



LINE	BEARING	DISTANCE
L1	N 77°01'09" W	86.45'
L2	N 01°13'47" E	4.22'
L3	S 74°18'25" E	87.41'
L4	N 01°13'47" E	164.35'
L5	S 22°35'25" E	32.68'
L6	S 02°24'57" W	76.76'
L7	S 12°30'29" W	56.88'
L8	S 15°25'57" W	1.97'
L9	S 10°51'45" E	13.65'
L10	S 07°13'07" E	59.96'
L11	S 13°12'07" W	72.48'
L12	N 00°08'25" E	20.62'
L13	N 02°58'51" E	122.97'

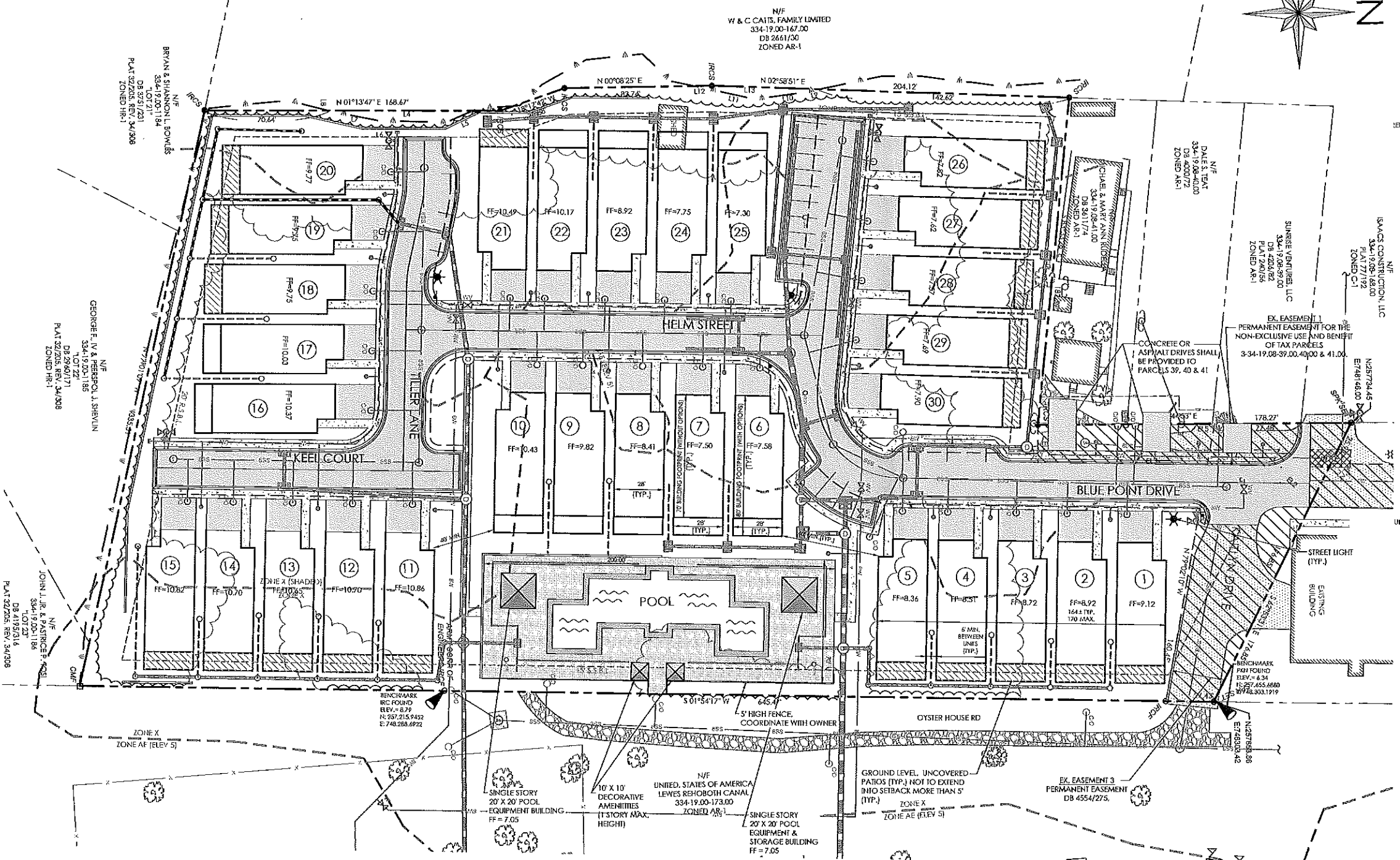


**LEGEND**

	EXISTING	PROPOSED
PROPERTY LINE	---	N/A
EASEMENT LINE	---	N/A
EASEMENT HATCH	///	N/A
SEIBACK LINE	---	N/A
STONE MONUMENT FOUND	CMF □	N/A
IRON PIPE	○ IRCP	IRCS ●
SPIKE SET	N/A	SPK SET ⊙
ROAD CENTERLINE	---	---
EDGE OF CONCRETE	---	---
EDGE OF PAVEMENT	---	---
EDGE OF GRAVEL	---	N/A
PAINT STRIPE	---	---
CURB	---	---
PAVEMENT HATCH	///	///
CONCRETE HATCH	///	///
GRAVEL HATCH	///	N/A
BUILDING OUTLINE	---	---
SIDEWALK	---	---
SIDEWALK HATCH	///	///
EDGE OF WETLAND	---	N/A
FLOODPLAIN	---	N/A
STORM MANHOLE	⊙	⊙
CURB INLET	⊙	⊙
STORM PIPE	---	---
SANITARY MANHOLE	○	○
SANITARY CLEANOUT	N/A	○
SANITARY PIPE	---	---
WATER PIPE	N/A	---
FIRE HYDRANT	N/A	⊕
UTILITY POLE	⊕	N/A
LIGHT POLE	⊕	⊕
TREE LINE	---	---
UNCOVERED GROUND LEVEL PATIO	---	---

REVISIONS

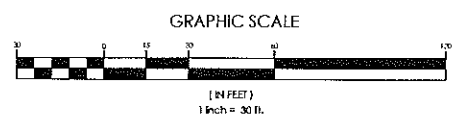
NO.	DATE	DESCRIPTION
1	10/24/18	REVISIONS PER AGENCY COMMENTS/REVIEW



**EASEMENT 1**

LINE	BEARING	DISTANCE
EL1	S 62°53'31" E	53.56'
EL2	S 43°20'47" W	33.96'
EL3	S 00°44'53" W	129.49'
EL4	N 89°15'07" W	25.00'
EL5	N 00°44'53" E	178.27'

NOTES:  
 BUILDING DIMENSIONS SHOWN ARE APPROXIMATE. COORDINATE WITH OWNER.  
 THE GENERAL FOOTPRINT OF THE BUILDING UNITS IS A 70' X 28' BUILDING WITH A 10' X 28' BUILDING OPTION SHOWN ON EACH UNIT. STRUCTURAL ADDITIONS, DECKS, PATIOS, OR OTHER STRUCTURAL OPTIONS MAY NOT BE EXPANDED BEYOND THE FOOTPRINTS SHOWN.  
 WHERE THE BUILDING OPTIONS EXTEND INTO THE SETBACK, ANY PORTION OF THE OPTION LOCATED WITHIN THE SETBACK MUST BE A GROUND LEVEL, UNCOVERED PATIO. THIS PATIO MAY NOT EXTEND GREATER THAN 5' INTO THE SETBACK AND MAY NOT BE EXPANDED BEYOND WHAT IS SHOWN.



**solutions**  
 3031 North Bedford Street  
 Georgetown, DE 19147  
 T. 302.291.9234  
 3903 West 4th Road  
 Solihay, MD 21084  
 T. 410.572.6883  
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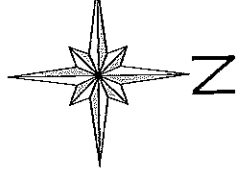
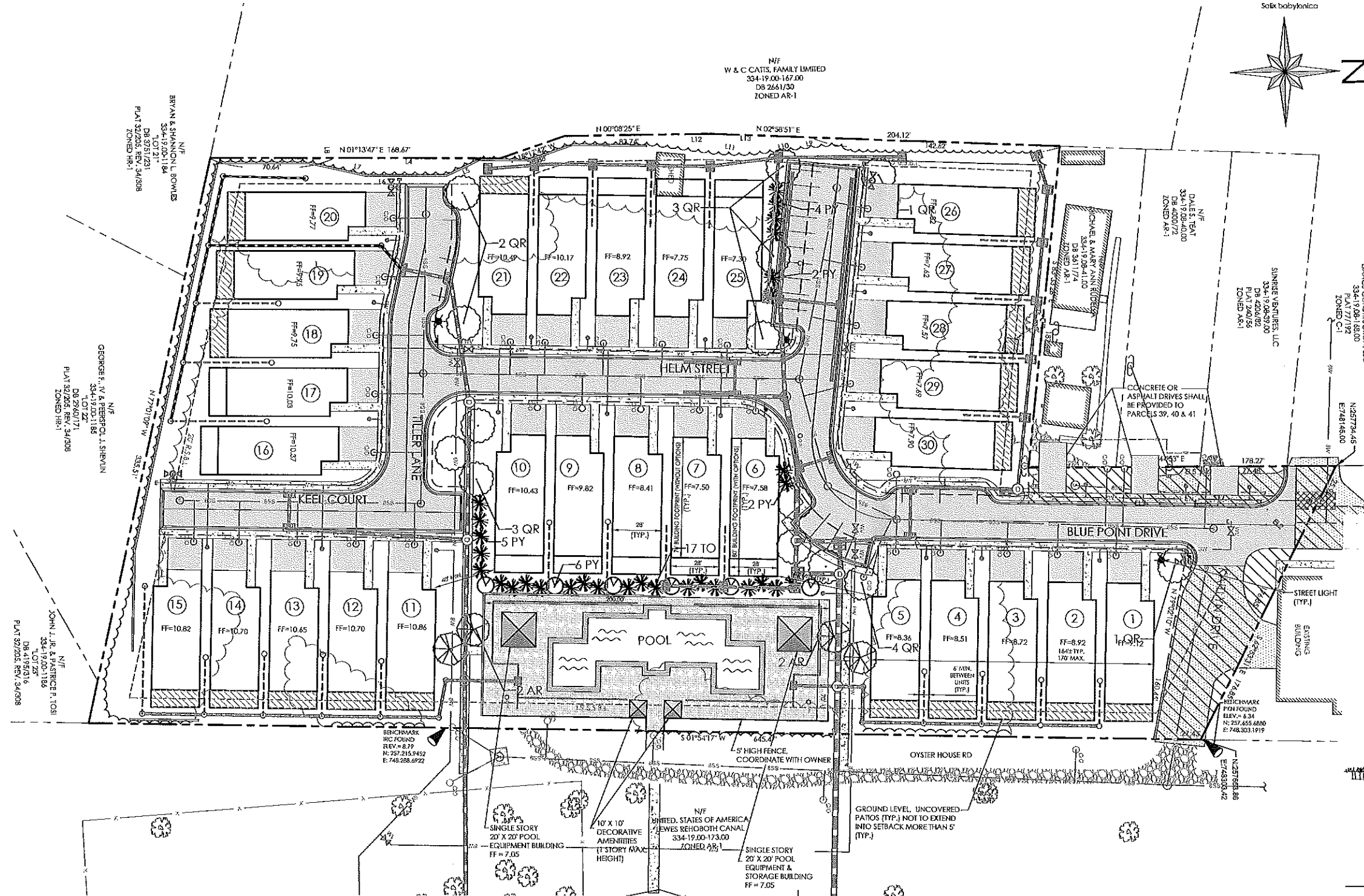
**FINAL SITE PLAN**  
 for  
**OYSTER HOUSE VILLAGE**  
 REHOBOTH BEACH, SUSSEX COUNTY, DELAWARE  
 Prepared for: OHV DE, LLC

