

Supplemental Packet

for Planning & Zoning Commission Meeting on November 12, 2020

November 11, 2020

From: Jay Tomlinson <jaythrrep@gmail.com>
Sent: Wednesday, November 11, 2020 4:40 PM
To: Planning and Zoning <pandz@sussexcountyde.gov>
Cc: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>; Ernesto Lopez <Ernesto.Lopez@state.de.us>; Peter C. Schwartzkopf <Peter.Schwartzkopf@state.de.us>; Steve Smyk <Steve.Smyk@state.de.us>; Marc Cote <marc.cote@delaware.gov>; Ted Becker <tbecker@ci.lewes.de.us>; IG Burton <IG@IG944.com>; Nicole Majeski <nicole.majeski@state.de.us>; Michael Hahn <MichaelC.Hahn@delaware.gov>; Mary Roth <MRoth@delawaregreenways.org>; Todd F. Lawson <tlawson@sussexcountyde.gov>
Subject: P&Z 11/12/20 Hearing, CZ1932 Jeff-Kat, LLC (Big Oyster Brewery)

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Planning & Zoning Commissioners et al:

On Thursday November 12th, the Sussex County Planning & Zoning will be presented with a change of zone application, CZ1932. The zoning change application is notable because the AR1 to C3 Heavy Commercial property fronts Kings Highway and because once again, the process to bring an application before Planning & Zoning does not include the necessary discussions to make an educated land use zoning decision. The impact of the zoning decision on full implementation of the Kings Highway Master Plan as designed is not known because the zoning change does not require consultation with DelDOT about Master Plan implications or a site plan.

Please see the attached photo. The existing Big Oyster parking lot footprint is almost part of Kings Highway. It could be assumed that the land under acquisition and zoning application might follow a similar footprint. Consider the strip mall across the street. Prior decisions have allowed both properties maximum sizing encroachment on Kings Highway leaving very little room for road expansion.

Just last July 14th there was a fire drill CZ1912, Beach and Bay, LLC, AR1 to C2 where during the SCC hearing Jamie Whitehouse acknowledged in response to a question from IG Burton that DelDOT nor the Lewes Scenic Byway Committee were consulted prior to the application coming before Council. At the time, it sounded like future applications would include this review. ROW and landowner knowledge about Kings Highway ROW requirements remain unknown until submission of a site plan.

Starting Monday, Kings Highway will have a new traffic signal at Clay Road and Kings Highway. Amazingly, the long overdue signal is being implemented without consideration of the impacts on the CTP/Kings Highway Master Plan. The light is an interim installation and will need complete modification and expansion when the Master Plan is implemented. The Clay Road - Kings Highway intersection will be a complicated matter when the Village Center and Townsend properties come online and will require a lot of ROW for Right, Left, Straight, shoulders and more.

Why is the Kings Highway Master Plan critical to those that live, work and use Kings Highway? The short answer is traffic management and preservation of the character of the Gateway to Lewes. The Master Plan calls for a median separated dualized roadway that requires a specific amount of real estate for the intended design to be realized. **The Master Plan is scheduled to begin design next spring, 2021.**

Most of you receiving this email know about Secretary Jennifer Cohan's assurances and have received information from us about the 10% Plan. The 10% Plan asked to have ROW requirements defined immediately that would have included the Big Oyster and First Baptist Church of Lewes frontage. What we are seeing happen is very different than we had expected. We continue to see piecemeal requests for zoning changes along the corridor that do not incorporate the CTP/Kings Highway Master Plan requirements along with DeIDOT and County land use decisions.

Our opposition is not about this zoning change, but the continued practice of parcel at a time approvals along the corridor without a site plan or the consultation of DeIDOT, City of Lewes, landowners or community leadership organizations such as the Lewes Scenic Byway Committee. All parties must know the plan in advance and know how much land will require dedication to allow for full implementation of the Kings Highway Master Plan. We now know that the Church planned expansion north of parcel has implications on this zoning as well as a larger stretch of Kings Highway ROW frontage.

Please take the time to require documentation that First Baptist Church of Lewes and Jeff-Kat, LLC know that some portion of Kings Highway frontage will be required by the CTP/Kings Highway Master Plan and will not be available for their expansion plans.

The CZ 1932 Planning & Zoning Packet includes a "Service Level Evaluation Request" from DeIDOT that states a TIS is not required. Might we recommend that this DeIDOT template document (attached) also be used to share DeIDOT's knowledge with the Commission about timing and details of near term approved DeIDOT projects that effect the applicants and the Commissions decisions.

Let's not look back in 5 years and wonder what went wrong with Kings Highway corridor planning on the doorstep to the City of Lewes.

Thank you.

Jay Tomlinson
[Citizens for Responsible Kings Highway Development](#)
32715 Hastings Drive
Lewes, DE 19958
856-906-0605
jaythrrep@gmail.com



Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, October 29, 2020 9:38 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

Categories: Jamie

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OCT 29 2020

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, October 29, 2020 - 9:37am

SUSSEX COUNTY
PLANNING & ZONING

Name: Robert Harris
Email address: bobinbethany@gmail.com
Phone number: 3028413767
Subject: Proposed Coastal Area Ordinance
Message:
Planning and Zoning Commission Members:

The ordinance introduced by County Council on Tuesday would greatly diminish the value of land in the Coastal Development area. These are areas that are targeted for growth in the Comprehensive Plan. Much of the Coastal Development areas are served by public utilities. Reducing density arbitrarily by applying a "Fit Plan" to these areas guarantees that it will not be developed even if there are adequate public facilities including water and county sewer to serve the properties.

Restricting this development will greatly devalue the County's investment in public sewer.

The Ordinance as written will stop growth in the Environmentally Sensitive Developing areas. Although they may be zoned AR1-1, for many of the properties the correct zoning would be MR with appropriate environmental restrictions to protect resources.

I urge you and your colleagues on the Commission to reject this ordinance. It will do unnecessary harm to the growth of Sussex County and to the citizens and businesses that rely on this growth for the welfare of themselves and their families.

Bob Harris

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, November 9, 2020 11:27 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Monday, November 9, 2020 - 11:26pm

Name: Boe Daley
Email address: bojangles21@comcast.net
Phone number: 18568893731
Subject: Cluster Subdivision Ordinance Amendment

Message:

It was my understanding that the original Cluster Subdivision Ordinance was put into place to give the building industry a shot in the arm after the economy went south in 2008. Obviously that is no longer necessary, but what is necessary, is to improve superior design standards in all of Sussex County, not just all but the Coastal Area. I hope you will consider including it, as well.



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NOV 09 2020

SUSSEX COUNTY
PLANNING & ZONING

November 5, 2020

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

Dear Director Whitehouse:

RE: Comments to Proposed Amendment to Section 115-194.3

Statement Regarding Proposed Exemption, Presumably to Avoid Retroactive Application of Amendment, Needs Clarification

We note that the proposed Amendment states that “[e]xisting developments and developments which have filed for approval as of the date of this section[]” will be exempted from compliance with the amended Section 115-194.3.

We disagree that the proposed amendment to Section 115-194.3 presents a retroactivity problem for any application submitted after December 4, 2018 and not approved. While retroactive application of legislation is generally to be avoided because it tends to undermine the expectations of persons acting in reliance upon the law as it existed at the time they submitted their application, this is not the case here. Applicants submitting their application after December 4, 2018, cannot claim detrimental reliance on the law extant prior to the proposed amendment of Section 115-194.3, to avoid complying fully with the Comprehensive Plan. We also note that the proposed amendment merely implements the Comprehensive Plan and primarily concerns procedure and not substance and is another important fact arguing against allowing this exemption. We, therefore, urge the County to make it clear that any application submitted after December 4, 2018, must meet the requirements of the Comprehensive Plan and Section 115-194.3, as amended.

Alternatively, the County should make clear that any application filed after December 4, 2018, and not approved, must comply in all respects with the Comprehensive Plan as well as those provisions contained in the proposed amendment to Section 115-194.3, that are procedural in nature and relate to and implement the Comprehensive Plan.

Requiring a Description versus an Affirmation of How the Application Conforms to the Comprehensive Plan Does Not Go Far Enough

While requiring a “description” rather than the mere affirmation of compliance is an improvement, applicants should be required to provide in a narrative format a submission akin to a detailed and specific bill of particulars, with citation to supporting evidence or authority, for and demonstrating compliance with all relevant goals and objectives contained in the Comprehensive Plan.

The County is Strongly Urged to Consider Additional Amendments of the Land Use Regulations to Give the Reviewing and Decision-Making Authorities the Ability to Consider and Address the Adverse and Cumulative Impact of Individual Subdivision Development

The Comprehensive Plan requires the County to consider the cumulative impact of reasonably foreseeable development. See Goal 4.1 (Manage the impacts of future growth and development to better preserve the quality of life of the County), and Chapter 4 generally.

Conspicuously absent from the current land use regulations are effective rules and standards that would permit the reviewing and decision-making authorities to seek solutions to the adverse cumulative impacts of individual subdivision development.

The County is Strongly Urged to Consider Additional Amendments of the Land Use Regulations to Make it Clear that Many, if not Most, of the Land Use Decisions to be Made in this Area May Involve and Require Negotiation with Adjacent Properties.

The Comprehensive Plan requires the County to ensure that the concerns of nearby and adjacent landowners are fully considered and addressed in a collaborative fashion. See Goal 4.4 (Minimize the adverse impacts of future development on existing developments).

We note that existing land use regulations contemplate some form of negotiation between the applicant and parties in interest in the proposed development. See Section 115-25(F)(4) (The Sussex County Planning and Zoning Commission may add conditions to approval of any development to protect adjacent properties and the natural environment).

We strongly urge the County to consider adding additional amendments to the land use regulations to make it clear that negotiations between the applicant and parties in interest is expected and will be part of the decision-making process. We suggest, at a minimum, that a regulation requiring the parties to meet and confer about items of concern, with a goal of identifying and resolving issues, be enacted and made part of the initial application process.

Thank you.

Regards,

/signed/

Dianne L. Besso

HOA President, Bay Front at Rehoboth
23255 Horse Island Road
Lewes, DE 19958
302-947-9142

From: Robert Tunnell III <rtunnell@potnets.com>

Sent: Monday, November 9, 2020 1:19 PM

To: Doug Hudson

Subject: Coastal Area Ordinance Comments

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Doug,

The proposed ordinance as currently written has a number of both major and technical issues. The yield plan would dramatically reduce density and all the design criteria apply to every zoning classification within the Coastal Area.

The changes to Cluster Subdivision design criteria should not be added to §115-194.3. This is a supplementary regulation section that creates to “Coastal Area” overlay district. Adding design criteria to this section of the code actually complicates and confuses the requirements even more. Not only do you have to meet these design criteria, but also the design criteria in §99.

1. Yield Plan—(lines 166-180) The yield plan needs to be removed from the proposed ordinance. The only purpose of the yield plan is to reduce density to around 1 unit/acre and create sprawl. This was understood and changed by County Council 18 months ago when passing the AR/Cluster ordinance.
2. The Ordinance applies to all zoning classifications—(lines 65-76) Why should the subdivision design criteria, environmental assessment, etc. apply to Commercial Zoning, Industrial Zoning, or Conditional Use Applications? As currently written the proposed ordinance makes ‘any activity that requires a permit’ (line 76) apply all the design standards to that permit application.
3. Technical Issues—
 1. Lines 212-241—D.(2)[2][c][i] to [vi] The list of 6 adjacent open space areas is technically incorrect and the last two, [v] and [vi] are not labeled correctly and should not be part of the list. [v] should be D.(2)[2][d] and [vi] should be D.(2)[2][e]
 2. Lines 229-234-- D.(2)[2][c][vi] The definition of open space in §115-4 allows for impervious areas of pathway systems (up to 15% impervious), this section of the proposed ordinance does not. This poses an issue with ADA access and construction of pathway road crossings.

I need to read through the proposed ordinance some more, but the issues outlined here are the first problems I saw. Let me know if you have any questions.

Thanks,
Robert W Tunnell, III

Tunnell Companies L.P.

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Potnets.com
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From: webmaster@sussexcountyde.gov <webmaster@sussexcountyde.gov>
Sent: Wednesday, November 11, 2020 3:18 PM
To: Planning and Zoning <pandz@sussexcountyde.gov>
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 11, 2020 - 3:17pm

Name: Linda B Gumeny
Email address: lbgumeny@gmail.com
Phone number: 2012070918
Subject: Ord 20-05 The Coastal Area

Message:

I commend the proposed revisions to this ordinance. However, I suggest the language regarding wetland buffers be more explicit to prohibit any grading or removal of vegetation within the minimum 25-foot wetland buffer.

I also think there should be a minimum 20-foot landscaped buffer surrounding the entire development -- particularly where residential zones abut commercial zones.

thank you

Natelli Communities

Mr. Robert C. Wheatley, Chairman
Mrs. Kim Hoey Stevenson, Vice-Chairman
Mr. R. Keller Hopkins
Mr. J. Bruce Mears
Mrs. Holly Wingate

November 11, 2020

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

Re: Ordinance Regarding the Coastal Area

Summary

This ordinance will have a detrimental impact on Sussex County. One of the key components of this ordinance is the forced implementation of a yield plan. Implementing a yield plan across all zoning within the Coastal Area (formally known as the Environmentally Sensitive Developing District) will have an adverse economic impact on Sussex County. For the purposes of this argument we will focus examples that were previously AR zoned parcels in the former Environmentally Sensitive Developing District overlay zone, or now known as Coastal Area, at the time of their approval, to explain these impacts in detail.

Density

The Yield Plan

The code currently allows applicants to submit proposed subdivisions as clusters with densities not exceeding 2.17 DU/AC within the Coastal Area. These site plans can utilize 7,500 SQFT lots and must include amenities, open spaces (30% currently required), sidewalks and other site-specific details. An application for an AR-1 subdivision must meet all requirements of the Sussex County Zoning and Subdivision ordinances and follow the Code's review and approval process. This process requires that an AR-1 subdivision application be prepared by a qualified professional, submitted with applicable fees and supporting materials, reviewed by planning and engineering staffs, reviewed and approved by relevant governmental agencies and reviewed and approved by the Planning and Zoning Commission after conducting a public hearing. After the public hearing, the Planning and Zoning Commission will approve

or deny the AR-1 subdivision, based on the application and public record, and may impose conditions on approval all in accordance with the review criteria contained in the applicable County codes and ordinances.

The proposed ordinance would require:

The applicant must submit a "yield plan" that accurately depicts the maximum number of dwelling units possible on the same tract under current applicable conventional (non-cluster/non-Coastal Area) development regulations.

The definition of a conventional (non-cluster/non-Coastal Area) dwelling unit in the AR-1 zone is a 20,000 square foot lot.

For context in explaining our argument, we wanted to use existing approved developments within the Coastal Area.

Example 1: Batson Creek Estates

- The parcel is 55.2 +/- acres located on Bayard Road just north of Zion Church Road and across from The Hamlet at Derrickson Pond.
- Record Plan Approved June 19, 2014
- Approved Density 1.99 DU/AC
- 110 Lots Total
- AVG. Lot Size 8,498 SQFT
- Open Space 31.33%

Batson Creek Estates, an approved Environmentally Sensitive (now Coastal Area) Cluster Subdivision in the AR-1 Zone, has an area of 55.2 +/- acres and a density of 1.99 DU/AC. The total number of lots in the subdivision are 110 and there is 25.5 acres of open space (which equates to 46% of the total acreage). Of the total open space 17.29 acres or 31.33% are dedicated to private open space and stormwater management. **See Exhibit A Recorded Major Subdivision Plan – Environmentally Sensitive Cluster Subdivision Option – AR-1 Zone – Batson Creek Estates**

If we were to take this same parcel under the proposed ordinance and sketch a yield plan based on conventional (non-cluster/non-Coastal Area) development regulations, the same 55.2 +/- acres parcel would yield 49 lots. This would be a reduction in density to 0.89 DU/AC. **See Exhibit B – Batson Creek Estates – Sample Yield Plan.** The 49 lots would then be condensed to a portion of the development with the option to build lot sizes to a minimum of 7,500 SQFT.

Alternatively, Batson Creek Estates could be developed as a standard subdivision. The standard subdivision would have the same lot size and density as the yield plan shows, 49 lots at 20,000 SQFT each, with no amenities and less required open space.

Example 2: Seagrove

- The parcel is 90.0 +/- acres located on Irons Lane between Route 26 and Old Mill Road.
- Record Plan Approved December 9, 2017
- Approved Density 2.11 DU/AC
- 191 Lots Total
- AVG. Lot Size 8,456 SQFT
- Open Space 46.3%

Seagrove, an approved Environmentally Sensitive (now Coastal Area) Cluster Subdivision in the AR-1 Zone, has an area of 90.0 +/- acres and a density of 2.11 DU/AC. The total number of lots in the subdivision are 191 and there is 41.72 acres or 46.3% that is private open space and stormwater management. **See Exhibit C – Recorded Master Subdivision – Environmentally Sensitive Cluster Option – AR-1 Zone - Seagrove**

If we were to take this same parcel under the proposed ordinance and sketch a yield plan based on conventional (non-cluster/non-Coastal Area) development regulations, the same 90.0 +/- acres parcel would yield 100 units. This would be a reduction in density to 1.1 DU/AC. **See Exhibit D – Seagrove – Sample Yield Plan.** The 100 lots would be condensed to a portion of the development with the option to build lot sizes to a minimum of 7,500 SQFT.

Alternatively, Seagrove could be developed as a standard subdivision. The standard subdivision would have the same lot size and density as the yield plan shows, 100 lots at 20,000 SQFT each, with no amenities and less required open space. The open space calculated under the standard subdivision plan for Seagrove is 30.33 acres or 33.7%, a reduction of 16.3 acres of open space from the approved plan. To drill down on the open space, there are 12 +/- acres of isolated wetlands on the property included in the open space calculation. Which would mean the open space outside of the wetlands being permanently reserved in the standard subdivision plan consists of 18.33 acres.

As it is shown by the two examples, the implementation of a yield plan inherently reduces density. These sites are vastly different in their shapes and environmental features to show some distinction in how the yield plan is applied across different parcels.

Proposed Ordinance in Conflict with the Sussex County Comprehensive Plan

The Sussex County Comprehensive Plan of Sussex County states:

4.4.2.1 Growth Areas

This plan seeks to encourage the County's most concentrated forms of new development to Growth Areas, including most higher density residential development and most commercial development. While Coastal Areas are considered Growth Areas, the County encourages only appropriate forms of concentrated new development in these areas, especially when environmental features are in play.

The Growth Areas that are defined in the Comprehensive plan are Municipalities, Town Centers, Developing Areas, Coastal Areas, Existing Development Areas, Commercial Areas, and Industrial Areas. The Comprehensive Plan goes on to give a definition of appropriate densities under the Coastal Area.

Density (Sussex County Comprehensive Plan, Pg. 4-16)

Sussex County's base density of 2 units per acre is appropriate throughout this classification; however, medium and higher density (4-12 units per acre) can be appropriate in certain locations. Medium and higher density could be supported in areas: where there is central water and sewer; near sufficient commercial uses and employment centers; where it is in keeping with the character of the area; where it is along a main road or at/or near a major intersection; where there is adequate Level of Service; or where other considerations exist that are relevant to the requested project and density. A clustering option permitting smaller lots and additional flexibility in dimensional standards is encouraged on tracts of a certain minimum size, provided significant permanent common open space is preserved and the development is connected to central water and sewer service. The preservation of the natural resources or open space is strongly encouraged in this land use classification. The County should revisit environmental protection in the Coastal Areas.

The key takeaway from the Comprehensive Plan is that Sussex County has a base density of 2 units per acre. The issue with the yield plan is that there is no way possible to achieve 2 units per acre when implementing it practically and the ordinance is in direct conflict as the attached **Exhibits A through F** show.

Economic Impact of the Proposed Ordinance

The reduction of density due to the implementation of a “yield plan” will have an adverse economic impact on Sussex County and its stakeholders.

Impact on Farmers

The economic impact to Farmers will be the most significant. There are generations of Farmers in Sussex County who rely on the development rights of their property when agricultural production does not meet the thresholds needed to sustain operations from year to year. A mechanism the Farmers can use is borrowing money from the lending institutions by leveraging the land that they own. The lending institutions appraise the farmland not by the agricultural output of the land but the development potential that land may have. Currently in the Coastal Area, that by-right development potential of 2.17 DU/AC is used in the appraisal process. This is a significant benefit to Farmers who want to keep farming in Sussex County by allowing them to borrow against the value of their property to upgrade equipment and possibly purchase additional farmland. By implementing a yield plan in the Coastal Area, the inherent reduction of density as shown with the Batson Creek Estates and Seagrove examples, will have a negative economic impact on the property values. The by-right development potential of a farmer's property will now be reduced to half of what it was before, which means farmers will have a lower land value to borrow against.

Impact on Landowners

Continuing to use Batson Creek Estates as an example, the subdivision was bought from the landowner based on a formula determined by the number of dwelling units that could be approved and planned on the 55.2 +/- acres. Many developers in the industry use this formula (# of Lots x \$X.XX = Purchase Price) when engaging in land deals, because it is an easy way for the landowner to see the value in their land. The alternative is by a per acre price. The raw per acre price is calculated in a similar fashion that derives from the number of dwelling units that could be approved or planned on a parcel.

Land values for residentially zoned properties are generally based on location, density, the cost of site work, infrastructure, and amenities to serve the lots, and the sales price of finished lots. The price a developer can pay a land owner for a property is determined by the following analysis: 1) how many lots can be developed, based on an approved preliminary plan; 2) how much the infrastructure and amenities will cost, based on a thorough study of the property and an estimate from a reliable contractor; 3) how much a builder will pay for each finished lot, based on location, square footage, community amenities and market factors; and 4) an acceptable rate of return for the developer's services. The developer evaluates the anticipated revenue from lot sales versus the costs of development to arrive at a price that it can pay for the land. A higher number of total units (110 as opposed to 49, for example) will increase the property value by producing greater revenues from lot sales, although there will be some extra infrastructure costs for additional lots (more streets, utility lines, sidewalks, etc). Fewer lots will reduce lot sale revenue proportionally, although the major infrastructure costs (off-site improvements, DelDOT entrances, primary subdivision streets and utility lines, amenities) will be the same regardless of the number of lots. A reduction of density by more than 50%, as would be the case for the Batson Creek Estates project, will reduce land values drastically and could result in landowners deciding they cannot afford to sell or developers deciding their land as not viable for development.

Impact on Business and Economic Development

The proposed changes will adversely affect business by limiting the availability of affordable housing for working families in the Coastal Area, thereby increasing the cost of living for the work force, limiting the pool of employees and increasing the cost of doing business in Sussex County. In addition, the employees of existing and new businesses will be forced to travel greater distances to the central and western part of Sussex County to find available affordable housing. The longer commutes for these employees will result in an adverse impact to the wider road network in the central and western part of the County, and further increase the cost of public infrastructure maintenance.

Another important factor for new businesses making decisions on relocating or opening a new operation in Sussex County is evaluation of the pool of qualified employees when choosing the location for the place of business. If the pool of available employees is not present in the Coastal Area, the opportunity for a diverse and balanced community of both working families and retirees moving from other states is not achievable.

Impact on Developments Overall

Development costs of a subdivision that must be absorbed across all planned lots are a major consideration when a developer is identifying the viability of a project. The larger of those cost items are DeIDOT entrance improvements, amenities, and offsite infrastructure extensions.

DeIDOT entrance improvements will not change with the proposed ordinance. DeIDOT requires that any project having frontage on any DeIDOT road must improve the DeIDOT road for the entire length of the property's frontage. The ability of a developer to absorb the impact of those costs across a greater number of lots within the development alleviates the burden and helps recoup the costs of the improvements.

Amenities such as pools and clubhouses come at a cost also. It is difficult to build a meaningful amenity without the density to support the cost of the construction of the facilities.

Extensions of offsite county and private infrastructure is another large cost that is typically imposed on the developer. The extension of county sewer and the privately franchised sewer and water utilities all come at significant costs that are absorbed across the lots within the subdivision.

All these improvements are fixed costs, and the lack of adequate density over which to spread those costs will only inflate the market price for a new home by around **25-40%**, making the housing market less affordable.

Other aspects of developments that will inflate due to reduced density are the HOA costs. Most HOA's in the Coastal Area offer services and operations, such as lawn maintenance, community management, SWM maintenance, trash removal, etc. All of which is a cost that is shared between all owners within that development. The more lots available to spread the costs across the lower the HOA dues will be.

Impact on Sussex County

The reduction in density will have a lasting impact on the County. It will create sprawl, forever setting the landscape of the County. The revenue from transfer taxes will be reduced and there will be decline in building permits.

The County will also see builders and developers try and increase their new construction homes values to cover fixed costs impacted by the reduction in density, which will make housing in Sussex County less affordable in the areas it should be more affordable.

Since the County plans for 4 DU/AC of sewer infrastructure on all undeveloped land within or adjacent to a sewer development district, now only a portion of that sewer will be utilized. When parcels are developed, there are certain infrastructure costs that are fixed for the County, just as they are fixed for a Development, such as a pump station, offsite gravity sewer or offsite mainline outfall; and the cost of the sewer rates and connection fees could only be expected to increase to accommodate the maintenance and operation of the those infrastructure items.

Conclusion

The bottom line is this proposed ordinance will reduce the densities allowed in the Coastal Area, which conflicts with the Sussex County Comprehensive Plan. This change will reduce raw land values, negatively impacting Sussex County stakeholders and inflate housing prices, making new home construction less affordable. It is inconsistent with smart growth principles with an adverse economic impact that will affect Sussex County.

Respectfully,

By: TNJR
Thomas Natelli, Jr.

cc: Vince Robertson, Assistant County Attorney

/enclosures

EXHIBIT A

Recorded Major Subdivision Plan
Environmentally Sensitive Cluster Subdivision Option – AR-1 Zone
Batson Creek Estates

RECORD MAJOR SUBDIVISION PLAN AR-1 CLUSTER DEVELOPMENT OPTION FOR PROPERTY KNOWN AS: BATSON CREEK ESTATES

- NOTES:**
- FOR THE MAINTENANCE AND OPERATION OF STREET AND ROAD IMPROVEMENTS, SURFACE DRAINAGE FACILITIES, EROSION AND SEDIMENT CONTROL FACILITIES, SANITARY SEWER FACILITIES, WATER SUPPLY FACILITIES OR OTHER IMPROVEMENTS WHICH MAY BE APPLICABLE REFER TO THE DECLARATION OF COVENANTS AND RESTRICTIONS.
 - EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT "MISS UTILITY" 1-800-282-8555 (3) THREE DAYS PRIOR TO CONSTRUCTION IN ORDER TO VERIFY AND ALLOW FOR THEIR LOCATION AND DEPTH IN THE FIELD.
 - THE CONTRACTOR SHALL PRESERVE ALL TREES ON THE SITE EXCEPT WHERE NECESSARY TO CONSTRUCT PROPOSED STREETS, BUILDINGS, STORM WATER MANAGEMENT FACILITIES, UTILITIES, DRIVEWAYS, OR PARKING AREAS.
 - NO DEBRIS WILL BE BURIED ON THIS SITE.
 - THE STREETS WITHIN THIS SUBDIVISION ARE TO REMAIN PRIVATE AND ARE TO BE CONSTRUCTED IN ACCORDANCE WITH SUSSEX COUNTY MINIMUM STANDARDS.
 - MAINTENANCE OF THE STREETS WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH. WHEN ALL LOTS ARE PURCHASED, THE PROPERTY OWNERS WILL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF THE INTERIOR STREETS. THE STATE ASSUMES NO RESPONSIBILITY FOR FUTURE MAINTENANCE OF THE STREETS.
 - ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENTS CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
 - THE MINIMUM CUL-DE-SAC PAVED RADIUS SHALL BE THIRTY EIGHT FEET (38').
 - ALL INTERIOR LOT LINES ARE RESERVED FOR THE CENTERLINE OF A TEN (10) FOOT WIDE DRAINAGE AND/OR UTILITY EASEMENT. ALL PERIMETER LOT LINES SHALL HAVE TEN (10) FOOT EASEMENTS ALONG THE INTERIOR SIDE OF THE PERIMETER BOUNDARY. ALL PRIVATE STREET RIGHT-OF-WAYS SHALL HAVE A TEN (10) FOOT EASEMENT ALONG THE EXTERIOR SIDE OF THE RIGHT-OF-WAY.
 - WHEN LAND BEING SUBDIVIDED CONTAINS WETLANDS, EITHER STATE OR FEDERAL, THE DEEDS FOR THOSE LOTS SHALL CONTAIN A DISCLOSURE STATEMENT THAT READS "THIS SITE CONTAINS REGULATED WETLANDS. ACTIVITIES WITHIN THESE WETLANDS MAY REQUIRE A PERMIT FROM THE U.S. ARMY CORPS OF ENGINEERS AND/OR THE STATE OF DELAWARE."
 - MOBILE HOMES ARE PROHIBITED FROM BEING USED AS DETACHED SINGLE FAMILY DWELLINGS ON INDIVIDUAL LOTS.

- THIS PROPERTY MAY BE 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 ENJOYMENTS OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
- THIS SITE IS LOCATED WITHIN ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ZONE "X", AREAS OF 0.2% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN ONE FOOT OR WITH DRAINAGE AREAS LESS THAN ONE SQUARE MILE; AND AREAS PROTECTED FROM LEVEES FROM 1% ANNUAL CHANCE FLOOD, AND ZONE "AE", BASE ELEVATION DETERMINED (ELEVATION 5) AS DESIGNATED ON THE FLOOD INSURANCE MAP NUMBER 1000506353 LAST REVISED 06 JANUARY 2005.
- NO SITE PREPARATION, SITE DISTURBANCE, EXCAVATION OR OTHER CONSTRUCTION ACTIVITY SHALL TAKE PLACE UNTIL ALL PERMITS HAVE BEEN ACQUIRED BY THE DEVELOPER AND THE FINAL SUBDIVISION PLAT HAS BEEN APPROVED AND RECORDED.
- THIS DRAWING DOES 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 THERETO APPURTENANT.
- LOT NOS. 1-4 & 58-60 SHALL BE REQUIRED TO TAKE ACCESS FROM AND INTERNAL SUBDIVISION STREET ONLY. NO DIRECT VEHICULAR ACCESS TO SUSSEX COUNTY ROAD NO. 384 WILL BE PERMITTED.
- THE TAX DITCH RIGHT-OF-WAYS ARE SHOWN IN ACCORDANCE WITH AN AGREEMENT REACHED AT A MEETING WITH MR. BROOKS CAHALL OF THE STATE OF DELAWARE, DNREC, ON OCTOBER 16, 2007. THE REVISED WIDTHS ARE SHOWN ARE THE SUBJECT OF A COURT ORDER REVISION INITIATED BY VIRTUE OF SAID MEETING. A 25' WIDE PERMANENT BUFFER ZONE IS HEREBY CREATED AND SHALL BE MAINTAINED FROM TOP OF BANK ALONG ALL TAX DITCHES. NO BUILDINGS, SHEDS, STRUCTURES, LANDSCAPING OR PEDESTRIAN WALKWAYS, GENERALLY MANMADE OBSTRUCTIONS OF ANY KIND, SHALL OCCUPY AND SPACE WITHIN THE 25' WIDE ZONE.
- BY ALL ACCOUNTS, BATSON CREEK IS THE ONLY PERENNIAL NON-TIDAL STREAM ON SITE REQUIRING A FIFTY-FOOT BUFFER ZONE FROM THE ORDINARY HIGH WATER LINE IN ACCORDANCE WITH SECTION 115-193 OF THE SUSSEX COUNTY CODE. THERE ARE NO LOTS, BUILDINGS OR STRUCTURES PROPOSED WITHIN THE FIFTY-FOOT BUFFER AND NO VEGETATION OR TREE REMOVAL IS PROPOSED OTHER THAN THAT WHICH MAY BE REQUIRED FOR A STORM WATER DISCHARGE INTO THE CREEK FROM THE STORM WATER MANAGEMENT FACILITIES.

- DELDOT NOTES:**
- ALL ENTRANCES SHALL CONFORM TO THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION (DEDOT) STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND WILL BE SUBJECT TO ITS APPROVAL.
 - SHRUBBERY, PLANTINGS, SIGNS, AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SITE 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 LOCATED ON THE RIGHT-OF-WAY OF AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHALL BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
 - UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR MULTI-USE PATH ACROSS THIS PROJECTS 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 SIDEWALK/MULTI-USE PATH TERMINATION POLICY.
 - SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO 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 LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET. EACH LOT WILL BE PERMITTED TO HAVE ONLY ONE ACCESS POINT TO SERVE THE ENTIRE PARCEL. HORSESHOE DRIVEWAYS WILL NOT BE PERMITTED. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
 - THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS ON THE DEDICATED SUBDIVISION STREET RIGHT(S)-OF-WAY IN ACCORDANCE WITH DELDOT'S STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND HIGHWAY ACCESS, AND THE REQUIREMENTS OF THE LAND USE AGENCY.

CERTIFICATION OF PLAN APPROVAL
APPROVED 6-19-14 BY *Lawrence B. Paul*
FOR PLANNING & ZONING COMMISSION OF SUSSEX COUNTY
APPROVED 6-19-14 BY *M. J. [Signature]*
FOR COUNTY COUNCIL OF SUSSEX COUNTY

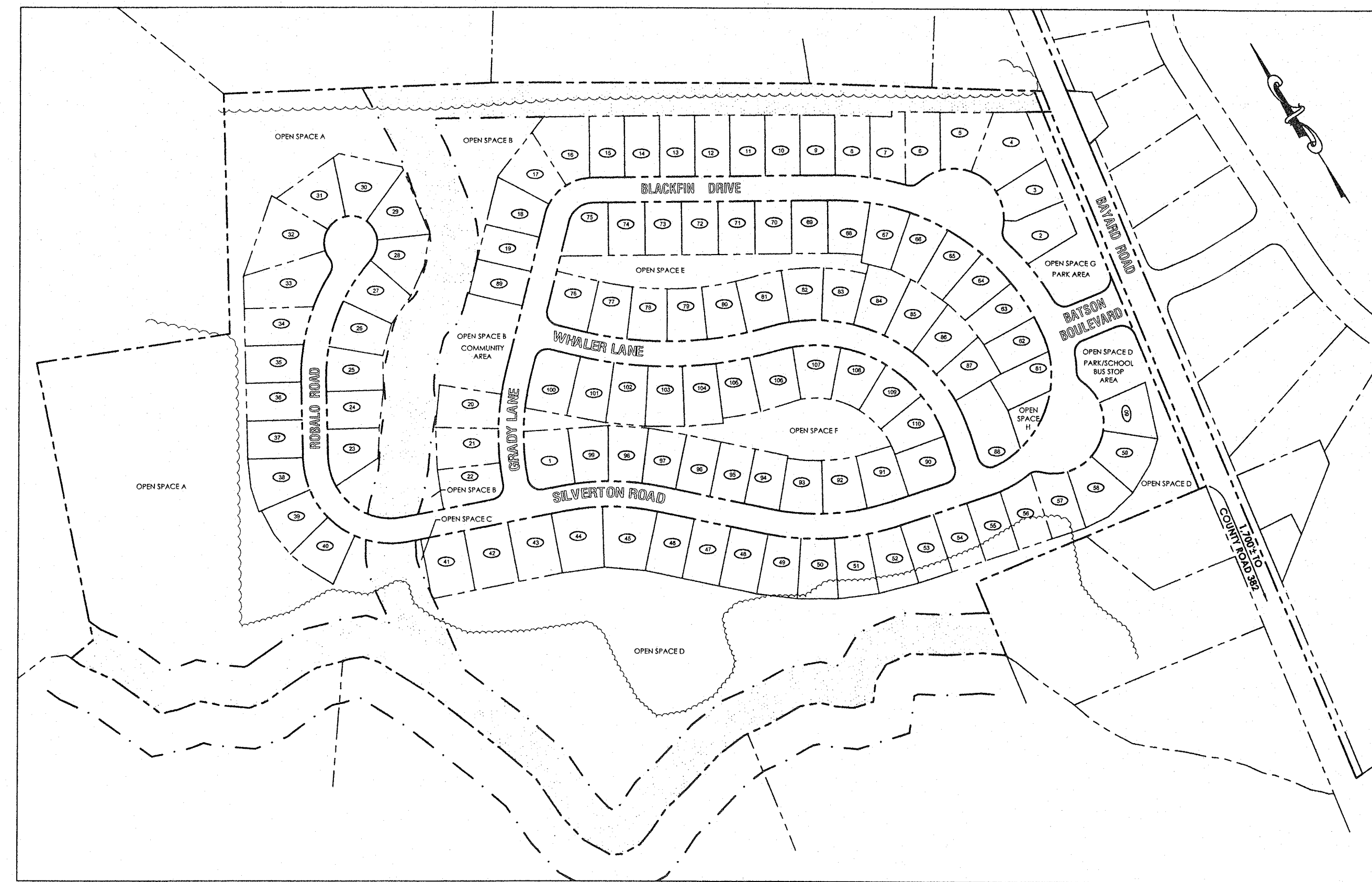
OWNER'S CERTIFICATION
I, *TOM NITELLY JR* HEREBY CERTIFY THAT I AM THE LEGAL REPRESENTATIVE OF THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

FENWICK COMMUNITIES, LLC
506 MAIN STREET, SUITE 300
GAITHERSBURG, MD 20878
PHONE: (301) 670-4020

WETLANDS CERTIFICATION
ENVIRONMENTAL RESOURCES, INC. (ERI) COMPLETED A REVIEW OF A WETLAND BOUNDARY, AS SHOWN ON SHEET NO. REC-2, PREPARED BY OTHERS FOR BATSON CREEK ESTATES, ON THE WEST SIDE OF BAYARD ROAD, IN SPRING OF 2013. BACKGROUND INFORMATION FOR THE PARCEL 5-33-11.00-84.00, OF APPROXIMATELY 55.2 ACRES, INDICATED THAT WETLANDS WOULD BE LIKELY ALONG BATSON BRANCH. THE MAJORITY OF THE BOUNDARY IS NEAR A GOOD TOPOGRAPHIC CHANGE. ABOUT A QUARTER OF THE ORIGINAL BOUNDARY FLAGS WERE FOUND NEAR THIS TOPOGRAPHIC CHANGE. ERI INSPECTED THIS SITE IN LOWER SUSSEX COUNTY, DELAWARE, FOR THE PRESENCE OF JURISDICTIONAL WATERS, INCLUDING NONTIDAL WETLANDS, ACCORDING TO THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL (1987), THE ATLANTIC AND GULF COASTAL PLAIN SUPPLEMENT (2010), ASSOCIATED GUIDANCE IN EFFECT AT THAT TIME AND BEST PROFESSIONAL JUDGMENT. ON-SITE OBSERVATIONS FOUND MUCH OF THE SITE STILL UNDER CULTIVATION AND THAT THE WETLAND BOUNDARY WAS REASONABLE. DATA WAS COLLECTED TO DOCUMENT THE SITE CONDITIONS USING THE CURRENT DELINEATION MANUAL AND GUIDANCE. IN ADDITION, CORPS JURISDICTIONAL WATERS HAVE BEEN IDENTIFIED WITHIN A NUMBER OF THE DRAINAGE FEATURES. TO MINIMIZE THE CHANCE OF UNAUTHORIZED IMPACTS, IT IS RECOMMENDED THAT WORK WITHIN 25 FEET OF THE BOUNDARY BE RE-ESTABLISHED IN THE FIELD PRIOR TO BEGINNING SUCH WORK. IN THE WESTERN WOODS WHERE NO WORK IS PROPOSED, THERE ARE WETLANDS THAT HAVE NOT BEEN DELINEATED. IN THE EVENT THAT SITUATION CHANGES, THESE WETLANDS WILL NEED TO BE INVESTIGATED AND DELINEATED. AS OF THIS DATE NO JURISDICTIONAL DETERMINATION HAS BEEN REQUESTED FROM CORPS OF ENGINEERS.

THIS SITE APPEARS ON STATE WETLAND MAP ONE 51. AS STATE WETLAND MAPPING ENDS EAST OF BAYARD ROAD, THERE ARE NO STATE WETLANDS MAPPED ON THIS PROJECT.

APPROVED 6/11/14 PWS #0389
THOMAS J. NOBLE
38173 DUPONT BLVD., P.O. BOX 169
SELBYVILLE, DE 19975
PHONE: (302) 436-9637

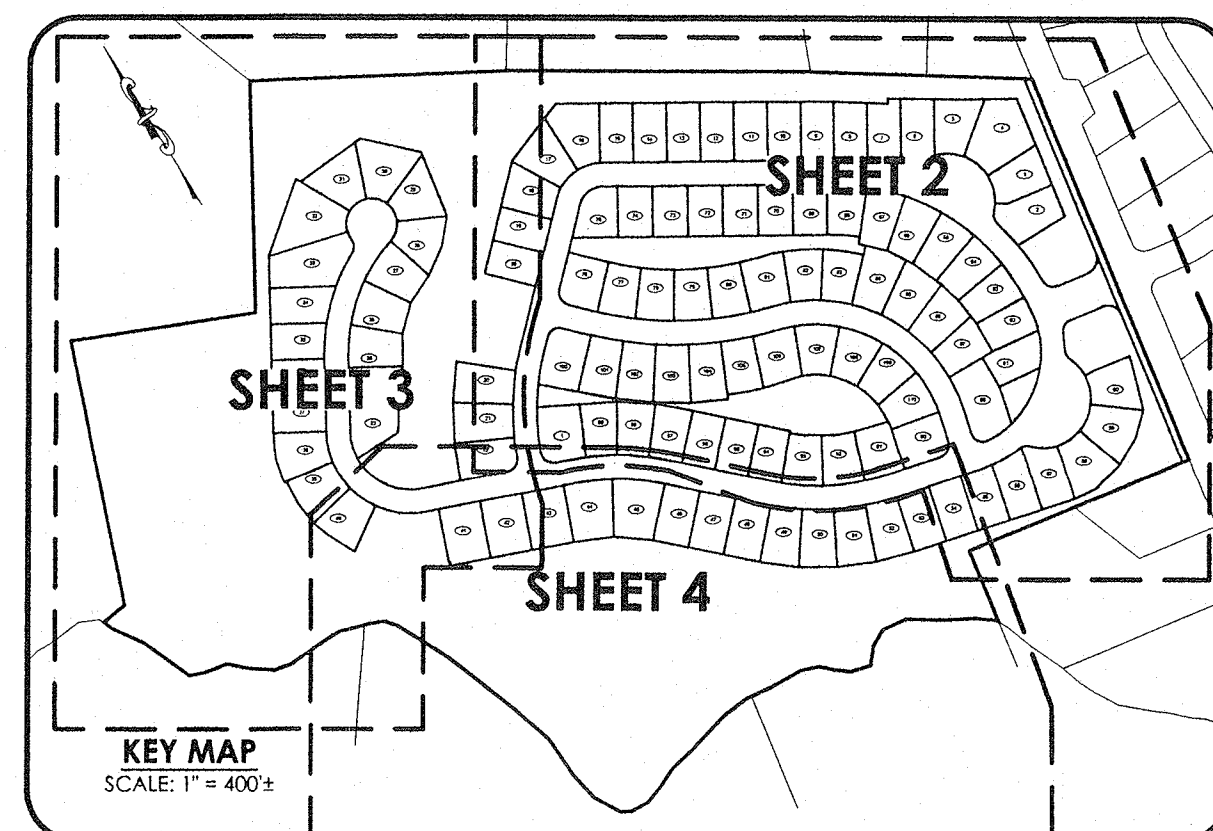


SITE LOCATION PLAN
SCALE: 1" = 200'
TAX PARCEL NO.: 5-33-11.00-84.00
SITUATE IN

BALTIMORE HUNDRED * SUSSEX COUNTY * STATE OF DELAWARE

SHEET INDEX:

RECORD MAJOR SUBDIVISION COVER PLAN	SHEET 1
RECORD MAJOR SUBDIVISION PLAN SHEET NO. ONE	SHEET 2
RECORD MAJOR SUBDIVISION PLAN SHEET NO. TWO	SHEET 3
RECORD MAJOR SUBDIVISION PLAN SHEET NO. THREE	SHEET 4
RECORD MAJOR SUBDIVISION PLAT LINE TABLES & DETAILS	SHEET 5



APPROVED
SUSSEX CONSERVATION DISTRICT
SEDIMENT CONTROL & STORMWATER MANAGEMENT
Reviewed By _____ Date _____
Approved By *[Signature]* Date 6/11/14

PLAN DATA:

PARCEL I.D. NO.	5-33-11.00-84.00
DEED REFERENCE	DB 2190, PG 325
ZONING DISTRICT	AR-1 (AGRICULTURAL/RESIDENTIAL) (ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE)
SEWAGE DISPOSAL	SUSSEX COUNTY SANITARY SEWER SYSTEM (JOHNSON'S CORNER SANITARY SEWER DISTRICT)
WATER SUPPLY	ARTESIAN WATER COMPANY (CENTRAL WATER SYSTEM)
DEVELOPER/OWNER	FENWICK COMMUNITIES, LLC 506 MAIN STREET, SUITE 300 GAITHERSBURG, MD 20878 301-670-4020
HORIZONTAL DATUM	DELAWARE STATE PLANE COORDINATE SYSTEM NAD 1983 - BY GPS
LOT AREA RATIONALE	GROSS AREA = 55.18 ACRES (100.00%) AREA DEDICATED TO BAYARD ROAD = 0.29 ACRE (0.52%) AREA IN SINGLE FAMILY LOTS = 22.70 ACRES (41.14%) AREA DEDICATED TO PRIVATE STREETS = 6.83 ACRES (12.02%) AREA IN TAX DITCH RIGHT-OF-WAY = 8.27 ACRES (14.97%) AREA IN PRIVATE OPEN SPACES / STORM WATER (AREA IN WETLANDS) = 17.29 ACRES (31.33%) = 4.76 AC.
WOODLAND PRESERVATION RATIONALE	EXISTING GROSS WOODLAND AREA = 14.37 AC. (100.00%) WOODLAND AREAS TO BE PRESERVED = 14.08 AC. (97.98%)
PROJECT DENSITY	NO. OF SINGLE FAMILY LOTS = 110 GROSS AREA (AR-1 CLUSTER) = 55.2 AC. GROSS DENSITY = 1.99 D.U./AC.
HEIGHT, AREA & BULK TABLE	MINIMUM LOT AREA = 7,500 SF AVERAGE LOT SIZE = 8,498 SF MAXIMUM LOT SIZE = 13,803 SF MINIMUM REQUIRED OPEN SPACE = 309 SF MINIMUM FRONT YARD SETBACK = 25 FEET MINIMUM SIDE YARD SETBACK = 10 FEET MINIMUM REAR YARD SETBACK = 10 FEET MINIMUM LOT WIDTH = 60 FEET

SUBDIVISION NO. 2008-5 (WITH CONDITIONS)
THE PRELIMINARY SUBDIVISION PLAN FOR BATSON CREEK ESTATES HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION AT A MEETING HELD WEDNESDAY, OCTOBER 14TH, 2009. A REVISED PRELIMINARY APPROVAL WAS GRANTED BY THE PLANNING AND ZONING COMMISSION ON MARCH 10TH, 2011. THE PLAN WAS FURTHER REVISED AND RECEIVED APPROVAL FROM PLANNING AND ZONING COMMISSION ON APRIL 24, 2014. PLAN APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS:

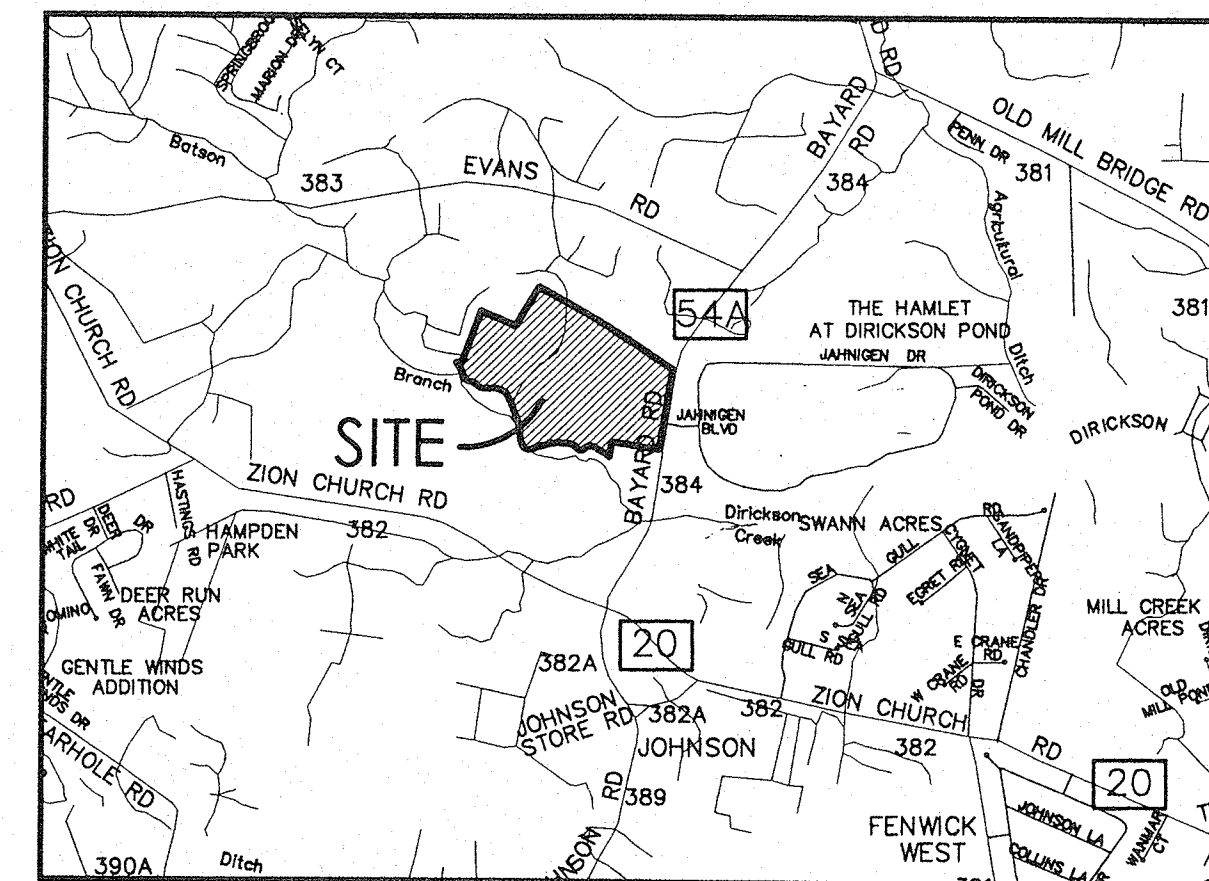
- THERE SHALL BE NO MORE THAN 110 LOTS WITHIN THE SUBDIVISION.
- THE APPLICANT SHALL FORM A HOME OWNERS ASSOCIATION RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF STREETS, ROADS, ANY BUFFERS, STORM WATER MANAGEMENT FACILITIES, EROSION AND SEDIMENTATION CONTROL FACILITIES AND OTHER COMMON AREAS.
- THE STORM WATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. IT SHALL BE CONSTRUCTED AND MAINTAINED USING BEST MANAGEMENT PRACTICES.
- ALL ENTRANCES SHALL COMPLY WITH ALL OF DELDOT'S REQUIREMENTS, AND AN AREA FOR A SCHOOL BUS STOP SHALL BE ESTABLISHED. THE LOCATION OF THE SCHOOL BUS STOP SHALL BE COORDINATED WITH THE LOCAL SCHOOL DISTRICT.
- ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
- THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX COUNTY CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORM WATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
- A 30-FOOT WIDE FORESTED AGRICULTURAL BUFFER SHALL BE SHOWN ALONG BOUNDARIES BORDERING ON ANY LAND USED PRIMARILY FOR ANY AGRICULTURAL PURPOSE. THE FINAL SITE PLAN SHALL ALSO CONTAIN A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER AREAS.
- THE DEVELOPER SHALL MAINTAIN AS MANY EXISTING TREES AS POSSIBLE. THE UNDISTURBED FORESTED AREAS SHALL BE SHOWN ON THE FINAL SITE PLAN.
- NO WETLANDS SHALL BE INCLUDED WITHIN ANY LOTS.
- A SYSTEM OF STREET LIGHTING SHALL BE ESTABLISHED.
- AS PROPOSED BY THE APPLICANT, SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL STREETS IN THE SUBDIVISION.
- THE LOCATION OF MAIL STATIONS SHALL BE COORDINATED WITH THE UNITED STATES POSTAL SERVICE IF DEEMED NECESSARY.
- THE CONSTRUCTION ENTRANCE SHALL BE LOCATED BY THE MAIN ENTRANCE OFF OF ROAD NO. 384 AND AWAY FROM NEIGHBORING PROPERTIES AND SHALL BE NOTED ON THE FINAL SITE PLAN.
- THE SUBDIVISION SHALL BE SERVED BY A SUSSEX COUNTY SEWER DISTRICT DESIGNATED IN ACCORDANCE WITH SUSSEX COUNTY ENGINEERING DEPARTMENT AND DNREC SPECIFICATIONS.
- THE SUBDIVISION SHALL BE SERVED BY A CENTRAL WATER SYSTEM PROVIDED BY A LICENSED PUBLIC UTILITY COMPANY.
- THE DEVELOPER SHALL CONSTRUCT ALL OF THE RECREATIONAL AMENITIES PRIOR TO THE ISSUANCE OF THE 50th RESIDENTIAL BUILDING PERMIT.
- THIS PRELIMINARY APPROVAL IS CONTINGENT UPON THE APPLICANT SUBMITTING A REVISED PRELIMINARY SITE PLAN EITHER DEPICTING OR NOTING THE CONDITIONS OF THIS APPROVAL ON IT. STAFF SHALL APPROVE THE REVISED PLAN UPON CONFIRMATION THAT THE CONDITIONS OF APPROVAL HAVE BEEN DEPICTED OR NOTED ON IT.
- THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

PURPOSE STATEMENT
THE PURPOSE OF THIS PLAT IS TO REVISE THE LOT SIZES. THIS PLAT SUPERCEDES THE PREVIOUSLY RECORDED PLAT.

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

SOLUTIONS INTEGRATED PLANNING, ENGINEERING & MANAGEMENT, LLC.
BY BARRY M. HALL, AGENT

[Signature]
BARRY M. HALL
DELAWARE NO. 618
SOLUTIONS IPEM, LLC.
3003 MERRITT MILL ROAD
SALISBURY, MD 21814
PHONE: (410) 572-8833
DATE 6-9-14



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INTEGRATED PLANNING, ENGINEERING & MANAGEMENT, LLC

Fuller Hall & Associates, Inc.
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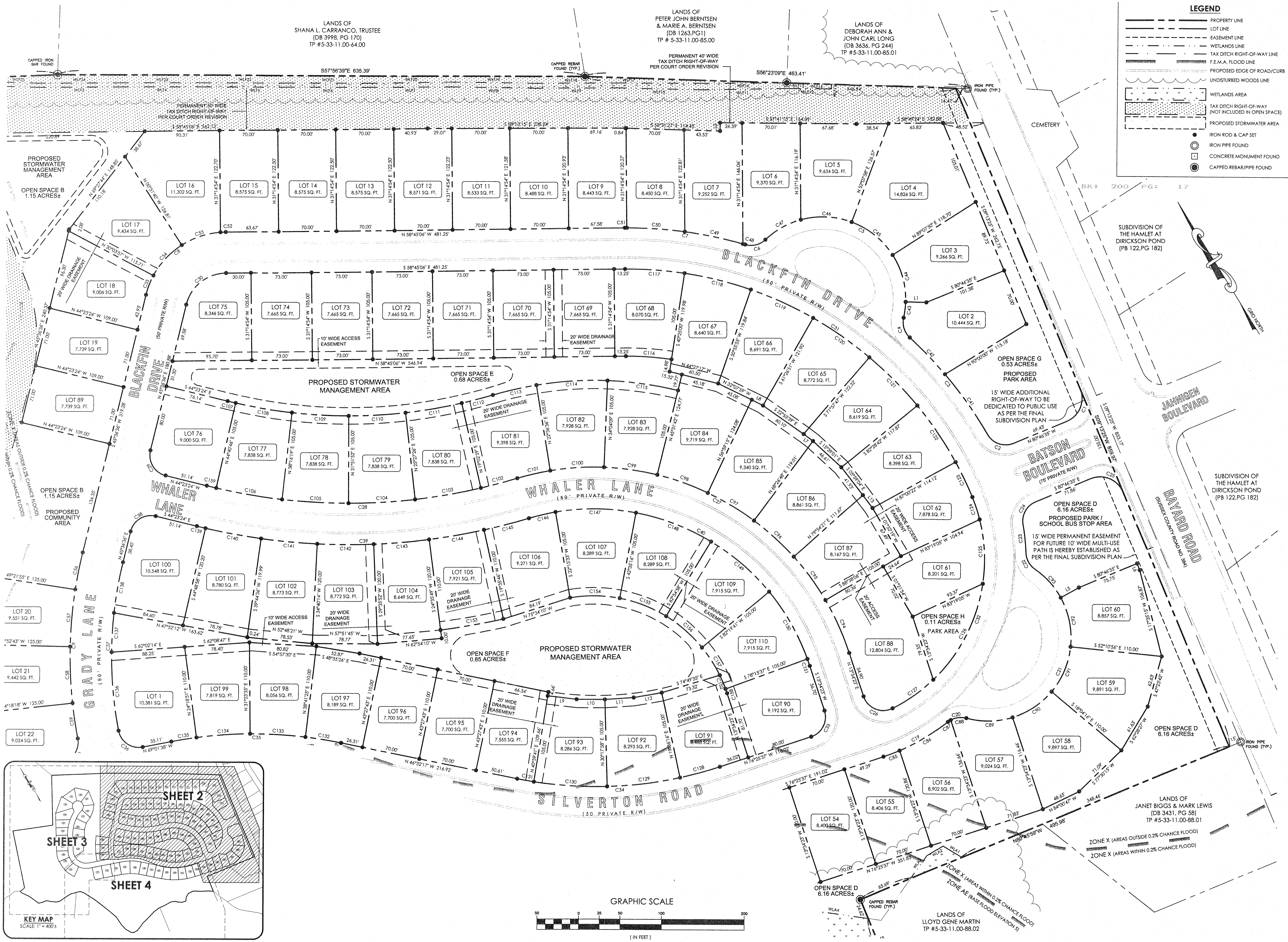
Seal _____
Date _____

NO.	DATE	DESCRIPTION
1	06/07/14	SUSSEX COUNTY COMMENTS

RECORD MAJOR SUBDIVISION COVER PLAN
for
BATSON CREEK ESTATES
SUSSEX COUNTY, DELAWARE
Prepared for: FENWICK COMMUNITIES, LLC

Date: 04-04-2014
Job Number: 13022
Scale: AS SHOWN
Drawn By: JH
Designed By: JP
Approved By: BH

Sheet No.: 1
File Name: Cover.dwg



LEGEND

- PROPERTY LINE
- LOT LINE
- EASEMENT LINE
- WETLANDS LINE
- TAX DITCH RIGHT-OF-WAY LINE
- F.E.M.A. FLOOD LINE
- PROPOSED EDGE OF ROAD/CURB
- UNDISTURBED WOODS LINE
- WETLANDS AREA
- TAX DITCH RIGHT-OF-WAY (NOT INCLUDED IN OPEN SPACE)
- PROPOSED STORMWATER AREA
- IRON ROD & CAP SET
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- CAPPED REBAR/PIPE FOUND

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 Engineering & Management, LLC

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Seal _____
 Date _____

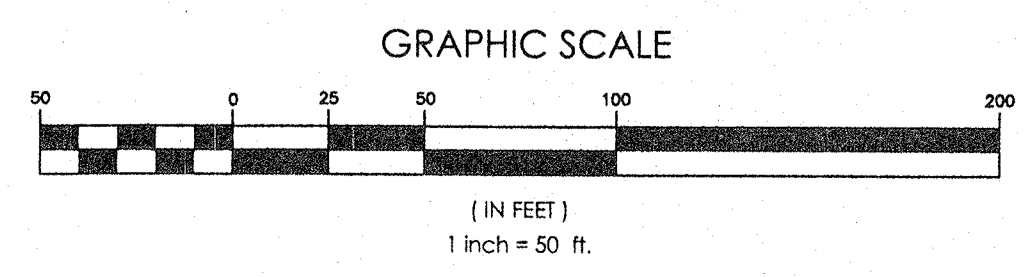
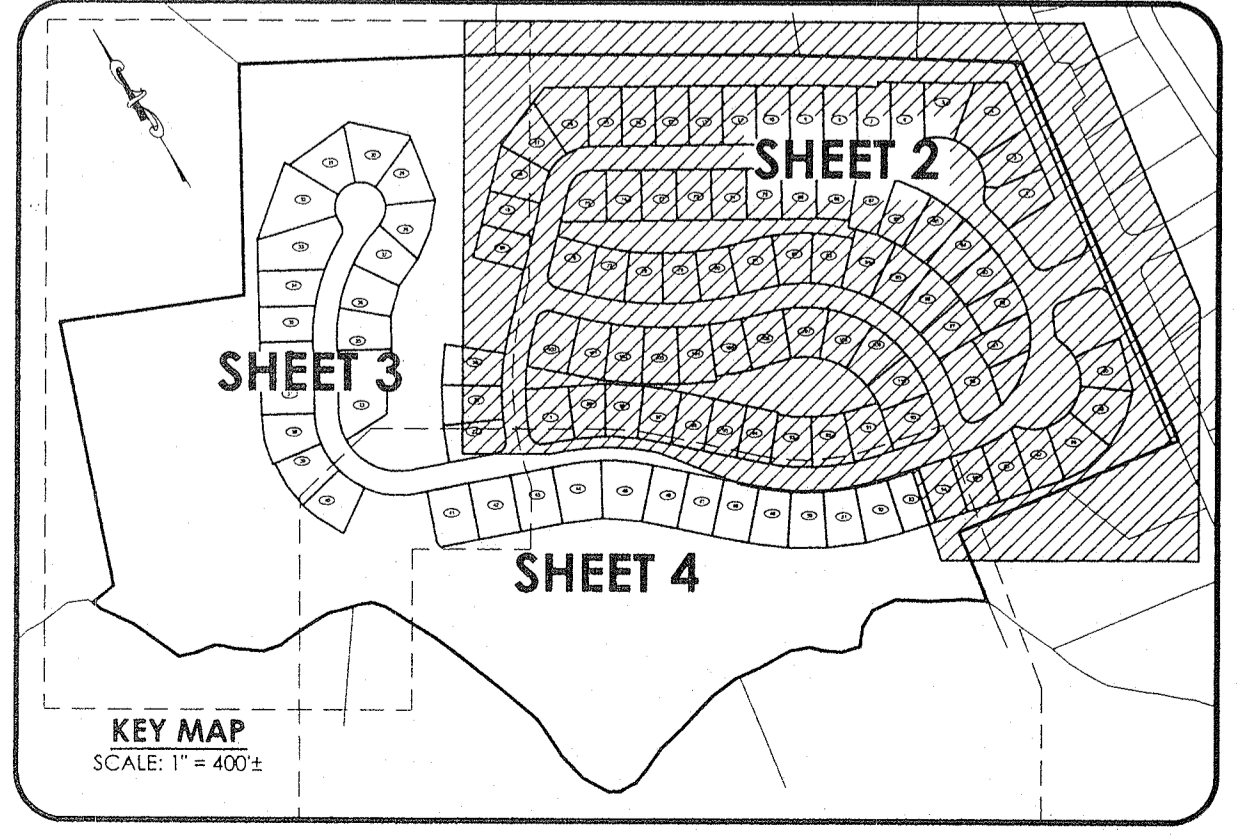
NO.	DATE	DESCRIPTION
1	06/02/14	SUSSEX COUNTY COMMENTS

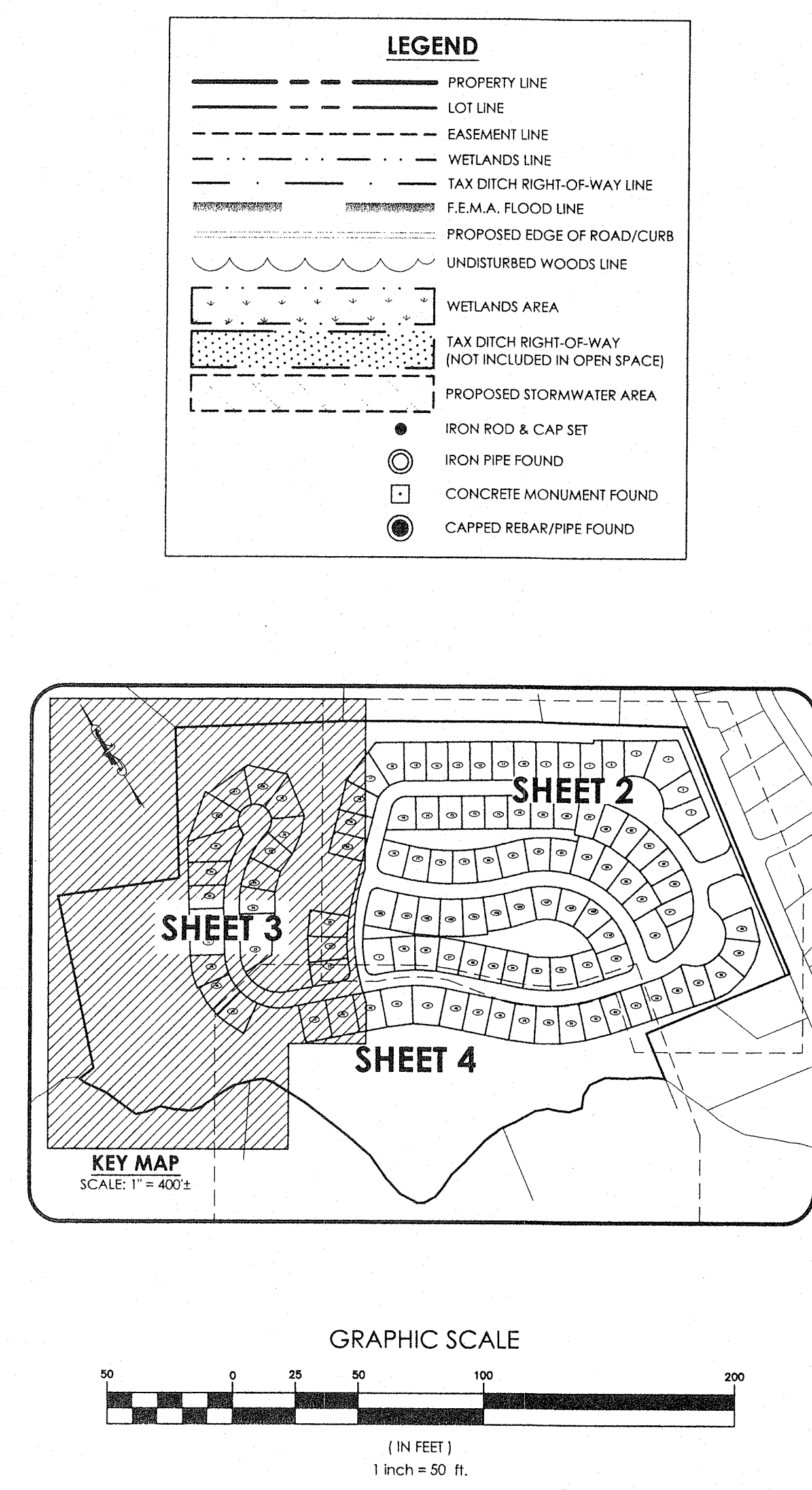
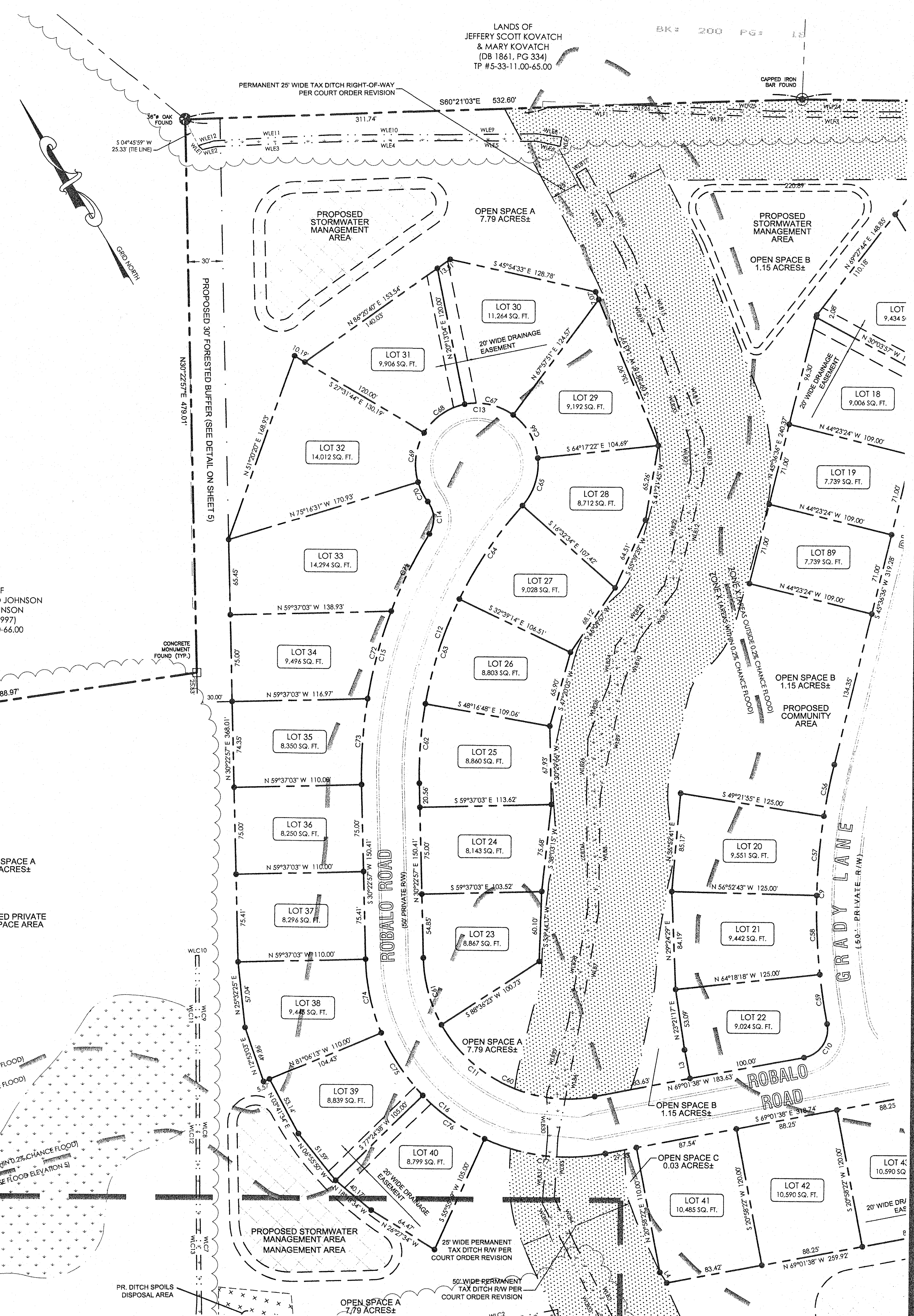
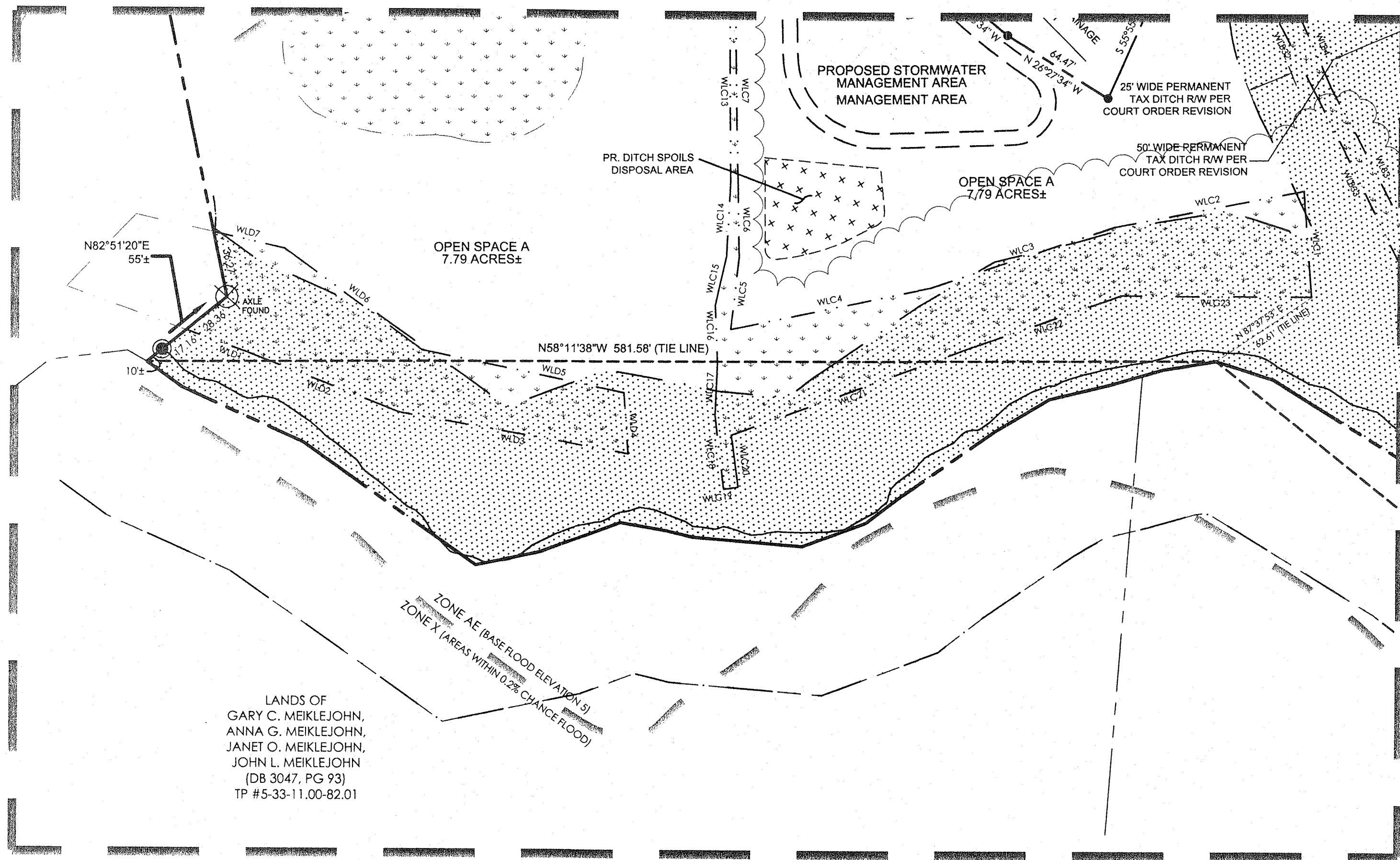
RECORD MAJOR SUBDIVISION PLAN SHEET NO. ONE
BATSON CREEK ESTATES
 SUSSEX COUNTY, DELAWARE
 Prepared for: FENWICK COMMUNITIES, LLC