Date: 05-11-2017  
 Job Number: G15049  
 Scale: 1"=30'  
 Drawn By: ML  
 Designed By: HBB  
 Approved By: JP  
 Sheet No.: 2 of 3  
 File Name: G15049 final site

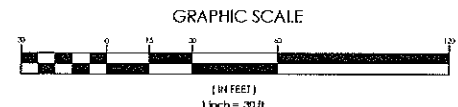
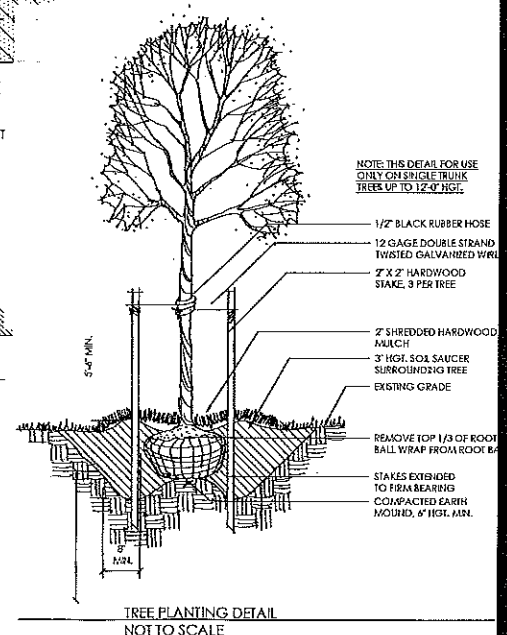
**PLANT LIST**

Sym.	Qty.	Botanical Name	Common Name	Size & Remarks
<b>ORNAMENTAL TREES</b>				
PY	19	Prunus x yedoensis	Yoshino Cherry	2 1/2" cal. min.
<b>EVERGREEN TREES</b>				
TO	17	Thuja occidentalis	Eastern Arborvitae	8-10' hgt. min.
<b>DECIDUOUS TREES</b>				
AR	4	Acer rubrum 'Sunset Red'	Sunset Red Maple	2 1/2" cal. min.
QR	14	Quercus rubra	Northern Red Oak	2 1/2" cal. min.

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



- NOTES:**
1. ALL PROPOSED BERM, LANDSCAPE, AND PLANT MATERIAL LOCATIONS ARE DIAGRAMATIC AND SUBJECT TO ADJUSTMENTS IN THE FIELD. IF THERE IS CONFLICT BETWEEN PROPOSED OR EXISTING UTILITY LINES AND THE PROPOSED PLANTINGS, THE UTILITY LOCATION SHALL GOVERN, ADJUST THE PLANT LOCATION AS REQUIRED.
  2. ALL PLANTS SHALL BE FREE FROM DISEASE, INSECT INFESTATION, AND MECHANICAL INJURIES, AND SHALL BE GUARANTEED, LABOR AND MATERIAL, FOR A PERIOD OF NOT LESS THAN ONE YEAR FROM DATE OF INSTALLATION.
  3. 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 CONDOMINIUM ASSOCIATION; PROVIDED, HOWEVER THAT THE DEVELOPER SHALL REPLACE AND TREES THAT DIE DURING THE ADOPTIVE 2-YEAR DEVELOPER MAINTENANCE PERIOD TO TRANSFERRED MAINTENANCE RESPONSIBILITIES TO A CONDOMINIUM ASSOCIATION.
  4. SEE OF PROPOSED TREES AND SHRUBS AS NOTED IN THE LANDSCAPE SCHEDULE IS AT TIME OF PLANTING.
  5. TREES SHALL BE SUPPORTED IMMEDIATELY AFTER PLANTING. ALL TREES GREATER THAN 4 INCH CALIPER SHALL BE GUYED, AND SMALLER TREES SHALL BE STAKED WITH TWO STAKES EACH.
  6. THE CONTRACTOR MUST CONTACT 1-800-257-7777 FOR EXISTING UTILITY LOCATION INFORMATION, A MINIMUM OF 72 HOURS PRIOR TO COMMENCEMENT OF ANY EXCAVATION. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES, AND MAINTAIN UNINTERRUPTED SERVICE. ANY REPAIR OF DAMAGE TO EXISTING UTILITIES SHALL BE AT THE CONTRACTOR'S EXPENSE.
  7. THIS PLAN DOES NOT INCLUDE THE NECESSARY PRECAUTIONS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN ACCORDANCE WITH THE OCCUPATION SAFETY AND HEALTH ACT OF 1970, AND ALL RULES AND REGULATIONS APPURTENANT THERETO.
  8. IN THE CASE THAT THE PLANT LIST QTY DOES NOT MATCH THE PLAN, THE PLAN SHALL GOVERN.



**solutions**  
 312 North Zedford Street  
 Georgetown, DE 19947  
 T. 302.297.9119  
 3033 North Mt Pleasant  
 Salisbury, MD 21804  
 T. 410.572.8823  
 www.solutionsperm.com Copy/Print © 2017

Seal \_\_\_\_\_  
 Date \_\_\_\_\_

NO.	DATE	DESCRIPTION
1	10/24/18	REVISIONS PER AGENCY COMMENTS/REVIEW

FINAL SITE PLAN  
 for  
**OYSTER HOUSE VILLAGE**  
 REHOBOTH BEACH, SUSSEX COUNTY, DELAWARE  
 Prepared for: OHV DE, LLC



LANDSCAPE ARCHITECT'S CERTIFICATION  
 I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION.  
 Lee Ann Schinappinger Bridgman, RLA  
 BRIDGMAN LANDSCAPE ARCHITECTURE, LLC  
 11-18-18 DATE

Date:	05-11-2017	Sheet No.:	3 of 3
Job Number:	C15049	File Name:	G15049 final-site
Scale:	1"=50'	Drawn By:	ML
Checked By:	ML	Designed By:	RHB
Approved By:	JP		

# FRED HUDSON PROPERTY

## BALTIMORE HUNDRED SUSSEX COUNTY, DELAWARE

### DBF # 1998D006 PRELIMINARY PLAN DECEMBER, 2017

REVISED MARCH 25, 2019

#### CONDITIONS OF APPROVAL (ORDINANCE #2609, CU 2130)

APPROVED BY SUSSEX COUNTY COUNCIL OCTOBER 20, 2018

- THE MAXIMUM NUMBER OF TOWNHOUSE UNITS SHALL BE 16.
- AS PROVIDED BY SECTION 115-218 OF THE ZONING CODE, THERE SHALL BE A FORESTED OR LANDSCAPED BUFFER INSTALLED AROUND THE ENTIRE PERIMETER OF THE PROJECT IN COMPLIANCE WITH SECTION 99-5 OF THE CODE OF SUSSEX COUNTY. THE NORTH SIDE SHALL HAVE A BUFFER UP TO 25 FT. TO ACCOMMODATE THE EXISTING VEGETATION.
- ALL ENTRANCES, INTERSECTION, ROADWAY AND MULTI-MODAL IMPROVEMENTS SHALL BE COMPLETED BY THE DEVELOPER IN ACCORDANCE WITH ALL DELDOT REQUIREMENTS.
- THE PROJECT SHALL BE SERVED BY SUSSEX COUNTY SEWER. THE DEVELOPER SHALL COMPLY WITH ALL SUSSEX COUNTY ENGINEERING DEPARTMENT REQUIREMENTS INCLUDING ANY OFFSITE UPGRADES NECESSARY TO PROVIDE SERVICE TO THE PROJECT.
- THE PROJECT SHALL BE SERVED BY CENTRAL WATER TO PROVIDE DRINKING WATER AND FIRE PROTECTION.
- INTERIOR STREET DESIGN SHALL MEET OR EXCEED THE SUSSEX COUNTY STREET DESIGN REQUIREMENTS.
- ALL CONSTRUCTION AND SITE WORK ON THE PROPERTY, INCLUDING DELIVERIES OF MATERIALS TO OR FROM THE PROPERTY, SHALL ONLY OCCUR BETWEEN 7:00 A.M. AND 6:00 P.M., MONDAY THROUGH FRIDAY; BETWEEN 8:00 A.M. AND 2:00 P.M. ON SATURDAY.
- NO OTHER OUTDOOR CONSTRUCTION ACTIVITIES SHALL OCCUR AT THE SITE EXCEPT BETWEEN THE HOURS OF 7:00 A.M. THROUGH 6:00 P.M., MONDAY THROUGH FRIDAY, AND 8:00 A.M. THROUGH 2:00 P.M. ON SATURDAYS. THERE SHALL BE NO CONSTRUCTION ACTIVITIES AT THE SITE ON SUNDAYS.
- STREET NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE COUNTY MAPPING AND ADDRESSING DEPARTMENTS.
- THE APPLICANT SHALL FORM A CONDOMINIUM ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE, REPAIR AND REPLACEMENT OF THE ROADS, THE BUFFERS AND LANDSCAPING, STORMWATER MANAGEMENT FACILITIES, EROSION AND SEDIMENT CONTROL FACILITIES AND OTHER COMMON ELEMENTS.
- THE STORMWATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. IT SHALL BE CONSTRUCTED AND MAINTAINED USING BEST MANAGEMENT PRACTICES.
- THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX COUNTY CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
- AS STATED BY THE APPLICANT, THERE SHALL BE A SWIMMING POOL AND POOL HOUSE INSTALLED ON THE PREMISES. THE SWIMMING POOL SHALL BE AT LEAST 15 FEET BY 35 FEET IN SIZE.
- THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

#### GENERAL NOTES:

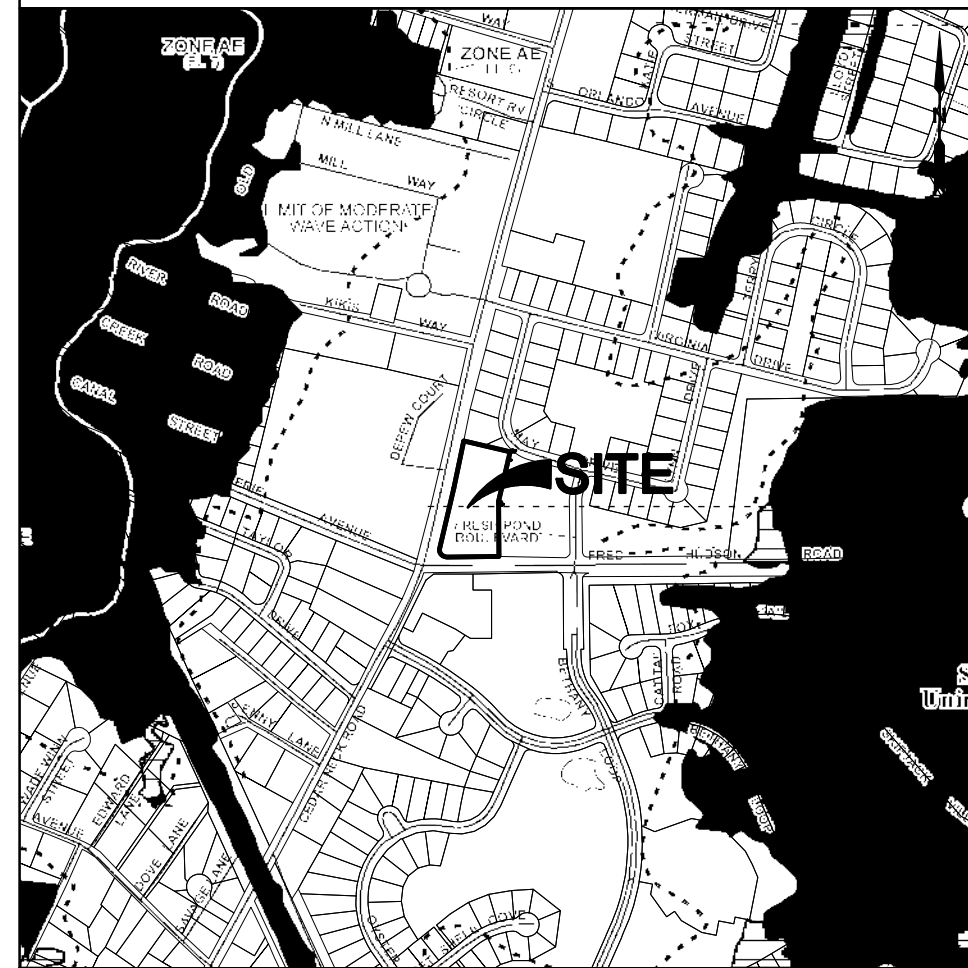
- NO LANDSCAPING SHALL BE ALLOWED WITHIN R/W UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL (DCM).
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- 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.
- INTERNAL STREETS CONSTRUCTED WITHIN THE DEVELOPMENT ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS OR BOTH. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE SIDEWALK AND MULTI-MODAL 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 MULTI-MODAL PATH.
- ALL UNITS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS. BUILDING CONSTRUCTION TO BE MASONRY AND WOOD.
- AFTER THE CREATION OF THE COMMUNITY'S HOMEOWNER'S ASSOCIATION ALL BUFFER AREAS, AND THE STORMWATER MANAGEMENT AREA, SHALL BE OWNED AND MAINTAINED BY THE COMMUNITY'S HOMEOWNER'S ASSOCIATION. THE DEVELOPER SHALL MAINTAIN THESE AREAS UNTIL THE COMMUNITY HOMEOWNER'S ASSOCIATION IS ESTABLISHED.
- BOUNDARY AND TOPOGRAPHICAL INFORMATION SHOWN ON THIS PLAN ARE THE RESULT OF A FIELD RUN SURVEY PERFORMED BY DAVIS, BOWEN AND FRIEDEL, INC. (DBF) IN DECEMBER 2017 AND INFORMATION FOUND AT THE RECORDER OF DEEDS OFFICE FOR SUSSEX COUNTY.
- THIS PLAN DOES NOT VERIFY THE LOCATION, EXISTENCE, OR NON-EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING THE SUBJECT PROPERTY AS NO TITLE SEARCH WAS PERFORMED OR PROVIDED.

#### LEGEND

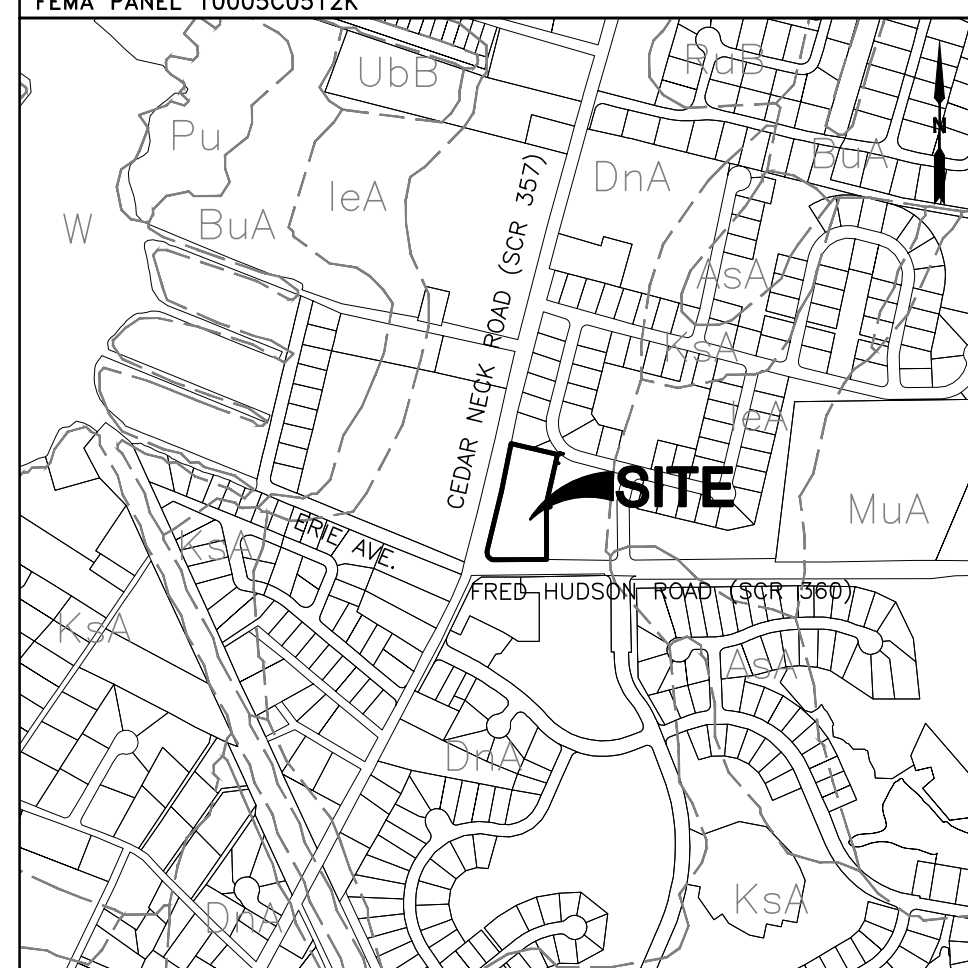
EXISTING	PROPOSED
BOUNDARY LINE	BOUNDARY LINE
ADJACENT PROPERTY OWNER	RIGHT-OF-WAY / BOUNDARY LINE
EASEMENT	EASEMENT
CONTOUR	BUFFER
CATCH BASIN, STORM PIPE	SANITARY SEWER IDENTIFICATION, MANHOLE, PIPE, FLOW ARROW, PIPE SIZE
SANITARY SEWER MANHOLE, PIPE	WATER MAIN, TEE W/ VALVES, PIPE SIZE
WATER MAIN	FIRE HYDRANT ASSEMBLY
FIRE HYDRANT ASSEMBLY	TREE LINE
UTILITY POLE	PAVEMENT
SIGN	SIDEWALK
FENCE	
TREE	
TREE LINE	
WETLANDS	
PAVEMENT	



LOCATION MAP SCALE: 1"=800'



FLOOD MAP SCALE: 1"=800'