Date: 04-04-2014
 Job Number: 13029
 Scale: 1" = 50'
 Drawn By: JH
 Designed By: JP
 Approved By: BH

Sheet No.: **2**

File Name: 13029-Batson SUBD 2.dwg





LANDS OF
GARY C. MEIKLEJOHN,
ANNA G. MEIKLEJOHN,
JANET O. MEIKLEJOHN,
JOHN L. MEIKLEJOHN
(DB 3047, PG 93)
TP #5-33-11.00-82.01

LANDS OF
HOWARD EDWARD JOHNSON
& NAOMI JOHNSON
(DB 633, PG 997)
TP #5-33-11.00-66.00

LANDS OF
JEFFERY SCOTT KOVATCH
& MARY KOVATCH
(DB 1861, PG 334)
TP #5-33-11.00-65.00

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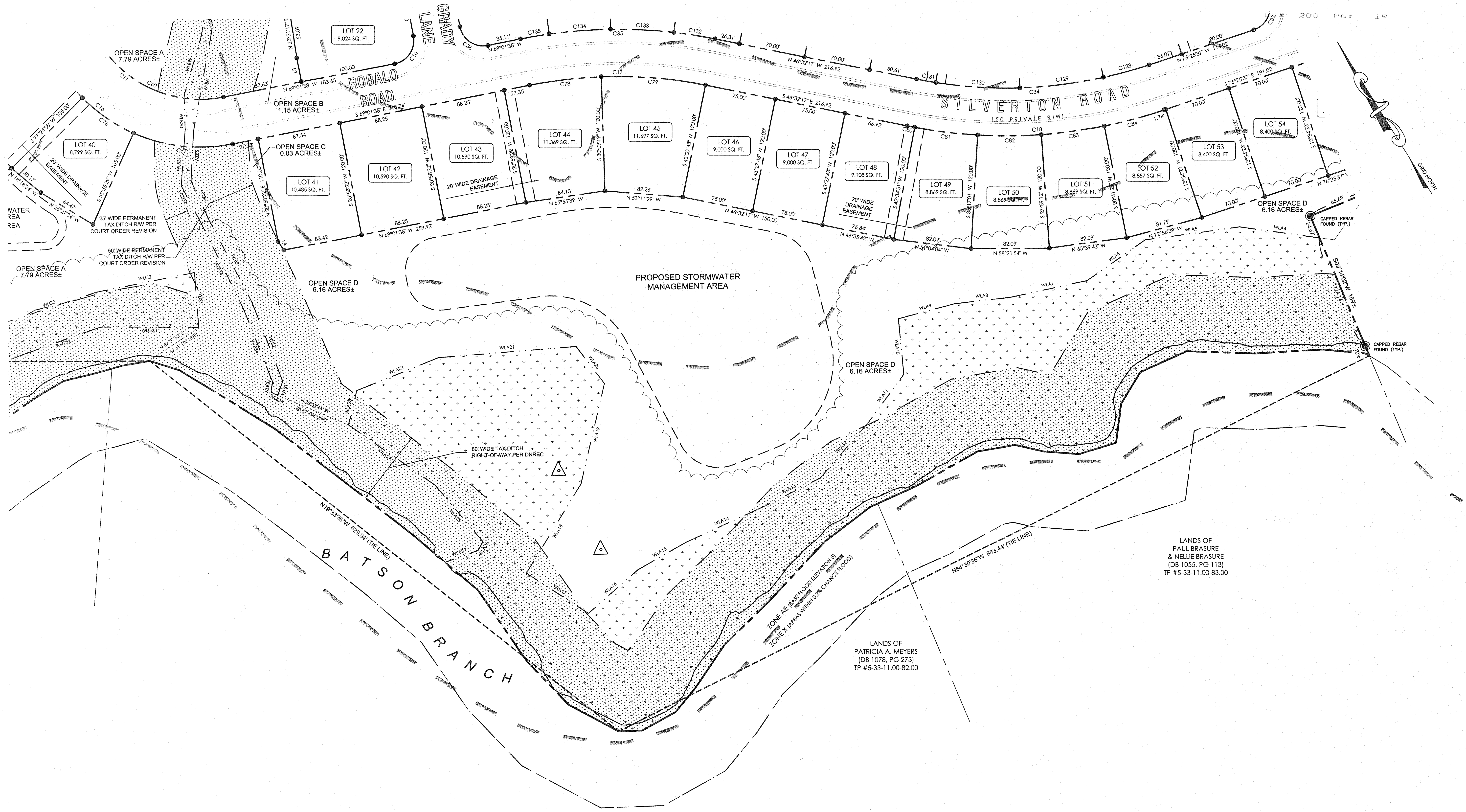
NO.	DATE	DESCRIPTION
1	06/02/14	SUSSEX COUNTY COMMENTS

RECORD MAJOR SUBDIVISION PLAN SHEET NO. TWO
for
BATSON CREEK ESTATES
SUSSEX COUNTY, DELAWARE
Prepared for: FENWICK COMMUNITIES, LLC

Date: 04-04-2014
Job Number: 13029
Scale: 1" = 50'
Drawn By: HH
Designed By: JP
Approved By: BH

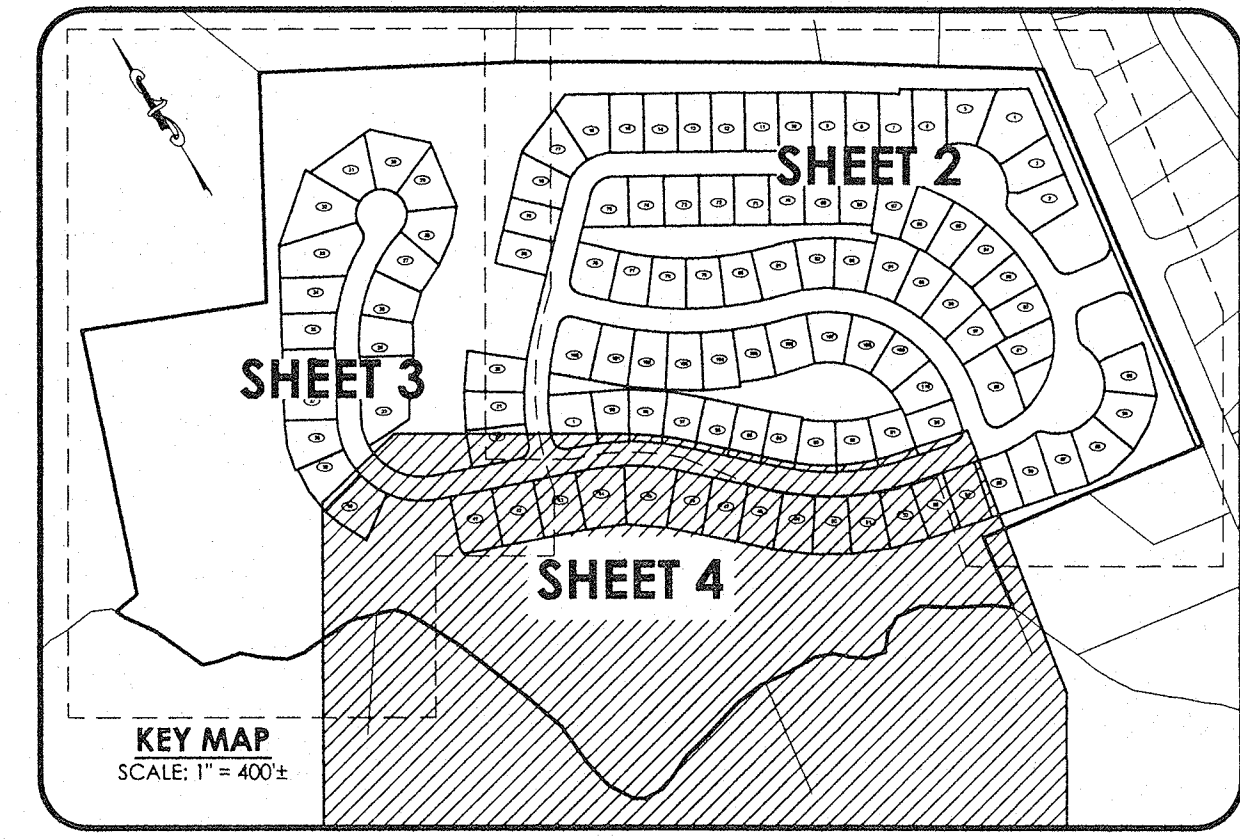
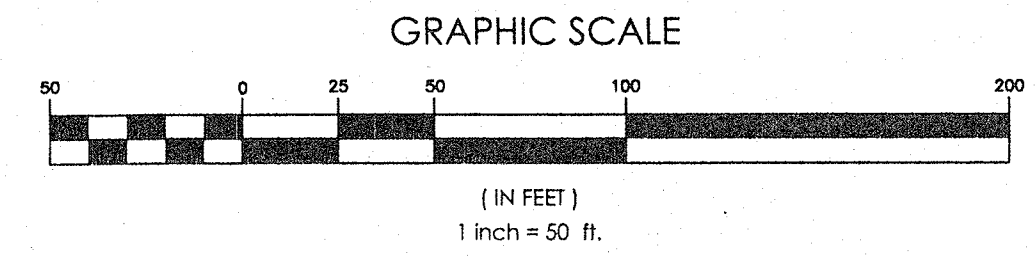
Sheet No.: **3**

File Name: 13029-Batson SUBD 2.dwg



LEGEND

	PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	WETLANDS LINE
	TAX DITCH RIGHT-OF-WAY LINE
	F.E.M.A. FLOOD LINE
	PROPOSED EDGE OF ROAD/CURB
	UNDISTURBED WOODS LINE
	WETLANDS AREA
	TAX DITCH RIGHT-OF-WAY (NOT INCLUDED IN OPEN SPACE)
	PROPOSED STORMWATER AREA
	IRON ROD & CAP SET
	IRON PIPE FOUND
	CONCRETE MONUMENT FOUND
	CAPPED REBAR/PIPE FOUND



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Fuller Hall
ASSOCIATES, INC.
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Seal
Date

REVISIONS	
NO.	DESCRIPTION
1	SUSSEX COUNTY COMMENTS

RECORD MAJOR SUBDIVISION PLAN SHEET NO. THREE
BATSON CREEK ESTATES
SUSSEX COUNTY, DELAWARE
Prepared for: FENWICK COMMUNITIES, LLC

Date:	04-04-2014
Job Number:	13029
Scale:	1" = 50'
Drawn By:	JH
Designed By:	JIP
Approved By:	BH

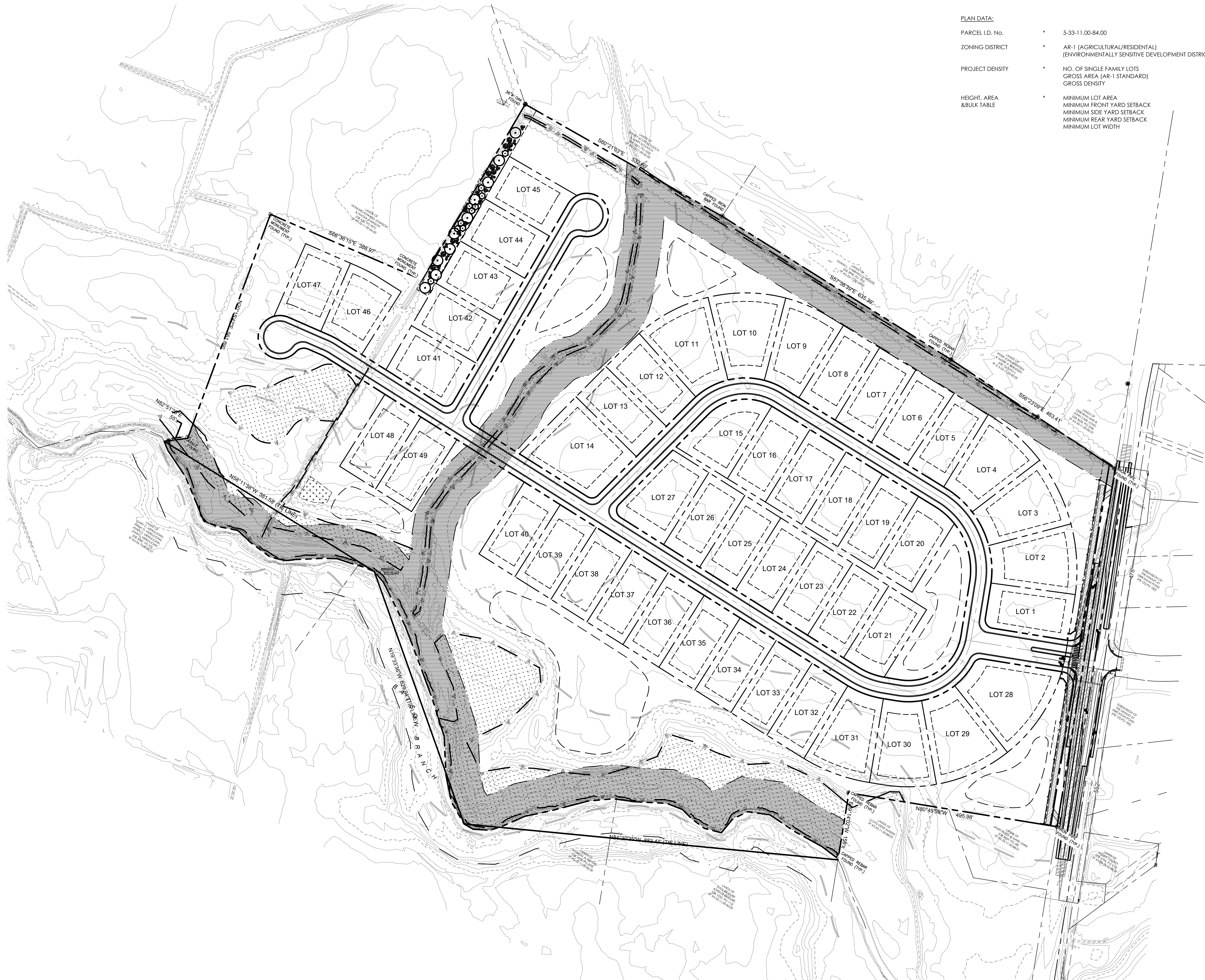
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File Name:
13029-Batson SUBD 2.dwg

EXHIBIT B

Batson Creek Estates

Sample Yield Plan



PLAN DATA:

PARCEL I.D. No.	•	5-33-11.00-84.00	
ZONING DISTRICT	•	AR-1 (AGRICULTURAL/RESIDENTIAL) (ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE)	
PROJECT DENSITY	•	NO. OF SINGLE FAMILY LOTS = 49 GROSS AREA (AR-1 STANDARD) = 55.2 AC. GROSS DENSITY = 0.89 D.U./AC.	
HEIGHT, AREA & BULK TABLE	•	MINIMUM LOT AREA = 20,000 SF MINIMUM FRONT YARD SETBACK = 30 FEET MINIMUM SIDE YARD SETBACK = 15 FEET MINIMUM REAR YARD SETBACK = 20 FEET MINIMUM LOT WIDTH = 100 FEET	

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 T. 302.297.9215

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 Salisbury, MD 21804
 T. 410.572.8853

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 Date _____

REVISIONS		DESCRIPTION
NO.	DATE	

YIELD PLAN
 for
BATSON CREEK
 SUSSEX COUNTY, DELAWARE
 Prepared for: Natelli

Date:	04/15/2019
Job Number:	13029
Scale:	1"=100'
Drawn By:	JP
Designed By:	JP
Approved By:	JP

Sheet No.: **1**

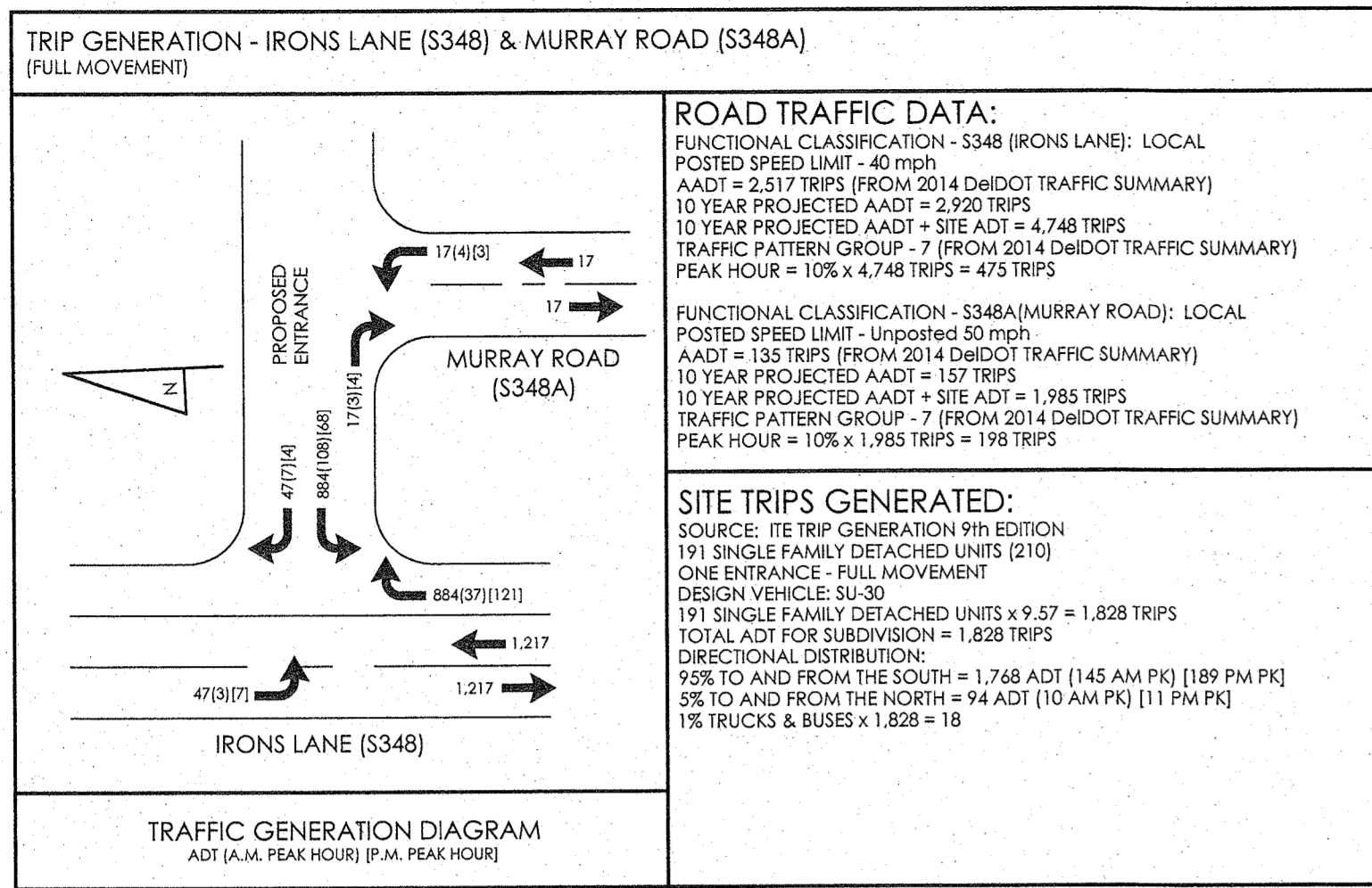
File Name: YIELD

EXHIBIT C

Recorded Major Subdivision Plan
Environmentally Sensitive Cluster Subdivision Option – AR-1 Zone
Seagrove

REVISED & RESTATED FINAL SUBDIVISION PLAT FOR SEAGROVE (FORMERLY KNOWN AS HARLTON) SUSSEX COUNTY, DELAWARE FOR HARLTON COMMUNITIES, LLC

17092
BK: 246 PG: 64



LETTER AGREEMENT NUMBER: 2106
BAY FOREST CLUB & HARLTON OFFSITE IMPROVEMENT REQUIREMENTS

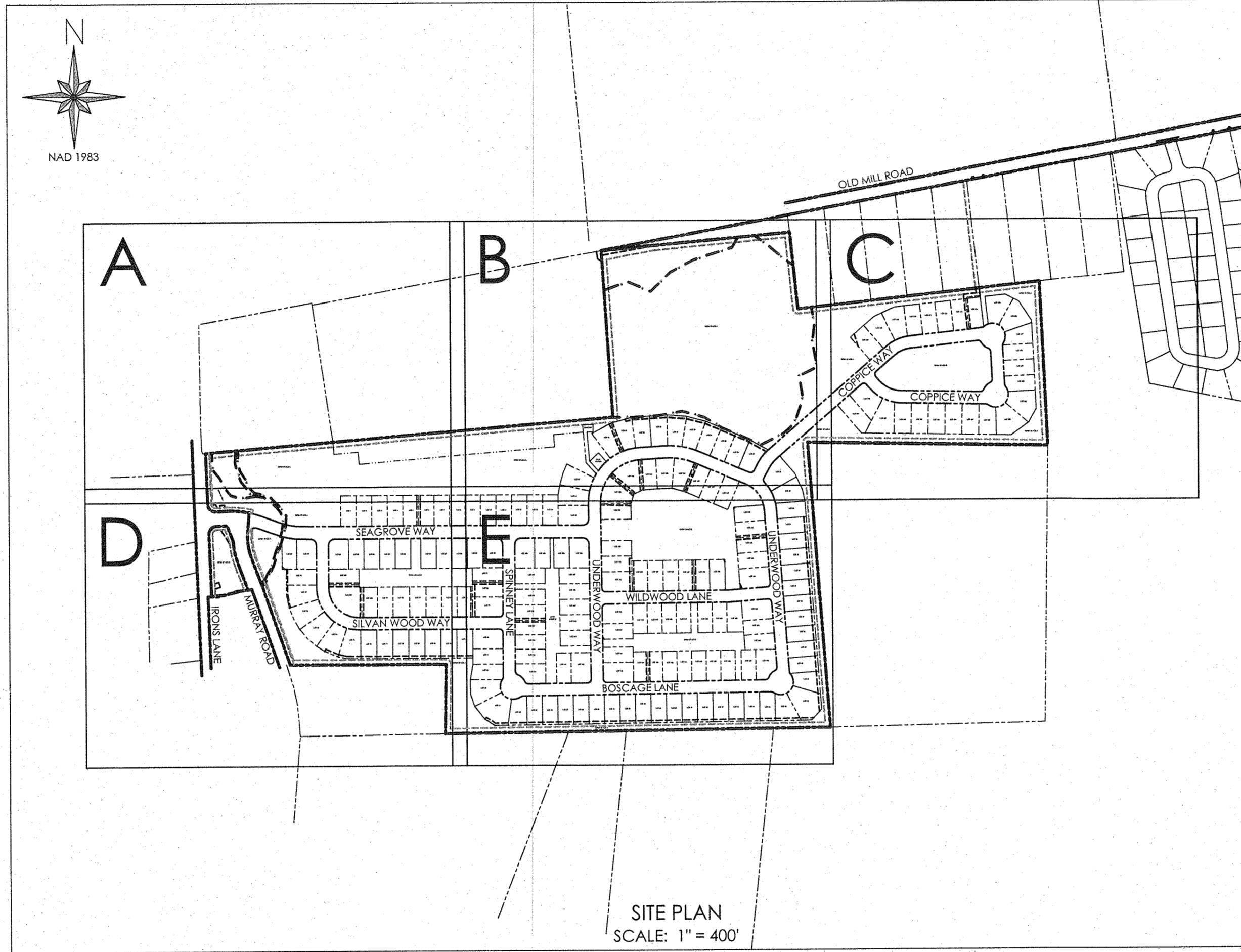
- The Developer shall fund a Fair Share Contribution for the Department's Contract 24-112-10; SR 26, Atlantic Avenue from Clarksville to Assawoman Canal at the intersection of Route 26 and SCR 348.
- The Developer chose to make a contribution towards the Traffic Signal Revolving Fund Contribution at the intersection of Route 26 and SCR 348.
- The Developer shall be responsible to construct an Off-Site Improvement A as determined in the Traffic Impact Study at the intersection of Route 26 and SCR 347. Off-Site Improvement A shall include, but not limited to, widening SCR 347 on its approach to SCR 206 to provide a separate right turn lane and a separate left turn lane, a 2" bituminous concrete overlay to the entire roadway width, pavement modifications, drainage and utility relocations, signing, re-stripping and any associated work or incidentals necessary for the completed construction.
- The Developer shall be responsible to contribute towards Off-Site Improvement B, at the intersection of SCR 347 and SCR 349. Off-Site Improvement B shall include, but not limited to, the cost to furnish additional stop signs and stop line pavement markings at the intersection.

DELDOT GENERAL NOTES:

- All entrances shall conform to the Delaware Department of Transportation's (DelDOT's) current 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 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.
- Upon completion of the construction of the sidewalk or shared-use path across this project's frontage and physical connection to adjacent existing facilities, the developer, the property owners or both associated with this project, shall be responsible to remove any existing road tie-in connections located along adjacent properties, and restore the area to grass. Such actions shall be completed at DelDOT's discretion, and in conformance with DelDOT's "Shared-Use Path and/or Sidewalk Termination Policy".
- Subdivision streets constructed within the limits of the right-of-way 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 shared use path shall be the responsibility of the developer, the property owners or both within this subdivision. The State of Delaware assumes no responsibility for the future maintenance for the sidewalk and/or shared use path.
- All lots shall have access from the internal subdivision street. Direct access to SCR 348 (Irons Lane) and SCR 348A (Murray Road) will not be permitted.
- The developer shall be required to furnish and place right-of-way monuments on the dedicated subdivision street right(s)-of-way in accordance with DelDOT's Development Coordination Manual, and the requirements of the land use agency.
- Upon the issuance of the entrance construction permit by the South District Public Works Office, the entrance/roadway improvements along SCR 348 and SCR348A shall begin construction.
- Prior to the issuance of the 1st Certificate of Occupancy, the entrance/roadway improvements must be completely constructed, inspected, and accepted by DelDOT.

GENERAL NOTES:

- STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. A SIGNIFICANT PORTION OF THE SITE IS TO BE TREATED BY MULTIPLE TIERED BMP'S. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNER UNTIL DEDICATION OF FACILITIES TO THE HOMEOWNERS ASSOCIATION. THE PERPETUAL MAINTENANCE OF THE ABOVE PRACTICES SHALL BE BY THE RESPECTIVE ORGANIZATION.
- ALL ON-SITE STREETS 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.
- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT REGULATIONS.
- ALL FIRE LANES, FIRE HYDRANTS, FIRE LANE MARKINGS SHALL BE IN ACCORDANCE WITH THE DELAWARE STATE FIRE MARSHAL REGULATIONS.
- ALL SUBDIVISION LOTS MUST HAVE A FIVE FOOT WIDE UTILITY EASEMENT ALONG ALL LOT LINES FOR A TOTAL EASEMENT WIDTH OF AT LEAST 10 FEET ALONG A LOT LINE COMMON TO TWO LOTS. EASEMENTS ALONG THE PERIMETER BOUNDARIES OF THE SUBDIVISION MUST BE NO LESS THAN 10 FEET IN WIDTH ON THE INTERIOR SIDE OF THE BOUNDARY.
- AGRICULTURAL LAND USE: AGRICULTURAL SUITABILITY HIGH.
- THIS SITE CONTAINS "404" NON-TIDAL WETLANDS AS FIELD DELINEATED BY ENVIRONMENTAL REGULATIONS CONSULTANTS, INC.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE, WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
- THE DEVELOPER SHALL PRESERVE ALL TREES EXCEPT WHERE NECESSARY TO CONSTRUCT ROADWAYS, UTILITIES, AND BUILDINGS.
- THE LOCATION OF STREET LIGHTS WILL BE DETERMINED BY THE ELECTRIC SUPPLIER WITH PLANS TO BE PROVIDED AS PART OF THE CONSTRUCTION DRAWINGS.
- THE INTERIOR STREET DESIGN SHALL BE IN ACCORDANCE WITH OR EXCEED SUSSEX COUNTY STREET DESIGN REQUIREMENTS. STREET DESIGN SHALL INCLUDE SIDEWALKS ON BOTH SIDES OF THE STREET AND STREET LIGHTING.
- FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN 50 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES, NO IMPROVEMENT REQUIRING AN OCCUPANCY APPROVAL FOR A RESIDENTIAL TYPE USE SHALL BE CONSTRUCTED WITHIN 50 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES.