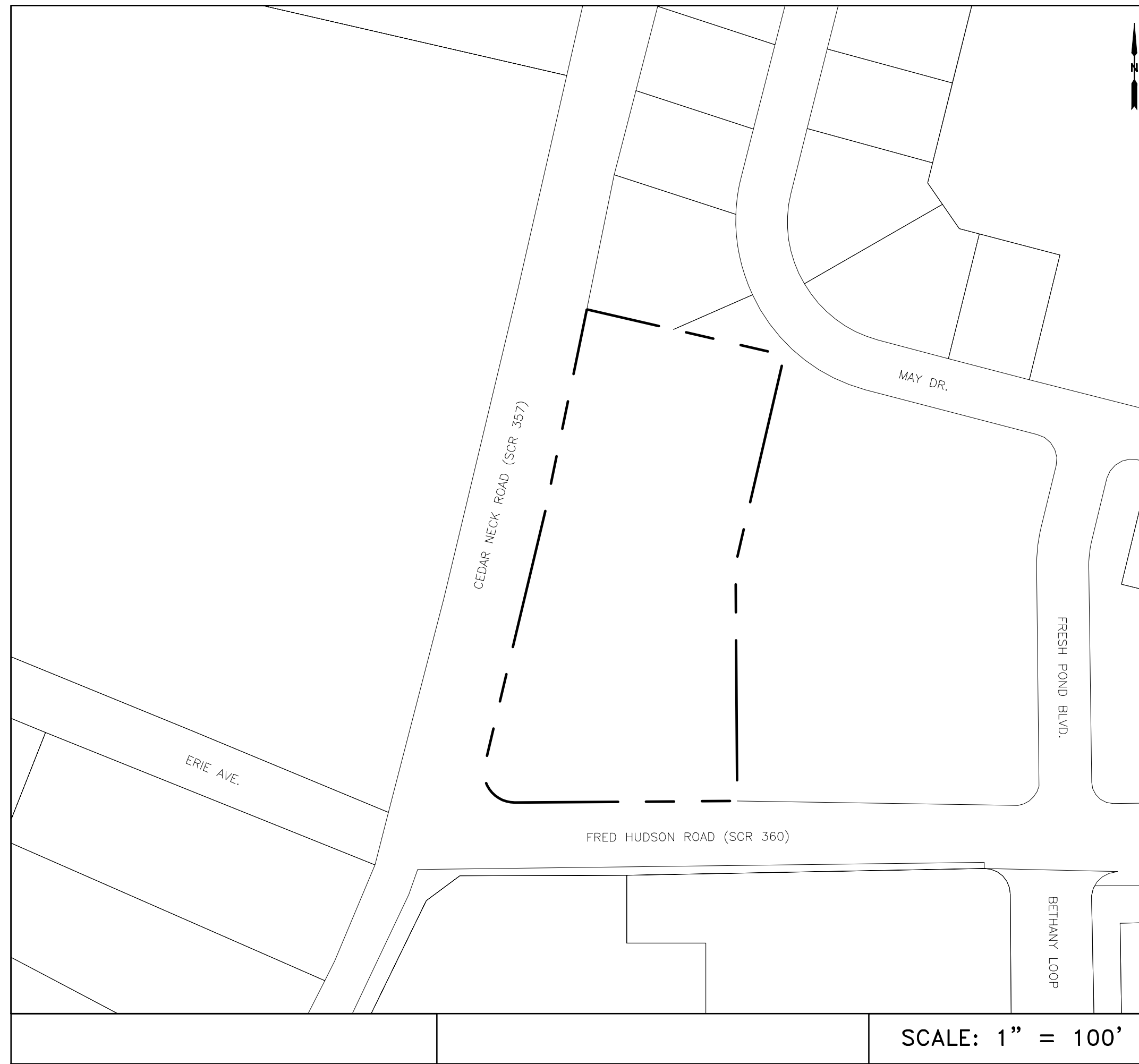


SOILS MAP SCALE: 1"=1500'

AsA: ASKECKSY LOAMY SAND; 0 TO 2 PERCENT SLOPES  
 BuA: BROCKATONORTON-URBAN LAND COMPLEX; 0 TO 2 PERCENT SLOPES  
 DnA: DOWNER LOAMY SAND; 0 TO 2 PERCENT SLOPES  
 IaA: INSIDE LOAMY SAND; 0 TO 2 PERCENT SLOPES  
 KsA: KLEJ LOAMY SAND; 0 TO 2 PERCENT SLOPES  
 MuA: MULLICA-BERRYLAND COMPLEX; 0 TO 2 PERCENT SLOPES  
 Pu: PURNELL PEAT; VERY FREQUENTLY FLOODED, TIDAL  
 RuB: RUNGLINT LOAMY SAND; 2 TO 5 PERCENT SLOPES  
 UbB: UDORTHENTS; BORROW AREA, 0 TO 5 PERCENT SLOPES  
 W: WATER

#### DATA COLUMN

TAX MAP NUMBER:	1-34-13.00-72.00, 72.01
DATUM:	NAD 83 (DE STATE PLANE)
HORIZONTAL:	NAVD 88
VERTICAL:	
EXISTING ZONING:	MR
PROPOSED ZONING:	MR-CONDITIONAL USE
EXISTING USE:	SINGLE-FAMILY RESIDENTIAL
PROPOSED USE:	16 DUPLEXES WITH POOL HOUSE
SITE AREA:	1,381.7 AC.
PARCEL 72.00:	1,000.00 AC.
PARCEL 72.01:	381.70 AC.
EXISTING TOTAL:	2,381.7 AC.
(-) RIGHT-OF-WAY DEDICATION:	0.1258 AC.
PROPOSED SITE AREA:	2,255.9 AC.
DENSITY:	7.09 UNITS/ACRE
BUILDINGS:	0.4260 AC.
IMPERVIOUS:	0.6348 AC.
OPEN SPACE:	1,195.3 AC.
TOTAL:	2,255.9 AC.
MINIMUM ZONING REQUIREMENTS	
MIN. LOT AREA:	3,630 SQ. FT.
MAX. DUPLEX BLOCK:	8 UNITS < 170' WIDE
MIN. DUPLEX WIDTH:	16'
PROPOSED DUPLEX WIDTH:	20'
SETBACKS	
FRONT:	40'
FRONT/SIDE (FRED HUDSON):	15'
SIDE:	10'
REAR:	10'
FORESTED BUFFER:	20'
PROPOSED BUILDING HEIGHT:	42' MAXIMUM
PROPOSED BUILDING CONSTRUCTION:	WOOD/CONCRETE BLOCK
PARKING	
REQUIRED:	2 PER UNIT - 32 SPOTS
PROPOSED:	40 SPOTS
SIZE:	162 SQ. FT. - 9'X18'
WETLANDS: THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 10005C0512K DATED MARCH 15, 2015.	
UTILITIES	
WATER:	PUBLIC (SUSSEX SHORES)
SEWER:	SUSSEX COUNTY (CEDAR NECK EXPANSION SSD)
OWNER (PARCEL 72.00):	BRADLEY W. DAVIS 655 NALLS FARM WAY GREAT FALLS, VA. 22066
OWNER (PARCEL 72.01):	ROBERT L. BROWNING 10311 SNOWPINE WAY POTOMAC, MD. 20855
DEVELOPER:	THE EVERGREEN COMPANIES, LLC. 701 BETHANY LOOP, SUITE 2, BETHANY BEACH, DE 19930 (855) 542-3224
PREPARED BY:	DAVIS, BOWEN, AND FRIEDEL, INC. 1 PARK AVE. MILFORD, DE 19963 302-424-1441



SCALE: 1" = 100'

#### SHEET INDEX

TITLE SHEET	PRE-01
PRELIMINARY SITE PLAN	PRE-02
PRELIMINARY UTILITY PLAN	PRE-03

#### OWNER'S CERTIFICATION

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

BRADLEY W. DAVIS DATE  
 655 NALLS FARM WAY  
 GREAT FALLS, VA. 22066

#### OWNER'S CERTIFICATION

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

ROBERT L. BROWNING DATE  
 10311 SNOWPINE WAY  
 POTOMAC, MD. 20855

#### ENGINEER'S STATEMENT

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

DAVIS, BOWEN & FRIEDEL, INC. DATE  
 by RING W. LARDNER, P.E.