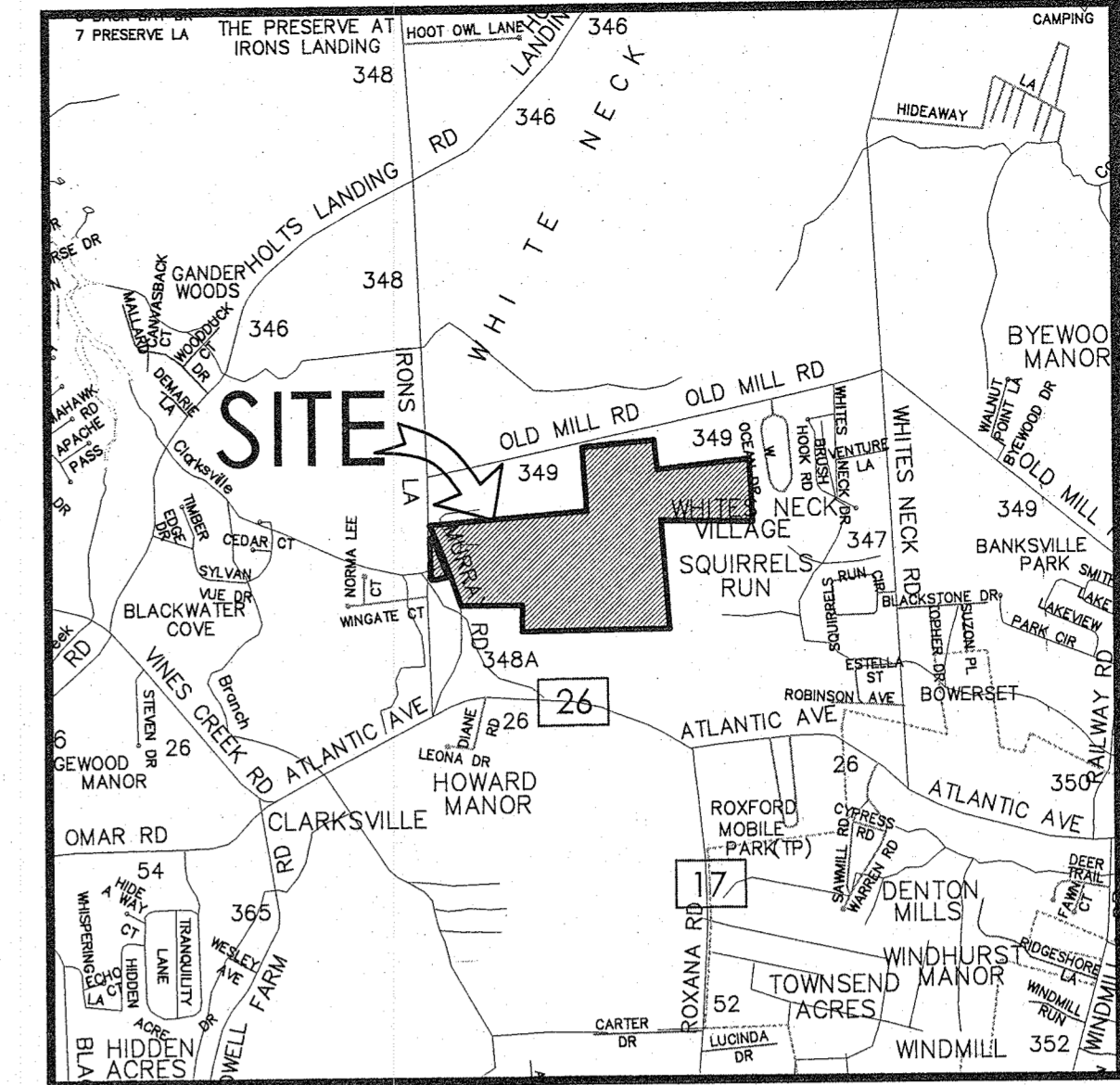


SITE DATA:

- OWNERS OF RECORD: HARLTON COMMUNITIES, LLC
506 MAIN STREET, SUITE 300
BETHESDA, MD 20878
- TAX REFERENCE: TAX MAP 1-34-11.00, PARCEL 167.00
TAX MAP 1-34-11.00, PARCEL 169.00
- DEED REFERENCE: BOOK 4103, PAGE 144 (PARCEL 167.00)
BOOK 4380, PAGE 35 (PARCEL 169.00)
- PLAT REFERENCE: BOOK 227, PAGE 12
- THE PROPERTY IS LOCATED WITHIN THE FOLLOWING FLOOD ZONE, PER FIRM MAP NUMBER 10005C04PK, REVISED MARCH 14, 2015:
• ZONE X-AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
- NO TITLE SEARCH WAS REQUESTED OR STIPULATED.
- OTHER THAN SHOWN, THIS SURVEY DOES NOT VERIFY THE EXISTENCE OR NONEXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS.
- EXISTING ZONING: AR-1 (ES-1), CLUSTER SUBDIVISION
- LOT REQUIREMENTS: MINIMUM WIDTH = 60'
MINIMUM AREA = 2,500 S.F.
MINIMUM DEPTH = 100'
- MAXIMUM BUILDING HEIGHT: 42'
- SETBACKS: 25' FRONT (7' CORNER)
7' SIDE
10' REAR
* A VARIANCE TO REDUCE THE SIDE YARD AND CORNER SIDE YARD SETBACK TO 7' WAS GRANTED BY SUSSEX COUNTY BOARD OF ADJUSTMENT ON JANUARY 4, 2016. SEE CASE NO. 11689.
- LINEAR FEET OF NEW ROADWAY: 9,550 FT.±
- WATER PROVIDER: TIDEWATER UTILITIES, INC.
- SEWER PROVIDER: SUSSEX COUNTY
- PRESENT USE: AGRICULTURAL LANDS
- PROPOSED USE: RESIDENTIAL SUBDIVISION
- ROADWAY CLASSIFICATION: SCR 348 (IRONS LANE) - LOCAL ROAD
SCR 348A (MURRAY ROAD) - LOCAL ROAD

SITE AREAS SUMMARY:

- TOTAL AREA OF LOTS: 37.079 ACRES± (41.2%)
TOTAL AREA OF OPEN SPACE: 41.721 ACRES± (46.3%)
NEW ROAD AREA: 11.052 ACRES± (12.3%)
PUMP STATION LOT: 0.057 ACRES (0.1%)
CEMETERY LOT: 0.091 ACRES (0.1%)
TOTAL SITE AREA: 90.000 ACRES±
- SINGLE FAMILY LOTS
NUMBER OF LOTS: 191
AVERAGE LOT SIZE: 8,456 S.F.
- OPEN SPACES
OPEN SPACE A: 33.147 ACRES (36.8%)
OPEN SPACE C: 0.925 ACRES (1.0%)
OPEN SPACE D: 0.797 ACRES (0.9%)
OPEN SPACE E: 3.244 ACRES (3.6%)
OPEN SPACE F: 1.033 ACRES (1.1%)
OPEN SPACE G: 1.850 ACRES (2.1%)
OPEN SPACE H: 0.725 ACRES (0.8%)
TOTAL: 41.721 ACRES (46.3%)
- WETLAND ACREAGE IS INCLUDED WITHIN OPEN SPACE ACREAGE.
- PROPOSED IMPERVIOUS AREA FOR OPEN SPACES: 1.36 ACRES (3.3%)
- PROPOSED IMPERVIOUS AREA FOR TOTAL SITE: 38%



LEGEND

	EXISTING	PROPOSED
CAPPED PIN SET	N/A	•
PROPERTY LINE	---	---
EASEMENT LINE	---	---
SETBACK LINE	---	---
RIGHT-OF-WAY	---	---
R.O.W. CENTERLINE	---	---
POND OUTLINE (WATER SURFACE)	N/A	---
EDGE OF WETLAND	∇	N/A
WETLAND HATCH	•••••	N/A
UNMARKED POINT	o	N/A
IRON PIPE FOUND	o I/P	N/A
CONCRETE MONUMENT FOUND	□ C/MF	N/A
CAPPED IRON PIPE FOUND	• I/P	N/A

RECORD PLAN

- COVER SHEET
- CONDITIONS OF APPROVAL
- TYPICAL ROAD SECTIONS
- FINAL SUBDIVISION PLAN A, CURVE & LINE TABLES
- FINAL SUBDIVISION PLAN B
- FINAL SUBDIVISION PLAN C
- FINAL SUBDIVISION PLAN D
- FINAL SUBDIVISION PLAN E
- BOUNDARY SURVEY PLAN
- LANDSCAPING PLAN

APPROVED
SEDIMENT CONTROL & STORMWATER MANAGEMENT L-1
Reviewed by: *[Signature]* Date: *4/13/17*
Approved by: *[Signature]* Date: *4/13/17*

APPROVED
Final Subdivision Plan
P&Z 12-9-17 DLB 5-2-17
SUSSEX COUNTY
PLANNING & ZONING COMMISSION
10 pgs

APPROVED BY:
[Signature] 5-2-17
PRESIDENT OF COUNTY COUNCIL
[Signature] 4/20/17
DATE

WETLANDS CERTIFICATION
I, EDWARD M. LAUNAY, PWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, ATLANTIC GULF COAST REGIONAL SUPPLEMENT, REGULATIONS AND SUPPLEMENTAL GUIDANCE (33 CFR 328.3 (a)(8), Waters of the U.S. Definition/CECW-OR, 10-7-1991, Questions and Answers on the 1987 COE Manual/CECW-OR, 9-26-1990, RGL 90-7/CECW-OR, 3-6-1992, Clarification and Interpretation of the 1987 Manual), THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.
[Signature] 4/10/17
DATE
EDWARD M. LAUNAY
PROFESSIONAL WETLANDS SURVEYOR NO. 875
SOCIETY OF WETLAND SURVEYORS
(CORPS OF ENGINEERS)
CERTIFIED WETLAND DELINEATOR WDCP93MD05100368

DEVELOPER/ OWNER CERTIFICATION
WE HEREBY CERTIFY THAT WE ARE THE DEVELOPER OF THE PROPERTY SHOWN ON THIS PLAN. THAT THE PLAN WAS MADE AT OUR DIRECTION AND WE ACKNOWLEDGE THE SAME TO BE OUR ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. WE FURTHER UNDERSTAND AND ACKNOWLEDGE THAT IT IS THE RIGHT OF THE SUSSEX CONSERVATION DISTRICT AND/OR ITS DELEGATED INSPECTION AGENCIES TO CONDUCT ON-SITE INSPECTIONS.
[Signature] 4/7/17
DATE
HARLTON COMMUNITIES, LLC
506 MAIN STREET, SUITE 300
BETHESDA, MD 20878

SURVEYOR'S CERTIFICATION
THIS PLAT AND SURVEY WERE PERFORMED FOR CANNON ROAD INVESTMENTS, LLC. UNDER MY SUPERVISION, TO THE LOCAL STANDARD OF CARE, AND SUBSTANTIALLY MEET THE "MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING" AS FORMALIZED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS FOR A SUBURBAN CLASS SURVEY.
SOLUTIONS INTEGRATED PLANNING, ENGINEERING & MANAGEMENT, LLC
BY BARRY M. HALL, AGENT
[Signature]
BARRY M. HALL
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 418-4-167
DELAWARE
PROFESSIONAL LAND SURVEYOR
DELAWARE NO. 618

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Date

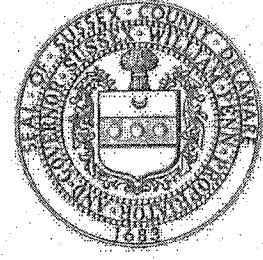
NO.	DATE	REVISIONS
1	04/04/2017	PLANNING & ZONING COMMENTS

COVER SHEET
for
SEAGROVE
SUSSEX COUNTY, DELAWARE
Prepared for: HARLTON COMMUNITIES, LLC

Date: 03/16/2017
Job Number: 13025
Scale: AS SHOWN
Drawn By: HIB, HCH
Designed By: HIB
Approved By: BH
Sheet No.: 1
File Name: PLAT.dwg

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
 IRWIN G. BURTON, III
 MICHAEL B. JOHNSON
 MARTIN L. ROSS
 RODNEY SMITH



Sussex County

DELAWARE
 sussexcountyde.gov
 (302) 854-7878 T
 (302) 854-5078 F
 LAWRENCE B. LANK
 DIRECTOR

September 29, 2014

Frank Kea
 Solutions IPEM
 132B East Market Street
 P.O. Box 416
 Georgetown, DE 19947

RE: Subdivision #2005 - 95 Harlton Acquisitions, LLC
 Harlton Subdivision Revised Preliminary
 Tax Map I.D. # 1-34-11.00-169.00

Dear Mr. Kea,

Please be advised that on September 25, 2014 the Sussex County Planning and Zoning Commission granted a revised preliminary approval, with conditions, for the above referenced subdivision application. Please be advised that this revised preliminary approval is valid until January 1, 2016. The conditions of the approval are:

1. There shall be no more than 191 lots within the subdivision.
2. The Applicant shall form a homeowners' association to be responsible for the maintenance of streets, roads, any buffers, storm water management facilities, and other common areas.
3. The storm water management system shall meet or exceed the requirements of the State and County.
4. The storm water management system shall maximize ground water recharge and erosion and sediment control measures and shall comply with all State and County requirements.
5. All entrances shall comply with all of DelDOT's requirements.
6. No lots shall contain any wetlands.
7. A system of street lighting shall be provided by the Applicant.
8. Sidewalks shall be installed on both sides of all streets within the subdivision.
9. Within 2 year of the issuance of the first residential building permit, the Developer shall construct a community swimming pool and community center, tennis courts, trails and a tot lot.
10. The development shall be served as part of the Millville Expansion of the Bethany Beach Sanitary Sewer District in accordance with Sussex County Engineering Department specifications and regulations.
11. Street naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.



COUNTY ADMINISTRATIVE OFFICES
 2 THE GIRCLE | P.O. BOX 417
 GEORGETOWN, DELAWARE 19847

12. A school bus stop shall be established within the project. The location of the bus stop shall be established in coordination with the local school district, and it shall be shown on the Final Site Plan.
13. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.
14. The cemetery will be protected, and maintained by the Homeowners' Association.
15. The Applicant shall submit as part of the site plan review a landscape plan showing the proposed tree and shrub landscaping design. This plan shall also clearly show the wooded areas that will be preserved.
16. Lots 93, 94, 95, 96 and 97 shall be realigned to reflect a consistent minimum 30-foot buffer along the property boundary that is outside those lot lines in the rear.
17. The applicant shall submit a revised a revised Preliminary Site Plan noting or depicting these conditions of approval on it. Staff shall approve the revised Preliminary Site Plan upon confirmation that these conditions of approval have been noted or depicted on it.

With the exception of 191 lots being revised in Condition #1 and the addition of Condition #17, the conditions of approval are the same as the Commission's preliminary approval of February 8, 2007. As previously stated, preliminary approval is valid until January 1, 2016.

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

Sincerely,

Shane Abbott
 Shane Abbott
 Assistant Director

BK: 246 PG: 65



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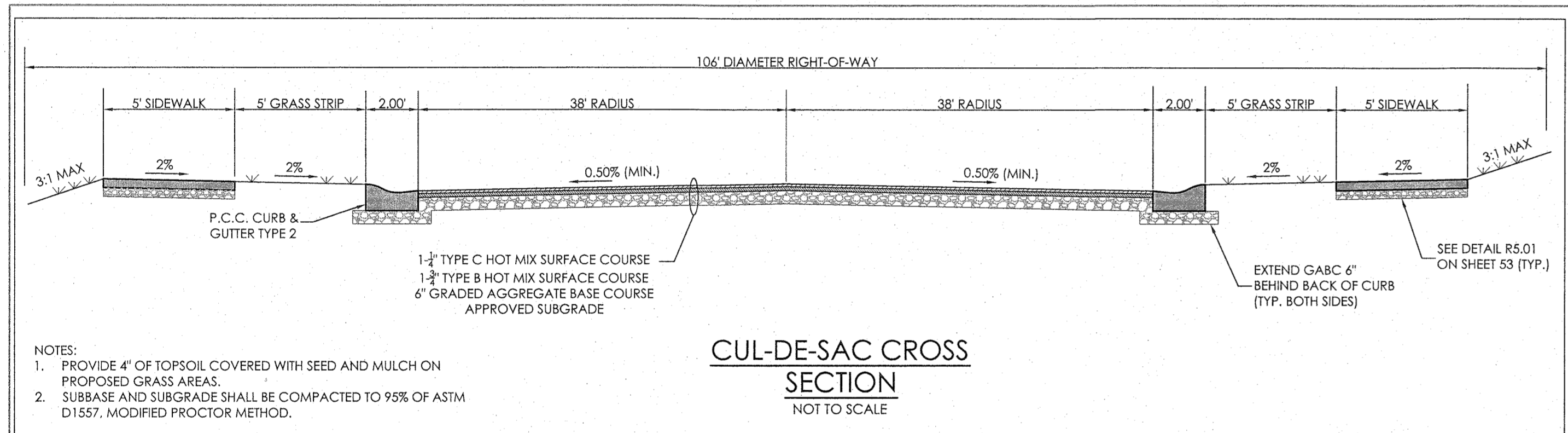
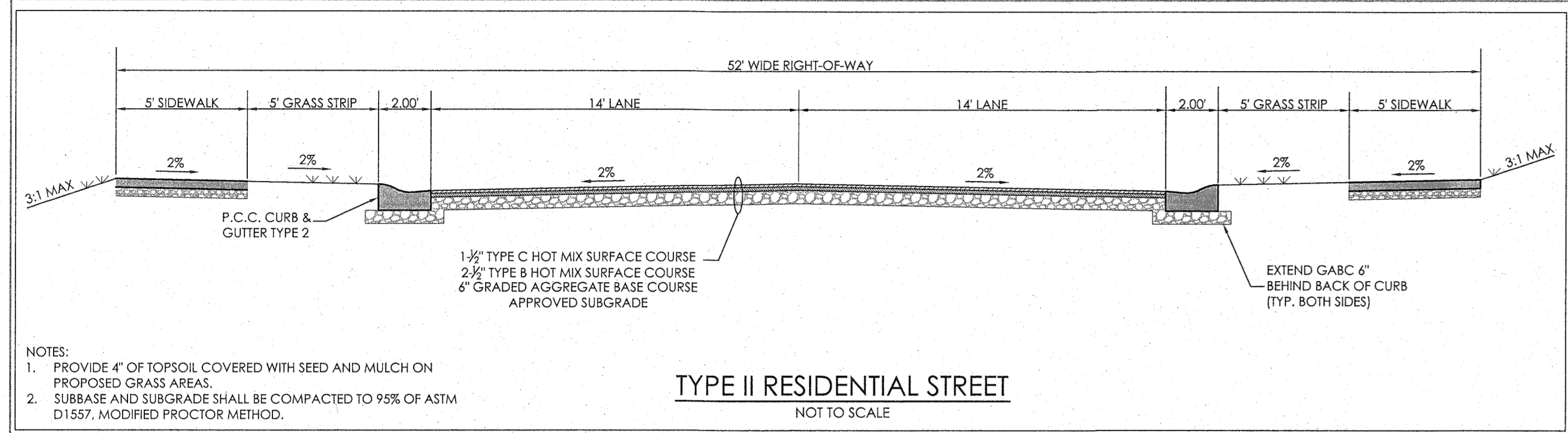
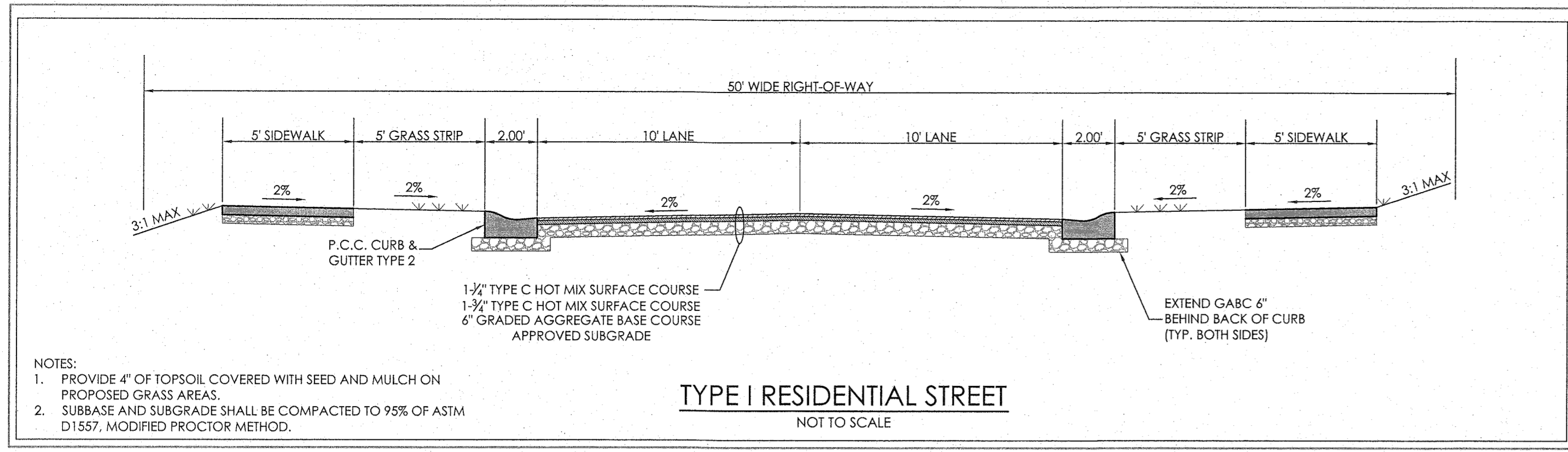
Seal
 Date

REVISIONS		DESCRIPTION
NO.	DATE	PLANNING & ZONING COMMENTS
1	04/04/2017	

CONDITIONS OF APPROVAL
 for
SEAGROVE
 SUSSEX COUNTY, DELAWARE
 Prepared for: HARLTON COMMUNITIES, LLC

Date:	03/16/2017
Job Number:	13025
Scale:	NONE
Drawn By:	HHB
Designed By:	HHB
Approved By:	BH

Sheet No.: 2
 File Name: PLAT.dwg

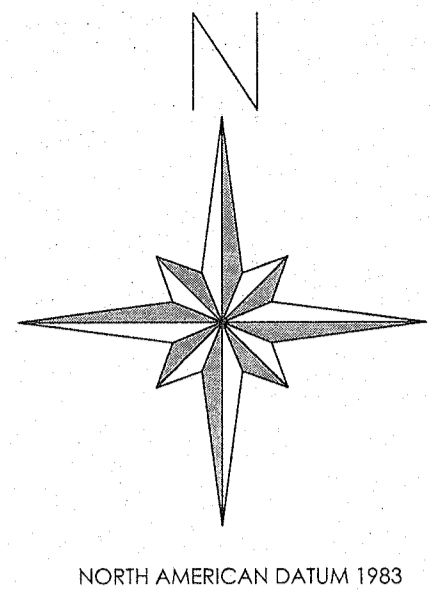


Seal _____
Date _____

REVISIONS		DATE	DESCRIPTION
NO.	DATE	DESCRIPTION	PLANNING & IONING COMMENTS
1	04/04/2017		

TYPICAL ROAD SECTIONS
for
SEAGROVE
SUSSEX COUNTY, DELAWARE
Prepared for: HARTON COMMUNITIES, LLC

Date:	03/14/2017
Job Number:	13025
Scale:	NONE
Drawn By:	HHB
Designed By:	HHB
Approved By:	BH



GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft.

NORTH AMERICAN DATUM 1983

BK = 246 PG = 68

N/F
BANKS FAMILY PARTNERSHIP, LCC
TM 1-34-7.00-187.00
DB 4165/43

OLD MILL ROAD - SCR 349
(LOCAL ROAD)

N/F
KEVIN WADE HOCKER
TM 1-34-7.00-187.03
DB 2685/112

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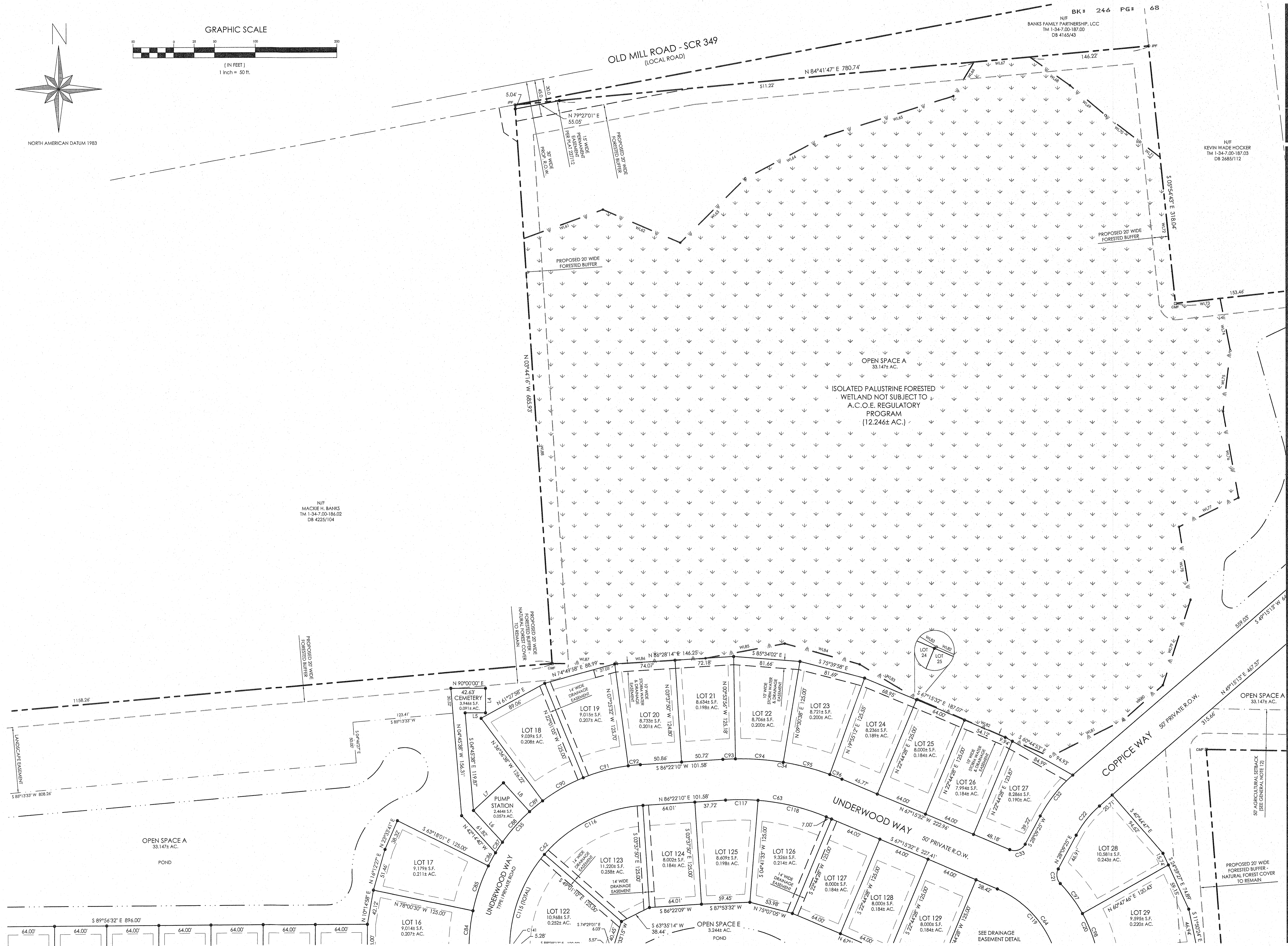
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Date

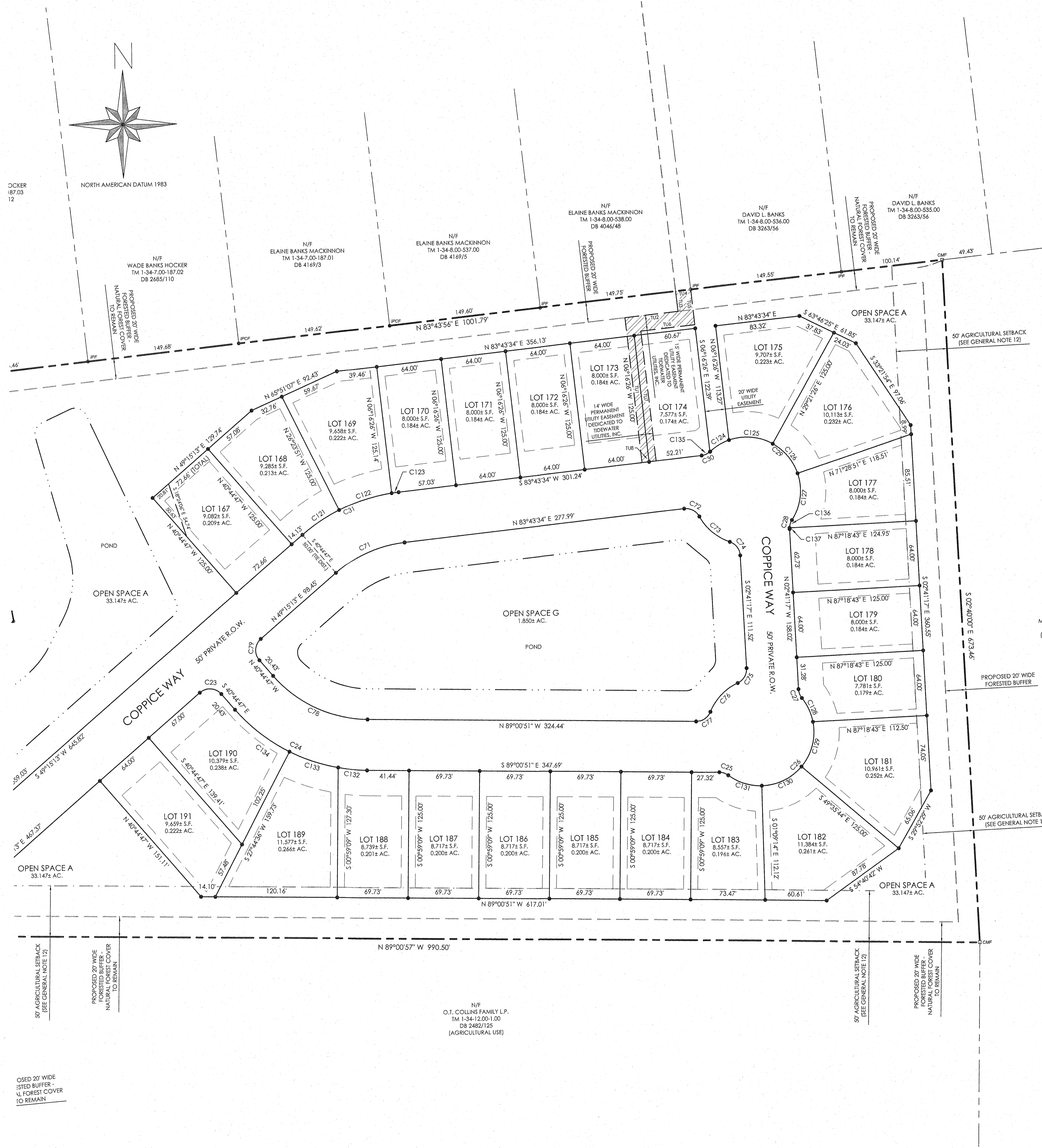
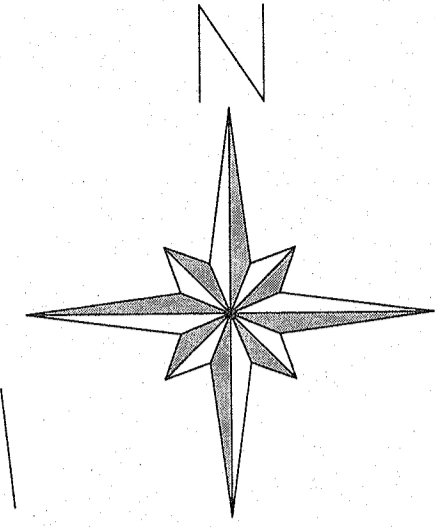
NO.	DATE	DESCRIPTION
1	04/04/2017	PLANNING & ZONING COMMENTS

FINAL SUBDIVISION PLAT B
for
SEAGROVE
SUSSEX COUNTY, DELAWARE
Prepared for: HARTLON COMMUNITIES, LLC

Date:	03/16/2017
Job Number:	13025
Scale:	1" = 50'
Drawn By:	HDH, HHR
Designed By:	HHB
Approved By:	BH

Sheet No.:
File Name: PLAT.dwg





TIDEWATER UTILITIES EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
TU1	N 06°16'22" W	143.69'
TU2	N 83°43'56" E	52.67'
TU3	N 06°16'22" W	20.00'
TU4	N 83°43'34" E	15.00'
TU5	S 06°16'22" E	35.00'
TU6	S 83°43'56" W	53.67'
TU7	S 06°16'22" E	128.69'
TU8	S 83°43'34" W	14.00'

TOTAL TIDEWATER UTILITIES INC.
EASEMENT AREA = 3,116.69 S.F.