#### DEVELOPERS STATEMENT

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

EVERGREEN HOMES EASTERN SHORE DATE  
 701 BETHANY LOOP, SUITE 2  
 BETHANY BEACH, DE. 19930

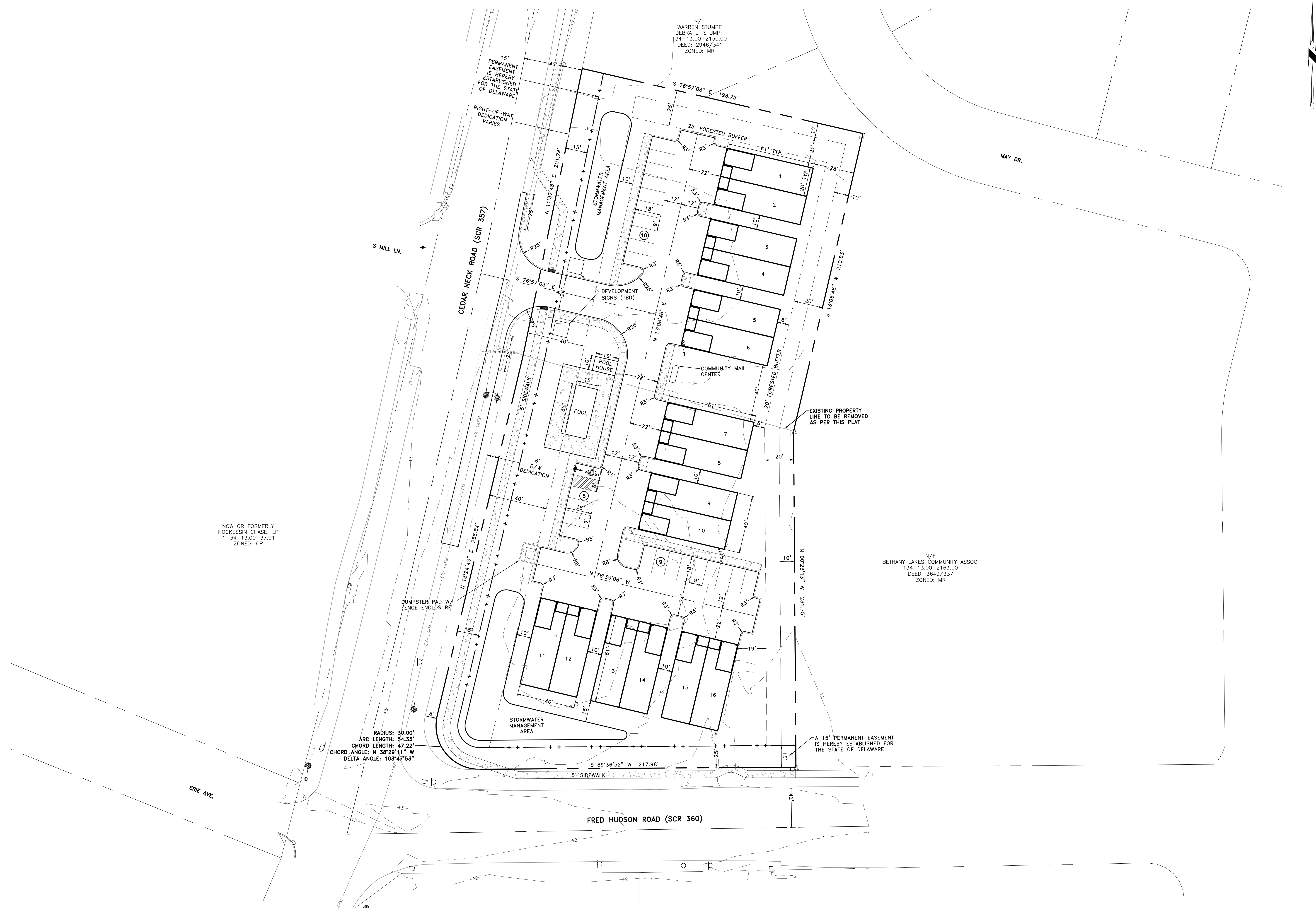
**dbf** DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS, ENGINEERS & SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
 MILFORD, DELAWARE (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

#### OPEN SPACE MANAGEMENT PLAN:

- ALL COMMON AREAS COVERED WITH GRASS SHALL BE PERIODICALLY MAINTAINED ON A BASIS DETERMINED BY THE MAINTENANCE CORPORATION/HOMEOWNER'S ASSOCIATION.
- ALL ACTIVE OPEN SPACE AMENITIES SHALL BE INSPECTED ANNUALLY TO ENSURE THEY ARE SAFE FOR PLAY AND REPAIRED AS REQUIRED.
- ALL SWM AREAS ARE TO BE INSPECTED ANNUALLY AND AFTER A RAIN EVENT GREATER THAN 2" IN A 24 HOUR PERIOD.
- ALL SWM AREAS WILL BE MAINTAINED IN ACCORDANCE WITH DESIGN AND SPECIFICATIONS FOR THE SPECIFIC SWM AREA. THIS INFORMATION WILL BE PROVIDED TO THE MAINTENANCE CORPORATION / HOMEOWNER'S ASSOCIATION PRIOR TO TURNOVER.

P:\Evergreen Companies\Plots\_Corner\Design\Preliminary\19980006 - Preliminary Plan.dwg, Apr. 12, 2019 - 2:25pm



N/W OR FORMERLY  
HOCKESSIN CHASE, LP  
1-34-13.00-37.01  
ZONED: GR

N/F  
WARREN STUMPF  
DEBRA L. STUMPF  
134-13.00-2130.00  
DEED: 2946/341  
ZONED: MR

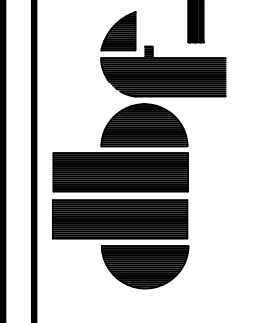
N/F  
BETHANY LAKES COMMUNITY ASSOC.  
134-13.00-2163.00  
DEED: 3849/337  
ZONED: MR

RADIUS: 30.00'  
ARC LENGTH: 54.35'  
CHORD LENGTH: 47.22'  
CHORD ANGLE: N 38°29'11" W  
DELTA ANGLE: 103°47'53"

A 15' PERMANENT EASEMENT  
IS HEREBY ESTABLISHED FOR  
THE STATE OF DELAWARE



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



PRELIMINARY SITE PLAN

FRED HUDSON PROPERTY  
CONDITIONAL USE  
BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

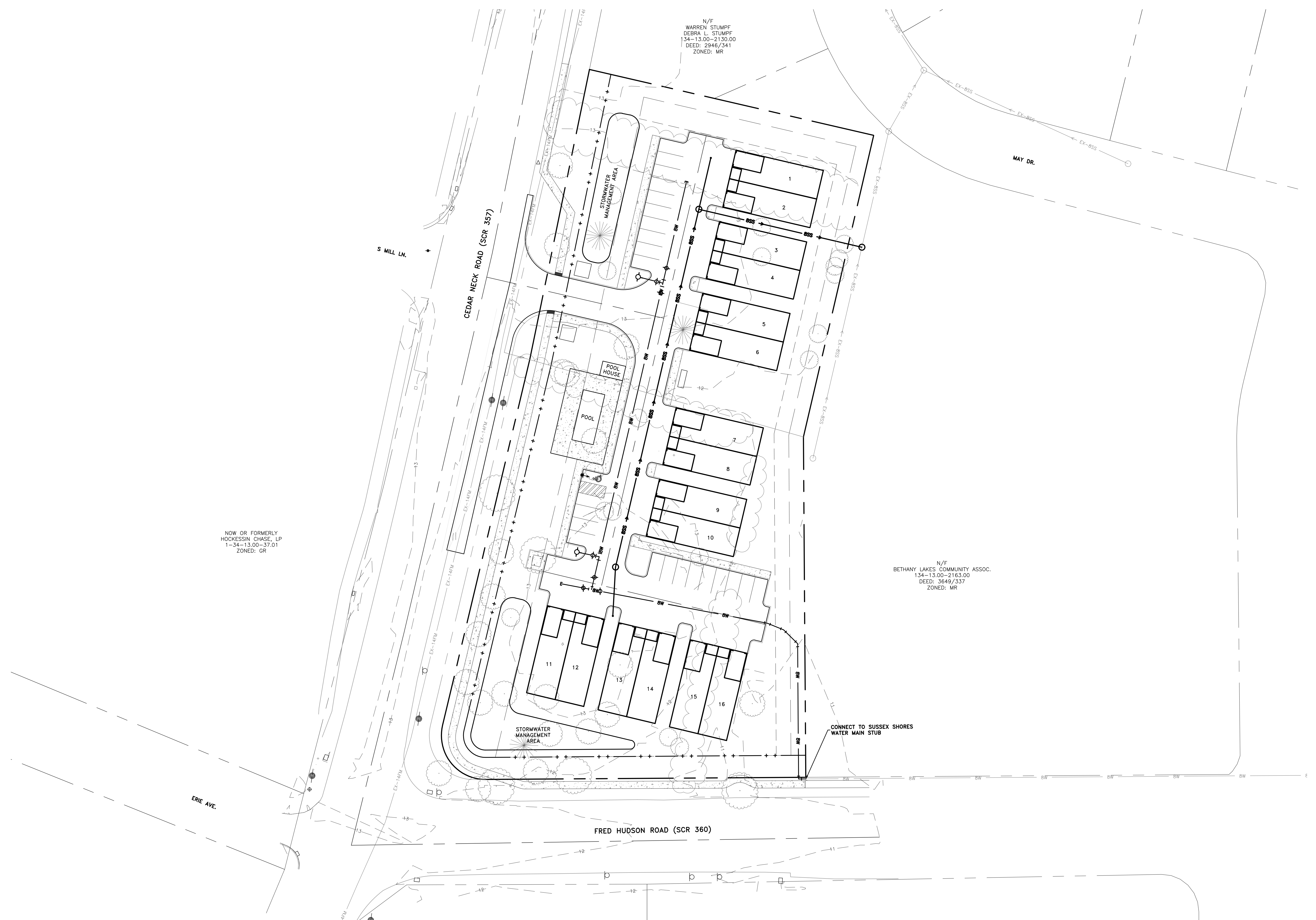
REVISIONS:  
2019-03-15 P&Z

Date: DECEMBER, 2017  
Scale: 1" = 30'  
Dwn.By: SHF  
Proj.No.: 19980006  
Dwg.No.:

PRE-02



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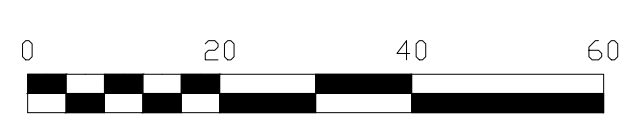


NOW OR FORMERLY  
HOCKESSIN CHASE, LP  
1-34-13.00-37.01  
ZONED: GR

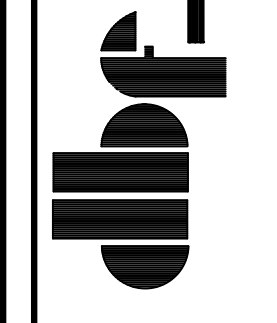
N/F  
WARREN STUMPF  
DEBRA L. STUMPF  
134-13.00-2130.00  
DEED: 2946/341  
ZONED: MR

N/F  
BETHANY LAKES COMMUNITY ASSOC.  
134-13.00-2163.00  
DEED: 3849/337  
ZONED: MR

NOTES:  
1. LOCATION OF FORCE MAIN AND GRAVITY SEWER IS APPROXIMATE BASED ON AS-BUILT INFORMATION FROM SUSSEX COUNTY AND HAS NOT BEEN FIELD LOCATED BY DBF.  
2. LOCATION OF WATER MAIN IS APPROXIMATE BASED ON PLANS FROM SUSSEX SHORES WATER COMPANY AND HAS NOT BEEN FIELD LOCATED BY DBF.



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



PRELIMINARY UTILITY PLAN

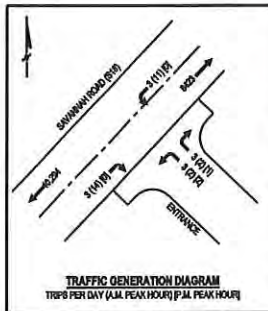
**FRED HUDSON PROPERTY**  
**CONDITIONAL USE**  
**BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE**

Date: DECEMBER, 2018  
Scale: 1" = 30'  
Dwn.By: SHF  
Proj.No.: 19980006  
Dwg.No.:

**PRE-03**

**DELDOT - SITE/RECORD GENERAL NOTES**

- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOTS) 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 5.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- IMPROPER PLANTING, BARS AND OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE RIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE RIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE RIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A BIRTH CASHEMENT SHOULD BE ESTABLISHED AND FRONTED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED RIGHT DISTANCE.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECTS PROJECT AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REPAIR ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOTS DISCRETION, AND IN CONFORMANCE WITH DELDOTS DEVELOPMENT COORDINATION MANUAL.
- 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.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOTS DEVELOPMENT COORDINATION MANUAL.

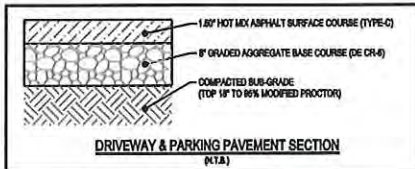
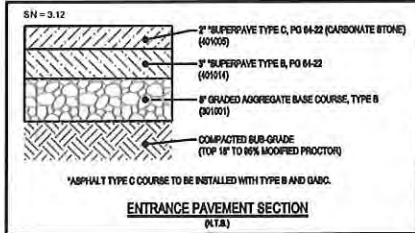


**ROAD TRAFFIC DATA:**  
FUNCTIONAL CLASSIFICATION - MAJOR COLLECTOR (ROAD - S18)  
POSTED SPEED LIMIT - 35 MPH  
AADT = 18,117 TRIPS FROM 2015 DELDOT TRAFFIC SUMMARY  
10 YEAR PROJECTED AADT = 1.9 x 18,117 TRIPS = 34,422  
10 YEAR PROJECTED AADT - SITE AADT = 20,720 ± 25,726

**SITE TRIPS GENERATED:**  
SOURCE: THE TRIP GENERATION MANUAL WITH EXHIBIT 4 "DODOT USE - GENERAL OFFICE (G.O.)" (400) - 2000-2000-2000-13 TRIPS  
ONE ENTRANCE - FULL MOVEMENT  
DESIGN VEHICLE: BU30  
TOTAL AADT: 12 (IN, 4, OUT: 8)

**DIRECTIONAL DISTRIBUTION:**  
40% IN FROM NORTH: 3 AADT (11 AM PEAK) (10 PM PEAK)  
40% OUT TO NORTH: 3 AADT (2 AM PEAK) (11 PM PEAK)  
60% IN FROM SOUTH: 3 AADT (14 AM PEAK) (10 PM PEAK)  
60% OUT TO SOUTH: 3 AADT (2 AM PEAK) (2 PM PEAK)  
10.1% TRUCKS & BUSES ± 12: 1 AADT

**TRIP GENERATION - SAVANNAH ROAD (S18)**



**GENERAL NOTES**

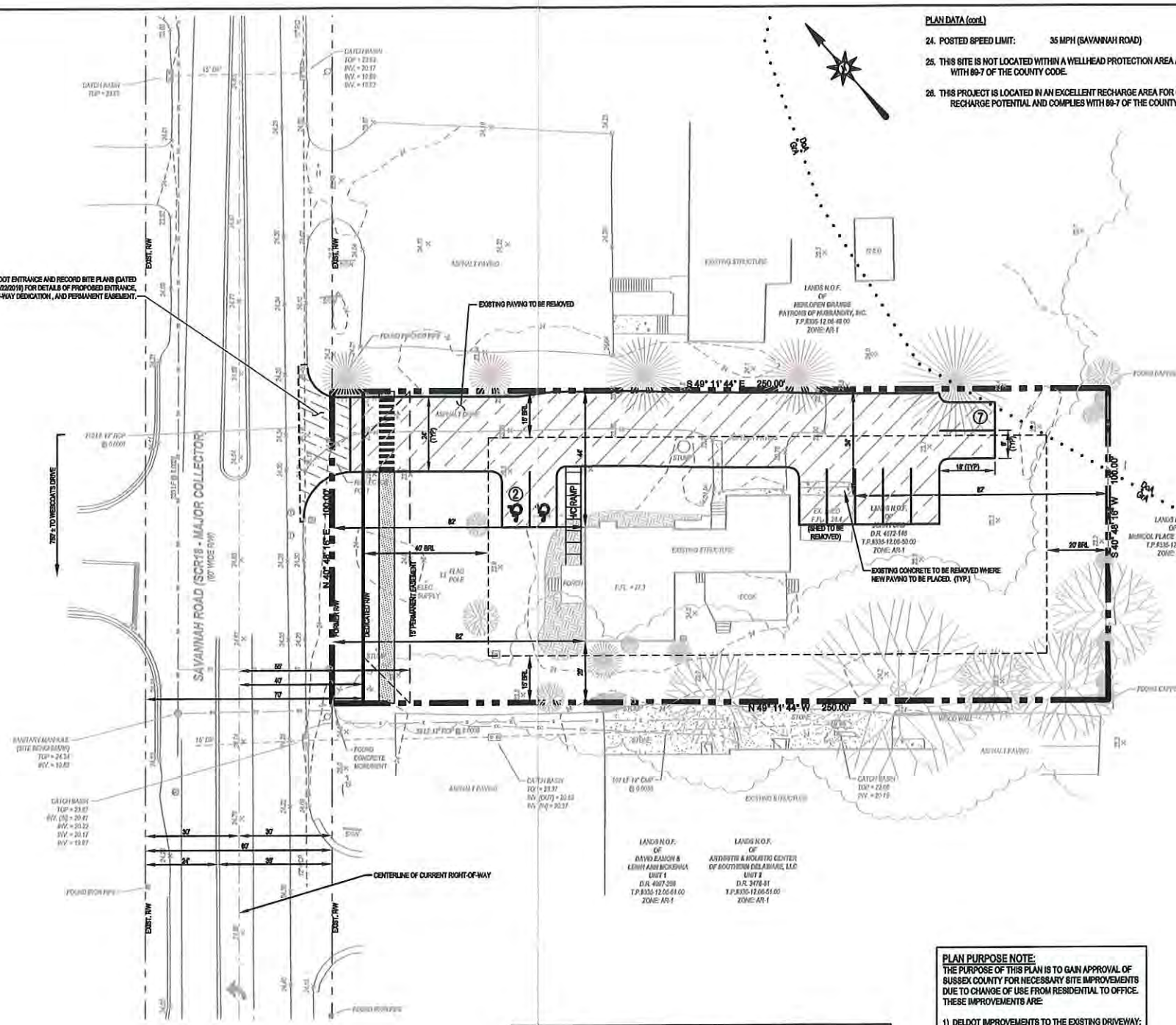
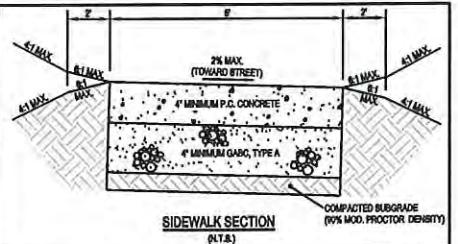
- ALL WORKS AND MATERIALS SHALL BE IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE FOLLOWING STANDARDS: DELDOT STANDARD SPECIFICATIONS, DATED 2008 OR AS LATER AMENDED; SUSSEX COUNTY CODES, STANDARDS AND SPECIFICATIONS.
- PER APPROVAL FROM SUSSEX CONSERVATION DISTRICT, DATED OCTOBER 26, 2018, THIS SITE IS EXEMPT FROM THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS, DUE TO DISTURBANCE OF LESS THAN 8000 SQUARE FEET.
- PER THE OFFICE OF THE STATE FIRE MARSHAL, NO FIRE PROTECTION SITE PLAN IS REQUIRED FOR THIS SITE.
- EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. COMPLETION OR CORRECTION THEREOF IS NOT GUARANTEED. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONTRACTING THE UTILITY COMPANIES INVOLVED TO OBTAIN THE MOST ACCURATE UTILITY LOCATION AND ELEVATION INFORMATION AVAILABLE. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGAIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST TWO WORKING DAYS IN ADVANCE. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO THE CONTRACTORS NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTORS EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELAWARE (TELEPHONE: 800-264-6655).
- THE BROKER IS REQUIRED TO EXAMINE CAREFULLY THE SCOPE OF THE WORK, THE PROPOSAL, PLANS, SPECIFICATIONS AND OTHER CONTRACT DOCUMENTS FOR THE WORK CONTRACTED AND IT WILL BE ASSUMED THAT THE BROKER IS FAMILIAR AND SATISFIED AS TO THE CHARACTER, QUALITY AND QUANTITIES OF WORK TO BE PERFORMED AND MATERIALS TO BE FURNISHED, AND AS TO THE REQUIREMENTS OF THESE SPECIFICATIONS, PLANS AND OTHER CONTRACT DOCUMENTS, AND THE BROKER MUST BE PREPARED TO EXECUTE A FINISHED JOB IN EVERY PARTICULAR WITHOUT ANY EXTRA CHARGE WHATSOEVER, EXCEPT AS MAY BE SPECIFICALLY PROVIDED FOR ELSEWHERE IN THESE CONTRACT DOCUMENTS.
- ALL NECESSARY PERMITS, LICENSES, BONDS, INSURANCE POLICIES, ETC. REQUIRED BY LOCAL, STATE, AND/OR FEDERAL LAWS SHALL BE PROVIDED BY THE CONTRACTOR AT HIS/HER OWN EXPENSE.
- THESE DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.
- THE CONTRACTOR IS RESPONSIBLE TO FIELD VERIFY ALL EXISTING CONDITIONS, LAYOUT DIMENSIONS, AND CLEARANCES SHOWN ON THE DRAWINGS. ANY DISCREPANCIES WITHIN THE DRAWINGS, EXISTING FIELD CONDITIONS, SPECIFICATIONS, CODES OR REGULATIONS ARE TO BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE START OF WORK.
- PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE IN THE AREA OF ANY POTENTIAL UTILITY CROSSING TO VERIFY THAT THE UTILITY WILL NOT INTERFERE WITH CONSTRUCTION. IF, AFTER UNCOVERING OF THE UTILITY, THERE IS ANY QUESTION CONCERNING A POSSIBLE CONFLICT, THE CONTRACTOR SHALL IMMEDIATELY CONTACT THE ENGINEER.
- THE CONTRACTOR SHALL PROTECT ALL ADJACENT AND NEARBY BUILDINGS, EQUIPMENT, UTILITIES, STRUCTURES, FENCES, TREES AND SHRUBBERY, ETC. FROM DAMAGE DUE TO EXCAVATION, DEMOLITION AND CONSTRUCTION DURING THE ENTIRE CONSTRUCTION PERIOD. ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY WILL BE REPAIRED AT THE CONTRACTORS EXPENSE.
- ALL MATERIAL STORAGE SHALL BE WITHIN THE PROPERTY BOUNDARIES AND NOT ON ADJACENT PROPERTIES.
- NO DEBRIS OR TREE STAMPS SHALL BE BURIED ON SITE. ALL SHALL BE REMOVED FROM THE SITE.
- IN AREAS WHERE ROCK OR OTHER UNSUITABLE MATERIALS ARE ENCOUNTERED, THE CONTRACTOR SHALL REMOVE ALL SAID MATERIAL AND PLACE SUITABLE MATERIAL TO PROVIDE THE REQUIRED FIRM FOUNDATION FOR ALL PAVING OR OTHER STRUCTURES, ACCORDINGLY.
- ALL DISTURBED AREAS OUTSIDE OF PAVEMENT SHALL BE TOPSOILED WITH #1 TOPSOIL, SEEDED, AND MULCHED UNLESS OTHERWISE INDICATED.
- THE BOUNDARY INFORMATION WAS TAKEN FROM A CONDITIONAL USE PLAN BY PENNONS, DATED 07/20/2018.
- NO WETLANDS ARE FOUND ON THIS SITE PER DIVISION ONLINE MAPPING SERVICE.
- MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO ANY EXCAVATION.
- THE CONTRACTOR SHALL NOTIFY DELDOT TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION.
- THE CONTRACTOR SHALL MAINTAIN PUBLIC ROADS IN A BROOD-SWEPT CONDITION AT ALL TIMES.
- THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET, OR RECONSTRUCT, ALL OBSTRUCTIONS WITHIN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, REAR DRIVEWAYS, LIGHTING, OR OTHER DAMAGE OBSTRUCTIONS. ALL TRAFFIC BARRIERS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH ANY NECESSARY RELOCATION KEPT TO A MINIMUM.
- THE BUSINESS WILL CONTINUE TO USE RESIDENTIAL-STYLE TRASH CONTAINERS. NO DUMPSTERS WILL BE NECESSARY.
- THIS SITE WILL BE CONSTRUCTED IN A SINGLE PHASE.