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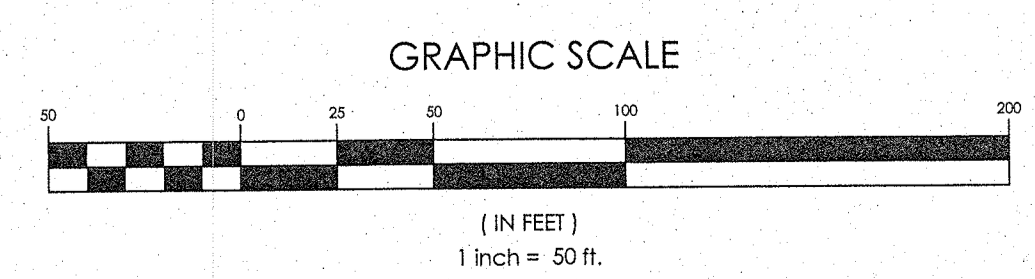
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Date _____

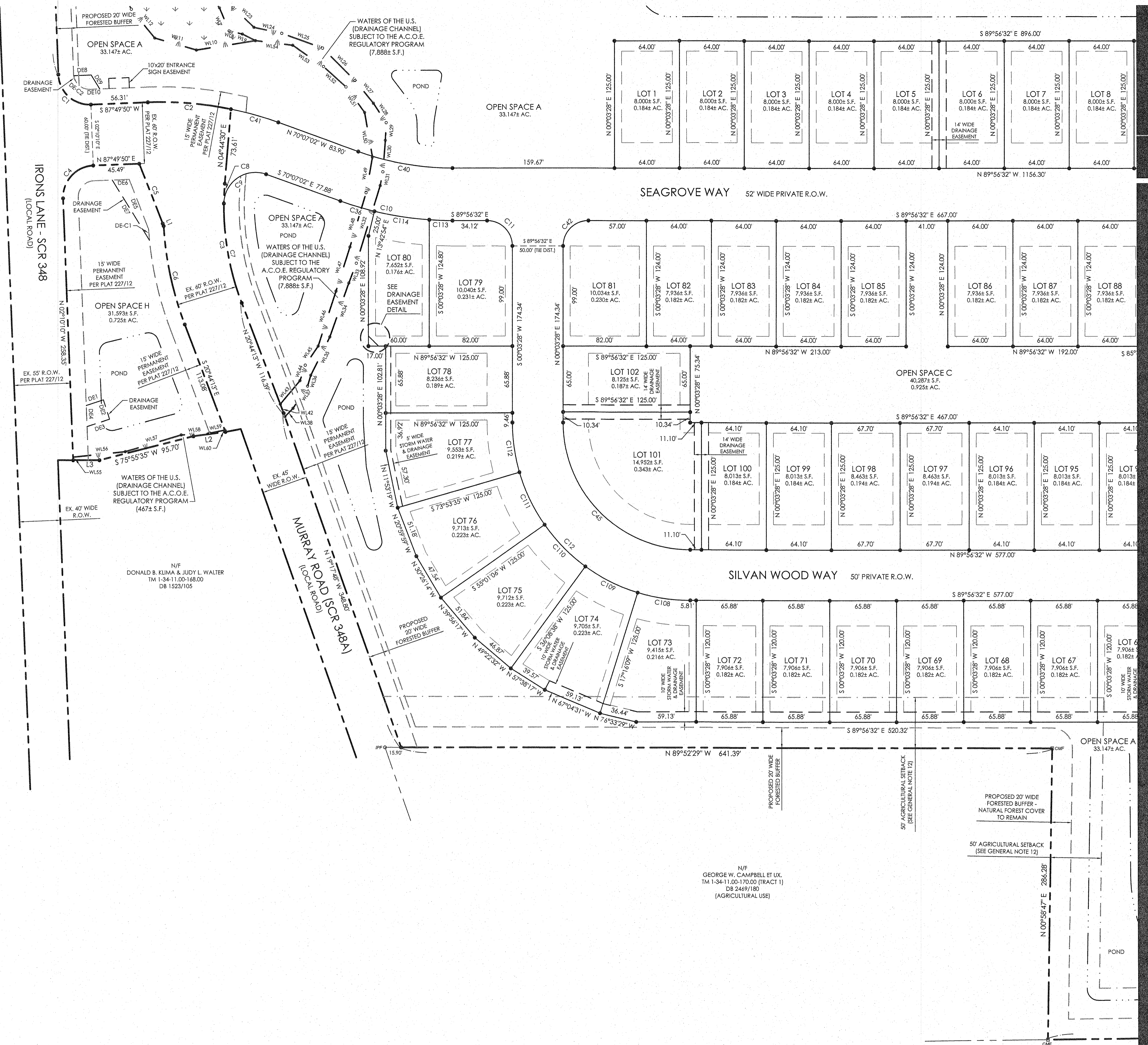
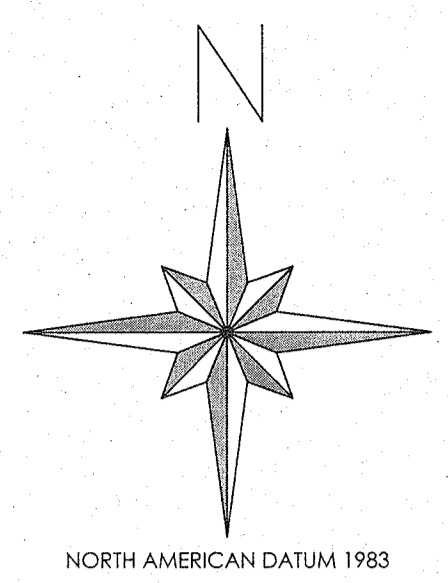
REVISIONS

NO.	DATE	DESCRIPTION
1	04/04/2017	PLANNING & ZONING COMMENTS

FINAL SUBDIVISION PLAT C
for
SEAGROVE
SUSSEX COUNTY, DELAWARE
Prepared for: HARTLON COMMUNITIES, LLC

Date: 03/16/2017
Job Number: 13025
Scale: 1" = 50'
Drawn By: HDH, IHB
Designed By: IHB
Approved By: BH
Sheet No.: _____
File Name: PLAT.dwg

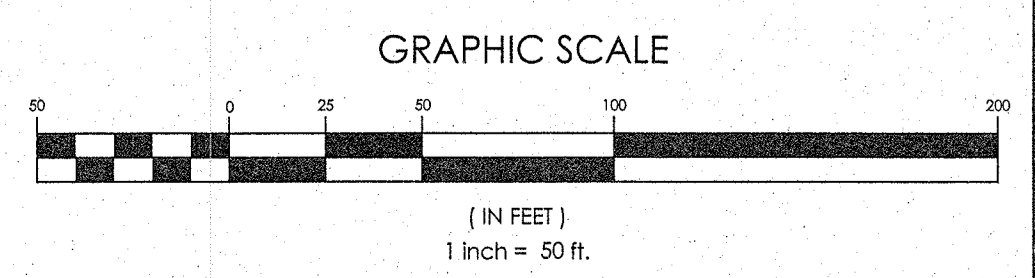
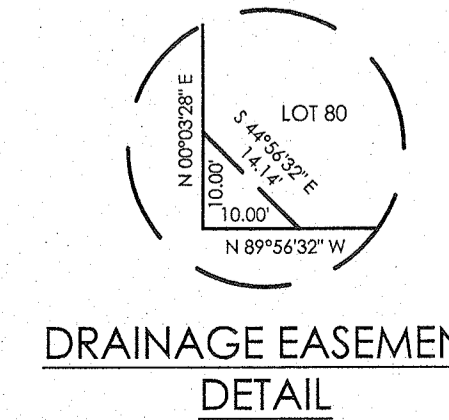




LINE	BEARING	DISTANCE
DE1	S 72°07'21" W	17.77'
DE2	S 17°52'39" E	20.00'
DE3	S 72°07'21" W	23.39'
DE4	N 02°10'10" W	20.78'
DE5	N 21°12'55" E	53.10'
DE6	N 87°49'50" E	16.64'
DE7	N 31°35'59" W	70.11'
DE8	S 87°49'50" W	17.22'
DE9	S 31°35'59" E	16.22'
DE10	N 87°49'50" E	9.30'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
DE-C1	345.0000'	10.8731'	10.8727'	N 04°40'57" W	1°48'21"	5.4370'
DE-C2	16.0000'	23.2557'	21.2620'	N 50°31'49" W	83°16'42"	14.2250'

TOTAL DRAINAGE EASEMENT AREA = 836.13 S.F.



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Seal _____
Date _____

NO.	DATE	DESCRIPTION
1	04/04/2017	PLANNING & ZONING COMMENTS

FINAL SUBDIVISION PLAT D
for
SEAGROVE
SUSSEX COUNTY, DELAWARE
Prepared for: HARTON COMMUNITIES, LLC

Date: 03/16/2017
Job Number: 13025
Scale: 1" = 50'
Drawn By: HDB, HHB
Designed By: HDB, HHB
Approved By: BH
Sheet No.: 7
File Name: PLAT.dwg



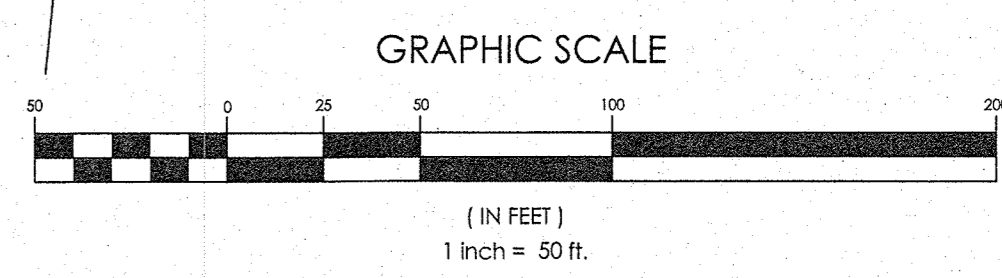
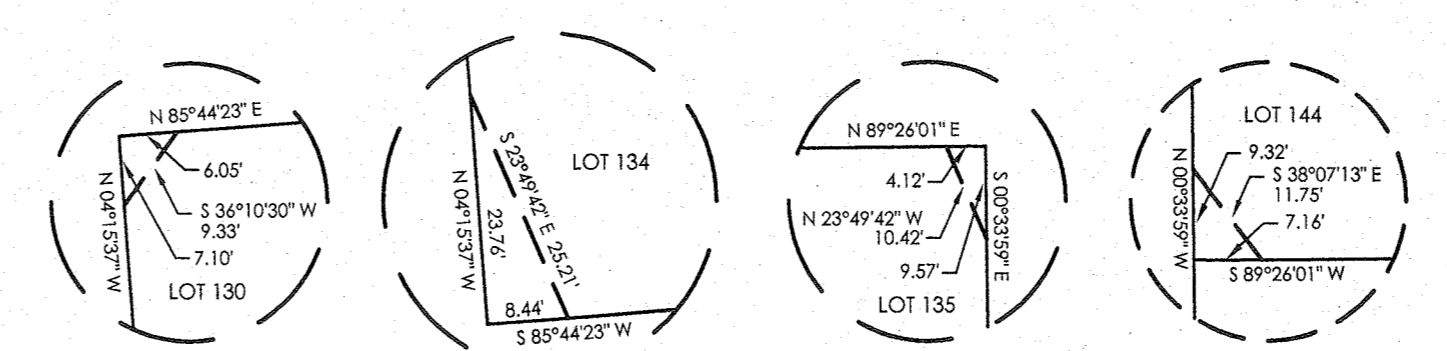
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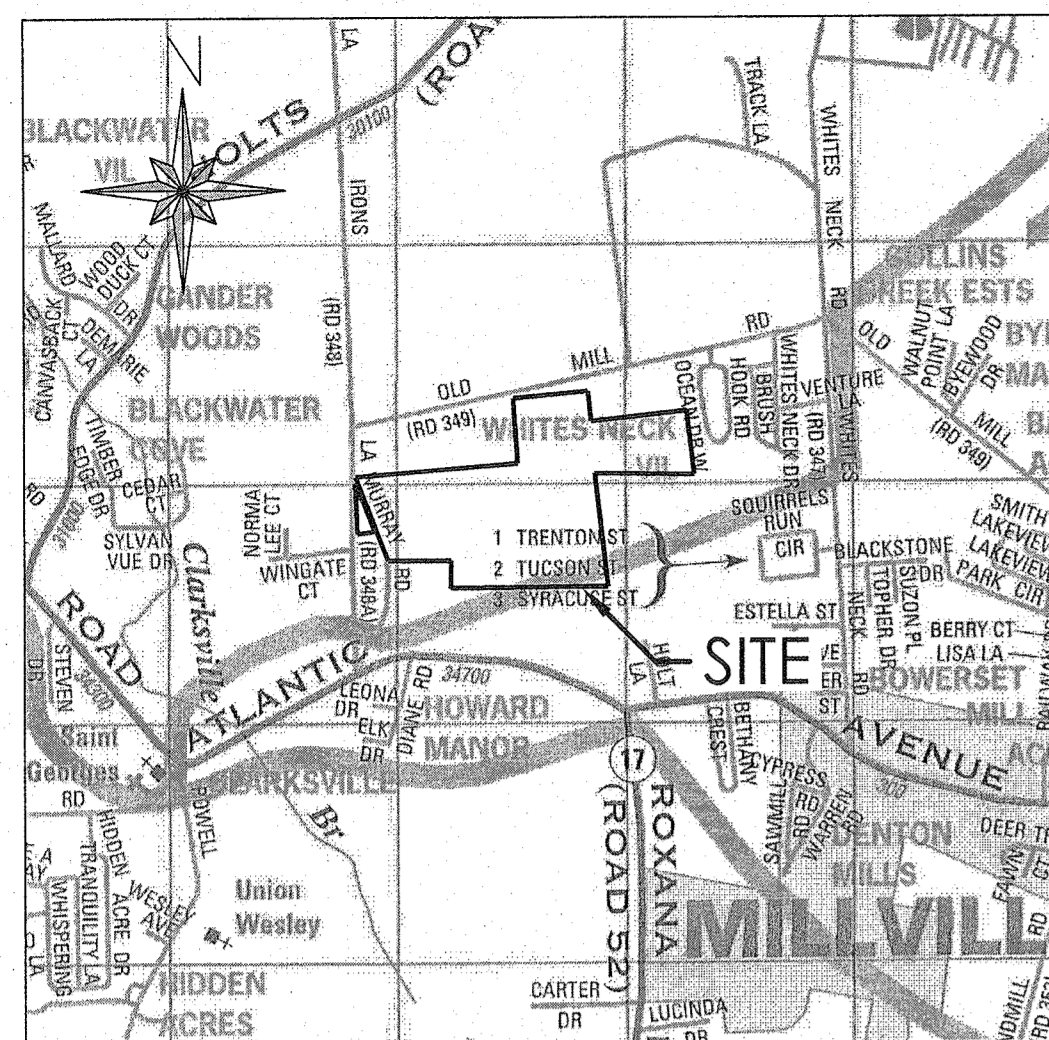
Seal _____
Date _____

REVISIONS		DESCRIPTION
NO.	DATE	PLANNING & ZONING COMMENTS
	04/04/2017	

FINAL SUBDIVISION PLAT E
for
SEAGROVE
SUSSEX COUNTY, DELAWARE
Prepared for: HARTON COMMUNITIES, LLC



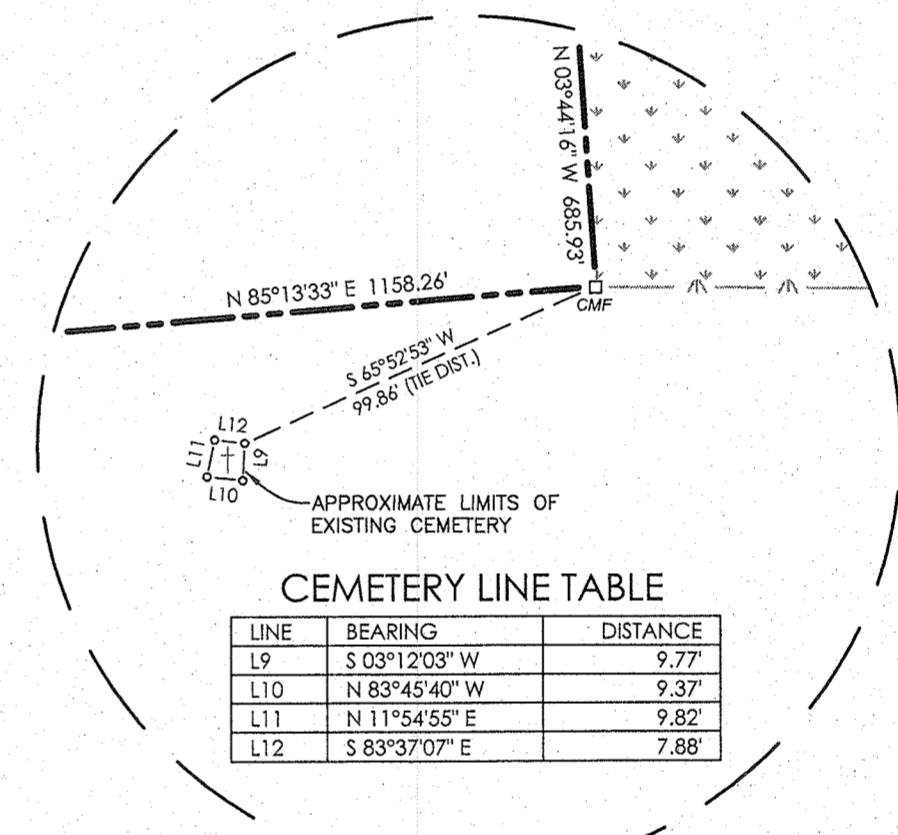
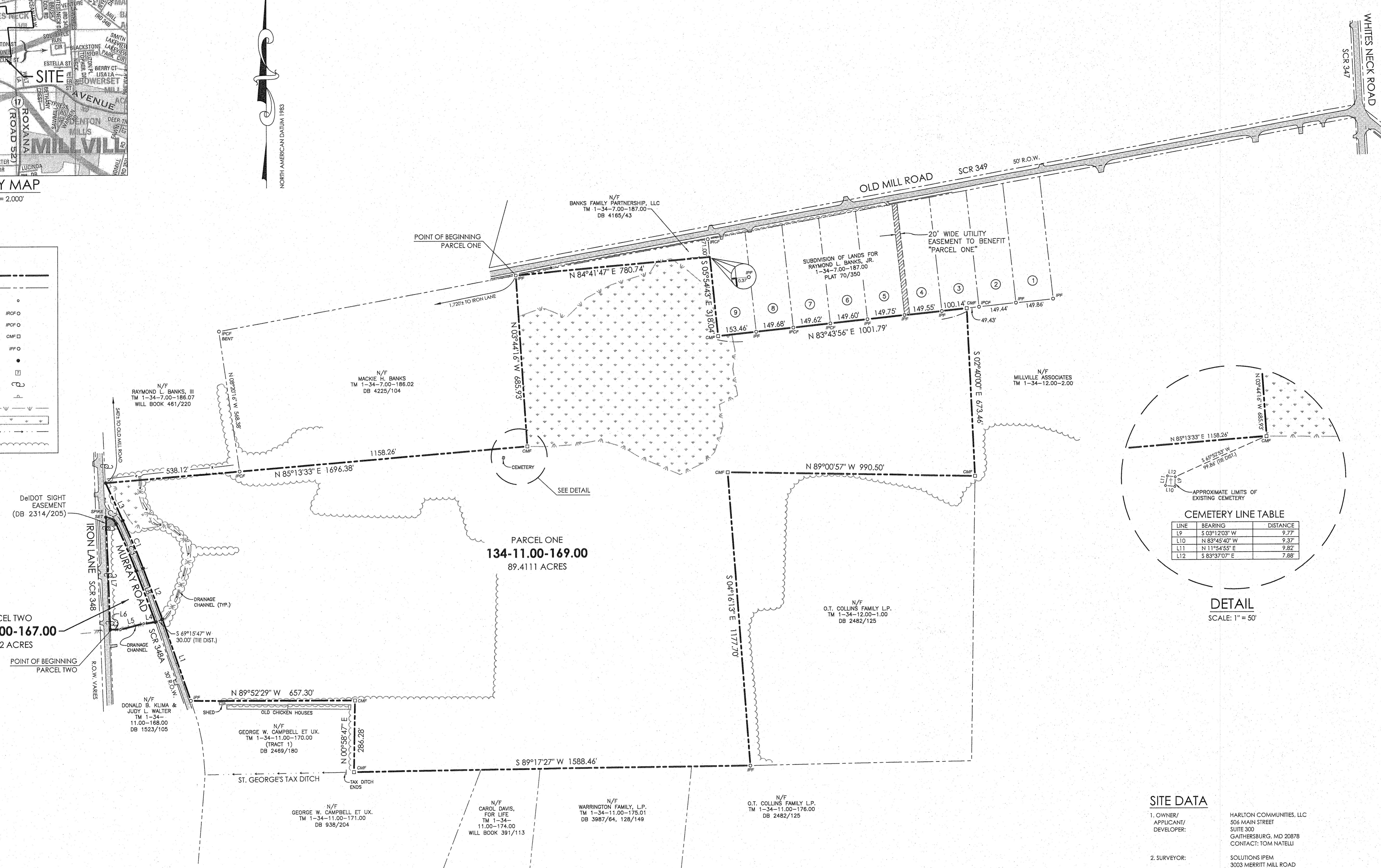
Date: 03/16/2017
Job Number: 19025
Scale: 1" = 50'
Drawn By: HDH, HHB
Designed By: HHB
Approved By: BH
Sheet No.: 8
File Name: PLAT.dwg



VICINITY MAP
SCALE: 1" = 2,000'

LEGEND

PROPERTY LINE	---
ADJOINER LINE	---
PROPERTY CORNER (NOT SPECIFIED)	o
IRON ROD & CAP FOUND	IPCF o
CAPPED IRON PIN FOUND	IPCF o
CONCRETE MONUMENT FOUND	CMF □
IRON PIPE FOUND	IPF o
IRON ROD & CAP SET	•
TELEPHONE PEDESTAL	□
UTILITY POLE	□
SIGN	+
EDGE OF WETLAND	~
WETLAND AREA	~
CENTERLINE OF DITCH	---
TREE LINE	~



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 19°17'42" W	342.95'
L2	N 20°44'13" W	217.54'
L3	N 24°30'23" W	165.72'
L4	S 82°24'07" W	47.25'
L5	S 75°55'33" W	95.70'
L6	N 89°35'12" W	40.99'
L7	N 02°10'10" W	450.88'
L8	S 20°44'13" E	217.54'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	3185.00'	209.54'	209.50'	N 22°37'18" W	3°46'10"
C2	45.00'	51.36'	48.62'	S 57°12'09" E	65°23'32"
C3	3155.00'	207.56'	207.53'	S 22°37'18" E	3°46'10"



- SITE DATA**
- OWNER/APPLICANT/DEVELOPER: HARLTON COMMUNITIES, LLC
506 MAIN STREET
SUITE 300
GAIHERSBURG, MD 20878
CONTACT: TOM NATELLI
 - SURVEYOR: SOLUTIONS IPEM
3003 MERRITT MILL ROAD
SALISBURY, MD 21804
PHONE: 410.572.8833
 - SUBDIVISION TAX MAP: 1-34-11.00, PARCEL 169.00
SITE AREA = 89.411 ± ACRES
1-34-11.00, PARCEL 167.00
SITE AREA = 1.114 ± ACRES
 - DEED REFERENCE: BOOK 4380, PAGE 35
BOOK 4103, PAGE 144
BOOK 440, PAGE 120
 - EXISTING ZONING: AR-1 (ES-1)
 - BASED UPON F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER 10005C0495K, PANEL 495 OF 660, WITH AN EFFECTIVE DATE OF JANUARY 6, 2005. THIS SITE IS LOCATED IN FLOOD ZONE X. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

SOLUTIONS
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Date _____

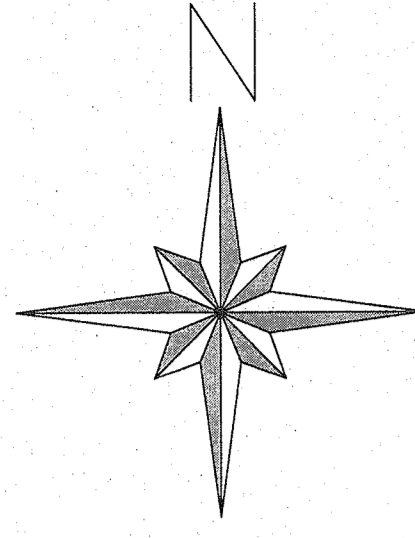
REVISIONS

NO.	DATE	DESCRIPTION
1	04/04/2017	PLANNING & ZONING COMMENTS

BOUNDARY SURVEY PLAN
for
SEAGROVE
SUSSEX COUNTY, DELAWARE
Prepared for: HARLTON COMMUNITIES, LLC

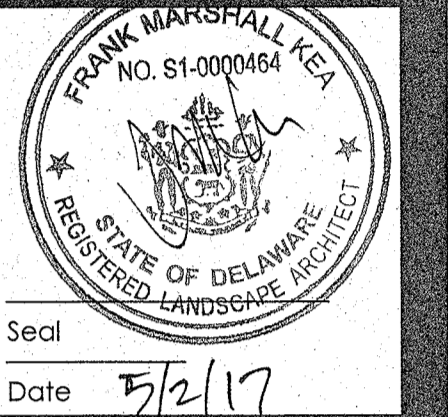
Date:	03/16/2017
Job Number:	13025
Scale:	1" = 200'
Drawn By:	HDH
Designed By:	
Approved By:	BWH

Sheet No.: **9**
File Name: PLAT.dwg



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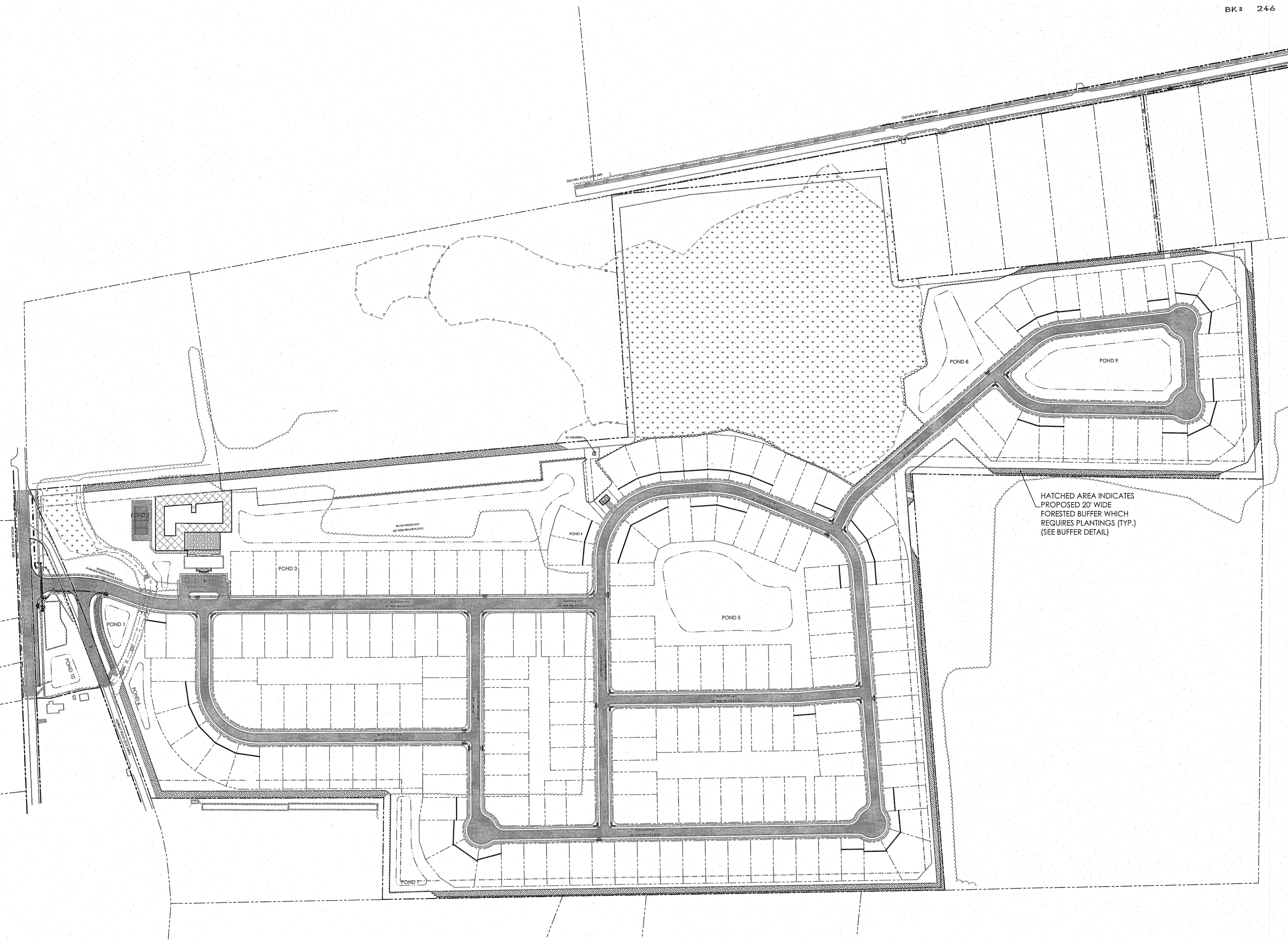


Seal
Date 5/2/17

REVISIONS		DESCRIPTION
NO.	DATE	PLANNING & ZONING COMMENTS
1	04/04/2017	

LANDSCAPING PLAN
for
SEAGROVE
SUSSEX COUNTY, DELAWARE
Prepared for: HARLTON COMMUNITIES, LLC

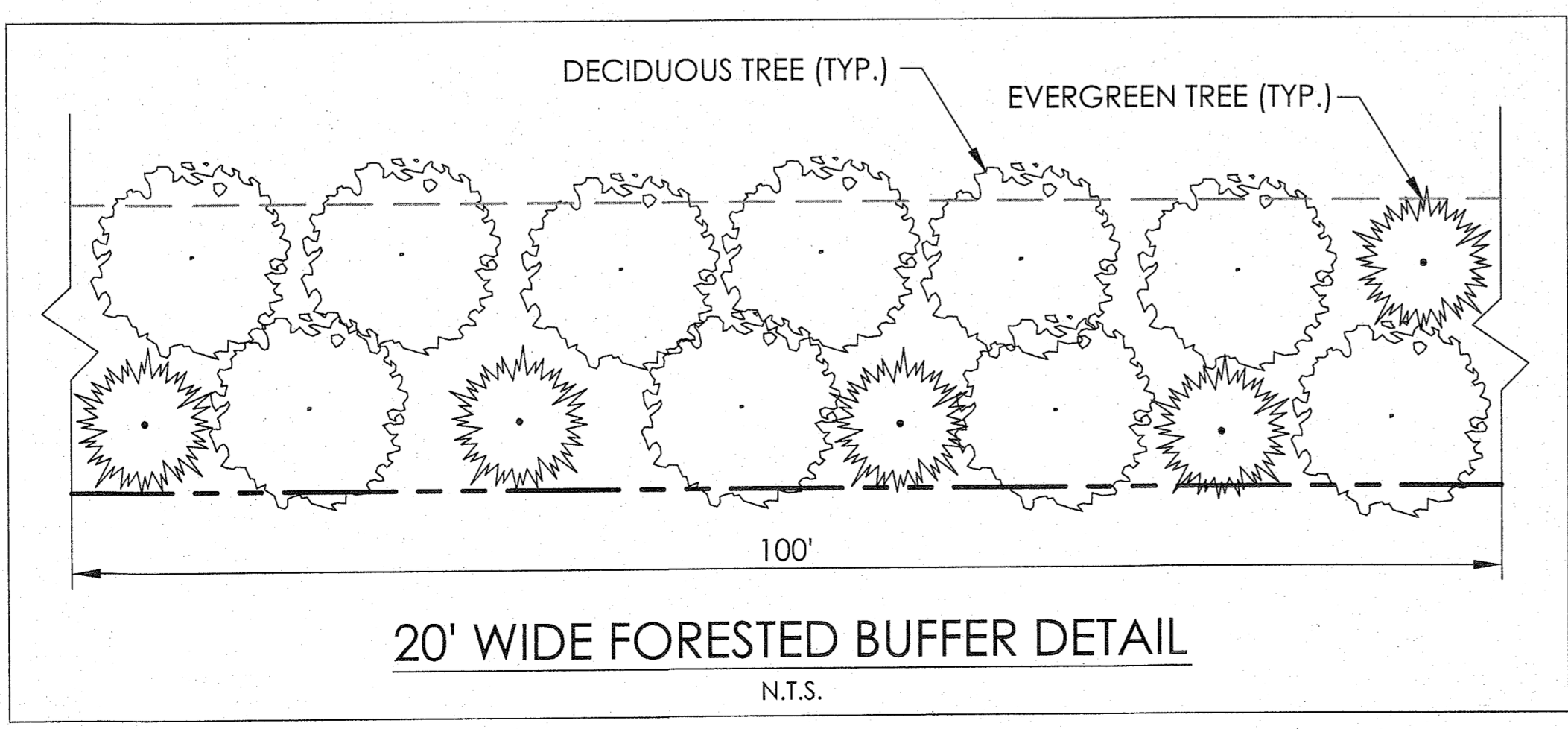
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Sheet No.:	L-1										
File Name:	LNSDCP.dwg										



HATCHED AREA INDICATES PROPOSED 20' WIDE FORESTED BUFFER WHICH REQUIRES PLANTINGS (TYP.) (SEE BUFFER DETAIL)

Recorder of Deeds
Scott Bailey
May 08, 2017 11:05A
Sussex County
Doc. Surcharge Paid

Recorder of Deeds
Scott Bailey
May 08, 2017 11:05A
Sussex County
Doc. Surcharge Paid



DEVELOPER'S OPTIONS FOR FORESTED BUFFER

Symbol	Botanical Name	Common Name	Specification
AR	Acer rubrum	Red Maple	1 1/2" cal., 6' hgt., min.
AS	Acer saccharum	Sugar Maple	1 1/2" cal., 6' hgt., min.
CT	Chamaecyparis thuyoides	Atlantic Whitecedar	5' hgt., min.
CV	Crataegus viridis 'Winter King'	Winter King Green Hawthorn	1 1/2" cal., 6' hgt., min.
LT	Liriodendron tulipifera	Tulip Tree	1 1/2" cal., 6' hgt., min.
PV	Pinus virginiana	Virginia Pine	5' hgt., min.
PS	Pinus strobus	White Pine	1 1/2" cal., 6' hgt., min.
PT	Pinus taeda	Loblolly Pine	5' hgt., min.
QA	Quercus alba	White Oak	1 1/2" cal., 6' hgt., min.
QC	Quercus coccinea	Scarlet Oak	1 1/2" cal., 6' hgt., min.
QP	Quercus phellos	Willow Oak	1 1/2" cal., 6' hgt., min.
QR	Quercus rubra	Red Oak	1 1/2" cal., 6' hgt., min.
TD	Taxodium distichum	Bald Cypress	1 1/2" cal., 6' hgt., min.
IO	Ilex opaca	American Holly	5' hgt., min.
MV	Magnolia virginiana	Sweetbay Magnolia	5' hgt., min.
JV	Juniperus virginiana	Eastern Red Cedar	5' hgt., min.
PA	Platanus acerifolia	London Plane Tree	1 1/2" cal., 6' hgt., min.
NS	Nyssa sylvatica	Black Gum	1 1/2" cal., 6' hgt., min.
PA	Picea abies	Norway Spruce	1 1/2" cal., 6' hgt., min.
CS	Cornus sericea 'Cardinal'	Red Osier Dogwood	3' hgt., min.
CSF	Cornus sericea 'Flaviramea'	Yellow Twig Dogwood	3' hgt., min.
SB	Salix babylonica	Weeping Willow	1 1/2" cal., 6' hgt., min.
PT	Paulownia tomentosa	Royal Empress Tree	1 1/2" cal., 6' hgt., min.

NOTE:
DETAILED LANDSCAPED PLANS TO BE SUBMITTED AS PART OF THE CONSTRUCTION DRAWINGS.

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

FRANK KEA, R.L.A. 5/2/17 DATE

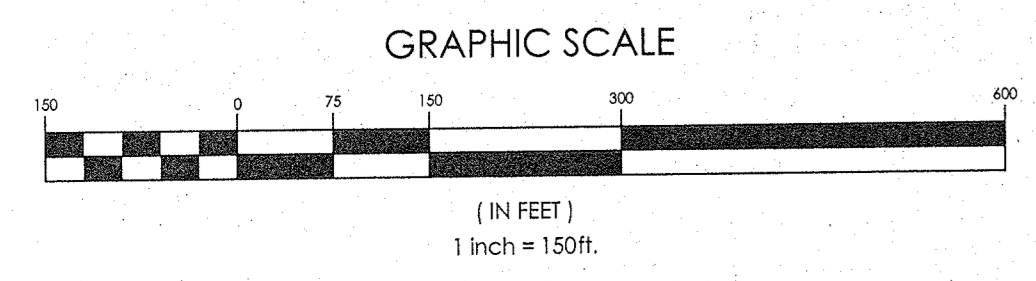


EXHIBIT D

Seagrove
Sample Yield Plan



134-11.00-169.00
89,411 ACRES

134-11.00-167.00
1,114 ACRES

SEAGROVE

- SUBDIVISION TAX MAP:
1-34-11.00, PARCEL 169.00
SITE AREA = 89.411 ± ACRES
- 1-34-11.00, PARCEL 167.00
SITE AREA = 1.114 ± ACRES
- PROPOSED USE: SUBDIVISION #2005-95
191 SINGLE FAMILY CLUSTER LOTS
DENSITY = 191 UNITS / 90.525 AC = 2.11
MIN. LOT AREA = 7,500 S.F.
MIN. LOT WIDTH = 60'
- YIELD PLAN
100 SINGLE FAMILY LOTS
DENSITY = 100 UNITS / 90.525 AC = 1.10
MIN. LOT AREA = 20,000 S.F.
MIN. LOT WIDTH = 100'

SWM

SWM

SWM

SWM

SWM

EXHIBIT E

Recorded Major Subdivision Plan
Environmentally Sensitive Cluster Subdivision Option – AR-1 Zone
Sweetbay

SITE DATA:
 OWNER: NATELLI COMMUNITIES
 DEVELOPER: 406 MAIN STREET
 3RD FLOOR
 GAITHERSBURG, MD 20878
 PHONE: 301-470-4020
 CONTACT: TOM NATELLI
 ENGINEER/SURVEYOR: SOLUTIONS IPEM, LLC
 203 NORTH BEDFORD STREET
 GEORGETOWN, DE 19947
 PHONE: 302-297-9215
 CONTACT: JASON PALKEWICZ, PE

- GROSS ACREAGE = 41.55± ACRES
- EXISTING ZONING: AR-1 (ES-1)
- SETBACKS: FRONT = 25' (CORNER = 15') REAR = 10' SIDE = 10' MAXIMUM BUILDING HEIGHT = 42'
- PRESENT USE: WOODED LANDS
- PROPOSED USE: CLUSTER SUBDIVISION
- SEWER PROVIDER: SUSSEX COUNTY
- WATER PROVIDER: ARTESIAN
- TAX PARCEL NUMBERS: 533-11.00, PARCELS 81.00 & 82.01
- TOTAL NUMBER OF LOTS: EXISTING = 2 PROPOSED = 65
- ZION CHURCH ROAD SPEED LIMIT = 50 MPH
- INVESTMENT LEVEL AREA = 38.4
- FLOOD ZONE: THE PROPERTY IS LOCATED WITHIN FLOOD ZONE X (UNSHADED). (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN); ZONE AE (SPECIAL FLOOD HAZARD AREA SUBJECT TO THE FLOODING BY THE 1% ANNUAL CHANCE FLOOD - BASE FLOOD ELEVATIONS DETERMINED) PER FIRM MAP NUMBER 10005C0 PANEL 0635K, REVISED MA RCH 16, 2015.

AREAS:
 GROSS AREA = 41.55± AC.
 NET AREA = 38.86± AC.
 OPEN SPACE AREA = 25.96± AC.
 OPEN SPACE 1 = 25.83± AC.
 OPEN SPACE 2 = 0.13± AC.
 % IMPERVIOUS COVER AREA = 6.72%
 % OPEN SPACE AREA = 62.5%
 R.O.W. AREA = 2.62± AC.
 DELDOT R.O.W. AREA = 0.0635± AC.
 WOODLANDS:
 EXISTING = 39.91 AC± (96.2%)
 TO BE REMOVED = 20.39 (52.5%)
 TO REMAIN = 19.52 AC± (49.7%)
 WETLANDS:
 NON-TIDAL = 11.28 ± AC.
 WATERS OF THE U.S. = 0.40± AC.
 TOTAL = 11.68± AC.

A PORTION OF THE SITE IS LOCATED IN FLOOD ZONE AE.

CONFORMED COPY
 Document # 2020000926761 BK: 315 PG: 1
 On 6/24/2020 at 11:02:16 AM
 RECORDER OF DEEDS Scott Dailey
 Sussex County
 Consideration: \$0.00

GENERAL NOTES:

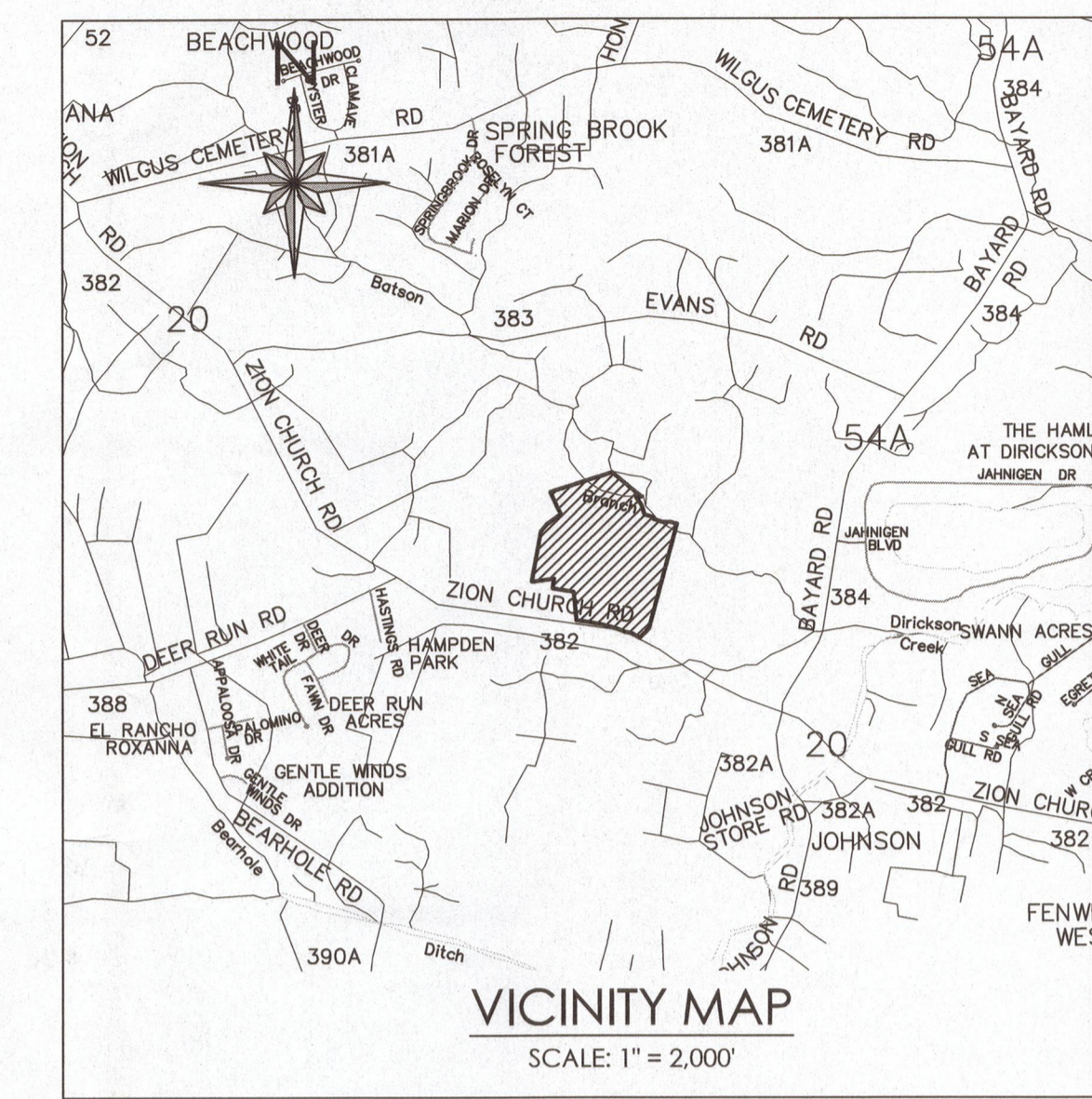
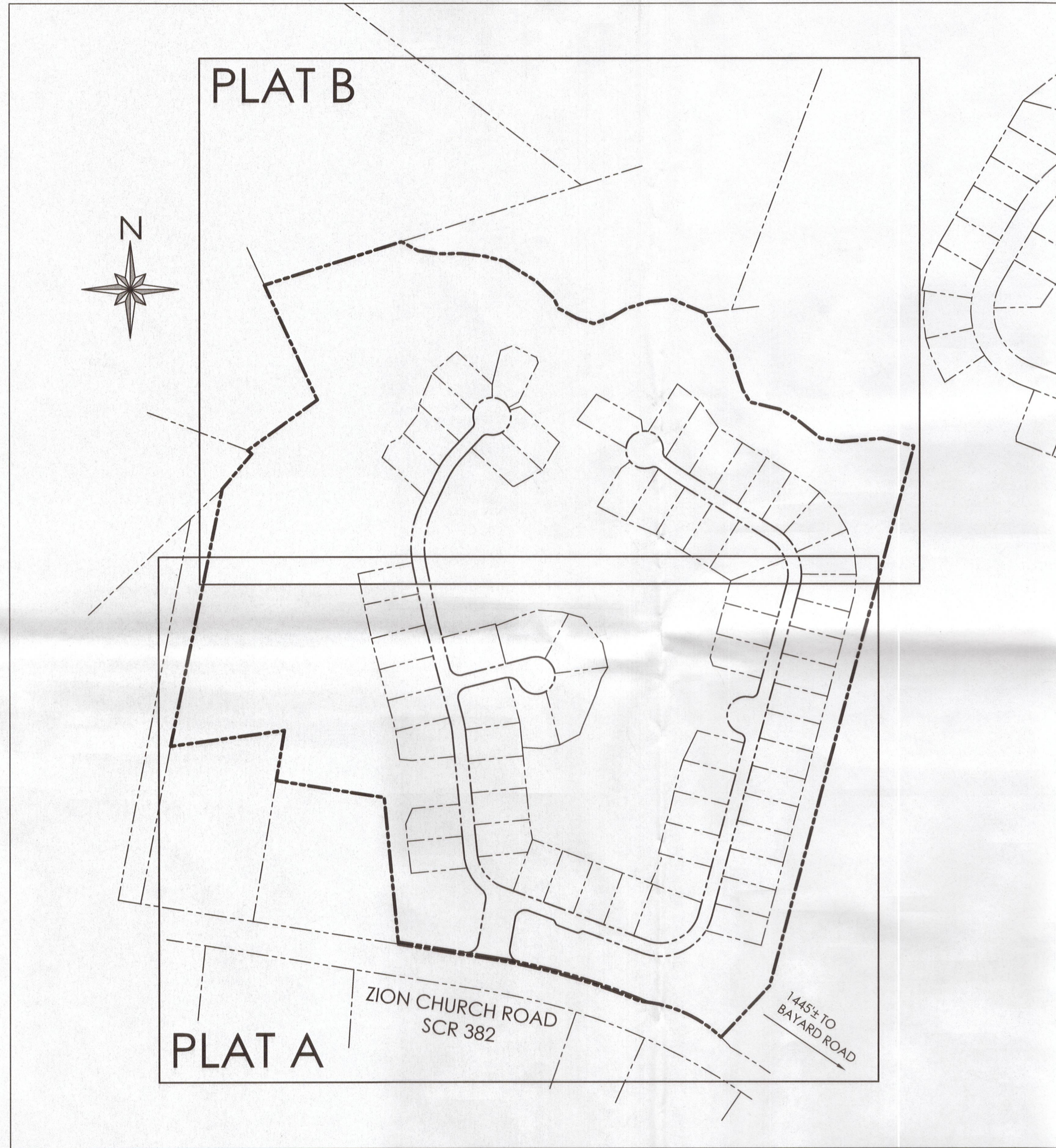
- ALL ON-SITE STREETS (INCLUDING PAVEMENT, CURBING AND SIDEWALK) ARE PRIVATE AND SHALL BE MAINTAINED BY THE OWNER UNTIL DEDICATION TO THE HOMEOWNER'S ASSOCIATION. THE PERPETUAL MAINTENANCE OF THE STREETS SHALL BE BY THE HOMEOWNER'S ASSOCIATION.
- STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE 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 HOMEOWNER'S ASSOCIATION. THE PERPETUAL MAINTENANCE OF THE ABOVE PROACTIVE SHALL BE BY THE HOMEOWNER'S ASSOCIATION.
- ALL OPEN SPACE SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- ALL SUBDIVISION LOTS SHALL HAVE FIVE FOOT WIDE EASEMENTS ALONG ALL LOT LINES FOR A TOTAL EASEMENT WIDTH OF 10 FEET ALONG A LOT LINE COMMON TO TWO LOTS. EASEMENTS ALONG PERIMETER (RIGHT-OF-WAY AND OPEN SPACE) SHALL BE 10 FEET IN WIDTH.
- STREETLIGHTS SHALL BE PROVIDED. ALL LIGHTING SHALL BE DOWNWARD SCREENED. LIGHT LOCATIONS AND DESIGN SHALL BE COORDINATED BETWEEN OWNER AND UTILITY COMPANY.
- THE SITE IS LOCATED WITHIN A WELLHEAD PROTECTION AREA. THE IMPERVIOUS AREA WITHIN THE WELLHEAD PROTECTION AREA IS 32%, WHICH IS IN COMPLIANCE WITH SUSSEX COUNTY SOURCE WATER PROTECTION ORDINANCE.
- ALL AMENITIES AND LANDSCAPE/FOREST BUFFERS SHALL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- CLEARING OF TREES HAS BEEN MINIMIZED TO THE EXTENT NECESSARY TO CONSTRUCT ALL REQUIRED SITE IMPROVEMENTS IN ACCORDANCE WITH CONDITION OF APPROVAL O.
- AN ENTRANCE/COMMUNITY SIGN WILL BE PROVIDED. ANY SIGNAGE WILL REQUIRED A SEPARATE PERMIT.

DELDOT RECORD PLAN GENERAL NOTES (REV. 3/21/19):

- All entrances shall conform to the Delaware Department of Transportation's (DelDOT's) current Development Coordination Manual and shall be subject to its approval.
- No landscaping shall be allowed within the right-of-way unless the plans are compliant with Section 3.7 of the Development Coordination Manual.
- Shrubbery, plantings, signs and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited within the defined departure sight triangle area established on this plan. If the established departure sight triangle area is outside the right-of-way or projects onto an adjacent property owner's land, a sight easement should be established and recorded with all affected property owners to maintain the required sight distance.
- Upon completion of the construction of the sidewalk or shared-use path across this project's frontage and physical connection to adjacent existing facilities, the Developer, the property owners or both associated with this project, shall be responsible to remove any existing road tie-in connections located along adjacent properties, and restore the area to grass. Such actions shall be completed at DelDOT's discretion, and in conformance with DelDOT's Development Coordination Manual.
- Private streets constructed within this subdivision shall be maintained by the Developer, the property owners within this subdivision or both (Title 17 §131). DelDOT assumes no responsibilities for the future maintenance of these streets.
- The shared-use path shall be the responsibility of the Developer, the property owners or both within this subdivision. The State of Delaware assumes no responsibility for the future maintenance of the shared-use path.
- All lots shall have access from the internal subdivision street.
- To minimize rutting and erosion of the roadside due to on-street parking, driveway and building layouts must be configured to allow for vehicles to be stored in the driveway beyond the right-of-way, without interfering with sidewalk access and clearance.
- The Developer shall be required to furnish and place right-of-way monuments in accordance with DelDOT's Development Coordination Manual.
- The Developer shall be required to furnish and place right-of-way markers to provide a permanent reference for re-establishing the right-of-way and property corners on local and higher order frontage roads. Right-of-way markers shall be set and/or placed along the frontage road right-of-way at property corners and at each change in right-of-way alignment in accordance with Section 3.2.4.2 of the Development Coordination Manual.

RECORD PLAT FOR SWEETBAY

COUNTY PROJECT REFERENCE NO. 2018-26
 BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE



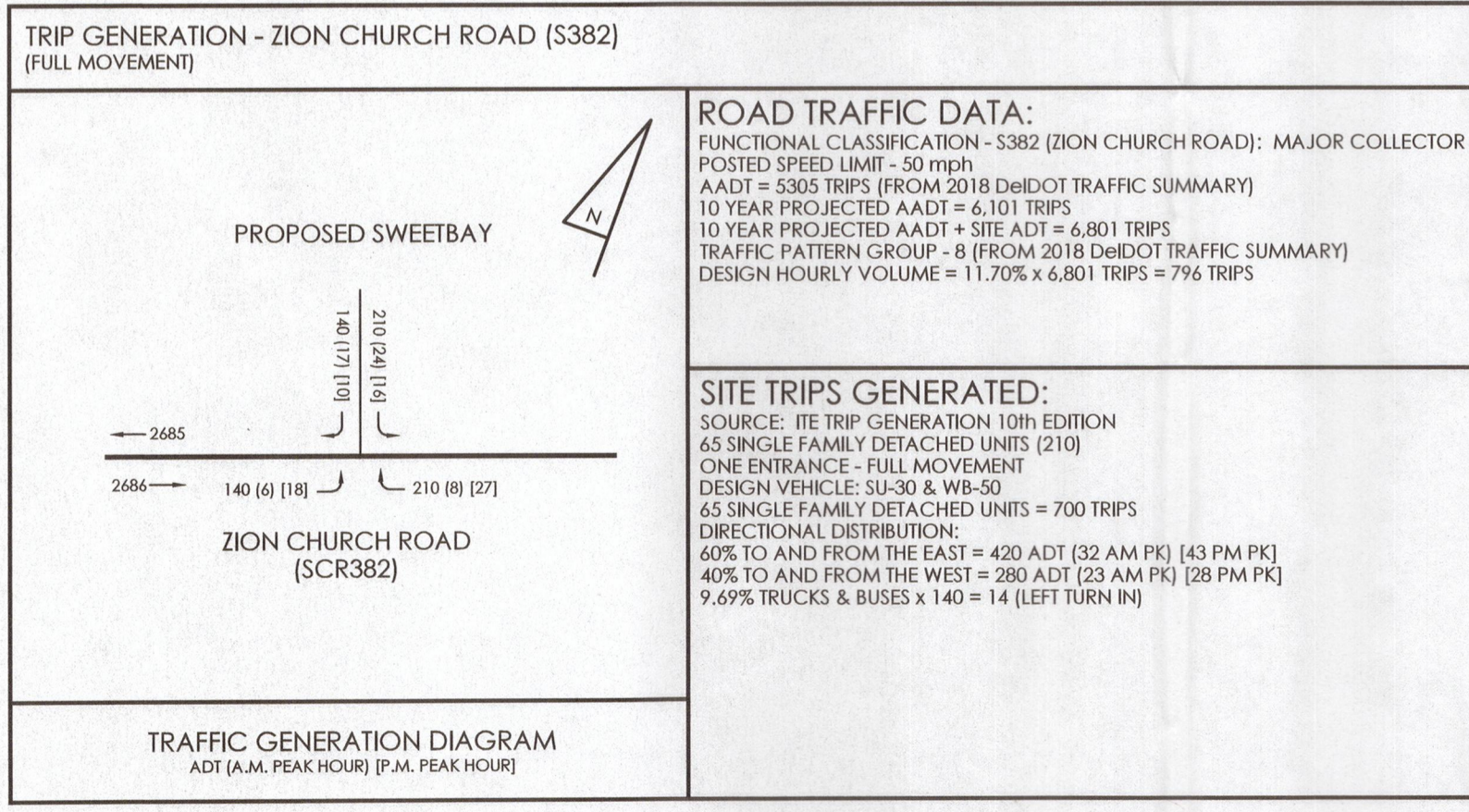
LEGEND

	EXISTING	PROPOSED
CAPPED PIN SET	N/A	•
PROPERTY LINE	—	- - - - -
EASEMENT LINE	- - - - -	- - - - -
EASEMENT	N/A	▨
SETBACK LINE	N/A	- - - - -
EDGE OF WETLAND	- - - - -	- - - - -
WETLAND HATCH	•••••	N/A
UNMARKED POINT	•	N/A
IRON PIPE FOUND	○ IPF	N/A
CONCRETE MONUMENT FOUND	○ CMP	N/A
CAPPED IRON PIPE FOUND	○ IPCF	N/A
CAPPED IRON ROD SET	○ IRC	•
WOODLINE (APPROXIMATE)	N/A	~ ~ ~ ~ ~
LANDSCAPE BUFFER	N/A	▨
POND MAINTENANCE AREA	N/A	▨

SHEET INDEX

1	COVER SHEET
2	CONDITIONS OF APPROVAL
3	BOUNDARY OF WATERS AND WETLANDS OF THE UNITED STATES
4	RECORD PLAT A
5	RECORD PLAT B
6	EASEMENT DETAILS
7	ROAD SECTIONS, LANDSCAPING DETAILS, CURVE AND LINE TABLES

SITE MAP
SCALE: 1" = 200'



SUSSEX CONSERVATION DISTRICT APPROVAL

APPROVED
 SEDIMENT CONTROL & STORMWATER MANAGEMENT
 Reviewed by: *June 11, 2020* Date: *6/9/2020*
 Approved by: *June 11, 2020* Date: *6/9/2020*

APPROVED BY:
Lauren DeVore 6/23/20
 SECRETARY OF PLANNING COMMISSION DATE

Michele West 6/23/20
 PRESIDENT OF COUNTY COUNCIL DATE

WETLANDS CERTIFICATION
 EDWARD M. LAUNAY, PWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, ATLANTIC GULF COAST REGIONAL SUPPLEMENT, REGULATIONS AND SUPPLEMENTAL GUIDANCE (33 CFR 328.3 (c)(8), Waters of the U.S. Definition/CECW-OR, 10-7-1991, Questions and Answers on the 1987 COE Manual/CECW-OR, 9-26-1990, RGL 90-7/CECW-OR, 3-6-1992. Clarification and Interpretation of the 1987 Manual, THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.
Edward M. Launay 5/25/20
 EDWARD M. LAUNAY PROFESSIONAL WETLAND SCIENTIST NO. 875 SOCIETY OF WETLAND SCIENTISTS (CORPS OF ENGINEERS, CERTIFIED WETLAND DELINEATOR (PDC93MD05100368) DATE

OWNER'S CERTIFICATION
 WE HEREBY CERTIFY THAT WE ARE THE OWNER'S OF THE PROPERTY SHOWN ON THE PLAN. THAT THE PLAN WAS MADE AT OUR DIRECTION AND WE ACKNOWLEDGE THE SAME TO BE OUR ACT, AND DESIRE THE PLAN TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. WE FURTHERMORE UNDERSTAND AND ACKNOWLEDGE THAT IT IS THE RIGHT OF THE SUSSEX CONSERVATION DISTRICT AND/OR ITS DELEGATED INSPECTION AGENCIES TO CONDUCT ON-SITE INSPECTIONS.
Tom Natelli 5-20-20
 NATELLI COMMUNITIES 506 MAIN STREET, #300 GAITHERSBURG, MD 20878 DATE

SURVEYOR'S CERTIFICATION
 THIS PLAT AND SURVEY WERE PERFORMED FOR SUSSEX REAL ESTATE PARTNERS, LLC, UNDER MY SUPERVISION, TO THE LOCAL STANDARD OF CARE, AND SUBSTANTIALLY MEET THE MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING" AS PROMULGATED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS FOR A SUBURBAN CLASS SURVEY.
 SOLUTIONS INTEGRATED PLANNING, ENGINEERING & MANAGEMENT, LLC BY BARRY M. HALL AGENT
Barry M. Hall 5/23/20
 BARRY M. HALL, PROFESSIONAL LAND SURVEYOR DELAWARE NO. 618 DATE

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 Salisbury, MD 21804
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Seal
Date

NO.	DATE	DESCRIPTION
1	5-16-19	REVISIONS PER COMMENTS DATED 5-13-19
2	4-9-20	REVISIONS PER COMMENTS DATED 4-8-20

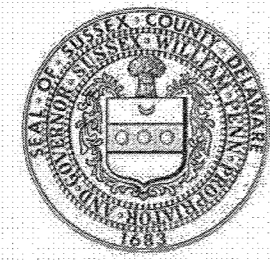
COVER SHEET for
SWEETBAY
 SUSSEX COUNTY, DELAWARE
 BALTIMORE HUNDRED
 ZION CHURCH ROAD (SCR 382)
 DELDOT PROJECT ID: 533-11.00-81.00

Date: 04/10/19
 Job Number: 17042
 Scale: AS SHOWN
 Drawn By: MLL
 Designed By: DP
 Approved By: JP

Sheet No.: 1

File Name: COVER.dwg

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 13, 2019

Mr. Jason Palkevicz, P.E.
 Solutions IPFM, LLC
 303 North Bedford Street
 Georgetown, DE 19947

By email to: jpalkewicz@solutionsipfm.com

RE: Notice of Decision letter for the Preliminary Subdivision Plan for Sweetbay (2018-26) for the creation of sixty-five (65) single-family lots on 43.81 acres located on the north side of Zion Church Road, west of Bayard Road and lying within the Agricultural Residential (AR-1) Zoning District and Environmentally Sensitive Development District Overlay Zone (ESDDOZ).
 Tax Parcels: 533-11.00-81.00 & 82.01

Dear Mr. Palkevicz,

At their meeting occurring **Thursday, February 28, 2019** the Planning & Zoning Commission approved the **Preliminary Subdivision Plan for Sweetbay (2018-26)** to consist of sixty-five (65) single family lots on the north side of Zion Church Road, west of Bayard Road.

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

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

- There shall be no more than 65 lots within the subdivision.
- The developer shall establish a homeowner's association responsible for the maintenance of streets, roads, buffers, stormwater management facilities and other common areas.
- The stormwater management system shall meet or exceed the requirements of the State and County. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- A forested or landscaped buffer of at least 30 feet in depth shall be installed along the entire perimeter of the project. The buffer may overlap areas that are currently wetlands or wooded areas that will be preserved. The Final Site Plan shall contain a landscaped plan for all of these areas.
- The subdivision shall be served by Sussex County for sewer service.



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

March 13, 2019
 Notice of Decision Letter
 2018-26 Sweetbay
 Page 2

- The subdivision shall be served by a publicly regulated central water system providing drinking water and fire protection.
- Street design shall meet or exceed Sussex County standards.
- All entrances, intersections, roadway improvements and multimodal facilities required by DelDOT shall be completed by the applicant as required by DelDOT.
- Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- Construction activities and deliveries of dirt, fill or other similar materials shall only occur on the site between the hours of 7:00 AM through 5:00 PM, Monday through Friday, and between the hours of 8:00 AM and 2:00 PM on Saturdays. There shall not be any of these activities on Sundays.
- The Final Site Plan shall indicate all forested areas that will be preserved.
- There shall not be any construction activities within 50 feet of any wetlands.
- The Applicant shall coordinate and cooperate with the local school district's transportation manager to establish a school bus stop and shelter.
- A revised Preliminary Site Plan either depicting or noting these conditions must be submitted to the Office of Planning and Zoning.
- The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Once all agency approvals have been obtained please submit a minimum of **seven (7) paper copies (11"x17")**, **one (1) full size copy** and **one (1) electronic copy** of a Revised Preliminary Subdivision Plan to the Planning and Zoning Office for consideration on the next agenda for the Planning Commission. **It is recommended that two (2) copies of a check print are first submitted to staff for review.**

A \$10.00 per lot fee is required to be paid prior to the approval of any Final Subdivision Plan. For 65 lots, the fee is \$650.00.

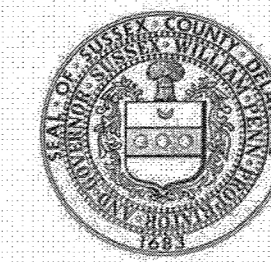
Please feel free to contact me during business hours 8:30am - 4:30pm Monday through Friday at 302-855-7878.

Sincerely,

Lauren DeVore
 Planner III

CC: Andy Wright, Building Code, Chief of Building Code - Building Code
 Mike Brady, Director of Public Works - Engineering
 John Ashman, Director of Utility Planning - Engineering

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

March 13, 2019

Mr. Jason Palkevicz, P.E.
 Solutions IPFM, LLC
 303 North Bedford Street
 Georgetown, DE 19947

By email to: jpalkewicz@solutionsipfm.com

RE: Notice of Decision for Revised Condition of Approval for Sweetbay (2018-26) for a sixty-five (65) lot subdivision on 43.81 acres to be located on the north side of Zion Church Road, west of Bayard Road and lying within the Agricultural Residential (AR-1) Zoning District and the Environmentally Sensitive Development District Overlay Zone (ESDDOZ) (ES-1).
 Tax Parcel: 533-11.00-81.00 & 82.01

Dear Mr. Palkevicz,

At their meeting of March 14, 2019, the Planning & Zoning Commission **approved** the submitted request to revise the wording of Condition of Approval 'L' which requires a 50' buffer from Batson Branch.

The wording of this condition has now been revised to read as follows:

"a 50-foot buffer shall be provided landward from the ordinary high water line of Batson Branch, and there shall not be any construction activities within this buffer"

All other conditions of approval remain unchanged. Please ensure that all future versions of the Plan reflect this change.

If you have any questions, please feel free to contact me.

Sincerely,

Samantha Bulkivish
 Planner I

CC: Andy Wright, Building Code;
 Mike Brady, Director of Public Works - Engineering;
 John Ashman, Director of Utility Planning - Engineering



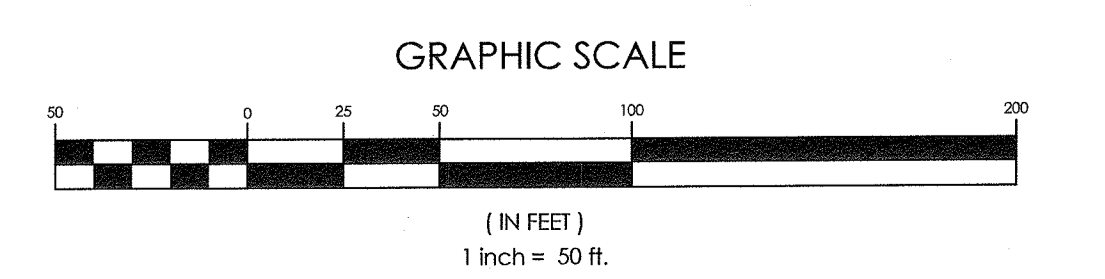
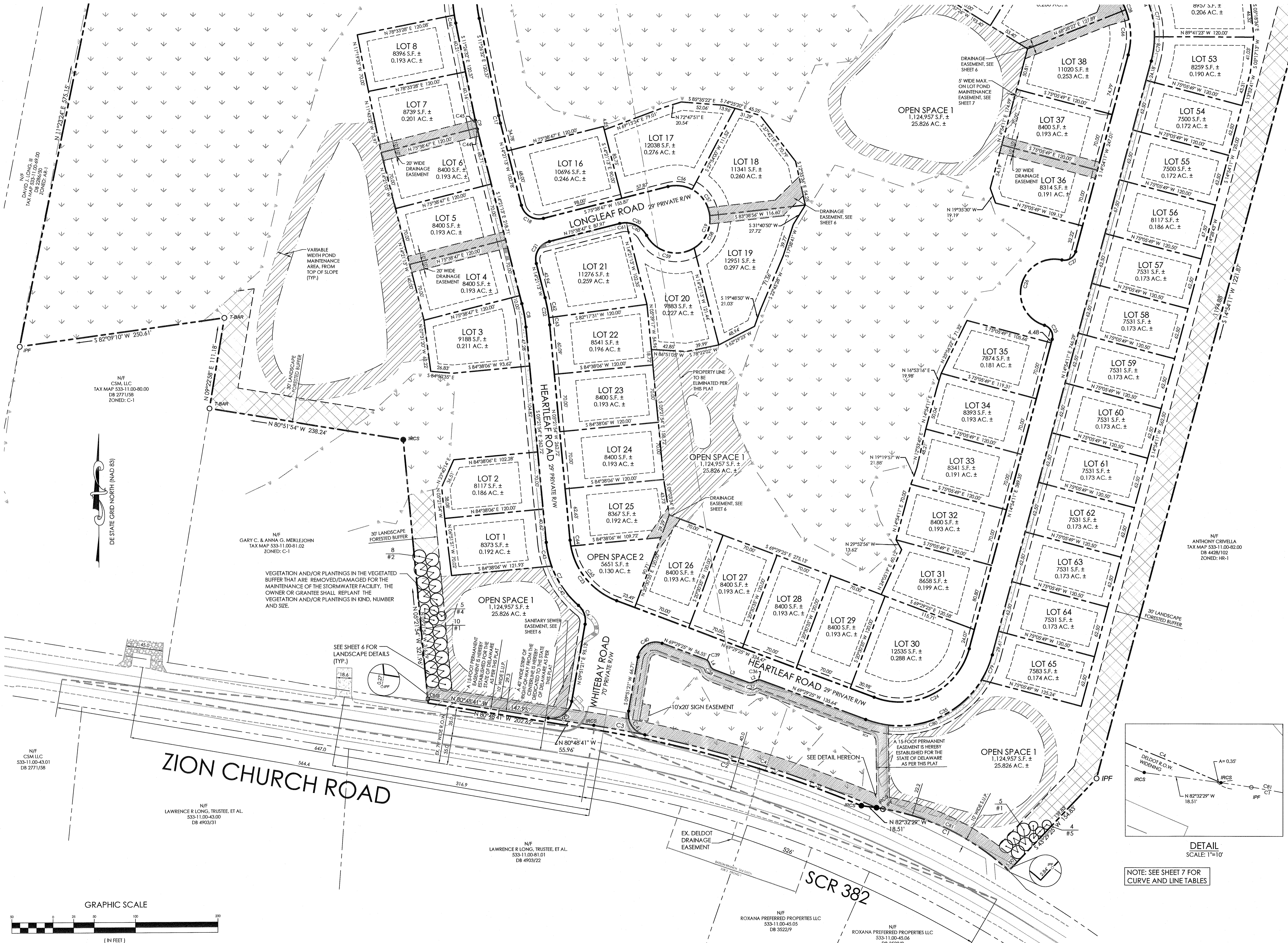
COUNTY ADMINISTRATIVE OFFICES
 2 THE CIRCLE | PO BOX 417
 GEORGETOWN, DELAWARE 19947

Seal
 Date

REVISIONS	
NO.	DATE DESCRIPTION
1	5-16-19 REVISIONS PER COMMENTS DATED 5-13-19
2	4-9-20 REVISIONS PER COMMENTS DATED 4-8-20

CONDITIONS OF APPROVAL
 for
SWEETBAY
 SUSSEX COUNTY, DELAWARE
 BALTIMORE HUNDRED
 ZION CHURCH ROAD (SCE 382)
 DELDOT PROJECT ID: 533-11.00-81.00

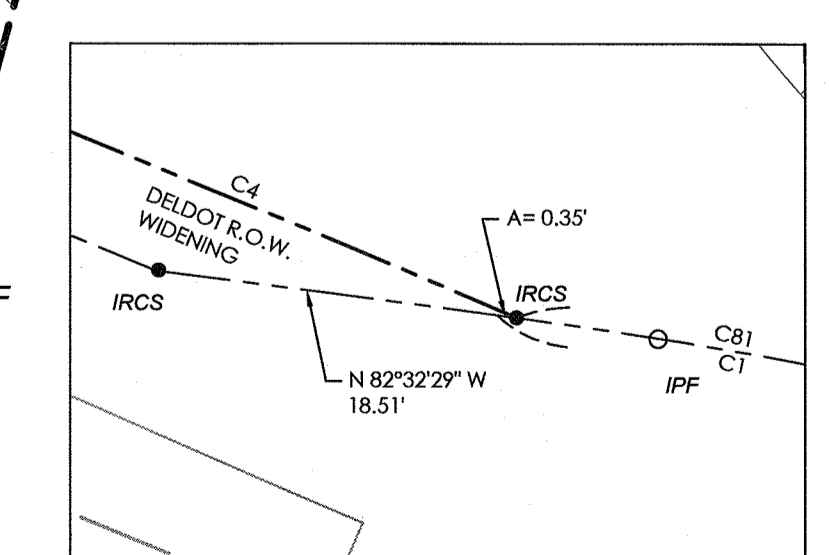
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Job Number:	17042
Scale:	NONE
Drawn By:	ML
Designed By:	DP
Approved By:	JP



ZION CHURCH ROAD

SCR 382

NOTE: SEE SHEET 7 FOR CURVE AND LINE TABLES



DETAIL SCALE: 1"=10'

solutions
Integrated Planning
Engineering & Management, LLC

303 North Bedford Street
Georgetown, DE 19947
T. 302.297.5215
3033 Wierth Mill Road
Salisbury, MD 21884
T. 410.572.8833
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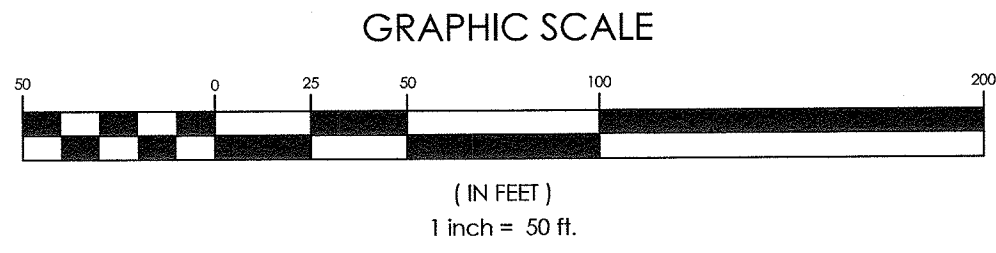
Seal
Date

REVISIONS	
NO.	DATE
1	5-16-19
2	4-9-20

RECORD PLAT A
for
SWEETBAY
SUSSEX COUNTY, DELAWARE
BALTIMORE HUNDRED
ZION CHURCH ROAD (SCR 382)
DELDOT PROJECT ID: 535-11.00-81.00

Date:	04/10/19	ML	DP	JP
Job Number:	17042	ML	DP	JP
Scale:	1"=50'	ML	DP	JP
Drawn By:		ML	DP	JP
Designed By:		ML	DP	JP
Approved By:		ML	DP	JP

Sheet No.: **4**
File Name: PLAT.dwg



NOTE:
 FROM A POINT DESIGNATED AS "A"
 TO POINT "B", THE BOUNDARY
 RUNS BY AND WITH THE
 CENTERLINE OF BATSON CREEK
 AND IS REFERENCED BY
 TRAVERSE LINES FOR THE SOLE
 PURPOSE OF COMPUTING AREA.