**LEGEND**

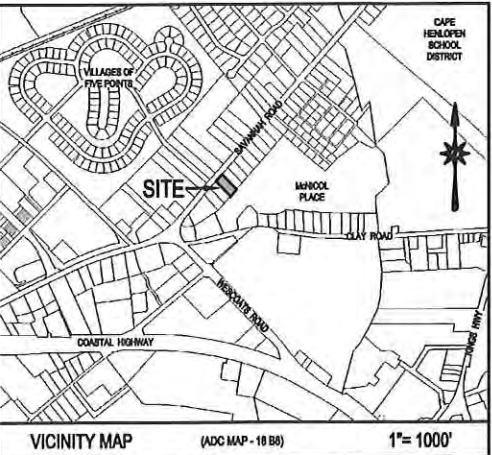
- EXISTING CONTOUR
- EXISTING UTILITY POLE
- EXISTING TRAFFIC SIGN
- EXISTING MAILBOX
- EXISTING SANITARY CLEANOUT
- EXISTING TELECOMM MANHOLE
- PROPOSED ENTRANCE PAVING
- PROPOSED DRIVEWAY PAVING
- PROPOSED 6" WIDE PCC SIDEWALK
- EXISTING ROADWAY CL STRIPING
- EXISTING RIGHT-OF-WAY LINE
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- FOUND IRON PIPE
- FOUND CONCRETE MONUMENT
- BURIED TREE LINE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING STORM DRAIN
- EXISTING SANITARY SEWER
- SOIL DELINEATION LINE AS MAP SYMBOL

**SOILS ON SITE**

MAP SYMBOL	SOIL DESCRIPTION	HYDROLOGIC SOIL GROUP
G/A	GREENWICH LOAM, 0 TO 2 PERCENT SLOPES	B
D/A	DOWNER SANDY LOAM, 0 TO 2 PERCENT SLOPES	A



- PLAN DATA (cont.)**
- POSTED SPEED LIMIT: 35 MPH (SAVANNAH ROAD)
  - THIS SITE IS NOT LOCATED WITHIN A WELLHEAD PROTECTION AREA AND COMPLIES WITH 89-7 OF THE COUNTY CODE.
  - THIS PROJECT IS LOCATED IN AN EXCELLENT RECHARGE AREA FOR GROUNDWATER RECHARGE POTENTIAL AND COMPLIES WITH 89-7 OF THE COUNTY CODE.



**PLAN DATA**

- TAX MAP NUMBER: 335-12-08-50.00  
DEED REFERENCE: D4572 PG 146
- EXISTING ZONING: AR-1
- OWNER: JOHN W FORD
- EXISTING USE: RESIDENTIAL
- PROPOSED USE: REALTY OFFICE (CONDITIONAL USE, ORDINANCE #2562)
- GROSS AREA: 0.57 ACRE  
NET DEVELOPMENT AREA: 0.38 ACRE
- HORIZONTAL DATUM: DELAWARE STATE PLANE (NAD83 USFT)  
VERTICAL DATUM: NAVD83
- WATER: PRIVATE ON-SITE WELL
- SANITARY SEWER: PUBLIC CENTRAL
- ZONING REQUIREMENTS: AR-1
- STREET SETBACK: 40'  
REAR YARD: 20'  
SIDE YARD: 15'  
CORNER SETBACK: 15'  
MAX. BUILDING HEIGHT: 42'  
LOT WIDTH: 100'  
LOT DEPTH: 100'  
LOT AREA: 20,000 SQ. FT.
- POSTAL ADDRESS: 1530 SAVANNAH ROAD, LEWES 19958
- ENTRANCE/EXIT: DIRECT ACCESS TO SAVANNAH ROAD (SCR18)
- ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SPRINKLERS, STANDPIPE CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE FIRE PREVENTION RULES AND REGULATIONS.
- FLOODPLAIN: BASED ON THE FEMA MAP PANEL: 10026C0103K, DATED MARCH 18, 2015, THE PARCEL IS SITUATED WITHIN AN "X" FLOOD ZONE.
- TOPOGRAPHIC SURVEY PERFORMED BY KARINS AND ASSOCIATES, JANV2019.
- WETLAND AREA: 0.00 AC.
- LIMIT OF DISTURBANCE: 4788 SQ. FT.
- SITE CALCULATIONS:
 

	EXISTING	PROPOSED
OPEN:	0.47 AC.	0.38 AC.
IMPERVIOUS:	0.10 AC.	0.18 AC.
OPEN PCT.:	82.5	87.7
IMPERVIOUS PCT.:	17.5	33.3
- APPROXIMATE GROSS LEASABLE FLOOR AREA: 1800 SQ. FT.
- LAND USE APPROVAL AUTHORITY: SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS
- PARKING:
 

	REQUIRED	PROPOSED
SPACES:	8 SPACES	8 SPACES
- HANDICAPPED:
 

	REQUIRED	PROPOSED
SPACES:	1 SPACE	2 SPACES
- LOADING SPACES:
 

	REQUIRED	PROPOSED
SPACES:	0	0
- LOTS:
 

	EXISTING	PROPOSED
LOTS:	1	1

**PLAN PURPOSE NOTE:**  
THE PURPOSE OF THIS PLAN IS TO OBTAIN APPROVAL OF SUSSEX COUNTY FOR NECESSARY SITE IMPROVEMENTS DUE TO CHANGE OF USE FROM RESIDENTIAL TO OFFICE. THESE IMPROVEMENTS ARE:  
1) DELDOT IMPROVEMENTS TO THE EXISTING DRIVEWAY;  
2) INSTALLATION OF PARKING SPACES;  
3) DEMOLITION OF SHED IN REAR YARD.

ALSO, SEE DELDOT ENTRANCE AND RECORD SITE PLANS, BY KARINS AND ASSOCIATES, DATED 03/22/2019.