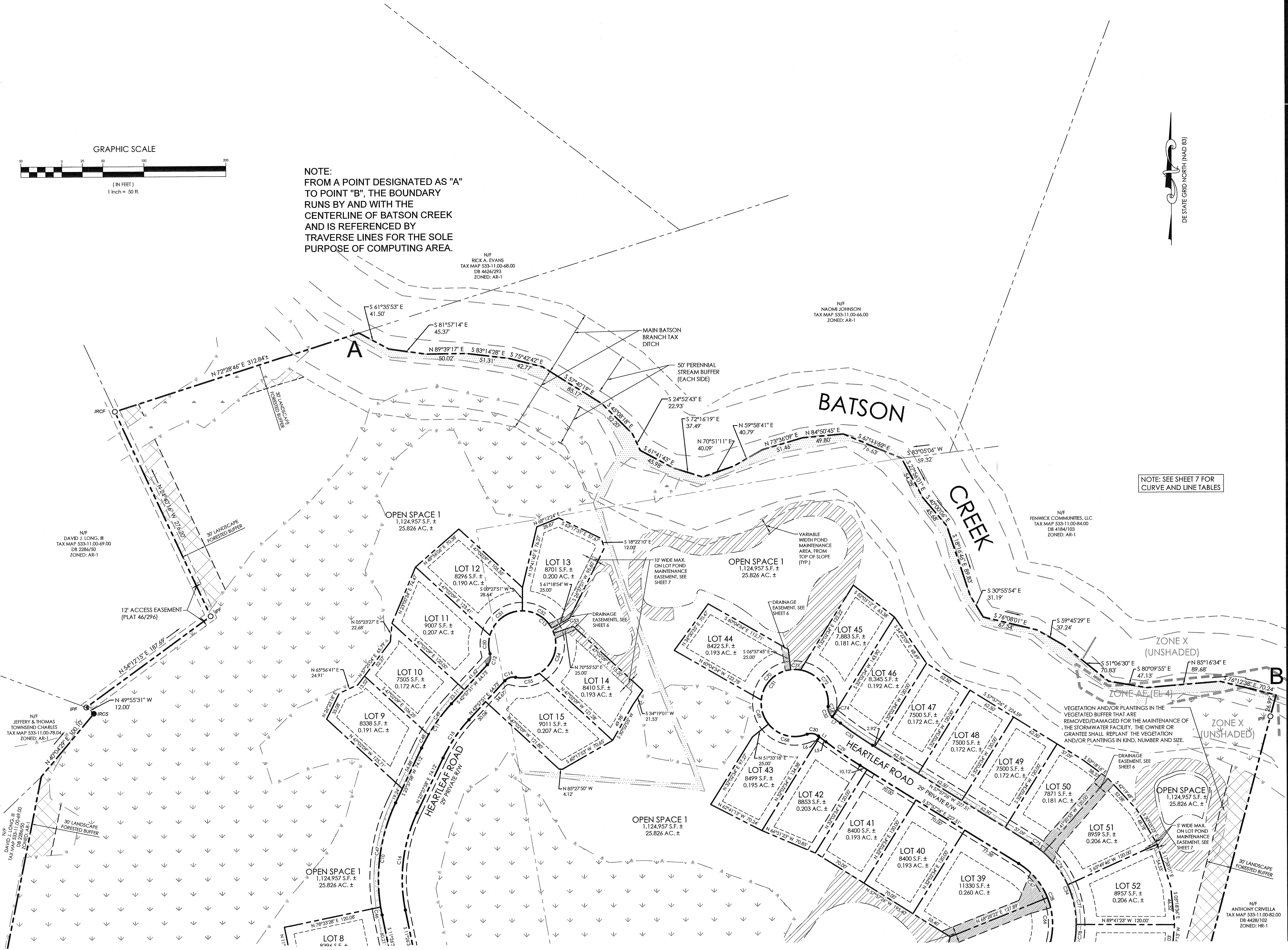
DE STATE GRID NORTH (NAD 83)

N/F
 RICK A. EVANS
 TAX MAP 533-11.00-68.00
 DB 4626/293
 ZONED: AR-1

N/F
 NAOMI JOHNSON
 TAX MAP 533-11.00-66.00
 ZONED: AR-1

N/F
 FENWICK COMMUNITIES, LLC
 TAX MAP 533-11.00-84.00
 DB 4184/103
 ZONED: AR-1

N/F
 ANTHONY CRIVELLA
 TAX MAP 533-11.00-82.00
 DB 4428/102
 ZONED: HR-1



NOTE: SEE SHEET 7 FOR CURVE AND LINE TABLES

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 Georgetown, DE 19947
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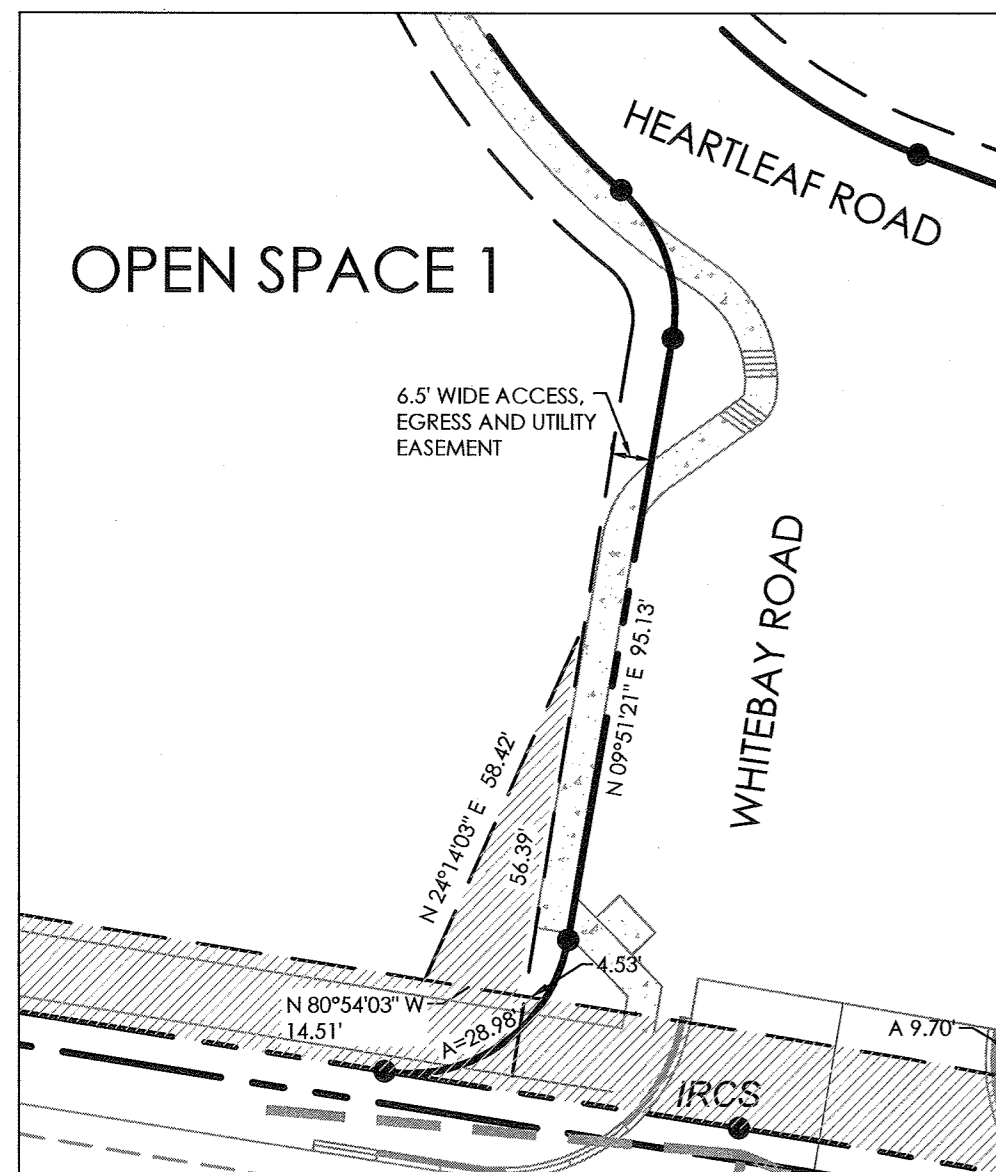
Seal _____
 Date _____

NO.	DATE	DESCRIPTION
1	5-16-19	REVISIONS PER COMMENTS DATED 5-13-19
2	4-9-20	REVISIONS PER COMMENTS DATED 4-8-20

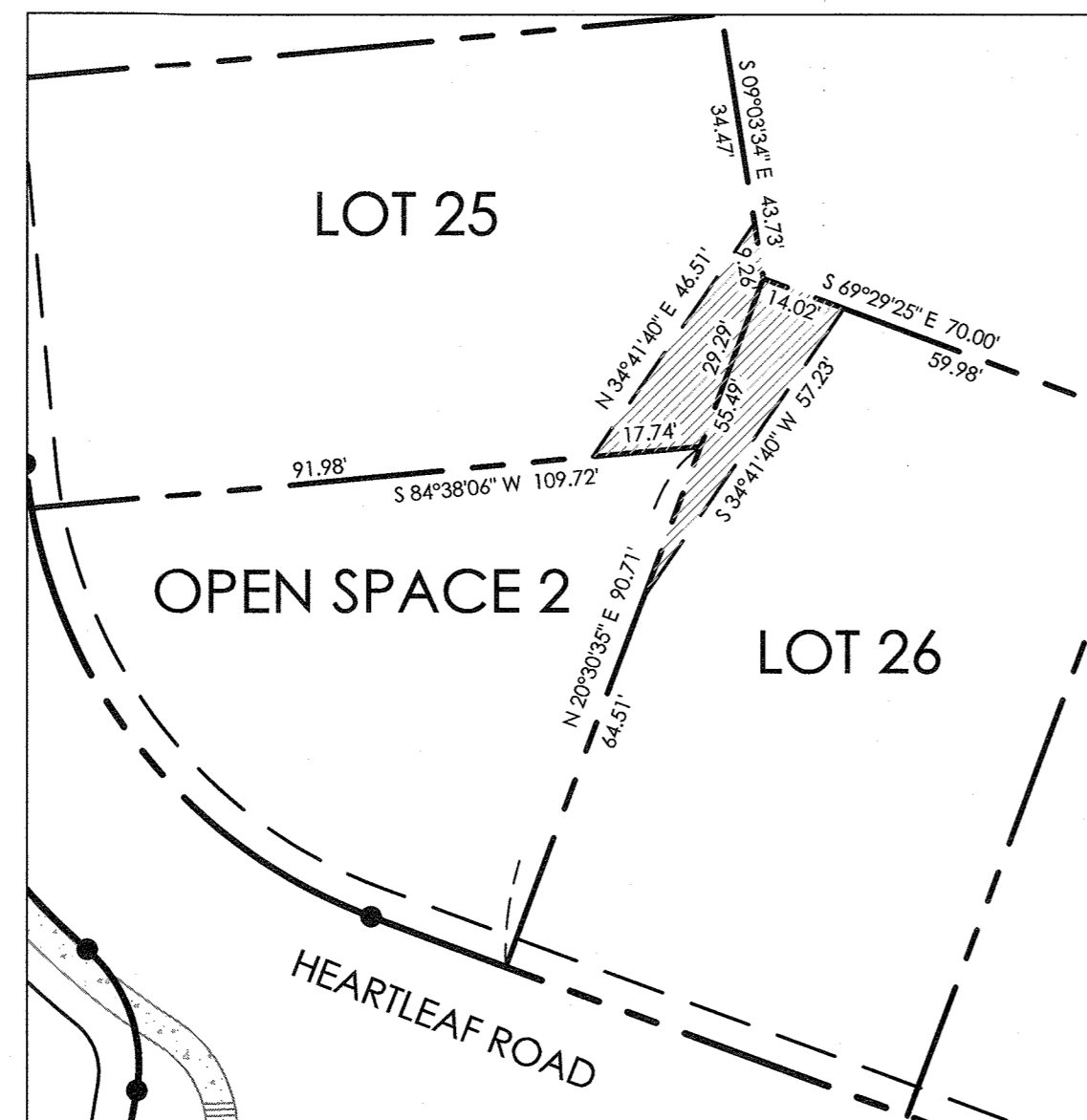
RECORD PLAT B
 for
SWEETBAY
 SUSSEX COUNTY, DELAWARE
 BALTIMORE HUNDRED
 ZION CHURCH ROAD (SCR 382)
 DELDOT PROJECT ID: 533-11.00-81.00

Date:	04/10/19
Job Number:	17042
Scale:	1"=50'
Drawn By:	ML
Designed By:	DF
Approved By:	JP

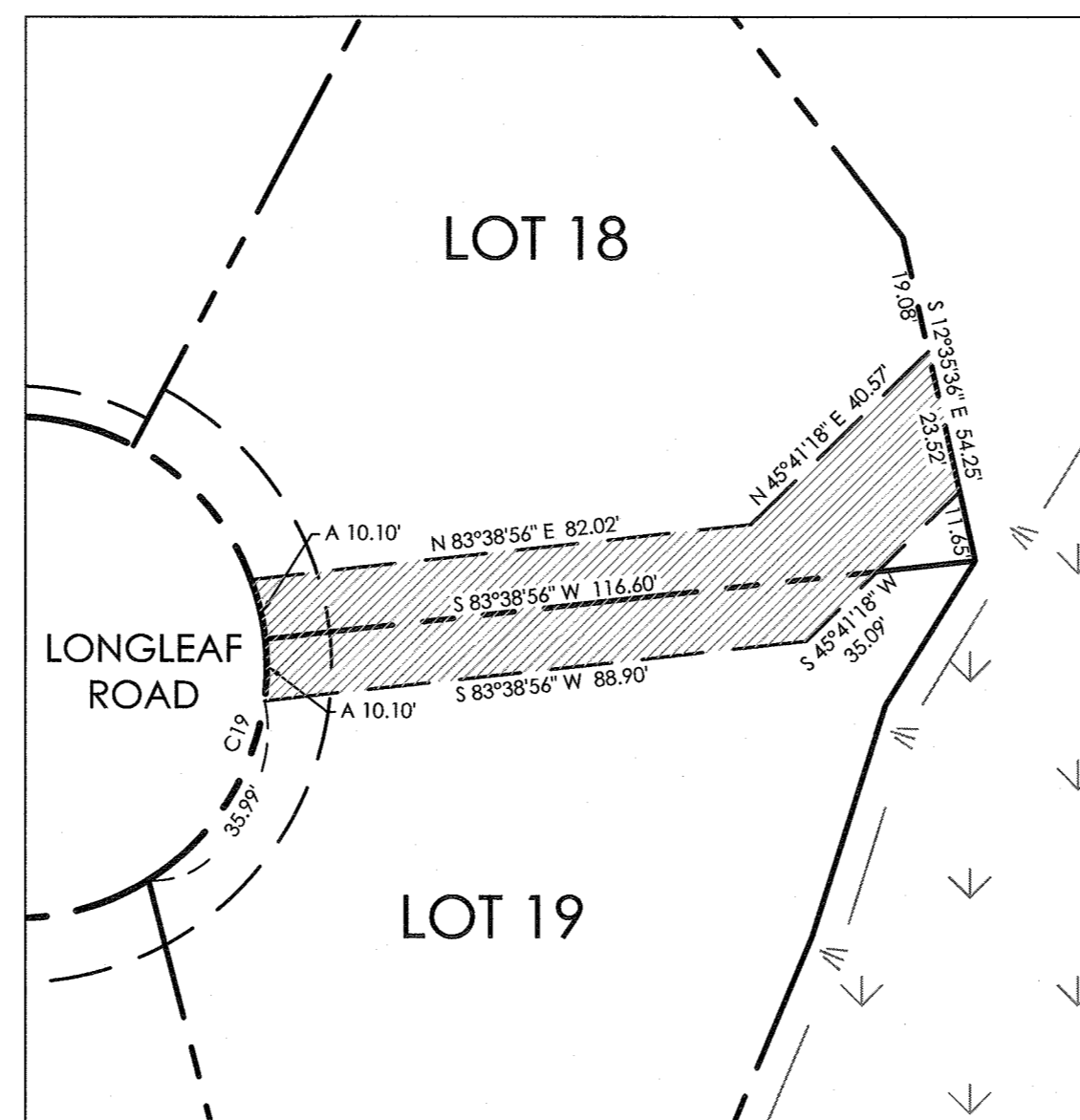
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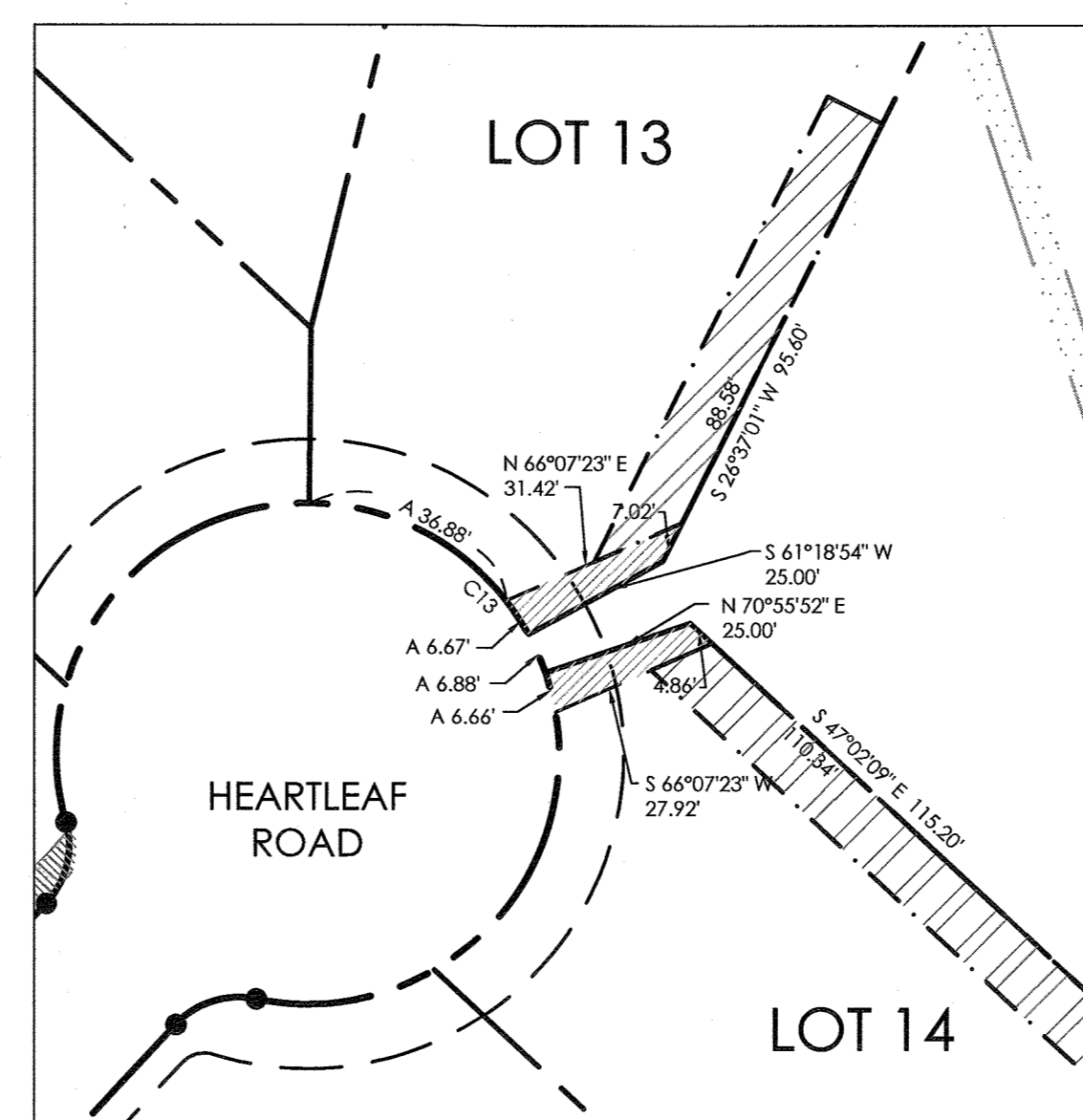
SANITARY SEWER EASEMENT DETAIL
SCALE: 1"=30'



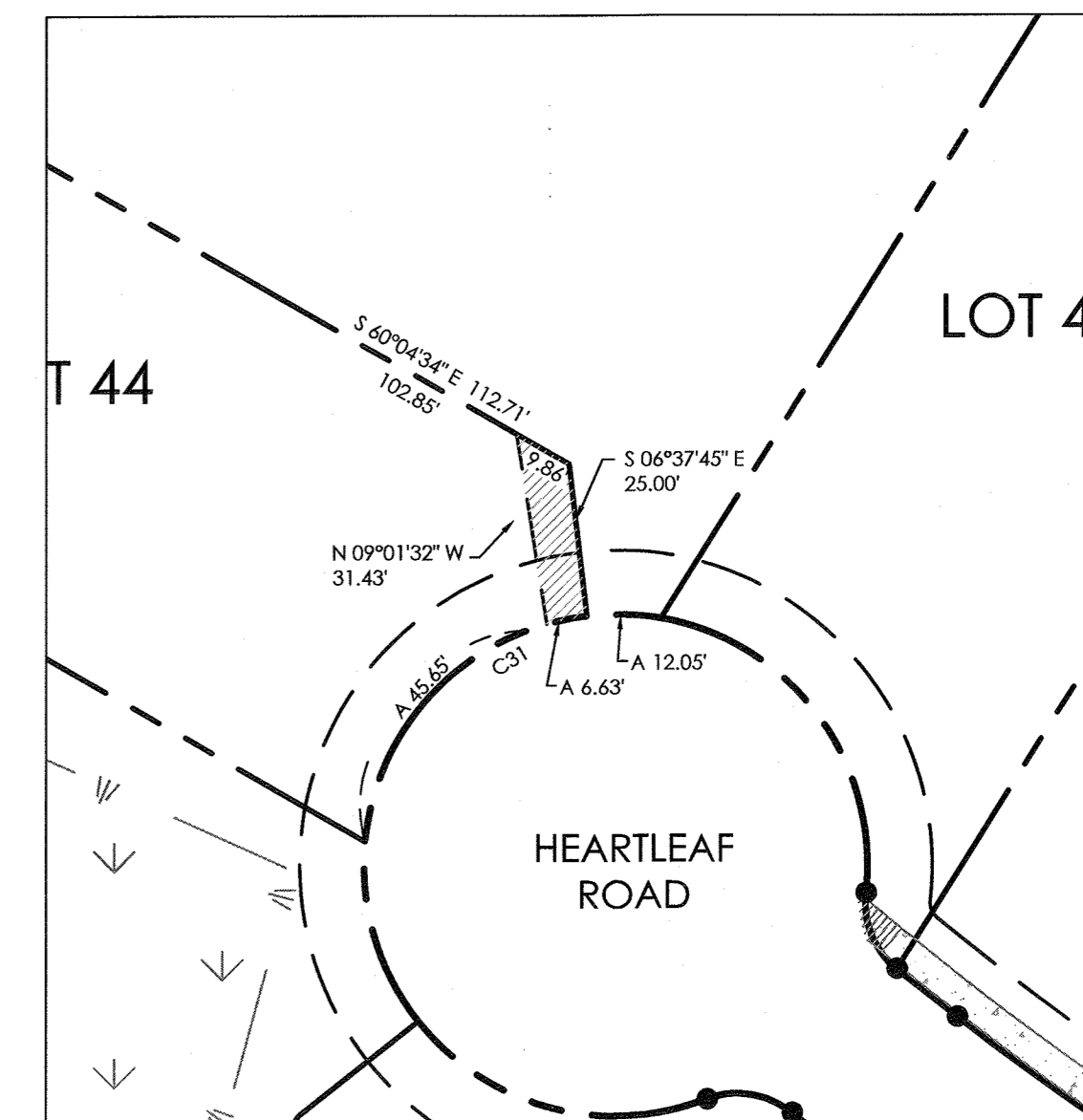
DRAINAGE EASEMENT DETAIL
SCALE: 1"=30'



DRAINAGE EASEMENT DETAIL
SCALE: 1"=30'



DRAINAGE EASEMENT DETAIL
SCALE: 1"=30'



DRAINAGE EASEMENT DETAIL
SCALE: 1"=30'

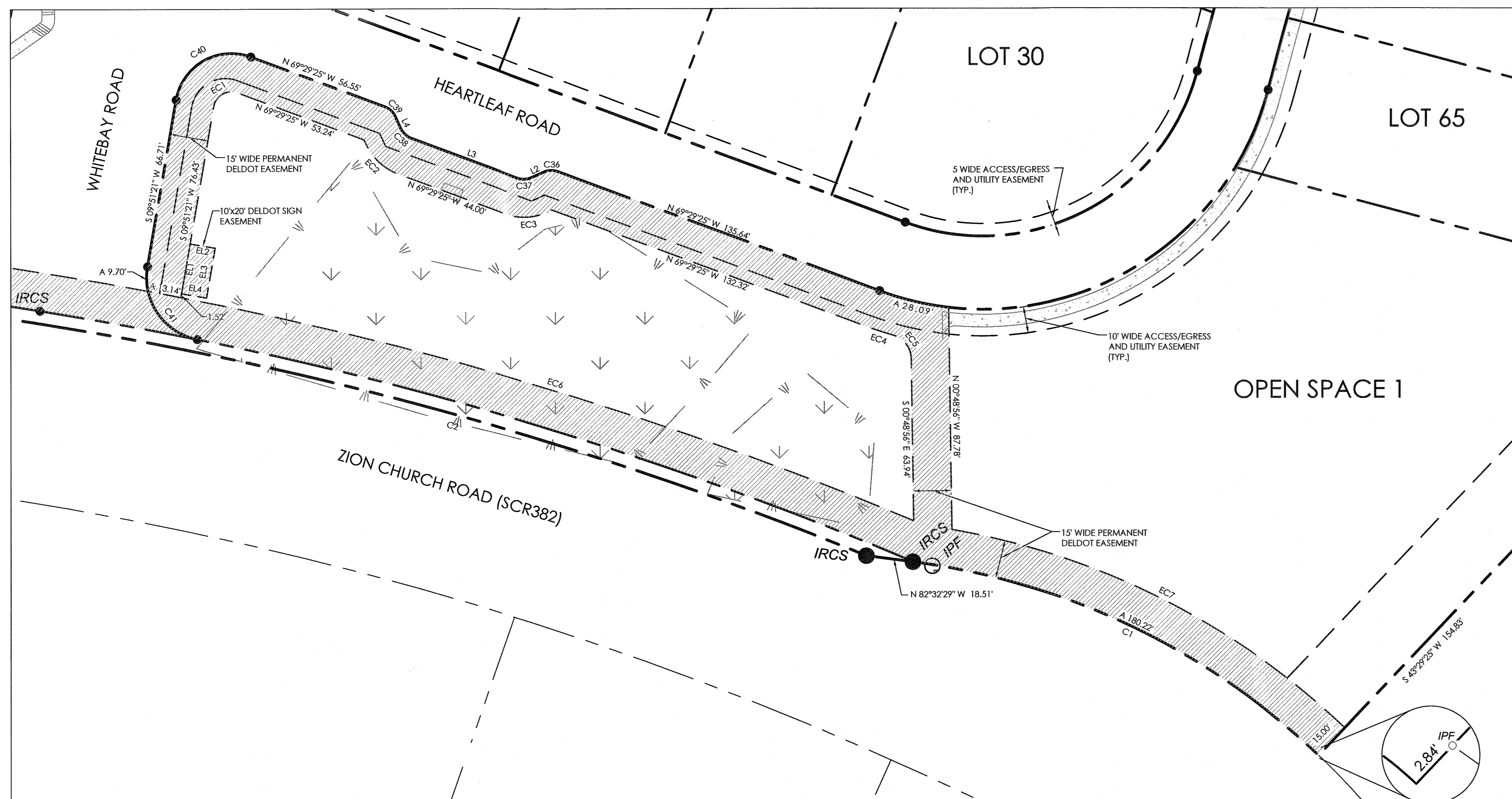


EASEMENT CURVE TABLE

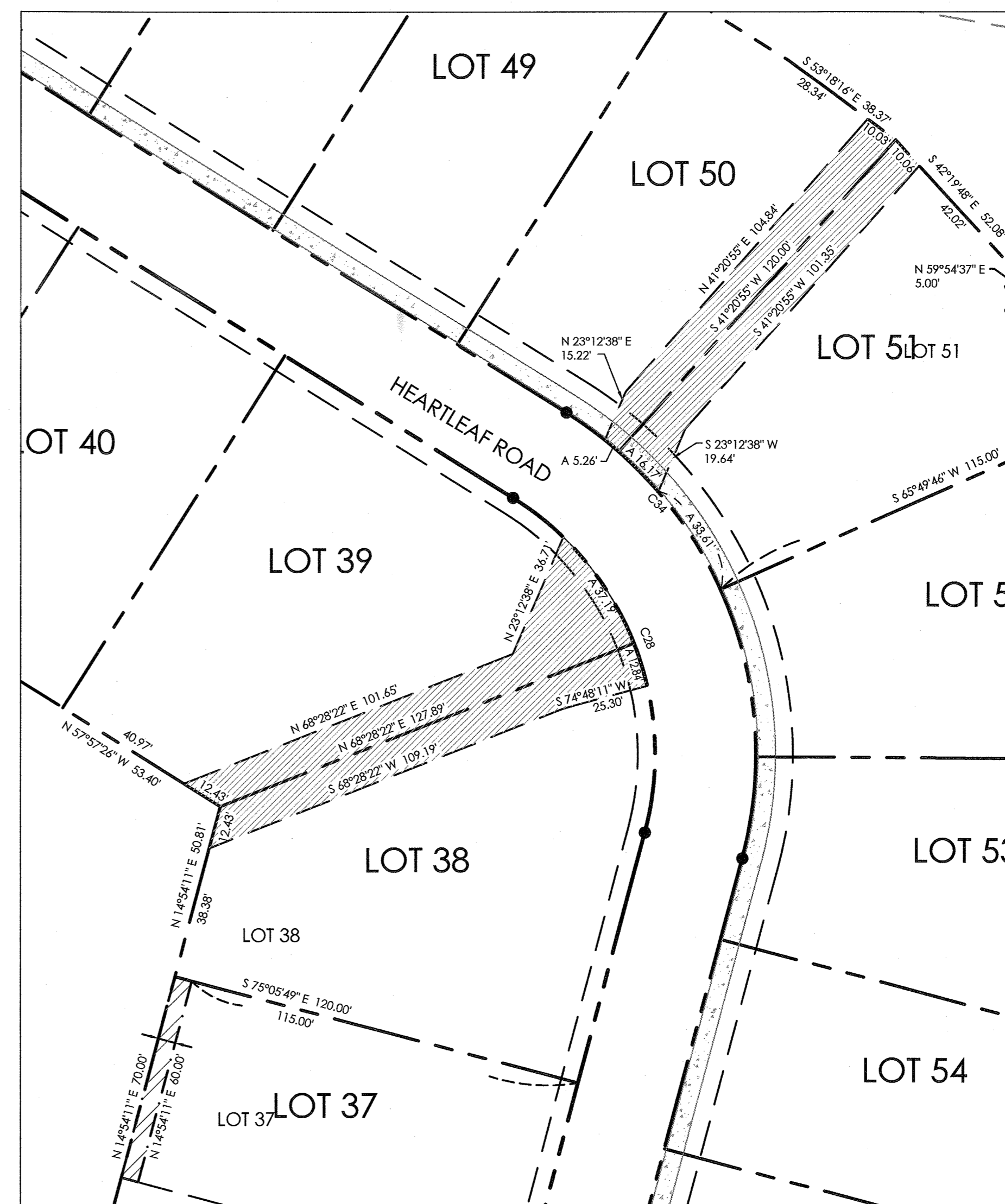
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
EC1	17.00	12.30	110°39'15"	S 69°10'58" W	110.78
EC2	23.84	19.83	47°40'37"	S 44°57'23" E	19.27
EC3	23.35	19.84	48°43'21"	S 85°58'33" W	19.27
EC4	131.50	11.04	4°48'35"	N 71°53'42" W	11.04
EC5	10.00	12.83	73°29'04"	S 37°33'28" E	11.96
EC6	1487.40	302.86	11°39'59"	N 72°54'03" W	302.33
EC7	301.48	176.43	33°31'49"	S 63°10'56" E	173.92

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
EL1	N 09°51'21" E	20.00
EL2	N 80°08'39" W	10.00
EL3	N 09°51'21" E	20.00
EL4	S 80°08'39" E	10.00



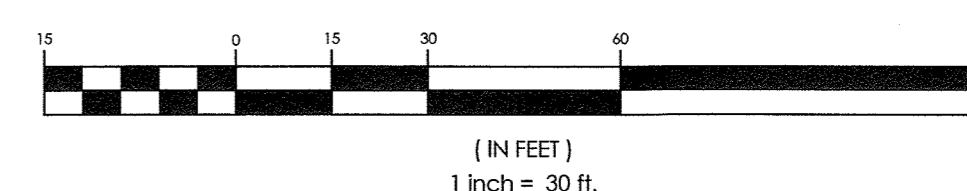
DELDOT EASEMENT DETAIL
SCALE: 1"=30'



DRAINAGE EASEMENT DETAIL

SCALE: 1"=30'

GRAPHIC SCALE



SEE SHEET 3 FOR C1 CURVE TABLE AND SHEET 7 FOR RIGHT OF WAY AND LOT CURVE TABLE.