**CONDITIONS (8) OF APPROVAL FOR ORDINANCE #2562**  
This ordinance was adopted by County Council on July 31, 2018.  
Conditional Use (CU 2137) was granted approval by the Planning and Zoning Commission on July 26, 2018 for the use of the existing residence as a REMAX realty office.  
A. As stated by the Applicant, the use shall occur within the existing structure, expanded to the rear, but maintaining its residential appearance from Savannah Road.  
B. As stated by the Applicant, the hours of operation shall be between 8:00 a.m. and 6:00 p.m., Monday through Saturday. Sunday hours shall be by appointment only.  
C. Any dumpsters shall be screened from view of neighboring properties and roadways.  
D. The Applicant shall comply with all DelDOT requirements concerning entrance, traffic, and roadway improvements.  
E. All exterior lighting shall be screened so that it does not shine on neighboring properties or roadways.  
F. With the exception of the required handicapped spaces, all parking shall be located in the rear of the property behind the office.  
G. One lighted sign shall be permitted on the property. The sign shall be no larger than 32 square feet per side.  
H. Parking shall be as required by County Code.  
I. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

**APPROVED BY:** \_\_\_\_\_ DATE: \_\_\_\_\_

**OWNER CERTIFICATION**  
I HEREBY CERTIFY THAT I AM THE LEGAL OWNER OF THE PROPERTY 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 DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

DATE: 04/11/2019

DATE: \_\_\_\_\_

JOHN W FORD (RE/MAX)  
688 YORKLYN ROAD  
HOCKESSIN, DE 19707  
(302) 234-3600 RespondToRemax@gmail.com

**SITE PLAN FOR RE/MAX - 1530 SAVANNAH ROAD**  
SITUATE IN: LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

**Karins and Associates**  
ENGINEERS • PLANNERS • SURVEYORS  
NEWARK, DE & GEORGETOWN, DE  
www.karinsandassociates.com  
17 POLLY DRUMMOND CENTER • SUITE 201  
NEWARK, DELAWARE 19711  
PHONE: (202) 369-2909 FAX: (202) 369-2975

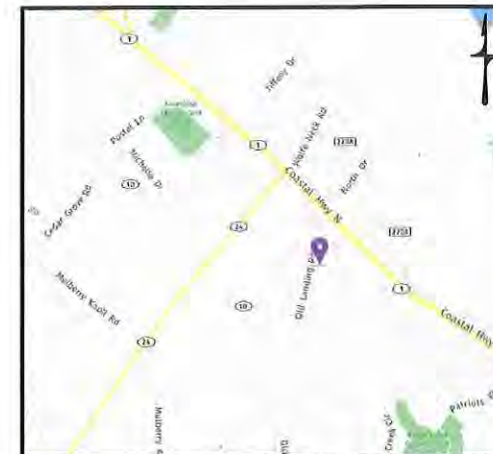
**PROPERTY ADDRESS:**  
1530 SAVANNAH ROAD  
LEWES, DE 19958

OWNER: JOHN W FORD  
688 YORKLYN ROAD  
HOCKESSIN, DE 19770

DESIGNED BY: RWS  
DRAWN BY: EG/RWS  
CHECKED BY: RWS/DS

DATE: 03/27/2019  
DRAWING NO.: 2911ACAD1S01.dwg

SCALE: 1" = 20'  
SHEET: 1 OF 1



LOCATION MAP  
N.T.S.

- LEGEND:**
- CONCRETE MONUMENT (FOUND)
  - IRON PIPE (FOUND)
  - ▼ CEDAR POST (FOUND)
  - LIMIT OF DISTURBANCE

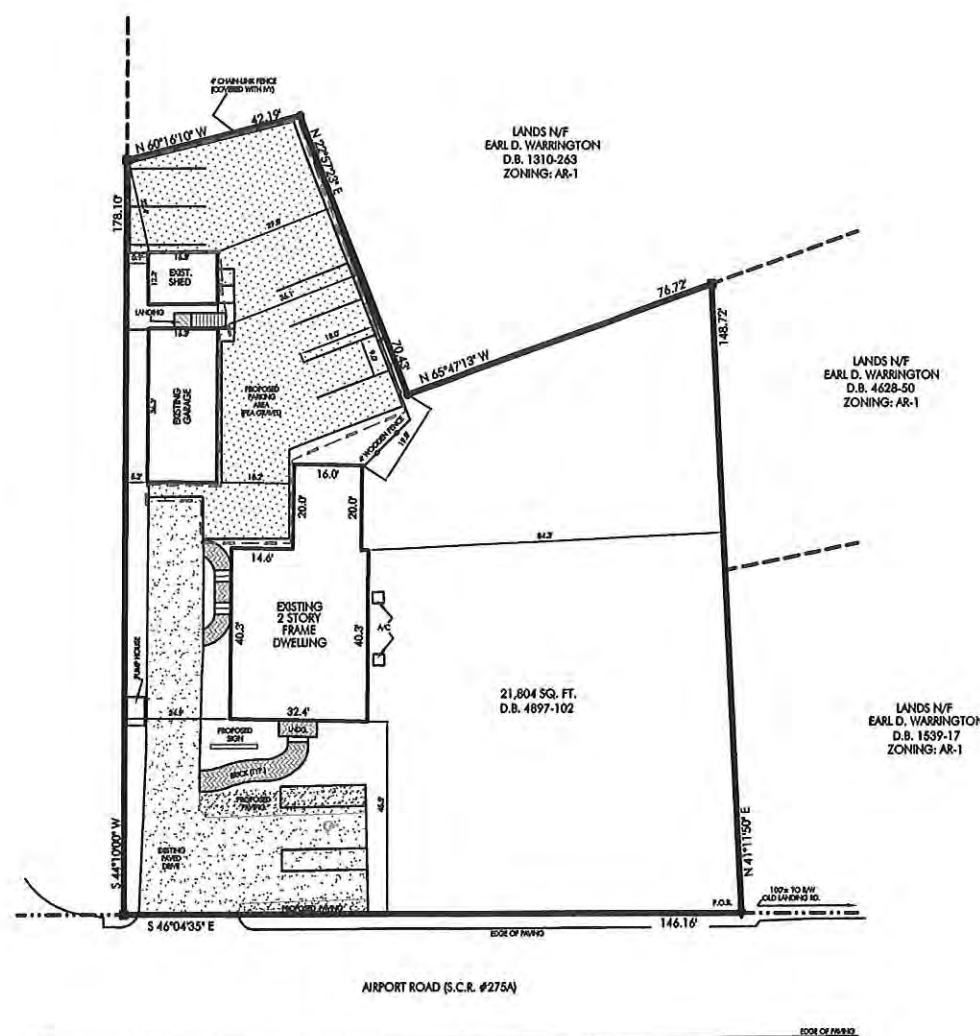
**CONDITIONS OF APPROVAL:**

A.) THE USE SHALL BE LIMITED TO A REAL ESTATE AND INVESTING OFFICE.  
 B.) ONE LIGHTED SIGN SHALL BE PERMITTED. IT SHALL NOT EXCEED 32 SQ. FT. PER SIDE.  
 C.) ANY POLE-MOUNTED LIGHTS SHALL BE DOWNWARD SCREENED SO THAT THE LIGHTS DO NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.  
 D.) THE HOURS OF OPERATION SHALL BE WEEKDAYS ONLY, FROM 8:00 AM UNTIL 6:00 PM. THERE SHALL NOT BE ANY WEEKEND HOURS.  
 E.) THE APPLICANT SHALL COMPLY WITH ALL DELDOT ENTRANCE AND ROADWAY IMPROVEMENT REQUIREMENTS.  
 F.) ANY DUMPSTERS SHALL BE SCREENED FROM VIEW OF NEIGHBORING PROPERTIES AND ROADWAYS.  
 G.) PARKING IN THE FRONT YARD SETBACK SHALL BE PERMITTED. THIS IS CONSISTENT WITH OTHER PROPERTIES IN THE AREA. NO PARKING SPACES SHALL HAVE DIRECT ACCESS TO AIRPORT ROAD AND NO VEHICLES SHALL BE PERMITTED TO BACK OUT OF A PARKING SPACE DIRECTLY ONTO AIRPORT ROAD.  
 H.) THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

**SITE DATA:**

ZONING: AR-1  
 CU 2163 APPROVED FEBRUARY 6, 2019  
 TAX PARCEL: #3-34-13.00-181.00  
 LOT AREA: 21,804 SQ. FT.  
 CURRENT USE: RESIDENTIAL  
 PROPOSED USE: REAL ESTATE & FINANCIAL OFFICE  
 PROPOSED OFFICE SPACE: 1,660 SQ. FT.  
 PARKING CALCULATION: 1 FOR EVERY 200 SQ. FT. OF FLOOR AREA  
 REQUIRED PARKING SPACES: 8  
 PROPOSED PARKING SPACES: 8  
 LOADING SPACE CALCULATION: 0  
 REQUIRED LOADING SPACES: 0  
 PROPOSED LOADING SPACES: 0  
 FEMA FIRM MAP: 10005C0332K, MARCH 16, 2015  
 MAXIMUM BUILDING HEIGHT: 42'

LANDS N/F  
 FULL THROTTLE  
 VENTURES, LLC.  
 D.B. 4078-126  
 ZONING: CR-1



AIRPORT ROAD (S.C.R. #275A)



**PROPOSED CONDITIONAL USE  
 SITE PLAN FOR  
 BELLISA, LLC.**

ADDRESS 35568 AIRPORT ROAD, REHOBOTH BEACH		JUNE 25, 2018	
HUNDRED LEWES & REHOBOTH	COUNTY SUSSEX		
STATE DELAWARE	DRAWN BY J.D.D.		
REF. D.B. 4897-102	DWG. NO. 3-34-1300-181	SURVEY CLASS: SUBURBAN	

DATE	REVISION
2/26/2019	ADJUSTED PARKING AND ADDED NOTES
4/1/2019	ADD ADA COMPLIANT PARKING SPACE, FENCING & ZONING NOTES

Prepared by:  
**FORESIGHT Services**  
 Surveying & Precision Measurement

302 226 2229 phone 302 226 2239 fax 2103A Coastal Highway Dewey Beach, DE 19971

**GENERAL NOTES:**

ALL SETBACKS MUST BE VERIFIED BY THE OWNER AND/OR GENERAL CONTRACTOR. THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY. NO TITLE SEARCH PROVIDED OR STIPULATED. SURVEY CLASS: SUBURBAN

**OWNERS CERTIFICATION**

WE, BELLISA, LLC, CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAN AND THE LAND USE ACTION PROPOSED BY THIS PLAN IS OUR DIRECTION.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