Seal _____
Date _____

REVISIONS		DESCRIPTION
NO.	DATE	REVISIONS PER COMMENTS DATED
1	5-16-19	REVISIONS PER COMMENTS DATED 5-13-19
2	4-9-20	REVISIONS PER COMMENTS DATED 4-8-20

EASEMENT DETAILS
for
SWEETBAY
SUSSEX COUNTY, DELAWARE
BALTIMORE HUNDRED
ZION CHURCH ROAD (SCR 382)
DELDOT PROJECT ID: 533-11-00-81.00

Date:	04/10/19	ML	JP
Job Number:	17042	DF	
Scale:	AS SHOWN	DF	
Drawn By:		DF	
Designed By:		DF	
Approved By:		DF	

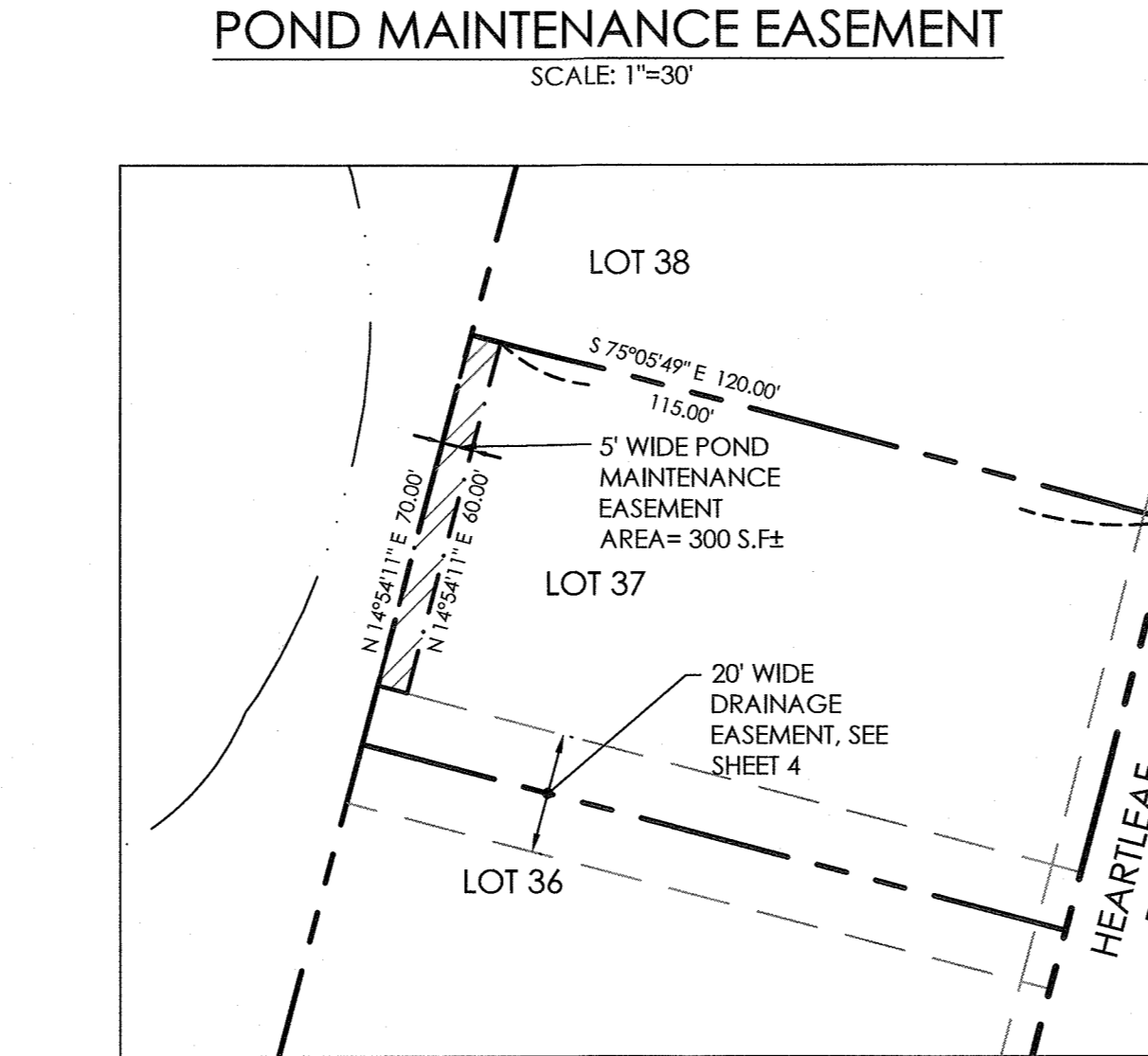
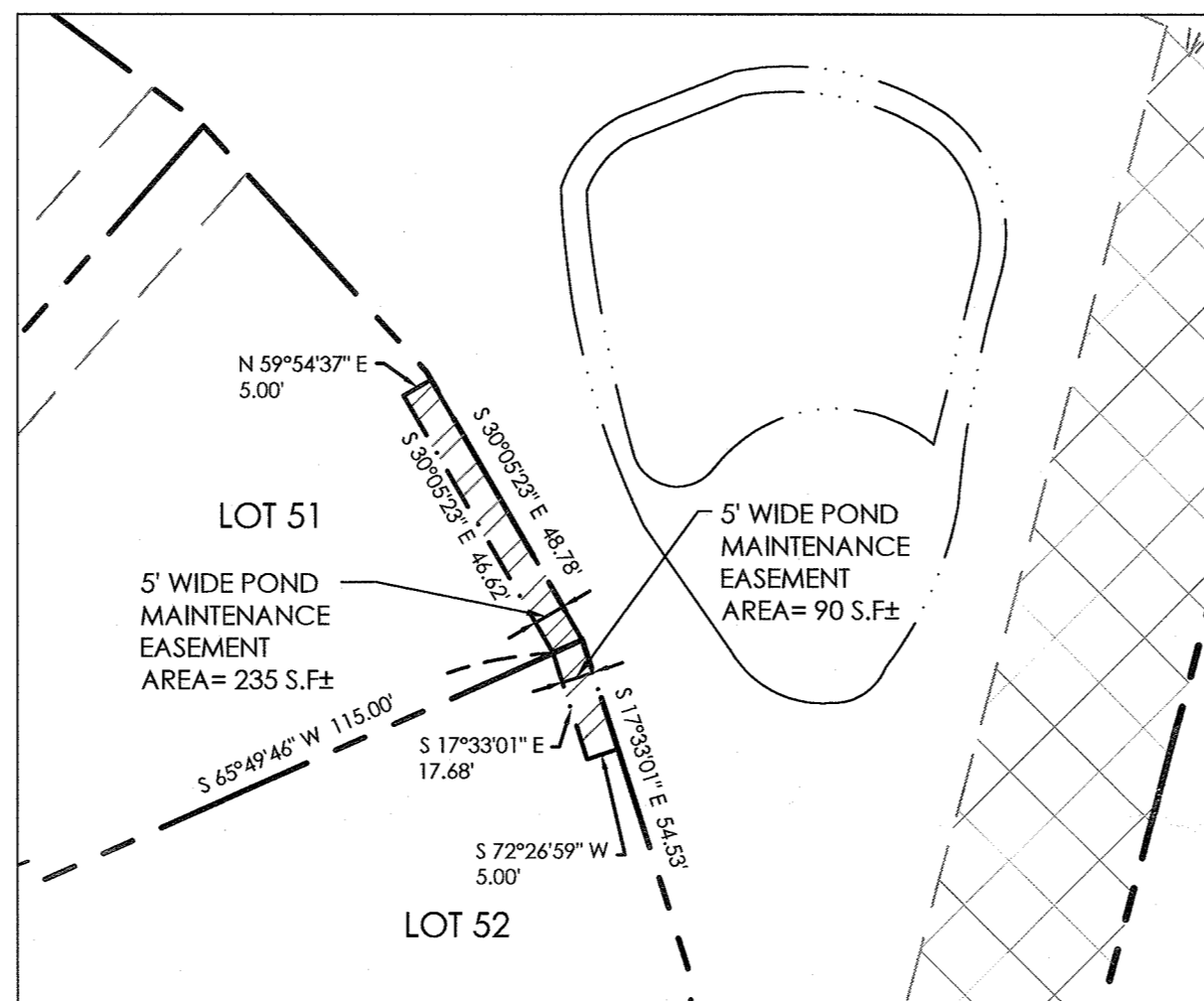
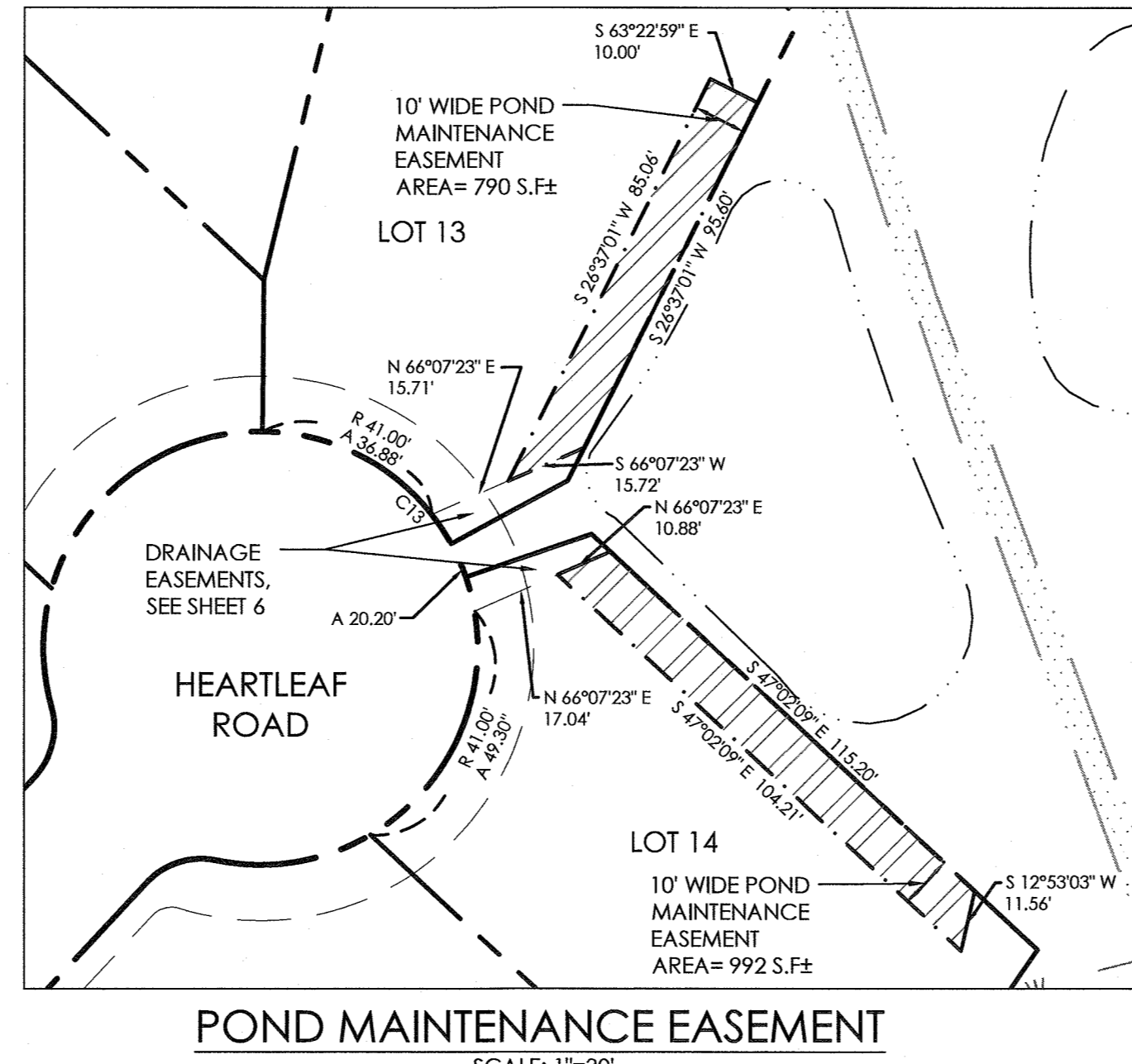
Sheet No.:

6

File Name: PLAT.dwg

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	286.481	180.58	36°00'00"	N 62°28'13" W	177.60
C2	1467.40	340.19	13°16'59"	N 74°10'11" W	339.43
C3	1472.40	296.60	22°27'03"	S 79°35'09" E	629.98
C4	1472.40	296.60	11°32'29"	S 72°35'23" E	296.09
C5	25.00	38.98	89°19'59"	S 54°31'20" W	35.15
C6	25.00	25.52	58°29'47"	S 19°23'33" E	24.43
C7	116.50	87.97	43°15'52"	S 24°29'25" E	83.89
C8	183.50	28.79	8°59'19"	N 09°51'33" W	28.76
C9	216.50	11.00	2°54'41"	N 12°53'52" W	11.00
C10	216.50	140.09	37°04'30"	N 07°05'43" E	137.66
C11	216.50	65.49	17°19'53"	S 34°17'55" W	65.24
C12	14.00	14.37	58°47'23"	S 13°34'10" W	13.74
C13	41.00	212.94	29°34'10"	S 47°02'27" E	132.50
C14	14.00	14.37	58°49'07"	S 72°22'25" W	13.75
C15	187.50	56.72	17°19'53"	S 34°17'55" W	56.50
C16	187.50	121.33	37°04'30"	S 07°05'43" W	119.22
C17	187.50	9.53	2°54'41"	S 12°53'52" E	9.53
C18	22.00	34.56	90°00'00"	N 59°21'13" W	31.11
C19	41.00	183.15	25°56'41"	S 23°37'08" W	64.64
C20	29.00	38.44	75°56'41"	S 66°22'52" E	35.69
C21	22.00	34.56	90°00'00"	S 30°38'47" W	31.11
C22	212.50	33.34	8°59'19"	S 09°51'33" E	33.30
C23	87.50	97.93	64°07'31"	N 37°25'39" W	92.90
C24	87.50	144.41	89°19'59"	S 29°42'23" W	129.45
C25	14.00	21.49	87°55'46"	N 29°03'42" W	19.44
C26	41.00	125.81	175°49'00"	N 14°53'59" E	81.95
C27	14.00	21.49	87°56'52"	N 58°52'37" E	19.44
C28	87.50	111.27	72°51'37"	N 21°31'38" W	103.92
C29	512.50	62.19	6°57'08"	N 81°28'52" W	138.37
C30	14.00	14.37	60°15'50"	N 81°14'37" W	14.06
C31	41.00	212.92	29°33'11"	N 37°30'27" E	42.51
C32	14.00	13.95	57°06'30"	N 22°16'12" W	13.38
C33	483.50	60.19	7°07'58"	S 54°23'27" E	60.15
C34	116.50	148.15	72°51'37"	S 21°31'38" E	138.37
C35	116.50	194.40	95°42'23"	N 62°42'23" E	172.62
C36	7.00	8.50	45°00'00"	N 88°00'35" E	5.36
C37	8.00	6.28	45°00'00"	N 88°00'35" E	6.12
C38	8.00	6.28	45°00'00"	N 46°59'25" W	6.12
C39	7.00	5.50	45°00'00"	N 46°59'25" W	5.36
C40	22.00	38.65	100°39'15"	S 60°10'58" W	33.87
C41	25.00	38.49	88°12'59"	N 04°15'08" W	34.80
C42	116.50	58.27	28°39'35"	S 34°18'06" E	57.67
C43	116.50	29.70	14°36'24"	S 12°40'06" E	29.62
C44	216.50	1.29	0°20'27"	N 14°10'59" W	1.29
C45	216.50	9.71	2°34'13"	S 12°43'39" E	9.71
C46	216.50	9.79	2°35'29"	S 10°08'48" E	9.79
C47	216.50	130.30	34°29'01"	S 08°23'27" W	128.34
C48	216.50	18.23	4°49'26"	S 28°02'41" W	18.22
C49	216.50	47.26	12°30'27"	N 36°42'38" E	47.17
C50	41.00	22.70	31°43'36"	S 00°01'55" W	22.41
C51	41.00	53.36	74°34'07"	S 53°10'47" W	49.67
C52	41.00	43.54	60°51'03"	S 59°06'37" E	41.53
C53	41.00	4.88	93°32'58"	S 23°23'37" E	4.87
C54	41.00	56.26	78°37'29"	N 20°14'37" E	51.95
C55	41.00	30.20	42°12'07"	S 80°39'25" W	29.52
C56	41.00	30.24	42°15'13"	N 83°13'36" W	29.56
C57	41.00	39.89	55°44'55"	S 34°13'32" E	38.34
C58	41.00	46.09	64°24'24"	N 25°51'07" E	43.70
C59	41.00	66.94	93°32'58"	N 75°10'17" W	59.75
C60	29.00	30.54	60°20'12"	S 58°35'31" E	29.15
C61	29.00	7.89	15°35'36"	N 83°26'35" E	7.87
C62	212.50	24.65	6°38'44"	N 11°01'51" W	24.63
C63	212.50	8.69	2°20'35"	S 06°32'11" E	8.69
C64	87.50	7.37	4°49'44"	S 07°46'46" E	7.37
C65	87.50	90.56	59°17'47"	N 39°50'31" W	86.57
C66	87.50	55.63	36°25'48"	S 03°18'43" E	54.70
C67	87.50	55.63	36°25'48"	S 39°44'32" E	54.70
C68	41.00	52.11	72°49'26"	N 74°51'25" W	48.67
C69	41.00	31.41	43°54'03"	N 16°29'41" W	30.65
C70	41.00	55.76	77°54'55"	S 44°24'48" W	51.56
C71	41.00	12.05	16°50'05"	N 88°12'42" W	12.00
C72	41.00	61.60	86°04'42"	N 36°45'18" W	55.96
C73	14.00	13.92	56°58'13"	S 22°00'29" E	13.35
C74	14.00	0.44	1°49'09"	S 51°24'10" E	0.44
C75	116.50	18.92	8°19'21"	S 33°19'16" E	18.90
C76	116.50	49.78	24°28'51"	N 36°24'40" W	49.40
C77	116.50	49.78	24°28'51"	N 11°55'49" W	49.40
C78	116.50	29.67	14°35'34"	S 07°36'24" W	29.59
C79	116.50	33.35	16°24'01"	S 23°06'11" W	33.23
C80	116.50	161.05	79°12'24"	S 70°54'24" W	148.53
C81	286.481	180.22	36°02'41"	S 64°26'05" E	177.27

LINE BEARING	DISTANCE
L1	S 52°18'45" E 12.10
L2	N 65°30'35" E 5.10
L3	S 69°29'25" E 44.00
L4	S 24°29'25" E 5.10
L5	S 52°18'45" E 9.51
L6	S 52°18'45" W 2.58
L7	N 52°18'45" W 12.10



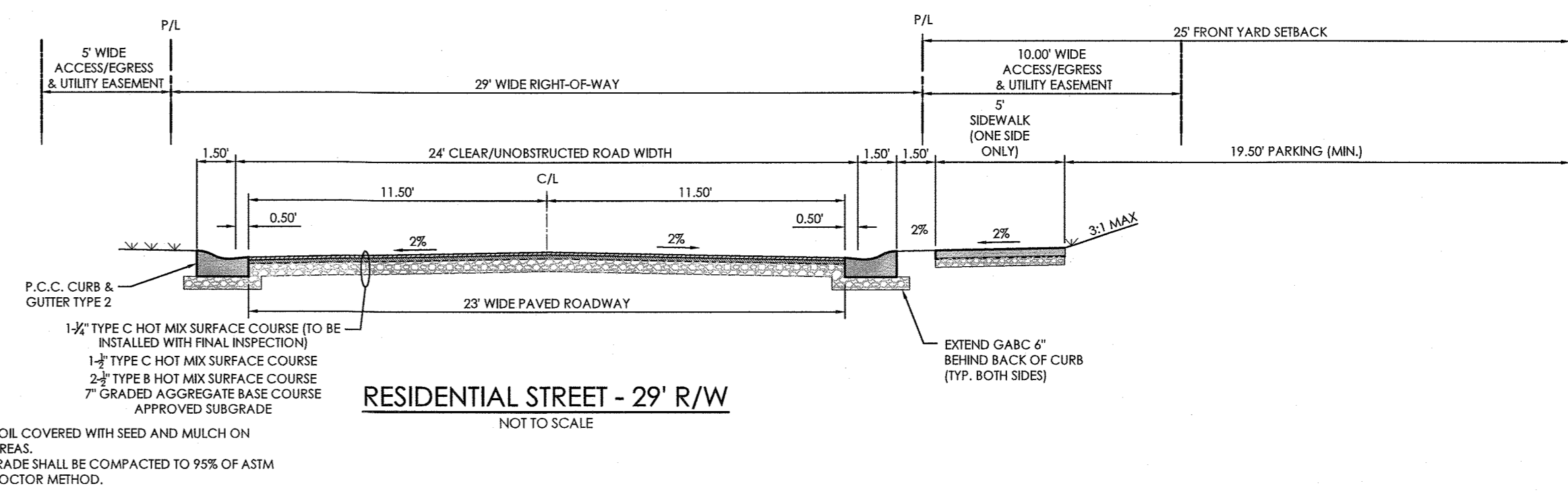
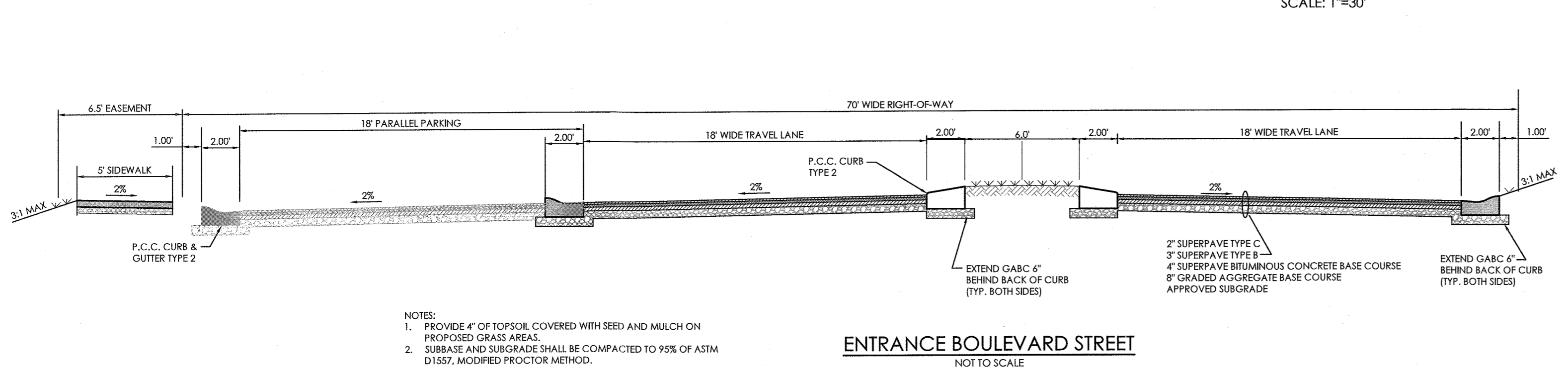
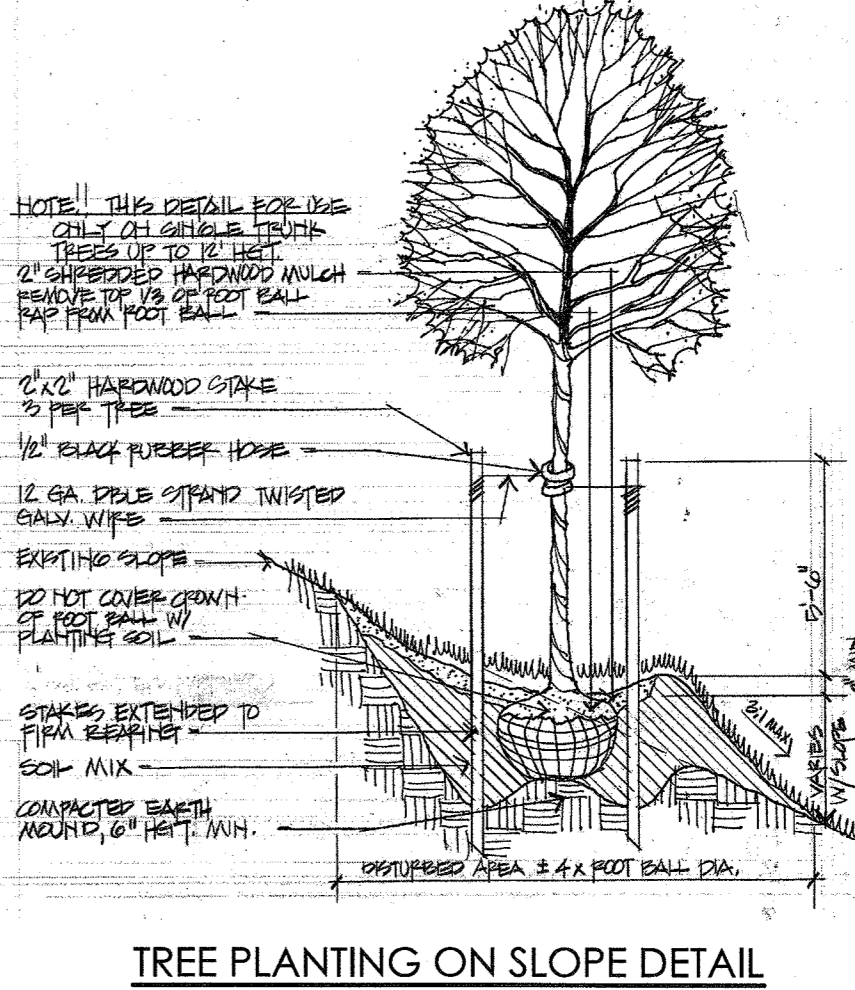
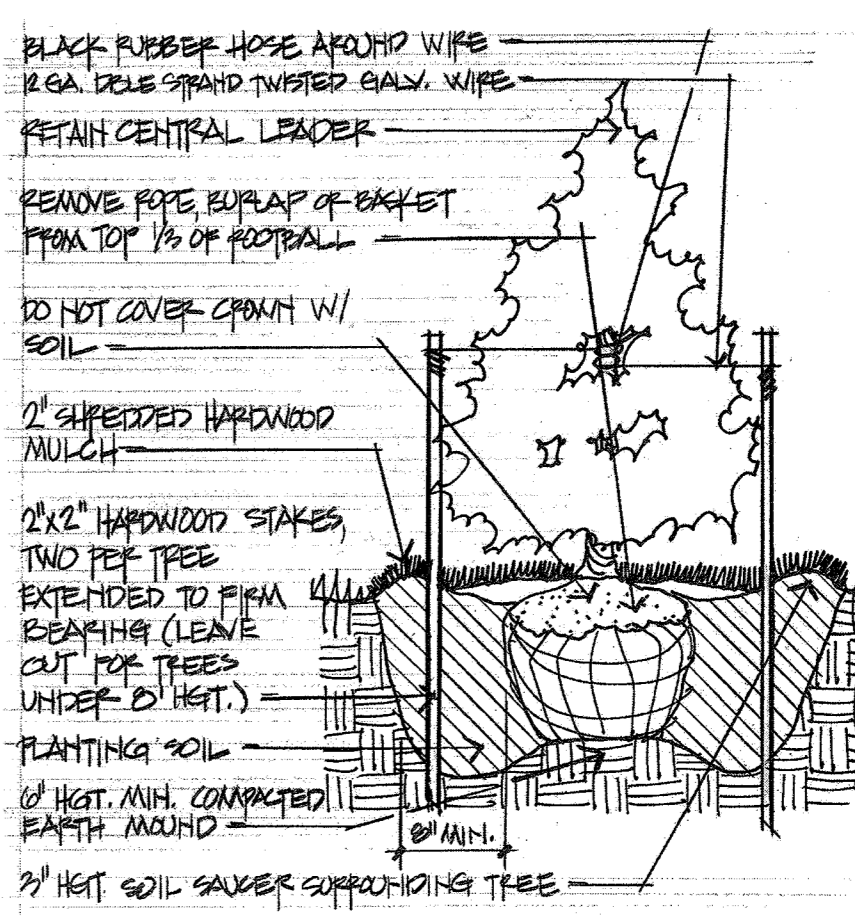
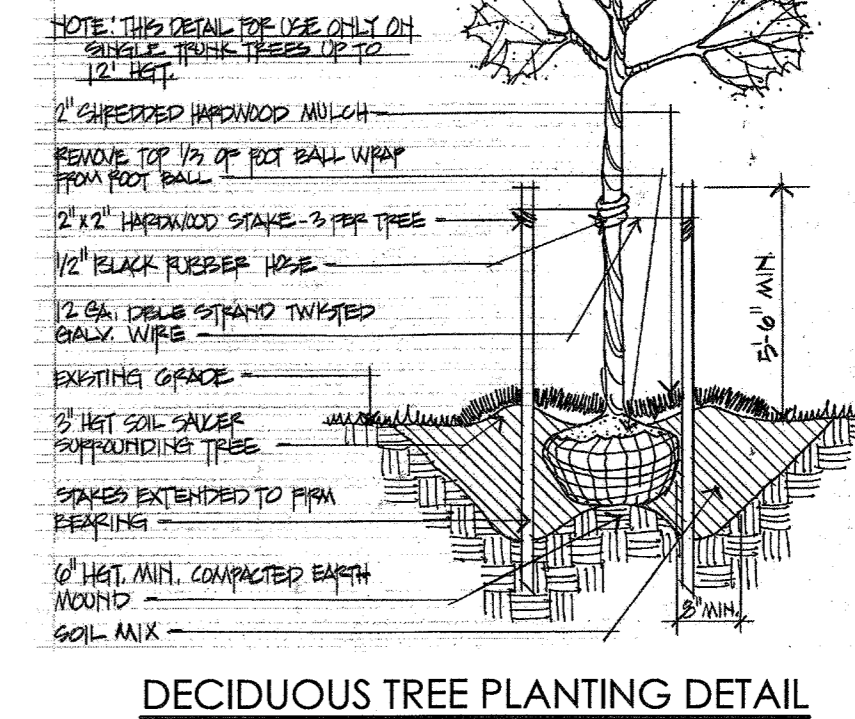
LANDSCAPE BUFFER

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

LANDSCAPE SCHEDULE				
QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATION
#1		Acer rubrum	RED MAPLE	1 1/2" CAL., 6' HGT. MIN.
#2		Quercus phellos	WILLOW OAK	1 1/2" CAL., 6' HGT. MIN.
#3		Quercus rubra	RED OAK	1 1/2" CAL., 6' HGT. MIN.
#4		Ilex opaca	AMERICAN HOLLY	5' HGT. MIN.
#5		Picea canadensis	NORWAY SPRUCE	5' HGT. MIN.
#6		Pinus virginiana	VIRGINIA PINE	5' HGT. MIN.

SUBSTITUTIONS ARE MADE. ONLY SUBSTITUTE DECIDUOUS FOR DECIDUOUS OR EVERGREEN FOR EVERGREEN TO MAINTAIN REQUIRED MIX.

BOTANICAL NAME	COMMON NAME	SPECIFICATION
Acer saccharum	SUGAR MAPLE	1 1/2" CAL., 6' HGT. MIN.
Chamaecyparis thyoides	ATLANTIC WHITECEDAR	5' HGT. MIN.
Crataegus viridis 'Winter King'	WINTER KING GREEN HAWTHORN	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.
Salix babylonica	WEeping WILLOW	1 1/2" CAL., 6' HGT. MIN.



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Seal _____
Date _____

NO.	DATE	DESCRIPTION	REVISIONS	
			REVISIONS PER COMMENTS DATED	REVISIONS PER COMMENTS DATED
1	5-16-19		5-13-19	
2	4-9-20		4-8-20	

ROAD SECTIONS, LANDSCAPING DETAILS, CURVE AND LINE TABLES

for
SWEETBAY
SUSSEX COUNTY, DELAWARE
BALTIMORE HUNDRED
ZION CHURCH ROAD (SCR 382)
DELDOT PROJECT ID: 533-11-00-81-00

Date: 04/10/19
Job Number: 17042
Scale: AS SHOWN
Drawn By: ML
Designed By: DP
Approved By: JP

Sheet No.: _____

File Name: _____

7
PLAT.dwg

EXHIBIT F

Sweetbay

Sample Yield Plan



SWEET BAY

- SUBDIVISION TAX MAP: 533-11, PARCELS 81 & 82.01
SITE AREA = 41.55 ± ACRES
- PROPOSED USE: SUBDIVISION #2018-26
65 SINGLE FAMILY CLUSTER LOTS
DENSITY = 65 UNITS / 41.55 AC = 1.56
MIN. LOT AREA = 7,500 S.F.
MIN. LOT WIDTH = 60'
- YIELD PLAN
26 SINGLE FAMILY LOTS
DENSITY = 26 UNITS / 41.55 AC = 0.62
MIN. LOT AREA = 20,000 S.F.
MIN. LOT WIDTH = 100'

Save Our Farmland: Stop the Coastal Zone Ordinance

Dear Sussex County Farm Bureau Member,

I am writing to inform you that the Sussex County Council has proposed down zoning our AR zoned land. This ordinance, if enacted, could reduce the value of your land by 50 to 70%. At the writing of this letter, the ordinance has already been introduced and is on an accelerated path. It's supporters hope to pass the ordinance in early December 2020. Make no mistake, this proposal will pass if it goes unchecked. The only thing that will stop them from taking your property rights is by the landowners of Sussex County making their voices heard.

Not only could this ordinance reduce the value of your land, it could dramatically affect your borrowing power when you need to obtain financing for an operating loan, funds to purchase another farm, building or remodeling farm buildings or a new home, financing for new equipment or even financing for your children's education.

Councilman Burton recently lost his re-election and is trying to sneak this proposal through during his last few days of his Lame Duck term. He has the help of Council President Mike Vincent and Councilman Doug Hudson. They are obeying Governor Carney's Covid-19 restrictions to limit the size of public hearings. As a result, very few people can attend and give their public comment. The timing is also suspect as it is being rammed through when we, the farmers and stakeholders of Sussex County, are the busiest in the fields trying to harvest our crops during a very challenging and in many cases, disappointing harvest.

What can YOU do?

Please call Council President Mike Vincent, Councilman Doug Hudson and Councilman IG Burton. Tell them you are not in support of their proposal to devalue your land. Let them know that you don't appreciate limiting the size of public hearings on important issues that affect your livelihood, and don't appreciate them holding these hearings when you're busy trying to harvest your crops. Public participation is key in this process, particularly from the very landowners and farmers that are most impacted by this harmful and wrong-headed ordinance.

Below you will find the phone numbers of all County Council members. Feel free to reach out to all of the councilmen, including Reilly and Wilson, to share your feelings on this harmful ordinance.

President Mike Vincent (302) 236-4518

Doug Hudson (302) 542-1432

IG Burton (302) 270-5358

John Rieley (302) 858-8649

Sam Wilson (302) 228-7932

Best Regards

Steve Breeding

President, Sussex County Farm Bureau